



## REGULAR MEETING AGENDA

**Date:** 7/30/2018  
**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 July 16, 2018, Planning Commission meeting. ([Attachment](#))

**F. Public Hearing**

- F1. Use Permit/Evelyn Li/1031 Almanor Drive:  
Request for a use permit to construct a new attached secondary dwelling unit on a lot less than 6,000 square feet in size in the R-1-U (Single Family Urban Residential) zoning district. The proposal also requests a use permit for remodeling and additions (including a new second story) to the existing single-story, single-family nonconforming structure on a substandard lot with respect to lot area and width. The proposed additions would exceed 50 percent of the existing floor area, and the value of the proposed work would exceed 50 percent of the existing value within a 12-month period. The proposed project is considered equivalent to a new structure. ([Staff Report #18-067-PC](#)) *Continued from the Planning Commission meeting of July 16, 2018*
- F2. Use Permit and Variance/Whitney Peterson and Kyle Larson/947 Lee Drive:  
Request for a use permit to determine the Floor Area Limit (FAL) for a lot with less than 5,000 square feet of developable area, and for the construction of a new two-story, single-family

residence on a substandard lot in the R-1-U (Single-Family Urban Residential) zoning district. In addition, a request for a variance for construction of a first-story encroachment of 10 feet into the required 20-foot rear yard setback. ([Staff Report #18-068-PC](#))

- F3. Use Permit Revision/Tusker Medical/155 Jefferson Drive:  
Request for a use permit revision to expand the usable gross floor area in which previously approved quantities and classes of hazardous materials would be used, all within an existing building on a lot in the R-MU-B (Residential, Mixed-Use, Bonus) zoning district. There would be no changes to previously approved quantities or classes of hazardous materials on the site as part of the project. ([Staff Report #18-069-PC](#))

## G. Informational Items

- G1. 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: August 13, 2018
  - Regular Meeting: August 27, 2018
  - Regular Meeting: September 17, 2018

## H. 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](http://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](http://menlopark.org/notifyme). Agendas and staff reports may also be obtained by contacting the Planning Division at 650-330-6702. (Posted: 07/25/2018)

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:** 7/16/2018  
**Time:** 7:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

### A. Call To Order

Chair Susan Goodhue called the meeting to order at 7:02 p.m.

### B. Roll Call

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

Staff: Deanna Chow, Principal Planner, Fahteen Khan, Contract Assistant Planner, Mark Muenzer, Community Development Director, Tom Smith, Senior Planner, Chris Turner, Planning Technician

### C. Reports and Announcements

Community Development Director Mark Muenzer announced that effective July 1 the Office of Housing and Economic Development was moved from the City Manager's Department to the Community Development Department. He said that replacing the outgoing manager of that Division was in process. He announced that Deanna Chow had been promoted to Assistant Community Development Director and would oversee the Planning Division. He recognized newly hired Planning Technician Chris Turner.

Principal Planner Chow said the City Council at its June 19 meeting heard an ordinance for RMU BMR and suggested its adoption with an added study to look at whether there was any affordable change level of median income for small projects. She said they also heard an anti-discrimination ordinance related to Section 8 housing so landlords could not discriminate against tenants using that type of monetary compensation.

Commissioner Katherine Strehl asked about people displaced by the 2008 recession in Belle Haven and if the BMR ordinance was changed to allow those who moved out of the area to still have eligibility for BMR units. Ms. Chow said that the City Council considered amending BMR Guidelines at its June 19 meeting and read the section related to displaced residents due to economic reasons and the eligibility criteria for BMR application.

### D. Public Comment

There was none.

### E. Consent Calendar

Commissioner Strehl said she would abstain from approving the two sets of minutes as she was

not at either meeting. Chair Goodhue said she would abstain from the June 4 minutes item as she was not at that meeting. She noted modifications to the minutes from Commissioner Riggs. Ms. Chow said in addition to Commissioner Riggs' suggested changes to the June 18 minutes that staff added a condition 6.a to the approval of 1911 Menalto Avenue by the Commission.

- E1. Approval of minutes from the June 4, 2018, Planning Commission meeting. ([Attachment](#))

**ACTION:** Motion and second (John Onken/Henry Riggs) to approve the minutes of June 4, 2018 with the following modification; passes 5-0-2 with Commissioners Goodhue and Strehl abstaining.

- Page 11, 4<sup>th</sup> paragraph, 2<sup>nd</sup> line: replace "115 amps outlets" with "15 amps outlets"

- E2. Approval of minutes from the June 18, 2018, Planning Commission meeting. ([Attachment](#))

**ACTION:** Motion and second (Andrew Combs/Camille Kennedy) to approve the minutes of June 18, 2018 with the following modifications; passes 6-0-1 with Commissioner Strehl abstaining.

- Page 18, 1<sup>st</sup> paragraph, 1<sup>st</sup> line: replace "material was wood veneer..." with "the sample board picture was not for panel size, size would be per renderings, it showed material was wood veneer..."
- Page 20, 1<sup>st</sup> paragraph, 3<sup>rd</sup> line: replace "80 to 85 parking" with "80-85% parking"
- For 1911 Menalto Avenue item approval, add Condition 6a: Concurrent with the submittal of a complete building permit application, the applicant may submit revised plans showing cladding other than stone for the residence on Parcel "B", subject to review and approval by the Planning Division

## F. Public Hearing

- F1. Use Permit and Variance/Jiawei Zhu/188 Elliot Drive:  
Request for a variance to reduce the subdivision ordinance front setback from approximately 50 feet to 35 feet. The proposal includes a request for a use permit for additions and interior modifications to an existing one-story single-family nonconforming structure on a standard lot in the R-1-U (Single Family Urban Residential) zoning district that would exceed 75 percent of the existing value within a 12-month period for a single-story addition and remodel. Three heritage tree removal permit applications are associated with the proposed project. ([Staff Report #18-065-PC](#))

Staff Comment: Contract Assistant Planner Fahteen Khan clarified that two, rather than three, heritage tree removals were associated with the proposed project.

Applicant Presentation: Chiawang Yeh, project engineer and architect, said they were requesting a variance for the lot width noting it was located at the corner of a curved street, and the property width increased toward the rear. He said the additions would be done in the middle of the lot to prevent impact to neighbors.

Chair Goodhue opened the public hearing.

Public Comment:

- Peter Colby, Menlo Park, said he had wanted to comment on the proposed development at the

corner of Cambridge Avenue and El Camino Real but arrived after public comment. He commented on the heritage tree removal application process and information on a consultant to assist in a revision of its associated ordinance. He said he did not think the City's heritage tree protection ordinance was being taken seriously.

Chair Goodhue closed the public hearing.

Commission Comment: Commissioner Onken asked for staff clarification of the variance request noting it was specific to the setback mandated in the City's subdivision ordinance but which was not in the zoning code. Ms. Chow said as the property was located on a cul de sac and of a certain size, it required review of the setback. She said often times for this type of property the setback was greater than the 20-foot front setback typically required. Commissioner Onken said he did not understand why that ordinance was being applied to a lot that was not being changed or subdivided. Ms. Chow said the City had been consistent in treating use permit applications according to the subdivision ordinance and applying its setback requirements in situations where the lot already existed.

Commissioner Combs said he did not think the subdivision ordinance had been applied to all use permit applications and asked why it was for this project. Ms. Chow said it applied to lots on a radius where the curve was less than 100 feet and was a unique setback requirement.

Commissioner Riggs asked about restrictions on the amount of paving in the front of a lot. Ms. Chow said in the past for secondary dwelling unit there had been a limit on the amount of paving. She said she did not think there was a maximum percentage required for pavement unless it was in an R-3 zoning district that would have a landscaping and/or parking requirement. She said usually impervious surface requirements were with stormwater management. She further clarified for Commissioner Riggs that the R-1-U zoning district did not have aesthetic guidelines for the front of the lot.

Commissioner Onken said the proposed additions were minor and the only conflict was removing two heritage trees in the middle of the site. He said the site was well screened and he did not see a problem with the loss of the two trees in deference to the addition to the house. He said the additions proposed did not increase the existing house's encroachment into the front setback, and the garage mostly aligned with the neighbor's garage. He said he did not think granting the variance would set any precedence for neighbors and was particular to the subject property. He moved to approve the project as recommended in the staff report. Commissioner Strehl seconded the motion.

Commissioner Andrew Barnes said he tended to be very strict regarding variance requests. He said he found the variance request for this project acceptable as it occurred within the parcel without increasing its footprint or visibility to the front.

**ACTION:** Motion and second (Onken/Strehl) to approve the item 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 the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of variances:
  - a. The hardship at 188 Elliot Drive is caused by the combination of the property being a narrow lot and irregularly shaped and the placement of the existing house on the lot. The subject site, is not a typical, rectangular-shaped lot, but rather a pie shape with a narrow curved front. The hardship is unique to the property, and has not been created by an act of the owner.
  - b. The variance is necessary to create a conventionally sized, functional space while preserving a usable rear yard. Additionally, the proposed front entry encroachment would help create a focal point for the front entry and reduce the prominence of the existing two-car garage at the front left side of the house, while providing a 30-foot front setback where 20 feet is typically required in the R-1-U zoning district. This encroachment would allow for typical modifications that other conforming properties would be able to more easily achieve with a standard 20-foot required front setback.
  - c. The proposed project would be modest in size and remain a single-story residence, and all other development standards would also be met. As such, granting of the variance for proposed front yard encroachment would not be materially detrimental to the public health, safety, or welfare, and will not impair adequate supply of light and air to adjacent property.
  - d. The variance request is based on the nonconformance of the existing structure as it encroaches into the required front yard setback due to the unique condition of a narrow, pie shaped lot. This variance would not typically apply to other properties in the same zoning district as the situation is unique to this site.
  - e. The property is not within any Specific Plan area. Hence, a finding regarding an unusual factor does not apply.
3. 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.
4. Approve the use permit and variance subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Chiawang Structural Engineering, Inc., consisting of 11 plan sheets, dated received June 28, 2018, 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 Heritage Tree Ordinance and the arborist report by Dsoto Tree & Arborist Services dated June 5, 2018.

F2. Use Permit/Evelyn Li/1031 Almanor Drive:  
Request for a use permit to construct a new secondary dwelling unit attached to the rear of an existing main dwelling unit on a lot less than 6,000 square feet in size in the R-1-U (Single Family Urban Residential) zoning district. The proposal also requests a use permit for a remodel and additions to the existing single-story, single-family nonconforming structure on a substandard lot with respect to lot area and width. The proposed addition would exceed 50 percent of the existing floor area and the value of the proposed work would exceed 50 percent of the existing value within a 12-month period. The proposed project is considered equivalent to a new structure. *Continued to the July 30, 2018 Planning Commission meeting.*

F3. Use Permit/Church of the Pioneers Foundation/900 Santa Cruz Avenue:  
Request for a use permit to operate an afterschool youth program and office use associated with a religious facility in and around a former bank building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district, primarily on Thursdays and Sundays, with limited office uses on other days of the week. The project also includes a request to hold up to four events for church administrative purposes per year that could be located inside or outside of the building. *Continued to a future Planning Commission meeting.*

Chair Goodhue said Commissioner Combs and she would need to recuse themselves from item G1 noting Commissioner Combs' employment with Facebook and her past representation of Facebook.

Vice Chair Barnes conducted the remainder of the meeting in the Chair's absence.

## **G. Study Session**

G1. Use Permit, Architectural Control, and Environmental Review/Chris Middlebrooks/  
1105-1165 O'Brien Drive:

Request for a use permit, architectural control, and environmental review for the construction of a new five-story research and development (R&D) building, approximately 120,000 square feet of gross floor area in size, and a new five-story parking structure with 281 parking stalls on a two-parcel site with two existing one-story office and R&D buildings, to be demolished, in the LS-B (Life Sciences, Bonus) zoning district. The project will be pursuing bonus level development. As part of the project, nine heritage trees are requested for removal, as well as an administrative lot merger to combine the two existing parcels into a single parcel. A diesel emergency generator and hazardous materials storage bunkers for potential R&D tenants are also proposed at the rear of the project site. The future use and storage of hazardous materials, with the exception of diesel fuel, would require project specific administrative permits. ([Staff Report #18-066-PC](#))

Staff Comment: Senior Planner Tom Smith said on page 3 of the staff report in the discussion on building height it stated that the applicant was requesting a deed restriction on the height of the building at 1145 O'Brien Drive to bring down the maximum height of the proposed building. He said prior to the meeting he reviewed a refined building height diagram, and staff believed that the project would meet the average maximum height requirement without the need for a deed restriction process. He said the building on the site as designed currently would meet the requirements. He referred the Commission to the topics at the end of the staff report. He said as a bonus level development the project would need a use permit to allow the additional height and gross floor area being requested. He requested that the Commission look at the overall architectural design and materials, the design and integration of the parking structure with the main R&D building, the design and layout of the publicly accessible open space, and request for hazardous materials storage containers to be located outside.

Vice Chair Barnes said the parking range for the zoning district was 1.5 to 2.5 per 1,000 square feet and asked about the rationale for particularly the low end of the range noting the project was 2.36 parking spaces per 1,000 square feet. Principal Planner Chow said the LS zoning district was created as part of the ConnectMenlo General Plan update with three new zoning districts standards replacing the former M2 zoning district. She said parking requirements were set per district previously and not by use so they changed that to be based on use. She said they also looked at parking requirement reductions in expectation of people's future changed behavior but keeping minimum parking requirements acknowledging people's continued use of vehicles. She said as part of ConnectMenlo that Transportation Demand Management programming (TDM) was added as a requirement and the project would reduce trips by 20% for what was typical for this particular type of use. She said potential opportunity existed in the area for creation of a Transportation Management Association and focusing on complete streets and multi-modal transportation that helped influence the lower range parking ratio.

Replying to Commissioner Riggs, Principal Planner Chow said the City has a settlement agreement with the City of East Palo related to the EIR for this zoning district. She said this project was seeking bonus level development and traffic specific analysis would need to be done for it.

Applicant Presentation: John Tarlton, Menlo Park Labs, introduced Elke McGregor with DES and Ron Krietemeyer, Chief Operating Officer and Head of Development and Construction for Tarlton Properties. He said they brought a design to staff and received feedback that they responded to in the current proposed design.

Ms. McGregor said the buildings were oriented east to west and would have wonderful views. She said it was a transportation-friendly building with a shuttle stop and proposed bicycle and walking



lanes around the building. She said in the front of the building was a small café that was open to the public. She said they would have a rooftop amenities space with a fitness center and open lounge for tenants and also for tenants of other buildings in the Menlo Park Labs. She said the parking garage had been enhanced with a screening aspect in front of it. She said it also had four stair towers for exiting from the rooftop. She said the back of the garage with a high space would allow a fire truck to drive right through the site.

Commissioner Onken said the stair tower had an elevator and was 25 feet above any elevator stop. He asked why a traction elevator would only need 14 ½ feet for overrun. Ms. McGregor said they were engaging the other three aspects of the building. She said they wanted the garage to speak the same language as the building and used the stair towers to bring in similar architectural features.

Commissioner Onken asked about changes recommended by staff and what the Commission was seeing as improvements based on those recommended changes. Senior Planner Smith said that the project was reviewed initially as a Design Review Team submittal and that had been quite a bit different from what was being proposed now. He said initially it did not have the curved frontage that followed O'Brien Drive but was a bit more rectangular. He said they also worked with the applicant on the parking structure design and the screening around the upper four floors of that. He said there were also changes to better screen with landscaping around the frontage with better clarification of what was publicly accessible open space and general site open space. He said also clarifications were made about the rooftop amenities space, the amenities provided and how the space would be utilized.

Commissioner Onken said the plans showed the curved front façade more faceted than the rendering which showed a smoother curved plane. Ms. McGregor said the façade bumped out with the idea of having a two-story lobby in the entrance as open space and a balcony overlooking that giving the opportunity to have a more impressionable space in the entry of the building. Commissioner Onken said plan A14a showed a level 4 with a smooth surface and they did not have any plans for above that. Ms. McGregor confirmed that levels 3, 4 and 5 all had the smooth façade. She said only the first two floors had access to the lobby area. Commissioner Onken said the plan for level 3 showed a bump out. Ms. McGregor said that needed to be corrected to show it flush with the two floors above it.

Commissioner Riggs confirmed the curtain wall spanned south and southwest and expressed concern with heat gain. He asked about their solar control plan. Ms. McGregor said they were working with two different consultants with the goal of keeping the view. She said one LEED point was for views from the interior of a building out to all different aspects and for all interior space to feel connected to daylight. She said conversely they did not want to have hot spots at the front of the building. She said they were doing studies with DVG&L that showed where the hot spots were expected and how to change to remove those. She said they were looking at shading devices that were both interior and exterior. She said they were looking at the optimal depth of the fins and would look at the sun effect every time of the year to avoid the hot spots and get the best in shading and provision of natural light. She said they were also doing a study of the heat gain in the interior that told them what type of glass was needed to minimize the air conditioning load. Commissioner Riggs said it sounded like there would be more fins and light shelf than currently shown.

Vice Chair Barnes opened the public comment period.

Public Comment:

- Diane Bailey, Director of Menlo Spark, praised the design for its environmentally sound planning and the developer in particular, whom she thought had been extremely sensitive to environmental standards and oft times an early adaptor of new green technology. She said they were concerned with the plan for a diesel generator and wanted to encourage exploration of alternatives. She said solar micro grids had grown in popularity because of the plummeting pricing of battery energy storage. She suggested the City begin thinking about when to phase out diesel or other fossil fuel generators and move toward alternative emergency power solutions. She suggested with the attention being given to shuttle and bike routes and alternatives to driving to look at a lower parking requirement for the site.

Vice Chair Barnes closed the public comment period.

Commission Comment: Commissioner Onken asked the applicant about the expected tenancy, whether single or multi-tenant. Mr. Tarlton said they wanted capacity for either as it was unknown what tenancy they would get. He said in the current tenant environment it seemed somewhat likely that they would have more than one tenant for this building. Commissioner Onken said he asked as he thought the elevator strategy was strange with four elevators remote from each other. He said of course people were encouraged to use stairs. Mr. Tarlton said that was a bias of his. He said some of the elevators were for freight and not people. He said the elevator at the garage was for the amenities space and necessarily needed to be separate from the rest as they would have members of the broader Menlo Park Labs community using that amenities space. He said the elevator for the main building was intentionally not the most prominent vertical transportation feature while the stair was intentionally prominent and would have beautiful views.

Commissioner Kennedy said she particularly liked the architectural feature of the towers as it brought the eye to a final conclusion that was not dull. She said it also served to create a separate entrance for the greater Menlo Park Labs community. She asked if there was any flexibility in the use of the parking if they found over time that space was wasted as people were using other transit options. Mr. Tarlton said they had been somewhat successful in their alternate transit program and had a remarkable number of options for tenants if they chose to get to work in something other than a single-occupancy vehicle. He said they were in the midst of shifting the tenants' perspective of their own need for parking. He said that they were not at a 1.5 space per 1,000 square foot perspective yet. He said in the future they expected this parking garage would serve a parking need for other buildings in their portfolio.

Commissioner Strehl asked how many employees were expected for this building. Mr. Tarlton said on average their buildings have two employees per 1,000 square feet, and not counting the amenities space the estimate would be 200 employees. Commissioner Strehl said the increased density in the area was adding to the existing traffic problem there as well as along Willow and Bay Roads. She said during the General Plan approval process she had expressed that the City needed a plan for infrastructure to deal with added employment. She said she did not know if other companies were working with Facebook on a rail program. Mr. Tarlton said they were supportive of the rail project but they were working on what they thought was a nearer term solution, which was the adaptation of the Dumbarton Bridge for bus rapid transit. Commissioner Strehl asked if the screening for the garage was trees. Mr. Tarlton said there were layers of screening with trees, architectural fins, architectural woven metal mesh, and the tower itself that looked more like a

building and less like a garage. Commissioner Strehl confirmed with the applicant that the bocce and badminton courts were amenities for employees only and that they had not yet identified a community amenity. Mr. Tarlton said they would do outreach with the Belle Haven community to confirm what they had heard were their priorities. Commissioner Strehl suggested allowing limited public use of the sports courts. She asked if the rate for BMR had been determined. Senior Planner Smith said they had not gotten to that level of detail yet.

Commissioner Onken noted the comment about the diesel generator and alternative emergency energy backup systems. Mr. Tarlton said they were not aware of a battery backup system that was sufficiently large enough for the kinds of loads that would result from Life Science tenants. He said that two diesel generators were approved for two other projects in Menlo Park Labs area with one for Pacific BioSciences and the other for Grail. He said both were larger than a megawatt.

Commissioner Onken said in some ways this was a project with a parking garage having a building next to it. He recommended more screening for the garage. He said he did not think the tower at the corner had enough architectural value for it to be big and prominent. He thought it could be reduced in height or made physically lighter and more open. He said he thought the north and rear elevation needed the same care and attention as was given to the rest of the building. He said a question was posed about future repurposing of the parking garage. He said there was no repurposing with concrete ramped parking. He noted the traffic impacts and that those were covered under the EIR for the General Plan update.

Commissioner Riggs said he did not have a problem with building height as the area was zoned for it. He said he also did not have a problem with the tower and would defer to the architect and what was in mind for the overall image. He said regarding architectural design and materials that it was an R&D building in an R&D space. He said the LS zone was the City's revenue and innovation generator. He said its business model was not immediately compatible with expectations of making a charming village. He said whether the parking structure was integrated well with the rest of the building that it did not look like it was part of the same building but he thought it worked better expressing that it had a different function. He said the massing and circulation he thought were well done. He said he had no issue with outdoor chemical storage. He said regarding public open space that he could not connect with the linear entry plaza concept but would not dismiss it outright. He said he expected it would serve a limited pedestrian and bicycle population. He said he would like to see imagery of how this linear park could work. He said the large façade, which he expected to be broken up more than shown in the rendering with the fins and light shelves, was somewhat a monolithic space. He said the entry was not clear. He noted sheet A11 did not show entry doors into the lobby. He said he thought the entry needed more attention than pushing out the glass façade several feet. He said it would be difficult on this side of Hwy. 101 or anywhere in Menlo Park to approve 100,000 square feet when transportation was not at a decision level point for solution. He said he hoped the rapid bus transit moved forward on the Dumbarton Bridge.

Commissioner Kennedy said she was encouraged the applicant was looking at the particular structure as part of a larger ecosystem on O'Brien Drive. She suggested the applicant continue to look at how all their structures might work together better so to not have to bring forth another large structure needing a parking garage in the future.

Commissioner Strehl asked if future projects on O'Brien Drive by the applicant would have reduced parking requirements due to the large parking structure with this project. Mr. Tarlton said it was difficult to know exactly what they might bring forward after this project and the 1325 Adams Court

project that the Commission had seen recently. He said right now they had two buildings totaling 380,000 square feet that they intended to build upon approval. He said they were unlike an owner / user such as Facebook. He said for his firm the buildings were the income. He said they had to be careful not to bring more inventory of new buildings online than could be filled with the new ideas coming out of Stanford University and other academic institutions. He said as they promised during the ConnectMenlo process that over time and as the macroeconomic cycle and the cycle of venture capital into life science allowed they would try to build out a life science community that would have the specific gravity to be self-sustaining, which they estimated in the range of 3-million square feet.

Commissioner Strehl said this project was over parked with an estimated 200 employees and 281 parking spaces. Mr. Tarlton said the amenities space needed to be recognized as it would have its own parking demand including the potential for a company to have an event at the same time as the parking garage was being utilized by tenants in the building. Commissioner Strehl said with other projects the applicant brought forward on O'Brien Drive for redevelopment after this one the Commission would continue to consider this parking garage and its capacity. Mr. Tarlton said they were pushing in the lower parking ratio direction but they still had to build to today's market demand. He said as discussed from a use perspective this proposed garage would stand on its own but they could not promise they would not come back five years from now with a project that would have a garage. He said he hoped that site constraints would allow that garage to be less prominent than this and/or that they could reduce the parking need for that site in conjunction with their other sites noting their leases allowed them to move parking around as needed.

Vice Chair Barnes asked if the projection of the east façade was an architectural benefit or a function of maximizing the number of spaces in the garage. Mr. Tarlton said the site was challenging as it was a rectangle with a curved corner. He said they wanted to accomplish a number of things with the garage including the rooftop amenities space and minimizing its height as much as possible. He said they realized the garage needed screening, which they had attempted to address. Ms. McGregor said this was a perfect size for a parking garage as it was at the minimum depth to have a sloped ramp that was not difficult to negotiate. She said making the structure shorter would make a fairly impractical parking garage. Vice Chair Barnes said the projection of the parking garage was prominent along O'Brien Drive and asked how bringing the projection back flush would work for the project architecturally. Ms. McGregor said they could do that but by bringing it back 30 to 40 feet they probably would need to add three to four levels to the parking garage to get the same amount of parking and make the space usable. She said doing that one side of the garage would not be parked but just ramped. She said originally they had a flat façade on the garage and did iterations to arrive at an interesting design. She said in approaching the garage as proposed the first thing seen would be the tower that was similar to the other towers and the vertical fins that were an architectural feature.

Vice Chair Barnes said he did not see justification for a 2.36 space per 1,000 square feet parking ratio with a 30% commute rate. Mr. Tarlton said right now they were at a provable 20% commute rate on average not including telecommuting. He said they could not assume that the amenities space would have a zero parking requirement. He said while there was an average requirement for two employees per 1,000 square feet they have disparity from one building to another. He said this proposal was their best attempt to balance the need to potentially accommodate a use in this building that was more administrative and had higher parking requirements than a building across the business park with lower parking needs.

Vice Chair Barnes said during the Commission's review of the applicant's other recent project there was discussion about the ability to put trip caps across Menlo Park Labs. He said the generalized response was that there were different tenants and they did not control them. He asked if the applicant had the ability to shift parking requirements through leases whether they would be amenable to trip caps across certain properties. Mr. Tarlton said they could provide good quality data on what was happening in the business park now and what had happened historically. He said there was a demonstrated density of employees they could show for over a period of time averaged across the entire Menlo Park Labs. He said they could also show that their internal and privately funded TDM was working and getting progressively better over time. He said that was the best they could offer at the moment. He said they would not be unalterably opposed to trip caps but they did not think those were the long term solution. He said the long term solution was a demonstrated commitment to progressively reducing trips through a coordinated TDM and a broader citywide and regional program.

Replying to Vice Chair Barnes, Principal Planner Chow said that a shared parking agreement between two properties owned by the same owner was possible. She said it would need to show this particular property was over parked. She said to the discussion now they might look at whether this project was parked appropriately or whether it needed to be less or more parked to accommodate a potential parking arrangement for a future building.

Vice Chair Barnes asked why the architectural elements of the garage did not extend to the ground floor. Ms. McGregor referred to A17 and that a certain amount of ground level transparency was required in the LS zoning.

Replying to Vice Chair Barnes, Senior Planner Smith said that the ground floor design was mentioned in the staff report, and staff would like the Commission's input on that.

Vice Chair Barnes said the change in design at the ground floor for the parking garage seemed abrupt and asked if they could look at that. Ms. McGregor said they could bring the screens down lower and provide more continuity to the building and bring architectural features down to a human level as well. Vice Chair Barnes said he would advocate for that.

Vice Chair Barnes said staff asked the Commission to consider if chemical storage should be approved now without knowing what would be there and for whom. He asked what the concern was. Senior Planner Smith said it was not a safety issue rather it was a question of how much chemical storage space would be needed at the rear of the site, and whether that space was truly needed or whether storage would be possible within the building. He said he thought defining that might best wait until a tenant was identified at which point they would go through an administrative permit process. Vice Chair Barnes said he tended to agree with staff to wait on that until tenant was identified. He asked if there was an advantage to including that in the design now. Ron Krietemeyer, COO for Tarlton Properties, said the idea of showing the area now and in the design they would bring back was to get the concept for outside storage approved. He said when they got a chemical list for a specific tenant they would need to do the administrative permit process anyway.

Commissioner Riggs said available parking in the structure for possible assignment of future project parking would need to be confirmed. He asked whether at such time they would state it had .8 parking ratio overage available since the minimum parking needed was 1.5 spaces per 1,000 square feet and the project was built at 2.36 spaces per 1,000 square feet. Principal Planner

Chow said they could if they wanted to build in what the parking ratio was for the site and say it was being over parked. Commissioner Riggs asked if staff would give consideration to the argument that on application and approval this project that though required at 1.5 parking per 1,000 square feet ratio it provided 2.3 spaces. Ms. Chow said she did not think 1.5 spaces per 1,000 square feet was necessarily a given and through discussion with the applicant and the transportation division a higher ratio might be more appropriate. Commissioner Riggs said for the next review of this project the Commission might indicate that they found the 1.5 parking ratio sufficient. Principal Planner Chow said if the Commission had guidance on how to treat the parking staff could move forward with the applicant on a garage design and parking ratio. Commissioner Riggs said he thought the Commission could help with a suggestion on that at the project's next hearing.

Commissioner Onken said regarding chemical storage that he supported the outdoor storage concept noting this project's freight elevator was behind a two-hour fire wall. He said if the applicant wanted to reduce the parking the 36 parking spaces in the back 20 feet of the proposed garage could be removed and be only a ramp allowing the building to move back 20 feet. He said he thought the garage extended too far in front of the rest of the building. He said bringing the screening down to the ground for the parking structure where it could be grown up with vines or some type of vegetation was very desirable. He said he would like all the ribs and screens shown on the plans as the plans were not completely articulated as to what was going on. He said on the far right hand side of the building was a white bookend tower shown fairly prominent on the renderings but which looked to be two feet wide on the plans. Ms. McGregor said there was a discrepancy and the plans were correct. She said there would be a smaller corner there which she thought was four feet. Commissioner Onken said the size of the exit door seemed to be about two feet. He said part of the presentation was about the beauty of the tall white towers but that did not seem to be happening. Ms. McGregor said the tower on the right hand side was serving two purposes and was not intended to be as prominent as the other towers. She said it was to provide an end cap to the curved façade and a continuous façade all the way to the roof providing continuity for the roof screen. She said it was not an exit or elevator / stair tower. Commissioner Onken said the entry on the elevation was shown much more recessed and on the plan was shown about a foot deep. He asked if the rendering or plan were accurate. Ms. McGregor said they were working through different conceptual models. She said they still were trying to determine exactly what the depth of the perimeter of that was and what the face depth was. She said they did want the entry to come forward and to Commissioner Riggs' point they wanted a prominent entry façade. She said they would have the depths reconciled when they brought the project back for the next session.

Vice Chair Barnes asked if staff needed any additional direction. Senior Planner Smith said there was a good amount of clarification on the issues within the staff report. He said the entry plaza was raised above the street level with three stairways leading up to it. He asked if the Commission thought that made a sufficient connection to the street level or whether more connections were desired.

Commissioner Kennedy said she thought there was some other connection from the street level with bike and pedestrian paths all the way up and around so there were not just the stair walls and the ramp. Ms. McGregor said that was correct. She said there were three stairs and a ramp that extended from the shuttle area. She said the raised elevation was due to being in a flood zone.

Mr. Tarlton said there had been discussion about chemical storage. He asked if it was acceptable for their following application to show the location of outdoor chemical storage and what that structure would look like with the understanding there was not approval of whatever chemicals would be stored there. He said they were trying to get the Commission's feedback and conceptual approval of the way the site would operate.

Vice Chair Barnes said that outdoor chemical storage was indicated on the plans and asked staff if that was appropriate for now. Senior Planner Smith said he thought that would be fine. He said staff's main concern was the proposed location and that two structures were being proposed. He said if the applicant thought they needed two locations staff would like more information.

Ms. McGregor said they showed two chemical storage locations as they had seen that historically needed with other tenants. She said it depended upon the building's use. She said having the storage outdoors moved the chemicals out of the building and made it more accessible for the transportation of them. She said they showed the two locations to plan well for need but depending on the tenant they might not need both locations.

Commissioner Onken said they would see drawings of what the enclosures would look like. He said more importantly greater context was needed shown on the site plans as to the possible implications of the location of the generator and chemical storage to neighboring buildings.

Vice Chair Barnes asked the applicant to consider Commissioner Onken's idea about reducing the front extension of the garage by removing parking from the rear was feasible.

## **H. Informational Items**

### **H1. Future Planning Commission Meeting Schedule**

- Regular Meeting: July 30, 2018

Principal Planner Chow said at the July 30 meeting it appeared they would have two single-family residential development use permit requests and a use permit revision for relocation of chemical storage for a property in the rezoned RMU district. She said also potentially Public Works would have a right of way abandonment and general plan conformance item.

Commissioner Strehl asked when the office project on Middlefield Road next to the Willows Market was expected to come back to the Commission for review. Ms. Chow said they did not have a tentative date and the applicant was looking to resubmit its plans but staff did not have those yet.

- Regular Meeting: August 13, 2018
- Regular Meeting: August 27, 2018

## **I. Adjournment**

Vice Chair Barnes adjourned the meeting at 9:14 p.m.

Staff Liaison: Deanna Chow, Principal Planner

Recording Secretary: Brenda Bennett





## STAFF REPORT

### Planning Commission

**Meeting Date:** 7/30/2018

**Staff Report Number:** 18-067-PC

**Public Hearing:** Use Permit/Evelyn Li/1031 Almanor Drive

### Recommendation

Staff recommends that the Planning Commission approve a use permit to construct a new attached secondary dwelling unit on a lot less than 6,000 square feet in size in the R-1-U (Single Family Urban Residential) zoning district, located at 1031 Almanor Avenue. The proposal also requests a use permit for remodeling and additions (including a new second story) to the existing single-story, single-family nonconforming structure on a substandard lot with respect to lot area and width. The proposed addition would exceed 50 percent of the existing floor area, and the value of the proposed work would exceed 50 percent of the existing value within a 12-month period. The proposed project is considered equivalent to a new structure. 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 1031 Almanor Avenue, a short street to the southwest of US 101. Using Almanor Avenue in the north-south orientation, the subject property is located on the western side of Almanor Avenue, situated between Van Buren Road to the north and Bay Road to the south. A location map is included as Attachment B.

On Almanor Avenue, slightly more than half of the houses along this area are one story in height, and several two-story homes also exist along the street, including both of the adjacent residences. The residences mainly reflect a ranch or traditional architectural style, and the neighborhood features predominantly single-family residences in the R-1-U district, apart from Bright Angel Montessori Academy at 695 Bay Road in the C-2-A (Neighborhood Shopping District, Restrictive) district and multifamily residences in the R-3 (Apartment) district, closer to the intersection of Bay and Van Buren Roads. The United States Department of Veterans Affairs also has a campus along the southern side of Bay Road, and it is designated as P-F (Public Facilities). The unincorporated residential community of Menlo Oaks is located to the south of this area.

## **Analysis**

### ***Project description***

The applicant is proposing to construct additions at the rear on the first floor, create a second floor, and perform interior modifications, which would result in a two-story main residence with an attached secondary dwelling unit. Both the main residence and the secondary dwelling unit would occupy portions of the first and second floors. The subject property is currently occupied by a single-story residence with an attached garage that is slightly nonconforming with respect to the left and right side yard setbacks. A shed in the rear yard would be removed. 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.

Of particular note with regard to Zoning Ordinance requirements:

- The second floor would be relatively limited in size, with its floor area representing approximately 35 percent of the maximum floor area limit (FAL), where 50 percent could be allowed.
- No development would occur in the front of the building footprint, which would allow the subject property to maintain its larger front yard setback at 29.5 feet, where 20 feet is required.
- The proposed height for the two-story proposed project is 22 feet, 7 inches, which is significantly lower than the R-1-U zoning district maximum of 28 feet.

### ***Secondary dwelling unit***

The secondary dwelling unit would be located at the right rear corner of the expanded structure, with an access path added from the main front walkway, leading down the right side yard. Within the secondary dwelling unit, a circular staircase is proposed to allow the occupant(s) private access between the two floors, separated from the occupant(s) of the main residence. Required parking for the secondary dwelling unit would be provided on the driveway, uncovered and in tandem with the existing garage, and located partially within the front yard setback. Section 16.79.040 of the Zoning Ordinance allows for the required parking space for a secondary dwelling unit to be located in tandem along a single-car driveway, and within the front yard setback, if no more than five hundred (500) square feet of the required front yard is paved for motor vehicle use (inclusive of the main residence driveway and parking areas). Also, a minimum setback of eighteen (18) inches from the side property lines must be maintained. The proposed parking on site would fulfill each of these requirements.

Zoning Ordinance Chapter 16.79 establishes the regulations for secondary dwelling units, and projects that comply with these limits can (with some exceptions) be reviewed and approved by staff through the building permit process. However, Section 16.79.030 states that projects requesting modifications to the secondary dwelling unit development regulations (except for the density and subdivision limits, which cannot be modified) can be considered and approved by the Planning Commission through the use permit process. In this case, the applicant is proposing to modify the minimum lot requirement of 6,000 square feet, as this parcel is 5,651 square feet in size.

Section 16.79.030 does not provide any specific criteria with which to evaluate requests for modifications to the secondary dwelling unit development regulations, although staff would note that the mechanism is a use permit, not a variance. Use permits require consideration of the health, safety, morals, comfort, and

general welfare of persons and properties in the vicinity, but do not require a finding of unique hardship or other more stringent variance-type determinations. From staff's perspective, the proposed request to permit a secondary dwelling unit on a lot that is approximately six percent below the minimum lot size is generally reasonable. In addition, staff would note that individual Planning Commissioners have made comments at various points indicating that the 6,000-square-foot lot size minimum should potentially be reduced on a broader basis, which may indicate a general receptiveness to this type of request.

### ***Design and materials***

The applicant states that the proposed remodeling and additions to the residence would continue to maintain the existing California contemporary style home, amid the variety of scales and styles of the residences within the neighborhood. The proposed two-story residence would continue to contain stucco walls with a simple gabled roof made of composition asphalt shingles. The wooden doors for the garage and front entry would remain the same. The use of stucco as a primary material is similar to other residences in the neighborhood. Additionally, stucco would be used as the trim for all doors and windows. The front entry would remain recessed further inward than the garage, which would be positioned closer to the front of the property.

The second floor would be generally located in the center and right of the location of the existing residence. A variety of projections, articulations, and roof heights would reduce the perception of massing. Along the right side of the main residence, some windows along the second floor contain a sill height less than three feet, which has sometimes been a discussion point for the Planning Commission due to the potential for neighboring privacy impacts. However, these windows have been positioned to avoid overly intruding onto neighboring properties, with one non-heritage tree (Tree 9) providing screening between the proposed main residence and the neighboring residence located at 1033 Almanor Avenue.

### ***Parking and circulation***

The subject property contains just one covered parking space in an existing garage, which would remain nonconforming; however, this arrangement is permissible for residential projects involving remodeling or expansions (as opposed to complete redevelopment). As stated earlier, the required parking for the secondary dwelling unit would be provided on the driveway, uncovered and in tandem with the existing garage, and located partially within the front yard setback. As such, staff believes the existing parking conditions on site do not need to change as a result of the proposed project, although the Planning Commission could discuss whether to require a slight widening of the existing driveway, in order to provide space for an additional parking space.

### ***Trees and landscaping***

The applicant has submitted an arborist report (Attachment F) detailing the species, size, and conditions of the heritage and non-heritage trees on site. The report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance and the protection of some trees, based on their health. As part of the project review process, the arborist report was reviewed by the City Arborist.

There are four heritage trees located near the subject property: a 32-inch valley oak (Tree 8) behind the

rear property line (at 1038 Menlo Oaks Avenue), a 16-inch mulberry (Tree 4) located at 1009 Almanor Avenue, and two trees in the right-of-way facing the front property line, a 24-inch sweet gum (Tree 2) and a 24-inch southern magnolia (Tree 3). All of these trees are proposed to remain. However, a non-heritage six-inch fern pine (Tree 5) is proposed to be removed. The arborist report has identified a number of protection measures to protect the heritage and non-heritage trees on site, which include protective fencing, mulch covering for temporary root protection, and having a certified arborist on site for any hand-pruning roots to allow for new building foundation. All recommendations identified in the arborist report shall be implemented and ensured as part of condition 3g.

On the right side, a fence that is located a few feet into the subject property would be removed and replaced with one that aligns with the surveyed property line, helping provide clear access to the secondary dwelling unit entrance. The rear yard would be split with a six-foot tall wooden fence to provide separate outdoor areas for both the main unit (featuring a fire pit) and the secondary dwelling unit.

### ***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 approximately \$256,120, meaning that the applicants would be allowed to propose new construction and remodeling at this site totaling less than \$192,090 (50 percent of the replacement cost of the existing structure) 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 \$373,876. Based on this estimate, the proposed project exceeds 50 percent of the replacement cost of the existing structure, therefore requiring use permit approval by the Planning Commission.

### ***Correspondence***

The applicant has stated that the property owner has met with adjacent neighbors to discuss the proposed addition and remodel, and has indicated that the neighbors have been provided their perspective and comments concerning the proposed project. The applicant has also prepared a list of support signatures from neighbors located at the following adjacent properties: 1009 Almanor Avenue, 1036 Menlo Oaks Drive, and 1038 Menlo Oaks Drive. This petition is included in Attachment G.

### ***Conclusion***

Staff believes that the scale, materials, and style of the proposed residence are consistent with the broader neighborhood, given the similar architectural styles and sizes of structures in the area. Staff also believes that the style of the proposed additions would be generally attractive, well-proportioned, largely positioned in the rear, and compatible with the existing elements of the main residence to remain. Based on the presence of some onsite trees and the positioning of windows on the second floor, privacy impacts would be modest. Lastly, staff believes that the proposed request to permit a secondary dwelling unit on a lot that is approximately six percent below the minimum lot size is reasonable and unlikely to result in specific negative impacts. 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:  
Matt Pruter, Associate Planner

Report reviewed by:  
Thomas Rogers, Principal Planner

THIS PAGE INTENTIONALLY LEFT BLANK

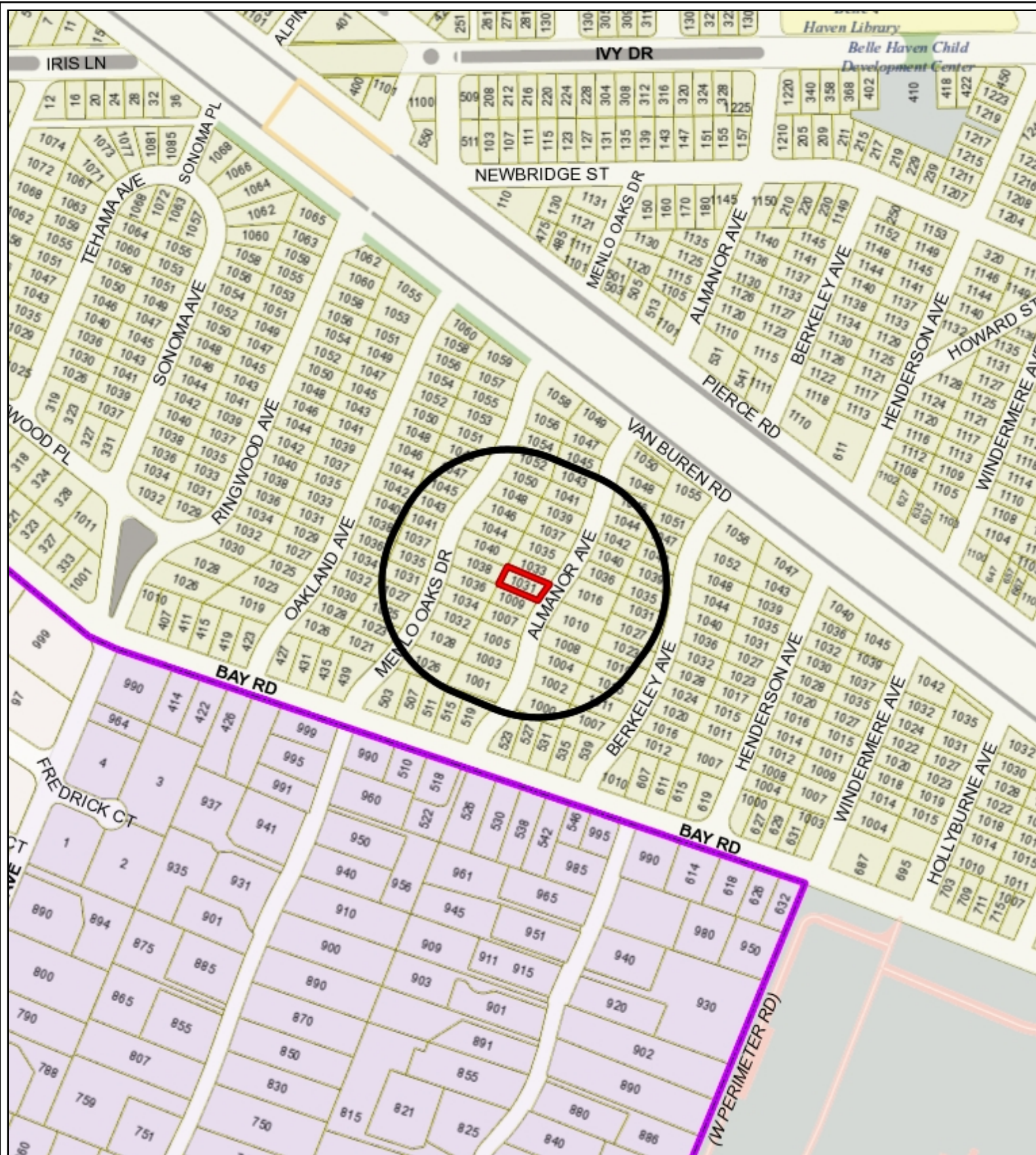
## 1031 Almanor Avenue – Attachment A: Recommended Actions

<b>LOCATION:</b> 1031 Almanor Avenue	<b>PROJECT NUMBER:</b> PLN2017-00127	<b>APPLICANT:</b> David Pruitt	<b>OWNER:</b> Evelyn Li
<p><b>PROPOSAL:</b> Request for a use permit to construct a new attached secondary dwelling unit on a lot less than 6,000 square feet in size in the R-1-U (Single Family Urban Residential) zoning district. The proposal also requests a use permit for remodeling and additions (including a new second story) to the existing single-story, single-family nonconforming structure on a substandard lot with respect to lot area and width. The proposed addition would exceed 50 percent of the existing floor area and the value of the proposed work would exceed 50 percent of the existing value within a 12-month period. The proposed project is considered equivalent to a new structure.</p>			
<b>DECISION ENTITY:</b> Planning Commission	<b>DATE:</b> July 30, 2018	<b>ACTION:</b> TBD	
<b>VOTE:</b> TBD (Barnes, Combs, Goodhue, Kennedy, Onken, Riggs, Strehl)			
<p><b>ACTION:</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. Approve the use permit subject to the following <b>standard</b> conditions: <ol style="list-style-type: none"> <li>a. Development of the project shall be substantially in conformance with the plans prepared by Satellite Studio consisting of 10 plan sheets, dated received July 16, 2018, and approved by the Planning Commission on July 30, 2018, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol> </li> </ol>			

1031 Almanor Avenue – Attachment A: Recommended Actions

<b>LOCATION:</b> 1031 Almanor Avenue	<b>PROJECT NUMBER:</b> PLN2017-00127	<b>APPLICANT:</b> David Pruitt	<b>OWNER:</b> Evelyn Li
<p><b>PROPOSAL:</b> Request for a use permit to construct a new attached secondary dwelling unit on a lot less than 6,000 square feet in size in the R-1-U (Single Family Urban Residential) zoning district. The proposal also requests a use permit for remodeling and additions (including a new second story) to the existing single-story, single-family nonconforming structure on a substandard lot with respect to lot area and width. The proposed addition would exceed 50 percent of the existing floor area and the value of the proposed work would exceed 50 percent of the existing value within a 12-month period. The proposed project is considered equivalent to a new structure.</p>			
<b>DECISION ENTITY:</b> Planning Commission	<b>DATE:</b> July 30, 2018	<b>ACTION:</b> TBD	
<p><b>VOTE:</b> TBD (Barnes, Combs, Goodhue, Kennedy, Onken, Riggs, Strehl)</p>			
<p><b>ACTION:</b></p> <ul style="list-style-type: none"> <li>g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Davey Resource Group, dated received March 22, 2018.</li> </ul>			





City of Menlo Park  
 Location Map  
 1031 Almanor Avenue



Scale: 1:4,000

Drawn By: MAP

Checked By: THR

Date: 7/30/2018

Sheet: 1

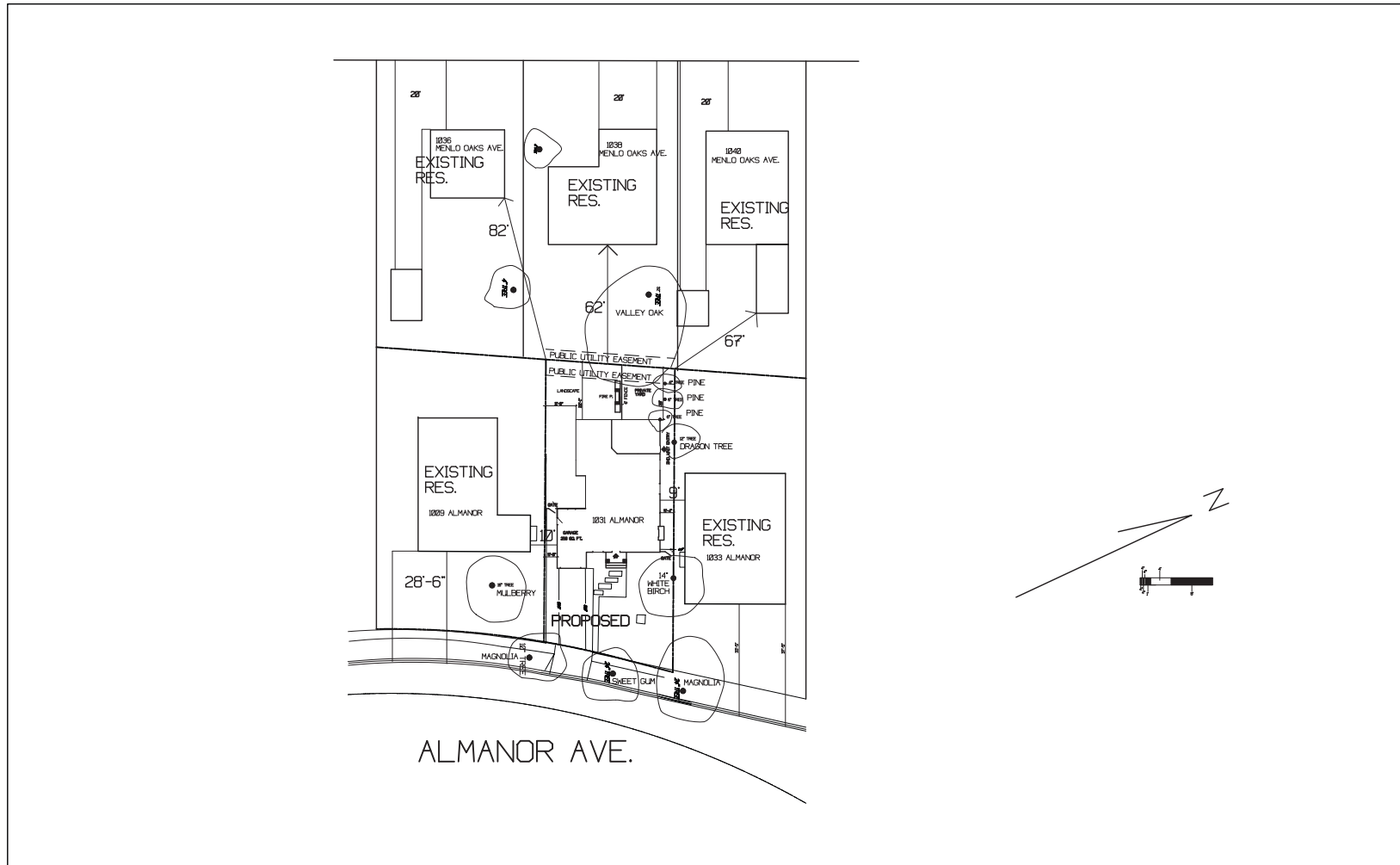
1031 Almanor Avenue – Attachment C: Data Table

	<b>PROPOSED PROJECT</b>	<b>EXISTING PROJECT</b>	<b>ZONING ORDINANCE</b>
Lot area	5,651 sf	5,651 sf	7,000 sf min.
Lot width	50.1 ft.	50.1 ft.	65 ft. min.
Lot depth	113.4 ft.	113.4 ft.	100 ft. min.
Setbacks			
Front	29.5 ft.	29.5 ft.	20 ft. min.
Rear	20.0 ft.	29.7 ft.	20 ft. min.
Side (left)	4.8 ft.	4.8 ft.	5.0 ft. min.
Side (right)	4.9 ft.	4.9 ft.	5.0 ft. min.
Building coverage	1,853.9 sf 33 %	1,842.0 sf 33 %	2,260.4 sf max. 40 % max.
FAL (Floor Area Limit)	2,800 sf	1,700 sf	2,800.0 sf max.
Square footage by floor	1,566 sf/1st 978 sf/2nd 256 sf/garage 32 sf/porches	1,191 sf/1st 256 sf/garage 395 sf/porches 253 sf/accessory buildings	
Square footage of buildings	2,832 sf	2,095 sf	
Building height	22.7 ft.	16.3 ft.	28 ft. max.
Main Residence Parking	1 covered	1 covered	1 covered/1 uncovered
SDU Parking	1 space	1 space	1 space
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			

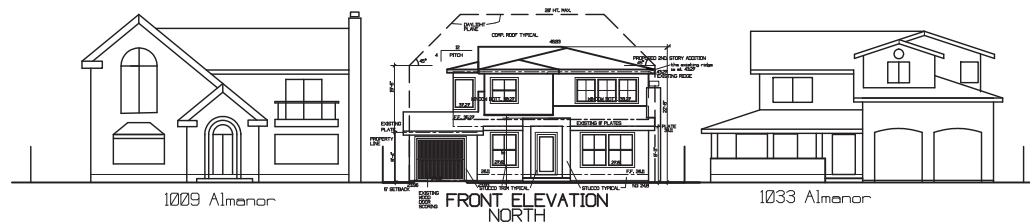
Trees			
Heritage trees*	4	Non-Heritage trees**	6
New Trees	0	Heritage trees proposed for removal	0
Total Number of Trees	9	Non-Heritage trees proposed for removal	1

\*None of the three heritage trees is located within the subject property. One is adjacent to the rear property line (Tree 8), two are adjacent to the front property line (Trees 2 and 3) and one is near the left property line (Tree 4).

\*\*Of these three non-heritage trees, one is located in the public right-of-way (Tree 1), three are located within the subject property (Trees 5, 6, and 7), and the other two may be jointly owned (Trees 9 and 10).



<p>THIS SHEET CONTAINS THE FOLLOWING:</p> <p style="text-align: center;"><b>AREA PLAN</b></p>	<p>4155 SALEM ST. -CONCORD, CA. 94521</p> <p><b>DAVID PRUITT</b> DESIGNER</p>	<p><b>DAVID PRUITT DESIGNS</b></p> <p>408-930-8862 davidprutt@sbcglobal.net</p>	<p>DATE: 7-6-18</p> <p>JOB NO: MENLO PARK PROJECT</p> <p>DRAWN BY: <b>DAVID PRUITT - DESIGNER</b></p> <p>CHECKED BY:</p> <p>SCALE:</p>	<p>SHEET NO.:</p>
---	---	---	--	-------------------



1029 Almanor

FRONT ELEVATION  
NORTH

1033 Almanor

PROPOSED PROJECT

1031 ALMANOR AVE., MENLO PARK, CA

APN: 062-051-100



THIS SHEET CONTAINS THE FOLLOWING:

**STREET ELEVATION**

4155 SALEM ST.  
CONCORD, CA. 94521

**DAVID PRUITT  
DESIGNER**

**DAVID PRUITT DESIGNS**

408-930-8862 davidprutt@sbcglobal.net

DATE: 7-6-18

JOB NO: MENLO PARK PROJECT

DRAWN BY: **DAVID PRUITT - DESIGNER**

CHECKED BY:

SCALE:

SHEET NO. #

**SITE ANALYSIS**

ZONING R-1-U  
 LOT SIZE = 5651 SQ. FT.  
 ALLOWABLE FLOOR AREA  
 2800

NO ATTIC SPACE O.V. 5'  
 PROPOSED 4'-6"

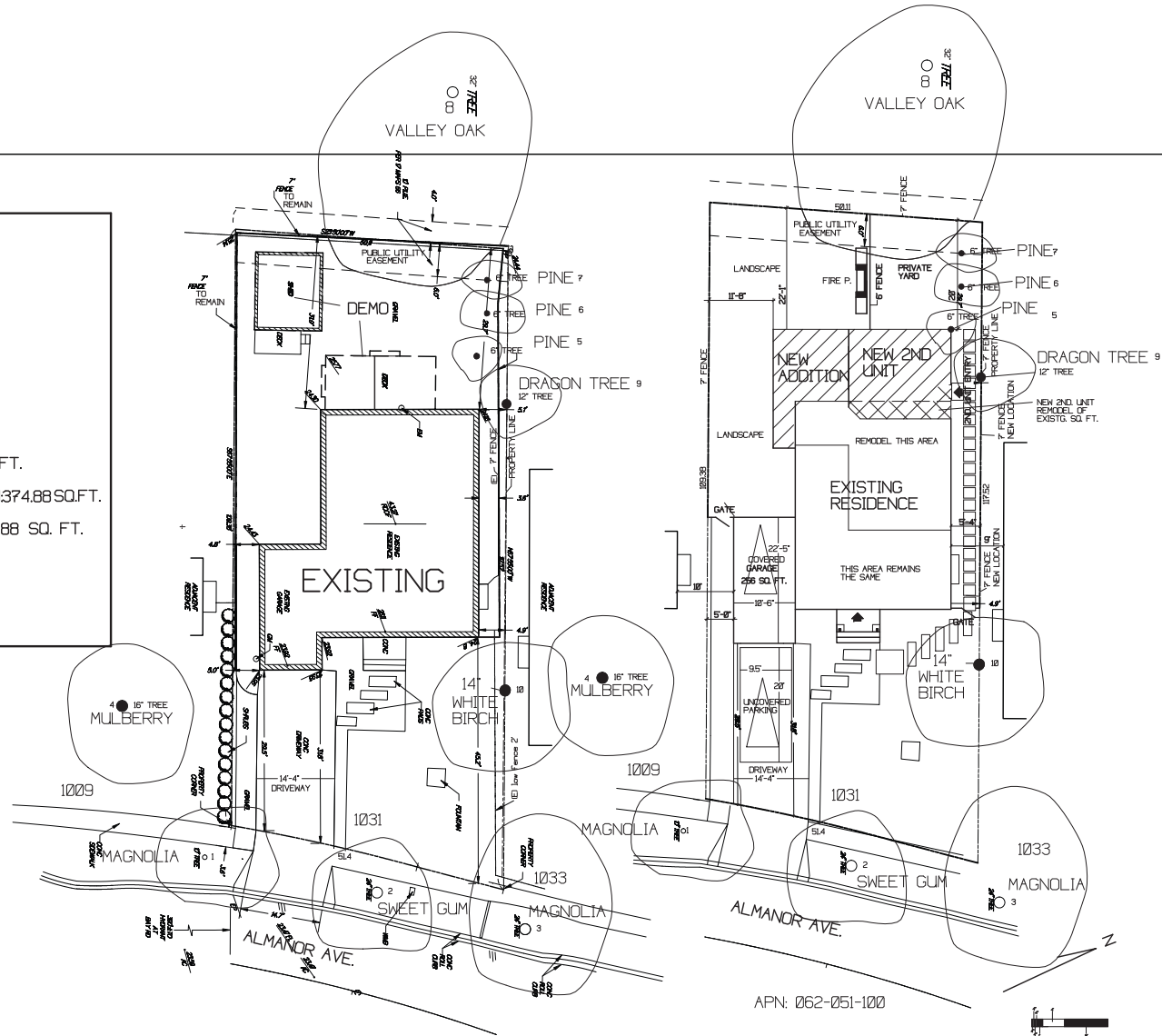
PROPOSED FIRST FLOOR  
 1821.88 SQ. FT.

PROPOSED 2ND. FLOOR  
 978 SQ. FT.

TOTAL FLOOR AREA= 2800 SQ. FT.

EXISTING FIRST FLOOR: 1191 SQ. FT.  
 EXISTING GARAGE: 256 SQ. FT.  
 PROPOSED FIRST FLOOR ADDITION: 374.88 SQ. FT.  
 COVERED PORCH : 32 SQ. FT.  
 TOTAL BUILDING COVERAGE : 1853.88 SQ. FT.

LANDSCAPING = 57.20 %  
 PAVED SURFACES = 10.10 %  
 PARKING = 1 COVERED  
 1 - UN COVERED  
 ALL GRADES TO REMAIN  
 NATURAL



THIS SHEET CONTAINS THE FOLLOWING:

**SITE PLAN**

4155 SALEM ST.  
 -CONCORD, CA. 94521

**DAVID PRUITT  
 DESIGNER**

**DAVID PRUITT DESIGNS**

408-930-8862 davidpruittdesigns@gmail.com

DATE: 7-6-18

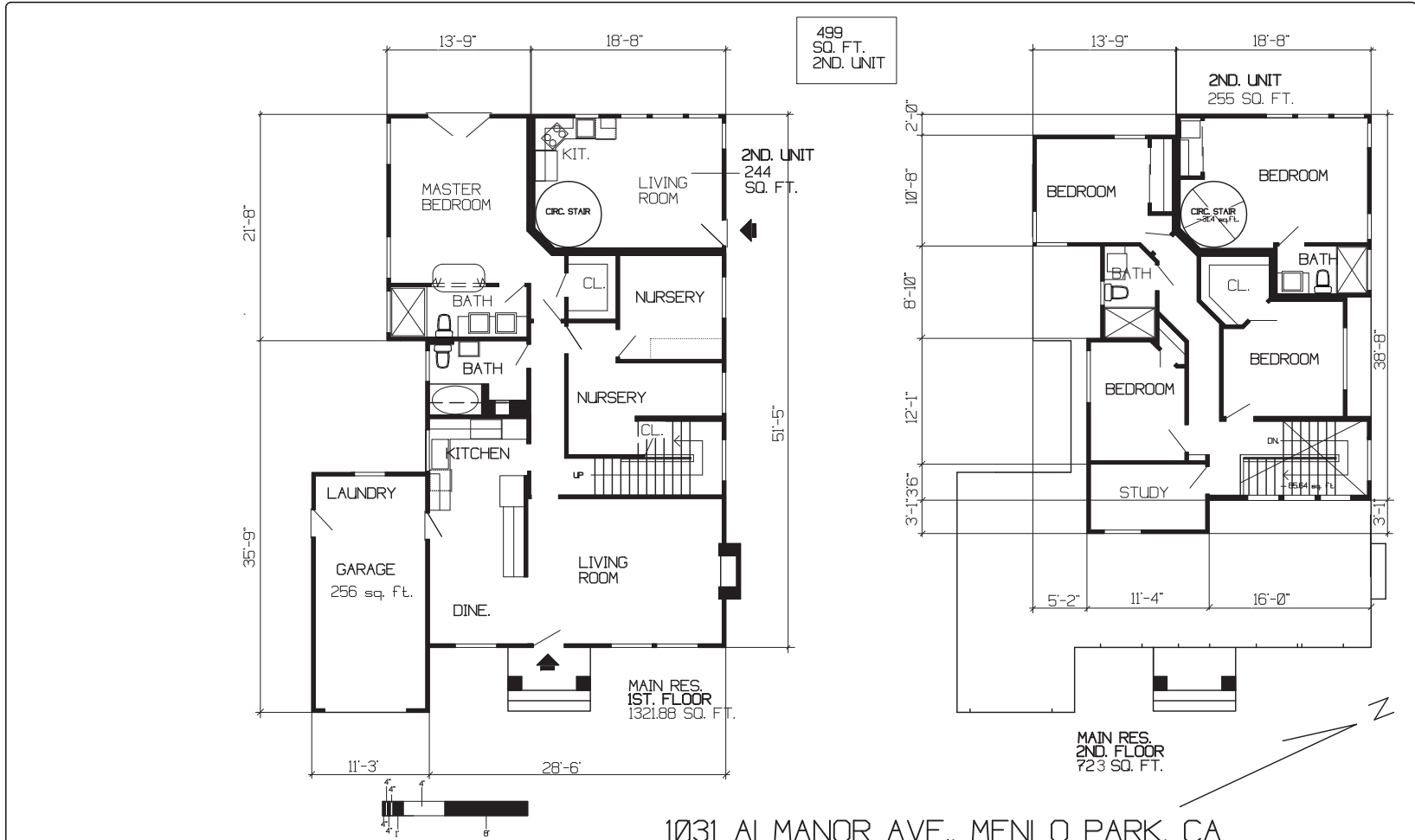
JOB NO: MENLO PARK PROJECT

DRAWN BY: **DAVID PRUITT - DESIGNER**

CHECKED BY:

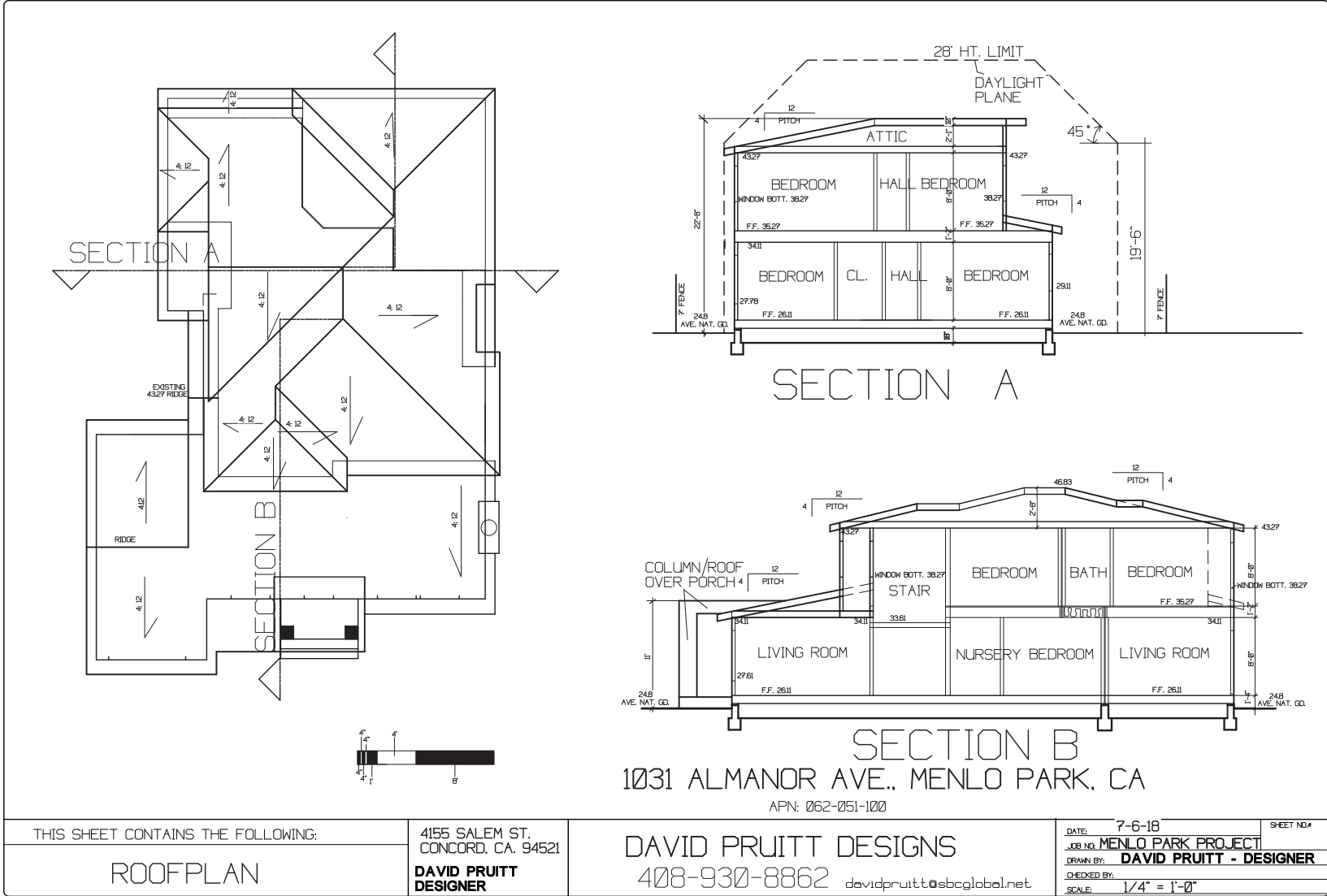
SCALE: 1/8" = 1'-0"

SHEET NO. #



1031 ALMANOR AVE., MENLO PARK, CA  
 APN: 062-051-100

THIS SHEET CONTAINS THE FOLLOWING: <b>PROPOSED FLOOR PLAN</b>	4155 SALEM ST. CONCORD, CA. 94521 <b>DAVID PRUITT DESIGNER</b>	<b>DAVID PRUITT DESIGNS</b> 408-930-8862 davidpruitt@sbcglobal.net	DATE: 7-6-18	SHEET NO. 4
			JOB NO. MENLO PARK PROJECT	DRAWN BY: <b>DAVID PRUITT - DESIGNER</b>
			CHECKED BY:	SCALE: 1/4" = 1'-0"



THIS SHEET CONTAINS THE FOLLOWING:  
**ROOFPLAN**

4155 SALEM ST.  
 CONCORD, CA. 94521  
**DAVID PRUITT  
 DESIGNER**

**DAVID PRUITT DESIGNS**  
 408-930-8862 davidprutt@sbcglobal.net

DATE: 7-6-18  
 JOB NO: **MENLO PARK PROJECT**  
 DRAWN BY: **DAVID PRUITT - DESIGNER**  
 CHECKED BY:  
 SCALE: 1/4" = 1'-0"

SHEET NO. 4

**FRONT ELEVATION NORTH**

**LEFT SIDE ELEVATION WEST**

**RIGHT SIDE ELEVATION EAST**

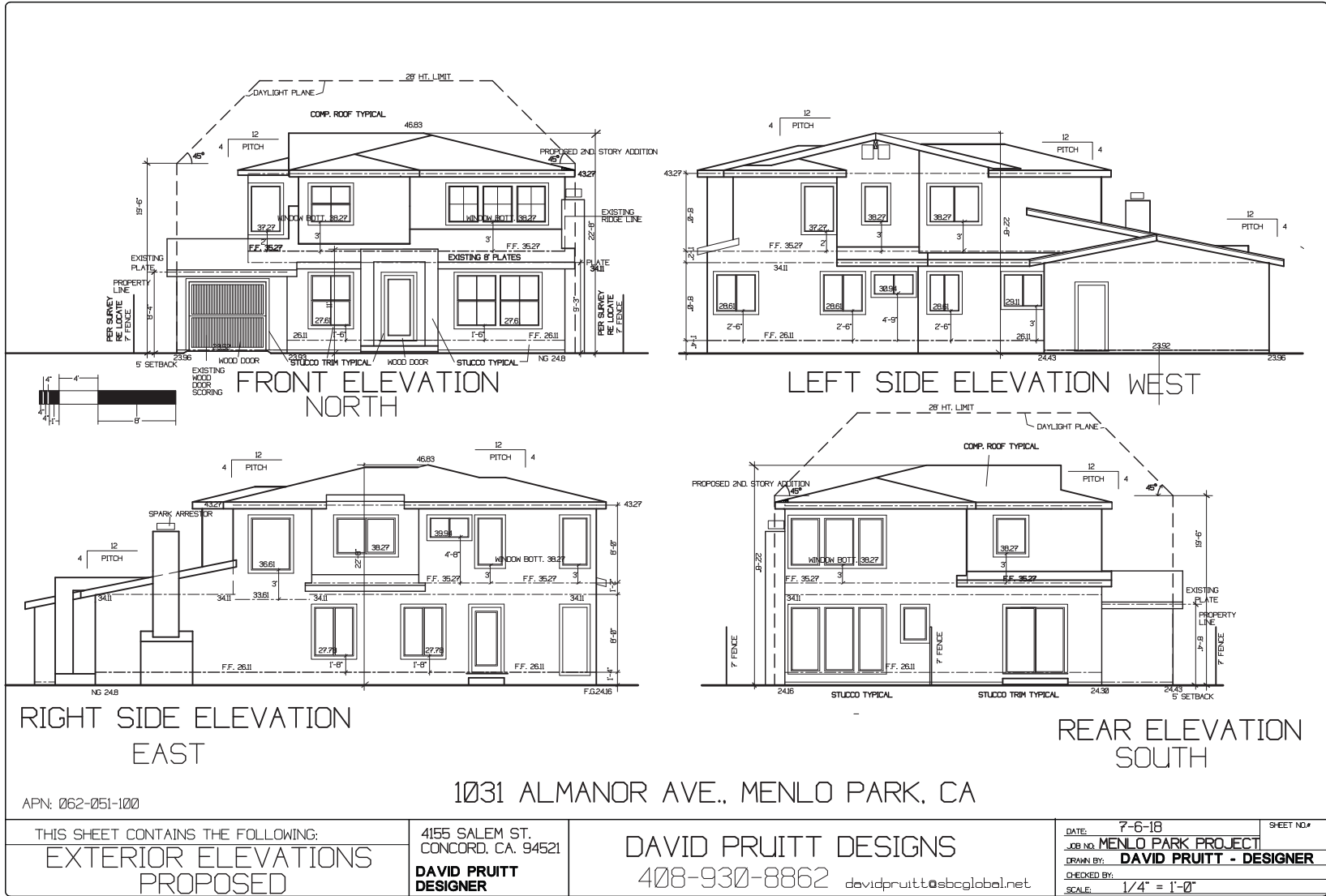
**REAR ELEVATION SOUTH**

APN: 062-051-100

1031 ALMANOR AVE., MENLO PARK, CA

THIS SHEET CONTAINS THE FOLLOWING: <b>EXTERIOR ELEVATIONS EXISTING</b>	4155 SALEM ST. CONCORD, CA. 94521	<b>DAVID PRUITT DESIGNS</b> 408-930-8862 davidpruitt@sbcglobal.net	DATE: 7-6-18	SHEET NO. 4
	<b>DAVID PRUITT DESIGNER</b>		JOB NO. MENLO PARK PROJECT	
			DRAWN BY: <b>DAVID PRUITT - DESIGNER</b>	
			CHECKED BY:	
		SCALE: 1/4" = 1'-0"		





PRIMARY DWELLING UNIT 1st. floor

- 1 28'-6" X 29'-6" = 840.75
- 2 13'-9" X 21'-9" = 301.90
- 3 18'-9" X 9'-2" = 172.72
- 4 2'-2" X 2'-2" ÷ 2 = 2.33
- 5 4' X 12'-8" = 4.18

TOTAL SQ. FT. MAIN UNIT = 1321.88

1st. floor

- 6 8' X 4' = 32 PORCH
- 7 11'-2" X 23' = 256 GARAGE

2ND. UNIT 1st. floor

- 1 16'-7" X 13'-2" = 218.19
- 2 2'-2" X 11'-0" = 23.76
- 3 2'-2" X 2'-2" ÷ 2 = 2.33

TOTAL SQ. FT. NEW UNIT = 244

1st. floor

PRIMARY DWELLING UNIT 2nd. floor

- 8 13'-9" X 10'-8" = 147.77
- 9 7'-2" X 8' = 57.28
- 10 9'-5" X 8'-2" = 77.35
- 11 7' X 8'-2" = 57.12
- 12 6'-9" X 3'-10" = 26.15
- 13 24'-8" X 7'-6" = 185
- 14 14'-9" X 8'-0" = 120
- 15 12'-7" X 8'-0" = 100.64 - 85.64 = 15

stair reduction = 85.64 sq. ft.

- 16 11'-4" X 3'-1" = 35
- 17 2'-2" X 2'-2" ÷ 2 = 2.33

2nd. floor

TOTAL SQ. FT. MAIN UNIT = 723

2ND. UNIT 2nd. floor

- 4 9'-3" X 13'-3" = 91.16

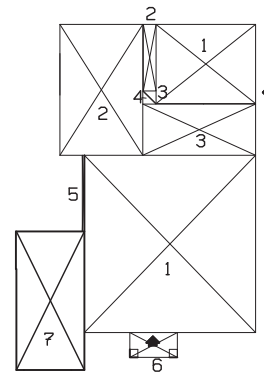
stair reduction = 31.4 sq. ft.

- 5 9'-4" X 17'-7" = 164.02

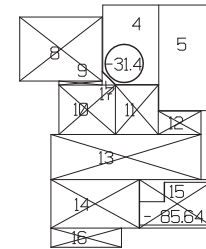
2nd. floor

TOTAL SQ. FT. NEW UNIT = 255

1ST. FLOOR



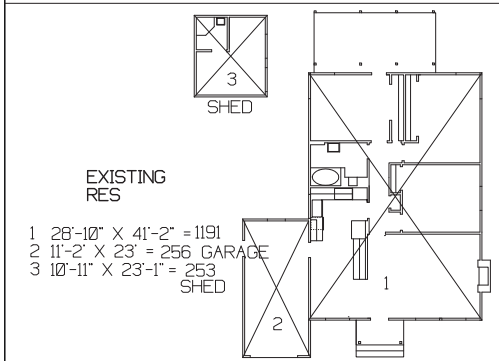
2ND. FLOOR



FOOTAGE CALCS

1031 ALMANOR AVE., MENLO PARK, CA

APN: 062-051-100



EXISTING RES

- 1 28'-10" X 41'-2" = 1191
- 2 11'-2" X 23' = 256 GARAGE
- 3 10'-11" X 23'-1" = 253 SHED

THIS SHEET CONTAINS THE FOLLOWING:

FOOTAGE CALCS

4155 SALEM ST.  
CONCORD, CA. 94521

DAVID PRUITT  
DESIGNER

DAVID PRUITT DESIGNS

408-930-8862 davidpruitt@sbcglobal.net

DATE: 7-6-18

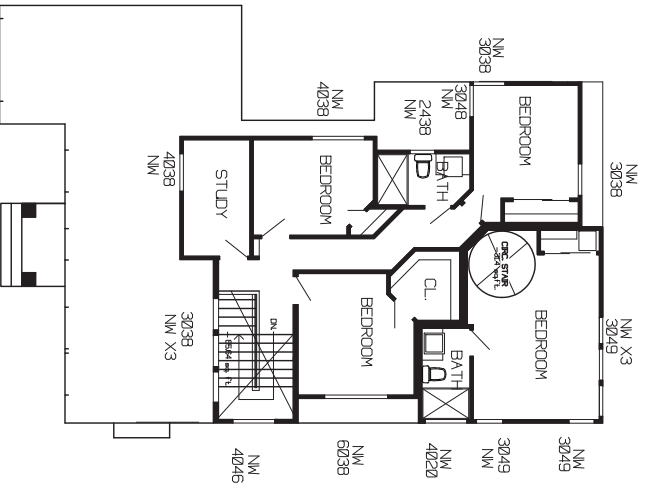
JOB NO: MENLO PARK PROJECT

DRAWN BY: DAVID PRUITT - DESIGNER

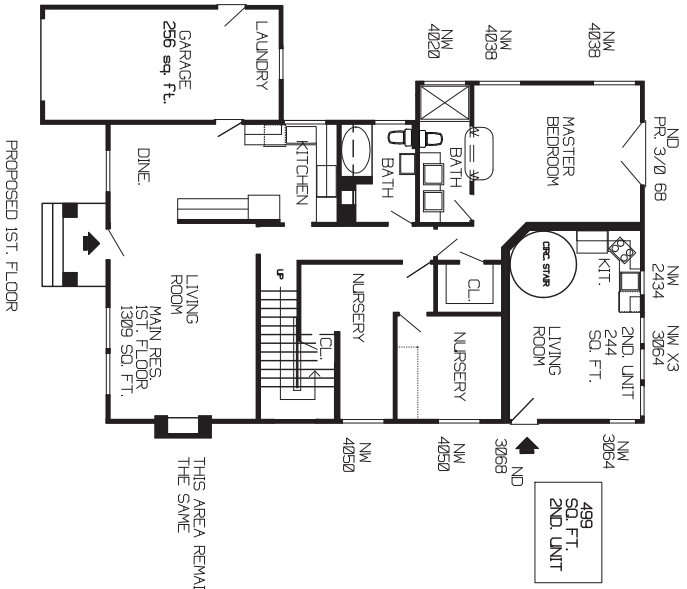
CHECKED BY:

SCALE:

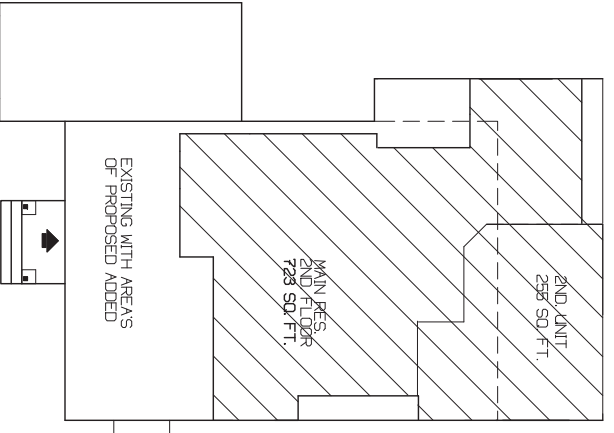
SHEET NO.:



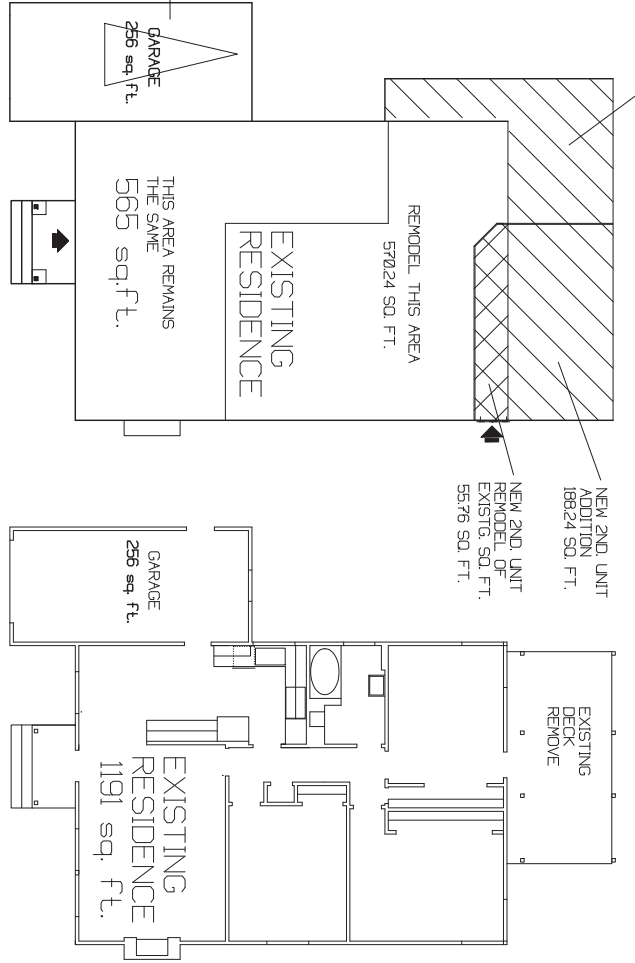
PROPOSED SECOND FLOOR



PROPOSED 1ST. FLOOR



EXISTING WITH AREAS OF PROPOSED ADDED

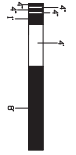


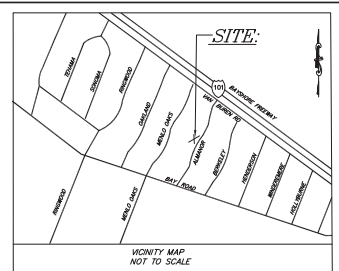
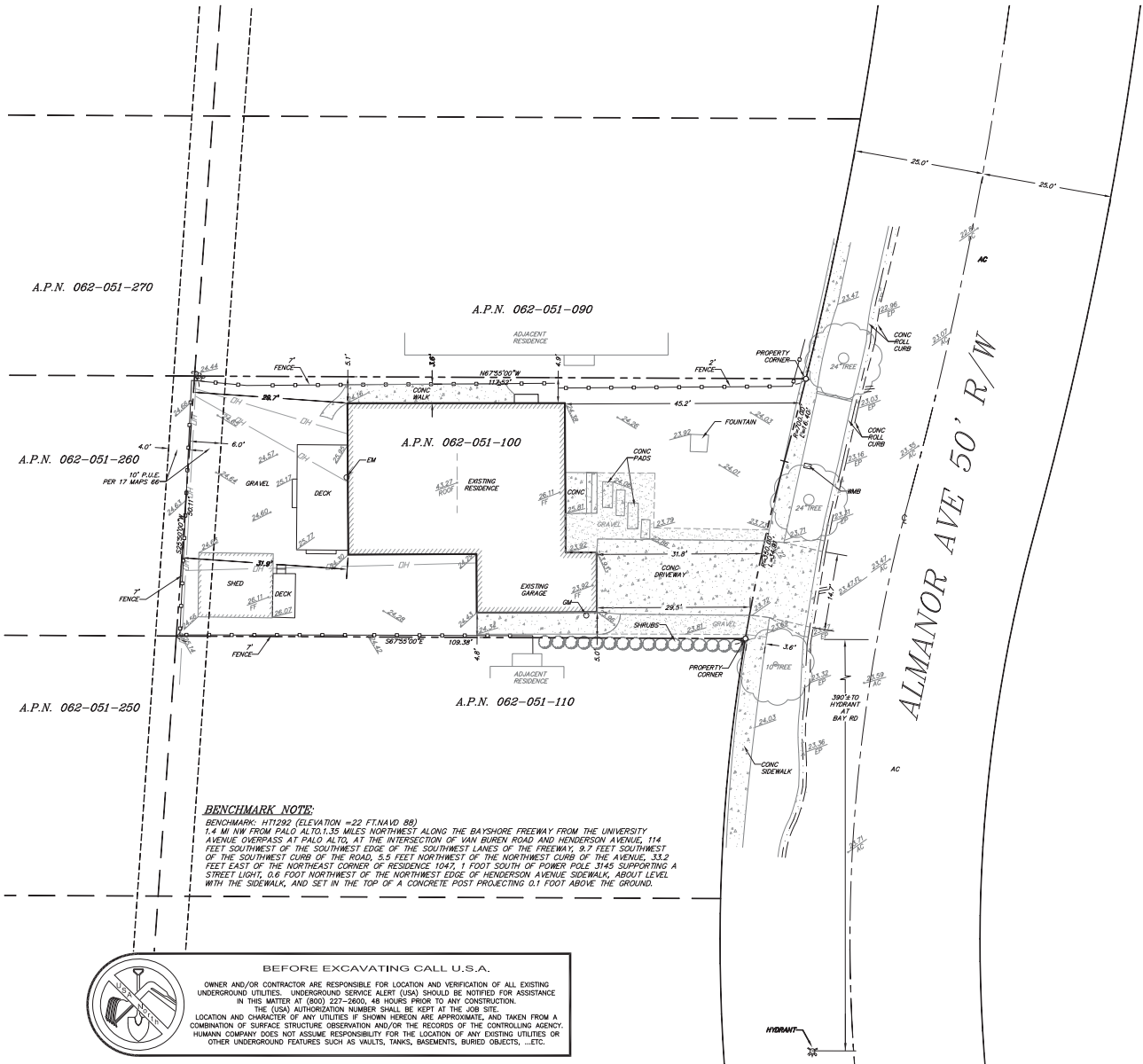
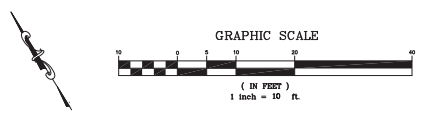
489 SQ. FT. 2ND UNIT

# NONCONFORMING DIAGRAMS

1031 ALMANOR AVE., MENLO PARK, CA

APN: 0632-051-1020





- LEGEND:**
- — — — — PROPERTY LINE
  - - - - - ADJACENT PROPERTY LINE
  - x - x - WOOD FENCE
  - o — o — CENTERLINE
  - - - - - OVERHEAD UTILITIES
  - - - - - EASEMENT
  - - - - - EDGE OF PAVEMENT
  - 00.00 SPOT ELEVATION

- AC ASPHALTIC CONCRETE
- CONC. CONCRETE
- EM ELECTRIC METER
- FF FINISH FLOOR
- FL FLOWLINE
- GM GAS METER
- PP POWER POLE
- R/W RIGHT OF WAY
- CS SEWER CLEANOUT
- UTL UTILITY
- WMB WATER METER BOX
- o PROPERTY CORNERS

CONCRETE

TREE SIZE WITH DRIFLINE  
 NOTE: ACTUAL TREE TRUNK LOCATIONS ARE SHOWN, DRIFLINES SHOWN ARE ONLY APPROXIMATE DRIFLINES IN AREAS OF PROPOSED CONSTRUCTION SHOULD BE FIELD VERIFIED.

**NOTES:**

**BENCHMARK:**  
 ELEVATIONS ARE BASED ON CITY DATUM.  
 PROJECT BENCHMARK BENCHMARK IS THE FT. OF EX GARAGE AS SHOWN.  
 ELEVATION = 23.92

**IMPERVIOUS SURFACES**

- CONC. DRIVEWAY = 443 sq.ft.
- CONC. WALK/PATIO = 322 sq.ft.
- WOOD DECK = 235 sq.ft.
- SHED = 177 sq.ft.
- BUILDING FOOTPRINT = 1475 sq.ft.

**USE:** RESIDENTIAL

**ZONING:** R1U

**FLOOD ZONE:** X

**PROJECT SITE(S)**

- 1031 ALMANOR AVE
- MENDOTA PARK CA 94025
- APN=062-051-100
- 5,651 sq.ft.
- 0.13 acres

**OWNER(S):**  
 EVELYN LI

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.

IF UNDERGROUND UTILITIES, ZONE, SETBACK AND STREET WIDENING DATA ARE SHOWN HEREON, IT IS FOR INFORMATION ONLY, HAVING BEEN OBTAINED FROM AVAILABLE SOURCES NOT CONNECTED WITH THIS CORPORATION. THEREFORE, NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF SAID INFORMATION.



Copyright (c) 2016 by Trid/Holmes & Dason  
 All Rights Reserved  
 This Drawing is the Property of Trid/Holmes & Dason  
 No part of this Drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Trid/Holmes & Dason.

REVISIONS	BY

PREPARED FOR:  
 EVELYN LI

**BOUNDARY & TOPOGRAPHY SURVEY**  
**LOT 31, BLOCK 38**  
**17 MAPS 66, SAN MATEO COUNTY, CA**

**BENCHMARK NOTE:**  
 BENCHMARK: HT1292 (ELEVATION = 22 FT. NAVD 88)  
 1.4 MI. NW FROM PALO ALTO 1.35 MILES NORTHWEST ALONG THE BAYSHORE FREEWAY FROM THE UNIVERSITY AVENUE OVERPASS AT PALO ALTO, AT THE INTERSECTION OF VAN BUREN ROAD AND HENDERSON AVENUE, 114 FEET SOUTHWEST OF THE SOUTHWEST EDGE OF THE SOUTHWEST LANES OF THE FREEWAY, 9.7 FEET SOUTHWEST OF THE SOUTHWEST CURB OF THE ROAD, 5.9 FEET NORTHWEST OF THE NORTHWEST CURB OF THE AVENUE, 43.2 FEET EAST OF THE NORTHEAST CORNER OF RESIDENCE 1047, 1 FOOT SOUTH OF POWER POLE 3145 SUPPORTING A STREET LIGHT, 0.6 FOOT NORTHWEST OF THE NORTHWEST EDGE OF HENDERSON AVENUE SIDEWALK, ABOUT LEVEL WITH THE SIDEWALK, AND SET IN THE TOP OF A CONCRETE POST PROJECTING 0.1 FOOT ABOVE THE GROUND.



**BEFORE EXCAVATING CALL U.S.A.**

OWNER AND/OR CONTRACTOR ARE RESPONSIBLE FOR LOCATION AND VERIFICATION OF ALL EXISTING UNDERGROUND UTILITIES. UNDERGROUND SERVICE ALERT (USA) SHOULD BE NOTIFIED FOR ASSISTANCE IN THIS MATTER AT (800) 227-2600, 48 HOURS PRIOR TO ANY CONSTRUCTION.

THE (USA) AUTHORIZATION NUMBER SHALL BE KEPT AT THE JOB SITE.

LOCATION AND CHARACTER OF ANY UTILITIES IF SHOWN HEREON ARE APPROXIMATE AND TAKEN FROM A COMBINATION OF SURFACE STRUCTURE OBSERVATION AND/OR THE RECORDS OF THE CONTROLLING AGENCY. HUMAN COMPANY DOES NOT ASSUME RESPONSIBILITY FOR THE LOCATION OF ANY EXISTING UTILITIES OR OTHER UNDERGROUND FEATURES SUCH AS VAULTS, TANKS, EMBANKMENTS, BURIED OBJECTS, ETC.

6-5-18

David Pruitt Designs

Project Description Letter for a proposed Use Permit

1031 Almanor Ave., Menlo Park, CA

To the Planning Department of the City of Menlo Park, CA,

This Project is a Remodel of the existing Residence, to include a second unit to be added and built in the rear of the residence providing privacy, and separated common space, to both units. Physical separation of the units is accomplished by the constructing of two walls with 1" air space between them to reduce sound transfer.

The second unit allows reduced cost housing, for a couple, and increased tax base for the city, security, and convenience for the people who occupy the first unit. The Scope of Work, includes the addition of a second story to both units. The size of the family increased requiring more space in unit one and unit two, will potentially provide living quarters for assistance for the new arrival.

The Architectural Style is California Contemporary, with Modern flavor. This style fits with the Eclectic makeup of the neighborhood, and our Proposal is smaller than the residences on either side. See the Street Scape. The Materials will be Stucco siding, Egg shell color, Composition Shingles Black color, and Trim around windows and doors will be Stucco Trim, the same color as the Body Stucco color. Windows are clear panes no grids, dual pane, single hung or sliders. All the windows will be new for consistency. The Construction Method will be Conventional, and will follow all the Codes and Ordances of the City.

The Basis of the Site Layout is in most part dictated by the Existing Residence foot print. The ground floor addition is only on the rear of the house. The second floor, addition is stacked above the first, and moves forward to the extent of the allowable Sq. Ft. of the zoning we are in.

The Existing and Proposed Use will be Residential.

Owners of this property, have meet with the Neighbors, to discuss the proposal and get feedback from their perspective. They have a number of neighbor support signatures on a list.

Thank you for your consideration

David Pruitt

March 12, 2018

Evelyn Li  
1031 Almanor Avenue  
Menlo Park, CA 94025

RE: Arborist Report and Tree Protection Plan for Potential Development Impacts 1031 Almanor Avenue  
Menlo Park, CA

Dear Evelyn,

Thank you for contracting with Davey Resource Group regarding the above project. In support of your objectives, Davey Resource Group (DRG) is pleased to provide you with the attached report for the planned construction.

A DRG International Society of Arboriculture (ISA) Certified Arborist conducted the site inspection of the trees located at the above location in Menlo Park, California on January 10, 2018. The trees were assessed for location, size, current condition and overall health, as well as identifying critical and structural root zones to assist with tree protection plans. The attached report can be used to make informed decisions about demolition and construction planning, as well as submission to the City of Menlo Park for permitting purposes.

The survey determined the following:

- Ten trees on the property were evaluated.
- Seven distinct species were identified: White birch (*Betula pendula*), dragon tree (*Dracena draco*), liquidambar (*Liquidambar styraciflua*), southern magnolia (*Magnolia grandiflora*), white mulberry (*Morus alba*), fern pine (*Podocarpus gracilior*) and valley oak (*Quercus lobata*).
- Tree condition ratings ranged from 73% to 83% (Good).
- It was determined that there will be significant impacts to one tree, which should be removed prior to development.
- The remaining trees can be retained following tree protection measures laid out in this report.

Please feel free to contact me if you would like more information or have any questions.

Sincerely,



Justine Hirsch  
Davey Resource Group  
Certified Arborist #WE-11408A

# ARBORIST REPORT AND TREE PROTECTION PLAN

1031 Almanor Avenue  
Menlo Park, CA

March 2018



Arborist Report & Tree Protection Plan for  
1031 Almanor Avenue  
Menlo Park, CA

Prepared for

Evelyn Li  
1031 Almanor Avenue  
Menlo Park, CA. 94301

March 2018

Prepared by

Davey Resource Group  
A Division of The Davey Tree Expert Company  
1500 North Mantua Street  
Kent, OH 44240

Contact: Justine Hirsch  
Western Region Office  
6005 Capistrano, Unit A  
Atascadero, CA 93422  
Phone: (916) 899-7917  
E-mail: Justine.Hirsch@davey.com

[www.daveyresourcegroup.com](http://www.daveyresourcegroup.com)

**Notice of Disclaimer**

*Inventory data provided by Davey Resource Group is based on visual recording at the time of inspection. Visual records do not include testing or analysis and do not include aerial or subterranean inspection. Davey Resource group is not responsible for discovery or identification of hidden or otherwise non-observable risks. Records may not remain accurate after inspection due to variable deterioration of inventoried material and site disturbance. Davey Resource Group provides no warranty with respect to the fitness of the urban forest for any use or purpose whatsoever or for future outcomes of the inventoried trees.*



## Table of Contents

---

Table of Contents.....	4
Summary.....	5
Introduction.....	5
Background.....	5
Assignment.....	5
Limits of Assignment.....	5
Purpose and Use of Report.....	6
Observations.....	6
Methods.....	6
Site Observations.....	6
Analysis and Discussion.....	6
Conclusion and Recommendations.....	7
Appendix A – Tree Photographs.....	8
Appendix B – Tree Inventory and Condition Assessment.....	10
Appendix C – Site Survey and Tree Protection Plan.....	11

## Summary

---

In February 2018, Davey Resource Group (DRG), a division of The Davey Tree Expert Company, was contracted by Evelyn Li to conduct a tree assessment and develop a tree protection plan for the trees at 1031 Almanor Avenue in Menlo Park, California. The request was made to assess the current condition of the trees and how a planned construction project would impact the existing trees.

An International Society of Arboriculture (ISA) Certified Arborist from Davey Resource Group conducted the evaluation of the trees on February 23, 2018. The trees were assessed by their location, size, current condition, and overall health. Only trees within proximity to the development were assessed. The current site survey was used to plot the critical root zones (CRZ) of the trees to help guide construction options in order to reduce potential impacts on the trees.

The evaluations determined, based on visual inspection, tree condition ratings were good. It was determined that four trees may have their CRZs impacted by proposed development, but only tree #5 will be removed. Tree #9 will require arborist oversight while construction is taking place nearby, and the foundation must be hand-dug near this tree. Any roots pruned must be pruned by hand. The remaining trees can be retained by following the appropriate tree protection measures. No appraised or replacement value was requested or provided for the evaluated trees at this time.

## Introduction

---

### Background

Property owner Evelyn Li is planning to add a second story to her residence at 1031 Almanor Avenue in Menlo Park. Concerns were raised about the impacts the project might have on the trees in proximity to development, and what the condition of the trees are in before any construction began. Dirk Moyer of Jenna Bayer Design requested that Davey Resource Group provide an arborist report on the health of the trees, and to identify what tree protection measures were needed before final plans are submitted to the City of Menlo Park for approval for the new project.

### Assignment

Davey Resource Group (DRG) was contracted to conduct a site evaluation of existing trees within the limits of disturbance at 1031 Almanor Avenue in Menlo Park, CA and develop a tree protection plan for the identified trees. The survey included a visual assessment of the trees condition, observations of the site conditions and estimating the current critical root zones in order to assist with upcoming construction planning.

### Limits of Assignment

Many factors can limit specific and accurate data when performing evaluations of trees, their conditions, and potential for failure or response to site disturbances. No soil or tissue testing was performed. All observations were made from the ground and no soil excavation to expose roots was performed. The most recent development plans were available to assist in determining potential construction impacts. The determinations and recommendations presented here are based on current data and conditions that existed at the time of the evaluation and cannot be a predictor of the ultimate outcome for the evaluated trees in the future.

## Purpose and Use of Report

The purpose of this report is to provide summary of the evaluations of the trees located at 1031 Almanor Avenue in Menlo Park, California, including an assessment of the current condition and health, as well as providing a tree protection plan for all evaluated trees/canopies that may be impacted by construction plans. The findings in this report can be used to make informed decisions on design planning, and be used as the final arborist report to be provided to the City of Menlo Park for permitting purposes.

## Observations

---

### Methods

Only a visual inspection was used to develop the findings, conclusions, and recommendations found in this report. Data collection included measuring the diameter of significant trees at approximately 54 inches above grade (DBH), height estimation, canopy radius estimation, a visual assessment of tree condition, structure, and health, and a photographic record. Numerical values were assigned to grade the attributes of the trees, including structure and canopy health, and to obtain an overall condition rating. No physical inspection of the upper canopy, sounding, root crown excavation, resistance drilling, or other technologies were used in the evaluation of the trees.

### Site Observations

The surveyed site is a residence on level ground located in a residential neighborhood of Menlo Park. Ten trees were evaluated as part of this report. Seven distinct species were identified and comprised of one white birch (*Betula pendula*), one dragon tree (*Dracena draco*), one liquidambar (*Liquidambar styraciflua*), two southern magnolias (*Magnolia grandiflora*), one white mulberry (*Morus alba*), three fern pines (*Podocarpus gracilior*) and one valley oak (*Quercus lobata*). Trees #1-3 are street trees, planted in a planter strip between the curb and sidewalk.

Visual assessments determined tree condition ratings ranged from a low of 73% (Good) to a high of 83% (Good), and the average condition rating was Good (78%). Tree diameters ranged from 6 inches to 32 inches, with the average diameter being approximately 16 inches. Tree canopy diameters ranged from 60 feet for the valley oak to 10 feet for a fern pine, and the average canopy diameter was estimated at 24 feet. Finally, tree heights ranged from 65 feet to 14 feet, while the average height was 33 feet. Tree photographs and a complete Tree Inventory and Condition Assessment can be found in Appendices A and B.

## Analysis and Discussion

---

The surveyed trees are of a mixed size (age) class. The trees are located within proximity to the area of proposed development. No trees received a lower condition rating than Good.

The diameters of the surveyed trees were used to illustrate the potential critical root zone (CRZ) of each tree. The CRZ is considered the maximum possible radius of the root zone of a tree. The CRZ was calculated by multiplying the DBH by 1.5 feet. For instance, tree #1 has a DBH of 12 inches and a calculated CRZ of 18 feet (12 x 1.5). This distance may extend beyond the tree canopy dripline and is normally considered the tree protection zone (TPZ). Tree protection fencing is normally installed to protect the CRZ, but at a minimum should be installed at the dripline.

Work will be done in the CRZ of four trees, but tree #5 is the only tree where removal is recommended due to severe impacts within this critical root zone. Tree #9 will require arborist oversight while the foundation is hand dug, and any root pruning will need to be performed by hand. Two other trees show minor intrusion into their CRZs, but impacts are expected to be minor since in both instances, less than 10% of the CRZs will be impacted. The remaining trees are not expected to be impacted by the proposed development. With tree protection measures in place, significant impacts to these trees can be avoided.

Similar to the CRZ, the structural root zone (SRZ) was also calculated using a commonly accepted method established by Dr. Kim Coder in *Construction Damage Assessments: Trees and Sites*.<sup>1</sup> In this method, the root plate size (i.e. pedestal roots, zone of rapid taper area, and roots under compression) and limit of disruption based upon tree DBH is considered as a minimum distance that any disruption should occur during construction. Significant risk of catastrophic tree failure exists if structural roots within this given radius are destroyed or severely damaged. The SRZ is the area minimal or no disturbance should occur without arborist supervision. Both the CRZ and SRZ for the surveyed trees are illustrated in Appendix C.

## **Conclusion and Recommendations**

---

Based on visual evaluations and the impacts of proposed development, it was determined that four trees may be impacted by proposed development, but only one will need to be removed, and a second will require arborist supervision and hand work. The remaining trees are not likely to be affected by construction and can be retained.

All work in the TPZ should be supervised by a Certified Arborist. Temporary root protection is recommended by using a four-inch layer of wood chip mulch. Additional root protection with plywood over the mulch should be used to allow for construction equipment access as needed. Appendix C details the specific tree protection measures required for the project.

<sup>1</sup> Dr. Kim D. Coder, University of Georgia June 1996

## Appendix A – Tree Photographs

---

Photo 1 – Tree #9 Impact to dragon tree will be reduced through hand excavation and root pruning



Photo 2 – Tree #10 European white birch may be jointly owned



Photo 3 - Tree #5 Fern pine to be removed. Shown here on far right.



## Appendix B – Tree Inventory and Condition Assessment

Tree #	DBH (in.)	Species	Roots		Trunk		Scaffold Branches		Twigs	Foliage	Condition Rating (%)	Condition	Critical Root Zone Radius (feet)	Approx. Canopy Radius (feet)	Approx. Height (feet)	Comments	Small Deadwood	Overhead Utilities	Included Bark
			H	S	H	S	H	S	H	H									
1	12	Southern magnolia	3	2.5	3.5	3.5	3.5	3.5	3.5	3.5	83	Good	18	12	30				
2	28	Sweetgum	3	2.5	3.5	3.5	3	3	3	3	77	Good	42	14	65				x
3	30	Southern magnolia	3	2.5	3	2.5	3.5	3.5	3	3.5	77	Good	45	18	60	Codominant stem	x		x
4	16	White mulberry	3.5	3.5	3.5	3	3.5	3	3.5	3	83	Good	24	14	35				
5	6	<b>Fern pine</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3.5</b>	<b>77</b>	<b>Good</b>	<b>9</b>	<b>5</b>	<b>14</b>				x
6	6	Fern pine	3	3	3	3	3	3	3	3	75	Good	9	6	14				x
7	6	Fern pine	3	3	3	3	3	3	3	3.5	77	Good	9	6	14				x
8	32	Valley oak	3	3	3.5	3.5	3.5	3	3	3	80	Good	48	30	40		x	x	
9	12	Dragon tree	3	3	3	3	3	3	3	3	75	Good	18	8	20	May be jointly owned			x
10	14	European white birch	3	3	3	3	3	3	3	2.5	73	Good	21	10	40	May be jointly owned	x		

H = Health, S = Structure; Range 1 = Lowest (poor), 4 = Highest (excellent); Trees in **bold** are recommended for removal due to development impacts





**TREE PRESERVATION SPECIFICATIONS AND NARRATIVE**

**1. GENERAL**

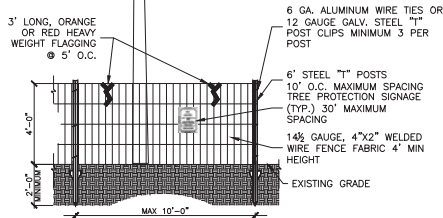
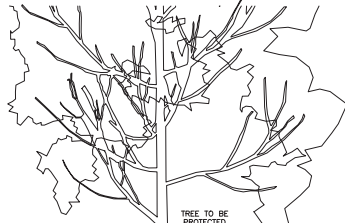
- 1.1. ALL MEASURES WILL BE REVIEWED AFTER INSTALLATION AND APPROVED BY OWNER AND COUNTY URBAN FORESTER.
  - 1.2. SUBSTITUTIONS OR ALTERNATIVE METHODS OR MATERIALS SHALL BE REVIEWED AND APPROVED BY COUNTY URBAN FORESTER.
  - 1.3. ALL TREE PROTECTION MEASURES MUST BE IN PLACE PRIOR TO COMMENCEMENT OF DEMOLITION, SITE CLEARING OR CONSTRUCTION AND MAINTAINED THROUGHOUT CONSTRUCTION. TREE PROTECTION MEASURES MAY ONLY BE REMOVED WITH COUNTY URBAN FORESTER APPROVAL.
  - 1.4. REFER TO THE TREE PROTECTION ACTION KEY (TPAK) FOR SPECIFIC RECOMMENDATIONS FOR EACH TREE.
- 2. REMOVAL BY ARBORIST**
- 2.1. TREES DESIGNATED AS "REMOVAL BY ARBORIST" SHALL BE REMOVED BY A QUALIFIED ARBORIST "BY HAND", TO MINIMIZE POTENTIAL FOR DAMAGE TO REMAINING TREES AND ROOTS.
  - 2.2. CREWS SHALL BE DIRECTLY SUPERVISED BY A CERTIFIED ARBORIST.
  - 2.3. TRUCKS AND MECHANIZED EQUIPMENT SHALL NOT ENTER THE FENCED TREE PROTECTION AREAS.
  - 2.4. STUMPS SHALL BE LEFT IN PLACE OR GROUND OUT AT THE OWNERS DISCRETION. STUMPS IN TURF/LANDSCAPE AREAS OR WITHIN ROOT AERATION MATTING AREAS SHALL BE GROUND.
  - 2.5. STUMP GRINDING SHALL BE WITH SMALL MACHINES SPECIFICALLY DESIGNED FOR THAT PURPOSE. NO STUMPS SHALL BE EXCAVATED EXCEPT AS DESCRIBED HEREIN. STUMPS SHALL BE GROUND NOT MORE THAN 8" BELOW GRADE AND CARE MUST BE TAKEN TO MINIMIZE DAMAGE TO ROOTS OF RETAINED TREES.
- 3. TREE PROTECTION FENCE**
- 3.1. TYPICALLY, INSTALL AFTER ROOT PRUNING AND PRIOR TO CLEARING & GRADING.
  - 3.2. FENCE SHALL BE ONE OF THE FOLLOWING: (SEE DETAIL)
    - 3.2.1. 4' HIGH, 14 GAUGE WELDED WIRE FENCE MOUNTED ON 6" STEEL "T" POSTS SPACED NOT MORE THAN 10' APART. FENCE SHALL BE ATTACHED TO POSTS USING GALVANIZED STEEL CLIPS OR ALUMINUM TIES. PLASTIC "ZIP" TIES SHALL NOT BE USED.
    - 3.2.2. 5' HIGH CHAIN LINK FENCE FABRIC MOUNTED ON 7', 1.5" GALVANIZED STEEL PIPE LINE POSTS. CORNER POSTS SHALL BE 2". FENCE SHALL BE ATTACHED TO POSTS USING ALUMINUM TIES. PLASTIC "ZIP" TIES SHALL NOT BE USED.
  - 3.3. TREE PROTECTION AREA SIGNS SHALL BE AFFIXED TO ALL TREE PROTECTION FENCE AT 30' SPACING AVERAGE. SIGNS SHALL BE BILINGUAL (ENGLISH AND SPANISH). SIGNS SHALL NOT BE AFFIXED DIRECTLY TO TREES. SEE DETAIL.
  - 3.4. EXISTING FENCES MAY BE USED FOR TREE PROTECTION PROVIDED THEY ARE STURDY, PERMANENT CONSTRUCTION, MEETING THE MINIMUM HEIGHT HEREIN, AND ARE MAINTAINED IN PLACE THROUGHOUT CONSTRUCTION. TREE PROTECTION SIGNAGE IS REQUIRED.
  - 3.5. SILT FENCE SHALL BE COORDINATED FOR INSTALLATION TO ENHANCE PROTECTION AND AVOID UNNECESSARY ROOT CUTS BY SILT FENCE INSTALLATION.
  - 3.6. FENCE MAY BE REMOVED ONLY AFTER ALL CONSTRUCTION AND FINAL LANDSCAPING IS COMPLETE AND WITH COUNTY URBAN FORESTER APPROVAL.

**4. ROOT PRUNE**

- 4.1. THE EXACT LOCATION AND DEPTH WILL BE DETERMINED DURING THE PRE-CONSTRUCTION MEETING. SPECIFIC EQUIPMENT & METHODS WILL BE DETERMINED BY COUNTY URBAN FORESTER BASED UPON DEPTH & TREE IMPACT. (SEE DETAIL)
  - 4.2. HAND PRUNE ROOTS OVER 1" DIAMETER WITHIN CRZ'S OF SIGNIFICANT TREES. STEEP SLOPES, DEEP EXCAVATIONS AND PAVEMENT/CURB REMOVAL WILL BE REVIEWED WHEN OPEN FOR HAND ROOT PRUNING DURING CONSTRUCTION.
  - 4.3. COORDINATE WITH SILT FENCE INSTALLATION TO MINIMIZE UNNECESSARY ROOT DAMAGE.
  - 4.4. ROOT PRUNING SHALL BE PERFORMED BY A CERTIFIED ARBORIST.
- 5. MULCH**
- 5.1. MULCH FOR PERMANENT APPLICATIONS TO TREE SAVE AREAS AS A STRESS REDUCTION AND SOIL MOISTURE MANAGEMENT MEASURE. MULCH SHOULD REMAIN AFTER CONSTRUCTION.
  - 5.2. INSTALL MULCH FOR DESIGNATED SIGNIFICANT TREES. MULCH AREA SHOULD GENERALLY BE ONE OF THE FOLLOWING, AT THE DISCRETION OF THE CONTRACT ARBORIST AND OWNER:
    - 5.2.1. INSTALL MULCH BED RINGS. MULCH SHOULD COVER AT LEAST THE ENTIRE STRUCTURAL ROOT ZONE WHEN POSSIBLE. LARGER MULCH BEDS ARE PREFERRED.
    - 5.2.2. PROVIDE CONTINUOUS MULCH STRIP 10' TO 15' WIDE ALONG LOD WITHIN PRESERVED CRZ AREAS.
  - 5.3. MULCH SHALL BE INSTALLED TO A DEPTH OF 3-4".
  - 5.4. MULCH SHOULD BE DOUBLE GROUND, SHREDDED HARDWOOD, AGED FOR AT LEAST 6 MONTHS FROM AN APPROVED SOURCE. IF AGED HARDWOOD IS NOT AVAILABLE, ALTERNATIVES MAY BE APPROVED BY THE PROJECT ARBORIST AND/OR COUNTY URBAN FORESTER.
  - 5.5. INSUFFICIENTLY OR IMPROPERLY AGED MULCH CONTAINING HIGH BACTERIAL COUNTS OR HIGH LEVELS OF BARK OR OTHER MATERIALS RESISTANT TO DECOMPOSITION SHOULD NOT BE USED.
  - 5.6. MULCH SHALL NOT CONTACT TRUNK OF TREES. EDGING IS NEITHER NECESSARY NOR DESIRABLE FOR THIS OPERATION.
- 6. CONSTRUCTION MONITORING/INSPECTIONS**
- 6.1. A CERTIFIED ARBORIST SHALL MAKE REGULAR MONTHLY INSPECTIONS DURING ACTIVE CONSTRUCTION AND DEMOLITION AND PROVIDE REPORTS TO THE OWNER AND COUNTY URBAN FORESTER. REPORTS SHALL DOCUMENT CONDITION OF TREE PROTECTION DEVICES AND PROVIDE RECOMMENDATIONS FOR MAINTENANCE AND/OR ADDITIONAL CARE.
- 7. MISCELLANEOUS TREE PROTECTION REQUIREMENTS**
- 7.1. NO TOXIC MATERIALS SHALL BE STORED WITHIN 100' OF TREE PROTECTION AREAS.
  - 7.2. ALL WORK IN OR NEAR TREE PROTECTION AREAS SHALL BE PERFORMED IN A MANNER TO MINIMIZE DAMAGE TO TREES, SHRUBS, GROUND COVER, SOIL AND ROOT SYSTEMS.
  - 7.3. MECHANIZED EQUIPMENT SHALL NOT BE PERMITTED TO ENTER ANY TREE PROTECTION AREAS.

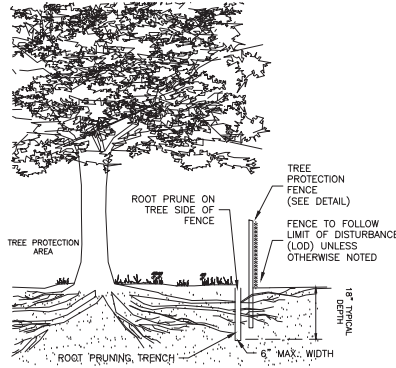
**8. CANOPY PRUNING & SUPPORT CABLES**

- 8.1. CANOPY PRUNING SHALL BE CLEANING PRUNING AND/OR RESTORATION PRUNING AND SHALL BE IN CONFORMANCE WITH CURRENT ANSI A300 STANDARDS AND ISA BEST MANAGEMENT PRACTICES.
  - 8.2. PRUNING SHALL REMOVE ONLY DEAD, DYING, DAMAGED OR BROKEN BRANCHES GREATER THAN 1" IN DIAMETER. PRUNING OF SMALL TREES MAY INCLUDE REMOVAL OF LIMBS TO IMPROVE STRUCTURE.
  - 8.3. FOLIAGE REMOVAL SHALL NOT BE MORE THAN 25% OF THE TOTAL LIVE CANOPY VOLUME OF ANY TREE IN ANY ONE SEASON. PRUNING SHALL NOT REMOVE INTERIOR BRANCHING EXCEPT AS OTHERWISE STATED.
  - 8.4. PRUNING FOR SPECIFIC CLEARANCE (FOR CONSTRUCTION ACCESS OR PROPOSED IMPROVEMENTS) SHALL BE REVIEWED AND APPROVED BY THE OWNER AND COUNTY URBAN FORESTER.
  - 8.5. SUPPORT CABLES SHALL BE INSTALLED IN CONFORMANCE WITH CURRENT ANSI A300 STANDARDS AND ISA BEST MANAGEMENT PRACTICES.
- 9. ROOT PROTECTION PAD/MATTING**
- 9.1. TEMPORARY PAD OR MATTING TO PROTECT EXISTING ROOTS AND SOILS FROM PROPOSED SHORT TERM CONSTRUCTION TRAFFIC IMPACTS.
  - 9.2. TO PREPARE SITE, REMOVE ANY DEBRIS BY HAND
  - 9.3. SPREAD AN EVEN LAYER OF WOOD CHIPS 8-12" THICK OVER THE ENTIRE AREA
  - 9.4. MATTING OR COVERING MATERIAL SHALL BE INSTALLED IN A SINGLE LAYER ON MULCH.
  - 9.5. TOPSOIL SHALL NOT BE DISTURBED OR REMOVED. NO GRUBBING, GRADING, EXCAVATION OR EQUIPMENT TRAFFIC SHALL BE ALLOWED IN THE AREA TO RECEIVE RPM. EQUIPMENT MAY TRAVEL ON RPM AFTER IT IS INSTALLED, BUT SHOULD BE MINIMIZED. TRACKED EQUIPMENT SHOULD NOT TURN ON RPM TO AVOID DAMAGE.
  - 9.6. FOR HEAVY TRAFFIC AREAS, OR WHEREVER PRACTICAL/DESIRABLE, MULCH MAY BE COVERED BY 2" PLYWOOD, ALTERNAMATS, STEEL PLATE OR OTHER APPROVED ALTERNATIVE.
  - 9.7. PAD SHALL BE INSTALLED BY A CERTIFIED ARBORIST.
  - 9.8. PAD SHALL NOT BE REMOVED BY SITE CONTRACTORS.
- 10. SSAT/BY HAND EXCAVATION WITHIN CRZ'S/TREE PROTECTION AREAS**
- 10.1. PROPOSED IMPROVEMENTS WITHIN TREE PROTECTION AREAS (TPAS) SHALL BE EXCAVATED BY SUPERSOON AIR TOOL (SSAT) OR BY HAND TO MINIMIZE DAMAGE TO ROOT SYSTEMS.
  - 10.2. OWNER, CONTRACTOR, CONTRACT ARBORIST, AND COUNTY URBAN FORESTER SHALL REVIEW THE PROPOSED LOCATION(S) DURING THE PRE-CONSTRUCTION MEETING.
  - 10.3. THE CONTRACT ARBORIST SHALL PROVIDE A QUALIFIED ARBORIST CREW EXPERIENCED WITH THE SSAT AND UTILITY EXCAVATION TO PROTECT ADJACENT TREES. OPEN THE EXCAVATION, HAND PRUNE MINOR ROOTS, AND IDENTIFY AND PROTECT PRIORITY ROOTS TO REMAIN. COORDINATION WITH THE APPROPRIATE SUB-CONTRACTOR SHALL BE MADE TO DETERMINE APPROPRIATE WIDTH, DEPTH & SEQUENCING, UTILITY INSTALLATION, BACKFILL, COMPLETION, AND COVER.
- 11. TREE CONDITION MONITORING-INSPECTIONS**
- 11.1. CONTRACT ARBORIST SHALL PROVIDE MONITORING OF THE CONDITION OF RETAINED TREES IN TREE PROTECTION AREAS, AND TREATMENT OF DETRIMENTAL CONDITIONS (INSECTS, DISEASES, NUTRIENT DEFICIENCIES, SOIL MOISTURE, ETC.), AS THEY OCCUR, OR AS APPROPRIATE FOR EFFECTIVE MANAGEMENT.
  - 11.2. INSPECTIONS SHALL BE PERFORMED AT LEAST MONTHLY DURING THE GROWING SEASON, BEGINNING PRIOR TO CONSTRUCTION AND CONTINUING THROUGHOUT CONSTRUCTION AND FOR AT LEAST ONE YEAR SUBSEQUENT TO COMPLETION OF CONSTRUCTION ACTIVITIES.
  - 11.3. A WRITTEN SUMMARY REPORT INCLUDING SPECIFIC TREATMENTS MADE AND RECOMMENDATIONS FOR ADDITIONAL TREATMENTS MADE BE PROVIDED TO THE OWNER AND PROJECT ARBORIST SUBSEQUENT TO EACH INSPECTION.



- NOTES:**
1. TREE PROTECTION FENCE SHALL BE INSTALLED PRIOR TO ANY SITE WORK, CLEARING OR DEMOLITION.
  2. WHERE REQUIRED, SUPER SILT FENCE MAY BE USED IN LIEU OF WELDED WIRE FOR TREE PROTECTION PROVIDED IT IS INSTALLED AND MAINTAINED AS A TREE PROTECTION MEASURE AND IS POSTED WITH TREE PROTECTION SIGNS.
  3. TREE PROTECTION FENCE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. REMOVE FENCE ONLY WITH APPROVAL AND AFTER ALL SITE WORK HAS BEEN COMPLETED.

**1 WELDED WIRE TREE PROTECTION FENCE (TYPICAL)**  
SCALE: NTS



- NOTES:**
1. TREE PROTECTION AREA WILL BE DETERMINED AS PART OF THE PLAN REVIEW PROCESS. EXACT LOCATION, DEPTH AND METHODS OF ROOT PRUNING TO BE DETERMINED IN THE FIELD BY PROJECT ARBORIST.
  2. EXACT LOCATION OF TREE PROTECTION AREAS SHALL BE SIGNED OR PLACED PRIOR TO TRENCHING.
  3. TRENCH SHOULD BE BACKFILLED IMMEDIATELY OR INCORPORATED WITH SILT FENCE INSTALLATION.
  4. ROOTS SHOULD BE SAVED BY TRENCHER, VIBRATORY FLOW OR APPROVED EQUIPMENT. ROOTS OVER 1.5" DIAMETER SHOULD BE CLEANLY CUT BY HAND. ROOT PRUNING ADJACENT TO SPECIMEN TREES MAY REQUIRE SOIL REMOVAL BY SUPERSOON AIR TOOL TO MINIMIZE TREE AND ROOT IMPACTS.

**2 ROOT PRUNING (TYPICAL)**  
SCALE: NTS



**TREE PRESERVATION PLAN**

**1031 ALMANOR AVENUE**  
MENLOPARK, CALIFORNIA  
WSI Project Number: 0802018370

Copyright © 2018 Wetland Studies and Solutions, Inc.



REVISIONS	
No.	Description

Horizontal Datum: CAZ3 NAD83

Vertical Datum: N/A  
Boundary and Topo Source: COUNTY GIS TRIAD/HOLMES ASSOC

Design	Draft	Approved
CH	CH	MB

Sheet #  
**LJ-2**

Computer File Name:  
11001\_PlanSet\_P019999\_000000.dwg  
DATEPLOT: 08/08/2018 10:00:00 AM

Evelyn Li / David Wright / Kimberli Wright  
1031 Almanor Ave  
Menlo Park, CA

City of Menlo Park  
Development and planning

Jan 28, 2018

Dear department head and ancillaries of city and planning,

Thank you for helping us to renovate our house. While part of the purpose of our renovation is to enhance the look of our house to be comparable to the beautiful neighborhood of this community, part of it is to accommodate our mother/mother-in-law Evelyn. We'd like her to have some rooms in our house so she can help us babysit. Due to the limited space, she is currently sleeping on our sofa in the living room. As we are a young family with three children, we both are working couple and in need of help from our parent. Our kind neighbors have indicated by their signatures their support for our endeavor to remodel and add an additional unit to our house, to help make our family life sustainable.

See plan attached. The neighbors below have reviewed and endorsed our plans:

Address	Name, signature, and date
<u>1038 Menlo Oaks</u>	<u>David Murello, [Signature], 1/28/18</u>
<u>1036 Menlo Oaks</u>	<u>Avaani Khatri, Purvesh Khatri &amp; [Signature] 2/25/18</u>
<u>1009 Almanor Ave</u>	<u>Alan Rubing City 4/24/18</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Sincerely,

Evelyn Li / David Wright / Kimberli Wright



## STAFF REPORT

### Planning Commission

**Meeting Date:** 7/30/2018

**Staff Report Number:** 18-068-PC

**Public Hearing:** Use Permit and Variance/Whitney Peterson and Kyle Larson/947 Lee Drive

### Recommendation

Staff recommends that the Planning Commission approve a use permit and variance for the construction of a new two-story, single-family residence on a substandard lot, including the determination of the Floor Area Limit (FAL) for a lot with less than 5,000 square feet of developable area, in the R-1-U (Single-Family Urban Residential) zoning district, at 947 Lee Drive. The proposed work requires a variance because of the construction of a first-story encroachment of 10 feet into the required 20-foot rear yard setback. The recommended actions are included as Attachment A.

### Policy Issues

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

### Background

#### *Site location*

The subject site is located at 947 Lee Drive, a short, dead-end street located off of Valparaiso Avenue and between University Drive and Johnson Street. The subject parcel is surrounded on all sides by single-family homes that are also in the R-1-U or R-1-U (X) zoning districts. The surrounding area contains a mixture of one- and two-story homes, and the general styles of homes in the neighborhood represent a mixture of ranch and craftsman influences. A location map is included as Attachment B.

#### *Previous use permit and variance request*

On September 14, 2011, the applicants applied for a use permit and variance at 947 Lee Drive to construct a new two-story residence, including a variance for first- and second-story encroachments of 10 feet into the 20-foot rear yard. This project was reviewed at the May 21, 2012 Planning Commission meeting. At the meeting, a number of neighbors spoke in opposition to the project, largely citing the mass and aesthetics of the residence, and the Planning Commission voted 5-1 to deny the use permit and variance request. The denial findings highlighted the proposed size and architectural style of the building, and the resulting perception of bulk that could have resulted.

## **Analysis**

### ***Project description***

The applicants are proposing to demolish the existing one-story, single-family residence with an attached one-car garage and construct a new two-story, single-family residence with an detached one-car garage and uncovered parking space. Due to the nature of this pie-shaped lot, the subject property offers a limited area of developable land. As such, the applicants are seeking a variance to allow for the first floor of their proposed residence to encroach 10 feet into the 20-foot rear yard setback required in the R-1-U zoning district. The findings and analysis for the variance will be discussed further in the Variance section of this report. A data table summarizing the parcel and project attributes is included as Attachment C. The project plans and the applicants' project description letter are included as Attachments D and E, respectively.

Of particular note with regard to Zoning Ordinance requirements:

- In contrast to the 2012 proposal, the applicants are seeking a variance only at the ground level; the second floor would comply with all setback requirements.
- The second floor would be relatively limited in size, with its floor area representing approximately 31 percent of the floor area limit (FAL) that the applicants are proposing.
- No development would occur in the subject property's unique 25.5-foot front yard setback, which is required per the Subdivision Ordinance for lots on curved frontages with radii of 100 feet or less.
- Due to the irregular, angled lot dimensions, the applicants have provided multiple daylight plane measurement points on the elevation drawings to demonstrate compliance with that requirement.

### ***Design and materials***

The existing residence is a traditional, single-story ranch style home with a simple gabled roof comprised of composition asphalt and walls comprised of wooden shingle siding. The applicants state that the proposed residence would be of a Craftsman style, with East Coast influence. The design would include wooden shingle siding, a composition shingle roof, and wooden doors, including a wooden garage door. A new Dutch entry door, with a gabled porch, will provide a new focal point for the front of the residence, facing the street. Stepping back of the second floor along the front of the residence serves to break up some of the massing visible from the street. There are a variety of roof lines that have occurred largely to maintain the second floor outside of the setbacks.

The second floor would be generally located in the center and left of the subject property. Windows along the second floor would feature sill heights of no lower than 3.2 feet to minimize neighbor privacy impacts. In addition, along the left side of the proposed residence, where the first and second stories would be built to the 6.5-foot left side yard setback line, two non-heritage trees (Trees 6 and 7) would continue to provide additional screening between the proposed main residence and the neighboring residence located at 935 Lee Drive. Along the right side, the first and second floors of the proposed main residence would be constructed 24.5 feet from the right property line.

Overall, staff believes the materials and choice of style offer a form that appears more natural and integrated than the 2012 proposal, which called for smooth stucco walls, a shake roof, and a stone chimney, to establish a Carmel cottage style. As noted in the Background section, the Planning Commission believed that the previous architectural style exacerbated the mass/bulk effects of that

proposal.

### ***Floor Area Limit (FAL) determination***

The subject parcel has a gross area of 5,000 square feet. However, there is an existing access easement on the left side of the property for the benefit of 935 Lee Drive to allow them to access their garage. This easement results in a net lot area for the subject site of 4,869 square feet of developable area. In the R-1-U zoning district, the FAL for lots with less than 5,000 square feet of area is determined through the use permit process. Since the project site has less than 5,000 square feet of developable area, a maximum FAL determination by the Planning Commission is required.

Within the R-1-U zoning district, lots with 5,000 to 7,000 square feet of area have an FAL of 2,800 square feet, which represents 56 to 40 percent of the lot area, respectively. For the subject parcel, the proposed FAL of 2,450 square feet represents 50 percent of the net lot area. Staff believes that the proposal is a reasonable FAL for this lot area, in that it is within the percentage range enjoyed by parcels of 5,000 to 7,000 square feet in size. In addition, this FAL request is a decrease from the 2012 proposal, when the applicants had requested an FAL of 2,586 square feet, or roughly 53 percent of the net lot area.

### ***Variance***

The applicants are requesting a variance for an addition within the required 20-foot rear yard setback. Specifically, the applicants are requesting a variance into the rear yard setback for a portion of the addition along the first floor, and this addition would encroach 10 feet into the 20-foot setback. The applicants have provided a variance request letter that has been included as Attachment F. The required variance findings are evaluated below in succession:

- 1. That a hardship peculiar to the property and not created by any act of the owner exists. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not hardships justifying a variance. Further, a previous variance can never have set a precedent, for each case must be considered only on its individual merits.*

The applicants state that the hardship pertains to the irregular triangular shape of the lot. In particular, this type of configuration only exists on two of the lots along Lee Drive, and other lots on the street do not face the same complication. When factoring the development requirements of the R-1-U zoning district and the shape of the lot, the applicants indicate that the buildable area on site is less than half of the buildable area on a comparably sized rectangular lot. A 50-foot by 100-foot lot in the R-1-U zoning district would yield approximately 2,400 square feet of buildable land, which is more than twice the amount possible on this site (1,091 square feet). Diagrams included in the variance request letter illustrate this unique hardship clearly. Staff concurs with the applicants' discussion of this finding.

- 2. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors.*

The applicants state that the requested variance is necessary to build a more typically designed home with dimensions that are more common to the other neighboring residences along Lee Drive. By positioning the variance area in the rear of the lot, the applicants would be able to expand to a size and shape similar to other neighboring residences while also keeping the variance toward the rear of the lot and further away from the street and neighboring residences. The applicants have also stated that this variance would not constitute a special privilege, as the variance request is merely allowing the applicants to have similar development capabilities as neighboring properties. Staff likewise concurs with the applicants' bases for this finding.

- 3. That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property.*

The applicants state that they have received no concerns or commentary from their neighbor located closest to the rear property line, at 1319 University Avenue. The applicants also acknowledge that the proposed project has been designed so as to comply with all other setback and daylight plane requirements. In addition, the applicants have made modifications to reduce the general footprint of the proposed main residence. These actions include lessening their proposed FAL from 53 percent, which was provided in the previous denial finding, to 50 percent in the proposed project, and creating a more compatible architectural style that minimizes massing more so than in the 2012 proposal. Staff believes that the proposed encroachment would not be detrimental to the public health, safety, and welfare, or impair an adequate supply of light and air to the adjacent properties, given that the encroachment is modest in size and is located largely in the rear of the property. The proposed project would otherwise comply with all other development regulations prescribed by the Zoning Ordinance, such as building coverage, side and front setbacks, daylight plane, and building height. While floor area is uniquely established through a use permit, the proposed size would be modest in relation to the potential floor area that neighboring standard lots could achieve. Staff similarly concurs with the applicants' discussion of this finding

- 4. That the conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification.*

The applicants state that the unique shape and dimensions of the subject property is generally not applicable to many of the lots located within the neighborhood and zoning district. Properties within the R-1-U zoning district are typically more rectangular in nature and thus allow for more buildable area, as opposed to the more limited buildable area offered to the subject property. Because the variance for the additions into the required rear yard setback would be based on the unique conditions of a narrow, triangularly shaped parcel, these conditions would not be applicable generally to other properties within the R-1-U zoning classification. Staff also concurs with the basis for which the applicants have provided for this finding.

- 5. That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process.*

The property is not within any Specific Plan area. Hence, a finding regarding an unusual factor does not apply.

Approval of a variance requires that all five findings be made. Per the previous discussion, staff recommends approval of the variance, and findings to this effect are included in the recommended actions in Attachment A.

### ***Trees and landscaping***

The applicants have submitted an arborist report (Attachment G) detailing the species, size, and conditions of the heritage and non-heritage trees on site. The report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance and the protection of some trees, based on their health. As part of the project review process, the arborist report was reviewed by the City Arborist.

There is one heritage tree located near the subject property: a 26-inch coast live oak (Tree 2) behind the rear property line (at 1319 University Avenue). This tree is proposed to remain. A 58-inch Monterey pine (Tree 1) formerly on site was removed with a heritage tree removal permit in 2012, although the required replacement tree was not provided at that time, for unknown reasons. A condition (5a) has been provided that will require one replacement tree be provided on the subject property to address this minor issue. None of the five non-heritage trees are proposed to be removed. The arborist report has identified a number of protection measures to protect the heritage and non-heritage trees on site, which include protective fencing, trenching by hand, normal irrigation, and having a certified arborist on site for any hand-pruning roots to allow for the construction of new building foundation. All recommendations identified in the arborist report shall be implemented and ensured as part of condition 4g.

### ***Correspondence***

The applicants have stated that the property owner has met with adjacent neighbors to discuss the proposed new residence, and has indicated that the neighbors have been provided their perspective and comments concerning the proposed project. In turn, the applicants have made a series of revisions to accommodate requests from neighbors. The applicants have also taken suggestions and commentary from the 2012 variance request into account. Written correspondence received by staff is included in Attachment H.

### ***Conclusion***

Staff believes that the scale, materials, and style of the proposed residence are consistent with the broader neighborhood, given the similar architectural styles and sizes of structures in the area. Staff also believes that the style of the proposed residence would be generally attractive, well-proportioned, and largely centrally positioned. In addition, staff believes that the requested floor area ratio is at a percentage consistent with what would be permissible for lots of between 5,000 and 7,000 square feet in size, and a reduction relative to the earlier proposal.

Staff believes that the five findings can be made with regard to the proposed variance for the encroachment into the required rear yard setback on the first floor, given in particular the unique condition

of the existing pie-shaped parcel. Staff recommends that the Planning Commission grant approval of the variance for the proposed ground floor intrusion into the rear setback and for the use permit, subject to the actions in Attachment A.

### **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. Variance Letter
- G. Arborist Report
- H. 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:

Matt Pruter, Associate Planner

Report reviewed by:

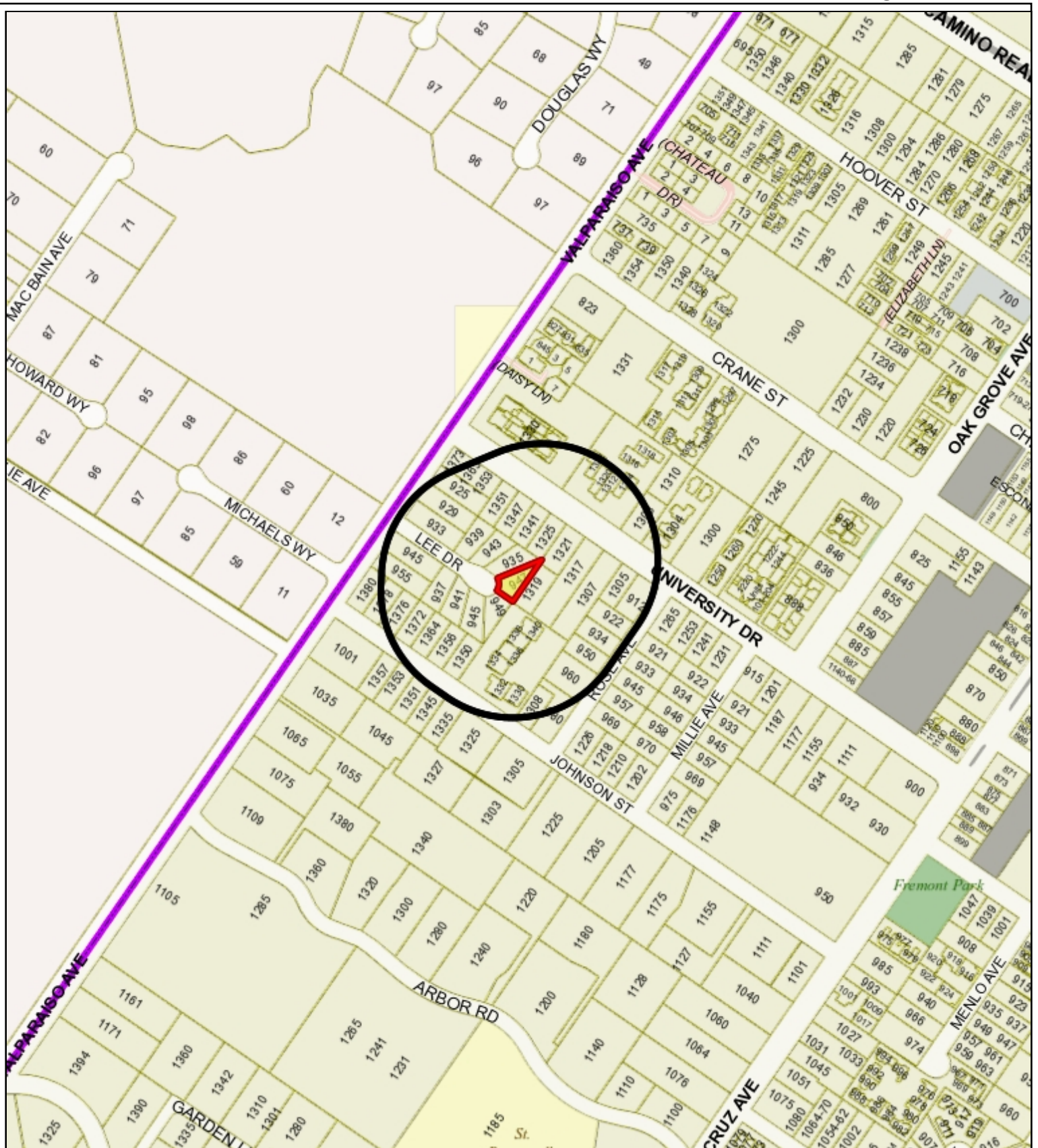
Thomas Rogers, Principal Planner

THIS PAGE INTENTIONALLY LEFT BLANK

<b>LOCATION:</b> 947 Lee Drive	<b>PROJECT NUMBER:</b> PLN2018-00044	<b>APPLICANT:</b> Matt Kohler	<b>OWNER:</b> Whitney Peterson and Kyle Larson
<b>PROPOSAL:</b> Request for a use permit to determine the Floor Area Limit (FAL) for a lot with less than 5,000 square feet of developable area, and for the construction of a new two-story, single-family residence on a substandard lot in the R-1-U (Single-Family Urban Residential) zoning district. In addition, a request for a variance for construction of a first-story encroachment of 10 feet into the required 20-foot rear yard setback.			
<b>DECISION ENTITY:</b> Planning Commission	<b>DATE:</b> July 30, 2018	<b>ACTION:</b> TBD	
<b>VOTE:</b> TBD (Barnes, Combs, Goodhue, Kennedy, Onken, Riggs, Strehl)			
<p><b>ACTION:</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of variances:             <ol style="list-style-type: none"> <li>a. The hardship at 947 Lee Drive is caused by the combination of the property being a narrow, irregularly shaped lot. The subject site is not a typical, rectangular-shaped lot, but rather a pie-shaped lot with a narrow curved front. The hardship is unique to the property, and has not been created by an act of the owner.</li> <li>b. The variance is necessary to create a conventionally sized, functional space while preserving functional front, rear, and side yards. This encroachment in the rear of the lot would allow for typical modifications that other conforming properties would be able to more easily achieve with a standard amount of developable land. Further, this variance would not constitute a special privilege, as the variance request is merely allowing the applicants to have similar development capabilities as neighboring properties.</li> <li>c. The proposed project would be modest in size and although it would be two stories in size, and all other development standards would also be met. In addition, the proposed project would provide a generally more compatible architectural style and generate a floor area limit (FAL) of 50 percent, which is less than the 2012 proposal FAL of 53 percent, and as such would have a reduced perception of bulk. As such, granting of the variance for proposed rear yard encroachment would not be materially detrimental to the public health, safety, or welfare, and will not impair adequate supply of light and air to adjacent property.</li> <li>d. The variance request is based on the unique, pie-shaped subject property and its restrictive amount of buildable area. While typical properties in the R-1-U zoning district contain a more rectangular lot shape and allow for more buildable area, the subject property’s more triangular shape allows it significantly less buildable area relative to overall lot size. This variance would not typically apply to other properties in the same zoning district as the situation is unique to this site.</li> <li>e. The property is not within any Specific Plan area. Thus, a finding regarding an unusual factor does not apply.</li> </ol> </li> <li>3. 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.</li> </ol>			

947 Lee Drive – Attachment A: Recommended Actions

<b>LOCATION:</b> 947 Lee Drive	<b>PROJECT NUMBER:</b> PLN2018-00044	<b>APPLICANT:</b> Matt Kohler	<b>OWNER:</b> Whitney Peterson and Kyle Larson
<b>PROPOSAL:</b> Request for a use permit to determine the Floor Area Limit (FAL) for a lot with less than 5,000 square feet of developable area, and for the construction of a new two-story, single-family residence on a substandard lot in the R-1-U (Single-Family Urban Residential) zoning district. In addition, a request for a variance for construction of a first-story encroachment of 10 feet into the required 20-foot rear yard setback.			
<b>DECISION ENTITY:</b> Planning Commission	<b>DATE:</b> July 30, 2018	<b>ACTION:</b> TBD	
<b>VOTE:</b> TBD (Barnes, Combs, Goodhue, Kennedy, Onken, Riggs, Strehl)			
<p><b>ACTION:</b></p> <p>4. Approve the use permit and variance subject to the following <b>standard</b> conditions:</p> <ul style="list-style-type: none"> <li>a. Development of the project shall be substantially in conformance with the plans prepared by Kohler Architects, consisting of 13 plan sheets, dated received July 23, 2018, and approved by the Planning Commission on July 30, 2018, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.</li> <li>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.</li> <li>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.</li> <li>d. Prior to building permit issuance, the applicants 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.</li> <li>e. Simultaneous with the submittal of a complete building permit application, the applicants shall submit plans indicating that the applicants 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.</li> <li>f. Simultaneous with the submittal of a complete building permit application, the applicants 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.</li> <li>g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Kielty Arborist Services, dated received April 19, 2018.</li> </ul> <p>5. Approve the use permit and variance subject to the following <b>project-specific</b> condition:</p> <ul style="list-style-type: none"> <li>a. Simultaneous with the submittal of a complete building permit application, the applicants shall revise the site plan to show one replacement tree on site, to compensate for the loss of the heritage Monterey pine tree that was removed under a heritage tree removal permit in 2012. The revised project plans shall be subject to review and approval of the Planning Division.</li> </ul>			



# City of Menlo Park

## Location Map 947 Lee Drive



Scale: 1:4,000

Drawn By: MAP

Checked By: THR

Date: 7/30/2018

Sheet: 1

	<b>PROPOSED PROJECT</b>	<b>EXISTING PROJECT</b>	<b>ZONING ORDINANCE</b>
Lot area	5,000 (4,869) sf	5,000 (4,869) sf	7,000 sf min.
Lot width	65 ft.	65 ft.	65 ft. min.
Lot depth	74.2 ft.	74.2 ft.	100 ft. min.
Setbacks			
Front	25.5 ft.	17.0 ft.	25.5 ft. min.
Rear	10.0* ft.	7.6 ft.	20.0 ft. min.
Side (left)	6.5 ft.	15.8 ft.	6.5 ft. min.
Side (right)	24.5 ft.	8.0 ft.	6.5 ft. min.
Building coverage	1,703.7 sf 35 %	1,124.0 sf 22 %	1,704.3 sf max. 35 % max.
FAL (Floor Area Limit)	2,450.1 sf	1,124.0 sf	Established by use permit
Square footage by floor	1,468.3 sf/1st 760.6 sf/2nd 221.2 sf/garage 14.2 sf/porches	804.0 sf/1st 195.0 sf/garage 125.0 sf/porches	
Square footage of buildings	2,464.3 sf	1,124.0 sf	
Building height	24.9 ft.	14.6 ft.	28 ft. max.
Parking	1 covered/1 uncovered	1 covered	1 covered/1 uncovered
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			

Trees	Heritage trees**	1	Non-Heritage trees***	5	New Trees	1
	Heritage trees proposed for removal	0	Non-Heritage trees proposed for removal	0	Total Number of Trees	7

\*Variance approval is being requested for this encroachment.

\*\*This heritage tree is fully located in the property to the rear of the subject property.

\*\*\*Of these five non-heritage trees, four are located within the subject property and one non-heritage tree is fully located in the property neighboring on the left side.

DESIGNS PRESENTED BY THESE DRAWINGS ARE THE PROPERTY OF KOHLER ARCHITECTS, INC. AND WERE DEVELOPED FOR USE ON THIS PROJECT ONLY. THIS DRAWING AND THE DESIGNS THEY REPRESENT SHALL NOT BE USED BY OR DISCLOSED TO ANY PERSON OR FIRM OUTSIDE THE SCOPE OF THIS PROJECT WITHOUT WRITTEN PERMISSION OF KOHLER ARCHITECTS, INC.

COPYRIGHT

PROJECT DIRECTORY

**OWNER:**  
KYLE LARSON & WHITNEY PETERSON  
947 LEE DRIVE  
MENLO PARK, CA 94025

**ARCHITECT:**  
KOHLER ARCHITECTS, INC.  
LICENSE #C-7334  
721 COLORADO AVENUE, SUITE 102  
PALO ALTO, CA 94303  
650.328.1066  
matt@kohler-architects.com

**SURVEYOR:**  
WEC # ASSOCIATES  
2625 MIDDLEFIELD ROAD #658  
PALO ALTO, CA 94306  
650.823.6466  
ed@weceng.com

**ARBORIST:**  
KIELTY ARBORIST SERVICES  
CERTIFIED ARBORIST WE#0476A  
P.O. BOX 6187  
SAN MATEO, CA 94403  
650.515.9783

PROJECT DIRECTORY

PROJECT DATA

APN: 071-052-090  
ADDRESS: 947 LEE DRIVE  
ZONE: R1U  
BUILDING OCCUPANCY: R3 AND U  
GROUPS: V-B  
TYPE OF CONSTRUCTION: V-B  
STORIES: 2  
FLOOD ZONE: NO  
HISTORIC: NO  
AUTOMATIC SPRINKLERS: YES

FLOOR AREA SUMMARY

GROSS LOT AREA -	5000.54	SQ. FT.
NET LOT AREA -	4869.54	SQ. FT.
ACCESS EASEMENT -	131.00	SQ. FT.
FIRST FLOOR -	1468.28	SQ. FT.
SECOND FLOOR -	760.59	SQ. FT.
ATTACHED GARAGE -	221.20	SQ. FT.
TOTAL FLOOR AREA -	2450.07	SQ. FT.

BUILDING COVERAGE SUMMARY

GROSS LOT AREA -	5000.54	SQ. FT.
NET LOT AREA -	4869.54	SQ. FT.
ACCESS EASEMENT -	131.00	SQ. FT.
FIRST FLOOR -	1468.28	SQ. FT.
ATTACHED GARAGE -	221.20	SQ. FT.
COVERED PORCH -	14.18	SQ. FT.
TOTAL LOT COVERAGE -	1703.66	SQ. FT. (34.99%)
ALLOWABLE LOT COVERAGE -	1704.34	SQ. FT. (35.00%)
(5000.54 - 131.00 easement = 4869.54 x .35)		

PROJECT INFO

-DEMOLITION OF SINGLE STORY RESIDENCE WITH ATTACHED ONE CAR GARAGE

-NEW TWO STORY RESIDENCE WITH DETACHED ONE CAR GARAGE

PROJECT DESCRIPTION

SHEET INDEX

A0	COVER SHEET
A1	AREA PLAN
A2	SITE PLAN
C0	SURVEY
D1	DEMOLITION PLAN
A3	FIRST FLOOR PLAN
A4	SECOND FLOOR PLAN
A5	ROOF PLAN
A6	EXTERIOR ELEVATIONS
A7	EXTERIOR ELEVATIONS
A8	SECTIONS
G1	GARAGE PLANS
FA1	FLOOR AREA CALCULATIONS

SHEET INDEX



NEW RESIDENCE - 947 LEE DRIVE

ARTIST RENDERING

REVISIONS	BY
6-12-18	

**KOHLER ARCHITECTS**  
1111  
Roger Kohler  
Architect, A.J.A.  
C-7334  
721 Colorado Avenue, Suite 102  
Palo Alto, California 94303  
650.328.1066  
info@kohler-architects.com  
www.kohler-architects.com

NEW RESIDENCE FOR:  
**KYLE LARSON & WHITNEY PETERSON**  
947 LEE DRIVE  
MENLO PARK, CALIFORNIA

COVER SHEET

DRAWN MK
CHECKED
DATE 4-17-18
SCALE
JOB NO. 947 LEE DRIVE
SHEET <b>A0</b>



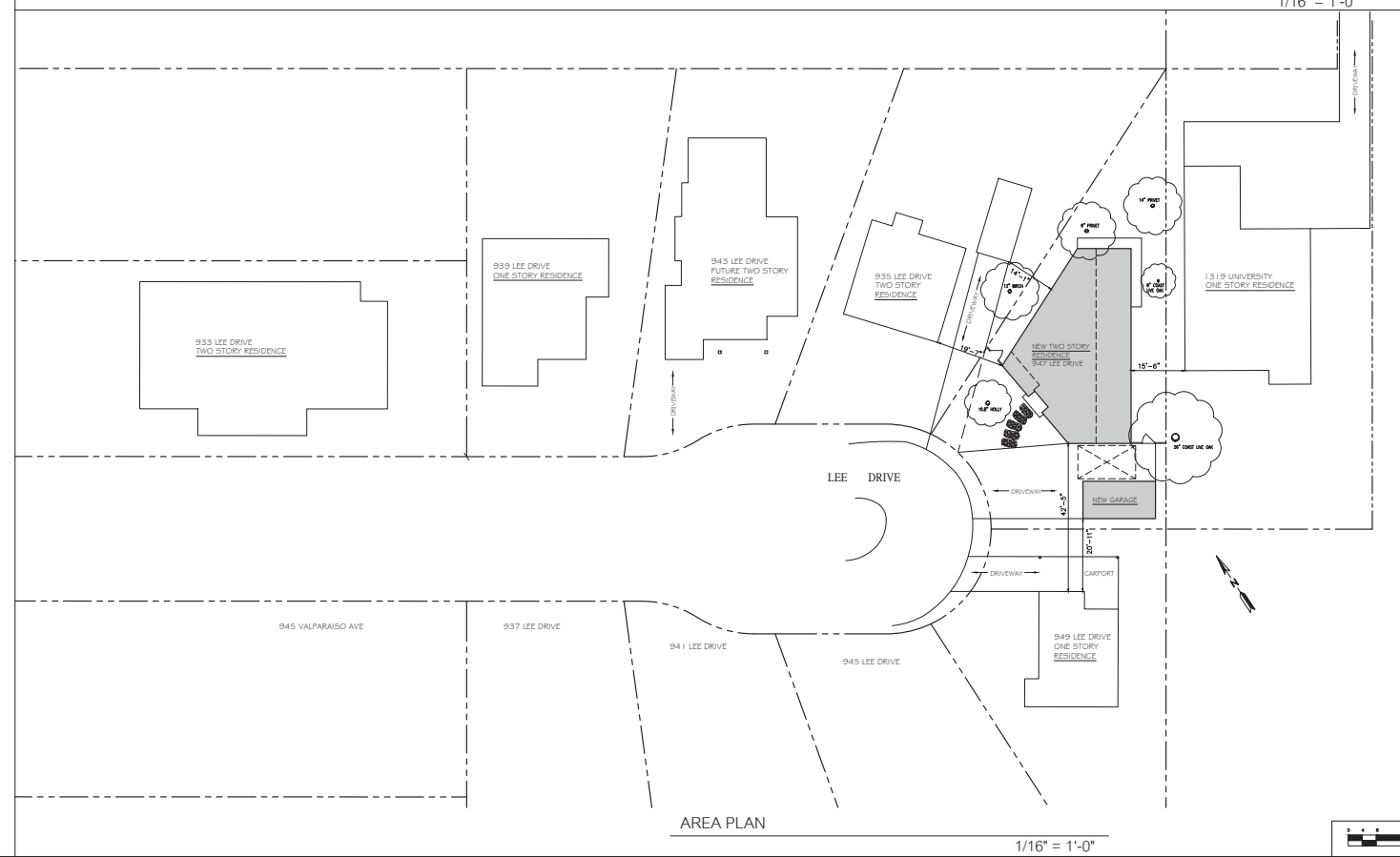
PROPOSED STREETSCAPE #2 - GARAGE VIEW

1/16" = 1'-0"



PROPOSED STREETSCAPE #1

1/16" = 1'-0"



AREA PLAN

1/16" = 1'-0"



REVISIONS	BY
6-12-18	



**KOHLER ARCHITECTS**  
 Roger Kohler  
 Architect, A.I.A.  
 721 Colorado Avenue, Suite 102  
 Palo Alto, California 94303  
 650.328.1986  
 Fax 650.321.2940  
 www.kohlerarchitects.com  
 www.kohlerarchitects.com

NEW RESIDENCE FOR:  
**KYLE LARSON & WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

AREA PLAN

DRAWN	MK
CHECKED	
DATE	4-17-18
SCALE	1/16" = 1'-0"
JOB NO.	947 LEE DRIVE
SHEET	

**A1**

OF SHEETS



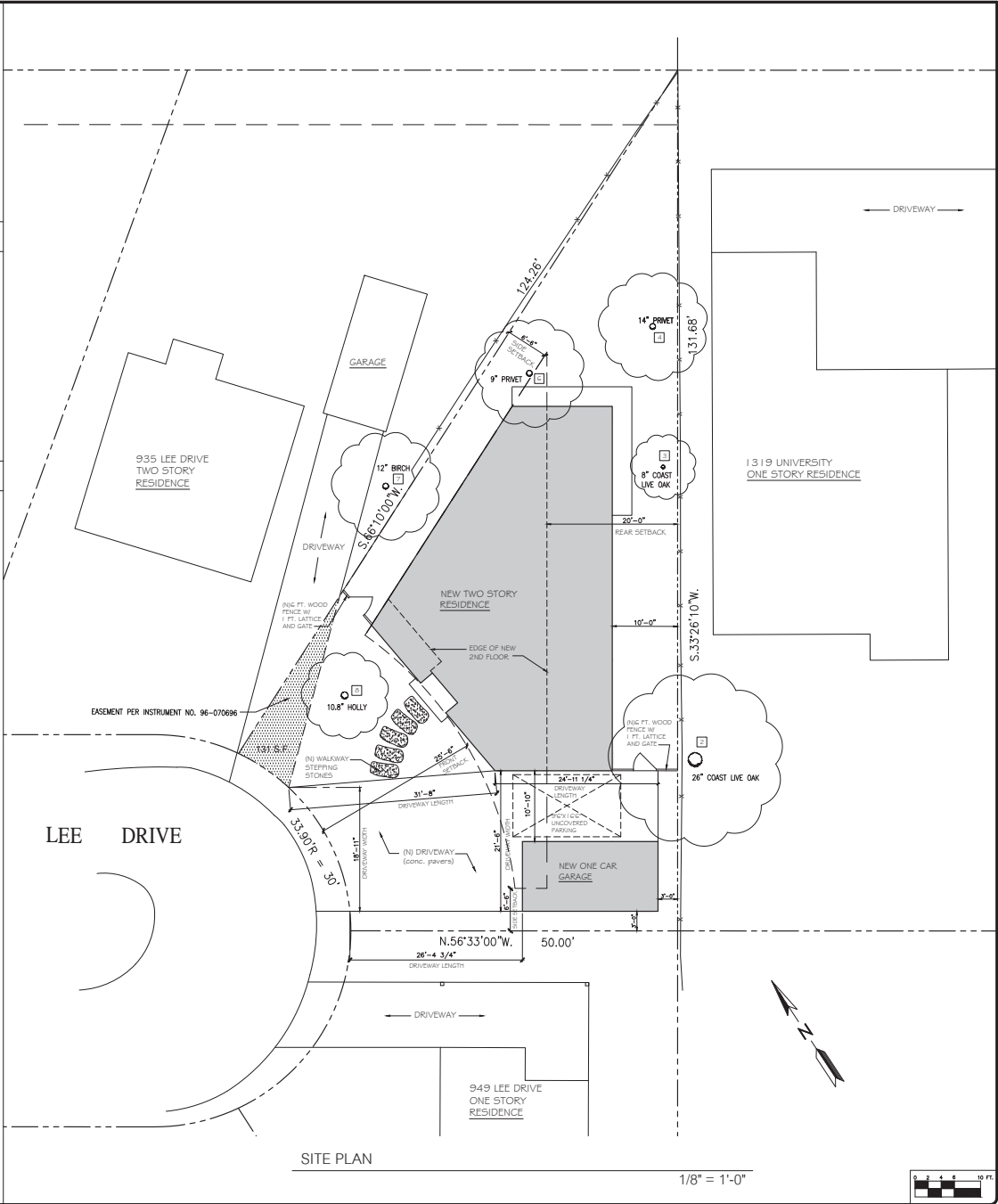
SITE PLAN LEGEND

- PROPERTY LINE - - - - -
- SETBACK LINE - - - - -
- NEW 1ST FLOOR - [Solid Grey]
- NEW 2ND FLOOR - [Dashed Grey]
- (E) - EXISTING
- (N) - NEW
- INDICATES TREE NUMBER - [Square with Number]
- SEE ARBORIST REPORT

SITE PLAN LEGEND

- i. ANY FRONTAGE IMPROVEMENTS WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION WILL BE REQUIRED TO BE REPLACED. ALL FRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY STANDARD DETAILS.
- ii. AN ENCROACHMENT PERMIT FROM THE ENGINEERING DIVISION IS REQUIRED PRIOR TO ANY CONSTRUCTION ACTIVITIES, INCLUDING UTILITY LATERALS, IN THE PUBLIC RIGHT OF WAY.

PUBLIC WORKS NOTES



SITE PLAN

1/8" = 1'-0"



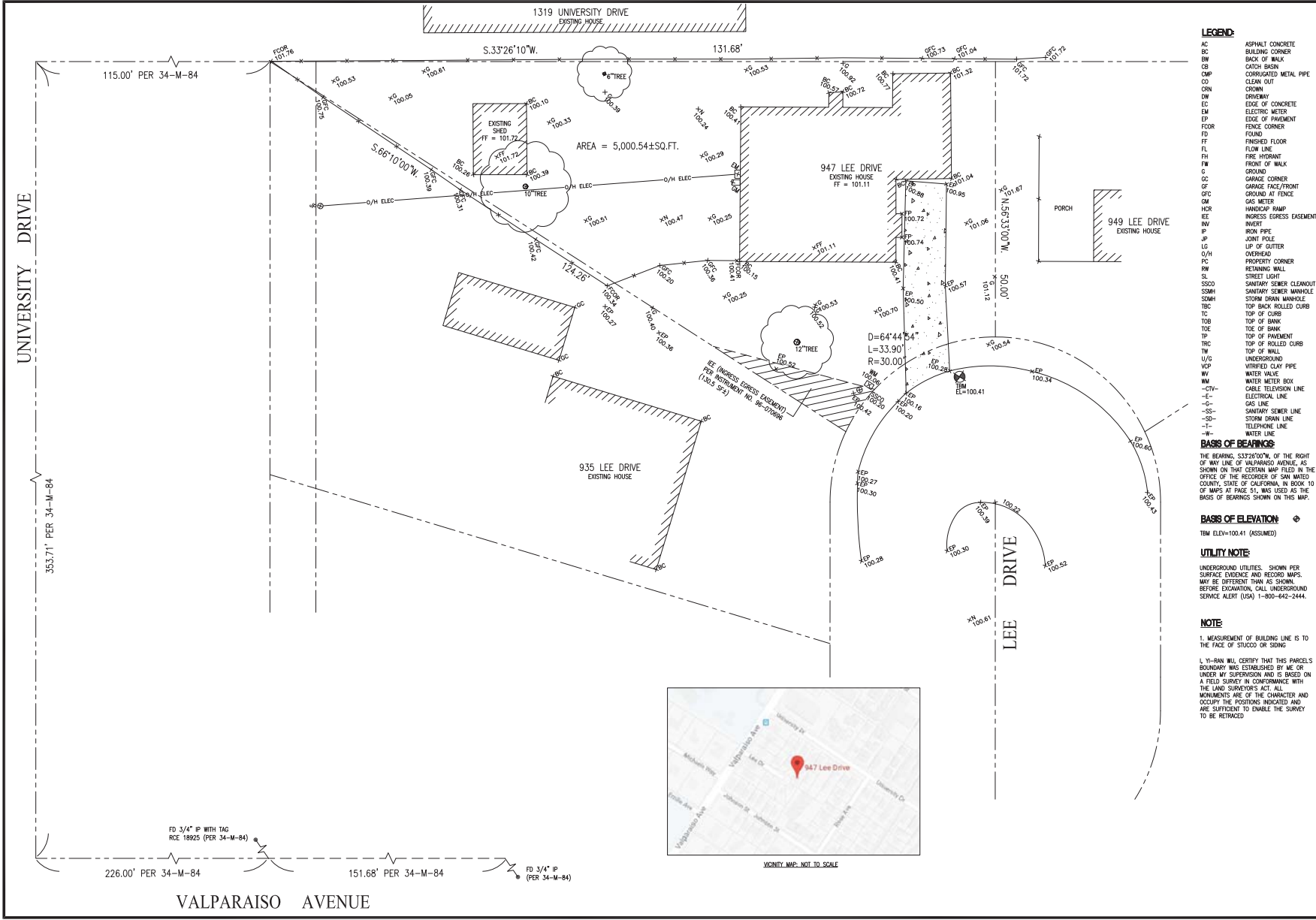
REVISIONS	BY
6-12-18	

**KOHLER ARCHITECTS**  
 Roger Kohler  
 Architect, A.I.A.  
 C-7334  
 721 Colorado Avenue, Suite 102  
 Palo Alto, California 94303  
 650.328.1586  
 Fax 650.321.2860  
 www.kohlerarchitects.com

NEW RESIDENCE FOR:  
**KYLE LARSON & WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

SITE PLAN

DRAWN MK  
 CHECKED  
 DATE 4-17-18  
 SCALE 1/8" = 1'-0"  
 JOB NO. 947 LEE DRIVE  
 SHEET  
**A2**  
 OF SHEETS



- LEGEND:**
- AC ASPHALT CONCRETE
  - BC BUILDING CORNER
  - CB BACK OF WALK
  - CD CATCH BASIN
  - CM CORRUGATED METAL PIPE
  - CO CLEAN OUT
  - CR CROWN
  - DN DRAIN
  - DM DRIVEWAY
  - EC EDGE OF CONCRETE
  - EM ELECTRIC METER
  - EP EDGE OF PAVEMENT
  - FC FENCE CORNER
  - FO FOUND
  - FF FINISHED FLOOR
  - FL FLOW LINE
  - FM FIRE HYDRANT
  - FW FRONT OF WALK
  - G GRADING
  - GC GARAGE CORNER
  - GF GARAGE FACE/FRONT
  - GI GRIND AT FENCE
  - GM GAS METER
  - GP GAS PIPING
  - GR GRASS
  - HC HANDICAP RAMP
  - HE INGRESS EGRESS EASEMENT
  - IN INVERT
  - IP IRON PIPE
  - JP JOINT POLE
  - LG LIP OF GUTTER
  - LN OVERHEAD
  - PC PROPERTY CORNER
  - RW RETAINING WALL
  - SL STREET LIGHT
  - SSD SANITARY SEWER CLEANOUT
  - SSM SANITARY SEWER MANHOLE
  - SSMH STORM DRAIN MANHOLE
  - TBC TOP BACK ROLLED CURB
  - TC TOP OF CURB
  - TOB TOP OF BANK
  - TOE TOP OF EASEMENT
  - 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
  - TV- 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, S33°26'10"W, OF THE RIGHT OF WAY LINE OF VALPARAISO AVENUE, AS SHOWN ON THAT CERTAIN MAP FILED IN THE OFFICE OF THE RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA, IN BOOK 10 OF MAPS AT PAGE 51, WAS USED AS THE BASIS OF BEARINGS SHOWN ON THIS MAP.
- BASIS OF ELEVATION**
- TBM ELEV=100.41 (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
- L. YI-RAN WU, CERTIFY THAT THIS PARCELS 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

**PETERSON RESIDENCE**

947 LEE DRIVE  
MENLO PARK, CA  
APN: 071-082-090

**WEC & ASSOCIATES**

2625 MIDDLEFIELD RD #688  
PALO ALTO, CA 94306  
TEL: (650) 823-6466  
FAX: (650) 887-1294

LICENSE STAMPS AND SIGNATURE



ISSUED

No.	Description	Date

DATE: MARCH 15, 2018  
SCALE: 1/8"=1'-0"  
DRAWN: BG  
JOB: 10078

SHEET TITLE:  
**BOUNDARY & TOPOGRAPHIC SURVEY**

SHEET NO.

**C.0**



RIGHT SIDE



REAR



LEFT SIDE



FRONT

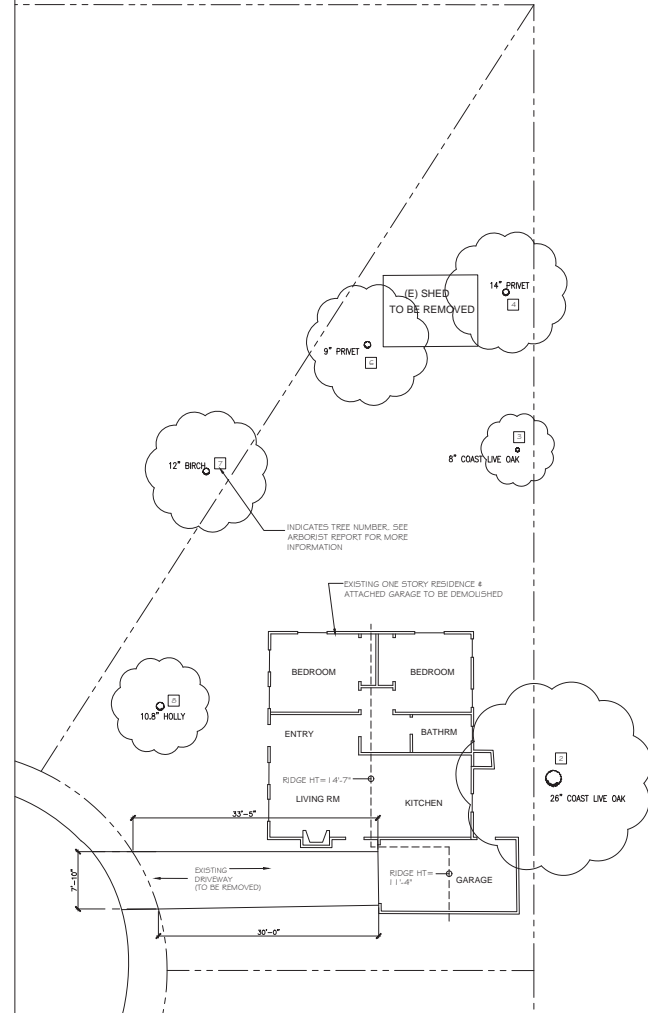
EXISTING RESIDENCE TO BE DEMOLISHED PHOTOS

DEMOLITION PLAN NOTES:

CONTRACTOR TO PROVIDE WATER TRUCK OR HOSE BIB FOR REQUIRED DUST CONTROL DURING DEMOLITION.

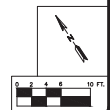
FLOOR AREA OF EXISTING RESIDENCE TO BE DEMOLISHED:

RESIDENCE = 804 SQ. FT.  
 ATTACHED GARAGE = 195 SQ. FT.  
 TOTAL FLOOR AREA = 999 SQ. FT.



DEMOLITION PLAN

1/8" = 1'-0"



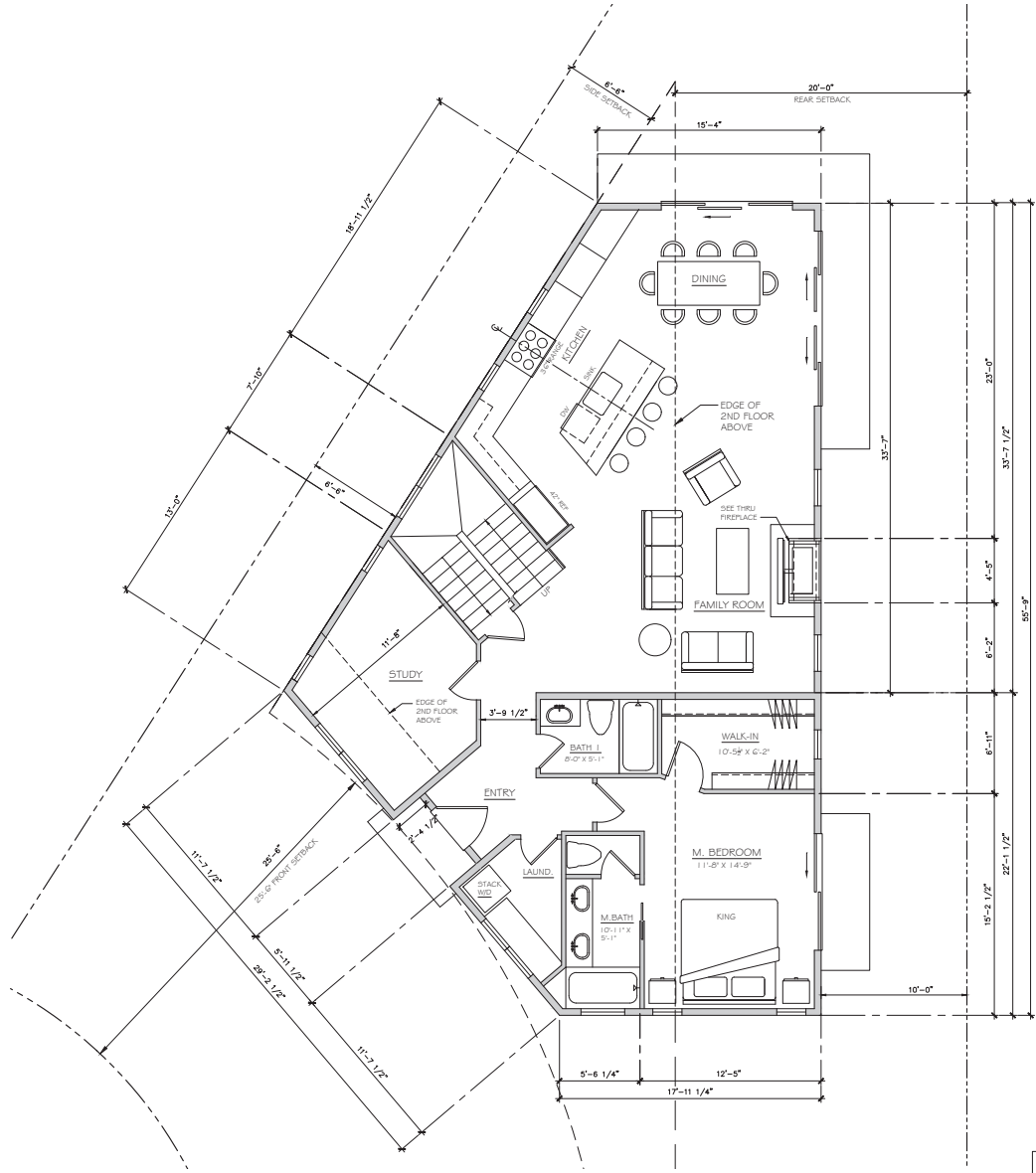
REVISIONS	BY
6-12-18	

**KOHLER ARCHITECTS**  
 Roger Kohler  
 Architect, A.I.A.  
 C-7334  
 721 Colorado Avenue, Suite 102  
 Palo Alto, California 94303  
 650.328.1500  
 Fax 650.321.2960  
 www.kohlerarchitects.com  
 www.kohlerarchitects.com

NEW RESIDENCE FOR:  
**KYLE LARSON &  
 WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

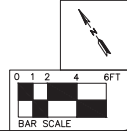
DEMOLITION PLAN

DRAWN  
 MK  
 CHECKED  
 DATE  
 4-17-18  
 SCALE  
 1/8" = 1'-0"  
 JOB NO.  
 947 LEE DRIVE  
 SHEET  
**D1**  
 OF SHEETS

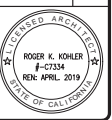


FIRST FLOOR PLAN

1/4" = 1'-0"



REVISIONS	BY
6-12-18	



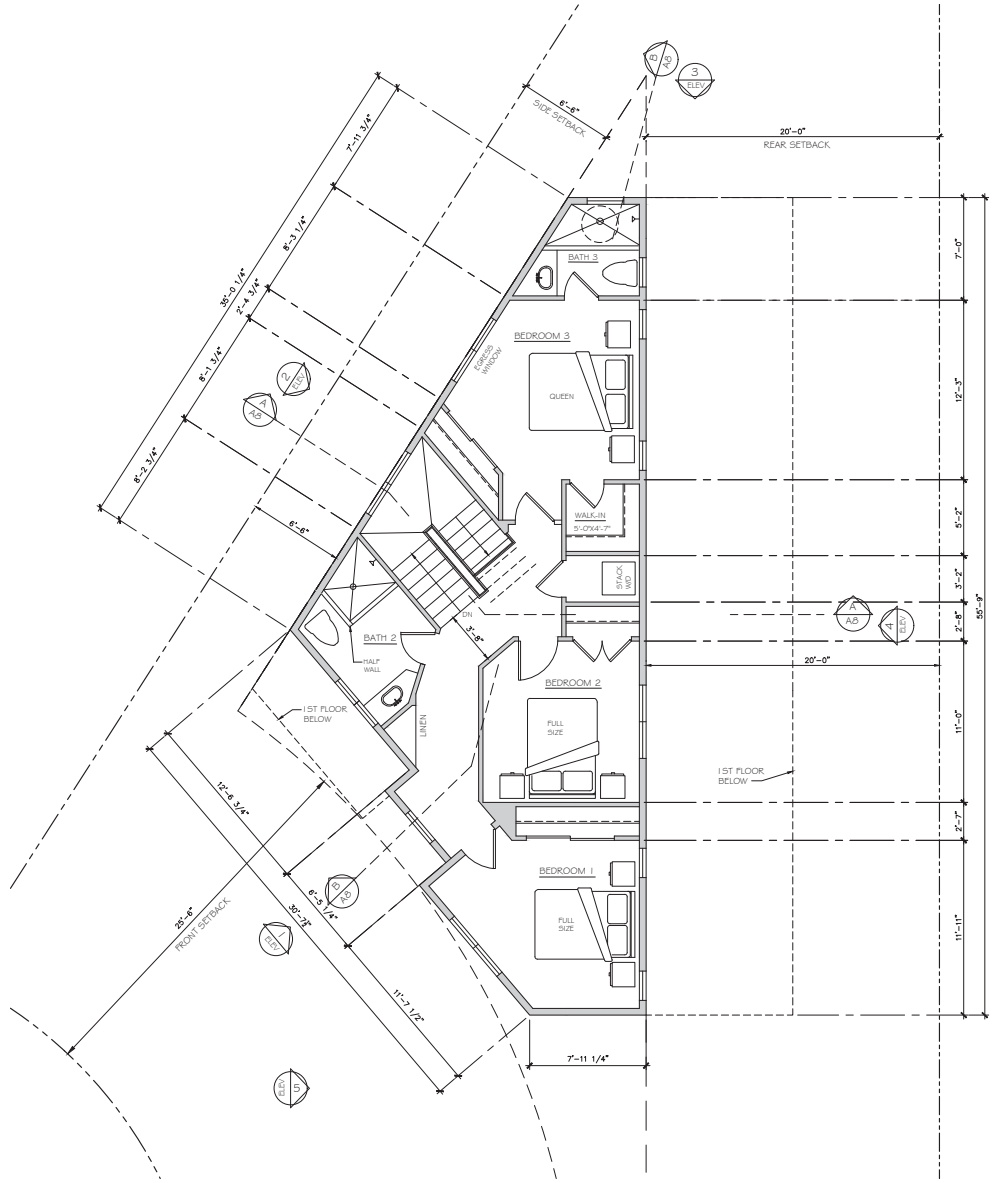
**KOHLER ARCHITECTS**  
 Roger Kohler  
 Architect, A.I.A.  
 C-7338  
 721 Colorado Avenue, Suite 102  
 Palo Alto, California 94303  
 650.328.1088  
 Fax 650.321.2860  
 office@kohlerarchitects.com  
 www.kohlerarchitects.com

NEW RESIDENCE FOR:  
**KYLE LARSON &  
 WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

FIRST FLOOR PLAN

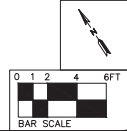
DRAWN	MK
CHECKED	
DATE	4-17-18
SCALE	1/4" = 1'-0"
JOB NO.	947 LEE DRIVE
SHEET	

**A3**  
 OF SHEETS



SECOND FLOOR PLAN

1/4" = 1'-0"



REVISIONS	BY
6-12-18	



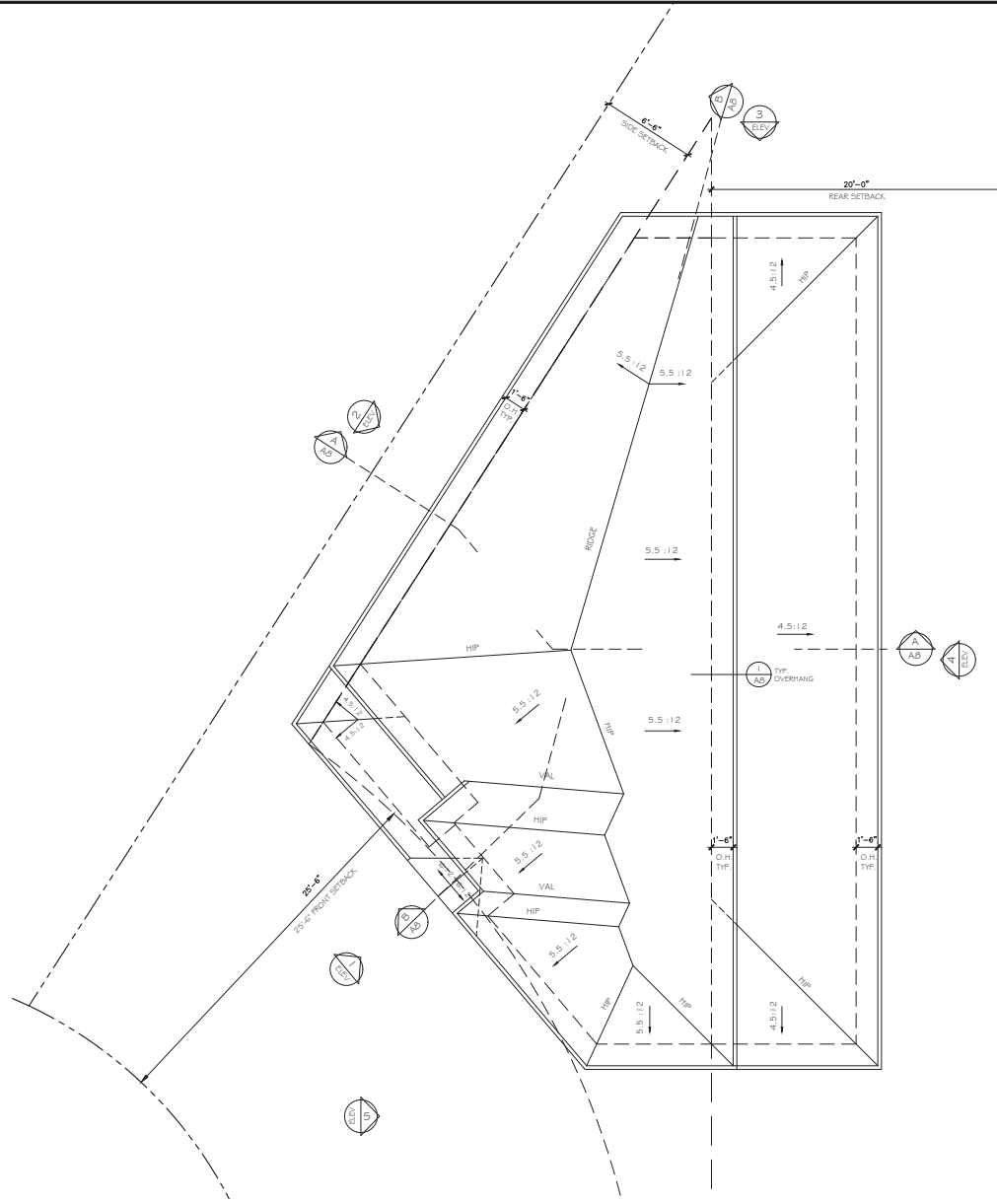
**KOHLER ARCHITECTS**  
 Roger Kohler  
 Architect, A.I.A.  
 C-7334  
 721 Colton Avenue, Suite 102  
 Palo Alto, California 94303  
 650.328.1288  
 Fax: 650.321.2860  
 office@kohlerarchitects.com  
 www.kohlerarchitects.com

NEW RESIDENCE FOR:  
**KYLE LARSON &  
 WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

SECOND FLOOR PLAN

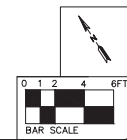
DRAWN MK
CHECKED
DATE 4-17-18
SCALE 1/4" = 1'-0"
JOB NO. 947 LEE DRIVE
SHEET

**A4**  
 OF SHEETS

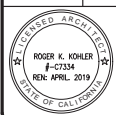


ROOF PLAN

1/4" = 1'-0"



REVISIONS	BY
6-12-18	



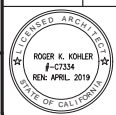
**KOHLER ARCHITECTS**  
 Roger Kohler  
 ARCHITECT, A.I.A.  
 C-7334  
 721 Colorado Avenue, Suite 102  
 Palo Alto, California 94303  
 650.326.1000  
 Fax 650.321.2860  
 rk@kohlerarchitects.com  
 www.kohlerarchitects.com

NEW RESIDENCE FOR:  
**KYLE LARSON &  
 WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

ROOF PLAN

DRAWN	MK
CHECKED	
DATE	4-17-18
SCALE	1/4" = 1'-0"
JOB NO.	947 LEE DRIVE
SHEET	<b>A5</b>
OF SHEETS	05

REVISIONS	BY
6-12-18	

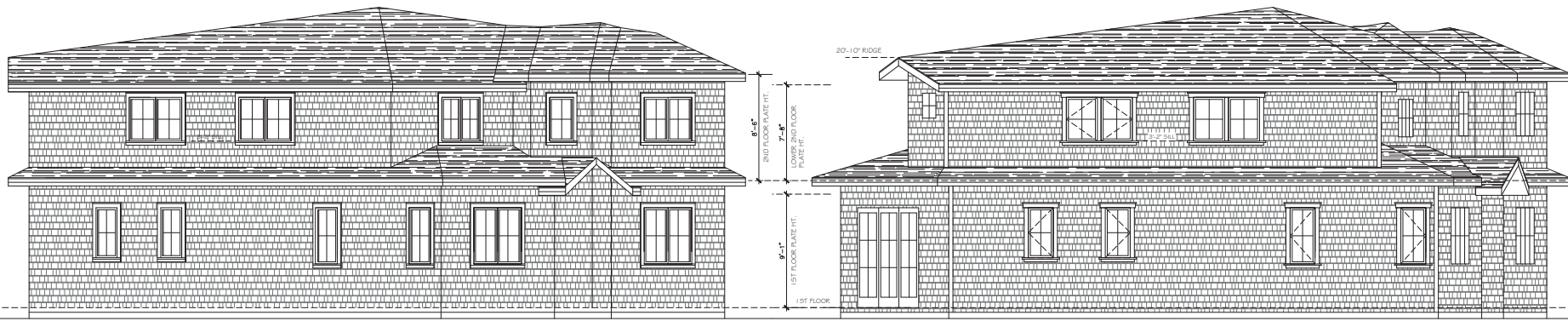


**KOHLER ARCHITECTS**  
 Roger Kohler  
 Architect, A.I.A.  
 C-7334  
 721 Coltonville Avenue, Suite 102  
 Palo Alto, California 94303  
 650.328.1000  
 Fax 650.321.2800  
 office@kohlerarchitects.com  
 www.kohlerarchitects.com

NEW RESIDENCE FOR:  
**KYLE LARSON &  
 WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

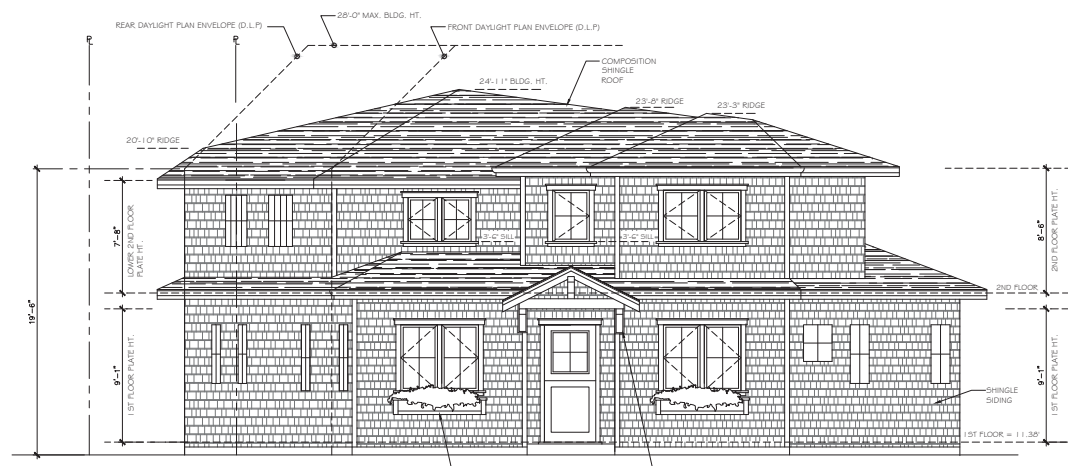
EXTERIOR ELEVATIONS

DRAWN	MK
CHECKED	
DATE	4-17-18
SCALE	1/4" = 1'-0"
JOB NO.	947 LEE DRIVE
SHEET	<b>A6</b>



5 LEFT SIDE ELEVATION #2 (NORTH)  
 1/4" = 1'-0"

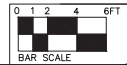
2 LEFT SIDE ELEVATION (NORTH)  
 1/4" = 1'-0"

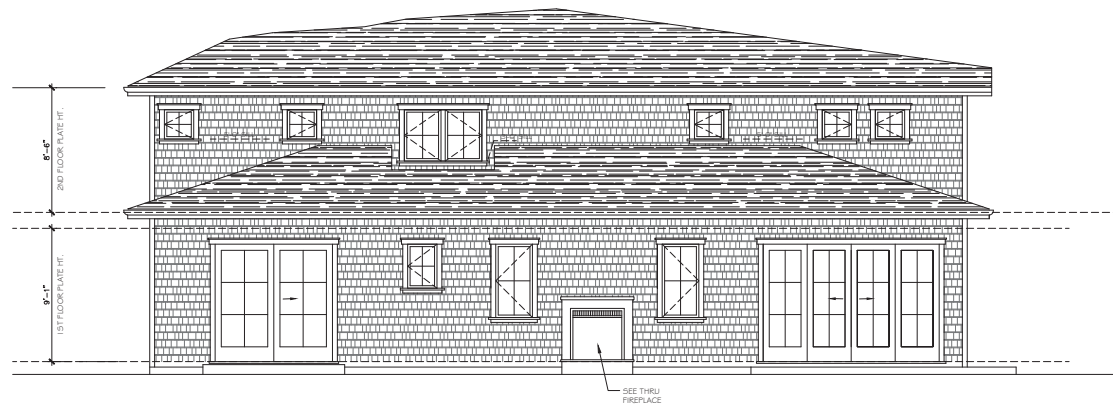


1 FRONT ELEVATION (WEST)  
 1/4" = 1'-0"

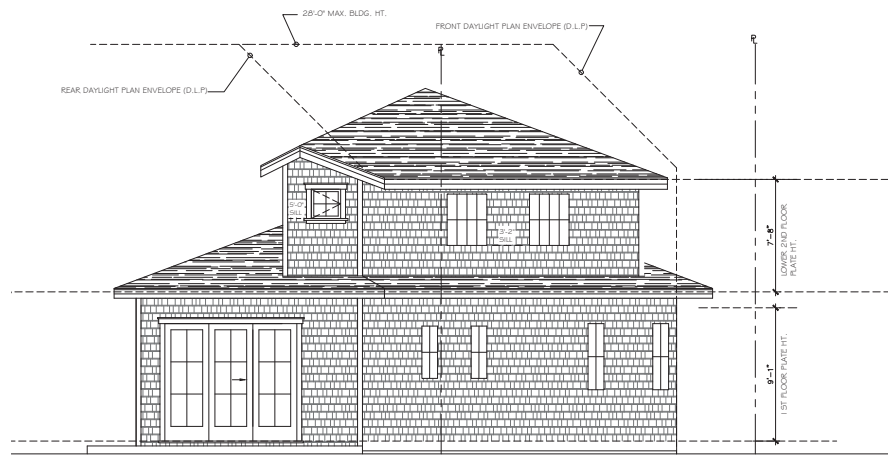
**EXTERIOR FINISH SCHEDULE:**

ROOF:	COMPOSITION SHINGLES
EXTERIOR WALLS:	PRE-FINISHED WOOD SHINGLES
WINDOWS:	CLAD WINDOWS W/ CLEAR INSULATED GLASS W/ EXTERIOR APPLIED MUNTIN BARS W/ BETWEEN THE GLASS SPACER BAR & INTERIOR APPLIED WOOD MUNTIN BARS
EXTERIOR DOORS:	FENCHSULING CLAD DOORS
EXTERIOR TRIM:	PAINTED WOOD (PAINTED TO MATCH TRIM)
GARAGE DOOR:	PAINTED WOOD
DRIVEWAY:	CONCRETE PAVERS
FIREPLACE:	LIMESTONE SLAB





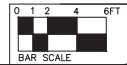
4 REAR SIDE ELEVATION (SOUTH/EAST)  
1/4" = 1'-0"



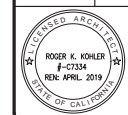
3 LEFT ELEVATION (NORTH/EAST)  
1/4" = 1'-0"

**EXTERIOR FINISH SCHEDULE:**

ROOF:	COMPOSITION SHINGLES
EXTERIOR WALLS:	PRE-FINISHED WOOD SHINGLES
WINDOWS:	CLAD WINDOWS W/ CLEAR INSULATED GLASS W/ EXTERIOR APPLIED MUNTIN BARS W/ BETWEEN THE GLASS SPACER BAR & INTERIOR APPLIED WOOD MUNTIN BARS
EXTERIOR DOORS:	FENICSLIDING CLAD DOORS
EXTERIOR TRIM:	PAINTED WOOD
SHEET METAL:	GALVANIZED (PAINTED TO MATCH TRIM)
GARAGE DOOR:	PAINTED WOOD
DRIVEWAY:	CONCRETE PAVERS
FIREPLACE:	LIMESTONE STONE SLAB



REVISIONS	BY
6-12-18	



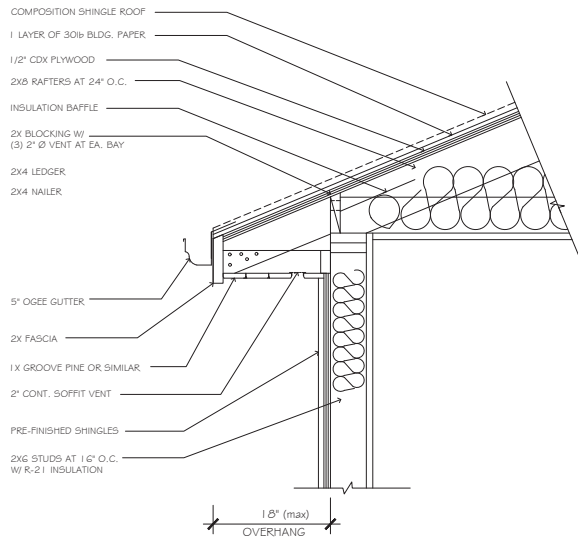
**KOHLER ARCHITECTS**  
 Roger Kohler  
 Architect, A.I.A.  
 C-7334  
 721 Coltonville Avenue, Suite 102  
 Palo Alto, California 94303  
 650.328.1288  
 Fax 650.321.2860  
 office@kohlerarchitects.com  
 www.kohlerarchitects.com

NEW RESIDENCE FOR:  
**KYLE LARSON &  
 WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

EXTERIOR ELEVATIONS

DRAWN	MK
CHECKED	
DATE	4-17-18
SCALE	1/4" = 1'-0"
JOB NO.	947 LEE DRIVE
SHEET	<b>A7</b>
OF SHEETS	07

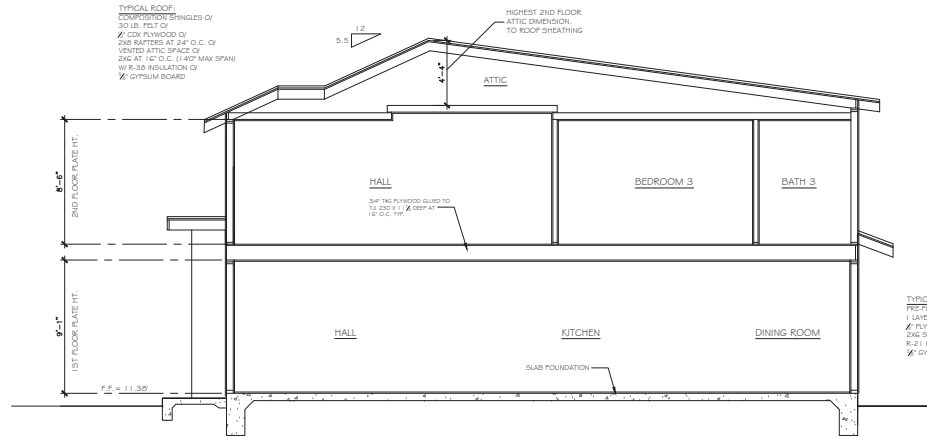




1

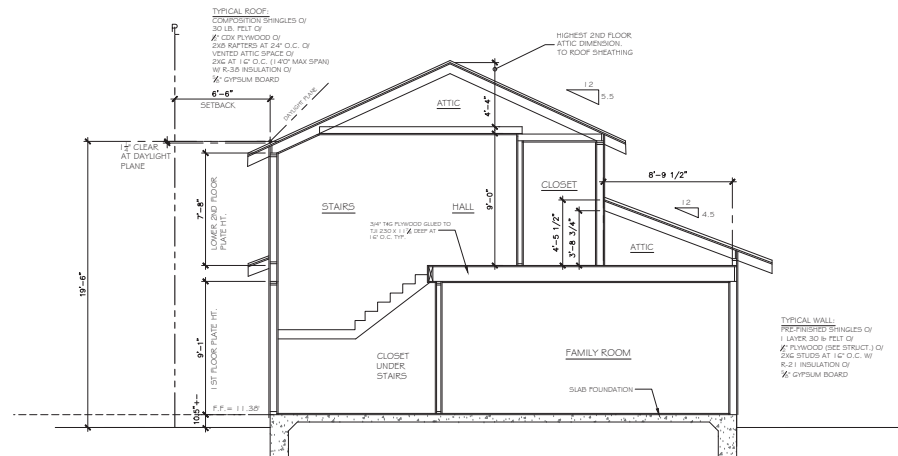
EAVE DETAIL

1 1/2" = 1'-0"



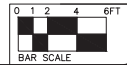
B SECTION B

1/4" = 1'-0"



A SECTION A

1/4" = 1'-0"



REVISIONS	BY
6-12-18	

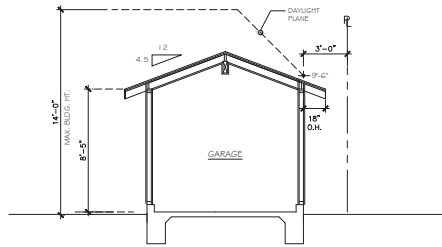
**KOHLER ARCHITECTS**  
 Roger Kohler  
 Architect, A.I.A.  
 C-7334  
 921 Colorado Avenue, Suite 102  
 Palo Alto, California 94303  
 650.328.1000  
 Fax 650.321.2800  
 office@kohlerarchitects.com  
 www.kohlerarchitects.com

NEW RESIDENCE FOR:  
**KYLE LARSON & WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

SECTIONS

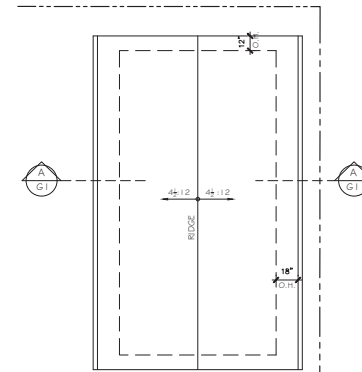
DRAWN	MK
CHECKED	
DATE	4-17-18
SCALE	1/4" = 1'-0"
JOB NO.	947 LEE DRIVE
SHEET	<b>A8</b>

EXTERIOR FINISH SCHEDULE:	
ROOF:	COMPOSITION SHINGLES
EXTERIOR WALLS:	PRE-FINISHED WOOD SHINGLES
WINDOWS:	CLAD WINDOWS W/ CLEAR INSULATED GLASS W/ EXTERIOR-APPLIED MUNTIN BARS & INTERIOR-APPLIED WOOD MUNTIN BARS
EXTERIOR TRIM:	PAINTED WOOD
SHEET METAL:	GALVANIZED (PAINTED TO MATCH TRIM)
GARAGE DOOR:	PAINTED WOOD
DRIVEWAY:	CONCRETE PAVERS



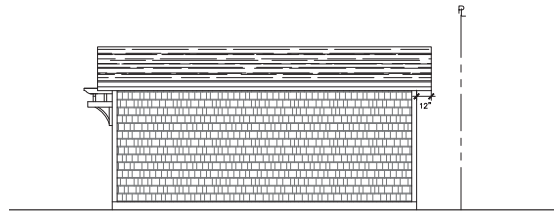
SECTION A-A

1/4" = 1'-0"



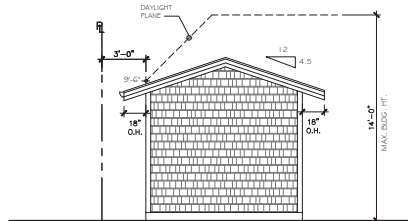
GARAGE ROOF PLAN

1/4" = 1'-0"



GARAGE RIGHT SIDE ELEVATION

1/4" = 1'-0"



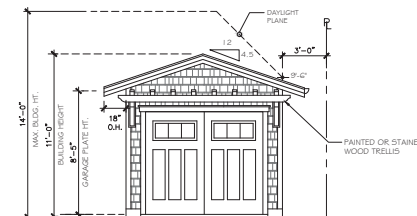
GARAGE REAR ELEVATION

1/4" = 1'-0"



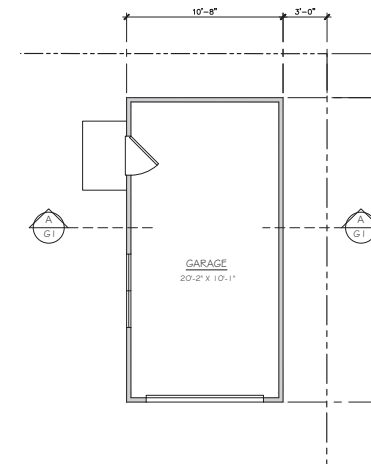
GARAGE LEFT SIDE ELEVATION

1/4" = 1'-0"



GARAGE FRONT ELEVATION

1/4" = 1'-0"



GARAGE PLAN

1/4" = 1'-0"



REVISIONS	BY
6-12-18	

**KOHLER ARCHITECTS**  
 Roger Kohler  
 Architect, A.I.A.  
 C-7334  
 921 Colorado Avenue, Suite 102  
 Palo Alto, California 94303  
 650.328.1000  
 Fax 650.321.2800  
 office@kohlerarchitects.com  
 www.kohlerarchitects.com

NEW RESIDENCE FOR:  
**KYLE LARSON &  
 WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

GARAGE PLANS

DRAWN  
 MK  
 CHECKED  
 DATE  
 4-17-18  
 SCALE  
 1/4" = 1'-0"  
 JOB NO.  
 947 LEE DRIVE  
 SHEET  
**G1**  
 OF SHEETS

**BUILDING COVERAGE SUMMARY**

COVERED PORCHES= 14.18  
 PT= 2.38 X 5.96= 14.18

FIRST FLOOR= 1468.28  
 COV. PORCH= 14.18  
 GARAGE= 221.20

TOTAL BUILDING COV.=  
 1703.66 SQ. FT.

**FLOOR AREA SUMMARY**

FIRST FLOOR= 1468.28  
 A= 17.94 X 22.13= 397.01  
 B= 2.79 X 2.38/2= 3.32  
 C= 8.94 X 2.38= 21.28  
 D= 15.66 X 18.46/2= 144.54  
 E= 11.63 X 2.38= 27.68  
 F= 1.90 X 2.23/2= 2.12  
 H= 18.27 X 2.23= 40.74  
 I= 20.17 X 31.33/2= 315.96  
 J= 15.33 X 33.58= 514.78  
 K= NOT USED  
 L= .71 X 2.38/2= .85

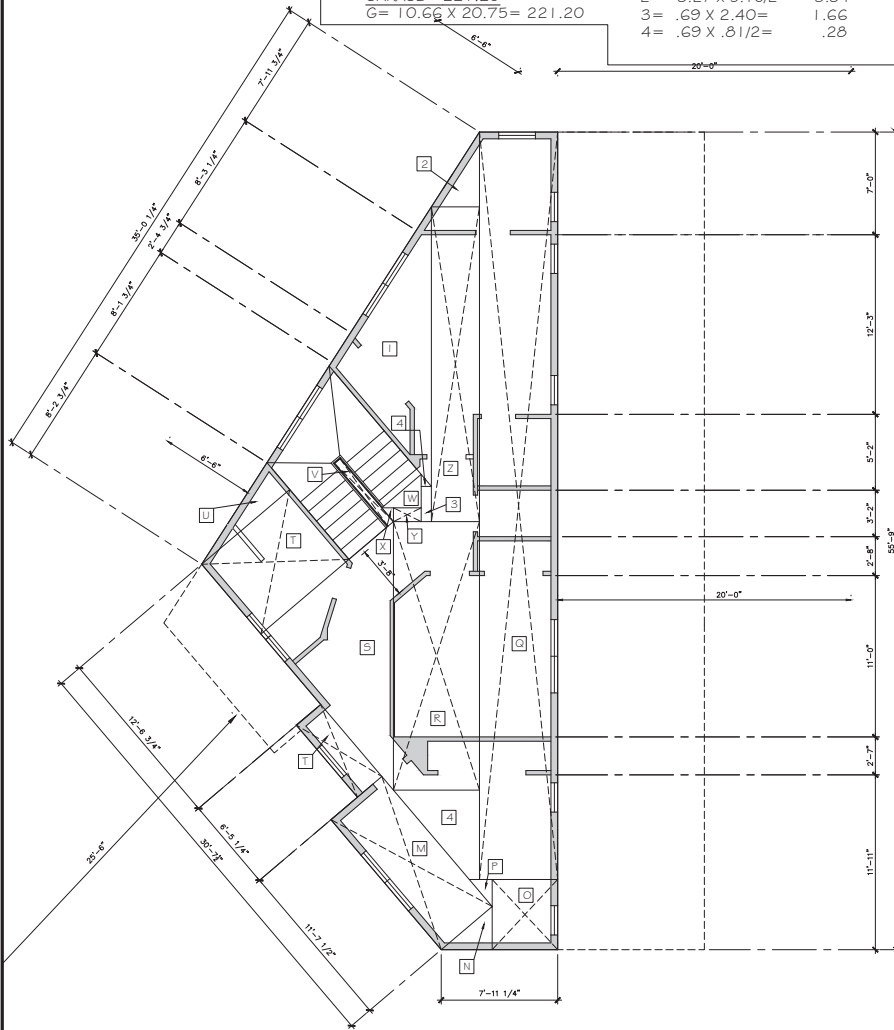
GARAGE= 221.20  
 G= 10.66 X 20.75= 221.20

**SECOND FLOOR= 760.59**

M= 11.63 X 4.56= 54.03  
 N= 3.48 X 2.94/2= 5.12  
 O= 4.46 X 4.79= 21.36  
 P= 1.56 X 1.83/2= 1.43  
 Q= 5.33 X 50.96= 271.62  
 R= 5.88 X 18.31= 107.62  
 S= 13.96 X 11.85/2= 82.71  
 T= 6.25 X 7.88= 49.25  
 U= 7.88 X 2.40/2= 9.46  
 V= 5.63 X .50= 2.82  
 W= 2.69 X 2.27/2= 3.05  
 X= .79 X .94/2= .37  
 Y= 1.90 X .94= 1.79  
 Z= 3.27 X 21.46= 70.17  
 I= 10.77 X 12.90/2= 69.47  
 2= 3.27 X 5.10/2= 8.34  
 3= .69 X 2.40= 1.66  
 4= .69 X .81/2= .28

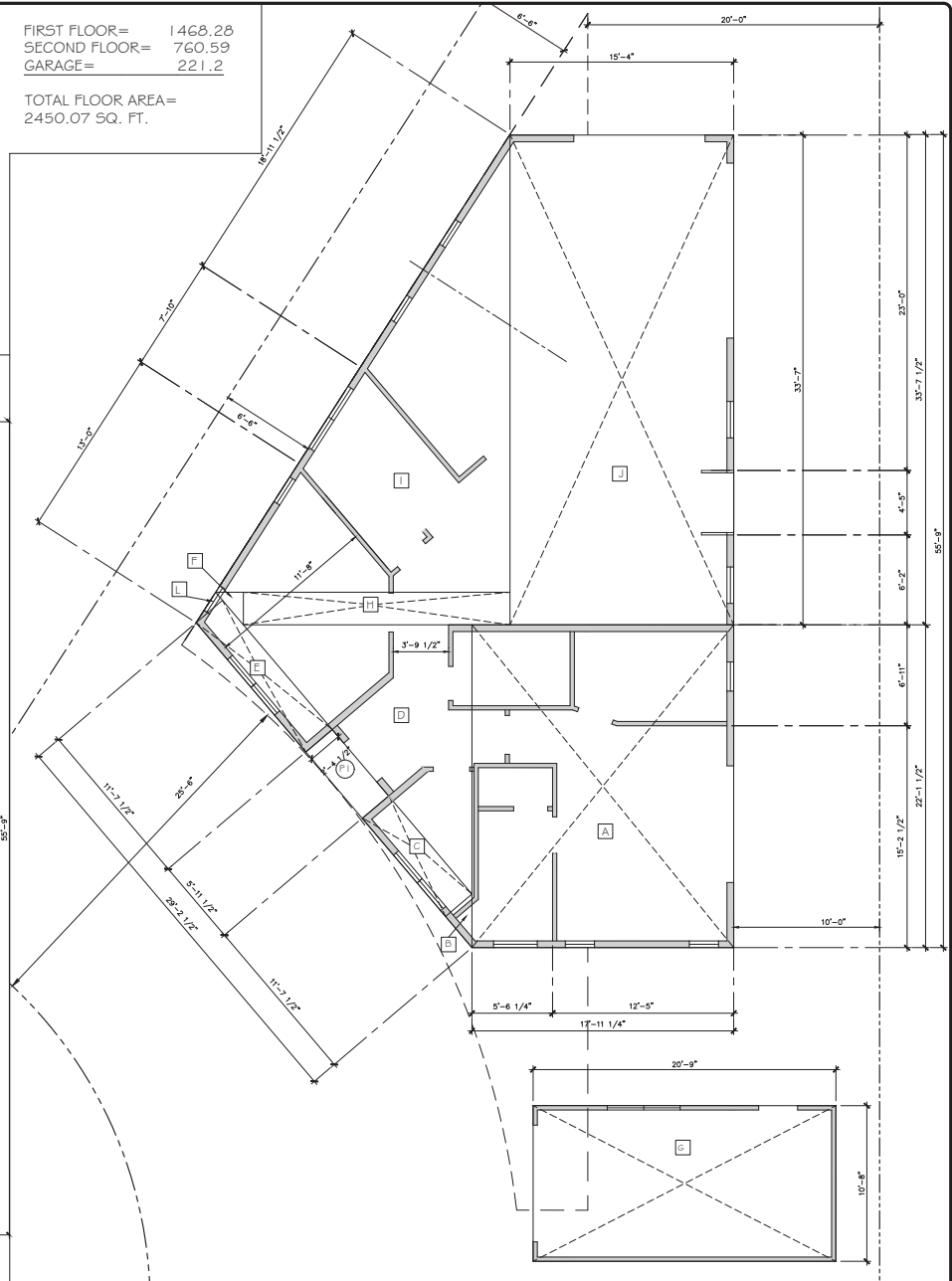
FIRST FLOOR= 1468.28  
 SECOND FLOOR= 760.59  
 GARAGE= 221.2

TOTAL FLOOR AREA=  
 2450.07 SQ. FT.



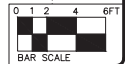
SECOND FLOOR AREA CALCULATION

1/4" = 1'-0"



FIRST FLOOR AREA CALCULATION

1/4" = 1'-0"



REVISIONS	BY

**KOHLER ARCHITECTS**  
 Roger Kohler  
 Architect, A.I.A.  
 C-7334  
 721 Colorado Avenue, Suite 102  
 Palo Alto, California 94301  
 650.328.0860  
 Fax 650.321.2880  
 rk@kohlerarchitect.com  
 www.kohlerarchitect.com

NEW RESIDENCE FOR:  
**KYLE LARSON &  
 WHITNEY PETERSON**  
 947 LEE DRIVE  
 MENLO PARK, CALIFORNIA

FLOOR AREA CALCULATION

DRAWN	MK
CHECKED	
DATE	4-17-18
SCALE	1/4" = 1'-0"
JOB NO.	947 LEE DRIVE
SHEET	

**FA1**

JUL 19 2018

CITY OF MENLO PARK  
PLANNING DIVISION

## 947 Lee Drive Project Description

The purpose of our proposal is to request two use permits and one variance that will allow us to build our new functional and attractive 4 bedroom forever home at 947 Lee Drive. We have lived on Lee Drive for over 5 years and we are excited to build a beautiful home on our property where we can grow and raise our family. We are requesting a use permit to build a second story, as is required under the R1-U zoning for a property of our size. We will also need to request a use permit to determine FAL due to the fact that, although our lot is legally 5,000 gross square feet, our neighboring property was granted a 131 square foot non-essential access-only easement (many years ago by a previous owner of our property) for a portion of their driveway entrance to cross over a small unbuildable portion of our front yard. And, finally, we would like to request a rear yard variance for just the first floor of our home due to the strange, small shape of our lot and therefore, the strange small shape of our buildable area. Our 2,470 Square foot total proposed home will be built with high quality materials and we believe it will be a very charming addition to our neighborhood.

Our proposed 2,250 livable square foot home will have four bedrooms, four bathrooms, a study and will have a kitchen/great room that is located towards the rear/point of the property. We believe the floorplan is not only efficient, but has a very nice flow and will be a wonderful home to raise our family in. The area that we currently consider our backyard is actually the tip of the pie shaped triangle on our lot. In our proposed home this area will still be one of our largest areas of outdoor space, and we are very excited to have open access to it from our newly designed great room. The space that is technically our rear yard will grow by over a foot and a half from what it is currently, which will be nice for outdoor enjoyment as well. We are looking forward to conforming to the parking guidelines of R1-U zoning by adding an additional legal parking spot and having a usable garage (as our current garage floor was lifted, tilted and cracked due to a now deceased and removed Monterey pine tree). The house will also have a more appealing front yard as our new home will be angled differently and will be significantly further from the street and front property line than our current home. Our new home will start at 25 feet 6 inches from the street where the front corner of our current home is now about 17 feet from the street. In fact, much of our existing 2 bedroom 1 bathroom home sits far outside the bounds of our buildable area and could not technically be built today even with a variance request as it sits 8 and a half feet (or less) from our rear property line, where 10 feet is the closest it could be with the granting of a variance request.

Although one of our main goals was to design a home that had an efficient and livable floorplan, an equally sought goal of ours was to create a home that would be a beautiful, charming addition to our street. With the triangular nature of the lot, designing a home that has a welcoming front elevation was very important to us, so we have designed the home to address and engage the cul-de-sac by having the front door be fully in line with the curve of the street. We also wanted the front elevation to have a sense of balance and symmetry to fit in with the charm of the neighborhood and the aesthetic of our current home. The home will be craftsman cottage style with many charming details. We will be using high quality materials: cedar shingle siding, wood detailing, flower boxes and Sierra Pacific casement windows in a style that echoes the 4 divided lights of our current windows. There will be an inviting Dutch entry door, stone or brick front porch, paver driveway and a wood trellis above the wood garage door for flowering vines to climb. We will have visible roof line articulation on the front corner closest to the cul-de-sac, first floor roof line running along all sides of the home and substantial roof line

articulation on the rear of the house, as we are not requesting a second-floor variance. The second floor of the home will only be 782 square feet and will meet the setback and daylight plane requirements on all sides. We tried to achieve further visible roof line by having hipped roofs on the second floor and creating an uninterrupted first floor roof line that runs along the entire home's exterior. A majority of the square footage of the home is on the first floor to soften the second-floor massing and alleviate the need to request a second-floor variance. To increase the appeal of the exterior, we designed a small gabled entry porch, in keeping with the neighborhood aesthetic. Along with creating an inviting landscape, we plan to happily plant evergreen screening trees in several areas to provide privacy and to buffer the appearance of the second floor of the home for our neighbors.

There are two 2 story homes currently on (or at the entrance of) the Lee Drive cul-de-sac with one more that was approved by the Planning Commission just a few months ago. The surrounding neighborhood is made up of single story and two-story homes, as well as two or three-story townhouses, shops, an 8+ story Condominium building, multi-level medical and commercial offices, churches, restaurants, schools, etc. We absolutely love our neighborhood and the many uses for the properties on the blocks of the surrounding downtown area. We also truly love the cul-de-sac that we live on. We love the charm and feeling of the street and believe that our proposed home will add to that charm and add value to our surrounding neighborhood while allowing us room for our family to grow. We purchased our property, after checking with the Planning Department, with the intention of building our forever home and are very hopeful that our proposed home will be approved at this time so that we can realize the dream we had when purchasing our property.

#### **Property history, neighborhood outreach and following changes made to out plans:**

Before we made the decision to buy our property 7 years ago, we visited the Planning Department twice to ask about the possibilities for our lot, and both times they told us it was a buildable lot under R1-U zoning. The planner said we would need to request a Use Permit for FAL determination due to the 131 sq ft non-essential access-only easement along an unbuildable portion of our front/side yard area and we would probably need to request a Variance due to the strangely shaped, small buildable area. But they assured us that needing to request an FAL determination under R1-U zoning should not be problematic as it is still a buildable lot. We were also assured that, to paraphrase: "If there was ever a lot to require a variance this is it... This is the type of lot that variances were created for". After doing this homework, we were comfortable in moving forward with purchasing our property.

A few months after buying our property, we proposed a 2,586 square foot home (2,364 square feet livable with a 222 sq ft garage) for our 5,000 square foot (gross) property that the Planning Department had recommended for approval at Planning Commission. The proposal included a request for a Use Permit to Determine FAL, a request for a Use Permit for a second story and a Variance request for first and second floor encroachments of 10 feet into the required 20 foot rear setback. The front façade included a few different pop outs at varying angles with stucco exterior walls with a wood roof and wood detailing. Almost all of our Lee Drive neighbors came forward with negative letters and many showed up to voice their concerns about our proposed home. We had already made several changes to our plans to try to work with our neighbors and to try to address some of their concerns, but they were all very firm in their belief that the size of the home needed to be greatly reduced further to a neighbor suggested maximum of 1,500 sq ft, or 30% FAL, with no second floor. We were denied both our Variance

and Use Permit requests on the basis that the size and aesthetic were not in keeping with the neighborhood and would therefore be detrimental to the general welfare of the neighborhood (please see below section titled "Planning Commission history for our property" for more information). We decided that we would move into the existing home and hope for some changes on our street.

6 years later we received plans from one of our previously oppositional neighbors, at 943 Lee, to build her own 3,230 total square foot house (2,800 square feet above ground on a 5,633 square foot lot). After thoroughly reviewing her plans and speaking to her and several other neighbors, we decided to finally try again to build a home. The resounding feedback we received from at least 4 to 5 different sets of our Lee Drive neighbors was that, yes, the neighbors on Lee Drive realized that homes need to grow along with families so that homeowners can stay on Lee Drive. We were assured size was no longer a factor to all of the neighbors we spoke with and we were encouraged to resubmit plans because we would see "much more support this time around". (Subsequently, our neighbor's proposed home at 943 Lee Drive was approved at Planning Commission with absolutely no neighborhood opposition presented to the Planning Department or at the Planning Commission Meeting.)

We came up with an entirely new floorplan keeping in mind the neighbor and Planning Commissioner feedback from 6 years ago. We designed a home that was 100 square feet smaller, would better address the street and created a new aesthetic that would be as close as possible to the current aesthetic of our existing home to assure that the style complimented our street. Our proposed home is 2,250 livable square feet with a 222 sq ft garage, which we believe is very much appropriately scaled in regard to our existing neighborhood and is 330 square feet smaller than the above ground portion of our neighbor at 943 Lee Drive's Planning Commission approved home. Months ago, we showed these plans to the three sets of neighbors who had the most vocal concerns 6 years ago and spoke about the plans to two other sets of neighbors who also previously had concerns.

The owner of 943 Lee Drive said that she liked the plan, thought it was a good use of our lot, appreciated that we were only requesting a first-floor rear yard variance, etc. She wrote us a letter of support, and she too wanted us to write her a letter of support for her proposed (now approved) home. We gladly supported her proposed home and were so excited to have her support as well.

The owners of 937 Lee Drive sat down with us to review our plans and assured us that they understood the layout and variance request. They told us our plans looked supportable. They also mentioned that they were considering remodeling by adding a first and/or second story addition to their home.

The owners of 935 Lee Drive (our direct neighbor to the North) said that they would be able to support us this go around. When reviewing our preliminary plans, they asked if there was any way for us to try to break up the two-story box effect on the side of our house that faces their home. We worked with our architect to make changes to our plans by adding roof line to give them a more dimensional look and by moving a few window sills up to offer a bit more privacy. After making these changes, they said they had no objection to our proposed home.

We spoke to our neighbor at 949 Lee (our direct neighbor to the South/West) one day in front of our house and tried to effectively verbally explain our plans. We told her a bit about the design and she responded by saying something along the lines of: "Build whatever you want so that you can stay on the street."

We spoke to the owners of 941 Lee Drive, and they told us after reviewing the plans for 943 Lee Drive, that Kyle and I should just resubmit our previous plans from 6 years ago and build that house. They then said they would support us in moving forward with a new home.

Our neighbors at 945 Lee Drive moved away during this process, but the previous owners (and also the now current owners) both were glad to hear that we were planning to build a new home.

We were excited to have so much support and we moved forward by completing a submittal plan set of our proposed home, which was just a more detailed set of the plans for the exact home that we showed our neighbors. We sent the complete sets out to our neighbors and submitted to the City Planning Department. We did not hear anything for a couple weeks from our neighbors. We then started to get a few questions here and there about size, roof line, and a couple requests for a 3D rendering via a group email. We also heard through the grape vine, that our next-door-neighbor at 949 Lee, who had previously told us to "Build whatever you want", was now worried that our garage was proposed to be built on the property line and that we would have windows looking into her backyard. We tried to get in touch with her, to no avail. But we decided to fully remove the one window that was facing her property and have tried to make contact to see if there is anything else, within reason, that we could adjust to gain her support or to at least alleviate any major concern she may have.

It is also important to note that, in this time period, just about a month or two after our neighbor received approval for her two story (plus basement) home at 943 Lee Drive, the owner decided she was no longer planning to build the 3,230 Square foot home that she received Planning Commission approval for. She had changed her mind and may instead just add-on to her first floor. She let all the neighbors know of her change of plans. Our neighbors at 937 Lee, also decided they would probably only be adding onto their single story and not adding a second story to their home.

As soon as we received the 3D rendering that we hired an artist to create, we sent it to the neighbors on the same group email that was sent out when our neighbor requested the rendering. We received some great feedback on the design of the house, which we were very happy to hear. We also received a few new questions about our variance request by our neighbors at 937 and 943 Lee. They had concerns that approval of our variance request could open a "Pandoras Box" of variance requests from Lee Drive neighbors. Our neighbor at 943 Lee assured us that, if that issue was alleviated, then she would be able to support us (she had already previously said, in one of our 3 meetings with her, that she understood our variance request and had also already written us a support letter for this exact proposed home). We assured our neighbors that, luckily, in the language of the Variance code, it says "No one variance can set a precedent, as each case must be reviewed based on its own merit". Our neighbor at 943 Lee then verbally acknowledged that "oh, then that solves it!".

We then saw the owner of 939 Lee, who does not live on Lee Drive, on the street. She said she would be willing to sit down with us to review the plans. We were very happy to hear this as we had been repeatedly asking all of our neighbors to sit down with us if they had questions. When she came over to review the plans, she said that her main concern was roof height in comparison to our direct neighbor's roof at 935 Lee (the owner of 941 Lee emailed to second the concern of the scale of our roof height). After meeting with the owner of 939, we asked our architect to lower our roof as much as possible, while still allowing for duct work and keeping a nice exterior aesthetic, etc. He was able to lower the roof so that the highest hip peak would lower 7 inches, from 25'6" to 24'11". Being that we have hipped roofs at differing heights, this means the one highest peak of our home is at 24'11" and the others are

much lower at 23'8" and 23'3". The neighboring home she was hoping we would be in scale with has a continuous roof ridge of 24'5". We believe the change we made will help the overall appearance of our proposed roof height to be in scale with the home at 935 Lee. We hope that this change has alleviated the concern of the owners of 939 Lee and 941 Lee.

Through this process we received some very supportive feedback from the tenant at 939 Lee Drive and also from our neighbor at 945 Valparaiso, whose home flanks the opening of/has very significant frontage on the Lee drive cul-de-sac. They have offered us support for our proposed home as well as encouragement along the way. We believe that we have the support of our neighbors at 945 Lee, 935 Lee, 945 Valparaiso and the tenant of 939 Lee. We hope that we still have support from our neighbor at 943 Lee. We hope the owners of 941 Lee (who previously supported us) and 939 Lee will be able to support us now that we have lowered our roof line to help alleviate their concerns. We hope that the change that we made by removing the one second floor window that was facing our neighbor at 949 Lee will allow her to offer us support again, as well. Our neighbor at 937 Lee, who initially supported our proposed home, told us she has an issue with the size of the home and suggested that we should look into redesigning the house but did not offer a concrete idea of what size of home she thought would be appropriate for us. We have not heard anything from the owner or tenant at 1317 University - the property that shares our rear property line as their side yard property line (this is our rear setback where we are requesting our first floor only variance), as we also did not hear from either the owner or tenant of that property when we went through this process 6/7 years ago.

We would absolutely love to have the type of support and/or neutrality from our neighbors that the owner of 943 Lee received for her previously approved home, and we are hopeful that that may be the case. We have tried very, very hard to make reasonable concessions wherever possible for our neighbors. On this design alone, we have added first floor roof line and raised window heights on the North side of our home for one set of neighbors, we have completely removed a window on the South/West side of our home for one neighbor, and we have lowered the roof height 7 inches for a couple of Lee Drive homeowners. We also hired an artist to create a 3D rendering of our proposed home at our neighbor's request, to try to help our neighborhood better understand the home's proposed exterior appearance. But, if we look at the whole history of our dream of building our home over the last 7 years, we have completely redesigned our house to help alleviate concerns from both neighbors and planning commissioners alike. We hope that you will find that we are proposing a home that is within keeping of our current neighborhood, and also within keeping of what could (and has) been supported and approved for neighboring lots on our street by our neighbors, by the Planning Department and, ultimately, by the Planning Commission.

**Planning Commission history for our property:**

Finally, we would like to offer a more in depth history of our previous Planning Commission denial and the difference between our previous and current proposal:

We proposed an entirely different home for our property 6+ years ago with a request for a Use Permit to determine the FAL, a request for a Use Permit to build a second floor and we also requested a first and second floor variance of 10 feet into the required 20 foot setback. The Planning Commission denied our Use Permit requests and the third finding of the Variance determinations. For the third Variance



finding, the Planning Commission determined that *“The granting of the variance would be materially detrimental to the welfare of the existing development in the neighborhood because the proposed residence would have a floor area ratio of approximately 53 percent, which is significantly higher than the floor area ratio of existing development fronting on Lee Drive; would feature an architectural style and materials that would be inconsistent with other residences fronting on Lee Drive and which would amplify the perceived bulk of the structure; and would therefore not be consistent with the scale and character of the existing development in the neighborhood and would be detrimental to the to the unique and special character of the existing neighborhood”*. The Planning Commission also denied our Use Permit requests for an FAL determination and for a second floor with the similar finding- that the home would be detrimental to the welfare of neighbors and/or the City with a similar explanation based on the 53% proposed FAL and the architectural style.

Since the denial of our previously proposed home, we have come up with a significantly different design and there has also been a significant change on our street. We have come up with an entirely new plan with an architectural style that is very much in keeping with our existing home. Our previous proposed home was stucco with wood detailing and a few different angles on the front elevation. Our current proposed home will have a more symmetrical front façade with shingle siding, flower boxes, a wood trellis, etc. Several of our previously oppositional neighbors agree that they believe the newly proposed style fits in nicely with the neighborhood. Our new plan is also over 100 square feet smaller than our previous proposal and we have designed our home in such a way that we are currently only requesting a first-floor Variance. Also, as far as a change in the neighborhood, one of our most oppositional neighbors from 6 years ago, who requested that we be kept to an FAL of 30%, has just recently proposed and been approved by the Planning Commission in February 2018 for a 3,233 square foot (2,800 above ground) two story home plus a basement on her 5,633 square foot lot at 943 Lee. Her home was proposed to be at an approximate 50% FAL. There was absolutely no negative neighborhood feedback for her proposed home presented to the Planning Department or Planning Commission, and the Planning Commission did not mention any issue about the size or FAL of her proposed home at the meeting when they approved her home. As an aside, our neighbor at 943 Lee has since decided to possibly do a single-story remodel, instead of building the home she was approved to build.

I do not believe that the granting of our requested variance or the approval of our Use Permit requests for our current proposal would have a negative impact on the welfare of our neighborhood. It has now been proven by our neighbor at 943 Lee Drive, who lives 1 house over from us, that at any time, our neighbors with more rectangular shaped lots can, and possibly will, propose and be approved to build homes to the maximum potential of their lots with maximized floor area ratios. Although it is necessary for us to request a Use Permit for an FAL determination, with our current proposal we were trying to be very mindful of keeping the FAL of our home well within the range of our neighbor’s approved home. Our lot is 5,000 gross square feet (with a 131 sq ft access easement) and we are proposing a home and garage totaling 2,470 square feet. This calculates out to an approximate 49% FAL if you consider our 5,000 square foot lot as a whole, or approximately 51% if you subtract the easement from the lot’s square footage and call it 4,869 square feet. For reference, in the R1-U zoning code a 5,000 square foot lot allows for proposed homes of up to 2,800 square feet which is approximately 56% FAL. We wanted

to make sure that the size of the home was more than 100 square feet smaller than our previous proposal, while also being 330 square feet smaller than the above ground portion of our neighbor's approved home and what is allowed for 5,000 square foot lots in R1-U zoning. The aesthetic of our proposed home has been designed in such a way as to closely echo our existing home's aesthetic to assure that the exterior design is in keeping with our neighborhood. And due to the fact that we are not requesting a second-floor variance at all and our entire second floor is within our buildable area, there would be significantly less perceived bulk with our current proposal than our previous proposal.

Due to the change in circumstances on our street combined with our new home design, we believe that our current requests for a first-floor rear yard Variance, a Use Permit to determine our FAL and a Use Permit to build a second story would not be detrimental in any way to our street, neighborhood or the City of Menlo Park. We believe that the approval of our proposed home would allow us to build a beautiful home that would be suitable for our R1-U zoned property as well as very much in keeping with the development that is existing, approved, and possible for our street and neighborhood as a whole. We thank you very much for your time and consideration.

947 Lee Drive - Statement Re: Variance Findings

CITY OF MENLO PARK  
PLANNING DIVISION

**SUMMARY**

As part of the proposed construction of our new two-story single-family home at 947 Lee Drive (please also see Project Description), we are seeking a variance for encroachment into to the rear yard setback on only the first floor of our planned home. The variance is requested due to the small, irregular, triangular nature of our lot.

Because our lot is at the end of a circular cul-de-sac, the rear yard of our lot backs up to the neighbor's side yard. We are requesting a variance to build a home that would encroach ten feet into the required 20 foot rear yard setback. This would set our new home 10 feet from the rear property line which would actually be further from the rear property line than the existing home that sits just 8 and a half feet from the rear property line currently. All other first floor sides of our proposed home and the entire second story are proposed to be built completely within the legal buildable area.

In planning a home for our property over the years, we have come up with many different designs to try to make the best use of our lot, while also aiming to minimally impact our neighbors. Being that our current home is a foot and a half closer to our rear property line than our proposed home, we believe that our request for a first-floor rear setback variance would not significantly impact our rear neighbor. We plan to plant vegetation along the rear fence line, as well as all fence lines for neighbor privacy and to soften the appearance of the second floor. Also, since our proposed second floor is fully planned within the buildable area and no variance is requested on the second floor, there will be a large amount of roof line along the rear elevation of the home- creating more of a sense of privacy and lessening the appearance of the second floor from our rear neighbor on University Drive, and also our Lee Drive neighbors.

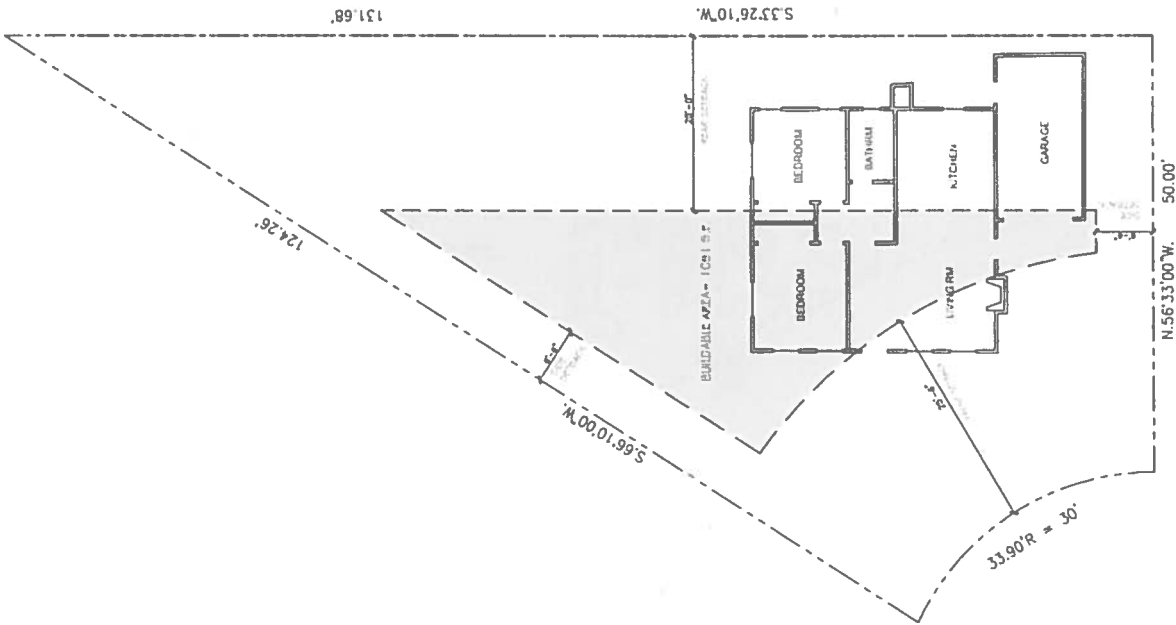
**REQUIRED FINDINGS**

I believe that the Menlo Park Planning Commission can readily make the findings required by the Zoning Ordinance (Section 16.82.340(b)) to grant our variance application. Specifically:

- (1) That a hardship peculiar to the property and not created by any act of the owner exists.**

The hardship here is the small, oddly shaped triangular configuration of our lot, which was created when the subdivision was recorded prior to 1941. This configuration is unique to the two lots at the end of the Lee Drive cul-de-sac and does not affect the other lots on Lee Drive. When combining the triangular nature of the lot with our lot line definitions and the more stringent R1-U Subdivision ordinance front and side setback requirements, the buildable area for our lot is less than half the size of the buildable area of a rectangular lot of comparable size. A neighboring lot of the same square footage, but with more of a rectangular or parallelogram dimension, would

not have the same hardship as the buildable area of a rectangular lot would be a more “normal” shape and would allow for double the buildable square footage. A perfectly rectangular lot of 50 feet wide by 100 feet long would have a rectangular buildable footprint of about 2400 square feet in the R1-U zone. As shown below, our outlined legally buildable area is a triangular shape of 1091 square feet (which is less than half of a comparably sized rectangular lot’s buildable area):

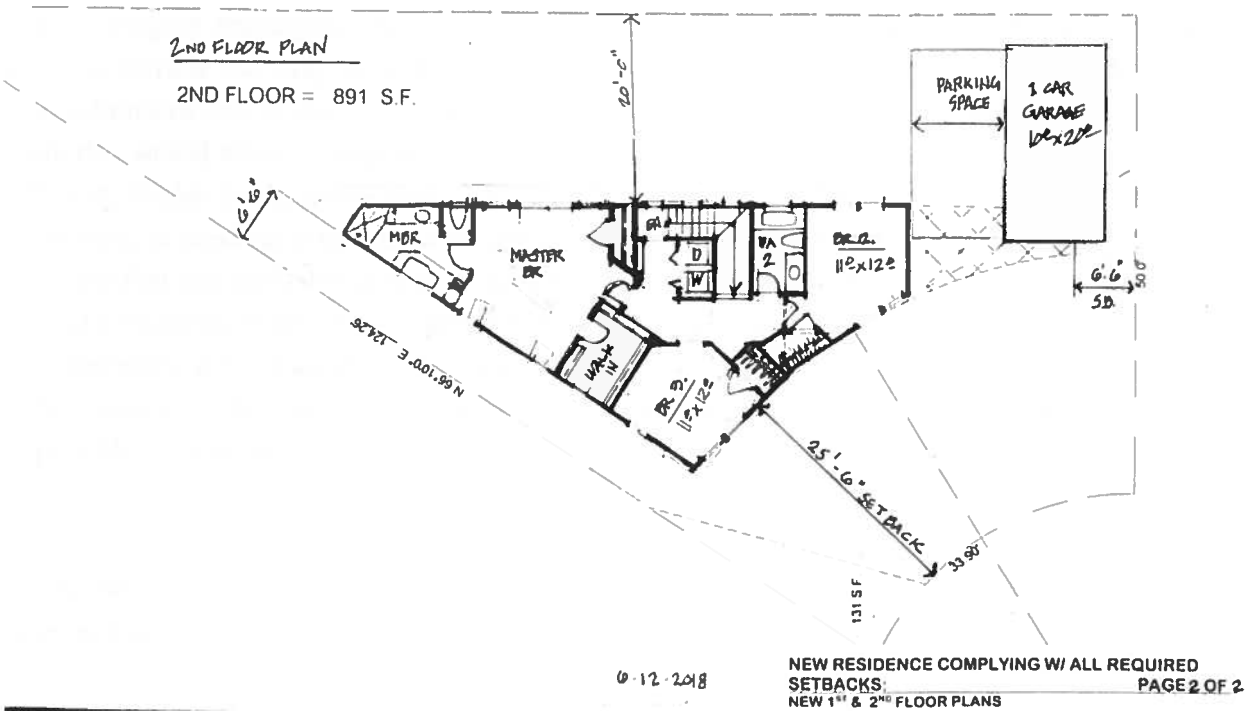
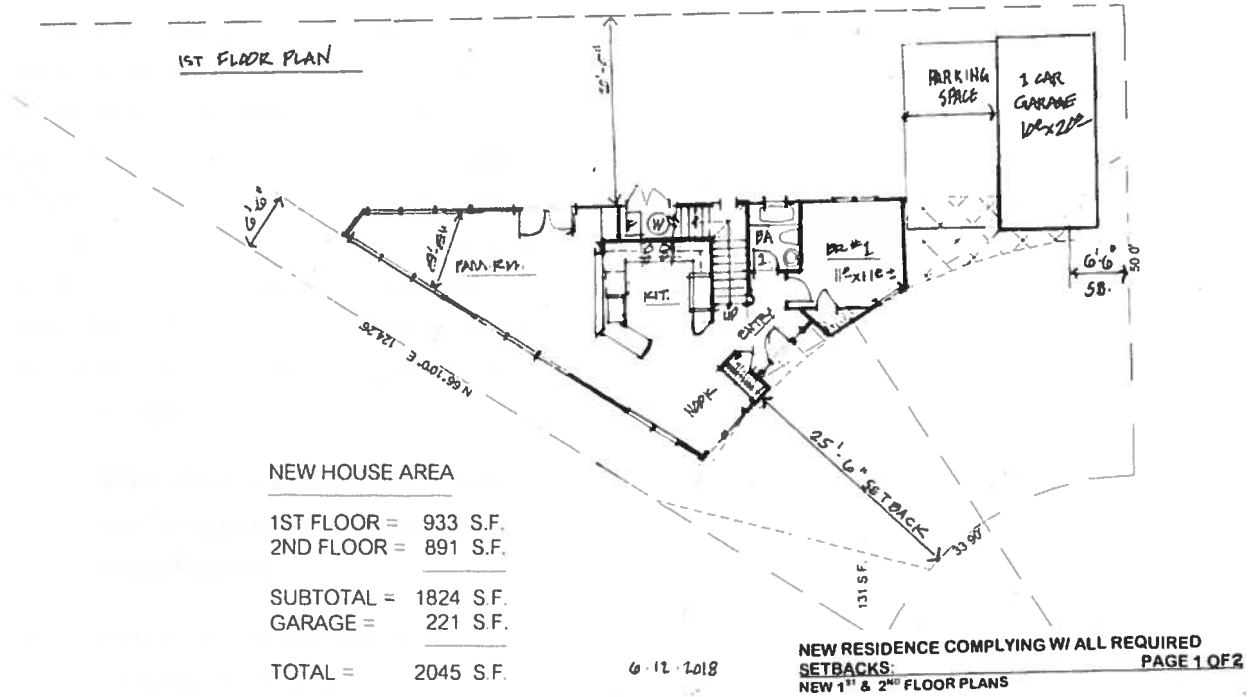


SITE PLAN - ALLOWABLE BUILDABLE AREA W/ EXISTING HOUSE AND GARAGE  
 1/16" = 1'-0"

- (2) **That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors;**

We are requesting a first floor rear yard variance so that we can build a home with a more typical design and with better use of our 5,000 gross square foot lot. This would allow us to enjoy similar property rights to all of the other comparably sized lots on Lee Drive with more rectangular nature and possibly all conforming lots of 5,000+ square feet with more standard dimensions in the general vicinity with R1-U zoning. The granting of this variance would allow us to enjoy property development rights similar to those of our neighbors. Absent the granting of this variance, we would be only be able to build a new significantly smaller, less attractive, less livable and less efficient triangular home (as shown below), or a remodeled home with unusual geometry and the issues associated with remodeling very old, non-conforming structures. Either

building a new home without requesting a variance or attempting to remodel our existing home without requesting a variance would be options resulting in outcomes that are inconsistent with what would be possible with the rights possessed by conforming property owners in our vicinity. Due to the fact that conforming lots in our vicinity would not have the same constraints that our property has- the granting of this variance would not constitute a special privilege.



**(3) That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property;**

None of these concerns have been raised by Menlo Park Planning Staff in regard to our proposed home. Additionally, our rear neighbor, who could possibly feel most impacted by the first floor of our home being 10 feet rather than 20 feet from our shared property line, has not voiced any concerns over our proposed home or variance request at all, let alone any of these specific items. We are not requesting a second-floor variance and we meet all the second story daylight plane requirements for the property on all sides, so this will allow for an adequate supply of light to our neighbors. We are also not aware of any way in which safety, health or air supply concerns could apply to our requested variance. We believe that our proposed new home- that has been designed with previous neighbor, Planning Department and Planning Commissioner input in mind, that will be built with quality materials and that we plan to live in as our forever home- will have a positive impact on the general welfare of our neighbors, the neighborhood, and the City of Menlo Park.

**(4) That the conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification.**

Our property's shape and dimensions are not generally applicable to Menlo Park R1-U residential properties. In our research, besides the lot directly next to ours and possibly a few other particular properties in Menlo Park with certain constraints, lots in the R1-U zoning classification are generally more rectangular in nature and would therefore have buildable areas that are roughly rectangular and probably at least double the size of our buildable area. For some R1-U properties that may be unusual in shape, many may have geometry that have different lot line definitions and/or may be of larger square footage allowing for larger buildable areas. These scenarios would allow a property owner a large enough space for them to build an attractive, efficient, livable home where they would be able to maximize their square footage per the zoning code without needing to request a variance. Our request for a variance is based solely on the hardship that our buildable area is a very odd shape and is less than half the size of the buildable area of a rectangular lot of comparable size and therefore would not allow for us to build a home of comparable FAL, livability, or aesthetic to the conforming lots generally found in our zoning code. Therefore, the conditions upon which our variance request are based are not generally applicable to other properties in R1-U zoning.

All of the necessary findings for a variance are present. We respectfully request that a first-floor rear yard setback variance be granted for our proposed home at 947 Lee Drive.

RECEIVED  
ATTACHMENT G  
APR 19 2018

# Kiely Arborist Services

P.O. Box 6187  
San Mateo, CA 94403  
650-525-1464

CITY OF MENLO PARK  
PLANNING DIVISION

September 15, 2011 revised March 29, 2018

Whitehall Properties LLC  
Attn: Ms. Whitney Peterson  
94 Yale  
Menlo Park, CA 94025

Site: 947 Lee, Menlo Park, CA

Dear Ms. Peterson,

As requested on Wednesday, March 28, 2018, I visited the above site to inspect and comment on the trees. A new home is planned for this site and your concern as to the future health and safety of the trees has prompted this visit.

## Method:

The trees on this site were located on a map provided by you. Each tree was given an identification number. This number was inscribed onto a metal foil tag and nailed to the trees at eye level. The trees were then measured for diameter at 48 inches above ground level (DBH or diameter at breast height). A condition rating of 1 – 100 was assigned to each tree representing form and vitality using the following scale:

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

The height of each tree was estimated and the spread was paced off. Lastly, a comment is provided for each tree.

## Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
1X	Monterey pine ( <i>Pinus radiata</i> )	58.3	35	80/75	Over mature and in decline, history of bark beetle. Heavy lateral limbs, cable has failed. Roots have lifted existing house. <b>Removed.</b>
2*	Coast live oak ( <i>Quercus agrifolia</i> )	26est	70	45/35	Vigor is good, form is fair, suppressed by tree #1.

947 Lee/3/29/18

(2)

Tree#	Species	DBH	CON	HT/SP	Comments
3	Coast live oak ( <i>Quercus agrifolia</i> )	8.3	60	30/15	Good vigor, fair form, heavy to northwest.
4	Privet ( <i>Ligustrum japonicum</i> )	14est @ base	40	35/30	Fair vigor, poor form, heavy to northwest.
5*	Monterey pine ( <i>Monterey pine</i> )	36est	55	75/55	Vigor is fair, form is fair, leans south over neighbor's house. <b>Removed.</b>
6	Privet ( <i>Ligustrum japonicum</i> )	9.1	50	20/25	Fair vigor, fair form, abundance of lower deadwood. Surface roots.
7*	Birch ( <i>Betula pendula</i> )	12est	65	35/20	Good vigor, fair form, multi leader.
8	Holly	10.8	70	25/15	Good vigor, fair form.

\* Denotes neighbor's tree

**Summary:**

The trees on site and the neighboring trees are a mix of native oaks and imported trees. The site has some history of tree maintenance but no recent history. The neighbor's trees are in fair to good condition and will not be affected by the proposed construction.



**of house. This tree was removed.**

The privet trees are of a poor species for the site and are in fair condition. Removal of the privets is a viable option. The large Monterey pine is over mature and quite large. The roots of this tree have lifted the home and have destroyed the foundation of the existing house. The tree has severely heavy lateral limbs and a past attempt to cable the limbs has failed. Removal of this tree has been carried out. The small holly #8 will be removed and replaced or transplanted to facilitate the construction.

**Large Monterey Pine has lifted right side**



**Tree Protection Plan:****Tree Protection Zones**

A tree protection zone 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 2 inch poles pounded into the ground by no less than 2 feet. 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

**Root cutting**

Any roots to be cut shall be monitored and documented. Large roots 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.

**Trenching**

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 and any oaks that are impacted will require regular warm season irrigation.. On a construction site, I recommend irrigation during both summer and winter months. During winter months irrigate heavily 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. The on-site arborist may make adjustments to the irrigation recommendations as needed. The foliage of the tree may need cleaning if dust levels are extreme. Removing dust from the foliage will help to reduce mite and insect infestation.

Sincerely,

Kevin R. Kielty  
Certified Arborist WE#0476A

947 Lee/7/25/11

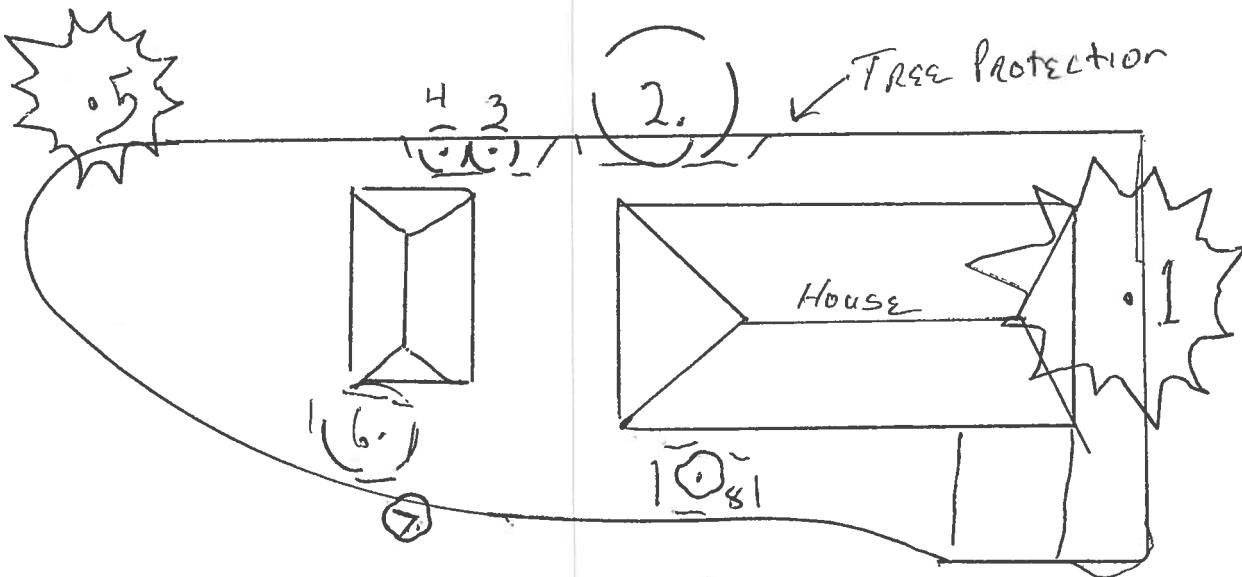
(4)

Inspections

San Mateo County does not require monthly tree inspections on construction sites of this nature. Inspections will be on an as needed basis. The information included in this report is believed to be true and based on sound arboricultural principles and practices.

Sincerely,

Kevin R. Kiely  
Certified Arborist WE#0476A



**Pruter, Matthew A**

---

**From:** Bruce Potvin <bpotvin@sitime.com>  
**Sent:** Tuesday, June 19, 2018 5:13 PM  
**To:** Pruter, Matthew A  
**Subject:** 947 Lee Project

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Matt,

I was told that you are the planner working with Whitney and Kyle for 947 Lee Drive. I live in the cul-de-sac on Lee Drive, at 945 Valparaiso. I believe we may have worked together on my latest remodel. I was wondering if you had time to meet with me to discuss their plans? I would like to get an understanding of what issues may come up in the review process and the commission planning meeting. I would like to share with you that we support their design, and that they have worked hard to accommodate the neighborhood.

- 1) I would like to verify the following. I read on the Menlo planning website that granting a variance in no way sets a precedence for a future variance. Also to understand how the feedback of the people on Lee Drive, regarding a variance, has impact on it be granted or not, when there is no impact to them or their individual property.
- 2) Second to understand that if they were not granted the property line variance wouldn't they be able to build a conforming two story house on the property? So is the argument against the 2<sup>nd</sup> story property an issue.

Also I would like to share with you the fact that Kyle and Whitney have been very open about their desire to build a home, and have reached out to all the neighbors openly. I would like to speak on their behalf in the planning meeting, so I would like to prepare myself if that is possible. In addition I have received emails from people that clearly state that they don't want to support Kyle and Whitney because they are contractors, even though they plan to live in the house. Also when the owner of 943 Lee Drive was planning her second story there was no resistance to the second story by the neighbors. I find this to be both a double standard as well as discriminatory. Please let me know when you might be available at your convenience. Thanks.

Regards,

Bruce

Phone – (650) 269-1309  
[bpotvin@sitime.com](mailto:bpotvin@sitime.com)

H1



Kyle Larson <kylelarson.31@gmail.com>

---

## New Elevations

---

Joyce D <joyce327@gmail.com>

Tue, Jan 30, 2018 at 8:12 PM

To: whitney peterson <whitney.peterson@gmail.com>

Cc: Kyle Larson <kylelarson.31@gmail.com>

Hi Whitney and Kyle -

Thanks so much for showing me the elevations tonight. I think they look great, and think the house will be a lovely addition to our cul-de-sac.

I'm impressed with what you've been able to craft in such an odd sized lot!

Cheers,  
Joyce

RECEIVED

JUL 19 2018

CITY OF MENLO PARK  
PLANNING DIVISION

On Mon, Jan 29, 2018 at 11:17 AM, whitney peterson <whitney.peterson@gmail.com> wrote:

[Quoted text hidden]

--

~~~~~  
Joyce Dickerson

Jim Redman

RECEIVED

JUL 19 2018

CITY OF MENLO PARK  
PLANNING DIVISION

April 23, 2018

To whom it may concern,

My name is Jim Redman, the tenant a few houses to the north of Kyle Larson and Whitney Peterson's proposed project at 947 Lee Drive, Menlo Park. I would like to express my support for the proposed project.

I have reviewed the plans and feel the design fits nicely with the challenging lot shape, the style of the neighborhood and scale of the surrounding homes. Hopefully, the existing Holly tree in the front yard will be maintained to help scale the house. I look forward to seeing the project completed as I know it will be a good addition to Lee Drive.

Sincerely,



Jim Redman  
939 Lee Dr, Menlo Park 94025

## Pruter, Matthew A

---

**From:** Joyce D <joyce327@gmail.com>  
**Sent:** Monday, July 23, 2018 1:30 PM  
**To:** Pruter, Matthew A  
**Subject:** Comments on 947 Lee Drive Use Permit

Hello,

I've done a quick review of the proposed project at 947 Lee Drive, and as the owner of 943 Lee Drive, I'd like to recommend a change to how you show my house on A-1. It appears you are using the streetscape and footprint that was approved in February. What the owners of 947 Lee Drive may not have shared with you is that after receiving approval, I had second thoughts and pulled the project off the table. You can see the email that I sent below.

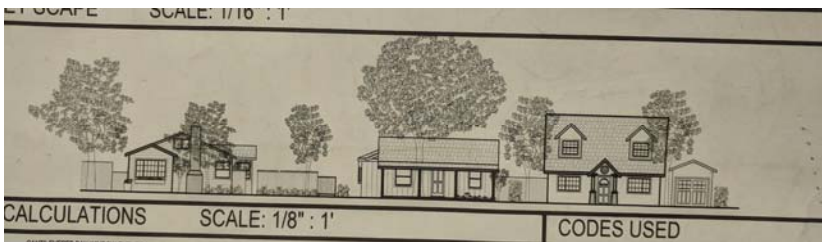
I would like to request that those two images be replaced either with what is there now, or what will be there a year from now.

While I'm sure it's not a 'make it or break it' issue for the project, leaving it as it is is misleading to both the Planning Commission and the neighbors.

The Planner we are working with is Fahteen, who is well aware of our change in directly. WE filed with the Building Department on July 9, and are meeting with Fahteen today at 2pm to discuss her comments on the new project.

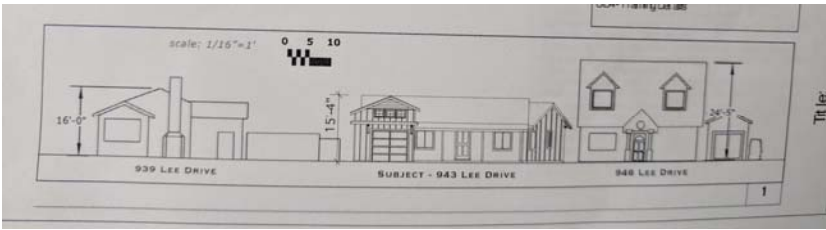
These sketches are all on file at Menlo Park, and they are:

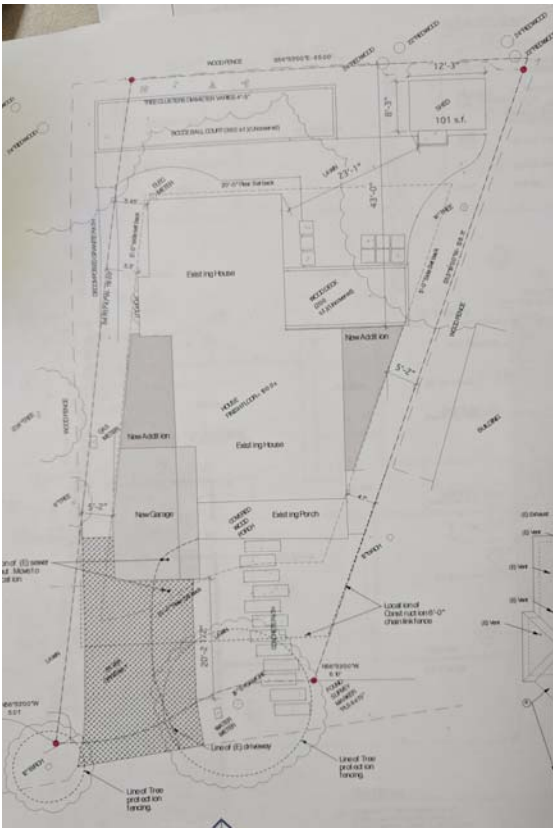
Existing 943 Home:





Proposed 943 Home:





Thanks!  
Joyce

From: **Joyce D** <[joyce327@gmail.com](mailto:joyce327@gmail.com)>  
Date: Wed, Mar 14, 2018 at 2:21 PM  
Subject: House Update: 943  
To: <[LeeDrive@googlegroups.com](mailto:LeeDrive@googlegroups.com)>

Hi all -

Thanks again for your insights and support on my house remodel project! While I got Planning Commission Approval in February, I have decided to change strategy regarding what to do with my house.

Rather than doing a major 2-story remodel, I'm going to do a small addition on the first floor.

Why, you ask?

This started as a simple project, and escalated to a much more complex undertaking the more I worked with the architect. I ultimately wasn't 100% happy with what we came up with, and rather than investing a significant amount of time and money into something I wasn't sure about, I put a halt to the project.



I've brought in a new architect, someone I've known for years and who has an outstanding portfolio, and he and I have been putting together plans to add a garage/laundry room on the North side, and a bathroom on the south side. It'll keep the house as a single story with much of the same look it has today.

I hope to turn the front yard into a neighborhood gathering place with a place to sit and enjoy the community of the cul-de-sac.

I'll share plans as they materialize.

Thanks for your time and patience with all this!

Joyce

--

~~~~~

Joyce Dickerson

RECEIVED

To Whom it May Concern,

JUL 24 2018

OFFICE OF THE  
PLANNING DIVISION

My name is Bob Budelli and I own and live at 960 Rose Avenue and my father owns the house at 950 Rose Ave. I received the Notice of Public Meeting in the mail for 947 Lee Drive. I've spoken to Kyle and Whitney about their house plans and want to express my support for them. I have lived in the neighborhood for about 60 years and I raised my family here- I hope that Kyle and Whitney will be able to do the same.

Sincerely,



Robert Budelli  
960 Rose Ave  
Menlo Park 94025

## Pruter, Matthew A

---

**From:** whitney peterson <whitney.peterson@gmail.com>  
**Sent:** Wednesday, July 25, 2018 3:12 PM  
**To:** Pruter, Matthew A; Kyle Larson  
**Subject:** 945 Lee neighbor letter email

Hi Matt,

Please see the below message from our neighbors at 945 Lee Drive.

Thank you,  
Whitney

----- Forwarded message -----

**From:** **Serena Liao** <[serenaliao2014@gmail.com](mailto:serenaliao2014@gmail.com)>  
**Date:** Tue, Jul 24, 2018, 5:52 PM  
**Subject:** Re: Hello from neighbor Serena & Bian  
**To:** whitney peterson <[whitney.peterson@gmail.com](mailto:whitney.peterson@gmail.com)>

Hi Whitney,

Thank you for sending us the planning materials earlier, and we are happy to see a beautifully design new home coming into our neighborhood. My family and I support the home that you are planning at 947 Lee Dr. hope everything goes smoothly. :)

Your neighbors: Serena Liao and Bian Jiang at 945 Lee Dr, Menlo Park, CA 94025

## STAFF REPORT



### Planning Commission

**Meeting Date:** 7/30/2018

**Staff Report Number:** 18-069-PC

**Public Hearing:** Use Permit Revision/Tusker Medical/155 Jefferson Drive

### Recommendation

Staff recommends that the Planning Commission approve a use permit revision to expand the usable gross floor area in which previously approved quantities and classes of hazardous materials would be used, all within an existing building on a lot in the R-MU-B (Residential, Mixed-Use, Bonus) zoning district, at 155 Jefferson Drive. There would be no changes to previously approved quantities or classes of hazardous materials on the site as part of the project. All hazardous materials would be used and stored within the building. 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 proposal.

### Background

#### *Site location*

The project site is an existing research and development (R&D) building located at 155 Jefferson Drive. Using Jefferson Drive in an east to west orientation, adjacent parcels to the north, east, and west are also located in the R-MU-B zoning district, and primarily contain warehouse, light manufacturing, and office uses. Properties to the south are zoned P-F (Public Facilities) and O-B (Office, Bonus) and contain educational, warehouse, and office uses. The Sequoia Union High School District is constructing a new high school at 150 Jefferson Drive, located to the southwest, across Jefferson Drive from the subject parcel. The closest residences are located across the Dumbarton Rail Corridor and US 101, approximately 1,200 feet away from the subject site. A location map is included as Attachment B.

Other facilities in the area have also previously received hazardous materials use permits and administrative permits, including 175-177 Jefferson Drive, 230 Constitution Drive, and 200 Constitution Drive, the latter of which was approved as an administrative permit in January 2018.

#### *Previous use permit*

Tusker Medical (Tusker) received a use permit in May 2016 to allow for the storage and use of hazardous materials associated with the research, development, and manufacture of medical devices for ear, nose, and throat patients within the existing building at 155 Jefferson Drive. At the time, Tusker occupied approximately half of the building, and the rest was a vacant tenant space. When this permit was

approved, the property was zoned M-2 (General Industrial), which designated hazardous materials use as a conditional use.

### ***ConnectMenlo and hazardous materials***

As part of the recent ConnectMenlo General Plan Update, the subject site and some nearby properties were rezoned R-MU-B, where the use of hazardous materials is no longer a permitted or conditional use. However, Section 16.80.130(d) of the Zoning Ordinance allows properties within the R-MU districts that are regulated by a use permit or conditional development permit (CDP) to continue to be regulated by said permit. A previously granted use permit or CDP would lapse upon comprehensive redevelopment of the property, or a property owner may request to modify or cancel the permit in accordance with the requirements of the new zoning district.

## **Analysis**

### ***Project description***

Tusker recently leased the remainder of the building and is requesting a use permit revision to use approximately 6,100 square feet of additional gross floor area (GFA) within the building to store and use the same quantities and types of hazardous materials that were previously approved through the 2016 use permit. There would not be any increases in hazardous materials quantities nor any changes in the types of hazardous materials that were permitted through the previous use permit. The applicant submitted a project description letter that discusses the proposal in more detail (Attachment C).

### ***Proposed hazardous materials***

Proposed hazardous materials include combustible liquids, corrosives, flammable liquids, toxic substances, and highly toxic chemicals, all of which have been in use at the project site since 2016. The project plans (Attachment D) provide the locations of existing and proposed chemical use and storage, as well as hazardous waste storage. In addition, the plans identify the location of safety equipment, such as fire extinguishers, first aid kits, emergency eyewash/shower, and spill kits. All hazardous materials would continue to be used and stored inside of the building.

The Hazardous Materials Information Form (HMIF) for the project is provided as Attachment E. The HMIF contains a description of how hazardous materials are stored and handled on-site, including the storage of hazardous materials within fire-rated storage cabinets, segregated by hazard class. The applicant indicates that the storage areas would be monitored by lab staff and weekly documented inspections would be performed. The largest waste container would be a five-gallon container, and all liquid wastes would be secondarily contained. Licensed waste haulers would be used to haul off hazardous waste. The HMIF includes a discussion of the applicant's intended training plan, which encompasses the management of chemicals and waste, as well as how to respond in case of an emergency. The applicant indicates that the procedures for notifying emergency response personnel and outside agencies are kept in the site's emergency response plan. A complete list of the types of chemicals is included in Attachment F.

Staff has included recommended conditions of approval that would prevent changes in the quantities and uses of hazardous materials on the site, address violations of other agencies in order to protect the health and safety of the public, and end hazardous materials uses on the property if Tusker discontinues operations at the premises.

Staff believes that the proposed additional storage and use areas for previously-approved quantities and types of hazardous materials would be compatible and consistent with other existing businesses in this area, some of which also have hazardous materials use permits. Although the property is located within the R-MU-B zoning district, which does not allow hazardous materials storage and uses, Tusker was previously granted a use permit for hazardous materials storage and uses on the site, and continues to be regulated by that use permit as indicated in Section 16.80.130(d) of the Zoning Ordinance. Storage and use of hazardous materials within a larger area of the building would not lead to an intensification of hazardous materials storage and uses beyond what was previously approved in 2016. The use areas would remain generally oriented toward the rear of the building, away from the Jefferson Drive frontage. The proposed use permit revision would also allow an existing business to grow in Menlo Park.

### ***Agency review***

The Menlo Park Fire Protection District, City of Menlo Park Building Division, West Bay Sanitary District, and San Mateo County Environmental Health Services Division were contacted regarding the proposed use and storage of hazardous materials on the project site. Each entity found the proposal to be in compliance with all applicable standards (Attachment G). The Fire District approval indicates that the applicant will be subject to Fire Department permits and inspections at move in and annually thereafter. Otherwise, there would be no unique requirements for the proposed use, based on the specific types and amounts of chemicals that are proposed.

### ***Correspondence***

Staff has not received any items of correspondence on the proposed project. In 2016, the Sequoia Union High School District submitted a letter regarding Tusker's original use permit application, requesting the addition of information in the HMIF into the conditions of approval, coordination regarding the applicant's emergency response plan, and public notice if there are changes to the types or quantities of hazardous materials used at the project site. Although the School District has not submitted correspondence regarding the requested use permit revision, the conditions of approval continue to reflect the information in the HMIF, and the School District continues to be a main contact within Tusker's emergency response plan.

### ***Conclusion***

Staff believes that the proposal to expand the areas within the existing building for the use of hazardous materials would be compatible and consistent with other businesses in the vicinity. The existing quantities and types of hazardous materials currently in use, which were approved through a 2016 use permit, would not be altered. The HMIF and chemical inventory include a discussion of the applicant's training plan and protection measures in the event of an emergency. Relevant agencies have indicated their approval of the proposed hazardous materials uses on the property. Storage and use of hazardous materials within a larger area of the building would not lead to an intensification of hazardous materials storage and uses

beyond what was previously approved in 2016. 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 1,320-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 Description Letter
- D. Project Plans
- E. Hazardous Materials Information Form
- F. Chemical Inventory
- G. Hazardous Materials Agency Referral Forms

### **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:  
Tom Smith, Senior Planner

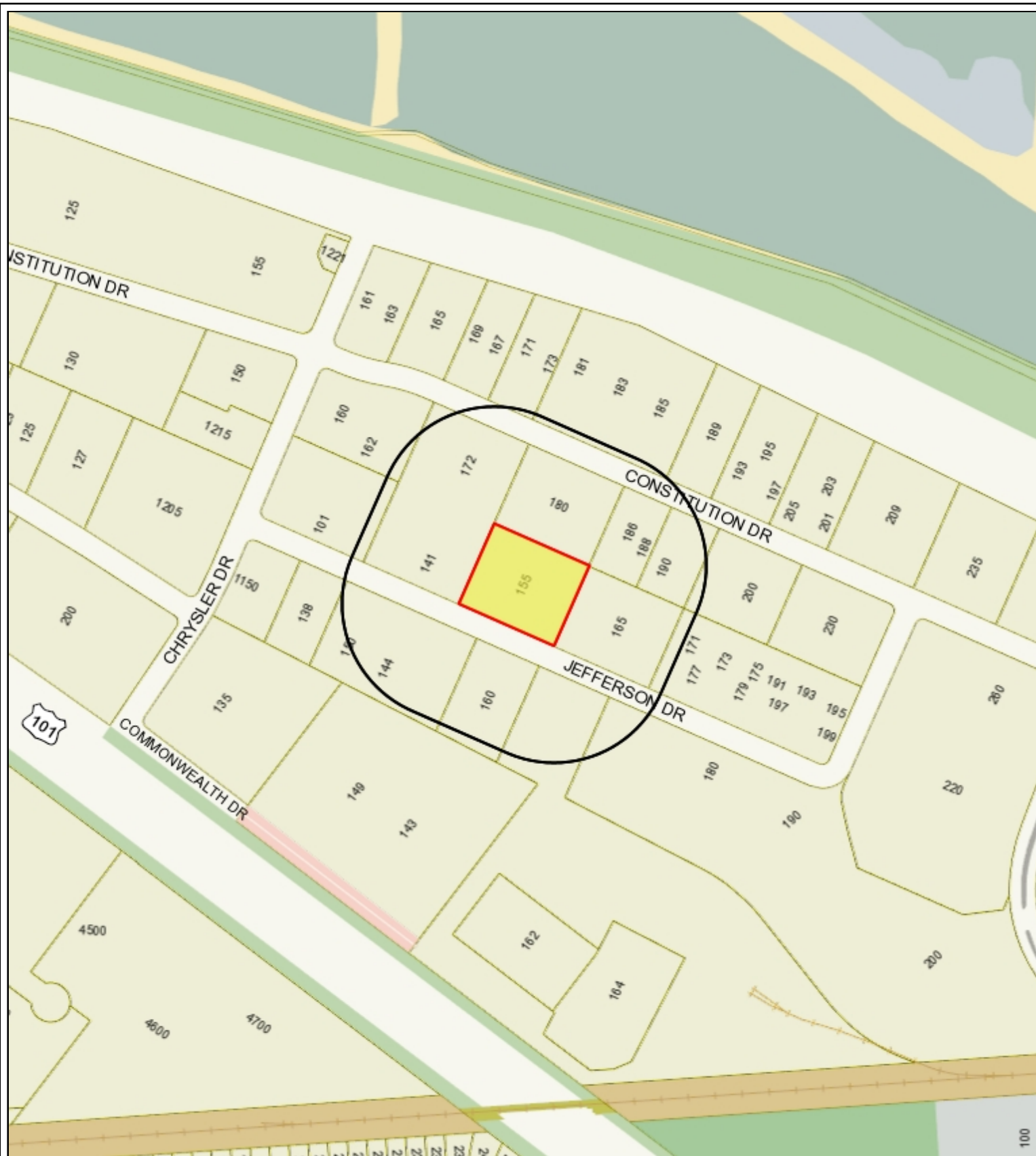
Report reviewed by:  
Thomas Rogers, Principal Planner



THIS PAGE INTENTIONALLY LEFT BLANK

## 155 Jefferson Drive – Attachment A: Recommended Actions

<b>LOCATION:</b> 155 Jefferson Drive	<b>PROJECT NUMBER:</b> PLN2018-00047	<b>APPLICANT:</b> Tusker Medical, Inc.	<b>OWNER:</b> Hamilton Investors, LLC
<b>PROPOSAL:</b> Request for a use permit revision to expand the usable gross floor area in which previously approved quantities and classes of hazardous materials would be used, all within an existing building on a lot in the R-MU-B (Residential, Mixed-Use, Bonus) zoning district. There would be no changes to previously approved quantities or classes of hazardous materials on the site as part of the project.			
<b>DECISION ENTITY:</b> Planning Commission	<b>DATE:</b> July 30, 2018	<b>ACTION:</b> TBD	
<b>VOTE:</b> TBD (Barnes, Combs, Goodhue, Kennedy, Onken, Riggs, Strehl)			
<b>ACTION:</b>			
<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. Approve the use permit subject to the following <b>standard</b> conditions: <ol style="list-style-type: none"> <li>a. Development of the project shall be substantially in conformance with the project plans provided by Green Environment, Inc., consisting of five plan sheets, dated received May 30, 2018, as well as the Hazardous Materials Information Form (HMIF), dated received July 20, 2018, approved by the Planning Commission on July 30, 2018 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.</li> <li>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.</li> <li>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.</li> <li>d. If there is a change in the location of the storage of the hazardous materials after this use permit is granted, the applicant shall apply for a revision to the use permit.</li> <li>e. There shall be no increase in the quantity of hazardous materials on the project site or the use of additional hazardous materials after this use permit is granted.</li> <li>f. Any citation or notification of violation by the Menlo Park Fire Protection District, San Mateo County Environmental Health Department, West Bay Sanitary District, Menlo Park Building Division or other agency having responsibility to assure public health and safety for the use of hazardous materials will be grounds for considering revocation of the use permit.</li> <li>g. If the business discontinues operations at the premises, the use permit for hazardous materials shall expire.</li> </ol> </li> </ol>			



CITY OF  
MENLO PARK

City of Menlo Park  
Location Map  
155 Jefferson Drive



Scale: 1:4,000

Drawn By: TAS

Checked By: THR

Date: 7/30/2018

Sheet: 1

RECEIVED

MAY 07 2018

CITY OF MENLO PARK  
BUILDING

Tusker Medical Business Summary  
and  
Discussion of Hazardous Materials Use  
May 2018

Tusker Medical, Inc. (Tusker) is an innovator focused on developing and commercializing clinically proven solutions that improve quality of life for ear, nose and throat patients.

The company's initial focus is a first-of-its-kind system to enable placement of tympanostomy tubes in children in the physician's office under local anesthesia rather than in the OR under general anesthesia. Placement of tympanostomy tubes to treat otitis media is the most common surgery done on children in the US and changing the setting from the OR to the office will address concerns about general anesthesia in children, reduce the amount of parental time off from work, allow more scheduling flexibility for surgeons, and shift care into a lower cost setting.

Components of the system have received 510K clearance from the U.S. Food and Drug Administration (FDA) in March 2008, September 2008, April 2011, and May 2015 but the full system has not been submitted for clearance and is not commercially available.

The company holds more than 9 issued U.S. patents and more than 70 pending applications worldwide.

The Menlo Park facility will serve as a R&D site for new products as well as production of Tusker devices. Some of the process steps for manufacture of the Tusker devices use chemicals. These materials are stored in the manufacturing area as well as other areas of the company in appropriate designated storage cabinets. Waste is generated as a result of the manufacturing and R&D activities. Hazardous waste is collected in appropriate containers and disposed of off-site by a licensed contractor. Alternatively, small quantities of hazardous waste may be disposed of through the San Mateo County Very Small Quantity Generator Program.

The development cycle for the Tusker products can range from 6 months to upwards of 2 years from concept to approval for commercialization. The company manufactures devices for evaluation, clinical studies and commercial sale.

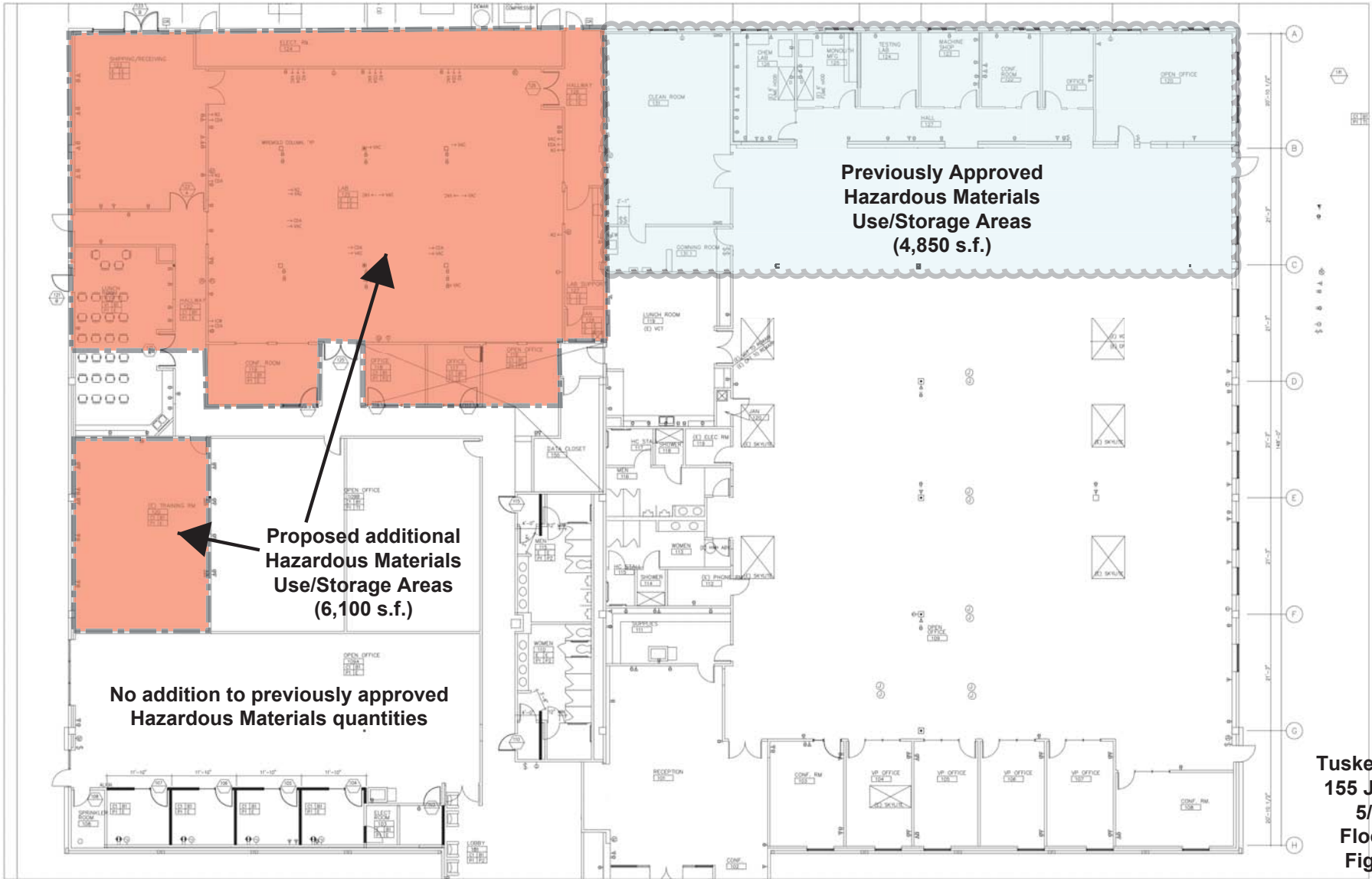
Tusker currently employs 29 full time employees, and expects to grow to approximately 35 full time employees within a year. To enable this growth, Tusker needs to expand within the current building, and use hazardous materials in the expanded area. This Use Permit revision request does not increase the quantities of hazardous materials at the facility.

At this time, Tusker does not anticipate needing an air emissions permit or industrial wastewater discharge permit for operations at the facility.

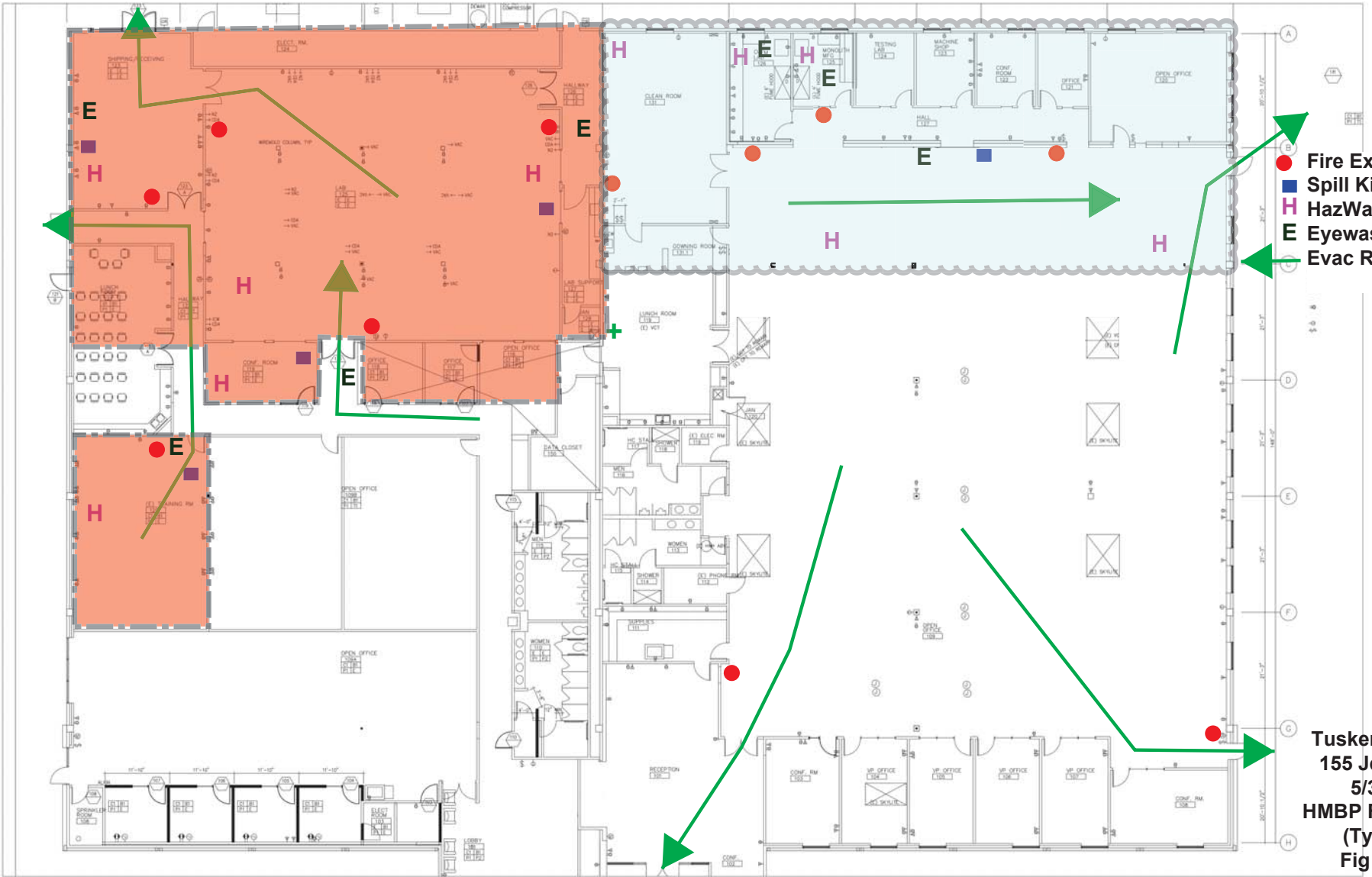


Distances are approximate per Google Earth 2018.

<p>Legend:</p>		<p>Drawing Name: <b>SITE MAP WITH SCHOOL</b></p> <p>Address: Tusker Medical 155 Jefferson Drive Menlo Park, California</p>	<p>Drawn by: KA Date: 04-25-2018 Scale: See Map Job #: R181261 Figure #: Figure 1 of 5</p>
----------------	--	--	--

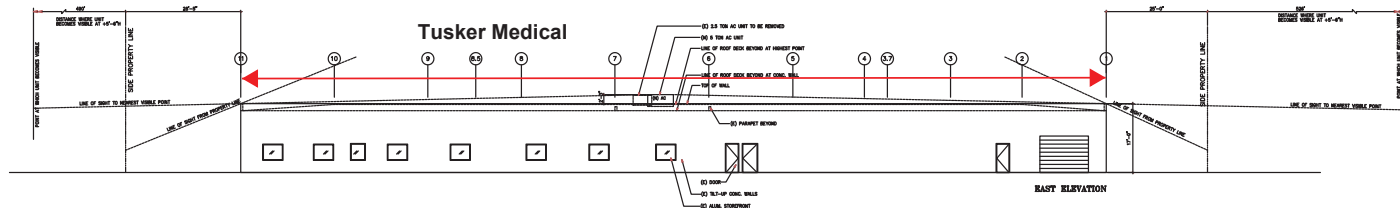


**Tusker Medical**  
**155 Jefferson**  
**5/30/18**  
**Floor Plan**  
**Fig 2 of 5**

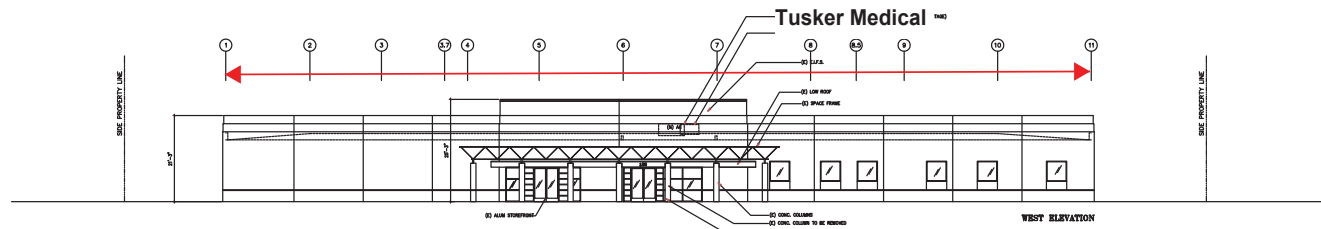
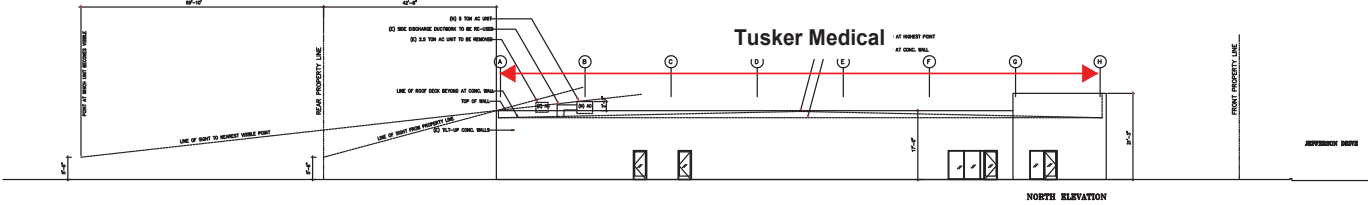


- Fire Extinguisher
- Spill Kit
- H HazWaste
- E Eyewash
- Evac Route

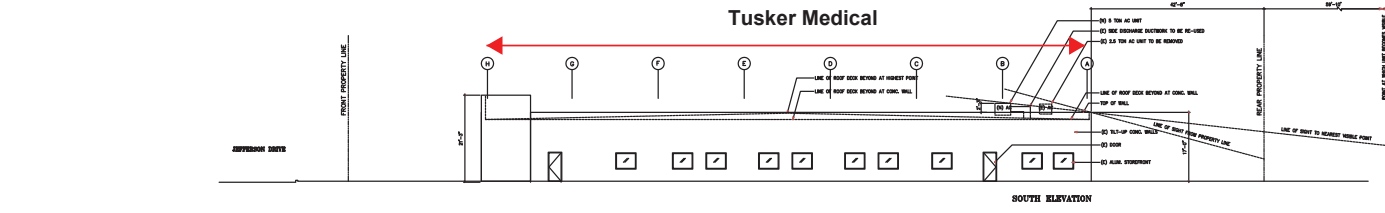
**Tusker Medical**  
**155 Jefferson**  
**5/30/18**  
**HMBP Floor Plan**  
**(Typical)**  
**Fig 3 of 5**



GREG BLUNTON  
 ARCHITECTURE  
 1 3 3 7 0  
 S K Y L I N E  
 BOULEVARD  
 WOODSIDE  
 CALIFORNIA  
 9 4 0 8 2  
 650 851 6834  
 FAX 650 851 6835  
 gblunton@earthlink.net



GREG BLUNTON  
 ARCHITECTURE  
 1 3 3 7 0  
 S K Y L I N E  
 BOULEVARD  
 WOODSIDE  
 CALIFORNIA  
 9 4 0 8 2  
 650 851 6834  
 FAX 650 851 6835  
 gblunton@earthlink.net

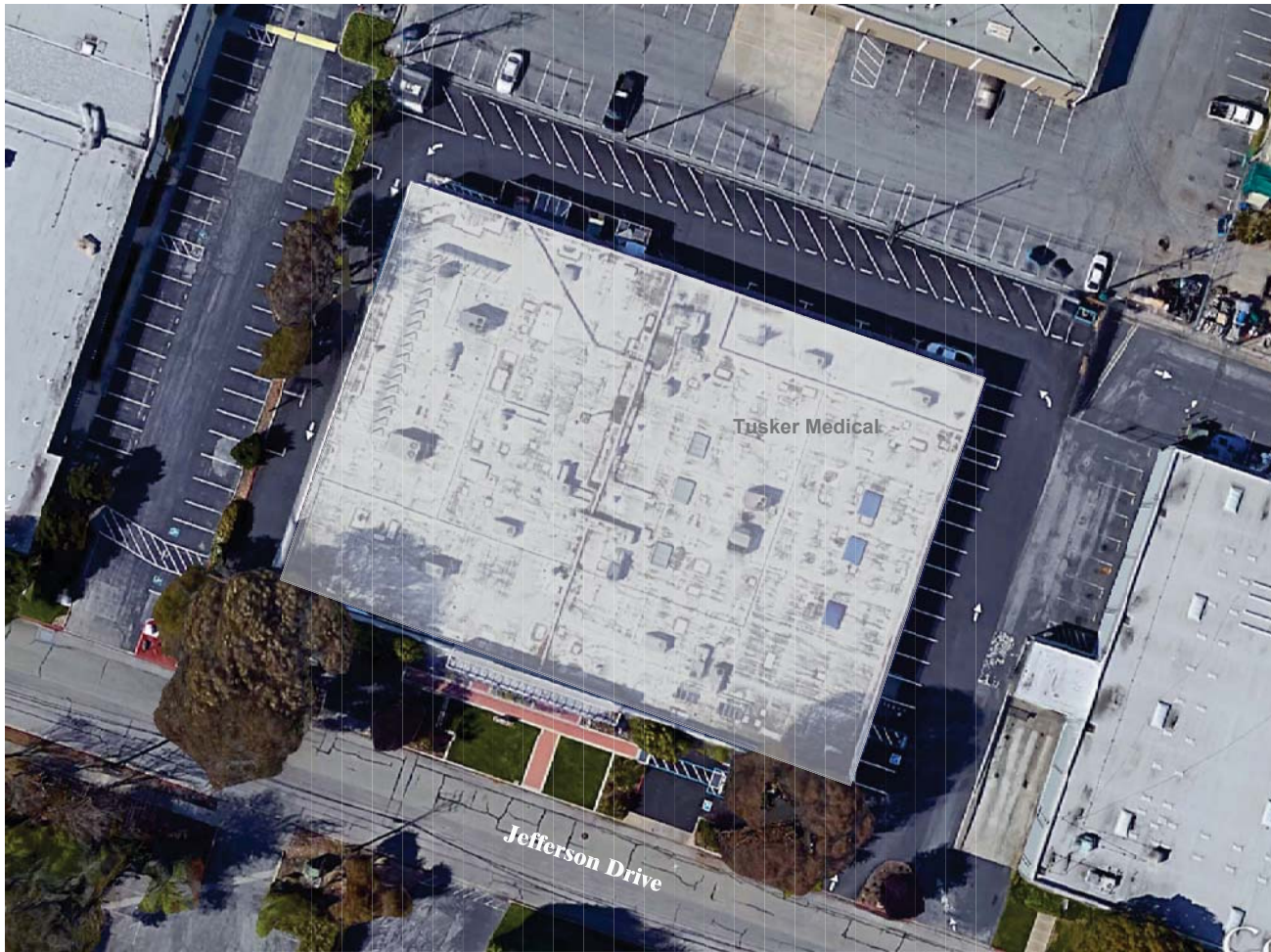


GREG BLUNTON  
 ARCHITECTURE  
 1 3 3 7 0  
 S K Y L I N E  
 BOULEVARD  
 WOODSIDE  
 CALIFORNIA  
 9 4 0 8 2  
 650 851 6834  
 FAX 650 851 6835  
 gblunton@earthlink.net

For Reference Only

A3.4  
 4/24/18  
 Fig 4 of 5





Legend:

**FOR REFERENCE ONLY**



Drawing Name:

ROOF PLAN

Address:

Tusker Medical  
155 Jefferson Drive  
Menlo Park, California

Drawn by: KA

Date: 04/24/18

Scale: Not To Scale

Job # R181261

Figure # Fig 5 of 5

**COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION**

701 Laurel Street  
Menlo Park, CA 94025  
phone: (650) 330-6702  
fax: (650) 327-1653  
planning@menlopark.org  
<http://www.menlopark.org>

**HAZARDOUS MATERIALS INFORMATION FORM**

---

In order to help inform City Staff and the external reviewing agencies, the Planning Division requires the submittal of this form. If the use permit application is approved, applicants are required to submit the necessary forms and obtain the necessary permits from the Menlo Park Fire Protection District, San Mateo County Environmental Health Services Division, West Bay Sanitary District, and other applicable agencies. Please complete this form and attach additional sheets as necessary.

1. List the types of hazardous materials by California Fire Code (CFC) classifications. This list must be consistent with the proposed Hazardous Materials Inventory Statement (HMIS), sometimes referred to as a Chemical Inventory. (The HMIS is a separate submittal.)
2. Describe how hazardous materials are handled, stored and monitored to prevent or minimize a spill or release from occurring (e.g., secondary containment, segregation of incompatibles, daily visual monitoring, and flammable storage cabinets).
3. Identify the largest container of chemical waste proposed to be stored at the site. Please identify whether the waste is liquid or solid form, and general safeguards that are used to reduce leaks and spills.

4. Please explain how hazardous waste will be removed from the site (i.e. licensed haulers, or specially trained personnel).
  
5. Describe employee training as it pertains to the following:
  - a. Safe handling and management of hazardous materials or wastes;
  - b. Notification and evacuation of facility personnel and visitors;
  - c. Notification of local emergency responders and other agencies;
  - d. Use and maintenance of emergency response equipment;
  - e. Implementation of emergency response procedures; and
  - f. Underground Storage Tank (UST) monitoring and release response procedures.
  
6. Describe documentation and record keeping procedures for training activities.
  
7. Describe procedures for notifying onsite emergency response personnel and outside agencies (e.g. Fire, Health, Sanitary Agency-Treatment Plant, Police, State Office of Emergency Services "OES") needed during hazardous materials emergencies.
  
8. Describe procedures for immediate inspection, isolation, and shutdown of equipment or systems that may be involved in a hazardous materials release or threatened release.
  
9. Identify the nearest hospital or urgent care center expected to be used during an emergency.

Chemical	Primary Hazard	Secondary Hazard	S,L,G	Initial Storage Qty	3 Year Projected Qty	Largest Container	Qty in Use
Loctite Adhesives	Comb II		L	1 lb	5 lb	0.5 lb	
Misc adhesives, epoxies, etc.	Comb II		L	5 gal	10 gal	1 gal	
WD-40	Comb II		L	1 gal	5 gal	1 gal	
Misc oils/cutting fluids	Comb II		L	3 gal	10 gal	1 gal	
<b>Total Combustible II</b>					<b>26 gal</b>		
Bleach	Corrosive		L	2 gal	20 gal	1 gal	5 gal
Virex 128 disinfectant	Corrosive		L	2 gal	20 gal	1 gal	5 gal
Sodium hydroxide	Corrosive	toxic, WR1	L	0.5 gal	2 gal	1 L	1 gal
Hydrochloric acid	Corrosive		L	1 gal	4 gal	1 L	1 gal
Waste corrosives	Corrosive		L	1 gal	5 gal	5 gal	5 gal
<b>Total Corrosives</b>					<b>51 gal</b>		
Acetone	Flam IB		L	1 gal	2 gal	4 L	1 gal
Alcohol	Flam IB		L	4 gal	8 gal	4 L	1 gal
Ethanol (Ethyl alcohol)	Flam IB		L	0	2 gal	1 L	1 gal
Ethyl acetate	Flam IB		L	1 gal	2 gal	100 ml	0.5 gal
Isopropyl Alcohol	Flam IB		L	9 gal	64 gal	4 L	10 gal
Glass cleaner	Flam IB		L	1 gal	10 gal	1 gal	5 gal
Tetrahydrofuran (Omnisolv)	Flam IB		L	1 gal	2 gal	4L	1 gal
Solvent wastes	Flam IB		L	1 gal	5 gal	5 gal	5 gal
<b>Total Flammable IB</b>					<b>95 gal</b>		
Dimethyl Sulfoxide	Comb IIIA		L	1 gal	2 gal	1L	1 gal
<b>Total Combustible IIIA</b>					<b>2 gal</b>		
Lidocaine	toxic		L	0.25 gal	0.5 gal	10 ml	< 1 gal
waste toxics	toxic			1 gal	2 gal	1 gal	< 1 gal
<b>Total Toxics</b>					<b>2.5 gal</b>		
Sodium azide	Highly toxic	UR3	L	0.25 gal	0.5 gal	1 L	0.25 gal
<b>Total Highly Toxics</b>					<b>0.5 gal</b>		

***For reference only-no changes to inventory are requested***



**DEVELOPMENT SERVICES  
PLANNING DIVISION**  
**Contact: Tom Smith (650) 330-6730 or**  
**tasmith@menlopark.org**  
 701 Laurel Street  
 Menlo Park, CA 94025  
 PHONE (650) 330-6702  
 FAX (650) 327-1653

**AGENCY REFERRAL FORM**  
**RETURN DUE DATE: Monday, June 11, 2018**

DATE: May 29, 2018

**TO: MENLO PARK FIRE PROTECTION DISTRICT**  
 Jon Johnston  
 170 Middlefield Road  
 Menlo Park, CA 94025  
 (650) 323-2407

<b>Applicant</b>	Tusker Medical
<b>Applicant's Address</b>	155 Jefferson Drive, Ste. 200, Menlo Park, CA 94025 (email: <a href="mailto:egoldfarb@tuskermed.com">egoldfarb@tuskermed.com</a> )
<b>Telephone/FAX</b>	(650) 223-6900
<b>Contact Person</b>	Ellen Ackerman (email: <a href="mailto:ellen@greenenvironment.com">ellen@greenenvironment.com</a> ; phone: (650) 508-8018)
<b>Business Name</b>	Tusker Medical
<b>Type of Business</b>	Request for a use permit revision to expand the usable gross floor area in which previously approved quantities and classes of hazardous materials would be used, all within an existing building on a lot in the R-MU-B (Residential, Mixed-Use, Bonus) zoning district. There would be no changes to previously approved quantities or classes of hazardous materials on the site as part of the project. Tusker Medical develops devices and treatments to assist patients with ear, nose, and throat medical issues.
<b>Project Address</b>	155 Jefferson Drive, Ste. 200, Menlo Park, CA 94025

**FOR OFFICE USE ONLY**

- The hazardous materials listed are not of sufficient quantity to require approval by this agency.
- The Fire District has reviewed the applicant's plans and use of listed hazardous materials/chemicals and has found the proposal to be in compliance with all applicable Fire Codes.
- The Fire District has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures to be made a part of the City's Administrative Permit approval (please list the suggested conditions and mitigation measures).

The applicant's proposal has been reviewed by the Menlo Park Fire Protection District by:

<b>Signature/Date</b> <i>Gordon Simpson</i> 6-26-18	<b>Name/Title (printed)</b> Gordon Simpson HAZ MAT CONSULTANT
--	---

**Comments:** PROJECT PRESENTS NO EXTRAORDINARY HAZARDS. APPLICANT WILL CONTINUE TO BE SUBJECT TO ONGOING ANNUAL FIRE DISTRICT INSPECTION AND PERMIT REQUIREMENTS



**DEVELOPMENT SERVICES  
PLANNING DIVISION**  
 Contact: Tom Smith (650) 330-6730 or  
[tasmith@menlopark.org](mailto:tasmith@menlopark.org)  
 701 Laurel Street  
 Menlo Park, CA 94025  
 PHONE (650) 330-6702  
 FAX (650) 327-1653

**AGENCY REFERRAL FORM  
RETURN DUE DATE: Monday, June 11, 2018**

DATE: May 29, 2018

**TO: CITY OF MENLO PARK BUILDING DIVISION**  
 701 Laurel Street  
 Menlo Park, CA 94025  
 (650) 330-6704

<b>Applicant</b>	Tusker Medical
<b>Applicant's Address</b>	155 Jefferson Drive, Ste. 200, Menlo Park, CA 94025 (email: <a href="mailto:egoldfarb@tuskermed.com">egoldfarb@tuskermed.com</a> )
<b>Telephone/FAX</b>	(650) 223-6900
<b>Contact Person</b>	Ellen Ackerman (email: <a href="mailto:ellen@greenenvironment.com">ellen@greenenvironment.com</a> ; phone: (650) 508-8018)
<b>Business Name</b>	Tusker Medical
<b>Type of Business</b>	Request for a use permit revision to expand the usable gross floor area in which previously approved quantities and classes of hazardous materials would be used, all within an existing building on a lot in the R-MU-B (Residential, Mixed-Use, Bonus) zoning district. There would be no changes to previously approved quantities or classes of hazardous materials on the site as part of the project. Tusker Medical develops devices and treatments to assist patients with ear, nose, and throat medical issues.
<b>Project Address</b>	155 Jefferson Drive, Ste. 200, Menlo Park, CA 94025
<b>FOR OFFICE USE ONLY</b>	
<input type="checkbox"/> The hazardous materials listed are not of sufficient quantity to require approval by this Division. <input checked="" type="checkbox"/> The Building Division has reviewed the applicant's plans and listed hazardous materials/chemicals and has found that the proposal meets all applicable California Building Code requirements. <input type="checkbox"/> The Building Division has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures to be made a part of the City's Administrative Permit approval (please list the suggested conditions and mitigation measures).	
The applicant's proposal has been reviewed by the City of Menlo Park's Building Division by:	
<b>Signature/Date</b> <i>Ron LaFrance 6/14/18</i>	<b>Name/Title (printed)</b> Ron LaFrance, Building Official
<b>Comments:</b>	

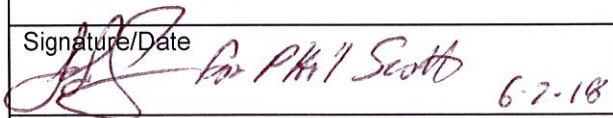


**DEVELOPMENT SERVICES  
PLANNING DIVISION**  
 Contact: Tom Smith (650) 330-6730 or  
 tasmith@menlopark.org  
 701 Laurel Street  
 Menlo Park, CA 94025  
 PHONE (650) 330-6702  
 FAX (650) 327-1653

**AGENCY REFERRAL FORM**  
**RETURN DUE DATE: Monday, June 11, 2018**

DATE: May 29, 2018

**TO: WEST BAY SANITARY DISTRICT**  
 John Simonetti  
 500 Laurel Street  
 Menlo Park, CA 94025  
 (650) 321-0384

<b>Applicant</b>	Tusker Medical
<b>Applicant's Address</b>	155 Jefferson Drive, Ste. 200, Menlo Park, CA 94025 (email: <a href="mailto:egoldfarb@tuskermed.com">egoldfarb@tuskermed.com</a> )
<b>Telephone/FAX</b>	(650) 223-6900
<b>Contact Person</b>	Ellen Ackerman (email: <a href="mailto:ellen@greenenvironment.com">ellen@greenenvironment.com</a> ; phone: (650) 508-8018)
<b>Business Name</b>	Tusker Medical
<b>Type of Business</b>	Request for a use permit revision to expand the usable gross floor area in which previously approved quantities and classes of hazardous materials would be used, all within an existing building on a lot in the R-MU-B (Residential, Mixed-Use, Bonus) zoning district. There would be no changes to previously approved quantities or classes of hazardous materials on the site as part of the project. Tusker Medical develops devices and treatments to assist patients with ear, nose, and throat medical issues.
<b>Project Address</b>	155 Jefferson Drive, Ste. 200, Menlo Park, CA 94025
<b>FOR OFFICE USE ONLY</b>	
<input type="checkbox"/> The hazardous materials listed are not of sufficient quantity to require approval by this agency. <input checked="" type="checkbox"/> The Sanitary District has reviewed the applicant's proposed plans and use of listed hazardous materials/chemicals and has found that the proposal meets all applicable Code requirements. <input type="checkbox"/> The Sanitary District has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures to be made a part of the City's Administrative Permit approval (please list the suggested conditions and mitigation measures).	
The applicant's proposal has been reviewed by the West Bay Sanitary District by: <u>Jed Beyer</u> Inspector	
Signature/Date  6-7-18	Name/Title (printed) Phil Scott, District Manager
Comments:	



**DEVELOPMENT SERVICES  
PLANNING DIVISION**  
 Contact: Tom Smith (650) 330-6730 or  
 tasmith@menlopark.org  
 701 Laurel Street  
 Menlo Park, CA 94025  
 PHONE (650) 330-6702  
 FAX (650) 327-1653

**AGENCY REFERRAL FORM**  
**RETURN DUE DATE: Monday, June 11, 2018**

DATE: May 29, 2018

**TO: SAN MATEO COUNTY ENVIRONMENTAL HEALTH SERVICES DIVISION**  
 Amy DeMasi, Hazardous Materials Specialist  
 San Mateo County Environmental Health  
 2000 Alameda de las Pulgas, Suite 100  
 San Mateo, CA 94403  
 (650) 372-6235

<b>Applicant</b>	Tusker Medical
<b>Applicant's Address</b>	155 Jefferson Drive, Ste. 200, Menlo Park, CA 94025 (email: <a href="mailto:egoldfarb@tuskermed.com">egoldfarb@tuskermed.com</a> )
<b>Telephone/FAX</b>	(650) 223-6900
<b>Contact Person</b>	Ellen Ackerman (email: <a href="mailto:ellen@greenenvironment.com">ellen@greenenvironment.com</a> ; phone: (650) 508-8018)
<b>Business Name</b>	Tusker Medical
<b>Type of Business</b>	Request for a use permit revision to expand the usable gross floor area in which previously approved quantities and classes of hazardous materials would be used, all within an existing building on a lot in the R-MU-B (Residential, Mixed-Use, Bonus) zoning district. There would be no changes to previously approved quantities or classes of hazardous materials on the site as part of the project. Tusker Medical develops devices and treatments to assist patients with ear, nose, and throat medical issues.
<b>Project Address</b>	155 Jefferson Drive, Ste. 200, Menlo Park, CA 94025
<b>FOR OFFICE USE ONLY</b>	
<input type="checkbox"/> The hazardous materials listed are not of sufficient quantity to require approval by this agency. <input checked="" type="checkbox"/> The Health Department has reviewed the applicant's plans and use of listed hazardous materials/chemicals and has found the proposal to be in compliance with all applicable Codes. <input type="checkbox"/> The Health Department has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures to be made a part of the City's Administrative Permit approval (please list the suggested conditions and mitigation measures). The Health Department will inspect the facility once it is in operation to assure compliance with applicable laws and regulations.	
The applicant's proposal has been reviewed by the San Mateo County Environmental Health Services Division by:	
Signature/Date	Amy E DeMasi <small>Digitally signed by Amy E DeMasi          DN: cn=Amy E DeMasi, o=San Mateo County, ou=Environmental Health,          email=ademasi@smcgov.org, c=US          Date: 2018.05.31 10:34:40 -0700</small>
Name/Title (printed)	Haz Mat Specialist
Comments: Facility is currently regulated by SMC Env Health. No changes are required as a result of this use permit revision.	