



## PLANNING COMMISSION ACTIONS

August 24, 2009

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

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**CALL TO ORDER** – 7:04 p.m.

**ROLL CALL** – Bressler, Ferrick, Kadwany, Keith ([departed at 11:40 p.m.](#)), O'Malley (Vice chair), Pagee ([departed at 11:40 p.m.](#)), Riggs (Chair)

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

### A. VISIT FROM COUNCIL MEMBER FERGUSSON

Council Member Fergusson will be attending the Commission meeting to address the importance of the Commission's role in the review of major land use projects including the El Camino Real/Downtown Specific Plan, Menlo Gateway project, mixed use project proposed for 1300 El Camino Real and the Burgess Gymnasium. ***Continued from the meeting of August 10, 2009.***

### B. 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.

### C. 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 1, 2009, Planning Commission meeting](#)  
***Continued from the meeting of August 10, 2009.*** M/S O'Malley/Pagee to approve the minutes with the following modifications; 7-0.
  - Page 2, last paragraph, 3<sup>rd</sup> line: Replace "the existing code" with "existing practices"
  - Page 2, last paragraph, 2<sup>nd</sup> line from bottom: Add "for one type of restriction floor space" at the end of the sentence.
  - Page 2, last paragraph, 4<sup>th</sup> line from bottom: Replace "had received numerous communications that were critical of what the Commission had done with those numbers." With "had received several communications about them."
  - Page 4, 2<sup>nd</sup> full paragraph, 4<sup>th</sup> line: Replace "Commissioner" with "Council Member"
  - Page 5, 1<sup>st</sup> paragraph, 8<sup>th</sup> line from bottom: Replace "Council members" with "Planning Commissioners"
  - Page 5, 1<sup>st</sup> paragraph, 6<sup>th</sup> line from bottom: Add "and was told it is very rare." at the end of the sentence.
  - Page 5, 3<sup>rd</sup> paragraph, 8<sup>th</sup> line: Replace "baseline" with "not rules for size."

- Page 6, 1<sup>st</sup> paragraph, after last sentence: Add “Commissioner Riggs stated that they tried, and that the summary effort was part of it and why Council Member Cohen designated the three of us to work on it.”
  - Page 6, 3<sup>rd</sup> paragraph, 5<sup>th</sup> line: Replace “City Manager Rojas” with “Mayor Robinson”
  - Page 19, last paragraph, 3<sup>rd</sup> line: Replace “evaluate all three alternatives as a whole” with “choose one of the three alternatives at the time, because it is too early in the process to do so.”
  - Page 20, 1<sup>st</sup> paragraph, 3<sup>rd</sup> line: Delete “and kiddie bike planes”
2. Approval of minutes from the July 13, 2009, Planning Commission meeting  
M/S Pagee/Kadvany to approve the minutes with the following modifications; 7-0.
    - Page 7, 2<sup>nd</sup> paragraph, 2<sup>nd</sup> line from the bottom: Replace “successful. Redeveloped” with “successful redeveloped”
    - Page 7, 4<sup>th</sup> paragraph, 7<sup>th</sup> line: Replace “style” with “size”
    - Page 9, 3<sup>rd</sup> paragraph, 7<sup>th</sup> line: Replace “and “ with “,”
    - Page 9, 4<sup>th</sup> paragraph, 4<sup>th</sup> line: Replace “said” with “asked”
    - Page 14, 6<sup>th</sup> paragraph, 1<sup>st</sup> line: Replace “H” with “He”
    - Page 15, 1<sup>st</sup> paragraph, 7<sup>th</sup> line: Replace “flexibility” with “variation”
    - Page 15, 1<sup>st</sup> paragraph, 7<sup>th</sup> line: Insert “for” between the words “tools” and “that”
    - Page 15, 3<sup>rd</sup> paragraph, 3<sup>rd</sup> line: Replace “certainties” with “uncertainties”
    - Page 15, 3<sup>rd</sup> paragraph, 3<sup>rd</sup> line: Replace “equally well with health care nor does planning necessarily prevent suburban sprawl.” With “equally well as with health care, similarly planning is needed to prevent suburban sprawl.”
    - Page 15, 3<sup>rd</sup> paragraph, 4<sup>th</sup> line: Replace “they could not have transit oriented housing along the whole” with “Menlo Park probably will not have housing along the entire”
  3. Approval of minutes from the July 27, 2009, Planning Commission meeting  
M/S O’Malley/Pagee to approve the minutes as submitted; 7-0.

#### D. PUBLIC HEARING

1. 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. ***Continued from the meeting of August 10, 2009.*** M/S Keith/Pagee to approve the items as recommended in the staff report; 7-0.
2. Use Permit/Robin and Byron Connell/263 Santa Margarita Avenue: Request for a use permit to construct first- and second-story additions to an existing single-story, single-family, nonconforming residence that would exceed 50 percent of the replacement value of the existing structure in a 12-month period in the R-1-U (Single-Family Urban) zoning district. M/S O’Malley/Ferrick to approve the item as recommended in the staff report; 6-1 (with Commissioner Pagee opposed).
3. Use Permit Revision/Mitchel J. Slomiak/205 Pope Street: Request for a revision to an existing use permit, which was granted in 2007 for the construction of first- and second-story additions to an existing single-story, single-family residence, and the construction of a new detached garage on a substandard lot in the R-1-U (Single Family Urban) zoning district. The proposed revisions to the detached garage would include the enclosure of a covered porch, the raising of the garage floor, and a number of other interior and exterior modifications. M/S Keith/Ferrick to approve the item as recommended in the staff report; 7-0.
4. Use Permit/Danielle Paye/761 Partridge Avenue: Request for a use permit to demolish two single-story, single-family dwelling units and construct two two-story, single-family dwelling units and a detached garage on a substandard lot with regard to lot width in the R-2 (Low Density Apartment) zoning district. As part of this development, the following heritage tree is proposed for removal: a multi-trunk fic at the left rear of the property with a 36-inch diameter at the point

the trunks diverge, in poor condition. *M/S Keith/Pagee* to approve the item as recommended in the staff report with the following modification; 7-0.

**Add condition 4a:** Concurrent with the submittal of a complete building permit application, the applicant shall submit a revised landscape plan that specifies the removal of the privets along the left side property line (trees #5-7). The revisions may include the planting of a replacement tree with a moderate mature height (approximately one to one-and-a-half stories tall). The revised landscape plan shall be subject to review and approval by the Planning Division.

5. **Use Permit and Architectural Control/100 Middlefield, LLC/100 Middlefield Road:** Request for a use permit and architectural control for the construction of a new two-story, 8,936-square-foot, non-medical office building and associated site improvements located in the C-4 (General Commercial - Other than El Camino Real) zoning district. The application also includes a request to provide 45 parking spaces, of which nine are in landscape reserve, where 54 spaces are required per the zoning-district-based requirements. *M/S Keith/Ferrick* to approve the item as recommended in the staff report with the following modifications; 7-0.

**Add condition 5h:** Concurrent with the submittal of a complete building permit application, the applicant shall submit revised plans showing a modified roofline over the corner window element with a new canopy as presented at the public hearing on August 24, 2009, subject to review and approval by the Planning Division.

**Add condition 5i:** Concurrent with the submittal of a complete building permit application, the applicant shall submit a sample of the proposed smooth stucco plaster finish, which shall be different than the rough/sand finish as displayed on the materials board presented at the hearing on August 24, 2009, subject to review and approval by the Planning Division. As a separate item, the Planning Commission strongly encouraged the applicant to pursue LEED certification for the project.

## E. STUDY SESSION

1. **Study Session/El Camino Real/Downtown Specific Plan:** Review of project status and opportunity for individual commissioner comments.

Mark Hoffheimer of Perkins+Will, the City's consultant for the specific plan process, gave a presentation that included a review of the project schedule, key direction from Community Workshop #2, and the approach for Community Workshop #3.

Three members of the public spoke to the item. Individual comments included the following:

- Customers prefer the ease of surface parking rather than garage structure
- Elimination of curbside access or surface parking would hurt downtown businesses
- More business owner presence during the process is needed; send out additional mailer
- Need to define terminology and definitions such as village character and vibrancy
- Be specific about which area is being discussed (the improvements to the Downtown and El Camino Real may be different)

Commissioners provided individual comments, including the following:

- Define terms, like vibrancy
- Be clear about challenges of project, pros and cons
- Make sure residents are clear about what improvements mean to them
- Speak to parking, concerns about structured parking
- Clarify traffic impacts - more about traffic flow rather than volume
- Concern about information overload
- Consider telling history of project
- Make sure to focus on El Camino Real - east/west crossings; empty lots
- Make sure plan is flexible for varying conditions and uses
- Concern about in-fill housing on parking lot
- Be clear on the objectives for community workshop #3

**F. REGULAR BUSINESS** (Item taken out of order and discussed prior to Item E)

- 1. **Review of Substantial Conformance/Chris and Kristine Ball/555 Morey Drive:** Review of a proposed reconstruction of the first floor, right side wall at the required 5.3-foot setback, resulting in a two-story unbroken wall for substantial conformance with a previously approved use permit. The proposed change is the result of the demolition of the existing nonconforming right side wall. **Continued from the meeting of August 10, 2009.** [M/S Keith/O'Malley to find the proposed revisions in substantial conformance with the approved use permit; 7-0.](#)

**G. COMMISSION BUSINESS**

- 1. Review of planning items on City Council agendas.
  - A. El Camino Real/Downtown Specific Plan (Phase II) Process
  - B. Appeal of Use Permit for 825 Santa Cruz Avenue scheduled for September 1, 2009

**H. REPORTS AND ANNOUNCEMENTS**

**ADJOURNMENT - 11: 45 p.m.**

Future Planning Commission Meeting Schedule

Regular Meeting	August 31, 2009
Regular Meeting	September 14, 2009
Regular Meeting	September 21, 2009
Regular Meeting	October 5, 2009
Regular Meeting	October 19, 2009
Regular Meeting	November 2, 2009
Regular Meeting	November 16, 2009
Regular Meeting	December 7, 2009
Regular Meeting	December 14, 2009

This Agenda is posted in accordance with Government Code Section §54954.2(a) or Section §54956. (Date Posted: August 19, 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.

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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.*