



PLANNING COMMISSION ACTIONS

November 16, 2009

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

Teleconference with participation by Commissioner Keith from:
76-6204 Alii Drive
Hale Kai O'Kona
Kailua-Kona, Hawaii, 96740.
(Posted November 10, 2009)

CALL TO ORDER – 7:05 p.m.

ROLL CALL – Bressler, Ferrick, Kadvany ([absent](#)), Keith ([absent](#)), O'Malley (Vice chair), Pagee, Riggs (Chair)

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

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 August 24, 2009 Planning Commission meeting.](#)
COMMISSION ACTION: Approve the minutes with the following modifications; 5-0, with Commissioners Kadvany and Keith absent:

- Page 2, 1st paragraph, 3rd line: Insert the word “half” between the words “a” and “before”.
- Page 11, 1st paragraph: Remove extra period at the end of the paragraph.
- Page 20, 2nd paragraph, 2nd line: Replace “time” with “recommendation”.

C. PUBLIC HEARING

1. [Use Permit/ForSight Labs, LLC/191 Jefferson Drive](#): Request for a use permit for the indoor storage and use of hazardous materials for the research and development of vision-related medical technologies in the M-2 (General Industrial) zoning district. **COMMISSION ACTION:** M/S Pagee/Ferrick to approve the item as recommended in the staff report; 5-0, with Commissioners Kadvany and Keith absent.

D. REGULAR BUSINESS ITEMS

1. **Appeal of Administrative Permit/Safeway, Inc./515 El Camino Real:** Appeal of the Community Development Director's approval of an administrative permit for outside seating in conjunction with food services (both Peet's Coffee and Rubio's Restaurants) and to allow the sale of beer and wine in conjunction with a restaurant use (Rubio's Restaurants only) in the C-4 ECR(X) (General Commercial, Applicable to El Camino Real, Conditional Development) zoning district. ***Continued to a future meeting at the request of the applicant.***

E. COMMISSION BUSINESS

1. Review of planning items on City Council agendas.
 - A. El Camino Real/Downtown Specific Plan (Phase II) Process
 - B. 101-155 Constitution Drive and 100-190 Independence Drive (Menlo Gateway Project)

F. REPORTS AND ANNOUNCEMENTS

ADJOURNMENT – 7:27 p.m.

Future Planning Commission Meeting Schedule

Regular Meeting	December 7, 2009
Regular Meeting	December 14, 2009
Regular Meeting	January 11, 2010 (tentative)
Regular Meeting	January 25, 2010 (tentative)
Regular Meeting	February 8, 2010 (tentative)
Regular Meeting	February 22, 2010 (tentative)

This Agenda is posted in accordance with Government Code Section §54954.2(a) or Section §54956. (Date Posted: November 10, 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.

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