PLANNING COMMISSION ACTIONS

November 2, 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 (absent), Kadvany, Keith, O'Malley (Vice chair), Pagee, Riggs (Chair)

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

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 excerpt minutes for Menlo Gateway from the October 5, 2009, Planning Commission meeting. **COMMISSION ACTION:** Approve the excerpt minutes with the following modifications; 5-0-1, with Commissioner Kadvany abstaining and Commissioner Ferrick absent:

   - Page 17, 2nd paragraph, 4th line: Replace the word "shuttle" with "transit corridor"
   - Page 17, 3rd paragraph: Replace "Commissioner O'Malley said had no comments" with "Commissioner O'Malley said he had no additional comments."

2. Approval of excerpt minutes for Menlo Gateway from the October 19, 2009, Planning Commission meeting. **COMMISSION ACTION:** Approve the excerpt minutes with the following modifications; 6-0-1, with Commissioner Ferrick absent:

   - Page 10, last paragraph, line 6: Replace "Planner Rogers said there was a 7-foot 20-inch clearance between the floor and solar panels." with "Planner Rogers said there was 7 feet, 2 inches of clearance between the surface of the parking deck and the underside of the solar panels."
   - Page 10, last paragraph, line 9: Replace "She said natural grade was 135 feet and asked if the measurement for height took that into consideration." with "She said that the structure was 135 feet above natural grade and asked if the measurement for height took into consideration the flood plain."

- Page 13, last paragraph, 4th line: Insert "Mr. Bohannon also said he is not comfortable with five (5) years." after "He said five years was not a long time and this was a significant endeavor."
- Page 13, last paragraph, 4th line: Replace "agreed with" with "understood"

C. PUBLIC HEARING

1. **Use Permit/Steve Borlik/1235 San Mateo Drive:** Request for a use permit for interior modifications and a second-story addition to an existing nonconforming, single-story residence that would exceed 50 percent of the replacement value of the existing structure in a 12-month period in the R-E (Residential Estate) zoning district. The proposed remodeling and expansion are considered to be equivalent to a new structure. **COMMISSION ACTION:** M/S O'Malley/Bressler to approve the item with the following modification; 6-0, with Commissioner Ferrick absent.

   Add Condition 4a: Prior to building permit issuance, the applicant shall submit revised plans that show a cover over the spark arrestor at the top of the chimney and provide a traditional reference on the left side second-story dormer face, subject to review and approval by the Planning Division.

2. **Use Permit/Douglas Dietz/261 Marmona Court:** 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 on a substandard lot in the R-1-U (Single-Family Urban) zoning district. The proposed remodeling and expansion are considered to be equivalent to a new structure. **COMMISSION ACTION:** M/S Riggs/O'Malley to approve the item with the following modifications; 5-0, with Commissioner Ferrick absent and Commissioner Pagee not participating due to a potential conflict of interest.

   Add condition 4a: Concurrent with submittal of a complete building permit application, the applicant shall submit revised plans that specify a more traditional material for the base wall trim, to better unify the existing structure and proposed addition, subject to review and approval of the Planning Division.

   Add condition 4b: Concurrent with submittal of a complete building permit application, the applicant shall submit a revised landscape plan with the addition of a medium-sized evergreen tree and/or vegetation, with the objective of screening views of the addition from the residence located at 273 Marmona Court, subject to review and approval of the Planning Division.

3. **Use Permit/Gurdial Dosanjh (High 5 Star Pizza)/877 Hamilton Avenue:** Request for a use permit to add on-sale beer and wine sales to an existing restaurant in the C-2-S (Neighborhood Commercial, Special) zoning district. **COMMISSION ACTION:** M/S Keith/Pagee to approve the item with the following modification; 6-0, with Commissioner Ferrick absent.

   Revise condition 3c: Alcohol sales are prohibited after 11:00 P.M.

D. COMMISSION BUSINESS

1. Review of planning items on City Council agendas.

   A. El Camino Real/Downtown Specific Plan (Phase II) Process
   B. 1300 El Camino Real
   C. 1706 El Camino Real
   D. 101-155 Constitution Drive and 100-190 Independence Drive (Menlo Gateway Project)

E. REPORTS AND ANNOUNCEMENTS

ADJOURNMENT – 9:16 p.m.

Future Planning Commission Meeting Schedule

Potential Special Meeting	November 9, 2009
Regular Meeting	November 16, 2009
Regular Meeting	December 7, 2009
Regular Meeting	December 14, 2009
Regular Meeting	January 11, 2010
Regular Meeting	January 25, 2010
Regular Meeting	February 8, 2010
Regular Meeting	February 22, 2010

This Agenda is posted in accordance with Government Code Section §54954.2(a) or Section §54956. (Date Posted: October 28, 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 b y 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.

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

Revised: 4/11/07