

## **REGULAR MEETING AGENDA**

Date:5/6/2019Time:7:00 p.m.City Council Chambers701 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. Architectural Control/Gordon Bell/812 Willow Road:

Request for architectural control to increase the height and width of an architectural feature on an existing commercial structure located in the C-4 (General Commercial) zoning district. The architectural modification is being proposed as part of an upgrade to an existing cellular antenna system. (Staff Report #19-032-PC)

## F. Public Hearing

- F1. Use Permit/Erica Hsu/510 Olive Street: Request for a use permit to demolish an existing single-family residence and construct a new twostory single-family residence on a substandard lot with respect to lot width in the R-1-S (Single Family Suburban Residential) zoning district. *Continued by the Planning Commission at the March 11, 2019 meeting*. (Staff Report #19-033-PC)
- F2. Use Permit/Chris Dolan/119 Baywood Avenue: Request for a use permit to demolish an existing single-family residence and a detached garage and construct a new two-story single-family residence with either an attached front-loading one-car

garage and adjacent uncovered space at the front or a detached side-loading one-car garage and adjacent uncovered space at the rear on a substandard lot with respect to lot area and width in the R-1-U (Single-Family Urban Residential) zoning district. Two heritage-size tree of heaven trees are proposed for removal. *Continued by the Planning Commission at the November 5, 2018 meeting* (Staff Report #19-034-PC)

F3. Architectural Control/Use Permit/Major Subdivision and Below Market Rate Housing Agreement/Florence Lane Ventures LLC/975 Florence Lane: Request for a major subdivision to create eight condominium units by converting six existing residential dwelling units and constructing two new units on one parcel in the R-3 (Apartment) zoning district. The applicant is also requesting architectural control for the construction of the two new units and other exterior work, and a use permit for work on an existing legal nonconforming structure that exceeds 50 percent of the value of the existing structure. The application is being submitted subject to the State Density Bonus Law, Government Code Section 65915 and relevant amendments, which permits exceptions to the City's Zoning Ordinance requirements. One below market rate unit is proposed for a moderate income household. The project also includes the removal of one heritage-size Japanese maple tree. The Planning Commission will serve as a recommending body and the City Council will be the final decision making body and take action on the proposed project at a future meeting date. (Staff Report #19-035-PC)

## G. Regular Business

G1. Review of Determination of Substantial Conformance/556 SC Partners LLC/556-558 Santa Cruz Avenue:

Request for a substantial conformance memo for modifications to a previously approved mixed-use development in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The proposal includes minor modifications to the approved gross floor area as well as exterior modifications to all elevations. (Attachment)

G2. Selection of Planning Commission Chair and Vice Chair for May 2019 through April 2020. (Staff Report #18-036-PC)

## H. Informational Items

- H1. Future Planning Commission Meeting Schedule The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.
  - Regular Meeting: May 20, 2019
  - Regular Meeting: June 3, 2019
  - Regular Meeting: June 24, 2019

## I. Adjournment

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at www.menlopark.org and can receive e-mail notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting the Planning Division at 650-330-6702. (Posted: 05/01/2019)

#### Agenda Page 3

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.

# **Community Development**



## STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

5/6/2019 19-032-PC

**Consent Calendar:** 

Architectural Control/Gordon Bell/812 Willow Road

## Recommendation

Staff recommends that the Planning Commission approve the architectural control request to modify the fin projection of an existing commercial building in the C-4 (General Commercial) zoning district. The proposal consists of attaching a "stealth structure" to the existing architectural fin in order to screen new wireless communication infrastructure. The stealth structure would increase the overall height of the building and widen the existing fin. The recommended actions are included as Attachment A.

### **Policy Issues**

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

### Background

#### Site location

The subject property is located at 812 Willow Road. Using Willow Road as the north-south orientation, the property is located on the northeast corner of the Willow Road and Durham Street intersection. The property is located in the C-4 (General Commercial) district and borders other C-4 parcels along the Willow Road corridor to the north and south. Parcels in the R-1-U (Single Family Urban Residential) district border the property to the east, and the Veterans Affairs hospital is located to the west, across Willow Road. The property consists of the El Rancho Market, and is part of a strip mall development, built in 1950, consisting of a mixture of personal service and restaurant businesses. A location map is included as Attachment B.

The site contains an existing wireless communication facility, located on the existing fin feature. Under federal law, upgrades to existing cellular infrastructure are exempt from discretionary review. However, the proposed fin screening requires Planning Commission review of architectural control.

#### Analysis

#### **Project description**

The property has an existing architectural fin on the front façade that projects towards Willow Road. As part of a proposed upgrade to the existing wireless communications equipment, the applicant is requesting to make exterior modifications to the fin, affecting the front façade. As part of the project, the applicant would remove two existing antennas, relocate two additional existing antennas, and add new equipment

associated with the wireless infrastructure upgrade. In order to screen the new and relocated equipment, the applicant proposes to construct a "stealth structure" attached to the existing fin. The modifications to the fin would result in an increase in height of the overall development and an increase to the width of the projection. The maximum permitted height in the C-4 District is 30 feet. Construction of the stealth structure would increase the height of the building from 25 feet, two inches, excluding the height of the existing antennas, to 29 feet, two inches. The applicant also proposes to upgrade existing equipment in the rear of the building, however all new equipment would be located in the existing equipment enclosure, resulting in no change in appearance of the rear. The proposed equipment would also be required to comply with the City's Noise Ordinance.

## Design and materials

The proposed changes to the fin along the front façade would include the following:

- Increase in height of the structure by four feet;
- Increase in width of the fin by one foot, one inch;
- Remove two existing cellular antennas; and
- Relocate two existing cellular antennas and add additional equipment within the stealth structure.

The proposed stealth structure is designed to blend in with the existing fin in order to reduce the visual impact of the new cellular equipment while maintaining the architectural integrity of the 1950s style projection. The stealth structure would be constructed of fiberglass-reinforced plastic (FRP) which mimics the texture of the existing stucco fin. The stealth structure would be painted to match the existing beige building color and would maintain the angles of the fin's current design. With the new and relocated cellular antennas proposed to be housed within the stealth structure, the equipment would no longer be visible from the street.

#### Correspondence

Staff has not received any comment letters on the proposed project.

#### Conclusion

Staff believes that the scale, materials, and proposed design would be compatible with the existing commercial development and surrounding buildings. The proposed design elements would maintain the overall architectural character of the development while improving the screening to existing and proposed cellular equipment, resulting in an overall improvement to the Willow Road streetscape. Staff recommends that the Planning Commission approve the proposed project.

#### Impact on City Resources

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

#### **Environmental Review**

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current

California Environmental Quality Act (CEQA) Guidelines.

## **Public Notice**

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

## **Appeal Period**

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

### Attachments

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

### Disclaimer

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

#### Exhibits to Be Provided at Meeting

None

Report prepared by: Chris Turner, Planning Technician

Report reviewed by: Kyle Perata, Principal Planner THIS PAGE INTENTIONALLY LEFT BLANK

## 812 Willow Road – Attachment A: Recommended Actions

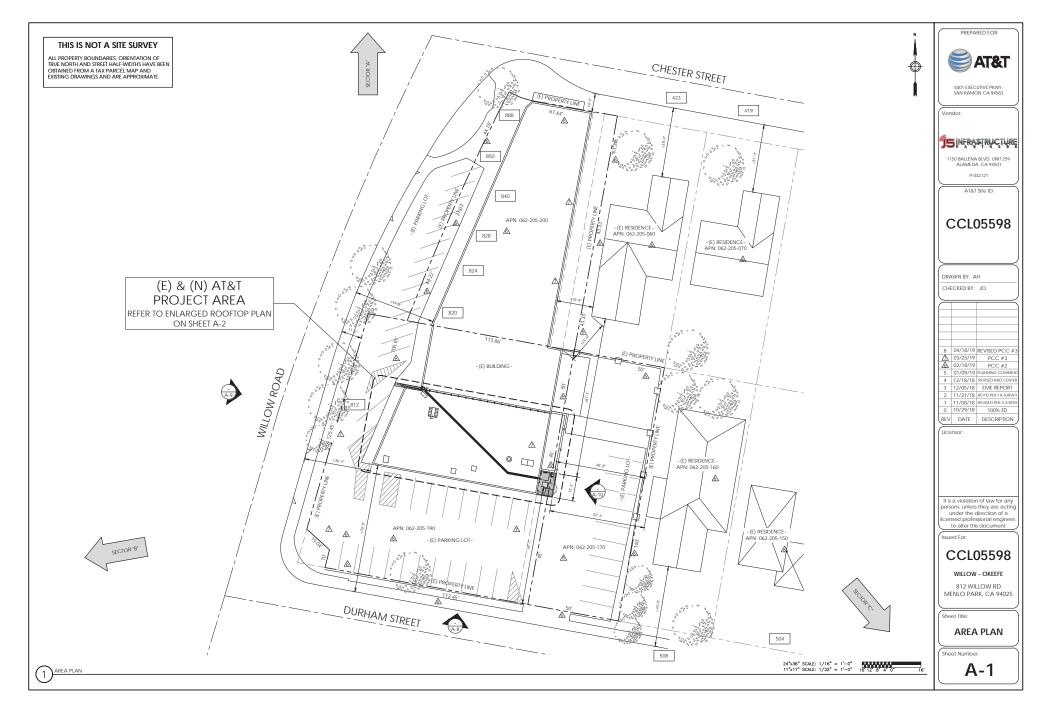
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AC	TION:							
1.					xempt under Clas al Quality Act (CE		tion 15301, "Existing delines.	
2.		he following fir ctural control a		s per Section 16.6	58.020 of the Zoni	ng Ordin	ance, pertaining to	
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	b.	The developm	nent will	not be detrimenta	I to the harmoniou	s and or	derly growth of the City.	
	c.	<li>c. The development will not impair the desirability of investment or occupation in the neighborhood.</li>						
	d.	d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.						
	e.	The property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.						
3. Approve the architectural control subject to the following <i>standard</i> conditions:							ons:	
	a.	Gordon Bell, the Planning	consistin Commiss	g of 14 plan shee sion on May 6, 20	ts, dated received	April 18	with the plans prepared by , 2019, and approved by the conditions contained	
	b.						all Sanitary District, Menlo t are directly applicable to	
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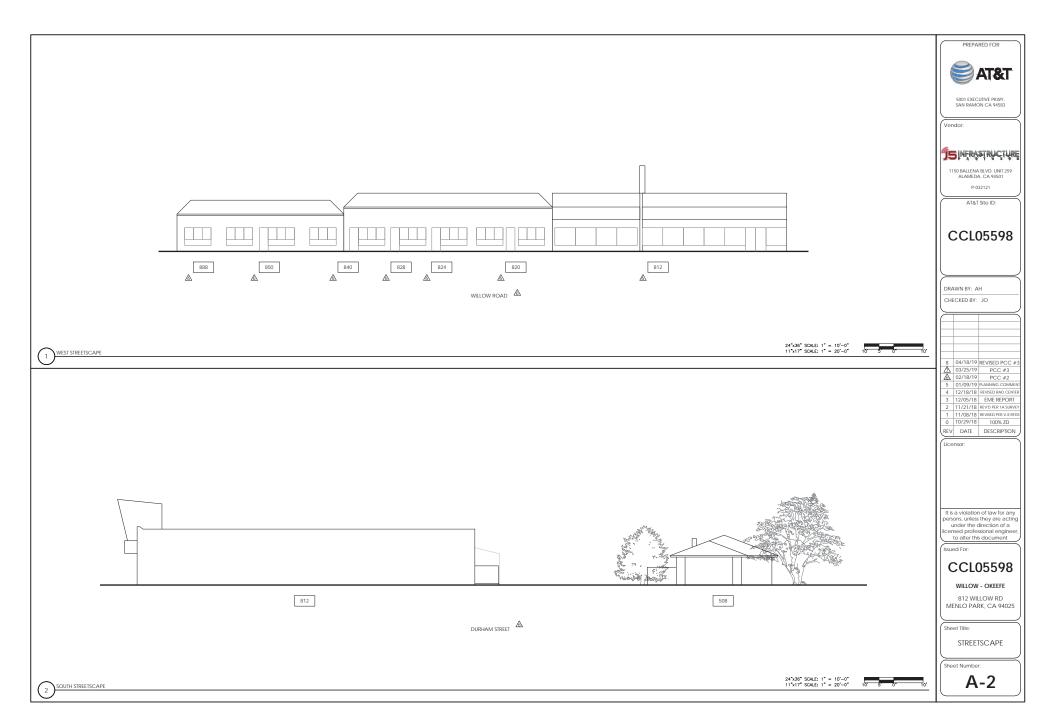
## ATTACHMENT B

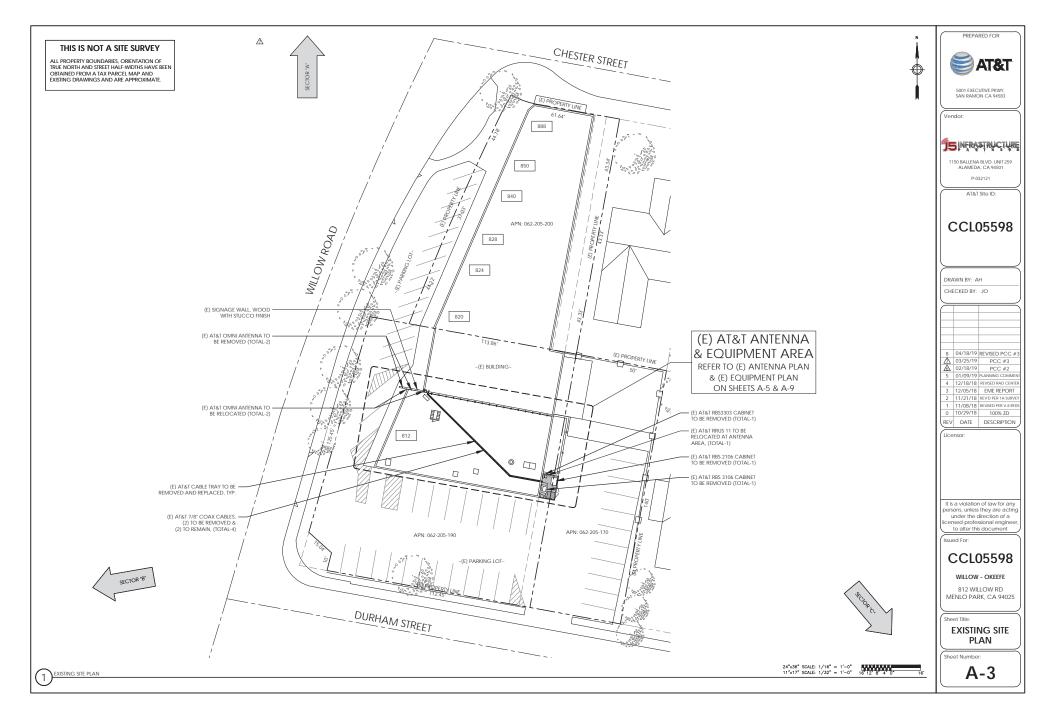


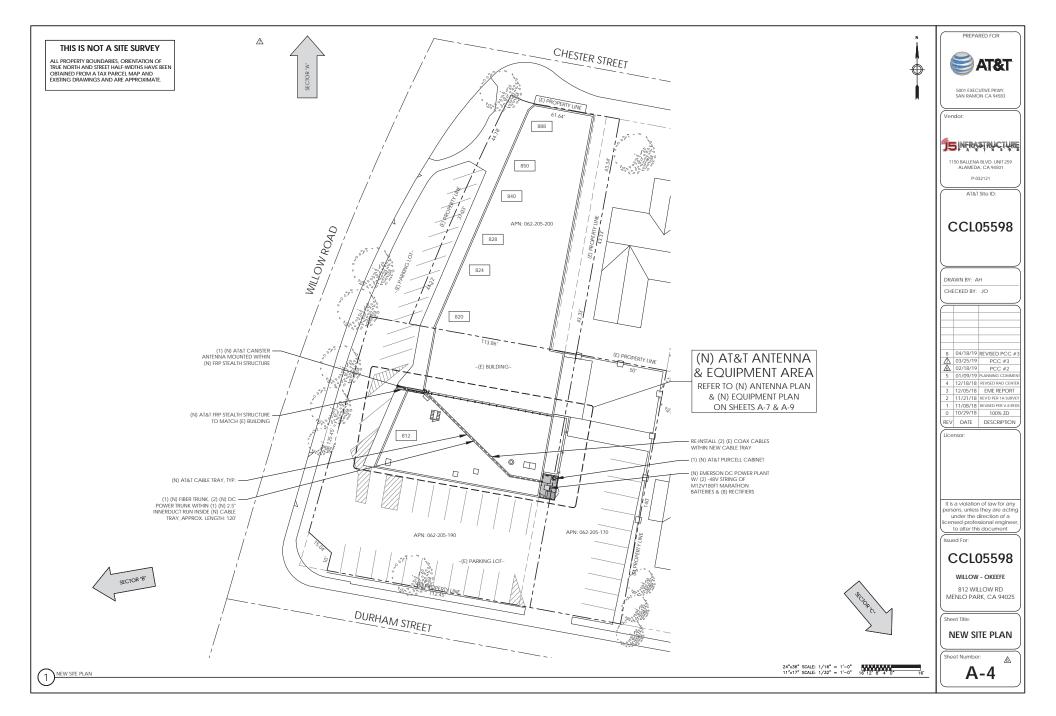
# ATTACHMENT C

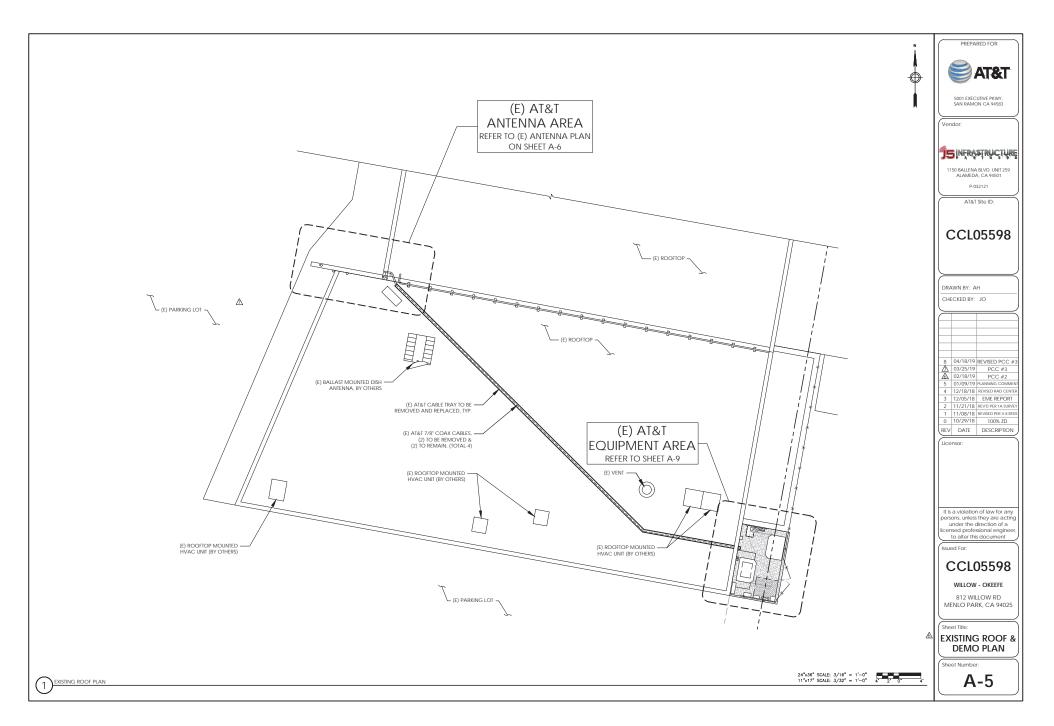
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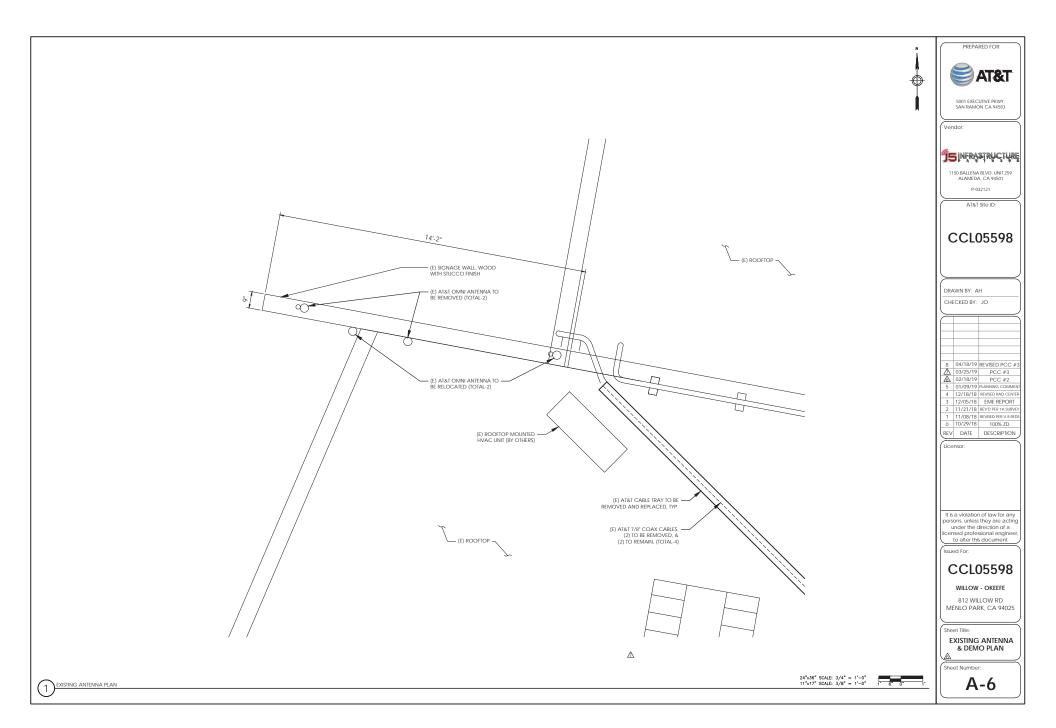


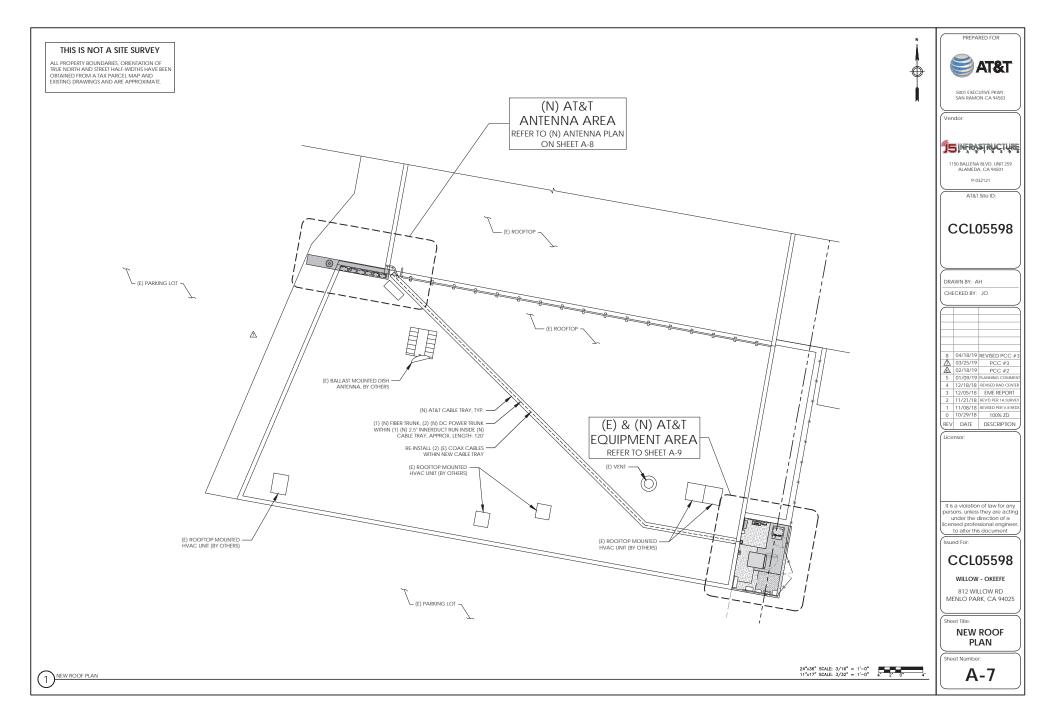


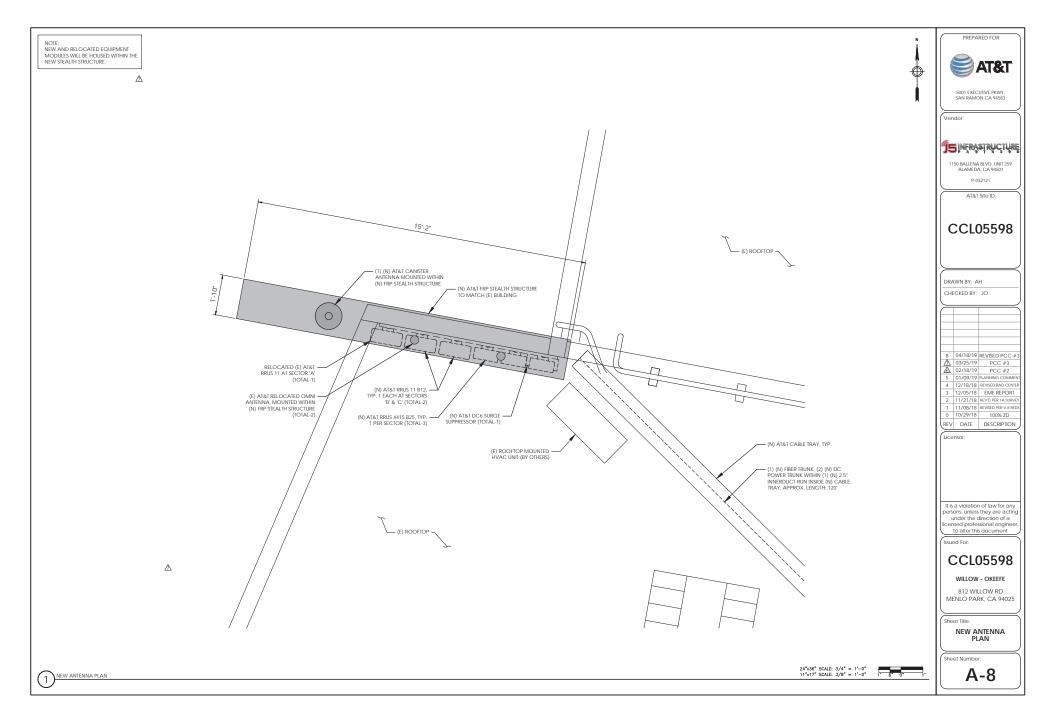


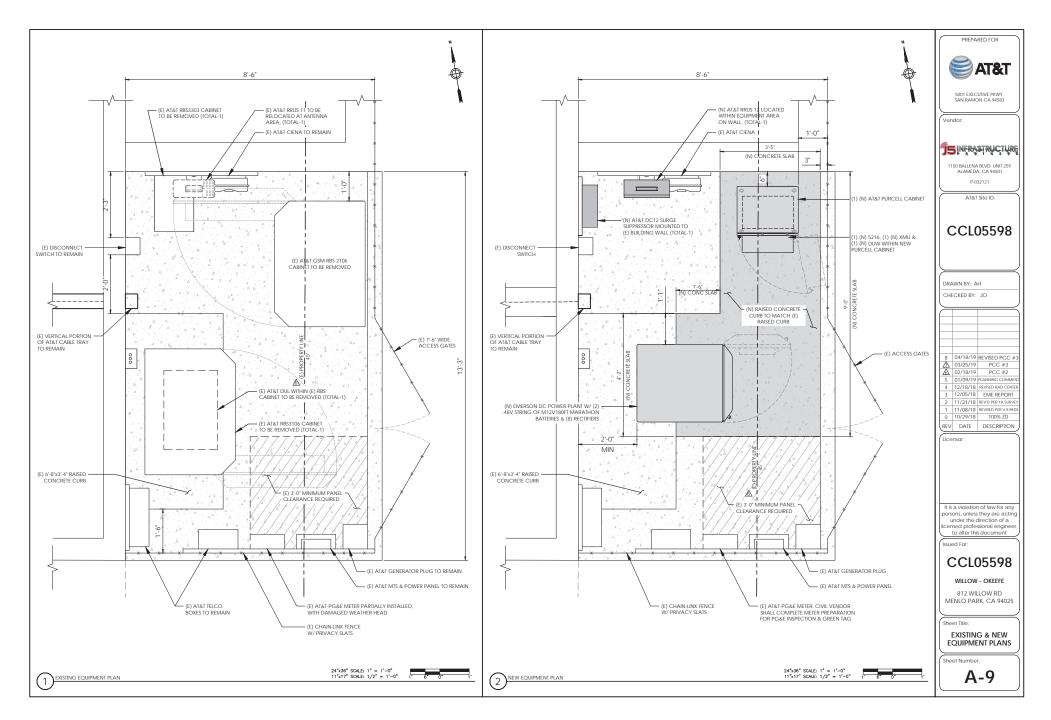


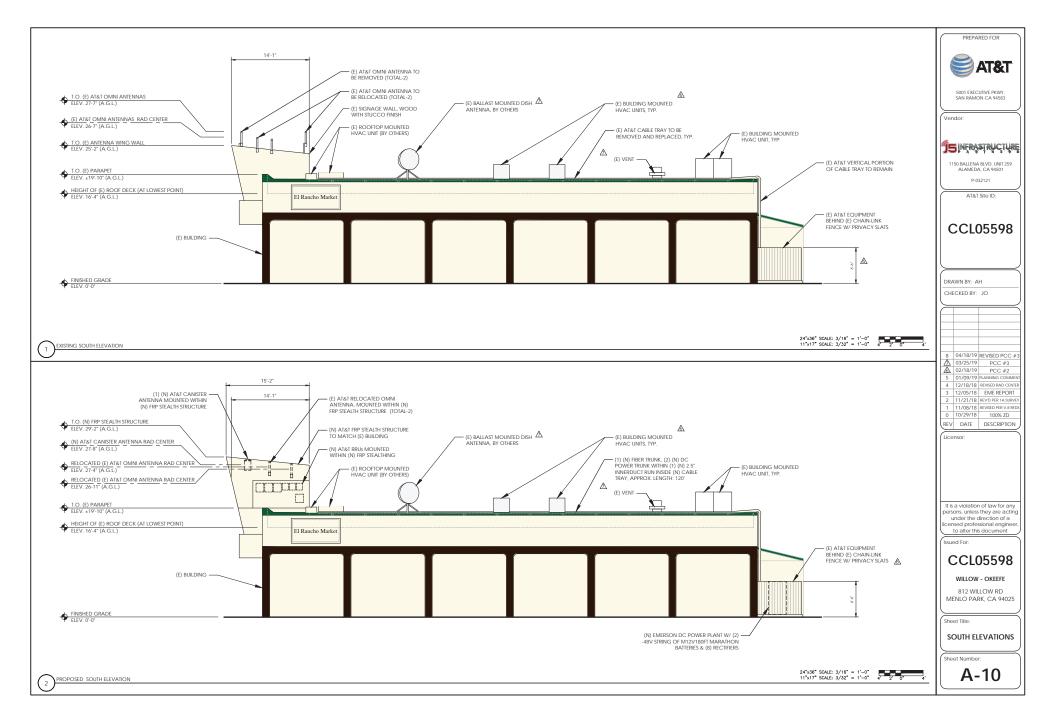


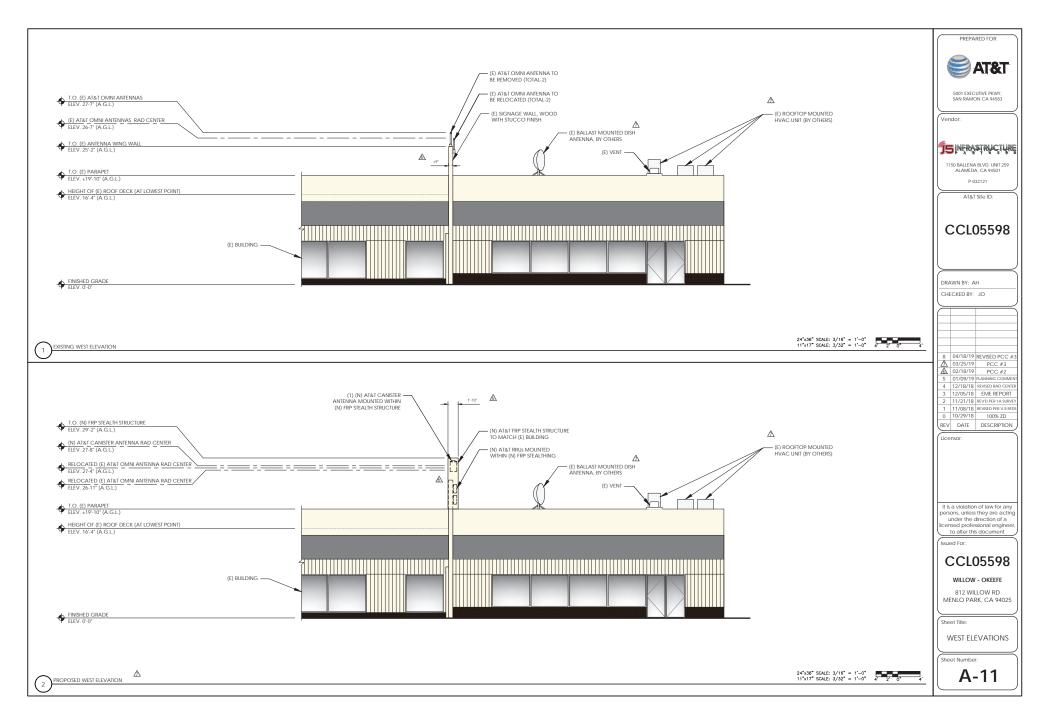


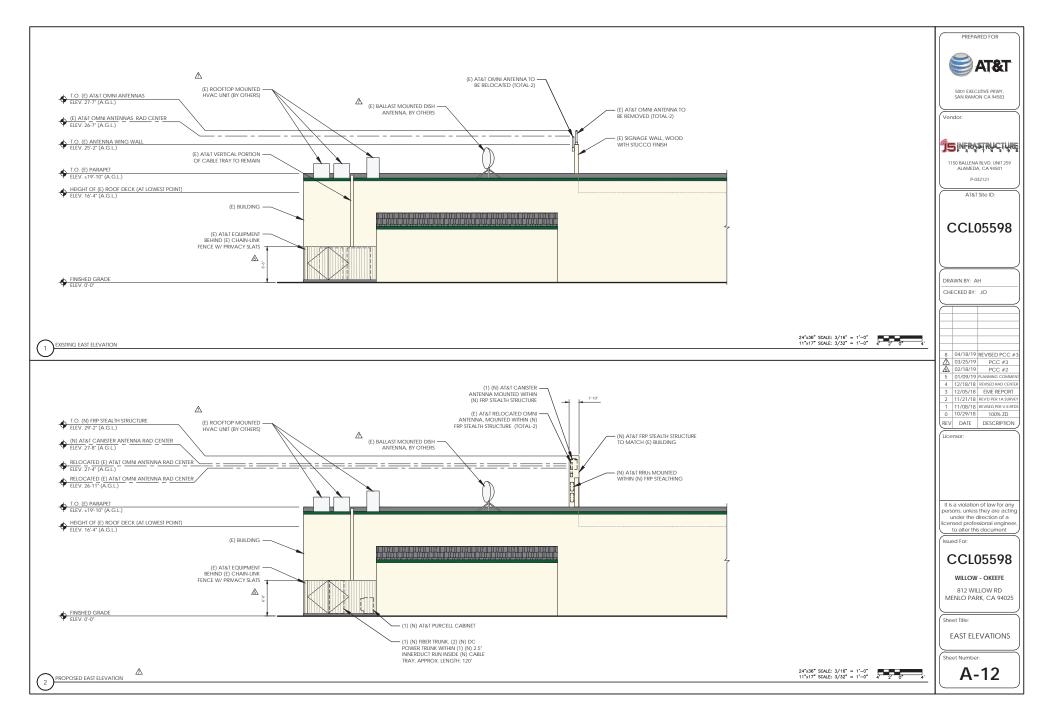














#### AT&T SITE CCL05598 – PROJECT DESCRIPTION/PROJECT NARRATIVE

AT&T is in the process of upgrading its facilities to provide the City and its residents, businesses, and visitors with the most up to date technologies which will allow for enhanced communications services (INCLUDING EMERGENCY SERVICES) through an increase in capacity and speed provided by existing cell sites. To this end, AT&T proposes the following architectural modifications/scope of work to its facility located at 812 Willow Road:

• NEW STEALTH STRUCTURE WILL BE PROPOSED ATOP TRIANGULAR BUILDING FEATURE TO ALLOW FOR STEALTHING OF EXISTING/PROPOSED ANTENNAS AND EQUIPMENT. THE EXISTING STRUCTURE WILL BE INCREASED TO A HEIGHT OF 29'6" TO SCREEN THE EQUIPMENT AS SHOWN ON THE ATTACHED PLANS.

# **Community Development**



## STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

5/6/2019 19-034-PC

Public Hearing:

Use Permit/Chris Dolan/119 Baywood Avenue

## Recommendation

Staff recommends that the Planning Commission approve a use permit to demolish an existing singlefamily residence and a detached garage and construct a new two-story single-family residence with an attached front-loading one-car garage and adjacent uncovered space on a substandard lot with respect to lot area and width in the R-1-U (Single-Family Urban Residential) zoning district. A second site layout (Option 2) with a detached garage located in the rear portion of the lot was incorporated into the plan set for evaluation by the Planning Commission. Through staff's review it was determined, however, that the proposed model of the pre-fabricated main residence would limit the ability of the main residence to comply with all City requirements. Each site layout is evaluated in the report. Two heritage-size tree of heaven trees are proposed for removal. The proposal was continued by the Planning Commission at the November 5, 2018 meeting. 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 119 Baywood Avenue in the Willows neighborhood, near the border with Palo Alto along San Francisquito Creek. Using Baywood Avenue in the north-south orientation, the subject property is located on the western side of Baywood Avenue, situated between Clover Lane to the north and Woodland Avenue to the south. A location map is included as Attachment B.

There are a mix of one- and two-story houses in this area. The adjacent residence to the right is twostories with a detached garage. The residences are mainly ranch or traditional architectural styles, and the neighborhood features predominantly single-family residences in the R-1-U zoning district, apart from the Willows Market at 60 Middlefield Road and the recently approved office building at 40 Middlefield Road which are in the C-4 (General Commercial) zoning district. There are other commercial uses, closer to the intersection of Willow and Middlefield Roads nearby, which are also occupied by office uses.

#### Continuance from the November 5, 2018 Planning Commission meeting

The Planning Commission voted 4-3 to continue the item at the meeting on November 5, 2018. At that

meeting the Commission did not give formal direction to make specific changes, however individual Planning Commissioners commented that the prominence of the garage and the massing of the building were of the greatest concern. The staff report and minutes from the meeting are available at the following links:

- 1. Staff Report: https://www.menlopark.org/DocumentCenter/View/18906/F1---119-Baywood-Ave?bidId=
- 11/5/2018 Meeting Minutes: https://www.menlopark.org/AgendaCenter/ViewFile/Minutes/\_11052018-3178

The applicant has prepared two options for consideration addressing the feedback received, however the detached garage option does not appear to be able to comply with the daylight plane requirement due to the confluence of the minimum driveway width, daylight plane, design limitations from the specific model of the proposed modular home, and City Engineering Division finished floor requirements relating to FEMA compliance. Staff has listed the concerns raised at the November 5, 2019 Planning Commission meeting and the changes proposed to address them under each of the two proposed options in the table below:

11/5/2018 Planning Commission Feedback	Option 1 (original design attached garage at front)	Option 2 (detached garage at rear – not viable as proposed)	
<ul> <li>Explore options for reducing the perceived massing of the building by:</li> <li>1. Increasing the perceived "weight" of the lower floor by moving up the height of the porch;</li> <li>2. Add awnings/different material elements to soften the front façade; and/or</li> <li>3. Consider reducing the extent of the porch</li> </ul>	<ul> <li>Proposal revisions include:</li> <li>1. Creation of a parapet and a wing wall on the right side at the front of the porch;</li> <li>2. Awning added above the patio doors on right side; and</li> <li>3. Wood siding material added between the second floor windows on the front façade.</li> </ul>	<ul> <li>Proposal revisions include:</li> <li>1. Creation of a parapet and a reduced wing wall on the right side at the front of the porch;</li> <li>2. Wall added to the front of the porch on the left side with cut out opening;</li> <li>3. Awning added above the window at the center of the second floor; and</li> <li>4. Relocation of the garage and uncovered space to the rear of the lot.</li> </ul>	
Contact the nearby neighbors and get sign off from them that they have seen the plans	The applicant held two in- person meetings and had a call to present the revised option 1 to all adjacent neighbors	Option 2 was sent to neighbors by email and dropped off by the applicant	
Revise the garage to: 1. Correct the roof pitch for	Garage revisions include: 1. Updated roof pitches;	Garage revisions include: 1. Updated roof pitches;	

proper drainage 2. Decrease prominence	<ul> <li>and</li> <li>Addition of landscape elements including a vertical trellis on the side of the garage to facilitate a living wall.</li> </ul>	<ol> <li>Relocated and reoriented to be side-loading at the rear of the lot with a turnaround; and</li> <li>Uncovered parking space also moved to the rear of the lot adjacent to the garage.</li> </ol>
Reduce curb cut width from 24ft to 20ft	Curb cut width reduced to 20 ft.	Curb cut width reduced to 14.4 ft.

## Analysis

## **Project description**

The applicant is proposing to demolish the existing single-family residence and detached garage and construct a new two-story factory-built home in a contemporary style with either an attached front-loading single-car garage and adjacent uncovered parking space at the front (Option 1) or a detached side-loading single-car garage and adjacent uncovered space at the rear (Option 2). The applicant has indicated that they would prefer to construct their original design with the modifications made in response to the feedback (Option 1). Staff has evaluated both proposals, and it appears only Option 1 would comply with all applicable development regulations. Though Option 2 would better address the Planning Commission's concerns regarding the prominence of the garage, it is not able to meet the daylight plane, City-adopted finished floor requirements for properties within the flood zone, and minimum driveway width of ten feet with the currently proposed modular design. While the main residence would be factory built, the singlecar garage in either configuration would be constructed at the project site. The subject property is substandard with respect to width and area, is within the FEMA Flood Zone (AE), and is currently occupied by a dilapidated single-story residence with a detached garage on the left side. There is an active Code Enforcement case for the condition of the existing residence that would be resolved by either option of the proposed project. A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

## Design and materials

The project intends to use factory-built construction methods to centralize the construction process to reduce the overall environmental impacts from material waste. The use of this approach limits flexibility to modify the design, but according to the applicant, allows for strides in building efficiency long term and the applicant has indicated the building would meet the US Green Building Council's silver certification levels of LEED (Leadership in Energy Efficiency Design) for Homes. The applicant states that the proposed factory-built residence would incorporate familiar materials and forms from the multitude of styles, colors, and materials along Baywood Avenue and add to the character of the neighborhood and enhance the diversity of residences in the area. The contemporary style would feature flat roofs, a mix of light wood and

dark metal siding, a front covered porch, and deep sun shade overhangs on the front and right side. The garage would feature a flat roof, glass and metal door, and light gray vertical wood siding. The project proposes to raise the finished grade at the site by approximately two feet to bring the first floor finished floor level up to the required 12 inches above Based Flood Elevation (BFE), as mandated by the Engineering Division for livable space within the flood zone. The daylight plane and the maximum allowable height of the building are based on the average natural, or existing, grade. The applicant shifted the position of the building location to comply with the requirements, however under Option 2, flexibility to shift the building location to comply with the daylight plane is limited by the required minimum driveway width of 10 feet. They have indicated that given the modular nature of the proposed design, modifications to the height and width of the structure to comply under Option 2 would not be possible with this model of home.

In response to the Planning Commission concerns about the massing of the structure, an approximately two-foot-seven-inch tall parapet connecting to a full height wing wall at the right has been added at the front of the covered porch to balance the front façade and give the perception of greater weight at the first level. The wing wall to the right of the building would extend four feet from the building. The second floor would still be stacked completely above the first, however the parapet and wing wall would give the appearance that the second floor is stepped back from the edge of the first. As seen in the elevation drawings and renderings of the front façade, this treatment appears to adjust the perceived massing of the structure.

In Option 1 a covered porch connects the garage to the residence. The main entry to the residence would be set back more than forty feet from the front property line and would be situated on the right side of the front façade. The main entry would be accessible from the front porch, which has stairs leading up from the paved area adjacent to the uncovered parking space or through a door leading to the porch from the back of the garage.

As part of Option 1 the garage would be located close to the required setback, but the main residence would be set back approximately five feet further than required from the left side property line. Further, on the left side, three existing trees and an existing 7-foot tall fence would provide screening between the proposed and neighboring residences. The majority of the windows on the sides at the second floor would have sill heights of 42 inches or greater from the finished floor, with the exception of a low fixed window beneath the operable slider at the front corner of the right side. This window aligns with the detached garage of the neighboring property to the right, which would reduce potential privacy impacts for the neighbor to the right. The rear façade also includes windows that extend to the finished floor at the second level but the rear façade of the residence for Option 1 would be set back from the rear property line approximately 49 feet, limiting potential visual impacts from the second level windows. The proposed residence would also include a number of floor to ceiling windows on the ground floor; however, the existing seven-foot high wood fence is proposed to remain, which would reduce the potential privacy impacts from the windows on the first floor.

The applicant has indicated that the proposed project under Option 1 would be positioned on the site to maintain a rhythm consistent with the neighboring property to the right and maximize the useable space in the rear yard. They have provided a number of examples of other projects with a similar, prominent

garage, configuration as part of their "street study" in the project description letter. Approaching from Woodland Avenue, a large heritage redwood tree on the neighboring lot to the left would screen the view of the garage in this configuration, and a new tree and landscaping are proposed in the right side of the front yard to soften the potential visual impact of the garage on the left side. The applicant has also added proposed landscaping around the garage including a vertical trellis on the right side of the garage to facilitate a living wall to soften the garage at the front. Staff does not feel the proposed landscaping addresses the Planning Commission concerns over the prominence of the garage in the same way the site configuration for Option 2 would address the concerns. Staff feels that shifting the parking to the rear of the site reduces potential conflicts between cars existing the site and passers-by. The turnaround further increases pedestrian and traffic safety. However, staff recognizes the applicant would not be able to comply with all applicable regulations with the proposed model of the home and therefore cannot recommend approval of this noncompliant option. The applicant's project description letter states that they evaluated the possibility of reducing the height of the structure by using the minimum height module design, but identify that was infeasible. Staff is aware that alternate home models by the manufacturer could be pursued by the applicant that may comply with the daylight plane and meet all other Zoning Ordinance requirements and City standards.

In light of the efforts made to demonstrate alternatives, and examples of similar development patterns elsewhere in the City, and modest improvements from the additional landscaping staff feels the proposed Option 1 design is supportable.

## Parking and circulation

Under Option 1, the proposed project would provide one covered parking space in a new single-car garage at the front of the lot, and an uncovered parking space adjacent to the garage. The Engineering Division has reviewed and approved the proposed permeable paving system for the uncovered space as an acceptable all-weather surface. In response to concerns raised by the Commission and neighbors regarding the width of the curb cut, the applicant has reduced the proposed curb cut from 24 ft. to 20 ft. With the detached garage and uncovered space in the rear under Option 2, the curb cut would've been further reduced to 14.4 ft.

## Trees and landscaping

The applicant has submitted an updated 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 for both options. In particular, the applicant had the project arborist assess the impacts to the tree and mitigations from the driveway associated with Option 2. As part of the project review the City Arborist identified two of the heritage-size tree of heaven trees (tree #5 and #6) at the rear as an invasive species, and indicated they would be supportive of the removal of these trees due to the proximity of the site to the San Francisquito Creek. The applicant has submitted heritage tree replacements: a Chinese pistache at the front and a camphor at the rear of the site. The proposed replacements have been identified on the site plan. The new Chinese pistache proposed in the front yard is also intended to help soften the prominence of the one car garage and provide some screening for the uncovered space in

Option 1. Two new street trees meeting the specifications of the City Arborist for this portion of Baywood Avenue will be provided along the frontage for the site for either option. The planting of appropriate street trees will be ensured through the inclusion of project specific condition of approval 4a. All recommendations identified in the arborist report shall be implemented and ensured as part of condition 3g.

## Correspondence

The applicant has stated that they held additional meetings with adjacent neighbors following the Planning Commission meeting to discuss the proposed residence, and has indicated that the neighbors have expressed excitement over the redevelopment of the site and echoed concerns raised prior to the first meeting around rodent control at the time of demolition.

Staff received two items of written correspondence on the project since the outreach meeting in March, and then three additional pieces of correspondence following the applicant's outreach to distribute Option 2 for feedback. The applicant sent the proposed Option 2 design by email and dropped off copies to the neighbors whom hadn't provided email addresses. One neighbor, at 111 Baywood Avenue indicated they attended the meeting and expressed support for the project relative to the existing condition. They later commented with concerns regarding car noise and air quality from the revised garage location in Option 2. Another neighbor, across the street at 118 Baywood Avenue also attended the meeting but had concerns about the contemporary style of the residence and the garage location. The neighbor across the street at 118 Baywood Avenue expressed support for the alternate design with the garage at the rear. Staff also received correspondence from the neighbor at 105 Clover Lane following the distribution of Option 2, expressing concern over the car activity in the rear proposed under Option 2 and support for the initial design. The written correspondence received since the first Planning Commission meeting is included as Attachment G. Earlier correspondence can be viewed as an attachment to the 11/5/2018 staff report at the link above.

## Conclusion

Staff believes that the materials and style of the proposed residence under Option 1 or Option 2 would be an improvement to the current site. Though the contemporary style would be dissimilar to many architectural styles within the neighborhood, the quality of the proposed project would add to the diverse character of the area. Staff believes that the factory-built construction process would provide valuable benefits in reducing the environment impacts from the material waste associated with typical construction methods. The proposed materials would be in keeping with the contemporary style and the proposed project would be holistically designed within the contemporary architectural style. Based on the presence of some onsite trees and the positioning of windows on the second floor, privacy impacts would be limited. The applicant has indicated that concerns raised over vermin at the project site would be addressed prior to demolition to reduce potential impacts to the neighboring properties. As it relates to the Planning Commission's feedback from the November 5 meeting, the applicant has adjusted the massing of the structure with the proposed parapet and wing wall, reduced the curb cut width, and conducted extensive additional outreach to the neighbors. Given the limited degree to which Option 1 addressed the prominence of the garage, staff feels Option 2 most completely addresses the comments however due to the fact that is does not comply with the daylight plane requirements for the site with the current modular

design it is not viable. In recognition of the modifications to address the concerns of the Commission and exploration of options to address the prominence of the garage staff recommends that the Planning Commission approve the proposed project under Option 1.

## Impact on City Resources

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

## **Environmental Review**

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

## **Public Notice**

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

## **Appeal Period**

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

## Attachments

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

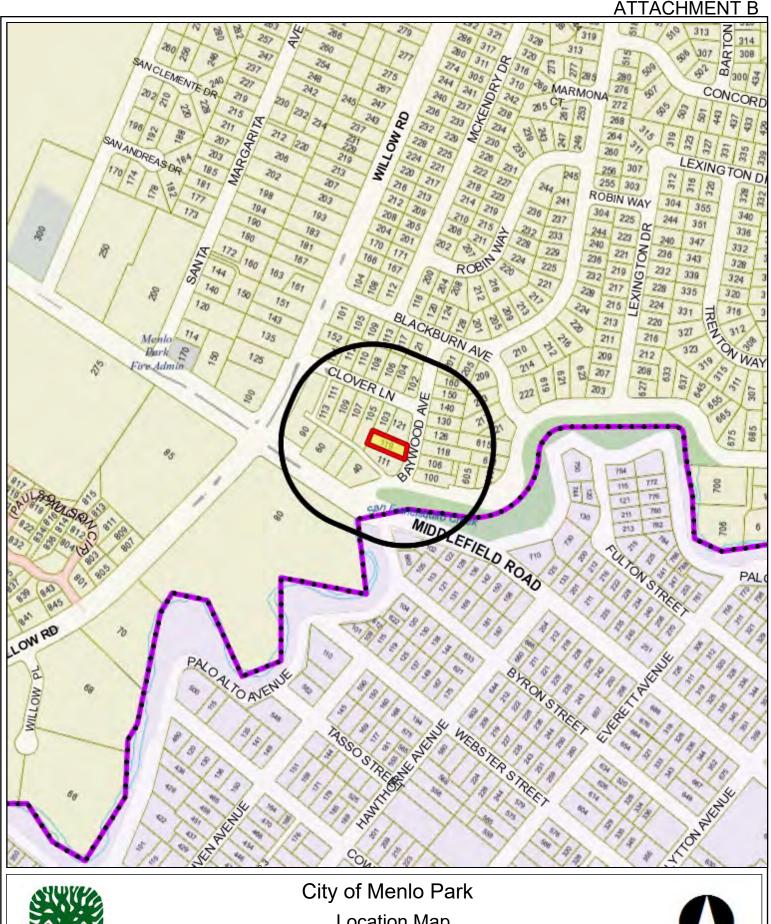
Report prepared by: Ori Paz, Assistant Planner

Report reviewed by: Kyle Perata, Principal Planner

## 119 Baywood Avenue – Attachment A: Recommended Actions

-		<b>)N:</b> 119 Avenue		CT NUMBER: 8-00087	<b>APPLICANT</b> : Ch Dolan	iris	OWNER: 119 Baywood LLC.		
gar gar 1-U	<b>PROPOSAL:</b> Request for a use permit to demolish an existing single-family residence and a detached garage and construct a new two-story single-family residence with an attached front-loading one-car garage and adjacent uncovered space on a substandard lot with respect to lot area and width in the R-1-U (Single-Family Urban Residential) zoning district. Two heritage-size tree of heaven trees are proposed for removal.								
	DECISION ENTITY: Planning CommissionDATE: May 6, 2019ACTION: TBD								
vo	TE: TE	BD (Barnes, Ker	nnedy, Do	oran, Riggs, Streh	l, Tate, and DeCa	rdy)			
AC	TION:								
1.	Cons				xempt under Class ') of the current Ca		tion 15303, "New Environmental Quality Act		
2.	2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.								
3.	Appro	ove the use perr	nit subjec	t to the following	standard conditio	ns:			
	а	a. Development of the project shall be substantially in conformance with the plans prepared by Connect-homes, consisting of 16 plan sheets, dated received May 1, 2019 and approved by the Planning Commission on May 6, 2019, subject to review and approval by the Planning Division.							
	b						all Sanitary District, Menlo t are directly applicable to		
	С		sion, Eng	ineering Division,	plicants shall com and Transportatio		all requirements of the n that are directly		
	d	installations of Divisions. All placed under locations of a	or upgrad utility equ ground s Ill meters	es for review and uipment that is ins hall be properly so	approval by the P stalled outside of a creened by landsc	lanning, building aping. Tl	for any new utility Engineering and Building and that cannot be he plan shall show exact , junction boxes, relay		
	e	shall submit µ significantly v	olans indi vorn sect	cating that the ap	plicant shall remove nprovements. The	ve and re	lication, the applicant eplace any damaged and nall be submitted for		
	f.	shall submit a Division. The	a Grading Grading	and Drainage Pla		approval	lication, the applicant of the Engineering to the issuance of		

LOCATION: 119 Baywood Avenue	PROJECT NUMBER: PLN2018-00087	APPLICANT: Ch Dolan	nris	OWNER: 119 Baywood LLC.		
<b>PROPOSAL:</b> Request for a use permit to demolish an existing single-family residence and a detached garage and construct a new two-story single-family residence with an attached front-loading one-car garage and adjacent uncovered space on a substandard lot with respect to lot area and width in the R-1-U (Single-Family Urban Residential) zoning district. Two heritage-size tree of heaven trees are proposed for removal.						
<b>DECISION ENTITY:</b> Plan Commission	ning DATE: May 6	<b>DATE:</b> May 6, 2019		ACTION: TBD		
VOTE: TBD (Barnes, Kennedy, Doran, Riggs, Strehl, Tate, and DeCardy)						
ACTION:						
pursuant to th	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 prepared by Kielty Arborist Services, LLC. on June 21, 2018. Revised April 24, 2019.					
4. Approve the use permit subject to the following <i>project specific</i> conditions:						
a. Prior to building permit issuance, the applicants shall provide an updated site plan and landscape plan identifying the species of the two proposed street trees at the front, subject to review and approval of the City Arborist.						



Location Map 119 Baywood Ave

Date: 5/6/2019

Sheet: 1

**B**1

Drawn By: OP

Checked By: KTP

MENLO PARK

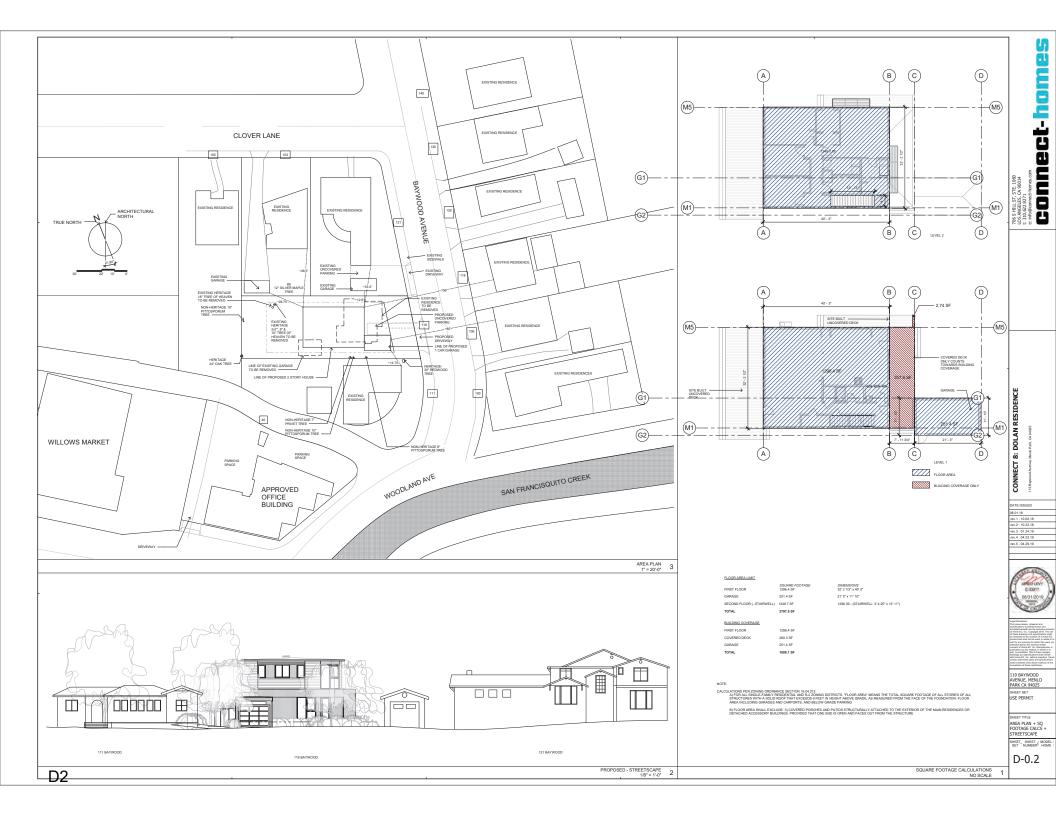
## ATTACHMENT C

## 119 Baywood Avenue – Attachment C: Data Table

	PROPOSED PROJECT	EXISTING DEVELOPMENT	ZONING ORDINANCE			
Lot area	6,870 sf	6,870 sf	7,000.0 sf min.			
Lot width	50.0 ft.	50.0 ft.	65.0 ft. min.			
Lot depth	137.4 ft.	137.4 ft.	100.0 ft. min.			
Setbacks						
	Option 1 Option 2					
Front	20.7 ft. 20.3 ft.	22.0 ft.	20.0 ft. min.			
Rear	49.0 ft. 34.9 ft.	45.2 ft.	20.0 ft. min.			
Side (left)	6.7 ft. 10.6 ft.	10.7 ft.	5.0 ft. min.			
Side (right)	5.2 ft. 7.1 ft.	3.6 ft.	5.0 ft. min.			
Building coverage	1,809.0 sf	1,235.0 sf	2,404.5 sf max.			
	26.3 %	17.9 %	35.0 % max.			
FAL (Floor Area Limit)	2,799.1 sf	1,235.0 sf	2,800 sf max.			
Square footage by floor	1,296.4 sf/1 <sup>st</sup> floor 1,251.3 sf/2 <sup>nd</sup> floor 251.4 sf/garage 257.8 sf/porch	1010.0 sf/1 <sup>st</sup> floor 225.0 sf/garage				
Square footage of buildings	3,056.9 sf	1,235.0 sf				
Building height	24.4 ft.	18.1 ft.	28 ft. max.			
Parking	1 covered/1 uncovered	1 covered	1 covered/1 uncovered			
0	Note: Areas shown highlighted indicate a nonconforming or substandard situation.					
Trees	Heritage trees: 4*	Non-Heritage trees: 4	New Trees: 4*			
	Heritage trees proposed for removal: 2	Non-Heritage trees proposed for 0 removal:	Total Number of Trees: 7			
	*Includes nearby trees on neig	hboring lots and street trees				

# ATTACHMENT D

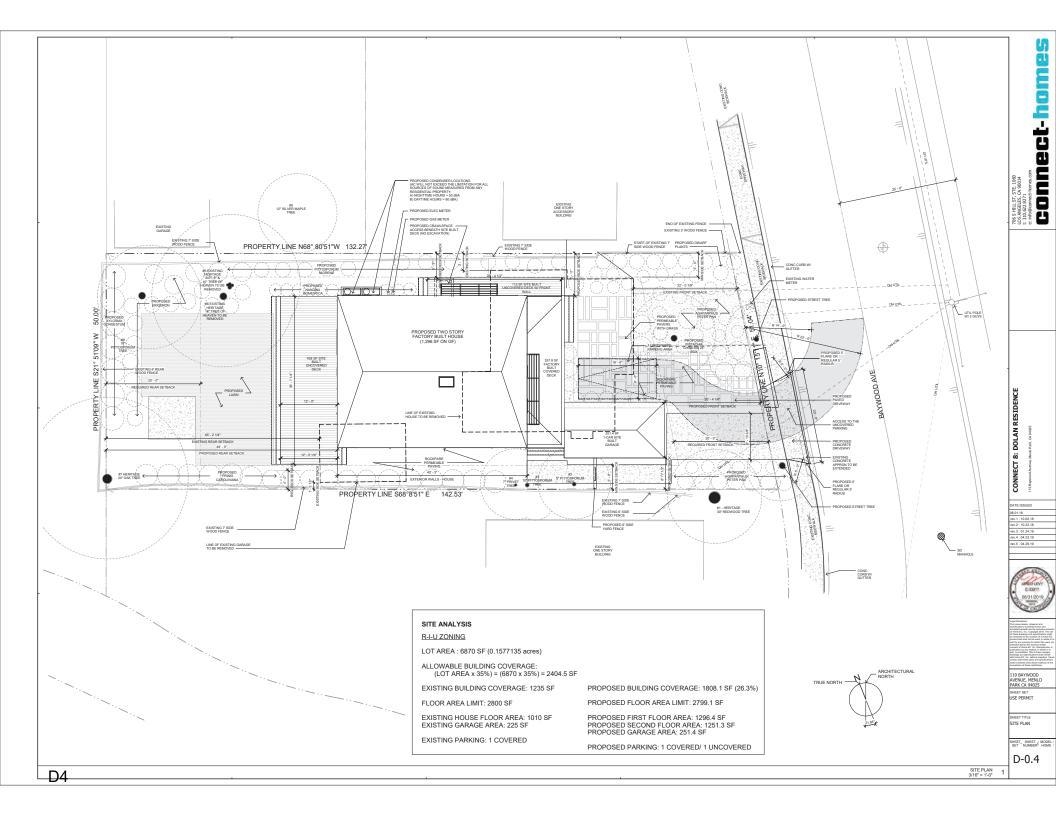
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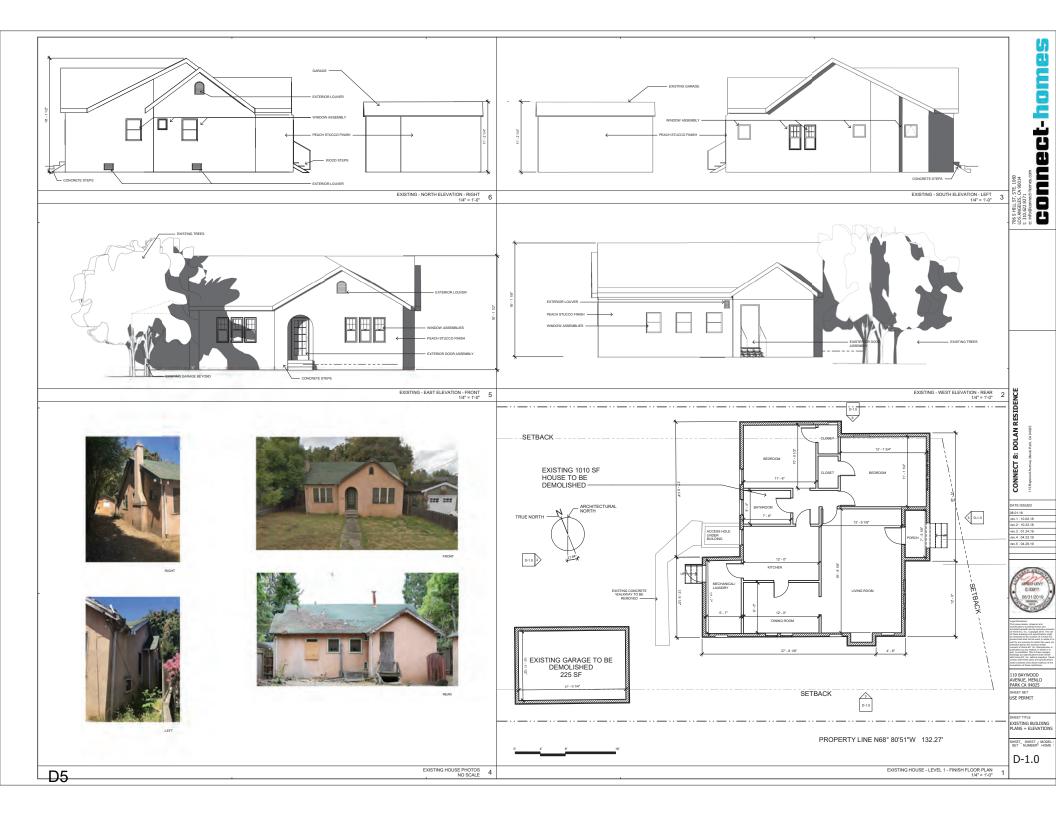


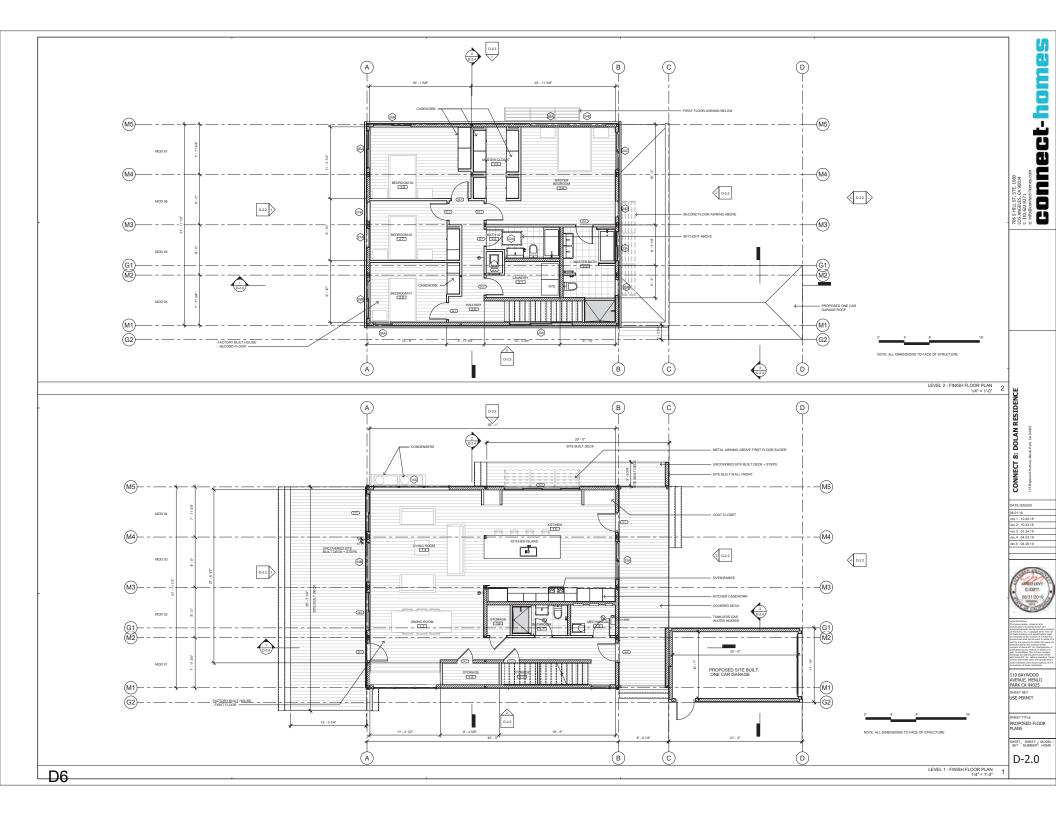


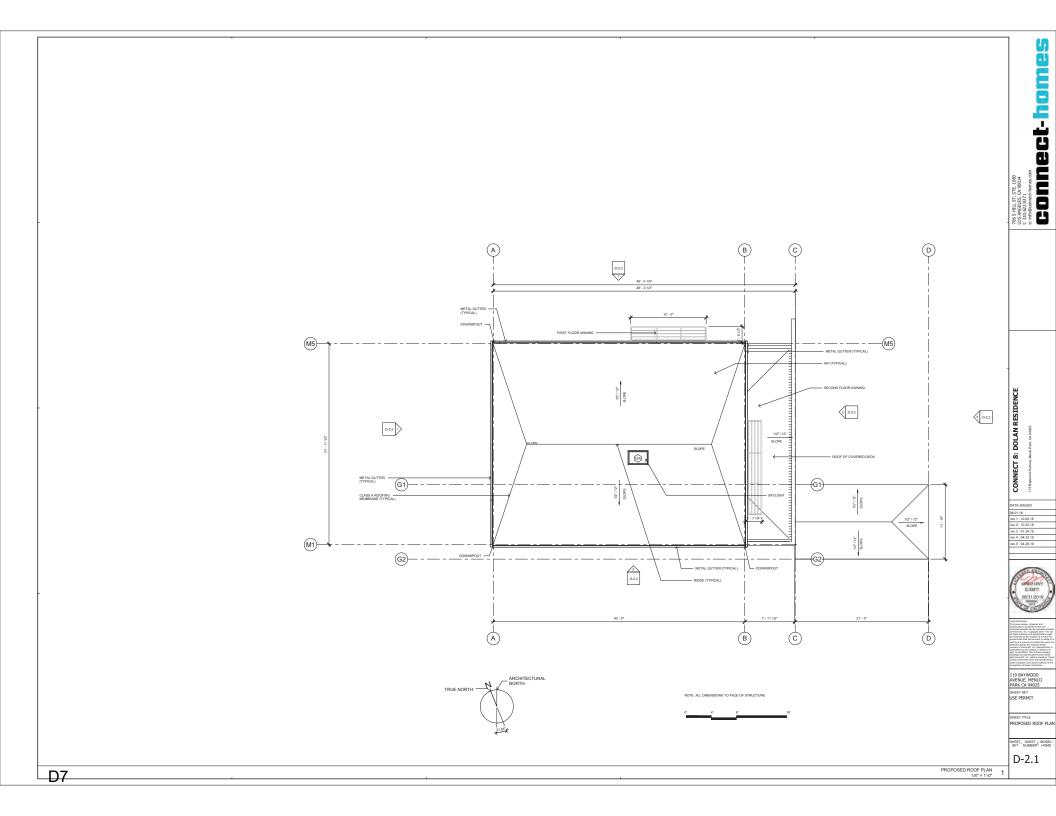
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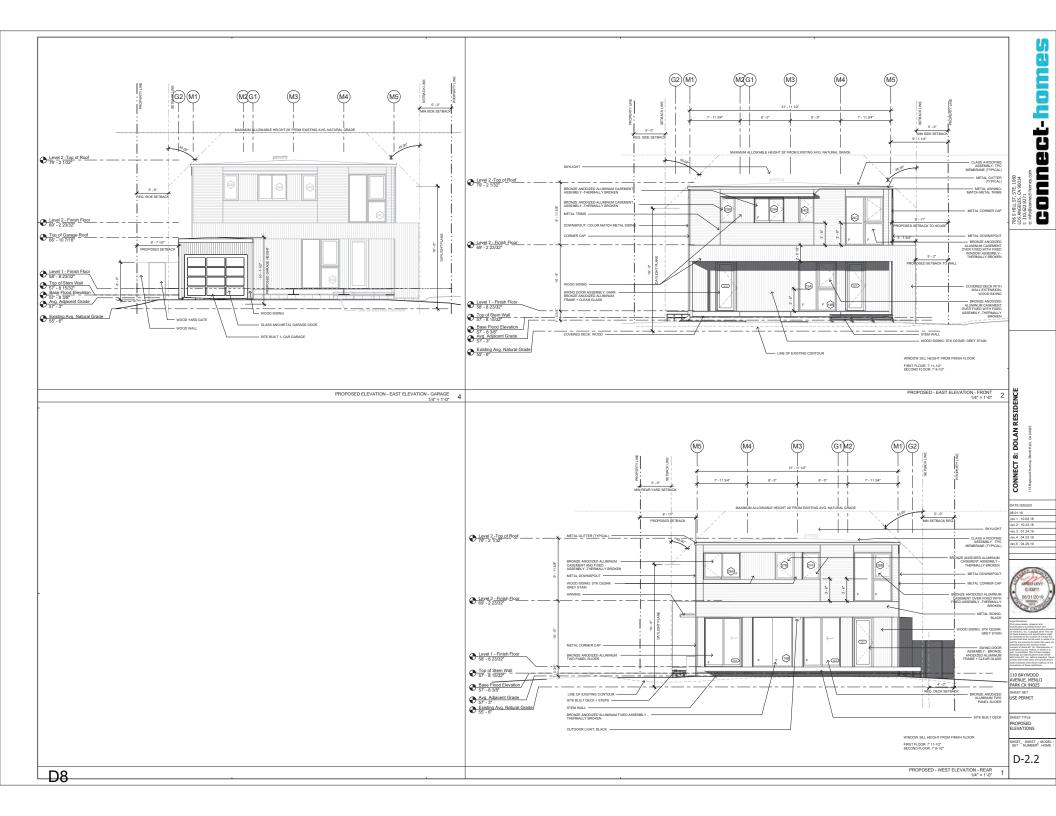
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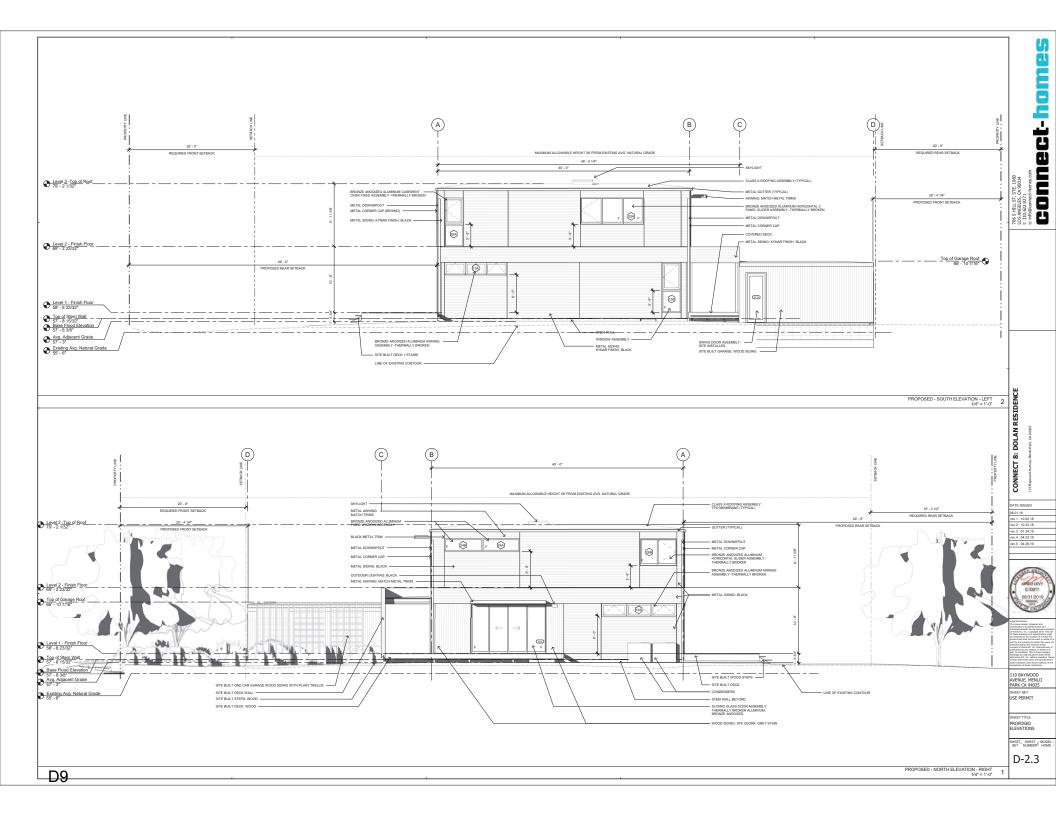


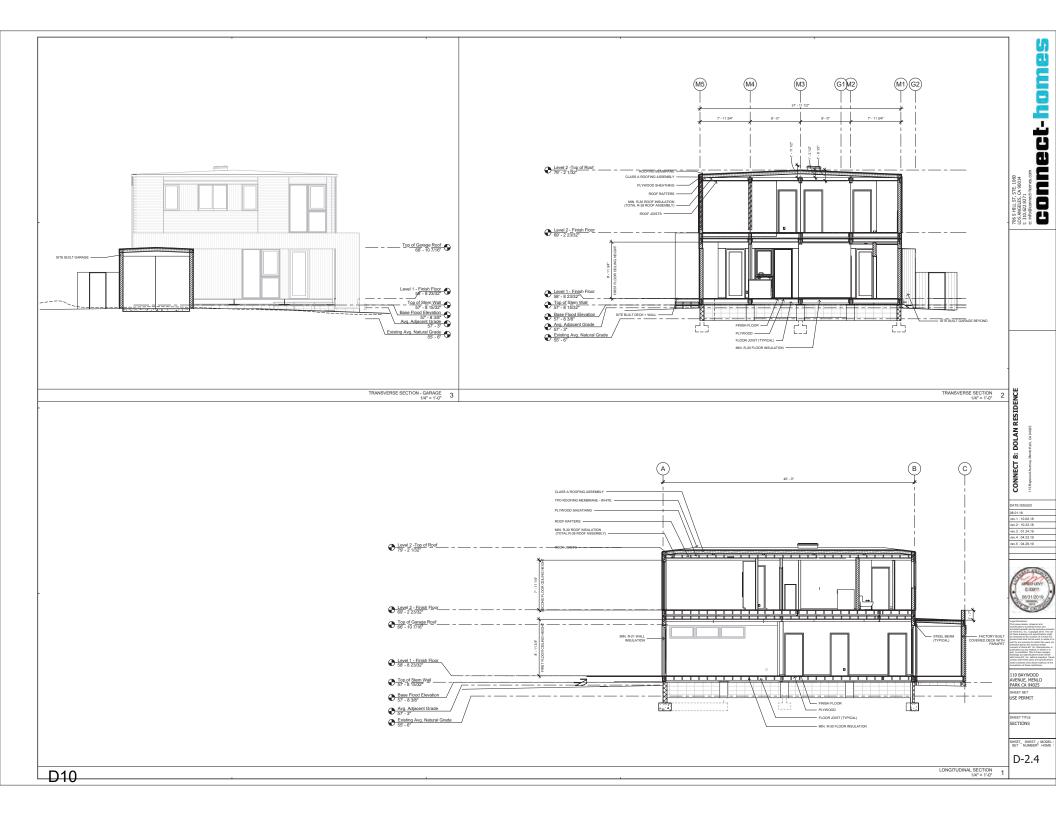




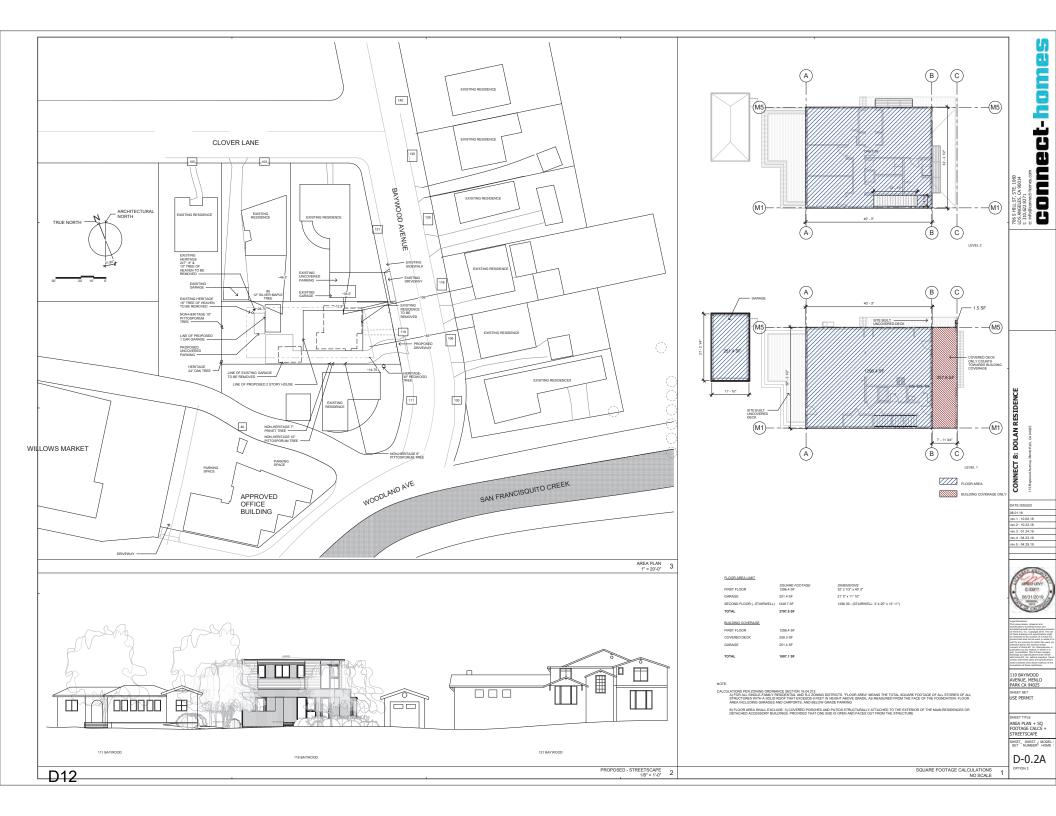


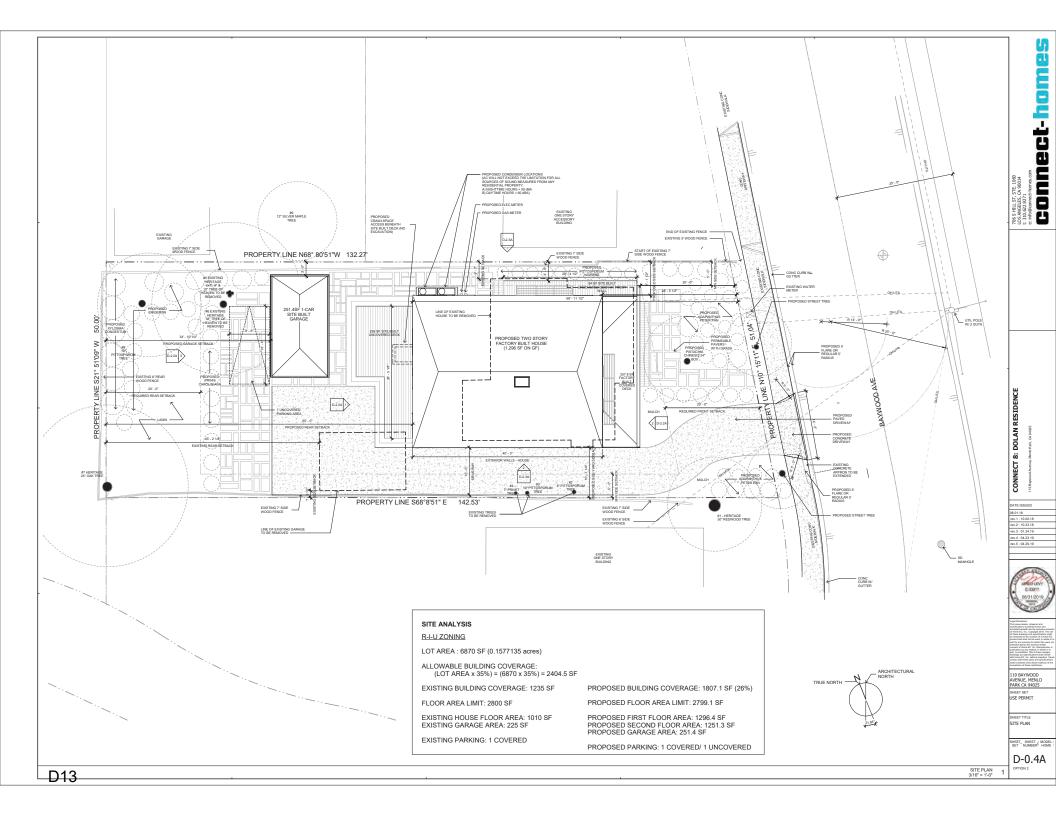


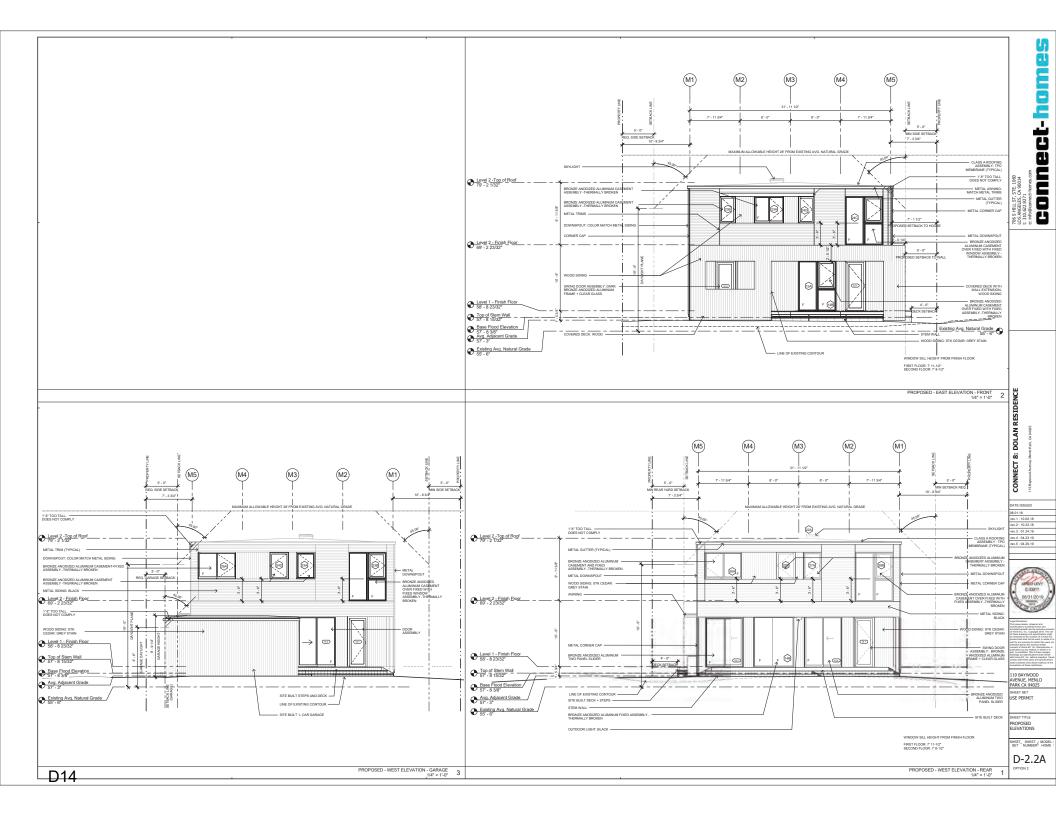


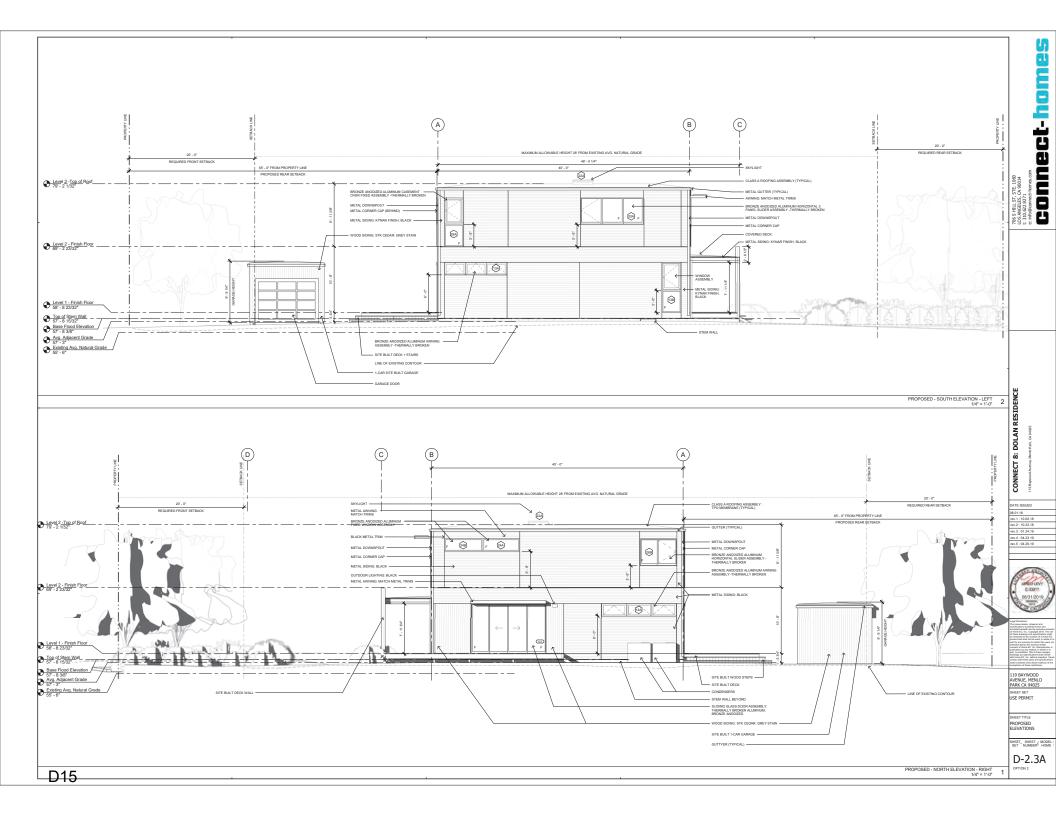


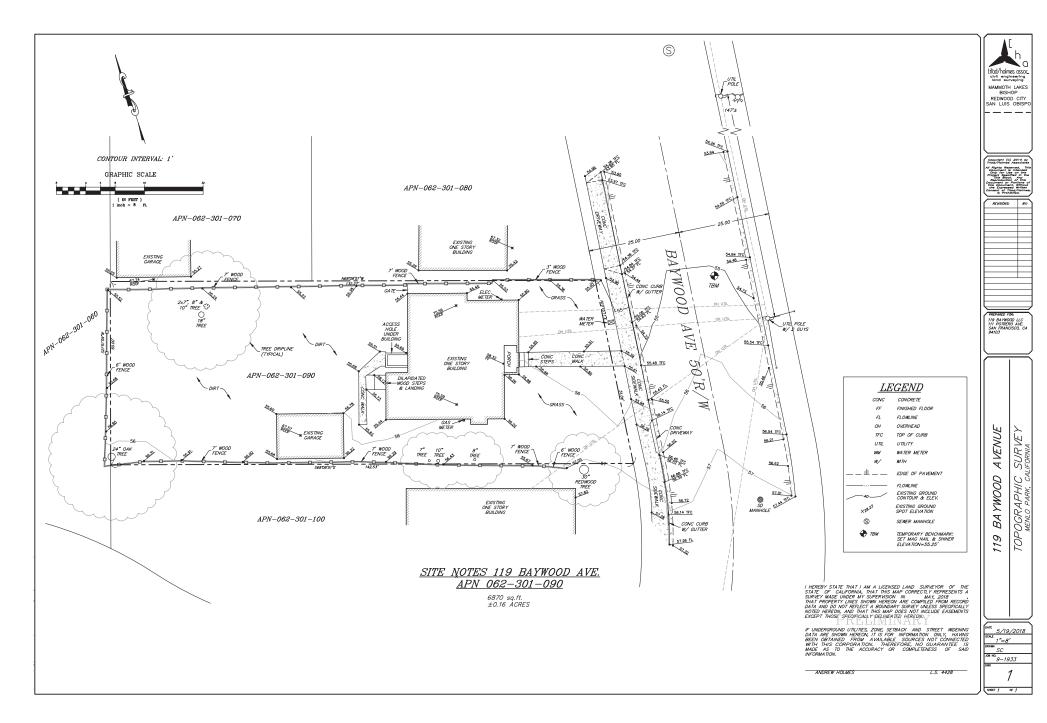












## PROJECT DESCRIPTION 119 Baywood Avenue

First Submission July 18, 2018 Second Submission October 10, 2018 Planning Commission Presentation on November 5, 2018 Third Submission March 13, 2019 Fourth Submission April 29, 2019

#### November 5, 2018 Planning Commission Direction

On November 5, 2018 The Planning Commission made the decision to continue the request for use permit at 119 Baywood Avenue. While there was no formal direction to make specific changes, the Planning Commissioners made the below comments. The project sponsor has addressed the comments in addition to providing an alternate design with the garage relocated to the rear of the property, addressing specifically the prominent garage.

Below is an outline of the Planning Commission comments and the project sponsor brief responses:

- 1. **PC Comment**: Explore options for reducing the perceived massing of the building. <u>Sponsor Response for original proposed design</u>:
  - Increased height of the first-floor porch parapet
  - Created full height architectural wing wall to the north side of the porch
  - Added awning above the first-floor side patio doors
  - Inserted wood siding material at second floor
  - Modified landscape plan to include the addition of street trees

The addition of the increased height parapet along the front porch façade creates an elevation layer between the garage and the exterior wall of the house. The combined modifications of the front porch parapet, architectural wing wall, contrasting wood siding material, and landscape plan ALL contribute in the reduction of the perceived building massing.

2. **PC Comment**: Conduct additional outreach with neighbors so that they have seen the plans.

Sponsor Response:

- The project sponsors made contact and met with the neighbors to present the revised project plans and elevations.
- See below Neighboring Properties section for details of the meeting.
- 3. PC Comment: Revise the garage. <u>Original Design Enhancements:</u>

- Garage roof pitch was modified for proper drainage
- Green wall added to north garage elevation
- Addition of (2) street trees
- Addition of parapet to the front porch reduces the prominent massing of the garage

The proposed garage now includes a vertical green wall on the north side of the garage. The front yard landscaping plan was modified to include (2) street trees as well as the large tree in the front yard. This modified landscaping plan further breaks down the garage massing and creates screening. The curb cut has been reduced to 20ft and the front yard permeable pavers were redesigned to create a softer appearance. The addition of the increased height parapet along the front porch façade creates an elevation layer between the garage and the exterior wall of the house. The combined modifications have reduced both the massing of the garage and the home.

#### Alternate Rear Garage Design Option:

- Relocate garage to rear yard
- Modified front elevation
- Modified site plan to accommodate alternate design
- Confirmation with Arborist for means and methods of new driveway design

The proposed alternate rear garage design option was prepared to offer a solution for the perceived prominent garage feedback from the planning commission. This option would position the garage in the rear of the property and push the house closer to the street to accommodate garage access and turning. The landscaping plan would adjust accordingly consisting of the similar plants and plantings as the original design.

When reviewing the new site plan in coordination with the daylight plane, it was determined that the house would be positioned such that it would not provide enough clearance for the minimum driveway requirement which ultimately provides access to the new rear garage location. The FEMA flood plain height requirement causes the structure to intrude into the daylight plain. Therefore, it does not appear the alternate rear garage design option is viable. The sponsor did also explore reducing the height of the structure by using the minimum height module design however this did not result in a viable solution.

Based on the feedback received to date from the surrounding neighbors and the technical restrictions identified after exploring the alternate rear garage design option, we request to proceed with the original design submission locating the garage at the front of the property.

- 4. **PC Comment**: Reduce curb cut. <u>Sponsor Response</u>:
  - Curb cut was reduced from 24ft to 20ft for the proposed original design
  - Curb cut was reduced from 24ft to 14ft-5inches for the alternate rear garage design option

## Purpose of the proposal

The proposed project consists of the replacement of an existing single-family home that has been vacant since 1990 with the construction of a new 2-story single family home and garage.

## Scope of Work

The original design and preferred option includes an existing 1,010 SF 1-story single family house and 225 SF 1-car garage to be demolished. New construction of a 2-story innovative factory-built home, which includes 2,547.7 sf of living area in a 4 bedroom and 3 full bathroom program. The garage, located at the front of the property, roofs 251 sf of new 1-car covered parking area and 1-car uncovered parking at the front of the house.

There is an alternate design option provided for a rear garage. This option includes an existing 1,010 SF 1-story single family house and 225 SF 1-car garage to be demolished. The proposed alternate rear garage design option was prepared to offer a solution for the perceived prominent garage feedback from the planning commission. This option positions the 1-car covered garage in the rear of the property with a 1-car uncovered adjacent parking spot and pushes the house closer to the street to accommodate garage access and turning. The landscaping plan would adjust accordingly consisting of the similar plants and plantings as the original design. When reviewing the new site plan in coordination with the daylight plane, it was determined that the house would be positioned such that it would not provide enough clearance for the minimum driveway requirement which ultimately provides access to the new rear garage location. Therefore, this alternate option is not viable.

#### Architectural style, materials, colors

This beautiful new home will be a welcome improvement from the current dilapidated abandoned home and integrate into the eclectic mix of one and two-story homes on this block in Menlo Park. Composed largely of structures built in the middle of last century, many of which are being renovated or replaced. Baywood Avenue is home to single family residences of a multitude of styles, colors, and materials. The proposed design of the new home on the subject property incorporates familiar materials and forms that add to the character of this neighborhood. The proposed design includes a combination of flat roofs, front covered open porch and deep sun shade overhangs, with main living spaces on the first floor. The proposed project uses a combination of semi-transparent stained light gray cedar siding and black bronze

metal siding with aluminum windows and doors. The building elevation includes the vertical cladded porch with contrasting vertical wood and an architectural wing wall to the north side of the porch to create a reduced massing of the 2<sup>nd</sup> floor. These natural and organic colors were chosen as they are prevalent on the street. The landscaping of the site will be natural and native and create a light screening of the building. The new home is in scale and character with the diversity of homes in this area. The overall character and scale of the proposed design adds to the array of forms and materials present in the homes of Baywood Avenue.

## Factory-built home

The proposed home designed by Connect-Homes is factory-built and centralizes the construction process with the goal of eliminating waste entirely. In contrast to the 8,000 pounds of waste generated at a traditional home building on site, building in a factory cuts waste by over 75%. The design intents to offer energy efficiency, using less resources and providing significant yearly savings. For example, the home will come with LED lighting systems, exceeds minimum insulation requirements, uses Low-E thermally-broken doors and windows and is designed to attain the points necessary for LEED for Homes Silver certification before factoring in site variables. Steel frames function as the main structural component allowing for more precision and sturdier construction. Currently there have been 5 Connect Homes build and/ or approved in San Mateo County, 2 of which are in Menlo Oaks.

## <u>Site layout</u>

The new home will be placed outside of the required setbacks of the property. The garage and house were positioned on the site in a way to create a rhythm and vernacular consistent of the current street elevation with adjacent properties. The placement of the garage at the front of the home is consistent with the adjacent neighbor's garage of similar size and scale and consistent with other Menlo Park properties (see attached street study).

The entry of the house is welcoming and well-defined with a factory- built covered front porch and pathways from both the driveway and street. The project also introduces new landscaping to the site consistent in neighborhood including newly planted trees, helping screen the views of the house to and from the street. There will be some site-built decking on the side and rear yards, which creates multiple access to the outdoors and strengthened the proposed overall design. There will be extra build up in the finish grading in order to meet the FEMA flood plain requirements for this site while also matching the adjacent lot existing natural grades. The landscape plantings and exterior decking have been designed to soften the built up grade surround the buildings. The siting of the house and garage were considered while working with the existing grading constraints. All existing trees on the site will be preserved and protected. There are no other significant natural features on the property and the house does not block or obscure any adjacent views or light.

Privacy among the neighboring properties is respected in the proposed design. The adjacent home to the north is sited perpendicular to the site and its detached garage adjacent to the side of the property has no windows. The single-story property to the south is well screened by existing vegetation and fencing. Additionally, an existing fence, existing established trees and new landscape screening are proposed along both side and rear property lines to help screen views to and from the new home.

#### Neighboring properties

When the property was purchased direct conversations were conducted with the neighbors located at 106 Baywood (Jack Younkin), 111 Baywood (Lauri Hart) and 118 Baywood (Teddy & Robert Wilson). The neighbors were excited about the project, expressing support of the project since the property has attracted transients and all the side effects of not being cared for in over 25 years.

At the request of the planning department, the project sponsors provided additional outreach to the following addresses 105 & 103 Clover Lane, 100, 106, 111, 118, 121, 126 & 130 Baywood Avenue.

- On March 1, 2019 the project sponsors reached out directly to the 9 immediate neighbors with hand delivered letters offering a meeting or phone call to review the updated plans.
- On March 1, 2019 project sponsor, when attempting to contact the owner of 121 Baywood, spoke with the tenant who provided our written request to the property owner.
- On March 11, 2019 the project sponsors conducted a meeting held at the • neighbors who reside at 118 Baywood. The neighbors included Teddy Wilson (118 Baywood), Jessica Olsen (126 Baywood), Lauri Hart (111 Baywood), Robert Wilson (118 Baywood), and Mrs. Greaves (Woodland Ave.). There was also a meeting with Heather Goudey (105 Clover LN) separately at her home on the same day. The project sponsors presented the updated full submittal package illustrating the changes to the design and landscaping while articulating the planning commission's requests from the previous hearing. The neighbor focus was on the landscaping, exterior elevations, and the garage. The project sponsors went through the enhancements made to each of these items specifically. 1) Landscaping - there were modifications in the front yard to soften up the front elevation including street trees, reduced curb cut, and redesigned concrete paver area, 2) Exterior Elevation - this was re-designed to reduce the perceived massing of the building by adding a parapet above the porch, adding a wing wall to the side of the porch, and increasing the wood siding material, and 3) Garage – further landscaping was applied to the wall surface and additional street trees making the garage less prominent but still consistent with other front facing garages in the

neighborhood. These changes and responses to comments were well received by neighbors at the meeting. The project sponsors fielded and answered questions in an interactive session. Teddy Wilson from 118 Baywood was the only neighbor vocal about the garage design. The updated next phase of the development process and intentions to submit the package were discussed. There were several requests from the neighbors to contain a rodent issue prior to demolition. The project sponsors agreed to provide ample notice prior to demolition. The neighbors were pleased with the factory-built means and methods of construction reducing the construction schedule and minimizing neighborhood impact.

- On March 12, 2019 the project sponsors had a call with Amar Marugan at 130 Baywood since he was unable to attend the neighbor meeting at 118 Baywood. Amar wanted to offer his support for the project and indicated he would be contacting the planning department directly to express his support.
- On April 24, 2019 the project sponsor emailed the updated plans including the rear garage design option to the neighbors at 118 Baywood, 111 Baywood, 105 Clover LN, 126 Baywood, and 130 Baywood.
- On April 24, 2019 the project sponsor spoke directly to Terrence, the owner of 103 Clover. Terrence indicated that he had seen the project plans and such on the web and his only concern was the dust from the demo, otherwise he is in support of the design and project.
- On April 24, 2019 the project sponsor received an email message from 105 Clover LN questioning the proposed new rear garage option.
- On April 25, 2019 the project sponsor hand deliverd the updated plans including the rear garage design option to the neighbors 100 Baywood, 106 Baywood, 121 Baywood, and 103 Clover LN.
- On April 25, 2019 the project sponsor received an email message from our direct neighbor at 111 Baywood strongly objecting the alternate rear garage design option. She also states that she had no objection to the original design and her husband Joe Zott was the only public comment and spoke in favor at the commission hearing on November 5, 2018.

#### **Conclusion**

In summary, this project is progressive and forward-looking, incorporating the best of the current trends in sustainability and responsible construction practices. The home is a great addition to this community, and the architecture reflects and enhances the diversity of this vibrant neighborhood.

Based on in person and in writing feedback received to date from the surrounding neighbors we recommend proceeding with the original design submission with the garage at the front of the property and not the rear of the property.

# STREET STUDY



1220 BAY LAUREL AVENUE, MENLO PARK, CA 94025



99 SAN MATEO AVENUE, MENLO PARK, CA 94025



210 BLACKBURN AVENUE, MENLO PARK, CA 94025



128 BLACKBURN AVENUE, MENLO PARK CA 94025



256 MARMONA DRIVE, MENLO PARK, CA 94025



239 ROBIN WAY, MENLO PARK, CA 94025



213 BLACKBURN AVENUE, MENLO PARK, CA 94025



217 MARMONA DRIVE, MENLO PARK, CA 94025

# ATTACHMENT F

# Kielty Arborist Services LLC

Certified Arborist WE#0476A P.O. Box 6187 San Mateo, CA 94403 650-515-9783

June 21, 2018, Revised April 24, 2019

Jamie McGrath Conventus LLC 111 Potrero Avenue San Francisco, CA 94103

Site: 119 Baywood Avenue, Menlo Park, CA

Dear Jamie McGrath,

As requested on Thursday, June 14, 2018 I visited the above site to inspect and comment on the trees. A new 2 story home is proposed for this site and your concern for the future health and safety of the trees has prompted this visit. Site plan D-0.4 dated 4/17/19 was reviewed for writing this report.

Method:

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

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

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

119 Baywood Ave 4/24/19 Survey:				(2)	
	Species Incense cedar (Calocedrus decurren	<b>DBH</b> 28.2 <i>ns</i> )	<b>CON</b> 45		PComments Fair vigor, poor form, topped at 30', codominant at 30 feet, decay likely. 10 times diameter=23.5'
2	Pittosporum (Pittosporum eugenic	7.5 pides)	50	25/15	Fair vigor, fair form, old hedge material, easily replaced.
3	Pittosporum (Pittosporum eugenic	9.6 pides)	50	35/15	Fair vigor, fair form, old hedge material, easily replaced.
4	Privet (Ligustrum japonicur	6.6 n)	50	25/15	Fair vigor, fair form, old hedge material, easily replaced.
5 <b>P/R</b>	Tree of heaven (Ailanthus altissima) <b>TREE FAILED IN</b>	20.1 WINTH	45 E <b>R OF</b> 2	40/30 <b>2019</b>	Fair vigor, poor form, multi leader at grade, suppressed by #6, leans, heavily invasive.
6 <b>P/R</b>	Tree of heaven (Ailanthus altissima)	18.5	45	50/35	Fair vigor, fair form, invasive, poor species <b>Proposed for removal.</b>
7 <b>P</b>	Coast live oak ( <i>Quercus agrifolia</i> )	24.9	90	45/40	Good vigor, good form, good location, recommended to cable codominant leader. <b>10 times diameter=20.7</b> '
8	Pittosporum (Pittosporum eugenic	9.7 pides)	40	20/20	Fair vigor, poor form, heavy decay on trunk.
9*	Silver maple (Acer saccharinum)	12est	80	40/30	Fair vigor, fair form, young tree, 3 feet from property line.

\*-Indicates neighbors tree **P-**Indicates protected tree by city ordinance **R-** Indicates proposed removal

119 Baywood Ave 4/24/19 (3)

### **Summary:**

The trees surveyed on site are mix of native and imported trees. Trees #1, and #5-7 are heritage trees as they have diameter measuring over 15 inches. Tree#5 has recently failed in the winter of 2019 due to heavy winds. The city of Menlo Park's definition of a heritage tree is as followed:

- 1. Any tree having a trunk with a circumference of 47.1 inches (diameter of 15 inches) or more measured at 54 inches above natural grade.
- 2. Any oak tree native to California, with a circumference of 31.4 inches (diameter of 10 inches) or more measured at 54 inches above natural grade.
- 3. Any tree or group of trees specifically designated by the City Council for protection because of its historical significance, special character or community benefit.
- 4. Any tree with more than one trunk measured at the point where the trunks divide, with a circumference of 47.1 inches (diameter of 15 inches) or more, with the exception of trees that are under 12 feet in height, which are exempt from the ordinance.
- 5. Any tree located within the public right of way (Street trees)

## Proposed work on site/recommendations:

A new 2 story home is proposed on site. The existing site plan shows pittosporum trees #2-4 to be removed. The Pittosporum trees are old hedge material that has not been well maintained. These trees are not of a protected size.

The proposed driveway has been redesigned to be as far from the neighbor's incense cedar tree as possible. The driveway curves around the tree where possible, while still maintaining a standard driveway width. In order to reduce impacts as much as possible, it is recommended to construction the driveway on top of grade using Biaxial Geogrid(*Tensar BX-1100*) when within 23.5 feet from then neighbor's Incense cedar tree. This will allow for a zero cut driveway type build. The geogrid can be pinned down over the existing soil as an underlayment which disperses loads laterally, and allows for building up a base section over the existing soil as a "zero cut" type driveway build. This will make for a raised finish driveway grade, but will also allow for a thinning of the required base section thickness to as much as 50% below standard. When outside the distance of 23.5 feet from the tree, standard driveway techniques can be used to construct the driveway. If this type of driveway build will help to relieve potential compacted conditions within the tree root zone. If this type of driveway is to be built when within 23.5 feet from the neighbor's incense cedar tree, impacts are expected to be nonexistent as no roots will be impacted/cut.

Tree protection fencing for the neighbor's incense cedar tree is recommended to be placed at 20 feet from the tree where possible. Anywhere tree protection fencing needs to be reduced for access or any other reason, should be protected by a landscape barrier. During the driveway build, the tree protection zone can be reduced to the edge of the proposed driveway. The driveway work when within 23.5 feet of tree #1 will need to be supervised by the Project Arborist.

#### 119 Baywood Ave 4/24/19 (4)

Ailanthus tree #5 failed during the previous winter storms. The owner would now like to remove the other ailanthus tree #6. This tree is in close proximity to the proposed uncovered parking area and garage. Impacts from excavation would be expected at this distance from the tree. This species is often recommended for removal due to its invasiveness. The tree meets the following considerations to use in determining whether there is good cause for removal of a heritage tree: -The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services. (**This tree is in close proximity to the proposed structures on site**)

The necessity to remove the tree or trees in order to construct proposed improvements to the property (Tree removal is needed to construct the covered carport and garage.)
The long-term value of the species under consideration, particularly life span and growth rate. (This species has the lowest value due to its invasiveness and has a short life span of less than 50 years) (https://selectree.calpoly.edu/tree-detail/ailanthus-altissima)

The remaining trees are not expected to experience any impacts with tree protection fencing installed and maintained throughout the project. Tree protection fencing for coast live oak tree #7 will need to be placed at 20 feet from the tree where possible.



#### **Summary:**

The trees on site are a mix of native and imported trees. Incense cedar tree #1 is in poor condition. The tree has fair vigor, but poor form. The tree has either been topped in the past at 30 feet or has experienced at top failure at 30 feet. New growth following the loss of the trees top now consist of two leaders competing for apical dominance. The area where the top has failed ,or been removed, is now prone to decay, as the tree is not able to develop enough reaction wood to close the wound. Because decay is likely in this area, the two codominant tops are prone to failure as they continue to grow larger. The two tops are recommended to be cabled together to offer extra support to the trees poor form. This tree will be required to be protected by tree protection fencing throughout the entire length of construction as this is a protected tree. Showing two tops at 30 feet

# 119 Baywood Ave 4/24/19



Trees #2-4 consist of two pittosporum trees and one privet tree. These trees are not of a protected size in the city of Menlo Park. These trees were once planted likely for screening purposes but have not been well maintained. These trees are to be removed.

#### Showing trees #2-4



Trees #5 and #6 are trees of heaven (*Ailanthus altissima*). This species is very invasive and most cities encourage the removal of this species. The species has a weak branch strength. Tree #5 has failed during last winter's storms. Tree #6 is recommended for removal due being a poor species and in close proximity to the proposed construction.

Showing trees #5 and #6 (Tree #5 recently failed)



Coast live oak tree #7 is in excellent condition. The location of this tree is good as it is located in the corner of the property far from any proposed work. No impacts are expected for this tree. It is recommended to have the codominant lateral leader cabled for support. Tree protection fencing must be installed at a distance of 20 feet (10 times diameter) from the tree. Any future landscaping within 20 feet from this tree must be native plantings with the same water requirements as the oak tree. Summer irrigation near oak trees significantly raises the risk of developing oak root fungus diseases.

Showing oak tree #7

Pittosporum tree #8 is located at the back fence property line. This tree is in poor condition due to a heavy amount of decay located on the tree's trunk. This tree is not of a protected size.

Neighbor's silver maple tree #9 is in good condition. This tree is a good distance away from the proposed work. This tree is not expected to be impacted by the proposed construction. The following tree protection plan will help to reduce potential impacts during construction to the trees on site.

#### **Tree Protection Plan:**

#### Tree Protection Zones

Tree protection zones should be installed and maintained throughout the entire length of the project. Fencing for tree protection zones should be 6' tall, metal chain link material supported by metal 1.5" diameter poles, pounded into the ground to a depth of no less than 2'. The distance between metal support poles shall not be more than 10'. The location for the protective fencing for the protected trees(#1 and #7) on site should be placed at a distance of 20' from the trees where possible. All other non-protected trees to be retained are recommended to be protected by fencing placed at their driplines. The neighbor's maple tree will be protected by the existing property line fence. A 6" layer of coarse mulch or woodchips is to be placed beneath the dripline of the protected trees, within the tree protection zones. Mulch is to be kept 12" away from the tree trunks. Where it is not possible to place tree protection zones at the prescribed distance because of approved proposed work or existing hardscapes, but not closer than 2 feet from the trunk

of any tree. No equipment or materials shall be stored or cleaned inside the protection zones. Areas where tree protection fencing needs to be reduced for access, should be mulched with 6" of coarse wood chips with ½ inch plywood on top(landscape barrier). The plywood boards should be attached together in order to minimize movement. The spreading of chips will help to reduce compaction and improve soil structure. All tree protection measures must be installed prior to any demolition or construction activity at the site. All non heritage trees to be retained are recommended to be protected with fencing placed at the tree's dripline. The proposed new driveway must be constructed under the Project Arborist supervision as described in this report. Anytime fencing is to be move the Project Arborist shall be called out to the site. All approved excavation underneath the dripline of a protected tree must take place by hand in combination with an air spade. Machine trenching shall not be allowed.

#### Avoid the following conditions:

## **DO NOT:**

- **A.** Allow run off of spillage of damaging materials into the area below any tree canopy.
- B. Store materials, stockpile soil, or park or drive vehicles within the TPZ.
- **C.** Cut, break, skin, or bruise roots, branches, or trunks without first obtaining authorization from the City Arborist.
- **D.** Allow fires under and adjacent to trees.
- E. Discharge exhaust into foliage.
- **F.** Secure cable, chain, or rope to trees or shrubs.
- **G.** Trench, dig, or otherwise excavate within the dripline or TPZ of the tree(s) without first obtaining authorization from the City Arborist.
- **H.** Apply soil sterilants under pavement near existing trees.

# Landscape Barrier

Where tree protection does not cover the entire root zone of the trees at the dripline, or when a smaller tree protection zone is needed for access, a landscape buffer consisting of wood chips spread to a depth of six inches with plywood or steel plates placed on top will be placed where foot traffic is expected to be heavy. The landscape buffer will help to reduce compaction to the unprotected root zone.

# Root Cutting and Grading

Avoid injury to tree roots. When a ditching machine, which is being used outside of the dripline of trees, encounters roots smaller than 2", the wall of the trench adjacent to the trees shall be hand trimmed, making clear, clean cuts through the roots. All damaged, torn and cut roots shall be given a clean cut to remove ragged edges, which promote decay. Trenches shall be filled within 24 hours, but where this is not possible, the side of the trench adjacent to the trees shall be kept shaded with four layers of dampened, untreated burlap, wetted as frequently as necessary to keep the burlap wet. Roots 2" or larger, when encountered, shall be reported immediately to the Project Arborist, who will decide whether the Contractor may cut the root as mentioned above or shall excavate by hand or with compressed air under the root. Root is to be protected with dampened burlap. All roots to be cut shall be monitored and documented. Large roots (over 2" diameter) or large masses of roots to be cut must be inspected by the Project Arborist. The Project Arborist, at this time, may recommend irrigation or fertilization of the root zone.

Existing grades underneath the protected tree driplines are to remain as is. If grade changes greater than 4 inches are to take place, special mitigation measures will be needed to reduce impacts to the trees.

#### Trenching and Excavation (for any reason)

Route pipes outside of the area that is 10 times the diameter of a protected tree to avoid conflict with roots. If this is not possible, trenching for irrigation, drainage, electrical or any other reason shall be done by hand in combination with an air spade 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. When utilities need to be placed within a distance of 3 times the diameter or less of a protected tree on site, the Contractor shall bore beneath the dripline of the tree. The boring shall take place not less than 3' below the surface of the soil in order to avoid encountering "feeder" roots.

#### Pruning

Any needed or recommended pruning shall be supervised by the Project Arborist, and must be done by a licensed tree care provider. All pruning for trees in fair to good health must stay underneath 25% of the total foliage of the canopy. Trees that have been identified in this report as being in poor health and/or posing a health or safety risk, may be removed or pruned by more than one-third, subject to approval of the required permit by the Planning Division. Pruning of existing limbs and roots shall only occur under the direction of the Project Arborist.

#### Irrigation

Normal irrigation shall be maintained on this site at all times. The imported trees will require normal irrigation. On a construction site, I recommend irrigation during winter months, 1 time per month. Seasonal rainfall may reduce the need for additional irrigation. During the warm season, April – November, my recommendation is to use heavy irrigation, 2 times per month. This type of irrigation should be started prior to any excavation. The irrigation will improve the vigor and water content of the trees. The on-site arborist may make adjustments to the irrigation recommendations as needed. The foliage of the trees may need cleaning if dust levels are extreme. Removing dust from the foliage will help to reduce mite and insect infestation. Native oak trees shall not be irrigated unless their root zones are traumatized.

#### Construction related damage to trees

Any damage due to construction activities shall be reported to the Project Arborist or City Arborist within six hours so that remedial action can be taken.

119 Baywood Ave 4/24/19 (9)

#### Inspections

It is the contractor's responsibility to contact the Project Arborist when work is to take place underneath the dripline of a protected tree on site. Kielty Arborist Services can be reached by email at <u>kkarbor0476@yahoo.com</u> or by phone at (650) 515-9783 (Kevin). A 48 hour notice is needed before these inspections can take place. In addition to monitoring construction activities underneath the dripline of a protected tree on site, monthly monitoring reports are required by the city of Menlo Park. It is required that the Project Arborist provide periodic inspections during construction. Four-week intervals would be sufficient to access and monitor the effectiveness of the Tree Protection Plan, and to provide recommendations for any addition care or treatment. The contractor must notify the Project Arborist when construction is to start. Should the builder fail to follow the tree protection specifications, the Project Arborist will report the matter to the City Arborist as an issue of non-compliance.

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

Sincerely, Kevin R. Kielty Certified Arborist WE#0476A (10)

# Kielty Arborist Services

P.O. Box 6187 San Mateo, CA 94403 650-515-9783

# ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like a medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, landlord-tenant matters, etc. Arborists cannot take such issues into account unless complete and accurate information is given to the arborist. The person hiring the arborist accepts full responsibility for authorizing the recommended treatment or remedial measures.

Trees can be managed, but they cannot be controlled. To live near a tree is to accept some degree of risk. The only way to eliminate all risks is to eliminate all trees.

Arborist:

Kevin R. Kielty

Date: April 24, 2019

From:	Heather Goudey
To:	<u>Paz, Ori</u>
Subject:	Fwd: 119 Baywood Update
Date:	Thursday, April 25, 2019 5:31:37 PM

#### Hi Ori,

The team shared the latest design for 119 Baywood with me last night. I'm a neighbor at 105 Clover Lane. The back fence for 119 Baywood is shared with my property. This development placing the garage in the middle of the backyard is concerning to me. While a few of the neighboring homes have garages behind our homes, they do not comprise the entire backyard. Doing so for this property, along with a second parking spot, places all of the car traffic for this home very close to the back of my home which is where the bedrooms are. The accompanying noise and exhaust will enter my bedrooms. I have no issue with the garage in the location where it was first proposed.

Regards, Heather Goudey 105 Clover Lane

Begin forwarded message:

From: Jamie McGrath <jmcgrath@cvlending.com> Date: April 24, 2019 at 11:08:31 PM PDT To: Heather Goudey <heat and the state of the stat

Hi Heather-

Thank you for the quick response. The proposed option is based on the planning commission's issue with prominent front garages which they claim our original design had. The request was to provide an alternate design with the garage in the rear similar to others in the neighborhood. If you have a concern with this, please feel free to email our project planner Ori Paz at OriPaz@menlopark.org and indicate which design you support.

Thank you! Jamie

On Apr 24, 2019, at 10:37 PM, Heather Goudey <<u>hgoudey@yahoo.com</u>> wrote:

Hi Jamie,

Thanks for sharing. Why the new option with the garage at the rear?

Heather

On Apr 24, 2019, at 9:26 PM, Jamie McGrath <<u>jmcgrath@cvlending.com</u>> wrote:

Dear Neighbor –

We continue to work with the City of Menlo Park Planning Department for project approvals. The planning department has requested we do further outreach to our neighbors on the updated plans. We have provided the city with an option for locating the garage in the rear of the property. You can see this option on the attached plans.

We are available if you have any questions.

Thank you, Jamie, Chris & Nagendra

<19 0417\_Baywood\_SitePlan + Elevations.pdf>

This email has been scanned for spam and viruses by Proofpoint Essentials. Click <u>here</u> to report this email as spam.

From:	Teddy Spiller Wilson
To:	Jamie McGrath
Cc:	Chris Dolan; Nagendra Jayanty; Charles Jacob; Lauri Hart; Jessica Olson; Maryhelen Greaves; K Amar Murugan;
	Robert C. Wilson; Paz, Ori
Subject:	Re: 119 Baywood Update
Date:	Thursday, April 25, 2019 10:14:55 AM

Thank you for sharing the updated plans. We greatly appreciate that you have provided an option for relocating the garage to the rear; that change is very welcome. Although my husband and I still find the design of the house less than attractive and out of character with the rest of our street, moving the garage to the rear does answer one of our basic objections.

I see that you have proposed a Chinese Pistachio tree in front of the house, and two undesignated variety street trees. Those are also welcome and will hopefully soften the sharp lines of the design.

Thanks for sharing.

Teddy and Robert Wilson 118 Baywood

On Apr 24, 2019, at 9:26 PM, Jamie McGrath <<u>jmcgrath@cvlending.com</u>> wrote:

Dear Neighbor –

We continue to work with the City of Menlo Park Planning Department for project approvals. The planning department has requested we do further outreach to our neighbors on the updated plans. We have provided the city with an option for locating the garage in the rear of the property. You can see this option on the attached plans.

We are available if you have any questions.

Thank you, Jamie, Chris & Nagendra

<19 0417\_Baywood\_SitePlan + Elevations.pdf>

From:	Lauri Hart
To:	Jamie McGrath; Planning Commission
Cc:	Chris Dolan; Nagendra Jayanty; Charles Jacob
Subject:	Re: 119 Baywood Update
Date:	Thursday, April 25, 2019 6:30:38 AM

I have reviewed the option of moving the garage to the back of the lot and strongly object. This design puts vehicles and vehicle noise directly outside the bedrooms of our house. A driveway that long, and the decrease in backyard space, will also push any children's play space into the driveway space creating additional noise directly into our house.

If it is considered desirable, which I do not agree it is, to have the garage at the back of the property, then the plan should be flipped so that the driveway runs along the property of the home on the other side of 119 Baywood. In that case, the driveway noise would abut the garage of the adjoining property and not impact that property's living spaces at all. It would still, likely, affect the home directly behind 119 Baywood that faces onto Clover Ave., however.

I had no objection to the previous design with the garage in the front of 119 Baywood. That garage placement is not inconsistent with many homes in the neighborhood and optimizes the backyard space for the enjoyment of the homeowner without as great a negative noise impact on my home as relocating the garage to the back of the property in this recent plan.

Lauri Hart 119 Baywood Ave. On Apr 24, 2019, 9:26 PM -0700, Jamie McGrath <jmcgrath@cvlending.com>, wrote:

Dear Neighbor -

We continue to work with the City of Menlo Park Planning Department for project approvals. The planning department has requested we do further outreach to our neighbors on the updated plans. We have provided the city with an option for locating the garage in the rear of the property. You can see this option on the attached plans.

We are available if you have any questions.

Thank you,

Jamie, Chris & Nagendra

From:	Teddy Spiller Wilson
То:	<u>Paz, Ori</u>
Cc:	Lauri Hart; Jessica Olson; K Amar Murugan; mhgreaves; Robert C. Wilson
Subject:	Re: 119 Baywood
Date:	Wednesday, March 20, 2019 9:31:30 AM

Thank you, Ori. I appreciate your keeping in touch.

Yes, a meeting of the neighbors and the developers was held at my house. My husband and I, our next door neighbors and a neighbor whose home is next door to the proposed project were there, although another concerned neighbor had a business conflict and couldn't attend. Another neighbor who lives around the corner on Woodland also attended.

We did relay our concerns, but unfortunately no changes appeared to be likely. Our major objections are that the design of the house is completely out of character with the rest of the neighborhood, and that the garage is the focal point of the view from the street. Although a "green wall" has been added to try soften the square look of the garage, that wall is on the side and doesn't really affect the street appearance. I understand that more trees will be added, and hope that the size and location of the trees will help.

So, sadly, no, our concerns haven't been answered; however, they are largely aesthetic rather than regulatory. To be blunt, some of us find it ugly, particularly the garage placement. I realize that taste is something that can't be regulated, however. I just wish we neighbors had been able to see the plans before they were finalized.

Thanks very much for reaching out to us.

Teddy

> On Mar 19, 2019, at 5:43 PM, Paz, Ori < OriPaz@menlopark.org> wrote:

>

> Hi Teddy,

>

> I wanted to let you know that the applicant resubmitted project documents last week, and mentioned in their revised project description letter that a meeting with some of the neighbors was held on March 11. I wanted to circle back with you to see if you were able to relay your concerns to the applicant at the meeting, and whether they had been addressed to your satisfaction. With respect to the garage question, it does not appear a revised garage location has been proposed.

>

> The direction from the Planning Commission at the first meeting was, in part, to reach out to the neighbors with the plans and provide some confirmation that folks had the opportunity to review the proposal. The applicant's project description narrative, public comment, compliance with the zoning requirements and the degree to which the applicant has followed the Planning Commission's direction (on the outreach item, massing, driveway curb cut width, etc.) will all be evaluated in the staff report. The Commission will ultimately be the deciding body on whether the project is approved.

>

> Your written comments will be included as an attachment and discussed in the staff report. Please let me know if there are any changes that you would like to make to the comments below.

>

> Thank you,

> Ori

>

>

>

>Ori Paz

> Assistant Planner

> City Hall - 1st Floor

> 701 Laurel St.

> tel 650-330-6711

> menlopark.org

> ----- Original Message-----

> From: Teddy Spiller Wilson [mailto:teddyswilson@earthlink.net]

> Sent: Monday, March 4, 2019 4:25 PM

> To: Paz, Ori <OriPaz@menlopark.org>

> Cc: Jessica Olson <jessaolson@yahoo.com>; K Amar Murugan <amarmurugan@hotmail.com>; Lauri Hart <lauriahart@gmail.com>; Robert C. Wilson <bobcwilson@earthlink.net>

> Subject: Re: 119 Baywood

>

> Thanks very much, Ori.

>

> I really appreciate your response. We, the neighbors, are thoroughly confused about what's happening across the street. My email was prompted by a letter from the developer which was left on the everyone's doors, and which sounded as though changes had already been made. It seemed he was saying all that was needed was for the developer to prove he had reached out to the neighbors, regardless of our feelings about the proposed house.

> Then today flyers were posted under the "Coming Soon" showing the same illustration as the original, with a description, realtor name and price for the new house, as if everything were all set. If it isn't final, we're relieved.

> The major objection my husband and I have to that design is the concrete-looking box (garage?) which is sitting smack in front of the lot, because it will be the view out our front windows. Since the developer has asked for a meeting with neighbors, hopefully we can talk about that when he sets a date.

>

> My question for staff, then, would be: Can that garage be moved to a less prominent place on the lot? We'd rather not see one eyesore (the present house) replaced with another.

>

> Thanks very much for noting our concerns!

> Sincerely,

> Teddy

>

>> On Mar 4, 2019, at 2:26 PM, Paz, Ori <OriPaz@menlopark.org> wrote:

>>

>> Hello Teddy,

>>

>> Thank you for your email. At this time, staff has not received a resubmittal. The revised item has not yet been reviewed by staff or scheduled for a second Planning Commission meeting. I have added your email to the record for this project and your concerns will be noted in the staff report, unless they are addressed to your satisfaction before the meeting.

>>

>> Please let me know if you have any questions for staff.

```
>>
```

>> Sincerely, >> Ori >>

>>

>>

>> Ori Paz >> Assistant Planner

>> City Hall - 1st Floor

>> 701 Laurel St.

>> tel 650-330-6711

>> menlopark.org

>> -----Original Message-----

>> From: Teddy Spiller Wilson [mailto:teddyswilson@earthlink.net]

>> Sent: Sunday, March 3, 2019 10:53 AM

>> To: jmcgrath@cvlending.com

>> Cc: \_Planning Commission <planning.commission@menlopark.org>; Robert C. Wilson <bobcwilson@earthlink.net>; Jessica Olson <jessaolson@yahoo.com>; Lauri Hart <lauriahart@gmail.com>; cjacob@apr.com

>> Subject: 119 Baywood

>>

>> Hello Jamie,

>>

>> Thank you for your letter. My husband and I would very much like to see the revised plans for the house at 119 Baywood, which is across the street from us, since we will be looking directly at it through both our large front living room window and the master bedroom window.

>>

>> When we saw the "Coming Soon" sign and the Alain Pinel name, we were baffled, because we thought that the property had already been sold, and through a different real estate agent. Is this a new sale, and to a different developer than the one who introduced himself to us several months ago? Is the revised plan you mention based on the first one, or is it new?

>>

>> We were very apprehensive about the original plan that we saw on the city website, both because of the placement and design of the garage, and because it seemed so completely out-of-character with the rest of the homes on the street. I realize the odd shape of the lot creates some design difficulties, and that maximizing your investment is undoubtedly a challenge, given the cost of real estate in our city. But we greatly appreciate any attempt to address our neighborhood's concerns.

>>

>> My husband and I have lived here many years, and we welcome the redevelopment of this property after so long, but we do hope whatever goes there fits in with the look and feel of our neighborhood. Please feel free to contact us by email or phone. Thank you.

>> >> Teddy >> 650-630-9069 >> >> >> >>

From:	Lauri Hart
To:	Paz, Ori
Subject:	119 Baywood
Date:	Wednesday, March 20, 2019 10:56:01 AM

The developers listened to our concerns. We reviewed the minor changes to their plan. They have done everything they can do to minimize the impact of the garage in the front of the house and it is not inconsistent with many other houses in the neighborhood that have garages in that location. I would estimate half the houses in the Willows are designed that way, so objecting to it in this one house as being inconsistent is ignoring that fact.

We do appreciate that they have moved the house and the garage back slightly on the lot, despite the fact that it decreases the back yard space.

We have no objections to the house and lot as designed and look forward to not having the crumbling, derelict wreck that has been there for 30 years torn down and replaced with the proposed home.

Lauri Hart 111 Baywood Ave.

# **Community Development**



#### STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

5/6/2019 19-034-PC

Public Hearing:

Use Permit/Chris Dolan/119 Baywood Avenue

#### Recommendation

Staff recommends that the Planning Commission approve a use permit to demolish an existing singlefamily residence and a detached garage and construct a new two-story single-family residence with an attached front-loading one-car garage and adjacent uncovered space on a substandard lot with respect to lot area and width in the R-1-U (Single-Family Urban Residential) zoning district. A second site layout (Option 2) with a detached garage located in the rear portion of the lot was incorporated into the plan set for evaluation by the Planning Commission. Through staff's review it was determined, however, that the proposed model of the pre-fabricated main residence would limit the ability of the main residence to comply with all City requirements. Each site layout is evaluated in the report. Two heritage-size tree of heaven trees are proposed for removal. The proposal was continued by the Planning Commission at the November 5, 2018 meeting. 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 119 Baywood Avenue in the Willows neighborhood, near the border with Palo Alto along San Francisquito Creek. Using Baywood Avenue in the north-south orientation, the subject property is located on the western side of Baywood Avenue, situated between Clover Lane to the north and Woodland Avenue to the south. A location map is included as Attachment B.

There are a mix of one- and two-story houses in this area. The adjacent residence to the right is twostories with a detached garage. The residences are mainly ranch or traditional architectural styles, and the neighborhood features predominantly single-family residences in the R-1-U zoning district, apart from the Willows Market at 60 Middlefield Road and the recently approved office building at 40 Middlefield Road which are in the C-4 (General Commercial) zoning district. There are other commercial uses, closer to the intersection of Willow and Middlefield Roads nearby, which are also occupied by office uses.

#### Continuance from the November 5, 2018 Planning Commission meeting

The Planning Commission voted 4-3 to continue the item at the meeting on November 5, 2018. At that

meeting the Commission did not give formal direction to make specific changes, however individual Planning Commissioners commented that the prominence of the garage and the massing of the building were of the greatest concern. The staff report and minutes from the meeting are available at the following links:

- 1. Staff Report: https://www.menlopark.org/DocumentCenter/View/18906/F1---119-Baywood-Ave?bidId=
- 11/5/2018 Meeting Minutes: https://www.menlopark.org/AgendaCenter/ViewFile/Minutes/\_11052018-3178

The applicant has prepared two options for consideration addressing the feedback received, however the detached garage option does not appear to be able to comply with the daylight plane requirement due to the confluence of the minimum driveway width, daylight plane, design limitations from the specific model of the proposed modular home, and City Engineering Division finished floor requirements relating to FEMA compliance. Staff has listed the concerns raised at the November 5, 2019 Planning Commission meeting and the changes proposed to address them under each of the two proposed options in the table below:

11/5/2018 Planning Commission Feedback	Option 1 (original design attached garage at front)	Option 2 (detached garage at rear – not viable as proposed)
<ul> <li>Explore options for reducing the perceived massing of the building by:</li> <li>1. Increasing the perceived "weight" of the lower floor by moving up the height of the porch;</li> <li>2. Add awnings/different material elements to soften the front façade; and/or</li> <li>3. Consider reducing the extent of the porch</li> </ul>	<ul> <li>Proposal revisions include:</li> <li>1. Creation of a parapet and a wing wall on the right side at the front of the porch;</li> <li>2. Awning added above the patio doors on right side; and</li> <li>3. Wood siding material added between the second floor windows on the front façade.</li> </ul>	<ul> <li>Proposal revisions include:</li> <li>1. Creation of a parapet and a reduced wing wall on the right side at the front of the porch;</li> <li>2. Wall added to the front of the porch on the left side with cut out opening;</li> <li>3. Awning added above the window at the center of the second floor; and</li> <li>4. Relocation of the garage and uncovered space to the rear of the lot.</li> </ul>
Contact the nearby neighbors and get sign off from them that they have seen the plans	The applicant held two in- person meetings and had a call to present the revised option 1 to all adjacent neighbors	Option 2 was sent to neighbors by email and dropped off by the applicant
Revise the garage to: 1. Correct the roof pitch for	Garage revisions include: 1. Updated roof pitches;	Garage revisions include: 1. Updated roof pitches;

proper drainage 2. Decrease prominence	<ul> <li>and</li> <li>Addition of landscape elements including a vertical trellis on the side of the garage to facilitate a living wall.</li> </ul>	<ol> <li>Relocated and reoriented to be side-loading at the rear of the lot with a turnaround; and</li> <li>Uncovered parking space also moved to the rear of the lot adjacent to the garage.</li> </ol>
Reduce curb cut width from 24ft to 20ft	Curb cut width reduced to 20 ft.	Curb cut width reduced to 14.4 ft.

#### Analysis

#### **Project description**

The applicant is proposing to demolish the existing single-family residence and detached garage and construct a new two-story factory-built home in a contemporary style with either an attached front-loading single-car garage and adjacent uncovered parking space at the front (Option 1) or a detached side-loading single-car garage and adjacent uncovered space at the rear (Option 2). The applicant has indicated that they would prefer to construct their original design with the modifications made in response to the feedback (Option 1). Staff has evaluated both proposals, and it appears only Option 1 would comply with all applicable development regulations. Though Option 2 would better address the Planning Commission's concerns regarding the prominence of the garage, it is not able to meet the daylight plane, City-adopted finished floor requirements for properties within the flood zone, and minimum driveway width of ten feet with the currently proposed modular design. While the main residence would be factory built, the singlecar garage in either configuration would be constructed at the project site. The subject property is substandard with respect to width and area, is within the FEMA Flood Zone (AE), and is currently occupied by a dilapidated single-story residence with a detached garage on the left side. There is an active Code Enforcement case for the condition of the existing residence that would be resolved by either option of the proposed project. A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

#### Design and materials

The project intends to use factory-built construction methods to centralize the construction process to reduce the overall environmental impacts from material waste. The use of this approach limits flexibility to modify the design, but according to the applicant, allows for strides in building efficiency long term and the applicant has indicated the building would meet the US Green Building Council's silver certification levels of LEED (Leadership in Energy Efficiency Design) for Homes. The applicant states that the proposed factory-built residence would incorporate familiar materials and forms from the multitude of styles, colors, and materials along Baywood Avenue and add to the character of the neighborhood and enhance the diversity of residences in the area. The contemporary style would feature flat roofs, a mix of light wood and

dark metal siding, a front covered porch, and deep sun shade overhangs on the front and right side. The garage would feature a flat roof, glass and metal door, and light gray vertical wood siding. The project proposes to raise the finished grade at the site by approximately two feet to bring the first floor finished floor level up to the required 12 inches above Based Flood Elevation (BFE), as mandated by the Engineering Division for livable space within the flood zone. The daylight plane and the maximum allowable height of the building are based on the average natural, or existing, grade. The applicant shifted the position of the building location to comply with the requirements, however under Option 2, flexibility to shift the building location to comply with the daylight plane is limited by the required minimum driveway width of 10 feet. They have indicated that given the modular nature of the proposed design, modifications to the height and width of the structure to comply under Option 2 would not be possible with this model of home.

In response to the Planning Commission concerns about the massing of the structure, an approximately two-foot-seven-inch tall parapet connecting to a full height wing wall at the right has been added at the front of the covered porch to balance the front façade and give the perception of greater weight at the first level. The wing wall to the right of the building would extend four feet from the building. The second floor would still be stacked completely above the first, however the parapet and wing wall would give the appearance that the second floor is stepped back from the edge of the first. As seen in the elevation drawings and renderings of the front façade, this treatment appears to adjust the perceived massing of the structure.

In Option 1 a covered porch connects the garage to the residence. The main entry to the residence would be set back more than forty feet from the front property line and would be situated on the right side of the front façade. The main entry would be accessible from the front porch, which has stairs leading up from the paved area adjacent to the uncovered parking space or through a door leading to the porch from the back of the garage.

As part of Option 1 the garage would be located close to the required setback, but the main residence would be set back approximately five feet further than required from the left side property line. Further, on the left side, three existing trees and an existing 7-foot tall fence would provide screening between the proposed and neighboring residences. The majority of the windows on the sides at the second floor would have sill heights of 42 inches or greater from the finished floor, with the exception of a low fixed window beneath the operable slider at the front corner of the right side. This window aligns with the detached garage of the neighboring property to the right, which would reduce potential privacy impacts for the neighbor to the right. The rear façade also includes windows that extend to the finished floor at the second level but the rear façade of the residence for Option 1 would be set back from the rear property line approximately 49 feet, limiting potential visual impacts from the second level windows. The proposed residence would also include a number of floor to ceiling windows on the ground floor; however, the existing seven-foot high wood fence is proposed to remain, which would reduce the potential privacy impacts from the windows on the first floor.

The applicant has indicated that the proposed project under Option 1 would be positioned on the site to maintain a rhythm consistent with the neighboring property to the right and maximize the useable space in the rear yard. They have provided a number of examples of other projects with a similar, prominent

garage, configuration as part of their "street study" in the project description letter. Approaching from Woodland Avenue, a large heritage redwood tree on the neighboring lot to the left would screen the view of the garage in this configuration, and a new tree and landscaping are proposed in the right side of the front yard to soften the potential visual impact of the garage on the left side. The applicant has also added proposed landscaping around the garage including a vertical trellis on the right side of the garage to facilitate a living wall to soften the garage at the front. Staff does not feel the proposed landscaping addresses the Planning Commission concerns over the prominence of the garage in the same way the site configuration for Option 2 would address the concerns. Staff feels that shifting the parking to the rear of the site reduces potential conflicts between cars existing the site and passers-by. The turnaround further increases pedestrian and traffic safety. However, staff recognizes the applicant would not be able to comply with all applicable regulations with the proposed model of the home and therefore cannot recommend approval of this noncompliant option. The applicant's project description letter states that they evaluated the possibility of reducing the height of the structure by using the minimum height module design, but identify that was infeasible. Staff is aware that alternate home models by the manufacturer could be pursued by the applicant that may comply with the daylight plane and meet all other Zoning Ordinance requirements and City standards.

In light of the efforts made to demonstrate alternatives, and examples of similar development patterns elsewhere in the City, and modest improvements from the additional landscaping staff feels the proposed Option 1 design is supportable.

#### Parking and circulation

Under Option 1, the proposed project would provide one covered parking space in a new single-car garage at the front of the lot, and an uncovered parking space adjacent to the garage. The Engineering Division has reviewed and approved the proposed permeable paving system for the uncovered space as an acceptable all-weather surface. In response to concerns raised by the Commission and neighbors regarding the width of the curb cut, the applicant has reduced the proposed curb cut from 24 ft. to 20 ft. With the detached garage and uncovered space in the rear under Option 2, the curb cut would've been further reduced to 14.4 ft.

#### Trees and landscaping

The applicant has submitted an updated 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 for both options. In particular, the applicant had the project arborist assess the impacts to the tree and mitigations from the driveway associated with Option 2. As part of the project review the City Arborist identified two of the heritage-size tree of heaven trees (tree #5 and #6) at the rear as an invasive species, and indicated they would be supportive of the removal of these trees due to the proximity of the site to the San Francisquito Creek. The applicant has submitted heritage tree replacements: a Chinese pistache at the front and a camphor at the rear of the site. The proposed replacements have been identified on the site plan. The new Chinese pistache proposed in the front yard is also intended to help soften the prominence of the one car garage and provide some screening for the uncovered space in

Option 1. Two new street trees meeting the specifications of the City Arborist for this portion of Baywood Avenue will be provided along the frontage for the site for either option. The planting of appropriate street trees will be ensured through the inclusion of project specific condition of approval 4a. All recommendations identified in the arborist report shall be implemented and ensured as part of condition 3g.

#### Correspondence

The applicant has stated that they held additional meetings with adjacent neighbors following the Planning Commission meeting to discuss the proposed residence, and has indicated that the neighbors have expressed excitement over the redevelopment of the site and echoed concerns raised prior to the first meeting around rodent control at the time of demolition.

Staff received two items of written correspondence on the project since the outreach meeting in March, and then three additional pieces of correspondence following the applicant's outreach to distribute Option 2 for feedback. The applicant sent the proposed Option 2 design by email and dropped off copies to the neighbors whom hadn't provided email addresses. One neighbor, at 111 Baywood Avenue indicated they attended the meeting and expressed support for the project relative to the existing condition. They later commented with concerns regarding car noise and air quality from the revised garage location in Option 2. Another neighbor, across the street at 118 Baywood Avenue also attended the meeting but had concerns about the contemporary style of the residence and the garage location. The neighbor across the street at 118 Baywood Avenue expressed support for the alternate design with the garage at the rear. Staff also received correspondence from the neighbor at 105 Clover Lane following the distribution of Option 2, expressing concern over the car activity in the rear proposed under Option 2 and support for the initial design. The written correspondence received since the first Planning Commission meeting is included as Attachment G. Earlier correspondence can be viewed as an attachment to the 11/5/2018 staff report at the link above.

#### Conclusion

Staff believes that the materials and style of the proposed residence under Option 1 or Option 2 would be an improvement to the current site. Though the contemporary style would be dissimilar to many architectural styles within the neighborhood, the quality of the proposed project would add to the diverse character of the area. Staff believes that the factory-built construction process would provide valuable benefits in reducing the environment impacts from the material waste associated with typical construction methods. The proposed materials would be in keeping with the contemporary style and the proposed project would be holistically designed within the contemporary architectural style. Based on the presence of some onsite trees and the positioning of windows on the second floor, privacy impacts would be limited. The applicant has indicated that concerns raised over vermin at the project site would be addressed prior to demolition to reduce potential impacts to the neighboring properties. As it relates to the Planning Commission's feedback from the November 5 meeting, the applicant has adjusted the massing of the structure with the proposed parapet and wing wall, reduced the curb cut width, and conducted extensive additional outreach to the neighbors. Given the limited degree to which Option 1 addressed the prominence of the garage, staff feels Option 2 most completely addresses the comments however due to the fact that is does not comply with the daylight plane requirements for the site with the current modular

design it is not viable. In recognition of the modifications to address the concerns of the Commission and exploration of options to address the prominence of the garage staff recommends that the Planning Commission approve the proposed project under Option 1.

#### Impact on City Resources

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

#### **Environmental Review**

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

#### **Public Notice**

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

#### **Appeal Period**

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

#### Attachments

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

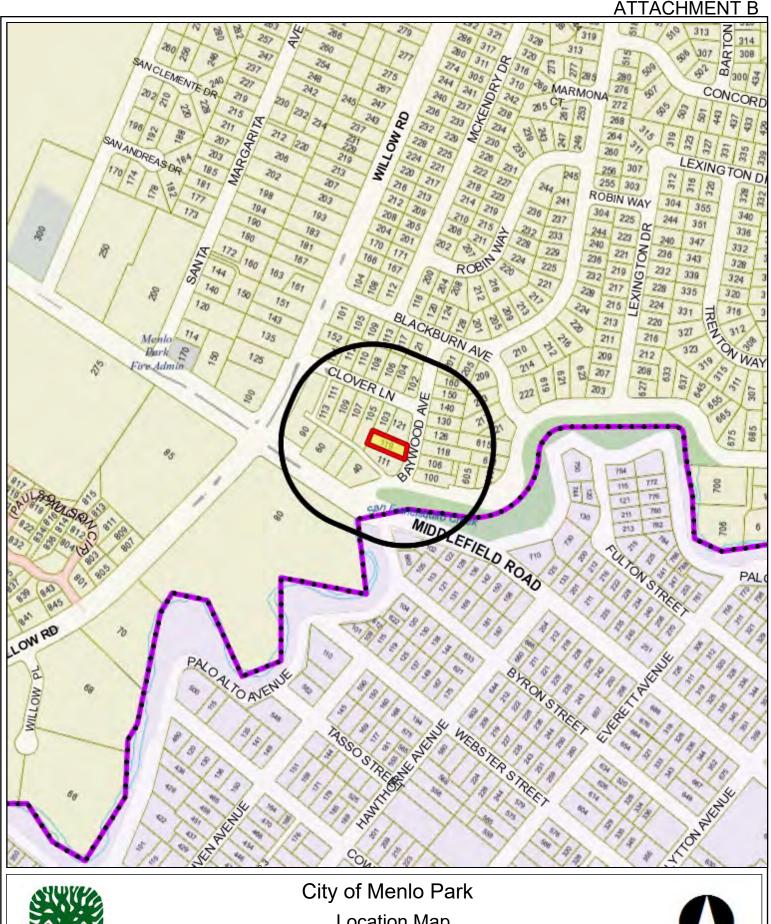
Report prepared by: Ori Paz, Assistant Planner

Report reviewed by: Kyle Perata, Principal Planner

### 119 Baywood Avenue – Attachment A: Recommended Actions

-		<b>N:</b> 119 Avenue		CT NUMBER: 8-00087	<b>APPLICANT</b> : Ch Dolan	nris	OWNER: 119 Baywood LLC.
gar gar 1-U	age ar age ar J (Sing	nd construct a no	ew two-st overed sp	tory single-family pace on a substan	residence with an dard lot with respe	attached ect to lot	sidence and a detached I front-loading one-car area and width in the R- f heaven trees are
	<b>CISIO</b> mmiss	N ENTITY: Plan	ning	<b>DATE:</b> May 6, 20	019	ACTION	N: TBD
vo	TE: TE	3D (Barnes, Ker	nnedy, Do	oran, Riggs, Streh	l, Tate, and DeCa	rdy)	
AC	TION:						
1.	Const				xempt under Class ) of the current Ca		tion 15303, "New Environmental Quality Act
2.	permi gener	ts, that the prop al welfare of the ot be detrimenta	osed use e persons	e will not be detrim residing or worki	nental to the health ng in the neighbor	h, safety, hood of s	ng to the granting of use morals, comfort and such proposed use, and or the general welfare of
3.	Appro	ove the use perr	nit subjec	t to the following	standard conditio	ns:	
	а	Connect-hom	nes, cons	isting of 16 plan s	heets, dated recei	ved May	with the plans prepared by 1, 2019 and approved by approval by the Planning
	b						all Sanitary District, Menlo t are directly applicable to
	C.		sion, Eng	ineering Division,	plicants shall com and Transportatio		all requirements of the n that are directly
	d	installations of Divisions. All placed under locations of a	or upgrad utility equ ground s Il meters	es for review and uipment that is ins hall be properly so	approval by the P stalled outside of a creened by landsc	lanning, building aping. Th	for any new utility Engineering and Building and that cannot be he plan shall show exact , junction boxes, relay
	e	shall submit p significantly v	olans indi vorn sect	cating that the ap	plicant shall remove nprovements. The	ve and re	lication, the applicant eplace any damaged and nall be submitted for
	f.	shall submit a Division. The	a Grading Grading	and Drainage Pla		approval	lication, the applicant of the Engineering o the issuance of

LOCATION: 119 Baywood Avenue	PROJECT PLN2018-	<b>F NUMBER:</b> 00087	<b>APPLICANT:</b> Ch Dolan	ris	OWNER: 119 Baywood LLC.
<b>PROPOSAL:</b> Request for garage and construct a ne garage and adjacent unco 1-U (Single-Family Urban proposed for removal.	w two-stor	ry single-family r ce on a substan	residence with an dard lot with respe	attached ect to lot	front-loading one-car area and width in the R-
<b>DECISION ENTITY:</b> Planr Commission	ning <b>D</b>	<b>DATE:</b> May 6, 20	019	ACTION	I: TBD
VOTE: TBD (Barnes, Ken	nedy, Dora	an, Riggs, Streh	I, Tate, and DeCa	rdy)	
ACTION:					
pursuant to th	e Heritage	Tree Ordinance	of the construction e and the arborist ed April 24, 2019.	report pr	shall be protected epared by Kielty Arborist
4. Approve the use perm	nit subject to	to the following	project specific o	onditions	3:
landscape pla	n identifyin		f the two propose		odated site plan and rees at the front, subject



Location Map 119 Baywood Ave

Date: 5/6/2019

Sheet: 1

**B**1

Drawn By: OP

Checked By: KTP

MENLO PARK

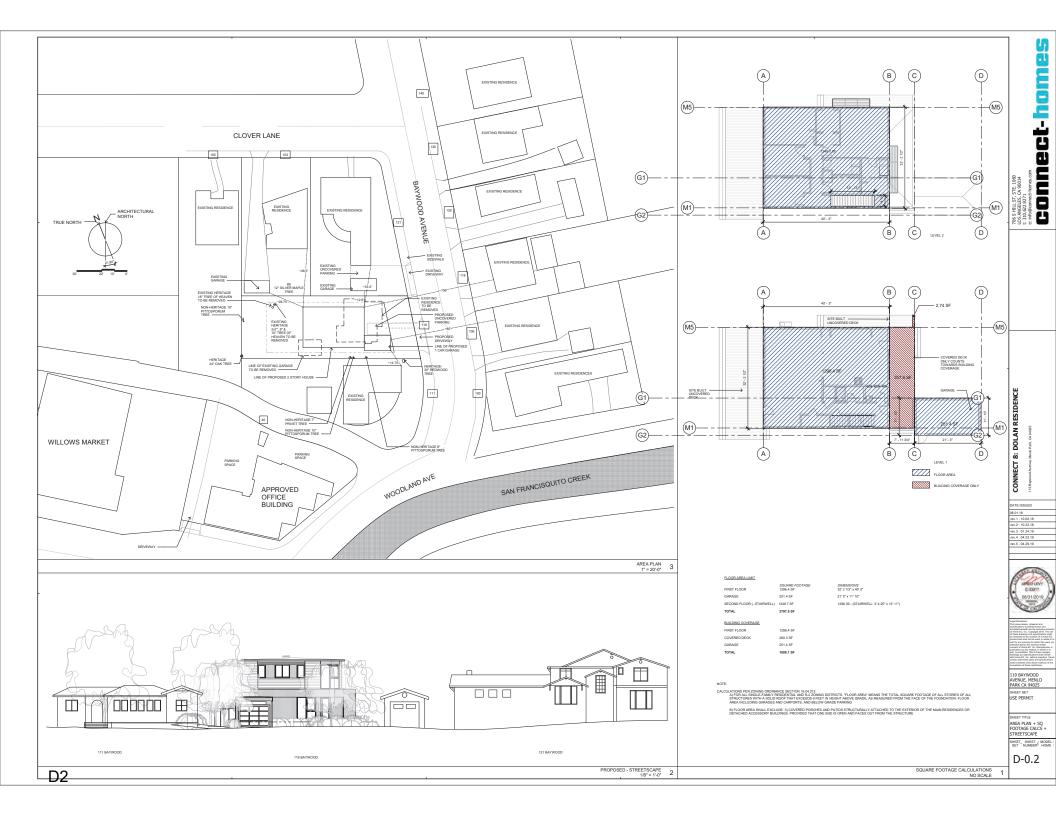
## ATTACHMENT C

### 119 Baywood Avenue – Attachment C: Data Table

	PROPOSED PROJECT	EXISTING DEVELOPMENT	ZONING ORDINANCE
Lot area	6,870 sf	6,870 sf	7,000.0 sf min.
Lot width	50.0 ft.	50.0 ft.	65.0 ft. min.
Lot depth	137.4 ft.	137.4 ft.	100.0 ft. min.
Setbacks			
	Option 1 Option 2		
Front	20.7 ft. 20.3 ft.	22.0 ft.	20.0 ft. min.
Rear	49.0 ft. 34.9 ft.	45.2 ft.	20.0 ft. min.
Side (left)	6.7 ft. 10.6 ft.	10.7 ft.	5.0 ft. min.
Side (right)	5.2 ft. 7.1 ft.	3.6 ft.	5.0 ft. min.
Building coverage	1,809.0 sf	1,235.0 sf	2,404.5 sf max.
	26.3 %	17.9 %	35.0 % max.
FAL (Floor Area Limit)	2,799.1 sf	1,235.0 sf	2,800 sf max.
Square footage by floor	1,296.4 sf/1 <sup>st</sup> floor 1,251.3 sf/2 <sup>nd</sup> floor 251.4 sf/garage 257.8 sf/porch	1010.0 sf/1 <sup>st</sup> floor 225.0 sf/garage	
Square footage of buildings	3,056.9 sf	1,235.0 sf	
Building height	24.4 ft.	18.1 ft.	28 ft. max.
Parking	1 covered/1 uncovered	1 covered	1 covered/1 uncovered
0	Note: Areas shown highlighted	indicate a nonconforming or sul	ostandard situation.
Trees	Heritage trees: 4*	Non-Heritage trees: 4	New Trees: 4*
	Heritage trees proposed for removal: 2	Non-Heritage trees proposed for 0 removal:	Total Number of Trees: 7
	*Includes nearby trees on neig	hboring lots and street trees	

### ATTACHMENT D

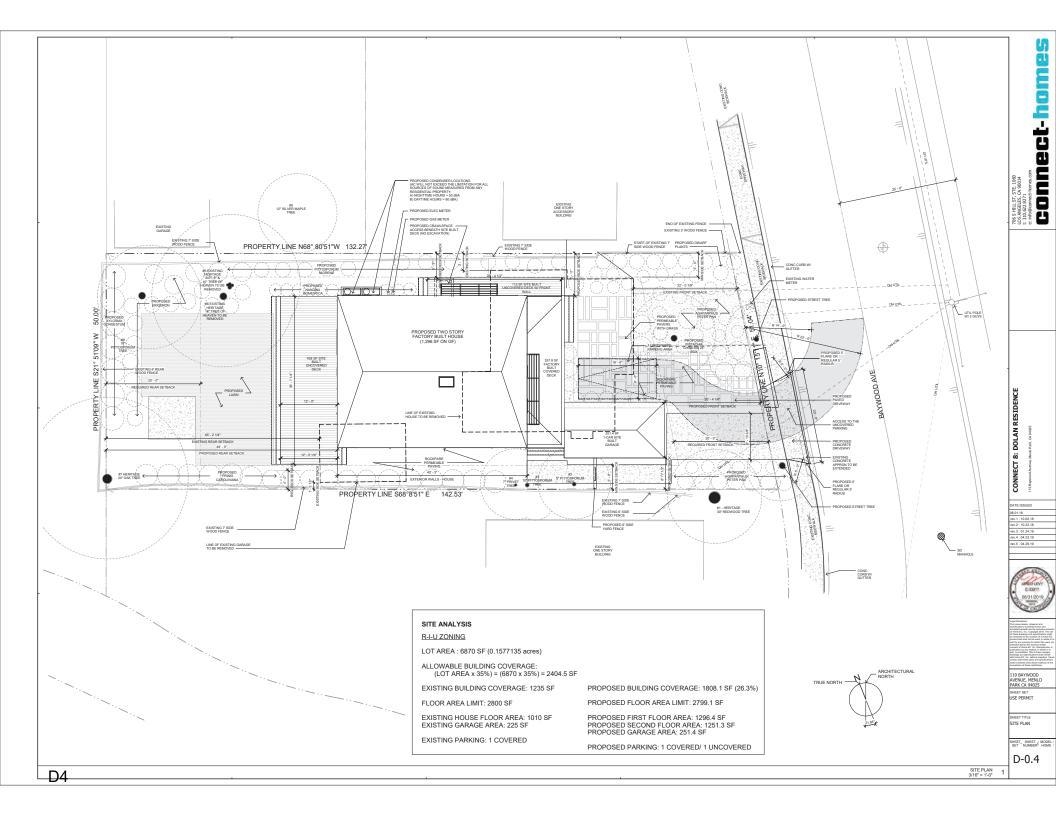
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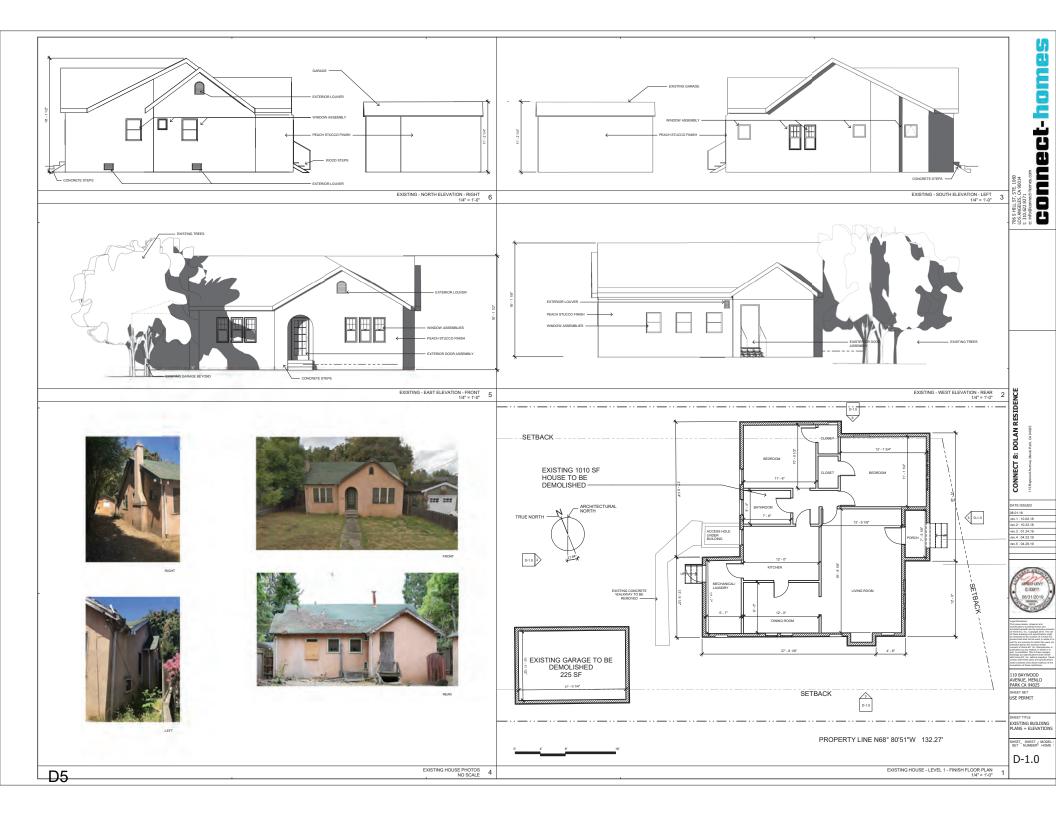


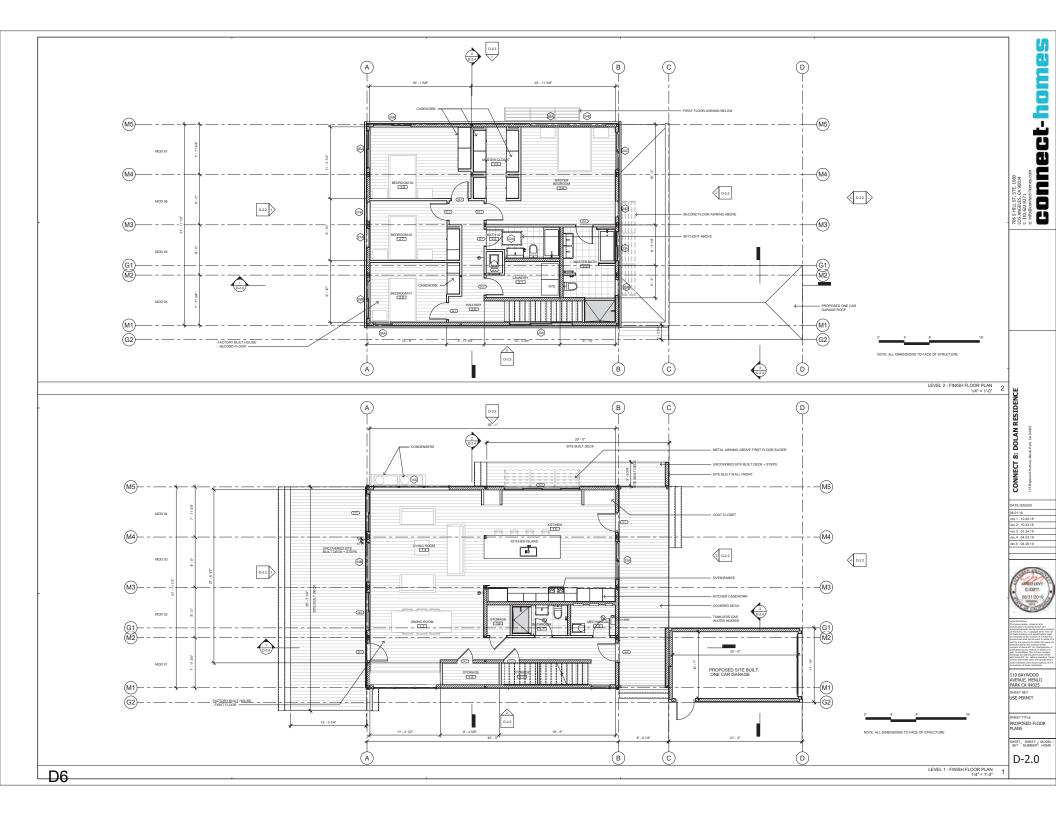


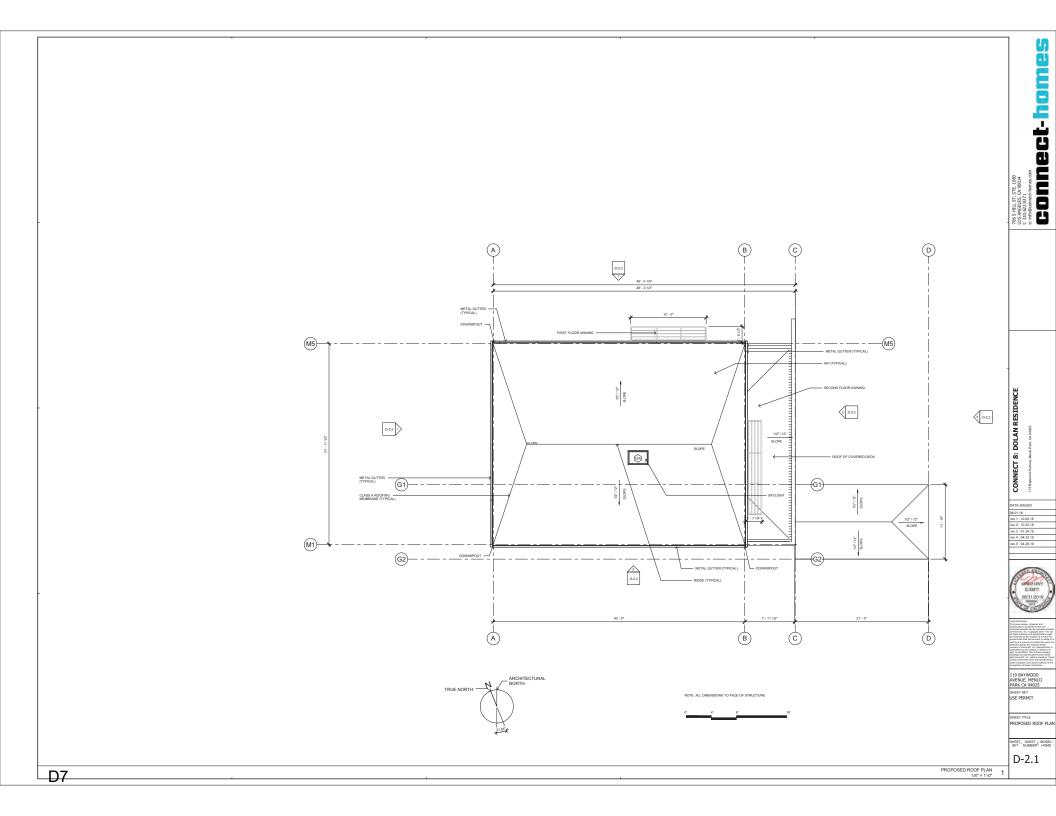
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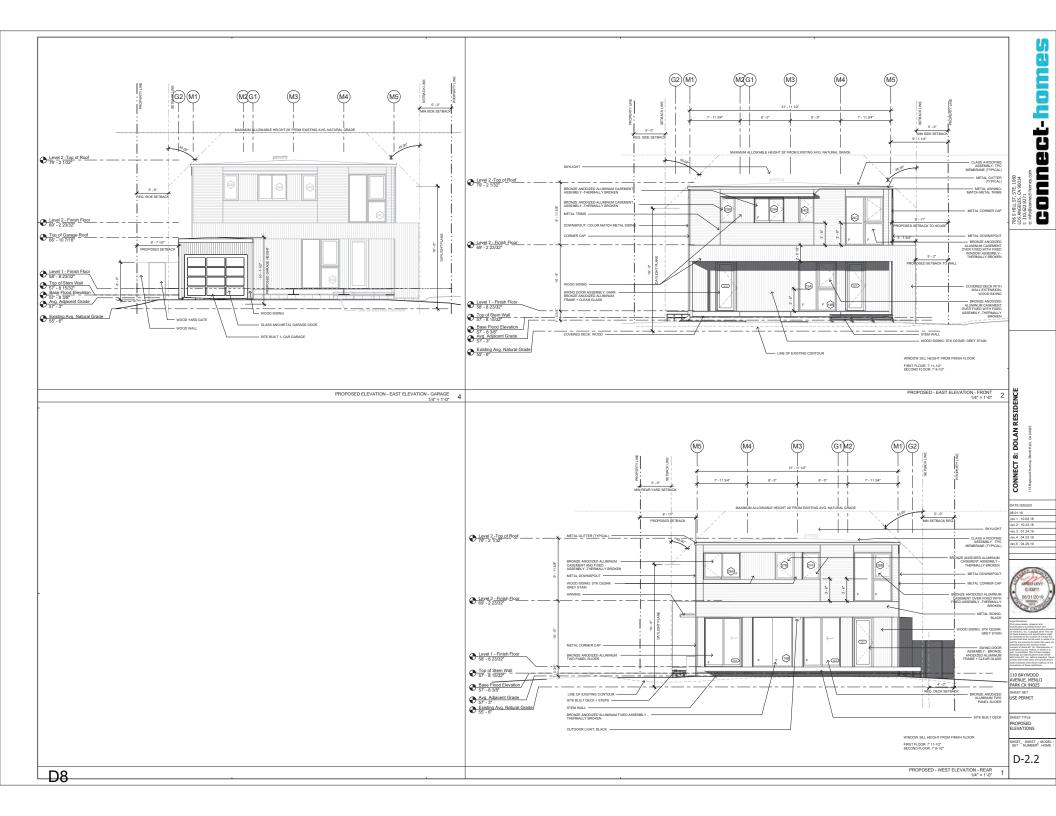
NEIGHBORHOOD CONTEXT MAP NO SCALE 1

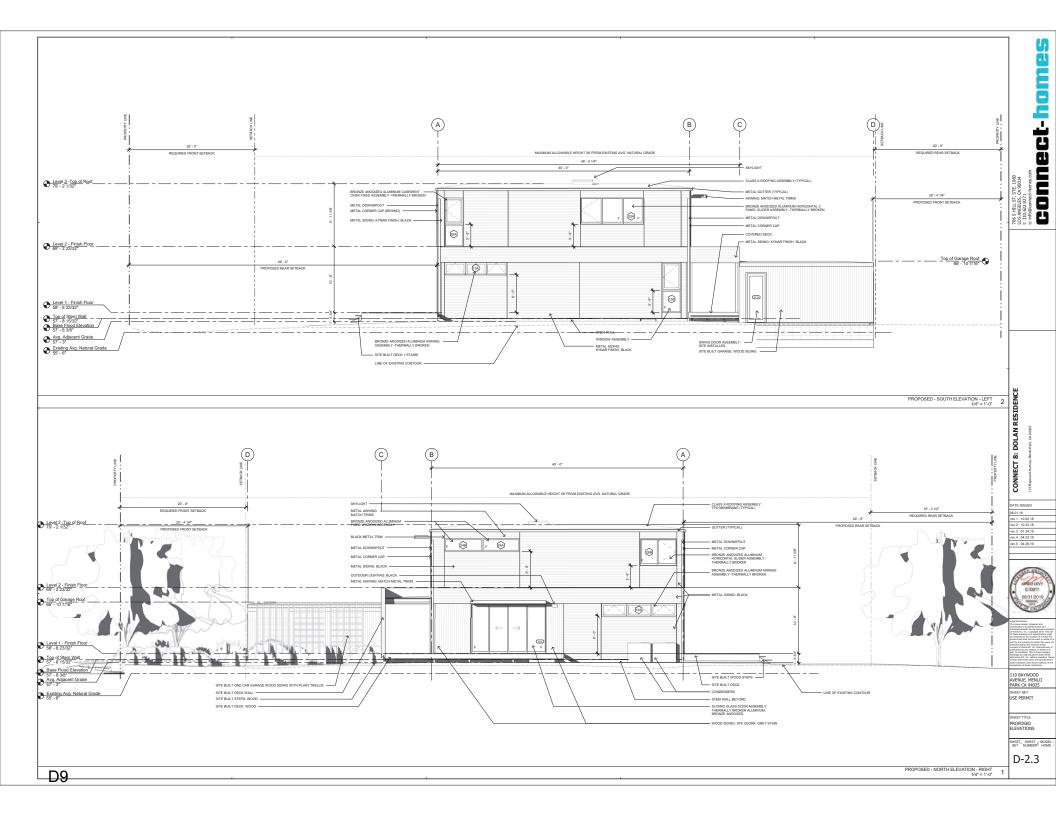


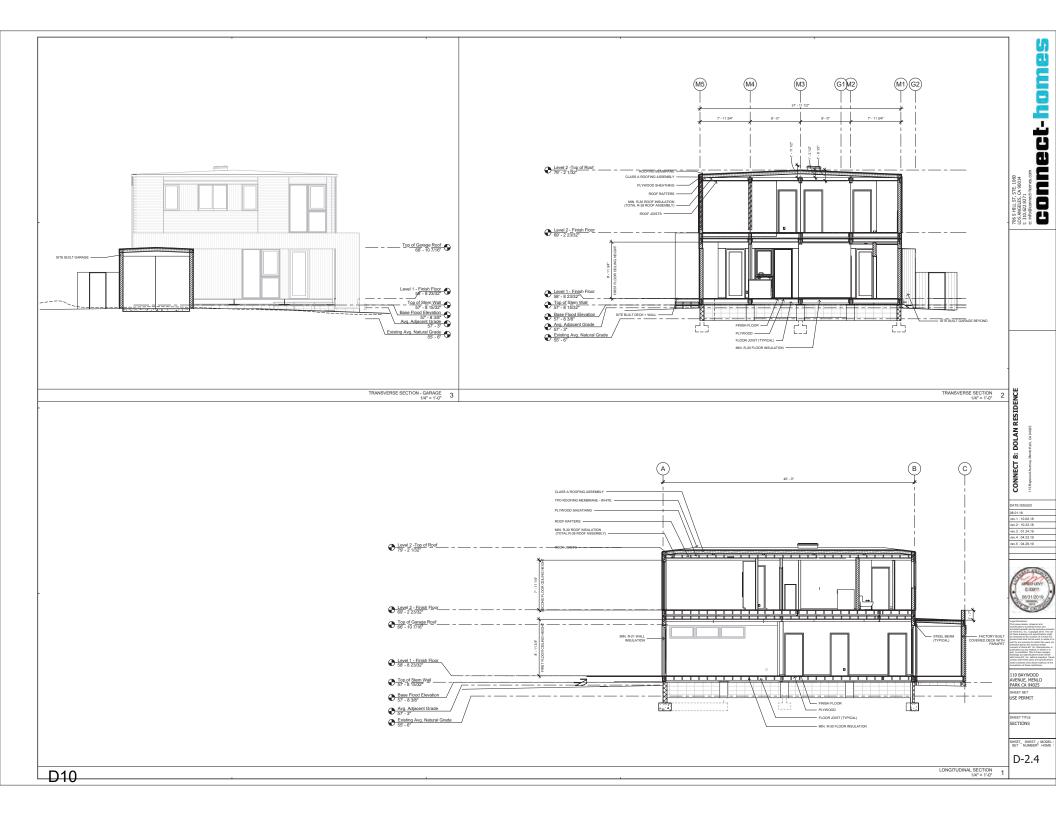




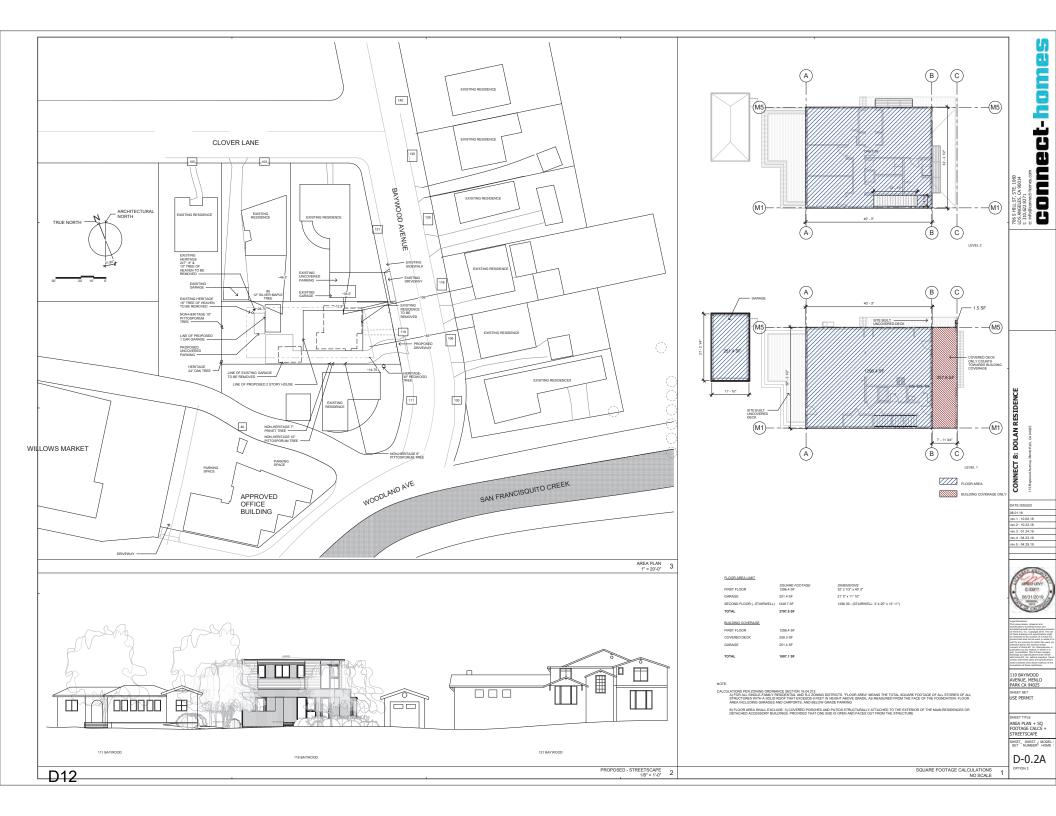


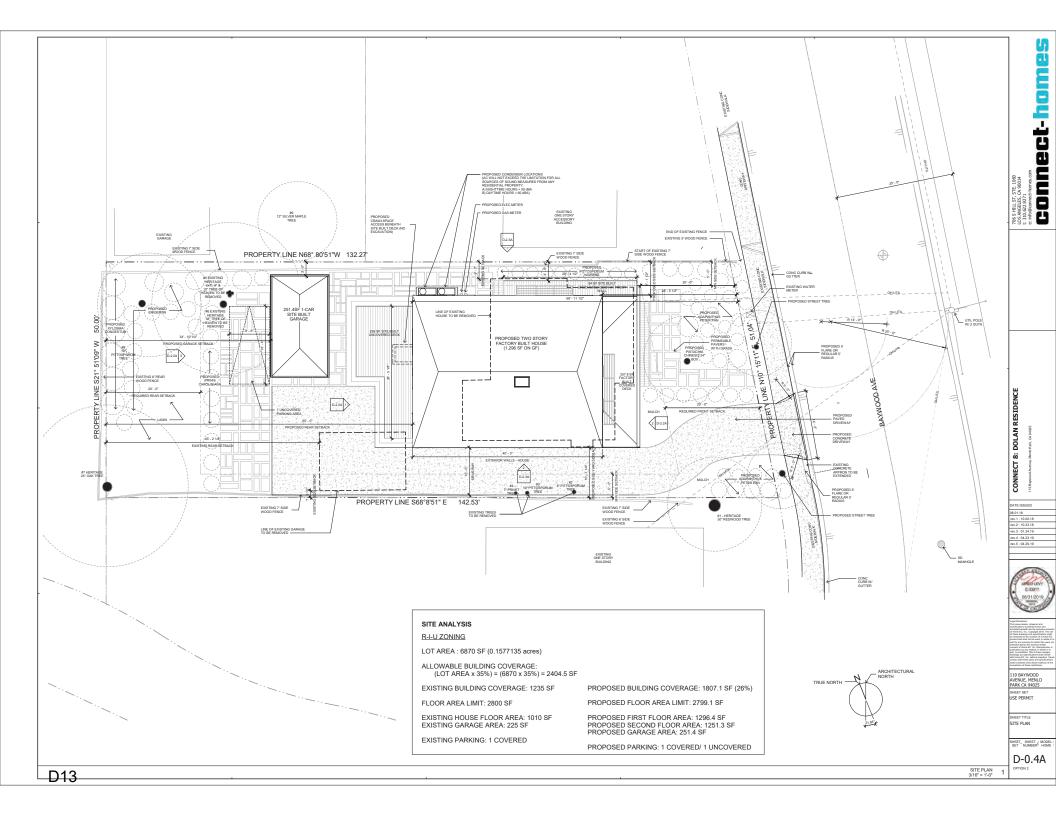


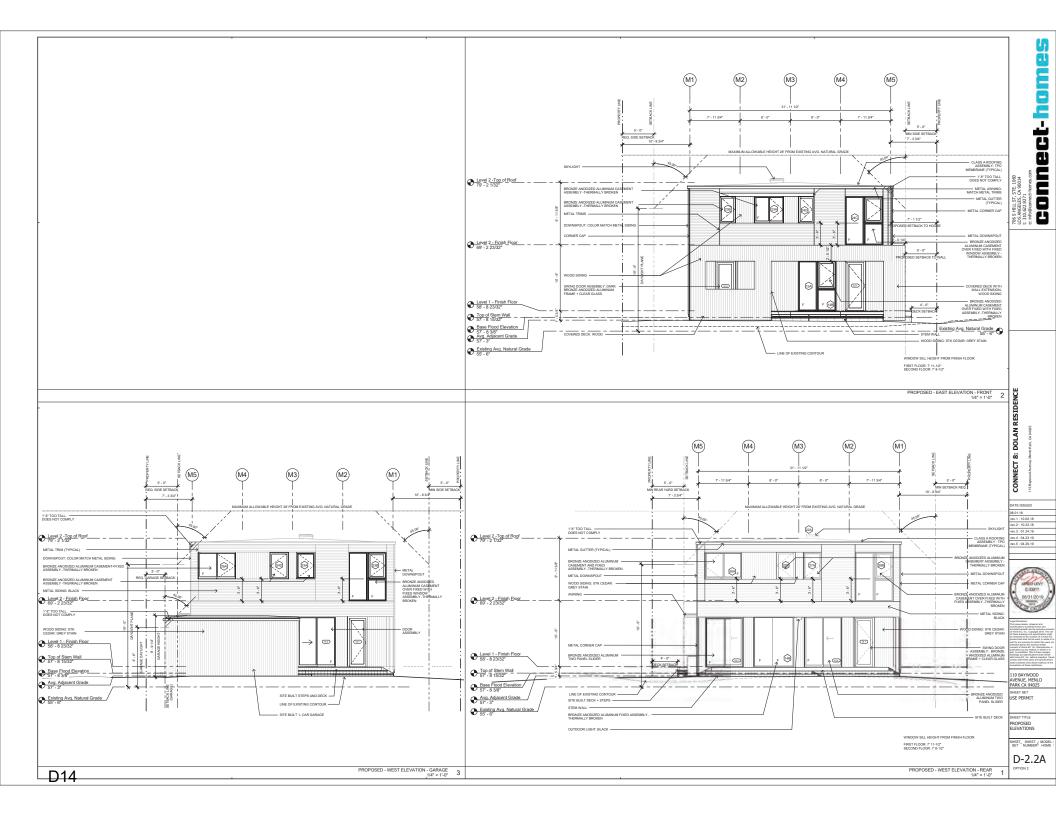


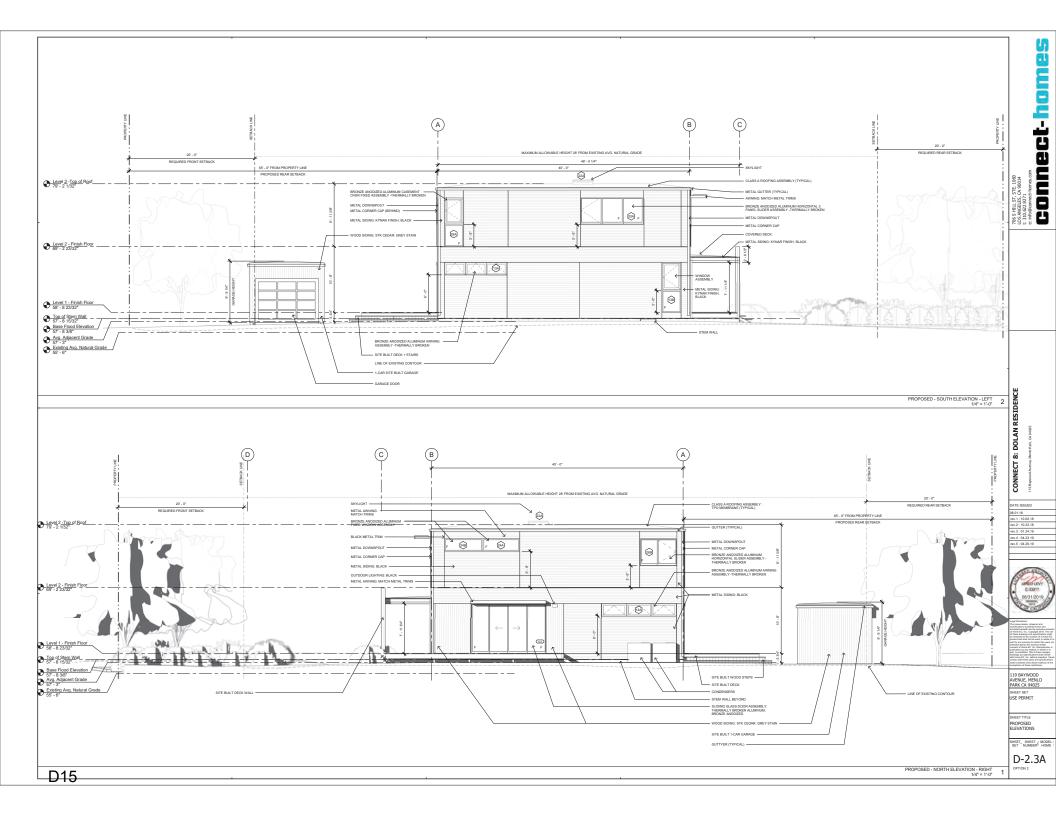


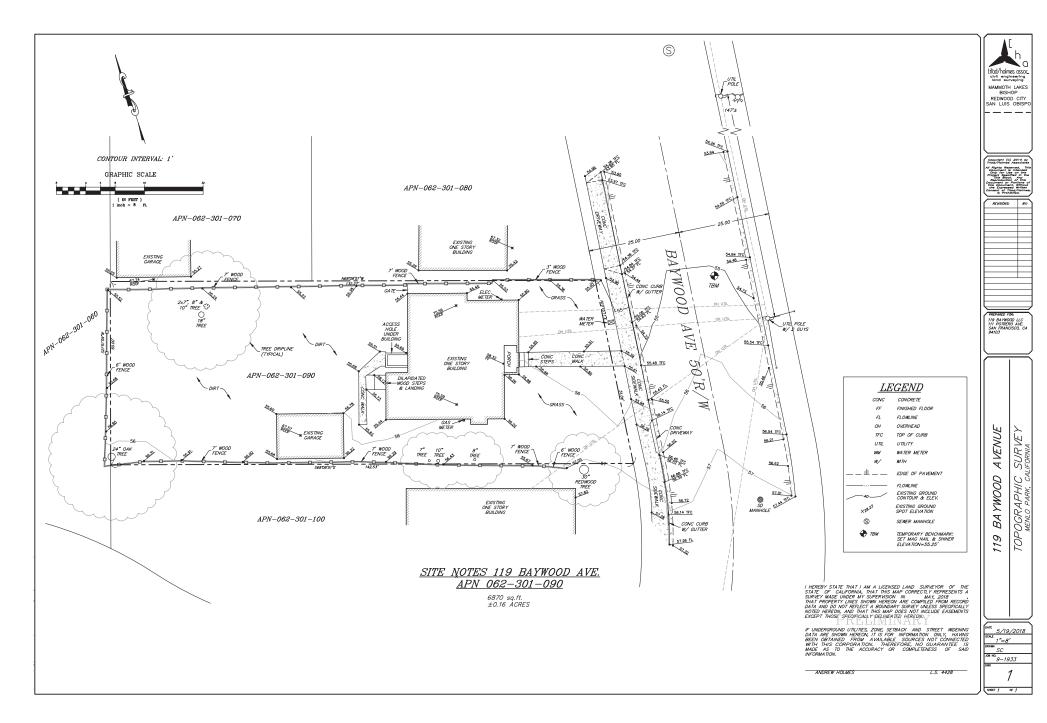












# PROJECT DESCRIPTION 119 Baywood Avenue

First Submission July 18, 2018 Second Submission October 10, 2018 Planning Commission Presentation on November 5, 2018 Third Submission March 13, 2019 Fourth Submission April 29, 2019

#### November 5, 2018 Planning Commission Direction

On November 5, 2018 The Planning Commission made the decision to continue the request for use permit at 119 Baywood Avenue. While there was no formal direction to make specific changes, the Planning Commissioners made the below comments. The project sponsor has addressed the comments in addition to providing an alternate design with the garage relocated to the rear of the property, addressing specifically the prominent garage.

Below is an outline of the Planning Commission comments and the project sponsor brief responses:

- 1. **PC Comment**: Explore options for reducing the perceived massing of the building. <u>Sponsor Response for original proposed design</u>:
  - Increased height of the first-floor porch parapet
  - Created full height architectural wing wall to the north side of the porch
  - Added awning above the first-floor side patio doors
  - Inserted wood siding material at second floor
  - Modified landscape plan to include the addition of street trees

The addition of the increased height parapet along the front porch façade creates an elevation layer between the garage and the exterior wall of the house. The combined modifications of the front porch parapet, architectural wing wall, contrasting wood siding material, and landscape plan ALL contribute in the reduction of the perceived building massing.

2. **PC Comment**: Conduct additional outreach with neighbors so that they have seen the plans.

Sponsor Response:

- The project sponsors made contact and met with the neighbors to present the revised project plans and elevations.
- See below Neighboring Properties section for details of the meeting.
- 3. PC Comment: Revise the garage. <u>Original Design Enhancements:</u>

- Garage roof pitch was modified for proper drainage
- Green wall added to north garage elevation
- Addition of (2) street trees
- Addition of parapet to the front porch reduces the prominent massing of the garage

The proposed garage now includes a vertical green wall on the north side of the garage. The front yard landscaping plan was modified to include (2) street trees as well as the large tree in the front yard. This modified landscaping plan further breaks down the garage massing and creates screening. The curb cut has been reduced to 20ft and the front yard permeable pavers were redesigned to create a softer appearance. The addition of the increased height parapet along the front porch façade creates an elevation layer between the garage and the exterior wall of the house. The combined modifications have reduced both the massing of the garage and the home.

#### Alternate Rear Garage Design Option:

- Relocate garage to rear yard
- Modified front elevation
- Modified site plan to accommodate alternate design
- Confirmation with Arborist for means and methods of new driveway design

The proposed alternate rear garage design option was prepared to offer a solution for the perceived prominent garage feedback from the planning commission. This option would position the garage in the rear of the property and push the house closer to the street to accommodate garage access and turning. The landscaping plan would adjust accordingly consisting of the similar plants and plantings as the original design.

When reviewing the new site plan in coordination with the daylight plane, it was determined that the house would be positioned such that it would not provide enough clearance for the minimum driveway requirement which ultimately provides access to the new rear garage location. The FEMA flood plain height requirement causes the structure to intrude into the daylight plain. Therefore, it does not appear the alternate rear garage design option is viable. The sponsor did also explore reducing the height of the structure by using the minimum height module design however this did not result in a viable solution.

Based on the feedback received to date from the surrounding neighbors and the technical restrictions identified after exploring the alternate rear garage design option, we request to proceed with the original design submission locating the garage at the front of the property.

- 4. **PC Comment**: Reduce curb cut. <u>Sponsor Response</u>:
  - Curb cut was reduced from 24ft to 20ft for the proposed original design
  - Curb cut was reduced from 24ft to 14ft-5inches for the alternate rear garage design option

# Purpose of the proposal

The proposed project consists of the replacement of an existing single-family home that has been vacant since 1990 with the construction of a new 2-story single family home and garage.

# Scope of Work

The original design and preferred option includes an existing 1,010 SF 1-story single family house and 225 SF 1-car garage to be demolished. New construction of a 2-story innovative factory-built home, which includes 2,547.7 sf of living area in a 4 bedroom and 3 full bathroom program. The garage, located at the front of the property, roofs 251 sf of new 1-car covered parking area and 1-car uncovered parking at the front of the house.

There is an alternate design option provided for a rear garage. This option includes an existing 1,010 SF 1-story single family house and 225 SF 1-car garage to be demolished. The proposed alternate rear garage design option was prepared to offer a solution for the perceived prominent garage feedback from the planning commission. This option positions the 1-car covered garage in the rear of the property with a 1-car uncovered adjacent parking spot and pushes the house closer to the street to accommodate garage access and turning. The landscaping plan would adjust accordingly consisting of the similar plants and plantings as the original design. When reviewing the new site plan in coordination with the daylight plane, it was determined that the house would be positioned such that it would not provide enough clearance for the minimum driveway requirement which ultimately provides access to the new rear garage location. Therefore, this alternate option is not viable.

# Architectural style, materials, colors

This beautiful new home will be a welcome improvement from the current dilapidated abandoned home and integrate into the eclectic mix of one and two-story homes on this block in Menlo Park. Composed largely of structures built in the middle of last century, many of which are being renovated or replaced. Baywood Avenue is home to single family residences of a multitude of styles, colors, and materials. The proposed design of the new home on the subject property incorporates familiar materials and forms that add to the character of this neighborhood. The proposed design includes a combination of flat roofs, front covered open porch and deep sun shade overhangs, with main living spaces on the first floor. The proposed project uses a combination of semi-transparent stained light gray cedar siding and black bronze

metal siding with aluminum windows and doors. The building elevation includes the vertical cladded porch with contrasting vertical wood and an architectural wing wall to the north side of the porch to create a reduced massing of the 2<sup>nd</sup> floor. These natural and organic colors were chosen as they are prevalent on the street. The landscaping of the site will be natural and native and create a light screening of the building. The new home is in scale and character with the diversity of homes in this area. The overall character and scale of the proposed design adds to the array of forms and materials present in the homes of Baywood Avenue.

# Factory-built home

The proposed home designed by Connect-Homes is factory-built and centralizes the construction process with the goal of eliminating waste entirely. In contrast to the 8,000 pounds of waste generated at a traditional home building on site, building in a factory cuts waste by over 75%. The design intents to offer energy efficiency, using less resources and providing significant yearly savings. For example, the home will come with LED lighting systems, exceeds minimum insulation requirements, uses Low-E thermally-broken doors and windows and is designed to attain the points necessary for LEED for Homes Silver certification before factoring in site variables. Steel frames function as the main structural component allowing for more precision and sturdier construction. Currently there have been 5 Connect Homes build and/ or approved in San Mateo County, 2 of which are in Menlo Oaks.

# <u>Site layout</u>

The new home will be placed outside of the required setbacks of the property. The garage and house were positioned on the site in a way to create a rhythm and vernacular consistent of the current street elevation with adjacent properties. The placement of the garage at the front of the home is consistent with the adjacent neighbor's garage of similar size and scale and consistent with other Menlo Park properties (see attached street study).

The entry of the house is welcoming and well-defined with a factory- built covered front porch and pathways from both the driveway and street. The project also introduces new landscaping to the site consistent in neighborhood including newly planted trees, helping screen the views of the house to and from the street. There will be some site-built decking on the side and rear yards, which creates multiple access to the outdoors and strengthened the proposed overall design. There will be extra build up in the finish grading in order to meet the FEMA flood plain requirements for this site while also matching the adjacent lot existing natural grades. The landscape plantings and exterior decking have been designed to soften the built up grade surround the buildings. The siting of the house and garage were considered while working with the existing grading constraints. All existing trees on the site will be preserved and protected. There are no other significant natural features on the property and the house does not block or obscure any adjacent views or light.

Privacy among the neighboring properties is respected in the proposed design. The adjacent home to the north is sited perpendicular to the site and its detached garage adjacent to the side of the property has no windows. The single-story property to the south is well screened by existing vegetation and fencing. Additionally, an existing fence, existing established trees and new landscape screening are proposed along both side and rear property lines to help screen views to and from the new home.

#### Neighboring properties

When the property was purchased direct conversations were conducted with the neighbors located at 106 Baywood (Jack Younkin), 111 Baywood (Lauri Hart) and 118 Baywood (Teddy & Robert Wilson). The neighbors were excited about the project, expressing support of the project since the property has attracted transients and all the side effects of not being cared for in over 25 years.

At the request of the planning department, the project sponsors provided additional outreach to the following addresses 105 & 103 Clover Lane, 100, 106, 111, 118, 121, 126 & 130 Baywood Avenue.

- On March 1, 2019 the project sponsors reached out directly to the 9 immediate neighbors with hand delivered letters offering a meeting or phone call to review the updated plans.
- On March 1, 2019 project sponsor, when attempting to contact the owner of 121 Baywood, spoke with the tenant who provided our written request to the property owner.
- On March 11, 2019 the project sponsors conducted a meeting held at the • neighbors who reside at 118 Baywood. The neighbors included Teddy Wilson (118 Baywood), Jessica Olsen (126 Baywood), Lauri Hart (111 Baywood), Robert Wilson (118 Baywood), and Mrs. Greaves (Woodland Ave.). There was also a meeting with Heather Goudey (105 Clover LN) separately at her home on the same day. The project sponsors presented the updated full submittal package illustrating the changes to the design and landscaping while articulating the planning commission's requests from the previous hearing. The neighbor focus was on the landscaping, exterior elevations, and the garage. The project sponsors went through the enhancements made to each of these items specifically. 1) Landscaping - there were modifications in the front yard to soften up the front elevation including street trees, reduced curb cut, and redesigned concrete paver area, 2) Exterior Elevation - this was re-designed to reduce the perceived massing of the building by adding a parapet above the porch, adding a wing wall to the side of the porch, and increasing the wood siding material, and 3) Garage – further landscaping was applied to the wall surface and additional street trees making the garage less prominent but still consistent with other front facing garages in the

neighborhood. These changes and responses to comments were well received by neighbors at the meeting. The project sponsors fielded and answered questions in an interactive session. Teddy Wilson from 118 Baywood was the only neighbor vocal about the garage design. The updated next phase of the development process and intentions to submit the package were discussed. There were several requests from the neighbors to contain a rodent issue prior to demolition. The project sponsors agreed to provide ample notice prior to demolition. The neighbors were pleased with the factory-built means and methods of construction reducing the construction schedule and minimizing neighborhood impact.

- On March 12, 2019 the project sponsors had a call with Amar Marugan at 130 Baywood since he was unable to attend the neighbor meeting at 118 Baywood. Amar wanted to offer his support for the project and indicated he would be contacting the planning department directly to express his support.
- On April 24, 2019 the project sponsor emailed the updated plans including the rear garage design option to the neighbors at 118 Baywood, 111 Baywood, 105 Clover LN, 126 Baywood, and 130 Baywood.
- On April 24, 2019 the project sponsor spoke directly to Terrence, the owner of 103 Clover. Terrence indicated that he had seen the project plans and such on the web and his only concern was the dust from the demo, otherwise he is in support of the design and project.
- On April 24, 2019 the project sponsor received an email message from 105 Clover LN questioning the proposed new rear garage option.
- On April 25, 2019 the project sponsor hand deliverd the updated plans including the rear garage design option to the neighbors 100 Baywood, 106 Baywood, 121 Baywood, and 103 Clover LN.
- On April 25, 2019 the project sponsor received an email message from our direct neighbor at 111 Baywood strongly objecting the alternate rear garage design option. She also states that she had no objection to the original design and her husband Joe Zott was the only public comment and spoke in favor at the commission hearing on November 5, 2018.

# **Conclusion**

In summary, this project is progressive and forward-looking, incorporating the best of the current trends in sustainability and responsible construction practices. The home is a great addition to this community, and the architecture reflects and enhances the diversity of this vibrant neighborhood.

Based on in person and in writing feedback received to date from the surrounding neighbors we recommend proceeding with the original design submission with the garage at the front of the property and not the rear of the property.

# STREET STUDY



1220 BAY LAUREL AVENUE, MENLO PARK, CA 94025



99 SAN MATEO AVENUE, MENLO PARK, CA 94025



210 BLACKBURN AVENUE, MENLO PARK, CA 94025



128 BLACKBURN AVENUE, MENLO PARK CA 94025



256 MARMONA DRIVE, MENLO PARK, CA 94025



239 ROBIN WAY, MENLO PARK, CA 94025



213 BLACKBURN AVENUE, MENLO PARK, CA 94025



217 MARMONA DRIVE, MENLO PARK, CA 94025

# ATTACHMENT F

# Kielty Arborist Services LLC

Certified Arborist WE#0476A P.O. Box 6187 San Mateo, CA 94403 650-515-9783

June 21, 2018, Revised April 24, 2019

Jamie McGrath Conventus LLC 111 Potrero Avenue San Francisco, CA 94103

Site: 119 Baywood Avenue, Menlo Park, CA

Dear Jamie McGrath,

As requested on Thursday, June 14, 2018 I visited the above site to inspect and comment on the trees. A new 2 story home is proposed for this site and your concern for the future health and safety of the trees has prompted this visit. Site plan D-0.4 dated 4/17/19 was reviewed for writing this report.

Method:

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

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

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

119 Baywood Ave 4/24/19 <b>Survey:</b>				(2)	
	Species Incense cedar (Calocedrus decurren	<b>DBH</b> 28.2 <i>ns</i> )	<b>CON</b> 45		PComments Fair vigor, poor form, topped at 30', codominant at 30 feet, decay likely. 10 times diameter=23.5'
2	Pittosporum (Pittosporum eugenic	7.5 pides)	50	25/15	Fair vigor, fair form, old hedge material, easily replaced.
3	Pittosporum (Pittosporum eugenic	9.6 pides)	50	35/15	Fair vigor, fair form, old hedge material, easily replaced.
4	Privet (Ligustrum japonicur	6.6 n)	50	25/15	Fair vigor, fair form, old hedge material, easily replaced.
5 <b>P/R</b>	Tree of heaven (Ailanthus altissima) <b>TREE FAILED IN</b>	20.1 WINTH	45 E <b>R OF</b> 2	40/30 <b>2019</b>	Fair vigor, poor form, multi leader at grade, suppressed by #6, leans, heavily invasive.
6 <b>P/R</b>	Tree of heaven (Ailanthus altissima)	18.5	45	50/35	Fair vigor, fair form, invasive, poor species <b>Proposed for removal.</b>
7 <b>P</b>	Coast live oak ( <i>Quercus agrifolia</i> )	24.9	90	45/40	Good vigor, good form, good location, recommended to cable codominant leader. <b>10 times diameter=20.7</b> '
8	Pittosporum (Pittosporum eugenic	9.7 pides)	40	20/20	Fair vigor, poor form, heavy decay on trunk.
9*	Silver maple (Acer saccharinum)	12est	80	40/30	Fair vigor, fair form, young tree, 3 feet from property line.

\*-Indicates neighbors tree **P-I**ndicates protected tree by city ordinance **R-** Indicates proposed removal

119 Baywood Ave 4/24/19 (3)

# **Summary:**

The trees surveyed on site are mix of native and imported trees. Trees #1, and #5-7 are heritage trees as they have diameter measuring over 15 inches. Tree#5 has recently failed in the winter of 2019 due to heavy winds. The city of Menlo Park's definition of a heritage tree is as followed:

- 1. Any tree having a trunk with a circumference of 47.1 inches (diameter of 15 inches) or more measured at 54 inches above natural grade.
- 2. Any oak tree native to California, with a circumference of 31.4 inches (diameter of 10 inches) or more measured at 54 inches above natural grade.
- 3. Any tree or group of trees specifically designated by the City Council for protection because of its historical significance, special character or community benefit.
- 4. Any tree with more than one trunk measured at the point where the trunks divide, with a circumference of 47.1 inches (diameter of 15 inches) or more, with the exception of trees that are under 12 feet in height, which are exempt from the ordinance.
- 5. Any tree located within the public right of way (Street trees)

# Proposed work on site/recommendations:

A new 2 story home is proposed on site. The existing site plan shows pittosporum trees #2-4 to be removed. The Pittosporum trees are old hedge material that has not been well maintained. These trees are not of a protected size.

The proposed driveway has been redesigned to be as far from the neighbor's incense cedar tree as possible. The driveway curves around the tree where possible, while still maintaining a standard driveway width. In order to reduce impacts as much as possible, it is recommended to construction the driveway on top of grade using Biaxial Geogrid(*Tensar BX-1100*) when within 23.5 feet from then neighbor's Incense cedar tree. This will allow for a zero cut driveway type build. The geogrid can be pinned down over the existing soil as an underlayment which disperses loads laterally, and allows for building up a base section over the existing soil as a "zero cut" type driveway build. This will make for a raised finish driveway grade, but will also allow for a thinning of the required base section thickness to as much as 50% below standard. When outside the distance of 23.5 feet from the tree, standard driveway techniques can be used to construct the driveway. If this type of driveway build will help to relieve potential compacted conditions within the tree root zone. If this type of driveway is to be built when within 23.5 feet from the neighbor's incense cedar tree, impacts are expected to be nonexistent as no roots will be impacted/cut.

Tree protection fencing for the neighbor's incense cedar tree is recommended to be placed at 20 feet from the tree where possible. Anywhere tree protection fencing needs to be reduced for access or any other reason, should be protected by a landscape barrier. During the driveway build, the tree protection zone can be reduced to the edge of the proposed driveway. The driveway work when within 23.5 feet of tree #1 will need to be supervised by the Project Arborist.

#### 119 Baywood Ave 4/24/19 (4)

Ailanthus tree #5 failed during the previous winter storms. The owner would now like to remove the other ailanthus tree #6. This tree is in close proximity to the proposed uncovered parking area and garage. Impacts from excavation would be expected at this distance from the tree. This species is often recommended for removal due to its invasiveness. The tree meets the following considerations to use in determining whether there is good cause for removal of a heritage tree: -The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services. (**This tree is in close proximity to the proposed structures on site**)

The necessity to remove the tree or trees in order to construct proposed improvements to the property (Tree removal is needed to construct the covered carport and garage.)
The long-term value of the species under consideration, particularly life span and growth rate. (This species has the lowest value due to its invasiveness and has a short life span of less than 50 years) (https://selectree.calpoly.edu/tree-detail/ailanthus-altissima)

The remaining trees are not expected to experience any impacts with tree protection fencing installed and maintained throughout the project. Tree protection fencing for coast live oak tree #7 will need to be placed at 20 feet from the tree where possible.



#### **Summary:**

The trees on site are a mix of native and imported trees. Incense cedar tree #1 is in poor condition. The tree has fair vigor, but poor form. The tree has either been topped in the past at 30 feet or has experienced at top failure at 30 feet. New growth following the loss of the trees top now consist of two leaders competing for apical dominance. The area where the top has failed ,or been removed, is now prone to decay, as the tree is not able to develop enough reaction wood to close the wound. Because decay is likely in this area, the two codominant tops are prone to failure as they continue to grow larger. The two tops are recommended to be cabled together to offer extra support to the trees poor form. This tree will be required to be protected by tree protection fencing throughout the entire length of construction as this is a protected tree. Showing two tops at 30 feet

# 119 Baywood Ave 4/24/19



Trees #2-4 consist of two pittosporum trees and one privet tree. These trees are not of a protected size in the city of Menlo Park. These trees were once planted likely for screening purposes but have not been well maintained. These trees are to be removed.

# Showing trees #2-4



Trees #5 and #6 are trees of heaven (*Ailanthus altissima*). This species is very invasive and most cities encourage the removal of this species. The species has a weak branch strength. Tree #5 has failed during last winter's storms. Tree #6 is recommended for removal due being a poor species and in close proximity to the proposed construction.

Showing trees #5 and #6 (Tree #5 recently failed)



Coast live oak tree #7 is in excellent condition. The location of this tree is good as it is located in the corner of the property far from any proposed work. No impacts are expected for this tree. It is recommended to have the codominant lateral leader cabled for support. Tree protection fencing must be installed at a distance of 20 feet (10 times diameter) from the tree. Any future landscaping within 20 feet from this tree must be native plantings with the same water requirements as the oak tree. Summer irrigation near oak trees significantly raises the risk of developing oak root fungus diseases.

Showing oak tree #7

Pittosporum tree #8 is located at the back fence property line. This tree is in poor condition due to a heavy amount of decay located on the tree's trunk. This tree is not of a protected size.

Neighbor's silver maple tree #9 is in good condition. This tree is a good distance away from the proposed work. This tree is not expected to be impacted by the proposed construction. The following tree protection plan will help to reduce potential impacts during construction to the trees on site.

#### **Tree Protection Plan:**

#### Tree Protection Zones

Tree protection zones should be installed and maintained throughout the entire length of the project. Fencing for tree protection zones should be 6' tall, metal chain link material supported by metal 1.5" diameter poles, pounded into the ground to a depth of no less than 2'. The distance between metal support poles shall not be more than 10'. The location for the protective fencing for the protected trees(#1 and #7) on site should be placed at a distance of 20' from the trees where possible. All other non-protected trees to be retained are recommended to be protected by fencing placed at their driplines. The neighbor's maple tree will be protected by the existing property line fence. A 6" layer of coarse mulch or woodchips is to be placed beneath the dripline of the protected trees, within the tree protection zones. Mulch is to be kept 12" away from the tree trunks. Where it is not possible to place tree protection zones at the prescribed distance because of approved proposed work or existing hardscapes, but not closer than 2 feet from the trunk

of any tree. No equipment or materials shall be stored or cleaned inside the protection zones. Areas where tree protection fencing needs to be reduced for access, should be mulched with 6" of coarse wood chips with ½ inch plywood on top(landscape barrier). The plywood boards should be attached together in order to minimize movement. The spreading of chips will help to reduce compaction and improve soil structure. All tree protection measures must be installed prior to any demolition or construction activity at the site. All non heritage trees to be retained are recommended to be protected with fencing placed at the tree's dripline. The proposed new driveway must be constructed under the Project Arborist supervision as described in this report. Anytime fencing is to be move the Project Arborist shall be called out to the site. All approved excavation underneath the dripline of a protected tree must take place by hand in combination with an air spade. Machine trenching shall not be allowed.

# Avoid the following conditions:

# **DO NOT:**

- **A.** Allow run off of spillage of damaging materials into the area below any tree canopy.
- B. Store materials, stockpile soil, or park or drive vehicles within the TPZ.
- **C.** Cut, break, skin, or bruise roots, branches, or trunks without first obtaining authorization from the City Arborist.
- **D.** Allow fires under and adjacent to trees.
- E. Discharge exhaust into foliage.
- **F.** Secure cable, chain, or rope to trees or shrubs.
- **G.** Trench, dig, or otherwise excavate within the dripline or TPZ of the tree(s) without first obtaining authorization from the City Arborist.
- **H.** Apply soil sterilants under pavement near existing trees.

# Landscape Barrier

Where tree protection does not cover the entire root zone of the trees at the dripline, or when a smaller tree protection zone is needed for access, a landscape buffer consisting of wood chips spread to a depth of six inches with plywood or steel plates placed on top will be placed where foot traffic is expected to be heavy. The landscape buffer will help to reduce compaction to the unprotected root zone.

# Root Cutting and Grading

Avoid injury to tree roots. When a ditching machine, which is being used outside of the dripline of trees, encounters roots smaller than 2", the wall of the trench adjacent to the trees shall be hand trimmed, making clear, clean cuts through the roots. All damaged, torn and cut roots shall be given a clean cut to remove ragged edges, which promote decay. Trenches shall be filled within 24 hours, but where this is not possible, the side of the trench adjacent to the trees shall be kept shaded with four layers of dampened, untreated burlap, wetted as frequently as necessary to keep the burlap wet. Roots 2" or larger, when encountered, shall be reported immediately to the Project Arborist, who will decide whether the Contractor may cut the root as mentioned above or shall excavate by hand or with compressed air under the root. Root is to be protected with dampened burlap. All roots to be cut shall be monitored and documented. Large roots (over 2" diameter) or large masses of roots to be cut must be inspected by the Project Arborist. The Project Arborist, at this time, may recommend irrigation or fertilization of the root zone.

Existing grades underneath the protected tree driplines are to remain as is. If grade changes greater than 4 inches are to take place, special mitigation measures will be needed to reduce impacts to the trees.

#### Trenching and Excavation (for any reason)

Route pipes outside of the area that is 10 times the diameter of a protected tree to avoid conflict with roots. If this is not possible, trenching for irrigation, drainage, electrical or any other reason shall be done by hand in combination with an air spade 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. When utilities need to be placed within a distance of 3 times the diameter or less of a protected tree on site, the Contractor shall bore beneath the dripline of the tree. The boring shall take place not less than 3' below the surface of the soil in order to avoid encountering "feeder" roots.

#### Pruning

Any needed or recommended pruning shall be supervised by the Project Arborist, and must be done by a licensed tree care provider. All pruning for trees in fair to good health must stay underneath 25% of the total foliage of the canopy. Trees that have been identified in this report as being in poor health and/or posing a health or safety risk, may be removed or pruned by more than one-third, subject to approval of the required permit by the Planning Division. Pruning of existing limbs and roots shall only occur under the direction of the Project Arborist.

# Irrigation

Normal irrigation shall be maintained on this site at all times. The imported trees will require normal irrigation. On a construction site, I recommend irrigation during winter months, 1 time per month. Seasonal rainfall may reduce the need for additional irrigation. During the warm season, April – November, my recommendation is to use heavy irrigation, 2 times per month. This type of irrigation should be started prior to any excavation. The irrigation will improve the vigor and water content of the trees. The on-site arborist may make adjustments to the irrigation recommendations as needed. The foliage of the trees may need cleaning if dust levels are extreme. Removing dust from the foliage will help to reduce mite and insect infestation. Native oak trees shall not be irrigated unless their root zones are traumatized.

#### Construction related damage to trees

Any damage due to construction activities shall be reported to the Project Arborist or City Arborist within six hours so that remedial action can be taken.

119 Baywood Ave 4/24/19 (9)

#### Inspections

It is the contractor's responsibility to contact the Project Arborist when work is to take place underneath the dripline of a protected tree on site. Kielty Arborist Services can be reached by email at <u>kkarbor0476@yahoo.com</u> or by phone at (650) 515-9783 (Kevin). A 48 hour notice is needed before these inspections can take place. In addition to monitoring construction activities underneath the dripline of a protected tree on site, monthly monitoring reports are required by the city of Menlo Park. It is required that the Project Arborist provide periodic inspections during construction. Four-week intervals would be sufficient to access and monitor the effectiveness of the Tree Protection Plan, and to provide recommendations for any addition care or treatment. The contractor must notify the Project Arborist when construction is to start. Should the builder fail to follow the tree protection specifications, the Project Arborist will report the matter to the City Arborist as an issue of non-compliance.

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

Sincerely, Kevin R. Kielty Certified Arborist WE#0476A (10)

# Kielty Arborist Services

P.O. Box 6187 San Mateo, CA 94403 650-515-9783

# ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like a medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, landlord-tenant matters, etc. Arborists cannot take such issues into account unless complete and accurate information is given to the arborist. The person hiring the arborist accepts full responsibility for authorizing the recommended treatment or remedial measures.

Trees can be managed, but they cannot be controlled. To live near a tree is to accept some degree of risk. The only way to eliminate all risks is to eliminate all trees.

Arborist:

Kevin R. Kielty

Date: April 24, 2019

From:	Heather Goudey
To:	<u>Paz, Ori</u>
Subject:	Fwd: 119 Baywood Update
Date:	Thursday, April 25, 2019 5:31:37 PM

# Hi Ori,

The team shared the latest design for 119 Baywood with me last night. I'm a neighbor at 105 Clover Lane. The back fence for 119 Baywood is shared with my property. This development placing the garage in the middle of the backyard is concerning to me. While a few of the neighboring homes have garages behind our homes, they do not comprise the entire backyard. Doing so for this property, along with a second parking spot, places all of the car traffic for this home very close to the back of my home which is where the bedrooms are. The accompanying noise and exhaust will enter my bedrooms. I have no issue with the garage in the location where it was first proposed.

Regards, Heather Goudey 105 Clover Lane

Begin forwarded message:

From: Jamie McGrath <jmcgrath@cvlending.com> Date: April 24, 2019 at 11:08:31 PM PDT To: Heather Goudey <heat and the state of the stat

Hi Heather-

Thank you for the quick response. The proposed option is based on the planning commission's issue with prominent front garages which they claim our original design had. The request was to provide an alternate design with the garage in the rear similar to others in the neighborhood. If you have a concern with this, please feel free to email our project planner Ori Paz at OriPaz@menlopark.org and indicate which design you support.

Thank you! Jamie

On Apr 24, 2019, at 10:37 PM, Heather Goudey <<u>hgoudey@yahoo.com</u>> wrote:

Hi Jamie,

Thanks for sharing. Why the new option with the garage at the rear?

Heather

On Apr 24, 2019, at 9:26 PM, Jamie McGrath <<u>jmcgrath@cvlending.com</u>> wrote:

Dear Neighbor –

We continue to work with the City of Menlo Park Planning Department for project approvals. The planning department has requested we do further outreach to our neighbors on the updated plans. We have provided the city with an option for locating the garage in the rear of the property. You can see this option on the attached plans.

We are available if you have any questions.

Thank you, Jamie, Chris & Nagendra

<19 0417\_Baywood\_SitePlan + Elevations.pdf>

This email has been scanned for spam and viruses by Proofpoint Essentials. Click <u>here</u> to report this email as spam.

From:	Teddy Spiller Wilson
To:	Jamie McGrath
Cc:	Chris Dolan; Nagendra Jayanty; Charles Jacob; Lauri Hart; Jessica Olson; Maryhelen Greaves; K Amar Murugan;
	Robert C. Wilson; Paz, Ori
Subject:	Re: 119 Baywood Update
Date:	Thursday, April 25, 2019 10:14:55 AM

Thank you for sharing the updated plans. We greatly appreciate that you have provided an option for relocating the garage to the rear; that change is very welcome. Although my husband and I still find the design of the house less than attractive and out of character with the rest of our street, moving the garage to the rear does answer one of our basic objections.

I see that you have proposed a Chinese Pistachio tree in front of the house, and two undesignated variety street trees. Those are also welcome and will hopefully soften the sharp lines of the design.

Thanks for sharing.

Teddy and Robert Wilson 118 Baywood

On Apr 24, 2019, at 9:26 PM, Jamie McGrath <<u>jmcgrath@cvlending.com</u>> wrote:

Dear Neighbor –

We continue to work with the City of Menlo Park Planning Department for project approvals. The planning department has requested we do further outreach to our neighbors on the updated plans. We have provided the city with an option for locating the garage in the rear of the property. You can see this option on the attached plans.

We are available if you have any questions.

Thank you, Jamie, Chris & Nagendra

<19 0417\_Baywood\_SitePlan + Elevations.pdf>

From:	Lauri Hart
To:	Jamie McGrath; Planning Commission
Cc:	Chris Dolan; Nagendra Jayanty; Charles Jacob
Subject:	Re: 119 Baywood Update
Date:	Thursday, April 25, 2019 6:30:38 AM

I have reviewed the option of moving the garage to the back of the lot and strongly object. This design puts vehicles and vehicle noise directly outside the bedrooms of our house. A driveway that long, and the decrease in backyard space, will also push any children's play space into the driveway space creating additional noise directly into our house.

If it is considered desirable, which I do not agree it is, to have the garage at the back of the property, then the plan should be flipped so that the driveway runs along the property of the home on the other side of 119 Baywood. In that case, the driveway noise would abut the garage of the adjoining property and not impact that property's living spaces at all. It would still, likely, affect the home directly behind 119 Baywood that faces onto Clover Ave., however.

I had no objection to the previous design with the garage in the front of 119 Baywood. That garage placement is not inconsistent with many homes in the neighborhood and optimizes the backyard space for the enjoyment of the homeowner without as great a negative noise impact on my home as relocating the garage to the back of the property in this recent plan.

Lauri Hart 119 Baywood Ave. On Apr 24, 2019, 9:26 PM -0700, Jamie McGrath <jmcgrath@cvlending.com>, wrote:

Dear Neighbor -

We continue to work with the City of Menlo Park Planning Department for project approvals. The planning department has requested we do further outreach to our neighbors on the updated plans. We have provided the city with an option for locating the garage in the rear of the property. You can see this option on the attached plans.

We are available if you have any questions.

Thank you,

Jamie, Chris & Nagendra

From:	Teddy Spiller Wilson
То:	<u>Paz, Ori</u>
Cc:	Lauri Hart; Jessica Olson; K Amar Murugan; mhgreaves; Robert C. Wilson
Subject:	Re: 119 Baywood
Date:	Wednesday, March 20, 2019 9:31:30 AM

Thank you, Ori. I appreciate your keeping in touch.

Yes, a meeting of the neighbors and the developers was held at my house. My husband and I, our next door neighbors and a neighbor whose home is next door to the proposed project were there, although another concerned neighbor had a business conflict and couldn't attend. Another neighbor who lives around the corner on Woodland also attended.

We did relay our concerns, but unfortunately no changes appeared to be likely. Our major objections are that the design of the house is completely out of character with the rest of the neighborhood, and that the garage is the focal point of the view from the street. Although a "green wall" has been added to try soften the square look of the garage, that wall is on the side and doesn't really affect the street appearance. I understand that more trees will be added, and hope that the size and location of the trees will help.

So, sadly, no, our concerns haven't been answered; however, they are largely aesthetic rather than regulatory. To be blunt, some of us find it ugly, particularly the garage placement. I realize that taste is something that can't be regulated, however. I just wish we neighbors had been able to see the plans before they were finalized.

Thanks very much for reaching out to us.

Teddy

> On Mar 19, 2019, at 5:43 PM, Paz, Ori < OriPaz@menlopark.org> wrote:

>

> Hi Teddy,

>

> I wanted to let you know that the applicant resubmitted project documents last week, and mentioned in their revised project description letter that a meeting with some of the neighbors was held on March 11. I wanted to circle back with you to see if you were able to relay your concerns to the applicant at the meeting, and whether they had been addressed to your satisfaction. With respect to the garage question, it does not appear a revised garage location has been proposed.

>

> The direction from the Planning Commission at the first meeting was, in part, to reach out to the neighbors with the plans and provide some confirmation that folks had the opportunity to review the proposal. The applicant's project description narrative, public comment, compliance with the zoning requirements and the degree to which the applicant has followed the Planning Commission's direction (on the outreach item, massing, driveway curb cut width, etc.) will all be evaluated in the staff report. The Commission will ultimately be the deciding body on whether the project is approved.

>

> Your written comments will be included as an attachment and discussed in the staff report. Please let me know if there are any changes that you would like to make to the comments below.

>

> Thank you,

> Ori

>

>

>

>Ori Paz

> Assistant Planner

> City Hall - 1st Floor

> 701 Laurel St.

> tel 650-330-6711

> menlopark.org

> ----- Original Message-----

> From: Teddy Spiller Wilson [mailto:teddyswilson@earthlink.net]

> Sent: Monday, March 4, 2019 4:25 PM

> To: Paz, Ori <OriPaz@menlopark.org>

> Cc: Jessica Olson <jessaolson@yahoo.com>; K Amar Murugan <amarmurugan@hotmail.com>; Lauri Hart <lauriahart@gmail.com>; Robert C. Wilson <bobcwilson@earthlink.net>

> Subject: Re: 119 Baywood

>

> Thanks very much, Ori.

>

> I really appreciate your response. We, the neighbors, are thoroughly confused about what's happening across the street. My email was prompted by a letter from the developer which was left on the everyone's doors, and which sounded as though changes had already been made. It seemed he was saying all that was needed was for the developer to prove he had reached out to the neighbors, regardless of our feelings about the proposed house.

> Then today flyers were posted under the "Coming Soon" showing the same illustration as the original, with a description, realtor name and price for the new house, as if everything were all set. If it isn't final, we're relieved.

> The major objection my husband and I have to that design is the concrete-looking box (garage?) which is sitting smack in front of the lot, because it will be the view out our front windows. Since the developer has asked for a meeting with neighbors, hopefully we can talk about that when he sets a date.

>

> My question for staff, then, would be: Can that garage be moved to a less prominent place on the lot? We'd rather not see one eyesore (the present house) replaced with another.

>

> Thanks very much for noting our concerns!

> Sincerely,

> Teddy

>

>> On Mar 4, 2019, at 2:26 PM, Paz, Ori <OriPaz@menlopark.org> wrote:

>>

>> Hello Teddy,

>>

>> Thank you for your email. At this time, staff has not received a resubmittal. The revised item has not yet been reviewed by staff or scheduled for a second Planning Commission meeting. I have added your email to the record for this project and your concerns will be noted in the staff report, unless they are addressed to your satisfaction before the meeting.

>>

>> Please let me know if you have any questions for staff.

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>>
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>> Sincerely, >> Ori >>

>>

>>

>> Ori Paz >> Assistant Planner

>> City Hall - 1st Floor

>> 701 Laurel St.

>> tel 650-330-6711

>> menlopark.org

>> -----Original Message-----

>> From: Teddy Spiller Wilson [mailto:teddyswilson@earthlink.net]

>> Sent: Sunday, March 3, 2019 10:53 AM

>> To: jmcgrath@cvlending.com

>> Cc: \_Planning Commission <planning.commission@menlopark.org>; Robert C. Wilson <bobcwilson@earthlink.net>; Jessica Olson <jessaolson@yahoo.com>; Lauri Hart <lauriahart@gmail.com>; cjacob@apr.com

>> Subject: 119 Baywood

>>

>> Hello Jamie,

>>

>> Thank you for your letter. My husband and I would very much like to see the revised plans for the house at 119 Baywood, which is across the street from us, since we will be looking directly at it through both our large front living room window and the master bedroom window.

>>

>> When we saw the "Coming Soon" sign and the Alain Pinel name, we were baffled, because we thought that the property had already been sold, and through a different real estate agent. Is this a new sale, and to a different developer than the one who introduced himself to us several months ago? Is the revised plan you mention based on the first one, or is it new?

>>

>> We were very apprehensive about the original plan that we saw on the city website, both because of the placement and design of the garage, and because it seemed so completely out-of-character with the rest of the homes on the street. I realize the odd shape of the lot creates some design difficulties, and that maximizing your investment is undoubtedly a challenge, given the cost of real estate in our city. But we greatly appreciate any attempt to address our neighborhood's concerns.

>>

>> My husband and I have lived here many years, and we welcome the redevelopment of this property after so long, but we do hope whatever goes there fits in with the look and feel of our neighborhood. Please feel free to contact us by email or phone. Thank you.

>> >> Teddy >> 650-630-9069 >> >> >> >>

From:	Lauri Hart
To:	Paz, Ori
Subject:	119 Baywood
Date:	Wednesday, March 20, 2019 10:56:01 AM

The developers listened to our concerns. We reviewed the minor changes to their plan. They have done everything they can do to minimize the impact of the garage in the front of the house and it is not inconsistent with many other houses in the neighborhood that have garages in that location. I would estimate half the houses in the Willows are designed that way, so objecting to it in this one house as being inconsistent is ignoring that fact.

We do appreciate that they have moved the house and the garage back slightly on the lot, despite the fact that it decreases the back yard space.

We have no objections to the house and lot as designed and look forward to not having the crumbling, derelict wreck that has been there for 30 years torn down and replaced with the proposed home.

Lauri Hart 111 Baywood Ave.

# **Community Development**



# STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

5/6/2019 19-035-PC

Regular Business:

Architectural Control, Use Permit, Heritage Tree Removal Permit, Major Subdivision, and Below Market Rate Housing Agreement/Florence Lane Ventures LLC/975 Florence Lane

# Recommendation

Staff recommends that the Planning Commission review and provide a recommendation that the City Council make the necessary findings and approve the proposed project at 975 Florence Lane, as outlined in Attachment A. The Planning Commission should provide recommendations to the City Council on the following resolutions for the entitlements for the proposed project:

- A major subdivision to create eight condominium units by converting six existing residential dwelling units and constructing two new units on a 11,208-square foot parcel (Draft Resolution and Recommended Conditions of Approval in Attachment B);
- 2. Architectural Control for the construction of the two new units and other exterior work (Draft Resolution and Recommended Conditions of Approval in Attachment B);
- A use permit for work on an existing legal nonconforming structure that would exceed 50 percent of the value of the existing structure (Draft Resolution and Recommended Conditions of Approval in Attachment B);
- 4. A Heritage Tree Removal Permit to remove one heritage-size Japanese maple tree (Draft Resolution in Attachment C); and
- A Below Market Rate (BMR) Housing Agreement to provide one on-site BMR unit in accordance with the City's Below Market Rate Housing Program and State Density Bonus Law, including waivers to the City's Zoning Ordinance (Draft Resolution in Attachment D and Draft BMR Term Sheet in Attachment E).

#### **Policy Issues**

The proposed project requires the Planning Commission and City Council to consider the merits of the project. The Commission and Council will need to consider architectural control, use permit and subdivision map findings. Further, resolutions regarding a heritage tree removal permit and the BMR Housing Agreement for the project will need to be considered. The Planning Commission is a recommending body on the policy issues. The policy issues summarized here are discussed in greater detail throughout the staff report.

# Background

# Site location

Using Florence Lane in the east to west orientation, the subject property is located on the south side of Florence Lane, between University Drive and Fremont Street, at 975 Florence Lane, in the R-3 (Apartment) zoning district. The subject property is currently developed with six apartment units in two buildings.

The properties surrounding the subject site are also located in the R-3 zoning district, and are developed with residential uses, primarily multi-family in nature. A location map is included as Attachment F.

# Housing Commission review

On August 8, 2018, the Housing Commission recommended approval of a Below Market Rate (BMR) Term Sheet to the Planning Commission and City Council for one on-site BMR for-sale unit as part of an eight-unit residential development at 975 Florence Lane. Since the Housing Commission's review the applicant has revised the project to take advantage of the State Density Bonus Law, explained in more detail later in the report. The applicant also revised the proposed location of the two new units so they would meet all setback requirements.

# Analysis

# **Project description**

The subject property is currently developed with two buildings, each consisting of three apartments. Each building is considered nonconforming with regard to the side yard setbacks and the rear building is also considered nonconforming with regard to the rear setback. The building in the front of the lot is three stories in height, with parking on the ground level, and three two-bedroom apartments on the second and third stories. The rear building is two stories in height, with two two-bedroom units and one three-bedroom unit. The applicant is proposing to convert the existing six apartments into condominiums and add one one-bedroom market rate condominium and one one-bedroom BMR for-sale unit to the rear building, for a total of eight condominiums. The applicant is proposing exterior and interior upgrades to both buildings and the removal of the existing pool and shed in the rear of the property. Approval of a tentative subdivision map is required for the creation of the condominiums and a use permit is required for work on a legal, non-conforming structure (rear building) that exceeds 50 percent of the replacement cost of the structure. The proposed modifications to the front building would not exceed the use permit threshold. The applicant's project pans are included as Attachment G and the applicant's project description letter and BMR proposal are included as Attachment H.

# **Design and Materials**

The applicant is proposing to remove the existing wood shake roofing on both buildings and add new composition shingle roofing. The brick veneer and the board and batten siding along the front façade of the front building would also be removed. Horizontal lap siding would be added to the top floors along the front façade of both buildings, as well as the top floor of the rear building. The lap siding would wrap around partially to the side elevations of both buildings and be painted in a grey color. A horizontal band would also be added under the lap siding on the rear building. The rest of the exterior facades would

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remain stucco, painted in a dark grey color. The windows and sliding doors for the new units would be vinyl and the entry doors would be wood, painted white, to match the existing windows and doors.

# Trees and landscaping

The applicant has submitted an arborist report (Attachment I) detailing the species, size, and conditions of the heritage and non-heritage trees on or near the subject parcel. The report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance, based on their health. As part of the project review process, the arborist report was reviewed by the City Arborist to confirm the accuracy of the conclusions of the report. All recommendations identified in the arborist report shall be implemented and will be ensured as part of condition 5j.

There are eleven trees located on or near the property, including five heritage trees. One heritage tree, a Japanese maple located between the two buildings, is proposed for removal due to its poor health and to allow the installation of a ramp to meet accessibility requirements. A replacement Brisbane box tree is proposed in the rear of the property. The proposed heritage tree removal will be reviewed by the Environmental Quality Commission (EQC), tentatively scheduled for the May 15, 2019 EQC meeting, who will make a recommendation to the City Council. The remaining heritage trees would be protected by tree protection fencing and other tree protection measures discussed in the arborist report.

# Subdivision

The Subdivision Ordinance requires the preparation of a tentative parcel map, which is included in the applicant's project plans (Attachment G) and submittal of a building code compliance report for condominium conversions. The tentative parcel map has been reviewed by the City's Engineering Division and has been found to comply with the provisions of the State Subdivision Map Act and the City's Subdivision Ordinance subject to conditions of approval (Attachment B). Additionally, the Building Division has reviewed the code compliance report in order to determine the extent of modifications to convert the building into condominium units. The subdivision ordinance also requires the applicant to submit documentation to the City of its program to notify tenants of the proposed conversion and the availability of relocation assistance, as well as to allow existing tenants the first right to purchase the units. The applicant submitted a letter outlining his program to notify tenants as well as the actual notices provided to each tenant.

# Valuation

The applicant is requesting a use permit to allow the work proposed on the rear building, a legal nonconforming structure, to exceed 50 percent of the replacement cost of the structure within a 12-month period. To calculate the replacement and new construction costs on which the 50 percent threshold is based, the City uses standards established by the Building Division. The City has determined that the replacement cost of the existing rear structure would be \$795,820 meaning that the applicant would be allowed to propose new construction and remodeling of the building totaling less than \$397,910 in any 12-month period without obtaining a use permit. The City has determined that the value of the proposed work would be \$651,300, requiring a use permit. The proposed work to the front building would not exceed the 50 percent new work valuation threshold.

# BMR Housing Program requirement

The applicant is required to comply with Chapter 16.96 of City's Municipal Code ("BMR Ordinance"), and with the BMR Housing Program Guidelines adopted by the City Council to implement the BMR Ordinance ("BMR Guidelines") since the project includes more than four residential units. In accordance with the City's BMR guidelines, for residential developments of five to nine units it is preferred that the developer provide one unit at below market rate on-site.

The applicant is proposing to satisfy the project's BMR obligation through the application of State Density Bonus Law and the construction of one moderate-income level BMR for-sale unit on-site. The State Density Bonus Law allows the construction of one additional unit, beyond the maximum allowable limit under the Zoning Ordinance, with the addition of a BMR unit. The provision of both market rate and affordable residential units in and around the El Camino Real corridor is generally desired, per City policies.

The proposed BMR unit would be a new unit located on the second floor of the rear building. The second new unit would be located below the BMR unit. The total size of the BMR unit would be approximately 560 square feet. As shown on the proposed elevations the exterior of the BMR unit would be indistinguishable from those of the market-rate units. A draft resolution approving the BMR agreement is included as Attachment D and a draft BMR term sheet is included as Attachment E. A formal BMR agreement will be drafted based on the term sheet and added as an attachment to the resolution approving the BMR agreement, which will also be an attachment to the City Council staff report.

# Application of the State Density Bonus Law to the Project

The applicant is proposing to apply the provisions of Government Code Section 65915 (GC 65915), the State Density Bonus Law, to the project. The purpose of GC 65915 is to encourage and provide incentives to developers to include lower income housing units in their developments. In this case, the applicant is proposing to include one unit at the moderate income level. The language of GC 65915 is mandatory; therefore, the City must grant the applicant a density bonus, which would allow the applicant to increase the density above the maximum allowable limit under the Zoning Ordinance, and waivers to development standards if the application of a development standard would physically preclude construction of a project that includes lower income housing. There is no limit on the number of development standard waivers that an applicant may request. Furthermore, the City is obligated to grant the requested development standard waiver(s), unless it can find that the waiver would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment or any property listed on the California Register of Historical Places or would be contrary to federal or state law.

# Development standards and requested waivers

The R-3 zoning district sets specific development standards for R-3 parcels with a lot area over 10,000 square feet in the area around the El Camino Real/Downtown Specific Plan. The subject property falls into this category, which allows seven residential units on this property. State Density Bonus Law allows a developer to build one additional market rate unit and, in the case of a subdivision, to create a legal lot or condominium unit for such additional unit, for each BMR unit provided. So with the addition of the BMR unit, the applicant is permitted to construct an additional market-rate unit as an eighth unit on the parcel. In addition, an increase in the floor area associated with the residential development project by an amount that corresponds to the increase in allowable density is permitted.

The maximum permitted gross square footage for the lot is 7,664.7 square feet. To calculate the permitted increase in floor area based on the provision of a BMR unit, the maximum permitted floor area of 7,664.7 square feet is divided by the maximum permitted units, which in this case is seven units, to determine the average per unit. For this parcel, the average per unit is 1,094.9 square feet, which is then multiplied by eight for a total permitted gross floor area of 8,759.2 square feet. The applicant's proposal, at 8,736.3 square feet, complies with this maximum.

The Zoning Ordinance requires two parking spaces for units with two or more bedrooms and 1.5 parking spaces for units up to one bedroom, with a covered parking space required for each unit. The current development provides 12 parking spaces, six of which are covered spaces located on the ground level of the front building. Two uncovered parking spaces are located in front of the front building, partially within the 20-foot front setback. Four additional spaces are located between the front and rear buildings. Two of these parking spaces would be combined into the required accessible parking space and adjacent loading area. In total, the project would provide 11 spaces where 15 spaces would be required with the addition of the two units. Of the 11 parking spaces, six would be covered, where eight covered spaces would be required with the addition of the two units. The applicant's proposal includes assigning one space to each unit and leaving the two remaining regular (non-accessible) spaces either as guest parking or as spaces that could be rented by condominium owners from the homeowners association. Recommended condition of approval 6(b) requires the CC&Rs (Covenants, Conditions and Restrictions) for the project to state that no on-street overnight parking permits will be issued by the City for any units, including units with less than two parking spaces.

The applicant is requesting a waiver under the State Density Bonus law to allow reductions in parking spaces from the 15 total parking space requirement and the eight covered parking space requirement since the existing development of the site makes the addition of new parking spaces infeasible. Staff believes that the site location, close to downtown, the Menlo Park Caltrain station, and other shopping/services, would support a reduced parking requirement.

The applicant is also requesting a waiver to allow an increase in building coverage from the 40% building coverage permitted by the R-3 zone to 66.8 percent (7,482.9 square feet). The current building coverage is 59 percent (6,608.9 square feet) and without this waiver the proposed addition of a BMR unit would not be possible.

The existing structures do not adhere to the required 10-foot side setback along the right side of the parcel and a portion of the rear building intrudes slightly into the required 15-foot rear setback. The applicant originally requested an exception from the required setbacks for the new units; however, the applicant's current layout includes the addition of two new units that would meet the side setback of 10 feet and the rear setback of 15 feet, as required by zoning.

The existing front building does not appear to meet the building profile required adjacent to a public rightof-way; however, the scope of work on the front building would not require that it be brought into compliance. A building profile requirement does not apply for the rear building as it is not contiguous with a public right-of-way, single-family zoned property or a public park. Staff Report #: 19-035-PC Page 6

The applicant is meeting the remaining R-3 development standards for lots over 10,000 square feet size in the area around the El Camino Real/Downtown Specific Plan, as described below:

- Approximately 17 percent driveways and open parking areas are existing where 35 percent is the maximum
- Approximately 38 percent of the site would be open space with the addition of the two new units where the minimum is 25 percent
- A maximum height of approximately 31.8 feet is existing and proposed where 35 feet is the maximum

Staff believes that the requested waivers from the Zoning Ordinance development standards would not have a specific adverse impact, upon public health and safety or the physical environment. The proposed waivers would not reduce the required setbacks for the proposed additions, which further limits the potential impact on the neighboring properties. In addition, the waivers are necessary to accommodate the construction of the onsite BMR unit and the bonus market-rate unit as required by the City's BMR ordinance and state density bonus law.

# Correspondence

Staff has received an email with an accompanying petition signed by 25 nearby residents stating concerns about the proposed waivers from development standards, especially the reduced number of parking spaces and the increase in density. Staff also received emails from three individual nearby residents, stating the same concerns. One of these emails included a list of nearby developments, built under previous regulations that do not meet certain aspects of the current Zoning Ordinance, as researched by this resident. All correspondence is included as Attachment J. As previously noted, the City is obligated to grant the requested development standard waivers, unless it can find that the waiver would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment or any property listed on the California Register of Historical Places or would be contrary to federal or state law. It should also be noted that previous versions of the proposal, referenced by some of the correspondence, did not show the two new units meeting the side and rear setback requirements but the current proposal shows the two new units meeting all required setbacks.

# Conclusion

Approval of the architectural control, tentative map, use permit, BMR agreement, and heritage tree removal permit would allow the existing six units to be sold separately, allow the addition of one additional market rate unit and one additional BMR unit to the lot and the City's housing stock, and allow remodeling and exterior updates to the existing buildings. The proposed waivers from the R-3 development standards would be necessary for the development of the two new units. Staff recommends that the Planning Commission recommend that the City Council approve the architectural control, use permit, tentative parcel map, BMR agreement, and heritage tree removal permit because the project would be consistent with the General Plan land use designation of Medium Density Residential, the number of housing units in the City would be increased, and adequate number of parking spaces are provided given the site's proximity to downtown.

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#### 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 15301(e) and (k), "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.

#### Attachments

- A. Recommended Actions
- B. Draft Resolution Approving the Findings and Conditions for the Tentative Subdivision Map, Architectural Control, and Use Permit
- C. Draft Resolution Approving the Heritage Tree Removal Permits
- D. Draft Resolution Approving the BMR Agreement
- E. Draft BMR Term Sheet
- F. Location Map
- G. Project Plans
- H. Project Description Letter
- I. Arborist Report
- J. 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**

Colors and Materials Boards

Report prepared by: Corinna Sandmeier, Senior Planner

Report reviewed by: Kyle Perata, Principal Planner THIS PAGE INTENTIONALLY LEFT BLANK

# Attachment A Recommended Actions 975 Florence Lane

## Architectural Control, Use Permit, and Tentative Map

1. Adopt a Resolution of the City Council of the City of Menlo Park Approving Findings and Conditions for the Architectural Control, Use Permit, and Tentative Map for a project at 975 Florence Lane (Attachment B)

## Heritage Tree Removal Permit

 Adopt a Resolution of the City Council of the City of Menlo Park Approving a Heritage Tree Removal Permit for a project located at 975 Florence Lane (Attachment C)

## Below Market Rate (BMR) Housing Agreement

 Adopt a Resolution Approving a Below Market Rate Housing Agreement with Florence Lane Ventures LLC for a project located at 975 Florence Lane (Attachment D)

#### DRAFT – May 6, 2019

#### **RESOLUTION NO.**

#### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING FINDINGS AND CONDITIONS FOR ARCHITECTURAL CONTROL, USE PERMIT, AND A TENTATIVE SUBDIVISION MAP FOR THE PROJECT LOCATED AT 975 FLORENCE LANE

**WHEREAS,** the City of Menlo Park ("City") has received an application from Florence Lane Ventures, LLC ("Applicant"), for a tentative subdivision map to create eight condominium units by converting six existing residential dwelling units and constructing two new units on the property located at 975 Florence Lane ("Project Site");

**WHEREAS,** the findings and conditions for Architectural Control, Use Permit, and Tentative Subdivision Map would ensure that all City requirements are applied consistently and correctly as part of the project's implementation;

WHEREAS, Applicant has elected to satisfy the BMR requirement for the proposed project by constructing one on-site "for sale" BMR unit in accordance with the City's Below Market Rate Housing Program and State Density Bonus Law, and will also provide a bonus market-rate unit, both including waivers to the City's Zoning Ordinance that are based on the existing site constraints;

**WHEREAS,** all required public notices and public hearings were duly given and held according to law; and

**WHEREAS,** after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on May 6, 2019 whereat all persons interested therein might appear and be heard; and

**WHEREAS**, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the findings and conditions for Architectural Control, Use Permit, and Tentative Subdivision Map; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on TBD, 2019 whereat all persons interested therein might appear and be heard; and

WHEREAS, the City Council reviewed the project on TBD, 2019, and found the project to be categorically exempt under Class 3 Section 15301(e) and (k), "Existing Facilities" of the current California Environmental Quality Act (CEQA) Guidelines; and

**WHEREAS**, the City Council of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively

to approve the findings and conditions for Architectural Control, Use Permit, and Tentative Subdivision Map.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Menlo Park hereby approves the findings and conditions for Architectural Control, Use Permit, and Tentative Subdivision Map attached hereto as <u>Exhibit A</u> and incorporated herein by this reference.

I, Judi Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the TBD day of TBD, 2019, by the following votes:

AYES: NOES: ABSENT: ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Judi Herren City Clerk

1004701	075 85.5					
LOCATION: Florence Lan		<b>DJECT NUMBER:</b> 2017-0104	LLC	<b>/NER:</b> Florence Lane Ventures		
six existing (Apartment) construction existing lega structure. Th Governmen City's Zonin income hous maple tree.	residential dwell zoning district. of the two new al nonconforming he application is t Code Section 6 g Ordinance req sehold. The proj The Planning Co be the final deci	ing units and const The applicant is als units and other extend structure that excent being submitted sub 55915 and relevant uirements. One bell ect also includes the ommission will serv	ructing two new of o requesting arc erior work, and a eeds 50 percent bject to the State amendments, w ow market rate u e removal of one e as a recomme	ominium units by converting units on one parcel in the R-3 hitectural control for the use permit for work on an of the value of the existing e Density Bonus Law, hich permits exceptions to the unit is proposed for a moderate e heritage-size Japanese nding body and the City n the proposed project at a		
DECISION E	NTITY: City Coun	cil <b>DATE:</b> TBD		ACTION: TBD		
VOTE: TBD (Carlton, Combs, Mueller, Nash, Taylor)						
ACTION:						
<ol> <li>Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to the architectural control approval:</li> </ol>						
r	a. The general appearance of the structures is in keeping with the character of the neighborhood. The proposed exterior materials and finishes would be high quality in nature and would reinforce the neighborhood compatibility.					
t L	b. The development will not be detrimental to the harmonious and orderly growth of the City. With the exception of waivers granted under the State Density Bonus Law, the project would meet the relevant development standards of the R-3 zoning district.					
r ii	The development will not impair the desirability of investment or occupation in the neighborhood. The construction and ongoing occupation of the site would proceed in accordance with all applicable City requirements and procedures, as verified in hese conditions of approval.					
5	State Density Bo		nade adequate p	ing as permitted under the provisions for access to such arking spaces.		
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed work exceeding 50% of the replacement value of a legal non-conforming structure, 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.						
with all a	Make findings that the proposed major subdivision is technically correct and in compliance with all applicable State regulations, City General Plan, Zoning and Subdivision Ordinances, and the State Subdivision Map Act.					
	Make findings that the waivers of certain development regulations relating to parking, gross floor area, and building coverage, are necessary to accommodate the construction					

of the onsite BMR unit and the bonus market-rate unit as required by the City's BMR ordinance and state density bonus law.

- 5. Approve the tentative subdivision map, architectural control, and use permit subject to the following *standard* conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Kellond Architects, consisting of 22 sheets, dated April 23, 2019, reviewed and recommended for approval by the Planning Commission on May 5, 2019 and approved by the City Council on TBD, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Minor modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be approved by the Community Development Director or designee, based on the determination that the proposed modification is consistent with other building and design elements of the approved Architectural Control and will not have an adverse impact on the character and aesthetics of the site. The Director may refer any request for revisions to the plans to the Planning Commission for architectural control approval. A public meeting could be called regarding such changes if deemed necessary by the Planning Commission.
  - c. Major modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be allowed subject to obtaining an architectural control permit from the Planning Commission, based on the determination that the proposed modification is compatible with the other building and design elements of the approved Architectural Control and will not have an adverse impact on the character and aesthetics of the site.
  - d. Major revisions to the development plan which involve material changes, or expansion or intensification of development require public meetings by the Planning Commission and City Council.
  - e. Prior to approval of the Final Map or the issuance of any project related building permit, the Applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - f. Prior to approval of the Final Map or issuance of any project related building permit, the Applicant shall comply with all Sanitary District, California Water Company, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project. Will serve letters will be required.
  - g. All public right-of-way improvements, including frontage improvements shall be completed to the satisfaction of the Engineering Division prior to building permit final inspection. Prior to commencing any work within the right-of-way or public easements, the Applicant shall obtain an encroachment permit from the appropriate reviewing jurisdiction.

- h. Prior to commencing any work within the right-of-way, the Applicant shall obtain an encroachment permit from the Public Works Department.
- i. Prior to issuance of any project-related building permit, the Applicant shall comply with all Sanitary District, California Water Company, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- j. 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 Kielty Arborist Services LLC, dated revised February 22, 2019.
- 6. Approve the tentative subdivision map, architectural control, and use permit subject to the following *project-specific* conditions:
  - a. The applicant shall submit the project CC&Rs (Covenants, Conditions and Restrictions), including the Condominium Plan, with the complete final map submittal.
  - b. The CC&Rs shall state that no on-street overnight parking permits will be issued by the City for any units, including units with less than two parking spaces.
  - c. Engineering-specific conditions, subject to review and approval of the Engineering Division except as otherwise noted:
    - The project shall comply with all requirements that are applicable to a condominium conversion project as indicated in Chapter 15.34, "CONDOMINIUMS", of the City of Menlo Park Subdivision Ordinance.
    - ii. After City approval of the Tentative Map, the applicant shall schedule a pre-application meeting with the Engineering Division to submit a complete final map submittal. The City will not accept said submittal prior to the meeting. The required items for the submittal are listed in the City's Final Map Checklist, which is available at the City counter and the City's website.
    - iii. Prior to building permit issuance, the applicant shall pay the Recreation In-Lieu Fee for the two new units based on the latest approved City Master Fee Schedule (currently \$78,400 per unit, total \$156,800).
    - iv. Prior to building permit issuance, Applicant shall submit plans to remove and replace the sidewalk and concrete valley gutter along entire project frontage.
    - v. Prior to building permit issuance, Applicant shall pay all Public Works fees. Refer to City of Menlo Park Master Fee Schedule.
    - vi. The water provider is the California Water Company (650-854-5454). The applicant shall coordinate appropriately to determine sufficiency of size of the existing service lateral.

- vii. The sanitary sewer provider is West Bay Sanitary Sewer District (650-321-0384). The applicant shall coordinate as necessary.
- d. Transportation-specific Conditions, subject to review and approval of the Transportation Division except as otherwise noted:
  - Prior to building permit issuance, the applicant shall pay a Transportation Impact Fee that will be calculated based on the City's Transportation Impact Fee program guidelines. The fee rate is subject to change annually on July 1 and the current TIF is calculated as follows: 2 new dwelling units times \$2,026.34 per dwelling unit = \$4,052.68.

#### *DRAFT – May 6, 2019* RESOLUTION NO. \_\_\_\_\_

#### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING A HERITAGE TREE REMOVAL PERMIT FOR A PROJECT LOCATED AT 975 FLORENCE LANE

**WHEREAS,** the City of Menlo Park ("City") received applications from Florence Lane Ventures, LLC, ("Applicant") for the removal of one heritage tree at the property located at 975 Florence Lane ("Project Site") as more particularly described and shown in <u>Exhibit A</u>; and

**WHEREAS,** the requested tree removal is necessary in order to add two residential units to the Project Site; and

**WHEREAS**, the removal of Heritage Trees within the City is subject to the requirements of Municipal Code Chapter 13.24, Heritage Trees; and

WHEREAS, the City's Contract Arborist reviewed the requested tree removal; and

**WHEREAS,** the City's Contract Arborist determined that the requested removal is justified in recognition of factors #1 (tree condition/health); and

**WHEREAS,** the City Arborist reviewed and approved the work of the City's Contract Arborist; and

**WHEREAS,** all required public notices and public hearings were duly given and held according to law; and

**WHEREAS**, after notice having been lawfully given, a public meeting was scheduled and held before the Environmental Quality Commission of the City of Menlo Park on TBD 2019 whereat all persons interested therein might appear and be heard; and

**WHEREAS**, the Environmental Quality Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted to recommend to the City Council of the City of Menlo Park to approve the Heritage Tree Removal Permit for one heritage tree; and

WHEREAS, the site plan proposes a one-to-one replacement ratio; and

**WHEREAS,** after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on May 6, 2019, whereat all persons interested therein might appear and be heard; and

**WHEREAS**, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the

Heritage Tree Removal Permit for the one heritage tree and the requested replacement ratio of one new tree for the existing tree; and

**WHEREAS,** after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on TBA, 2019 whereat all persons interested therein might appear and be heard; and

WHEREAS, the City Council reviewed the project on TBD, 2019, and found the project to be categorically exempt under Class 3 Section 15301(e) and (k), "Existing Facilities" of the current California Environmental Quality Act (CEQA) Guidelines; and

**WHEREAS**, the City Council of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to approve the Heritage Tree Removal Permit and the requested replacement ratio of one new tree for the existing tree.

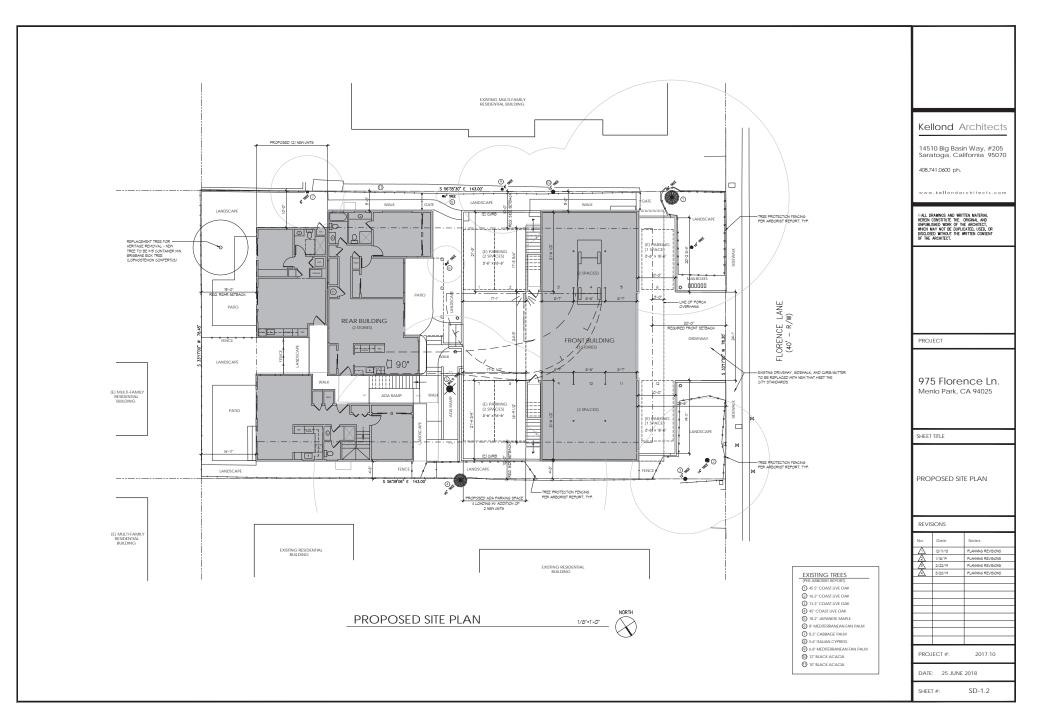
**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Menlo Park hereby approves the Heritage Tree Removal Permit for one heritage tree as identified in Project Plan Sheet SD 1.2, attached by this reference herein as <u>Exhibit A</u>.

I, Judi Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the following votes:

AYES: NOES: ABSENT: ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_\_\_day of \_\_\_\_\_, 2019.

Judi Herren City Clerk



#### *DRAFT – May 6, 2019* RESOLUTION NO.\_\_\_\_

#### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING THE BELOW MARKET RATE HOUSING AGREEMENT BETWEEN THE CITY OF MENLO PARK AND FLORENCE LANE VENTURES, LLC, FOR A PROJECT LOCATED AT 975 FLORENCE LANE

**WHEREAS**, the City of Menlo Park ("City") has received an application from Florence Lane Ventures, LLC ("Applicant"), for a tentative subdivision map to create eight condominium units by converting six existing residential dwelling units and constructing two new units on the property located at 975 Florence Lane ("Project Site"); and

**WHEREAS**, all required public notices and public hearings were duly given and held according to law; and

WHEREAS, the City Council reviewed the project on TBD, 2019, and found the project to be categorically exempt under Class 3 Section 15301(e) and (k), "Existing Facilities" of the current California Environmental Quality Act (CEQA) Guidelines; and

**WHEREAS,** after notice having been lawfully given, a public meeting was scheduled and held before the Housing Commission of the City of Menlo Park on August 8, 2018 to review the initial draft BMR Agreement Term Sheet, for the provision of one on-site BMR unit, whereat all persons interested therein might appear and be heard; and

**WHEREAS**, the Housing Commission of the City of Menlo Park having fully reviewed, and considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend the Planning Commission of the City of Menlo Park to approve the BMR Agreement; and

**WHEREAS**, after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on May 6, 2019 whereat all persons interested therein might appear and be heard; and

**WHEREAS**, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the BMR Agreement; and

**WHEREAS**, after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on TBD, 2019 whereat all persons interested therein might appear and be heard.

WHEREAS, on TBD, 2019 the City Council of the City of Menlo Park has read and considered that certain BMR Agreement between the City and the Applicant that

satisfies the requirement that Developer comply with Chapter 16.96 of the City's Municipal Code and with the Below Market Rate Housing Program Guidelines.

NOW, THEREFORE, the City Council of the City does RESOLVE as follows:

1. Public interest and convenience require the City to enter into the Agreement described above and incorporated herein as <u>Exhibit A</u>.

2. The City of Menlo Park hereby approves the Agreement and the City Manager is hereby authorized on behalf of the City to execute the Agreement.

I, Judi Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the following votes:

AYES: NOES: ABSENT: ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_\_\_day of \_\_\_\_\_, 2019.

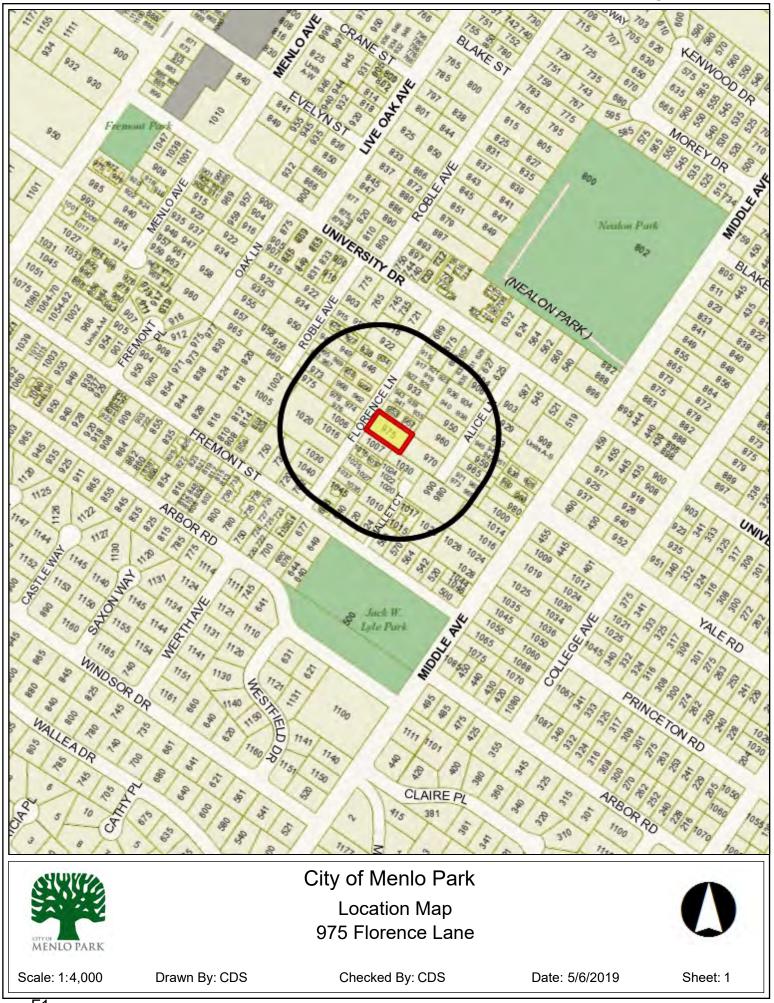
Judi Herren City Clerk

# 975 Florence Lane Draft Below Market Rate Housing (BMR) Agreement Term Sheet

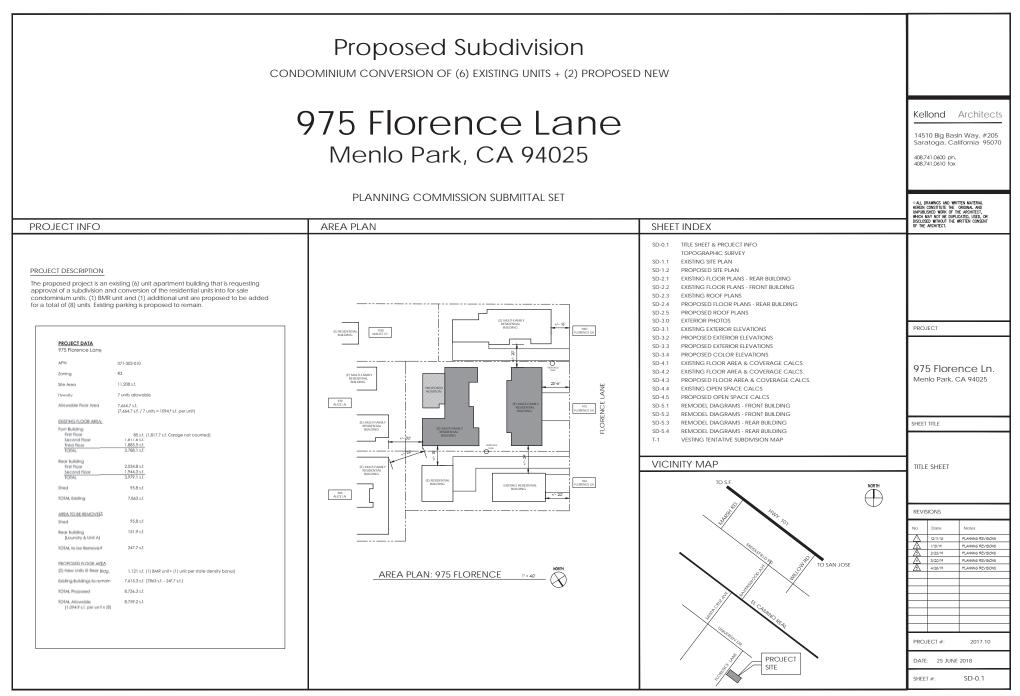
- 1. Applicant owns property known as Assessor's Parcel Number: 071-302-010 ("Property"), more commonly known as 975 Florence Lane, Menlo Park;
- 2. Applicant is requesting architectural control, use permit, major subdivision and heritage tree removal approval to create eight condominium units by converting six existing residential dwelling units and constructing two new units on one parcel located at 975 Florence Lane;
- 3. The project consists of more than four residential units; therefore, Applicant is required to comply with Chapter 16.96 of City's Municipal Code ("BMR Ordinance") and with the Below Market Rate Housing Program Guidelines ("Guidelines") adopted by the City Council to implement the BMR Ordinance;
- 4. The subdivision of six existing residential rental units would result in a requirement of one BMR housing unit or in-lieu fee payment if the provision of a unit is shown to make the project infeasible.
- 5. Applicant has elected to satisfy the BMR requirement for the proposed project by constructing one on-site "for sale" BMR unit in accordance with the City's Below Market Rate Housing Program and State Density Bonus Law, and would also provide a bonus market-rate unit, both including waivers to the City's Zoning Ordinance that are based on the existing site constraints;
- 6. The characteristics of the BMR unit shall be in conformance with Section 5 of the BMR Guidelines;
- 7. The eligibility requirements for the BMR unit shall be established as set forth in Section 6 of the BMR Guidelines;
- 8. The BMR waiting list for the for-purchase unit shall be established as set forth in Section 7 of the BMR Guidelines;
- 9. The BMR unit purchase process shall be established as set forth in Section 8 of the BMR Guidelines;
- 10. The occupancy requirements shall be established as set forth in Section 9 of the BMR Guidelines;
- 11. The process for resale of the BMR unit shall be established as set forth in Section 10 of the BMR Guidelines; and

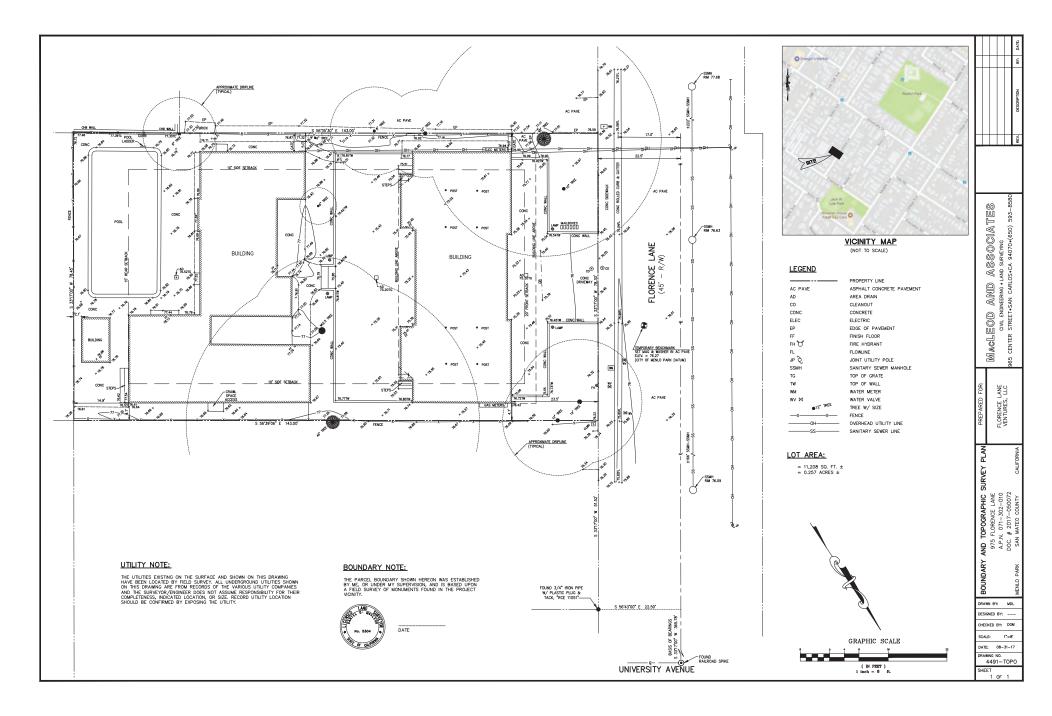
12. Applicant shall enter into a BMR Agreement memorializing these terms in a form acceptable to the City Attorney.

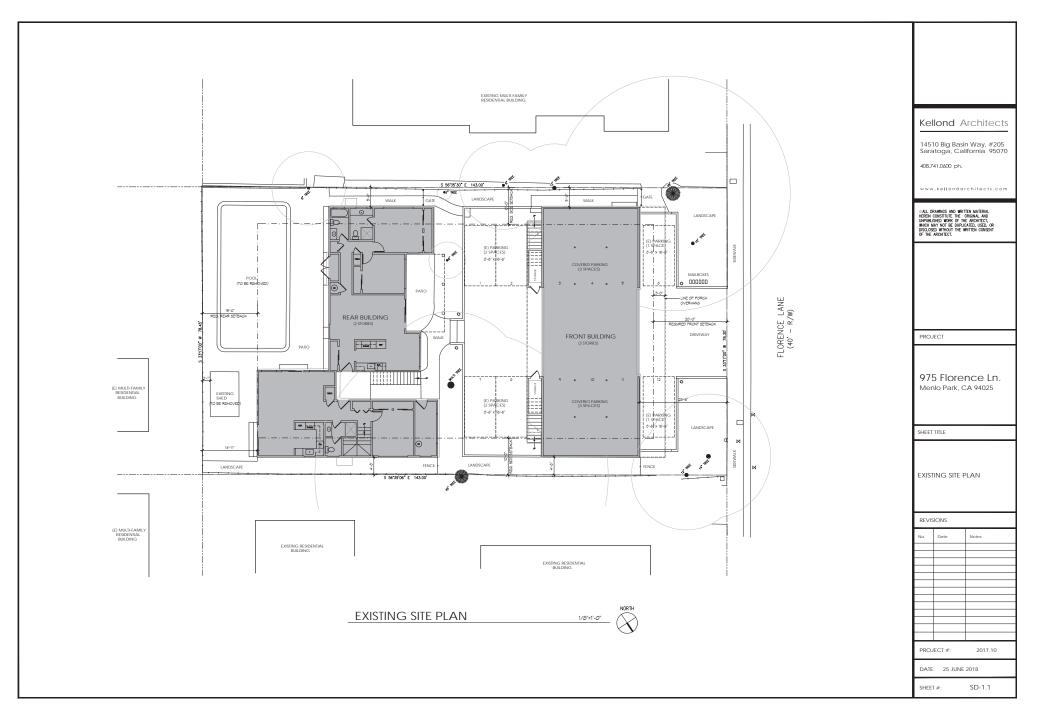
## ATTACHMENT F

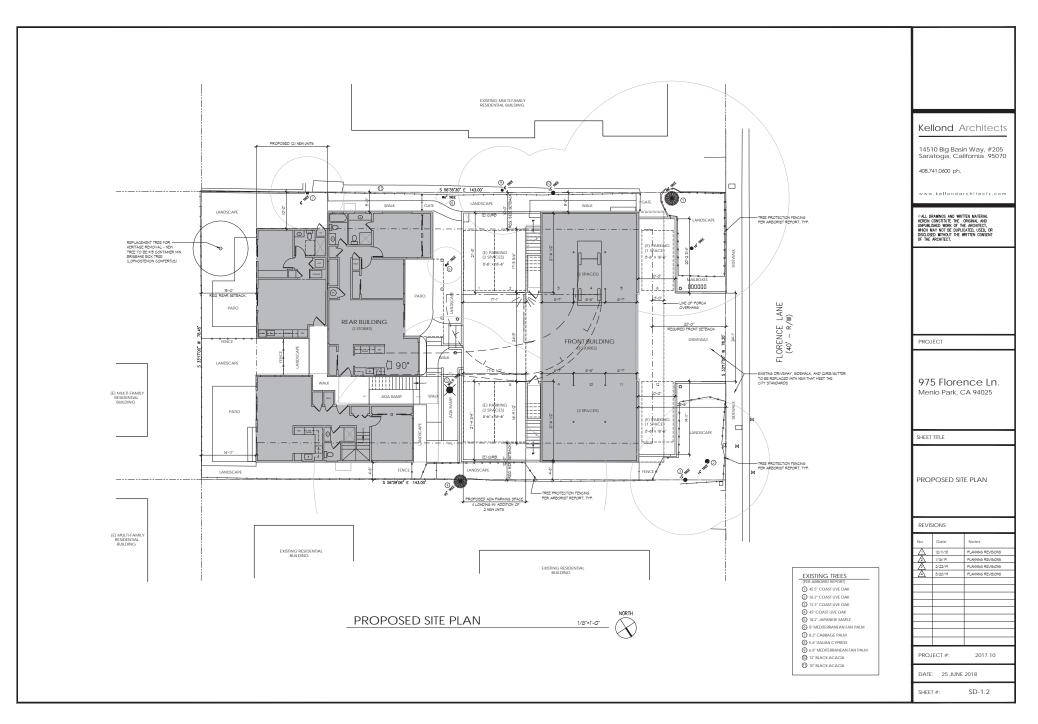


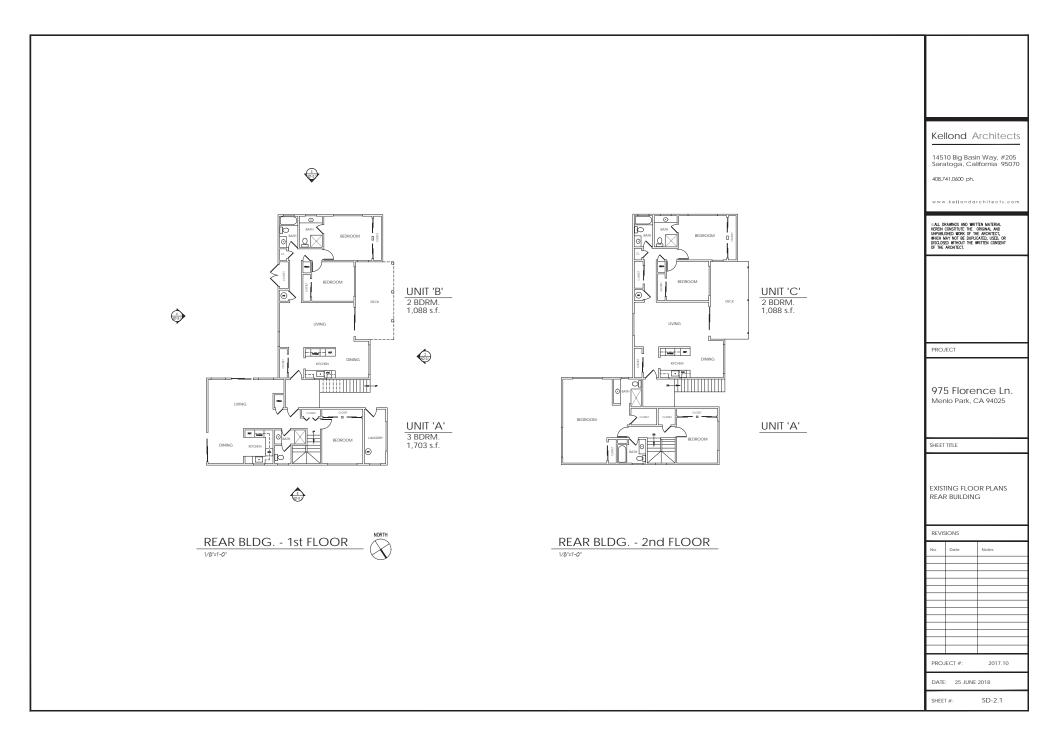
# ATTACHMENT G

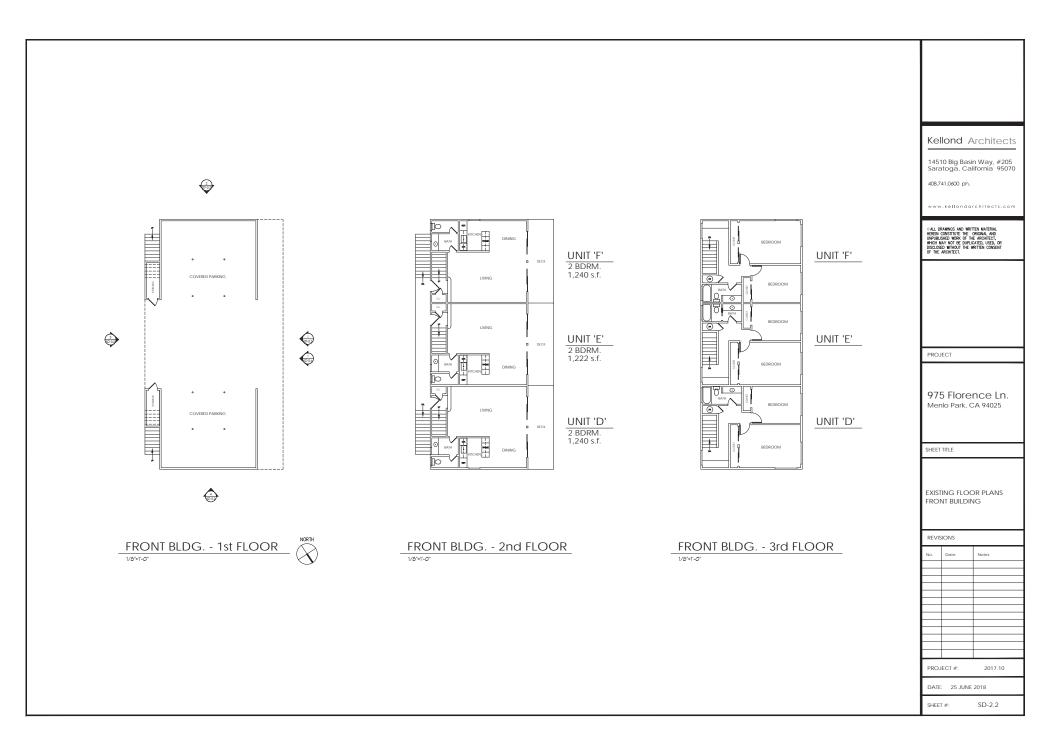




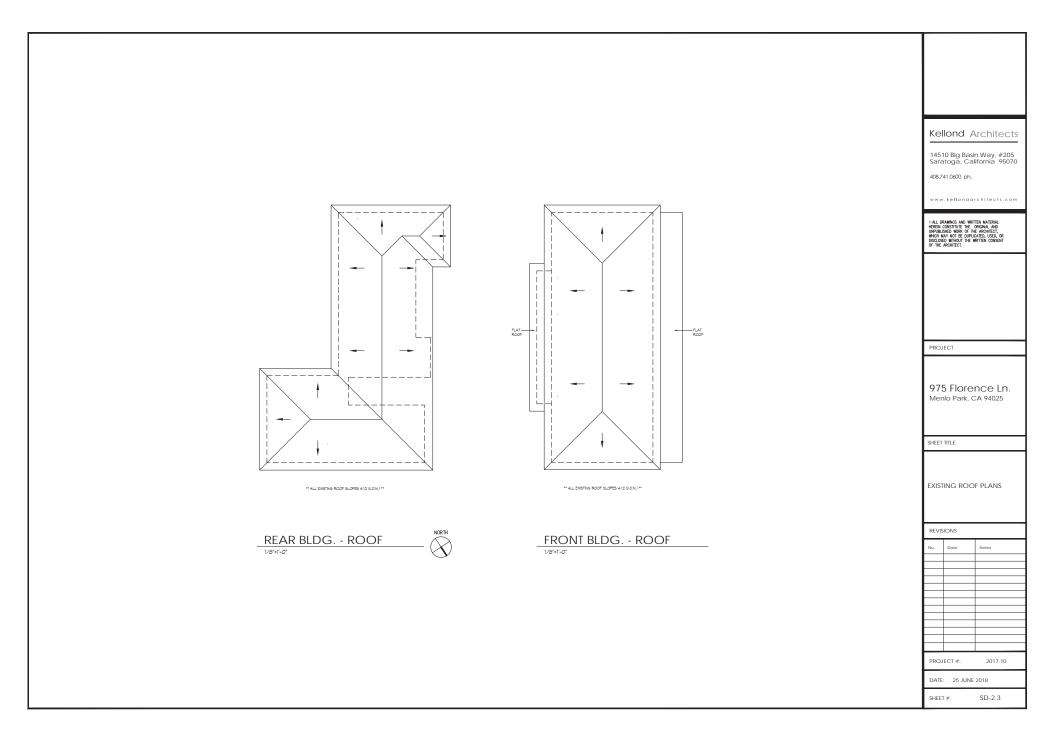


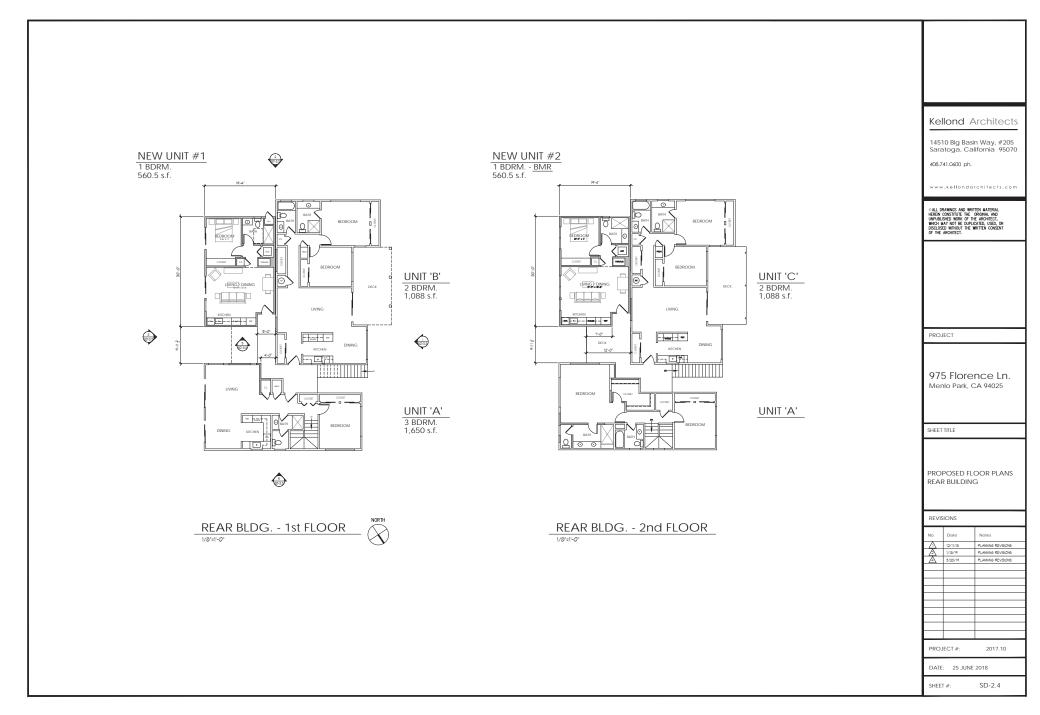


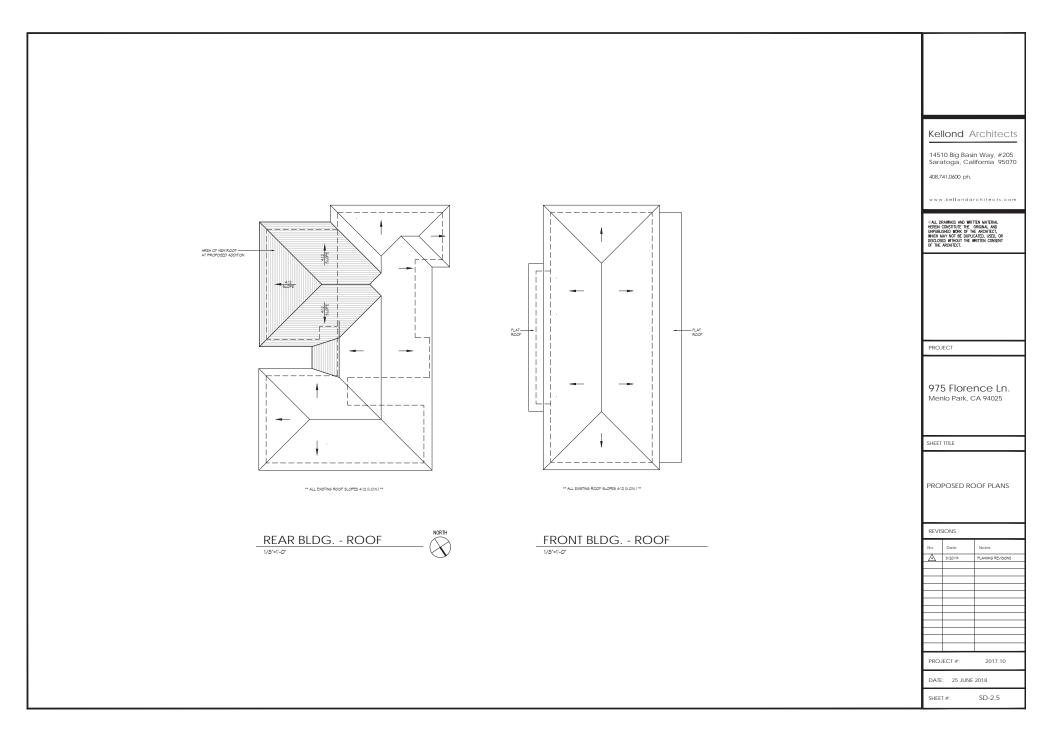




G6









2 FRONT ELEVATION - RIGHT Front Building



3 REAR ELEVATION - LEFT Front Building



5 FRONT ELEVATION - LEFT Rear Building



1 FRONT ELEVATION - Florence Lane Front Building

6 FRONT ELEVATION - RIGHT Rear Building



(4) REAR ELEVATION - RIGHT Front Building

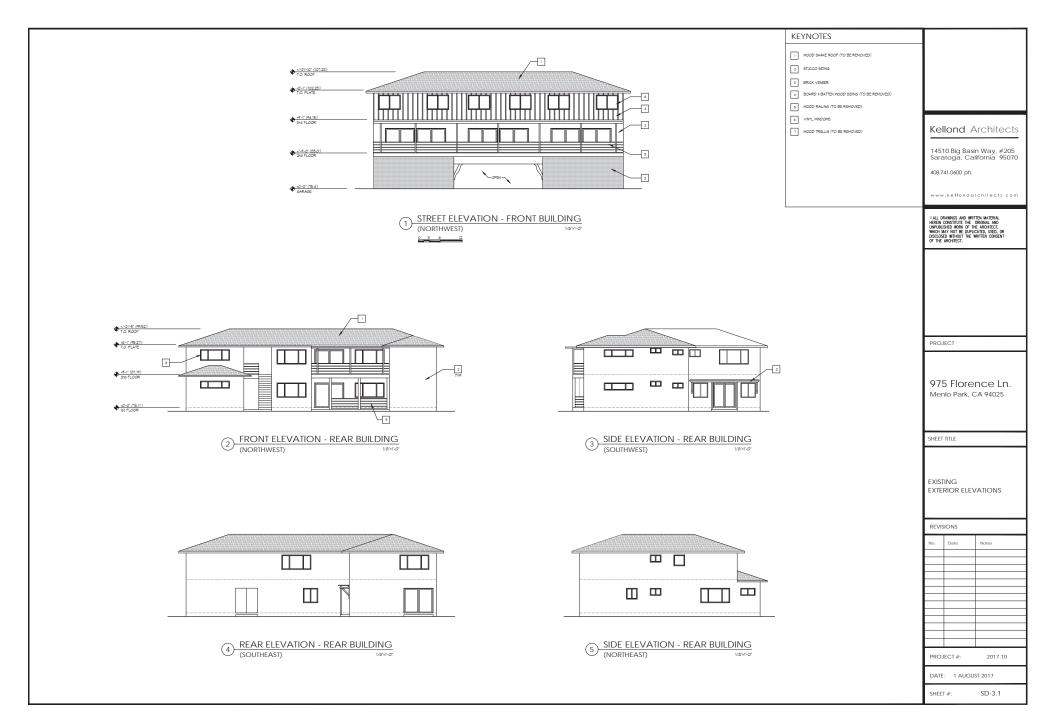


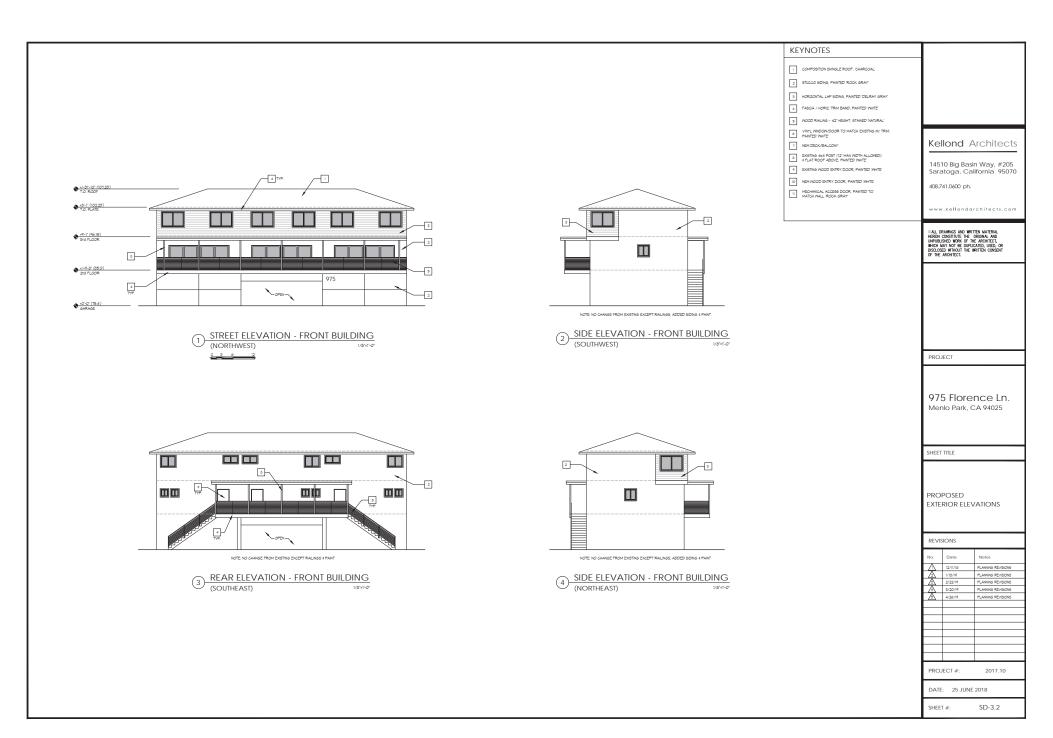
(7) REAR ELEVATION - LEFT Rear Building

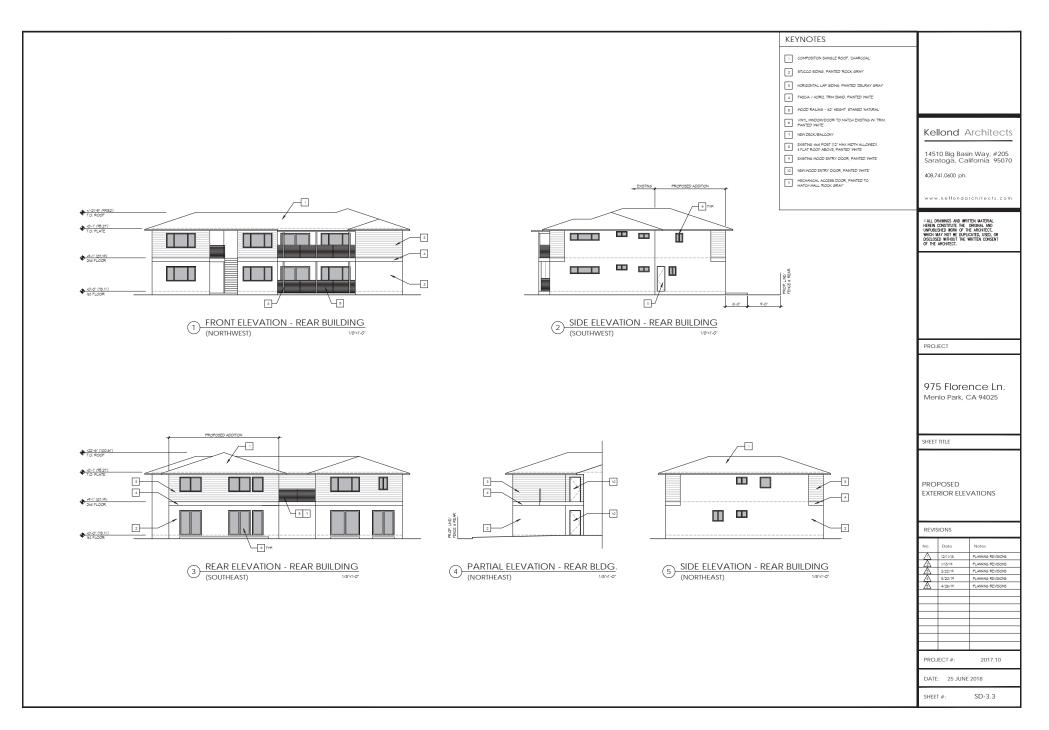


(8) REAR ELEVATION - RIGHT Rear Building

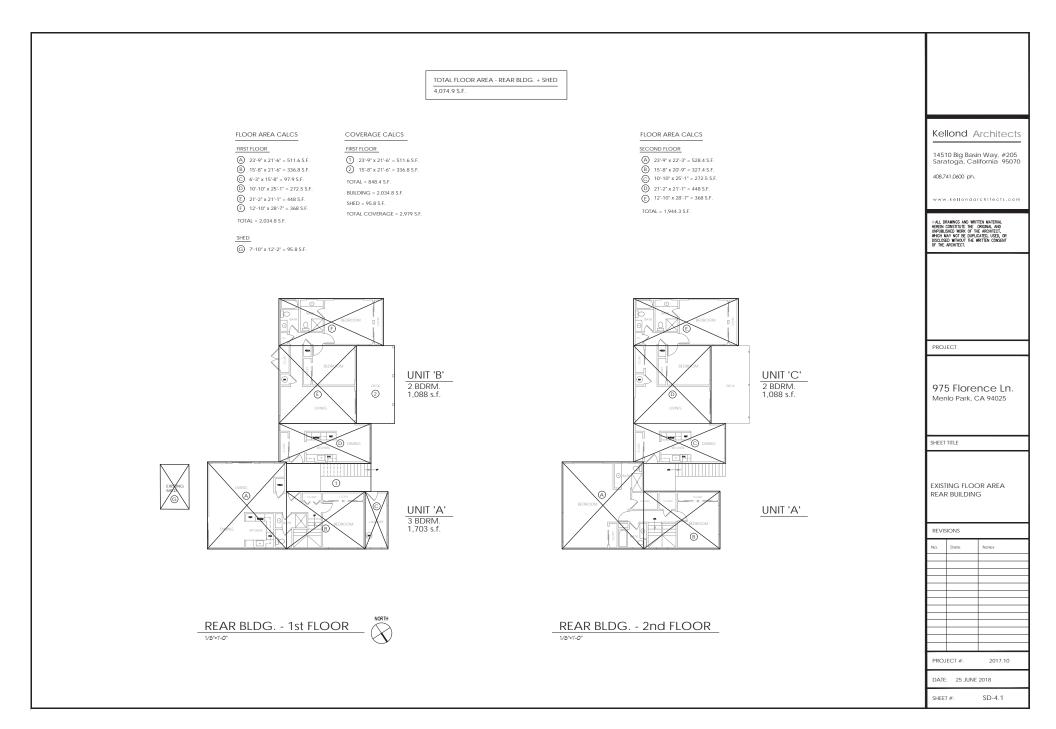


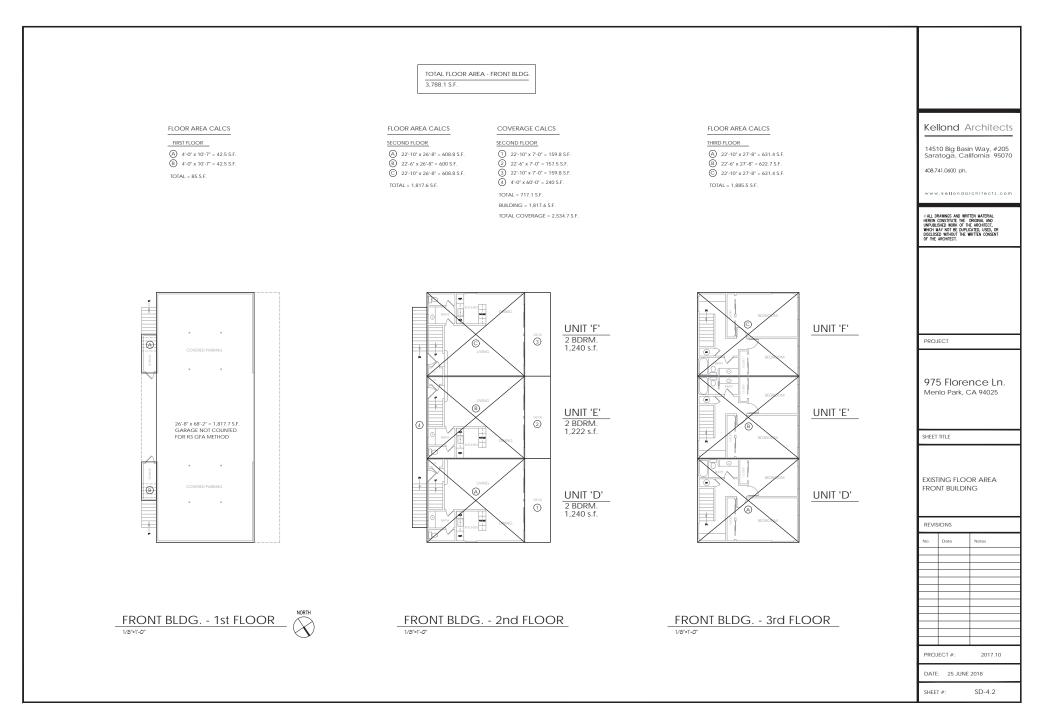


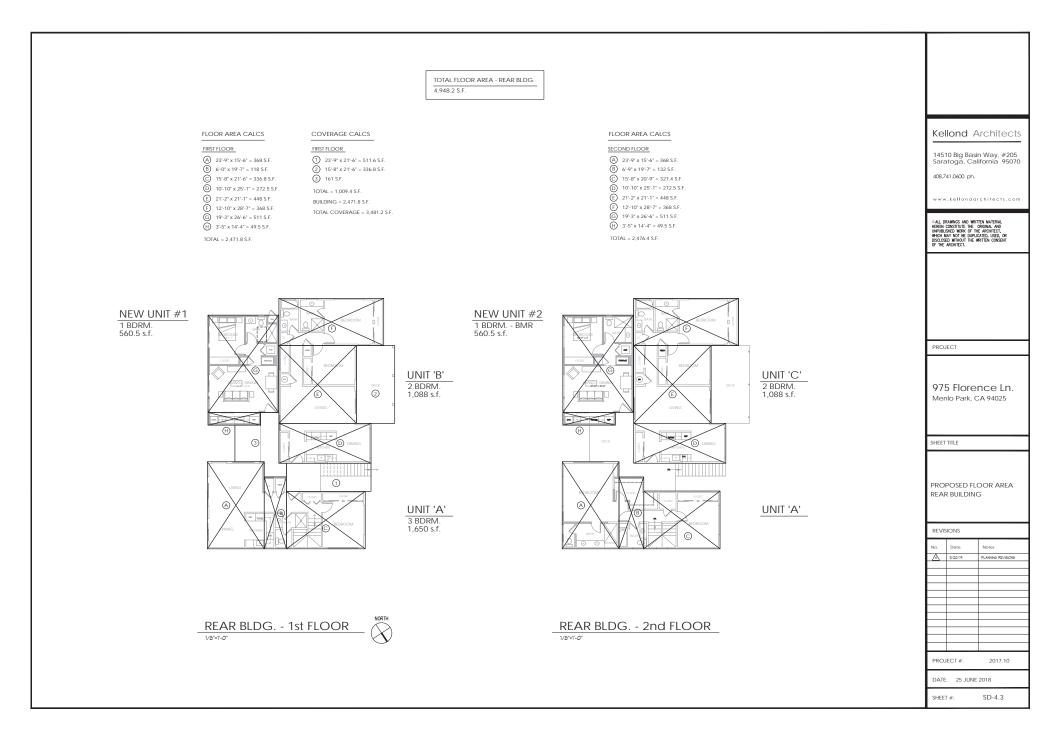


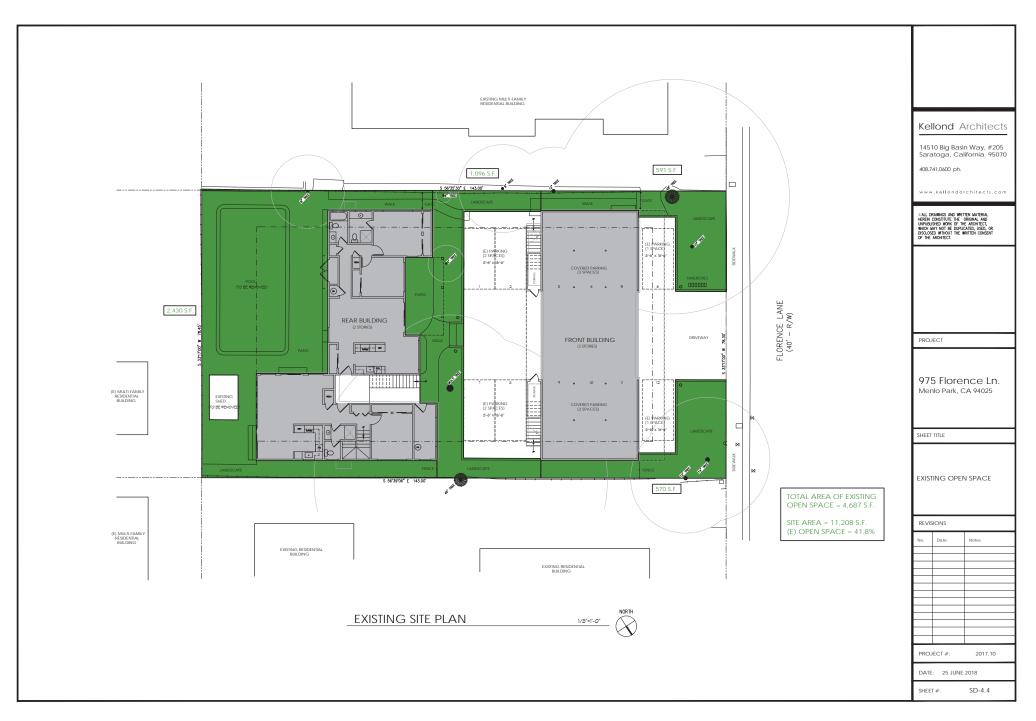


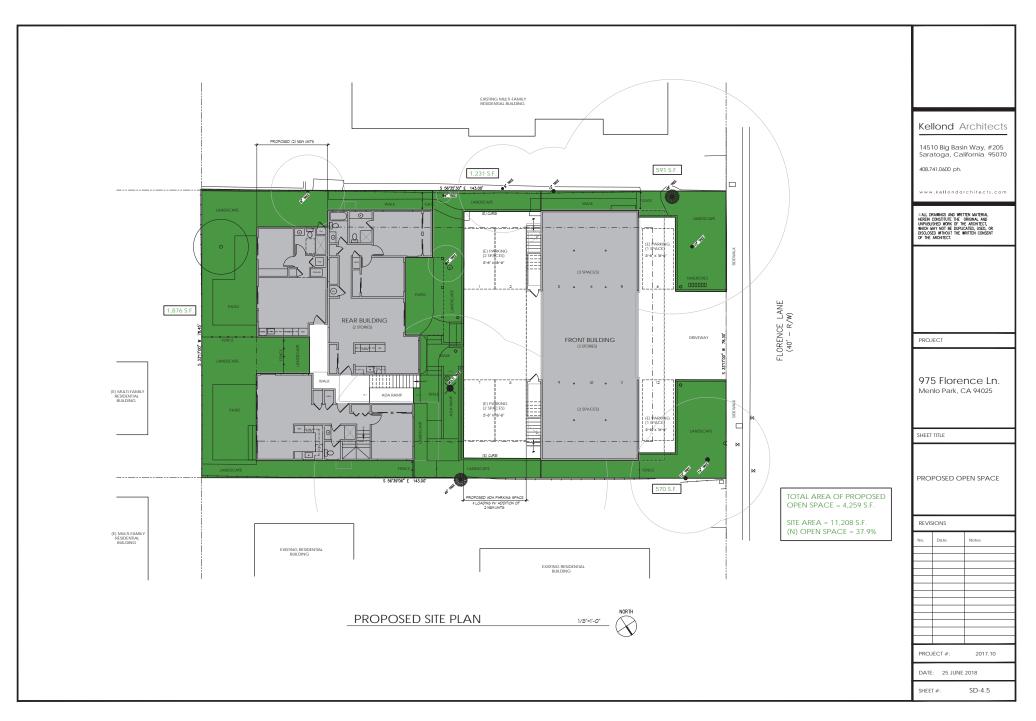


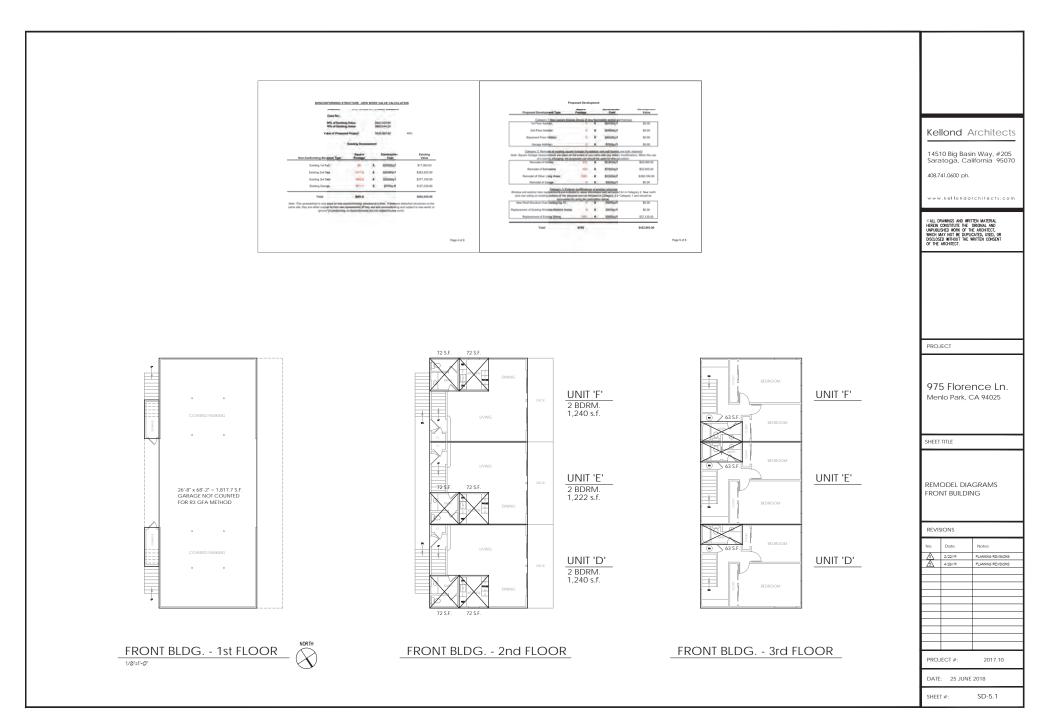


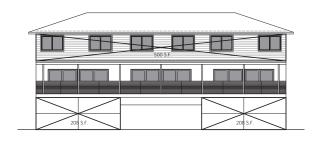








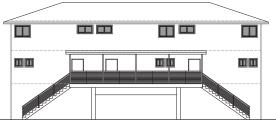






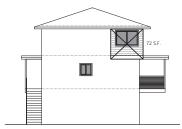


(2) SIDE ELEVATION - FRONT BUILDING (SOUTHWEST)



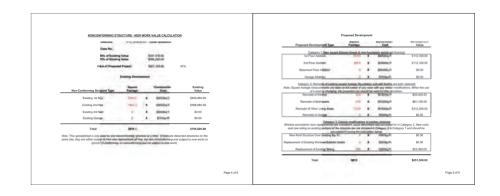
NOTE: NO CHANGE FROM EXISTING EXCEPT RALINGS 4 PANT

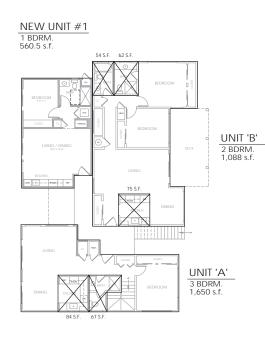
3 REAR ELEVATION - FRONT BUILDING (SOUTHEAST) V&\*r-0\*



(4) SIDE ELEVATION - FRONT BUILDING (NORTHEAST)

Kellond Architects 14510 Big Basin Way, #205 Saratoga, California 95070 408:741.0600 ph.				
www.kellondarchitects.com				
ALL DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE HE ORGANAL AND WICK LAND DE DEPLICATED HEREIN UNDER AND THE ORGANISATION OF THE AND DESCASED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.				
PROJECT				
975 Florence Ln. Menio Park, CA 94025				
SHEET TITLE				
REMODEL DIAGRAMS FRONT BUILDING				
REVISIONS				
No.	Date 4/26/19	Notes PLANNS REVISIONS		
-				
PROJ	ECT #:	2017.10		
DATE: 25 JUNE 2018				
SHEET	ſ#:	SD-5.2		





REAR BLDG. - 1st FLOOR

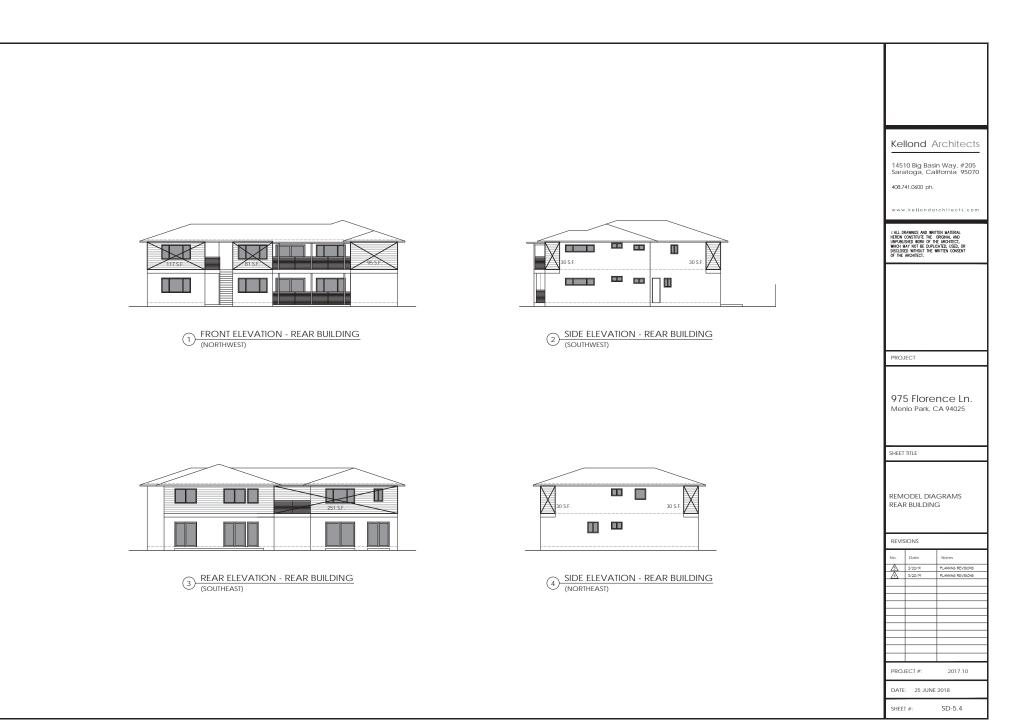
NORTH

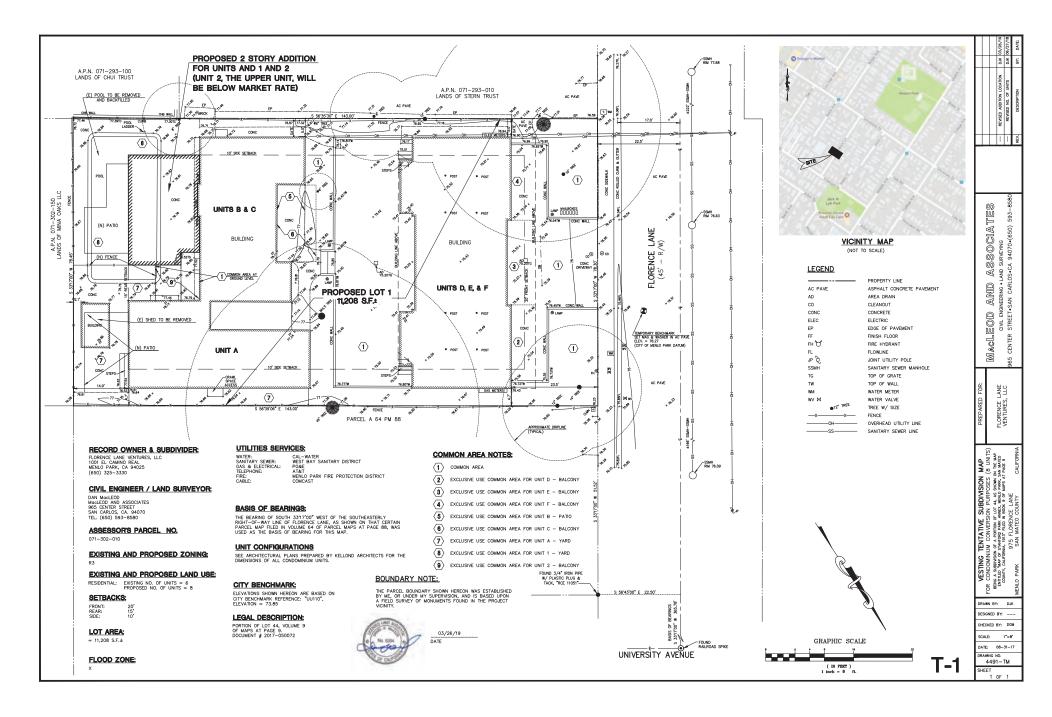
 $\bigotimes$ 

UNIT 'C' 2 BDRM. 1,088 s.f. NEW UNIT #2 1 BDRM. - BMR 560.5 s.f. 54 S.F. 62 S.F. BEDROO 10 LIVING / DININ 18-0\*x 18-4\* 75 S.F. war **a**-+ UNIT 'A' 59 S.F.

REAR BLDG. - 2nd FLOOR

1451 Sara 408.7	10 Big Basi Itoga, Cal 41.0600 ph.	n Way, #205 ifornia 95070			
© All DF HEREIN ( UNPUBLI WHICH M DISCLOSE OF THE	RAWINGS AND WRIT CONSTITUTE THE SHED WORK OF TH AY NOT BE DUPLIN 20 WITHOUT THE W ARCHITECT.	TEN MATERIAL ORIGINAL AND E ARCHITECT, ATED, USED, OR RITTEN CONSENT			
PROJ	ect				
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SHEET	TITLE				
REMODEL DIAGRAMS REAR BUILDING					
REVIS	IONS				
No.	Date	Notes			
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PROJ	ECT #:	2017.10			
DATE					
SHEET		SD-5.3			





#### G24

# 975 Florence Lane

Project Description

This project application is for a major subdivision (more than 5 units) of an existing multi-family residential property. It is located in the R-3 zoning district and is currently a (6) unit apartment building, which has (3) units in one building at the front, and (3) in another at the rear of the property. (5) of the existing residential units are 2 bedroom units that range in size from 1,088 s.f. to 1,240 s.f.. There is (1) 3 bedroom unit that is 1,703 s.f. Both buildings are a ranch style consistent with others in the area, and those built around 1961 when the buildings were constructed. There is no evidence of any historical value or features. These existing apartments will become individual for-sale condominium units.

Under the California state density bonus law for providing inclusionary housing, the project is also proposing to add (1) below market rate (BMR) housing unit and (1) regular unit, for a new total of (8) units. Both proposed new units are 560.5 s.f. in area, and have 1 bedroom with 1 bath. These units are proposed to be a 2-story addition to the rear of the property, onto the back of the existing rear building.

Since the proposed (1) BMR unit represents 14% of the total allowable units (1 of 7), the state density law allows a 9% bonus, which, when rounded up per law, results in (1) additional unit over the allowable (7) unit density for the property. Additionally, under the city zoning ordinance, the project is allowed a proportional GFA increase of 1,094.9 s.f. (area per unit) on top of the allowable 7,664.7 s.f. for (7) units max. for the property.

Under the state density bonus law, projects that provide at least 10% of the units as affordable, are entitled to (1) incentive plus waivers of development standard that would have the effect of physically precluding the construction of a development at the densities or with the incentives permitted. In this case, the project is proposing 14% affordable units and is requesting waivers for maximum building coverage, minimum parking requirements, and minimum landscaping that do not comply with the development standards. These elements are not physically possible to achieve with the proposed density bonus for inclusionary housing due to the building site constraints.

With the addition of (2) new units, the project is also proposing to make both exterior and interior upgrades to the entire site. Each of the units will be remodeled on the interior to provide a new and fresh living unit. The exterior of the buildings will get a facelift with new and more modern exterior siding and colors. This will result in a like-new addition to the neighborhood and streetscape.

The existing apartment rental tenants have been notified of the requested application. City code required measures have been implemented to allow first right of refusal, rent control during the period of application review and approval, and relocation assistance as needed.

During the design of the project, there have been communications with the immediate neighboring properties. There has been opposition to the addition of below market rate housing to the street by some of the neighbors, as well as a concern for the number of parking spaces. Several discussions have occurred with one of the neighbors. We have tried to explain the state density bonus law, and have provided specifics with updates on how the project is proceeding.

In summary, the planning commission application request is simply to convert the existing multi-family property into individual for-sale units, with the addition of (2) units under the state density bonus law. This will result in a benefit for the city's diversity of housing, and an updated, like-new project for the neighborhood.

## 975 Florence Lane

Below Market Rate Housing Plan

#### **Description**

The proposed project is an existing (6) unit apartment building that is requesting approval of a subdivision and conversion of the residential units into for-sale condominium units. There are currently (3) units located in the front building, and (3) units in the rear building.

Under the California state density bonus law, the project is requesting (2) additional units to be added, with (1) being a below market rate unit, which would result in a total of (8) units for the property. Since the proposed (1) BMR unit represents 14% of the total allowable units (1 of 7), the state density law allows a 9% bonus, which, when rounded up per law, results in (1) additional unit over the allowable (7) unit density for the property. Additionally, under the city zoning ordinance, the project is allowed a proportional GFA increase of 1,094.9 s.f. (area per unit) on top of the allowable 7,664.7 s.f. for (7) units max. for the property.

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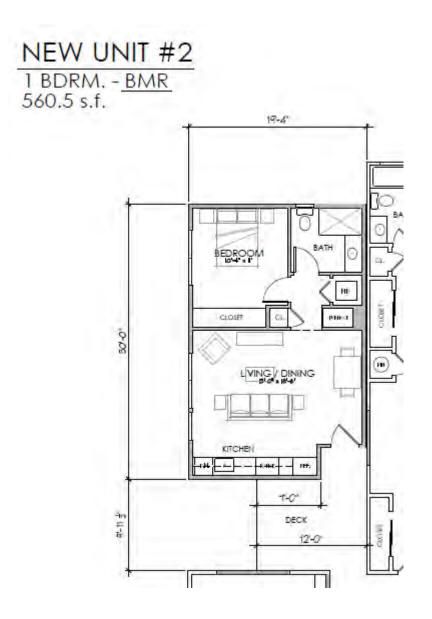
The proposed BMR unit will be a (1) bedroom unit that is 560.5 s.f. The unit will be new, as an addition to the project, and will be the same size as the other new unit being proposed in the addition.

The income level proposed for the new (1) Bedroom BMR unit is to be "moderate". Because of the smaller unit's affordability compared to larger units, this will provide a greater diversity of potential tenants/buyers that would have access to housing in the Menlo Park area.

The BMR unit is proposed as a "for-sale" unit, and shall meet the city and county requirements for income levels outlined above, and associated sales prices.

## <u>Design</u>

The proposed (1) Bedroom BMR (New Unit #2) is located on the 2<sup>nd</sup> floor of the rear building, and is 560.5 s.f.



# ATTACHMENT I

# Kielty Arborist Services LLC

Certified Arborist WE#0476A P.O. Box 6187 San Mateo, CA 94403 650-515-9783

December 26, 2018, Revised February 22, 2019

Mr. Paul Goswamy Florence Lane Ventures, LLC 1001 El Camino Real Menlo Park, CA 94025

Site: 975 Florence Lane, Menlo Park, CA

Dear Mr. Goswamy,

As requested on Tuesday, August 14, 2018 I visited the above site to inspect and comment on the trees. An addition to the rear apartment building is proposed on this site, and your concern for the future health and safety of the trees has prompted this visit. Site Plan SD-1.2 dated 6/25/18 was the only plan reviewed for writing this report.

Method:

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

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

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

	lorence 2/22/19			(2)	
Surve Tree# 1P	<i>t</i> <b>Species</b> Coast live oak ( <i>Quercus agrifolia</i> )	<b>DBH</b> 45.5	<b>CON</b> 60		P Comments Good vigor, fair form, heavily pruned in past for building clearance, large cuts made on trunk have not callused over completely, minor decay in these areas, against neighbor's driveway, close to existing building, over extended limbs, recommended to prune using approved reduction cuts.
2 <b>P</b>	Coast live oak ( <i>Quercus agrifolia</i> )	16.2	70	30/20	Good vigor, fair form, close to street, slight lean towards street.
3 <b>P</b>	Coast live oak ( <i>Quercus agrifolia</i> )	13.3	70	30/20	Good vigor, fair form, 1 foot from neighbor's driveway, upright, suppressing tree #2.
4 <b>P</b>	Coast live oak ( <i>Quercus agrifolia</i> )	45est	65	45/50	Good vigor, fair form, surrounded by hardscapes, 5 feet from corner of existing foundation, tree is heavy over 4 separate structures, recommended to remove all irrigation near tree, cable and reduce where possible using approved reduction cuts, tree has been overly thinned out in the past, needs high level of maintenance.
5 <b>P/R</b>	Japanese maple 18.2 (Acer palmatum)	@grade	30	15/15	Poor vigor, poor form, topped, in heavy decline.
6 N	Iediterranean fan palm (Chamaerops humilis		70	30/5	Fair vigor, fair form, close to foundation.
7	Cabbage palm (Cordyline australis)	8.2	50	15/10	Fair vigor, fair form, against hardscape.
8	Italian cypress (Cupressus sempervi	5.6 rens)	60	25/5	Fair vigor, fair form.
9 N	Iediterranean fan palm (Chamaerops humili		70	30/5	Fair vigor, fair form, poor location, restricted root zone.
10*	Black acacia (Acacia melanoxylon	12est	30	30/12	Fair vigor, poor form, topped, fair screen, poor species, invasive.

975 Fl	orence 2/22/19			(3)	
Surve	y:				
Tree#	Species	DBH	CON	HT/SP Comments	
11*	Black acacia stand	10.0avg	30	35/20 Poor vigor, poor form, topped, fair scree	en,
	(Acacia melanoxyle	on)		invasive.	

\*-Indicates neighbors tree P-Indicates protected tree by city ordinance R-Indicates tree proposed for removal

#### **Summary:**

The trees surveyed on site are a mix of imported species. Heritage trees surveyed on site are trees #1-5. The city of Menlo Park's definition of a heritage tree is as followed:

- 1. Any tree having a trunk with a circumference of 47.1 inches (diameter of 15 inches) or more measured at 54 inches above natural grade.
- 2. Any oak tree native to California, with a circumference of 31.4 inches (diameter of 10 inches) or more measured at 54 inches above natural grade.
- 3. Any tree or group of trees specifically designated by the City Council for protection because of its historical significance, special character or community benefit.
- 4. Any tree with more than one trunk measured at the point where the trunks divide, with a circumference of 47.1 inches (diameter of 15 inches) or more, with the exception of trees that are under 12 feet in height, which are exempt from the ordinance.

## Heritage trees proposed for removal:

The only heritage tree proposed for removal is Japanese maple tree #5. This tree was give a poor condition rating of 30 out of 100. The tree is in decline, as little live foliage was observed. The tree has also been topped in the past. This tree is needs to be removed for the construction of a ADA ramp. Removal is also recommended due to the tree being in decline. No mitigation measures are expected to improve the trees condition.





#### Summary of existing tree health:

Heritage coast live oak tree #1 is in fair condition, and located on the south side of the property. The tree has been heavily pruned in the past for building clearance. Some of the past cuts have not completely callused over and are open to decay and insect attack. The tree is against the neighboring driveway, and in close proximity to the existing building and a concrete retaining wall. The tree has large over extended horizontal limbs that are recommended to be pruned using approved reduction cuts out on the ends of the limbs. This will help to reduce risk of branch failure. This tree is recommended to be reinspected every 3 years due to its proximity to the existing building.

# Showing oak tree #1 against neighbor's driveway and close to the existing building.

Coast live oak trees #2 and #3 are within a few feet from one another. These trees are both in good condition. Oak tree #3 is 1 foot from the neighboring driveway. Oak tree #2 leans towards the street as a result of being suppressed by the upright oak tree #3. No immediate pruning action is needed for these trees. Oak tree #2 should be pruned within the next 3 years in the direction of the tree's lean to reduce leverage.



Coast live oak tree #4 is in fair condition. This tree is very large and surrounded by existing buildings and hardscapes that make for a restricted root zone for the tree. The tree is 5 feet from the corner of the existing building on site. The tree is against the neighboring driveway, as the tree in on the property line and is considered to be a shared tree. The tree has grown over 4 separate structures, including structures on the neighboring properties. Because tree is over existing buildings, it is the recommended to cable the leaders where possible to offer extra support to the large codominant leaders. Pruning using approved reduction cuts out on the ends of the limbs is also recommended. All interior growth should be retained when possible in order to make future approved reduction cuts. This tree is recommended to be re-inspected every 3 years.

Showing oak tree #4 at property line fence



The remaining trees are small non-protected trees that are in fair to good condition with the exception of the neighboring black acacia trees. The black acacia trees are either on the neighbor's property or on the property

(5)

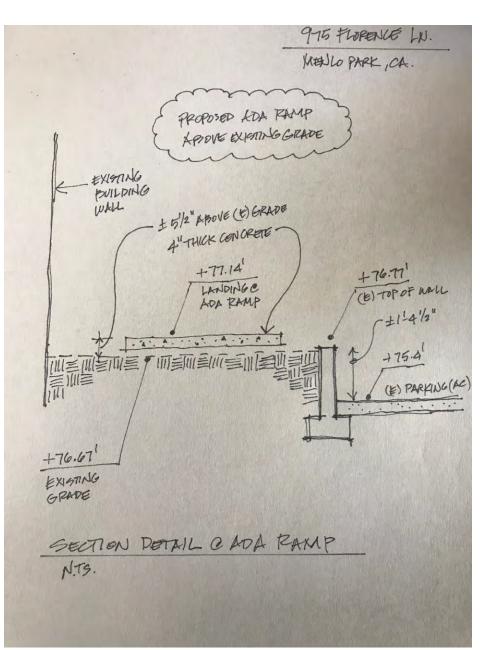
neighboring black acacia trees. The black acacia trees are either on the neighbor's property or on the property line. These trees have been topped resulting in watersprout growth. The new growth (watersprouts) will continue to grow and will become large hazardous limbs if not removed or reduced. This species is also a very invasive species that likely was not planted in this location. These trees do offer a good amount of screening for the property. If these trees are to be retained they should be pruned using crown restoration cuts. If these trees are to be removed they should be replanted with a screening like tree appropriate for the area.

#### Showing topping cuts on acacia trees

#### Proposed work near the protected trees on site/recommendations:

The proposed work on site consist of an addition the existing rear building to make 2 new units. An ADA ramp will also be constructed on site. Portions of the rear building will be removed close to tree #4 for the construction of the ADA ramp, as well as to separate the 2 rear units to allow access to the proposed common space area at the rear of the property. During all of this work the only tree of concern will be the large protected coast live oak tree #4. No heavy equipment shall be allowed within the small landscaped area between the driveway/parking areas and the existing building. This existing landscaped area is recommended to be fenced off by tree protection fencing. Because a portion of the foundation close to tree #4 will be removed and tree protection fencing would likely not allow for access to this area, a landscape barrier is recommended to be installed during the foundation removal work on site. Landscape barriers consist of coarse mulch spread to a depth of 6 inches with plywood placed on top of the mulch. The plywood boards shall be attached in a way that reduces movement of the boards. This way the foundation can be removed while still protecting roots within the landscaped area from compaction. The foundation shall be carefully removed. The Project Arborist shall be on site when this work is taking place to document and to offer mitigation measures if needed.

The ADA ramp has been well designed by the architect as to reduce impacts to the tree as much as possible. The Project Arborist will need to be on site during the building of the ADA ramp to document and inspect. The proposed ADA ramp landing is within 12 feet from the tree. This landing has been well designed to be built entirely on top of grade. When constructing the landing pad, all workers must be on top of a landscape barrier if in contact with the existing landscaped area. Tree protection fencing will need to be placed as close as possible to the proposed work area, while still giving workers enough room to safely work. Impacts from the landing pad are expected to be nonexistent as no roots will be cut. On the next page is a drawling showing the landing pad construction method.



Showing detail of landing pad within 12 feet from tree

At 11 feet from the tree the ramp then moves downward to meet the existing parking lot grade. The grading of the ramp to meet the parking lot grade, must be done entirely by hand, under the Project Arborist supervision. Any encountered roots must be cleanly cut using lopper or a hand saw. Exposed cut root ends must be covered or wrapped in 3 layers of burlap, and kept moist by spraying down the burlap 4 times a day. This will help to avoid root desiccation.

A larger landscape area will be available for oak tree #4 as the building will be pushed back further away from the tree due to the removal of the foundation for the ADA ramp. This will be of benefit for the tree in the long run as more room will be available for future root growth. The landscape area near tree #4 will need to be a dry landscape that is compatible with the tree's needs. Dry season irrigation can significantly increase risk of oak root fungus infection. It is recommended to remove all existing irrigation near this tree. All excavation within 38 feet from this tree will need to be reviewed and inspected by the Project Arborist. At this time impacts are expected to be minor. The tree is recommended to be deep water injected using 300 gallons of water in the months of May and October as a mitigation for the minor impacts.

The existing pool on site will be filled in to build the proposed new units. All access to the pool area is recommended to take place on the south side of the property as far away as possible from oak tree #4. If not possible, all areas of access within the landscaped area must be protected by a landscaped barrier.

#### **Tree Protection Plan:**

#### Tree Protection Zones

Tree protection zones should be installed and maintained throughout the entire length of the project. Fencing for tree protection zones should be 6' tall, metal chain link material supported by metal 2" diameter poles, pounded into the ground to a depth of no less than 2'. The location for the protective fencing for the protected trees on site should be placed at a distance equal to the trees canopy spread where possible. Where not possible because of approved proposed work or existing hardscapes, the tree protection fencing shall be placed at the edge of the proposed work or existing hardscapes. No equipment or materials shall be stored or cleaned inside the protection zones. Areas where tree protection fencing needs to be reduced for access or for any other reason, should be mulched with 6" of coarse wood chips with 1/2 inch plywood laid on top(landscape barrier). The plywood boards should be attached together in order to minimize movement. The spreading of chips will help to reduce compaction and improve soil structure. All tree protection measures must be installed prior to any demolition or construction activity at the site. The city of Menlo Park requires an inspection of the tree protection fencing by the Project Arborist before the demolition permit can be picked up, and another inspection before the building permit can be picked up. All other non-protected trees to be retained are recommended to be protected by fencing placed at the tree driplines when possible. Special tree protection measures will be needed for oak tree #4 as described earlier in this report.

#### Landscape Barrier

Where tree protection does not cover the entire root zone of the trees, or when a smaller tree protection zone is needed for access, a landscape buffer consisting of wood chips spread to a depth of six inches with plywood or steel plates placed on top will be placed where foot traffic is expected to be heavy. The landscape buffer will help to reduce compaction to the unprotected root zone.

#### Root Cutting

Any roots to be cut shall be monitored and documented. Large roots (over 2" diameter) or large masses of roots to be cut must be inspected by the site arborist. The site arborist, at this time, may recommend irrigation or fertilization of the root zone. All roots needing to be cut should be cut clean with a saw or lopper. Roots to be left exposed for a period of time should be covered with layers of burlap and kept moist. No roots shall be cut within 3 times a tree's diameter as these roots are needed for structural stability.

(8)

#### Grading

The existing grade underneath the canopies of the protected trees on site is recommended to be retained as is. Grade changes of 3" may be acceptable by the Project arborist after review. Any grade changes proposed that are greater than 3" will require special mitigation measures for tree in close proximity. No grade changes are allowed within 3 feet of a tree's basal flare.

#### Trenching and Excavation

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

#### Irrigation

Normal irrigation shall be maintained on this site at all times for the imported trees. On a construction site, I recommend irrigation during winter months, 1 time per month. Seasonal rainfall may reduce the need for additional irrigation. During the warm season my recommendation is to use heavy irrigation, 2 times per month. This type of irrigation should be started prior to any excavation. The irrigation will improve the vigor and water content of the trees. The on-site arborist may make adjustments to the irrigation recommendations as needed. The foliage of the trees may need cleaning if dust levels are extreme. Removing dust from the foliage will help to reduce mite and insect infestation. No irrigation shall be provided to the native oak trees unless directed by the Project Arborist.

#### Inspections

It is the contractor's responsibility to contact the Project Arborist when work is to take place underneath the dripline of a protected tree on site. Kielty Arborist Services can be reached by email at <u>kkarbor0476@yahoo.com</u> or by phone at (650) 515-9783 (Kevin). A 48 hour notice is needed before these inspections can take place. In addition to monitoring construction activities underneath the dripline of a protected tree on site, monthly monitoring reports are required by the city of Menlo Park. It is required that the Project Arborist provide periodic inspections during construction. Four-week intervals would be sufficient to access and monitor the effectiveness of the Tree Protection Plan, and to provide recommendations for any addition care or treatment. The contractor must notify the Project Arborist when construction is to start. Should the builder

975 Florence 2/22/19

fail to follow the tree protection specifications, the Project Arborist will report the matter to the City Arborist as an issue of non-compliance.

The information included in this report is believed to be true and based on sound arboricultural principles and practices. Sincerely, Kevin R. Kielty Certified Arborist WE#0476A

# ATTACHMENT J

From:	Steve Stern
To:	Sandmeier, Corinna D
Subject:	975 Florence Lane
Date:	Thursday, August 9, 2018 9:43:35 AM

# Dear Corinna:

I presently own multiple properties in Menlo Park. I am writing to voice my opinion against the proposed project at the subject location. I believe this property has 6 existing units and I am not in favor of adding two more units to the project. Also, I am against altering the setbacks to 5', so these additional condo can be constructed. Reducing the number of parking stalls required for this project also should not be done. Parking on the street is already a problem, this will add to the congestion, and is against present regulations.

Thanks for listening.

Steve Stern A concerned Menlo Park property owner wonewok@gmail.com Good evening,

I am the owner of the property located at 1025-1027 Florence Lane, Menlo Park. I like to formally object to the City's recommendation of the 8 units at 975 Florence Lane. The area is already well congested, if you know this area. The addition of two units, reduction in required parking, and building into the setbacks only adds to the unreasonable congestion and density. Pls. approve a project that meets the existing zoning regulations, without exemptions.

Thank you, Kamin Kamali Thank you for sending the petition, we'll keep you updated on the project.

Sincerely,

From: Ric Vogelsang [mailto:hibdysurf@gmail.com]

Sent: Friday, August 24, 2018 12:37 PM

**To:** \_CCIN <councilmail@menlopark.org>; PlanningDept <PlanningDept@menlopark.org>; \_Planning Commission <planning.commission@menlopark.org>; McClure, William <wlm@jsmf.com>

**Cc:** Noel Smith <smithns@comcast.net>

**Subject:** [Sent to Planning ]975 Florence Lane, Menlo Park - Staff Recommendation and impact of project

Please reference: City of Menlo Park Staff Report to the Housing Commission Meeting date: 8/8/2018 Staff Report Number: 18-015-HC Subj: Recommendation of BMR proposal for 975 Florence Lane, Menlo Park

Please find attached the signed petitions from 25 residents of properties near to and adjacent to the subject property that are in **OPPOSITION** to the proposed plans that would:

- Cause a reduction in the number of required parking places
- Allow additions that would encroach into the required setbacks
- Increase the density allowed by zoning
- Grant exemptions to a BMR unit that would cause any of the items in 1,2, or 3 Background:

The initial proposal for 975 Florence Lane was to convert 6 rental units into 6 condominiums. Subsequent discussions between the City and the owner resulted in the revised proposal referenced above in the Staff Report to the Housing Commission to include new construction of two 560 sq ft units in the back of property - one of which would be a BMR unit. To build out the additional units requires SUBSTANTIAL variances to both the side and rear set back requirements (greater than a 40% reduction). In addition, there is a request to allow 11 parking spaces where 15 is the required number. The staff recommendation made the presumption that proximity to the downtown area would support a reduced parking requirement. Proximity to downtown should have NO bearing on the number of cars owned by residents. We presume that residents of the condominium who do not have on-site parking will use Florence Lane - which has restricted on-street overnight parking. And there is a fire hydrant directly in front of the units, thus any permitted on-street parking will be required to park in front of the neighboring residences. Also, Florence Lane is already impacted by the 'No Parking' on University Drive (requiring cars to park on the side streets) and the 'drive throughs' of both MA students and west Menlo residents trying to avoid the congestion on Santa Cruz Ave and Middle Ave during commute hours.

While we are supportive of enhancing our neighborhood with improvements to the existing properties these efforts should be done within code and not cause unintended consequences.

Thank you for your attention to our concerns. We look forward to working with the respective groups.

Noel Smith 1017 Florence Lane Menlo Park CA Email: <u>smithns@comcast.net</u> Phone: 650-248-5773

Carl Vogelsang 721 University Dr Menlo Park CA Email: <u>hibdysurf@gmail.com</u> Phone: 650-468-3185

The residents and/or owners are AGAINST any plans that would:

- 1. Cause a reduction in the number of required parking places
- 2. Allow additions that would encroach into the required setbacks
- 3. Increase the density allowed by zoning
- 4. Grant exemptions to a BMR unit that would cause any of the items in 1,2, or 3.

Signature **Printed Name** Florence Lane Address DONNA H SMITH 1017 NOEL S. SMITH 1017 00 CLORICE Walks 1016 alexander Jolker Alexander WalkEn 1000 1909/10 Harles 1016-1006 Botty SHEAN 1006 )0 em hn 006 Sin Garfinke 0000

- The residents and/or owners are AGAINST any plans that would: 1. Cause a reduction in the number of required parking places 2. Allow additions that would encroach into the required setbacks
- 3. Increase the density allowed by zoning
- Grant exemptions to a BMR unit that would cause any of the items in 1,2, or 3.

Signature Printed Name Florence Lane Address VOGELSA 5 GNS 0 5 Reese Grosso 953 PN 1025 With MPM) 656 Frenchit (low

The residents and/or owners are AGAINST any plans that would: 1. Cause a reduction in the number of required parking places

2. Allow additions that would encroach into the required setbacks

3. Increase the density allowed by zoning

4. Grant exemptions to a BMR unit that would cause any of the items in 1,2, or 3.

Signature

Printed Name

Florence Lane Address

A. Claudia Knight 956 Florence Lone IAN KNIGHT. 956 Florence LANE. RUFINA JACOB 958 FLORENCE LANG A. Claudi M. H. K

The residents and/or owners are AGAINST any plans that would:

- Cause a reduction in the number of required parking places
   Allow additions that would encroach into the required setbacks
   Increase the density allowed by zoning
   Grant exemptions to a BMR unit that would cause any of the items in 1,2, or 3.

Signature	Printed Name	Florence Lane Address
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The residents and/or owners are AGAINST any plans that would:

- 1. Cause a reduction in the number of required parking places
- 2. Allow additions that would encroach into the required setbacks
- 3. Increase the density allowed by zoning
- 4. Grant exemptions to a BMR unit that would cause any of the items in 1,2, or 3.

Signature

Printed Name

Florence Lane Address

Kamin Kamali

1025-1027 Florence Lane

The residents and/or owners are AGAINST any plans that would:

- 1. Cause a reduction in the number of required parking places
- 2. Allow additions that would encroach into the required setbacks

3. Increase the density allowed by zoning

4. Grant exemptions to a BMR unit that would cause any of the items in 1,2, or 3.

Florence Lane Address Signature **Printed Name** Rogers Pachel Rogers 1025 Miranda Pinckert 1035 Christian dulac 1035 Rac

April 23, 2019 Planning Commission City of Menlo Park

#### RE: May 6 Meeting

Planning Department recommendations to allow addition of two units, allow reductions in required number of parking places, and allow increased density in condo-conversion project at 975 Florence Lane.

Dear Sirs:

I am against any project that has a reduction in the number of required parking places on Florence Lane.

Many of the other parcels on the street were built prior to the existing codes and do not have the required number of parking places, already creating a lack of availability of parking on the street. In addition, most of the parcels on Florence Lane are also nonconforming with regard to number of units, setbacks, and lot coverage. I will send a copy of a table showing the many items of nonconformance by address in a separate email.

Now that parking is not allowed on University Avenue, due to the addition of bicycle lanes, people who used to park on University, are now parking on Florence. Yet another factor affecting available parking is the fire hydrant directly in front of 975 Florence, which reduces the number of spaces directly in front of the project to only one space on the street.

The proposed 8 unit condo project would require a minimum of 15 parking spaces, which would still be inadequate.

There are presently 12 spaces for 6 units in the existing complex, two of which are nonconforming, as they are partially in the front setback. Increasing the number of proposed units to 8, and reducing the number of parking spaces to only 11 spaces does not provide adequate parking for this project. If one of these spaces is designated accessible then this reduces the available regular spaces to only 10 spaces for 8 units which is unacceptable for a condo project of this size. Any overflow parking will have to be in the street. An exemption reducing the required spaces to 10, plus an accessible parking place should not be granted.

From a planning standpoint, it would make the most sense for the city to allow a straight condo conversion of the six units, without adding any additional units. Adding units, and reducing the parking requirements, adversely affects the rest of the inhabitants, and quality of life on Florence Lane. Sincerely,

Noel Smith 1015/1017 Florence Lane. Menlo Park, CA. 94025

			# of Allowable	Setbacks	Setbacks	Setbacks Distance	Inadequate	Insufficient landscaping	Parking in side/front	over allowable lot cover	over allowable square	over allowable
Address	POL SIZE	Description	CIIIIS	anis ( ni -)	111011 ( 17)	DIWI DIUUS	Laining	(0/ ne-)	Setudor	10/00-1	Inouage	paveu areas
1045	131.06 × 64.2	131.06 x 64.2 two single family	2		×	×			×			
1035/1037	50 x 114.2 Duplex	Duplex	2	×	×	×	×					
1025/1027	50 x 114.2 Duplex	Duplex	2	×	×	×	×					
1017/1015	50 × 114.2	50 x 114.2 Single family -Two	2									
1007	50 × 114.2	50 x 114.2 4 unit apartment	2	×	×	×	×	×				×
975	78.3 x 143	78.3 x 143 6 unit apartment	3	×	×	×		×	×	×	×	×
953/957	52 x 143	52 x 143 two single family	2			×		×		×	×	×
939-943	52 x 143	52 x 143 4 unit apartment	2	×	×	×	×	×	×	×	×	×
933	52 x 143	52 x 143 4 unit apartment	2	×		×	×	×	×	×	×	×
917/923	78.5 × 143	78.5 x 143 2 triplexes	3	×	×	×	×	×	×	×	×	×
915	50 x 48	50 x 48 Single family	1	×	×	×	×	×	×	×	×	×
916	47 × 141	47 x 141 Single family	2	×	×	×						
922	53 x 141	53 x 141 5 unit apartment	2	×		×	×	×	×	×	×	×
934/936	52 x 141	52 x 141 two single family	2	×	×	×		×		×	×	×
946	52 x 141	52 x 141 5 unit apartment	2	×		×	×	×	×	×	×	×
954/958	52.25 x 141	52.25 x 141 two single family	2			×		×		×	×	×
996	52.25 x 141 Duplex	Duplex	2	×		×	×	×		×	×	×
974	52 x 141	52 x 141 two single family	2	×		×	×	×		×	×	×
1006	50 x 112.12	50 x 112.12 4 unit apartment	2	×	×	×	×	×		×	×	×
1016	48 x 112.12 Triplex	Triplex	2	×	×		×	×		×	×	×
1020	50 x 112.12	50 x 112.12 16 unit apartment	2					×	×			×
1030	50 x 112.12 Triplex	Triplex	2	×	×	×	×	×	×	×	×	×
1040	1040 64 5 v 112 12 Trinlev	Trinley	6	>	~	>	~	>				,

# FLORENCE LANE

# **Community Development**



#### STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

5/6/2019 19-036-PC

Regular Business:

Planning Commission Chair and Vice Chair Selection: May 2019-April 2020

#### Recommendation

Staff recommends that the Planning Commission select a Chair and Vice Chair for the term of May 2019 through April 2020.

#### **Policy Issues**

City Council Procedure CC-19-0004 "Commissions/Committees Policies and Procedures and Roles and Responsibilities" states that each Commission shall annually rotate its Chair and Vice Chair. The policy does not provide any particular guidance for these selections, although staff would note that the Planning Commission has historically appointed Commissioners that have served the longest in their current service period without being Chair or Vice Chair, with any tiebreakers going to a Commissioner whose term is expiring first. However, these are not requirements.

#### Background

The Planning Commission last selected a Chair and Vice Chair on May 8, 2018, with Commissioners Goodhue and Barnes being appointed to those roles, respectively.

#### Analysis

The Commission should seek nominations for the position of Chair and Vice Chair in two separate motions. Each position needs to receive a majority of votes of a quorum present and voting. The Chair and Vice Chair selected would serve through April 2020, or possibly through part of May, depending on when the City Council makes appointments for any expiring Commission seats.

The Chair and Vice Chair should both have a basic familiarity with typical meeting rules of order, although this does not require any specialized training; most Commissioners have likely absorbed these procedures through their membership on the Commission, and staff will always provide support. Ideally, the Chair and Vice Chair should not share similar conflicts-of-interest (e.g., home location or place of employment).

For reference, Table 1 on the following page summarizes the service to date of each Commissioner, with a sorting that reflects the Commission's typical past selection practices.

				Eligible for
Commissioner	Date Appointed	Previously Served as Chair	Term Expiration	Eligible for Reappointment when Current Term Expires
Barnes	May 2016	No	April 2020	Yes
Riggs	May 2016 (separately served 2005-2014)	Not in current service period (separately served as Chair September 2008- December 2009)	April 2020	Yes
Kennedy	May 2018	No	April 2022	Yes
Doran	January 2019	No	April 2022	Yes
DeCardy/Tate*	April 2019	No	April 2023	Yes
Strehl	April 2013; Reappointed April 2017	Yes - May 2016-April 2017	April 2021	No

\*Commissioners DeCardy and Tate were appointed at the same time for terms of equal length.

#### Impact on City Resources

Selection of a Chair and Vice Chair does not have any impact on City resources.

#### **Environmental Review**

Selection of a Chair and Vice Chair is not considered a project under the California Environmental Quality Act (CEQA), and thus does not require any environmental review.

#### **Public Notice**

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

#### Attachments

None

Report prepared by: Kyle Perata, Principal Planner

Report reviewed by: Deanna Chow, Assistant Community Development Director