



PLANNING COMMISSION ACTIONS

January 12, 2009

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:01 p.m.

ROLL CALL – Bressler, Ferrick, Kadvany, Keith ([Arrived 7:02 p.m.](#)), O'Malley (Vice chair), Pagee, Riggs (Chair)

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

A. PUBLIC COMMENTS - None

Under “Public Comments,” the public may address the Commission on a consent calendar item or any subject not listed on the agenda within the jurisdiction of the Commission. When you do so, please state your name and city or political jurisdiction in which you live for the record. The Commission cannot respond to non-agendized items other than to receive testimony and/or provide general information.

B. CONSENT

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.

1. [Approval of minutes from the December 8, 2008, Planning Commission meeting.](#)
Approve with the following changes; 7-0:
 - Page 7, 4th full paragraph, 1st line: Replace “Kavadny” with “Kadvany”;
 - Page 16, 1st paragraph, 2nd line: Replace “high” with “low”; and
 - Page 19, 2nd to last line: Remove italics from the word “ADJOURNMENT”.

C. PUBLIC HEARING

1. [Use Permit/Connie Fitzgerald/1140 Middle Avenue](#): Request for a use permit to demolish an existing single-story, single-family residence and construct a new two-story, single-family residence on a substandard lot in regard to lot width in the R-1-S (Residential Single-Family Suburban) zoning district.

As part of this development, the applicant is proposing to remove six heritage trees: a stone pine (#14) in the middle of the property with a 47.3-inch diameter at standard height (DSH) in fair condition, a stone pine (#28) in the right side yard with a 42.7-inch DSH in fair condition, a stone pine (#11) in the left side yard with a 15.2-inch DSH in poor condition, a privet (#18) in the rear yard with an 18-inch DSH in fair condition, and two privets (#5 and 12), a 16.5-inch DSH in fair condition and a multi-trunk tree in fair condition, along the left side yard. Additionally, ten non-heritage trees, primarily located along the left side and rear yards, are proposed to be removed to accommodate the new driveway and detached garage.

COMMISSION ACTION: [M/S Pagee/Keith to approve with the following modifications; 7-0:](#)

Add condition 4b: Concurrent with the submittal of a complete building permit application, the applicant shall submit revised plans showing the driveway with a permeable surface from the property line to the garage and provide a detailed cross-section, subject to review and approval by the Planning and Engineering Divisions.

Add condition 4c: Concurrent with the submittal of a complete building permit application, the applicant has the flexibility to submit revised plans that add building code compliant glazing to the garage, subject to review and approval by the Building and Planning Divisions.

2. **Use Permit/TJet Technologies, Inc./1430 O'Brien Drive, Suite A:** Request for a use permit for the indoor use and storage of hazardous materials for the research and development and manufacture of organic light emitting diode (OLED) displays in the M-2 (General Industrial) zoning district. **COMMISSION ACTION:** M/S O'Malley/Bressler to approve the item as recommended in the staff report; 7-0.

D. PUBLIC MEETING

1. **Architectural Control/Sunset Publishing Corporation/80 Willow Road:** Request for architectural control for the removal of an existing sand volleyball area in a courtyard behind the existing main building, and the construction of a new outdoor test kitchen facility, including a fully-equipped kitchen with burners, grills, sinks, and refrigeration, a pizza oven, new landscaping and gardens, lighting, hardscape, and seating areas for property located in the C-1 (Administrative and Professional, Restrictive) zoning district. **COMMISSION ACTION:** M/S Keith/Pagee to approve the item as recommended in the staff report; 7-0.

E. REGULAR BUSINESS

1. **Zoning Ordinance Amendment/City of Menlo Park:** Consideration of a Zoning Ordinance Amendment to clarify the definition of Gross Floor Area to more specifically identify features of a building that are either included or excluded from the calculation. Gross floor area is used in calculating the floor area ratio (FAR) and parking requirements for developments in all zoning districts except for single-family and R-2 (Low Density Apartment) zoning districts. Floor area ratio equals the gross floor area of a building divided by the lot area and effectively regulates the size of a building. In addition, gross floor area is used in determining the applicability of requirements for below market rate (BMR) housing and the preparation of traffic studies. The clarifications to the definition will focus on new buildings and attempt to minimize impacts to existing buildings. The Zoning Ordinance Amendment will be exempt from the California Environmental Quality Act (CEQA) in that the changes are intended to have no potential to impact the environment. **COMMISSION ACTION:** M/S O'Malley/Ferrick to recommend the proposed Zoning Ordinance Amendment to the City Council with the following modifications; 7-0:

Modify subsection 16.04.325 B(1) to read as follows: Areas of a basement with a floor to ceiling height of six feet, six inches or greater.

Modify subsection 16.04.325 B(3) to read as follows: Areas of an attic with a floor to ceiling height of six feet, six inches or greater.

The Commission also made the following actions regarding the item:

M/S Ferrick/Pagee to have Commissioners Riggs and O'Malley, with input from Commissioner Kadwany, update the previously reviewed two-page summary of the Commission's final recommendation for use by the City Council; 7-0.

M/S Riggs/Keith to nominate Commissioner Bressler to represent the Planning Commission at the City Council meeting on Gross Floor Area, and to present the two-page summary and address questions about the Commission's review process and recommendation; 7-0.

2. Selection of Planning Commission Chair and Vice Chair for 2009

Commissioner Riggs was appointed Chair; 7-0.

Commissioner O'Malley was appointed Vice Chair; 7-0.

3. Selection of Planning Commission Representative for the El Camino Real/Downtown Specific Plan Oversight and Outreach Committee

Commissioner Riggs was appointed the Planning Commission representative for the El Camino Real/Downtown Oversight and Outreach Committee; 7-0.

In addition to Commissioner Riggs, Commissioner Ferrick and Commissioner Kadvany were appointed to serve on the Planning Commission subcommittee; 7-0.

4. Review of Draft Attendance Report for Calendar Year 2008

Approved subject to review of Commissioner Keith's attendance at the January 28, 2008 meeting.

5. Discussion on Memorandum Regarding City Council Project Priorities for FY 2009-10

The Commission asked staff several questions regarding current projects both related and unrelated to the Community Development Department on the 2008-09 project priority list. Several Commissioners asked for clarification on the draft City Council goals established at its December 5, 2008 goal setting session. In response to whether additional information is needed for the Commission's January 26 project priority setting session, the Commission agreed that no additional information or ranking sheet is necessary.

F. COMMISSION BUSINESS

1. Review of planning items on City Council agendas.

A. El Camino Real/Downtown Specific Plan (Phase II) Process

G. REPORTS AND ANNOUNCEMENTS

ADJOURNMENT 10:11 p.m.

Future Planning Commission Meeting Schedule

Regular Meeting	January 26, 2009
Regular Meeting	February 9, 2009
Regular Meeting	February 23, 2009

This Agenda is posted in accordance with Government Code Section §54954.2(a) or Section §54956. (Date Posted: January 8, 2009.) Persons with disabilities, who require auxiliary aids or services in attending or participating in Planning Commission meetings, may contact the City Clerk at (650) 330-6600. Members of the public can view or subscribe to receive future weekly agendas and staff reports in advance by e-mail by accessing the City website at <http://www.menlopark.org>. Agendas and staff reports may also be obtained by contacting Vanh Malathong at 650-330-6736.

Any writing that is distributed to a majority of the commission by any person in connection with an agenda item is a disclosable public record (subject to any exemption under the Public Records Act) and is available for inspection at The Community Development Department, Menlo Park City Hall, 701 Laurel Street, Menlo Park, CA 94025 during regular business hours. Planning Commission meetings are recorded and audio broadcast live. To listen to the live audio broadcast or to past recordings, go to http://menlopark.granicus.com/ViewPublisher.php?view_id=2.



PLANNING COMMISSION

Agenda and Meeting Information

The Planning Commission welcomes your attendance at and participation in this meeting. The City supports the rights of the public to be informed about meetings and to participate in the business of the City.

ASSISTANCE FOR PERSONS WITH DISABILITIES: Person with disabilities who require auxiliary aids or services in attending or participating in Planning Commission meetings, may call the Planning Division office at (650) 330-6702 prior to the meeting.

COMMISSION MEETING AGENDA AND REPORTS: Copies of the agenda and the staff reports with their respective plans are available prior to the meeting at the Planning Division counter in the Administration Building, and on the table at the rear of the meeting room during the Commission meeting. Members of the public can view or subscribe to receive future weekly agendas and staff reports in advance by e-mail by accessing the City website at <http://www.menlopark.org>.

MEETING TIME & LOCATION: Unless otherwise posted, the starting time of regular and study meetings is 7:00 p.m. in the City Council Chambers. Meetings will end no later than 11:30 p.m. unless extended at 10:30 p.m. by a three-fourths vote of the Commission.

PUBLIC TESTIMONY: Members of the public may directly address the Planning Commission on items of interest to the public that are within the subject matter jurisdiction of the Planning Commission. The City prefers that such matters be presented in writing at the earliest possible opportunity or by fax at (650) 327-1653, e-mail at planning.commission@menlopark.org, or hand delivery by 4:00 p.m. on the day of the meeting.

Speaker Request Cards: All members of the public, including project applicants, who wish to speak before the Planning Commission must complete a Speaker Request Card. The cards shall be completed and submitted to the Staff Liaison prior to the completion of the applicant's presentation on the particular agenda item. The cards can be found on the table at the rear of the meeting room.

Time Limit: Members of the public will have **three** minutes and applicants will have **five** minutes to address an item. Please present your comments clearly and concisely. Exceptions to the time limits shall be at the discretion of the Chair.

Use of Microphone: When you are recognized by the Chair, please move to the closest microphone, state your name and address, whom you represent, if not yourself, and the subject of your remarks.

DISORDERLY CONDUCT: Any person using profane, vulgar, loud or boisterous language at any meeting, or otherwise interrupting the proceedings, and who refuses to be seated or keep quiet when ordered to do so by the Chair or the Vice Chair is guilty of a misdemeanor. It shall be the duty of the Chief of Police or his/her designee, upon order of the presiding officer, to eject any person from the meeting room.

RESTROOMS: The entrance to the men's restroom is located outside the northeast corner of the Chamber. The women's restroom is located at the southeast corner of the Chamber.

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