



# PLANNING COMMISSION STAFF REPORT

FOR THE PLANNING COMMISSION  
MEETING OF APRIL 30, 2012  
AGENDA ITEM D1

**PROJECT:** El Camino Real/Downtown Specific Plan

**ACTION:** Review and Recommendation on Final Specific Plan, Final Environmental Impact Report (EIR), General Plan Amendment, Zoning Ordinance Amendment, Rezoning

## BACKGROUND

Menlo Park is developing a long-term plan for the El Camino Real and Downtown areas. The completed visioning process (Phase I: 2007-2008) has led into the preparation of a Specific Plan and associated Environmental Impact Report (EIR) and Fiscal Impact Analysis (FIA) (Phase II: 2009-2012). The culmination of the first phase of work was the City Council's unanimous acceptance of the Vision Plan, which serves as the foundation for the Specific Plan. For reference, the Vision Statement and Goals are included as Attachment A, and the Specific Plan's Guiding Principles are included as Attachment B.

The completed Specific Plan will be a comprehensive, action-oriented set of rules, containing elements such as plans for open space and other public improvements, detailed land use regulations, design guidelines, and implementation measures. The Specific Plan will set up the framework for public and private improvements, although the Specific Plan itself will not undertake or approve any individual project; such projects will need to go through their own approval processes in the future. Both the Vision and Specific Plan processes have benefited from extensive community outreach and participation.

The Specific Plan process is currently in Task 5 (*Final Specific Plan, EIR and Amendments*), having completed the earlier tasks:

- Task 1: *Project Initiation, Existing Conditions Analysis*
- Task 2: *Vision Refinement*
- Task 3: *Development of Framework, Concept Plans, Programs and Guidelines*
- Task 4: *Draft Specific Plan, Fiscal Impact Analysis, and Draft EIR*

The primary elements of Tasks 2 and 3 were the three Community Workshops, at which a diverse group of community members took part in facilitated, interactive activities designed to move from the values and goals of the vision phase to an informed

judgment about the detailed elements of the Specific Plan. The workshops benefitted from a large attendance, with between 100 and 150 people participating in each event.

Key milestones of Task 4 were the release of the Draft Specific Plan on April 7, 2010, and the release of the Draft EIR on April 29, 2011, both to strong community interest. The Planning Commission and City Council were originally scheduled to hold one meeting each to provide direction on the Draft Specific Plan, but both bodies expressed an interest and willingness to hold additional meetings in order to more fully explore and address comments, questions, and potential concerns, both from the Commission/Council and the public. The aim of this detailed review was to provide clear and specific direction on improvements and refinements to the plan, resulting in a Final Specific Plan that could be acted on without additional extensive review.

The Planning Commission held five meetings in July through August 2011, and the City Council followed with four meetings in August through October 2011. Both the Commission and Council incorporated review of the project FIA into these discussions. Concurrent with the Planning Commission and City Council's review, the Housing, Transportation, and Bicycle Commissions also conducted sessions on the Draft Specific Plan. Each of these Commissions recommended moving forward with the El Camino Real/Downtown Specific Plan process, subject to specific recommendations that were considered by the Planning Commission and City Council. All meetings benefitted from diverse public input.

The City Council concluded its review on October 4, 2011 with clear direction for substantive improvements to the Draft Specific Plan. The City Council direction is included as Attachment C, and key aspects of it are discussed in more detail in the Changes from Draft Specific Plan section of this report. Concurrent with the revisions to the Specific Plan, staff and the consultant team have prepared responses to comments on the Draft EIR and associated changes to the EIR and the Specific Plan, which are discussed in the Environmental Review section. Both the Final Specific Plan and Final EIR were released for public review on April 19, 2012.

## **ANALYSIS**

### Changes from Draft Specific Plan

This section highlights key changes made to the Specific Plan in response to the City Council's consolidated direction.

#### *Chapter D: Public Space*

- Trial Implementation (pages D10-D21 and D26): The Santa Cruz Avenue Sidewalks, Santa Cruz Avenue Central Plaza, Chestnut Paseo, Market Place, and Pocket Park improvements are required to be implemented on a trial basis, before moving forward with permanent installations. The trial period is to be used as the basis for the review and consideration of a permanent installation. Details related to design and operation of the trial periods would be developed at the

time the Council decided to move forward with any one of the identified public improvements. (*Note: the text requirement for pocket park trial implementation was inadvertently omitted in this version of the Specific Plan, but this will be corrected prior to adoption.*)

- North-South Walkability and East-West Connectivity (pages D38-D44): The Plan continues to propose expanded sidewalks along El Camino Real between Menlo/Ravenswood Avenues and Valparaiso/Encinal Avenues, but these would be achieved through increased building setbacks, not by relocating the curb line and reducing lane widths. Similarly, the proposal for east-west curb extensions (or “bulb-outs”) has been removed from the Plan. Retaining the existing curb line would provide greater flexibility for potential changes to El Camino Real’s lane configuration in the future.

#### *Chapter E: Land Use + Building Character*

- Building Heights (pages E18-E20, and individual Zoning District Tables):
  - SA W (Station Area West), SA E (Station Area East), and ECR SE (El Camino Real South-East) districts: Maximum façade heights have been reduced from 45 feet to 38 feet.
  - SA W district and the Alma Street portion of the SA E district: Maximum building heights have been reduced from 60 feet to 48 feet.
  - D (Downtown) district: For potential parking garages, maximum building heights have been reduced from 48 feet to 38 feet and maximum façade heights have been reduced from 38 feet to 30 feet, both of which would match maximums for other downtown buildings.
  - ECR NE (El Camino Real North-East) and ECR NE-R (El Camino Real North-East – Residential) districts: Maximum building heights have been increased from 38 feet to 48 feet, although this would require the application of a 38-foot façade height and the provision of public benefit.
- Massing and Modulation (pages E24-E29 and individual Zoning District Tables): New detailed building break, façade modulation, and upper story façade length requirements have been added, to ensure that buildings are varied and non-monolithic. Building profile requirements have been reviewed and revised, in particular to establish the profile at the minimum setback line in order to allow for greater flexibility and variation in site layout and building design. Requirements for the ECR SE zoning district have been reviewed comprehensively to both address community preferences and provide for feasible development.
- Non-Parking Improvements on Downtown Parking Plazas (page E11): Except for the limited market place concept, the Specific Plan has been revised such that downtown parking plazas may not be used for non-public purposes.
- Public Benefit Bonus and Structured Negotiation (pages E16-E17): Greater specificity is provided on the structure of the review process. In particular, the Planning Commission would provide an initial evaluation and comment in a

public study session prior to a full application, with the review informed by appropriate fiscal/economic analysis. With regard to final actions, additional clarity is provided on the types of benefits that require City Council action, as opposed to Planning Commission action. The list of recommended public benefits has been expanded with public suggestions from the Draft Specific Plan review process, and a process is established for the City Council to review and revise that list over time. The recommended density and intensity standards for the Base level maximum and the Public Benefit Bonus level maximum have been retained, as recommended by a feasibility analysis (included in Appendix F of the Final EIR).

- Sustainability (pages E36-E44): Sustainable practices have been reviewed and revised, both to reflect advancements that have occurred since the Draft Specific Plan was released (April 2010) and to enhance and clarify applicability of LEED requirements.

#### *Chapter F: Circulation*

- Bicycle Improvements (pages F9-F14): A new category of bicycle improvement has been added: "*Future Class II/Minimum Class III*", for areas where bicycle lanes are desired long-term, but are not necessarily feasible in the short term due to constraints, such as a need for removal of on-street parking. El Camino Real is included under this designation, although it is acknowledged that a detailed comprehensive analysis is required prior to implementation due to the complexity of this corridor. El Camino Real bicycle lanes are considered to address Council direction regarding protected bicycle facilities between the Middle Avenue/Burgess Park linkage and Roble/Cambridge Avenues. Bicycle parking standards have been reviewed and revised.
- Residential Parking Standards (pages F18-F21): In recognition of the area's proximity to transit, the minimum parking standard has been lowered to one (1) space per unit in the Station Area and nearby. In addition, a maximum parking standard of 1.5 spaces per unit has been established in the Station Area.
- Downtown Parking (pages F20-F30): Parking Plaza 2 has been added as a potential location for structured parking, in addition to Parking Plazas 1 and 3. However, the Plan retains a two-garage maximum.

#### *Chapter G: Implementation*

- Maximum Allowable Development (page G16): Clarifications have been made to specify that the Specific Plan would itself need to be amended, and additional environmental review conducted, in order to permit development in excess of the listed caps.
- Phasing of Public Improvements (page G26): The requirement for certain Downtown public space trial improvements has been included here, along with

limits on multiple projects occurring in close proximity at the same time and requirements for programs to minimize fiscal and convenience effects on businesses.

### *Overall*

- Standards and Guidelines: Standards (“shall” statements) and guidelines (“should” statements) have been comprehensively reviewed and revised. A number of guidelines have become standards, in order to provide greater certainty on key issues.

### General Plan and Zoning Ordinance Amendments

With a few, relatively modest exceptions, the Specific Plan has been designed to be an “all-inclusive” document. In other words, a property owner wishing to develop a piece of property would use the Specific Plan to understand the goals, standards, guidelines, and other regulations that apply, and would not need to also frequently cross-reference the Zoning Ordinance, General Plan, or other City document. Similarly, anyone wanting to understand how a particular public improvement would be implemented would primarily consult the Specific Plan. As such, the General Plan and Zoning Ordinance Amendments required to implement the Specific Plan are relatively limited.

The General Plan Amendments (Attachment G) consist of the incorporation of the Specific Plan through a new land use designation (*El Camino Real/Downtown Specific Plan*) and the change of Plan area parcels to that designation. The Zoning Ordinance Amendments (Attachment H) primarily consist of the addition of a new Zoning District (*SP:ECR/D, El Camino Real/Downtown Specific Plan*) and the deletion of pre-empted districts (*R-C, C-1-B, C-3, C-4(ECR), and P-D*) and associated references. In addition, the Zoning Ordinance Amendments include small changes to the Architectural Control and Variances sections, as well as modifications to the Nonconforming Uses and Buildings chapter to designate that existing buildings will not be considered nonconforming as a result of the Specific Plan (such as with regard to new setback requirements) and that existing discretionary approvals (such as a Use Permit, Conditional Development Permit (CDP), or Planned Development (P-D) Permit) will continue to be honored and enforced.

As the City has done for other recent Zoning Ordinance Amendments, there would be an allowance for projects that have applied for but not fully received their discretionary approvals to continue their review under the existing General Plan and Zoning Ordinance. Similarly, projects which have received discretionary approvals but not yet obtained building permits or completed construction would be allowed to complete the projects under the existing General Plan and Zoning Ordinance, provided they meet the timelines stated in their discretionary approvals.

Concurrent with the Zoning Ordinance Amendments, the project area parcels would be rezoned to the new SP:ECR/D zoning district (Attachment I).

## Correspondence

As of the printing date of the staff report (April 23, 2012), staff has not received any correspondence on the Final Specific Plan or EIR. Any correspondence submitted after this date will be presented to the Planning Commission at the April 30, 2012 public hearing.

## **ENVIRONMENTAL REVIEW**

The Draft EIR was released on April 29, 2011, with a public comment period that ended on June 20, 2011. The Planning Commission held a public hearing on June 6, 2011, for public and Commissioner comments on the Draft EIR. The Final EIR, prepared with response to comments on the Draft EIR, was released on April 19, 2012. CEQA does not establish a public comment period for Final EIRs that is analogous to those required for Draft EIRs; however, the City has encouraged that comments be provided by April 30, 2012. No comments have been received thus far.

The EIR analyzes the potential impacts of the project across a wide range of impact areas. The EIR identifies no impacts or less-than-significant impacts in the following categories: Aesthetic Resources; Geology and Soils; Hydrology and Water Quality; Land Use Planning and Policies; Population and Housing; and Public Services and Utilities. The EIR identifies potentially significant environmental effects that, with mitigation, would be less than significant in the following categories: Biological Resources; Cultural Resources; Hazards and Hazardous Materials. The EIR identifies potentially significant environmental effects that will remain significant and unavoidable in the following categories: Air Quality; Greenhouse Gases and Climate Change; Noise; and Transportation, Circulation and Parking. Except as updated by the Final EIR, the impacts were explained in detail in the staff report and presentation for the June 6, 2011 Planning Commission meeting.

The Final EIR primarily consists of comments received on the Draft EIR and associated responses. CEQA requires responses only to comments that address the adequacy of the EIR or the City's compliance with CEQA. However, comments related to the Specific Plan are noted and, in some cases, responded to with additional information. No substantive conclusions of the Draft EIR have changed. However, in some cases, Draft EIR comments have resulted in changes to the EIR text. For example, Chapter 4.8 *Hydrology and Water Quality* has been amended with additional information about the City's existing requirements that limit increases in off-site stormwater flow and which require treatment of such water. Changes have also been made to the EIR text to reflect the elements of the Specific Plan that have changed, such as the modified height limits. Where changes have been made to the EIR text, they are shown in standard "track changes" format (e.g., additions and ~~deletions~~). In addition, some Draft EIR comments have resulted in changes to the Specific Plan itself. For example, as previously noted, the Maximum Allowable Development section of Chapter G *Implementation* has been revised to clarify that amendment of the Specific Plan itself is required, in order to exceed the development caps described therein.

In order to complete the EIR process and certify the document, CEQA requires the adoption of a Statement of Certification, a Mitigation Monitoring and Reporting Program (MMRP), and Findings for Certification. The Statement of Certification states that the City has met all procedural requirements of CEQA, that the reviewing body has reviewed the EIR, and that the EIR reflects the City's independent judgment. The MMRP establishes responsibility and timing for implementation of all required mitigation measures. The Findings for Certification address the potentially significant impacts identified in the EIR, describing the impact, the mitigation, and whether or not the impact has been mitigated or is significant and unavoidable. The Findings also address the feasibility of mitigation measures and alternatives. The Statement of Certification, MMRP, and Findings for Certification are included as Attachments D, E, and F, respectively.

As identified in the EIR, the project would result in significant, unavoidable impacts. In order to approve the project with significant and unavoidable environmental impacts, the City Council must adopt a Statement of Overriding Considerations. This is a specific finding that the project includes substantial benefits that outweighs its significant, adverse environmental impact. The Statement of Overriding Considerations is included as part of the Findings for Certification (Attachment F). The City Council will be the final decision-making body on all documents associated with the certification of the Final EIR.

## **RECOMMENDATION**

The El Camino Real/Downtown Specific Plan is the product of a transparent, multi-year process designed to develop community judgment. The project has benefitted from unprecedented levels of public outreach and participation, and has been informed by appropriate environmental and fiscal analyses. The Planning Commission and City Council both conducted a detailed review of the Draft Specific Plan and provided clear direction that has been comprehensively addressed. The Specific Plan will provide a firm foundation for the development of the heart of Menlo Park, and will enhance public space, generate vibrancy, sustain Menlo Park's village character, enhance connectivity, and promote healthy living and sustainability. Staff recommends the Planning Commission recommend approval to the City Council of the following actions:

### Environmental Review

1. Adopt a Resolution of the City Council of the City of Menlo Park, Certifying the Final Environmental Impact Report (EIR) for the El Camino Real/Downtown Specific Plan (Attachment D)
2. Approve the Mitigation Monitoring and Reporting Program for the El Camino Real/Downtown Specific Plan (Attachment E)
3. Approve the Findings Required Under the California Environmental Quality Act (including the Statement of Overriding Considerations) for the El Camino Real/Downtown Specific Plan (Attachment F)

## General Plan Amendments

4. Adopt a Resolution of the City Council of the City of Menlo Park, Amending the General Plan to Add the El Camino Real/Downtown Specific Plan Land Use Designation and to Change the Land Use Designation for Properties Located in the Specific Plan Area (Attachment G)

## Zoning Ordinance Amendments and Rezoning

5. Introduce an Ordinance of the City of Menlo Park, Amending Title 16 of the Menlo Park Municipal Code to Incorporate the El Camino Real/Downtown Specific Plan (Attachment H)
6. Introduce an Ordinance of the City of Menlo Park, Rezoning Properties Located in the El Camino Real/Downtown Specific Plan Area (Attachment I)

## Specific Plan Adoption

7. Adopt a Resolution of the City of Menlo Park, Approving and Adopting the El Camino Real/Downtown Specific Plan (Attachment J)

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## **PUBLIC NOTICE**

Public notification consisted of publishing a legal notice in the local newspaper and notification by mail of all property owners and occupants within 300 feet of the subject property. In addition, the City has prepared a project page for the proposal, which is available at the following address: <http://www.menlopark.org/specificplan>. This page provides up-to-date information about the project, allowing interested parties to stay informed of its progress. The page allows users to sign up for automatic email bulletins, notifying them when content is updated and meetings are scheduled. The project list currently has 975 subscribers.

## ATTACHMENTS

- A. [Vision Plan Excerpt - Vision Statement and Goals](#)
- B. [Specific Plan Excerpt - Guiding Principles](#)
- C. [City Council Consolidated Direction on the Draft Specific Plan](#)
- D. [Draft Resolution of the City Council of the City of Menlo Park, Certifying the Final Environmental Impact Report \(EIR\) for the El Camino Real/Downtown Specific Plan](#)
- E. [Draft Mitigation Monitoring and Reporting Program for the El Camino Real/Downtown Specific Plan](#)
- F. [Draft Findings Required Under the California Environmental Quality Act \(including the Statement of Overriding Considerations\) for the El Camino Real/Downtown Specific Plan](#)
- G. [Draft Resolution of the City Council of the City of Menlo Park, Amending the General Plan to Add the El Camino Real/Downtown Specific Plan Land Use Designation and to Change the Land Use Designation for Properties Located in the Specific Plan Area](#)
- H. [Draft Ordinance of the City of Menlo Park, Amending Title 16 of the Menlo Park Municipal Code to Incorporate the El Camino Real/Downtown Specific Plan](#)
- I. [Draft Ordinance of the City of Menlo Park, Rezoning Properties Located in the El Camino Real/Downtown Specific Plan Area](#)
- J. [Draft Resolution of the City of Menlo Park, Approving and Adopting the El Camino Real/Downtown Specific Plan](#)

## EXHIBITS TO BE PROVIDED AT MEETING

Presentation

## AVAILABLE FOR REVIEW AT CITY OFFICES AND ON THE PROJECT WEB PAGE

- [Final El Camino Real/Downtown Specific Plan](#)
- [Final Environmental Impact Report \(EIR\)](#)
- [Draft El Camino Real/Downtown Specific Plan](#)
- [Draft Environmental Impact Report \(EIR\)](#)
- [Fiscal Impact Analysis \(FIA\)](#)
- [El Camino Real/Downtown Vision Plan](#)

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