



PLANNING COMMISSION ACTIONS

Regular Meeting
May 21, 2012 at 7:00 p.m.
City Council Chambers
701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:02 p.m.

ROLL CALL – Bressler, Eiref, Ferrick (Chair), Kadvany (Vice Chair), O'Malley, Riggs, Yu ([absent](#))

INTRODUCTION OF STAFF – Momoko Ishijima, Planner; Rachel Grossman, Associate Planner; Kyle Perata, Assistant Planner; Thomas Rogers, Associate Planner

A. REPORTS AND ANNOUNCEMENTS

Under “Reports and Announcements,” staff and Commission members may communicate general information of interest regarding matters within the jurisdiction of the Commission. No Commission discussion or action can occur on any of the presented items.

1. Update on Pending Planning Items
 - a. Housing Element – City Council – May 8 and 22, 2012
 - b. Facebook Campus Project – City Council – May 29, 2012
 - c. El Camino Real/Downtown Specific Plan – June 5, 2012

B. PUBLIC COMMENTS

Under “Public Comments,” the public may address the Commission on 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. [None](#).

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 April 30, 2012 Planning Commission meeting](#)
COMMISSION ACTION: M/S Riggs/O'Malley to approve the minutes with the following modifications; 6-0, with Commissioner Yu absent.
 - Page 2, last line: Replace “Yu” with “Bressler
 - Page 18, 2nd paragraph, 9th line: Replace “Commissioner Riggs said he thought that a bulbout would conflict with a bike lane and buffer lane.” With “Commissioner Riggs said a bulbout would introduce a conflict with a regular change of position with bicycle in traffic.”
 - Page 18, 2nd paragraph, 14th line: Replace “was counterintuitive” with “was labeled by the authors counterintuitive”
 - Page 18, 2nd paragraph, 2nd to last line: Insert “thus indicated a reduced weight for added traffic. He said obviously, we should question such assertions.” After “El Camino”

- Page 22, 2nd paragraph, 2nd line: Replace “Shoot Me High and Weinberger” with Shute, Mihaly and Weinberger”
 - Page 22, 2nd paragraph, last line: Replace “complaint” with “issue”
 - Page 23, 5th paragraph, 7th line: Replace “implicitly” with “explicitly”
 - Page 29, 5th paragraph, 2nd line: Replace “built into” with “factored in”
2. Approval of transcripts from the May 7, 2012 Planning Commission meeting
COMMISSION ACTION: M/S Eiref/Ferrick to approve the transcript as submitted; 5-0-1, with Commissioner Riggs abstaining and Commissioner Yu absent.
1. Architectural Control/Robert F. Harris/445 Burgess Drive: Request for approval of Architectural Control for the facade and site improvements of an existing office building in the C-1-A (Administrative and Professional) zoning district. **COMMISSION ACTION:** M/S Riggs/Ferrick to approve the item as recommended in the staff report; 6-0, with Commissioner Yu absent.

D. PUBLIC HEARING

1. Use Permit/Gary McClure/984 Creek Drive: Request for a use permit for interior modifications, construction of a first floor addition and a new second story to a non-conforming single-story residence, which is located on a standard lot in the R-1-U (Single-Family Urban) zoning district. The proposed project would exceed 50% of the existing replacement value in a 12-month period and requires approval of a use permit by the Planning Commission. **COMMISSION ACTION:** M/S O'Malley/Eiref to approve the item as recommended in the staff report; 6-0, with Commissioner Yu absent.
2. Use Permit, Variance/Whitney Peterson/947 Lee Drive: Request for a use permit to determine the Floor Area Limit (FAL) for a lot with less than 5,000 square feet of developable area, and for the construction of a two-story, single-family residence on a substandard lot in the R-1-U (Single-Family Urban) zoning district. In addition, a request for a variance for construction of first and second story encroachments 10-feet into the required 20-foot rear yard setback. As part of the proposed development, one heritage Monterey pine tree (58-inch diameter) in poor condition, at the right side of the property would be removed. **COMMISSION ACTION:** M/S Riggs/Bressler to deny the item as follows; 5-1, with Commissioner Ferrick in opposition and Commissioner Yu absent. The denial was based upon the following findings:
- a. Make a finding that the project is categorically exempt under Class 3 (Section 15303, “New Construction or Conversion of Small Structures”) of the current CEQA Guidelines.
 - b. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use would be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and would be detrimental to property and improvements in the neighborhood or the general welfare of the City because the proposed residence would have a floor area ratio of approximately 53 percent, which is significantly higher than the floor area ratio of existing development fronting on Lee Drive; would feature an architectural style and materials that would be inconsistent with other residences fronting on Lee Drive and which would amplify the perceived bulk of the structure; and would therefore not be consistent with the scale and character of the existing development in the neighborhood and would be detrimental to the to the unique and special character of the existing neighborhood.
 - c. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of variances:
 - i. There is a hardship attributed to the project site due to the irregular lot shape and substandard width, depth and area of the lot, which limits the potential for construction of rooms of typical sizes and dimensions, and is particular to the property and not created by any act of the owner.

- ii. The variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the vicinity, in particular with the ability to develop a residence that is not an irregular triangular shape. The variance would not constitute a grant of special privilege, because it would not allow the applicant to construct floor area that would not already be permissible on the site, but would instead allow this floor area to be constructed in a more usable and efficient fashion.
 - iii. Because the variance would be based on the unique conditions of an unusually shaped, substandard sized lot located on a curve of a radius of less than 100 feet (which results in the requirement for an increased front yard setback), construction of a two-story residence that is encroaching into the required rear setback would not be applicable, generally, to other properties within the same zoning classification.
- d. Make the following finding as per Section 16.82.340 of the Zoning Ordinance pertaining to the denial of variances:
- i. The granting of the variance would be materially detrimental to the welfare of the existing development in the neighborhood because the proposed residence would have a floor area ratio of approximately 53 percent, which is significantly higher than the floor area ratio of existing development fronting on Lee Drive; would feature an architectural style and materials that would be inconsistent with other residences fronting on Lee Drive and which would amplify the perceived bulk of the structure; and would therefore not be consistent with the scale and character of the existing development in the neighborhood and would be detrimental to the to the unique and special character of the existing neighborhood.
 - e. Based upon the findings, deny the use permit and variance.
3. **Use Permit Revision/Kevin Bowyer for Sprint/300 Constitution Drive:** Request for a modification to an existing wireless telecommunications facility located on the roof of an existing building in the M-2 (General Industrial) zoning district. Three existing panel antennas, enclosed within a radome located on a tripod would be replaced with new equivalent antennas, and an additional radome containing three panel antennas would be located on the roof of the building. **COMMISSION ACTION:** M/S Riggs/O'Malley to approve the item as recommended in the staff report; 6-0, with Commissioner Yu absent.
4. **Use Permit/Circuit Therapeutics, Inc./1430 O'Brien Dr, Suite F:** Request for a use permit for the storage and use of hazardous materials for the research and development of new techniques for neuroscience research, within an existing building in the M-2 (General Industrial) zoning district. All hazardous materials would be used and stored within the building. **COMMISSION ACTION:** M/S Riggs/Ferrick to approve the item as recommended in the staff report; 6-0, with Commissioner Yu absent.

E. REGULAR BUSINESS

1. **Architectural Control Revision/SRI International/333 Ravenswood Avenue:** Request for a revision to expand a previously approved carbon dioxide (CO2) capture structure and construct associated site improvements in the C-1-X (Administrative and Professional, Restrictive - Conditional Development) zoning district. The structure is 36 feet, eight inches tall, which is below the maximum permitted height allowed by the conditional development permit for the site. The structure is located next to the interior side of Building S, at the southeastern portion of the site. The expansion of the structure would involve a lateral extension of approximately 9 feet, but the maximum height would not be increased. The associated improvements would include a connection to equipment at the existing cogeneration plant (Building U), which is located nearby. The structure was originally approved by the Planning Commission in June of 2010, with a one year time limit. The applicant received approval of an extension in July of 2011, which allowed

the structure to remain in operation through June 30, 2012. As part of the expansion of the structure and associated site improvements, the applicant is requesting to remove the time limit from the approval. **COMMISSION ACTION:** M/S O'Malley/Eiref to approve the item as recommended in the staff report; 6-0, with Commissioner Yu absent.

2. **City Council Policy Amendment/City of Menlo Park:** Consideration of an Amendment to the Public Noticing Policy for Development Permit Applications in order to provide alternate means for noticing the public of development projects in a cost effective and efficient manner. **COMMISSION ACTION:** Commissioners provided input on topics including:
- Providing information about public internet access sites, such as the library, for those who may not have home internet access;
 - Mailing hard copies of project plans on request;
 - Ensuring projects are described clearly and accurately, and planner contact information is prominently displayed; and
 - Overall paper reduction and technology upgrades (Commission packets, Council Chambers).

F. COMMISSION BUSINESS - None

ADJOURNMENT – 9:45 p.m.

Future Planning Commission Meeting Schedule

Regular Meeting	June 11, 2012
Regular Meeting	June 25, 2012
Regular Meeting	July 9, 2012
Regular Meeting	July 23, 2012
Regular Meeting	August 6, 2012
Regular Meeting	August 20, 2012
Regular Meeting	September 10, 2012
Regular Meeting	September 24, 2012
Regular Meeting	October 15, 2012
Regular Meeting	October 29, 2012

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At every Regular Meeting of the Commission, in addition to the Public Comment period where the public shall have the right to address the Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during the Commission's consideration of the item.

At every Special Meeting of the Commission, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during consideration of the item.

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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