



## REGULAR MEETING AGENDA

**Date:** 5/20/2019  
**Time:** 7:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

**A. Call To Order**

**B. Roll Call**

**C. Reports and Announcements**

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

**D. Public Comment**

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

**E. Consent Calendar**

E1. Approval of minutes from the April 29, 2019, Planning Commission meeting. ([Attachment](#))

E2. Approval of minutes from the May 6, 2019, Planning Commission meeting. ([Attachment](#))

**F. Public Hearing**

F1. Use Permit Revision/Hai Do/445 Oak Court:

Request for a revision to a previously approved use permit to demolish a single-story residence and detached garage and construct a new two-story residence including a basement, detached garage, and secondary dwelling unit on a substandard lot with regard to lot width, located in the R-1-U (Single-Family Urban Residential) zoning district. The proposed revision includes modifications to the front entryway to include a new awning and front door. ([Staff Report #19-037-PC](#))

F2. Use Permit/Anuj Suri/631 College Avenue:

Request for a use permit to demolish an existing one-story single family residence with a detached garage and construct a new two-story single family residence with a basement and attached garage on a substandard lot with regard to lot width in the R-1-U (Single Family Urban Residential)

zoning district. As part of the project, the applicant proposes to remove one heritage sized flowering magnolia tree. ([Staff Report #19-038-PC](#))

- F3. Use Permit and Minor Subdivision/Jeff Huber/10 Maywood Lane and 8 Maywood Lane: Request for a use permit to construct a basement and a new addition, including an attached three-car garage, to an existing three-story, single-family residence that is nonconforming with respect to height in the R-1-S (Single Family Suburban Residential) district. The value of the proposed work would exceed 50 percent of the replacement value of the structure within a 12-month period and therefore requires Planning Commission approval of a use permit. The proposal involves additional requests for the property addressed 10 Maywood Lane, including a use permit request for excavation into the required left-side setback for a proposed light well and a use permit request to modify the secondary dwelling unit front setback, reducing the setback to 11 feet, 8 inches, where a minimum of 20 feet is required. The project includes a minor subdivision to reconfigure property lines and create three parcels from two existing parcels. ***Withdrawn by applicant***

## **G. Regular Business**

- G1. 2019-20 Capital Improvement Plan/General Plan Consistency: Consideration of consistency of the 2019-20 projects of the Five-Year Capital Improvement Plan with the General Plan. ([Staff Report #19-039-PC](#))

## **H. Study Session**

- H1. Use Permit and Architectural Control/David Claydon/555 Willow Road: Request for a study session for a use permit and architectural control review to demolish an existing nonconforming office building (currently vacant) and construct a 16-bedroom, three-story boardinghouse. The project site is located in the R-3 (Residential Apartment) zoning district, and boardinghouses are conditional uses in the R-3 zoning district. As part of the project, the existing restaurant building, which is a nonconforming use, would remain. The proposed project would include eight parking spaces devoted to the boardinghouse and five parking spaces for the restaurant, for a total of 14 on-site where 16 spaces are required. ([Staff Report #19-040-PC](#))
- H2. Zoning Ordinance Amendments/City of Menlo Park: Review and provide recommendations on an ordinance amending Chapter 16.93 [Antennae] and adding Chapter 16.94 [Wireless Communications Facilities] to Title 16 [Zoning] of the Menlo Park Municipal Code. This ordinance creates a new process for permitting wireless communications facilities on private property and implements recent federal laws. ([Staff Report #19-041-PC](#))

## **I. Informational Items**

- I1. 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: June 3, 2019
  - Regular Meeting: June 24, 2019
  - Regular Meeting: July 15, 2019

## **J. Adjournment**

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at [www.menlopark.org](http://www.menlopark.org) and can receive e-mail notification of agenda and staff report postings by subscribing to the “Notify Me” service at [menlopark.org/notifyme](http://menlopark.org/notifyme). Agendas and staff reports may also be obtained by contacting the Planning Division at 650-330-6702. (Posted: 05/15/2019)

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

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

Any writing that is distributed to a majority of the Commission by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available for inspection at the City Clerk's Office, 701 Laurel St., Menlo Park, CA 94025 during regular business hours.

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



## REGULAR MEETING MINUTES – DRAFT

**Date:** 4/29/2019

**Time:** 7:00 p.m.

**City Council Chambers**

**701 Laurel St., Menlo Park, CA 94025**

### A. Call To Order

Chair Susan Goodhue called the meeting to order at 7:04 p.m.

### B. Roll Call

Present: Andrew Barnes (Vice Chair), Michael Doran, Susan Goodhue (Chair), Camille Kennedy, John Onken, Henry Riggs

Absent: Katherine Strehl

Staff: Fahteen Khan, Contract Assistant Planner; Kyle Perata, Principal Planner

### C. Reports and Announcements

Principal Planner Kyle Perata said that Commissioners John Onken and Goodhue's terms were expiring, and this would be their last meeting as members of the Commission. Staff and fellow Commissioners thanked Ms. Goodhue and Mr. Onken for their service.

Principal Planner Perata said the City Council at its May 7 meeting would hold a study session on the Willows Village Project and consider an appeal of the 1000 El Camino Real Heritage Tree Removal Permit. Replying to Chair Goodhue, Mr. Perata said the Environmental Quality Commission voted to deny the appeal and uphold the Heritage Removal Permit, which was then subsequently appealed to the City Council.

### D. Public Comment

- Drew Combs, Menlo Park, said he wanted to recognize his two former colleagues on the Planning Commission for their years of service on behalf of himself, the City Council, and the residents of Menlo Park.

### E. Consent Calendar

- E1. Approval of minutes from the April 8, 2019, Planning Commission meeting. ([Attachment](#))

Commissioner Henry Riggs noted the modification to the minutes he had emailed to staff, which was confirmed by Planner Perata.

**ACTION:** Motion and second (Goodhue/Riggs) to approve the minutes with the following modification; passes 4-0-2-1 with Commissioners Camille Kennedy and Onken abstaining and Commissioner Katherine Strehl absent.

- Page 7, 2<sup>nd</sup> paragraph, 3<sup>rd</sup> line: replace “hedge” with “tree”

## F. Public Hearing

- F1. Use Permit/Whitney Lau/575 Kenwood Avenue:  
Request for a use permit to demolish an existing one-story residence, and construct a new two-story residence on a substandard lot with regard to lot width and area in the R-1-U (Single Family Urban Residential) zoning district. The project would include excavation in the interior side setback for a lightwell associated with a basement. ([Staff Report #19-029-PC](#))

Staff Comment: Contract Assistant Planner Fahteen Khan said staff had no updates to the written report.

Applicant Presentation: Whitney Lau introduced herself and her husband Michael Lau as the property owners and noted the address was 575 Kenwood Drive and not Avenue as shown on the agenda. She said they went door to door to speak with neighbors about their project and received good feedback.

Jon Jang, project architect, said the architecture was classic and emphasized the detailing of the design.

Commissioner Onken asked about the windows. Mr. Jang said the windows would be wood clad and simulated divided lights.

Commissioner Riggs confirmed with Mr. Jang that the simulated divided light windows they would use had grids on the interior and exterior and a separator bar within the glass.

Chair Goodhue opened the public hearing and closed it as there were no speakers.

Commission Comment: Commissioner Andrew Barnes asked what was meant by the statement in the staff report that the architectural style had been comprehensively executed. Planner Khan said initially staff had discussed with the architect that the proposed style was different from that in the neighborhood. She said however she believed the proposed design was very well thought out and placed well on the property. She said although the style was different, she thought the way they used a variation of materials and details to execute the design was well done.

Commissioner Barnes asked what brick veneer painted siding would look like. Planner Khan said she did not think there was an example of it in Menlo Park, and she did not have a sample of the material.

Commissioner Barnes said the light well was three-feet seven-inches from the property line and asked about excavation that close to the property line. Planner Khan said light well excavation with that proximity to the property line was not uncommon and referenced a project on Delfino Way that the Commission had recently seen and approved with similar light well excavation.

Commissioner Barnes asked if homes with two driveways were seen much in Menlo Park. Planner Khan said it was not seen much but noted the property had two curb cuts that the applicants wanted to use.

Commissioner Barnes asked the project architect about the brick veneer. Mr. Jang said they would be using a veneer brick siding that would appear the same as real brick.

Commissioner Riggs asked about privacy treatment for the right-side property line. Planner Khan said the applicants had considered the placement of windows so theirs were not facing the right-side neighbor's windows. Commissioner Riggs said master bath and bedroom windows were rather large, but the site plan on sheet A1.0 did not show existing structures. He said the survey showed existing structures, but he could not tell which wing of the house it was as it did not exactly line up with the driveway. He said he did not see any landscaping along that property line and asked about planting or other screening, so the right-side neighbor's privacy was protected.

Planner Khan said the second floor was recessed quite a bit especially where the master bedroom was located. Commissioner Riggs noted that there was not a great distance between the second story and the neighboring property and confirmed with Planner Khan that screening had not been requested.

Ms. Lau said the right-side neighbor's home was two-story that they had built several years ago with very high windows on the second floor. She noted the neighbor's carport located between their house and her property. She said the neighbor's patio in their backyard was on the other side of the house facing south.

Commissioner Riggs asked whether the applicants would have a view of the neighbor's patio from the master bedroom window. Mr. Jang said they would not. Commissioner Riggs asked if there was planting between the two properties and if the neighbors had planting on their site. Ms. Lau said the neighbor had a couple of trees on their side of the fence. Commissioner Riggs asked if the neighbor's trees were tall enough to block a second-floor view. Ms. Lau said they were.

Commissioner Barnes said there was a hedge about five feet between the subject property and the neighbor's carport. He said he thought the applicants needed to consider screening as their fence would only be a yard's distance from the neighbor's property. He noted the hedge ran about 10 feet back and he thought they needed to continue it further to screen between the two properties.

Replying to Chair Goodhue, Mr. Lau said they would use pavers in the second parking space, and they were doing it in the rear as parking spaces were not allowed in the front setback. He said they did not have curb cuts but rather rolled curbs.

Chair Goodhue noted the letter of support the applicants had for the project. She said her question was how this home would fit within the context of the neighborhood. She said in her experience this type house would be located on a hill or in a big open field with lots of land around it. She said she agreed with the staff report that the applicants had been consistent in the particulars they used to achieve their chosen design. She said the applicants had done community outreach, thought about the details and the privacy issues. She said she was generally supportive if somewhat unsure of what the proposed house would look like on the corner lot.

Commissioner Onken said he agreed with the comments. He said the classical style whether

Georgian or Colonial was challenging as it relied on a two-story flat symmetrical façade. He said generally the Commission preferred seeing two-story houses stepped back at the second story. He said he appreciated that the style was somewhat consistent throughout and that it was a uniquely California version of what would be a more classical house. He said he liked that the house changed as it went around, which was somewhat eclectic and softened the house some. He said he also liked that it was not a house dominated by a two-car garage. He said the second uncovered parking spot on the side was well done. He said he would be happy to approve the project with the condition that the applicants provided a detailed landscape plan showing plantings along both sides.

Commissioner Riggs said he was not a big fan of stepped back second stories and liked classical style architecture. He said he agreed with staff that the proposed design was true to its style. He said he also agreed with Chair Goodhue that such a design on a less than a 6,000 square foot lot was interesting. He said however that the lot was unusually square, which he thought helped the design and having two driveways as there were two relatively long street frontages. He said the Kenwood and Morey Drives neighborhood tended to speak up about two stories and deviation from the neighborhood character but there had been no objections made to the project. He said he could support the project and he agreed with Commissioners Onken and Barnes that a landscape plan was needed, which he thought could be handled administratively. He moved to approve as recommended in the staff report with a condition that a landscape plan be provided that showed a combination of neighbors' existing plantings and proposed project plantings that would improve privacy between a new second story building and the neighbor's backyard.

Commissioner Barnes said architecturally that if the project was executed well it would be attractive and interesting. He noted that while he had not heard any resistance to the second drive area from other Commissioners, he foresaw that at some point there would be two cars in front of the one-car garage and two cars parked tandem in the second parking area. He said that would be four cars parked on a 5,800 square foot lot situated on a corner. He said it would look more like a parking lot than a stately Georgian classical house. He asked if Commissioner Riggs as the maker of the motion would consider removal of the second parking space. Commissioner Riggs said the lot was square and it had two relatively long street frontages so he did not have issue with the two parking areas as he did not think it would be possible to see both parking areas from any possible angle. He said he thought the neighborhood benefited from a single garage door. He said the applicants also benefited from the single garage door as it would be very hard to put a Georgian front forward with a two-car garage. Commissioner Barnes said he found Commissioner Riggs' argument persuasive and seconded the motion.

Commissioner Onken said technically the City required one covered and one uncovered parking space. He said the front of the single-car garage did not meet the requirement of the one uncovered space and the applicants had provided what was required.

**ACTION:** Motion and second (Riggs/Barnes) to approve the item with the following modification; passes 6-0-1 with Commissioner Strehl absent.

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

2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Jonathan Jang Architect, consisting of 14 plan sheets, dated received April 11, 2019, subject to review and approval by the Planning Division.
  - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
  - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
  - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
  - g. Heritage and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report by Mayne Tree Expert Company, Inc. dated January 9, 2019
4. **Approve the use permit subject to the following project-specific condition:**
  - a. **Simultaneous with the submittal of a complete building permit application, the applicant shall submit landscape plans to document screening, subject to review and approval of the Planning Commission.**

- F2. Use Permit and Architectural Control/Charlie King/250 Middlefield Road:  
Request for a use permit and architectural control to add 3,853 square feet to an existing office



building on a lot in the C-1 (Administrative and Professional District, Restrictive) zoning district. As a part of the proposal, the applicant requests a parking reduction from the required five spaces per 1,000 square feet (133 spaces) to approximately three parking spaces per 1,000 square feet (83 spaces), and the removal of one heritage-sized Japanese maple tree. The proposal includes a Below Market Rate (BMR) housing agreement for compliance with the City's BMR program. ([Staff Report #19-030-PC](#))

Staff Comment: Planner Khan said a colors and materials board was available for the Commission's review.

Applicant Presentation: Ken Hayes, Hayes Group Architects, said he would make the presentation on behalf of his client King Asset Management. He said Charlie King was present as well as Gary Laymon, with The Guzzardo Partnership, landscape architects. He also introduced Isaac Kontorovsky, BKF civil engineers.

Mr. Hayes said the project was located in the C-1 zoning district. He said across Middlefield Road the surrounding properties were C-1 as well as the next-door site. He said across Santa Monica Avenue was the Menlo Park Fire Protection District (MPFPD), which was in an R-1-S area, and then R-1-U zoning at the rear of the subject property. He said for the C-1 zoning district all uses were conditional and conditional uses of professional, executive, and administrative offices were allowed. He said the existing building had a conditional use of professional office currently with private equity capital. He said the two-acre site had a beautiful California Monterey building that his firm did a restoration on about 13 years ago. He said except for cleanup in terms of landscaping nothing would be done to the front of the building. He said they were also proposing a new sidewalk. He said the existing building was 20,355 square feet of occupiable office area. He said there were large porches and verandas around the building that also counted as floor area, but which were not occupied. He said the concept for the project was to reconfigure the parking lot, which was inefficiently laid out, and increase opportunities for more landscaping, increase the car count and go through an administrative parking reduction request to increase the building by about 3,850 square feet. He said currently there were 70 parking spaces and a parking ratio of 3.09 per 1,000 square feet on the 22,623 square foot building that included all the terraces.

Mr. Hayes showed the proposed site plan that would add 13 parking spaces. He said those would be achieved by reconfiguring the parking lot and adding landscape strip the length of it, allowing two spaces for the existing oak tree to protect it. He said the parking lot would have compliant accessible spaces as well as EV charging stations. He said the parking ratio with this would be 3.13 per 1,000 square feet.

Mr. Hayes showed slides of how the courtyard would become enclosed and have a new entry at the front and the proposed addition to the rear of the building also with a new entry from the parking lot.

Mr. Hayes said that they would have a Traffic Demand Management plan (TDM) that would include an annual survey and monitoring. He said the current tenant provided free shuttle service to the Caltrain station for all their full-time employees that wanted to take advantage of that. He said they would have a guaranteed free ride home program, onsite showers, bicycle lockers, personal lockers, and a gymnasium. He said there was preferential carpool parking. He said the TDM would mitigate the 76 peak hour trips to the building according to trip calculation used by the City and County Association of Governments in San Mateo County.

Chair Goodhue opened the public hearing and closed it as there were no speakers.

Commission Comment: Replying to Commissioner Barnes, Planner Perata said the recommendation of 3.3 spaces per 1,000 square feet was part of the City's use-based parking reduction guidelines. He said one parking space per 300 square feet was the standard the City used in other zoning districts. He said historically it had equated to the typical square footage of office per employee and assumed that each employee drove to the office.

Commissioner Barnes noted parking ratios in ConnectMenlo and the El Camino Real / Downtown Specific Plan and asked how parking was applied to offices generally, using as an example an office building on Sand Hill Road. Planner Perata said it would depend upon the specifics of each case. He said an office complex's TDM plan might reduce trips and while not equated to parking directly had a relative equation regarding parking-related trips. He said the ConnectMenlo and the Downtown Specific Plan areas had a different parking ratio. He said ConnectMenlo had required TDM programs to reduce trips by a certain percentage based on the zoning district. He said for an office on Sand Hill Road specifics would need to be looked at such as whether a shuttle program was available and if there were TDM incentives to get people to and from the site without needing all the parking. He said a number of office buildings on Sand Hill Road had extra parking in landscape reserve and their employee-office density was fairly low such that a lower parking ratio might be appropriate. He said for this project the required parking was slightly less than one parking space per 300 square feet, which staff believed was acceptable with the applicant's TDM program.

Commissioner Michael Doran said some of the reduced parking ratio was based on the current tenant occupying the space and some on a TDM plan. He said the building could be expected to outlast the current tenant usage and asked what mechanism would enforce continuation of the TDM plan in the future. Planner Perata said there were conditions of approval recommended that required some monitoring of the TDM program to insure it was working and in compliance. He said the applicant's project description letter also referenced lease agreements and ensuring the TDM program was there. He said that would be expected to be ongoing for the life of the project that the owner would work with their tenants to ensure they were implementing the TDM programs. He said there were other conditions of approval for monitoring and annual reporting to the City. Commissioner Doran asked if the tenant or landlord was responsible to give an annual report to the City on what was being done to mitigate parking issues. Planner Khan said that was correct. Commissioner Doran asked if the City had the resources to police compliance with the TDM plans and expected traffic impact mitigation. Planner Perata said regarding the required condition of an annual review that staff would peer review the report provided and identify and cross check the information. He said if the City was notified over the year of a parking issue or complaint, a review of the project's compliance would open throughout the year and not just with the submittal of the annual report.

Commissioner Onken commented on the parking ratios for the zoning district. He said basically the project would add an office and parking for 10 cars. He said he was comfortable with that and thought the project was supportable as proposed. He said actually he would prefer the parking ratio to not increase from what it was currently so the traffic impact of the building could be found to have been minimized.

Commissioner Barnes said he thought the proposal was a modest addition and would be a nice

addition to the building. He said the attention to landscaping was good and the addition of sidewalk was appreciated. He said earlier in the day he saw that the MPFPD had a number of vehicles parked on Santa Monica Avenue in front of the project building and asked if that was a common occurrence.

Charlie King said parking for MPFPD in that location had been occurring more frequently over the last six years than previously. He said they held training at their site, and while not an everyday impact, it was noticeable when it occurred. He said the area for parking was public right of way.

Commissioner Barnes moved to approve as recommended in the staff report.

Commissioner Riggs confirmed with staff that the parking ratios used by the City were based historically for about 20 years or so on national parking ratio standards. Commissioner Riggs suggested that through referring to those parking standards for the past 20 years or so that the City had more or less vetted and accepted them. Planner Perata agreed. Commissioner Riggs said he brought that up as he thought it helped to more fully answer Commissioner Barnes' question on how the parking standards were derived. He said related to Commissioner Doran's question about what happened in the future should ownership change that his understanding was use went with the land and not with the owner. Planner Perata said that was correct.

Commissioner Riggs said he saw a letter from Elena Benton about overflow parking and asked staff to address, noting he had not personally observed overflow parking. Planner Khan said Ms. Benton was a property owner along Santa Monica Avenue and another member of her family resided there. She said they had observed considerable traffic impact on Santa Monica Avenue and found it difficult to maneuver when walking as there was no proper sidewalk. She said they had also seen more street parking in the public parking spaces that abutted 250 Middlefield Road. She said as mentioned earlier staff was aware of parking by fire response personnel attending training sessions at the MPFPD site, which had increased over the past several years.

Commissioner Riggs seconded the motion to approve as recommended in the staff report.

Commissioner Doran said the City seemed to have parking ratio rules that did not seem to be in accord with general practice. He said perhaps they should suggest the City Council change the rules so they could be applied.

Chair Goodhue confirmed with staff that there had been no recent updating of this particular zoning district. Planner Perata said the City's zoning with the exception of the Specific Plan and the zoning districts within the ConnectMenlo General Plan area was based on just square footage and not use. He said the ratio in the zoning was a catchall for a building that did not have a defined use. He said with the use-based parking reduction guidelines staff then looked at the use more specifically.

**ACTION:** Motion and second (Barnes/Riggs) to approve the item as recommended in the staff report; passes 4-2-1 with Commissioners Doran and Kennedy opposed, and Commissioner Strehl absent.

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

2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
  - a. The general appearance of the structure is in keeping with the character of the neighborhood.
  - b. The development will not be detrimental to the harmonious and orderly growth of the City.
  - c. The development will not impair the desirability of investment or occupation in the neighborhood.
  - d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
4. Approve the Below Market Rate Housing In-Lieu Fee Agreement (Attachment J) in accordance with the City's Below Market Rate Housing Program.
5. Approve the use permit and architectural control subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Hayes Group Architect, consisting of 41 plan sheets, dated received April 11, 2019; along with the project description letter (dated and received April 22, 2019), parking reduction request letter (dated and received May 15, 2018), and TDM plan letter (received January 31, 2019), subject to review and approval by the Planning Division.
  - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
  - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
  - g. Heritage and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report by Urban Tree Management, Inc. dated April 4, 2019.
6. Approve the use permit architectural control subject to the following **project-specific** conditions:
- a. During the design phase of the construction drawings all potential utility conflicts shall be potholed with actual depths and recorded on the improvement plans, submitted for City review and approval.
  - b. During the design phase of the construction drawings the frontage heritage trees adjacent to the proposed sidewalk shall be assessed for root damage resulting from the project with a formal Arborist Report and documented to the City simultaneous with the first Building application. A heritage tree removal permits shall be obtained with approval by the City Arborist if applicable.
  - c. Prior to building permit issuance the Applicant shall submit all applicable engineering plans for Engineering review and approval. The plans shall include, but are not limited to:
    - i. Existing Topography (NAVD 88')
    - ii. Demolition Plan
    - iii. Site Plan (including easement dedications)
    - iv. Grading and Drainage Plan
    - v. Utility Plan
    - vi. Erosion Control Plan (SWPPP if applicable)
    - vii. Planting and Irrigation Plan (Demonstrating WELO compliance)
    - viii. Off-site Improvement Plan
    - ix. Construction Details (including references to City Standards)
    - x. Final Hydrology Report and Stormwater Treatment Report
    - xi. Stormwater O&M Agreement
    - xii. WELO documents pursuant to the City's webpage  
<https://www.menlopark.org/361/Water-efficient-landscaping-ordinance>
  - d. Prior to building permit issuance the Applicant shall submit plans for construction parking management, construction staging, material storage, and Traffic Control Plans to be reviewed and approved by the City. The plans must delineate construction phasing and anticipated method of traffic handling for each phase.

- e. Prior to building permit issuance the Applicant shall furnish a Final Hydrology Report and Stormwater Treatment Report. The Reports shall substantiate all calculations demonstrating conformance with C.3 guidelines and the City's policy of no net increase in stormwater flow from pre-development conditions up to the 10-year storm. Additionally, both reports must be prepared and approved to the satisfaction of the Public Works Department and include provisions for the capacity of the existing 8" VCP discharge pipe.
- f. Prior to building permit issuance the Applicant shall prepare a Grading and Drainage plan detailing all surface grades and overland release patterns. The grading and drainage plan shall be in substantial conformance with the project's Stormwater Treatment Report and demonstrate how watershed boundaries are directed to green infrastructure facilities.
- g. Prior to building permit issuance the Applicant shall prepare an off-site improvement plan that details all extents of frontage work in public right of way. This includes but is not limited to, sidewalks, driveways, and planting deemed necessary by the Public Works Department upon review of the submittal. The Applicant hereby agrees to file an encroachment permit, subject to Public Works approval, prior to any construction in the public right of way.
- h. Prior to construction if necessary, the Applicant shall file and obtain a VOC and Fuel Discharge Permit with the San Francisco Bay Regional Water Quality Control Board for groundwater discharge. All groundwater discharge to the City storm drain during construction shall be approved to the satisfaction of the Public Works Department prior to commencement of work.
- i. Prior to final occupancy the Applicant shall enter into an Operations and Maintenance Agreement (O&M Agreement) with the City for all stormwater treatment devices and appurtenances. The Applicant further agrees to record this Agreement with the County of San Mateo and route a copy of the conform documents to the Public Works Department for the City's record.
- j. Prior to final occupancy the Applicant shall retain a civil engineer to prepare "as-built" or "record" drawings of public improvements, and the drawings shall be submitted in both AutoCAD and PDF formats to the Engineering Division.
- k. Prior to final occupancy the Applicant shall submit a landscape audit report to the Public Works Department.
- l. Prior to building permit issuance, the applicant shall pay a Transportation Impact Fee (TIF) at an office rate of \$4.87 per square foot of gross floor area (GFA) for a total estimated TIF of \$21,447.48, subject to the Municipal Code Section 13.26. The fee rate is subject to change annually on July 1 and the final calculation will be based upon the rate at the time of fee payment. The TIF rate is adjusted each year based on the ENR Construction Cost Index percentage change for San Francisco. The TIF was calculated as follows: 3,853 sq. ft. x \$4.87 = \$18,764.11.
- m. The applicant shall submit a report with frequency as determined by the Transportation Division to show that it is complying with the TDM plan. If the report shows that the site is not in compliance with the TDM plan, then the applicant shall work with the City to identify corrective measures to bring the site into compliance with the TDM plan.

- n. New handicapped and non-handicapped spaces shall be painted, marked, and signed per City of Menlo Park standards.

Chair Goodhue recused herself from consideration of F3 due to her previous association with Facebook and turned the meeting over to Vice Chair Barnes.

- F3. Development Agreement Annual Review/Facebook/1 Hacker Way:  
Annual review of the property owner's good faith compliance with the terms of the Development Agreement for the Facebook East Campus project. ***Continued by the Planning Commission from the February 25, 2019 meeting.*** (Staff Report #19-031-PC)

Staff Comment: Planner Perata said that Kristiann Choy, Senior Transportation Engineer with the City, was present. He said they received additional correspondence from the Facebook applicant team that was sent to the Planning Commissioners in the afternoon. He said generally it addressed their measures regarding trip cap to bring it back into compliance through additional shuttle service, tram service, and overall parking through ride share.

Planner Perata said this item was continued by the Planning Commission at its February 25, 2019 meeting. He said they typically did the annual reviews of the three Facebook development agreements concurrently. He said the Commission approved continuing the annual review of Facebook's East Campus project development agreement based on staff's recommendation. He said that continuance was based on the need to get more information on the trip cap. He said staff identified 12 occurrences in the 2018 trip cap year that were not attributable to valid event exclusions resulting in penalties to be paid to the City in the amount approximately of \$51,000. He said more specifically as part of the trip cap annual review staff looked at the reliability factor and the need to attribute ride share trips that were entering the Bayfront area and ending at the West and Prologis campuses but ultimately destined for the East campus. He said the trip cap log for the East Campus was adjusted accordingly. He said regarding the other components of the development agreement (DA) the applicant was found previously to be in compliance in terms of the ongoing and one-time actions.

Applicant Presentation: Fergus O'Shea, Facebook, said the one area they needed to work on was the trip cap. He said the staff report detailed well what had occurred, and how they were addressing it. He introduced Elizabeth Arslaner, Director of Facilities Operations, and Monica Wong, Transportation Analyst.

Vice Chair Barnes opened the public hearing and closed it as there were no speakers.

Commission Comment: Commissioner Onken made a number of comments relating to the completion of items under the DA and satisfaction with the measures to bring the trip cap into compliance.

Commissioner Riggs said it appeared data errancies such as Uber and Lyft drop offs and pick up had been addressed. He said Facebook had made very good effort to comply with this DA. He moved to approve as recommended in the staff report.

Vice Chair Barnes noted he had a comment card and reopened the public hearing.

Public Comment:

- Pamela Jones, Menlo Park, said for the record that the traffic impact from these projects and others in the area deeply affected her community noting Facebook occupancy in buildings not owned by Facebook.

Vice Chair Barnes closed the public hearing.

Commission Comment: Vice Chair Barnes said on the owner-occupied buildings for Facebook there was a good sense of traffic impacts since they were subject to specific DAs and site-specific traffic management. He noted third party leases and asked what level of oversight there was and what was required for compliance as to traffic impacts. Planner Perata said it was site specific. He said Facebook occupied the Menlo Gateway office buildings and those had a trip cap that was different from Facebook's trip cap but there was a requirement there. He said there was no trip cap associated with the Intuit site, 180 to 200 Jefferson Drive, and there was no annual monitoring of the trips to and from that site. He said it was whatever the entitlement was for the buildings that Facebook, or any other company occupied in the area.

Vice Chair Barnes asked Mr. O'Shea what they were doing to address traffic impact from sites with no required trip caps. Mr. O'Shea said their TDM program covered all the buildings they owned and/or occupied. He said their TDM had 50% participation. He said related to the former Intuit site they were looking at construction of a new transit hub in that area. Replying further to Vice Chair Barnes, Mr. O'Shea said a visual example of how they were managing traffic was their shuttle program. He said they have a team dedicated to analyzing transit routes to make them as efficient as possible. He said they had carpool and vanpool programs and provided subsidies for employees using public transit. He said they had bike facilities including repair shops on campus.

Vice Chair Barnes asked if this was information that a member of the public could access easily as he thought it would help change perception about traffic produced by Facebook. Mr. O'Shea said they shared their TDM practices publicly in forums like tonight's hearing. He said they shared best practices with other tech companies. Vice Chair Barnes suggested getting that information to the public. Mr. O'Shea said they would look into doing that.

Vice Chair Barnes asked to what extent Facebook shared with the City the knowledge it gained from its internal groups working on TDM. Mr. O'Shea said he thought there had been a great deal of back and forth between City staff and Facebook's transportation team and analyzing their data to really understand it well. He said for example the on-demand cars took them by surprise as they came to realize there were hundreds of them circling around campus all day, and that had to stop. He said there was good dialogue that happened there. He asked if Vice Chair Barnes was suggesting educational sharing of best practices. Vice Chair Barnes said innovative transportation sharing was item 19 under the DA and how Facebook's resources better informed the City on how to successfully run TDM. He asked Senior Transportation Engineer Choy if she could add to the discussion. Ms. Choy said Mr. O'Shea had described pretty well what the City had been reviewing with Facebook and that Facebook was participating with the City on the City's Transportation Management Association (TMA) Feasibility Study.

Vice Chair Barnes seconded Commissioner Riggs' motion to approve the item as recommended in the staff report.



**ACTION:** Motion and second (Riggs/Barnes) to approve the item as recommended in the staff report; passes 5-0-1-1 with Commissioner Goodhue recused and Commissioner Strehl absent.

1. Make a finding that the Annual Review of the Development Agreement has no potential to result in an impact to the environment and does not meet the definition of a Project under the California Environmental Quality Act (CEQA).
2. Make a finding that Facebook has implemented the provisions of its East Campus Development Agreement and associated amendments during the 2017- 2018 Development Agreement Review Year.

## **G. Informational Items**

- G1. City Council Work Plan Transmittal and Capital Improvement Program (CIP) process update. ([Attachment](#)).

Vice Chair Barnes said he had a comment card on the informational item and opened the item for public comment.

Public Comment:

- Lynn Bramlett commented on recommendations to the CIP process made by the City's Finance and Audit Committee to the City Council. She said she could provide Commissioners with copies of the presentation the Committee had made to the Council. She said they would like to see more financial transparency and use of municipal fiscal best practices.

Vice Chair Barnes closed public comment.

Commissioner Riggs said under the 2019 Work Plan that Single-family Residential Design Review was listed. He asked if that was similar to the Thursday DRT or would lead to work on design guidelines. Planner Perata said it was the idea of looking at the City's residential development review process and ordinances for single-family and multi-family residential development. He said what the focus of that would be had not been decided yet. He said generally it would be for some update to the City's ordinances for design review.

Vice Chair Barnes asked how a person might get more information on projects. He said he had about 25 questions for instance on the TMP. Planner Perata said individuals with questions on any project would contact the staff person working on that project.

Commissioner Onken said there was a mention of zero waste implementation. He asked if it was a possibility that the Planning Commission might work paperless in the future. Planner Perata said staff could look into that if the Commission was interested in that but that was something to work on outside the CIPs. He said he believed the City Council's agenda packet was digital pdfs. He said that was something to work on outside the CIP.

- G2. Future Planning Commission Meeting Schedule
- Regular Meeting: May 6, 2019

Planner Perata said for the May 6 meeting there were a number of single-family residential items,

some architectural control for commercial project items, a major subdivision and use permit project on Florence Lane, and selection of Commission Chair and Vice Chair.

Replying to Vice Chair Barnes, Planner Perata said the City Council denied the appeal of the Phillips Brooks School use permit revision, upheld the Planning Commission's approval and added some project-specific conditions of approval.

Vice Chair Barnes requested more data comparison in the future for projects requesting a reduction in parking ratios including examples of projects where parking ratio reductions had been granted. Planner Perata acknowledge the request.

- Regular Meeting: May 20, 2019
- Regular Meeting: June 3, 2019

## **H. Adjournment**

Vice Chair Barnes adjourned the meeting at 8:59 p.m.

Staff Liaison: Kyle Perata, Principal Planner

Recording Secretary: Brenda Bennett



## REGULAR MEETING MINUTES – DRAFT

**Date:** 5/6/2019

**Time:** 7:00 p.m.

**City Council Chambers**

**701 Laurel St., Menlo Park, CA 94025**

### A. Call To Order

Vice Chair Barnes called the meeting to order at 7:00 p.m.

### B. Roll Call

Present: Andrew Barnes (Vice Chair), Chris DeCardy, Michael Doran, Camille Kennedy, Henry Riggs, Michele Tate

Absent: Catherine Strehl

Staff: Cecelia Conley, Contract Assistant Planner; Ori Paz, Assistant Planner; Kyle Perata, Principal Planner; Corinna Sandmeier, Senior Planner; Chris Turner, Planning Technician

### C. Reports and Announcements

Principal Planner Kyle Perata welcomed Michele Tate and Chris DeCardy, who were recently appointed by the City Council to serve on the Planning Commission. He said the City Council at its May 7, 2019 meeting would hold a study session on Facebook's Willows Village project.

### D. Public Comment

- Peter Edmonds said he resided in District 3 and was the applicant for an appeal of a Heritage Tree Removal Permit permitting the removal of seven heritage redwood trees along the frontage of 1000 El Camino Real. He said that the heritage tree removals were predicated for approval on the basis of the absence of any reasonable or feasible alternative to removal for a project to proceed. He said last week he submitted to the City a new proposal for a much simpler retrofit scheme that required no access to the waterproofing membrane on top of podium concrete roof of the below grade parking area. He said he had eight copies of the new proposal for distribution to the Commission.

### 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](#))

Commissioner Henry Riggs said he wanted the item pulled for discussion, which Vice Chair Barnes

acknowledged.

Commissioner Riggs said reference was made to an architectural fin to be increased in width by one-and-a-half feet. He said the starting point was not indicated. He said he visited the site and confirmed with staff that the existing architectural fin was about eight inches.

Commissioner Riggs said this was a significant increase to what was meant architecturally as a narrow sort of marquee. He said as proposed this would be a heavy element and asked what benefit local residents would get from this approval. He said there were exposed conduits on the east side of the fin. He said there was also a wood structure on top of the roof and suggested that could be removed.

Planning Technician Turner said the intent of the overall project was to hide new cellular antenna and existing equipment. He said for residents in the surrounding area the resulting fin would hide all of the equipment including what was currently visible with the existing fin from the street.

Commissioner Riggs asked if the new box would hide the antennas and the currently exposed conduits, and if staff had asked that the derelict wood structure be cleaned up. Planning Technician Turner said the applicant was present.

Gordon Bell, applicant, said he was representing AT&T. He said the intent of the project was to provide a benefit to the community by hiding and camouflaging the existing equipment. He said the proposed work was requested by the property owner. He said they were adding remote radio units, bulky little boxes that would be inside the fin as well. He said all the equipment would be screened as well as the cable tray. He said they could speak with the property owner about the wooden box on top of the roof to remove it as part of this project. Commissioner Riggs said that would be appreciated. He said it did not appear the project would address the exposed conduit on the other side. Mr. Bell said that it did not. He said they could put that in a cable tray and paint it to match the building. Replying to Commissioner Riggs said the metal cable tray was about one foot wide and four inches tall. He said it would extend the length of the building.

Vice Chair Barnes opened for public comment and closed it as there were no speakers.

Commission Comment: Vice Chair Barnes said he appreciated Commissioner Riggs' attention to the specifics. He said he was familiar with the site and thought the proposal would be fine. He moved to approve as recommended in the staff report. Commissioner Camille Kennedy seconded the motion.

**ACTION:** Motion and second (Barnes/Kennedy) to approve the item as recommended in the staff report; passes 5-1-1 with Commissioner Riggs opposed and Commissioner Catherine Strehl absent.

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

- a. The general appearance of the structure is in keeping with the character of the neighborhood.
  - b. The development will not be detrimental to the harmonious and orderly growth of the City.
  - c. The development will not impair the desirability of investment or occupation in the neighborhood.
  - d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
  - e. The property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.
3. Approve the architectural control subject to the following **standard** conditions:
- a. Development of the project shall be substantially in conformance with the plans prepared by Gordon Bell, consisting of 14 plan sheets, dated received April 18, 2019, and approved by the Planning Commission on May 6, 2019, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - d. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
  - e. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance

## 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 two-story 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](#))

Staff Comment: Contract Assistant Planner Cecila Conley said there were no additions to the written report.

Applicant Presentation: Tony Ngai, project architect, said the property owners Erica Hsu and her mother Angie Hsu were present. He said Ms. Hsu's father, Eric, was not able to attend this evening but had attended the March 11 hearing. He said the project proposal hearing was continued from March 11 when they were asked to provide additional clarification for the project. He said they had submitted a revised project description with the four items the Commission had asked them to address.

Mr. Ngai said the Commission asked for a landscape plan to show screening along the side property line to address privacy for the two bedrooms facing that property line. He said the landscape plan on sheet L1.1 showed all the existing trees and the newly planted five trees on the north side that were currently about 16 feet tall. He said those were fast growing trees expected to reach about 40-feet in height. He said within the anticipated one year of construction they expected the trees would grow sufficiently tall to block the side project windows from the neighbors' windows. He said they reduced by six inches the width of both of the master bedroom windows that would face the neighbor's property.

Mr. Ngai said they were requested to properly delineate the 20-foot radius at the corner property line. He said sheet A1.2 clearly showed the 20-foot radius and an area of 100 square feet that the property owner would dedicate to the City because of the narrowness of the sidewalk at that corner so the sidewalk would have accessibility and width improvements.

Mr. Ngai said they were asked to better clarify the turning radius lines at the driveway facing Middle Street, which could be a busy street. He said they had shown that a vehicle coming into the property had ample space to do a turnaround and drive into Middle Street headfirst making it less dangerous for pedestrians and vehicles coming down Middle Street.

Mr. Ngai said they were asked to address the perceived massive scale on the corner of Middle and Olive Streets. He said sheet L1.1 showed the corner that was heavily wooded. He said because of the dense trees they had planned an extra tall window at that corner to bring in light. He said they had now reduced that window by two-and-a-half feet and lowered the structure itself by one foot. He said the neighbor across the street had provided a letter in support of the proposed design for that corner. He said they provided a sample of the stone veneer they would use that was almost white. He said the sample had sparkle but the actual stone they would use would not have that and would be a flat finish.

Vice Chair Barnes opened the public hearing and closed it as there were no speakers.

Commission Comment: Commissioner Riggs said it appeared to him that the applicant had made efforts to address the concerns raised by the Commission in March. He said the landscape plan indicated the neighbor had planted the arbutus marina on their side, which was good planning. He said he appreciated the applicant's reassurance about the stone. He said he supported the response made to the Commission.

Vice Chair Barnes said he appreciated the applicant's attention to the Commission comments and that those had specifically been addressed. He said he thought the design was enhanced. He asked about the sidewalk improvement at the corner. Planner Conley said that was a pedestrian access easement dedication that would support the construction of the sidewalk and the ADA compliant ramp, which the applicant's contractor would build to City standards.

**ACTION:** Motion and second (Barnes/Doran) to approve the item as recommended in the staff report; passes 6-0 with Commissioner Strehl absent.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Nee Design, consisting of 14 plan sheets, dated received April 22, 2019 and approved by the Planning Commission on May 6, 2019, subject to review and approval by the Planning Division.
  - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
  - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
  - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
  - g. Heritage and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report by Kielty Arborist Services LLC dated October 9, 2018.
4. Approve the use permit subject to the following **project-specific** condition:

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a legal description and plat for a pedestrian access easement dedication for sidewalk and an ADA-compliant ramp, subject to review and approval by the Engineering Division

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)***

Staff Comment: Assistant Planner Ori Paz said he had no updates to the written report.

Questions of Staff: Commissioner Chris DeCardy said on page 5 of the staff report it stated: *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.* He asked for clarification if that implied anything regarding the two options proposed or if it had been discussed and was feasible.

Assistant Planner Paz said he might defer to the applicant as well to answer the question. He said these were modular homes for which there were multiple different models. He said the applicant's choice was Model 8. He said the two options assessed were based on selecting Model 8 as the home. He said staff's statement was that there were other models that potentially could have been proposed that would meet City requirements. He said for the model selected that the second option would not meet the City requirements given the site constraints and daylight plane.

Commissioner Doran said on page 2 of the staff report it stated: *...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.* He asked if the modular home was a problem for the attached garage whether it was possible to use a stick-built garage. Planner Paz said the garage was proposed to be stick-built. He said the home and porch were modular and the garage would be built onsite. Commissioner Doran said the paragraph he read indicated that a detached garage would not work, which he found confusing. Planner Paz said the issue with the modular home was that it was a certain width and the minimum driveway width was also a certain width. He said in the detached garage option the applicants in using their chosen home model did not have enough space for the home width, the driveway width and meet the daylight plane.

Applicant Presentation: Chris Dolan said he was the project sponsor. He said after the November 5, 2018 meeting, they looked at the four major comments made by the Commission. He said the first was to explore options to reduce the perceived massing of the building. He said in comparing the elevations from the previous elevations and the renderings, they reduced the massing by increasing the height of the porch parapet wall and extending the wing wall past the linear footage across the front façade and wrapping that wing wall down along the right side of the front of the home. He said they added an awning to the right side and changed some of the materials between



the windows on the second floor to reduce the perceived massing. He said they were installing a green wall trellis on the right side of the garage.

Mr. Dolan said regarding the second item on neighborhood outreach that they held a neighborhood meeting at the neighbor's house across the street from the subject property. He said they held another meeting at another residence, and lastly a phone call meeting where they reviewed the revised and modified plan since the November meeting. He said the third item was the roof pitch, which had been revised. He said the fourth item was to reduce the curb cut, which in the revised plan was now 20 feet not 24 feet.

Vice Chair Barnes opened the public hearing and closed it as there were no speakers.

Commission Comment: Vice Chair Barnes read the March 20 email from the neighbor across the street to staff that expressed continuing neighbor concern with the prominence of the garage. Vice Chair Barnes said he too found that element not in character with the homes in the neighborhood. He said the project was not materially different than what the Commission saw in November. He said they needed a design that would be more congruent with the homes in the neighborhood. He said offsite construction was an innovative technology with benefits. He said in this instance a choice between offsite and onsite construction was not being directed rather for the applicant to choose a design that met design standards and worked on the site and for the neighborhood. He said the garage had to be integrated into the main footprint of the house or behind or along side it.

Commissioner Riggs said he thought the building design had come along well, and if proposed in an Eichler neighborhood would fit well. He said the neighborhood character was strongly classic, so it was a challenge to bring a modern home into such a cohesive style neighborhood. He said if the City had design guidelines that would help to support that and better inform property owners and applicants. He referred to Vice Chair Barnes' comments and suggested the proposed revision addressed those but not the challenge of style. He said perhaps if the face of the garage had a corresponding low wall like the front side of the property that would make the front of the garage appear to be part of the house.

Commissioner Doran said he did not object to modern architecture and he thought modular home construction had many benefits. He referred to the staff report and comments that the confluence of the City's requirements and the specific model of home the applicants wanted to order made the requirements of the daylight plane infeasible. He said he found that objectionable. He said the applicant needed to choose modular designs to be constructed offsite that would comply with City requirements.

Vice Chair Barnes said for the record that he had no problem with modern architectural aesthetic and was supportive of innovative building technology. He said it was the externalization of the garage in this design that did not work.

Commissioner DeCardy confirmed with staff that Option 2 with a garage on the rear of the property would not meet City standards such as daylight plane requirements. He noted that some neighbors had concerns with the garage being in the rear of the property. He said it was not clear if there was neighbor consensus supporting a garage in the back or in the front of the property.

Commissioner Doran moved to continue the project.

Vice Chair Barnes asked the applicant if he would prefer a vote to approve or deny, or a continuance. Mr. Dolan said a continuance was preferable.

Vice Chair Barnes said that the garage needed to be integrated into the footprint of the house and the detached garage in the front did not work. Mr. Dolan asked if the project would get approved if the design with the front porch across the entire façade was recessed eight feet with the garage attached. Vice Chair Barnes said that was not answerable. He said the applicant should take the Commission concerns and work with staff on a design that resolved concerns.

Commissioner Camille Kennedy noted the suggestion made by Commissioner Riggs to make the garage more like the style of the home to soften its effect. She said she loved the house, but the garage was predominant and suggested it match the style of the home.

Commissioner Riggs said his suggestion was for a low wall in line with the face of the garage brought across the front yard and at least 10 feet away from the garage to allow for the second required parking space. He said that would bring the face of the house out to the face of the garage. He said the garage was finished in vertical wood siding, which was also the finish of the porch façade. Mr. Dolan asked if he was suggesting a low wall in parallel with the front plane of the garage and across the front façade of the house. Commissioner Riggs said structurally a low wall would be a fence with similar wood siding.

Vice Chair Barnes confirmed with staff that the Commission direction to the applicant for continuance was clear.

Commissioner Kennedy seconded the motion to continue.

**ACTION:** Motion and second (Doran/Kennedy) to continue the project for redesign with the following Commission direction; passes 4-2-1 with Commissioners DeCardy and Michele Tate opposed and Commissioner Strehl absent.

Individual Planning Commissioners commented on the following topics for consideration with a revised project:

1. The prominence of the garage:
  - a. Please explore options for reducing the prominence of the garage. Avenues to accomplish this could include:
    - i. Relocating the garage to be better integrated into the footprint of the main residence; and/or
    - ii. Providing architectural or landscape features nearer to the front property line to balance the massing of the projection.
2. Materials:
  - a. Consider revising the proposed garage door material.

- 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](#))

Staff Comment: Senior Planner Corinna Sandmeier said staff received three additional emails since publication of the staff report, two of which supported the project and one which expressed concerns about parking for the new units. She said staff confirmed with the Police Department and the City Attorney that this property would not be eligible for on street, overnight parking permits as it was not developed prior to the current R-3 development requirements. She said a condition of approval was that the CC&Rs include language that on street parking permits would not be issued.

Questions of Staff: Commissioner Doran confirmed with staff that previously the project proposal had been to convert the six existing units to condominiums, and asked why the applicants decided to add two units. Planner Sandmeier said the applicant originally proposed to pay BMR in-lieu fees. She said to do that the applicant had to provide documentation that a project could not be developed with the addition of a BMR unit. She said the applicant did not submit documentation that staff deemed sufficient. She said staff worked with the applicant on how to provide a BMR unit onsite. She said the applicant then applied under the State Density Bonus Law and was adding one BMR unit and one market rate unit.

Commissioner Doran said the staff report referred to Government Code Section 65589.5(d)(2), which he reviewed. He said it talked about housing development projects for very low-, low- or moderate-income households. He asked if one single BMR unit was enough for the whole project to be considered a low- or moderate-income housing development project. Planner Sandmeier said yes, noting they had worked closely with the City Attorney to confirm they were applying this section correctly. She said the State Bonus Density Law allowed waivers to development standards that would prohibit construction of the BMR unit and the market rate bonus unit.

Commissioner Doran asked if staff could put the statute on the screen for all to see. Planner Perata said that might be a little difficult but he would try. Commissioner Doran said the staff report referenced the part (d)(2) of that government code section. He said he also looked at the part (d)(1). He said it indicated that if the City was in compliance with its Housing Element requirements then it had discretion under (d)(1) to deny the application. He said he believed Menlo Park was in compliance with its Housing Element for all income levels. Planner Perata said the City of Menlo Park was in compliance with SB 35, the bill discussed most recently in terms of the City's prorated implementation of their units and meeting certain income levels. He said for Commissioner Doran's question staff would need to do research on the overall Housing Element. He said he would have to get back to the Commissioner separately on that.

Vice Chair Barnes asked that staff be prepared to outline for the Commission what was discretionary for Menlo Park regarding waivers and incentives as applied to this project and where the Commission's purview was, when the discussion came back to the Commission for action.

Applicant Presentation: Steve Kellond, project architect, said they were requesting that six existing residential units be subdivided into condominiums and adding two units under the State Density Bonus Law. He said maximum density for the project site was seven units and under the State Density Bonus Law they were allowed eight units by providing inclusionary housing. He said they originally wanted to subdivide the existing six units for condominiums. He said the City's zoning ordinance said for multi-family projects that had five to nine units *it was preferred that the developer provide BMR*. He said as staff noted there was some option to pay an in-lieu fee, which

they discussed in detail with staff. He said they ran the financial analysis of taking one of the six existing units for a BMR unit, but that would result in major financial loss for the property owner. He said they worked further with staff to come up with what they hoped was a win-win situation, where the City of Menlo Park would benefit from more inclusionary housing and the project would benefit from having two additional units. He said they were requesting two waivers, one for coverage and the second for parking. He said as outlined in the staff report the zoning ordinance required more parking than what they could physically provide. He said by doing two new units ADA law requirements were triggered and two spaces were needed to provide ADA parking. He said regarding the heritage tree removal that ADA access was required, and a ramp to the first floor units was needed, which meant the tree had to be removed. He said a replacement tree would be planted on the rear of the property. He said overall he thought the project would be a big improvement for the Florence Lane area as the existing apartment building was old and dated.

John Hanna said he was the attorney for the applicant. He said he had an objection to proposed condition 6.b that *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*. He said that this condition currently applied to all units in the area not just this one.

Replying to Vice Chair Barnes, Planner Sandmeier said for some R-3 properties that were developed before current parking regulations that applications could be made for overnight street parking for apartments with less than two off street parking spaces. She said the condition was added to provide clarity. Mr. Hanna said if it did not make any difference whether a person lived in this new project, if approved, or next door or across the street, the person could not apply for and obtain an overnight street parking permit. He said if that was so then the condition did not need to be added to the approval for this particular project. He said if the City did apply this condition and then the laws changed for other people on this street then the project residents would still be unable to obtain the same permit as others would.

Vice Chair Barnes opened the public hearing.

Public Comment:

- Kristen Leep said she lived in Betsy Nash's district. She said she understood that neighbors had concerns with the proposed project as there would be more residents but not spaces for cars. She said parking issues were a legitimate nuisance, but an opportunity to increase the number of BMR units in Menlo Park should not be passed up. She said she strongly supported the project. She said her father lived in Menlo Park and she continued to try to live in Menlo Park noting she was a teacher. She said low-income residents contributed to Menlo Park's vitality and value and the City could not continue to prosper without teachers, nurses, librarians, caretakers and other people who did not make \$100,000 annually for a one-bedroom household.
- Noel Smith, Florence Lane resident, said he sent emails with his concerns about the project. He said he opposed any reduction of parking spaces as they would have 10 parking spaces for eight units. He said next door to this site were four one-bedroom apartments that should have six parking spaces and only had three. He said the whole block was like that and that people often parked in front of his driveway. He said an already bad parking situation would be worsened by this project.

- Angela Evans said she worked with the Housing Leadership Council of San Mateo County. She said they work with communities and their leaders to build and preserve more affordable housing. She said typically they would not take a position on a small project as this. She said she was thinking about the petition of 29 people asking to stop the project because of the addition of two housing units and the parking related to two additional homes. She said she had found that Menlo Park residents wanted to make room for younger families and individuals. She said she thought the opposition being expressed related to traffic and parking. She suggested that the City look at making the area more accessible by offering different transportation modes, noting the area was transit accessible and should be pedestrian and bicycle accessible. She said she was pleased to see another BMR unit in the downtown.

Vice Chair Barnes closed the public hearing.

Commission Comment: Replying to Vice Chair Barnes, Planner Sandmeier said she understood that the Commission's main discretion would be for the design review for architectural control. She said the parking reduction request was one of the waivers required for the project to be built due to the physical limitations of the existing development. She said she believed that the State Density Bonus Law did not allow discretion on that one. Replying to Vice Chair Barnes, Planner Sandmeier said that was based on discussions with the City Attorney.

Commissioner Doran referred back to his request to have Government Code Section 65589.5(d) on the screen for all to see. He said in his reading of it under subpar (1) there was another avenue that would allow for discretion on the parking. He said he would like an opportunity to consult with the attorney on that question before the Commission made its recommendation to Council.

Vice Chair Barnes asked staff to respond to Commissioner Doran's request. Planner Perata said for this project the Planning Commission was a recommending body. He said it certainly could make recommendations on the different actions separately. He said regarding the City Attorney question and repeating Planner Sandmeier's earlier statement, staff worked closely with the City Attorney's office on this project determining how the State Density Bonus Law applied to it and specifically what waivers the City was essentially required to grant due to the feasibility of the project. He said the parking was a waiver necessary to make the BMR unit feasible on site. He said per State Density Bonus Law it was a waiver the City needed to grant for the project with the BMR unit on site.

Vice Chair Barnes suggested Commission's recommendation might be to evaluate the State Density Bonus Law more closely to conclusively find that the City either had to grant the waiver for parking for the project or some alternative.

Vice Chair Barnes asked Mr. Kellond asked what would need to happen so the BMR unit might be very low or low-income and why they had arrived at moderate-income. Mr. Kellond said in working with staff there was some flexibility on how they determined that – he said it came to financial models as these would be for-sale units.

Commissioner Riggs said he had no issue with the heritage tree removal or subdivision. He said refreshing older buildings was a benefit to the immediate neighborhood. He said he believed that rental units served the lower income level more than BMRs for sale units. He said he supported the project and he did not think the Commission had justification to tell property owners that they could not do something, which was allowable within city and state code. He said he thought the project-

specific condition regarding parking made good sense. He said in this project area in particular he did not think street parking permits should be issued. He said when apartments were converted to condominiums regardless of whether they used a state density bonus he thought it was appropriate for the City to put additional restriction. He said he would not support removing the project-specific condition regarding parking.

Commissioner Tate said she had concerns about the BMR unit being proposed. She said a one-bedroom unit at moderate income definitely screened out a lot of people in need of housing. She said also it was not consistent with the other units that were two- and three-bedroom units. She said when the Housing Commission looked at this issue, they expressed concern about the unit size but the applicants said it was due to fiscal feasibility. She said she would encourage Council to take a better look at the unit mix and the income level.

Commissioner DeCardy said the applicant indicated the difference between the moderate-income level and low- or very low-income was not appreciable. He asked if staff had looked at that difference and could explain what the difference was. Planner Sandmeier said her understanding was the applicant was allowed to propose the income level up to the moderate-income level.

Recognized by the Chair, Mr. Kellond said as this was a development project they had to look at what numbers worked. He said if they went into the very low- and low-income levels there were other incentives and waivers that became available. He said they were trying to limit that as they did not want to create an excessively waived or incentivized project. He referred to Commissioner Tate's concern with the size and disparity. He said there was a certain amount of square footage available for the project and a formula associated with the State Density Bonus Law as was described in their cover page. He said fundamentally there was a certain amount of square footage you were allowed to increase to beyond existing. He said because they were utilizing the density bonus and needed two units it made it easier to create the small units that were consistent.

Commissioner DeCardy said he agreed with Commissioner Riggs' comment that a Japanese maple was very beautiful. He said it did seem to enhance the current property. He said the recommendation was a one-to-one replacement and he would recommend a two-to-one replacement.

Commissioner Kennedy noted that the BMR was one of the two smaller units being built. She suggested it was possible that one of the existing units being renovated might be the BMR unit. Mr. Kellond said that was correct.

Vice Chair Barnes said for the record that he liked these were for-sale units and the availability of that housing stock was really good for the community.

Vice Chair Barnes said recommendations made were to require a two-to-one tree replacement ratio for the heritage tree and for Council to look at which unit was appropriate to designate as BMR and at what income level with the specificity of low-income suggested.

Commissioner Doran said he would like to ask the City Attorney to investigate the applicability of 65589.5(d)(1) before the City Council heard this item. He said most of the project was not discretionary as presented because of the BMR unit. He said if 65589.5(d)(1) applied then the approvals were discretionary.

Commissioner Tate said if the one-bedroom unit was the BMR unit then it definitely should be low-income. She said if Council understood that was limiting then she felt a two-bedroom unit was supportable at moderate-income.

Commissioner Riggs said he recommended keeping project-specific condition 6.b regarding including in the CC&Rs that no parking permits would be issued for this site.

Commissioner DeCardy queried Commissioner Doran as to his intent in having more discretionary control over the project. Commissioner Doran said it related to parking.

Recognized by the Chair, Mr. Kellond said regarding the heritage tree removal that the arborist's report found the Japanese maple to have poor vigor, poor form, and in heavy decline.

Vice Chair Barnes moved to recommend to the City Council to make the necessary findings and approve the project as outlined in Attachment A with the following attendant recommendations. Commissioner Riggs seconded the motion.

**ACTION:** Motion and second (Barnes/Riggs) to recommend to the City Council to make the necessary findings and approve the project as outlined in Attachment A with other recommendations as listed; passes 6-0-1 with Commissioner Strehl absent.

#### **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**

2. 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**

3. 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)

Additional recommendations of the Planning Commission are:

- The heritage tree proposed for removal shall be replaced at a 2 to 1 ratio.
- The City Council shall review which size unit is appropriate to designate as the BMR unit and if low-income is the appropriate income level, then the one-bedroom unit would be appropriate to designate as the BMR unit.
- Condition of approval 6(b), requiring the CC&Rs 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, shall continue to be included with any project approvals.
- The City Attorney shall investigate if Government Code Section 65589.5(d)(1) applies to the project.

## **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](#))

Staff Comment: Planner Sandmeier said she had no additions to the staff report.

Vice Chair Barnes opened the public comment period and closed it as there were no speakers.

Applicant Presentation: Jeff Galbraith, Hayes Group, asked if the Commission might share what the concerns were that led to the item being placed on the agenda so he might address those specifically in his presentation.

Vice Chair Barnes declined the applicant's request and asked him to present the modifications they desired for the project.

Mr. Galbraith said they had presented a substantial conformance memo of the requested changes, and the feedback received from staff was there was concern with the new elevations they submitted in their building permit set, and how those compared to those approved in the entitlement set.

Mr. Galbraith provided a visual presentation noting that this project at 556 Santa Cruz Avenue was next door to 506 Santa Cruz Avenue, which was currently under construction. He said the two projects were entitled together. He said 556 Santa Cruz Avenue was a narrow lot about 50 feet wide and 200 feet deep with two-stories of commercial use and a third story with four residential units. He said despite apparent differences in the graphics between the elevations that were approved in the entitlement and those submitted now that the materials palette had not changed. He showed a slide comparing the entitled elevation and the proposed elevation in the building permit set. He said the latter was slightly different from the one the Commission received initially with the substantial conformance memo in that it was now colored in rather than black and white.

Mr. Galbraith summarized that window systems had been adjusted to eliminate intermediate columns where not required. He said the initial building design assumed the third floor would be wood framed and would need posts more often in the glazed openings. He said during design development they decided to change to a light frame metal structure at the third floor. He said everything below the third floor remained as concrete. He said they were able then to eliminate a few columns in the glass. He said the mullion and pane above the optimal pane was now omitted. He said they decided to increase the height of the operable unit as they felt it did a better job of matching the datums in the façade and created a larger operable unit. He said that window arrangements were modified to better suit interior spaces. He noted on the right elevation that the interior space changed as to where the bedrooms were so the windows were shifted to respond. He noted a tree in the top elevation covering a set of double doors. He said that double door was changed to a single door as it was now in the corner of the master bedroom and was there to provide an egress path. He said they added another single door to allow connection between the



terrace and the interior residential space. He said there were two recesses in the façade that were exterior terraces on the second floor and were screened with what in the entitlement package was called out as a perforated metal screen colored to match M5, which was the gray flat panel. He said in the substantial conformance memo they called out that they were currently studying different alternatives for that material. He said the intention for the terrace screens was to provide increased privacy for those units as they would look out over the McDonald's parking lot next door. He said the intention was to have greenery growing on the perforated screening. He said the related façade for the screens was right on the lot line, which was fire rated and could not have windows. He said without the screens the façade would be a solid wall. He said the greenery shown in the conceptual image was shown growing from the top down and was engaged on the screen itself. He said they learned through design development that the panel as it was facing south would be too hot to allow for a plant to be attached to it and survive. He said the modification would be to have bamboo growing from the bottom up and an alternative to perforated metal that might feel more open. He presented slides of what they were looking at noting their preferred option was a straight woven metal mesh that would be about 75% open with more visibility through it.

Vice Chair Barnes noted he had opened and closed public comment before the applicant presentation.

Commission Comment: Commissioner Riggs said he appreciated the applicants bringing the item forward as it was now readable and comparable. He said the presentation also was necessary to clarify about the proposed screening and noted the three options were good and intention was high caliber. He moved to find the proposed modifications in substantial conformance. Commissioner Kennedy seconded the motion.

**ACTION:** Motion and second (Riggs/Kennedy) to make the determination of substantial conformance for the modifications proposed; passes 6-0 with Commissioner Strehl absent.

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

**ACTION:** Motion and second (Riggs/Kennedy) to nominate Commissioner Barnes for Planning Commission Chair for May 2019 through April 2020; passes 6-0 with Commissioner Strehl absent.

**ACTION:** Motion and second (Barnes/Doran) to nominate Commissioner Riggs for Planning Commission Vice Chair for May 2019 through April 2020; passes 4-2 with Commissioners Kennedy and Tate opposed with Commissioner Strehl absent.

## H. Informational Items

H1. Future Planning Commission Meeting Schedule

- Regular Meeting: May 20, 2019

Principal Planner Perata said the May 20 agenda would have some single-family residential development projects and a study session for 555 Willow Road, which was a boarding house proposal.

Chair Barnes said the dilapidated structure at 555 Willow Road had a large hornet nest that was a

public safety hazard. Planner Perata said he would work with Chair Barnes outside the meeting on resolution of that situation.

- Regular Meeting: June 3, 2019
- Regular Meeting: June 24, 2019

**I. Adjournment**

Chair Barnes adjourned the meeting at 9:21 p.m.

Staff Liaison: Kyle Perata, Principal Planner

Recording Secretary: Brenda Bennett



## STAFF REPORT

### Planning Commission

**Meeting Date:** 5/20/2019

**Staff Report Number:** 19-037-PC

**Public Hearing:** Use Permit Revision/Brian Nguyen/  
445 Oak Court

### Recommendation

Staff recommends that the Planning Commission approve a request for a use permit revision to modify the approved front entryway to include a new awning and front door, on a new two-story residence including a basement, detached garage, and secondary dwelling unit on a substandard lot with regard to lot width, located in the R-1-U (Single-Family Urban Residential) zoning district. The Planning Commission's approval of the previous use permit was appealed to the City Council. The City Council approved the use permit on July 18, 2017. The recommended actions are included in 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 proposed use permit revision.

### Background

#### *Site location*

The subject site is located at 445 Oak Court, between Menalto Avenue and Woodland Avenue in the Willows neighborhood. A location map is included as Attachment B. The subject parcel is substandard with regards to the lot width. The substandard width occurs at the rear portion of the property, while the front and center of the lot meet the minimum 65 foot lot width. The subject parcel is surrounded by single-family homes which are also in the R-1-U zoning district. This neighborhood has a mix of housing stock, which includes one and two-story single-family residences of various architectural styles including ranch, farmhouse, mission and craftsman style homes. Oak Court does not allow through access for vehicles between the 100- and 200-addressed properties, although pedestrians and bicyclists can travel the whole block.

#### *Previous Planning Commission review*

On January 9, 2017, the Planning Commission reviewed a Use Permit application at 445 Oak Court for a new two-story residence including a basement, detached garage, and secondary dwelling unit on a substandard lot with regard to lot width located in the R-1-U (Single-Family Urban Residential) zoning district. The Planning Commission indicated general support for the proposal, but continued the Use Permit application with direction to modify the plans to reduce the building height, consider different screening trees, screen the second story balcony, and reconsider the amount of paving. The Planning

Commission staff report is included as a link in Attachment C and excerpt meeting minutes is included as Attachment D.

On May 22, 2017, the Planning Commission reviewed a revised proposal for the subject property and conditionally approved the project with a requirement to reduce the building height an additional one foot, six inches (six inches from the first floor height and one foot from the second floor height). The Planning Commission staff report included as a link in Attachment E and excerpt meeting minutes is included as Attachment F.

On June 2, 2017 the Planning Commission's approval was appealed to the City Council and on July 18, 2017 the City Council reviewed the Use Permit application. The City Council voted to deny the appeal in part and uphold the Planning Commission's Use Permit approval, with an additional condition requiring a third party arborist, hired by the applicant, to periodically inspect and provide reports to the City Arborist to ensure that tree protection measures are followed throughout the project. The City Council staff report and meeting minutes are included as links in Attachment G and H.

On January 17, 2019, staff sent a substantial conformance memo to the Planning Commission for proposed changes to the approved plan set to modify the approved elevations by adding two new skylights on the roof and two new second story windows on the right-side elevation. Although the proposed modifications warranted notification of the Planning Commission, staff believed the modifications were in substantial conformance with the original approval. No Planning Commissioners requested to discuss the changes at the next Planning Commission meeting and the modifications were subsequently incorporated into the building permit for the approved project. A link to the conformance memo is included as Attachment I.

### ***Building and construction***

On July 23, 2018, the City issued a building permit for the new two-story residence. After the approval of the conformance memo, the building permit was revised on March 21, 2019. Construction is currently underway on the approved project, including the revisions approved in the substantial conformance memo.

## **Analysis**

### ***Project description***

At this time, the applicant is requesting a use permit revision to make changes to the approved front entryway to include a new awning and front door. Staff evaluated the proposed modifications and determined that this change to the front elevation would not be in substantial conformance with the previous approved project and consequently requires a use permit revision be reviewed by the Planning Commission.

The previously approved project included demolishing the existing single-story, single-family residence and constructing a new two-story residence with a basement. The project included a detached two-car garage and a 699-square foot secondary dwelling unit in the rear of the property. The proposed project also included the removal of two heritage trees: one incense cedar and one English walnut, which were in

poor health. Eight non-heritage size trees throughout the site were also proposed for removal.

The proposed revisions would not change the approved Floor Area Limit (FAL) or building coverage. A data table summarizing parcel and project attributes is included for reference (Attachment J). The project plans and the applicant's project description letter, describing the proposed revisions, are included as Attachments K and L, respectively. The project would continue to adhere to all Zoning Ordinance regulations for height, daylight plane, and parking.

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

The 2017 use permit approval included a new two-story residence with a modern, Spanish style and a low pitched, mission tile roof. The front entry featured an arched doorway with a custom wood stained door. The approved siding was white washed stucco plaster with a smooth hand troweled finish. Additional architectural interest was created by the wood stained rafter tails and wrought iron railing and awning details. The windows were consistent throughout the residence and featured casement clad wood with simulated divided lites in a bronze color. The design of the detached garage and secondary dwelling unit were consistent with the main residence featuring the same stucco siding, architectural details, wood doors and windows.

### **Proposed project revisions**

The applicant is now requesting to revise the approved front entry to include a covered awning with a mission tile roof and a rectangular custom wood and glass door with sidelights. The proposed changes would not affect the approved FAL or building coverage and would be consistent with the approved architectural style; however, the proposed revisions would modify the architectural elements around the entry door on the front façade. In their project description letter, the applicant describes the reason for the proposed change is to provide coverage from rain during the winter months.

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

No additional impacts to the trees or landscaping are anticipated with the proposed revisions.

### ***Correspondence***

Staff has not received any correspondence on the proposed use permit revision.

### ***Conclusion***

Staff does not believe the proposed changes materially change the neighborhood compatibility of the approved residence. Staff believes that with proposed revisions, the architectural style of the approved residence would remain generally intact, continue to be attractive, and would continue to be consistent with the surrounding neighborhood. Staff recommends that the Planning Commission approve the proposed revisions to the 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. Planning Commission staff report, January 9, 2017 -  
<https://www.menlopark.org/DocumentCenter/View/12638/F2---445-Oak-Court?bidId>
- D. Planning Commission excerpt minutes, January 9, 2017 -
- E. Planning Commission staff report, May 22, 2017 -  
<https://www.menlopark.org/DocumentCenter/View/14493/F1---445-Oak-Court?bidId=>
- F. Planning Commission excerpt minutes, May 22, 2017 -
- G. City Council staff report, July 18, 2017 -  
<https://www.menlopark.org/DocumentCenter/View/15042/I1---445-Oak-Court-appeal?bidId>
- H. City Council minutes, July 18, 2017 -  
[https://www.menlopark.org/AgendaCenter/ViewFile/Minutes/\\_07182017-2947](https://www.menlopark.org/AgendaCenter/ViewFile/Minutes/_07182017-2947)
- I. Substantial Conformance Memo, January 17, 2019 -  
<https://www.menlopark.org/ArchiveCenter/ViewFile/Item/8382>
- J. Data Table
- K. Project Plans
- L. 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:  
Kaitie Meador, Senior Planner

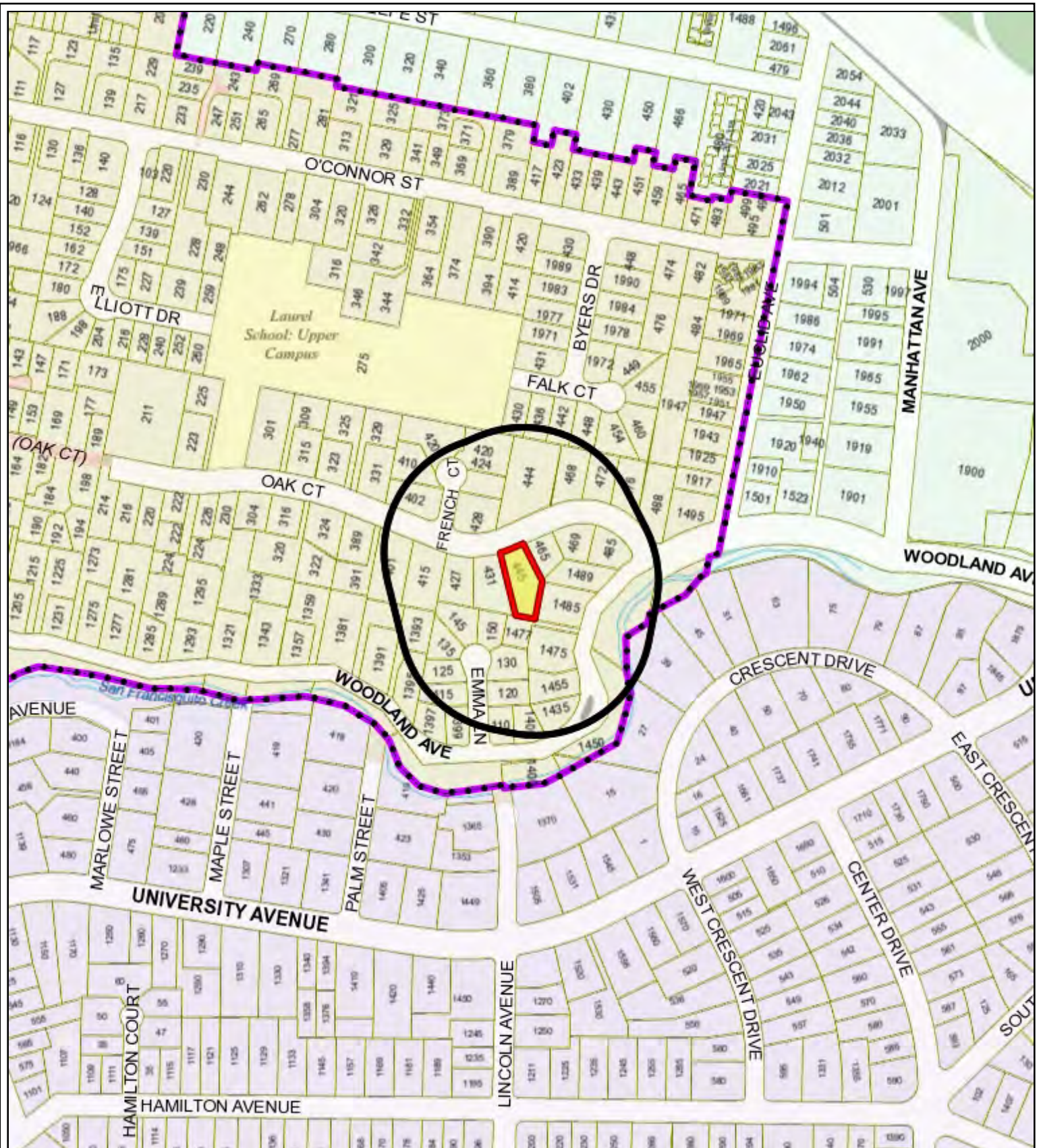
Report reviewed by:  
Kyle Perata, Principal Planner

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## 445 Oak Court – Attachment A: Recommended Actions

<b>LOCATION:</b> 445 Oak Court	<b>PROJECT NUMBER:</b> PLN2019-00022	<b>APPLICANT:</b> Brian Nguyen	<b>OWNERS:</b> Brian Nguyen
<b>REQUEST:</b> Use permit revision to modify the approved front entryway to include a new awning and front door, on a new two-story residence including a basement, detached garage, and secondary dwelling unit on a substandard lot with regard to lot width, located in the R-1-U (Single-Family Urban Residential) zoning district. The previous use permit was approved by the City Council in July 18, 2017.			
<b>DECISION ENTITY:</b> Planning Commission	<b>DATE:</b> May 20, 2019	<b>ACTION:</b> TBD	
<b>VOTE:</b> TBD (Barnes, Kennedy, Doran, Riggs, Strehl, Tate, and DeCardy)			
<b>ACTION:</b>			
<ol style="list-style-type: none"> <li>1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.</li> <li>2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.</li> <li>3. Approve the use permit subject to the following <b>standard</b> conditions: <ol style="list-style-type: none"> <li>a. Development of the project shall be substantially in conformance with the plans prepared by Metro Design Group, consisting of 21 plan sheets, stamped received on April 19, 2019, and approved by the Planning Commission on May 20, 2019, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.</li> <li>b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.</li> <li>c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.</li> <li>d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.</li> <li>e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.</li> <li>f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.</li> <li>g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and project arborist reports.</li> </ol> </li> </ol>			



CITY OF  
MENLO PARK

### City of Menlo Park

Location Map  
445 Oak Court





**REGULAR MEETING MINUTES – EXCERPTS**

**Date:** 1/9/2017  
**Time:** 7:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

**A. Call To Order**

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

**B. Roll Call**

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

Staff: Thomas Rogers, Principal Planner; Kaitie Meador, Associate Planner; Yesenia Jimenez, Associate Planner; Tom Smith, Associate Planner

**F. Public Hearing**

**F2. Use Permit/Brian Nguyen/445 Oak Ct:**

Request for a use permit for the construction of a new two-story single-family residence with a basement, detached two-car garage, and secondary dwelling unit on a substandard lot with respect to width in the R-1-U (Single Family Urban Residential) Zoning District. The proposal includes the removal of two heritage trees. ([Staff Report #17-001-PC](#))

Staff Comment: Associate Planner Kaitie Meador said there were no changes to the staff report but noted that five additional letters had been received and distributed to the Commission and made available to the public.

Applicant Presentation: Mr. Brian Nguyen introduced his fiancée Virginia noting they were Bay area natives and had bought their property as they wanted to live close to family and work. He said their design proposal was for a classic Spanish California design that would be harmonious with the neighborhood. He said the home was proposed as four bedroom, four bathrooms and a basement with one bedroom and one bathroom. He said they were also proposing a one-story, one bedroom, one bathroom secondary dwelling unit that would be ADA compliant noting that unit would be for his parents. He said in their culture it was the responsibility and privilege to take care of the older generation. He said they were proposing removal of an English walnut tree and cedar tree both in very poor health. He said they also had permission for removal of a camphor tree and a magnolia tree. He said the magnolia tree had been a great plumbing problem for them when they moved into the home in February 2016. He said after six months of consultation with arborists and plumbers and opposition from neighbors to remove the magnolia tree they had resolved the issue and kept the magnolia tree. He said they had reached resolution with neighbors on privacy concerns by raising the bedroom balcony railing to 42-inches, raising the secondary dwelling unit's window heights, planting cypress trees along the east border, and using translucent glass on

selected second floor windows. He said over the last seven months he and his fiancée had done outreach with their neighbors. He said to date they had received eight letters of support.

Mr. Tom Sloane, project architect, said the legal width in this zoning district was 65-feet and depth was 100-feet. He said at the rear of this property was a very small area that did not meet the 65-foot width requirement. He said they did a shadow study for winter from noon to 3 p.m. and provided visual representation showing that impact was minimal to neighbors.

Commissioner Larry Kahle asked if they had considered combining the detached garage and secondary dwelling unit. Mr. Sloane said they had not considered that. He said they wanted to have a detached garage to keep it out of the view of the street and to narrow the profile of the primary home. He said the secondary dwelling unit in the rear was low profile and tucked among the trees. Commissioner Kahle said the ceilings were 10 to 11 feet on the first floor and nine feet on the second floor. He asked if they would consider lowering the plate heights to lower the overall height and reduce massing impact. Mr. Nguyen said they were within the height limits and there were no driving factors to reduce the plate heights. He said he could discuss the possibility with his fiancée and architect.

Chair Strehl confirmed with staff that the property was not within the flood zone.

#### Public Hearing:

- David Jones said that two other speakers (both named Anna) had donated their three minutes to him. He said his property was adjacent to the subject property. He said they opposed the use permit application for three specific reasons and two neighborhood reasons: 1) loss of privacy 2) loss of solar access 3) loss of significant sky view; and 1) changing the character of the neighborhood, and 2) loss of heritage trees. He said they hired an architectural firm to demonstrate visually the impacts to their home from a second story residence next door. He said he would present the visuals and would not review the details in the letter he had submitted. He showed slides of views from the subject property second floor windows onto his property. He showed a video demonstrating shadow impact on November 21 from 11 a.m. until sunset. He said after 1:10 p.m. their family room would be in shadow or one-third of the daytime hours in winter, and even more hours in the spring and summer. He noted increased energy need impacts and loss of sky view. He said the best solution was for the neighbor to build a one-story home scaled back in square footage and with everything done possible to protect the heritage trees on the property.
- Edurne, Mr. Jones' wife, said their backyard was the only outdoor place in their home where they have privacy. She said with the proposed development that privacy would be gone for both their backyard and their home were visible through the proposed second story windows and balcony. She said they were very concerned as this was the area they entertained. She said the proposal for cypress trees was not a solution as those would take a long time to grow. She asked that the Commission not approve a two-story design.
- Candace Hathaway said she had lived in her home over 30 years and 21 of 44 neighbors on Oak Court had written regarding their concerns with this project proposal. She said Oak Court was a small country lane right off of San Francisquito Creek and one of the original neighborhoods in Menlo Park. She said her home was a farmhouse built in 1911 and this area was one of the few areas able to maintain a pastoral quality. She said the homes were a variety

of architectural styles but bound together by massing and scale that created an identity and character in the neighborhood. She said the proposed project was truly massive and out of context with the home being almost three times the size of other homes on the court. She said it was 70% larger than the largest existing home on the court. She said there were no other full basements in the homes on the court and they flooded terribly when the creek topped. She said she had to buy flood insurance. Replying to Chair Strehl's request to wrap her comments up, Ms. Hathaway said she had three minutes donated by Virginia. She said the removal of the magnolia had been repealed when protested against by neighbors but the plans submitted with the application removed the magnolia tree. She said the applicants indicated the tree was distressed and might need to be removed. She said the concern was the tree would be removed sooner than necessary so the area could be paved for additional parking. She asked the Commission to consider the project proposal in the context of the neighborhood and ask the applicant to modify the design to be more harmonious.

- Tamara Striffler said her property on Woodland was directly behind the development. She said her concern was privacy. She said there had been a lack of discussion about the secondary dwelling unit and heritage trees noting her back deck would look directly into that structure. She said she was concerned with her children's privacy. She said the parking for the project seemed to have only three spaces. She said her concern was the amount of paving and the potential for the property to become a rental and problems associated with that use.
- John Kelley said the proposal was for 8,000 square feet of building and paved area, which he said was excessive. He said the proposed home was much bigger than any of the other homes on the street. He said if neighbors' concerns were not addressed at the Commission level, neighbors would appeal to the City Council.
- Chuck Bernstein said he lived across from the subject property, and he opposed it. He said the eight letters of support mentioned by the property owners were actually not in support but expressions of appreciation for communicating. He said he thought the property was being redeveloped for resale noting everything proposed was maxed out or close to it. He said the lot was substandard and they would be building right up to neighbors' lots. He said it was not clear what the intrusions from the basement would be. He said he had provided the Commission with a letter and asked that they consider requiring the project to be reduced including the second floor, the driveway and parking
- Valentina Cogoni said she had lived many years on Oak Court and owned two homes there. She said Mr. Nguyen had said the home was in line with the vision of Oak Court, but it was not. She said although it was a beautiful design it did not fit with the neighborhood. She suggested it would work in the hills of Los Gatos or Woodside with a lot of land. She said her home was 850 square feet and she lived very well. She said neighbors when they remodeled took their neighbors into consideration.
- Margaret Kim said they bought a home on Oak Court that was 1400 square feet, and noted that her family has two teenage boys and a large dog. She said they love the new school and the community. She said she appreciated the property owners' efforts to communicate and try to save trees but said she had similar concerns as other neighbors. She said she hoped the applicants would reduce the size of the house, scale it back and listening to neighbors' concerns.

Chair Strehl closed the public hearing.

Commission Comment: Commissioner John Onken asked staff to clarify whether the property was in the flood zone. Principal Planner Rogers said he had reviewed at the City's GIS map, and this property and those in the immediate vicinity were outside of the flood zone.

Commissioner Combs said Mr. Jones had talked a great deal about solar access. He asked if the City had any regulations regarding this and what a neighbor might expect. Associate Planner Meador said there were provisions to protect solar access including setback and daylight plane requirements. Commissioner Combs confirmed with staff that the proposed project met guidelines and requirements protecting solar access. Principal Planner Rogers said as the architect mentioned the substandard width only occurred at the back corner of the property. He said if this was a standard lot they would have been able to build out to the setbacks and the daylight plane on both sides without any Planning Commission review.

Commissioner Kahle said he thought the entry way gable might be the cause of concern about mass. He asked if the applicants had discussed reducing the floor to ceiling heights and if they would reconsider the front elevation to minimize its apparent mass.

Mr. Sloane said they thought the center of the home being the greatest height did not create impact unless there was a view. He said reducing the home two feet down for instance would probably result in their proposal remaining in an appellant situation. He said the opposition was a well-organized group and unless they chose to not do a second story the group would not be satisfied.

Commissioner Riggs noted a rather large amount of paving on the site plan and asked what the standard for pervious pavers was. Principal Planner Rogers said the zoning district did not establish any standards for the pavers but the Engineering Division had standards regarding storm water outflow, with credit given for pervious pavers. He said those pavers had to specifically be designed as pervious pavers and be able to transfer water through them.

Commissioner Drew Combs referred to the architect's comment about not changing the design as the neighbors' opinions would not change and asked if they were opposed to making changes. Mr. Sloane said they had discussed taking the height down one foot per floor and that would not substantially change the essence of the project. He said they had done their shadow studies. He said the video shown by one of the speakers actually showed shadow cast by a tree. Mr. Sloane said the upper story windows of concern were in the closet and the toilet room. He said they were obscured glass but they could remove them all together. Chair Strehl said that would leave a flat wall. Mr. Sloane said that they had proposed the windows there for articulation.

Chair Strehl asked about the neighbor's concern that there would be a view into their master bedroom from the project's deck. Mr. Nguyen said they had discussed this that with the neighbor and the conclusion was they would raise the rail height and plant cypress trees along the property line in addition to installing a lattice on the east wall of the deck, which would completely block their view of the neighbor's property. Chair Strehl said cypress trees were large and would impact solar access even more. Mr. Nguyen said in the discussion with that neighbor there was no mention of solar access until comments made today.

Commissioner Susan Goodhue asked what size cypress trees would be planted. Mr. Sloane said

24-inch box. He said the trees would establish quickly but when transplanted from larger boxes their growth would be slower.

Commissioner Riggs made remarks about regulations and neighborhood concern with projects proposed to the maximum standards allowed, and recommended that neighborhoods where that was a concern consider petitioning the City Council for a zoning overlay for their neighborhood. He suggested that for a zoning overlay of Oak Court they might want to ask for a significantly lower daylight plane standard, even 10-foot lower. He said if a majority of the neighbors agreed that restriction would apply to all homes, not just the subject property. He said the City Council historically had listened to such applications noting the zoning overlay for Felton Gables and Lorelei Manor. He said without a new set of rules, people were allowed to build under the existing rules. He said whatever the outcome for this project, he would like the cypress trees to be reconsidered as he did not think any property line in Menlo Park deserved 30 of them as it would create a wall that would get higher every year for a century. He said one or two medium trees appropriately placed would address some of the privacy concern. He suggested those be planted on the neighbor's property at 465 Oak Court as the angle would not have to be as high to provide view relief from the subject property's second floor to the neighbor's landscaped area. He said there seemed to be a great deal of paving proposed but legally. He said he thought the left side of the second story balcony needed to be enclosed and might need more than lattice. He said the proposed house like its neighbor at 444 Oak Court was larger than other neighbors' homes and was quite a classic design, which most of the other homes were not. He said unlike the property at 444 Oak Court this lot was only average size with average setbacks. He said the house design was handsome and agreed with the architect that squeezing the second floor in would not be an advantage aesthetically. He said the proposed home was architecturally better than most homes proposed in Menlo Park and was built to the standards.

Commissioner Andrew Barnes said the lot was over 13,000 square feet with a relatively reasonable building coverage of 25.5% and significantly less than what was allowable for the parcel. He said the applicant was maxing out on the Floor Area Limit (FAL). He said from a materials and style viewpoint, the project was well done. He said the first and second floor setbacks were greater than what was required, was within the daylight plane, had reasonable articulation, and the applicants had shown responsiveness to the neighbors. He said regarding the heritage tree removals that previously he had served on the Environmental Quality Commission. He said there were two things they focused on when looking at projects with proposed tree removals and that was the existing canopy and the canopy that would come in later. He said regarding the existing canopy, the trees to be removed were reported to be in poor health and the standards for preservation and protection of other trees within the project and on neighbors' lots looked to be extensive. He said regarding the canopy to come in there were 24-inch box replacement trees. He concluded that although the project was not what the neighbors wanted it was not an aberration.

Commissioner John Onken said he wanted to echo Commissioner Riggs' suggestion for neighbors to apply for a zoning overlay. He said the house as proposed, and outside of neighbors' comments, accomplished much of what the Planning Commission wanted a project to do, noting the use of glazed glass to reduce privacy concerns and putting the setback a bit further from the property line. He said in many ways the project was perfectly acceptable but was in a slightly more sensitive location than other parts of Menlo Park. He said the basement did not count toward floor area and if it flooded that was the property owner's problem and not the neighbors'. He said he was relying on the arborist's report and the tree protection plan to preserve heritage trees. He said he would

like to see a reduction of the overall height of the structure, noting that even with a three foot height reduction the result would be a gracious looking house. He said the loss of the windows on the side would create an apartment wall impact. He said he would like the project to be continued with a reduction in height as part of a redesign.

Commissioner Kahle said he generally agreed with Commissioner Onken's comments. He said the project was a very well-designed house and the struggle was with the neighborhood context. He said the tipping point for him was the overall height and mass. He said it seemed top-heavy and the entry gable seemed massive. He said if that could be addressed he could support the project.

Chair Strehl said in the past the Commission has looked at the context of the neighborhood and sent a project back for redesign to better fit the character of the neighborhood. She said the home was well-designed but she understood the next door neighbor's concerns. She said she agreed with Commissioners Onken and Kahle that reducing the height by three feet would hopefully address some of the neighbors' concerns. She suggested looking at more suitable replacement trees than cypress trees. She said putting trees on the neighbors' property might not be feasible or desirable. She said she would like the project to be continued to have the applicant work with the neighbors to have a redesign to lower the height of the house.

Commissioner Goodhue said she agreed with much of what had been said by other Commissioners, but did not think lowering the height three feet would satisfy the neighbors. She said she drove by the lot that day and it was an incredible tree-studded area. She said she did not know that lowering the home three feet would make a difference as there was a large tree that would filter the view of the front façade. She said she agreed with the comment to not remove the windows on the side as that would create a big, tall blank wall. She said the organized neighbors cared about their community and questioned the property owners' motive for building. She asked that they consider the project from the applicants' perspective, and regardless of whether the design was maxing out or the home was being built for spec, the applicants had worked within the current regulations for the zoning district. She said if those needed to be changed the neighbors could pursue the overlay process mentioned by Commissioner Riggs.

Commissioner Combs said he met with Mr. Nguyen and his fiancé and with Mr. Jones. He said he agreed that reducing the height might not get the project to where it would be acceptable to the neighbors. He said that the applicants' position and the neighbors' positions were very far apart. He said he would like to vote upon the project as proposed rather than putting the applicants through the process of trying to make modifications to satisfy the neighbors for approval that well might be appealed by the neighbors anyway.

Commissioner Barnes said if there was an opportunity to relook at the project that the amount of pavers was something he hoped could be reduced as that would be helpful for the project.

Commissioner Onken said that 30 or more cypress trees around the perimeter could feel very oppressive once they were grown. He referred to a house on Santa Margarita Avenue facing Seminary Oaks Park between Nash and Gilbert which was a mock Tuscan design with cypress trees on both sides. He said the trees created a large black tunnel feeling space that was oppressive to the property owners and neighbors. He said the backyard's openness was important to everyone.

Commissioner Riggs said he thought the neighborhood would benefit from a reduction in building



height of at least two, if not three feet and did not foresee a downside to the architecture to do that. He said that could be done without the project needing to come back before the Commission. He said efforts to mollify the organized opposition was good for the neighborhood and making a height reduction change would make the project more defensible in front of City Council if that was needed. He made a motion to approve the project with a condition to reduce the building height on the second story two or three feet and that tree plantings be worked out with the neighbors. Commissioner Kahle seconded the motion. Commissioner Riggs said the motion should include additional screening on the balcony east side. Chair Strehl asked about the pavers. Commissioner Riggs said he really thought that was up to engineering but he would prefer less pavers.

Commissioner Onken said because of the design he would prefer to see the project come back with a design two to three feet lower so they could see how that worked between the first and second stories, with the fenestration, gables, and the home's front tall slender look. Commissioner Riggs asked if he would entertain having that emailed to the Commission for conformance findings. Commissioner Onken said he thought the proper way to review a change to a project of this scale would be for it to come back to the Commission for a hearing. Chair Strehl said she would prefer that. Commissioner Kahle said as the maker of the second he would prefer to see the project again.

Commissioner Riggs said he would amend his motion to continue the application requesting a reduction in height of two feet, rethinking the trees, being more specific about the balcony, and reconsider the pavers. Commissioner Barnes said the pavers were an internal feature and did not have to be part of the motion as it had been called out to the applicants for consideration. He asked if they should specify the height reduction as to where it was hoped it would end up. Chair Strehl suggested three feet. Commissioner Riggs asked if lowering the ceiling height two feet was enough. Commissioner Onken said he would like an eave height reduction of three feet whether the applicants wanted to remove that from the first or second story, or some combination.

Commissioner Combs said the motion had moved from an approval with conditions to a continuance. He said he disagreed with Commissioner Onken that lowering the height would require the project to come back for a Commission hearing particularly with the statement that he did not care what portion the height was removed from.

Chair Strehl said Commissioner Riggs had moved to continue the project for redesign and Commissioner Kahle had seconded with the redesign to include lowering the height of the building, to consider different screening trees rather than the 30 cypress trees, balcony screening, and reconsideration of the paving.

Commissioner Goodhue, through the Chair, asked the applicant if reducing the height was something they were open to considering. Chair Strehl noted the applicants were nodding affirmatively. Commissioner Goodhue said the neighborhood had indicated it would appeal whatever action the Commission took. Chair Strehl said she had not heard that nor thought they should make that assumption. Commissioner Goodhue said she thought they might be prolonging a process that might well be appealed anyway and suggested that the points mentioned were all good things to be considered but questioned whether the project with those changes would really need to come back to the Commission but might rather be considered through the email conformance process.

Commissioner Riggs, through the Chair, asked staff when they might see the project again if it was

continued. Principal Planner Rogers said it was dependent on the applicants' responsiveness and expected the second February meeting would be the earliest it could be noticed. He said for the public's benefit he noted that the City Attorney had stated a continuance was not appealable, and that any appealable action could occur only for an approval or denial of a project.

**ACTION:** Motion and second (Riggs/Kahle) to continue the project for redesign to a future Commission meeting date with the following direction to the applicants; passes 4-2-1 with Commissioners Combs and Goodhue opposed, and Commissioner Riggs abstaining.

- Reduce the building height by approximately three feet
- Consider different screening trees other than cypress trees
- Screen balcony on the second story
- Reconsider the amount of paving

## H. Adjournment

Chair Strehl adjourned the meeting at 9:37 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on February 6, 2017



**REGULAR MEETING MINUTES – EXCERPTS**

**Date:** 5/22/2017  
**Time:** 7:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

**A. Call To Order**

Chair Drew Combs called the meeting to order at 7:02 p.m.

**B. Roll Call**

Present: Andrew Barnes, Drew Combs (Chair), Susan Goodhue, Larry Kahle (Vice Chair), John Onken (arrived at 7:05 p.m.), Henry Riggs, Katherine Strehl

Staff: Deanna Chow, Principal Planner, Sunny Chao, Assistant Planner, Kaitie Meador, Associate Planner, Yesenia Jimenez, Associate Planner, Kyle Perata, Senior Planner

Chair Combs said he would act as Chair for the agenda items through G1 and that Vice Chair Larry Kahle would act as Chair starting with H1 and through the remaining items. He noted that Commissioner Susan Goodhue and he would recuse themselves from consideration of item H1 due to potential conflicts of interest.

**F. Public Hearing**

- F1. Use Permit/Brian Nguyen/445 Oak Ct:  
Request for a use permit to demolish a single-story residence and detached garage and construct a new two-story residence including a basement, detached garage, and secondary dwelling unit on a substandard lot with regard to lot width located in the R-1-U (Single-Family Urban Residential) zoning district, at 445 Oak Court. The proposal includes two heritage tree removals. ([Staff Report #17-030-PC](#))

Staff Comment: Associate Planner Kaitie Meador said there were no additions to the staff report. She said since the publication of the staff report three letters had been received. She said one letter from the adjacent property owner, who had originally opposed the project because of survey discrepancies, now withdrew opposition as the matter was resolved.

Applicant Presentation: Mr. Brian Nguyen, property owner, introduced his fiancée Virginia, his parents, and project architect Tom Sloan. Mr. Nguyen said at the previous hearing the Commission had continued the project for a redesign with four areas of attention. He said those were to reduce the height by three feet, reconsider species other than cypress for screening, provide screening on the master balcony to enhance privacy, and reduce the amount of paved surfaces on the lot. He said that they reduced the first floor ceiling by six inches and the second floor by one foot. He said this allowed them to retain their desired design and also address the Commission's concern. He said with the neighbors they decided on a different type of screening tree that was drought

resistant and had low maintenance needs. He said they added wing walls on both ends of the master balcony for privacy with some design details to match the architectural style. He said paving in the rear yard was reduced by 800 square feet. He said the areas would be replaced with drought tolerant grasses and ground coverings, and for the rest of the paving they would use permeable pavers. He said additionally the property line issue with the rear neighbor was resolved. He said as a result the secondary dwelling had to be moved forward to meet rear setback requirements. He said their arborist reviewed the change and found no resultant impacts to the trees. He said their neighbor to the west expressed interest in collaborating on a fence in the future.

Replying to Commissioner Katherine Strehl, Mr. Nguyen said the secondary dwelling unit was 10-feet from the adjusted rear property line. Replying to Commissioner Kahle, Mr. Nguyen said that his surveyor had used monuments on the Oak Court tract and the neighbors' surveyor used monuments on Emma Lane. He said his surveyor had made an error but the matter had since been resolved. Replying to Commissioner Strehl's question about neighborhood outreach, Mr. Nguyen said that they discussed the balcony and screening trees with adjacent neighbors but did not meet with other neighbors.

Replying to Commissioner Barnes' question regarding the challenge of lowering the height three feet and what led to the decision to lower only one and a half feet, Mr. Tom Sloan, project architect, said the applicant and he met with the project planner after the hearing to discuss direction. He said the Commission had mentioned a three foot reduction in height as well as a one-and-a-half foot reduction. He said they reduced the second floor ceiling height one foot. He said they found that the openness of the design on the first story with bi-folding doors opening to the rear yard would be negatively impacted by a height reduction greater than six inches. Commissioner Strehl said it was clear in the minutes for the previous hearing that the Commission had wanted a three-foot reduction in height.

Chair Combs opened the public hearing. He said the first speaker was David Jones and that two people, Bitia Arabian and Katherine Bryant, had donated time to Mr. Jones.

- David Jones said he and his wife lived at 465 Oak Court, which was located to the left of the subject property. He said he had sent photos and videos that morning to the Commissioners, which he hoped they had time to review. He presented slides that summarized the photos and videos. He cited 10 negative impacts from the proposed project, and noted five in particular: loss of privacy, loss of light, loss of significant side view, health concerns and property value. He said the significant loss of sunlight from the proposed project could lead to mold on his property and that would be a serious health issue. He said his realtor said the proposed project would make his home dark with no sunlight inside the home and a shaded backyard, and that being next door to a 26-foot high two-story house would negatively impact the property value of his home. He said that the zoning ordinance required the Commission to make a finding that a project was not detrimental to the health, safety, morals and general welfare of people living or working in the area. He said there was substantial evidence of detriments to the health and general welfare of neighbors from the project. He said there were five things that could be done to resolve the impacts: move the back of the roof line and second floor forward by at least eight feet by removing the balcony and moving the back wall three feet forward. He said if the applicants wanted to keep the balcony they could move the whole structure forward eight feet. He said the construction excavation for the front wall of the basement would have to come forward four feet. He said they were worried about the impact to the roots of four heritage trees. He said they could move the secondary dwelling unit from the left back corner to the right back corner away from the large coastal oak.

- Edurne Jorda said she was Mr. Jones' wife. She said they were Menlo Park residents and did not feel they were being listened to or having their rights protected. She said there were 40 neighbors saying there were impacts from this project. She said their home would not get any sun because of the project and they would be looking at a stucco wall. She said it was not responsible development. She urged the Commission to at least require the applicant to do the compromise plan that she and her husband had provided.
- Candace Hathaway, Oak Court, said her home was directly across from the proposed development. She questioned the staff finding that the scale of the project was compatible with the neighborhood as over 35 neighbors with concerns about the project were being ignored. She said that the Commission's direction to reduce the height by three feet had been ignored. She asked that neighbors' compromise suggestions be supported for implementation.
- Chuck Bernstein, Oak Court, said that he had time donated by another person, Ana Pedros. He said the Commission asked the applicant to reduce the height by three feet, and the applicant did not, yet the staff report indicated the applicant had followed the direction of the Commission regarding height reduction. He said to approve the project the Commission would need to make a finding that the proposed project was not detrimental to the health, safety, morals, comfort and general welfare of the persons living and working in the vicinity, and that finding was unsupportable. He said that the applicant had already had two chances to submit an approvable design. He said the Commission needed to deny the application.

Chair Combs closed the public hearing.

Commission Comment: Commissioner Riggs asked what was assessed in making the finding that a project was not detrimental to the health, safety, morals, comfort and general welfare of persons living and working in the vicinity of a subject project, and particularly what was the tipping point. Principal Planner Chow said that the assessment was not black and white and referred to quality of life. She said regarding health and safety that staff looked for things that would expose persons to hazardous conditions. Commissioner Riggs asked if it was considered a detriment for a two-story home to shade a one-story home at 1:30 p.m. Principal Planner Chow said that the Commission has not found such a situation detrimental previously rather it has suggested options to lessen any such impacts.

Commissioner Strehl asked about the arborist's direction to move the barbecue pit away from trees. Associate Planner Kaitie Meador said that the barbecue pit had been shifted away from the trees. Commissioner Strehl asked if the application were to be approved whether there was a way for the Commission to condition a monitor for the foundation work. Principal Planner Chow said typically the City received ongoing reports and updates from the applicant's arborist during construction regarding compliance with tree protection and preservation conditions.

Commissioner Riggs said when an arborist's report was made a condition of approval the arborist report almost always required to have an arborist present to monitor excavation past roots whenever tree roots were exposed. He suggested seeing if that was in the arborist's report currently, and if not, to require.

Commissioner Kahle said he had a question for the applicant or architect about the height. He asked if the foot and a half height lowering included removing one foot of height from the second

floor and a half foot from the first floor. Mr. Sloan said that was correct and they had looked at removing another foot and a half from the roof. He said that while it would have met what was being asked of them it would have created a less desirable building. Commissioner Kahle confirmed with the architect that the roof pitch remained at four by twelve. He asked about the entry gable as he recalled the last time they saw the project they were concerned with its height. He said he thought it had been reduced in height by two feet. Mr. Sloan said that was correct. Commissioner Kahle asked if it was the window or arched entry that lost the two feet. Mr. Sloan said the overall roof element came down in height. Commissioner Kahle said the project height was the major concern for neighbors and asked where they might reduce the vertical height. Mr. Sloan said they had looked at removing another six inches from the upper floor plate and another foot from the roof pitch. He said they could take out another six inches from the lower floor but that was painful for the property owner. He said the last time they presented to the Commission it was noted that the lot was large but substandard due to the diminishment of the rear property line but they had shown how a standard lot would fit within this lot's dimensions.

Commissioner Strehl asked if they had given consideration to the neighbor's request to move the back wall forward eight feet and make some changes in the house. Mr. Sloan said the building was moved back on the lot to protect the street trees. He said moving the house forward seemed counter intuitive to preserving the trees. Commissioner Strehl said perhaps the neighbor's suggestion included reducing the overall size of the proposed house. She asked if they had considered reducing the size of the house. Mr. Sloan said they had but the owner had needs regarding the space.

Commissioner Onken said generally with other such projects the Commission's review included determining there were no large inhabitable spaces looking over the neighbors' spaces, that setback requirements were met, and that trees were preserved and protected. He said the Commission had been clear about reducing the height by three feet and it could be done. He said the changes to the back terrace were welcome and arguments about detriment to the health, safety, morals, comfort and general welfare were out of proportion to the reality.

Commissioner Goodhue said she agreed with most of what Commissioner Onken said, but she did not think the Commission had been as explicit about a three-foot height reduction as the meeting minutes indicated that Commissioner Riggs suggested reducing the height by two feet and Commissioner Onken suggested reducing by two to three feet. She said she understood that the height of interior spaces was important and it was consistent with the style of the architecture. She said she hoped something could be suggested to get closer to the three foot height reduction the Commission had arrived at in its final direction.

Mr. Sloan said the property owner was willing to meet the three-foot height reduction and they could offer some solution now or work with staff to accomplish the condition. He said he did not think they would take it from the roof pitch. He said at this time they were considering reducing the wall height by nine-inches per floor but he would like time to proportion that. He said they would prefer to do that for staff's review and approval rather than come back to the Planning Commission.

Commissioner Riggs commented on the four requests of the neighbors noting that the neighborhood had not pursued a zoning overlay. He said the first was to relocate the secondary dwelling unit. He said it was a one-story and was not a shade issue. He said regarding the request to protect trees that the City and staff did that. He said there was an arborist report, and the arborist would need to monitor the house construction. He said regarding the neighbors' request to

move the back wall that the Planning Commission had not required further reduction on the second story for light angles on other projects, which like this one have a second story notably smaller than the first floor. He said he was pleased with the wing walls on the balcony noting the view holes were above the average height of a person's sight line. He said plate height was most likely to affect sun angle and create a perspective of large building size. He moved to approve the project with 1) confirmation that the arborist's report required arborist monitoring of any exposed roots during construction; and 2) reduction of the plate height by three feet with one foot from the second floor and the remaining six inches from the first floor as the building was particularly top heavy. He said that would give all the living spaces a nine-foot height and 10 feet in featured spaces. Principal Planner Chow confirmed with Commissioner Riggs that the one-foot reduction from the second floor and six-inches from the first floor were in addition to the reductions shown in the current plans. She said they reviewed the arborist's report and there was mention on page F11, item 9, of the condition for monitoring any exposed roots during construction. Commissioner Riggs said he would remove that condition from his motion.

Commissioner Strehl said she had trouble supporting the project. She said it was a nice design but she thought the house was too big, noting it was built to within one foot of the maximum allowable build out. She said that the applicant had not done serious neighbor outreach and had met with one neighbor one time only.

Commissioner Kahle said he agreed with most of Commissioner Riggs' comments. He said his desire was to reduce the structure's height by three feet without affecting the roof pitch as that was important to the design. He said he also wished the neighbor's home was not four feet from the property line but there was nothing to do about that. He seconded the motion made by Commissioner Riggs to approve the project with the condition to reduce the plate height by three feet with an additional one foot reduction from the second floor and additional six inches from the first floor to equal a three foot reduction in height in total.

**ACTION:** Motion and second (Riggs/Kahle) to approve the project as recommended in the staff report with the following modifications; passes 6-1 with Commissioner Strehl opposing.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Metro Design Group consisting of nineteen plan sheets, dated received May 2, 2017, and approved by the Planning Commission on May 22, 2017, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

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

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

***Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans showing the height reduction of one foot from the second floor plate height and 6 inches from the first floor plate height for an overall height reduction of one foot 6 inches. The revised plans are subject to the review and approval of the Planning Division.***

**J. Adjournment**

Vice Chair Kahle adjourned the meeting at 10:49 p.m.

Staff Liaison: Deanna Chow, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on July 17, 2017



	PROPOSED PROJECT		EXISTING PROJECT		ZONING ORDINANCE	
Lot area	13,236	sf	13,236	sf	7,000	sf min.
Lot width	59.6	ft.	59.6	ft.	65	ft. min.
Lot depth	187.4	ft.	187.4	ft.	100	ft. min.
Setbacks						
Front	26.4	ft.	25.2	ft.	20	ft. min.
Rear	88.8	ft.	106	ft.	20	ft. min.
Side (left)	10.6	ft.	10.2	ft.	6	ft. min.
Side (right)	15.6	ft.	17.4	ft.	6	ft. min.
Building coverage	3,371.2	sf	2,210.8	sf	4,632.6	sf max.
	25.5	%	16.7	%	35	% max.
FAL (Floor Area Limit)	4,358	sf	1,838.4	sf	4,359	sf max.
Square footage by floor	1,843.1	sf/1 <sup>st</sup>	1,125.4	sf/1st		
	1,366.1	sf/2 <sup>nd</sup>	713	sf/garage		
	445.6	sf/garage				
	373.5	sf/porches				
	10	sf/fireplace				
	699	sf/secondary dwelling unit				
	4.2	sf/area over 12'				
	1,692.9	sf/basement				
Square footage of building	6,434.4	sf	1,838.4	sf		
Building height	24.6	ft.	14	ft.	28	ft. max.
Parking	2 covered		2 covered		1 covered/1 uncovered	
Trees	Heritage trees	12*	Non-Heritage trees	11	New Trees	3
	Heritage trees proposed for removal	3**	Non-Heritage trees proposed for removal	8	Total Number of Trees	15

\*Includes five heritage trees located on adjacent properties.

\*\*Includes one camphor tree which was previously approved by the City Arborist.



APPROVED USE PERMIT



REVISED USE PERMIT APPLICATION

DESIGN COMPANY



CONTACT :  
 BRIAN NGUYEN  
 PO Box 52100  
 Palo Alto, CA 94303

These concepts, plans, and drawings are instruments of service, and the property of Aera Design & Development. All designs and other information on these drawings are for use on the specified project and shall not be used without written permission of Aera Design & Development.

PROJECT  
**445 OAK COURT RESIDENCE**

ADDRESS :  
 445 OAK COURT  
 MENLO PARK, CA  
 95025

OWNER :  
**BRIAN NGUYEN**

PROJECT NO :  
 Project Number

Note

STATUS

- Basic Design
- Construction
- Approved
- As-built

REVISIONS

No	

SHEET NAME :

COVER SHEET

SHEET NUMBER :

**A-0.0**

DATE :

SCALE :

DRAWN BY :

CHECKED BY :

ARCHITECT :

# 445 OAK COURT RESIDENCE

GENERAL NOTES	AREA TABULATIONS	PROJECT INFORMATION	VICINITY MAP	SHEET INDEX																			
<p><b>1. CODES AND REGULATIONS</b></p> <p>ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH THE FOLLOWING CODES, AS WELL AS ALL APPLICABLE STATE, COUNTY &amp; LOCAL CITY ORDINANCES, 2016 CALIFORNIA BUILDING CODE (C.B.C.) 2016 CALIFORNIA RESIDENTIAL CODE (C.R.C.) 2016 CALIFORNIA ELECTRICAL CODE (C.E.C.) 2016 CALIFORNIA MECHANICAL CODE (C.M.C.) 2016 CALIFORNIA FIRE CODE (C.F.C.) 2016 CALIFORNIA ENERGY CODE (C.E.C.) 2016 CALIFORNIA GREEN CODE (C.G.C.) NOTHING ON THE DRAWINGS IS TO BE CONSIDERED TO BE IN VIOLATION OF ANY OF THESE CODES &amp; REGULATIONS.</p> <p><b>2. SITE VERIFICATION</b></p> <p>GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL EXAMINE THOROUGHLY THE SITE AND SATISFY THEMSELVES AS TO THE CONDITIONS TO WHICH THE WORK IS TO BE PERFORMED. THE CONTRACTOR SHALL VERIFY AT THE SITE ALL REQUIREMENTS AFFECTING HIS WORK, AND SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF THE SAME. NO EXTRA COST TO THE OWNER WILL BE ALLOWED RESULTING FROM HIS NEGLIGENCE TO EXAMINE OR FAILURE TO DISCOVER CONDITIONS AFFECTING HIS WORK.</p> <p><b>3. MEASUREMENTS</b></p> <p>CONTRACTOR SHALL VERIFY ALL DIMENSIONS SHOWN ON THE DRAWINGS BY TAKING FIELD MEASUREMENTS FOR WORKS FIT AND ATTACHMENT OF ALL PARTS IS REQUIRED. SHOULD THERE BE ANY DISCREPANCIES, IMMEDIATELY REPORT TO THE ARCHITECT IN WRITING PRIOR TO COMMENCEMENT OF ANY RELATED WORK. IN THE EVENT OF THE CONTRACTOR'S FAILURE TO DO SO, THE CONTRACTOR SHALL BE FULLY AND SOLELY RESPONSIBLE FOR THE CORRECTION OR ADJUSTMENT OF ANY SUCH RELATED WORK OR ERRORS.</p> <p><b>4. DIMENSIONS</b></p> <p>DO NOT SCALE THESE DRAWINGS. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DRAWINGS.</p>	<p><b>1. SITE AREA</b></p> <p>GROSS AREA = 13,236 SQ. FT. (0.30 AC)                  NET AREA = 13,236 SQ. FT. (0.30 AC)</p> <p><b>2. SIDE SETBACK CALCULATION</b></p> <p>MINIMUM LOT WIDTH: 59'-7"                  59'-7" x 715' = 715.5' x 10% = 71.55'                  REQUIRED WIDTH = 65' = 75% x 85' = 48.75'                  59'-7" &gt; 46'-9"</p> <p><b>3. SIDE SETBACK = 6'-0"</b></p> <p><b>3. FLOOR AREA LIMIT (F.A.L.):</b></p> <p><b>3.1 F.A.L. CALCULATION:</b>                  2,800 SQ. FT. + 25% (13,236 SQ. FT. - 7,000 SQ. FT.) = 2,800 SQ. FT. + 1,559.50 SQ. FT. = 4,359.50 SQ. FT.                  F.A.L. = 4,359 SQ. FT.</p> <p><b>3.2 PROPOSED F.A.L.:</b>                  PROPOSED RESIDENCE = 3,213.33 SQ. FT.                  PROPOSED SEC. DWELLING = 698.98 SQ. FT.                  PROPOSED GARAGE = 445.64 SQ. FT.                  TOTAL = 4,357.95 SQ. FT.</p> <p><b>4. MAXIMUM SECOND FLOOR AREA CALCULATION:</b>                  (706'-21" x 108'-00" x 100%) / 2 = 374,337.2                  MAXIMUM SECOND FLOOR AREA = 1,591.67 SQ. FT.</p> <p><b>5. MAIN RESIDENCE FLOOR AREA:</b>                  FIRST FLOOR AREA = 1,847.27 SQ. FT.                  SECOND FLOOR AREA = 1,366.06 SQ. FT.                  TOTAL = 3,213.33 SQ. FT.                  BASEMENT AREA = 1,692.90 SQ. FT.</p> <p><b>6. BUILDING COVERAGE:</b></p> <p><b>6.1 MAXIMUM BUILDING COVERAGE:</b>                  25.47% = 4,357.95 SQ. FT.</p> <p><b>6.2 PROPOSED BUILDING COVERAGE:</b> 25.47%                  PROPOSED RESIDENCE = 2,181.42 SQ. FT.                  PROPOSED SEC. DWELLING = 744.17 SQ. FT.                  PROPOSED GARAGE = 445.64 SQ. FT.                  TOTAL = 3,371.23 SQ. FT.</p> <p><b>7. PARKING:</b></p> <p><b>7.1 REQUIRED:</b>                  DWELLINGS: 2 SPACES/UNIT                  MIN. ONE IN A GARAGE OR CARPORT                  SECONDARY DWELLING: 1 OFF-STREET SPACE</p> <p><b>7.2 PROPOSED:</b>                  2 SPACES AT GARAGE                  1 SPACE NEAR GARAGE</p>	<p><b>PROPERTY OWNER:</b> BRIAN NGUYEN  <b>PHONE / email:</b> (650) 269-6300                  brian.nguyen@gmail.com</p> <p><b>MAILING ADDRESS:</b>                  PO BOX 52100                  PALO ALTO, CA 94303</p> <p><b>PROJECT ADDRESS:</b>                  445 OAK CT.                  MENLO PARK, CA 94025</p> <p><b>SITE GROSS AREA:</b> 13,236 SQ. FT. (0.30 AC)  <b>SITE NET AREA:</b> 13,236 SQ. FT. (0.30 AC)</p> <p><b>A.P.N.:</b> 063-452-080</p> <p><b>ZONING:</b> R1-U</p> <p><b>SETBACK REQUIREMENTS</b></p> <table border="0"> <tr> <td>REQUIRED</td> <td>PROPOSED</td> <td></td> </tr> <tr> <td>FRONT:</td> <td>20'-0"</td> <td>26'-5"</td> </tr> <tr> <td>SIDE (LEFT):</td> <td>6'-0"</td> <td>10'-7"</td> </tr> <tr> <td>SIDE (RIGHT):</td> <td>6'-0"</td> <td>15'-7"</td> </tr> <tr> <td>REAR:</td> <td>20'-0"</td> <td>88'-9"</td> </tr> </table> <p><b>LOCATED WITHIN DESIGNATED WILDLAND URBAN INTERFACE FIRE AREA</b></p> <p><b>MAX HEIGHT</b></p> <table border="0"> <tr> <td>ALLOWED</td> <td>PROPOSED</td> </tr> <tr> <td>28'-0"</td> <td>24'-7"</td> </tr> </table> <p><b>CONSTRUCTION TYPE:</b> V-B</p> <p><b>OCCUPANCY:</b> R-3U</p> <p><b>STORIES:</b> 2</p> <p><b>FIRE SPRINKLERS:</b> 2</p> <p><b>EXISTING USE:</b> RESIDENTIAL</p>	REQUIRED	PROPOSED		FRONT:	20'-0"	26'-5"	SIDE (LEFT):	6'-0"	10'-7"	SIDE (RIGHT):	6'-0"	15'-7"	REAR:	20'-0"	88'-9"	ALLOWED	PROPOSED	28'-0"	24'-7"	<p>PROJECT SITE</p> <p><b>PROJECT CONTACTS</b></p> <p>ARCHITECT: METRO DESIGN GROUP                  CONTACT: TOM SLOAN A I A                  1475 S. BASCOM AVE. # 208                  CAMPBELL, CALIFORNIA 95008                  (408) 871-1071 PHONE                  (408) 871-1072 FAX</p> <p>TOPO SURVEY &amp; BOUNDARIES: CHRISTENSEN &amp; PLOUFF                  LAND SURVEYING                  CONTACT: KACIE A. PLOUFF                  PLS-9013                  1250 OAKMEAD PARKWAY #210                  SUNNYVALE, CA 94085                  (408) 755-9284 PHONE</p> <p>ARBORIST: WALTER LEVISON                  CONSULTING ARBORIST                  (WACA)                  (415) 203-9990                  wle@wacarboglobal.net</p>	<p>A-0.0 SHEET INDEX, PROJECT INFORMATION, VICINITY MAP                  PROJECT CONTACTS, GENERAL NOTES</p> <p>A-1.0 SITE PLAN</p> <p>A-1.1 AREA PLAN</p> <p>A-1.2 PROPOSED FLOOR AREA &amp; BUILDING COVERAGE DIAGRAM</p> <p>A-2.0 APPROVED BASEMENT FLOOR PLAN</p> <p>A-2.1 APPROVED FIRST FLOOR PLAN</p> <p>A-2.2 APPROVED SECOND FLOOR PLAN</p> <p>A-2.3 APPROVED SDU AND GARAGE FLOOR PLAN</p> <p>A-3.0 PROPOSED ROOF PLAN</p> <p>A-4.0 PROPOSED ELEVATIONS NW</p> <p>A-4.1 PROPOSED ELEVATIONS NW WITH STRUCTURE</p> <p>A-4.2 PROPOSED ELEVATIONS SW</p> <p>A-4.3 PROPOSED ELEVATIONS NE</p> <p>A-4.4 APPROVED ELEVATIONS SE</p> <p>A-4.5 APPROVED SECONDARY DWELLING ELEVATIONS</p> <p>A-4.6 APPROVED GARAGE ELEVATIONS</p> <p>A-5.0 APPROVED MAIN RESIDENCE SECTIONS</p> <p>A-5.1 APPROVED SDU AND GARAGE SECTIONS</p> <p>C-1.0 APPROVED GRADING AND DRAINAGE PLAN</p> <p>L-1.0 APPROVED LANDSCAPE PLAN</p> <p>T-1.0 TOPOGRAPHIC SURVEY</p>
REQUIRED	PROPOSED																						
FRONT:	20'-0"	26'-5"																					
SIDE (LEFT):	6'-0"	10'-7"																					
SIDE (RIGHT):	6'-0"	15'-7"																					
REAR:	20'-0"	88'-9"																					
ALLOWED	PROPOSED																						
28'-0"	24'-7"																						

REVISIONS

NO.	DESCRIPTION

**APPROVED SITE PLAN**

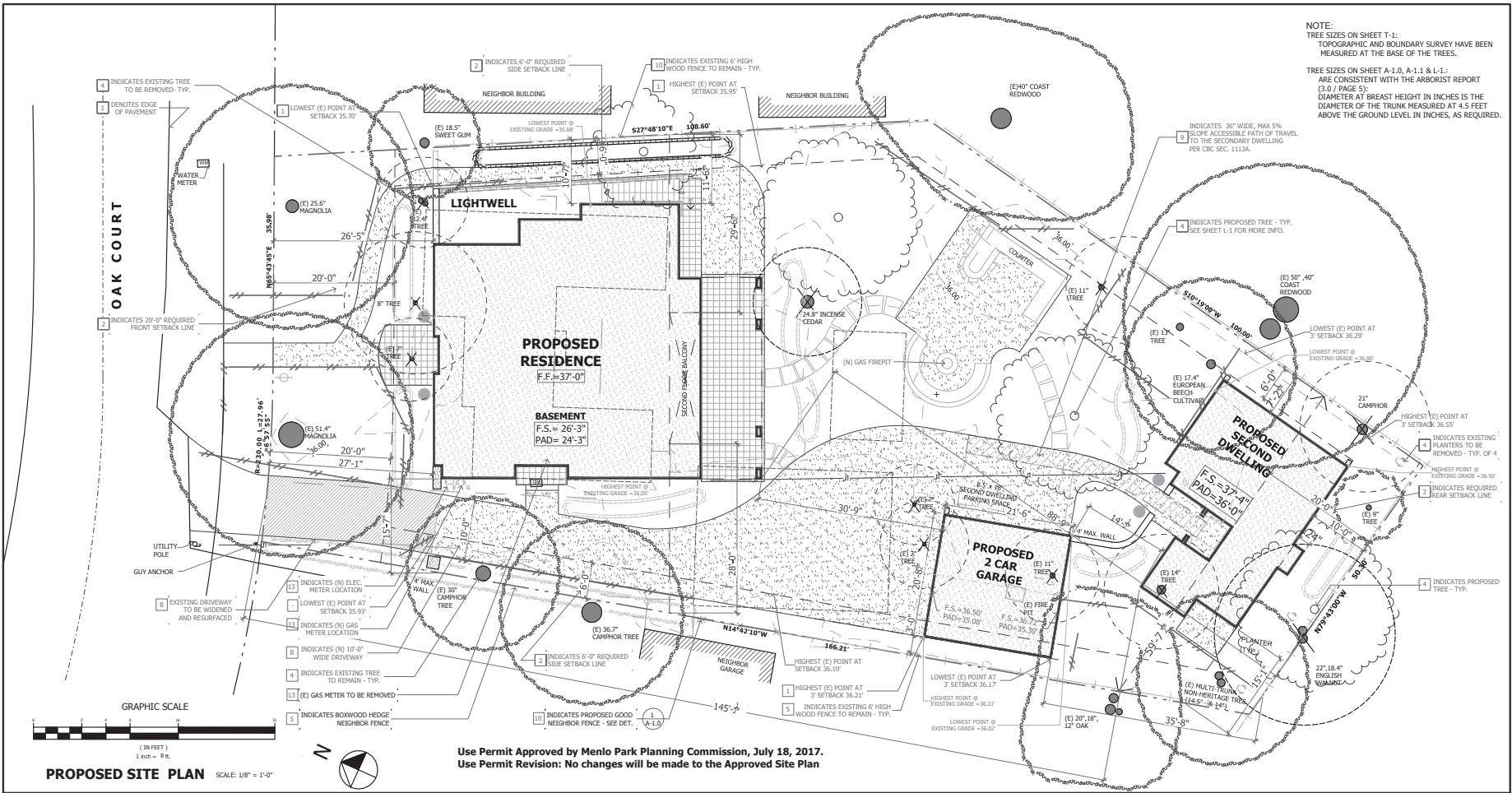
VICINITY MAP PROJECT INFORMATION  
 PROJECT CONTACTS  
 AREA TABULATION  
 SITE PLAN LEGEND  
 DATE : 1-2-18  
 SCALE : 1/8" = 1'-0"  
 DRAWN BY : DZ  
 CHECKED BY : TS  
 ARCHITECT : TOM SLOAN  
 PROJECT NO : 16624

SHEET NUMBER

**A-1.0**

NOTE:  
 TREE SIZES ON SHEET T-1:  
 TOPOGRAPHIC AND BOUNDARY SURVEY HAVE BEEN MEASURED AT THE BASE OF THE TREES.

TREE SIZES ON SHEET A-1.0, A-1.1 & L-1.1:  
 ARE CONSISTENT WITH THE ARBORIST REPORT (3.0 / PAGE 5)  
 DIAMETER AT BREAST HEIGHT IN INCHES IS THE DIAMETER OF THE TRUNK MEASURED AT 4.5 FEET ABOVE THE GROUND LEVEL IN INCHES, AS REQUIRED.



Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
 Use Permit Revision: No changes will be made to the Approved Site Plan

**SITE PLAN LEGEND**

PROPERTY LINE	---	EXISTING DRIVEWAY WIDENED AND RESURFACED	
SETBACK LINE	---	PROPOSED PAVERS AREAS	
(E) GRADE CONTOUR LINE	---	PROPOSED HARDSCAPE	
EXISTING FENCE TO REMAIN	---	EXISTING TREE TO REMAIN	
PROPOSED FENCE	---	EXISTING TREE TO BE REMOVED	
EXISTING HOUSE TO BE REMOVED	---	EXISTING TREE TO BE REMOVED	
EXISTING HARDSCAPE TO BE REMOVED	---	EXISTING TREE TO BE REMOVED	
JOINT TRENCH	---	EXISTING HERITAGE TREE TO BE REMOVED	
TREE PROTECTION FENCING	---	PROPOSED TREE	
PROPOSED RESIDENCE	---	PROPOSED BOWWOOD HEDGE	

**SITE ANALYSIS**

LOT GROSS AREA : = 13,236 SQ. FT. (0.30 AC)  
 LOT NET AREA : = 13,236 SQ. FT. (0.30 AC)

ALLOWABLE FLOOR AREA:  
 2,800 SQ. FT. + 25% (13,236 SQ. FT.-7,000 SQ. FT.) =  
 =2,800 SQ. FT. + 1,559 SQ. FT. = 4,359 SQ. FT.

MAIN RESIDENCE FLOOR AREA:  
 FIRST FLOOR AREA : = 1,847.27 SQ. FT.  
 SECOND FLOOR AREA : = 1,366.06 SQ. FT.  
 TOTAL : = 3,213.33 SQ. FT.

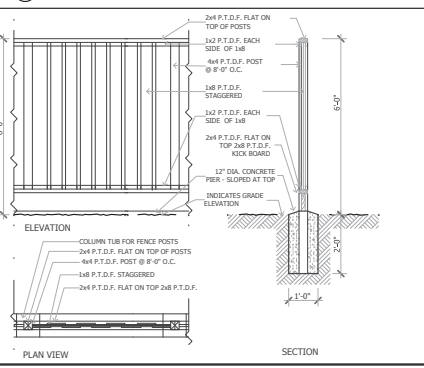
PROPOSED RESIDENCE:  
 PROPOSED SEC. DWELLING : = 698.98 SQ. FT.  
 PROPOSED GARAGE : = 445.64 SQ. FT.  
 TOTAL : = 4,357.95 SQ. FT.

NO ATTIC SPACE OVER 5'-0"

LAND COVERED BY STRUCTURES: 3,371.23 SQ. FT. 25.47 %  
 LANDSCAPING: 5,613.47 SQ. FT. 42.41 %  
 PAVED SURFACES: 4,251.30 SQ. FT. 32.12 %

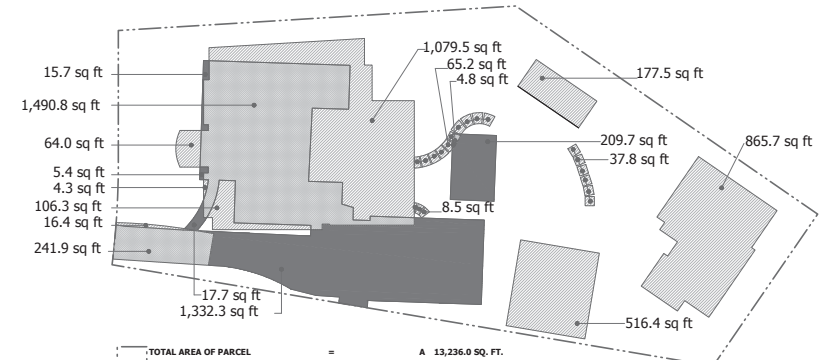
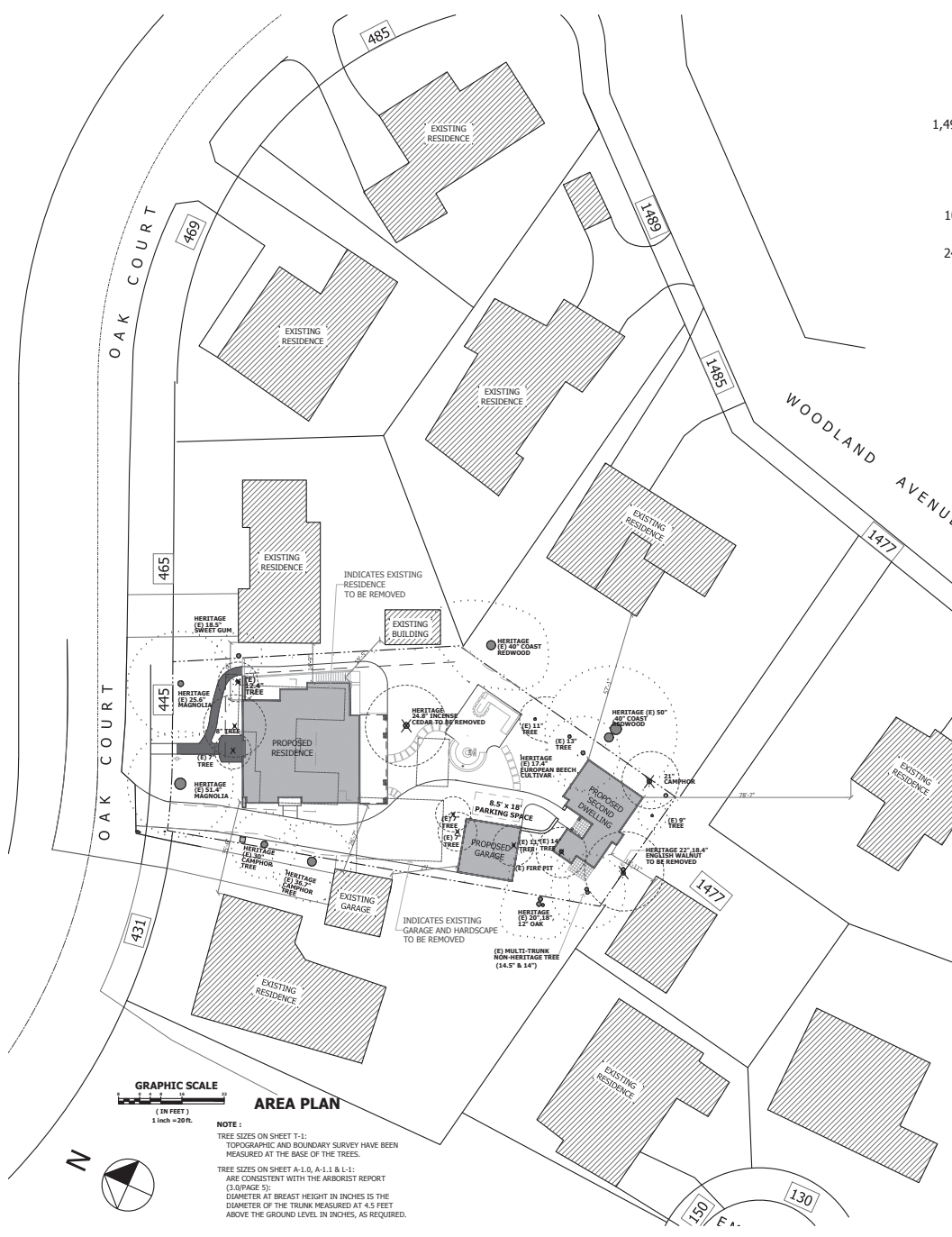
PARKING SPACES: 2 COV / 1 UNCOV  
 ALL GRADES TO REMAIN NATURAL

**GOOD NEIGHBOR FENCE DETAIL**



**VICINITY MAP**





TOTAL AREA OF PARCEL	=	A	13,236.0 SQ. FT.
EXISTING PERVIOUS AREA	=	B	9,917.8 SQ. FT.
EXISTING IMPERVIOUS AREA	=	C	3,318.2 SQ. FT.
EXISTING % IMPERVIOUS	=	D	25.06 %
(E) IMPERVIOUS AREA TO BE REPLACED	=	E	1,737.5 SQ. FT.
W/ NEW IMPERVIOUS AREA	=	F	2,941.6 SQ. FT.
(E) PERVIOUS AREA TO BE REPLACED	=	G	4,679.1 SQ. FT.
W/ NEW IMPERVIOUS AREA	=	H	1,580.8 SQ. FT.
NET CHANGE IN IMPERVIOUS AREA	=	I	1,360.8 SQ. FT.
PROPOSED PERVIOUS AREA	=	J	8,557.0 SQ. FT.
PROPOSED IMPERVIOUS AREA	=	K	4,679.0 SQ. FT.
VERIFY THAT J + K = A	=	L	13,236.0 SQ. FT.
PROPOSED % IMPERVIOUS	=	L	35.43 %

**IMPERVIOUS AREA CALCULATION**



**REVISED USE PERMIT STREETSCAPE** SCALE: 1/16" = 1'-0"



**APPROVED USE PERMIT STREETSCAPE** SCALE: 1/16" = 1'-0"

**DESIGN COMPANY**



**CONTACT :**  
BRIAN NGUYEN  
PO Box 52100  
Palo Alto, CA 94303

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**PROJECT**  
**445 OAK COURT RESIDENCE**

**ADDRESS :**  
445 OAK COURT  
MENLO PARK, CA  
95025

**OWNER :**  
BRIAN NGUYEN

**PROJECT NO.:**

**Note**

**STATUS**

- Basic Design
- Construction
- Approved
- As-built

**REVISIONS**

No	

**SHEET NAME :**

**AREA PLAN**

**SHEET NUMBER :**

**A-1.1**

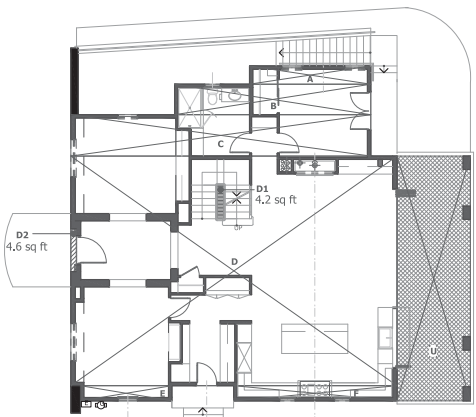
**DATE :**

**SCALE :** 1/4" = 1'-0"

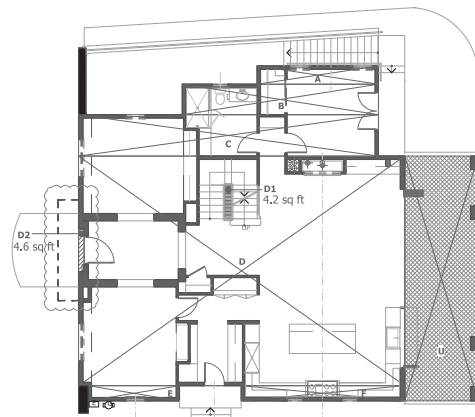
**DRAWN BY :**

**CHECKED BY :**

**ARCHITECT :**



FIRST FLOOR DIAGRAM



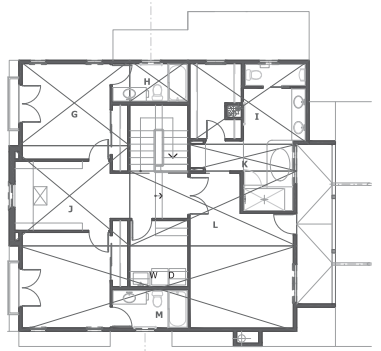
PROPOSED FIRST FLOOR DIAGRAM

**FLOOR AREA LIMIT CALCULATION**

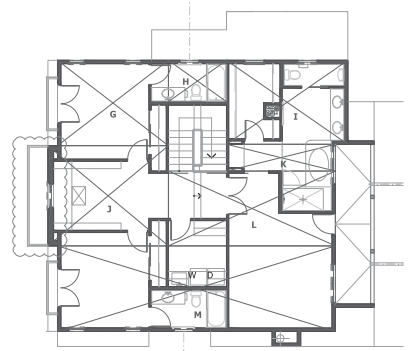
AREA	DIMENSIONS	SQ. FT.
A	16.54' x 2.48'	41.13
B	26.75' x 4.16'	111.30
C	40.89' x 5.64'	230.83
D	44.48' x 31.31'	1,392.69
E	12.46' x 2.06'	25.71
F	22.33' x 2.06'	45.01
FIRST FLOOR AREA = 1,847.67 SQ. FT.		
+D1	4.58' x 0.91'	4.20
-D2	5.82' x 0.29'	4.60
FIRST FLOOR AREA = 1,847.27 SQ. FT.		
G	15.12' x 11.64'	176.12
H	7.82' x 6.10'	48.31
I	16.54' x 11.45'	189.37
J	16.43' x 13.67'	224.63
K	14.82' x 3.66'	54.24
L	22.76' x 10.21'	232.38
M	37.88' x 11.64'	441.01
SECOND FLOOR AREA = 1,366.06 SQ. FT.		
MAIN RESIDENCE 3,213.33 SQ. FT. FLOOR AREA		
N	25.33' x 17.03'	431.38
O	22.74' x 2.39'	54.39
P	10.29' x 6.50'	66.90
Q	17.00' x 6.76'	114.95
R	9.00' x 3.48'	31.32
SECONDARY DWELLING FLOOR AREA = 698.98 SQ. FT.		
S	21.51' x 20.71'	445.64
GARAGE FLOOR AREA = 445.64 SQ. FT.		
TOTAL FAL 4,357.95 SQ. FT.		

**BUILDING COVERAGE CALCULATION**

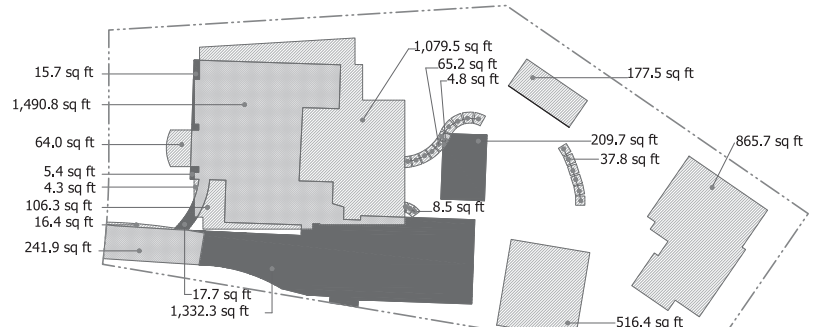
AREA	DIMENSIONS	SQ. FT.
MAIN RESIDENCE -D1+D2 1,847.67		
FIRST FLOOR AREA		
U	33.37' x 10.00'	333.75
TOTAL RESIDENCE COVERAGE 2,181.42		
SEC. DWELLING FLOOR AREA 698.98		
V	5.41' x 6.50'	35.19
W	5.00' x 2.00'	10.00
TOTAL SEC. DWELLING COVERAGE 744.17		
GARAGE FLOOR AREA 445.64		
TOTAL GARAGE COVERAGE 445.64		
TOTAL BUILDING COVERAGE 3,371.23 SQ. FT.		



SECOND FLOOR DIAGRAM



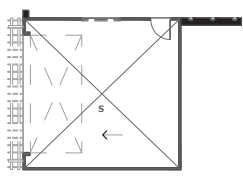
PROPOSED SECOND FLOOR DIAGRAM



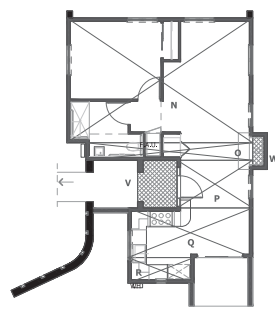
TOTAL AREA OF PARCEL	=	A	13,236.0 SQ. FT.
EXISTING PERVIOUS AREA	=	B	9,917.8 SQ. FT.
EXISTING IMPERVIOUS AREA	=	C	3,318.2 SQ. FT.
EXISTING % IMPERVIOUS	=	D	25.06 %
(E) IMPERVIOUS AREA TO BE REPLACED	=	E	1,737.5 SQ. FT.
W/ NEW IMPERVIOUS AREA	=	F	2,941.6 SQ. FT.
(E) PERVIOUS AREA TO BE REPLACED	=	G	4,679.1 SQ. FT.
W/ NEW IMPERVIOUS AREA	=	H	1,580.8 SQ. FT.
NET CHANGE IN IMPERVIOUS AREA	=	F - H	I 1,360.8 SQ. FT.
PROPOSED PERVIOUS AREA	=	B - I	J 8,557.0 SQ. FT.
PROPOSED IMPERVIOUS AREA	=	C + I	K 4,679.0 SQ. FT.
VERIFY THAT J + K = A	=		L 8,557.0 SQ. FT. + 4,679.0 SQ. FT. = 13,236.0 SQ. FT.
PROPOSED % IMPERVIOUS	=	L	35.43 %

**IMPERVIOUS AREA CALCULATION**

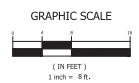
Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.



GARAGE DIAGRAM



SECONDARY DWELLING DIAGRAM



**FAL & BUILDING COVERAGE CALCULATION DIAGRAM**

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

**DESIGN COMPANY**



**CONTACT :**  
 BRIAN NGUYEN  
 PO Box 52100  
 Palo Alto, CA 94303

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**PROJECT**  
**445 OAK COURT RESIDENCE**

**ADDRESS :**  
 445 OAK COURT  
 MENLO PARK, CA  
 95025

**OWNER :**  
 BRIAN NGUYEN

**PROJECT NO.:**  
 Project Number

Note

**STATUS**

Basic Design

Construction

Approved

As-built

**REVISIONS**

No	

**SHEET NAME :**  
 PROPOSED FLOOR AREA & BUILDING COVERAGE DIAGRAM

**SHEET NUMBER :**  
 A-1.2

**DATE :**

**SCALE :**

**DRAWN BY :**

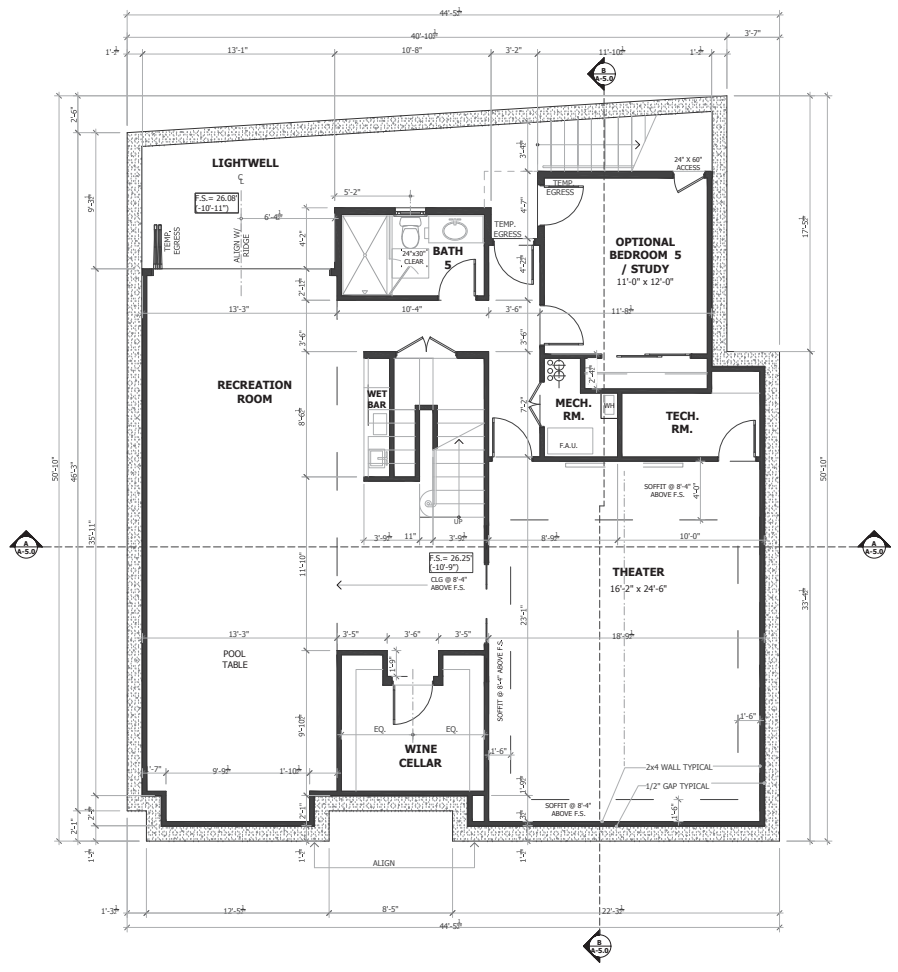
**CHECKED BY :**

**ARCHITECT :**

NOTE: NO HEATING DEVICE (HOT PLATE, OVEN, STOVETOP) MAY BE ADDED TO THE BAR AREA IN THE FUTURE.

**FLOOR PLAN LEGEND**

- (N) INDICATES NEW FEATURES
- INDICATES NEW 2x4 WALLS
- INDICATES NEW 2x6 WALLS
- INDICATES NEW CONCRETE WALLS
- INDICATES WALL W/ SOUND INSULATION
- - - INDICATES CEILING TRANSITION
- ⬠ INDICATES INTERIOR ELEVATION MARKERS  
SEE A-9 SHEETS
- ⬠ INDICATES CROSS SECTION MARKER  
SEE A-6.0 - A-6.2 SHEETS
- # INDICATES NOTE REFERENCE,  
SEE SHEET A-3.0
- ◊ INDICATES NEW WINDOW  
SEE SHEET A-8
- ◻ INDICATES NEW DOOR  
SEE SHEET A-8
- INDICATES NEW CABINETY
- ⊕ INDICATES NEW PLUMBING FIXTURE



**METRO DESIGN GROUP**  
ARCHITECTURE PLANNING INTERIORS  
1475 S BASCOM AVE SUITE 208  
CAMPBELL, CA 95008  
(408) 971-1071 phone  
(408) 971-1072 fax  
www.metroarchitects.com

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PROJECT NAME  
**445 OAK COURT RESIDENCE**  
445 OAK COURT  
MENLO PARK, CA 95025

REVISIONS

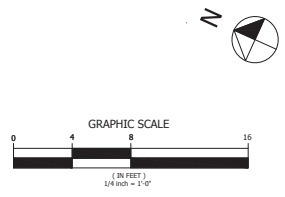
**APPROVED BASEMENT FLOOR PLAN DIMENSIONED**

DATE : 1-2-18  
SCALE : 1/4" = 1'-0"  
DRAWN BY : D.Z.  
CHECKED BY : TS  
ARCHITECT : TOM SLOAN  
PROJECT NO : 16624

SHEET NUMBER

**A-2.0**

Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
Use Permit Revision: No changes will be made to the Approved Basement Floor Plan





METRO  
DESIGN  
GROUP

ARCHITECTURE PLANNING INTERIORS

1475 S BASCOM AVE SUITE 208  
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(408) 971-1071 phone  
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PROJECT NAME  
**445 OAK COURT  
RESIDENCE**

445 OAK COURT  
MENLO PARK, CA 95025

REVISIONS

NO.	DESCRIPTION

APPROVED  
FIRST FLOOR PLAN  
DIMENSIONED

DATE : 1-2-18

SCALE : 1/4" = 1'-0"

DRAWN BY : D.Z.

CHECKED BY : TS

ARCHITECT : TOM SLOAN

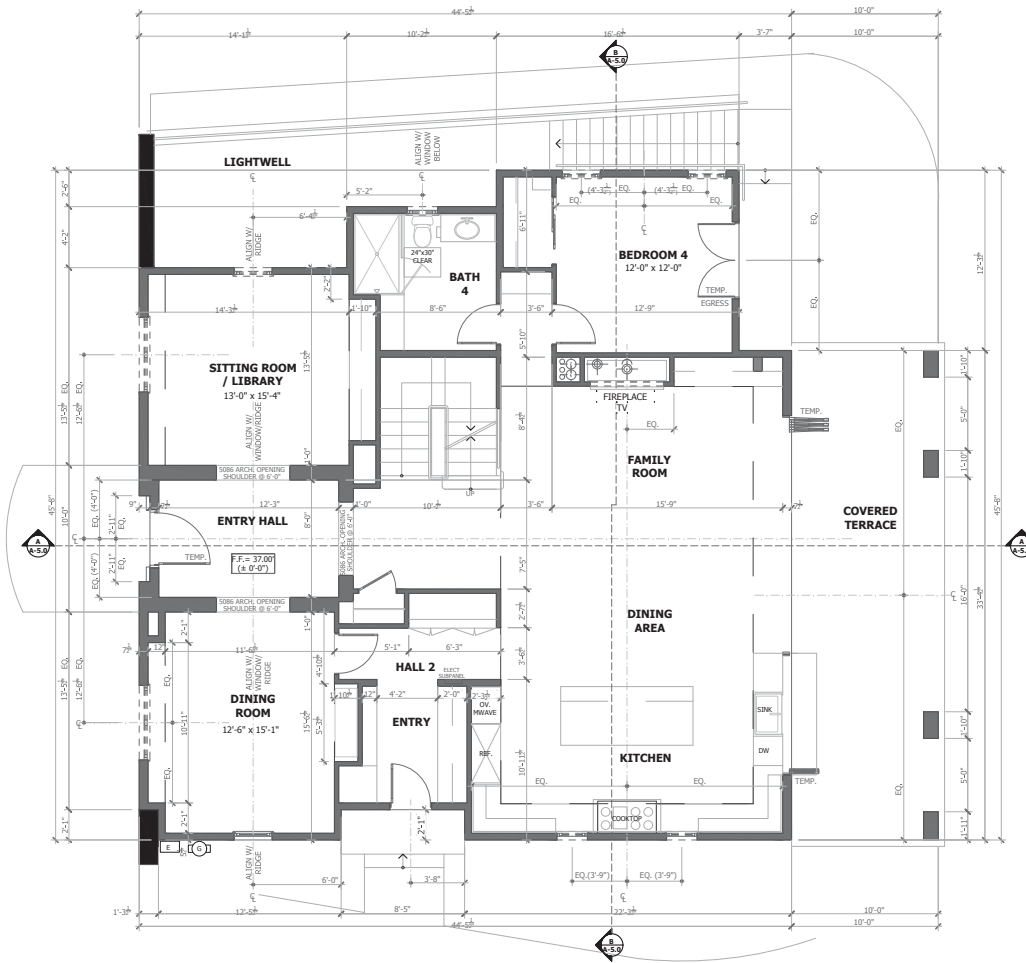
PROJECT NO : 16624

SHEET NUMBER

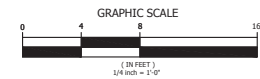
**A-2.1**

**FLOOR PLAN LEGEND**

- (N) INDICATES NEW FEATURES
- INDICATES NEW 2x4 WALLS
- INDICATES NEW 2x6 WALLS
- INDICATES NEW CONCRETE WALLS
- INDICATES WALL W/ SOUND INSULATION
- - - INDICATES CEILING TRANSITION
- ⬠ INDICATES INTERIOR ELEVATION MARKERS SEE A-9 SHEETS
- ⬠ INDICATES CROSS SECTION MARKER SEE A-6.0 - A-6.2 SHEETS
- # INDICATES NOTE REFERENCE, SEE SHEET A-3.0
- ◇ INDICATES NEW WINDOW SEE SHEET A-8
- ⬠ INDICATES NEW DOOR SEE SHEET A-8
- INDICATES NEW CABINERY
- ⊕ INDICATES NEW PLUMBING FIXTURE



Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
Use Permit Revision: No changes will be made to the Approved First Floor Plan.





METRO DESIGN GROUP

ARCHITECTURE PLANNING INTERIORS

1475 S BASCOM AVE SUITE 208  
CAMPBELL, CA 95008  
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PROJECT NAME  
**445 OAK COURT RESIDENCE**  
445 OAK COURT  
MENLO PARK, CA 95025

REVISIONS

NO.	DESCRIPTION

APPROVED  
SECOND FLOOR PLAN  
DIMENSIONED

DATE : 1-2-18

SCALE : 1/4" = 1'-0"

DRAWN BY : D.Z.

CHECKED BY : TS

ARCHITECT : TOM SLOAN

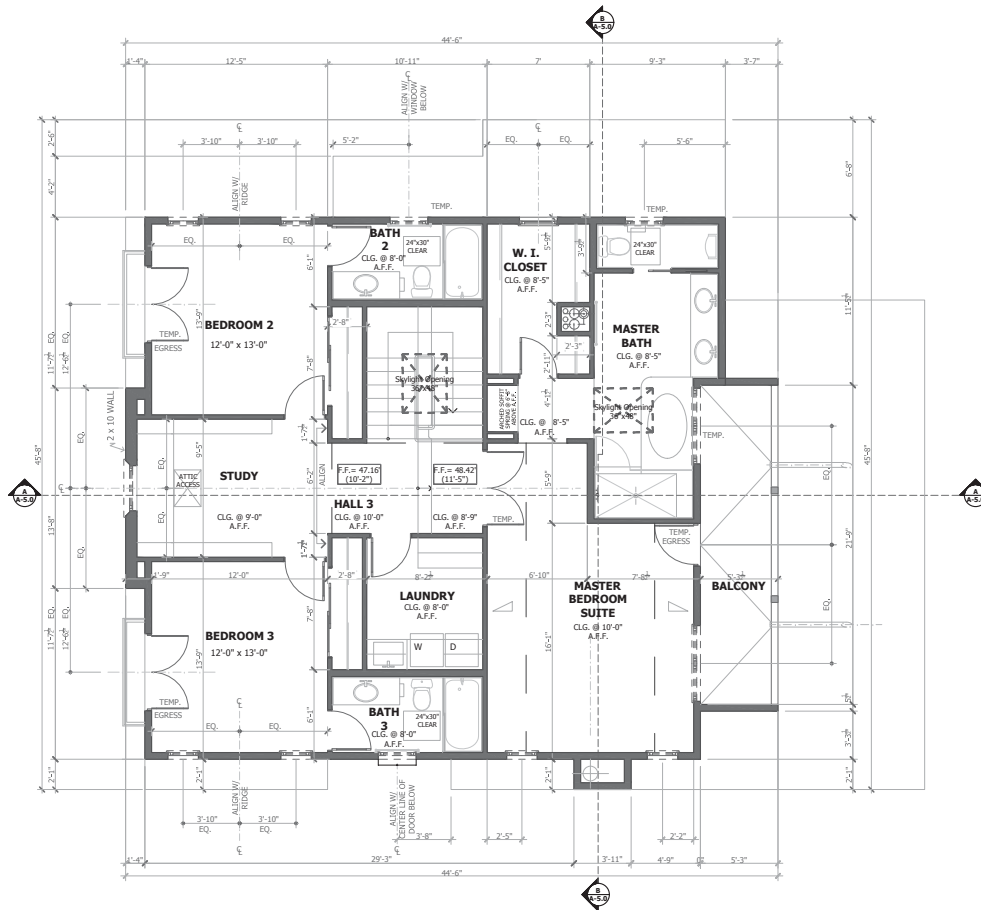
PROJECT NO : 16624

SHEET NUMBER

**A-2.2**

FLOOR PLAN LEGEND

- (N) INDICATES NEW FEATURES
- INDICATES NEW 2x4 WALLS
- INDICATES NEW 2x6 WALLS
- INDICATES NEW CONCRETE WALLS
- INDICATES WALL W/ SOUND INSULATION
- INDICATES CEILING TRANSITION
- INDICATES INTERIOR ELEVATION MARKERS  
SEE A-9 SHEETS
- INDICATES CROSS SECTION MARKER  
SEE A-6.0 - A-6.2 SHEETS
- INDICATES NOTE REFERENCE,  
SEE SHEET A-3.0
- INDICATES NEW WINDOW  
SEE SHEET A-8
- INDICATES NEW DOOR  
SEE SHEET A-8
- INDICATES NEW CABINERY
- INDICATES NEW PLUMBING FIXTURE



Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
Use Permit Revision: No changes will be made to the Approved Second Floor Plan





METRO  
DESIGN  
GROUP

ARCHITECTURE PLANNING INTERIORS

1475 S BASCOM AVE SUITE 208  
CAMPBELL, CA 95008  
(408)971-1071 phone  
(408)971-1072 fax  
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PROJECT NAME  
**445 OAK COURT  
RESIDENCE**

445 OAK COURT  
MENLO PARK, CA 95025

REVISIONS

NO.	DESCRIPTION

APPROVED  
SECONDARY  
DWELLING AND  
GARAGE  
FLOOR PLAN

DATE : 1-2-18

SCALE : 1/4" = 1'-0"

DRAWN BY : D.Z.

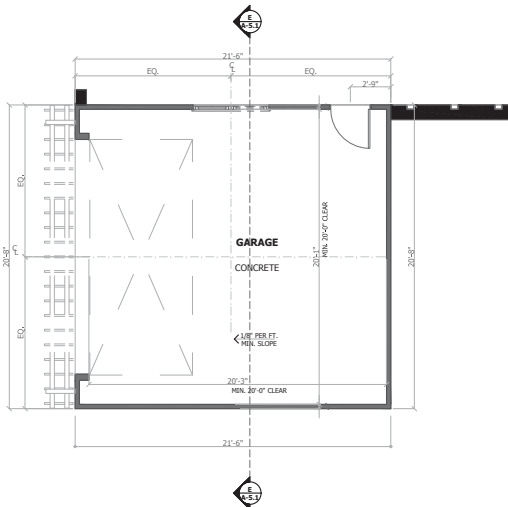
CHECKED BY : TS

ARCHITECT : TOM SLOAN

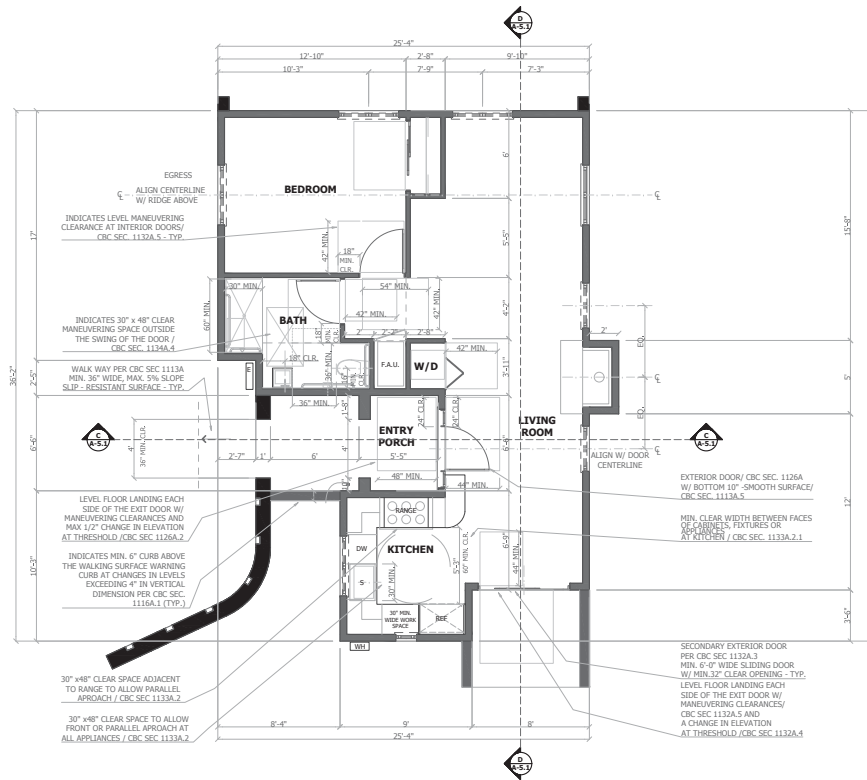
PROJECT NO : 16624

SHEET NUMBER

**A-2.3**

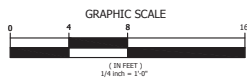
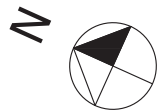


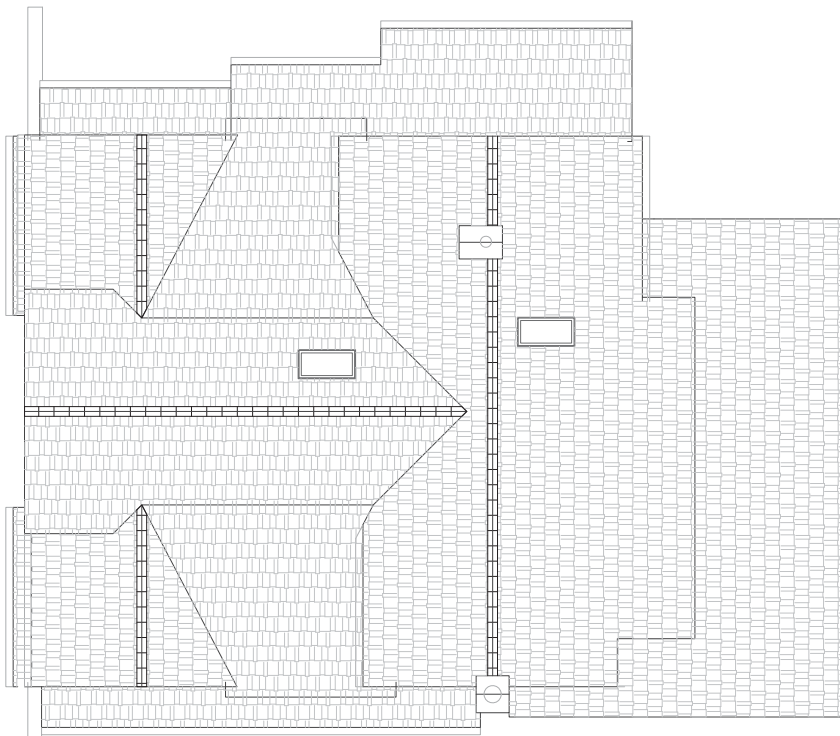
**APPROVED  
GARAGE FLOOR PLAN**



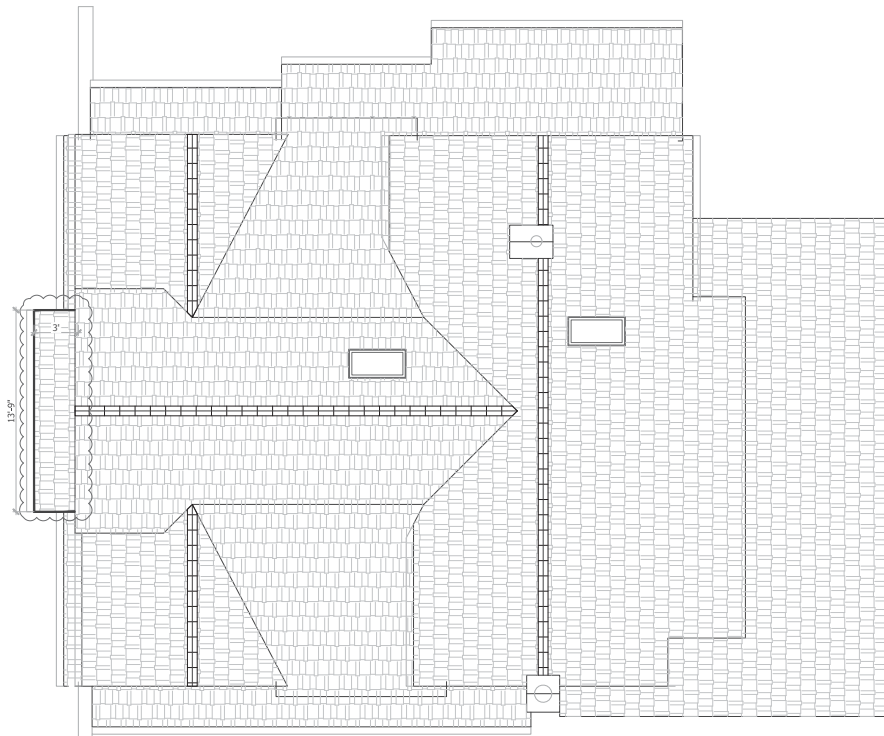
**APPROVED SECONDARY DWELLING  
FLOOR PLAN**

Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
Use Permit Revision: No changes will be made to the Approved Garage Floor Plan or Secondary Dwelling Floor Plan.



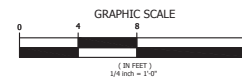


**ROOF PLAN (Approved Use Permit)**



**ROOF PLAN (Revised Use Permit)**

Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.



**DESIGN COMPANY**



**CONTACT :**  
 BRIAN NGUYEN  
 PO Box 52100  
 Palo Alto, CA 94303

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**PROJECT**  
**445 OAK COURT RESIDENCE**

**ADDRESS :**  
 445 OAK COURT  
 MENLO PARK, CA  
 95025

**OWNER :**  
**BRIAN NGUYEN**

**PROJECT NO.:**

**Note**

**STATUS**

- Basic Design
- Construction
- Approved
- As-built

**REVISIONS**

No	

**SHEET NAME :**

**PROPOSED ROOF PLAN**

**SHEET NUMBER :**

**A-3.0**

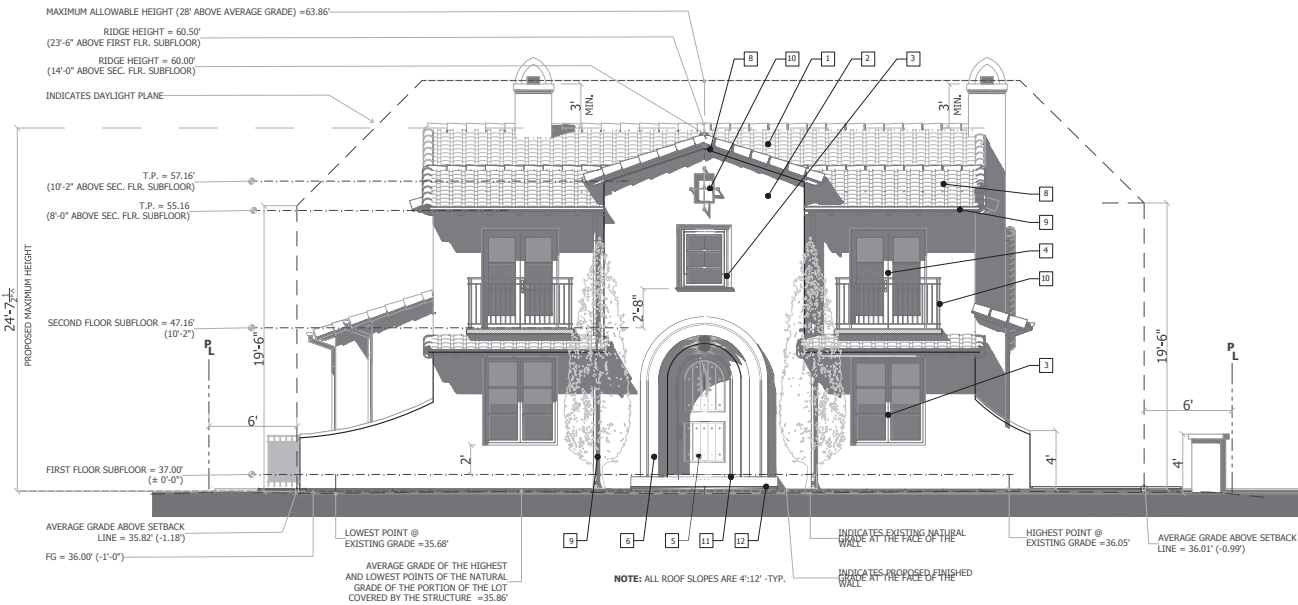
**DATE :**

**SCALE :** 1/4" = 1'-0".

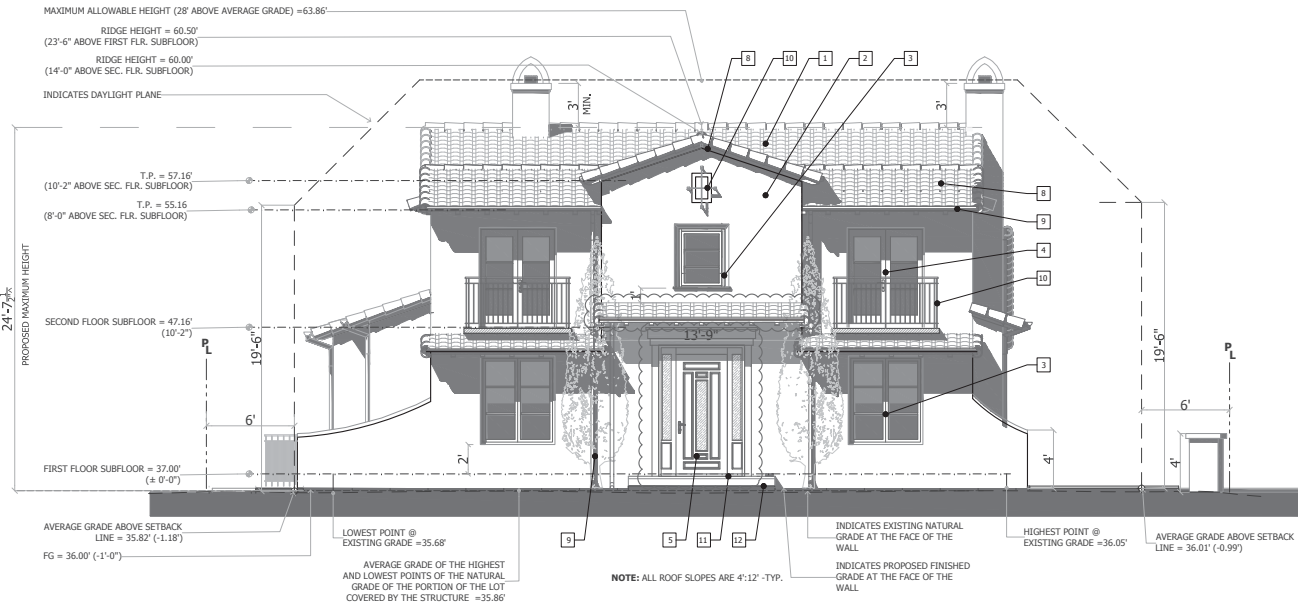
**DRAWN BY :**

**CHECKED BY :**

**ARCHITECT :**



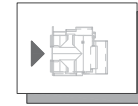
**NORTHWEST (FRONT) ELEVATION - APPROVED**



**NORTHWEST (FRONT) ELEVATION - REVISED USE PERMIT**

**EXTERIOR FINISHES**

- 1 ROOF : MISSION CLAY TILE - CAP AND PAN
- 2 EXTERIOR WALLS : COLOR INTEGRAL STUCCO PLASTER  
WHITE HARD TROWELED FINISH
- 3 WINDOWNS : 'MARVIN' ULTIMATE PUSH OUT  
FRENCH CASEMENT CLAD WOOD  
W/SIMULATED DIVIDED LITES  
WITH SPACE BAR - BRONZE COLOR
- 4 DOORS : 'MARVIN' ULTIMATE PUSH OUT  
FRENCH CASEMENT CLAD WOOD  
W/SIMULATED DIVIDED LITES  
WITH SPACE BAR - BRONZE COLOR
- 5 ENTRY DOOR : CUSTOM STAINED WOOD DOOR
- 6 ARCHED ENTRY DOOR,  
PARAPET CAP : CAST STONE
- 7 GARAGE DOORS : CUSTOM "CARRIAGE"  
WOOD STAINED DOOR - BROWN
- 8 RAFTER TAILS, BARGE BOARD,  
ROOF DECKING @ D/HANGS,  
BLOCKING, TRELLIS : STAINED WOOD - BROWN
- 9 GUTTERS & DOWNSPOUTS : 6" HALF ROUND COPPER GUTTERS AND  
3" ROUND COPPER DOWNSPOUTS
- 10 ARTISTIC IRON WORK,  
RAILING, AWINGS : IRON - POWDER COATED  
BLACK COLOR
- 11 STEP, STAIRS, TERRACE,  
LIGHTWELL : TERRA COTTA STONE TILES  
- BROWN COLOR
- 12 DRIVEWAY, WALKWAYS AND  
PATIOS PERMEABLE PAVERS : ECO - FRIENDLY SF-RIMA PERMEABLE  
PAVEMENT - TUMBLED TAN CHARCOAL  
COLOR BY 'BASALITE'



**NOTE :** ALL ELEVATIONS ARE UPDATED  
 PER REVISED SURVEYOR'S  
 TOPOGRAPHICAL INFORMATION.

**DESIGN COMPANY**



**CONTACT :**  
 BRIAN NGUYEN  
 PO Box 52100  
 Palo Alto, CA 94303

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**PROJECT**  
**445 OAK COURT**  
**RESIDENCE**

**ADDRESS :**  
 445 OAK COURT  
 MENLO PARK, CA  
 95025

**OWNER :**  
 BRIAN NGUYEN

**PROJECT NO.:**

**Note**

**STATUS**

- Basic Design
- Construction
- Approved
- As-built

**REVISIONS**

No	

**SHEET NAME :**  
**PROPOSED**  
**EXTERIOR**  
**ELEVATIONS NW**

**SHEET NUMBER :**

**A-4.0**

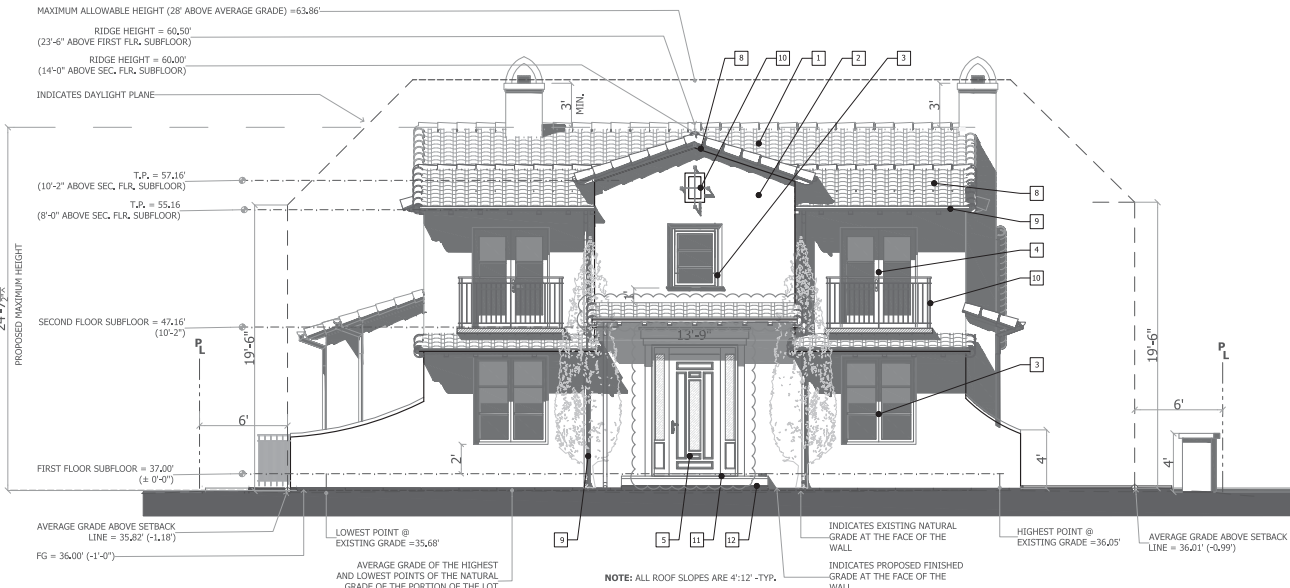
**DATE :**

**SCALE :**

**DRAWN BY :**

**CHECKED BY :**

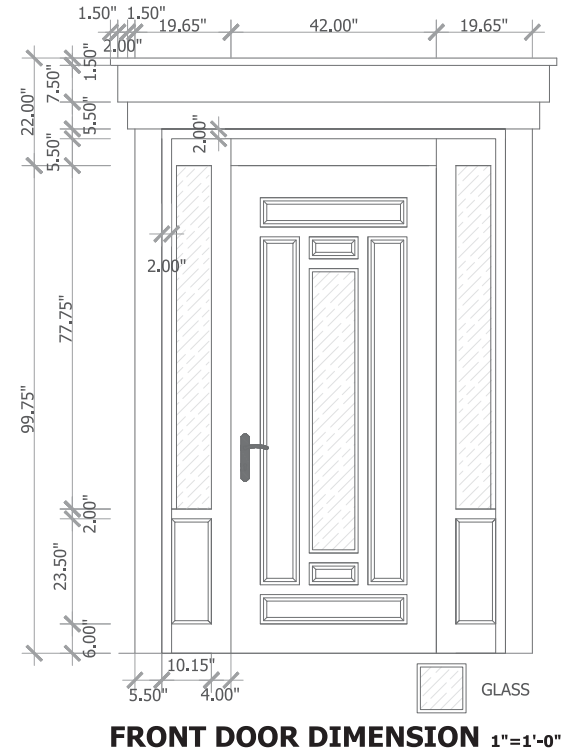
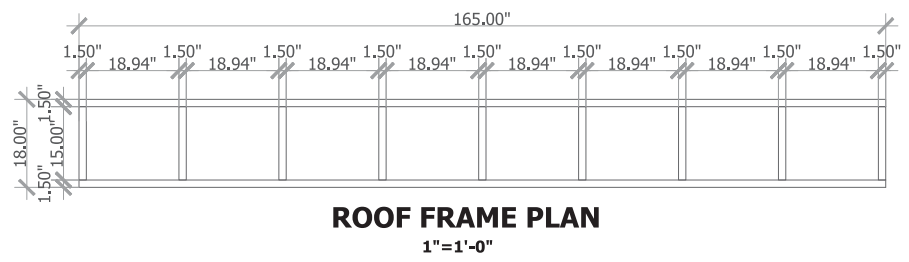
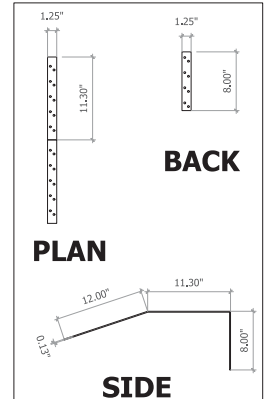
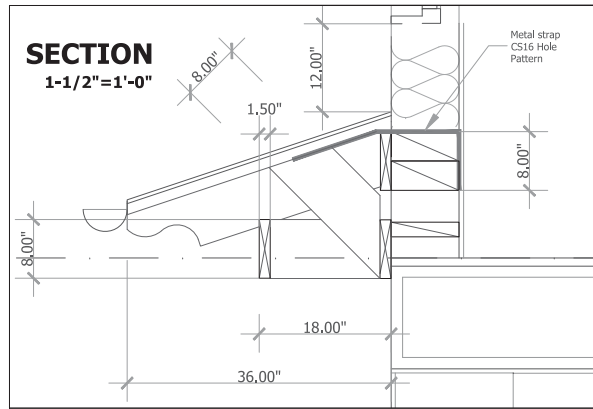
**ARCHITECT :**



**NOTE :** ALL ELEVATIONS ARE UPDATED PER REVISED SURVEYOR'S TOPOGRAPHICAL INFORMATION.

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

**METAL STRAP CS16 Hole Pattern**  
1-1/2"=1'-0"



**DESIGN COMPANY**

**AERA DESIGN & DEVELOPMENT**

**CONTACT :**  
BRIAN NGUYEN  
PO Box 52100  
Palo Alto, CA 94303

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**PROJECT**  
**445 OAK COURT RESIDENCE**

**ADDRESS :**  
445 OAK COURT  
MENLO PARK, CA 95025

**OWNER :**  
**BRIAN NGUYEN**

**PROJECT NO. :**  
Project Number

Note

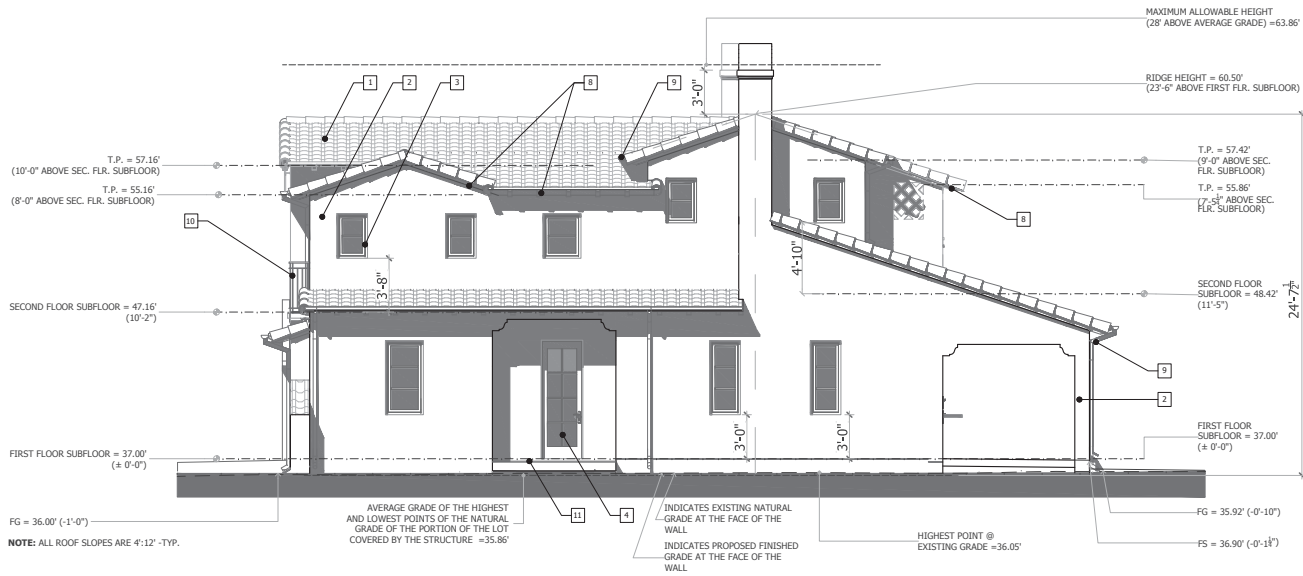
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Basic Design	<input type="checkbox"/>
Construction	<input type="checkbox"/>
Approved	<input checked="" type="checkbox"/>
As-built	<input type="checkbox"/>

REVISIONS	
No	

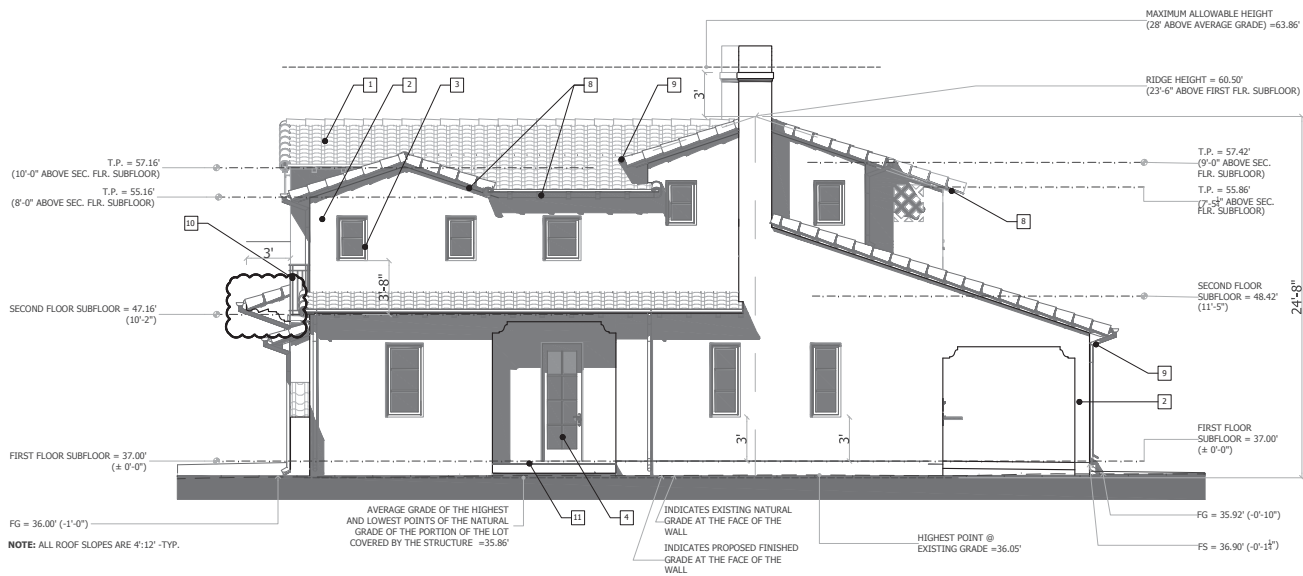
**SHEET NAME :**  
**PROPOSED EXTERIOR ELEVATION NW WITH STRUCTURAL SHEET NUMBER :**

**A-4.1**

<b>DATE :</b>	
<b>SCALE :</b>	
<b>DRAWN BY :</b>	
<b>CHECKED BY :</b>	
<b>ARCHITECT :</b>	



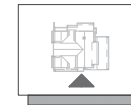
**SOUTHWEST ( RIGHT SIDE) ELEVATION - APPROVED USE PERMIT**



**SOUTHWEST ( RIGHT SIDE) ELEVATION - REVISED USE PERMIT**

**EXTERIOR FINISHES**

- 1 ROOF : MISSION CLAY TILE - CAP AND PAN
- 2 EXTERIOR WALLS : COLOR INTEGRAL STUCCO PLASTER  
WHITE HARD TROWELED FINISH
- 3 WINDOWNS : "MARVIN" ULTIMATE PUSH OUT  
FRENCH CASEMENT CLAD WOOD  
W/SIMULATED DIVIDED LITES  
WITH SPACE BAR - BRONZE COLOR
- 4 DOORS : "MARVIN" ULTIMATE PUSH OUT  
FRENCH CASEMENT CLAD WOOD  
W/SIMULATED DIVIDED LITES  
WITH SPACE BAR - BRONZE COLOR
- 5 ENTRY DOOR : CUSTOM STAINED WOOD DOOR
- 6 ARCHED ENTRY DOOR,  
PARAPET CAP : CAST STONE
- 7 GARAGE DOORS : CUSTOM "CARRIAGE"  
WOOD STAINED DOOR - BROWN
- 8 RAFTER TAILS, BARGE BOARD,  
ROOF DECKING @ O/HANGS,  
BLOCKING, TRELLIS : STAINED WOOD - BROWN
- 9 GUTTERS & DOWNSPOUTS : 6" HALF ROUND COPPER GUTTERS AND  
3" ROUND COPPER DOWNSPOUTS
- 10 ARTISTIC IRON WORK,  
RAILING, AWINGS : IRON - POWDER COATED  
BLACK COLOR
- 11 STEP, STAIRS, TERRACE,  
LIGHTWELL : TERRA COTTA STONE TILES  
- BROWN COLOR
- 12 DRIVEWAY, WALKWAYS AND  
PATIOS PERMEABLE PAVERS : ECO - FRIENDLY "SF-RIMA PERMEABLE  
PAVEMENT" - TUMBLED TAN CHARCOAL  
COLOR BY "BASALITE"



**NOTE :** ALL ELEVATIONS ARE UPDATED  
PER REVISED SURVEYOR'S  
TOPOGRAPHICAL INFORMATION.



**DESIGN COMPANY**



**CONTACT :**  
BRIAN NGUYEN  
PO Box 52100  
Palo Alto, CA 94303

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**PROJECT**  
**445 OAK COURT**  
**RESIDENCE**

**ADDRESS :**  
445 OAK COURT  
MENLO PARK, CA  
95025

**OWNER :**  
BRIAN NGUYEN

**PROJECT NO.:**

**Note**

**STATUS**

- Basic Design
- Construction
- Approved
- As-built

**REVISIONS**

No	

**SHEET NAME :**  
**PROPOSED**  
**EXTERIOR**  
**ELEVATION SW**  
**SHEET NUMBER :**

**A-4.2**

**DATE :**

**SCALE :**

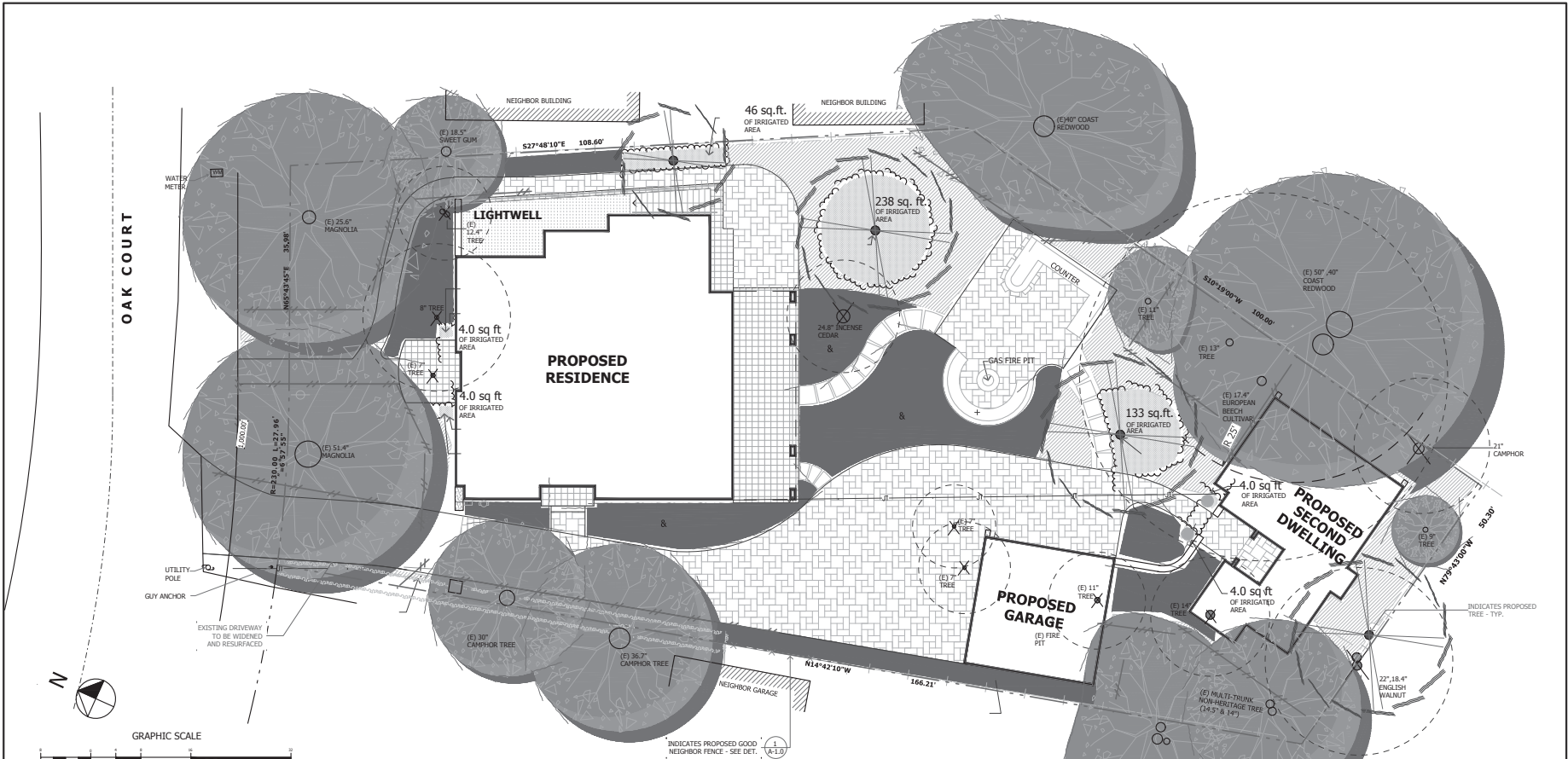
**DRAWN BY :**

**CHECKED BY :**

**ARCHITECT :**

REVISIONS

NO.	DESCRIPTION



**PRELIMINARY LANDSCAPE PLAN** SCALE: 1/8" = 1'-0"

Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
 Use Permit Revision: No changes will be made to the Landscape Plan

**SITE PLAN LEGEND**

PROPERTY LINE	---	EXISTING TREE TO REMAIN	
(E) GRADE CONTOUR LINE	- - -	MULCH - GROUND COVER AT IRRIGATED AREAS	
(E) FENCE TO REMAIN	- - -	DECORATIVE MULCH - GROUND COVER AT NON-IRRIGATED AREAS	
(E) FENCE TO REMAIN	- - -	DROUGHT RESISTANT NATIVE GRASSES AND GROUND COVERS NON-IRRIGATED AREAS	
TREE PROTECTION FENCE	- - -	PROPOSED TREE	
PROPOSED BUILDING		EXISTING TREE TO BE REMOVED	
PROPOSED CONCRETE TO LIGHTWELL		PROPOSED BOXWOOD HEDGE	
PROPOSED PRECAST CONCRETE PAVEMENT SYSTEM @ PATIO/ WALKWAY/ DRIVEWAY			
PROPOSED TILED AREAS			

**EXISTING TREE LEGEND**

PER ARBORIST REPORT DATED 6/8/2016 PREPARED BY WALTER LEVISON

TREE TAG NO.	GENUS & SPECIES	COMMON NAME	TREE SIZE	ON SITE / OFF SITE	HERITAGE TREE	STATUS
	LIQUIDAMBAR STYRACIFLUA	SWEET GUM	18.5"	OFF SITE	YES	TO REMAIN
	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	25.6"	ON SITE	YES	TO REMAIN
	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	51.4"	ON SITE	YES	TO REMAIN
	CINNAMOMUM CAMPHORA	CAMPHOR TREE	30"	ON SITE	YES	TO REMAIN
	CINNAMOMUM CAMPHORA	CAMPHOR TREE	36.7"	OFF SITE	YES	TO REMAIN
	CALOCEDRUS DECURRENS	INCENSE CEDAR	24.8"	ON SITE	YES	TO BE REMOVED
	QUERCUS AGRIFOLIA	COAST LIVE OAK	20", 18", 12"	OFF SITE	YES	TO REMAIN
	JUGLANS REGIA	ENGLISH WALNUT	22", 18.4"	ON SITE	YES	TO BE REMOVED
	FAGUS SYLVATICA	EUROPEAN BEECH CULTIVAR	17.4"	ON SITE	YES	TO REMAIN
	SEQUOIA SEMPERVIRENS	COAST REDWOOD	50", 40"	OFF SITE	YES	TO REMAIN
	SEQUOIA SEMPERVIRENS	COAST REDWOOD	40"	OFF SITE	YES	TO REMAIN

PLEASE SEE THE ARBORIST REPORT FOR MORE INFORMATION

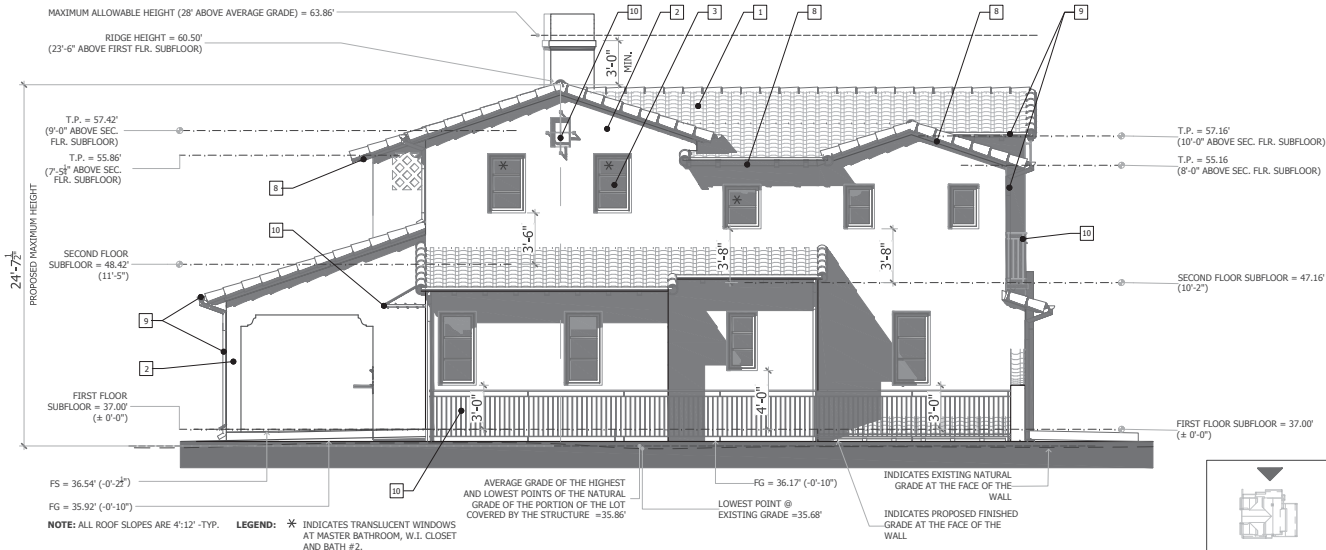
**PLANT LEGEND**

KEY	BOTANICAL NAME	COMMON NAME	SIZE	QTY	IRRIGATION
<b>NATIVE DROUGHT TOLERANT GRASSES AND GROUND COVERS</b>					
	ACHILLEA MILLEFOLIUM	COMMON YARROW	1 GAL	IN FIELD	NON-IRRIGATED AREAS
	ARTEMISA CALIFORNICA - 'MONTANA'	CALIFORNIA SAGEBRUSH	1 GAL	IN FIELD	NON-IRRIGATED AREAS
	CEANOTHUS - 'YANKEE POINT'	WILD LILAC	1 GAL	IN FIELD	NON-IRRIGATED AREAS
<b>GROUND COVER</b>					
<b>MULCH</b>					
<b>SHRUBS</b>					
	BUXUS	BOXWOOD, BOX	1 GAL	IN FIELD	MAXIMUM 500 SQ. FT. OF IRRIGATED AREA
<b>TREES - DESERT CONDITIONS, DROUGHT RESISTANT</b>					
	CUPRESSUS SEMPERVIRENS DWARF COMPACTA	DWARF ITALIAN CYPRESS	24" BOX	4	
	ULMUS 'MORTON'	ACCOLADE ELM	24" BOX	2	
	GENKO BILOBA	MAIDENHAIR	24" BOX	1	
	PHOTNIA FRASERI	FRASIER PHOTNIA	24" BOX	1	

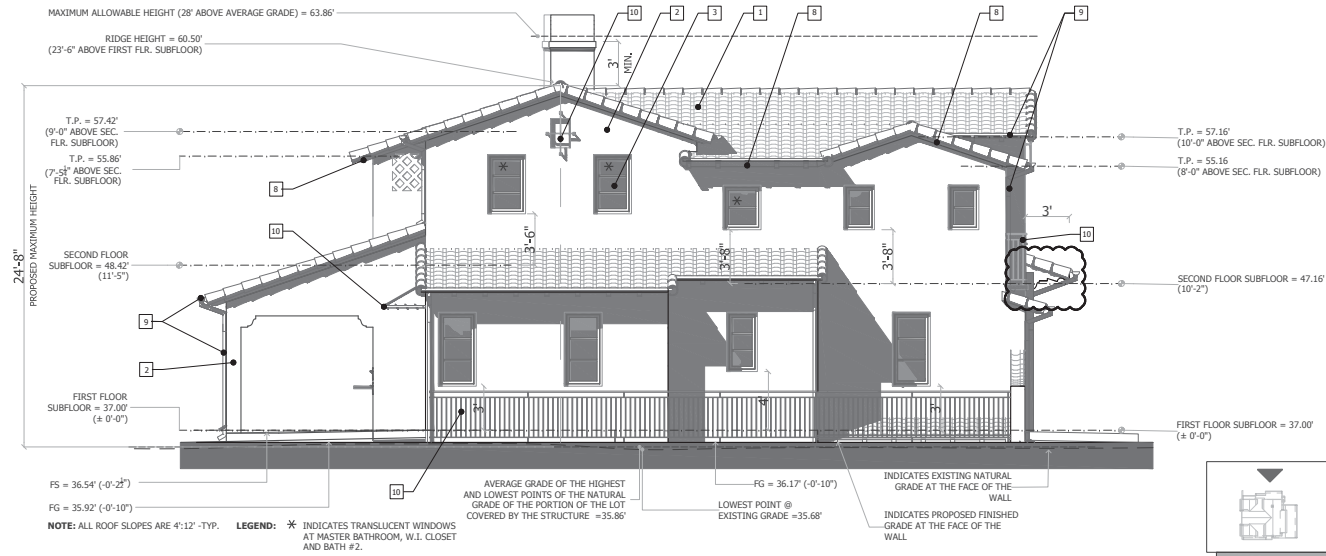
NOTE:  
 TREE SIZES ON SHEET T-1:  
 TOPOGRAPHIC AND BOUNDARY SURVEY HAVE BEEN MEASURED AT THE BASE OF THE TREES.  
 TREE SIZES ON SHEET A-1.0, A-1.1 & L-1.1:  
 ARE CONSISTENT WITH THE ARBORIST REPORT (3.0 / PAGE 5);  
 DIAMETER AT BREAST HEIGHT IN INCHES IS THE DIAMETER OF THE TRUNK MEASURED AT 4.5 FEET ABOVE THE GROUND LEVEL IN INCHES, AS REQUIRED.  
 PLEASE SEE CITY OF MENLO PARK TREE PROTECTION SPECIFICATION NOTES ON SHEET A-1.1

DATE : 1-2-18  
 SCALE : 1/8" = 1'-0"  
 DRAWN BY : DZ  
 CHECKED BY : TS  
 ARCHITECT : TOM SLOAN  
 PROJECT NO : 16624

SHEET NUMBER  
**L-1.0**



### NORTHEAST ( RIGHT SIDE) ELEVATION - APPROVED USE PERMIT



### NORTHEAST ( RIGHT SIDE) ELEVATION - REVISED USE PERMIT

#### EXTERIOR FINISHES

- 1 ROOF : MISSION CLAY TILE - CAP AND PAN
- 2 EXTERIOR WALLS : COLOR INTEGRAL STUCCO PLASTER WHITE HARD TROWELED FINISH
- 3 WINDOWS : 'MARVIN' ULTIMATE PUSH OUT FRENCH CASEMENT CLAD WOOD W/SIMULATED DIVIDED LITES WITH SPACE BAR - BRONZE COLOR
- 4 DOORS : 'MARVIN' ULTIMATE PUSH OUT FRENCH CASEMENT CLAD WOOD W/SIMULATED DIVIDED LITES WITH SPACE BAR - BRONZE COLOR
- 5 ENTRY DOOR : CUSTOM STAINED WOOD DOOR
- 6 ARCHED ENTRY DOOR, PARAPET CAP : CAST STONE
- 7 GARAGE DOORS : CUSTOM "CARRIAGE" WOOD STAINED DOOR - BROWN
- 8 RAFTER TAILS, BARGE BOARD, ROOF DECKING @ O/HANGS, BLOCKING, TRELLIS : STAINED WOOD - BROWN
- 9 GUTTERS & DOWNSPOUTS : 6" HALF ROUND COPPER GUTTERS AND 3" ROUND COPPER DOWNSPOUTS
- 10 ARTISTIC IRON WORK, RAILING, AWINGS : IRON - POWDER COATED BLACK COLOR
- 11 STEP, STAIRS, TERRACE, LIGHTWELL : TERRA COTTA STONE TILES - BROWN COLOR
- 12 DRIVEWAY, WALKWAYS AND PATIOS PERMEABLE PAVERS : ECO - FRIENDLY 'SF-RIMA PERMEABLE PAVEMENT' - TUMBLED TAN CHARCOAL COLOR BY 'BASALITE'

#### DESIGN COMPANY



CONTACT :  
 BRIAN NGUYEN  
 PO Box 52100  
 Palo Alto, CA 94303

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#### PROJECT

**445 OAK COURT RESIDENCE**

#### ADDRESS :

445 OAK COURT  
 MENLO PARK, CA  
 95025

#### OWNER :

**BRIAN NGUYEN**

#### PROJECT NO. :

Note

#### STATUS

- Basic Design
- Construction
- Approved
- As-built

#### REVISIONS

No	

#### SHEET NAME :

**PROPOSED EXTERIOR ELEVATION NE**

#### SHEET NUMBER :

**A-4.3**

#### DATE :

#### SCALE :

#### DRAWN BY :

#### CHECKED BY :

#### ARCHITECT :



**METRO  
DESIGN  
GROUP**

ARCHITECTURE PLANNING INTERIORS

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PROJECT NAME  
**445 OAK COURT  
RESIDENCE**

445 OAK COURT  
MENLO PARK, CA 95025

REVISIONS

NO.	DATE	DESCRIPTION

**APPROVED  
EXTERIOR  
ELEVATIONS SE**

EXTERIOR NOTES  
EXTERIOR LEGEND  
NORTHWEST ELEVATION  
SOUTHEAST ELEVATION

DATE : 08-03-19  
SCALE : 1/4" = 1'-0"

DRAWN BY : D.Z.  
CHECKED BY : TS  
ARCHITECT : TOM SLOAN

PROJECT NO : 16624

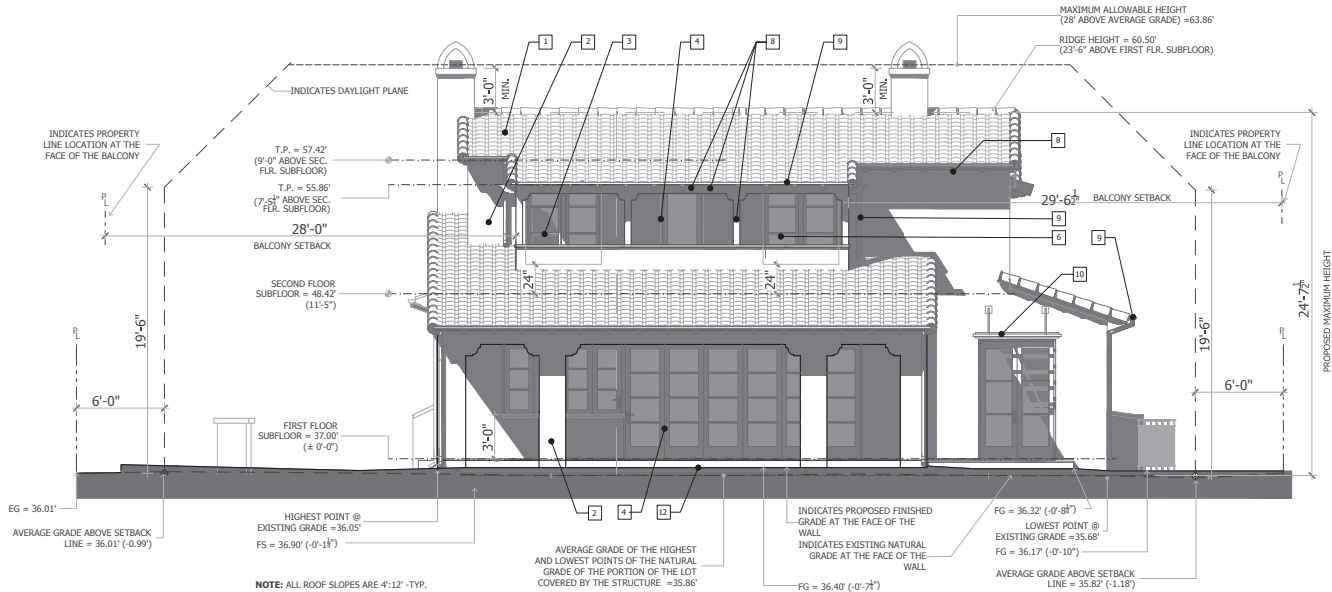
SHEET NUMBER

**A-4.4**

**EXTERIOR FINISHES**

- 1 ROOF : MISSION CLAY TILE - CAP AND PAN
- 2 EXTERIOR WALLS : COLOR INTEGRAL STUCCO PLASTER  
WHITE HARD TROWELED FINISH
- 3 WINDOWNS : 'MARVIN' ULTIMATE PUSH OUT  
FRENCH CASEMENT CLAD WOOD  
W/SIMULATED DIVIDED LITES  
WITH SPACE BAR - BRONZE COLOR
- 4 DOORS : 'MARVIN' ULTIMATE PUSH OUT  
FRENCH CASEMENT CLAD WOOD  
W/SIMULATED DIVIDED LITES  
WITH SPACE BAR - BRONZE COLOR
- 5 ENTRY DOOR : CUSTOM STAINED WOOD DOOR
- 6 ARCHED ENTRY DOOR,  
PARAPET CAP : CAST STONE
- 7 GARAGE DOORS : CUSTOM "CARRIAGE"  
WOOD STAINED DOOR - BROWN
- 8 RAFTER TAILS, BARGE BOARD,  
ROOF DECKING @ 0/HANGS,  
BLOCKING, TRELLIS : STAINED WOOD - BROWN
- 9 GUTTERS & DOWNSPOUTS : 6" HALF ROUND COPPER GUTTERS AND  
3" ROUND COPPER DOWNSPOUTS
- 10 ARTISTIC IRON WORK,  
RAILING, AWINGS : IRON - POWDER COATED  
BLACK COLOR
- 11 STEP, STAIRS, TERRACE,  
LIGHTWELL : TERRA COTTA STONE TILES  
- BROWN COLOR
- 12 DRIVEWAY, WALKWAYS AND  
PATIOS PERMEABLE PAVERS : ECO - FRIENDLY SF-RIMA PERMEABLE  
PAVEMENT - TUMBLED TAN CHARCOAL  
COLOR BY 'BASALITE'

**NOTE :** ALL ELEVATIONS ARE UPDATED  
PER REVISED SURVEYOR'S  
TOPOGRAPHICAL INFORMATION.



**SOUTHEAST (REAR) ELEVATION - APPROVED USE PERMIT**

Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
Use Permit Revision: No changes will be made to the Approved Southeast (Rear) Elevation.





METRO DESIGN GROUP

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PROJECT NAME

**445 OAK COURT RESIDENCE**

445 OAK COURT  
MENLO PARK, CA 95025

REVISIONS

NO.	DESCRIPTION

**APPROVED SECOND DWELLING EXTERIOR ELEVATIONS**

EXTERIOR NOTES  
EXTERIOR LEGEND  
NORTHWEST ELEVATION  
SOUTHWEST ELEVATION

DATE : 1-2-18

SCALE : 1/4" = 1'-0"

DRAWN BY : D.Z.

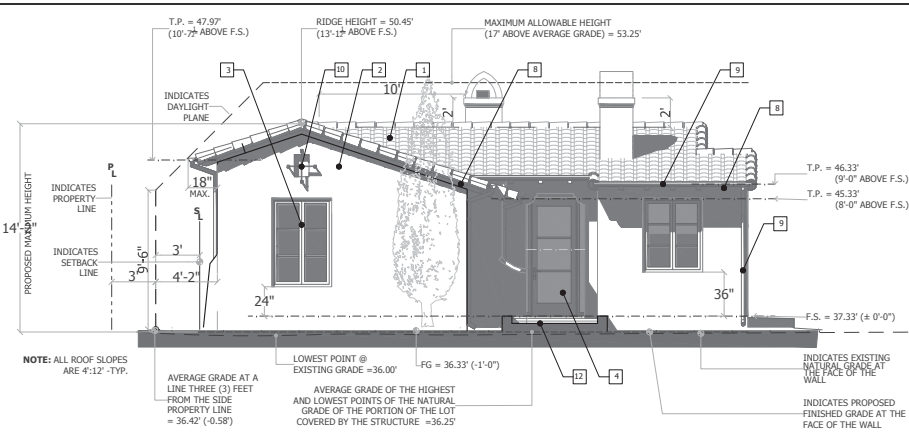
CHECKED BY : TS

ARCHITECT : TOM SLOAN

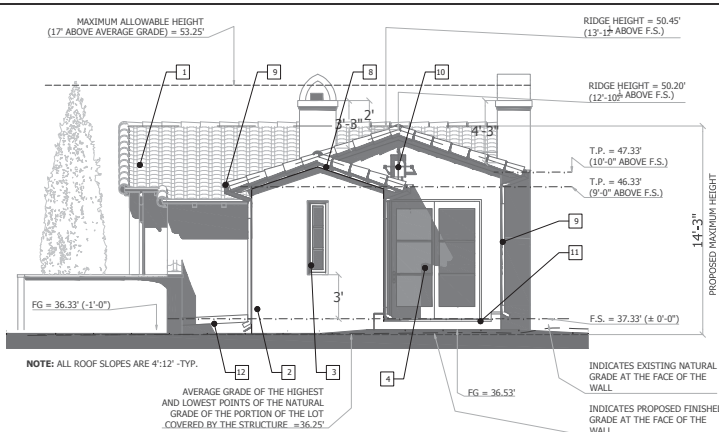
PROJECT NO : 16624

SHEET NUMBER

**A-4.5**



### NORTHWEST ( FRONT ) ELEVATION

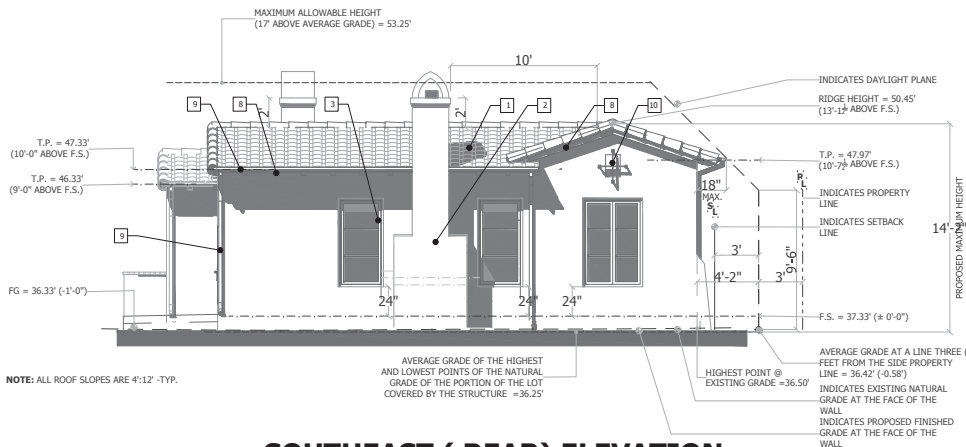


### SOUTHWEST ( RIGHT SIDE ) ELEVATION

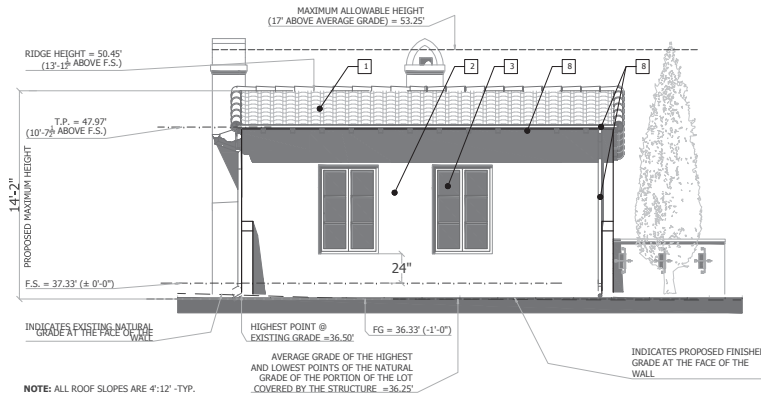
#### EXTERIOR FINISHES

- |                                       |   |   |   |
|---------------------------------------|---|---|---|
| 1 ROOF :                              | MISSION CLAY TILE - CAP AND PAN   | 7 GARAGE DOORS :  | CUSTOM "CARRIAGE" WOOD STAINED DOOR - BROWN   |
| 2 EXTERIOR WALLS :                    | COLOR INTEGRAL STUCCO PLASTER<br>WHITE HARD TROWELED FINISH   | 8 RAFTER TAILS, BARGE BOARD,<br>ROOF DECKING @ GY/HANGS,<br>BLOCKING, TRELLIS : | STAINED WOOD - BROWN  |
| 3 WINDOWNS :                          | "MARVIN" ULTIMATE PUSH OUT<br>FRENCH CASEMENT CLAD WOOD<br>W/SIMULATED DIVIDED LITES<br>WITH SPACE BAR - BRONZE COLOR | 9 GUTTERS & DOWNSPOUTS :  | 6" HALF ROUND COPPER GUTTERS AND<br>3" ROUND COPPER DOWNSPOUTS                              |
| 4 DOORS :                             | "MARVIN" ULTIMATE PUSH OUT<br>FRENCH CASEMENT CLAD WOOD<br>W/SIMULATED DIVIDED LITES<br>WITH SPACE BAR - BRONZE COLOR | 10 ARTISTIC IRON WORK,<br>RAILING, AWINGS :                                     | IRON - POWDER COATED<br>BLACK COLOR   |
| 5 ENTRY DOOR :                        | CUSTOM STAINED WOOD DOOR  | 11 STEP, STAIRS, TERRACE,<br>LIGHTWELL :  | TERZA GOTTA STONE TILES<br>- BROWN COLOR  |
| 6 ARCHED ENTRY DOOR,<br>PARAPET CAP : | CAST STONE  | 12 DRIVEWAY, WALKWAYS AND<br>PATIO PERMEABLE PAVERS :                           | ECO - FRIENDLY "SF-RIMA PERMEABLE<br>PAVEMENT" - TUMBLE TAN CHARCOAL<br>COLOR BY "BASALITE" |

NOTE : ALL ELEVATIONS ARE UPDATED PER REVISED SURVEYOR'S TOPOGRAPHICAL INFORMATION.



### SOUTHEAST ( REAR ) ELEVATION



### NORTHEAST ( LEFT SIDE ) ELEVATION

Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
Use Permit Revision: No changes will be made to the SDU Elevations



**METRO  
DESIGN  
GROUP**

ARCHITECTURE PLANNING INTERIORS

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CAMPBELL, CA 95008  
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PROJECT NAME  
**445 OAK COURT  
RESIDENCE**  
445 OAK COURT  
MENLO PARK, CA 95025

REVISIONS

NO.	DESCRIPTION

**APPROVED  
GARAGE  
EXTERIOR  
ELEVATIONS**

EXTERIOR NOTES  
EXTERIOR LEGEND  
NORTHWEST ELEVATION  
SOUTHEAST ELEVATION

DATE : 1-2-18

SCALE : 1/4" = 1'-0"

DRAWN BY : D.Z.

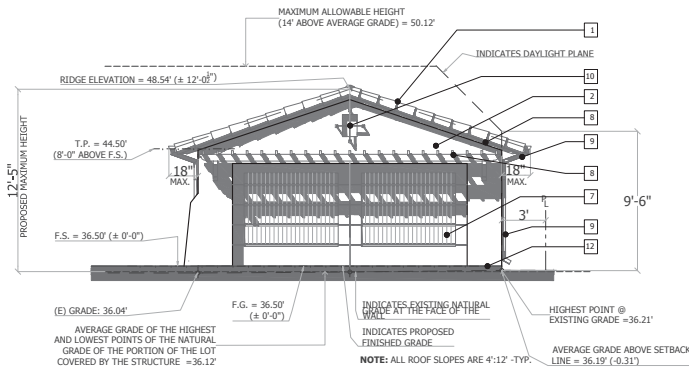
CHECKED BY : TS

ARCHITECT : TOM SLOAN

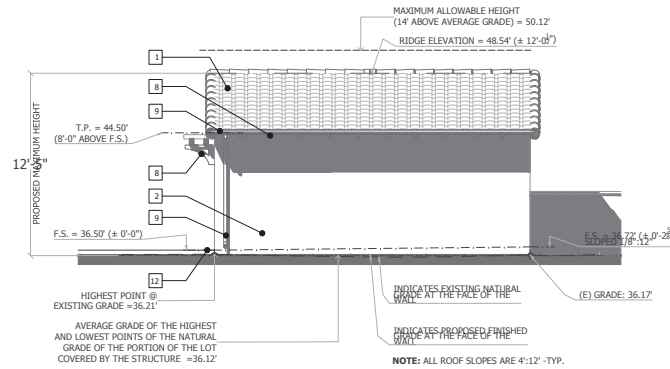
PROJECT NO : 16624

SHEET NUMBER

**A-4.6**



**NORTHWEST ( FRONT ) ELEVATION**

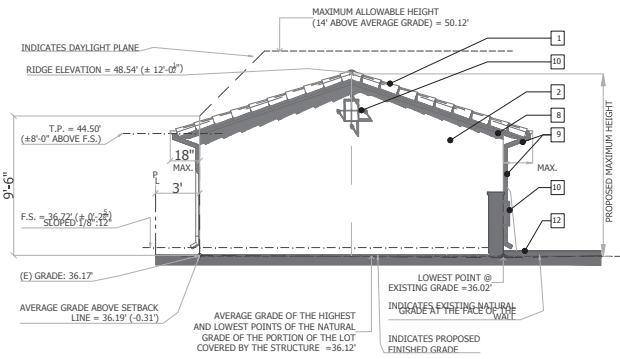


**SOUTHWEST ( RIGHT SIDE ) ELEVATION**

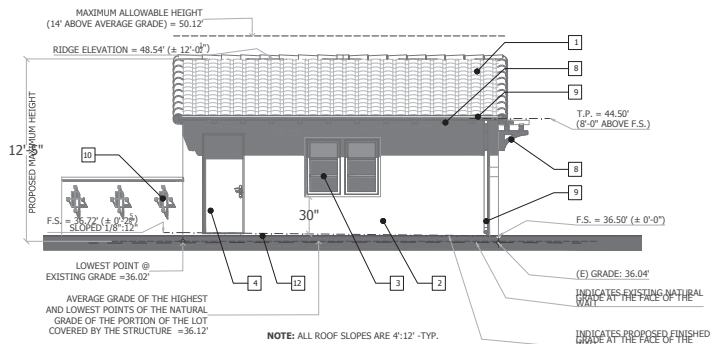
**EXTERIOR FINISHES**

- |                                    |  |   |   |
|------------------------------------|--|---|---|
| 1 ROOF :                           | MISSION CLAY TILE - CAP AND PAN  | 7 GARAGE DOORS :  | CUSTOM "CARRIAGE" WOOD STAINED DOOR - BROWN   |
| 2 EXTERIOR WALLS :                 | COLOR INTEGRAL STUCCO PLASTER WHITE HARD TROWELED FINISH   | 8 RAFTER TAILS, BARGE BOARD, ROOF DECKING @ GY/HANGS, BLOCKING, TRELLIS : | STAINED WOOD - BROWN  |
| 3 WINDOWNS :                       | "MARVIN" ULTIMATE PUSH OUT FRENCH CASEMENT CLAD WOOD W/SIMULATED DIVIDED LITES WITH SPACE BAR - BRONZE COLOR | 9 GUTTERS & DOWNSPOUTS :  | 6" HALF ROUND COPPER GUTTERS AND 3" ROUND COPPER DOWNSPOUTS                           |
| 4 DOORS :                          | "MARVIN" ULTIMATE PUSH OUT FRENCH CASEMENT CLAD WOOD W/SIMULATED DIVIDED LITES WITH SPACE BAR - BRONZE COLOR | 10 ARTISTIC IRON WORK, RAILLING, AWINGS :                                 | IRON - POWDER COATED BLACK COLOR  |
| 5 ENTRY DOOR :                     | CUSTOM STAINED WOOD DOOR   | 11 STEP, STAIRS, TERRACE, LIGHTWELL :                                     | TERESA GOTTA STONE TILES - BROWN COLOR  |
| 6 ARCHED ENTRY DOOR, PARAPET CAP : | CAST STONE   | 12 DRIVEWAY, WALKWAYS AND PATIOS PERMEABLE PAVERS :                       | ECO - FRIENDLY "SF-RIMA PERMEABLE PAVEMENT" - TUMBLE TAN CHARCOAL COLOR BY "BASALITE" |

NOTE : ALL ELEVATIONS ARE UPDATED PER REVISED SURVEYOR'S TOPOGRAPHICAL INFORMATION.



**SOUTHEAST ( REAR ) ELEVATION**



**NORTHEAST ( LEFT SIDE ) ELEVATION**

Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
Use Permit Revision: No changes will be made to the Approved Garage Elevations.



METRO  
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GROUP

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PROJECT NAME  
**445 OAK COURT  
RESIDENCE**

445 OAK COURT  
MENLO PARK, CA 95025

REVISIONS

NO.	DESCRIPTION

APPROVED  
MAIN RESIDENCE  
SECTIONS

SECTION NOTES  
SECTION 'A'  
SECTION 'B'

DATE : 1-2-18

SCALE : 1/4" = 1'-0"

DRAWN BY : DZ

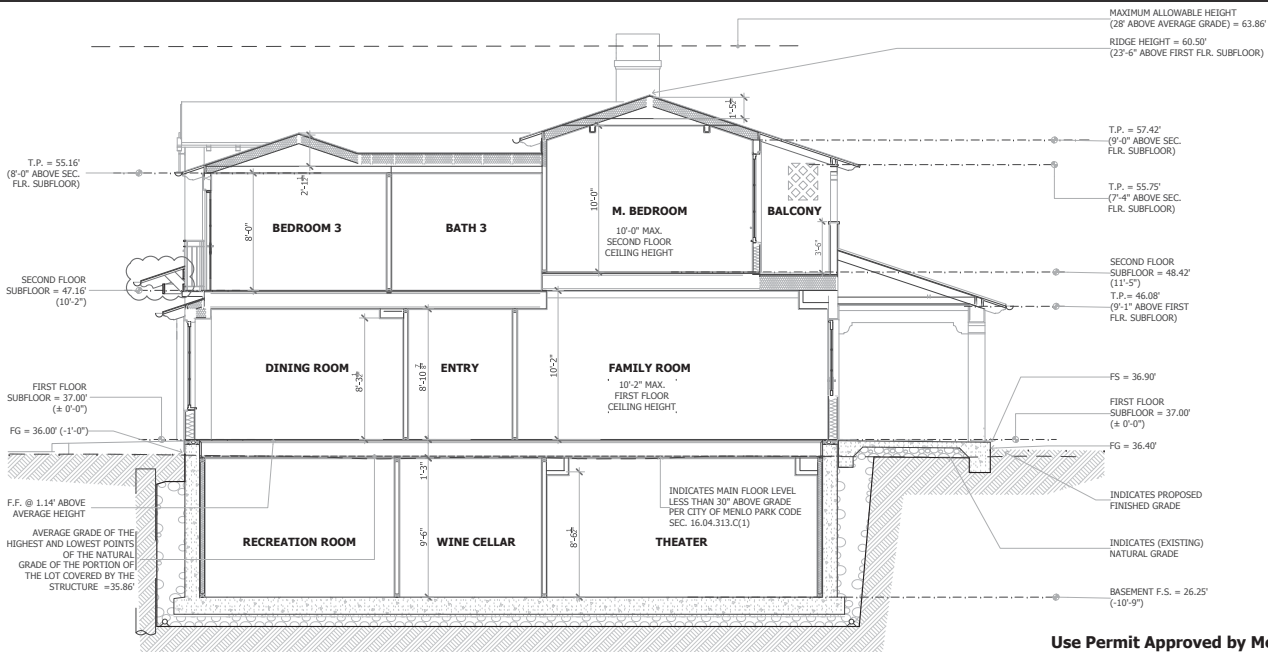
CHECKED BY : TS

ARCHITECT : TOM SLOAN

PROJECT NO : 16624

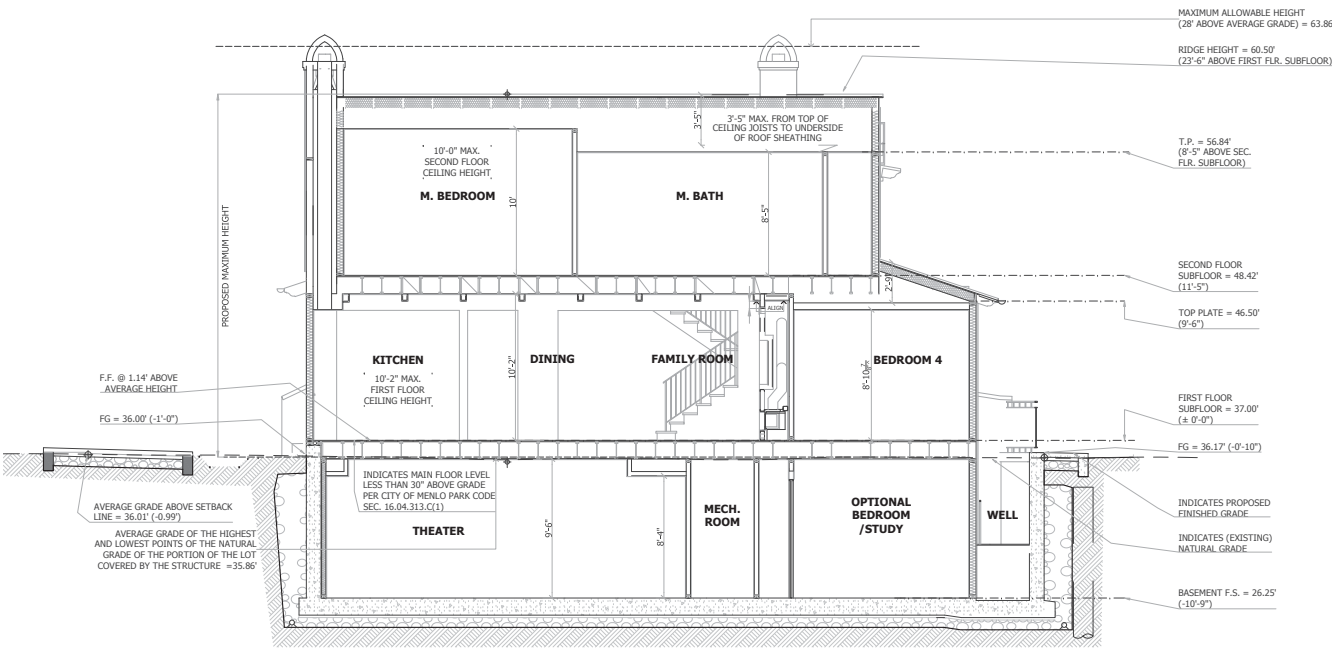
SHEET NUMBER

**A-5.0**



**SECTION A-A**

Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.



**SECTION B-B**

NOTE : ALL ELEVATIONS ARE UPDATED  
PER REVISED SURVEYOR'S  
TOPOGRAPHICAL INFORMATION.



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PROJECT NAME  
**445 OAK COURT  
RESIDENCE**

445 OAK COURT  
MENLO PARK, CA 95025

REVISIONS

NO.	DESCRIPTION

APPROVED  
SECONDARY DWELLING  
& GARAGE  
SECTIONS

SECTION NOTES  
SECTION LEGEND  
SECTION 'A'  
SECTION 'B'

DATE : 1-2-18

SCALE : 1/4" = 1'-0"

DRAWN BY : DZ

CHECKED BY : TS

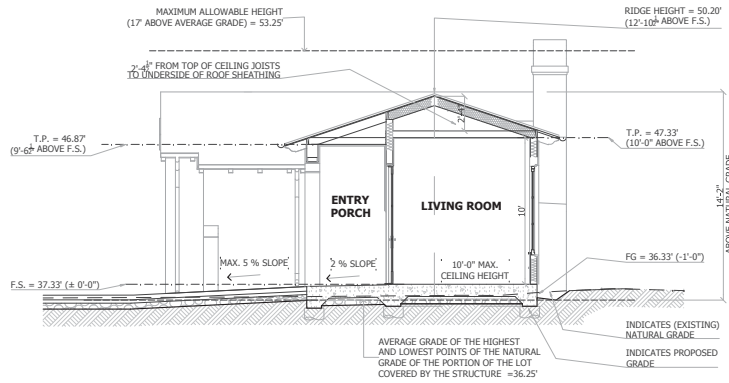
ARCHITECT : TOM SLOAN

PROJECT NO : 16624

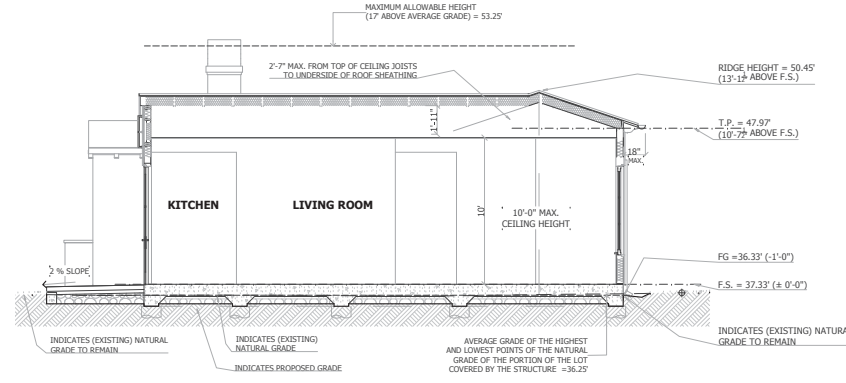
SHEET NUMBER

**A-5.1**

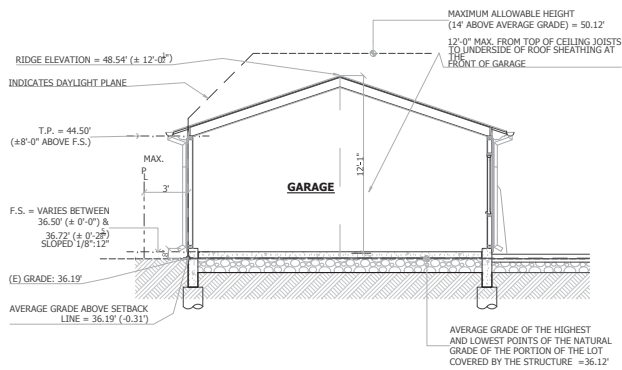
**NOTE :** ALL ELEVATIONS ARE UPDATED PER REVISED SURVEYOR'S TOPOGRAPHICAL INFORMATION.



**SECONDARY DWELLING  
SECTION C**



**SECONDARY DWELLING  
SECTION D**



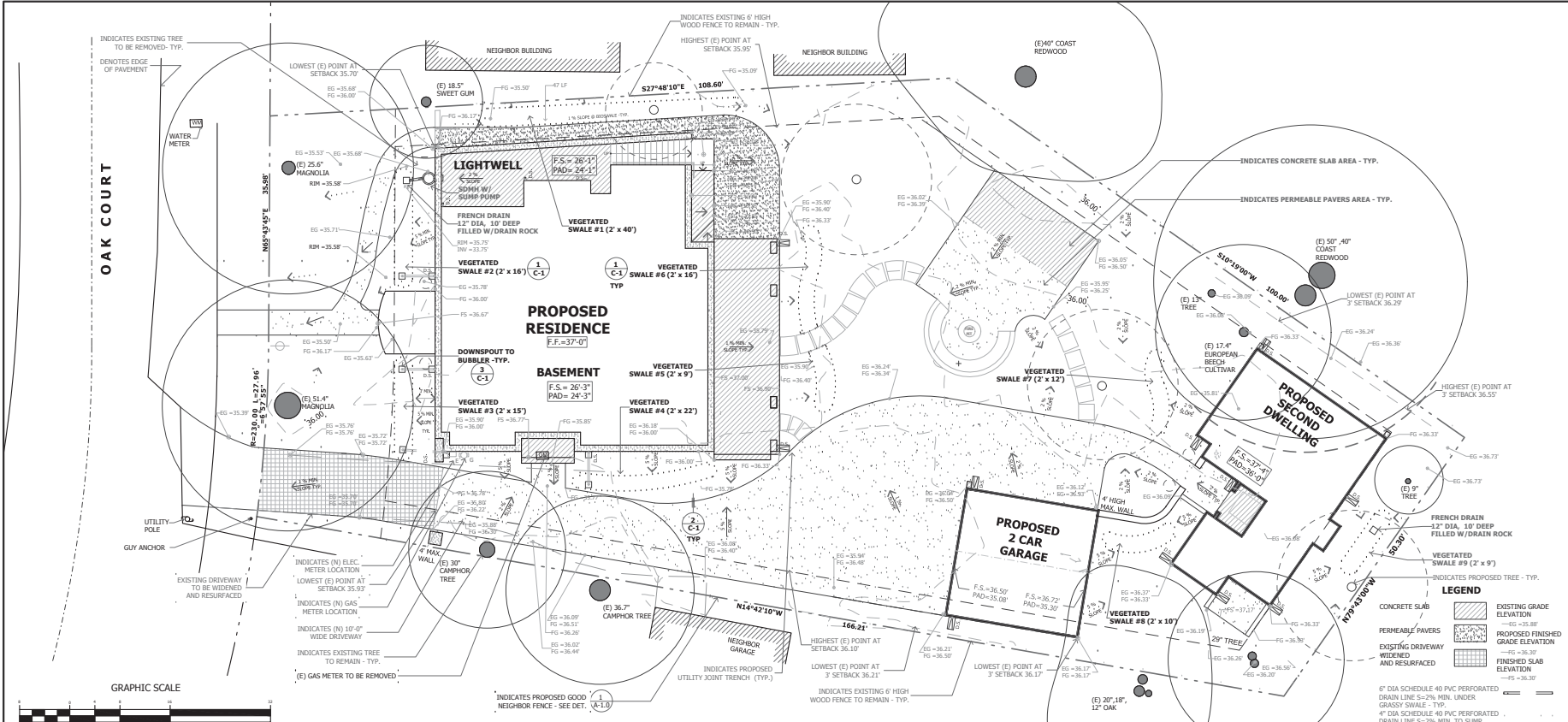
**GARAGE  
SECTION D**



**Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
Use Permit Revision: No changes will be made to the Approved SDU or Garage Sections.**

REVISIONS

NO.	DESCRIPTION



Use Permit Approved by Menlo Park Planning Commission, July 18, 2017.  
Use Permit Revision: No changes will be made to the Grading & Drainage Plan

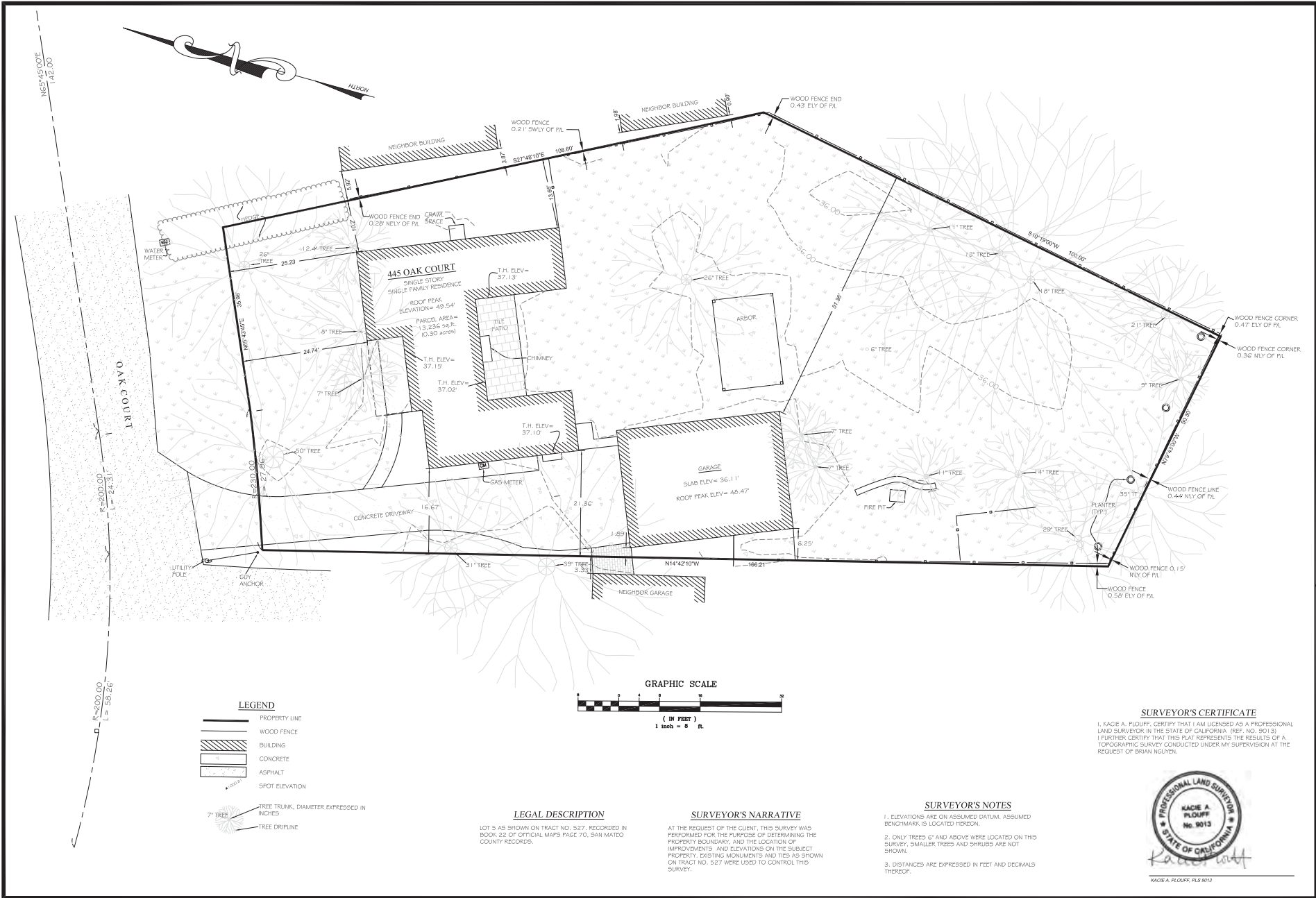
STANDARD GRADING PLAN NOTES	
1. PRIOR TO THE COMMENCEMENT OF ANY EARTHWORK GRADING ACTIVITIES, THE PERMITTEE SHALL ARRANGE A PRE-CONSTRUCTION MEETING. THE MEETING SHALL INCLUDE THE CITY OF MENLO PARK GRADING INSPECTOR, THE GRADING CONTRACTOR AND THE PROJECT'S SOILS ENGINEER. THE PERMITTEE OR REPRESENTATIVE SHALL ARRANGE THE PRE-CONSTRUCTION MEETING AT LEAST 48 HOURS PRIOR TO THE START OF ANY EARTHWORK GRADING ACTIVITIES.	5. ALL GRADING AND EARTHWORK ACTIVITIES SHALL BE PERFORMED IN SUCH A MANNER AS TO COMPLY WITH STANDARDS ESTABLISHED BY THE BAY AREA QUALITY MANAGEMENT DISTRICT FOR AERIAL PARTICLES.
2. APPROVAL OF THIS PLAN APPLIES ONLY TO THE IDENTIFICATION, PLACEMENT AND CONSTRUCTION OF NATURAL BENCH. THIS APPROVAL DOES NOT COVER ANY RIGHT OF ENTRY TO EITHER PUBLIC PROPERTY OR THE PRIVATE PROPERTY OF OTHERS. APPROVAL OF THIS PLAN DOES NOT CONSTITUTE APPROVAL OF ANY IMPROVEMENTS. ANY PROPOSED IMPROVEMENTS ARE SUBJECT TO REVIEW AND APPROVAL BY THE RESPONSIBLE AUTHORITIES AND ALL OTHER PERMITS/APPROVALS SHALL BE OBTAINED.	6. THIS PLAN SHALL NOT APPROVE THE REMOVAL OF ANY TREES. APPROPRIATE TREE REMOVAL PERMITS SHALL BE OBTAINED FROM THE COMMUNITY DEVELOPMENT DEPARTMENT. ANY REQUIRED TREE PROTECTION MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
3. IT SHALL BE THE RESPONSIBILITY OF THE PERMITTEE TO IDENTIFY, LOCATE AND PROTECT ALL UNDERGROUND UTILITIES.	7. ALL GRADING AND EARTHWORK ACTIVITIES SHALL CONFORM TO THE APPROVED PLANS AND SPECIFICATIONS. ALL GRADING AND EARTHWORK ACTIVITIES SHALL BE OBSERVED AND APPROVED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL BE NOTIFIED AT LEAST 48 HOURS PRIOR TO ANY GRADING OR EARTHWORK ACTIVITIES. UNOBSERVED OR UNAPPROVED WORK SHALL BE REMOVED AND REPLACED UNDER OBSERVATION OF THE PROJECT SOILS ENGINEER.
4. THE PERMITTEE SHALL MAINTAIN ALL STREETS, SIDEWALKS AND OTHER PUBLIC RIGHT OF WAY IN A CLEAN, SAFE AND USABLE CONDITION. ALL SPILLS OF SOIL, ROCK OR CONSTRUCTION DEBRIS SHALL BE REMOVED FROM PUBLIC PROPERTY. BOTH PUBLIC AND PRIVATE, SHALL BE MAINTAINED IN A CLEAN SAFE AND USABLE CONDITION.	8. ALL CONSTRUCTION SITE ARE TO BE WINTERIZED WITH APPROPRIATE EROSION CONTROL MEASURES IN PLACE BY OCTOBER 15TH TO APRIL 15TH OF EACH YEAR.
<b>NOTES</b>	
<b>NOTE: GEOTECHNICAL FIELD INSPECTION -</b> THE GEOTECHNICAL CONSULTANT SHALL INSPECT, TEST (AS NEEDED), AND APPROVE ALL GEOTECHNICAL ASPECTS OF THE PROJECT CONSTRUCTION. THE INSPECTIONS SHOULD INCLUDE, BUT NOT NECESSARILY BE LIMITED TO: SITE PREPARATION AND GRADING, SITE SURFACE AND SUBSURFACE GRADIENT IMPROVEMENTS AND EDUCATING FOR FOUNDATIONS AND RETAINING WALLS PRIOR TO THE PLACEMENT OF STEEL AND CONCRETE. THE CONSULTANT SHALL VERIFY THAT FILL MATERIALS PLACED ON SLOPING GROUND ARE PROPERLY RETIRED AND BLENDED INTO SUPPORTIVE MATERIALS, AS NECESSARY.	
<b>NOTES:</b> 1. ALL ROOF DRAINAGE LEAKERS ARE TO BE DISCHARGED INTO STORM DRAINS OR SANITARY SEWERS WHICH ARE DESIGNED TO SPREAD OUT THE RAIN WATER SO THAT IT ENTERS THE LANDSCAPE AREAS AS SHEET FLOW.	
TOPO SURVEY & BOUNDARIES CHRISTENSEN & PLOUFF LAND SURVEYING CONTACT: KACEL A. PLOUFF PLS 0013 1250 OAKMEAD PARKWAY #210 SUNNYVALE, CA 94085 (408) 755-9784 PHONE	

NOTES	
<b>GRADING AND DRAINAGE NOTES</b>	
1. GRADIES WITHIN THE FIRST 10 FEET ADJACENT TO A STRUCTURE MUST HAVE A 5% SLOPE ON PERVIOUS SURFACES AND A 2% SLOPE ON IMPERVIOUS SURFACES PER CBC SEC. 1804.A.3.	5. DELINEATE WITH FIELD MARKERS CLEARING LIMITS, EASEMENTS, SETBACKS, SENSITIVE CRITICAL AREAS, BUFFER ZONES, TREES, AND DRAINAGE COURSES.
2. UNDER NO CIRCUMSTANCES SHALL RUNOFF DIRECTLY SHEETFLOW ACROSS A NEIGHBORING PROPERTY LINE AS A RESULT OF THE PROJECTS GRADING AND DRAINAGE ACTIVITIES.	6. PERFORM CLEARING AND EARTH MOVING ACTIVITIES ONLY DURING DRY WEATHER.
<b>FRONTAGE IMPROVEMENTS NOTES</b>	
1. ANY FRONTAGE IMPROVEMENTS WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION WILL BE REQUIRED TO BE REPLACED.	
2. AN ENCROACHMENT PERMIT FROM THE ENGINEERING DIVISION IS REQUIRED PRIOR TO ANY CONSTRUCTION ACTIVITIES IN THE PUBLIC RIGHT OF WAY.	
<b>BEST MANAGEMENT PRACTICE NOTES</b>	
1. CONTROL AND PREVENT THE DISCHARGE OF ALL POTENTIAL POLLUTANTS, INCLUDING PAVEMENT CUTTING WASTES, PAINTS, CONCRETE, PETROLEUM PRODUCTS, CHEMICALS, WASH WATER OR SEDIMENTS, RINSE WATER FROM ARCHITECTURAL COPPER, AND NON-STORMWATER DISCHARGES TO STORM DRAINS AND WATERCOURSES.	
2. STORE, HANDLE, AND DISPOSE OF CONSTRUCTION MATERIALS/WASTES PROPERLY TO PREVENT CONTACT WITH STORMWATER.	
3. DO NOT CLEAN, FUEL, OR MAINTAIN VEHICLES ON-SITE, EXCEPT IN A DESIGNATED AREA WHERE WASH WATER IS CONTAINED AND TREATED.	
4. TRAIN AND PROVIDE INSTRUCTION TO ALL EMPLOYEES/SUBCONTRACTORS RE: CONSTRUCTION BMPs.	

LEGEND	
PROPERTY LINE	---
CENTER LINE	---
SECTION LINE	---
EDGE OF PAVEMENT	---
CLUBS AND GUTTER	---
DRAINAGE FLOW DIRECTION	---
FENCE (TYPE)	---
SPLASH BLOCK/ ENERGY DISSIPATOR	---
STORM DRAIN LINE	---
SANITARY MANHOLE	---
STORM MANHOLE	---
STANDARD HOODED INLET	---
LARGE HOODED INLET	---
FLAT GRATE INLET	---
GAS LINE	---
WATER LINE	---
GRADE ELEVATION	---
TREE	---
TREE PROTECTION FENCING	---
EXISTING GAS LINE TO BE REMOVED	---
NEW GAS LINE	---
NEW WATER LINE	---
NEW ELECTRIC LINE	---
JOINT TRENCH	---
NEW SANITARY SEWER LINE	---

VICINITY MAP	
PROJECT SITE	

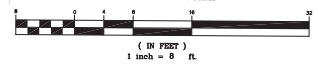
APPROVED GRADING AND DRAINAGE PLAN	
DATE :	1-2-18
SCALE :	1/8" = 1'-0"
DRAWN BY :	D.Z.
CHECKED BY :	TS
ARCHITECT :	TOM SLOAN
PROJECT NO. :	16624
SHEET NUMBER	<b>C-1</b>



**LEGEND**

- PROPERTY LINE
- WOOD FENCE
- BUILDING
- CONCRETE
- ASPHALT
- SPOT ELEVATION
- TREE TRUNK, DIAMETER EXPRESSED IN INCHES
- TREE DRUPLINE

**GRAPHIC SCALE**



**LEGAL DESCRIPTION**

LOT 5 AS SHOWN ON TRACT NO. 527, RECORDED IN BOOK 22 OF OFFICIAL MAPS PAGE 70, SAN MATEO COUNTY RECORDS.

**SURVEYOR'S NARRATIVE**

AT THE REQUEST OF THE CLIENT, THIS SURVEY WAS PERFORMED FOR THE PURPOSE OF DETERMINING THE PROPERTY BOUNDARY, AND THE LOCATION OF IMPROVEMENTS AND ELEVATIONS ON THE SUBJECT PROPERTY. EXISTING MONUMENTS AND TIES AS SHOWN ON TRACT NO. 527 WERE USED TO CONTROL THIS SURVEY.

**SURVEYOR'S NOTES**

1. ELEVATIONS ARE ON ASSUMED DATUM. ASSUMED BENCHMARK IS LOCATED PERMANENTLY.
2. ONLY TREES 6" AND ABOVE WERE LOCATED ON THIS SURVEY. SMALLER TREES AND SHRUBS ARE NOT SHOWN.
3. DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF.

**SURVEYOR'S CERTIFICATE**

I, KACIE A. PLOUFF, CERTIFY THAT I AM LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF CALIFORNIA (REF. NO. 9013). I FURTHER CERTIFY THAT THIS PLAN REPRESENTS THE RESULTS OF A TOPOGRAPHIC SURVEY CONDUCTED UNDER MY SUPERVISION AT THE REQUEST OF BRIAN NGUYEN.



KACIE A. PLOUFF, PLS 9013

**CHRISTENSEN & PLOUFF**  
LAND SURVEYING  
4750 SANDHURST AVENUE, SUITE 100  
SAN MATEO, CA 94403  
415.375.9258 • www.christensenplouff.com

DATE: 08/17/2023  
DRAWING SCALE: 1" = 8'  
PREPARED BY: KACIE PLOUFF  
APPROVED BY:  
FILE NAME: 445 OAK COURT BOUNDARY AND SITE PLAN

445 OAK COURT, MENLO PARK  
COUNTY OF SAN MATEO  
STATE OF CALIFORNIA  
APN: 063-452-008

PROJECT  
**BOUNDARY & TOPOGRAPHIC SITE PLAN**

PROJECT NO.  
NCA-16-025

SHEET NO.  
1 OF 1

March 12, 2019

**City of Menlo Park**  
Planning Division  
701 Laurel Street  
Menlo Park, CA 94025

Brian Nguyen  
445 Oak Court  
Menlo Park, CA 94025

**Re: Application for Revision to Use Permit (PLN2016-00075) - Front Elevation**

Dear City of Menlo Park Planning Division --

This letter has been prepared for the City of Menlo Park's Planning Division to apply for a revision to Use Permit # PLN2016-00075, granted on July 18, 2017, regarding a modification to the front elevation and main entryway.

This project also belongs to Building Permit # BLD2018-00184.

In particular, the applied revision shall affect:

1. **Front Awning:** Per the approved plan, the front porch provides remarkably inadequate coverage from any rain, which is experienced and underscored this current rainy season. The discovery was made upon completion of the rough frame and shear wall, where all persons accessing the front entryway are completely drenched, shielded by zero coverage. By adding a front awning, this issue will be resolved fully and immediately.
2. **Door Shape:** By adding a flat roof over the front door to provide the needed coverage, the Applicant believes that keeping an arched door shape will result in opposing styles and geometry, negatively impacting the aesthetic quality of the home.
3. **Architectural Style:** The goal of achieving Spanish Style Architecture for this home has remained consistent from the onset of conceptual planning through this applied revision, and will not change. The Applicant strongly believes that adding a front awning and changing the door shape, while continuing to provide a low-pitched mission-tiled roof; white-washed stucco plaster with a smooth, hard-troweled finish; wide, stained wood decorative rafter tails; and wrought iron railings, will absolutely achieve the intended and approved style without compromise.

Should you have any questions or concerns, please don't hesitate to contact the Applicant.

Sincerely,



Brian Nguyen  
Applicant - Owner  
445 Oak Court  
Menlo Park, CA 94025  
M: 650.269.6300 | E: briant.nguyen@gmail.com



## STAFF REPORT

### Planning Commission

**Meeting Date:** 5/20/2019  
**Staff Report Number:** 19-038-PC

**Public Hearing:** Use Permit/Anuj Suri/631 College Avenue

### Recommendation

Staff recommends that the Planning Commission approve a use permit to demolish an existing one-story single family residence with a detached garage and construct a new two-story single family residence with a basement and attached garage on a substandard lot with regard to lot width in the R-1-U (Single Family Urban Residential) zoning district, at 631 College Avenue. As part of the project, the applicant proposes to remove one heritage flowering magnolia tree. The recommended actions are included as Attachment A.

### Policy Issues

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

### Background

#### *Site location*

The subject property is located at 631 College Avenue, which is located in the Allied Arts neighborhood. Using College Avenue in the north-south orientation, the subject property is located on the eastern side of College Avenue, between University Drive and El Camino Real. A location map is included as Attachment B.

Houses along College Avenue include both one- and two-story residences. While most residences in the neighborhood are generally two stories in height, some one-story residences exist as a result of older development. There are also some three-story condominiums located near Alto Lane and El Camino Real, on both sides of College Avenue. The existing residences in the area mainly reflect a ranch or craftsman architectural style, although some contemporary-style residences also exist. The neighborhood features a mixture of mostly multifamily residences closer to El Camino Real, zoned within the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district, and mostly single-family residences in the R-1-U (Single Family Urban Residential) zoning district within much of the remainder of the neighborhood. The parcels near College Avenue that are zoned SP-ECR/D are located within the El Camino Real South-West (ECR SW) sub-district and the El Camino Real Mixed Use (ECRMU) land use designation.



## Analysis

### *Project description*

The applicant is proposing to demolish the existing one-story, single-family residence with a detached one-car garage and construct a new two-story, single-family residence with an attached two-car garage and basement. The subject property is substandard with respect to lot width, containing 50 feet where 65 feet is required. The proposed development would include six bedrooms and six bathrooms, along with a basement floor.

Of particular note with regard to Zoning Ordinance requirements:

- The second floor would be limited in size, with its floor area representing approximately 38.1 percent of the maximum FAL, where 50 percent may be permitted on this property.
- The proposed basement areas would be entirely located within the building footprint and therefore are not included in the floor area limit (FAL) calculation.
- The proposed residence would be developed at the maximum FAL of 3,039 square feet, with 3,038.8 square feet proposed.
- The proposed residence would be 27 feet, five inches in height, where 28 feet is the maximum permitted.
- Due to the presence of a heritage street camphor tree (Tree 1), the driveway apron and driveway have been designed to be no closer than nine feet from the edge of the trunk, resulting in a driveway that narrows to 13 feet, nine inches within the right-of-way, but expands to 17 feet on the site, beyond the sidewalk.

The proposed project conforms to the development standards of the R-1-S zoning district. A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

### *Design and materials*

The applicant states that the proposed new residence would be designed as a modern style home with some traditional gables, among other features. A variety of gable and hip forms feature prominently in the overall appearance of the proposed residence, particularly in the front of the residence. Roofing for the proposed residence would consist of painted standing seam metal, along with metal gutters and downspouts. Stucco would be the primary exterior material, with stained wood siding and painted wood fascia and trim for accents. Required railing for the front and rear lightwells would consist of painted metal, which would complement the proposed materials for the remainder of the residence. In addition, the front entry would be recessed further inward than the garage, which would be positioned closer to the front of the property, but the front porch would overhang closer to the front property line than the garage. Both the garage door and front entry would be constructed of custom painted wood. Overall, due to the matching materials and closer location of the front porch to the front property line, staff believes the front entry would appear more prominent than the front-facing two-car garage. As such, the design of the garage, along with its location, is appropriately positioned for this project.

The second floor would be located in the center, which would be stepped back from the attached garage to minimize the perception of massing. The second floor would be located approximately 27 feet, six

inches from the front property line. All windows on the front and rear of the second floor would have a sill height of at least three feet. The side elevations would have sill heights of a minimum of five feet or use frosted glass in the sections of the windows below five feet in height, with the exception of the window in the stairwell on the right-side elevation. That window appears to be much lower in height because it is located along a stairwell; however, the window would be four feet, nine inches above the finished floor of the stairwell landing. Windows for the proposed residence would be framed with clad wood.

Staff believes that the scale, materials, and design of the proposed residence would be consistent with the variety of architectural styles in the neighborhood, and that the proposed materials and comprehensive overall design would result in a consistent aesthetic approach.

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

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

Based on the arborist report, there are two heritage trees located within the subject property, which include one flowering magnolia (Tree 2) and one persimmon tree (Tree 6). There is also one heritage street tree adjacent to and in front of the subject property, which is a camphor tree (Tree 1). In addition, the arborist report identified two additional heritage-sized trees off site—a coast redwood tree located in the rear of the property neighboring the subject property to the rear (628 Partridge Avenue) and a spruce tree located in the rear of the property neighboring the subject property to the left (611 College Avenue). Both trees are located outside of the construction work zone and therefore need no additional protection for the proposed project.

There are seven non-heritage trees located within the subject property, which include two orange trees (Trees 3 and 10), one olive (Tree 4), one kumquat (Tree 5), one apple (Tree 7), one holly oak (Tree 8), and one coast live oak tree (Tree 9). Four non-heritage trees (Trees 3, 4, 5, and 7) are proposed to be removed.

To protect the heritage and non-heritage trees on site, the arborist report has identified tree protection fencing as a suitable protection measure for the trees located in the rear of the subject property. For Tree 1, located in the front of the subject property, the arborist report identifies using chip mulch in the front yard, plywood laid above the chip mulch to protect the tree roots, and snow fencing wrapped around the tree, containing two-inch-by-four-inch boards. No removal of limbs or branches is authorized for Tree 1, and all excavation is required to be no closer than nine feet from the edge of the trunk. As such, the proposed driveway apron and approach are narrower in width near the street.

The proposed project also includes a request to remove one of the onsite heritage trees, a flowering magnolia (Tree 2), due to its location relative to the proposed excavation for the new development, specifically the proposed driveway. The City Arborist has reviewed this proposed tree removal and tentatively approved the removal of Tree 2 based on the following findings in the City's Heritage Tree

Ordinance:

- (2) The necessity to remove the tree or trees in order to construct proposed improvements to the property; and
- (4) The long-term value of the species under consideration, particularly lifespan and growth rate.

A replacement 24-inch box coast live oak tree is proposed to be planted in the rear of the property to replace the removal of Tree 2. All recommended tree protection measures identified in the arborist report shall be implemented and ensured as part of condition 3g.

### **Correspondence**

Staff has received one email (Attachment G) from the neighbor located at 611 College Avenue expressing concerns with the formerly proposed removal of the heritage street camphor tree (Tree 1). This email also listed neighbors located at 628, 651, 640, 641, 648, and 657 College Avenue, who were also expressing their concerns. Following consultation with the City Arborist, the applicant is proposing to implement tree protection measures to preserve Tree 1. Additionally, the applicant indicates in their project description letter that the property owner spoke with several neighbors located along College Avenue, and the applicant states that these neighbors generally expressed support for the proposed project.

### **Conclusion**

Staff believes the scale, materials, and style of the proposed residence would be compatible with the neighborhood, and that the proposed overall design would result in a consistent aesthetic approach. The modern style with traditional elements of the proposed residence would be generally attractive and well-proportioned, and the centering and setting back of the second floor would help minimize massing and limit privacy impacts. Tree protection measures would minimize impacts to the two heritage trees near or within the subject property that are proposed to remain, as confirmed by the City Arborist. With respect to Tree 1, additional measures would be incorporated to protect and preserve the tree, which features prominently on the street frontage. The applicant has conducted outreach and has indicated they received support from some of the adjacent neighbors. Staff recommends that the Planning Commission approve the proposed project.

### **Impact on City Resources**

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

### **Environmental Review**

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

### **Public Notice**

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72

hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

### **Appeal Period**

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

### **Attachments**

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

### **Disclaimer**

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

### **Exhibits to Be Provided at Meeting**

None

Report prepared by:  
Matt Pruter, Associate Planner

Report reviewed by:  
Kyle Perata, Principal Planner

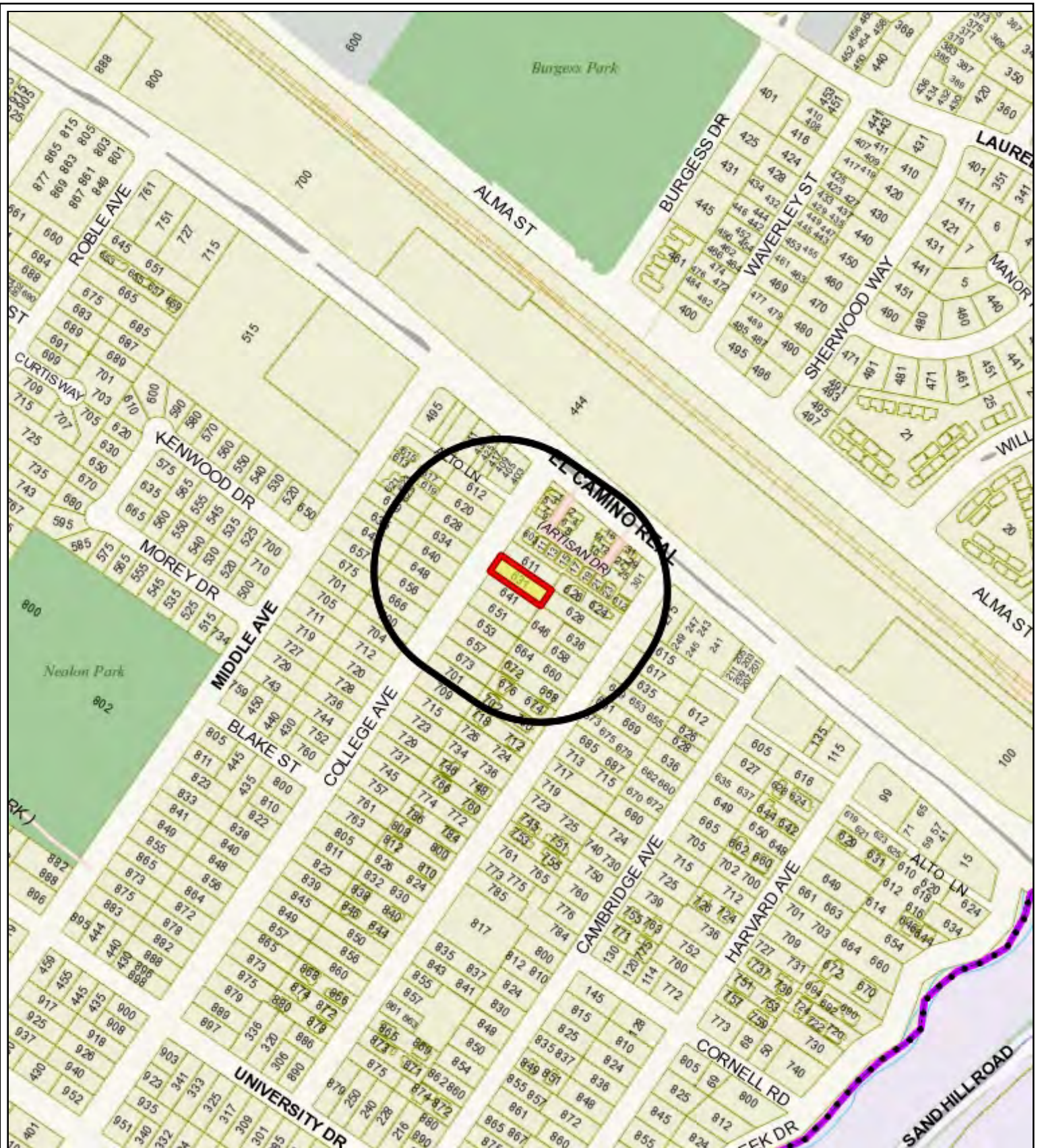
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## 631 College Avenue – Attachment A: Recommended Actions

<b>LOCATION:</b> 631 College Avenue	<b>PROJECT NUMBER:</b> PLN2019-00006	<b>APPLICANT:</b> Beausoleil Architects	<b>OWNER:</b> Anuj Suri
<b>PROPOSAL:</b> Request for a use permit to demolish an existing one-story single family residence with a detached garage and construct a new two-story single family residence with a basement and attached garage on a substandard lot with regard to lot width in the R-1-U (Single Family Urban Residential) zoning district. As part of the project, the applicant proposes to remove one heritage sized flowering magnolia tree.			
<b>DECISION ENTITY:</b> Planning Commission	<b>DATE:</b> May 20, 2019	<b>ACTION:</b> TBD	
<b>VOTE:</b> TBD (Barnes, DeCardy, Doran, Kennedy, Riggs, Strehl, Tate)			
<b>ACTION:</b>			
<ol style="list-style-type: none"> <li>1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, “New Construction or Conversion of Small Structures”) of the current California Environmental Quality Act (CEQA) Guidelines.</li> <li>2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.</li> <li>3. Approve the use permit subject to the following <b>standard</b> conditions: <ol style="list-style-type: none"> <li>a. Development of the project shall be substantially in conformance with the plans prepared by Beausoleil Architects, consisting of 21 plan sheets, dated received May 8, 2019, and approved by the Planning Commission on May 20, 2019, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.</li> <li>b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies’ regulations that are directly applicable to the project.</li> <li>c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.</li> <li>d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.</li> <li>e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.</li> <li>f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.</li> </ol> </li> </ol>			

631 College Avenue – Attachment A: Recommended Actions

<b>LOCATION:</b> 631 College Avenue	<b>PROJECT NUMBER:</b> PLN2019-00006	<b>APPLICANT:</b> Beausoleil Architects	<b>OWNER:</b> Anuj Suri
<b>PROPOSAL:</b> Request for a use permit to demolish an existing one-story single family residence with a detached garage and construct a new two-story single family residence with a basement and attached garage on a substandard lot with regard to lot width in the R-1-U (Single Family Urban Residential) zoning district. As part of the project, the applicant proposes to remove one heritage sized flowering magnolia tree.			
<b>DECISION ENTITY:</b> Planning Commission	<b>DATE:</b> May 20, 2019	<b>ACTION:</b> TBD	
<b>VOTE:</b> TBD (Barnes, DeCardy, Doran, Kennedy, Riggs, Strehl, Tate)			
<b>ACTION:</b> <ul style="list-style-type: none"> <li>g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by John J. Leone, dated received April 30, 2019.</li> </ul>			



City of Menlo Park  
 Location Map  
 631 College Avenue



Scale: 1:4,000

Drawn By: MAP

Checked By: KTP

Date: 5/20/2019

Sheet: 1



631 College Avenue – Attachment C: Data Table

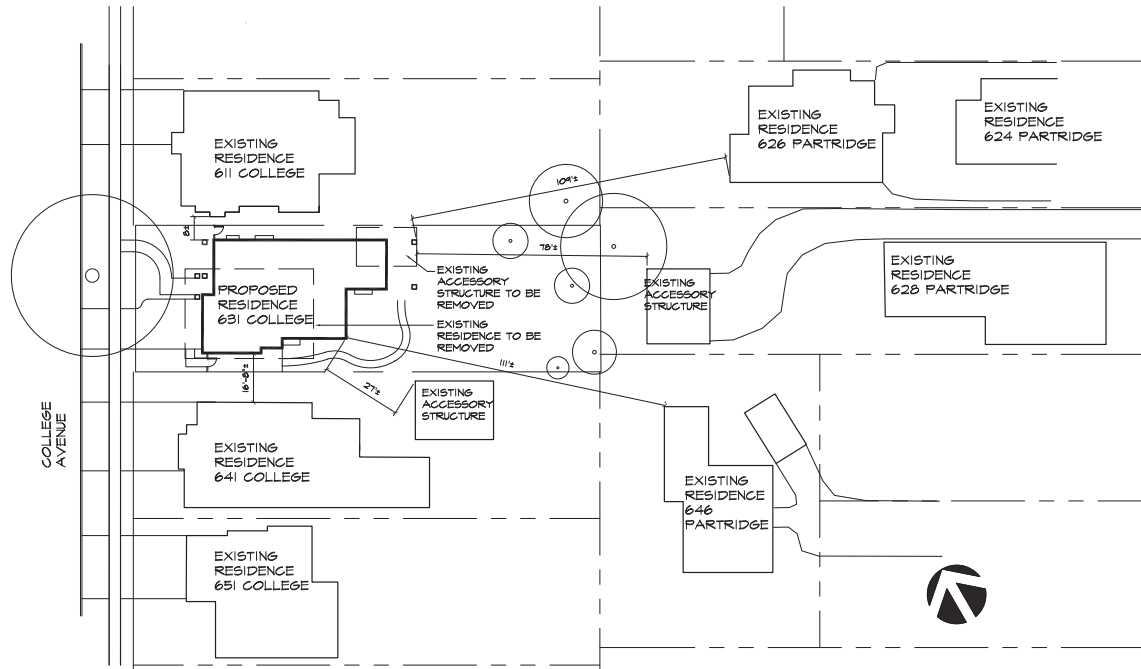
	<b>PROPOSED PROJECT</b>	<b>EXISTING PROJECT</b>	<b>ZONING ORDINANCE</b>
Lot area	7,956.0 sf	7,956.0 sf	7,000 sf min.
Lot width	50.0 ft.	50.0 ft.	65 ft. min.
Lot depth	159.1 ft.	159.1 ft.	100 ft. min.
Setbacks			
Front	20.3 ft.	22.9 ft.	20 ft. min.
Rear	60.8 ft.	96.1 ft.	20 ft. min.
Side (left)^	5.0 ft.	18.0 ft.	5 ft. min.
Side (right)^	5.5 ft.	5.8 ft.	5 ft. min.
Building coverage	2,241.4 sf	1,325.5 sf	2,784.6 sf max.
	28.1 %	16.7 %	35 % max.
FAL (Floor Area Limit)	3,038.8 sf	1,325.5 sf	3,039 sf max.
Square footage by floor	1,866.3 sf/basement	1,011.4 sf/1st	
	1,446.4 sf/1st	314.1 sf/garage	
	1,158.4 sf/2nd		
	434.0 sf/garage		
	361.0 sf/porches		
Square footage of buildings	5,266.1 sf	1,325.5 sf	
Building height	27.4 ft.	17.0 ft.	28 ft. max.
Parking	2 covered	1 covered	1 covered/1 uncovered
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			

Trees	Heritage trees*	3	Non-Heritage trees**	7	New Trees	1
	Heritage trees proposed for removal	1	Non-Heritage trees proposed for removal	4	Total Number of Trees	6

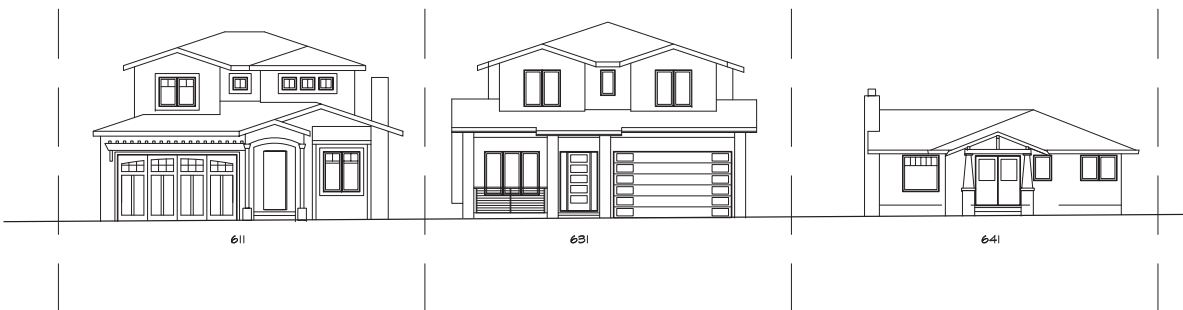
\* Of these three heritage trees, two are located within the subject property and one is located in front of the property, in the public right-of-way.

\*\*All seven of these non-heritage trees are located within the subject property.





1 Area Plan  
 1" = 20'  
 1817-Plan



2 Streetscape Elevation  
 1/8" = 1'-0"  
 1817-Plan



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 www.beausoleil-architects.com

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DRAFT SUBMITTAL	1.24.16
C.U.P. SUBMITTAL	1.28.16
C.U.P. RE-SUBMITTAL	4.8.16
C.U.P. RE-SUBMITTAL	4.29.16

Suri Residence  
 New single family home  
 631 College Avenue  
 Menlo Park, CA

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Sheet Title  
 AREA PLAN,  
 STREETScape  
 ELEVATION  
 Scale AS NOTED  
 Project No. 1817  
 Drawn By CB/RB

A1.1



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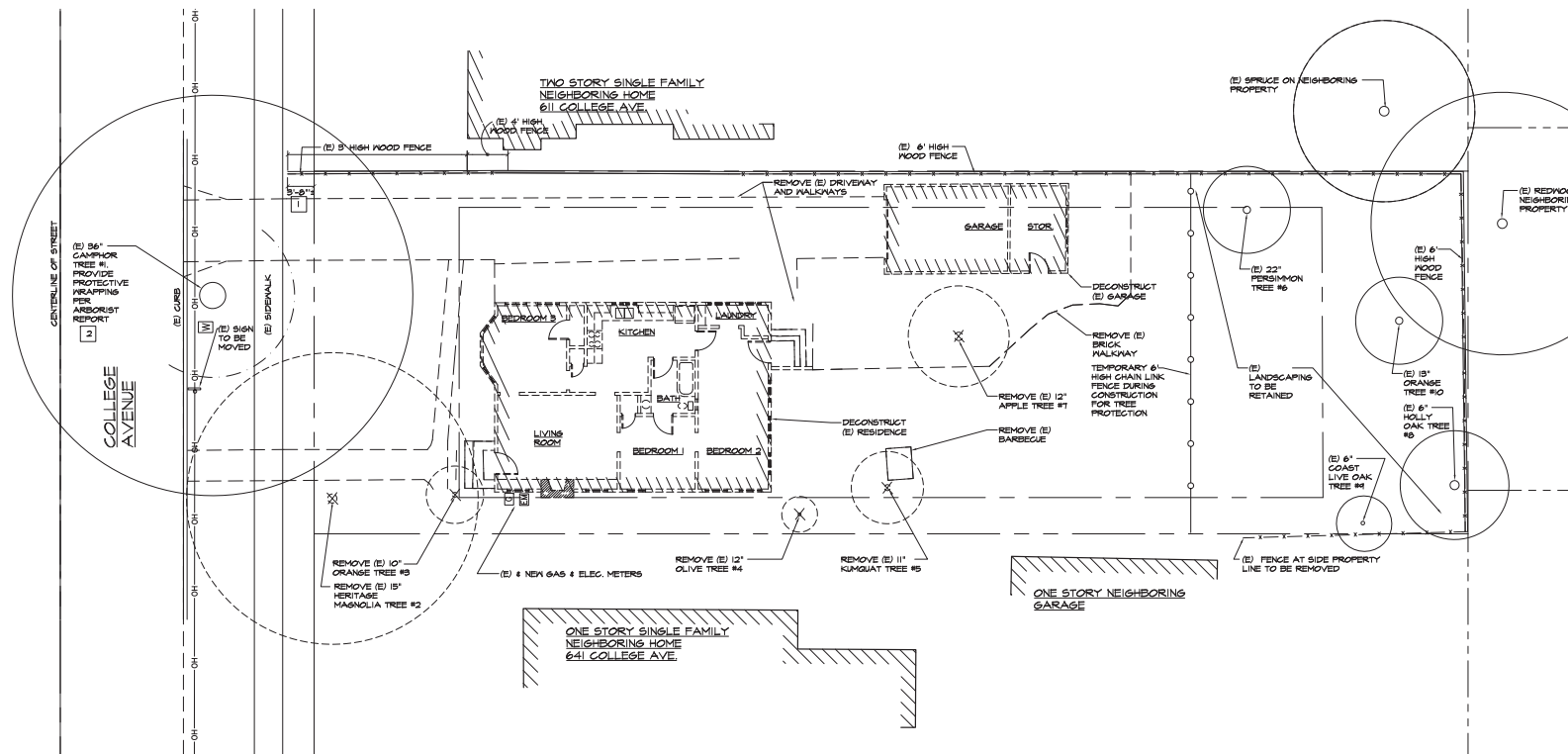
OWNER REVIEW	12.28.18
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DRAFT SUBMITTAL	1.24.19
C.U.P. SUBMITTAL	1.28.19
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Sheet Title  
SITE DEMOLITION  
PLAN  
Scale 1/8"=1'-0"  
Project No. 1817  
Drawn By CB/RB

A1.2



- KEYNOTE
- 1 PORTION OF EXISTING FENCE WITHIN PUBLIC RIGHT-OF-WAY. OWNER SHALL REMOVE SECTION OF FENCE OR OBTAIN AN ENCROACHMENT PERMIT FROM THE CITY OF MENLO PARK.
  - 2 PROVIDE BARK AND PLYWOOD TREE ROOT PROTECTION FOR TREE #1 PER ARBORIST REPORT AND BY APPROVAL OF CITY ARBORIST DURING CONSTRUCTION.

1 Site Demolition Plan

1/8" = 1'-0"

1817-Plan



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Sheet Title  
SITE PLAN

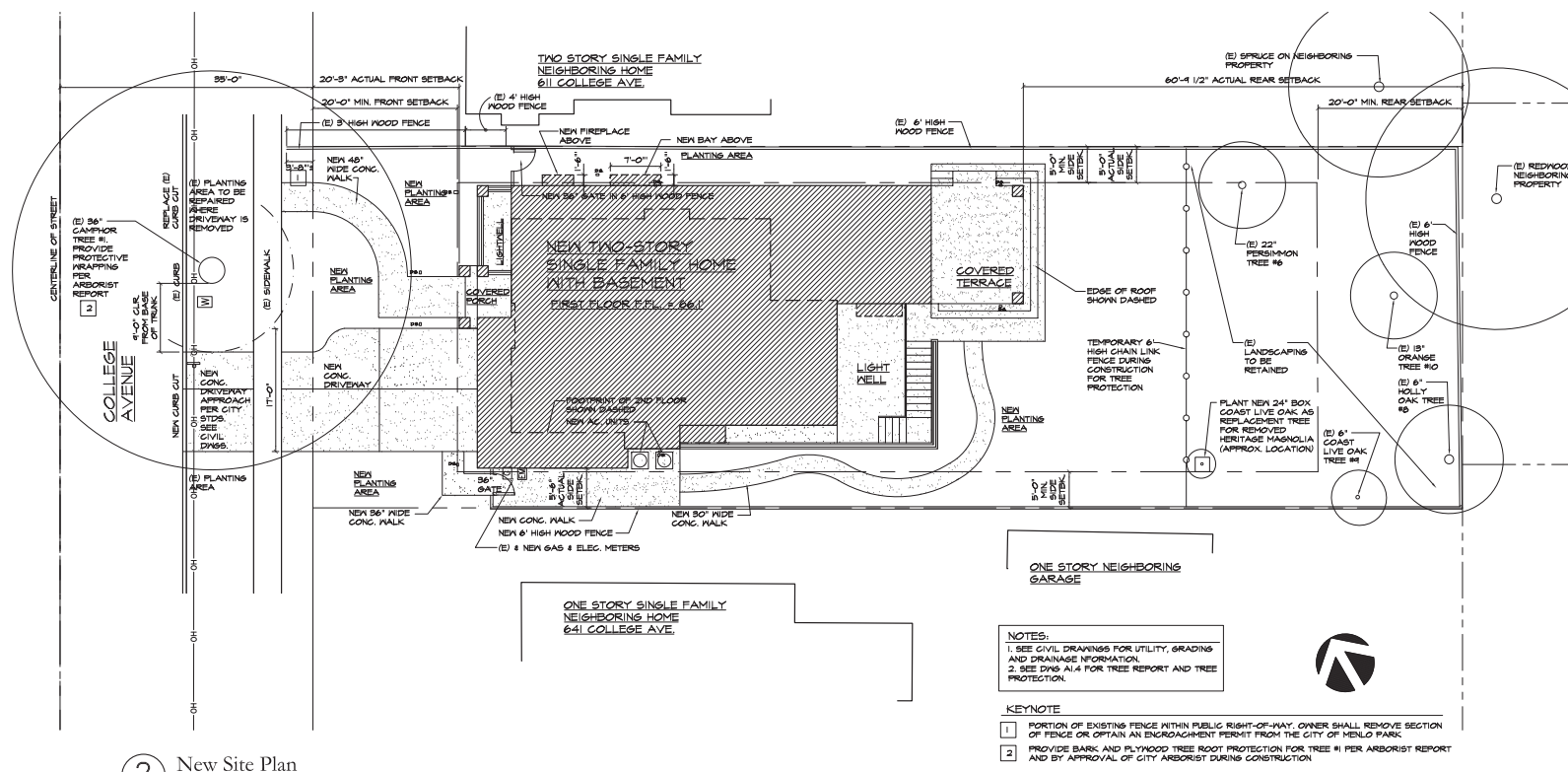
Scale 1/8"=1'-0"  
Project No. 1817  
Drawn By CB/RB

A1.3

### SITE ANALYSIS

ZONING:	RI-U
LOT AREA:	7456 S.F.
MAXIMUM ALLOWED FLOOR AREA:	8094 (2800+25% Lot area -1000)
PROPOSED FLOOR AREA:	FIRST FLOOR: 1880.4 SECOND FLOOR: 1158.4 TOTAL: 3038.8
LAND COVERED BY STRUCTURES:	2241.4 (28.2%)
LANDSCAPING:	4849.9 (64.7%)
PAVED SURFACES:	366 S.F. (1.2%)
PARKING SPACES:	2 COVERED, (2 IN DRIVEWAY)

SEE CIVIL DRAWINGS FOR GRADING INFORMATION



NOTES:  
1. SEE CIVIL DRAWINGS FOR UTILITY, GRADING AND DRAINAGE INFORMATION.  
2. SEE DNS A/A FOR TREE REPORT AND TREE PROTECTION.

KEYNOTE  
1 PORTION OF EXISTING FENCE WITHIN PUBLIC RIGHT-OF-WAY. OWNER SHALL REMOVE SECTION OF FENCE OR OBTAIN AN ENCOURAGEMENT PERMIT FROM THE CITY OF MENLO PARK.  
2 PROVIDE BARK AND PLYWOOD TREE ROOT PROTECTION FOR TREE #1 PER ARBORIST REPORT AND BY APPROVAL OF CITY ARBORIST DURING CONSTRUCTION.

2 New Site Plan

1/8" = 1'-0"

1817-Plan



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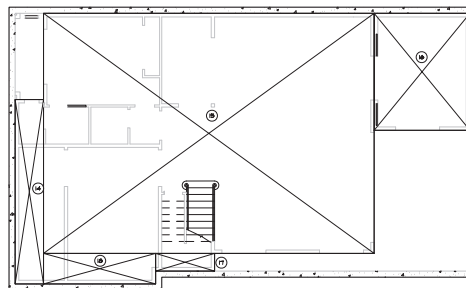
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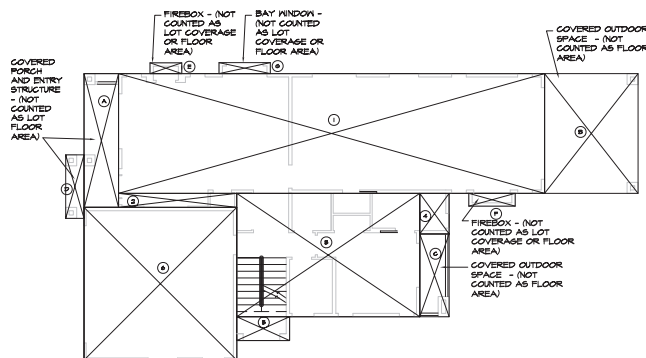
Sheet Title  
AREA CALCS

Scale AS NOTED  
Project No. 1817  
Drawn By CB/RB

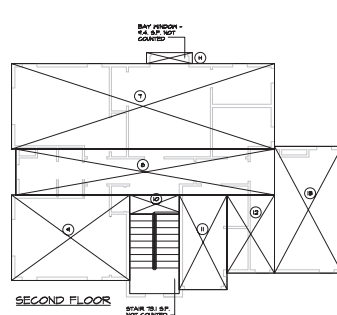
A1.4



BASEMENT



1ST FLOOR



1 Area Calculations

1/16" = 1'-0"

1817-Plan

FLOOR AREA CALCULATIONS

NOTES: NONE OF THE ATTIC SPACE MEETS THE DEFINITION OF "HABITABLE SPACE" PER IBC (NEEDS EGRESS FROM ROOMS) - TOTALS REPRESENT COMPUTER AIDED AREA CALCULATIONS

FIRST FLOOR			SECOND FLOOR			BASEMENT		
SECTION	DIMENSIONS	SQ.FT.	SECTION	DIMENSIONS	SQ.FT.	SECTION	DIMENSIONS	SQ.FT.
1	38'-1" X 16'-4"	644.4	7	35'-10" X 11'-8"	418.9	14	9'-10" X 25'-1" X 75"	47.5
2	16'-1" X 11'-11"	301.8	8	35'-4" X 16'-3"	231.1	15	45'-1" X 25'-3" X 41"	1471.2
3	24'-11" X 16'-10"	420.5	4	6'-1" X 11'-5"	188.1	16	13'-0" X 15'-11" X 15"	208.5
4	4'-0" X 5'-6" X 5'	22.2	10	6'-4" X 7'-5"	17.7	17	8'-0" X 12'-5"	14.4
5	7'-2" X 3'-3"	23.4	11	6'-6" X 12'-11"	84.2	18	15'-8" X 14'-2"	68.7
6 GAR.	20'-10" X 20'-10"	454.0	12	6'-5" X 10'-8"	64.1			
			13	4'-2" X 11'-8" X 5"	194.6			
FIRST FLOOR TOTAL AREA 1880.4			SECOND FLOOR SUBTOTAL 1158.4			BASEMENT SUBTOTAL 1066.9		
TOTAL COUNTABLE FLOOR AREA FIRST AND SECOND FLOOR = 1880.4 + 1158.4 =						3038.8 S.F.		
TOTAL SQUARE FOOTAGE OF ALL LEVELS = 4905.1 S.F.								

LOT COVERAGE

SECTION	DIMENSIONS	SQ.FT.
A	4'-8" X 18'-8"	85.9
B	12'-4" X 16'-4"	208.3
C	4'-0" X 11'-5"	45.2
D	2'-8" X 8'-8"	21.7
EXTERIOR STRUCTURES 361.0		
FIRST FLOOR AREA 1880.4		
TOTAL LOT COVERAGE 2241.4 S.F.		

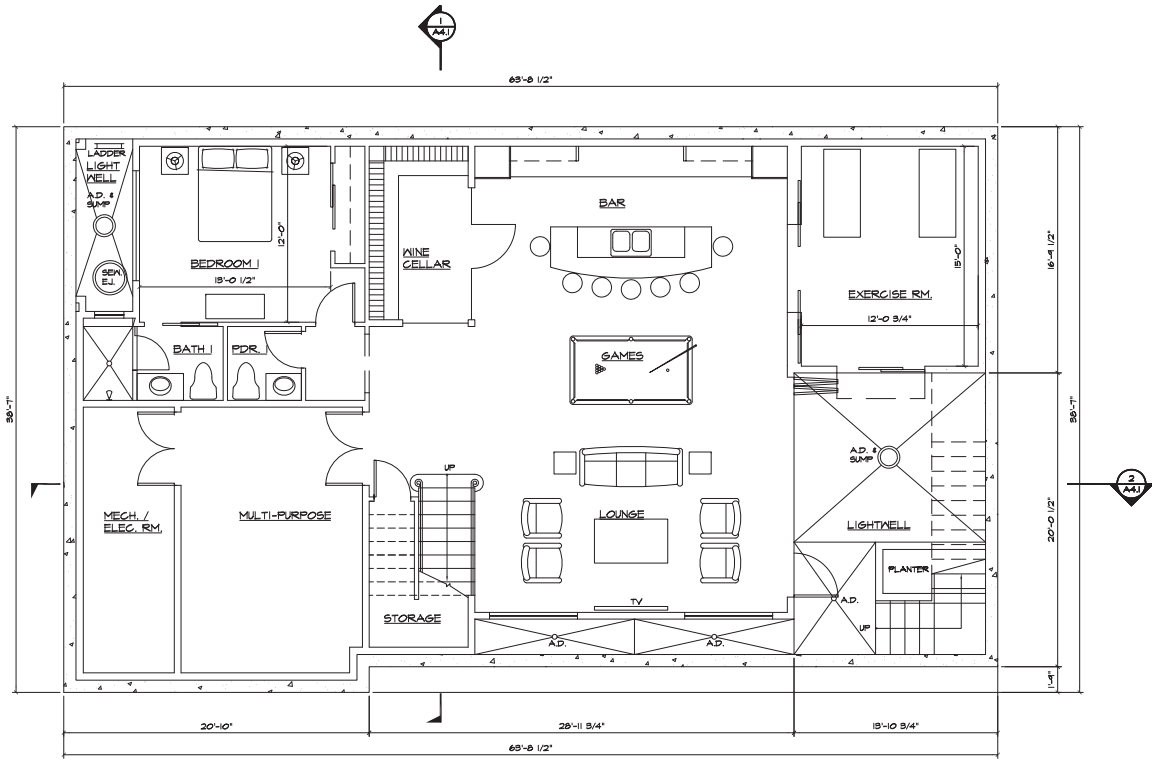
BAYS AND FIREBOXES (NOT COUNTED AS FLOOR AREA OR LOT COVERAGE)

SECTION	DIMENSIONS	SQ.FT.
E	4'-4" X 11'-6"	6.5
F	6'-4" X 10'-4"	11.1
G	7'-0" X 11'-6"	10.5
H	6'-8" X 11'-6"	4.4
TOTAL 31.5 S.F.		



**LEGEND AND NOTES**

- NEW CONSTRUCTION.  
EXTERIOR WALLS ARE 2X6 STUDS, TYPICAL U.O.N.  
INTERIOR WALLS ARE 2X4 STUDS, TYP. U.O.N.
- - - - ELEMENT ABOVE
- ▭ NEW CONCRETE WALL S.S.D.
- - - - - CABINET ABOVE OR ELEMENT BELOW



1 Basement Plan  
1/4" = 1'-0"

1817-Plan



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Suri Residence  
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Sheet Title  
BASEMENT PLAN

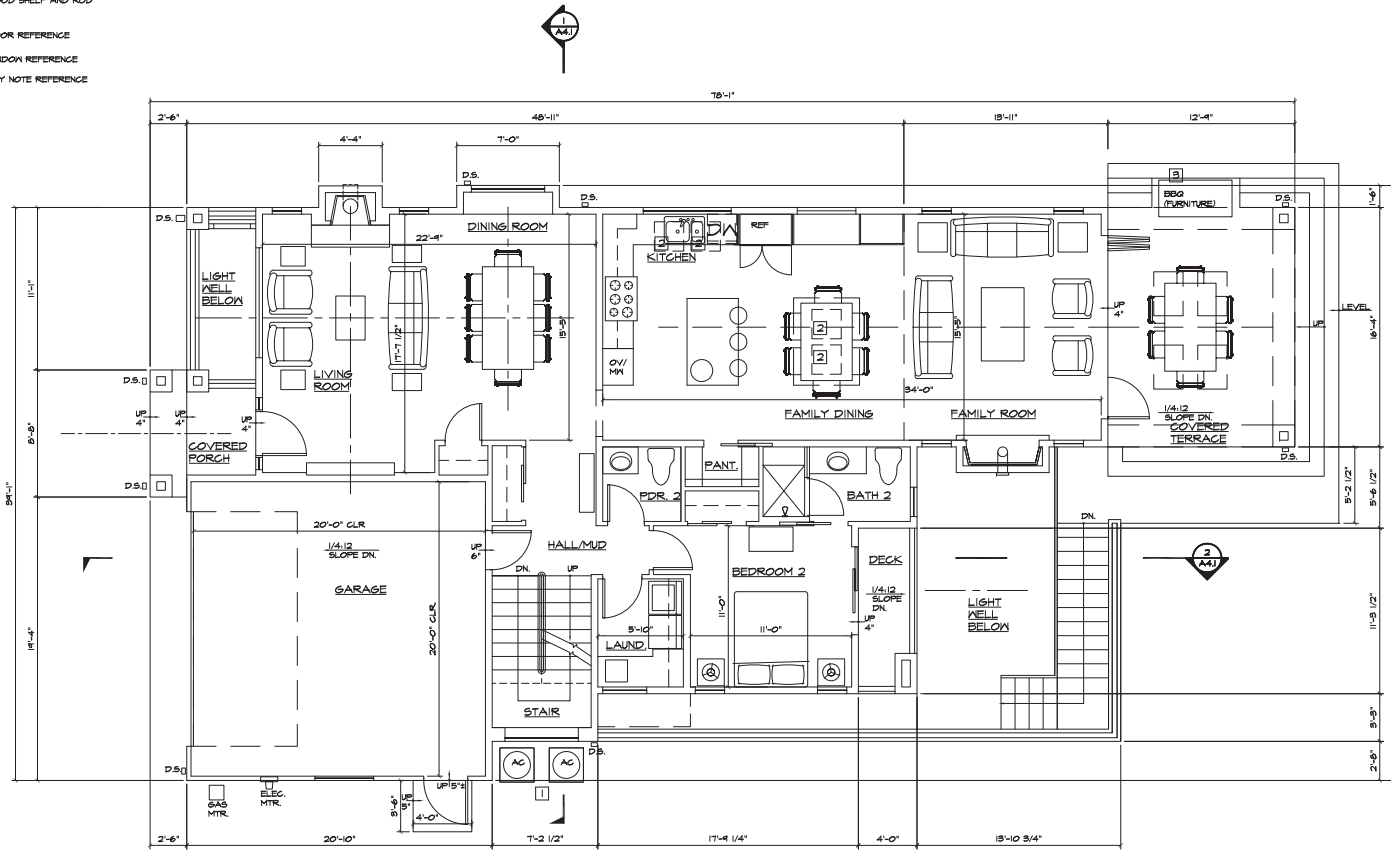
Scale 1/4"=1'-0"  
Project No. 1817  
Drawn By CB/RB

A2.1

**LEGEND AND NOTES**

-  NEW CONSTRUCTION.  
EXTERIOR WALLS ARE 2X6 STUDS, TYPICAL U.O.N.  
INTERIOR WALLS ARE 2X4 STUDS, TYP. U.O.N.
-  ELEMENT ABOVE
-  NEW CONCRETE MALL, S.S.D.
-  CABINET ABOVE OR ELEMENT BELOW
-  WOOD SHELF AND ROD
-  DOOR REFERENCE
-  WINDOW REFERENCE
-  KEY NOTE REFERENCE

-  FOR ANY RESIDENTIAL PROPERTY, SOUND SHALL NOT EXCEED 60 DBA DURING THE DAYTIME HOURS OR 50 DBA DURING THE NIGHTTIME HOURS AT THE NEAREST PROPERTY LINE.
-  SKYLIGHT ABOVE WITH TEMPERED FROSTED GLASS LENS AT CEILING LEVEL.
-  BARBECUE IS LOOSE FURNITURE, NOT BUILT-IN.



**1** First Floor Plan

1/4" = 1'-0"

10/17-Plan



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Sheet Title  
**FIRST FLOOR PLAN**

Scale 1/4"=1'-0"  
Project No. 1817  
Drawn By CB/RB

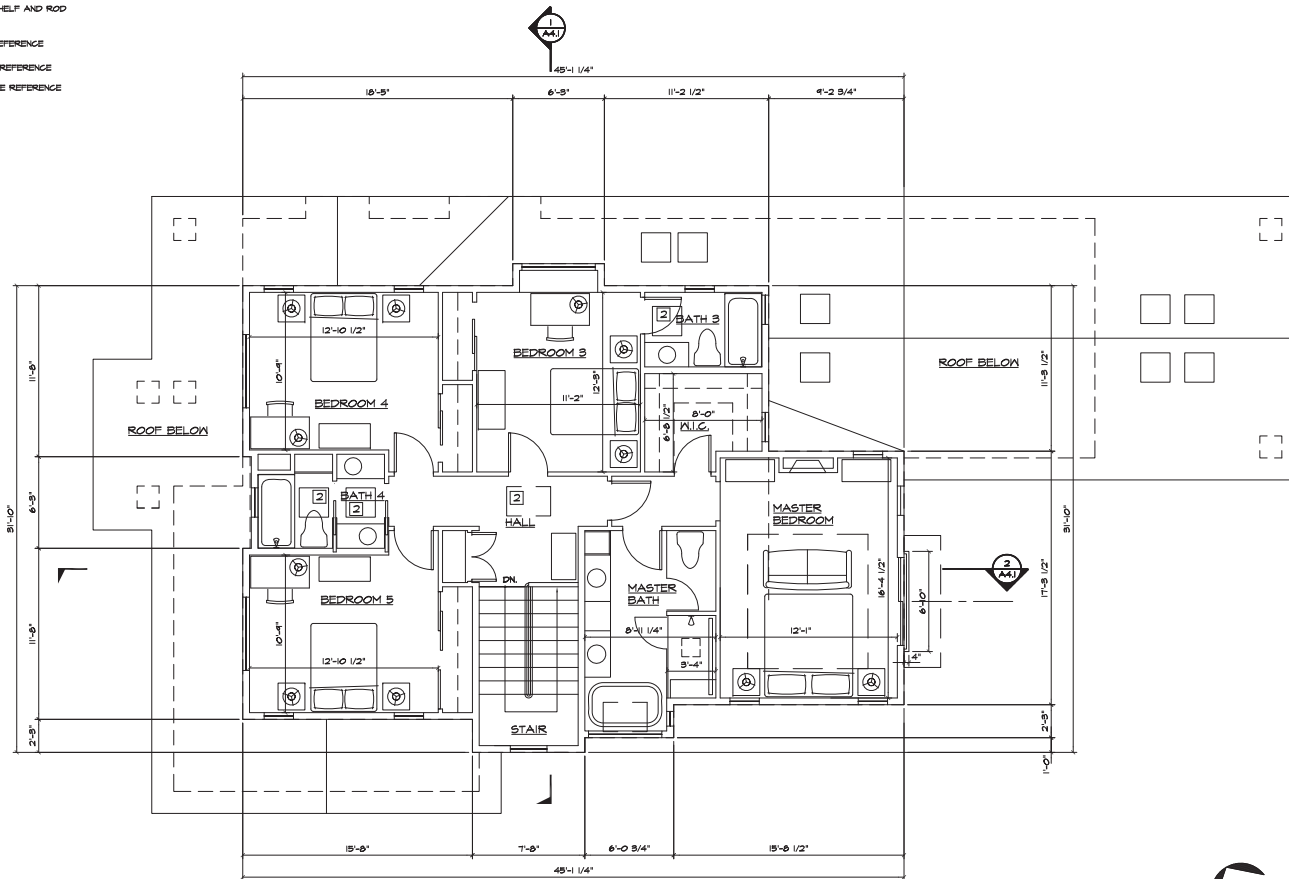
**A2.2**



LEGEND AND NOTES

- NEW CONSTRUCTION.  
EXTERIOR WALLS ARE 2X6 STUDS, TYPICAL, U.O.N.  
INTERIOR WALLS ARE 2X4 STUDS, TYP. U.O.N.
- - - ELEMENT ABOVE
- ▭ NEW CONCRETE WALL S.S.D.
- - - - - CABINET ABOVE OR ELEMENT BELOW
- MOOD SHELF AND ROD
- Ⓝ DOOR REFERENCE
- Ⓜ WINDOW REFERENCE
- Ⓚ KEY NOTE REFERENCE

2 SKYLIGHT ABOVE WITH TEMPERED FROSTED GLASS LENS AT CEILING LEVEL.



1 Second Floor Plan

1/4" = 1'-0"

10/17-Plan



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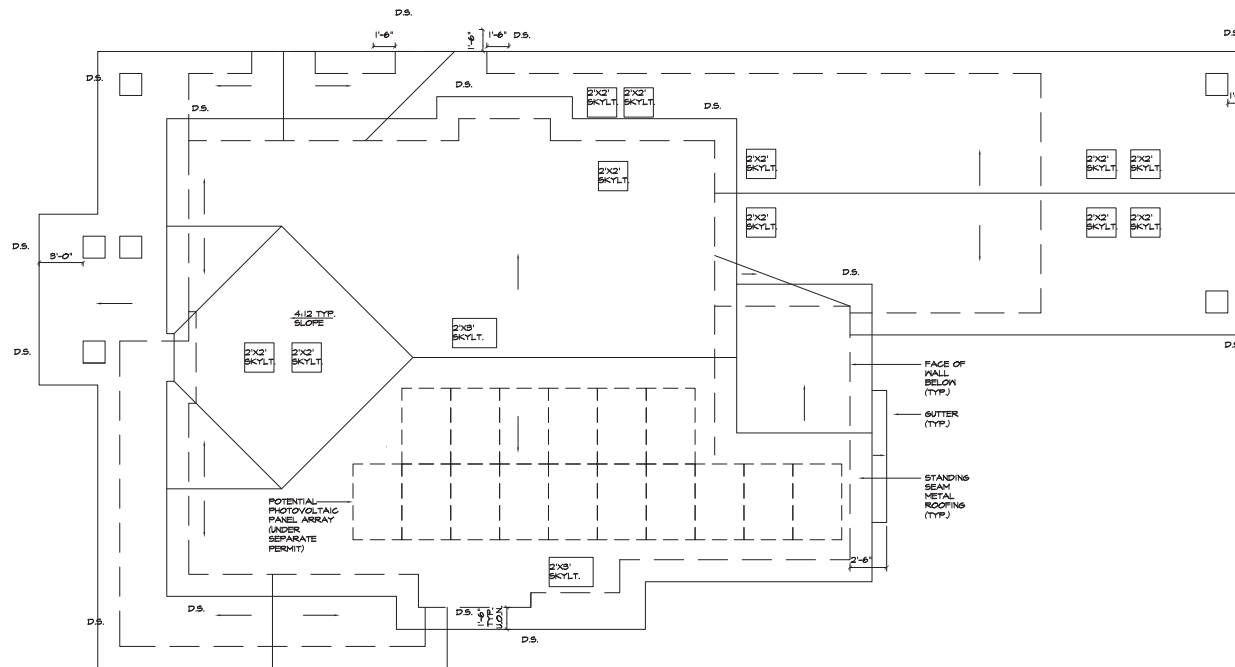
Sheet Title  
SECOND FLOOR PLAN

Scale 1/4"=1'-0"  
Project No. 1817  
Drawn By CB/RB

A2.3

**LEGEND AND NOTES**

- NEW CONSTRUCTION.  
EXTERIOR WALLS ARE 2X6 STUDS, TYPICAL, U.O.N.  
INTERIOR WALLS ARE 2X4 STUDS, TYP., U.O.N.
- - - ELEMENT ABOVE
- ▭ NEW CONCRETE WALL S.S.D.
- - - CABINET ABOVE OR ELEMENT BELOW



1 Roof Plan  
1/8"=1'-0"

1/4" = 1'-0"

1817-Plan



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Sheet Title  
ROOF PLAN

Scale 1/4"=1'-0"  
Project No. 1817  
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A2.4



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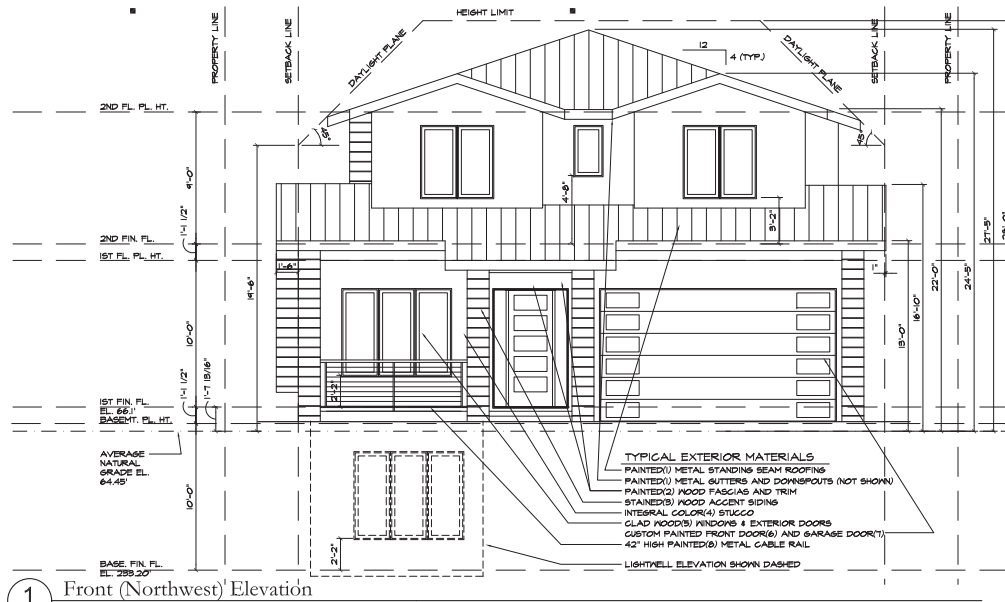
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Sheet Title  
ELEVATIONS

Scale 1/4"=1'-0"  
Project No. 1817  
Drawn By CB/RB

A3.1



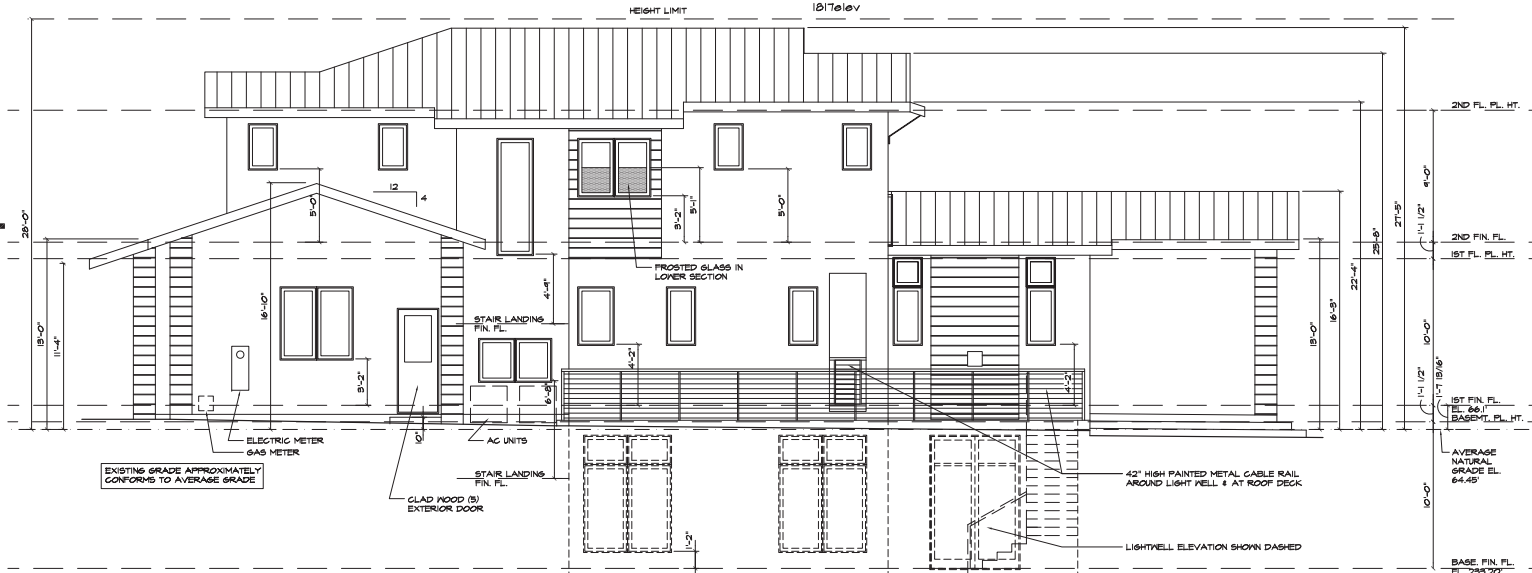
1 Front (Northwest) Elevation

1/4" = 1'-0"

- TYPICAL EXTERIOR COLORS**
- (1) METAL STANDING SEAM ROOFING, GUTTERS, DOWNSPOUTS: MEDIUM COOL GRAY
  - (2) WOOD FASCIAS AND TRIM: MEDIUM WARM GRAY
  - (3) STAINED WOOD ACCENT SIDING: DARK NATURAL WALNUT
  - (4) INTEGRAL COLOR STUCCO: MARKI OFF-WHITE
  - (5) GLAD WOOD WINDOWS & EXTERIOR DOORS: DARK BRONZE
  - (6) FRONT DOOR: RED OR GREEN
  - (7) GARAGE DOOR: LIGHT BRONZE
  - (8) METAL CABLE RAIL: DARK BRONZE FRAME, STAINLESS STEEL CABLES

- TYPICAL EXTERIOR MATERIALS**
- PAINTED(1) METAL STANDING SEAM ROOFING
  - PAINTED(2) METAL GUTTERS AND DOWNSPOUTS (NOT SHOWN)
  - PAINTED(2) WOOD FASCIAS AND TRIM
  - STAINED(3) WOOD ACCENT SIDING
  - INTEGRAL COLOR(4) STUCCO
  - GLAD WOOD(5) WINDOWS & EXTERIOR DOORS
  - CUSTOM PAINTED FRONT DOOR(6) AND GARAGE DOOR(7)
  - 42" HIGH PAINTED(8) METAL CABLE RAIL

18iTelev

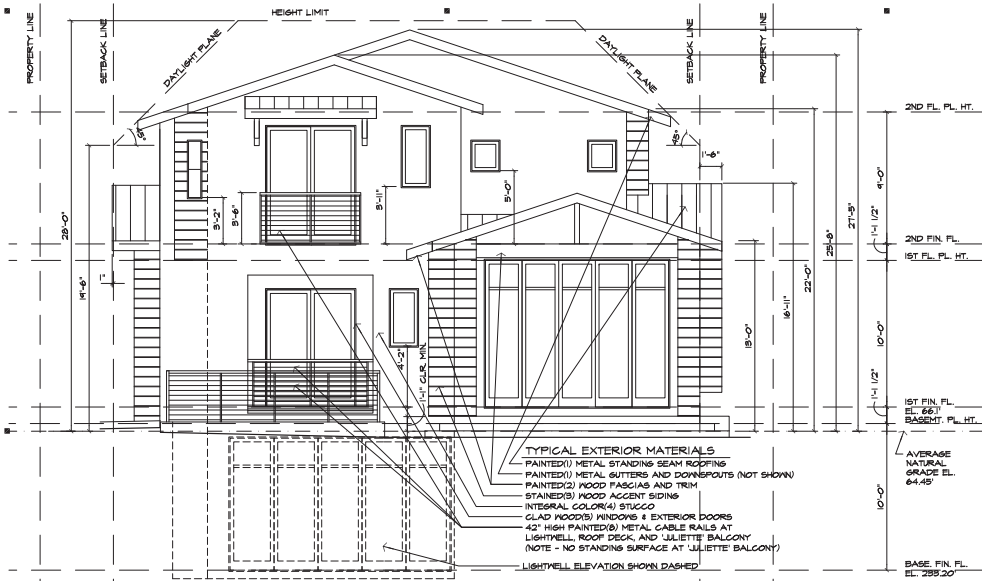


2 Right Side (Southwest) Elevation

1/4" = 1'-0"

2

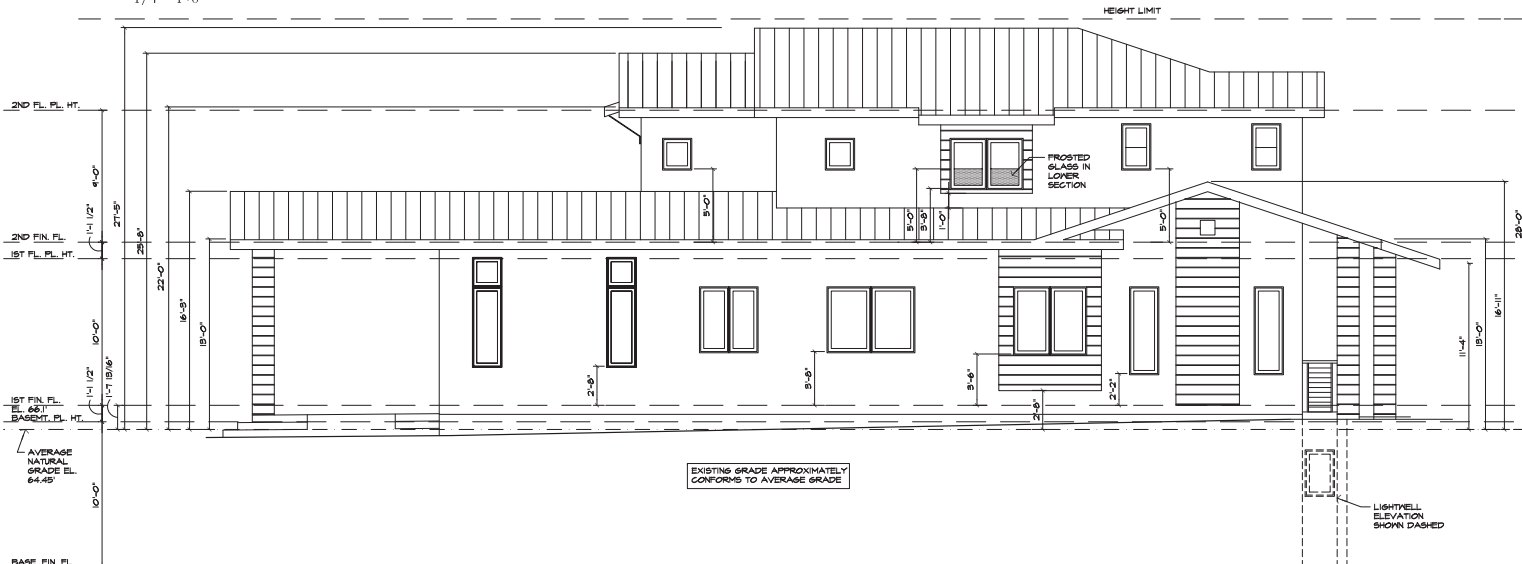
18iTelev



1 Rear (Southeast) Elevation

1/4"=1'-0"

IB|Telev



2 Left Side (Northeast) Elevation

1/4" = 1'-0"

IB|Telev



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ELEVATIONS

Scale 1/4"=1'-0"  
Project No. 1817  
Drawn By CB/RB

A3.2



FRONT (NORTHWEST) SIDE OF HOUSE



FRONT (NORTHWEST) AND LEFT (NORTHEAST) SIDES OF HOUSE



LEFT (NORTHEAST) SIDE OF HOUSE



LEFT (NORTHEAST) SIDE OF HOUSE



LEFT (NORTHEAST) SIDE OF HOUSE  
(DETAIL OF GABLE)



REAR (SOUTHEAST) SIDE OF HOUSE



RIGHT (SOUTHWEST) SIDE OF HOUSE



RIGHT (SOUTHWEST) SIDE OF HOUSE



FRONT (NORTHWEST) SIDE OF GARAGE



RIGHT (SOUTHWEST) SIDE OF HOUSE



REAR (SOUTHEAST) SIDE OF GARAGE



VIEW OF REAR YARD (LOOKING TO SOUTHEAST)



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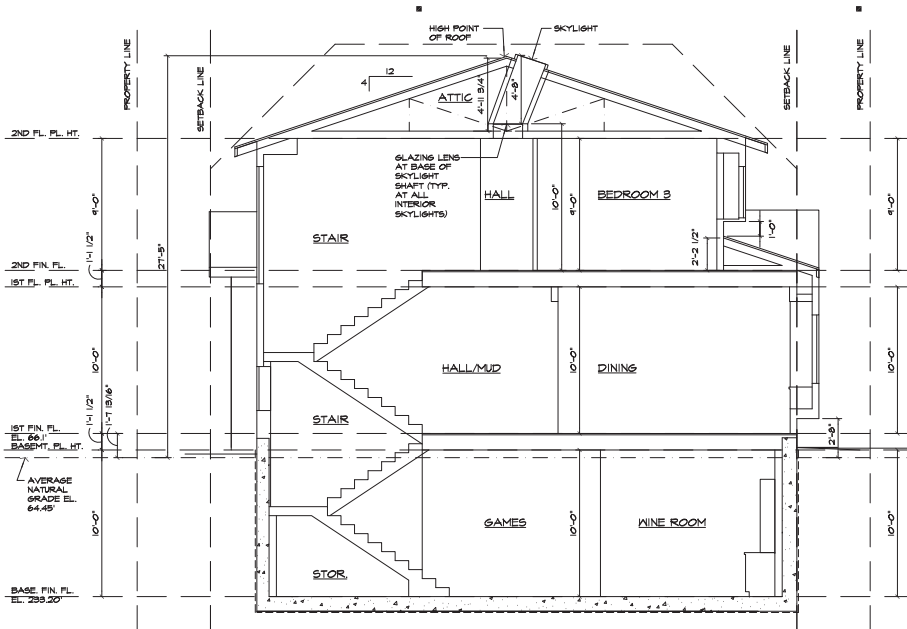
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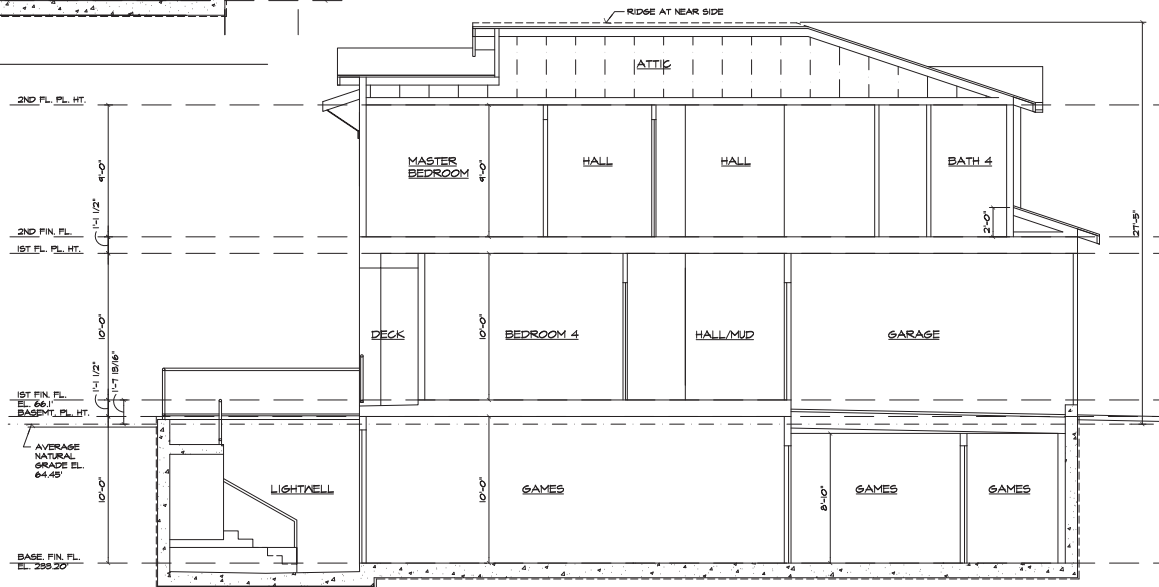
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Sheet Title  
PHOTOS OF  
EXISTING  
STRUCTURES  
Scale 1/4"=1'-0"  
Project No. 1817  
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A3.3



1 Section  
1/4" = 1'-0"



2 Section  
1/4" = 1'-0"



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Sheet Title  
SECTIONS

Scale 1/4"=1'-0"  
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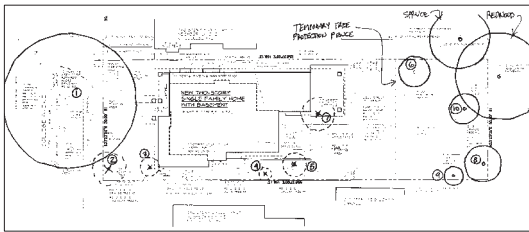
A4.1

**Miscellaneous Trees**  
Menlo Park, CA

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (FT)	CONDITION/OBSERVATION	COMMENTS
TR#1	Cinnamomum camphora tree	Camphor tree	36"	51'	<ul style="list-style-type: none"> <li>City of Menlo Park Street Tree.</li> <li>Tree is in fair condition.</li> <li>No sign of disease, infestation, decay, mechanical or biological damages of any kind are present at this time.</li> <li>Tree has been periodically topped for utility line clearance.</li> <li>Tree has caused some infrastructure damages along the sidewalk, curb, and gutter areas.</li> <li>Canopy of tree encroached most of the residence front yard.</li> </ul>	<ul style="list-style-type: none"> <li>Moderate preservation value.</li> <li>Tree Protection Zone must be installed along the entire parking strip area. In addition, TPZ fencing must be installed within the footcandle of the canopy in the front yard of the property.</li> <li>Planted next zone 9 feet from the edge of the trunk of this tree, into the yard of the home.</li> </ul>

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (FT)	CONDITION/OBSERVATION	COMMENTS
TR#2	Magnolia speciosa	Flowering Magnolia	15"	33'	<ul style="list-style-type: none"> <li>Tree is in fair to good condition.</li> <li>Tree is dormant at this time, with no sign of disease, infestation, decay, mechanical or biological defects of any kind.</li> <li>Tree canopy has the spreading canopy branches.</li> </ul>	<ul style="list-style-type: none"> <li>Tree has been approved for removal.</li> <li>Replace this tree with a native California Coast Live Oak. Plant the replacement tree after construction is complete.</li> <li>Location of the replacement tree will be in the back yard, toward the back of the right fence line.</li> </ul>
TR#3	Citrus species	Orange	10"	10'	<ul style="list-style-type: none"> <li>Tree is located very close to the front lot of the existing house.</li> <li>Tree is in fair to poor condition.</li> <li>Some leaves are discolored and yellowing.</li> <li>Some dead twigs and branches are present on this tree.</li> <li>Some fruit is present on the tree at this time.</li> </ul>	<ul style="list-style-type: none"> <li>Refer to the Basic Tree Protection Guidelines.</li> <li>Tree has a moderate preservation value.</li> </ul>

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (FT)	CONDITION/OBSERVATION	COMMENTS
TR#4	Celastrus	Olives	App. 12"	20'	<ul style="list-style-type: none"> <li>Tree has multiple main stem trunks which make up its canopy.</li> <li>Tree is in fair to poor condition.</li> <li>Spine canopy throughout the canopy may be the result of an unweeding condition. Olives trees are very drought tolerant.</li> <li>Spinal foliage could be a sign of root disease, or fungus.</li> <li>No sign of infestation, decay, mechanical or biological damages of any kind is present at this time.</li> </ul>	<ul style="list-style-type: none"> <li>Tree has a low preservation value.</li> <li>Scheduled for removal to make way for construction of the new home.</li> </ul>
TR#5	Citrus species	Orange or Kumquat species	11"	App. 10'	<ul style="list-style-type: none"> <li>Tree is in poor condition.</li> <li>Foliage is sparse, some chlorotic leaves and small fruit present.</li> <li>Overall structure of the tree shows and sound with no sign of decay, infestation, biological or mechanical damages of any kind present at this time.</li> </ul>	<ul style="list-style-type: none"> <li>Tree has a low preservation value.</li> <li>Scheduled for removal to make way for construction of the new home.</li> </ul>



TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (FT)	CONDITION/OBSERVATION	COMMENTS
TR#6	Populus species	Populus species	22"	20' comb.	<ul style="list-style-type: none"> <li>Tree has a multiple main stem trunk.</li> <li>Tree is dormant at the time of my inspections with full present within the canopy of the tree.</li> <li>Tree is in fair overall condition.</li> <li>Overall structure of the tree is solid and sound with no sign of decay, infestation, biological or mechanical damage of any kind present at this time.</li> </ul>	<ul style="list-style-type: none"> <li>Tree is very good from this tree and would be a nice tree to preserve for the new proposed house.</li> <li>Tree has a moderate preservation value.</li> <li>Revise Basic Tree Protection Guidelines to ensure tree is excluded from construction activity.</li> </ul>
TR#7	Apple species	Apple Tree	10"	16'	<ul style="list-style-type: none"> <li>Tree has a split main trunk with exposed wood, bark has chipped away.</li> <li>Tree is in fair condition, due to extensive decay, vertically along the trunk of the tree.</li> <li>Bark is peeling up the canopy and trunk.</li> <li>Tree does have a canopy with foliage going downward at this time.</li> <li>Tree has not cared for, pruned, fertilized, watered, and new growth of its fruit.</li> </ul>	<ul style="list-style-type: none"> <li>This tree was well maintained and cared for by the home owner for sentimental reasons.</li> <li>Tree has no preservation value.</li> <li>Scheduled for removal for construction of the new home.</li> </ul>

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (FT)	CONDITION/OBSERVATION	COMMENTS
TR#8	Quercus laevis	Holly Oak	10"	12'	<ul style="list-style-type: none"> <li>Tree has multiple main stem trunks.</li> <li>Tree is in fair overall condition with lush dark-green leaves and no sign of disease, infestation, biological or mechanical damage present at this time.</li> </ul>	<ul style="list-style-type: none"> <li>Tree is outside the construction work zone area.</li> </ul>
TR#9	Quercus agrifolia	Coast Live Oak	6"	—	<ul style="list-style-type: none"> <li>Tree has multiple main stem trunks.</li> <li>Tree is in fair overall condition with lush dark-green leaves with no sign of disease, infestation, biological or mechanical damage present at this time.</li> <li>Young tree has a solid canopy structure with no mechanical or biological damages present at this time.</li> </ul>	<ul style="list-style-type: none"> <li>Tree is outside the construction work zone area.</li> </ul>
TR#10	Citrus species	Orange	13"	17'	<ul style="list-style-type: none"> <li>Tree has multiple main stem trunks.</li> <li>Tree is in fair to good overall condition.</li> <li>No sign of disease, infestation, nutrient or mechanical damage is present at this time.</li> <li>No biological or mechanical damage at any kind are present at this time.</li> </ul>	<ul style="list-style-type: none"> <li>Tree is outside the construction work zone area.</li> </ul>

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (FT)	CONDITION/OBSERVATION	COMMENTS
TR#11	Sequoia sempervirens	Coast Redwood	—	—	<ul style="list-style-type: none"> <li>Tree is located in the neighboring property with the back of the back fence.</li> <li>Tree is large, mature, and is in good condition, with no signs of disease, infestation, nutrient or moisture deficiencies at this time.</li> <li>Foliage is lush, full, and dark-green, and is thriving at this time.</li> <li>Limb from this tree are overhanging 8' from the back, visible property line.</li> </ul>	<ul style="list-style-type: none"> <li>Tree is outside the construction work zone area.</li> </ul>

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (FT)	CONDITION/OBSERVATION	COMMENTS
TR#12	Picea species	Spence	—	—	<ul style="list-style-type: none"> <li>Tree is located in the neighboring property with the trunk approximately 12' from the southern side fence.</li> <li>Tree is large, mature, and is in good condition, with no signs of disease, infestation, nutrient or moisture deficiencies at this time.</li> <li>Foliage is lush, full, silvery, gray-green foliage, and thriving at the time of my inspections.</li> <li>Limb from this tree are overhanging the property line, approximately 15'.</li> </ul>	<ul style="list-style-type: none"> <li>Tree is outside the construction work zone area.</li> </ul>

TREE PLAN

**Tree Protection, Options**

- Tree #1, Cinnamomum camphora: **Complex tree:** This designated street tree has a 43' TPZ, which covers a majority of the front yard of the home. This protection fencing will greatly reduce the construction work at the home, which includes excavation of a larger basement, along with general construction.
  - Tree protection: Covers the front yard with 4 inches of wood chip mulch and cover the mulch with 1/2 inch thick construction grade plywood, anchored down with 1/2" spikes. This will protect the root system of the street tree from compaction and ensure its survival during construction of the new home. Root zone protection must extend 9 feet from the edge of the trunk of the tree.
  - Unapproved street tree: DO NOT REMOVE LOWER LIMBS FOR CLEARANCE PURPOSES. Protect lower limbs from heavy equipment damage. White cover limits with "Strong Pinning" materials. Wrap the limbs 3 to 4 times and secure with duct tape or plastic wrap materials. Use net rolls or staples to hold cover materials in place.

- Tree #2, Magnolia: **Flowering Magnolia:** This tree has been approved for removal and replacement.
  - Replacement tree will be planted AFTER construction has been complete and will be planted in the backyard area of the home.
  - The replacement tree will be a California native, Coast Live Oak.
  - The replacement tree will be planted along the right rear fence line, not on lot.

**Basic Tree and Root Zone Protection Guidelines**

- During construction, root protection is essential to the survival and safety of any established trees.
- A written agreement should be made between the developer and the construction company with a clear understanding and recording of these guidelines.
- It is highly recommended a project architect inspect the tree protection measures and devices before demolition and construction begins.
- It is highly recommended a Certified Arborist be hired by the construction company or the developer, to do periodic, monthly inspections of preserved trees. The protection practices must remain in place in order to ensure the survival of the trees during and after the construction process.
- The project architect should report monthly, the inspection results to the governing agency and planning department.
- Driving vehicles and equipment or stacking materials, or soils under the drip line of trees being protected is prohibited. Heavy activity under the drip line will cause compaction and compromise the health of the tree, thereby causing the tree to eventually perish. The drip line starts at the edge of the topiaries of the tree.
- Install a substantial non-removable tree protection fence (i.e. chain-link fence) in protected root zone, trunk, and branches of the trees to be preserved within the construction zone. The fence must be 5' chain-link fencing and extend to the drip line or outer edge of the branches of the tree. 2" diameter posts, 10' long to the need to be securely driven into the ground 24 inches, until construction is complete. A weather proof sign posted on the fencing which reads, "Authorized Persons Only." Access inside the protection area must be provided by some kind of secure gate or similar device.
- Trees #1 and #2 in the front yard need tree protection with 2" by 4" 4' long, leaning on end, around the base of the trees. Wrap orange snow fencing around the 2 by 4s and hold in place with construction grade staples, driven into the boards. Put no stakes into the trunk of the trees.
- Tree protection fencing may not be an option at this property location: The Tree Protection Zone (TPZ) for Tree #1, Use of 3 to 4 inches of wood chip mulch, covering a feet into foot yard, as well as 1/2" construction grade plywood on top of the mulch, in order the minimize compaction damage to the root system of the trees. Use large 1/2" long nail spacers to hold the plywood in place during construction activity.

- The construction grade 1/2 inch plywood must cover if feet into the yard along the sidewalk, from the current driveway, to the location of the proposed driveway. (This procedure is pending city agency approval.)
- Absolutely no self-driven mechanical or heavy equipment is allowed inside the root protection zone during any work.
- Any digging inside the root protection zones must be done by hand, or a space or air tools device.
- Any cutting of roots, larger than 2" in diameter must be done under the supervision of a Certified Arborist.
- Absolutely no soil grade changes or build occur in the root zones or drip line of the trees. No piling of soil or scooping of soil should occur within the drip line of the trunk of the trees.
- Soil soil intended for later use in place should well outside of the root zones of trees to be preserved.
- Cutting of bareness roots is to be prohibited, as it can cause instability with the structure of the entire tree. Buttress roots are located directly under the earth line at the base of the tree.
- Large roots exposed by excavation must be covered with burlap and kept damp to keep them from drying out. Tranching and shearing large roots within the drip line of the tree increases the chances of tree instability and mortality.
- Washing of paints, solvents, or concrete materials within the drip line of the tree must be prohibited. A concrete washout must be provided. Paints, solvents, and concrete residues are toxic to plant materials and will cause them to decline or die.

**BEAL SOLEIL ARCHITECT**

745 FAXON AVENUE  
SAN FRANCISCO, CA 94112  
415.587.2004  
www.beausoleil-architects.com

Submitted:

OWNER REVIEW	12.26.16
OWNER REVIEW	1.17.10
DRAFT SUBMITTAL	1.20.10
DRAFT SUBMITTAL	1.24.10
C.U.P. SUBMITTAL	1.28.10
C.U.P. RE-SUBMITTAL	4.8.10
C.U.P. RE-SUBMITTAL	4.29.10

Suri Residence  
New single family home  
631 College Avenue  
Menlo Park, CA

These Documents are a "builder's set" intended for use by a qualified, experienced general contractor using qualified, experienced subcontractors and suppliers. Details, materials, systems, and methods not specified herein are fully the responsibility of the General Contractor, his subcontractors, and installers.

Sheet Title

**ARBORIST REPORT & TREE PROTECTION**

Scale	AS NOTED
Project No.	1817
Drawn By	CB/RB

TP1

**GRADING & DRAINAGE NOTES:**

- NOTE: THIS DRAWING IS APPROVED SUBJECT TO:
- ALL GRADING IS SUBJECT TO OBSERVATION BY THE CITY. PERMITTEE OR REPRESENTATIVE SHALL NOTIFY THE CITY OF MENDO PARK DEPARTMENT OF PUBLIC WORKS PROJECT INSPECTOR AT LEAST 48 HOURS BEFORE START OF ANY GRADING.
  - APPROVAL OF THIS PLAN APPLIES ONLY TO (A) THE EXCAVATION, PLACEMENT, AND CONSTRUCTION OF NATURAL EARTH MATERIALS, (B) THE INSTALLATION OF ON-SITE (I.E. PRIVATE PROPERTY) STORM WATER CONVEYANCE AND TREATMENT FACILITIES THAT ARE OUTSIDE OF THE 5'-0" BUILDING ENVELOPE, AND (C) THE INSTALLATION OF RETAINING STRUCTURES. THIS APPROVAL DOES NOT CONFER ANY RIGHTS OF ENTRY TO EITHER PUBLIC PROPERTY OR THE PRIVATE PROPERTY OF OTHERS. APPROVAL OF THIS PLAN ALSO DOES NOT CONSTITUTE APPROVAL OF ANY IMPROVEMENTS WITH THE EXCEPTION OF THOSE LISTED ABOVE. PROPOSED IMPROVEMENTS, WITH THE EXCEPTION OF THOSE LISTED ABOVE, ARE SUBJECT TO REVIEW AND APPROVAL BY THE RESPONSIBLE AUTHORITIES AND ALL OTHER REQUIRING PERMITS SHALL BE OBTAINED.
  - UNLESS OTHERWISE NOTED ON THE PLAN, ANY DEVIATION OF A RETAINING STRUCTURE ON THIS PLAN SHALL NOT CONSTITUTE APPROVAL FOR CONSTRUCTION OF THE RETAINING STRUCTURE. UNLESS A SEPARATE STRUCTURAL REVIEW BY THE DEPARTMENT OF PUBLIC WORKS IS COMPLETED AND APPROVED.
  - IT SHALL BE THE RESPONSIBILITY OF THE PERMITTEE OR AGENT TO IDENTIFY, LOCATE AND PROTECT ALL UNDERGROUND FACILITIES.
  - THE PERMITTEE OR AGENT SHALL MAINTAIN THE STREETS, SIDEWALKS AND ALL OTHER PUBLIC RIGHTS-OF-WAY IN A CLEAN, SAFE AND USABLE CONDITION. ALL SPILLS OF SOIL, ROCK OR CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE PUBLICLY OWNED PROPERTY DURING CONSTRUCTION AND UPON COMPLETION OF THE PROJECT. ALL ADJACENT PROPERTY, PRIVATE OR PUBLIC SHALL BE MAINTAINED IN A CLEAN, SAFE AND USABLE CONDITION.
  - ALL GRADING SHALL BE PERFORMED IN SUCH A MANNER AS TO COMPLY WITH THE STANDARDS ESTABLISHED BY THE AIR QUALITY MANAGEMENT DISTRICT FOR AIRBORNE PARTICULATES.
  - IN THE EVENT THAT HUMAN REMAINS AND/OR CULTURAL MATERIALS ARE FOUND, ALL PROJECT-RELATED CONSTRUCTION SHALL CEASE WITHIN A 100'-FOOT RADIUS. THE CONTRACTOR SHALL, PURSUANT TO SECTION 7050.5 OF THE HEALTH AND SAFETY CODE, AND SECTION 509794 OF THE PUBLIC RESOURCES CODE OF THE STATE OF CALIFORNIA, NOTIFY THE MARIN COUNTY CORONER IMMEDIATELY.
  - FOR NON-RESIDENTIAL PROJECTS, ANY NON-HAZARDOUS EXPORT RESULTING FROM PROJECT RELATED EXCAVATION OR LAND CLEARING SHALL BE 100% RECYCLED AND RECYCLED PER CALIFORNIA GREEN BUILDING STANDARDS CODE SECTION 5.408.
  - ALL GRADING WORK SHALL CONFORM TO THE RECOMMENDATIONS OF THE PROJECT GEOTECHNICAL REPORT AND/OR THE PROJECT SOIL ENGINEER. ALL GRADING WORK SHALL BE OBSERVED AND APPROVED BY THE SOIL ENGINEER.
  - THE SOIL ENGINEER SHALL BE NOTIFIED AT LEAST 48 HOURS BEFORE BEGINNING ANY GRADING. UNOBSERVED AND/OR UNAPPROVED GRADING WORK SHALL BE REMOVED AND REPLACED UNDER OBSERVATION.
  - PERMETER BUILDING GRADES SHALL SLOPE AWAY FROM BUILDINGS AT LEAST 5% MINIMUM.
  - ALL DOWNSPOUTS SHALL HAVE SPLASH BOXES AS SHOWN ON THE GRADING AND DRAINAGE PLAN. DIRECTION OF THE FLOW SHALL BE AWAY FROM THE BUILDING.

**BENCH MARK**  
 DESCRIPTION: BENCHMARK 8, NORTHING 198708.8, EASTING 6072185.9  
 HORIZONTAL COORDINATES INDICATE CALIFORNIA STATE PLANE COORDINATES  
 ZONE 10, NAD 83 (2011)  
 CENTER STAR ON TOP OF CATCH BASIN AT THE NORTHWESTERLY END OF  
 THE SOUTHWESTERLY CURB RETURN AS SHOWN. ELEV.: 88.09 (NAVD  
 88) (5' FT)

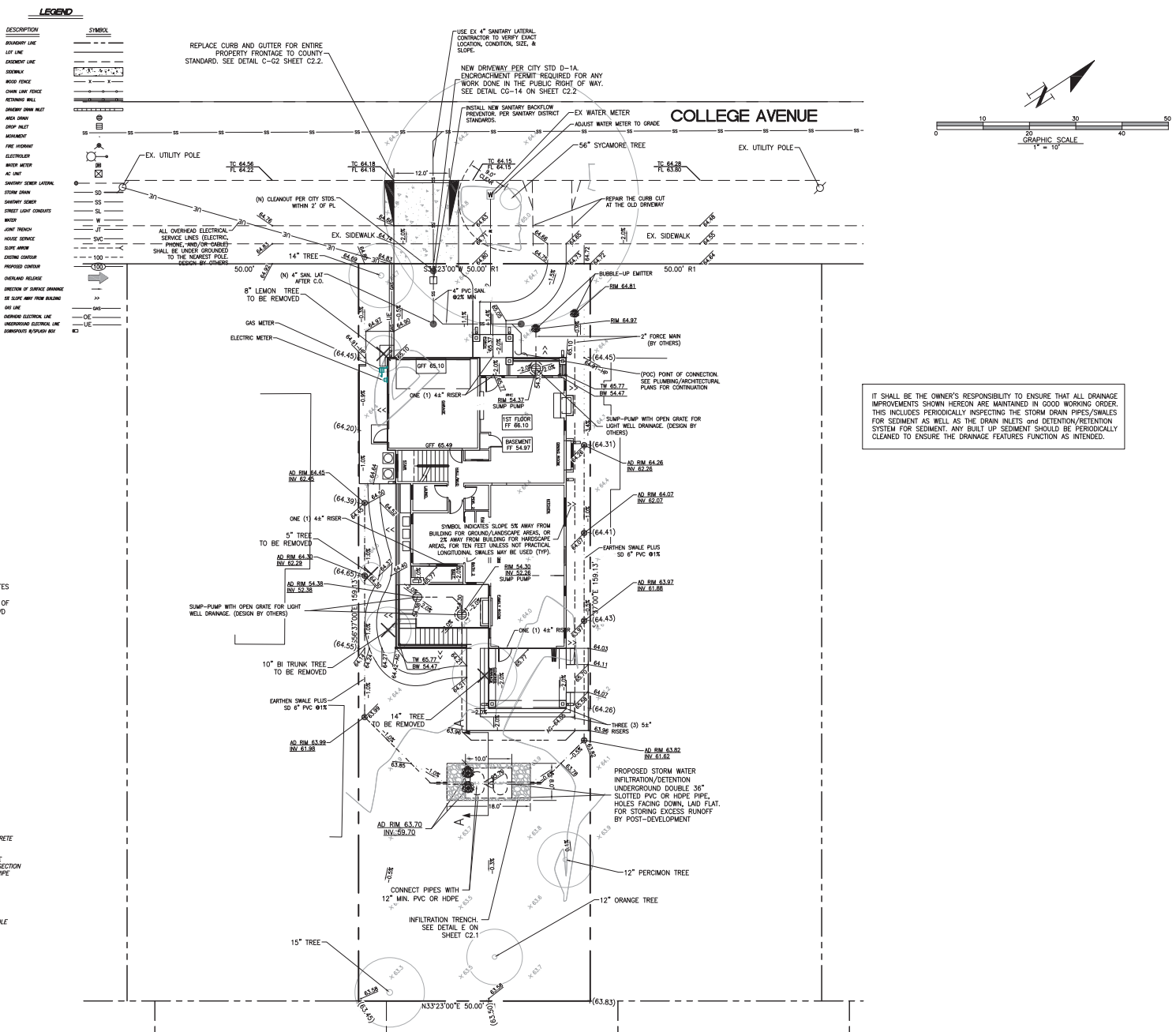
**EARTH WORK QUANTITIES**

CUT: 33 CY  
 FILL: 24 CY  
 EXPORT: 9 CY  
 IMPORT: 9 CY

NOTE: EARTHWORK QUANTITIES SHOWN ARE APPROXIMATE. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO INDEPENDENTLY ESTIMATE QUANTITIES FOR HIS/HER OWN USE. THE PADBASEMENT OF THE HOUSE IS NOT INCLUDED.

**ABBREVIATIONS**

AC = ASPHALT CONCRETE	LP = LOW POINT
AD = AREA DRAIN	PAD = PAD ELEVATION
BS = BEAM CURVE	PCD = PORTLAND CEMENT CONCRETE
BS = BOTTOM OF STAIR	PL = PROPERTY LINE
BU = BUBBLE UP	PI = PAVEMENT CRACK
BVC = BEGIN VERTICAL CURVE	PVC = POLYVINYL CHLORIDE PIPE
BRW = BOTTOM OF RETAINING WALL	PIV = POINT OF VERTICAL INTERSECTION
CB = CATCH BASIN	RCF = REINFORCED CONCRETE PIPE
CL = CENTERLINE	ROW = RIGHT OF WAY
CO = CLEANOUT	S-100 = SLOPE
DS = DOWNSPOUT WITH SPLASH BOX	SD = STORM DRAIN
ED = END CURVE	SSMH = STORM DRAIN MANHOLE
ELEV. = ELEVATION	SS = SUBGRADE ELEVATION
EV = END VERTICAL CURVE	SSMH = SANITARY SEWER MANHOLE
EX = EXISTING	STA = STATION
F/C = FACE OF CURB	TC = TOP OF CURB
FF = FINISHED FLOOR ELEVATION	TF = TOP OF FENCE
FN = FIRE HYDRANT	TFW = TOP OF FINISH
FL = FLOW LINE	TS = TOP OF STAIR
GB = GRADE BREAK	TW = TOP OF WALL
OFF = GRADE FINISH FLOOR	VCP = VITRIFIED CLAY PIPE
HP = HIGH POINT	WM = WATER METER
HC = HANDBIC UNIT	WV = WATER VALVE
INV = INVERT	

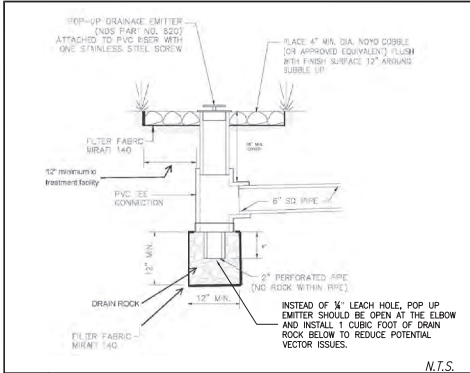


IT SHALL BE THE OWNER'S RESPONSIBILITY TO ENSURE THAT ALL DRAINAGE IMPROVEMENTS SHOWN HEREON ARE MAINTAINED IN GOOD WORKING ORDER. THIS INCLUDES PERIODICALLY INSPECTING THE STORM DRAIN PIPES/SWALES FOR SEDIMENT AS WELL AS THE DRAIN INLETS AND DETENTION/RETENTION SYSTEM FOR SEDIMENT. ANY BUILT UP SEDIMENT SHOULD BE PERIODICALLY CLEANED TO ENSURE THE DRAINAGE FEATURES FUNCTION AS INTENDED.

BY	CITY	DATE	REVISIONS	
<b>OSUNA ENGINEERING INC.</b> (Formerly) Osuna Engineering Civil Engineering CONSULTING CIVIL ENGINEERS & LAND SURVEYORS 117 FRENCH CANYON DRIVE, SUITE 100, SAN JOSE, CA 95131 Phone: (408) 277-7700 Fax: (408) 277-7701 Website: info@osunae.com				
<b>GRADING &amp; DRAINAGE PLAN</b> 631 COLLEGE AVENUE SHEET C1 OF 5 SHEETS				

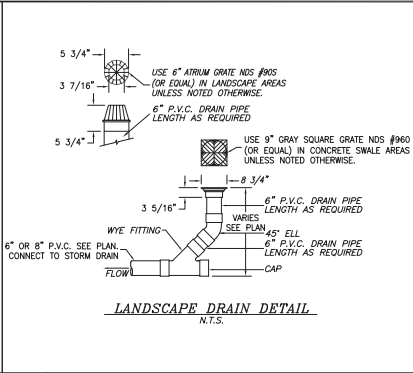


CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE USE OF THE INFORMATION SHOWN ON THIS SHEET. THE CONTRACTOR SHALL VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THE WORK AND SHALL BE RESPONSIBLE FOR THE PERFORMANCE OF THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.



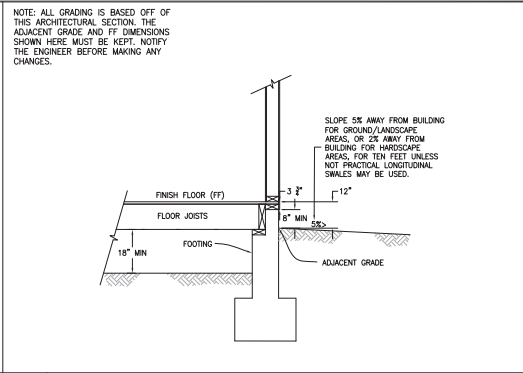
N.T.S.

A BUBBLE-UP EMITTER DETAIL



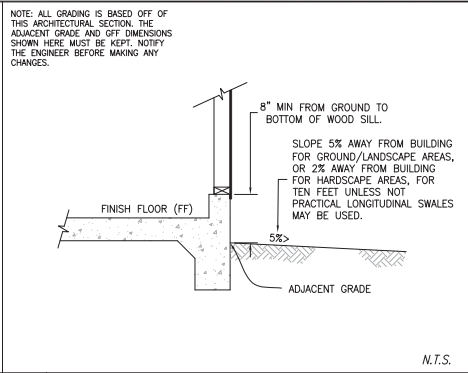
N.T.S.

B AREA DRAIN DETAIL



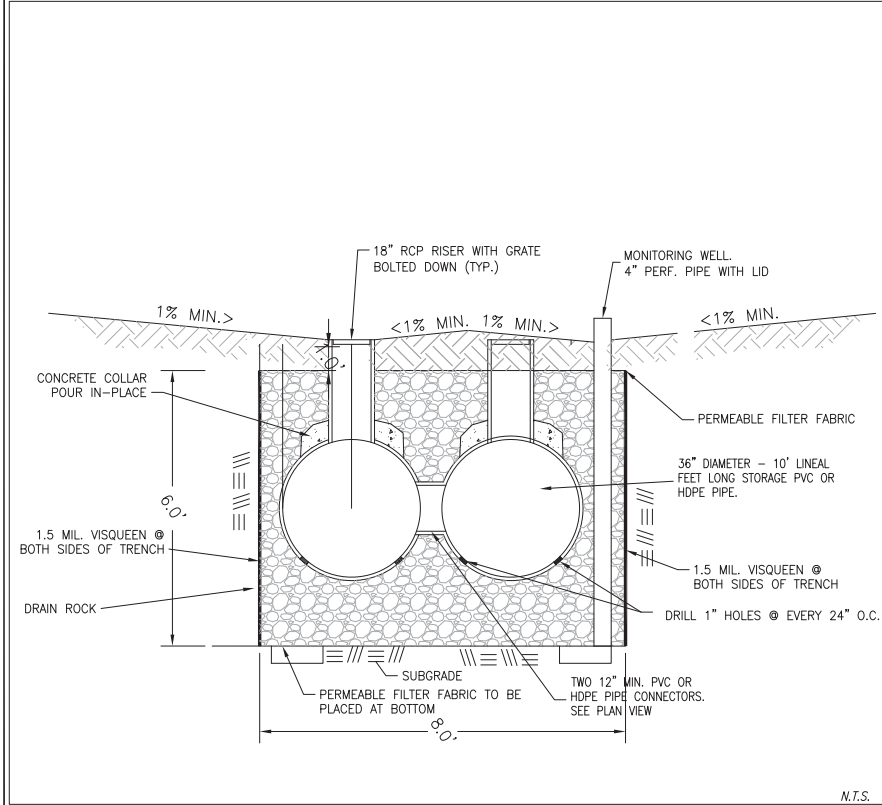
N.T.S.

C TYPICAL FOUNDATION/FF/GROUND SECTION



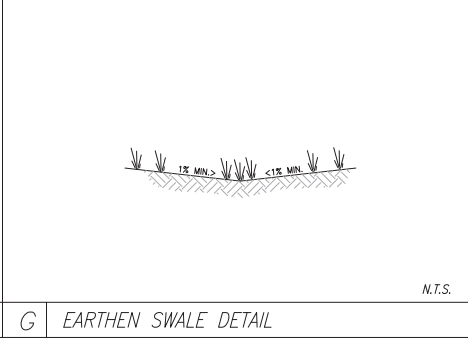
N.T.S.

D TYPICAL FOUNDATION/GFF/GROUND SECTION



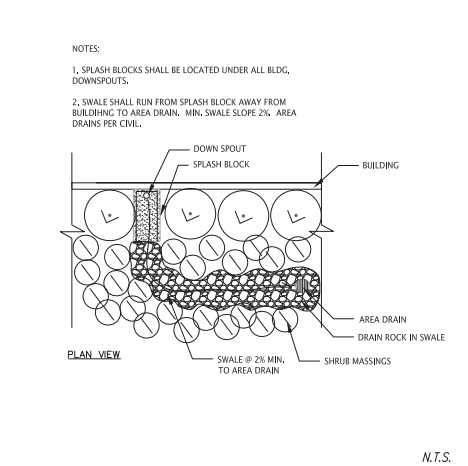
N.T.S.

E STORM RETENTION/TRENCH INFILTRATION DETAIL



N.T.S.

G EARTHEN SWALE DETAIL



N.T.S.

H SPLASH BLOCK DETAIL

NO.	REVISIONS	BY	DATE

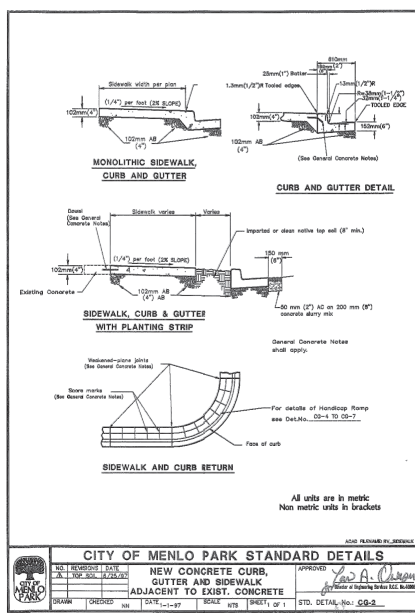
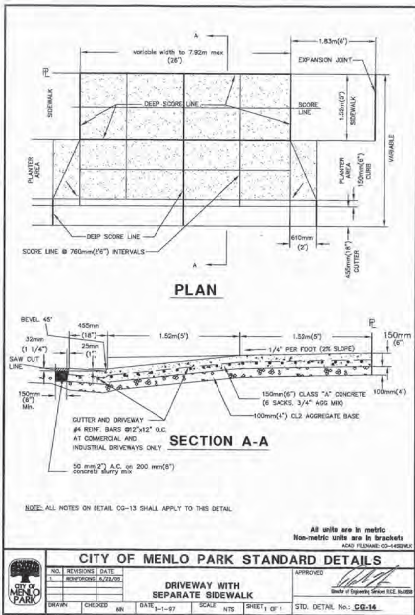
PROFESSIONAL ENGINEER  
 REGISTERED WITH THE STATE OF CALIFORNIA  
 No. 70929  
 Exp. 6-30-19  
 OSCAR OSUNA  
 P. Osuna  
 OSCAR OSUNA  
 P. Osuna  
 RCE 70929 EXP. 6-30-19

**OSUNA**  
**ENGINEERING INC.**  
 Planning | Geotechnical | Civil Engineering  
 CONSULTING CIVIL ENGINEERS & LAND SURVEYORS  
 11750 COLLEGE AVENUE, SUITE 110  
 SAN DIEGO, CA 92119  
 619-594-7158  
 info@osunaei.com

**GRADING & DRAINAGE PLAN**  
**CONSTRUCTION DETAILS**  
**631 COLLEGE AVENUE**  
 MKLO DRAWN  
 Project No.: 1755 | Discipline: CDD | Date: 07/27/23

SHEET  
**C2.1**  
 OF 5 SHEETS

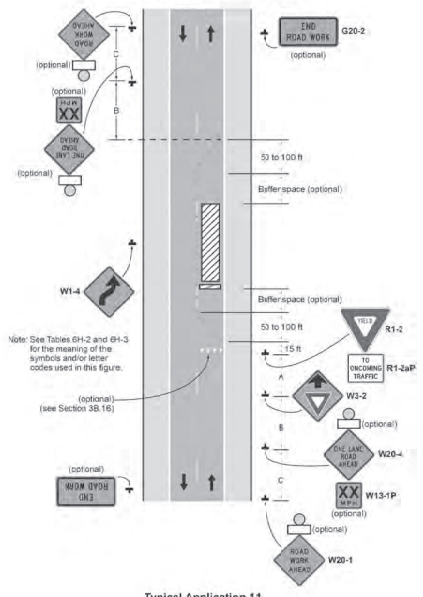
CONTRACTOR SHALL VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THE PROJECT AND SHALL BE RESPONSIBLE FOR THE PERFORMANCE OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PERFORMANCE OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PERFORMANCE OF WORK.



Notes for Figure 6H-11—Typical Application 11  
 Lane Closure on a Two-Lane Road with Low Traffic Volumes

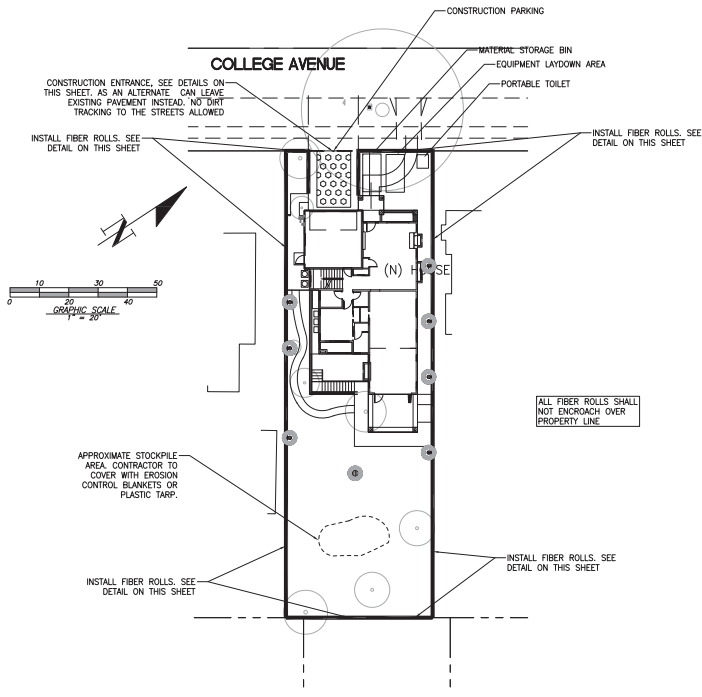
Figure 6H-11. Lane Closure on a Two-Lane Road with Low Traffic Volumes (TA-11)

- Option:
- This TTC zone application may be used as an alternate to the TTC application shown in Figure 6H-10 6H-10(CA) (using flaggers) when the following conditions exist:
    - Vehicular traffic volume is such that sufficient gaps exist for vehicular traffic that must yield.
    - Road users from both directions are able to see approaching vehicular traffic through and beyond the worksite and have sufficient visibility of approaching vehicles.
  - The Type B flashing warning lights may be placed on the ROAD WORK AHEAD and the ONE LANE ROAD AHEAD signs whenever a night lane closure is necessary.
- Standard:
- The approach to the side that is not closed shall be visible (for a distance equal to the safe passing sight distance for that approach) to the road user who must yield or stop.
- Support:  
 See Section 3B.02 and 6C.15.

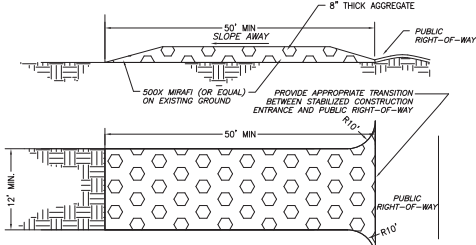


	REVISIONS
	BY: CITY, DATE:
<b>OSUNA ENGINEERING INC.</b> Planning, Grading and Engineering CONSULTING CIVIL ENGINEERS & LAND SURVEYORS 117 RIVERVIEW BLVD., SUITE 100, LOS ANGELES, CA 90015 714-536-7119 info@osunaeng.com	
<b>GRADING &amp; DRAINAGE PLAN</b> CONSTRUCTION DETAILS 631 COLLEGE AVENUE MENLO PARK, CALIFORNIA Project No.: 1755   Revision: 10   Date: 07/27/17	
SHEET <b>C2.2</b> OF 5 SHEETS	

CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE EXISTING UTILITIES AND THE PROTECTION OF THE ADJACENT PROPERTY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE EXISTING UTILITIES AND THE PROTECTION OF THE ADJACENT PROPERTY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE EXISTING UTILITIES AND THE PROTECTION OF THE ADJACENT PROPERTY.



**NOTES:**  
 1. PROTECT ALL INLETS IN THE PUBLIC STREETS SURROUNDING THE SITE.  
 2. ALL ON-SITE LANDSCAPE AREA DRAINS TO BE CAPTED OR PROTECTED UNTIL LANDSCAPING IS FINISHED.



\*STONES TO BE 3"-6" SIZED CRUSHED ROCK AND MIN 12" THICK X 50' LONG X 15' MIN WIDE

**MAINTENANCE:**  
 THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND, AND REPAIR AND/OR CLEAN OUT ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY SHALL BE REMOVED IMMEDIATELY.

WHEN NECESSARY WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHTS-OF-WAY. THIS SHALL BE DONE AT AN AREA STABILIZED WITH CRUSHED STONE, WHICH DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

**STABILIZED CONSTRUCTION ENTRANCE**  
 N.T.S.

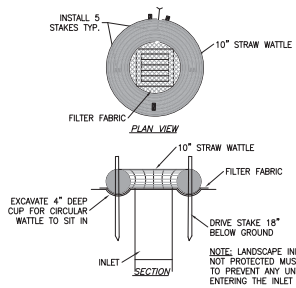
**LEGEND**

PROPOSED	DESCRIPTION
---	SITE BOUNDARY
○ ○ ○ ○ ○	STABILIZED CONSTRUCTION ENTRANCE 2"-3" ROCK (MIN)
○ ○ ○ ○ ○	FIBER ROLL

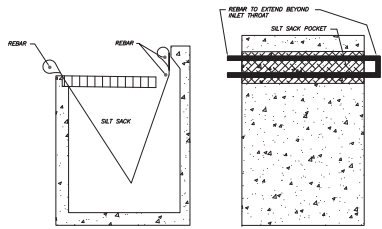
**MAINTENANCE NOTES**

MAINTENANCE IS TO BE PERFORMED AS FOLLOWS:

- REPAIR DAMAGES CAUSED BY SOIL EROSION OR CONSTRUCTION AT THE END OF EACH WORKING DAY.
- SWALES SHALL BE INSPECTED PERIODICALLY AND MAINTAINED AS NEEDED.
- SEDIMENT TRAPS, BERMS, AND SWALES ARE TO BE INSPECTED AFTER EACH STORM AND REPAIRS MADE AS NEEDED.
- SEDIMENT SHALL BE REMOVED AND SEDIMENT TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT HAS ACCUMULATED TO A DEPTH OF 1 FOOT.
- SEDIMENT REMOVED FROM TRAP SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.
- ROLLS AND GULLIES MUST BE REPAIRED.



**ALTERNATE FIBER ROLL INLET PROTECTION MAY BE USED IN LANDSCAPE AREA DRAINS**  
 N.T.S.



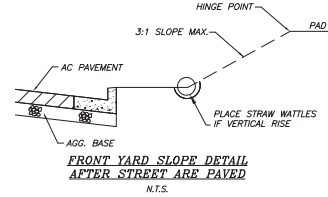
**CALIFORNIA MODIFIED SILT SACK**  
 REED & GRAHAM, INC. (OR EQUAL)  
 BEFORE & AFTER STREETS ARE PAVED  
 N.T.S.

**EROSION & SEDIMENT CONTROL NOTES**

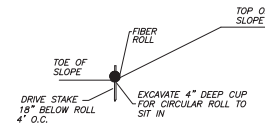
- NOT USED
- THE DEVELOPER IS RESPONSIBLE FOR ENSURING THAT ALL CONTRACTORS AND SUBCONTRACTORS ARE AWARE OF ALL STORM WATER QUALITY MEASURES AND IMPLEMENT SUCH MEASURES. FAILURE TO COMPLY WITH THE APPROVED CONSTRUCTION BEST MANAGEMENT PRACTICES WILL RESULT IN THE ISSUANCE OF CORRECTION NOTICES, CITATIONS, AND/OR STOP ORDERS.
- ANY VEHICLE OR EQUIPMENT WASHING/STEAM CLEANING MUST BE DONE AT AN APPROPRIATELY EQUIPPED FACILITY WHICH DRAINS TO THE SANITARY SEWER. OUTDOOR WASHING MUST BE MANAGED IN SUCH A WAY THAT THERE IS NO DISCHARGE OF SOAPS, SOLVENTS, CLEANING AGENTS OR OTHER POLLUTANTS TO THE STORM DRAINS. WASH WATER SHALL DISCHARGE TO THE SANITARY SEWER, SUBJECT TO REVIEW AND APPROVAL OF UNION SANITARY DISTRICT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR LITTER CONTROL AND SWEEPING OF ALL PAVED SURFACES DURING CONSTRUCTION.
- THE FACILITIES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL EROSION AND SEDIMENT DURING THE RAINY SEASON, OCTOBER 1 TO APRIL 15. EROSION CONTROL MEASURES ARE TO BE FUNCTIONAL PRIOR TO OCTOBER 1ST OF ANY YEAR GRADING OPERATIONS HAVE LEFT AREAS UNPROTECTED FROM EROSION.
- ALL ON-SITE STORM DRAINS SHALL BE CLEANED IMMEDIATELY BEFORE THE START OF THE RAINY SEASON BEGINNING ON OCTOBER 1ST EACH YEAR, SUBJECT TO THE REVIEW OF THE BUILDING/ENGINEERING INSPECTOR.
- IF RAINY WEATHER BECOMES IMMINENT, GRADING OPERATIONS SHALL BE STOPPED AND EROSION CONTROL MEASURES SHALL BE IMPLEMENTED TO PROTECT DISTURBED AREAS.
- DURING THE RAINY SEASON, ALL PAVED AREAS SHALL BE KEPT CLEAR OF EARTH MATERIAL AND DEBRIS. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT LADEN RUNOFF TO ANY STORM DRAIN SYSTEM.
- CONSTRUCTION ENTRANCES SHALL CONSIST OF A MINIMUM 8" THICK LAYER OF 3"-4" FRACTURED STONE AGGREGATE UNLAD WITH GEOTEXTILE LINER FOR A MINIMUM DISTANCE OF 50 FEET, AND IS TO BE PROVIDED AT EACH VEHICLE ACCESS POINT TO EXISTING PAVED STREETS. THE DEPTH AND LENGTH OF AGGREGATE MAY NEED TO BE ADJUSTED IN THE FIELD TO ENSURE NO TRACKING OF SEDIMENT ONTO EXISTING PAVED STREETS. CONSTRUCTION ENTRANCES SHALL SLOPE AWAY FROM EXISTING PAVED STREETS.
- INLETS NOT USED IN CONJUNCTION WITH EROSION CONTROL MEASURES ARE TO BE BLOCKED UNLESS THE AREA DRAINED IS UNDISTURBED OR STABILIZED.
- BORROW AREAS AND TEMPORARY STOCKPILES SHALL BE PROTECTED WITH APPROPRIATE EROSION CONTROL MEASURES TO THE SATISFACTION OF THE CITY ENGINEER.
- NO STRAW BALES OR SILT FENCES SHALL BE USED AS EROSION CONTROL MEASURES. SILT FENCES MAY ONLY BE USED AS A PHYSICAL BARRIER TO PREVENT VEHICULAR AND PEDESTRIAN TRAFFIC FROM USING NON-APPROVED ACCESS POINTS (E.G. - ALONG RIGHT-OF-WAY).
- ALL DISTURBED AREAS INCLUDING FLAT PADS ARE TO BE TREATED WITH STRAW AND THATCHER AT A RATE OF 2 TONS PER ACRE APPROXIMATELY 3 INCHES THICK, FOR TEMPORARY CONDITIONS (DURING CONSTRUCTION). FOR PERMANENT GROUND COVER REFER TO APPROVED LANDSCAPE PLAN.

**SUPPLEMENTAL EROSION & SEDIMENT CONTROL NOTES**

- SEE STANDARD EROSION & SEDIMENT CONTROL NOTES ABOVE.
- THE FACILITIES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL EROSION AND SEDIMENT DURING THE RAINY SEASON, OCTOBER 1 TO APRIL 15. FACILITIES ARE TO BE OPERABLE PRIOR TO OCTOBER 1 OF ANY YEAR. GRADING OPERATIONS DURING THE RAINY SEASON WHICH LEAVE DENUDE SLOPES SHALL BE PROTECTED WITH EROSION CONTROL MEASURES IMMEDIATELY FOLLOWING GRADING ON THE SLOPES.
- CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF GRADING. ALL CONSTRUCTION TRAFFIC ENTERING ONTO THE PAVED ROADS MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCEWAYS.
- CONTRACTOR SHALL MAINTAIN STABILIZED ENTRANCE AT EACH VEHICLE ACCESS POINT TO EXISTING PAVED STREETS. ANY MUD OR DEBRIS TRACKED ONTO PUBLIC STREETS SHALL BE REMOVED DAILY AND AS REQUIRED BY THE CITY.
- INLET PROTECTION SHALL BE INSTALLED AT OPEN INLETS TO PREVENT SEDIMENT FROM ENTERING THE STORM DRAIN SYSTEM. INLETS NOT USED IN CONJUNCTION WITH EROSION CONTROL ARE TO BE BLOCKED TO PREVENT ENTRY OF SEDIMENT.
- THIS EROSION AND SEDIMENT CONTROL PLAN MAY NOT COVER ALL THE SITUATIONS THAT MAY ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. VARIATIONS AND ADDITIONS MAY BE MADE TO THIS PLAN IN THE FIELD. NOTIFY THE CITY REPRESENTATIVE OF ANY FIELD CHANGES.



**FRONT YARD SLOPE DETAIL AFTER STREET ARE PAVED**  
 N.T.S.



**FIBER ROLL INSTALLATION DETAIL**  
 N.T.S.

NO.	REVISIONS	DATE	BY	CITY	DATE



**P. Osuna**  
 OSCAR OSUNA  
 RCE 70229 EXP. 6-30-19

**OSUNA ENGINEERING INC.**  
 (Formerly Osuna Engineering and Engineering)

CONSULTING CIVIL ENGINEERS & LAND SURVEYORS  
 117 BROADWAY, SUITE 100  
 SAN JOSE, CA 95131  
 TEL: (408) 277-7700  
 FAX: (408) 277-7701  
 INFO@OSUNAE.COM

**GRADING & DRAINAGE PLAN**  
**EROSION CONTROL**  
**631 COLLEGE AVENUE**

Project No. 1755 Date: 07/27/20  
 Prepared: [Signature]

SHEET  
**C3**  
 OF 5 SHEETS

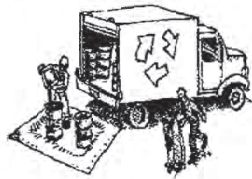
CONSTRUCTION PROJECTS THAT ARE SUBJECT TO THE COMPLETION OF THE PERMITS BY THE AGENCIES OF THE COUNTY OF SAN MATEO SHALL BE SUBJECT TO THE REQUIREMENTS OF THE PERMITS. THE COUNTY OF SAN MATEO SHALL BE RESPONSIBLE FOR THE ENFORCEMENT OF THE PERMITS. THE COUNTY OF SAN MATEO SHALL BE RESPONSIBLE FOR THE ENFORCEMENT OF THE PERMITS. THE COUNTY OF SAN MATEO SHALL BE RESPONSIBLE FOR THE ENFORCEMENT OF THE PERMITS.



# Construction Best Management Practices (BMPs)

Construction projects are required to implement the stormwater best management practices (BMP) on this page, as they apply to your project, all year long.

## Materials & Waste Management



### Non-Hazardous Materials

- Berm and cover stockpiles of sand, dirt or other construction material with tarps when rain is forecast or if not actively being used within 14 days.
- Use (but don't overuse) reclaimed water for dust control.

### Hazardous Materials

- Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state and federal regulations.
- Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecast.
- Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- Arrange for appropriate disposal of all hazardous wastes.

### Waste Management

- Cover waste disposal containers securely with tarps at the end of every work day and during wet weather.
- Check waste disposal containers frequently for leaks and to make sure they are not overfilled. Never hose down a dumpster on the construction site.
- Clean or replace portable toilets, and inspect them frequently for leaks and spills.
- Dispose of all wastes and debris properly. Recycle materials and wastes that can be recycled (such as asphalt, concrete, aggregate base materials, wood, gypsum board, pipe, etc.)
- Dispose of liquid residues from paints, thinners, solvents, glues, and cleaning fluids as hazardous waste.

### Construction Entrances and Perimeter

- Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off-site.
- Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking. Never hose down streets to clean up tracking.

## Equipment Management & Spill Control



### Maintenance and Parking

- Designate an area, fitted with appropriate BMPs, for vehicle and equipment parking and storage.
- Perform major maintenance, repair jobs, and vehicle and equipment washing off site.
- If refueling or vehicle maintenance must be done onsite, work in a bermed area away from storm drains and over a drip pan or drop cloths big enough to collect fluids. Recycle or dispose of fluids as hazardous waste.
- If vehicle or equipment cleaning must be done onsite, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or surface waters.
- Do not clean vehicle or equipment onsite using soaps, solvents, degreasers, or steam cleaning equipment.

### Spill Prevention and Control

- Keep spill cleanup materials (e.g., rags, absorbents and cat litter) available at the construction site at all times.
- Inspect vehicles and equipment frequently for and repair leaks promptly. Use drip pans to catch leaks until repairs are made.
- Clean up spills or leaks immediately and dispose of cleanup materials properly.
- Do not hose down surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags).
- Sweep up spilled dry materials immediately. Do not try to wash them away with water, or bury them.
- Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
- Report significant spills immediately. You are required by law to report all significant releases of hazardous materials, including oil. To report a spill: 1) Dial 911 or your local emergency response number, 2) Call the Governor's Office of Emergency Services Warning Center, (800) 852-7550 (24 hours).

## Earthmoving



- Schedule grading and excavation work during dry weather.
- Stabilize all denuded areas, install and maintain temporary erosion controls (such as erosion control fabric or bonded fiber matrix) until vegetation is established.
- Remove existing vegetation only when absolutely necessary, and seed or plant vegetation for erosion control on slopes or where construction is not immediately planned.
- Prevent sediment from migrating off-site and protect storm drain inlets, gutters, ditches, and drainage courses by installing and maintaining appropriate BMPs, such as fiber rolls, silt fences, sediment basins, gravel bags, berms, etc.
- Keep excavated soil on site and transfer it to dump trucks or site, not in the streets.

### Contaminated Soils

- If any of the following conditions are observed, test for contamination and contact the Regional Water Quality Control Board:
  - Unusual soil conditions, discoloration, or odor.
  - Abandoned underground tanks.
  - Abandoned wells.
  - Buried barrels, debris, or trash.

## Paving/Asphalt Work



- Avoid paving and seal coating in wet weather or when rain is forecast, to prevent materials that have not cured from contacting stormwater runoff.
- Cover storm drain inlets and manholes when applying seal coat, tack coat, slurry seal, fog seal, etc.
- Collect and recycle or appropriately dispose of excess abrasive gravel or sand. Do NOT sweep or wash it into gutters.
- Do not use water to wash down fresh asphalt concrete pavement.

### Sawcutting & Asphalt/Concrete Removal

- Protect nearby storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or gravel bags to keep slurry out of the storm drain system.
- Shovel, absorb, or vacuum saw-cut slurry and dispose of all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner).
- If sawcut slurry enters a catch basin, clean it up immediately.

## Concrete, Grout & Mortar Application



- Store concrete, grout, and mortar away from storm drains or waterways, and on pallets under cover to protect them from rain, runoff, and wind.
- Wash out concrete equipment/trucks offsite or in a designated washout area, where the water will flow into a temporary waste pit, and in a manner that will prevent leaching into the underlying soil or onto surrounding areas. Let concrete harden and dispose of as garbage.
- When washing exposed aggregate, prevent washwater from entering storm drains. Hook any inlets and vacuum gutters, hose washwater onto dirt areas, or drain onto a bermed surface to be pumped and disposed of properly.

## Landscaping



- Protect stockpiled landscaping materials from wind and rain by storing them under tarps all year-round.
- Stack bagged material on pallets and under cover.
- Discontinue application of any erodible landscape material within 2 days before a forecast rain event or during wet weather.

## Painting & Paint Removal



### Painting Cleanup and Removal

- Never clean brushes or rinse paint containers into a street, gutter, storm drain, or stream.
- For water-based paints, paint out brushes to the extent possible, and rinse into a drain that goes to the sanitary sewer. Never pour paint down a storm drain.
- For oil-based paints, paint out brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of excess liquids as hazardous waste.
- Paint chips and dust from non-hazardous dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash.
- Chemical paint stripping residue and chips and dust from marine paints or paints containing lead, mercury, or tributyltin must be disposed of as hazardous waste. Lead based paint removal requires a state-certified contractor.

## Dewatering

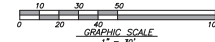
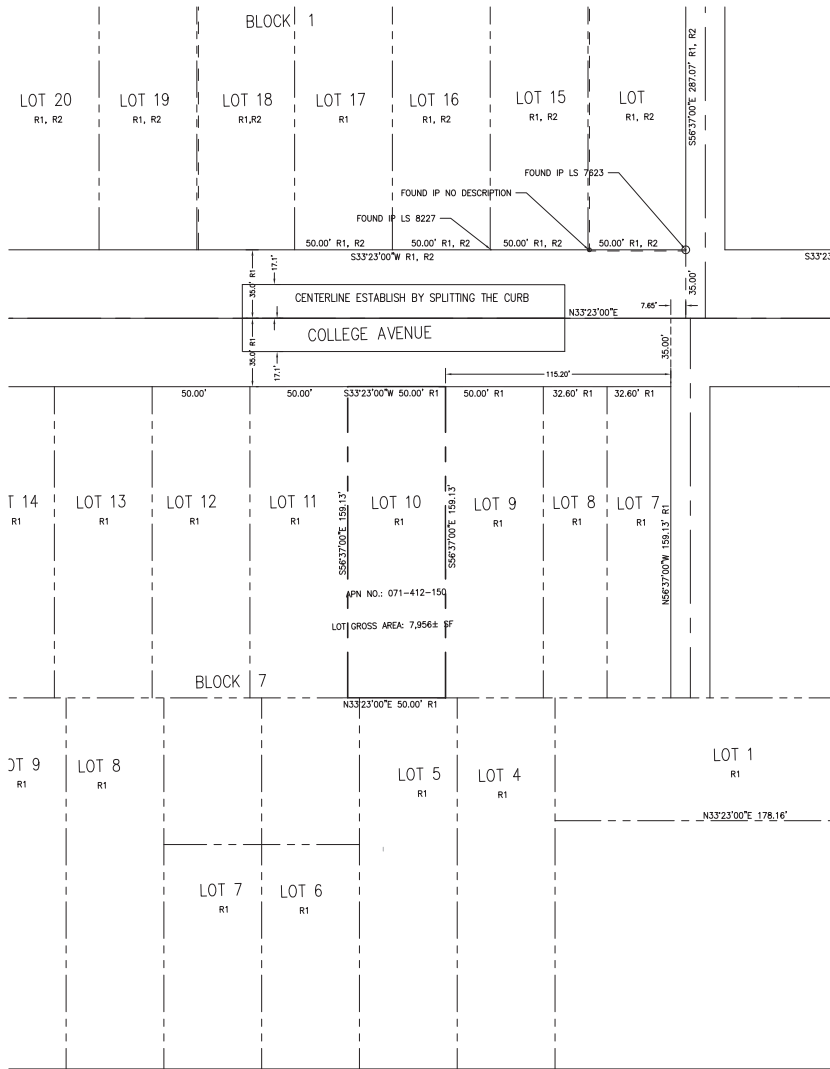


- Discharges of groundwater or captured runoff from dewatering operations must be properly managed and disposed. When possible send dewatering discharge to landscaped area or sanitary sewer. If discharging to the sanitary sewer call your local wastewater treatment plant.
- Divert run-on water from off-site away from all disturbed areas.
- When dewatering, notify and obtain approval from the local municipality before discharging water to a street gutter or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- In areas of known or suspected contamination, call your local agency to determine whether the ground water must be tested. Pumped groundwater may need to be collected and hauled off-site for treatment and proper disposal.

**Storm drain polluters may be liable for fines of up to \$10,000 per day!**

<p>OSUNA ENGINEERING INC.        CONSULTING CIVIL ENGINEERS &amp; LAND SURVEYORS        1175 COLLEGE AVENUE, SUITE 100        SAN MATEO, CA 94403        TEL: (650) 977-7777        FAX: (650) 977-7778</p>	<p>GRADING &amp; DRAINAGE PLAN        CONST BEST MANAGEMENT PRACTICE        631 COLLEGE AVENUE        SHEET C4        OF 5 SHEETS</p>

- LEGEND**
- 200--- EXISTING CONTOUR LINE
  - 200--- NATURAL GRADE CONTOUR LINE
  - ⊙ FOUND CITY MONUMENT BOX, OR AS NOTED
  - BOUNDARY OF PROPERTY SURVEYED
  - ( ) RECORD INFORMATION
  - CENTERLINE
  - △ CURB INLET
  - CURB LINE
  - DRIVEWAY APRON
  - ELECTROLIER
  - FENCE
  - ⊕ FIRE HYDRANT
  - FLAT GRATE INLET
  - O.H. PWR OVERHEAD POWER LINE
  - O.H. TEL OVERHEAD TELEPHONE LINE
  - SS SANITARY SEWER LINE
  - SANITARY SEWER MANHOLE
  - ⊙ SANITARY SEWER CLEANOUT
  - SIGN
  - SD STORM DRAIN LINE
  - ⊙ STORM DRAIN MANHOLE
  - UTILITY BOX
  - UTILITY POLE
  - WATER LINE
  - WATER METER
  - WATER VALVE
  - ⊕ ELECTRIC METER
  - WATER HEATER
  - GAS



THE BEARING SOUTH 33°22'00" WEST OF THE CENTER LINE OF COLLAGE WAY AS SHOWN ON THAT STANFORD PARK MAP NO.2, FILED FOR RECORD IN BOOK 8 OF MAPS PAGES 46, SANTA MATEO COUNTY RECORDS, AND BY SPLITTING THE CURBS, WAS TAKEN AS THE BASIS OF BEARING FOR THIS SURVEY.

**REFERENCES:**  
 R1 STANFORD PARK MAP NO. 2 8-M-46  
 R2 PARCEL MAP 83-M-95

**BENCH MARK**  
 DESCRIPTION: BENCHMARK 8, NORTHING 198708.8, EASTING 6072185.9  
 HORIZONTAL COORDINATES INDICATE CALIFORNIA STATE PLANE COORDINATES ZONE III, NAD 83 (2011)  
 CENTER STAR ON TOP OF CATCH BASIN AT THE NORTHWESTERLY END OF THE SOUTHWESTERLY CURB RETURN AS SHOWN: ELEV.: 88.09 (NAVD 88) (US FT)

**ABBREVIATIONS**

APN	ASSESSOR'S PARCEL NUMBER
BM	BENCH MARK
CATV	CABLE TELEVISION OVERHEAD
D	CURVE DELTA
DRWY	DRIVEWAY
DS	DOWNSPOUT
FL	FLOW LINE ELEVATION
IP	IRON PIPE
L	CURVE LENGTH
R#	REFERENCE DOCUMENT
M-M	MONUMENT TO MONUMENT
O.H. PWR	OVERHEAD POWER LINE
O.H. TEL	OVERHEAD TELEPHONE LINE
P.L.	PARCEL
P.M.	PARCEL MAP
PTN	PORTION
R	RADIUS
SD	STORM DRAIN
SS	SANITARY SEWER
TC	TOP OF CURB ELEVATION
TEMP	TEMPORARY
PUE	PUBLIC UTILITY EASEMENT
WLE	WATER LINE EASEMENT

**SURVEYOR'S STATEMENT**

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

*P. Osuna*  
 DATE: 4/30/19  
 PORFIRIO OSCAR OSUNA, PRESIDENT  
 OSUNA ENGINEERING, INC.  
 P.L.S. NO.8921 EXPIRES 9/30/20

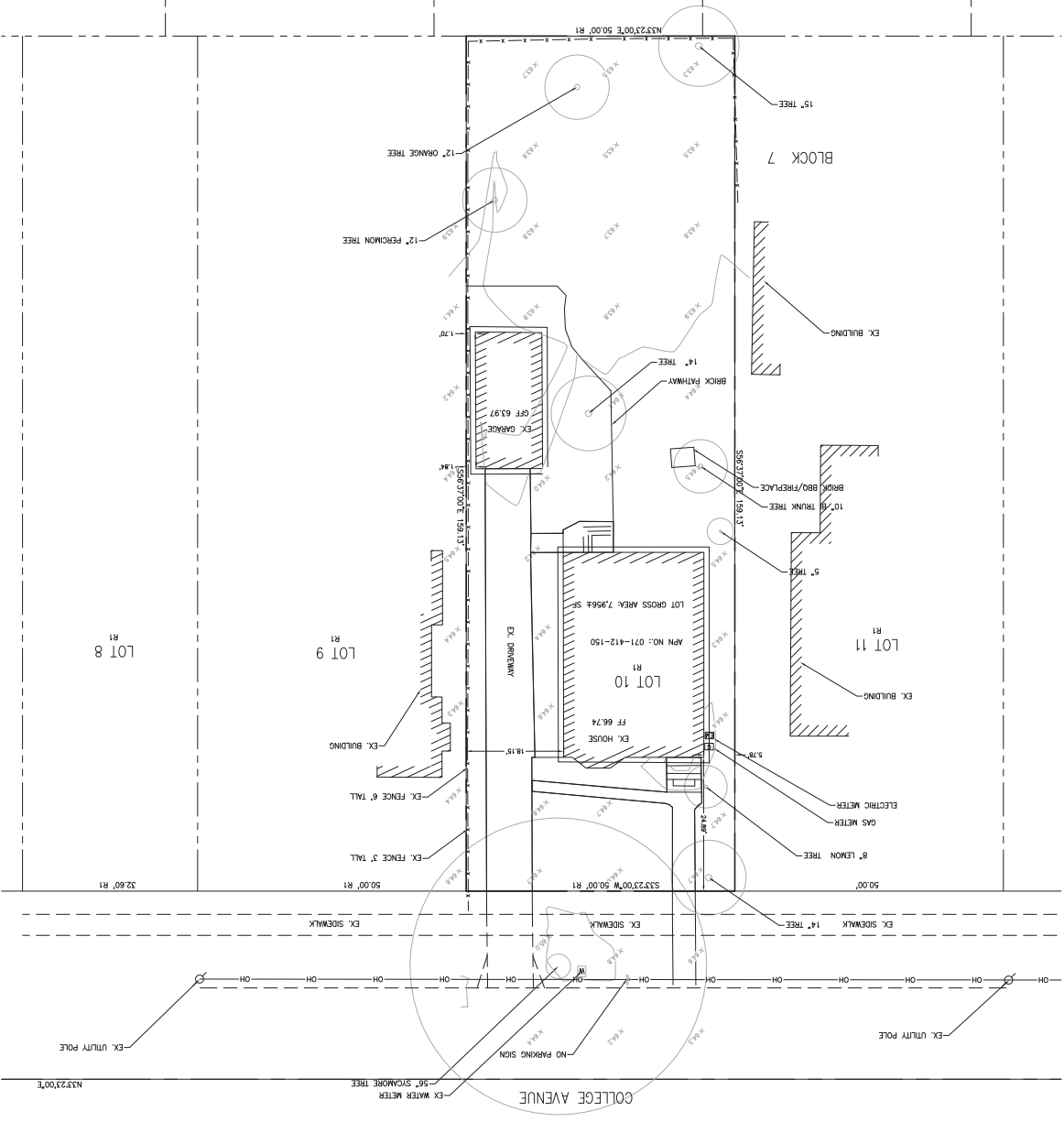


**NOTES:**

1. DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
2. THE DISTINCTIVE BORDER LINE DENOTES THE BOUNDARY.
3. TREES SPECIES NAMES ARE APPROXIMATE, AND LABELED BY THEIR COMMON NAME TO THE BEST OF OUR KNOWLEDGE. IT IS NOT BASED ON AN ARBORIST REPORT.
4. TOPOGRAPHY SHOWN ON THIS MAP, REPRESENTS THE SURFACE FEATURES ONLY.
5. UNLESS SPECIFIED ON THIS MAP, LOCATIONS OF THE UNDERGROUND AND OVERHEAD UTILITIES ARE NEITHER INTENDED NOR IMPLIED. FOR THE LOCATIONS OF UNDERGROUND UTILITIES CALL "USA" (1-800-642-2440).
6. BUILDING FOOTPRINTS ARE SHOWN AT GROUND LEVEL.
7. FINISH FLOOR ELEVATION TAKEN AT DOOR THRESHOLD (EXTERIOR).
8. A TITLE REPORT FOR THE SUBJECT PROPERTY HAS NOT BEEN EXAMINED BY OSUNA ENGINEERING, INC. OTHER EASEMENTS OF RECORD MAY EXIST THAT ARE NOT SHOWN ON THIS MAP.

DATE	4-30-19	REVISIONS	
SCALE	AS SHOWN	DRAWN BY	O.SUNA
PROFESSIONAL LAND SURVEYOR No. 8821		CHECKED BY	
BOUNDARY AND TOPOGRAPHIC SURVEY LANDS OF SURI 631 COLLEGE AVE MENDOTA PARK, CALIFORNIA			
JOB NO.	1755		
SHEET	1		
OF	2		

- LEGEND
- 200' --- EXISTING CONTOUR LINE
  - - - 200' - - - NATURAL GRADE CONTOUR LINE
  - FOUND CITY MONUMENT BOX, OR AS NOTED
  - BOUNDARY OF PROPERTY SURVEYED
  - ( ) RECORD INFORMATION
  - CENTERLINE
  - △ CURB INLET
  - CURB LINE
  - DRIVEWAY APPROX
  - ELECTROFLOR
  - FENCE
  - FINE HOUSING
  - FLAT GRADE INLET
  - FLYING GRADE INLET
  - OVERHEAD POWER LINE
  - OVERHEAD TELEPHONE LINE
  - SANITARY SEWER MANHOLE
  - SANITARY SEWER CLEANOUT
  - SANITARY SEWER LINE
  - STORM DRAIN MANHOLE
  - STORM DRAIN LINE
  - SIGN
  - STORM DRAIN LINE
  - WATER LINE
  - WATER MANHOLE
  - WATER VALVE
  - WATER HEATER
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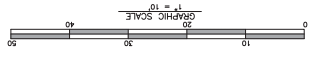


- ABBREVIATIONS
- APN ASSESSOR'S PARCEL NUMBER
  - BM BENCH MARK
  - CAVY CHALK TELEVISION OVERHEAD
  - D CURVE DELTA
  - DRWY DRIVEWAY
  - DS DOWNCUT
  - FL FLOW LINE ELEVATION
  - FL ROOF PACE
  - L CURVE LENGTH
  - R# REFERENCE DOCUMENT
  - M-M MONUMENT TO MONUMENT
  - OH, TEL OVERHEAD TELEPHONE LINE
  - P.M. PARCEL MAP
  - R# RADIALS
  - SS SANITARY SEWER
  - TC TOP OF CURB ELEVATION
  - TEMPORARY PUBLIC UTILITY EASEMENT
  - WLE WATER LINE EASEMENT

REFERENCES:  
 R1 STANDARD PARK MAP NO. 2 8-M-46  
 R2 PARCEL MAP 82-M-96

BENCH MARK  
 DESCRIPTION: BENCHMARK 8, NORTHING 198708 & EASTING 607218.9  
 HORIZONTAL COORDINATES INDICATE CALIFORNIA STATE PLANE COORDINATES  
 ZONE III, NAD 83 (2011)  
 THE SOUTHWESTERLY CURB RETURN AS SHOWN. ELEV.: 88.09 (NAD)  
 THE SOUTHWESTERLY CURB RETURN AS SHOWN. ELEV.: 88.09 (NAD)

THE BEARING SOUTH 33°23'00" WEST OF THE CENTER LINE OF COLLAGE WAY AS SHOWN ON THE STANDARD PARK MAP NO. 2, FILED FOR RECORD IN BOOK 8 OF MAPS PAGES 46, SANTA MARITO COUNTY RECORDS, AND BY SPLITTING THE CURBS, WAS TAKEN AS THE BASIS OF BEARING FOR THIS SURVEY.





## PROJECT DESCRIPTION FOR

(revised 5-14-19)

## SURI RESIDENCE

631 College Avenue  
Menlo Park, CA

The project is a new two-story, single family home with a basement, replacing an existing one-story single-family home with a detached garage. The lot is quite flat and is not in a flood zone. The parcel is zoned R-1-U but is non-confirming as to the lot width, therefore a conditional use permit is required for approval of the project.

The project is intended to provide a modern family with a large, comfortable home. There will be four bedrooms and three baths on the second floor, a great room style family room and kitchen, combined living and dining rooms, guest suite and two-car garage on the ground floor, and recreation spaces and bedroom suite in the basement. The siting of the house is designed to open up the family living spaces to southern exposure and to the rear yard and includes a large south facing light well for the basement. The siting also accommodates a southwest facing photovoltaic array on the roof.

Regarding the existing trees on the site, we would like to remove trees 3, 4, 5 and 7 (respectively an orange, olive, orange or kumquat and apple tree) in the side and rear yards, because they are in the building footprint or so close the excavation that they would probably not survive the construction activities. We are proposing a temporary tree protection fence in the rear yard to protect trees 6,8,9 & 10, as well as two nearby trees on adjacent properties.

In the front yard, in response to neighborhood concerns, we are requesting that tree #1 be retained. Tree #1, the largest tree in the vicinity of the property, is a Menlo Park street tree in the public right of way. The project arborist will continue to work with the city arborist to ensure the protection of this tree during construction.

We would like to remove Tree #2, a large heritage magnolia in the front yard, as it has shallow roots and is said to be easily damaged; it would also need to be pruned significantly to give clearance for the proposed driveway. We are proposing to replace this tree with a new 24" box Coast Live Oak tree to be located in the rear yard, to be planted before the final inspection for the project.

The design of the house is intended to be modern yet with homey, traditional gable forms. Exterior materials include stucco, standing seam metal roofing, stained wood 'rain screen' style siding and metal cable rails. The construction will be conventional stick framing but with TJI floor joists and truss roof framing. The owner is considering how far to go with 'green' construction techniques but intends to build a high quality, well-sealed, well insulated building shell, with many custom interior amenities.

The owner reports he has reviewed the project with a many of the neighbors, as follows:

*David and Sarah 641 College Ave. - - I had a detailed chat during the holidays with them over a beer about the plans to rebuild the house with basement. They are professors at Stanford. They were supportive of the idea and mentioned that it will be nice to have more newer houses on the street. They also mention about Connie (620 College ave) that they also constructed a new house recently which looks very nice and they are also very open to having newer houses.*

*634 College Ave. - Talked to the lady who lives there alone as her husband passed a couple years ago. She congratulated me being part of the neighborhood and mentioned that she is a longtime resident and would love to hold onto the house for some time more as there is this mixed-use complex coming up across El Camino and it will improve the quality and price of the neighborhood. I also shared with her about building a new house and its currently in planning phase. She was very supportive and said that's a typical process and takes time and we are doing the right thing to tear it down and rebuild. She also mentioned that many neighbors on the street want to see improvements and are excited to have us as neighbors. She had also heard from the seller (Kathy Woodberry) about us.*

*Marge Abrams 611 College Ave (phone 847 302 1922) - Spoke with Marge and Robert at length. They were very happy that we are keeping the tree. They were planning on coming the hearing but were not sure if they will come now or not. But I did invite them incase they have any other questions. They didn't mentioned anything about the building so seems like they don't have any questions. I even talked about the Magnolia (to Robert as Marge had to leave) and Robert was fine with that.*

*Robert Abrams 611 College Ave - Same as above.*

*Cynthia Camuso 628 College Ave - I had spoken to her earlier as already reported. She was not home so left the letter. Earlier she was very supported about the project in general.*

*Karen Burtness Prak 651 College Ave - they were not home so left the letter.*

*Jan Willem Prak 651 College Ave - they were not home so left the letter.*

*Adrian Maarleveld 657 College Ave*

*Margot Maarleveld 657 College Ave - Spoke with Margot and she happy and mentioned that many neighbors would be relieved that the tree is staying. She was ok otherwise. She had to go as she had some guests.*

*Sarah Soule 641 College - Have spoken to them before as we already reported. Left a letter with their son as Sarah and David were not home.*

*Barrett Moore 648 College - Was not at home so left the letter.*

*Joe Seidel 640 College - Spoke with Joe. He even signed the form. He was totally fine with the project and happy that we are keeping the tree. He also doesnt care about the Magnolia and said go for it. He said he would love to see how the project comes along.*

The neighborhood has a mixture of older homes and newer homes in a variety of styles and we believe this home will fit into the matrix very well.



Arborist Report for the site located at:  
631 College Avenue Menlo Park, California

|



Prepared for:  
Anuj Suri  
January 2019

Prepared by:  
John J. Leone

I.S.A. Certified Arborist # W. E. 1056A.  
Since 1992

“In the Horticultural and Landscape Field Since 1977.”

## **Purpose**

At the request of Mr. Anuj Suri, I prepared an Arborist Report for the trees located at 631 College Avenue Menlo Park, CA. This report is for the purpose of an inventory of all applicable and/or heritage trees on the proposed project site within the work area.

All the trees on the property were identified as a species, assessed, inspected, and personally documented on November 29<sup>th</sup>, 2018. All the trees in this report are 4 inch in diameter or greater and located within the property parameters on the given site plan. Two trees in this report are not numbered or tagged; however, are listed because they have overhanging canopies, extending into the back yard at this address. The two large trees in the neighboring private properties are to the rear and left rear corner of the property. These trees are listed in the miscellaneous tree charts and although, they are outside the construction work zone, they must be considered under Tree Protection Zone definitions. Root structures do not recognize property lines.

This report includes the following elements: Tree list, Tree Charts, photographs, site layout plan, and Basic Tree Protection Guidelines. The Tree list included in this report provides the full botanical name, common name, measurement of diameter at base height (DBH), canopy measurement, (dripline measurement), and Tree Protection Zone (TPZ) measurements, for the trees located in the front. The trees located in the back section of the yard the back section of the yard needs to be fenced off to protect the trees from construction, therefore TPZ is provided. The Tree Charts contain a brief description, preservation rating, and overall condition of the trees.

## **Field documentation**

\* I arrived at the proposed construction site, located at 631 College Avenue, Menlo Park, CA, on November 29<sup>th</sup> 2018. The weather was cool and wet, with periods of rain and cloudy skies.

\* I made all my inspections and observations, noting the trees and their condition at the location and given the time of year, and the lack of any maintenance on some of the trees if applicable.

\* All measuring devices used for report documentations are approved by the International Society of Arboriculture and the American Society of Consulting Arborists.

\* A Sony 12.1 mega pixel digital camera was used for taking photos of the trees, either individually or in groups.

\* The trees are tagged with a silver dollar sized disc. My Certified Arborist number is engraved on each disc along with a tree number that corresponds with the report.

## **Tree List:**

All the trees listed below are plotted on the existing site plan. Construction activity has an unavoidable impact to the survival of the trees which may be remaining on the property.

**Any trees within the construction zone of this project, not being removed, must have tree and root zone protection in order to ensure their survival during demolition, excavation, and construction of this home project.**

- **Tree #1: Cinnamomum camphora, Camphor tree:**
  - City of Menlo Park, city street tree.
  - Tree is in fair condition and thriving, with lush, medium-green foliage.
  - There are no signs of disease, infestations, decay, nutrient, or moisture deficiencies at this time.
  - Canopy of this tree encompasses most of the front yard of the residence.
  - Tree has been topped for overhead wire clearances by P.G. and E. contractors.
  - Tree has caused some infrastructure damages to the sidewalk, curb, and gutter. Damages have been repaired as you can see the new concrete which had been poured.
  - Tree has a 36" diameter @ 4.5 ft. above grade. (DBH)
  - Tree has an 81' dripline.
  - Root protection for this tree must extend 9 feet from the edge of the trunk, into the front yard lawn area.
  
- **Tree #2: Magnolia species, Flowering Magnolia;**
  - Tree is in fair to good condition with the canopy in full dormancy at the time of my inspections.
  - There are no signs of disease, infestations, decay, nutrient, or moisture deficiencies at this time.
  - Tree has a 15" diameter @ 4.5 ft. above grade (DBH).
  - Tree has an approximate 33' dripline.
  - Tree has an 18" TPZ.
  - The tree canopy is low and may cause problems with vehicles hitting low branches of this tree.

- **Tree #3: Citrus species, Orange:**
  - Tree is in fair / poor condition with some chlorotic and light green foliage.
  - There are no visual signs of disease, infestations, decay, or moisture deficiencies at this time.
  - Nutrient deficiencies are the probable cause of chlorotic display of leaves, soil compaction or too much moisture.
  - Some dead twigs are present at this time.
  - Tree has a 10" diameter @ 4.5 ft. above grade (DBH).
  - Tree has a canopy dripline of 10'.
  - Tree has a 6.5' TPZ'.
  
- **Tree #4: Olea europaea, Olive:**
  - Tree is in fair to poor overall condition with many dead twigs, branches, and sparse foliage at this time.
  - There are no visual signs of disease, infestation, decay, or nutrient deficiencies at this time.
  - Sparse foliage throughout the canopy may be the result of an overwatering or soil compaction condition at this location of the yard. Olive trees are very drought tolerant.
  - This multiple trunk tree has a 12" combined diameter @ 4.5 ft. above the grade (DBH).
  - Tree has a canopy dripline of 25'.
  - Tree is scheduled for removal, pending construction of the new home.
  
- **Tree #5: Citrus species, Kumquat**
  - Tree is in poor condition with yellowing, chlorotic foliage in most areas of the canopy.
  - Foliage is sparse with some light-green foliage and small fruit present.
  - There are no signs of disease, infestation, decay, or nutrient deficiencies at this time.
  - This multiple main stem trunk tree has a 11" combined diameter @ 4.5 ft. above grade (DBH).
  - Tree has a canopy dripline of 12'.
  - Tree is scheduled for removal, pending the construction of the new home.

- **Tree #6: Ebenaceae species, Persimmon;**
  - Tree is in fair to good condition and thriving, with fruit present throughout the canopy. (Fruit is edible and very sweet)
  - Tree is going into dormancy.
  - Tree has a moderate preservation value.
  - There are no signs of disease, infestations, decay, nutrient, or moisture deficiencies at this time.
  - Tree has a multiple main stem trunk of 22" diameter @ 4.5 ft. above grade (DBH).
  - Tree has a canopy dripline of approximately 26'.
  
- **Tree #7; Apple species, Apple tree;**
  - Tree is in poor, overall condition due to extensive decay present on the majority of the trunk below the DBH.
  - Tree has severe decay and exposed wood along the entire trunk. Much of the bark has rotted away.
  - The entire trunk and canopy are being held up on this tree by boards and poles.
  - Canopy is well pruned and was harvested of a substantial amount of fruit.
  - Tree has combined 12" diameter @ 4.5 ft. above grade (DBH)
  - Tree has canopy dripline of approximately 16'.
  - Scheduled for removal pending the construction of the new home.
  
- **Tree # 8: Quercus ilex, Holly Oak;**
  - Tree has multiple main stem trunks.
  - Tree is in fair condition with lush dark-green leaves throughout the canopy and main stem trunks.
  - Tree has a combined 6" diameter @ 4'ft. above grade (DBH).
  - Tree has an approximate 12' drip canopy.
  - Tree is outside the construction zone area.
  
- **Tree # 9; Quercus agrifolia, Coast Live Oak;**
  - Tree has multiple main stem trunks and is in fair condition.
  - Tree has a combined 6" diameter @ 4' ft. above grade (DBH).
  - Tree is more than likely a randomly germinated acorn from a large neighboring tree, given it is located against the property fence.
  - Foliage is dark-green, lush, and full, with no signs of disease, infestation, nutrient or moisture deficiencies at this time.

- Young tree has a solid canopy structure with no mechanical or biological damages at this time.
  
- **Tree # 10: Citrus species; Orange**
  - Tree has multiple main stem trunks and is in fair to good condition.
  - Tree has a combined 13" diameter @ 4.5 ft. above grade (DBH).
  - Some fruit is present.
  - Tree shows no signs of disease, decay, or infestations at this time.
  
- **Neighboring tree, property to the back; Sequoia sempervirens, Coast Redwood;**
  - Tree is in fair to good condition with lush, dark-green foliage needles.
  - Limbs are overhanging 8' over the back yard at 631 College Avenue.
  - There are no signs of disease, infestations, decay, nutrient, or moisture deficiencies at this time.
  - Tree is located outside the construction zone; however, tree protection must be provided due to overhanging limbs.
  
- **Neighboring tree, property to the left, rear; Picea, Spruce species;**
  - Tree is in fair to good condition with lush grey-green foliage needles.
  - Limbs are overhanging the left side of the rear yard, 15' from the fence line.
  - There are no signs of disease, infestations, decay, nutrient or moisture deficiencies at this time.
  - Tree is located outside the construction zone; however, tree protection must be provided due to overhanging limbs.

## Tree Protection, Options

- **Tree # 1, Cinnamomum camphora; Camphor tree:**

This designated street tree has a 43' TPZ, which covers a majority of the front yard of the home. Tree protection fencing will greatly hinder the construction work at the home, which includes excavation of a larger basement, along with general construction.

  - \* Tree protection:

Cover the front yard with 4 inches of wood chip mulch and cover the mulch with  $\frac{3}{4}$  inch thick construction grade plywood, anchored down with 12" spikes. This will protect the root system of the street tree from compaction and insure its survival during construction of the new home.  
Root zone protection must extend 9 feet from the edge of the trunk of this tree.
  - \* Designated street tree. DO NOT REMOVE LOWER LIMBS FOR CLEARNACE PURPOSES.
  - \* Protect lower limbs from heavy equipment damages. Wrap lower limbs with "Snow Fencing" materials. Wrap the limbs 3 to 4 times and secure with duct tape or plastic wrap materials. Use no nails or staples to hold snow fencing materials in place.
  
- **Tree #2, Magnolia; Flowering Magnolia:**

This tree has been approved for removal and replacement.

  - \* Replacement tree will be planted AFTER construction has been complete and will be planted in the backyard area of the home.
  - \* The replacement tree will be a California native, Coast Live Oak.
  - \* The replacement tree will be planted along the right rear fence line, not on turf.

## **General Reasons for Tree Removal**

- **Construction:** Excessive construction impact is unavoidable, and it is not worthwhile to save the tree.
- **Condition:** The tree may have poor structure, low vigor, or have potential structure failure issues.
- **Landscaping:** Tree is being removed because it does not fit in with or conflicts with a proposed new landscape scheme.
- **Species:** The tree may be considered a poor species.
- **Risk:** The tree presents a moderate or extreme risk or potential hazard to people or the property around it.

## **General Rating Trees on the Charts**

**Excellent:** These trees are in unusually good health and condition. The trees are free of disease, infestations, structural defects, moisture, or nutrient deficiencies. Excellent trees are usually aesthetically pleasing, high quality species, or in a highly visual location.

**Good:** These trees may have a few minor defects, or their conditions may require professional attention. Usually with some minor work, the trees can be improved and will thrive. Good trees may require a small amount of pruning, a few broken limbs might be present, or may need other treatment. They may provide some benefit to the location site or the environment.

**Fair:** This categorizes a majority of average trees. They may have a combination of problems and issues which include structural defects, combination of deficiencies, or general health problems. Fair trees may also include a poor choice of tree for the given location or site. These trees may require horticultural management to try to save them or could be considered for removal.



### **General Rating Trees on the Charts continued:**

**Poor:** This category is for trees which have severe defects, health, and structural defects. Trees which are poor will usually decline regardless of proper care or extensive treatment to improve its general health and condition. This classification may also qualify as a poor choice of tree species in a given landscape or environment which has or will have a great potential for being a liability or nuisance. Trees classified as poor are recommended to be removed and replaced with a more aesthetically pleasant species where people and property are considered.

### **Limiting Conditions Accompanying Arborist Reports**

- This report requires no laboratory assessment of either the soil or plant and tree tissues. The inspection is limited to visual examination only without excavation probing, coring or “Resistograph” tools.
- This report is specific to the identified client prepared for, as well as the unique identified site, the address enclosed. Although some of the principles here discussed might appear to be applicable to another site, tree or situation, it is not possible to effectively carry any of these ideas across to another scenario or site.
- If the circumstances surrounding this report turn to a legal forum, then this report and I could be brought into legal testimony or court appearances only with a new assignment covered by additional fees.
- Alteration of this report, intentionally or unintentionally, voids the entire report.
- Sketches, photographs, and any other graphics used in this report are intended solely as visual aids. Every attempt is made to limit distortions and to provide graphics realistic enough for the purposes of this report. If engineering accuracy is important to any user of this report, then professionals skilled in the particular discipline must be retained to provide that level of detail.

## **Arborist Disclosure Statements**

- 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, only speculate. Conditions are often hidden within trees and below the ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time.
- 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 to seek additional advice.
- Treatment, planting, 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, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.
- Trees can be managed but, they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate the trees completely.

## **Certification of Performance**

### **I, John J. Leone, Certify,**

- That I have personally inspected the trees and the property referred to in this report and have stated my findings as accurately and to the best of my ability.
- That I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.
- That the analysis, opinions, and conclusions stated herein are my own, and are based on current scientific procedures and facts.
- That my analysis, opinions, and conclusions were developed, and this report has been prepared according to commonly accepted Arboricultural practices.
- Inspections were performed visually only, and I do not assume responsibility for defects or deficiencies that could only be discovered by probing, coring, excavating, or dissecting.
- I do not provide a guarantee that problems or deficiencies on trees inspected may not arise in the future.
- This report has been prepared exclusively for the use of the contracting, developing, or municipal agencies and parties, and may not be copied partially or in total without prior written consent.

**I further certify** that I am a member of the International Society of Arboriculture and a Certified Arborist with the organization. In addition to these facts, I have been involved in the practice of Arboriculture and the care and study of trees and landscape since 1977.

John J. Leone  
I.S.A. Certified Arborist # WC 1056A.

## **References**

Richard Harris; 1992 Arbor Culture – Integrated Management of Landscape Trees, Shrubs and Vines, Second Edition, Prentice Hall, Inc. Englewood Cliffs, New Jersey.

International Society of Arboriculture, Western Chapter

American Society of Consulting Arborists

Bay Area Landscape Supervisors Forum

Sunset Western Garden Book; copyright 2001

Master Gardner Program, U.C. Extension Program, Santa Clara County

Species Classification and Group Assignment; Guide for Plant Appraisal, 9<sup>th</sup> Edition, published by the International Society of Arboriculture.

### **Basic Tree and Root Zone Protection Guidelines**

- During construction, root protection is essential to the survival and safety of any established trees.
- A written agreement should be made between the developer and the construction company with a clear understanding and procedure of these guidelines.
- It is highly recommended a project arborist inspect the tree protection measures and devices before demolition and construction begins.
- It is highly recommended a Certified Arborist be hired by the construction company or the developer, to do periodic, monthly inspections of preserved trees. The protection practices must remain in place in order to insure the survival of the trees during and after the construction process.
- The project arborist should report monthly, the inspection results, to the governing agency and planning department.
- Driving vehicles and equipment or stacking materials, or soils, under the drip line of trees being protected **is prohibited**. Heavy activity under the drip line will cause compaction and compromise the health of the tree; thereby causing the tree to eventually perish. The drip line starts at the edge of the branches of the tree.
- Install a substantial non-movable tree protection fence (i.e. chain-link fence) to protect the roots, trunk, and branches of the trees to be preserved within the construction zone. The fence must be 6' chain link fencing and extend to the drip line or outer edge of the branches of the tree. 2" diameter posts, 10' long to the need to be securely driven into the ground 24 inches, until construction is complete. A weather proof sign posted on the fencing which reads, "Authorized Persons Only." Access inside the protection area must be provided by some kind of secure gate or similar device.
- Trees # 1 and #2 in the front yard need trunk protection with 2" by 4", 4' long, leaning on end, around the trunk of the trees. Wrap orange snow fencing around the 2 by 4's and hold in place with construction grade staples, driven into the boards. Put no staples into the trunk of the trees.

- Tree protection fencing may not be an option at this property location. The Tree Protection Zone (TPZ) for Tree # 1, use of 3 to 4 inches of wood chip mulch, covering 4 feet into front yard, as well as  $\frac{3}{4}$ " construction grade plywood on top of the mulch, in order to minimize compaction damage to the root system of the trees. Use large 12" long nail spikes to hold the plywood in place during construction activity.
- The construction grade  $\frac{3}{4}$ " plywood must cover 4 feet into the yard along the sidewalk, from the current driveway, to the location of the proposed driveway. (This procedure is pending city agency approval).
- Absolutely no self-driven mechanical or heavy equipment is allowed inside the root protection zone fencing area.
- Any digging inside the root protection zones must be done by hand, air spade or air knife devices.
- Any cutting of roots, larger than 2" in diameter must be done under the supervision of a Certified Arborist.
- **Absolutely no** soil grade changes should occur in the root zones or drip line of the trees. No piling of soil or scraping of soil should occur within the drip line of the trunk of the tree.
- Store soil intended for later use in piles located well outside of the root zones of trees to be preserved.
- Cutting of buttress roots is to be prohibited, as it can cause instability with the structure of the entire tree. Buttress roots are located directly under the bark flare at the base of the tree.
- Large roots exposed by excavation must be covered with burlap and kept damp to keep them from drying out. Trenching and shredding large roots within the drip line of the tree increases the chances of tree instability and mortality.
- Washing of paints, solvents, or concrete materials within the drip line of the tree must be prohibited. A concrete washout must be provided. Paints, solvents, and concrete residues are toxic to plant materials and will cause them to decline or die.

## **Glossary of Terms**

*Aeration* - Providing oxygen to the root system.

*Branch Bark Ridge* – A ridge of bark that forms in the branch crotches, where they meet, as specialized tissue of the branch and trunk. The bark ridge usually turns upward.

*Caliper* – Diameter of trunks or trunk at 4 feet 5 inches above the ground level.

*Critical root zone* – The root system of a tree that is generally considered to be within and under the drip line of the crown of the tree. This is measured from the trunk to 1 foot beyond the drip line. It is the portion of the root system that is the minimum necessary to maintain the vitality and stability of the tree. Encroachment or damage to the critical zone will put the tree at risk of failure.

*Crown* – The full complement of branches, twigs, and leaves of a tree.

*Decay* – Changes over time of a host tree by a decay organism that results in the breakdown of tissues, wood, and bark, which can cause the tree or its parts to become weak.

*Decline* – A general loss of vitality over the entire tree caused by a disease or by a series of events that disrupt essential life processes such as too little water, too much fertilizer, improper pruning, soil compaction, or chemical pollution.

*Drip line* – The area under the canopy of a tree that is equal to the total branch spread from tip to tip.

*Dieback* – Death of shoots and branches, generally from the tip to the base.

*Exotic Tree* – Tree not native to California.

*Included Bark* – Pattern of development at branch junction where bark is turned inward rather than pushed outward.

*Mulch* – Wood chips or green waste used to hold in moisture and regulate the temperature of the soil.

*Native Tree* – Tree indigenous to California.

*Root System*- The portion of the tree containing the root organs, including buttress roots, transport roots, and fine absorbing roots; all underground parts of the tree.

## **Glossary of Terms cont.**


*Root Zone* -The area and volume of soil around the tree in which roots are normally found. May extend to three or more times the branch spread of the tree or several times the height of the tree.

*Suppressed* – Trees that have been overtopped, and whose crown development is restricted.

*Tree protection zone* – A designated area around trees where maximum protection and preservation efforts are implemented. Refer to “Critical Root Zone”.

*Vigor* - Overall health of the tree.





**BEATSONEIL**  
ARCHITECTS

**Suri Residence**  
New single family home  
631 College Avenue  
Menlo Park, CA

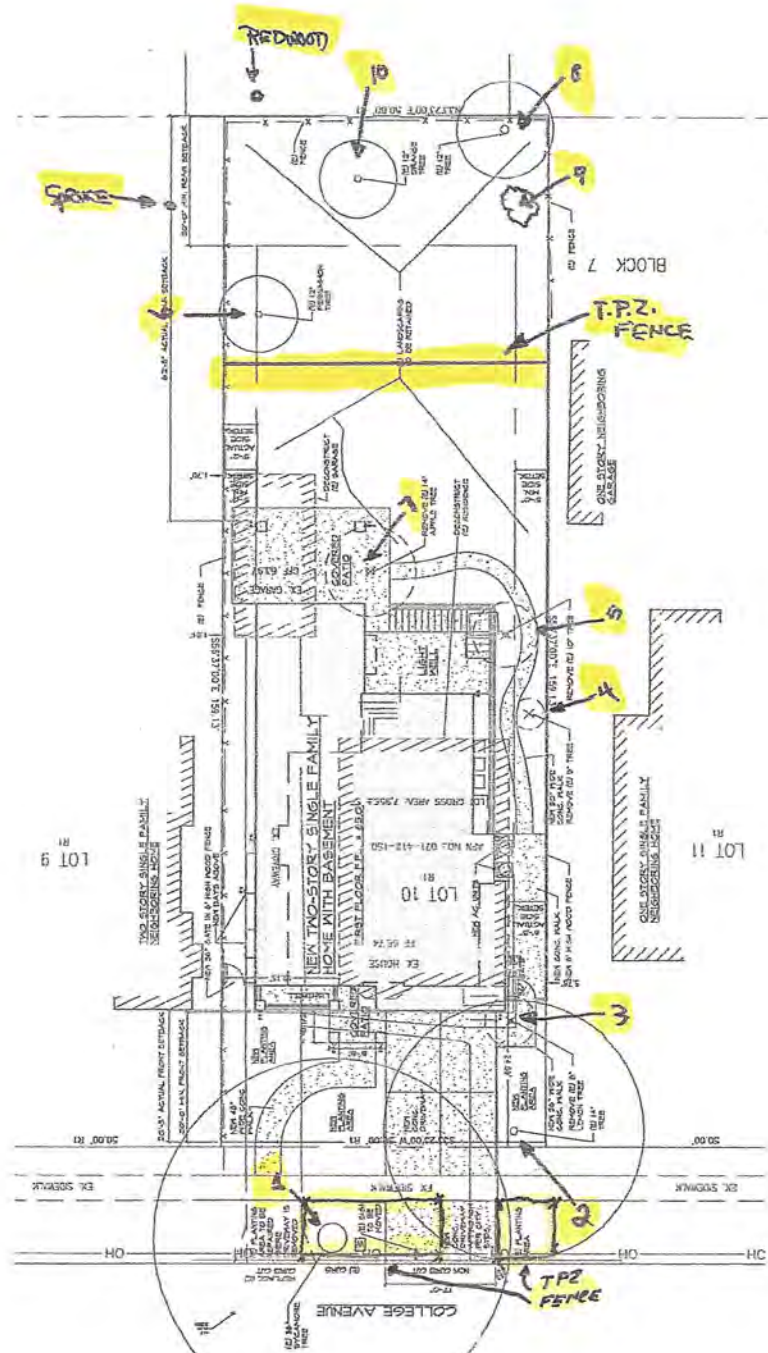
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DATE: 02/15/16  
DRAWN BY: [redacted]  
CHECKED BY: [redacted]

Sheet Title  
**SITE PLANS**

Scale: 1/8" = 1'-0"  
Project No.: [redacted]  
Sheet No.: [redacted]



1 New Site Plan  
1/8" = 1'-0"  
1800-1761

## **Miscellaneous Trees**

**Menlo Park, CA**

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (Ft.)	CONDITION/OBSERVATION	COMMENTS
TR#1	Cinnamomum camphora folia	Camphor tree	36"	81'	<ul style="list-style-type: none"> <li>- City of Menlo Park Street Tree.</li> <li>- Tree is in fair condition</li> <li>- No sign of disease, infestation, decay, mechanical or biological damages of any kind are present at this time.</li> <li>- Tree has been periodically topped for utility line clearance.</li> <li>- Tree has caused some infrastructure damages along the sidewalk, curb, and gutter areas.</li> <li>- Canopy of tree encompasses most of the residence front yard.</li> </ul>	<p>Moderate preservation value.</p> <p>Tree Protection Zone must be installed, along the entire parking strip area. In addition, TPZ fencing must be installed within the reaches of the canopy in the front yard of this property.</p> <p>Protect root zone 9 feet from the edge of the trunk of this tree, into the yard of the home.</p>

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (Ft.)	CONDITION/OBSERVATION	COMMENTS
TR#2	Magnolia species	Flowering Magnolia	15"	33'	<ul style="list-style-type: none"> <li>- Tree is in fair to good condition.</li> <li>- Tree is dormant at this time, with no sign of disease, infestations, decay, mechanical or biological defects of any kind.</li> <li>- Tree canopy has low spreading canopy branches.</li> </ul>	<p>Tree has been approved for removal.</p> <p>Replace this tree with a native California, Coast Live Oak. Plant the replacement tree after construction is complete.</p> <p>Location of the replacement tree will be in the back yard, toward the back of the right fence line.</p>
TR#3	Citrus species	Orange	App. 10"	App. 10'	<ul style="list-style-type: none"> <li>- Tree is located very close to the front wall of the existing house.</li> <li>- Tree is in fair to poor condition.</li> <li>- Some leaves are chlorotic and yellowing</li> <li>- Some dead twigs and branches are present on this tree.</li> <li>- Some fruit is present on the tree at this time</li> </ul>	<p>Refer to the Basic Tree Protection Guidelines.</p> <p>Tree has a moderate preservation value.</p>

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (Ft.)	CONDITION/OBSERVATION	COMMENTS
TR#4	Olea europaea	Olive	App. 12" comb.	25'	<ul style="list-style-type: none"> <li>- Tree has multiple main stem trunks which make up its canopy.</li> <li>- Tree is in fair to poor condition.</li> <li>- Sparse canopy throughout the canopy may be the result of an overwatering condition. Olive trees are very drought tolerant.</li> <li>- Sparse foliage could be a sign of root disease, or fungus.</li> <li>- No sign of infestations, decay, mechanical or biological damages of any kind is present at this time.</li> </ul>	<p>Tree has a low preservation value.</p> <p>Scheduled for removal to make way for construction of the new home.</p>
TR#5	Citrus species	Orange or Kumquat species	11"	App. 10'	<ul style="list-style-type: none"> <li>- Tree is in poor condition.</li> <li>- Foliage is sparse, some chlorotic leaves, and small fruit present.</li> <li>- Overall structure of the tree is solid and sound with no sign of decay, infestations, biological or mechanical damages of any kind present at this time.</li> </ul>	<p>Tree has a low preservation value.</p> <p>Scheduled for removal to make way for construction of the new home.</p>

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (Ft.)	CONDITION/OBSERVATION	COMMENTS
TR#6		Persimmon species	22"	26' comb.	<ul style="list-style-type: none"> <li>- Tree has a multiple main stem trunk.</li> <li>- Tree is dormant at the time of my inspections with fruit present within the canopy of the tree.</li> <li>- Tree is in fair overall condition.</li> <li>- Overall structure of the tree is solid and sound with no sign of decay, infestations, biological or mechanical damage of any kind present at this time.</li> </ul>	<p>Fruit is very good from this tree and would be a nice tree to preserve for the new proposed house.</p> <p>Tree has a moderate preservation value.</p> <p>Review Basic Tree Protection Guidelines to ensure tree is protected from construction activity.</p>
TR#7	Apple species	Apple Tree	10"	16'	<ul style="list-style-type: none"> <li>- Tree has a split main trunk with exposed wood, bark has rotted away.</li> <li>- Tree is in poor condition due to extensive decay, vertically along the trunk of this tree.</li> <li>- Boards are holding up the canopy and trunk.</li> <li>- Tree does have a canopy with foliage going dormant at this time.</li> <li>- Tree was well cared for pruned, fertilized, watered, and harvested of its fruit.</li> </ul>	<p>This tree was well maintained and cared for by the home owner for sentimental reasons.</p> <p>Tree has no preservation value.</p> <p>Scheduled for removal for construction of the new home.</p>

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (Ft.)	CONDITION/OBSERVATION	COMMENTS
TR#8	Quercus ilex	Holly Oak	10"	12'	<ul style="list-style-type: none"> <li>- Tree has multiple main stem trunks.</li> <li>- Tree is in fair overall condition with lush dark-green leaves and no sign of disease, infestation, biological or mechanical damage present at this time.</li> </ul>	Tree is outside the construction work zone area.
TR#9	Quercus agrifolia	Coast Live Oak	6"	~	<ul style="list-style-type: none"> <li>- Tree has multiple main stem trunks.</li> <li>- Tree is in fair overall condition with lush, dark-green leaves with no sign of disease, infestation, biological or mechanical damage present this time.</li> <li>- Young tree has a solid canopy structure with no mechanical or biological damages present at this time.</li> </ul>	Tree is outside the construction work zone area.
TR#10	Citrus species	Orange	13"	17'	<ul style="list-style-type: none"> <li>- Tree has multiple main stem trunks.</li> <li>- Tree is in fair to good overall condition.</li> <li>- No sign of disease, infestation, nutrient or moisture deficiencies are present at this time.</li> <li>- No biological or mechanical damages of any kind are present at this time.</li> </ul>	Tree is outside the construction work zone area.

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (Ft.)	CONDITION/OBSERVATION	COMMENTS
Next back private property	Sequoia sempervirens	Coast Redwood.	~	~	<ul style="list-style-type: none"> <li>- Tree is located in the neighboring property with the trunk 3' from the back fence.</li> <li>- Tree is large, mature, and is in good condition, with no signs of disease, infestations, nutrient or moisture deficiencies at this time.</li> <li>- Foliage is lush, full, and dark-green, and is thriving at this time.</li> <li>- Limbs from this tree are overhanging 8' from the back, westerly property line.</li> </ul>	Tree is outside the construction work zone area.

TREE #	BOTANICAL NAME	COMMON NAME	DBH	CANOPY (Ft.)	CONDITION/OBSERVATION	COMMENTS
Left side rear private property	Picea species	Spruce	~	~	<ul style="list-style-type: none"> <li>- Tree is located in the neighboring property with the trunk approximately 12' from the southern side fence.</li> <li>- Tree is large, mature, and is in good condition, with no signs of disease, infestations, nutrient or moisture deficiencies at this time. Foliage is lush, full, silvery, gray/green foliage, and thriving at the time of my inspections.</li> <li>- Limbs from this tree are overhanging the property line, approximately 15'.</li> </ul>	Tree is outside the construction work zone area.





**Tree #1**



**Tree #2**



**Tree #3**



**Tree #4**



**Tree #5**



**Tree #6**



**Tree #7**



**Tree #8 and 9**



**Tree, side fence**



**Tree #10**

**Pruter, Matthew A**

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**From:** Marge Abrams <margeabrams@gmail.com>  
**Sent:** Thursday, March 14, 2019 11:34 AM  
**To:** Pruter, Matthew A  
**Subject:** protest on 631 College

Hello Matt,

The following people would like to protest the removal of the heritage tree on the parkway (street) of 631 College Ave. A significant number of other people are against the removal of this tree and said they would write themselves.

It is a beautiful healthy tree that takes many years to grow. Many of us specifically chose this neighborhood because of the large beautiful trees that give it character, rather than looking like less expensive 'cookie cutter' developments. A tree such as this tree preserves the natural beauty of the neighborhood and prevents erosion of topsoil, counteracts pollutants in the air and helps decrease wind velocities and noise. It is an important part of this neighborhood; the current owner may move in a year or two and should not be allowed to 'damage' the neighborhood in ways that cannot be repaired in our lifetimes.

A beautiful home can be built on that lot that will not require the removal of that tree. Look at some of the lovely recently built homes on College Ave and you will see large trees near the street that did not prevent beautiful homes from being built on the lot; in fact leaving those trees greatly enhanced the beauty of their home and lot.

Thank you for your consideration. Please confirm receipt of this email.

Marge Abrams 611 College Ave (phone 847 302 1922)  
Robert Abrams 611 College Ave  
Cynthia Camuso 628 College Ave  
Karen Burtness Prak 651 College Ave  
Jan Willem Prak 651 College Ave  
Adrian Maarleveld 657 College Ave  
Margot Maarleveld 657 College Ave  
Sarah Soule 641 College  
Barrett Moore 648 College  
Joe Seidel 640 College

*Marge Abrams*  
*Cell: 847 302 1922*  
*Email: [margeabrams@gmail.com](mailto:margeabrams@gmail.com)*



**STAFF REPORT**

**Planning Commission**

**Meeting Date: 5/20/2019**

**Staff Report Number: 19-039-PC**

**Regular Business: Consideration of General Plan Consistency for the 2019-20 Projects of the Five-Year Capital Improvement Plan**

**Recommendation**

Staff recommends that the Planning Commission adopt Resolution No. 2019-02 determining that the Five-Year Capital Improvement Plan's projects for Fiscal Year (FY) 2019-20 are consistent with the General Plan (Attachment A).

**Policy Issues**

State law (Government Code Section 65401) requires the City planning agency (Planning Commission) to review the City's Capital Improvement Plan (CIP) and determine whether the projects are consistent with the City's General Plan.

**Background**

The 5-Year CIP provides a link between the City's General Plan and various master planning documents and budgets, providing a means for planning, scheduling, and implementing capital and comprehensive planning projects. The plan includes long-range projects as well as near-term projects that will be budgeted in the upcoming fiscal year.

Although the 5-Year CIP includes projects in upcoming fiscal years, the Planning Commission is being asked to determine General Plan consistency for only the FY 2019-20 projects at this time. The Planning Commission will have opportunities to review the CIP and determine consistency each year.

On June 4, 2019, the City Council will review the 5-Year CIP and projects planned for FY 2019-20 that are included in the City Manager's proposed 2019-20 Budget. Preceding this, the City will present the Budget on May 21, 2019.

**Analysis**

Staff has identified the General Plan goal and/or policy that most directly pertains to each project. Overall, staff finds that the proposed projects do not directly or indirectly conflict with the General Plan goals and policies.

The project descriptions and General Plan reference for each can be found as Exhibit A, attached to the

proposed Resolution 2019-02.

### **Impact on City Resources**

CIP projects require an allocation of staff time and funds to support community engagement, design and construction, which will occur as a part of the annual budget adoption process.

### **Environmental Review**

The potential environmental impacts associated with the FY 2019-20 projects in 5-Year CIP will be considered for each individual project as part of its implementation.

### **Public Notice**

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

### **Attachments**

- A. Draft Resolution of the Planning Commission Determining that the 5-Year Capital Improvement Plan's Fiscal Year 2019-20 Projects re Consistent with the General Plan
  - I. Exhibit A: City of Menlo Park 5-Year CIP - Projects for Consideration in Fiscal Year 2019-20

### **Exhibits to Be Provided at Meeting**

None

Report prepared by:  
Chris Lamm  
Assistant Public Works Director

Reviewed by:  
Justin Murphy  
Deputy City Manager / Public Works Director

Kyle Perata  
Principal Planner



**DRAFT RESOLUTION NO. 2019-02**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK  
DETERMINING THAT THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN'S FISCAL  
YEAR 2019-20 PROJECTS ARE CONSISTENT WITH THE GENERAL PLAN**

WHEREAS, the Planning Commission of the City of Menlo Park has reviewed the Fiscal Year 2019-20 projects of the Five-Year Capital Improvement Plan (CIP); and

WHEREAS, the Planning Commission has held a public meeting on this subject on May 20, 2019, having provided public notification by publishing the agenda in accordance with the Brown Act and related procedures; and

WHEREAS, the Planning Commission of the City of Menlo Park has determined that all of the current CIP projects correlate with adopted goals of the City's General Plan, as shown in the attached Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Menlo Park hereby determines that the Five-Year Capital Improvement Plan's Fiscal Year 2019-20 projects are consistent with the General Plan.

I, Mark Muenzer, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted by a majority of the total voting members of the Planning Commission of the City of Menlo Park at a meeting held by said Commission on the 20<sup>th</sup> day of May, 2019, by the following vote:

AYES:	Commissioners:
NOES:	Commissioners:
ABSTAIN:	Commissioners:
ABSENT:	Commissioners:

I further certify that the foregoing copy is a true and correct copy of the original of said resolution on file in the office of the Community Development Department, City Hall, Menlo Park, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City this 20<sup>th</sup> day of May, 2019.

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Mark Muenzer  
Community Development Director  
City of Menlo Park

Project Name	Project Description
<p><b>General Plan Reference: Downtown / El Camino Real Goal LU-5</b> Strengthen Downtown and the El Camino Real Corridor as a vital, competitive shopping area and center for community gathering, while encouraging preservation and enhancement of Downtown's atmosphere and character as well as creativity in development along El Camino Real.</p>	
Parking Plaza 7 Renovations	This project provides needed improvements at Parking Plaza 7 including asphalt pavement rehabilitation, storm drainage, lighting and landscaping. The intent is for the work to be coordinated with the downtown parking utility underground project.
Parking Plaza 8 Renovations	This project provides needed improvements at Parking Plaza 8 including asphalt pavement rehabilitation, storm drainage, lighting and landscaping. The intent is for the work to be coordinated with the downtown parking utility underground project.
<p><b>General Plan Reference: Open Space Goal LU-6</b> Preserve open-space lands for recreation; protect natural resources and air and water quality; and protect and enhance scenic qualities.</p>	
Heritage Tree Ordinance Program Evaluation	In the summer of 2012, the Environmental Quality Commission (EQC) provided recommendations to staff and City Council regarding updating and modifying the City's Heritage Tree Ordinance. This study reviews the EQC's recommendation, analyzes program's effectiveness and processes, and prepares revisions for the City Council to consider for adoption.
Park Improvements (Minor)	This ongoing project consists of the implementation of minor improvements under \$100,000 intended to extend the useful life of systems, infrastructure and equipment in the City's parks. This program does not provide for the replacement or significant renovation of the City's park facilities.
Park Pathways Repairs	The project replaces damaged pathways at Sharon, Nealon, and Stanford Hills parks.
<p><b>General Plan Reference: Sustainable Services Goal LU-7</b> Promote the implementation and maintenance of sustainable development, facilities and services to meet the needs of Menlo Park's residents, businesses, workers, and visitors.</p>	
Belle Haven Library	Based on the space needs study developed in 2019, this project will further develop Conceptual Design Options, Site Analyses and Preliminary Cost Estimates for a planned new branch library facility approximately 12,000 square feet in size.
Belle Haven Youth Center Improvements	This project involves the assessment, design and construction of building improvements to house the Belle Haven Youth Center program.
City Buildings (Minor)	This ongoing project consists of the implementation of improvements that extend the useful life of systems and equipment in all City buildings. This project does not provide for the replacement or significant renovation of City facilities.
Main Library Improvements	This project proposes to create a new meeting room space and teen space on the ground floor by enclosing each area with interior glass walls and doors and repurposing an exterior door as a public entry point. The project will also renovate the northwest patio for use as a public event space.
Mobile Operations Center	The Police Department responds to numerous emergency incidents throughout the year with some of those incidents rising to a level of emergency management, disaster planning or large scale response requiring additional personnel and resources from multiple agencies. During these incidents, the department requires an adequate facility that could serve as a mobile command vehicle. A mobile unit which could serve this purpose would greatly enhance the ability of the department to serve the community during large scale incidents that require additional strategy and planning from the field.
Climate Action Plan Implementation	The City first adopted a Climate Action Plan in 2009, and in 2013, the City set a greenhouse gas reduction target of 27 percent from 2005 levels by 2020. Annually, the City completes a greenhouse gas inventory and adopts a five-year climate action plan strategy to assess progress toward the GHG reduction target. The purpose of this project is to provide an annual funding source to continue implementation of the CAP programs and strategies. This year funding will be utilized for EV chargers preliminary work.
Hydration Stations	The City Council adopted a Community Zero Waste Plan in 2017, and it includes a strategy to promote reusable water bottle filling stations (hydration stations). Hydration stations provide an added feature to drinking fountains that allows reusable bottles to be refilled easily. This reduces single-use beverage container (bottles and cans) waste/litter, and promotes healthy lifestyle choices. Most of the current drinking fountains are difficult to fill reusable bottles due to their design and many have weak water flow to fill a water bottle, requiring a user to return multiple times to the fountain to stay hydrated or purchase a single-use beverage that results in the generation of waste. This project will convert all 29 city owned indoor and outdoor drinking fountains to hydration stations.
Aquatic Center Maintenance	This ongoing project consists of the implementation of minor improvements under \$100,000 intended to extend the useful life of systems, infrastructure and equipment at the Burgess and Belle Haven pools. This program does not provide for the replacement or significant renovation of the City's pools.

Tennis Court Maintenance	This program is ongoing and focuses on the implementation of adequate maintenance practices to extend the useful life of the City's fifteen tennis courts. The program follows a maintenance schedule that includes the full reconstruction of every court every twelve years. Interim maintenance work includes crack repair and court resurfacing.
Sports Field Renovations	The project includes turf replacement, drain cleaning and field leveling of the sport fields managed by the City. The fields at Burgess Park, La Entrada School and Jack Lyle Park will be renovated first to ensure continued life expectancy.
Chrysler Pump Station Improvements	This project involves the design and construction of a new Chrysler Stormwater Pump Station. The existing facility was originally built in 1958 has reached the end of its useful life. The improved facility will provide flood protection to sections of the Bayfront area, which include the Menlo Gateway buildings and a part of the Facebook West Campus site.
Water Main Replacement	This project is ongoing and focuses on the design and replacement of the City's aging water supply system to ensure continued public health protection and system reliability. Using a condition assessment based on pipe age, material, size and hazards, sections of the water system that are most vulnerable to failure are selected for replacement.
Urban Water Management Plan	This project involves the preparation of Menlo Park Municipal Water's Urban Water Management Plan as required by the State. Due in 2020, the plan is developed every five years and assesses water supply and demand conditions.
Lead Service Replacement Program	This project proposes to inventory unknown service lines to determine the presence of lead. Each community water system (CWS) is mandated under California Health and Safety Code, section 116885 to compile and inventory and propose a schedule for replacement by July 1, 2020.
<b>General Plan Reference: Safe Transportation System Goal CIRC-1</b> Provide and maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe, and active community and quality of life throughout Menlo Park.	
Middle Avenue Caltrain Crossing Study, Design, and Construction	This project would provide a grade-separated crossing through the Caltrain railway to create a pedestrian/bicycle connection near Middle Avenue, between Alma Street near Burgess Park and El Camino Real at the proposed open space plaza as identified in the El Camino Real/Downtown Specific Plan. The project would develop detailed design plans and construct the project.
Traffic Signal Modifications	This annual project provides funds to upgrade City traffic signals. Funds would be used to replace equipment nearing the end of its useful life, enhance signal phasing and timing, and upgrade existing signals to current standards. The funds provided will generally allow a complete upgrade of a single intersection or upgrades to components of approximately three signals per year. Projects will be prioritized for implementation through the Transportation Master Plan.
Transportation Projects (Minor)	This annual project supports small transportation projects such as minor crosswalk enhancements, bicycle lane gap closures, traffic signal modifications and sign/stripping installations and restores routine maintenance levels for more timely response to resident complaints. Projects will be prioritized for implementation through the Transportation Master Plan. Funding will help address issues identified through initiation of the safe routes to school program.
Willow/101 Interchange	Construction of the Willow Road/U.S. 101 interchange was completed in mid-2019. As a follow up to the interchange reconstruction, this funding would support the planning and design of landscaping to be installed in the project area. The landscaping design would be closely coordinated with Caltrans, who owns and has responsibility to maintain the majority of the project area.
Haven Avenue Streetscape Improvements	This project provides new bicycle and pedestrian facilities on Haven Avenue, connecting Menlo Park, San Mateo County and Redwood City residents and employees. It provides a direct connection to the San Francisco Bay Trail, functioning as an interim gap closure of the Bay Trail between Bedwell-Bayfront Park and Seaport Avenue, better serving commute and recreational needs. This project is partially funded by contribution of funds collected from vehicle registration fees from C/CAG.
Streetlight Conversion	Several neighborhoods in Menlo Park have streetlights on series circuits, which are unreliable, prone to damage and cause frequent, widespread outages. This project would replace these series circuits with updated electrical equipment to improve reliability of streetlights. Work would be phased in the three primary neighborhoods affected over the life of this project.
Santa Cruz and Middle Avenues Street Resurfacing	The project involves the design and construction of street resurfacing work on Santa Cruz Avenue from Orange Avenue to Olive Street and of Middle Avenue from Olive Street to San Mateo Drive. The project also includes the construction of curb ramps and the installation of sidewalks along Santa Cruz Avenue. Once completed, the project will result in significant improvements to the roadway infrastructure and pedestrian safety. This project is partially funded by a grant from the One Bay Area Grant program.

Street Resurfacing	This ongoing project includes the detailed design and selection of streets to be resurfaced throughout the City during the fiscal year and utilizes a Pavement Management System to assess the condition of existing streets and assist in the selection process. This project enhances the City's roadway network and improves safety.
Ravenswood Avenue Street Resurfacing (Middlefield to US-101)	This project proposes to resurface Ravenswood Avenue (Alma to Marcussen Dr). This project enhances the City's roadway network and improves safety.
Willow Road Street Resurfacing (Alma to Marcussen)	This project proposes to resurface Willow Road (Middlefield to US-101). This project enhances the City's roadway network and improves safety.
<b>General Plan Reference: Complete Streets Goal CIRC-2</b> Increase accessibility for and use of streets by pedestrians, bicyclists, and transit riders.	
Sidewalk Repair Program	This ongoing project consists of removing hazardous sidewalk offsets and replacing sidewalk sections that have been damaged by City tree roots in order to eliminate trip hazards.
Pierce Road Sidewalk and San Mateo Drive Bike Route Installation	This project will construct a number of bicycle and pedestrian enhancements in the City, including sidewalk construction on Pierce Road between Ringwood Avenue and Carlton Avenue; bicycle route improvements on San Mateo Drive including crossing enhancements at Middle Avenue, crossing enhancements at Middle Avenue/Blake Street; and sidewalk construction at Coleman Avenue and Santa Monica Avenue. This project is partially funded by a grant from the San Mateo County Transportation Authority Measure A Pedestrian and Bicycle program.
Middlefield Road and Linfield Drive/Santa Monica Avenue Crosswalk Improvements	This project would evaluate and complete engineering design for crossing improvements at the Middlefield Road/Linfield Drive and Santa Monica Avenue intersections to improve bicycle and pedestrian safety at this location. This project effort would include coordination with Menlo Park Fire Protection District for emergency access considerations to Station 1 adjacent to the intersection.



## STAFF REPORT

### Planning Commission

**Meeting Date:** 5/20/2019  
**Staff Report Number:** 19-040-PC

**Study Session:** Architectural Control and Use Permit /David Claydon/555 and 557 Willow Road

### Recommendation

Staff recommends that the Planning Commission use the study session to consider a presentation from the applicant, receive public comment, and provide individual feedback on the proposal to demolish an existing office building and construct a new 16-bedroom boardinghouse at 555 and 557 Willow Road in the R-3 (Apartment District) zoning district. The proposal will be subject to additional review and action at a future Planning Commission meeting.

### Policy Issues

Study sessions provide an opportunity for Planning Commissioners and the public to provide feedback on the overall project. Study sessions should be considered on a case-by-case basis, with comments used to inform future consideration of the project. The proposal will require architectural control and use permit review at a future meeting. Each architectural control and use permit is considered individually. The Planning Commission will ultimately consider whether the required findings can be made for each proposal. For the study session, Planning Commissioners should provide feedback on the use, design, and other aspects of the proposed building.

### Background

#### *Site location*

The subject site is 18,455 square feet in size and is located at 555 and 557 Willow Road, between Coleman Avenue and South Perimeter Road. Using Willow Road in an east to west orientation, the project site is located on the north side of Willow Road. The subject site is located in the R-3 (Apartment District) zoning district and is one of the properties designated for the emergency shelter for the homeless overlay which would allow emergency shelters on the site; however, the current proposal would adhere to the R-3 zoning district permitted uses and would not include an emergency shelter. The site contains an existing nonconforming restaurant (555 Willow Road) and vacant office building (557 Willow Road). The office building has been vacant for over 10 years. A private surface parking lot is located on the property and is currently accessed by driveways on Willow Road and Coleman Avenue.

The subject site was rezoned from commercial to residential in the late 1980s as part of the Willow Road Land Use Plan. The parcel is surrounded by multi-family developments that are also in the R-3 zoning district. On the opposite side of Willow Road, the parcels are zoned C-4 (General Commercial) and R-3(X) (Apartment, Conditional Development) and are occupied by a service station, a medical clinic, and a multi-family development. The Veteran Affairs Medical Center campus is also near the property and is located north of South Perimeter Road. A location map is included as Attachment A.

### ***Previous Planning Commission review***

On September 8, 2014 the Planning Commission reviewed a study session item for the conversion of the existing one-story office building to a two-story residential building with two apartment units each containing five bedrooms and five bathrooms. As part of the project, the existing restaurant building, which is a nonconforming use and structure, was proposed to remain. The Planning Commission provided the following direction on the proposal:

- The redevelopment of the site with new dwelling units, while retaining the existing restaurant building, is generally supportable.
- The applicant should explore site development options that allow for the retention of the outdoor seating and deck adjacent to the restaurant building.
- The desire to obtain LEED status should not be prioritized over the overall site layout and architectural design.
- The project should be redesigned to remove the existing office building to allow for greater flexibility in site planning and architectural design.
- The applicant should work with the Fire District on the site access requirements.
- The project should attempt to bring the development into compliance with the R-3 standards for landscaping and parking and driveway areas (paving).
- The boardinghouse concept could be acceptable at this location, but smaller units and an increase in density could also be acceptable at the project site.
- The redevelopment of the site should consider the timeframe for the use of the existing restaurant building and be designed to allow possible future redevelopment of that building/portion of the site.

The September 8, 2014 Planning Commission staff report and minutes are included as Attachment B and C (as hyperlinks). Following the Planning Commission meeting, the applicant prepared a comprehensive redesign of the project in response to some of the Planning Commission's direction. The key changes are listed below;

- The existing nonconforming office building is proposed to be demolished and a new three-story boardinghouse is proposed.
- The proposed use would be revised from two 5-bedroom apartment units to a 16-bedroom boardinghouse.
- Modifications to the overall design and massing of the proposed architectural style to create a contemporary building design.
- Addition of landscaping in the front setback and pervious pavers in the parking lot and drive aisles.
- Revisions to the plans to retain the existing restaurant's outdoor patio area.

## **Analysis**

### ***Project description***

The applicant is proposing to demolish the existing office building and develop the parcel with a new three-story boardinghouse. The boardinghouse would feature 16 individual bedrooms with attached bathrooms that would range in size from 200 to 226 square feet. The building would also have common areas which would be shared between the building occupants including a kitchen, dining room, laundry facilities, and open space in the form of two terraces and an outdoor patio. The main building entrance would be located on the south elevation and the ground floor rooms would also have separate direct access. Project plans and the project description letter are included as Attachments D and E.

The required front setback is measured from the Willow Road plan line, which appears to have been partially dedicated along the project site's frontage in 1961 as part of the permit for the office building. The

study session plans identify the general location of the plan line in relation to the property line, which will need to be verified prior to Planning Commission action on the architectural control and use permit. Implementation of the plan line would require the demolition of the existing restaurant since it is currently located within the plan line. Dedication of the plan line in the future would also reduce the total allowed floor area ratio (FAR) on the site; however, the demolition of the existing restaurant would effectively ensure that the property would remain in compliance with the FAR.

In the Zoning Ordinance (Section 16.04.090) a boardinghouse is defined as a dwelling other than a hotel, where lodging or meals for three or more persons is provided for compensation. In the R-3 zoning district boardinghouses are a conditional use and can be permitted with a use permit. What differentiates a boardinghouse from a hotel is the length of stay, for boardinghouses the length of stay must be longer than 30 days. The applicant indicates in the project description letter that the lease agreements would be for one year; however, lease agreements are not required to be 12 months for a boardinghouse and could be shorter in duration. A condition of approval would be required identifying that lease agreements would have to be longer than 30 days. Based on the project description letter the intended residents would include, but not be limited to, business professionals, students, and patients of the nearby Veterans Administrative Hospital. The applicant indicates that the total occupancy of the boardinghouse would not exceed 16 occupants at one time which would limit each room to one resident. A separate management company would oversee the boardinghouse operations. Additional information on the boardinghouse operations, including how the boardinghouse would be managed, would be required prior to future Planning Commission meetings.

The boardinghouse is considered one dwelling unit since each room shares common areas and cooking facilities. Based on this the proposal would not be subject to the Below Market Rate (BMR) Ordinance requirements since it would be less than five dwelling units. If the individual rooms had cooking facilities the land use designation of boardinghouse may change and each room could be considered a dwelling unit. A condition of approval would be required limiting cooking facilities within the individual rooms.

The proposed building would be generally consistent with the allowed development in the R-3 zoning district including but not limited to the following development regulations;

- Building coverage of approximately 16.2 percent where 30 percent is allowed;
- FAR of approximately 43.2 percent where 45 percent is allowed;
- Height of approximately 34 feet where 35 feet is allowed; and
- Residential density of one dwelling unit where a maximum of 5 dwelling units are allowed.

While the project would comply with most development standards, some revisions are required to make the building comply with all the development standards. These revisions would need to be made prior to the project returning to the Planning Commission for action on the architectural control and use permit.

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

#### **Vehicular**

The site is accessed from a driveway along Willow Road located between the restaurant building and office building. As part of the project, the applicant is proposing to remove a second driveway on Willow Road, which is currently unused, located to the right of the office building. The existing site contains 20 parking spaces and the applicant is proposing to remove six paved parking spaces and incorporate four covered parking spaces into the residential building for a total of 14 spaces. The existing circulation pattern would be maintained as part of the project, with a one-way entrance along Willow Road and an exit to Coleman Avenue. While not required by the Zoning Ordinance, the proposal also includes bike lockers located behind the residential building.

As stated previously, the proposed project would contain 14 parking spaces, consisting of four covered and ten uncovered spaces. Boardinghouses require one parking space for every two occupants, half of which must be covered. The Zoning Ordinance does not specify a parking standard for commercial uses in the R-3 district, since these uses are not permitted. However, other commercial uses along Willow Road are located in the C-4 and C-2-A (Neighborhood Shopping District, Restrictive) zoning districts. If the C-4 and C-2-A parking standard of six spaces per 1,000 square feet of gross floor area is applied to the restaurant use, eight parking spaces would be required. Additionally, the City's use based parking guidelines recommend six spaces for 1,000 square feet of gross floor area for restaurant uses, which is consistent with the C-4 and C-2-A zoning district standards. Based on the proposed uses, the site would require 16 parking spaces, with eight required for the boardinghouse and eight required for the restaurant use. Therefore, the proposed parking count of 14 spaces does not currently meet the minimum required number of spaces. The total parking on the site would need to be increased or the number of boardinghouse rooms would need to be reduced since the use based parking reductions are not applicable to residential uses. The parking would need to be revised after the study session to comply with the minimum parking requirements. Staff believes the parking requirement can be met without comprehensive changes to the proposed land uses and general site layout.

The Transportation Division has reviewed the proposal and has determined that a transportation impact analysis (TIA) is not required since the proposed building is considered a commercial use with regards to the TIA use categories and is less than 10,000 square feet. The proposal would be subject to the City's transportation impact fee (TIF) which is calculated based on the estimated PM peak hour trips generated by the boardinghouse. The proposal is currently expected to generate 8 PM peak trips and the TIF is estimated to be \$19,038; however, this is subject to change as the project is refined and would be based on the fees in effect at time of payment.

#### Fire Access

The proposal was reviewed by Menlo Park Fire Protection District as part of the initial zoning conformance review process; however, the plans require revisions and resubmittal prior to preliminary Fire approval. Some of the key items needed for the resubmittal include a ladder truck access plan with fire truck turning radii and driveway widths. Prior to returning to the Planning Commission the applicant would be required to adequately address the Fire District's requirements.

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

The building would have a contemporary design character similar to what was presented in the original study session proposal. The three-story building massing would be stepped further back from the Willow Road frontage at each level, but a portion of the second level would feature a large overhang supported by wood cased steel posts that would provide variation in the building massing and accommodate the covered parking. Extensive rooftop terraces would be provided on the second and third levels. Projecting features, primarily the wood awnings and pergola, would be a focal point to break up the scale of the building mass and provide functional coverage for rain and shade from sun.

The primary building facade would feature white wash stucco. The portion of the building under the second level overhang would be a contrasting charcoal color stucco. The building would include recycled redwood in key areas that would help differentiate parts of the building on the south and front elevations. Steel accent railings would be used on the rooftop terraces and Juliet balconies. The proposed windows and doors would be black clad wood. Based on the perspective drawings, it appears that the windows and main entry door would be recessed, but the dimensions of the recess are not indicated on the plans. The horizontal lines created by the decorative wood headers and awnings would help soften the visual mass of the building. The



applicant's project description letter indicates that vines would cover the building elevations but the extent and location of the vines is not clarified on the plans. The applicant is not proposing any changes to the existing restaurant building.

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

The current plans do not clearly identify all the existing trees on the site and which trees are proposed to be removed or retained. The proposal also includes construction near protected heritage and street trees and an arborist report outlining the tree protection measures would be required to be submitted for review by the City Arborist prior to future Planning Commission meetings.

As part of the project, one new street tree would be provided along Willow Road. New landscaping is also proposed in a raised planter adjacent to the main entry and the front yard would feature new landscaping and a stucco landscape wall. On the plans the wall is indicated to be five foot nine inches; however, the portion of the wall located in the front setback would need to be revised to meet the four foot height limit for walls in front setbacks or the increase in height would need to be incorporated into the use permit application. The existing paved driveway is proposed to be replaced with pervious pavers. The existing landscaping and paving areas are nonconforming and as part of the proposal the nonconformities would be decreased, but these areas would continue to not meet the minimum and maximum requirements. Additional information would be required prior to future Planning Commission meetings to confirm the total amount of landscaping and paving areas on the site.

### ***Correspondence***

Staff received emails from approximately 34 neighbors regarding this project after the initial public notice. These emails are included as Attachment F and recurring comments are summarized below.

- Concerns that the boardinghouse would operate as a hotel and offer short-term rentals.
- Concerns with the number of occupants and total number of rooms.
- Impacts of traffic and vehicle circulation on and near the site.
- Concerns with the amount of parking provided onsite.
- Concerns about the property ownership and how the boardinghouse would be managed.
- Safety concerns associated with the proposed use.
- Lack of consistency with the surrounding neighborhood.
- Concerns with the proposed height of the residential building.

### ***Planning Commission considerations***

The study session format allows for a wide range of discussion/direction on the proposed development. In particular, staff recommends that Planning Commissioners consider and provide clear direction on the following key items:

1. Boardinghouse use. Is the proposed boardinghouse consistent with the Commission's previous feedback on the project? Is additional refinement needed with regards to the boardinghouse operations including, but not limited to, the proposed number of rooms, occupants, and length of lease agreements? Would multi-family dwelling units (up to a maximum of 5 units) be more appropriate at this location?
2. Proposed redevelopment. Is the proposed partial redevelopment of the site generally acceptable, or should the applicant comprehensively revise the proposal to comply with the current R-3 regulations? If comprehensively redeveloped, the maximum density for the site would be five dwelling units and no commercial uses.
3. Building design and site layout. Is the overall aesthetic approach for the project consistent with the

Planning Commission's expectations for residential development in the R-3 zoning district along the Willow Road corridor? Do the modifications to the proposed residential building design address the previous concerns related to the site layout? Does the overall design of the residential building feature good proportion, balance, and materials, or do certain elements need more attention?

4. Landscaping and paving. The project would increase the landscaping at the site and reduce the paving associated with parking and driveways, but each standard may still be nonconforming. Should alternate materials to reduce the impervious surface area be utilized and/or should the project be redesigned to further reduce the overall amount of paved surfaces?

Since this is a study session item, a number of aspects of the project are still being refined. Some of the key items that would need to be further evaluated and/or documented as part of a formal submittal are:

1. Revisions to the parking counts. Based on the total proposed square footage of the restaurant and number of occupants for the boardinghouse, 16 spaces would be required; however, only 14 spaces are provided. Revisions to the depth and width of the covered parking spaces to meet the development regulations. Additional on-site parking would need to be provided. Further modifications to the parking count may be required depending on the Planning Commission direction on the proposed boardinghouse occupancy.
2. Clarifications on the area calculations for the floor area, building coverage, landscape and paving areas.
3. Revisions to the height of the wall in the front setback to meet the fence height requirements or a request for an increase in height through the use permit.
4. The location and design of a trash enclosure for the restaurant and residential building.
5. Clarification of the existing trees and proposed tree removals and submittal of an arborist report.
6. Compliance with the site access requirements of the Menlo Park Fire District.

The Planning Commission can weigh in on the use and design refinements noted above, as well as add additional detail-type suggestions.

### **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**

As a study session item, the Planning Commission will not be taking an action, and thus no environmental review is required at this time.

### **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. Location map
- B. Hyperlink: Planning Commission staff report, September 8, 2014 -  
<https://www.menlopark.org/DocumentCenter/View/5073/F1----555-Willow-Road---Study-Session?bidId=>

- C. Planning Commission Excerpt Minutes, September 8, 2014
- D. Project description letter
- E. Project plans
- F. Correspondence

**Disclaimer**

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

**Exhibits to Be Provided at Meeting**

None

Report prepared by:  
Kaitie Meador, Senior Planner

Report reviewed by:  
Kyle Perata, Principal Planner

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CITY OF  
MENLO PARK

### City of Menlo Park

Location Map  
555 Willow Road



Scale: 1:4,000

Drawn By: KMM

Checked By: KTP

Date: 5/20/2019

Sheet: 1



## PLANNING COMMISSION EXCERPT MINUTES

Regular Meeting  
 September 8, 2014 at 7:00 p.m.  
 City Council Chambers  
 701 Laurel Street, Menlo Park, CA 94025

**CALL TO ORDER** – 7:01 p.m.

**ROLL CALL** – Bressler, Combs, Eiref (Chair), Ferrick, Kadwany, Onken (Vice Chair), Strehl

**INTRODUCTION OF STAFF** – Jean Lin, Associate Planner; Stephen O’Connell, Contract Planner; Kyle Perata, Associate Planner; Thomas Rogers, Senior Planner

### F. STUDY SESSION ITEMS

**F1. Study Session/David Claydon/555 Willow Road:** Study Session/David Claydon/555 Willow Road: Request for a study session for the conversion of an existing nonconforming structure from office uses (currently vacant) to two residential units. The proposed project would include first and second floor additions to the existing structure. As part of the project, the existing restaurant building, which is a nonconforming use and structure, would remain. The project site is located in the R-3 (Residential Apartment) zoning district. (*Attachment*)

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

Public Comment: Mr. David Claydon said originally they tried to develop this lot with a six unit apartment complex but Fire District requirements made that impossible to do. He said they reduced the scheme until they got to this proposal which was for two large apartments.

Commissioner Onken said the apartments appeared to him to be semi-detached single-family residences. He said he thought the reference to apartments was misleading.

Planner Perata said these were dwelling units and had the same regulations for development as condominiums.

Chair Eiref asked why they wanted to keep any of the old structure.

Mr. Claydon said they would clean it all and keep the concrete wall and slab. He said by leaving those in place they would get a lot of LEED points. He said they have a goal of zero energy use for the project. He said the footprint for the project would be about the same if they had demolished the building.

Chair Eiref asked about removing the restaurant deck. Mr. Claydon said it related to emergency access requirements.

Commissioner Ferrick asked about parking spaces for the residences. Mr. Claydon said one access was from Willow Road and the other was from Coleman Avenue through the restaurant parking lot. Commissioner Ferrick asked why they would construct two, five-bedroom

apartments. Mr. Claydon said the covered parking and other parking requirements for each residential unit became difficult to situate for three apartments. Commissioner Ferrick asked why every bedroom had suite bathrooms. Mr. Claydon said they were trying to create a unit where they could accommodate an in-law, and maximize the square footage and make it flexible. Commissioner Ferrick asked about the style of architecture. Mr. Claydon said it was just conceptual at this time. He said they wanted to keep the design simple noting the site was located next to a parking lot, a bland apartment building, and a wide street. He said they would plant redwood trees along Willow Road to screen and soften the view.

Commissioner Kadvany said the staff report presented eight design considerations that seemed to question all of the design decisions proposed for the project. Mr. Claydon said that they were not allowed to build more than two stories because of the circulation requirement for a fire vehicle to have access to three sides of the building. He said if they had three apartments they would have to provide another covered and uncovered parking space. He said it was hard to get density because of the parking requirements. Commissioner Kadvany asked about doing carports. Mr. Claydon said there would not be room to turn around from those. Commissioner Kadvany said on page 3 of the staff report staff raised a question about the feasibility of even using the existing structure much less build a second story on it. He said the structure was in bad shape and he did not think there would be an effective cost savings. He said there was other discussion in the staff report that this was an unusual site. He said preserving the restaurant was a great goal but raw numbers of hardscape and landscape indicated that the project was very far away from the standards required for those for residential development. He said it seemed like a boarding house in a parking lot.

Mr. Claydon said the property has a panhandle that was a driveway. He said they were proposing removing some paving and adding landscaping. He said they would plant trees that would soften the appearance and use pervious paving as much as they were able.

Commissioner Onken said the staff report indicated the two apartments needed nine parking spaces. He said there had been 20 spaces on the site but now that was reduced to 17 parking spaces. He asked how that was calculated for the mix of residential and commercial parking. He asked if it could be segregated.

Planner Perata said two covered and two uncovered spaces were required for the two proposed residential units. He said as this was an R-3 parcel there was no parking standard in the zoning ordinance for a commercial use but other commercial businesses on Willow Road were parked six spaces per 1,000 square feet of gross floor area. He said also the use base parking guidelines for restaurants specified six spaces per 1,000 square feet. He said in applying that there would be five parking spaces needed for the restaurant. He said the additional parking could be used for the restaurant or for the residences in the evening.

Commissioner Onken asked why the parking could not be reduced further. Mr. Claydon said at certain times of the day most of the parking spaces were used by restaurant patrons, Commissioner Onken noted that parking was an issue in the City but he was concerned the applicant was limiting the project design by providing more parking than what was required. Mr. Claydon said the extra parking was along the edge of the site which was an area that did not have great utility other than for a planting strip. Commissioner Onken suggested that the restaurant parking could be located here. He said he agreed with other Commissioners about the idea of keeping the existing structure in the front which he thought was just the bicycle storage in the new design. He questioned its integrity for a second story. Mr. Claydon said they

would use a steel frame to stabilize. Commissioner Onken said they might be limited to two-stories because of the Fire District requirements but there was 17 feet more height allowed by code for this site. He said a roof or something could be added to make it look less like a stucco box. He suggested improved architecture when the project came back to the Commission. He said as it was presented it was not something he could approve. He said the two homes looked like bedsits for single-room occupancy (SRO), and he suspected that was why there was so much parking. He said that would be unacceptable.

Commissioner Strehl said the City in the Housing Element Update had identified potential sites for homeless shelters and asked if this site was part of that area so identified. Planner Perata said he was not immediately certain. Commissioner Ferrick said the site was definitely part of the area identified in the Housing Element as an opportunity for housing but not necessarily for homeless shelters.

Commissioner Strehl asked if the structure were to be demolished if the property would have to comply with a 20-foot setback from Willow Road. Mr. Claydon said the City annexed eight feet of the property for purposes of potentially widening Willow Road. Planner Perata said the plan line on this property could be dedicated to Willow Road widening. He said the 20-foot setback would be measured from the plan line which was located slightly within the property line of the parcel. He said the existing building did not comply with that required setback so if the building was demolished the 20-foot setback would need to be established from the plan line.

Commissioner Strehl asked if Willow Road were to be widened what would happen with the proposed structure if it were to be approved as proposed. Planner Perata said the location of the plan line currently and the existing structure would not change how non-conforming the property was. He said the nonconforming setback was measured from the plan line. Commissioner Strehl asked if the restaurant would have to be relocated if Willow Road was widened to the plan line. Planner Perata said the restaurant was over the plan line but the question was too speculative for him to answer. Commissioner Strehl asked how appropriate it was to repurpose three walls of the existing building for a new living structure. Planner Perata said it was his understanding that they would use the front wall along Willow Road and the wall along the parking area as well as the majority of the rear wall. He said no part of the structure in front with the nonconforming setback could be demolished and rebuilt. Commissioner Strehl said this proposal was not something she could support. She said it looked like a warehouse. She said perhaps LEED certification was good but she thought starting over and thinking about the whole property was a better way to go, and perhaps as to how to provide housing later should the restaurant at some point go.

Commissioner Combs asked if the original plan mentioned by Mr. Claydon would also have kept the restaurant structure. Mr. Claydon said it would have. Commissioner Combs suggested that perhaps without the restaurant they could have accomplished the original plan. Mr. Claydon said if there was no restaurant they would create something entirely different but since it was a given they looked at how to design with it. He said they wanted to create something denser but that was not possible.

Commissioner Bressler said he agreed this proposal seemed to indicate SRO. He said they should get each of the bedrooms counted as a residential unit. He said SRO did not really bother him in this particular location. He said the design would need to be improved to look nicer but the site currently was very ugly. He said if it was made to look nicer and there were no illusions about the type of housing it was, he could support it. Mr. Claydon said potentially with



the bathrooms it could be suitable for bedsits and asked if that was an appropriate and supportable use in this location near the VA Hospital.

Commissioner Onken said that use might be desirable but it was a different use class and permitting process. He said that needed to be stated clearly and the Fire District needed to know that it was single-room occupancy and not family occupied. He said there was need for this type of housing in the area but it was not clear that was what was being proposed.

Chair Eiref said anything done on the site would be an improvement. He questioned the standard of three sided access for the Fire District for a three-story building noting the three-story just approved by them on College Avenue would only have two-side access. Mr. Claydon said the Fire District made that requirement for this site and the proposed three-story building. Chair Eiref said he had never heard that requirement before and he would like clarification on that. He said LEED was a good thing but he did not understand the desire for LEED on a parcel like this one. He said the building was a concrete block and was built in 1960s, and there were much better building materials now. He said he had real concerns with how utilities and such would be installed. He said there was a need for housing in this area and a need for transitional housing had been defined. He said he liked the restaurant and that they were keeping it but it was a large lot and more housing would have been great.

Commissioner Strehl asked if the units would be rental or purchase. Mr. Claydon said it would be rental.

Commissioner Ferrick said she would prefer five, one to two bedroom units rather than two, five-bedroom units as that would help the Housing Element more. She said regarding fire access that the property appeared to have three sides for access so she would like more detail related to the Fire District requirement. She said if the building was raised and parking was put underneath there could be more circulation space. She said she would like to see quality materials and design. She said the nearby Willows area was a wonderful, thriving neighborhood.

Commissioner Combs said the proposal had an SRO feel to it. He said there was nothing wrong with that type of housing and providing it but the applicant had to be completely transparent that this was what was being proposed. He said the community had talked about blight and eyesores along its thoroughfares and this site was definitely one of those. He said he wanted to see something happen on the site but encouraged the applicant to be completely clear about what was being proposed and that it followed the regulations of the intended proposal.

Commissioner Bressler asked if this was SRO whether the City would get credit for each of the rooms as housing. Commissioner Ferrick said she had served on the Housing Element Update Committee and that housing was determined by the number of kitchens so this proposal would only get two credits. She said that was one reason she would prefer five, one to two bedroom units each with a kitchen.

Mr. Claydon asked if they provided two stoves and two sinks in one kitchen if that would give credit for four housing units. Commissioner Ferrick said she did not think so but was not certain. Mr. Claydon said he would like to explore that more and do research.

Commissioner Kadvany said they needed clarification on the Fire District's requirements. He said he thought when there were more than three units that the Fire District starting imposing wider driveway requirements and other circulation requirements. He said underground parking would be prohibitively expensive considering the applicant was looking at saving money by using decades old cinder blocks. Mr. Claydon said he looked into underground parking but there was restricted space to do an entry ramp.

Commissioner Kadvany said he liked the goal of keeping the restaurant and suggested it would be beneficial for it to keep the outdoor dining space. He suggested clarifying what they would do with the restaurant as part of a whole program. He said regarding the Housing Element that the City had already done their update and zoning so if someone wanted to provide housing and habitat for people then that was perfectly acceptable. He suggested the applicant look at some of the questions planning staff were asking as the space was large and they could develop something that used the site well. He said the site has access from Coleman Avenue and it has lots of parking. He said there were higher goals that could be achieved. He suggested that LEED not be the foremost consideration noting just meeting California building code would get the project a long way toward LEED. He said they needed a clear program and project. He suggested they also look at the potential need for the restaurant to remodel in the future and what that could mean to the development.

Commissioner Strehl asked what the process would be if the applicants decided they wanted to do SRO housing. Planner Perata said the equivalent in the code may be the "boardinghouse" use which could approved through a use permit process or at the least architectural control.

Commissioner Onken said that carports as covered spaces rather than garages had been approved on other projects. He said what was keeping the design from being several real apartments were a lack of covered parking spaces. He said a canopy could be placed over the whole strip of parking going out to Coleman Avenue and the project could then comply with that parking requirement. He suggested that the cost in keeping a dilapidated concrete structure and trying to build on top of it, particularly when possible problems such as the foundation being too shallow for current earthquake code began to emerge, would become much greater than if they demolished the whole structure and started fresh. He said if they lost the nonconforming wall there was much better architecture that could be created on the site.

Chair Eiref closed the public comment period.

The following represents staff's summary of key topic areas, although the applicant is encouraged to consider all feedback relayed at the study session.

- The redevelopment of the site with new dwelling units, while retaining the existing restaurant building, is generally supportable;
- The applicant should explore site development options that allow for the retention of the outdoor seating and deck adjacent to the restaurant building;
- The desire to obtain LEED status should not be prioritized over the overall site layout and architectural design;
- The project should be redesigned to remove the existing office building to allow for greater flexibility in site planning and architectural design;
- The applicant should work with the Fire District on the site access requirements;
- The project should attempt to bring the development into compliance with the R-3 standards for landscaping and parking and driveway areas (paving);

- The boarding house concept could be acceptable at this location, but smaller units and an increase in density could also be acceptable at the project site;
- The redevelopment of the site should consider the timeframe for the use of the existing restaurant building and be designed to allow possible future redevelopment of that building/portion of the site.

The applicant and staff will consider the Planning Commission comments, with revisions and/or responses included as the project review proceeds.

#### **G. COMMISSION BUSINESS**

There was none.

#### **ADJOURNMENT**

The meeting adjourned at 10:15 p.m.

Staff Liaison: Thomas Rogers, Senior Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on October 6, 2014

DCA

PO Box 358, Lafayette, ca 94549 email, drclaydon@aol.com

RECEIVED

Sunny Chao

Menlo Park, Community Development Department, Planning Division

701 Lausal Street, Menlo Park, Ca 94025

OCT 08 2017

CITY OF MENLO PARK  
PLANNING DIVISION

September 15, 2017

**Proposed Redevelopment 555 Willow Road - PLN2016-00013**

Sunny,

**This is a response to your incomplete notice dated June 1, 2017.**

1. Please note my new mailing address is PO Box 358 , Lafayette, Ca. 94549
2. Application fee for \$2,000. Enclosed
3. I am attaching a marked up copy of your incomplete letter, revised drawings and additional back up material as a response.
4. Project Description: I submitted the following description with my last response which seemed quite clear about the nature of the project. The planning commission suggested it was called a boarding house and that has negative connotations. It is more like a hotel except the lease agreements will be for one year which excludes the transients you talk about. I am enclosing a standard lease agreement which will be similar to what we will use for this project. A separate management company will be set up for this building.

**PROJECT DESCRIPTION**

Menlo Park has a need for short term accommodation. Business people on assignments, visiting academics to Stanford University, patients and outpatients to the nearby Veterans Administration Hospital are some of the tenants envisaged for this upmarket residential project. Unfurnished rooms will be leased, a security deposit will be required. A separate management company will be set up for this building. A resident manager will ensure the quality of living will be maintained at a high level by overseeing the self catering and community spaces.

This is not low income living, the atmosphere will be 'family away from home'. It is planned that the restaurant on the site will be available for meals during business hours. The shared kitchen will enable guests to cater for themselves if they wish to do so. The garden will be an oasis from the frenetic pace of life and a chance for residents to interact.

Construction will be to the highest quality incorporating sustainable features, aiming at a zero energy footprint with solar panels providing the bulk of energy.

The proposed structure will replace a derelict building, concrete and asphalt paving that covers the entire lot will be removed and replaced with pervious paving and landscaping. The simple

clean form of the building will be mostly covered with vines. Combined with tree and shrub planting the building will have a soft aesthetic.

5. Neighbor outreach, we will use the planning commission meeting as a forum for the public, where the project will be presented in detail.
6. Comment about no more than 20% driveway – We are unable to meet this requirement due to the uniquire shape of the lot. This is a pre-existing non conforming condition.

I think I have now after three responses comprehensively covered all items, if there are any small things you might need before we go to the Planning Commission please call me ~~know~~ and I will get any supplemental information to you. You can call or email me

David

A handwritten signature in black ink, appearing to be 'David', with a long horizontal line extending to the right.

## FIXED TERM RESIDENTIAL LEASE AGREEMENT

This is intended to be a legally binding agreement, please type or, using a **ballpoint pen**, print clearly in block letters filling the blanks.

THIS AGREEMENT, MADE IN DUPLICATE AND ENTERED INTO THIS DAY OF \_\_\_\_\_ 20\_\_\_\_ BY AND BETWEEN

NO	TENANT(S)'S FULL NAMES			BIRTH - DATE	CONTACT #
	FIRST	MIDDLE	LAST	MO - DAY - YEAR	
1					
2					
3					
4					
5					
6					
7					
8					

Above named, person(s) hereafter called, TENANT(S)(S) and **REZA VALIYEE** hereafter called **LESSOR (owner / Mgr)**. TENANT(S) HEREBY RENT(S) FROM LESSOR THOSE CERTAIN PREMISES DESCRIBED AS \_\_\_\_\_

<b>LOCATED AT</b>						
	STREET ADDRESS	UNIT #	CITY	COUNTY	STATE	ZIP CODE

**According** to the terms specified below. Upon acceptance by the Lessor, the premises described here are leased to the Tenant(s) in consideration of the **rent** to be paid under this lease/rental agreement and in consideration of the performance and fulfillment of the **covenants, conditions, and agreements** expressed here, which excludes **GARAGE, PARKING SPACE, STORAGE SPACE, and use of BACKYARD. ETC....**which might be rented (If APPLICABLE and AVAILABLE) under a **SEPARATE WRITTEN AGREEMENT**.

**LIMITS ON USE AND OCCUPANCY:** Tenant(s) agree(s) that said premises shall be used for **RESIDENCE** only and no other use and it shall be occupied by no more than \_\_\_\_\_ adults and \_\_\_\_\_ children, named here unless otherwise agreed to in **WRITING** by the **LESSOR**. No additional person shall occupy or use said premises, or any part therefore, without **LESSOR'S PRIOR WRITTEN CONSENT** endorsed herein or on an **ATTACHED ADDENDUM**. Tenant(s) is/are fully responsible for their **HOUSE-GUEST'S USAGE and CONDUCT** and **EXPRESSLY AGREE TO PAY FOR THE RESULTING CHARGES CAUSED BY THE GUEST'S MISSUES OF PREMISES**.

### ADVANCE PAYMENT REQUIRED PRIOR TO OCCUPANCY

**IN CASHIER'S CHECKS, MONEY ORDER, TRAVELER CHECKS, MADE BY REPUTABLE BANK OR CASH  
ABSOLUTLY NO PERSONAL CHECKS WILL BE ACCEPTED**

1	FIRST MONTH	\$			DOLLARS
2	LASTMONTH	\$			DOLLARS
3	SECURITY DEPOSIT	\$			DOLLARS
4	TOTAL ADVANCE PAYMENT	\$			DOLLARS

**\*\*NOTE** EACH TENANT (IF MORE THAN ONE) IS JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE **TOTAL RENT** AND PERFORMANCE OF ALL OTHER TERMS AND COVENANTS OF THIS AGREEMENT

**RENTAL TERM BEGINS THIS** \_\_\_\_\_ **day of** \_\_\_\_\_, **year 20** \_\_\_\_\_ **AND ENDS ON JUNE 30<sup>th</sup>, 20** \_\_\_\_\_ **AT: 2PM**

Should Tenant (s) vacate before the expiration of the term, tenant (s) shall be liable for the **BALANCE OF THE RENT** for the remainder of the term, until an acceptable replacement tenant has been secured subsequent to reasonable attempts by the **LESSOR** or **MANAGER** to find a suitable replacement tenant (s). Tenant(s) who vacate before the expiration of the term are also responsible and will pay for the **LESSOR** and his agent's cost of **ADVERTISING** for a replacement tenant(s), plus all other costs such as **TIME, EFFORT, COMMISSION, FEES,** and any other costs related to securing a replacement tenant(s).

This paragraph is applicable to Berkeley residential rental units. On **January 1<sup>st</sup>, 20** \_\_\_\_\_ or on the first date thereafter on which rent is due and on each succeeding **JANUARY FIRST** that this agreement is in effect, the rent for this unit shall increase in the amount of any annual general adjustment approved by the City of Berkeley, Rent Stabilization Board and program, during the 12 month period preceding the rent increase each monthly payment and/or each installment payment of rent shall be **ADJUSTED UPWARD** by the percentage or amount allowed by the City of Berkeley Rent Stabilization Board and the City of Berkeley Rent Stabilization and Eviction for Good Causes

on **Wells Fargo, Bank of America, Citi Bank, Union Bank of California, JP Morgan & Chase, Bank of the West, and the Mechanics Bank.** Checks drawn on any other bank other than the above mentioned will not be accepted, therefore tenant(s) will have to pay rent by other alternative forms of payments such as **Money Order, Cashier's Check or Cash. No exceptions.**

**2. Late Payment Charges:** Tenant(s) shall pay the Lessor a late charge if Tenant(s) fails to pay the rent in full within the 2 days following the day the rent is due. **\*\*Before 7:00PM of the 3<sup>rd</sup> of the month. Rents are due on the FIRST of each month.** The late charges shall be **\$15.00** administrative fee plus **\$5.00** for each additional day that the rent continues to be unpaid. While the payment of rent remains unpaid, the total late charge for any one-month shall not exceed **\$75.00 or 10%** of the total amount owed (**whichever is greater**). Any Tenant(s) who has not made an acceptable arrangement in writing with the Lessor or Agent on or before the due date for permission to pay late, upon expiration of the **grace period**, at the option of the Lessor, **will be served a 3 Day Notice to pay rent.** In this event, **the Tenant(s) shall be required to pay an additional sum of \$100.00** to defray the cost of preparation and service of the three-day notice as **liquidated damage**, even if he/ she wishes to comply with the requirement of the 3-day notice. These charges shall be applied **separately and accumulatively** to each and every payment (rent or other obligations) due Lessor/ Agent, which remains unpaid during the grace period mentioned above. Lessor **does not waive** the right to insist on payment of the rent in full on the date it is due.

**3. Returned Check and Other Bank Charges:** In the event any check offered by Tenant(s) to the Lessor or his/her Agent in payment of rent or any other charge due under this Agreement **is returned for lack of sufficient funds, a "stop payment" or any other reason not caused by Lessor,** Tenant(s) shall pay Lessor a returned check charge in the amount of **\$30.00.** If any check received from the Tenant(s) is dishonored by the Bank or institution on which it is drawn, such check will be considered non-payment of rent or other obligations as the case may be and will immediately be subject to all charges accrued as payment received after the grace period and all late payment fees described above will be due and payable **in addition to the \$30.00 bounced check fee.** Once any check received from any Tenant(s) has **BEEN DISHONORED,** Lessor **will require and Tenant(s) will pay all future rent payments to be made in the form of cash, money orders, cashier's checks, or certified checks.**

**4. Amounts of Security Deposits:** And its return upon tenancy termination, upon signing this Agreement, Tenant(s) shall pay to the LESSOR the sum of \$ \_\_\_\_\_ as a **SECURITY DEPOSIT.** Tenant(s) **may not apply this security deposit to any month's rent especially the last month's rent** or to any other sum due under this Agreement. **No exceptions.** Within three weeks after the end of the lease agreement **and after** Tenant(s) has vacated the premises **thoroughly,** Lessor shall furnish Tenant(s) with a statement of condition and a check for the deposit if the unit is in normal and acceptable condition similar to the move in time. Normal wear is accepted. In the event that a deposit refund is to be held or the entire or fraction of the deposit deducted, an itemized written statement will be sent within the same time frame mentioned above, describing **any abnormalities, damages, uncleanness, breakages, and loss, that require reimbursement. The cost of repair/replacement will be itemized and deducted from security deposit.** Depending on the condition of the property a check for a portion or all of the security deposit will be sent along with the statement of the condition. Under Section 1950.5 of the California Civil Code, Lessor may withhold only that portion of Tenant(s)' security deposit necessary to: (1) remedy any default by Tenant(s) in the payment of rent; (2) repair damages to the premises exclusive of ordinary wear and tear; and (3) clean the premises if necessary.

- NOTE: When a check refunding interest earned or deposit refund is issued by the Lessor to Tenant(s), regardless of the number of tenants, only ONE CHECK will be issued and that one check will be made out to bear each, every, and all names signatory to the lease. No separate checks will be issued for multiple tenancies sharing a lease agreement. Distribution of the deposit refund among tenant(s) sharing a lease is in the **SOLE DISCRETION** of the tenant(s) themselves. **THERE WILL BE NO EXCEPTIONS TO THIS CLAUSE.**

- Lessor shall pay Tenant(s) interest on all security deposits as follows: Berkeley law requires that interest be paid or credited, which shall occur as follows: **Interest shall be paid to tenant(s) twice per contract term. First interest payment shall be made in January and the second payment in July.** Tenant(s) may deduct their earned interest from December rent.

**5. Transferring Lease or Subletting: ABSOLUTELY NOT ALLOWED.** Tenant(s) shall not sublet or transfer **ALL OR ANY PART OF THE PREMISES** or assign the Agreement to any other individual at any time. Violation of this act will forfeit and nullify this agreement, and tenant(s) will be subject to legal action by the Lessor or Agent. In the event that such transferring or subletting occurs (**visitors and guests in the absence of the tenant(s) become Sublette**) Sublette's will be considered trespassers and are subject to legal action by the Lessor or Agent to be removed from the property under the laws of eviction in California.

**6. Possession of the Premises:** If, after signing this Agreement, Tenant(s) fail to take possession of the premises, Tenant(s) shall still be responsible for paying rent and complying with all other terms of this Agreement. In the event Lessor is unable to **DA**ver possession of the premises to Tenant(s) for any reason not within Lessor's control, including, but not limited to, failure of prior occupants to vacate or partial or complete destruction of the premises, Tenant(s) shall have the right to terminate this Agreement if possession is not delivered within days \_\_\_\_\_ of the commencement of the term hereof. In such event





- expire and all of Tenant(s)' rights pursuant to this Agreement shall terminate at the option of either party upon proper notice and notification.
- c. ***In the event that Tenant(s), or their guests or invitees, in any way caused or contributed to the damage of the premises, Lessor shall have the right to terminate this Agreement at any time, and Tenant(s) shall be responsible for all losses, including,*** but not limited to, damage and repair costs as well as loss of rental income. Lessor shall not be required to repair or replace any property brought onto the premises by Tenant(s).
- 13. Tenant(s)' Financial Responsibility and Renters' Insurance:** Tenant(s) agree to accept financial responsibility for any loss or damage to personal property belonging to Tenant(s) and their guests and invitees caused by theft, fire or any other cause. Lessor assumes no liability for any such loss. Lessor recommends that Tenant(s) obtain a renter's insurance policy from a recognized insurance firm to cover Tenant(s)' liability, personal property damage and damage to the premises.
- 14. Security Monitoring:** Tenant(s) recognize and accept security surveillance of the premise at discretion of the lessor. Security cameras are securely installed to monitor all entrances in and out of the building, along with those placed in the common living room, kitchen, manager's office, and maintenance storage space. Tenant(s) recognize that security surveillance is not a service provided by the lease agreement nor is it an obligation or liability to the lessor.
- 15. House Rules:** In the event that the premises or portion of a building containing more than one unit, Tenant(s) agrees to abide by any and all house rules, whether promulgated before or after the execution hereof, including but not limited to rules with respect to **noise, odors, disposal of refuse, pets, parking, no indoor smoking policy, and use of common area.** A completed list of house rules shall be provided to tenant(s) upon the completion of this lease agreement. Tenant(s) must acknowledge and comply to all house rules set forth by the lessor and/or current agent.
- 16. Waterbeds:** No waterbed shall be installed anywhere on the premises.
- 17. Yard Care:** The Tenant(s) agrees to properly cultivate, care for and adequately water the lawn, shrubbery, greens and grounds. To generally maintain the landscaping in neat and orderly condition and free of any debris or garbage at all times. If such is provided, Tenant(s) must keep area **directly in front of unit** clean at all times. If the Tenant(s) does not perform above obligations especially after written notices by Lessor or Agent to perform obligation, The Lessor or Agent will hire a professional gardener and charge the cost to the Tenant(s) and continue with the gardening services until Tenant(s) resumes the responsibility to do so.
- 18. Maintenance:** Tenant(s) at his/her own expense shall keep and maintain the premises (private and/or common) in a clean, orderly and sanitary condition at all times.
- 19. Smoke Detectors:** Tenant(s) agree to test all smoke detectors at least once a month and to report any problems to Lessor in writing. Tenant(s) agree to replace all smoke detector batteries as it becomes necessary, or once every six months. (whichever comes first)
- 20. Bulky Refuse:** Tenant(s) agrees to pay for bulky refuse that is not normally found in refuse container. Any personal garbage will be disposed of in proper place (garbage bin in parking lot or garbage container at side yard) and will not be left outside unit door or any common area. Tenant(s) agrees that if their garbage is found an improper place they may be subject to pay for damages and inconvenience of removing refuse. Tenant(s) are to remove all recyclable items and place them in the proper recyclable bins in order to avoid overfilling the refuse container.
- 21. KEYS AND THEIR RETURN TO LESSOR UPON TENANCY TERMINATION:** Keys to the premises, in addition to mailbox keys, are the property of the Lessor. Unnecessary duplication of house keys and mailbox keys is prohibited. If the Tenant(s) wishes more than one key, he/she shall apply to the Lessor or Agent for consent. Lending of keys to visitors, even if they are guests, is **absolutely prohibited**. If the key(s) are lost, Tenant(s) agrees to pay the total cost of replacement (time, labor and materials). Tenant(s) using a padlock or any other locking device on their door, after obtaining the Lessor's written approval must (**within 24 hours**) provide duplicate keys for Lessor or agent's emergency use. At the discretion of the Lessor or Agent, Tenant(s) agrees to pay \$5.00-\$20.00 per lockout, depending on the inconvenience caused (time of day or night) as liquidated adages. FAILURE TO RETURN KEYS UPON TENANCY TERMINATION WILL COST THE TENANT(S) \$100.00 TO \$150.00 LOCK REPLACEMENT CHARGE TO INSURE THE SAFETY OF NEW TENANT(S) AND WILL CAUSE OTHER COMPLICATION SUCH AS THE TERMINATION DATE.
- 22. Pets:** Tenant(s) agrees that he will not keep, bring, permit or have and pets or animals of **any kind** on the said premises unless agreed upon by the lessor and stated in an addendum. This includes but is not limited to a dog, cat, bird, etc. The only exception to this is properly trained and licensed dogs needed by blind, deaf, or physically disabled persons. Tenant(s) agrees to pay **10.00 per day** to the Lessor for each day and every unauthorized animal seen on the premises as liquidated damages.
- 23. Parking:** Is not included but may be obtained, if a space is available, under a separate rental agreement. The driveway is to be used for loading and unloading. Nothing, including bicycles, motorcycles or any other property shall be placed in a manner

premises in the event of an emergency, to make repairs or improvements, supply agreed services and show the premises to city officials or building inspectors.

- 25. Extended Absences By Tenant(s).** Tenant(s) agree to notify Lessor in the event that they will be away from the premises for \_\_\_\_\_ consecutive days or more. During such absence, Lessor may enter the premises at times reasonably necessary to maintain the property and inspect for damage and needed repair.
- 26. Good Neighbor Responsibilities:** 1) Tenant(s) and or guest(s) shall not create any waste, a nuisance, or conduct any activity on the premises that is in violation of any ordinance, code, statute, law, any government organization or permit such acts to occur or cause any acts to be done on the premises which may result in an **increased insurance rate** on the premises. 2) Tenant(s) or tenant(s)' guests shall not annoy, harass, endanger or inconvenience any other Tenant(s) of the building upon which the premises is located or occupants of neighboring buildings, or create a nuisance, nor commit any act that may disturb the quiet enjoyment of any other Tenant(s) of the building or guests. Musical instruments, stereos, radio, or television sets shall not be operated in a manner that may disturb other Tenant(s). Any washer, dryer or other appliances that may disturb other Tenant(s), shall not be used before 8:00a.m. And after 10:00 p.m.
- 27. Prohibition Against Violating Laws:** The Tenant(s) agrees not to violate any law, whether municipal, city, county, district, state, federal, moral or social in or about the said premises. Tenant(s) and their guests or invitees shall not use the premises or adjacent areas in such a way as to: (1) violate any law or ordinance, including laws prohibiting the use, possession or sale of illegal drugs (including cannabis); (2) commit waste or nuisance; or (3) annoy, disturb, inconvenience or interfere with the quiet enjoyment and peace and quiet of any other tenant(s) or nearby resident. Tenant(s) shall not cause any acts to be done on the premises that may result in an increased insurance rate for the Tenant(s) on the premises
- 28. Guests:** At the discretion and option of the Lessor, to prevent tenancy under the **pretense of guest privileges** tenant(s) expressly agrees to obtain Lessor's or Agent's written permission in advance for overnight guests whose stay will extend beyond **one night**. Tenant(s) failing to do so agrees to either pay \$\_\_\_\_\_ per night per guest as liquidated damages or even be considered in breach of the terms of this lease/rental agreement which is grounds for the Tenant(s)' eviction.
- 29. Holdover of Premises:** Tenant(s) agrees to vacate the premises before **2:00PM** on the last day to which he/she is entitled to possession. Also, tenants agree to allow the lessor to show the unit in question during the month of June, so that the unit can get rented for the following cycle. Should Tenant(s) fail to vacate on or before the expiration of said termination date, any holding over without the prior written consent of Lessor shall be deemed a **Tenancy at Sufferance**, and Tenant(s) shall be liable for **triple (three times) rent** as provided by law.
- 30. Grounds for Eviction:** Any failure by the Tenant(s) to comply with any term or condition of this lease, including failure to make payments after they are due, abandonment, hold over or violation of any part of this lease/ rental agreement or other supplemental written agreement(s) and/or incorrect written information furnished by the Tenant(s), will be grounds for eviction from the said premises according to law. Tenant(s) also agrees, in this event, to be responsible to Lessor / Agent for any charges levied against Tenant(s) by Lessor/Agent as sufferance damages, as permitted by law.
- 31. Conditions of Termination of Tenancy:** A waiver to breach of terms and conditions of this agreement shall not constitute waiver of a subsequent breach of any of the terms and conditions herein. Nor shall acceptance of partial payment of rent be deemed a waiver of Lessor's right to the full amount thereof. This agreement shall be binding upon the heirs, administrators, successors, and assigns of all parties hereto accept. All parties agree that **Tenant(s)' right to possession of the premises terminates upon the death of Tenant(s)**, and that death of Tenant(s) shall be deemed a surrender or abandonment of the premises. Any personal property remaining on the premises after death of the Tenant(s) shall be disposed of in accordance with the Civil Code Section 1980 et seq; to wit, among other requirements, notice will be given to the heir, personal representative, or other persons entitled to the personal property and they will be allowed to claim the personal property within the time allowed by law. Lessor / Agent lawfully shall terminate Tenant(s)' tenancy in order to recover possession for the Lessor's own use or occupancy as his principal residence or for the use and occupancy as a principal residence by Lessor's spouse, child or parent. Tenant(s) agree to vacate the premises on or before the last day of their lawful tenancy. Should Tenant(s) fail to vacate by the last day of the lawful tenancy, in addition to any other damages for which they may be liable, Tenant(s) agree to pay to the party for whom possession was sought all damages suffered by such party refused by Tenant(s)' failure to vacate the property.
- 32.** All correspondences regarding **LEGAL DISPUTES, COMPLAINTS, COMMENTS AND RECOMMENDATIONS** should be mailed to the Lessor

Located at	REZA VALIYEE 2253 WARD STREET BERKELEY, CA 94705
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- 33. Request and/or Complaints:** Complaints, requests, etc. shall be communicated to the Lessor or Agent in writing, showing date, name, phone number, address, and/or unit number. The communication shall state the nature of the request or problem and shall contain enough explanatory detail to make the request or problem clear. The Lessor and/or Agent will give

before the due date. Such a discharge of obligation by one Tenant(s), if he wishes and permits, will release all other tenant(s) in question from their obligations in that one particular said instance. Group tenancy, Each Tenant(s) agrees to waive his/ her rights to renewal of tenancy under Berkeley ordinances upon the leaving of one or more Tenant(s) from the original group. It is expressly understood that this agreement is between the Lessor and each signatory jointly and severally. In the event of default by any one signatory each and every signatory shall be responsible for timely payment of rent and all other provisions of this agreement.

- 36. MODIFICATION AND LEGAL VALIDITY:** All provision in this lease/rental agreement is subject to modification only if the modification is in writing. Where any provision of this lease/rental agreement is subject to different interpretations, one which would render the provision legal and enforceable and another that would render the provision illegal and unenforceable. The provision shall be interpreted in a manner **that makes it legal and enforceable**. Total or partial invalidity of one or more provisions of this lease/rental agreement shall not render the remainder of it invalid or unenforceable. **In order to minimize misunderstandings, all oral agreement shall be rendered null and void.** Should any provision of this lease/rental agreement be or become in violation of the laws of the State of California, or any valid local ordinance, this agreement shall be deemed automatically amended to be in compliance with such laws. Each covenant of this lease/ rental agreement is material and violation in any respect shall be cause for termination of tenancy and eviction. **Words used in the singular shall include the plural where the context requires and vice versa.** All rights, powers, options and remedies given or granted to the Lessor / Agent by the lease/ rental agreement or by law, are **cumulative and no one of them is exclusive of the other**. This document constitutes the entire Agreement between the parties, and no promises or representations, other than those contained here and those implied by law, have been made by Lessor or Tenant(s). **Any modifications to this Agreement must be in writing signed by Lessor and Tenant(s).** The failure of Tenant(s) or their guests or invitees to comply with any term of this Agreement is grounds for termination of the tenancy, with appropriate notice to tenant(s) and procedures as required by law.
- 37. COSIGNERS:** All persons who sign this lease/rental agreement are principals except as to those persons who are designated "cosigners". **Cosigners are sureties** for the Tenant(s) and will answer for the **debts, defaults and miscarriages of the Tenant(s)** arising out of this lease/rental agreement and any extension thereof. Cosigners expressly waive the provisions of **Civil Code Sections 2819, 2845 and 2849** as well as **any right to require Lessor/ Agent to pursue the Tenant(s) before pursuing cosigners for the debt and obligations of the Tenant(s).** Cosigners agree that this lease/rental agreement and the obligations arising hereunder involve one "transaction" and thus, for the purpose of **Civil Code Section 2814** the surety- ship formed is a '**continuing guaranty**'. The surety-ship formed by cosigners' signing of this agreement is **NOT revocable and continues forth** so long as Tenant(s) or any one of them remain in possession of the premises. Cosigners' are required to **complete rental applications** and sign a **separate rental agreement as cosigners and guarantors**.
- 38. Rent Increases Berkeley:** Tenant(s) agrees and understands that the rent on the premises is not fixed for the term of the lease, but instead shall be subject to any and all increases approved or allowed by the Berkeley Rent Board of Stabilization during the term of the lease. And tenant(s) of areas outside of Berkeley including those Berkeley units which are exempt from rent control will pay yearly increases to balance inflationary, operational, and managerial cost increases.
- 39. Tenant(s) Rules and Regulations:** Tenant(s) acknowledge receipt of, and have read a copy of, tenant(s) rules and regulations, which are labeled as "Attachment" and are attached and incorporated into this Agreement by reference. Tenant(s) Rules and Regulations are subject to change and modification by Lessor. Any modifications to this Agreement must be in writing signed by Lessor and Tenant(s).
- 40. Additional Provisions:** Additional provisions should be stated on a separate addendum. This document constitutes the entire agreement between the parties, and no promises or representations, other than those contained here and those implied by law, have been made by Lessor or Tenant(s). **Any modifications to this Agreement must be in writing signed by Lessor and Tenant(s).** The failure of Tenant(s) or their guests or invitees to comply with any term of this Agreement is grounds for termination of the tenancy, with appropriate notice to tenant(s) and procedures as required by law.
- 41. Non-Berkeley Leases:** In the event that this lease/rental agreement is used for premises located outside the city of Berkeley and not part of the City of Berkeley's jurisdiction, the covenants/terms and conditions particular and only pertinent to the City of Berkeley Rent Control Laws that apply to the properties in Berkeley shall be void and inapplicable because the premises is not part of the City of Berkeley's jurisdiction. **THE REMAINDERS OF THE TERMS ARE APPLICABLE IN FULL FORCE IN ADDITION TO THE LAWS AS PROVIDED BY THE TENANCY LAWS OF THE STATE OF CALIFORNIA.**

**TENANT(S) CERTIFICATION AND AGREEMENT:** I, the undersigned, hereby certify that I have read, understood and agree to abide by this lease/rental agreement. In addition, I certify that the landlord and/or agent have exercised thorough effort(s) in explaining all covenants of the lease. I acknowledge that a copy of the lease can be provided upon request without any additional charge. Additional copies of the lease may be provided upon demand at a processing fee of \$15 per copy. I understand that failure to comply with any part of this lease/rental agreement will act as grounds for my eviction.

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**CONDITIONAL ACCEPTANCE:** Tenant(s)' acceptance is final, but, as a courtesy and to accommodate tenant(s), the LESSOR may, but is not obligated to, in some cases grant conditional acceptance to the tenant(s) signed and approved by

following options: Tenant(s) may be evicted from the premises (refusal to execute a new rental agreement constitutes good cause for eviction under Berkeley's Rent Control Law); or

Lessor may deem the lease extended automatically for a new term ending June 30<sup>th</sup> of the following year. In such event, tenant(s) expressly agrees to all the TERMS and CONDITIONS of the NEW LEASE AGREEMENT whether or not it bears tenant(s)' SIGNATURE. In addition, tenant(s) shall be responsible for all additional expenses incurred by Lessor because of tenant(s)' failure or refusal to sign a new agreement, and shall pay the same to Lessor within three days of Lessor's demand for same. This provision does not change tenant(s)' obligation to give Lessor thirty-day-written-notice of his/her intention to vacate or to renew the lease. LESSOR or LESSOR'S Agent must receive such notice no later than May 31. NO ORAL AGREEMENT OF ANY KIND WILL BE HONORED, unless the agreement and modification is IN WRITING bearing LESSOR'S SIGNED APPROVAL, as no one is authorized to act on behalf of, make changes to, or modifications, to the lease agreement.

	1	FULL NAME: FIRST MIDDLE LAST	2	BIRTH DATE	3	DRIVER'S LICENSE & STATE ID
	4	CONTACT NUMBER	5	UNIVERSITY ID CARD NUMBER	6	SOCIAL SECURITY NUMBER
	7	CREDIT CARD # (PASSPORT,ETC)	8	SIGNATURE	9	DATE
ONE	1		2		3	
	4		5		6	
	7		8		9	
TWO	1		2		3	
	4		5		6	
	7		8		9	
THREE	1		2		3	
	4		5		6	
	7		8		9	
FOUR	1		2		3	
	4		5		6	
	7		8		9	
FIVE	1		2		3	
	4		5		6	
	7		8		9	
SIX	1		2		3	
	4		5		6	
	7		8		9	
SEVEN	1		2		3	
	4		5		6	
	7		8		9	
EIGHT	1		2		3	
	4		5		6	
	7		8		9	
COSIGNER	1		2		3	
	4		5		6	
	7		8		9	

Manager's NAME \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**FINAL ACCEPTANCE AND CONFIRMATION:** Based on the information set forth in the Tenant(s)' rental application and based on Tenant(s)' agreement to the terms and conditions of this lease/rental agreement, Lessor/ Agent agrees to rent the premises on the terms and conditions set forth in this lease/ rental agreement.

LESSOR'S NAME REZA VALIYEE SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

~~CO~~SIGNERS' AGREEMENT, My name is \_\_\_\_\_

## **House Rules**

- 1. NO SMOKING** inside the residential complex AT ALL. All smoking activities must be conducted 30 feet away from the building, no IF ANDS OR BUT'S. This includes any form of cannabis, tobacco, or any related products.
- 2. DO NOT** cause noise disturbances or unsavory conditions for your neighbors.
- 3. DO NOT** store personal kitchenware in the common kitchen, or any personal items in public spaces.
- 4. CLEAN UP** after you cook. In addition, do not leave dirty dishes in the kitchen sink.
- 5. CLEAN UP** after yourself following use of the common bathroom facilities and/or common living room. Flush the toilets after you use them, and do not put personal trash in the bathroom trash bins, nor in the kitchen trash bins.
- 6. HARRASMENT** of neighbors, resident managers, and/or maintenance personnel are strictly prohibited. If reported we shall forward the complaint to the nearest legal authority for potential course of action.
- 7. MAINTENANCE REQUESTS & COMPLAINTS** must be filled via written forms available on front of the manager's office.
- 8. PLEASE** maintain all entry point, exits, and hallways free and clear.
- 9. PLEASE** do not congregate outside in the parking lot area or around the house after 10pm.
- 10. THERE IS ABSOLUTELY NO PARTYING ALLOWED ON THE PROPERTY**

### **OFFICE CONTACT INFORMATION**

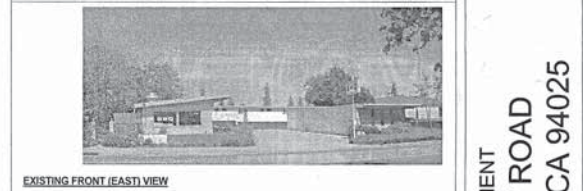
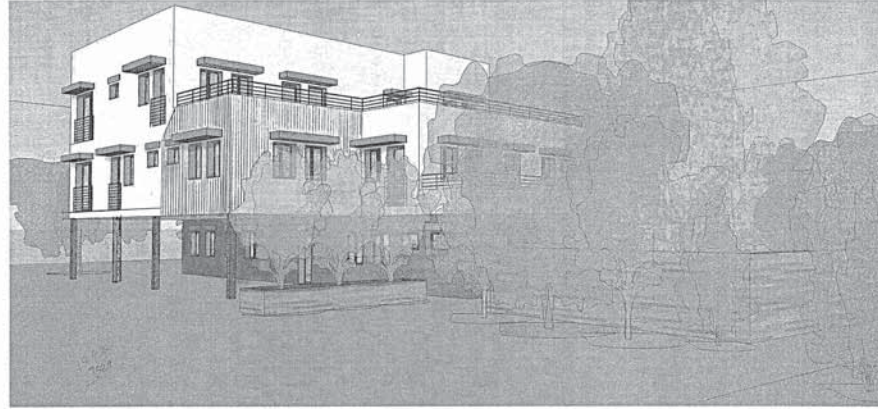
**MANAGER'S OFFICE:** 2455 PROSPECT STREET, BERKELEY CA 94704  
**OFFICE HOURS:** 8:00PM-9:00PM (MON / TUE / WED / TH / FRI)  
**OFFICE CONTACT:** 510-548-2455  
**LANDLORD'S CONTACT:** 510-548-2200

### **MANAGER'S CONTACT INFORMATION**

**ANTONIO CASTILLO (510) 393-1149**

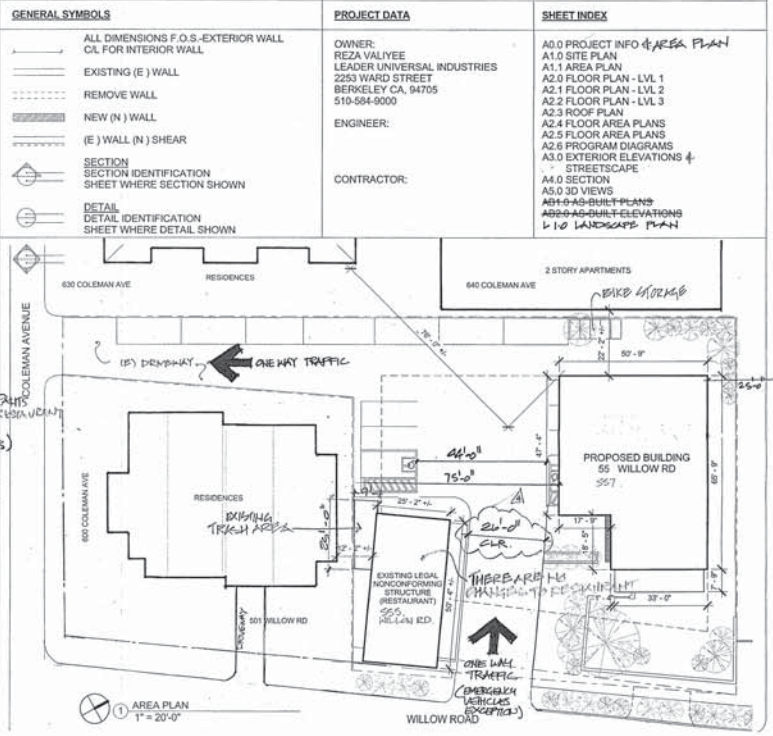
*YOUR EMERGENCY CONTACT NAME AND PHONE NUMBER:*

# REDEVELOPMENT 555 WILLOW ROAD MENLO PARK, CA 94025 APN: 062285300



ABBREVIATIONS			
AC	ACRE	FOS	FACE OF STUD / FACE OF STEEL
ACOUS	ACOUSTICAL	FRFP	FRAME PROOF
ADJ	ADJUSTABLE	FT	FOOT OR FEET
AL / ALUM	ALUMINUM	FTG	FOOTING
AP	ACCESS PANEL	FURR	FURRING
APPROX	APPROXIMATE	FUT	FUTURE
ARCH	ARCHITECTURAL	GA	GAUGE
ASMBLY	ASSEMBLY	GAL	GALLON
		GALV	GALVANIZED
BC	BOTTOM OF CURB	GB	GYPSUM BOARD
BD	BOARD	GD	GRADE
BITUM	BITUMINOUS	GL	GLASS
BLDG	BUILDING	GND	GROUND
BLKG	BLOCKING	GYP	GYPSUM
BM	BEAM	HB	HOSE BIBB
BO	BOTTOM OF	HW	HARDWARE
BOT	BOTTOM OF	HM	HOLLOW METAL
BS	BOTTOM OF	HRZ	HORIZONTAL
		HP	HIGH POINT
CAB	CABINET	HR	HOUR
CB	CATCH BASIN	HT	HEIGHT
CCTV	CLOSED CIRCUIT TELEVISION	HWY	HIGHWAY
CEM	CEMENT	ID	INSIDE DIAMETER
CER	CERAMIC	IE	INVERT ELEVATION
CF	CUBIC FEET	IN	INCHES
CI	CAST IRON	INDUST	INDUSTRIAL
CJ	CONTROL JOINT	INSUL	INSULATION
CL	CENTER LINE	INT	INTERIOR
CLG	CEILING	JT(S)	JOINT(S)
CLGK	CEILING	LA	LANDSCAPE
CLD	CLOSET	LAM	LAMINATE
CLR	CLEAR	LAV	LAVATORY
CMJ	CONCRETE MASONRY UNIT	LC	LANDSCAPE CONTRACTOR
CNTR	COUNTER	LF	LINEAL FEET
COL	COLUMN	LFR	LOCKER
CONC	CONCRETE	LP	LOW POINT
CONM	CONNECTION	LT	LIGHT
CONST	CONSTRUCTION	LTD	LIGHTING
CONT	CONTINUOUS	LWP	LOWER WORKING POINT
CORR	CORRIDOR	MAX	MAXIMUM
CT	CERAMIC TILE	MECH	MECHANICAL
CTR	CENTER	MEM	MEMBRANE
CTSK	COUNTERSUNK	MET	METAL
CW	CURTAIN WALL	MFR	MANUFACTURER
CY	CUBIC YARD	MIN	MINIMUM
		MISC	MISCELLANEOUS
DBL	DOUBLE	MRO	MASONRY OPENING
DEPT	DEPARTMENT	MR	MOISTURE RESISTANT
DET	DETAIL	MTD	MOUNTED
DF	DRINKING FOUNTAIN	MULL	MULLION
DIAM	DIAMETER	N	NORTH
DIM	DIMENSION	NC	NOT IN CONTRACT
DISP	DISPENSER	NO	NUMBER
DN	DOWN	NOM	NOMINAL
DOOR	DOOR OPENING	NTS	NOT TO SCALE
DR	DOOR	OV	OVERALL
DS	DOWNSPOUT	OC	ON CENTER
		OD	OUTSIDE DIAMETER
E	EAST	OH	OVERHEAD
EA	EACH	OPNG	OPENING
EJ	EXPANSION JOINT	OPP	OPPOSITE
EL	ELEVATION	PC	PRECAST CONCRETE
ELEC	ELECTRICAL	PL	PLATE
ELEV	ELEVATOR	PLAM	PLASTIC LAMINATE
EMER	EMERGENCY	PLAS	PLASTER
ENCL	ENCLOSURE	PLYWD	PLYWOOD
EOD	EDGE OF DECK	PNL	PANEL
EOS	EDGE OF SLAB	PR	PAIR
EQ	EQUAL	PT	POINT, PRESSURE
EQPT	EQUIPMENT	PT	POINT, PRESSURE
ESC	ESCALATOR	PT	POINT, PRESSURE
EW	EACH WAY	PT	POINT, PRESSURE
EXP	EXPANSION	PVC	POLYVINYL CHLORIDE
EXPO	EXPOSED	QT	QUARRY TILE
EXT	EXTERIOR	R	RISER/RADIUS
EXTG	EXISTING	RB	RESILIENT BASE
FA	FIRE ALARM	RCF	REINFORCED CONCRETE PIPE
FD	FLOOR DRAIN	RD	ROOF DRAIN
FDN	FOUNDATION	REF	REFERENCE
FE	FIRE EXTINGUISHER		
FFL	FINISH FLOOR LINE		
FG	FINISHED GRADE		
FN	FINISH		
FIXT	FIXTURE		
FLOOR	FLOOR		
FCC	FACE OF CONCRETE		
FFM	FACE OF FINISH		
FOM	FACE OF MASONRY		

PROJECT DATA			
<b>DEVELOPMENT STANDARDS:</b>	<b>PROPOSED DEVELOPMENT</b>	<b>EXISTING PROJECT</b>	<b>ZONING ORDINANCE</b>
LOT AREA	18,455 SF	18,455 SF	
LOT WIDTH	230'	230'	
LOT DEPTH	127.84'	127.84'	
FRONT SETBACKS	20'	20'	20'
REAR SETBACKS	20'	20'	20'
SIDE LEFT SETBACKS	10'	10'	10'
SIDE RIGHT SETBACKS	10'	10'	10'
BUILDING COVERAGE	16.2% = 2,983.43 SF	13.5% = 2,498.00 SF	30% = 5,536.50 SF MAX
FAR (FLOOR AREA RATIO)	42.2% = 7,811 SF	13.5% = 2,498.00 SF	45% = 8,304.75 SF MAX
SQUARE FOOTAGE BY FLOOR			
RESTAURANT	1,266.72	1,266.72	
1ST FLOOR	2,169.43	1,400.00	
2ND FLOOR	2,525.62		
3RD FLOOR	1,568.78		
SQUARE FOOTAGE OF BUILDING	7,530.55 SF	2,498.00 SF	
MAX. BUILDING HEIGHT	34'	35'	
LANDSCAPE AREA	17.1% = 3,160.07 SF	0.6% = 113.10 SF	50% = 9,227.50 SF MIN
PAVING	14.1% = 2,602.93 SF		
PARKING	14 SPACES (4 COVERED)	20 SPACES	1 SPACE PER 200 SF OF FLOOR AREA = 7 SPACES + 1 FOR RESTAURANT
PARKING & DRIVEWAY AREA	48.24% = 8,902.66 SF < (E)	69.55% = 12,684 SF	20% = 3,691.00 SF
DEFINE BASIS FOR PARKING	RESIDENTIAL PARKING SPACES REQUIRED (FOR PERMITTED OCCUPANCY) 14 UNITS = 8 SPACES TOTAL / 4 TO BE COVERED		
<b>CODE COMPLIANCE</b>	<b>ZONING COMPLIANCE</b>	<b>CONTRACTOR'S NOTE</b>	
APPLICABLE CODES & STANDARDS CALIFORNIA RESIDENTIAL CODE 2010 CALIFORNIA BUILDING CODE 2010 CALIFORNIA RESIDENTIAL CODE 2010 CALIFORNIA PLUMBING CODE 2010 CALIFORNIA MECHANICAL CODE 2010 CALIFORNIA ELECTRICAL CODE 2010 2013 EDITION OF TITLE 24 STANDARDS	ZONE R-3 APARTMENT, AS DEFINED IN THE ZONING ORDINANCE R-3 APARTMENT ZONING DISTRICT, CHAPTER 16.20  MAXIMUM DENSITY NUMBER OF RESIDENTIAL UNITS: 18,455/3,333 = 5 UNITS  CAR PARKING REQUIREMENT 2 UNITS ONE PARKING SPACE, HALF OF THOSE SHALL BE COVERED PARKING SPACES.	THE ISSUANCE OF A BUILDING PERMIT SHALL NOT BE CONSTRUED AS A GUARANTEE THAT ALL OF CODE REQUIREMENTS ARE REFLECTED IN THE DOCUMENT. THE GENERAL CONTRACTOR FOR THE PROJECT SHALL BE ULTIMATELY RESPONSIBLE FOR INSURING THAT THE FINISHED PRODUCT COMPLIES WITH ALL REGULATIONS, LAWS AND CODE REQUIREMENTS.	
<b>SCOPE OF WORK</b>	(E) RESTAURANT AND PATIO TO REMAIN W/ FACADE MODIFICATION. CONSTRUCT NEW ROOMING HOUSE INCLUDING 8 PARKING SPACES 4 COVERED, 4 NON COVERED		

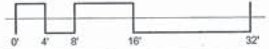
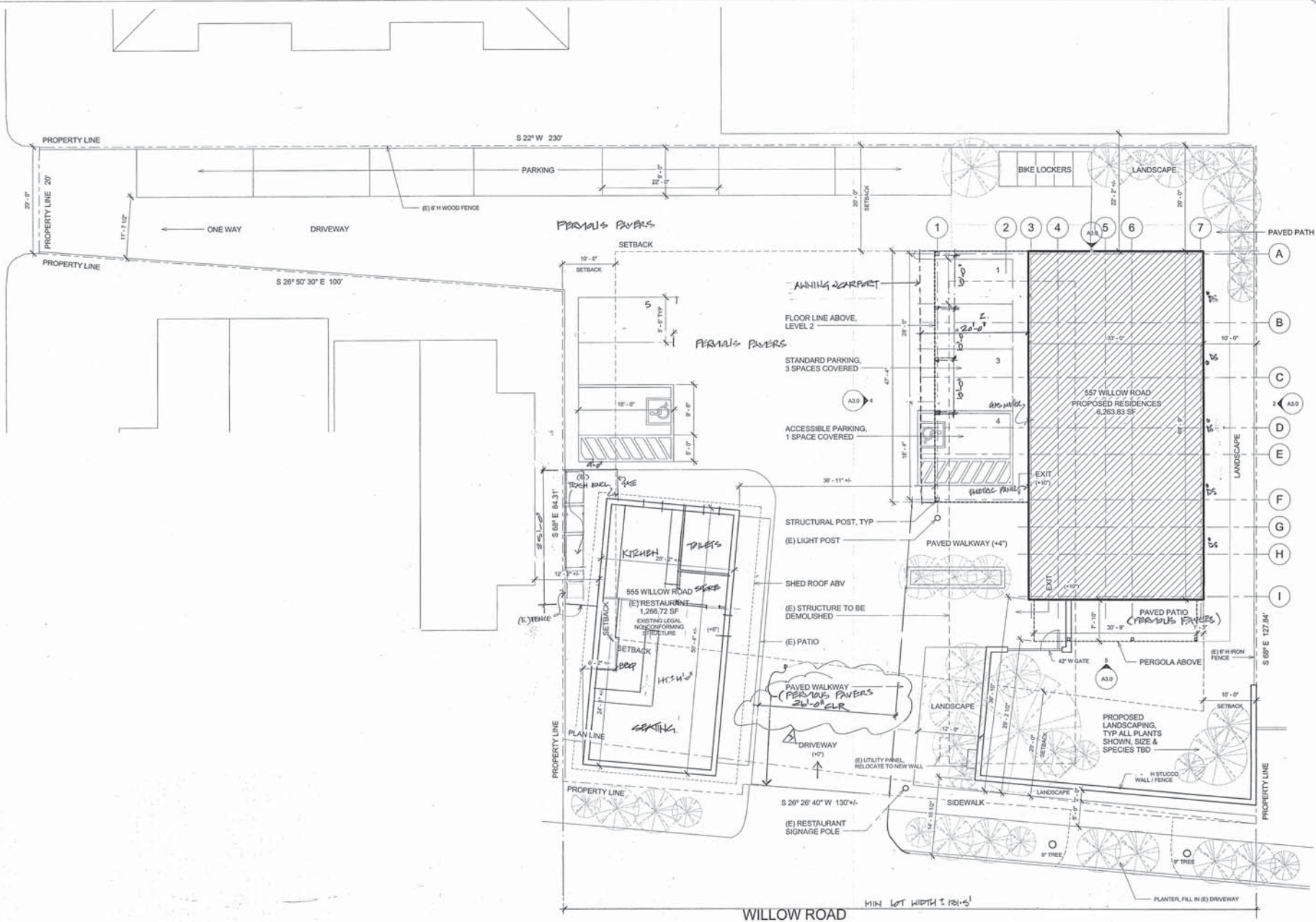


REVISIONS	BY
4-24-17	
7-12-17	
11-25-17	
2-14-18	


REDEVELOPMENT  
555 WILLOW ROAD  
MENLO PARK, CA 94025

DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	As indicated
JOB NO	12-05
SHEET	
<b>A0.0</b>	
NOT FOR CONSTRUCTION	

COLEMAN AVENUE



1. SITE & ROOF PLAN  
1/8" = 1'-0"

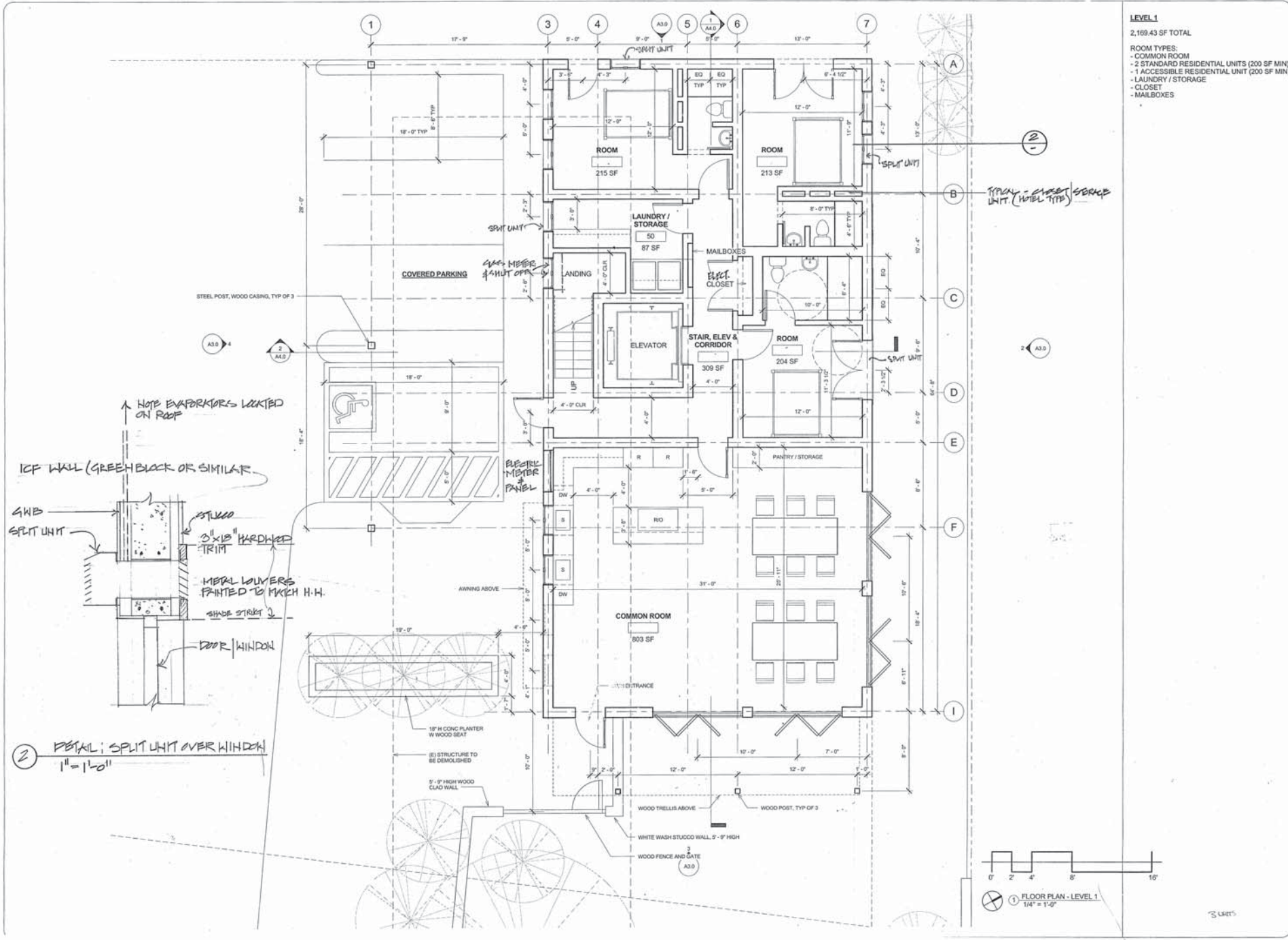
REVISIONS	BY
△ 4/29/17	
△ 9/18/17	
△ 11-25-17	
△ 2-14-18	
△	
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REDEVELOPMENT  
 555 WILLOW ROAD  
 MENLO PARK, CA 94025

DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	1/8" = 1'-0"
JOB NO	12-05
SHEET	SITE PLAN
NOT FOR CONSTRUCTION	
A1.0	

NOTE: NO EXISTING TREES ON SITE (WITHIN PROPERTY LINES). ALL TREES SHOWN WITH CANOPIES ARE NEW. EXISTING OFF-SITE TREES TRUNKS ARE SHOWN WITH APPROXIMATE DIAMETERS





**LEVEL 1**  
 2,169.43 SF TOTAL

ROOM TYPES:  
 - COMMON ROOM  
 - 2 STANDARD RESIDENTIAL UNITS (200 SF MIN)  
 - 1 ACCESSIBLE RESIDENTIAL UNIT (200 SF MIN)  
 - LAUNDRY / STORAGE  
 - CLOSET  
 - MAILBOXES

REVISIONS	BY
1	4/27/17
2	9/15/17
3	11/25/17
4	
5	
6	
7	

REDEVELOPMENT  
 555 WILLOW ROAD  
 MENLO PARK, CA 94025

DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	1/4" = 1'-0"
JOB NO	12-05
SHEET	FLOOR PLAN - LEVEL 1
<b>A2.0</b>	

↑ HOPE EXHAUSTORS LOCATED ON ROOF

ICF WALL (GREEN BLOCK OR SIMILAR)

SHWB SPLIT UNIT

STUCCO

3" x 12" HARDWOOD TRIM

METAL LOUVERS PAINTED TO MATCH H.H.

SHADE STREET ↓

DOOR WINDOW

AWNING ABOVE

18" H CONC PLASTER W WOOD SEAT

(E) STRUCTURE TO BE DEMOLISHED

5'-0" HIGH WOOD CLAD WALL

WOOD TRELLIS ABOVE

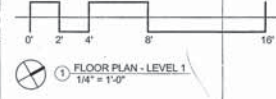
WHITE WASH STUCCO WALL 5'-0" HIGH

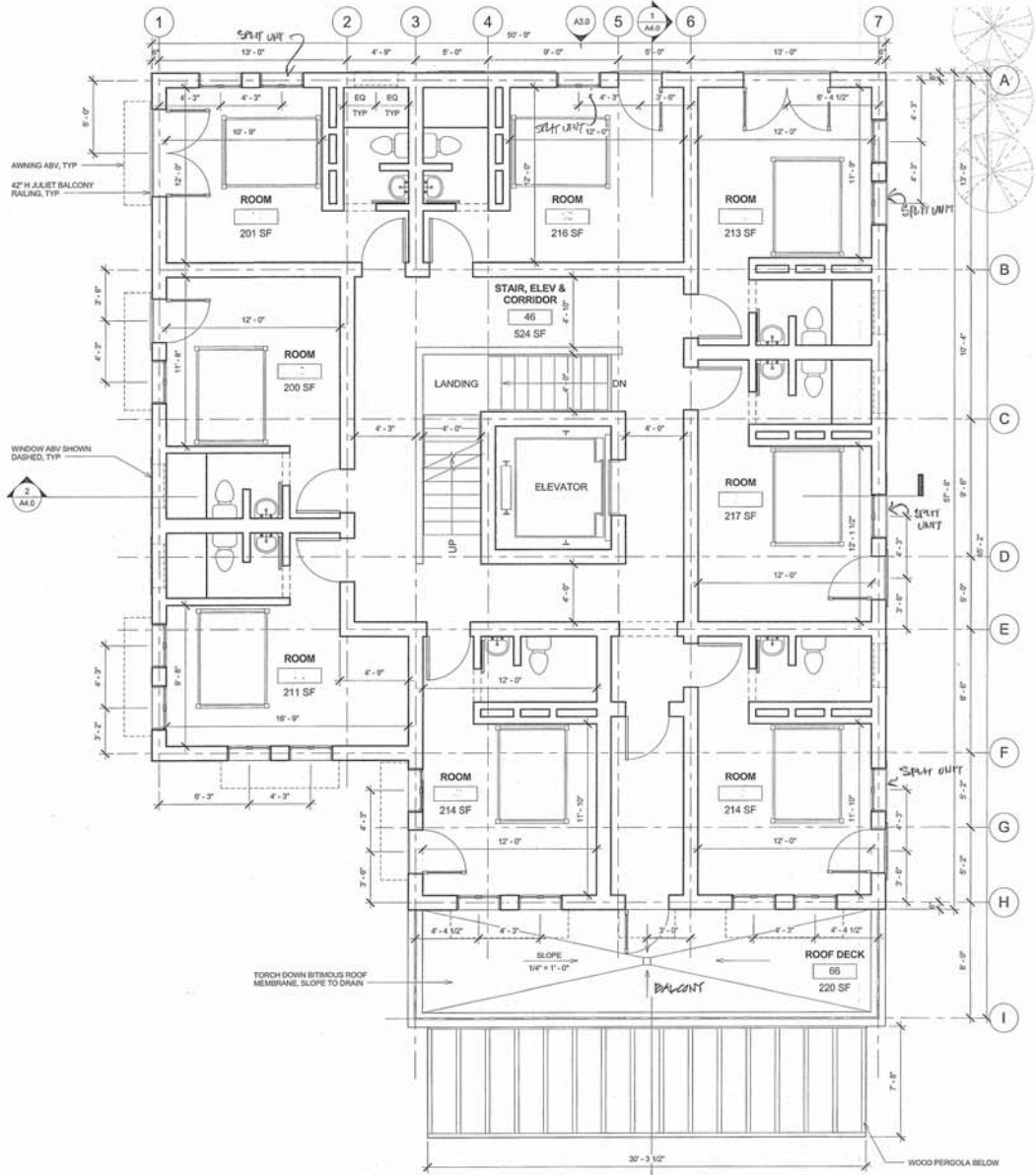
WOOD FENCE AND GATE

WOOD POST, TYP OF 3

2

DETAIL: SPLIT UNIT OVER WINDOW  
 1" = 1'-0"



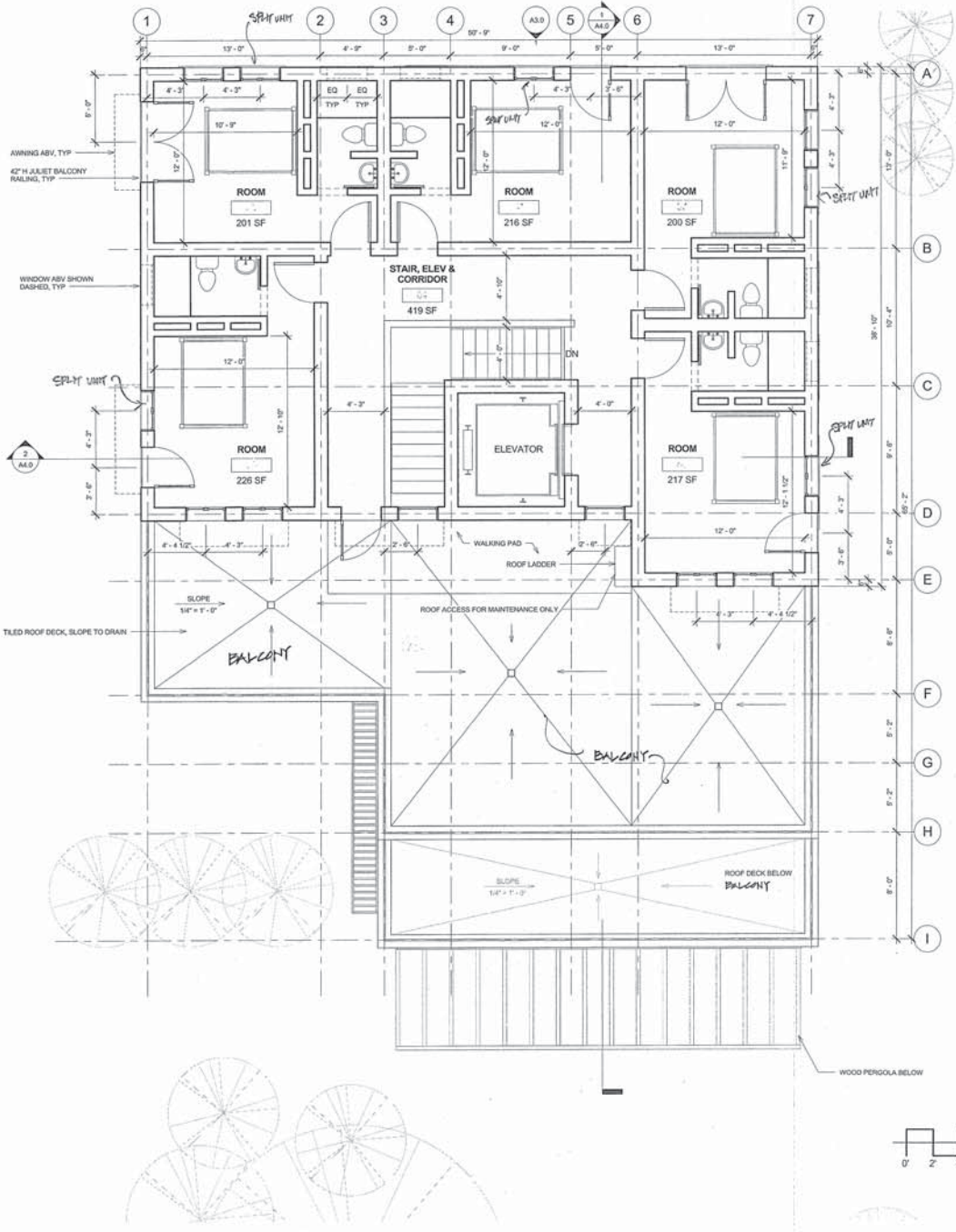


**LEVEL 2**  
 2,525.62 SF TOTAL  
 ROOM TYPES:  
 - 8 RESIDENTIAL UNITS (200 SF MIN)  
 - ROOF DECK

REVISIONS	BY
1	9-29-17
2	11-25-17
3	
4	
5	
6	

REDEVELOPMENT  
 555 WILLOW ROAD  
 MENLO PARK, CA 94025


DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	1/4" = 1'-0"
JOB NO	12-05
SHEET	FLOOR PLAN - LEVEL 2
<b>A2.1</b>	



**LEVEL 3**  
 1,568.78 SF TOTAL  
 ROOM TYPES:  
 - 5 RESIDENTIAL UNITS (200 SF MIN)  
 - ROOF ACCESS

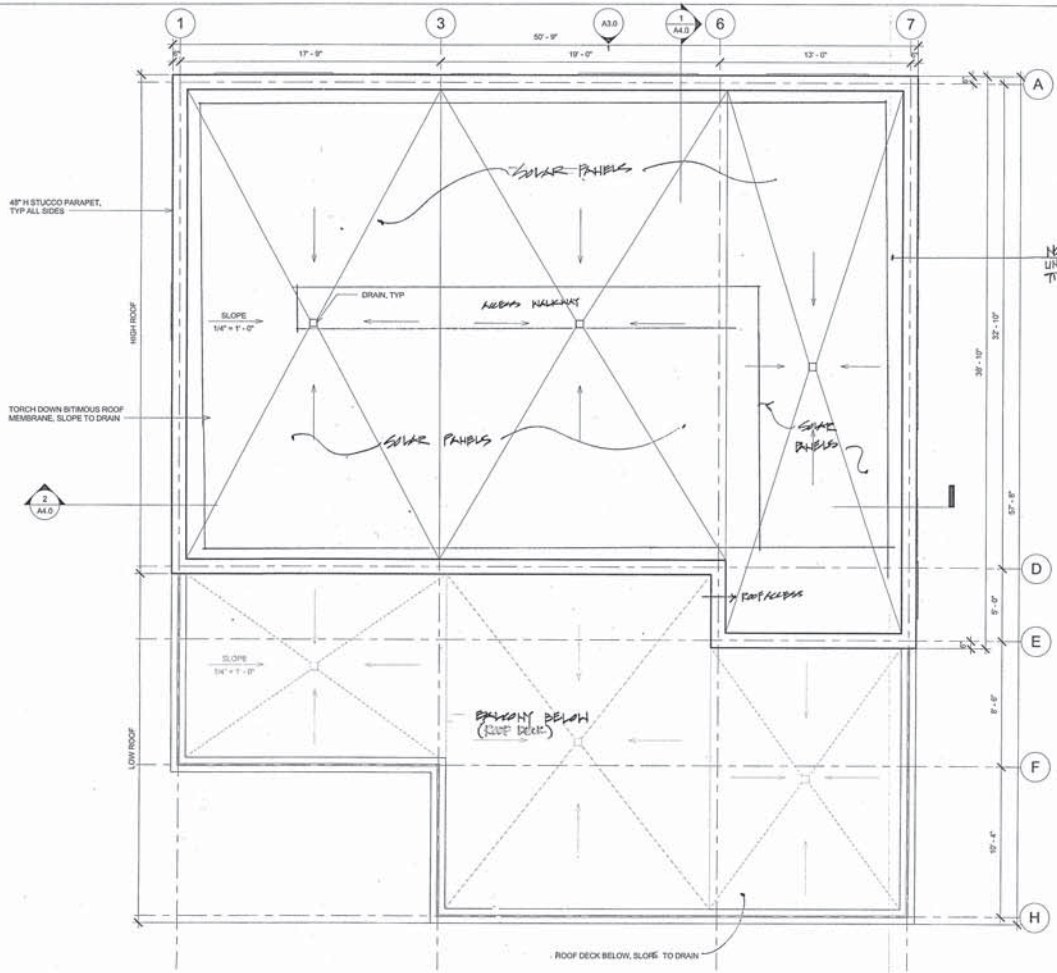
REVISIONS	BY
1	4-21-17
2	11-25-17
3	
4	
5	
6	
7	

REDEVELOPMENT  
 555 WILLOW ROAD  
 MENLO PARK, CA 94025

DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	1/4" = 1'-0"
JOB NO	12-05
SHEET	FLOOR PLAN - LEVEL 3
 <b>1</b> FLOOR PLAN - LEVEL 3 1/4" = 1'-0"	
5 UNITS	

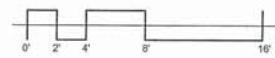
A2.2

NOT FOR CONSTRUCTION



NOTE 16 - SMALL CONDENSER UNITS - 18" X 24" X 18" MAX HEIGHTS TYP. D.

NOTE: ROOF MOUNTED EQUIPMENT  
 ALL ROOF MOUNTED EQUIPMENT SHALL BE SCREENED BY PARAPET WALL - ALL SOUNDS EMITTED FROM SUCH EQUIPMENT SHALL NOT EXCEED 50 DECIBELS AT A DISTANCE OF 50' FROM FROM SUCH EQUIPMENT



1 ROOF PLAN  
 1/4" = 1'-0"

REVISIONS	BY
1	1-29-17
2	11-25-17

REDEVELOPMENT  
 555 WILLOW ROAD  
 MENLO PARK, CA 94025

DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	1/4" = 1'-0"
JOB NO	12-05
SHEET	ROOF PLAN

A2.3  
 NOT FOR CONSTRUCTION

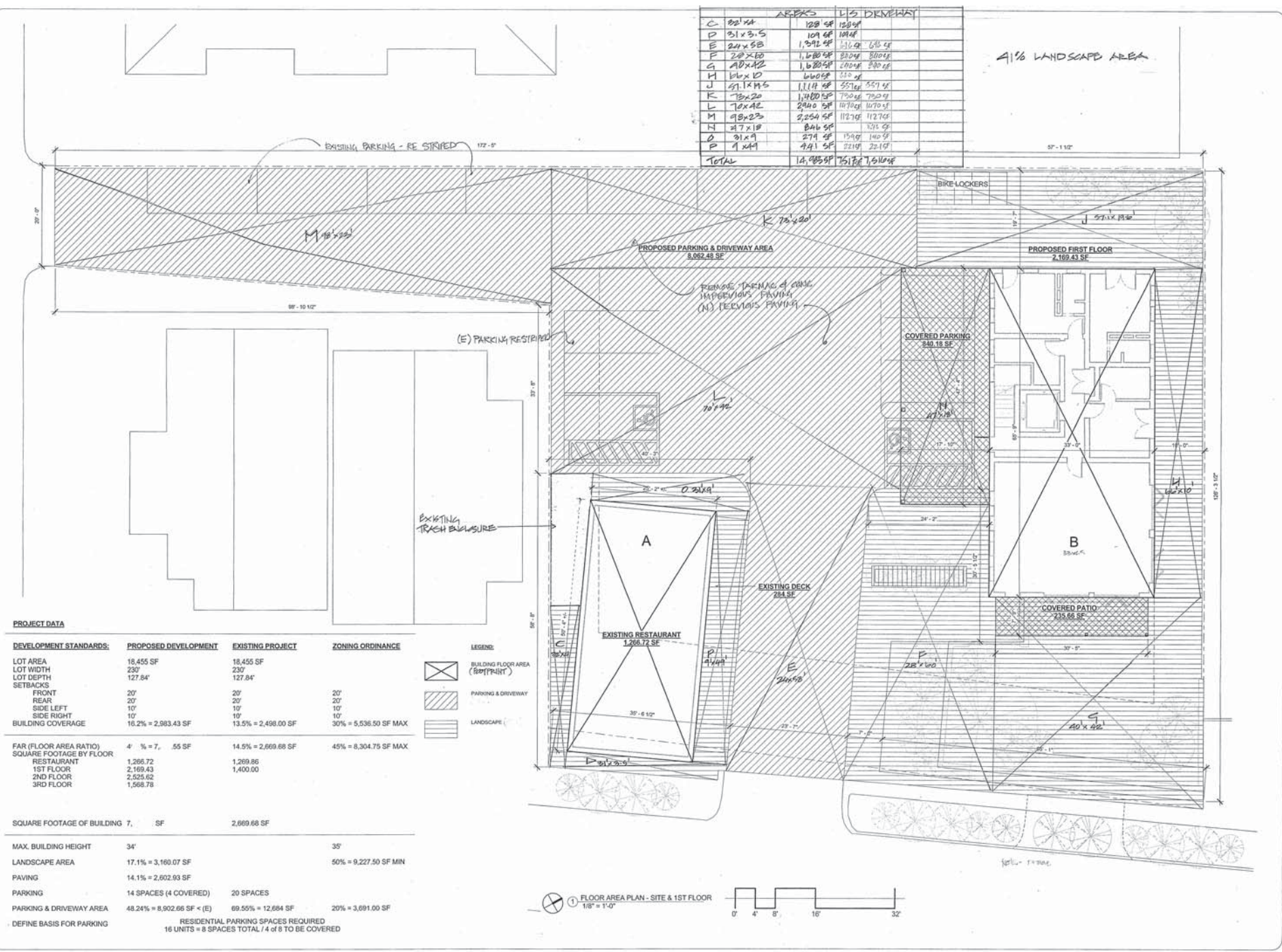
REVISIONS	BY
△ 9-29-17	
△ 1/15/17	
△	
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△	
△	
△	

REDEVELOPMENT  
 555 WILLOW ROAD  
 MENLO PARK, CA 94025

DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	1/8" = 1'-0"
JOB NO	12-05
SHEET	FLOOR AREA PLAN - SITE & 1ST FLOOR
<b>A2.4</b> <small>NOT FOR CONSTRUCTION</small>	

	AREAS	LS	DRIVEWAY
C	82' x 4'	128 SF	158 SF
D	31' x 3.5'	109 SF	109 SF
E	24' x 58'	1,392 SF	1,164 SF
F	28' x 60'	1,680 SF	804 SF
G	40' x 42'	1,680 SF	804 SF
H	66' x 10'	660 SF	330 SF
J	51' x 11.5'	1,114 SF	557 SF
K	75' x 20'	1,480 SF	700 SF
L	70' x 42'	2,940 SF	1,470 SF
M	98' x 23'	2,254 SF	1,127 SF
N	37' x 18'	646 SF	323 SF
O	31' x 9'	279 SF	154 SF
P	4' x 41'	164 SF	82 SF
<b>TOTAL</b>		<b>14,985 SF</b>	<b>7,510 SF</b>

41% LANDSCAPE AREA



PROJECT DATA			
DEVELOPMENT STANDARDS:	PROPOSED DEVELOPMENT	EXISTING PROJECT	ZONING ORDINANCE
LOT AREA	18,455 SF	18,455 SF	
LOT WIDTH	230'	230'	
LOT DEPTH	127.84'	127.84'	
SETBACKS:			
FRONT	20'	20'	20'
REAR	20'	20'	20'
SIDE LEFT	10'	10'	10'
SIDE RIGHT	10'	10'	10'
BUILDING COVERAGE	16.2% = 2,983.43 SF	13.5% = 2,498.00 SF	30% = 5,536.50 SF MAX
FAR (FLOOR AREA RATIO)	4' % = 7.55 SF	14.5% = 2,669.68 SF	45% = 8,304.75 SF MAX
SQUARE FOOTAGE BY FLOOR:			
RESTAURANT	1,266.72	1,269.86	
1ST FLOOR	2,169.43	1,400.00	
2ND FLOOR	2,255.62		
3RD FLOOR	1,568.78		
SQUARE FOOTAGE OF BUILDING 7,	SF	2,669.68 SF	
MAX. BUILDING HEIGHT	34'		35'
LANDSCAPE AREA	17.1% = 3,160.07 SF		50% = 9,227.50 SF MIN
PAVING	14.1% = 2,602.93 SF		
PARKING	14 SPACES (4 COVERED)	20 SPACES	
PARKING & DRIVEWAY AREA	48.24% = 8,902.66 SF < (E)	69.55% = 12,684 SF	20% = 3,691.00 SF
DEFINE BASIS FOR PARKING	RESIDENTIAL PARKING SPACES REQUIRED 16 UNITS = 8 SPACES TOTAL / 4 of 8 TO BE COVERED		

LEGEND:	
	BUILDING FLOOR AREA (FOOTPRINT)
	PARKING & DRIVEWAY
	LANDSCAPE

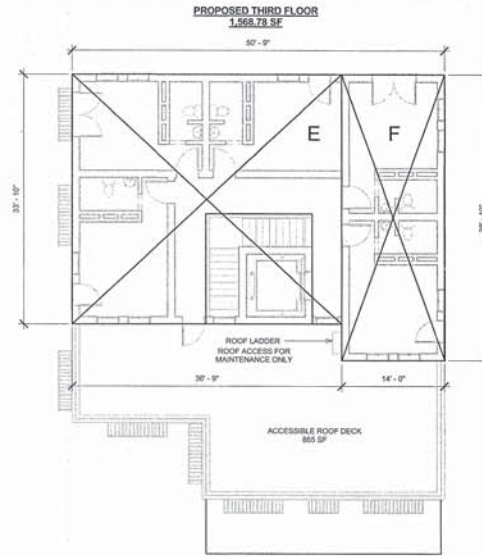
① FLOOR AREA PLAN - SITE & 1ST FLOOR  
1/8" = 1'-0"

FLOOR AREA CALCULATION		
AREA	DIMENSIONS	SF +/-
A	25' - 2" x 50' - 4"	1,267
B	33' - 0" x 65' - 9"	2,169
C	33' - 0" x 57' - 8"	1,903
	(minus stair & elev)	-218
D	17' - 9" x 47' - 4"	840
E	36' - 9" x 33' - 10"	1,243
	(minus stair & elev)	-218
F	14' - 0" x 38' - 10"	544

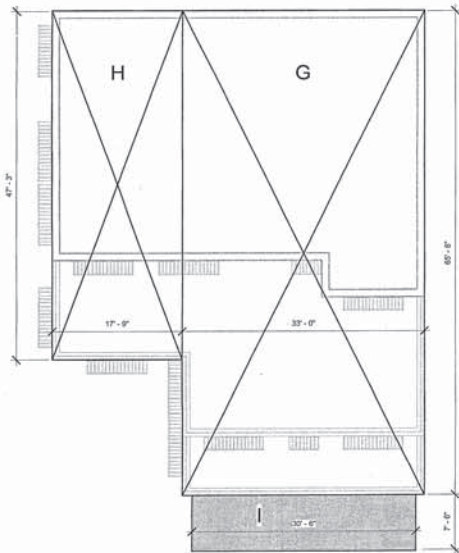
**TOTAL** 7,966

BUILDING COVERAGE CALCULATION		
AREA	DIMENSIONS	SF +/-
G	33' - 0" x 65' - 9"	2,169
H	17' - 9" x 47' - 3"	840
I	30' - 6" x 7' - 6"	229

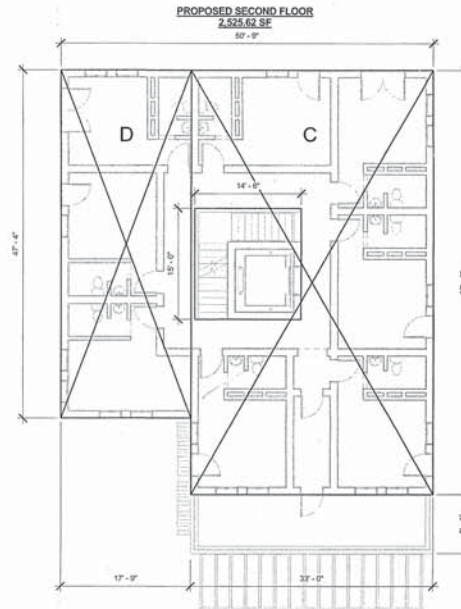
**TOTAL** 3,238



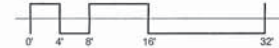
② FLOOR AREA PLAN - 3RD FLOOR  
1/8" = 1'-0"



③ BUILDING COVERAGE DIAGRAM  
1/8" = 1'-0"



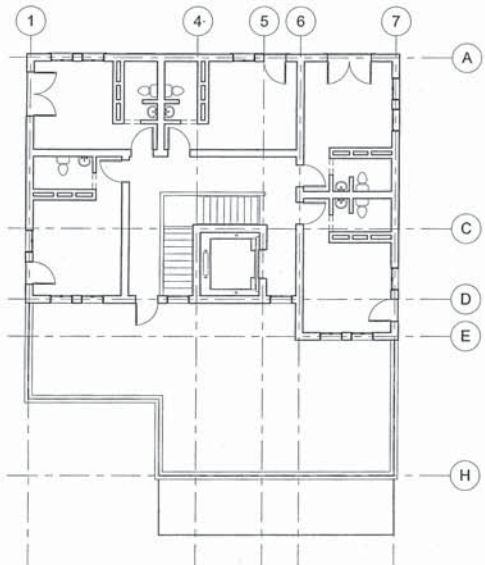
① FLOOR AREA PLAN - 2ND FLOOR  
1/8" = 1'-0"



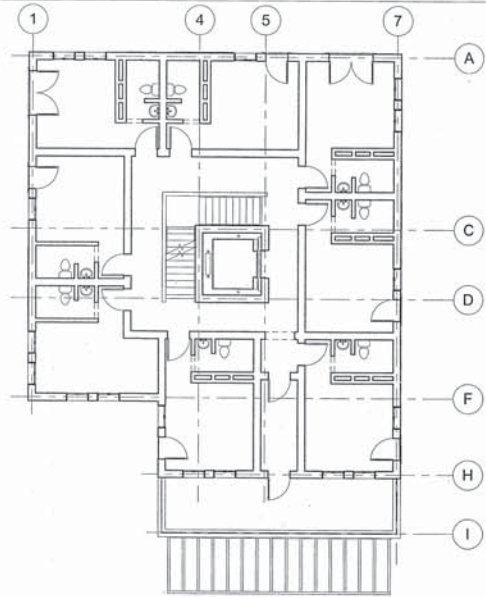
REVISIONS	BY
4/21/17	
9/5/17	
11/25/17	

REDEVELOPMENT  
555 WILLOW ROAD  
MENLO PARK, CA 94025

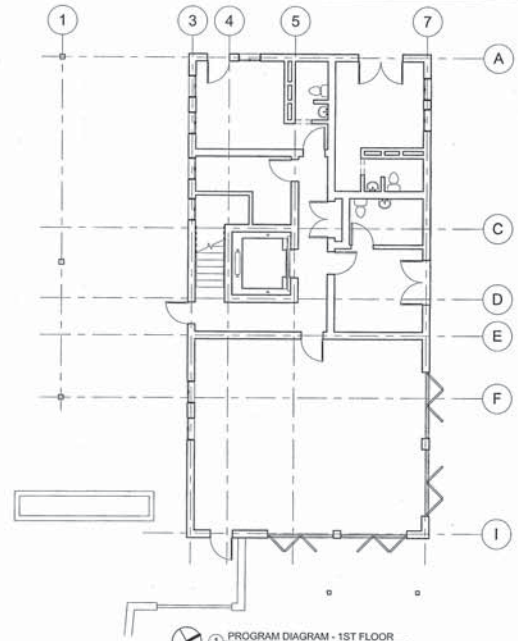
DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	1/8" = 1'-0"
JOB NO	12-05
SHEET	FLOOR AREA PLANS - 2ND & 3RD FLOOR
<b>A2.5</b>	
NOT FOR CONSTRUCTION	



③ PROGRAM DIAGRAM - 3RD FLOOR  
1/8" = 1'-0"



② PROGRAM DIAGRAM - 2ND FLOOR  
1/8" = 1'-0"



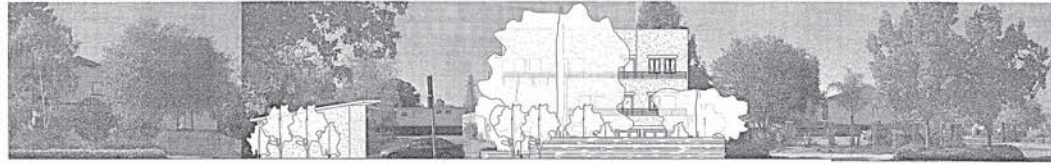
① PROGRAM DIAGRAM - 1ST FLOOR  
1/8" = 1'-0"

REVISIONS	BY
△ 4-29-17	
△	
△	
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REDEVELOPMENT  
555 WILLOW ROAD  
MENLO PARK, CA 94025

DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	1/8" = 1'-0"
JOB NO	12-05
SHEET	PROGRAM DIAGRAMS

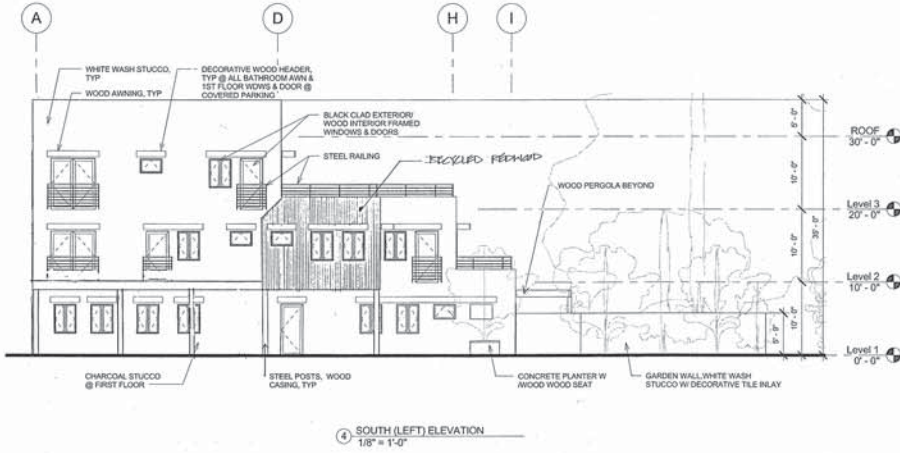
NOT FOR CONSTRUCTION  
**A2.6**



5 STREETScape  
1/16" = 1'-0"

SEE MATERIAL NOTES ON SOUTH ELEVATION 4A.

REVISIONS	BY



SEE MATERIAL NOTES ON SOUTH ELEVATION 4A.



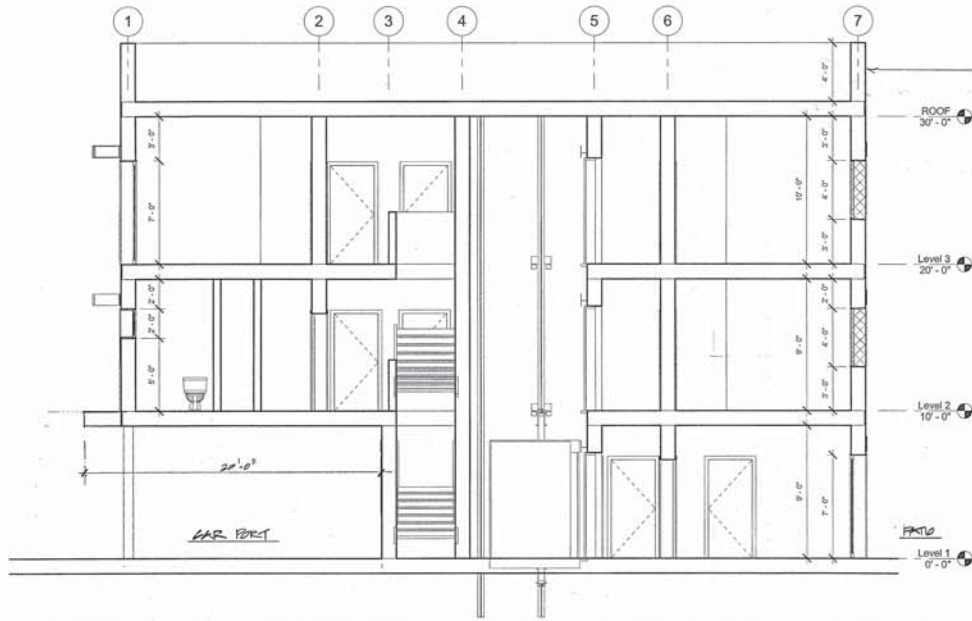
SEE MATERIAL NOTES ON SOUTH ELEVATION 4A.



REDEVELOPMENT  
555 WILLOW ROAD  
MENLO PARK, CA 94025

DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	As indicated
JOB NO	12-05
SHEET	EXTERIOR ELEVATION/CONSTRUCTION
<b>A3.0</b>	
NOT FOR CONSTRUCTION	

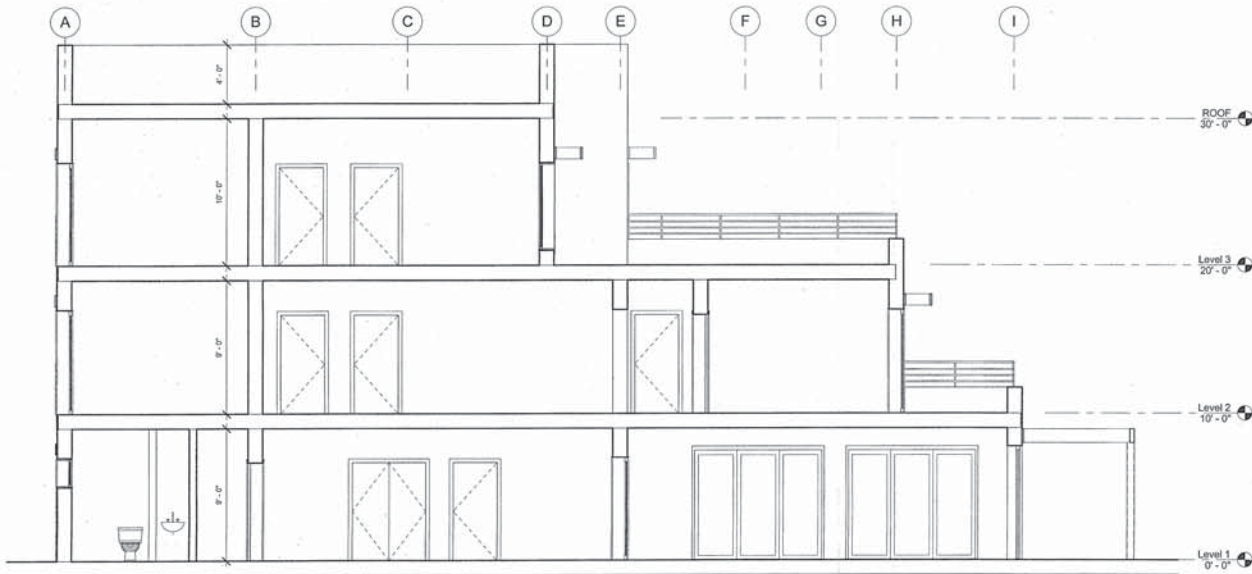




SECTION B  
1/4" = 1'-0"

NOTE: SOLAR PANELS & AC UNITS  
SCREENED BY 4'-0" HIGH PARAPET

REVISIONS	BY
1	1/29/17
2	1-1-18



SECTION A  
1/4" = 1'-0"

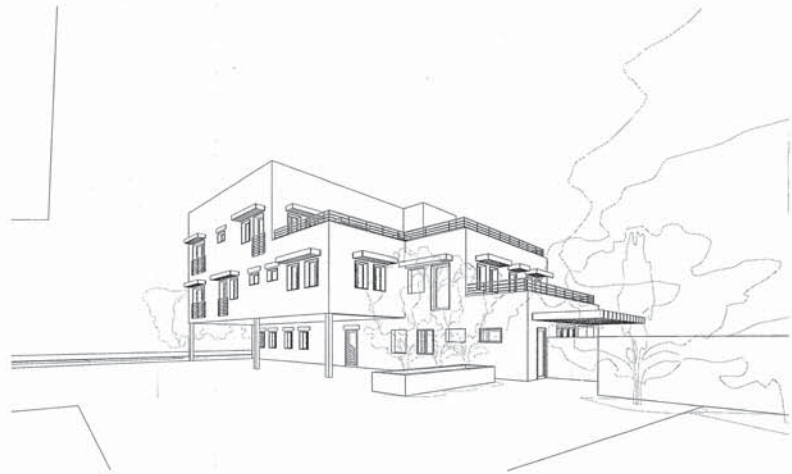
REDEVELOPMENT  
555 WILLOW ROAD  
MENLO PARK, CA 94025

DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	1/4" = 1'-0"
JOB NO.	12-05
SHEET	SECTIONS

**A4.0**  
NOT FOR CONSTRUCTION



④ 3D VIEW 4



② 3D VIEW 2



③ 3D VIEW 3



① 3D VIEW 1

REVISIONS	BY
△	
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REDEVELOPMENT  
 555 WILLOW ROAD  
 MENLO PARK, CA 94025

DRAWN	XX
CHECKED	XX
DATE	06.03.2016
SCALE	
JOB NO	12-05
SHEET	3D VIEWS

**A5.0**  
 NOT FOR CONSTRUCTION

NOTES

General Notes

- 1. This building shall be constructed to meet all requirements of the 2013 California codes as follows... Building Code (CBC), Electrical Code (CEC), Mechanical Code (MEC), Plumbing Code (PC), Fire (CFC), Energy (CEEC), and Administrative Code (CAC)...

Site

- 1. The General Contractor shall verify and locate all property corners, setbacks, easements, and utilities prior to beginning any construction work...

Doors

- 1. The minimum clear width of regular egress doors is 32 inches with a height of 80 inches...

Ceiling

- 1. A complete gypsum board ceiling and wall installation shall be provided. Wall board shall be 1/2 inch thick and 5/8 inch for ceiling...

Electrical

- 1. The electrical contractor shall provide a fully operational system per the plan. The drawings show only the location and type of outlets, including control switches...

Fire

- 1. Mechanical contractor shall provide a complete and operating heating system to meet all applicable code requirements...

Plumbing

- 1. The heating system shall be designed by the mechanical contractor responsible for the installation and balancing of the system...

- 21. All windows and sliding glass doors shall be dual pane.
22. Sliding doors comply with CBC Chapter 24 for glass safety.
23. All doors and windows leading to unconditioned areas shall be fully weatherstripped...

Exterior Finishes

- 1. Exterior 18-inch tapered stucco walls shall have G1 wet screen per CBC Section 2512.2 at or below the foundation plane and a 4 mil minimum galvanized mesh that shall allow trapped water to drain to the exterior...

Fired Glass

- 1. All glazing shall be guaranteed weatherproof. Glass which leaks shall be replaced.
2. One glass panel must meet minimum CBC requirements per CBC requirements.

Foundation

- 1. Refer to the specific soils report prepared for this project for applicable and coordinate with the soils engineer to obtain their approval...

- 1. All framing lumber shall be Douglas Fir grade stamped according to the current grading rules as follows:
beams and joists - #1 or select structural as noted
ceiling joists and rafters - #2 or #1 not noted
door and window headers - #2
plates and blocking - #2

Framing

- 1. All framing lumber shall be Douglas Fir grade stamped according to the current grading rules as follows:
beams and joists - #1 or select structural as noted
ceiling joists and rafters - #2 or #1 not noted
door and window headers - #2
plates and blocking - #2

Painting

- 1. No painting or finishing shall be done under conditions which jeopardize the quality of the work. Surfaces to be finished shall be in proper condition to receive finish...

Plumbing

- 1. The Plumbing Contractor shall design and provide a complete plumbing system as indicated on the drawings...

Human Factors/Ergo

- 1. One window in each sleeping room shall have a clear operable area of not less than 5.7 square feet with a minimum net clear opening height of 24 inches, a minimum net clear opening width of 20 inches, and a sill height no greater than 44 inches above the floor...

Insulation

- 1. All insulation batts shall be provided with vapor barrier against heated side.
2. R-13 wall insulation batts are required in all stud cavities exposed to the exterior and common walls between the interior and exterior spaces...

Masonry

- 1. Masonry veneer shall comply with CBC Chapters 21 and 23.
2. Veneer shall be a minimum of 2 inches thick and shall be installed in accordance with the manufacturer's instructions...

Nailing Schedule

- Joint to sill or girder - toe nail 3-6d common
Bringing to joint - toe nail 2-6d common
Nail to joist - toe nail 16d or 18d common

Roof

- 1. Roof construction must conform to the standards of CBC Chapter 15.
2. Concrete roof shall be laid over 15/16 inch OSB sheathing and 2 layers of 1/2 pound felt, with 8d at 6 inches on center...

Sheet Metal

- 1. All sheet metal shall be 26 gauge galvanized unless noted.
2. Sheet metal work includes downspout hangers and crickets, gutters, downspouts, flashing, counterflashing, and any other sheet metal not specifically a part of other trades.

Tile

- 1. Tile shall be installed in accordance with best methods and construction practices. Joints shall be kept neat and symmetrical and all lines shall be flat and straight.

Trim Work

- 1. All exterior fascias shall be soffitred. No butt joints or spaced boards will be allowed. All trim connections shall be tight and all material covered by the soffit.

Verifation

- 1. Bedrooms, living room, kitchen, dining room, family room, and all other habitable rooms shall have a window area of not less than 8 percent of the floor area of the room with a minimum area of 4 percent operable for natural ventilation...

REVISIONS BY

Table with 2 columns: Revision number and description. Includes revisions 1 through 10.

REVISIONS BY

Table with 2 columns: Revision number and description. Includes revisions 11 through 20.

REVISIONS BY

Table with 2 columns: Revision number and description. Includes revisions 21 through 30.

REVISIONS BY

Table with 2 columns: Revision number and description. Includes revisions 31 through 40.

REVISIONS BY

Table with 2 columns: Revision number and description. Includes revisions 41 through 50.

REVISIONS BY

Table with 2 columns: Revision number and description. Includes revisions 51 through 60.

REVISIONS BY

Table with 2 columns: Revision number and description. Includes revisions 61 through 70.

REVISIONS BY

Table with 2 columns: Revision number and description. Includes revisions 71 through 80.

REVISIONS BY

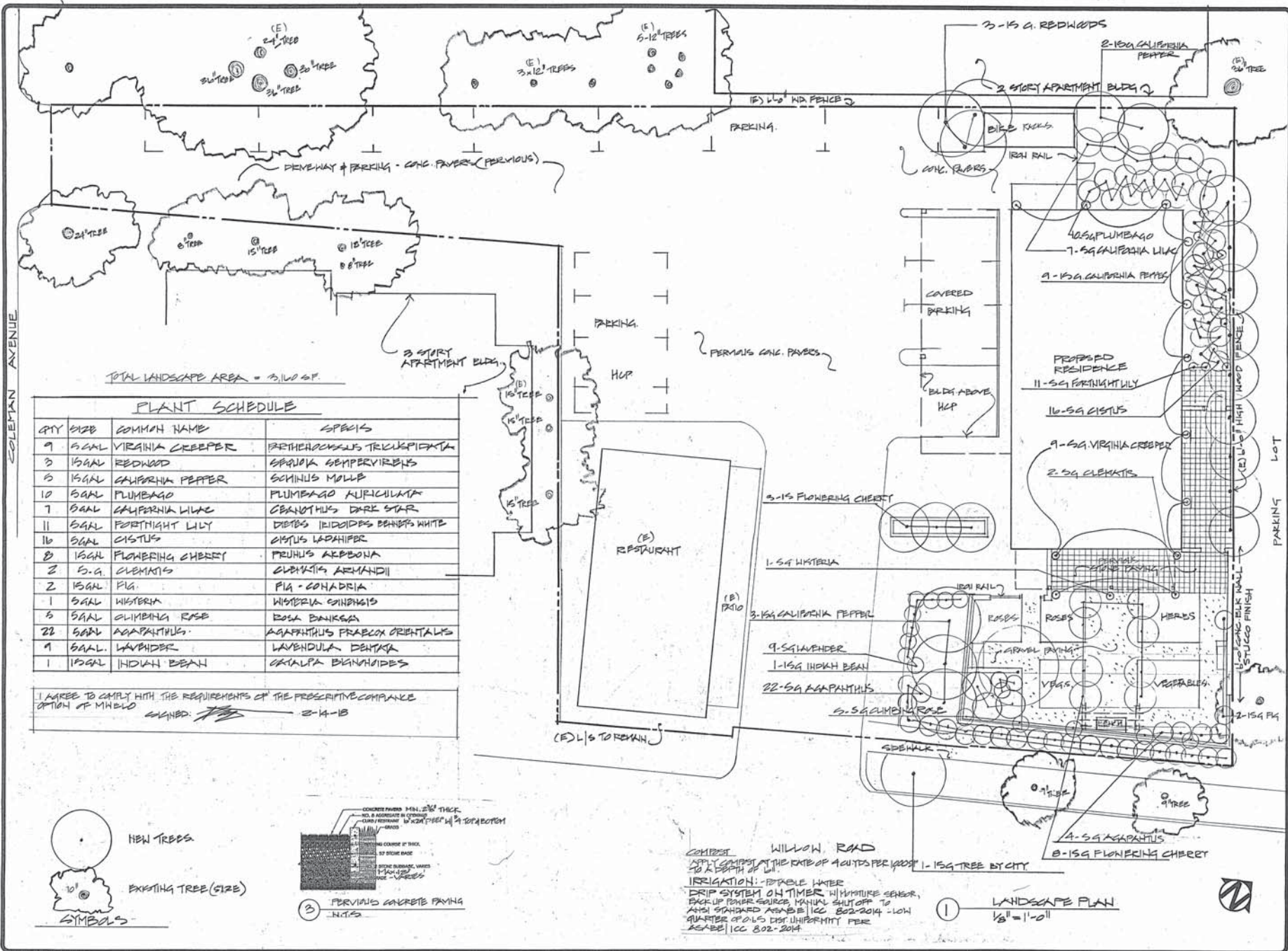
Table with 2 columns: Revision number and description. Includes revisions 81 through 90.

Vertical text on the right side of the page: REDEVELOPMENT 555 WILLOW ROAD MENLO PARK, CA 94025

Vertical text on the right side of the page: DRAWN XX CHECKED XX DATE 06.03.2016 SCALE

Vertical text on the right side of the page: JOB NO 12-05 SHEET NOTES

Vertical text on the right side of the page: NOT FOR CONSTRUCTION A5.1



TOTAL LANDSCAPE AREA = 3,110 SF.

PLANT SCHEDULE

QTY	SIZE	COMMON NAME	SPECIES
9	3 GAL	VIRGINIA CREEPER	PTERIDOCHEMUS TRICUSPIDATA
3	15 GAL	REDWOOD	SEQUOIA SEMPERVIRENS
5	15 GAL	CALIFORNIA PEPPER	SCHEMUS MOLLE
10	5 GAL	PLUMBAGO	PLUMBAGO AURICULATA
7	5 GAL	CALIFORNIA LILAC	CORONATHUS DARE STAR
11	5 GAL	FORTNIGHT LILY	DIETES ILLINOIDIS BENNETTS WHITE
16	5 GAL	CISTUS	CISTUS LADYHIPER
8	15 GAL	FLOWERING CHERRY	PRUNUS ARBONIA
2	5-G.	CLEMATIS	CLEMATIS ARMANDII
2	15 GAL	FIG	FIG - CONADRIA
1	5 GAL	WISTERIA	WISTERIA SINENSIS
5	5 GAL	CLIMBING ROSE	ROSA BANKSEA
22	5 GAL	AGAPANTHUS	AGAPANTHUS FRABEX ORIENTALIS
1	5 GAL.	LAVENDER	LAVENDULA DENTATA
1	15 GAL	INDIAN BEAN	CAHALPA BIGNONIDES

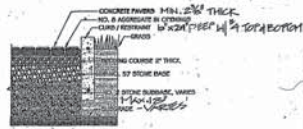
I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION OF MHPD

SIGNED: [Signature] 2-14-18



NEW TREES

EXISTING TREE (SIZE)



PERVIOUS CONCRETE PAVING

WILLOW ROAD  
 COMPOST  
 APPLY COMPOST AT THE RATE OF 4 CUBIC FEET PER 1000 SF 1-15 GAL TREE BY CITY  
 TO A DEPTH OF 12"  
 IRRIGATION: POTABLE WATER  
 DRIP SYSTEM ON TIMER WITH MOISTURE SENSOR,  
 BACKUP POWER SOURCE MANUAL SHUT OFF TO  
 ANSI STANDARD ASSEMBLY ICC 802-2014 - LOW  
 QUANTITY OF P.O.L.S. FOR UNIFORMITY PER  
 ASSEMBLY ICC 802-2014

LANDSCAPE PLAN  
 1/8" = 1'-0"

REVISIONS	BY
4-29-17	
2-14-18	

REDEVELOPMENT  
 555 WILLOW ROAD  
 MENLO PARK, CA 94025

LANDSCAPE PLAN &  
 PLANTING SCHEDULE

DRAWN	CHECKED	DATE
		4-10-16
		11/11/16
		12-05

L1.0  
 SHEET

COLEMAN AVENUE (50')

COLEMAN AVENUE (50')

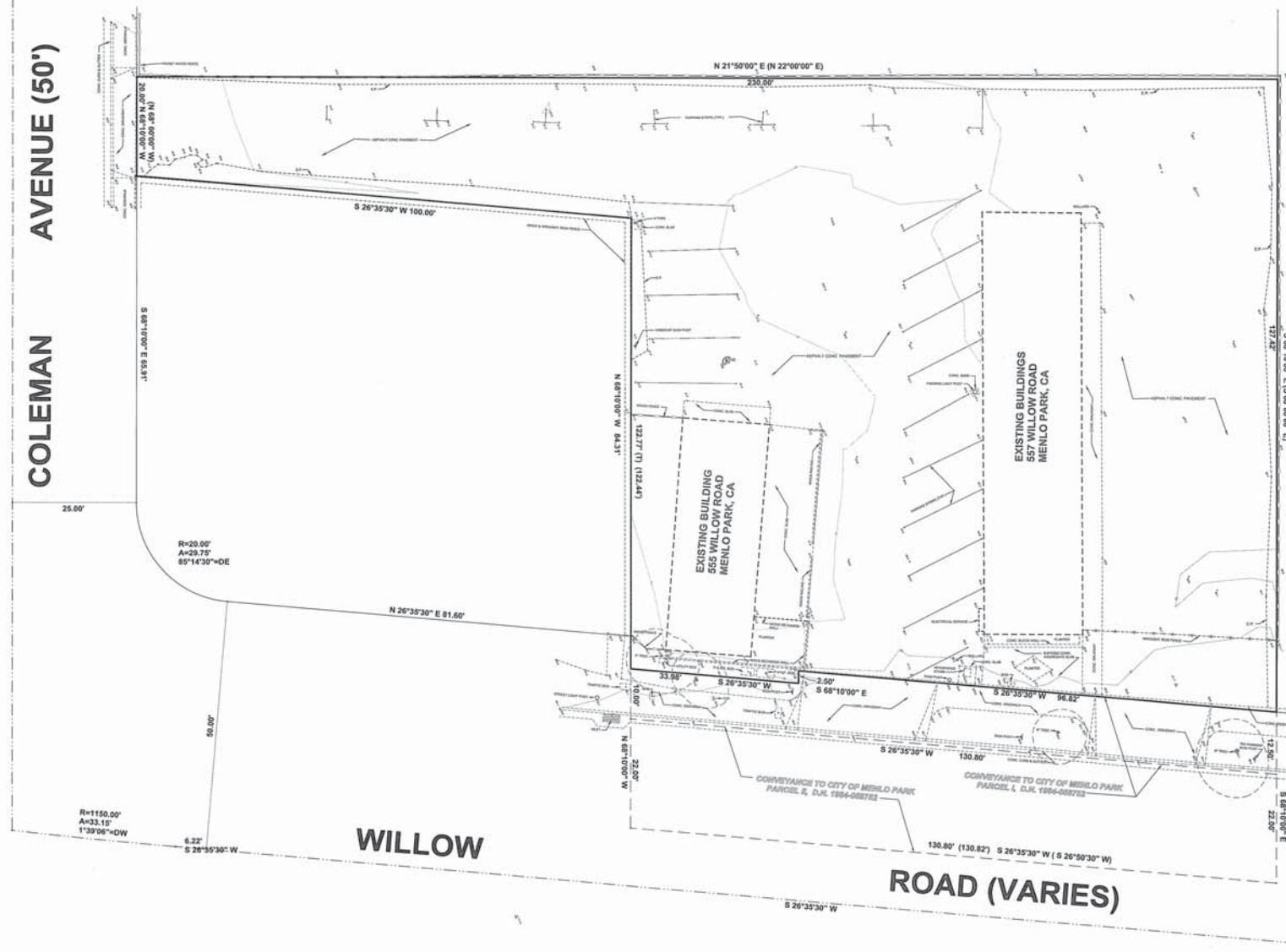


**NOTES:**

1. UNDERGROUND FACILITIES MAY EXIST. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES PRIOR TO CONSTRUCTION. CALL U.S.A. (800) 277-2600 PRIOR TO ANY CONSTRUCTION.
2. THE PROPERTY BOUNDARY FOR THIS TOPOGRAPHIC SURVEY IS BASED ON THE GRANT DEED DOCUMENT FILE NUMBER 63117-AN, RECORDED JANUARY 16, 1979, IN THE RECORDER'S OFFICE OF SAN MATEO COUNTY.
3. BENCHMARK: THE NAIL AND CONTROL MARKER SET ALONG THE EASTERLY SIDE OF WILLOW ROAD IN THE BIKE LANE, 102.2 FEET NORTHEASTERLY OF THE CENTERLINE OF COLEMAN AVENUE, ELEVATION = 40.00.
4. THIS TOPOGRAPHIC SURVEY'S ORIENTATION IS BASED ON MAGNETIC NORTH.
5. THE AREA OF THE LOT IS 18,392.69 SQ. FT. OR 0.422 ACRES.
6. THE DEED BEARINGS FOR THIS PROPERTY HAVE BEEN ROTATED COUNTER CLOCKWISE 0° 10' 00" TO COINCIDE WITH THE RECORD OF SURVEY MAP FILED IN VOLUME 7 OF L.L.S. MAPS, AT PAGE 124, SAN MATEO COUNTY RECORDS.

**LEGEND**

- PROPERTY BOUNDARY LINE.
- - - MONUMENT LINE.
- TIE LINE.
- FOUND 3/4" IRON PIPE, RCE 5476.
- - - EXISTING CONTOUR (1' INTERVALS).
- △ CONTROL POINTS.
- SPOT ELEVATION.
- TREE SIZE AND TYPE, IF KNOWN.
- DRIP LINE.



WILLOW

ROAD (VARIES)



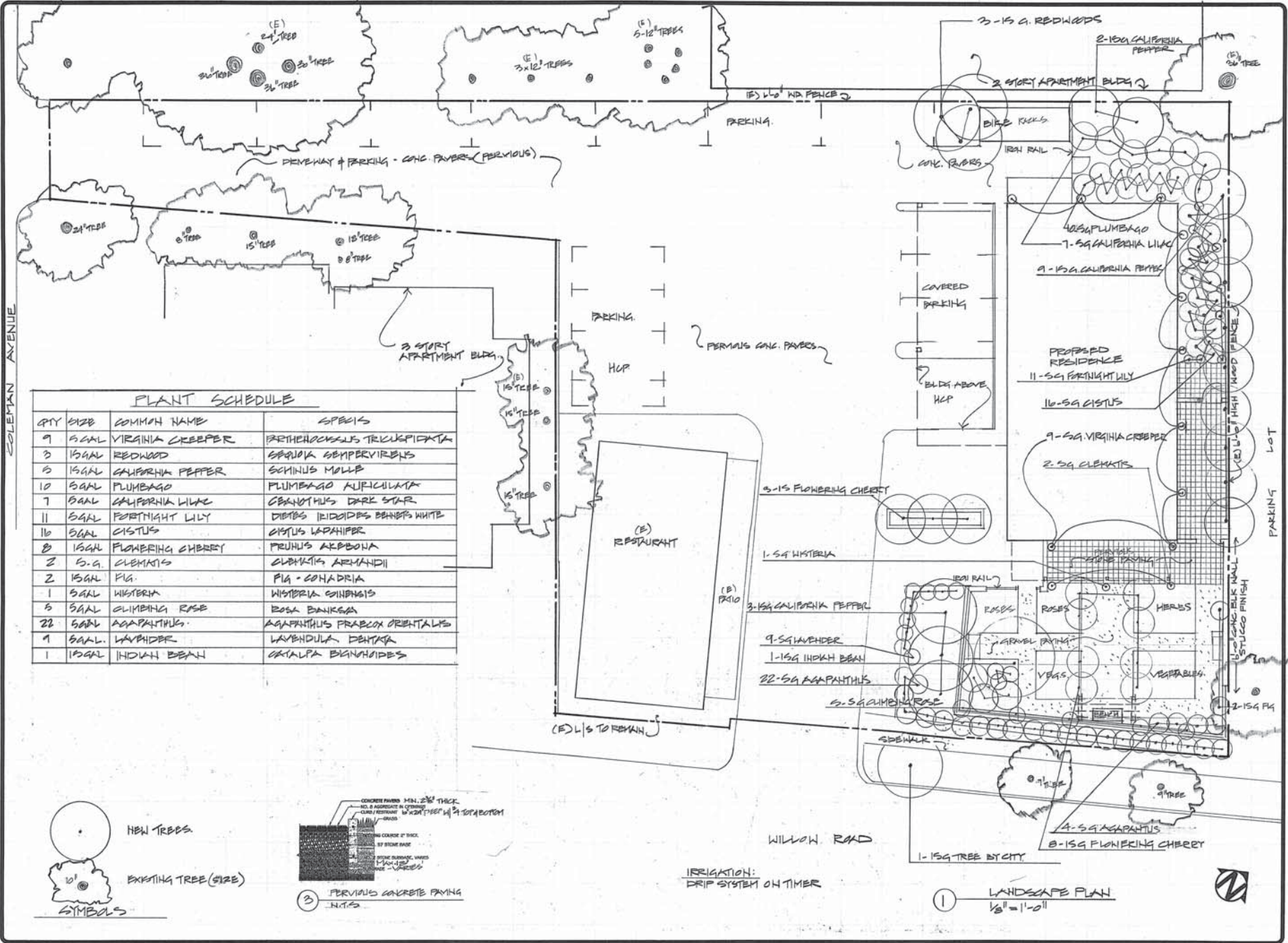
**TOPOGRAPHIC SURVEY**  
 OF THE LANDS OF OLYMPIA AND HOUSHANG GHODDOUSI  
 AS DESCRIBED IN GRANT DEED FILE NO. 63117-AN, RECORDED  
 JANUARY 16, 1979, IN REEL 7815 OF THE OFFICIAL RECORDS  
 OF SAN MATEO COUNTY, AT IMAGE 420  
 CITY OF MENLO PARK, SAN MATEO COUNTY, CALIFORNIA

BUD L. SIMMONS  
 3859 JOAN AVENUE  
 CONCORD, CA 94521-2540  
 PHONE: (925) 687-6543

FEBRUARY 3, 2016  
 SCALE 1" = 10'

A.P.N. 062-285-300

SHEET 1 OF 1



REVISIONS	BY
4-29-17	

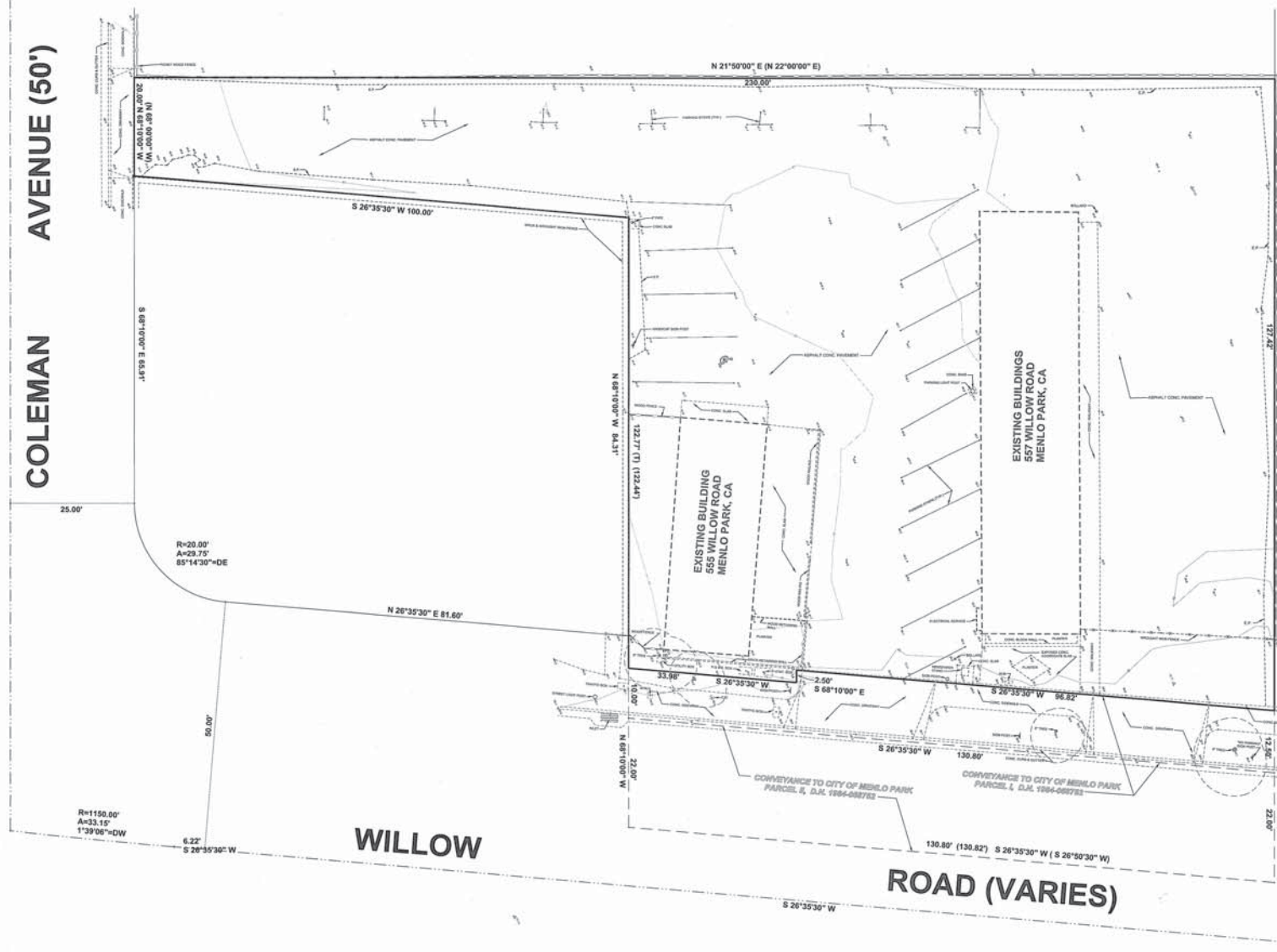
REDEVELOPMENT  
555 WILLOW ROAD  
MENLO PARK, CA 94025

LANDSCAPE PLAN &  
PLANTING SCHEDULE

DRAWN	CHECKED
4-10-16	
1/8" = 1'-0"	
12'-0" x 18'-0"	
SHEET	
<b>L1.0</b>	
OF SHEETS	

COLEMAN AVENUE (50')

COLEMAN AVENUE (50')



- NOTES:**
1. UNDERGROUND FACILITIES MAY EXIST. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES PRIOR TO CONSTRUCTION. CALL U.S.A. (800) 277-2690 PRIOR TO ANY CONSTRUCTION.
  2. THE PROPERTY BOUNDARY FOR THIS TOPOGRAPHIC SURVEY IS BASED ON THE GRANT DEED DOCUMENT FILE NUMBER 63117-AN, RECORDED JANUARY 16, 1978, IN THE RECORDER'S OFFICE OF SAN MATEO COUNTY.
  3. BENCHMARK: THE NAIL AND CONTROL MARKER SET ALONG THE EASTERLY SIDE OF WILLOW ROAD IN THE BIKE LANE, 192.2 FEET NORTHEASTERLY OF THE CENTERLINE OF COLEMAN AVENUE, ELEVATION = 40.00.
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- LEGEND**
- PROPERTY BOUNDARY LINE.
  - - - MONUMENT LINE.
  - THE LINE.
  - FOUND 3/4" IRON PIPE, RCE 5476.
  - EXISTING CONTOUR (1' INTERVALS).
  - ▲ CONTROL POINTS.
  - SPOT ELEVATION.
  - ⊕ TREE SIZE AND TYPE, IF KNOWN.
  - DRIP LINE.



WILLOW

ROAD (VARIES)

**TOPOGRAPHIC SURVEY**  
 OF THE LANDS OF OLYMPIA AND HOUSHANG GHODDOUSI  
 AS DESCRIBED IN GRANT DEED FILE NO. 63117-AN, RECORDED  
 JANUARY 16, 1979, IN REEL 7815 OF THE OFFICIAL RECORDS  
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FEBRUARY 3, 2016  
 SCALE 1" = 10'

A.P.N. 062-285-300

SHEET 1 OF 1

**Chao, Sunny Y**

---

**From:** Chao, Sunny Y  
**Sent:** Friday, September 09, 2016 11:33 AM  
**To:** Chao, Sunny Y  
**Subject:** FW: 555 Willow Road

---

**From:** Tricia Barr <[tricia.tjernlund@gmail.com](mailto:tricia.tjernlund@gmail.com)>  
**Sent:** Thursday, September 1, 2016 8:28 PM  
**To:** Perata, Kyle T  
**Subject:** 555 Willow Road

Dear Mr. Perata and City of Menlo Park,

Thank you for taking comments on the proposed project at 555 Willow Road.

This project raises more questions and concerns than it answers.

First, it will be important to understand what the definition of a “boardinghouse” is, and how that is similar or different from a hotel. This appears to be more of a hostel than long-term residences. If this project were approved, the City should impose an appropriate hotel tax or transient occupancy tax.

Also, is there a maximum occupancy of each bedroom within the boarding house? Would there be leases associated with the stay, or is this an AirBnB-type residence?

I am concerned the number of parking spaces is inadequate for the space and would result in additional cars being parked on Coleman – at a time when we (Menlo Park) are trying to encourage more children to bike between the new Laurel Lower Campus and Laurel Upper Campus (many will likely ride on Coleman).

The biggest concern is the history that the owner, Reza Valiyee, has in the city of Berkeley and across the bay area. Please review the links below. His properties have a long history of inspections and violations. He has let them stand derelict. He has been described as a slumlord because he crams people into his properties and doesn't properly maintain them (to the point that he's been put in jail for non-compliance of building codes). This is a huge red flag because whether or not the building plan itself meets code or zoning, the owner has repeatedly demonstrated a willingness to break city codes over time. This has put his tenants in danger and



has led to him being considered a 'bad neighbor'. With this reputation, I am concerned this owner would be unscrupulous in order to make a profit, potentially to avoid taxes, and most importantly, compromise the safety of his tenants – all at the detriment to those tenants and neighbors and the broader community. Occupancy limits are critical since this owner has been known to partition bigger rooms into smaller ones with plywood. If this project were considered, the city should exercise a tight leash as to how – and by whom - this property would be managed and maintained; otherwise, based on the owners decades of history in East Bay, it should be denied.

Our City Attorney should absolutely confer with City of Berkeley attorneys and other housing authorities to understand the extent of infractions against this owner. From what I understand in my own research (which I wouldn't consider extensive), this owner has been negligent for decades. No tenant or community should have to endure that. We certainly don't need that in Menlo Park.

Regards,

Tricia Barr

Nominated for California Landlord Hall of Shame:

<http://www.tenantstogether.org/campaigns/berkeley-and-fresno-landlords-nominated-landlord-hall-shame>

*Reza Valiyee is one of Berkeley's largest landlords. Presently, he owns 23 properties in the City of Berkeley- the majority of these are large, multi-unit apartment buildings and boarding houses rented to students. Valiyee, who has been cited numerous times for failing to meet housing code, has been a significant drain on the city's resources for many years. According to City Attorney Zachary Cowan, Valiyee has a "long history of stalling on city-mandated repair work." In 2002, the city placed two of Valiyee's properties, including a student boarding house, into receivership after they were declared a public nuisance because he had installed illegal bedrooms. Valiyee has even spent time in jail for failing to meet court cleanup orders.*

Similar recent project in Berkeley by Reza Valiyee and architect David Claydon. This was not approved:

General Plan Re-designation and Rezone - Berkeley

April 2014:

[http://www.ci.berkeley.ca.us/uploadedFiles/Planning\\_and\\_Development/Level\\_3 -  
\\_PHN/web\\_Channing%202112-16\\_UP\\_2014-04-01.pdf](http://www.ci.berkeley.ca.us/uploadedFiles/Planning_and_Development/Level_3_-_PHN/web_Channing%202112-16_UP_2014-04-01.pdf)

Sept 2015:

[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3 -  
\\_Commissions/Commission\\_for\\_Planning/2015-09-16\\_Item%209\\_Channing%20Parcel%20Rezone-  
Combined.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2015-09-16_Item%209_Channing%20Parcel%20Rezone-Combined.pdf)

Oct 2015:

[http://www.ci.berkeley.ca.us/uploadedFiles/Planning\\_and\\_Development/Level\\_3 -  
\\_Commissions/Commission\\_for\\_Planning/2015-10-21\\_Item%209\\_Channing%20Parcel%20Rezone-  
Combined.pdf](http://www.ci.berkeley.ca.us/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2015-10-21_Item%209_Channing%20Parcel%20Rezone-Combined.pdf)

Dec 2015 - the re-zoning failed:

<http://www.dailycal.org/2015/12/17/city-council-discusses-police-militarization-agreements-contracts-meeting/>

*Before the contentious discussion of police agreements, a public hearing was held to discuss the rezoning of 2112-2116 Channing Way from the zoning designation of “High Density Residential” to “Downtown.”*

*The rezoning would “facilitate the development of a project” on the site, according to the staff report. The building is currently derelict. The proposed rezoning was not recommended by the planning commission.*

*In a letter written by property owner Reza Valiyee read by property manager Anthony Ybarra, Valiyee said, “I vow to work hard to see this city improve,” adding that his proposal “is practical (and) can help the city.”*

*Worthington expressed disapproval for the proposal at the meeting, saying he would not “reward” Valiyee, who has committed several construction violations in the past, with a “massively profitable” project.*

*Citing philosophical issues with individually zoning for a project, Councilmember Jesse Arreguin opposed the proposal but said that he hoped something positive would be done on the property.*

*Mayor Tom Bates, who said he has known Valiyee for 25 years, also did not support Valiyee's proposal. The rezoning proposal failed.*

Here are more articles/blogs I found re: the owner, Reza Valiyee.

<http://rezavaliyee.blogspot.com> - a blog post started by unhappy tenants.

<http://www.berkeleydailyplanet.com/issue/2009-08-20/article/33556?headline=Reza-Valiyee-a-Man-of-Perpetual-Motion>

<http://www.sfgate.com/bayarea/johnson/article/Berkeley-Dogging-Landlord-City-wants-Reza-3009972.php>

<https://miheespeaking.wordpress.com/2010/03/02/hello-world/>

*For those 3 years I lived in one half of what was once a living room in a single-family unit at 2708 Ellsworth Street. By the time I arrived in 2006, the room had been divided by a thin sheet of wood passing as a wall, and an additional three rooms and a living room had been disjointedly added to the back of the home. It was in my corner of the house that I spent many nights picking at my cracked bay windows or contemplating the mold growing in corners. Truly, the decisions one makes in her college years.*

*Mr. Valiyee proclaims his illegal construction of new pavements, rooms, driveways, and other various alterations to his properties and their surrounding areas, to all be efforts made to ultimately offer UC Berkeley students the fairest, most affordable housing possible. It is unclear if he really believes this, but considering his self-inflated ego I sense yes, he does. I wish I could separate myself from the youth on the cusp of adulthood willing to pay between 600 and 800 dollars for a room in any of his dilapidated properties. But alas, I was once a reza-dent. Less than a year later, I ask the questions I should have pondered while in reza-dence.*

*Where was my affordable housing when, each year, he attempted to raise the rent the maximum allotted amount for a single-family home run as a dormitory? Where, Mr, Valiyee Inventor, was the affordability of what*

*became nearly a \$3600/month home with 5 shabby rooms that we affectionately albeit misguidedly (again) dubbed "Shantytown?"*

Recently published (August 9, 2016) inspection by San Francisco Waterboard because of concerns from California Fish and Wildlife. Unpermitted culvert & soil backfill not remediated on property owned by Reza Valiyee:

[http://www.waterboards.ca.gov/sanfranciscobay/board\\_info/agendas/2016/September/RezaValiyee/B\\_WB%20Inspection\\_Report.pdf](http://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2016/September/RezaValiyee/B_WB%20Inspection_Report.pdf)

555 Willow Road – past proposals:

Menlo Park Planning Commission - 2014: <http://menlopark.org/DocumentCenter/View/5073>

<http://menlopark.org/AgendaCenter/ViewFile/Minutes/09082014-2410>

<http://www.menlopark.org/ArchiveCenter/ViewFile/Item/4474>

## Chao, Sunny Y

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**From:** Chao, Sunny Y  
**Sent:** Friday, September 09, 2016 11:35 AM  
**To:** Chao, Sunny Y  
**Subject:** FW: Proposed boarding house on Willow Road: feedback from a Berkeley native

**From:** Valerie Frederickson <valerie@fplpartners.com>  
**Date:** September 1, 2016 at 8:18:51 PM PDT  
**To:** "city.council@menlopark.org" <city.council@menlopark.org>, "Ktperata@menlopark.org" <Ktperata@menlopark.org>  
**Subject: Proposed boarding house on Willow Road: feedback from a Berkeley native**

Esteemed City Council members, Mayor Cline, and Mr. Perata:

Some feedback on this boarding house proposal:

I'm from Berkeley, and have attended school and owned property near the "developer" slumlord who is asking for exceptions to build a 16-unit boarding house on Willow. He has a multi-decade, documented history of owning only the worst properties, covering all exposed earth with non-permitted concrete (not a penny spent on any landscaping), leaving falling down fences, broken stucco, gaping holes in second story hallway floors, replacing broken window panes with Saran wrap, leaving junked cars where lawns were, being cited dozens and dozens of times for building and code violations, having huge towers of garbage on his properties, cutting down heritage trees against code and protocol, and bringing down and keeping down entire neighborhoods by having his properties be the worst-maintained, non-code compliant, dangerous properties that the City then spends decades futilely attempting to get him to bring them to code. He is considered one of the most notorious landlords ever (just Google him to see how terribly he has treated Berkeley) and has no regard for city zoning or regulations or human decency. He does not in any way better neighborhoods nor cities nor help tenants.

Menlo Park allowing him to build a non-compliant boarding house on what is already an ugly, sub-standard lot with junky, ugly buildings would be a travesty we as a city would regret for decades to come and waste vast amounts of money futilely attempting him to follow codes. He is the antithesis of someone like Roxy Rapp.

Based on having watched him ruin entire neighborhoods with his terrible neglect, I am afraid that your approving him would be a travesty from which Menlo Park would never recover. I am not exaggerating. You should go drive by a bunch of his trashed, 'grafitt-covered properties to see for yourself. He doesn't build cute or funky: he "fixes up" ugly, non-compliant garbage properties that ruin neighborhoods. I have been in his properties and have seen holes in walls, literal mountains of garbage, broken down chain link fences, chest-high weeds, flooring consisting of broken plywood covered with sticky contact paper passing as code compliant flooring. And if you think he'll have one nice tech programmer living in Utopia in each cute bedroom, think again: I have seen him have 12 people crammed in a dark, filthy one-bedroom apartment--to scared to go outside because the hallway is so dangerous, and too scared to ask him to make repairs because they fear he'll report them to the INS and evict them.

Please don't allow him any favors. Do your due diligence on him and stand tough. This is not someone you want to compromise with.

Respectfully,

Valerie

--

**Valerie Frederickson**  
(650) 614-0221

## Chao, Sunny Y

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**From:** Chao, Sunny Y  
**Sent:** Friday, September 09, 2016 11:33 AM  
**To:** Chao, Sunny Y  
**Subject:** FW: 555 willow road

---

**From:** Gabe Wolosin <[wolosin@gmail.com](mailto:wolosin@gmail.com)>  
**Sent:** Thursday, September 1, 2016 10:32 PM  
**To:** Perata, Kyle T  
**Cc:** Jennifer Wolosin  
**Subject:** 555 willow road

Dear Kyle

I am writing to you as a concerned neighbor on the proposal to build a boarding house on Willow Road. I believe such a building would be undesirable and lead to extra traffic and safety concerns. Thanks for your time.

Gabriel Wolosin  
2 Alder Pl  
Menlo Park

## Chao, Sunny Y

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**From:** Chao, Sunny Y  
**Sent:** Friday, September 09, 2016 11:34 AM  
**To:** Chao, Sunny Y  
**Subject:** FW: re boarding house plan with Reza Valiyee

---

**From:** Judy Adams <[judyblueeyes1@gmail.com](mailto:judyblueeyes1@gmail.com)>  
**Sent:** Thursday, September 1, 2016 6:17 PM  
**To:** Perata, Kyle T  
**Subject:** re boarding house plan with Reza Valiyee

Dear Planning Commission,

I researched the "red flag" in a recent Almanac article on the 3story 16 bed boarding house on Willow road. The red flag was Mr. Valiyee's reputation as a slum landlord in Berkeley, based on information I found on the web - which the Almanac's article alluded to in its 5th and 6th paragraphs about his plans and code violations - what a bad reputation he has for maintaining facilities, tenant's rights!! What "controls", checks/over sight will be attached to this project given the numerous complaints I found on the internet about Mr. Valiyee? Will this "boarding house" become a disorderly and poorly maintained "flop house"/"residence hotel" without sufficient regulation and guarantees? From what I've read, he is a very, very poor prospect for a well-run, clean, fair, properly managed and supervised facility. Parking, sanitary facilities, supervision, city-oversight - there are so many issues that this particular landowner/landlord's reputation and actions raises, that I'm really seriously concerned that we not bring his kind of property management and housing to Menlo Park.

Judy Adams  
homeowner 737 Live Oak Ave  
Menlo Park



## Chao, Sunny Y

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**From:** Chao, Sunny Y  
**Sent:** Friday, September 09, 2016 11:34 AM  
**To:** Chao, Sunny Y  
**Subject:** FW: pls do not approve apartment building by owner with very bad record!

---

**From:** Darshana Maya Greenfield <darshanamaya@icloud.com>  
**Sent:** Thursday, September 1, 2016 5:42 PM  
**To:** Perata, Kyle T  
**Subject:** pls do not approve apartment building by owner with very bad record!

As I learned from the discussion on Nextdoor, the man who has requested the permit to build this apartment building or boarding house has an extremely poor track record for following the law, or even being a considerate landlord.

Please do not set us, the citizens of Menlo Park, or the City, up to have to work hard to deal with this man's shenanigans in our fair city!

Please do view the discussion if you need more information.

Thank you!  
Darshana Maya Greenfield  
1905 Menalto Avenue  
Menlo Park, CA 94025

**Chao, Sunny Y**

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**From:** Adam Lin <adamlin@gmail.com>  
**Sent:** Thursday, September 01, 2016 3:59 PM  
**To:** Perata, Kyle T; PlanningDept; \_Planning Commission; Andrew Barnes; Drew Combs; Susan Goodhue; Larry Kahle; John Onken; Riggs, Henry; Katherine Strehl  
**Subject:** [Sent to Planning ]Proposed Development of 555 Willow Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** 555 Willow Rd

Dear Planning Commission Members:

As residents directly across from 555 Willow Road, I am writing to express our concern with the proposed development of 555 Willow Road.

I believe that many residents have already contacted you to express their concerns about the proposed development. We echo the same concerns. Please consider the proposal carefully as the proposed new development will result in worsening the traffic on Willow Road, the safety of our young children, the nature and charter of the Willows neighborhood, etc., etc.

Thank you.

Adam and Karen Lin and  
our two school age children both in the MPSD.

## Chao, Sunny Y

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**From:** Karen Borba <kborba@essex.com>  
**Sent:** Wednesday, August 31, 2016 2:53 PM  
**To:** Perata, Kyle T; PlanningDept; \_Planning Commission  
**Cc:** karen.borba1@gmail.com  
**Subject:** [Sent to Planning ]Proposed Development of 555 Willow Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** 555 Willow Rd

Dear Planning Commission Members:

As a nearby resident, I write to express my concern with the proposed development of 555 Willow Road.

### Out-of-Character with Surrounding Neighborhoods

The proposed development is not in character with the family-oriented neighborhoods that surround the site. The recent resurgence of the Willows neighborhood is due in large part to the families that reside in the area and invest in the community. The young children of these families will bike and walk past 555 Willow Road on their way to Laurel Upper and Lower campuses. The surrounding neighborhoods deserve a proposal that is more family-friendly that is suited for attracting long-term renters and owners that will have an interest in contributing to the family-oriented community that will surround them. The current proposal is, quite frankly, an affront to those families who have invested in property and long-term rental agreements in the surrounding neighborhood with the goal of contributing and building the community there.

The local business establishments, but for the property owner of 555, have made major improvements and investments that complement the area. The owner of 555 has left a building idle, in disrepair and crumbling from neglect. There is currently a fence that appears to be propped up and easily circumvented, likely that is why there is a used mattress propped against the building.

The proposed project will invite short-term renters who are unfamiliar with the community and will not seek to invest and establish relationships in the community. The renters would all enjoy the benefits of our City and County facilities with little or no commitment. The proposed current plan shows 16 "units" all with a three piece bathroom. With the long drawn out drought this does not seem appropriate.

The local emergency response teams go past this area on a regular basis, but it is to assist a freeway incident or East Palo Alto/East Menlo Park. That is due to the area's increased presence of invested citizens and business owners. The crime rate has greatly reduced in the Willows area in the past two decades. I believe if we have a Boarding House with one night stays the rate of incidents and need to police involvement will increase.

### Access from Willow Road

Vehicle ingress and egress in that area of Willow Road is already a mess and will become more so under the proposed plan. While the existing project has room for 20 spaces, only a small number of those are periodically used by patrons of the existing restaurant. The proposal will allocate 14 spaces which should be expected to be much more heavily used than the current 20 spaces. This means more cars entering Willow Road and competing for access with other cars entering from the opposite Gas Station, the Surgical Center, Coleman Ave, etc. The traffic problem will be exacerbated by the short-term

nature of the occupants that the current proposal will attract who will be unfamiliar with driving in the area. Simply put, the current proposal will cause more traffic accidents and contribute to the already substantial traffic congestion in that area of Willow Road. Don't make a bad problem significantly worse. The Planning Commission should require a new proposal that minimizes the number of parking spaces allocated. For example, a two or three-unit development with six or fewer spaces would invite longer-term residents who would become familiar with driving in the area.

#### Credit for Rooms Under Housing Element

It is in the interest of the families living in the surrounding neighborhoods and the city to have a fewer number of total units each with a kitchen. A new proposal should be required that reduces the total number units where each unit has one or two bedrooms and each has a kitchen. This will invite long-term residents willing to invest in the surrounding community and will count as more rooms for the city under the Housing Element.

#### The Existing Structure Should Not Be Reused

It is not clear from the proposal whether the existing cinder block structure is intended to be reused. If so, it should not be reused. The existing structure is in bad shape, often covered in graffiti, and over grown with landscaping. The current residents in the area deserve better than a ramshackle development on the cheap.

#### Parking Should Comply with Zoning Ordinance

The current proposal would violate the applicable zoning ordinance for parking. Compliance should be required for at least the traffic reasons discussed above.

#### The Owner Should Be Held to Task

As the City is probably already aware, the owner of the property, Reza Valiyee of Berkeley, is a notorious slumlord even willing to spend time in jail rather than comply with Court-ordered cleanup of his properties. <http://www.tenantstogether.org/campaigns/berkeley-and-fresno-landlords-nominated-landlord-hall-shame>. The City should require Mr. Valiyee to be completely transparent about his intentions for the development. Should the development degrade into one of Mr. Valiyee's many run down and code violating residences, the surrounding community will not forget it and the City will have to deal with a nagging problem for years to come.

#### Conforming Development Only

Finally, any development should be conforming to code and zoning ordinance. Non-conforming development is not in the interest of the surrounding community.

Regards,

Karen Borba, Menlo Park Home Owner Since 1998

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Karen Borba | Paralegal

**Essex Property Trust, Inc.**  
1100 Park Place, Suite 200  
San Mateo, California 94403

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## Chao, Sunny Y

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**From:** Chao, Sunny Y  
**Sent:** Friday, September 09, 2016 11:30 AM  
**To:** Chao, Sunny Y  
**Subject:** FW: SRO on Willow Rd

-----Original Message-----

**From:** Ellie Buckley [mailto:ebuckley@mac.com]  
**Sent:** Wednesday, August 31, 2016 7:46 AM  
**To:** Perata, Kyle T  
**Subject:** SRO on Willow Rd

Hello,

I am writing to express my concerns and opposition to the proposed SRO boarding house on Willow Rd. With all due respect for the need for affordable housing, this developer sounds like he has a bad track record and the project as proposed will have a negative impact on the neighborhood. Willow Rd is already quite congested. Coleman Rd near Willow already has a high resident density. I have big concerns about the entrance and exit to that property since vehicles can't turn left into that lot from Willow but instead likely have to use the back entrance located a very short distance from the busy intersection. Parking on Coleman Ave is already so bad I sometimes have trouble finding a spot for my trash cans on trash day. People very often move them in order to park. It doesn't sound like there is adequate space and parking for the restaurant and the residents (not to mention their guests and inevitable storage and frequent moving in/out needs).

Thanks for opening this up for feedback. I am happy to attend any meetings that should arise about this property.

Ellie Buckley  
Coleman Ave homeowner

## Chao, Sunny Y

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**From:** kmorris\_2001@yahoo.com  
**Sent:** Wednesday, August 31, 2016 7:41 AM  
**To:** Perata, Kyle T; PlanningDept; \_Planning Commission; Andrew Barnes; Drew Combs; Susan Goodhue; Larry Kahle; John Onken; Riggs, Henry; Katherine Strehl  
**Cc:** Katherine Morris  
**Subject:** [Sent to Planning ]proposed boarding house at 555 Willow Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** 555 Willow Rd

Hi planning commission,

I'm writing to express my concern about the proposed boarding house at 555 Willow Road. It does not seem to be in keeping with the neighborhood in several ways:

- 3 stories is taller than other buildings in the neighborhood
- lack of sufficient parking will add to congestion
- landlord has a bad reputation in the east bay for not adhering to codes
- "boarding house" doesn't seem in keeping with the family oriented nature of the Willows

I know the land will need to be developed and am hoping you can work with the developer and neighbors to align on something more in keeping with the neighborhood.

Thanks for everything you're doing for menlo park,  
-Katherine Morris (Willows resident)

**Chao, Sunny Y**

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**From:** Firoozeh Rouhani <firoozeh.rouhani@gmail.com>  
**Sent:** Tuesday, August 30, 2016 11:57 AM  
**To:** \_Planning Commission; \_CCIN; Firoozeh Rouhani  
**Subject:** Objections to Proposed Boarding House - 555 Willow Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** 555 Willow Rd

Dear Menlo Park Planning Commission and City Council Members,

As a resident of 600 Willow Road  
(  
Unit #21)  
, I have  
strong

objections to the Boarding House currently proposed for the property at  
555 Willow Road:

- **A Boarding House**

**is not a fit**

**w**

**ith**

**t**

**he**

**surrounding area**

**:**



- o As you know, this is an area of established neighborhoods with many families

and kids

A

rentals (daily, weekly, monthly, yearly) is being proposed by

the property owner, Mr. Valiyee, is very ambiguous

- Stanford students, young tech workers, travelers?

How can he prove that he will limit his business to selective respectable crowd. Young hi-tech workers need long term permanent place, Stanford students like to live among their own peers and a safe place. I can grantee you his clients will keep changing and no one can track bad from goods. The boarding home can potentially end up catering criminals, all sort of suspicious activities.

- **Property Owner's Background**

is not impressive

:

- o It's my understanding that the City of Menlo Park is aware of Mr.

Valiyee's background with the City of Berkeley. Here's just one example of concerning information available on the internet:

- o Reza Valiyee is one of Berkeley's largest landlords. Presently, he owns 23 properties in the City of Berkeley- the majority of these are large, multi-unit apartment buildings and boarding houses rented to students. Valiyee, who has been cited numerous times for failing to meet housing code, has been a significant drain on the city's resources for many years. According to City Attorney Zachary Cowan, Valiyee has a "long history of stalling on city-mandated repair work." In 2002, the city placed two of

Valiyee's properties, including a student boarding house, into receivership after they were declared a public nuisance because he had installed illegal bedrooms. Valiyee has even spent time in jail for failing to meet court cleanup orders.

- o <http://www.tenantstogether.org/campaigns/berkeley-and-fresno-landlords-nominated-landlord-hall-shame>
- o Even he kept the current property on Willow Road in such a ugly shape. His taste of investment is not sustainable in a long term.

- **Parking**

:

- o The plan outlines 16 SRO units and 14 parking spaces, to be shared with the restaurant on the same property. There is also no allowance for guest parking. Given the current volume of cars parking at the restaurant on a daily basis, it seems that adding 16 residential units would almost inevitably result in overflow parking. This overflow problem would be borne by neighbors in the surrounding area - which is not acceptable.
- o Building 16 SRO units is way dense proposal for the property size.

- **Traffic**

- o Each unit in the proposed boarding house will probably create multiple vehicle trips per day. I know the Planning Commission and City Council are aware that traffic on Willow Road is already problematic. Getting in and out of our development can be dangerous at any time of day - and almost impossible during rush hour. We're looking to you to help alleviate the traffic problem on Willow Road - not exacerbate it with high density housing on Willow Road.

- **Overall Neighborhood Look and Harmony:**

- o All of the homes in the neighborhood are one or two stories high. Erecting a commercial-looking, three-story building (which does not conform to landscaping requirements) does not fit with or enhance the residential character of the neighborhood.

•

**Students safety:**

- o We have a school on the same block on Willow. I am really concern about the safety of students who will walk after school to go home.

Best  
Regards,  
Firoozeh Rouhanizadeh  
600 Willow Road  
Unit 21  
Menlo Park, CA 94025

## Chao, Sunny Y

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**From:** Chao, Sunny Y  
**Sent:** Friday, September 09, 2016 11:28 AM  
**To:** Chao, Sunny Y  
**Subject:** FW: 555 Willow Road

**From:** Kelly Blythe [<mailto:kelly@csmarine.com>]  
**Sent:** Tuesday, August 30, 2016 9:21 AM  
**To:** Perata, Kyle T  
**Subject:** 555 Willow Road

Mr. Perata

I am writing regarding the proposed development at 555 Willow Road.

My family and I live across the street at 600 Willow Road. My wife and I are concerned about this development for the following reasons:

- 1) A boarding house will not attract families with children, which is what a large part of the Willows is made up of. Families are invested in the neighborhood and short term boarders only add traffic.
- 2) Parking – Menlo Park already keeps cars off the street at night. How is it reasonable that this building would be allowed with less than at least 1 spot per room?
- 3) Traffic – Willow Road is already a parking lot in the afternoons and evenings. 16 more cars is not the solution.
- 4) Crime – while the current blight at 555 is not great, it would be better than the potential increase in crime that could come with a boarding house.
- 5) The developer does not have a good track record of being honest and a good landlord.

We support more housing, even low income (which is relative). If this were a smaller overall project, with less but larger units, with adequate parking, and offered first to teachers or public safety employees, we would be more likely to be supportive.

However, as currently proposed, we are firmly against this project and hope it will be rejected.

Thank you for the work you do – it's a hard job, and these types of projects make it harder.

Regards,

Kelly

Kelly Blythe  
**CS Marine Constructors, Inc.**  
600 Willow Road  
707-290-8448 mobile

## Chao, Sunny Y

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**From:** Chao, Sunny Y  
**Sent:** Friday, September 09, 2016 11:25 AM  
**To:** Chao, Sunny Y  
**Subject:** FW: Willow Road development

-----Original Message-----

**From:** Shelley Correll [mailto:scorrell@me.com]  
**Sent:** Tuesday, August 30, 2016 6:49 AM  
**To:** Perata, Kyle T  
**Cc:** scorrell@me.com  
**Subject:** Willow Road development

Dear Kyle,

I am writing as a concerned Menlo Park resident about the proposed development at 555 Willow Road. I am a home owner at 785 Coleman Avenue and I am opposed to this development on the following grounds.

- 1) It would making an already bad parking situation on Coleman Avenue even worse. The proposed building at 555 Willow has only 14 parking spaces but is a 16-unit building. Without adequate parking, tenants will certainly park on Coleman Ave. The parking on Coleman Avenue is already bad because of the larger volume of apartments. I frequently cannot find space on the street for my trash cans and have had to call the police several times because cars are blocking my driveway. We do not need more cars parking on Coleman Avenue.
- 2) The owner has a bad reputation in Berkeley, where he owns several apartments and boarding houses. He has refused to correct un-permitted and non-compliant rooms there and, I learned, has spent time in jail for ignoring court orders to fix issues with his properties. He has owned the Willow Road property for years, but has not done anything to improve its appearance. As I understand it, the owner's current proposal for the boarding house is 60% larger than a proposal he offered earlier and was turned down. The new proposal depends on grandfathering in non-compliant driveways and parking. This is unacceptable.

I very much understand that we need more affordable housing in Menlo Park. What I would like to see us do is make sure that the new housing we offer does not cause further parking problems and that property owners respect the neighborhood in which they build. In many ways, it makes little sense to add more housing to one of the already densest areas in Menlo Park and especially to add housing with inadequate parking.

However, if housing is going to be approved at 555 Willow, I think we should insist that project has no zoning variances and no grandfathering in of inadequate parking and driveways. I would also like to see a Conditional Use Permit, stating that the new property cannot be used as a hotel, including through AirBnB without applying for a new use permit.

Thank you for the opportunity to provide feedback.

Shelley Correll  
785 Coleman Avenue

## Chao, Sunny Y

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**From:** Chao, Sunny Y  
**Sent:** Friday, September 09, 2016 11:26 AM  
**To:** Chao, Sunny Y  
**Subject:** FW: Proposed changes to 555 Willow

**From:** James Loftus [<mailto:loftusbc@gmail.com>]  
**Sent:** Monday, August 29, 2016 10:10 PM  
**To:** Perata, Kyle T  
**Cc:** Cassandra Lopez  
**Subject:** Proposed changes to 555 Willow

Dear Planner Perata,

We are writing you as concerned resident of the Willow Rd corridor area (we live at 651 Coleman Ave). We would like to express our objections to the proposal for a new boarding house at 555 Willow Rd. As I am sure you are aware, with the split of Laurel Elementary school into two campus' as of the 2016-17 school year, Coleman Rd and the crossing at Willow & Coleman will be main thoroughfares for several hundred school children each morning and afternoon.

We feel strongly that the addition of 16 single bedroom boarding rooms will by their nature attract residents that are transient, temporary and not invested in being part of the community - whether it be tech workers in good times, or those using it for transitional housing in harder times. We are worried that they will not have the same incentives as more active members of our community to keep Menlo Park safe and clean.

Here are a few of the specific concerns we have:

- The proposed project does not have sufficient parking for the number of residents. This will increase parking on Coleman Ave and make it even more dangerous for pedestrians and cyclists (many of them children).
- Other areas of Menlo Park that have added boarding houses have experienced higher rates of individuals speeding and committing other traffic violations, both by residents and their guests.
- The neighborhood recently had an incident where a registered sex offender who harassed and stalked a young girl. Keeping track of registered sex offenders will be harder with a large pool of temporary or short term residents at the proposed 555 Willow boarding house.
- The owner of the site, Reza Valiyee, has a troubling reputation as a landlord in Berkeley, giving us little faith that the property will be well run.
- Finally, in previous submissions relating to this property, it seems that the owner was less than transparent with the planning board regarding his plans for the property - this causes concerns about his true intentions this time around.

We are all for the blight that is 555 Willow being turned into a better use of the land, but a 16 bedroom boarding house with 8 parking spots is not the answer. Please reject this proposal.

Thank you,

James & Cassandra Loftus  
651 Coleman Ave.  
Menlo Park, CA

## Chao, Sunny Y

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**From:** Chao, Sunny Y  
**Sent:** Friday, September 09, 2016 11:21 AM  
**To:** Chao, Sunny Y  
**Subject:** FW: Proposed development of 555 Willow Rd

-----Original Message-----

**From:** Nicole Angiel [mailto:nangiel@gmail.com]  
**Sent:** Saturday, August 27, 2016 9:38 PM  
**To:** Perata, Kyle T  
**Subject:** Proposed development of 555 Willow Rd

Dear Mr. Perata,

I am writing to urge that you reject the development plan proposed for 555 Willow Rd. There are too many nonconforming elements and red flags associated with this project. I echo the concerns raised by Maureen Holding in her letter to the Menlo Park Planning Commission and City Council dated August 22, 2016.

I am concerned about the character of the physical structure (a three-story building) which is out of place in this neighborhood, the lack of parking, the lack of proximity to transit, the heavy traffic on Willow Road, the short-term nature described for renting rooms, and the poor reputation of the property owner. This property is right across the street from Willow Oaks Park, where our children play. There are two preschools and many families with young children living in close proximity. If there is any doubt about the character of the management or the tenants, this is not the place to take chances.

Thank you for taking this matter seriously for the benefit of our community.

Best regards,  
Nicole Angiel  
701 Coleman Ave  
Menlo Park

## Chao, Sunny Y

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**From:** Warren Jones <warren.jones@salesforce.com>  
**Sent:** Wednesday, August 24, 2016 7:51 PM  
**To:** Perata, Kyle T  
**Subject:** 555 - 557 Willow Road

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

Hi Kyle -

Just a quick question about this development on Willow. Are there any additional details about the type of boarders who will be using the units?

Thanks

Warren

--

Warren Jones  
Customers For Life  
415-505-1260



## Chao, Sunny Y

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**From:** matthew.pierce@mac.com  
**Sent:** Wednesday, August 24, 2016 4:55 PM  
**To:** Perata, Kyle T  
**Subject:** SRO Boarding House Proposal on Willow Road

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

Dear Kyle Perata,

The local paper Almanac has reported in its August 24, 2016 edition on page 13 that the Menlo Park Planning Department has received a proposal to build a three-story, 16 unit boarding house at 555 Willow Road, next to the Menlo BBQ restaurant at Coleman Avenue. This is a revision to a plan submitted about two years ago for a smaller, 10 unit project that was pushed back by the Planning Commission.

We have concerns about aspects of this proposal.

First, the proposal is for a three-story building in what is a one- and two-story neighborhood. This would set a precedent encouraging the construction of taller and taller buildings in our neighborhood.

Second, only 14 parking spaces would be provided on the lot, shared by the restaurant and the 16 unit boarding house. Even an inexpensive motel would have parking for each unit, but this proposed building essentially does not have parking for their tenants, therefore their tenant parking will spill out into our already congested neighborhood.

Third, this proposed new building does not have a kitchen in each rental unit. With the one shared kitchen we can reasonably expect that many tenants will be plugging-in appliances for the convenience of cooking in their own rooms, overloading the wiring. That can cause a fire, and would be a risk to the neighbors. The Almanac reported that the property owner has a history of not maintaining his Berkeley apartments and boarding houses to city housing codes, so we can't expect this proposed building to be operated or maintained adequately.

Our neighborhood already has plenty of rental buildings, so we don't need an oversize building with inadequate parking and inadequate facilities shoehorned into that commercial lot.

We do not want a boarding house in our neighborhood.

Sincerely,

Yicui Huang,  
Matthew Pierce

## Perata, Kyle T

---

**From:** Steve Taffee <steve.taffee@gmail.com>  
**Sent:** Tuesday, August 23, 2016 6:44 PM  
**To:** Perata, Kyle T; PlanningDept  
**Cc:** Andrew Barnes; Drew Combs; Susan Goodhue; Larry Kahle; John Onken; Riggs, Henry; Katherine Strehl  
**Subject:** [Sent to Planning ]Development at 555 Willow Rd

We are writing to express our thoughts about the proposed development at 555 Willow Rd as outlined in your notice of application submittal sent to nearby residents.

1. Menlo Park is experiencing a housing crisis, most notably in the form of affordable housing for poor and middle income residents. We need city and regional support efforts to address this shortage.
2. SRO (Single Room Occupancy) housing is unavailable (to our knowledge) within Menlo Park. Once common in places from small towns to large cities, SRO/boarding houses developments are becoming less common as they are converted to condos and apartments.
3. We support the idea of innovative solutions to housing shortages. SROs should not be categorically dismissed as having a role to play in addressing this issue.
4. The proposed lot has, with the exception of the restaurant located on it, been unused for at least 15 years. Often overgrown with weeds and litter, this location will benefit from a well-conceived development.
5. The traffic on Willows Rd is very problematic. However, the amount of traffic added to the street by this development would be like adding a teaspoon of water to the San Francisco Bay. It should not be a major factor in considering the use of this property for housing.
6. Parking is a different concern. Despite efforts to encourage people to use public transportation, walk, or cycle most residents still rely on automobiles. The proposed project falls short in supporting the parking needs of residents.
7. Street parking along Coleman is already difficult. As a route to school, many children ride bikes to schools and are often forced into traffic lanes by cars parked on the right side of the street during morning commute hours. We would like to see no parking on Coleman during this time. As the proposal might exacerbate the problem on Coleman as a school route, this is another reason to demand more on site parking. Perhaps underground.
8. The proposed height of the building is out-of-character with other buildings in this area.
9. Taking the entire lot into consideration and long-term planning, it seems prudent to consider the possibility of razing the current restaurant and devoting the entire space to an appropriate proposal.
10. Developers should be fully vetted to determine their ability to deliver on the proposed projects and maintain the properties in ways that enhance the standard of living of their residents. One alternative might be to enter into a long-terms management contract with organizations that manage affordable housing projects.

Gloria and Steve Taffee

600 Willow Rd Unit 10  
Menlo Park, CA

## Perata, Kyle T

---

**From:** Brenda Roberts <brenda@robertsschool.com>  
**Sent:** Monday, August 22, 2016 2:37 PM  
**To:** Perata, Kyle T  
**Subject:** 555 Willow Rd.

Hi Kyle,

We've been playing phone tag and I thank you for your efforts--I'm sure you are very busy.

As you may know, my preschool, The Roberts School located at 641 Coleman Ave., is right around the corner from the proposed boardinghouse. I must say that I haven't heard the term boardinghouse in decades.

In talking with neighbors we are all most concerned about the demographic of people who would live in this type of building. Another concern is increased traffic that already chokes Willow Road. It has taken me and my staff members as long as 30 minutes or longer to turn left onto Willow Rd from Coleman Ave to get to Highway 101. As you know, this is a 2 minute drive without traffic.

I definitely want to attend the meeting and know what kind of tenant this building is being designed for. Another neighbor said she was quite certain that Menlo Park doesn't allow structures over two stories.

Any information you can send my way will be greatly appreciated!

Brenda Roberts 650-573-1689

## Chao, Sunny Y

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**From:** Adam Stone <adamcstone13@yahoo.com>  
**Sent:** Monday, August 22, 2016 1:45 PM  
**To:** Perata, Kyle T; PlanningDept; \_Planning Commission; Andrew Barnes; Drew Combs; Susan Goodhue; Larry Kahle; John Onken; Riggs, Henry; Katherine Strehl  
**Subject:** [Sent to Planning ]Proposed Development of 555 Willow Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Planning Commission Members:

As a nearby resident, I write to express my concern with the proposed development of 555 Willow Road.

### Out-of-Character with Surrounding Neighborhoods

The proposed development is not in character with the family-oriented neighborhoods that surround the site. The recent resurgence of the Willows neighborhood is due in large part to the families that reside in the area and invest in the community. The young children of these families will bike and walk past 555 Willow Road on their way to Laurel Upper and Lower campuses. The proposed project will invite short-term renters who are unfamiliar with the community and will not seek to invest and establish relationships in the community. The surrounding neighborhoods deserve a proposal that is more family-friendly that is suited for attracting long-term renters and owners that will have an interest in contributing to the family-oriented community that will surround them. The current proposal is, quite frankly, an affront to those families who have invested in property and long-term rental agreements in the surrounding neighborhood with the goal of contributing and building the community there.

### Access from Willow Road

Vehicle ingress and egress in that area of Willow Road is already a mess and will become more so under the proposed plan. While the existing project has room for 20 spaces, only a small number of those are periodically used by patrons of the existing restaurant. The proposal will allocate 14 spaces which should be expected to be much more heavily used than the current 20 spaces. This means more cars entering Willow Road and competing for access with other cars entering from the opposite Gas Station, the Surgical Center, Coleman Ave, etc.. The traffic problem will be exacerbated by the short-term nature of the occupants that the current proposal will attract who will be unfamiliar with driving in the area. Simply put, the current proposal will cause more traffic accidents and contribute to the already substantial traffic congestion in that area of Willow Road. Don't make a bad problem significantly worse. The Planning Commission should require a new proposal that minimizes the number of parking spaces allocated. For example, a two or three-unit development with six or fewer spaces would invite longer-term residents who would become familiar with driving in the area.

### Credit for Rooms Under Housing Element

It is in the interest of the families living in the surrounding neighborhoods and the city to have a fewer number of total units each with a kitchen. A new proposal should be required that reduces the total number units where each unit has one or two bedrooms and each has a kitchen. This will invite long-term residents willing to invest in the surrounding community and will count as more rooms for the city under the Housing Element.

### The Existing Structure Should Not Be Reused

It is not clear from the proposal whether the existing cinder block structure is intended to be reused. If so, it should not be reused. The existing structure is in bad shape, often covered in graffiti, and over grown with landscaping. The current residents in the area deserve better than a ramshackle development on the cheap.

### Parking Should Comply with Zoning Ordinance

The current proposal would violate the applicable zoning ordinance for parking. Compliance should be required for at least the traffic reasons discussed above.

### The Owner Should Be Held to Task

As the City is probably already aware, the owner of the property, Reza Valiyee of Berkeley, is a notorious slumlord even willing to spend time in jail rather than comply with Court-ordered cleanup of his properties. <http://www.tenantstogether.org/campaigns/berkeley-and-fresno-landlords-nominated-landlord-hall-shame>. The City should require Mr. Valiyee to be completely transparent about his intentions for the development. Should the development degrade into one of Mr. Valiyee's many run down and code violating residences, the surrounding community will not forget it and the City will have to deal with a nagging problem for years to come.

### Conforming Development Only

Finally, any development should be conforming to code and zoning ordinance. Non-confirming development is not in the interest of the surrounding community.

Regards,

Adam Stone, Menlo Park Home Owner Since 2008

Megan Stone, Menlo Park Home Owner Since 2008 and teacher at Laurel Elementary

Ruby Stone, Daughter of Adam and Megan, age 8, who wants to see more young families move into the area.

Ella Stone, Daughter of Adam and Megan, age 4, who, for now, wants whatever her sister wants.

## Chao, Sunny Y

---

**From:** Maureen Holding <holding123@comcast.net>  
**Sent:** Monday, August 22, 2016 10:18 AM  
**To:** \_Planning Commission; \_CCIN  
**Subject:** Objections to Proposed Boarding House - 555 Willow Road

Dear Menlo Park Planning Commission and City Council Members,

As a resident of 600 Willow Road (Pacific Parc development), I have several objections to the Boarding House currently proposed for the property at 555 Willow Road:

### **A Boarding House Out Of Character With The Surrounding Neighborhoods**

As you know, this is an area of established neighborhoods with many young families. It's unclear what type of rentals (daily, weekly, monthly, yearly) is being proposed or what type of tenants the property owner, Mr. Valiyee, is planning to attract - Stanford students, young tech workers, travelers? Placing either a hotel or college-type dormitory in the midst of a family-oriented neighborhood is certainly not appropriate.

### **Property Owner's Background**

It's my understanding that the City of Menlo Park is aware of Mr. Valiyee's background with the City of Berkeley. Here's just one example of concerning information available on the internet:

*Reza Valiyee is one of Berkeley's largest landlords. Presently, he owns 23 properties in the City of Berkeley- the majority of these are large, multi-unit apartment buildings and boarding houses rented to students. Valiyee, who has been cited numerous times for failing to meet housing code, has been a significant drain on the city's resources for many years. According to City Attorney Zachary Cowan, Valiyee has a "long history of stalling on city-mandated repair work." In 2002, the city placed two of Valiyee's properties, including a student boarding house, into receivership after they were declared a public nuisance because he had installed illegal bedrooms. Valiyee has even spent time in jail for failing to meet court cleanup orders.*

<http://www.tenantstogether.org/campaigns/berkeley-and-fresno-landlords-nominated-landlord-hall-shame>

It's well known that the best predictor of future behavior, is past behavior. Given this, and the Mr. Valiyee's background, I think the City of Menlo Park owes its citizens a heightened level of due diligence, scrutiny and discernment regarding this boarding house proposal.

I think we can all agree that the city of Menlo Park should only accept proposals from property owners whose projects will add to the character, pride and safety of its neighborhood.

### **Nonconformities**

The initial public notice said, *"The site would continue to be nonconforming with regard to the square footage requirements for landscaping and parking and open driveways, although these nonconformities would not be intensified."*

I don't believe the city should accept any nonconformities for new buildings. If there are square footage requirements for landscaping, parking and open driveways, why would the city not mandate that a building meet these requirements?

### **Parking**

The plan outlines 16 SRO units and 14 parking spaces, to be shared with the restaurant on the same property. There is also no allowance for guest parking. Given the current volume of cars parking at the restaurant on a daily basis, it seems that adding 16 residential units would almost inevitably result in overflow parking. This overflow problem would be borne by neighbors in the surrounding area - which is not acceptable.

### **Traffic**

Each unit in the proposed boarding house will probably create multiple vehicle trips per day. I know the Planning Commission and City Council are aware that traffic on Willow Road is already problematic. Getting in and out of our development can be dangerous at any time of day - and almost impossible during rush hour. We're looking to you to help alleviate the traffic problem on Willow Road - not exacerbate it with high density housing on Willow Road.

**Aesthetic Impact**

All of the homes in the neighborhood are one or two stories high. Erecting a commercial-looking, three-story building (which does not conform to landscaping requirements) does not fit with or enhance the residential character of the neighborhood.

It is my understanding that if and when a Planning Commission meeting is scheduled to address this proposal, an additional notice with the date and time of the meeting will be mailed to all addresses within 300 feet of the project site. Is this correct? If so, I feel that a 300-ft radius is way too small, and that all residences in the Willows, Vintage Oaks, and Menlo Oaks have the right be to be informed about the progress of this boarding house proposal. I request that all residents in at least these three surrounding neighborhoods be notified about the progress of this proposal. Please let me know if you will expand the notice coverage area to these neighborhoods.

Regards,

Maureen Holding  
600 Willow Road  
Unit 17  
Menlo Park, CA 94025



## Chao, Sunny Y

---

**From:** Cristina Valdes Smith <valdessmith@gmail.com>  
**Sent:** Sunday, August 21, 2016 6:28 PM  
**To:** Perata, Kyle T  
**Subject:** Boarding Facility on Willow Road

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

Mr. Perata,

It was with interest that I read about the proposed plans to consider renovating the vacant building on Willow Road and converting the space into one room rentals. I want to encourage the City of Menlo Park to continue to keep an open mind toward supporting facilities that provide permanent and affordable housing for those who are not able to live in this overpriced area. We, along with our neighboring cities, share the burden of managing what appears to be a growing need for housing/shelter for the homeless and mentally ill. This, along with the fact that this region is unaffordable to many families, is something we need to pay attention to.

Yet, having said that, it is also a bit worrisome that the Reza Valiyee seems to have a long history of complaints with his properties. It sounds like the city is aware of that and want to encourage you to be thorough and cautious in partnering with him or anyone that doesn't have a financially stable and sincere interest in providing safe/affordable housing.

I'm a big supporter of the wonderful work that Life Moves (formerly Inn Vision Shelter Network) or Home & Hope has been doing to support those who live below the poverty level. If appropriate, I would encourage you to open a dialogue with them on solutions that provide housing.

Thanks much for the work you do on behalf of Menlo Park.

Cristina Valdes Smith  
650-302-5294

## Chao, Sunny Y

---

**From:** Joanie Giraudo <applebeeps@aol.com>  
**Sent:** Saturday, August 20, 2016 6:04 PM  
**To:** Perata, Kyle T  
**Subject:** Boarding house on willow?

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

I am a long time resident and small business owner in the willows. I'm wondering what type of people are they seeking to board in the new proposal behind Menlo bbq? I own a small preschool in the area and live on site as well. Any details made public?

Thanks,  
Joanie Giraudo  
107 clover lane  
650-387-5880

Sent from my iPhone

**Chao, Sunny Y**

---

**From:** Devra Moehler <dmoehler@fb.com>  
**Sent:** Saturday, August 20, 2016 8:40 AM  
**To:** Perata, Kyle T  
**Subject:** Concern

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

I am concerned about possibility of Mr. Valiyee building a rental property by the BBQ restaurant given his record as a slumlord and violator of building codes in his rental properties in Berkeley. As a neighbor I am afraid to have an unsafe and unsanitary building in the neighborhood. I would be in support of a boarding house owned by someone else.

Sent from my iPhone

## Chao, Sunny Y

---

**From:** Meredith Ozbil Jazzercise Menlo Park <meredithozbil@hotmail.com>  
**Sent:** Friday, August 19, 2016 4:36 PM  
**To:** Perata, Kyle T  
**Subject:** 555 Willow Rd

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

Hi there,

The proposed development of a boarding house at 555 Willow Rd. is very concerning to me. Reza has a absolutely horrible reputation as a landlord and we live less than a block away.

I realize there's some sort of dilapidated and vacant commercial building there now. And I'm questioning whether the zoning is for multi residential?

I request the commission not approve this development. It sounds way too large for the tiny lot. I am also concerned a boardinghouse will bring transients and people who are not concerned or committed to the greater good of the community.

Thank you!  
Meredith Ozbil  
610 Gilbert Ave #22, Menlo Park

Menlo Park Jazzercise, Instructor  
facebook.com/JazzerciseMenloPark/  
Little House (All Ages), 800 Middle Ave:  
Mon-Tues-Weds 6:00 PM, Thurs 5:40 PM Arrillaga Rec., 700 Alma St.: Sat 9:00 AM

## Perata, Kyle T

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**From:** Kevin Philbin <philbink@yahoo.com>  
**Sent:** Tuesday, August 16, 2016 3:54 PM  
**To:** Perata, Kyle T  
**Subject:** Opposition to the proposed development at 555 Willow Rd

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Kyle,

I live in the Willows, and read with concern some neighborhood discussion regarding the proposed development of a boarding house at 555 Willow Rd.

I'm particularly concerned that the person proposing the development, Reza Valiyee, as a bad track record of running substandard properties. Also, the nature of a boarding house isn't in keeping with the neighborhood.

I understand that Menlo Park could use more high density housing; however, this doesn't seem to be the right project to help meet that need.

Thanks for listening,  
Kevin Philbin  
324 Central Ave  
Menlo Park, CA

## Perata, Kyle T

---

**From:** Brian Gilmer <bgilmer1@yahoo.com>  
**Sent:** Monday, August 15, 2016 3:40 PM  
**To:** Perata, Kyle T  
**Subject:** Boarding House in the Willows?

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

Mr. Perata,

I have written to you before about my concerns over different projects that impact the Willows neighborhood. I have lived in this neighborhood a very long time, my family purchased our house while they were still building the development on O'Keefe and neighboring streets back in 1947. I have recently heard there is a request to build a boarding house of Single Room Occupancy on Willow Road near Menlo BBQ. Not only that but from what I have heard and read the person requesting this approval has a very poor track record with other communities in which he has developed. I personally do not feel this is a good use of the land in keeping with the character of the neighborhood. Other developments that have been added to the area were much more in line with the character and feel of the area such as the housing next door where the old Apollo Gas Station had been or the housing where the old Foremost Dairy was located. A high density housing like a boarding house or SRO without limited parking is definitely not what we need. I encourage you and the planning department to not allow any variances for this boarding house and I hope you will do what you can to help keep the character of the Willows intact and prevent issues like traffic from getting worse.

Best Regards,

Brian Gilmer

## Chao, Sunny Y

---

**From:** Ro Carbone <rocarbone621@gmail.com>  
**Sent:** Tuesday, August 16, 2016 5:25 PM  
**To:** Perata, Kyle T  
**Cc:** Chao, Sunny Y  
**Subject:** Re: Please do not provide \*any\* non-standard allowance for 555 Willow Road project

**Categories:** 555 Willow Rd

Thank you so much--I would prefer to keep it anonymous to him--but happy to have the City know who is behind the email and Nextdoor quotes. Indeed, if we hear on Nextdoor when the planning meeting is, I'm sure we'll attend.

Thanks very much.

On Tue, Aug 16, 2016 at 5:23 PM, Perata, Kyle T <[ktperata@menlopark.org](mailto:ktperata@menlopark.org)> wrote:

Ok – we can definitely do that.

Thanks,

Kyle Perata

Senior Planner

City of Menlo Park

[\(650\) 330-6721](tel:(650)330-6721)

[ktperata@menlopark.org](mailto:ktperata@menlopark.org)

**From:** Ro Carbone [mailto:[rocarbone621@gmail.com](mailto:rocarbone621@gmail.com)]  
**Sent:** Tuesday, August 16, 2016 5:21 PM  
**To:** Perata, Kyle T  
**Cc:** Chao, Sunny Y  
**Subject:** Re: Please do not provide \*any\* non-standard allowance for 555 Willow Road project

Thanks very much, Kyle (and Sunny). I would appreciate your dedacting my neighbors' names if any document will be seen by the applicant. I did not ask their permission before using their names.

history in Berkeley / Oakland of building code violations and letting his properties become distressed from lack of maintenance and over-crowding with tenants he then seeks to overcharge. It was noted that he had spent time in jail for some of the code violations.

Sorry to sound dramatic, but \*please\* do not let this owner do anything outside of standard code for the use of the land at 555 Willow. I support multiple dwellings generally, but not in the hands of abusers who destroy their own properties from neglect and greed.

Forgive the long email, but I feel it is important for you to have this information--what follows here are 3 posts from Nextdoor.com on this topic (there were dozens)--I'm sure my neighbors won't mind their names being here. Folks are quite concerned and--for once :-)--I sincerely agree with them.

If there is more we in the neighborhood can do to afford no allowances to this project, please share.

Many thanks for your time and consideration.

1.

[Tricia Barr](#) from [The Willows](#) 8 Aug

The property owner has left quite a trail of unhappy tenants - including being nominated for California Landlord Hall of Shame. Plus sounds like plenty of people at City of Berkeley office / City Council with a history of him not rectifying code violations.

<http://rezavaliyee.blogspot.com>

<http://www.berkeleydailyplanet.com/issue...>

<http://www.sfgate.com/bayarea/johnson/ar...>

Nominated for California Landlord Hall of Shame: <http://www.tenantstogether.org/campaigns...>

" Reza Valiyee is one of Berkeley's largest landlords. Presently, he owns 23 properties in the City of Berkeley- the majority of these are large, multi-unit apartment buildings and boarding houses rented to students. Valiyee, who has been cited numerous times for failing to meet housing code, has been a significant drain on the city's resources for many years. According to City Attorney Zachary Cowan, Valiyee has a "long history of stalling on city-mandated repair work." In 2002, the city placed two of Valiyee's properties, including a student boarding house, into receivership after they were declared a public nuisance because he had installed illegal bedrooms. Valiyee has even spent time in jail for failing to meet court cleanup orders. "

<https://miheespeaking.wordpress.com/2010...>



currently derelict. The proposed rezoning was not recommended by the planning commission.

In a letter written by property owner Reza Valiyee read by property manager Anthony Ybarra, Valiyee said, "I vow to work hard to see this city improve," adding that his proposal "is practical (and) can help the city."

Worthington expressed disapproval for the proposal at the meeting, saying he would not "reward" Valiyee, who has committed several construction violations in the past, with a "massively profitable" project.

Citing philosophical issues with individually zoning for a project, Councilmember Jesse Arreguin opposed the proposal but said that he hoped something positive would be done on the property.

Mayor Tom Bates, who said he has known Valiyee for 25 years, also did not support Valiyee's proposal. The rezoning proposal failed."

--

Best,  
Ro  
Keeping HR strongly relevant and gently irreverent...  
<http://www.linkedin.com/in/rosemariecarbhone>

"Nearly all men can stand adversity, but if you want to test a man's character, give him power." -  
Abraham Lincoln

--

Best,  
Ro  
Keeping HR strongly relevant and gently irreverent...  
<http://www.linkedin.com/in/rosemariecarbhone>

"Nearly all men can stand adversity, but if you want to test a man's character, give him power." -  
Abraham Lincoln

--

Best,  
Ro

## Chao, Sunny Y

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**From:** Chao, Sunny Y  
**Sent:** Thursday, August 25, 2016 6:02 PM  
**To:** Chao, Sunny Y  
**Subject:** FW: Please do not provide \*any\* non-standard allowance for 555 Willow Road project

**From:**  
**Sent:** Monday, August 15, 2016 3:29 PM  
**To:** Perata, Kyle T  
**Subject:** Please do not provide \*any\* non-standard allowance for 555 Willow Road project

Hello Kyle, I'm a local homeowner (live on corner of Bay and Berkeley). I am a growth advocate and believe that neighborhoods have to change if they are to survive.

That being said, I did start out supporting the boarding house project proposed for 555 Willow Rd, \*however\* some neighbors researched the gentleman who owns the property, Reza Valiyee, and it seems he has a horrific history in Berkeley / Oakland of building code violations and letting his properties become distressed from lack of maintenance and over-crowding with tenants he then seeks to overcharge. It was noted that he had spent time in jail for some of the code violations.

Sorry to sound dramatic, but \*please\* do not let this owner do anything outside of standard code for the use of the land at 555 Willow. I support multiple dwellings generally, but not in the hands of abusers who destroy their own properties from neglect and greed.

Forgive the long email, but I feel it is important for you to have this information--what follows here are 3 posts from Nextdoor.com on this topic (there were dozens)--I'm sure my neighbors won't mind their names being here. Folks are quite concerned and--for once :-)--I sincerely agree with them.

If there is more we in the neighborhood can do to afford no allowances to this project, please share.

Many thanks for your time and consideration.

## Perata, Kyle T

---

**From:** Jenny Madrid <jennymadrid@mac.com>  
**Sent:** Monday, August 15, 2016 2:05 PM  
**To:** Perata, Kyle T  
**Subject:** Planned Boardinghouse

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

Hello,

I was writing to receive more information about the planned boardinghouse on Willow Road next to Menlo BBQ. I live on Coleman Avenue, and am concerned with the wording on the project plan (I read it online). Is "boardinghouse" another word for SRO? If not, how is it different from an SRO? Who benefits from living there? Is this a halfway house? I am concerned for my children and the many children in our neighborhood.

Thank you, in advance, for taking the time to address my questions.

Best,  
Jenny Madrid

## Perata, Kyle T

---

**From:** Maria Kaval <mariakaval@gmail.com>  
**Sent:** Wednesday, August 10, 2016 1:14 AM  
**To:** Perata, Kyle T  
**Subject:** Re: 555 Willow Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I would like to request that the city require all non-conforming issues to be brought into conformance. This property has sat dilapidated for over 10 years and if they are now going to develop it, I'd like for them to do it right. In general I have not found the property owner to be responsive and have personally had to call the city several times over the years about issues like graffiti on the building that was not taken care of by the property owner.

I also dislike the idea of a boarding house - when the economy turns bad it can easily attract daily or hourly rentals which would not fit the character of the Willows neighborhood.

Maria Kaval

Sent from my iPhone

> On Aug 10, 2016, at 1:50 AM, Perata, Kyle T <[ktperata@menlopark.org](mailto:ktperata@menlopark.org)> wrote:

>

> Hi Maria,

>

> Thank you for your comments on the project. Boardinghouses are conditional uses in the R-3 zoning district and require review and action by the Planning Commission. The Boardinghouse would be designed with individual rooms that would each contain a bathroom and use a common kitchen and recreation room. The proposed use would be comparable to an apartment building, except tenants would not have individual cooking facilities but would rather share a common kitchen and living/recreation room. It is anticipated that the tenants would rent the rooms for longer periods of time (generally multi-month terms). It is designed for potential tenants that don't need access to kitchen/living room - generally someone who is not home significant amounts of time.

>

> The proposed building height is 35 feet, which is consistent with the maximum height allowed in the R-3 (Apartment) zoning district. The existing nonconforming situations can be proposed to remain with the development project (such as the restaurant use, landscaping requirement, and parking/driveway area on-site); however, the Planning Commission has discretion to require projects to be brought into compliance if it feels that the existing nonconformities should be corrected by the project.

>

> Staff is still working with the applicant to get all the necessary information and reviewing the application before taking the project forward to the Planning Commission for review and potentially an action.

>

> Since your comments below are generally questions, I am not intending to include them as an attachment to the staff report. If you would like them included for the Planning Commission's review, please let me know and I will make sure these comments are included. You will receive an additional notice of the Planning Commission meeting, which has not been set yet, as staff is still reviewing the application. If you have any additional comments or questions on the project, please do not hesitate to contact me.

>

> Thanks,

>  
> Kyle Perata  
> Senior Planner  
> City of Menlo Park  
> (650) 330-6721  
> [ktperata@menlopark.org](mailto:ktperata@menlopark.org)

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

> From: Maria Kaval [<mailto:mariakaval@gmail.com>]  
> Sent: Monday, August 08, 2016 12:43 AM  
> To: Perata, Kyle T  
> Subject: 555 Willow Road

>  
> Hi, what does it mean that they want to put a 'boarding house' at 555 Willow? What does 'boarding house' entail? Rent by day? Rent by hour??? Why would the city allow 3 stories when no other building nearby has 3 stories? And why are they allowed to remain non-conforming?

> Maria Kaval, concerned neighbor

>  
> Sent from my iPhone

## Perata, Kyle T

---

**From:** Alan Pinyavat <apinyavat@gmail.com>  
**Sent:** Wednesday, August 10, 2016 1:06 PM  
**To:** Perata, Kyle T  
**Cc:** Susan Goodhue; Andrew Barnes; Larry Kahle; John Onken; Riggs, Henry; Drew Combs; Katherine Strehl  
**Subject:** Proposed development 555 Willow Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello,

I am a homeowner and resident of Menlo Park in the Pacific Parc community at 600 Willow Road. I received the Notice of Application Submittal postcard regarding 555 Willow Road and the construction of a 16 bedroom SRO boarding house. I am concerned that the proposed plan would have a negative impact on our neighborhood in terms of traffic, crime/public safety, sanitation, noise, and property value.

**Can you elaborate on what the boarding house use will be for?**

**What steps we can take to formally petition against its construction?**

We are a small family with a young daughter and enjoy taking her to the Willow Oak Park and surrounding areas. I am concerned the park would become unsafe. We all know the traffic on Willow Road is already very very heavy during rush hours and this development would only exacerbate it.

I hope you will consider the concerns of the nearby community in your decisions regarding this development

## Perata, Kyle T

---

**From:** Betsy Boggs <betsywalls@gmail.com>  
**Sent:** Monday, August 08, 2016 2:55 PM  
**To:** Perata, Kyle T  
**Subject:** Comment and question about proposed boarding house at 555 Willow

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

I'm concerned about the increase in traffic from this building on Willow Road - traffic is already horrendous along that stretch and makes it difficult for residents to get around. Also, who would this 'boarding house' be used for? Is it like a hotel, or a halfway house, or what?

Thanks,

Betsy Boggs

<http://www.menlopark.org/ArchiveCenter/ViewFile/Item/4474>

## Perata, Kyle T

---

**From:** Maria Kaval <mariakaval@gmail.com>  
**Sent:** Monday, August 08, 2016 12:43 AM  
**To:** Perata, Kyle T  
**Subject:** 555 Willow Road

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

Hi, what does it mean that they want to put a 'boarding house' at 555 Willow? What does 'boarding house' entail? Rent by day? Rent by hour??? Why would the city allow 3 stories when no other building nearby has 3 stories? And why are they allowed to remain non-conforming?

Maria Kaval, concerned neighbor

Sent from my iPhone



## Perata, Kyle T

---

**From:** Tricia Barr <tricia.tjernlund@gmail.com>  
**Sent:** Sunday, August 07, 2016 3:45 PM  
**To:** Perata, Kyle T  
**Subject:** 555 Willow

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

Dear Kyle,

The proposed project at 555 Willow Road defined as a 'boardinghouse' sounds like it will be a hotel, an AirBnB or similar 'business'. Is the property zoned for that?

I would hope the City will be benefiting from this hotel in on-going tax revenue.

The Architect worked on similar 'bed and breakfast' projects in Berkeley.

Please let me know.

Regards,  
Tricia



**STAFF REPORT**

**Planning Commission**

**Meeting Date:** 5/20/2019  
**Staff Report Number:** 19-041-PC

**Study Session:** Discussion of recent Federal Communications Commission (FCC) Order governing small wireless facilities and recommendations for implementation

**Recommendation**

Staff recommends the Planning Commission conduct a study session on the recent Federal Communications Commission (FCC) Order governing small wireless facilities and mechanisms for implementing the order.

**Policy Issues**

This agenda item is being proposed to address a recent change in federal law pertaining to small wireless facilities.

**Background**

The tremendous growth in personal wireless services has created an increased demand for new wireless antennas and equipment. Consumers' need for increased capacity and speed also drives this demand. Existing 3G and 4G wireless technology was largely deployed using macro cell sites installed on large cell towers which have a large coverage area, but limited capacity. Increased usage of cellular data functions has subsequently increased the demand for greater capacity on cellular networks. To meet this demand, the proposed 5G network coverage is expected to largely consist of small cell sites. These small cell deployments have smaller footprints than macro cell sites. As such small cell sites only serve the immediate proximity, these facilities will be rolled out at a far greater density.

In Menlo Park (like most cities), wireless facilities in the right of way are typically approved through an encroachment permit issued by Public Works, while wireless facilities on private property are reviewed by the Planning Commission. Staff is considering updates to both permit processes and the Planning Commission is requested to focus on the private property portion of this update.

Telecommunications Act of 1996

Wireless telecommunications facilities are regulated by federal, state and local laws. Federal law significantly limits the city's ability to regulate these facilities. Under federal law, a city may not (1) prohibit or effectively prohibit personal wireless services; (2) unreasonably discriminate among functionally equivalent service providers; or (3) regulate personal wireless service facilities based on the environmental effects from radio frequency emissions to the extent such emissions meet FCC guidelines.<sup>1</sup> Despite federal limitations, cities historically have retained ability to regulate the aesthetic of wireless facilities, including factors such as height and property line setbacks. However, federal law developments continue to erode that ability.

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<sup>1</sup> 47 U.S.C. § 332 (c) (7).

### The Spectrum Act

In 2012, Congress enacted the Spectrum Act.<sup>2</sup> The Spectrum Act was intended to facilitate the telecommunication industry's rapid deployment of wireless infrastructure by requiring local governments to approve any application that sought to modify an existing wireless telecommunication facility that does not "substantially change" the existing facility. The Spectrum Act itself contains no specific definitions, but in 2015, the FCC promulgated regulations containing definitions, processing requirements, timelines and remedies for applications that seek to modify an existing wireless telecommunication facility in accordance with the Spectrum Act. These FCC rules are binding on local governments. Most significantly for cities, the federal regulations established very short processing time lines (referred to as "shot clocks") of 60, 90 and 150 days depending on the type of facility.

### Public Utilities Code Section 7901

Public Utilities Code Section 7901 grants telephone corporations the right to operate within the public right of way without a local franchise. Courts have interpreted this statute to provide a "statewide franchise: for telephone and telegraph companies. Local governments cannot require telephone corporations to pay a local franchise fee as a precondition to access.<sup>3</sup> Nor can cities charge a revenue-generating fee in connection with encroachment or other permits issued to telephone corporations.<sup>4</sup> These limitations also apply to wireless service providers.<sup>5</sup>

Despite this statute, cities are permitted to charge for access to their personal property, such as street lights, traffic signals and street furniture.<sup>6</sup> In addition, the Supreme Court recently ruled that under state law, cities have the ability to adopt aesthetic regulations governing the placement of wireless facilities in the right of way.<sup>7</sup> The City also has the ability to regulate aesthetics on private property.

### September 27, 2018 FCC Ruling

Most recently, on September 27, 2018, the FCC issued a ruling designed to further promote the expeditious deployment of small cell sites.<sup>8</sup> This ruling became effective on January 14, 2019, though it recognized cities would require additional time to implement. The recent FCC ruling applies to all "small wireless facilities". A small wireless facility is a facility that meets each of the following conditions:

- (1) The structure on which antenna facilities are mounted—
  - (i) Is 50 feet or less in height, or
  - (ii) Is no more than 10 percent taller than other adjacent structures, or
  - (iii) Is not extended to a height of more than 10 percent above its preexisting height as a result of the collocation of new antenna facilities; and
- (2) Each antenna (excluding associated antenna equipment) is no more than three cubic feet in volume; and
- (3) All antenna equipment associated with the facility (excluding antennas) are cumulatively no more than 28 cubic feet in volume; and
- (4) The facility does not require antenna structure registration under part 17 of this chapter;

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<sup>2</sup> 47 U.S.C. § 1455.

<sup>3</sup> *Western Union Tel. Co. v. Hopkins* (1911) 116 P. 557, 561.

<sup>4</sup> Cal. Gov't Code § 50030; *Williams Communications, LLC v. City of Riverside* (2003) 8 Cal. Rptr. 3d 96, 106 (invalidating fees charged as "rent or an easement or license fee in consideration for such use of the City's streets").

<sup>5</sup> *GTE Mobilnet of Cal. Ltd. Partnership v. City & County of San Francisco* (N.D. Cal. 2006) 440 F. Supp. 2d 1097, 1103

<sup>6</sup> *NextG Networks of Cal., Inc. v. City of Newport Beach*, No. SACV 10-1286 DOC (JCx), 2011 WL 717388, at \*8 (C.D. Cal. Feb. 18, 2011).

<sup>7</sup> *T-Mobile West LLC v. City and County of San Francisco* (2019) 6 Cal.5th 1107.

<sup>8</sup> Declaratory Ruling and Third Report and Order, WT Dk. No. 17-79 and WC Dk. No. 17-84.

- (5) The facility is not located on Tribal lands; and
- (6) The facility does not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified in federal law.

The recent FCC ruling establishes the following new standards for small wireless facilities:

- Broad interpretation of local prohibitions: The FCC order attempts to further limit the City's ability to adopt a regulation that "materially limits or inhibits the ability of wireless carriers."
- Cost-based fees: Cities are limited to charging fees that are no greater than a "reasonable approximation" of their costs for processing applications and for managing deployments in the right of way. The FCC established a presumptively lawful, nationwide fee schedule for small cell applications as follows:
  - Permit fees. \$500 for a single up-front application that includes up to 5 small wireless facilities, with an additional \$100 for each small wireless facility beyond five, or \$1,000 for non-recurring fees for a new pole to support one or more small wireless facilities;
  - Rental fees. \$270 per small wireless facility per year for all recurring fees, including any possible ROW access fee or fee for attachment to city-owned poles in the ROW.
- Aesthetic regulations: These are not preempted if they are (1) reasonable, (2) no more burdensome than those applied to other types of infrastructure deployments and (3) published in advance.
- Underground requirements: A requirement that all wireless facilities be deployed underground would amount to an effective prohibition and is thus not permitted.
- Quid Pro Quo "in kind service": The FCC discouraged situations where the City makes clear it will approve a deployment only on condition that the provider supply an "in-kind" service or public benefit, such as installing a communications network dedicated to City's exclusive use.
- Batched applications: Cities cannot prohibit batched applications (i.e. multiple PG&E poles).

In addition, the recent FCC ruling established a new set of even more restrictive "shot clocks" applicable only to small wireless facilities. These shot clocks are:

- 60 days for small cell wireless facility attachments to existing poles or structures
- 90 days for small cell wireless facilities on new poles or structures.

In Menlo Park, small wireless facility applications will most likely involve attachments to existing PG&E utility, city street lights or traffic signals or other existing communication poles as well as installation of new poles in the public right of way. The reason why right of way will likely be favored over private property is because of the below market pole attachment rental rates now imposed by federal law.

#### Legal Challenge and Legislative Response

Following adoption of the September 2018 FCC ruling, several cities filed lawsuits challenging the ruling. The lawsuits claim that the FCC abused its power by enacting rules that went beyond the authority established by Congress under the Telecommunications Act. The lawsuits also challenge the below market rental rate mandated by the legislation. These cases are now pending in the Ninth Circuit.

As a further response to the perceived FCC overreach, on January 14, 2019, Rep. Anna Eshoo introduced the "Accelerating Broadband Deployment by Empowering Local Communities Act of 2019" ("H.R. 530"). This

bill would void the FCC Ruling. Though expected, a companion bill has not yet been introduced in the Senate. It is also unclear whether the President would sign such legislation.

## Analysis

### Current Practices

Menlo Park's current practice for permitting wireless facilities in the public right of way is to issue encroachment permits (typically for attachments to PG&E poles). The City has generally not permitted carriers to locate on city-owned street light or other city poles. Before issuing an encroachment permit, City staff work with the applicant to determine suitable locations and design standards.

For wireless facilities on private property, the Zoning Ordinance requires applicants to obtain a use permit. (See Menlo Park Municipal Code Section 16.82.) The use permit generally contains a series of aesthetic and operational conditions.

### Problems with Current Practices

The new FCC Order poses several challenges to our existing permitting process. First, it may not be possible to comply with the new shot clock processing times if a case is appealed from the Planning Commission to the City Council. Second, the City's list of aesthetic and operational conditions typically imposed in connection with a use permit or encroachment permit is not codified and publicly available. Third, the City's current process of reviewing individual applications with site-specific conditions does not lend itself well to batched applications. Finally, the City's published regulations do not inform applicants of the types of installations desired by the City.

### Improvements to Consider

Given the particular requirements of federal and state law in this area, many cities have adopted ordinances specifically governing wireless installations. Below is a list of key ordinance provisions together with staff's current recommendations. The Planning Commission is requested to provide input on these issues with a focus on wireless facilities on private property.

Issue for consideration	Staff recommendation
Type of permitting process	Minor permit for small cell sites Major permit for other facilities
Review body	Director; major permits may be referred to Planning Commission
Appeal rights	Minor permit – no Major permit – yes
Appeal body	<ul style="list-style-type: none"><li>• City Council for ROW applications</li><li>• Planning Commission for private property applications</li></ul>
Findings for minor permit approval	<ul style="list-style-type: none"><li>• Compliance with development and aesthetic standards</li></ul>

	<ul style="list-style-type: none"> <li>• Compliance with FCC rules re RF emissions</li> </ul>
Findings for major permit approval	<ul style="list-style-type: none"> <li>• Compliance with development and aesthetic standards</li> <li>• Compliance with FCC rules re RF emissions</li> <li>• Needed to close a significant gap in coverage</li> </ul>
Development Standards	Standardized development standards for all facilities
Aesthetic Standards	Standardized development standards for all facilities
RF Requirements	<ul style="list-style-type: none"> <li>• Must comply with FCC RF emission requirements</li> <li>• Annual certifications shall be submitted to City upon request.</li> </ul>
Pre-submittal meeting	Required for all applications
Administrative regulations	Authorize Director to adopt

The Planning Commission should consider the development and aesthetic standards on private property with regard to height, integration into the existing development, appropriate screening, setbacks, adjacent uses, and co-location. In addition to the antennas, the Planning Commission may also wish to provide input on the parameters of the associated equipment. Staff will consider the Commission’s input with respect to the FCC’s order when drafting the regulations. Menlo Park has been talking to several carriers about possible applications in the right of way. Staff has informed them of its intent to update the city’s procedures and we anticipate they will engage with us on this process.

**Impact on City Resources**

Adoption of the ordinance would not result in any fiscal impact. There may be additional costs associated with the processing of additional small wireless facility applications, which would be updated in the Master Fee Schedule.

**Environmental Review**

Adoption of a wireless ordinance is exempt for the provisions of the California Environmental Quality Act pursuant to CEQA Guideline Section 15061, 15301, 15302 and 15305 in that it simply establishes a comprehensive permitting scheme.

**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

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