



## PLANNING COMMISSION AGENDA

March 31, 2008

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

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**CALL TO ORDER** – 7:00 p.m.

**ROLL CALL** – Bims, Bressler, Deziel (Chair), Keith, O'Malley, Pagee, Riggs (Vice chair)

**INTRODUCTION OF STAFF** – Deanna Chow, Senior Planner; Megan Fisher; Associate Planner; Bill McClure, City Attorney; Justin Murphy, Development Services Manager

### **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. PUBLIC HEARING**

1. [Rescind Previous Approvals for the Derry Project and Consider a General Plan Amendment, Zoning Ordinance Amendment, Rezoning, Planned Development Permit, Major Subdivision, Development Agreement, and Environmental Review for the Revised Derry Project/O'Brien at Derry Lane, LLC/550 to 580 Oak Grove Avenue and 540 to 570 Derry Lane:](#)
  - 1) General Plan Amendment to modify the El Camino Real land use designation and the associated land use intensity tables to allow the density for residential uses to exceed the base density of 18.5 dwelling units per acre (du/ac) and to allow the intensity to exceed the base floor area ratio (FAR) of 75 percent on this property;
  - 2) Zoning Ordinance Amendment to modify Chapter 16.57 P-D District to allow the density for residential uses to exceed the base density of 18.5 du/ac and to allow intensity to exceed the overall floor area ratio (FAR) requirements of the existing C-4 General Commercial District (Applicable to El Camino Real) zoning designation on this property;
  - 3) Rezoning the property from C-4 (ECR) District to P-D (Planned Development) District;
  - 4) Planned Development Permit for the demolition of existing commercial structures and to establish specific development regulations and architectural designs for the construction of:

- 108 residential units at a density of 40 du/net acre where 18.5 du/ac is the maximum density permitted by the pre-existing zoning designation;
  - Approximately 146,075 square feet of residential gross floor area;
  - Approximately 12,650 square feet of retail/restaurant (with permitted restaurant alcohol sales and outdoor seating) space and 12,275 square feet of non-medical office space for a total commercial gross floor area of 24,925 square feet;
  - An approximate residential FAR of 124 percent and commercial FAR of 21 percent for a total FAR of 145 percent where 75 percent is the maximum FAR permitted by the pre-existing zoning designation; and
  - Three-story building elements with a maximum building height of 40 feet where 30 feet is the maximum building height permitted by the pre-existing zoning designation; and
  - 301 on-site parking spaces in a partially submerged and below-grade parking structure where 366 parking spaces would be required by the existing C-4 (ECR) zoning designation.
- 5) Major Subdivision to merge eight existing lots, to abandon right-of-way, plan lines, and easements, to dedicate right-of-way and easements, and to create 108 residential and up to a maximum of eight commercial condominium units;
  - 6) Development Agreement to allow the project sponsor to secure vested rights and the City to secure certain benefits;
  - 7) Below Market Rate Agreement to provide 16 BMR units and in-lieu fees in accordance with the City's BMR Housing Program;
  - 8) Heritage Tree Removal Permit to remove five on-site heritage trees, and to remove three off-site heritage trees associated with the proposed Derry Lane/Garwood Way right-of-way improvements and extension; and
  - 9) Environmental Impact Report Addendum to compare the potential environmental impacts of the proposal with the certified EIR.

#### **D. REGULAR BUSINESS - None**

#### **E. COMMISSION BUSINESS**

1. Review of upcoming planning items on the City Council agenda.
  - A. Oak Knoll School Negative Declaration
  - B. Planned Development Permit Extension, Vesting Tentative Map Extension, and Planned Development Permit Amendment - 1452 & 1460 El Camino Real and 1457 & 1473 San Antonio Street

#### **F. REPORTS AND ANNOUNCEMENTS**

#### **ADJOURNMENT**

##### Future Planning Commission Meeting Schedule

Regular Meeting	April 7, 2008
Regular Meeting	April 21, 2008
Regular Meeting	May 5, 2008
Regular Meeting	May 19, 2008
Regular Meeting	April 7, 2008
Regular Meeting	April 21, 2008

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This Agenda is posted in accordance with Government Code Section §54954.2(a) or Section §54956. (Date Posted: March 27, 2008.) 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>

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](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](mailto: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.*