



PLANNING COMMISSION ACTIONS

August 23, 2010

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:01 p.m.

ROLL CALL – Bressler (Vice Chair), Eiref, Ferrick, Kadvany, Keith, O'Malley (Chair), Riggs – [All Present](#)

INTRODUCTION OF STAFF – Deanna Chow, Senior Planner; Megan Fisher, Associate Planner; [Justin Murphy, Development Services Manager](#); 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 - None

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.

C. REGULAR BUSINESS #1

1. [Review of Substantial Conformance/418 Willow Road](#): Review of an existing commercial building for substantial conformance with the City's architectural control approval. **Deferred from the meeting of July 26, 2010. COMMISSION ACTION:** M/S Keith/Bressler to find the proposed changes to the exterior of the building in substantial conformance with the City's previous architectural control approval; 5-1-1; with Commissioner O'Malley opposed and Commissioner Riggs recused.

D. PUBLIC HEARING

1. [Use Permit Extension/Sayeh and Philippe Morali/1076 Santa Cruz Avenue](#): Request for an extension to a use permit granted by the Planning Commission in 2008 and extended administratively in 2009 to construct a new two-story, single-family residence on a substandard lot with regard to lot width in the R-E (Residential Estate) zoning district. **COMMISSION ACTION:** M/S Riggs/Ferrick to approve the item as recommended in the staff report; 7-0.

2. **Use Permit/Brooke Heckert/1340 Arbor Road:** Request for a use permit to relocate and expand an existing single-family residence on a substandard lot in the R-E (Residential Estate) zoning district. The relocation and expansion of the existing structure is considered to be equivalent to a new structure. As part of the proposed project, the applicant requests to remove two heritage size trees. **COMMISSION ACTION:** M/S Ferrick/Keith to approve the item as recommended in the staff report, 7-0.
3. **Use Permit Revision/ Ryan Manuel/887 Oak Grove Avenue:** Request for a use permit revision to expand an existing private recreational use to the adjacent suite on the ground floor of an existing building in the C-3 (Central Commercial) zoning district. The proposed request also includes massage therapy as part of the set of services. **COMMISSION ACTION:** M/S Ferrick/Keith to approve the item as recommended in the staff report; 7-0.
4. **Use Permit, Architectural Control and Sign Review/Beverages & More, Inc./700 El Camino Real:** Request for a use permit for the off-site sale of beer, wine and distilled spirits and for on-site wine tasting associated with a retail liquor and specialty market located in an existing building in the PD (Planned Development) zoning district. In addition, architectural control request for exterior modifications to the building and sign review of the proposed signage and awning for containing the color red. As part of the review, the Planning Commission will need to determine whether the sale of alcohol at this location serves a public convenience or necessity, in accordance with the requirements of the State Department of Alcoholic Beverage Control (ABC). **COMMISSION ACTION:** The Planning Commission took the following actions regarding the item as recommended in the staff report, with exceptions as noted below (the order of the actions reflect the order in the staff report):
 1. M/S Keith/Riggs to adopt a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines; 7-0.
 2. M/S Riggs/Kadvany to adopt findings, per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval; 7-0.
 3. M/S Kadvany/Riggs to make a finding, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits; 4-3, with Commissioners Bressler, Ferrick and Keith opposed.
 4. M/S Eiref/Kadvany to make a finding that the proposed project would serve a Public Convenience or Necessity; 5-2, with Commissioners Ferrick and Keith opposed.
 5. M/S Kadvany/O'Malley to make a finding that the sign is appropriate and compatible with the use as a retail tenant in a multi-tenant building along the El Camino Real corridor and is consistent with the Design Guidelines for Signs; 4-3, with Commissioners Bressler, Ferrick and Keith opposed.
 6. M/S Kadvany/Riggs to approve the use permit, architectural control and sign review subject to the standard conditions; 4-3, with Commissioners Bressler, Ferrick and Keith opposed.
 7. M/S Riggs/O'Malley to approve the use permit, architectural control and sign review subject to the project-specific conditions, with the following modifications; 7-0:
 - **Add condition 7b:** The use permit is subject to Planning Commission review in three years from the date of approval.
 - **Add condition 7c:** Simultaneous with a complete building permit application submittal, the plans shall be revised to show a reduction in the use of the black

film on the storefront windows facing the parking lot. The film shall be used only on the two right-most windows.

- M/S Bressler/Kadvany to approve the use permit, architectural control and sign review subject to the ongoing, project-specific conditions, with the following modification; 5-0-2, with Commissioners Ferrick and Keith abstaining.
- **Modify condition 8a:** The store hours of operation shall be limited to 9:00 a.m. to 9:00 p.m., except during the months of November and December when the store may be open until 10:00 p.m., 7 days a week.

E. REGULAR BUSINESS #2

1. **Review of Gross Floor Area Zoning Ordinance Amendment/City of Menlo Park:** Review, comment and possible recommendations regarding the one-year review of Zoning Ordinance amendment relative to the clarification of gross floor area. **Item deferred until the meeting of August 30, 2010.**

F. COMMISSION BUSINESS

1. Update on pending planning items.
 - A. El Camino Real/Downtown Specific Plan (Phase II) Process – **The Commission supported the addition of special meetings to discuss the Specific Plan and formed a subcommittee of Commissioners Bressler, Ferrick and Riggs to work with staff on the specifics of those meetings.**

G. REPORTS AND ANNOUNCEMENTS

ADJOURNMENT – 11:47 p.m.

Future Planning Commission Meeting Schedule

Regular Meeting	August 30, 2010 (Study Meeting)
Regular Meeting	September 13, 2010
Regular Meeting	September 20, 2010
Regular Meeting	October 4, 2010
Regular Meeting	October 18, 2010
Regular Meeting	November 1, 2010
Regular Meeting	November 15, 2010
Regular Meeting	December 6, 2010
Regular Meeting	December 13, 2010

This Agenda is posted in accordance with Government Code Section §54954.2(a) or Section §54956. (Date Posted: August 18, 2010) 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, 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.

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