# **Planning Commission**



#### **REGULAR MEETING AGENDA**

Date: 10/21/2019
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 October 7, 2019, Planning Commission meeting. (Attachment)

### F. Study Session

F1. Study Session/Chase Rapp/1162 El Camino Real:

Request for a study session to review a proposed three story, nine unit residential development with an at grade parking garage with nine parking spaces in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. Three of the units would be designated as Below Market Rate (BMR) units, with one unit providing a BMR unit for this project and two units providing BMR units for the combined projects at 506 Santa Cruz Avenue, 556 Santa Cruz Avenue, and 1125 Merrill Street. The Planning Commission held a previous study session on this proposal on March 11, 2019 and the project has been refined to address comments from the March 11, 2019 study session. No actions will take place at this meeting, but the study session will provide an opportunity for the Planning Commission and the public to become more familiar with the proposal and to provide feedback. (Staff Report #19-073-PC) *Continued by the Planning Commission from the meeting of October 7, 2019* 

### G. Public Hearing

G1. Use Permit Revision/Gary Ahern/1012 Cotton Street:

Request for a use permit revision for additions and other modifications to an existing two-story, single-family residence on a substandard lot with respect to lot width in the R-E (Residential Estate) zoning district. The applicant is also requesting to maintain a fence greater than four feet in height within the front yard setback. The previous use permit was granted in 1983. *Continued to meeting of November 4, 2019.* 

G2. Use Permit/Chris Kummerer/333 Pope Street:

Request for a use permit to demolish an existing two-story single-family residence and detached garage and construct a new two-story residence with an attached garage and attached secondary dwelling unit on a substandard lot with regard to minimum lot width in the R-1-U (Single Family Urban Residential) zoning district. One heritage-sized magnolia street tree is proposed to be removed as part of the project. (Staff Report #19-074-PC)

G3. Use Permit/Melissa and Robert Francis/1725 Oakdell Drive:

Request for a use permit to demolish an existing one-story single family residence and construct a new two-story residence on a substandard lot with regard to minimum lot area in the R-1-S (Single Family Suburban Residential) district. One heritage-sized liquidambar street tree is proposed to be removed as part of the project. (Staff Report #19-075-PC)

G4. Use Permit/Verle and Carol Aebi/973 Roble Avenue:

Request for a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story, single-family residence with a basement and detached two-car garage on a substandard lot with regard to minimum lot width in the R-3 (Apartment) district. The use permit request includes excavation within the required right side setback for a basement lightwell. One heritage Indian bean tree and one heritage California pepper tree are proposed to be removed as part of the project. (Staff Report #19-076-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: November 4, 2019
  - Regular Meeting: November 18, 2019
  - Regular Meeting: December 9, 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.

#### Agenda Page 3

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.

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

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

Agendas are posted in accordance with Government Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 10/16/2019)

# **Planning Commission**



#### **REGULAR MEETING MINUTES - DRAFT**

Date: 10/7/2019
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), Michael Doran, Camille Kennedy, Henry Riggs (Vice Chair),

Michele Tate

Absent: Chris DeCardy

Staff: Kyle Perata, Principal Planner; Corinna Sandmeier, Senior Planner

### C. Reports and Announcements

Principal Planner Kyle Perata said that Item G1 on the agenda was mistitled as a *Scoping Session* and was a *Study Session*. He said the City Council at its October 15 meeting would appoint a Planning Commissioner.

#### D. Public Comment

None

### E. Consent Calendar

E1. Approval of minutes from the September 23, 2019, Planning Commission meeting. (Attachment)

**ACTION:** Motion and second (Henry Riggs/Camille Kennedy) to approve the minutes as presented; passes 4-0-1-1 with Commissioner Michael Doran abstaining and Commissioner Chris DeCardy absent.

### F. Public Hearing

F1 and G1 are associated items with a single staff report

F1. Environmental Impact Report (EIR) Scoping Session/Peninsula Innovation Partners/1350-1390 Willow Road, 925-1098 Hamilton Avenue, and 1005-1275 Hamilton Court: Request for an Environmental Review, Conditional Development Permit, Development Agreement, Below Market Rate (BMR) Housing Agreement, Zoning Map Amendment, General Plan Amendments, Heritage Tree Removal Permits, Vesting Tentative Map, Fiscal Impact Analysis and

an appraisal to identify the Community Amenity Value for a Master Plan to comprehensively redevelop an approximately 59-acre site located at 1350-1390 Willow Road, 925-1098 Hamilton Avenue, and 1005-1275 Hamilton Court. The proposed project would demolish approximately 1,000,000 square feet of existing office, industrial, research and development (R&D), and warehousing campus. The project site would be redeveloped with approximately 1,735 housing units (with a minimum of 15% affordable), up to 200,000 square feet of non-office/commercial retail uses (including a grocery store and pharmacy), approximately 1,750,000 square feet of offices, a hotel with approximately 200-250 rooms, an approximately 10,000 square foot community center. and approximately 9.8 acres of publicly accessible open space (including an approximately 4-acre public park). The proposal includes a request for an increase in height, floor area ratio (FAR), and density under the bonus level development allowance in exchange for community amenities, as outlined in the General Plan and Zoning Ordinance. The project site encompasses multiple parcels zoned O-B (Office) and R-MU-B (Residential Mixed Use). The project site contains a toxic release site, per Section 6596.2 of the California Government Code that would be remediated as part of the proposed project, in compliance with the applicable requirements of the California Department of Toxic Substance Control, the State Water Resources Control Board, and/or other responsible agencies. (Staff Report #19-072-PC)

Item F1 was transcribed in its entirety by a court report separately from these summary minutes.

### G. Scoping Study Session

G1. Scoping Study Session/Peninsula Innovation Partners/1350-1390 Willow Road, 925-1098 Hamilton Avenue, and 1005-1275 Hamilton Court:

Reguest for an Environmental Review, Conditional Development Permit, Development Agreement, Below Market Rate (BMR) Housing Agreement, Zoning Map Amendment, General Plan Amendments, Heritage Tree Removal Permits, Vesting Tentative Map, Fiscal Impact Analysis and an appraisal to identify the Community Amenity Value for a Master Plan to comprehensively redevelop an approximately 59-acre site located at 1350-1390 Willow Road, 925-1098 Hamilton Avenue, and 1005-1275 Hamilton Court. The proposed project would demolish approximately 1,000,000 square feet of existing office, industrial, research and development (R&D), and warehousing campus. The project site would be redeveloped with approximately 1,735 housing units (with a minimum of 15% affordable), up to 200,000 square feet of non-office/commercial retail uses (including a grocery store and pharmacy), approximately 1,750,000 square feet of offices, a hotel with approximately 200-250 rooms, an approximately 10,000 square foot community center, and approximately 9.8 acres of publicly accessible open space (including an approximately 4-acre public park). The proposal includes a request for an increase in height, floor area ratio (FAR), and density under the bonus level development allowance in exchange for community amenities, as outlined in the General Plan and Zoning Ordinance. The project site encompasses multiple parcels zoned O-B (Office) and R-MU-B (Residential Mixed Use). The project site contains a toxic release site, per Section 6596.2 of the California Government Code that would be remediated as part of the proposed project, in compliance with the applicable requirements of the California Department of Toxic Substance Control, the State Water Resources Control Board, and/or other responsible agencies. (Staff Report #19-072-PC)

Chair Barnes noted that the applicant had made the project presentation under item F1 and asked if the Commission had any clarifying questions on the project.

Commissioner Riggs asked about parking for Main Street and the grocery story. Mr. Michael Ghielmetti, Signature Development Group, said parking was included with each of the mixed-use buildings for residential as well as separate parking for guests and visitors for the shops and grocery store. Commissioner Riggs asked if the Willow Village guidelines were meant to parallel the ConnectMenlo guidelines as part of the development agreement or were in addition to the ConnectMenlo guidelines. Mr. Ghielmetti said that would be determined by engagement and input. Commissioner Riggs noted modulations of facades over certain lengths under ConnectMenlo and the City's Specific Plan and asked if they would be proposing different guidelines. Mr. Ghielmetti said he thought they would like to stay within the design intent and overall ConnectMenlo guidelines. He said they would like to design more of the project earlier on so the Commission and general public would have a more definitive notion of the design intent. Commissioner Riggs said he supported doing that, but suggested people might struggle with the term guidelines as that was embodied in the zoning.

Commissioner Riggs said the non-office and retail uses were presented in a square footage range and asked at what point they would be able to specify square footage. Mr. Ghielmetti said he thought 125,000 square feet would reach a critical mass for a mixed-use neighborhood like that proposed. He said it was not known at this point whether more square footage could be tolerated either from a traffic perspective or community amenity perspective.

Chair Barnes opened public comment.

#### Public Comment:

Matt Regan, Bay Area Council, a business sponsored public policy organization, said the
proposed project would reduce the number of people having to commute great distances from
affordable housing to the area to work. He said they supported the project moving forward.

Chair Barnes called Barry Hathaway. Mr. Hathaway did not speak.

- Fran Dehn, Chamber of Commerce, said the project was a unique opportunity for Menlo Park
  and featured a cohesive master plan mixed use development that integrated into and
  complemented the adjacent Belle Haven neighborhood, other neighborhoods and greater
  Menlo Park area. She said it was shared space replacing an obsolete, single use, warehouse
  industrial complex. She said it addressed below market rate and market rate housing and
  included senior housing. She outlined all the favorable aspects she found with the proposed
  planned community.
- Pamela Jones, Menlo Park, said on July 18, 2017, this project in a very early stage was brought to the City Council as an information item. She said her recorded comment at that time was: "This could be a model for a sustainable city that was truly live, work, play." She said they had a wonderful opportunity to set an example of what it would look like to reduce the jobshousing imbalance. She said she wanted to see jobs in this area where the people in the area might work. She said they did not have data on this. She referred to the idea of the project helping to repopulate the elementary school and noted that Belle Haven School was old and tired. She said it was important to look at the proposed office buildings and their structure with an opportunity to repurpose as Facebook would not be in the area forever. She recommended that they reduce the office space and put in more housing and trees.

Obed Reynaga said he was an apprentice and lived in East Palo Alto. He said the project was
a great opportunity for him to work where he lived. He said he would like the project to be
developed symbiotically with the community around it and for the open space to be used by
nearby residents in the future.

Chair Barnes closed the public comment period.

Commission Comment: Commissioner Doran said for the record that he had met previously with the developers and toured the site with them. He noted a public comment and a comment of the Chair regarding the possibility of a direct connection to Bayfront Expressway from Willow Village as that would not increase traffic on Willow Road or University Avenue from the project. He asked the applicant if consideration had been made of such a connection. Mr. Ghielmetti said that was not something that could be defined until they studied with their traffic consultant the existing traffic conditions cumulatively with the proposed project. He said potentially there were other considerations not traffic related such as biological and ecological that could affect whether such a connection was feasible. He said there were also things they were proposing that would actually alleviate traffic pressures on Willow Road and University Avenue.

Commissioner Doran said the biggest mitigation he could see for traffic impacts was the Dumbarton Rail. He asked whether it would be possible to condition the approval for Willow Village on the approval of Dumbarton Rail with a certain amount of progress being made toward that and a commitment from Facebook to reach certain milestones for Dumbarton Rail. He asked if that would be within the Commission's authority. Planner Perata said he could not answer that tonight and the question would need greater discussion with other staff including the City Attorney and in terms of policy was a valid question.

Commissioner Doran said the project was impressive and it seemed a lot of thought had already gone into it. He said it integrated many of the goals of ConnectMenlo and the City into one project. He said they had received great public comments on the project, and he wanted to emphasize those for the record. He said he thought there was a clear preference for residential development and additional housing as opposed to additional office. He encouraged the developers and Facebook to think about that preference as the project was refined. He said his personal preference was for a significant amount of the housing to be earmarked for Facebook employees. He said he would not want all the housing go to Facebook employees, but he thought the best way to reduce Facebook's traffic impacts was worker housing as close as possible to the worksite. He said he liked the public comment regarding phasing of the project to have early phases tilted more towards residential than office. He said doing that would make him more favorable toward project approval. He said they needed to be more cognizant that no matter how great the rate of Facebook growth was right now that the next economic cycle would be down noting a history of grand projects getting stalled before completion. He said with that occurring he would prefer that housing rather than office had been built. He said he encouraged the traffic consultant and the developers to consider direct access from the project to Bayfront Expressway.

Chair Barnes noted this planned development would require a conditional development permit and a development agreement (DA). He asked from an economics standpoint what role the DA potentially played and how it was different from community amenities. Planner Perata said community amenities were hardwired into the zoning ordinance in regard to bonus level development. He said through an appraisal process it was determined what 50% of the increased value of the bonus level development was and that was given to the community through a

community amenity. He said currently there was an adopted list of community amenities and that was attached to the staff report as Attachment G. He said the appraisal process to determine the bonus value amount for community amenity would be concurrent with the entitlement and environmental review processes. He said the DA was required as part of the Master Plan project. He said the DA memorialized certain agreements between the City and the applicant / developer. He said those could take the form of phasing requirements and could include things like benefits above and beyond minimally required community amenities, or the timing of certain improvements or community amenities.

Chair Barnes said he did not meet with the applicant and as a policy did not meet with applicants prior to a hearing as he wanted to ask his questions of them and hear their responses in a public session. He said he did however have a conversation with the applicant recently that was not about the project but specifically to inform them that transportation or the ability to model traffic trip counts associated with the project would be very important to see. He addressed Mr. Ghielmetti directly that it would be important to have transparency about what they were doing and trying to do, and what their economics were in delivering different types of product including the residential, retail office and hotel. He said the sooner that information became part of the discussion the better it was for everyone.

Chair Barnes said the plans called for up to 200,000 square feet of mixed use. He said in comparison that one side of the downtown Santa Cruz Avenue from El Camino Real to Peet's was in total an aggregate 150,000 square feet of retail. He asked what the applicants were contemplating in terms of mixed use and tenant mix. Mr. Ghielmetti said that right now they did not know what the retail environment would be and that was why they had indicated a range of up to 200,000 square feet. He said they wanted to be flexible. He said if it was pure retail such as a pharmacy and grocery store those would have larger footprints. He said an urban grocery store could be anywhere from 15,000 to 35,000 square feet. He said a pharmacy could be 8,000 to 15,000 square feet. He said this did not have to be pure retail but could include artist workshops. maker space, or pdr (production, distribution, repair) space. He said they wanted to maximize their ability to interact with the community. He said they wanted to create something that had foot traffic including bicyclists and pedestrians, people living in the area, people visiting in the area, coming to the parks and Facebook employees. Chair Barnes said the area would have to become a destination as the population within Willow Village would not support that level of vibrancy. Mr. Ghielmetti said that Belle Haven and East Palo Alto were neighbors underserved with retail and that was why they wanted to have a broader notion of what retail was and a range of that retail. He said they did not want to create things that would not be successful. Chair Barnes said he would welcome 200,000 square feet of retail noting that the design and form were important in creating an accessible space that made people feel welcome to want to come in and experience the retail space.

Chair Barnes said they had 175 parking spaces on the street referring to Exhibit 2B. He said the intent was a walkable and experienceable location and asked whether those spaces might be deployed elsewhere. Mr. Ghielmetti said 175 parking spaces were not very much given the scope of the project. He said they were planning wide sidewalks, separated Class 1 bicycle lanes, and parklets but a certain small amount of convenience parking was needed by people. He said the bulk of the parking would be within the buildings themselves for residents, visitors and customers. Replying to Chair Barnes, Mr. Ghielmetti said their goal was to have a broader definition of mobility that was not car focused without sacrificing overall connectivity.

Chair Barnes referred to Parcel 11, Exhibit 7, noted as RMU and asked what building was contemplated there. Mr. Ghielmetti said that right now they were considering retail uses there and bandied about ideas such as a cinema or bowling alley – uses that would draw visitors to the area.

Chair Barnes asked what was proposed as senior housing. Mr. Ghielmetti said everything was preliminary and had to be studied through the environmental review process. He said basically they wanted to have a very diverse population and part of that was age diversity. He said they saw seniors as an underserved community for housing and affordable housing and they wanted to be part of the solution.

Chair Barnes noted recycled water was part of the utilities plan and asked if all of the buildings within the project were anticipated to use a recycled water system. Mr. Ghielmetti said that was correct. Chair Barnes asked if it was similar to what was proposed at another Facebook site related to black water use. Mr. Ghielmetti said he could not make a commitment to that.

Chair Barnes referred to the Hamilton Avenue realignment and a potential relocation of the Chevron Station and asked why that was important. Mr. Ghielmetti said basically what was shown were different configurations that were not yet rated. Chair Barnes said that there must be a reason to potentially relocate a gas station. Mr. Ghielmetti said that was correct but there were pros and cons to everything which they had to study.

Chair Barnes noted discussion about the Cross Bay Transit Partners. He asked if there was a relationship or dependency with that initiative and what was being considered at Willow Village. Mr. Ghielmetti said there was not a direct relationship and it would be studied, but it was not a dependency. He said it was incumbent upon them to have a package of amenities that included traffic and congestion improvements that would hopefully win the trust of the Commission and City Council. He said they needed to work with consultants to study various alternatives. He said it might or might not include aspects of that separate project. He said that there might be other congestion management or mobility services that they could offer.

Chair Barnes said Facebook's other campuses had trip caps and asked why that concept would not work for this project. Mr. Ghielmetti said that was part of the things they needed to look at. He said potentially having this other campus here might mean better connectivity for bicyclists, pedestrians, trams and buses, which they would have to study. Chair Barnes said the other Facebook campuses were more closed than this project, which was being designed to bring in the public as well so it might be difficult to monitor trips and ascribe them. Mr. Ghielmetti said they had office and residential categories. He said it was possible that the more people that lived there might mean the more people working there and that would be less trips. He said if there was a grocery store and pharmacy there would be less people making trips crosstown for those needs. He said these were the types of things that had to be studied. Chair Barnes said when there was a trip cap on a project it had the effect of bounding the perspective of impacts in an area. He said he wanted to put forward the concept of a trip cap on the office portion of this project as that would make very tangible how many vehicles would be moving in and out of that part of the project site. He said that in turn quantified impacts. He said he offered that as something to consider in developing the project.

Chair Barnes referred to phasing of the project and asked what they were trying to accomplish with that. Mr. Ghielmetti said as they tried to create some amount of community amenities, some amount of housing both affordable and market rate, and some amount of office there were factors

including economic drivers that basically helped pay for the project. He said the other question was how much of the housing could be absorbed at any one time. He said if 11 buildings were being built at the same time the question would be whether the market would be able to absorb all of that at once. He said they wanted this to be a successful project and typically wanted to phase different aspects of it. He said the office aspect was easier from an absorption standpoint because it was a Facebook building. He said like retail you would not want housing to lay fallow whether for sale or for rent. He said having too much product on the market was counter intuitive to that. He said they were also trying to balance traffic impacts. He said there was some notion that the office, retail, and residential traffic did not all move in the same direction and in some cases, it moved in the opposite direction. He said they were trying to balance those types and things. He said they would study mitigation measures that might compensate for some of the impacts. He said they heard from the community that they wanted various things to be frontloaded. He said they wanted the community and City's support for their project so they would study those things between now and when the EIR was concluded.

Chair Barnes asked about Peninsula Innovation Partners. Mr. Ghielmetti said basically it was a company that Facebook had formed for this specific purpose and brought Signature Development Group in as their partner on this project. Chair Barnes referred to a parcel map on Exhibit 7 and asked if there was a scenario 10 years from now when Facebook would not be the owners of certain parcels within the Willows Village. Mr. Ghielmetti said with the residential portion that was a scenario. He said on the office portion he had not heard that discussed. He said the project was being designed so that it was a market ready project but all he had heard from Facebook was that it was their sincere desire, intent and goal to occupy the office space.

Commissioner Riggs said he found this concept of a new neighborhood exciting and if he could get there, he planned to be a visitor to the neighborhood center. He said he had anticipated that the RMU zoning designation meant it was a concentrated village with retail and services but no office. He said he thought that they had heard this tonight with the request for increased housing and services for the project rather than office. He noted the applicant's pro forma needs but indicated he was anticipating seeing the response to the voiced desire for more housing with services rather than office. He said related to circulation it appeared the project would have a viable connection to East Palo Alto and University Avenue. He referred to the community room program and requested that its use not be dominated by any particular larger group or endeavor, so it was available for the new community and the Belle Haven community as things came up. He said related to paseos there was the question of whether the paseos meet the intention of ConnectMenlo. He said he thought the overriding intention of ConnectMenlo was to create vibrant spaces that worked with workspaces, residents and community service such that community happened. He said he did not think designated paseos were the highest priority and this planning worked very well and had resolved the competing interests and desires and prioritizing in a very good and useful way. He said he was much more interested in biking up Main Street rather than biking around the east and north edges even though it would ultimately get to the Bayfront Trail. He said paseos were scripted in the ConnectMenlo ordinance with a designated width and designated components in any cross section of that width. He said a trail did not have to be a consistent character and he thought a consistent character detracted from a trail. He said he would encourage some variation to the trail if it was to the benefit of any of the buildings or if it afforded the opportunity for an uninterrupted green space. He said he hoped in working with staff that would turn out to be a possibility. He noted coastal redwood on the landscaping plan and pointed out it was not a tree people wanted to sit under or park under when it was dropping. He said also coastal redwoods kept growing for centuries so there was the question of how many of those and where it was desirable to plant. He

said in terms of the scale of the buildings from what they had seen so far this was what was intended, and he thought it worked. He said in the portion they had designated for housing that he thought there could be height issues particularly adjacent to Willow Road and also in terms of what people wanted to live in. He said he hoped more buildable area was taken for the additional housing for that EIR alternative. He commented that mechanical penthouses' scale and finishes could be awkward when a mechanical penthouse was taller than the occupied story in the unit below it. He referred to emails received by the Commission noting one that challenged the City to judge the project in terms of its overall effect on Menlo Park. He said the most visible effect and the hardest to mitigate was traffic. He said the proposed project responded to ecological challenges so well that one was eager to see it built just to prove this was how they could build in the future. He said the energy put into creating the market square and Main Street and locating the most needed services next to the residential areas was fantastic. He said transportation was the issue for this and any other projects in the bayside area. He said he would not want the project to get stalled because of transportation still he felt a resistance to additional traffic and not just on Bayshore and Willow Road. He said he met with the developer last week. He said it was inappropriate to ask Facebook to build a bridge noting that if projects did not pencil out, they did not happen. He said however it was a wonderful opportunity that the City had such a strong partner as Facebook that might push forward the transportation issues where the pushing needed to happen and that was beyond City Hall and in Sacramento and offices of representatives in Washington D.C.

Chair Barnes noted that it was 10:25 p.m. He said that Commissioner Kennedy need to leave at 11:00 p.m. He asked if others had to leave at 11 p.m. and noted that Commissioner Tate would also need to leave at 11:00 p.m.

Chair Barnes said the staff report asked if the Commission effectively thought a hotel was an appropriate use at the site and would complement the other uses at the site. He said the application was for 250 rooms and would exceed the room cap. He asked if staff's question was whether the hotel was an appropriate use there or whether there was a recommendation to increase the room cap. He said he did not recommend increasing the cap, but he did recommend this site getting 250 hotel rooms (he noted previously that the hotel at Haven Avenue was not located appropriately). Planner Perata said they were looking for feedback on the proposed use and feedback on whether 250 rooms was an appropriate number. He said as a policy the room cap was something the City Council would decide. He said if this application were to move forward with 250 rooms that would need an amendment to the 400-room development cap as the assumption was other projects on file would likely get entitled and potentially start construction prior to this project's entitlement. Chair Barnes said he supported 250 rooms and not to increase the cap. He said that this was where a hotel should go for a multitude of reasons including decreasing trip counts and it should be to the exclusion of other hotel sites. Planner Perata said ultimately the project might reduce the rooms for a multitude of reasons as well.

Chair Barnes closed the study session for the Willows Village project.

### H. Study Session

H1. Study Session/Chase Rapp/1162 El Camino Real:

Request for a study session to review a proposed three story, nine unit residential development with an at grade parking garage with nine parking spaces in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. Three of the units would be designated as Below Market Rate (BMR) units, with one unit providing a BMR unit for this project and two units providing

BMR units for the combined projects at 506 Santa Cruz Avenue, 556 Santa Cruz Avenue, and 1125 Merrill Street. The Planning Commission held a previous study session on this proposal on March 11, 2019 and the project has been refined to address comments from the March 11, 2019 study session. No actions will take place at this meeting, but the study session will provide an opportunity for the Planning Commission and the public to become more familiar with the proposal and to provide feedback. (Staff Report #19-073-PC)

Staff Comment: Senior Planner Corinna Sandmeier said 18 additional emails were received in support of keeping Feldman's Books since publication of the staff report. She said 16 of those were received before 6:00 p.m. this evening and were printed for the Commission and the public.

Chair Barnes said rather than have the applicant's presentation due to the late hour they would open for public comment at this time.

#### **Public Comment:**

• Timothy Aveni, Menlo Park, said he really liked Feldman's Books. He said to some he represented a problem as he was the tech guy moving in, causing the rents to go up, the cost of living to spike and generally increasing the demand for housing. He said he did not want to be part of the problem. He said he wanted to be part of the community and make a life here. He said he liked to unplug after work and read a book with real pages that came from a bookstore. He said he had traveled to large cities that no longer had bookstores like Feldman's. He said the City of Menlo Park was beautiful and welcoming, a place where he would like to raise a family. He said Feldman's was really beautiful and really welcoming. He said Menlo Park would not be made better bringing new people in if the cost was the loss of the soul of the City. He said they would not be able to bring new people into it if the City lost its character. He said he would like to see new housing but alongside of and not instead of Feldman's Books.

Chair Barnes called speaker Larry Dahl. Mr. Dahl did not speak.

- Edward Avak, Menlo Park, said he believed any city should have some used bookstores. He said when he first moved to Menlo Park in the 70s there were three used bookstores and now only Feldman's. He said what they offered in contrast to libraries, new bookstores or access to the internet was the randomness of the presentation of the books. He said this was important especially for youth he thought as it confronted them with unanticipated topics and presentations that stimulated imagination and dreaming that could have very important influence on choice of career and avocation.
- Charlotte Layton, District 4, Menlo Park, said she was representing the Committee to Save Feldman's Books. She said as a 15-year resident of Menlo Park she had seen it rapidly change from a place to raise a family filled with small businesses and charm to its recent boom in development. She said the proposed building at 1170 El Camino Real was troubling as the current building there was built sometime between 1888 and 1900s and not only held the charm of a simpler past but also an independently owned bookstore. She said the project proposal was to destroy the past and construct an unremarkable concrete block apartment building in an unsuitable location. She said she thought the developer had leveraged housing and BMRs to make the destruction of the original building and possible shuttering of a 23-year old small business a bit easier for the community to accept. She said Feldman's was a place of connection and a place to feel the humanity of Menlo Park, and she hoped the Planning

Commission and the developer would recognize their responsibility to the community and the Menlo Park of the future by finding a way to save the building and/or save Feldman's Books.

Chair Barnes closed the public comment period.

Applicant Presentation: Toby Long, project architect, showed an image of their previous proposal. He said they heard at the previous study session that the modular nature was dominating the design or aesthetic of the facade and to look more closely at neighborhood context. He said additionally that balconies facing out to El Camino Real could be challenging to manage and might become cluttered and they should consider eliminating them. He said they also heard the balconies in the rear needed screening for privacy and that rear yard landscape screening was critical for the adjoining residential property. He said they were asked to look closely at the gathering space in the rear yard as some of the neighbors were concerned there might be parties or such that would disturb their privacy. He said they had a new building concept that retained the nine residential units and nine parking spaces. He said they worked with the City's contract architect on creating a façade that was more pedestrian oriented. He said for contextual aesthetics they were looking toward more traditional materials. He said they were removing the balconies from the El Camino Real side and working closely with landscape consultants on providing more screening at the year yard and providing a smaller paved area at the rear yard to emphasize quiet use. He said the façade had been broken down for a variety of reasons primarily to remove any residual modular geometry and to bring it into better scale with some of the adjoining structures. He showed an image of the proposed facade.

Chair Barnes asked if the Commission had clarifying questions of the applicant or staff.

Commissioner Riggs said there seemed to be some momentum regarding the bookstore and suggested there might be a creative solution to relocate the business in the building or ideally to relocate the entire building.

Chair Barnes referred to the proximity of the site to the train station and any state bills that might have an impact on it. He asked if the site was a "by right" site for residential development. Planner Sandmeier said she believed the project would be subject to the Housing Accountability Act, but she believed there was some discretion on design. Chair Barnes asked if the property owner "by right" had the ability to build residential there and demolish the existing building. Planner Sandmeier said she believed they did as the historical resource evaluation showed the buildings were not considered a historical resource. Chair Barnes asked if the City played any role in enforcing the Housing Accountability Act. He said if the property owner did not take the initiative how did the Act apply to the property. She said that the developer would need to ask for it but otherwise it would not apply. She said she would check with the City Attorney before the next meeting on that.

Planner Perata said setting aside any state laws that were in the pending legislative process and how they might apply to the project, and setting aside the Housing Accountability Act and how that might or might not apply to the project, he said while residential use was permitted in this zoning and was not a conditional use, the City had discretion in regards to the architectural control. He said the proposed project required staff review and evaluation for compliance with the Specific Plan requirements and then Planning Commission review and deliberation on whether the design and architect met the required standards and guidelines in the Specific Plan, which was a discretionary process.

**ACTION:** Motion and second (Barnes/Riggs) to continue the item to the regular meeting of October 21, 2019; passes 5-0-1 with Commissioner DeCardy absent.

#### I. Informational Items

- 11. Future Planning Commission Meeting Schedule
  - Regular Meeting: October 21, 2019

Planner Perata said the October 21 agenda would have the continued study session item first and four single-family development projects.

- Regular Meeting: November 7, 2019
- Regular Meeting: November18, 2019

### J. Adjournment

Chair Barnes adjourned the meeting at 11:01 p.m.

Staff Liaison: Kyle Perata, Principal Planner

Recording Secretary: Brenda Bennett

# **Community Development**



#### STAFF REPORT

Planning Commission
Meeting Date: 10/7/2019
Staff Report Number: 19-073-PC

Study Session: Study Session/Chase Rapp/1162 El Camino Real

#### Recommendation

Staff recommends that the Planning Commission use the study session to consider a presentation from the applicant, receive public comment, and provide individual feedback on the proposal to redevelop 1162 - 1170 El Camino Real with a three-story, nine-unit residential development. The proposal will be subject to additional review at a future Planning Commission meeting.

### **Policy Issues**

Study sessions provide an opportunity for Planning Commissioners and the public to provide feedback on the overall project. Study sessions should be considered on a case-by-case basis, with comments used to inform future consideration of the project. The proposal will require architectural control review at a future meeting. Each architectural control request is considered individually. The Planning Commission will ultimately consider whether the required architectural control findings can be made for the proposal. For the study session, Planning Commissioners should provide feedback on the design and other aspects of the proposed building. No action will be taken at the study session.

#### **Background**

#### Site location

The project site consists of one parcel totaling approximately 8,374 square feet, located at 1162-1170 El Camino Real. Using El Camino Real in a north to south orientation, the subject parcel is located on the east side of El Camino Real, between Oak Grove Avenue and Santa Cruz Avenue, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The surrounding properties are also located in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district.

The subject property is bounded by zero lot line, retail service buildings to each side along El Camino Real. These include a fairly large one-story building to the north, which extends to the Oak Grove Avenue intersection and is occupied by a FedEx Office Print and Ship Center, and a small, two-story commercial building consisting of office and personal service uses to the south. The building to the north has a raised platform with street facing glazing but does not have traditional shop-like storefronts that open to the street on the El Camino Real side. The building to the south, which is adjacent to the McDonald's restaurant at the intersection of El Camino Real and Santa Cruz Avenue, has more traditional glazed storefronts consistent with small shops that embrace a pedestrian sidewalk experience along with office space with small windows facing the street on the second floor. These buildings are set one to two feet back from their front lot lines, but pursuant to setback and sidewalk widening requirements of the Specific Plan a new structure at the subject property would be required to be set back at least five feet from the front lot line. The sidewalk width and primary façade plane, therefore, would not be continuous along the street. The property to the east is

developed with a residential condominium and commercial mixed-use development known as Menlo Square. The residential buildings in Menlo Square are two-to-three stories in height.

The subject parcel is located in the Station Area East (SA E) sub-district of the Specific Plan, which provides for higher densities with a focus on residential development given its location at the train station area and downtown. The SA E sub-district allows 50 residential units per acre at the base level and 60 residential units per acre at the public benefit bonus level. The subject property is approximately 8,374 square feet in size, meaning nine residential units would be allowed at the base density level and 11 units would be allowed if the applicant provides a public benefit that is accepted by the Planning Commission as sufficient to permit additional units. The City's Below Market Rate (BMR) Housing Ordinance also allows a developer one additional market-rate unit for each BMR unit provided.

### Existing development

The project site is currently developed with a two-story structure, occupied by a bookstore, and two one-story buildings used for commercial office uses. Two of the existing structures on the subject parcel have previously been determined to be potentially eligible for listing as historic resources, and this status was called out in the El Camino Real/Downtown Specific Plan ElR (Environmental Impact Report). Specifically, the 1162 El Camino Real building was constructed circa 1910 and used for many years as Doughty's Meat Market, and the 1170 El Camino Real building was constructed circa 1904 and occupied by Martin J. McCarthy Groceries. The applicant submitted a historic resources evaluation, per the requirements of the Specific Plan and the California Environmental Quality Act (CEQA), for the subject property indicating the buildings are not historic resources. Since the property was identified in the 1990 San Mateo County Historical Association survey, staff had the submitted historic resources evaluation peer reviewed by the City's consultant. The peer review concluded that the property, while not eligible for listing at the state or federal levels, would be eligible for listing at a local level; however, Menlo Park does not maintain a local register of historic resources, which would include specific criteria for listing potential historic resources. Additionally, since the San Mateo County Historical Association survey occurred more than five years ago, the buildings' inclusion in the survey does not deem them historic resources as defined by the CEQA.

### Previous Planning Commission review

On March 11, 2019, the Planning Commission held a study session on a proposal to demolish all existing structures and redevelop the site, at the base density level, with a three-story building consisting of nine pre-fabricated modular apartment units on two stories set over a one-story, ground-level, parking garage with a building entry/lobby facing El Camino Real. The proposal included a seating area at the lobby and a bike storage room as well as trash facilities in the garage. The residential units were proposed to be two studio units, three one-bedroom units, and four two-bedroom units. The proposed architectural character was modern and reflected the 15-foot modules with a void-solid-void repetition on the facade. The proposal included the use of corner balconies and deep roof overhangs at the upper floors over the balconies as well as height offsets to obscure the boxy character of the modules. Floor to ceiling glazing was proposed at the lobby. The staff report and minutes are available via hyperlink at Attachments D and E. Planning Commissioners provided feedback on the proposal including possible reconsideration of the architecture to better fit the urban, pedestrian character of the Downtown and El Camino Real location as envisioned by the Specific Plan, and to move away from a design that expressed the modular nature of the construction. Commissioners also commented on privacy, street facing balconies, and proposed materials. In addition, Commissioners expressed interest in the possible incorporation of the Feldman's bookstore with a new buildina.

### **Analysis**

### Project description

Like the proposal reviewed at the March 11, 2019 Planning Commission study session, the current proposal includes the demolition of all existing structures to redevelop the site, at the base density level, with a three-story building consisting of nine pre-fabricated modular apartment units on two stories set over a one-story, ground-level, parking garage with a building entry/lobby facing El Camino Real. Since the first study session, the applicant has revised the project with the following major changes to better comply with Specific Plan standards and guidelines, and to address Planning Commission comments.

- The façade modulation along El Camino Real has been revised to not appear like 15-foot modules, and
  to create more vertically proportioned facades reflecting traditional downtown building proportions
  suggested within the Specific Plan, including the proportions of the abutting building at 1150 El Camino
  Real.
- The wider middle façade segment anchors the building by being set forward of the other facades and
  extending through three floors with the brick base material, whereas the previous design treated all
  façade segments more or less equally. This revised façade segment would also bring the project into
  compliance with the Specific Plan's minor modulation standard and minor modulations design treatment
  guideline.
- The design has been revised to better differentiate between the housing units and the ground level garage/lobby, with varying materials and window treatments.
- Balconies have been removed from the street facing units.
- Windows are treated with more vertically proportioned openings and grid-style divisions to reflect the more traditional architectural precedents. There is variation across the façade, but relatedness in the window character.
- Awnings, roof overhangs, parapet heights, siding materials, and colors vary across the façade with each
  façade segment as opposed to the initial design that treated materials and detailing similarly across the
  entire facade.
- Lap siding with two different height variations (and two colors), red brick tiles, and limited use of white stucco create a warmer and more textured façade than the limestone tile, white stucco and extensive glass shown on initial design.
- Lap siding on the upper levels has been wrapped around and onto the visible interior side walls of the building to limit the impact of blank side building walls.
- Solar arrays have been pulled back from the building sides and are more screened by parapet walls than
  the initial design. The penthouse has also been clarified in its material treatment with lap siding shown in
  the darker grey/green color.
- Balconies along the rear of the building have been reduced in size, width and depth.
- The rear yard common open space has been redesigned to be a quieter space with more landscaping, less paving, reduced sitting areas, and the removal of the previously proposed outdoor fireplace and barbeque.
- The tall, existing Ailanthus trees along the rear lot line are shown to remain, and 36-inch box size Podocarpus trees would be added along the rear lot line to enhance privacy.

#### Site lavout

The subject parcel is located in the SA E sub-district, which allows a minimum five-foot and maximum eight-

foot front setback along El Camino Real, and requires a 12-foot wide sidewalk with a minimum 8-foot wide clear walking zone and minimum 4-foot wide furnishings zone. The minimum and maximum interior side setback in the SA E sub-district is zero feet along El Camino Real. No rear setback is required for properties along El Camino Real and no maximum is set. As proposed, the project would meet these requirements.

The proposal includes a rear yard common open space for residents at the ground level about 20 feet by 75 feet in size with patio areas, landscape and other amenities, as well as a planter along the back of the second level. Access to the rear yard would be through either the north stair, garage, or covered walkway along the north side lot line, which would also provide access to the bike parking within the garage. Balconies would be provided along the rear of the building to provide additional open space for tenants.

#### Land uses

The SA E sub-district is characterized by a mix of retail and services uses, in addition to a focus on residential development given its location at the train station area and downtown. The merits of retail on the ground floor along El Camino Real are worthy of discussion, but without public bonus gross floor area and potentially using parking stackers or underground parking, the addition of ground floor retail at the subject parcel would likely require a reduction in residential units. At the previous Planning Commission study session, the Commission did not recommend further exploration of ground floor retail uses, with the exception of potentially integrating the existing bookstore into the proposed project.

### Below Market Rate (BMR) housing

On May 14, 2018, the Planning Commission approved entitlements for three linked, mixed-use projects at 506-540 Santa Cruz Avenue (referred to in this report as 506 Santa Cruz Avenue), 556-558 Santa Cruz Avenue (referred to in this report as 556 Santa Cruz Avenue) and at 1125 Merrill Street as well as a comprehensive Below Market Rate (BMR) housing agreement for all three proposals. During the review process for these applications, the applicant stated that there are financial feasibility and operational challenges associated with providing an on-site BMR unit within the 506 Santa Cruz Avenue/556 Santa Cruz Avenue/1125 Merrill Street project and so he proposed providing two BMR units at the 1162-1170 El Camino Real property, once it is redeveloped, to satisfy the 0.9 unit residential unit obligation of the 506 Santa Cruz Avenue/556 Santa Cruz Avenue/1125 Merrill Street project. Two units would be provided instead of one due to the extended timeline for the provision of the off-site units versus the timing of a potential on-site unit. The BMR Housing Agreement also requires the payment of the in-lieu fee for the commercial component of the project, as well as the future BMR requirements for the 1162-1170 El Camino Real project, in addition to the two off-site BMR units.

To ensure there aren't significant delays in the fulfillment of the residential BMR obligation for the 506 Santa Cruz Avenue/556 Santa Cruz Avenue/1125 Merrill Street project, the BMR Housing Agreement requires the two BMR units at 1162-1170 El Camino Real to be ready for occupancy by BMR households within two years of receipt of a certificate of occupancy or final inspection for the market rate residential units at the 506 Santa Cruz Avenue/556 Santa Cruz Avenue/1125 Merrill Street project, or the applicant would be required to pay a residential BMR in-lieu fee equal to the cost of providing two BMR units. Building permits have been issued for all three parcels that comprise the 506 Santa Cruz Avenue/556 Santa Cruz Avenue/1125 Merrill Street project and construction is underway.

#### Design and materials

The nine housing units and upper level hallways would be constructed with prefabricated modules 15 feet wide by up to 44 feet deep. The project would require 20 modules in total. The modules would be ten feet, 6 inches tall, which would allow for nine-foot ceilings. The upper floors would be accessible by both elevator and stairs from the lobby. Unit entries would be from an interior corridor, which would be daylighted on the

south end at the light well. There would be a light well at the north side of the building that would also let light into the north stair. A few units would have windows at the north or south light well. Rear facing units would also have private balconies six feet deep by 13 to 20 feet wide.

The building would have a flat roof structure with an elevator penthouse, a few skylights, and solar arrays. Solar arrays would be mounted on stands but would be set back at least eight feet from the side walls of the structure and mostly behind parapet walls at the front of the structure. There would be a mix of overhangs and parapets at roof edges. The building would be 33 feet, 10 inches tall at the roof and up to 38 feet, four inches at the tallest front façade parapet. The elevator penthouse, which would be set well back from building facades appears to be about seven feet tall as shown on the plans.

#### Architectural character

The proposed design gives the impression of narrow and tall facades/buildings along the street frontage for vertical modulation, and architecturally the upper facades are carefully composed to create wall surfaces and window patterns inspired by traditional architecture. The lap siding and brick materials along with the use of awnings, roof edge canopies, and parapet height variation would highlight and differentiate façade segments. In addition, the windows and window openings would create an ordered pattern on each facade.

Landscaping along the front building wall, extensive windows into the lobby/seating area, and the horizontal canopy extending across the façade at about eight feet above the sidewalk, would help soften the pedestrian experience.

Building sides and positioning of roof elements have also been addressed in the proposed revised design. The side walls would be at least partially visible, but the proposed siding on the front walls near building corners would also appear on the side walls to avoid an otherwise harsh appearance of blank stucco side walls.

#### Materials and Detailing

Proposed materials include artisan fiber cement lap siding in two colors and two height exposures. The artisan siding typically has a thicker siding product more like traditional wood siding that gives an enhanced shadow line over thin non-artisan fiber cement siding. The siding is proposed as grey or greyish green and tan, as shown on the renderings. As shown on the exterior materials exhibit, the siding material would have a smooth surface.

The proposed stucco would be an off-white, integral color. The proposed brick shown would be reddish glazed (fireclay tile or similar). Windows and storefronts would be black aluminum and painted metal would be black or dark grey for planter boxes, metal roof canopies, awnings and gates. Soffits at window shades/canopies would be stained wood.

Overall, the plans show detailing that looks clean with elements and surfaces articulated. Some characteristics of the proposed detailing include slight recesses at double-hung windows and simple rectangular lines of the aluminum window frames at the window sashes.

Proposed materials and the detailing shown in the renderings give the design a polished, modern overlay to the traditional façade composition or window patterns and parts (i.e. windows, planters, canopies, etc.). The proposed black color for windows and other metals and the proposed windows' uniformity (double-hung with similar window division patterns and some on two or three window groupings) help give some unity to the overall design.

#### Trees and Landscaping

Proposed at the rear yard would be a common open space for residents at the ground level approximately 20 feet by 75 feet in size. The proposed open space would be heavily landscaped and have two small patio areas with limited seating. Access to the rear yard would be through either the north stair, garage, or covered walkway along the north side lot line. Existing trees along the rear lot line would remain and new landscape along the rear lot line would include Podocarpus trees aligned to make a tall screening hedge.

The rear wall of the one-story concrete parking garage would directly face the common open space. Above the parking garage the residential units would be set 15 to 20 feet back from the end wall of the garage, increasing the depth of the setback to the rear lot line from the upper floors. Unused roof area of the parking garage would be used for shrubs and other low plants as well as roof decks for specific units.

### Parking and circulation

For projects in the Specific Plan area, off-street parking should be provided at the rates specified in Table F2. The subject parcel is located within the Station Area, as shown on Figure 5 of the Specific Plan. Residential units within the Station Area have a minimum parking rate of one parking space per unit and a maximum parking rate of 1.5 parking spaces per unit. The applicant is proposing nine parking spaces for the proposed nine residential units, meeting the requirement of the Station Area.

Transportation and Planning staff have indicated to the applicant that the gate at the garage should be at least 20 feet from the sidewalk so cars waiting for the gate to open do not impede pedestrian access. In response, the applicant has updated the design and moved the proposed gate further away from the sidewalk although it appears the gate is still proposed to be slightly less than 20 feet from sidewalk. Staff will work with the applicant to address this issue once a full application is submitted.

The SA E sub-district requires a 12-foot wide sidewalk with a minimum 8-foot wide clear walking zone and minimum 4-foot wide furnishings zone along El Camino Real, which would be provided adjacent to the subject parcel. The proposal currently includes long-term bicycle parking within the garage, which is required at a rate of one space per residential unit. An additional one space for every ten units is required as short term bicycle parking for visitors. The short-term bicycle parking must be located in a publicly accessibly area and could be added along the sidewalk furnishings zone in front of the parcel.

#### **Planning Commission considerations**

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

- The proposed redevelopment of the site with nine residential units, at the base density level;
- The revisions to the proposed architectural design since the last study session; and
- The proposed revisions to the open space behind the building.

#### Correspondence

Since the previous study session, staff has received 12 emails expressing a desire to keep Feldman's bookstore (the current tenant of one of the existing buildings on site), as well as one email from Jack Feldman indicating the building housing the bookstore may have been built in 1888. As previously noted, the historic resources evaluation submitted by the applicant indicates this building was constructed circa 1904. All emails are included as Attachment F.

### **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. The project sponsor is also required to bear the cost of the associated environmental review.

#### **Environmental Review**

As a study session item, the Planning Commission will not be taking an action, and thus no environmental review is required at this time. The overall project will be evaluated in relation to the Environmental Impact Report (EIR) prepared for the Specific Plan, and will be required to apply the relevant mitigation measures.

#### **Public Notice**

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

#### **Attachments**

- A. Location map
- B. Project Description Letter
- C. Project Plans
- D. Hyperlink: Planning Commission staff report, March 11, 2009 https://www.menlopark.org/DocumentCenter/View/20821/G2-1162-ECR?bidId=
- E. Hyperlink: Planning Commission minutes, March 11, 2019 https://www.menlopark.org/AgendaCenter/ViewFile/Minutes/\_03112019-3249
- F. Correspondence

### **Disclaimer**

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

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

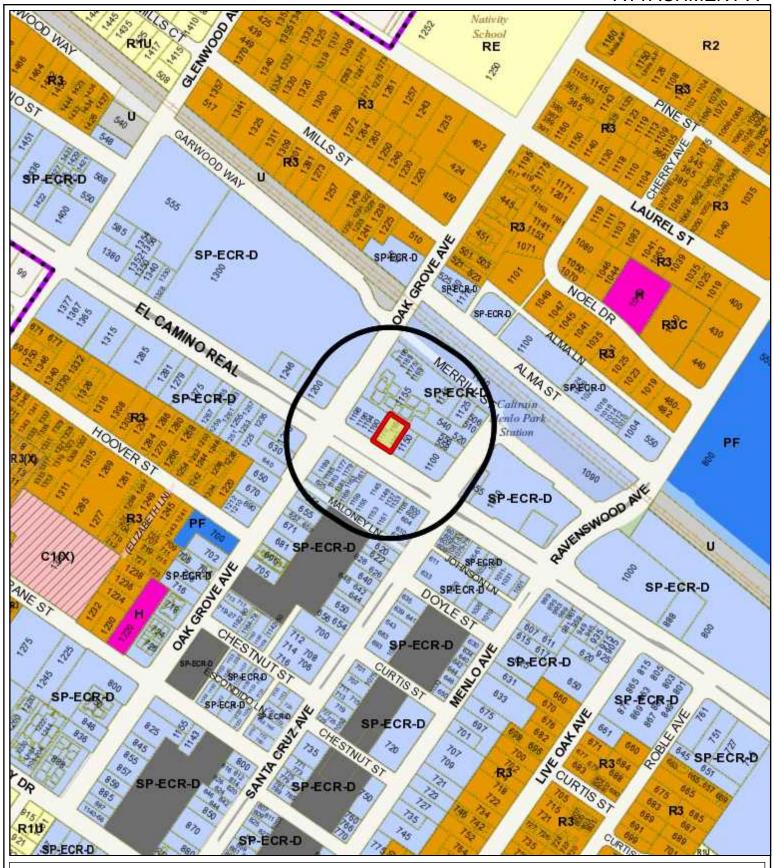
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Report prepared by: Corinna Sandmeier, Senior Planner

Report reviewed by:

Kyle Perata, Principal Planner

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City of Menlo Park
Location Map
1162 El Camino Real



Scale: 1:4,000 Drawn By: CDS Checked By: KTP Date: 10/7/2019 Sheet: 1



Sept. 16, 2019

Corinna Sandmeier City of Menlo Park - Planning Division 701 Laurel Street Menlo Park, CA 94025

RE: 1162 El Camino Real Study Session – Project Description

To Planning and DRT Staff:

This project description has been drafted to accompany the Project Design Concepts package for the Study Session review. This material has been prepared on behalf of the Prince Street Partners development team. It includes the project site diagrams, floor plans, elevation and landscape concepts, describing the potential design for a multifamily development project on this site.

#### **EXISTING CONDITIONS**

The site is located on the north side of El Camino Real, and north of the intersection with Santa Cruz Avenue. The lot is 8,374 sqft and measures 75.0' wide by 111.65' deep. There is an existing two-story wood building on the north side of the property, currently being used a book store, and two existing one-story buildings on the site, which are serving as commercial/office uses. There are 10 existing parking spaces in between the structures. Several large trees are located at the rear of the lot. The site is surrounded by commercial/office uses to the west and east, and there is a multifamily structure to the north.

### **PROPOSED PROJECT**

The proposed project consists of removing the existing structures on the site, and building a new 9-unit apartment building, which will be 3 stories tall. The first floor will include an entry lobby, services, access/egress and the parking for the project. We are proposing 9 parking spaces, a ratio of 1:1. The second and third floors will be the residential units, consisting of 2 studios, 3 one bedroom units, and 4 two bedroom units. Three of the units will be BMR units, including the carry-over BMR units from the projects located at 506 and 556 Santa Cruz Avenue.



The project has been designed as a prefabricated modular building, which will provide significant advantages to the construction stage. By increasing the predictability of the construction, and providing for a 30% reduction in time needed to build the project, modular building limits the impacts and disruption to the community caused by most projects, and accelerates the time-to-market for the new housing units. By utilizing prefabricated building methods, we also gain environmental and sustainable construction advantages over tradition methods.

The design of the structure speaks to the scale and character of the existing and adjacent buildings. We propose a clean and modern interpretation of traditional neighborhood shops with apartments above, characterized by stepped bays and shading canopies. The light-colored stucco and lap siding surfaces at apartment level are complimented by darker glazed brick with transparent storefront glazing at the pedestrian level, and a soft wood soffit surface on the underside of the roofs. Plantings and screens additionally provide fine-grain detail for a walkable street character. The high-quality materials and sophisticated design and construction strategies will be a wonderful addition to the El Camino corridor and will provide much-needed housing for the downtown area.

We look forward to the Study Session meeting on March 11th, and to hearing the feedback from the City. We embrace our partnerships with local communities, and are excited about developing a beautiful project guided by the comments and direction we hope to begin next week.

Thank you for your time and your help with this exciting project.

Toby Long, AIA Principal

B2 Page 2

## ATTACHMENT C



# 1162 el camino real, menlo park, ca

a new prefab 9 unit apartment project



**Prince Street Partners** 

265 Lytton Avenue Suite 303 Palo Alto, CA 94301 study session package

10.07.19

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# project concept sum mary

#### proposed multi-unit residential project

#### lot area:

8,374 sf

#### building area:

16,007 sf

# menlo park specific plan area zoning: ecr/d/sa e/mixed used-retail

el camino downtown

station area east

#### building type:

prefabricated modular type V-A type I podium-level construction for fire separation occupancy R2 / S1

#### density

density - 50 DU/acre, (60 w/public benefit bonus)
9 rental units - studios: 2, 1 bed: 3, 2 bed: 4
3 BMR unit (confirm-carry over from previous project approvals)
BMR to be equal mix

#### floor area ratio

1.35 base (1.75 with bonus) total allowable area: 11,305 sf (@1.35) proposed FAR sf: 11,079 sf

#### parking:

car spaces: 1 min required per unit - 9 provided short term bike space: 1 long term bike space: 1 per unit

#### height:

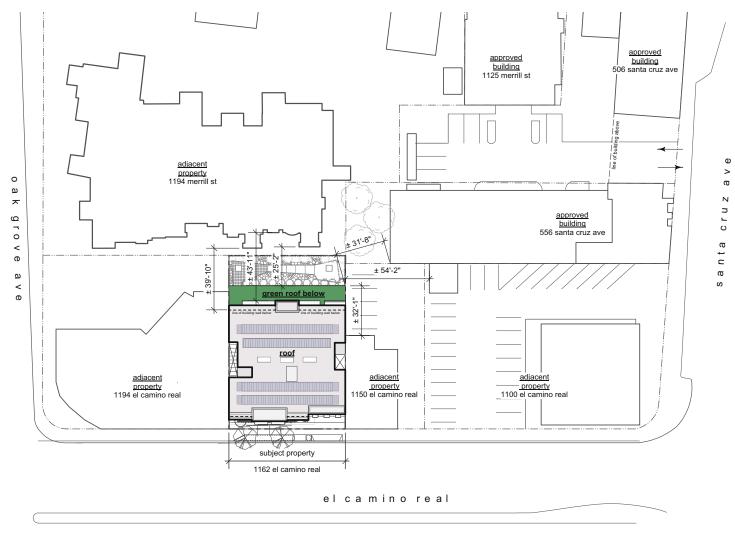
38'-4"

#### **Prince Street Partners**

265 Lytton Avenue Suite 303 Palo Alto, CA 94301 1162 el camino real



# project area plan



**Prince Street Partners** 

265 Lytton Avenue Suite 303 Palo Alto, CA 94301 1162 el camino real

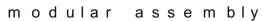
# floor area ratio & open space



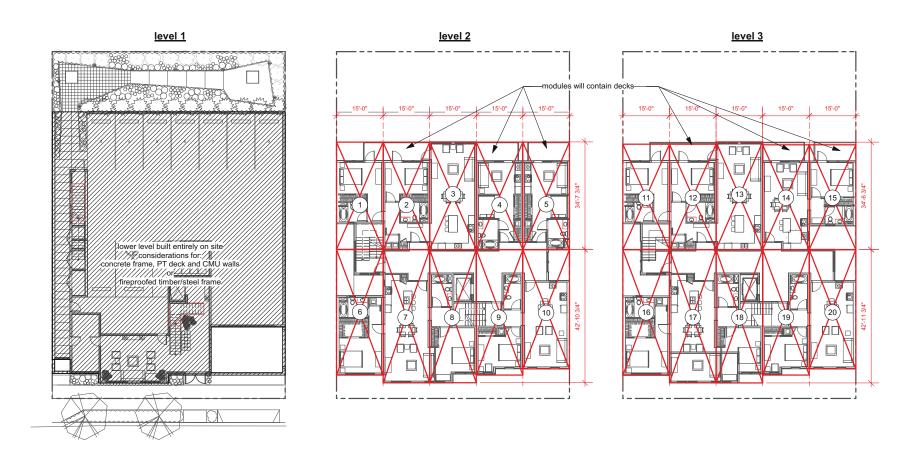


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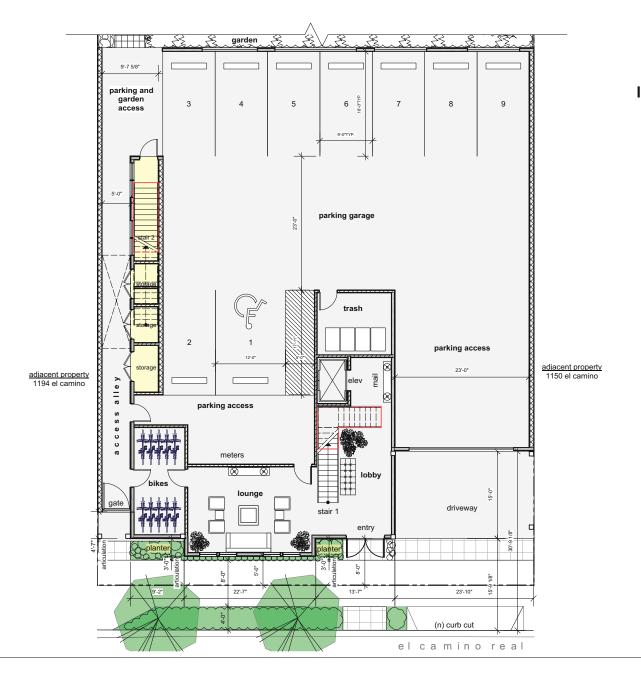




**Prince Street Partners** 

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05 level 1 plan

level 1 totals	
footprint	6,087 sf
FAR area	1,159 sf
parking	9 spaces

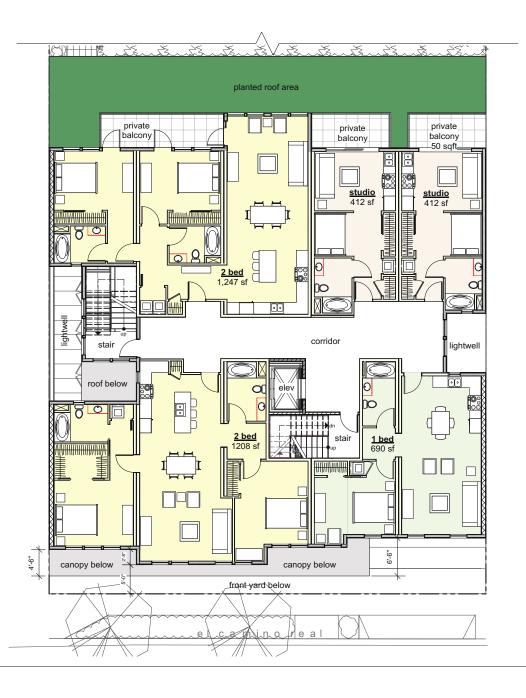
1162 el camino real

Prince Street Partners
265 Lytton Avenue Suite 303
Palo Alto, CA 94301

20 FT

scale: 3/32"=1'0"





# 06 level 2 plan

level 2 totals	
5,015 sf	
5,015 sf	
5	
2	
1	
2	

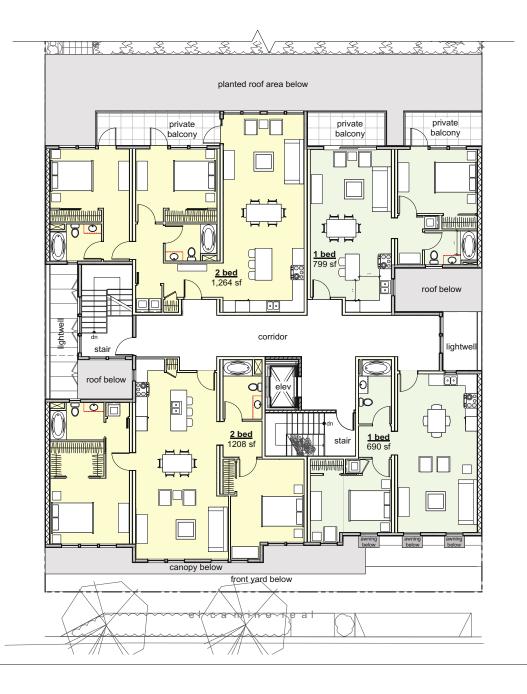
scale: 3/32"=1'0"

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**Prince Street Partners** 

265 Lytton Avenue Suite 303 Palo Alto, CA 94301 1162 el camino real





# 07 level 3 plan

level 3 totals	
footprint	4,905 sf
FAR area	4,905 sf
unit count	4
studio	0
1 bedroom	2
2 bedroom	2

scale: 3/32"=1'0"

0 4 8 12 16 20 FT

**Prince Street Partners** 

265 Lytton Avenue Suite 303 Palo Alto, CA 94301 1162 el camino real





# south west (front) elevation



**Prince Street Partners** 

265 Lytton Avenue Suite 303 Palo Alto, CA 94301 1162 el camino real



# northeast (rear) elevation



**Prince Street Partners** 

265 Lytton Avenue Suite 303 Palo Alto, CA 94301 1162 el camino real







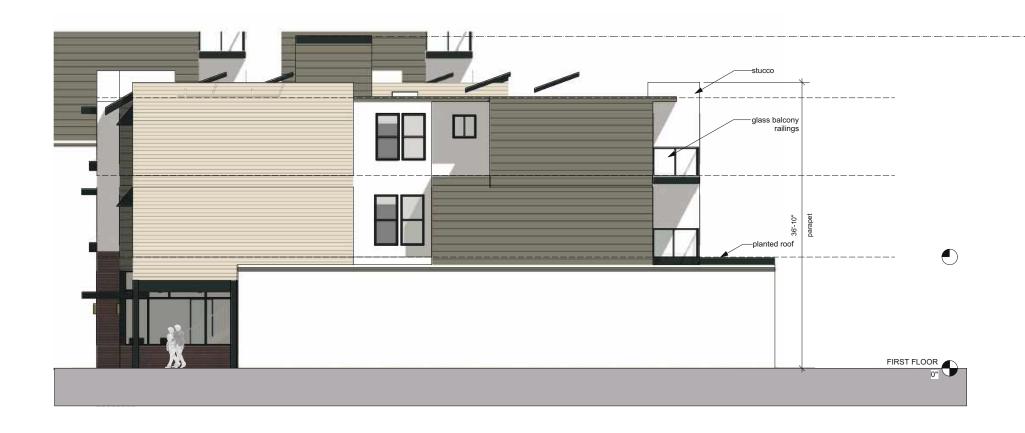
**Prince Street Partners** 

265 Lytton Avenue Suite 303 Palo Alto, CA 94301 1162 el camino real

menlo park, ca







Prince Street Partners 265 Lytton Avenue Suite 303 Palo Alto, CA 94301

1162 el camino real

menlo park, ca



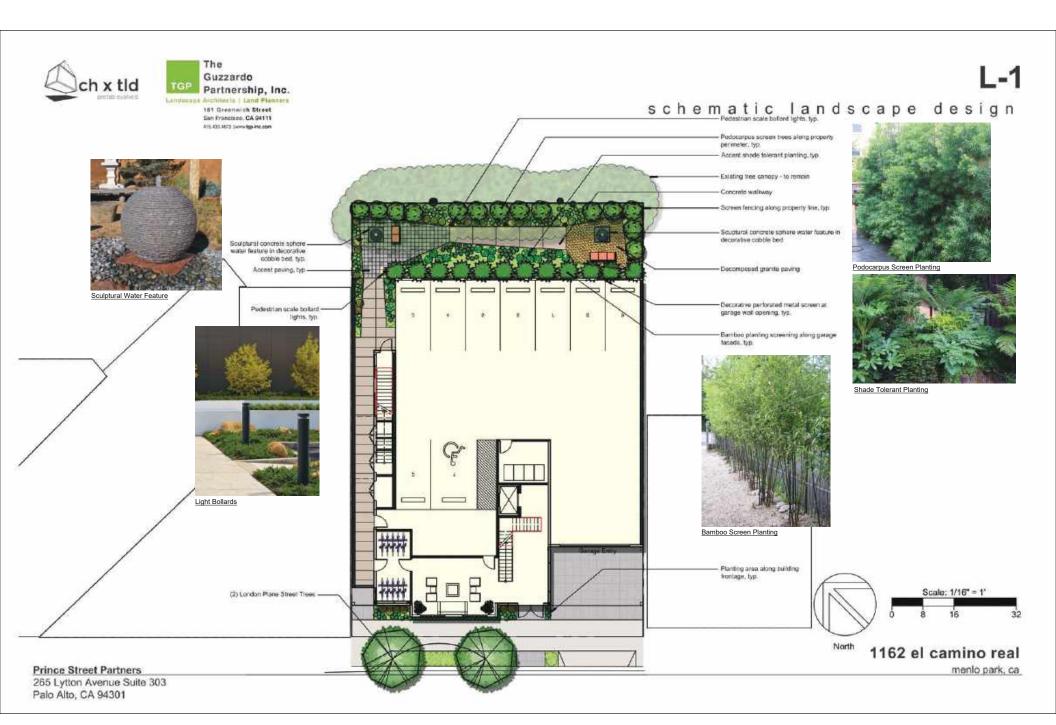
front view



rear view



1162 el camino real







**Prince Street Partners** 

265 Lytton Avenue Suite 303 Palo Alto, CA 94301

menlo park, ca





glazed brick (fireclay tile or similar) street level walls



cement board siding (James Hardie artisan lap or similar) upper level walls



integral color stucco bay walls



stained wood balcony soffits



painted metal
frames/railings/fascia



storefront system dark metal lobby



aluminum windows dark metal units



dark metal screen garage door and pedestrian gate

Prince Street Partners 1162 el camino real

265 Lytton Avenue Suite 303 Palo Alto, CA 94301



front facade - street view



Prince Street Partners 265 Lytton Avenue Suite 303 Palo Alto, CA 94301

menlo park, ca



front facade - view of lobby





rear facade - garden view





front facade - streetscape



Prince Street Partners 265 Lytton Avenue Suite 303 Palo Alto, CA 94301

From: Peter Shearstone
To: Planning Commission

Cc: Jack Feldman; feldman"sbooks@hotmail.com

Subject: Save Feldman"s Books!

**Date:** Tuesday, October 1, 2019 7:19:43 PM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

To Whom It May Concern,

I am writing to you today to express my support for Feldman's Books and having them remain in their location in Menlo Park, CA.

History in our country is being replaced by bigger, fancier and ostentatious things. Gone are the simple things that life offers - a quiet place to read, browse and buy a used book for example. As a customer of Feldman's I visit whenever I am in the Bay Area. I make a point to stop in and see what new inventory they have.

A historical building relevant to Menlo Park's past is vital to retain and enhance, not tear down and turn into another generic building with no personality. Please give careful consideration to alternate plans to keep Feldman's in place. They are a treasure to be appreciated and supported. They are also a local business with strong ties to the community. To deny them their existence is to turn your back on history and quieter, more relaxed times.

As Theodore Roosevelt once said "No person needs sympathy because they have to work...far and away the best prize that life offers is the chance to work hard at work worth doing". Feldman's Books is all about the prize that life offers. Don't give in to those who want to do easy work that isn't worth doing.

Respectfully yours,

Peter Shearstone Patron of Feldman's Books Lake Forest, IL 60045 From: <u>Catherine Craig Baker</u>
To: <u>Planning Commission</u>

Subject: Feldman"s Books and the fate of 1170 ECR

Date: Tuesday, October 1, 2019 10:41:56 AM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Menlo Park Planning Commission,

I am writing in opposition to the demolition of the building at 1170 El Camino Real. I would like this e-mail to be included in the public record.

First, a bit of background: I lived in Menlo Park from May 2004 until February 2017 (as a tenant of the anti-development but fair-rent-charging Don Brawner). Once the apartment building changed hands in the fall of 2016, I got priced out of Menlo Park and decamped to San Carlos, but I remain fond of Menlo Park's quirky charms. As a (probably chronic) renter and someone who now commutes to work by train every day, I fully appreciate the value of having abundant housing stock adjacent to public transportation. That said, I believe there are some times when the historical and cultural merit of the existing structure/business should be weighed against development.

I have been an avid and regular customer of Feldman's Books since I moved to the area in 2004, and even though I now live in San Carlos, I still visit Feldman's about once every 2-3 weeks. I would rank them in a tie for best used bookstore on the peninsula (with B Street Books in San Mateo). The Feldman brothers are very selective about the books they buy and accept in trade, and as a result the stock in the store is fantastic -- science, history, fiction, foreign languages, art books, mythology, etc. Feldman's occupies a complementary and crucial niche opposite Kepler's Books, and the two stores feed each other customers. If you want a more quantitative perspective, think of how much culture, knowledge, and escapist rainy-day entertainment is packed into every square foot of Feldman's.

My preference is that the building be preserved as a home for Feldman's and as a link to the very early years of Menlo Park; if that is not possible, I would ask that the city make some kind of accommodation for Feldman's to move to a location with affordable rent.

For years I bristled when friends from San Francisco described the Palo Alto / Menlo Park area as "suburban," and I would bring up what I considered the region's non-suburban-ish highlights: Feldman's, Kepler's, the Guild (as of Sept. 26, no longer a movie theater), the Aquarius, Antonio's Nut House, the Rose and Crown, the Oasis (RIP), Applewood Pizza (also RIP). I really do not want to see Menlo Park turn into a cookie-cutter, generic town. Feldman's Books is a long-standing presence in this city, and its abundant personality is Menlo Park's best remaining defense against conventionality.

best,

Catherine Baker

From: Adam Brosamer
To: Planning Commission
Subject: Preserve Feldman's Books

**Date:** Tuesday, March 26, 2019 10:26:30 AM

Please **do not** tear down Feldman's Books. It is an important part of the heart and soul of Menlo Park. Just like the Guild theater, Little House senior center, and other "anchor busineses" the Feldman's Books location provides a reason for residents and visitors to actually get out of their cars and walk around the downtown.

Losing Feldman's will make Menlo Park **less interesting** and **less attractive** as a destination. Trust me, I grew up in Fremont which has (essentially) no downtown and very little cultural activity. We do not want to turn our downtown into solid blocks of expensive townhomes and condos.

Build housing **WITHOUT** destroying important cultural landmarks. Please.

Adam Brosamer Menlo Park resident since 2001 From: Katie CHRISTMAN

To: Planning Commission

Subject: Please Save Feldman's!

**Date:** Sunday, September 29, 2019 1:35:35 PM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Folks at the Planning Commission,

There are not many bookstores left in town...

Second-hand bookstores in particular fill an important niche.

I have purchased gifts, research materials, DIY books, pieces for my collection, and countless paperbacks at Feldman's.

Please help us Renatad n a civilized and educated city by fostering businesses that help keep us connected... with our town, with our past... and with each other.

Thank you.

Katharin Christman

From: <u>Lizzy Craze</u>

To: <u>Planning Commission; CCIN</u>

**Subject:** re: Feldman"s books

**Date:** Monday, March 25, 2019 2:18:41 PM

## Hello -

I saw that the owner of Feldman's Books wants to demolish the historic building to build a three-story apartment complex. While I understand the need for more housing, I also believe we need historic places like Feldman's to keep the city balanced. Feldman's is a wonderful resource to the community - please don't let it close.

//Lizzy Craze

 From:
 jeff@semcoop.com

 To:
 Planning Commission

 Cc:
 "Jack Feldman"

 Subject:
 Save Feldman"s Books

**Date:** Tuesday, October 1, 2019 10:37:45 AM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

To Whom it May Concern,

I would like this email to be a part of the public record in regard to the Menlo Park Planning Commission meeting scheduled for October 7th at 7 pm at the City Council Chambers.

I am writing to humbly request the preservation of the current building located at 1170 El Camino Real, as it houses one of the finest treasures on the Peninsula: Feldman's Books. As a Bay Area resident for fifteen years, an enthusiastic customer, and a former Peninsula bookseller, I would like to add my voice to the chorus of supporters for the current Feldman's Books location. The diversity of businesses and cultural institutions in San Mateo County is what makes it one of the most coveted counties in the country. Feldman's is both a business and a cultural institution – one that has survived against all odds of the marketplace – and this unnecessary and undoubtedly fatal eviction will cause more harm than anyone on this commission intends. Please be cognizant of the tremendous meaning Feldman's Books provides the citizens of San Mateo County, the tourists who pass through, and the future citizens who are considering relocation.

Thank you for hearing my plea of support. Please don't hesitate to contact me.

Sincerely,

Jeff Deutsch
Director, Seminary Co-op Bookstores
5751 S. Woodlawn Ave.
Chicago, IL 60637
773-752-4381
Listen with us: Open Stacks Podcast

Support the Co-op beyond the page

From: Jack Feldman

To: Planning Commission

Subject: Feldman"s Books

**Date:** Thursday, March 28, 2019 12:53:40 PM

## Hello Planning Commission,

I am Jack Feldman, owner of Feldman's Books. I would like to discuss a question that came up in the previous meeting a few weeks ago. What is the age of the building where we are located at 1170/1166 El Camino Real?

In the brochure: "Historic Tour of Menlo Park", #5 shows a picture of this building, as built in 1905. Also, in the Arcadia publication of Menlo Park, there is a picture of this building, which mentions the 1905 date.

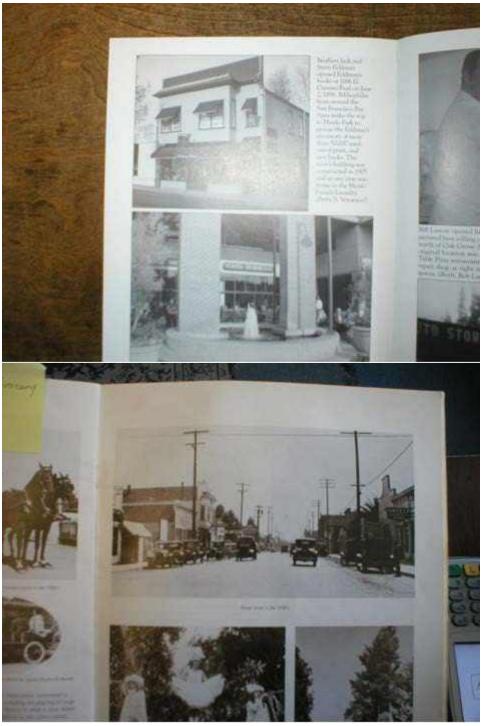
My previous landlord, Andre Delagnes, always said that this was built in 1888, and we have found evidence on Sanborn maps that there was a building erected here in 1888.

I include a few pictures for your inspection.

Thank you,



Jack Feldman



Sent from Mail for Windows 10

From: <u>Julia Beth Goolsby</u>
To: <u>Planning Commission</u>
Subject: Note about Feldman's Books

**Date:** Monday, September 30, 2019 8:39:21 PM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

To Whom It May Concern,

I would like to submit a comment to the public record, in support of Feldman's Books on El Camino. They are in danger of closing because the building's owner wants to demolish the building. Feldman's Books is an important establishment for me, with low-priced used books that are hard to find elsewhere. It's an irreplaceable piece of the culture and history of Menlo Park, and I would hate to see it gone. Thank you for your time and for your consideration of my comment.

Sincerely, Julia Goolsby

--

**Julia Goolsby**Earth Systems BS '18

From: Peter L Greenberg
To: Planning Commission

Cc: savefeldmans@gmail.com; Peter L Greenberg

Subject: Fwd: Building at 1170 El Camino Real, Feldman"s Books

**Date:** Monday, September 30, 2019 7:30:04 PM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

To: Menlo Park's Planning Commission

From: Peter Greenberg

Date; September 30, 2019

Feldman's Books is a vital resource for the community. In an era when a multitude of books are difficult to obtain and retail stores are being put out of business by online media and chains, Feldman's is a local oasis for finding gems of the past and present in a homey arena filled with treasures. These Used books are a special link to our Shared Pasts, often critical to one's own growth—and that of so many others. Rummaging through the aisles one nearly always finds special works either known or newly discovered—and at affordable prices.

As a concerned citizen of the community I believe it extremely important for Feldman's to be preserved, either in its present site or locally. Your consideration of this important issue will be greatly appreciated.

Please make this part of the public record regarding the building at 1170 El Camino Real. Thank you.

Peter Greenberg

120 Ware Road

Woodside, CA 94062

From: Dagmar Logie
To: Planning Commission
Subject: Feldman's Books

**Date:** Sunday, September 29, 2019 1:04:16 PM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

I hope the Commission will find a way to protect this treasure of Menlo Park—Feldman's Books. In addition, I hope the Commission will devise a plan to preserve buildings of historical interest. Otherwise Menlo Park will lose its unique heritage and landmarks.

Very shortsighted to give in to the pressure of big developers and destroy small businesses.

You may add my email to the public record.

Dagmar Logie

From: Jody McGeen
To: Planning Commission
Subject: Feldman"s Books

**Date:** Tuesday, July 16, 2019 6:09:32 PM

Dear Planning Commission,

I hope my viewpoint reaches you before you decide to seal the fate of Feldman's Books.

As a former resident of Menlo Park and now a frequent visitor I must tell you how disturbing some of the changes are to me. How are people to live a rounded life when all around them are dwellings. We need shops, places to dine out, hardware, shoe repair, locksmiths, copy shops, and bookstores.

When I moved from NYC to Palo Alto in the early 1980's the number of used book/record stores between Palo Alto and Menlo Park was astounding and, thrilling. Always a lover of books, my library grew and grew. eBooks are not satisfying to me so I am still purchasing real books.

One by one the book shops all closed with only Kepler's and Feldman's hanging on. When I am in town (once every month or so) my \$\$ are spent at these two fine shops (along with the hardware store, Village Stationers, and Cafe B). Close any one of them and you loose money from my purchases.

The building housing Feldman's is a blast from the past and shows some of the history of Menlo Park. Please keep that history intact. Find a way to give the landlord an incentive to let the building remain as it is and those businesses it houses to remain as fixtures in Menlo Park.

It would be a tragedy to loose even one more bookstore to a landlord's greed.

Sincerely,

Jody McGeen

From: Payton, Paul

To: <u>Planning Commission</u>; <u>CCIN</u>

Subject: Feldman"s Books

**Date:** Monday, March 25, 2019 3:39:38 PM

Attachments: image001.png

### To Whom It May Concern:

I have been a regular (weekly) patron of Feldman's for almost as long as I've been professionally employed. It has recently come to my attention that there are plans in the works to plow the building, eliminating what I consider a Menlo Park cultural mainstay, an icon of your city. I think this is foolishly short-sighted and self-defeating for reasons that will soon become apparent:

- 1. While much of Menlo Park's property values are due to its prime location to the north of Silicon Valley, a substantial portion of what makes Menlo Park appealing is its fascinating diversity of stores and products. Eliminating Feldman's eliminates a touchstone location, part of what gives Menlo Park its natural 'cultural flavor'. It is no less a gem than Kepler's. The alarming amount of terra-forming being done along El Camino Real is a harbinger of a hastened homogenization into modern 'warehousing-for-people' that is taking place along the Peninsula. Yes, it is important to allocate sufficient living space for the population. Still, this must be counterbalanced by preserving and encouraging those features of the Peninsula that make it an appealing locale. You are throwing the baby out with the bathwater. Feldman's, a long-time store, is part of Peninsula history and deserves to endure as a fixture in the city.
- 2. Feldman's offers a rare commodity in the Peninsula: a used bookstore. We have lost Know Knew Books (Palo Alto) and BookBuyers (Mountain View). Bell's Books (Palo Alto) does not compare to Feldman's in terms of quality and quantity of technical and scientific materials. Aside from Recycle Books, Feldman's is one of the few remaining purveyors of 'universal used books', a trove of materials that cut across all disciplines of study. Just as Berkeley has Moe's Books, so should Stanford have Feldman's; a good used bookstore is the hallmark of an educated environment surrounding a world-class university. Feldman's offers an enduring service that is in dwindling supply; its importance extends up and down the Peninsula and is treasured by patrons coming from within and without the county. I have been a keen and loyal patron for over twenty years, as a resident of Burlingame, Foster City, and now San Carlos. I meet people at Feldman's that come from respectable distances because of the expansive collection of materials available at Feldman's. One glance at Yelp confirms how widely acclaimed and treasured Feldman's is.
- 3. A personal reason, but one widely-held amongst the educated and discerning reader: I view used books as the conduit of knowledge from the accomplishments of yesteryear to the promise of tomorrow. We must, as proud citizens who are custodians of this legacy of wisdom, encourage and protect purveyors. Feldman's provides an arena for exchange and dissemination of rapidly diminishing skills and techniques. Used and out-of-print books contain depth and breadth of information that contemporary books do not; our 'watered-down' materials edge out such gems of discovery. We must not permit places like Feldman's to be similarly edged out of existence. I have found materials in Feldman's that provided essential knowledge that led to patents and publications. One needs fecund intellectual soil

- to foster such growth.
- 4. Lastly, as an engineer, I have learned the wisdom of not making decisions that are irrevocable. Feldman's did not arrive into existence just yesterday. I remember Ed Feldman, the original proprietor of the store. I know Ed's sons, who have inherited the establishment. Feldman's is a generational institution; it possesses an intangible and invaluable bond to the city. It should not be demolished without a thought. It should be evaluated as a key aspect of a city seeking to balance modern-day conveniences with tradition. With Feldman's gone, where is the seeker of knowledge to go? Who and what will replace the heritage so thoughtlessly discarded? Yes, the residency of Menlo Park increases, but at what cost? Shouldn't quantity of life be balanced by quality as well?

I urge you to consider these arguments and lean heavily on the side of tradition, history, and service to the community. Some things in life cannot be replaced or ordered on Amazon. One does not gain the experience of walking amongst ideas and ideals that one has walking through the aisles of Feldman's. I have savored and luxuriated in that sensation for several decades and I do not wish others to be deprived of that. It is part of and befitting of a community like Menlo Park.

Please, do not discard the living history of your city. Menlo Park is a hybrid of the modern and the classic. Equal value must be accorded both. Do not rush headlong into the future, discarding the jewels of the past.

Thank you for your attention,

Paul Max Payton

Paul Max Payton | Chief Systems Engineer
O: 650-432-8262 | M: 650-576-2399 | E: ppayton@visa.com

From: Anthony Powell

To: <u>CCIN</u>; <u>Planning Commission</u>

Subject: Feldman"s Books

**Date:** Friday, March 22, 2019 11:45:09 PM

Regarding Feldman's Books and the proposed demolition thereof...

Dear Council members, and Planning Commission,

This bookshop is a quietly phenomenal icon of culture and local history. There is nothing that could replace it in its worth to the Bay Area community. I very much believe in free enterprise, but the value of some things goes well beyond monetary. May Feldman's Books long continue to serve and ennoble its community.

Tony Powell www.faerydoor.net

Sent from my iPad

## **Community Development**



#### **STAFF REPORT**

Planning Commission

Meeting Date: 10/21/2019 Staff Report Number: 19-074-PC

Public Hearing: Use Permit/Chris Kummerer/333 Pope Street

#### Recommendation

Staff recommends that the Planning Commission approve a use permit to demolish a two-story, single family residence and detached garage and construct a new two-story single family residence with an attached secondary dwelling unit (SDU) on a substandard lot with respect to lot width in the R-1-U (Single-Family Urban Residential) zoning district. The proposal includes the removal of a heritage-sized magnolia street tree. The recommended actions are included as Attachment A.

### **Policy Issues**

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

## **Background**

#### Site location

The subject property is located on the western side of Pope Street in the Willows neighborhood between Gilbert Avenue and the crossing of Pope Street and Laurel Avenue. All properties in the immediate vicinity are also located in the R-1-U zoning district. Several properties along Pope Street have been redeveloped with newer two-story homes, many in the craftsman architectural style. However many older one-story homes with ranch and cottage architectural styles are still present. A location map is included as Attachment B.

## **Analysis**

## Project description

The applicant is proposing to demolish the existing two-story, single-family residence to construct a new two-story, single-family residence with an attached secondary dwelling unit. A data table summarizing parcel and project characteristics is included as Attachment C. The project plans and project description letter are included as Attachments D and E, respectively.

The proposed residence would be a three-bedroom home. The entire first floor would be dedicated to common space, as there are no bedrooms proposed on the first floor. The second floor is split level with the three main bedrooms on the upper level, and the attached SDU on the lower of the two levels. The SDU is accessed from the stairwell landing and would be separated by double locking doors to allow

privacy for prospective residents. The SDU would also be accessed externally from a balcony in the front of the house.

The two-car garage addresses the off street parking requirement for the main residence. Since the proposed SDU is located within a half-mile radius of a qualifying public transit stop, no additional parking is required for the SDU. However, from a functional standpoint, the tenant of the SDU may also park in the driveway, in tandem with the two parking spaces for the main residence. Since the existing detached garage is proposed to be demolished, the existing curb cut and driveway would be removed and replaced with a new sidewalk and planting strip in the public right-of-way. A new 16-foot wide curb cut is proposed to provide access to the new driveway and garage. The proposed residence would meet all Zoning Ordinance regulations for setbacks, lot coverage, floor area limit (FAL), daylight plane, parking, and height. Of particular note, the project would have the following characteristics with regard to the Zoning Ordinance:

- The proposed residence would be constructed near the maximum FAL with 3,148.9 square feet proposed where 3,159.5 square feet is allowed.
- The proposed residence would be constructed far below the maximum lot coverage with 22.7% proposed where 35% is allowed.
- The proposed residence would be constructed near the maximum height, with 27 feet, six-and-a-half inches proposed where 28 feet is allowed.
- The second story floor area would be near the maximum allowable second story floor area with 1,373.5 square feet proposed where 1,400 square feet is allowable. However, 320.2 square feet of the second floor is located on the lower level of the split second level, and is therefore not as elevated as the remaining 1,053.3 second-story square footage.

The proposed residence would be constructed 22 feet, seven-and-a-half inches from the front property line and 65 feet, two inches from the rear property line where 20 feet is the minimum required in both cases. The first floor of the proposed residence would be constructed at the required side setbacks of five feet, seven inches. The second story would be stepped in from the first story on the front and sides, however the rear of the second story is cantilevered beyond the first story, reducing the second-story rear setback to 63 feet, six inches. A balcony is proposed on the front of the residence, at the entrance to the second story SDU. The balcony is oriented facing away from the SDU, towards the property on the left rather than forward towards Pope Street. The proposed balcony would comply with the minimum balcony setbacks of 20 feet from the side property lines.

## Design and materials

The applicant states that the proposed residence would be an early California or Mission style home, reminiscent of the few remaining Mission style homes in the Willows neighborhood. The front façade features a rotunda at the front entryway, and curved stairway leading to the SDU balcony, both commonly found in Spanish colonial architecture. The entry is oriented diagonally and faces the left side, rather than forward towards the street. The rotunda and stairs are located behind the front loading garage, which becomes a prominent feature in the design. The exterior would be stucco siding and the roofing material would be Spanish tile. The residence would feature several wood elements, including the front and garage doors, decorative mantels on the front and rear elevations, and decorative corbels. The proposed residence would also have metal features, including the railing surrounding the balcony and decorative

bars on the window above the front entry. The windows would be aluminum clad with interior and exterior muntins with interior spacers to create simulated true divided lites. Although the applicant is proposing several different window sizes and shapes, staff believes that the window styles contribute to the overall architectural style of the proposed residence.

The proposed second story would be stepped in from the first story on the front and sides, reducing the perception of mass. However, the rear of the second story would extend past the footprint of the first floor in order to break up the massing along the left side and provide a more interesting elevation. All proposed second-story windows have a minimum sill height of three feet. Staff believes the size and location of the proposed second-story windows are appropriate and would limit potential privacy concerns for neighbors.

The proposed second story encroaches into the daylight plane on the left side. Two-story houses in the R-1-U district are allowed to encroach into the daylight plane on lots of less than 10,000 square feet in area. The maximum encroachment is dependent upon the required side setback and the structure may only encroach into the daylight plane on one side for a maximum cumulative length of 30 feet. With a required side setback of five feet, seven inches, the structure is allowed to encroach approximately eight-and-a-half feet into the daylight plane. The proposed second story encroaches three feet into the daylight plane for a length of approximately 25 feet, which is in compliance with the Zoning Ordinance.

## Trees and landscaping

The applicant has submitted an arborist report (Attachment F) which studies one heritage-sized oak tree on the property and one heritage-sized magnolia tree in the public right-of-way. As part of the project review process, the arborist report was reviewed by the City Arborist. The heritage-sized oak tree and an additional heritage-sized pepper tree in the rear of the property are proposed to remain. The footprint of the proposed residence is well out of the tree protection zone and the construction of the residence is not anticipated to impact these trees. The applicant is proposing to remove the heritage-sized magnolia street tree in the public right-of-way in order to construct the new driveway. An application for a heritage tree removal permit was submitted and tentatively approved by the City Arborist, as the tree is in poor condition. The applicant is responsible for replacement of the street tree. Due to potential conflicts with existing trees in the public right-of-way, the applicant has proposed a replacement frontier elm tree on the subject property rather than in the right-of-way, which has been tentatively approved by the City Arborist.

Because the submitted arborist report does not include a discussion of the heritage-sized pepper tree in the rear of the property, staff has included project-specific condition 4b in the recommended actions, which would require the applicant to provide an updated arborist report that studies all trees on the property and provides tree protection measures for all heritage trees. All recommendations identified in the arborist report shall be implemented and will be ensured as part of condition 3g.

## Correspondence

Staff has not received any direct correspondence regarding the project at this time.

Staff Report #: 19-074-PC Page 4

#### Conclusion

Staff believes that the design and materials of the proposed residence are compatible with the surrounding neighborhood. The Mission architectural style would be generally attractive and add to the mix of architectural styles in the area while complementing existing Spanish style homes. Staff believes the size and massing is consistent with other two-story homes in the neighborhood, and the proposed materials would comprehensively execute the Mission architectural style. Staff recommends the Planning Commission approve the proposed project.

## **Impact on City Resources**

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

#### **Environmental Review**

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

#### **Public Notice**

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

## **Appeal Period**

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

#### **Attachments**

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

## **Disclaimer**

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

Staff Report #: 19-074-PC Page 5

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

None

Report prepared by: Chris Turner, Assistant Planner

Report reviewed by: Kyle Perata, Principal Planner

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### 333 Pope Street Drive – Attachment A: Recommended Actions

LOCATION: 333 Pope Street PROJECT NUMBER: PLN2019-00039 APPLICANT: Chris Kummerer OWNER: Jill Marie Andre

**PROPOSAL:** Use Permit/Chris Kummerer/333 Pope Street: Request for a use permit to demolish an existing two-story single-family residence and detached garage and construct a new two-story residence with an attached garage and attached secondary dwelling unit on a substandard lot with regard to minimum lot width in the R-1-U (Single Family Urban Residential) zoning district. One heritage-sized magnolia street tree is proposed to be removed as part of the project.

**DECISION ENTITY:** Planning **DATE:** October 21, 2019 **ACTION:** TBD

Commission

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

#### **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.
- 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 CKA Architects, consisting of 14 plan sheets, dated received October 15, 2019, and approved by the Planning Commission on October 21, 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 existing driveway and replace with a new curb, gutter, sidewalk and landscape. Additionally, the applicant shall 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.

**PAGE**: 1 of 2

### 333 Pope Street Drive – Attachment A: Recommended Actions

LOCATION: 333 Pope	PROJECT NUMBER:	APPLICANT: Chris	OWNER: Jill Marie
Street	PLN2019-00039	Kummerer	Andre

**PROPOSAL:** Use Permit/Chris Kummerer/333 Pope Street: Request for a use permit to demolish an existing two-story single-family residence and detached garage and construct a new two-story residence with an attached garage and attached secondary dwelling unit on a substandard lot with regard to minimum lot width in the R-1-U (Single Family Urban Residential) zoning district. One heritage-sized magnolia street tree is proposed to be removed as part of the project.

<b>DECISION ENTITY:</b> Planning	<b>DATE:</b> October 21, 2019	ACTION: TBD
Commission		

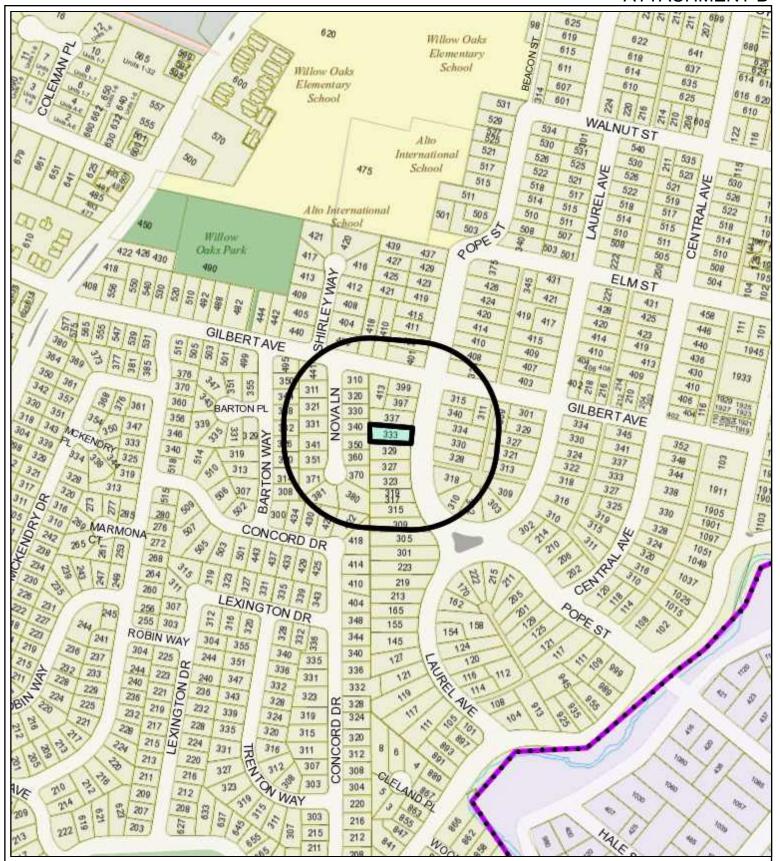
VOTE: TBD (Barnes, DeCardy, Doran, Kennedy, Riggs, Tate, Kahle)

#### **ACTION:**

- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and a revised arborist report to be submitted pursuant to condition 4b.
- 4. Approve the use permit subject to the following *project-specific* conditions:
  - a. The Transportation Impact Fee (TIF) for the secondary dwelling unit is estimated to \$772.43. Please note this fee is updated annually on July 1<sup>st</sup>. Fees are due before a building permit is issued.
  - b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report including a complete tree inventory and recommendation of tree protection measures for all heritage trees, subject to review and approval of the City Arborist and the Planning Division. The applicant shall also revise the proposed site plan to include all trees described in the revised arborist report.

**PAGE**: 2 of 2

## ATTACHMENT B





City of Menlo Park Location Map 333 Pope Street



Scale: 1:4,000 Drawn By: CRT Checked By: KTP Date: 10/21/2019 Sheet: 1

	PROPOSED PROJECT		EXISTING PROJECT		ZONING ORDINANCE	
Lot area	8,438	sf	8,438	sf	7,000	sf min.
Lot width	55.7	ft.	55.7	ft.	65	ft. min.
Lot depth	146.9	ft.	146.9	ft.	100	ft. min.
Setbacks						
Front	22.7	ft.	29.1	ft.	20	ft. min.
Rear	63.5	ft.	83.6	ft.	20	ft. min.
Side (left)	5.6	ft.	10	ft.	5.6	ft. min.
Side (right)	5.6	ft.	4.2	ft.	5.6	ft. min.
Building coverage	1,915.9	sf	1,615	sf	2,953.3	sf max.
-	22.7	%	19.1	%	35	% max.
FAL (Floor Area Limit)	3,148.8	sf	3,469.22	sf	3,159.5	sf max.
Square footage by floor	1,315.5	sf/1st	1,200	sf/1st		
	1,373.4	sf/2nd	640	sf/2 <sup>nd</sup>		
	459.9	sf/ garage	415	sf/garage		
	140.6	sf/ porches	400	sf/accessory		
				building		
Square footage of buildings	3,289.4	sf	2,640	sf		
Building height	27.5	ft.	22.7	ft.	28	ft. max.
Parking	2 co\	vered	2 cov	ered	1 covered/1 uncovered	
-	Note: Areas shown highlighted indicate a nonconforming or substandard situation.					

Trees

Heritage trees	3*	Non-Heritage trees	3*	New Trees	1**
Heritage trees proposed	1**	Non-Heritage trees	1	Total Number of	5
for removal		proposed for removal		Trees	

<sup>\*</sup> Of these trees, two are on the subject property and one is in the public right-of-way.

\*\*The proposed heritage tree removal is in the public right-of-way. A replacement tree has been proposed on the subject property with the tentative approval of the City Arborist.

#### **GENERAL NOTES**

- 1. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURE AND FOR ALL SAFETY PROGRAMS AND PRECAUTIONS IN CONNECTION WITH THE PROJECT. NEITHER THE OWNER NOR THE ARCHITECT IS RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO FOLLOW PROPER SAFETY PROCEDURES.
- 2. ALL CODES HAVING ILIPISDICTION ARE HEREBY MADE A PART OF THIS DOCUMENT AND ARE TO BE STRICTLY OBSERVED BY THE CONTRACTOR IN THE CONSTRUCTION OF THE PROJECT. IN THE EVENT OF CONFLICT BETWEEN THESE DOCUMENT AND THE CODE, THE CODE SHALL PREVAIL. ANY CONFLIC OR DISCREPANCY SHALL IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
- 3. ALL WORK TO BE ACCEPTABLE MUST BE IN COMPLIANCE WITH THESE DRAWINGS AND SPECIFICATIONS, AND MUST BE OF A QUALITY EQUAL OR BETTER THAN THE STANDARD OF THE TRADE. FINISHED WORK SHALL BE FIRM WELL-ANCHORED, IN TRUE ALIGNMENT, PLUMB, LEVEL, WITH SMOOTH, CLEAN UNIFORM APPEARANCE
- 4. CONTRACTOR SHALL AT ALL TIMES PROVIDE PROTECTION AGAINST WEATHER RAIN WINDSTORMS OR HEAT SO AS TO MAINTAIN ALL WORK MATERIALS, EQUIPMENT AND APPARATUS FREE FROM INJURY OR DAMAGE.
- 5. CONTRACTOR SHALL VISIT THE SITE OF THE PROJECT, EXAMINE FOR HIMSELEMEDSELE THE NATURE OF THE EVISTING CONDITIONS AND ALL OTHER CONDITIONS RELEVANT TO THE SATISFACTORY COMPLETION OF THE PROJECT. SUBMISSION OF A BID FOR CONSTRUCTION SHALL BE CONSIDERED EVIDENCE OF SUCH EXAMINATION BY THE CONTRACTOR.
- 6. BEFORE ORDERING MATERIAL OR COMMENCING WORK WHICH IS DEPENDENT FOR THE PROPER SIZE AND INSTALLATION UPON COORDINATION WITH CONDITIONS IN THE RUILDING, THE CONTRACTOR SHALL VERIEVALL DIMENSIONS AND SHALL BE RESPONSIBLE FOR THE CORRECTNESS. ANY DISCREPANCIES BETWEEN THE DOCUMENTS AND THE EXISTING CONDITIONS SHALL BE REFERRED TO THE ARCHITECT FOR ADJUSTMENTS BEFORE ANY
- 7. MATERIALS, PRODUCTS AND EQUIPMENT SHALL ALL BE NEW, EXCEPT AS SPECIFICALLY NOTED OTHERWISE
- 8 CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL DEBRIS IN A LOCATION OF THE PROPERTY APPROVED BY THE OWNER AND SHALL REMOVE SAME IN A TIMELY MANNER DURING THE COURSE OF WORK
- 9. CONTRACTOR SHALL REMOVE FROM SITE ALL EXISTING CONSTRUCTION AND IMPROVEMENTS NECESSARY FOR COMPLETION OF THE PROJECT. PROTECTION FROM DAMAGE OR INJURY ALL EXISTING TREES, LANDSCAPING AND IMPROVEMENTS INDICATED BY THE ARCHITECT.
- 10. EXCAVATE ALL FOOTING AS INDICATED ON THE DRAWING TO REACH SOLID, UNDISTURBED SOIL. BOTTOMS OF EXCAVATIONS SHALL BE LEVEL, CLEAN AND DRY AND AT THE ELEVATIONS INDICATED ON THE STRUCTURAL DRAWINGS.
- 11. PROVIDE FINISH GRADES TO DRAIN AWAY FROM THE FOUNDATIONS ON ALL SIDE OF THE BUILDING
- 12. CONTRACTOR TO PRECISELY LOCATE ALL UTILITIES PRIOR TO ANY CONSTRUCTION AND/OR EXCAVATION.
- 13. THIS PROJECT IS BUILT WITHIN A FEMA DESIGNATED FLOOD ZONE
- 1. "THE PROJECT IS BUILT IN COMPLIANCE WITH THE CITY'S FLOOD DAMAGE PREVENTION ORDINANCE. CHAPTER 12. SECTION 42.
- II "ALL MATERIALS RELOW DEE SHALL BE RESISTANT TO ELOOD DAMAGE " // E
- CONCRETE, REDWOOD OR PRESSURE TREATED DOUGLAS FIR)." III. "THE BOTTOM ELEVATION OF ALL APPLIANCES AND UTILITIES (METERS, AIR
- CONDITIONING UNITS. ETC) SHALL BE AT OR ABOVE DEE". IV. "STORM RUNOFF RESULTING FROM THE PROJECT'S GRADING AND DRA
- ACTIVITIES SHALL NOT ENCROACH ONTO ANY NEIGHBORING LOT. RUNOFF MUST BE CONTAINED ON-SITE."
- V. "NO BASEMENTS OR ANY HABITARI E ENCLOSURE RELOW THE DEE ARE ALLOWED FOR PROJECTS IN THE FLOOD ZONE."
- VI. "FLOOD VENTS SHALL BE INSTALLED FOR ALL NON-HARITARI E ENCLOSURES BELOW THE DFE (I.E. CRAWLSPACE, GARAGE, ETC.) AT A RATE OF 1 SQUARE INCH OF NET OPENING TO 1 SQUARE FOOT OF ENCLOSURE. REFER TO THE ENGINEERING PLANS HEREIN FOR VENT LOCATIONS AND CALCULATIONS. VII. "I CERTIFY THAT I AM THE ENGINEER (OR ARCHITECT) OF RECORD AND THE PLANS DATED. SUBMITTED ON COMPLY WITH THE CITY'S ELOOD. DAMAGE PREVENTION ORDINANCE (CHAPTER 12, SECTION 42)."

#### -For slab construction

PRIOR TO APPROVAL OF FOUNDATION INSPECTION, A LICENSED SURVEYOR SHALL VERIFY FOUNDATION ELEVATION BY SUBMITTING A SIGNED. STAMPED

"PRIOR TO APPROVAL OF LINDER FLOOR ERAMING INSPECTION A LICENSED SURVEYOR SHALL VERIFY FOUNDATION ELEVATIONS BY SUBMITTING A SIGNED, STAMPED STATEMENT.

- -For both types of construction
- "A FINISHED CONSTRUCTION ELEVATION CERTIFICATE WILL BE REQUIRED AT PROJECT COMPLETION"

#### ANDRE RESIDENCE

#### 333 POPE STREET MENLO PARK, CA94025

ABBREVIATIONS & SYMBOLS

O.C. O.D. OPNG

P.E.N. PERF.

REINF. REO'D R.O. RWD. R.W.L.

S.4.S.
S.C.
SCHED.
S.D.
SEL.
SHT.
SIM.
SPEC.
SQ.
S.ST.
STD.
STD.
STD.
STOR.
STRUCTI
SUSP.

SYM. T.&B. Ţ.&G.

U.L. U.O.N.

VERT.

NORTH NEW NOT IN CONTRACT NUMBER

OVER ON CENTER OUTSIDE DIAMETER

RISER

ROOF DRAIN REFERENCE

REDWOOD RAIN WATER LEADER

SURFACED 4 SIDES SOLID CORE SCHEDULE SMOKE DETECTOR

SIMILAR SPECIFICATION(S)

SQUARE STAINLESS STEEL STANDARD

SYMBOL or SYMMETRICAL

TOP AND BOTTOM TONGUE AND GROOVE TREAD

TREAD
TELEPHONE
TELEPHONE
THOUGH
TO CURB
TO OF PAVEMENT
TOP OF WALL
TOILET PAPER HOLDER
TOILET PAPER HOLDER
TOILET PAPER DISPENSER
TELEVISION
TYPICAL

VERTICAL VERTICAL GRAIN

UNDERWRITERS LABORATORIES UNLESS OTHERWISE NOTED

INTERIOR ELEVATION

ROOM IDENTIFICATION

DIMENSION @ FACE OF STUD,

DIMENSION @ CENTERLINE

PROPERTY LINE

ALIGN FACE OF FINISH

STANDARD STEEL STORAGE STRUCTURAL

SUSPEND

REINFORCE

PLYWOOD EDGE NAILING PERFORATED PLATE OR PROPERTY LINE PLASTIC LAMINATE

DIAMETER or ROUND

APPROXIMATE ARCHITECTURAL

CABINET CONTROL JOINT CEILING

DIAMETER DIMENSION

ENCLOSURE EDGE OF SLAB

GYPSUM HOSE BIB HOLLOW CORE

INSIDE DIAMETER (DIM

INSULATION

JANITOR JOIST KITCHEN

LAMINATE

 $\langle 3 \rangle$ 

PLUMBING SYMBOL

WORK, CONTROL, OR DATUM POIN

EXISTING EXPANSION

DISHWASH

BUILDING BLOCKING

ADJ. A.F.F.

DBL DEP DET

DW

LAM.

ADJUSTABLE ABOVE FINISHED FLOOR



DRAWING INDEX

#### **ARCHITECTURAL**

A0.0 COVER SHEET

A0.1 ARBORIST'S REPORT/ PRELIMINARY DRAINAGE PLAN

AREA PLAN

SITE PLAN A1.0

A2.0 A2.1

A2.2

A2.3

A3 0

A3.1

A4.0 SECTION

A4 1

A4.2

#### SURVEY

FIRST FLOOR PLAN SECOND FLOOR PLAN AREA DIAGRAM ROOF PLAN ELEVATIONS ELEVATIONS SECTION SECTION

CONSULTANTS

+650,733,6141

REVISIONS:

Ш

RESIDENC

ANDRE

333 POPE STREET MENLO PARK, CA 94025



COVER SHEET

#### 2-STORY HOUSE WITH ATTACHED 2-CAR GARAGE. APPLICABLE CODES

PROJECT SUMMARY

ZONING: R1U BUILDING OCCUPANCY GROUP: R-1-U

BE REQUIRED BASED UPON NAVD 88

MINIMUM RIU DISTRICT LOT DIMENSIONS:

LOT SIZE: 8.438 SF

MAX. HT.: 28'

PROPOSED HEIGHT: 27'-6 1/2"

TOTAL PROPOSED:

PROPOSED FIRST FLOOR

PROPOSED BUILDING COVERAGE:

ADDRESS: 333 POPE STREET, MENLO PARK, CA 94025

ADDRESS: 333 POPE STREET, MENLO PARK, CA 94025 DWNER: JILL ANDRE ARCHITECT: CHRIS KUMMERER, ARCHITECT PH: (650) 233-0342 E-MAIL: CHRIS® CKA-ARCHITECTS.COM APN# 062-361-050

TYPE OF CONSTRUCTION: V-B AUTOMATIC FIRE SPRINKLERS REQUIRED2: YES FLOOD ZONE: YES - AE, BASE FLOOD ELEVATION 40.2, DESIGN FLOOD ELEVATION 41.2. A POST CONSTRUCTION ELEVATION CERTIFICATE WILL

SIXTY-FIVE FEET (65') WIDTH, (NOTE: LOT IS SUBSTANDARD IN WIDTH)
ONE HUNDRED FEET (100') DEPTH:

SETBACKS:
20 FRONT
20 FRAN
20 FRAN
THEN PERCENT (10%) OF MINIMUM LOT WIDTH FOR SIDES BUT NOT LESS
THAN FIVE FEET (5) OR MORE THAN TEN FEET (107)

MAX. BUILDING COVERAGE (2 STORIES): 35% \* 8.438 SF = 2.953.3 SF

1915.94 SEE AREA DIAGRAM A0.3

3,148.83 TOTAL PROPOSED FLOOR ARE

MINIMUM LOT WIDTH = 55.06' X 10% = 5'-6" SIDE SETBACKS

FLOOR AREA LIMIT: 2,800 S.F. + 0.25 (8,438 - 7,000) 2,800 S.F. + 0.25 (1,438)

2,800 S.F. + 0.25 (1,408) 2,800 S.F. + 359.5 3,159.5 S.F. = MAX. FLOOR AREA 1,400 SF SECOND FLOOR LIMIT

2016 CALIFORNIA BUILDING CODE. VOLUMES 1 AND 2

PROJECT DESCRIPTION

THIS PROJECT INVOLVES THE DEMOLITION OF AN EXISTING 2-STORY HOUSE AND DETACHED GARAGE, AND THE CONSTRUCTION OF A NEW

2016 CALIFORNIA RESIDENTIAL CODE

2016 CALIFORNIA ENERGY CODE

2016 CALIFORNIA ELECTRICAL CODE

2016 CALIFORNIA PLUMBING CODE

2016 CALIFORNIA MECHANICAL CODE

2016 CALIFORNIA FIRE CODE

#### 2016 CALIFORNIA GREEN BUILDING CODE

AND CURRENT LOCAL BUILDING AND ZONING CODES

#### FRONTAGE IMPROVEMENTS

FIRE SPRINKLER NOTE

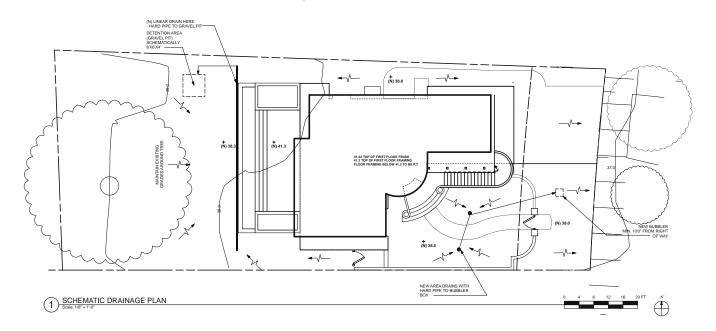
NFPA 13D FIRE SPRINKLER REQUIRED UNDER A SEPARATE PERMIT

ANY FRONTAGE IMPROVEMENTS WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION WILL BE REQUIRED TO BE REPLACED. ALL FRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY STANDARD DETAILS. AN ENCROACHMENT PERMIT FROM THE ENONEMENTS DIVISION IS REQUIRED PROFIT OF ANY CONSTRUCTION ACTIVITIES, INCLIDING UTILITY LATERALS, IN THE PUBLIC RIGHT OF WAY. THE APPLICANT CONTRACTOR SHALL DOTAIN THE ENCROACHMENT PERMIT FROM THE CITY'S ENGINEERING DIVISION PROFIT OF STANT OF ANY VICEN WHITH A THE APPLICANT CONTRACTOR SHALL DOTAIN THE ENCROACHMENT PERMIT FROM THE APPLICANT CONTRACTOR SHALL DOTAIN OF PUBLIC ENSEMBLY AREAS. ALIST OF REQUIREMENTS FOR ENCONCAMENT FROM IT SHALL OF WIN OF PUBLIC ENSEMBLY AREAS. ALIST OF REQUIREMENTS FOR ENCONCAMENT FROM IT SHALL THE VIRENCE SHALL DAMAGED AS A LIST OF REQUIREMENTS FOR ENCONCAMENT FROM IT SHALL THE VIRENCE SHALL DAMAGED AS A LIST OF REQUIREMENTS FOR ENCONCAMENT FROM IT SHALL THE VIRENCE SHALL DAMAGED AS A LIST OF REQUIREMENTS FOR ENCONCAMENT FROM IT SHALL DAMAGED AS A LIST OF REQUIREMENTS FOR ENCONCAMENT FROM IT SHALL DAMAGED.

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UNDER NO CIRCUMSTANCE SHALL DRAINAGE RESULTING FROM THIS PROJECT, DURING OR POST CONSTRUCTION, DIRECTLY SHEETFLOW ACROSS AN ADJOIN PROPERTY. RUNOFF SHALL BE CONTAINED ON-SITE UP TO THE 10-YEAR STORM.

PRELIMINARY GRADING AND DRAINAGE NOTES





#### 3/13/19

III Andre 333 Pape St. Merio Part, CA 34029

Rec Heritage Trees on Site

To Whom R May Concern.

It was my assignment to reniew the two protested trees on site. The proposed construction, and report my findings.

The CRs street time in hors should be removed due in an Dax Root Parigue Milection. The fursionity Coast Live CAR in back is cherefied by the owner and will be of emerging and thereughly protected. There are no former

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TREE-TO-COS 1 pages 87 in principle (Cos) 1 miles and principle (Cos) 1 miles and principle (Cos) 1 miles and 1 miles (Cos) 1 mi

The Coast Use Oak in Basis (Queens) applicate—and image to right) has a trust clarifier of 19.5°, stands approximately 60° mit and 60° wide. This tree is in Good Health and heaf-this Structure that has been called tagether to half compensate for this structure was sometimes.

The home owner is going to re-escayate the noor cellar and fains the tree thinness book. She adores this time and to planning oil multimag the entire area under it with the chip and the withmarkers.

This three will frame a time protection flames installed along the set for back of the existing garage before the garage is denotished. There are no construction impact concerns with this Col.

I settify that the information contained in this report is correct to the best of the londering and that this report was proposed in good faith. Please call the dryou have quantized or if I can be of further established.

whilly Michael F. Young



ORD BUNKERER IF ASSOCIATED +650.233.0342

REVISIONS:

USE PERMIT SUBMITTAL: MAY 17, 2019
USE PERMIT RESUBMITTAL: AUG 15, 2019
USE PERMIT RESUBMITTAL: OCT. 02, 2019

ANDRE RESIDENCE

333 POPE STREET MENLO PARK, CA 94025

CONSULTANTS:

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ARBORIST'S REPORT







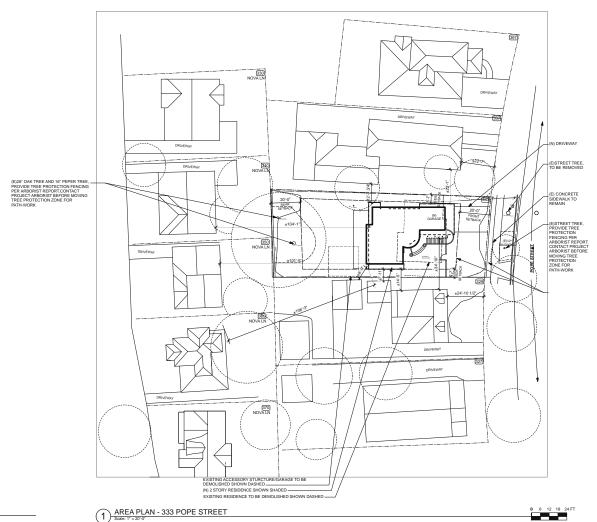


3 EXTERIOR PHOTOS OF (E) HOUSE @ 333 POPE STREET TO BE DEMOLISHED



2 STREETSCAPE

Sole: 1" - 20'0"



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ANDRE RESIDENCE

333 POPE STREET MENLO PARK, CA 94025

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AREA PLAN

"GRADES WITHIN THE FIRST 10 FEET ADJACENT TO A STRUCTURE MUST HAVE A 5% SLOPE ON PERVIOUS SURFACES, AND A 2% SLOPE ON IMPERVIOUS SURFACES PER §1804.A3 OF THE CALIFORNIA BUILDING CODE (CBC)."

UNDER NO CIRCUMSTANCE SHALL DRAINAGE RESULTING FROM THIS PROJECT, DURING OR POST CONSTRUCTION, DIRECTLY SHEETFLOW ACROSS AN ADJOIN PROPERTY. RUNOFF SHALL BE CONTAINED ON-SITE UP TO THE 10-YEAR STORM.

#### PRELIMINARY GRADING AND DRAINAGE NOTES

TRE	E'S AT SITE		
#	SPECIES	DIAMETER	NOTE
1	MAGNOLIA	30"	THE REMOVAL OF STREET TREE WILL BE AT THE DISCRETION OF THE CITY ARBORIST.
2	MAGNOLIA	12"	PROVIDE TREE PROTECTION FENCING PER CITY ARBORIST RECOMMENDATIONS
3	PLUM	8"	TO BE RELOCATED, COORDINATE WITH ARBORIST
NO	IN USE		
5	OAK		SEE ARBORIST REPORT FOR TREE PROTECTION FENCING, PROVIDING MULCH OVER THE ROOTS AND TRIMMING RECOMMENDATIONS
6	TRIPLE ORANGE	12'	TO BE REMOVED

NOTE: THE REMOVAL OF STREET TREE WILL BE AT THE DISCRETION OF THE CITY ARBORIST.

SITE PLAN NOTES:

1. THE WATER PROJUBER FOR THIS PROJECT IS MENLO PARK MUNICIPAL WATER (860-330-6750). COORDINATE APPROPRIATELY TO DETERMINE SUFFICIENCY OF SIZE OF THE EXISTING SERVICE LATERAL AND ANY APPLICABLE APPROPRIATELY TO DETE CONNECTION FEES.

THE SANITARY SEWER PROVIDER IS WEST BAY SANITARY SEWER DISTRICT – COORDINATE AS NECESSARY (650-321-0384).

GRADES WITHIN THE FIRST 10 FEET ADJACENT TO A STRUCTURE MUST HAVE A 5% SLOPE ON PERVIOUS SURFACES, AND A 2% SLOPE ON IMPERVIOUS SURFACES PER §1804.A3 OF THE CALIFORNIA BUILDING CODE (CBC).

4. THE AC EQUIPMENT WILL NOT EXCEED 50 DA AT NIGHT, AND 60DBA DURING THE DAY AT THE NEAREST RESIDENTIAL PROPERTY LINE.

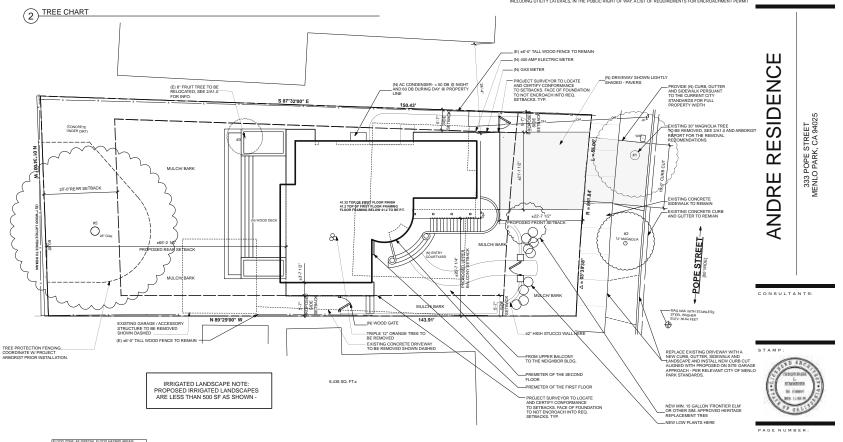
I. REMOVE AND REPLACE ANY CRACKED, DEPRESSED, UPLIFTED, OR OTHERWISE DAMAGED IMPROVEMENTS (I.E. CURB, GUTTER, SIDEWALK, ETC.) ALONG THE ENTIRE PROJECT FRONTAGE.

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

SUPPLIANT LIE FIRST.

3. ALL CONCRETE WORK IN PUBLIC ROW MUST ABIDE BY CITY STANDARDS TO THE SATISFACTION OF THE PUBLIC WORKS USE PERMIT RESUMENTAL. ACID 62.2019
DEPARTMENT.

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



(FLOOD ZONE: AE (SPECIAL FLOOD HAZARD AREAS) MAP/PANEL NUMBER: 06081C0308E EFECTIVE: 10/16/2012 BFE: 39.4'-40.2' (INTERPOLATED FROM FEMA FIRM MAP)

CONTRACTOR TO CONSULT W/ ARBORIST PER INSTALLATION OF TREE PROTECTION FENCING

SITE PLAN
Scale: 1/8" = 1'-0"

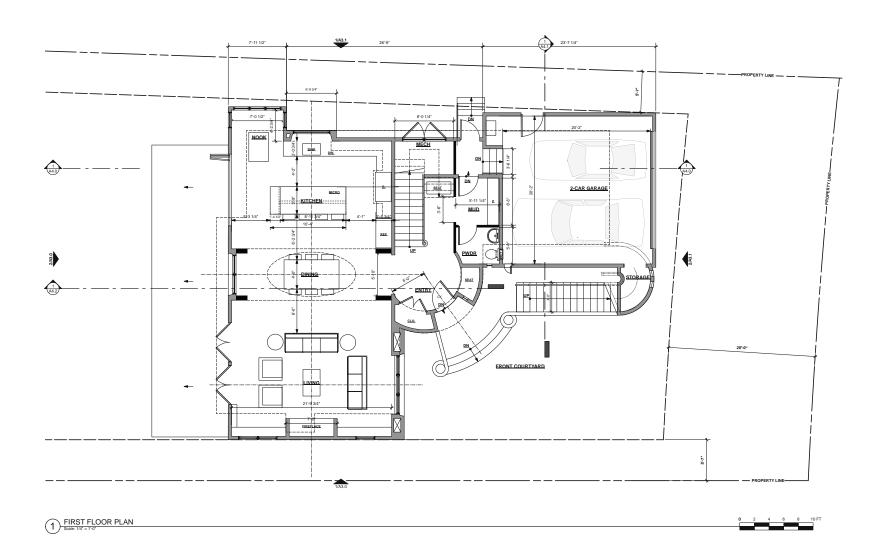


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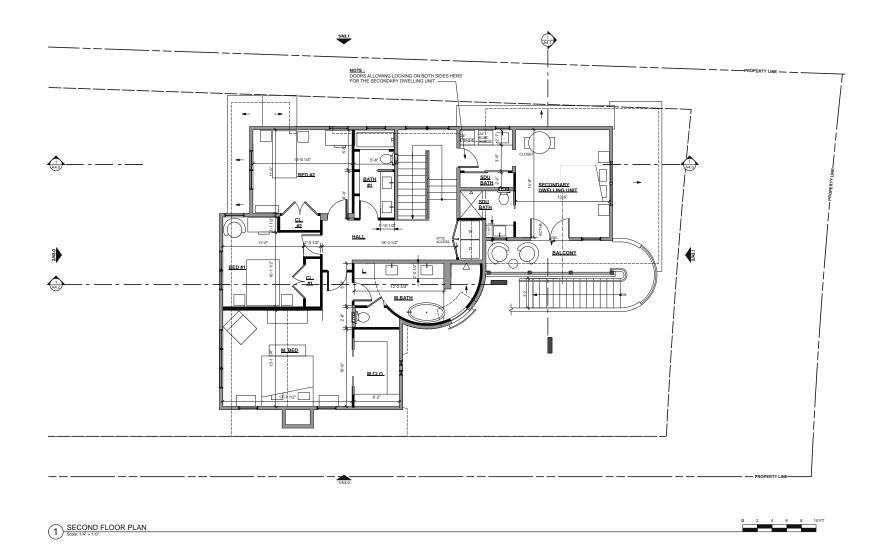
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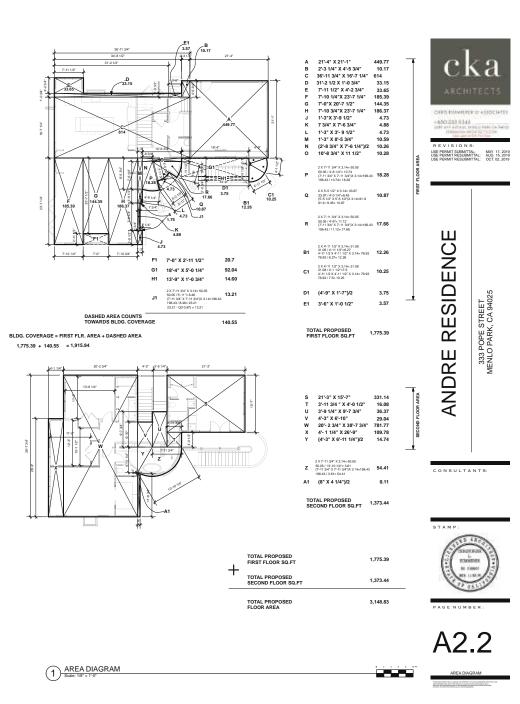


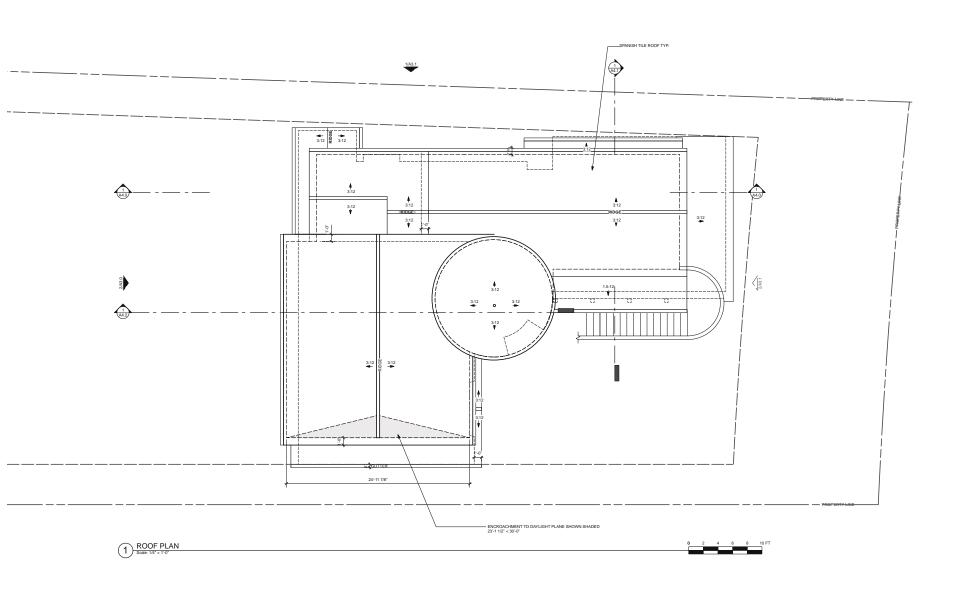
333 POPE STREET MENLO PARK, CA 94025

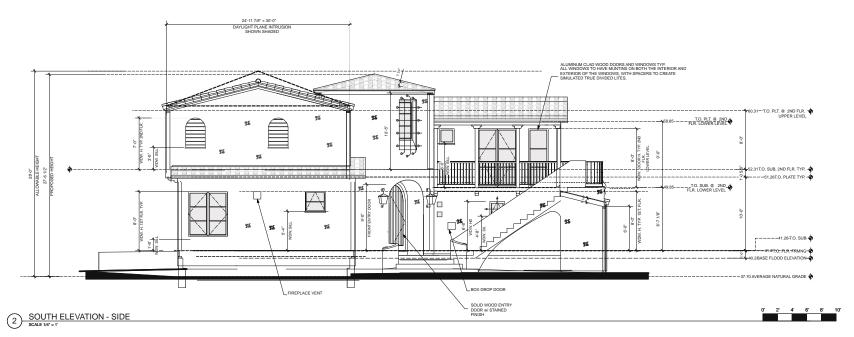


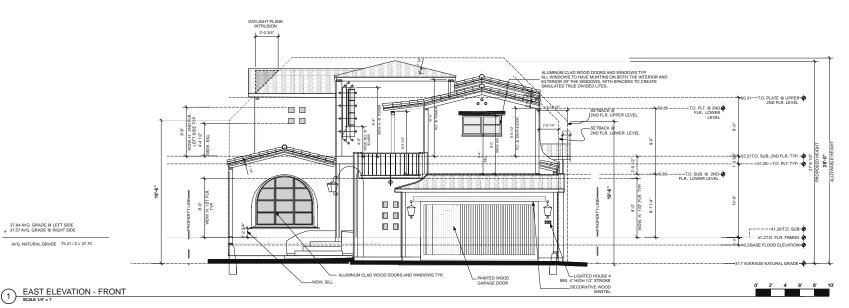
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R E V I S I O N S:
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ANDRE RESIDENCE

333 POPE STREET MENLO PARK, CA 94025

CONSULTANTS:

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NEW ELEVATIONS



\_DECORATIVE CORBEL



REVISIONS:

ANDRE RESIDENCE

333 POPE STREET MENLO PARK, CA 94025

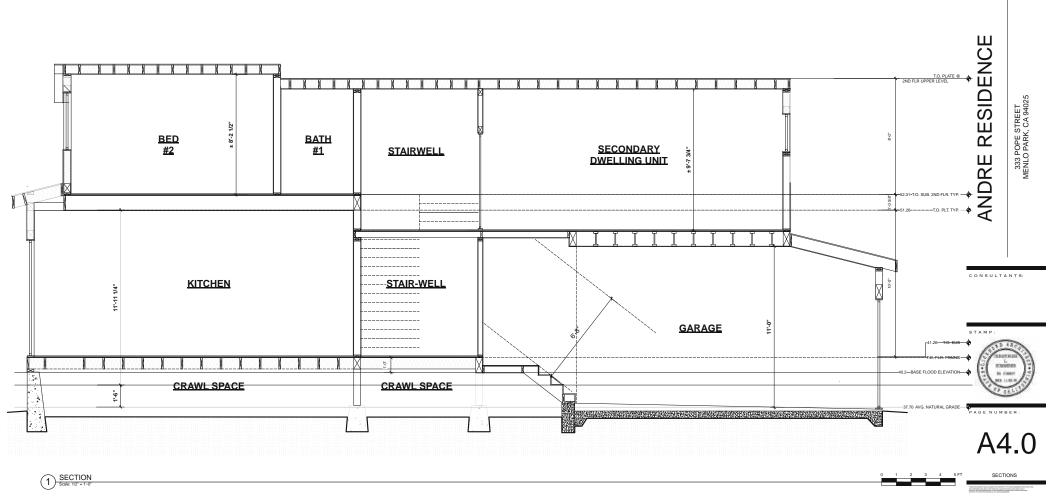
CONSULTANTS:

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USE PERMIT RESUBMITTAL:
OCT. 02, 20





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ANDRE RESIDENCE

333 POPE STREET MENLO PARK, CA 94025

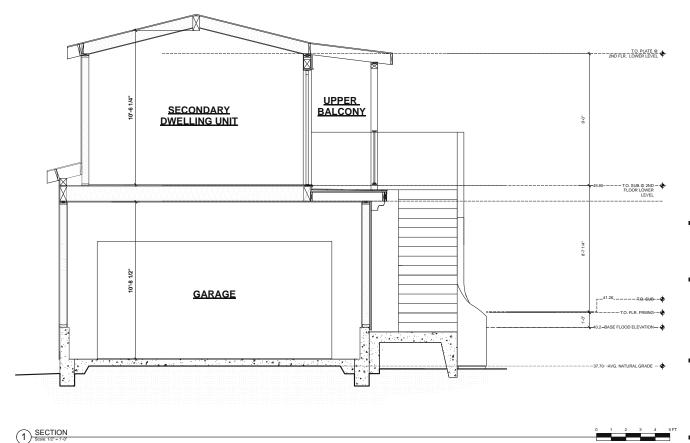
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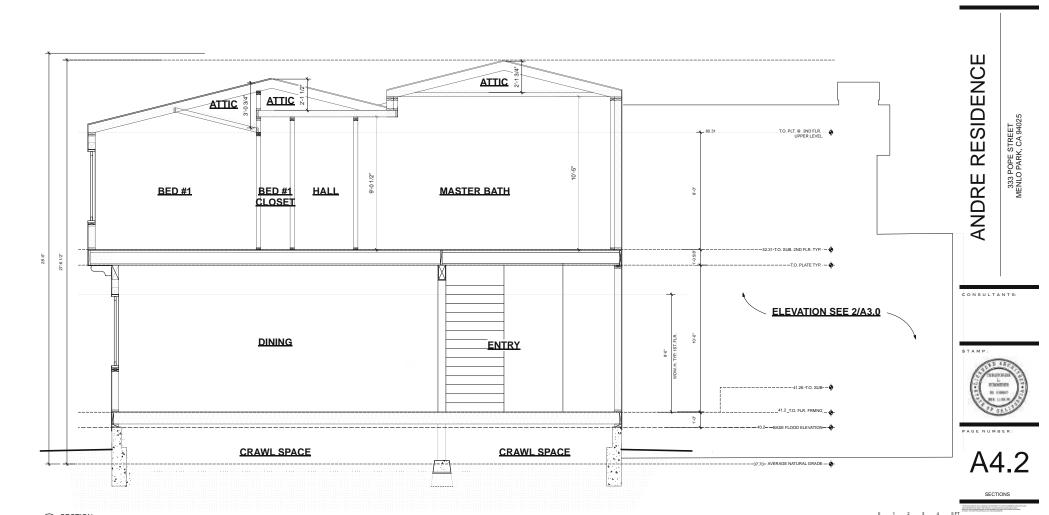
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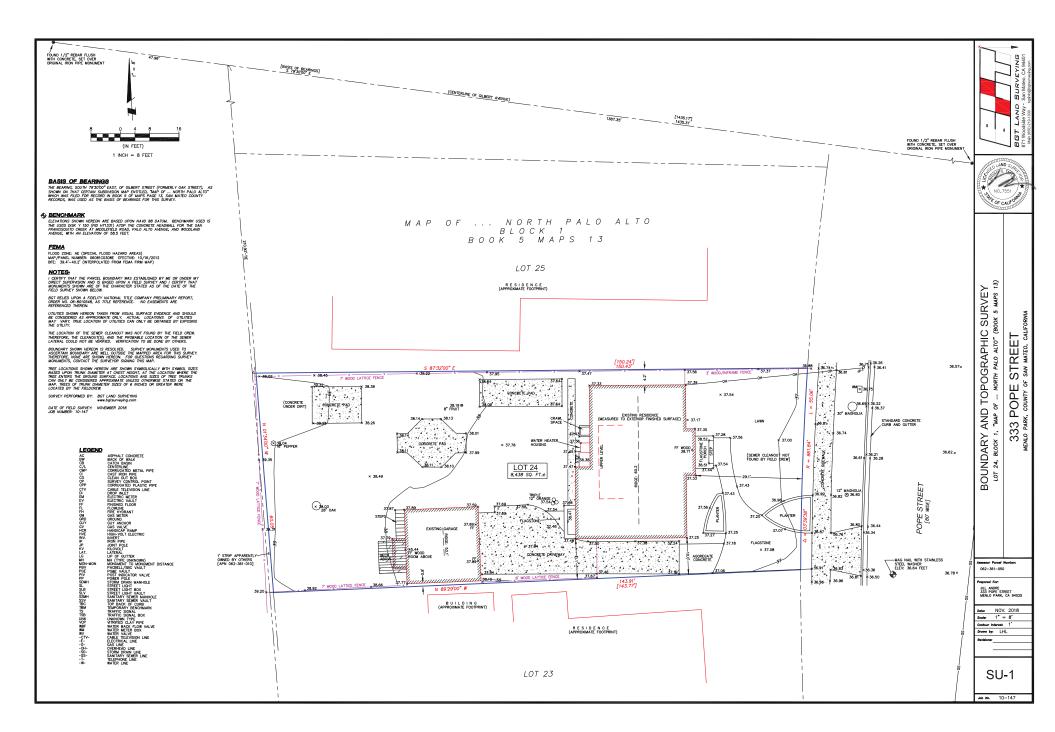
SECTIONS





R E V I S I O N S: USE PERMIT SUBMITTAL: MAY





## cka | ARCHITECTS

#### Project Description – 333 Pope

05/17/2019

The design for the new home at 333 Pope is conceived as an Early California/ Mission Style home in an effort to complement a style of architecture indigenous to Menlo Park. The design is reminiscent of the few Mission Style homes remaining in the Willows neighborhood and hearkens back to one of Menlo Park's greatest treasures, the Allied Arts Guild. The front façade massing is intended to diminish the two story mass by including low roofs at the garage and by creating a space over the garage that is ±2' lower than the second story. These lower forms helps to 'step' the massing from front to back and attenuate the size of the entry tower element. The massing is further softened with a broad porch above the garage that creates shadow next to the entry tower in an effort to diversify the forms and attenuate the mass. These stepped forms and variety of layers (garage roof, roof of room above garage, second floor roof and tower roof) are intended to create a composition that is dynamic and minimizes two-story vertical walls.

Mission style (revival) homes were built on the Peninsula from 1900 to 1940's. The style was originally derived as a tribute to the Spanish roots of early Californian buildings. The design for 333 Pope employs similar elements to those early buildings including clay tile roofing, tactile rounded forms, wrought iron accents and stucco siding. Supporting brackets, porch columns and detailed beam ends/ corbels are wood elements that enhance the Mission Style look.

In an effort to maintain privacy for the neighbors, the second-story bedroom egress windows are facing the rear of the property. Additionally, the balcony above the garage looks into the blank two-story wall of the neighbor's home, minimizing privacy conflicts.

An entry courtyard is proposed at the front with a low wall separating it from the front yard. This low wall is another 'layered' element that helps diminish mass. The courtyard is also a typical Mission style element that integrates the building with the landscape. Similarly, a curving stair descends from the balcony to connect with the courtyard.

A street tree is scheduled for removal. The magnolia has been diagnosed with rot at the base of the tree.

The design for the new home at 333 Pope is modest in scale and massing. The Early California / Mission Style is intended to complement the existing neighborhood and community at-large. We hope the design will be a welcome addition to the neighborhood.

Sincerely, Chris Kummerer, Principal CKA Architects. Menlo Park



#### 3/13/19

Jill Andre 333 Pope St. Menlo Park, CA 94025

Re: Heritage Trees on Site

To Whom It May Concern:

#### **Assignment**

It was my assignment to review the two protected trees on site, the proposed construction, and report my findings.

#### Summary

The City street tree in front should be removed due to an Oak Root Fungus Infection. The fantastic Coast Live Oak in back is cherished by the owner and will be trimmed again and thoroughly protected. There are no foreseeable threats to this tree.

#### Discussion

The Magnolia grandiflora street tree (see image far right) has a trunk diameter of 27.5", stands approximately 48' tall and 45' wide. This tree is in Poor health due to an Oak root fungus infection (see image near right) and the canopy is subsequently very thin. Tree Structure is Fair. Magnolia trees in general should be removed in planter strips in our area. They have very aggressive roots that destroy the side walk. Additionally, this





tree species prefers well drained soils. This tall of a tree should not have been planted under power lines. A new tree species should be chosen that considers the site. I recommend removal and replacement.

The Coast Live Oak in back (*Quercus agrifolia* – see image to right) has a trunk diameter of 28.5", stands approximately 40' tall and 44' wide. This tree is in Good Health and has Fair Structure but has been cabled together to help compensate for its structural weaknesses.

The home owner is going to re-excavate the root collar and have the tree thinned soon. She adores this tree and is planning on mulching the entire area under it with the chipped tree trimmings.

This tree will have a tree protection fence installed along the entire back of the existing garage before the garage is demolished. There are no construction impact concerns with this Oak.

mhel f. L



I certify that the information contained in this report is correct to the best of my knowledge and that this report was prepared in good faith. Please call me if you have questions or if I can be of further assistance.

Respectfully,

Michael P. Young

#### **Community Development**



#### **STAFF REPORT**

**Planning Commission** 

Meeting Date: 10/21/2019 Staff Report Number: 19-075-PC

Public Hearing: Use Permit/Melissa and Robert Francis/

1725 Oakdell Drive

#### Recommendation

Staff recommends that the Planning Commission approve a use permit to demolish a one-story, single family residence and construct a new two-story single family residence on a substandard lot with respect to lot area in the R-1-S (Single-Family Suburban) zoning district. The proposal includes the removal of a heritage-sized liquidambar street tree. The recommended actions are included as Attachment A.

#### **Policy Issues**

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

#### **Background**

#### Site location

The subject property is located on the southeastern side of Oakdell Drive at the intersection of Oakdell Drive and St. Francis Place. The property lies within the West Menlo neighborhood where all properties in the immediate vicinity are also located in the R-1-S zoning district. The surrounding area is largely comprised of older, one-story, ranch style homes. However, there are exiting newer two-story homes generally along Magnolia Street (northwest of the project site) that vary in architectural style from craftsman to modern farmhouse. A location map is included as Attachment B.

#### **Analysis**

#### Project description

The applicant is proposing to demolish the existing one-story, single-family residence to construct a new two-story, single-family residence with a basement. The project requires a use permit due to the substandard area of the lot, which is approximately 28 square feet smaller than a standard R-1-S lot, where the required minimum lot area is 10,000 square feet. A data table summarizing parcel and project characteristics is included as Attachment C. The project plans and project description letter are included as Attachments D and E, respectively.

The proposed residence would be a five-bedroom home with a guest bedroom in the basement, one bedroom on the first floor, and three bedrooms on the second floor. The majority of the basement and first

floor would be shared living space, with additional rooms for office and workout spaces. The two-car garage addresses the off street parking requirement for the residence and is accessed from St. Francis Place whereas the front entry is accessed from Oakdell Drive. The existing curb cut and driveway would be removed and replaced with a new driveway and curb cut with a width of 18 feet, two inches, reducing the width of the driveway paving by 10 feet, eight inches. The proposed residence would meet all Zoning Ordinance regulations for setbacks, lot coverage, floor area limit (FAL), daylight plane, parking, and height. Of particular note, the project would have the following characteristics with regard to the Zoning Ordinance:

- The proposed residence would be constructed almost to the maximum FAL with 3,541.8 square feet proposed where 3,542.9 square feet is allowed. The proposed basement is an additional 2,413.1 square feet, but is exempt from floor area.
- The proposed residence would be constructed well below the maximum lot coverage with 29.7% proposed where 35% is allowed.
- The proposed residence would be constructed almost to the maximum height, at 27 feet, 11 inches where 28 feet is the maximum height allowed.

The proposed residence would be constructed at the required minimum 20-foot front and rear setbacks. However, the proposed residence would not be built to the required minimum side setbacks. The interior right side would be constructed with a 14 foot setback where 10 feet is required. The left, corner side would be constructed at 19 feet, 11 inches, where 12 feet is required. The second floor would be significantly stepped in from the footprint of the second floor, increasing the second floor setback from the interior side and rear property lines. The proposed second floor would have setbacks of 52 feet, two inches and 38 feet from the right interior side and rear property lines, respectively.

#### Design and materials

The applicant states that the proposed residence would be a transitional style home. The exterior would be a combination of stucco and horizontal wood siding. The first floor would be smooth stucco with applied texturing with wood siding accents in the front entry way and below the first floor windows. The second floor would feature more wood siding than the first floor, but would be accented by stucco siding, particularly on the rear and left side. The proposed residence would have several other wood features, including the garage door, trims, and porch columns. The windows would be metal clad, wood framed with interior and exterior muntins and spacers to create simulated true divided lites. Guard rails for the proposed light wells would be painted steel with metal mesh.

The majority of second-story windows are proposed to have sill heights of at least three feet, with the exception of two windows on the rear which have proposed sill heights of two feet, six inches. The Commission may wish to discuss the sill height in this location along with the number of windows along the right side of the proposed second story. However staff believes the increased second story setbacks from the rear and right property lines as well as proposed trees, discussed later, would address any potential privacy concerns.

#### Trees and landscaping

The applicant has submitted an arborist report (Attachment F) detailing the species, size, and conditions of

trees on and near the subject property. There are several trees on or near the property that are considered heritage trees. Several of the heritage trees are located either on neighboring properties or in the public right of way, and are not on the subject property. The arborist report details tree protection measures to help maintain the health of these trees, however the footprint of the proposed residence is well outside the tree protection zones and is not expected to cause any impacts to the majority of the trees. One 16.5-inch heritage liquidambar street tree is proposed to be removed. The tree is in poor health and would be impacted by the construction of the new driveway. The applicant has submitted a heritage tree removal permit, which has been tentatively approved by the City Arborist, to remove the tree and replace it with a new California black oak tree in the public right of way.

In addition to the new street tree, the applicant has proposed several new lemonwood trees lining the right side and rear property lines. Lemonwood trees can grow up to 39 feet tall and would help provide additional screening for the neighbors. Staff believes the proposed landscaping would address any potential privacy impacts the proposed two-story residence may present.

The arborist report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance, based on their health. As part of the project review process, the arborist report was reviewed by the City Arborist. All recommendations identified in the arborist report shall be implemented and will be ensured as part of condition 3g.

#### Correspondence

Staff has not received any direct correspondence regarding the project at this time.

#### Conclusion

Staff believes that the design and materials of the proposed residence are compatible with the surrounding neighborhood. The transitional architectural style would be generally attractive and add to the mix of architectural styles in the area. Staff believes that the increased proposed second-story setbacks paired with proposed trees on the subject property adequately addresses potential privacy concerns. Staff recommends 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

Staff Report #: 19-075-PC Page 4

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: Chris Turner, Assistant Planner

Report reviewed by:

Kyle Perata, Principal Planner

LOCATION: 1725	PROJECT NUMBER:	APPLICANT: Melissa	OWNER: Melissa and
Oakdell Drive	PLN2019-00074	and Robert Francis	Robert Francis

**PROPOSAL:** Use Permit/Melissa and Robert Francis/1725 Oakdell Drive: Request for a use permit to demolish an existing one-story single family residence and construct a new two-story residence on a substandard lot with regard to minimum lot area in the R-1-S (Single Family Suburban Residential) district. One heritage-sized liquidambar street tree is proposed to be removed as part of the project.

DECISION ENTITY: Planning Commission

DATE: October 21, 2019

ACTION: TBD

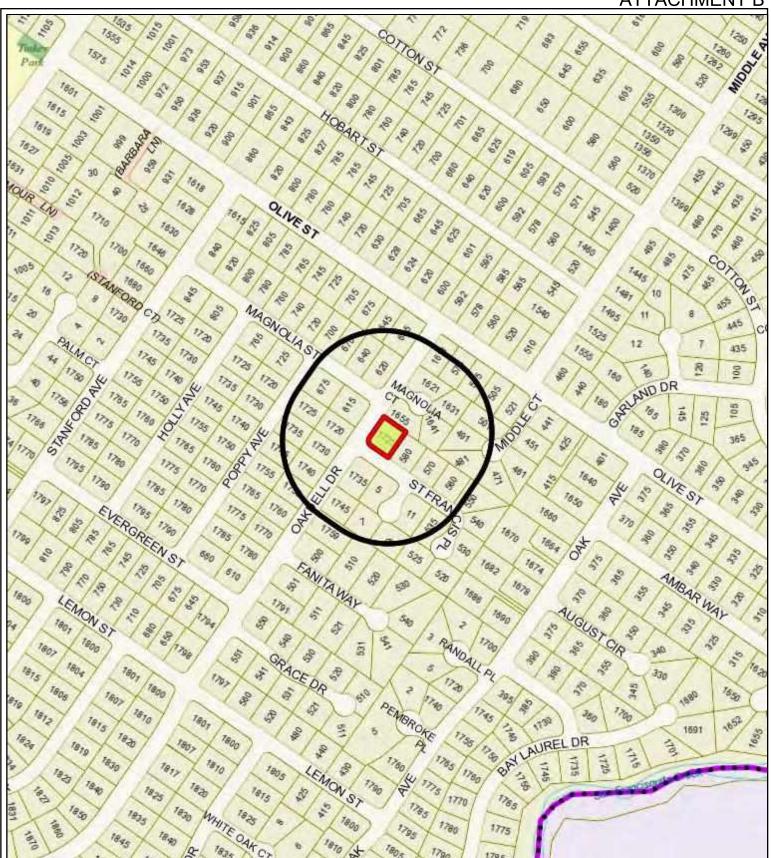
VOTE: TBD (Barnes, DeCardy, Doran, Kennedy, Riggs, Tate, Kahle)

#### ACTION:

- 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.
- 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 SDG Architecture, consisting of 18 plan sheets, dated received October 10, 2019, and approved by the Planning Commission on October 21, 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. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
  - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Kielty Arborist Services LLC, dated received August 5, 2019.

**PAGE**: 1 of 1

ATTACHMENT B





City of Menlo Park
Location Map
1725 Oakdell Drive



Sheet: 1

Scale: 1:4,000 Drawn By: CRT Checked By: KTP Date: 10/21/2019

**B**1

	PROPOSED EXISTING PROJECT PROJECT			ZONING ORDINANCE		
Lot area	9,971.8	sf	9,971.8	sf	10,000	sf min.
Lot width	88.7	ft.	88.7	ft.	80	ft. min.
Lot depth	103.9	ft.	103.9	ft.	100	ft. min.
Setbacks						
Front	20.2	ft.	19	ft.	20	ft. min.
Rear	20.2	ft.	14.9	ft.	20	ft. min.
Side (left)	19.9	ft.	19.8	ft.	12	ft. min.
Side (right)	14	ft.	10.1	ft.	10	ft. min.
Building coverage	2,961.7	sf	2,927.3	sf	3,490.1	sf max.
	29.7	%	29.3	%	35	% max.
FAL (Floor Area Limit)	3,541.8	sf	3,469.2	sf	3,542.9	sf max.
Square footage by floor	2,413.1	sf/basement	2,500.3	sf/1st		
	2,092.4	sf/ 1st	427	sf/garage		
	1,008.4	sf/ 2nd				
	441	sf/ garage				
	405.9	sf/ porches				
	22.4	sf/fire places				
Square footage of	6,383.2	sf	2,927.3	sf		
buildings						
Building height	27.9	ft.	13.2	ft.	28	ft. max.
Parking	2 cov	vered	2 cov	ered	1 covered/1	uncovered
	Note: Areas shown highlighted indicate a nonconforming or substandard situation.					

Trees

Heritage trees*	5	Non-Heritage trees***	2	New Trees	11
Heritage trees proposed	1	Non-Heritage trees	0	Total Number of	16
for removal**		proposed for removal		Trees	

<sup>\*</sup> Of these, one heritage tree is located on the subject property, three are located on neighboring properties, and one is located in the public right-of-way.

\*\*This tree is located in the public right-of-way.

\*\*One of these trees is in the public right-of-way.

SDG

876 KAYNYNE STREET REDWOOD CITY, CALIFORNIA 94003 650,366,9277 SDGArchitecture, com

# NEW SINGLE FAMILY HOME:

MENLO PARK, CALIFORNIA 1725 OAKDELL DRIVE

## RESIDENCE FRANCIS



TWO-STORY: 35% = 3,490.13 SQ. FT. 2,800 + [(9,971.8-7000).25]SQ.FT. = 3,542.95 SQ. FT.

MAXIMUM BUILDING COVERAGE:

MAXIMUM HEIGHT:

SIDE SETBACK - 19'-6" 45 DEG

DAYLIGHT PLANE: MAXIMUM F.A.L.:

DESIGN DATA:

462.75 3,541.05 SQ. FT.

JARAGE TOTAL FLOOR AREA: .541.05 < 3,542.15 SQ. FT.

9,971.8 SQ. FT. / +/- .229 ACRES

1725 OAKDELL DRIVE

OCCUPANCY GROUP: TYPE CONSTRUCTION:

PROJECT INFORMATION

SITE DATA:

FRONT - 20°-0"
REAR - 20°-0"
SIDES - 10°-0" INTERIOR
SIDES - 12°-0" CORNER

REQUIRED SETBACKS

FIRE HAZARD ZONE:

FLOOD ZONE:

PARKING:

FIRE SPRINKLERS:

LOT AREA:

CONCEPTUAL RENDERING



- 20'-2" - 20'-2" - 12'-8" RIGHT 19'-11" LEFT

REAR - SIDES - 1

PROPOSED SETBACKS:

2,856.17 < 3,490.13 SQ. FT. 28.6% BUILDING COVERAGE

### OWNER

MELISSA & ROBERT FRANCIS 1337 HILLVIEW PLACE MENLO PARK, CA 94025

## SHEET INDEX

DESCRIPTION	COVER SHEET AREA PLAN & STREETSCAPE ELEVATION CONCEPTUAL RENDERINGS	EXISTING/DEMOLITION SITE PLAN	SULTENDER FIRST FLOOR PLAN TON BEINDACHBUNG KASTING ROOF PLAN TON BEINDACHBUNG KASTING ROOF PLAN THO BEINDACHBUNG PROPOSID BASENETY FLOOR PLAN PROPOSID RASHAFFT FLOOR PLAN PROPOSID RASHAFFT FLOOR PLAN PROPOSID RASHAFFT FLOOR PLAN PROPOSID RASHAFFT AND SAFEN PROPOSID FLOOR PLAN PROPOSID FLOOR PLAN PROPOSID FLOOR PLAN PROPOSID FLOOR PLAN PROPOSID EXTREME ABLA CALCULATIONS PROPOSID EXTREME BETA TITONS PROPOSID EXTREME BETA TITONS PROPOSID FLOOR PLAN PROPOSIT PL	SURVEY GRADING, DRAINAGE & UTILITY PLAN
SHEET	AA-1 AA-2 AA-3	D-1	A-1 A-2 A-3 A-4 A-4 A-6 A-1 A-10 A-11 A-12	SE

## PROPOSED FLOOR AREA CALCULATIONS PROPOSED EXTERIOR ELEVATIONS PROPOSED EXTERIOR ELEVATIONS BUILDING SECTIONS BUILDING SECTIONS SURVEY GRADING, DRAINAGE & UTILITY PLAN

## SUPPLEMENTAL DOCUMENTS

## CONSULTANTS

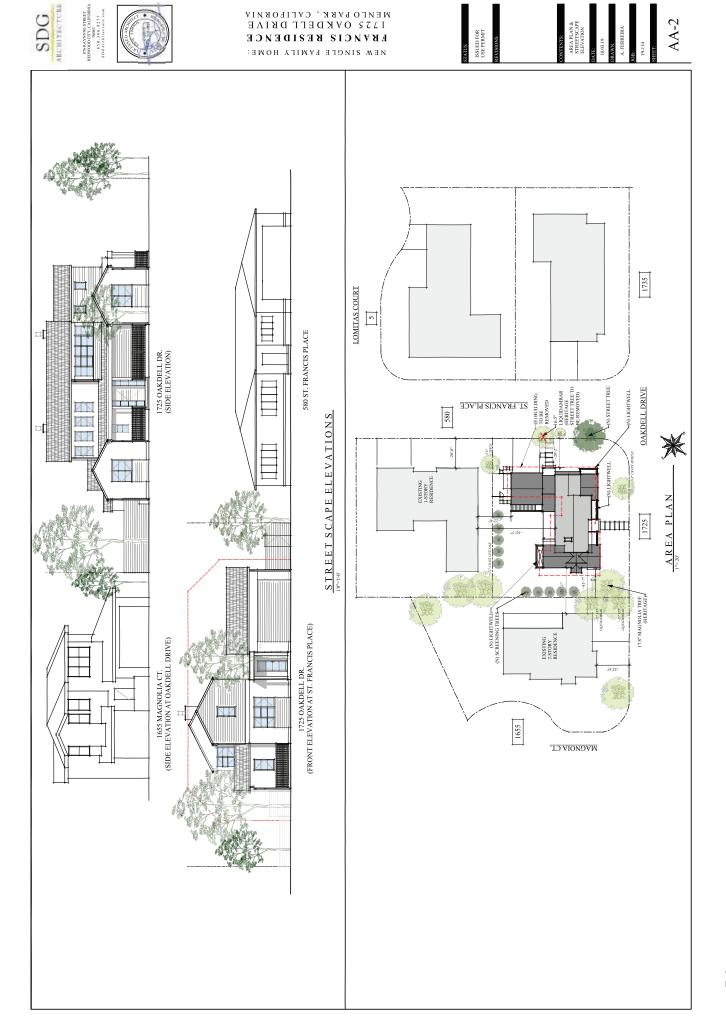
SURVEYOR
BAY LAND CONSULTING
BAY LAND CONSULTING
SANTA CLARA, CALIFORNIA 95050
408.296.6000

ARBORIST: KHELTY ARBORIST SERVICES P.O. BOX 6187 SAN MATEO, CA 94403 650.525.1464

CUVIL ENGINEER;
CLIFF BECHTEL & ASSOCIATES
901 WALTERMIRE STREET
BELMONT, CA 94002
650,333,0103

AA-1

#### 7





SDG



 $\overline{\text{FRONT} \text{ ELEVATION RENDERING}}$  LOOKING SOUTHEAST FROM ST. FRANCIS PLACE

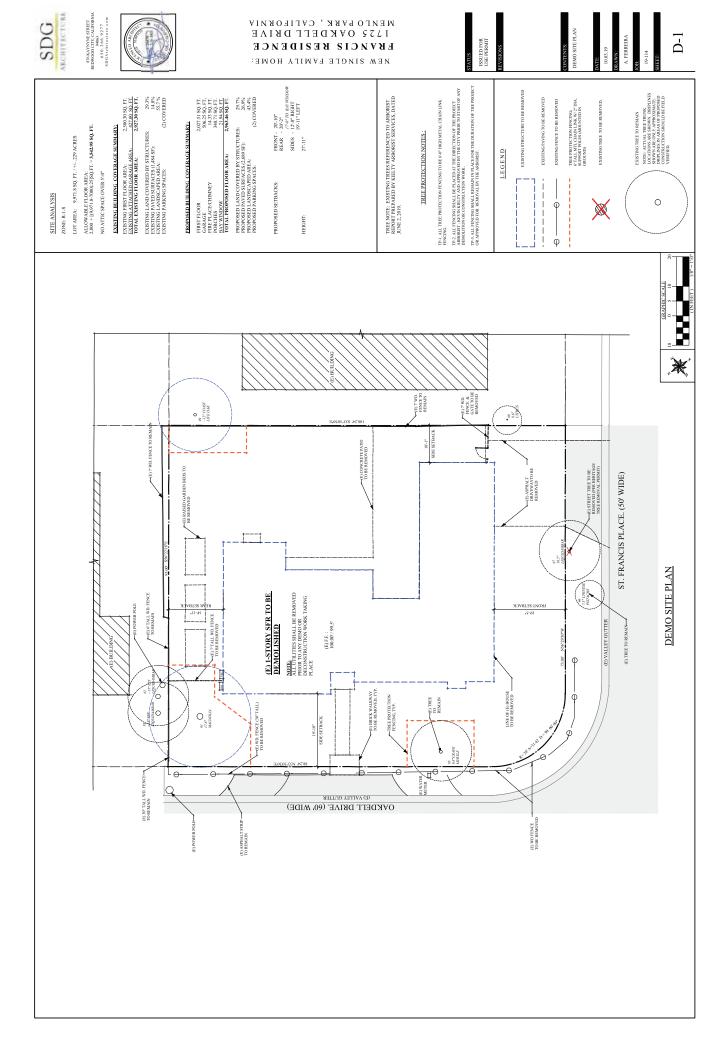


SIDE ELEVATION RENDERING LOOKING SOUTHEAST FROM OAKDELL DRIVE





REAR ELEVATION RENDERING



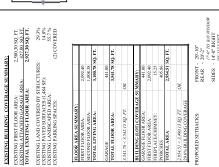


ALLOWABLE FLOOR AREA: 2,800 + [(9,971.8-7000).25]SQ.FT. = 3,542.95 SQ. FT.

PERMATTER SCREENING PLANTING SCREENING
SYMBOL
(\*\*OF CHARLES SCREENING PROVIDED PROVI

NO ATTIC SPACE OVER 5'-0"





ROOT ZONE (10X TREE DIAMETER)

Out 17.8" WAGNOLIA

ROOT ZONE (10X TRE DAMEETER)

(N) 67ALL WOOD FEELE & CATE

(N) GAS METER & APPROVED 400

APPROVED 400

APPROVED 400

WITH BREAKER & WITH BREA

0

(E) 3 TALL WOOD -FENCE









TICHLIMETT #5

OAKDELL DRIVE. (60' WIDE)

COVERED PORCH/ BRIDGE

(N) 3"TALL WOOD FENG (7" MAX, HT, AT SIDE Y/

O 85 STCRAPE MURTLE

ICHLARETT #1

(E) ASPHALT ! REMAIN



















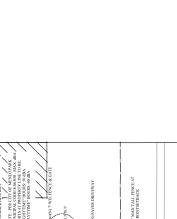


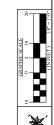










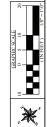


ST. FRANCIS PLACE. (50' WIDE)

4' MAX TALL FENCE AT FRONTSETBACK

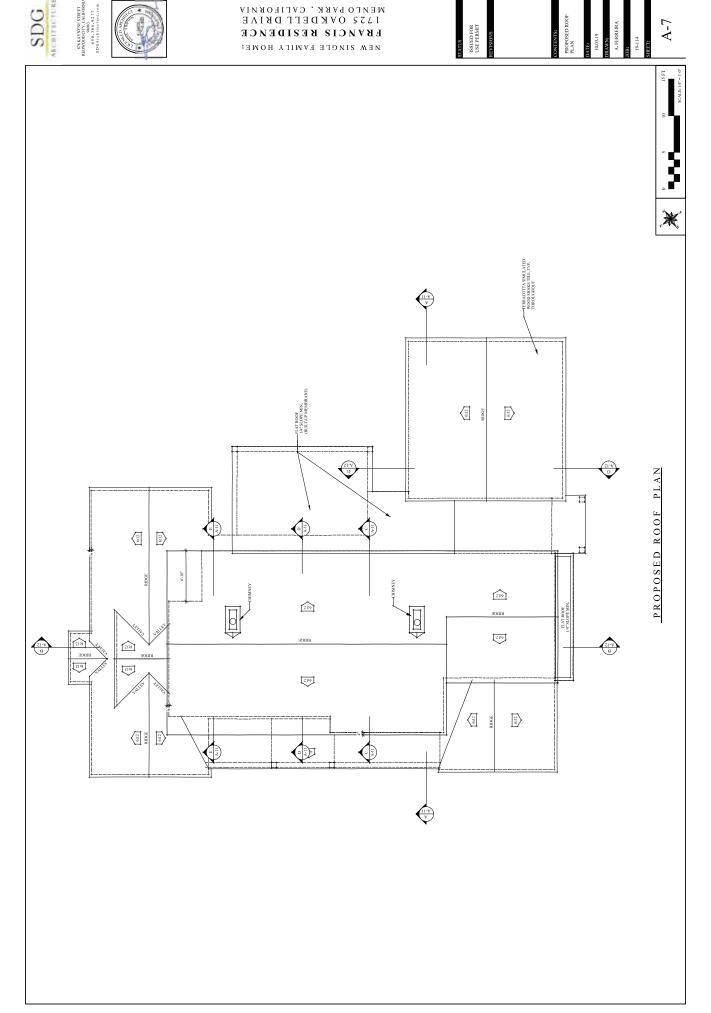
FENCE WITHIN 35' OF TO BE 3' TALL MAX.

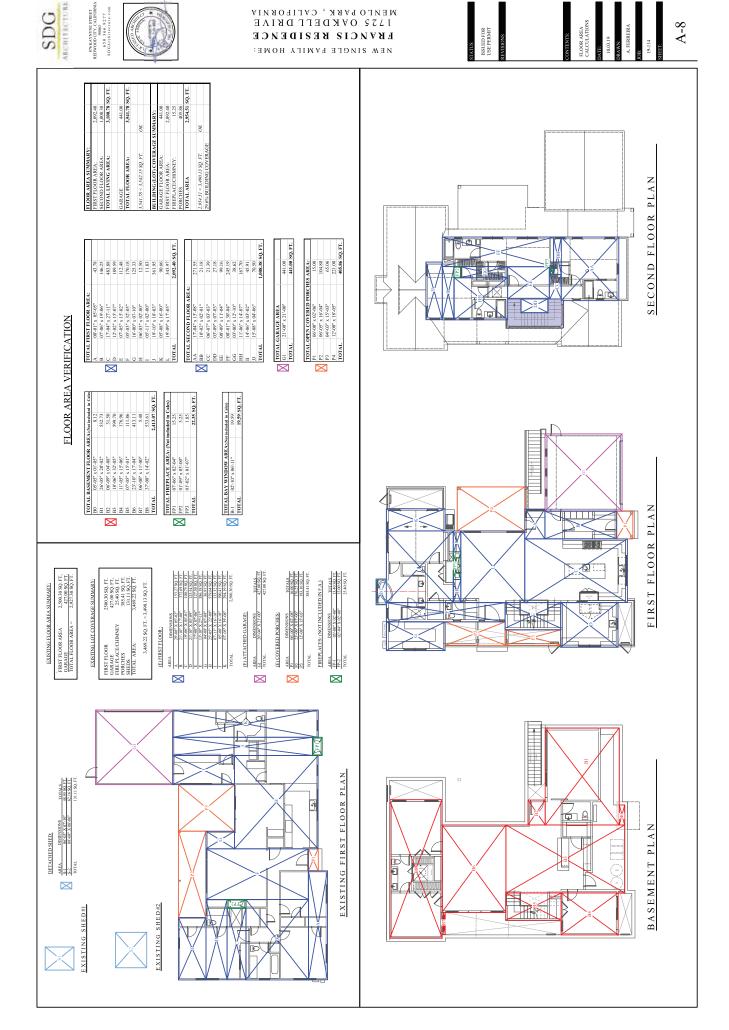
PROPOSED SITE PLAN

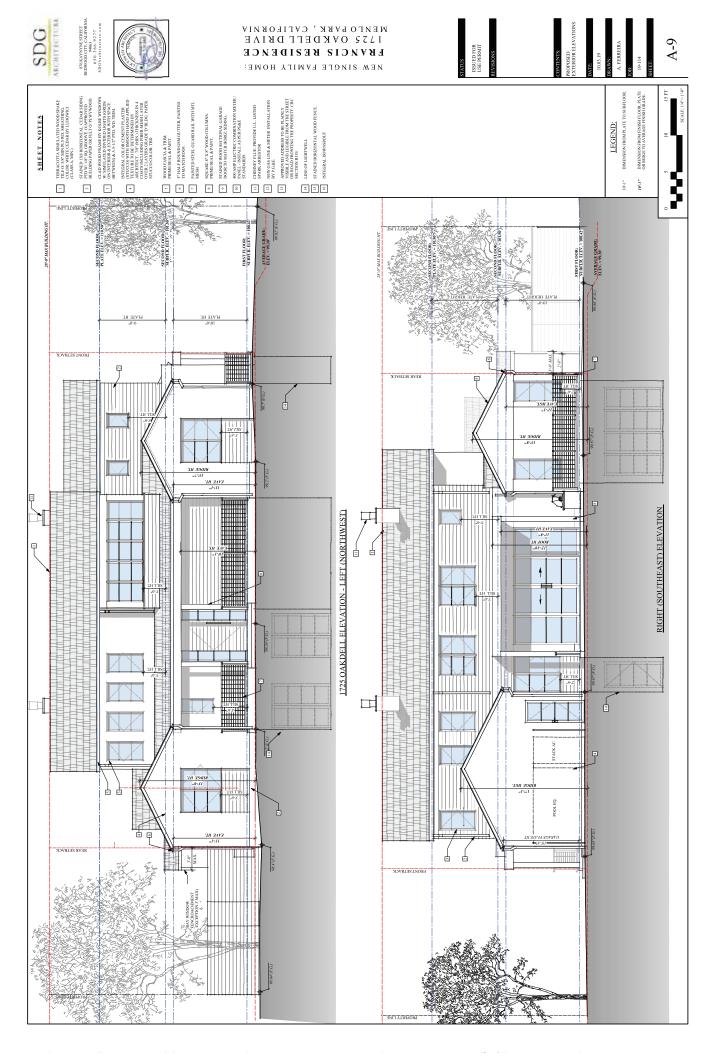


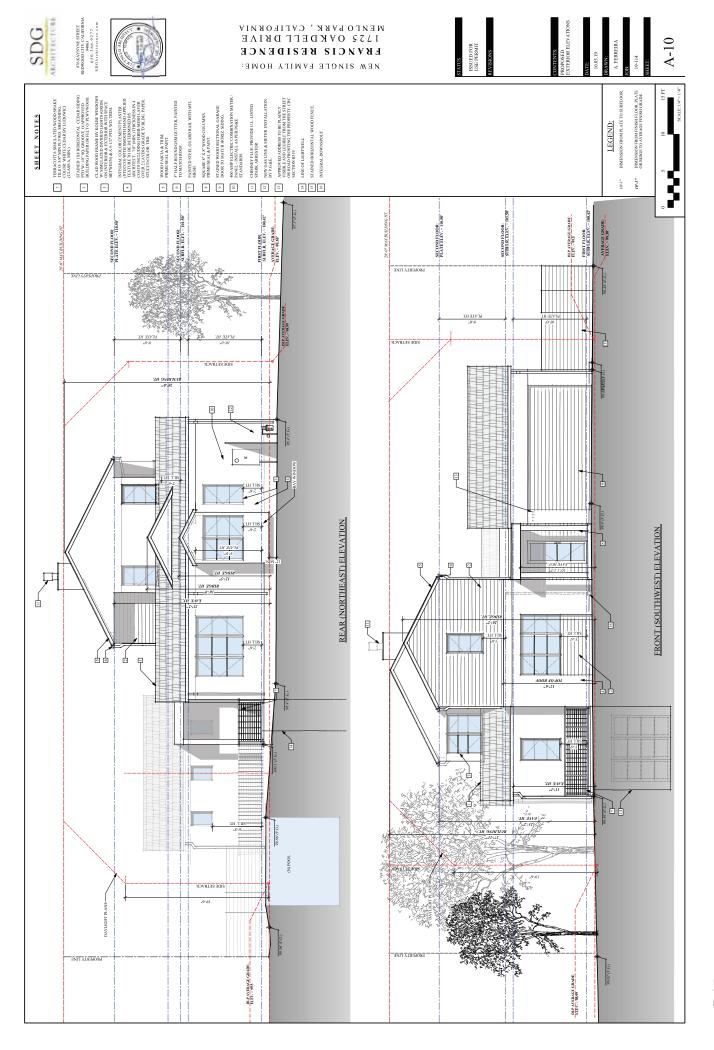


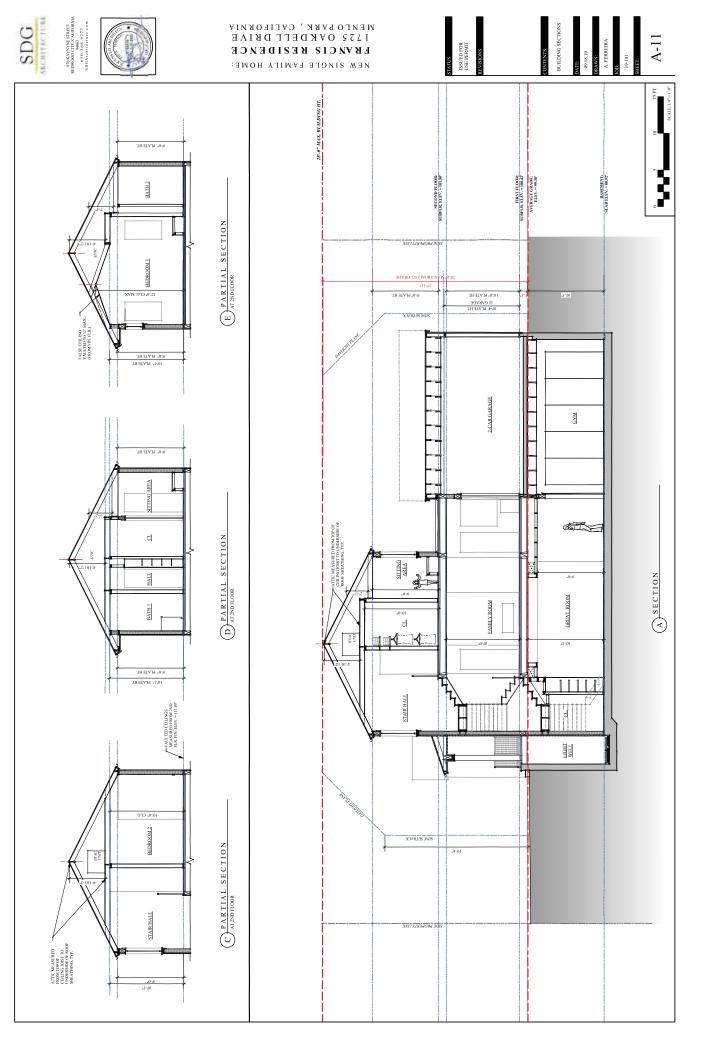
PROPERTY LINE

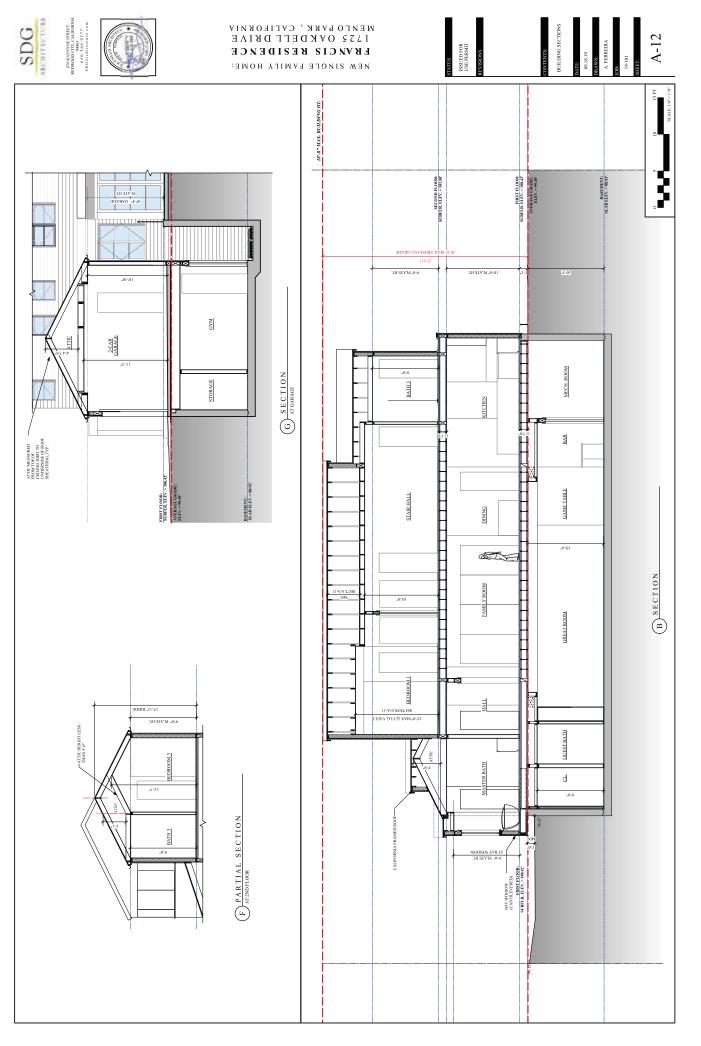


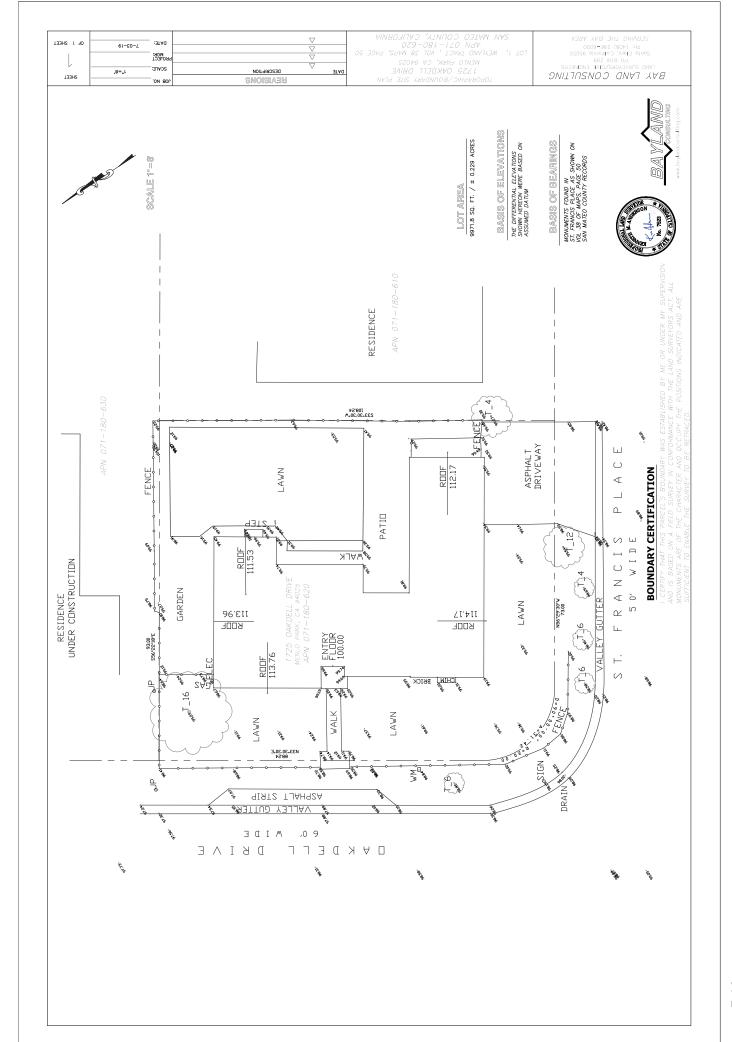


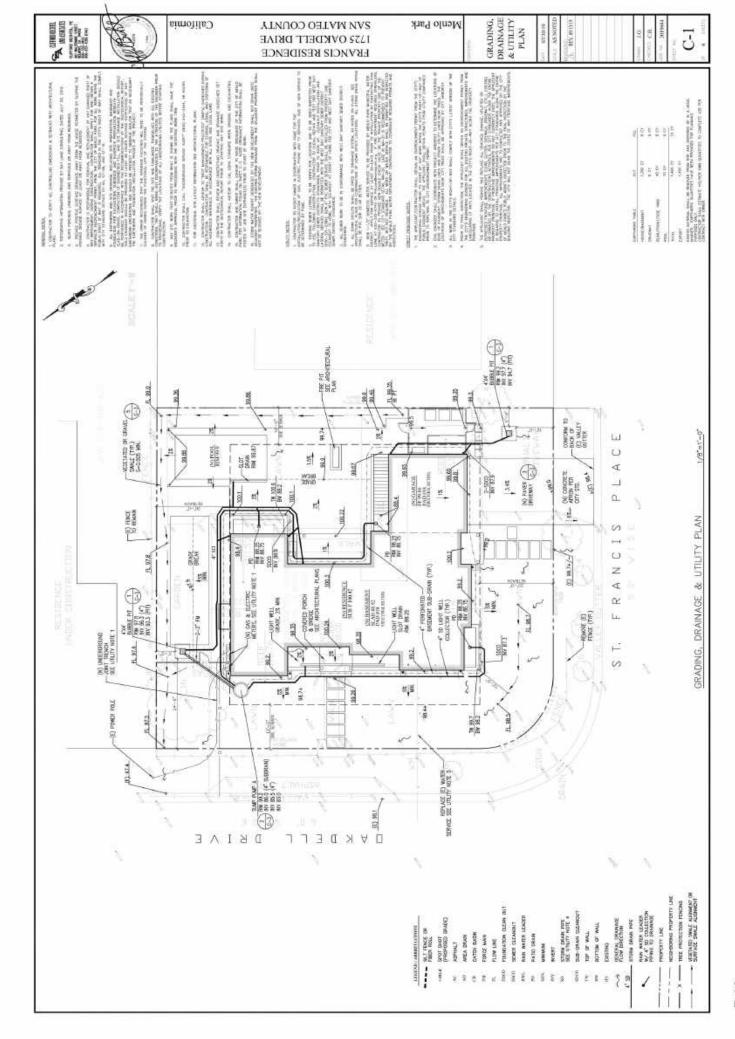














City of Menlo Park
Planning Department
701 Laurel Street
Menlo Park, CA 94025

July 29, 2019

#### RE: 1725 Oakdell Drive - Use Permit Project Description

This proposal is for a Use Permit approval for a new two-story single-family residence on an existing non-conforming lot at the SE corner of Oakdell Drive and St. Francis Place. The existing ranch style one-story home is proposed to be demolished. The neighborhood has a mixture of 2-story and 1-story homes with a mixture of architectural styles ranging from the California ranch-style to modern farmhouses.

The proposed project is a transitional style two-story home with a full basement and attached 2-car garage. This home will include 5 bedrooms, 5 bathrooms and 2 powder rooms, an open floor plan for the Dining, Family and Kitchen area as well as a Great Room and Gym. Covered front and side porches as well as covered patio at the rear provide areas for family, friends and neighbors to gather. The proposed exterior building materials are smooth stucco finish and stained horizontal wood siding. The house is to have dark grey clad metal windows and a real or simulated cedar shingle roof (class A min.). The second-floor offsets from the first floor and a lower level roof line (at porches) breaks up the massing and compliments the scale of the homes in the surrounding neighborhood.

The existing property to the right (580 St. Francis) is a 1-story and the property to the rear (1655 Magnolia Court) is a 2-story home currently under construction. The proposed 1-story mass on the Southeast (right) side and the 2-story massing on the Northeast (rear) side of the subject project creates an amiable transition between the adjacent properties. The majority of the proposed house has been setback greater than the required 20' front and 12' street side setbacks. There is a bay window (no foundation) at the rear side of the property projecting 3' into the rear setback. Plantings are proposed along the rear property line to screen from the adjacent 2-story property directly behind the subject lot (166 Magnolia Ct).

Any additional comments or questions, please feel free to contact me directly. Thank you!

Ami Ferreira SDG Architecture, Inc.

## Kielty Arborist Services LLC

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

October 3, 2019

SDG Architecture Attn: Ami Ferreira

Site: 1725 Oakdell Drive, Menlo Park, CA

Dear Ms. Ferreira,

As requested on Wednesday, June 12, 2019, I visited the above site to inspect and comment on the trees. A new home with a basement is planned for the site and your concern as to the future health and safety of the trees has prompted this visit. Site plan A-1 dated 6/24/19 was reviewed for writing this report.

#### Method:

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

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

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

Survey	v.			(2)	
·	Species Magnolia (Magnolia grandiflore	17.8	CON H 70		Comments Good vigor, fair form, recommended to irrigate.
2* <b>P</b>	Liquidambar (Liquidambar styracif	15est lua)	60	35/20	Good vigor, fair form, pruned for line clearance, at property line.
3* <b>P</b>	Liquidambar (Liquidambar styracif	15est lua)	60	35/20	Good vigor, fair form, pruned for line clearance, at property line.
4 <b>P</b>	Red maple (Acer rubrum)	1.0	50	10/5	Fair vigor, fair form, sunscald damage on trunk street tree.
5 <b>P</b>	Crape myrtle (Lagerstroemia sp.)	8.6	80	30/20	Good vigor, good form, street tree. Street tree.
6 <b>P</b>	Chinese pistache (Pistacia chinensis)	7.3	65	30/20	Fair vigor, fair form, street tree.
7 <b>P</b> / <b>R</b>	Liquidambar (Liquidambar styracif	16.5 (lua)	45	50/20	Fair to poor vigor, poor form, limbs headed, 2 feet from driveway, causing driveway damage, die back at ends of limbs, street tree
8	Citrus sp.)	8.6	50	15/12	Fair to poor vigor, fair form, die back in canopy.
9* <b>P</b>	Coast live oak (Quercus agrifolia)	12est	60	30/25	Fair vigor, fair form, pruned for line clearance, one sided.

(2)

The trees surveyed are a mix of imported species. The only "Heritage" trees surveyed are the neighbors' trees #1-7. All heritage trees have a bold **P** (protected) next to them in the survey to indicate a protected tree. The city of Menlo Park's definition of a heritage tree is as followed:

- 1. Any tree having a trunk with a circumference of 47.1 inches (diameter of 15 inches) or more measured at 54 inches above natural grade.
- 2. Any oak tree native to California, with a circumference of 31.4 inches (diameter of 10 inches) or more measured at 54 inches above natural grade.
- 3. Any tree or group of trees specifically designated by the City Council for protection because of its historical significance, special character or community benefit.

1725 Oakdell

<sup>\*-</sup>Indicates neighbors tree **P-**Indicates protected tree by city ordinance **R-**Indicates proposed tree removal

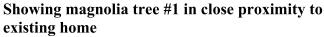
1725 Oakdell (3)

4. Any tree with more than one trunk measured at the point where the trunks divide, with a circumference of 47.1 inches (diameter of 15 inches) or more, with the exception of trees that are under 12 feet in height, which are exempt from the ordinance.



#### **Summary:**

Trees #1-7 are protected in the city of Menlo Park. Magnolia tree #1 is in good condition. This tree is located in close proximity to the home on site. The proposed home is recommended to be no closer than the existing home to the tree on site. Tree protection should be placed at the existing home foundation and out to 15 feet from the tree where possible. The magnolia tree will require supplemental irrigation to maintain a healthy canopy during the dry season. Flood type irrigation should be provided once a week.





Neighbor's liquidambar trees #2 and #3 are in fair condition. These trees have both been topped for line clearance in the past. These trees are recommended to be protected by tree protection fencing placed at the property line and out to a distance of 10 feet from the trees where possible.

Trees #4 and #5 are in fair to good condition and located within the public right of way (street trees). The street tree planting pits will need to be completely fenced off when underneath the tree driplines. Supplemental irrigation should be provided to both trees during the dry season.

Showing crape myrtle street tree #5

1725 Oakdell (4)



Chinese pistache tree #6 and Liquidambar tree #7 are both protected street trees. Chinese pistache tree #6 is in good condition. Liquidambar tree #7 is in poor condition. Areas of die back were observed at the tips of the limbs. The tree is also causing extensive damage to the driveway on the property.

#### Showing liquidambar tree #7

Neighbor's coast live oak tree #9 is a protected tree. This tree is recommended to be protected by fencing extending off the property line fence to a distance of 15 feet from the tree where possible. The following tree protection plan will help to ensure the future survival of the trees to be retained. Once plans have been made available to the Project Arborist the tree protection plan portion of this report is to be amended. Also a section discussing impacts and recommendations for the trees will be added.

#### Heritage tree proposed for removal:

Liquidambar tree #7 is proposed for removal. The tree is in poor condition due to past poor maintenance. The tree has been topped in the past and is poorly located 2 feet from the existing driveway that is proposed to be demolished and rebuilt in the same location. The existing driveway has been extensively damaged by the tree's roots. The proposed new driveway work would have a high impact on the tree's structural stability therefore tree removal is recommended.

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

Tree Protection Zones

Tree protection zones should be installed and maintained throughout the entire length of the project. Fencing for tree protection zones should be 6' tall, metal chain link material supported by metal 1.5" diameter poles, pounded into the ground to a depth of no less than 2'. The distance between metal support poles shall not be more than 10'. The location for the protective fencing for the protected trees on site should be placed at a distance equal to the dripline of the protected trees on site. Where it is not possible to place tree protection zones at the dripline because of approved proposed work or existing hardscapes, the tree protection fencing shall be placed at the edge of the proposed work or hardscapes, but not closer than 2 feet from the trunk of any tree. No equipment or materials shall be stored or cleaned inside the protection zones. Areas where tree protection fencing needs to be reduced for access, should be mulched with 6" of coarse wood chips with ½ inch plywood on top (landscape barrier). The plywood boards should be attached together in order to minimize movement. The spreading of chips will help to reduce compaction and improve soil structure. All tree protection measures must be installed prior to any demolition or construction activity at the site. All non heritage trees to be retained are recommended to be protected with fencing placed at the tree's dripline. No impacts on site are expected.

# Avoid the following conditions: DO NOT:

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

#### Landscape Buffer

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

#### Root Cutting and Grading

Avoid injury to tree roots. When a ditching machine, which is being used outside of the dripline of trees, encounters roots smaller than 2", the wall of the trench adjacent to the trees shall be hand trimmed, making clear, clean cuts through the roots. All damaged, torn and cut roots shall be given a clean cut to remove ragged edges, which promote decay. Trenches shall be filled within 24 hours, but where this is not possible, the side of the trench adjacent to the trees shall be kept shaded with four layers of dampened, untreated burlap, wetted as frequently as necessary to keep the burlap wet. Roots 2" or larger, when encountered, shall be reported immediately to the Project Arborist, who will decide whether the Contractor may cut the root as mentioned above or shall excavate by hand or with compressed air under the root. Root is to be protected with dampened burlap. All roots to be cut shall be monitored and documented. Large roots (over 2" diameter) or large masses of roots to be cut must be inspected by the Project Arborist. The Project Arborist, at this time, may recommend irrigation or fertilization of the root zone. Existing grades underneath the protected tree driplines are to remain as is. If grade changes greater than 4 inches are to take place, special mitigation measures will be needed to reduce impacts to the trees.

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

Route pipes outside of the area that is 10 times the diameter of a protected tree to avoid conflict with roots. If this is not possible, trenching for irrigation, drainage, electrical or any other reason shall be done by hand in combination with an air spade when inside the dripline of a protected tree. Hand digging and the careful placement of pipes below or besides protected roots will significantly reduce root loss, thus reducing trauma to the tree. All trenches shall be backfilled with native materials and compacted to near its original level, as soon as possible. Trenches to be left open

1725 Oakdell (6)

for a period of time, will require the covering of all exposed roots with burlap and be kept moist. The trenches will also need to be covered with plywood to help protect the exposed roots. When utilities need to be placed within a distance of 3 times the diameter or less of a protected tree on site, the Contractor shall bore beneath the dripline of the tree. The boring shall take place not less than 3' below the surface of the soil in order to avoid encountering "feeder" roots.

#### Pruning

Any needed or recommended pruning shall be supervised by the Project Arborist, and must be done by a licensed tree care provider. All pruning for trees in fair to good health must stay underneath 25% of the total foliage of the canopy. No pruning is proposed at this time.

#### Irrigation

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

#### Construction related damage to trees

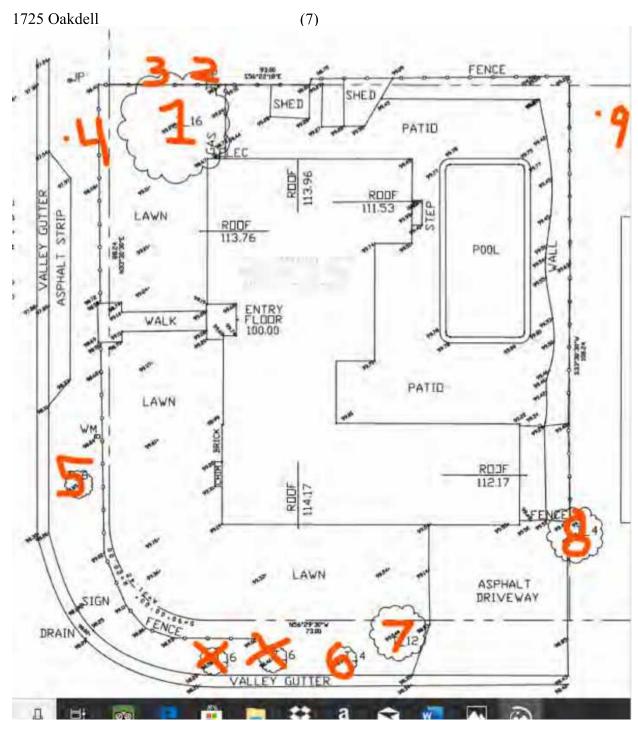
Any damage due to construction activities shall be reported to the Project Arborist or City Arborist within six hours so that remedial action can be taken.

#### Inspections

The city of Menlo Park will require the Project Arborist to inspect the site before the building permit can be picked up to make sure the tree protection fencing has been well installed. Usually monthly inspections are required. Because the proposed work is very far from the protected trees on site it is requested that no monthly inspections be required for this site.

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

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



**Showing Tree Locations** 

# **Kielty Arborist Services**

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

#### ARBORIST DISCLOSURE STATEMENT

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

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

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

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

Arborist:		
	Kevin R. Kielty	
Date:	October 3, 2019	

## **Community Development**



#### **STAFF REPORT**

Planning Commission
Meeting Date: 10/21/2019
Staff Report Number: 19-076-PC

Public Hearing: Use Permit/Verle and Carol Aebi/973 Roble Avenue

#### Recommendation

Staff recommends the Planning Commission approve a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story, single-family residence with a basement and detached two-car garage on a substandard lot with regard to minimum lot width in the R-3 (Apartment) district. The use permit request includes excavation within the required right side setback for a basement lightwell. One heritage Indian bean tree and one heritage California pepper tree are proposed to be removed as part of the project. The recommended actions are included in Attachment A.

#### **Policy Issues**

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

#### **Background**

#### Site location

The subject property is located at 973 Roble Avenue, near the dead end of Roble Avenue south of University Drive. The adjacent parcels along the street are also located within the R-3 (Apartment) zoning district, and contain a mix of apartments, duplexes, and some single-family residences. The area represents a variety of architectural styles, including Mediterranean, traditional ranch, and modern buildings. A location map is included as Attachment B.

#### **Analysis**

#### Project description

The applicants are proposing to demolish an existing one-story, single-family residence and detached one-car garage and construct a new two-story, single-family residence with a basement and detached two-car garage. In addition, a basement lightwell proposed at the right side of the residence would extend six feet, six inches into the required side setback. New two-story homes on substandard lots require a use permit approval from the Planning Commission. Excavation within a setback also requires a use permit. A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

The proposed residence would be a four-bedroom home with one bedroom in the basement, one bedroom on the first floor, and two bedrooms on the second floor. The majority of the first floor would be common living space, with additional shared living space in the basement and second story. Two covered parking spaces would be provided in a detached garage at the rear of the lot to address the parking requirements

for the residence. The proposed detached garage would exceed the minimum required dimensions for a two-car garage and would include a third parking area identified for bicycles and motorcycles on the floor plan. The parking spaces would be accessed via a 10-foot driveway adjacent to the left side of the proposed residence. The second garage door for the motorcycle parking would be accessed through a grasscrete paver system extension from the paved driveway. The proposed residence would meet all Zoning Ordinance regulations for setbacks, floor area ratio (FAR), building coverage, minimum open space, height, and parking. The project would have the following notable characteristics with regard to the development regulations:

- The R-3 zoning district allows for the development of a maximum of two units on the lot. The applicants have elected to construct one unit to replace the existing single unit on the parcel. As previously mentioned, there are other R-3-zoned lots in the vicinity developed with single-family homes.
- The residence would be 28 feet, 8 inches in height, below the maximum permitted height of 35 feet.
- The residence would be developed to the maximum allowable FAR of 45 percent, and also to the maximum allowable building coverage of 30 percent. The development would provide 51.3 percent open space on the site, where a minimum of 50 percent open space is required.
- A balcony is proposed on the second floor of the residence that would lead out from one of the master bedrooms and overlook the rear yard. The balcony would be located 54 feet, 7 inches from the rear property line, slightly over 10 feet from the right side property line and approximately 27 feet from the left side property line. In the R-3 district, balconies may be located at the required setbacks.
- The proposed right side lightwell would be located six feet, six inches into the required side setback, as previously stated, and would provide egress for the basement bedroom and allow light into the living areas below grade. The width of the lightwell would accommodate a spiral staircase leading to the grade above. The closest building, a multi-family residential structure, would be located approximately 19 feet south of the outer edge of the lightwell.
- The proposed residence would comply with the 20-foot minimum distance between main buildings located on the subject property and adjacent properties.

The Planning Commission may wish to discuss the appropriateness of the proposed single family use on an R-3 zoned property within close proximity to downtown Menlo Park, where two units could be developed. The proposed project would replace an existing single family residence; however, the proposed single family residence would be approximately 3,299 square feet in size (inclusive of the basement that is calculated in gross floor area). While there are some other single family residences on R-3 lots in the vicinity, there are a number multi-family developments also in the vicinity of the project.

#### Design and materials

The project description letter indicates the style of the residence would have a "clearly modern aesthetic while being comprised of generally traditional, simple forms." The primary exterior materials would be smooth plaster, horizontal wood or fiber cement siding, and a standing seam metal roof. The windows would be metal-clad wood windows, and the applicant has indicated that they would have simulated true divided lights. The location of the garage at the rear of the property would help limit the visual effect of parking features on the property frontage, which is a positive aspect of the proposed site layout.

With regard to privacy, the second-floor side-facing windows would primarily have five-foot, six-inch sill heights, except for one set of windows with three-foot sill heights on the right elevation and one narrow window with a zero sill height on the left elevation near the proposed balcony. This window would be set back approximately 27 feet from the left side property line. The larger second floor setback in this area and the narrow width of the proposed window would help limit potential privacy impacts to the adjacent property. Windows in the stair landing on the left side of the house would also have a low second-floor sill height of

three inches, but would have translucent glazing to reduce potential privacy impacts to neighbors.

Overall, staff believes the design would have a consistent aesthetic approach, and that its size and scale would be consistent with the neighboring properties, and the overall neighborhood.

#### Trees and landscaping

The applicants have submitted an arborist report (Attachment F) detailing the species, size, and conditions of the trees on and near the subject property. There are three trees on or near the property that are considered heritage trees. The City Arborist has tentatively approved the removal of one heritage Indian bean tree at the front of the property, as it is in poor health with decay, cavities, and sun scorch. The City Arborist has also tentatively approved the removal of one California pepper tree at the rear of the property, which the arborist report indicates is dead. The applicants previously requested removal of the two heritage trees in 2017, and both removals were approved by the City arborist. However, because no action was taken following the approvals, the heritage tree removal permits expired and the removals are being requested again in conjunction with the use permit application for the new residence.

The applicants have proposed one replacement tree, a ginkgo biloba, at the front of the property, and another replacement tree, a Pacific dogwood, at the rear of the property. Two additional non-heritage trees are proposed to be removed because of conflicts with the proposed driveway. The arborist report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance. All recommendations identified in the arborist report shall be implemented and will be ensured as part of condition 3g.

#### Correspondence

The applicants state in their project description letter that they sent letters and emails to property owners of the neighboring parcels and held a neighborhood outreach meeting in June 2019. However, the applicants state that there were no attendees at the meeting. Staff has not received any direct correspondence regarding the project at this time.

#### Conclusion

Staff believes the design would have a consistent aesthetic approach, and that the size and scale of the proposed residence would be consistent with development along Roble Avenue in this area. The location of the garage at the rear would help limit the prominence of parking features at the front. The proposed residence would meet all Zoning Ordinance regulations for setbacks, floor area ratio (FAR), building coverage, minimum open space, height, and parking. While the proposed project would not increase the density at the site, the proposed project would replace an existing single family residence on an R-3 lot, and would not reduce the number of housing units. The proposed balcony would meet or exceed the minimum setbacks required in the R-3 zoning district. The proposed lightwell would be located approximately 19 feet away from the nearest residential structure. The City Arborist has tentatively approved the proposed heritage tree removals, and adequate replacement trees have been identified. Staff recommends 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 #: 19-076-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

#### **Disclaimer**

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

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

None

Report prepared by: Tom Smith, Senior Planner

Report reviewed by:

Kyle Perata, Principal Planner

#### 973 Roble Avenue – Attachment A: Recommended Actions

LOCATION: 973 Roble	PROJECT NUMBER:	APPLICANT: Verle and	OWNER: Verle and
Avenue	PLN2019-00055	Carol Aebi	Carol Aebi

**PROPOSAL:** Request for a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story, single-family residence with a basement and detached two-car garage on a substandard lot with regard to minimum lot width in the R-3 (Apartment) district. The use permit request includes excavation within the required right side setback for a basement lightwell. One heritage Indian bean tree and one heritage California pepper tree are proposed to be removed as part of the project.

DECISION ENTITY: Planning Commission

DATE: October 21, 2019

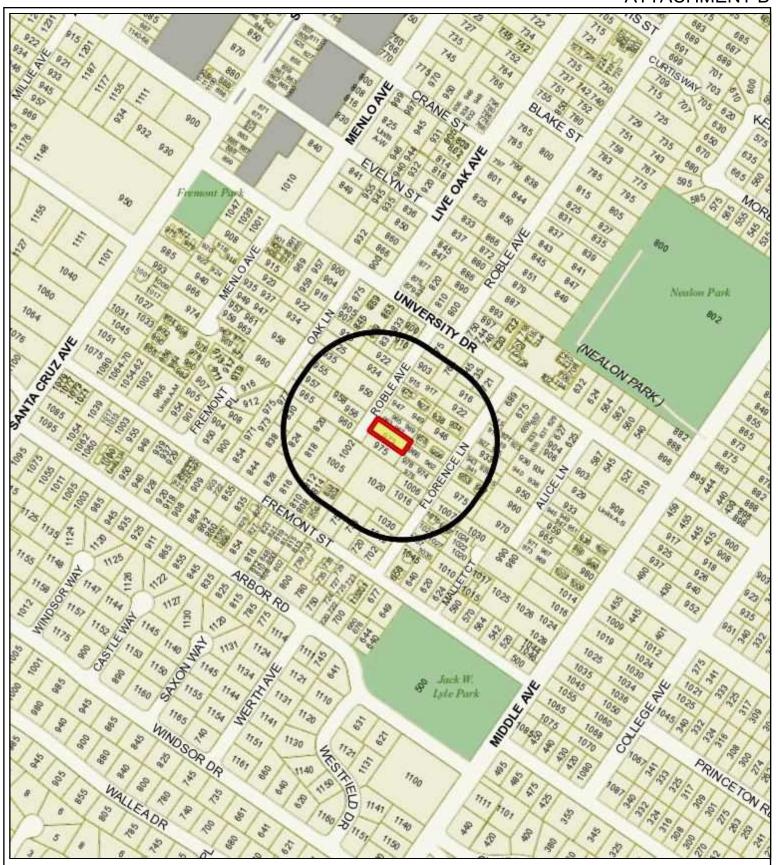
ACTION: TBD

VOTE: TBD (Barnes, DeCardy, Doran, Kahle, Kennedy, Riggs, 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 Square Three Design Studios, consisting of 15 plan sheets, dated received September 17, 2019 and approved by the Planning Commission on October 21, 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 October 10, 2019.

**PAGE**: 1 of 1





City of Menlo Park Location Map 973 Roble Avenue



Scale: 1:4,000 Drawn By: TAS Checked By: KTP Date: 10/21/2019 Sheet: 1

### 973 Roble Avenue – Attachment C: Data Table

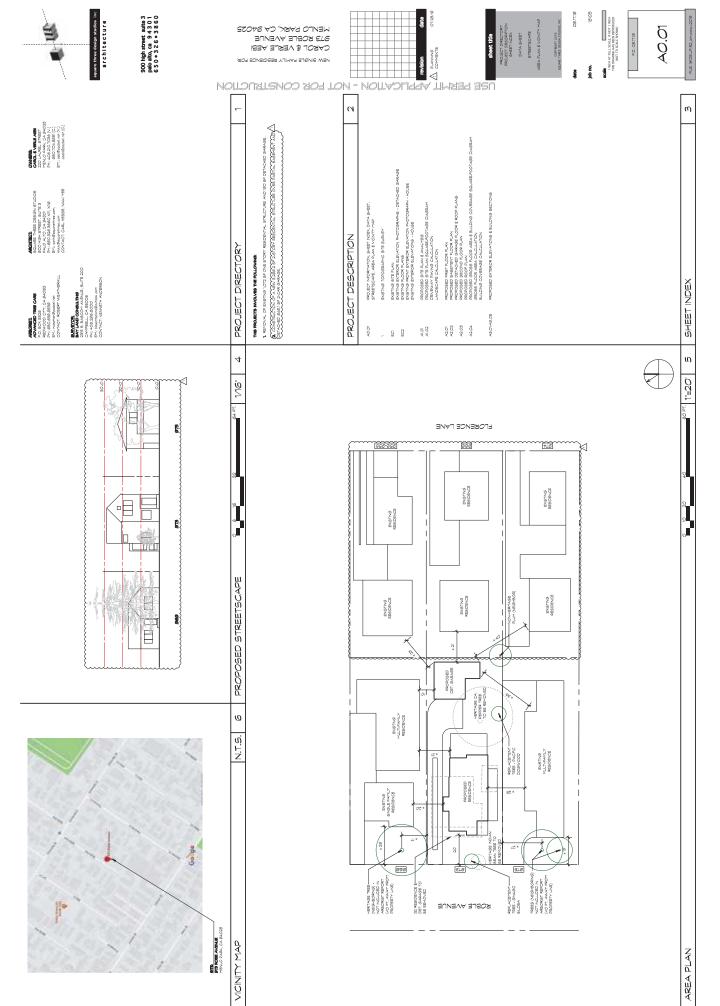
	PROPOSED PROJECT		EXIST PROJ		ZONING ORDINANCE	
Lot area	7,332	sf	7,332	sf	7,000	sf min.
Lot width	52.0	ft.	52.0	ft.	70	ft. min.
Lot depth	141.0	ft.	141.0	ft.	100	ft. min.
Setbacks						
Front	20.0	ft.	25.5	ft.	20	ft. min.
Rear	54.6	ft.	81.1	ft.	15	ft. min.
Side (left)	10.5	ft.	3.8	ft.	10	ft. min.
Side (right)	10.0	ft.	14.0	ft.	10	ft. min.
Building coverage	2,197.5	sf	1,294.0	sf	2,199.6	sf max.
	30.0	%	17.6	%	30.0	% max.
FAR (Floor Area Ratio)	3,299.2	sf	1,072.0	sf	3,299.4	sf max.
	45.0	%	14.6	%	45.0	% max
Square footage by floor	805.9	sf/basement	1,072.0	sf/1st		
	1,351.1	sf/1st	197.2	sf/garage		
	1,142.2	sf/2nd	230.1	sf/porch		
	649.1	sf/garage				
	197.3	sf/porch				
Square footage of buildings	4,145.6	sf	1,499.3	sf		
Building height	28.7	ft.	15.3	ft.	35	ft. max.
Parking	2 co\	vered	1 covered		1 covered/1 uncovered	
Note: Areas shown highlighted indicate a nonconforming or substandard situation.						n.

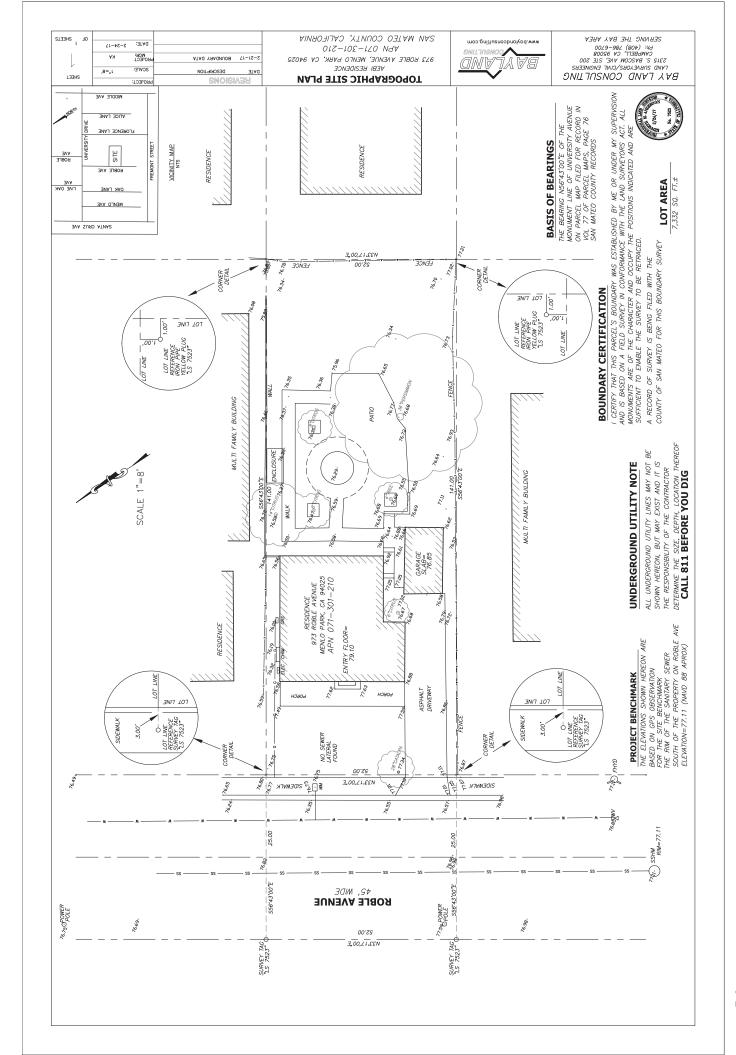
Trees

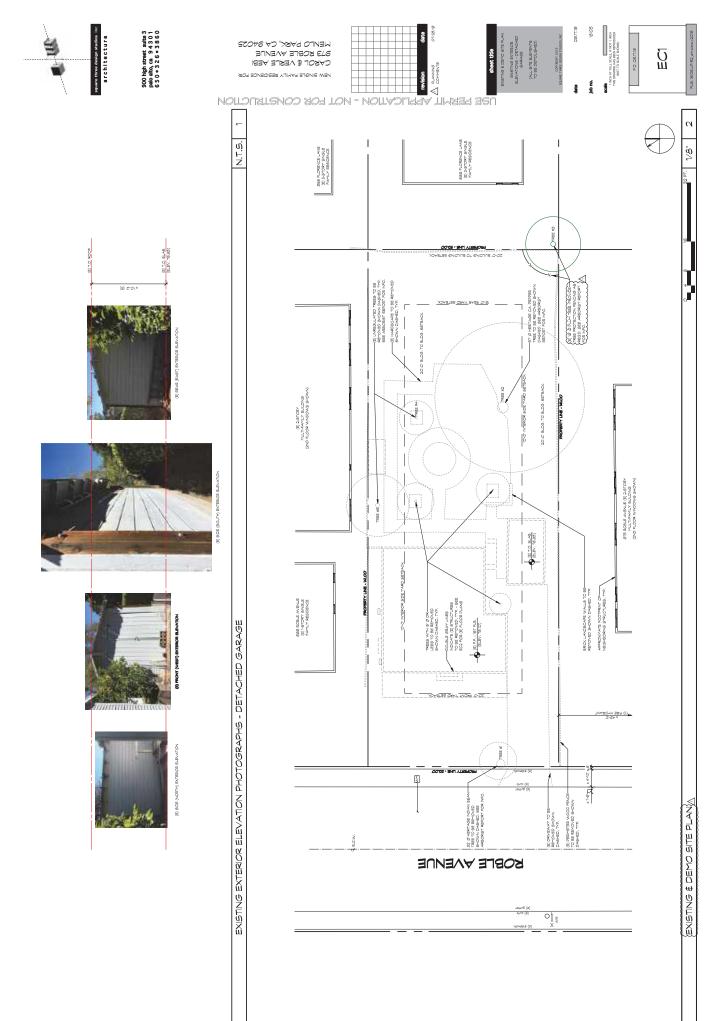
Heritage trees	3*	Non-Heritage trees	2	New trees	2
Heritage trees proposed	2	Non-Heritage trees	2	Total Number of	3
for removal		proposed for removal		trees	

<sup>\*</sup>One heritage tree is located on an adjacent property.

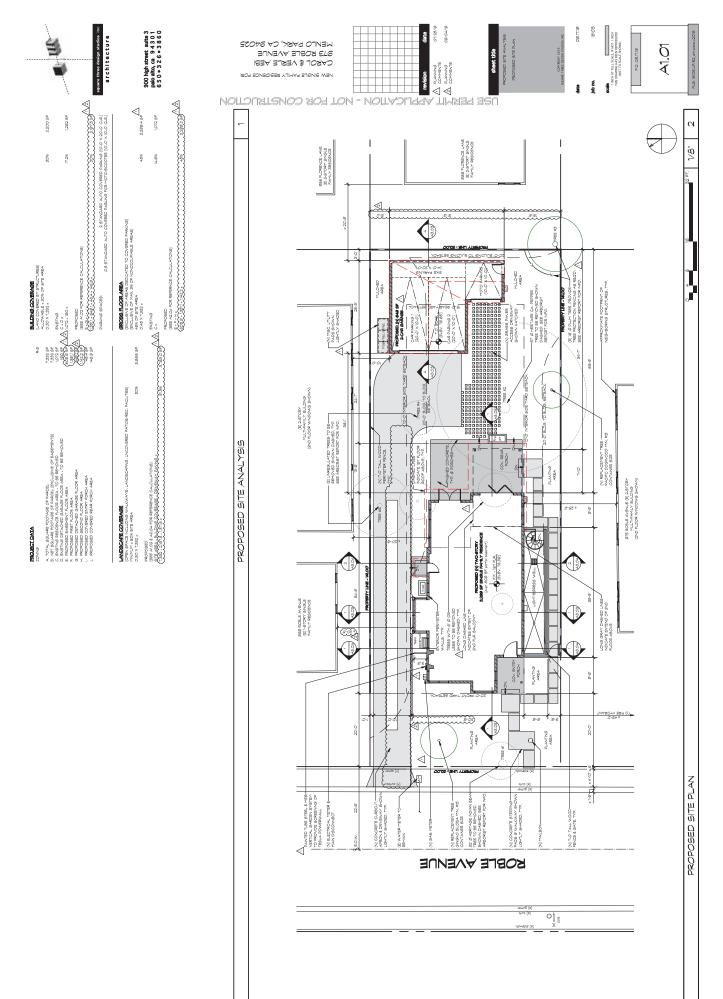
# ATTACHMENT D

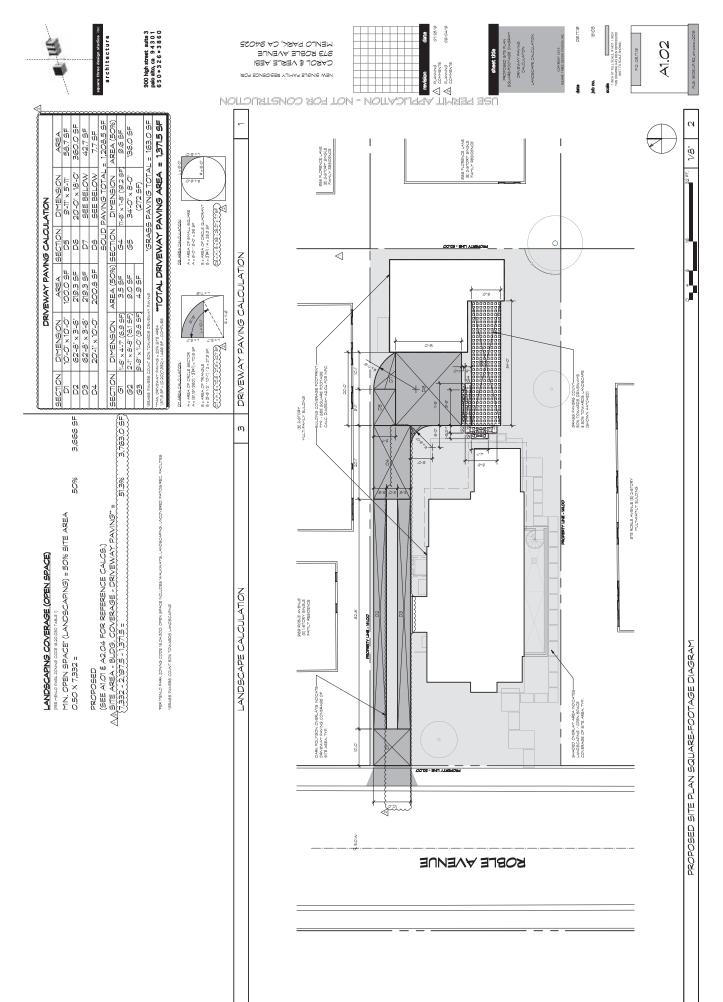










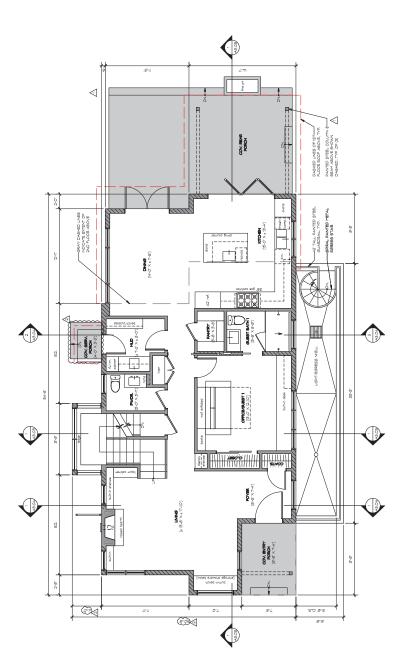




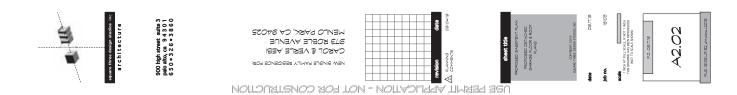
NEW SINGLE FAMILY RESIDENCE FOR

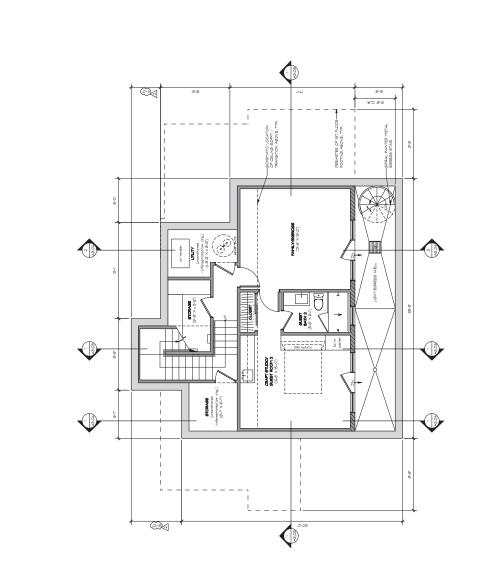


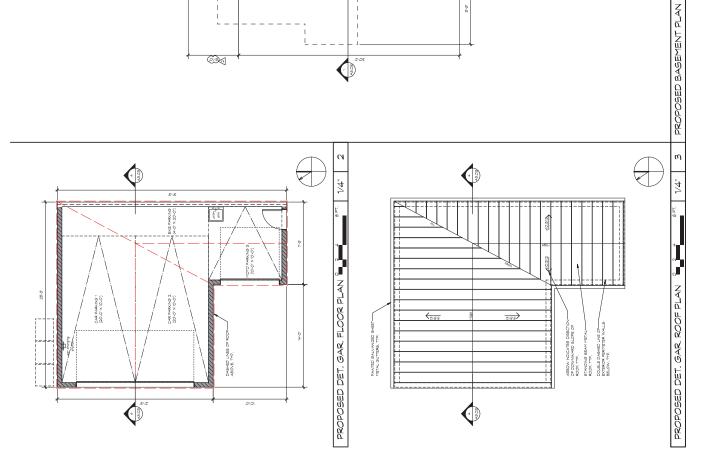
A2.0



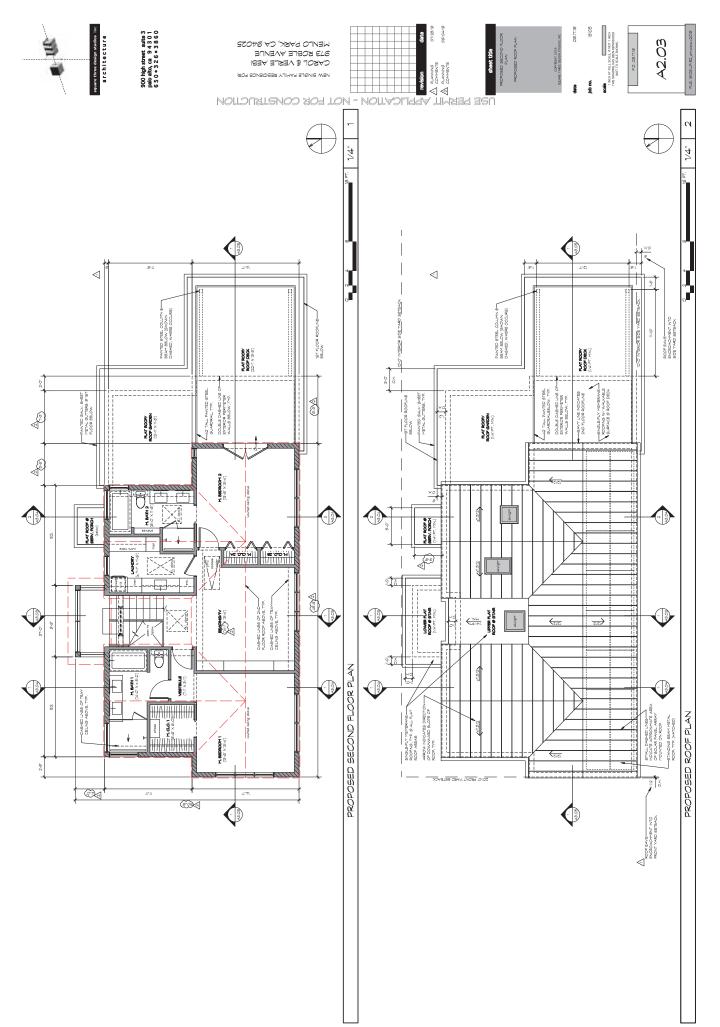
PROPOSED FIRST FLOOR PLAN

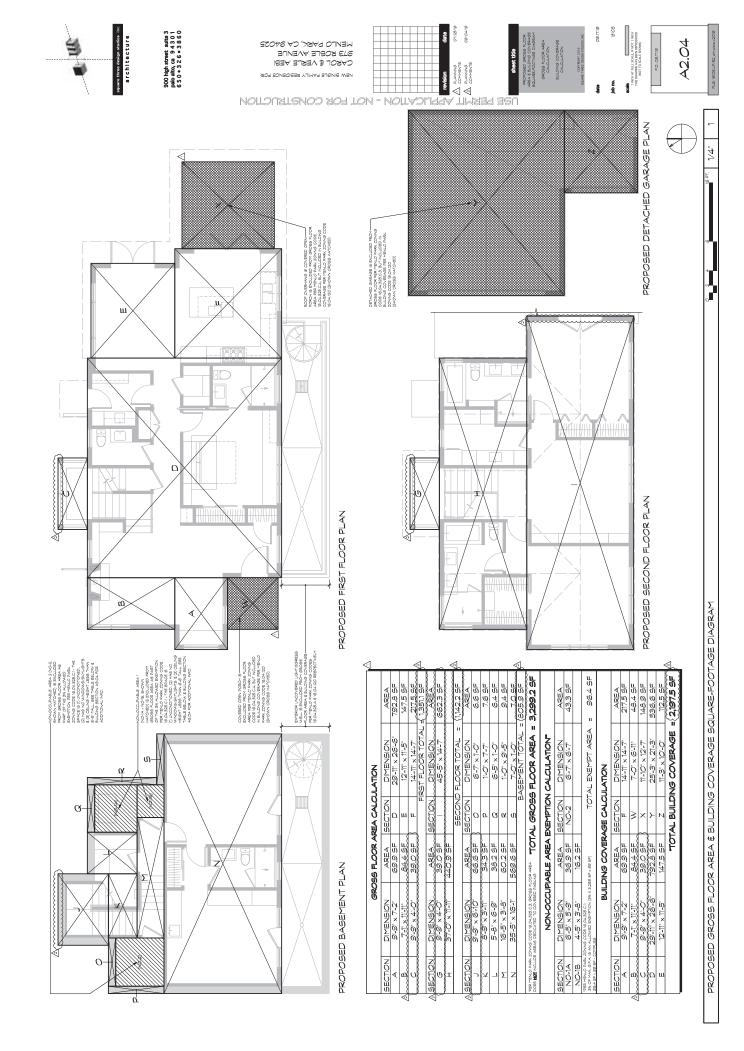


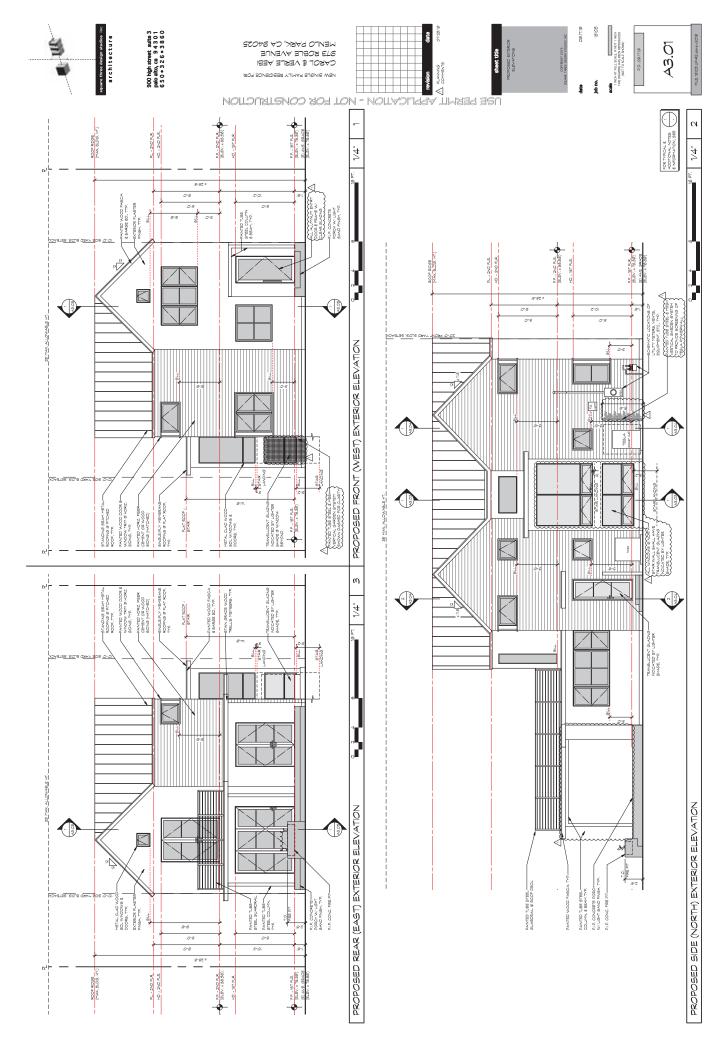


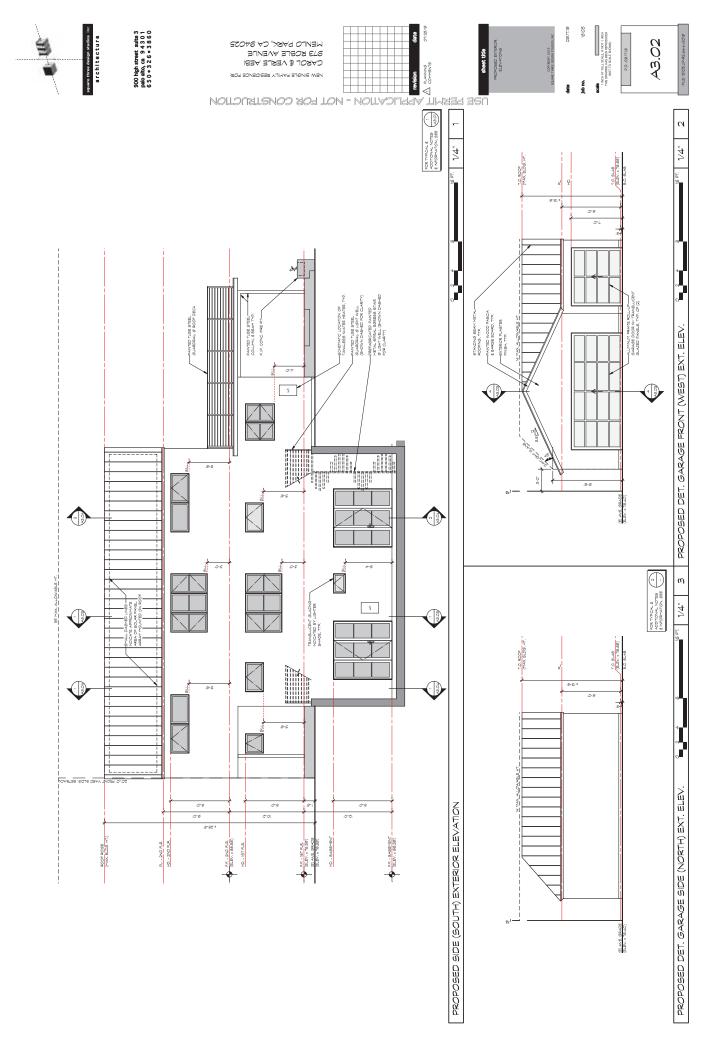


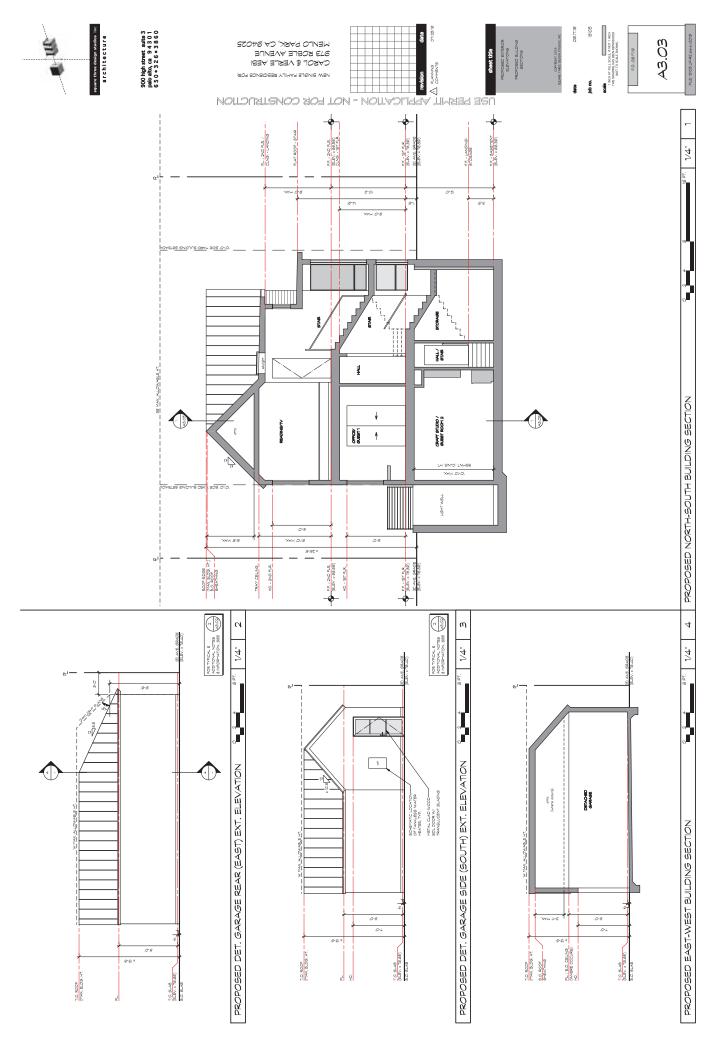
<u>"</u>4/













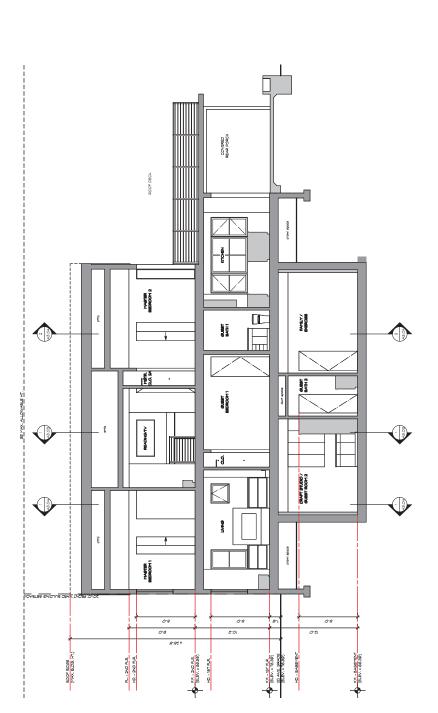


NEW SINGLE FAMILY RESIDENCE FOR



A3.05

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION



PROPOSED EAST-WEST BUILDING SECTION

## ATTACHMENT E



square three design studios inc

RECEIVED

JUN 26 2019 CITY OF MENLO PARK PLANNING DIVISION

June 26, 2018

TO:

City of Menlo Park Planning Department Attn: Chris Turner

RE:

Project Description Letter for the property of: Carol and Verle Aebi 973 Roble Avenue, Menlo Park, CA 94025

A Use Permit is being requested as part of the proposed new two-story single family residence with partial basement and detached garage project for Carol and Verle Aebi at 973 Roble Avenue, Menlo Park CA 94025.

The purpose of the project proposal is to create a new home for the Owners, Carol and Verle, as their retirement home. They would like to live in a more urban area of town (they currently live in the Burgess Park area) where services in the downtown area are within walking distance of home.

The scope of the project includes the removal of the existing small single family onestory home which is the home that Carol grew up in and was owned by her parents. Carol and Verle would like to build a new single family two-story home with a partial basement that can accommodate themselves and their extended family when visiting. There is also a detached garage to hold motorized transportation including two automobiles and two motorcycles/scooters, as well as bicycles.

Carol and Verle would like the new home to have a clearly modern aesthetic while being comprised of generally traditional, simple forms. The exterior finish materials will include smooth plaster and accent wood or fiber cement siding, metal clad wood windows and a standing seam metal roof in generally neutral colors. The structure will be conventionally wood framed and will have the normal complement of steel frames and seismic components. We are researching the feasibility of "panelizing" the rough framing of the structure off site.

The site layout for the proposed structure is largely driven by the dimensions of the site, orientation, building to building separation requirements and general R-3 zoning ordinances. Due to the narrowness of the property and the Owners request for a 2-car/2-motorcycle garage, it makes sense for this structure to be detached and located at the rear of the property. Because of the building to building separation requirements, the driveway is located along the north side property line since the rear two-story building on the adjacent lot at 969 Roble is about ±4.5' from the side property line. There are not any building to building separation constraints with the property to the south at 975 Roble since the driveway serving the property is along that side property line. The front of the proposed new home is located at the 20' front setback line. This allows for adequate vehicular access and backup space to the garage and provides for some useable garden area where Carol and Verle would like to grow vegetables.

Carol and Verle sent letters to and emailed all of the property owners of the neighboring properties (950 Roble, 958 Roble, 960 Roble, 969 Roble, 975 Roble, 958 Florence, 966 Florence, 974 Florence) at least two weeks in advance of a scheduled neighborhood outreach meeting which was held on Thursday, June 6th from 4pm-6pm in the front yard of 973 Roble. Carol, Verle and representatives from square three were in attendance along with the project drawings prepared to present the proposed project and respond to any comments and questions. Unfortunately, no one showed up to the neighborhood outreach meeting.

Regards,

Nikki Yee square three design studios

Carl Hesse square three design studios

# Advanced Tree Care

P. O. Box 5326 Redwood City, CA 94063

973 Roble Ave, Menlo Park October 10, 2019

Carol Abei 973 Roble Ave Menlo Park, CA 94025

Site: 973 Roble Ave, Menlo Park

Dear Carol,

At your request I visited the above site for the purpose of inspecting and commenting on the regulated trees around the property. A new residence is planned, prompting the need for this tree protection report.

#### Method:

Menlo Park requests that all trees within the property or within 8 feet of the property lines be included on the report if the trunk diameter at standard height is greater than 6 inches. The location of the trees on this site can be found on the plan provided by you. Each tree is given an identification number. The trees are measured at 54 inches above ground level (DBH or Diameter at Breast Height). A condition rating of 1 to 100 is assigned to each tree representing form and vitality on the following scale:

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

The height and spread of each tree is estimated. A Comments section is provided for any significant observations affecting the condition rating of the tree.

A Summary and Tree Protection Plan are at the end of the end of the survey providing recommendations for maintaining the health and condition of the trees during and after construction.

If you have any questions, please don't hesitate to call. Sincerely

Robert Weatherill

Certified Arborist WE 1936A

RECEIVED

OCT 14 2019

CITY OF MENLO PARK PLANNING DIVISION P. O. Box 5326 Redwood City, CA 94063

## **Tree Survey**

Tree#	Species	DBH	Ht/Sp	Con Rating	Comments
1	Indian bean Catalpa bignoides	31.5"	18/12	40	Poor health and condition. Pollarded, cavities, decay. Regulated
2	California pepper Schinus molle	37.0"	25/30	0	Dead Regulated
3	Plum <i>Prunus cerasifera</i>	16.0"	20/15	50 Fair he	alth and condition, neighbors tree Not Regulated
4	Citrus Citrus spp	9.2"	15/10	40	Poor health and condition Not Regulated
5	Citrus Citrus spp	8.4"	18/20	65	Good health and condition Not Regulated

## **Summary:**

The trees on the site are a variety of natives and non-natives.

Tree # 1 is an Indian bean at the front of the property. It has been pollarded annually for many years resulting in **decay**, **cavities**, sun scorch and over all bad health and condition. **This tree should be removed.** 

Tree # 2 is a California pepper in the back of the property. The tree is dead and should be removed

Tree # 3 is not regulated but on the neighbor's property and should be protected if impacted by the construction.

Tree #s 4 and 5 are not regulated and can be removed if desired.

### P.O. Box 5326 Redwood City, CA 94063

### Tree Protection Plan

1. The only tree to be protected is the neighbor's tree at the back of the property.

The Tree Protection Zone (TPZ) should be defined with protective fencing. This should be cyclone or chain link fencing on 11/2" or 2" posts driven at least 2 feet in to the ground standing at least 6 feet tall. Normally a TPZ is defined by the dripline of the tree. I recommend the TPZ's as follows:-

Tree #3: TPZ should be at 8 feet from the trunk closing on the fence line in accordance with Type I Tree Protection as outlined and illustrated in image 2.15-1 and 2 (6)



IMAGE 2.15-1
Tree Protection Fence at the Dripline



IMAGE 2.15-2 Tree Protection Fence at the Dripline

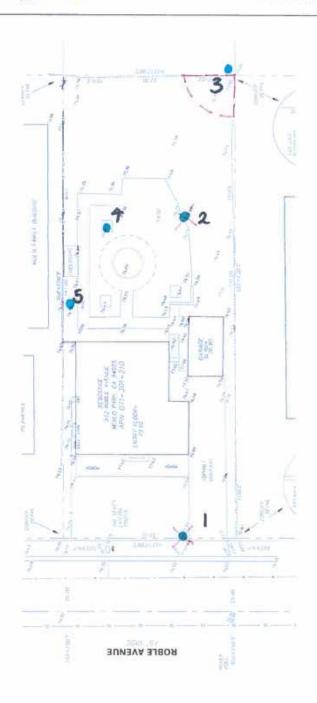
#### · Type I Tree Protection

The fences shall enclose the entire area under the **canopy dripline or TPZ** of the tree(s) to be saved throughout the life of the project, or until final improvement work within the area is required, typically near the end of the project (see *Images 2.15-1 and 2.15-2*). Parking Areas: If the fencing must be located on paving or sidewalk that will not be demolished, the posts may be supported by an appropriate grade level concrete base.

2. Any pruning and maintenance of the tree shall be carried out before construction begins. This should allow for any clearance requirements for both the new structure and any construction machinery. This will eliminate the possibility of damage during construction. The pruning should be carried out by an arborist, not by construction personnel. No limbs greater than 4" in diameter shall be removed.

P.O. Box 5326 Redwood City, CA 94063

- 3. Any excavation in ground where there is a potential to damage roots of 1" or more in diameter should be carefully hand dug. Where possible, roots should be dug around rather than cut. (2)
- 4 If roots are broken, every effort should be made to remove the damaged area and cut it back to its closest lateral root. A clean cut should be made with a saw or pruners. This will prevent any infection from damaged roots spreading throughout the root system and into the tree. (2)
- 5. Do Not: (4)
- a. Allow run off or spillage of damaging materials into the area below any tree canopy.
- b. Store materials, stockpile soil, park or drive vehicles within the TPZ of the tree.
- c. Cut, break, skin or bruise roots, branches or trunk without first obtaining permission from the city arborist.
- d. Allow fires under any adjacent trees.
- e. Discharge exhaust into foliage.
- f. Secure cable, chain or rope to trees or shrubs.
- g. Apply soil sterilants under pavement near existing trees.
- 6. Where roots are exposed, they should be kept covered with the native soil or four layers of wetted, untreated burlap. Roots will dry out and die if left exposed to the air for too long. (4)
- 7. Route pipes into alternate locations to avoid conflict with roots. (4)
- 8. Where it is not possible to reroute pipes or trenches, the contractor is to bore beneath the dripline of the tree. The boring shall take place no less than 3 feet below the surface of the soil in order to avoid encountering "feeder" roots. (4)
- 9. Compaction of the soil within the dripline shall be kept to a minimum. (2)
- 10. Any damage due to construction activities shall be reported to the project arborist or city arborist within 6 hours so that remedial action can be taken.
- 11. Ensure upon completion of the project that the original ground level is restored



Location of protected trees and their Tree Protection Zones

## Advanced Tree Care

P. O. Box 5326 Redwood City, CA 94063

973 Roble Ave, Menlo Park October 10, 2019

#### Glossary

**Canopy** The part of the crown composed of leaves and small twigs. (2)

Cavities An open wound, characterized by the presence of extensive decay and

resulting in a hollow.(1)

**Decay** Process of degradation of woody tissues by fungi and bacteria through the

decomposition of cellulose and lignin<sup>(1)</sup>

**Dripline** The width of the crown as measured by the lateral extent of the foliage. (1)

**Genus** A classification of plants showing similar characteristics.

**Root crown** The point at which the trunk flares out at the base of the tree to become the root

system.

**Species** A Classification that identifies a particular plant.

**Standard** Height at which the girth of the tree is measured. Typically 4 1/2 feet above

height ground level

#### References

- (1) Matheny, N.P., and Clark, J.P. <u>Evaluation of Hazard Trees in Urban Areas</u>. International Society of Arboriculture, 1994.
- (2) Harris, R.W., Matheny, N.P. and Clark, J.R.. <u>Arboriculture: Integrated Management of Landscape Trees, Shrubs and Vines.</u> Prentice Hall, 1999.
- (3) Carlson, Russell E. <u>Paulownia on The Green: An Assessment of Tree Health and Structural Condition.</u> Tree Tech Consulting, 1998.
- (4) Extracted from a copy of Tree Protection guidelines. Anon
- (5) T. D. Sydnor, Arboricultural Glossary. School of Natural Resources, 2000
- (6) D Dockter, Tree Technical Manual. City of Palo Alto, June, 2001

P. O. Box 5326 Redwood City, CA 94063

## Certification of Performance(3)

## I, Robert Weatherill certify:

- \* That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and appraisal is stated in the attached report and the Terms and Conditions;
- \* That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;
- \* That the analysis, opinions and conclusions stated herein are my own, and are based on current scientific procedures and facts;
- \* That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events;
- That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;
- \* That no one provided significant professional assistance to the consultant, except as indicated within the report.

I further certify that I am a member of the International Society of Arboriculture and a Certified Arborist. I have been involved in the practice of arboriculture and the care and study of trees for over 20 years.

Signed

Robert Weatherill

Certified Arborist WE 1936a

Date: 10/10/19

# Advanced Tree Care

P.O. Box 5326 Redwood City, CA 94063

973 Roble Ave, Menlo Park October 10, 2019

Terms and Conditions(3)

The following terms and conditions apply to all oral and written reports and correspondence pertaining to consultations, inspections and activities of Advanced Tree Care :

- 1. All property lines and ownership of property, trees, and landscape plants and fixtures are assumed to be accurate and reliable as presented and described to the consultant, either verbally or in writing. The consultant assumes no responsibility for verification of ownership or locations of property lines, or for results of any actions or recommendations based on inaccurate information.
- 2. It is assumed that any property referred to in any report or in conjunction with any services performed by Advanced Tree Care, is not in violation of any applicable codes, ordinances, statutes, or other governmental regulations, and that any titles and ownership to any property are assumed to be good and marketable. Any existing liens and encumbrances have been disregarded.
- 3. All reports and other correspondence are confidential, and are the property of Advanced Tree Care and it's named clients and their assignees or agents. Possession of this report or a copy thereof does not imply any right of publication or use for any purpose, without the express permission of the consultant and the client to whom the report was issued. Loss, removal or alteration of any part of a report invalidates the entire appraisal/evaluation.
- 4. The scope of any report or other correspondence is limited to the trees and conditions specifically mentioned in those reports and correspondence. Advanced Tree Care and the consultant assume no liability for the failure of trees or parts of trees, either inspected or otherwise. The consultant assumes no responsibility to report on the condition of any tree or landscape feature not specifically requested by the named client.
- 5. All inspections are limited to visual examination of accessible parts, without dissection, excavation, probing, boring or other invasive procedures, unless otherwise noted in the report. No warrantee or guarantee is made, expressed or implied, that problems or deficiencies of the plants or the property will not occur in the future, from any cause. The consultant shall not be responsible for damages caused by any tree defects, and assumes no responsibility for the correction of defects or tree related problems.
- 6. The consultant shall not be required to provide further documentation, give testimony, be deposed, or attend court by reason of this appraisal/report unless subsequent contractual arrangements are made, including payment of additional fees for such services as described by the consultant or in the fee schedules or contract.
- 7. Advanced Tree Care has no warrantee, either expressed or implied, as to the suitability of the information contained in the reports for any purpose. It remains the responsibility of the client to determine applicability to his/her particular case.
- 8. Any report and the values, observations, and recommendations expressed therein represent the professional opinion of the consultants, and the fee for services is in no manner contingent upon the reporting of a specified value nor upon any particular finding to be reported.
- 9. Any photographs, diagrams, graphs, sketches, or other graphic material included in any report, being intended solely as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys, unless otherwise noted in the report. Any reproductions of graphs material or the work product of any other persons is intended solely for the purpose of clarification and ease of reference. Inclusion of said information does not constitute a representation by Advanced Tree Care or the consultant as to the sufficiency or accuracy of that information.