



REGULAR MEETING AGENDA

Date: 12/5/2016
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

B. Roll Call

C. 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.

D. Public Comment

Under “Public Comment,” the public may address the Commission on any subject not listed on the agenda, and items listed under Consent Calendar. Each speaker may address the Commission once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The Commission cannot act on items not listed on the agenda and, therefore, the Commission cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

E. Consent Calendar

- E1. Approval of minutes from the November 7, 2016 Planning Commission meeting. ([Attachment](#))

F. Public Hearing

- F1. Use Permit/Alina Robin/1019 Middle Avenue:
Consider a request for a use permit to remodel and add a one story addition to an existing nonconforming single-story, single-family residence in the R-1-U (Single Family Urban) zoning district. The proposed work would exceed 75 percent of the existing replacement value in a 12-month period. ([Staff Report #16-096-PC](#))
- F2. Use Permit/Scott Landry/628 Cambridge Avenue:
Consider a request for a use permit to demolish an existing detached one-car garage and build a new detached one-car garage and accessory studio building on a substandard lot in the R-2 (Low Density Apartment) Zoning District. ([Staff Report #16-097-PC](#))

- F3. Use Permit/Facebook, Inc./1050-1098 Hamilton Avenue:
Consider a request for a use permit to convert an existing research and development (R&D) building into office uses located in the M-2 (General Industrial) zoning district. The site is nonconforming with regard to parking. ([Staff Report #16-098-PC](#))
- F4. Development Agreement Annual Review/Facebook/1 Hacker Way and 1 Facebook Way:
Conduct the annual review of the property owner's good faith compliance with the terms of the Development Agreements for their East and West Campus Projects. ([Staff Report #16-099-PC](#))
- F5. Zoning Ordinance Amendments: Child Day Care Homes and Centers:
Consider amendments to Zoning Ordinance Chapter 16.04 [Definitions] and Chapter 16.08 [Districts Established-General Regulations], in order to make City regulations consistent with applicable California law regarding child day care homes and centers. ([Staff Report #16-100-PC](#))
- F6. Zoning Ordinance Amendments: Secondary Dwelling Units:
Consider amendments to Zoning Ordinance Chapter 16.04 [Definitions] and Chapter 16.79 [Secondary Dwelling Units], in order to make City regulations consistent with applicable California law regarding secondary (accessory) dwelling units. ([Staff Report #16-101-PC](#))

G. Regular Business

- G1. Ravenswood Avenue Railroad Crossing Study Presentation:
The Ravenswood Avenue Railroad Crossing Study is evaluating the feasibility of replacing the existing at-grade crossing of the Caltrain tracks within the City of Menlo Park with a prioritization at Ravenswood Avenue. The project team will be presenting the project status and the preliminary alternatives to the Planning Commission to answer questions and to receive feedback to be considered in the study evaluations and analyses. ([Staff Report #16-102-PC](#))

H. Informational Items

- H1. Future Planning Commission Meeting Schedule – The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.
- Regular Meeting: December 12, 2016
 - Regular Meeting: January 9, 2017
 - Regular Meeting: January 23, 2017
 - Regular Meeting: February 6, 2017

I. Adjournment

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at www.menlopark.org and can receive e-mail notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting the Planning Division at (650) 330-6702. (Posted: 11/30/16)

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 public record (subject to any exemption under the Public Records Act) and is available for inspection at the City Clerk's Office, 701 Laurel St., Menlo Park, CA 94025 during regular business hours.

Persons with disabilities, who require auxiliary aids or services in attending or participating in Commission meetings, may call the City Clerk's Office at 650-330-6620.



REGULAR MEETING MINUTES - DRAFT

Date: 11/7/2016

Time: 7:00 p.m.

City Council Chambers

701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Katherine Strehl called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes, Drew Combs (Vice Chair), Susan Goodhue, Larry Kahle, John Onken, Henry Riggs, Katherine Strehl (Chair)

Staff: Thomas Rogers, Principal Planner, Michele T. Morris, Assistant Planner, Corinna Sandmeier, Associate Planner, Tom Smith, Associate Planner, Jean Lin, Senior Planner

C. Reports and Announcements

Principal Planner Thomas Rogers reported that the City Council at its October 25 meeting conducted a session on the topic of housing displacement. He said at a Special Meeting to be held November 9, the Council would consider an ordinance requiring 12-month leases for renters, and would then provide guidance on mandatory, non-binding arbitration and other possible actions to address housing displacement. He said the City Council at its November 1 meeting approved the Facebook Campus Expansion Project that included an ordinance that would be on their November 15 meeting agenda. He said at that same meeting the Council would consider the Planning Commission's recommendations on the ConnectMenlo Project or General Plan Update. He said Council would continue its consideration of that project at their November 29 meeting, and if they approved the project, another meeting on December 6 would be needed to adopt ordinances. He said a State of the City Event would be held on November 17.

Chair Strehl said she understood that Off the Grid was able to negotiate with Caltrain to keep their event at the train station parking lot. Principal Planner Rogers said that Chair Strehl might have more recent information than he. He said after the City Council consideration of the Off the Grid lease for use of the Library parking lot he understood that the Mayor intended to reach out to Caltrain about allowing the event at that location. He said he knew that Off the Grid would be able to stay longer at that site but he had no other information about continued future use.

D. Public Comment

There was none.

E. Consent Calendar

Chair Strehl noted email comments on the September 26, 2016 minutes from Commissioner Henry

Riggs. Commissioner Riggs said two of the comments were actually questions. Principal Planner Rogers said staff had not responded to those questions yet. He said if the Commission wished they could direct staff to review the minutes of September 26 regarding the comment and questions posed by Commissioner, and revise if needed.

Commissioner John Onken asked whether he needed to be recused from consideration of the Stone Pine Lane item E3 due to a potential conflict of interest. Principal Planner Rogers said for Consent Calendar items per the City Attorney that if the Consent Calendar was taken as a whole and voted upon, Commissioner Onken could clarify beforehand he was abstaining from the approval on item E3.

- E1. Approval of minutes from the September 26, 2016 Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (Riggs/Onken) to approve the minutes of September 26 and October 19, 2016 with staff review and verification per Commissioner Riggs comments and questions of pages 2, 3 and 16 of the September 26 minutes; passes 5-0 with Commissioner Combs and Goodhue abstaining.

- E2. Approval of minutes from the October 19, 2016 Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (Riggs/Onken) to approve the minutes of September 26 and October 19, 2016 with staff review and verification per Commissioner Riggs comments and questions of pages 2, 3 and 16 of the September 26 minutes; passes 5-0 with Commissioner Combs and Goodhue abstaining.

Chair Strehl asked for a motion on Items E4 and E5 noting that Commissioner Onken would need to recuse himself from Item E3.

ACTION: Motion and second (Susan Goodhue/Andrew Barnes) to approve Items E4 and E5; passes 7-0.

ACTION: Motion and second (Strehl//Goodhue) to approve Item E3; passes 6-0 with Commissioner Onken abstaining.

- E3. Architectural Control/Whitney Gaynor/1771 Stone Pine Lane:
A request for architectural control for exterior modifications to the front façade of an existing single-family townhouse located in the R-3 (Apartment) zoning district. ([Staff Report #16-084-PC](#))

ACTION: Motion and second (Strehl//Goodhue) to approve Item E3; passes 6-0 with Commissioner Onken abstaining.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.

- b. The development will not be detrimental to the harmonious and orderly growth of the City.
- c. The development will not impair the desirability of investment or occupation in the neighborhood.
- d. The development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking.
- e. The property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.

3. Approve the architectural control subject to the following **standard** conditions:

- a. Development of the project shall be substantially in conformance with the plans provided by Studio Maven, consisting of fourteen plan sheets, dated received October 24, 2016, and approved by the Planning Commission on November 7, 2016 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
- b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, Recology, and utility companies' regulations that are directly applicable to the project.
- c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

E4. Sign Review/Alice Booker/149 Commonwealth Drive:

Request for sign review to modify an existing freestanding monument sign to include six tenants in the M-2 (General Industrial) zoning district. ([Staff Report #16-085-PC](#))

ACTION: Motion and second (Goodhue/Barnes) to approve Items E4 and E5; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make a finding that the sign is appropriate and compatible with the businesses and signage in the general area, and is consistent with the Design Guidelines for Signs.
3. Approve the sign review request subject to the following **standard** conditions of approval:
 - a. Development of the project shall be substantially in conformance with the plans provided by the applicant, consisting of 21 plan sheets dated received September 27, 2016, and approved by the Planning Commission on November 7, 2016, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. The applicant shall comply with all West Bay Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

E5. Architectural Control/Kirk Loevner/889 Santa Cruz Ave:
Request for architectural control for exterior modifications to the front and rear facades and the addition of floor area to extend the front entryway to the roofline, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. ([Staff Report #16-086-PC](#))

ACTION: Motion and second (Goodhue/Barnes) to approve Items E4 and E5; passes 7-0.

1. Make findings with regard to the California Environmental Quality Act (CEQA) that the proposal is within the scope of the project covered by the El Camino Real/Downtown Specific Plan Program EIR, which was certified on June 5, 2012. Specifically, make findings that:
 - a. The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current CEQA Guidelines.
 - b. Relevant mitigation measures have been incorporated into the project through the Mitigation Monitoring and Reporting Program (Attachment G), which is approved as part of this finding.
 - c. Upon completion of project improvements, the Specific Plan Maximum Allowable Development will be adjusted by 37 square feet of non-residential uses, accounting for the project's net share of the Plan's overall projected development and associated impacts.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the City.

- c. The development will not impair the desirability of investment or occupation in the neighborhood.
 - d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
 - e. The development is consistent with the El Camino Real/Downtown Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet (Attachment F).
3. Approve the architectural control subject to the following **standard** conditions:
- a. Development of the project shall be substantially in conformance with the plans provided by Greg Smith, consisting of 13 plan sheets, dated received October 19, 2016, and approved by the Planning Commission on November 7, 2016 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, Recology, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - e. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the architectural control subject to the following **project-specific** conditions:
- a. Prior to building permit issuance, the applicant shall pay the Transportation Impact Fee per the direction of the Transportation Division in compliance with Chapter 13.26 of the Municipal Code. The current estimated transportation impact fee is \$171.31 (\$4.63/sf x 37 sf retail) although the final fee shall be the fee in effect at the time of payment. The Transportation Impact Fee escalates annually on July 1.
 - b. Prior to issuance of building permit, the applicant shall submit the El Camino Real/Downtown Specific Plan Preparation Fee, which is established at \$1.13/square foot for all net new development. For the subject proposal, the fee is estimated at \$41.81 (\$1.13/sf x 37 sf net new square feet).

F. Public Hearing

F1. Use Permit/Clara Ting/1045 Trinity Drive:

Request for a use permit to demolish an existing two-story, single-family fire-damaged residence and construct a new two-story, single-family residence on a substandard lot with regard to lot width in the R-E-S (Residential Estate Suburban) zoning district. ([Staff Report #16-087-PC](#))

Staff Comment: Assistant Planner Michele Morris noted elevation sheet A-3.1 had been distributed to the Commission at the dais and copies were on the rear table for the public as well. She said this was a revision to the sheet in the staff report and had been submitted after publication of the staff report. She said this drawing was intended to reflect the 3-D rendering in the plans.

Applicant Presentation: Ms. Clara Ting said she was the project engineer and Karen Lin was the project architect. She said the property owner Katie Wang was also present. She said the original house was a two-story 3,066 square foot single-family residence. She said the front of the home faced Trinity Drive and the rear faced the Sharon Heights Country Club. She said originally a permit was applied for the addition of two master suites. She said during the summer of 2015 the majority of the house was damaged by fire. She said the property owner resumed construction but then decided to add more square footage that required a use permit.

Ms. Karen Lin said the homes on Trinity Drive were one-story so the design would have the same building height along Trinity, maintaining a very low building profile. She said the two-story height would be on the Country Club side of the property. She said the main entryway formed the courtyard. She described the materials that would be used.

Commissioner Larry Kahle asked what the panel in gray was next to the door shown in the rendering. Ms. Ting said that was ornamental stone and extended to the staircase and linked from the arrival point to the lower level. Commissioner Kahle said the existing roof pitch was four and twelve but this house was three and twelve, and asked why they were not matching the existing roof pitch. Ms. Ting said due to the height limitation they needed to lower to three and twelve. She said they increased the plate height one-foot for the back bedroom and two-foot for the family area so she needed to lower the pitch by one. Commissioner Kahle said the courtyard was a nice concept but there seemed to be solid walls facing into it. He said that glass there would be important for light. Ms. Ting said there was only one solid wall and that was the one at the entrance door.

Chair Strehl opened the public hearing.

- Stratton McVey-Richardson said she lived next door on Trinity Drive but her home was situated down from the proposed project building. She said her light was impacted by existing Theodore pines that also dropped messy vegetation on her property. She said the applicant had an arborist look at those but she assumed they would not be trimmed or cleaned. She said her preference was to have those trees removed. She said she was concerned the new second-story roof would impact light to her home. She said she would like the site cleaned up during construction and before the property owner moved into the home.

Chair Strehl closed the public hearing.

Commission Comment: Commissioner John Onken said if the orientation was correct as shown on

the plans that the only impact light-wise on the neighbor's (speaker's) home would be the very early morning sun in the summer. He said he could see that the trees might be a problem and would encourage the arborist to prescribe trimming. He said the proposed project was sound and non-intrusive and he could support.

Commissioner Kahle asked if the project was at its maximum height. Assistant Planner Morris said that the height of the building was 20.4 feet.

Commissioner Kahle said the project proposal was essentially a stucco box with vinyl windows and some wood siding applied to it. He noted the strip over the garage that seemed out of place. He said the project had much more opportunity for roof planes and materials to make it a better design. He said generally he did not support the project proposal.

Commissioner Riggs asked if the building permit would cover keeping the perimeter of the project site clean during construction or if that was something that came to the Planning Director. He asked if that was a condition they could apply to the approval. Principal Planner Rogers said the Municipal Code had requirements that related to dirty or derelict properties but in general it was expected that a construction project would create some disruption. He said for this level of project there was no standard for a construction staging or phasing plan except as related to tree protection.

Commissioner Onken said Commissioner Kahle mentioned vinyl windows and he asked if that was called out in the plans. It wasn't clear from the recording but it seemed someone, perhaps Commissioner Kahle, indicated where the reference to vinyl windows was.

Commissioner Drew Combs moved to approve the use permit. Commissioner Goodhue seconded the motion.

Commissioner Onken asked if the applicant would be willing to consider other materials for the windows noting that typically the Commission did not approve of white vinyl windows.

Ms. Ting said the property owner had no objection to changing the windows to wood or aluminum clad windows.

Commissioner Onken asked if the makers of the motion and second would consider adding a condition to allow the applicants to resubmit the window plan materials for either wood or aluminum clad to staff for review and approval. Chair Strehl confirmed that was acceptable with Commissioners Combs and Goodhue the makers of the motion and second.

ACTION: Motion and second (Combs/Goodhue) to approve with one modification as shown; passes 6-1 with Commissioner Kahle opposed.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not 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 will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.

3. Approve the use permit subject to the following **standard** conditions:

- a. Development of the project shall be substantially in conformance with the plans prepared by Aclara Engineering Consulting consisting of 14 plan sheets, dated received October 26, 2016, and approved by the Planning Commission on November 7, 2016, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
- b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

4. Approve the use permit subject to the following **project-specific** conditions:

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised elevations that are consistent with the three-dimensional renderings of the plan set, subject to review and approval of the Planning Division.
- b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report and a revised site plan addressing the following, subject to the review and approval of the Planning Division:

- 1) Provide specific tree protection measures for heritage trees numbered 13, 14, 16, 24 and 25;
- 2) Describe specific impacts to heritage trees based on site, grading, utility, and landscaping;
 - a) Provide specific tree protection zones (TPZ) for each heritage tree to be preserved in the revised report and include the following elements:
 - b) Tree protection fencing shall be six-inch chain link;
 - c) If fencing inhibits construction access or activities, wood chip mulch with trench plates or plywood may be used to protect the TPZ, and a precise description of where this method will be used shall be provided in the revised arborist report
- 3) Clearly identify the required heritage tree replacements on the revised site plan, or submit documentation that the City Arborist has waived such requirements.

c. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans to include wood or aluminum clad windows (not vinyl windows), subject to the review and approval of the Planning Division.

F2. Use Permit/Jeff Chase/936 Hobart Street:

Request for a use permit to demolish an existing, one-story single-family home and construct a new, two-story single-family home with a basement on a substandard lot with regard to lot width in the R-1-S (Single Family Suburban) zoning district. ([Staff Report #16-088-PC](#))

Staff Comment: Assistant Planner Morris said staff had no additions to the staff report.

Applicant Presentation: Ms. Karen Zak, project architect, Menlo Park, introduced Jeff Chase, representative for the owners, Pacific Excel III Group. She said they chose a Spanish California style which they thought would step back nicely on the second story, meet daylight planes, and give neighbors additional space and privacy. She said they worked around quite a few trees on the site and talked to neighbors as they started the design to make sure they took into account their interests and sensibilities.

Commissioner Kahle asked if they would consider a clay tile roof to fit the house style. Mr. Chase, Aptos, said they agreed that roof material would look better. Commissioner Kahle asked if they would use two by four or two by six studs. Ms. Zak said two by six studs. Commissioner Kahle said the roof pitch was three and twelve and asked why they did not do four and twelve since they were not close to the maximum building height. Ms. Zak said they thought the three and twelve would look better.

Commissioner Onken asked about the reasoning for 10-foot ceilings on both the first and second stories. Ms. Zak said on the second floor the 10-foot ceiling was only on the master bedroom side. She said it was mainly because the room was very large, they wanted a feeling of spaciousness, and there was plenty of room in the height to make that work. She said doing that they did not need cathedral ceilings and they could have more insulation in the attic spaces.

Commissioner Kahle said that the master bathroom over the garage was prominent creating a

solid wall there. He asked if they would be willing to set that back to reduce its mass noting the size of the master bedroom and closet could absorb that step back. Ms. Zak said their preference would be to leave it as they had already stepped the second story back so far. She said the master bedroom and closet size were what they found people wanted.

Chair Strehl said the garage door seemed very prominent and asked if it could be divided. Ms. Zak said they could change to two doors or use a post in the center to make it appear as two doors. Chair Strehl said she was concerned about water conservation and noted they had six and a half bathrooms. She asked if there were any water conservation measures being taken. Ms. Zak said the new codes were very stringent and the bathroom fixtures and toilets were low flow. She said the landscaping would be drought tolerant.

Chair Strehl opened the public hearing. She closed the public hearing as there were no speakers.

Commission Comment: Commissioner Riggs said the staff report indicated the sill heights were three-foot six-inch minimum and that addressed privacy concerns. He said that a sill under four-foot six-inches did not protect neighbors' privacy. He asked if the bathrooms had obscured glass over the bathtubs. He said he was concerned with the side windows of bedrooms 2 and 3 as without a landscape plan he couldn't tell if the views were screened.

Ms. Zak said the two bathroom windows called for obscure glazing. Commissioner Riggs asked if egress was required on the north side or whether it could be met on the east and west sides. Ms. Zak said egress was required on the side windows. She said with the Spanish style the windows were casement but the back ones did not count as they were not wide enough. Commissioner Riggs suggested she check with the Fire District about that. He asked about the landscaping. Ms. Zak said pittosporum would be planted along the property line.

Commissioner Kahle said generally it was a nice design and the massing worked well with the exception of the master bathroom above the garage. He said with the 10-foot ceiling it was especially prominent. He said the master bedroom was 17-feet deep and if the wall of the master bathroom was pushed back it could be aligned with the entry wall. He said changing to a clay tile roof would make a great difference and that two piece clay tile rather than one piece would be in keeping with the style. He said the windows even in a two by six wall did not sit back far. He said the front walls of the house could be made thicker to get recess and some shadows. He suggested the skylight in the master bathroom might be pushed to the side so it did not stick out so much.

Commissioner Onken said they should mandate that the windows on the south elevation be reduced in size and the sill height raised, and that other egress be found, as those windows seemed to be pushing the boundaries of visual privacy. He said he would like to see the house come back with a different massing consideration as the front elevation was unfortunate. He said it could be helped by moving the chimney around to the side. He suggested also that the garage door be reduced in size or divided with some type of detailing. He said he could support Commissioner Kahle's assertions about a clay tile roof but he was unsure how those would work on a three and twelve pitch. He said he would like the project to come back with a redesign.

Commissioner Kahle said the windows as designed with the center mullion would not meet egress requirements. He said there was a style called a French casement window that would meet the egress requirement. He said a four and twelve roof pitch would help a lot in terms of reducing the apparent mass of the second story. He said although he indicated he could support the project he would prefer it returned with more fine tuning of the design.

Commissioner Drew Combs said he appreciated the comments made by Commissioners Onken and Kahle. He said he could support the project as presented and he did not see that the suggestions would massively change the project as proposed.

Commissioner Andrew Barnes said he appreciated the suggested enhancements to the project to the extent that they did not impinge on the materials and square footage of the project. He said he would like the project to come back with the referenced enhancements.

Commissioner Onken moved to have the project return with redesign. Commissioner Kahle seconded the motion. Chair Strehl asked staff how soon the project might be able to return to the Commission. Principal Planner Rogers said it was based upon the architect's responsiveness and staff workload, and estimated two to four months for the project to return to the Commission.

Chair Strehl recognized the project architect. Ms. Zak said they could agree to move the master bathroom back to align with the front entryway if that would get approval for the project this evening. She said they could change the egress windows to the French casement type mentioned. She said they could also change the sill heights on the left hand side. Chair Strehl asked about the roof pitch. Ms. Zak said they could look at the roof pitch. Commissioner Barnes asked about the garage door. Ms. Zak said they had already agreed to change the garage doors. Commissioner Barnes asked about the clay tile roof. Ms. Zak indicated assent.

Commissioner Onken said as the maker of the motion that the revisions could be provided by email to the Commission for review. Chair Strehl asked staff to comment. Principal Planner Rogers said the maker of the second first needed to agree, and added there was a process of substantial conformance email so the action would be an approval subject to certain changes. Commissioner Onken said that they were not changing the fundamentals of the data sheet in terms of what they approved and what returned as conforming.

Commissioner Riggs said there were a number of suggested changes including moving the chimney to the side, change in roof pitch, clay tile, pushing back the master bath, window changes, and garage door changes. He said his concern was this was not the project architect's design but a committee design. He said he would like some design guidelines in the future.

Commissioner Onken said that he would move to approve contingent upon conformance review to have the project architect address elevation issues, specifically the windows and their detailing such as a deeper reveal, reconsider the roof pitches, a clay tile roof instead of an asphalt roof, reduce the fenestration along the side boundaries for privacy, amend the garage door design, either reduce the ceiling height in the master bathroom or move the bathroom back, noting the latter might change the square footage and require a Commission hearing. Commissioner Kahle seconded the motion and noted the applicant had the option to continue the item to another meeting if they preferred or to work through staff.

Chair Strehl asked if staff had enough to work with the applicant, or whether the applicant would prefer to have the item continued and return.

Assistant Planner Morris said the changes directed to the applicant included changing windows and their details modified, changing roof pitch, change to a clay tile roof, reduce fenestration on the sides of the house, amend the garage door to reduce the massing or its prominence, move the fireplace to the side or a different location, reduce the height or move the master bath back from

the front façade with Commissioner Kahle seconding the motion but offering the option of coming back with a continuance. Commissioner Riggs said there was also a suggestion to move the master bath skylight to a north slope rather than facing the street.

Chair Strehl said she was concerned they were designing the project, and said she would like to ask the applicant if they would prefer a continuance or to work with staff on a conformance basis. Ms. Zak said they would prefer approval with the conditions. She said the requested changes were not as major as they might sound. She said they looked at houses on this street that had use permits before they made their choices and felt like they did listen to many things, noting houses on that street with full garage doors and bigger windows. She said they made their windows smaller and their roof pitch lower to keep the height lower. She said by changing the pitch the height would increase. She said she was not quite clear on what window details were being asked for and why.

Commissioner Kahle said this was a recommendation and they could go either way on it in his opinion. He said with a thicker wall the windows could be recessed which gave them depth creating shadow, and appearing much more like a Spanish Mediterranean style house. Ms. Zak said the sill on the interior was for the homeowner who would purchase the house and that was the challenge.

Commissioner Combs said for the record that they were putting the applicant in an awkward situation to accept all the changes somewhat ad hoc or come back in three or four months with a redesign. He said he would vote for it. He said he agreed with Commissioner Onken that the single garage door or the window sill heights were common concerns of Planning Commissioners.

ACTION: Motion and second (Onken/Kahle) to approve with the following modifications; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not 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 will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Zak Johnson Architects consisting of 10 plan sheets, dated received October 26, 2016, and approved by the Planning Commission on November 7, 2016, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.

- c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the use permit subject to the following **project-specific** condition:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report and a revised site plan addressing the following, subject to the review and approval of the Planning Division:
 - 1) Specify that a 4- to 6-inch wood chip layer of mulch will be added at grade in the area outside the tree protection fencing under the tree driplines and covered with ¾-inch plywood (or an equivalent) prior to demolition;
 - 2) Specify in the Tree Protection Plan the irrigation for the protected heritage trees including the method, location, timing, flow rate, duration and depth; and
 - 3) Recommendations shall be made in the arborist report for tree protections based on the evaluation of the grading and utility plans.
 - b. ***Prior to the submittal of a complete building permit application, the applicant shall submit revised plans addressing the topics listed below, subject to the review and approval of the Planning Division. The Planning Commission shall be notified of these changes by email, and any Commissioner may request that the Planning Division's approval of the revised elevation plans may be considered at the next available Planning Commission meeting. The revised elevation plan shall be fully approved prior to issuance of the overall building permit. The specific topics to be addressed include:***
 - 1) ***Change the windows on the left side of the second floor to French casement windows***
 - 2) ***Change the roof pitches***

- 3) Change the roof materials from composition to clay tile**
- 4) Reduce the fenestration on the sides of the home**
- 5) Revise the garage door from one door to two doors, or a two-door simulated style**
- 6) Move the chimney from the front elevation to a side elevation**
- 7) Move the master bathroom to align with the front entry; and**
- 8) Move the master bathroom skylight to the north side of the roof slope.**

F3. Use Permit Revision/Morteza Nassiri/317 Yale Road:

Request for a use permit revision to make changes to the floor plan, windows and roof plan of a previously approved single-family, two-story residence with a basement on a substandard lot with regard to lot width in the R-1-U (Single-Family Urban) zoning district. The previous use permit was approved by the Planning Commission on May 9, 2016. ([Staff Report #16-089-PC](#))

Staff Comment: Associate Planner Corinna Sandmeier said there were no additions to the staff report.

Applicant Presentation: Mr. Roger Kohler, project architect, Palo Alto, introduced the project builder Morteza Nassiri. He said the project was approved earlier in the year and since then they decided to eliminate a bedroom on the first floor and expand the living and dining areas and rearrange the upper floor. Mr. Nassiri said he was the owner and builder and they had added a bathroom so each bedroom has a bath. Mr. Kohler said the exterior walls remained the same and as recommended by staff they had moved the house back; he said the only change to the exterior was the placement of windows.

Chair Strehl said that water conservation was important to her and she had concerns about six and a half bedrooms. She asked about the exterior watering plan. Mr. Kohler said they had submitted their planting plan with the last submittal of building plans. He said the landscaping had low water usage. Mr. Nassiri said the change was instead of two of the bedrooms sharing a bathroom that each would have its own bathroom. He said it should not increase the water usage as they were using low flow and dual flush toilets.

Commissioner Goodhue asked when there were landscaping plans if those could be provided to the Commission. Commissioner Riggs suggested requiring that two-story projects have a planting plan. Principal Planner Rogers said that was not a requirement for single-family residential development.

Chair Strehl confirmed with the applicant that he had done neighbor outreach.

Chair Strehl opened the public hearing. There being no speakers, she closed the public hearing.

Commission Comment: Commissioner Onken said generally the house was well-proportioned. He said he was concerned with the west wall and large line of windows even closer to the property line than the previous project had. He said egress windows were required but he thought others could be reduced to address privacy concerns lacking a landscape plan.

Commissioner Riggs said he was concerned about privacy and he did not think three-foot six-inch sills addressed that. He said the design was a good attempt to maximize square footage on the lot. He said he thought it would be quite impactful for Yale Road.

Principal Planner Rogers noted recent Commission comments about window sill heights and privacy. He said that staff's findings were based on input from Planning Commissions whose membership changed over time. He said over the last few years the Commission had been fairly consistent that a minimum sill height of three feet was considered good for privacy, if that helped explain why the staff report included the text that it did.

Commissioner Kahle said he appreciated the changes made to the project and he shared concerns about the windows on the right side and impacts on privacy. He said he supported the project. He moved to approve as recommended in the staff report. Commissioner Combs seconded the motion.

ACTION: Motion and second (Kahle/Combs) to approve as recommended in the staff report; passes 6-1 with Commissioner Onken opposed.

1. 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.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not 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 will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Kohler Associates Architects consisting of 11 plan sheets, dated received October 25, 2016, and approved by the Planning Commission on November 7, 2016, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
- g. Heritage and street trees in the vicinity of the construction project shall be protected pursuant to the arborist report by Kevin Kielty Arborist Services LLC, dated received March 23, 2016.

- F4. Use Permit Revision and Architectural Control Revision/Ron Krietemeyer/1315 O'Brien Drive: Request for use permit and architectural control revisions to a previously approved project, which would allow the removal of approximately 32,000 square feet of gross floor area of warehouse from the rear of the structure and construction of a new exterior rear wall consistent with the architectural style of the previously approved building, in the M-2 (General Industrial) zoning district. ([Staff Report #16-090-PC](#))

Staff Comment: Associate Planner Tom Smith said he had no modifications to the staff report.

Applicant Presentation: Mr. John Tarlton said he thought this was the first time he had ever requested the reduction of building square footage. He said this structure was adjacent to a vacant portion of the lot and they intended to bring an application forward in the future for a building. He said at this time they wanted to move a blank wall back and reduce the existing building size by 32,000 square feet.

Chair Strehl asked if they were keeping the foundation or moving it back also. Mr. Tarlton said they were keeping it. He introduced David Leung, Project Architect, DES Architects. Mr. Leung said the existing building slab would remain but there was no use intended for it at this time. He said the existing slab on the east and west edges had been a truck dock and they would need to install guardrails along there for safety.

Commissioner Goodhue asked if the applicant then wanted to place a building in the space behind the reduced structure whether the slab and guard rails would need to be removed. Mr. Tarlton said they would have to come back with the new building proposal and the site modification associated with it including future removal of the slab.

Chair Strehl opened the public hearing. She closed the public hearing as there were no speakers.

ACTION: Motion and second (Onken/Riggs) to approve as recommended in the staff report; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not 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 will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the city.
 - c. The development will not impair the desirability of investment or occupation in the neighborhood.
 - d. The development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking.
 - e. The property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.
4. Approve the use permit and architectural control subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by DES Architects and Engineers consisting of 23 plan sheets, dated received October 13, 2016, and approved by the Planning Commission on November 7, 2016, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The existing curb inlet shall be converted to a junction box and install a new curb inlet per City's standards. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating the removal of the existing curb, gutter, and sidewalk and installation of new curb, gutter, sidewalk, and planting strip per City standards along the entire property frontage. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the Project Arborist's recommendations.
 - h. Simultaneous with the submittal of a complete building permit application, if applicable, the applicant shall document compliance with the City's Water Efficient Landscape Ordinance (WELO) in effect at the time of building permit submittal.
5. Approve the use permit and architectural subject to the following **project-specific** conditions:
- a. The property owner shall retain a qualified transportation consulting firm to monitor the trips to and from the project site and evaluate the effectiveness of the TDM program one year from commencement of operations within the subject building and shall submit a memorandum/report to the City reporting on the results of such monitoring for review by the City to determine the effectiveness of the TDM program (Attachment E). This report shall be submitted annually to the City subject to review by the Planning and Transportation Divisions. If the subject site is not in compliance with the anticipated trip reductions from the TDM program the applicant shall submit a detailed mitigation and monitoring plan identifying steps to be taken to bring the project site into compliance with the maximum Daily, AM and PM trips identified in the trip generation analysis and TDM program.
 - b. Prior to or concurrent with the submittal of a complete building permit application, the applicant shall execute the Below Market Rate (BMR) Housing Agreement. Within two years of building permit issuance, the applicant shall comply with the terms of the BMR Agreement, which include the payment of the in lieu fee of approximately \$422,699.35 (as of July 1, 2014), provision of two units, or a combination thereof. The BMR fee rate is subject to change annually on July 1 and the final fee will be calculated at the time of fee payment.
 - c. When chemical quantities exceed the reportable limits as defined by the California Health and Safety Code, the tenant shall provide a Hazardous Materials Business Plan (HMBP), or equivalent document to the San Mateo County Environmental Health Division and Fire District.
 - d. If the tenant modifies the types and/or quantities of chemicals used and stored at the site, the tenant shall obtain a revised Fire Permit from the Menlo Park Fire District.
 - e. The use permit for hazardous materials used and stored at the site shall only be permitted for Pacific Biosciences or subsequent tenants within the front suite of the building.

- f. If the tenant requests window or door openings along the rear wall to be constructed as part of a future building permit, Planning staff shall evaluate the proposed windows and doors and issue an administrative approval granting such changes if they are in conformance with the areas indicated on the rear elevation of the approved plan set and compatible with the design and materials of the overall structure

G. Regular Business

G1. Architectural Control Revision/Rob Fischer/1090 El Camino Real:

Request for an architectural control revision to allow metal roll-down doors to be installed at three building entrances along Santa Cruz Avenue in conjunction with a restaurant use at an existing commercial building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. ([Staff Report #16-091-PC](#))

Staff Comment: Senior Planner Jean Lin said staff had no changes to the staff report. She said a materials board for the metal roll-down doors was being circulated for the Commission's review.

Questions of Staff: Commissioner Kahle asked if the doors were already installed. Senior Planner Lin said they were installed without staff review and permits. Commissioner Kahle asked what would happen if the Commission did not approve the architectural control revision. Senior Planner Lin said that was a risk the applicant faced as they chose to install without permits. She said if approved they would need a building permit and the doors would need to be inspected.

Commissioner Combs said that the applicant had presented a design including the roll-down doors to the Commission that the Commission approved without the roll-down doors. Senior Planner Lin said that was correct and staff had not presented the Commission with the design of the roll down doors that were being contemplated. Commissioner Combs asked if there was discussion at that time about the roll-down doors. Senior Planner Lin said there was not discussion about roll-down doors when the project came before the Commission in 2013. She said the applicant had requested consideration of roll-down doors. She said staff in considering the aesthetics of the roll-down doors at that time had had no documentation supporting the necessity of roll-down doors for any security measures. She said as part of the staff condition of approval a provision allowed for staff review should they demonstrated that the roll-down doors were needed for security. Commissioner Combs confirmed with staff that the applicant was clear on staff's position and had no approval to install roll-down doors, but installed them.

Chair Strehl noted a letter supporting substantial conformance and asked staff to review. She said she recalled discussion about roll-down doors. Senior Planner Lin said the doors were discussed in the original architectural control application staff report but there was no active Commission discussion regarding them. She said there had been two substantial conformance memorandums. She said the first was in October 2014 and that included exterior modifications as well as the enclosure of a kitchen on the rooftop deck and other minor changes. She said the second more recent substantial conformance memo was on August 2016 that included additional exterior changes that included the relocation of equipment cabinets; changes to the building's color scheme and some minor modifications.

Applicant Presentation: Mr. Rob Fischer, project applicant, said at the very beginning in discussing this project they had talked about roll-down doors, and there were letters between them and the Planning staff about the roll-down doors. He said there was another letter written in February 2014 that referenced roll-down doors and the necessity would have to be proven for security reasons in the future. He said he was not defending that the roll-down doors were installed without a permit.

He said he was neither an architect nor a builder. He said the letter had indicated that if they could demonstrate a necessity for the roll-down doors they could be considered. He said in the area around the train station about a year ago there was a point in time when a homeless encampment went behind Menlo Center and porta-potties were brought in for the people in that encampment. He said there was a roll-down door for the gate at the Menlo Center for security reasons.

Commissioner Kahle said he knew Mr. Fischer from the Creamery in Palo Alto. He said the gates were intended to keep people out but was part of an exit path. Mr. Fischer said there was an emergency release for the gates.

Commissioner Riggs asked about the maintenance commitment to the gates noting they were lengths of aluminum and could be bent or even decorated. Mr. Fischer said the reason they wanted to keep them the natural color was if they were tagged it would be easier to remove the paint. He said they have been tagged already. He said if the aluminum got dented, the doors would be fully replaced. He said he thought the positives outweighed the negatives.

Commissioner Combs asked if anything else was considered for security other than the roll-down doors. Mr. Fischer said he had no other ideas in how to secure that large of a doorway. Senior Planner Lin said one of the suggestions for securing the vestibule had been installation of motion sensor lighting. She said she thought they had agreement that was a good starting point with the option of looking at other measures as necessary. She said they did not have any other options related to creating a barrier to the vestibule area.

Chair Strehl opened the public hearing.

Public Comment:

- Todd Burke, Palo Alto, said he had lived in Menlo Park from 1997 to 2007, and has known Mr. Fischer since 1997, and was a customer of Mr. Fischer's various establishments. He said this was not only about the roll-down doors but was about bringing a new restaurant experience to Menlo Park and the Peninsula. He said he thought a roll-down door was a relatively minor consideration from an architectural standpoint and would provide safety. He said Mr. Fischer's team was committed to high standards of maintenance.
- Fran Dehn, Menlo Park Chamber of Commerce, said she also encouraged the Commission to approve the request for the architectural control revision. She said Menlo Park was a great place to live and to do business but motion sensor lighting did not do too much in the area around the train station. She said she worked there and she has gone from motion sensor lighting to continuous lighting outside her door. She said when she comes to work in the morning she cleans up after people who had been there in the night. She said they were looking forward to the BBC reopening.
- Ann Carr, Menlo Park, said she supported the roll-down doors and they were a good way to create security. She said they would be open during the day and closed from 10 p.m. until 7 a.m. She said they would help keep the area safe and clean.
- Dr. Gavin Carr, Menlo Park, said the City was a great place to raise kids. He said he met Mr. Fischer at the Creamery in Palo Alto. He said he also met his wife there. He said all of Mr. Fischer's restaurants were first class. He said the roll-down doors were a good idea. He said he thought the restaurant would bring more people to the area.

Chair Strehl closed the public hearing.

Commission Comment: Chair Strehl said that the gates looked fine and would be open during day time and evening hours.

Commissioner Onken said he agreed with Chair Strehl's comments. He said the area was an entry way and this would improve the area.

Commissioner Barnes said he supported noting he did not see the gates as incongruous with brick.

Commissioner Combs asked if staff was recommending approval. Senior Planner Lin said staff was recommending approval with conditions. Commissioner Combs said that this was not about the doors but about process and rules. He said what was expressed to the applicant was clear. He said however he lived near the area and understood the applicant's security concerns. He said the rules were not followed yet it was a project the public would like to see happen.

Commissioner Riggs said he concurred, and moved to approve the architectural control revision as recommended by staff. Commissioner Goodhue seconded the motion.

ACTION: Motion and second (Riggs/Goodhue) to approve as recommended in the staff report; passes 7-0.

1. Make findings with regard to the California Environmental Quality Act (CEQA) that the proposal is within the scope of the project covered by the El Camino Real/Downtown Specific Plan Program EIR, which was certified on June 5, 2012. Specifically, make findings that:
 - a. The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current CEQA Guidelines.
 - b. Relevant mitigation measures have been incorporated into the project through the Mitigation Monitoring and Reporting Program approved on February 10, 2014.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the City.
 - c. The development will not impair the desirability of investment or occupation in the neighborhood.
 - d. The development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking.
 - e. The development is consistent with the El Camino Real/Downtown Specific Plan.
3. Approve the use permit and architectural control subject to the following **standard** conditions:

- a. Development of the project shall be substantially in conformance with the plans prepared by CCS Architecture consisting of three plan sheets, dated received November 2, 2016, and approved by the Planning Commission on November 7, 2016, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The existing curb inlet shall be converted to a junction box and install a new curb inlet per City's standards. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating the removal of the existing curb, gutter, and sidewalk and installation of new curb, gutter, sidewalk, and planting strip per City standards along the entire property frontage. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Prior to commencing any construction activities in the public right-of-way or public easements, including, but not limited to, installation of the proposed canopy over the public sidewalk, the applicant shall obtain an encroachment permit for review and approval of the Engineering Division.
4. Approve the architectural control revision subject to the following ***ongoing project-specific*** conditions:
 - a. All outdoor noise amplification must meet required noise levels at any residential property line in accordance with the Noise Ordinance.
 - b. Any citation or notification of violation by the California Department of Alcoholic Beverage Control or other agency having responsibility to assure public health and safety for the sale of alcoholic beverages will be grounds for considering revocation of the use permit.
 5. Approve the architectural control revision subject to the following ***project-specific*** conditions:
 - a. The roll-down metal security gates shall remain rolled up in their open position seven days a week during the hours of 8:00 a.m. to 10:00 p.m.

Chair Strehl said for the record that her husband probably had dinner at the Creamery this evening.

H. Informational Items

H1. Future Planning Commission Meeting Schedule

- Regular Meeting: November 14, 2016
- Regular Meeting: December 5, 2016
- Regular Meeting: December 12, 2016

Commissioner Barnes said he would like his agenda packet in a binder noting the binders for the General Plan Advisory Committee. Chair Strehl suggested that he re-use binders and get his agenda packet three-hole punched. Principal Planner Rogers said he would inquire as to the possibility of the agenda packets being delivered with three-hole punched.

I. Adjournment

Chair Strehl adjourned the meeting at 9:05 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett



STAFF REPORT

Planning Commission

Meeting Date: 12/5/2016

Staff Report Number: 16-096-PC

Public Hearing: Use Permit/Alina Robin/1019 Middle Avenue

Recommendation

Staff recommends that the Planning Commission approve a use permit to remodel and add a one story addition to an existing nonconforming single-story, single-family residence in the R-1-U (Single Family Urban) zoning district at 1019 Middle Avenue. The proposed work would exceed 75 percent of the existing replacement value in a 12-month period. The recommended actions are included as Attachment A.

Policy Issues

Each use permit request is considered individually. The Planning Commission should consider whether the required use permit findings can be made for the proposal.

Background

Site location

The project site is located at 1019 Middle Avenue, near Nealon Park and the Allied Arts neighborhood. A location map is included as Attachment B. The surrounding properties to the north, south, and east are also zoned R-1-U and are predominantly single-story, single-family residences; however, two-story, single-family residences can also be found throughout the neighborhood. The properties to the west, and across the street, are zoned R-3 and contain a variety of multifamily residences including, fourplexes, triplexes, and duplexes. Residences on Middle Avenue feature a variety of architectural styles including traditional ranch, craftsman, and contemporary residential.

Analysis

Project description

The subject site is currently occupied by a single-story residence that is nonconforming with regard to the left side setback. The applicant is proposing to maintain 1,990 square feet of the existing residence, while demolishing the 354 square foot existing sun room. The proposal includes construction of a new single-story addition of approximately 774 square feet. As a result, the proposed first floor area of the residence would increase by roughly 388 square feet. In addition to the new construction, the existing areas would be fully remodeled. The residence would become a three-bedroom, three-bathroom home. A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

The existing nonconforming walls at the left side of the residence are proposed to remain with the wall framing retained, but all areas of new construction would comply with current setback requirements and other development standards of the R-1-U zoning district. The existing legal nonconforming accessory building would be maintained with minor alterations to bring it back into conformance with the original building permit.

The floor area, building coverage, and height of the proposed residence would all be below the maximum amounts permitted by the Zoning Ordinance. Additionally, the structure would comply with the daylight plane for a one-story home in the R-1-U zoning district.

Design and materials

The existing residence is a traditional ranch home featuring the characteristic long, low profile, simple roof forms, and wood and stucco siding typical of this architectural style. As part of the proposed project, the façade would be updated to achieve a modern farmhouse aesthetic, integrating classic architectural forms and proportions with modern lines, and mixing traditional materials with modern materials. The existing wood and stucco siding would be upgraded with board and batten siding. The proposed windows would be metal clad and all existing windows would be replaced to ensure consistency in window design. The existing garage and front door would be replaced and upgraded to match the new windows. Additional architectural interest at the rear would be provided by standing seam aluminum roofing over the kitchen and family room addition. Staff believes that the scale, materials, and style of the proposed residence are consistent with the broader neighborhood, given the architectural styles and sizes of structures in the area.

Trees and landscaping

At present, there are 20 trees on or in near proximity to the project site. Eight of these trees are heritage trees. All 20 trees are proposed to remain. The partial demolition of the existing residence and construction of the proposed addition are not anticipated to adversely affect any of the existing trees located on the subject site or neighboring properties. To ensure that the heritage trees along the shared south property line are sufficiently protected during construction, the arborist report (Attachment F) recommends that a pier and grade beam foundation be used, which will be incorporated through condition 4a. Hand tools in combination with an air spade are recommended for the exaction of the foundation. Tree protection measures will also include an irrigation plan as outlined in the arborist report. All heritage tree protection measures will be ensured through recommended condition 3g. No new landscaping is currently proposed.

Valuation

To calculate the replacement and new construction costs on which the use permit threshold is based, the City uses standards established by the Building Division. The City has determined that the replacement cost of the existing structure would be \$380,100 meaning that the applicants would be allowed to propose new construction and remodeling at this site totaling less than \$285,075 in any 12-month period without applying for a use permit. The City has determined that the value of the proposed work would be approximately \$406,700. Based on this estimate, the proposed project exceeds 75 percent of the replacement cost of the existing structure, therefore requiring use permit approval by the Planning Commission.

Correspondence

The applicant indicates that the property owners performed outreach by contacting adjacent property owners regarding the proposed project. The applicant's outreach letter and a petition of support were submitted are included as Attachment G. The latter includes signatures for nine neighboring residences.

Conclusion

Staff believes that the scale, materials, and style of the proposed residence are compatible with those of the greater neighborhood. No heritage tree impacts are anticipated. The floor area, building coverage, and height of the proposed residence would all be at or below the maximum amounts permitted by the Zoning Ordinance, and the new structure would be within the daylight plane requirements. Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

Appeal Period

The Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

Attachments

- A. Recommended Actions
- B. Location Map
- C. Data Table
- D. Project Plans
- E. Project Description Letter
- F. Arborist Report
- G. Correspondence

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the

information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

Exhibits to Be Provided at Meeting

None

Report prepared by:

Kaitie Meador, Associate Planner

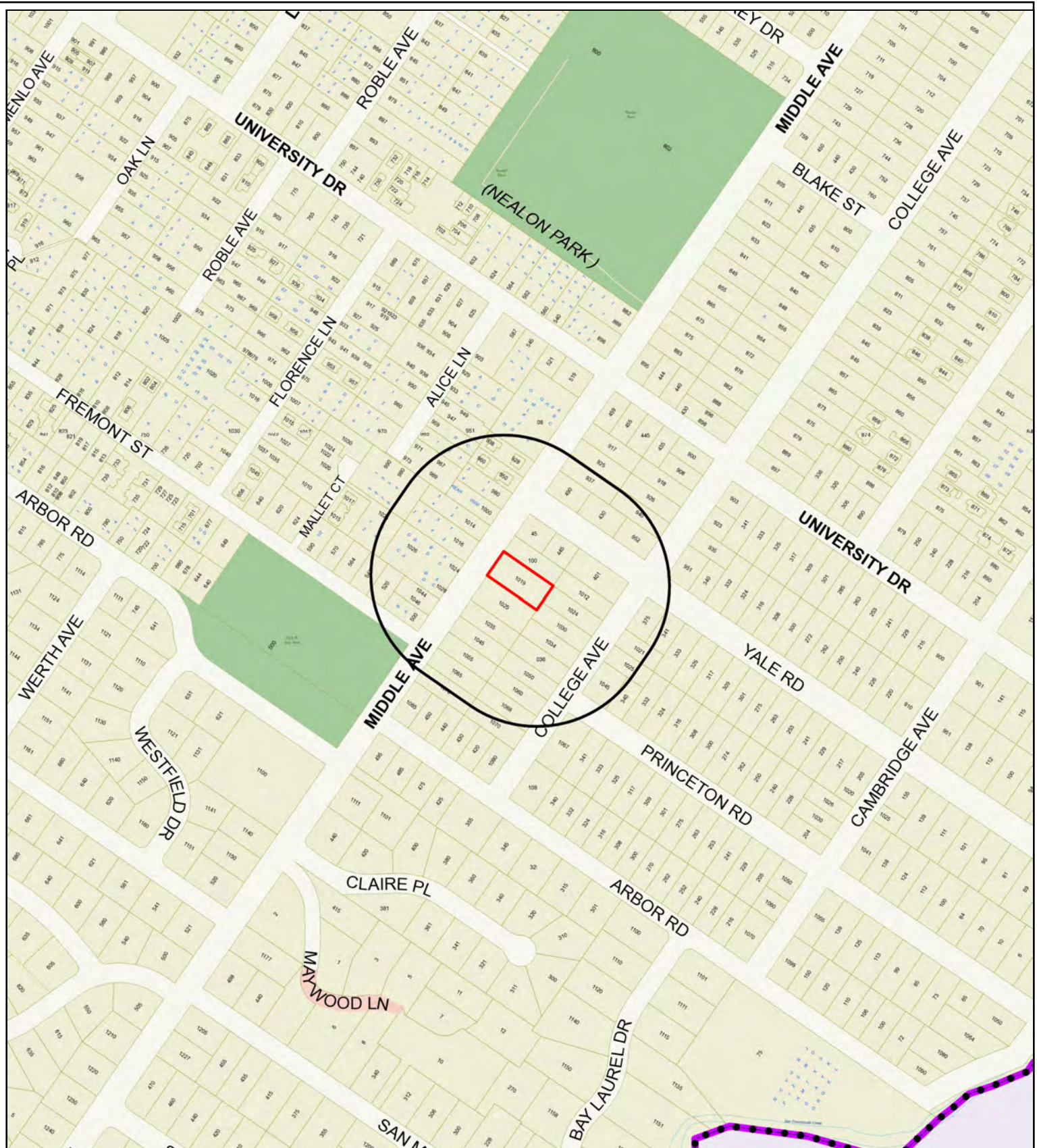
Report reviewed by:

Thomas Rogers, Principal Planner

LOCATION: 1019 Middle Avenue	PROJECT NUMBER: PLN2016-00087	APPLICANT: Alina Robin	OWNER: Sarah Herman & Rus Horia
REQUEST: Request for a use permit to remodel and add a one story addition, to an existing nonconforming single-story, single-family residence in the R-1-U (Single Family Urban) zoning district. The proposed work would exceed 75 percent of the existing replacement value in a 12-month period.			
DECISION ENTITY: Planning Commission	DATE: December 5, 2016	ACTION: TBD	
VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)			
ACTION: <ol style="list-style-type: none"> 1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, “Existing Facilities”) of the current California Environmental Quality Act Guidelines. 2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not 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 will not be detrimental to property and improvements in the neighborhood or the general welfare of the City. 3. Approve the use permit subject to the following standard conditions: <ol style="list-style-type: none"> a. Development of the project shall be substantially in conformance with the plans prepared by DG Designs, consisting of 10 plan sheets, dated received November 3, 2016, and approved by the Planning Commission on December 5, 2016, except as modified by the conditions contained herein, subject to review and approval by the Planning Division. b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies’ regulations that are directly applicable to the project. c. Prior to building permit issuance; the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project. d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes. e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division. f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits. g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance. 			

1019 Middle Avenue – Attachment A: Recommended Actions

LOCATION: 1019 Middle Avenue	PROJECT NUMBER: PLN2016-00087	APPLICANT: Alina Robin	OWNER: Sarah Herman & Rus Horia
REQUEST: Request for a use permit to remodel and add a one story addition, to an existing nonconforming single-story, single-family residence in the R-1-U (Single Family Urban) zoning district. The proposed work would exceed 75 percent of the existing replacement value in a 12-month period.			
DECISION ENTITY: Planning Commission	DATE: December 5, 2016	ACTION: TBD	
VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)			
ACTION: 4. Approve the use permit subject to the following <i>project-specific</i> condition: a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans indicating the proposed foundation for the addition will be pier and grade beam foundation, subject to review and approval of the Planning Division.			



City of Menlo Park
Location Map
1019 Middle Ave.



Scale: 1:4,000

Drawn By: KMM

Checked By: THR

Date: 12/5/2016

Sheet: 1

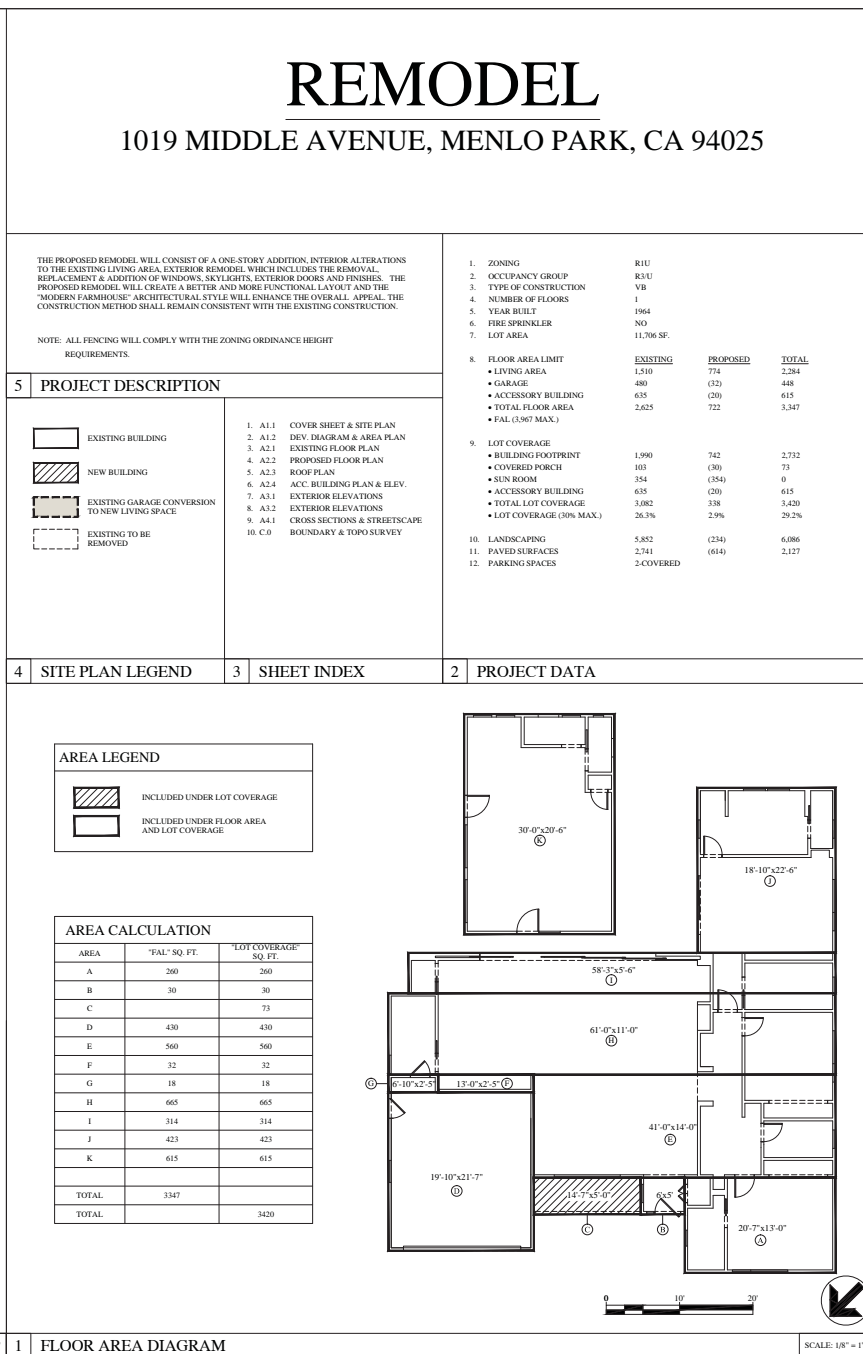
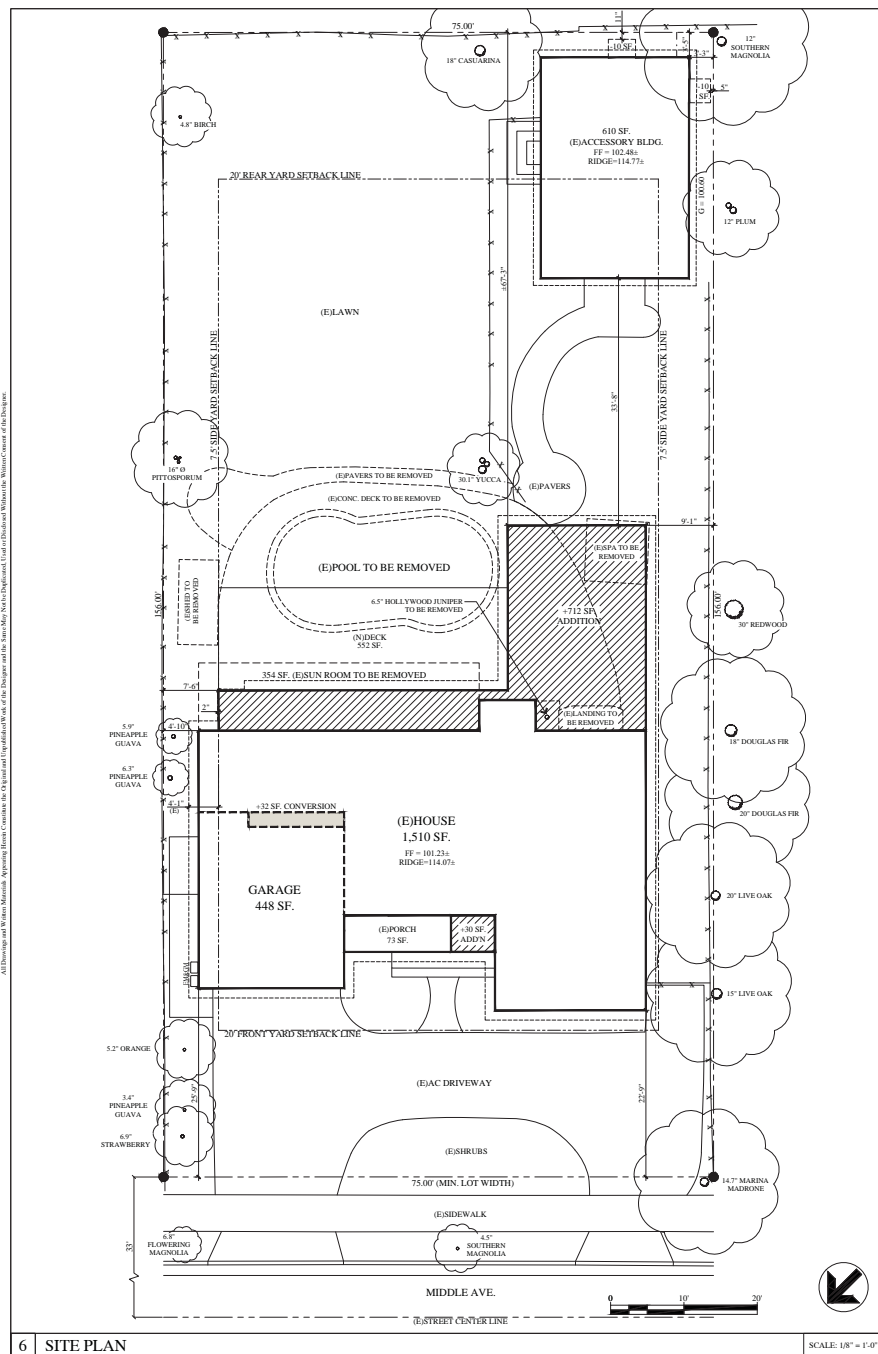
	PROPOSED PROJECT	EXISTING PROJECT	ZONING ORDINANCE
Lot area	11,706 sf	11,706 sf	7,000 sf min.
Lot width	75 ft.	75 ft.	65 ft. min.
Lot depth	156 ft.	156 ft.	100 ft. min.
Setbacks			
Front	22.75 ft.	22.75 ft.	20 ft. min.
Rear	67.25 ft.	86 ft.	20 ft. min.
Side (left)	4.8 ft.	4.8 ft.	7.5 ft. min.
Side (right)	9.1 ft.	9.1 ft.	7.5 ft. min.
Building coverage	3,420 sf	3,082 sf	4,097.1 sf max.
	29.2 %	26.3 %	35 % max.
FAL (Floor Area Limit)	3,347 sf	2,979 sf	3,976.5 sf max.
Square footage by floor	2,284 sf/1 st	1,510 sf/1 st	
	615 sf/accessory building	635 sf/accessory building	
	448 sf/garage	480 sf/garage	
	73 sf/covered porch	354 sf/sun room	
		103 sf/covered porch	
Square footage of buildings	3,420 sf	3,082 sf	
Building height	14.1 ft.	14.1 ft.	28 ft. max.
Parking	2 covered	2 covered	1 covered/1 uncovered
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			

Trees	Heritage trees	8*	Non-Heritage trees	12**	New Trees	0
	Heritage trees proposed for removal	0	Non-Heritage trees proposed for removal	0	Total Number of Trees	20

*Five of which are located on neighboring properties.

** Three of which are located in the right of way.

All Drawings and Notes Must Be Read in Conjunction with the City of Menlo Park's Ordinance 100-100 and the San Jose City Engineer's Office's Ordinance 100-100. The City of Menlo Park is not responsible for the accuracy of the information provided in this drawing.



REMODEL

1019 MIDDLE AVENUE, MENLO PARK, CA 94025

THE PROPOSED REMODEL WILL CONSIST OF A ONE-STORY ADDITION, INTERIOR ALTERATIONS TO THE EXISTING LIVING AREA, EXTERIOR REMODEL WHICH INCLUDES THE REMOVAL, REPLACEMENT & ADDITION OF WINDOWS, SKYLIGHTS, EXTERIOR DOORS AND FINISHES. THE PROPOSED REMODEL WILL CREATE A BETTER AND MORE FUNCTIONAL LAYOUT AND THE "MODERN FARMHOUSE" ARCHITECTURAL STYLE WILL ENHANCE THE OVERALL APPEAL. THE CONSTRUCTION METHOD SHALL REMAIN CONSISTENT WITH THE EXISTING CONSTRUCTION.

NOTE: ALL FENCING WILL COMPLY WITH THE ZONING ORDINANCE HEIGHT REQUIREMENTS.

5 PROJECT DESCRIPTION

- EXISTING BUILDING
- NEW BUILDING
- EXISTING GARAGE CONVERSION TO NEW LIVING SPACE
- EXISTING TO BE REMOVED

1. A1.1 COVER SHEET & SITE PLAN
2. A1.2 DEV. DIAGRAM & AREA PLAN
3. A2.1 EXISTING FLOOR PLAN
4. A2.2 PROPOSED FLOOR PLAN
5. A2.3 ROOF PLAN
6. A2.4 ACC. BUILDING PLAN & ELEV.
7. A3.1 EXTERIOR ELEVATIONS
8. A3.2 EXTERIOR ELEVATIONS
9. A4.1 CROSS SECTIONS & STREETSCAPE
10. C.0 BOUNDARY & TOPO SURVEY

1. ZONING	RIU		
2. OCCUPANCY GROUP	R3U		
3. TYPE OF CONSTRUCTION	VB		
4. NUMBER OF FLOORS	1		
5. YEAR BUILT	1964		
6. FIRE SPRINKLER	NO		
7. LOT AREA	11,706 SF.		
8. FLOOR AREA LIMIT			
• LIVING AREA	1,510	774	2,284
• GARAGE	480	(32)	448
• ACCESSORY BUILDING	635	(20)	615
• TOTAL FLOOR AREA	2,625	722	3,347
• FAL (3.967 MAX.)			
9. LOT COVERAGE			
• BUILDING FOOTPRINT	1,990	742	2,732
• COVERED PORCH	103	(30)	73
• SUN ROOM	354	(354)	0
• ACCESSORY BUILDING	635	(20)	615
• TOTAL LOT COVERAGE	3,082	338	3,420
• LOT COVERAGE (30% MAX.)	26.3%	2.9%	29.2%
10. LANDSCAPING	5,852	(234)	6,086
11. PAVED SURFACES	2,741	(614)	2,127
12. PARKING SPACES	2-COVERED		

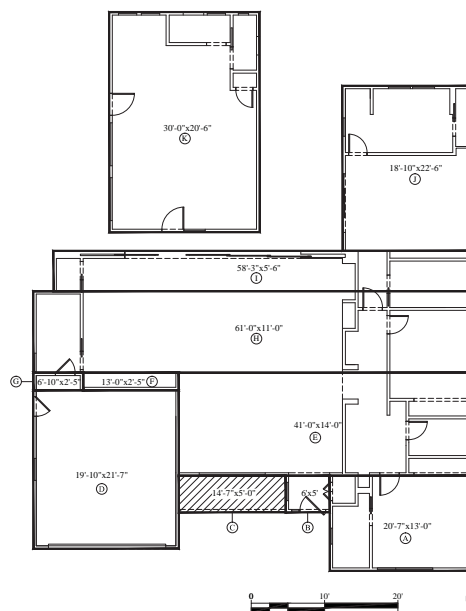
4 SITE PLAN LEGEND

AREA LEGEND

- INCLUDED UNDER LOT COVERAGE
- INCLUDED UNDER FLOOR AREA AND LOT COVERAGE

AREA CALCULATION

AREA	"FAL" SQ. FT.	"LOT COVERAGE" SQ. FT.
A	260	260
B	30	30
C		73
D	430	430
E	560	560
F	32	32
G	18	18
H	665	665
I	314	314
J	423	423
K	615	615
TOTAL	3,347	
TOTAL		3,420



DG Design

1117 WATERSTONE PLACE
SAN RAMON, CA 94582

510-579-2004
925-999-8305
dgdesign.ca@gmail.com

Drawings Prepared By:

DINO GARCIA
PBD
1117 Waterstone Place, San Ramon, CA 94582



Project Title
**RUS-HERMAN RESIDENCE
REMODEL**
1019 MIDDLE AVE.
MENLO PARK, CA 94025
A.P.# 071391080

Revisions	Date	Description
1	10-7-2016	PLANNING COMMENTS
2	10-30-2016	PLANNING COMMENTS

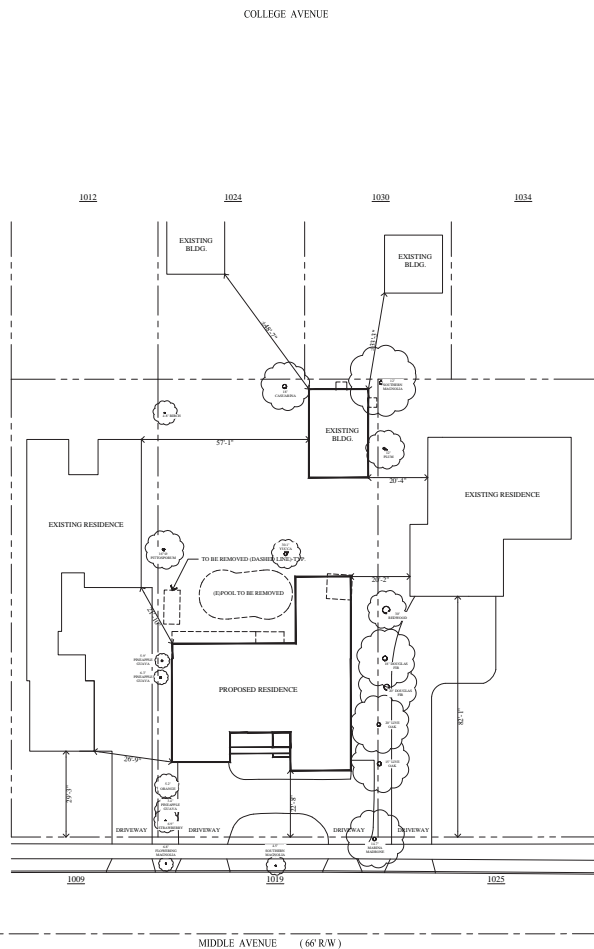
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Issue:		DESIGN REVIEW
Issue Date:		
CAD File Name:		
Drawn By:	KG	
Checked By:	DG	
Plot Date:	8-22-2016	

Sheet Title
**COVER SHEET
& SITE PLAN**

Drawing No.

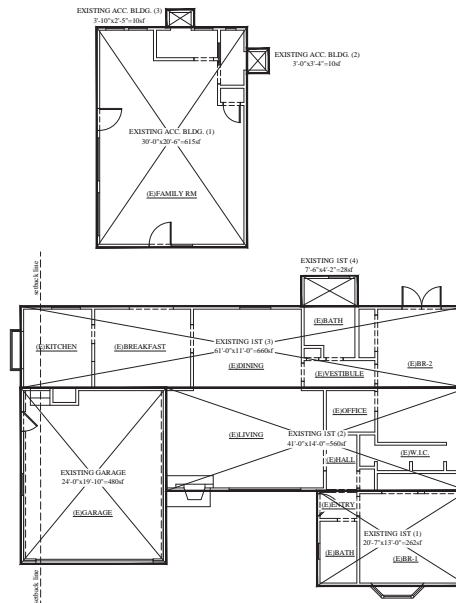
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All Drawings and Notes Materials Specimens Items' Consistent in Style and Content with the City of San Ramon and the San Ramon Valley Unified Planning District Board. All Drawings and Notes Materials Specimens Items' Consistent in Style and Content with the City of San Ramon and the San Ramon Valley Unified Planning District Board.



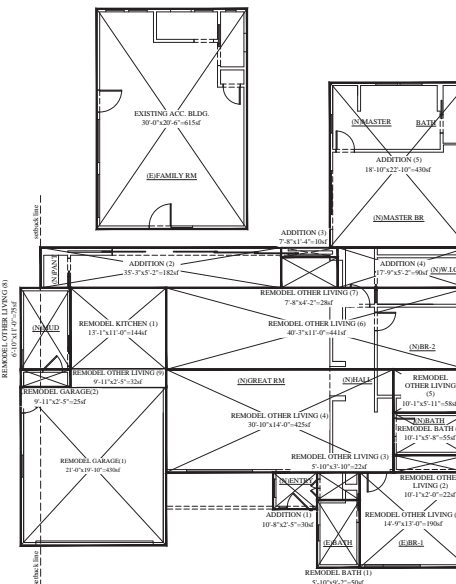
3 AREA PLAN

SCALE: 1" = 20'-0"



2 EXISTING DEVELOPMENT DIAGRAM

SCALE: 1/8" = 1'-0"



1 PROPOSED DEVELOPMENT DIAGRAM

SCALE: 1/8" = 1'-0"

EXISTING DEVELOPMENT-HOUSE			
NON-CONFORMING STRUCTURE TYPE	SQ. FT.	CONSTRUCTION COST	EXISTING VALUE
EXISTING 1ST FLOOR	1,510	X \$200/sq.ft.	\$302,000
EXISTING GARAGE	480	X \$70/sq.ft.	\$33,600
TOTAL	1,990		\$380,100

EXISTING DEVELOPMENT-ACC. BUILDING			
NON-CONFORMING STRUCTURE TYPE	SQ. FT.	CONSTRUCTION COST	EXISTING VALUE
EXISTING 1ST FLOOR	635	X \$200/sq.ft.	\$127,000

PROPOSED DEVELOPMENT-HOUSE			
PROPOSED DEVELOPMENT TYPE	SQ. FT.	CONSTRUCTION COST	VALUE
CATEGORY 1: NEW SQUARE FOOTAGE			
1ST FLOOR ADDITION	742	X \$200/sq.ft.	\$148,400
GARAGE ADDITION	0	X \$70/sq.ft.	\$0
CATEGORY 2: REMODEL OF EXISTING SQUARE FOOTAGE			
REMODEL OF KITCHEN	144	X \$130/sq.ft.	\$18,720
REMODEL OF BATHROOMS	105	X \$130/sq.ft.	\$13,650
REMODEL OF OTHER LIVING	1,293	X \$100/sq.ft.	\$129,300
REMODEL OF GARAGE	448	X \$35/sq.ft.	\$15,680
CATEGORY 3: EXTERIOR MODIFICATION TO EXISTING STRUCTURE			
NEW ROOF OVER EXISTING STRUCTURE	233	X \$50/sq.ft.	\$11,650
REPLACEMENT OF EXISTING WINDOWS	180	X \$35/sq.ft.	\$6,300
REPLACEMENT OF EXISTING SIDING	1,800	X \$35/sq.ft.	\$63,000
TOTAL	4,945		\$406,700

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B | D
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BUILDING DESIGN

Project Title
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MENLO PARK, CA 94025
A.P.# 071391080

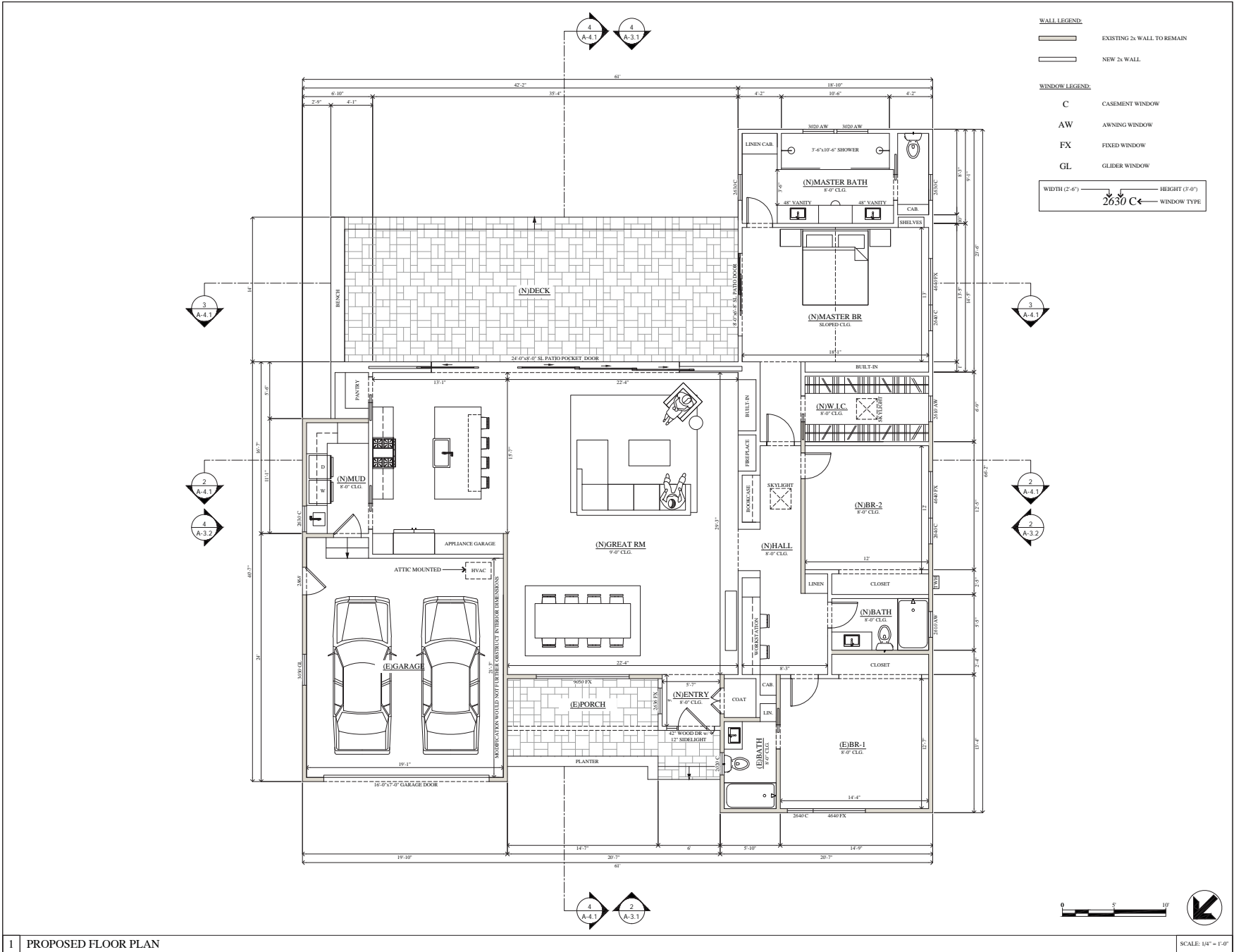
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1	2			

Mark	Date	Description
Issue:	DESIGN REVIEW	
Notes:		
CAD File Name	KG	
Checked By	DS	
Plot Date:	8-22-2016	

Sheet Title
**DEVELOPMENT
DIAGRAM &
AREA PLAN**

Drawing No.

A1.2



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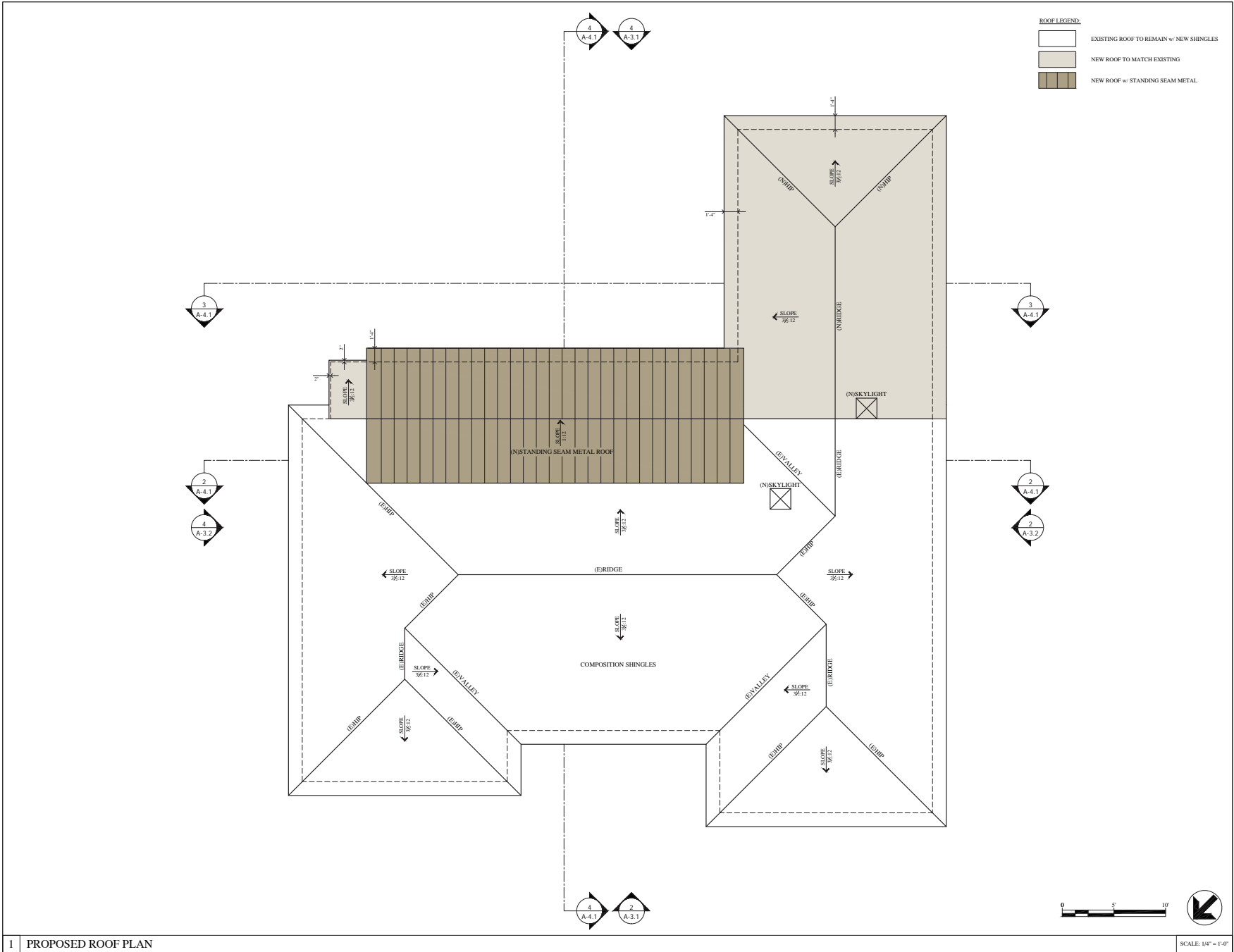
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Revisions	Date	Description
1	10-7-2016	PLANNING COMMENTS
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Issue:	DESIGN REVIEW	
Issue Date:		
CAD File Name		
Drawn By:	KC	
Checked By:	DS	
Plot Date:	8-22-2016	

Sheet Title
**PROPOSED
FLOOR PLAN**

Drawing No.
A2.2



1 PROPOSED ROOF PLAN

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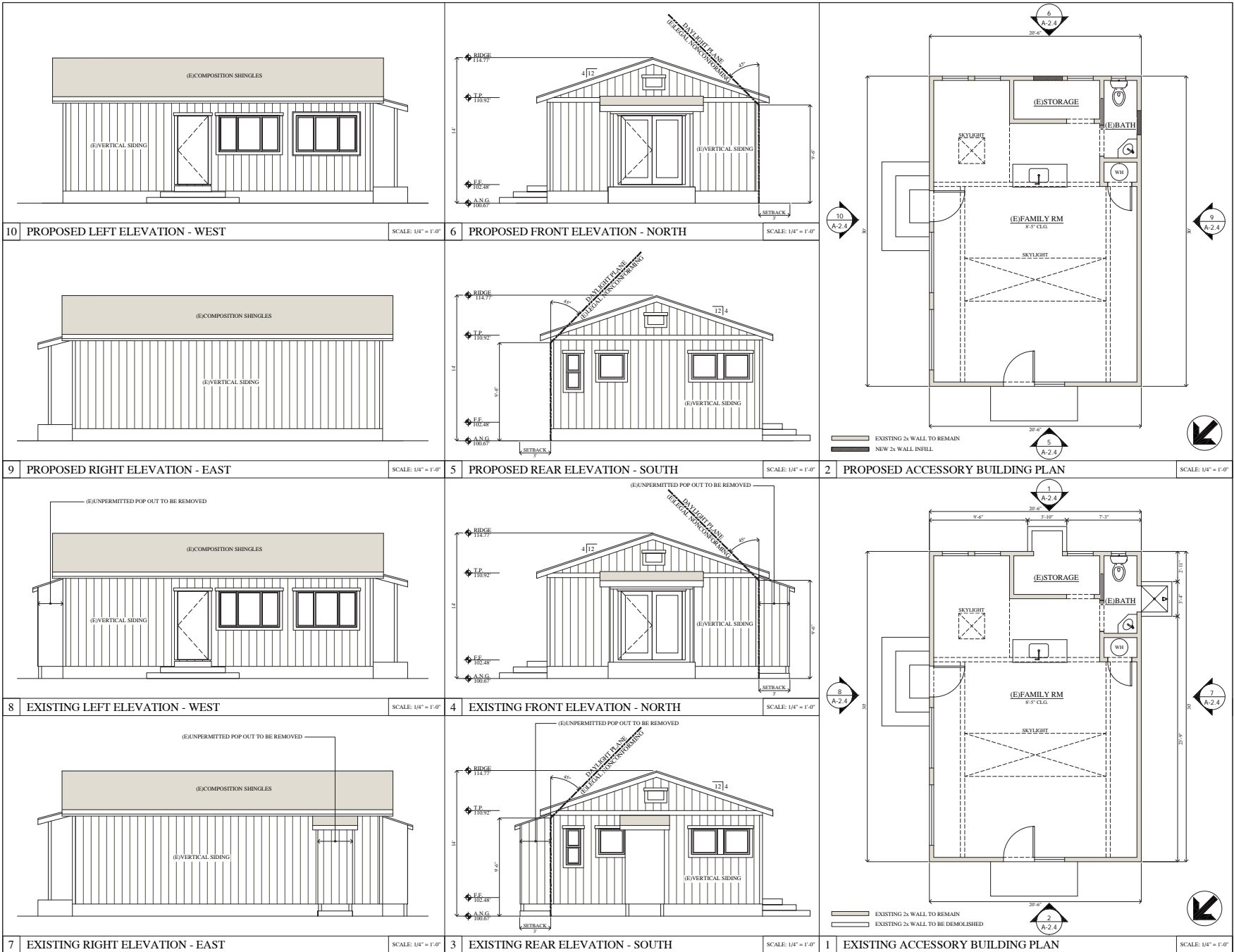
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**RUS-HERMAN RESIDENCE
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CAD File Name:		
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Sheet Title
**PROPOSED
ROOF PLAN**

Drawing No.
A2.3



DG Design

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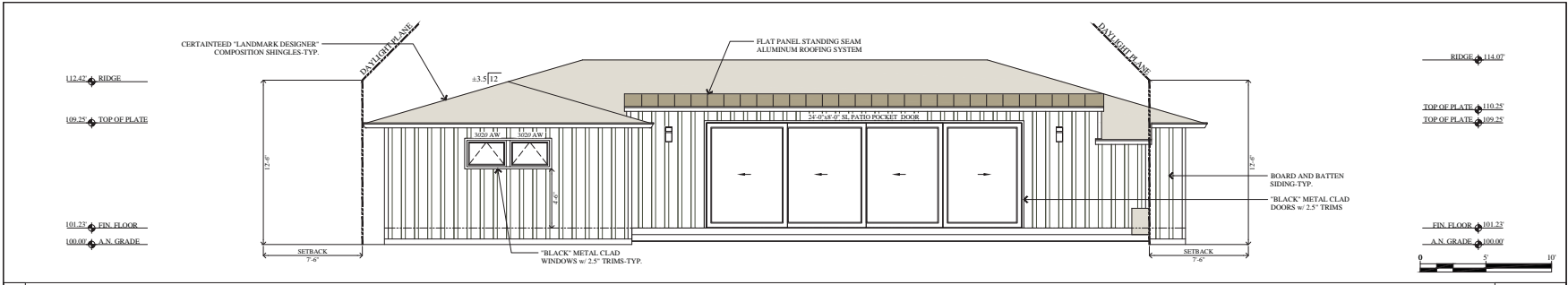
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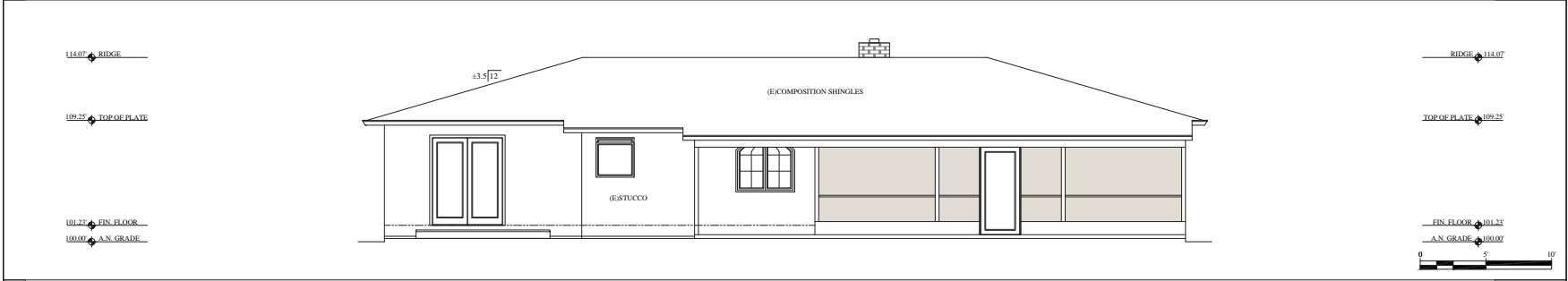
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**ACCESSORY
BUILDING PLAN
& ELEVATIONS**

Drawing No.

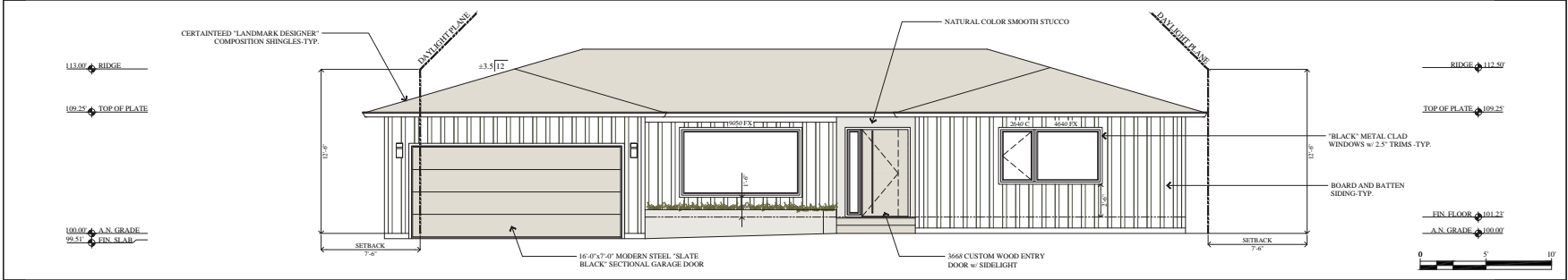
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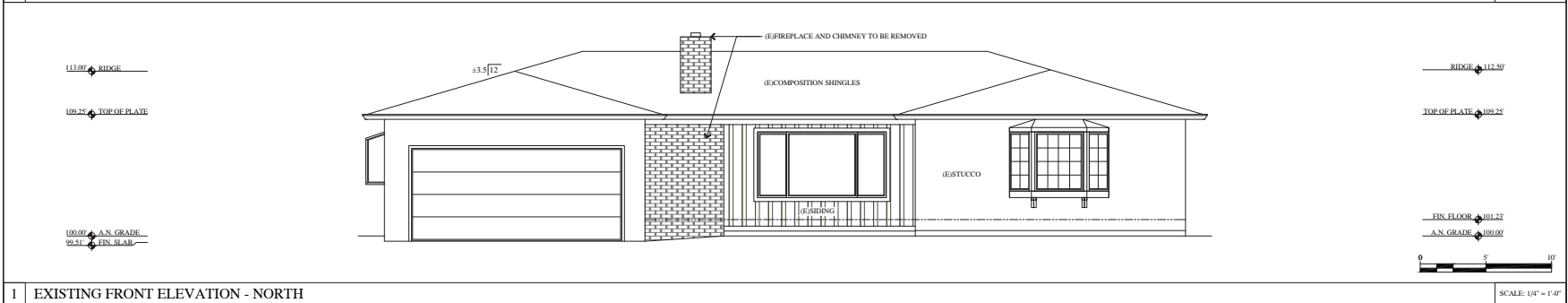
4 PROPOSED REAR ELEVATION - SOUTH



3 EXISTING REAR ELEVATION - SOUTH



2 PROPOSED FRONT ELEVATION - NORTH



1 EXISTING FRONT ELEVATION - NORTH

DG Design

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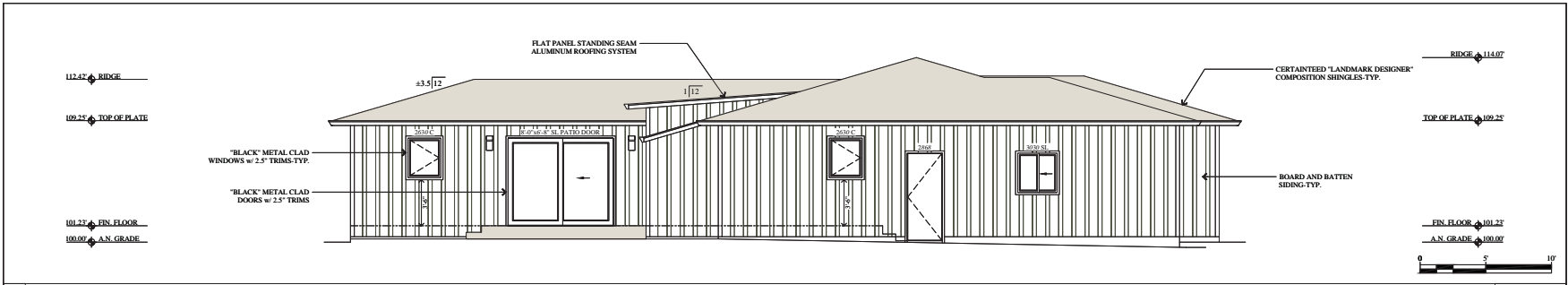
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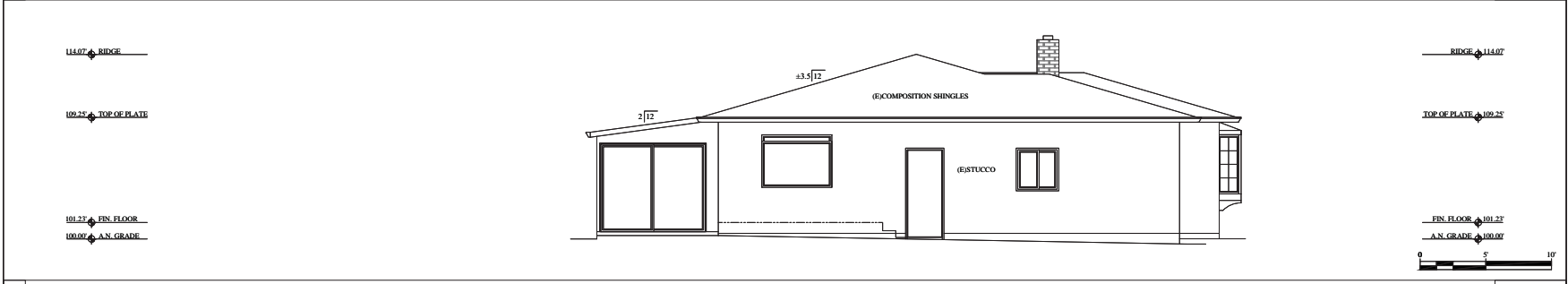
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EXTERIOR ELEVATIONS

Drawing No.

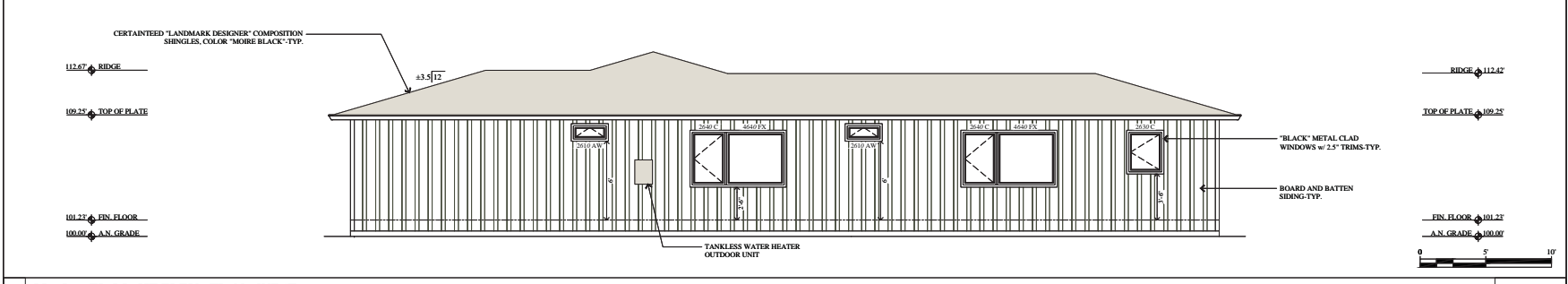
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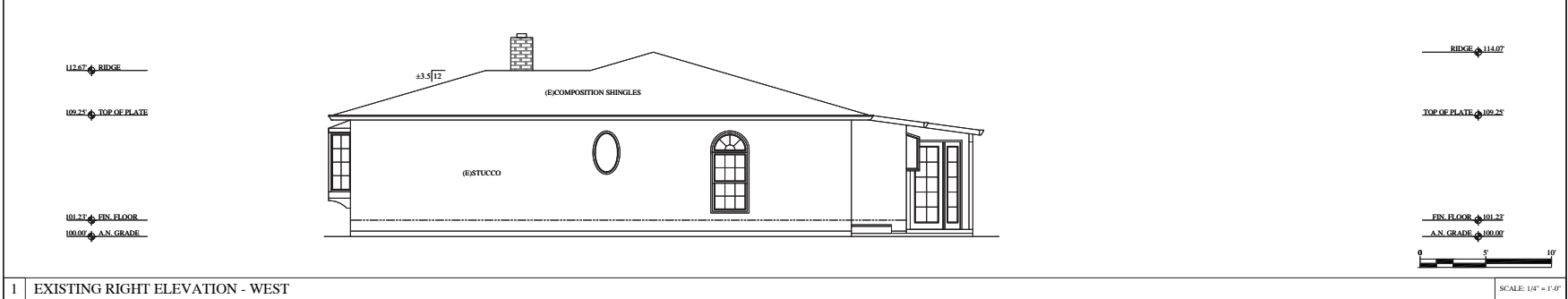
4 PROPOSED LEFT ELEVATION - EAST



3 EXISTING LEFT ELEVATION - EAST



2 PROPOSED RIGHT ELEVATION - WEST



1 EXISTING RIGHT ELEVATION - WEST

DG Design

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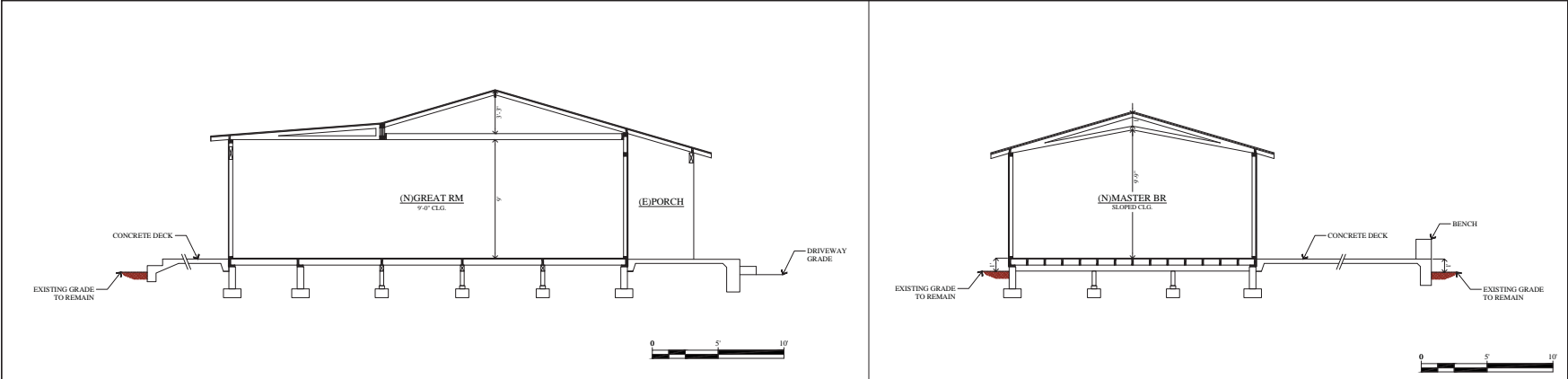
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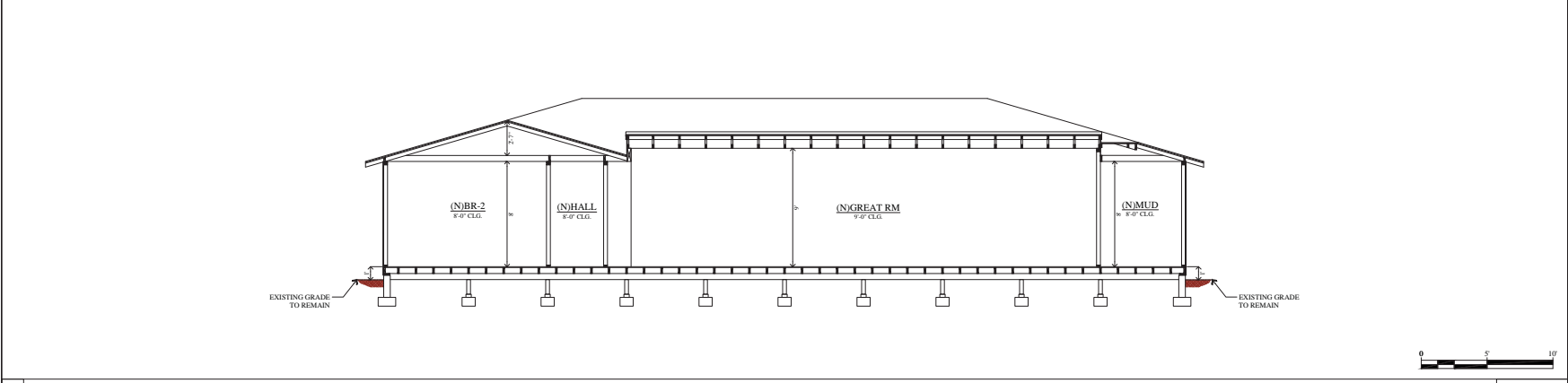
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CAD File Name	KC	
Drawn By	DS	
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Plot Date:	8-22-2016	

Sheet Title
EXTERIOR ELEVATIONS

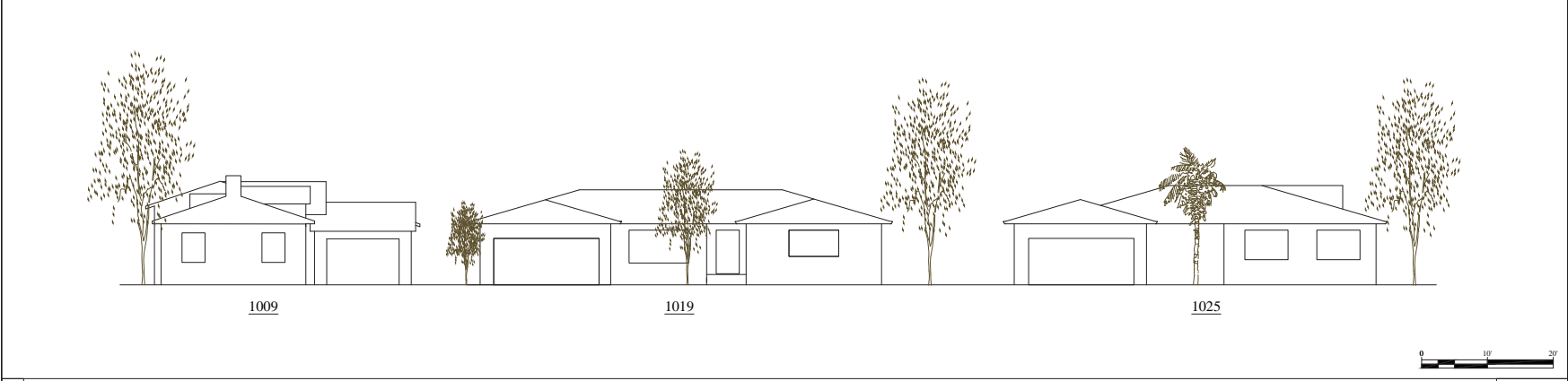
Drawing No.
A3.2



4 SECTION 'C-C' SCALE: 1/4" = 1'-0" 3 SECTION 'B-B' SCALE: 1/4" = 1'-0"



2 SECTION 'A-A' SCALE: 1/4" = 1'-0"



1 STREETScape SCALE: 1/8" = 1'-0"

DG Design

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SAN RAMON, CA 94582

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Drawings Prepared By:

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PBD
1117 Waterstone Place, San Ramon, CA 94582



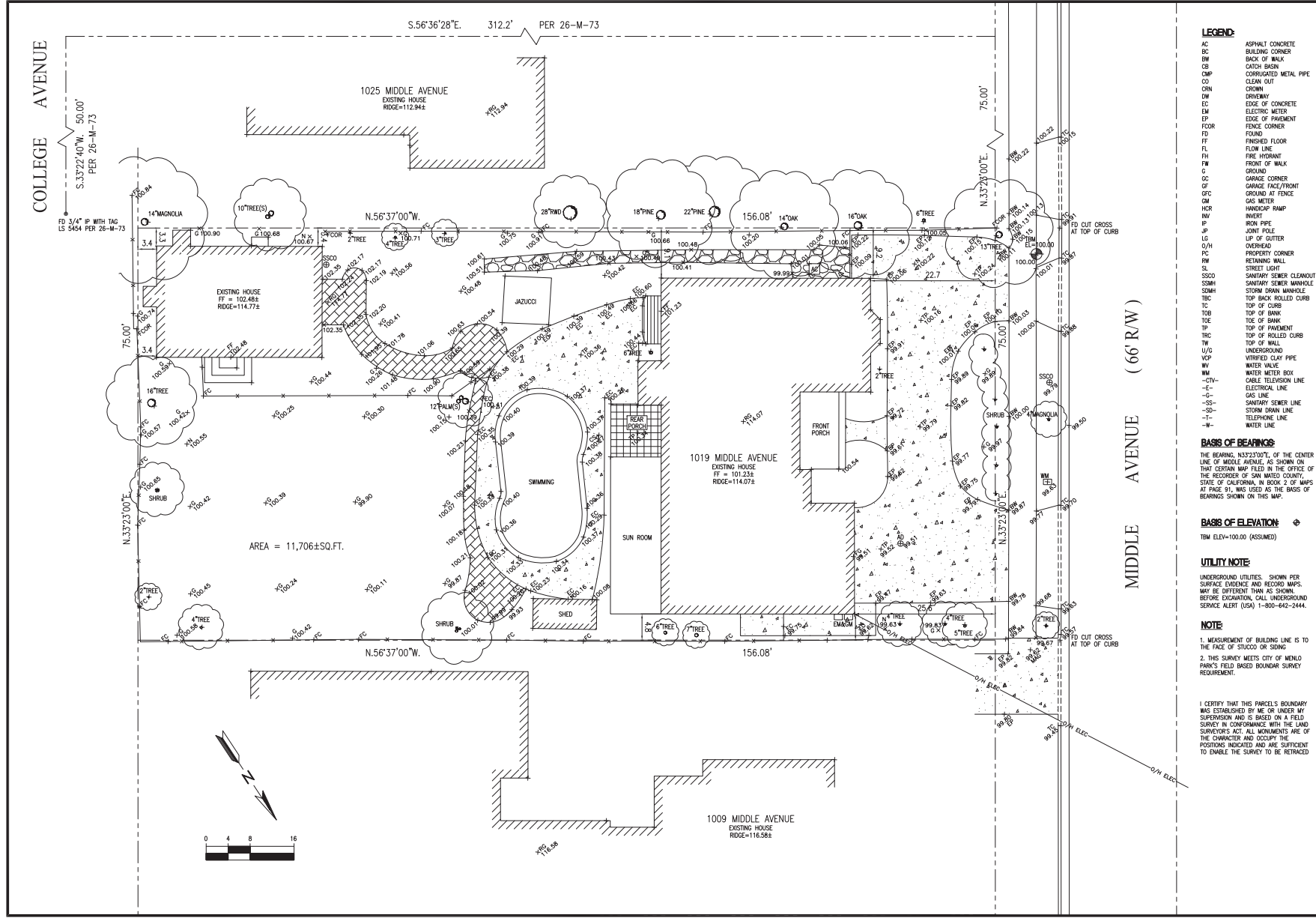
Project Title
**RUS-HERMAN RESIDENCE
REMODEL**
1019 MIDDLE AVE.
MENLO PARK, CA 94025
A.P.# 071391080

Project No.	Revisions	Mark	Date	Description
1	10-7-2016			PLANNING COMMENTS
2	10-30-2016			PLANNING COMMENTS

Mark	Date	Description
Issue:	DESIGN REVIEW	
Issue Date:		
CAD File Name	KC	
Checked By	DG	
Plot Date:	8-22-2016	

Sheet Title
**CROSS SECTIONS
& STREETScape**

Drawing No.
A4.1



LEGEND:

- AC ASPHALT CONCRETE
- BC BUILDING CORNER
- BW BACK OF WALK
- CB CATCH BASIN
- CM CORRUGATED METAL PIPE
- CO CLEAN OUT
- OW DRAIN
- EC EDGE OF CONCRETE
- EM ELECTRIC METER
- EP EDGE OF PAVEMENT
- FC FENCE CORNER
- FO FOUND
- FF FINISHED FLOOR
- FL FLOW LINE
- FI FIRE HYDRANT
- FW FRONT OF WALK
- G GROUND
- GC GARAGE CORNER
- GFC GARAGE FACE/FRONT
- GFC GROUND AT FENCE
- GM GAS METER
- HCR HANDICAP RAMP
- HW INVERT
- IP JOINT POLE
- UP UP OF GUTTER
- O/H OVERHEAD
- PC PROPERTY CORNER
- RL RETAINING WALL
- SL STREET LIGHT
- SSO SANITARY SEWER CLEANOUT
- SSM SANITARY SEWER MANHOLE
- SSM STORM DRAIN MANHOLE
- TBC TOP BACK ROLLED CURB
- TC TOP OF CURB
- TOR TOP OF BANK
- TOE TOP OF BANK
- TP TOP OF PAVEMENT
- TRC TOP OF ROLLED CURB
- TW TOP OF WALL
- U/G UNDERGROUND
- VCP VITRIFIED CLAY PIPE
- WV WATER VALVE
- WM WATER METER BOX
- CIV- CABLE TELEVISION LINE
- E- ELECTRICAL LINE
- G- GAS LINE
- SS- SANITARY SEWER LINE
- SD- STORM DRAIN LINE
- T- TELEPHONE LINE
- W- WATER LINE

BASIS OF BEARINGS

THE BEARING, N33°22'00"E, OF THE CENTER LINE OF MIDDLE AVENUE, AS SHOWN ON THAT CERTAIN MAP FILED IN THE OFFICE OF THE RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA, IN BOOK 2 OF MAPS AT PAGE 91, WAS USED AS THE BASIS OF BEARINGS SHOWN ON THIS MAP.

BASIS OF ELEVATION

BM ELEV=100.00 (ASSUMED)

UTILITY NOTE

UNDERGROUND UTILITIES: SHOWN PER SURFACE EVIDENCE AND RECORD MAPS. MAY BE DIFFERENT THAN AS SHOWN. BEFORE EXCAVATION, CALL UNDERGROUND SERVICE ALERT (USA) 1-800-642-2444.

NOTE

1. MEASUREMENT OF BUILDING LINE IS TO THE FACE OF STUCCO OR SIDING.
2. THIS SURVEY MEETS CITY OF MENLO PARK'S FIELD BASED BOUNDARY SURVEY REQUIREMENT.

I CERTIFY THAT THIS PARCEL'S BOUNDARY WAS ESTABLISHED BY ME OR UNDER MY SUPERVISION AND IS BASED ON A FIELD SURVEY IN CONFORMANCE WITH THE LAND SURVEYORS ACT. ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED

HERMAN RESIDENCE

1019 MIDDLE AVENUE
MENLO PARK, CA
APN: 071-391-080

W E C & ASSOCIATES

2625 MIDDLEFIELD RD #658
PALO ALTO, CA 94306
TEL: (650) 823-6466
FAX: (650) 887-1294

LICENSE STAMPS AND SIGNATURE



INSURED		
No.	Description	Date

DATE: JULY 25, 2016
SCALE: 1/8"=1'-0"
DRAWN: BG
JOB: 10078

SHEET TITLE:

BOUNDARY & TOPOGRAPHIC SURVEY

SHEET NO.

C.0

RECEIVED

OCT 12 2016

CITY OF MENLO PARK
BUILDING**PROJECT: REMODEL****ADDRESS: 1019 MIDDLE AVE.****PROJECT DESCRIPTION:**

THE EXISTING HOUSE IS A 2-BEDROOM, 2-BATH HOUSE WITH A COMPARTMENTALIZED LAYOUT. THE PROPOSED REMODEL WILL RESULT TO A 3-BEDROOM, 3-BATH OPEN CONCEPT HOUSE. THE PROPOSED REMODEL WILL CONSIST OF A ONE-STORY ADDITION, INTERIOR ALTERATIONS TO THE EXISTING LIVING AREA, EXTERIOR REMODEL WHICH INCLUDES THE REMOVAL, REPLACEMENT & ADDITION OF WINDOWS, SKYLIGHTS, EXTERIOR DOORS AND FINISHES.

THE PROPOSED REMODEL WILL CREATE A BETTER AND MORE FUNCTIONAL LAYOUT AND THE "MODERN FARMHOUSE" ARCHITECTURAL STYLE WILL ENHANCE THE OVERALL APPEAL OF THE HOUSE. THE PROPOSED FINISH MATERIALS ARE "WHITE" BOARD AND BATTEN SIDING, "BLACK" COMPOSITION SHINGLE, "GRAY" LOW PROFILE STANDING SEAM METAL ROOF AND NATURAL COLOR CONCRETE. WINDOWS AND EXTERIOR DOOR SHALL BE METAL CLAD COLOR "BLACK" WITH A 2.5" TRIM.

THE MAIN GOAL OF THE REMODEL IS TO MAKE THE EXISTING HOUSE A MORE FUNCTIONAL PLACE TO LIVE IN FOR THE NEW OWNERS AND TO ENHANCE THE EXTERIOR TO GIVE IT BETTER CURB APPEAL AND OVERALL APPEAL TO MAKE IT BLEND IN AND BE MORE CONSISTENT WITH THE NEIGHBORHOOD.

Kielty Arborist Services LLC

Certified Arborist WE#0476A

P.O. Box 6187

San Mateo, CA 94403

650-515-9783

July 6, 2016, Revised October 5, 2016

Sara Herman
911 Elsinore Drive
Palo Alto, CA 94303

Site: 1019 Middle, Menlo Park, CA

Dear Ms, Herman

As requested on Monday, June 27, 2016, and again on Wednesday, October 5, 2016 I visited the above site to inspect and comment on the trees. A home addition is planned for this site and your concern for the future health and safety of the surrounding trees has prompted this visit.

Method:

All inspections were made from the ground; the trees were not climbed for this inspection. The trees in question were located on a map provided by you. The trees were then measured for diameter at 54 inches above ground level (DBH or diameter at breast height). The trees were given a condition rating for form and vitality. The trees condition rating is based on 50 percent vitality and 50 percent form, using the following scale.

1	-	29	Very Poor
30	-	49	Poor
50	-	69	Fair
70	-	89	Good
90	-	100	Excellent

The height of the trees was measured using a Nikon Forestry 550 Hypsometer. The spread was paced off. Comments and recommendations for future maintenance are provided.

RECEIVED

OCT 12 2016

CITY OF MENLO PARK
BUILDING

1019 Middle 10/5/16

(2)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
1P	Marina madrone (<i>Arbutus marina</i>)	14.7	75	30/20	Good vigor, fair form, codominant at 6 feet, slightly suppressed by close by trees, 1 foot from sidewalk, heavy towards street.
2P	Southern magnolia (<i>Magnolia grandiflora</i>)	4.5	55	12/6	Fair vigor, fair form, multi leader at 5 feet, heavily pruned, should receive irrigation, young tree, street tree.
3P	Flowering magnolia (<i>Magnolia solangeana</i>)	6.8	50	8/6	Fair vigor, poor form, hedge pruned, multi leader at base, street tree.
4	Strawberry tree (<i>Arbutus unedo</i>)	6.9	60	12/12	Good vigor, fair form, codominant at 1 foot, minor decay, topped.
5	Pineapple guava (<i>Acca sellowiana</i>)	3.4	60	10/6	Good vigor, fair form, topped.
6	Orange (<i>Citrus spp.</i>)	5.2	65	12/12	Good vigor, good form, topped, good fruit producer.
7*P	Coast live oak (<i>Quercus agrifolia</i>)	15est	45	25/30	Good vigor, poor form, suppressed, leans heavy at a 45 degree angle towards street.
8*P	Coast live oak (<i>Quercus agrifolia</i>)	20est	50	30/30	Good vigor, fair-poor form, leans heavy towards street.
9	Olive (<i>Olea europaea</i>)	6.3	50	20/10	Good vigor, fair-poor form, topped, 3 feet from home.
10	Pittosporum tobira (<i>Acca sellowiana</i>)	5.9	50	20/20	Good vigor, fair-poor form, topped, 3 feet from home.
11*P	Douglas fir (<i>Pseudotsuga menziesii</i>)	20est	50	90/40	Good vigor, poor form, codominant at 25 feet with fair crotch formation, 3 feet from property line.
12*P	Douglas fir (<i>Pseudotsuga menziesii</i>)	18est	70	100/40	Good vigor, good form, 3 feet from property line.
13*P	Redwood (<i>Sequoia sempervirens</i>)	30est	85	110/40	Good vigor, good form, 2 feet from property line.

1019 Middle 10/5/16

(3)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
14	Hollywood juniper (<i>Juniperus chinensis</i>)	6.5	70	20/10	Good vigor, fair form, 1 foot from home.
15P	Pittosporum (<i>Pittosporum tobira</i>)	16@base	70	15/12	Good vigor, fair form, multi leader at base, good dense screen.
16	Birch (<i>Betula pendula</i>)	4.8	70	25/12	Good vigor, good form, young tree.
17P	Casuarina (<i>Casuarina cunninghamiana</i>)	18est	50	15/12	Good vigor, poor form, decay on trunk, topped in past.
18*	Plum (<i>Prunus spp.</i>)	12est	0	25/25	DEAD.
19*	Southern magnolia (<i>Magnolia grandiflora</i>)	12est	70	30/25	Good vigor, fair form, good location.
20P	Yucca (<i>Yucca gloriosa</i>)	30.1@base	50	20/12	Fair vigor, fair form, multi leader at base, skinned up, top heavy, less than 1 foot from hardscape.

* Indicates neighbors trees

P-indicates protected tree by city ordinance

Summary:

The trees on site are a mix of imported and native trees. Trees #1-3 are street trees. Street trees are required to be protected during all construction activity. Tree protection for these trees shall completely close off the entire planting pit. Tree #1 is a large marina madrone. This tree is heavy towards the street as the neighbors trees slightly are suppressing this tree. The driveway is covering a large percentage of the trees root zone. The driveway for this project is to be retained, therefore impacts to the street trees should be nonexistent as nothing is changing near these trees. Both magnolia street trees #2 and #3 should be receiving supplemental irrigation to maintain good health.

Trees #7-8 and #11-13 are on the neighbors property to the west. These trees are all in close proximity to each other. Coast live oak trees #7 and #8 are both leaning heavily at a 45 degree angle towards the street as a result of growing in suppressed conditions. Trees #11-13 are near the area of the proposed addition to the existing home. The proposed addition shall be one with the least amount of root trauma to the neighbors trees. It is recommended that a pier and grade beam foundation be used with the grade beam placed 6 inches below grade. Also the design should have the ability to move piers if areas of heavy rooting are encountered. Hand tools in combination with an air spade will be required when excavating in this area for the foundation. All piers should also be hand dug to a depth of 3 feet, as roots usually occupy the top 3 feet of

1019 Middle 10/5/16

(4)

soil. The site arborist shall be called out to the site 48 hours in advance when the foundation work is to take place, in order to inspect, document, and to offer mitigation measures. Any roots over 2 inches in diameter to be cut must first be documented and inspected by the site arborist.



The neighbors trees are a minimum of 2 feet from the property line. The 2 feet in combination with the set back of the property locate the proposed foundation at an estimated 8-10 feet from trees #11-13. If a pier and grade beam foundation is used as described above, the impacts to these trees will be minimal. Tree protection fencing for the neighbors trees should extend out from the existing property line fence to the edge of the proposed foundation. Mitigation measures for minor root loss will include an irrigation plan. A soaker hose shall be placed as close to the proposed foundation as possible before excavation is to take place when near trees #11-13. The soaker hose shall be left on for 5 hours two days before excavation takes place. During construction the soaker hose shall be turned on every 2 weeks for 5 hours at a time.

Showing neighbors protected trees

Trees #15, #17, and #20 are the only other protected trees on site. Pittosporum tree #15 and yucca #20 are both codominant trees at their base. Menlo Park's tree ordinance states that a tree with more than one trunk measured at the point where the trunks divide, with a circumference of 47.1 inches (diameter of 15 inches) or more is a protected tree. Tree protection for these trees will need to be placed 15 feet from the trees trunks where possible. The remaining trees not discussed in the above summary are not protected and no permit is needed if removal is wanted. Also these trees are not required to be protected during construction although it is recommended to do so if trees are to be retained. The following tree protection plan will help ensure the safety and health of the retained trees on site.

Tree Protection Plan:

Tree Protection Zones

Tree protection zones should be installed and maintained throughout the entire length of the project. Fencing for tree protection zones should be 6' tall, metal chain link material supported by metal 2" diameter poles, pounded into the ground to a depth of no less than 2'. The location for the protective fencing should be as close to the dripline of desired trees as possible, still allowing room for construction to safely continue. No equipment or materials shall be stored or cleaned inside the protection zones. Areas outside protection zones, but still beneath the tree's driplines, where foot traffic is expected to be heavy, should be mulched with 4-6" of chipper chips. The spreading of chips will help to reduce compaction and improve soil structure.

1019 Middle 10/5/16

(5)

Root Cutting and Grading

Any roots to be cut shall be monitored and documented. Large roots (over 2" diameter) or large masses of roots to be cut must be inspected by the site arborist. The site arborist, at this time, may recommend irrigation or fertilization of the root zone. All roots needing to be cut should be cut clean with a saw or lopper. Roots to be left exposed for a period of time should be covered with layers of burlap and kept moist. The over dig for the foundation should be reduced as much as possible when roots are encountered.

Trenching and Excavation

Trenching for irrigation, drainage, electrical or any other reason shall be done by hand when inside the dripline of a protected tree. Hand digging and the careful placement of pipes below or besides protected roots will significantly reduce root loss, thus reducing trauma to the tree. All trenches shall be backfilled with native materials and compacted to near its original level, as soon as possible. Trenches to be left open for a period of time, will require the covering of all exposed roots with burlap and be kept moist. The trenches will also need to be covered with plywood to help protect the exposed roots.

Irrigation

Normal irrigation shall be maintained on this site at all times. The imported trees will require normal irrigation. On a construction site, I recommend irrigation during winter months, 1 time per month. Seasonal rainfall may reduce the need for additional irrigation. During the warm season, April – November, my recommendation is to use heavy irrigation, 2 times per month. This type of irrigation should be started prior to any excavation. The irrigation will improve the vigor and water content of the trees. The on-site arborist may make adjustments to the irrigation recommendations as needed. The foliage of the trees may need cleaning if dust levels are extreme. Removing dust from the foliage will help to reduce mite and insect infestation.

Demolition

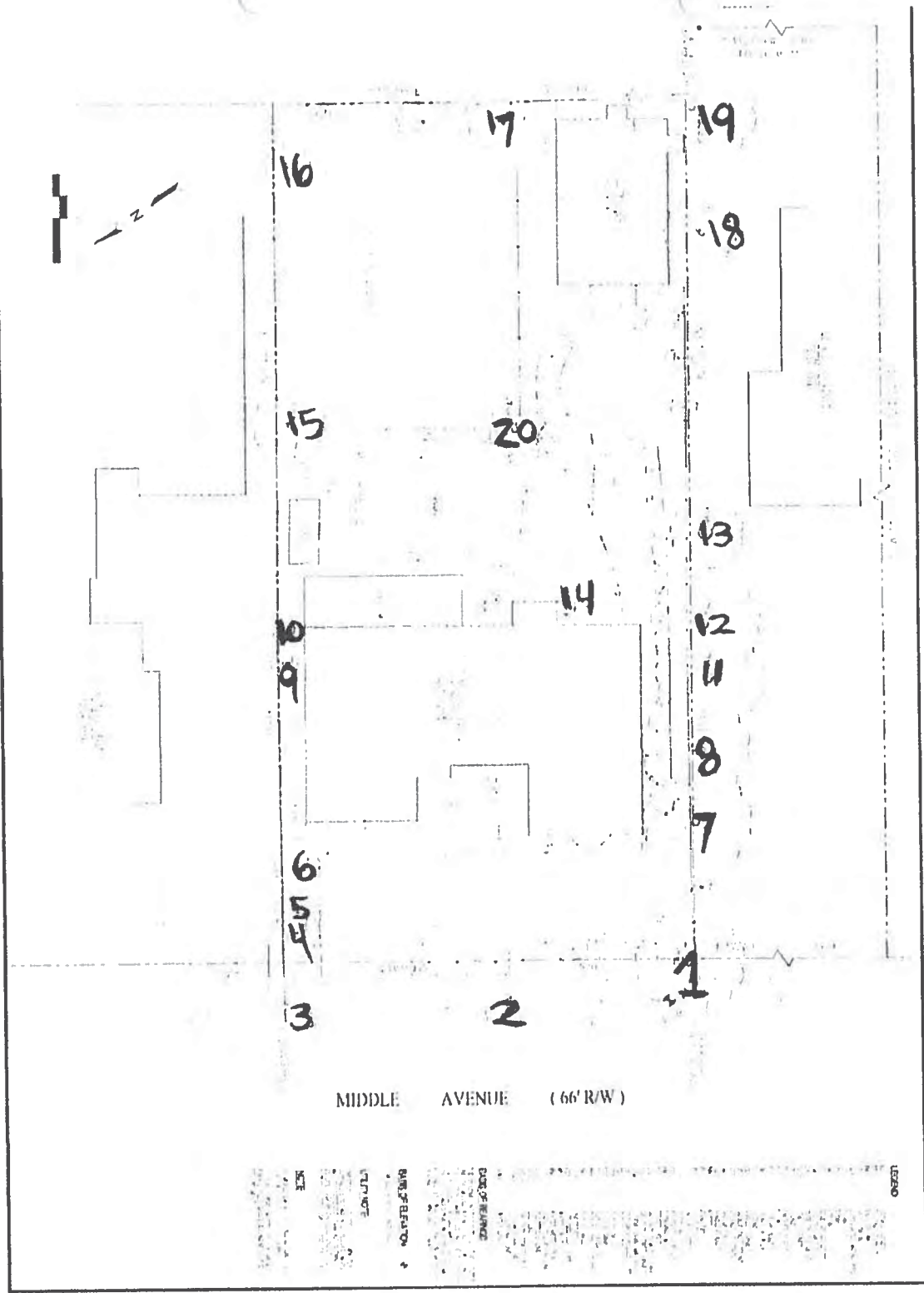
All tree protection must be in place prior to the start of demolition. Demolition equipment must enter the project from the existing driveway. If vehicles are to stray off the drive the area within the dripline of a protected tree must be covered with 6 inches of chips and steel plates or 1 1/4 inch plywood. The town of Menlo Park will require a letter from the site arborist stating the tree protection fencing is up before the start of demolition.

The information included in this report is believed to be true and based on sound arboricultural principles and practices.

Sincerely,

Kevin R. Kielty
Certified Arborist WE#0476A

David P. Beckham
Certified Arborist WE#10724A



MIDDLE AVENUE (66' R/W)

LEGEND



HERRMAN
RESIDENCE

WEC

WEC

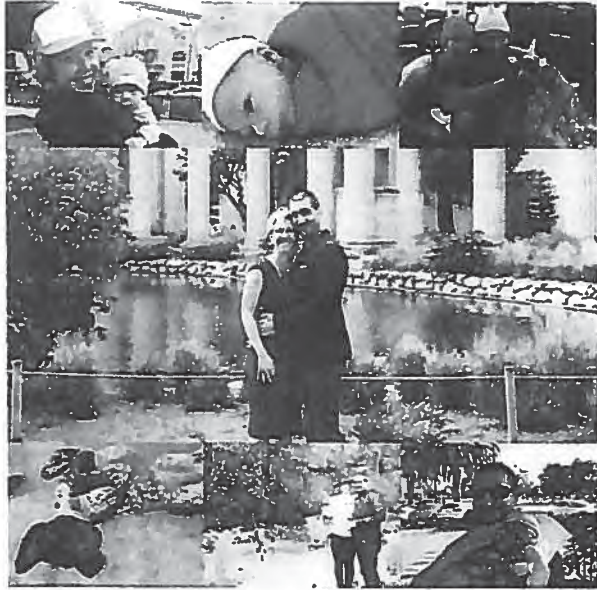
JAC

BOUNDARY &
TOPOGRAPHIC
SURVEY

C.0

Dear Neighbor,

We are new to the neighborhood! We recently purchased 1019 Middle Avenue. Although we are very happy to have a new home, we feel that our house needs some updates and a first floor addition in order to accommodate our family's needs. Before we start construction, we wanted to introduce ourselves so that neighbors are familiar with our family and feel comfortable coming to us with questions and/or concerns. We understand that construction will inevitably cause some level of disruption. For those of you closer to Middle Ave this will obviously have a greater impact, and as such we want to thank you ahead of time for your patience and understanding.



Sara is originally from Maryland but moved to Palo Alto in 1998 to attend Stanford University. After college, she relocated to New York City for medical school. Horia is originally from Bucharest, Romania. After graduating from medical school, he moved to New York to specialize in anesthesiology. At the conclusion of training, we left the East coast, family and many friends to start a life together in a community that would be benefiting our future family. We chose the Bay Area for its diversity, fabulous weather, and good vibes. We also have a very friendly and active 4 year old German Short-haired Pointer, Lady Godiva, who enjoys the Bay Area's open spaces and dog friendly activities.

Sara works locally as a cardiothoracic anesthesiologist at El Camino Hospital in Mountain View. Horia works as director of thoracic anesthesia at the largest NorCal Kaiser facility in Oakland. He also attends in the intensive care unit. Despite Horia's long commute, we feel Menlo Park is the best place to set our roots. 2016 had already proven to be an exciting year for our family; we gave birth to a happy and healthy baby boy, Zeke, in January. We were elated to find a home in Menlo Park that would allow our baby and dog to have room to grow and safely play in the backyard!! Our family loves to entertain, and we feel that our new home is the perfect place to share moments with friends and family. Finally, the location so close to Burgess Park, caltrain, and the outstanding Menlo schools make 1019 Middle the perfect fit for our blooming family.

However, our home has only two bedrooms and two bathrooms at this time. It also has a large pool that is close to the rear patio doors. Sara's mother, Kathy, also lives with us. Our construction plan will include building a third bedroom / bathroom so that Kathy will have a bedroom too. We also would like to expand the back of house (on a single story), after removing the swimming pool, to give our family more room to relax in the main gathering area and utilize an indoor-outdoor living space on a new deck.

Any significant construction project results in noise, heavy equipment, and additional traffic - all facts of the process. We've asked our general contractor and his team to respect and appreciate the peacefulness of our neighborhood and to do their best to minimize any disruption. Collectively, we will strive to proactively communicate with all of you on our progress and work to rectify any problems.

In the meantime, should you have any questions or concerns, please reach out to us.

We are committed to making this process as smooth as possible and aim for minimal disruption to our new beloved neighborhood.

We thank you and appreciate your support.

Sara Herman, Horia Rus, Grandma Kathy Herman, Baby Zeke Herman Rus, and Godiva

CONTACT INFORMATION: Sara: 917-749-8332 / sch2009@gmail.com

Horia (Call me 'Russ'): 917-324-4767 / rushoria@gmail.com

RECEIVED

OCT 12 2016

CITY OF MENLO PARK
BUILDING

Petition of Support for
The Herman Rus Remodel
1019 Middle Ave
Menlo Park CA 94025

1. 1009 Middle Ave *For the Dell Ken* *Pei-hsuan Debbie Kan*
2. 1025 Middle Ave *Alicia Moran*
3. 1035 Middle Ave *NOT HOME 10/2/16 - left letter/plans/contact info*
4. 1045 Middle Ave *NOT HOME 10/2/16 - left letter/plans/contact info*
5. 401 Yale Road *NOT HOME - LEFT LETTER/PLANS/contact info 10/2/16*
6. 445 Yale Road *NOT HOME - LEFT LETTER/PLANS/CONTACT 10/2/16*
7. 455 Yale Road - *Tatiana MARSHALL - [Signature]* *INFO*
8. 1012 College Avenue
Michael Tedesco M Tedesco
9. 1024 College Avenue *Wendy Lee*
10. 1030 College Avenue *NOT HOME - left letter/plans/contact info 10/2/16*
11. 1034 College Ave *Denelle Jorg*
- 1014 middle #1 *Archi. M. Hill*
12. 1014 Middle #4
- [Signature]*
13. 1014 Middle #2 *E Hill*
11. 1014 Middle #1



STAFF REPORT

Planning Commission

Meeting Date: 12/5/2016

Staff Report Number: 16-097-PC

Public Hearing: Use Permit/Scott Landry/628 Cambridge Avenue

Recommendation

Staff recommends that the Planning Commission approve a use permit to demolish an existing detached one-car garage and build a new detached one-car garage and accessory studio building on a substandard lot in the R-2 (Low Density Apartment) zoning district at 628 Cambridge Avenue. The recommended actions are included as Attachment A.

Policy Issues

Each use permit request is considered individually. The Planning Commission should consider whether the required use permit findings can be made for the proposal.

Background

Site location

The subject site is located at 628 Cambridge Avenue between Cornell Road and El Camino Real in the Allied Arts neighborhood. The subject parcel is bounded by the R-3 (Apartment) zoning district to the north and west. The parcels to the south and east are zoned R-2 (Low Density Apartment). The immediate neighborhood consists of a mix of single-story and two-story structures, with newer homes having two stories. The neighborhood is comprised of a mixture of housing types, including single-family residences, as well as attached and detached two-unit and multi-unit developments. Relative to other properties in the vicinity, the subject parcel and its right-hand neighbor are uniquely narrow and small, being substandard with regard to lot width and area.

Analysis

Project description

The applicant is proposing to demolish an existing one-car garage at the rear of the property and construct a new one-car garage with an attached accessory building. The 252 square-foot accessory building would be used as an art studio and would include a bathroom. The applicant has indicated that the existing garage is presently being used as an art studio and is therefore requesting to construct a dedicated studio space attached to the new garage. Because the home was built with a one-car garage, and the project does not include redevelopment of the main residence, the nonconforming parking may be permitted to remain. However, the existing gravel driveway leading to the garage would not be permitted to remain and would be paved, in order to comply with Municipal Code requirements relating to vehicle storage. Although

tandem parking spaces do not count as official required parking, the proposed site layout would allow another car to be parked in the area in front of the garage, adding some flexibility with regard to parking.

No changes to the existing single-story, single-family home are proposed. The floor area, building coverage, and height of the structure would all be below the maximum amounts permitted by the Zoning Ordinance. Additionally, the structure would comply with the setbacks and daylight plane for accessory buildings and with the minimum landscaping requirements in the R-2 zoning district. A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

Design and materials

The existing residence is a small 752 square-foot gabled-roof bungalow with horizontal wood siding on the exterior walls. Although the proposed accessory building would have a modern architectural style, the use of horizontal wood siding would be continued, along with a wood fascia and corner trim, and these materials would be painted to match the residence. The roll-up garage door would be an obscured glass framed with glazed aluminum, and the windows would be trimmed in vinyl and painted white, also to match the residence. To add visual interest and to make better use of the space, the massing of the structure would be varied, with the garage having a flat roof, and the art studio having a shed roof that would accommodate a storage loft. The roof material would also vary between the structures, and would be comprised of thermoplastic polyolefin and standing seam metal, respectively. Staff believes that the scale, materials, and style of the proposed accessory buildings would complement the existing residence.

Trees and landscaping

There are a total of seven trees on or near the property. A 40.5-inch redwood tree on the property would be retained, and two non-heritage trees would be removed. The proposed accessory buildings are in relative close proximity of the redwood tree; however, the demolition of the garage and the new construction are not anticipated to adversely affect it. The arborist report details the condition of each tree (Attachment F) and provides a recommended tree protection plan, to include tree protection fencing, use of hand tools during demolition, placement of a wood chip and plywood landscape barrier during construction, and supplemental irrigation. Standard heritage tree protection measures will be ensured through recommended condition 3f. The arborist recommendation to include a pier and grade beam foundation has already been incorporated into the project plans.

Correspondence

The applicant indicated to staff that the property owners discussed the project with their neighbors and it was well-received. Staff has not received any items of correspondence on the proposed project.

Conclusion

Staff believes that the scale, materials, and style of the proposed accessory building would complement the existing residence. The project complies with all Zoning Ordinance requirements, and the applicant reached out to neighboring property owners to discuss the project plans. For these reasons, staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

The project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

Appeal Period

The Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

Attachments

- A. Recommended Actions
- B. Location Map
- C. Data Table
- D. Project Plans
- E. Project Description Letter
- F. Arborist Report

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

Exhibits to Be Provided at Meeting

None

Report prepared by:

Yesenia Jimenez, Associate Planner

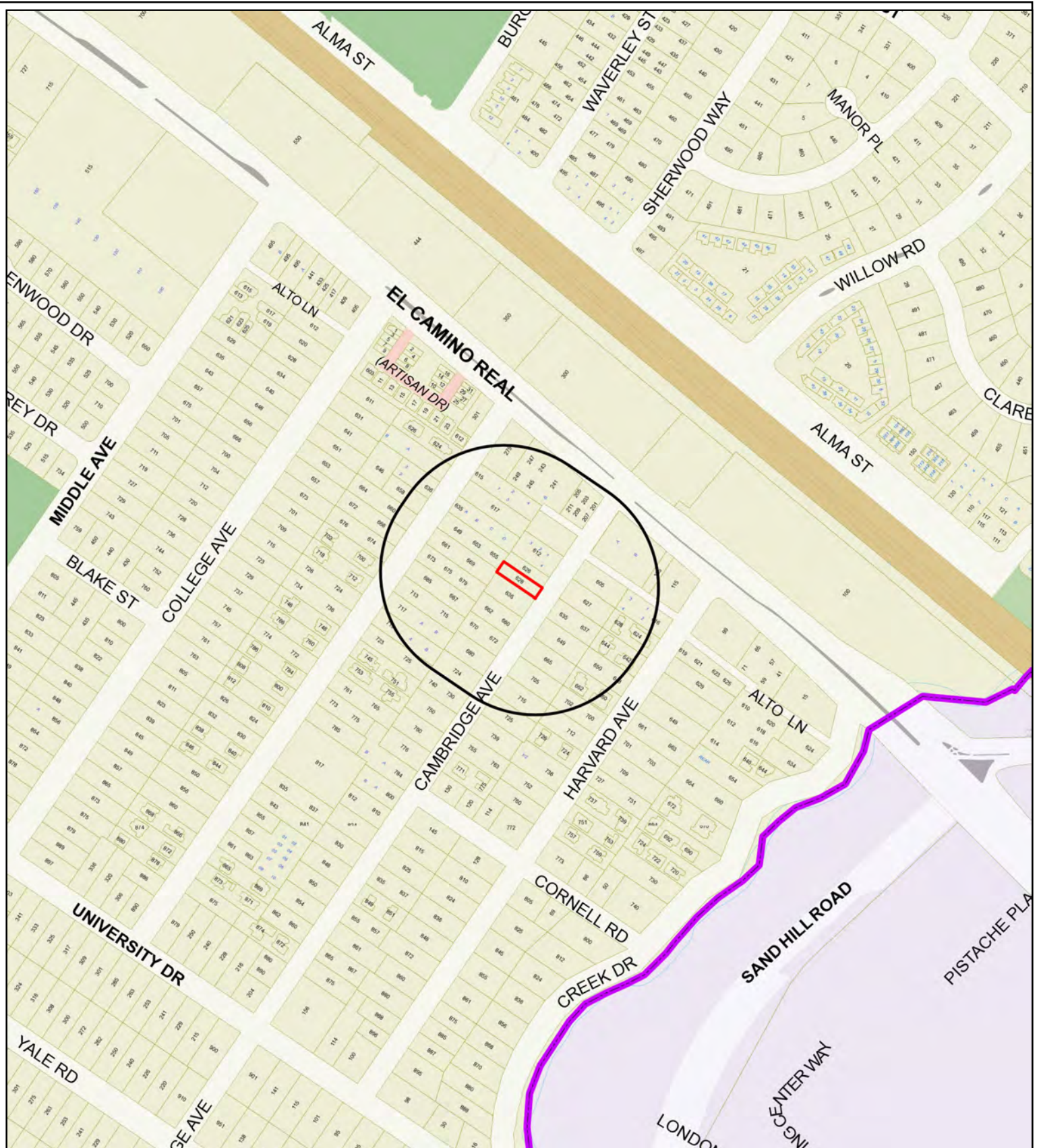
Report reviewed by:

Thomas Rogers, Principal Planner

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628 Cambridge Avenue – Attachment A: Recommended Actions

LOCATION: 628 Cambridge Avenue	PROJECT NUMBER: PLN2016-00077	APPLICANT: Scott Landry, Studio One Designs	OWNER: Andy Russell, Erin Cooke
REQUEST: Request for a use permit to demolish an existing detached one-car garage and build a new detached one-car garage and accessory studio building on a substandard lot in the R-2 (Low Density Apartment) Zoning District.			
DECISION ENTITY: Planning Commission	DATE: December 5, 2016	ACTION: TBD	
VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)			
ACTION: <ol style="list-style-type: none"> 1. Make a finding that the project is categorically exempt Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current CEQA Guidelines. 2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not 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 will not be detrimental to property and improvements in the neighborhood or the general welfare of the City. 3. Approve the use permit subject to the following standard conditions: <ol style="list-style-type: none"> a. Development of the project shall be substantially in conformance with the plans prepared by Studio One Designs, consisting of 9 plan sheets, dated July 7, 2016 and stamped received on November 7, 2016, and approved by the Planning Commission on December 5, 2016, except as modified by the conditions contained herein, subject to review and approval by the Planning Division. b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project. c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project. d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes. e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division. f. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance. 			



City of Menlo Park
Location Map
628 Cambridge Avenue



Scale: 1:4,000

Drawn By: YJ

Checked By: THR

Date: 12/5/2016

Sheet: 1

	PROPOSED PROJECT		EXISTING DEVELOPMENT		ZONING ORDINANCE	
Lot area	3,977.0	sf	3,977	sf	7,000	sf min.
Lot width	32.5	ft.	32.5	ft.	65.0	ft. min.
Lot depth	122.4	ft.	122.4	ft.	100.0	ft. min.
Setbacks						
Front	23.9	ft.	23.9	ft.	20.0	ft. min.
Rear	50.3	ft.	50.3	ft.	20.0	ft. min.
Side (left)	9.4	ft.	9.4	ft.	5.0	ft. min.
Side (right)	0.5	ft.	0.5	ft.	5.0	ft. min.
Building coverage	1,246	sf	1,140	sf	1,392	sf max.
	31.3	%	28.7	%	35.0	% max.
FAL (Floor Area Limit)	1,246	sf	1,140	sf	1,590.8	sf max.
Square footage by floor	752	sf/1st	752	sf/1st		
	494	sf/garage	388	sf/garage		
Square footage of buildings	1,246	sf	1,140	sf		
Building height	12.5	ft.	12.5	ft.	28.0	ft. max.
Parking	1 covered		1 covered		1 covered/1 uncovered	
Landscaping	46.3%		41.1%		40% min	
Note: Areas shown highlighted indicate a nonconforming or substandard situation.						
Trees	Heritage trees	3*	Non-Heritage trees	4**	New Trees	0
	Heritage trees proposed for removal	0	Non-Heritage trees proposed for removal	2	Total Number of Trees	5

* Includes two heritage trees on adjacent property

**Includes two non-heritage trees on adjacent property



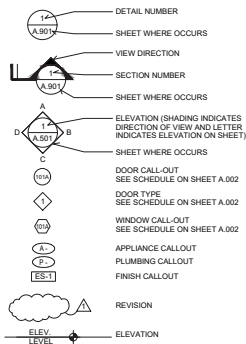
VICINITY MAP



VICINITY MAP



DRAWING SYMBOLS



ABBREVIATIONS

ADJ.	Adjacent
A.F.F.	Above Finish Floor
ALUM.	Aluminum
AND	And
ATT.	Attenuation
B.	Board
BTW.	Between
BM	Bearing
B.O.	Blockout
B.S.	Block
B.U.R.	Built Up Roof
C.B.	Cement Backer Bd.
CEM.	Cement
C.I.P.	Cast In Place
CIV.	Civil
C.J.	Control Joint
CL	Center Line
CLG.	Ceiling
CLR.	Clear
C.M.U.	Concrete Masonry Unit
COL.	Column
CONC.	Concrete
CONST.	Construction
CONT.	Continuous
DBL.	Double
D.G.	Double Glazed
DN.	Down
DR.	Door
D.T.L.	Detail
DWG.	Drawing
EA.	Elevation
E.J.	Expansion Joint
ELC.	Electrical
ELV.	Elevator
EQU.	Equal
EQIP.	Equipment
EXP.	Expansion
EXT.	Exterior
(E)	Each
F.C.	Fiber Cement
F.E.C.	Fire Extinguisher Cabinet
F.F.L.	Finish Floor Level
FLK.	Floor
FLUOR.	Fluorocarbon
FR.	Foundation
FNDR.	Foundation
F.O.S.	Face of Stud
F.O.W.	Face of Wall
FURR.	Furniture
G.A.	Gauge
G.S.M.	Galvanized Sheet Metal
GALV.	Galvanized
GLAZ.	Glazing
GR.	Grade
G.W.B.	Gypsum Wall Board
GYP. BD.	Gypsum Board
H.C.	Hot Dipped
H.D.	Hot Dipped
H.M.	Hot Metal
HR.	Hour
HT.	Height
INS.	Insulation
INT.	Interior
LEV.	Level
LT.	Light
LDC.	Location
M.U.	Masonry Unit
MAX.	Maximum
MECH.	Mechanical
MEM.	Member
MFR.	Manufacturer
MIN.	Minimum
MTD.	Mounted
MTL.	Model
MOD.	Module
N.C.	Not In Contact
NO.	Number
(N)	None
O.A.	Overall
O.C.	On Center
OPNG.	Opening
OPP.	Opposite
PRE-FIN.	Pre Finished
PL.	Plaster
PLAS.	Plastic Laminated
PLT.	Plate
P.L.V.	Plastic Vinyl
PNT.	Painted
PTD.	Painted
RAD.	Radiant (Radi)
R.W.L.	Rain Water Leader
R.D.	Rail Drain
RDWD.	Redwood
RES.	Resilient
RES.	Resilient
RESID.	Resilient
RGD.	Rounded
RM.	Room
R.O.	Rough Opening
R.O.D.	Rolling Overhead Door
S.C.	Solid Core
SCHD.	Schedule
SECT.	Section
SH.	Sheet
SHD. GD.	Shed Guard
ST.	Stainless Steel
STL.	Stained
STRUCT.	Structural
SUP.	Suspended
THK.	Thick
THRU.	Through
T.O.C.	Top of Concrete
T.O.S.	Top of Steel
T.O.W.	Top of Wall
TRANSF.	Transformer
T.S.	Typical
U.O.N.	Unless Otherwise Noted
UN.	Under
VEN.	Veneer
VER.	Vertical
W.	Wood
WD.	Waterproofing
W.P.	Water Resistant
W.R.	Water Resistant
WT.	Weight

ACCESSORY STRUCTURE FOR THE RUSSELL COOKE FAMILY 628 CAMBRIDGE AVE. MENLO PARK, CA 94025 APN # 071-413-230

GENERAL NOTES

1. ALL INFORMATION SHALL COMPLY WITH THE 2010 CALIFORNIA BUILDING, PLUMBING, MECHANICAL AND ELECTRICAL CODES, THE CALIFORNIA ENERGY CODE, AND ALL OTHER APPLICABLE STATE AND LOCAL CODES, RULES AND REGULATIONS HAVING JURISDICTION.
2. DO NOT SCALE DRAWINGS FOR DIMENSIONS.
3. ALL DIMENSIONS ARE TO FACE OF STUDS UNLESS OTHERWISE MENTIONED.
4. INSULATION SHALL MEET CALIFORNIA ENERGY COMMISSION QUALITY STANDARDS AND BE CERTIFIED BY THE MANUFACTURER.
5. ALL WINDOWS AND DOORS SHALL BE DOUBLE GLAZED U.O.N.
6. ALL GLAZING IN DOORS, WITHIN 24" OF DOORS AND ADJACENT TO BATHTUBS AND SHOWERS, SHALL BE TEMPERED PER CBC.
7. GENERAL LIGHTING IN BATH AREA SHALL HAVE AN MINIMUM EFFICACY OF 40 LUMENS PER WATT.
8. ALL TOILETS ARE TO BE ULTRA LOW FLOW 1.28 GALLONS MAXIMUM FLUSH CAPACITY.
9. ALL WATER PIPING TO BE COPPER PIPE OR PEX.
10. ALL DRAINAGE PIPING TO BE SCHEDULE 40 ABS.
11. MINIMUM CLASS A ROOFING MATERIAL TO BE USED.

SCOPE OF WORK

THIS PROJECT INCLUDES THE DEMOLITION OF AN EXISTING DETACHED GARAGE AND THE CONSTRUCTION OF A NEW ACCESSORY STRUCTURE OF 404 SQUARE FEET CONTAINING A SINGLE CAR GARAGE AND AN ART STUDIO. OTHER IMPROVEMENTS INCLUDE A NEW PAVED DRIVEWAY.

EXTERIOR FINISHES INCLUDE:
-STANDING SEAM METAL ROOFING
-2X WOOD FASCIA, PAINTED TO MATCH RESIDENCE FASCIA
-1X HORIZONTAL T&G WOOD SIDING PAINTED TO MATCH RESIDENCE

PROJECT INFO.

PARCEL NUMBER:	A.P.N. 071-413-230
BASE ZONING:	R-2
CONSTRUCTION TYPE:	VN
OCCUPANCY GROUP:	R-3U
BUILDING USE:	ACCESSORY STRUCTURE
AUTO. FIRE SPRINKLERS:	DEFERRED SUBMITTAL

CODE REFERENCE

BUILDING DESIGNED TO MEET THE FOLLOWING CODES:	
CALIFORNIA RESIDENTIAL CODE:	2013 CRC
CALIFORNIA BUILDING CODE:	2013 CBC
CALIFORNIA MECHANICAL CODE:	2013 CMC
CALIFORNIA ELECTRICAL CODE:	2013 CEC
CALIFORNIA PLUMBING CODE:	2013 CPC
CALIFORNIA FIRE CODE:	2013 CFC
CALIFORNIA ENERGY CODE:	2013 CEC
TITLE 24 CALIFORNIA ENERGY EFFICIENCY STANDARDS	2013

CONTACTS

OWNER:	ANDY RUSSEL AND ERIN COOKE 628 CAMBRIDGE AVE. MENLO PARK, CA 94025 978.500.9430
DESIGNER:	SCOTT LANDRY, AARON WIRTH STUDIO 101 DESIGNS 101 H STREET SUITE C PETALUMA CA 94952 707.776.0101

SHEET INDEX

T.001	COVER SHEET - VICINITY MAP, GENERAL INFO, SHEET INDEX
A.101	EXISTING SITE AND AREA PLANS
A.102	PROPOSED SITE PLAN
A.103	"STREET SCAPE" AND AREA DIAGRAMS
A.201	PROPOSED FLOOR AND ROOF PLANS
A.301	EXISTING ELEVATIONS
A.302	PROPOSED ELEVATIONS
A.401	PROPOSED SECTION
SU.1	SURVEY

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PETALUMA, CA 94952
www.studio101designs.com

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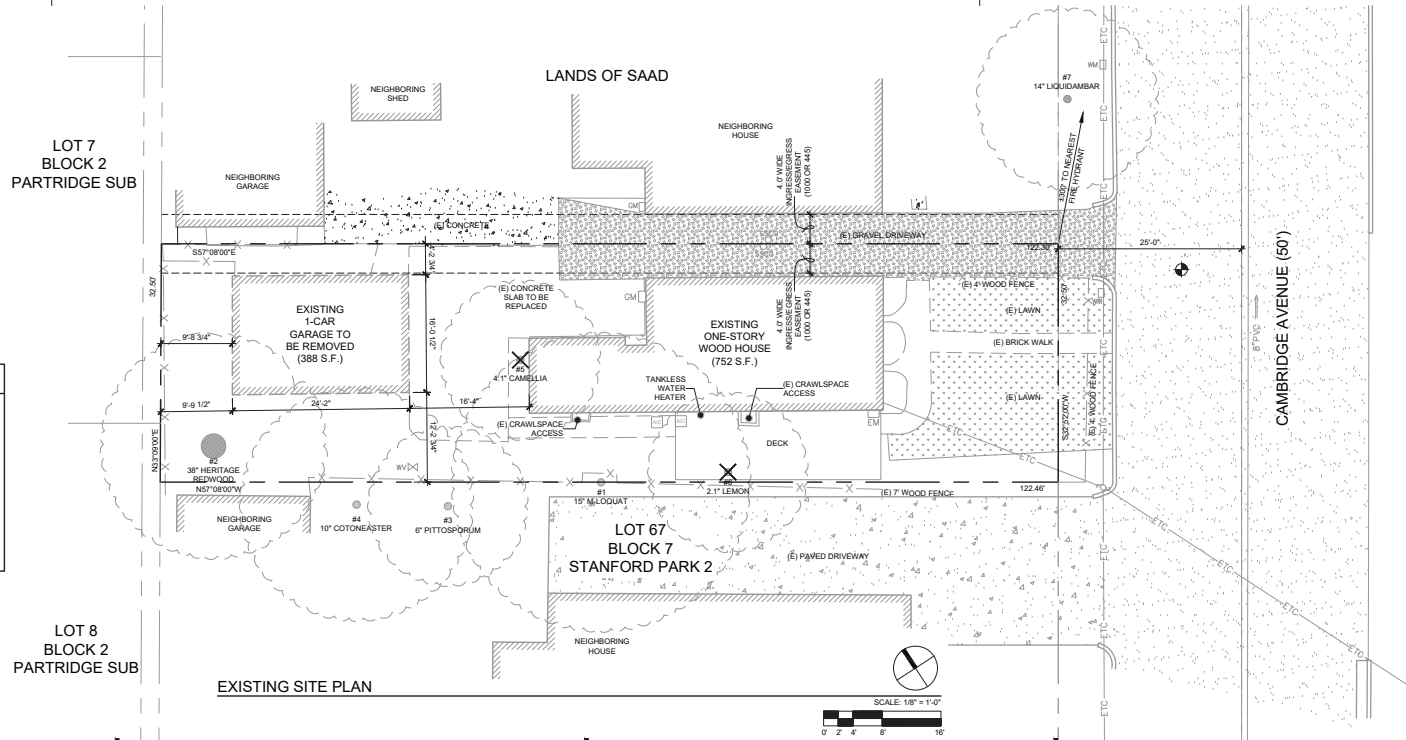
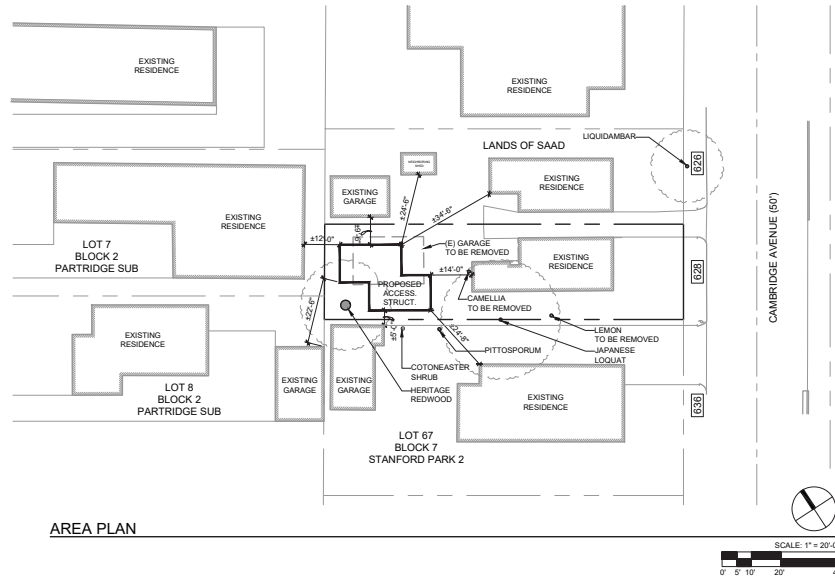
RUSSELL + COOKE ACCESSORY STRUCTURE
628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

COVER SHEET

Rev	By	Description	Date
1	AW	PLANNING DESIGN REVIEW	9/19/16
2	AW	PLANNING COMMISSION	11/7/16

Checker: SM, AW
Drawn By: 11/7/16
Date: 10/10/16
Project No.: 101004
Scale: AS SHOWN

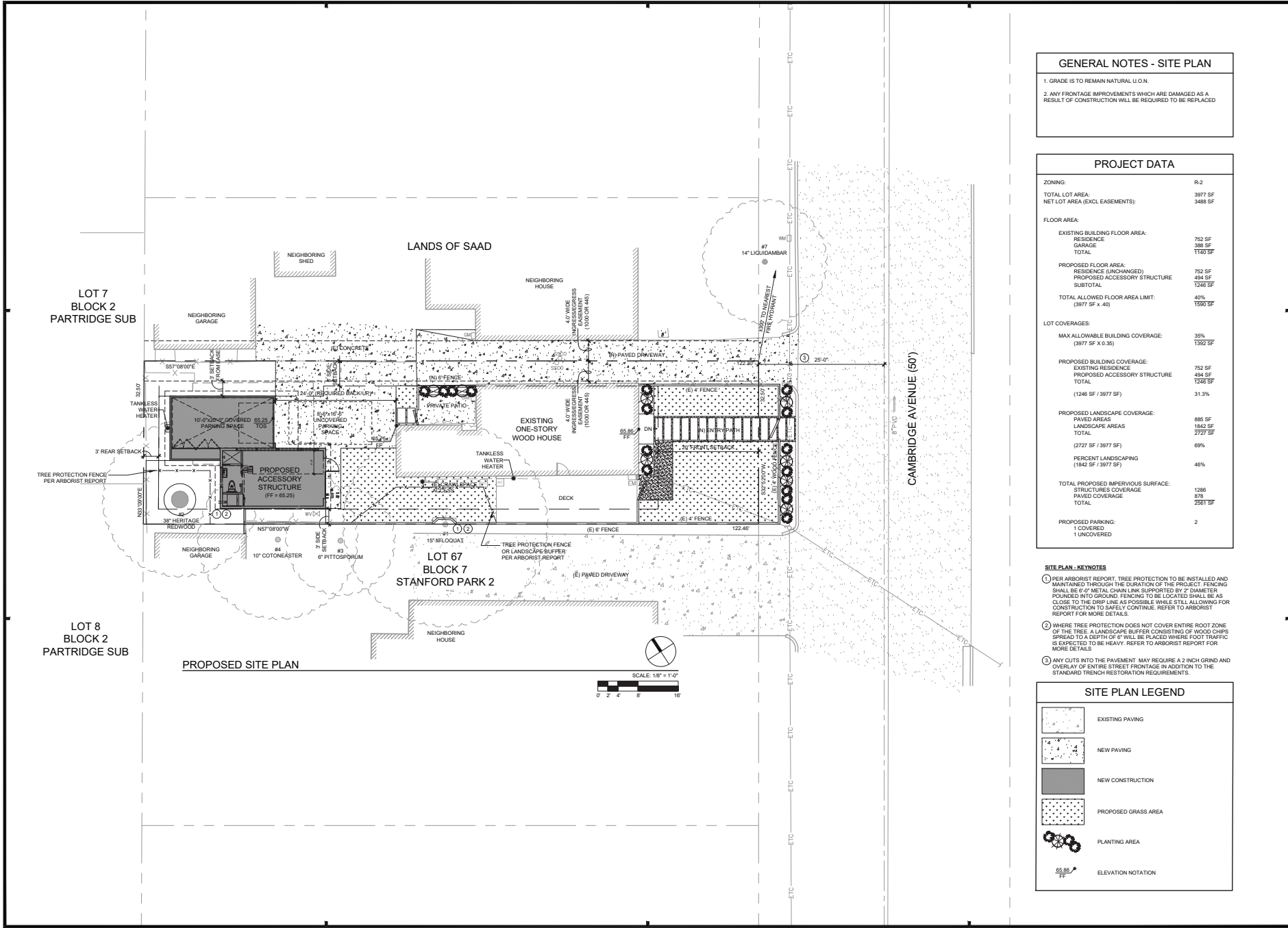
T.001



SITE PLAN LEGEND	
	TREES TO REMAIN
	TREES TO BE REMOVED

Rev	By	Description	Date
1	AW	PLANNING DES REVIEW	9/19/16
2	AW	PLANNING COMMISSION	11/7/16

Designer:	SM, AW	Scale:	AS SHOWN
Drawn By:	7/7/16		
Date:	7/7/16		
Project No.:	101004		



GENERAL NOTES - SITE PLAN	
1.	GRADE IS TO REMAIN NATURAL U.O.N.
2.	ANY FRONTAGE IMPROVEMENTS WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION WILL BE REQUIRED TO BE REPLACED

PROJECT DATA	
ZONING:	R-2
TOTAL LOT AREA:	3977 SF
NET LOT AREA (EXCL. EASEMENTS):	3488 SF
FLOOR AREA:	
EXISTING BUILDING FLOOR AREA:	
RESIDENCE	752 SF
GARAGE	388 SF
TOTAL	1140 SF
PROPOSED FLOOR AREA:	
RESIDENCE (UNCHANGED)	752 SF
PROPOSED ACCESSORY STRUCTURE	494 SF
SUBTOTAL	1246 SF
TOTAL ALLOWED FLOOR AREA LIMIT:	40%
(3977 SF x .40)	1590 SF
LOT COVERAGES:	
MAX ALLOWABLE BUILDING COVERAGE:	33%
(3977 SF x 0.33)	1332 SF
PROPOSED BUILDING COVERAGE:	
EXISTING RESIDENCE	752 SF
PROPOSED ACCESSORY STRUCTURE	494 SF
TOTAL	1246 SF
(1246 SF / 3977 SF)	31.3%
PROPOSED LANDSCAPE COVERAGE:	
PAVED AREAS	885 SF
LANDSCAPE AREAS	1842 SF
TOTAL	2727 SF
(2727 SF / 3977 SF)	69%
PERCENT LANDSCAPING	46%
(1842 SF / 3977 SF)	
TOTAL PROPOSED IMPERVIOUS SURFACE:	
STRUCTURES COVERAGE	1286
PAVED COVERAGE	678
TOTAL	2561 SF
PROPOSED PARKING:	
1 COVERED	
1 UNCOVERED	2

- SITE PLAN - KEYNOTES**
1. PER ARBORIST REPORT, TREE PROTECTION TO BE INSTALLED AND MAINTAINED THROUGH THE DURATION OF THE PROJECT. FENCING SHALL BE 6" x 4" METAL CHAIN LINK SUPPORTED BY 2" DIAMETER POINDED INTO GROUND. FENCING TO BE LOCATED SHALL BE AS CLOSE TO THE DRIP LINE AS POSSIBLE WHILE STILL ALLOWING FOR CONSTRUCTION TO SAFELY CONTINUE. REFER TO ARBORIST REPORT FOR MORE DETAILS.
 2. WHERE TREE PROTECTION DOES NOT COVER ENTIRE ROOT ZONE OF THE TREE, A LANDSCAPE BUFFER CONSISTING OF WOOD CHIPS SPREAD TO A DEPTH OF 6" WILL BE PLACED WHERE FOOT TRAFFIC IS EXPECTED TO BE HEAVY. REFER TO ARBORIST REPORT FOR MORE DETAILS.
 3. ANY CUTS INTO THE PAVEMENT MAY REQUIRE A 2 INCH GRIND AND OVERLAY OF ENTIRE STREET FRONTAGE IN ADDITION TO THE STANDARD TRENCH RESTORATION REQUIREMENTS.

SITE PLAN LEGEND	
	EXISTING PAVING
	NEW PAVING
	NEW CONSTRUCTION
	PROPOSED GRASS AREA
	PLANTING AREA
	ELEVATION NOTATION

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628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

PROPOSED SITE PLAN

Rev	By	Description	Date
1	AW	PLANNING DES REVIEW	9/19/16
2	AW	PLANNING COMMISSION	11/7/16

Designer:	SM, AW	Project No.:	101004
Drawn By:		Date:	7/7/16
Scale:	AS SHOWN		

A.102

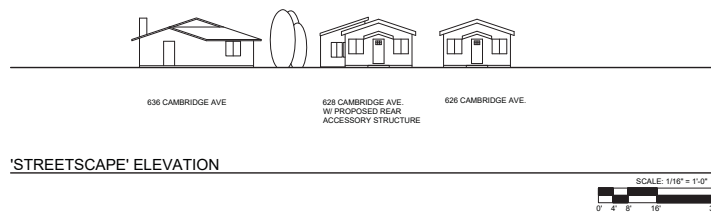
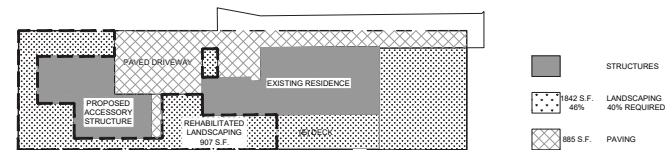
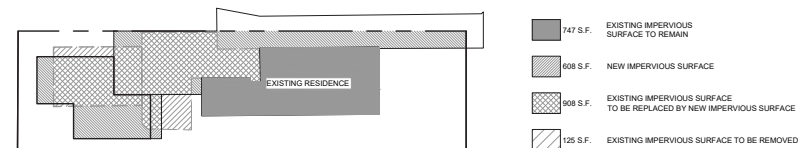


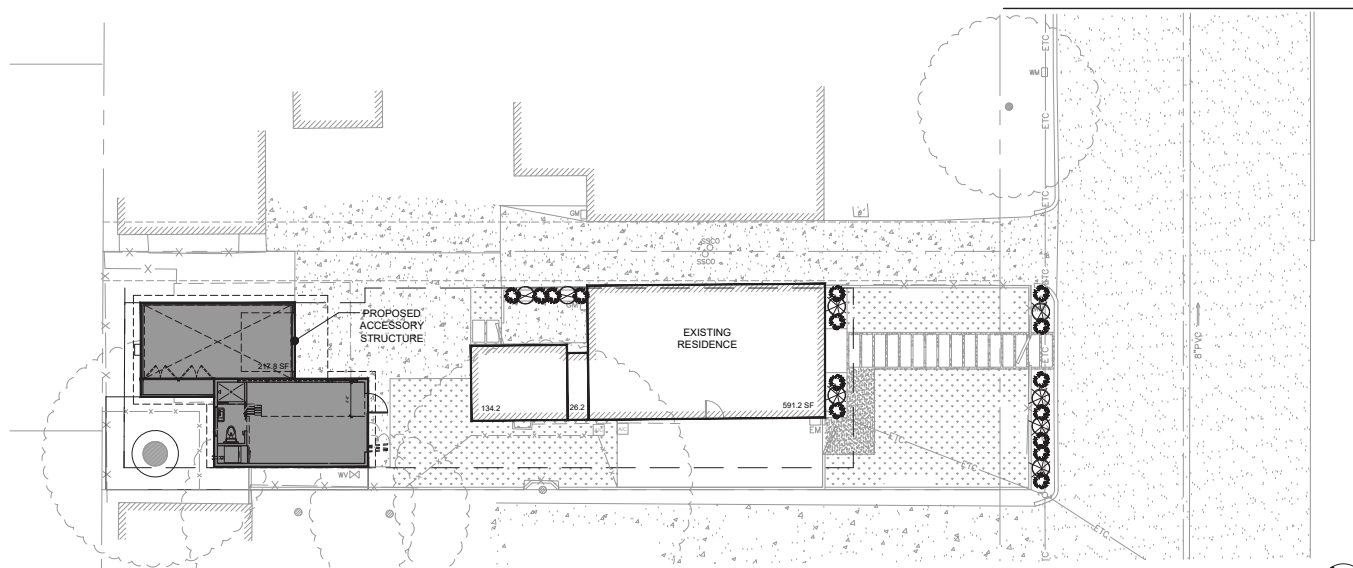
PHOTO OF EXISTING SITE AND NEIGHBORING LOTS



LANDSCAPE DIAGRAM

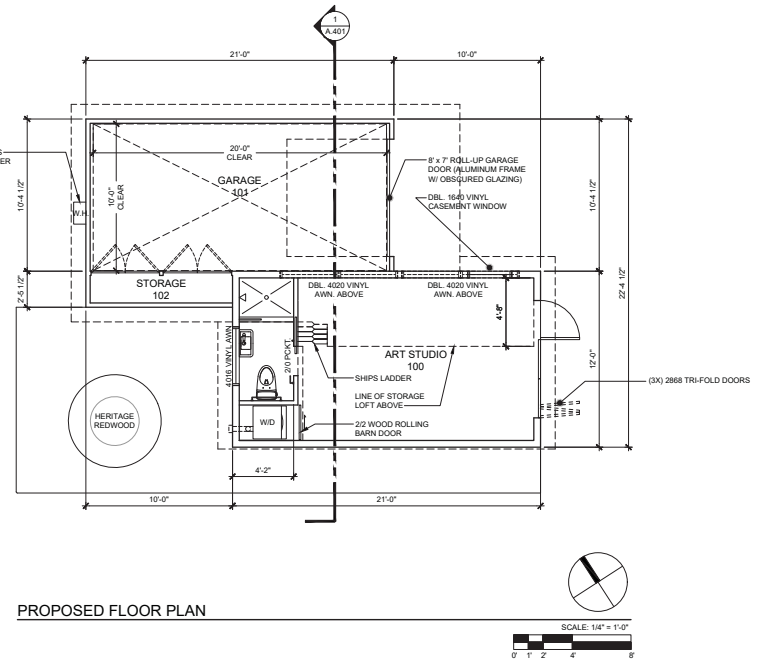
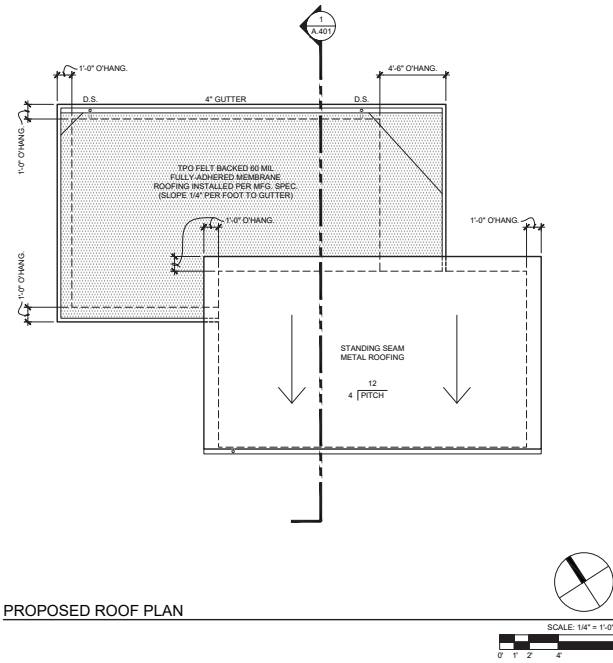


IMPERVIOUS SURFACE DIAGRAM



SQUARE FOOTAGE CALCULATION PLAN AND SITE PLAN

SQUARE-FOOTAGE CALCS				
FLOOR AREA:				
EXISTING RESIDENCE:		752 SF		
(591.2 SF + 26.2 SF + 134.2 SF)				
PROPOSED ACCESSORY STRUCTURE:		252.0 SF		
ART STUDIO		217.8 SF		
GARAGE		24.0 SF		
STORAGE		284.2 SF		
SUBTOTAL				
PROPOSED BUILDING FLOOR AREA TOTAL:		1246 SF		



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Project: **RUSSELL + COOKE ACCESSORY STRUCTURE**
628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

Type: **PROPOSED FLOOR AND ROOF PLANS**

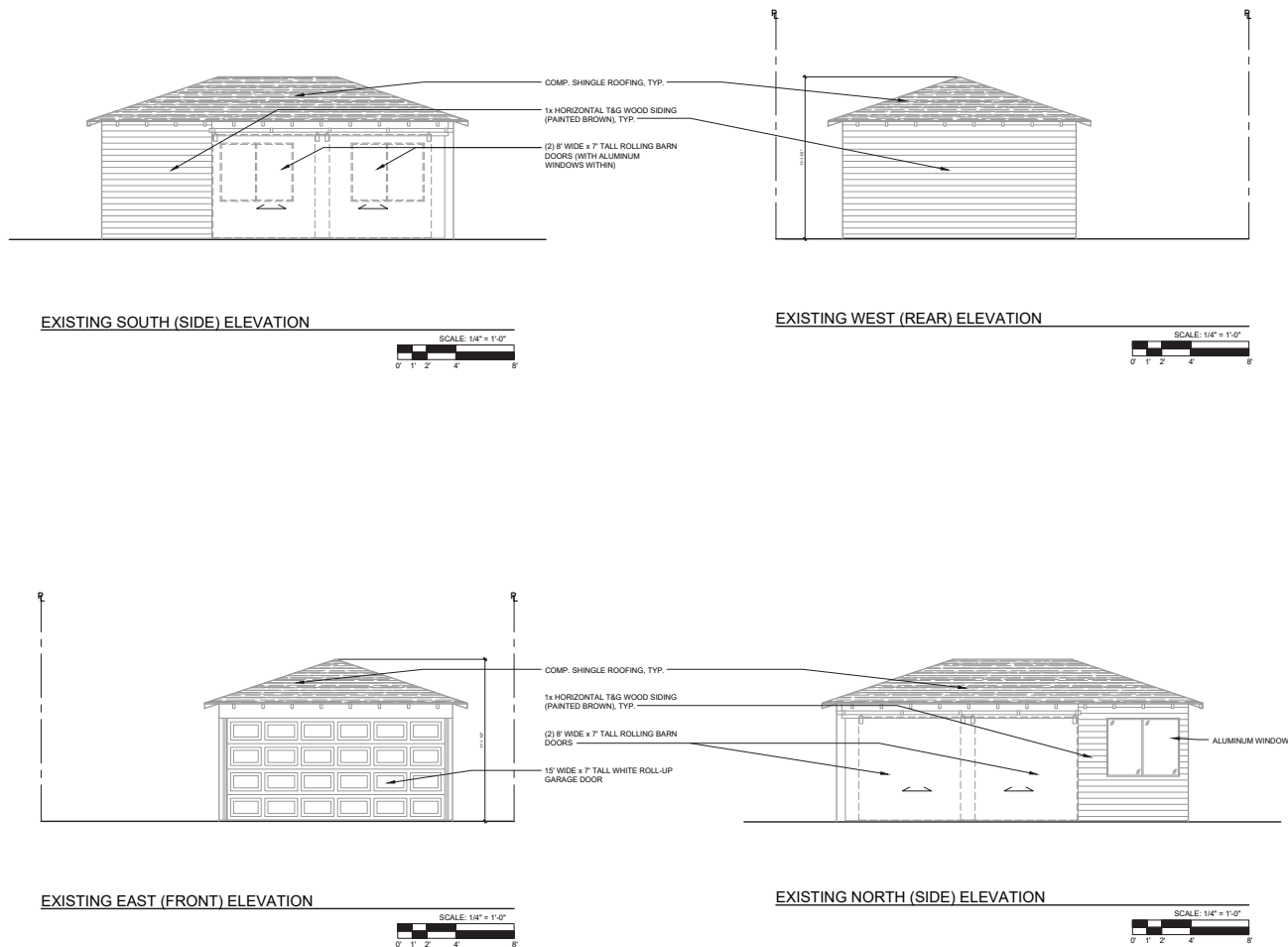
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1	AW	PLANNING DES. REVIEW	9/19/16
2	AW	PLANNING COMMISSION	11/7/16

Drawn By:	SM, AW
Checked By:	7/7/16
Date:	10/10/16
Project No.:	AS SHOWN
Scale:	

Sheet: **A.201**

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Project: **RUSSELL + COOKE ACCESSORY STRUCTURE**
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EXISTING EXTERIOR ELEVATIONS

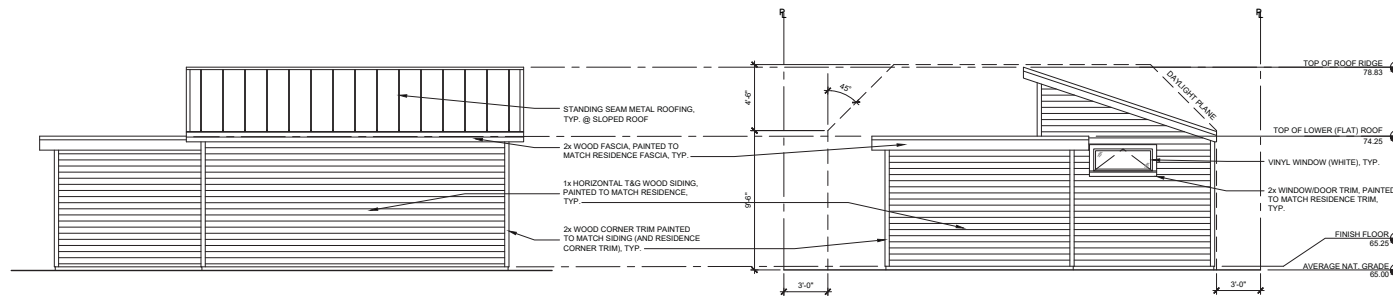
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1	AW	PLANNING DESIGN REVIEW	9/15/16
2	AW	PLANNING COMMISSION	11/7/16

Designer	Check By	Scale
SM, AW	7/7/16	AS SHOWN
Project No.	Sheet No.	Scale
01004	A.301	AS SHOWN

Sheet: **A.301**

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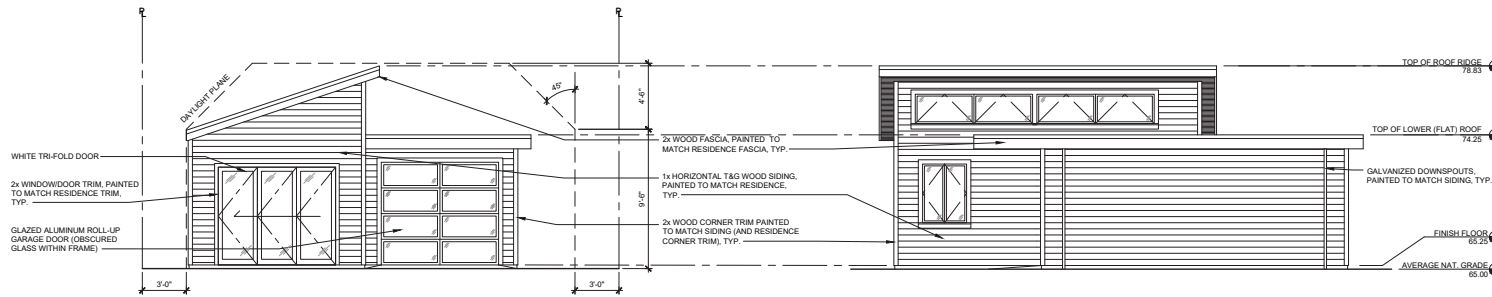
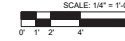
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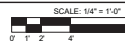
SOUTH (SIDE) ELEVATION



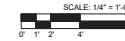
WEST (REAR) ELEVATION



EAST (FRONT) ELEVATION



NORTH (SIDE) ELEVATION



CITY OF MENLO PARK - PLANNING DESIGN REVIEW SUBMITTAL

Project: **RUSSELL + COOKE ACCESSORY STRUCTURE**
628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

Proposed Exterior Elevations

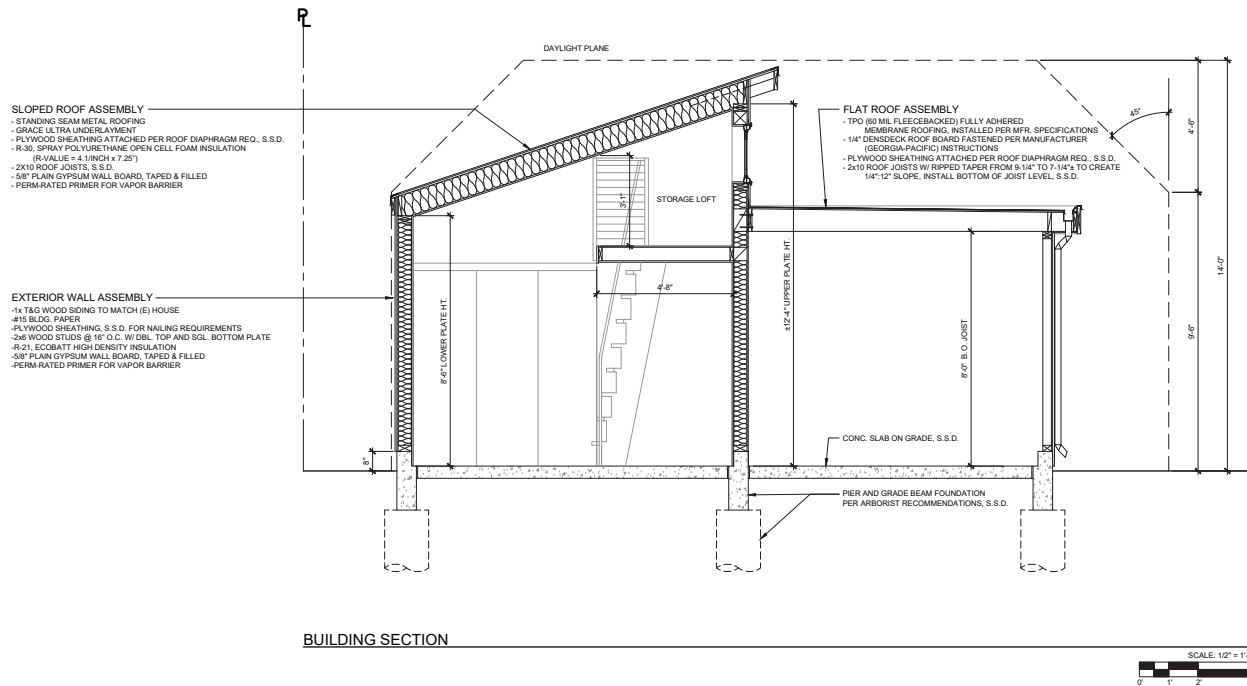
Rev	By	Description	Date
1	AW	PLANNING DES REVIEW	9/19/16
2	AW	PLANNING COMMISSION	11/7/16

Designer:	SM, AW	Scale:	AS SHOWN
Drawn By:	SM, AW		
Date:	7/7/16		
Project No.:	101004		

Sheet: **A.302**

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CITY OF MENLO PARK - PLANNING DESIGN REVIEW SUBMITTAL

Project: **RUSSELL + COOKE ACCESSORY STRUCTURE**
 628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

Type: **BUILDING SECTION**

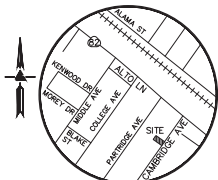
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1	AW	PLANNING DES REVIEW	9/19/16
2	AW	PLANNING COMMISSION	11/7/16

Designer:	SM, AW	SL
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Date:	101604	
Project No.:	AS SHOWN	

Sheet: **A.401**

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VICINITY MAP
NO SCALE

LEGEND AND NOTES

- BOUNDARY LINE
- - - EASEMENT LINE
- ETC ELECTRICAL/TELEPHONE/
CABLE TV OVERHEAD LINE
- x - FENCE LINE
- SS SANITARY SEWER LINE
- A/C AIR CONDITIONER
- FF FINISH FLOOR
- FL FLOW LINE
- PVC POLYVINYL CHLORIDE PIPE
- RP ROOF PEAK
- TC TOP OF CURB
- TOS TOP OF SLAB
- EM ELECTRICAL METER
- GM GAS METER
- JOINT POLE
- SSCO SANITARY SEWER CLEAN-OUT
- WM WATER METER
- WV WATER VALVE
- BM BENCHMARK
- SPOTGRADE
- ASPHALT
- BRICK
- CONCRETE
- GRAVEL
- LAWN
- DRIFLINE
- TREE: TYPE AND
SIZE AS NOTED

LOT 7
BLOCK 2
PARTRIDGE SUB

LOT 8
BLOCK 2
PARTRIDGE SUB

NOTES

ALL DISTANCES AND DIMENSIONS ARE
IN FEET AND DECIMALS OF A FOOT.
UNDERGROUND UTILITY LOCATION
IS BASED ON SURFACE EVIDENCE.
BUILDING FOOTPRINTS ARE
SHOWN AT GROUND LEVEL.
FINISH FLOOR ELEVATIONS ARE TAKEN
AT DOOR THRESHOLD (EXTERIOR)

BENCHMARK

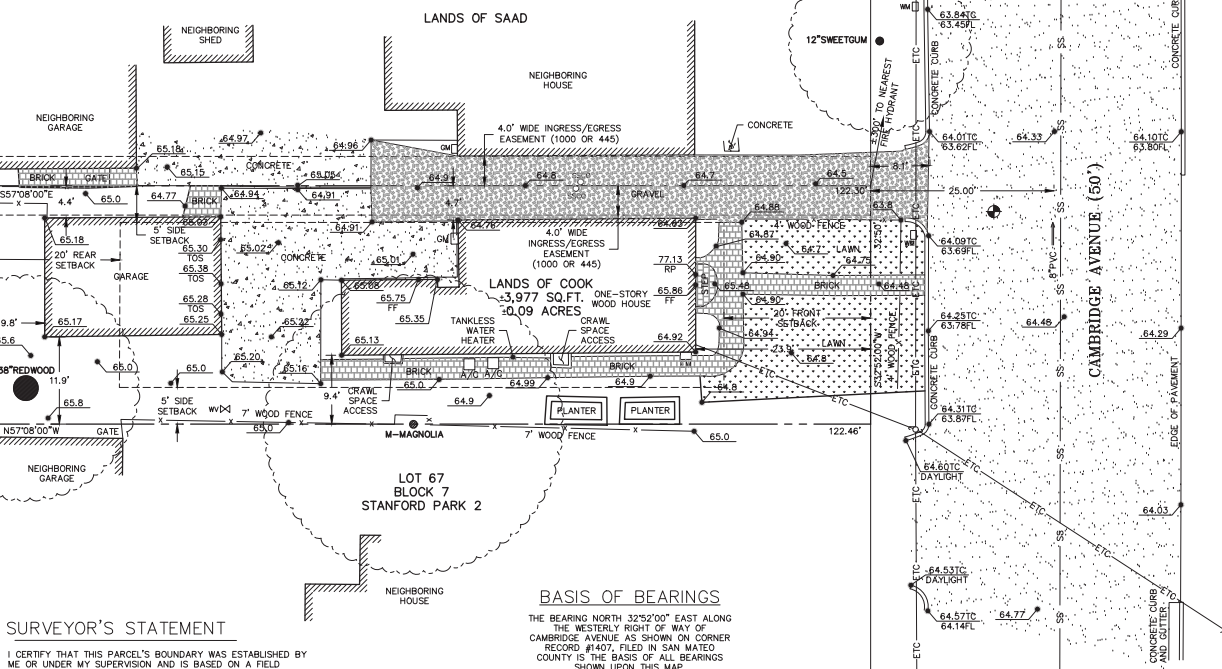
CITY OF MENLO PARK BENCHMARK "JUL110"
0.1 MILE SOUTHWEST OF THE SOUTHERN PACIFIC
COMPANY RAILROAD STATION, AT THE
INTERSECTION OF SANTA CRUZ AVENUE AND EL
CAMINO REAL (U.S. HIGHWAY 101). AT THE ELLIOT
BUILDING, IN THE TOP PROJECTION OF THE
GRANITE BLOCK FOUNDATION, BETWEEN TWO
GRANITE BLOCK COLUMNS, 15.9 FEET SOUTHEAST
OF THE SOUTHEAST CURB OF THE AVENUE, 12.5
FEET NORTHEAST OF THE NORTHEAST CURB OF
THE HIGHWAY, 0.3 FOOT SOUTHWEST OF THE
BRICK WALL, AND 2.0 FEET ABOVE THE
SIDEWALK.
ELEVATION = 73.9' (NAVD 88)

EASEMENT NOTE

EASEMENTS SHOWN PER PRELIMINARY TITLE
REPORT ISSUED BY CHICAGO TITLE
COMPANY, ORDER NO. FWPS-2999150531,
DATED AS OF FEBRUARY 19, 2015.

SITE BENCHMARK

SURVEY CONTROL POINT
MAG AND SHINER SET IN ASPHALT
ELEVATION = 64.31' (NAVD 88)



SURVEYOR'S STATEMENT

I CERTIFY THAT THIS PARCEL'S BOUNDARY WAS ESTABLISHED BY
ME OR UNDER MY SUPERVISION AND IS BASED ON A FIELD
SURVEY IN CONFORMANCE WITH THE LAND SURVEYOR'S ACT. ALL
MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS
INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE
RETRACED.

GREGORY F. BRAZE DATE
L.S. NO. 7623



BASIS OF BEARINGS

THE BEARING NORTH 32°52'00" EAST ALONG
THE WESTERLY RIGHT OF WAY OF
CAMBRIDGE AVENUE AS SHOWN ON CORNER
RECORD #1407, FILED IN SAN MATEO
COUNTY IS THE BASIS OF ALL BEARINGS
SHOWN UPON THIS MAP.



0 4 8 16
SCALE: 1" = 8'



LEA & BRAZE ENGINEERING, INC.
ENGINEERS • LAND SURVEYORS
3007 DODD AVE., SUITE 300
ROSELAND, CA 94568
HAYWARD, CALIFORNIA 94545
(925) 887-7363
(925) 887-7363
WWW.LEABRAZE.COM

628 CAMBRIDGE AVENUE
MENLO PARK, CALIFORNIA

TOPOGRAPHIC SURVEY

REVISIONS	BY
JOB NO: 2160140	
DATE: 03-08-16	
SCALE: 1" = 8'	
FIELD BY: BS	
DRAWN BY: JN	
SHEET NO:	

SU1

01 OF 01 SHEETS

94952



Phone: 707.778.0101

101 H Street, #C
Petaluma, CA

Project Description

Russell + Cooke Accessory Structure
628 Cambridge Avenue, Menlo Park
APN 071-413-230

This proposal is submitted in application for design review and approval for the removal of an existing detached garage structure and construction of a new detached accessory structure (which includes a single-car garage and art studio) at 628 Cambridge Avenue. The property, a 3977 square foot (substandard) lot, is zoned in in the R-2 Low Density Apartment District.

The proposed project includes the demolition of the existing dilapidated detached garage which measures 16' wide x 24' long (and thus only serves as cover for one car), and construction of a new accessory structure of 494 square feet containing a single-car garage and art studio space. Other improvements include a new paved driveway and walkway paving, totaling 1275 square feet (with existing paving to remain). The proposal incorporates the required back-up length out of the covered garage space which does not currently exist with the existing garage placement.

To accommodate the minimum required 40% landscaping area, the uncovered parking space is situated to be in tandem with the covered garage parking. This allows for the conversion of some of the existing paved surface (originally used to access the garage) to be a small yard and landscaped link from the home to the art studio. This reduction in paving also offsets some of the permeable surface lost due to the required new paved driveway.

The form, details and materials of the new accessory structure are a modern version of those of the existing single-family dwelling on the property – creating compatibility between the structures (something that does not currently exist. The style of the new structure is to be modern, with clean lines and varied massing, incorporating both a shed and flat roof form. Materials include painted horizontal tongue-and-groove cedar siding, white vinyl doors and windows, painted trim – all colored/painted to match the existing residence. The pitched roof is standing seam metal roofing and the flat roof has a gray TPO membrane. The garage door is a modern white-framed aluminum with obscured/translucent glazing roll-up door,

The proposed structure is to be sited very similarly to the existing garage, with the garage door facing Cambridge Avenue. The footprint of the house is determined by the space allotted by setback/easement requirements and the need/desire to maintain a heritage redwood tree in the southwest (rear) corner of the property, allowing for a back yard and circulation around the perimeter. While the use will remain essentially unchanged as a garage and art studio (the existing structure is currently used as an art studio by several children in the neighborhood), we feel this new structure provides a better experience through more usable space and a compatible palette.

The owners, Andy Russell and Erin Cooke, have been forthcoming in sharing the design with their neighbors, going door-to-door to present and discuss the proposed plans and renderings. The project has been well received by everyone they have discussed the project with:

626 Cambridge
 636 Cambridge**
 612 Cambridge
 621 Cambridge
 635 Cambridge
 649 Cambridge

**The only minor concern was raised by the Kramer family (next door neighbors at 636 Cambridge) who asked about the height and proximity of the structure to their parcel. To put their concerns in context, they explained that their neighbor at 660 Cambridge (one house further down the street) built a two-story garage with windows looking into their property. The Kramer's are uncomfortable with that project (given the privacy issues that the windows created) and their concerns were seemingly put to rest when they saw that no windows in our proposed

structure would be facing into their yard. We have also offered to provide renderings to show the structure as viewed from their property.

We believe their new accessory structure will become a welcome addition to both Cambridge Avenue and Menlo Park.

Kielty Arborist Services LLC

Certified Arborist WE#0476A

P.O. Box 6187

San Mateo, CA 94403

650-515-9783

May 26, 2016

Erin M. Cooke
628 Cambridge Avenue
Menlo Park, CA

Site: 628 Cambridge Avenue, Menlo Park, CA

Dear Ms. Cooke,

As requested on Thursday, May 19, 2016, I visited the above site to inspect and comment on the trees. An art studio and garage is planned for this site and your concern for the future health and safety of the trees has prompted this visit.

Method:

All inspections were made from the ground; the trees were not climbed for this inspection. The trees in question were located on a map provided by you. The trees were then measured for diameter at 54 inches above ground level (DBH or diameter at breast height). The trees were given a condition rating for form and vitality. The trees condition rating is based on 50 percent vitality and 50 percent form, using the following scale.

1	-	29	Very Poor
30	-	49	Poor
50	-	69	Fair
70	-	89	Good
90	-	100	Excellent

The height of the trees was measured using a Nikon Forestry 550 Hypsometer. The spread was paced off. Comments and recommendations for future maintenance are provided.

628 Cambridge /5/26/16

(2)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
1*P	Japanese loquat (<i>Eriobotrya japonica</i>)	15est	65	35/30	Good vigor, poor form, multi leader at base, good fruit producer, neighbors tree, 1 foot from property line fence, heavy into property, messy, could be shared tree.
2P	Redwood (<i>Sequoia sempervirens</i>)	40.5	45	120/40	Fair vigor, poor form, top is dead, gall disease on limbs, 5.5 feet away from existing garage.
3*	Pittosporum (<i>Pittosporum tobira</i>)	6est	40	15/10	Fair-poor vigor, poor form, heavily suppressed, leaning.
4*	Cotoneaster shrub (<i>Cotoneaster salicifolius</i>)	1x10	50	20/15	Fair vigor, poor form, not well maintained, hedge material.
5	Camellia (<i>Camellia japonica</i>)	4.1	70	15/10	Good vigor, good form, 1 foot from home.
6	Lemon (<i>Citrus spp.</i>)	2.1	75	5/4	Good vigor, good form, young tree.
7P	Liquidambar (<i>Liquidambar styraciflua</i>)	14.1	50	35/25	Good vigor, fair-poor form, topped for line clearance, street tree, multi leader at 7 feet.

*-Indicates neighbors tree

P- Indicates protected tree by city ordinance

Summary:

The proposed site plan A1 shows an art studio and garage in close proximity to protected redwood tree #2. An existing structure is in the same general location as the proposed art studio. The existing structure likely discouraged some root growth in this area. When demolishing the existing structure hand tools must be used in order to remove the existing foundation. During the demolition process this tree must be protected. Tree protection fencing shall be placed as close to the existing building as possible during demolition. A landscape barrier consisting of wood chips to a depth of 6 inches with plywood placed on top should be placed outside of the tree protection fencing zone to a distance of 40 feet from the trunk. Once the foundation is removed the site arborist must be called out to the site to inspect, document and offer any mitigation measures if roots are exposed.

The new art studio should be designed with a pier and grade beam foundation, with the grade beam being as high up as possible. This will decrease root trauma to the redwood tree. The piers should first be dug by hand to a depth of 2 feet. If large roots are encountered pier locations should be moved. Impacts if pier and grade beam is used shall be minor.

Before the start of construction the redwood tree should be set up on an irrigation schedule. Irrigation should consist of soaker hoses stretched out to the dripline of the tree. Soaker hoses should be turned on for 4 hours at a time twice a month.

This redwood tree has a dead top. During my investigation I noticed that the limbs of the redwood had limb galls or nodules. It is not know what causes these galls/nodules. They can kill limbs by means of girdling. The dead top of the tree is likely caused by drought stress. Redwood trees in their native range receive water by means of coastal fog. Because this tree is out of its native range it needs to be irrigated more often than people think. The irrigation by means of soaker hose shall take place even after the construction is over but be decreased to once a month.

Japanese loquat #1 is a shared tree on the property line. The majority of the trees trunk is located in the neighbors yard. Tree protection fencing should be placed as close to the dripline of the tree as possible. If access is needed on this side of the yard a landscape barrier can be used as tree protection as the trunk of the tree is protected by the property line fence. Landscape barriers offers protection to the root zone of the tree.

The liquidambar street tree must also be protected as it is a city managed street tree. The remaining trees on site are not protected and no tree protection fencing is required, although recommended. The following tree protection plan will help to insure the future health of the retained trees.

Tree Protection Plan:

Tree protection fencing

Tree protection zones should be established and maintained throughout the entire length of the project. Fencing for protection zones should be 6-foot-tall metal chain link supported by 2-inch diameter poles pounded into the ground. The location for protective fencing should be as close to the dripline as possible still allowing room for construction to safely continue. No equipment or materials should be stored or cleaned inside protection zones.

Landscape Buffer

Where tree protection does not cover the entire root zone of the trees a landscape buffer consisting of wood chips spread to a depth of six inches will be placed where foot traffic is expected to be heavy. The landscape buffer will help to reduce compaction to the unprotected root zone.

Root Cutting

Any roots to be cut should be monitored and documented. Large roots or large masses of roots to be cut should be inspected by the site arborist. The site arborist may recommend irrigation or fertilizing at that time. Cut all roots clean with a saw or loppers. Roots to be left exposed for a period of time should be covered with layers of burlap and kept moist.

Trenching and Excavation

Trenching for irrigation, electrical, drainage or any other reason, should be hand dug when beneath the dripline of desired trees. Hand digging and careful placement of pipes below or beside protected roots will dramatically reduce root loss, thus reducing trauma to desired trees. Trenches should be back filled as soon as possible using native materials and compacted to near original levels. Trenches to be left open with exposed roots shall be covered with burlap and kept moist. Plywood laid over the trench will help to protect roots below.

Irrigation

Normal irrigation should be maintained throughout the entire length of the project. All of the imported trees will require normal irrigation. Irrigation should consist of surface flooding, with enough water to wet the entire root zone. If the root zone is traumatized this type of irrigation should be carried out two times per month during the warm dry season.

Demolition

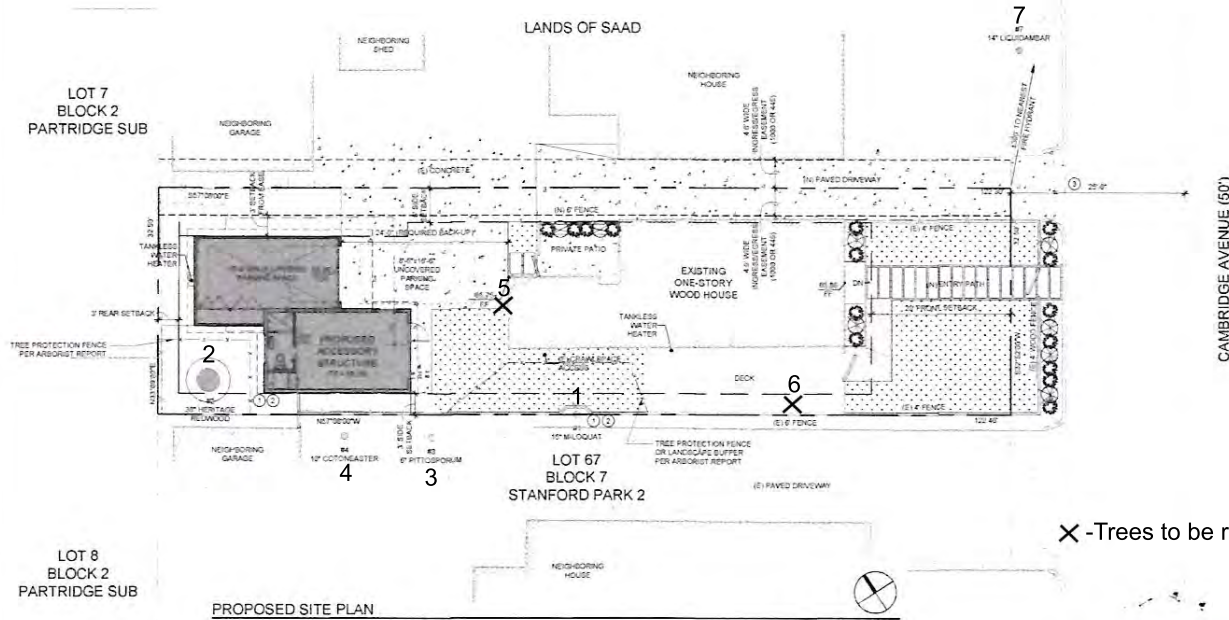
All tree protection must be in place prior to the start of demolition. Demolition equipment must enter the project from the existing driveway. If vehicles are to stray off the drive the area within the dripline of a protected tree, the area must be covered with 6 inches of chips and steel plates or 1 1/4 inch plywood. The town of Menlo Park will require a letter from the site arborist stating the tree protection fencing is up before the start of demolition.

This information should be kept on site at all times. The information included in this report is believed to be true and based on sound arboricultural principles and practices.

Sincerely,

Kevin R. Kielty
Certified Arborist WE#0476A

David P. Beckham
Certified Arborist WE#10724A



X - Trees to be removed

GENERAL NOTES - SITE PLAN

1. DRAINAGE IS TO REMAIN NATURAL U.G.N.
2. ANY FRONTAGE IMPROVEMENTS WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION WILL BE REQUIRED TO BE REPLACED.

PROJECT DATA

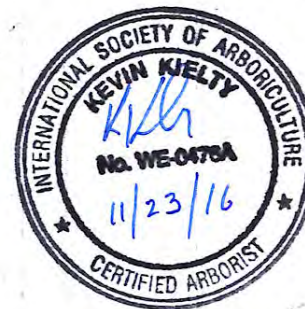
ZONING	R-2
TOTAL LOT AREA	3977 SF
NET LOT AREA (EXCL. EASEMENTS)	3488 SF
FLOOR AREA	
EXISTING BUILDING FLOOR AREA	
RESIDENCE	752 SF
GARAGE	388 SF
TOTAL	1140 SF
PROPOSED FLOOR AREA	
RESIDENCE (UNCHANGED)	752 SF
PROPOSED ACCESSORY STRUCTURE	434 SF
SUBTOTAL	1186 SF
TOTAL ALLOWED FLOOR AREA LIMIT (3977 SF x .45)	1790 SF
LOT COVERAGE	
MAX. ALLOWABLE BUILDING COVERAGE (3977 SF x 0.35)	1382 SF
PROPOSED BUILDING COVERAGE	
EXISTING RESIDENCE	752 SF
PROPOSED ACCESSORY STRUCTURE	434 SF
TOTAL	1186 SF
(1186 SF / 3977 SF)	31.2%
PROPOSED LANDSCAPE COVERAGE	
PAVED AREAS	888 SF
LANDSCAPE AREAS	1542 SF
TOTAL	2430 SF
(2430 SF / 3977 SF)	61%
PERCENT LANDSCAPING (1542 SF / 3977 SF)	40%
TOTAL PROPOSED IMPERVIOUS SURFACE	
STRUCTURES COVERAGE	1186 SF
PAVED COVERAGE	888 SF
TOTAL	2074 SF
PROPOSED PARKING	
1 COVERED	0
1 UNCOVERED	0

SITE PLAN - KEYNOTES

1. PER ARBORIST REPORT: TREE PROTECTION TO BE INSTALLED AND MAINTAINED THROUGH THE DURATION OF THE PROJECT. FENCING SHALL BE 6" METAL CHAIN LINK SUPPORTED BY 2" DIAMETER POLES. TWO-DIMENSIONAL FENCING TO BE LOCATED SHALL BE AS CLOSE TO THE DIRT LINE AS POSSIBLE WHILE STILL ALLOWING FOR CONSTRUCTION TO PROCEED. REFER TO ARBORIST REPORT FOR MORE DETAILS.
2. WHERE TREE PROTECTION DOES NOT COVER ENTIRE ROOT ZONE OF THE TREE, A LANDSCAPE BUFFER CONSISTING OF WOOD CHIPS SPREAD TO A DEPTH OF 6" WILL BE PLACED WHERE FOOT TRAFFIC IS EXPECTED TO BE HEAVY. REFER TO ARBORIST REPORT FOR MORE DETAILS.
3. ANY CUTS INTO THE PAVEMENT MAY REQUIRE A 2" INCH GRIND AND OVERLAY OF ENTIRE STREET FRONTAGE IN ADDITION TO THE STANDARD TRENCH RESTORATION REQUIREMENTS.

SITE PLAN LEGEND

	EXISTING PAVING
	NEW PAVING
	NEW CONSTRUCTION
	PROPOSED GRASS AREA
	PLANTING AREA
	ELEVATION NOTATION





STAFF REPORT

Planning Commission

Meeting Date: 12/5/2016
Staff Report Number: 16-098-PC

Public Hearing: Use Permit/Facebook, Inc./1050-1098 Hamilton Avenue

Recommendation

Staff recommends that the Planning Commission approve a request for a use permit to convert an existing research and development (R&D) building into office uses located in the M-2 (General Industrial) zoning district, at 1050-1098 Hamilton Avenue. The site is nonconforming with regard to parking. The recommended actions are contained within Attachment A.

Policy Issues

Each use permit request is considered individually. The Planning Commission should consider whether the required use permit findings can be made for the specific proposal.

Background

Site location

The subject building is addressed 1050-1098 Hamilton Avenue within the Menlo Science and Technology Park. The subject building contains three suites in the building, which are addressed 1050, 1080, and 1098 Hamilton Avenue. The applicant, Facebook, Inc., is currently located within the middle suite, which is addressed 1080 Hamilton Avenue. That suite's previous use was more comparable to an office, so no discretionary review was required for Facebook to occupy the space. However, in November 2015, Facebook received Planning Commission approval of a use permit for the use and storage of hazardous materials associated with an emergency generator for its support operations in the 1080 Hamilton Avenue suite. Facebook is currently located in nine buildings on the ProLogis campus.

The immediately adjacent parcels are also part of the M-2 zoning district, and are occupied by a variety of warehouse, light manufacturing, R&D, and office uses. A retail center is located across Willow Road at the intersection with Hamilton Avenue, along with a mix of multiple-family and single-family residential uses. The closest residential uses are located in East Palo Alto along Kavanaugh Drive, approximately 800 feet from the subject suite. Mid-Peninsula High School's playing field is located approximately 400 feet from the subject suite. A location map is included as Attachment B.

Analysis

Project description

The applicant is requesting a use permit to convert the remainder of the building from R&D to office uses. As stated previously, Facebook is currently located in the middle suite, addressed 1080 Hamilton Avenue. Suites 1050 and 1098 were most recently occupied by R&D uses, and the proposed conversion to offices for Facebook's support operations requires a use permit due to the nonconforming parking at the site. The remainder of the building would be converted in two phases as the current tenants move out. The first phase is the suite addressed 1050, with the suite addressed 1098 occupied in the third phase. The 1050 suite is currently vacant; however, an existing tenant is located in the 1098 suite. As part of the conversion of the overall building to office uses associated with the support operations for a single tenant, a single address would be applied to the building. Therefore, staff has added project-specific condition of approval 4a requiring the applicant to submit a change of address request concurrent with the submittal of a complete building permit application. There are otherwise no exterior changes proposed. The project plans and project description letter are included as Attachments C and D, respectively.

Parking

The proposed conversion to office uses requires Planning Commission review of a use permit due to the nonconforming parking situation at the site. The site contains 130 parking spaces, where 156 are required based on the Zoning Ordinance standard of one space per 300 square feet of gross floor area. While the site is nonconforming with regard to parking, the building is located in a multi-building office park, R&D, and industrial complex, and parking spaces within the vicinity of the site could help alleviate any potential parking issues. However, parking on an adjacent site cannot be used to meet the required parking unless the adjacent site itself contains excess parking above the Zoning Ordinance minimum requirements. However, the applicant operates a robust Transportation Demand Management (TDM) program that would serve the subject building. The TDM program is intended to reduce the trips to and from the site, and would therefore also reduce the number of parking spaces necessary to serve the employees at the site. Facebook also operates a dining facility and medical/dental clinic within walking distance of the subject building, which would further reduce the need for parking at the site as employees would generally walk between the buildings on the campus. Facebook's other campuses in the vicinity are linked by shuttles, which would also limit the need for additional parking spaces at the site. Further, the applicant intends to use this building for an operations office, which is distinct from the applicant's general engineering offices and would generally contain fewer employees. In addition, the support operations office would likely have fewer visitors than other general engineering offices used by Facebook given the nature of the activities and the location away from the main campus and its amenities.

Correspondence

Staff has not received any items of correspondence on the project.

Conclusion

Staff believes that the proposed conversion from R&D to office uses would be compatible with the surrounding area. The proposed use permit would allow Facebook to expand its office support operations within the subject building. While parking on-site is nonconforming, employees would have access to the same TDM program as other Facebook employees, and visitors would be minimal compared to other

facilities at Facebook; therefore, staff believes that the parking on-site would accommodate the anticipated employees. There are no proposed exterior changes. Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

Appeal Period

The Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

Attachments

- A. Recommended Actions
- B. Location Map
- C. Project Plans
- D. Project Description Letter

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

Exhibits to Be Provided at Meeting

None

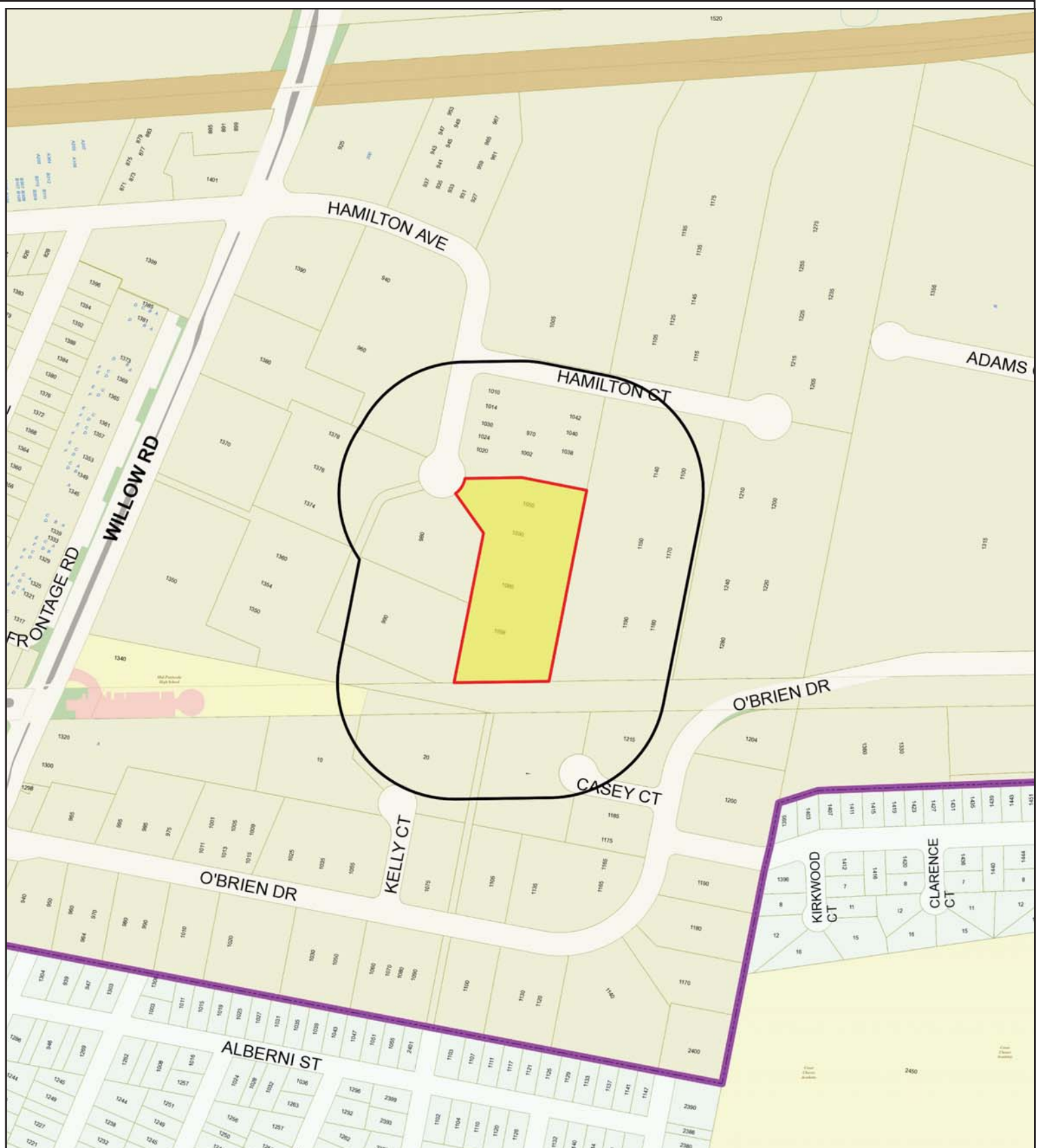
Report prepared by:
Kyle Perata, Senior Planner

Staff Report #: 16-098-PC

Report reviewed by:
Thomas Rogers, Principal Planner

1050-1098 Hamilton Avenue – Attachment A: Recommended Actions

LOCATION: 1050-1098 Hamilton Avenue	PROJECT NUMBER: PLN2016-00116	APPLICANT: Facebook, Inc.	OWNER: Peninsula Innovation Partners, LLC
REQUEST: Request for a use permit to convert an existing research and development (R&D) building into office uses located in the M-2 (General Industrial) zoning district. The site is nonconforming with regard to parking.			
DECISION ENTITY: Planning Commission	DATE: December 5, 2016	ACTION: TBD	
VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)			
ACTION: <ol style="list-style-type: none">1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, “Existing Facilities”) of the current California Environmental Quality Act (CEQA) Guidelines.2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not 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 will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.3. Approve the use permit and architectural control subject to the following standard conditions:<ol style="list-style-type: none">a. Development of the project shall be substantially in conformance with the plans prepared by the Applicant consisting of six plan sheets, dated received November 29, 2016, and the project description letter dated November 23, 2016, and approved by the Planning Commission on December 5, 2016, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies’ regulations that are directly applicable to the project.c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.4. Approve the use permit subject to the following project-specific conditions:<ol style="list-style-type: none">a. Concurrent with the submittal of a complete building permit application, the applicant shall submit a change of address request to retire unused addresses at the site and designate a single address for the entire building, subject to review and approval of the Assistant Community Development Director/Building Official			



City of Menlo Park

Location Map
Facebook



Scale: 1:4,000

Drawn By: KTP

Checked By: KTP

Date: 12/5/2016

Sheet: 1

MPK40

1050 - 1098 Hamilton Ave
Menlo Park, CA 90425

Change of Use: Office

Lot Area: 3.053 Acres
Gross Building Area: 46,678 SF
FAR: 35%

Existing Parking: 130 Stalls + 30 Stalls (Adjacent Parcel with exclusive used) = 160 Spaces (No Change)

Project Description: Adaptive reuse project converting R&D Lab space to office space. No new exterior or site work needed as part of the project.

Table of Contents:

Cover and Index

Area Map

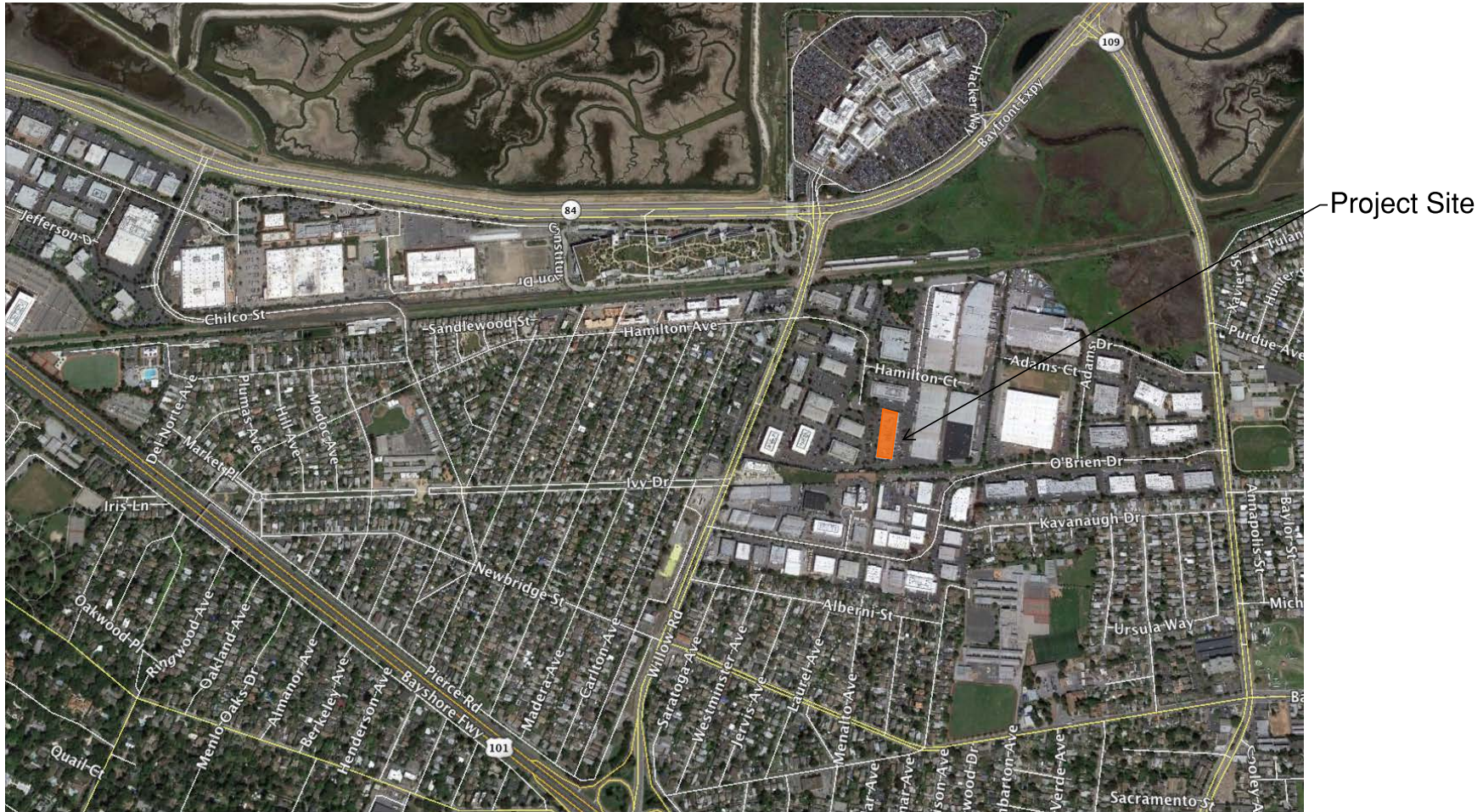
Enlarged Area Map

Existing Site Plan

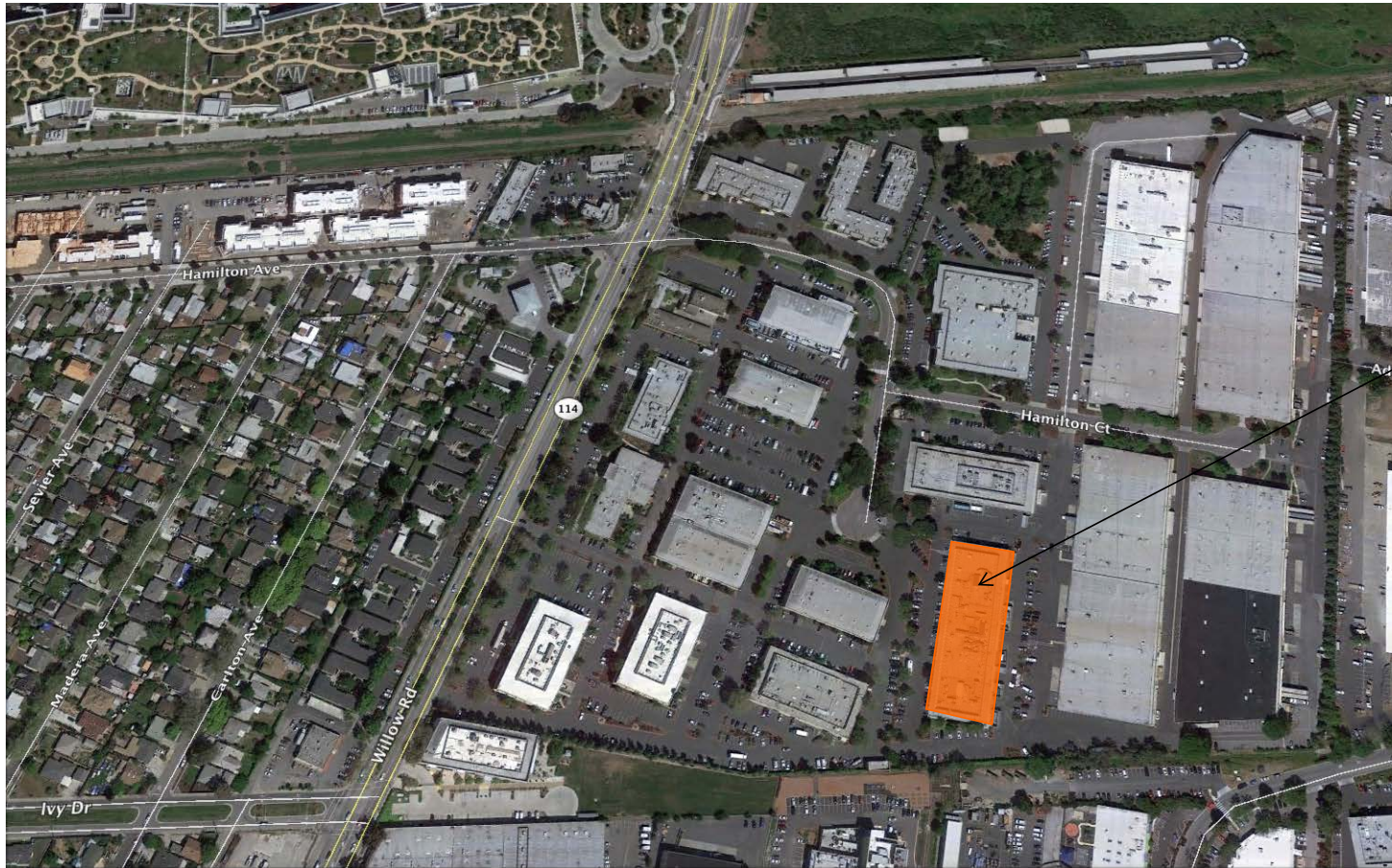
Existing 1st Floor Plan

Proposed New Floor Plan

MPK40 Area Map (1050 - 1098 Hamilton Ave.)



MPK40 Enlarged Area Map (1050-1098 Hamilton Ave)



1050-1098 Hamilton Ave

MPK 40 EXPANSION -
SITE PLAN

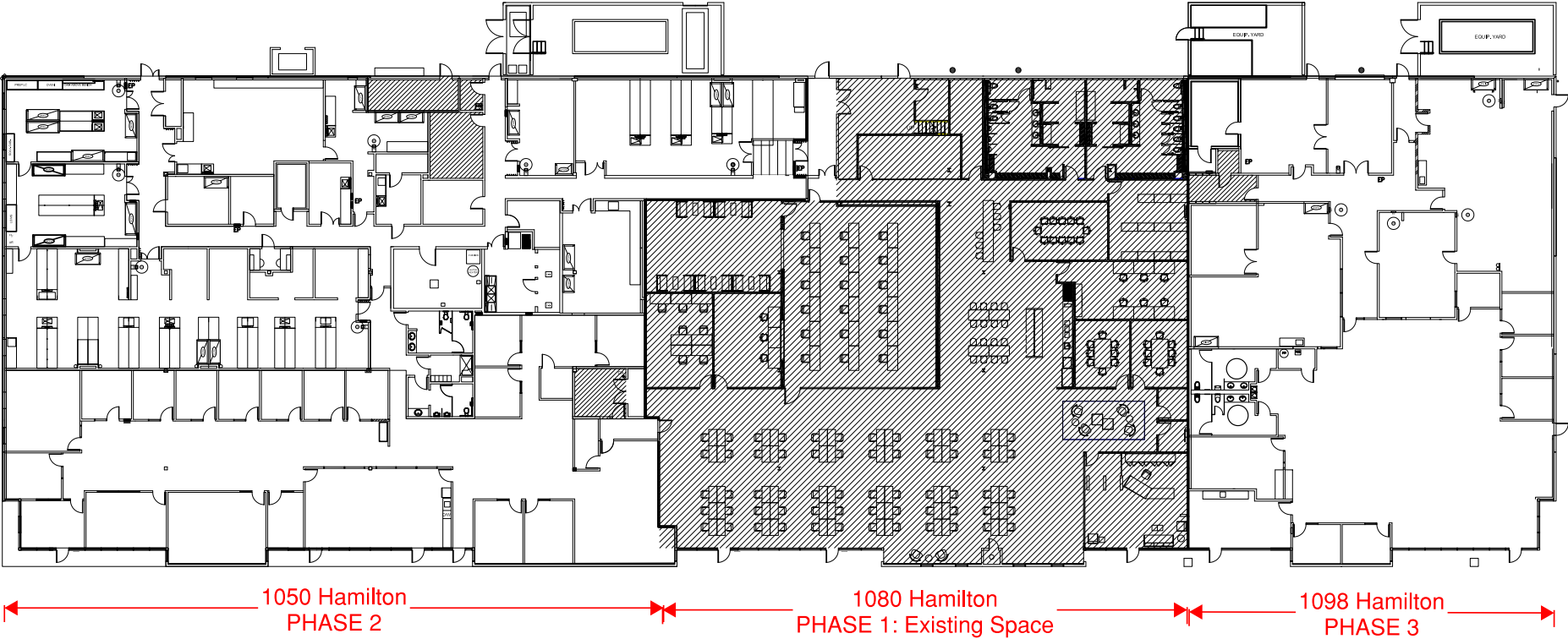


November 23, 2016

MPK 40 EXPANSION - EXISTING PLAN



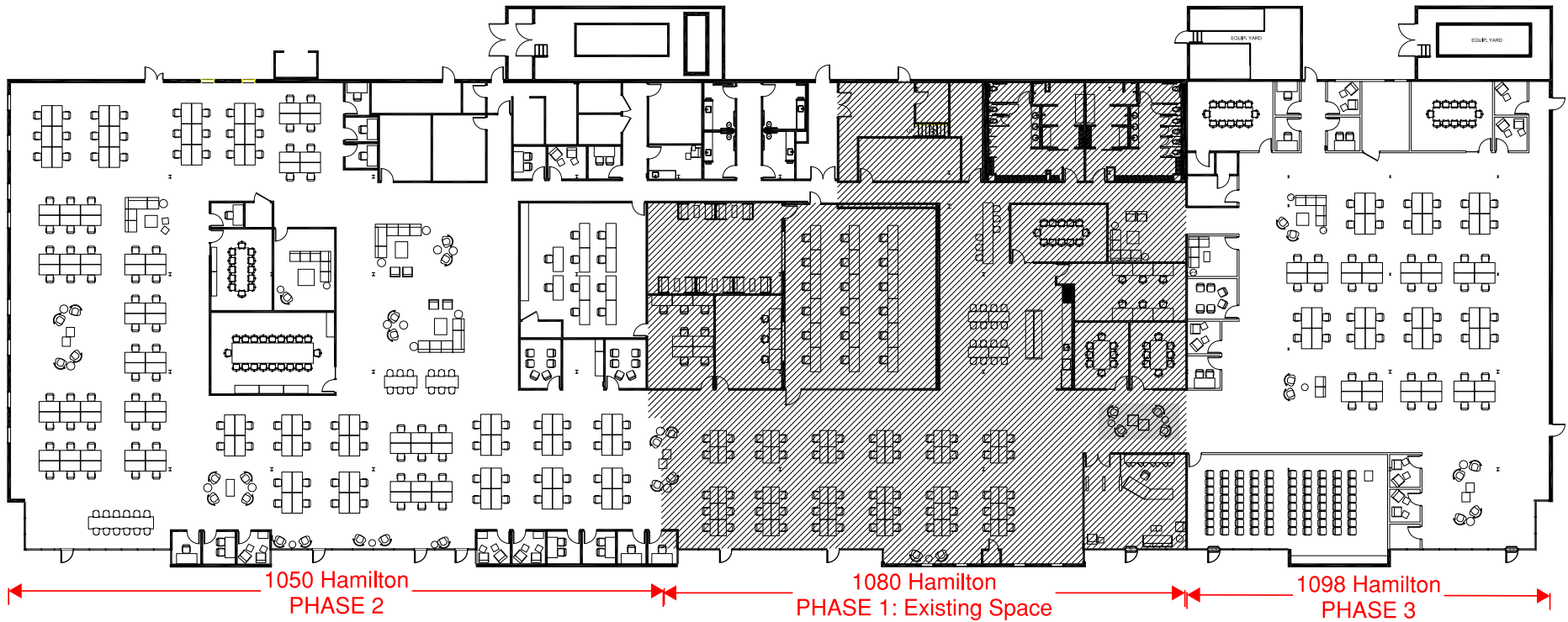
Existing Space - No Changes



MPK 40 EXPANSION - PROPOSED PLAN



Existing Space - No Changes



November 23, 2016

Facebook - Project Narrative – MPK 40 Office Project

Menlo Park, CA November 23, 2016

To: Menlo Park Planning Division
From: Facebook Inc, Applicant

Subject: 1050-1098 Hamilton Ave – MPK 40
Change of Use Permit

Menlo Park Planning Division:

Facebook Inc. requests approval for change of use for an existing Research and Development/General Industrial building to General Office.

The existing ground floor area of approximately 46,000 square feet is ideal for satisfying the program requirements. The facility is anticipated to house 250 persons at any one time.

No new proposed exterior work is needed to support the new use. Proposed changes include interior construction of office space and applicable support spaces. The office space will differ from Facebook's typical engineering office as this space will support an operations function. Any new mechanical system located on site will adhere to all zoning ordinances regarding sound and visual screening.

There are currently 130 parking spaces on this site with an additional 30 spaces located on an adjacent parcel that are exclusively used for this building. In total the 160 parking spaces are sufficient for the function and use of this building once converted to general office



STAFF REPORT

Planning Commission

Meeting Date: 12/5/2016
Staff Report Number: 16-099-PC

Public Hearing: Facebook Development Agreements – Fourth Annual Review

Recommendation

Staff recommends that the Planning Commission review the information provided and make a determination that Facebook, over the course of the past year, has demonstrated good faith compliance with the provisions of the Development Agreements for both the East and West Campuses for the period of October 2015 through September 2016.

Policy Issues

The implementation of each of these development agreements is considered individually. The Planning Commission should consider whether or not Facebook has demonstrated its good faith compliance with the provisions of both the East and West Campus Development Agreements.

Background

The Facebook Campus Project includes two project sites, specifically, the East Campus and West Campus. Each site has its own Development Agreement (DA) and Conditional Development Permit (CDP). For the West Campus area, a second DA was recently approved for the T.E. Expansion located at 301 – 309 Constitution Drive. The land use entitlements and development agreements were also processed in phases, with the East Campus entitlement process being completed first. An overview of the project phases is provided below.

East Campus

The 56.9-acre East Campus is located at 1 Hacker Way (previously 1601 Willow Road). This developed site was previously occupied by Oracle and Sun Microsystems. The site is developed with nine buildings (Buildings 10 through 19), which contain approximately 1,035,840 square feet. Applicable entitlements and agreements for the Facebook East Campus project included an amended Conditional Development Permit (CDP) and Development Agreement. The Planning Commission recommended approval of all requested land use entitlements and Development Agreement to the City Council on May 7, 2012. The City Council approved the project in May and June of 2012. All of the buildings on the East Campus are occupied.

West Campus

The 22-acre West Campus is located at 1 Facebook Way. The new 433,555 square foot building (also known as Building 20) is constructed over surface parking and was completed and occupied earlier this

year. Applicable entitlements and agreements for the Facebook West Campus Project included a Rezoning, Conditional Development Permit, and Development Agreement. The Planning Commission recommended approval of all requested land use entitlements and agreements to the City Council in February 2013. The City Council approved the project in March 2013. Building 20 is completed and occupied.

Facebook (West) Campus Expansion

The City Council approved this project on November 1, 2016. Applicable entitlements and agreements for the Facebook Campus Expansion Project include an amended and restated Conditional Development Permit and Development Agreement. Because the Development Agreement for the Facebook Campus Expansion project was only recently approved, no implementation review will be conducted this year. However, to simplify next year's annual implementation review for all three of Facebook's Development Agreements, staff anticipates that the evaluation of Facebook's good faith implementation of all three Development Agreements will be presented to the Planning Commission in December of next year.

Analysis

A Development Agreement is a legally binding contract between the City of Menlo Park and an applicant that delineates the terms and conditions of a proposed development project. A Development Agreement allows an applicant to secure vested rights and allows the City to secure benefits that are generally not obtainable otherwise. Development Agreements are commonly used for land use developments which are implemented in phases over a period of time. Development Agreements provide assurances to both the applicant and the City that the terms of the agreement will be in force until the completion of the project, and in some cases, elements of the Development Agreement could be in effect for the life of the project. Development Agreements are enabled by California Government Code Sections 65864-65869.5.

The City Council adopted Resolution No. 4159 in January 1990, establishing the procedures and requirements for the consideration of Development Agreements. Resolution No. 4159 calls for the Planning Commission to conduct a public hearing at which the property owner (or representative for the property owner) must demonstrate good faith compliance with the terms of the agreement. The Planning Commission is to determine, upon the basis of substantial evidence, whether or not the property owner has, for the period under review, complied in good faith with the terms and conditions of the Agreement. The decision of the Planning Commission is final, unless it is appealed to the City Council. These provisions implement Government Code Section 65865.1 which requires the periodic review, at least once every 12 months, to determine compliance with the terms of the agreement.

In addition, the approved Development Agreements for both the East and West Campuses, Sections 24.1 and 15.1, respectively, set forth the following requirement for the Annual Review: "The City shall, at least every 12 months during the term of this Agreement, review the extent of Facebook's and Owner's good faith compliance with the terms of this Agreement pursuant to Government Code Section 65865.1 and Resolution No. 4159. Notice of such annual review shall be provided by the City's Community Development Director to Facebook and Owner not less than 30 days prior to the date of the hearing by the Planning Commission on Facebook's and Owner's good faith compliance with this Agreement and shall to the extent required by law include the statement that any review may result in amendment or termination of this Agreement. A finding by the City of good faith compliance with the terms of this Agreement shall conclusively determine the issue up to and including the date of such review."

There is an additional clause in the Facebook West Campus Development Agreement that requires that, “Such review shall be scheduled to coincide with the City’s review of compliance with the 1601 Willow Road Development Agreement.”

In evaluating Facebook’s progress at implementing the Development Agreements, staff has developed a classification system to describe how the specific requirements are being implemented using four categories. Three of these categories are consistent with the principle of good faith compliance with the terms of the agreements and are as follows:

- **Completed:** A One-time Action was completed or an Ongoing Activity occurred during the DA review year.
- **In Progress:** A One-time Action is underway (acceptable progress).
- **Conditional, No Action Required:** The triggering event, condition or requirement to undertake an item has not occurred; no action is necessary.

The fourth category, described as Unacceptable Progress implies that, at least potentially, good faith compliance for that item may not have occurred. However, a determination that substantial and persistent non-implementation of a development agreement would have to occur before a lack of good faith compliance could truly be determined. None of the Development Agreement requirements have been identified as Unacceptable Progress during the 2015-2016 DA review year.

To ensure that the City is aware of the status of their compliance and any challenges they may be having achieving compliance, Facebook provides periodic updates on the status of all applicable requirements. These updates, as well as supporting correspondence and written documentation have been used to develop the Development Agreement Implementation tables attached to this staff report.

East Campus Development Agreement

The East Campus Development Agreement includes 37 requirements that are associated with the annual Development Agreement tracking. These requirements fall into two categories, One-Time Actions and Ongoing Activities. A detailed description of the requirements of the Development Agreement for the East Campus are contained in Attachments A and B, respectively. The summary of the implementation status of the 37 Development Agreement requirements is provided in the following table.

East Campus DA Implementation Status	One-Time Actions (Attachment A)	Ongoing Activities (Attachment B)
Completed	12	15
In Progress/Ongoing (Acceptable Progress)	4	
Conditional / No Action Required	1	5
Unacceptable Progress	0	0

Facebook and the City continue to monitor compliance with the trip cap requirements. Facebook is in compliance with the trip cap specified in the CDPs. According to the Conditional Use Permit, Facebook is allowed to exceed its trip cap on twelve special event days and 3 non-special events days per year. Three special events this summer exceeded the trip cap. The three events were:

- June 16, 2016: Bring Your Children to Work Day. The trip caps at East Campus and West Campus were exceeded by 302 and 9 trips, respectively.
- July 12, 2016: Boys & Girls Club Day. The trip cap at East Campus was exceeded by 301 trips.
- July 21, 2016: Multilingual User Group Event. The trip cap at East Campus was exceeded by 279 trips.

West Campus Development Agreement

The West Campus Development Agreement (for Facebook's Building 20) includes 11 requirements that are associated with the annual Development Agreement tracking. These requirements fall into two categories, One-Time Requirements and Ongoing Activities. Requirements that apply only to project construction (e.g. 7.3.1 and 7.3.2) are also classified as One-Time activities since once construction is completed the obligation no longer applies. All of the Ongoing Activities are required to be implemented after the West Campus has been constructed and occupied. As a result, these items have been classified as Conditional/No Action Necessary.

These requirements fall into two categories, One-Time Actions and Ongoing Activities. A detailed description of the requirements of the Development Agreement for the West Campus is contained in Attachments C and D, respectively. The summary of the implementation status of the 11 West Campus Development Agreement requirements is provided below:

West Campus DA Implementation Status	One-Time Actions (Attachment C)	Ongoing Activities (Attachment D)
Completed	5	4
In Progress (Acceptable Progress)	0	
Conditional / No Action Required	0	2
Unacceptable Progress	0	0

The West Campus building also has a trip cap requirement. The system has been installed and is counting properly. The City continues to monitor compliance with the trip cap requirements. Facebook is in compliance with the trip cap specified in the Conditional Development Permit.

Requirements of the Conditional Development Permits

As part of this annual review staff has also reviewed the implementation status of the major infrastructure improvements identified in the CDPs for both the East Campus (EC) and West Campus (WC) projects. For the sake of simplicity, only the East Campus CDP numbers are provided when the improvement is identified in both CDP documents.

The original schedule required bonding for the improvements within 90 days after the approval of the Development Agreement, and the submittal of complete construction/ improvement plans within 180 days of approval of the Development Agreement. Once Caltrans (and/or the cities of Menlo Park and East Palo Alto) approve the construction plans, construction is required to be completed within 180 days. The CDP schedule contains no deadlines for the review and approval of the encroachment permit by either Caltrans or the City of East Palo Alto since these outside agencies have their own processing requirements and timelines.

The following table summarizes the status of the various infrastructure requirements contained in the Conditional Development Permits for the East and West Campus Projects. As shown below, Facebook has made good progress at meeting their obligations under their Conditional Development Permits. During the next annual review cycle, it is expected that all of the substantially completed improvements will be complete and accepted by the City. Acceptance of the improvements by the City is the last step in any public infrastructure project. During last year's review, only one of the required infrastructure improvements had been completed and accepted by the City.

Completion Status Summary	Number
Project Complete, Work Accepted by the City	7
Project Substantially Completed, the improvements have not been accepted by the City	3
Project still under design development/Encroachment Permit has not been issued/Construction has not started	0

A summary of the status of each of these required public improvements is provided in the following table. For the three "95%" projects, the remaining components are either final "punch list" minor corrections and/or finalization of a maintenance agreement between Facebook and the City.

STATUS OF FACEBOOK CDP INFRASTRUCTURE IMPROVEMENTS						
CDP Requirement	Bond Paid	Encroachment Permit		Construction		
		Applied For	Received	Started	Substantially Complete	Percent Complete
EAST CAMPUS						
Willow Rd. & Bayfront Expway. lane widening and bike lanes (EC CDP 10.1)	✓	✓	✓	✓	✓	95%
Willow Rd. & Middlefield Rd. lane and signal revisions (EC CDP 10.2)	✓	✓	✓	✓	✓	100%
University Ave. & Bayfront Expway. trail improvement (EC CDP 10.3)	✓	✓	✓	✓	✓	95%

STATUS OF FACEBOOK CDP INFRASTRUCTURE IMPROVEMENTS						
CDP Requirement	Bond Paid	Encroachment Permit		Construction		
		Applied For	Received	Started	Substantially Complete	Percent Complete
Bayfront Expway. & Chrysler Drive lane restriping (EC CDP 10.4)	✓	✓	✓	✓	✓	100%
Marsh Rd. & Bayfront Expway. lane restriping (EC CDP 10.5)	✓	✓	✓	✓	✓	100%
Marsh Rd. & US101 NB Ramp ramp widening (EC CDP 10.6)	✓	✓	✓	✓	✓	100%
Willow Rd. & Newbridge St. lane widening (EC CDP 10.7)	✓	✓	✓	✓	✓	95%
WEST CAMPUS						
Bayfront Expway. Undercrossing (WC CDP 10.0)	✓	✓	✓	✓	✓	100%
University Ave. & Donahoe St. restriping (WC CDP 12.10)	✓	✓	✓	✓	✓	100%
Willow Rd. Median, emergency vehicle access	✓	✓	✓	✓	✓	100%

Impact on City Resources

Facebook is required to pay all costs associated with this review to fully cover the cost of staff time spent on the review of these projects.

Environmental Review

The California Environmental Quality Act (CEQA) requires that activities which meet the definition of a Project be evaluated for their potential impacts on the environment. The Annual Review of the Development Agreements has no potential to result in an impact to the environment and does not meet the definition of a Project under CEQA; as a result, no environmental review or determination is needed. The environmental impacts of the original East and West Campus projects and their associated development agreements were evaluated and considered at the time projects were initially approved by the City in 2012 and 2013, respectively. The EIR for the Facebook Campus Expansion project was certified in November 2016.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. East Campus Development Agreement One-Time Action Status
- B. East Campus Development Agreement Ongoing Activities Status
- C. West Campus Development Agreement One-Time Action Status
- D. West Campus Development Agreement Ongoing Activities Status

Report prepared by:

David Hogan, Contract Planner

Report reviewed by:

Kyle Perata, Senior Planner

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ATTACHMENT A EAST CAMPUS DEVELOPMENT AGREEMENT ONE TIME ACTIONS OR IMPROVEMENTS				
DA Term	Task/Requirement/Action*	Timeline	Status	Notes
7.1	<u>Capital Improvement.</u> Facebook shall make a one-time payment of One Million One Hundred Thousand Dollars (\$1,100,000) to the City for the City's unrestricted use toward capital improvement projects.	Within 45 days of the satisfaction of the Conditions Precedent* (11/2/12).	Completed	
7.2.1	<u>Bicycle/Pedestrian.</u> Facebook shall perform one-time improvements to the Undercrossing above and beyond those described in the Project; including to the extent appropriate, preserving existing art and/or providing wall surfaces for invited artists to create mural art with the intent to create an "art gallery" experience for the pedestrians/bicyclists using the undercrossing. (See also East Campus CDP, Section 9)	Within 240 days of the satisfaction of the Conditions Precedent* (5/31/13).	Completed	The undercrossing is currently open to the public. Caltrans would not allow the mural artist install her art in the Undercrossing. Caltrans stated that the artwork could hinder the ability of their maintenance crews conducting inspections looking for structural failures.
7.2.2	<u>Bicycle/Pedestrian.</u> Facebook shall perform restriping improvements for bicycle lanes to the following streets on a one-time basis: (a) Willow Road and Middlefield Road intersection.	Within 240 days of the satisfaction of the Conditions Precedent* (5/31/13).	Completed	
	(b) Willow Road and U.S. 101 bridge – Green Lane Bicycle Striping.	Within 240 days of the satisfaction of the Conditions Precedent* (5/31/13).	Completed	Caltrans has not approved this improvement support these improvements. No further actions are possible, obligation satisfied.
	(c) Willow Road between Hamilton Avenue and Bayfront Expressway.		In Progress	Work was substantially completed as of January 2016. City sign-off/acceptance is pending completion of final project components.

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**ATTACHMENT A
EAST CAMPUS DEVELOPMENT AGREEMENT
ONE TIME ACTIONS OR IMPROVEMENTS**

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
	(d) Willow Road between Newbridge Street and Ivy Drive.		In Progress	Work was substantially complete as of September 2016. City sign-off/ is pending completion of final project components. Some of the items require additional design work for City submittal and permitting. We have received a proposal for the work and should be able to release the design team shortly.
	(e) Willow Road between O'Keefe Street and U.S. 101 (shared lane markings).		Complete	Caltrans did not approve the proposed improvements. No further action is possible, as a result, this obligation is satisfied.
7.2.3	<u>Bicycle/Pedestrian</u> . Facebook shall have a one-time obligation to investigate the possibility of making crosswalk improvements to the pedestrian crossings at the US 101 and Willow Road interchange.	Within 240 days of the satisfaction of the Conditions Precedent* (5/31/13).	Completed	Caltrans will not allow the proposed improvements. No additional action by Facebook is required.
7.2.4	<u>Bicycle/Pedestrian</u> . Facebook shall perform one-time improvements to publicly accessible walking paths, trails and levees in the immediate vicinity of the Property, subject to approval by the San Francisco Bay Conservation and Development Commission ("BCDC").	Within 240 days of the satisfaction of the Conditions Precedent* (5/31/13).	Completed	

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ATTACHMENT A
EAST CAMPUS DEVELOPMENT AGREEMENT
ONE TIME ACTIONS OR IMPROVEMENTS

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
7.3	<u>Business District</u> . Facebook will have a one-time obligation to investigate the possibility of creating a business improvement district in the Willow Road corridor between US 101 and Bayfront Expressway that includes the Property. If the business improvement district is feasible and the adjacent property owners are likewise interested in creating the business improvement district, Facebook shall initiate the process for creating the business improvement district.	Within three years of the satisfaction of the Conditions Precedent* (10/3/15).	Completed	Facebook conducted contacts with potentially effected business owner, there was no interest in establishing a business improvement district. Facebook has completed their obligation.
9.1	<u>Housing</u> . Facebook will explore opportunities to invest in low income tax credits for affordable housing projects in the City and the City of East Palo Alto, including partnering with a local non-profit housing developer(s) or contributing funds toward the creation of low, very-low or extremely-low income housing. Facebook shall report the results of its explorations to the City's Community Development Director upon the City's Community Development Director's written request. The decision of whether to make any investments will be in Facebook's sole and absolute discretion.	Prior to February 6, 2026.	Ongoing	Talking to Mid-Pen and have hired a consultant to work on housing. FB Real Estate team has also hired a campus planner who is also working on housing.
9.2	<u>Housing</u> . Facebook will contact a local real estate developer or local real estate developers interested in building housing projects in the City. Facebook in concert with the real estate developer(s) will explore ways to support housing projects, including, but not limited to investing capital, committing to leasing units or offering marketing opportunities to Facebook employees. Facebook shall report the conclusions from this collaborative effort to the City's Community Development Director upon the City's Community Development Director's written request. The decision of whether to provide any support will be in Facebook's sole and absolute discretion.	Prior to February 6, 2026.	Completed	Facebook has collaborated with the St Anton's Housing Project and provided funding for Below Market Rate housing units.

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ATTACHMENT A
EAST CAMPUS DEVELOPMENT AGREEMENT
ONE TIME ACTIONS OR IMPROVEMENTS

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
11.	<u>Bay Trail Gap.</u> Facebook will work with Bay Trail stakeholders, including, but not limited to Mid-peninsula Regional Open Space District, Association of Bay Area Governments (ABAG), the City of East Palo Alto and the City and County of San Francisco and appropriate members of the business community to close the Bay Trail Gap, commonly known as Gap No. 2092, which terminates at the railroad right-of-way on University Avenue.	Prior to February 6, 2026.	Completed	Facebook indicated that they wrote a letter of support for the project and that Measure A funds were received by ABAG for the project. Mid Peninsula Open Space District is in charge of the project, which has not yet started construction. Facebook has indicated that they are committed to providing additional funding, as needed.
12.	<u>Utility Undergrounding.</u> Facebook agrees to cooperate with the City in the City's efforts to underground existing electric transmission lines located in the vicinity of the property. However, neither the City nor Facebook will be obligated to provide funding for utility undergrounding.	Prior to February 6, 2026.	Conditional / No Action Required	No undergrounding project was initiated during this annual review period.
16.	<u>Adopt-a-Highway.</u> Facebook will adopt a roadway segment in the vicinity of the Property pursuant to Caltrans' Adopt-A-Highway Program. This commitment will be for a period of five years. If there are no segments available for adoption in the vicinity of the Property, Facebook's obligation shall be deferred until a segment becomes available.	Within 180 days of the satisfaction of the Conditions Precedent* (4/1/13).	Ongoing	No Adopt-a-Highway road segments in the vicinity of the Project Site are available. Lack of available segments means that Facebook is in compliance with this requirement. However since no road segment is available Facebook has initiated the process of adopting the west bound bike path along Hwy 84 from the end of Dumbarton Bridge to Marsh Road. Facebook indicates that

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**ATTACHMENT A
EAST CAMPUS DEVELOPMENT AGREEMENT
ONE TIME ACTIONS OR IMPROVEMENTS**

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
				they are cleaning the trail once a month. Facebook adopted the Willow Road US101 exit ramps this year.
22.1	<u>Sanitary Sewer System Upgrades.</u> Facebook shall purchase a third wastewater pump to be placed into reserve in case of pump failure at the Hamilton Henderson Pump Station. Within 120 days of the Effective Date of this Agreement, Facebook shall purchase a 3-Phase pump as approved by West Bay Sanitary District (WBSD).	Facebook shall post a bond equal to 120 percent of the cost of the wastewater pump within 30 days of the satisfaction of the Conditions Precedent* (11/2/12).	Completed	
22.2	<u>Sanitary Sewer System Upgrades.</u> Facebook shall upsize 114 feet of the existing 12-inch diameter pipeline that runs north along Hamilton Avenue, beginning at the Hamilton/Willow Road intersection, to a 15-inch diameter pipe.	Within 90 days of the Effective Date of this Agreement (10/3/12), Facebook shall apply for a Class 3 permit from WBSD. Facebook shall post a bond equal to 200 percent of the estimated cost of the work within 30 days of the satisfaction of the Conditions Precedent* (11/2/12).	Completed	

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Conditions Precedent. Facebook's and Owner's obligations are expressly conditioned on the resolution of all legal challenges, if any, to the EIR, the Project Approvals and the Project. If no litigation or referendum is commenced challenging the EIR, the Project Approvals and/or the Project, Facebook's and Owner's obligations will vest 90 days after the Effective Date, with the **effective date being July 5, 2012 and 90 days post that being October 3, 2012**. If litigation or a referendum is commenced challenging the EIR, the Project Approvals and/or the Project, then Facebook's and Owner's obligations will vest on the date of final, non-appealable resolution of all litigation in a manner that is reasonably acceptable to Facebook and Owner or resolution of the referendum in a manner that is reasonably acceptable to Facebook and Owner. The conditions described in this Section 6 shall, collectively, be referred to as the "Conditions Precedent".

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ATTACHMENT B EAST CAMPUS DEVELOPMENT AGREEMENT ONGOING ACTIVITIES				
DA Term	Task/Requirement/Action*	Timeline	Status	Notes
5.	<u>Trip Cap.</u> Facebook shall adhere to the Trip Cap, details included in the Project Approved, and incorporated herein by this reference (CDP Requirement 7).	Within 180 days of CDP Approval.	Completed	The revised vehicle trip counting system is in operation and has proven to be reliable. Facebook is currently operating within the specified trip cap. See additional information under DA Item #19.
8.	<u>Annual Payment.</u> During the term of this Agreement, Facebook and/or Owner shall make an annual payment ("Annual Payment") to the City in lieu of sales tax or other revenue that might otherwise accrue to the City if the Property was occupied by a sales tax producer. 8.1.1. In each of the first five years beginning with the first payment on January 1, 2013, the amount of the Annual Payment shall be Eight Hundred Thousand (\$800,000).	Due on July 1, 2013 of each year.	Completed	Payment was made on May 31, 2016.
10.	<u>Local Community Fund.</u> Facebook shall create a Local Community Fund ("LCF") in partnership with a non-profit partner to manage and administer the LCF and Facebook shall contribute Five Hundred Thousand Dollars (\$500,000) to the LCF. The purpose of the LCF will be to provide support for local community needs.	Within one year of the satisfaction of the Conditions Precedent* (10/3/13)	Completed	Facebook provided additional funding and made 55 distributions in July of 2016.
13.1	<u>Internship Program.</u> Facebook will create a summer intern program for residents of the Ravenswood Elementary School District. The summer intern program will commence with an initial, pilot program, and then later, if successful, may be expanded, in Facebook's sole and absolute discretion, to include more participants and/or subject areas.	No later than summer 2013	Completed	The Fifth Facebook Academy was completed in August of 2016. Eighteen students graduated from the six-week program.

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ATTACHMENT B
EAST CAMPUS DEVELOPMENT AGREEMENT
ONGOING ACTIVITIES

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
13.2	<u>Encourage Local Jobs.</u> Facebook will work with a local training program to expand training services for residents of the City and the City of East Palo Alto. Facebook will also create an ongoing quarterly series of career development workshops to commence within one year of the satisfaction of the Conditions Precedent. The workshops will focus on topics such as resume writing, interviewing skills and how to find a job via social media, including Facebook. These workshops will take place in local community centers and/or other neighborhood sites. In addition, within one year of the satisfaction of the Conditions Precedent, Facebook will host a session, promoted in the Belle Haven neighborhood and East Palo Alto, on how to become a Facebook employee and to encourage contractors to hire City residents and residents of the City of East Palo Alto, Facebook will require future vendors to use reasonable efforts to notify residents of the City and the City of East Palo Alto when they are hiring new people to work at the Property in the facilities, culinary and construction trades. Vendors with existing contracts will be encouraged to use reasonable efforts to promote local hiring as openings become available. Facebook will also encourage campus vendors to host sessions on how to become an employee of their organization.	Within one year of the satisfaction of the Conditions Precedent* (10/3/13)	Completed	A Job Fair conducted two job fairs during this period. The first was in December 2015. About 300 people attended as well as and 11 vendors providing FB campus jobs, 1 outside vendor, and 1 nonprofit job organization (JobTrain). The second was held in March of 2016 with 11 vendors providing FB campus jobs and 1 nonprofit job organization (JobTrain).
16.1	<u>Environmental Education.</u> When performing work that might impact the San Francisco Bay, Facebook will hire an environmental consultant knowledgeable about the San Francisco Bay and associated marsh habitats to ensure that endangered species, particularly the Salt Marsh Harvest Mouse and Clapper Rail, are not harmed.	Prior to February 6, 2026.	Completed	Facebook has retained HT Harvey & Associates to ensure compliance with this requirement.

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ATTACHMENT B
EAST CAMPUS DEVELOPMENT AGREEMENT
ONGOING ACTIVITIES

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
16.2	<u>Environmental Education</u> . Facebook will cooperate with the Don Edwards San Francisco Bay National Wildlife Refuge ("Refuge") team and related nonprofit groups on habitat protection and restoration adjacent to the Property. Facebook will establish an ongoing, in-house point of contact for the Refuge, nonprofit groups and related agencies to ensure collaborative success.	Prior to February 6, 2026.	Completed	Facebook continues to meet periodically with these outside organizations.
16.3	<u>Environmental Education</u> . Facebook will educate employees and visitors about the unique species next to the Property and their habitat requirements. Such education may include installing interpretive signage and/or hosting educational programs.	Prior to February 6, 2026.	Completed	Ongoing commitment. Facebook made and posted a video about the history of the salt ponds, the salt pond renovations, and the wildlife. Signs were installed October 2015. They will each contain two QR codes - one that directs visitors to the Refuge and other environmental websites related to the bay, and the other that links to the new video. This is also partially addressed under item 7.2.4.
16.4	<u>Environmental Education</u> . Facebook will engage in "wildlife-friendly" behavior, such as: (a) adopting policies requiring the trapping and removal of feral cats and the leashing of dogs when using trails located on the Property, (b) employing wildlife-safe rodent control measures, and (c) encouraging beneficial species.	Prior to February 6, 2026.	Completed	Fourth Quarter of 2015, week of December 14 th . Nothing caught. First Quarter of 2016, week of March 21 st . Results: one skunk, one raccoon (released) Second Quarter of 2016, week of June 20 th . Nothing caught. Third Quarter of 2016, week of

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ATTACHMENT B
EAST CAMPUS DEVELOPMENT AGREEMENT
ONGOING ACTIVITIES

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
				<p>September 19th. Nothing caught.</p> <p>Also, the property management team routinely monitors this issue by conducting regular walks along the bay trail to remove any food sources. This has resulted in a decrease in skunk sightings.</p> <p>Rodent Control: we avoid anticoagulant second generation rodenticides (like bromadiolone) as there are issues with secondary poisoning in predators (birds of prey).</p>
17.1	<u>On-going Environmental Commitments</u> . When performing landscape improvements, Facebook and/or Owner will minimize (or require the minimization of) potential stormwater runoff through the use of appropriate techniques, such as grassy swales, rain gardens and other Low Impact Development (LID) measures.	Prior to February 6, 2026.	Conditional / No Action Required	Facebook has not initiated any landscape improvements which would trigger this requirement.
17.2	<p><u>On-going Environmental Commitments</u>. If Facebook and/or Owner installs at the Property new windows or new window treatments on windows facing the parking lot or the San Francisco Bay, Facebook and/or Owner will select (or require the selection of) windows and window treatments that minimize impacts of light pollution and risk of collision to birds.</p> <p>If Facebook and/or Owner installs new lighting in the parking</p>	Prior to February 6, 2026.	Conditional / No Action Required	Facebook has not initiated the replacement of any new windows which would trigger this requirement.

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ATTACHMENT B
EAST CAMPUS DEVELOPMENT AGREEMENT
ONGOING ACTIVITIES

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
	lot at the Property, Facebook and/or Owner will use (or require the use of) then available best practices to design and shield that new lighting so as to confine direct rays to the Property and not out into the adjacent areas of the San Francisco Bay.			
17.3	<u>On-going Environmental Commitments.</u> Except for the existing basketball court, Facebook and/or Owner will not create (or permit the creation of) any lighted playing field on the perimeter of the site that abuts the San Francisco Bay. Facebook and/or Owner will require the lights on the existing basketball court to be controlled so that the court is dark except when in use.	Prior to February 6, 2026.	Conditional / No Action Required	Facebook has not initiated any lighting improvements which would trigger this requirement.
17.4	<u>On-going Environmental Commitments.</u> If Facebook and/or Owner installs new building roofs, window ledges, parking lot light poles or landscaping changes, Facebook and/or Owner will use (or require use of) then available best practices to ensure that the new building roofs, window ledges, parking lot light poles or landscaping changes do not create sites for predatory bird species to roost or nest.	Prior to February 6, 2026.	Conditional / No Action Required	Facebook has not initiated any improvements which would trigger this requirement.
17.5	<u>On-going Environmental Commitments.</u> When performing landscape improvements to those portions of the Property that abut the San Francisco Bay, Facebook and/or the Owner will consult with (or require consultation with) a qualified environmental consultant familiar with California native plant communities and select (or require the selection of) suitable native plants for landscaping.	Prior to February 6, 2026.	Completed	HT Harvey and Associates continues to monitor landscape plantings at the East Campus.

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ATTACHMENT B
EAST CAMPUS DEVELOPMENT AGREEMENT
ONGOING ACTIVITIES

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
18.1	<u>Local Purchasing.</u> Facebook shall adopt a program to incentivize Facebook employees to frequent local businesses and continue such program for three years from the Effective Date.	July 5, 2015: Three year duration required from effective date.	Completed	Facebook's has initiated the "Facebucks" program will satisfy this obligation . to introduce Facebook employees to downtown Menlo Park businesses. Round 2 ran through 5/2015. Round 3 is schedule to kick off In November 2015.
18.2	<u>Local Purchasing.</u> When purchasing goods that can be sourced locally, Facebook shall endeavor to purchase goods from vendors located in the City if the quality, price, terms and conditions are competitive.	Prior to February 6, 2026.	Completed	According to Facebook, the following are some of the local businesses patronized by Facebook: Susie Cakes, Fleet Feet, Menlo Hardware, Willows Market, Bay Area Catering, Flegel's Home Furnishings, and Menlo Hardwoods
18.3	<u>Local Purchasing.</u> When engaging vendors to provide on-site services to employees (e.g., chiropractic services), Facebook shall endeavor to engage vendors that are located in the City if their services satisfy Facebook's needs and the quality, price, terms and conditions are competitive.	Prior to February 6, 2026.	Completed	Ongoing: Fitness towel service. Car wash service from Belle Haven. Spoke with Western Allied Mechanical but didn't hire them. Continuing to evaluate new vendors from the city. Many are smaller vendors and they would have difficulty managing our large scale projects.
18.4	<u>Local Purchasing.</u> If the Menlo Gateway project is developed, Facebook will consider adding the hotel built as part of that project to its list of preferred hotels for visitors.	Prior to February 6, 2026.	Conditional / No Action Required	The Menlo Gateway Project was not constructed/developed. during this review year.

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ATTACHMENT B
EAST CAMPUS DEVELOPMENT AGREEMENT
ONGOING ACTIVITIES

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
19.	<u>Transportation Demand Management Information Sharing.</u> To help mitigate regional traffic, Facebook agrees to share its Transportation Demand Management best practices with other interested Silicon Valley companies that request such information from Facebook.	Ongoing through to February 6, 2026.	Completed	Current operations at the East Campus (for September 2015) are in conformance with the required trip caps. The actual measurements as a percentage of the Trip Cap are as follows: Daily - 74%, AM Peak - 62%, and PM peak - 65% of the required trip cap.
20.	<u>Volunteerism.</u> Facebook will actively promote local volunteer opportunities in the City and the City of East Palo Alto to all its employees. Such promotion shall include the creation of an internal Facebook page for the posting of volunteer opportunities. Facebook will host a "Local Community (Non-Profit) Organization Fair" on the Property.	Annually through February 6, 2026.	Completed	A Community Fair was held in October of 2016. Facebook brought in 10 local nonprofits into Hacker Square during the lunch period (11:30am to 2pm). Facebook estimated about 300 employees chatted with representatives for the nonprofits to learn about their opportunities to participate. The nonprofit organizations were able to get between 25 and 50 names from this event.

Conditions Precedent. Facebook's and Owner's obligations are expressly conditioned on the resolution of all legal challenges, if any, to the EIR, the Project Approvals and the Project. If no litigation or referendum is commenced challenging the EIR, the Project Approvals and/or the Project, Facebook's and Owner's obligations will vest 90 days after the Effective Date, with the **effective date being July 5, 2012 and 90 days post that being October 3, 2012**. If litigation or a referendum is commenced challenging the EIR, the Project Approvals and/or the Project, then Facebook's and Owner's obligations will vest on the date of final, non-appealable resolution of all litigation in a manner that is reasonably acceptable to Facebook and Owner or resolution of the referendum in a manner that is reasonably acceptable to Facebook and Owner. The conditions described in this Section 6 shall, collectively, be referred to as the "Conditions Precedent".

* The DA requirements listed here may be summarized; the complete terms are found in the recorded Development Agreement.

ATTACHMENT C WEST CAMPUS DEVELOPMENT AGREEMENT ONE TIME ACTIONS OR IMPROVEMENTS				
DA Term	Task/Requirement/Action*	Timeline	Status	Notes
6.	Capital Improvements. Within 60 days of the later of (a) City sign off on final building permits allowing occupancy of the West Campus by Owner and (b) Owner's receipt of City's request for payment, Owner shall make a one-time payment of \$100,000 to the City for the City's unrestricted use toward capital improvement projects that benefit the adjacent Belle Haven neighborhood.	Payable within 60 days of Certificate of Occupancy.	Complete	Paid on June 22, 2015.
7.3.1	Sales and Use Taxes; for all construction work performed on the project, should include a provision in all construction contracts for \$5 million or more to record a sub-permit from CA State Board of Equalization to book and record construction materials purchases/sales as sales originating in the City	Throughout duration of construction through occupancy (not applicable to future remodeling or construction).	Completed	
7.3.2	Sales and Use Taxes; from the purchase of furnishings, equipment and personal property for initial occupancy of the building, owner shall maximize sales and use taxes to be received by the City.	Applicable throughout the duration of construction and initial occupancy (not applicable to future remodeling or construction).	Complete	Facebook indicated that they have paid over \$277,000 through the Second Quarter of 2015.
8.	Local Community Fund. Facebook shall contribute an additional \$100,000 to the Local Community Fund within one year of occupancy. However, if the fund is depleted at the time the owner receives a core and shell permit, owner shall make a payment within 6 months of conditions precedent.	Within one year of final building permit sign-off, or sooner if the fund is depleted at the time the owner receives a core and shell permit.	Complete	See Notes for DA Item10, on Attachment B.

* The DA requirements listed here may be summarized; the complete terms are found in the recorded Development Agreement.

ATTACHMENT C
WEST CAMPUS DEVELOPMENT AGREEMENT
ONE TIME ACTIONS OR IMPROVEMENTS

DA Term	Task/Requirement/Action*	Timeline	Status	Notes
10.	<p>Design and Environment.</p> <p>Use of Gehry Partners as Architect of record.</p> <p>The green roof shall be designed consistent with project approvals.</p> <p>Owner will design building to be LEED Gold equivalency.</p>	Prior to approval of the building plans for the West Campus.	Completed	<p>Gehry Partners is the architect of record on the project.</p> <p>Core and shell permit approved in 2014 incorporated roof landscaping designs consistent with original approval.</p> <p>LEED Report indicated the building achieved LEED Gold.</p>

* The DA requirements listed here may be summarized; the complete terms are found in the recorded Development Agreement.

ATTACHMENT D WEST CAMPUS DEVELOPMENT AGREEMENT ONGOING ACTIVITIES				
DA Term	Task/Requirement/Action*	Timeline	Status	Notes
7.1	Recurring Public Benefits Payment - \$150,000/year	Payments are due on July 1 beginning after building occupancy is approved and continue for 10 years.	Completed	Paid on May 31, 2016.
7.2	Property Tax Guarantee – Facebook shall pay the City the positive difference between the projected assessed value and property tax collected.	Payment due the first tax fiscal year following the initial reassessment of the property and shall continue for 10 years.	Completed	According to the County Assessor, the assessed value of the site and building exceeds the \$230 million assessed value threshold. No additional payment is required.
9.	Recycling – Facebook agrees to use the City's franchisee for all trash and recycling services, provided the price is the same as that charged to other commercial users in the City.	For lifetime of development agreement (February 6, 2026).	Completed	Recology is providing trash and recycling services to the West Campus.
11.	Public Access - public access shall be permitted on the landscaped area adjacent to the undercrossing (in addition to the dedicated access easement).	For lifetime of development agreement (February 6, 2026).	Completed	The undercrossing and connecting pathways are open for public use.
12.	Future Pedestrian/Bike Access - If a public transit agency provides service proximate to the West Campus, and locates a stop near Willow Road and the rail spur and there is not a convenient alternative to service adjacent properties, owner will work with City to explore a bike/pedestrian route on the West Campus.	For lifetime of development agreement (February 6, 2026).	Conditional / No Action Required	Additional transit service in proximity to the West Campus is has not been established. No action required.
13.	Facebook East Campus Benefits - if some of the commitments under the East Campus DA terminate, they shall be required under the West Campus Development Agreement.	Until the earlier of (i) Owner and Facebook vacate WC, or (ii) February 6, 2026.	Conditional / No Action Required	East Campus Development Agreement still in effect, this requirement is not applicable for the 2015-2016 period.

* The DA requirements listed here may be summarized; the complete terms are found in the recorded Development Agreement.



STAFF REPORT

Planning Commission

Meeting Date:

12/5/2016

Staff Report Number:

16-100-PC

Public Hearing:

Consider Zoning Ordinance Amendments Relating to Child Day Care Homes and Centers

Recommendation

Staff recommends that the Planning Commission recommend that the City Council approve an Ordinance Amending Chapters 16.04 and 16.08 of the Menlo Park Municipal Code (Attachment A), in order to make City regulations consistent with applicable California law regarding child day care homes and centers.

Policy Issues

The proposed Zoning Ordinance Amendments would ensure that the Municipal Code would be in compliance with relevant State regulations.

Background

California law requires that small child day care homes (defined as those serving up to six children, or eight if certain criteria are met) be considered a “residential use” of the property for purposes of all local ordinances, meaning they may not be subject to a permit process. While a city may not prohibit large child day care homes (defined as those serving up to 12 children, or 14 if certain criteria are met) on lots zoned for single family dwellings, a city may require that large child day care homes apply for a permit to use a lot zoned for single-family dwelling, subject to certain requirements; or it may grant a nondiscretionary permit to use a lot zoned for single family dwellings to large family day care homes that comply with local ordinances prescribing reasonable standards, restrictions, and requirements.

The City of Menlo Park’s Municipal Code provisions relating to small child care homes do not currently comply with the most recent changes to California law. In addition, the City does currently not have any regulations relating to large child care homes. Further, while the City prescribes permit procedures for “Child Day Care Centers”, the term is not presently defined.

Analysis

The intent of the Planning Commission meeting is to provide the Planning Commission the opportunity to review and provide a recommendation on the Zoning Ordinance amendments relating to child care facilities to comply with state law. This ordinance revises the City’s definitions to define small and large child care homes consistent with California law. It also adds “Child Day Care Centers” to the Definitions Chapter. Lastly, it prescribes a permit review and approval process for Large Day Care Centers that complies with State law and sets forth the criteria by which such permit would be reviewed and approved, similar to ordinances in other local cities, including Palo Alto, Redwood City, Mountain View and San Carlos.

Child Day Care Centers - Added to Definitions Chapter of Zoning Ordinance

Currently, the City's Zoning Ordinance requires a use permit for Child Day Care Centers, but the code does not define Child Day Care Centers. As such, this amendment proposes to define Child Day Care Centers as any child care facility other than a large child day care home or small child day care home as defined by Chapter 16.04.165. A use permit would still be required for Child Day Care Centers operating within residential districts, which staff believes is appropriate given the potential for such larger-scale businesses to have unique impacts.

Child Day Care Homes - Amendment to Definition

The City of Menlo Park's current definition of a Child day care home is not accurate under state law for either a small day care home or a large day care home. Therefore, the proposed amendment to the definition includes both small and large day care homes. The definitions for each under the proposed amendment are consistent with the definitions in State law.

Child Day Care Homes - Zoning Regulations

The proposed zoning amendment includes amending Section 16.08.085 to provide that small day care homes are a permitted use in a legal dwelling unit in any residential district as required by state law. It is further amended to provide that large child day care homes require a permit and include certain specific standards and conditions that must be met before a permit is granted. The standards have been created after referencing the regulations of similar jurisdictions that have already updated their ordinances to comply with State law. The zoning amendment also establishes a permit process for which a large child day care home permit would be approved as required by State law and specifies an appeal process for a decision on a large day care home. Staff believes that the proposed revisions would be consistent with the State laws encouraging the provision of child care (which is known to be a critical local need), while also ensuring that such uses would be compatible with residential uses.

Proposed Ordinance Amendments

Attachment A is the draft proposed ordinance. The proposed ordinance amendments do all of the following:

1. Add the definition of "Child day care center;"
2. Amend the definition of "Child day care home;" and
3. Amend the regulations and conditions related to child day care homes.

Conclusion

Staff believes the proposed amendments would bring local regulations into consistency with State law, and would also encourage the provision of child care (which is known to be a critical local need), while ensuring that such uses would be compatible with residential uses. The proposed standards and procedures for large child day care homes have been crafted after referencing ordinances in effect in similar jurisdictions. Staff recommends that the Planning Commission recommend that the City Council approve an Ordinance Amending Chapters 16.04 and 16.08 of the Menlo Park Municipal Code (Attachment A).

Impact on City Resources

This consistency update is being accommodated within the existing budgets of the Planning Division and City Attorney, and is not expected to otherwise affect City resources.

Environmental Review

The proposed ordinance amendment is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The proposed ordinance amendments have no potential for resulting in physical change to the environment either directly or indirectly.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper.

Attachments

- A. Draft Ordinance of the City Council of the City of Menlo Park Adding Section 16.04.164 [Child Day Care Center] and Amending Section 16.04.165 [Child Day Care Home] of Chapter 16.04 [Definitions] and Amending Section 16.08.085 [Child Day Care Homes] of Chapter 16.08 [Districts Established-General Regulations] of Title 16 [Zoning] of the Menlo Park Municipal Code

Report prepared by:

Jennifer A. Bregante Beyers and William L. McClure, City Attorney's Office

Report reviewed by:

Thomas Rogers, Principal Planner

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ORDINANCE NUMBER _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ADDING SECTION 16.04.164 [CHILD DAY CARE CENTER] AND AMENDING SECTION 16.04.165 [CHILD DAY CARE HOME] OF CHAPTER 16.04 [DEFINITIONS] AND AMENDING SECTION 16.08.085 [CHILD DAY CARE HOMES] OF CHAPTER 16.08 [DISTRICTS ESTABLISHED-GENERAL REGULATIONS] OF TITLE 16 [ZONING] OF THE MENLO PARK MUNICIPAL CODE.

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. FINDINGS AND DETERMINATIONS.

- A. Reasonable control and regulations of activities related to the health, welfare, and safety of children in child care is necessary.
- B. Under California law, family day care homes operated under the standards of state law constitute accessory uses of residentially zoned and occupied properties and do not fundamentally alter the nature of the underlying residential uses.
- C. Family day care homes draw clients and vehicles to their sites during a limited time of day and do not require the attendance of a large number of employees and equipment.
- D. It is determined that the Municipal Code relating to child day care facilities must be amended to provide clarity and comply with California law, while providing standards that are necessary to protect persons in or attending child care facilities or other types of child care arrangements.

SECTION 2. AMENDMENT OF CODE. Section 16.04.164 [Child Day Care Centers] of Chapter 16.04 [Definitions] is hereby added to Title 16 [Zoning] as follows:

Section 16.04.164 Child Day Care Center.

“Child day care center” means any child care facility other than a large child care home or small child care home as defined by Section 16.04.165.

SECTION 3. AMENDMENT OF CODE. Section 16.04.165 [Child day care home] of Chapter 16.04 [Definitions] of Title 16 [Zoning] is hereby amended in its entirety as follows:

Section 16.04.165 Child day care home.

"Child day care home" means both a “small child day care home” and a “large child day care home” as further defined herein. A “small child day care home” means a private single family residence licensed by the appropriate state or county agency for the day care or instruction of no more than six children, or up to eight children without an additional adult attendant, if all of the following conditions are met: (1) at least one child is enrolled in and attending a kindergarten or elementary school and a second child is at

least six years of age; (2) no more than two infants are cared for during any time when more than six children are cared for; (3) the licensee notifies each parent that the facility is caring for two additional school-age children and that there may be up to seven or eight children in the home at one time; and (4) the licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented. A “large child day care home” means a private single family residence licensed by the appropriate state or county agency for the day care or instruction of no more than twelve children, or up to fourteen children, if all of the following conditions are met: (1) at least one child is enrolled in and attending a kindergarten or elementary school and a second child is at least six years of age; (2) no more than three infants are cared for during any time when more than twelve children are cared for; (3) the licensee notifies each parent that the facility is caring for two additional school-age children and that there may be up to thirteen or fourteen children in the home at one time; and (4) the licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.

SECTION 4. AMENDMENT OF CODE. Section 16.08.085 [Child day care homes] of Chapter 16.08 [Districts Established-General Regulations] of Title 16 [Zoning] is hereby amended in its entirety as follows

(1) A small child day care home, as the same is defined in this title, may be a home occupation and as such is a permitted use in a legal dwelling unit in any residential district.

(2) A large child day care home, as the same is defined in this title, requires a permit. A person who desires to obtain a permit for a large child day care home (“Applicant”) must follow the process described below in order to use their home as a large child day care home:

(A) The City must provide notice of the proposed use to adjoining property owners within a one hundred (100) foot radius of the exterior parcel boundaries of the large child day care home. Notice shall be given not less than ten (10) calendar days prior to the date on which the decision will be made on the application.

(B) A public hearing is required if one is requested by the Applicant or any other affected party.

(C) If a public hearing is not required, the Community Development Director, or his/her designee, shall approve a permit for a large child day care home if the property on which the proposed large child day care home is located and Applicant comply with all of the following conditions and standards:

a. The Applicant must possess a current and valid Large Family Child Care Home license from the State of California, Department of Social Services. The City’s permit shall not become effective until such time as the State license is obtained. If said license is suspended or revoked by the State for any reason, the City’s permit for a large child day care home shall immediately be suspended or revoked to the same extent.

b. The Applicant must reside at the Property and the use must be clearly incidental and secondary to the use of the Property for residential purposes.

- c. The Property is not bordered on more than one (1) side by a child day care home or child day care center.
- d. The Property is not located adjacent to a business that uses, sells or stores significant amounts of hazardous materials or creates high noise levels or fumes.
- e. Residences with sole access from major arterial and/or collector streets must provide an off-street drop-off/pick-up area. The residential driveway may be used as the drop-off/pick-up area, provided such use does not cause a backup of vehicles on the street.
- f. The large child day care home operation shall not result in cars blocking neighbors' driveways or backing up traffic on the street.
- g. Provisions have been made to provide, at a minimum, one (1) off-street parking space per employee of driving age not living at the residence. The residential driveway is acceptable if the parking space will not conflict with any required child drop-off/pick-up area and does not block the public sidewalk or right-of-way.
- h. The Applicant must comply with all applicable regulations of the Fire Marshall regarding health and safety requirements.
- i. Any permanently installed playground apparatus (swings, jungle gym, etc.) shall conform to setback requirements for accessory structures in that particular residential zoning district.
- j. Outdoor playtime shall be limited to the hours from 9:00 a.m. to 7:00 p.m.
- k. Outdoor play areas shall be set back at least five (5) feet from adjoining residential dwellings and enclosed with a minimum six (6) foot fence. A six (6) foot wood or masonry fence is required along the boundaries with residential uses.
- l. A minimum of seventy-five (75) square feet of outdoor space for each child over two years old that is not located in any required front or street side yard. This area must be either owned or leased by the Applicant and cannot be shared with any other property owners unless written permission is granted by the other property owners. This requirement may be waived if the Applicant can demonstrate that there is a public park, school or other public area open within five hundred feet of the child day care home.
- m. Hours of operation shall be limited to the hours of 6:00 a.m. and 7:00 p.m., Monday through Friday. Additional hours may be allowed subject to approval of a use permit.
- n. The Community Development Director or designee may consider and specify other reasonable conditions that relate to parking, traffic, noise, and spacing and concentrations of Large Child Day Care Homes that might otherwise have an adverse effect on adjacent properties.

- (D) If a public hearing is requested, the Community Development Director or his or her designee shall give notice to residents and property owners within 300 feet of the proposed Large Child Day Care Home and shall conduct a public hearing. The decision of the Community Development Director or his or her designee shall be limited to and based on the criteria set forth in Section 2C above.
- (E) The Applicant or other affected person may appeal the decision of the Community Development Director or his or her designee to the Planning Commission within fifteen (15) days from the date of the notice of decision in accordance with the Chapter on appeals, provided, that the criteria for upholding or denying decision of the Community Development Director or his or her designee shall be limited to and based on the criteria set forth in Section 2C above.

SECTION 5. SEVERABILITY. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 6. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

SECTION 7. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 30 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posting in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the ___ day of _____, 2017.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ___ day of _____, 2017, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

APPROVED:

Mayor

ATTEST:

Pamela Aguilar, City Clerk



STAFF REPORT

Planning Commission

Meeting Date:

12/5/2016

Staff Report Number:

16-101-PC

Public Hearing:

Consider Zoning Ordinance Amendments Relating to Secondary Dwelling Units

Recommendation

Staff recommends that the Planning Commission recommend that the City Council approve an Ordinance Amending Chapters 16.04 and 16.79 of the Menlo Park Municipal Code (Attachment A) in order to make City regulations consistent with applicable California law regarding secondary dwelling units.

Policy Issues

The proposed Zoning Ordinance Amendments would ensure that the Municipal Code would be in compliance with relevant State regulations. The amendments would also support Housing Element Policy H4.11, which encourages the development of secondary dwelling units.

Background

Assembly Bill 2299 (AB 2299) and Senate Bill 1069 (SB 1069) passed in the 2015-2016 legislative session and amended California laws relating to Secondary Dwelling Units (also referred to as Accessory Dwelling Units). The amendments relate to Government Code § 65852.2. Any existing municipal codes that do not meet the requirements of state law shall be considered null and void, and that agency shall thereafter apply the standards established in state law for the approval of Secondary Dwelling Units, unless and until the agency adopts an ordinance that complies with state law.

The draft amendments to the City of Menlo Park's Code relating to Secondary Dwelling Units are intended to bring the Code into compliance with California State law as amended by AB 2299 and SB 1069. The amendments are not intended to expand or restrict the current Codes relating to Secondary Dwelling Units in any manner, except to comply with the requirements of state law.

There are areas of the law which are unclear and not tested as to exactly what limitations and restrictions a city may place on the regulation of Secondary Dwelling Units. These issues arise most notably because the legislature did not intend for both AB 2299 and SB 1069 to pass. The fact that both bills passed, means that the amendments to Government Code § 65852.2 are a hybrid of SB 1069 and AB 2299.

Prior to the adoption of AB 2299 and SB 1069, the City adopted Zoning Ordinance Amendments relating to secondary dwelling units in 2013 and 2014, in association with Housing Element Updates. These updates clarified and streamlined the City's secondary dwelling unit regulations. Since these revisions, the City has issued an unprecedented number of building permits for secondary dwelling units, helping address one critical housing strategy.

Analysis

The intent of the Planning Commission meeting is to provide the Planning Commission the opportunity to review and provide a recommendation on the Municipal Code amendments relating to Secondary Dwelling Units to comply with state law.

Assembly Bill 2299 and Senate Bill 1069

Secondary Dwelling Unit Standards and Regulations

Effective January 1, 2017, AB 2299 and SB 1069 amend California Government Code § 65852.2 to require any local ordinance regulating Secondary Dwelling Units to include certain specified standards and regulations. Those standards and regulations include: designation of certain areas within the jurisdiction where secondary dwelling units may be permitted; imposing standards on parking, height, setback, lot coverage, landscape, architectural review, maximum unit size, and standards that prevent adverse impacts on property that is listed in the California Register of Historic Places; provide that Secondary Dwelling Units do not exceed the allowable density for the lot on which the unit is located and that Secondary Dwelling Units are for residential use that is consistent with the existing General Plan and zoning designation; and require that Secondary Dwelling Units comply with all of the following:

1. The unit is not intended for sale separate from the primary residence and may be rented;
2. The lot is zoned for single-family or multifamily use and contains an existing, single-family dwelling;
3. The Secondary Dwelling Unit is either attached to the existing dwelling, or located within the living area of the existing dwelling, or detached from the existing dwelling and located on the same lot as the existing dwelling;
4. The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet;
5. The total area of floor space for a detached accessory dwelling unit shall not exceed 1,200 square feet;
6. No passageway shall be required in conjunction with the construction of a Secondary Dwelling Unit;
7. No setback shall be required for an existing garage that is converted to a Secondary Dwelling Unit and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above an existing garage;
8. Local building code requirements that apply to detached dwellings, as appropriate.
9. Parking Requirements as follows:
 - a. Parking requirements shall not exceed one parking space per unit or per bedroom. These parking spaces may be provided as tandem parking on an existing driveway;
 - b. Off-street parking shall be permitted in setback area in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback area or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction;
 - c. Parking requirements shall not apply to any of the following Secondary Dwelling Units:
 - i. If the Secondary Dwelling Unit is located within one-half mile of public transit;
 - ii. If the Secondary Dwelling Unit is located within an architecturally and historically significant district;
 - iii. If the Secondary Dwelling Unit is part of the existing primary residence or an existing accessory structure;
 - iv. When on-street parking permits are required but not offered to the occupant of the Secondary Dwelling Unit;
 - v. When there is a car share vehicle located within one block of the Secondary Dwelling Unit.

10. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of a Secondary Dwelling Unit, and the local agency requires that those off-street parking spaces be replaced, the replacement spaces may be located in any configuration on the same lot as the Secondary Dwelling Unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts, except that it does not apply to units exempt from parking requirements.

Permit Review

Under the amendments to the Government Code, local ordinances must include an approval process for Secondary Dwelling Units that includes only ministerial approval and shall not include any discretionary processes, provisions or requirements for those units, except as otherwise provided (i.e. Section 65901, which provides authorization of the zoning administrator to hear and decide applications for conditional uses or other permits when the zoning ordinance provides, and 65906, which provides authorization and procedures for variances, or any local ordinance regulating the issuance of variances or special use permits). The approval must be within one hundred and twenty (120) days after receiving the application. A local agency may charge a fee to reimburse it for costs that it incurs as a result of amendments enacted during the 2001-2002 Regular Session of the Legislature, including the costs of adopting or amending any ordinance that provides for the creation of Secondary Dwelling Units.

Failure to Comply with Government Code § 65852.2

If a local agency does not have an ordinance in place relating to Secondary Dwelling Units when it receives a permit to create a Secondary Dwelling Unit, the local agency must accept the application and approve or disapprove the application ministerially without discretionary review pursuant to Government Code § 65852.2(a).

Proposed Municipal Code Amendments

Attachment A is the draft proposed ordinance in proper form and Attachment B is a redline comparison of the existing and proposed regulations. The proposed amendments do all of the following:

1. Amend the definition of Secondary Dwelling Unit to coordinate with the State law definition amendment to Accessory Dwelling Unit, to include specific definitions for “Attached Secondary Dwelling Units,” and “Detached Secondary Dwelling Units.”
2. Amend the regulations and conditions to comply with the State law requirements.
3. Include a Secondary Dwelling Unit application review process that complies with State law.

Conclusion

Staff believes the proposed amendments would bring local regulations into consistency with the recent State law changes, and support the City’s existing policy to encourage appropriate secondary dwelling unit development. The amendments are not intended to expand or restrict the current Codes relating to Secondary Dwelling Units in any manner, except to comply with the requirements of state law. Staff recommends that the Planning Commission recommend that the City Council approve an Ordinance Amending Chapters 16.04 and 16.79 of the Menlo Park Municipal Code (Attachment A).

Impact on City Resources

This consistency update is being accommodated within the existing budgets of the Planning Division and City Attorney, and is not expected to otherwise affect City resources.

Environmental Review

The proposed ordinance amendment is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The proposed ordinance amendments have no potential for resulting in physical change to the environment either directly or indirectly.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper.

Attachments

- A. Draft Ordinance of the City Council of the City of Menlo Park Amending Section 16.04.295 [Definition of Dwelling Unit, Secondary] and Amending and Restating Chapter 16.79 [Secondary Dwelling Units] of Title 16 [Zoning] of the Menlo Park Municipal Code to Conform to Changes in State Law
- B. Redline Comparison of Existing and Proposed Ordinances

Report prepared by:

Jennifer A. Bregante Beyers and William L. McClure, City Attorney's Office

Report reviewed by:

Thomas Rogers, Principal Planner

ORDINANCE NUMBER _____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING
SECTION 16.04.295 [DEFINITION OF DWELLING UNIT, SECONDARY] AND
AMENDING AND RESTATING CHAPTER 16.79 [SECONDARY DWELLING UNITS]
OF TITLE 16 [ZONING] OF THE MENLO PARK MUNICIPAL CODE TO CONFORM
TO CHANGES IN STATE LAW**

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. FINDINGS AND DETERMINATIONS.

- A. There is an increased need for housing in the San Francisco Bay Area as more than two million new residents will be added by 2040.
- B. Secondary units (also called in-law units or accessory dwelling units) are well-suited as an infill strategy for low-density residential areas because they offer hidden density, housing units not readily apparent from the street- and are relatively less objectionable to neighbors.
- C. Recognizing the potential for secondary units as a housing strategy, California has passed several laws to lower local regulatory barriers to construction, which includes a requirement that each City have a ministerial process for approving secondary units.
- D. The most recent California legislation (AB 2299 and SB 1069) was passed as a means to streamline current statewide regulations as well as encourage the building of new secondary units to create more housing options.
- E. In order to fully comply with the most recent California legislation, the City of Menlo Park must amend its Zoning Ordinance.
- F. The City Council of the City of Menlo Park finds and declares an amendment to Chapters 16.04 [Definitions] and 16.79. [Secondary Dwelling Units] is necessary for the above reasons.

SECTION 2. AMENDMENT OF CODE. Section 16.04.295 [Dwelling unit, secondary] of Chapter 16.04 [Definitions] of Title 16 [Zoning] is hereby amended in its entirety as follows:

16.04.295 Dwelling unit, secondary.

A "secondary dwelling unit" (which is referred to as an "accessory dwelling unit" in State law) means a dwelling unit on a residential lot which provides complete independent living facilities for one or more persons, and shall include permanent provisions for living, sleeping, eating, cooking, and sanitation independent of the main dwelling existing on the residential lot. For purposes of a secondary dwelling unit, permanent provisions for eating and cooking include the following: (1) permanent range, (2) counters, (3) refrigerator, and (4) sink. There are two (2) types of secondary dwelling units: (1) units attached to the existing dwelling, including units located within the living area of an existing dwelling unit

("Attached Secondary Dwelling Units"); and (2) units detached from the existing dwelling unit and located on the same lot as the existing dwelling unit ("Detached Secondary Dwelling Units").

SECTION 3. AMENDMENT OF CODE. Chapter 16.79 [Secondary Dwelling Units] of Title 16 [Zoning] is hereby amended in its entirety as follows:

Sections:

<u>16.79.010</u>	Purpose.
<u>16.79.020</u>	Permitted use.
<u>16.79.030</u>	Conditional use.
<u>16.79.040</u>	Development regulations.
<u>16.79.045</u>	Conversion of accessory buildings.
<u>16.79.050</u>	Mitigation monitoring.
<u>16.79.060</u>	Application review and approval process.

16.79.010 Purpose.

The purpose of this chapter is to provide for the creation of secondary dwelling units in single-family residential zones and to set forth criteria and regulations of those secondary dwelling units.

16.79.020 Permitted use.

Secondary dwelling units as defined in Section 16.04.295 are a permitted use in the City's single-family residential zoning districts for residential use that is consistent with the City's general plan and the specific zone for the lot on which the secondary dwelling unit is to be located. Secondary dwelling units must comply with the development standards applicable to the single-family zoning district in which the lot is located, including, but not limited to parking, height, setback, lot coverage, landscape, architectural review, maximum size, and to other standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places, except as otherwise provided elsewhere in this Chapter 16.79.

16.79.030 Conditional use.

Secondary dwelling units that require modification to the development regulations set forth in this Chapter through issuance of a variance or other special use permit are conditionally permitted in the single-family residential zoning districts, subject to the use permit requirements of Chapter 16.82.

16.79.040 Development and use regulations.

Secondary dwelling units are permitted within single-family residential zones, subject to the following standards, restrictions and regulations. Development and use regulations for secondary dwelling units are as follows:

- (1) Minimum lot area: six thousand (6,000) square feet.
- (2) Primary Residence.
 - (A) A single-family residence must be located on the lot.

(B) The secondary dwelling unit may not be sold separately from the primary residence.

(3) Density. No more than one (1) secondary dwelling unit may be allowed on any one lot.

(4) Subdivision. A lot having a secondary dwelling unit may not be subdivided in a manner that would allow for the main dwelling and secondary dwelling unit to be located on separate lots that do not meet the minimum lot area, width and/or depth required by the single-family zoning district in which the lot is located.

(5) Minimum Yards.

(A) Attached Secondary Dwelling Units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located;

(B) Detached Secondary Dwelling Units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located, with the exception that the minimum rear yard is ten (10) feet. Furthermore, the interior side and rear yards may be reduced to five (5) feet, subject to written approval of the owner(s) of the contiguous property abutting the portion of the encroaching structure. If the contiguous interior side or rear property line is an alley, the minimum setback is five (5) feet. The provisions of Section 16.62.020 (1) shall not apply to a Detached Secondary Dwelling Unit.

(6) Unit Size.

(A) Detached Secondary Dwelling Units shall not exceed six hundred forty (640) square feet, except buildings complying with all aspects of the disabled access requirements for kitchens, bathrooms, and accessible routes established in the California Building Code for adaptable residential dwelling units shall have a maximum square footage of seven hundred (700) square feet.

(B) Attached Secondary Dwelling Units shall not exceed fifty percent (50%) of the existing living area, with a maximum increase in floor area of six hundred forty (640) square feet, except buildings complying with all aspects of the disabled access requirements for kitchens, bathrooms, and accessible routes established in the California Building Code for adaptable residential dwelling units shall have a maximum square footage of seven hundred (700) square feet.

(C) All secondary dwelling units shall be limited to studio or one (1) bedroom units and one (1) bathroom.

(D) No passage way shall be required in conjunction with the construction of a secondary dwelling unit.

(7) Building Coverage. Secondary dwelling units shall count towards the total building coverage for the lot and the entire building coverage of all buildings may not exceed the permitted building coverage established by the single-family zoning district in which the lot is located.

(8) Height. The maximum permitted height of a secondary dwelling unit is the same as the maximum permitted height for the single-family zoning district in which the lot is located, except that in no instance shall the maximum total height for any secondary dwelling unit exceed seventeen (17) feet.

(9) Daylight Plane. A daylight plane shall begin at a horizontal line nine (9) feet, six (6) inches above the average natural grade at a line three (3) feet from the side property

lines and shall slope inwards at a forty-five (45) degree angle. There are no permitted intrusions into the daylight plane. "Average natural grade" means the average of the highest and lowest points of the natural grade of the portion of the lot directly below a line three (3) feet from the side property lines.

(10) Parking. One (1) off-street parking space is required, except as provided in Section 11 (Parking Exceptions) below, in addition to the required parking for the main dwelling unit, that may be provided in the following configurations and areas in addition to the areas allowed for the main dwelling:

(A) In tandem, meaning one (1) car located directly behind another car, including a single-car driveway leading to two (2) required parking spaces for the main dwelling;

(B) Within required interior side yards;

(C) Within required front yards if no more than five hundred (500) square feet of the required front yard are paved for motor vehicle use (inclusive of the main residence driveway and parking areas) and a minimum setback of eighteen (18) inches from the side property lines is maintained.

The required off-street parking can be provided in either a covered or uncovered space, but all covered parking shall comply with the setback requirements of the main dwelling, if the parking is attached, or the accessory building regulations, if the parking is detached.

(11) Parking Exceptions. The off-street parking requirement of Section (10) Parking, does not apply to the following secondary dwelling units:

(A) Secondary dwelling units located within one-half mile of public transit as determined by the community development director.

(B) Secondary dwelling units located within an architecturally and historically significant historic district.

(C) Existing secondary dwelling units that were permitted without additional parking.

(D) When on-street parking permits are required but not offered to the occupant of the secondary dwelling unit.

(E) When a car share vehicle is located within one block of the secondary dwelling unit as determined by the community development director.

(12) Consistency. All secondary dwelling units shall comply with all applicable development regulations for the single-family zoning district in which the lot is located and building code requirements set forth in Title 12, Buildings and Construction, unless otherwise specifically provided for in this section.

(13) Aesthetics. The secondary dwelling unit shall have colors, materials, textures and architecture similar to the main dwelling.

(14) Tenancy. Either the main dwelling or the secondary dwelling unit shall be occupied by the property owner when both units are occupied as dwelling units. If a property owner does not occupy one of the dwelling units, the property owner may apply for a non-tenancy status for a term of one (1) year through a registration process established by the community development director. To be eligible for the registration process, a property owner must have lived at the subject property for a minimum of two (2) years of the previous five (5) years from the date of application. The property owner may renew the registration annually, not to exceed four (4) years in total, subject to the

review and approval of the community development director, pursuant to the following criteria and process established by the community development director. In no instance shall either the main dwelling or secondary dwelling unit be rented for a term of less than thirty (30) days.

(A) The application for the registration and renewal(s) shall be accompanied by a fee, set by the city council.

(B) The application for registration and renewal shall state the reason for the request and provide supporting documentation. The registration shall be approved for any of the following reasons: (i) temporary job relocation, with the intent to return, (ii) relocation for school (e.g., mid-year career change), and (iii) physically unable to live in the house.

(C) The application shall provide a property management plan that includes the name and contact information to address issues or concerns about the use of the property should they arise. The plan should also include information about parking, including (i) a site plan with the parking layout for the property, (ii) how parking will be assigned between tenants, and (iii) an action plan that demonstrates how parking issues will be resolved effectively and efficiently between tenants if tandem parking is provided.

(D) A use permit is required for non-tenancy status longer than four (4) years or for waiver of the requirement that the owner reside in the unit for not less than two (2) of the previous five (5) years prior to the date of application or for a reason other than those stated in subsection (11)(B) of this section.

16.79.045 Conversion of accessory buildings.

(1) An accessory building may be eligible to convert into a secondary dwelling unit, subject to meeting criteria as outlined in subsection (2) of this section and approval through the process outlined in Section 16.79.060. No additional off-street parking shall be required to convert an accessory building into a secondary dwelling unit.

(2) Eligibility. The following criteria must be met in order to be eligible for the conversion of an accessory building:

(A) The accessory building must have received building permits and commenced construction prior to June 13, 2014. Other supporting documentation to show the building was legally built may be substituted for a building permit subject to review by the community development director.

(B) The accessory building must be upgraded to meet the building code requirements based on the change of occupancy at the time of the conversion.

(C) The accessory building must meet all of the development regulations of Section 16.79.040, with the exception that no setback shall be required, if the conversion is of an existing garage, and a setback of no more than five (5) feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above an existing garage.

(3) All or any portion of an accessory building that meets the eligibility criteria as provided in this section may be demolished and reconstructed to meet the building code requirements based on the change of occupancy at the time of conversion. The secondary dwelling unit that replaces the accessory building may retain the setbacks and the footprint of the legally constructed accessory building. The existing setbacks

and footprint of the accessory building must be evidenced by valid building permits or other supporting documentation subject to review by the community development director. Nothing in this section shall be deemed to authorize the expansion of the footprint or reduction of the setbacks beyond that evidenced by a valid building permit or other supporting documentation subject to review by the community development director or to allow the continuation of any other nonconformity.

16.79.050 Mitigation monitoring.

All second unit development shall comply, at a minimum, with the mitigation monitoring and report program (MMRP) established through Resolution No. 6149 associated with the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment prepared for the Housing Element adopted on May 21, 2013.

16.79.060 Application Review and Approval Process,

Each development of a secondary dwelling unit requires review for compliance with this Chapter 16.79 prior to submittal of a building permit for the creation of a secondary dwelling unit.

(1) Application. Requests for compliance review shall be made in writing by the owner of the property, on a form prescribed by the city. The application shall be accompanied by a fee, set by the city council, and plans showing the details of the proposed secondary dwelling unit per submittal guidelines established by the community development director.

(2) Compliance Determination. The community development director or his or her designee shall make a determination of compliance in writing after reviewing the project plans. The determination of the community development director is final and not subject to appeal.

(3) All applications for secondary dwelling units that meet and comply with the requirements under this Chapter shall be approved without discretionary review or a hearing within one-hundred twenty (120) days after receipt of a substantially complete application. The application shall be denied if the proposed secondary dwelling unit does not comply with all applicable requirements of this Chapter or it may be conditionally approved subject to conditions that will bring the proposed secondary dwelling unit into compliance with this Chapter.

SECTION 4. SEVERABILITY. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 5. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

SECTION 6. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 30 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posting in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the ___ day of _____, 2016.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ___ day of _____, 2016, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

APPROVED:

Mayor

ATTEST:

Pamela Aguilar, City Clerk

Chapter 16.04 DEFINITIONS

16.04.295 Dwelling unit, secondary.

A "secondary dwelling unit" (which is referred to as an "accessory dwelling unit" in State law) means a dwelling unit on a residential lot which provides complete independent living facilities for one or more persons, and shall include permanent provisions for living, sleeping, eating, cooking, and sanitation independent of the main dwelling existing on the residential lot. For purposes of a secondary dwelling unit, permanent provisions for eating and cooking include the following: ~~1) permanent range,~~ 2) counters, ~~3) refrigerator, and 4) sink.~~ (1) permanent range, (2) counters, (3) refrigerator, and (4) sink. There are two (2) types of secondary dwelling units: (1) units attached to the existing dwelling, including units located within the living area of an existing dwelling unit ("Attached Secondary Dwelling Units"); and (2) units detached from the existing dwelling unit and located on the same lot as the existing dwelling unit ("Detached Secondary Dwelling Units").

Chapter 16.79 SECONDARY DWELLING UNITS

Sections:

<u>16.79.010</u>	Purpose.
<u>16.79.020</u>	Permitted use.
<u>16.79.030</u>	Conditional use.
<u>16.79.040</u>	Development regulations.
<u>16.79.045</u>	Conversion of accessory buildings.
<u>16.79.050</u>	Mitigation monitoring.
<u>16.79.060</u>	<u>Application review and approval process.</u>

16.79.010 Purpose.

The purpose of this chapter is to provide for the creation of secondary dwelling units in single-family residential zones and to set forth criteria and regulations to control the development of those secondary dwelling units within the.

16.79.020 Permitted use.

Secondary dwelling units as defined in Section 16.04.295 are a permitted use in the City's single-family residential zoning districts, for residential use that is consistent with the City's general plan and the specific zone for the lot on which the secondary dwelling unit is to be located. Secondary dwelling units must comply with the development standards applicable to the single-family zoning district in which the lot is located, including, but not limited to parking, height, setback, lot coverage, landscape, architectural review, maximum size, and to other standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places, except as otherwise provided elsewhere in this Chapter 16.79.

16.79.020 Permitted use.

~~A secondary dwelling unit developed within the main dwelling or structurally attached to the main dwelling as defined in Section 16.04.145 Buildings, structurally attached, or a secondary dwelling unit detached from the main dwelling, are permitted in a single-family residential zoning district, subject to the provisions set forth in Section 16.79.040.~~

16.79.030 Conditional use.

~~A secondary~~Secondary dwelling ~~unit~~units that ~~is either attached or detached and requesting~~require modification to the development regulations, ~~except for items (2) density and (3) subdivision, as established set forth in this Chapter through issuance of a variance or other special use permit are conditionally permitted in the single-family residential zoning districts, subject to the use permit requirements of Chapter 16.79.040-82.~~

16.79.040 Development and use regulations.

Secondary dwelling units are permitted within single-family residential zones, subject to the following standards, restrictions and regulations. Development and use regulations for ~~a~~ secondary dwelling ~~unit~~units are as follows:

(1) Minimum lot area: six thousand (6,000;) square feet.

(2) Primary Residence.

(A) A single-family residence must be located on the lot.

(B) The secondary dwelling unit may not be sold separately from the primary residence.

(3) Density:- No more than one (1) secondary dwelling unit may be allowed on any one ~~(1) lot;~~

(34) Subdivision:- A lot having a secondary dwelling unit may not be subdivided in a manner that would allow for the main dwelling and secondary dwelling unit to be located on separate lots that do not meet the minimum lot area, width and/or depth required by the single-family zoning district in which the lot is located;

(45) Minimum yards:Yards.

~~(a) Structurally attached secondary dwelling units: Secondary dwelling units developed within the main dwelling or structurally attached to the main dwelling as defined in Section 16.04.145 Buildings, structurally attached,~~(A) Attached

Secondary Dwelling Units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located;

~~(bB) Detached secondary dwelling units: Detached secondary dwelling units~~Secondary Dwelling Units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located, with the exception that the minimum rear yard is ten (10) feet. Furthermore, the interior side and rear yards may be reduced to five (5) feet, subject to written approval of the owner(s) of the contiguous property abutting the portion of the encroaching structure. If the contiguous interior side or rear property line is an alley, the minimum setback is five (5) feet. The ~~provision~~provisions of Section 16.62.020 (1) shall not apply to a ~~detached secondary dwelling unit~~Detached Secondary Dwelling Unit.

~~(56) Unit size:Size.~~

~~(a) The square footage of all levels of the secondary dwelling unit shall not exceed 640~~(A) Detached Secondary Dwelling Units shall not exceed six hundred forty

(640) square feet, except buildings complying with all aspects of the disabled access requirements for kitchens, bathrooms, and accessible routes established in the California Building Code for adaptable residential dwelling units shall have a maximum square footage of seven hundred (700) square feet.

(B) Attached Secondary Dwelling Units shall not exceed fifty percent (50%) of the existing living area, with a maximum increase in floor area of six hundred forty (640) square feet, except buildings complying with all aspects of the disabled access requirements for kitchens, bathrooms, and accessible routes established in the California Building Code for adaptable residential dwelling units shall have a maximum square footage of 700 square feet. The maximum square footage does not include the square footage of an attached accessory building for which there is no internal connection to the secondary dwelling unit; seven hundred (700) square feet.

(b) Secondary C) All secondary dwelling units shall be limited to studio or one- (1) bedroom units and one (1) bathroom.

(6D) No passage way shall be required in conjunction with the construction of a secondary dwelling unit.

(7) Building Coverage. Secondary dwelling units shall count towards the total building coverage for the lot and the entire building coverage of all buildings may not exceed the permitted building coverage established by the single-family zoning district in which the lot is located.

(8) Height:- The maximum total permitted height is of a secondary dwelling unit is the same as the maximum permitted height for the single-family zoning district in which the lot is located, except that in no instance shall the maximum total height for any secondary dwelling unit exceed seventeen (17) feet.

(79) Daylight Plane:- A daylight plane shall begin at a horizontal line nine (9) feet, six (6) inches above the average natural grade at a line three (3) feet from the side property lines and shall slope inwards at a forty-five (45) degree angle. There are no permitted intrusions into the daylight plane. "Average natural grade" means the average of the highest and lowest points of the natural grade of the portion of the lot directly below a line three (3) feet from the side property lines.

(810) Parking:- One (1) off-street parking space is required, except as provided in Section 11 (Parking Exceptions) below, in addition to the required parking for the main dwelling unit, that may be provided in the following configurations and areas in addition to the areas allowed for the main dwelling:

(aA) In tandem, meaning one (1) car located directly behind another car, including a single-car driveway leading to two (2) required parking spaces for the main dwelling;

(bB) Within required interior side yards;

(eC) Within required front yards if no more than five hundred (500) square feet of the required front yard is are paved for motor vehicle use (inclusive of the main residence driveway and parking areas) and a minimum setback of eighteen (18) inches from the side property lines is maintained.

The required off-street parking can be provided in either a covered or uncovered space, but all covered parking shall comply with the setback requirements of the main dwelling, if the parking is attached, or the accessory building regulations, if the parking is detached.

(9) — Consistency: (11) Parking Exceptions. The off-street parking requirement of Section (10) Parking, does not apply to the following secondary dwelling units:

(A) Secondary dwelling units located within one-half mile of public transit as determined by the community development director.

(B) Secondary dwelling units located within an architecturally and historically significant historic district.

(C) Existing secondary dwelling units that were permitted without additional parking.

(D) When on-street parking permits are required but not offered to the occupant of the secondary dwelling unit.

(E) When a car share vehicle is located within one block of the secondary dwelling unit as determined by the community development director.

(12) Consistency. All secondary dwelling units shall comply with all applicable development regulations for the single-family zoning district in which the lot is located and building code requirements set forth in Title 12 ~~Building, Buildings~~ and Construction ~~of the Municipal Code,~~ unless otherwise specifically provided for in this section:.

~~(4013)~~ Aesthetics: The secondary dwelling unit shall have colors, materials, textures and architecture similar to the main dwelling.

~~(4114)~~ Tenancy: Either the main dwelling or the secondary dwelling unit shall be occupied by the property owner when both units are occupied as ~~dwelling~~ dwelling units. If a property owner does not occupy one of the dwelling units, the property owner may apply for a non-tenancy status for a term of one (1) year through a registration process established by the ~~Community Development Director.~~ community development director. To be eligible for the registration process, a property owner must have lived at the subject property for a minimum of two (2) years of the previous five (5) years from the date of application. The property owner may renew the registration annually, not to exceed four (4) years in total, subject to the review and approval of the ~~Community Development Director~~ community development director, pursuant to the following criteria and process established by the ~~Community Development Director.~~ community development director. In no instance shall either the main dwelling or secondary dwelling unit be rented for a term of less than thirty (30) days.

(A) The application for the registration and renewal(s) shall be accompanied by a fee, set by the ~~City Council.~~ city council.

(B) The application for registration and renewal shall state the reason for the request and provide supporting documentation. The registration shall be approved for any of the following reasons: 4(i) temporary job relocation, with the intent to return, 2(ii) relocation for school (e.g., mid-year career change), and 3(iii) physically unable to live in the house.

(C) The application shall provide a property management plan that includes the name and contact information to address issues or concerns about the use of the property should they arise. The plan should also include information about parking, including 4(i) a site plan with the parking layout for the property, 2(ii) how parking will be assigned between tenants, and 3(iii) an action plan that demonstrates how parking issues will be resolved effectively and efficiently between tenants if tandem parking is provided.

(D) A use permit is required for non-tenancy status longer than four (4) years or for waiver of the requirement that the owner reside in the unit for not less than two (2) of

the previous five (5) years prior to the date of application or for a reason other than those stated in ~~item 2 above~~subsection (11)(B) of this section.

16.79.045 Conversion of accessory buildings.

~~(1) An accessory building may be eligible to convert into a secondary dwelling unit, subject to meeting criteria as outlined in Section 16.79.045(2) and approval of an administrative permit per Chapter 16.82-subsection (2) of this section and approval through the process outlined in Section 16.79.060. No additional off-street parking shall be required to convert an accessory building into a secondary dwelling unit.~~

~~(2) Eligibility: The following criteria must be met in order to be eligible for the conversion of an accessory building:~~

~~(A) The accessory building must have received building permits and commenced construction prior to June 13, 2014. Other supporting documentation to show the building was legally built may be substituted for a building permit subject to review by the Community Development Directorcommunity development director.~~

~~(a) The property owner shall have one (1) year from June 13, 2014 to submit a complete administrative permit application, including all applicable fees and plans, to qualify for the conversion process.~~

~~(B) The accessory building must be upgraded to meet the Building Codebuilding code requirements based on the change of occupancy at the time of the conversion.~~

~~(C) The accessory building must meet all of the development regulations of Section 16.79.040, with the exception of minimum yards, which shall be established in the administrative permitthat no setback shall be required, if the conversion is of an existing garage, and a setback of no more than five (5) feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above an existing garage.~~

~~(3) All or any portion of an accessory building that meets the eligibility criteria as provided in this Section 16.79.045section may be demolished and reconstructed to meet the Building Codebuilding code requirements based on the change of occupancy at the time of conversion. The secondary dwelling unit that replaces the accessory building may retain the setbacks and the footprint of the legally constructed accessory building. The existing setbacks and footprint of the accessory building must be evidenced by valid building permits or other supporting documentation subject to review by the Community Development Directorcommunity development director. Nothing in this Sectionsection shall be deemed to authorize the expansion of the footprint or reduction of the setbacks beyond that evidenced by a valid building permit or other supporting documentation subject to review by the Community Development Directorcommunity development director or to allow the continuation of any other nonconformity.~~

~~(4) This section 16.97.045 shall sunset in its entirety and no longer be effective one (1) year from June 13, 2014 for any administrative permit application not received by said date. The City Council, by resolution, may extend the effective date without further public hearings by the Planning Commission and City Council.~~

16.79.050 Mitigation ~~Monitoring~~monitoring.

All second unit development shall comply, at a minimum, with the ~~Mitigation Monitoring and Report Programmitigation monitoring and report program~~ (MMRP) established

through Resolution No. 6149 associated with the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment prepared for the Housing Element adopted on May 21, 2013.

16.79.060 Application Review and Approval Process.

Each development of a secondary dwelling unit requires review for compliance with this Chapter 16.79 prior to submittal of a building permit for the creation of a secondary dwelling unit.

(1) Application. Requests for compliance review shall be made in writing by the owner of the property, on a form prescribed by the city. The application shall be accompanied by a fee, set by the city council, and plans showing the details of the proposed secondary dwelling unit per submittal guidelines established by the community development director.

(2) Compliance Determination. The community development director or his or her designee shall make a determination of compliance in writing after reviewing the project plans. The determination of the community development director is final and not subject to appeal.

(3) All applications for secondary dwelling units that meet and comply with the requirements under this Chapter shall be approved without discretionary review or a hearing within one-hundred twenty (120) days after receipt of a substantially complete application. The application shall be denied if the proposed secondary dwelling unit does not comply with all applicable requirements of this Chapter or it may be conditionally approved subject to conditions that will bring the proposed secondary dwelling unit into compliance with this Chapter.



STAFF REPORT

Planning Commission

Meeting Date:

12/5/2016

Staff Report Number:

16-102-PC

Regular Business:

Provide feedback on the Ravenswood Avenue Railroad Crossing study alternatives

Recommendation

Staff requests that the Planning Commission provide feedback on the Ravenswood Avenue Railroad Crossing study alternatives in advance of the final community workshop in early 2017. Staff anticipates returning to the Commission in 2017 for a recommendation on selection of a preferred alternative.

Policy Issues

The Project is prioritized in the 2016 City Council Work Plan approved on February 9, 2016. The Project is consistent with the City's Rail Policy and with the General Plan goals to promote the use of public transit, to promote walking as a commute alternative, and to promote the safe use of bicycles as a commute alternative and for recreation.

Background

On August 5, 2013, the San Mateo County Transportation Authority (SMCTA) issued a call for projects for the Measure A Grade Separation Program. In response to the call for projects, the City of Menlo Park (City) requested \$750,000 in Measure A funds for the Project. On November 14, 2013, SMCTA programmed funds from the Measure A Grade Separation Program for the Project.

The Project was included in the City's Capital Improvement Plan (CIP) for Fiscal Year (FY) 2015-16. The Project seeks to advance the previous work on potential grade separations along the Caltrain railroad tracks within the City to increase safety of all modes of travel. This scope of work includes evaluation of the current two preferred alternatives, the Ravenswood Avenue underpass alternative and the hybrid (partially lowered roadway and partially raised railroad tracks) alternative, per direction at the City Council meeting on May 5, 2015. Prior studies evaluated six total alternatives that were refined to the two alternatives that are under consideration with this project. Alternatives were refined based on various factors including feasibility to construct within City limits, impacts to adjacent properties, construction costs, construction impacts and community feedback.

After consulting with the City Council Rail Subcommittee on December 14, 2015, staff issued a Request for Proposals for this Project. On January 21, 2016, three consultant teams submitted proposals. A panel of City and Caltrain staff reviewed the proposals and identified the most qualified teams to invite for interviews. On February 4, 2016, City and Caltrain staff interviewed two consultant teams and selected AECOM as the most qualified team. They were determined to be the most qualified based upon their expertise in similar railroad grade separation Project Study Reports (PSR) and Community Engagement. The highest ranked consultant team for the Project, AECOM, was awarded the project.

Analysis

The scope of work for the Project consists of data collection and review; community engagement; identification and evaluation of grade separation conceptual designs; and preparation of draft and final PSR and preliminary design plans (15 percent level of completion). The community engagement process includes at least three community outreach meetings, seven Council and/or Commission meetings, three-dimensional graphic renderings and/or video simulations, and extensive communications with the various stakeholders. The Project goals are to reduce traffic congestion through grade separation of rail traffic from other modes, maintain local access and circulation as much as feasible, and improve safety at the railroad crossing, with the priority on the Ravenswood Avenue location. The Project would allow the City Council to identify a recommended alternative and identify future studies, permits, potential funding sources and other special requirements that will be required to advance the grade separation to the environmental phase. On March 15, 2016, City Council approved award of the contract and work on the study commenced.

The project team began evaluating the two options currently being considered: the Ravenswood Avenue underpass alternative and the hybrid (partially lowered roadway and partially raised railroad tracks) alternative. As part of this evaluation, two variations of the hybrid alternative were developed. The three alternatives currently being considered are illustrated in Attachments A, B and C and are described below. The requirements of the grant state that the City must evaluate an alternative that would accommodate a third passing track.

Alternative A: Ravenswood Avenue Underpass

Under this alternative, the rail tracks would remain at the existing elevation and Ravenswood Avenue would be lowered to run under the railroad tracks.

Opportunities of this alternative include:

- A grade separation at the highest priority crossing location;
- No change in the visual impacts throughout the Caltrain corridor in the City;
- A minimal impact to through traffic on Alma Street;
- Minimal impact to the railroad alignment and operations; and
- The least amount of construction impacts compared to other alternatives.

The constraints of this alternative include:

- Limitations on types of future grade separations at other Caltrain crossings;
- Elimination of access from Ravenswood Avenue to Alma Street;
- Restriction of access from Ravenswood Avenue to Alma Lane and Merrill Street;
- The greatest impacts to Ravenswood Avenue due to the deep excavation required;
- The steepest roadway slopes; and
- Limited sidewalk access.

Alternative B: Hybrid with two grade separated crossings

Under this alternative, grade separations would be constructed at Ravenswood and Oak Grove Avenues. The rail tracks would be raised approximately 14 feet from the existing elevation at Ravenswood Avenue and approximately 6 feet at Oak Grove Avenue. Ravenswood Avenue would be lowered approximately 8 feet and Oak Grove approximately 15 feet at the railroad tracks. A maximum rail elevation of approximately 17 feet from existing grade would occur across from the Library and Arrillaga Family Gymnasium parking lot.

The opportunities presented with this alternative include:

- Grade separations at the two Caltrain track crossings with highest multi-modal traffic volumes;

- The ability to maintain access between Ravenswood Avenue and Alma Street, Alma Lane, and Merrill Street;
- The least impact to the elevation of Ravenswood Avenue compared to other alternatives; and
- The ability to restore all movements at the intersection of Ravenswood Avenue and Alma Street.

The constraints of this alternative include:

- The highest railroad elevation of the alternatives (approximately 17 feet above existing elevation adjacent to Library and Arrillaga Family Gymnasium);
- Additional street and driveway access impacts at Oak Grove Avenue at Alma Street, Merrill Street and Derry Lane; and
- A steeper roadway slope at Oak Grove Avenue than Alternative C.

Alternative C: Hybrid with three grade separated crossings

Under this alternative, grade separations would be constructed at Ravenswood, Oak Grove and Glenwood Avenues and the railroad profile elevation would be generally flatter than Alternative B. The rail tracks would be raised approximately 10 feet at Ravenswood and Oak Grove Avenues and approximately 15 feet at Glenwood Avenue. Ravenswood Avenue would be lowered approximately 12 feet, Oak Grove approximately 11 feet and Glenwood Avenue approximately 5 feet at the railroad tracks. A maximum rail elevation of approximately 10 feet from existing grade would occur from Ravenswood Avenue to Oak Grove Avenue including the station area.

The opportunities presented with this alternative include:

- Grade separating three of the four crossings along this rail corridor;
- Maintaining access at Ravenswood Avenue at Alma Street, Alma Lane and Merrill Street;
- Less severe impacts to access at Oak Grove Avenue than Alternative B;
- Lower maximum rail elevation than Alternative B; and
- The ability to restore full access at the intersection of Ravenswood Avenue and Alma Street.

The constraints of this alternative include:

- The highest number of access impacts of the alternatives and
- An elevated railroad for the longest stretch compared to the other alternatives.

Community Outreach

On May 2, 2016, the first Community Meeting was held at the Arrillaga Family Recreation Center. The meeting's purpose was to hear from the community about their preferences and concerns prior to the start of the preliminary engineering. A presentation was given to orient attendees to the purpose of the project, some existing conditions, and information regarding railroad crossing options and potential aesthetic treatments. The presentation also illustrated the two options currently being studied: the Ravenswood Avenue underpass alternative and the hybrid (partially lowered roadway and partially raised railroad tracks) alternative. The questions, comments and feedback from this meeting are documented in a meeting summary and posted on the project web page (www.menlopark.org/ravenswood).

On October 4, 2016, the second Community Meeting was held at the Menlo Church Social Hall in downtown Menlo Park. The purpose of this meeting was to present the three preliminary alternatives described above and receive additional feedback on preferences and concerns. Other items that community feedback was requested on included aesthetics, in-bound or out-bound loading platforms at the station, bicycle and pedestrian access paths, critical street and driveway access points, preferences on Ravenswood Avenue/Alma Street intersection configuration, and preferred number of grade separations. The presentation and exhibits and a summary of input received at this meeting are posted on the project web

page.

Other community outreach performed to date as part of this study include:

- Bicycle Commission Business Item, November 14, 2016
- Transportation Commission Business Item, November 9, 2016
- Presentation to Chamber of Commerce, Business and Transportation Issues Committee meeting, September 29, 2016
- Meeting with Fire District and Police Department representatives, September 27, 2016
- Informational presentation by staff at Library Commission, June 13, 2016
- Informational presentation by staff at Parks and Recreation Commission, May 25, 2016
- On-going meetings with individual stakeholders and adjacent property and business owners

Upcoming community outreach includes:

- City Council, Early 2017 (date TBD)
- On-going meetings with individual stakeholders including local schools

Upon completion of this round of community outreach, the project team will compile and evaluate all of the feedback received and incorporate into the designs of the alternatives where feasible. Construction impact evaluations, construction cost estimates, and economic impact evaluations will be developed and the updated alternatives will be presented at a third Community Meeting in spring 2017 as well as to the Transportation, Bicycle and Planning Commissions. Individual stakeholder outreach will continue throughout this process. The feedback received from all parties will be summarized prior to bringing to the City Council for selection of a preferred alternative in 2017 to advance the Project to environmental studies and final design.

Impact on City Resources

The Project was approved and included in the CIP for FY 2015-16, with a total budget in the amount of \$750,000. Through the Measure A Grade Separation Program, the SMCTA will reimburse the City up to \$750,000 for the Project. Including contingency and staff time, the total approved budget is \$825,000. Staff resources are available to complete the existing scope.

Environmental Review

The results of this phase of the Project will identify required environmental reviews and studies required to advance the project. Environmental reviews and studies will be completed as part of the next phase of work, not as part of this scope.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A-1. Alternative A, Plan & Profile – Ravenswood Avenue
- A-2. Alternative A, Photo Simulation Looking East along Ravenswood
- B-1. Alternative B, Plan & Profile – Ravenswood Avenue
- B-2. Alternative B, Plan & Profile – Oak Grove Avenue

- B-3. Alternative B, Photo Simulation Looking East along Ravenswood
- C-1. Alternative C, Plan & Profile – Ravenswood Avenue
- C-2. Alternative C, Plan & Profile – Oak Grove Avenue
- C-3. Alternative C, Plan & Profile – Glenwood Avenue
- C-4. Alternative C, Photo Simulation Looking East along Ravenswood

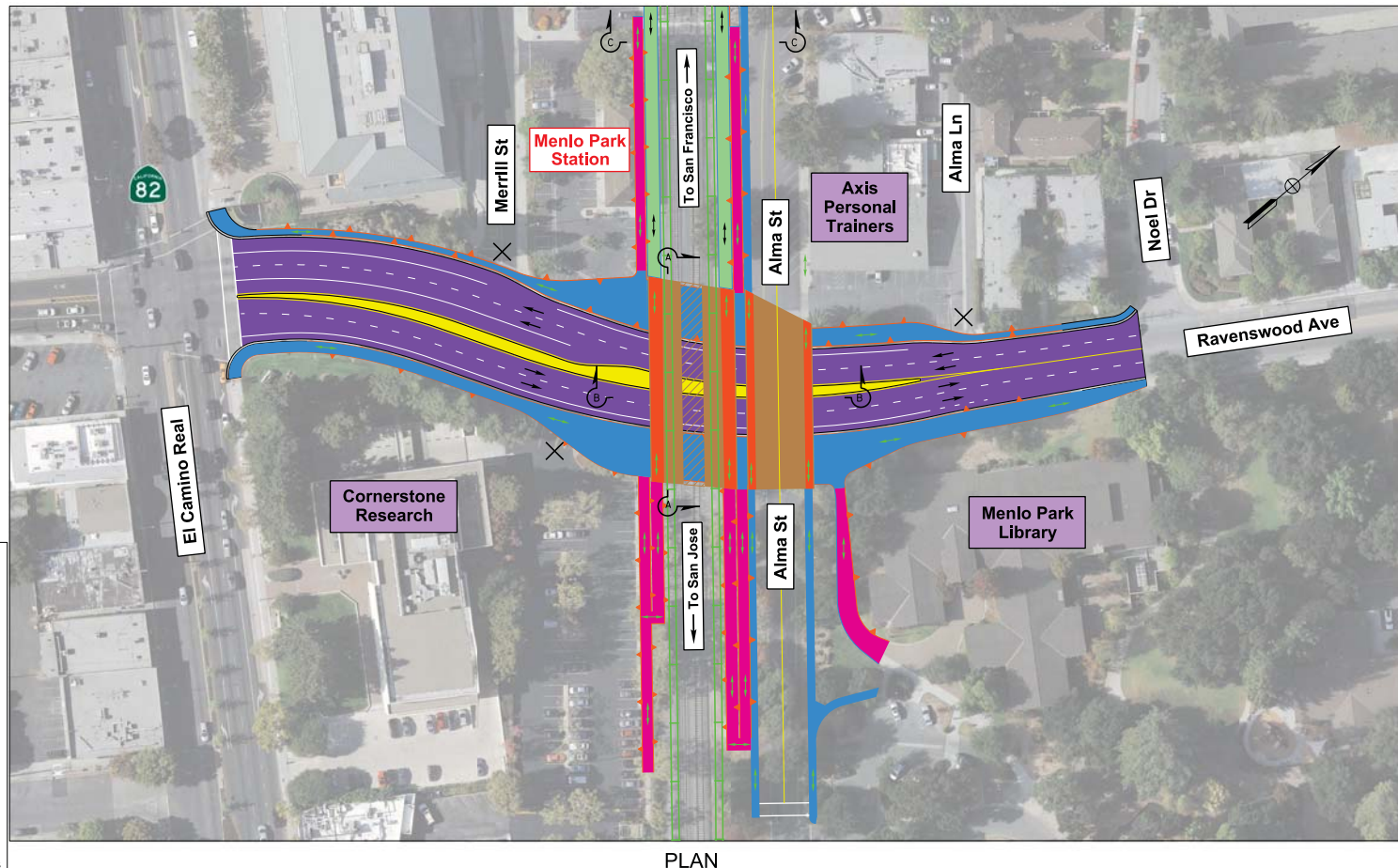
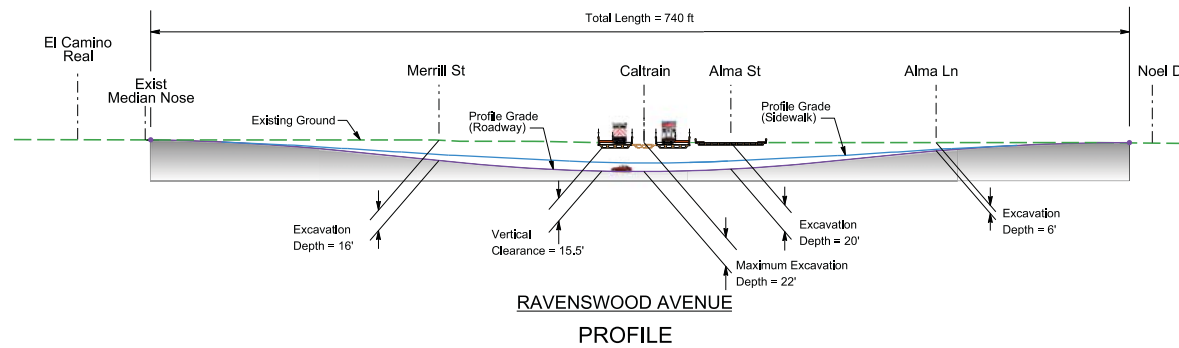
Report prepared by:

Angela R. Obeso, Associate Transportation Engineer

Report reviewed by:

Nicole H. Nagaya, Transportation Manager

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- LEGEND:**
- Track
 - Retaining Wall
 - Structure
 - Future Track Structure
 - Driveway Access
 - Limits of Roadway Modifications
 - Median / Curbed Island
 - Sidewalk Modifications
 - Sidewalk on Structure
 - Station Platform
 - Pedestrian Ramps (ADA Compliant)
 - Access Modification or Restriction

Plan & Profile - Ravenswood Avenue (Alternative A)

0 40 80 ft

PRELIMINARY
FOR DISCUSSION PURPOSES ONLY
October 4, 2016



**Ravenswood Avenue
Railroad Crossing
Project**



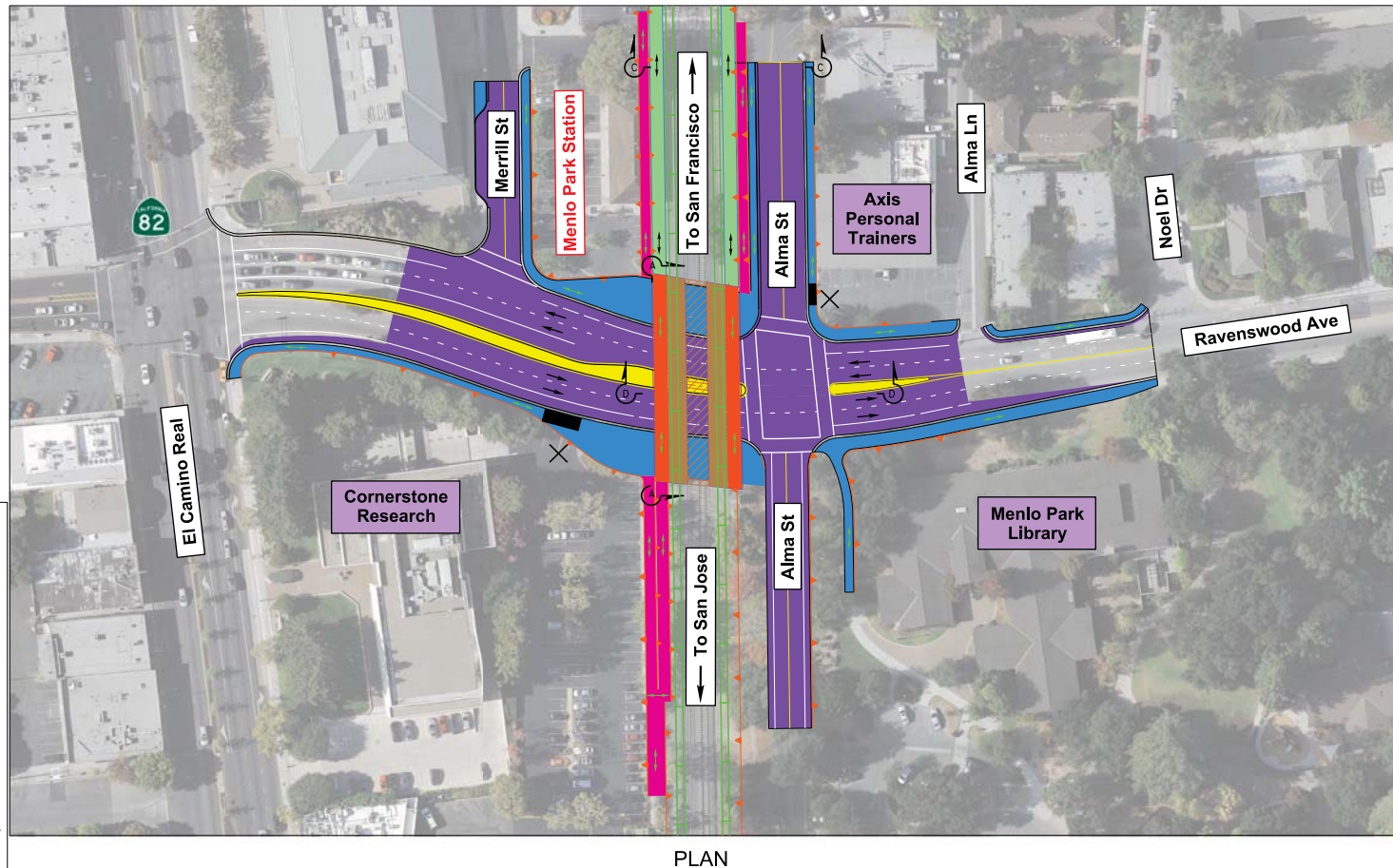
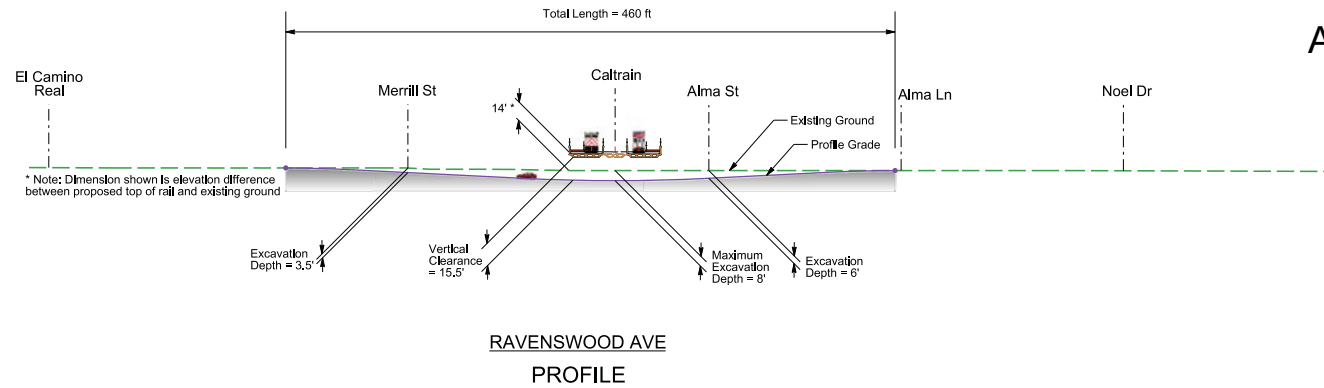
AECOM

Alternative A

Photo Simulation Looking East along Ravenswood



Ravenswood Avenue Railroad Crossing Project



Plan & Profile - Ravenswood Avenue (Alternative B)

PRELIMINARY
FOR DISCUSSION PURPOSES ONLY
October 4, 2016

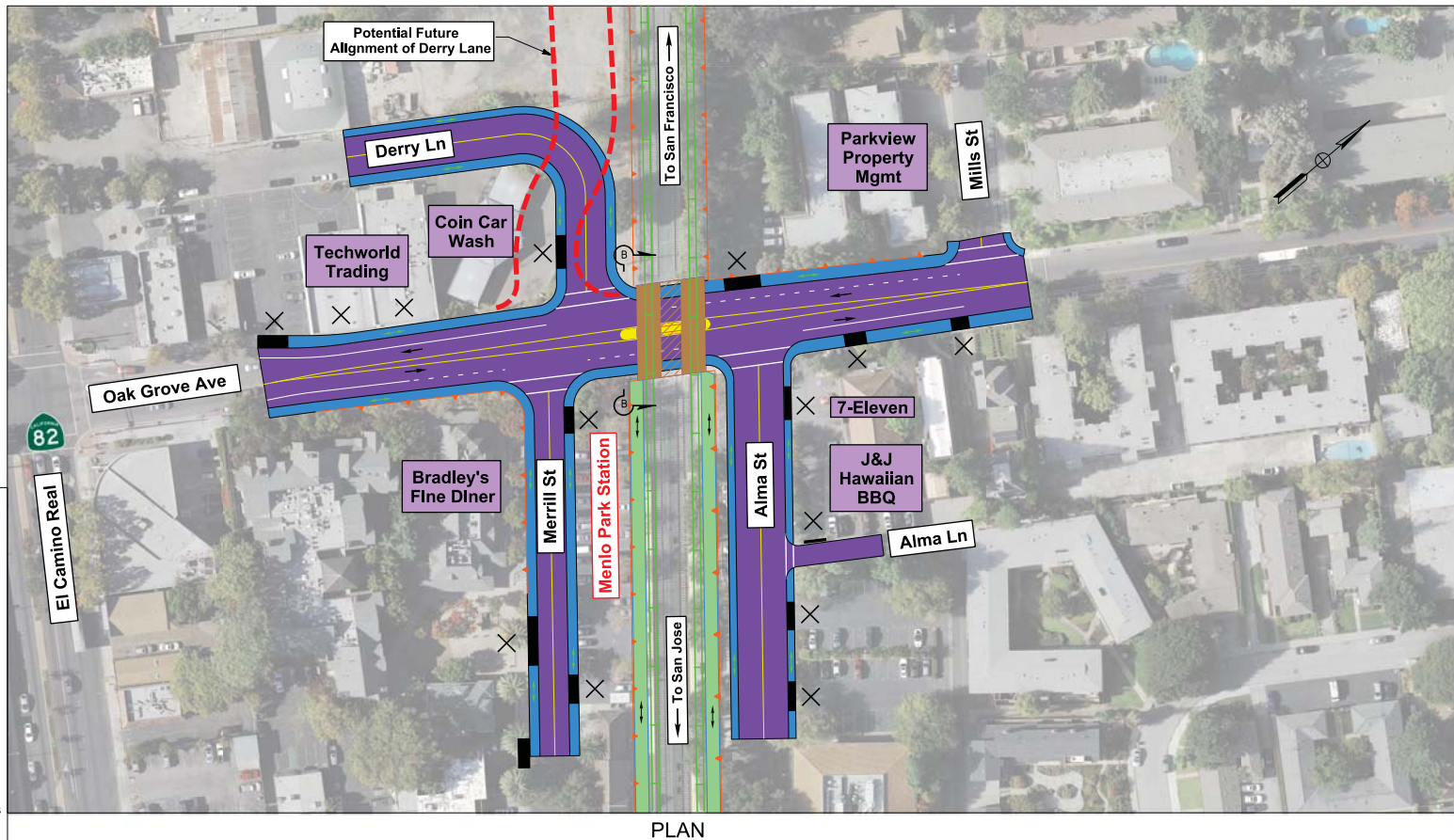
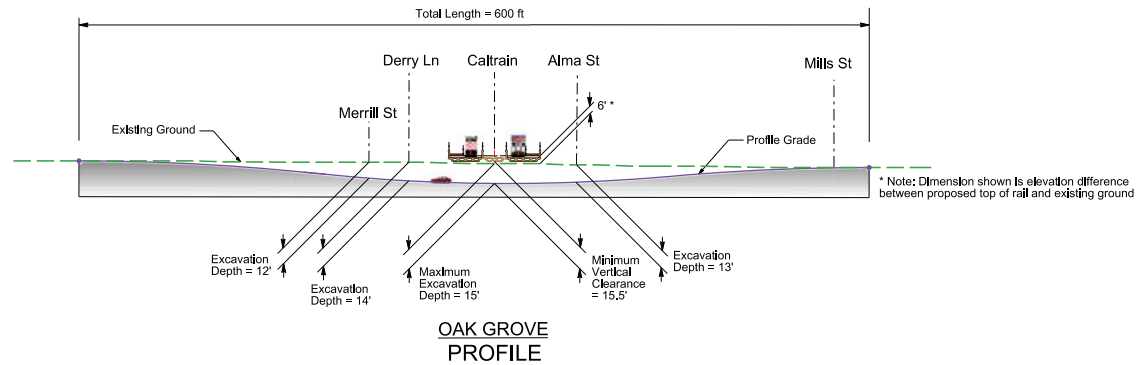


**Ravenswood Avenue
Railroad Crossing
Project**



AECOM

- LEGEND:**
- Track
 - Retaining Wall
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 - Driveway Access
 - Limits of Roadway Modifications
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 - Sidewalk Modifications
 - Sidewalk on Structure
 - Station Platform
 - Pedestrian Ramps (ADA Compliant)
 - Access Modification or Restriction
- B1



Plan & Profile - Oak Grove Avenue (Alternative B)

PRELIMINARY
FOR DISCUSSION PURPOSES ONLY
October 4, 2016

- LEGEND:**
- Track
 - Retaining Wall
 - Structure
 - Future Track Structure
 - Driveway Access
 - Limits of Roadway Modifications
 - Median / Curbed Island
 - Sidewalk Modifications
 - Sidewalk on Structure
 - Station Platform
 - Pedestrian Ramps (ADA Compliant)
 - Access Modification or Restriction
- B2



**Ravenswood Avenue
Railroad Crossing
Project**



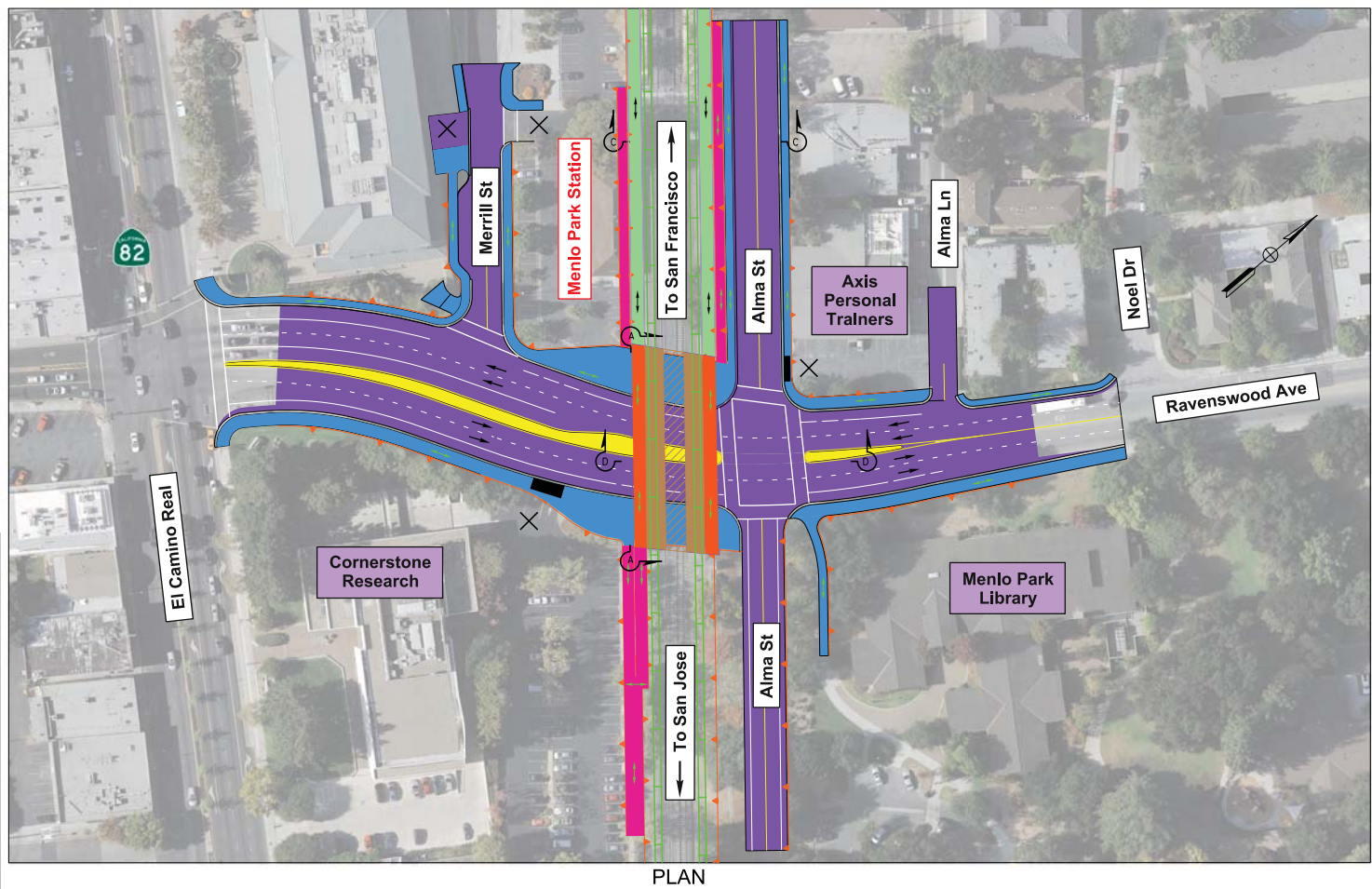
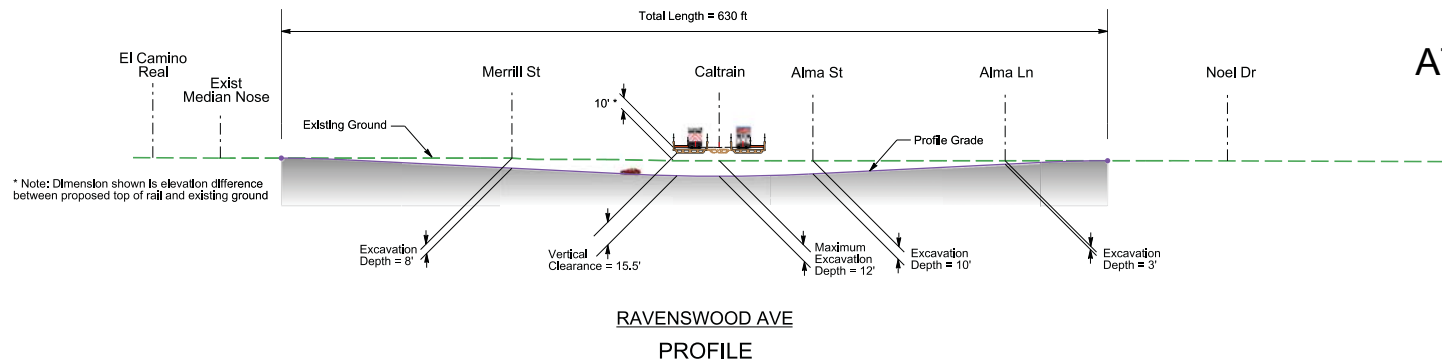
AECOM

Alternative B

Photo Simulation Looking East along Ravenswood



Ravenswood Avenue Railroad Crossing Project



LEGEND:

- Track
- Retaining Wall
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- Future Track Structure
- Driveway Access
- Limits of Roadway Modifications
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- Sidewalk on Structure
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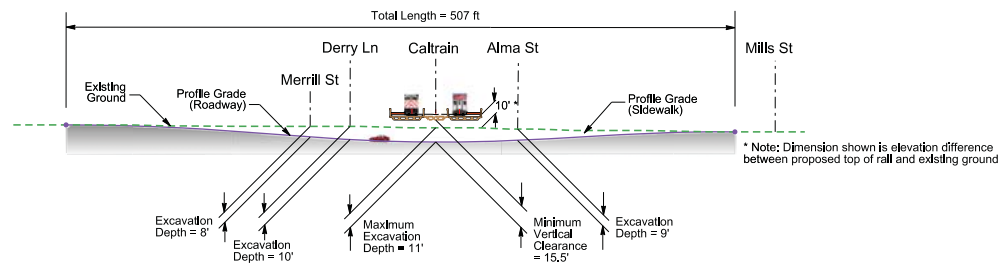
Plan & Profile - Ravenswood Avenue (Alternative C)

PRELIMINARY
FOR DISCUSSION PURPOSES ONLY
October 4, 2016

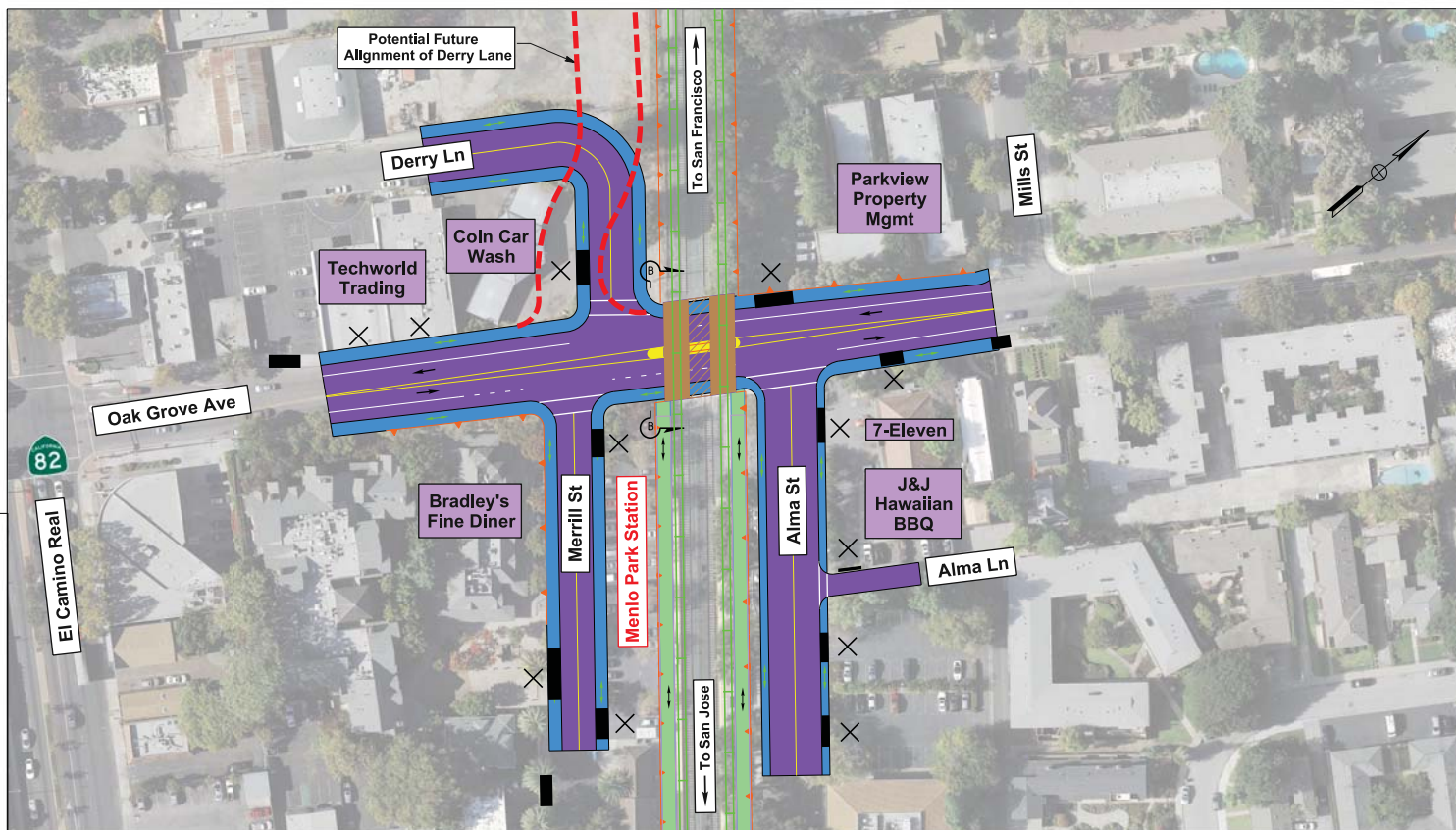


**Ravenswood Avenue
Railroad Crossing
Project**





OAK GROVE
PROFILE



PLAN

Plan & Profile - Oak Grove Avenue (Alternative C)

LEGEND:

- Track
- Retaining Wall
- Structure
- Future Track Structure
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- Sidewalk on Structure
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X_{C2}



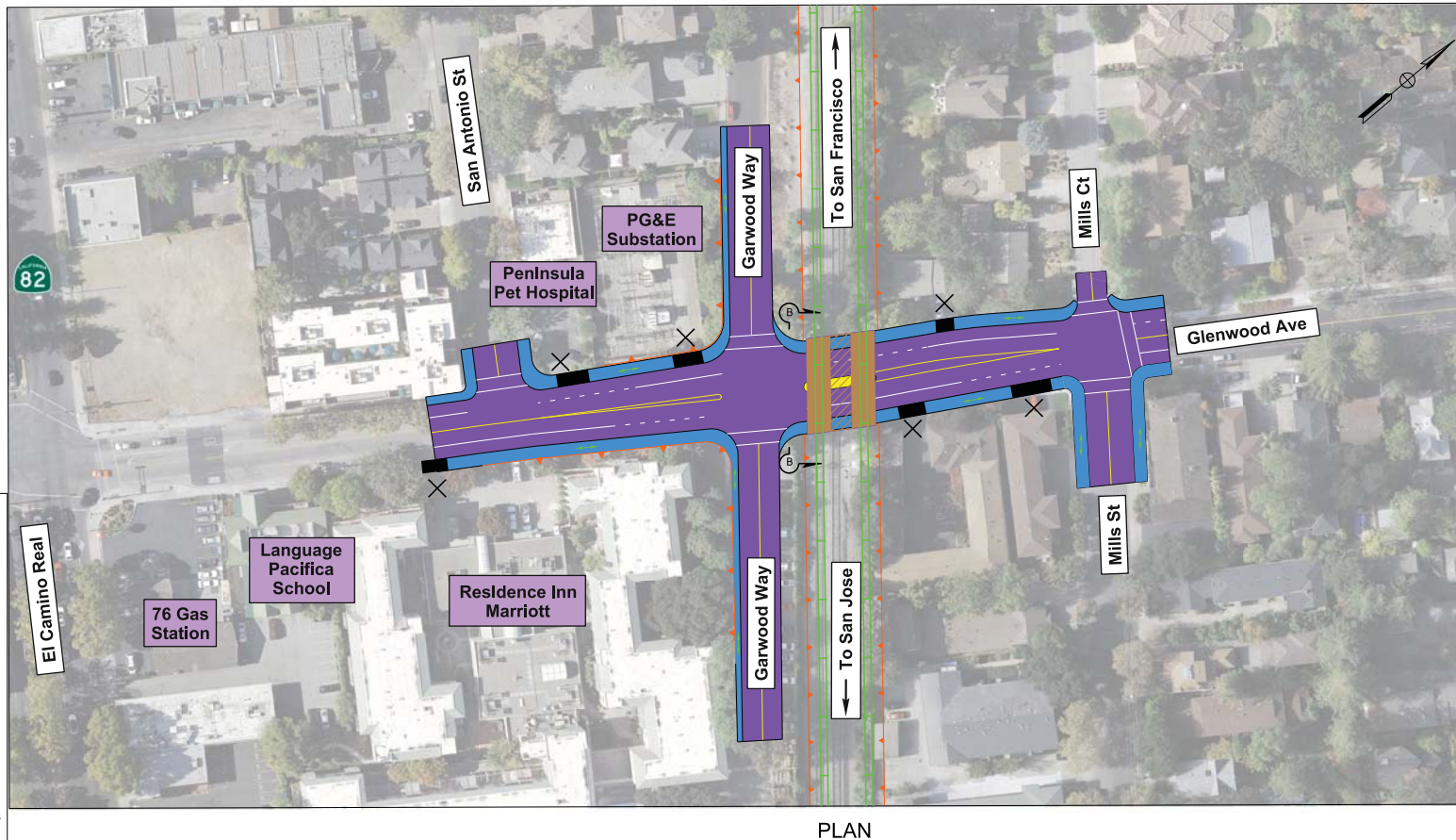
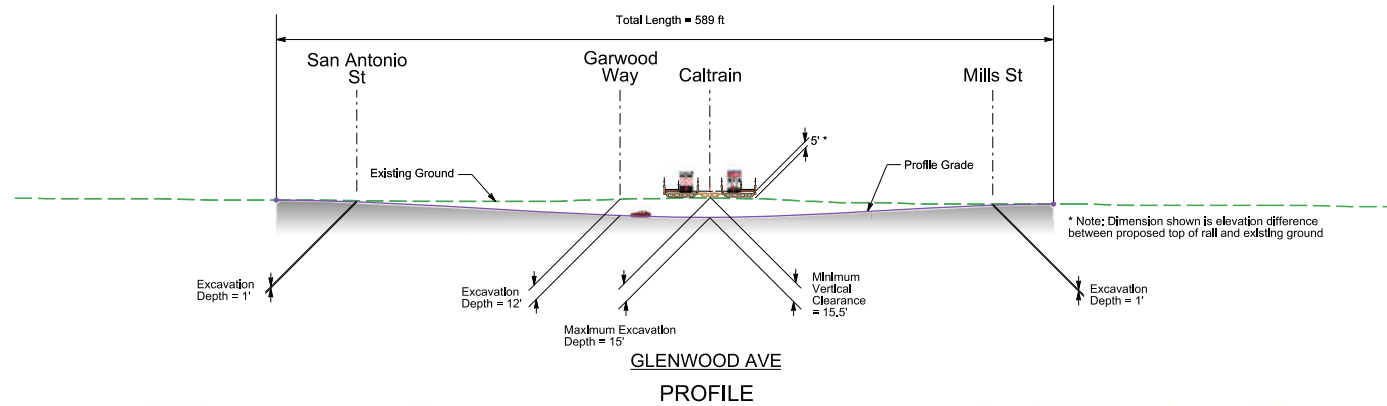
**Ravenswood Avenue
Railroad Crossing
Project**



AECOM

0 40 80 ft

PRELIMINARY
FOR DISCUSSION PURPOSES ONLY
October 4, 2016



LEGEND:

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Plan & Profile - Glenwood Avenue (Alternative C)

PRELIMINARY
FOR DISCUSSION PURPOSES ONLY
October 4, 2016



**Ravenswood Avenue
Railroad Crossing
Project**



AECOM

Alternative C

Simulation Looking East along Ravenswood



Ravenswood Avenue Railroad Crossing Project