Planning Commission



REGULAR MEETING AGENDA

Date: 8/12/2019
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 July 22, 2019, Planning Commission meeting. (Attachment)
- E2. Approval of minutes from the July 29, 2019, Planning Commission meeting. (Attachment)

F. Public Hearing

F1. Use Permit/Mauro & Adela Gildo-Mazzon/313 O'Connor Street:
Request for a use permit for a project including first-, second-, and basement-level additions and interior modifications to an existing non-conforming single-family residence in the R-1-U (Single Family Urban Residential) district. The work would exceed 50 percent of the replacement value of the existing structure in a 12-month period. The proposal includes a request for excavation within the required right side yard for basement light wells. The new second story would include a

secondary dwelling unit, accessed from the right side, which would be slightly larger than 640 square feet, as may be permitted with a use permit. (Staff Report #19-057-PC)

F2. Use Permit/Ed and Shionda Nickerson/704 Laurel Avenue:

Request for a use permit to demolish an existing single-family residence and construct a new two-story residence with an attached two-car garage on a substandard lot with respect to lot width. The property is located in the R-1-U (Single Family Urban Residential) zoning district. A secondary dwelling unit that is under construction at the rear of the lot would remain. (Staff Report #19-058-PC)

F3. Use Permit/Michelle Miner/611 Woodland Avenue:

Request for a use permit to construct a new two-story residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district. The lot is currently vacant with the exception of a tennis court. Two multi-trunk heritage size trees in fair condition, one English walnut and one orange, are proposed for removal. (Staff Report #19-059-PC)

F4. Use Permit/Michelle Miner/615 Woodland 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 minimum lot width in the R-1-U (Single Family Urban Residential) zoning district. (Staff Report #19-060-PC)

G. Regular Business

G1. Heritage Tree Ordinance Update/City of Menlo Park:
Review the background of the Heritage Tree Ordinance Update, consider proposed modifications to the Ordinance, and provide recommendations to the City Council. (Staff Report #19-061-PC)

H. Informational Items

- H1. Future Planning Commission Meeting Schedule The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.
 - Regular Meeting: August 26, 2019
 - Regular Meeting: September 9, 2019
 - Regular Meeting: September 23, 2019

I. Adjournment

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.

For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Agenda Page 3

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Planning Commission



REGULAR MEETING MINUTES - DRAFT

Date: 7/22/2019
Time: 6:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

6:00 P.M. Special Session

A. Call To Order

Chair Andrew Barnes called the Special Session to order at 6:00 p.m.

B. Roll Call

Present: Andrew Barnes (Chair), Chris DeCardy, Michael Doran, Henry Riggs (Vice Chair), Michael Tate. Katherine Strehl

Absent: Camille Kennedy

Staff: Kaitie Meador, Senior Planner; Kyle Perata, Principal Planner; Matthew Pruter, Associate Planner

C. Reports and Announcements

Principal Planner Kyle Perata said the City Council on July 16, 2019 reviewed the 975 Florence Lane project, which the Planning Commission had reviewed in May, and approved the project. He said the City Council at its July 15, 2019 meeting reviewed the policy for Council review of potentially large impactful projects. He said the Council adopted a resolution identifying criteria for projects that would warrant notification from the Planning Commission to the City Council informing them of the Planning Commission's action and giving the City Council the opportunity to request to review the project.

Chair Barnes noted that Item G1, 1704 El Camino Real, on the agenda, was continued.

D. Study Session Part 1

D1. Study Session/Andrew Morcos/110 Constitution Drive, 104 Constitution Drive, and 115 Independence Drive:

Request for a study session review for a future application for use permit, architectural control, environmental review, lot line adjustment, and lot merger to redevelop three sites with approximately 320 multi-family dwelling units, 33,100 square feet of office and 1,608 square feet of neighborhood benefit space split between two buildings with above grade two-story parking garages integrated into the proposed seven-story residential building and three-story commercial building, located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The project sites currently contain three single-story office buildings that would be demolished. The proposed

residential building would contain approximately 311,341 square feet of gross floor area with a floor area ratio of 223 percent. The proposed commercial building would contain approximately 34,708 square feet of gross floor area with a floor area ratio of 25 percent. The proposal includes a request for an increase in height, density, and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. *Continued by the Planning Commission from the meeting of June 24, 2019.* (Staff Report #19-048-PC)

Applicant Presentation: Andrew Morcos, Senior Development Director at Greystar, made a presentation on the proposed project. He noted that 15% or 48 of the residential units would be affordable. He said they would work with the City to determine the income level for those. He said the project included 12,500 square feet of publicly accessible open space. He said the project would be subject to the appraisal and community benefit requirement. He said they had identified a space in the building as potential community benefit. He said the central plaza open space was designed to connect to the site through pedestrian and bicycle routes and from Independence Drive to Constitution Drive. He said their parking ratio was near the minimum for the multi-family building at 1 space per unit. He said the project would be certified LEED Gold and operated with 100% renewable energy.

Clark Manus, Heller Manus, project architect, said the project as proposed was 100% compliant. He said they would continue to work with staff and the City's architectural consultant as noted in the staff report. He said the office building was one-story with parking shielded. He made a visual presentation on the project. He said they were proposing a rooftop amenity for the office building. He commented on sustainability and sea level rise measures, water efficiency and waste management.

Mark Wessels, PGA Design, Landscape Architects, said the entire site had to be raised five feet to address current flooding and future threats from sea level rise. He made a visual presentation focusing on the central plaza, noting it was important public space around which, and to, all the elements of the project were oriented and organized.

Commissioner Michael Doran said in disclosure that he had met with the project developers. He said overall that he liked the project and thought it was architecturally appropriate for the area. He said he particularly liked the screening for the parking. He asked if they had given thought to a grocery store on the site. Mr. Morcos said they met with a retail broker consultant that day, who indicated 10,000 heads were needed within a small area of a grocery store for it to work. He said they would continue looking into retail at the site that had a certainty of being sustainable.

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

Commissioner Comment: Commissioner Katherine Strehl asked about the potential tenant for the office space. Mr. Morcos said at 30,000 square feet the office space had a wide potential for tenants. He said what he had seen generally in the market was that the building could have multiple tenants.

Commissioner Chris DeCardy asked about the community benefit. Mr. Morcos said the project would go through an appraisal process with staff that would determine a dollar amount for community benefit to be included in the project. He referred to the ConnectMenlo list of community benefits. He said after the appraisal process, they would seek community input on the community benefit preferred. He said at this point they were indicating 1,700 square feet for potential use as a

community gathering or serving space. Responding to Commissioner DeCardy, Mr. Manus said due to anticipated sea level rise the garage could not be placed underground. He said the generous size of the plaza offered opportunities for activation to encourage people to get outdoors. He said the space on the upper level of the roof was a supplement to the office space, but the idea was to draw people out of the building, which was why it fronted the plaza. Mr. Morcos said that the plaza would have seating for whatever the community benefit space would be. He said they wanted to work with the community on whether art or other features should be incorporated within the area.

Commissioner Michele Tate asked about input from the Belle Haven residents regarding community serving amenities. Mr. Morcos said they had not started the outreach process on that yet for this project, but for their other project, Menlo Uptown, a 483-unit residential community between Jefferson and Constitution Drives, they heard a café would be interesting or a community space for rental use.

Commissioner Henry Riggs suggested the applicants might also want to do outreach with the community on the other side of Marsh Road. He said toward the idea of community space for rental use that he would not want that solely for one organization's use. He said that the applicant and staff had worked well together in terms of land use. He said he could not yet judge how the plaza would work as a community space. He said at this point it looked largely like a passageway with extensive hardscape and landscape. He said he thought the project needed to provide a better sense of home for the residential tenants, which he thought in a mixed-use project would become important as the area was built out. He said landscaping alone might not create that sense of home. He said he hoped the residential building, at the first floor at least, would use materials or scale that implied residences in a way that people could react to. He suggested looking at other screening for parking noting his concern with the aesthetics of what was proposed. He disclosed that he met with the project team briefly last week. He said he liked that the proposed modulations were not formulaic as had been numerous other project proposals in the Specific Plan and ConnectMenlo areas. He noted traffic congestion in the area. He said overall it was a good project.

Mr. Morcos said the number of people who might be able to use the central plaza just from the residential units was 460 people. He said the number of people in the office building who might be able to use the central plaza, based on how space was allotted per individual, could be from 75 to 150 people. He said with both residential and office having connections to the plaza that there was potential for activation all day and into the evening. He said at night office occupants or residential occupants could use the space as a gathering place. He said he wanted to encourage the community to help them put some local art in this location to drive some culture and sense of place.

Commissioner Strehl said she was happy Menlo Park was moving forward with housing. She said with the combined 800 residential units of this project and Menlo Uptown that there would be severe traffic impacts. She said some investment was needed to keep the area from being totally deadlocked with traffic. Mr. Morcos said they would work with the City on how to mitigate some of the traffic impacts. He said what they were doing on their site design was to provide ample opportunity for bicycles and promote central storage areas to allow for grocery delivery making that service easy for the residential occupants to use.

Chair Barnes said he was not clear what the wrap of the garage would look like. Mr. Manus said its primary purpose was to screen the view of cars in the multi-family and office buildings day and

night. He said what was shown was one example of what they had reviewed, but there were a variety of ways to do that. He said the screening shown would go around the entire building. He said the color indicated was just what was used in the rendering, but it could be green screening or any number of opportunities. Chair Barnes said he would welcome seeing refinements to the proposed screening.

Chair Barnes said he thought income level was called out for the affordable housing under ConnectMenlo. Mr. Morcos said he understood the BMR requirement per code was that 15% of the units would be at low income affordability. He said they had heard there was interest in doing equal parts very low-, low- and moderate-income affordable housing. He said they were open to discussing that with the City and community, but he was unsure how deviation from the requirement was authorized.

Commissioner Tate said with a standard of AMI at 80% for affordable housing that developers were screening out rather than screening in as for example a credit ready person with an AMI of 60% would not have an opportunity for these residential units. She supported doing all income levels including an AMI of 120%. Mr. Morcos said they were happy to look at distribution across unit type, unit size, and throughout the project.

Commissioner DeCardy said he concurred with the last statement. He said regarding transportation issues that he appreciated the level of opportunity for bicycle use. He said bicycle storage location was important, so it looked and felt accessible. Mr. Manus said the access was from the street. Commissioner DeCardy said they also had to look at circulation. He said another piece was they had to look at a Transportation Demand Management program (TDM) to reduce trips by 20%, but they had the option to put a more aggressive TDM in place. Mr. Morcos showed a slide of existing bicycle trails and planned bicycle trails. He said he fully agreed that bicycle parking on site would be very helpful, but people would be most encouraged to bicycle to work if it felt safe. He said this area took that into account by eliminating street parking and having bicycle routes throughout.

Commissioner Tate said speaking as a former Housing Commissioner that it would be very impressive if the applicants, since they had two properties, would offer more than 15% affordable housing. She said it would be appreciated.

Commissioner Strehl supported the idea of offering more than 15% BMR units.

Summary of Commission Feedback

- Support in general for the building massing, siting, and land uses on the site.
- Concern with the design of the parking garage screening. Additional information requested on the type of screening and recommendation to look at additional screening options.
- Recommendation to do additional outreach and work with the surrounding neighborhood on the proposed community amenity.
- Recommendation to consider providing more than 15% of the units as BMR units and include a range in income levels (extremely low to moderate), sizes, and bedroom counts on the site.
- Concern with the usability of the central plaza which would be used as the publicly accessible open space. Consider ways that this space could be activated such as additional seating and live music.

- Consider how to create a sense of home at the pedestrian level. The residential building at the ground level should have some essence of residential units.
- Concern with the traffic impacts from the new office square footage and residential units.
- Consider a TDM plan that reduces the total trips for the development more than 20%.

Chair Barnes adjourned the Special Meeting at 7:18 p.m. for a brief recess.

7:00 P.M. Regular Meeting

Chair Barnes called the Regular Meeting to order at 7:27 p.m. He announced that item G1 was continued and would not be heard this evening. He reported that all Commissioners except Commissioner Kennedy were present at the dais.

E. Public Comment

• Lynne Bramlett, District 3, suggested the Planning Commission consider discussing a topic on establishing a task force for public benefit agreements. She said in researching she found that the City Council discussed public benefit in a 2015 study session, and she had attached the report and presentation of that discussion to her letter. She said through ConnectMenlo a resolution was adopted listing community amenities, but there was not a defined process for collectively looking at those. She said her letter also had a proposal with suggestions on organizing a task force to address the issue of public benefit.

F. Consent Calendar

F1. Approval of minutes from the June 24, 2019, Planning Commission meeting. (Attachment)

Commissioner Strehl noted on page 6 the minutes referred to a 15-foot wall but that should have been noted as a 13-foot wall. Commissioner Riggs said he had a suggested revision on page 4 that was at the dais for Commissioners to review.

ACTION: Motion and second (Riggs/Strehl) to approve the minutes with the following modifications; passes 4-0-2-1 with Commissioners DeCardy and Doran abstaining and Commissioner Kennedy absent.

- Page 4, penultimate paragraph, make the following change: City contracted with Recology and had applied rules for trash pickup for <u>buildings</u> on the Bohannon <u>Drive</u> project as it was located across the railroad tracks...
- Page 6, penultimate paragraph, change 15-foot wall to 13-foot wall.

G. Public Hearing

G1. Architectural Control, Variance, Sign Review and Below Market Rate (BMR) In-Lieu Fee Agreement/Sagar Patel/1704 El Camino Real:

Request for architectural control approval to demolish an existing hotel and construct a new 70-room hotel consisting of three stories with below grade parking in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The project would incorporate an eight-foot tall fence along the majority of the site perimeter. The project includes a variance request to permit reduced floor-to-floor height on the first floor. In addition, the applicant is requesting sign review, including

review of a shared monument sign located on 1706 El Camino Real, and approval of a Below Market Rate (BMR) In-Lieu Fee Agreement. The proposal also includes a request for a Public Benefit Bonus, with the benefit consisting of Transient Occupancy Tax (TOT) revenue. As part of the proposed project, five heritage trees are proposed for removal and 20 heritage tree replacements would be planted, in addition to six replacement trees that have already been planted, to provide a two-to-one replacement ratio for the five heritage trees proposed for removal and the eight heritage trees previously removed. *Continued by the Applicant*

H. Regular Business

H1. Review of Determination of Substantial Conformance/Brian Nguen/445 Oak Court:
Request for a substantial conformance memo for modifications to a previously approved use permit for a new two-story residence on a substandard lot. The modifications include changes to window styles. (Attachment)

Staff Comment: Senior Planner Kaitie Meador said staff had no additional comments.

Commissioner Strehl asked why the applicant had installed a different style of windows than the style approved for the use permit without getting review for approval from Planning Division staff.

Mr. Brian Nguen said his architect had specified aluminum wood clad windows with picture lights. He said in building the house his supplier suggested using fiber glass windows for a number of different advantages including durability and resistance to rot, thermal performance and competitive pricing. He said also the supplier recommended going to Milgard rather than Marvin because of the unmatched lifetime warranty of those products. He said that seemed reasonable to him and he removed the picture lights feature because it interfered with view. He said it was his first time building a house and he did not realize the use permit was so specific.

Commissioner Strehl confirmed with the applicant that this was his third conformance review and the project had had much neighborhood opposition to it. She said that suggested he should have been more sensitive to the fact that any changes required approval. She said the look of the approved home had changed.

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

Commission Comments: Commissioner Riggs said two changes had been made already to the project since the Commission had granted approval on a difficult application that was challenging for the neighborhood. He said neighbors were concerned with the bulk and appearance of the proposed home. He said he recalled with the Commission's use permit approval being impressed that the style of the home was well done and thorough. He said he had hopes that would make up for a quite visible home deep in the Willows. He said he thought the architecture had lost something with the change made to the entry and from an architect's perspective changing window types was a significant change. He said the windows were no longer reinforcing a major part of a style and the era and now were barely approximate to that. He said he would prefer the requested modification be brought back for a public hearing.

Commissioner Strehl said she concurred. She confirmed with staff that public noticing other than the agenda was not done for substantial conformation determinations.

ACTION: Motion and second (Barnes/Strehl) to find that the proposed changes are not in substantial conformance with the previous use permit approval and require a use permit revision; passes 5-1-1 with Commissioner DeCardy opposed and Commissioner Kennedy absent.

I. Study Session Part 2

I1. Study Session/HuHan Two LLC/201 El Camino Real & 612 Cambridge Avenue: Request for architectural control and environmental review for the demolition of an existing commercial building and multi-family residential building and the construction of a new threestory mixed use building with a below-ground parking lot. The building would consist of medical office, retail, and restaurant uses on the first floor and 12 residential units on the second and third floors in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The project also proposes two townhouses to be built in the property located in the R-3 (Apartment District) zoning district. A lot merger is proposed to combine the SP-ECR/D lots and abandon a portion of Alto Lane and a major subdivision to create residential condominium units, along with a Below Market Rate (BMR) housing agreement for compliance with the City's below market rate housing program. The proposal also includes a request for a Public Benefit Bonus, with the benefit consisting of rounding up a fractional BMR unit requirement to incorporate two onsite BMR units into the project. As part of the project, the applicant proposes to remove three heritage sized coast redwood trees. (Staff Report #19-049-PC)

Staff Comment: Associate Planner Matthew Pruter said the applicant's team provided written response to many of the comments received earlier in the year. He said all comments were included in the staff report as Attachment F, but the applicant's response letter had not been. He said the letter was forwarded to Commissioners earlier today and that hard copies were provided at the dais for the Commissioners, and at the back of the Council Chambers for the public. He referred to page 2 of the staff report where it indicated an existing 6,000 square foot commercial building on 201 El Camino Real with a restaurant unit, a services unit and two vacant units. He said there were actually four existing active units on site and the two vacant units. He said the active units were a restaurant, personal services, personal improvement and office. He said the applicant indicated the two vacant units were approximately 1400 square feet. He said an additional piece of correspondence was received that day expressing concern regarding parking, traffic, lighting, privacy, energy and sustainability similar to comments made by others and that were included in Attachment F. He said hard copies of that correspondence was at the dais and in the back of the Chambers for the public.

Applicant Presentation: Ms. Yihan Hu said her parents owned the property but were unable to attend this evening. She said the architect team would make a presentation and their land use attorney was also present.

Mark Wommach, EID Architects, referred to the eclectic character of the project's general site area that included commercial, retail, office and multifamily buildings. He said the neighboring Allied Arts area however had a very specific character. He said in outreach meetings they heard from the community members that they wanted a project that was open, inviting and would encourage pedestrian traffic onto the site. He said they wanted retail businesses that would serve the Allied Arts neighborhood instead of focusing more on the El Camino Real project aspects. He made a visual presentation on the architectural elements proposed for the project. He said the design would have one vehicular access point and no onsite parking. He said they were creating pedestrian circulation through the project. He described how the scale of the

residential units was minimized toward the closest Allied Arts residences. He said they received requests for different landscaping from neighbors, which they were open to.

Chair Barnes opened for public comment.

Public Comment:

- Andy Russell, 628 Cambridge Avenue, thanked the applicant team for their willingness to meet and noted he had submitted a longer comment letter earlier that day. He said in addition he wanted to raise some suggestions he and his two adjacent neighbors had, noting they were the residences closest to the project site. He said the plan indicated that parking was only accessible via Cambridge Avenue, but traffic backup and delay at that intersection was already bad. He asked the City to look at ways to mitigate traffic coming into that intersection. He said also they hoped for mitigation for overflow parking for the proposed restaurant use, noting parking problems from the previous restaurant use at the site. He said Cambridge Avenue did not have sidewalks. He asked if the City could reduce street parking and put in a pedestrian lane. He said regarding privacy they would appreciate the introduction of more trees between the existing residences and the proposed townhouses. He said an environmental concern was the proposed use of natural gas by the project rather than electricity. He said that change might increase the project from LEED Gold to LEED Platinum.
- Peter Edmonds, District 3, said he was interested in the preservation of heritage trees in Menlo Park, particularly Coast redwoods. He said in general it appeared the project would favorably enhance Menlo Park. He said his concern was the lack of justification for the removal of four Coast redwoods. He said a modification to the building entry would allow for preservation of Heritage tree #1, which was a healthy Coast redwood. He said tree #8 when measured in February was 14.8 inches in diameter. He said it should be measured again as the process continued to determine if its growth would protect it as a heritage tree. He said trees #6 and 8 should be preserved.
- Peter Colby said he was concerned about bicycle traffic that currently used Alto Lane to get from El Camino Real and safely onto Partridge Avenue, where he lived. He said the project proposed that the oak tree in the parking lot between the former Oasis and the project site be preserved, but he did not think the construction method would protect that tree and referred to instances of heritage oak trees being relocated for protection.
- Martin Bernstein asked if the Chair could find out from the applicant what the estimated project schedule was.

Commission Comment: Commissioner Riggs confirmed with staff that the oak tree mentioned by the speaker was Tree #9. He said he had noted the difficulty of losing Alto Lane as it was a west side of El Camino Real alternative bicycle route. Replying to Commissioner Riggs, Planner Pruter said Alto Lane was not identified as a bicycle facility in the Specific Plan.

Replying to Commissioner DeCardy regarding Alto Lane going through to Partridge Lane, Planner Pruter said currently Alto Lane did not go all the way through and was a dead end of sorts. Planner Perata said that Alto Lane was a public right of way approximately the length of the project parcel that then dead ended into the private parking lot of the former Oasis property and the back of another Partridge Avenue parcel.

Replying to Commissioner DeCardy, Planner Pruter said as discussed in the other study session, the BMR income level could potentially be configured differently than as proposed within the total average income designation.

Commissioner DeCardy said if a restaurant was one of the uses, he wanted to know whether its location had been considered away from the residential neighborhood noting the comments from a speaker regarding noise and pedestrian traffic from the former Oasis restaurant. He said he also wanted to hear about natural gas use and another speaker's encouragement to use electricity.

Chair Barnes asked the applicant to address the concern about impacts to Heritage tree #9, an oak tree, during construction. Mr. Wommach said currently there was no intent to remove the tree. He said the project arborist had identified protection measures for everything below the dripline of the tree. He said the dripline did extend slightly over the property line on the southeast side of the property, but the arborist had identified that encroachment would not endanger the tree. He said all of the excavation would occur within the property including the driving of the piles for the shoring with no planned access offsite onto the adjacent property for the construction. He said regarding the redwood tree in the front they turned the foundation inward near the ramp as it approached the tree to try to minimize impact on the redwood tree's root structure. He said they had no intent to do any construction near the oak tree.

Replying to Chair Barnes, Mr. Wommach said once permits were secured and financing was in place that a project like this could easily take two years to complete. Chair Barnes said for the record that if there was a project approval from demolition site preparation all the way through to occupancy ready that they were anticipating 24 months for construction.

Commissioner Strehl said for disclosure that she had met with the applicant. She said she liked the project and that it, best as it could, transitioned into a residential neighborhood. She said they did a respectful job of trying to minimize bulk and volume. She said she liked how the project transitioned to the townhomes and having those closest to the adjacent residential area. She said also it complied with the Specific Plan.

Commissioner Riggs said he also met with the applicant group the past week. He said overall, he saw a lot of promise in the project including that it was anticipated to be new net zero. He said very nice materials were being proposed and the parking was well hidden. He encouraged that the residential stairs be attractive to encourage use. He said his only issue was the aesthetics particularly the major corner portion of the property. He said the rear of the property and the two townhomes was quite successful architecturally. He said his issue was the main portion of the building, and he thought what did not seem right was that the two tops of the building were fighting with each other somewhat. He said the goal was to have a three-story building with a two-story appearance and that was the challenge. He said the project had so much potential that he was looking forward to seeing it at its next iteration.

Replying to Commissioner Riggs regarding separators on the outside of windows, Mr. Wommach said the most common solution to avoid the light line that showed the false applique of mullions on window exteriors was to use insulation bars in between the outer grid. He said often in high quality windows insulation bars were used on the inner windows too. He said the windows in this project would incorporate that style of insulating bar in between the mullions.

Replying to Commissioner Riggs about the staff report comment about minimum projections needed for façade variance under the Specific Plan, Planner Pruter said staff would need to make a determination on that and would work with the applicant and devise a solution that worked per the requirement. He said it had not been clearly articulated in the plan set yet, which was why the comment was included in the staff report.

Chair Barnes replied to the considerations asked of the Commission by staff. He said the overall approach and density of the project were fine. He said he needed to think more about the proposed abandonment of the public access easement of Alto Lane. He said he was fine with the commercial land use breakdown. He said he would pass for now on the value of the public benefit provided as the process of determining public benefit was not clear. He said regarding the architectural design and the materials that he was considering durability, thoughtfulness, and contextual and creative aspects. He said he found the proposed design comported with the prescriptiveness of the Specific Plan. He said he would not deny the proposed architecture from an architectural review standpoint but creatively he felt disappointed. He said he would like somewhat of a modern take on the proposed classic design.

Commissioner Doran said overall, he liked the proposed project and found it appropriate for the location. He seconded the thought that the townhouses were an appropriate transition into the adjacent residential neighborhood. He noted that Commissioner Riggs had commented that something seemed wrong and thought it might be a problem with the two tops of the building. He said he also thought that. He said it seemed much less pronounced on the Cambridge Avenue side with the lower top and the longer façade. He said however that the top seemed squashed on the El Camino Real side as it was a fairly narrow parcel from that side and seemed a problem there. He said the El Camino Real side needed a better solution. He mentioned that he had met with a representative of the developers.

Commissioner DeCardy said regarding the public benefit and BMR housing that for other projects the public benefit was greater than what was proposed with this one. He said this one had a 1.4 BMR requirement. He suggested consideration of 3.0 BMR requirement.

Summary of Commission Feedback

- Support in general for the design style of the mixed-use building but some concerns about the timelessness of the architectural design.
- General support for overall project design/site layout and support for the transition from mixeduse building to residential neighborhood through the townhomes at the western edge of the site.
- Recommendation to consider adding a third Below Market Rate (BMR) housing unit; possibly as part of the public benefit for the project.
- Recommendation to look into relocating the restaurant space to another location, possibly closer to El Camino Real, or revising the restaurant entry points.
- Suggestion to make the staircase more visually appealing for occupant use.
- Recommendation to enhance the articulation between the second and third floors of the mixeduse building, particularly vis-à-vis the rooflines, to offer a more significant transition between the two floors.
- Suggestion to explore some design modifications on the roof forms (please see previous comment).

- Avoidance of faux mullions, and recommendation to provide simulated true divided light windows.
- I2. Study Session/Ernest Lee/Facebook West Campus Hotel:

Request for a conditional development permit amendment to increase the number of hotel rooms associated with the previously approved hotel land use. The proposed approximately 90,868 square foot, five-story hotel with a surface parking lot would consist of 240 hotel rooms, a restaurant, and hotel amenities. The modifications to the conditional development permit include a request to increase the approved number of hotel rooms from 200 to 240 rooms and decrease the number of onsite parking spaces from 245 to 120 parking spaces. The proposed conditional development permit amendment would also incorporate the architectural review of the design of the hotel. The project would also include environmental review to analyze the proposed hotel for consistency with the Facebook Campus Expansion Project Environmental Impact Report (EIR). (Staff Report #19-050-PC)

Staff Comment: Senior Planner Meador said staff had no comments.

Applicant Presentation: Ernest Lee, CitizenM development team, described the company's vision, hotel product, and employment ethos.

Nils Sanderson, CitizenM development team, described the proposed amendment to the conditional development permit (CDP). He said programs included in the hotel and restaurant would be ample open space and higher transient occupancy tax (TOT) than originally projected. He said the restaurant would have a spacious lobby and bar, canteen and meeting rooms. He described the layout, access and circulation. He noted the use of modules for construction. He said they were working with HD Harvey on bird safe glass. He said they would achieve LEED Gold, but their aspiration was LEED Platinum. He said with the proposed changes, the project was below the CDP required parking and they were working with Fehr & Peers Transportation Consultants to identify actual parking demand for the project. He said to meet the peak parking load they were working with Facebook to develop a shared parking agreement. He said one aspect of that was to encourage hotel and restaurant employees to park in the Facebook parking structure to the east of the project site and the other aspect was to provide valet parking at peak times. He noted the landscaping attention to connecting interior space to exterior space. He said they were working with In Situ Landscape Architects.

Replying to Commissioner Doran, Ben McGee, project manager for CitizenM, said he was currently working on the Los Angeles hotel mentioned. He said over the past year and a half the processes for permitting by state and local jurisdictions were now better defined. He said generally the metric modular construction was a unique setup where the state and local jurisdictions split the review duties. He said local jurisdiction would inspect everything that was site-built and for this project that was everything below the guest rooms. He said the guest rooms would be reviewed from a drawing and permitting viewpoint, and construction inspections by the state.

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

Commission Comment: Chair Barnes asked to see the slides of other hotel projects and to identify those that were modular construction. Mr. Lee did so. Chair Barnes asked him to expand on the proposed architecture and the location. Mr. Lee said from a contextual compatibility

standpoint that this specific location on Bayfront and Chilco fitted within the modern architecture that was either under construction or soon to be developed. He said there was compatibility in terms of programs and the actual density of the project. He said with the actual traffic usage that came from employers in this area that the project would be able to self-contain the travel-related traffic and the travel-related trends that happened in this part of Menlo Park.

Chair Barnes said it appeared like an airport lobby and he was not sure if the design would be durable. He asked for more information on how a parking arrangement would work. Mr. Lee said given the PG&E easement and the site size it would have been very difficult to accommodate the required parking spaces onsite. He said the vast majority of their guests did not rely on traditional transportation modes. He said they believed the majority of their guests would be affiliated with the employers in the area and would rely on walking or using bicycles to get to their meetings. He said they benefitted from the office and hotel operating on different cycles, and hotel guests would park their vehicles in the nearby parking garage. He said their onsite parking priority was the quick in and out of consumers for the restaurant and bar. Chair Barnes noted the trip cap. He said he liked the idea of utilizing existing infrastructure and time of day to solve parking rather than building a parking garage.

Mr. Sanderson said Chair Barnes' comment regarding the durability of the architectural design was well taken. He said in this architectural design there were some strong echoes of classic California modernism noting that the elevation of the building on columns, the use of the grid, and selective use of color were conscious references to that.

Replying to Chair Barnes, Planner Meador said one of the items for the Commission's consideration and feedback was how exterior art would be permitted. She said as part of project approval there would be a known artwork component to it, but staff suggested the actual artwork could be approved through the building permit process as the applicants continued to work with local artists to refine the exact location of the artwork. She said alternatively it could be reviewed similar to a conformance memo such that once the artwork was determined it could return to the Planning Commission for review.

Case Creal, Gensler Architects, said his firm was working on a project in the Pioneer Square Preservation District, Seattle, Washington, with a similar question of what art was and how did they get it approved. He said that approving body had a particular concern that it was not signage, but there was no permitting process for art. He said separately CitizenM put together a panel, whose members were presented to that Board for approval. He said that panel was independent with a connection to CitizenM and were facilitating the process. He said it was local gallerists, artists, and neighbors who were providing expertise and guidance to that Board and providing guidance while allowing an artist to create art.

Chair Barnes said he liked the idea, but the process was unclear. Mr. Creal said there was an initial way the building and artwork were considered together by the referenced Preservation District Board to the point where the Board felt the building was working with a placeholder for art. He said they approved the building without knowing what the artwork would be. Replying further to Chair Barnes, Mr. Creal said in some CitizenM projects that artwork had been replaced on a seven-year basis and in others that the approving jurisdiction wanted the artwork permanent.

Replying to Chair Barnes regarding the request for 40 additional rooms, Mr. Lee said their business model was different from an investment standpoint. He said they invested heavily into the buildings but did not charge a lot of money for their use. He said it was not the best kind of investment when looked at from that scale. He said here they would be investing in a number of amenities like open space, landscaping and a restaurant and the bar design that their urban hotels did not typically have. He said through research they found that the employers in this area were generating 400 to 450 rooms up and down the Bay Area peninsula on a daily basis. He said that was a great deal of hotel consumption happening in other cities that they thought they could self-contain. He said also it was an appropriate amount of scale without being an egregious request that accommodated both their project feasibility sensitivities and the needs and the usage of this hotel in Menlo Park.

Replying to Chair Barnes, Mr. Sanderson said the windows were clear glass. He said they provided two levels of privacy within the room with a sheer blind for daytime privacy and a blackout blind for nighttime privacy. He said a technological feature of the room was that the room was able to track status as to whether someone was checked-in, whether the room was empty for the day, or checked in but no one was in the room with the blinds corresponding accordingly to mitigate energy consumption and solar impact.

Commissioner DeCardy said in general on the questions in the staff report that he thought the room increase was fine and the parking seemed creative. He said he liked the architectural design and materials and those worked with the Facebook area. He referred to energy use and the reference to LEED Platinum and asked if they were using all electricity. Mr. Creal said there was natural gas for boilers and cooking, but they were using a very efficient series of units that brought energy consumption down very low.

Commissioner DeCardy asked about the development cap of 400 hotel rooms and what that meant for the 40 additional rooms. Planner Perata said the ConnectMenlo General Plan had a development cap of 400 hotel rooms. He said it was essentially first-come, first-serve. He said with projects on file there was more than 400 hotel rooms, which had been discussed at the City Council level. He said it was likely that one project would have to reduce the number of hotel rooms or apply for a General Plan amendment if they wanted to increase the cap for that. He said this project potentially might be one of the first to go through the process so the 40 rooms would likely be within the hotel room cap of 400.

Commissioner DeCardy said the arts component was welcome. He said whether artwork might be finalized through Planning Division staff review that he thought there had to be public engagement. He said having a lot of people signing off on an artwork was a recipe for a terrible piece of art but on the other hand some guidelines were desirable. He said this space would be highly visible for people coming into the community and for people going by it, and it would say something about Menlo Park. He said as they moved that aspect forward, he would encourage them to think about the history of what had come before in that space. He suggested that the art not simply reinforce the hip, new, avant-garde Facebook sensibility but be relevant to everyone with some interplay with what had been there before. He said he hoped they could find a way to do art at the location. He said in general the way they had looked at art in other places made sense.

Commissioner Strehl said regarding the artwork they would want to get input, but not necessarily decision making. from the local community. She said although they were requesting to add 40 rooms the size of the building had been reduced by approximately half, which was significant.

Commissioner Riggs said he met with the applicant last week. He said regarding the suggestion of shared parking with Facebook that he had found their parking to be always full. He said it was not at all evident to him that the parking garage in the West Campus expansion project would have spare parking. He said to reduce the parking on the project from 240 to 120 spaces the Planning Commission would need to know that only 120 spaces were needed. He said right now he expected all the anticipated hotel guests were Facebook-related persons and he understood many of those housed in hotels currently were job applicants. He said if that particular group need decreased and the hotel was used more for meetings that he suspected persons coming in for several days would want to rent a car and visit scenic places. He said the architecture was refreshing and went with the Frank Gehry buildings. He said he was interested in how they would handle the podium level from a curiosity standpoint. He said he would like to see a render of the entry. He said at this point the entry looked pretty well refined from the progression of how a vehicle approached and how the rooms overhung an area that had particular openness, some depth and some invitation. He noted the new building with a lot of glass faced southwest and asked beyond blackout blinds and just meeting Title 24 what their considerations were to address solar impact.

Mr. Sanderson said they would have to meet Title 24 and in doing their energy modeling it would be clear glass. He said however that what was put into the glass to make it bird safe would have the potential to increase the energy performance of the glazing specification.

Commissioner Doran said the City had regulations regarding modulations. He said the center block seemed particularly long and he did not see any modulation there. Planner Meador said there were no modulation requirements for this property. She said its development regulations were governed by the CDP for Facebook. She said it had height and setback requirements but no modulations requirement.

Commissioner Doran said he liked the modular construction and it had many advantages. He said one downside of it though was the strong grid. He said he heard the grid was part of a modern architectural aesthetic, but he found it blocky, boxy and unappealing. He said it was less offensive to him when it was on a high rise. He said he was not sure if they could do anything about that.

Mr. Sanderson said they embraced the clarity and honesty of the modular expression. He said one box was one room, it was how it was occupied and how it was fabricated. He said in terms of building modulation that was not really expressed at midscale of the module. He said it happened at the extreme scales so with the very large scale of the building, the modulation of the building mass and at the very personal and private scale of the individual user. He said there was a variation, but it was a much finer level of granularity. He said the strong abstract grid was very much activated by the people that inhabited it.

Commissioner Doran said he really liked what they had done with the kinks in the building and that helped break up what would have been a really long façade. He said he thought the middle module was really long and wondered if they could do anything with that, perhaps set back half of it.

Mr. Creal said on the Bayfront side there was a series of setbacks starting with the landscaping in the parking area. He said the lower volumes of the restaurant and meeting areas would help give more definition to that center zone. He said on the south side in particular the landscaping with the large specimen tree would help to change the scale there in interesting and important ways.

Commissioner Doran said for the record that he had met with the applicant last week and expressed his feelings then about the architecture.

Commissioner Tate said she also met with the applicant this week. She said she liked the project and that it fit within the area, noting Facebook. She said it was too bad the project had been approved before ConnectMenlo was but was glad they were seeing it again. She said regarding art that the community would definitely need to be involved with that, particularly the direct community that would be passing it more frequently. She said regarding building out the hotel staff she hoped there was priority hiring from the area.

Replying to Chair Barnes, Planner Perata said the Facebook West Campus Expansion Development Agreement applied to the entire site but components of it applied specifically to the hotel such as the TOT basis point increase of 1% more than the standard across the City. He said also the TOT guarantee of \$1.25 million annually had a commencement date when TE vacated the site.

Chair Barnes said the exterior from the Constitution Drive view seemed to be panelized and in looking through the architectural plans that most of them showed a smooth façade. He asked if the panels would be texturized. Mr. Sanderson said they were looking at a further development of the materials that had been submitted. He said their intent was they would be panelized on the smooth facades, which would continue to break down and add more scale to the large expanses. Replying further to Chair Barnes, Mr. Sanderson said the finish was yet to be determined but given the kind of range of materials and the glossiness of the glass that there would be a counterpoint to something that would add more of a satiny luster.

Chair Barnes asked if the hotel would piggyback on the water recycling facilities that Facebook used in their office buildings. Fergus O'Shea, Facebook, said the equipment designed for the wastewater treatment at Buildings 21 and 22 was sized only for the amount of volume of wastewater from those buildings.

Commissioner Strehl said she had also met with the applicants and their representatives.

Summary of Commission Feedback

- Support in general for a modular building design but some concerns with the implementation of this specific modular design.
- Recommendations by some Commissioners to make the modules less obvious.
- Some Commissioners commented on the design of the building being compatible with the Facebook office buildings on-site.
- Support of the shared parking between the hotel and the Facebook parking garage but concern with the availability of parking in that garage.

- Support of the large-scale exterior artwork and recommendation to do additional outreach and work with the surrounding community on the type of artwork chosen for the building.
- Concerns with the proposed type of window screening. Consider exploring additional screening or sun shading options.
- Recommendation to prioritize hiring staff from the local community.

J. Informational Items

- J1. Future Planning Commission Meeting Schedule
 - Regular Meeting: July 29, 2019

Planner Perata said that he would not be at the July 29 meeting. He said Thomas Rogers would be the staff liaison. He said he probably would not be at the August 12 meeting and that Deanna Chow would be staff liaison if he was not.

Planner Perata said the July 29 meeting agenda would have a couple of single-family development projects, review of 115 El Camino Real architectural control and major subdivision with redevelopment of the hotel site there with multi-family and small commercial space. He said there would be an annual review of the 1300 El Camino Real project development agreement.

• Regular Meeting: August 12, 2019

Planner Perata said tentatively for this agenda they expected a number of single-family projects and possibly a report on the Heritage Tree Ordinance update.

• Regular Meeting: August 26, 2019

K. Adjournment

Chair Barnes adjourned the meeting at 10:14 p.m.

Staff Liaison: Kyle Perata, Principal Planner

Recording Secretary: Brenda Bennett

Planning Commission



REGULAR MEETING MINUTES - DRAFT

Date: 7/29/2019
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

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

B. Roll Call

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

Absent: Katherine Strehl

Staff: Ori Paz, Associate Planner; Thomas Rogers, Principal Planner; Corinna Sandmeier, Senior Planner; Chris Turner, Assistant Planner

C. Reports and Announcements

Principal Planner Thomas Rogers said staff had no reports or announcements.

D. Public Comment

None

E. Consent Calendar

None

F. Public Hearing

F1. Use Permit Revision/Lucas Correa/828 Hamilton Avenue:

Request for a use permit revision to modify the previously approved design of a new two-story residence in the R-1-U (Single Family Urban Residential) zoning district. The proposed modification includes changing the exterior materials from redwood siding to stucco on a portion of the structure. (Staff Report #19-051-PC)

Staff Comment: Senior Planner Corinna Sandmeier said she had no updates to the written staff report.

Questions of Staff: Replying to Commissioner Michael Doran, Planner Sandmeier said the applicant was requesting to increase the curb cut from 10 feet to 18.5 feet, which would also increase the driveway width behind it.

Applicant Presentation: Lucas Correa, applicant, said he had nothing to add to the written report.

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

Commission Comment: Commissioner Doran noted that the applicant had followed the process to request a change to a previously approved use permit. He said he could support the request.

Commissioner Michele Tate said she lived in the neighborhood and parking was a problem with all the commercial spaces. She said expanding the width of the project driveway would further impede parking in the area.

Commissioner Henry Riggs expressed concern with the applicant's request to change the exterior siding from redwood to stucco. He said the siding had been a significant reason why the house fit within the one-story mixture of buildings in the area. He said the approved siding broke down the scale and added architectural interest. He said he would regret the loss of the approved siding. He asked the Commission to consider if they would have approved the project if the proposed material had been only stucco.

Replying to Chair Barnes, Planner Sandmeier said a driveway width of 18.5 feet was narrower than many driveways, which were 20 feet wide for two cars. She said they reviewed the request for the increased curb cut width with the Transportation Division, and they did not have an issue with it.

Commissioner Tate said it was not consistent with the neighborhood to have a driveway that wide.

Commissioner Riggs confirmed with staff that the applicant had wanted to keep a second driveway from Carlton Avenue but that had not been approved.

ACTION: Motion and second (Doran/Camille Kennedy) to approve the item as recommended in the staff report; passes 4-2-1 with Commissioners Riggs and Tate opposing and Commissioner 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. 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 revision subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Yeung Architecture and Design, consisting of 17 plan sheets, stamped received on July 17, 2019, and approved by the Planning Commission on July 29, 2019, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.

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

F2. Use Permit/Samir Mehta/327 Hedge Road:

Request for a use permit to demolish most of the existing single-story, single-family residence (with the exception of a portion of the garage) and construct first- and second-story additions on a substandard lot with regard to minimum lot width and area in the in the R-1-U (Single Family Urban Residential) zoning district. The project would exceed 50 percent of the existing floor area and is considered equivalent to a new structure. The proposal includes a request to remove a heritage-size multi-trunk olive tree (tree #4) in poor health and condition. (Staff Report #19-052-PC)

Staff Comment: Associate Planner Ori Paz said the name of the applicant on the staff report was incorrect but was correct in the recommended actions. He said the applicant was Samir Mehta and not Frances Wong.

Applicant Presentation: Fatima Saqib, project representative, said the project was 99% a new home. She said they were keeping one wall of the existing garage because of a large redwood tree. She said it was not viable to remove the foundation there and protect the tree's roots. She said they also wanted to keep the driveway in its existing location due to three heritage trees in the front lawn of the property. She said the style was modern farmhouse with vertical siding on the first floor and horizontal siding on the second floor. She said they maintained gables to blend in with the neighboring homes. She said the second story was set back quite a bit from the front of the house and the two larger heritage trees offered considerable green screening to the sides. She said that Flood Park was adjacent to the rear of this property, and a large heritage tree blocked any view of

the house from Flood Park. She said they reached out to neighbors and they had been supportive of the proposed project. She said they discussed window placements and tried to maintain privacy on both sides.

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

Commission Comment: Chair Barnes said he thought the project was very well done and worked well in the neighborhood. He said the design style was something seen fairly frequently in Menlo Park now and it worked. He said the project conformed to the development standards. He moved to approve. Commissioner Kennedy seconded the motion.

Commissioner Riggs said he agreed in many ways with the project noting the floor plans were nicely laid out. He said however it looked like a one-story building to which a second story was added. He said he did not see much relationship between the two stories in terms of forms and would like to see more cohesive massing. He said the roof was complicated to sit on what was meant to be a simple form. He said aesthetically the project would benefit from a second look.

ACTION: Motion and second (Barnes/Kennedy) to approve the item as recommended in the staff report; passes 5-1-1 with Commissioner Riggs opposing and Commissioner 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. 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 Fatima Saqib Residential Design, consisting of 13 plan sheets, dated received July 24, 2019 and approved by the Planning Commission on July 29, 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 Advanced Tree Care dated July 17, 2019.

F3. Use Permit/Mingshuai Gu/1036 Oakland Avenue:

Request for a use permit to partially demolish, remodel, and add first- and second-story additions to a single-family residence that would exceed 50 percent of the replacement value of the existing nonconforming structure in a 12-month period. The proposal would also exceed 50 percent of the existing floor area and is considered equivalent to a new structure. The subject parcel is a substandard lot in the R-1-U (Single-Family Urban) zoning district. (Staff Report #19-053-PC)

Staff Comment: Assistant Planner Chris Turner said staff had no additions to the written report.

Questions of Staff: Commissioner Doran asked about the nonconforming parking. Planner Turner said minimum parking requirements for a house were one covered and one uncovered parking space. He said that parking areas within the required front setback did not count towards that parking requirement. He said the regulations stated that parking had to be located outside front and side setbacks. He said technically this parcel had only one covered parking space. He said although they could park in their driveway that was not counted as a conforming parking space.

Applicant Presentation: Mingshuai Gu, property owner, said they were trying to remodel and expand their living space. He said he and his wife had lived at the home for three years. He said the property had not been properly maintained by the previous owner, so they were trying to improve it. He said the proposal matched the existing style of the neighborhood and their neighbors were supportive of the project.

Commissioner Riggs said the project had a rather tall second story with full sized windows and no apparent significant vegetation on the left side. He said those neighbors would not have privacy once the new home was occupied. He asked if they had talked with that neighbor or had any plans for landscaping to mitigate privacy impacts.

The applicant's wife, Tian, said there were trees in the left side neighbor's backyard that she

thought provided screening. Commissioner Riggs said the plan had five, five-foot tall windows on the left side second story, and assurance was needed that there was landscape screening or that the windows did not view into the neighboring house or yard.

Chair Barnes said the proposal had a considerable number of windows in sensitive areas, and asked staff to address. Planner Turner said on the plans they usually asked for trees and shrubbery to be shown but they were not here. He said there currently was a tall shrub along the rear of the left side fence. He said looking at Google Earth it looked fairly substantial in height and would provide a decent amount of screening for the rear yard. He provided some photos of the greenery from the historical evaluation.

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

Commission Comment: Commissioner Kennedy said there were a lot of windows on the proposed house. She noted the existing home did not have divided light windows and the windows being used on both stories of the new home would detract from the consistency of the homes at the project site and 1038 Oakland Avenue.

Commissioner Riggs said he could not really tell if the tree shown in the photo would provide screening. He said it would be helpful to see on the proposed site plan or area plan any trees to screen the backyard and residence at 1038 Oakland Avenue. He said if trees were not there, trees could be planted. He referred to Commissioner Kennedy's comment about the windows. He said the windows on the second floor were noticeable because the second floor seemed larger than the first floor, which was unusual. He moved to continue the project for clarification of the left side privacy. He said he would like a plan. He said if there was planting of good height that could be shown on Sheet A1.3 or Sheet A1.1, and a photograph from the existing project building's roof would show a lot. He said if there was not sufficient landscape screening that a response to the privacy issue would need to be made.

Chair Barnes asked how that would be reviewed and approved and suggested perhaps through a memo process. Commissioner Riggs said the project would be hastened if they went with the memo process although a follow up hearing with the Commission was possible.

Chair Barnes asked staff if they had enough information regarding the motion. Planner Turner said the motion then would be to approve the project with a condition that the applicant would indicate landscape screening on the plans and/or a narrative demonstrating alleviation of privacy concerns, which would come back to the Commission as a condition review memo. Commissioner Riggs agreed with staff's characterization of his motion. Chair Barnes seconded the motion with a requested modification to see a plan and not a narrative. Commissioner Riggs said the narrative referred to the Commission's toolbox of ways to address windows and privacy such as obscure glass and raising windowsill heights. Chair Barnes withdrew his request to modify the motion.

Planner Turner asked if the Commission was suggesting possible building change such as windowsill heights, obscure glass or something else as long as it helped with privacy issue as well as the planting plan. Commissioner Riggs said in terms of architectural control he would like the project to be continued to address the top-heavy architectural style, but he did not sense support for that. He said he would like to focus on just the privacy issue and that would be through review and approval of a condition memo.

Chair Barnes said as the maker of the second he was not entirely clear on the neighborhood outreach the applicants had done to the extent that the neighbor understood the impact of the second floor and windows. He said having information come back on the landscaping would help.

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 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
- 2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
- 3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by T Square Consulting Group, Inc., consisting of 15 plan sheets, dated received July 3, 2019, and approved by the Planning Commission on July 29, 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 applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.

g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance

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

a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised site plan and area plan, along with supporting evidence for review by the Planning Division, to determine if existing landscaping sufficiently addresses privacy concerns on the left side of the structure. If no such determination can be made, the applicant shall submit a landscape plan proposing additional screening, or revised elevations showing modifications to windows on the left side of the structure which serve to address privacy concerns, or some combination of these approaches. The existing landscaping summary and any revised plans and elevations shall be preliminarily approved by the Planning Division and circulated via email to the Planning Commission through a condition review email. Any project revisions shall be fully approved prior to issuance of the building permit.

F4. Use Permit/Frances Wong/323 Haight Street:

Request for a use permit to construct a new detached secondary dwelling unit with aesthetic characteristics different from the main residence in the R-1-U (Single Family Urban Residential) zoning district. (Staff Report #19-054-PC)

Staff Comment: Planner Turner said staff had no updates to the written report.

Applicant Presentation: Frances Wong, property owner, said she was requesting to have a secondary dwelling unit permitted to replace what was an existing shed. She said the unit was prefabricated and almost the same footprint as the shed. She said the current shed was about two to three feet away from the neighbor's fence. She said the new unit would be at the five-foot setback. She said both the neighbors on that side had signed a notarized notice that they knew about the unit being five feet away from the property line.

Commissioner Chris DeCardy asked if there had been prefabricated options that would have looked more like the main residence. He asked if the unit would use gas and electric or just electric and what kind of performance it would have with its energy use. Ms. Wong said she could have done a custom unit, but it would have cost 30 to 40% more and required more time to build. She said the unit was prebuilt and other than the preparation work it would only take three to four weeks to install. She said regarding energy efficiency the unit would be electric, but she did not know the details.

Commissioner Doran said the secondary dwelling units were to be full living units with cooking facilities. He said the 165 square foot unit was very small and asked what cooking facilities it had. Ms. Wong said the unit would have a cooktop and although small would be functional.

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

Commission Comment: Commissioner Tate said she liked the project noting more secondary dwelling units were needed in the City. She said it was wonderful it was prefabricated and easily

installed.

Chair Barnes confirmed with staff that a use permit was needed because of the aesthetic difference between the unit and the main residence. He asked about the secondary dwelling unit and its encroachment into the setback and how a notarized letter from neighbors cured that. Planner Turner said the secondary dwelling unit development regulations required that the side setbacks be equal to the zoning district of the parcel. He said the side setback for this lot was five feet. He said there was a stipulation in the code that usually the setback would be 10 feet from the rear property line unless a notarized letter was obtained from the affected neighboring property owners stating that it was acceptable to reduce the setback to five feet. He said the state wanted more secondary dwelling units constructed and the ability to reduce the rear setback to five feet supported building the units.

Commissioner Kennedy said she liked this project and it was exactly what Menlo Park needed. She said she loved that this unit was quickly installed and cost-effective. She moved to approve the project. Commissioner DeCardy seconded the motion.

Commissioner Doran said the architecture was completely different between the two residences, but housing units were needed. He said the modular construction carried some limitations and also had many advantages for a project like this in reducing disruption to the neighborhood. He said another thing in favor of the proposal was its small size. He said he supported the project as well.

Commissioner Riggs said as noted by Commissioner Doran that code was written to address aesthetic consistency but there was an overriding issue of needing small units. He said as part of the record this unit appeared to be completely hidden in the back. He said if this proposed unit was in any way visible from an adjacent building that would have been different. He said he supported the project.

Replying to Commissioner Riggs, Ms. Wong said she chose the small size as she did not want to crowd the yard as the yard was pretty well laid out. She said this unit was literally a replacement of the shed. She said from the convenience standpoint and east of installation everything was right there. She said a larger unit would have cost more, required more construction and re-landscaping.

Chair Barnes noted that the existing aesthetic of a main home for secondary dwelling unit applications was not always the most desirable noting ranch style homes from the 1950s. He said he supported the project.

ACTION: Motion and second (Kennedy/DeCardy) to approve the item as recommended in the staff report; passes 6-0-1 with Commissioner Strehl absent.

- 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 kitHAUS, consisting of 8 plan sheets, dated received July 17, 2019, and approved by the Planning Commission on July 29, 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. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
- 4. Approve the use permit subject to the following *project specific* condition:
 - a. Prior to building permit issuance, the applicant shall submit documentation of compliance with the mitigation monitoring and reporting program (MMRP) established through Resolution No. 6149 associated with the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment prepared for the Housing Element adopted on May 21, 2013, subject to Planning Division review and approval.

Chair Barnes noted that Commissioner Kennedy would need to recuse from consideration of item F5 due to a potential conflict of interest.

F5. Architectural Control and Major Subdivision/Ranjeet Pancholy/115 El Camino Real: Request for architectural control and a major subdivision to demolish an existing two-story hotel and construct a new mixed-use development consisting of two commercial condominiums on the first floor and four residential condominiums on the second and third floors in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. 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 #19-055-PC)

Staff Comment: Planner Sandmeier said she did not have any updates to the staff report.

Questions of Staff: Chair Barnes asked staff to clarify the permitted uses for the first floor. Planner Sandmeier said the parking supported personal service, retail or nonmedical office uses.

Commissioner DeCardy said this project fell under the Program EIR for the Specific Plan and asked about the TDM plan, noting that traffic and congestion were increased since the time the Plan's Program EIR was adopted. Planner Sandmeier said the Transportation Division reviewed TDM plans and they were looking for mitigations of all p.m. peak hour trips. She said they would look at the current use and the proposed use. Commissioner DeCardy asked at what point they considered peak impacts of traffic patterns for the project. Planner Sandmeier said she believed it was site-specific. She said for this project they would be looking at a hotel use and how many peak p.m. hours it was expected to generate, and what the proposed use was expected to generate. Commissioner DeCardy asked if the TDM was only to address the difference between the hotel and the proposed use. Planner Sandmeier said she believed that was correct.

Principal Planner Rogers said he had worked on the Specific Plan and the Program EIR. He said the way they were using it was consistent with how state law governed program level EIRs and subsequent development. He said it was true the traffic study that was done for the Plan might or might not be reflective of conditions today. He said the TDM plan was reviewed at the point of the project submittal and it looked at that site and reflected potential changes to the TDM calculations. He said in this case he did not think there was any change to the TDM methodology. He said if a new measure came out or the City or County changed how TDM was calculated, then it would be reflected in any new analysis.

Applicant Presentation: Ross Levy, project architect, introduced Ranjeet and Jaya Pancholy, the project sponsors. Mr. Levy made a visual presentation on the proposed project. He said the Commission in 2017 last saw a proposal for the site and suggested it needed further consideration. He said they worked with the City's Contract Architect Arnold Mammarella. He said they had done extensive neighborhood outreach. He said they received acceptance from some neighbors. He said they received small complaints from people who had occupied the building and had differences with the owners. He said those differences had been settled and there seemed to be overall support from the immediate neighborhood and from the Allied Arts neighborhood and community in general. He said one of the two commercial spaces would be occupied and staffed by Ms. Pancholy, an innovative health practitioner. He said a traffic study was done specific to this project in 2019. He provided visual images of the proposed development. He said the building was green and would use nontoxic and recycled materials. He said they would have four electric vehicle charging stations and were pursuing an all-electric building with no point source carbon emissions.

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

Commission Comments: Chair Barnes said architecturally with the right maintenance the building was thoughtful and was contextual for the area. He said he thought the architecture was largely durable.

Commissioner DeCardy said he liked the project for the general look, feel and fit, the proportions and the aesthetics. He said he would particularly credit achieving that and having a no net emission building.

Chair Barnes asked if any of the units would be for sale. Mr. Levy said his understanding was none of the units were for sale at this time.

Commissioner Riggs said he had seen the project previously and he complimented the applicants on what they had brought forward with this proposal. He said the façade on Alto Lane was the only one that faced a residence and had the fewest materials. He asked for a description of the second-floor materials. Mr. Levy said the slide showed the railings that were intended as parapet walls, essentially solid stucco walls. He said the building stepped to essentially be a two-story building as it faced the lane in reference to the two-story structure across the lane. He said there was a large hedgerow that separated the two buildings and the neighbors would not look at this façade nor would this façade look at the neighbors. He referred to the sort of L-shape of the larger stucco mass as it opened to alternating the railing material to give more variety to soften the façade. Commissioner Riggs confirmed that the lines on the rendering were not pickets but were shadows of a trellis. He asked additional clarifying questions.

Commissioner Riggs said the setback of the third floor was very successful. He said the project was well done and attractive. He said the emphasis on energy management was welcome.

Chair Barnes said he thought the project was well done.

Commissioner Riggs moved to recommend to the City Council to make the findings to approve the project in terms of architectural controls and support the major subdivision to create two commercial condominiums on the first floor and four condominiums on the second and third floors. Commissioner Doran seconded the motion. He commented that he did not always like modern architecture, but this proposal had nuance and depth. He said he thought it would look great on El Camino Real.

ACTION: Motion and second (Riggs/Doran) to recommend that the City Council approve the item as recommended in the staff report; passes 5-0-2 with Commissioners Kennedy and Strehl absent.

F6. Development Agreement Annual Review/Bob Burke, Greenheart/1300 El Camino Real and 550 Oak Grove Avenue:

Annual review of the property owner's good faith compliance with the terms of the Development Agreement for the Station 1300 project. (Staff Report #19-056-PC)

Staff Comment: Principal Planner Rogers said a requirement of every development agreement that the City entered into was that it be reviewed on an annual basis. He said it had been a little over two years since this development agreement was last reviewed, as during that time the project was in its building permit review phase and constructing the underground podium so there was not much to report. He said the project now had its permits for the above-ground structures. He said staff believed the developer was meeting all their requirements in terms of triggered items. He said some were partially triggered, some completely triggered and some contingent upon future actions.

Applicant Presentation: Steve Pierce, Principal with Greenheart Land Company, said he had nothing to add to the staff report but was happy to answer questions about the development project.

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

Commission Comment: Chair Barnes asked how the project was doing in terms of construction and timeline. Mr. Pierce said that construction schedules were targets and things happened. He said the project was now vertical and it was very exciting as they had been constructing for two years. He said the steel framing was topped off for the north office building and the south office building would follow suit about two months behind that. He said the wood frame construction was for the 183-unit apartments. He said the retail or community serving spaces would be along Oak Grove Avenue on the first floor of the residences and also along El Camino Real on the first floor of the north and south office buildings. He said they anticipated the north office building would be shell-ready in about 12 months and the south office building was expected to be shell-ready in September 2020. He said when the buildings were shell-ready then tenant improvements could occur for the office and retail tenants.

Chair Barnes said in terms of occupancy that the development agreement gave preference to incubator businesses and smaller startups. He asked what they figured as the office space size per employee noting that the density range was significant. Mr. Pierce said one of the City Council members was quite interested that they reach out in their space marketing with emphasis on incubator space, co-working, and more entrepreneurial and smaller operations, creating opportunities for startups and that type of thing. He said they designed the buildings in such a way that they could go either professional that would have more private offices or more of the open landscape office preferred by tech companies. Chair Barnes said a mix of tenant populations supported the vibrancy of an area.

Chair Barnes referred to the parking garage and asked what was the potential of sharing that with external entities. Mr. Pierce said the parking garage had controlled access for the residences. He said there were two garage entries on Garwood Avenue and one on El Camino Real. He said the garage was two level and on those were areas cordoned off for residents only. He said the rest of the parking was for the community serving businesses and the office users. He said the community serving business parking would be time limited. He said the garage doors would be open during business hours and beyond, but they anticipated after 5:00 / 6:00 p.m. that the garage would be open for public use specifically for the site's restaurant and other afterhours operations. He said theoretically that a person could park there and go elsewhere in the City. He said generally the parking would be monitored during business hours. Chair Barnes confirmed the project TDM did not have trip caps. Mr. Pierce said their TDM included that all the workers onsite would be issued Caltrain Go Passes.

Commissioner Riggs asked if they would be able to provide a bicycle lane down Garwood Avenue. Mr. Pierce said when they initiated the project, the bicycle route was not a dedicated lane but a sharrowed lane.

Commissioner Riggs asked about Caltrain's possible grade-separation shoofly location. Mr. Pierce said his understanding was that Garwood Avenue was the shoofly location. He said fortunately they had parking entry from El Camino Real and all of the parking spaces were accessible from any of the entries. He said his understanding was Garwood Avenue would be unavailable for a considerable amount of time.

Chair Barnes asked what they would have in the retail space. Mr. Pierce said based on inquiries they received that they would have two restaurant operations, one in the north building and one in the south building. He said those would face onto El Camino Real and onto the .5-acre plaza between the two buildings.

Chair Barnes moved to determine that Greenheart Land Company was in compliance with the provisions of the approved Development Agreement for the period of February 2017 through July 2019. Commissioner DeCardy seconded the motion.

ACTION: Motion and second (Barnes/DeCardy) to approve the item as recommended in the staff report; passes 5-0-2 with Commissioners Kennedy and Strehl absent.

1. Make a finding that Greenheart Land Company is in compliance with the provisions of the approved Development Agreement for the period of February 2017 through July 2019.

G. Informational Items

- G1. Future Planning Commission Meeting Schedule
 - Regular Meeting: August 12, 2019

Principal Planner Rogers said the agenda for the August 12 meeting would have four single-family development projects and a report on the Heritage Tree Ordinance update. He said for the next two weeks any Commissioner questions or requests were best conveyed to him.

Chair Barnes said the arborist finding that a heritage tree might be removed if it was in the path of the proposed development created questions for the Commission and asked if that could be included in the discussion. Planner Rogers said he would pass that onto the team working on the update as one of the Commission's focus. He said he believed that had been a focus of the ordinance update discussion and that there was a recommendation to front-load the heritage tree removal permit activity when it was development related, and to see if the heritage tree removal was appealed or not before bringing the project to the Planning Commission.

Regular Meeting: August 26, 2019Regular Meeting: September 9, 2019

H. Adjournment

Chair Barnes adjourned the meeting at 9:11 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Community Development



STAFF REPORT

Planning Commission

Meeting Date: 8/12/2019 Staff Report Number: 19-057-PC

Public Hearing: Use Permit/Mauro & Adela Gildo-Mazzon/313

O'Connor Street

Recommendation

Staff recommends that the Planning Commission approve a use permit for a project including first-, second-, and basement-level additions and interior modifications to an existing non-conforming single-family residence in the R-1-U (Single Family Urban Residential) district, at 313 O'Connor Street. The work would exceed 50 percent of the replacement value of the existing structure in a 12-month period. The proposal also includes a request for excavation within the required right side yard for basement light wells. The new second story would include a secondary dwelling unit, accessed from the right side, which would be slightly larger than 640 square feet, as may be permitted with a use permit. The recommended actions are included as Attachment A.

Policy Issues

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

Background

Site location

The project site is located at 313 O'Connor Street in the Willows neighborhood. Using O'Connor Street in the east-west orientation, the subject property is located on the northern side of O'Connor Street between Elliott Drive and Byers Drive. A location map is included as Attachment B.

O'Connor Street is a residential street that extends across the neighborhood and connects to the City of East Palo Alto to the east. Houses along this block include both one- and two-story residences. While the majority of residences in the neighborhood are one story in height, some two-story residences exist along O'Connor Street. The residences primarily reflect a mixture of either ranch or craftsman architectural styles, but some modern home designs also exist. The greater neighborhood features predominantly single-family residences in the R-1-U district, apart from some denser residential uses in the R-2 (Low Density Apartment) district along Menalto Avenue and multi-family residences in the R-3 (Apartment) district along the western edge of Euclid Avenue, bordering the City of East Palo Alto. At the rear, the subject property adjoins a panhandle lot that is adjacent to larger multi-family residences within the City of East Palo Alto.

Analysis

Project description

The subject property is currently occupied by a single-story residence that is nonconforming with respect to the left side yard setback, on a standard lot. The applicant is proposing to maintain, remodel, and add onto the 1,823 square foot existing single-story, single-family residence, to construct a two-story, single-family residence with a basement, a secondary dwelling unit on the second floor, and an attached two-car garage. A use permit is required as the proposed work would exceed 50 percent of the replacement value of the existing nonconforming structure in a 12-month period, the proposed basement would include excavation for lightwells into the side setback, and the secondary dwelling unit would exceed 640 square feet. An existing covered patio at the rear-right corner would be relocated slightly to conform to the accessory structure requirements.

A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

Of particular note with regard to Zoning Ordinance requirements:

- The parcel is a standard lot.
- The existing house is non-conforming with respect to the left side yard setback and is proposed to be maintained.
- The second floor would be modest in size, at 22.3 percent of the maximum floor area limit (FAL), where 50 percent of the maximum FAL may be permitted, and the overall height of 22.6 feet would be well below the maximum that can be allowed (28 feet).
- The proposal includes a second-story secondary dwelling unit which slightly exceeds the secondary dwelling unit regulations for total square footage, which may be allowed through a use permit.
- The proposed project would adhere to all Zoning Ordinance regulations for setbacks (with the exception of the existing nonconformity), lot coverage, floor area limit, height, daylight plane, and parking.

Design and materials

The applicant states that the architectural style for the existing residence is ranch style and the proposed residence would be a more contemporary style. The exterior materials would include painted stucco exterior finish with portions of the front elevations having horizontal wood siding, a standing seam metal roof, and painted wood trim dual pane windows. The front door would feature a wooden door with a sidelite. The garage doors are also proposed to be made of wood. Metal guard rails would wrap the light well and balconies. The second story windows on the east (right) side have a sill height of three feet. These windows face the adjacent panhandle lot's driveway, and it is 39.5 feet away from the adjacent property (326 O'Connor), which should limit potential privacy impacts. Staff believes that the architectural style of the proposed residence would be generally attractive and well-proportioned. The contemporary design would be consistent with the styles in the surrounding neighborhood.

Secondary dwelling unit

The secondary dwelling unit would be located on the second story, with an access path from the main

front walkway, leading down the right side yard. The secondary dwelling unit would be approximately 756 square feet and comprised of a bedroom, bathroom, and kitchenette. Required parking for the secondary dwelling unit would be provided on the driveway, uncovered and in tandem to the required parking for the main house. Section 16.79.040 of the Zoning Ordinance allows for the required parking space for a secondary dwelling unit to be located in tandem along a single-car driveway, and within the front yard setback, if no more than five hundred (500) square feet of the required front yard is paved for motor vehicle use (inclusive of the main residence driveway and parking areas). Also, a minimum setback of eighteen (18) inches from the side property lines must be maintained. The proposed parking on site would fulfill each of these requirements.

Zoning Ordinance Chapter 16.79 establishes the regulations for secondary dwelling units, and projects that comply with these limits can (with some exceptions) be reviewed and approved by staff through the building permit process. However, Section 16.79.030 states that projects requesting modifications to the secondary dwelling unit development regulations (except for the density and subdivision limits, which cannot be modified) can be considered and approved by the Planning Commission through the use permit process. In this case, the applicant is proposing to modify the maximum square footage of 640 square feet to 756 square feet, which includes the stairway that would be used to solely access the second-story SDU.

Section 16.79.030 does not provide any specific criteria with which to evaluate requests for modifications to the secondary dwelling unit development regulations, although staff would note that the mechanism is a use permit, not a variance. Use permits require consideration of the health, safety, morals, comfort, and general welfare of persons and properties in the vicinity, but do not require a finding of unique hardship or other more stringent variance-type determinations. From staff's perspective, the proposed request to permit a secondary dwelling unit over the required 640 square feet is generally reasonable since the proposed secondary dwelling unit would be attached and integrated into the overall design of the house, would not exceed the regulations for one bedroom and one bathroom, and comply with all other development regulations for the main structure.

Valuation

To calculate the replacement and new construction costs on which the use permit threshold is based, the City uses standards established by the Building Division. The City has determined that the replacement cost of the existing structure would be \$752,380, meaning that the applicants would be allowed to propose new construction and remodeling at this site totaling less than \$376,190 (50 percent of the replacement cost) in any 12-month period without applying for a use permit. Based on this estimate, the proposed scope of work would be 246 percent of the replacement cost of the existing structure, so the proposed remodel and addition requires use permit review by the Planning Commission.

Excavation

The proposed light well for the basement requires excavation within the required right side yard setback. Specifically, the proposed light well would encroach three feet into the required eight foot, six inch side setback. Staff believes the proposed encroachment of the excavation into the side setback for the light well would have minimal visual and privacy impacts due to its proposed setback of five feet, six inches from the side property line and location on the interior side. No trees are located near the proposed

excavation. The excavation would be reviewed in detail for Building Code compliance at the building permit stage.

Trees and landscaping

The applicant has submitted an arborist report (Attachment F) detailing the species, size, and conditions of the one heritage tree near the site, which is a California laurel on the neighboring left side parcel. The report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance based on its health. As part of the project review process, the arborist report was reviewed by the City Arborist. All recommendations identified in the arborist report shall be implemented and will be ensured as part of condition 3g. The project arborist recommends removal of this tree due to its poor condition, although this is not proposed at this time and would require the neighbor's approval since it is on their property.

There are also eight non-heritage trees on site. The proposed addition of the existing residence is not anticipated to adversely affect any trees. Although the heritage tree is relatively close to the proposed construction, tree protection measures are proposed to be in place to ensure the tree's health and safety during the time of construction.

Correspondence

The applicant states that the owners have contacted the property owners of all properties who could be directly impacted by the proposed scope of the work and are supportive of the proposal. As of the writing of this report, staff has not received any correspondence regarding the proposed project.

Conclusion

Staff believes that the design, scale and materials of the proposed residence are compatible with the surrounding neighborhood. The contemporary design of the proposed residence would be generally attractive and well-proportioned. The second story addition is of modest size of 22.3 percent of the maximum FAL, where 50 percent may be permitted, the overall height of 22.6 feet would be well below the maximum that can be allowed (28 feet). The proposed encroachment of the excavation into the side setbacks for the light well would have minimal impacts due to its location, which abuts the panhandle lot's driveway. Additionally, second-story windows on the east (right) side face the adjacent panhandle lot's driveway, and it is 39.5 feet away from the adjacent property (326 O'Connor). Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

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

Environmental Review

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

Public Notice

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

Appeal Period

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

Attachments

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

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:

Fahteen Khan, Contract Assistant Planner

Report reviewed by:

Deanna Chow, Interim Community Development Director

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313 O'Connor Street – Attachment A: Recommended Actions

LOCATION: 313	PROJECT NUMBER:	APPLICANT: Ryan	OWNER: Mauro and
O'Connor Street	PLN2019-00023	Morris	Adela Gildo-Mazzon

PROPOSAL: Request for a use permit for a project including first-, second-, and basement-level additions and interior modifications to an existing non-conforming single-family residence in the R-1-U (Single Family Urban Residential) district. The work would exceed 50 percent of the replacement value of the existing structure in a 12-month period. The proposal includes a request for excavation within the required right side yard for basement light wells. The new second story would include a secondary dwelling unit, accessed from the right side, which would be slightly larger than 640 square feet, as may be permitted by use permit.

DECISION ENTITY: Planning Commission

DATE: August 12, 2019

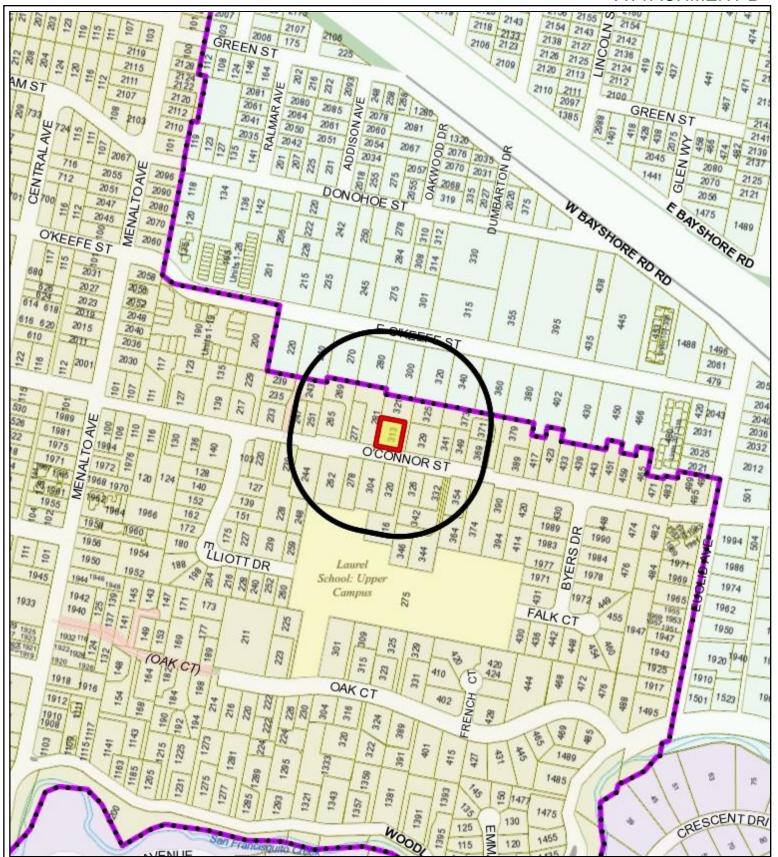
ACTION: TBD

VOTE: TBD (Barnes, DeCardy, Doran, Kennedy, Riggs, Strehl, Tate)

ACTION:

- 1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
- 2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
- 3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Morris Architecture, consisting of 14 plan sheets, dated received July 22, 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 Arbor Resources dated April 9, 2019.

PAGE: 1 of 1





City of Menlo Park

Location Map 313 O'Connor Street



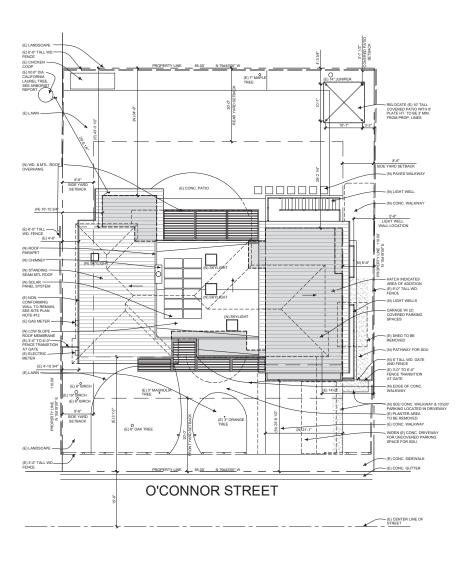
Scale: 1:4,000 Drawn By: FNK Checked By: KTP Date: 8/12/2019 Sheet: 1

313 O'Connor Street – Attachment C: Data Table

	PROPOSED PROJECT		EXISTING DEVELOPMENT		ZONING ORDINANCE	
Lot area		sf			_	sf min.
Lot area Lot width	9,350.0	ft.	9,350.0 85.0	sf ft.	7,000.0	ft. min.
	85.0	* **		ft.	65.0	
Lot depth	110.0	IL.	110.0	IL.	100.0	ft. min.
Setbacks						
Front	24.7	ft.	31.5	ft.	20.0	ft. min.
Rear	34.8	ft.	43.2	ft.	20.0	ft. min.
Side (left)	4.5	ft.	4.5	ft.	8.5	ft. min.
Side (right)	8.5	ft.	13.8	ft.	8.5	ft. min.
Building coverage	3,090	sf	2,254	sf	3,272.5	sf max.
	33.0	%	24.1	%	35.0	% max.
FAL (Floor Area Limit)	3,350	sf	1,823	sf	3,387.5	sf max.
Square footage by floor	2,158.0	sf/1st floor	1,357.0	sf/1st floor		
	756.0	sf/2nd floor	450.0	sf/garage		
	436.0	sf/garage	106.0	sf/porch		
	816.0	sf/basement	325.0	sf/patio		
	2.0	sf/fireplace	16.0	sf/fireplace		
	175.0	sf/porch				
	319.0	sf/cov. patios				
Square footage of buildings	4,662	sf	2,254	sf		
Building height	22.6	ft.	14.6	ft.	28.0	ft. max.
Parking		overed		vered		1 uncovered
. a.m.ig	Note: Areas shown highlighted indicate a nonconforming or su					
	14010.741040 01	iowii inginiginoa i	ridiodio d riorio	ornorming or our	otariaara oita	au011.
Trees	Heritage trees		Non-Heritage		New Trees:	0
	Heritage trees		Non-Heritage	trees	Total Number	er of
	proposed for re	emoval: 0	proposed for removal:	0	Trees:	9

^{*}There is a California laurel tree on the rear corner of the neighbor to the left of the subject property.

ATTACHMENT D



PROJECT DESCRIPTION

DEFERRED SUBMITTALS

PRE SPRALERS SMALLER RESTALES IN LOCORDANCE WITH FRA-120 AND STATE AND LOCAL RECORDERSTS—SHOT DIMENSIS SHALLER PROPOSED FY HE FIRST EXPENSIS FOR STATE AND LOCAL RECORDERSTS SHOT DIMENSIS SHALL THE PROPOSED FY HE FIRST EXPENSION FROM TO TO RESTALLATION, PROVIDE BIN, "Y WATER METER BACKFLOW PREVENTION DEVOCEDOUBLE CHEEK VALVE ASSEMBLY, AND ALL SPRINCLER DRAINAGE SHALL BE PLACED INTO LANDSCAPE AREAS.
ONSTRUCTION WASTE MANAGEMENT PLAN ON SHEET GB. 1

GENERAL NOTES

THE WORK SHALL CONFORM TO THE CALIFORNIA TITE 24: PART 2 2016 CALIFORNIA BILLING ON CODE PART 2 2016 CALIFORNIA BILLING ON CODE PART 2 2016 CALIFORNIA BICHINGOLO PART 3 2016 CALIFORNIA PIECEODE PART 1 2016 CALIFORNIA PIECEODE

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- CREAT CONTINUED REPOYED THE THORS, BUT ONE TO INTEREST OF THE REPORT OF
- SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL. WORKMANSHIP, ALL WORKMANSHIP IN ALL TRADES SHALL BE OF THE HIGHEST QUALITY, BY PRESONS ESPECIALLY SKILLED AT ASSIGNED TASKS, AND SHALL RESULT IN A NEAT AND CLEAN INSTALLATION, ALL WORK SHALL BE INSTALLED TIME, ILLUMB, LEVEL, SQUARE, AND IN PROPER ALIGNMENT. NOTIFY ARCHITECT AND OWNER OF EVEL, SQUARE, AND IN PROPER ALISNINGENT, NOTH ARCHITECT AND OWNER OF EXISTING CONDITIONS WHICH DO NOT MEET THESE EXPECTATIONS.

 13. MANUFACTURER'S REQUIREMENTS, THE G.C. SHALL INSTALL ALL MATERIALS, EQUIPMENT, AND FIXTURES IN CONFORMANCE WITH THE REQUIREMENTS OF THE
- MANUFACTURER.

 14. BRACING AND SHORING, DESIGN AND INSTALLATION OF ALL TEMPORARY BRACING AND SHORING IS THE SOLE RESPONSIBILITY OF THE G.C.
- GENERAL NOTES
 15. CAL GREEN. SEE SHEET GB.1 FOR CAL GREEN MANDATORY REQUIREMENTS

- GENERAL NOTES. SEE SHEETS A0.1, TOPOGRAPHIC SURVEY, AND FLOOR PLANS FOR ADDITIONAL INFO
- PLANS FOR ADDITIONAL INFO.

 BOUNDARY VERRIFICATION. THE G.C. SHALL VERIFY THE LOCATIONS OF ALL PROPERTY BOUNDARIES, SETBACKS, AND EASEMENT LOCATIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES SHOULD BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE FURTHER COMMENCEMENT OF WORLD.
- BENCH MARK, SEE SURVEY DRAWING FOR BENCH MARK AND ASSUMED BASE ELEVATION.
- ENCROACHMENT, THE G.C. IS RESPONSIBLE FOR OBTAINING APPROVAL / PERMIT PRIOR TO COMMENCING ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY.

- R319.1 CHANNEYS, THE INSTALLATION OF AN APPROVED SPARK ARRESTOR IS RECURRING. CHANNEYS, THE INSTALLATION OF AN APPROVED SPARK ARRESTOR IS RECURRISD ON ALL CHIANNEYS, EXISTING AND NEW. SPARK ARRESTORS SHALL BE CONSTRUCTED OF MOVED ON RELIGIOUS RESCREENING OF EXALL BE CONSTRUCTED OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY SHALL NOT BE DEMOLISHED, AND IF DEMOLISHED IT CANNOT EREBUILT IN ITS CURRENT LOCATION.



PROJECT DIRECTORY

MORRIS ARCHITECTURE 12 COZZOLINO CT. MILLBRAE, CA 94030 T. 650.995.1360 RYAN@MORRIS-ARCH.COM

GEOTECHNICAL ENGINEER: MICHELUCCI & ASSOCIATES 1801 MURCHISON DR. SUITE 88 BURLINGAME, CA 94010 T. 650.692.0163 STRUCTURAL ENGINEER:

ENGINEERING 1300 INDUSTRIAL RD. SUITE 14 SAN CARLOS, CA 94070 T. 650.595.2973

PROJECT DATA

APN # ZONE OCCUPANCY CONSTRUCTION TYPE AUTOMATIC SPRINKLERS STORIES	063-441-470 R1-U R-3 / U V-8 YES - N-B YES - BASEMENT
SITE AREA	9,350 SF

FLOOR AREA LIMIT. SEE FLOOR AREA DIAGRAMS ON SHEET A0.2 MAX. ALLOWED (2,800 SF + .25 x (9,350-7,000)) PROPOSED 3,388 SF 3,350 SF

BUILDING COVERAGE SEE FLOOR AREA DIAGRAMS ON SHEET A0.2

MAX. ALLOWED (35%) PROPOSED

SHEET INDEX

- TITLE SHEET / SITE PLAN

- AREA CALCS / STREETSCAPI NON-CONFORMING CALCS NON-CONFORMING CALCS DEMOLITION PLAN BASEMENT FLOOR PLAN FIRST FLOOR PLAN SECOND FLOOR PLAN ROOF PLAN EXTERIOR ELEVATIONS EXTERIOR ELEVATIONS EXTERIOR ELEVATIONS
- BUILDING SECTIONS / DETAILS

PLNG SUBMITTAL 03.07.1

ARCHITECTURE

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MAZZON

313 O' CONNOR STREET MENLO PARK, CA 94025

PLNG REV 1 05.20.1 PLNG REV 2 06.18.1 PLNG REV 3 07.01.1 PLNG REV 4 07.22.1

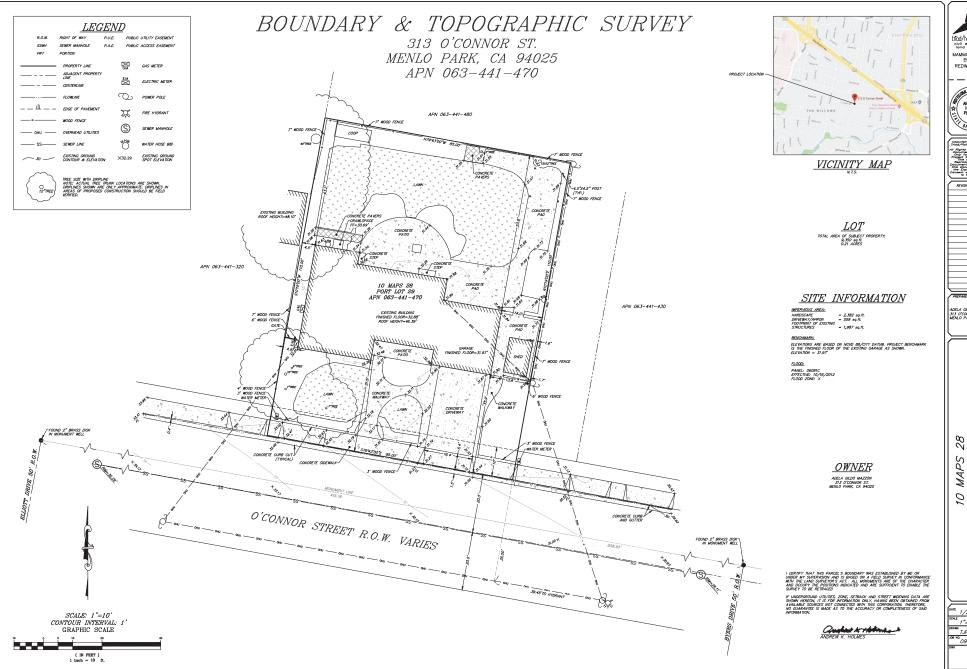
TITLE SHEET / SITE PLAN

JOB #:

A0.1



PROPOSED SITE PLAN









TOPOGRAPHIC SURVEY YAK, SAN MATEO COUNTY, CALIFORM NENLO F BOUNDARY OF WENL

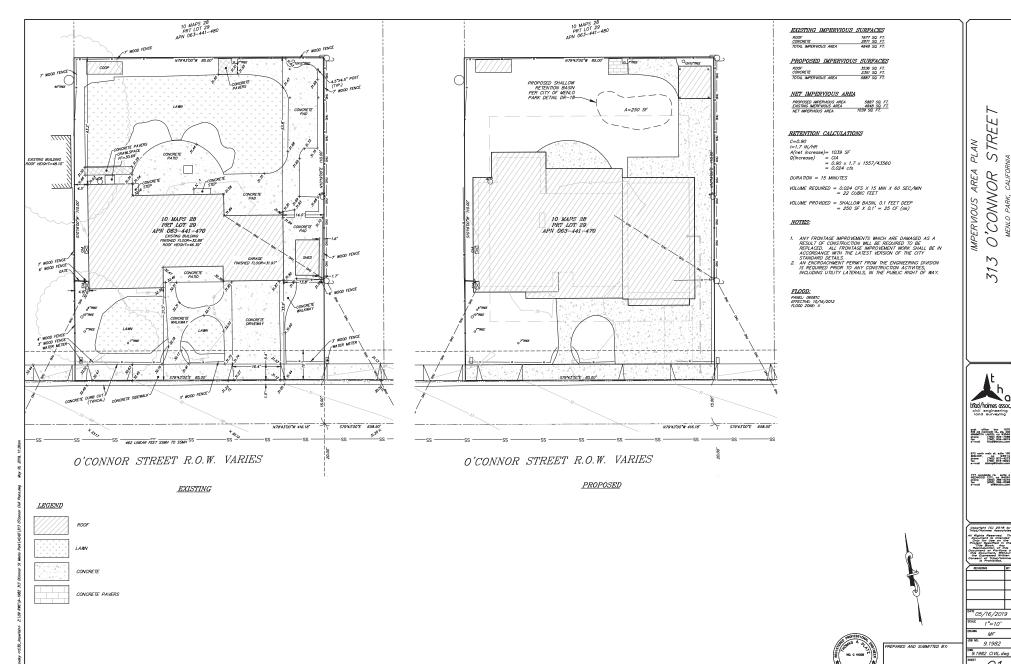
ATE 1/22/19 1"=10" TJP 09.1982

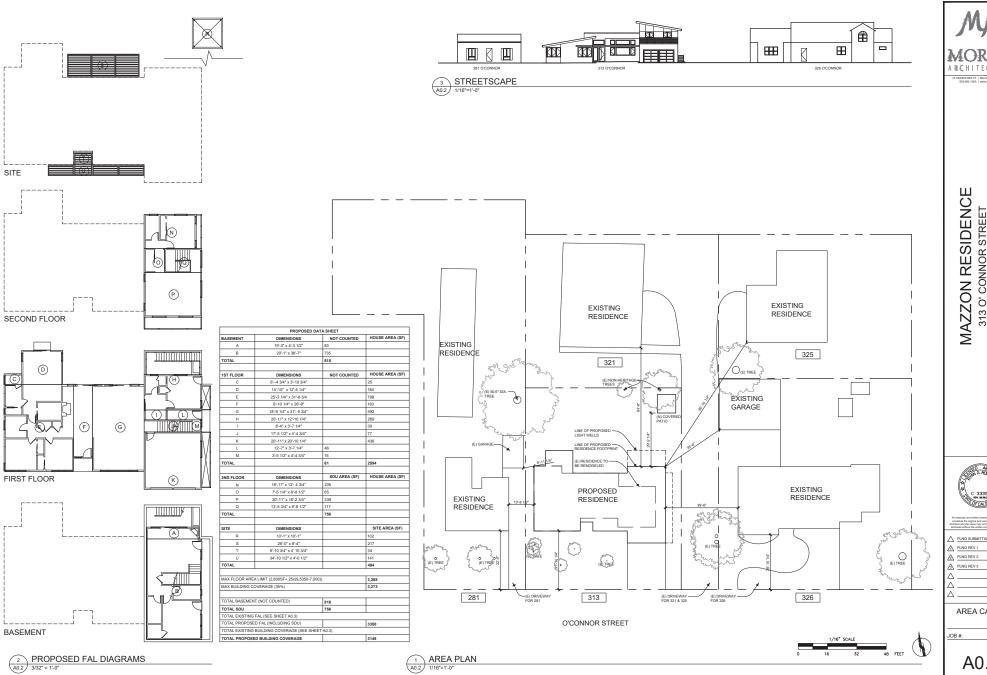
05/16/2019

MF 9.1982

C1

THOMAS A. PLATZ DATE P.E. C 41039





MAZZON RESIDENCE 313 O' CONNOR STREET MENLO PARK, CA 94025



05.20.1

AREA CALCS

A0.2

	EXISTING DATA SHEET	
1ST FLOOR	DIMENSIONS	HOUSE AREA (SF
A	15'-3" x 35'-5 1/2"	541
В	10'-0 1/4" x 31'-6 3/4"	316
С	21'-0 1/4" x 24'-6 1/2"	516
D	20'-0 1/4" x 22'-4"	450
TOTAL		1823
SITE	DIMENSIONS	SITE AREA (SF)
F	10'-1" x 10'-1"	102
G	31'-0 1/2" x 7'-2"	223
н	20'-6" x 5'-1 3/4"	106
TOTAL		431
		3.388
MAX FLOOR ARE	A LIMIT (2,800SF+.25x(9,5350-7,000))	
	EA LIMIT (2,800SF+.25x(9,5350-7,000)) COVERAGE (35%)	3,273
	COVERAGE (35%)	3,273







All drawings and written materials contained herein constitute the original and unpublished work of the Architect and the same rany not be duplicated, used or disclosed without the written consent of the Architect.

PLNG SUBMITTAL. 03.07.19

 A PLING REV 1
 05.20.15

 ★ PLING REV 2
 05.20.15

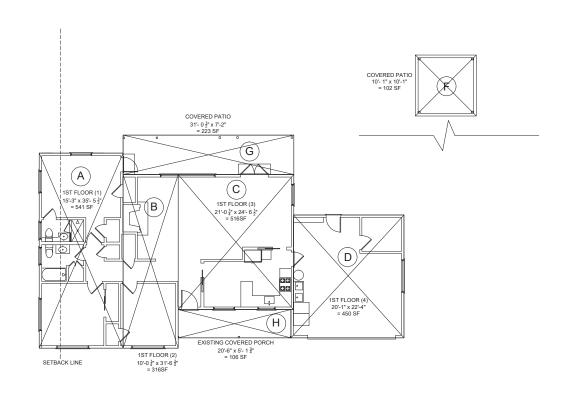
 ★ PLING REV 3
 07.01.19

 ★ PLING REV 4
 07.22.19

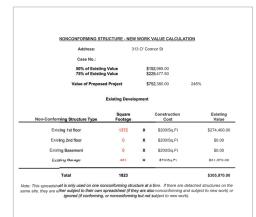
NON-CONFORMING DIAGRAMS

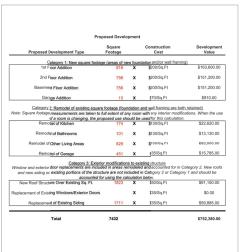
JOB #: 1

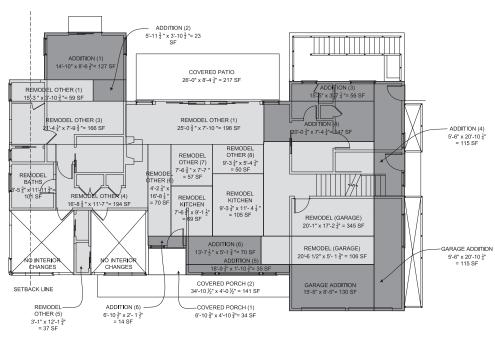
A0.3



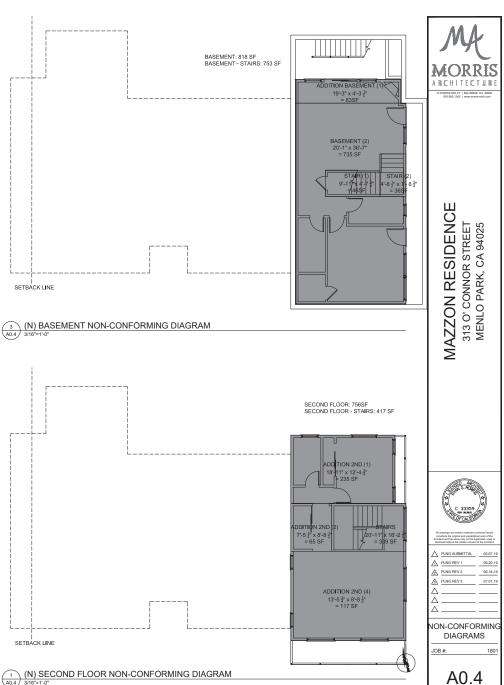
(E) FIRST FLOOR FLOOR AREA LIMIT AND BUILDING COVERAGE DIAGRAM

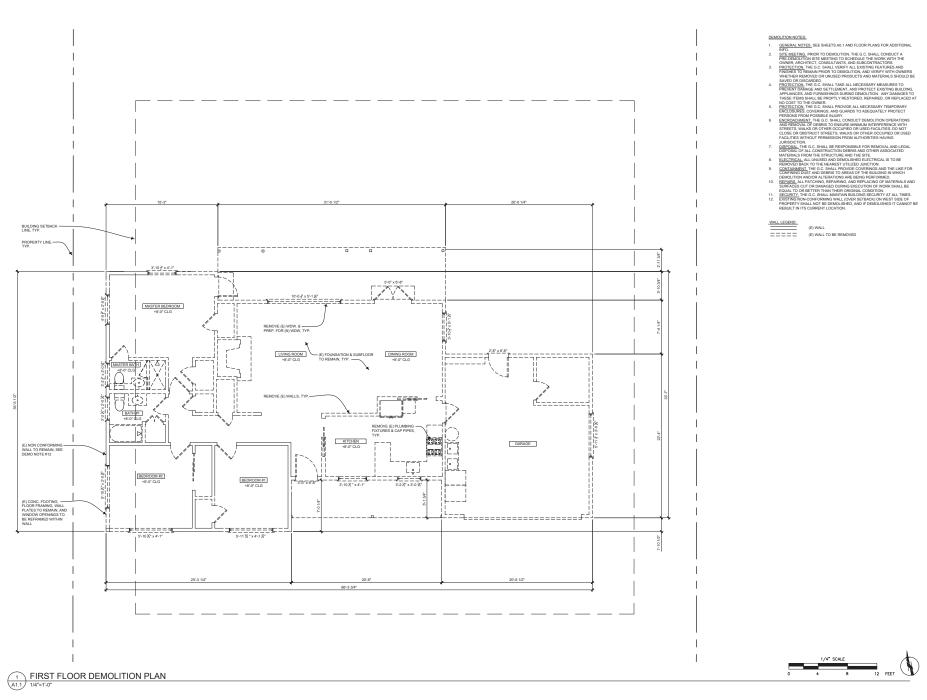












MORRIS ARCHITECTURE

50.995.1350 | www.morris-arch.com

MAZZON RESIDENCE 313 O' CONNOR STREET MENLO PARK, CA 94025



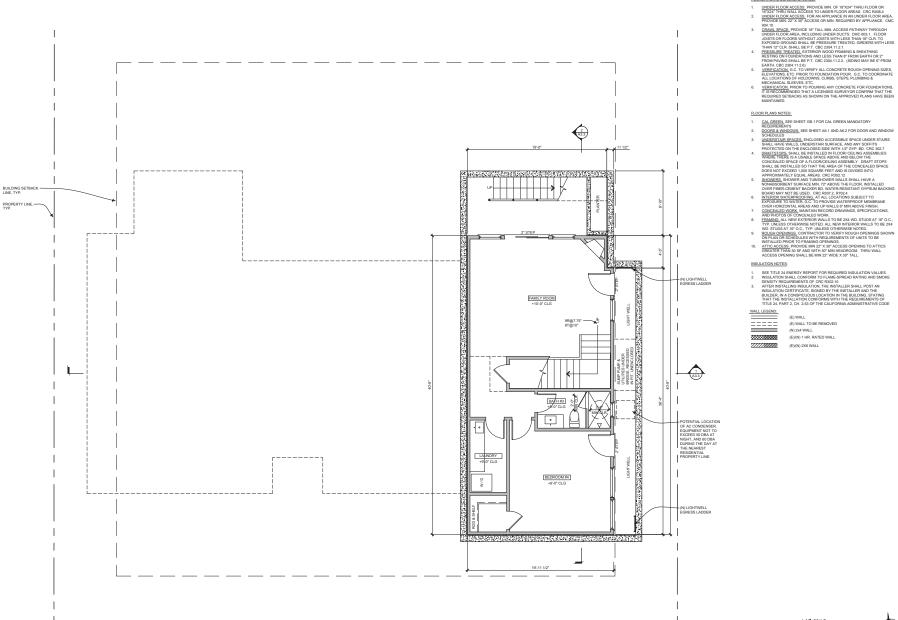
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FIRST FLOOR DEMO PLAN

JOB #:

A1.1

ARCHITECTURE





FOUNDATION & CONCRETE NOTES:

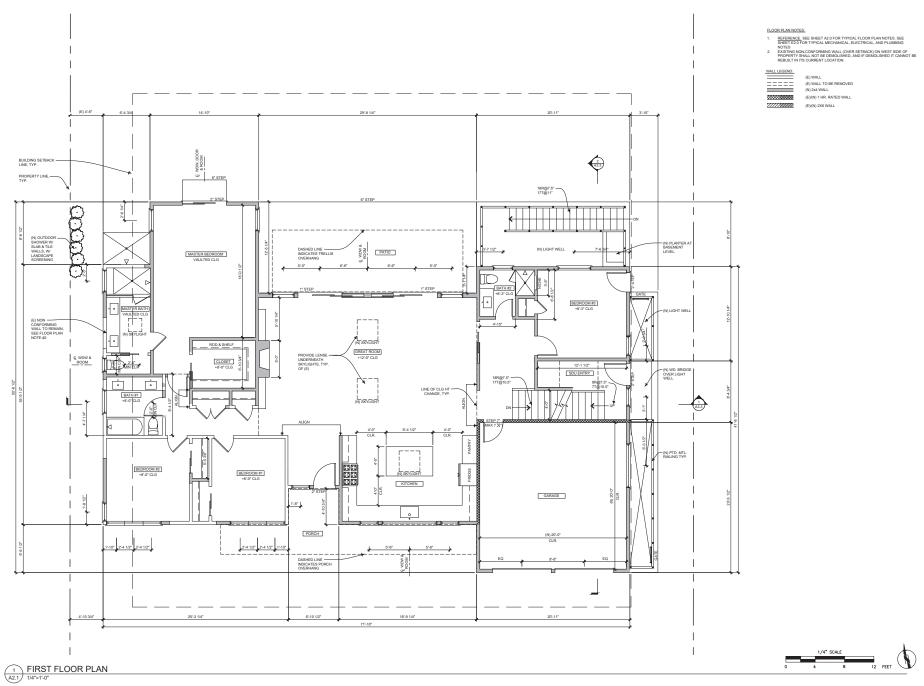


PLNG SUBMITTAL 03.07.1 ↑ PLNG REV 1 05.20.19 PLNG REV 2 06.18.19 PLNG REV 3 07.01.19

BASEMENT FLOOR PLAN

A2.0

BASEMENT FLOOR PLAN
1/4"=1"-0"





MAZZON RESIDENCE 313 O' CONNOR STREET MENLO PARK, CA 94025



05.20.19 PLNG REV 1 PLNG REV 3 07.01.19

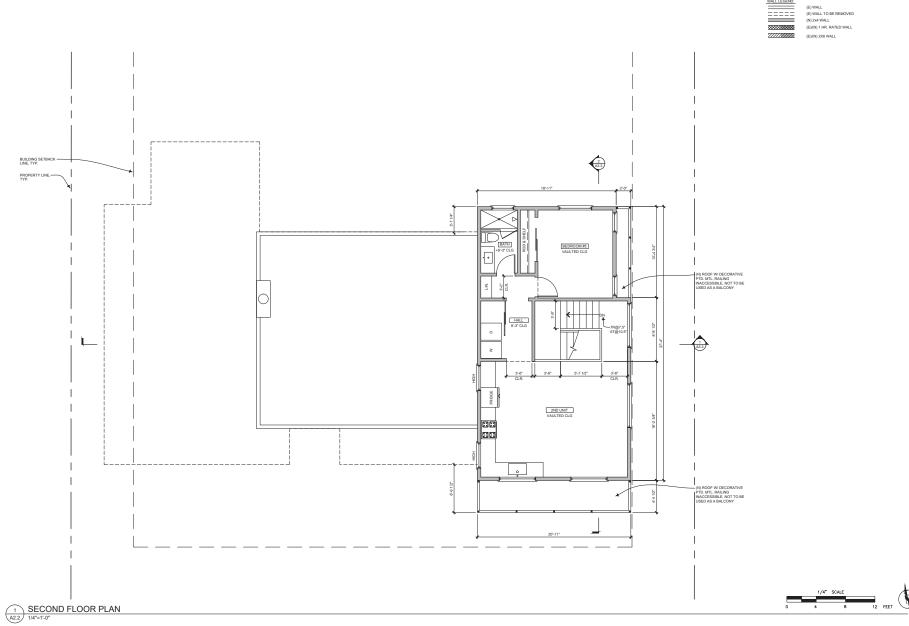
FLOOR PLAN

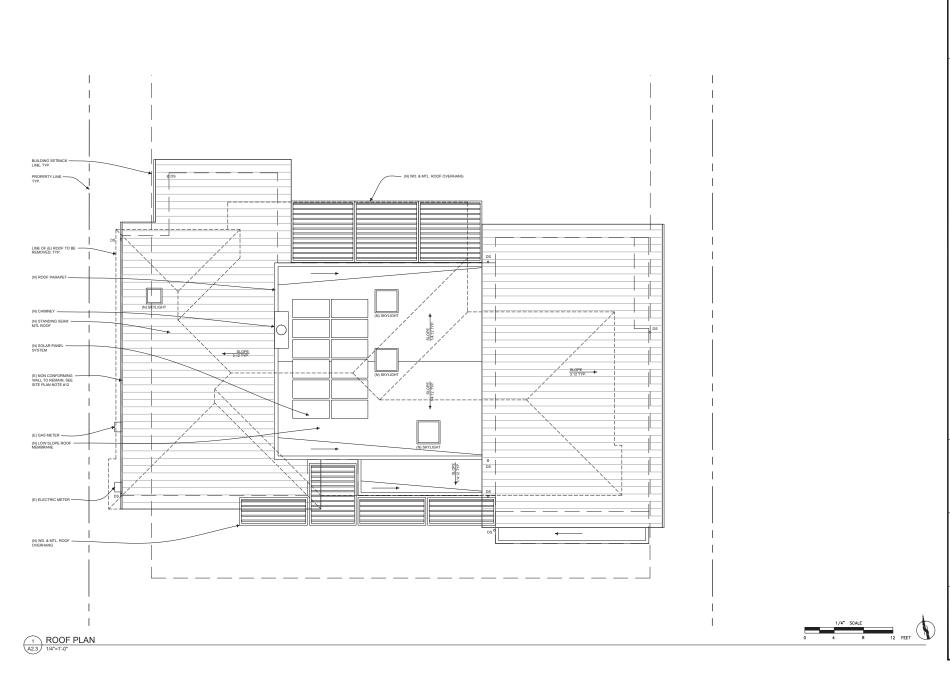
A2.1



A2.2

FLOOR PLAN NOTES:







MAZZON RESIDENCE 313 O' CONNOR STREET MENLO PARK, CA 94025

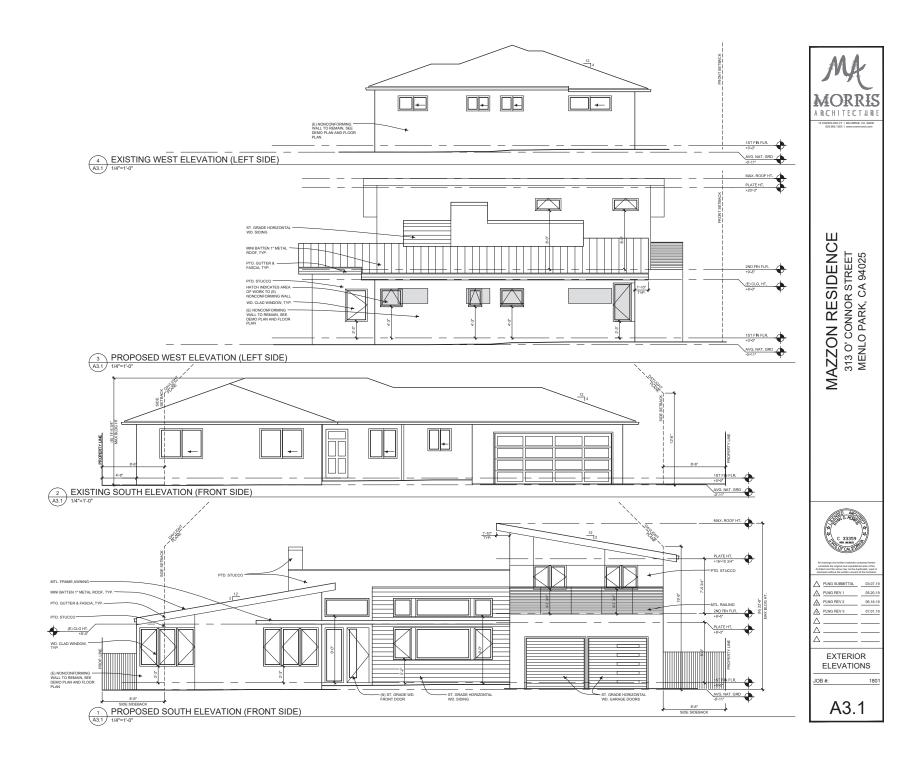


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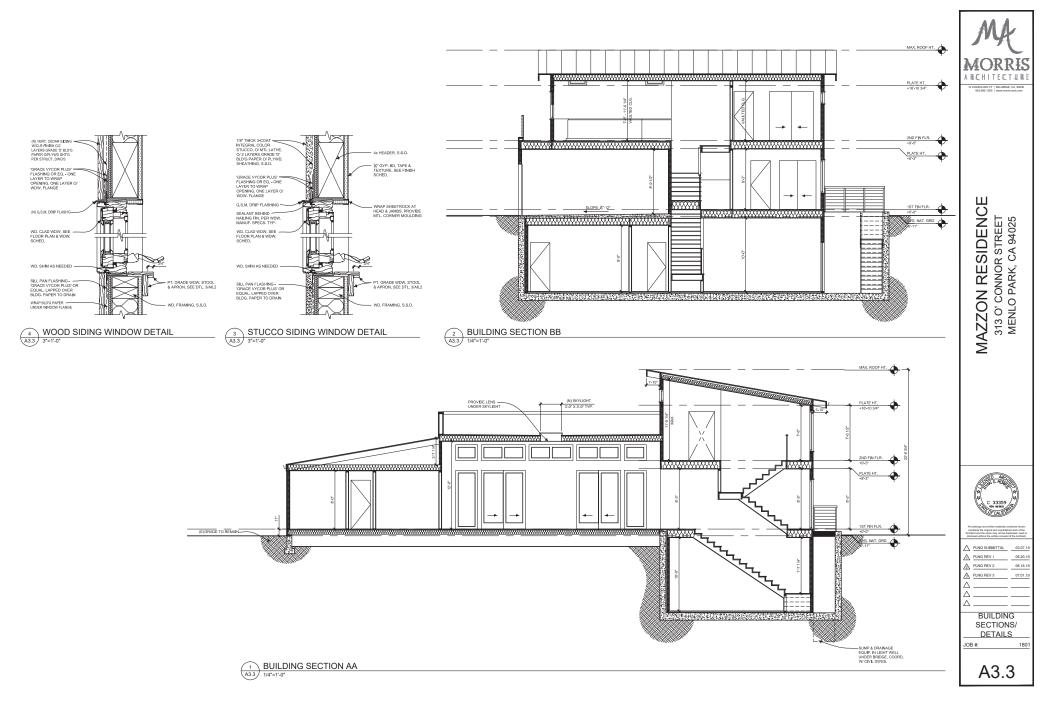
ROOF PLAN

IOB #: 18

A2.3









PROJECT NARRATIVE

Project Address: 313 O'CONNOR ST

Permit No.:

Date: 07.26.19

Project Description

Proposal for new addition and substantial remodel to an existing one story house on a flat lot. The new addition will provide a basement with guest room and family room, a new larger living area and kitchen and guest room at the main floor, and a new 2^{nd} unit at the 2^{nd} floor above the basement addition. The existing bedroom and bathroom portion of the house on the west side is non-conforming over the side yard setback, but existing subfloor, exterior walls and foundation will remain. The house footprint is similar to the existing layout, and additional area is located as much as possible toward the front yard and east side yard, without impacting the rear yard sign.

The new addition will have high quality materials and details to upgrade the house from it's existing ranch style exterior to a more contemporary style with articulated massing, and change in materials. The massing of the addition is taller at the 2^{nd} story, which we have balanced with the rest of the house by providing a taller ceiling and roof parapet in the center of the house. The sloped roofs on either side further help bring the massing down at the sides. Furthermore, the 2^{nd} story addition is located on the east side of the property, adjacent to the flag lot driveway that accesses the rear yard neighbor.

Zoning Summary

This project meets all requirements for FAL, Building Coverage, and Daylight Plane. There are 2 proposed light wells in the east side yard and rear yard, for required egress from the basement. The east side of the property is adjacent to a flag lot driveway, rather than a neighboring house. There are two 2^{nd} story balconies which are architectural only, and not accessible by a doorway. These help break up the mass of the 2 story walls facing the street and rear yard.

The SDU is slightly larger than the recommended area of 640 sf (756 sf) because of an internal staircase accessing the unit. The usable living space within the unit is actually only 639 sf, but the staircase takes up space on both the first and second floors. If the stairs were counted as part of the SDU, the unit would be limited to 523 sf and would not benefit from the same space as a unit at the ground level. The stairs serve a private entrance, accessible only from the outside.

Neighborhood Outreach

The owners of this property have reached out to their neighbors to discuss the proposed project.

City of Menlo Park, Planning Department

Below is the list of neighbors I have spoken to regarding our project to remodel our home Adela & Mauro Gildo-Mazzon 313 O'Connor Street. Menlo Park, CA 94025

The neighbors are very supportive and did not discuss any objections.

Antonia Spencer 281 O'Connor Street Menlo Park, CA 94025

Janet Paik 321 O'Connor Street Menlo Park, CA 94025

Esteban and Macarena Sosnik 321 O'Connor Street Menlo Park, CA 94025

Veladeen Russell / Elaine Colvin POA 277 O'Connor Street Menlo Park, CA 94025

Scott Stocker 322 O'Connor Street Menlo Park, CA 94025

Michael Hayes 341 O'Connor Street Menlo Park, CA 94025 **Thomas Jackson** 369 O'Connor Street Menlo Park, CA 94025

Sondra Bishop and Catherine Deluca 304 O'Connor Street Menlo Park, CA 94025

Patricia S. Page 320 O'Connor Street Menlo Park, CA 94025



ARBORIST REPORT

MAZZONE RESIDENCE 313 O'CONNOR STREET MENLO PARK, CALIFORNIA

Submitted to:

Mr. and Mrs. Mauro Mazzon 313 O'Connor Street Menlo Park, CA 94025

Prepared by:

David L. Babby

Registered Consulting Arborist® #399

Board-Certified Master Arborist® #WE-4001B

April 9, 2019

TABLE OF CONTENTS

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
1.0	INTRODUCTION	1
2.0	TREE DESCRIPTION	1
3.0	PHOTOGRAPHS	3
4.0	POTENTIAL IMPACTS AND DISPOSITION	4
5.0	TREE PROTECTION MEASURES	5
6.0	ASSUMPTIONS AND LIMITING CONDITIONS	8

EXHIBIT

EXHIBIT	TITLE

A SITE MAP (one sheet)

1.0 INTRODUCTION

Mr. and Mrs. Mauro Mazzon are planning for an addition and remodel to their residence at 313 O'Connor Street, Menlo Park. As part of their plan submittal, they have retained me to prepare this *Arborist Report*, and specific tasks assigned to execute are as follows:

- Visit the site on 4/3/19 to identify, measure, photograph and evaluate the condition of one "heritage tree" located in proximity to the proposed addition.
- Document specifics regarding the tree's health and structural condition.
- Review the most recent plan set to ascertain potential impacts; plan set is dated 3/7/19, prepared by Morris Architecture.
- Identify the tree's location and protection zone on a copy of the project's Site Plan (Sheet A0.1) dated 3/7/19; see Exhibit A.
- Develop protection measures to help mitigate or avoid impacts to the tree.
- Prepare a written report containing the above information, and submit via email as a PDF document.

2.0 TREE DESCRIPTION

The subject tree is a California laurel (*Umbellularia californica*) located on the neighboring western property of 281 O'Connor Street, at the project site's northwest property corner. Its trunk is 2.3 feet from the shared fence (at 54 inches above grade), and its buttress root mass descends from the neighboring property into the subject site, forming a vertical 24-inch wall of roots, which contains a 7-inch diameter decaying wound visible from the project site. The tree's location can be viewed on the map in Exhibit A, and photographs are presented in Section 3.0 of this report.

¹ Section 13.24.020 of the Menlo Park Municipal Code defines and regulates a "heritage tree," relative to this project, as being ≥12' tall and having a trunk diameter ≥15" measured at 54" above grade.

April 9, 2019

The tree's height is an estimated 70 feet tall, and its trunk's diameter measures 50.6 inches

at 54 inches above grade. Based on its trunk diameter, the tree is defined and regulated as

a heritage tree pursuant to Section 13.24.020 of the Menlo Park Municipal Code.

The structure consists of three codominant leaders forming a common union 5 feet above

grade, and the southernmost leader bifurcates 3 feet above this union into codominant

limbs. Its canopy above is highly asymmetrical due to past pruning practices,

predominantly vertical over the project site and quite dominant towards the south

direction; linear dimensions from the trunk towards and near the subject site include

roughly 36 feet south and 15 feet north and east.

Foliage contained within the lower canopy consists predominantly or entirely of

watersprouts.² Scattered uniformly throughout includes an abundant amount of dead and

broken branches, as well as twig dieback.

Along the trunk's north side, at 3 feet above grade below the union of the three leaders, is a

fruiting body named an Artist's conk (Ganoderma applanatum) growing from an old

wound with notable discoloration. This fungal growth is quite common for California

laurels, particularly for large ones, and reveals an advanced level of irreparable and

extensive internal decay. Consequently, a tree infected by this decaying fungus has a

significant and elevated risk of structural failure, and notable targets beneath this tree

include homes, garages, accessory structures and occupants.

Based on the above information, I regard this tree to be in overall poor or very poor

condition, and irregardless of the proposed project, removal should be considered an

option due to its proximity to high-value targets on surrounding properties.

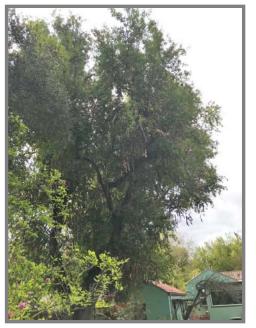
² Watersprouts are regarded as rapidly-growing and weakly-attached shoots.

3.0 PHOTOGRAPHS











Mazzon Residence; 313 O'Connor Street, Menlo Park Mr. and Mrs. Mauro Mazzon, Property Owners

April 9, 2019

4.0 POTENTIAL IMPACTS AND DISPOSITION

Implementing the proposed design establishes the addition roughly 5 feet north of the

existing home, and maintains a favorable setback of roughly 27 feet from the trunk

(considers overexcavation to form and pour the addition's foundation). The impacted area

can be regarded as a minor encroachment into the tree's root zone, accounting for a small

and relatively insignificant area of the total root mass. All utility routes are planned along

the front of the property, and no site work is currently planned within the rear yard north of

the future addition and basement. The vertical canopy growth presents no conflicts with

the proposed single-story and second-story additions.

Regarding the tree's disposition, I recommend removal as the appropriate and prudent

course of action regardless of the proposed project. Its declining canopy and presence of

the Artist's conk reveal an imminent, irreparable and progressively increasing threat to

persons and property below.

If retained, the tree's TPZ is delineated on the map in Exhibit A, and considers linear

distances from the trunk of 18 feet south and 20 feet southeast and east. Additional

protection measures are presented in the next section to help further mitigate root loss.

Mr. and Mrs. Mauro Mazzon, Property Owners

5.0 TREE PROTECTION MEASURES

Recommendations presented within this section serve as measures to help mitigate anticipated impacts from construction of the addition and basement, and apply to the area within the project site (versus anywhere on the neighboring property). They are subject to revision upon reviewing any revised or future project plans, and I (hereinafter "project arborist") should be consulted in the event any cannot be feasibly implemented.

- 1. The Tree Protection Zone (TPZ) is identified on the map in Exhibit A (blue dashed line), and considers linear distances of 18 feet south, and 20 feet southeast and east from the trunk. Activities which should be avoided within the TPZ include trenching, soil scraping, compaction, mass grading (cuts and fill), finish-grading, overexcavation, subexcavation, swales, bioswales, storm drains, equipment cleaning, stockpiling and dumping of materials, and equipment/vehicle operation. Any work encroaching within the TPZ can be reviewed by the project arborist on a case-by-case basis to determine appropriate mitigation measures.
- 2. On all applicable project plans, add the following note (or similar): "All activities shall adhere to recommendations and specifications provided within the 4/9/19 *Arborist Report* prepared for this project."
- 3. Future landscaping work within the TPZ should adhere to the following:
 - Any irrigation and/or lighting features (e.g. main line, lateral lines, headers, valve boxes, wiring and controllers) should be routed a radial direction to the tree's trunk, and terminate at least 6 to 8 feet from its base. Work should retain and protect roots ≥2 inches in diameter.
 - Design any new site fencing or fence posts to be at least 3 to 5 feet from the trunk (location depends on root location).
 - Avoid tilling, ripping and compaction within TPZs.
 - Establish any bender board or other edging material within TPZs to be on top of existing soil grade (such as by using vertical stakes).

4. Prior to construction activity and obtaining the building permit, install tree protection

fencing to enclose the tree's TPZ; see fencing location on the map in Exhibit A.

Fencing should consist of 5- to 6-foot tall chain link mounted on roughly 2-inch

diameter steel posts driven into the ground where needed for vertical alignment.

Fencing shall remain in place throughout construction, and note prior to the City

issuing a building permit, they will request a letter by the project arborist confirming

fencing has been installed per this report.

5. Continue to irrigate the lawn. Absent of this occurring, apply supplemental water over

the TPZ once every three to four weeks (depending on weather conditions) throughout

the construction during all dry months of the year. This can seemingly best occur using

a garden hose or sprinkler head(s) to achieve moist ground 18 to 24 inches deep

following each application (avoid overwatering to the extent the ground becomes

oversaturated and notably muddy). Avoid applying water onto the trunk's base.

6. Where within the TPZ, abandon all unused, below ground sections of pipes and utilities

(rather than being dug up and damaging roots).

7. The removal of any turf, shrubs, plants, groundcover, pipe and other material within

the TPZ shall be manually performed without the travel and operation of heavy

equipment (including small tractors, such as a Bobcat).

8. Any authorized access, digging or trenching within the TPZ shall be by foot-traffic

only, manually performed under supervision by the project arborist, and without the

use of heavy equipment or tractors.

9. In the event existing turf will be removed or not maintained (i.e. watered), manually

spread a 4- to 5-inch layer of coarse wood chips (1/4- to 3/4-inch in size) throughout

the TPZ.

- 10. Prior to mechanically excavating for the section of foundation within 20 feet from the TPZ, manually dig a 1-foot wide trench along the foundation's perimeter, including any overexcavation, down to the required subgrade depth. All roots encountered with diameters ≥2 inches are then manually severed at 90° to the angle of root growth against the cut line (using loppers or a sharp hand saw).
- 11. Erosion control installed within the TPZ should not require more than a 2-inch deep vertical soil cut.
- 12. Digging holes for any fence posts within the TPZ should be manually performed using a post-hole digger, and in the event a root ≥2 inches in diameter is encountered during the process, the hole should be shifted over by 12 inches, or as needed to avoid the root(s), and the process repeated.
- 13. Spoils generated during excavation for the new basement and section of foundation shall not be piled or spread within the TPZ.
- 14. The tree's trunk shall not be used as a winch support for moving or lifting heavy loads.
- 15. Avoid disposing harmful products (such as cement, paint, chemicals, oil and gasoline) within or 20 feet from the TPZ, nor anywhere on site where material can drainage, either along the surface or subsurface, into the TPZ.
- 16. Herbicides must not be used within the TPZ, and where used on site, labeled for safe use near trees. Also, liming should not occur within 50 feet from the trunk.

6.0 ASSUMPTIONS AND LIMITING CONDITIONS

- All information presented herein reflects my site observations and measurements obtained from the ground on 4/3/19.
- My observations were obtained visually without probing, coring, dissecting or excavating.
- The assignment pertains solely to the subject tree, and I hold no opinion towards other trees on or surrounding the project area.
- I cannot provide a guarantee or warranty, expressed or implied, that deficiencies or problems with any tree or property in question may not arise in the future.
- No assurance can be offered that if all my recommendations and precautionary measures (verbal or in writing) are accepted and followed, the desired results may be achieved.
- I cannot guarantee or be responsible for the accuracy of information provided by others.
- I assume no responsibility for the means and methods used by any person or company implementing the recommendations provided in this report.
- The information provided herein represents my opinion. Accordingly, my fee is in no way contingent upon the reporting of a specified finding, conclusion or value.
- The map presented in Exhibit A is solely intended to represent the tree's approximate location.
- This report is proprietary to me and may not be copied or reproduced in whole or part without prior written consent. It has been prepared for the sole and exclusive use of the parties to who submitted for the purpose of contracting services provided by David L. Babby.
- If any part of this report or copy thereof be lost or altered, the entire evaluation shall be invalid.

Prepared By: David L. Ba

David L. Babby

Registered Consulting Arborist® #399 Board-Certified Master Arborist® #WE-4001B





Date: April 9, 2019

EXHIBIT A:

SITE MAP

(one sheet)

SITE PLAN NOTES:

- GENERAL NOTES, SEE SHEETS AD 1, TOPOGRAPHIC SURVEY, AND FLOOR
 PLANS FOR ADDITIONAL INCO.
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- BENCH MARK. SEE SURVEY DRAWING FOR BENCH MARK AND ASSUMED BASE ELEVATION.
- BASE ELEVATION.

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 PERMIT PRIOR TO COMMENCING ANY WORK WITHIN THE PUBLIC

- FEMILY PROCEST COMMENCING ANY WORK WITHOUT THE FIREU.*

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 SHAW OR TOPPERS.
- DOCUMENTED ROOTS TO BE CUT SHOULD BE SEVERED CLEANLY WITH A WAY OR TOPPERS.

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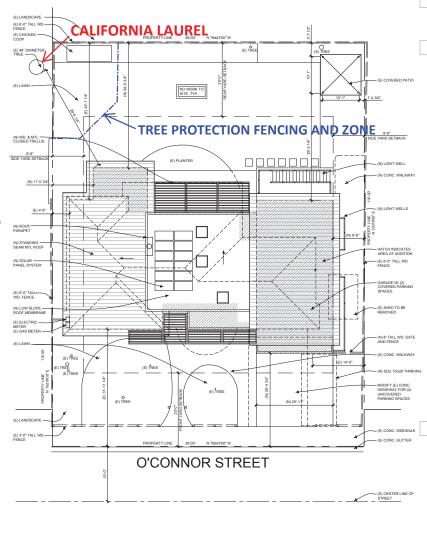
- MITIGATION MEASURE AQ-1: COMPLY WITH THE FOLLOWING BAY AREA AIR QUALITY MANAGEMENT DISTRICT BASIC CONTROL MEASURES FOR REDUCING CONSTRUCTION EMISSIONS OF PM10:
- CONSTRUCTION EMISSIONS OF PAIN

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- 4. PAVE, APPLY WATER TWICE DAILY OR AS OFTEN AS NECESSARY, TO CONTROL DUST, OR APPLY (NON-TOXIC) SOIL STABILIZERS ON ALL UNPAVED ACCESS ROADS, PARKING, AREAS, AND STAGING AREAS AT CONSTRUCTION SITES.
- SWEEP DAILY (WITH WATER SWEEPERS USING RECLAIMED WATER IF POSSIBLE), OR AS OFTEN AS NEEDED, WITH WATER SWEEPERS ALL PAYED ACCESS ROADS, PARKING, AREAS AND STAGING AREAS AT THE CONSTRUCTION SITE TO CONTROL
- SWEEP PUBLIC STREETS DAILY (WITH WATER SWEEPERS USING RECLAIMED WATER IF POSSIBLE) IN THE VICINITY OF THE PROJECT SITE, OR AS OFTEN AS NEEDED, TO KEEP STREETS FREE OF VISIBLE SOIL MATERIAL. 7. HYDROSEED OR APPLY NON-TOXIC SOIL STABILIZERS TO INACTIVE CONSTRUCTION

- S. ENCLOSE, COVER, WATER TWICE DAILY OR APPLY NON-TOXIC SOIL BINDERS TO EXPOSED STOCKPLES (DIRT, SAND, ETC.).

 LIMIT VEHILLE TRAFFIC SPEEDS ON UNPAWED ROADS TO 15 MPH.

 10. REPLANT VEGETATION IN DISTURBED AREAS AS QUICKLY AS POSSIBLE.
- INSTALL SANDBAGS OR OTHER EROSION CONTROL MEASURES TO PREVENT SILT RUNOFF FROM PUBLIC ROADWAYS



PROJECT DESCRIPTION

DEFERRED SUBMITTALS

- FIRE STRONG ERG SMALL BE RESTALLED IN LOCORDANGE WITH FRAT ATD AND STATE AND LOCAL RECURRENCES. SHOP DOWNERS SHALL BE PROPOSED BY HE FIRE ATD AND STATE AND LOCAL RECURRENCES FOR HE FIRE ATD AND STATE AND LOCAL RECURRENCE FOR A TOWNER HAS THE METER BACKGLOW PREVENTION DEVELOCIOUSEL EFFECTIVE AND PROPOSED BIAN. IT WATER METER BACKGLOW SHALL BE PLACED INTO LANDISCAPE AREAS.

 CONSTRUCTION WASTE MANAGEMENT FLAN OR SHEET GB.1

GENERAL NOTES

- THE WORK SHALL CONFORM TO THE CALIFORMS TITLE 2: PART 2 2016 CALIFORMS BILLION COLOCODE PART 2 2016 CALIFORMS BILLION COLOCODE PART 2 2016 CALIFORMS BILLION COLOCODE PART 3 2016 CALIFORMS BILLION COLOCODE PART 1 2016 CALIFORMS PIECE COLO PART 1 2016 CALIFORMS BILLION COLOCODE PART 2 2016 CALIFORMS BILLION COLOCODE PART 2 2016 CALIFORMS BILLION COLOCODE PART 2 2016 CALIFORMS BILLION COLOCODE PA

- PROMISES

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 OF GRIDE, CUL LIMB, WINGOWS, DOORS, AND FRURES, UNLESS ON HERMISE NOTED.

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- CONSTRUCTION RECESSANT FOR THE WORK BUT ARE NOT INTENDED TO BE
 ALL SEQUENCY SERVICES SERVICES AND THE STATE OF CONTROL OF THE STATE OF T
- SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL. WORKMANSHIP, ALL WORKMANSHIP IN ALL TRADES SHALL BE OF THE HIGHEST QUALITY, BY PRESONS ESPECIALLY SKILLED AT ASSIGNED TASKS, AND SHALL RESULT IN A NEAT AND CLEAN INSTALLATION, ALL WORK SHALL BE INSTALLED TIME, ILLUMB, LEVEL, SQUARE, AND IN PROPER ALL MIGMENT. NOTIFY ARCHITECT AND OWNER OF
- EXISTING CONDITIONS WHICH DO NOT MEET THESE EXPECTATIONS.
 MANUFACTURERS REQUIREMENTS. THE G.S. SHALL INSTALL ALL MATERIALS,
 EQUIPMENT, AND FIXTURES IN CONFORMANCE WITH THE REQUIREMENTS OF THE MANUFACTURER.

 BRACING AND SHORING, DESIGN AND INSTALLATION OF ALL TEMPORARY BRACING AND SHORING IS THE SOLE RESPONSIBILITY OF THE G.C.
- GENERAL NOTES
 15. CAL GREEN. SEE SHEET GB.1 FOR CAL GREEN MANDATORY REQUIREMENTS

VICINITY MAP

PROJECT DIRECTORY

MORRIS ARCHITECTURE 12 COZZOLINO CT. MILLBRAE, CA 94030 T. 650.995.1360 RYAN@MORRIS-ARCH.COM

GEOTECHNICAL ENGINEER: MICHELUCCI & ASSOCIATES 1801 MURCHISON DR. SUITE 88 BURLINGAME, CA 94010 T. 650.692.0163

STRUCTURAL ENGINEER: ENGINEERING 1300 INDUSTRIAL RD. SUITE 14 SAN CARLOS, CA 94070 T. 650.595.2973

PROJECT DATA

APN#	063-441-470
ZONE	R1-U
OCCUPANCY	R-3/U
CONSTRUCTION TYPE	V-B
AUTOMATIC SPRINKLERS	YES - NEW
STORIES	2 + BASEMENT
SITE AREA	9,350 SF

FLOOR AREA LIMIT. SEE FLOOR AREA DIAGRAMS ON SHEET A0.2 MAX. ALLOWED (2,800 SF + .25 x (9,350-7,000)) PROPOSED

BUILDING COVERAGE SEE FLOOR AREA DIAGRAMS ON SHEET A0.2

MAX. ALLOWED (35%) PROPOSED

SHEET INDEX

- DEMOLITION PLAN BASEMENT FLOOR PLAN FIRST FLOOR PLAN SECOND FLOOR PLAN EXTERIOR ELEVATIONS
- EXTERIOR ELEVATION

A1.1 A2.0 A2.1 A2.2 A3.1 A3.2 A3.3

ABBREVIATIONS

A.D.	AREA DRAIN	GSM	GALVANIZED SHEET METAL
ADJ	ADJUSTABLE	GYP, BD.	GYPSUM BOARD
A.F.F.	ABOVE FINISH FLOOR	HT	HEIGHT
ALT	ALTERNATE	INCAN	INCANDESCENT
ALUM	ALUMINUM	LT	LIGHT
ANOD	ANODIZED	MAX	MAXIMUM
ARCH	ARCHITECT/TURAL	MECH	MECHANICAL
3D	BOARD	MER	MANUFACTURER
BLD'G	BUILDING	MIN	MINIMUM
BLK'G	BLOCKING	MTL	METAL
3M	BEAM	(N)	NEW
3.0.	BOTTOM OF		ON CENTER
CAB	CABINET	O/	OVER
J.J.	CEILING JOIST	PLYWD	PLYWOOD
CLG	CEILING	PTD	PAINTED
CLR	CLEAR	PT. GR.	PAINT GRADE
0.0.	CLEAN OUT	P.T.	PRESSURE TREATED
CONC	CONCRETE	RDWD	REDWOOD
DIA	DIAMETER	REFR	REFRIGERATOR
ON	DOWN	REQ'D	REQUIRED
os	DOWNSPOUT	RM	ROOM
WC	DISHWASHER	R.O.	ROUGH OPENING
DWG	DRAWING	SCHED	SCHEDULE
E)	EXISTING	SHT	SHEET
Á	EACH	SHTG	SHEATHING
LEC	ELECTRIC	SIM	SIMILAR
LEV	ELEVATION	SKYLT	
EQ.	EQUAL	SPEC	SPECIFICATION
XT	EXTERIOR	S.S.D.	SEE STRUCTURAL DRAWINGS
IN	FINISH	ST. GR.	STAIN GRADE
J.	FLOOR JOIST	STL	STEEL
LR	FLOOR	T&G	TONGUE & GROOVE
.0.	FACE OF	TEMP	TEMPERED
T	FEET	T.O.	TOP OF
TG	FOOTING	TYP	TYPICAL
URN	FURNACE/FURNITURE	U.N.O.	UNLESS NOTED OTHERWISE
3A	GAUGE		VERIFY IN FIELD
MIN	GALVANIZED	WH	WATER HEATER



ARCHITECTURE

SIDENC

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MAZZON

3,388 SF 3,297 SF

313 O' CONNOR STREET MENLO PARK, CA 94025

↑ PLNG SUBMITTAL

TITLE SHEET / SITE PLAN

JOB #:

A0.1

SITE PLAN

Community Development



STAFF REPORT

Planning Commission

Meeting Date: 8/12/2019 Staff Report Number: 19-058-PC

Public Hearing: Use Permit/Ed and Shionda Nickerson/704 Laurel

Avenue

Recommendation

Staff recommends that the Planning Commission approve a use permit to demolish an existing single-family residence and construct a new two-story residence with an attached two-car garage on a substandard lot with respect to lot width, at 704 Laurel Street. The property is located in the R-1-U (Single Family Urban Residential) zoning district. A secondary dwelling unit (SDU) that is under construction at the rear of the lot would remain. The recommended actions are included as Attachment A.

Policy Issues

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

Background

Site location

The project site is located at 704 Laurel Avenue, at the corner of Laurel Avenue and O'Keefe Street in the Willows neighborhood. A location map is included as Attachment B. The subject parcel is substandard with regard to the 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 one- and two-story single-family residences of various architectural styles including ranch, farmhouse, and craftsman style homes.

For Zoning Ordinance setback purposes, the front property line for corner lots is the shorter of the two street-facing sides. Front doors and addresses may be located on either street frontage, and off-street parking may take access from either frontage. In this case, the front property line is on Laurel Avenue, and O'Keefe Street is designated the corner side lot line. The existing front door is on O'Keefe Street, while the address and off-street parking are located on Laurel Avenue.

Analysis

Project description

The subject property is currently occupied by a single-story residence that is non-conforming with respect to the right side yard setback, on a substandard lot. The applicant is proposing to demolish the existing residence to construct a new two-story, single-family residence with an attached two-car garage. A SDU to

the rear of the property accessed from O'Keefe Street is under construction with an approved building permit. The required parking for the SDU would be located in front of the main residence's garage in a tandem layout, which is permitted by the Zoning Ordinance. A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

Of particular note with regard to Zoning Ordinance requirements:

- The parcel is substandard with regard to lot width, at approximately 46.6 feet where 65 feet is required.
- The property is located in the flood zone. As a result, the first floor habitable areas would be higher than typical in most parts of the city. (These requirements are discussed further in a following section.)
- The second floor would be limited in size, at 974.6 square feet of the maximum floor area limit (FAL), where 1,400 square feet could be permitted.
- The main residence would feature a significantly greater setback than required at the rear (68.8 feet versus 20 feet).
- The proposed project would adhere to all Zoning Ordinance regulations for setbacks, lot coverage, floor area limit, height, daylight plane, and parking.

Design and materials

The proposed residence would be a modern farmhouse style. The home would feature a recessed front entry with a wood painted door along O'Keefe Street, painted stucco siding, and standing metal seam roofing. The color and texture of the exterior stucco and roofing material on the main house would be consistent with the approved SDU, as is required. Additional architectural interest would be created by the two dormers and balcony on the west elevation. The balcony and rear patio area would feature wrought iron railings. The proposed windows would be consistent throughout the residence and feature aluminum clad windows. Laurel Street would feature a secondary entrance, from the driveway to the study.

The closest adjacent residence, a single-story, single-family home at 708 Laurel Avenue is approximately 16 feet away. Staff believes that the second-story windows are generally designed in such a way that potential privacy impacts should be limited. Four of the second-story windows on the interior side elevation are proposed to have sill heights of three feet, eight inches which would promote privacy for the neighboring side property. Two other windows would have lower sill heights, although a planting screen of California coffeeberry and yew pine shrubs proposed to reduce the impacts on privacy. Staff believes that the scale, materials, and style of the proposed residence are consistent with the broader neighborhood, given the variety of architectural styles and sizes of structures in the area.

Flood zone

The subject property is located within the "AE" zone established by the Federal Emergency Management Agency (FEMA). Within this zone, flood proofing techniques are required for new construction and substantial improvements of existing structures. Stated in general terms, the finished floor must be at least one foot above the base flood elevation. The sections (Plan Sheet A4.1 in Attachment D) show the base flood elevation (30.0 feet) in relation to the existing average natural grade (approximately 28.4 feet) and the finished floor (31.0 feet). The Public Works Department has reviewed and tentatively approved the proposal for compliance with FEMA regulations.

Trees and landscaping

At present, there is one non-heritage tree on the project site and three non-heritage trees located in the right of way adjacent to the site. The demolition of the existing residence and construction of the new residence are not anticipated to adversely affect any of the existing trees located on the subject site or neighboring properties. Standard heritage tree protection measures will be ensured through recommended condition 3g.

As noted earlier, the applicant is proposing new landscaping on the left side property line in order to provide privacy screening on that elevation. In addition, the applicant is proposing a comprehensive landscape plan that includes a variety of trees and plantings, including Japanese maple and Chinese pistache. Three of the new trees are proposed to be street trees along O'Keefe Street. Per condition 4a, the, the street tree species will be confirmed with the City Arborist prior to building permit issuance.

Correspondence

The applicant indicates that outreach was performed by contacting adjacent property owners regarding the proposed project. Staff has not received any letters regarding the proposed development as of the writing of this staff report.

Conclusion

Staff believes that the scale, materials, and style of the proposed residence are compatible with those of the greater neighborhood. The applicant has designed several second floor windows with enhanced sill heights, and is proposing landscaping to promote privacy for the interior side neighbor. The floor area, building coverage, and height of the proposed residence would all be at or below the maximum amounts permitted by the Zoning Ordinance, and the new structure would be within the daylight plane requirements. Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

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

Environmental Review

The project is categorically exempt under Class 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.

Staff Report #: 19-058-PC Page 4

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

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:

Fahteen Khan, Contract Assistant Planner

Report reviewed by:

Deanna Chow, Interim Community Development Director

LOCATION: 704 Laurel	PROJECT NUMBER:	APPLICANT: Sara Ameri	OWNER: Ed and Shionda
Street	PLN2019-00034		Nickerson

PROPOSAL: Request for a use permit to demolish an existing single-family residence and construct a new two-story residence with an attached two-car garage on a substandard lot with respect to lot width. The property is located in the R-1-U (Single Family Urban Residential) zoning district. A secondary dwelling unit (SDU) that is under construction at the rear of the lot would remain.

DECISION ENTITY: Planning
Commission

DATE: August 12, 2019

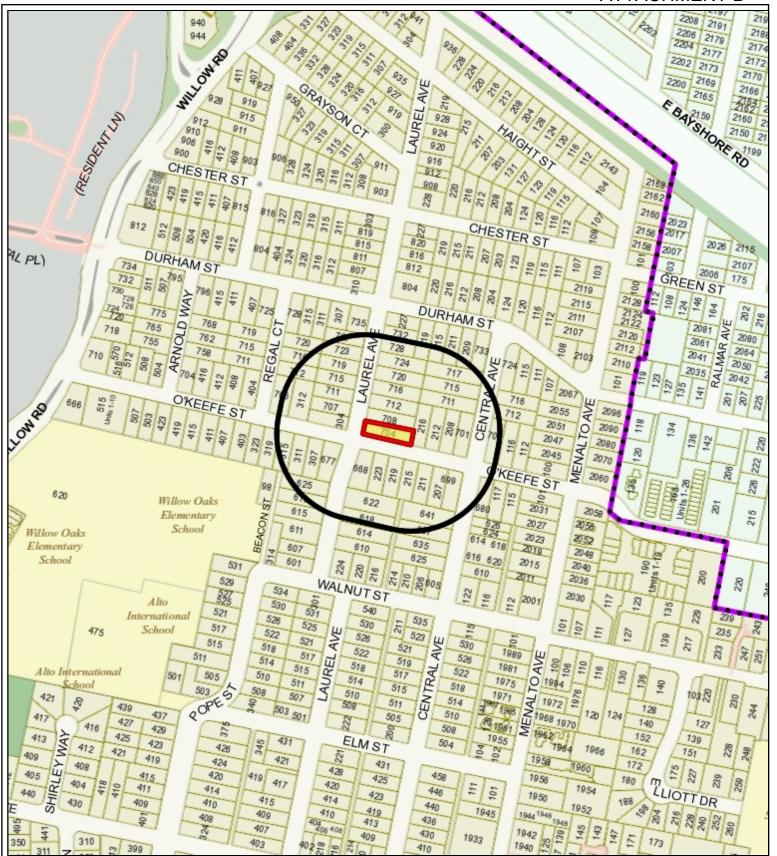
ACTION: TBD

VOTE: TBD (Barnes, DeCardy, Doran, Kennedy, Riggs, Strehl, Tate)

ACTION:

- 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 Young and Borlik Architects, Incorporated, consisting of 19 plan sheets, dated received August 5, 2019 and approved by the Planning Commission on August 12, 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.
- 4. Approve the use permit subject to the following *project specific* condition:
 - a. Prior to building permit issuance, the City Arborist shall approve the species of the proposed three street trees on O'Keefe Street. The trees shall be planted prior to building permit final.

PAGE: 1 of 1





City of Menlo Park
Location Map
704 Laurel Avenue



Scale: 1:4,000 Drawn By: FNK Checked By: KTP Date: 8/12/2019 Sheet: 1

	PROPOSED PROJECT		EXISTING		ZONING	
				OPMENT	ORDINANCE	
Lot area	8,297 sf		8,297	sf	7,000.0	sf min.
Lot width	46.6 ft.		46.6	ft.	65.0	ft. min.
Lot depth	171.6 ft.		171.6	ft.	100.0	ft. min.
Setbacks						
Front	20.0 ft.		31.4	ft.	20.0	ft. min.
Rear	68.8 ft.		35.5	ft.	20.0	ft. min.
Side (left)	5.6 ft.		5.0	ft.	5.0	ft. min.
Side (right)	12.0 ft.		8.1	ft.	12.0	ft. min.
Building coverage	2,864.0 sf		2,934.5	sf	2,903.9	sf max.
	34.5 %		35.4	%	35.0	% max.
						_
FAL (Floor Area Limit)	3,104.0 sf		2,772.0	sf	3,124.3	sf max.
Square footage by floor	1,158.0 sf/1st	floor	1,868.5	sf/1st floor		
1 3 7	974.6 sf/2 nd	floor	354.0	sf/garage		
	421.9 sf/gar		549.5	sf/SDU*		
	8.0 sf/fire	•	162.5	sf/SDU*		
	564.1 sf/por	ches		porch		
	549.5 sf/SD			•		
	162.5 sf/SD	U porch*				
Square footage of buildings	3,838.6 sf	•	2,934.5	sf		
Destination of the student	07.0 #		40.0	f.	00.0	4
Building height	27.0 ft.		13.6 ft.		28.0	ft. max.
Parking	2 covered + 1 SDU tandem 2 covered + 1 SDU tandem 1 covered/ 1 uncove					
	Note: Areas shown highlighted indicate a nonconforming or substandard situation.					
_			T		T	
Trees	Heritage trees:	0	Non-Heritage		New Trees:	10
	Heritage trees		Non-Heritage		Total Number	
	proposed for removal	: 0	proposed for removal:	0	Trees:	14

^{*} SDU under construction under a separate permit.

IOTICE: THIS SET HAS BEEN PRODUCED FOR THE DRAWINGS ARE NOT INTENDED TO BE ACCURATE "AS-BUILTS," NOR INCLUSIVE OF ALL DETAILS, DRAWINGS, MATERIAL SPECIFICATIONS, ETC. NEEDED TO ADDRESS ALL POSSIBLE CONSTRUCTION ISSUES. THE ARCHITECT HAS PREPARED THESE DOCUMENTS ONLY FOR THE IMPROVEMENTS AND CONSTRUCTION NOTED, INDICATED OR SHOWN AS "NEW" WORK AND

THE ARCHITECT HAS NOT BEEN RETAINED TO SURVEY FOR OR OTHERWISE DISCOVER THE PRESENCE OF HAZARDOUS MATERIALS INCLUDING BUT NOT LIMITED TO ASBESTOS, ASBESTOS PRODUCTS, PCB'S, OR OTHER

THE ARCHITECT IS NOT RESPONSIBLE FOR THE HANDLING, REMOVAL OR DISPOSAL OF OR EXPOSURE OF PERSONS TO HAZARDOUS MATERIALS IN ANY FORM AT THE PROJECT SITE. OWNER HEREBY WARRANTS THAT IF IT KNOWS OR HAS ANY REASON TO KNOW OR HAS ANY REASON TO KNOW OR HAS ANY REASON TO KNOW OR HAZARDOUS MATERIALS EXIST AT THE PROJECT SITE, THAT IT WILL INFORM THE ARCHITECT AND THAT OWNER WILL CAUSE SUCH ITEMS TO BE REMOVED OR TREATED BY A PROFESSIONAL AND LICENSED PRESCRIBED BY ALL APPLICABLE CODES AND

THE FLOOD ZONE DESIGNATION

BASE FLOOD ELEVATION (BFE = 30.0*), AND DESIGN FLOOD ELEVATION (DFE = 91.0*) AND FINISHED FLOOR ELEVATION (FFE=911), THE APPLICANT HEREDY AGREES TO RETROFIT BOTH THE PROPOSED STRUCTURE AND ITS ASSOCIATED APPRICIANACES (METERS, ETC.) TO BE AT OR ABOVE THE

NICKERSON RESIDENCE

MENLOPARK, CALIFORNIA

FEMA NOTES:

THE PROJECT IS BUILT IN COMPLIANCE WITH THE CITY'S FLOOD DAMAGE PREVENTION ORDINANCE, CHAPTER 12, SECTION 42. ALL MATERIALS BELOW DFE SHALL BE RESISTANT TO FLOOD DAMAGE. (I.E., CONCRETE, REDWOOD OR PRESSURE TREATED DOUGLAS FIR).

THE BOTTOM ELEVATION OF ALL APPLIANCES AND UTILITIES (METERS, AIR CONDITIONING UNITS, ETC.) SHALL BE AT OR ABOVE

STORM RUNOFF RESULTING FROM THE PROJECT'S GRADING AND DRAINAGE ACTIVITIES SHALL NOT ENCROACH ONTO ANY NEIGHBORING LOT. RUNOFF MUST BE CONTAINED ON-SITE. NO BASEMENTS OR ANY HABITABLE ENCLOSURE BELOW THE DFE ARE ALLOWED FOR PROJECTS IN THE FLOOD ZONE.

FILODY DATA SHALL BE INSTALLED FOR ALL NON-HABITABLE ENCLOSURES BELOW THE DFE (I.E. CRANLSPACE, GARAGE, ETC.) AT A RATE OF I SQUARE INCH OF NET OFFINIS TO I SQUARE FOOT OF ENCLOSURE. REFER TO THE ENGINEERING PLANS HEREIN FOR VENT LOCATIONS AND CALCULATIONS.

THE TITLE SHEET MUST INCLUDE THE FOLLOWING STATEMENT OF COMPLIANCE TO THE ENGINEERING DEPARTMENT:

I CERTIFY THAT I AM THE ENGINEER (OR ARCHITECT) OF RECORD AND THE PLANS DATED _____ SUBMITTED ON _____ COMPLY NITH THE CITY'S FLOOD DAMAGE PREVENTION ORDINANCE (CHAPTER 12, SECTION 42)

SIGNATURE AND STAMP



PUBLIC WORK NOTES:

THE CONTRACTOR/OWNER/APPLICANT SHALL SUBMIT A FEMA ELEVATION CERTIFICATE TO THE ENSINEERING DIVISION FOR VERRIFICATION OF THE ELEVATIONS OF THE FOADORS, A SECOND FEMA ELEVATION CERTIFICATE ALSO SHALL SUBMITTED AT THE COMPLETION OF PROJECT

PRIOR TO APPROVAL OF FOUNDATION INSPECTION, A LICENSED SURVEYOR OR RESISTERED CIVIL ENGINEER SHALL VERIFY FOUNDATION ELEVATIONS BY SUBMITTING A SIGNED, STAMPED STATEMENT AND COMPELTED FEMA ELEVATION CERTIFICATE.

A FINISHED CONSTRUCTION ELEVATION CERTIFICATE MILL BE REQUIRED AT PROJECT COMPLETION

I CERTIFY THAT I AM THE ENGINEER CERTIFY THAT I AM THE ENGINEER
(OR ARCHITECT) OF RECORD AND
THE PLANS DATED _____, SUBMITTED
ON_____ COMPLY WITH THE CITY'S
FLOOD DAMAGE PREVENTION
ORDINANCE (CHAPTER 12, SECTION

ANY FRONTAGE IMPROVEMENTS WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION WILL BE REQUIRED TO BE REPLACED. ALL PRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE LATTEST VERSION OF THE CITY STANDARD

AN ENCROACHMENT PERMIT FROM THE ENGINEERING DIVISION IS REQUIRED PRIOR TO ANY CONSTRUCTION ACTIVITIES, INCLUDING UTILITY LATERALS, IN THE PUBLIC RIGHT OF WAY.

2

PROPOSED FRONT ELEVATION

TOURG AND BORLIK ARCHITECTS 4962 EL CAMINO REAL, SUITE 218 LOS ALTOS, CA 94022 TEL: (650) 688-1950 FAX: (650) 323-1112 ATTN: ANDREW YOUNG ayoung@ybarchitects.co

SURVEYOR & CIVIL NNR ENGINEERING 535 WEYBRIDGE DR SAN JOSE, CA 95123 TEL: (408) 348-7813 ATTN: NADIM RAFFOUL nnrengineering@yahoo.com

CONTRACTOR WALLAU REMODELING 808 COLEMAN AVE #5 MENI O DARK CA 94025-2456 WALLAUREMODELING@YAHOO.COM

LANDSCAPE ARCHITECT
LAND AESTHETIC
INGRAHAM STREET, SAN DIEGO, CA 92109 TEL: (800) 414-1860 navid@landaesthetic.com ATTN: NAVID MOSTATABI

6

62-23

VICINITY MAP

PARCEL MAP

PROJECT DESIGN DATA:

2016 CALIFORNIA BUILDING CODE - VOL. 1&2

2016 CALIFORNIA RESIDENTIAL CODE

2016 CALIFORNIA MECHANICAL CODE

2016 CALIFORNIA PLUMBING CODE 2016 CALIFORNIA ELECTRIC CODE

2016 CALIFORNIA FIRE CODE

2016 CALIFORNIA GREEN BUILDING CODE (CalGreen)

2016 CALIFORNIA ENERGY CODE

2016 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS ALONG WITH ALL OTHER LOCAL AND STATE LAWS AND REGULATIONS.

CONSULTANTS

THE DOCUMENTS PREPARED BY THESE CONSULTANTS ARE AN INTEGRAL PART OF THE THE LUCLUSIENTS OF THE CONTROL OF THE CONTROL OF THE STATE OF THE STATE OF THE MOST STRINGENT REQUIREMENTS SHALL BE FOLLOWED. THE CONTRACTO SHALL DESTAN UNRENT COPIES OF ALL DOCUMENTS, READ, UNDESTAND AND CONFIRM ANY CONFLICTS OR DISCREPANCIES OR QUESTIONS WITH APPROPRIATE CONSULTANTS.

ARCHITECTURAL

A0.1 COVER SHEET, VICINITY MAP, CONSULTANTS, SHEET INDEX, PROJECT SUMMARY

TOPOGRAPHIC SITE SURVEY

A0.3 PROPOSED AREA PLAN AND STREETSCAPE

A0.3.1 PHOTOS OF NEIGHBORS

A0.4 EXISTING SITE PLAN A0.5 PROPOSED SITE PLAN

A0.6 AREA CALCULATIONS

PROPOSED FIRST FLOOR PLAN

A2.2 PROPOSED SECOND FLOOR PLAN

A2.3 ROOF PLAN

EXISTING AND PROPOSED NORTH ELEVATIONS A3.1

EXISTING & PROPOSED SOUTH ELEVATIONS

AS 3 EXISTING & DRODOSED EAST & WEST ELEVATIONS A3.4 SDU ELEVATIONS FOR REFERENCE

PROPOSED SECTIONS

CONSTRUCTION BEST MANAGEMENT PRACTICES

LANDSCAPE

LANDSCAPE PLAN

4

GRADING & DRAINAGE PLAN C-2

DETAILS

APN#: 062 - 23 - 3010 ED & SHIONDA NICKERSON PROJECT ADDRESS: 704 LAURAL AVENUE MENLO PARK, CA 94025 BUILDING OCCUPANCY: R-3/U TYPE OF CONSTRUCTION: V-B ZONING: LOT SIZE: 8.297 st (.19 ACRES) HISTORIC STATUS: FLOOD ZONE: STORIES: ACCESSORY STRUCTURE: YES FIRE SPRINKLERS: ALLOWABLE LOT COVERAGE: ALLOWABLE F.A.R: 3,124 (2800+ [25% x 1,297])sf

FRONT & REAR SETRACK SIDE SETBACK: STREET SIDE SETBACK: HEIGHT I IMIT CONTEXTUAL GARAGE PLACEMENT NO

AREA CALCULATION:

ACCESSORY DWELLING UNIT:

PROPOSED CONDITIONED FIRST FLOOR LEVEL: 1.150.01 sf 2.124.66 sf PROPOSED UNCONDITIONED SPACE (GARAGE): 421.9 sf TOTAL PROPOSED ELOOP AREA 2546.56 sf

TOTAL FLOOR AREA: 3,096.01 sf < 3,124 sf COVERED PORCHES: 726.6 of

PROPOSED LOT COVERAGE: SEE SHEET A0.6 FOR DETAILED AREA CALCULATIONS

THE WORK HOURS ARE REGULATED BY NOISE LEVELS CREATED DURING CONSTRUCTION. THE MAXIMUM NOISE LEVELS ALLOWED ARE ESTABLISHED IN THE CITY OF MENLO PARK MUNICIPAL CODE CHAPTER 8.06 NOISE

NOISE

ANY MAD ALL EXCESSIVELY ANNOYING, LOUD OR UNUSUAL NOISES OR VIBRATIONS SUCH AS OFFEND THE
PEACE, AND QUIET OF PERSONS OF ORDINARY SENSIBILITIES AND WHICH INTERFERE WITH THE
COMPORTABLE ENJOYMENT OF LIFE OR PROPERTY AND AFFECT AT THE SAME TIME AN ENTIRE
NEIGHBORHOOD OR ANY CONSIDERABLE NUMBER OF PERSONS SHALL BE CONSIDERED A NOISE
DISTURBANCE.

549.4 of

2.855.99 sf < 3.161 sf

DISTURBANCE.
2. CONSTRUCTION ACTIVITIES:
a. CONSTRUCTION ACTIVITIES ARE LIMITED TO THE HOURS OF EIGHT (8) A.M. AND SIX (8) P.M. MONDAY
THROUGH FRIDMY

THROUGH FROM.**

CONSTRUCTION ACTIVITIES BY RESIDENTS AND PROPERTY OWNERS PERSONALLY UNDERTAKING CONSTRUCTION ACTIVITIES BY RESIDENTS AND PROPERTY OWNERS PERSONALLY UNDERTAKING CONSTRUCTION ACTIVITIES TO MAINTAIN OR MEROVE THEM PROPERTY ARE ALLOWED ON SATURDAYS AND AND THE GIVEN AND AND THE MOSE CONTROL OF THE MOSE CONTROL OF THE MOSE CONTROL OF THE CONTROL OF THE

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JULY 29,





NICKERSON 704 LAUREL AVENUE MENLO PARK, CA 94025 SHIONDA ઝ ED

A.P.N. 062-23-3010 AY SA, NP APR. 30. 2018

NICKERSON A0.1

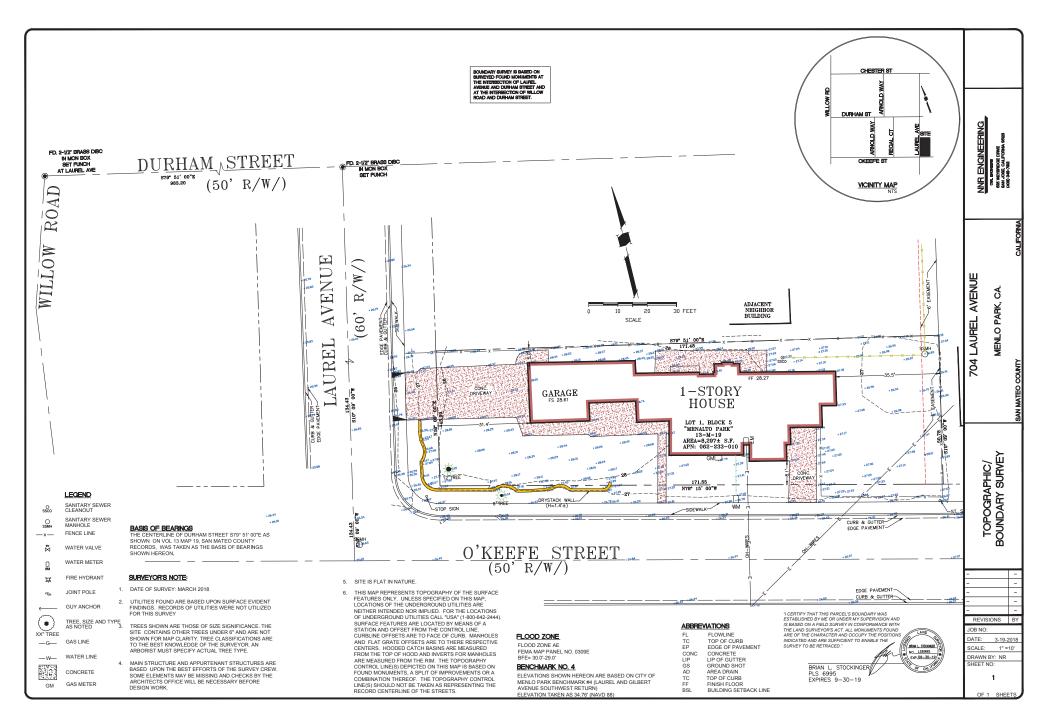
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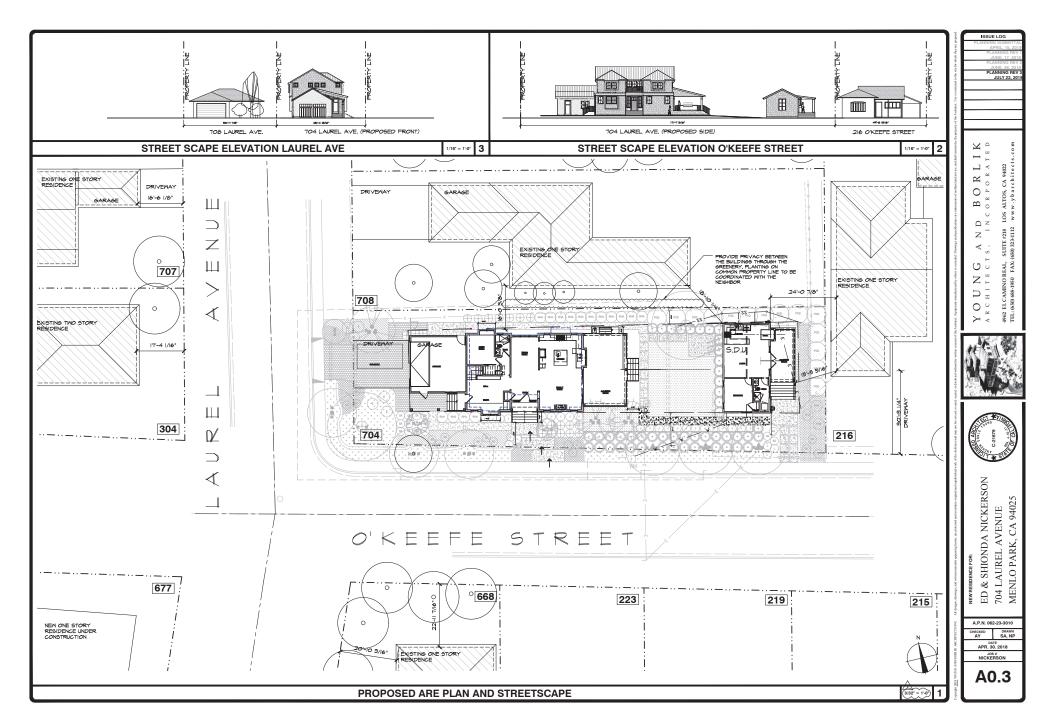
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SHEET INDEX

3

PROJECT SUMMARY









304 O' KEEFE ST.

304 O' KEEFE ST.





708 LAUREL AVE.

216 O' KEEFE ST.







707 \$ 711 LAUREL AVE.

668 LAUREL AVE.

677 LAUREL AVE.



NEIGHBORHOOD PHOTOS

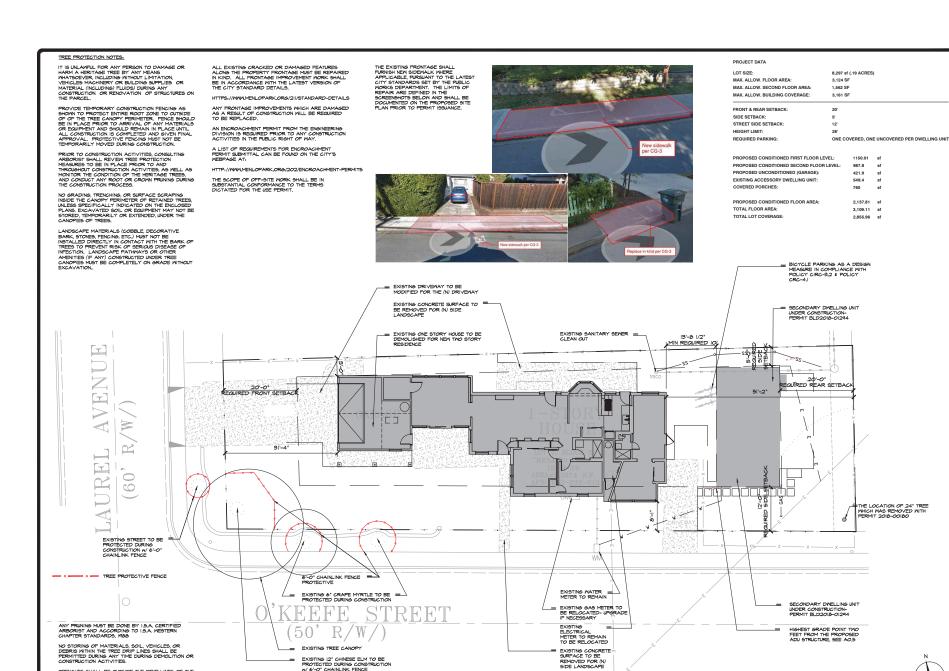
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APR. 30. 2018 NICKERSON

A0.3.1



EXISTING SITE PLAN



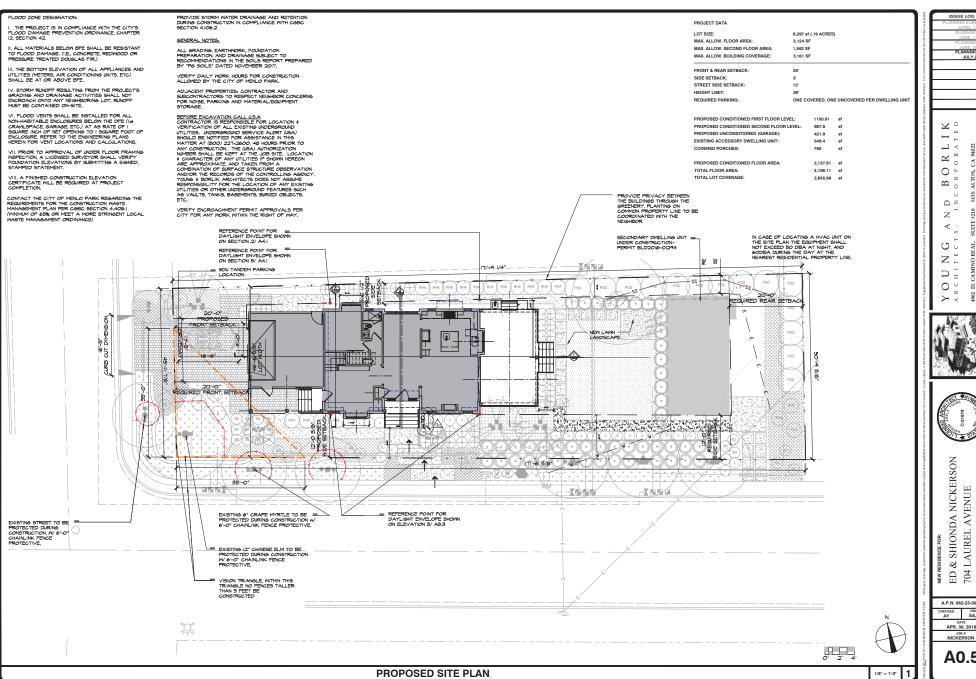
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1/8" : 1'-0"

CONSTRUCTION ACTIVITIES.

TRENCHES SHALL BE OUTSIDE THE DRIP LINES OF THE TREES IN ORDER TO MIMMIZE NEGATIVE IMPACTS.

ANY TRENCHING MITHIN A DISTANCE SX THE DIAMETER OF THE TREE SHALL BE HAND EXCAVATED, AND ANY ROOTS ENCONTERED SHALL BE REVIEWED ON SITE BY THE PROJECT ARRORIST.



DI ANNINO DES JULY 29, \succeq



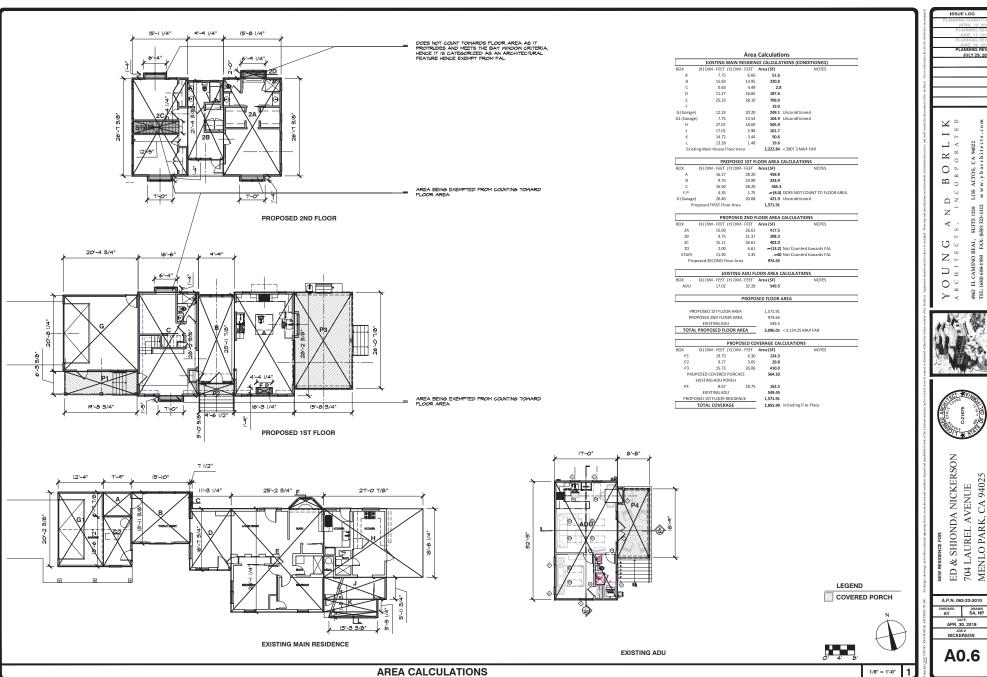


ED & SHIONDA NICKERS 704 LAUREL AVENUE MENLO PARK, CA 94025

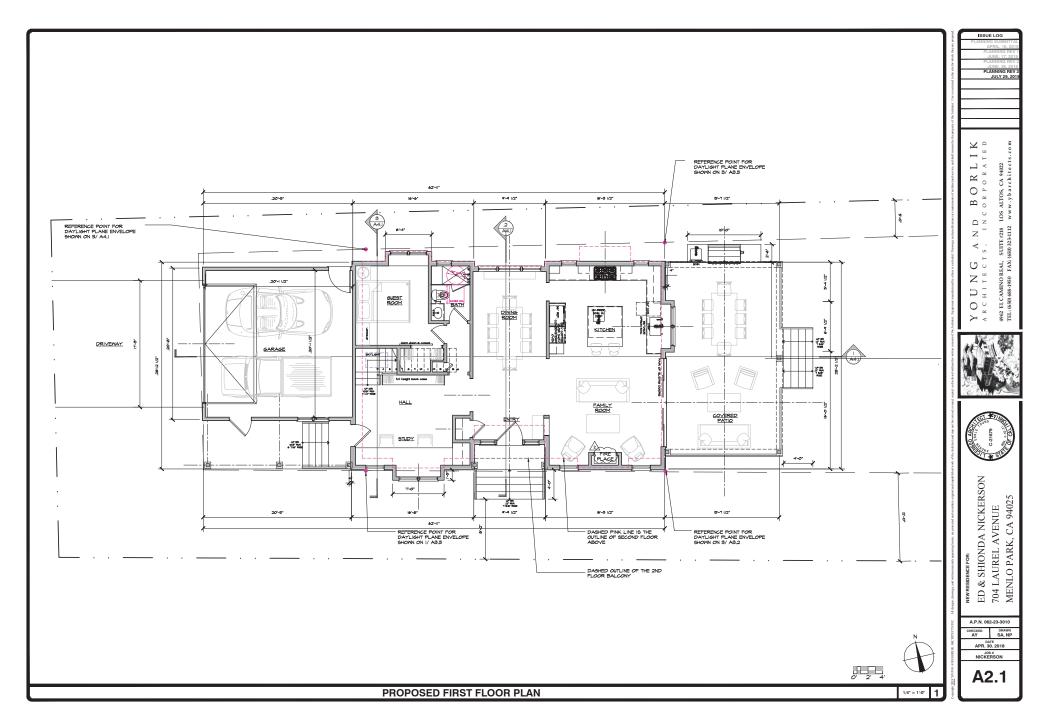
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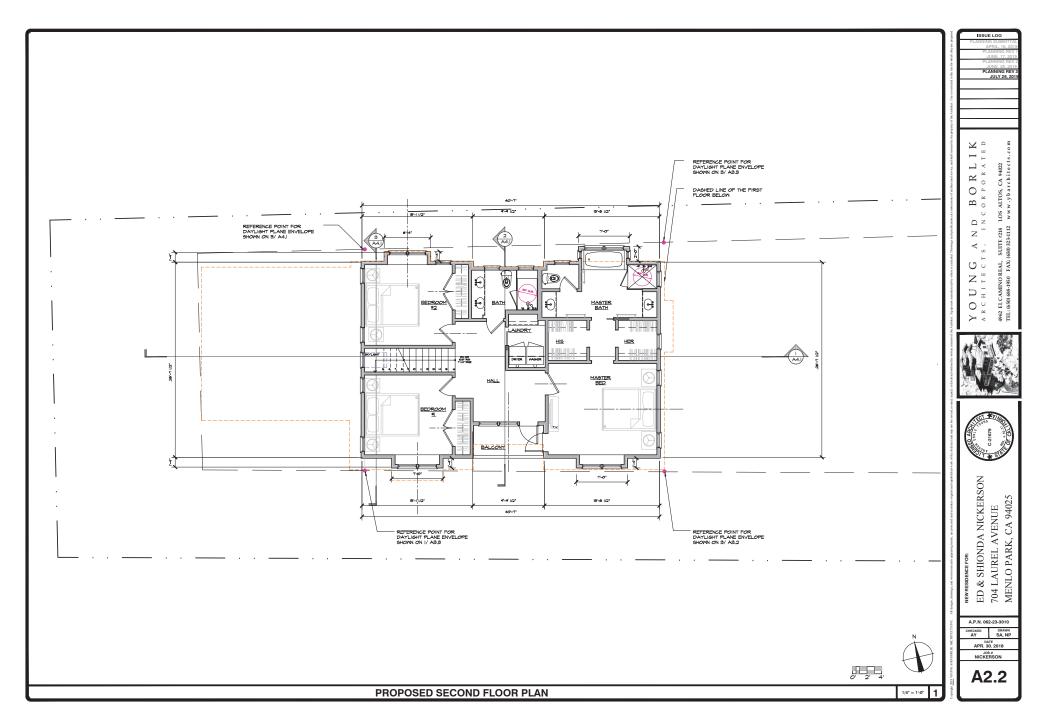
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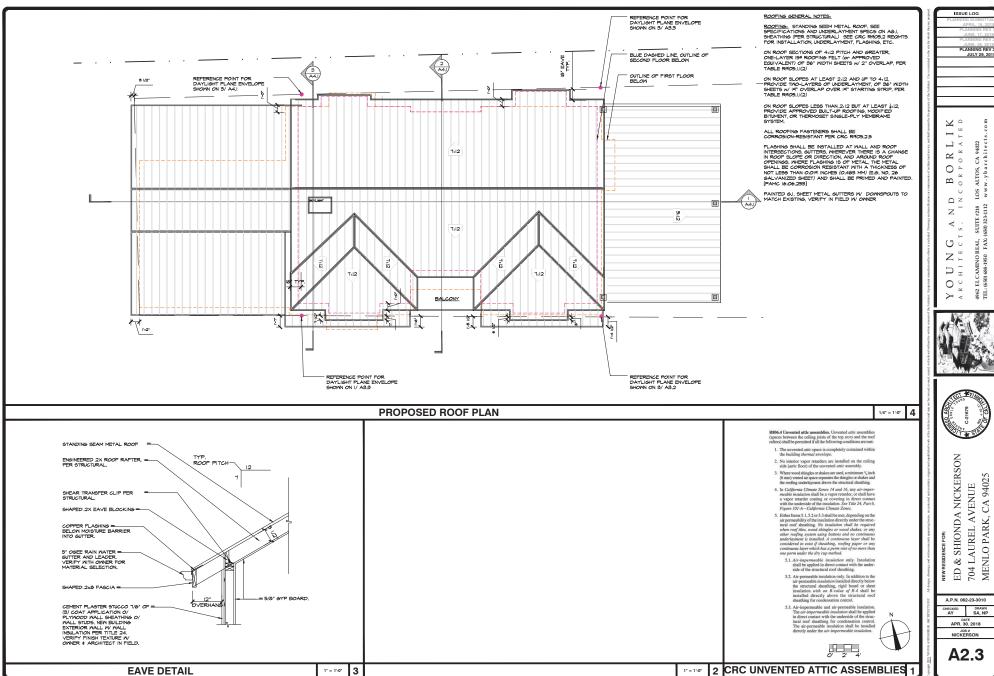
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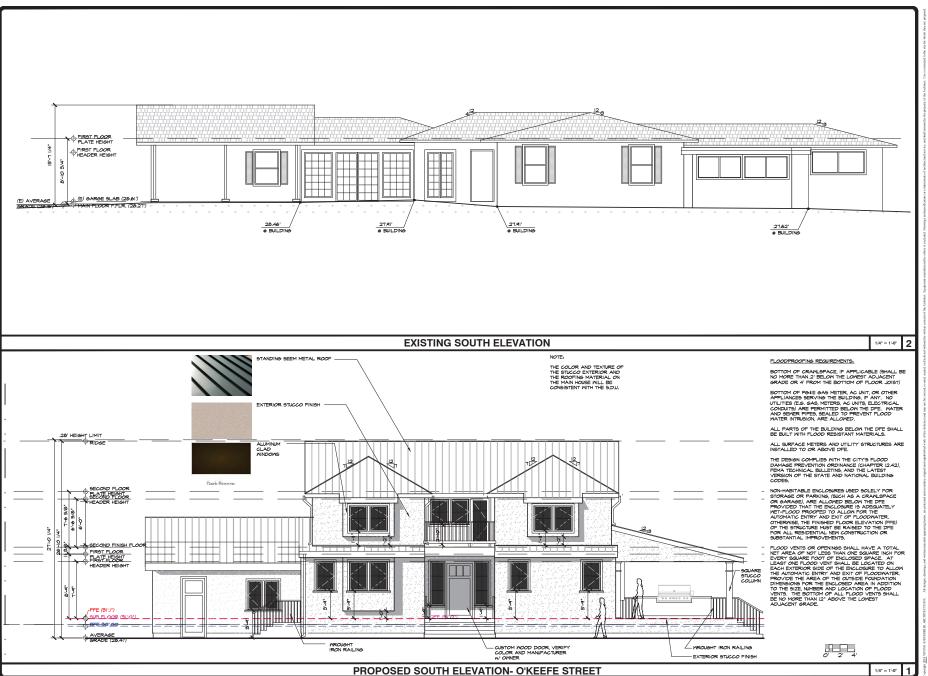


ED & SHIONDA NICKERSON 704 LAUREL AVENUE MENLO PARK, CA 94025



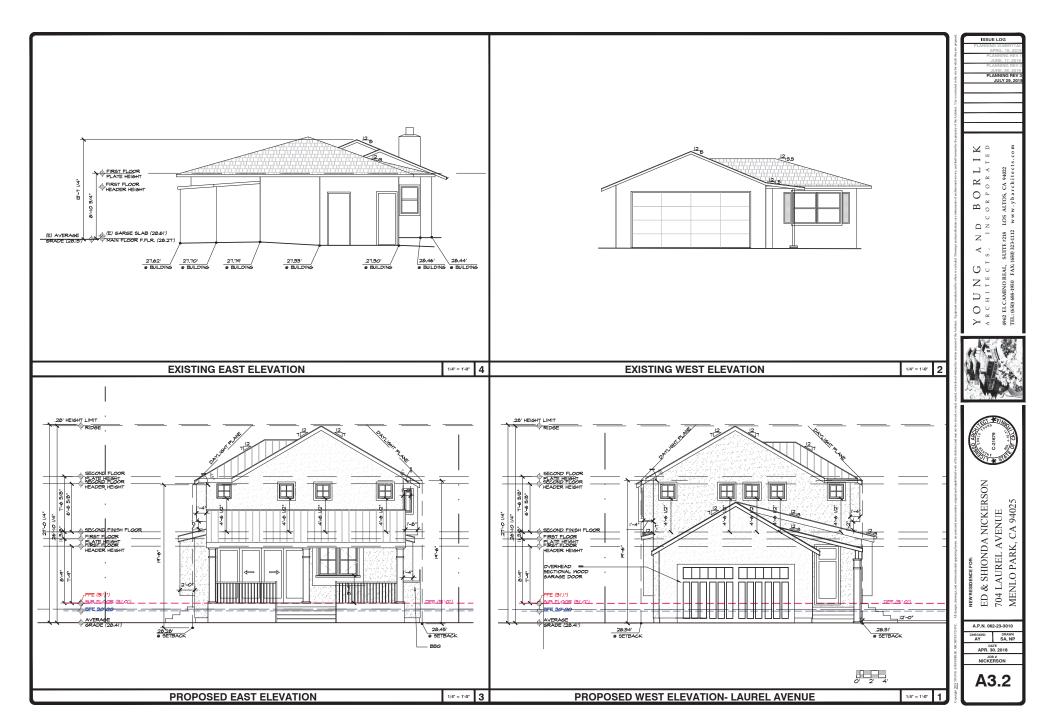


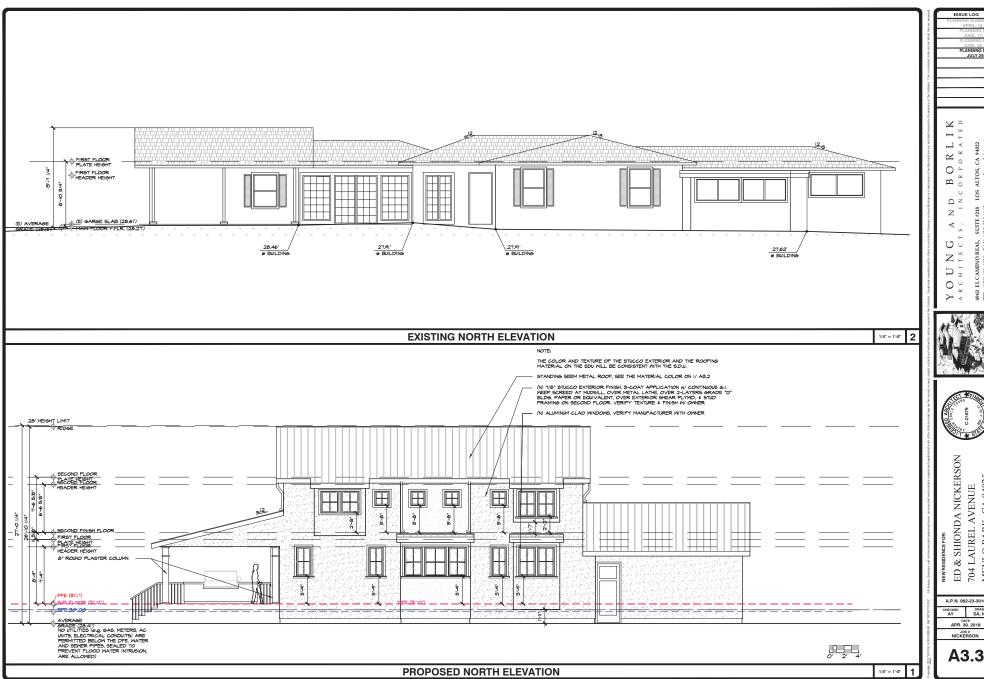


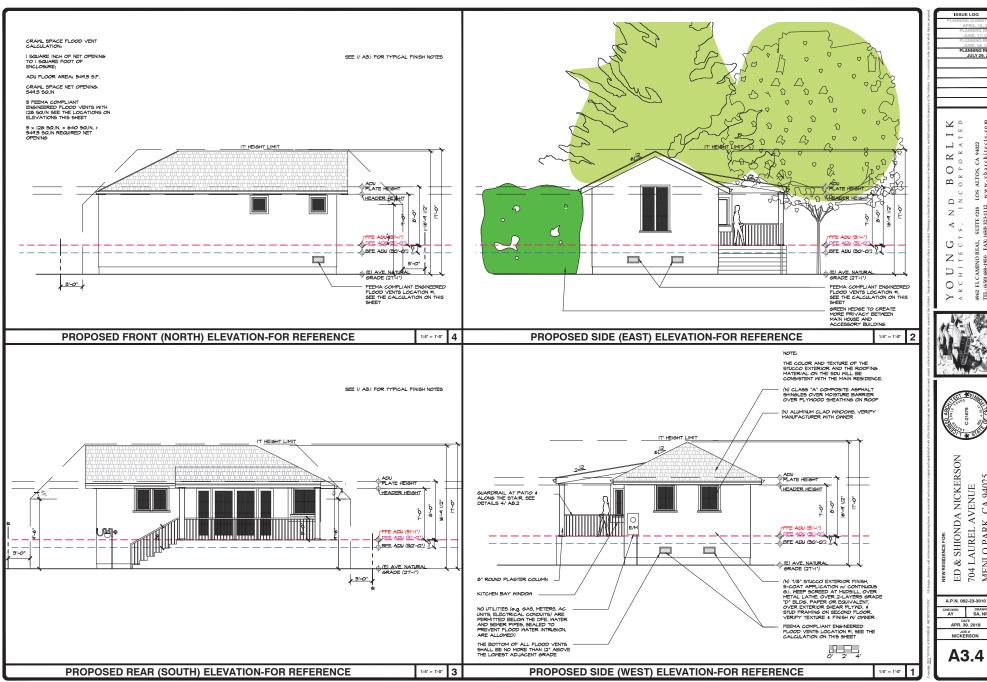


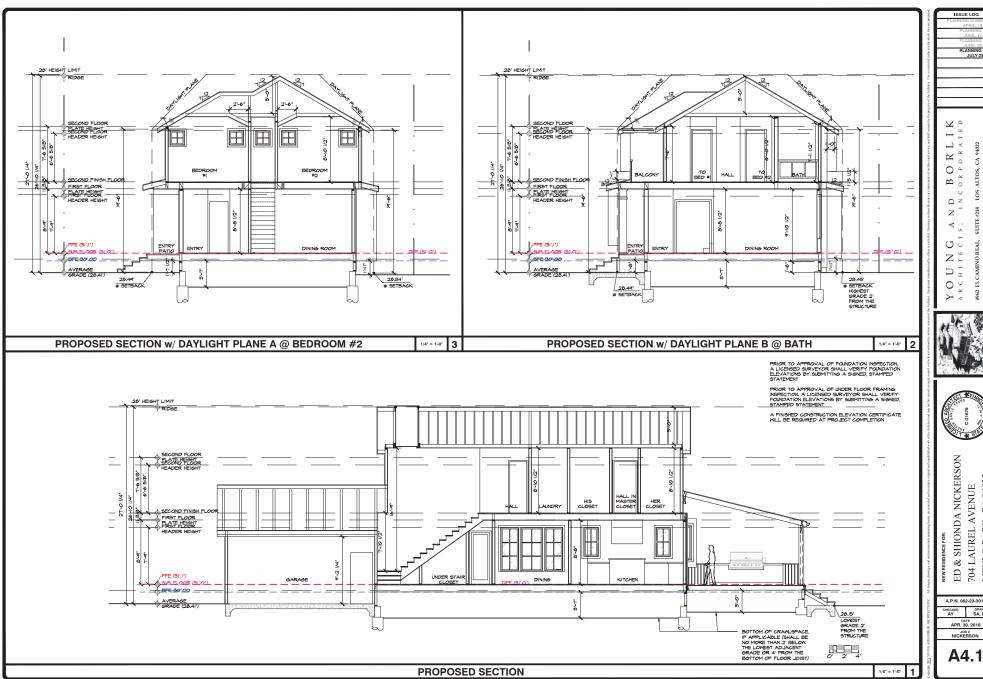
PLANNING REV JULY 29, 20 ALTOS, CA 94022 w.ybarchitects \simeq 0 В \square Z G \mathbf{Z} \supset 0 ED & SHIONDA NICKERSON 704 LAUREL AVENUE MENLO PARK, CA 94025 A.P.N. 062-23-3010 AY SA, NP APR. 30. 2018 NICKERSON

A3.1











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.

Prevention Program Clean Water. Healthy Community.

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
- ☐ 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.

- 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
- ☐ Clean or replace portable toilets, and inspect them frequently for
- ☐ Dispose of all wastes and debris properly. Recycle materials and wastes that can be recycled (such as asphalt, concrete, aggregate base materials, wood, gyp 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 offsite 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 on 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

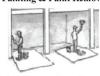
Paving/Asphalt Work



- 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, abosorb, 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



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.
- 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-

and disposed of properly



Concrete, Grout & Mortar

Application

☐ Store concrete, grout, and mortar away

☐ 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

Let concrete harden and dispose of as

prevent washwater from entering storm

gutters, hose washwater onto dirt areas, or

drain onto a bermed surface to be pumped

drains. Block any inlets and vacuum

underlying soil or onto surrounding areas.

that will prevent leaching into the

☐ When washing exposed aggregate,

rain, runoff, and wind.

garbage.

from storm drains or waterways, and on

pallets under cover to protect them from

- ☐ 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.
- 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 offsite away
- ☐ 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
- ☐ 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

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

Painting & Paint Removal



- ☐ Paint chips and dust from non-hazardous



- ☐ Discharges of groundwater or captured
- from all disturbed areas
- may be required.
- treatment and proper disposal.

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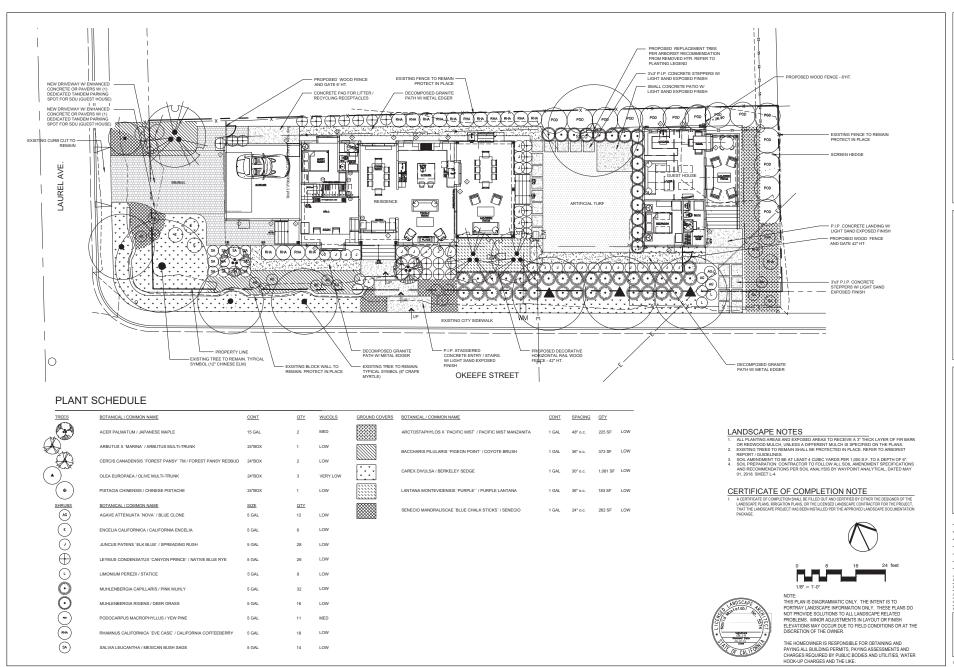
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AY SA, NP

704 LAUREL AVENUE MENLO PARK, CA 94025

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LAND AESTHETIC INGRAHAM STREET, SAN DIEGO, CA 92109 800-414-1860

SHEET TITLE: LANDSCAPE PLAN

> NICKERSON RESIDENCE 704 LAUREL AVENUE MENLO PARK, CA 94025

CITY SUBMITTAL 6/7/19

CITY SUBMITTAL 6/26/19

CITY SUBMITTAL 7/29/14

CITY SUBMITTAL 7/29/14

OF DATE

LOT DATE

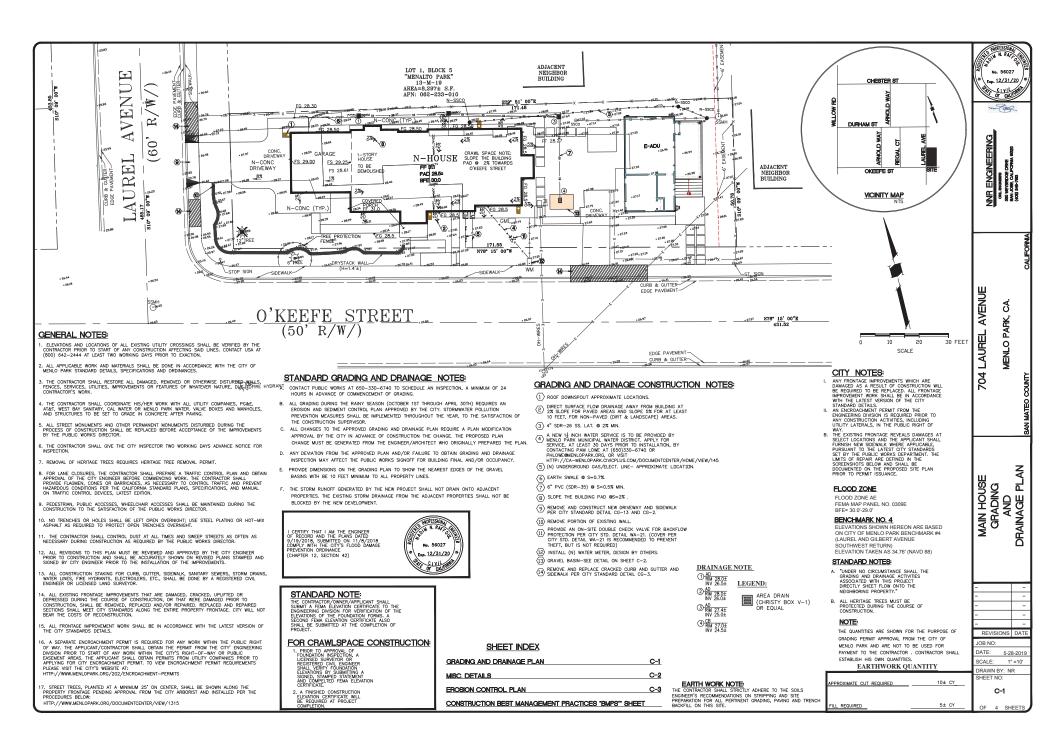
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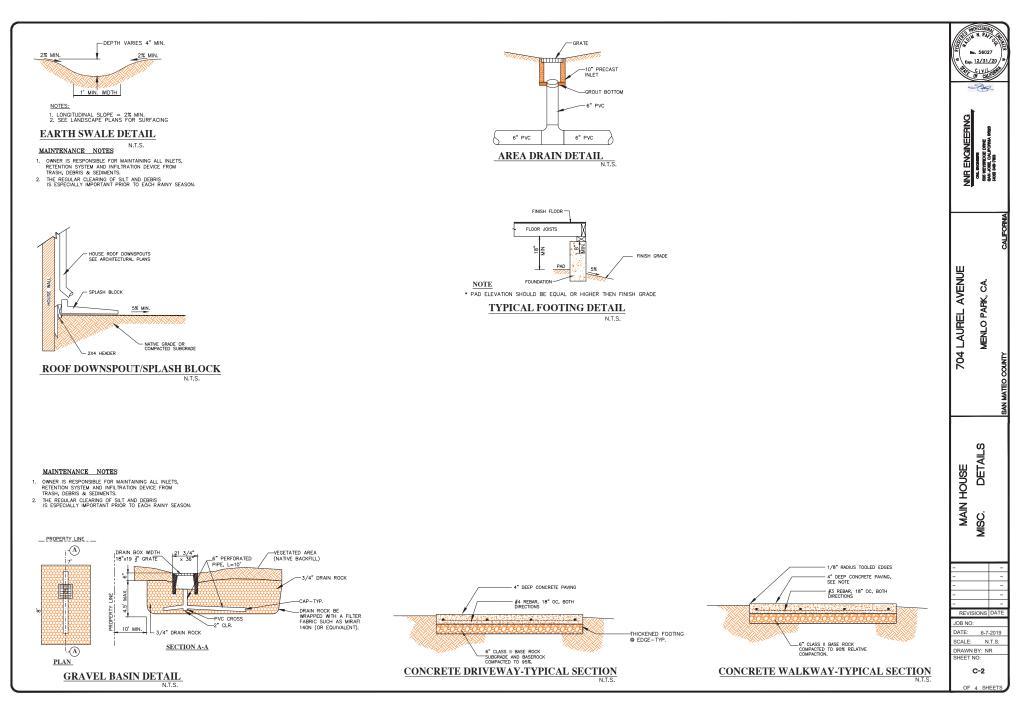
ONTRACT DATE

CALE SEE:

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ET 1 OF 3





April, 19 2019

Ori Paz, Assistant Planner City of Menlo Park, Planning Division 701 Laurel Street Menlo Park, CA 94025

Re: Project description letter for 704 Laurel Ave, Ed & Shionda Residence

The purpose of this letter is to describe the proposed new project at 704 Laurel Ave, to accompany our submittal of plans and application for the Use Permit approval. The overall project is a new two story home including a 1,571.9 sf first floor and a 1,001 sf second story. The total proposed residence will be 3,122.44 sf.

The parcel is 8,297 sf, zoned as R-1-U. Based on lot dimensions, the parcel is considered substandard with respect to the minimum size for the district. The existing home structure complies with the front, side, and rear setback requirements, but the bedrooms are located approximately 9.5 feet from the street side yard property line, where 12 feet is required. The proposed scope of work, combined with the parcel size and non-conformities, necessitate a Use Permit approval for development.

There has been two main constraints in the design process of this project; one the high flood plain and DFE, the other the daylight plane which both led into lower ceiling heights in the second story.

The architecture of the home is designed with Farmhouse influences, but simplified and minimized for a more modern aesthetic. The design introduces two vertical element on the O'Keefe street elevation crowned by two identical dormers emphasizing the entry covered porch. These two features also serve as a connecting core to both front and rear side of the home utilizing long covered porches as the connection wings. 12' and 20' setbacks from side and front streets provide a sense of welcoming and strengthen the pedestrian scale of the streetscape. The front door will face the street with high visibility. Wall materials will be smooth-finish painted stucco, which in combination with aluminum clad windows and dark standing seem metal roof will represent a charming and at the same time humble structure to the neighborhood.

The second floor is centered within the footprint of the first floor below, which adds on to the symmetry and overall balanced feeling of the volume. The new attached two car garage will remain at the existing location on Laurel street-side front corner of the lot to provide covered off-street parking. The driveway will also continue to provide additional uncovered off-street parking spaces.

There is also a secondary dwelling unit being built under a separate permit on the Far East corner of the property. The material of the main house will match to the S.D.U.

The surrounding neighborhood is all single family dwellings. The immediate vicinity seems to be evenly split between one-story and two-story development. Most residences have an attached two-car garage with a short driveway connecting to the street for the additional tandem parking. There is only one street tree which will be protected during the construction.

As part of the outreach efforts for this project, the owners will reach out to the adjacent neighbors to the side and rear, as well as a few others, to provide awareness of the proposed improvements and to solicit feedback and support.

Thank you for your time in review of this project. We are proud to present this design for your consideration, and look forward to the opportunity to see this new design compliment the neighborhood.

Sincerely,

Andrew Young Young and Borlik Architects Inc.

Community Development



STAFF REPORT

Planning Commission

Meeting Date: 8/12/2019 Staff Report Number: 19-059-PC

Public Hearing: Use Permit/Michelle Miner/611 Woodland Avenue

Recommendation

Staff recommends that the Planning Commission approve a use permit to construct a new two-story residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district, at 611 Woodland Avenue. The lot is currently vacant with the exception of a tennis court. Two multi-trunk heritage trees in fair condition (one English walnut and one orange) are proposed for removal. The recommended actions are included as Attachment A.

Policy Issues

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

Background

Site location

The project site is located at 611 Woodland Avenue in the Willows neighborhood, on the opposite side of the street from the border with Palo Alto along the San Francisquito Creek. The subject property is located on the western side of Woodland Avenue, situated between Blackburn Avenue to the north and Middlefield Road to the south. A location map is included as Attachment B.

The adjacent property at 615 Woodland Avenue, to the right of the subject property, is also proposed by the applicant to be a two-story craftsman style home, and that proposal will also be reviewed by the Planning Commission at the August 12 meeting. However, these two projects are functionally separate and will be considered and acted on individually. There are a mix of one- and two-story houses throughout the area. The other residences are mainly ranch or traditional architectural styles, and the neighborhood features predominantly single-family residences in the R-1-U zoning district, apart from the Willows Market at 60 Middlefield Road and the recently approved office building pending construction at 40 Middlefield Road which are in the C-4 (General Commercial) zoning district.

Right-of-Way abandonment

The Engineering Division is currently reviewing an application to abandon a portion of the Woodland Avenue right-of-way to the properties along the curve. The abandonment would follow a three-step process. First the City Council would need to approve the intent to abandon, next the Planning Commission would review the item for consistency with the General Plan, and then the City Council would have the final authority on approving the abandonment. The item has not yet been scheduled for the first

City Council meeting. The lot area of the subject property would be affected by the abandonment; however, the proposal has been designed to meet all development regulations based on the lot area at present. The Engineering Division would require the frontage improvements associated with this work to be designed to account for the future roadway line.

Analysis

Project description

The applicant is proposing to remove the existing tennis court that served 615 Woodland Avenue and construct a new two-story craftsman style home with an attached front-loading one-car garage and one uncovered space. The subject property is substandard with respect to lot width and area and is within the FEMA Flood Zone (AE). A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

Of particular note with regard to the Zoning Ordinance and related requirements:

- The project would meet the required setbacks, floor area limit (FAL), building coverage, daylight plane, height and parking.
- The proposed rear balcony is located 37.6 feet from the rear property line where a minimum of 30 feet is required.
- The second floor would be limited in size at 1,043 square feet where 1,400 square feet could be
 permitted. The project is designed to comply with flood zone requirements, which require the first floor
 habitable area to be higher than the base flood elevation and higher than typical in most parts of the
 City.

Design and materials

The applicant has stated the home was designed in a craftsman style. The design features a mix of hipped and gabled roof forms, horizontal siding with corner boards as a primary exterior cladding material, wood window trim, and stone veneer as an accent at the bottom of the front façade beneath the covered porch and along the face of the garage and up to the dormer and gable above the front porch. The applicant has indicated they intend to use vinyl windows with simulated true divided lights, composite shingle roofing, and a wood entry door, posts and railings. The sliding doors for the balcony and rear entries from the covered porch would be fiberglass. The applicant has incorporated additional design elements, including more pronounced gables with roof returns, use of board and batten to accent the gable end roofs, and additional stone veneer and brick lintel above a window and the wood carriage door to differentiate the proposed home at 611 Woodland Avenue from the proposed project next door at 615 Woodland Avenue. However, the Planning Commission may wish to consider whether the combination of stone, horizontal and vertical wood siding and multiple gables would benefit from some simplification of materials and rooflines on the front facade.

The home would be oriented slightly toward the left side of the property, at the front setback. The proposed siting would also provide the space necessary to maintain the large redwood tree in the rear yard. Though the home is proposed at the front setback, the garage door would be set back approximately two feet from the façade at the front door, and further still from the front of the front porch, reducing the prominence of the garage.

The overall height of the structure would comply with the maximum height, and the roof forms on the sides would comply with the daylight plane requirements. The second floor would also be set in approximately two feet from the edge of the first floor to provide additional space for light and air on the narrow lot.

Egress windows on the second floor are proposed to be front or rear facing. The windows proposed on the left side are predominantly smaller with high (four-foot) sill heights to reduce privacy concerns. On the right side, three windows would also have four-foot sill heights, and the master bathroom window would feature obscured glass. The stair window on this side would have a moderate sill height (three feet), although this would be a transitory space that would generally not be occupied for lengthy periods. In addition, the applicant is proposing to install landscape screening in this area.

Overall, staff believes the proposal would add to the diverse character of the neighborhood. There are design elements proposed that may benefit from some simplification, but would differentiate between the subject proposal and the similar design of the proposed project next door at 615 Woodland Avenue. The siting would provide privacy between the subject project and neighboring lots, preserve the large redwood tree at the rear and keep the covered parking from being the most prominent feature of the front façade.

Parking and circulation

The proposed project would provide one covered parking space in a new attached front-loading, one-car garage at the front of the lot. An uncovered space is proposed to the right of the garage, outside of the five-foot side setback and the public utility easement that runs between the two properties. The applicant is proposing a 16.5-foot -wide driveway curb cut that would then expand in width at the front property line to accommodate the uncovered space, access to the garage, and a pedestrian connection to the front door. This approach preserves more of the lot frontage. The extent of the paving and the limitations on stormwater runoff from the site would be ensured by the Engineering Division at the building permit stage.

Flood zone

The subject property is located within the "AE" zone established by the Federal Emergency Management Agency (FEMA). Within this zone, flood proofing techniques are required for new construction and substantial improvements of existing structures. Stated in general terms, the finished floor must be at least one foot above the base flood elevation. The Public Works Department has reviewed and tentatively approved the proposal for compliance with FEMA regulations. The elevations and sections (Plan Sheets 9 – 11 in Attachment D) show the base flood elevation (57.0 feet) in relation to the existing average natural grade (approximately 55.3 feet) and the top of the subfloor (58.0 feet).

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 and nearby. The report discusses the impacts of the proposed improvements and provides recommendations for the maintenance and protection of the trees to remain on site and at the front of the property in the right-of-way. All recommendations identified in the arborist report shall be implemented and ensured as part of condition 3g.

The applicant is proposing to remove two multi-trunk heritage trees in fair condition: an English walnut (tree #1) and an orange (tree #8). The applicant has proposed to plant the associated replacement trees on the neighboring site at 615 Woodland Avenue, due to the fact that the lots are directly adjacent, and the replacement trees would replace lost canopy in a similar area. Additionally, the replacement trees would have more room on the neighboring property than on the smaller, heavily wooded subject site. The City Arborist has reviewed and tentatively approved the removals and the replacement plan. The proposed replacement trees have been identified on the site plan for the proposed project at 615 Woodland Avenue, and the planting of the replacement trees would be ensured through project-specific condition of approval 4a.

Correspondence

The applicant has stated that they reached out to adjacent neighbors to discuss the proposed residence, and has indicated that the neighbors have expressed support for the proposal. Staff has not received any items of written correspondence on the project

Conclusion

Staff believes that the style of the proposed residence would be generally similar to many architectural styles within the neighborhood. The garage would be set back from the front entry, reducing the prominence of the covered parking. Based on the size, positioning, and treatments of windows on the second floor, along with new privacy plantings along the side property lines, privacy impacts should be limited. Additionally, the proposed project would comply with the daylight plane requirements for the site with the second floor set in further from the edge of the first floor. The inclusion of the two heritage tree removal replacement trees on the neighboring site would maintain the local canopy. The curb cut for the driveway width would be limited to preserve more of the frontage. 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.

Staff Report #: 19-059-PC Page 5

Appeal Period

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

Attachments

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

Disclaimer

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

Exhibits to Be Provided at Meeting

None

Report prepared by: Ori Paz, Associate Planner

Report reviewed by:

Deanna Chow, Interim Community Development Director

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611 Woodland Avenue Attachment A: Recommended Actions

LOCATION: 611	PROJECT NUMBER:	APPLICANT: Michelle	OWNER: Paul Goswamy
Woodland Avenue	PLN2019-00020	Miner	-

PROPOSAL: Request for a use permit to construct a new two-story residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district. The lot is currently vacant with the exception of a tennis court. Two multi-trunk heritage size trees in fair condition, one English walnut and one orange, are proposed for removal.

DECISION ENTITY: Planning
Commission

DATE: August 12, 2019

ACTION: TBD

VOTE: TBD (Barnes, DeCardy, Doran, Kennedy, Riggs, Strehl, Tate)

ACTION:

- 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 Michelle Miner Design, consisting of 13 plan sheets, dated received July 31, 2019 and approved by the Planning Commission on August 12, 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 November 9, 2018.

PAGE: 1 of 2

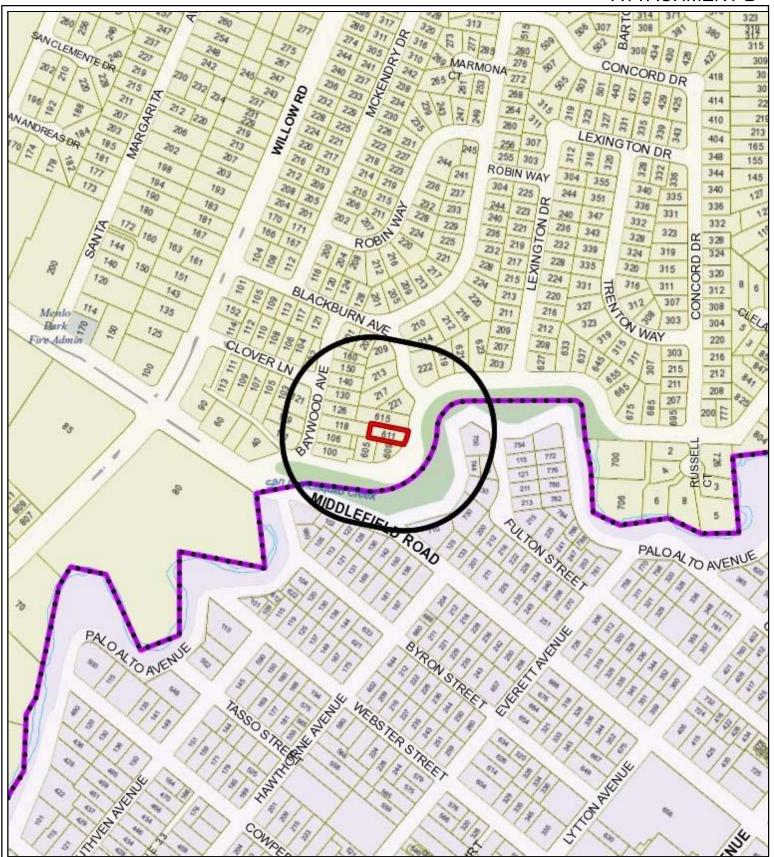
611 Woodland Avenue- Attachment A: Recommended Actions

		APPLICANT: Michelle Miner		OWNER: Paul Goswamy		
PROPOSAL: Request for a use permit to construct a new two-story residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district. The lot is currently vacant with the exception of a tennis court. Two multi-trunk heritage size trees in fair condition, one English walnut and one orange, are proposed for removal.						
ning	DATE: August 12	2, 2019	ACTION: TBD			
VOTE: TBD (Barnes, DeCardy, Doran, Kennedy, Riggs, Strehl, Tate)						
	PLN201 a use pe th and are e exception ne orange	th and area in the R-1-U (Si e exception of a tennis court ne orange, are proposed for ning DATE: August 12	PLN2019-00020 Miner a use permit to construct a new two-story resith and area in the R-1-U (Single Family Urban exception of a tennis court. Two multi-trunk has orange, are proposed for removal. DATE: August 12, 2019	PLN2019-00020 a use permit to construct a new two-story residence or th and area in the R-1-U (Single Family Urban Residence exception of a tennis court. Two multi-trunk heritage she orange, are proposed for removal. DATE: August 12, 2019 ACTION		

ACTION:

- 4. Approve the use permit subject to the following *project-specific* condition:
 - a. Prior to occupancy being granted, the applicant shall submit documentation that the proposed heritage replacement trees have been planted on the neighboring site, 615 Woodland Avenue, subject to review and approval by the City Arborist and the Planning Division.

PAGE: 2 of 2





City of Menlo Park

Location Map 611 Woodland Ave.



Scale: 1:4,000 Drawn By: OP Checked By: DMC Date: 8/12/2019 Sheet: 1

	PROPOSED PROJECT		EXISTING DEVELOPMENT		ZONING ORDINANCE	
Lot area	6,552.0	sf	6,552.0	sf	7,000.0	sf min.
Lot width	50.0	ft.	50.0	ft.	65.0	ft. min.
Lot depth	129.3	ft.	129.3	ft.	100.0	ft. min.
Setbacks						
Front	20.0	ft.	Vacant	ft.	20.0	ft. min.
Rear	35.3	ft.	Vacant	ft.	20.0	ft. min.
Side (left)	5.0	ft.	Vacant	ft.	5.0	ft. min.
Side (right)	6.3	ft.	Vacant	ft.	5.0	ft. min.
Building coverage	2,292.5	sf	0.0	sf	2,293.2	sf max.
	35.0	%	0.0	%	35.0	% max.
FAL (Floor Area Limit)	2,790.7	sf	0.0	sf	2,800.0	sf max.
Square footage by floor	1,517.4	sf/1st floor	0.0	sf (Vacant)		
	1,043.7	sf/2 nd floor				
	229.6	sf/garage				
	100.0	sf/front porch				
	352.0	sf/back patio				
	75.0	sf/side patio				
	18.5	sf/fireplace				
Square footage of buildings	3,336.2 sf		0.0	sf		
Building height	28.0 ft.		0.0 ft.		28 ft. max.	
Parking	1 covered/1 uncovered Vacant				1 covered/1 uncovered	
	Note: Areas shown highlighted indicate a nonconforming or substandard situation.					tion.
Trees	Heritage trees:	5*	Non-Heritage	trees: 4	New Trees:	10**
	Heritage trees		Non-Heritage		Total Number	er of
	proposed for re	emoval: 2	proposed for removal:	3	Trees:	14**
	*Includes one heritage tree on the neighboring lot to the rear and two street trees at the front **Includes two heritage tree replacements proposed at 615 Woodland Avenue					

SREEN CODE

NOTE TO CONTRACTOR

clan list of adhesives, sealant, cauking, paint, coating will be according to CGBSC Sections 4:504.2.1.



michelle miner de sign de Saratoga, CA 95070

ANALYSIS



WANLIAR SPACES AROUND PROSE ELECTRIC CAGABLE, CONDUIST, OR OFTHER OPPRINGS IN PLTES THE THERM WALLS SHALL BE PROTECTED AGAINST THE PASSAGE OF RODENTS VCLOSING SUCH OFFINIOS WITH CEMENT MORFIAE, CONCRETE MASONIY OR SIMILAR METHOD

ADISTURE CONTENT OF FLOORS AND WALLS CHECKED BEFORE ENCLOSURE

ATHROOM EXHAUST FANS SHALL TERMINATE OUTSIDE BUILD DNTROL

ARTICLEBOARD, MDF, HARDWOOD PLYWOOD COMPLY WITH LOW FOR STANDARDS, (TABLE 4,504.5)

AEROSOLS AND COATINGS SHALL BE COMPLIANT WITH MIR LIMITS FOR VOC COMPLIANCE - CAULKS, SEALANTS, ADHESIVES, SHALL BE COMPL ROC AND OTHER COMPOUNDS (TABLE 4,504.1)

VERIFICATION AND DOCUMENTATION OF VOC LIMITS AND FINISH MATI

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SPECIAL NOTES PARGEL MAP

VERIFY LOCATION OF UTILITIES AND EXISTING CONDITIONS AT SITE PRIOR TO CONSTRUCTION AND BIDDING ALL WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS, ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF MICHELLE MINER DESIGN PRIOR TO COMMENCING. CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR METHOD AND MANNER OF CONSTRUCTION AND FOR ALL JOS SITE SAFETY DURING CONSTRUCTION. SLOPE ALL FINISH GRADES IN. 5% 5-0" AWAY FROM STRUCTURE FOR POSITIVE DRAINAGE @ LANDSCAF AREA & SLOPE GRADE 2% MIN. @ PAVED AREAS.

NO CONSTRUCTION EQUIPMENT OR PRIVATE VEHICLES SHALL OF ANY ORDINANCE PROTECTED TREES ON SITE.

DUCT OPENINGS, TO BE COVERED AND PROTECTION OF MECH PROVIDED DURING CONSTRUCTION

ADDRESS NUMBERS ON BUILDING SHALL BE CLEARLY THE PROPERTY, MIN. 4" HIGH X 1" WIDE PER CRC R319

GENERAL NOTES

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DESIGNER

ANALYS	ASSESSOR'S PARCEL# LOT AREA BEFORE ABANDONMENT:	ZONING:	TYPE OF CONSTRUCTION:	OCCUPANCY RATING:	EXISTING USE:	PROPOSED USE:	CLOS TONE	FLOOD ZOINE	.i.c.	PROPOSED	NEW FIRST FLOOR	000000000000000000000000000000000000000	NEW SECOND FLOOR (ALLOWABLE SECOND FLOOR 1400 PER CODE 13.16)		GARAGE	TOTAL SQUARE FOOTAGE	- < 4	LOT COVERAGE	NEW FIRST FLOOR	GARAGE	COVERED PATIO/SIDE
					7	nnn	Τ														_
SCOPE OF WORK	BUILD A NEW HOME ON A VACANT LOT							ALL CONSTRUCTION SHALL COMPLY WITH:	CALIF, FIRE CODE	CALIF, BLDG CODE			CALIF. ELEC. CODE		ANY OTHER APPLICABLE LOCAL	& STATE LAWS & REGULATIONS.					
300	BUIL					166		ALL CC	2016	2016	2016	2018	2016	2016							

	NEW FIRST FLOOR	1517.4	R.
	GARAGE	229.6	S.F.
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7	FRONT PORCH	100	S.F.
Г	COVERED PATIO/BACK	352	S.F.
	FIREPLACE OUTSIDE	Ξ	S. F.
Τ	FIREPLACE INSIDE	7.5	S. H.
	TOTAL COVERAGE	2292.5	S.F.
	ALLOWABLE COVERAGE 35%	2293.2 S	m.
	EXISTING PAVING	1300	S.F.
	NEW PAVING	1150	S.F.
0			
	I are the designer of record. I have read the entires Mento Park Flood Damage Prevention Doos (Chapter I, 2 section 42) and specifically 12.42.51 standards of construction. The plans submitted with the building permit application comply with the CRy's Flood Damage Prevention Code.	c Flood Damage F irds of constructio y with the City's F	nevention n. lood
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Paul Gosmamy

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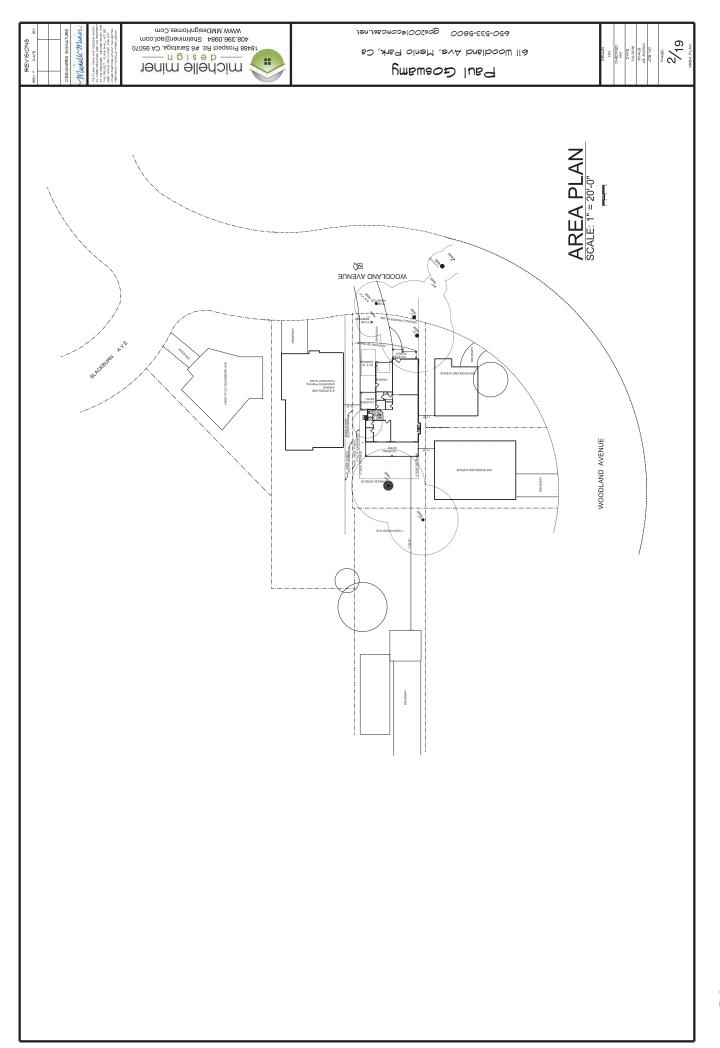
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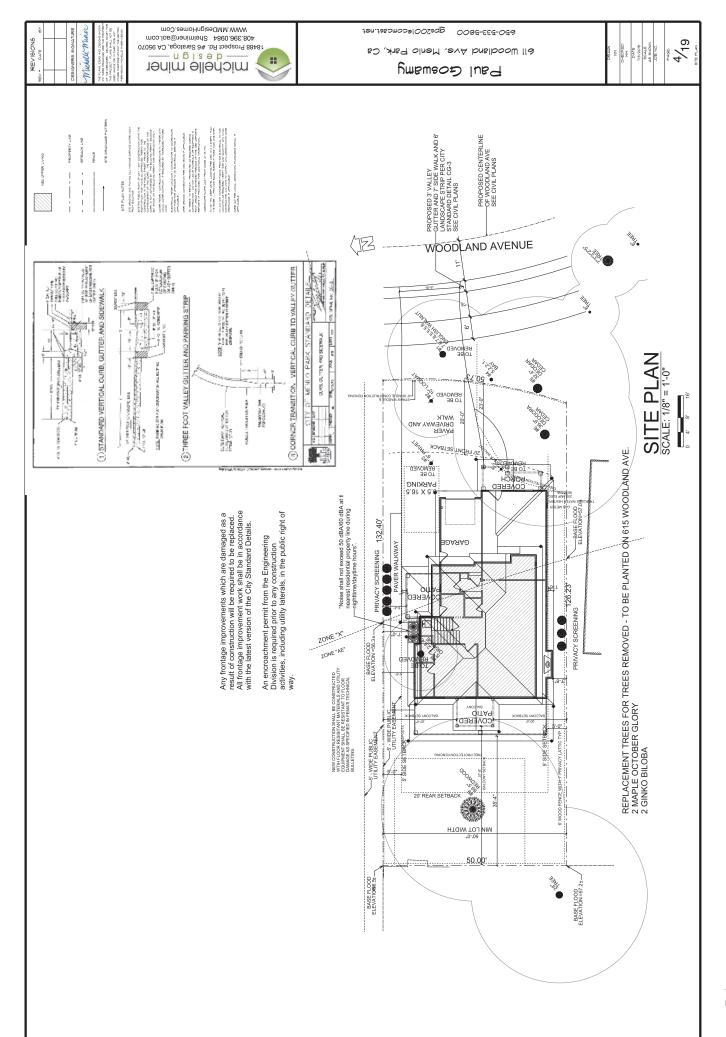
FRI ENERGY CONSULTANT: 21 N HARRISON AVE #210 CAMPBELL, CA 95008 408-868-1620

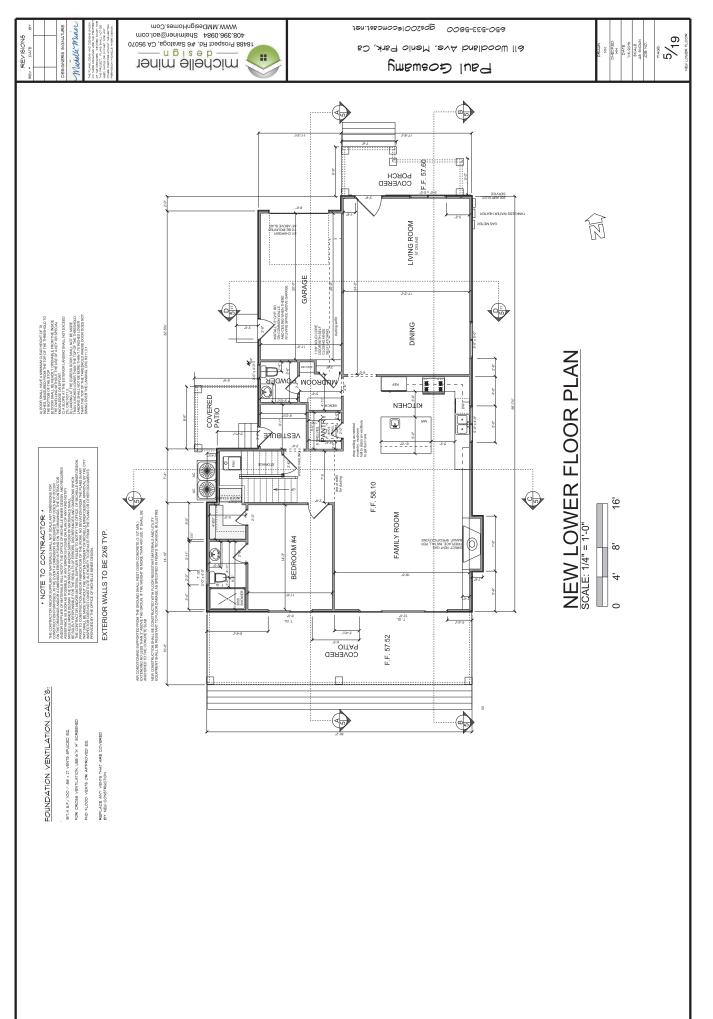
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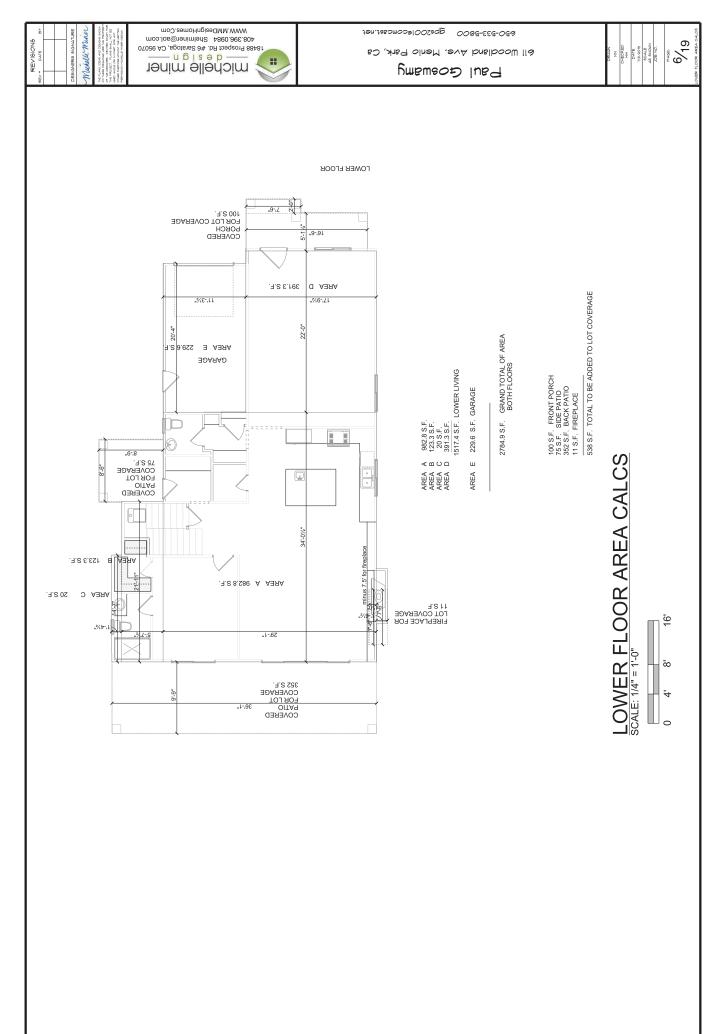
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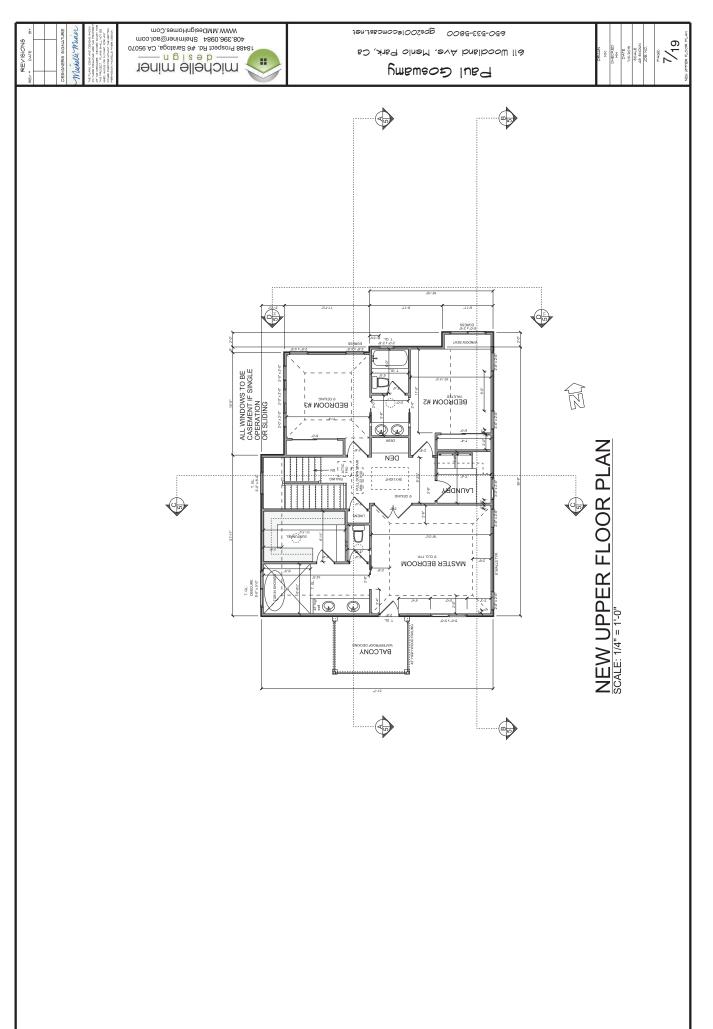




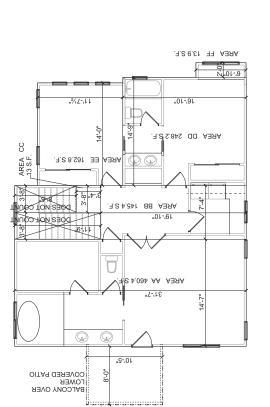


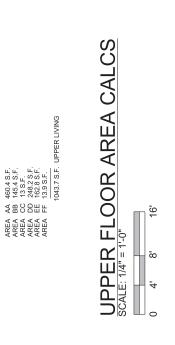


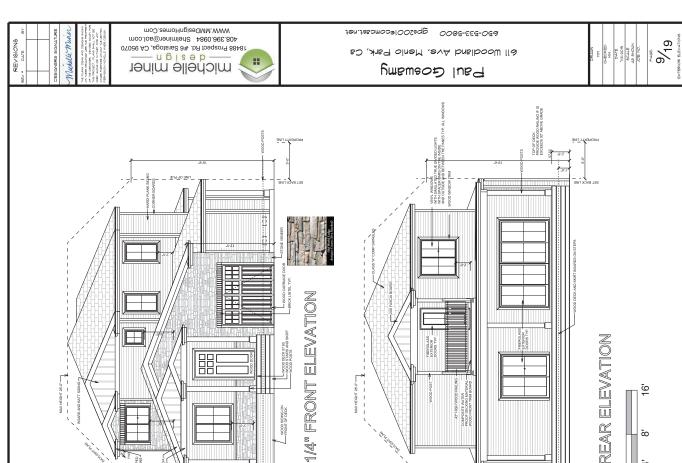




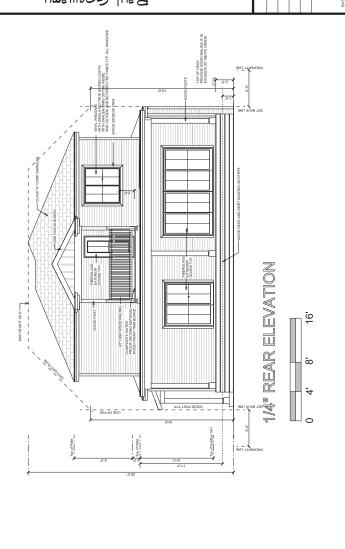


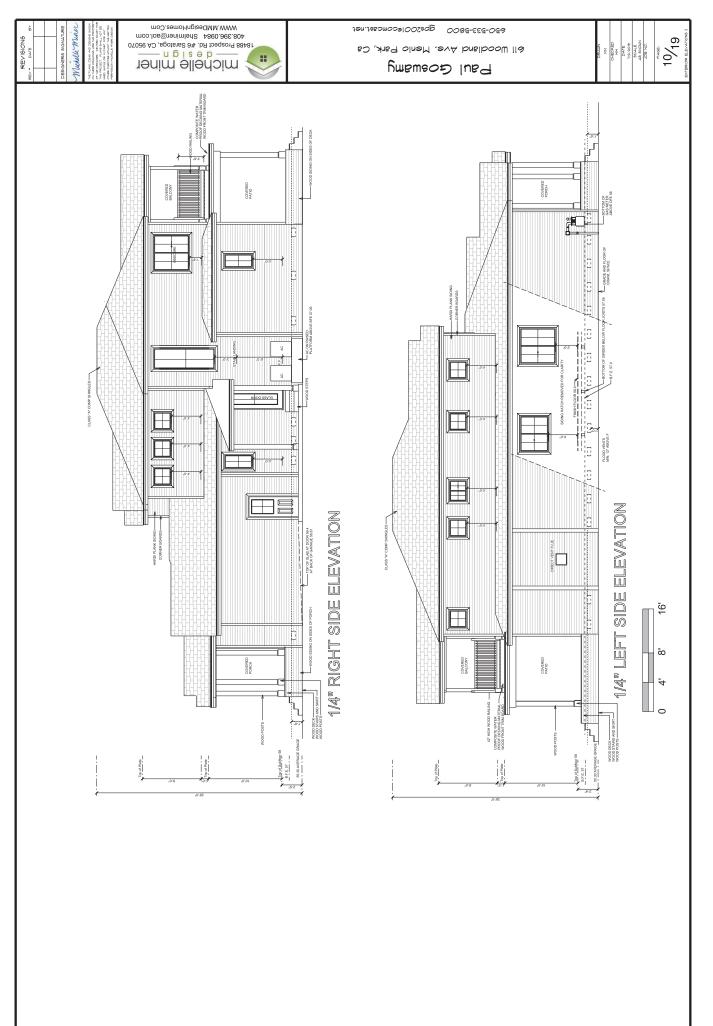


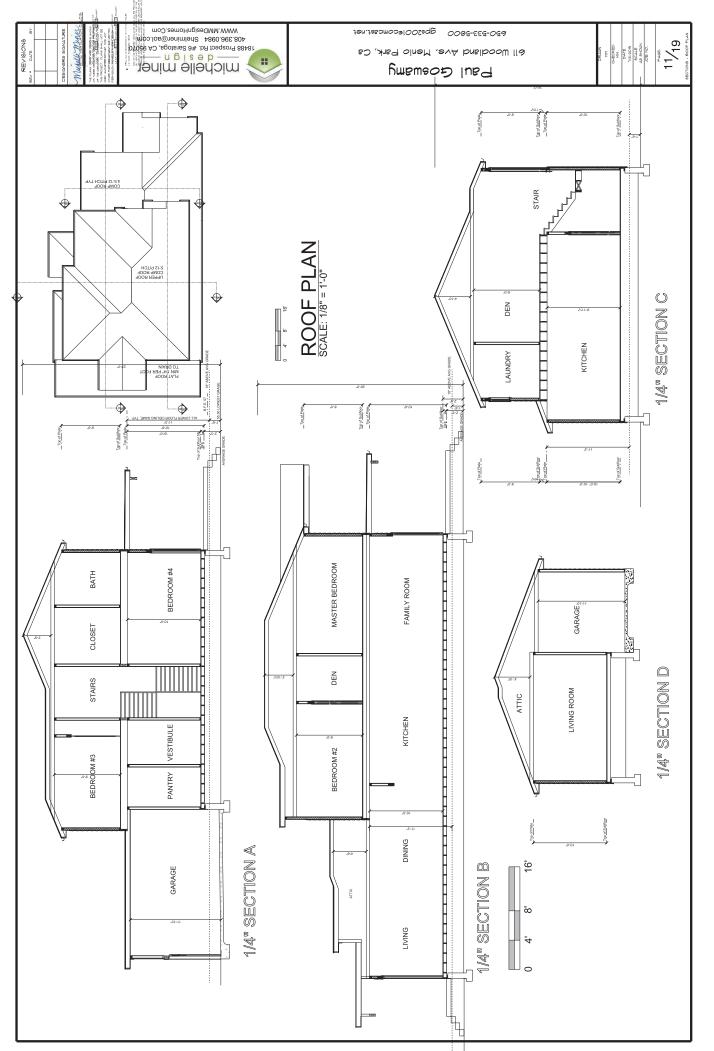




ELEVATION NOTES







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18488 Prospect Rd. #6 Saratoga, CA 95070 CHECKED

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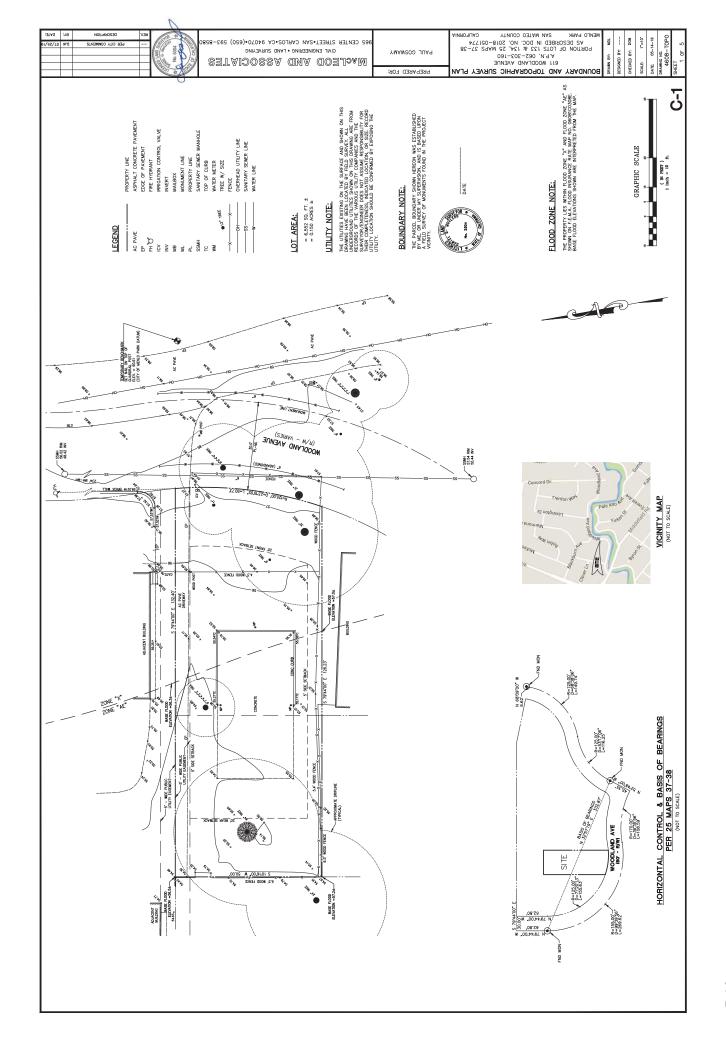
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JOB NO. 611 Woodland Ave, Menlo Park, Ca # Paul Gosmamy I ner cominctor and substantia improvement with the particles areas below the breat floor that are update overly for petring of vehicles, building of particles and particles are considered below the particles of the particles o V). Residential constantion (as defined by the California Residential Code and amended from time to fine, i.e., single-leavily homes, duper and banchornes), men or stated state the residence of the California Residential Code in fact after the residence of stant of constantial mental code. Have a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to fooding, another not prefer than one (1) obtatione gather Openings may be equipped with screenes, forwers, where or other coverings or aspected that they permit the automatic entry and of foodwards: (v) Crawl space construction is not permitted in V zones. Open pile or column foundations that withstand storm surge and wave forces are required in V zones F) Accessory structures defined in Section 16 88 030 used solely for parking (two (2) car detached garages or smaller) of limited storage (for cost, not according to the most of the cost (iii) The building must be designed and adequately anchored to resist thetalion, collapse, and lateral movement of the structure resulting from hydrodynamic phyproseasi professional professional structures and the second of the second collapse and the second collapse and the second collapse and the second collapse the second collapse to expensional except professionals with an as a registered activated or professional structure. (vi) Portions of the building below the BFE must be constructed with materials resistant to fixed demage that conform to the provisions of FEMA Technical Followin.
The provision of the provision walls of the crawl space used to deviate the building, but also any josts, insulation, or other materials that on FEE, and other PEE, and other provisions are provided to the provision of the n from them during flooding. (Ord. 1022 § 8 (part), 2016). Joon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surver entitled by the community building inspector to be properly elevated. Such certification and verification shall be provided to the floodplain administrator. meet the FEMA regi (C) All new construction and substantial improvements shall be constructed with electrical, healing, westillation, planting, and air conditions of the execution of the compromise shall be compromise, so that the compromise shall be compromed shall be constructed within zone AH or AO, so that there are adequated disnipage and on allopes to guide flockwellers around and event from proposed structures. (a) All new and replacement water supply and sanifary sewage systems shall be designed to minimize or eliminate infiltration discharge from systems into floodwaters. (i) The accessory structure must be designed to allow for the automatic entry of floodwaters. (Ord. 1022 § 8 (part), 2016).12.42.52 Standards for utilities. The crawl space is an enclosed area below the BFE and, as such, must have openings that equalize hydrostatic press and exit of floodwaters. For guidance on flood openings, see Technical Bulletin 1-93, Openings in Foundation Walls, Be floodproofed below the elevation required under subsection (3)(B) of this section so that the structure is waterlight passage of water; Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and ment, shall have the lowest floor, including basement: The height of the below-grade craw space, measured from the interior grade of the craw space to the top of the four (4) feet (shown as L in figure 3 of Technical Bulletin 11-01) at any point; (vii) Any building utility systems within the crawl space must be elevated above BFE or designed so that floc system components during flood conditions. The interior grade of a crawl space below the BFE must not be more than two (2) feet below the lof Technical Bulletin 11-01; The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawl foundation types should be used; and In an AO zone, elevated above the highest adjacent grade to a height equal to least two (2) feet above the highest adjacent grade if no depth number is specified; ament, shall either be e The accessory structure must be adequately anchored to prevent flotation filed in this section; Manufactured homes shall also meet the standards in Section 12.42.54. ited below the BFE must be buil Standards of construction.

In all areas of special flood hazards the following standards are required: All new construction and substantial improvements shall be anche adynamic and hydrostatic loads, including the effects of buoyancy. accordance with the requi (iii) In all other zones, elevated to or above the base flood elevation. Any mechanical and utility equipment in the acce nnesidential construction, new or substantia nt utility and sanitary facilities: (ii) In an A zone, elevated to or above the base (2) Construction Materials and Methods. certified by registered professic to the floodplain administrator. Requirements for all below

12/19





July 30, 2019

Project Desciption for 611 Woodland Ave Menlo Park, Ca

A new 2 story home is proposed on the vacant land at 611 Woodland Ave. The home will be tradition style home with siding as the primary exterior siding material, with stone veneer and board and batt siding as accent materials with wood window trim and wood accents.

The home requires a use permit because of substandard width of lot and because it is a 2 story home.

The existing lot has always been a vacant lot owned by the same owner as 615. It currently has a tennis court on it. Both 611 and 615 were recently sold to my client who is developing them both.

The owner has talked briefly with neighbors and plans to take the plans now that they are done to the adjacent neighbors.

Thank You

Michelle Miner 18488 Prospect Rd. Suite 6 Saratoga, Ca 95070



Mayne Tree Expert Company, Inc.

ESTABLISHED 1931

STATE CONTRACTOR'S LICENSE NO. 276793

CERTIFIED FORESTER

CERTIFIED ARBORISTS .

PEST CONTROL • ADVISORS AND OPERATORS

535 BRAGATO ROAD, STE. A

SAN CARLOS, CA 94070-6311

TELEPHONE: (650) 593-4400 FACSIMILE: (650) 593-4443

EMAIL: info@maynetree.com

RICHARD L. HUNTINGTON PRESIDENT

JEROMEY INGALLS CONSULTANT/ESTIMATOR

November 9, 2018

Mr. Paul Goswamy 1001 El Camino Real Menlo Park, CA 94025

Dear Mr. Goswamy,

RE: 611 WOODLAND AVENUE, MENLO PARK

On October 27, 2018, I inspected nine trees on this newly-subdivided lot. This lot is to be developed. Of these nine trees, five are shown to be removed (#1, #2, #3, #7, and #8), as they are in the proposed footprint.

Each of the trees was assigned a number that corresponds to the tree survey. The condition rating is a combination of general tree health and structure. The following table will help visualize the rating:

> 0 Very Poor 29

30 Poor

50 -69 Fair

70 -89 Good

90 -100 Excellent

Protecting trees #5, #6, and #9 are the main concerns regarding tree protection. Fence off trees #5 and #6 as one at their driplines. See the site plan. The large redwood in the back is a nice tree, except for structural defects in multiple tops. Fence this tree at its dripline from side-toside of the lot. See the site plan and mitigating measures included with this letter.

Tree #5 has an old infection of oak root fungus, Armillaria mellea. This disease is more prevalent where irrigation is routinely sprayed on the trunk.

Please have all excavation for the house foundation inspected for any potentially cut roots. At this time, mitigating measures can be recommended. Please call with any questions.

Sincerely.

Richard L. Huntington

Certified Arborist WE #0119A

Certified Forester #1925

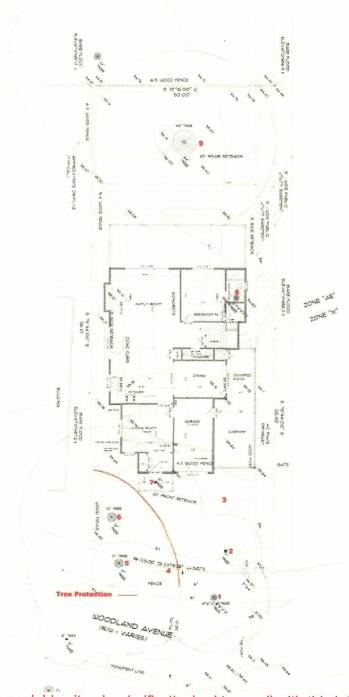
RLH:pmd





Tree Survey

Tree #	Species	Diameter (inches)	Condition (percent)	Comments					
1	English Walnut	7.6, 7.8, 5.5, 5.8	65	4 stems at 1 foot.					
2	Loquat	10.0	60	Leans; suppressed by tree #5.					
3	Privet	6.0	40	Topped; a large weedy tree. Removal recommended.					
4	Bay	5.2, 2.1	35	Suppressed by tree #5.					
5	Deodar Cedar	32.4	50	Basal cavity south side; old oak root fungus infection; top broken in past.					
6	Deodar Cedar	36.9	50	Large secondary tops; heavy lateral limbs; weak structure; hollow area below bark; broken hanging limb; keep the tree lightened.					
7	Black Walnut	7.9	50	Suppressed by tree #6; in construction footprint.					
8	Orange	8.1, 7.2, 6.4, 4.8	50	Leans and supported; in construction footprint.					
9	Redwood	69.5	55	3 tops at 40 feet; weak structure. Fence off at 25 feet.					



See scalable site plan (pdf) attached to email with this letter.

MITIGATING MEASURES FOR CONSTRUCTION IMPACTS ON EXISTING TREES

SECTION I: INTRODUCTION

It is an established fact that construction around existing trees will impact the trees to some degree. The degree of impact is largely predicated on the condition of the tree(s) before the construction activity begins. It is therefore important to inspect all trees prior to any construction activity to develop a "Tree Protection Program" based on the species, size, condition, and expected impact(s). A Certified Arborist (International Society of Arboriculture) is suggested for this work. The local University of California Extension, County Farm Advisors Office, or International Society of Arboriculture (ISA) website www.isa-arbor.com has the names of local certified arborists.

SECTION II: SITE PREPARATION

All existing trees shall be fenced within, at, or outside the dripline (foliar spread) of the tree using the following formula: Five inches in distance from the trunk, for every inch in trunk diameter, measured 4.5 feet above the average ground level. Example: a 24-inch diameter tree would have a fence erected 10 feet from the base of the tree (24 x 5 = 120/12 = 10). The fencing should not interfere with actual construction, but is intended to redirect unnecessary traffic and to protect limbs and roots. No storage of materials, unnecessary trenching, grading, or soil compaction shall be allowed within the dripline(s) of the tree(s). Local ordinances may have different tree protection formulae.

The chain link fencing should be a minimum of 6 feet high with 1.5-inch diameter steel pipes as posts. Moveable chain link fencing with concrete-block footings can be used if approved by the City Arborist. Once in place, fencing should not be moved.

If the fence is within the dripline(s) of the tree(s), the foliar fringe outside the fence shall be raised to offset the chance of limb breakage from construction equipment encroaching within the dripline(s). To protect roots, place a 6-inch thick layer of wood chips, overlaid with 3/4-inch plywood.

Where the trunks or limbs may be impacted by equipment, trunks may be wrapped with wooden slats at least one inch thick bound securely, edge to edge, around the trunk as a Tree Wrap. A single layer, or more, of orange-plastic construction fencing is to be wrapped and secured around the outside of the wooden slats. Major scaffold limbs may require protection as determined by the City Arborist or Project Arborist.

All contractors, subcontractors, and other personnel shall be warned that encroachment within the fenced area is forbidden without the consent of the Certified Arborist on the job. This includes, but is not limited to, storage of lumber and other materials, disposed-of paints, solvents, or other noxious materials, parked cars, grading equipment, other heavy equipment or their exhaust, or allowing any fires below any protected trees. The temporary fence shall be maintained until the landscape contractor enters the job and commences landscape construction.

All tree protection measures must be in place prior to any work. If a protected tree is below construction, provide protection from any accidental liquid spill from draining into their root zones. Roots that are below hardscape areas could be impacted by chemicals that are placed below this hardscape, such as rodent or weed control chemicals.

SECTION III: GRADING/EXCAVATING

All grading plans that specify grading within the dripline of any tree or within the distance from the trunk as outlined in SECTION II when said distance is outside the dripline, shall first be reviewed by the certified arborist. The arborist shall outline provisions for aeration, drainage, pruning, tunneling beneath roots, root pruning, or other necessary actions to protect the trees. The arborist and City Arborist shall be notified prior to any excavation within the dripline of any heritage tree.

If trenching is necessary within the area, as described above, said trenching shall be undertaken by hand labor. All roots 2 inches or larger shall be tunneled and smaller roots shall be cut smoothly to the side of the trench. The side of the trench should be draped immediately with four layers of untreated burlap to a depth of 3 feet from the surface. The burlap shall be soaked nightly and left in place until the trench is backfilled to the original level. The arborist shall examine the trench prior to backfilling to ascertain the number and size of roots cut and to suggest further remedial repairs. Documenting large root encounters will help with future mitigating treatments.

SECTION IV: REMEDIAL REPAIRS, PENALTIES

The arborist on the job shall have the responsibility of observing all ongoing activities that may affect the tree(s) and prescribing necessary remedial work to insure the health and stability of said tree(s). This includes, but is not limited to, all arborist activities specified in SECTIONS I, II, and III. In addition, pruning, as outlined in the "Pruning Standards" of the Western Chapter of the International Society of Arboriculture, shall be prescribed as necessary. Fertilizing, mulching, aeration, irrigation, drainage, pest control, and other activities shall be prescribed according to the tree needs, local site requirements, and State Agricultural Pest Control Laws. All specifications shall be in writing. For a list of licensed pest control operators or advisors, consult the local County Agricultural Commissioner's Office or California Department of Pesticide Regulation.

Penalties, based on the cost of remedial repairs and the appraised values provided in the Evaluation Guide published by the International Society of Arboriculture, shall be assessed for damages to the trees. Do not damage any roots, limbs, or trunks. Do not attach any cables, chains, etc. to any protected tree.

SECTION V: FINAL INSPECTION

Upon completion of the project, the arborist shall review all work undertaken that impacted the existing trees. Special attention shall be given to cuts and fills, compaction, drainage, pruning, and future remedial work. The arborist should submit a final report in writing outlining the ongoing remedial care following the final inspection.

PREPARED BY THE MAYNE TREE EXPERT COMPANY - JANUARY 1, 1994

REVISED - MAY 11, 2016

Community Development



STAFF REPORT

Planning Commission

Meeting Date: 8/12/2019 Staff Report Number: 19-060-PC

Public Hearing: Use Permit/Michelle Miner/615 Woodland Avenue

Recommendation

Staff recommends that the Planning Commission approve a use permit to demolish an existing one-story residence and construct a new two-story residence on a substandard lot with regard to minimum lot width in the R-1-U (Single Family Urban Residential) zoning district, at 615 Woodland Avenue. The recommended actions are included as Attachment A.

Policy Issues

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

Background

Site location

The project site is located at 615 Woodland Avenue in the Willows neighborhood, on the opposite side of the street from the border with Palo Alto along the San Francisquito Creek. The subject property is located on the western side of Woodland Avenue, situated between Blackburn Avenue to the north and Middlefield Road to the south. A location map is included as Attachment B.

The adjacent residence to the right is two stories and there are a mix of one- and two-story houses throughout the area. The applicant has a proposal on file for a new two-story craftsman home for the neighboring lot to the left at 611 Woodland Avenue, and that proposal will also be reviewed by the Planning Commission at the August 12 meeting. However, these two projects are functionally separate and will be considered and acted on individually. The other residences are mainly ranch or traditional architectural styles, and the neighborhood features predominantly single-family residences in the R-1-U zoning district, apart from the Willows Market at 60 Middlefield Road and the recently approved office building pending construction at 40 Middlefield Road which are in the C-4 (General Commercial) zoning district.

Analysis

Project description

The applicant is proposing to demolish the existing single-family residence and construct a new two-story craftsman style home with an attached front-loading two-car garage. The subject property is substandard with respect to lot width and is within the FEMA Flood Zone (AE). A data table summarizing parcel and

project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

Of particular note with regard to the Zoning Ordinance and related requirements:

- The project would meet the required setbacks, floor area limit (FAL), building coverage, daylight plane, height and parking.
- The proposed balcony is located 94.5 feet from the rear property line where a minimum of 30 feet is required.
- The project is designed to comply with flood zone requirements, which require the first floor habitable area to be higher than the base flood elevation and higher than typical in most parts of the City.

Design and materials

The applicant has stated the home was designed in a craftsman style. The design features a mix of hipped and gabled roof forms, horizontal siding with corner boards as a primary exterior cladding material, wood window trim and stone veneer as an accent at the base of the posts for the covered porches at the front and rear of the residence. The applicant has indicated they intend to use vinyl windows with simulated true divided lights, composite shingles for roofing, and a wood entry door, posts and railings. The sliding doors for the balcony and rear entries from the covered porch would be fiberglass. Staff considers the more traditional application of materials proposed on the front façade a benefit to the design. However, the Planning Commission may wish to discuss whether a simplification of the multiple roof forms could further enhance the proposal.

Egress windows on the second floor are proposed to be front or rear facing. The windows proposed on the sides are predominantly smaller with high sill heights to minimize privacy concerns. The largest side-facing window on the left side, for the master bathroom, would have obscured glass, for mutual privacy protection.

Overall, staff believes the proposal would be consistent with the craftsman style and add to the diverse range of homes in the area. The more traditional application of materials at the front façade is a benefit to the proposed design, although the roof forms may benefit from further simplification. The siting and window material choices would provide greater privacy between the subject project and homes on neighboring lots.

Parking and circulation

The proposed project would provide two covered parking spaces in a new attached front-loading garage at the front of the structure. The applicant is proposing a 17-foot wide driveway, which meets the minimum required access for a two-car garage, while preserving more of the frontage. A separate direct pedestrian access to the front door is proposed. The Engineering Division has reviewed and approved the proposed concrete driveway as an acceptable all-weather surface, and the City Arborist has reviewed the arborist report to confirm the driveway should not impact the nearby coast live oak (tree #2).

Flood zone

The subject property is located within the "AE" zone established by the Federal Emergency Management

Agency (FEMA). Within this zone, flood proofing techniques are required for new construction and substantial improvements of existing structures. Stated in general terms, the finished floor must be at least one foot above the base flood elevation. The Public Works Department has reviewed and tentatively approved the proposal for compliance with FEMA regulations. The elevations and sections (Plan Sheets 9 – 11 in Attachment D) show the base flood elevation (56.3 feet) in relation to the existing average natural grade (approximately 55.3 feet) and the top of the subfloor (57.4 feet).

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 and nearby. The report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance and the protection of the neighboring coast live oak. All recommendations identified in the arborist report shall be implemented and ensured as part of condition 3g.

The lot is relatively large, with 184 feet of length, and therefore the applicant has proposed to plant two heritage tree replacements on site for the removal of two heritage trees on the neighboring site at 611 Woodland Avenue. The City Arborist has reviewed and approved of the removals and replacement trees (two 15-gallon ginko bilobas). Due to the fact that the lots are directly adjacent, the replacement trees would replace lost canopy in a similar area. Additionally, the replacement trees will have more room on the subject property than on the smaller, heavily wooded 611 Woodland Avenue site. The proposed replacements, two new maple trees (one at the front and one in the rear) as well as other smaller plantings have been identified on the site plan. The planting of the replacement trees will be ensured through project specific condition of approval 4a.

Correspondence

The applicant has stated that they reached out to adjacent neighbors to discuss the proposed residence, and has indicated that the neighbors have expressed support for the proposal. Staff has not received any items of written correspondence on the project

Conclusion

Staff believes that the materials and style of the proposed residence would be similar to many homes built in the craftsman architectural style and would add to the range of styles within the neighborhood. Based on the positioning of windows on the second floor, privacy impacts would be limited. The inclusion of the two heritage tree removal replacement trees on site would maintain the local canopy and provide some landscape screening. A direct pedestrian walkway to the front door and covered front porch would enhance the front entryway, and the driveway width would be limited to preserve more of the frontage. 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.

Staff Report #: 19-060-PC Page 4

Environmental Review

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

Public Notice

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

Appeal Period

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

Attachments

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

Disclaimer

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

Exhibits to Be Provided at Meeting

None

Report prepared by:

Ori Paz, Associate Planner

Report reviewed by:

Deanna Chow, Interim Community Development Director

615 Woodland Avenue Attachment A: Recommended Actions

LOCATION: 615
Woodland AvenuePROJECT NUMBER:
PLN2019-00019APPLICANT: Michelle
MinerOWNER: Paul GoswamyPROPOSAL: 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 minimum lot width in the R-1-U (Single Family
Urban Residential) zoning district.DECISION ENTITY: Planning
CommissionDATE: August 12, 2019ACTION: TBD

VOTE: TBD (Barnes, DeCardy, Doran, Kennedy, Riggs, Strehl, Tate)

ACTION:

- 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 Michelle Miner Design, consisting of 13 plan sheets, dated received July 31, 2019 and approved by the Planning Commission on August 12, 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 November 8, 2018.

PAGE: 1 of 2

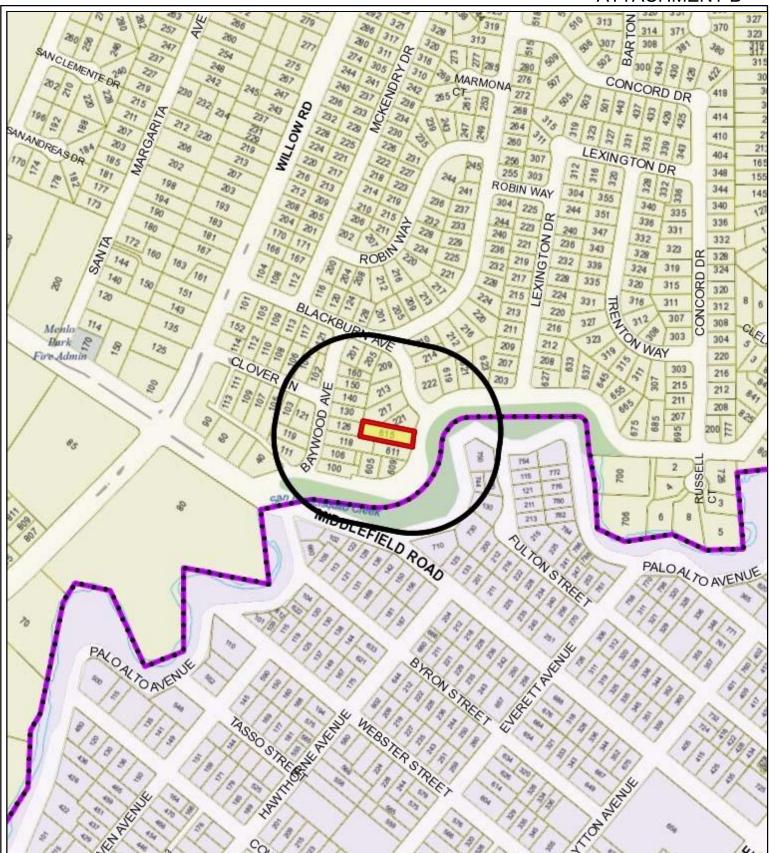
615 Woodland Avenue- Attachment A: Recommended Actions

LOCATION: 615 Woodland Avenue												
PROPOSAL: Request for a two-story residence on a su Urban Residential) zoning	ubstanda											
DECISION ENTITY: Planning Commission DATE: August 12, 2019 ACTION: TBD												
VOTE: TBD (Barnes, DeCardy, Doran, Kennedy, Riggs, Strehl, Tate)												

ACTION:

- 4. Approve the use permit subject to the following *project-specific* condition:
 - a. Prior to occupancy being granted, the applicant shall submit documentation that the proposed heritage tree replacement trees have been planted on the subject site, subject to review and approval by the City Arborist and the Planning Division.

PAGE: 2 of 2





City of Menlo Park

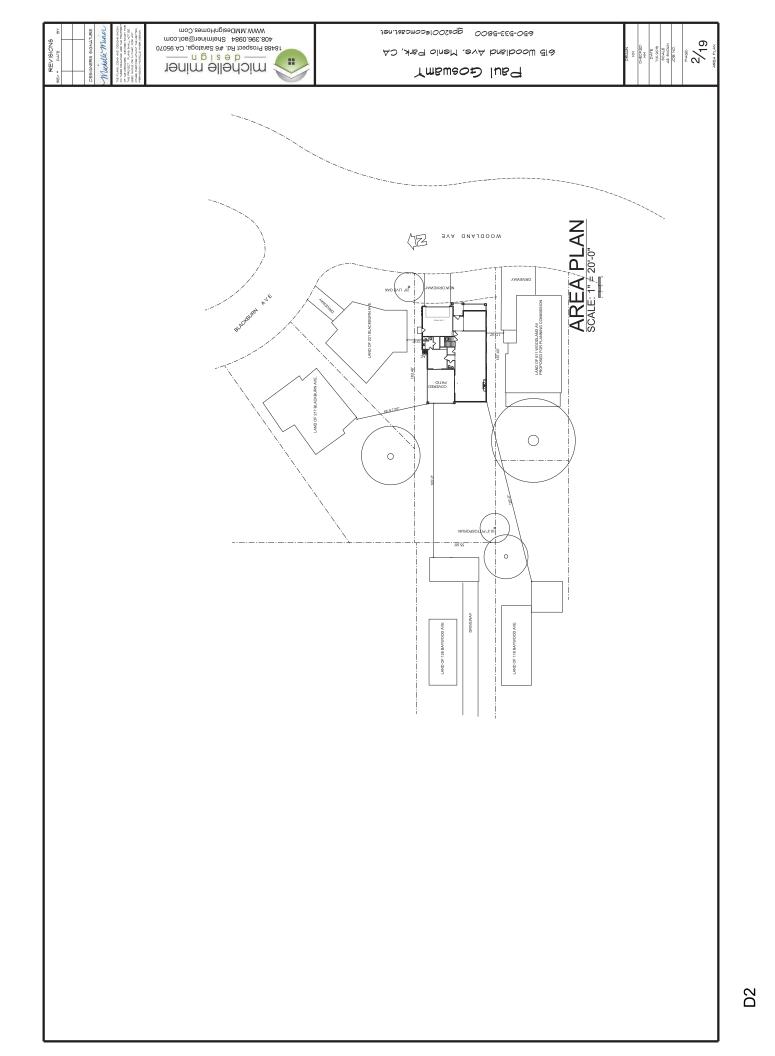
Location Map 615 Woodland Ave.

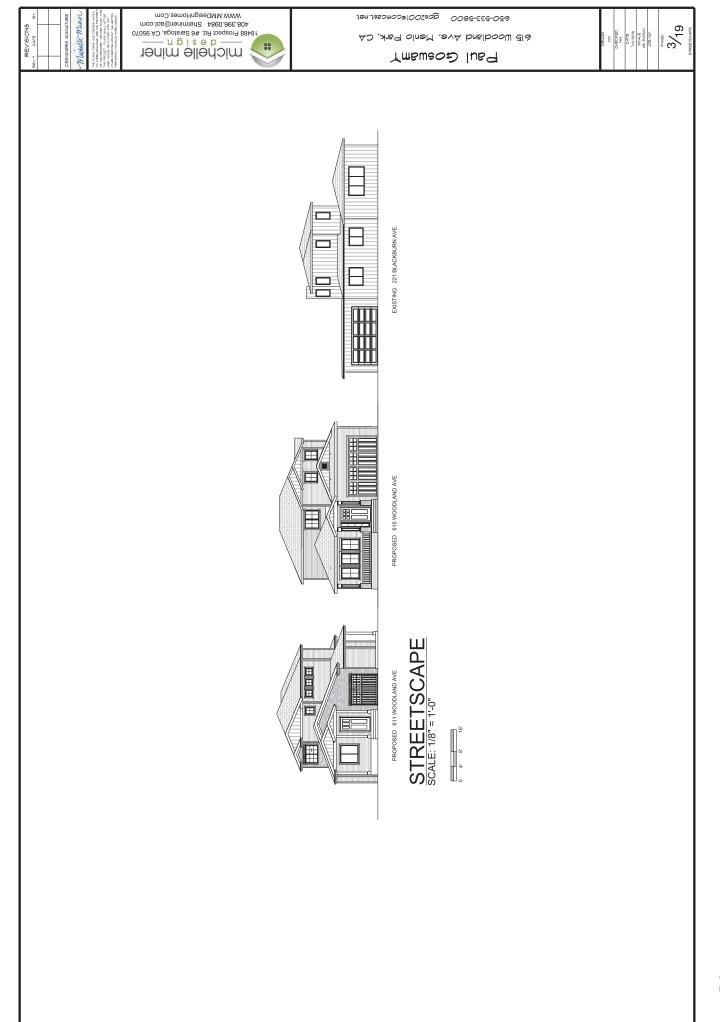


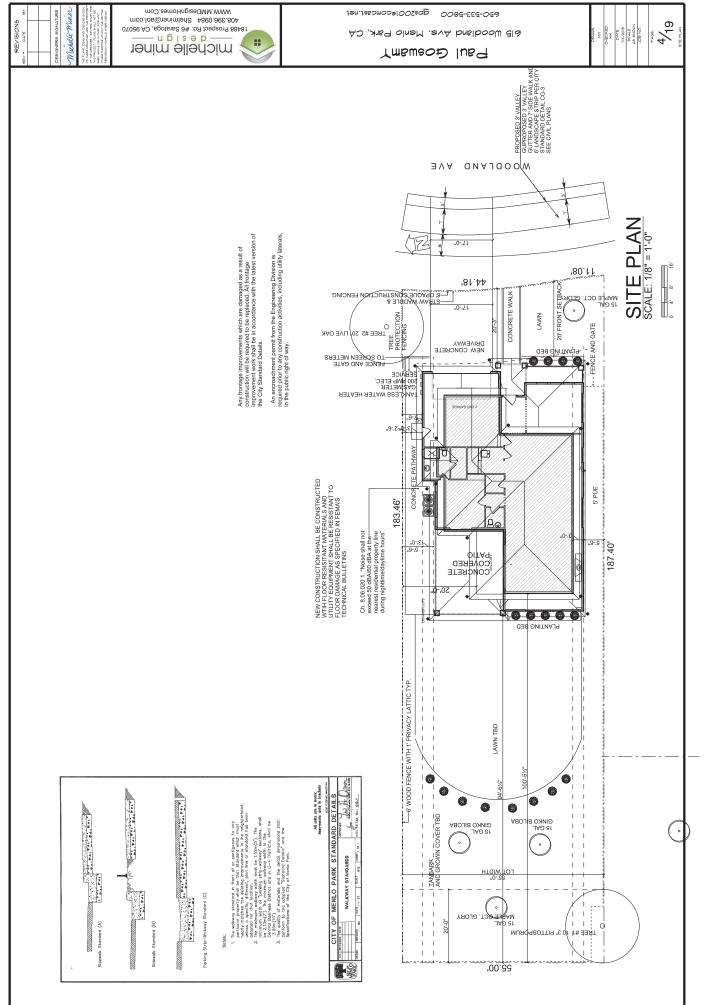
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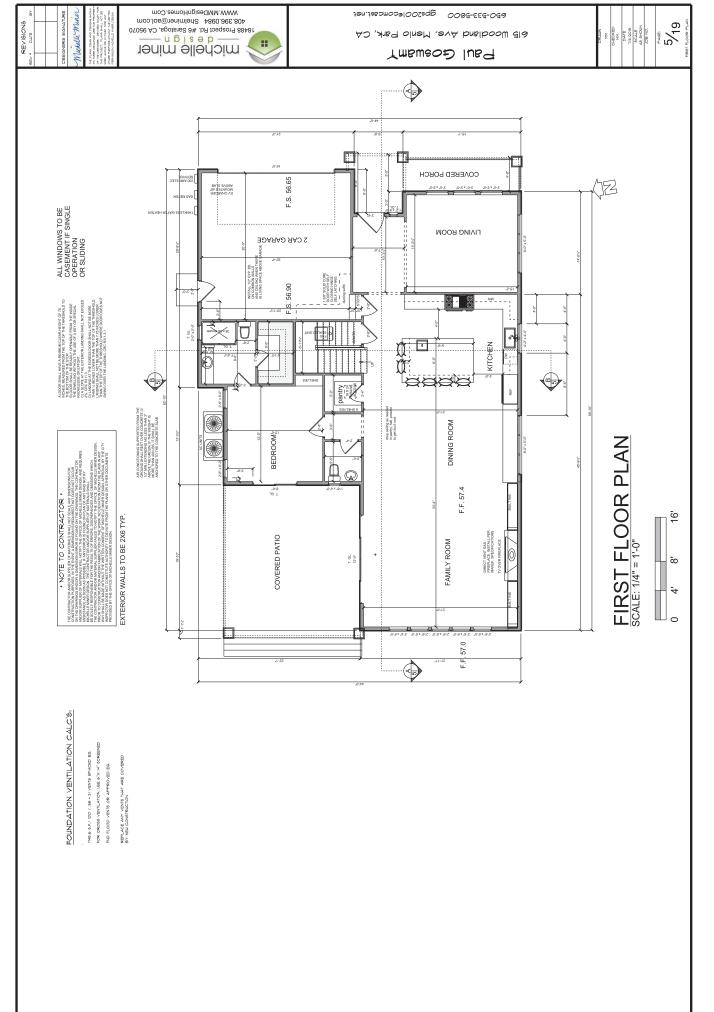
	PROPOSED PROJECT	EXISTING DEVELOPMENT	ZONING ORDINANCE							
Lot area	10,148.0 sf	10,148.0 sf	7,000.0 sf min.							
Lot width	55.0 ft.	55.0 ft.	65.0 ft. min.							
Lot depth	184.1 ft.	184.1 ft.	100.0 ft. min.							
Setbacks										
Front	20.4 ft.	25.1 ft.	20.0 ft. min.							
Rear	96.5 ft.	87.4 ft.	20.0 ft. min.							
Side (left)	5.5 ft.	8.5 ft.	5.5 ft. min.							
Side (right)	5.5 ft.	4.7 ft.	5.5 ft. min.							
Building coverage	2,743.2 sf	2,823.8 sf	3,551.8 sf max.							
	27.0 %	27.8 %	35.0 % max.							
FAL (Floor Area Limit)	3,566.4 sf	1,864.1 sf	3,587.0 sf max.							
Square footage by floor	1,735.6 sf/1st floor	1,680.0 sf/1st floor								
	1,385.2 sf/2 nd floor	460.0 sf/garage								
	445.6 sf/garage	683.8 sf/patio								
	130.0 sf/front porch									
	432.0 sf/back patio									
Square footage of buildings	4,128.4 sf	2,823.8 sf								
Building height	27.4 ft.	15.0 ft.	28 ft. max.							
Parking	2 covered	2 covered	1 covered/1 uncovered							
	Note: Areas shown highlighted	indicate a nonconforming or subs	standard situation.							
Trees	Heritage trees: 1*	Non-Heritage trees: 1	New Trees: 4**							
	Heritage trees	Non-Heritage trees	Total Number of							
	proposed for removal: 0	proposed for 0 removal:	Trees: 6							
	*Includes one heritage tree on the neighboring lot to the right **Includes two heritage tree replacements for removals proposed at 611 Woodland Avenue									

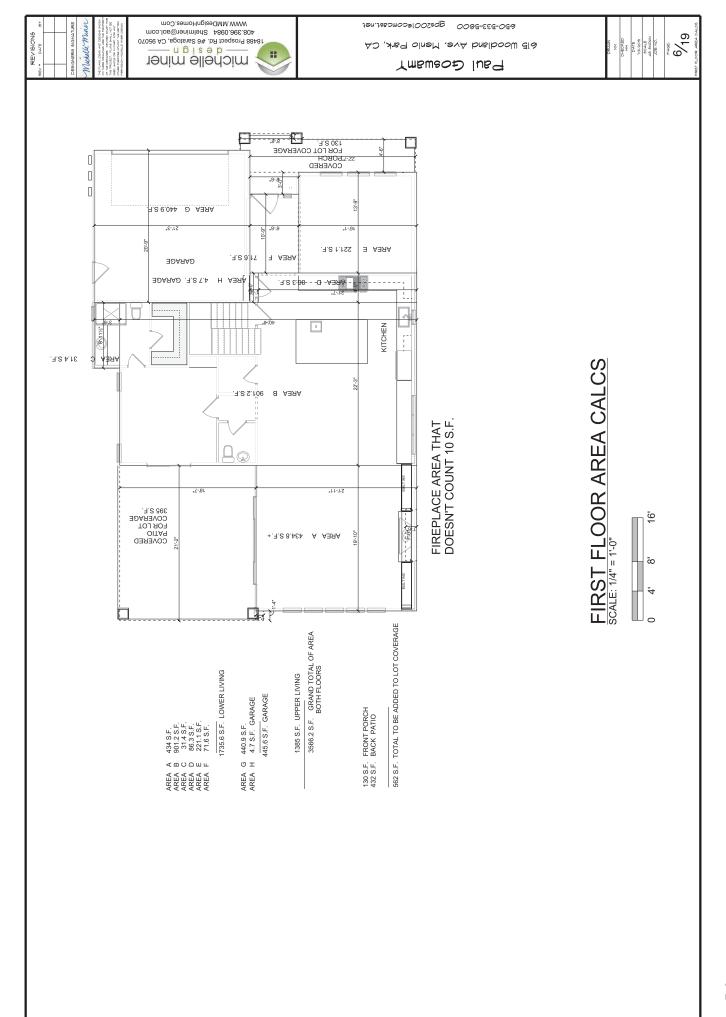
gps2001acomcast.net 0089-559-099 1/20 REVISIONS michelle miner de sign de Saratoga, CA 95070 CHECKED THE DATE TUSINONS SCALE AS SHOWN JOB NO. 615 Woodland Ave, Menio Park, CA Paul Gosmamy on plan list of adhesives, sealant, caulking, paint, coating will be itts shall be according to CGBSC Sections 4.504.2.1. FLOOR AND LOWER ROOF FRAMING GRADING AND DRAINAGE EROGION AND SEDIMENT CONTROL CIVIL DETAILS BEST MANAGEMENT PLAN STRUCTURAL NOTES AND DETAILS ICINITY MAP - ANALYSIS FLOOR PLAN TO BE DE FOUNDATION/FLOOR FRAMING DEFERRED SUBMITTALS FIRE SPRINKLERS DECHINA ROOF FRAMING STRUCTURAL DETAILS Van in conformance with Ilems 1 through 5. 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A SAN CARLOS, CA 94070 650-593-4400 MACLEOD AND ASSOCIATES 965 CENTER STREET SAN CARLOS, CA 94070 650-593-8580 SCOPE OF WORK STRUCTURAL ENGINEER TRUONS DESIGN TONY TRUONG SOLT TULLY DR. SUITE 206 SAN JOSE, CA 95111 408-899-0220 than BFE, flood vents are cosed area (crawl space or in square inches. Show size, am the designer of record i have nead the entere Metalo Payk Flood Damage consented noo. (Chapter 12, section 42) and specifically 12.42.51 standards of consentuction. Date Mark Submitted that the building permit explication comply with the Chapter Perspection Code. PERSONAE CIVIL ENGINEER CALIF. FIRE CODE ALM. ENDER CODE CALIF. RESIDENTIAL CODE CALIF. RESIDENTIAL CODE CALIF. RESIDENTIAL CODE CALIF. ENDER CODE CALIF. ENDER CODE CALIF. ENDER CODES CALIF. GREEN BUILDING CODES ANY OTHER APPLICABLE LOCAL & STATE LAWIS & REGULATIONS ALL CONSTRUCTION SHALL COMPLY WITH DEMOLISH EXISTING HOUSE AND DE AND BUILD A NEW HOUSE MICHELLE MINER DESIGN M MICHELLE MINER 18-488 PROSPECT RD. #6 SS SARATOGA, CA 95070 65 (408) 396-0984 DESIGNER TITLE 24 INISHED CONSTRUCTION ROJECT COMPLETION. 2016 2016 2016 2016 2016 2016 2016 SPECIAL NOTES WIGINITY MAP PARGEL MAP BEFORE YOU START CONSTRUCTION REVIEW ALL SHEETS CAREFULLY READ THE GREEN CHECKLIST SHEETS AND THE TITLE 24 SHEETS FOR RELIGEMENTS AS EXES THAN CHANGED MUT THERE AND THE SHEETS FOR THIN THERE MAY BE THINGSD YOU ARE NOT EXPECTING NOTE TO CONTRACTOR ALL WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS, ANY DISCREP SHALL BE BROUGHT TO THE ATTENTION OF MICHELLE MINER DESIGN PRIOR TO COMMENCING. GENERAL NOTES AMALIAR SPACES ARCUND PIPES, ELECTRIC CABLES, CONDUITS, OR OTHER OPENNIG. IT EXTERIOR WALLS SHALL BE PROTECTED AGAINST THE PASSAGE OF RODGENTS BY CONDUITED PROPERMY ON SMILAR METHOD A CONTRETE MASONAY OR SMILAR METHOD A CONTRESENCENIU AGENCY. SLOPE ALL FINISH GRADES IN, 5% 5-0" AWAY FROM STRUCTURE FOR POSITIVE AREA'S, SLOPE GRADE 2% MIN, @ PAVED AREAS. ADDRESS NUMBERS ON BULDING SHALL BE CLEARLY VISIBLE FROM STREET THE PROPERTY: MIN. 4" HIGH X. 1" WIDE PER CRC R319. VOC COMPLIANCE - CALILKS, SEALANTS, ADHESIVES, SHALL BE COMPROC AND OTHER COMPOUNDS (TABLE 4.504.1) CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR METH ALL JOB SITE SAFETY DURING CONSTRUCTION. NO CONSTRUCTION EQUIPMENT OR PRIVATE VEH OF ANY ORDINANCE PROTECTED TREES ON SITE. COMPLIANCE - CARPET & CARPET SYSTEMS WRTICLEBOARD, MDF, HARDWOOD ITANDARDS, (TABLE 4.504.5)

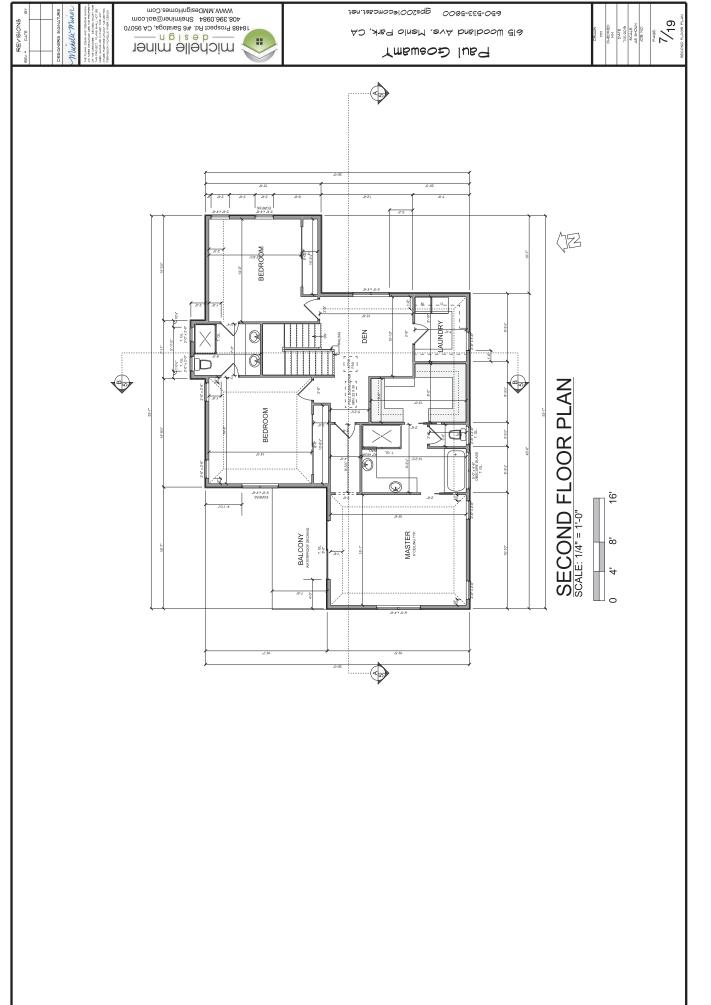


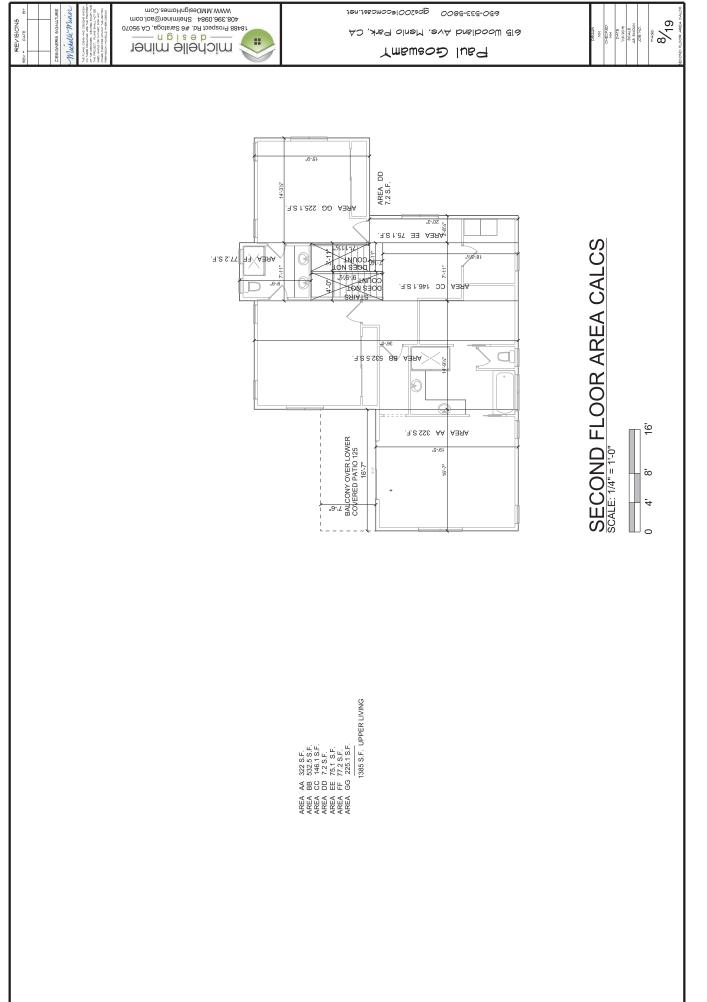






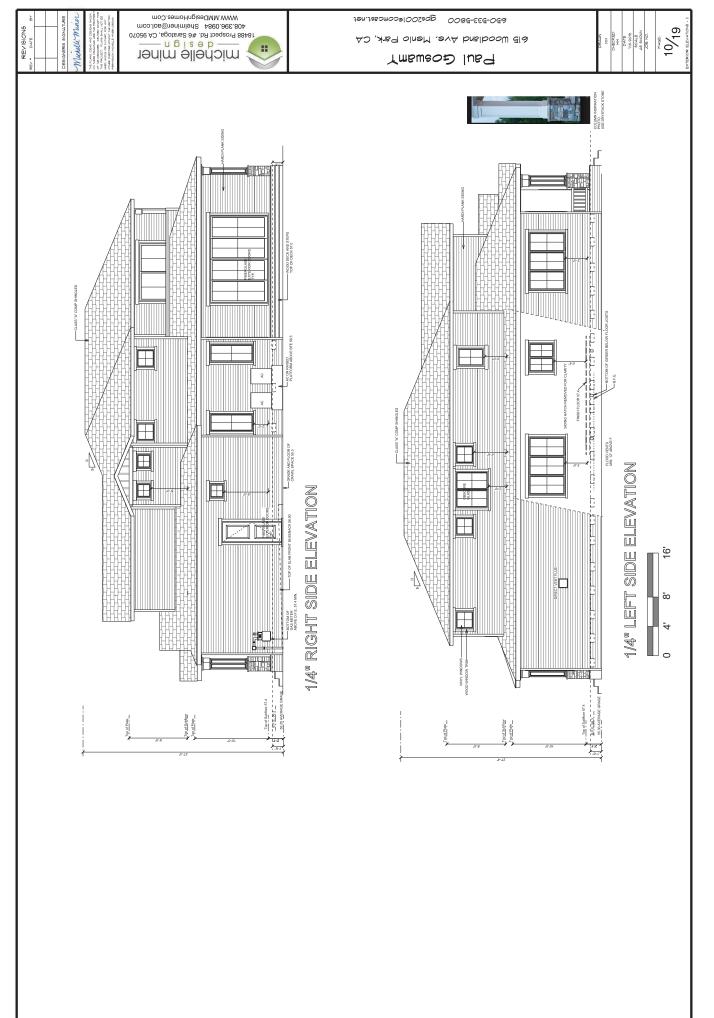


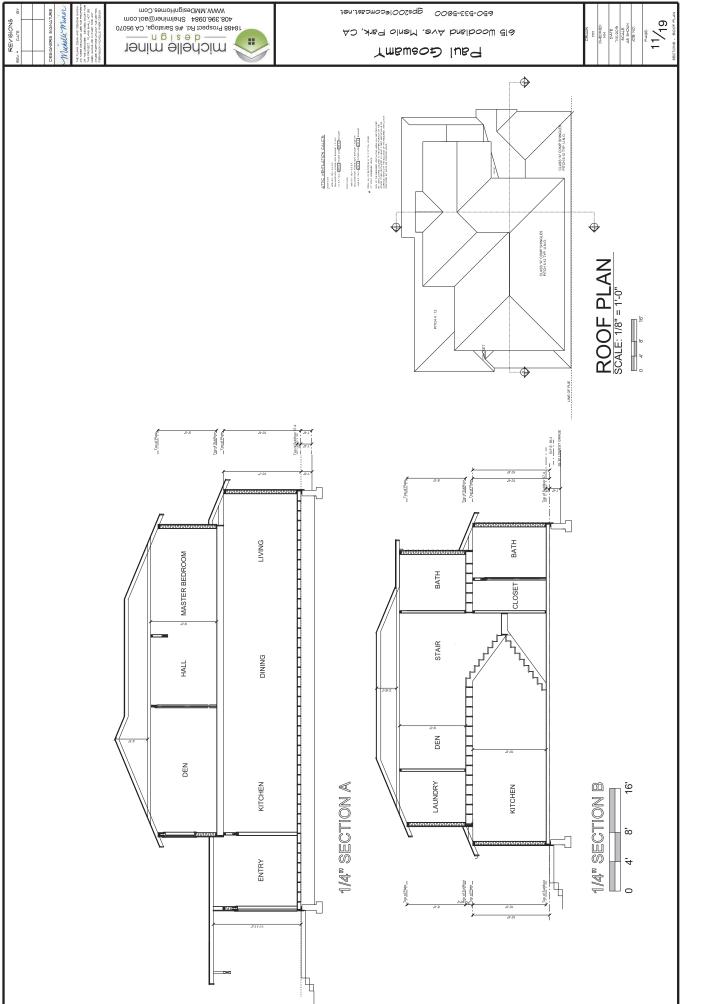






650-533-5800 gps2001@comcast.net





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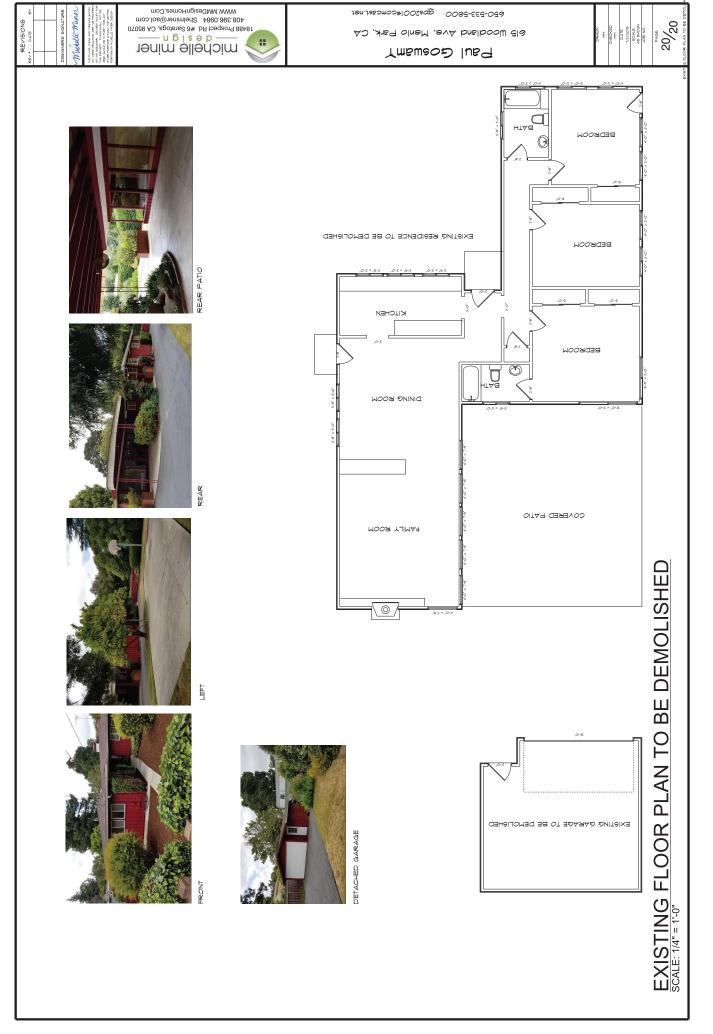
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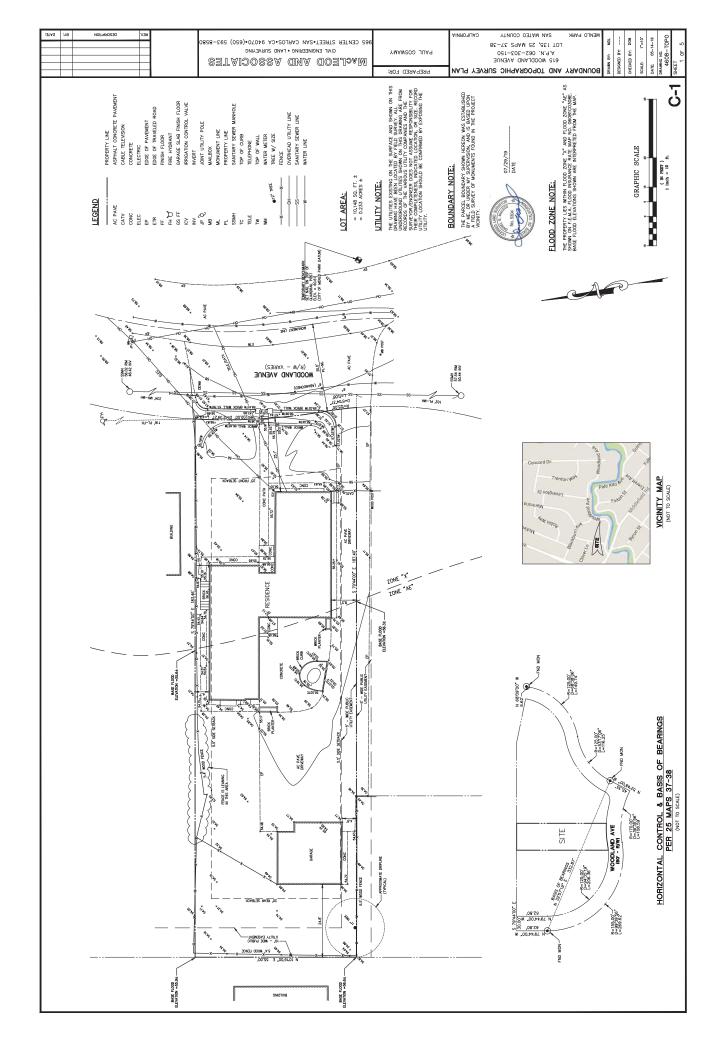
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AS SHOUN

JOB NO. 615 Woodland Ave, Menlo Park, CA # Thewson Ineq (I). All own construction and substitution (processed with Carbodic areas April as the April and Carbodic and April (c) All new construction and substantial improvements shall be constructed with electrical, healing, wentlation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. a. The interior grade of a crawl space below the BFE must not be more than two (2) feet below the towest adjacent exterior grade (LAG), shown as D in figure of Technical Bulletin 11-01; (4) Residential construction (as defined by the California Residential Code and amended from time to time, i.e., single-family homes, duplors and townhomes), the way as substantial improvement, and all leave the developed improvement provisions of the California Residential Residential Residential Residential Residential of the title of construction. Be certified by registered professional engineer or architect that the standards of subsection (3)(C) of this section are satisfied. Such certification shall be ided to the floodplain administrator, (ii) Have a minimum of two (2) openings baring a lotal net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding. The bottom of loopings shall be on higher than one (1) of all zone pages. Openings may be equipped with screens, flowers, waives or other coverings or devices provided that they permit he automatic any and and infloodings. ssory structures defined in Section 16.88 030 used solely for parking (two (2) car detached garages or smaller) or limited strange (low cost, not core humber different and the contract of th (v) Perions of the building below the BET must be constructed with materials resistant to food damage that conform to the provisions of FEMA Technical below the Birlings and conform will so the crawl space used to elevate the building, but also any joeds, requisition, or other materials that exident (iii) The building must be designed and adoquately anchored to resist fleation, collapse, and lateral movement of the structure resulting from hydrodynamic hydrostates, including the effects of buoyating. Charles species not because it is resset with book outsides gesteller than five (5) feet per second transfer the design for reviewed by a qualified design professional, such as a registered arthered or professional engineer. during flooding. (Ord. 1022 § 8 (part), 2016). Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the floodplain administra (v) The accessory structure must comply with floodplain encroachment provisions in FEMA Regulation 60.3(C)(10) or (d)(3); entry of floodwaters. (Ord. 1022 § 8 (part), 2016). (iv) The crawl space is an enclosed area below the BFE and, as such, must have openings that equalize hydrostatic press entry and exit of floodwaters. For guidance on flood openings, see Technical Bulletin 1-89, Openings in Foundation Walls; The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawl space. For velocities i dation types should be used; and The portion of the accessory structure located below the BFE must be built using flood damage resistant materials; The height of the below-grade crawl space, measured from the interior grade of the crawl space to the top of the four (4) feet (shown as L in figure 3 of Technical Bulletin 11-01) at any point; (a) All new and replacement water supply and sanitary sewage systems shall be designed to minimize or elim discharge from systems into floodwaters. (vii). Any building utility systems within the crawf space must be elevated above BFE or designed so that floo system components during flood conditions. In an AO zone, elevated above the highest adjacent grade to a height equal to or excelleast two (2) feet above the highest adjacent grade if no depth number is specified; standards of Section 12.42.54. ment, shall either be standards in Section 12.42.54. in all areas of special flood hazards the following standards are required: (iii) In all other zones, elevated to or above the base flood elevation. (D) All new construction and substantial improvements shall be on slopes to guide floodwaters around and away from proposed s All new construction and substantial improvements shall be hydrodynamic and hydrostatic loads, including the effects of buoy (ii) In an Azone, elevated to or above the base flood elev Nonresidential construction, new or a dant utility and sanitary facilities: (i) Be certified by a registered p (i) Be floodproofed be the passage of water,







Jan. 27, 2019

Project Desciption for 615 Woodland Ave Menlo Park, Ca

A new 2 story home with attached 2 car garage and the demolition of existing single story home with detached garage at 615 Woodland Ave.

The home will be craftsman style with siding as the primary exterior siding material, with stone veneer and board and batt siding as accent materials with wood window trim and wood accents.

The home requires a use permit because of substandard width of lot and because it is a 2 story home.

The existing home is a board and batt ranch style home with hipped roofs with comp shingles.

The owner has talked briefly with neighbors and plans to take the plans now that they are done to the adjacent neighbors.

Thank You

Michelle Miner 18488 Prospect Rd. Suite 6 Saratoga, Ca 95070



Mayne Tree Expert Company, Inc.

ESTABLISHED 1931

STATE CONTRACTOR'S LICENSE NO. 276793

CERTIFIED FORESTER CERTIFIED ARBORISTS .

PEST CONTROL • ADVISORS AND OPERATORS

535 BRAGATO ROAD, STE. A

SAN CARLOS, CA 94070-6311

TELEPHONE: (650) 593-4400 FACSIMILE: (650) 593-4443

EMAIL: info@maynetree.com

RICHARD L. HUNTINGTON PRESIDENT

JEROMEY INGALLS CONSULTANT/ESTIMATOR

November 8, 2018

Mr. Paul Goswamy 1001 El Camino Real Menlo Park, CA 94025

Dear Mr. Goswamy,

RE: 615 WOODLAND AVENUE, MENLO PARK

On October 27, 2018, I made a site visit to the above-referenced address. This wide lot has been subdivided, with the undeveloped lot being 611 Woodland Avenue. This report will be for 615 Woodland Avenue.

There is an existing house and detached garage. They are to be removed and replaced. There is only one tree on this lot; there is also a neighboring live oak along Woodland Avenue.

Tree #1 is a 10.3-inch diameter mature pittosporum in the back left corner. There is decay in the trunk. If you keep the tree, fence it off at the dripline.

Tree #2 is an estimated 20-inch diameter live oak on the neighboring property about 3 feet from the fence. This tree has been topped and the canopy is all sprouts. Fence off at 15 feet from the trunk.

If you have any questions, please call.

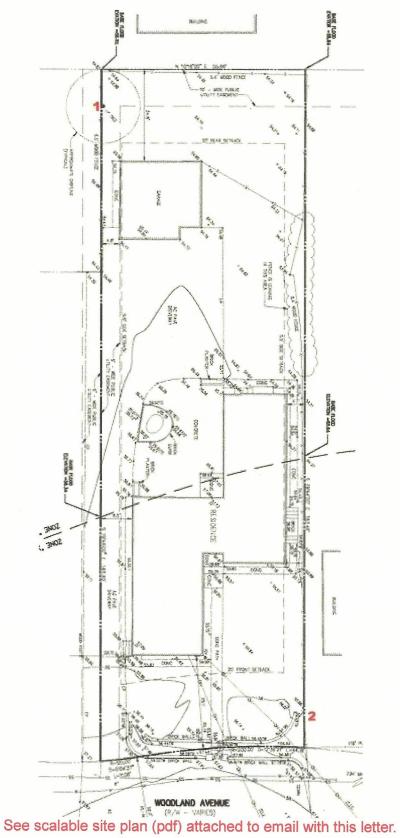
Sincerely,

Richard L. Huntington Certified Arborist WE #0119A

Certified Forester #1925

RLH:pmd





MITIGATING MEASURES FOR CONSTRUCTION IMPACTS ON EXISTING TREES

SECTION I: INTRODUCTION

It is an established fact that construction around existing trees will impact the trees to some degree. The degree of impact is largely predicated on the condition of the tree(s) before the construction activity begins. It is therefore important to inspect all trees prior to any construction activity to develop a "Tree Protection Program" based on the species, size, condition, and expected impact(s). A Certified Arborist (International Society of Arboriculture) is suggested for this work. The local University of California Extension, County Farm Advisors Office, or International Society of Arboriculture (ISA) website www.isa-arbor.com has the names of local certified arborists.

SECTION II: SITE PREPARATION

All existing trees shall be fenced within, at, or outside the dripline (foliar spread) of the tree using the following formula: Five inches in distance from the trunk, for every inch in trunk diameter, measured 4.5 feet above the average ground level. Example: a 24-inch diameter tree would have a fence erected 10 feet from the base of the tree (24 x 5 = 120/12 = 10). The fencing should not interfere with actual construction, but is intended to redirect unnecessary traffic and to protect limbs and roots. No storage of materials, unnecessary trenching, grading, or soil compaction shall be allowed within the dripline(s) of the tree(s). Local ordinances may have different tree protection formulae.

The chain link fencing should be a minimum of 6 feet high with 1.5-inch diameter steel pipes as posts. Moveable chain link fencing with concrete-block footings can be used if approved by the City Arborist. Once in place, fencing should not be moved.

If the fence is within the dripline(s) of the tree(s), the foliar fringe outside the fence shall be raised to offset the chance of limb breakage from construction equipment encroaching within the dripline(s). To protect roots, place a 6-inch thick layer of wood chips, overlaid with $\frac{3}{4}$ -inch plywood.

Where the trunks or limbs may be impacted by equipment, trunks may be wrapped with wooden slats at least one inch thick bound securely, edge to edge, around the trunk as a Tree Wrap. A single layer, or more, of orange-plastic construction fencing is to be wrapped and secured around the outside of the wooden slats. Major scaffold limbs may require protection as determined by the City Arborist or Project Arborist.

All contractors, subcontractors, and other personnel shall be warned that encroachment within the fenced area is forbidden without the consent of the Certified Arborist on the job. This includes, but is not limited to, storage of lumber and other materials, disposed-of paints, solvents, or other noxious materials, parked cars, grading equipment, other heavy equipment or their exhaust, or allowing any fires below any protected trees. The temporary fence shall be maintained until the landscape contractor enters the job and commences landscape construction.

All tree protection measures must be in place prior to any work. If a protected tree is below construction, provide protection from any accidental liquid spill from draining into their root zones. Roots that are below hardscape areas could be impacted by chemicals that are placed below this hardscape, such as rodent or weed control chemicals.

SECTION III: GRADING/EXCAVATING

All grading plans that specify grading within the dripline of any tree or within the distance from the trunk as outlined in SECTION II when said distance is outside the dripline, shall first be reviewed by the certified arborist. The arborist shall outline provisions for aeration, drainage, pruning, tunneling beneath roots, root pruning, or other necessary actions to protect the trees. The arborist and City Arborist shall be notified prior to any excavation within the dripline of any heritage tree.

If trenching is necessary within the area, as described above, said trenching shall be undertaken by hand labor. All roots 2 inches or larger shall be tunneled and smaller roots shall be cut smoothly to the side of the trench. The side of the trench should be draped immediately with four layers of untreated burlap to a depth of 3 feet from the surface. The burlap shall be soaked nightly and left in place until the trench is backfilled to the original level. The arborist shall examine the trench prior to backfilling to ascertain the number and size of roots cut and to suggest further remedial repairs. Documenting large root encounters will help with future mitigating treatments.

SECTION IV: REMEDIAL REPAIRS, PENALTIES

The arborist on the job shall have the responsibility of observing all ongoing activities that may affect the tree(s) and prescribing necessary remedial work to insure the health and stability of said tree(s). This includes, but is not limited to, all arborist activities specified in SECTIONS I, II, and III. In addition, pruning, as outlined in the "Pruning Standards" of the Western Chapter of the International Society of Arboriculture, shall be prescribed as necessary. Fertilizing, mulching, aeration, irrigation, drainage, pest control, and other activities shall be prescribed according to the tree needs, local site requirements, and State Agricultural Pest Control Laws. All specifications shall be in writing. For a list of licensed pest control operators or advisors, consult the local County Agricultural Commissioner's Office or California Department of Pesticide Regulation.

Penalties, based on the cost of remedial repairs and the appraised values provided in the Evaluation Guide published by the International Society of Arboriculture, shall be assessed for damages to the trees. Do not damage any roots, limbs, or trunks. Do not attach any cables, chains, etc. to any protected tree.

SECTION V: FINAL INSPECTION

Upon completion of the project, the arborist shall review all work undertaken that impacted the existing trees. Special attention shall be given to cuts and fills, compaction, drainage, pruning, and future remedial work. The arborist should submit a final report in writing outlining the ongoing remedial care following the final inspection.

PREPARED BY THE MAYNE TREE EXPERT COMPANY - JANUARY 1, 1994

REVISED - MAY 11, 2016

City Manager's Office



STAFF REPORT

Planning Commission
Meeting Date: 8/12/2019
Staff Report Number: 19-061-PC

Regular Business: Recommend proposed changes to the Heritage Tree

Ordinance to the City Council

Recommendation

Staff recommends that the Planning Commission review the background of the Heritage Tree Ordinance Update, consider proposed modifications to the Ordinance, and provide recommendations to the City Council.

Policy Issues

The Heritage Tree Ordinance governs trees of a certain size growing on private property. The Heritage Tree Ordinance update was included in the 2017, 2018, and 2019 City Council work plan. It is currently priority No.4 in the 2019 City Council work plan. The Environmental Quality Commission also recommended an update to the ordinance in 2012.

Background

The Heritage Tree Ordinance (Attachment A) governs trees growing on private property with the primary goal of ensuring a significant and thriving population of large, healthy trees in Menlo Park. The ordinance protects heritage trees by regulating their removal and heavy pruning through a permit process administered by multiple departments. It also specifies penalties for violation of the ordinance, and establishes an appeals process if there is disagreement on the permitting decision.

The Heritage Tree Ordinance was adopted in 1979. Amendments to the ordinance have been made on five occasions with the last occurring in 2006. Over the last several years, concerns from the community arose with development-related appeals, unpermitted removals and enforcement of tree replacements. The City Council, Planning Commission and Environmental Quality Commission have also expressed that there is room for improvement. As a result, the City Council included updating the Heritage Tree Ordinance as part of their 2017, 2018, and 2019 work plans. This project is identified in the City Council's top five priorities for 2019.

In August 2018, the City Council appointed a Heritage Tree Task Force (Task Force) to partner with staff throughout the review and update of the ordinance, and was tasked with providing recommendations to the City Council. The Task Force was able to finalize their recommendations to City Council at the end of June.

The 10 member Task Force is made up of various stakeholders that include property owners, developers, realtors, former Environmental Quality Commissioner Scott Marshall, City Councilmember Drew Combs (former Planning Commissioner), tree advocates, and past heritage tree permit applicants and appellants. The Task Force worked collaboratively with the city staff team that included the City Arborist, Assistant City Attorney, a Principal Planner, and the Sustainability Manager. HortScience | Bartlett Consulting was hired to collect/analyze data and provide a thorough analysis of possible options for updating the ordinance. Based

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on the diversity of the Task Force and sensitivity of regulating trees on private property, Peninsula Conflict Resolution Center was also hired to facilitate Task Force meetings.

Overall, it involved the ongoing time and resources of 17 individuals, 10 Task Force meetings between August 2018 and June 2019, and receiving public comments in writing or at the meetings. Some Task Force members engaged, informed, and received feedback from other community members to ensure that balance between community values around trees and property enjoyment were being reflected in the ordinance update.

Staff presented the Task Force recommendations identified in the analysis section of this report to the City Council on July 16. The City Council directed staff to incorporate the proposed recommendations into draft ordinance language for public review. This will be completed by mid-September. The City Council also directed that the Planning Commission and Environmental Quality Commission review the proposed recommendations as their work and decisions could be impacted the changes. It also allows an opportunity for the community to provide feedback outside of the Heritage Tree Task Force public meetings.

The Planning Commission can recommend the proposed changes and/or provide additional feedback on the recommendations that may be considered in the final ordinance adoption.

Analysis

The Heritage Tree Ordinance update was separated into two policy analysis phases:

- Phase I (August 2018 to February 2019): The Task Force worked collaboratively with the consultant and staff to identify high level policy options for improving areas identified in the project scope. The Task Force typically selected one to several ideas to explore for each area of the ordinance.
- Phase II (December 2018 through April 2019): This phase explored the options identified in Phase I in more depth to determine benefits and impacts. This included evidence gathering for each option and evaluation of potential benefits, risks, impacts, implementation logistics, potential cost or cost savings to applicants, appellants, and the City.

A key step in policy analysis is selecting evaluation criteria to introduce community values and philosophy to compare, critique, and judge the value of each policy option's anticipated result. This also helps center discussion on what is of highest importance over personal values. The Task Force selected and weighted the following criteria for determining which option would emerge as preferred from the policy analysis:

- Clarity (20 percent) Increases certainty for permit applicants through clear parameters. This does not necessarily mean permit approval, but will provide clear boundaries, processes, timelines, etc. for both the community and permit applicant.
- Canopy (60 percent) Maintains and/or increases canopy that is significant, thriving and sustainable.
- Effectiveness (20 percent) Improved enforcement, improved implementation, less community conflicts and sufficient staff capacity, expertise and budget to ensure effectiveness.

As a result of Phase II, 26 options were explored with 16 emerging as preferred options. A policy analysis report was presented to the Task Force and discussed over three meetings (Attachment B). The preferred options were refined by the Task Force and staff, and resulted in 12 proposed recommendations in the table below for the Heritage Tree Ordinance update.

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A major finding as a result of the analysis report was that the appeals process was not the cause of highly contentious appeals or conflicts, but a result of the decision making criteria for removals being unclear. This was the leading cause of conflicts between staff, permit applicants, and the community. As a result, the decision making criteria was significantly changed to reflect industry standards and best practices in other communities while still balancing flexibility for special or extreme circumstances that are likely to be encountered in practice.

Each of the recommendations listed below received a super majority (two-thirds) vote by the Task Force.

These recommendations are framed as policy level decisions and in most cases do not represent actual ordinance language. The actual ordinance language is being drafted for public review and will be completed by mid-September. Also, staff plans on drafting administrative guidelines to expand upon and assist in the implementation of the updated ordinance.

The recommendations in the table below that are likely of most interest and related to Planning Commission work or decisions include:

- Changes to the decision making criteria for removing trees. Specifically, criterion No.2 provides
 parameters for tree removals related to development. The intent is to provide greater clarity and
 transparency for the applicant and community by requesting schematic alternative designs and
 other information to be submitted by the permit applicant to make a determination on whether a tree
 needs to be removed for development purposes.
- 2. <u>Heritage tree appeal process.</u> Staff and the Task Force recommend the heritage tree removal appeal period occur before Planning Commission decisions are made on a project in case a redesign results from the appeal. Currently, the appeal period occurs after Planning Commission has made a decision on a development project involving heritage tree removals. See details in table below.
- 3. Mitigation and replacement requirements if a heritage tree removal is granted. Heritage tree removals granted under decision making criterion No.2 can result in the removal of large healthy heritage trees. Staff and the Task Force recommend that the amount of replacement trees be greater when related to development. The recommended mitigation is to replace the value of the heritage trees removed on the project site. Industry standard tree appraising methods would be used to determine the value of the tree(s). If there is inadequate space to make all plantings, the difference would be paid into a city tree fund. The mitigation requirement also serves as an incentive to motivate developers or property owners to retain high value trees to reduce or avoid mitigation requirements.

Area of the Heritage Tree Ordinance	Task Force and Staff Recommendation
Intent and purpose	This chapter is adopted with the intent and purpose of promoting the preservation and development of a healthy, diverse tree canopy in Menlo Park, which is highly valued by our community and is vital to the character and health of our city. Trees are valued for their many contributions to the environment, public health and quality of life of the Menlo Park community. Examples of those benefits include: • provide shade • enhance resilience to climate change • improve air quality • provide shelter from wind • prevent erosion and landslides • protect against flood hazards • add to the city's scenic beauty and character • recognize historical significance to our city • create natural gathering places • reduce noise pollution • enhance privacy • enhance neighborhood property values • provide habitat for wildlife This chapter establishes regulations for the removal and replacement of trees, promotion of additional tree planting, and public education about the planting, maintenance and preservation of healthy trees following industry best management practices, consistent with the intent and purpose of this chapter, the reasonable economic enjoyment of public and private property, and in alignment with the General Plan.
Definition of a heritage tree	Minor logistical change to reorder the types of defined trees to emphasize protection of heritage and native trees. Change how multi-trunk trees are measured due to implementation challenges. New language to state that multi-trunk trees will be measured at the diameter below the main union of all multi-trunk
	trees unless the union occurs below grade, in which case each stem is measured as a standalone tree. The proposed decision making criteria is closely tied to industry standards and requires the provision
Decision making criteria for tree removal	of evidence to demonstrate a heritage tree is: dead, dying or poses a significant risk, significantly restricts economic enjoyment of the property, or interferes with utilities. Proposed decision making criterion for removing a tree: Prior to the issuance of a heritage tree removal permit, the City Arborist shall review the request and make a decision. The determination in granting or denying a permit shall be based on the following criteria. Each criterion, design guidelines, qualifications, certifications and methodologies to be used are outlined in an administrative rules/requirements document. A tree removal permit can be granted if the decision maker is able to make one of the following findings:

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- 1. The tree has died or condition of the tree poses a high/extreme risk due to structural defects or poor condition, and the structural defects or poor health condition cannot be reasonably abated with arboricultural sound treatments. Evidence to support this finding may include, but is not limited to:
 - The tree risk rating cannot be reduced to low, as reported by a Qualified Tree Risk Assessor; or
 - b. A Certified Arborist has determined that the tree is dying or has a severe disease or pest infestation and that pruning or other treatments will not restore the tree with current arboricultural standards and/or the tree is likely to die within a year.
- 2. The tree interferes with proposed development, repair, alteration or improvement of a site or habitable building (excluding amenities, such as pools and fire pits) or is causing structural damage to a habitable building(s) <u>and</u> there is no financially feasible and reasonable design alternative that would permit preservation of the tree while achieving the applicant's development objectives or economic enjoyment of the property. To support this finding, the following can be required from the permit applicant and considered in making the decision about the tree(s) removal:
 - a. Providing schematic diagrams that demonstrate the feasibility/livability of alternative design(s) including utilizing zoning ordinance variances to preserve the tree, providing the cost of alternative design(s) and total project value in relation to the appraised value of tree(s) (outlined in City administrative rules for appraising trees- most recent addition to the Guide for Plant Appraisal).
- 3. The removal is requested by a utility, public transportation agency, or other governmental agency due a health or safety risk resulting from the tree's interference with existing or planned public infrastructure. To support this finding the City may request the information specified in Section 2a.
- 4. Tree has grown into the solar envelope of the collector <u>and</u> there is no other feasible and reasonable way to mitigate the condition, such as pruning. The solar collector must have been installed prior to planting of the tree(s), consistent with Section 25982 of Public Resources Code. To support this finding the City may request the information specified in Section 2a.
- 5. The tree(s) have a diminishing value or have a limited life span based on pest infestation; disease; a condition that cannot be reasonably abated; intolerance to adverse site conditions such as soil or water salinity, exposure to sun or wind, increasingly high temperatures.
- 6. The tree is a member of a species that has been designated as invasive by the City.

Appeals based on proposed tree removal criterion No. 1 and No.6 (tree risk or identified as invasive)

Appeal Filing Standards It is recommended that appeals for proposed tree removal criteria No.1 will be limited to the permit applicants only. If a qualified tree risk assessor rates a tree as having a high or extreme risk of failure with no feasible option to lower risk rating to low and the City arborist agrees, the application will be approved with no appeal period. The rationale for this provision is that a neighbor or other separate party should not have the ability to hold up a tree removal that could negatively impact the safety of the applicant and their property. If the City Arborist disagrees with the risk rating, making a decision to keep/preserve the tree, then the permit applicant may appeal the decision to the City Manager or their designee.

Appeals based on proposed tree removal criteria No. 2-5 (development, utility, solar access, and long-term value related)

It is recommended that community members and permit applicants have the ability to appeal staff decisions to an appointed City Council commission or board. For permit applicants, appeals can only

	be accepted based on findings and evidence required for removal criteria. For community members, appeals will be processed if the they can provide concepts/ideas that can be explored by the City that align with the proposed removal criteria. The appeal timing and appellant requirements would be: • Heritage tree is noticed for removal or a permit applicant is notified of the City's decision. Within (15) working days of posting or notification, an appellant would contact the City through an appeal intent form (to be created), requesting review of the application and supporting documents. • For community member appeals, an additional (15) working days after appeal is filed to review the application, enter into a mediation process, and gather one to five reasonable feasible alternatives for the permit applicant to explore. • Conceptual alternatives will need to be provided within the 15 working day period to be explored by the city and/or the permit applicant. If the applicant/appellant plans to provide third-party expert evidence, the City can extend the review period in writing. No additional evidence or concepts will be accepted after the review period provided in writing by the City to the appellants. This will allow appeals to be processed in an appropriate, meaningful, and efficient manner to respect both permit applicant time and other city priorities.
Appeal Hearing Body	The Environmental Quality Commission will remain as the body that hears all heritage tree appeals. Additional language will be added that allows the City Council to appoint another body if desired in the future.
Development Related Appeal Process	 To resolve conflicts between Planning Commission approvals and heritage tree appeals, it is recommended that: The heritage tree appeal period be initiated prior to Planning Commission approval that involves heritage tree removals. If an appeal is filed, it would be heard by the EQC. If an appeal is filed by a community member, offer community mediation to resolve. If the EQC decides to allow the tree removal, the removal would be subject to Planning Commission approving the project. Once the Planning Commission rules on the overall project that includes the tree removal, both the Planning Commission and EQC decision could be appealed to City Council. If the EQC decides to preserve the trees, the decision may be appealed to the City Council before being heard by the Planning Commission as the project would need to be redesigned before it goes to the Planning Commission.
Appeals and using conflict resolution	City can offer conflict resolution/mediation for community member appeals before/at the start of the formal appeal process. Adding mediation as part of an appeals process could help maintain, preserve, and build good community relations while resolving concerns and disagreements regarding heritage trees. In many circumstances, conflict resolution mediated by a third party would help to educate or offer a different perspective to potential appellants that might affect the appellant's decision about filing an appeal. To implement this option, the City would engage and pay for a mediator for the applicant and appellant. Note any agreement is not legally binding and the appellant would still have the ability file the appeal.
Mitigation and tree replacement requirements	For <u>development related removals</u> , adopt the appraised tree value method to determine tree replacements. This uses an industry tree appraising standard, such as the most recent edition of the Guide to Plant Appraisal, to determine the value of the tree being removed. The development applicant would be required to replace the value of the tree(s) onsite. For example, if a tree removed is valued at \$5,000, the cost to replace the removed tree with new plantings must be at least \$5,000. If the appraised value exceeds amount of tree replacements that can be made on the property,

	applicant shall pay difference in value to the City tree fund. This captures the value of a healthy tree being removed as a result of the development and also incentivizes building applicants to preserve trees that are of high value. Appraised tree value will be required for all tree removals (and protected trees) for a development project. The City will identify an approved list of tree appraisers to reduce appraising method conflicts between city arborist and applicant's arborist. For non-development related removals, adopt a replacement matrix based on trunk diameter developed by the City Arborist that will set the required replacement plantings. This would reduce the burden of potentially overpaying for a dead or tree in poor health. On sites that are fully planted, the applicant would pay the cost of the replacement tree set by City Council into the city tree fund.
Establishment of a tree fund	Direct violations or other heritage tree related fees to an existing tree fund to plant more trees or assist with implementation of the Heritage Tree Ordinance. Consider engaging with community nonprofit to plant trees on private property.
Enforcement of Replacement Trees	For enforcement of replacement trees, require two inspections. One to verify tree has been planted, and a second at two years to ensure tree is thriving. This would require extra staffing resources to implement.
Violations	Charge violators the assessed value of the tree, or in cases where there is not enough of the tree left to appraise, the violator would be charged a flat fee fine which will be increased to \$10,000. Punitive or administrative penalty fines can be assessed in addition to the assessed value or flat fine violations for the following: • Total tree removal • Pruning that impacts tree health • Not planting or maintaining replacement trees • Damage during construction • Repeated offenses resulting in escalating fine amounts Punitive or administrative penalties will be established by City Council through a resolution. The Task Force strongly advices that the City Council set these penalties high enough to deter violations that they have witnessed regularly or to avoid the permitting process that would create developing their property challenging. Remove building moratorium penalty. It is currently not used in practice and the City Attorney advises against using this practice for violations due to legal challenges.
Notification Requirements	Use existing language in the municipal code 16.84 Public Hearings and 16.85 Notices for Single Family Residential Development for notification except all heritage tree removals would be noticed to property owners within 300 feet of the exterior boundary of the property involved. This would be instead of notifying contiguous neighbors. This noticing would be required for permits filed under proposed tree removal criteria two to five.
	In addition, require to the extent permitted by law, open access and community-wide notice of all heritage tree removal applications, permits, and appeals.

If the City Council approves the recommendations, it will cost the City an extra \$185,000 to \$200,000 annually to implement the changes. This is largely due to the inspection of replacement trees and enforcement needs. The City cannot currently enforce the status quo ordinance with current budget resources.

Funding would likely be recovered through increasing tree removal permitting costs and using a portion of the proposed tree replacement funds to implement. The General Fund would also be evaluated for funding the implementation. In July, the City Council directed staff to analyze using technology to verify replacement trees to reduce costs, and staff is currently reviewing available technologies for this approach. There will also be cost increases experienced by permit applicants through permit application fees, mitigation requirements, and more technical arborist reports that require tree valuations. However, these costs were found acceptable and reasonable by the Task Force to maintain or increase Menlo Park's urban forest as a majority of the community's canopy is on private property.

Community Engagement

The community engagement to date has been extensive through the establishment of the Heritage Tree Task Force that is a Brown Act Body. All meetings of the Task Force were publically noticed. In addition, some of the Task Force members engaged, informed and received feedback from their neighbors or community members to help inform their decisions.

Between August 2018 and June 2019, the Task Force and Staff participated in 10 public meetings that evaluated best practices (and effectiveness) of other communities, current practice in Menlo Park, and used policy analysis to determine preferred options based on evaluation criteria that increased clarity, maintained canopy, and increased the effectiveness of the ordinance.

The process involved the ongoing support and critique of 17 individuals made up of 10 Task Force members, four city staff, and three consultants. This resulted in intensive dialogue to find middle ground solutions and recommendations. On average, the Task Force could find resolution on two topics per meeting.

During the duration of the Task Force from August 2018 to June 2019, public comments were received in writing or at the meetings. This helped inform the Task Force and staff about issues experienced in the community that could be addressed in the ordinance update. In addition, the consulting and staff team surveyed past permit applicants and appellants to gather data and ideas on improvement. These results were presented to the Task Force.

Further community engagement involves presenting the draft ordinance that includes the recommendations above to the EQC and Task Force in September.

Recommended Action

The recommended action for Planning Commission is to:

Recommend the above proposed recommendations by staff and the Task Force to the City Council.
 Based on the policy analysis and Task Force findings, the proposed recommendations will increase clarity of the ordinance, increase/maintain the urban forest canopy, and increase the effectiveness of the ordinance.

Alternative actions to consider are:

 Provide additional feedback to the City Council that may be considered before final changes are adopted in October. This may require additional analysis and budget to examine the impacts to City operations and permit applicants for more informed decision making.

The changes to the Heritage Tree Ordinance could be adopted as early as October. An implementation and

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education plan would then be developed prior to the effective date of the ordinance on July 1, 2020

Impact on City Resources

If the above policy changes are made to the ordinance, it will increase costs for implementation. It is estimated that the costs will increase the heritage tree program budget between \$185,000 and \$200,000 annually and will require additional staff or a mix of staff and consulting services. This would likely be recovered through increasing tree removal permitting costs and using a portion of the proposed tree replacement funds to implement. The General Fund would also be evaluated for funding the implementation.

Environmental Review

Review of the proposed changes with regard to the California Environmental Quality Act (CEQA) will be conducted prior to adoption of the final ordinance. As the purpose of the Heritage Tree Task Force was to continue the level of tree canopy protection existing in the current ordinance while providing more clarity and better enforcement, staff anticipates the ordinance will be exempt from further CEQA review.

Public Notice

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

Attachments

- A. Current Heritage Tree Ordinance https://www.codepublishing.com/CA/MenloPark/?MenloPark13/MenloPark1324.html&?f
- B. Policy Options Analysis Report from June 26 Task Force Meeting (See Attachment A) https://www.menlopark.org/DocumentCenter/View/22006/C2-20190626-preferred-options-HTTF

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