



PLANNING COMMISSION ACTIONS

March 31, 2008

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:03 p.m.

ROLL CALL – Bims ([Arrived at 7:04 p.m.](#)), Bressler ([Arrived at 7:04 p.m.](#)), Deziel (Chair), Keith, O'Malley, Pagee, Riggs (Vice chair)

INTRODUCTION OF STAFF – Deanna Chow, Senior Planner; Megan Fisher; Associate Planner; Bill McClure, City Attorney; Justin Murphy, Development Services Manager

A. PUBLIC COMMENTS - None

B. CONSENT – None

Items on the consent calendar are considered routine in nature, require no further discussion by the Planning Commission, and may be acted on in one motion unless a member of the Planning Commission or staff requests a separate discussion on an item.

C. PUBLIC HEARING

1. [Rescind Previous Approvals for the Derry Project and Consider a General Plan Amendment, Zoning Ordinance Amendment, Rezoning, Planned Development Permit, Major Subdivision, Development Agreement, and Environmental Review for the Revised Derry Project/O'Brien at Derry Lane, LLC/550 to 580 Oak Grove Avenue and 540 to 570 Derry Lane:](#)
 - 1) General Plan Amendment to modify the El Camino Real land use designation and the associated land use intensity tables to allow the density for residential uses to exceed the base density of 18.5 dwelling units per acre (du/ac) and to allow the intensity to exceed the base floor area ratio (FAR) of 75 percent on this property;
 - 2) Zoning Ordinance Amendment to modify Chapter 16.57 P-D District to allow the density for residential uses to exceed the base density of 18.5 du/ac and to allow intensity to exceed the overall floor area ratio (FAR) requirements of the existing C-4 General Commercial District (Applicable to El Camino Real) zoning designation on this property;
 - 3) Rezoning the property from C-4 (ECR) District to P-D (Planned Development) District;
 - 4) Planned Development Permit for the demolition of existing commercial structures and to establish specific development regulations and architectural designs for the construction of:
 - 108 residential units at a density of 40 du/net acre where 18.5 du/ac is the maximum density permitted by the pre-existing zoning designation;
 - Approximately 146,075 square feet of residential gross floor area;
 - Approximately 12,650 square feet of retail/restaurant (with permitted restaurant alcohol sales and outdoor seating) space and 12,275 square feet of non-medical office space for a total commercial gross floor area of 24,925 square feet;

- An approximate residential FAR of 124 percent and commercial FAR of 21 percent for a total FAR of 145 percent where 75 percent is the maximum FAR permitted by the pre-existing zoning designation; and
 - Three-story building elements with a maximum building height of 40 feet where 30 feet is the maximum building height permitted by the pre-existing zoning designation; and
 - 301 on-site parking spaces in a partially submerged and below-grade parking structure where 366 parking spaces would be required by the existing C-4 (ECR) zoning designation.
- 5) Major Subdivision to merge eight existing lots, to abandon right-of-way, plan lines, and easements, to dedicate right-of-way and easements, and to create 108 residential and up to a maximum of eight commercial condominium units;
 - 6) Development Agreement to allow the project sponsor to secure vested rights and the City to secure certain benefits;
 - 7) Below Market Rate Agreement to provide 16 BMR units and in-lieu fees in accordance with the City's BMR Housing Program;
 - 8) Heritage Tree Removal Permit to remove five on-site heritage trees, and to remove three off-site heritage trees associated with the proposed Derry Lane/Garwood Way right-of-way improvements and extension; and
 - 9) Environmental Impact Report Addendum to compare the potential environmental impacts of the proposal with the certified EIR.

COMMISSION ACTIONS:

All motions and modifications are in reference to Attachment C of the March 31, 2008 staff report.

General Plan Amendment

M/S Deziel/Riggs to recommend making the finding for the General Plan Amendment with the following modifications; 6-0-1 (Commissioner Bressler abstaining):

- Eliminate the reference to the project name;
- Add a description of the boundaries of the geographic area of the project; and
- Add a purpose statement to the text of the General Plan.

General consent to recommend approving a resolution for the General Plan Amendment with the following modifications:

- Eliminate the reference to the project name;
- Add a description of the boundaries of the geographic area of the project; and
- Add a purpose statement to the text of the General Plan.

Zoning Ordinance Amendment

M/S Deziel/Keith to recommend making the finding and approving the Zoning Ordinance Amendment with the following modifications; 7-0:

- Eliminate the reference to the project name; and
- Add a description of the boundaries of the geographic area of the project.

Rezoning

M/S Riggs/Bims to recommend making the finding and approving the Rezoning; 7-0.

Planned Development Permit

General consent to recommend modifying the landscape bollard lighting to better complement the architectural style of the project.

M/S O'Malley/Bressler to recommend the following modification to the project and associated conditions of approval in the PD Permit; 7-0:

- Exclude construction of the pedestrian path in the vegetated swale.

M/S Bims/Bressler to recommend making the findings and approving the PD Permit with the following modification and advisory; 7-0:

- Amend section 2.4 to require a minimum of 20 percent on-site landscaping.
- Staff shall inform the City Council that there is a disconnect between the PD Permit use table and the potential ground floor commercial leasing schemes provided by the applicant, and shall advise them that community serving uses (such as fitness and personal service) should be allowed to be located on the second floor of the project, but have not been included in the PD Permit use table.

Tentative Map

M/S Deziel/Pagee to recommend rescinding the previous approval, making the finding, and approving the Tentative Map; 7-0.

Development Agreement

M/S Riggs/Bims to recommend making the finding and approving the Development Agreement (with the corrected typo in section 3.3.1); 7-0.

Environmental Review

M/S Riggs/Bims to recommend making the finding that the Addendum to the Certified Environmental Impact Report provides adequate environmental documentation of the changes to the project with the following modification; 3-1-3 (Commissioner Pagee opposed and Commissioners Bressler, Keith, and O'Malley abstaining).

- Allow a five percent transit-oriented development (TOD) reduction for residential trips and a 15 percent TOD reduction for ground floor retail and restaurant trips.

D. REGULAR BUSINESS - None

E. COMMISSION BUSINESS

1. Review of upcoming planning items on the City Council agenda.
 - A. Oak Knoll School Negative Declaration
 - B. Planned Development Permit Extension, Vesting Tentative Map Extension, and Planned Development Permit Amendment - 1452 & 1460 El Camino Real and 1457 & 1473 San Antonio Street

F. REPORTS AND ANNOUNCEMENTS

ADJOURNMENT 11:57 p.m.

Future Planning Commission Meeting Schedule

Regular Meeting	April 7, 2008
Regular Meeting	April 21, 2008
Regular Meeting	May 5, 2008
Regular Meeting	May 19, 2008
Regular Meeting	April 7, 2008
Regular Meeting	April 21, 2008

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