



## PLANNING COMMISSION ACTIONS

Regular Meeting  
October 11, 2004  
7:00 p.m.

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

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Teleconference with participation by Commissioner Bims from  
JW Marriott Hotel  
1331 Pennsylvania Ave.  
Washington, DC 20004  
(Posted October 11, 2004)

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**CALL TO ORDER – 7:04 p.m.**

**ROLL CALL** – Bims ([via teleconference](#)), Deziel, Fergusson (Vice-chair), Henry, Keith, Pagee (Chair), Sinnott

**INTRODUCTION OF STAFF** – Cramer, McClure, Murphy, O’Connell, Thompson

**A. PUBLIC COMMENTS - None**

**B. CONSENT CALENDAR - None**

**C. PUBLIC HEARINGS**

1. **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. **COMMISSION ACTION:** M/S Deziel/Keith to approve as recommended in the staff report, with the replacement of condition “h” with the following, “The dining area addition shall be constructed using pier and beam construction if deemed by the City Arborist and the Building Division to be in the best interest of the heritage redwood tree and if so, hand trenching, supervised by the consulting arborist prior to submittal for building permit, shall serve to identify the location of piers that will minimize the impact of construction on the redwood. Prior to building permit issuance, the applicant shall obtain approval for the location of the piers from the City Arborist and Building Division if applicable.” (5-2, with Commissioners Pagee and Henry opposed).
2. **Use Permit/Bruce Forsythe/1155 University Drive:** Request for a use permit to locate a hair stylist, a personal service, in one tenant space in a building at 1155 University Drive in the C-1-B zoning district. **COMMISSION ACTION:** M/S Sinnott/Fergusson to approve as recommended in the staff report, 7-0.
3. **Use Permit/Valerie Rosenblatt/160 Constitution Drive Suite B:** Request for a use permit for a private recreational use in the M-2 General Industrial zoning district. ***Continued to a future meeting at the request of the applicant.***

4. **Zoning Ordinance Amendment, Use Permit Revision, and Environmental Review/Dr. Marina Gocha/846 Oak Grove Avenue:** Request for a Zoning Ordinance Amendment to allow personal service as a conditional use in the R-C Mixed Use zoning district, and a use permit revision to operate a personal service use associated with a day spa at 846 Oak Grove Avenue. The proposal also requires review and approval of a Negative Declaration. **COMMISSION ACTION:** The Commission voted on the proposed Zoning Ordinance Amendment and Negative Declaration separately from the request for a use permit revision. On the matter of the request for a Zoning Ordinance Amendment to allow personal service as a conditional use in the R-C Mixed Use zoning district and associated environmental review, the Commission voted 6-0 (with Commissioner Sinnott recused) to recommend approval of findings 1-4 as presented in the staff report to the City Council. On the matter of the request for a use permit revision to allow personal service use associated with a day spa at 846 Oak Grove Avenue, the Commission voted 7-0 to recommend approval of findings 5-6 as presented in the staff report to the City Council.
5. **Zoning Ordinance Amendments and Negative Declaration/City of Menlo Park:** Consideration of proposed changes to the Zoning Ordinance for commercial development including the following:
- 1) Creation of an administrative review process for the use of hazardous materials, outside storage of vehicles and equipment, and minor alterations to building exteriors in the M-2 (General Industrial) zoning district;
  - 2) Creation of an administrative review process for non-retail uses on non-ground floor locations in the C-3 (Central Commercial) zoning district;
  - 3) Creation of an administrative review process for restaurant related alcohol sales, and restaurant related outdoor seating in the C-3 (Central Commercial) and C-4 (General Commercial Applicable to El Camino Real) zoning district;
  - 4) Creation of an administrative review process for granting one-year extensions of approvals which have not been implemented;
  - 5) Modification of the threshold for requiring a use permit for repair, alteration and maintenance of nonconforming commercial structures from 25 percent of the assessed value to 50 percent of the replacement cost; and
  - 6) Related technical “clean ups” to bring the Zoning Ordinance into compliance with State law. A Negative Declaration will be reviewed with the proposed amendments. **COMMISSION ACTION:** Through a series of motions, the Commission voted unanimously to recommend the adoption of the Negative Declaration and the Zoning Ordinance Amendment subject to the following modifications:
- 1) Eliminate all of the proposed changes to the current use permit requirement for the use of hazardous materials in the M-2 zoning district, specifically the directing the following:
    - a) Delete the proposed listing under “Administrative Uses” in the M-2 zoning district;
    - b) Leave the existing listing under “Conditional Uses” in the M-2 zoning district;
    - c) Delete the proposed finding for Hazardous Materials under the Administrative Permit section;
    - d) Delete references to the proposed change from the Negative Declaration;
  - 2) Change the name of use category from “Administrative Use” to “Administratively Permitted Uses” in the C-3, C-4(ECR) and M-2 zoning districts.
  - 3) Revisit the Floor Area Ratio language in the C-3 and C-4(ECR) zoning districts to ensure that the language is as clear as possible.
  - 4) Under the Administrative Permit noticing and appeal requirements, change the following:
    - a) Increase the minimum notification from 10 days to 15 days.
    - b) Clarify the ordinance language to encourage people to contact staff with comments during the noticing period and for staff to consider all comments.
    - c) Clearly define the term “interested party” and describe how such a person would be notified.
    - d) Make it clear that the City would send new notices to all property owners, residents and businesses within 300 feet of the property for appeals to the Planning Commission.

- 5) Increase the minimum noticing period for all items requiring a public hearing from the State-mandated minimum of 10 days to 15 days.
- 6) Maintain the 25% threshold (instead of increasing to 50%) for repair, alteration and maintenance of commercial buildings while changing the means of measurement from assessed value to replacement value as proposed.

#### **D. REGULAR BUSINESS**

1. Consideration of excerpts from the minutes for the September 13, 2004 Planning Commission meeting on the State Housing Density Bonus and Incentives Zoning Ordinance Amendment. [The Commission postponed the review of the minutes to the October 25, 2004 meeting.](#)

#### **E. COMMISSION BUSINESS, REPORTS, AND ANNOUNCEMENTS**

- Consideration of rescheduling November Planning Commission Meetings due to Thanksgiving Holiday. [The Commission agreed to move the November 22, 2004 meeting to November 15, 2004.](#)
- Summary of Transportation Commission meeting on grade separation. [Commissioner Deziel briefly discussed grade separation. The Commission did not take action on this issue.](#)
- Summary of study meeting on alleys in the Willows neighborhood. [This issue was continued to the October 25, 2004 meeting.](#)
- Review of upcoming planning items on the City Council agenda.

**ADJOURNMENT 11:30 p.m.**

#### **Future Planning Commission Meeting Schedule**

Regular Meeting	October 25, 2004
Regular Meeting	November 8, 2004
Regular Meeting	November 22, 2004- <a href="#">RESCHEDULED TO NOVEMBER 15, 2004</a>
Regular Meeting	December 6, 2004
Regular Meeting	December 13, 2004