



## PLANNING COMMISSION ACTIONS

Regular Meeting  
September 13, 2004  
7:00 p.m.

City Council Chambers  
701 Laurel Street, Menlo Park, CA 94025

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CALL TO ORDER – 7:03 p.m.

ROLL CALL – Bims, Deziel, Fergusson (Vice-chair), Henry, Keith, Pagee (Chair), Sinnott

INTRODUCTION OF STAFF – Cramer, Jones, Murphy, Thompson

### A. PUBLIC COMMENTS - NONE

### B. CONSENT CALENDAR

1. [Architectural Control/898 Santa Cruz Avenue/Howard Bulka](#): Request for Architectural Control for changes to the left side facade of the building, including new windows and door, and the modification to the canopy overhang on left side of the building. **COMMISSION ACTION: M/S Fergusson/Bims to approve as recommended in the staff report, 7-0.**

### C. PUBLIC HEARINGS

1. [Use Permit and Variance/Gary McClure/1064 Laurel Street](#): Request for a use permit to demolish an existing single-story residence and construct two new residences on a property that is substandard in regard to lot width and a use permit for excavation into the left and right side setbacks for lightwells and egress associated with a basement for the new one-story rear residence. Request for a variance for a portion of the attached garage at the front unit to encroach 7 feet, 6 inches into the required 20-foot separation from the existing structure on the adjacent property to the right, and a request for a variance for both attached garages to encroach four feet into the required 10 foot right side setback. **COMMISSION ACTION: M/S Fergusson/Bims to approve as recommended in the staff report, 7-0.**
2. [Use Permit/Henry Riggs/1211 Sevier Avenue](#): Request for a use permit for ground floor additions to an existing single-story residence and the construction of a new detached accessory structure on a parcel that is substandard in regard to lot width and lot area. **(Continued to a future meeting date)**
3. [Use Permit/Mike S. J. Yang/190 Constitution Drive](#): Request for a use permit for a private recreational use for a Badminton Club in the M-2 (General Industrial) zoning district. **COMMISSION ACTION: M/S Sinnott/Keith to approve with the addition of condition "H" that the Badminton Club shall work with the City of Menlo Park Parks and Community Services Department to formalize a badminton program available through Community Services to serve the Menlo Park community (7-0).**
4. [Use Permit/Triet Ngo/3905 Bohannon Drive](#): Request for a use permit for the use and storage of hazardous materials for a 3,000 gallon oxygen tank located outside of the building and for the use and storage of hazardous materials inside of the building in association with a healthcare

company located in the M-2 (General Industrial) zoning district. **COMMISSION ACTION: M/S Deziel/Fergusson to approve with the elimination of condition “J” in the staff report, 7-0.**

5. **Zoning Ordinance Amendment/City of Menlo Park:** Consideration of amendment to the Zoning Ordinance to implement the State Density Bonus and Incentives Law for residential development. **COMMISSION ACTION: M/S Pagee/Bims to recommend approval of the proposed Zoning Ordinance Amendment to the City Council with the following changes (7-0):**

- Modify Section 16.97.040 (c) *Requirements* to include consideration of fiscal and operational impacts on schools and city facilities as part of the required submittal of a fiscal impact and economic feasibility study to be submitted by a developer;
- Modify Section 16.97.060 (b) *Findings* to allow greater flexibility to a developer to implement the State Housing Density Bonus and Incentives law without having to comply with all of the requirements and guidelines for the City's Below Market Rate Housing Program, with direction to staff to prepare alternatives for the Council's consideration including specifying the creation of State Housing Density and Incentive Bonus Program Guidelines that establish criteria for implementation of the program; and
- Modify Section 16.97.060 (c) *Findings* to include that the Council shall consider that the cost and benefit to the City derived from granting the density bonus or other incentive is appropriate when considered against the cost to the developer to provide affordable housing units.

#### D. STUDY SESSION

1. **General Plan Amendment, Zoning Ordinance Amendment, Rezoning, Planned Development Permit, Right-of-Way Abandonment, and Lot Merger/O'Brien at Derry Lane, LLC/550 to 580 Oak Grove Avenue and 540 to 570 Derry Lane:** Requests for the following: 1) General Plan Amendment and Zoning Ordinance Amendment to allow residential uses at a maximum of 40 dwelling units per acre for properties zoned P-D District and in close proximity to the Caltrain Station, 2) Rezoning the properties from C-4 General Commercial District (Applicable to El Camino Real) to P-D District, 3) Planned Development Permit to establish specific development regulations and review architectural designs for the demolition of five commercial structures and the construction of 135 residential units and 17,000 square feet of commercial space, 4) Right-of-Way Abandonment of Derry Lane, the Garwood Way Plan Line, and the Oak Grove Plan Line, and 5) Lot Merger of 8 existing lots plus Derry Lane. The proposal requires the preparation of an Environmental Impact Report.

The Planning Commission provided preliminary comments recognizing that the project was still in its early stages and additional information would be forthcoming as part of the release of the Draft EIR. Individual Commissioners identified the following aspects of the project as positive:

- Appropriateness of site location (i.e., adjacent to train station and downtown) for proposed project scale and intensity;
- Pedestrian connectivity with the Oak Grove Avenue frontage for the at-grade uses;
- Architectural style, especially in light of the proposed style for the redevelopment of the Safeway site on El Camino Real;
- Rental units instead of ownership units in terms of reinvigorating the rental housing stock;
- Creation of a public access easement connecting Garwood Way to Oak Grove Avenue.

Individual Commissioners identified the following issues for further consideration:

- Explore an expansion of the plaza feature that would be more similar in scale to the plaza at Menlo Center.
- Increase the amount of parking provided to more closely meet the City's parking requirements.
- Explore the possibility of fully submerging the parking and creating other structured parking opportunities (e.g., ground level parking behind the commercial component) to provide additional parking, especially in light of the future potential loss of proposed parking along Garwood Way.
- Design the project to account for potential grade separation proposals, including the Oak Grove underpass ("deep dip") option.
- Re-evaluate the requests for abandoning the plan line along Oak Grove Avenue and creating of diagonal parking along Oak Grove Avenue.
- Explore the potential for increasing the height of the proposal in select locations (e.g., along the railroad tracks), while examining the potential adverse impacts on properties located on the other side of the railroad tracks.
- Consider alternative locations for the trash enclosure.

In addition, individual Commissioners were interested in learning more about the following as the project review process progressed:

- What are the parking ratios at Menlo Center?
- How many people are estimated to be added to the City by the project and what are the potential impacts to schools and recreation facilities?
- What are some examples of projects in surrounding communities that are of similar size and material quality?
- What could be done to attract appropriate commercial tenants, especially a retail anchor on the ground floor?
- How are residential rental units regulated through the Below Market Rate (BMR) Program and how do they count toward meeting the State Housing Goals?
- What benefit does the project offer to the City in exchange for the Planned Development (PD) zoning, inclusive of the proposed amendments to increase residential density (dwelling units per acre) and floor area ratio?

## E. REGULAR BUSINESS

1. Consideration of the minutes of the May 17, 2004 Planning Commission meeting and consideration of excerpts of the July 26, 2004 Planning Commission meeting regarding 1460 El Camino Real. **COMMISSION ACTION: M/S Fergusson/Sinnott to approve as submitted, 4-0-3 with Commissioners Deziel, Henry and Keith abstaining.**

## F. COMMISSION BUSINESS, REPORTS, AND ANNOUNCEMENTS

- Summary of Transportation Commission meeting on grade separation **The Commission postponed discussion of the item to the September 27, 2004 meeting.**
- Review of upcoming planning items on the City Council agenda.
- **The Commission asked that a summary of the August 30, 2004 study meeting on alleys be placed on an upcoming meeting agenda.**

**ADJOURNMENT 10:52 p.m.**

**Future Planning Commission Meeting Schedule**

Joint City Council and Planning Commission Meeting	September 21, 2004
Regular Meeting	September 27, 2004
Regular Meeting	October 11, 2004
Regular Meeting	October 25, 2004
Regular Meeting	November 8, 2004
Regular Meeting	November 22, 2004
Regular Meeting	December 6, 2004
Regular Meeting	December 13, 2004