



PLANNING COMMISSION ACTIONS

December 7, 2009

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:00 p.m.

ROLL CALL – Bressler ([arrived at 7:04 p.m.](#)), Ferrick, Kadwany, Keith, O'Malley (Vice chair), Pagee, Riggs (Chair)

INTRODUCTION OF STAFF – Deanna Chow, Senior Planner; Megan Fisher, Associate Planner; Kyle Perata, Planning Technician; 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 minutes from the October 5, 2009 Planning Commission meeting](#), excluding [Menlo Gateway excerpt minutes](#) approved by the Planning Commission on November 2, 2009.
COMMISSION ACTION: M/S Ferrick/Keith to approve the minutes as submitted; 5-0-1, with Commissioner Kadwany abstaining and Commissioner Bressler absent.
2. [Approval of minutes from the October 19, 2009 Planning Commission meeting](#), excluding [Menlo Gateway excerpt minutes](#) approved by the Planning Commission on November 2, 2009.
COMMISSION ACTION: M/S Ferrick/Keith to approve the minutes with the following modification; 4-0-2, with Commissioners O'Malley and Kadwany abstaining and Commissioner Bressler absent.
 - Global change; Replace “Howe” with “Houck”.

C. PUBLIC HEARING

1. [Use Permit/Noel Cross/1045 Cascade Drive](#): Request for a use permit for excavation (removal of more than 12 inches of dirt) within the required front, rear, and side setbacks for driveway and landscaping improvements associated with the construction of a new single family residence on a standard size lot in the R-1-S (Single-Family Residential Suburban) zoning district.
COMMISSION ACTION: M/S Pagee/O'Malley to approve the item as recommended in the staff report; 7-0.

2. **Use Permit/Jack McCarthy Designer/1956 Menalto Avenue:** Request for a use permit to construct a new two-story, single-family dwelling unit at the rear of a substandard lot with regard to lot width in the R-2 (Low Density Apartment) zoning district. The existing front residence would remain, with small demolitions/additions taking place at along its rear facade. The existing detached garage would be demolished and replaced with a new single-car, detached garage at the middle-left side of the parcel. Also, a request for a parcel map for the condominium conversion of the existing front residence and the creation of the new rear residence. **COMMISSION ACTION:** M/S Keith/Pagee to approve the item as recommended in the staff report; 7-0.

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 from the meeting of October 19, 2009. COMMISSION ACTION:** M/S Riggs/O'Malley to approve the item with the following modifications; 7-0:

Add Condition 4f: Prior to construction of the outdoor seating and related improvements, the applicant shall revise the plans to include a high-quality railing and planter boxes to reflect the architectural style of the development for the Rubio's patio and add an additional tree near the Peet's outdoor seating area, subject to review and approval of the Planning Division.

Add Condition 4g: Prior to construction of the outdoor seating and related improvements, the applicant shall submit additional details of the outdoor seating tables, subject to review and approval of the Planning Division.

E. COMMISSION BUSINESS

1. Update on pending planning items.
 - A. El Camino Real/Downtown Specific Plan (Phase II) Process
 - B. 101-155 Constitution Drive and 100-190 Independence Drive (Menlo Gateway Project)
2. **Review of draft 2010 Planning Commission meeting calendar.**

The Commission replaced the tentative March 29 study session meeting date with May 24.

REPORTS AND ANNOUNCEMENTS

ADJOURNMENT – 10:01 p.m.

Future Planning Commission Meeting Schedule

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: December 2, 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.