



## PLANNING COMMISSION ACTIONS

July 13, 2009

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

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Teleconference with participation by Commissioner Keith from:  
13073 Northwoods Blvd.  
Truckee, CA 96161  
(Posted July 8, 2009)

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### CALL TO ORDER – 7:02 p.m.

**ROLL CALL** – Bressler (7:03 p.m.), Ferrick, Kadvany, Keith (present at meeting), O'Malley (Vice chair), Pagee, Riggs (Chair)

**INTRODUCTION OF STAFF** – Deanna Chow, Senior Planner; Megan Fisher, Associate Planner; Thomas Rogers, Associate Planner (absent)

### A. PUBLIC COMMENTS

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 June 29, 2009, Planning Commission meeting](#)  
Unanimous consent to approve the minutes as modified: 7-0
  - Page 8, last paragraph : Replace the words “said” with “confirmed”
  - Page 8, 3<sup>rd</sup> paragraph, line 9: Insert “through oral discussion” between the words “developed” and “that”
  - Page 21, last paragraph: Delete the word “flow” at the end of the first sentence.
  - Page 39, letter n: Change the word “included” with “include”

### C. PUBLIC HEARING

1. [Use Permit and Variance/Jeremy and Susan Stieglitz/1066 Laurel Street](#): Request for a use permit for interior modifications and first and second floor additions that would exceed 50 percent of the replacement value in a 12-month period and 50 percent of the existing square footage of the existing nonconforming single-story, single-family residence on a substandard lot in the R-3 (Apartment) district, and for a variance to construct a one-car garage where the distance between the main buildings on the subject property and adjacent left side property would be 17 feet, 9 inches where 20 feet is required. The proposed remodeling and expansion are

considered to be equivalent to a new structure. **COMMISSION ACTION:** M/S Pagee/Ferrick to approve the item as recommend in the staff report; 7-0.

2. **Use Permit/Yvette Keller and Mark Bessey/1015 Berkeley Avenue:** Request for a use permit to construct single-story additions to an existing single-story, single-family, nonconforming residence that would exceed 75 percent of the replacement value of the existing structure in a 12-month period in the R-1-U (Single-Family Urban) zoning district. **Item continued to a future meeting at the request of the applicant.**
  
3. **Rezoning, Planned Development Permit, Lot Merger and Minor Subdivision, BMR Agreement, Heritage Tree Removal Permit, and Environmental Review/Sand Hill Property Company/1300 El Camino Real:** Requests for the following: 1) Rezoning the properties from C-4 General Commercial District (Applicable to El Camino Real) to Planned Development (P-D) District, 2) Planned Development Permit to establish development regulations including parking, building height, landscaping, and building setbacks, and conduct architectural review for the proposed development of 110,065 square feet of commercial space (51,365 square feet of retail/restaurant/service uses and 58,700 square feet of non-medical office uses), 3) Lot Merger and Minor Subdivision to merge the existing six lots and create up to four commercial condominium units, 4) Below Market Rate (BMR) Agreement for the payment of in-lieu fees associated with the City's BMR Housing Program, 5) Heritage Tree Removal Permits to remove two on-site and four off-site heritage trees, and 6) Environmental Review of the proposed project for potential environmental impacts. *This item will focus on the Parking Study and Fiscal Impact Analysis (FIA) prepared for the project, and updates on the architecture, site design and circulation related to the proposal. No action will be taken on the proposed project.*

Following discussion of the parking study and the Fiscal Impact Analysis (FIA), the applicant gave a presentation that provided responses to questions and comments raised by the Planning Commission at the April 6, 2009 Planning Commission meeting. One member of the public spoke during the meeting. No action was taken on the item. The Commission discussed the heritage tree removal, the feasibility of constructing housing as part of the project, the project variants, the project's relationship to the Derry project, the ratio of above ground to below ground parking, preferred exterior stone options, and building articulation.

#### **D. STUDY MEETING - ITEM**

1. **Study Session/El Camino Real/Downtown Specific Plan:** Review of project status and opportunity for individual commissioner comments. ***Continued to the meeting of August 24, 2009.***

#### **E. REGULAR BUSINESS - None**

#### **F. COMMISSION BUSINESS**

1. Review of planning items on City Council agendas.
  - A. El Camino Real/Downtown Specific Plan (Phase II) Process
  - B. Burgess Gymnasium and Gymnastics Center
  - C. **The August 31, 2009 tentative Study Meeting will be a Regular Meeting.**

#### **G. REPORTS AND ANNOUNCEMENTS**

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

#### Future Planning Commission Meeting Schedule

Regular Meeting	July 27, 2009
Regular Meeting	August 10, 2009
Regular Meeting	August 24, 2009
Study Meeting (tentative)	August 31, 2009
Regular Meeting	September 14, 2009

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This Agenda is posted in accordance with Government Code Section §54954.2(a) or Section §54956. (Date Posted: July 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.

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# 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](mailto: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.

*If you have further questions about the Planning Commission meetings, please contact the Planning Division Office (650-330-6702) located in the Administration Building.*