# **Planning Commission**



# **REGULAR MEETING AGENDA**

Date: 1/8/2024 Time: 7:00 p.m. Location: Zoom.us/join – ID# 858 7073 1001 and City Council Chambers 751 Laurel St., Menlo Park, CA 94025

Members of the public can listen to the meeting and participate using the following methods.

How to participate in the meeting

- Access the live meeting, in-person, at the City Council Chambers
- Access the meeting real-time online at: zoom.us/join – Meeting ID# 858 7073 1001
- Access the meeting real-time via telephone (listen only mode) at: (669) 900-6833
   Regular Meeting ID # 858 7073 1001
   Press \*9 to raise hand to speak
- Submit a written comment online up to 1-hour before the meeting start time: planning.commission@menlopark.gov\*
   Please include the agenda item number related to your comment.

\*Written comments are accepted up to 1 hour before the meeting start time. Written messages are provided to the Planning Commission at the appropriate time in their meeting.

Subject to change: The format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the city website menlopark.gov. The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information (menlopark.gov/agendas).

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# **Regular Meeting**

- A. Call To Order
- B. Roll Call

#### C. Reports and Announcements

#### D. Public Comment

Under "Public Comment," the public may address the Commission on any subject not listed on the agenda. Each speaker may address the Commission once under public comment for a limit of three minutes. You are not required to provide your name or City of residence, but it is helpful. 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 23, 2023, Planning Commission meeting. (Attachment)
- E2. Approval of minutes from the November 6, 2023, Planning Commission meeting. (Attachment)

## F. Public Hearing

F1. Use Permit/Cliff Brunk/154 Laurel Avenue:

Consider and adopt a resolution to approve a use permit to demolish an existing single-story, single-family residence and construct a new two-story, single-family residence with a detached garage on a substandard lot with regard to minimum lot width in the R-1-U (Single-Family Urban Residential) zoning district; Determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures. (Staff Report #24-001-PC)

F2. Use Permit/Kevin Wang/495 Gilbert Avenue:

Consider and adopt a resolution to approve a use permit to determine the Floor Area Limit (FAL) on a lot less than 5,000 square feet in area, and to remodel and construct first- and second-story additions to an existing nonconforming one-story, single-family residence on a substandard lot with regard to minimum lot width, depth, and area in the R-1-U (Single Family Urban Residential) zoning district. The proposal would exceed 50 percent of the replacement value in a 12-month period for a nonconforming structure and requires use permit approval. The proposal would also exceed 50 percent of the existing floor area and is considered equivalent to a new structure; Determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilitites. (Staff Report #24-002-PC)

F3. Use Permit/Neil and Hester Seth/765 Stanford Avenue:

Consider and adopt a resolution to 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 on a substandard lot with regard to minimum lot area and lot width in the R-1-U (Single Family Urban Residential) zoning district. The proposal includes a request for excavation within the required side

and rear setback areas for retaining walls. The proposal also includes a request for fences and walls exceeding height limits. The proposal includes an attached accessory dwelling unit (ADU), which is a permitted use and not subject to discretionary review; Determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures. (Staff Report #24-003-PC)

- F4. General Plan Amendment/City of Menlo Park/Housing Element Update Project: Consider and make a recommendation to the City Council to amend the the 2023-2031 6th Cycle Housing Element ("Housing Element"), adopted January 31, 2023. Since the adoption date, the Housing Element was revised to address comments from the California Department of Housing and Community Development ("HCD") including changes in the following topic areas: racial/ethnic areas of concentration of affluence ("RCAAs"), disproportionate housing needs including displacement, contributing factors to fair housing issues, progress in meeting the regional housing needs allocation ("RHNA"), development of small and large sites, suitability of nonvacant sites, city-owned sites, federally-owned and school sites, environmental constraints, the electronic sites inventory, zoning for a variety of housing types (emergency shelters), land use controls, density bonuses, fees and exactions, local processing and permit procedures, constraints on housing for persons with disabilities, shortfall of adequate sites, actions, programs, metrics, milestones, and specific guantified objectives. The Housing Element was most recently submitted for HCD review on November 3, 2023, following a seven-day public review period, and HCD indicated that the revisions are in substantial compliance with state law pending adoption of the revised Housing Element by City Council and certification by HCD; Determine this action is covered by the subsequent environmental impact report (SEIR) prepared for the Housing Element Update project (State Clearinghouse Number 1990030530) and none of the circumstances requiring a supplemental EIR or subsequent EIR exist (CEQA Guidelines Section 15162). (Staff Report #24-004-PC)
- F5. General Plan Land Use Map Amendment and Rezonings/City of Menlo Park/Housing Element Update Project:

The City of Menlo Park is proposing to amend the General Plan Land Use Map and zoning map to create consistent zoning for the parcel at 512 Durham Street and a portion of the parcel at 687 Bay Road and consistency with recently-adopted amendments to implement zoning-related programs in the adopted 2023-2031 6<sup>th</sup> Cycle Housing Element General Plan. The proposed changes are intended to assist in providing capacity to meet the City's Regional Housing Needs Allocation ("RHNA") of 2,946 dwelling units, and are generally summarized below.

# General Plan land use map

Amendment to change the land use designation for Assessor's Parcel Number ("APN") 062-205-170 (512 Durham Avenue) from Residential Low Density to Retail/Commercial. The parcel is currently utilized for circulation and parking as part of a nonresidential development at 812 Willow Road, zoned C-MU (Neighborhood Mixed Use).

# Zoning map

 Amendment to rezone APN 062-205-170 from R-1-U (Single Family Urban Residential) to C-MU (Neighborhood Mixed Use) to locate the development at 812 Willow Road within a single zoning district allowing mixed uses; and • Amendment to rezone a portion of the split-zoned parcel at 687 Bay Road from R-1-U to C-MU so that the entire parcel is within the C-MU zoning district, which allows mixed uses.

Determine this action is covered by the subsequent environmental impact report (SEIR) prepared for the Housing Element Update project (State Clearinghouse Number 1990030530) and none of the circumstances requiring a supplemental EIR or subsequent EIR exist (CEQA Guidelines Section 15162). (Staff Report #24-005-PC)

F6. Architectural Control Revision and Use Permit Revision/Nitin Patel/3723 Haven Avenue: Consider and adopt a revision to a previously approved architectural control and use permit to develop a new 163-room hotel at 3723 Haven Avenue, in the O-B (Office - Bonus) zoning district. The proposed revisions would modify the previously approved modifications to the Zoning Ordinance requirements for modulations and stepback design standards. The proposed revisions to the previously approved project also involve elimination of one parking level, which reduces the building from eight to seven floors, an overall height increase of six inches, relocation of a rooftop deck from the fourth to third floor resulting in a height decrease of four feet for the deck, an internal reconfiguration of parking spaces to utilize tandem parking through the use of a valet service, minor building footprint modifications at the southeast building corner, comprehensive landscaping changes, and comprehensive material and color changes. The overall gross floor area would be reduced by 55 square feet; Determine that this action is consistent with the adopted mitigated negative declaration for the previously approved project and none of the circumstances requiring additional environmental analysis exist (CEQA Guidelines Section 15162). (Staff Report #24-006-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: January 22, 2024

#### I. Adjournment

At every regular meeting of the Planning Commission, in addition to the public comment period where the public shall have the right to address the Planning Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during the Planning Commission's consideration of the item.

At every special meeting of the Planning Commission, members of the public have the right to directly address the Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

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

Any writing that is distributed to a majority of the Planning 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 by request by emailing the city clerk at jaherren@menlopark.gov. Persons with disabilities, who require auxiliary aids or services in attending or participating in Planning Commission meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Cal. Gov. Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the city website at menlopark.gov/agendas and can receive email notifications of agenda postings by subscribing at menlopark.gov/subscribe. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 1/3/2024)

# **Planning Commission**



# **REGULAR MEETING DRAFT MINUTES**

Date: 10/23/2023 Time: 7:00 p.m. Location: Zoom.us/join – ID# 862 5880 9056 and City Council Chambers 751 Laurel St., Menlo Park, CA 94025

# A. Call To Order

Vice Chair Linh Dan Do called the meeting to order at 7:00 p.m.

#### B. Roll Call

Present: Linh Dan Do (Vice Chair), Andrew Barnes, Andrew Ehrich, Henry Riggs, Jennifer Schindler

Absent: Katie Ferrick; Cynthia Harris (Chair)

Staff: Deanna Chow, Assistant Community Development Director; Tom Smith, Principal Planner; Chris Turner, Associate Planner; Mary Wagner, City Attorney's Office

### C. Reports and Announcements

Assistant Community Development Director Deanna Chow said the City Council at its October 24, 2023 meeting would consider the electrification item seen previously by the Planning Commission.

Replying to Commissioner Riggs, Mary Wagner, Assistant City Attorney, said a conflict of interest analysis was done for the zoning code amendments and zoning map amendments on the agenda that looked at properties the commissioners might own or rent within 500 or 1,000 feet of sites that were subject to those rezonings. She said commissioners having property within 500 feet were advised to announce that potential conflict of interest and recuse themselves from participation on that particular item related to the O zoning district when it came up due to proximity of the personal residence.

Replying to Commissioner Barnes, Ms. Wagner referred to the public generally exception that if a certain percentage of properties were similar to the property a commissioner owned or rented that were affected in the same manner in which his property would be affected then he was allowed to participate under the conflict of interest rules, and she believed that was the case for Commissioner Barnes. Replying further to him, Ms. Wagner said her understanding was the two items within 500 or 1,000 feet of his personal residence both fell within the public generally exception.

# D. Public Comment

 Adina Levin, Menlo Park resident, commented on recent state legislation SB423 and how it related to the housing element and zoning noting an extension of streamlining development for cities not meeting regional housing needs assessment and that for the City of Menlo Park 100 percent affordable housing developments were to be streamlined as well as development with 10 percent or more affordable housing.

#### E. Consent Calendar

E1. Approval of minutes from October 2, 2023, Planning Commission meeting. (Attachment)

ACTION: Motion and second (Ehrich/Schindler) to approve the minutes from October 2, 2023 Planning Commission meeting, passes 5-0 with Commissioners Ferrick and Harris absent.

#### F. Public Hearing

F1. General Plan Amendments, Zoning Ordinance Amendments, El Camino Real/Downtown Specific Plan Amendments, and Rezoning/City of Menlo Park Housing Element Update Project: The City of Menlo Park is proposing to amend the General Plan Land Use Element, Zoning Ordinance (Title 16 of the Menlo Park Municipal Code ("Municipal Code"), zoning map, and El Camino Real/Downtown Specific Plan in association with the implementation of the 2023-2031 6<sup>th</sup> Cycle Housing Element, adopted by the City Council on January 31, 2023. The proposed changes are intended to provide capacity to meet the City's Regional Housing Needs Allocation (RHNA) of 2,946 dwelling units and are generally summarized below. (Staff Report #23-063-PC)

#### General Plan Land Use Element and map

Amendments for consistency with the proposed Zoning Ordinance amendments described below, including changes in land use designation for applicable Housing Element inventory sites and modifications to existing designations to reflect increased densities and floor area ratios (FAR). Zoning Ordinance and map

- <u>Update the Affordable Housing Overlay (AHO) to further promote affordable housing development</u>. To implement Housing Element Program H4.D, amend Chapter 16.98 (Affordable Housing Overlay ("AHO")) of the Municipal Code to work in combination with state density bonus law to allow up to approximately 100 dwelling units per acre, or more, for 100 percent affordable housing developments, and add the AHO to all 6<sup>th</sup> Cycle inventory sites (except Site #38, 320 Sheridan Drive, the former Flood School site) and all R-3 (Apartment District) zoned properties around downtown; and amend Chapter 16.97 (State Density Bonus Law) of the Municipal Code to resolve any inconsistencies between the City's ordinance and current and future state density bonus law regulations;
- Allow residential development opportunities in existing commercial/retail zoning districts. • To implement Housing Element Program H4.I and allow mixed-use residential development opportunities primarily along Willow Road, Middlefield Road, Sharon Park Drive and Sand Hill Road, amend the Municipal Code to repeal Chapters 16.32 (C-1-A, Administrative and Professional District), 16.37 (C-2-S, Neighborhood Commercial District, Special), 16.39 (C-2-A, Neighborhood Shopping District, Restrictive), and 16.42 (C-4, General Commercial District) and replace Chapter 16.40 (C-2-B, Neighborhood Mixed Use District, Restrictive) with a C-MU (Commercial, Mixed Use) zoning district with a residential density of up to 30 dwelling units per acre and associated development standards; amend the zoning map to rezone C-1-A, C-2-S, C-2-A, C-2-B, C-4, and certain C-2 and P parcels (except for Site #11, 325 Sharon Park Drive) to C-MU; amend Chapters 16.30 (C-1, Administrative and Professional District, Restrictive), 16.32 (C-1-A, Administrative and Professional District), 16.36 (C-1-C, Administrative, Professional and Research District, Restrictive), 16.38 (C-2, Neighborhood Shopping District), and 16.43 (O. Office District) to allow a residential density of up to 30 dwelling units per acre and associated development standards;

- Increase residential densities in the R-3 (Apartment) zoning district around downtown. To implement Housing Element Program H4.J, amend the R-3 zoning district development regulations to allow a residential density up to 30 dwelling units per acre for R-3 zoned properties around downtown and up to 20 dwelling units per acre for other R-3 sites with a lot area of 100,000 square feet or more; increase maximum building coverage in the R-3, R-3-A (Garden Apartment Residential), R-3-C (Apartment-Office District), R-4 (High Density Residential), and R-4-S (High Density Residential, Special) zones to 55 percent and adjust maximum paving and minimum open space (landscaping) percentages accordingly; and reduce parking space per unit requirements;
- <u>Permit ministerial review for certain housing developments on inventory sites that were not</u> <u>developed during the previous Housing Element cycle</u>. To implement Housing Element Program H4.Q, amend the Municipal Code so that parcels in the Housing Element site inventory identified as Reuse Sites allow for ministerial review for housing developments that propose at least 20 percent of units affordable to lower-income households, in accordance with California Government Code §65583.2(i);
- <u>Create a residential overlay to encourage residential development on underused or</u> <u>redeveloping sites</u>.

To implement Housing Element Program H4.T, amend the Municipal Code to create a Residential Overlay for certain housing inventory sites that would allow residential development on properties with non-residential zoning; and

• <u>Allow family daycare homes with up to 14 children as a permitted use in residential zoning districts</u>.

To implement Housing Element Program H2.F, amend Sections 16.04.165 and 16.08.085 of the Municipal Code to allow large family daycare homes as a permitted use in a legal dwelling unit in any residential zoning district.

# El Camino Real/Downtown Specific Plan

To implement Housing Element Program H4.L, amend the Specific Plan to:

- Remove references to a maximum of 680 residential units at full build-out;
- Increase the maximum base level density to at least 30 dwelling units per acre and the maximum bonus level density to up to 100 dwelling units per acre, with corresponding changes to FAR, height, and other development standards for the Specific Plan subdistricts, as applicable;
- Establish a minimum density of 20 dwelling units per acre for all subdistricts, as a requirement upon the addition of residential uses to a site;
- Remove the minimum parking requirements for residential uses on sites within one-half mile of transit as required by AB 2097; and
- Modify the use of the public parking plazas to allow the development of multifamily residential housing.

#### Environmental Review

The City, as the lead agency, pursuant to CEQA and the CEQA Guidelines previously prepared and certified the ConnectMenlo Program Environmental Impact Report ("ConnectMenlo EIR") in November 2016 and certified the Housing Element Update Subsequent EIR (SCH #2015062054) ("SEIR") in January 2023.

Principal Planner Tom Smith introduced Mary Wagner, Assistant City Attorney, Deanna Chow, Assistant Community Development Director, and team members Geoff Bradley and Asher Kohn.

Planner Smith presented the staff report and highlighted the major zoning programs in the adopted Housing Element. He said the Affordable Housing Overlay (AHO) was designed to encourage development of affordable units for lower income households in the ranges of extremely low, very low- and low-income households. He said the AHO would be modified to work in combination with the state density bonus law on a site where currently a developer would need to choose to apply either it or the AHO. He said to apply for an AHO, noting requirements had been updated some since the August study session, a project would need to have five or more units total with 20% or more of the units affordable to the extremely low, very low, and low income households and 25% of the 20% affordable units to lower incomes must be affordable to the extremely low income households.

Planner Smith said if a developer chose to apply only for AHO the maximum density bonus would be 60% for a mixed income development and for an affordable development it would have a maximum of an 80% density bonus. He said if a developer chose to combine AHO and the state density bonus law they could achieve a maximum 65% combined bonus for mixed income development and in the upper threshold for an 100% affordable development that would not be a percentage but actually the 150 dwelling units per acre combined maximum. He said that was something they had received as feedback from the previous planning commission's study session.

Planner Smith referred to the commercial zoning districts and a table showing a C-2-B district called a Neighborhood Mixed Use Restrictive at the moment with a maximum 60% building coverage and floor area ratio (FAR) between 40 and 50% of commercial and then up to an additional FAR of 90% residential depending on the density that was provided with 100% total maximum combined. He said the height allowance was between 30 and 40 feet depending on whether the building was mixed use or commercial only. He said the proposal discussed on August 23 combined a number of the smaller zoning districts primarily along Willow Road and clustered somewhat around Middlefield Road. He referred to the table again noting districts having similarities in common, and where the proposal was to merge those together. He said C-2-B would become a new C-MU Neighborhood Mixed Use district.

Planner Smith said feedback received previously from the Planning Commission and City Council was for nonresidential uses to be a requirement component of development to encourage community serving retail and personal services. He said on Housing Element inventory sites where it was needed to meet the lower income needs assessed that the state would essentially preempt that ability there to allow a 100% residential development. He noted that some design standards and green and sustainable building provisions would be included now in that district. He said they would leave C-1-C and C-2 as zoning districts as they were but give them the potential for residential uses. He said the Neighborhood Shopping District (C-2) was essentially the Sharon Heights Shopping

Center parcel and noted public comment and commission discussion that the maximum 30 foot height there was too low and prohibitive for a mix of uses. He said staff was proposing the height be increased to 60 feet. He said for the other parcels in C-1 and C-1-C that staff proposed increasing the density from 30 to 60 dwelling units per acres and to double the maximum allowable height. He said these would also have design standards and green and sustainable building provisions. He said another piece of the strategy for adding residential uses on commercial sites would be for properties currently having Office (O) zoning. He said a section was being added to that zoning district to allow housing on parcels bounded by Marsh Road, the Dumbarton spur railway line, and Bohannon and Scott Drives. He said the maximum residential density was proposed as 30 dwelling units per acre and a corresponding FAR of 90% with a 40-foot maximum height. He said design standards and green and sustainable building provisions already applied to that zoning district as it was part of the Bayfront zoning districts implemented in 2016.

Planner Smith said the 10,000 square lot size requirements would be removed for R-3 parcels around the downtown to allow up to 30 dwelling units per acres on those lots. He said lot coverage would be increased to 55% noting that was a request they had received from HCD to see more than 50% building coverages on sites zoned R-3 and R-4. He said maximum paving would be 20% with a 25% landscaping requirement. He said parking minimums would be removed for parcels located within .5 miles of a major transit stop. He said part of the 25% landscaping requirement for these lots would be a minimum 12.5% requirement for private or shared open space. He said a maximum density of 20 dwelling units per acre was proposed for the two lots over 100,000 square feet. He reiterated that HCD in their review of the Housing Element update were interested in seeing greater than 50% lot coverage for the R-3 and R-4 lots throughout the community. He said they were proposing for the R-3-A, R-3-C, R-4-S, and R-4-S(AHO) parcels to increase the lot coverage to 55%.

Planner Smith said regarding the previous proposal to increase residential densities in eight of the subdistricts in the Specific Plan area that based on City Council feedback they were proposing to increase the residential densities for all 10 of the subdistricts. He said generally the greatest density increases would be concentrated around the Station area (Caltrain Station) and downtown. He said they proposed increasing the maximum bonus level densities to 100 dwelling units per acre. He said currently the Specific Plan area had a 680 residential unit cap and that would be removed. He said there would be a minimum density of 20 dwelling units per acre established and the minimum parking requirements removed. He said parcels within .5 miles of major transit would have no minimum parking requirements. He said within that radius state law AB 1763 allowed projects that were 100% affordable to have unlimited density and a height increase up to three stories or 33 feet.

Planner Smith said five Housing Element inventory sites from previous Housing Elements that had not redeveloped with housing in the previous planning periods were named reuse sites. He said those would have ministerial processing and no discretionary review or hearings by the Planning Commission or City Council if the proposed residential development had at least 20% of the units affordable to lower income households.

Planner Smith referred to the Residential Overlay and said zoning changes were discussed that would allow residential densities of at least three dwelling units per acre or more to occur on nearly all of the sites included in the Housing Element inventory. He said there were five sites that were subject to some unique circumstances and typically had a conditional development permit (CDP) that would not allow additional residential uses on the sites and noted for instance, the USGS site, that was zoned P-F (Public Facilities) and did not allow residential uses. He said they were not proposing to add residential uses to a P-F zoned site.

Planner Smith said the last proposed zoning ordinance change was to allow large child daycare homes (12 to 14 children) in residential areas by right in a legal dwelling unit consistent with state law.

Planner Smith said staff would receive feedback tonight to finalize the amendments as discussed to bring back to the Planning Commission on November 6 to make recommendations on those changes to the City Council. He said tentatively the City Council was scheduled to review and take action on these changes in late November 2023.

Commissioner Schindler asked about the proposed implementation of the zoning ordinance changes by January 31, 2024.

Ms. Wagner said the regulations indicated the zoning had to be adopted within one year of the statutory deadline to adopt the Housing Element and that was January 31, 2024. She said in the best case scenario the ordinance would have been introduced, adopted and 30 days would have passed by that date. She said that being introduced and adopted would meet the statutory requirement too as she was not aware of any interpretations being made on that language yet, so "adopted" she thought was the operative word.

Commissioner Riggs referred to the proposed modifications to the Specific Plan noting a portion of the Plan that sought to constrain the height of new construction adjacent to single-family lots. He asked with the ordinance revision changes to density whether the step down in height adjacent to single-family lots would be maintained.

Planner Smith referred to the building façade height shown in Attachment L with a column showing overall building height, then residential or mixed use building façade heights. Noting the southeast subdistrict, he said there could be a building of 60 to 64 feet in height for mixed use, residential, and then the maximum height of the façade of the building would step down by 20 feet, so they were looking at 40 feet there for the maximum height.

Commissioner Riggs said the façade setback he believed was only around 10 feet and that could mean a 40-foot-tall façade that faced a roof deck that served the building level above. Planner Smith said they would check into that.

Commissioner Riggs asked whether a single-family residence 16 to 17 feet in height with a sloped roof could have a 40-foot-tall façade adjacent to it with a setback of 10 feet. Planner Smith said there was a setback chart depending on the different subdistricts. He said around downtown there were no setbacks but moving further out to other subdistricts there might be a 10-foot minimum or 20-foot maximum setback. Commissioner Riggs said Roble probably did not have single-family homes adjacent to the Specific Plan area, but before getting to Cambridge Avenue, the area was largely single-family homes, and asked if setbacks there would be somewhere between zero and 10 feet next to a 40-foot façade potentially. Planner Smith said in that area the setback would be seven to 12 feet.

Commissioner Riggs said with mixed use possible on what were currently zoned commercial lots that neighborhood serving retail would be required and asked if that was on a project by project basis. Planner Smith said it would be a requirement of a site unless it was included in the city's Housing Element site inventory to accommodate lower income households.

Commissioner Barnes asked about the two different Planning Commission meetings on this item. Planner Smith said the purpose of tonight's meeting was for final feedback based on the updates made since the August study session. He said at the November 6<sup>th</sup> meeting, staff would return with the actual ordinances finalized based on feedback received with the request that the Planning Commission vote on a recommendation to City Council on those.

Commissioner Ehrich said for the record that he was advised he lived within 500 to 1,000 feet of one of the sites that would be in the new commercial or C-MU district but as his occupancy there was on a month-to month lease he was not required, nor was it recommended, to recuse himself. He said for the record also that the August study session was on the 14<sup>th</sup> he believed and confirmed with staff that the city received feedback from HCD on its most recent Housing Element submission on August 29<sup>th</sup> or thereabouts and after the planning commission's August study session. He referred to the increased FAR or land coverage for R-3 and R-4 zoning sites that were now 55% and said he thought he heard staff say on those sites there was an additional 20 to 25% that had to be something else for open space or nondevelopment. He said he calculated that meant both the minimum and maximum building coverage on those sites would be 55% which left 45%.

Planner Smith said he thought the maximum building coverage would be 55% and from there if you chose to have coverage of 35% instead then you would have additional area that could be utilized towards landscaping, open space requirements, or circulation on the site, if necessary.

Vice Chair Do opened the public hearing.

#### Public Comment:

- Jean Baronas referred to the commercially zoned properties that would become mixed use zone properties on Sharon Park Drive. She said a 30-foot height was first proposed there for the rezoning but that did not provide enough density and was now proposed at 60 feet. She asked about the requirements to maintain the existing Safeway store as residents were concerned about losing access to grocery service.
- Patti Fry said as a central Menlo Park resident that she and everyone in District 4 especially • regarded their community serving uses to be on El Camino Real and Santa Cruz Avenue. She noted the Big 5 and Safeway shopping centers and said nothing in the proposed ordinance changes would preserve the retail restaurants and neighborhood serving uses along those streets. She said further 700 El Camino Real was viewed as potentially able to be ministerially approved if only 20% low income residential development was proposed. She said she did not see a way to manage the increased FAR becoming offices. She noted that both the Middle Plaza and Springline projects had about 25 and 29 dwelling units per acre density even though both could have almost doubled that at the respective base and bonus levels. She said they did not need more office space in Menlo Park and certainly did not need it on ministerially approved land. She asked if there was a way to regulate that while also preserving neighborhood serving uses. She said she thought they could allow for 100% housing and if not 100% housing to require preservation of retail restaurants. She said there must be some way to do what they could to have a high quality of life and asked what the result would be if all of the parking lots and shopping centers became housing.
- Chris Mckleroy said he lived in a downtown housing unit and his major concern was that traffic

had never been mentioned during this whole development idea. He said normally in developments traffic and its impact on the region were reviewed. He said a good standard of living was very important and keeping traffic densities as low as possible was part of that. He said they had fairly high traffic density now and with housing doubled that would impact traffic leading to road rage incidents. He said traffic had to be addressed and by a civil engineering group and be part of the proposal.

- Karen Grove referred to a letter from Menlo Together and the Housing Leadership Council that was submitted to the City Council when it reviewed the Housing Element Update. She said observed in their letter was that the city was using the AHO to count the number of units likely to develop and applying the AHO to privately owned parcels. She said with the price of land in Menlo Park affordable housing developers had told them that they were never going to compete for privately owned land so applying the AHO to privately owned land was unrealistic. She said they also noted some privately owned sites that were unlikely to develop as predicted in the Housing Element. She said that put increased pressure on sites where development was expected and mostly those were in the Downtown Specific Plan in the area they were studying now. She said their recommendation was to increase the base density in the entirety of the Downtown Specific Plan area to 100 dwelling units per acres and the base density for all other opportunity sites in the city to 90 units per acre, and under the AHO allow 150 development units per acres density before the state density bonus and not in combination with it. She said it was important for the city to make its goals or because of new state laws they might lose the ability to review projects and lose their ability to make changes to proposed development based on how they wanted the city to develop.
- Adina Levin, Menlo Park resident, referred to the letter mentioned by the previous speaker that
  was sent by the Housing Leadership Council and Menlo Together that she thought was recently
  resent. She said addressing the city's Housing Element and zoning, new neighbors, particularly
  people across the income spectrum, were welcome in Menlo Park so that people were enabled
  to live where they worked without driving long distances, for generations to live in Menlo Park to
  have a multigenerational community, and people of varying abilities. She said the goal was not
  just addressing a state law but to have a welcoming city where fewer people had to have long,
  stressful and polluting commutes.
- Jenny Michel, Menlo Park resident, said most of the proposed changes mirrored state statues and asked if those changes would foster more affordable housing and types of housing products to be built by 2031. She said she did not think they went far enough to stimulate production that the city was certifying it could produce. She said a backup plan was needed to be able to rezone where needed to address the shortfall quickly. She said the time between rezoning to building was about a decade and suggested moving to eliminate the 20,000 square foot lot size requirement or allowing ground use retail for all structures as well as to calendar study sessions, perform additional environmental review to expand zoning changes to RE zone districts that were .5 miles off major roads and not already proposed. She said the city's optics were that the poor, disabled, old and working class were not welcome to live in Menlo Park.
- Speaker (no name given) said he was not happy with increased density and allowing housing with no parking. He said that looking at BART, buses and the train that all were practically empty, and most people were using cars. He said that an environmental impact report was needed to study the impacts of high density such as more garbage trucks in the morning and more services needed.

 David Pollack, Menlo Park, said he appreciated the development in downtown Menlo Park especially Skyline and its development of luxury apartments and its accompanying amenities. He said moving from San Carlos that had very lax street parking restrictions to Menlo Park was refreshing because of its on street parking regulations. He said if new residents moved in and wanted to park on the street, they would need to pay for it and that was great. He said he appreciated being in town so that he could walk to shopping and take the train to work.

Vice Chair Do closed the public hearing.

Commissioner Riggs referred to changing public space zoning to allow for housing, which had been studied twice before about two years ago and then earlier about 12 years ago. He said one of the challenges for a project in an existing parking lot was the ownership. He asked what right the city would have to rezone parking that whether in title or not in essence belonged to the retailers.

Ms. Chow said those were not being rezoned. She said they were modifying the Specific Plan to allow for uses other than parking.

Ms. Wagner said one of the Housing Element programs required an analysis of the feasibility of developing the downtown parking lots and one issue was the assessment district financing that was utilized to construct some of those parking improvements.

Commissioner Riggs asked whether parks were identified to serve expected future residents of he believed 30,000 new residences.

Planner Smith said all existing city parks would remain. He said open space requirements were built in as part of developments through common open spaces and private open spaces.

Commissioner Riggs said Menlo Park had been laid out to allow for backyards and parks as the two served different purposes. He questioned where open space would be on the R-3 lots in the downtown area with the proposed zoning amendment.

Planner Smith said that they were not expecting an influx of residents all at once but over the planning period, which would allow time to consider acquisition or ways to improve or provide more park space as development came online.

Commissioner Riggs expressed concern that land valuation would make acquisition for parks challenging and suggested that needed to be considered.

Vice Chair Do noted staff's suggestion to have comment on seven topics starting with the AHO.

Commissioner Barnes referred to Commissioner Riggs' question and said for the record that he voted against the SEIR as he thought it under indexed for recreational space within the context of the additional housing units. He said the SEIR called out a per capita versus acreage available metric. He said Bayfront Park was larger than the aggregated amount of park space otherwise in the city. He said that space was not in the center of Menlo Park, where development was being contemplated through zoning amendments. He said that the SEIR was inaccurate, and that lack of recreational space was an impact.

Commissioner Schindler expressed her support for the discussion about open space and park space. She said after the zoning exercise she hoped they would look at the developments in the pipeline and what would be added to that and over the next few years look at ensuring open space, community spaces and community amenities. She moved on to the topic of the modifications of the AHO. She said they had talked about the opportunity for developers to proceed in three ways and that in pursuing bonus density they could use the AHO, or just the state's bonus densities or combine those. She said there were a number of scenarios where a developer might choose none of those and would just pursue state bonus densities. She said for properties .5-mile from public transit that had unlimited density under state density bonus law. She referred to the threshold for combining the AHO with state density bonus and that 25% of the total units in development had to be designated affordable. She said the HCD asked the city to remove any potential conflict between the city's AHO and the state's density bonus. She said her concern was that the 25% threshold might be viewed by HCD as being in conflict or constraining the use of the state density bonus.

Ms. Chow said staff's understanding was that the potential conflict, and which was resolved in the proposed ordinance, was the ability to add the two together. She said the three options were to take advantage of them together. She said the proposed AHO was above and beyond those.

Commissioner Schindler referred to some instances in the staff report where the definition of affordable housing was not consistent all the way through. She suggested that probably would be resolved by definition in the ordinance whether it was before or after the bonuses happen. She said regarding the incentives she appreciated the flexibility being indicated so that when there was greater density there was flexibility as to FAR, height, open space and other development parameters but questioned if those would be hard to explain and enforce. She requested those things be documented in the ordinances so it was clear how a developer would engage with staff or whatever process was appropriate to make those things happen. She referred to one that was coverage and setbacks that were in the amount necessary to physically accommodate the increased density and noted that sounded very subjective.

Commissioner Ehrich said HCD was asking for some sort of proof that developers would apply for the AHO. He said he supported the increase when combining to 150 dwelling units per acre, but he asked if the city had any increased evidence that would address HCD's concern as to whether the incentives were enough for private developers to do that. He said his overall fear was they would not end up with a compliant housing element.

Ms. Chow said in staff's conversations with HCD their understanding was that HCD wanted evidence on how the city would use the AHO with the density bonus to arrive at the 55 dwelling units per acre, which was used in their site capacity. She said they were able to demonstrate she thought that the zoning itself would often have the 55 dwelling units per acre particularly in the Specific Plan where densities were upwards to the 100 dwelling units per acre. She said even without the AHO they could achieve 55 dwelling units per acre.

Commissioner Schindler referred to the density bonus table, which she believed was a new addition from the last time, as it allowed for nuances in the bonus associated with different income levels, and specifically differentiated between very low and low income. She said that was a piece of feedback the Commission had given in the past to provide additional incentives to developers providing units at a very low income. She asked whether the table said for example that if there were 10% of units that were affordable that they were very low income with a density bonus of 32.5% but if the 10% were low income the density bonus was 20%. Planner Smith said that was correct.

Vice Chair Do said she appreciated staff's responding to commission, city council and public feedback and not ratcheting up density necessarily across the board but creating a sliding scale such that 100% affordable projects could achieve 150 dwelling units per acre. She said hearing commenters ask for even more density than was proposed, and also knowing other community members, commissioners, and even city council members who maybe had a little more reservation about that she appreciated staff balancing it.

Vice Chair Do said the next topic was New Residential Opportunities in Nonresidential Districts. She noted that included Office zoning from which Commissioner Riggs would have to recuse and suggested discussing all the zoning districts but the office ones.

Planner Smith suggested first discussing the combination of certain zoning districts into the C-MU Neighborhood Mixed Use District, next the commercial districts where residential uses were being added and that was C-1, C-1-C, and C-2, and lastly to discuss O, Office district separately.

Commissioner Ehrich indicated that he was enthusiastic about the changes that had the potential to create vibrant areas within the city and its simplification of the zoning code.

Commissioner Schindler indicated her enthusiasm for the proposed changes noting community concerns regarding empty office space in the region and the question of affordable housing. She said the proposed changes were moving in a positive direction to address those concerns. She referred to the proposed C-MU zoning districts and what the land uses there would be. She asked for those commercial zones being merged into C-MU whether any of those would lose permitted uses, or even conditional or sort of administratively permitted uses and if that was for current uses or pipeline uses.

Planner Smith said a conscious effort was made to not remove any permitted uses and they had accommodated all the existing permitted uses. He said the only conditional use removed was the option of mini warehouse. He said child daycare centers were added as a permitted use. He said fast food was another permitted use new to the ordinance and that was defined already in the code as a fast, casual restaurant. He said there were a number of such establishments in the community already. He said regarding the letter from Willow Village received today that they already have a vesting tentative map and a development agreement. He said the permitted uses in the C-2-S, the existing district, would be honored with the entitlements in place so no issues were foreseen there. He said they would also build a nonconformity exemption for properties into the zoning code.

Commissioner Schindler asked if that meant existing sites could become nonconforming under the new zoning. Planner Smith said if a parcel had a use permit or conditional development permit in place there would be an exemption to essentially honor those entitlements as they existed now. He said he did not think that any nonconformity would be created for any of the sites identified.

Commissioner Schindler referred to sites in the new C-MU not in the Housing Element that would have a requirement for 20% nonresidential use to retain neighborhood serving commercial and retail. She said it felt a little too restrictive. She said in other places granting larger FAR as an incentive to have or keep those services was spoken about but not requiring that. She said she thought it would possibly be a barrier to potentially a housing only solution. Planner Smith said there was not a certain percentage of nonresidential uses that would be required and there was some flexibility but to her point it was set up as sort of a requirement.

Commissioner Schindler referred to the design standards for the new C-MU that were listed as examples and asked if the intent was for those to be used. Planner Smith said that those would be attached to the end of each of the zoning districts. Commissioner Schindler said those seemed to draw heavily from the RMU and R-4S design standards and asked about the guiding principles for the C-MU design standards and why it was appropriate to draw from those other zoning districts.

Planner Smith said many were taken from the residential mixed-use zoning district in the Bayfront area and then the R-4S zoning district. He said they were looking at the objectivity of the standards they used to have some sort of numeric standard or something definitive that might be implemented, so a developer would have some confidence that if they applied a certain ratio measurement, modulation or whatever to a project that gave more clarity about meeting what the expectations were. He said they applied those based on staff's experience of implementing them in the zoning districts where they exist and have had for some time.

Vice Chair Do said they had heard from many community members a concern to have neighborhood serving retail noting a comment on a requirement for that in the new C-MU.

Commissioner Barnes referred to childcare and confirmed with staff that ground floor childcare would be permissible as a use in some of the new commercial zoning districts. He asked to know more noting that usually with childcare there were prescriptive amounts of outdoor space and other requirements more than other commercial space buildouts. He asked about any incentives for that use in the zoning.

Planner Smith said the incentives were not tailored to childcare use specifically. He said childcare centers were listed as a conditional use and that would give the Commission some discretion as to where those uses would be located and ensuring requirements and expectations were met for safe and reliable childcare facilities.

Commissioner Barnes observed the need for childcare that was accredited and at a scale different from family home daycares. He thought incentives for such childcare centers should be included in this process and to identify potential sites as well for such.

Planner Smith said that some of the sites being discussed in the C-MU were small. He said C-1, C-1-C sites and the C-2 site at the Sharon Heights Shopping Center and potentially some in the Office district might have more adequate open space and facilities to accommodate that. He said they had not built childcare centers as conditional or permitted uses for those zoning districts so that might be a way to accommodate that.

Commissioner Barnes recommended that childcare centers in C-1, C-1-C, and C-2 could hopefully be permitted or at least be a conditional use and to consider incentives to support actualization of those facilities.

Ms. Wagner said Commissioner Barnes' recommendation was clear. She said the proposed amendments to implement the housing element programs did not notice an expansion of commercial childcare centers as part of the consideration. She said she would recommend that they bring that back for further consideration in a separate item if that was the request of the Commission, and staff could inform the Council that was the Commission's recommendation.

Vice Chair Do asked if that would be an item for November 6 if supported by the Commission as a recommendation to the City Council. Ms. Wagner said she was not suggesting that be part of the actual text amendments brought to the Commission on November 6<sup>th</sup> but that the Commission could make a recommendation to the Council that the topic should be looked at in the future.

Vice Chair Do said she would support prioritizing and highlighting that as a community need noting she thought currently there was a one to two year wait for the larger scale childcare facilities.

Commissioner Riggs said he would second Commissioner Barnes and Vice Chair Do's comments regarding childcare centers.

Commissioner Schindler asked why C-1 did not have a setback requirement noting C-1-C did.

Planner Smith said the setbacks in the C-1 district were smaller and as currently zoned whereas C-1-C had some large setback requirements, which was why it was called out specifically. He said C-1 was 30 feet for the front, 20 feet for the side, and 20 feet for the rear whereas in C-1-C currently it was 75 feet for the front and 75 feet for the rear when abutting a residential district, and then 30 feet for the interior side.

Commissioner Schindler referred to C-2, the Sharon Heights Shopping Center, and said with the discussion on that it bore reiteration that the conversation started about height, followed by adjustments to height.

Planner Smith said at the City Council study session a specific request was made that if the height was doubled that they should also look at increasing density.

Commissioner Schindler said as presented an equivalent amount of nonresidential gross floor area I was the mechanism to keep the existing neighborhood serving commercial and retail in the space. Planner Smith said a redevelopment of the site would need to require the equivalent amount of the nonresidential uses essentially that existed. He said so as not to be too prescriptive about an exact amount, the potential of a use permit was included to allow for modification if needed.

Commissioner Barens said the nonresidential requirements throughout the zoning ordinance were both entirely reasonable and promoted the wellbeing of the community. He said he was supportive, and specifically to Sharon Heights he would rather see more density and height there but supported what was being recommended. He said the nonresidential requirement in this zone and others was well thought through.

Vice Chair Do referred to Table 2, line 33, minimum parking requirements that listed C-1 and C-2 districts and asked if C-MU district had parking requirements. Planner Smith said they were for residential uses and as proposed it was 1 space minimum, and 1.5 spaces maximum. He said since the new C-MU district was really the old CB district, it already had those parking requirements for commercial.

Vice Chair Do said for the record that Commissioner Riggs, as indicated at the beginning of the meeting due to the proximity of his personal residence to the O district would recuse himself from that portion of the discussion. Commissioner Riggs left the dais.

Commissioner Ehrich said he supported the proposed changes and was enthusiastic about mixed

use development.

Commissioner Schindler asked if the design standards would apply here as she did not see them listed. Planner Smith said the O district had its own design standards already. He said that they mirrored what was proposed closely and the proposed adding a couple more additional modulation requirements to make it more consistent with the nearby RMU zoning district.

Commissioner Schindler said she supported the proposed mixed-use development in the O district.

Vice Chair Do recessed the meeting at 9:23 p.m.

Vice Chair reconvened the meeting at 9:30 p.m. with Commissioner Riggs returning to the dais.

Vice Chair Do said the next topic was multifamily zoning district provisions affecting the R-3 and R-4 zoning districts.

Commissioner Riggs said 30 dwelling units per acre were indicated for R-3 and up to 20 dwelling units per acre for other R-3 sites based on square footage. He confirmed with Planner Smith that was prior to application of any density bonus. He asked how great the density per acre could go.

Ms. Chow clarified that if Commissioner Riggs was talking about density bonus from either the state density bonus law or the AHO that one of the two sites contemplated for the higher 20 dwelling units per acre was on their site inventory list but was not subject to the AHO, but the state density bonus law would be applicable. She said the maximum there would be an 80% density bonus for a 100% affordable development project.

Vice Chair Do said the AHO applied to R-3 districts and opportunity sites. She said there was only one opportunity site, the Flood School site, and asked if she understood correctly.

Ms. Chow said the AHO applied to all housing opportunity sites in addition to the R-3 sites around downtown. She said the Flood School site referred to was one of the two parcels that met the 100,000 minimum square foot lot size on the inventory list. She said the AHO would not be applicable to that site, but the state density bonus law would be.

Commissioner Riggs asked if a site was included in the Housing Element that was not developed during the seven-year term whether it rolled over to become eligible for builder's remedy.

Ms. Wagner said the builder's remedy applied if the city did not have an adopted housing element. She said some argued that could be if you did not have an element that was certified by HCD, but that question had not been answered by the courts yet. She said a reuse site that had not developed was a different question and there were no net loss provisions that applied if a site developed at a different or lower density or lower capacity than identified in the Housing Element. She said with respect to reuse sites it was not known yet what the housing element law would say seven years from now about them. She said if in the inventory you had a vacant parcel that was included in two prior cycles or a non-vacant parcel that was included in one cycle there were special rules that applied to being able to use those sites to provide capacity for lower income units but the fact of having a site on the site's inventory in the current Housing Element that was not developed during the planning period did not open it up to a builder's remedy issue right now.

Commissioner Riggs said the only difference would be the administrative processing in that it would no longer be discretionary review, for example.

Ms. Wagner said for the next housing element cycle in eight years they would have to again analyze what sites to include and if you included a non-vacant site and the rules remained the same that site would have to be rezoned to allow projects that included 20% affordable low-income housing by right.

Commissioner Schindler asked if design standards were something that was contemplated or appropriate for R-3 zones.

Planner Smith said they had not proposed design standards for the R-3 district. He said the way the code was currently that other than a single-family home or duplex there was a requirement for architectural control from the Planning Commission for properties in the R-3 district. He said they could also be subject to SB30 if a developer were to apply and, in that case, they would have just had the basic development regulations that were in place at this time.

Commissioner Schindler said having to go through architectural control and to the Planning Commission was putting time, effort and money requirement on the developer in those instances whereas design standards gave a starting point for considering what the city expected to maintain an intended look and feel. She said that would be good to consider if that could be done without affecting the timeline.

Commissioner Ehrich noted the idea of making the R-3 zoning districts throughout the city uniform and allowing 30 dwelling units per acre. He said R-3 districts not downtown were primarily located in Linfield Oaks, along Waverly Street, and by the VA Campus on Willow Road. He said both were adjacent to other areas they had discussed tonight that were proposed to have mixed use developments. He said the benefit would be spreading density throughout the city to meet housing goals and to further increase the vibrancy of corridors they were investing in via this plan.

Planner Smith said that question came up at the City Council study session where it reviewed very similar proposals in August. He said potential issues were identified with expanding that citywide. He said a number of R-3 parcels were located in the Belle Haven neighborhood along Pierce Road and Willow Road. He said as part of affirmatively furthering fair housing they had tried to have as minimal an effect as possible on District 1 through these proposed zoning amendments. He said another reason was the way they had studied the project and how it was noticed and explained to property owners that these changes would be specific to R-3 around downtown with the idea of trying to increase density in areas close to transit and more walkable services. He said the concern there was that potentially increasing density outside of that area might need some more review to implement.

Commissioner Ehrich said he did not intend to have this significantly affect Belle Haven but if there was a way to do that would not impact District 1 that it was reasonable in the other R-3 areas shown on the map and particularly in Linfield Oaks being directly across from El Camino Real and close to transit.

Commissioner Barnes said the exercise was to densify the downtown area directly proximate to transit. He said he thought it was appropriately allocated and to spread otherwise was not congruent with the co-location of transit. He said expanding this to other R-3 districts would go too far in terms of what they were solving for through the Housing Element.

Vice Chair Do said at their previous meeting on this a community member also brought up applying that change to all R-3 districts and she thought the Commission also generally supported that. She said in this staff report there was a rationale that it might increase the number of units beyond what was studied in the EIR. She said Commissioner Ehrich brought up a very good point and that the Commission and the City Council had wanted to explore that.

Vice Chair Do introduced the topic of modifications to the Downtown Specific Plan. She said she appreciated staff's revision to include the 10 subdistricts in the update. She referred to Commissioner Riggs' question about setbacks. She asked where scale increased whether setbacks were adjusted adjacent to neighboring single family developments.

Planner Smith said they had not modified the setbacks. He said the façade height requirements were adjusted. He said they tried to address scale with the density and massing as the City Council directed. He said setbacks for the rear property line were generally between10 and 20 feet and setbacks he was referring to earlier in response to Commissioner Riggs' question were for front setbacks.

Commissioner Riggs said at a previous meeting a person expressed appreciation for how the eight or 10 story tower at University and Valparaiso existed perfectly and harmoniously with the singlefamily home neighbors. He said several years ago he had lunch and dinner in the backyard of a house a quarter of a mile away from that tower and he found he could not stop looking up at the balconies and at the people looking back at him. He said the adjacency of building height was meaningful. He said until less than 10 years ago Menlo Park was a predominately residential neighborhood and that people moved to Menlo Park, so they did not have to live in urban cities. He said it would benefit future residents if they built towers and perhaps 20% of those were affordable but for the people who called Menlo Park home now that building mass was significantly more than of a dwelling unit count. He said 40- and 60-foot-tall buildings next to residential was undesirable. He said in developing the Specific Plan they had made sure that buildings backing up against single family were stepped down to protect privacy. He said a 20-foot setback was just baseline. He said the recess above the second floor was what really mattered to the adjacent neighbors. He said if the lot depth was 180 feet it might be reasonable to ask that the third and fourth floors be set back more than 10 feet and perhaps even more than 20 feet.

Commissioner Barnes said the concept of transitioning was important and noted the difference of residential development in a less developed area and that in a built-out area like downtown. He said they could get the desired density and do responsible transitioning from the current built environment and increasing residential forms in height and massing. He said he did not have a specific recommendation for that other than that it be studied and what transitions were in place and what they would look like.

Vice Chair Do said it made sense that this was the area to go high and dense and setbacks were just one element of transition. She asked if the design standards for the building massing and modulation had been reexamined as part of the change in numbers and when the appropriate time for that to happen was.

Planner Smith said the design standards would still apply here. He said a modulation requirement would be for the full height of the building and that included all the new height that could be achieved through the changes. He said there was a 45-degree building profile that started at the façade

height, and they had adjusted the façade heights upward based on the overall height that would be changed. He said that did not negate the requirement for the step in of the building profile at 45 degrees to help limit some of that massing as well. He said if they increased setback then the buildings would either have to get taller or make the units small. He said they tried to look at all the factors and not make any one of them overly extreme and to accommodate the potential for larger units. He said they needed to increase the height because some of the lots were smaller and probably would not be redeveloped unless they had that availability.

Commissioner Schindler referred to the increase in FAR that required at least 50% of the building be residential but no more than 65% in certain of the zoning districts and asked about the rationale for the latter.

Planner Smith said one factor were concerns they had heard about maintaining a mix of uses and another was trying to maintain some discretion in terms of the residential component of the building. He said under SB30 if it was two-thirds residential or more that they could apply for SB30 but having it at 65% helped to maintain the discretionary process.

Commissioner Schindler questioned the three-part requirement for the average size of the residential unit between more than 1,000 but less than 2,000 square feet and the number of bedrooms and units being for sale and stepped up FAR.

Planner Smith said there were two requirements. He said one was that 50 to 65% of the building was for residential uses. He said the second was the average net residential unit size of 1,000 square feet. He said the third was an option between the two. He said you could either provide half the units with two or more bedrooms including 10% of that as three or more bedrooms or you could provide all units as for sale units.

Commissioner Schindler said the requirement for storefronts along Santa Cruz Avenue to retain at least 1.0 FAR seemed to speak to the recurring theme of insuring keeping commercial and retail.

Planner Smith referred to Attachment L and pointed out that in addition to the Main Street Retail Frontage Overlay along Santa Cruz Avenue were notes 4 and 5 and that was a limitation on office uses to one half of the FAR. He said there was another note about limitation on some offices and medical offices, and dependent on the subdistrict but in certain cases that was limited to one third of the FAR. He said those provisions would come into play as well.

Commissioner Schindler said she supported those.

Commissioner Ehrich asked if the downtown was the focus of more densification to create more housing what was staff's confidence that the city would meet its regional housing needs assessment when the city resubmitted the Housing Element.

Planner Smith said the realistic capacity calculations they were using for the downtown area showed much more conservative density than what they could actually achieve. He said in discussions with HCD they had not expressed concerns particular to this strategy.

Commissioner Barnes referred to the 50% FAR office maximum and asked if that would be maintained on Santa Cruz Avenue. Planner Smith said along Santa Cruz Avenue was the Main Street Retail Frontage Overlay and that required property fronting Santa Cruz Avenue to have a

minimum of 1.0 FAR of commercial uses which could be retail and restaurants, those types of uses.

Commissioner Barnes asked if office use was capped at 50%. Planner Smith said he did not know if that applied to all of the 10 subdistricts but most of them limited office uses to 50% of FAR.

Commissioner Barnes noted challenges of owning a building that had three different product types. He said having office use limited and requiring three product types in one building had not worked. He said maybe offering greater height would work but he thought the office cap did not work for vitality on Santa Cruz Avenue,

Vice Chair Do asked if that risked getting more office than what was needed as some had expressed. Commissioner Barnes said office could be capped across a district instead of bifurcating it by parcel.

Commissioner Ehrich said that made sense, but he was curious if that was workable and whether that feedback could be incorporated between now and January 30<sup>th</sup>.

Planner Smith said that was another item that the Planning Commission could make a recommendation to City Council to tackle separately. He said his main concern was that these were existing limits already in place and they had not noticed or informed property owners they might be changing what they could do with their nonresidential development under this project. He said they were really trying to keep it focused on the residential at least through January 31, 2024 and then if the Council chose it could take up the Commission's recommendation.

Commissioner Riggs commented on how the need for parking downtown and property owners buying into a parking program as well as needing parking to redevelop was a hurdle in the downtown. He said that the downtown was most accessible by car. He said they did not want to encourage people to use cars, but they had not provided a reasonable alternative or had a long range plan for one. He said to add vibrancy downtown they needed to provide parking options for the owners of the downtown lots.

Ms. Chow said that economic vitality and vibrancy had been a topic for many years starting with the implementation or vision of the Specific Plan. She said City Council had emphasized economic vitality as one of its priorities. She said the Specific Plan highlighted consolidating parking and identified three locations. She said as the Assistant City Attorney discussed earlier a feasibility study would look at what could be done, what mix of uses would bring people to the downtown and provide the right amount of parking.

Commissioner Riggs said on behalf of anyone who had pressed on design standards that the larger the projects coming to Menlo Park the more they should have design review. He said the city had been lucky and had some great projects design-wise. He said he wanted to support units for sale noting that experience showed property ownership tended to improve property maintenance standards.

Vice Chair Do said the next topic was ministerial review of sites from the previous cycle if they included 20% affordable housing.

Commissioner Barnes said this was due to state law, so he thought other than understanding it there was not anything to discuss.

Commissioner Riggs said this led back to the point that they really needed design standards. He asked if they had objective design standards whether the administrative review would follow those standards.

Ms. Wagner said under the Housing Accountability Act any housing development project could only be subject to objective design and development standards so that would also apply to by right development and that staff would apply those objective design and development standards.

Vice Chair Do said the residential overlay as explained by staff was for sites that did not allow residential use such as those with a conditional development permit or some other kind of unique circumstance.

Commissioner Schindler asked for that if there was a benefit of creating two use cases rather than lumping all into one and suggested splitting the ones that already had a conditional use permit (CDP) from ones that did not have any residential allowed currently.

Planner Smith said there were a couple of apartment complexes on Sharon Park Drive at the maximum residential and one office development with a CDP on Sand Hill Road. He said for that one they would have to modify the CDP or change things around to make residential development happen. He said you could think of it as applying to two different use cases, but he thought they had attempted to make it flexible enough that the same strategy could apply to the two different types of uses.

Commissioner Schindler said she was supportive after that explanation.

Vice Chair Do opened discussion on residential child daycare.

Commissioner Barnes said it was by law and well intentioned but as a community if they wanted to solve access to quality daycare that they needed to look at zoning.

Commissioner Schindler said this was an important issue for the community and she was supportive of this one of many solutions to ensure the health of the community and the economic health of the city and state,

Vice Chair Do reviewed with staff Planning Commission recommendations to City Council to pursue separately including incentivizing child daycare on a larger scale, looking at provisions of parks and open space given the increase in the number of residents, and finding a viable way to stipulate ratios or amounts of office, residential and retail across the downtown district rather than by parcel.

Commissioner Schindler said going into the November 6<sup>th</sup> meeting that they would benefit from seeing clear red lines of before and after in terms of language.

Planner Smith said they would prepare resolutions and ordinances for that meeting. He said typically they underlined for new text and used strike through for deleted text.

ACTION: Motion and second (Barnes/Riggs) to continue the item to a date certain of November 6, 2023; passes 5-0 with Commissioners Ferrick and Harris absent.

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#### G. Informational Items

- G1. Future Planning Commission Meeting Schedule
  - Regular Meeting: November 6, 2023

Continuance of General Plan Amendments, Zoning Ordinance Amendments, El Camino Real/Downtown Specific Plan Amendments, and Rezoning/City of Menlo Park Housing Element Update Project

• Regular Meeting: November 13, 2023

Multiple single-family development projects

#### H. Adjournment

Vice Chair Do adjourned the meeting at 10:45 p.m.

Staff Liaison: Deanna Chow, Assistant Community Development Director

Recording Secretary: Brenda Bennett

# **Planning Commission**



# **REGULAR MEETING DRAFT MINUTES**

Date: 11/6/2023 Time: 7:00 p.m. Location: Zoom.us/join – ID# 862 5880 9056 and City Council Chambers 751 Laurel St., Menlo Park, CA 94025

# A. Call To Order

Vice Chair Linh Dan Do called the meeting to order at 7:00 p.m.

#### B. Roll Call

Present: Linh Dan Do (Vice Chair), Andrew Ehrich, Katie Ferrick, Jennifer Schindler

Absent: Andrew Barnes, Cynthia Harris (Chair), Henry Riggs

Staff: Deanna Chow, Assistant Community Development Director; Tom Smith, Principal Planner; Chris Turner, Associate Planner; Mary Wagner, City Attorney's Office

### C. Reports and Announcements

(Meeting recording audio started during this item)

Assistant Community Development Director Chow said a second item that might be of interest to the Planning Commission was the city's purchase of an existing BMR unit to preserve its BMR housing, which was on the City Council's next meeting agenda.

#### D. Public Comment

None

# E. Consent Calendar

None

# F. Public Hearing

F1. General Plan Amendments, Zoning Ordinance Amendments, El Camino Real/Downtown Specific Plan Amendments, and Rezoning/City of Menlo Park Housing Element Update Project: The City of Menlo Park is proposing to amend the General Plan Land Use Element, Zoning Ordinance (Title 16 of the Menlo Park Municipal Code ("Municipal Code"), zoning map, and El Camino Real/Downtown Specific Plan in association with the implementation of the 2023-2031 6<sup>th</sup> Cycle Housing Element, adopted by the City Council on January 31, 2023. The proposed changes are intended to provide capacity to meet the City's Regional Housing Needs Allocation (RHNA) of 2,946 dwelling units and are generally summarized below. (Staff Report #23-064-PC) Continued from the meeting of October 23, 2023

#### General Plan Land Use Element and map

Amendments for consistency with the proposed Zoning Ordinance amendments described below, including changes in land use designation for applicable Housing Element inventory sites and modifications to existing designations to reflect increased densities and floor area ratios (FAR). Zoning Ordinance and map

- <u>Update the Affordable Housing Overlay (AHO) to further promote affordable housing</u> <u>development</u>. To implement Housing Element Program H4.D, amend Chapter 16.98 (Affordable Housing Overlay ("AHO")) of the Municipal Code to work in combination with state density bonus law to allow up to approximately 100 dwelling units per acre, or more, for 100 percent affordable housing developments, and add the AHO to all 6<sup>th</sup> Cycle inventory sites (except Site #38, 320 Sheridan Drive, the former Flood School site) and all R-3 (Apartment District) zoned properties around downtown; and amend Chapter 16.97 (State Density Bonus Law) of the Municipal Code to resolve any inconsistencies between the City's ordinance and current and future state density bonus law regulations;
- Allow residential development opportunities in existing commercial/retail zoning districts. • To implement Housing Element Program H4.I and allow mixed-use residential development opportunities primarily along Willow Road, Middlefield Road, Sharon Park Drive and Sand Hill Road, amend the Municipal Code to repeal Chapters 16.32 (C-1-A. Administrative and Professional District), 16.37 (C-2-S, Neighborhood Commercial District, Special), 16.39 (C-2-A, Neighborhood Shopping District, Restrictive), and 16.42 (C-4, General Commercial District) and replace Chapter 16.40 (C-2-B, Neighborhood Mixed Use District, Restrictive) with a C-MU (Commercial, Mixed Use) zoning district with a residential density of up to 30 dwelling units per acre and associated development standards; amend the zoning map to rezone C-1-A, C-2-S, C-2-A, C-2-B, C-4, and certain C-2 and P parcels (except for Site #11, 325 Sharon Park Drive) to C-MU; amend Chapters 16.30 (C-1, Administrative and Professional District, Restrictive), 16.32 (C-1-A, Administrative and Professional District), 16.36 (C-1-C, Administrative, Professional and Research District, Restrictive), 16.38 (C-2, Neighborhood Shopping District), and 16.43 (O, Office District) to allow a residential density of up to 30 dwelling units per acre and associated development standards;
- <u>Increase residential densities in the R-3 (Apartment) zoning district around downtown</u>. To implement Housing Element Program H4.J, amend the R-3 zoning district development regulations to allow a residential density up to 30 dwelling units per acre for R-3 zoned properties around downtown and up to 20 dwelling units per acre for other R-3 sites with a lot area of 100,000 square feet or more; increase maximum building coverage in the R-3, R-3-A (Garden Apartment Residential), R-3-C (Apartment-Office District), R-4 (High Density Residential), and R-4-S (High Density Residential, Special) zones to 55 percent and adjust maximum paving and minimum open space (landscaping) percentages accordingly; and reduce parking space per unit requirements;
- <u>Permit ministerial review for certain housing developments on inventory sites that were not developed during the previous Housing Element cycle</u>.
   To implement Housing Element Program H4.Q, amend the Municipal Code so that parcels in the Housing Element site inventory identified as Reuse Sites allow for ministerial review for housing developments that propose at least 20 percent of units affordable to lower-income households, in accordance with California Government Code §65583.2(i);

# • <u>Create a residential overlay to encourage residential development on underused or</u> <u>redeveloping sites</u>.

To implement Housing Element Program H4.T, amend the Municipal Code to create a Residential Overlay for certain housing inventory sites that would allow residential development on properties with non-residential zoning; and

• <u>Allow family daycare homes with up to 14 children as a permitted use in residential zoning</u> <u>districts</u>.

To implement Housing Element Program H2.F, amend Sections 16.04.165 and 16.08.085 of the Municipal Code to allow large family daycare homes as a permitted use in a legal dwelling unit in any residential zoning district.

# El Camino Real/Downtown Specific Plan

To implement Housing Element Program H4.L, amend the Specific Plan to:

- Remove references to a maximum of 680 residential units at full build-out;
- Increase the maximum base level density to at least 30 dwelling units per acre and the maximum bonus level density to up to 100 dwelling units per acre, with corresponding changes to FAR, height, and other development standards for the Specific Plan subdistricts, as applicable;
- Establish a minimum density of 20 dwelling units per acre for all subdistricts, as a requirement upon the addition of residential uses to a site;
- Remove the minimum parking requirements for residential uses on sites within one-half mile of transit as required by AB 2097; and
- Modify the use of the public parking plazas to allow the development of multifamily residential housing.

# Environmental Review

The City, as the lead agency, pursuant to CEQA and the CEQA Guidelines previously prepared and certified the ConnectMenlo Program Environmental Impact Report ("ConnectMenlo EIR") in November 2016 and certified the Housing Element Update Subsequent EIR (SCH #2015062054) ("SEIR") in January 2023. An addendum to the SEIR was prepared, and concludes that no supplemental or subsequent EIR is required for the proposed amendments because none of the circumstances requiring a supplemental EIR or subsequent EIR exist (CEQA Guidelines Section 15162).

Principal Planner Smith said the City Council adopted the Housing Element on January 31, 2023. He said it was a plan for the city's housing needs through 2031 that included an inventory of sites that could support the development of housing through the period of 2023 to 2031. He said it also included goals, policies, and programs to improve equity and reduce disparities in housing throughout the community. He said the city's regional housing needs allocation or RHNA was nearly 3,000 units through 2031 and of those units almost 1,500 units had to be affordable at the lower and moderate income levels. He said it contained programs that committed the city to implement zoning changes by January 31, 2024 to help the city meet its RHNA for the next eight years.

Planner Smith said the Housing Element included a number of zoning related programs that were scheduled to be implemented by early next year including an update of the affordable housing overlay or AHO, to incentivize development of affordable housing units up to 150 dwelling units per acre for 100% affordable development, modifying non-residential zoning districts to allow mixed use

and certain residential development with a density of 30 dwelling units per acre or more in certain cases, allowing development up to 30 dwelling units per acre for R-3 parcels around the downtown area, 20 dwelling units per acre for all R-3 parcels over 100,000 square feet, and increasing lot coverage to 55% for all R-3 and R-4 zones, modifying the Specific Plan to increase densities up to 100 dwelling units per acre at the bonus level of development and changing other development regulations in the Specific Plan proportionately, allowing ministerial review for five sites that did not develop with housing during the previous Housing Element planning period on the condition that they provide at least 20% of units affordable to lower income households, creating a new residential overlay to allow residential development on five sites where the underlying zoning or a conditional development permit (CDP) would otherwise not allow it, and allowing all family daycare homes as permitted uses in residential zoning districts.

Planner Smith said this meeting was a continuation of the October 23rd Planning Commission meeting where the proposed amendments to the General Plan, Specific Plan, zoning ordinance and zoning map were discussed. He said the staff report packet included draft resolutions and ordinances that reflected the outlined changes from the October 23<sup>rd</sup> staff report with some other minor adjustments based on feedback received at that Planning Commission meeting.

Planner Smith said staff recommended that the Planning Commission use this meeting to make recommendations to the City Council on the proposed amendments. He said the Council was tentatively scheduled to review the Planning Commissioner's recommendations at a November 28th public hearing.

Planner Smith highlighted the changes made since the October 23, 2023 Planning Commission meeting. He presented a slide of Table 1 of the current staff report, which included two recommended modifications to the proposed C-MU (Neighborhood Mixed Use) zoning district. He said financial services and professional office uses were proposed as permitted uses at the October 23<sup>rd</sup> meeting, meaning that they would not need a use permit to operate on a site. He said staff was now proposing to leave them as administratively permitted uses, which was how they were currently classified in the C-2-B zoning district that was part of the inspiration for the new C-MU zone. He said this would provide more discretion and also focus on prioritizing retail, personal services, restaurants, and housing as permitted uses in the C-MU district. He said for instance that a bank or a tax preparation office, a dental office, and other similar financial and office uses would need an administrative permit, which could be appealed to the Planning Commission for review if community concerns were raised.

Planner Smith said the second item on Table 1 was to preserve existing allowances for drivethroughs on the Chevron Station and the Belle Haven Shopping Center parcels in Belle Haven and staff was recommending including up to one drivethrough establishment per development site on either side of Hamilton Avenue at Willow Road. He said that would allow for instance a drivethrough pharmacy, a coffee shop, a restaurant, or similar uses with a drivethrough to locate at the sites with one on each site. He said the Planning Commission would review the request before it could be granted as a conditional use.

Planner Smith referred to changes in Table 2 of the staff report. He said like the proposed C-MU zoning changes, staff considered feedback and previous direction from the Planning Commission and City Council at the August study session and proposed some minor changes to the R-3 zoning district. He said under item 1 on this table, minimum bicycle parking requirements were now proposed and were reflective of the requirements in other residential and mixed use districts that

were being modified. He said 1.5 bicycle parking spaces long term per unit would be required and then 10% additional short term bicycle parking spaces would be required for visitors. He said under item 2 on Table 2, residential design standards and sustainable building requirements were proposed to be added to the R-3 districts that would be developing three or more units. He said those were basically the same as those proposed for the other zoning districts being updated through this process.

Planner Smith said next steps for zoning included City Council's tentatively scheduled public hearing on November 28, 2023 to review the proposed resolutions and ordinances and take action. He said if action was taken on November 28, then the amendments would be adopted at a December 2023 Council meeting, and those ordinances would become effective 30 days later in January 2024 prior to the statutory deadline of January 31, 2024.

Vice Chair Do opened the public hearing.

Public Comment:

- Pam Jones, Menlo Park resident, Belle Haven, said while they were making progress with attempts to what she called "right zone" Menlo Park that they needed to go as far as they could with their new numbers and zoning, which was a minimum of 100 units per acre in the downtown area. She noted an obligation to use the property there owned by the city to its fullest. She said a Jack in the Box, a Starbucks, a nail salon and four restaurants was not a shopping center. She said there was no retail on the shopping center on Willow Road and Hamilton Avenue.
- Jeremy Levine, policy manager for the Housing Leadership Council of San Mateo County. said they worked with communities and leaders to produce and preserve quality, affordable homes. He said towards that over the last two years they had commented on every housing element in San Mateo County, including a couple of Menlo Park drafts. He said the zoning being considered tonight was independent of the Housing Element but was related. He said the city's ability to demonstrate compliance with the Housing Element law relied on its ability to demonstrate capacity for new homes in its Housing Element site inventory and demonstrate that capacity required zoning to do it. He said Menlo Park had come a long way in its Housing Element and a long way in its zoning from what it started with in its initial proposals. He said the city could still do more and that went beyond the Housing Element. He said this was about the merits of actually making the development possible on the sites Menlo Park had in its inventory - in its downtown, Sharon Heights, and other areas. He said there were two ways that affordable housing would come to Menlo Park and that would be 100 percent affordable housing probably mostly on city-owned property and mixed income market rate housing built with an inclusionary component. He said increasing base densities and increasing the densities allowed in the AHO if done simultaneously would make it possible to get more of the affordable housing Menlo Park needed in more places. He said the Planning Commission and the city might have some limitations on pursuing zoning so he proposed that the Planning Commission tonight recommend that staff look into what could be done with zoning both within and outside of the Housing Element, and make proposals on best practices to make it easier to build housing and to actually produce the affordable housing needed.
- John Dogru said he was trying to buy a home and was looking at a quadplex where each home was 675 square feet and was listed for \$2.5 million. He said with the current density restrictions that if he demolished and built four more homes those would again each be 675 square feet. He

said it was important in the R-3 zoning district that they were able to expand. He said he was curious how much more they were going to expand the available square footage to build on in R-3. He said if that was expanded, he could build four affordable homes. He said it would not make sense to build as mentioned the exact same square footage as existed as the rent would have to be doubled to work economically and no one would be able to afford that. He said he was really curious how much more the R-3 density would grow. He said if they did that, they could start to make homes that made economic sense.

- Karen Grove said she thought she heard staff indicate that 100% affordable housing might have up to 150 units per acre and that was great. She said she would like to advocate that they were explicit about that so it would not require a developer to piece together a puzzle that included state law. She said last time she heard the presentation in more detail, she heard the city could reach 150 dwelling units per acre because within .5 mile of public transit density could not be limited by state law. She said she viewed state law as a way to overcome cities that were trying to block affordable housing by not adequately zoning for it. She said she did not want Menlo Park to be one of those cities and wanted the city to zone for 150 dwelling units per acre when using the AHO so that was 100% affordable and to really signal to nonprofit developers that and to the community that this was what the city was asking for and what they hoped to get. She said the city should be as transparent as it could be to both attract development for what they wanted to see built and also for the sake of transparency, so the community knew what was being planned.
- Catherine Dumont, District 3 resident, said she was a lifelong renter and was supportive of the work being done in Menlo Park to increase housing at all levels of affordability. She said having rented pretty much her entire adult life, she had seen the whole spectrum of being able to afford to pay more for rent, and then working less and coming to retirement she saw the need for housing for people on limited incomes like herself. She said she had been talking to people about the upzoning in the downtown and had found a lot of support for that in the district around the downtown area such as a young woman employed by the City of San Jose but who loved living in Menlo Park and had moved here from north of San Francisco. She said the young woman liked living close to downtown and being able to walk there but was very concerned about the businesses downtown and the health and vibrancy of the downtown. She said there were young people in Menlo Park's future, and they needed housing for families and to keep the schools full, so housing was needed for all levels. She said the downtown seemed to be the place for them to work on creating a more open, inclusive, and diverse community that they could move forward with in the future.

Vice Chair Do closed the public hearing.

Vice Chair Do said they would organize their discussion on the seven topics as listed in the staff report starting with the program to expand the AHO.

Commissioner Ehrich said he thought the most important thing they could do was to make a strong recommendation to the City Council in hopes that the Council could itself move swiftly to approve this, so the city had a compliant Housing Element avoiding negative consequences. He said they wanted a strong Housing Element to pursue the city's goals. He said he was not looking to make a lot of additional comments tonight. He said they were at the end of a process and beginning another process to implement the Housing Element and actually build the housing. He noted in three years a midcycle review would look at whether the city had built the housing. He said in that spirit and given

the feedback from HCD up until this point that he would be open to any discussion around ways they could increase space densities or the AHO but not at the expense of making this process more complicated.

Commissioner Schindler expressed support for Commissioner Ehrich's comments. She said her approach was that the Planning Commission would provide feedback on the small number of new ideas. She said she had no significant concerns about any of the new things that were called out in the staff report on top of the October 23<sup>rd</sup> meeting and that the proposed language changes for the zoning and land use element and the Specific Plan seemed to match the ideas they had talked about to this point. She said the zoning changes were a critical step in executing the Housing Element and was actually the first big program that she was part of that they were actually hopefully hitting a deadline. She said if they hit their zoning deadlines, they could hit certification of their Housing Element and the city could maintain one of the most important things they had which was control and oversight into developing the land and their city. She said for those reasons, she fully supported making sure they moved the process through expediently and ensure they hit the big milestones. She said she also wanted to recognize the feedback they continued to get from community members. She said there were a lot of great ideas such as how they could improve housing and development, particularly affordable housing, in the Housing Element. She said some were still part of the public discussion and might not yet be fully incorporated. She said they were not losing those ideas, but she hoped they made a pivot from a planning process into an execution process. She said she thought it was a wrong use of their time and resources if they were to do another zoning in three or six months. She said there had been discussion about additional environmental impact reports and that was not a good use of time to do that in the next four, six or nine months. She said she would really like to see the Planning Commission, the City Council and city resources focused on programs such as the other things laid out in the Housing Element. She said she would like them all to be focused on the BMR guidelines updates, streamlining the project review, and the community opportunity to purchase. She said those were just some of the programs she thought had the possibility of having a big impact. She said one idea that was raised often was the prioritization of affordable housing on the city-owned parking lots. She said that was where they needed to demonstrate execution and use their resources wisely.

Commissioner Schindler said regarding the AHO topic that she wanted to clarify something. She said during the October meeting she clarified her understanding of the use of Table 1 in the staff report. She said it was important that the example she gave included that the table was used additively. She said if 5% of housing units were affordable at a very low income, there was a bonus of 20% and if adding to that another 15% low income units there would be a bonus of 37%. She said that would be required as 20% affordable housing was needed to quality for the AHO. She said at the October meeting she talked about using the line item that was 10% and she received follow up questions later. She said 20% was required for the AHO and then it was added through each row of those tables. She said she appreciated the clarification of naming the Community Development Director as the decision maker on certain of the incentives in response to feedback from October.

Commissioner Ferrick said importantly they really wanted to implement the Housing Element rather than to churn on the new ideas that were coming up. She said regarding the AHO she appreciated public comment this evening. She asked if that was more difficult for a normal property owner who was not already a professional developer to discern what was possible to develop on their property. She asked as they moved to implementation was there an outreach plan to have conversations with property owners particularly those on opportunity sites. Planner Smith said they understood that there were some layers in place to apply the AHO on a site. He said as they had discussed in previous meetings some of that was due to requirements of state law. He said what staff had heard from the Department of Housing and Community Development at the state (HCD) was to use the AHO and state density bonus law additively. He said whereas the AHO currently could be applied independently where it could be AHO or state density bonus law, staff took the comments received from HCD and layered them so they could get the ideal density of 150 dwelling units per acre that had been discussed with affordable housing developers and that they had heard support for from members of the public, the Planning Commission and Council. He said it required some work to get that but considering the potential density bonuses that could be achieved on a site it was really advantageous to a developer to have those significant bonuses that they could achieve. He said they not gotten to the point of discussing an implementation plan for some sort of outreach or educational efforts but that was certainly a wise idea, and they could look into that when they actually got into the real implementation phase.

Commissioner Ferrick said she would strongly advocate for that when the time came. She said anecdotally she spoke with a property owner who thought the density assigned to his property was going to be too low to be viable as he did not seem to understand the things that could raise the density. She said outreach might be advantageous to the city in getting the units that they wanted, and that then could drive the midcycle review toward a successful implementation. She said she would circle back on that once the Housing Element was certified.

Vice Chair Do referred to the 150 dwelling units per acre and said that the community input percolating for her centered around two big things – the AHO and how that density was achieved and the other density around downtown, which they could talk to when they got to that topic. She asked if there was a possibility that the 150 dwelling units per acre could be achieved without having to combine the AHO and state density bonus law and achieved through the city's AHO itself. She asked if there was an option to reach that number either through a combination of the two or through the AHO only.

Planner Smith said the AHO could be designed so it would not need to be additive to get to 150 dwelling units per acre, but it would take more analysis to understand a project that would combine AHO and state density bonus, and what kind of scale building they would get and if that was in keeping with the community's expectations and what they felt was best for the neighborhoods right now. He said in the Specific Plan area in the downtown there was an option under AB 2339 for 100% affordable housing development where a project could have unlimited density with an additional three stories or 33 feet of height that they could add to a building above and beyond what the city set. He said they were really trying to produce affordable housing through this implementation as they had demonstrated they did not have an issue producing market rate housing throughout the community. He said affordable housing was really the focus of this and so the combination of state law, the AHO and state density bonus together really did incentivize and direct the efforts toward getting the affordable housing development.

Vice Chair Do said to require more analysis now was not appropriate but noted Ms. Grove's comment that even though the state's affordable housing law allowed unlimited density that the city seemed to be sending out a message that created more work and slowed down the process and that clearly was not what they wanted to be saying.

Vice Chair Do opened discussion on Create New Opportunities for Mixed-Use Development.

Commissioner Schindler said the presentation clarified a couple of points for her regarding specifically examples of financial services and professional office uses. She said she appreciated the addition of the retention of the drivethrough as permitted on the named parcels. She said they had discussed at the October meeting that with the rezoning of commercial to mixed use and residential development that currently permitted retail and service uses be retained.

Vice Chair Do opened discussion on Increased Residential Density and Maximized Development Proposals.

Commissioner Ehrich said with the addition of design guidelines for the R-3 and R-4 properties he understood one intention of those was to accelerate development by providing certainty to developers. He asked for a quick explanation of how that would work.

Planner Smith said setting objective design standards gave a developer greater clarity about how they could exactly meet a design that could be developed without subjecting it to an open ended architectural control process. He said it set out early on in the process a way to comply with the city's standards for a building that met the community's interests.

Commissioner Ehrich asked if a developer followed the standards whether they then would not have to get Planning Commission review or an architectural control permit or whether it was that staff would approve if faster.

Assistant City Attorney Wagner said the purpose behind the objective design and development standards was the certainty for an applicant that if they designed their project to those standards that their project was approvable.

Commissioner Ferrick said she wanted to comment but there was a parcel that her residence might be within a certain distance of, so she was curious about potential conflict of interest.

Ms. Wagner said her office worked with city staff to look at all the property owned by the commissioners and looked at properties within 500 and 1,000 feet of property Commissioner Ferrick owned. She said she did not believe that any conflicts were identified.

Commissioner Ferrick asked what the expedited process would be with design standards and whether Planning Commission or architectural review would be bypassed.

Ms. Wagner said the level of review was spelled out in the ordinance whether it was Planning Commission review, by right review or a staff level review. She said no matter who was reviewing residential development projects they could only apply objective design and development standards.

Commissioner Ferrick said in the city's history that design guidelines typically had been used to express sort of an aesthetic preference for a type of building and not necessarily to accelerate development. She asked if there was a way to convey that in this update to the state, so they understood the reason the city had design standards was to support a more accelerated process for development.

Planner Smith said he thought it was becoming more and more common in jurisdictions throughout the state to see such object design standards and that HCD he thought liked to see these kinds of things. He said there was an understanding that providing these upfront in the zoning was a way of

providing additional assurance to a developer. He said there would still be an architectural control process. He said how it was set up now in the zoning ordinance was anything that was not a single-family or two-family building would need architectural control, but the developer would have the objective design standards.

Commissioner Schindler said she fully supported including the residential design standards and the green and sustainable building provisions and was glad to see it added for this denser residential side of things to match some of the mixed-use design standards that were also included later in the proposals. She said she did not have any concerns about the minor updates to the bicycle parking requirements. She said the language looked reflective of the ideas discussed in October.

Vice Chair Do said it felt like everything was consistent with the direction they discussed two weeks prior. She opened discussion on the topic of Modify the El Camino Real Downtown Specific Plan.

Commissioner Ferrick said they discussed increasing density in August to 100 dwelling units per acre and it was possible to take advantage of different bonuses. She asked if in the future they were to increase that density to the 150 dwelling units if that was desired whether projects would be eligible for even greater density bonuses.

Planner Smith said the state density bonus law would always be in addition to whatever the city was allowing. He said the other provision he thought was AB 2324 allowed additional unlimited density for 100% affordable housing development and the additional height would be on top of whatever height the city had set for the district. He said the only thing that would not be set up that way was the AHO, which sort of had set caps.

Commissioner Ferrick noted comments and emails from people that wanted the city to go further with density. She said she felt really comfortable that given the layering this was a solid place to be.

Vice Chair Do said she believed as it was now that up to 100 dwelling units per acre were allowed and some community members had asked that be the base. She said she appreciated community members' comments on these matters.

Commissioner Schindler said continued discussion of additional densities was one of the great ideas that they would retain to look at in the future. She expressed enthusiasm for moving into the execution phase of the Housing Element. She said she appreciated the language proposed as an amendment to the Specific Plan as it went into more detail about the emphasis on developing the parking lots. She said she thought there was a healthy balance between the city's commitment to offer parking for retail, commercial and business uses, and support community need and also development of that property. She said she had no concerns about the other additions or specific language in these sections.

Vice Chair Do said she believed last time that there was not a lot of discussion on the remaining topics of reuse sites, residential overlay and childcare. She said if commissioners had comments, she suggested that they just go ahead and comment on any of the three.

Commissioner Ferrick asked if childcare in family homes for up to 14 children would be ministerially reviewed whether there was some sort of square footage allocation or amenities criteria that would be met to make sure it was a safe and appropriate place for such use.

Planner Smith said these home daycares would still need to go through a state licensing process and the state had certain criteria set. He said the state was taking any additional requirements that the city had placed on those away essentially.

Commissioner Schindler said on those three topics she did not have any questions on the language used to express the concepts discussed in October.

Vice Chair Do said it was reassuring to know that the state licensing for home childcare would be in place and the explanation that it could not be treated differently from a home basically.

Commissioner Ehrich said he attended a planning commission workshop last Monday in San Mateo sponsored by the American Planning Association and some county organizations, which was great. He noted one comment made that seemed wise to suggest that as cities came to the end of this planning process that they start looking toward the next one with what had been learned. He said in that spirit, he wanted to mention two things for the record. He suggested that they be very thoughtful next time about how they structured any environmental impact report that they did around the RHNA. He said in his experience the way the EIR was structured had constrained some optionality that they would have had. He said second there had been considerable discussion in the process around what was a reasonable expectation of developers taking advantage of the zoning that was being put in place. He said he hoped that when they went through this process next time and even before that they would use the empirical experience they would have as to whether or not developers took advantage of the zoning that was being put in place, set realistic targets and put in place zoning that they would have even higher confidence would result in the housing they wanted in the city and were required to put into place.

Commissioner Ferrick asked if staff had been able to review any other cities of similar characteristics as Menlo Park that had had Housing Elements certified. She said the submittal looked great to her, but she did not know what to compare it to. She said she would like staff's perspective on whether they had gotten it to a place to be certified.

Planner Smith said the Housing Element itself was submitted late last week on Friday to HCD. He said sort of halfway through the process the reviewer from the state had changed and they had started to get some different perspectives midway that had been a bit challenging to deal with. He said toward the end though that HCD had been very accommodating in working with city staff proactively to address HCD's concerns and the comments they still had. He said they met with HCD staff and received some email correspondences with some indications that made them feel pretty good with the Housing Element submittal they turned back in. He said they were hopeful that would result in certification of the Housing Element. He said the zoning process they were going through now was an indication that that the city was serious about acting on its commitments and moving forward with the programs that they said they were going to do.

Commissioner Schindler said in light of Commissioner Ferrick's question and concerns she wanted to mention an element of the staff report that they had not yet discussed, and that was the addendum of the SEIR. She said this was a topic of frequent discussion, feedback, and some public comment. She said she would offer her dramatically simplified interpretation of what those 50-ish pages said and would appreciate it if staff would correct if she oversimplified or incorrectly simplified. She said the recent enhancements to the Housing Element and the minor idea changes they had been discussing since August through these last two meetings would be expected to potentially result in additional housing being produced but that the impact of that additional housing would not

be meaningfully different from the risk already contemplated by the SEIR. She said the risk mitigation steps that were required already by the EIR would not need to change to reduce the risk of that incremental housing.

Planner Smith said Commissioner Schindler's explanation was well stated.

Vice Chair Do said she appreciated in the language a very noticeable shift from preserving to more emphasis on vibrancy and diversity.

ACTION: Motion and second (Schindler/Ehrich) to adopt the resolution in Attachment A and all of its exhibits and recommend to the City Council to make the proposed amendments to the General Plan, Specific Plan and Zoning Ordinances; passes 4-0 with Commissioners Barnes, Harris and Riggs absent.

## G. Informational Items

- G1. Future Planning Commission Meetings
  - Regular Meeting: November 13, 2023

This agenda would have several single-family home projects and one substantial conformance memo.

• Regular Meeting: December 4, 2023

Commissioner Ferrick noted a couple of topics that had been requested to come to the commission for discussion: one was whether single-family house remodels needed to have commission review and the second was potentially revisiting the start time of the commission meetings.

Ms. Chow said they could certainly look at the meeting start time. She said looking at the overall process used for single family home review was definitely a much larger policy question that would be directed by the City Council if that was something it would like staff to work on.

## H. Adjournment

Vice Chair Do adjourned the meeting at 7:32 p.m.

Staff Liaison: Deanna Chow, Assistant Community Development Director

Recording Secretary: Brenda Bennett



## STAFF REPORT

Planning Commission Meeting Date: Staff Report Number: Public Hearing:

## 1/8/2024 24-001-PC

Consider and adopt a resolution to approve a use permit to demolish an existing single-story, singlefamily residence and construct a new two-story, single-family residence with a detached garage on a substandard lot with regard to minimum lot width and depth in the R-1-U (Single-Family Urban) zoning district at 154 Laurel Avenue and determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures.

## Recommendation

Staff recommends that the Planning Commission adopt a resolution approving a use permit to demolish an existing single-story, single-family residence and construct a new two-story, single-family residence with a detached garage on a substandard lot with regard to minimum lot width and depth in the R-1-U (Single-Family Urban) zoning district. The draft resolution, including the recommended actions and conditions of approval, is 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 proposed single-family residence.

## Background

## Site location

Using Laurel Avenue in a north to south orientation, the subject property is located on the east side of the street between Pope Street and Woodland Avenue in the Willows neighborhood. A location map is included as Attachment B. The surrounding area contains a mixture of older and newer single-family residences. The older residences are generally single-story in a variety of architectural styles such as craftsman, bungalow, and ranch with either detached or attached single-car garages. Newer residences are generally two-story in height, with attached two-car front-loading garages in modern and urban farmhouse styles. All neighboring properties are also located in the R-1-U zoning district.

## Analysis

## **Project description**

The subject property is currently occupied by a 1,377square-foot, single-story, single-family residence, originally built in approximately 1925. The property is a substandard lot with regard to minimum lot width, having a width of 64.8 feet where 65 is required, a substandard lot depth of 97.3 feet where 100 is required,

Staff Report #: 24-001-PC Page 2 and lot area of 7,010 square feet where a minimum of 7,000 is required.

The applicant is proposing to demolish the existing residence and detached garage and construct a new two-story, single-family residence over a full basement. A single car detached garage and an uncovered parking space located at the front of the residence outside of the front setback would fulfill the parking requirements for the residence. The residence would have an increased front setback of 32.3 feet in order to preserve a heritage-size cedar tree.

The proposed residence would meet all Zoning Ordinance requirements for setbacks, lot coverage, floor area limit (FAL), daylight plane, parking, and height. Of particular note with regard to Zoning Ordinance requirements:

- The residence would contain 2,478 square feet (not including the basement) plus a detached garage of 290 square feet for a total of 2,768 square feet, below the maximum floor area limit of 2,803 square feet for the site.
- The total building coverage of the main house and detached garage would be 1,892 square feet, or approximately 27 percent of the lot, where 2,453.5 square feet (35 percent) is permitted.
- The residence would have a front setback of 32.3 feet where a minimum of 20 feet is required.
- The residence would have a right-side setback of 22.75 feet where a minimum of 6.4 feet is required.
- The residence would have a 6.4-foot setback on the left side where a minimum of 6.4 feet is required.
- The residence would have a rear setback of 20.5 feet where a minimum of 20 feet is required.
- The second floor of the project would be 926 square feet where 1,401.25 square feet is permitted.
- The proposed residence would have a total height of approximately 27.7 feet where 28 feet is permitted.

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 Attachment A, Exhibits A and B respectively.

## Design and materials

As described in the project description letter, the proposed project is designed in a Craftsman style with appropriate detailing such as large overhangs, and exposed rafter tails. Aluminum-clad-wood windows with simulated true divided-lites are proposed. The roof material would be composition shingles and the siding would be a combination of shingles, horizontal siding, and stone. Natural stone would be at the base of the front porch and the side patio.

The proposal would comply with the daylight plane, with one intrusion which may be permitted on lots less than 10,000 square feet in size. The right side gable would intrude into the daylight plane 5.25 feet, where 5.27 feet is the maximum permitted intrusion when the required side yard setback is 6.4 feet. The length of the gable intrusion into the daylight plane would be 21.3 feet where 30 feet is the maximum permitted.

## Trees and landscaping

The applicant has submitted an arborist report (Attachment D), detailing the species, size, and conditions of on-site and nearby trees. A total of six trees were assessed, including three heritage trees. Three trees are proposed for removal, two of which are heritage.

Trees two and three, heritage-size Siberian elm street trees, are proposed for removal and replacement due to health conditions. A Heritage Tree Removal permit has been approved by the City Arborist.

Table 1: Tree summary and disposition									
Tree Number	Species	Size (DBH, in inches)	Disposition	Notes					
1	Deodar cedar	51	Retain	Heritage					
2*	Siberian elm	22	Remove	Heritage					
3*	Siberian elm	36	Remove	Heritage					
4	Maidenhair tree	10	Retain	Non-heritage					
5	White birch	12	Retain	Non-heritage					
6	Japanese elm	8	Remove	Non-heritage					

\*denotes street trees

To protect the heritage and non-heritage trees on site, the arborist report has identified such measures as tree protection fencing, excavation by hand digging, hydraulic or pneumatic air excavation technology only, cutting and removal of roots smaller than two (2) inches in diameter shall be done by chain saw or hand saw to provide a flat and smooth cut, irrigate to wet the soil within the TPZ to a depth of twenty-four to thirty (24-30) inches at least once a month (preferably twice a month), and inspections to verify that the type of tree protection and/or plantings are consistent with the standards outlined within the tree protection plan. All recommended tree protection measures identified in the arborist report would be implemented and ensured as part of condition 1h.

## Correspondence

Staff was provided four letters from neighbors as part of the project description letter, of which three are generally supportive. The fourth letter, from neighboring property owner at 124 Laurel Avenue, has requested additional soft scape be installed around the garage to increase privacy between the two lots. A landscape plan has not been provided at this time. Staff has not received any direct correspondence on the proposed project.

## Conclusion

Staff believes that the design, scale, and materials of the proposed residence are generally compatible with the surrounding neighborhood, and would result in a consistent aesthetic approach. The architectural style would be generally attractive and well-proportioned, and the additional right side setback would help increase privacy. Staff recommends that the Planning Commission approve the proposed project.

## Impact on City Resources

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

## **Environmental Review**

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

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## 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. Draft Planning Commission Resolution approving the use permit <u>Exhibits to Attachment A</u>
  - A. Project Plans
  - B. Project Description Letter
  - C. Conditions of Approval
- B. Location Map
- C. Data Table
- D. Arborist Report

Report prepared by: Connor Hochleutner, Assistant Planner

Report reviewed by: Corinna Sandmeier, Principal Planner

## PLANNING COMMISSION RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT TO DEMOLISH AN EXISTING SINGLE-STORY, SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW TWO-STORY, SINGLE-FAMILY RESIDENCE WITH A DETACHED GARAGE ON A SUBSTANDARD LOT WITH REGARD TO MINIMUM LOT WIDTH AND DEPTH IN THE R-1-U (SINGLE-FAMILY URBAN) ZONING DISTRICT.

WHEREAS, the City of Menlo Park ("City") received an application requesting a use permit to demolish an existing single-story, single-family residence and construct a new twostory, single-family residence with a detached garage on a substandard lot with regard to minimum lot width and depth in the R-1-U (Single-Family Urban) zoning district at 154 Laurel Avenue (collectively, the "Project") from Cliff Brunk ("Applicant" and "Owner") located at 154 Laurel Avenue (APN 062-352-060) ("Property"). The Project use permit is depicted in and subject to the development plans and project description letter, which are attached hereto as Exhibit A and Exhibit B, respectively, and incorporated herein by this reference; and

**WHEREAS**, the Property is located in the Single Family Urban (R-1-U) district. The R-1-S district supports single-family residential uses; and

**WHEREAS**, the proposed Project complies with all objective standards of the R-1-U district; and

**WHEREAS**, the proposed Project was reviewed by the Engineering Division and found to be in compliance with City standards; and

**WHEREAS**, the Applicant submitted an arborist report prepared by The Oakley Group, which was reviewed by the City Arborist and found to be in compliance with the Heritage Tree Ordinance, and proposes mitigation measures to adequately protect heritage trees in the vicinity of the project; and

**WHEREAS**, the Project, requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act ("CEQA," Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require analysis and a determination regarding the Project's environmental impacts; and

**WHEREAS**, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the Project; and

**WHEREAS**, the Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15303 et seq. (New Construction or Conversion of Small Structures); and

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

**WHEREAS**, at a duly and properly noticed public hearing held on January 8, 2024, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the Project.

# NOW, THEREFORE, THE MENLO PARK PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

**Section 1. Recitals.** The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided, and the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

**Section 2. Conditional Use Permit Findings**. The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the use permit for the construction of a new two-story residence on a substandard lot is granted based on the following findings, which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

- That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
  - a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the proposed use permit is consistent with the R-1-U zoning district and the General Plan because two-story residences are allowed to be constructed on substandard lots subject to granting of a use permit and provided that the proposed residence conforms to applicable zoning standards, including, but not limited to, minimum setbacks, maximum floor area limit, and maximum building coverage.
  - b. The proposed residence would include the required number of off-street parking spaces because one covered and one uncovered parking space would be required at a minimum, and one covered and one uncovered parking spaces are provided.
  - c. The proposed Project is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code and the Commission concludes that the Project would not be detrimental to the health, safety, and welfare of the surrounding community as the new residence would be

located in a single-family neighborhood and has been designed in a way to address privacy issues through increased right side setbacks.

**Section 3. Conditional Use Permit.** The Planning Commission approves Use Permit No. PLN2023-00028, which use permit is depicted in and subject to the development plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit B, respectively. The Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit C.

**Section 4. ENVIRONMENTAL REVIEW**. The Planning Commission makes the following findings, based on its independent judgment after considering the Project, and having reviewed and taken into consideration all written and oral information submitted in this matter:

1. The Project is categorically exempt from environmental review pursuant to Cal. Code of Regulations, Title 14, §15303 et seq. (New Construction or Conversion of Small Structures)

## Section 5. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I, Kyle Perata, Assistant Community Development Director of the City of Menlo Park, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on January 8, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_\_\_ day of January, 2024.

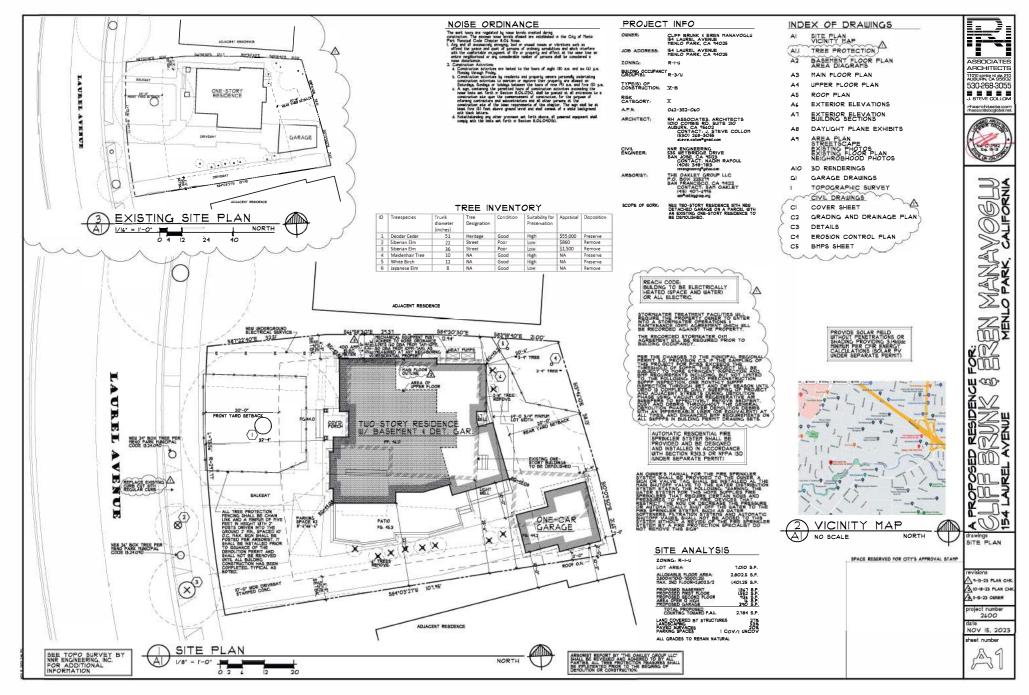
PC Liaison Signature

Kyle Perata Assistant Community Development Director City of Menlo Park

Exhibits

- A. Project plans
- B. Project description letterC. Conditions of approval

# EXHIBIT A





#### Tree Protection Measures

The objective of this section is to reduce the negative impacts of construction on trees to a less than significant level. Trees varyin their ability to adapt to altered growing conditions, while mature trees have established table biological a systems inthe prevesting physical environment. Disruption of this environment by construction activities Interrupts the tree's physiological processes, causing depletion of energy reserves and a decline invigor. This sometime is exhibited as death. Typically, this reaction may develop several years or more after disruption

The tree protection regulations are intended to guidea construction project to ensure that appropriat actices will be implemented in the field toelin ninate undesirableo ences that may result from ninformed or carelessacts and preserve both trees and property values

### The following a required to be implemented along with the TPP:

The project arborist or contractor shall verify, in writing, that all preconstruction conditions have been met(treefencing,erosion control,pruning,etc.)

The demolition, grading and underground contractors, construction superintendentandother pertinent personnel are required tomeetwith the projectarborist at the site prior to beginning work to review procedures, tree protection measures and to establish haul routes, staging, areas, contacts, watering, etc.

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#### Notification. Contractor shall notify the project arborist a minimum of twenty-four (24) hours in advance of the activity in the TPZ.

Root Severance, Roots that are encountered shall becut to sound wood and repaired. Roots two (2) inches and greater must remain injury free.

Excavation. Any approved excavation, demoîtion or extraction of material shall be performed with equipment sitting outside the TPZ. Methods permitted are by hand digging, hydraulic or pneumatic air excavation technology only. Avoid excavation within the TPZ during hot, dry weather.

If excavation or trenching for drainage, utilities, irrigation lines, etc., it is the duty of the contractor to tunnelunderanyrootstwo(2)inchesindiameterand greater

 $\label{eq:product} Prior to excavation for foundation / footings/wals, grading or trenching within the TPZ, roots shall first be severed cleanly one (1) foot outside the TPZ and to the depth of the future excavation. The trenching then be hand diggard roots pruned with a save to marrow trencher with sharp blacks or other approved to the save to marrow trencher with sharp blacks or to the approximation of the same transmission of the same transmission.$ 

HeavyEquipment. Use of backhoes, steel tread tractors or any heavy vehicles within the TPZ is prohibited

#### Root Severance

Cuttingandramouslofroots smaller than two? 2) in the indiameter shall had one hyphains awork and Cuttinganoremovalorizo is smaller than two (2) incress in ourmeter shall be one by chains a worhan sawto provide allat and smooth out and cause the least damage possible to the root and tree's health. Cuttingroots by means of tractor-type equipment or other than chains aw sandhands aw sis prohibited

Proper pruning techniqueshall encourage callusing of the roots. Rootcutting and removal shall not exceed thirty-five (35) per cent of total rootsurfage. TheContractor shall remove any wood chipsordebris that may be left over from root removal that may

affecttheconstruction of Improvements as directed by the CityEngineer. If any rootsovertwo(2) inchesindiameterareseveredduring any excavation, the following procedure shallbe followed

The roots shall be shaded by immediately covering the entire trench with plywood, or by covering the sides of the trench with burlapsheeting that is kept moist by watering twice per day

When ready to backfill, each root shall be severed clearly with a luandsaw. Where practical, they should becut back to a side root. Immediately, a plastic bag shall be placed over the fresh cut and secured with a rubberbandor electrical rape. Shading should immediately beplaced until backfiling occurs.

Plastic bags shall be removed prior to backfilling. Backfill shallbeclean, native material free of debris, gravel, or wood chips

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corns shall be eracted around treas to be protected to achieve three primary goals. Tokeep the foliage crowns and branching structure of the trees to be preserved clear from contact by equipment, materials, and activities;

Preserveroots intact and maintainproper soil conditions in a non-compacted state and: Toidentify the treeprotection zone (TPZ) in which no solidisturbance is permitted, and activities are

Tree Protection Zone (TPZ)

Easis tero to preserve due to endergiante TP2-contribute plane auto-interface ana estimate plane auto-interface auto-interfac

#### Activities prohibited within the TPZ include:

Storage or parking vehicles, building materials, refuse, excavated spoils or dumping of poisonous materials on or around treesandroots.Poisonous materials include, but ar enot limited to, paint, petroleumproducts, concrete or stuccomix, dirty water or any other material which may be deleterious otreehealth

Theuse of treetrunks as a winch support, anchorage, as a temporary power pole, signposts, or other

Cutting offreer ootsby utility trenching, foundation digging, placement of curbs and trenches and other miscellaneous excavation without prior approval of the projectarborist.

#### Soil disturbance or grade/drainage changes

Activities permitted or required within the TPZ include: Mulching:Duringconstruction, wood chips shall be spread within the TP2 to a six (6) inch depth, leaving the trunk clear of mulch to help insider ten it compaction and mois ture closs from occurring. The mulch may be removed if improvements to create and unclear and Audich material shall be two (2) inch anguetted, antited in the risk for garment relat.

Root Buffer: When areas under the treecanopy cannot be fenced, a temporary buffer is required and shall cover the rootzone and remain in placeat the specified thickness untilfinal grading stage.

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Ifrootsthree (3) inches in diameter, or larger, are encountered during excavation. Contractorshall If roots three [2] index in diamiter, or larger are encountered along excavation. Contractors hall or contact the Public Scattancetors Scattancetors (Public Neurona International Contractors Neurona Interaction as a lower three costs and the Contractors Neuronal Neurona Interactions as to how the roots about be tracted. Norrost three [2] linchesinal interact, or larger, shalles can all encounted when the Contractor public Neurona Neurona design and the Contractor public for damages and provide the Contract design and the Contractor public for damages and provide design and the Contractor public for damages and provide design and the Contractor public for damages and provide design and the Contractor public for damages and provide design and the Contractor public for damages and provide design and the Contractor public for damages and provide design and the contractor public for damages and provide design and the contractor public for damages and provide design and the contractor public for damages and public design and the contractor public design and the contractor public damages and public design and the contractor public damages and public design and the contractor public design and design and the contractor public design and des determined by the Engineer.

The Project Arborist shall provide a follow-upletterdocumenting the mitigation has been completed to

#### IrrigationProgram

Indigate to wet the soil within the TP2 to a depth of hventy-four to thirty(24-30) inches at least once a month, preferably twice a month. The [10] gallons per inch DBI is enough. Begin impating immediately protroainy constructions, like-analyed, pub-sufforming primon may be used a regular specified intervisiby impecting on approximate three[1] footcments, tent[10] gallons of mater perinch trutk durined within the TP2. Duration all be used project complication plan monthy unstage and rainfall and provide the specific specif totals at least eight(8) inchesofrain, unlessspecified otherwise by the projectar borist

#### Damage to Trees - Reporting

Any damage or injury to trees shall be reported within six(6) hours to the projectar borist and job super intendentor City Arborist so that mitigation can takeplace. All mechanical or chemical injury to branches, trunk or to root sover two [2] inches in diameter shall be reported in the monthly inspection report. In the event of injury, the following mitigation and damage control measures shall apply:

Rootiniury: If trenches are cut and treeroots two (2) in ches or larger are encountered they must be cleanly cut back to a sound wood ateration t. The end of the cont shall be covered with either a plastic bagand secured withtape or rubber band or be coated with latexpaint. All exposed root areas within the big and active the set of the set

Barkortrunkwounding:Currentbarktracing and treatmentmethods shall be performed by a qualified tree care specialist within two(2) days.

Scaffold branchor leafcanopyinjury. Remove broken or torn branches back to an appropriatebranch capable of resumingterminal growthwithinfive (5) days. If leaves are heat scorched from equipment exhaust pipes, consult the project ar borist withinsix (6) hours.

Any damage any tree's canopy will need to be restoratively pruned effective immediately after the damage occurs and no later than 48 hours after the damage occurs.

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Irrigation, aeration, fertilizing orother beneficial practices that have been specifically approved for use within the 10L

#### Size and type offence

All trees to be preserved shallbe protected with five or six (5-6) to thigh chain link lenaes. Fenetaa et to bemouted on two-indu dumetregalwained kino posts, dinven inco the ground to a doph to faile as the QE feat an one that the to (10) of topologic. This shall all shallbears or grading, demolitori, and improvement plans. That the cange fencing any besued as an alternative to chain link of h/for temporary construction cance surfare the deviced in the Project Aborts.

Thefence shall enclose as much of the area under the canopydripline as possible, being set up by the ProjectArboristand to remain throughout the duration of the project, or untillinalimprovement wor within the area is required, typically near the end of the project. If the fencing must be located on the edgeof paying or sidewalk that will no the demolished the postsmay be supported by an appropriat crete base. For Tree1, only the planting areashall be enclosed with the equiredchai link protective fencing.

Tree Protection Fencing locations are shown in the above Site Plan section of this report. Exact dimensions will need to be determined in the field during job set-up in coordination with the Project

Duration of Tree Protection Fencing

Tree fencing shall be erected prior to demolition, grading or construction and remain in place until final

#### "Warning"Signage

Warning signs a minimum of 8.5x11-inches shall be prominently displayed on each fence. The sign shall

WARNING-Tree Protection Zone - This fence shallnot be removed and is subject to a penalty. Treeprotection fencing, if required to be moved, must be moved under the direction of the Project

Arborist. Alltree protection zones need to be clear of debrisand constructionmaterials, and clear e dof weeds regardless of iffencing is presentornot.

A general rule is that the tree protection zone is to be at the dripline of the tree if fencing is not present Tresprotection fencing needs to be restored to itsproper dimensions immediately following activity that resulted in the removal of treeprotection fencing.

Pruning,Surgery&Removal

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Any tree on-site protected by the City's Municipal Code will require replacement according to its appraised value if it is damaged beyond repair because of construction activities.

TheProject Arborist shall provide a follow-uplet terdocumenting the mitigation has been completed to

#### Inspection Schedule

The project ar borist retained by the applicant shall conduct the following required inspections of the

Inspections shall verify that the type of tree protection and/or plantings are consistent with the standards outlined within this TPP. For each equire disspection or meeting, a written summary of the changing tree related conditions, actions taken, and condition of trees shall be provided to the contactor. Theinspection schedule is as follows:

- Inspection OF hosticite' Teel moding.
   Pre-Construction Meeting, Prior accommandments of construction, the contractor shall conduct Prior Construction Meeting, Prior accommandments of construction, the contractor shall conduct explomentorecomments, and the project allowing.
   Inspection of Roady for adding the project horbits at all perform an inspection on ing rough grading adjacent to PTZ 20 constructions will not be highed by comparison, can or the project construction and the project and the project shares and the project projection, can or the dynamic and construction and prequestion, index constructions, reversiti, drains and projection account of dynamical construction and projection approximation and instantion or quidifier to horarison accountion for the construction and projection approximation and instantion or quidifier to horarison accounted for the construction and projection and the account of the standard account of the project above. ctivity.
- Monthly inspections. The project arborist shall perform monthly inspections to monitor changing conditions and tree health. The City Arborist shall be in receipt of an inspection summaryduring the first week/of ach calendar month or, immediately if there are any changes to the approved plans or protection measures. Anyspecialactivity within the Tree Protection Zone. Work in this area (TPZ) regulaes the direct
- ision of the project arb

The ProjectArborist shall provide a follow-up letter documenting the mitigation has been completed to

#### Maintenance of Trees After Construction

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Tree 1, 4, 8.5, and anymitigationtrees will need to be irrigated post-construction. Eachtreeshould inspected annually to monitor for disease or external stressand treated accordingly. Mitigation trees need to be irrigated untilestablished, which can be up wardsof5-yearsafterplanting.



Priorto construction, Tree 1 will require that branches begrune delear from structures, activities, building encroachmentor may need to be strengthened by means of mechanical support (cabling) or surgery. Such pruning, surgery or the removal of trees shall adhere to the following standards: Pruning limitations:

MinimumPruning: If the projectarborist recommends that trees be pruned, and the typeo

ARCHITECTS

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TREE PROTECTION

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MinimumPointing: The projectatorisis recommends has tree sole pruned, and the type of pruning list fungacing the startard commission all consists of sole clean by a sole dended by 5A. Pruning Guidelines, Treesskall be pruned to real-centaria and develop a storeg, safe transeroid, MaximumPrunting, Maximumpruning should only occuristine rarestituation approved by the projectatoristis. The one that an e-board (Johnfel Lanchova) and any all and et mark and remover the transport of the constraint of the sole of the sole and the analysis remover which no recipited that trees are individual from and structure, and that pruning need markers from the transport of the sole that pruning need markers from the transport of the sole time attreepondbility for special prunng practice burkery from the tatoride utilice attributions at mesonability for special prunng practice burkery from the tatoride utilice attributions at the population and the transport of the sole of the sole time attributions at the population prunng practice burkery from the tatoride utilice attributions and the sole of the transport of the sole of the sole time attributions and the sole of the transport of the sole of the sole time attributions and the sole of th

Tree Workers: Pruningshall not beattempted by constructionor contractor personnel but shall be performed by a qualified treecare specialistor certified tree worker

Tree 1 will needminimal or uning for clearance from the structure. The Project Arborist shall or ovide a follow-upletterdocumenting themitigation has been completed to specification

#### Activities During Construction & Demolition Near Trees

Soildisturbance or other injurious and detrimental activity within the TPZ is prohibited unless approved by the projectarborist. If an Injurious event inadvertently occurs, or soil disturbance has been specifically conditioned for project approval, then the following mitigation is required:

SoilCompaction: If compaction of the soil ocurs, it shall be mitigated as outlined in Soil Comp Damage, and/or Soil Improvement. GradingLimitationswithintheTreePro

#### Gradechangesoutside of the TPZ shallnot significantly alterdrainage to the tree.

GradechangeswithintheTPZarenotpermitted. Gradechange sunder specifically approved circumstances shallnot allow more than six (6) inches of fills oil added or allow more than four (4) inches of existing soil to be removed from ratural gradeunlass mitigated

#### Trenching, Excavation & Equipment Use

Excavation orboring activity within the TPZIs restricted to the following activities, conditions and requirements if approved by the project a borist:

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## Conclusion

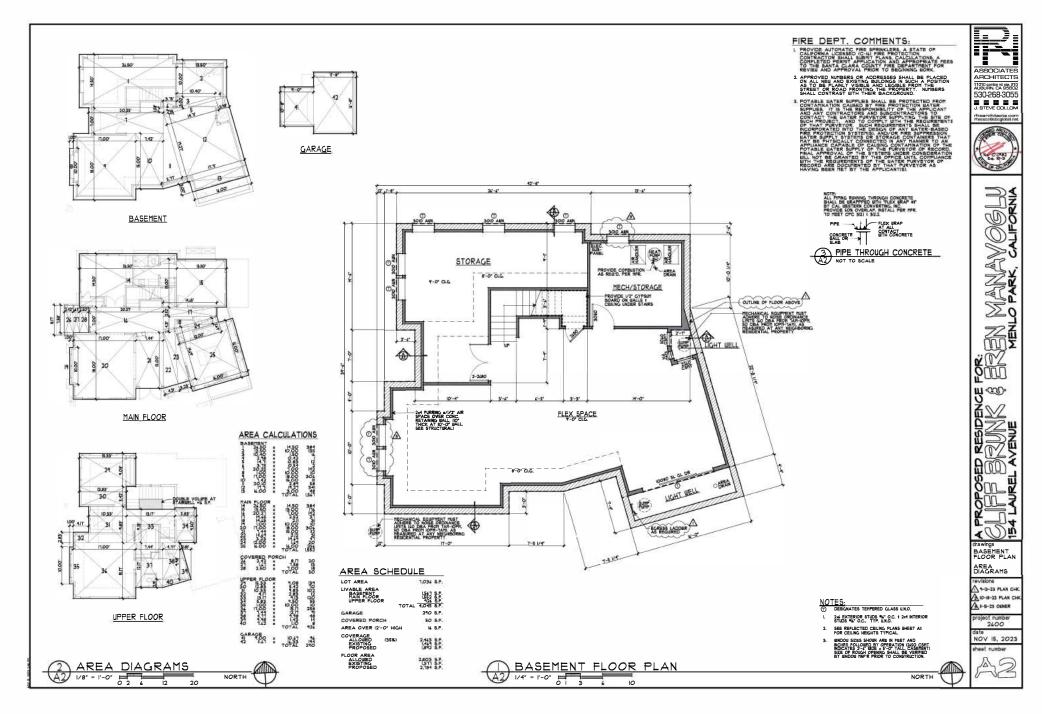
It is the nature of trees exposed t tion that some do not survive, and mortality cannot be predicted. If due care is exercised, all the trees on the project are expected to remain healthy and alive

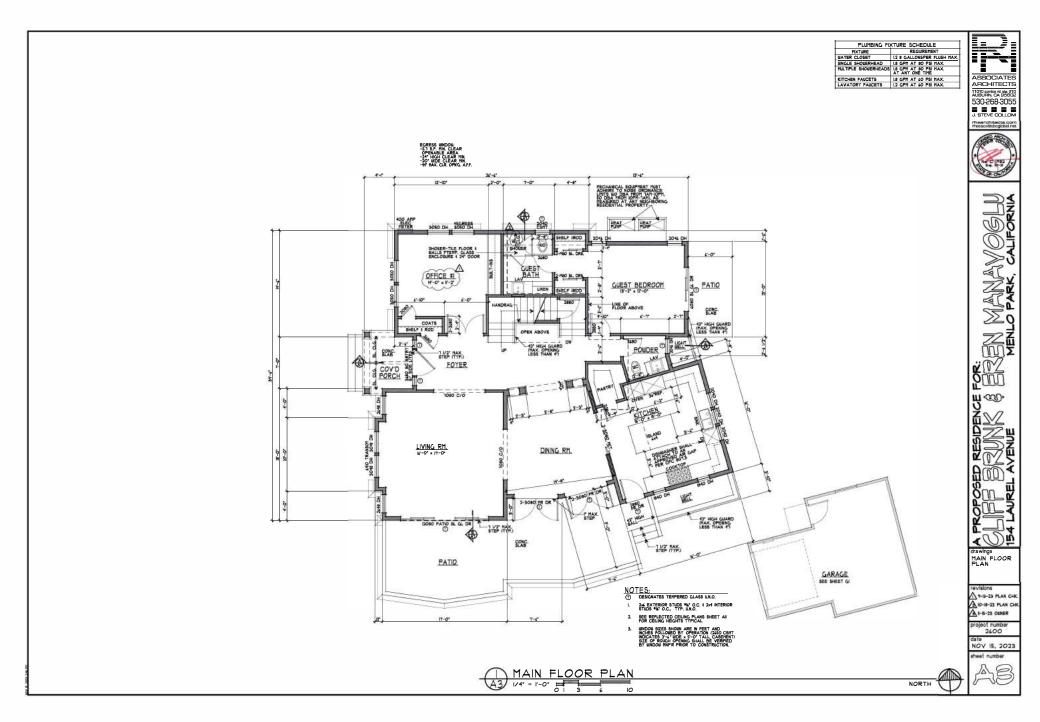
#### Certification

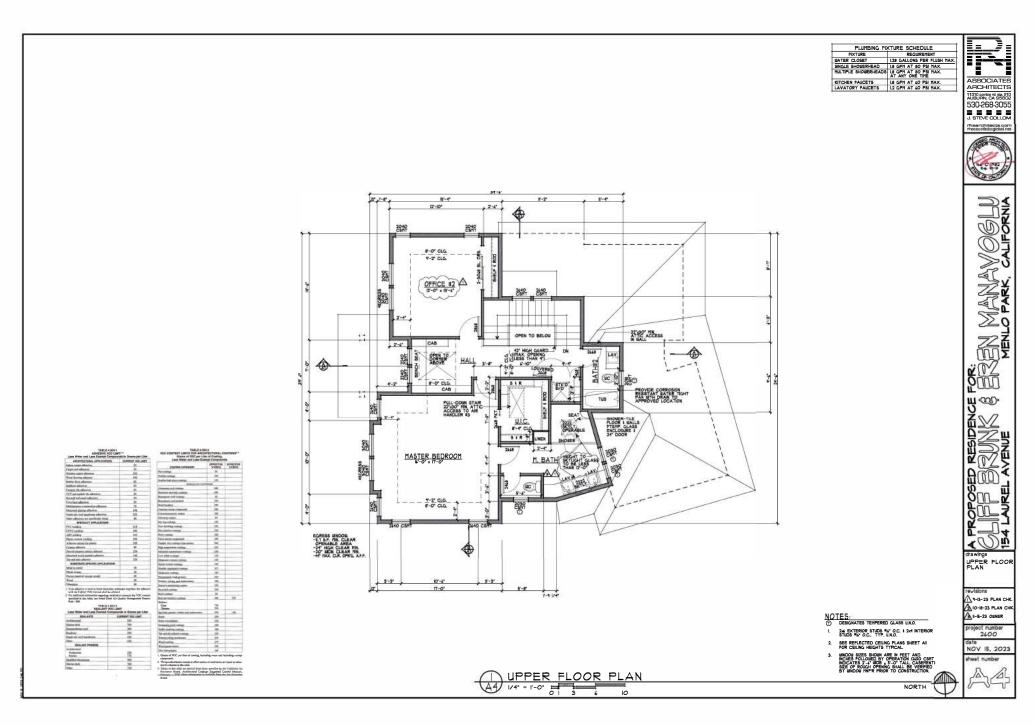
Page 15 of 15

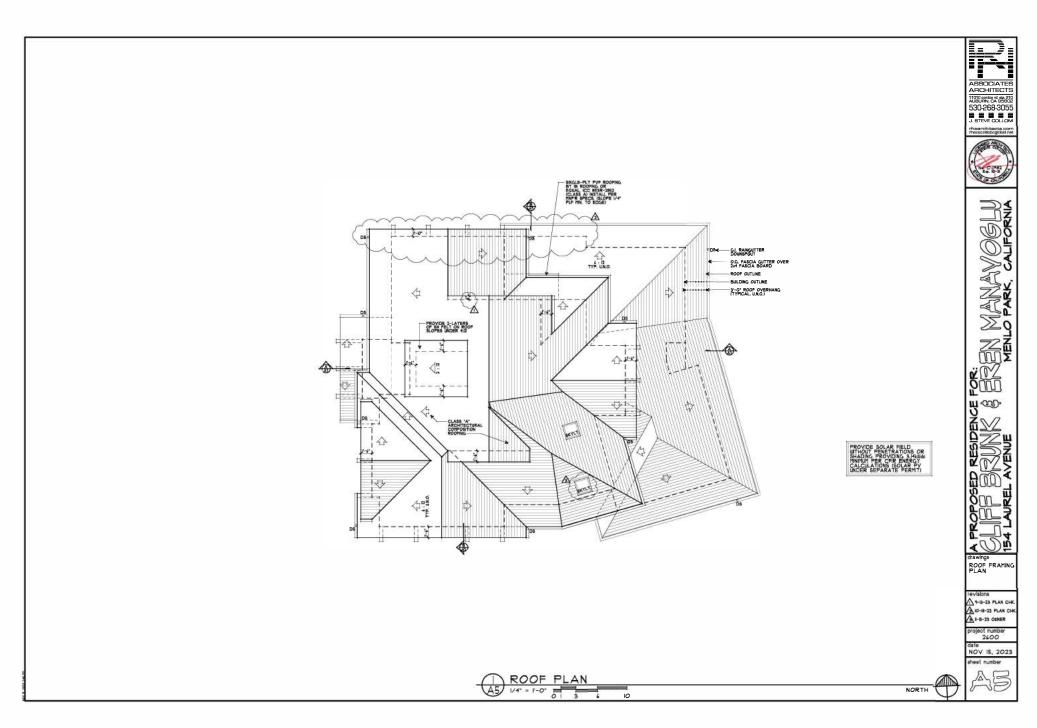
I,Sam Oakley,CERTIFY to the best of my knowledge and belief: 1. That the statements off act contained in this plantappraisal are true and correct.

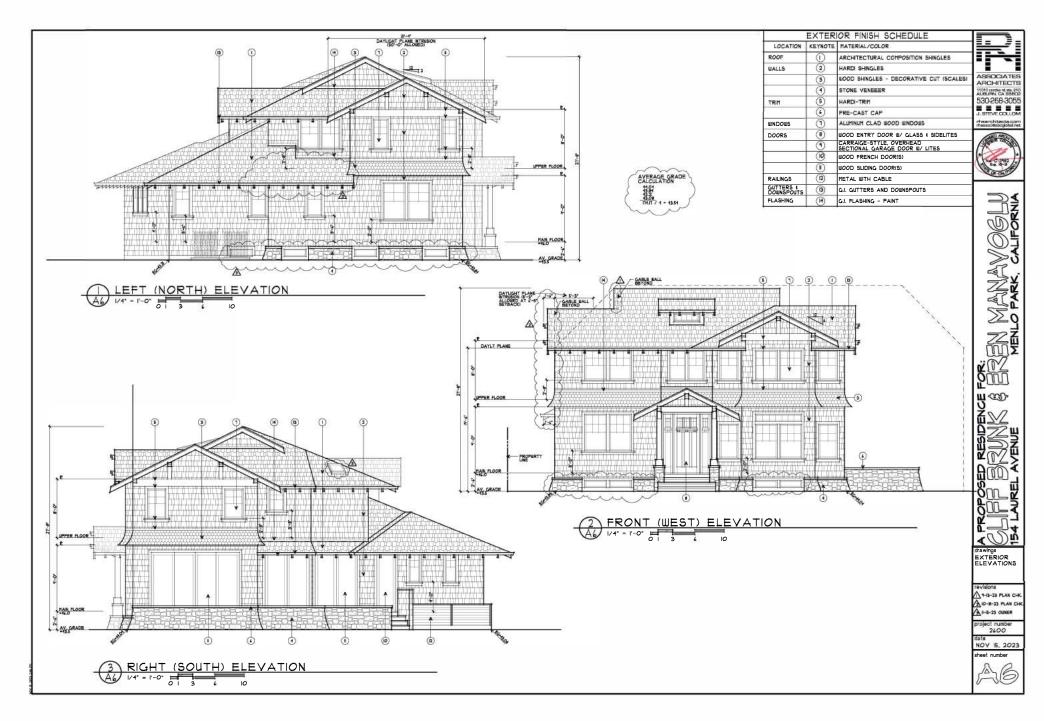
- 2. That the analysis, opinions, and conclusions are limited only by the reported assumptions and imiting conditions, and that they are my personal, unbiased professional analysis, opinions, and 3 That I have no present or prospective interest in the plants that are the subject of this analysis
- Intal have no presentor prospectiveminerest in the plants that are the subject of this analysis and that I have no personal interest or bas with respect to the particle involved.
   That my compensationismot contingent upon a predetermined value or direction invalue that favor site c auso of thecilent, the amount of the Value estimate, the attainment of a stipulated result, or theoccurrence of a subsequentievent. That my appraisal is based on the information known to me at this time. If more information is disclosed, I may have further opinions.



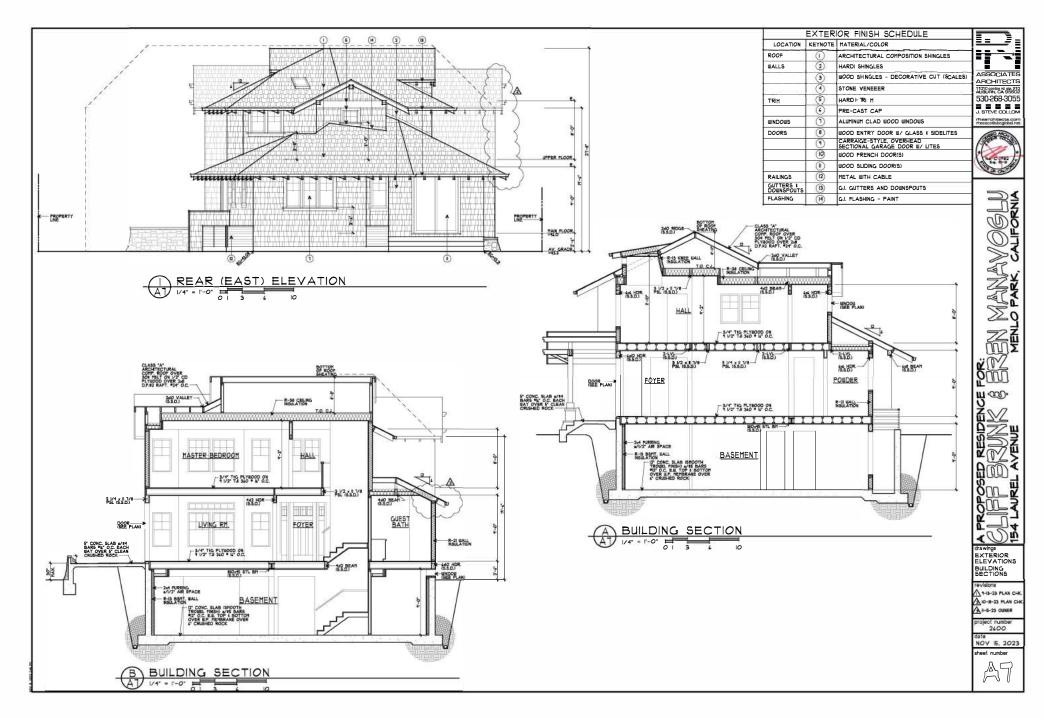




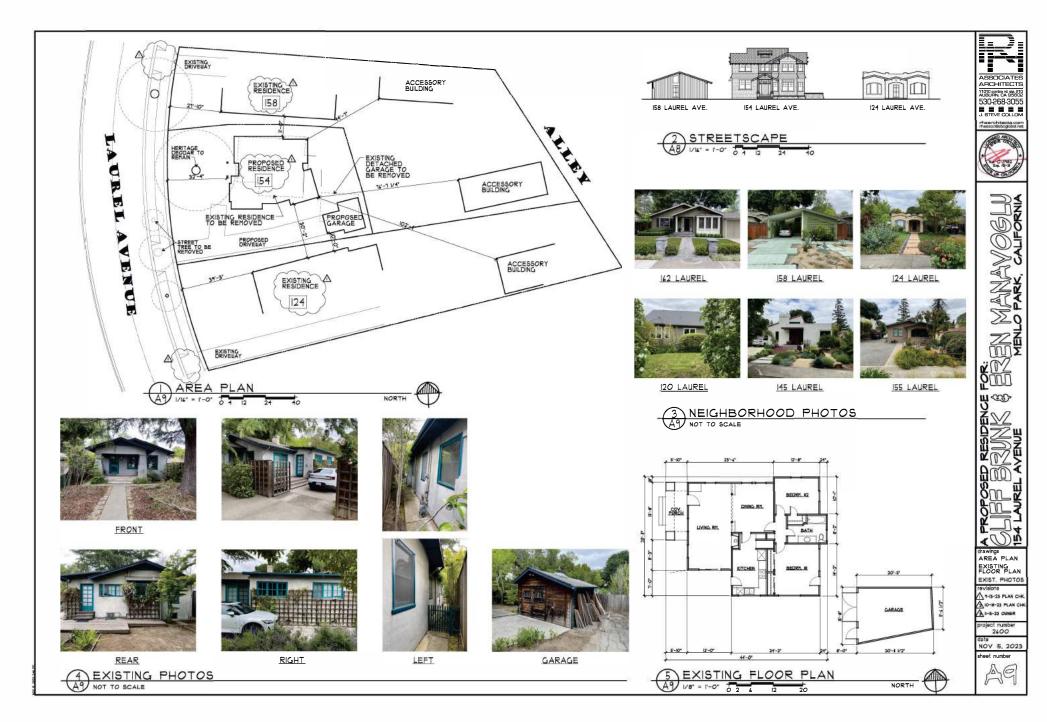




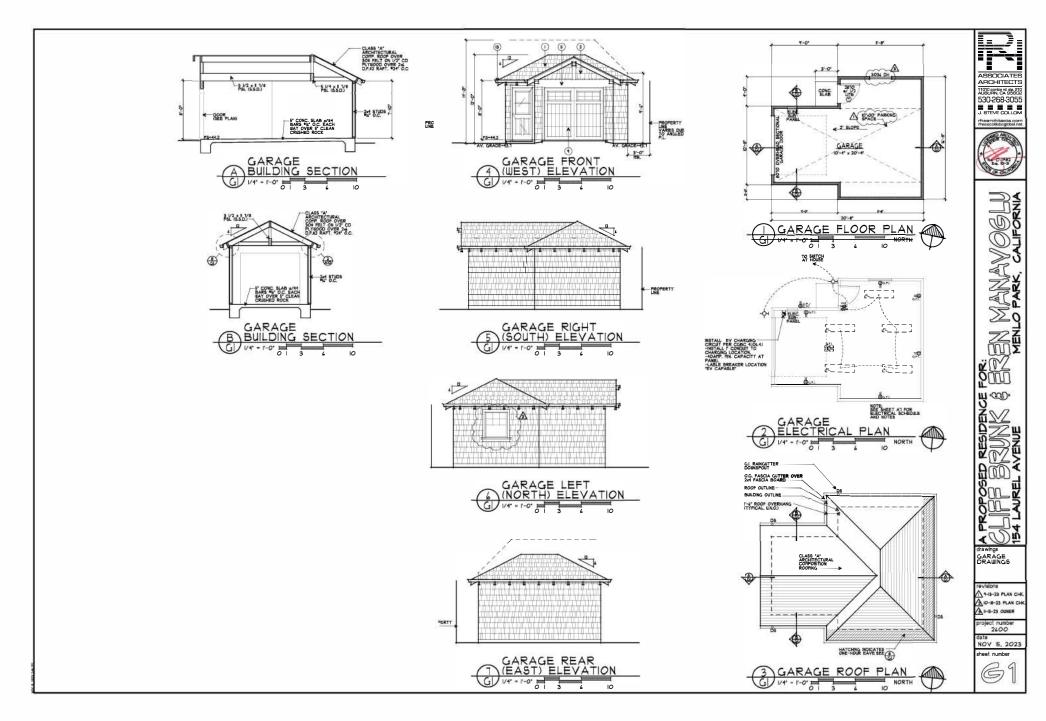
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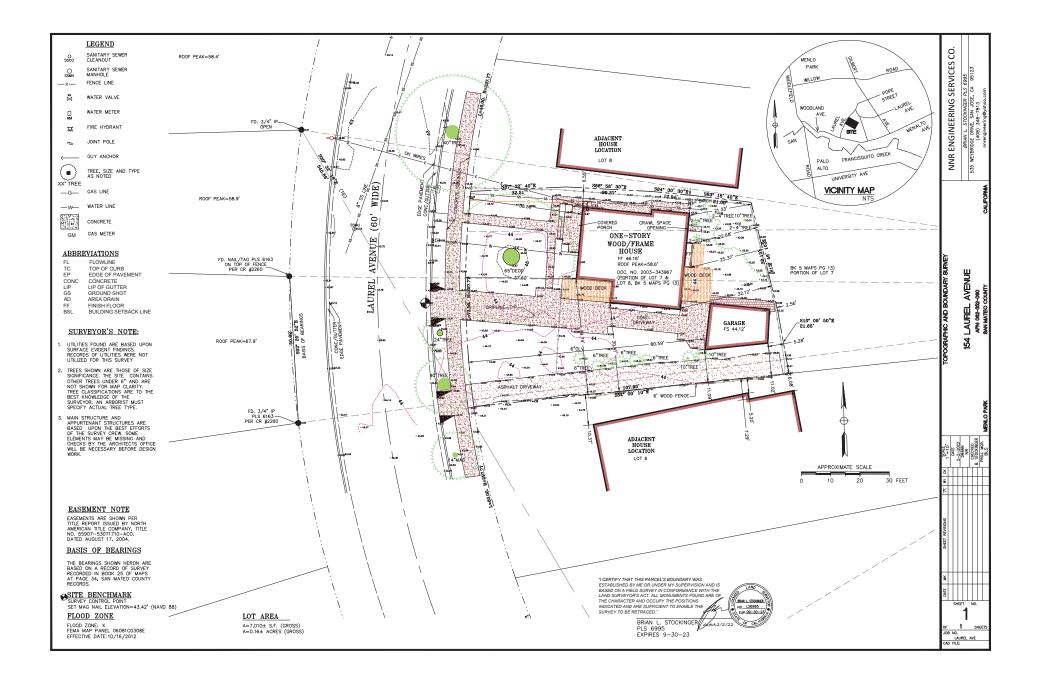












#### GENERAL NOTES:

ELEVATIONS AND LOCATIONS OF ALL EXISTING UTILITY CROSSINGS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO START OF ANY CONSTRUCTION AFFECTING SAID LINES. CONTACT USA AT (800) 642–2444 AT LEAST TWO WORKING DAYS PRIOR TO EXACTION.

2. ALL APPLICABLE WORK AND MATERIALS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MENLO PARK STANDARD DETAILS, SPECIFICATIONS AND ORDINANCES.

THE CONTRACTOR SHALL RESTORE ALL DAMAGED, REMOVED OR OTHERWISE DISTURBED WALLS, FENCES, SERVICES, UTILITIES, IMPROVEMENTS OR FEATURES OF WHATEVER NATURE, DUE TO CONTRACTOR'S WORK.

4. THE CONTRACTOR SHALL COORDINATE HIS/HER WORK WITH ALL UTILITY COMPANIES, PG&E, AT&T, WEST BAY SANITARY, CAL WATER OR MENLO PARK WATER. VALVE BOXES AND MANHOLES, AND STRUCTURES TO BE SET TO GRADE IN CONCRETE AFTER PAVING.

5. ALL STREET MONUMENTS AND OTHER PERMANENT MONUMENTS DISTURBED DURING THE PROCESS OF CONSTRUCTION SHALL BE REPLACED BEFORE ACCEPTANCE OF THE IMPROVEMENTS BY THE PUBLIC WORKS DIRECTOR.

6. THE CONTRACTOR SHALL GIVE THE CITY INSPECTOR TWO WORKING DAYS ADVANCE NOTICE FOR

7. REMOVAL OF HERITAGE TREES REQUIRES HERITAGE TREE REMOVAL PERMIT.

8. FOR LANE CLOSURES, THE CONTRACTOR SHALL PREPARE A TRAFFIC CONTROL PLAN AND OBTAIN APPROVAL OF THE CITY ENGINEER BEFORE COMMENCIONS WORK. THE CONTRACTOR SHALL PROVIDE FLUARMEN, COMES OR BRANCIDES, AS LOCESSARY TO CONTROL TRAFFIC AND PREVENT HAZARODUS CONTROL DEVES, LATEST EDITION.

9. PEDESTRIAN, PUBLIC ACCESSES, WHEELCHAIR ACCESSES SHALL BE MAINTAINED DURING THE CONSTRUCTION TO THE SATISFACTION OF THE PUBLIC WORKS DIRECTOR.

NO TRENCHES OR HOLES SHALL BE LEFT OPEN OVERNIGHT; USE STEEL PLATING OR HOT-MIX ASPHALT AS REQUIRED TO PROTECT OPEN TRENCHES OVERNIGHT.

11. THE CONTRACTOR SHALL CONTROL DUST AT ALL TIMES AND SWEEP STREETS AS OFTEN AS NECESSARY DURING CONSTRUCTION AS REQUIRED BY THE PUBLIC WORKS DIRECTOR.

12. ALL REVISIONS TO THIS PLAN MUST BE REVIEWED AND APPROVED BY THE CITY ENGINEER PRIOR TO CONSTRUCTION AND SHALL BE ACCURATELY SHOWN ON REVISED PLANS STAMPED AND SIGNED BY CITY ENGINEER PRIOR TO THE INSTALLATION OF THE IMPROVEMENTS.

ALL CONSTRUCTION STAKING FOR CURB, GUTTER, SIDEWALK, SANITARY SEWERS, STORM DRAINS, WATER LINES, FIRE HYDRANTS, ELECTROILERS, ETC., SHALL BE DONE BY A REGISTERED CIVIL ENGINEER OR LICENSED LUND SURVEYOR.

14. ALL EXISTING CRACKED OR DAMAGED FEATURES ALONG THE PROPERTY FRONTAGE MUST BE REPAR IN KIND. ALL FRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY STANDARD DETAILS.

ANY FRONTAGE IMPROVEMENTS WHICH ARE DAMAGED EITHER AS AN EXISTING CONDITION OR AS A RESULT OF CONSTRUCTION WILL BE REQUIRED TO BE REPLACED. ALL FRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE ALTEST VERSION OF THE CITY STANDARD DETALS.

16. ALL FRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY STANDARDS DETAILS.

ANY HEAVILY CRACKED SECTION OF VALLEY GUTTER SHOULD ALSO BE REPLACED IN KIND AND DOCUMENTED ON THE SITE PLAN.

CORRECT EXPOSED SECTIONS TO MATCH THE ADJACENT ASPHALT PARKING STRIP (PER CITY STANDARD CG-3) AND MAINTAIN AN ADA COMPLIANT WALKWAY THROUGHOUT.

9. A SEPARATE ENCROLOMENT PERMIT IS REQUIRED FOR ANY WORK WITHIN THE PUBLIC RIGHT OF WAY. THE APPLICANT/CONTRACTOR SHALL OBTAIN THE PERMIT FROM THE CIT'S PONDEROR DISION PRIOR TO START OF ANY MORK WITHIN THE CIT'S RIGHT-OF-WAY OR PUBLIC EASEMENT AREAS. THE APPLICANT SHALL OBTAIN PERMITS FROM UTLITY COMPANIES PRIOR TO APPLYING FOR CITY ENCROCHEMENT PERMIT. TO VIEW ENCORCHEMENT PERMIT REQUIREMENTS PLEASE VISIT THE CITY'S WEBSITE AT:

HTTP://WWW.MENI.OPARK.ORG/202/ENCROACHMENT-PERMITS

DESCRIPTION	LEGEND
PROPERTY LINE	
CENTERLINE	
SANITARY SEWER	<u> </u>
STORM DRAIN LINE	100100_1000_1000_1000_1000_1000_1000_1000_1000_1000_10000_1000000
ELECTRICAL LINE	ttttttt _
JOINT TRENCH	JTJT
GAS LINE	
BASEMENT WALL SUBDRAIN LINE	SUD
DRAINAGE FLOW	~>
REMOVE TREE	×

#### ABBREVIATION

AREA DRAIN AD CLEANOUT

(E) EXISTING

- FINISH GRADE FLOW LINE FINISH SLAB FG FL FS
- INV INVERT
- (N) NEW
- SS SANITARY SEWER SSCO SANITARY SEWER CLEANOUT
- SD STORM DRAIN

#### CITY FRONTAGE NOTES:

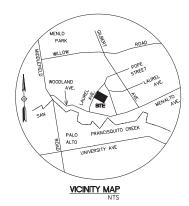
I. 'ALL EXISTING CRACKED OR DAMAGED FEATURES ALONG THE PROPERTY FRONTAGE MUST BE REPARED IN KIND. ALL FRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY STANDARD DETAILS." https://www.menlopark.org/211/Standard-Details

ii. 'ANY FRONTAGE IMPROVEMENTS WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION WILL BE REQUIRED TO BE REPLACED.'

ENCROACMENT PERMIT NOTE: AN ENCROACHMENT PERMIT FROM THE ENGINEERING DIVISION IS REQUIRED PRIOR TO ANY CONSTRUCTION ACTIVITIES IN THE PUBLIC RIGHT OF WAY. A LIST OF REQUIREMENTS FOR ENCROACHMENT PERMIT SUBMITTAL CAN BE FOUND ON THE CITY'S WEBPAGE

#### MAINTENANCE NOTE:

MAINTENANLE NOTE: 15 HAIL DE HOMER'S RESPONSEURY TO ENSURE HAR MAITARED IN COOD WORKING ORDER. HIS NULUES PERDOLALY INSPECTION THE STORM DRAIN PPES TOR SEDMENT AS WELL AS THE DRAIN NETS. SEDMENT AN UNLI'US PERMENT SHOULD DE CO SEDMENT AN UNLI'US PERMENT SHOULD DE CO PERIODICALY CLEARED TO ENSURE THE DRAINAGE FERIORICALY CLEARED TO ENSURE THE DRAINAGE FERIORICALY CLEARED TO ENSURE THE DRAINAGE



#### SHEET INDEX

COVER SHEET - GENERAL NOTES	C-1
GRADING AND DRAINAGE PLAN	C-2
MISCELLANEOUS DETAILS	<u>C-3</u>
EROSION CONTROL PLAN	C-4
CONSTRUCTION BEST MANAGEMENT PRACTICES "BMPS" SHEET	C-5

#### UTILITY SERVICE

THE APPLICANT SHALL SUBMIT WRITTEN CERTIFICATION FROM THE APPROPRIATE ENERGY AND COMMUNICATION UTILITIES TO THE PUBLIC WORKS DEPARTMENT AND THE PLANNING DIVISION STATING THAT THEY WILL PROVIDE ENERGY AND COMMUNICATION SERVICES TO THE PROPOSED PARCELS OF THIS SUBDIVISION.

THE LOCATIONS OF THE MAIN WATER SERVICE AND SANITARY SEWER LINES ARE APPROXIMATE, PRIOR TO THE CONNECTION POINTS SHOWN. AS A REMINDER, A SEWER CONNECTION PERMIT FROM SANITATION DISTRICT, AND A CONNECTION LETTER FROM THE WATER COMPANY ARE REQUIRED.

THE WATER PROVIDER IS CALWATER (650-367-6800) COORDINATE TO DETERMINE SUFFICIENCY OF SIZE OF EXISTING SERVICE LATER AND ANY APPLICABLE CONNECTION FEES.

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

#### UNDERGROUND NOTES

- CONTRACTORS SHALL EXPOSE AND VERIFY PIPE MATERIAL, LINE SIZE, LOCATION AND LELVATION OF EXISTING UTILITES, INCLUDING SANITARY SEWERS, STORM DRAINS, AND WATER LINES AT ALL TE-INS AND CROSSINGS PRIOR TO CONSTRUCTING NEW FACILITIES.
- UNLESS OTHERWISE NOTED, ALL STORM DRAINS, SANITARY SEWERS, MANHOLES AND INLETS SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF MENLO PARK STANDARD SPECIFICATIONS AND STANDARD PLAN DETAILS AS DESIGNATED AND TO DETAILS AS SHOWN ON THE PLAN. 3.
- ALL TRENCH EXCAVATION, BACKFILL AND BEDDING FOR STORM DRAINS AND SANITARY SEWERS SHALL CONFORM TO THE CITY OF MENLO PARK STANDARD SPECIFICATIONS, AND DETAILS. ALL TRENCHES AND EXCAVATIONS SHALL BE CONSTRUCTED IN STRICT 4.
- ALL INERACHES AND EACAVATIONS SHALL BE CONSTRUCTED IN STRUC COMPLIANCE WITH THE APPLICABLE SECTIONS OF CALIFORNIA AND FEDERAL O.S.H.A. REQUIREMENTS AND OTHER APPLICABLE SAFETY ORDINANCES. CONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR TRENCH SHORING DESIGN AND INSTALLATION. 5.
- ALL GAS, ELECTRICAL, TELEPHONE AND CABLE T.V. UTILITES, WILL BE DESIGNED AND CONSTRUCTED BY OTHERS UNDER SEPARATE CONTRACTS AND PLANS.

#### LIGHT WELL SUMP PUMP

H.P. SUBMERSIBLE SUMP PUMP "ZOELLER 151" OR APPROVED EQUAL WITH CHECK VALVE ON DISCHARGE LINE. EQUAL WITH CHECK VALVE ON DISCHARGE LINE. PIMP SHALL ACTIVATE SHOULD WATER REACH LEVEL 2" BELOW RIM OF SUMP. PROVIDE BATTERY OR GENERATOR BACK UP IN CASE OF A POWER FAILURE. PUMP SHALL BE HARD WIRED TO PANEL PER APPLICABLE LOCAL/NATIONAL CODES. LOCATION PER ELECTRICIAN.

#### STORM DRAIN SUMP PUMP

1 LOCAND DAVIDUE COMMENT LOUND 1 CL, SUMPRECE SUMP COLLER NS3" OR APPROVED 1 CL, SUMPRECE SUMP CONSIGNARCE LINE PIMP SHALL ACTIVATE SHOULD WATER REACH LEVEL 2" BELOW RIM OF SUMP, FROUDE BATTERY OR GENERATOR BACK UP IN CASE OF A POWER FAILURE. PUMP SHALL BE HARD WRED TO PANEL PER APPLICABLE LOCAL/NATIONAL CODES. LOCAND FER ELECTRICIAN.

COVER SHEET	GENERAL NOTES	

SHEETS

OF

ALL PROFESSIONAL

No. 56027 Exp. 12/31/24

CIVIL OF CALIFORNIA

UNG.

NNR ENGINE Dave Service

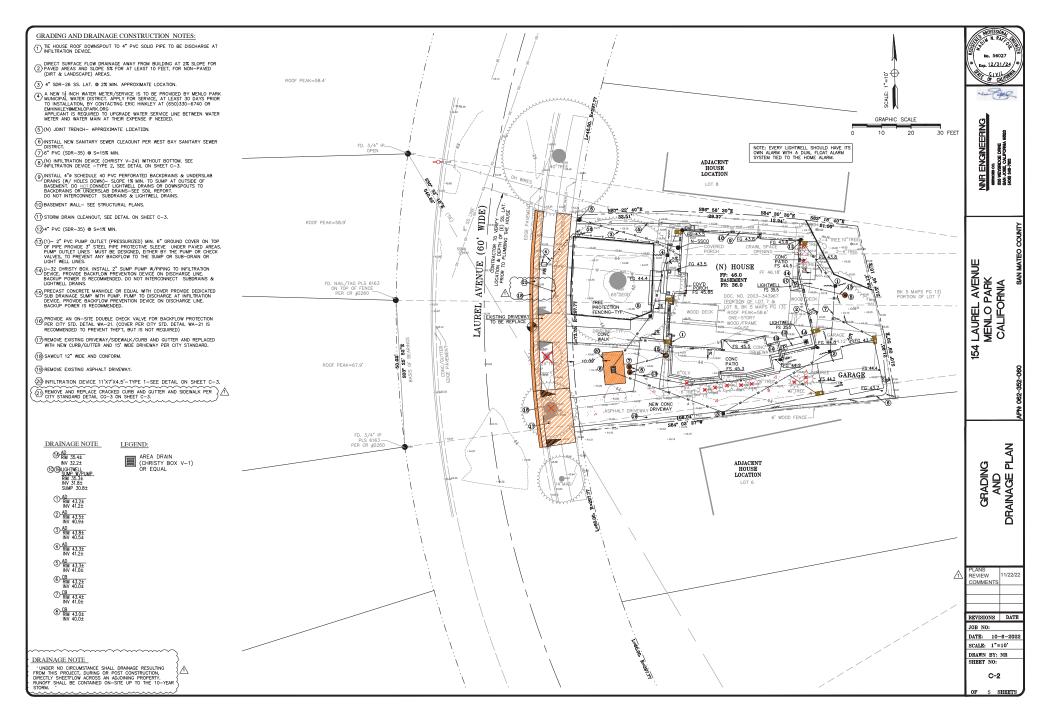
) LAUREL AVENUE MENLO PARK CALIFORNIA

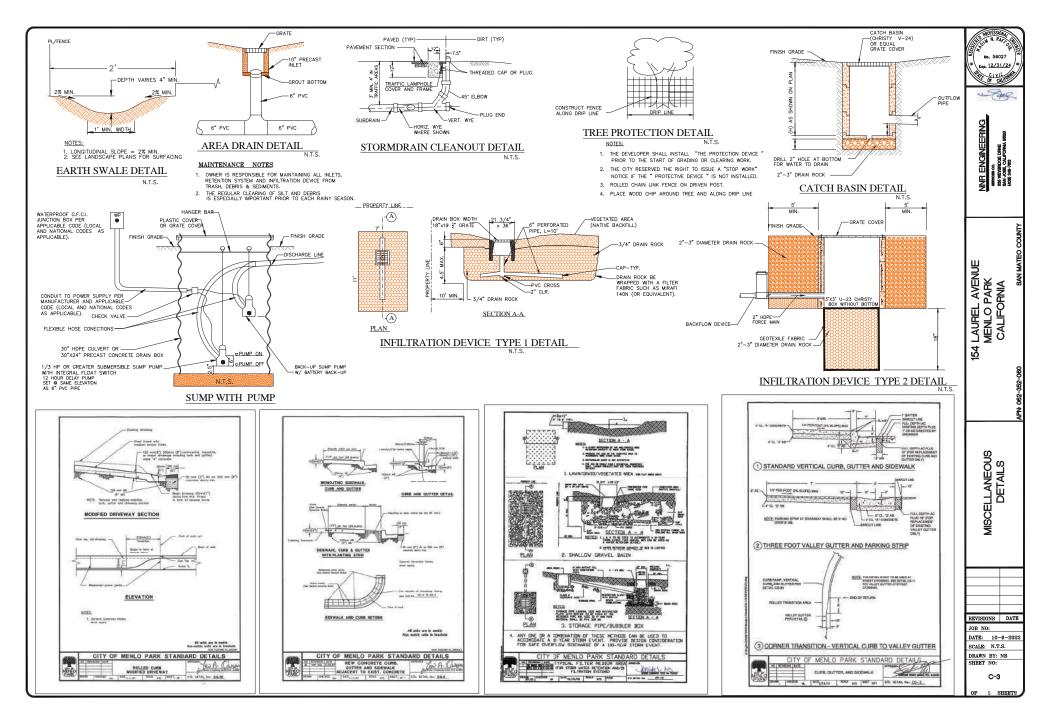
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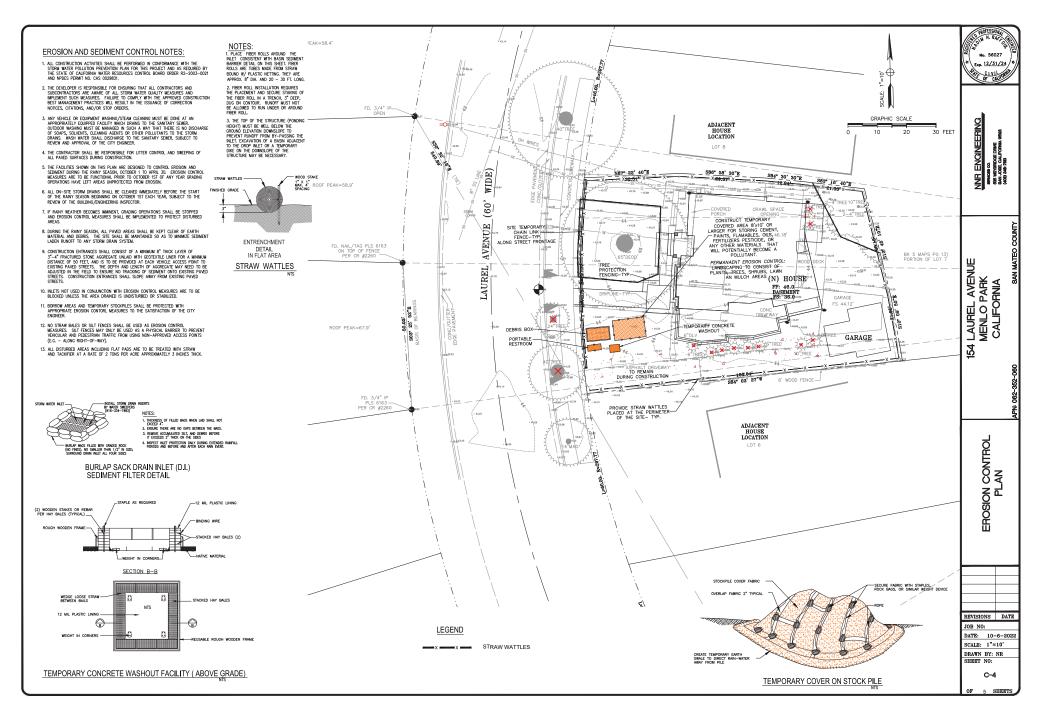
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		ARTH W							
					Y ADHERE T NDATIONS O		REVISIO	ONS	DATE
STRIPPING AND SITE PREPARATION FOR ALL PERTINENT GRADING, PAVING AND TRENCH								):	
	BACKFILL ON THIS SITE.							10-	6-2022
	E	ARTHW	ORK Q	UANTIT	Y		SCALE:		N.T.S.
NOTE:	LOCATION	CUT	DEPTH	FILL	DEPTH		DRAWN	BY:	NR
THE QUANTITIES ARE SHOWN FOR THE PURPOSE OF GRADING PERMIT APPROVAL FROM THE CITY	HOUSE BASEMENT	850 CY	11'	0			SHEET	NO:	
OF MENLO PARK AND ARE NOT TO BE USED FOR	SITE	10 CY	0.5'	0				C-1	-6-2022 N.T.S.
PAYMENT TO THE CONTRACTOR . CONTRACTOR SHALL ESTABLISH HIS OWN QUANTITIES.	TOTAL	860± CY		0					









# **Construction Best Management Practices (BMPs)** Construction projects are required to implement the stormwater best management practices (BMP) on this page, as

they apply to your project, all year long.

Earthmoving

SAN MATEO COUNTYWIDE Water Pollution Prevention Program Clean Water. Healthy Community.

Materials & Waste Management



#### Non-Hazardous Material

Berm and cover stockpiles of sand, dirt or other construction material with tarps when rain is forecast or if not actively being used within 14 days.

Use (but don't overuse) reclaimed water for dust control

#### Hazardous Materials

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

#### Waste Management

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

#### **Construction Entrances and Perimeter**

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



Equipment Management &

#### ance and Parking

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

#### Spill Prevention and Control

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



- matrix) until vegetation is established. Remove existing vegetation only when absolutely necessary, and seed or plant
- vegetation for erosion control on slopes or where construction is not immediately planned. Prevent sediment from migrating offsite
- and protect storm drain inlets, gutters, ditches, and drainage courses by installing and maintaining appropriate BMPs, such as fiber rolls, silt fences, sediment basins, gravel hags, berms, etc.
- Keep excavated soil on site and transfer it to dump trucks on site, not in the streets.

#### **Contaminated Soils**

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



Paving/Asphalt Work

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

#### Sawcutting & Asphalt/Concrete Removal

asphalt concrete pavement.

- Protect nearby storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or gravel bags to keep slurry out of the storm drain system. Shavel, abosorb, or vacuum saw-cut.
- slurry and dispose of all waste as soon as you are finished in one location or a the end of each work day (whichever is sooner!)
- If sawcut slurry enters a catch basin, clean It up immediately.
  - Protect stockpiled landscaping materials from wind and rain by storing them under
    - tarps all year-round. Stack bagged material on pallets and under cover.
    - Discentinue application of any credible landscape material within 2 days before a
    - forecast rain event or during wet weather.



Concrete, Grout & Mortar

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

#### Landscaping



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

# Painting & Paint Removal Never clean brushes or rinse paint - AVENUE PARK

No. 56027 12/31/24

CALIFORNIA

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LAUREL

2

MENLO

- G For oil-based paints, paint out brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of excess liquids as hazardous waste Paint chips and dust from non-hazardous
- dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash. Chemical paint stripping residue and chips
- and dust from marine paints or paints containing lead, mercury, or tributyltin must be disposed of as hazardous waste Lead based paint removal requires a statecertified contractor



Discharges of groundwater or captured runoff from dewatering operations must he property managed and disposed. When

- When dewatering, notify and obtain before discharging water to a street gutter may be required.
- CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPS) REVISIONS DATE JOB NO: DATE: 10-6-2022 SCALE: N.T.S.

DRAWN BY: NR SHEET NO: C-5 SHRETS



A22

# Application

containers into a street, gutter, storm drain, or stream G For water-based paints, paint out brushes to the extent possible, and rinse into a drain that goes to the sanitary sewer. Never pour paint down a storm drain,

Painting Cleanup and Removal



May 25, 2023

City of Menlo Park

Re: 154 Laurel Avenue

Our Job No. 2600

## **PROJECT DESCRIPTION**

The owner would like to build a new two-story residence with a basement and a detached garage to replace an existing one-story home that is too small and dated with low ceilings and crumbling façade. The proposed residence is in the Craftsman style with appropriate detailing such as large overhangs, exposed rafter tails, shaped knee braces, a curved skirt at the second floor level to help with the 2<sup>nd</sup> floor massing, and aluminum-clad-wood windows with grids. The roof material will be architectural composition shingles and the siding will be a combination of shingles, horizontal siding and stone. The stone will be at the base of the front porch and the side patio. The colors of the siding, shingles and window frames and grids will be in the brown family with white trim and grey stone.

The site is mostly 65' and wider except for a very small portion which gets down to 64.1' wide. This results in the defined lot width of less than 65' and therefore results in the need for the requested Use Permit.

The two-story home has been designed and situated on the lot to preserve the 65" Deodar in the front yard which will screen the new residence from the street. We designed the home as a two-story so that the owner could enjoy as much outside living as possible. We set back the house from the South property line in order to create an outdoor space that would take advantage of the sun.

There is a 40" street tree right next to a 24" street tree at the Southern-most corner of the site. The 40" street tree is too big for the parkway and is destined for removal. This is where we plan to access the detached garage, modifying the existing curb cut.

The neighbors have been contacted and are in favor of this project. Their letters are attached.

Thank you for considering this project.

Sincerely,

J. Steve Collom, Architect

RE: Rebuild of 154 Laurel Ave, Menlo Park CA Attn: Planning Commission – City of Menlo Park

May 22, 2023

Cliff and Eren, the owners of 154 Laurel Ave Menlo Park, have shared their design proposal for their new home including exterior renderings and elevations with me. My home is immediately adjacent to and in view of their home. After reviewing their design proposal and discussing it with them, I support the proposed project and believe it is keeping with the character of the neighborhood.

Thank you,

Mark M Loretan 158 Laurel Ave Menlo Park, CA RE: Rebuild of 154 Laurel Ave, Menlo Park CA Attn: Planning Commission - City of Menlo Park

May 22, 2023

Cliff Brunk and Eren Manavoglu, the owners of 154 Laurel Ave Menlo Park, have shared the design proposal for their new home including exterior renderings and elevations with us. Our home is across the street from and in view of their home. After reviewing their design proposal, we do not have any concerns with the proposed project and believe it is keeping with the character of the neighborhood.

Thank you,

Signature

Venkat Rapaka 145 Laurel Ave Menlo Park, CA

Signature

Neelima Akkannapragada 145 Laurel Ave Menlo Park, CA

## RE: Rebuild of 154 Laurel Ave, Menlo Park CA Attn: Planning Commission – City of Menlo Park

May 22, 2023

Cliff Brunk and Eren Manavoglu, the owners of 154 Laurel Ave Menlo Park, have shared the design proposal for their new home including exterior renderings and elevations with me. My home is immediately adjacent to and in view of their home. Upon reviewing their design proposal and discussing it with them, I requested that they add soft scape near their garage to enhance the privacy in our backyard. After that discussion, I support the proposed project and believe it is keeping with the character of the neighborhood.

Thank you,

Jale Signature

Jake Katz 124 Laurel Ave Menlo Park, CA RE: Rebuild of 154 Laurel Ave, Menlo Park CA Attn: Planning Commission – City of Menlo Park

July 2, 2023

Cliff Brunk and Eren Manavoglu, the owners of 154 Laurel Ave Menlo Park, have shared the design proposal for their new home including exterior renderings and elevations with us. Our home is across the street from and in view of their home. After reviewing their design proposal and discussing it with them, we support the proposed project and believe it is keeping with the character of the neighborhood.

Thank you,

ichard M/ Phillips

Richard Phillips 155 Laurel Ave Menlo Park, CA

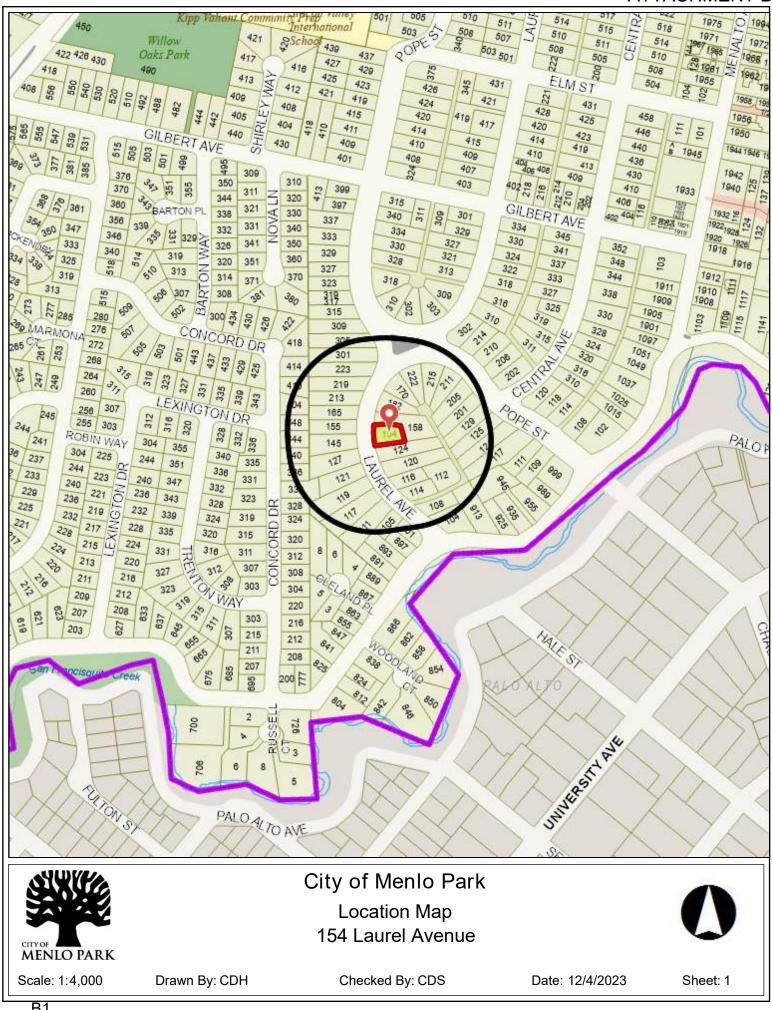
abara Philly's Signature

Barbara Phillips 155 Laurel Ave Menlo Park, CA

LOCATION: Avenue	: 15	4 Laurel	PROJECT NUMBER: PLN2023-00028	APPLICANT: Cliff Brunk	OWNER: Cliff Brunk		
PROJECT CONDITIONS:							
1. The use permit shall be subject to the following <b>standard</b> conditions:							
	a. The applicant shall be required to apply for a building permit within one year from the date of approval (by January 8, 2025) for the use permit to remain in effect.						
	b. Development of the project shall be substantially in conformance with the plans prepared by RH Associates Architecture consisting of 18 plan sheets, dated received November 15, 2023 and approved by the Planning Commission on January 8, 2024, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.						
	C.	Menlo Pa	uilding permit issuance, the rk Fire Protection District, e to the project.				
	d.	the Buildi	uilding permit issuance, the ng Division, Engineering D e to the project.				
	e.	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.					
	f.	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.					
	g.	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.					
	h.	the Herita	trees in the vicinity of the c age Tree Ordinance and th eived September 20, 2023	e arborist report prepared			
	i.		uilding permit issuance, the treviewing the application		ees incurred through staff		
	j.	Park or its the City of annul an Director, developm time period or permitt City's pro- proceedir	cant or permittee shall defe s agents, officers, and emp of Menlo Park or its agents approval of the Planning ( or any other department nent, variance, permit, or la od provided for in any appli- tee's duty to so defend, in omptly notifying the appl ng and the City's full cooper ctions, or proceedings.	oloyees from any claim, act , officers, or employees to Commission, City Council, , committee, or agency of and use approval which a cable statute; provided, ho idemnify, and hold harmle icant or permittee of an	ion, or proceeding against attack, set aside, void, or Community Development of the City concerning a ction is brought within the wever, that the applicant's ss shall be subject to the y said claim, action, or		

LOCATION Avenue	: 15	4 Laurel	PROJECT NUMBER: PLN2023-00028	APPLICANT: Cliff Brunk	OWNER: Cliff Brunk					
PROJECT	PROJECT CONDITIONS:									
	k. Notice of Fees Protest – The applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of the approval or as a condition of approval of this development. Per California Government Code 66020, this 90-day protest period has begun as of the date of the approval of this application.									
2.	The	e use perm	nit shall be subject to the fo	bllowing project- <b>specific</b> co	onditions:					
<ol> <li>The use permit shall be subject to the following project-<b>specific</b> conditions:         <ul> <li>Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans showing removal and replacement of sidewalk, curb, and gutter along the entire project frontage, subject to review and approval of the Public Works Department.</li> </ul> </li> </ol>										

# ATTACHMENT B



# ATTACHMENT C

## 154 Laurel Ave – Attachment C: Data Table

	PROPOS PROJEC		EXISTING PROJECT	ZONING ORDINANCE		
Lot area	7,010 sf		7,010 sf		7,000 st	fmin
Lot width	64.8 ft		64.8 ft		65 ft	min
Lot depth	97.3 ft		97.3 ft		100 ft	min
Setbacks			·			
Front	32.3 ft		37.6 ft		20 ft	min
Rear	20.5 ft		21.3 ft		20 ft	min
Side (left)	3 ft		6.2 ft		10% of minin	num lot width
Side (right)	22.75 ft		30.41 ft		but no les	s than 5 ft
Building coverage	1,892 sf		1,468 sf		2,453.5 st	fmax
	27 %		19.6 %		35 %	max
FAL (Floor Area Limit)*	2,768 sf		1,377 sf 1,377 sf/1st		2,802.5 st	fmax
	12' ft 1,552 sf/1 <sup>st</sup> 926 sf/2 <sup>m</sup> 290 sf/ga 50 sf/co porct	irage vered				
Square footage of buildings	4,335 sf		1,377 sf			
Building height	27.7 ft		15 ft			max
Parking	1 covered and 1 spaces		1 covered space		1 covered and space	
	Note: Areas show	n highlighte/	ed indicate a nonconformi	ng or su	ıbstandard situati	on
Trees	Heritage trees	3	Non-Heritage trees	3	New trees	0
	Heritage trees proposed for removal	2*	Non-Heritage trees proposed for removal	1	Total Number trees	of 6

\*denotes street trees



# **Tree Protection Plan**

for

# 154 Laurel Avenue

154 Laurel Avenue Menlo Park, CA 94025 **BLD2022-02793** 

Prepared for: Cliff Brunk 154 Laurel Avenue Menlo Park, CA 94025

Prepared by: Sam Oakley ISA Board Certified Master Arborist # WE-9474B ASCA Registered Consulting Arborist #556 The Oakley Group LLC PO Box 225279 San Francisco, CA 94122

September 18, 2023



## Project Assignment

This report was prepared for a total of nine (9) trees, located on the site at 154 Laurel Avenue as required by the City of Menlo Park.

You, the owner of 154 Laurel Avenue in Menlo Park, California, are preparing to renovate the existing residential building and install landscaping per Building Permit #BLD2022-02793. There are several trees on the property to be protected during the project and other that will need to be removed and replaced.

The trees that are to be preserved may be impacted by the proposed development. Specifically, a 51inch Heritage Tree *Cedrus deodara* (deodar cedar) in the front landscape area and two (2) Street Trees *Ulmus pumila* (Siberian elm), 22-inches and 36-inches, at the proposed driveway entrance may be impacted by the renovation. To what extent cannot be specifically determined until the project details are more developed.

This document estimates the proposed impacts and provides mitigation. It also serves as a tree protection plan to avoid damage during the construction.

## Data Analysis to include the following information:

- 1. Site Visit on January 27, 2022, survey site and all trees on-site.
- 2. Identify tree location, species, trunk diameter at 4.5 feet above grade, canopy size and drip line.
- 3. Digitally image trees & their surroundings.
- 4. Evaluate trees and their surroundings.
- 5. Analysis of basic impacts based on a discussion about the scope of the project.

## Analysis Performed Per City of Menlo Park Municipal Code Chapter 13.24 DEFINITIONS & REQUIREMENTS:

"Heritage tree" shall mean:

(A) All trees other than oaks which have a trunk with a circumference of 47.1 inches (diameter of fifteen (15) inches) or more, measured fifty-four (54) inches above natural grade.

(B) An oak tree (Quercus) which is native to California and has a trunk with a circumference of 31.4 inches (diameter of ten (10) inches) or more, measured at fifty-four (54) inches above natural grade.

(C) A tree or group of trees of historical significance, special character or community benefit, specifically designated by resolution of the city council.

For purposes of subsections (5)(A) and (B), trees with more than one (1) trunk shall be measured at the diameter below the main union of all multi-trunk trees unless the union occurs below grade, in which



case each stem shall be measured as a stand-alone tree. A multi-trunk tree under twelve (12) feet in height shall not be considered a heritage tree.

This section describes the required elements of an Arborist Report needed for large projects, which include development-related projects or Heritage Tree permit applications for the removal or pruning of four or more trees.

The Arborist report is to be submitted to the City and property owner as part of the permit application process for the purpose of providing accurate information and a professional opinion regarding the condition, preservation, protection, mitigation, and maintenance of Heritage Trees or City Street Trees and, when applicable, the integration of that information into the development plans.

An Arborist Report is required under one of these three circumstances:

1. When any development, excavation, or grading is proposed within 10 times the trunk diameter of a Heritage Tree or City Street Tree. The report shall assess the potential impacts to the tree from all development related plans to establish tree protections and mitigation measures throughout all stages of the development process.

2. When a Heritage Tree removal permit is requested as part of the development.

3. When an application for a Heritage Tree permit is submitted for the removal or heavy pruning of four or more trees, regardless of whether any construction activity is planned on the property.

The Arborist Report is to be prepared by a certified arborist who is currently identified by the City of Menlo Park as a City approved pre-qualified arborist.

The property owner, architect, building contractor and/or designee shall provide accurate and current information to the project arborist to develop the recommendations for tree maintenance, tree protection and mitigation measures to enable accurate recommendations to ensure their survival when related to development.

The Arborist Report shall include an evaluation of following requirements:

• All on-site trees, which are 6 inches in diameter measured at 54" above natural grade (DBH) or greater, including trees to be removed, relocated, and retained on the property (development only);

- Heritage Trees proposed for removal of heavy pruning;
- Heritage Trees on neighboring properties that overhang the project site or with construction or excavation occurring within 10 times the DBH of the tree(s) (development only);

• All Street Trees located in the City right of way proposed for removal or pruning, regardless of size or species.

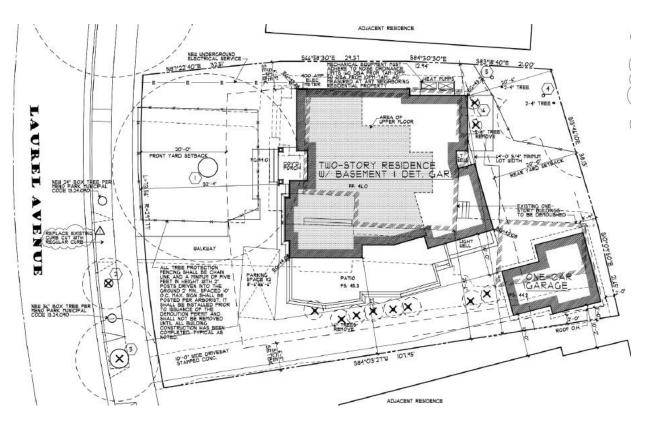


For development-related projects, include all Street Trees within 30 feet of the project site.

## Site Description

154 Laurel Avenue is an occupied, single-level residential property. Two large Street Trees are located on the right hand-side of the property and a large Heritage Tree in the front landscaped area. There is a main structure of residence centrally located on the property. An asphalt driveway is located to the right of the main structure that leads to a detached garage.

## Site Plan



All existing trees greater than 6-inches DBH are numbered on the above plan. Trees that are shown on the plan and are not numbered do not exist.

## **Project Description**

The single-level residential structure is to be renovated to a two-story structure with a basement. The detached garage will also be renovated.



## **Development-Related Plans Reviewed**

I reviewed the plans prepared by RH Associates Architects and dated September 2023.

## **Tree Inventory**

Site evaluation was conducted on January 27, 2022, to include all trees greater than 6-inches diameter measured at 4.5-feet above grade, located within or directly adjacent to the property.

The field analysis was conducted to document the following:

- Unique identifying tree number consistent with numbering shown on the tree site plan/map as well as the numbering on the Heritage Tree permit application form (when applicable)
- Tree species
- Trunk diameter/ DBH
- Heritage Tree/Street Tree/off-site designation
- Health and structural condition with brief description of relevant characteristics
- Suitability for preservation (when related to development) based on existing conditions and reason for removal (when recommended)
- Tree disposition based on tree health / condition evaluation

During the site visits, a visual inspection of the Roots, Trunk, Scaffold (Large) Branches, Small Branches & Twigs as well as Foliage & Buds was conducted using the following health, structure, and form determinations:

#### Scoring System: 1

- 1. Poor: Extreme problems, decay and/or structural defects present, potential for future removal
- 2. Fair: Minor to Major problems present; Problems treatable and/or correctable
- 3. Good: No apparent problems, tree is in overall good health and vigor

The following trees were located on-site:

ID	Tree species	Trunk	Tree	Condition	Suitability for	Appraisal	Disposition
		diameter	Designation		Preservation		
		(inches)					
1	Deodar Cedar	51	Heritage	Good	High	\$55,000	Preserve
2	Siberian Elm	22	Street	Poor	Low	\$860	Remove
3	Siberian Elm	36	Street	Poor	Low	\$1,500	Remove
4	Maidenhair Tree	10	NA	Good	High	NA	Preserve
5	White Birch	12	NA	Good	High	NA	Preserve
6	Japanese Elm	8	NA	Good	Low	NA	Remove



## Appraisal

The value of the trees was determined using the standard methods found in the Guide for Plant Appraisal, 9th edition (published in 2000 by the International Society of Arboriculture, Champaign IL). In addition, the Species Classification and Group Assignment (1992), a publication of the Western Chapter of the International Society of Arboriculture, was also used to determine the species value.

## Evaluation of all potential impacts to trees

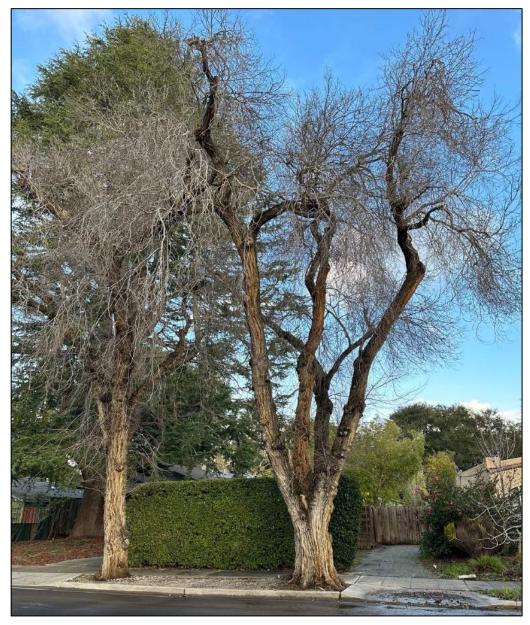
The following are potential impacts to trees from the proposed construction activities:

Tree 1 – will impinge upon second story of proposed structure. This tree will need minimal pruning for clearance from the structure, pruning cut shown below as red line. Because the existing root zone will be protected with fencing, here will not likely be any impacts to the critical root zone. Existing ground cover should be replaced with mulch.

Trees 2 & 3 (below image: left & right, respectively) – these two Street Trees are in poor condition both health and structurally. The proposed driveway is centered directly through Tree 3 due to the required 6.5-foot setback from the property line. As such, Tree 3 will require removal and replacement. I do not think Tree 2 will survive the installation of the proposed driveway due to its poor health, and I recommend removal and replacement for this tree as well. These trees should be removed based on poor health and conflicts with development according to the City's decision-making criteria (Menlo Park Municipal Code 13.24.050). They should be replaced with at a minimum one (1) 24-inch box tree AND one (1) 36-inch box tree with a species consistent with Menlo Park's Approved Replacement Species List, Section 13.24.090. Replacement for Heritage tree removals shall be a species that grows to a mature height of at least 35-feet, per the SelecTree website.







Trees 4, 5, & 6 – These trees are not Heritage Trees. Tree 6 will require removal due to being in direct conflict with the proposed development.

I do not foresee any impacts to the trees on-site from any proposed construction activities including grading, excavation for utility installation, retaining walls, drainage, landscaping, or any other aspects of the project so long as TPZ fencing remains in place for the duration of the project.





## **Tree Protection Measures**

The objective of this section is to reduce the negative impacts of construction on trees to a less than significant level. Trees vary in their ability to adapt to altered growing conditions, while mature trees have established stable biological systems in the preexisting physical environment. Disruption of this environment by construction activities interrupts the tree's physiological processes, causing depletion of energy reserves and a decline in vigor. This sometime is exhibited as death. Typically, this reaction may develop several years or more after disruption.

The tree protection regulations are intended to guide a construction project to ensure that appropriate practices will be implemented in the field to eliminate undesirable consequences that may result from uninformed or careless acts and preserve both trees and property values.

The following a required to be implemented along with the TPP:

The project arborist or contractor shall verify, in writing, that all preconstruction conditions have been met (tree fencing, erosion control, pruning, etc.)

The demolition, grading and underground contractors, construction superintendent and other pertinent personnel are required to meet with the project arborist at the site prior to beginning work to review procedures, tree protection measures and to establish haul routes, staging, areas, contacts, watering, etc.



Fenced enclosures shall be erected around trees to be protected to achieve three primary goals:

To keep the foliage crowns and branching structure of the trees to be preserved clear from contact by equipment, materials, and activities;

Preserve roots intact and maintain proper soil conditions in a non-compacted state and;

To identify the tree protection zone (TPZ) in which no soil disturbance is permitted, and activities are restricted.

## Tree Protection Zone (TPZ)

Each tree to be preserved shall have a designated TPZ identifying the area sufficiently large enough to protect the tree and roots from disturbance. The recommended TPZ area can be determined by the canopy footprint (Tree 1's TPZ will be at the existing hardscape edge). The TPZ shall be shown on all site plans for the project. Improvements or activities such as paving, utility and irrigation trenching and other ancillary activities shall occur outside the TPZ, unless authorized by the project arborist. Unless otherwise specified, the protective fencing shall serve as the TPZ boundaries.

Activities prohibited within the TPZ include:

Storage or parking vehicles, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots. Poisonous materials include, but are not limited to, paint, petroleum products, concrete or stucco mix, dirty water or any other material which may be deleterious to tree health.

The use of tree trunks as a winch support, anchorage, as a temporary power pole, signposts, or other similar function.

Cutting of tree roots by utility trenching, foundation digging, placement of curbs and trenches and other miscellaneous excavation without prior approval of the project arborist.

## Soil disturbance or grade/drainage changes

Activities permitted or required within the TPZ include:

Mulching: During construction, wood chips shall be spread within the TPZ to a six (6) inch depth, leaving the trunk clear of mulch to help inadvertent compaction and moisture loss from occurring. The mulch may be removed if improvements or other landscaping is required. Mulch material shall be two (2) inch unpainted, untreated wood chip mulch or approved equal.

Root Buffer: When areas under the tree canopy cannot be fenced, a temporary buffer is required and shall cover the root zone and remain in place at the specified thickness until final grading stage.



Irrigation, aeration, fertilizing or other beneficial practices that have been specifically approved for use within the TPZ.

## Size and type of fence

All trees to be preserved shall be protected with five or six (5-6) foot high chain link fences. Fences are to be mounted on two-inch diameter galvanized iron posts, driven into the ground to a depth of at least two (2) feet at no more than ten (10) foot spacing. This detail shall appear on grading, demolition, and improvement plans. Plastic orange fencing may be used as an alternative to chain link only for temporary construction zones under the direction of the Project Arborist.

The fence shall enclose as much of the area under the canopy dripline as possible, being set up by the Project Arborist and to remain throughout the duration of the project, or until final improvement work within the area is required, typically near the end of the project. If the fencing must be located on the edge of paving or sidewalk that will not be demolished, the posts may be supported by an appropriate grade level concrete base. For Tree 1, only the planting area shall be enclosed with the required chain link protective fencing.

Tree Protection Fencing locations are shown in the above Site Plan section of this report. Exact dimensions will need to be determined in the field during job set-up in coordination with the Project Arborist.

## **Duration of Tree Protection Fencing**

Tree fencing shall be erected prior to demolition, grading or construction and remain in place until final inspection.

## "Warning" Signage

Warning signs a minimum of 8.5x11-inches shall be prominently displayed on each fence. The sign shall clearly state:

WARNING - Tree Protection Zone - This fence shall not be removed and is subject to a penalty.

Tree protection fencing, if required to be moved, must be moved under the direction of the Project Arborist. All tree protection zones need to be clear of debris and construction materials, and cleared of weeds regardless of if fencing is present or not.

A general rule is that the tree protection zone is to be at the dripline of the tree if fencing is not present. Tree protection fencing needs to be restored to its proper dimensions immediately following activity that resulted in the removal of tree protection fencing.

## Pruning, Surgery& Removal

Page **10** of **15** 



Prior to construction, Tree 1 will require that branches be pruned clear from structures, activities, building encroachment or may need to be strengthened by means of mechanical support (cabling) or surgery. Such pruning, surgery or the removal of trees shall adhere to the following standards:

Pruning limitations:

- Minimum Pruning: If the project arborist recommends that trees be pruned, and the type of pruning is left unspecified, the standard pruning shall consist of 'crown cleaning' as defined by ISA Pruning Guidelines. Trees shall be pruned to reduce hazards and develop a strong, safe framework.
- Maximum Pruning: Maximum pruning should only occur in the rarest situation approved by the project arborist. No more than one-fourth (1/4) of the functioning leaf and stem area may be removed within one (1) calendar year of any tree, or removal of foliage to cause the unbalancing of the tree. It must be recognized that trees are individual in form and structure, and that pruning needs may not always fit strict rules. The project arborist shall assume all responsibility for special pruning practices that vary from the standards outlined in this TPP.

Tree Workers: Pruning shall not be attempted by construction or contractor personnel but shall be performed by a qualified tree care specialist or certified tree worker.

Tree 1 will need minimal pruning for clearance from the structure. The Project Arborist shall provide a follow-up letter documenting the mitigation has been completed to specification.

## Activities During Construction & Demolition Near Trees

Soil disturbance or other injurious and detrimental activity within the TPZ is prohibited unless approved by the project arborist. If an injurious event inadvertently occurs, or soil disturbance has been specifically conditioned for project approval, then the following mitigation is required:

Soil Compaction: If compaction of the soil occurs, it shall be mitigated as outlined in Soil Compaction Damage, and/or Soil Improvement.

Grading Limitations within the Tree Protection Zone:

- Grade changes outside of the TPZ shall not significantly alter drainage to the tree.
- Grade changes within the TPZ are not permitted.
- Grade changes under specifically approved circumstances shall not allow more than six (6) inches of fill soil added or allow more than four (4) inches of existing soil to be removed from natural grade unless mitigated.

## Trenching, Excavation & Equipment Use

Excavation or boring activity within the TPZ is restricted to the following activities, conditions and requirements if approved by the project arborist:



Notification. Contractor shall notify the project arborist a minimum of twenty-four (24) hours in advance of the activity in the TPZ.

Root Severance. Roots that are encountered shall be cut to sound wood and repaired. Roots two (2) inches and greater must remain injury free.

Excavation. Any approved excavation, demolition or extraction of material shall be performed with equipment sitting outside the TPZ. Methods permitted are by hand digging, hydraulic or pneumatic air excavation technology only. Avoid excavation within the TPZ during hot, dry weather.

If excavation or trenching for drainage, utilities, irrigation lines, etc., it is the duty of the contractor to tunnel under any roots two (2) inches in diameter and greater.

Prior to excavation for foundation/footings/walls, grading or trenching within the TPZ, roots shall first be severed cleanly one (1) foot outside the TPZ and to the depth of the future excavation. The trench must then be hand dug and roots pruned with a saw or narrow trencher with sharp blades or other approved root pruning equipment.

Heavy Equipment. Use of backhoes, steel tread tractors or any heavy vehicles within the TPZ is prohibited.

## **Root Severance**

Cutting and removal of roots smaller than two (2) inches in diameter shall be done by chain saw or hand saw to provide a flat and smooth cut and cause the least damage possible to the root and tree's health. Cutting roots by means of tractor-type equipment or other than chain saws and hand saws is prohibited.

Proper pruning technique shall encourage callusing of the roots. Root cutting and removal shall not exceed thirty-five (35) percent of total root surface.

The Contractor shall remove any wood chips or debris that may be left over from root removal that may affect the construction of improvements as directed by the City Engineer.

If any roots over two (2) inches in diameter are severed during any excavation, the following procedure shall be followed:

The roots shall be shaded by immediately covering the entire trench with plywood, or by covering the sides of the trench with burlap sheeting that is kept moist by watering twice per day.

When ready to backfill, each root shall be severed cleanly with a handsaw. Where practical, they should be cut back to a side root. Immediately, a plastic bag shall be placed over the fresh cut and secured with a rubber band or electrical tape. Shading should immediately be placed until backfilling occurs.

Plastic bags shall be removed prior to backfilling.

Backfill shall be clean, native material free of debris, gravel, or wood chips.



If roots three (3) inches in diameter, or larger, are encountered during excavation, Contractor shall contact the Public Works Construction Section and the City Parks Division immediately and request a field inspection by the Engineer and the City Tree Supervisor, or their designated representatives, and obtain instruction as to how the roots should be treated. No roots three (3) inches in diameter, or larger, shall be cut and removed without prior approval from the City Engineer and the City Tree Supervisor, or their designated representatives. Failure to notify the Public Works Department or the Parks Division for root inspection will result in the Contractor paying for damages and/or replacing the damaged tree as determined by the Engineer.

The Project Arborist shall provide a follow-up letter documenting the mitigation has been completed to specification.

## **Irrigation Program**

Irrigate to wet the soil within the TPZ to a depth of twenty-four to thirty (24-30) inches at least once a month, preferably twice a month. Ten (10) gallons per inch DBH is enough. Begin irrigating immediately prior to any construction activity. Alternatively, sub-surface irrigation may be used at regular specified intervals by injecting on approximate three (3) foot centers, ten (10) gallons of water per inch trunk diameter within the TPZ. Duration shall be until project completion plus monthly until seasonal rainfall totals at least eight (8) inches of rain, unless specified otherwise by the project arborist.

## Damage to Trees - Reporting

Any damage or injury to trees shall be reported within six (6) hours to the project arborist and job superintendent or City Arborist so that mitigation can take place. All mechanical or chemical injury to branches, trunk or to roots over two (2) inches in diameter shall be reported in the monthly inspection report. In the event of injury, the following mitigation and damage control measures shall apply:

Root injury: If trenches are cut and tree roots two (2) inches or larger are encountered they must be cleanly cut back to a sound wood lateral root. The end of the root shall be covered with either a plastic bag and secured with tape or rubber band or be coated with latex paint. All exposed root areas within the TPZ shall be backfilled or covered within one (1) hour. Exposed roots may be kept from drying out by temporarily covering the roots and draping layered burlap or carpeting over the upper three (3) feet of trench walls. The materials must be kept wet until backfilled to reduce evaporation from the trench walls.

Bark or trunk wounding: Current bark tracing and treatment methods shall be performed by a qualified tree care specialist within two (2) days.

Scaffold branch or leaf canopy injury: Remove broken or torn branches back to an appropriate branch capable of resuming terminal growth within five (5) days. If leaves are heat scorched from equipment exhaust pipes, consult the project arborist within six (6) hours.

Any damage any tree's canopy will need to be restoratively pruned effective immediately after the damage occurs and no later than 48 hours after the damage occurs.



Any tree on-site protected by the City's Municipal Code will require replacement according to its appraised value if it is damaged beyond repair because of construction activities.

The Project Arborist shall provide a follow-up letter documenting the mitigation has been completed to specification.

## **Inspection Schedule**

The project arborist retained by the applicant shall conduct the following required inspections of the construction site:

Inspections shall verify that the type of tree protection and/or plantings are consistent with the standards outlined within this TPP. For each required inspection or meeting, a written summary of the changing tree related conditions, actions taken, and condition of trees shall be provided to the contactor.

The inspection schedule is as follows:

- Inspection of Protective Tree Fencing.
- Pre-Construction Meeting. Prior to commencement of construction, the contractor shall conduct a pre-construction meeting to discuss tree protection with the job site superintendent, grading equipment operators, and the project arborist.
- Inspection of Rough Grading. The project arborist shall perform an inspection during rough grading adjacent to the TPZ to ensure trees will not be injured by compaction, cut or fill, drainage, and trenching, and if required, inspect aeration systems, tree wells, drains and special paving. The contractor shall provide the project arborist at least forty-eight (48) hours advance notice of such activity.
- Monthly Inspections. The project arborist shall perform monthly inspections to monitor changing conditions and tree health. The City Arborist shall be in receipt of an inspection summary during the first week of each calendar month or, immediately if there are any changes to the approved plans or protection measures.
- Any special activity within the Tree Protection Zone. Work in this area (TPZ) requires the direct on-site supervision of the project arborist.

The Project Arborist shall provide a follow-up letter documenting the mitigation has been completed to specification.

## Maintenance of Trees After Construction

Tree 1, 4, & 5, and any mitigation trees will need to be irrigated post-construction. Each tree should be inspected annually to monitor for disease or external stress and treated accordingly. Mitigation trees will need to be irrigated until established, which can be upwards of 5-years after planting.



## Conclusion

It is the nature of trees exposed to construction that some do not survive, and mortality cannot be predicted. If due care is exercised, all the trees on the project are expected to remain healthy and alive.

## Certification

I, Sam Oakley, CERTIFY to the best of my knowledge and belief:

- 1. That the statements of fact contained in this plant appraisal are true and correct.
- 2. That the analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and that they are my personal, unbiased professional analysis, opinions, and conclusions.
- 3. That I have no present or prospective interest in the plants that are the subject of this analysis and that I have no personal interest or bias with respect to the parties involved.
- 4. That my compensation is not contingent upon a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- 5. That my appraisal is based on the information known to me at this time. If more information is disclosed, I may have further opinions.

## **Community Development**



#### STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

nber: 24-002-PC

1/8/2024

Public Hearing:

Consider and adopt a resolution to approve use permits to establish a maximum floor area limit (FAL) for a single-family property less than 5,000 square feet in area, partially demolish an existing nonconforming one-story, single-family residence and construct new first- and second-story additions exceeding 50 percent of the existing floor area on a substandard lot with regard to minimum lot width. depth and area in the R-1-U (Single Family Urban Residential) zoning district, and conduct remodeling and additions to an existing nonconforming residence that would exceed 50 percent of the replacement value of the structure at 495 Gilbert Avenue and determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities

#### Recommendation

Staff recommends that the Planning Commission adopt a resolution approving a use permit to establish a maximum floor area limit (FAL) for a single-family property less than 5,000 square feet in area, partially demolish an existing nonconforming one-story, single-family residence and construct new first- and second-story additions exceeding 50 percent of the existing floor area on a substandard lot with regard to minimum lot width, depth, and area in the R-1-U (Single Family Urban Residential) zoning district, and to conduct remodeling work on the existing nonconforming residence that would exceed 50 percent of the replacement value of the structure in a 12-month period. The draft resolution, including the recommended actions and conditions of approval, is included as Attachment A.

#### **Policy Issues**

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

#### Background

#### Site location

The subject property is located on the corner of Gilbert Avenue and Barton Way, in the Willows neighborhood. All neighboring properties are also located in the R-1-U zoning district, however, nearby properties along Willow Road are located in the C-MU (Neighborhood Mixed Use, recently rezoned from C-2-A) and OSC (Open Space and Conservation) districts. A location map is included as Attachment B. This

section of Gilbert Avenue features a mix of older one-story, ranch-style residences, and newer two-story residences of varying architectural styles.

#### Analysis

#### **Project description**

The applicant is proposing to partially demolish the existing one-story, single-family residence, conduct interior and exterior remodel work, and construct a new second story, with a small addition on the first floor. The proposed additions exceed 50 percent of the existing floor area, and therefore, the residence would be considered a new structure. The residence is also nonconforming with regard to the rear and street side (left side) setbacks, and the value of work would exceed 50 percent of the existing value. Since the lot area is less than 5,000 square feet, there is no established floor area limit and the Planning Commission would establish the FAL through the use permit. A data table summarizing parcel and project characteristics is included as Attachment C. The project plans and project description letter are included as Attachment A, Exhibits A and B, respectively.

The proposed residence would become a five-bedroom, four-bathroom home. The existing lot includes a substandard parking condition with one covered space in an existing attached garage, to remain, and no second compliant parking space. The applicant proposes to create a second compliant uncovered parking space in the rear yard. Except where the existing nonconforming street side and rear walls are proposed to remain, the proposed residence would meet all other Zoning Ordinance requirements for setbacks, lot coverage, daylight plane, and height. Of particular note, the project would have the following characteristics with regard to the Zoning Ordinance:

- The proposed FAL would be established by the Planning Commission, and the applicant is requesting an FAL of 2,285.5 square feet. This equates to a floor area ratio (FAR) of 46.3 percent. Historically, staff has recommended approval of projects with an FAR of 56 percent or less on lots less than 5,000 square feet in area, because that is the maximum FAR on a 5,000 square-foot lot with an FAL of 2,800 square feet;
- The proposed residence would be below the maximum building coverage with 28 percent proposed where 35 percent is the maximum;
- The proposed residence would be below the maximum height, with approximately 24 feet, eight inches proposed where 28 feet is the maximum permitted height.

The proposed residence would have a front setback of 24 feet, eight inches, and maintain an existing nonconforming rear setback of 15 feet, where 20 feet is required for each setback. The residence would maintain a right side setback of nine feet, four inches where five feet is required and a left side setback of nine feet, eight inches where 12 feet is required along the street side. The proposed second floor would be stepped back on the rear and street side to comply with the required setbacks, but would not be stepped back on the front and right side. The second floor would have a rear setback of 20 feet and a street side setback of 16 feet, eight inches.

#### Design and materials

The applicant states that the proposed residence would be modified to change the ranch architectural style to a contemporary style. The house would maintain the same footprint on the first floor with the second floor generally flush with the first floor on the front and right side, and stepped back on the left (street) side and rear. The existing stucco siding would be replaced with new stucco that includes decorative banding on the first floor. Roofing material would be architectural concrete shingles. Windows would be black vinyl with simulated true divided lights and interior and exterior muntins with spacer bars between panes. The

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residence would have wood features including eave returns on both the first and second floors, and the front and garage doors would be synthetic with a faux wood-grain finish.

All second-story windows would have a sill height of two feet, six inches. The applicant has stated in the project description letter that they discussed the project with the neighbors at 441 Gilbert Avenue and 350 Barton Way, who expressed concerns with the window placement and sill height. The applicant indicates that as a result of the discussions, they propose to make the bottom half of the second-story windows on the rear and right sides obscured glass, as noted on sheets A3.0 and A3.1 of the plan set, making the effective sill height approximately five feet from finished floor. The project description letter indicates that the neighbors agreed to this compromise, and staff believes that the proposed sill heights combined with the obscured glass would alleviate any privacy concerns.

Staff believes that the scale, materials, and style of the proposed residence would result in a development that is appropriately sized for the lot and generally consistent with the broader neighborhood, given the similar architectural styles and sizes of structures in the area.

#### Floor area limit establishment

In single-family zoning districts, the Zoning Ordinance typically establishes a maximum FAL based on the lot size. However, in the R-1-U zoning district, the Zoning Ordinance does not establish a FAL for properties less than 5,000 square feet in area. Instead, the maximum floor area limit is determined by the Planning Commission through approval of a use permit. The applicant proposes a floor area limit of 2,286 square feet. When compared to the area of the lot, the FAR of the proposed development would be 46.3 percent. Staff believes this is an acceptable ratio, given that the maximum FAR on a 5,000-square-foot lot, where 2,800 square feet of floor area is allowed, is 56 percent. Staff has historically recommended approval of residences that are proposed at or below 56 percent FAR, and believes 46.4 percent is a reasonable proposal given the size and shape of the lot.

#### Nonconforming work value

For projects involving existing nonconforming structures, the City uses standards established by the Building Division to calculate the replacement and new construction costs on which the use permit threshold is based. For context, the use permit threshold differs between 75 percent for a single-story structure and 50 percent for a two-story structure. Since the proposed residence is a two-story structure, the 50 percent threshold applies. The City has determined that the value of the proposed work for the project would be approximately 160 percent of the replacement value, and therefore requires use permit approval by the Planning Commission.

#### Trees and landscaping

The applicant has submitted an arborist report (Attachment D), detailing the species, size, and conditions of on-site and nearby trees. The arborist report lists a total of nine trees on and around the subject property. Four of the trees are heritage (Trees #1-4), one of which is on the property (Tree #1), and the other three (Trees #2-4) are street trees. The rest are a mix of non-heritage Japanese maple, crape myrtle, and laurel cherry trees that are located on the subject property (Trees #5-9). One heritage olive tree (Tree #1) has been approved for removal in order to widen the driveway to provide a second compliant parking space.

The arborist report includes tree protection recommendations for the pre-construction, construction, and post-construction phases of the project. As part of the project review process, the arborist report was reviewed by the City Arborist. Implementation of all recommendations to mitigate impacts to the heritage trees identified in the arborist report would be ensured as part of condition 1h.

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The majority of the existing landscaping would remain, however one eastern redbud tree would be planted in the rear right corner of the property as a required replacement tree to comply with the conditions of the heritage tree removal permit.

A new fence three feet in height would be constructed at the corner of the property within the sight triangle, which is defined as the triangular area bounded on two sides by the right-of-way lines of the intersecting streets and the third side by a line joining points on the right-of-way lines at a distance of 35 feet from their point of intersection. A new four-foot tall fence would be constructed outside of the sight triangle, but within the front setback. Existing fences seven feet in height and outside of the front setback would remain.

#### Correspondence

The applicant states that neighborhood outreach was performed to review the plans. The applicant includes a summary of conversations with the neighbors and strategies to alleviate privacy concerns in the project description letter (Attachment A, Exhibit B). As of the publication of this report, staff has not received any direct correspondence regarding the project.

#### Conclusion

Staff believes that the design, scale, and materials of the proposed residence are generally compatible with the surrounding neighborhood. The contemporary style would be generally attractive and well-proportioned. Staff believes that a proposed floor area limit of 2,286 square feet (floor area ratio of 46.3 percent) is suitable for the size of the lot. Staff recommends that the Planning Commission approve the use permit requests.

#### **Impact on City Resources**

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

#### **Environmental Review**

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

#### **Public Notice**

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

#### Appeal Period

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

#### Attachments

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- A. Draft Planning Commission Resolution Adopting Findings of Approval for project Use Permits including project Conditions of Approval <u>Exhibits to Attachment A</u>
  - A. Project Plans
  - B. Project Description Letter
  - C. Conditions of Approval
- B. Location Map
- C. Data Table
- D. 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, Senior Planner

Report reviewed by: Tom Smith, Principal Planner

## PLANNING COMMISSION RESOLUTION NO. 2024-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK (1) APPROVING A USE PERMIT TO PARTIALLY DEMOLISH AN EXISTING NONCONFORMING **ONE-STORY RESIDENCE AND CONSTRUCT NEW FIRST- AND SECOND-STORY** ADDITIONS AND INTERIOR AND EXTERIOR RENOVATIONS ON A SUBSTANDARD LOT WITH REGARD TO MINIMUM LOT WIDTH, DEPTH. AND AREA IN THE R-1-U ZONING DISTRICT. (2) APPROVING A USE PERMIT TO ESTABLISH THE MAXIMUM FLOOR AREA LIMIT ON A LOT LESS THAN 5,000 SQUARE FEET IN AREA, AND (3) APPROVING A USE PERMIT TO CONDUCT MODIFICATIONS TO AN **EXISTING NONCONFORMING BUILDING WHERE THE VALUE OF THE** WORK EXCEEDS 50 PERCENT OF THE EXISTING VALUE IN A 12-MONTH PERIOD

**WHEREAS**, the City of Menlo Park ("City") received an application requesting a use permit to partially demolish an existing nonconforming one-story residence and construct interior and exterior renovations and new first- and -second-story additions on a substandard lot in the R-1-U zoning district and to establish the maximum floor area limit on a lot less than 5,000 square feet in area. The proposed additions exceed 50 percent of the existing floor area and, therefore, the project is considered equivalent to a new structure. Additionally, the value of the proposed work exceeds 50 percent of the replacement value in a 12-month period. The proposed use permits (collectively, the "Project") are requested by Liuyu Zhou ("Owner" and "Applicant") for the residence located at 495 Gilbert Avenue (APN 062-343-170) ("Property"). The use permits are depicted in and subject to the development plans and documents which are attached hereto as Exhibit A through Exhibit C and incorporated herein by this reference; and

**WHEREAS**, the Property is located in the Single Family Urban Residential (R-1-U) zoning district, which allows the construction of single family residences; and

**WHEREAS**, the lot is less than 5,000 square feet in area and the maximum floor area limit of the residence must be established by a use permit from the Planning Commission; and

**WHEREAS**, the Property is substandard with regard to minimum lot width, depth, and area in the R-1-U zoning district; and

**WHEREAS**, the proposed additions would exceed 50 percent of the existing floor area on the lot, and therefore the structure is considered a new structure; and

**WHEREAS**, new structures on substandard lots require use permit approval by the Planning Commission; and

**WHEREAS**, the existing residence is nonconforming with regard to the rear and left (street) side setbacks; and

**WHEREAS**, the value of the proposed additions and remodeling work would exceed 50 percent of the existing value in a 12-month period; and

**WHEREAS**, the proposed additions comply with all objective standards of the R-1-U district; and

**WHEREAS**, the proposed Project was reviewed by the Engineering Division and found to be in compliance with City standards; and

**WHEREAS**, the Applicant submitted an arborist report prepared by Bo Firestone Trees and Gardens which was reviewed by the City Arborist and found to be in compliance with the Heritage Tree Ordinance and proposes mitigation measures to adequately protect heritage trees in the vicinity of the project; and

**WHEREAS**, the Applicant submitted a Heritage Tree Removal (HTR) permit application for the removal of one heritage olive tree, which was reviewed and approved by the City Arborist; and

**WHEREAS**, the Project, requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act ("CEQA," Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require analysis and a determination regarding the Project's environmental impacts; and

**WHEREAS**, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the Project; and

**WHEREAS**, the Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15301 et seq. (Existing Facilities); and

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

**WHEREAS**, at a duly and properly noticed public hearing held on January 8, 2024, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the use permits.

# NOW, THEREFORE, THE MENLO PARK PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

**Section 1. Recitals.** The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided, and the Planning Commission finds

the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

**Section 2. Conditional Use Permit Findings**. The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the use permits to partially demolish an existing nonconforming one-story residence and construct interior and exterior remodels and first- and second-story additions on a substandard lot in the R-1-U zoning district where the area of addition exceeds 50 percent of the existing floor area; to establish the maximum floor area limit on a lot less than 5,000 square feet in area; and to conduct modifications to an existing nonconforming structure where the value of work exceeds 50 percent of the replacement value in a 12-month period is based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

- That the establishment, maintenance, or operation of the use applied for will not, under the circumstance of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
  - a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the proposed use permits are consistent with the R-1-U zoning district and the General Plan because two-story residences are allowed to be constructed on substandard lots subject to granting of a use permit provided that the new construction conforms to applicable zoning standards, including, but not limited to, minimum setbacks, maximum floor area limit, and maximum building coverage.
  - b. The proposed first- and second-story additions would conform to the applicable setbacks.
  - c. The maximum floor area limit would be proportionally consistent with the maximum floor area limit of other properties in the R-1-U zoning district.
  - d. Potential privacy impacts of the second-story addition would be reduced through use of obscured glass on the lower half of the second-story windows facing neighboring properties to the east and south.

**Section 3. Conditional Use Permit.** The Planning Commission hereby approves the use permits No. PLN2023-00030, which use permits are depicted in and subject to the development plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit B, respectively. The use permits are conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit C.

**Section 5. Environmental Review**. The Planning Commission makes the following findings, based on its independent judgment after considering the Project, and having reviewed and taken into consideration all written and oral information submitted in this matter:

A. The Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15301 et seq. (Existing Facilities)

## Section 6. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I, Kyle Perata, Assistant Community Development Director, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on January 8, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 8<sup>th</sup> day of January, 2024

PC Liaison Signature

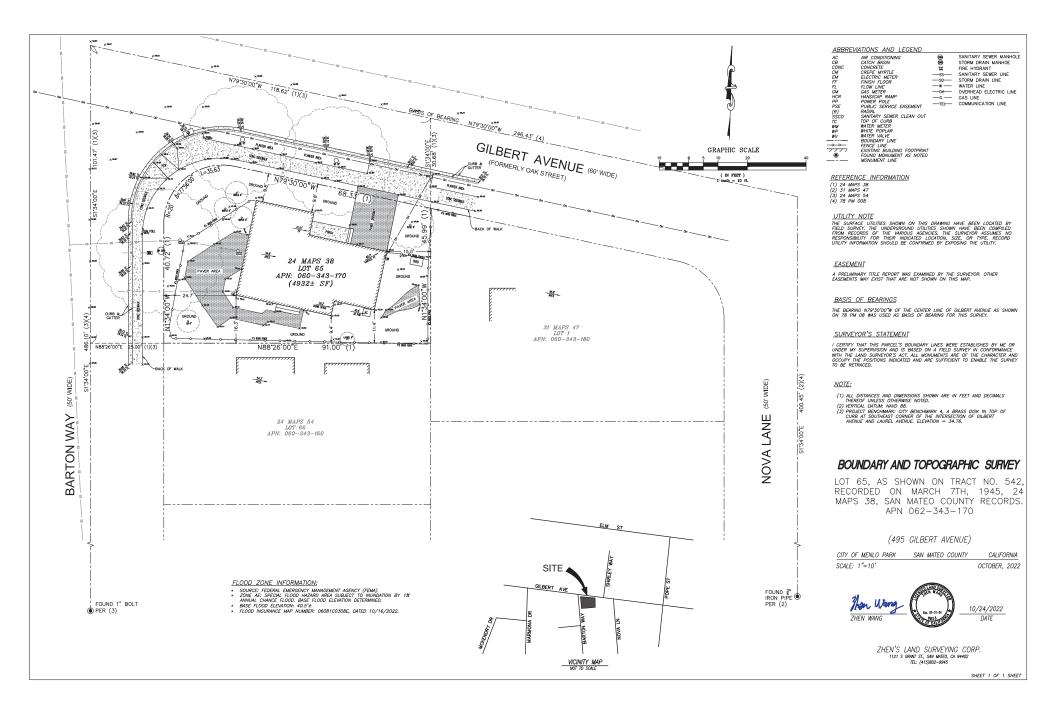
Kyle Perata Assistant Community Development Director City of Menlo Park

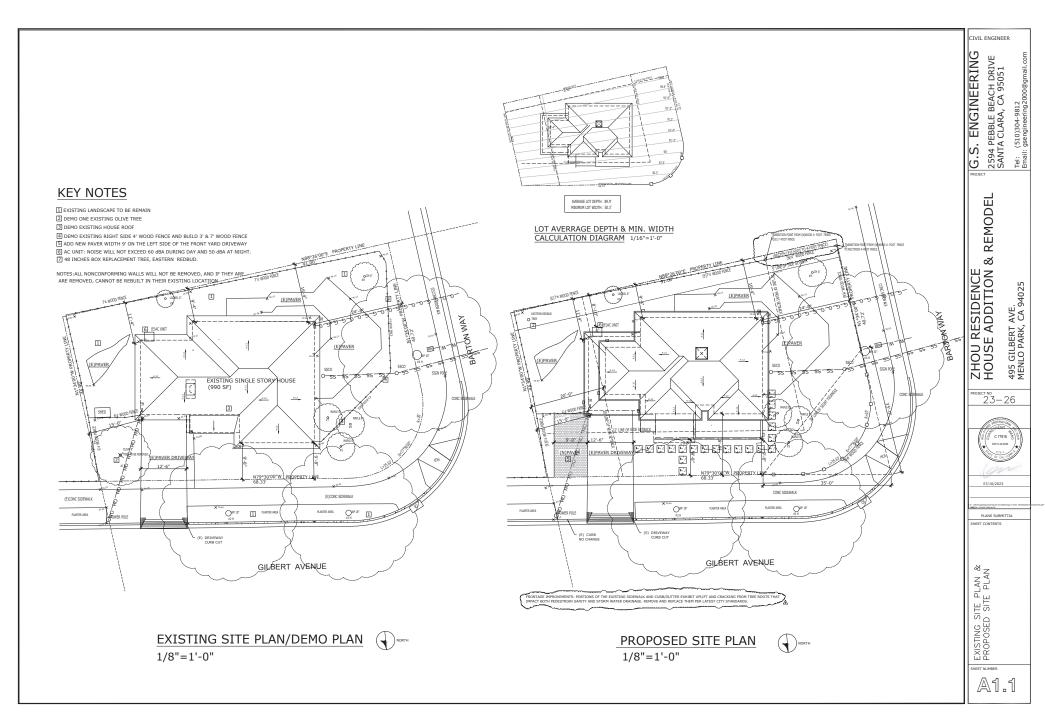
Exhibits

- A. Project plans
- B. Project description letter
- C. Conditions of approval

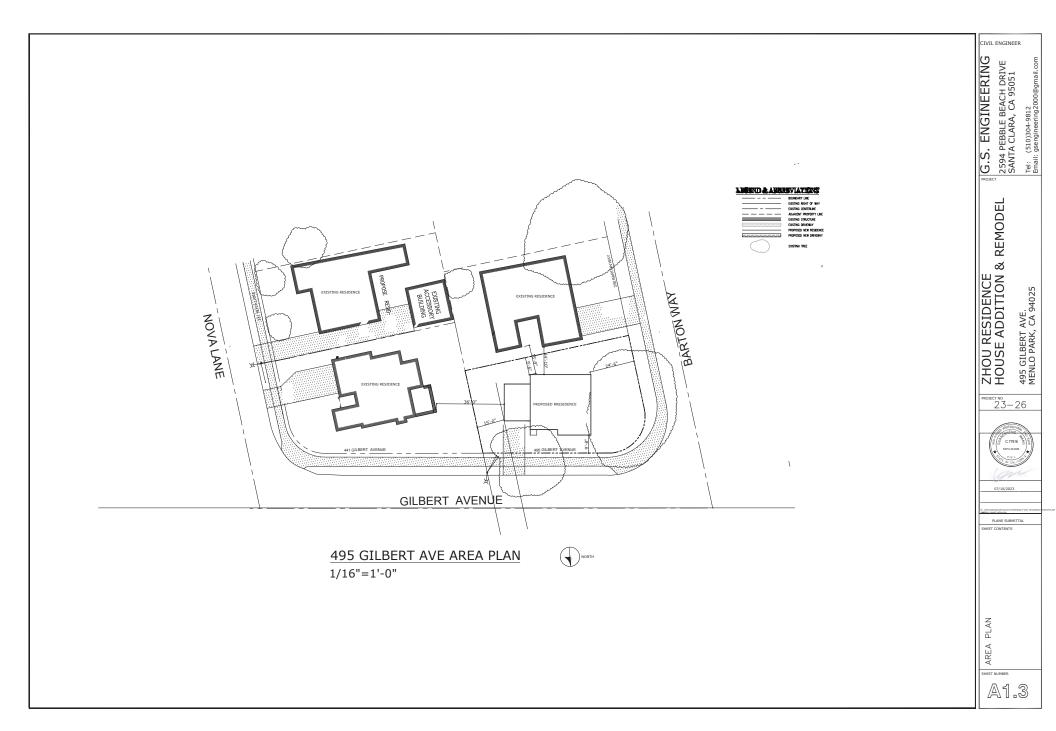
## EXHIBIT A

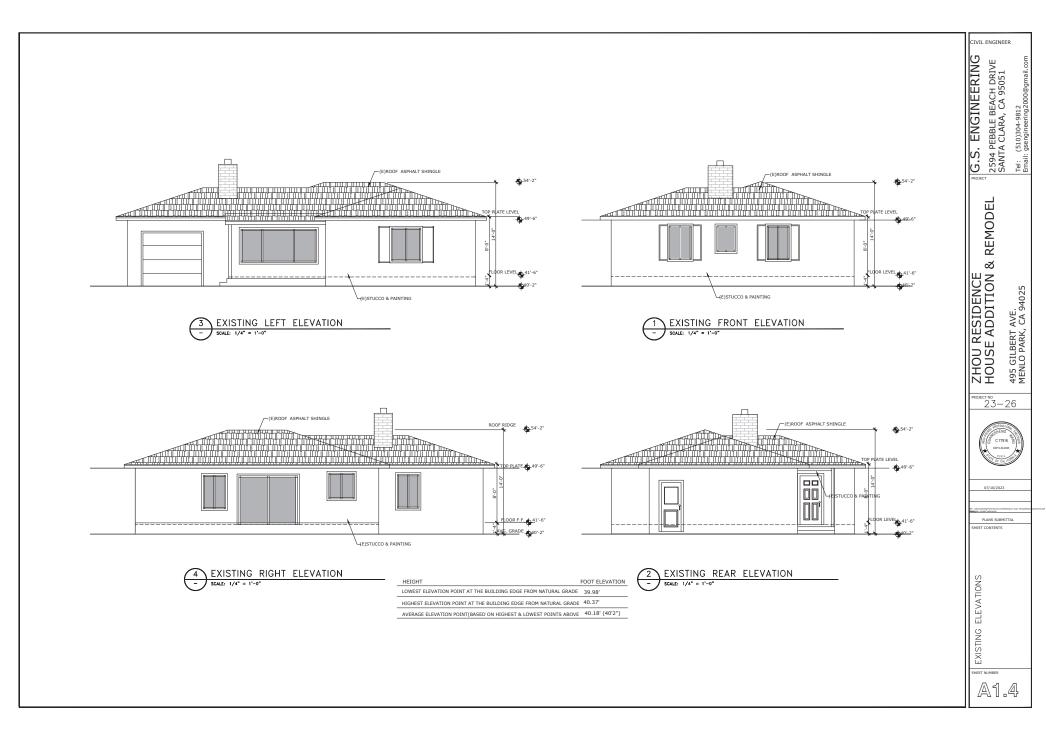
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OWNER         LIUYU ZHOU         EMAIL:::houliuyu1@gmail.com           ADDRESS         495 GILBERT AVE. MENLO PARK, CA 94025           APN         062-343-170           OCCUPANCY         R3/U           CONSTRUCTION TYPE         V-B           ZONING         R-1-U           LAN USE         RESIDENTIAL           NET SITE AREA         4,932 S.F.           SITE COVERAGE RATIO         28 %<35% MAX.	California Building Code 2022 Edition California Residential Code 2022 Edition California Fire Code 2022 Edition California Mechanical Code 2022 Edition California Electrical Code 2022 Edition California Electrical Code 2022 Edition California Green Building Code(CGBC) 2022 Edition	MOREVER CANTENT. . STRUCTARL ENGNEER OF RECORD MUST REVIEW THE TRUES DESIGN CALCULATIONS TO VEREMY THAT LATERAL AND GRAVITY LANDS. SUPPORT LOCATIONS, AND GEORETRY OF THE TRUESES CONFORM TO THE DESIGN. IF THERE ARE ANY DECRETAVICES IN THE TRUES DESIGN. THERE ARE ANY DECRETAVICES IN THE TRUE AND CONFORMANCE TO THE RUDING OF RECARD SHALL READE WRITTEN ACKNOMEDICAL. 9. PROFERTY BOUNDARY, AND LOCATION OF THE NEW STRUCTURES ON SITE SHALL BE ESTABLISHED BY A LICENSE SURVEYOR.		ZHOU RESIDENCE HOUSE ADDITION & R 495 GILBERT AVE. MENLO PARK, CA 94025		
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CIVIL ENGINEER G.S. ENGINEERING 2594 PEBBLE BEACH DRIVE SANTA CLARA, CA 95051 Tel: (510)304-9812 Email: gsengineering2000@gmail



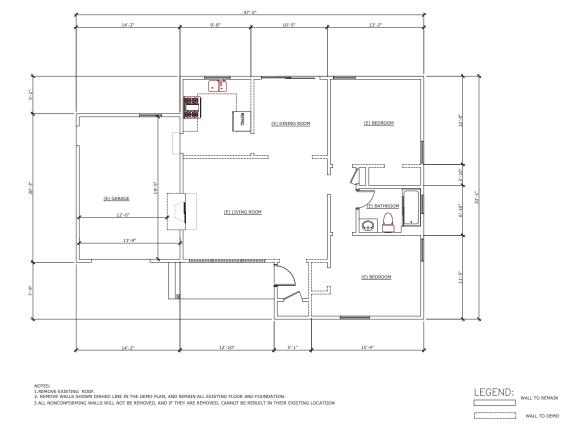
ZHOU RESIDENCE HOUSE ADDITION & REMODEL 23-26



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G.S. ENGINEERING 2594 PEBBLE BEACH DRIVE SANTA CLARA, CA 95051 Tel: (510)304-9812 Email: gsengineering2000@gmail.

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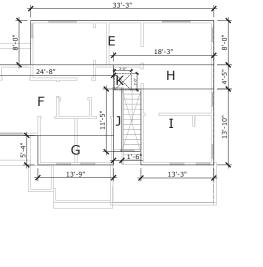








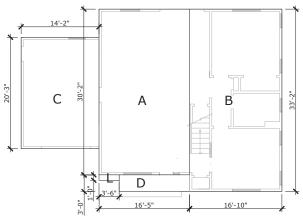
SHEET NUMBER A1.6



SECOND FLOOR DIAGRAM SCALE:  $\frac{3}{16}$ "=1'-0"



12'-10"



FIRST FLOOR DIAGRAM SCALE:  $\frac{3}{16}$ "=1'-0"

FLOOR AREA: 2,000 SF ATTACHED GARAGE AREA:286 SF FRONT PORCH: 39 SF

LOT SIZE:4,932 S.F.

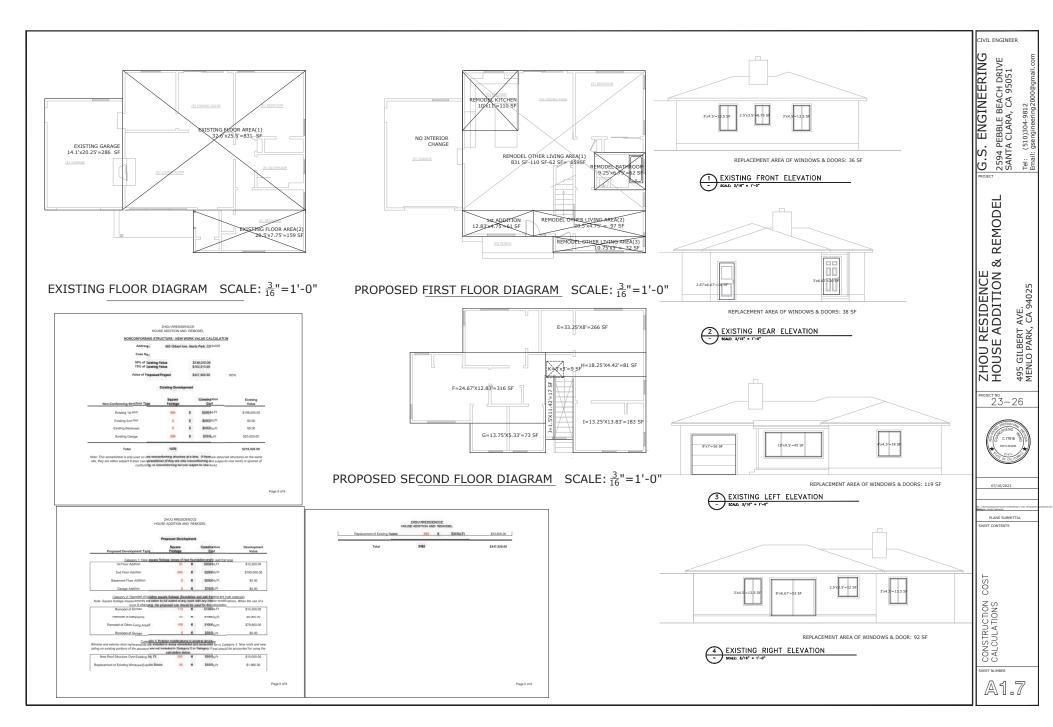
FLOOR AREA : 2,000 SF+286 SF=2,286 SF

SITE COVERAGE RATIO: (1,055+286+39)/4,932=28%

	SECOND FLOOR:
=494 SF =557 SF '=3.5 SF	E=33.25'X8'=266 SF F=24.67'X12.83'=316 SF G=13.75'X5.33'=73 SF
1,055 SF	H=18.25'X4.42'=81 SF I=13.25'X13.83'=183 SF
=286 SF	J=1.5'X11.42'=17 SF
3'=39 SF	K=3'x3'=9 SF TOTAL: 945 SF

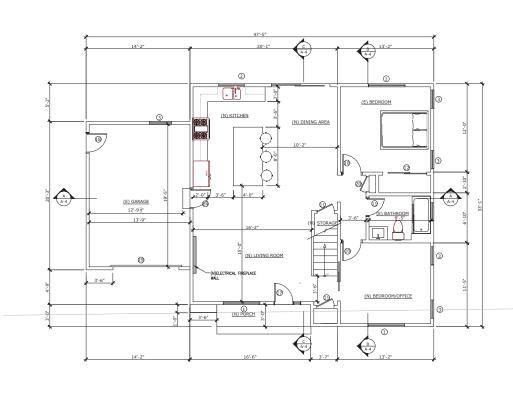
A=10	5.42'X30.1'=494 SF
B=1	6.83'X33.1'=557 SF
	L=3.5'X1'=3.5 SF
	TOTAL:1,055 SF
GARAGE: C=1	4.1'X20.25'=286 SF
FRONT PORCH:	D=13'X3'=39 SF

FIRST FLOOR:



G.S. ENGINEERING 2594 PEBBLE BEACH DRIVE SANTA CLARA, CA 95051 Tel: (510)304-9812 Email: gsengineering2000@gmail.

CIVIL ENGINEER



PROPOPSED FIRST FLOOR PLAN SCALE: 1/4" = 1'-0"

NE	W WIN	DOW S	CHEDULE		
	SIZE				
MARK	WIDTH	HEIGHT	TYPE	GLASS	SPEC.(MATERIALS)
1	5'-0"	5'-0"	CASEMENT, EGRESS	DUAL PANE	VINYL, BLACK OUTSIDE & WHITE INSIDE
2	4'-0"	4'-6"	SLIDERS	DUAL PANE	VINYL, BLACK OUTSIDE & WHITE INSIDE
3	2'-6"	5'-0"	CASEMENT	DUAL PANE	VINYL, BLACK OUTSIDE & WHITE INSIDE
4	2'-6"	5'-0"	CASEMENT, TEMPERED	DUAL PANE	VINYL, BLACK OUTSIDE & WHITE INSIDE
6	4'-0"	2'-0"	SLIDERS,	DUAL PANE	VINYL, BLACK OUTSIDE & WHITE INSIDE

NOTES: 1. ESCAPE OPENING HAVE MINIMUM NET CLEAR OPENING OF 5.7 SQUARE FEET(GRADE-FLOOR OPENING MAY BE

MINIMUM 5 SQUARE FEET) 2. ESCAPE OPENINGS HAVE MINIMUM NET CLEAR OPENING HEIGHT OF 24 INCHES AND WIDTH OF 20 INCHES.

3. THE BOTTOM OF THE ESCAPE OPENING IS NOT MORE THAN 44 INCHES ABOVE THE FLOOR.
 4. ESCAPE OPENING OPENS DIRECTLY TO THE STREET, PUBLIC ALLEY, YARD, OR COURT THAT OPENS TO A PUBLIC WAY.

-						
L	DOOR SCHEDULE					
MARK	SIZE	TYPE	MATERIALS			
0	2"-8" X 8"-0"	SINGLE FLUSH DOOR	WOOD PANEL			
0	2'-6" X 8'-0"	SINGLE FLUSH DOOR	WOOD PANEL			
0	6'-0" X 8'-0"	WOOD SLIDING DOOR	WOOD PANEL			
0	5'-0" X 8'-0"	DOUBLE FOLDING DOOR	WOOD PANEL			
(4)	2'-8" X 6'-8"	SINGLE FLUSH, 1 1/4" SOLID CORE, SELF-CLOSING, ONE HOUR FIRE RATED	SOLID WOOD DOOR			
G	2'-0" X 8'-0"	SINGLE FLUSH DOOR	WOOD PANEL			
6	5'-0" X 8'-0"	WOOD SLIDING DOOR	SOLID WOOD DOOR			
0	4'-0" X 8'-0"	HOUSE ENTRY DOOR, 1 3/4" SOLID CORE, ONE SITE LITE	WOOD PANEL			
0	2'-8" X 6'-8"	SINGLE FLUSH DOOR, HALF GLASS	WOOD PANEL			
0	9'-0" X 8'-0"	GARAGE AUTOMATIC DOOR	WOOD PANEL			

SKYLIGHT SCHEDULE				
MARK	SIZE	TYPE (VELUX SKYLIGHTS: IAPMO UES ER#199)		
30	3'0"X3'0"	FLAT, VELUX, FIXED CURB-MOUNTED W/TEMPERED LOWe3 GLASS		

#### LEGEND:

X.

18"X24" CRAWL SPACE ACCESS

NOTES: ALL NONCONFORMING WALLS WILL NOT BE REMOVED, AND IF THEY ARE REMOVED, CANNOT BE REBUILT IN THEIR EXISTING LOCATIION

PROPOSED 1st FLOOR PLAN

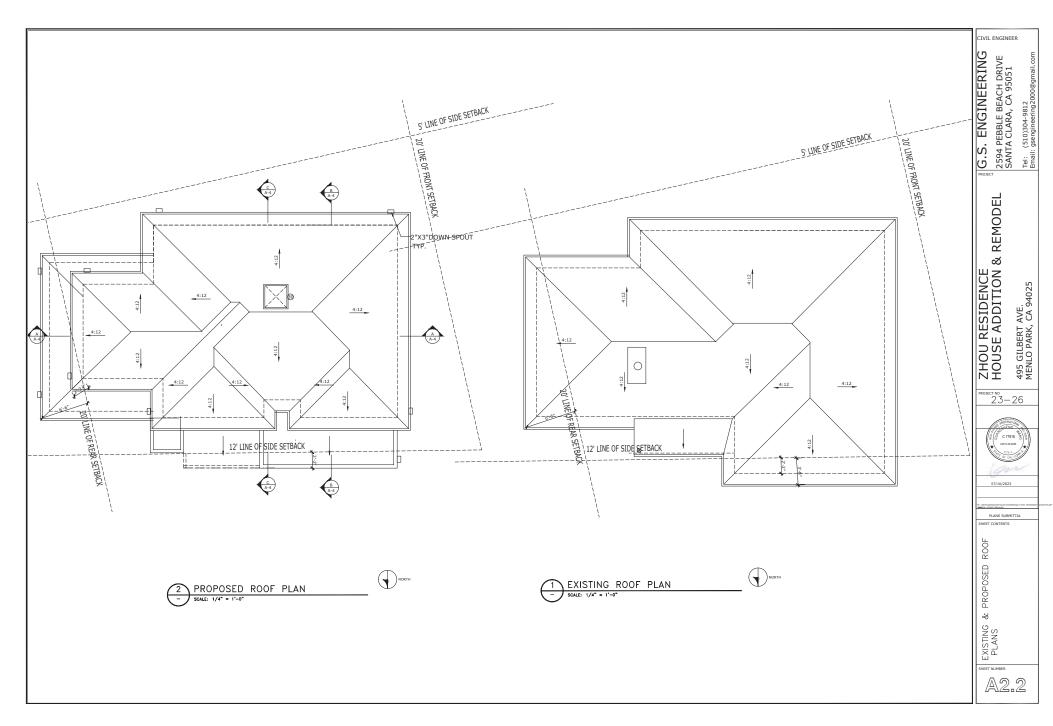
SHEET NUMBER A2.0

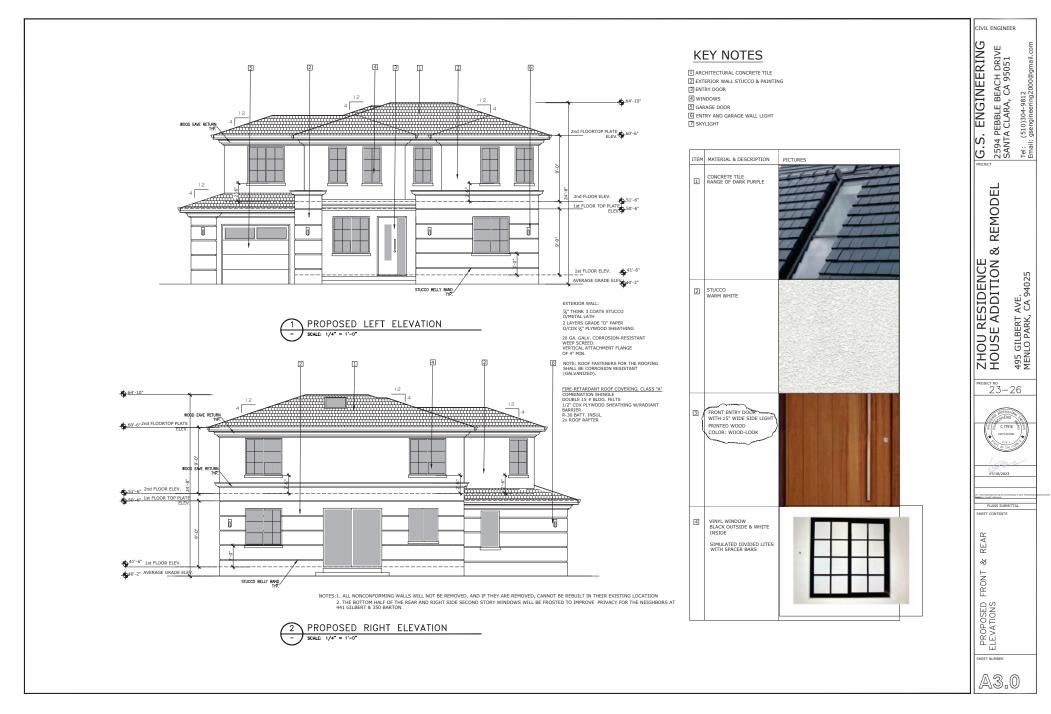
A14

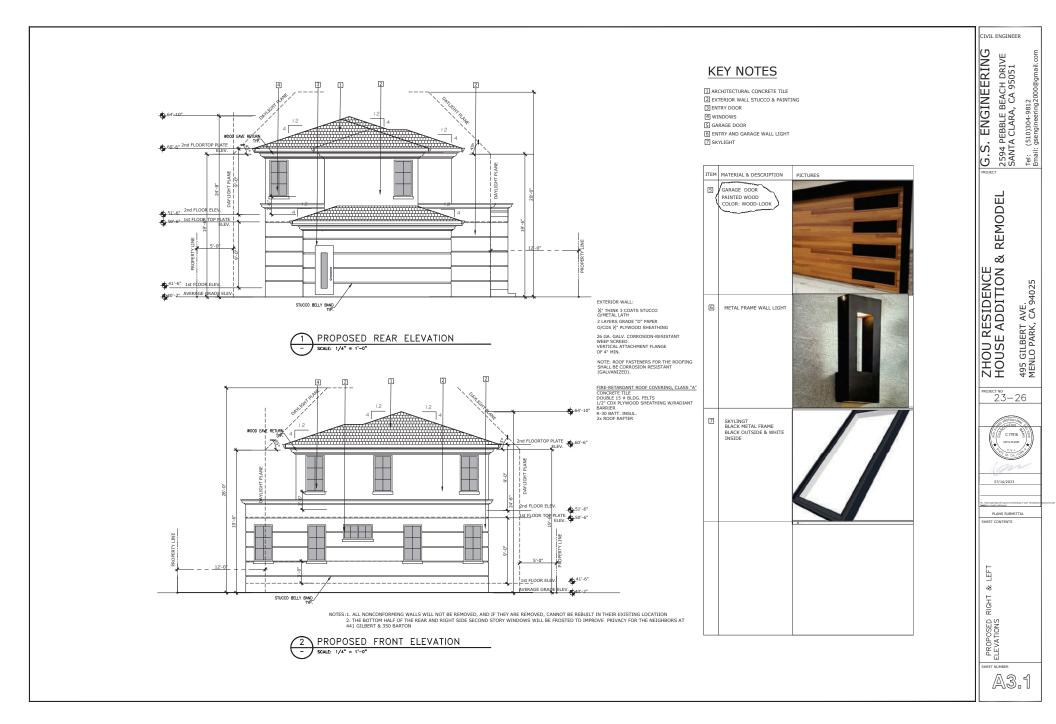
1 -

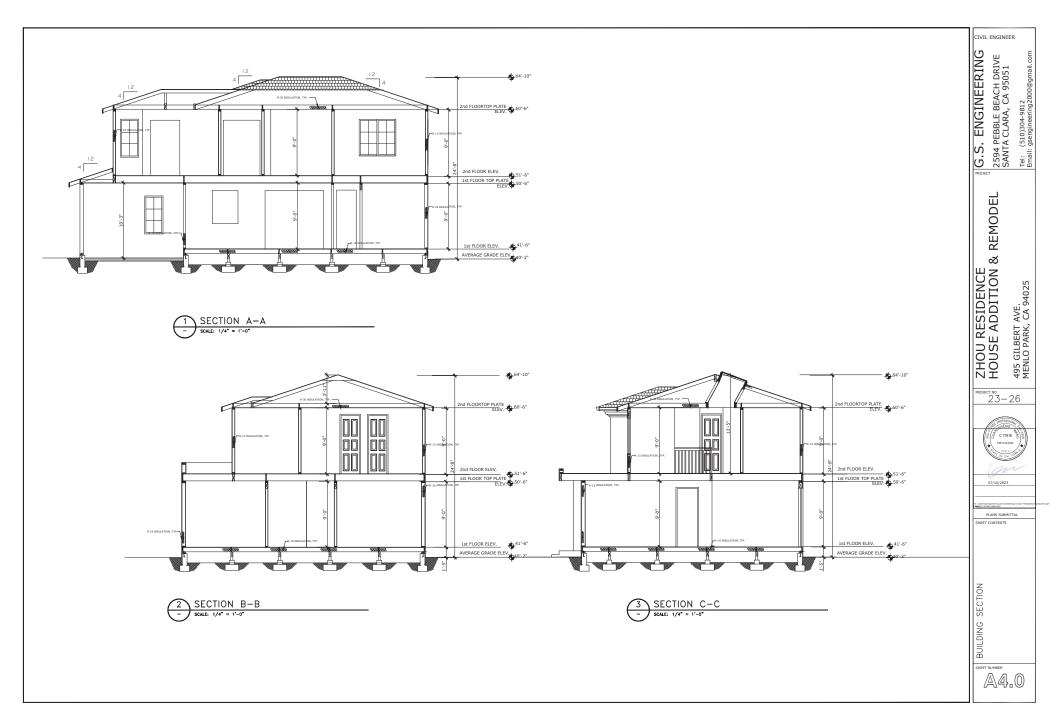
EXTERIOR WALL (2x6@16"o.c.) STUD WALL INTERIOR WALL (2x4@16"o.c.) STUD WALL

CIVIL ENGINEER G.S. ENGINEERING 2594 PEBBLE BEACH DRIVE SANTA CLARA, CA 95051 Tel: (510)304-9812 Email: gsengineering2000@gmail. 47'-6' 4'-6 ZHOU RESIDENCE HOUSE ADDITION & REMODEL C A-4 B A-4 1 1 3 (N) WALK-IN CLOS 3 Ø 0.97 DOOR 3'0 BARNF 495 GILBERT AVE. MENLO PARK, CA 94025 3 60 0 0 0 A-4 A-4 12'-4 3'-A 0<sup>n</sup> <u>اللہ</u> Ţ G 60"×30" DESK 23-26 1 Ð (4) ΪĹ 07/16/2023 -t.b  $\left(\frac{B}{A-4}\right)$ PLANS SUBMITTAL SHEET CONTENTS PROPOSED 2nd FLOOR PLAN NOTE: MAKE FROSTED GLASS FOR THE LOWER HALF OF THE SECOND FLOOR WINDOWS FACING NEIGHBOR T PROPOSED SECOND FLOOR PLAN SHEET NUMBER A2.1









Dec 8, 2023

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

RE: Zhou Residence 495 Gilbert Ave Menlo Park, CA 94025

### **PROJECT DESCRIPTION**

This application will

- remodel the existing single-story, single-family residence 990 SF.
- add 1st floor addition 65 SF.
- add 2nd floor addition 945 SF.
- add a new covered front porch 39 SF.

The corner side and the rear side of the existing building encroach into their respective 12-foot and 20-foot required setbacks, making it a nonconforming structure with regard to the provisions of the Zoning Ordinance. However, the additions would comply with all the setback requirements, and the framing members of the nonconforming walls would be retained.

We propose to remove one heritage Olive tree to create a new paver area as one uncovered parking space, which would bring the property into compliance with regard to parking.

### ARCHITECTURAL STYLE

The proposed two story single family residence will be a contemporary house, with exterior stucco finish, and concrete tile roofing, which are compatible with the general house style in the neighborhood.

### **NEIGHBORHOOD OUTREACH**

#### 440 Gilbert Ave

The owners met with the neighbors in person and showed them the detailed plan set. They are supportive of the project, with no concern.

### 441 Gilbert Ave

The owners met with the neighbors in person and showed them the detailed plan set. They have some concerns about the backyard privacy. We agreed to make the lower half of the window facing their backyard frosted to alleviate their concerns.

#### 350 Barton Way

The owners met with the neighbors in person and showed them the detailed plan set. They have some concerns about the side yard privacy. To alleviate their concerns, we agreed to make the lower half of the 2 windows facing their side yard frosted. Additionally, we are considering planting privacy screening trees near the fence to block the view.

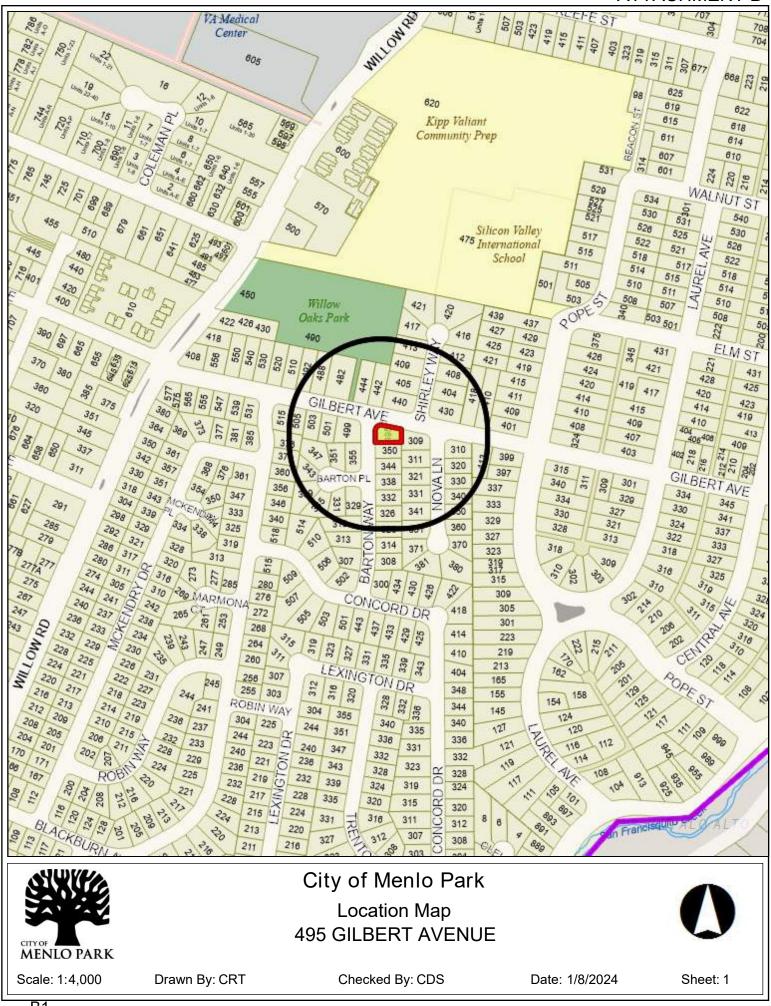
Sincerely,

Kevin Wang G.S. ENGINEERING 2594 PEBBLE BEACH DRIVESANTA CLARA, CA 95051 Tel: (510)304-9812 Email: gsengineering2000@gmail.com

LOCATION Avenue	I: 495 Gilbert	PROJECT NUMBER: PLN2023-00030	APPLICANT: Liuyu Zhou	OWNER: Liuyu Zhou									
PROJECT	CONDITIONS:												
1. The use	The use permit shall be subject to the following standard conditions:												
a.	The applicant shall be required to apply for a building permit within one year from the date approval (by January 8, 2025) for the use permit to remain in effect.												
b.	Development of the project shall be substantially in conformance with the plans prepared B G.S. Engineering consisting of 15 plan sheets, dated received December 19, 2023 and approved by the Planning Commission on January 8, 2024, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.												
C.	Prior to building permit issuance, the applicant shall comply with all Sanitary District, Men Park Fire Protection District, and utility companies' regulations that are directly applicable the project.												
d.	Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applic to the project.												
e.	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 plac underground shall be properly screened by landscaping. The plan shall show exact location all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and oth equipment boxes.												
f.	Simultaneous with the submittal of a complete building permit application, the applicant sh submit plans indicating that the applicant shall furnish new sidewalk, curb and gutter, purs to the latest City Standards, to the satisfaction of the Public Works Department along the property frontage.												
g.	Simultaneous with the submittal of a complete building permit application, the applic submit a Grading and Drainage Plan for review and approval of the Engineering Div Grading and Drainage Plan shall be approved prior to the issuance of grading, dem building permits.												
h.		Ordinance and the arborist	uction project shall be prote report prepared by Bo Fires										
i.		ng permit issuance, the app ng the application.	licant shall pay all fees incu	rred through staff time									
j.	or its agents, or Menlo Park or of the Planning department, or land use appro- statute; provid hold harmless said claim, act	officers, and employees from its agents, officers, or emp g Commission, City Counci ommittee, or agency of the oval which action is brough led, however, that the appli- shall be subject to the City	ndemnify, and hold harmles m any claim, action, or proc loyees to attack, set aside, I, Community Development City concerning a developm t within the time period prov cant's or permittee's duty to 's promptly notifying the app City's full cooperation in the edings.	eeding against the City of void, or annul an approval Director, or any other nent, variance, permit, or ided for in any applicable so defend, indemnify, and blicant or permittee of any									
k.	other exaction	is imposed by the City as pa	ay protest any fees, dedicat art of the approval or as a c Code 66020, this 90-day pr	ondition of approval of this									

LOCATION: 495 Gilbert Avenue	PROJECT NUMBER: PLN2023-00030	APPLICANT: Liuyu Zhou	OWNER: Liuyu Zhou				
of the date of	the approval of this applicat	ion.					

## ATTACHMENT B



## ATTACHMENT C

### 495 Gilbert Avenue – Attachment C: Data Table

		POSED DJECT	EXIS PRO		ZONING ORDINANCE					
Lot area	4,932	sf	4,932	sf	7,000	sf min				
Lot width	50.3	ft	50.3	ft	65	ft min				
Lot depth	89.9	ft	89.9	ft	100	ft min				
Setbacks			•							
Front	24.7	ft	24.7	ft	20	ft min				
Rear	15	ft	15	ft	20	ft min				
Side (left)	9.8	ft	9.8	ft	12	ft min				
Side (right)	9.4	ft	9.4	ft		of minimum lot inimum 5 feet				
Building coverage	1,379	sf	1,344	sf	1,726	sf max				
	28	%	27.3	%	35.0	% max				
FAL (Floor Area Limit)	2,285.5	sf	1,276	sf	Establishe	ed by Planning				
					Con	nmission				
Square footage by floor	1,054.5	sf/1 <sup>st</sup>	990	sf/1st						
	945	sf/2nd	286	sf/garage						
	286	sf/garage	68	sf/porches						
	39	sf/porches								
Square footage of buildings	2,324.5	sf	1.344	sf						
Building height	24.7	ft	14	ft	28	ft max				
Parking	1 covere	ed space, 1	1 covere	d space	1 covered and 1 uncovered					
C		red space		·	space					
	Note: Areas shown highlighted indicate a nonconforming or substandard situation									
Trees	Heritage trees	s 4*	Non-Heritage t	rees 5	New trees	1				
	Heritage trees	s 1	Non-Heritage t	rees 0	Total Number	of trees 9				

 Heritage trees
 1
 Non-Heritage trees
 0
 Total Number of trees

 proposed for removal
 proposed for removal
 0
 Total Number of trees

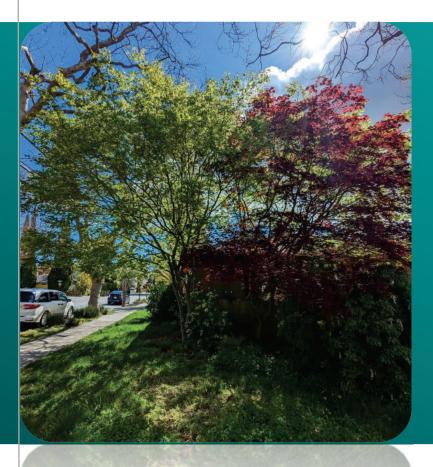
\*Of these trees, one is located on the subject property and three are located in the public rightof-way.

TREE PROTECTION PLAN

APRIL 24, 2023

PREPARED FOR: LIUYU ZHOU

SITE ADDRESS: 495 GILBERT AVE. • MENLO PARK, CA 94025





BO FIRESTONE TREES & GARDENS BUSARA FIRESTONE, CERTIFIED ARBORIST #V

BUSARA FIRESTONE, CERTIFIED ARBORIST #WE-8525A 2150 LACEY DR., MILPITAS, CA 95035 E: BUSARA@BOFIRESTONE.COM C: (408) 497-7158 WWW.BOFIRESTONE.COM



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### 495 Gilbert Ave. • Zhou • 04/24/23

#### **ARBORIST REPORT**

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# Introduction

# ARBORIST ASSIGNMENT

On March 30, 2023, at the request of the homeowner, I visited 495 Gilbert Avenue in the role of Project Arborist. The purpose was to perform the assessments and data collections as necessary to create an industry-standard Tree Protection Report for their project permit. It was my understanding that the existing single-story house would be remodeled. A second floor would be added, and portions of the existing foundation would be reinforced. The existing driveway would be expanded to increase parking. The assessments in this report were based on review of the following:

- Existing and Proposed Site Plan A1.1 by G.S. Engineering (dated 04/08/23)
- Boundary and Topographic Survey by Zhen's Land Surveying Corp. (dated 10/24/22)

My inventory included a total of nine (9) trees over six inches (6" DBH). There were four (4) trees of Heritage size: three (3) London plane (*Platanus x acerifolia*) street trees and one (1) olive (*Olea europaea*). Two (2) trees on the property were requested for removal. All other neighboring trees were sufficiently distant from the work (>10x DBH).

# USES OF THIS REPORT

According to City Ordinance, any person who conducts grading, excavation, demolition, or construction activity on a property is to do so in a manner that does not threaten the health or viability or cause the removal of any Heritage Tree. Any heritage tree to be retained protected by the City's Municipal Code will require replacement according to its appraised value if it is damaged beyond repair as a result of construction. **Any work performed within an area 10 times the diameter of the tree (i.e., the tree protection zone) requires the submittal of a tree protection plan for approval by the City before issuance of any permit for grading or construction.** 

#### Page **2** of **20**

This report was written by Busara Firestone, Project Arborist, to serve as a resource for the property owner, designer, and builder. As needed, I have provided instructions for retaining, protecting, and working around trees during construction, as well as information on City requirements. *The owner, contractor and architect are responsible for knowing the information included in this arborist report and adhering to the conditions provided.* 

## Limitations

Trees assessed were limited to the scope of work identified in the assignment. I have estimated the trunk diameters of trees with barriers to access or visibility (such as those on neighboring parcels or behind debris). Although general structure and health were assessed, formal Tree Risk Assessments were not conducted unless specified. Disease diagnostic work was not conducted unless specified. All assessments were the result of ground-based, visual inspections. No excavation or aerial inspections were performed. Recommendations beyond those related to the proposed construction were not within the scope of work.

My tree impact and preservation assessments were based on information provided in the plans I have reviewed to date, and conversations with the involved parties. I assumed that the guidelines and setbacks recommended in this report would be followed. Assessments, conclusions, and opinions shared in this report are not a guarantee of any specific outcome. If additional information (such as engineering or landscape plans) is provided for my review, these assessments would be subject to change.

# **City Tree Protection Requirements**

## Heritage Tree Definition

A "Heritage Tree" is a tree that has protected status by the City of Menlo Park. The City can classify trees with Heritage status for their remarkable size, age, or unique value. However, in general, native oaks of 10 inches or more, and any tree having a trunk with a diameter of 15

#### Page **3** of **20**

inches or more has Heritage status (measured at 54 inches above natural grade, or at the branching point for multi-trunk trees).

## **Construction-Related Tree Removals**

According to the City of Menlo Park, applicants are required to submit a site plan with the Heritage Tree Removal Application Permit even if they have submitted a site plan to the City for a planning or building permit. The site plan facilitates the review by the City Arborist.

For removals of two or more trees, applicants shall be required to submit a planting plan indicating the species, size and location of the proposed replacement trees on a site plan. Heritage Tree Permits related to Construction will also be charged for City-retained arborist expenses.

## **Violation Penalties**

Any person who violates the tree protection ordinance, including property owners, occupants, tree companies and gardeners, could be held liable for violation of the ordinance. The ordinance prohibits removal or pruning of over one-fourth of the tree, vandalizing, mutilating, destruction and unbalancing of a heritage tree without a permit.

If a violation occurs during construction, the City may issue a stop-work order suspending and prohibiting further activity on the property until a mitigation plan has been approved, including protection measures for remaining trees on the property. Civil penalties may be assessed against any person who commits, allows or maintains a violation of any provision of the ordinance. The fine will be an amount not to exceed \$5,000 per violation, or an amount equivalent to the replacement value of the tree, whichever is higher.

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# Impacts on Protected Trees

# SITE DESCRIPTION

The property at 495 Gilbert Avenue was a rectangular lot on the corner of Gilbert Ave. and Barton Way. The topography was not notable. There was a house with attached garage on-site with a driveway on the left-hand side. The tree stock was mostly comprised of ornamentals.

# TREE INVENTORY

This tree preservation plan includes an attached inventory of all trees on the property regardless of species, that were at least 12 feet tall and 6-inch DSH.

This inventory also includes as necessary, any neighboring Heritage Trees with work proposed within 10 times their diameter (DBH). Any street trees within the public right-of-way were also included, regardless of size, as required by the City.

The Inventory includes each tree's number (as shown on the TPZ map), measurements, condition, level of impact (due to proximity to work), tolerance to construction, and overall suitability for retainment. The inventory also includes the appraised value of each tree using the Trunk Formula Technique (10<sup>th</sup> Edition).

# **PROJECT DESCRIPTION**

After review of proposed site plan and discussions with the homeowner, it was my understanding that the existing home would undergo renovations. A second story would be added, requiring reinforcement of the foundation on two sides of the home. The driveway would also be expanded.

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# HOW CONSTRUCTION CAN DAMAGE TREES

### **Damage to Roots**

### Where are the Roots?

The most common types of injury to trees that occur during property improvements are related to root cutting or damage. **Tree roots extend farther out than people realize, and the majority are located within the upper 24 inches of soil.** The thickest roots are found close to the trunk, and taper and branch into ropey roots. These ropey roots taper and branch into an intricate system of fine fibrous roots, which are connected to an even finer system of fungal filaments. This vast below-ground network is tasked with absorbing water and nutrients, as well as anchoring the tree in the ground, storage, and communication.

### Damage from Excavation

Any type of excavation will impact adjacent trees by severing roots and thus cutting off the attached network. Severing large roots, or trenching across the root plate, destroys large networks. Even work that appears to be far from a tree can impact the fibrous root system. Placing impervious surfaces over the ground, or installing below ground structures, such as a pool, or basement wall, will remove rooting area permanently from a site.

### Damage from Fill

Adding fill can smother roots, making it difficult for them to access air and water. The roots and other soil life need time to colonize the new upper layers of soil.

### Changes to Drainage and Available Water

Changes to the hydrology of the site, caused for instance by new septic fields, changes to grade, and drainage systems, can also cause big changes in available water for trees. Trees can die from lack of water or disease if their water supply dries up or gets much wetter than they are used to.

Page 6 of 20

### Soil Compaction and Contamination

In addition, compaction of soil, or contamination of soil with wash-water, paint, fuel, or other chemicals used in the building process, can cause damage to the rooting environment that can last many years. Tree protection fencing creates a barrier to protect as many roots as possible from this damage, which can be caused by travelling vehicles, equipment storage, and other construction activities that may occur even outside the construction envelope.

### **Mechanical Injury**

Injury from the impact of vehicles or equipment can occur to the root crown, trunk, and lower branches of a tree. The bark protects a tree – creating a skin-like barrier from disease-causing organisms. The stem tissues support the weight of the plant. They also conduct the flow of water, sugars, and other important compounds throughout the tree. When the bark and wood is injured, the structure and health of the tree is compromised.

# IMPACTS TO HERITAGE TREES

### **SUMMARY**

Four (4) Heritage Trees would be impacted by the project: three (3) London planes and one (1) olive. Two (2) trees were requested for removal. Please see removal justifications in the following section.

My evaluation of the impacts of the proposed construction work for all affected trees was summarized in the Tree Inventory. These included impacts of grading, excavation for utility installation, retaining walls, drainage or any other aspect of the project that could impact the service life of the tree. Anticipated impacts to trees were summarized using a rating system of "severe," "high," "moderate," "low," or "very low."

General species tolerance to construction, and condition of the trees (health and structural integrity), was also noted on the Inventory. These major factors, as well as tree age, soil characteristics, and species desirability, all factored into an individual tree's suitability rating, as summarized on the Inventory. Suitability of trees to be retained was rated as "high,"

#### Page **7** of **20**

"moderate," "low." Trees with low suitability would be appropriate candidates for removal. Please see Glossary for definitions of ratings.

### **TREE REMOVALS**

Removal Justification for trees is as follows:

- Tree #7 was not a Heritage Tree:
  - I recommended Tree #7 (Japanese maple, Acer palmatum) for removal because it was approximately three feet (3') from the proposed foundation to be reinforced and would not be expected to survive the project.
- Tree #1H (olive): I recommended this tree for removal because it was in the footprint of the proposed driveway. Removal would be justified for the economic development of the parcel as per Menlo Park Administrative Guidelines section 13.24.050 Clause a.5.

# Menlo Park Administrative Guidelines for Criterion 5: The following documentation may be required to support tree removal for economic development:

- Schematic diagrams that demonstrate the feasibility/livability of alternative design(s) that preserve the tree, including utilizing zoning ordinance variances that would preserve the tree.
- Documentation on the additional incremental construction cost attributable to an alternative that preserves the tree (i.e. construction cost of alternative design minus cost of original design) in relation to the appraised value of tree(s) and based on the most recent addition to the Guide for Plant Appraisal.

The following guidance will be used to determine feasibility:

• If the incremental cost of the tree preservation alternative is more than 140% of the appraised value of the tree, the cost will be presumed to be financially infeasible.

#### Page 8 of 20

- If the incremental cost of the tree preservation alternative is less than 110% of the appraised value of the tree, the cost will be presumed to be financially feasible.
- If the incremental cost of the tree preservation alternative is between 110% and 140% of the appraised value of the tree, public works director or their designee will consider a range of factors, including the value of the improvements, the value of the tree, the location of the tree, the viability of replacement mitigation and other site conditions.
- In calculating the incremental cost of the tree preservation alternative, only construction costs will be evaluated. No design fees or other soft costs will be considered.

### **IMPACTS TO NEIGHBORING AND HERITAGE TREES**

Impacts to neighboring and Heritage trees were as follows:

- Trees #2H and 3H (London planes, Street trees): These Street trees were located approximately 20 feet and 30 feet respectively from the proposed front addition. They would be anticipated to sustain "low" impacts (less than 10% root loss) from the proposed construction.
- **Tree #4H (30" London plane, Street tree):** This Street tree was approximately 25 feet from the proposed foundation reinforcements. It would be expected to sustain "moderate" (acceptable) impacts of 10% 25% root loss.

# **Tree Protection Recommendations**

## **PRE-CONSTRUCTION**

## **Establish Tree Protection Zones (TPZ)**

The Tree Protection Zone (TPZ) shall be a fenced-off area where work and material storage is not allowed. They are established and inspected prior to the start of work. This barrier

#### Page **9** of **20**

protects the critical root zone and trunk from compaction, mechanical damage, and chemical spills.

Tree protection fencing is required to remain in place throughout construction and may only be moved or removed with written authorization from the City Arborist. The Project Arborist may authorize modification to the fencing when a copy of the written authorization is submitted to the City.

The City requires that tree protection fencing be installed before any equipment comes onsite and inspected by the Project Arborist, who shall submit a verification letter to the City before issuance of permits.

Specific recommended protection for Heritage trees is as follows:

- Trees #2H and 3H (London planes, Street trees): These Street trees may be fenced as a group within the same perimeter. Establish standard TPZ fencing radius to 20 feet, or the greatest extent possible as limited by the planting strip. Place fence posts into the ground along the existing hardscape.
- Tree #4H (30" London plane, Street tree): Establish standard TPZ fencing radius to 40 feet, or to the greatest extent possible as limited by the work. As the TPZ would need to be encroached upon for the wood fence replacement, I recommended TPZ Wrap in addition to the standard fencing to protect the tree during this phase of the project. Please see attached "TPZ Trunk Wrap" specification for best-practice method using dimensional lumber. A coiled straw wattle wrap from the ground to 6' height, secured with two layers of plastic construction fencing is also acceptable.

### **TPZ FENCING SPECIFICATIONS:**

1) Establish tree protection fencing radius by installing six (6)-foot tall chain link fencing mounted on eight (8)-foot tall, two (2)-inch diameter galvanized posts, driven 24 inches into the ground and spaced no more than 10 feet apart.

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2) Post signs on the fencing stating, "TREE PROTECTION FENCE - DO NOT MOVE OR REMOVE WITHOUT APPROVAL FROM CITY ARBORIST."

## **Preventing Root Damage**

Anywhere workers and vehicles will be traveling over bare ground within fifteen feet of a tree's dripline should have material applied over the ground to disperse the load. This may be done by applying a six to 12-inch layer of wood chip mulch to the area. With this method, mulch in excess of four inches would have to be removed after work is completed. As an alternative method that would not require mulch removal, the contractor could place plywood (>3/4-inch-thick) or road mats over a four-inch layer of mulch. Mulch should be spread manually so as not cause compaction or damage.

### **Pruning Branches**

I recommend that trees be pruned only as necessary to provide minimum clearance for proposed structures and the passage of workers, vehicles, and machines, while maintaining a natural appearance. Any large dead branches should be pruned out for the safety of people working on the site.

Pruning should be specified in writing adhering to ANSI A300 Pruning Standards and performed according to Best Management Practices endorsed by the International Society of Arboriculture. Any pruning (trimming) of branches should be supervised by an ISA-certified arborist.

Any property owner wanting to prune heritage tree more than one-fourth of the canopy and/or roots, must have permission from the City.

Pruning of at least one branch will be necessary to achieve clearance for this project. I have reviewed the proposed pruning as illustrated by the Project Architect and deemed it acceptable. Less than 10% of the canopies of affected trees (#6 and/or #7) will be removed.

495 Gilbert Ave. • Zhou • 04/24/23

**ARBORIST REPORT** 

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### **Arborist Inspection**

The City requires that tree protection fencing be installed before any equipment comes onsite and inspected by the Project Arborist, who shall submit a verification letter to the City before issuance of permits. Tree protection fencing to be inspected by City Arborist before demo and/or building permit issuance.

# DURING CONSTRUCTION

### **Root Pruning**

Roots often extend farther beyond the tree than people realize. Even outside of the fencing protecting the critical root zone, there are roots that are important to the wellbeing of the tree. Builders may notice torn roots after digging or trenching. If this happens, exposed ends should be cut cleanly.

However, the best way to cut roots is to cut them cleanly *before* they are torn by excavating equipment. Roots may be exposed by gentle excavation methods and then cut selectively. Alternatively, a tool specifically designed to cut roots may be used to cut through the soil on the tree-side of the excavation line prior to digging so that roots are not torn.

Any root pruning must be supervised by the Project Arborist.

### Irrigation

Water moderately and highly impacted trees during the construction phase. As a rule of thumb, provide one to two inches per month. Water slowly so that it penetrates 18 inches into the soil, to the depth of tree roots. Do not water native oaks during the warm dry season (June – September) as this activates oak root fungus. Instead, make sure that the soil is sufficiently insulated with mulch (where possible). Remember that unsevered tree roots typically extend three to five times the distance of the canopy.

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## **Project Arborist Supervision**

I recommend the Project Arborist meet with the builder on-site:

- Soon after excavation
- During any root pruning
- As requested by the property owner or builder to document tree condition and on-going compliance with tree protection plan (I suggest every 6 weeks).

Any time development-related work is recommended to be supervised by a Project Arborist, a follow-up letter shall be provided, documenting the mitigation has been completed to specification.

# **POST-CONSTRUCTION**

Ensure any mitigation measures to ensure long-term survival including but not limited to:

## **Continued Tree Care**

*Provide adequate and appropriate irrigation*. As a rule of thumb, provide 1- 2 inches of water per month. Water slowly so that it penetrates 18 inches into the soil, to the depth of the tree roots. Native oaks usually should not be provided supplemental water during the warm, dry season (June – September) as this activates oak root fungus. Therefore, native oaks should only be watered October – May when rain has been scarce.

*Mulch* insulates the soil, reduces weeds, reduces compaction, and promotes myriad benefits to soil life and tree health. Apply four inches of wood chips (or other mulch) to the surface of the soil around trees, extending at least to the dripline when possible. Do not pile mulch against the trunk.

*Do not fertilize* unless a specific nutrient deficiency has been identified and a specific plan prescribed by the project arborist (or a consulting arborist).

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**ARBORIST REPORT** 

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### **Post-Construction Monitoring**

Monitor trees for changes in condition. Check trees at least once per month for the first year post-construction. Expert monitoring should be done at least every 6 months or if trees show signs of stress. Signs of stress include unseasonably sparse canopy, leaf drop, early fall color, browning of needles, and shoot die-back. Stressed trees are also more vulnerable to certain disease and pest infestations. Call the Project Arborist, or a consulting arborist if these, or other concerning changes occur in tree health.

### **City Arborist Inspection**

A final inspection by the City Arborist is required at the end of the project. This is to be done before Tree Protection Fencing is taken down. Replacement trees should be planted by this time as well.

# Conclusion

The home building project planned at 495 Gilbert Avenue appeared to be a valuable upgrade to the property. If any of the property owners, project team, or City reviewers have questions on this report, or require Project Arborist supervision or technical support, please do not hesitate to contact me at (408) 497-7158 or <u>busara@bofirestone.com</u>.

Signed,



Busara (Bo) Firestone | ISA Certified Arborist WE-#8525A | ASCA Registered Consulting Arborist RCA #758 | ISA Qualified Tree Risk Assessor | ASCA Tree and Plant Appraisal Qualification | Member – American Society of Consulting Arborists | Wildlife-Trained Arborist

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# Supporting Information

# GLOSSARY

Terms appear in the order they appear from left to right on the inventory column headings.

**DBH / DSH:** Diameter at 4.5' above grade. Trees which split into multiple stems at 4.5' are measured at the narrowest point below 4.5'.

**Mathematic DBH / DSH:** diameter of multitrunked tree, mathematically derived from the combined area of all trunks.

SPREAD: Diameter of canopy between farthest branch tips

**TREE STATUS:** A "Heritage Tree" is a tree that has protected status by the City of Menlo Park. The City can classify trees with Heritage status for their remarkable size, age, or unique value. However, in general, native oaks of 10 inches or more, and any tree having a trunk with a diameter of 15 inches or more has Heritage status (measured at 54 inches above natural grade, or at the branching point for multi-trunk trees).

**CONDITION**-Ground based visual assessment of structural and physiological well-being:

"Excellent" = 81 - 100%; Good health and structure with significant size, location or quality.

**"Good"** = 61-80%; Normal vigor, full canopy, no observable significant structural defects, many years of service life remaining.

**"Fair**" = 41-60%; Reduced vigor, significant structural defect(s), and/or other significant signs of stress

**"Poor" =** 21- 40%; In potentially irreversible decline, structure and aesthetics severely compromised

"Very Poor" = 6-20%; Nearly dead, or high risk of failure, negative contribution to the landscape

"Dead/Unstable" = 0 - 5%; No live canopy/buds or failure imminent

**IDEAL TPZ RADIUS:** Recommended tree protection radius to ensure healthy, sound trees. Based on species tolerance, age, and size (total combined stem area) as per industry best practice standards.

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Compromising the radius in a specific area may be acceptable as per arborist approval. Municipalities in our region simplify this nuanced process by using the distance to the dripline, 10X DBH, or 6X DBH as acceptable setbacks from construction.

AGE: Relative to tree lifespan; "Young" <1/3; "Mature" 1/3 - 2/3; "Overmature" >2/3

**IMPACT:** Anticipated impact to an individual tree including.....

**SEVERE** - In direct conflict, removal necessary if plans proceed (distance to root cuts/fill within 3X DBH or root loss of > 30% anticipated).

**HIGH** – Work planned within 6X DBH and/or anticipated root loss of 20% – 30%. Redesign to reduce impact should be explored and may be required by municipal reviewer. Retainment may be possible with monitoring or alternative building methods. Health and structure may worsen **even if** conditions for retainment are met.

**MODERATE** - Ideal TPZ encroached upon in limited areas. No work or very limited work within 6X TPZ. Anticipated root loss of 10% - 25%. Special building guidelines may be provided by Project Arborist. Although some symptoms of stress are possible, tree is not likely to decline due to construction related activities.

**LOW** - Anticipated root loss of less than 10%. Minor or no encroachment on ideal TPZ. Longevity uncompromised with standard protection.

**VERY LOW** - Ideal TPZ well exceeded. Potential impact only by ingress/egress. Anticipated root loss of 0% - 5%. Longevity uncompromised.

NONE - No anticipated impact to roots, soil environment, or above-ground parts.

**TOLERANCE:** General species tolerance to construction (HIGH, MODERATE, or LOW) as given in Managing Trees During Construction, Second Edition, by International Society of Arboriculture

**SUITABILITY ASSESSMENT**: An individual tree's suitability for preservation considering impacts, condition, maturity, species tolerance, site characteristics, and species desirability. (HIGH, MODERATE, or LOW)

**APPRAISAL RESULT**: The reproduction cost of tree replacement as calculated by the Trunk Formula Technique.

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ARBORIST REPORT

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ISA. Species Classification and Group Assignment, 2004 Western Chapter Regional Supplement.

Western Chapter ISA.

Smiley, E. Thomas, Nelda Matheny, and Sharon Lilly. *Best Management Practices: Tree Risk* Assessment: International Society of Arboriculture, 2011. Print.

## CERTIFICATE OF APPRAISAL

I, Busara Rea Firestone, CERTIFY to the best of my knowledge and belief:

- 1. That the statements of fact contained in this plant appraisal are true and correct.
- That the appraisal analysis, opinions, and conclusion are limited only by the reported assumption and limiting conditions, and that they are my personal, unbiased professional analysis, opinions, and conclusions.
- 3. That I have no present or prospective interest in the plants that are the subject of this appraisal, and that I have no personal interest or bias with respect to the parties involved.
- 4. That my compensation is not contingent upon a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- That my analysis, opinions, and conclusions are developed, and this appraisal has been prepared, in conformity with the *Guide for Plant Appraisal (10<sup>th</sup> edition, 2000)* authored by the Council of Tree and Landscape Appraisers.
- 6. That the methods found in this appraisal are based on a request to determine the value of the plants considering reasonable factors of plant appraisal.
- 7. That my appraisal is based on the information known to me at this time. If more information is disclosed, I may have further opinions.

Signed,

nalla

Busara (Bo) Firestone ISA Certified Arborist WE-#8525A 4/24/2023





BO FIRESTONE TREES & GARDENS BUSARA FIRESTONE, CERTIFIED ARBORIST #WE-8525A 2150 LACEY DR., MILPITAS, CA 95035 E: BUSARA@BOFIRESTONE.COM P: (408) 497-7158 WWW.BOFIRESTONE.COM



## **TPZ III – Alternative Method of Tree Protection**

0 Step 1: Wrap trunk with foam pad OR at least five layers of orange plastic fencing. Step 2: Install dimensional lumber in a layer around trunk to create barrier. Angle to protect root flare. Step 3: Secure planks with straps, chicken wire, or no less than four layers of orange plastic fencing. DO NOT DRIVE FASTENERS INTO TREE

May be used to protect trunk from damage during construction activities when standard TPZ fencing is not practical. Install prior to construction activities. Adjust to allow for diameter growth as needed.

Zhou Residence 4/24/23

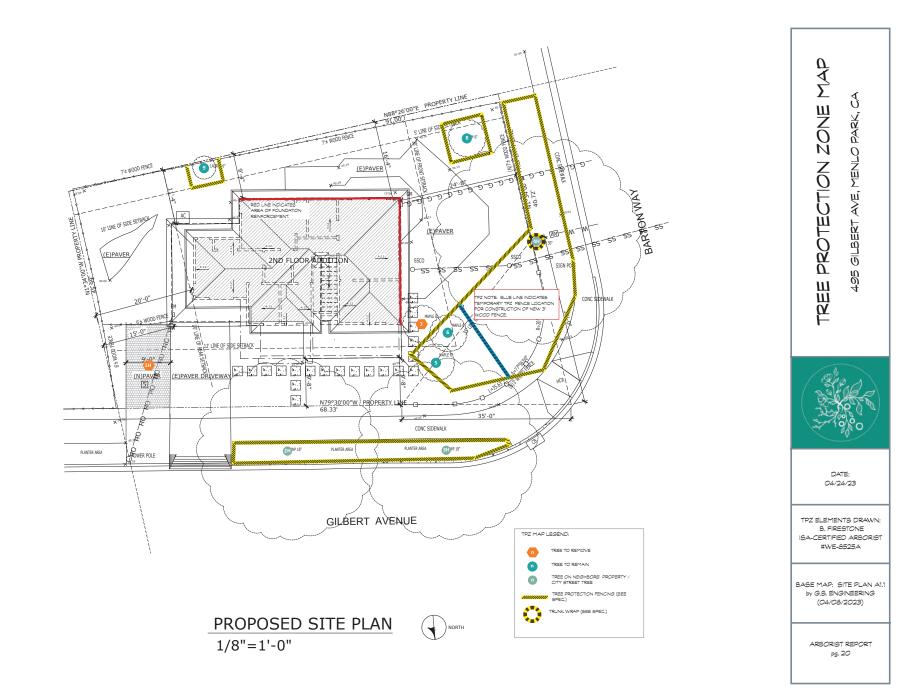
									TREE IMPACT ASSESSMENT											
#	Heritage (H)	Common Name	Botanical Name	Protected Status	DBH (inches)	math. DBH (inches)	Height (feet)	Spread (feet)	Condition	Health, Structure, Form notes	Age	Species Tolerance	6X DSH* (feet)	Est. Root Loss**		Ideal TPZ Radius (ft)	Impact Level ***	Suitability Rating	Removal Status	Appraisal Result
1	н	Olive	Olea europaea	HERITAGE	13.5, (2) 9	19	20	20	FAIR (50%)	moderate vigor, previously topped, lion's tailed	MATURE	MODERATE	10	100%	12	19	SEVERE	LOW	REMOVE (X)	\$4,640
2	н	London Plane	Platanus × acerifolia	HERITAGE, STREET	21.5	21.5	45	45	FAIR (50%)	lion's tailed, previously topped	MATURE	MODERATE	11	<10%	12	22	LOW	MODERATE	PRESERVE	\$3,470
3	н	London Plane	Platanus × acerifolia	HERITAGE, STREET	20	20	45	45	FAIR (50%)	lion's tailed, previously topped	MATURE	MODERATE	10	< 10%	12	20	LOW	LOW	PRESERVE	\$3,000
4	н	London Plane	Platanus × acerifolia	HERITAGE, STREET	30	30	60	60	FAIR (50%)	burls on trunk, codominant branching	OVERMATURE	MODERATE	15	10% - 25%	15	38	MODERATE	LOW	PRESERVE	\$5,800
5		Japanese Maple	Acer palmatum	(not heritage)	9	9	25	30	GOOD (75%)	good vigor, pleasing form, full green canopy	MATURE	MODERATE	5	10% - 25%	12	9	MODERATE	LOW	PRESERVE	\$2,940
6		Japanese Maple	Acer palmatum	(not heritage)	(2) 5	7	25	20	FAIR (50%)	full canopy, close spacing	MATURE	MODERATE	4	10% - 25%	12	7	MODERATE	MODERATE	PRESERVE	\$1,190
7		Japanese Maple	Acer palmatum	(not heritage)	9	9	25	25	GOOD (75%)	good vigor, pleasing form, full green canopy	MATURE	MODERATE	5	20% - 30%	12	9	HIGH	LOW	REMOVE (X)	\$2,940
8		Crapemyrtle	Lagerstroemia x fauriei	(not heritage)	6	6	20	10	GOOD (75%)	good vigor, pleasing form	MATURE	MODERATE	3	< 10%	12	6	LOW	MODERATE	PRESERVE	\$1,260
9		Laurel Cherry	Prunus laurocerasus	(not heritage)	6	6	15	10	GOOD (75%)	good vigor, full green canopy	MATURE	MODERATE	3	< 10%	12	6	LOW	LOW	PRESERVE	\$1,100
KEY:																				
#		Neighboring / City St	reet Tree																	
		Removal Request																		

#### SEE GLOSSARY FOR DEFINITION OF TERMS

\* 6X DBH is recongnized by tree care industry best practices as the distance from trunkface to a cut across the root plate that would result in a loss of approximately 25% of the root mass. Cuts closer than this may result in tree decline or instability.

\*\*Based on approximate distance to excavation and extent of excavation (as shown on plans). \*\*Impact level assumming all basic and special tree protection measures are followed.

Appraisal calculations summary available apon request.



D24

# **Community Development**



### STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

Public Hearing:

1/8/2024 24-003-PC

Consider and adopt a resolution to approve a use permit to demolish an existing one-story, singlefamily residence and detached garage, and construct a new two-story, single-family residence on a substandard lot with regard to minimum lot area and lot width, and for excavation within the required side and rear setback areas for retaining walls, and for fences and walls to exceed the height limits in the R-1-U (Single Family Urban Residential) zoning district and determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures. The proposal includes an attached accessory dwelling unit (ADU), which is a permitted use and not subject to discretionary review

#### Recommendation

Staff recommends that the Planning Commission adopt a resolution approving a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story, single-family residence on a substandard lot with regard to minimum lot area and lot width in the R-1-U (Single Family Urban Residential) zoning district. The proposal includes a request for excavation within the required side and rear setback areas for retaining walls. The proposal also includes a request for fences and walls to exceed the Zoning Ordinance height limit. The proposal includes an attached accessory dwelling unit (ADU), which is a permitted use and not subject to discretionary review. The draft resolution, including the recommended actions and conditions of approval, is included as Attachment A.

#### **Policy Issues**

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

#### Background

#### Site location

The project site is located on the western side of Stanford Avenue, between Oakdell Drive and Palo Alto Way in the Central Menlo Park neighborhood. The subject parcel and adjoining properties are in the R-1-U zoning district. Properties zoned R-1-S (Single-Family Suburban Residential) are located north of the parcel, separated by one R-1-U-zoned residence (785 Stanford Avenue). The surrounding area is developed with a mixture of single-story and two-story developments in a variety of architectural styles such

as craftsman, traditional, and ranch, with attached and detached one-car and two-car front-loading garages. A location map is included as Attachment B.

### Analysis

### Project description

The subject property is occupied by a one-story, single-family residence constructed in approximately 1946. The property is a substandard lot with regard to minimum lot area, having a lot area of 5,625 square feet where 7,000 square feet is required, and minimum lot width, having a lot width of 50 feet where 65 feet is required.

The applicant is proposing to demolish the existing residence and construct a new two-story, single-family residence that would include a total of four bedrooms and five bathrooms. The attached ADU, located at the first floor rear of the residence would contain one bedroom and one bathroom with independent access. A two-car front-loading garage and uncovered parking space available on the proposed driveway would fulfill the parking requirements for the primary residence and ADU.

The proposed residence would meet all Zoning Ordinance requirements for setbacks, lot coverage, floor area limit (FAL), daylight plane, parking, and height. Of particular note with regard to Zoning Ordinance requirements:

- The main house (2,799.7 square feet) and ADU (450 square feet) combined would contain 3,249.7 square feet and would exceed the maximum FAL (2,800 square feet) for the lot; however, the project is allowed to exceed the FAL by up to 800 square feet in order to accommodate an ADU (Menlo Park Municipal Code (MPMC)16.79.050(b)(4).
- The main house (1,868.6 square feet) and ADU (450 square feet) combined would cover 2,318.6 square feet (approximately 41.2 percent of the lot) and would exceed the maximum allowed building coverage (1,968.8 square feet or 35.0 percent of the lot); however, the project is allowed to exceed applicable building coverage by up to 800 square feet in order to accommodate an ADU (MPMC 16.79.050(b)(4).
- The main house would have a rear (west) setback of 50.3 feet where a minimum of 20 feet is required. The ADU would have a rear (west) setback of 14.6 feet where a minimum of four feet is required.
- The second floor of the main house would be 1,144.8 square feet where 1,400.0 square feet is permitted.
- The proposed residence would be at the maximum height of 28 feet.

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 Attachment A, Exhibits A and B respectively.

### Design and materials

As described in the project description letter, the proposed residence would be a modern country cottage style home with painted vertical V-groove siding and horizontal ship lap siding throughout. A stone veneer façade is proposed at a portion of the first level of the front of the residence (east elevation), including the covered porch. Aluminum-clad wood windows with simulated divided-lites are proposed. The roof material would be asphalt shingles and photovoltaic panels are proposed at the top-most, flat portion of the roof. The second-story of the proposed residence would be stepped back from the first level on all sides.

At the front of the property, within the Stanford Avenue public right-of-way, the proposal includes a widened driveway and repair of the existing stone masonry retaining wall with replacement pressure-treated timber.

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The proposal has been reviewed by the Public Works Department and would be further reviewed at the building permit stage, as appropriate. An encroachment permit and encroachment agreement would be required for the retaining wall in the public right-of-way.

#### Excavation within setback areas and fence/wall height exceedance

The shallow sloped hillside site currently includes retaining walls within the required left side (south) and rear (west) setback areas. The proposal includes a request for excavation within these setback areas to demolish the existing retaining walls and construct new retaining walls and fencing which exceed the maximum height allowed in residential districts, as follows:

- The left side (south) retaining wall would be rebuilt with a board-formed concrete finish, approximately six feet in height at the highest point (towards the rear of the property) and three feet in height at the lowest point (towards the front of the property); a replacement wooden fence six feet in height is proposed on top of the retaining wall. The combined retaining walls and fence structures would have heights ranging from approximately seven feet to 12 feet, which is in excess of the maximum four feet in the front setback area and maximum seven feet elsewhere.
- The rear (west) retaining wall would be rebuilt with a board-formed concrete finish, approximately six feet in height and to the west of the retaining wall, along the rear property line, a wooden fence six feet in height is proposed.

A use permit is requested for excavation within the required setback areas to rebuild and reinforce the existing retaining walls. In addition, the height of fences and walls is measured from the lower of two finished grades whenever there is a grade differential. In this proposal, the height of the combined retaining walls and fence structures would exceed the height limits when measured together from the lower grade on the subject property, as described above, and a use permit has been requested. The sunken retaining wall and visible wooden fence will be mostly similar to current conditions as viewed by adjacent neighbors from their properties.

#### Trees and landscaping

The applicant has submitted an arborist report (Attachment D), detailing the species, size, and conditions of on-site and nearby trees. A total of four trees were assessed, all considered heritage trees (see Table 1). Tree #1, a coast redwood determined incompatible with the proposed demolition of the existing detached garage and construction of the proposed rear (west) retaining wall would be removed to accommodate the project. The proposed heritage tree removal was reviewed by the City Arborist, including evaluation of alternative design and cost comparisons to demonstrate the economic infeasibility of preserving the heritage tree in accordance with City guidelines. To mitigate the proposed heritage tree removal, two incense cedar trees (minimum 60-inch box container) are proposed, one in the rear yard and one at the front of the property. This replacement tree plan was reviewed by the City Arborist. On November 30, 2023, a heritage tree removal permit (HTR2023-00222) was approved by the City Arborist and no appeals were filed. The other three heritage trees assessed by the arborist report (Trees #2, #3, and #4) are located on the adjacent property to the north, 785 Stanford Avenue, and will be retained.

Table 1: Tree summary and disposition							
Tree number	Common name	Size (Diameter at breast height in inches)	Disposition	Notes			
1	Coast redwood	24.8	Remove	Heritage			
2	Coast live oak	22	Retain	Non-heritage			
3	Valley oak	18	Retain	Non-heritage			
4	Coast live oak	24	Retain	Non-heritage			

To protect the heritage trees to the north of the property, the arborist report has identified such measures as tree protection zones, trunk wrapping, excavation by hand digging, and root cutting/pruning guidance. The project arborist has provided tree protection recommendations for different phases of the project including preconstruction, demolition, construction, and post-construction. All recommended tree protection measures identified in the arborist report would be implemented and ensured as part of condition 1h.

### Correspondence

As of the publication of this report, staff has not received any correspondence regarding the project. The applicant's project description letter provides a community outreach summary.

### Conclusion

Staff believes that the design, scale, and materials of the proposed residence are generally compatible with the surrounding neighborhood, and would result in a consistent aesthetic approach. The architectural style would be generally attractive and well-proportioned and the excavation within the required setback areas would support rebuilt retaining walls and new fencing that benefit both the site and adjacent properties. Staff recommends that the Planning Commission approve the proposed project.

### Impact on City Resources

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

### **Environmental Review**

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

### **Public Notice**

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

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### **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. Draft Planning Commission Resolution approving the use permit
  - Exhibits to Attachment A
    - A. Project Plans
    - B. Project Description Letter
    - C. Conditions of Approval
- B. Location Map
- C. Data Table
- D. Arborist Report

Report prepared by: Calvin Chan, Senior Planner

Report reviewed by: Tom Smith, Principal Planner

## PLANNING COMMISSION RESOLUTION NO. 2024-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT TO DEMOLISH AN EXISTING ONE-STORY, SINGLE-FAMILY RESIDENCE AND DETACHED GARAGE, AND CONSTRUCT A NEW TWO-STORY, SINGLE-FAMILY RESIDENCE ON A SUBSTANDARD LOT WITH REGARD TO MINIMUM LOT AREA AND LOT WIDTH, AND FOR EXCAVATION WITHIN THE REQUIRED SIDE AND REAR SETBACK AREAS FOR RETAINING WALLS, AND FOR FENCES AND WALLS TO EXCEED THE HEIGHT LIMITS IN THE R-1-U (SINGLE FAMILY URBAN RESIDENTIAL) ZONING DISTRICT

WHEREAS, the City of Menlo Park ("City") received an application requesting a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story, single-family residence on a substandard lot with regard to minimum lot area and lot width; and for excavation within the required side and rear setback areas for retaining walls; and for fences and walls exceeding height limits in the R-1-U (Single Family Urban Residential) zoning district (collectively, the "Project") from Neil and Hester Seth ("Applicant" and "Owner"), located at 765 Stanford Avenue (APN 074-092-030) ("Property"). The Project use permit is depicted in and subject to the development plans and project description letter, which are attached hereto as Exhibit A and Exhibit B, respectively, and incorporated herein by this reference; and

**WHEREAS**, the Property is located in the Single Family Urban Residential (R-1-U) district. The R-1-U district allows single-family residential uses; and

**WHEREAS**, the proposed Project complies with all objective standards of the R-1-U district; and

**WHEREAS**, the proposed Project includes a request for excavation within the required side and rear setback areas for retaining walls and is subject to review and approval of a use permit; and

**WHEREAS**, the proposed Project includes a request for combined retaining walls and fence structures that exceed the Zoning Ordinance height limit and is subject to review and approval of a use permit;

**WHEREAS**, the proposed Project was reviewed by the Engineering Division and found to be in compliance with City standards; and

**WHEREAS**, the Applicant submitted an arborist report prepared by Aesculus Arboricultural Consulting, which was reviewed by the City Arborist and found to be in compliance with the Heritage Tree Ordinance, and proposes mitigation measures to adequately protect heritage trees in the vicinity of the project; and

**WHEREAS**, the Project, requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act ("CEQA," Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require analysis and a determination regarding the Project's environmental impacts; and

**WHEREAS**, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the Project; and

**WHEREAS**, the Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15303 et seq. (New Construction or Conversion of Small Structures); and

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

**WHEREAS**, at a duly and properly noticed public hearing held on January 8, 2024, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the Project.

# NOW, THEREFORE, THE MENLO PARK PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

**Section 1. Recitals.** The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided, and the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

**Section 2. Conditional Use Permit Findings**. The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the use permit for the construction of a new two-story residence on a substandard lot, including excavation within the required setback areas for retaining walls and for fences and walls exceeding height limits, is granted based on the following findings, which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

- That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
  - a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the

proposed use permit is consistent with the R-1-U zoning district and the General Plan because two-story residences are allowed to be constructed on substandard lots subject to granting of a use permit and provided that the proposed residence conforms to applicable zoning standards, including, but not limited to, minimum setbacks, maximum floor area limit, and maximum building coverage.

- b. The proposed residence would include the required number of off-street parking spaces because one covered and one uncovered parking space would be required at a minimum, and two covered parking spaces are provided for the primary residence.
- c. The excavation within the required setback areas for rebuilding and reinforcing existing retaining walls and including new fencing and walls that exceed the Zoning Ordinance height limits would enhance safety and privacy conditions for both the subject site and neighboring properties.
- d. The proposed Project is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code and the Commission concludes that the Project would not be detrimental to the health, safety, and welfare of the surrounding community as the new residence would be located in a single-family neighborhood.

**Section 3. Conditional Use Permit.** The Planning Commission approves Use Permit No. PLN2023-00017, which use permit is depicted in and subject to the development plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit B, respectively. The Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit C.

**Section 4. ENVIRONMENTAL REVIEW**. The Planning Commission makes the following findings, based on its independent judgment after considering the Project, and having reviewed and taken into consideration all written and oral information submitted in this matter:

1. The Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15303 et seq. (New Construction or Conversion of Small Structures).

# Section 5. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I, Kyle Perata, Assistant Community Development Director, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on January 8, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_\_ day of January, 2024.

PC Liaison Signature

Kyle Perata Assistant Community Development Director City of Menlo Park

Exhibits

- A. Project Plans
- B. Project Description Letter
- C. Conditions of Approval

# **EXHIBIT A**

12" = 1'-0"

#### DESCRIPTION OF WORK DRAWING INDEX phantomarchitecture SHEET NEW SINGLE FAMILY HOME. ATTACHED ACCESSORY DWELLING UNIT (ADU) IN NUMBER SHEET NAME SETH RESIDENCE www.phantomarchitecture.com DEFERRED SUBMITTAL COVER GENERAL NOTES FIRE SPRINKLER SYSTEM PREFRABRICATED TRUSS FRAMING A01 Owners 765 Stanford Ave Menio Park, CA 94025 Contact: Neil and Hester Seth Phone: 650.223.5861 e-mail: mtom@phantomarchit SURVEY A02 SITE AREA PLAN & STREET ELEVATION 403 CODE SUMMARY FLOOR AREA AND BUILDING COVERAGE 765 STANFORD AVE OCCUPANCY TYPE R-3 DIAGRAMS EXTERIORS RENDERS Architect PhanTom Architecture Studio 740 Mandana Blvd Oakland, CA 94610 Contact: Michael R Tom, AIA Phone: 415.827.5592 e-mail: mtom@phantomarchit CONSTRUCTION TYPE VB INTERIOR RENDER SPRINKI ERED: YES MENLO PARK, CA 94025 SITE PLAN CALIFORNIA RESIDENTIAL BUILDING CODE CALIFORNIA RESIDENTIAL BUILDING CODE CALIFORNIA MECHANICAL CODE CALIFORNIA ELCHINIGAL CODE CALIFORNIA ELECTRICAL CODE CALIFORNIA GREEN BUILDING CODE CALIFORNIA GREEN BUILDING CODE CALIFORNIA DREENSY CODE LOCAL AMENDAMENTS MPERVIOUS SITE AREA CALCULATION DEMOLITION FLOOR PLAN FIRST FLOOR PLAN Civil Engineer 2532 Santa Clara Ave 151 Alameda, CA 94501 SECOND FLOOR PLAN Alameda, CA 94501 Contact: Patrick Macdonald Phone: 510.282.5281 e-mail: sfcivil@yahoo.com ROOF PLAN ELEVATIONS ELEVATIONS ELEVATION ZONING SUMMARY Geotechnical Engineer Visha Consultants 11501 Dubilin Blvd, #200 Dublin, CA 94568 Contact: Selva Selvamohan, PE Phone: 510.501.3240 ELEVATIONS ZONING TYPE R1U A34 BUILDING SECTION BUILDING SECTIONS EXISTING LISE SINGLE FAMILY HOME A80 SCHEDULES OPEN SPACE REQUIREMENTS SCHEDULES ADDITIONAL PARKING REQUIREMENTS Arborhist: Aesculus Arborcultural Consulting 221 Hope Street #391653 Mountain View, CA 94041 Contact: Katherine Naegele Phone: 408.201.9607 e-mail: katherine@aacarbor.com NC ASK-02 Unnamed ENTRY PRESCEDENCE ASK-03 PROPERTY SUMMARY CIVIL COVER CONSTRUCTION APN 074092030 EROSION CONTROL PLAN AND EXISTING CONDITIONS PROPOSED HOUSE ARE/ 2800 SF (FAL TOTAL) CONSTRUCTION BEST MANAGEMEN FIRST FLOOR SECOND FLOOR 1655 SF 1145 SF 28 SF 186 SF PRACTICES COVERED ENTRY/ FRONT PORCH COVERED REAR YARD PORCH in' Pi EROSION CONTROL DETAILS GRADING & DRAINAGE PLAN & STORM WATER EXISTING LOT AREA: 5625 SF CONTROL PLAN LOT SITE COVERAGE: 1655 SF + 28 SF + 186 SF= ADDITION w/o ADU 1869 SF / 5625 SF= 33.2% < 1869 SF (SEE 1/A05 FOR DETAIL) 35% MAX SEWER NOTES AND DETAILS PROPOSED ADU (ATTACHED) 450 SF Г LANDSCAPE PLAN LOT SITE COVERAGE: (1869 SF + 450 SF) /5625 SF= 41.2% > 35% MAX ADDITION w/ ADU FOR PARKING SPACES PROPOSED 2-COVERED STALLS 1-ADU PARKING ON DRIVEWA Ē ≞ NOT VICINITY MAP GENERAL NOTES LIGHTING NOTES CONSTRUCTION DOCUMENTS AND SPECIFICATIONS ARE COMPLIMENTARY. 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#### 2022 Single-Family Residential Mandatory Requirements Summary

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	2022 Single-Family Residential Mandatory Requirements Summary
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\$ 190 (j +) k.	Gravity furnitation Dampars. Dovity werliating optimes serving conditioned space must have what automatic or result, assessible, manually operated champers in all oppenage to the outside, assaget constantion lead and outlet all openings and elevator shall write.
§ 150.08 MR	Protection of Production, Includion multi-to-protected from Somapy can baselight motions, approved manufactures, and write Includion regioned in working multi-to-produce for automative log, protected by automatic, therefored, patient amount overs. Clink in the instrument multi-to contected to allow or automative of a ware research and out or patient excession activity.
§ 158.0(m)10	Persona litterer Core (Piers Doct. Parcon i neur cares of Tex clucks must have a non-porces larger or set barrier between this inner care and such responsement.
\$ 150 Qm(1)	Build Spatient Swaling and Laskage Test. When space conditioning systems use forced air dust systems in supply conditioned are to an occupation space. For occupant, we are an and a full having instant, as confirmed through fault withcaline and degradate bailing, in accordance with Enforcem Devident Agended SPLS 1.
§ 19643m(12)	Air Filtrades, Space conducting spaters with accil exceeding 10 hef and the auguly take of institution spaters recal have MBM-11 or spatered from . Then for good conditioning spaters must have a twi virial region of can be can ken for the space 300-34. Cause Alter present to be all acceler good meets for regioners in 1510/347. There will be associated and good encoders made a spatie must use gasets, avelong or other means to do associated the named (files to and presents al from bygassing for Back. <sup>3</sup>

#### 2022 Single-Family Residential Mandatory Requirements Summary

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§ 161.08/10	
\$ 160.000/95	Scree based luminates. Scree based luminates musi consist lange that comply with finderwook kint Agoendar (AS. Light Sources in Enclosed or Researce Lanvasing. Lanvas and other excession light sources that are not complexify with the (AS.
£ 162.00/WE	DgN Sauros in Endowed or Received Lawrences, Large and other equation get searches that must be provided the AKS elevated temperature-requirements, including marking sequences to must antite installed in endowed or increased harvestes.
t sarokva	Lape Exercise in Develop, Collaborat, and Lanes Cheede. Light backets internal to down so, colonity to francisco to on internal isometry with the 200 Advance to endown by a warray concerns haveful that any art enable concerns on the that of priori, and to may that 100 Aurers, and are applied with carticle tool internationally Aim the lighting of when the shares, calcium or from close in cardial.
151.03(04:	Interior Switches and Controls. All Interior phase but dimensioned with LED light sources result comply with NEMA 328, 7A
191.00028	Interior Sectores and Controls. Extract fate must be controlled approachly from lighting systems."
STRACK AN	Accessible Controls. Lighting must have readily accessible wall resulted controls that allow the lighting to be memality terrent, or and oil."
198.004.00	Multiple Caretrals. Controls watched bypast a dimeter, dougant senses, an vacanty senses fanction if the dimeter in sensor is installed to comply with § 150-000.
150.00000	Nandatory Requirements. Up/ting controls must comply with the applicable orguitements of § 112.9.
§ 156 99400	Energy Max ageneral Control Systems. An energy management control system (ESEC), ray to used to comply with doming, ecception, and control equivalences of provides the Exectionality of the specified control per § 1180 and the physical controls specified ex 1100 XXCM.
192.0KE	Automatic Shufer Contrains, its behaviore, garages, buiedy receive, utility contra and walk its its rests, all heat are insteaded lawsmane much be carefolded by an acceptory or examing automatic proteining automatic of its alternative. Suggest and an a store much laws contrains that farm heat (and even to closed).
§ 196 OK (27.	Dimenses. Lighting in heldstalds apaces (e.g., foring scenes, driving rooms, kildhers, end bedooms) must have resulty accessable walk- resultat dimensio controls had allow his lighting is be namely adjusted as and down. Persent phase sol dominen controlling LED (gitt isource) in the opposet must receive with MEMA (53, 73).
8 150 OKUN	Independent controls. Integrated lighting of entre all fairs what to controlled integendently from the fairs. Lighting under calimate or whenew, lighting in deploy patients, and matched calible must be controlled reporting from calima-installed lighting.
ş Islakisa	Residental Coder Lightly, for single-liviny resoluted Listings, cables of the permeted involved to associate buding, or when budings on the same list, marking was a marked offer buding or budings and motion buding. In the solution of the solution of an end the solution of the solution of an end the solution of the s
5 156 (014)	Internally interinated address signs. Internally illuminated address signs must after compty with § 1428 an consume no more than 5 works at power.
§ 150 00x8	Residential Carages for Eight or Mane Welk-les. Lighting to residential parking parages for eight or more vehicles must careply with the applicable requirements for nonresidential gampes or §§ 1103, 1303, 1303, 1304, 1403, and 1473.
rier Rondinous	
S-ITE TOOCH	Single-bandly Residences. Single-family residences located in subclastors with 15 or more single-bandly residences and where the application for a service watch-location register the residences has been devined compare and approved by the relationer suggestion which do not have a protocollary universe statistic music comply with the seguriment of \$100,000-00.
ştiz taşçık	Hence the field of a set. This late one must have a whence that and us described have. The source one must comply with means pathway, many meetings, and quaging asymmetric as expected in Tab. Ye field a one append Tab. 3 varies of a set of sequences to apply the pathway in a set of the sequence of the set
81101082	Advective. All vections of the solar zone located on strep-aloaed mode must have an azi multi-totween 56-300° of true morth.
TIDIONIA	Stading. The solar gove must not contain any obstructions, including but not limited for venity, drivneys, achitectural features, and not mounted equipment.
5 116 10 posta	Ending. Any classifies is and a first of the any divergent of the builting that projects where a safer prime multi-bristed at least terms the invariant distance of the regular difference to ensure the high end part of the distance is and the high end part of the distance of the regular difference to ensure the high end part of the distance is and the high end of the resonance of the distance of the regular difference to ensure the distance of the high end of the last of the same of the high end of the distance of the regular difference to ensure the same of the last of th
511010004	Singcland Design Loads on Construction Decaments. For arrays of the root designated as a safe zone, the structural design basis for not lead toot and out fee lead must be dearly indicated on the science.doc decaments.
5 11 0 10pg:	Memory and the Perhaps. The core is also decreated and is that the decreated by reactions and reacting a part of the perhapsion of the same of the lattice is a core and the period of the same of the same of the same of the same of the period of the same of
Constant of	Desamentation. A keyy of the construction occurrents or a comparable document indicating the information from 5 115 7080 40 multiple

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 Kain Decision Service Peer Ten main electrical peers parel must two a temperating part to block for the technicity of a doub pies
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#### 2022 Single-Family Residential Mandatory Requirements Summary

Existing may stale

5672

ABBREVIATIONS

ALUMINUM APPROXIMATE ARCHITECTURI

BOARD BUILDING BLOCKING BUILT-IN BEAM BOTTOM OF BOTTOM

CEMENT CENTERLINE CEILING CLOSET CLEAR CONCRETE MA3 COLUMN CONCRETE

DETAIL DIAMETER DIMENSION

DOWN DOCUMENT DRAWING

EXISTING ELEVATION ELEVATOR ELECTRICAL

EQUAL EQUIPMENT ESTIMATE

ALUM APPROX ARCH

BD BLDG BLKG BLTIN BM B.O. BOT

CEM CL CLG CLO CLR CMU COL CONC

DET DIA DIM DN DOC DWG

(E) EL ELEV ELEC

EQ EQPM EST

FLOOR DRAIN; FIRE DETECTOR FIRE DEPARTMENT CONNECTION FIRE EXTINGUISHER; FLAT ENAME FIRE EXTINGUISHER CABINET FIRE RATED FURTITURE FURTITURE FOOT; FEET FURTING

GAGE GALVANIZED

KITCHEN

LAVATORY POUND(S)

MAXIMUM

MECHANICAL MANUFACTURER

MINIMUM MIRROR MISCELLANEOUS

NEW NOT APPLICABLE NOT IN CONTRACT NUMBER NOMINAL NOT TO SCALE

OVER, ON ON CENTER OWNER FURNISHED/ CONTRACTOR INSTALLED OPPOSITE

FD FDC FE FR FURN FT FURR

GA GALV

KIT

LAV LBS

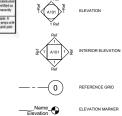
MAX MECH MFR MIN MIR MISC

(N) NA NIC NO. NOM NTS

O/ OC OFCI

OPP

### Decay Stanage System (SSS) Ready. All ungle-tently readercies must meet all of the tokowing: Either ESS-ready inte 5 150.800 The Proof of the P See The grant theory found, theory is storing prior prior to them as there results a neight or the storing of the first origination of the storing of the 5 150 100 150.8(4) 190.8.0



N 90.00 E

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Distano

GRAPHIC SYMBOLS

DOOR TAG

(101)

1 Ref

### Arborhist: Aesculus Arborcultural Consulting 221 Hope Street #391653 Mountain View, CA 94041 Contact: Katherine Naegele Phome: 408.201.9607 e-mail: katherine@aacarbor.com PROPERTY LINE NOTATION REVISION TAG

phantomarchitecture

www.phantomarchitecture.com

Owners 765 Stanford Ave Menio Park, CA 94025 Contact: Neil and Hester Seth Phone: 650.223.5661 e-mail: mtom@phantomarchit

Architect PhanTom Architecture Studio 740 Mandana Blvd Osidand, CA 94810 Contact: Michael R Tom, AIA Phone: 415.857.5592 e-mail: mtom@phantomarchit

Civil Engineer 2532 Santa Clara Ave 151 Alameda, CA 94501 Contact: Patrick Macdonald Phone: 510.282.5281 e-mail: sfcivil@yahoo.com

Geotechnical Engineer Visha Consultants 11501 Dublin Blvd, #200 Dublin, CA 94568 Contact: Selva Selvamohan, PE Phone: 510.501.3240

CONSTRUCTION

FOR

NOT

Date 11/11/2022

221

Room name ROOM NAME/ NUMBER AND AREA 150 SF 1 A101 SECTION REFERENCE NUMBER AND SHEET REFERENCE ٠ SPOT ELEVATION OR TILE SET OUT

### (1) View Name 1/8" = 1'-0" VIEW LABEL WALL TAG WHERE MULTIPLE TYPES SHOWN

No. Description PLANNING (t) WINDOW TAG EXHIBIT B PLANNING REVISION PLATE PLASTIC LAMINATE PLUMBING (ANSI) PUYWOOD POUNDS PER SQUARE FOOT POUNDS PER SQUARE INCH PAINTED POLYVINYL CHLORIDE

### PL PLAM PLMB PLYWD PSF PSI PTD PVC QTY QUANTITY REFLECTED CEILING PLAN ROOF DRAIN REFER/REFRIGERATOR REVISION ROOM ROUGH OPENING RCP RD REF REV RM RO SD SECT SF SIM STD STL STOR STRUCT SMOKE DETECTOR SECTION SOLIARE FEET SIMILAR STANDARD; SLOPE TO DRAIN STEEL STORAGE STORAGE STRUCTURAL

UNLESS OTHERWISE NOTED UTILITY

THK TYP

UON UTIL

VIF

THICK TYPICAL

VERIFY IN FIELD

SETH RESIDENCE GENERAL NOTES Project number 02/02/2021 A01 WD WOOD WT WEIGHT; WOOD THRESHOLD; WALL TYPE 12" = 1'-0" Scale

\$ 110.4301

\$ 10.43(2

110420

\$ 100.0001

Lighting:

10.0 a realities of

120.00118

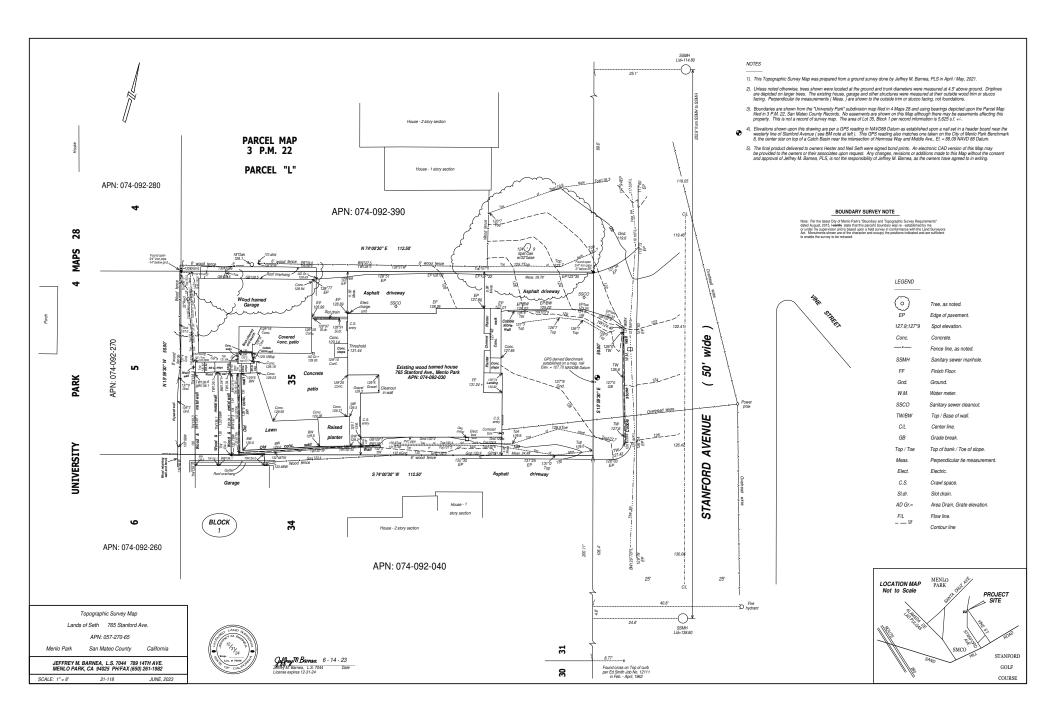
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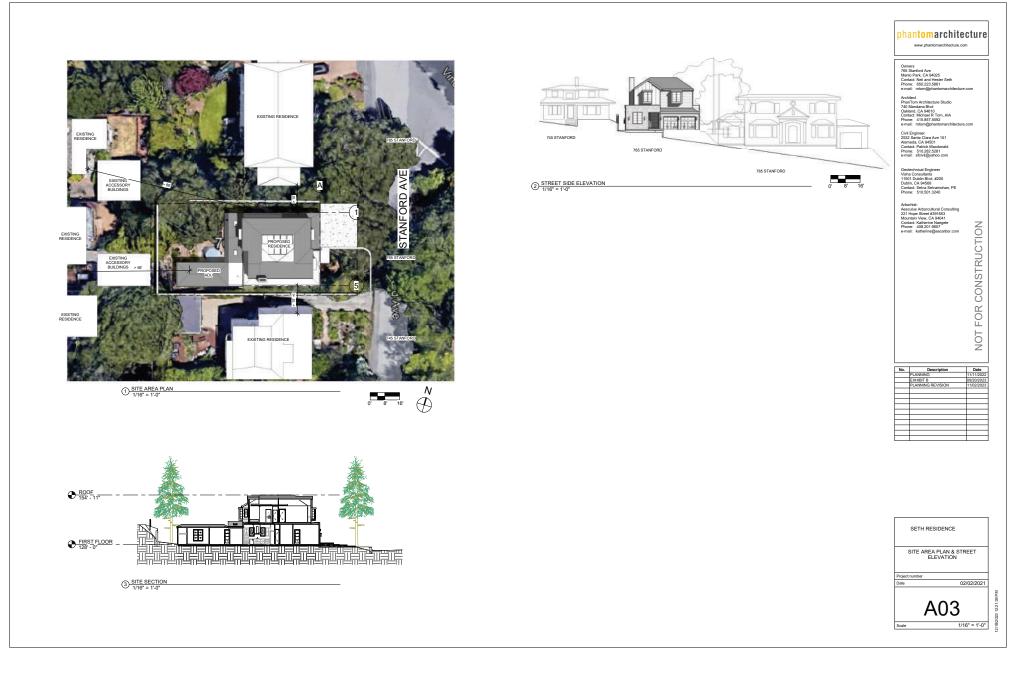
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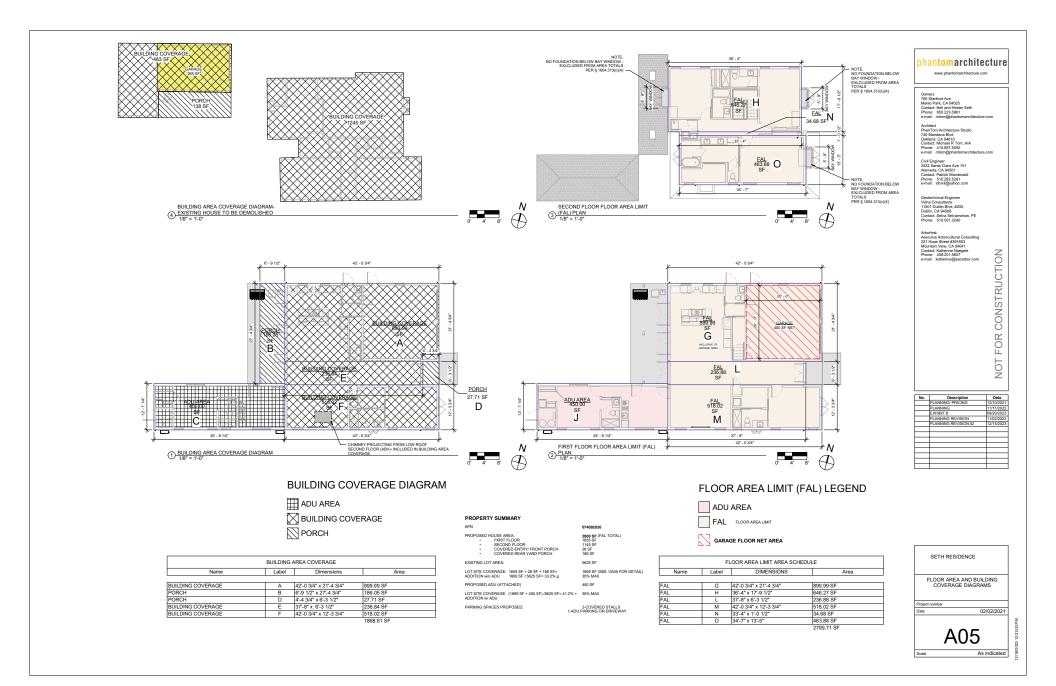
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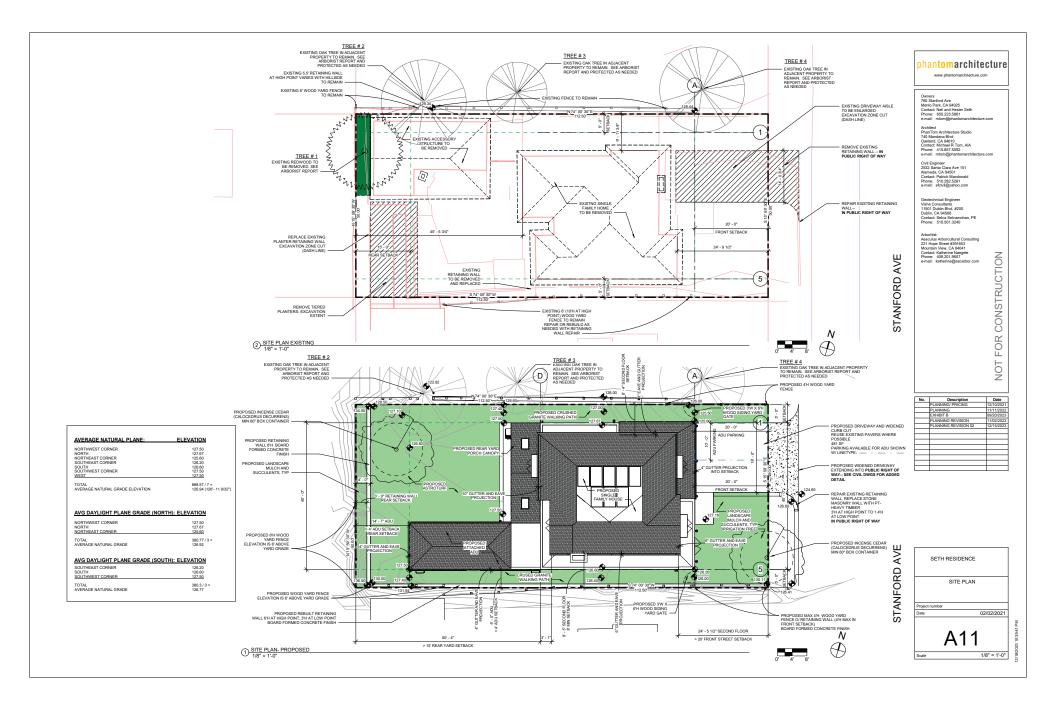


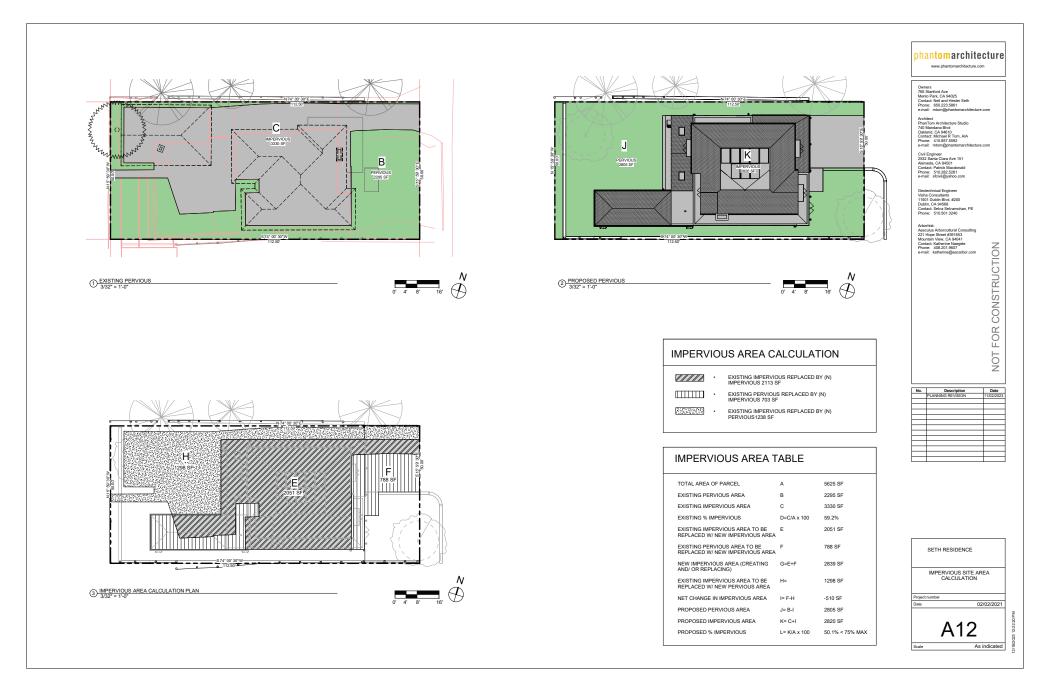


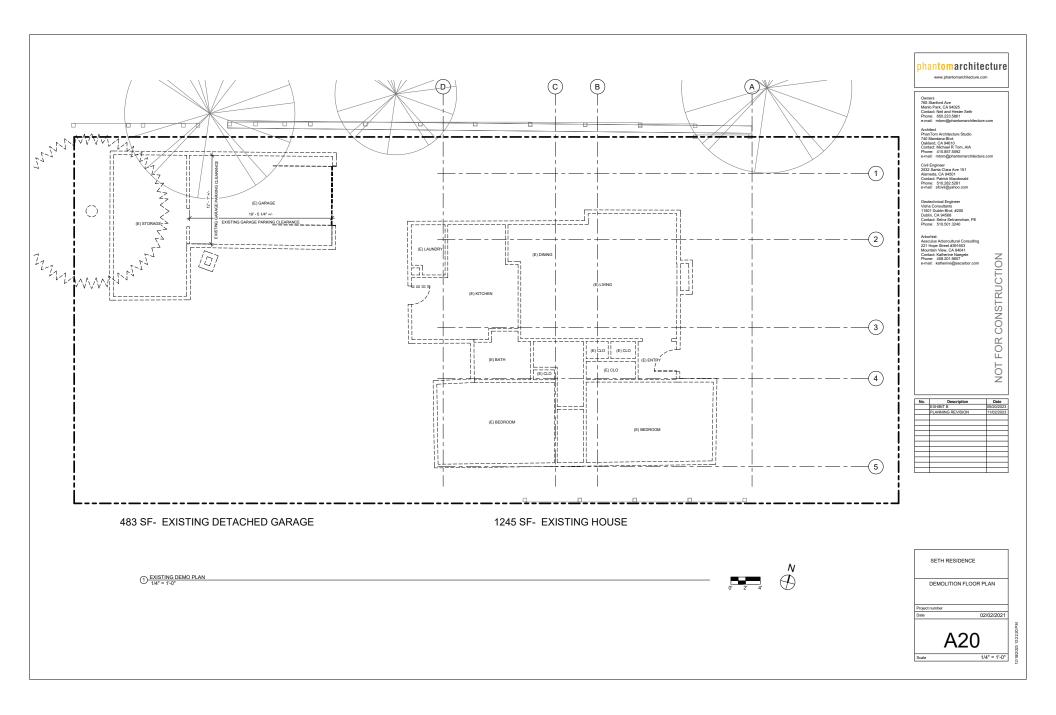


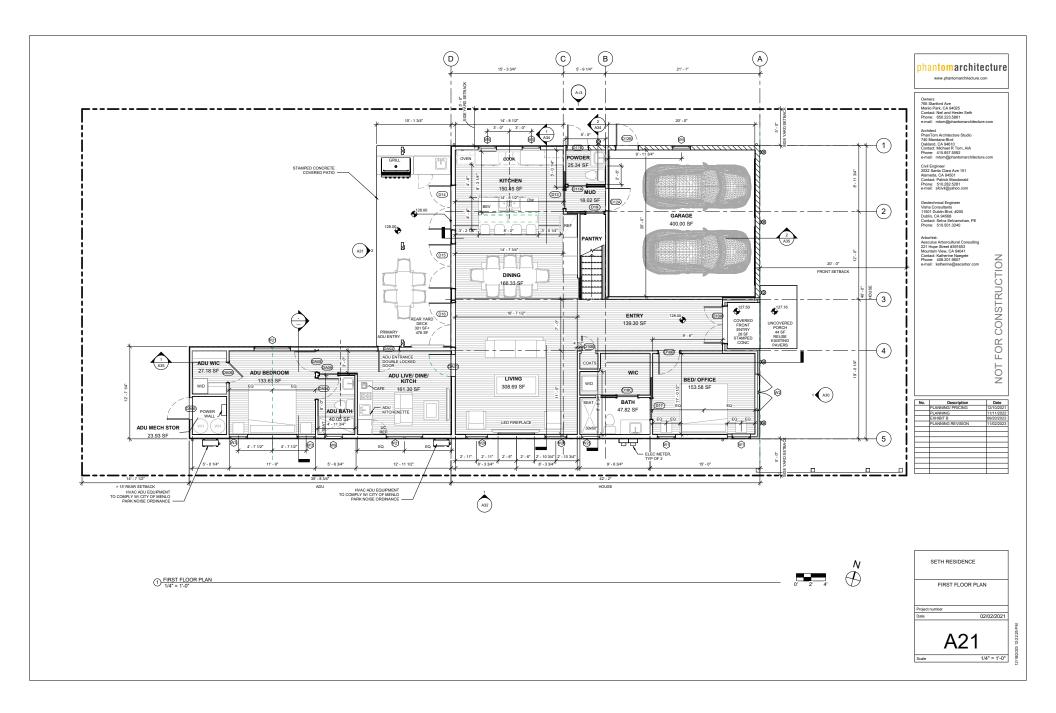


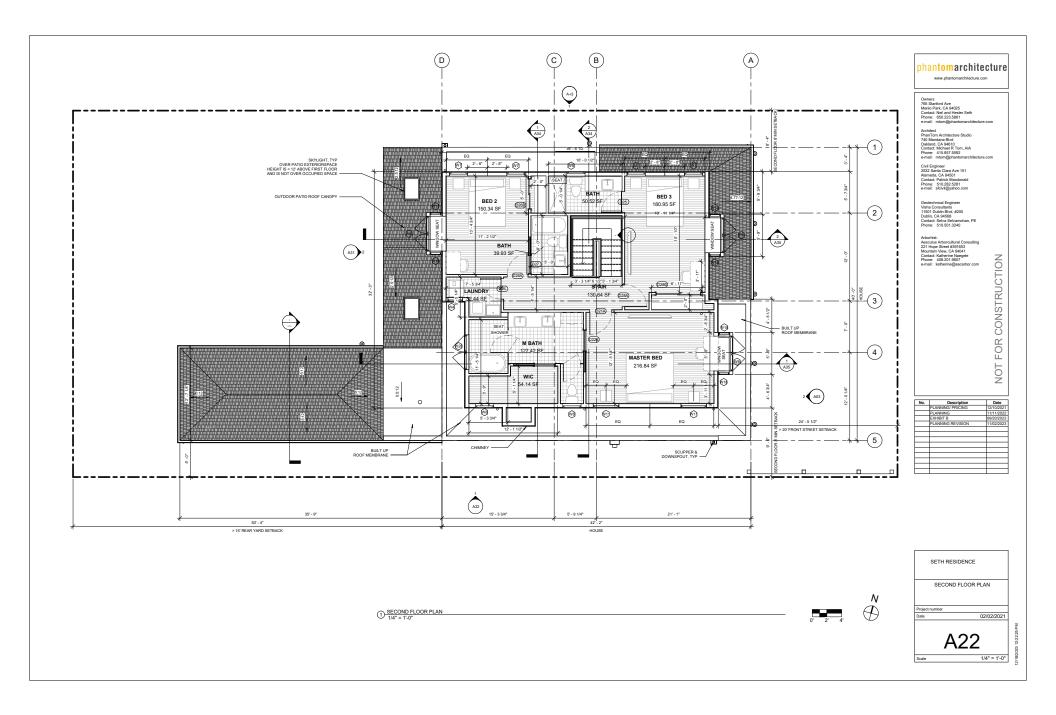


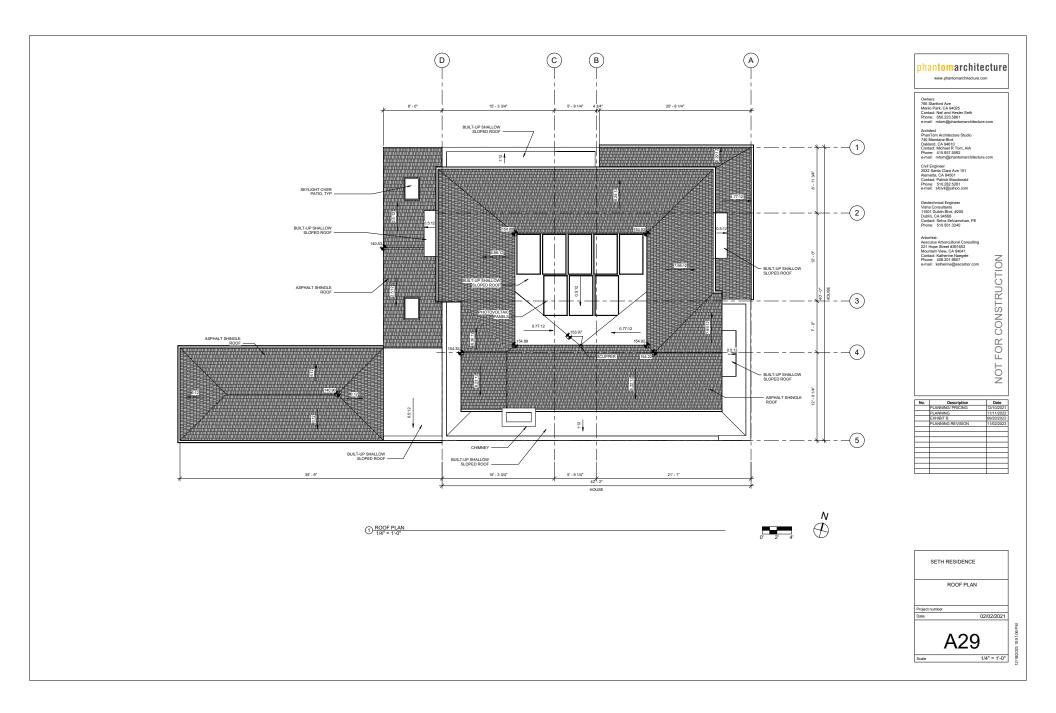


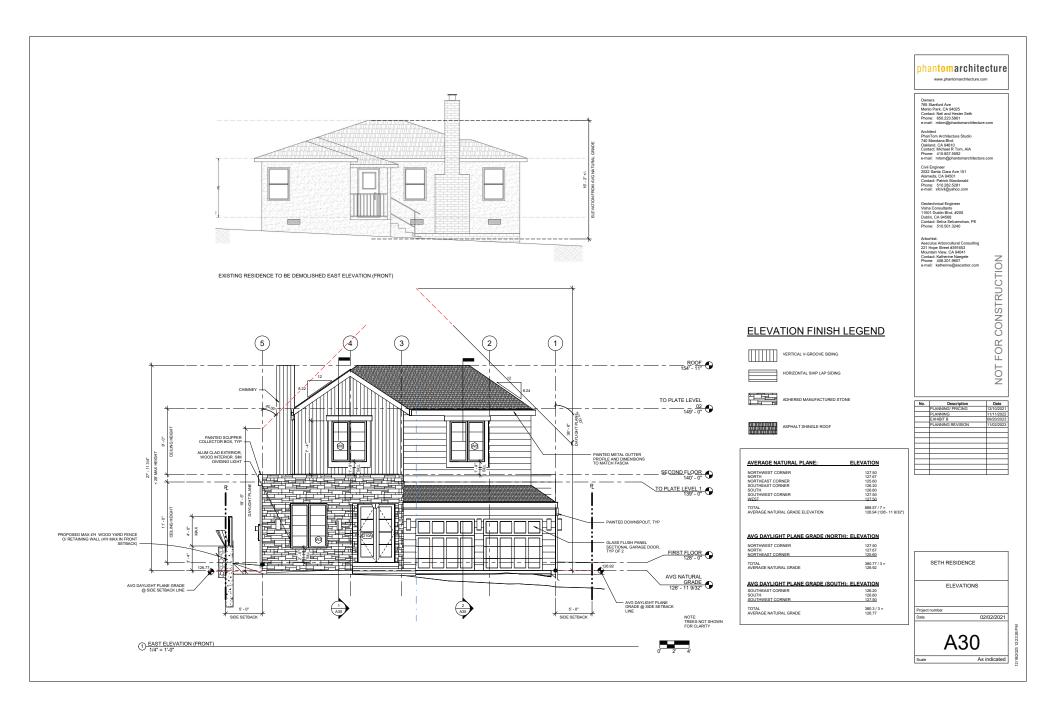


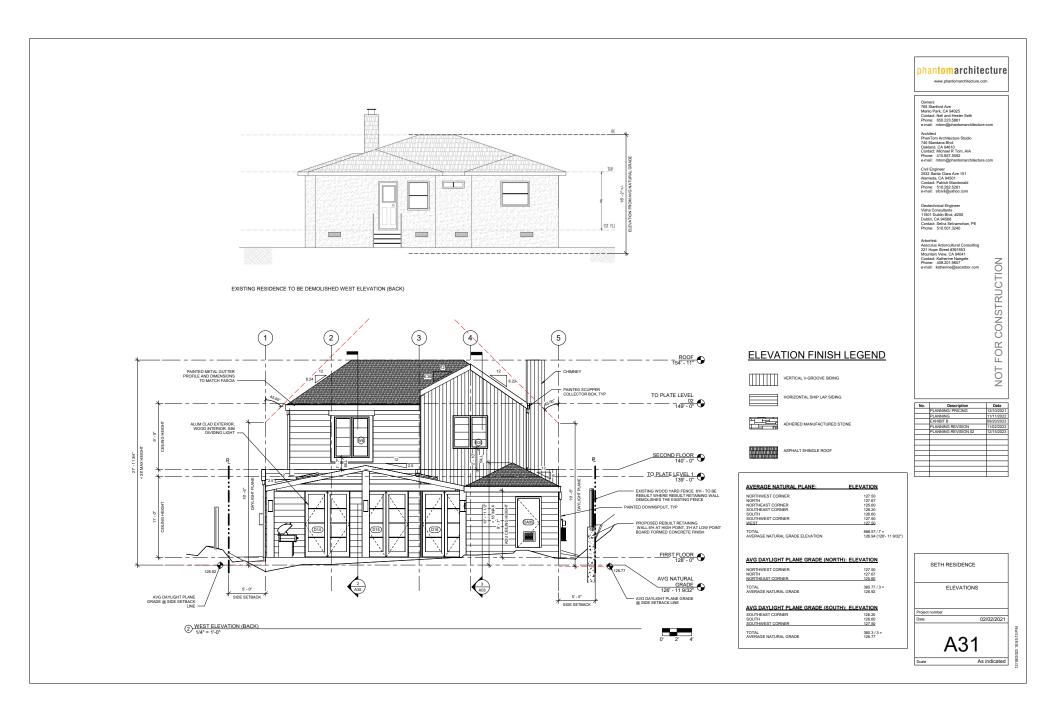


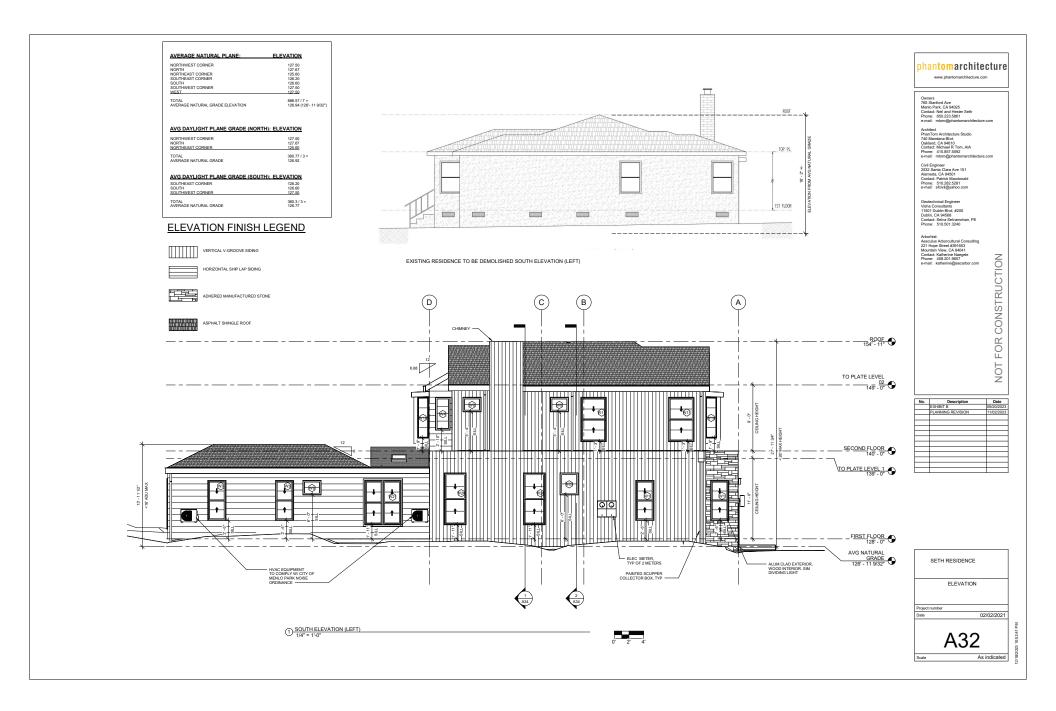


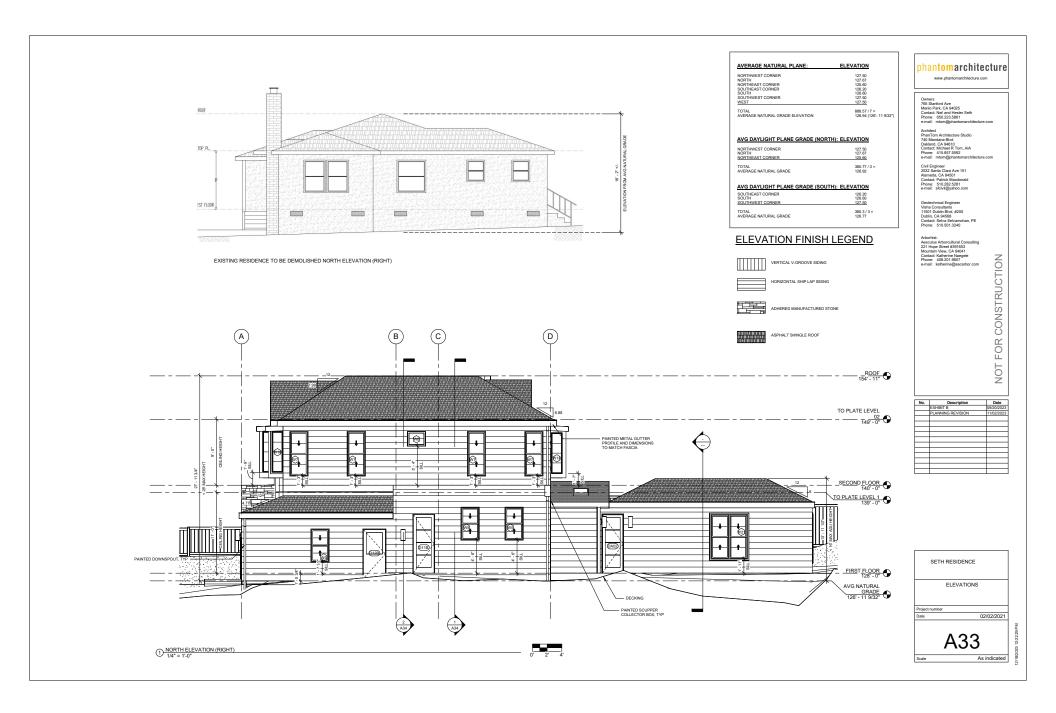


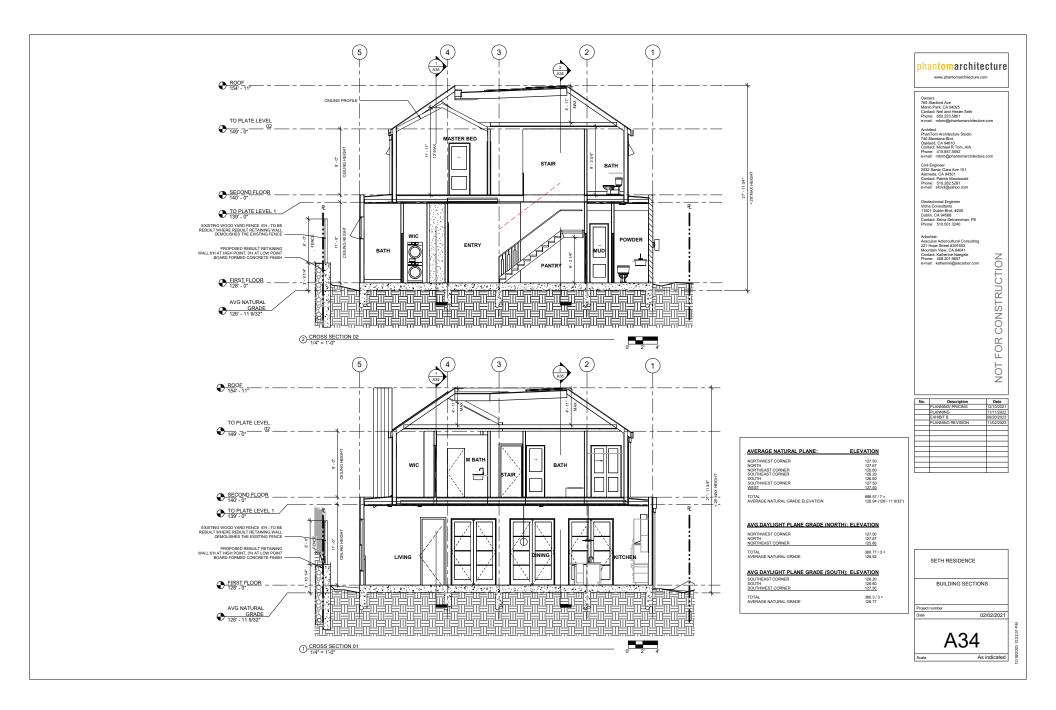


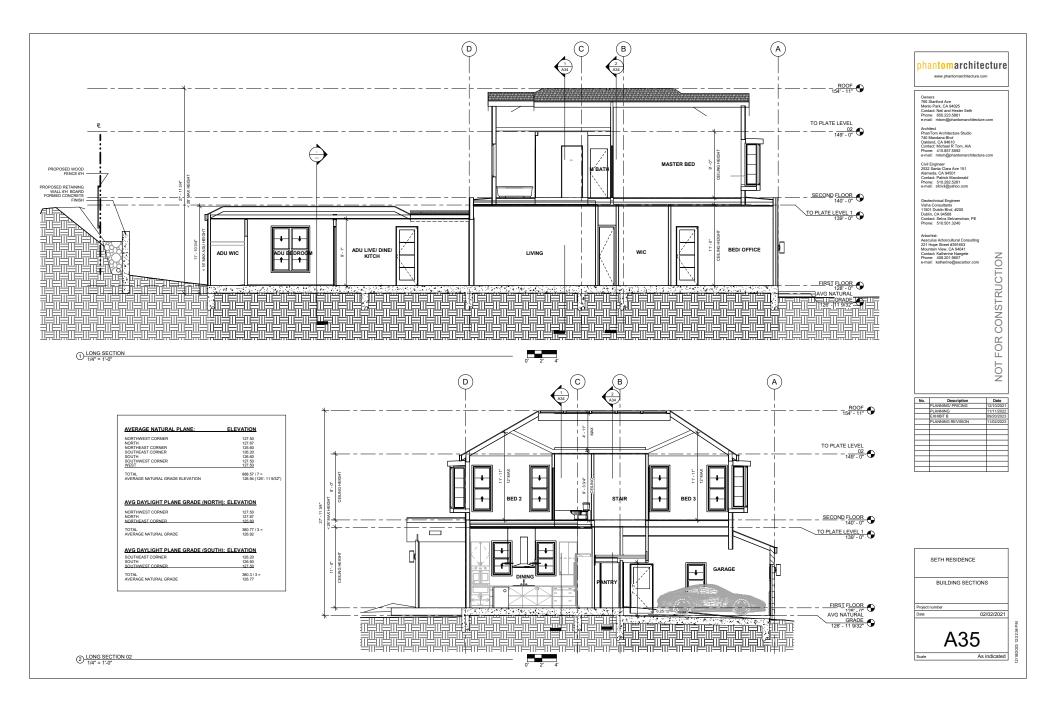












phantomarchitecture

Owners 765 Stanford Ave Menio Park, CA 94025 Contact: Neil and Hester Seth Phone: 650.223.5861 e-mail: mtom@phantomarchite

Architect PhanTom Architecture Studio 740 Mandana Blvd Oavland, CA 94610 Contract: Michael R Tom, AIA Phone: 415.857.5592 e-mail: mtom@phantomarchit

Civil Engineer 2532 Santa Clara Ave 151 Alameda, CA 94501 Contact: Patrick Macdonald Phone: 510.282.5281 e-mail: sfcivil@yahoo.com

Geotechnical Engineer Visha Consultants 11501 Dublin Blvd, #200 Dublin, CA 94568 Contact: Selva Selvamohan, PE Phone: 510.501.3240

Arborhist: Aesculus Arborcultural Consulting 221 Hope Street #391653 Mountain View, CA 94041 Contact: Katherine Naegele Phone: 408/2019607 e-mail: katherine@aacarbor.com

No. Description PLANNING/ PRICING

PLANNING EXHIBIT B PLANNING REVISION NOT FOR CONSTRUCTION

Date 12/10/2021

09/20/2023

				DOOR SCHEDULE			
	Finish						Finish
Door Number	Door Size	Family	Fire Rating	Description	Door	Frame	Comments
D10A	60" x 96"	Door-Exterior-Double-Full Glass-Wood Clad		TEMPERED GLAZING WEATHER SEALED	FULL GLASS LITE	FIBERGLASS	
D10B	24" x 96"	Single-Flush			HOLLOW CORE	WOOD	
D11A	30" x 80"	Door-Interior-Single-Pocket-2 Panel-Wood			HOLLOW CORE	WOOD	
D11B	34" x 96"	Door-Interior-Single-Full Glass-Wood		TEMPERED GLAZING WEATHER SEALED	SOLID CORE	WOOD	
D12A	36" x 84"	Single-Flush			SOLID CORE	WOOD	WEATHER SEALED
D12B	36" x 80"	Door-Exterior-Single-Entry-Half Flat Glass-Wood_Clad			SOLID CORE	WOOD	
D13	30" x 96"	Door-Interior-Single-Pocket-2_Panel-Wood			HOLLOW CORE	WOOD	
D14	72" x 108"	Door-Exterior-Double-Full Glass-Wood Clad					
D15	72" x 108"	Door-Exterior-Double-Full Glass-Wood_Clad					
D16	72" x 108"	Door-Exterior-Double-Full Glass-Wood_Clad					
D17	34" x 96"	Door-Interior-Single-Pocket-2_Panel-Wood			HOLLOW CORE	WOOD	
D18B	34" x 96"	Door-Interior-Single-Full Glass-Wood		TEMPERED GLAZING WEATHER SEALED	FULL GLASS LITE	WOOD	
D18C	34" x 80"	Door-Interior-Single-Pocket-2_Panel-Wood			HOLLOW CORE	WOOD	
D19	30" x 80"	Door-Interior-Single-Pocket-2_Panel-Wood					
D21A	36" x 84"	Single-Flush			HOLLOW CORE	WOOD	
D22B	34" x 84"	Door-Interior-Single-Pocket-2_Panel-Wood			HOLLOW CORE	WOOD	
D24	34" x 84"	Single-Flush			HOLLOW CORE	WOOD	
D25	34" x 84"	Single-Flush			HOLLOW CORE	WOOD	
D26A	34" x 84"	Single-Flush			HOLLOW CORE	WOOD	
D26B	48" x 84"	Door-Interior-Double-Sliding-2_Panel-Wood			HOLLOW CORE	WOOD	
D27	30" x 84"	Door-Interior-Single-Pocket-2_Panel-Wood			HOLLOW CORE	WOOD	
D28A	36" x 84"	Single-Flush			HOLLOW CORE	WOOD	
D28B	72" x 84"	Door-Interior-Double-Sliding-2_Panel-Wood			HOLLOW CORE	WOOD	
DA01	36" x 108"	Single-Flush					
DA02	34" x 96"	Door-Interior-Single-Full Glass-Wood		TEMPERED GLAZING WEATHER SEALED			
DA04	34" x 80"	Door-Interior-Single-1_Panel-Wood					
DA05	36" x 80"	SINGLE_FLUSH_DOOR_W_LOUVER_5257					
DA06	32" x 80"	Door-Interior-Single-1_Panel-Wood					
DA08	34" x 96"	Door-Interior-Single-Full Glass-Wood		TEMPERED GLAZING WEATHER SEALED			
DA09	30" x 80"	Door-Interior-Single-Pocket-2_Panel-Wood					

WINDOW SCHEDULE						
Type Mark	Width	Height	Туре	Finish	Sill Height	Comments
W1	2' - 6"	5' - 6"	Window-Double-Hung		2' - 6"	
W2	5' - 0"	6' - 1"	Window-Casement-Double		2' - 0"	
W3	2' - 6"	5' - 6"	Window-Double-Hung		2' - 6"	
W4	2' - 0"	4' - 6"	Window-Awning-Single		2' - 10"	
W5	2' - 6"	4' - 6"	Window-Double-Hung		<varies></varies>	
W6	4' - 9"	5' - 7"	Window-Casement-Double		<varies></varies>	
W7	2' - 6"	6' - 1"	Window-Double-Hung		1' - 3"	
W8	2' - 6"	2' - 0"	Window-Awning-Single		5' - 4"	
W9	2' - 6"	2' - 0"	Window-Awning-Single		6' - 0"	
W10	3' - 0"	2' - 0"	Skylight-Flat			
W11	3' - 6"	6' - 1"	Window-Double-Hung		1' - 3"	
W18	1' - 6"	5' - 7"	Window-Fixed		<varies></varies>	
W20	4' - 9"	4' - 6"	Window-Casement-Double		2' - 10"	
W21	5' - 0"	6' - 1"	Window-Double-Hung-Double		1' - 11"	
W25	2' - 6"	3' - 0"	Window-Awning-Single		6' - 0"	
W26	3' - 0"	7' - 1"	Window-Double-Hung		1' - 11"	

CONTRACTOR DO NOT ORDER FROM THIS SCHEDULE. VERIFY FRAMED CONDITIONS AND ROUGH OPENINGS IN FIELD AND CONFIRM DIMENSIONS PRIOR TO ORDER



EQUIPMENT SCHEDULE								phantomarchitectur
Level	Description	Type Mark	Manufacturer	anufacturer Model PROVISIONING		Comments		
								www.phantomarchitecture.com
FIRST FLOOR	DISHWASHER	DW	VIKING		OFGI			
FIRST FLOOR	WALL HOOD				OFGI		1 1	
FIRST FLOOR	UNDERCOUNTER REFRIGERATOR	UC REF	KITCHENAID	KURR114KSB	OFGI		1	Owners 765 Stanford Ave
FIRST FLOOR	Kenmore 41162 4.3 cu. ft. Front Load Washer - White	W/D	Kenmore	Model # 41162	OFGI	STACKED WASHER DRYER		Menlo Park, CA 94025
FIRST FLOOR	UNDERCOUNTER BEVERAGE COOLER	BEV	VIKING	VWUI5241GSS	OFGI		1	Contact: Neil and Hester Seth Phone: 650.223.5861
FIRST FLOOR	UNDERCOUNTER REFRIGERATOR	UC REF	KITCHENAID	KURR114KSB	OFGI		1	e-mail: mtom@phantomarchitecture.com
FIRST FLOOR	Kenmore 41162 4.3 cu. ft. Front Load Washer - White	W/D	Kenmore	Model # 41162	OFGI		1	Architect
FIRST FLOOR	INDUCTION COOKTOP	COOK	VIKING	VIRT536	OFGI		1	PhanTom Architecture Studio
FIRST FLOOR	BUILTIN OVEN	OVEN	VIKING	VSOF7301_	OFGI		1	740 Mandana Blvd Oakland, CA 94610
FIRST FLOOR	BUILTIN OVEN	OVEN	VIKING	VMDD5306SS	OFGI		1	Contact: Michael R Tom, AIA Phone: 415 857 5592
FIRST FLOOR	REFRIGERATOR	REF	VIKING	VCBB5363ELSS	OFGI		1	e-mail: mtom@phantomarchitecture.com
FIRST FLOOR	COOKTOP	COOK	WHIRLPOOL	W5CE1522FB	OFGI		1	Civil Engineer
FIRST FLOOR	domestic espresso machine	CAFE	La Pavoni				1	2532 Santa Clara Ave 151
SECOND FLOOR	WASHER	W	SPEED QUEEN	TR7003WN	OFGI		1	Alameda, CA 94501 Contact: Patrick Macdonald
SECOND FLOOR	DRYER	D	SPEED QUEEN	DR7004WE	OFGI		1	Phone: 510.282.5281 e-mail: sfcivil@yahoo.com

NOTE: OFGI OWNER FURNISHED; GC INSTALLED GFGI GC FURNISHED; GC INSTALLED

> PLUMBING FIXTURE SCHEDULE Manufactur er PROVISIONING Level Family Family and Type Model Comments FIRST FLOOR Sink Kitchen-Triple Sink Kitchen-Triple: 42" x 21" OFGI FIRST FLOOR FIRST FLOOR FIRST FLOOR SECOND FLOOR Toilet-Domestic-3D1 Toilet-Domestic-3D1: Toilet-Domestic-3D OFGI Sink Vanity-Square: 20" x 18" Sink Vanity-Square OFGI OFGI OFGI OFGI OFGI OFGI GFGI Sink Kitchen-Island: 18" x 18" Sink Kitchen-Island KHU101-17 KRAUS Shower Base-3D: 30" x 60" Shower Base-3D Shower Hase-su Sink Vanity-Square Sink Vanity-Square Sork vanity-Square Sink Vanity-Square Sork Vanity-Sork Vanity-Square Sork Vanity-Square Sork Vanity-Square Sork Vanity-Square Sork Vanity-Square Sork Vanity-Square Sork Vanity-Sork Vanity-Square Sork Vanity-Square Sork Vanity-Square Sork Vanity-Square Sork Vanity-Square Sork Vanity-Sork Vanity SECOND FLOOR SECOND FLOOR SECOND FLOOR SECOND FLOOR SECOND FLOOR Tub-Rectangular-3D Tub-Rectangular-3D: Tub-Rectangular-3D Sink - Utility Sink - Utility: 24"x18" SECOND FLOOR SECOND FLOOR FIRST FLOOR FIRST FLOOR GFGI GFGI OFGI OFGI OFGI OFGI Sink - Utility 
>  Shower Base-3D
>  Shower Base-3D: 30" x 60"
>
>
>  Toilet-Domestic-3D1
>  Toilet-Domestic-3D1: Toilet-Domestic-3D
>  Sink Vanity-Square Sink Vanity-Square: 20" x 18" Toilet-Domestic-3D1 Toilet-Domestic-3D1: Toilet-Domestic-3D SECOND FLOOR SECOND FLOOR SECOND FLOOR Sink Vanity-Square Sink Vanity-Square: 20" x 18" Sink Vanity-Square Sink Vanity-Square: 20" x 18 OFGI OFGI OFGI GFGI Tub-Free Standing-3D Tub-Free Standing-3D: 30" x 60" SECOND FLOOR FIRST FLOOR Toilet-Domestic-3D1 Toilet-Domestic-3D1: Toilet-Domestic-3D FIRST FLOOR Shower Base-3D Shower Base-3D: 30" x 60" FIRST FLOOR FIRST FLOOR KHU101-17 KRAUS OFGI XE80T10H45U0 RHEEM OFGI Sink Vanity-Square Sink Vanity-Square: 20" x 18" Sink Kitchen-Island Sink Kitchen-Island: 18" x 18" FIRST FLOOR Water Heater Water Heater: Water Heater FIRST FLOOR Water Heater Water Heater: Water Heater XE80T10H45U0 RHEEM OFGI

				Room Finish Schedule	5			
Room				Finish			Finish	
Number	Room Name	Area	Floor	Base	Wall	Perimeter	Ceiling	Comments
110	ENTRY	139.30 SF	T&G WOOD	WOOD	PAINT	53' - 0 1/2"	PAINT	
111	POWDER	25.34 SF	T&G WOOD	WOOD	PAINT	20' - 2 1/4"	PAINT	
112	GARAGE	400.00 SF	CONCRETE SEALER	RUBBER	PAINT	80' - 0"	PAINT	
113	MUD	18.02 SF	T&G WOOD	WOOD	PAINT	17' - 5 3/4"	PAINT	
114	KITCHEN	150.45 SF	T&G WOOD	WOOD	PAINT	53' - 4 1/2"	PAINT	
115	DINING	166.33 SF	T&G WOOD	WOOD	PAINT	53' - 2 1/4"	PAINT	
116	LIVING	308.69 SF	T&G WOOD	WOOD	PAINT	70' - 4 3/4"	PAINT	
117	BATH	47.82 SF	CERAMIC TILE	CERAMIC TILE	PAINT	29' - 1 1/2"	PAINT	
118	BED/ OFFICE	153.58 SF	T&G WOOD	WOOD	PAINT	49' - 11 1/4"	PAINT	
119	WIC	47.23 SF	T&G WOOD	WOOD	PAINT	30' - 5 1/2"	PAINT	
120	PANTRY	39.73 SF	LVT	RUBBER	PAINT	29' - 10 1/2"	PAINT	
A01	ADU LIVE/ DINE/ KITCH	161.30 SF	T&G WOOD	WOOD	PAINT	59' - 0 1/2"	PAINT	
A02	ADU BATH	40.05 SF	CERAMIC TILE	CERAMIC TILE	PAINT	26' - 0 1/4"	PAINT	
A03	ADU BEDROOM	133.63 SF	T&G WOOD	WOOD	PAINT	46' - 3"	PAINT	
A04	ADU WIC	27.18 SF	T&G WOOD	WOOD	PAINT	21' - 0"	PAINT	
A05	ADU MECH STOR	23.93 SF	CONCRETE SEALER	RUBBER	PAINT	19' - 7 1/4"	PAINT	
221	MASTER BED	216.84 SF	T&G WOOD	WOOD	PAINT	59' - 9"	PAINT	
222	WIC	54.14 SF	T&G WOOD	WOOD	PAINT	34' - 5 1/4"	PAINT	
223	M BATH	127.42 SF	CERAMIC TILE	CERAMIC TILE	PAINT	58' - 9 1/2"	PAINT	
224	STAIR	130.64 SF	T&G WOOD	WOOD	PAINT	57' - 11"	PAINT	
225	LAUNDRY	32.44 SF	LVT	RUBBER	PAINT	25' - 10 1/4"	PAINT	
226	BATH	50.52 SF	CERAMIC TILE	CERAMIC TILE	PAINT	30' - 1 3/4"	PAINT	
227	BED 2	150.34 SF	T&G WOOD	WOOD	PAINT	49' - 3"	PAINT	
228	BATH	39.93 SF	CERAMIC TILE	CERAMIC TILE	PAINT	25' - 11 3/4"	PAINT	
229	BED 3	180.95 SF	T&G WOOD	WOOD	PAINT	58' - 3 1/2"	PAINT	

 
 Absolut Absorutural Consulting 221 Hope Steet #30163

 Assolut Absorutural Consulting 210 Hope Steet #30163

 Priore:
 #0.2013607

 Image: Steet Absolution Constraints

Geotechnical Engineer Visha Consultants 11501 Dublin Blvd, #200 Dublin, CA 94568 Contact: Selva Selvamohan, PE Phone: 510.501.3240

SCHEDULES Project number Date 02/02/2021

Scale

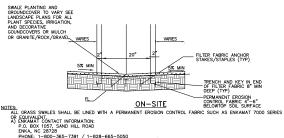
### GENERAL NOTES:

- WORK SHOWN HEREON SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE CALIFORNIA BUILDING CODE, CITY/COLINITY DESIGN STANDARDS AND STANDARD DETAILS, AND THE LATEST EDITION OF CALTRANS STANDARD SPECIFICATIONS.
- ALL GRADING WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS AND RECOMMENDATIONS CONTAINED IN THE PROJECT GEOTECHNICAL REPORT IF REPORT IS PROVIDED.
- 3. EXISTING TOPOGRAPHY SHOWN HEREON IS SHOWN FOR REFERENCE ONLY. SURVEY WAS PROVIDED BY ANOTHER
- THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS, INCLUDING SAFETY OF ALL PERSONS AND PROPORTY, DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY, AND SHALL NOT BE LIMITED TO NORMAL WORKING HOURS.
- 5. PRIOR TO COMMENCING CONSTRUCTION, THE CONTINUCTOR SHALL VERIFY ALL SITE CONDITIONS FOR GRADING, DRAINAGE AND UNDERGRADUND FACILITIES INCLUDING LOCATION AND ELEVATION OF DISTING UNDERGRADUND FACULITIES AT RESOSISSIONS INTH PAPORESE UNDERGRADUND FACILITIES IF CONDITIONS DIFFER FRANCTIONAL THE CHAVEDE DOMINISH HAVE BEEN EVALUATED.
- ALL DRAWING ARE CONCERED TO ES A PART OF THE CONTRACT DOCUMENTS. THE CONTINUETOR SHULL ES ESPOSIBLE OF THE FORSE AN CONSINUTION OF LUCHWICH AND DEPENDING AND THE START OF CONSTRUCTION, MAY INSERPANCES THAT DOCUM SHALL BE ROUTIONT TO THE ATTRITION OF THE REPORTED PORTO THE START OF CONSTRUCTION ON THE START FOR ANY CODE REQUERTING THE ATTRITION OF THE REPORTED CONFLICT WITH THE CONTRACT DOCUMENTS OR ANY CODE REQUERTS SHALL BE CONRECTED BY THE CONFLICT WITH THE OWN PERFORMED AND ANY CODE REQUERTS TO THE OWNOR RECOVER TO THE OWNOR THE OWN PERFORMED IN CONFLICT WITH THE OWN PERFORMED AND ANY CODE REQUERTS THE RECOVERED BY THE CONFLICT WITH THE OWN PERFORMED AND ANY CODE REQUERTS TO THE OWNOR RECOVER TO THE OWNOR THE OWN PERFORMED IN CONFLICT WITH THE OWN PERFORMED AND ANY CODE REQUERTS TO THE OWNOR RECOVER THE
- THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BI APPROVED BY THE REPERTIENT OF THESE PLANS.
- NOTES AND DETAILS ON DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS. WHERE NO DETAILS ARE GIVEN, CONSTRUCTION SHALL BE AS SHOWN FOR SIMILAR WORK.
- THE EXISTENCE, LOCATION AND CHARACTERISTICS OF UNDERGROUND UTURE VERSIONATION SHOWN ON THESE FLANS HAVE BEEN GETAINED FROM A REVIEW OF ANALABLE RECORD DATA. NO REPRESENTATION IS MORE AS TO THE ACCURACY OF CONFERENCES OF SAU UTURE VIPORTUNE THE CONFRECTOR SHULL TAKE FROM/CULTURES MARGINES TO PROTECT THE UTURE SHOWN AND ANY OTHER LINES NOT OF RECORD OR NOT SHOWN ON THESE FLANS.
- IF AT ANY TIME DURING GRADING OPERATIONS, ANY UNFAVORABLE GEOLOGICAL CONDITIONS ARE ENCOUNTERED, GRADING IN THAT AREA WILL STOP UNTIL APPROVED CORRECTIVE MEASURES ARE OBTAINED.
- 11. THE PROPOSED GRADE IS THE FINAL GRADE AND THE ROUGH ORDEC THE CONTRACTOR SHALL SUBTRACT THE THICKNESS OF THE PAVED SECTION AND/OR LANDSCAPE TOPSOL SECTION TO ARRIVE AT THE ROUGH GRADE ELEVATION.
- STRAIGHT GRADE SHALL BE MAINTAINED BETWEEN CONTOUR LINES AND SPOT ELEVATIONS UNLESS OTHERWISE SHOWN ON THE PLANS.
- 13. ALL DEBRIS AND FOREIGN MATERIAL SHALL BE REMOVED FROM THE SITE AND DISPOSED OF AT APPROVED DISPOSAL SITES. THE CONTRACTOR SHALL OBTAIN NECESSARY PERMITS FOR THE TRANSPORTATION OF MATERIAL TO AND FROM THE SITE.
- 14. ALL FILL SOILS OR SOILS DISTURBED OR OVEREX-CAVATED DURING CONSTRUCTION SHALL BE COMPACTED PER THE REQUIREMENTS OF THE SOILS REPORT BUT NOT LESS THAN 90% MAXIMUM DENSITY AS DETERMINED BY A.S.T.M. SOIL COMPACTION TEST D -1557.
- 15. THE CONTRACTOR SHALL OBTAIN AN O.S.H.A. PERMIT FROM THE CALIFORNIA DIVISION OF INDUSTRIAL SAFETY PRIOR TO THE CONSTRUCTION OF TRENCHES OR EXCAVATIONS WHICH ARE FIVE FEET OR DEEPER.
- 16. DIMENSIONS TO PIPELINES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
- ALL WATER LINES SHALL BE INSTALLED WITH 36" MINIMUM COVER FROM TOP OF PIPE TO FINISHED GRADE, UNLESS OTHERWISE NOTED.
- 18. CONSTRUCTION STAKING FOR IMPROVEMENTS SHOWN ON THESE PLANS SHALL BE PERFORMED BY A LICENSED LAND SURVEYOR.
- THE CONTRACTOR SHALL REPLACE ALL EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION TO MATCH EXISTING. INCLUDING PERMANENT TRENCH RESURFACING. 20. CONTRACTOR TO CONTACT UNDERGROUND SERVICE ALERT (800-227-2600) AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION.
- 21. ALL DIMENSIONS ARE IN FEET OR DECIMALS THEREOF.
- 22. ALL CURB DIMENSIONS AND RADII ARE TO PAVEMENT FACE OF CURB.
- 23. CONTRACTOR TO BE AWARE OF ALL OVERHEAD LINES AT ALL TIMES, SO AS NOT TO DISTURB THEM.
- 24. CONTRACTOR SHALL OBTAIN ANY NECESSARY PERMITS FROM THE CITY FOR ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY.
- 25. STORM DRAINAGE SYSTEMS SHOWN ON THESE PLANS HAVE BEEN DESIGNED FOR THE FINAL SITE CONDITION AT COMPLETION OF THE PROJECT. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ADEQUATE DRAINAGE OF THE SITE, DURING INTERIM CONDITIONS OF CONSTRUCTION.
- 26. CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS, INCLUDING NPDES, FROM THE APPROPRIATE JURISDICTION AGENCIES FOR DISCHARGE OF GROUNDWATER THAT MAY BE NECESSARY TO ACCOMPLISH EXCAVATIONS SHOWN
- ANY LAND DISTURBING ACTIVITIES OCCURRING BETWEEN OCTOBER 1ST AND APRIL 30TH ARE RESTRICTED BY THE CITY: A DETAILED EROSION AND SEDIMENT CONTROL PLAN SHALL BE REQUIRED FOR ACTIVITIES OCCURRING DURING THIS PERIOD AND APPROVAL IN WRITING OF THE CITY ENGINEER.
- 27. GRADING ACTIVITIES AND ASSOCIATED NOISE SHALL BE LIMITED TO WEEK DAYS BETWEEN THE HOURS OF BAN TO SPM. NO GRADING ACTIVITIES ARE TO OCCUR ON SATURDAYS AND SUNDAYS, WITHOUT SPECIAL PERMISSION FROM THE CITY ENGINEER.
- 28. CONSTRUCTION STREET PARKING: NO VEHICLE HAVING A MANUFACTURE'S RATED GROSS VEHICLE WEIGHT EXCEEDING TEN THOUSAND POUNDS SHALL BE ALLOWED TO PARK ON THE PORTION OF A STREET WHICH ABUTS PROPERTY IN A RESIDENTIAL ZONE WITHOUT PRORT ON APPROVAL FROM THE CITY ENKNERE.
- 29. THE GENERAL CONTRACTOR SHALL PROVIDE QUALIFIED SUPERVISION ON THE JOB SITE AT ALL TIMES DURING CONSTRUCTION.

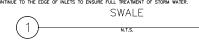
SHI	EET INDEX:
CIVIL	DRAWINGS
CO.1	CIVIL COVER PLAN
C0.2	EXISTING CONDITION & EROSION CONTROL PLAN
CO.3	CONSTRUCTION BEST MANAGEMENT PRACTICES PLAN
CO.4	EROSION CONTROL DETAILS
C1.0	GRADING AND DRAINAGE PLAN AND STORMWATER CONTROL PLAN
C2.0	UTILITY PLAN
C2.1	SEWER NOTES AND DETAILS

LEGEND:	
*	CLEANOUT
ss	SANITARY SEWER PIPE
•	WATER METER BOX. TO BE CONSTRUCTED BY UTILITY COMPANY.
w	DOMESTIC WATER LINE
E	ELECTRICAL LINE
	LIMIT LINE OF WORK
~*	EXISTING SURFACE FLOW DIRECTION
~	PROPOSED SURFACE FLOW DIRECTION
27%	SLOPE AND DIRECTION
0	SANITARY SEWER CLEANOUT
	METER BOX. TYPICALLY INSTALLED BY UTILITY COMPANY.
* * * * * * * *	LANDSCAPE PER PLANS BY OTHERS.
	CONCRETE
DECEC	GRAVEL. SEE LANDSCAPE PLANS.

MINIMUM OF 2" ASPHALT CONCRETE OVER 6" CLASS 2 AGGREGATE BASE

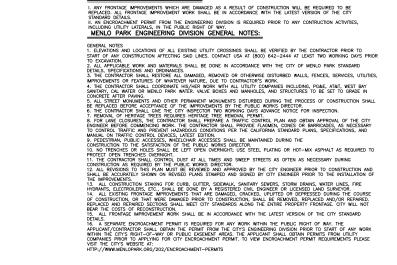


LINKA, NU. 20/28 PHONE. I-BOD-363-7391 / 1-828-665-5020 2. THE CONTRACTOR SHALL HANDLE, STORE, FLACE AND INSTALL/ANCHOR THE PERMANENT EROSION CONTROL FABRIC IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND INSTALLATION SPECIFICATIONS AND DETAILS. 3. ALL PLANTING, MARTINENCE, AND RRIGATION SHALL BE PRE THE LANDSCAPE ARCHTECTS PLAN. ALL PLANTING SHALL CONTINUE TO THE EDOL OF INLETS TO DENSIFE FULL TREATMENT OF STORM WARE:

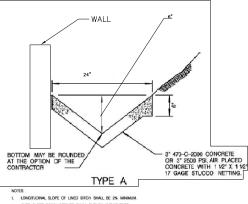


ABBREVIATIONS: BACK OF WALK EXISTING FINISHED FLOOR





FRONTAGE IMPROVEMENTS NOTES:



- 2. OVER SLOPE DOWN DITCHES SHALL EMPLOY 6" THICKENED EDGE SECTION AT BOTH SIDES OF DITCH.
- 3 STUCCO NETTING SHALL BE GALVANIZED AND SHALL HAVE 1.12" COVER





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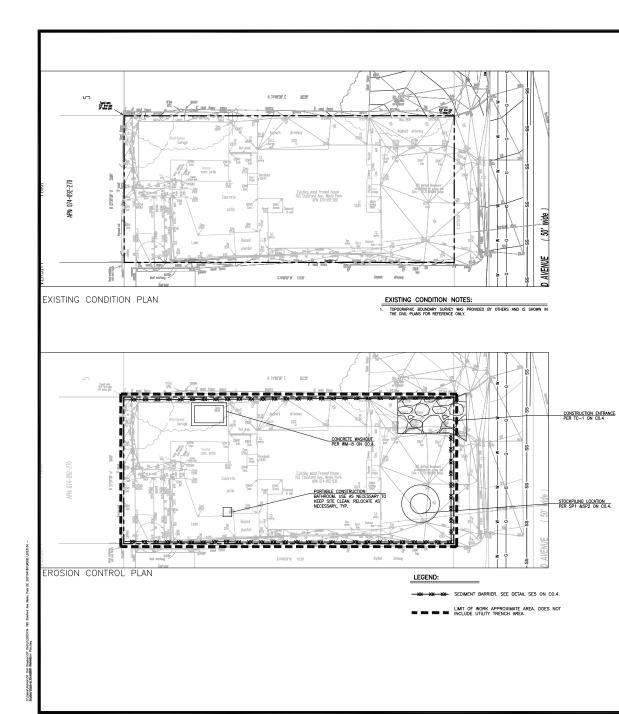
CONSULTANT

COMPANY NAME: SF CIVIL MI ENGINEER RICK MACDONALD

2532 SANTA CLARA AVE #15 ALAMEDA, CALIFORNIA 94501 (P) 510-282-5281 (E) sfcivil@vahoo.com



/Users/Pot



#### EROSION CONTROL NOTES:

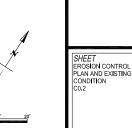
1. EROSION CONTROL POINT OF CONTACT - PATRICK MACDONALD, PE - 5102825281 - sfcivil@vahoo.com

- 2. If is the contractor's responsibility to maintain control of the entire construction operation and to keep the entire strength is responsible to marking with local, state, & federal, regulations, in general, the contractor is responsible for keeping sections to state the federal regulations and state for the strength section of the strength sections and strength section of the strength section of the strength sections of the strength sections
- 3. THE RAWY SEASON IS DECLARED BY THE STATE WATER RESOURCES CONTROL BOARD (SWRCE), ADDITIONAL ERGISON NON SEMMERT CONTROL DEVICES AND ACTIONS MAY BE NECESSARY DURING THE RAWN SEASON. THE CONTRACTOR IS RESPONSIBLE FOR INCLUDING SUCH MEASURES REQUIRED PER THE CALIFORNA STORMMATER QUALITY ASSOCIATION (CASA).
- 4. THIS PLAN IS TO BE USED FOR INTERM EROSION AND SEDMENT CONTROL ONLY. TEMPORARY EROSION CONTROL DEVICES SHOWN ON THE GRADING PLAN WHICH INTERFER WITH THE WORK SHALL BE RELOCATED OR MODIFIED, AS AND WHEN, DIRECTED AS THE WORK PROPERSES TO WEET YAS GRADED CONTROLS.
- CONTRACTOR IS RESPONSIBLE FOR MONITORING EROSION AND SEDIMENT CONTROL MEASURES PRIOR, DURING, AND AFTER STORM EVENTS.
- EXCEPT WHEN DIRECTED OTHERWISE, ALL DEVICES SHOWN TO BE IN PLACE AT THE END OF EACH WORKING DAY, WHEN RAIN IS FOREOASTED, AND MAINTAINED.
- TARE RESONANCE OWNE WHICH HAULING MAY DATH. SMOD, GRAVEL, STOKE, DEBIS, PAPER OF ANY OTHER SUBSTANCE OWNE ANY PUBLIC STREET, ALLEY OR OTHER PUBLIC PARE OF URIT, MITTANS, OR STDBIETT BOOM, SPILL, OR TRACK OVER MOU POIN SAU PUBLIC OR ADJACENT PRIVATE PROPERTY, THEN THE DIRT, MATERIALS, OR SEDIMENT SPACED DIMEDIATELY DE CLEMED UP.
- B. DURING THE DAMY EXEMON, KEEP ALL PARED AREA CLEAR OF PARTH MATERIAL AND DERIES. THE ETER SHALL BE WARTARED SO NO NAMEES COLVERSES STAULT LOSS INCOMENT OF ANY STAVE OF THE NET OF THE ANY STAVE OF THE ANY S
- CONTRACTOR PROVIDES DUST CONTROL AS REQUIRED BY THE APPROPRIATE FEDERAL, STATE AND LOCAL AGENCY REQUIREMENTS.
- 10. FILLED FILTER BAGS SHALL BE STOCKPILED ON SITE, READY TO BE PLACED IN POSITION WHEN RAIN IS FORECASTED, OR WHEN THE CITY OR INSPECTOR SO DIRECTS.
- 11. CONTRACTOR PROVIDES WATER ONSITE AND USE IT FOR DUST CONTROL DURING CONSTRUCTION.
- 12. CONTRACTOR MANTANIS STABILIZED DATRANCE AT EACH VEHICLE ACCESS POINT TO EXISTING PAVED STREETS. ANY MUD OR DEBRIS TRACKED ONTO PUBLIC STREETS SHALL BE REMOVED DALY AND AS REQUIRED BY THE CITY INSPECTOR.
- 13. INSTALL INLET PROTECTION AT OPEN INLETS TO PREVENT SEDIMENT FROM ENTERING THE STORM DRAIN SYSTEM. INLETS NOT USED IN CONJUNCTION WITH EROSION CONTROL ARE TO BE BLOCKED TO PREVENT ENTRY OF SEDIMENT.
- 14. BEST MANAGEMENT PRACTICES (BMPS) SHOWN ARE OUTLINED IN, BUT NOT LIMITED TO, THE CONSTRUCTION BEST MANAGEMENT PRACTICE HANDBOOK, CALIFORMA STORMMATER OULLITY ASSOCIATION (CASGA), 2009, OR THE LATEST REVERE DETINGN, AND APPLY DURING THE CONSTRUCTION OF THIS PROJECT (ADDIDINAL MASSURES MY BE REQUEED F DEEMED APPROPRIATE BY CITY INSPECTORS). ALSO SEE SAN MATEO COUNTY BMP CONSTRUCTION PLAY SHEET.
- 15. MAINTENANCE IS TO BE PERFORMED PER THE CASQA BMP HANDBOOK AND AS FOLLOWS:

A. REPAIR DAMAGES CAUSED BY SOIL EROSION OR CONSTRUCTION BY THE END OF EACH WORKING DAY.

B. INSPECT SEDIMENT TRAPS, BERMS, AND SWALES PERIODICALLY AND AFTER EACH STORM AND REPAIRS MADE AS NEEDED.

- C. REMOVE SEDIMENT AND RESTORE SEDIMENT BARRIER TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT HAS ACCUMULATED TO A DEPTH OF HALF THE SEDIMENT BARRIER HEIGHT.
- D. DEPOSIT SEDIMENT THAT HAS BEEN REMOVED FROM BARRIER SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.
- 17. CLEAN OUT INLET PROTECTION WHENEVER SEDIMENT DEPTH IS ONE HALF THE HEIGHT OF ONE FILLED FILTER BAG.
- THOROUGHLY SWEEP ALL PAVED AREAS EXPOSED TO SEDIMENT, DUST, AND JOB SITE MATERIALS TO PREVENT THESE MATERIALS FROM LEAVING THE SITE.
- 19. IF VEHICLES ARE USED DURING CONSTRUCTION TO ACCESS THE PROJECT SITE, THEN THE CONTRACTOR SHALL USE DRAWN ROCK AS A GRAZEL ROADWAY/DRIVEWAY FOR THE VEHICLES TO ACCESS THE SITE HE, GRAZEL BRIVEWAY ROADWAY SHALL HAVE ST MINIMUM THORNESS AND BE WIDE ENVIOLE FOR THE CITYS CONSTRUCTION INSPECTOR OR ENGINEER. THE VEHICLEAR ROADWAY/DRIVEWAY SHALL BE ACCOMPANED WITH A VEHICULAR WASHING STATION. ALL VEHICLES SHALL WASH TIRES AND LUNGERSDE OF VEHICLES SALL BE REMOVED IN EXAMINED. THE SITE. ANY MUD THAT IS TRACKED ONTO PUBLIC STREETS SHALL BE REMOVED.
- CALL CONSTRUCTION SITES SHALL HAVE SEASONALLY APPROPRIATE EFFECTIVE BEST MANAGEMENT PRACTICES (BMPS) IN THE FOLLOWING SIX CATEGORIES: A EROSION CONTROL B. RUM-ON AND RUN OFF CONTROL. C. SEDWENT CONTROL D. ACTIVE TREATMENT SYSTEMS (SA NECESSIAY) E GOOD SITE MANAGEMENT F. INON STORM WATER MANGEMENT, THESE BMP CATEGORIES ARE LISTED IN STATE (HEREWATER THE CONSTRUCTION OBJECAN LEVENT). THE DWPS THAGTING SPECIFIC FULL INTER STORM THE SIX CATEGORIES SHALL BE SITE SPECIFIC. BMPS CAN BE CHOSEN FROM A CALIFORNIA BMP HANDBOOK, CONSTRUCTION, CALIFORNIA, SECOND SI, CALIFORNIA STORMMATER DUALITY HANDBOOKS, CONSTRUCTION, CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION, EROSION AND SEDMENT CONTROL FLED MANUAL, 2002.
- 21. THE CIVIL ENGINEER OF THE PROJECT SHALL INSPECT THE STORMWATER MANAGEMENT FEATURES DURING CONSTRUCTION. THE CONTRACTOR SHOLLD BE NOTFIED TO COORDINATE SUCH INSPECTIONS WITH THE CIVIL ENGINEER. IF THE CIVIL ENGINEER IS UNABLE TO CONDUCT THE CONSTRUCTION INSPECTIONS. THE COUNTY MUST BE NOTFIED PRIOR TO PERMIT SSUANCE. 22. PORTABLE CONSTRUCTION BARTHOOM SHALL BE LOCATED MAY FROM STORM DAWN.



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ATE 10-24-2023

REVISIONS

A27



Clean Water. Healthy Community.

Materials & Waste Management



#### Non-Hozordous Materials

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

#### Hazardous Materials

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

#### Waste Management

construction site.

A28

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

#### Construction Entrances and Perimeter

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

# they apply to your project, all year long.

- Schedule grading and excavation work
- Stabilize all denoded areas, install and aintain temporary erosion entrols teach us erosion control fabric or bonded fiber matrix) until vegetation is established Remove existing vegetation only when absolutely necessary, and seed or plant vegetation for erosion control on slopes or where construction is not immediately planed.
  - and maintaining appropriate BMPs, such
    - sooner!)
      - it up immediately
- as you are finished in one location or a the end of each work day (whichever is

Paving/Asphalt Work

Avoid paving and seal coating in wet

weather or when rain is forecast to

prevent materials that have not cured

from contacting stormwater runoff

Cover storm drain inlets and manholes

Collect and recycle or appropriately

Do not use water to wash down fresh

Sawcutting & Asphalt/Concrete Removal

saw cutting. Use filter fabric, catch basin

Department Protect nearby storm drain inlets when

asphalt concrete pavement.

seal, fog seal, etc.

when applying seal coat, tack coat, slurry

dispose of excess abrasive gravel or sand. Do NOT sweep or wash it into gutters.

- - - Protect stockeiled landscaring materials rom wind and rain by storing them under
      - tarns all year-mund Stack bagged material on pallets and
      - Discontinue application of any crodible landscape material within 2 days before a forecast rain event or during wet weather.

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

# Painting & Paint Removal



### Painting Cleanup and Removal

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



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





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REVISIONS

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#### Maintenance and Parking Designate an area, fitted with oppropriate BNPs, for

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

#### Spill Prevention and Control

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

during dry weather

**Construction Best Management Practices (BMPs)** 

Construction projects are required to implement the stormwater best management practices (BMP) on this page, as

Earthmoving

- Prevent sediment from migrating offsite and protect storm drain inlets, gutters, ditches, and drainage courses by installing
- as fiber rolls, silt fences, sediment basins, gravel bags, berms, etc. Gep excavated soil on site and transfer it

**Contaminated Soils** 

Control Bound

or odor.

Abandoned wells

- to durnn trucks on site, not in the streets
- It'my of the following conditions are observed, test for contamination and contact the Regional Water Quality
  - Unusual soil conditions, discoloration,
- Abandoned underground tanks Buried barrels, debris, or trash

inlet filters, or gravel bags to keep shurry and disposed of property. out of the storm drain system. Shovel aboverh or vacuum saw-cit slurry and dispose of all waste as storr Landscaping

If sawcut slurry enters a catch basin, clean

Concrete, Grout & Mortar

Application

D Store concrete, grout, and mortar away

Wash out concrete equipment/trucks

offsite or in a designated washout

that will prevent leaching into the

When washing exposed agorestate.

area, where the water will flow into a

temparary waste pit, and in a manuer

Let concrete harden and dispose of as

prevent washwater from entering stann

gutters, hose washwater onto dirt areas, or

drain onto a bermed surface to be pumped

drains. Block any inlets and vacuum

underlying soil or onto surrounding areas

rain, rapoff, and wind.

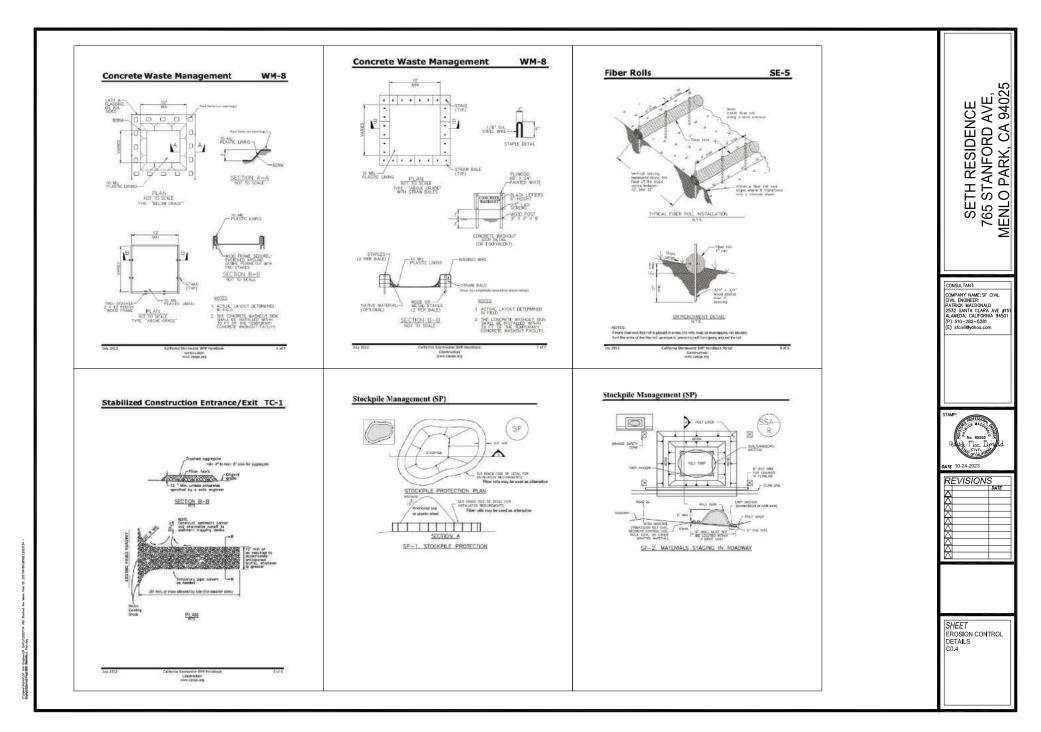
garbage

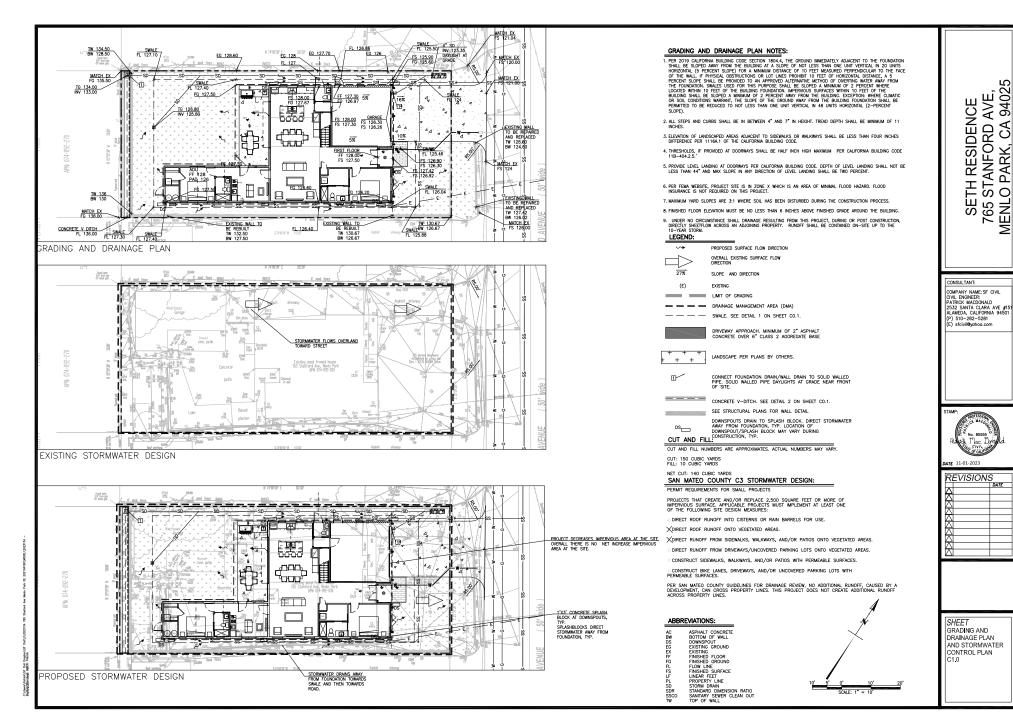
from storm drains or waterways, and on

pallets under cover to protect them from

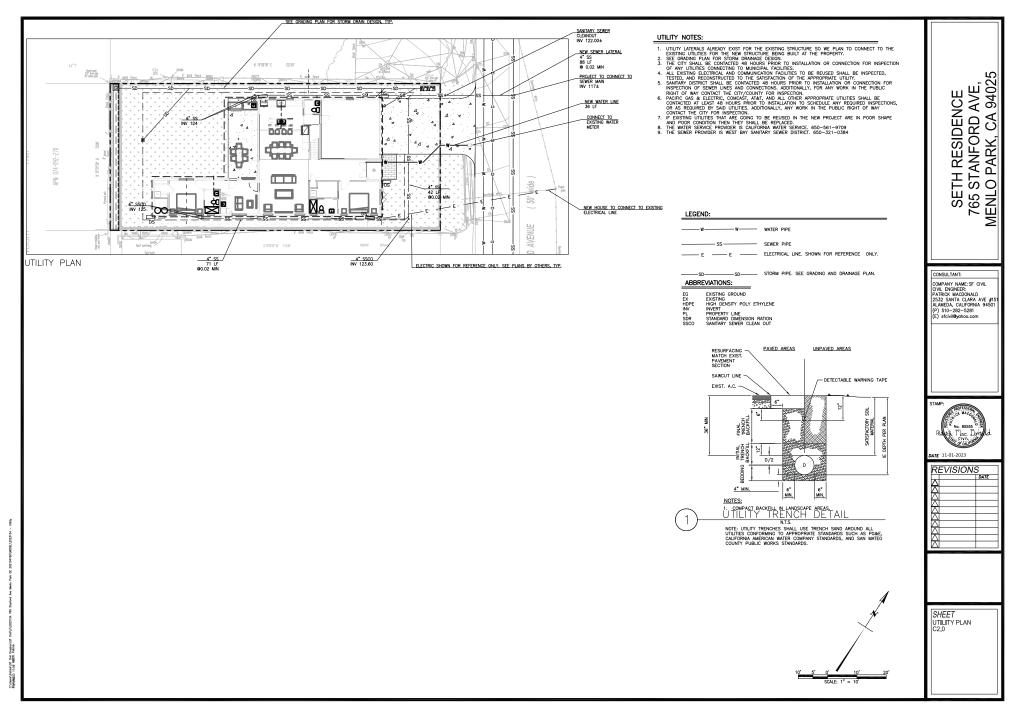


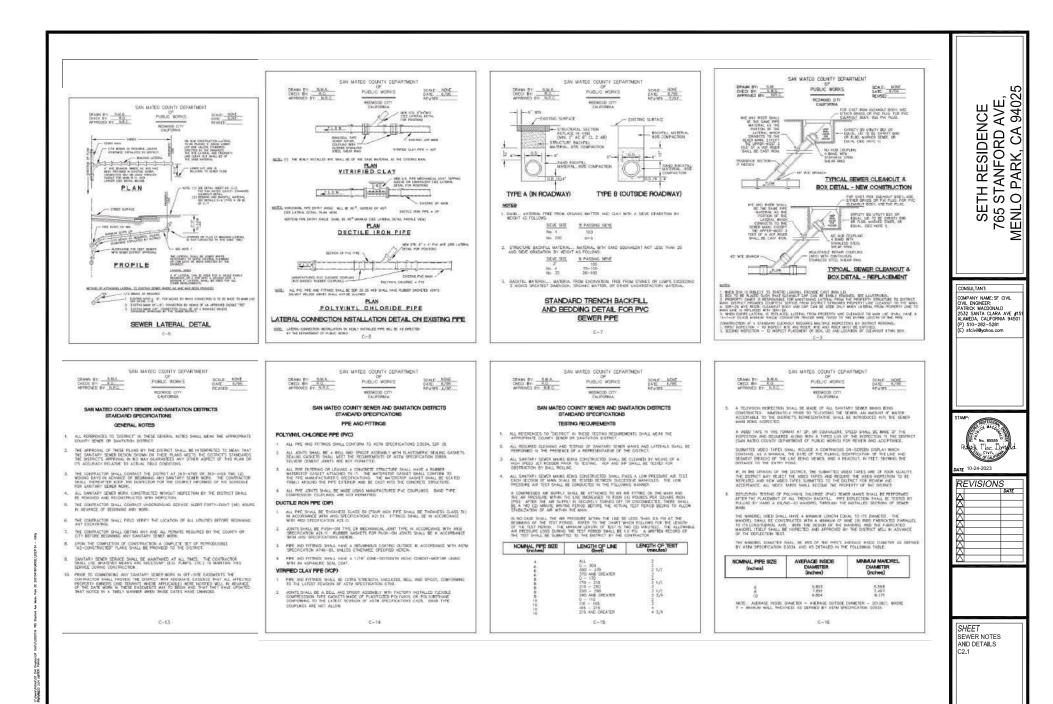


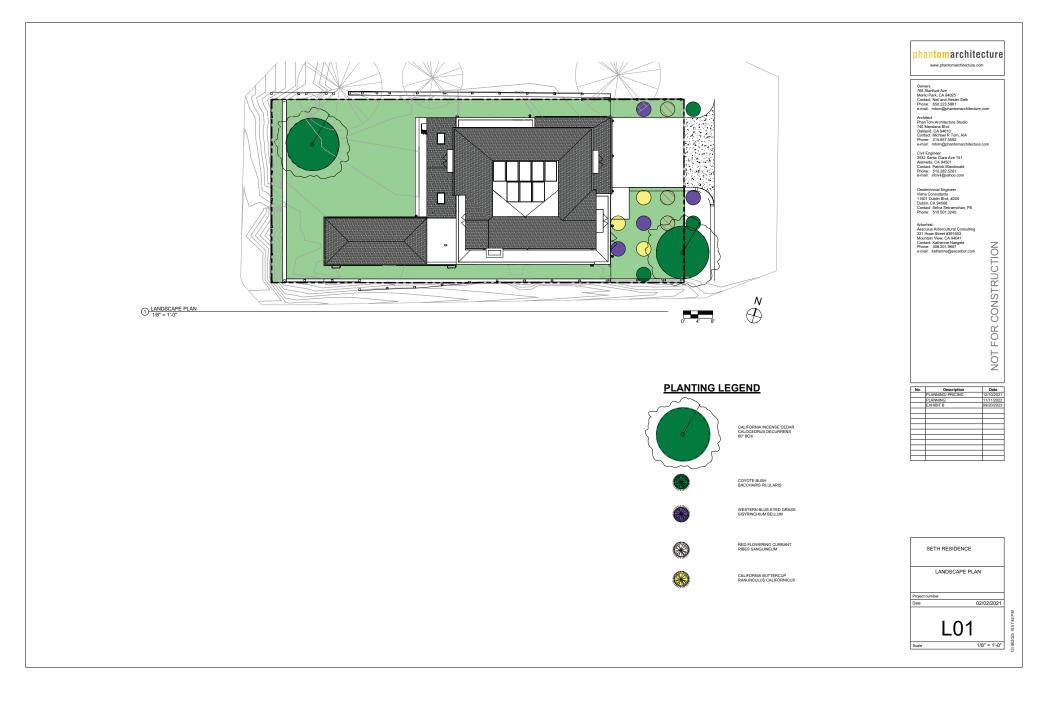




A30







### 15, December 2023

То:	City of Menlo Park   Planning Division
From: Cc:	Architect: Michael R Tom, AIA ( <u>mtom@phantoma_chitecture.com</u> ) Owner: Hester Seth
Re:	PLN2023-00017. 765 Stanford Avenue (APN 074092030)

### **Design Statement**

The proposed project is a 2,400 SF occupiable house + 400 SF garage, two-story single family house on a shallow sloped hillside lot. There is an existing single story cottage house and detached garage that is in poor repair and exhibits structural damage from age. The Owners would like to tear down and build a new house from the ground up while taking cues from the original structure. The prime concept is that of a modern country cottage house with a modest street front and an expansive floor plan that takes advantage of the deep parcel lot. An attached 450 square feet accessory dwelling unit (ADU) is proposed in the rear yard to accommodate the Owner's extended family and will allow the Owners to eventually age in place within their home.

Materials for the house are a combination of painted vertical v-groove siding and horizontal shiplap siding accented with adhered manufactured stone veneer. The roof is asphalt shingle. The house is anticipated to be standard wood framed construction on either a mat slab or slab on grade with drop slab and pier foundation.

The Owners seeks to enlarge the existing driveway width from approximately 10' wide to 24' clearance (19' paved driveway surface + 5' side yard setback) and to modernize access by eliminating the accessory rear yard garage in favor of a built-in garage at the house's northeast corner. One young redwood at the site's rear yard will be removed and replaced with new tree locations.

The use permits requested are summarized below:

- 1. Entitlements for a new two-story house on a substandard lot;
- 2. Excavation within required setbacks;
- 3. Fence and retaining walls (along south) to exceed height limitations to improve existing retaining walls/ fence and provide privacy in support of new home and ADU.

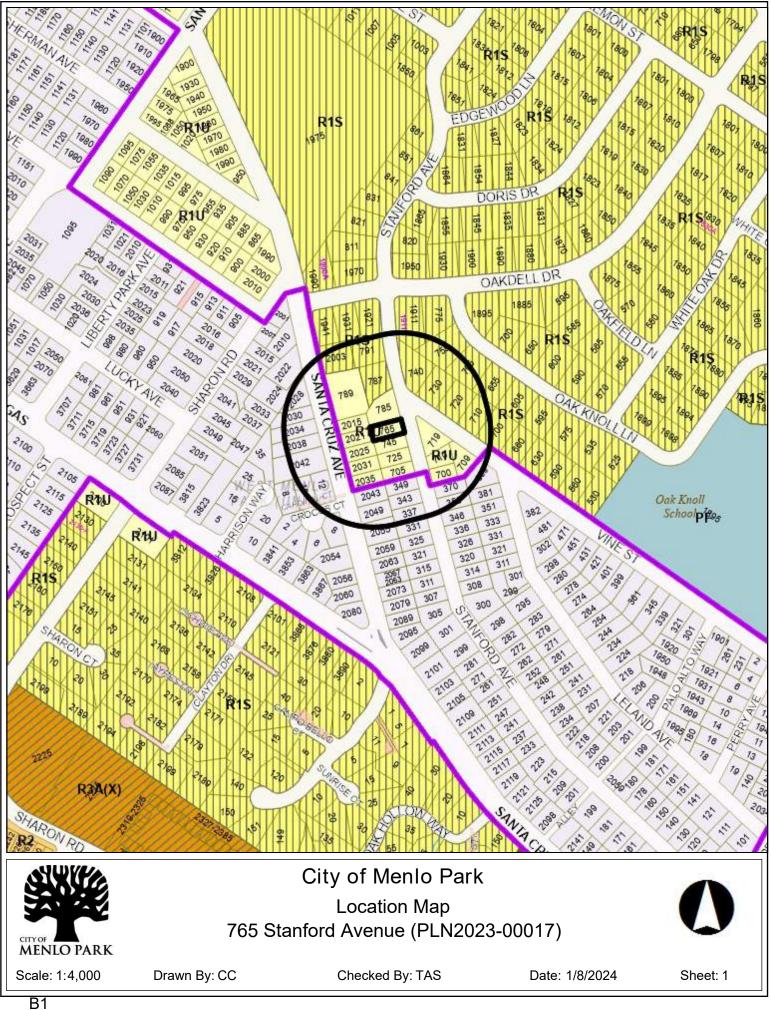
Neighbors are being reached primarily via email - summary and schedule for dates have been attached.

Date	Outreach summary of Neighbor Correspondance								
2022	Discussed with two direct neighbors our intention of building a 2 story home - no concerns								
6/5/23	placed neighbor correspondance at neighboring homes								
8/3/23	Sabrina Ko (745 Stanford) communicated with the City Planning								
8/3/23	Steve Westermann (785 Stanford) communicated with City Planning								
9/27/23	Steve Westermann (785 Stanford) communicated with City Planning								
	We communicated with both 745 and 785 stanford to let them know that we are working								
with architect to address city planning feedback and their feedback and will reve									
10/13/23 updated plans once available.									
	Communication with 785 Stanford to share the updated plans which show drawings with								
10/30/23	show day light plane compliance.								
	Communication with 745 Stanford to share the answers to their queries on HVAC compliance								
	with city noise ordinance, share the civil drawings for draining, grading, and retaining walls,								
	demonstrate where the windows are placed, clarify that if we need to replace the front								
30-Oct	retaining wall we replace with heavy timber.								
	Follow up with both 745 and 785 to confirm if any additional questions from the 10/30								
	correspondence.								
11/1/23	communication from 785 sharing that he would review that night								
11/2/23	Out reach to 745 Stanford to confrim if there are any additional comments.								
	Response from 745 Stanford that they are ok with HVAC, that they have concern thet the								
	excavation and would want construction companies ensure that their driveway and garage								
	are not affected, confirmation that they are ok with windows, and want clarification on								
	fence/ ADU and their garage positions.								
11/4/23	We responded to 745 Stanford with clarification on the ADU/fence and garage positioning.								
	Response from 745 that their concern is really around ensuring that their garage/driveway is								
11/6/23	not impacted.								
	Out reach to 785 to share updated plans and attention to the pages which show day light								
	plane compliance.								
12/6/23	Outreach to 745 to share updated plans								
12/6/23	Acknowledgement from 785 Stanford "Thanks".								
12/11/23	Acknowledgement from 745 Stanford - with a question on if there are material changes.								
	We responsed to 745 - explaning that the updates are mostly to address city planning								
	comments								
12/13/23	Acknowledgement from 745 Stanford - "got it thanks"								

LOCATION 765 Stanfor		venue	PROJECT NUMBER: PLN2023-00017	APPLICANT: Neil and Hester Seth	<b>OWNER:</b> Neil and Hester Seth									
PROJECT	COI	NDITIONS	:											
1.	The	ne use permit shall be subject to the following standard conditions:												
	a.	The applicant shall be required to apply for a building permit within one year from date of approval (by January 8, 2025) for the use permit to remain in effect.												
	b.	prepared Decembe except as	nent of the project shall be substantially in conformance with the plans by Phantom Architecture consisting of 29 plan sheets, dated received er 19, 2023 and approved by the Planning Commission on January 8, 2024, s modified by the conditions contained herein, subject to review and approval anning Division.											
	C.	Menlo Pa	o building permit issuance, the applicants shall comply with all Sanitary District, Park Fire Protection District, and utility companies' regulations that are directly able to the project.											
	d.	the Buildi	building permit issuance, the applicants shall comply with all requirements of ding Division, Engineering Division, and Transportation Division that are directly ble to the project.											
	e.	installatio Building I cannot be shall show	ns or upgrades for review Divisions. All utility equipm e placed underground sha	e applicant shall submit a and approval by the Plan ent that is installed outsid Il be properly screened by eters, back flow prevention her equipment boxes.	ning, Engineering and e of a building and that a landscaping. The plan									
	f.	shall subi and signi	mit plans indicating that th	e applicant shall remove a ontage improvements. Th	t application, the applicant and replace any damaged e plans shall be submitted									
	g.	shall subi Division.	mit a Grading and Drainag	e Plan for review and app Plan shall be approved p	0 0									
	h.	the Herita		construction project shall the arborist report prepared vember 5, 2023.										
	i.		uilding permit issuance, t nt reviewing the application		fees incurred through staff									
	j.	Park or its the City of annul an Director, developm time perio or permit City's pro proceedir	s agents, officers, and em of Menlo Park or its agents approval of the Planning or any other departmen nent, variance, permit, or od provided for in any appl tee's duty to so defend, in comptly notifying the app	ployees from any claim, ac s, officers, or employees to Commission, City Council t, committee, or agency land use approval which a icable statute; provided, he ndemnify, and hold harml licant or permittee of a	harmless the City of Menlo ction, or proceeding against o attack, set aside, void, or l, Community Development of the City concerning a action is brought within the owever, that the applicant's ess shall be subject to the iny said claim, action, or permittee's defense of said									

LOCATION: 765 Stanford A	venue	PROJECT NUMBER: PLN2023-00017	APPLICANT: Neil and Hester Seth	OWNER: Neil and Hester Seth						
<ul> <li>PROJECT CONDITIONS:</li> <li>k. Notice of Fees Protest – The applicant may protest any fees, dedications, reservati or other exactions imposed by the City as part of the approval or as a conditio approval of this development. Per California Government Code 66020, this 90 protest period has begun as of the date of the approval of this application.</li> </ul>										
	· ·									

## ATTACHMENT B



## ATTACHMENT C

### 765 Stanford Avenue (PLN2023-00017) - Data Table

	PROPO PROJE		EXIS PRO			ONING DINANCE	
Lot area	5,625 st	f	5,625	sf	7,000.0	sf min	
Lot width	50.0 ft		50.0	ft	65.0	ft min	
Lot depth	112.5 ft		112.5	ft	100.0	ft min	
Setbacks			1		1		
Front (east)	20.0 ft		24.8	ft	20.0	ft min	
Rear (west)	50.3 ft	to house	45.5	ft	20.0	ft min	
	14.6 ft	to ADU			4.0	ft min	
Side-left (south)	5.0 ft		5.0	ft	5.0	ft min	
Side-right (north)	5.0 ft		10.0	ft	5.0	ft min	
Building coverage*	2,318.6 st	F	1,728.0	sf	1,968.8	sf max	
	41.2 %	)	30.7	%	35.0	% max	
FAL (Floor Area Limit)*	3,249.7 st	f	1,728.0	sf	2,800.0	sf max	
Square footage by floor	1,254.9 st	f-1st	1,245.0	sf-1st			
	1,144.8 st	f-2nd	N/A	sf-2nd			
	400.0 st	f-garage	483.0	sf-garage			
	450.0 st	f-ADU					
Square footage of buildings	3,249.7 st	F	1,728.0	sf			
Building height	28.00 ft		16.2	ft	28.0	ft max	
Parking	2 covered spa	ces; 1 ADU	1 covere	d space	1 covered sp	ace; 1 unco	overed
	spac	e			space; ?	1 ADU spac	e
	Areas shown hig	hlighted indica	te a nonconform	ing or substand	dard situation		
Trees**	Heritage trees	4	Non-Heritage t	rees 0	New trees		2
11000	Heritage trees	1	Non-Heritage t		Total Numbe	r of trees	5
	proposed for ren	•	proposed for re		Total Nullibe	10111263	5
	* An ADU may ex to eight hundred (						by up

to eight hundred (800) square feet provided the ADU is built concurrently with, or after, the existing or proposed primary unit and other structures on site (MPMC 16.79.050(b)(4).

\*\* Trees summary includes trees on and surrounding the property.

## ATTACHMENT D



11/5/2023

Hester Seth 765 Stanford Ave Menlo Park CA 94025 (214) 868-8388 hestertsui@ymail.com

Re: Tree protection for the proposed single family home with attached ADU at 765 Stanford Ave Menlo Park CA 94025

Dear Hester,

At your request, we have visited the property referenced above to evaluate the trees present with respect to the proposed project. The report below contains our analysis.

## Summary

There are four trees on and adjacent to this property, all of which are Heritage Trees. One on this property is recommended for removal, as demolishing the existing garage will likely make the tree structurally unstable.

All other trees are in reasonably good condition and should be retained and protected as detailed in the Recommendations, below. With proper protection, all are expected to survive and thrive during and after construction, according to each tree's existing condition.

## **Assignment and Limits of Report**

We have been asked to write a report detailing impacts to trees from the proposed new single family home with attached ADU on this property. This report may be used by our client and other project members as needed to inform all stages of the project.

All observations were made from the ground with basic equipment. No root collar excavations or aerial inspections were performed. No project features had been staked at the time of our site visit.

## **Tree Regulations**

In the City of Menlo Park, native oak trees are protected at 10 inches DBH (diameter at breast height, 4.5 feet above grade), and all other trees are protected at 15 inches DBH. Street trees are protected regardless of size.

According to the Heritage Tree Ordinance Administrative Guidelines, the dollar value of replacement trees is determined as follows:

- One (1) #5 container \$100
- One (1) #15 container \$200
- One (1) 24-inch tree box \$400
- One (1) 36-inch tree box \$1,200
- One (1) 48-inch tree box \$5,000
- One (1) 60-inch tree box \$7,000

We highly recommend that all members of the project team familiarize themselves with the following documents guiding tree protection during construction in Menlo Park, as they are complex, and failure to follow them can result in project delays:

- 1. Heritage Tree Ordinance Administrative Guidelines -<u>https://www.menlopark.org/DocumentCenter/View/25577/Heritage-tree-ordinance-administ</u> <u>rative-guidelines---draft</u>
- 2. Arborist Report Requirements: Large Projects https://www.menlopark.org/DocumentCenter/View/25468/Arborist-report-large-project-requ irements#:~:text=The%20Arborist%20Report%20shall%20include,proposed%20for%20remo val%20of%20heavy
- 3. Tree Protection Specifications <u>https://www.menlopark.org/DocumentCenter/View/90/Tree-Protection-Specifications</u>

## Observations

## Trees

There are 4 trees on and adjacent to this property (Images 1-4, below). Two are coast live oaks (*Quercus agrifolia*), one is a valley oak (*Quercus lobata*), and one is a coast redwood (*Sequoia sempervirens*).

Protected statuses - only trees #1-4 are Heritage Trees. Trees #2-4 overhang the property from adjacent properties.

Health - coast redwood #1 is in moderate to poor health, evidenced by a thin canopy with sprouting along trunk and branches.

Conflicts with Existing Features - coast redwood #1 appears to rely on the existing garage for significant structural support.

## **Current Site Conditions**

Buildings - a single-family home with a detached garage is currently present on the property. The driveway and utilities appear typical.

Grade - this property is sloped, with a much higher grade at the rear than at the front. A series of retaining walls is present at the rear of the property. The rear wall of the garage acts as a large retaining wall.

Fences - property line fences are not precisely at property lines. Note that one of the fences bisects the trunk of tree #2, though the property line is well in front of the trunk such that it is on the neighboring property.

### Project Features

A new single-family home with an attached garage is proposed, in approximately the same location as the existing house but with a different footprint. An attached ADU is also proposed.

The proposed driveway is in approximately the same location as the front part of the existing driveway, but will be five feet away from the adjacent property line, which is farther away than the existing driveway. A decomposed granite walkway is proposed on the northwest side of the house.

A new retaining wall is proposed along the rear of the back yard, and the existing tiered retaining walls are proposed for demolition.

No drainage or utility work are shown on the plans provided to us. No property line fencing work is shown.

### **Potential Conflicts**

Tree #1 - demolishing the existing garage will remove significant soil support at this tree's base. The proposed retaining wall is also just outside its root collar.

Tree #2 - the existing garage lies within this tree's TPZ.<sup>1</sup>

Tree #3 - the existing driveway and the proposed house and decomposed granite walkway lie within this tree's TPZ.

Tree #4 - the existing driveway and the proposed house, driveway, backyard gate, and decomposed granite walkway lie within this tree's TPZ.

<sup>&</sup>lt;sup>1</sup> Tree protection zones. See Discussion, Tree Map, and Tree Table for more detail.

Prepared for Hester Seth by Aesculus Arboricultural Consulting on 11/5/2023 4 of 16

## **Testing and Analysis**

Tree DBHs were taken using a diameter tape measure if trunks were accessible. Multistemmed trees were measured below the point where the leaders diverge, if possible. The DBHs of trees with non-accessible trunks were estimated visually. All trees over four inches in DBH were inventoried, as well as street trees of all sizes. Vigor ratings are based on tree appearance and our experiential knowledge of each species' healthy appearance.

Tree location data was collected using a GPS smartphone application and processed in GIS software to create the maps included in this report. Due to the error inherent in GPS data collection, and due also to differences between GPS data and CAD drawings, tree locations shown on the map below are approximate except where matched to the survey.

We visited the site once, on 8/26/22. All observations and photographs in this report were taken at that site visit.

The tree protection analysis in this report is based on the one-page site plan titled "Seth Residence," dated 10/2/2023, provided to us electronically by the client.

## Discussion

## Tree Protection Zones (TPZs)

Tree roots grow where conditions are favorable, and their spatial arrangement is, therefore, unpredictable. Favorable conditions vary among species, but generally include the presence of moisture, and soft soil texture with low compaction.

Contrary to popular belief, roots of all tree species grow primarily in the top two to three feet of soil in the clay soils typical for this geographic region, with a small number of roots sometimes occurring at greater depths. Some species have taproots when young, but these almost universally disappear with age. At maturity, a tree's root system may extend out from the trunk farther than the tree is tall, and the tree maintains its upright position in much the same manner as a wine glass.

The optimal size of the area around a tree which should be protected from disturbance depends on the tree's size, species, and vigor, as shown in the following table (adapted from *Trees & Construction*, Matheny and Clark, 1998):

Species tolerance	Tree vitality <sup>2</sup>	Distance from trunk (feet per inch trunk diameter)		
Good	High	0.5		
	Moderate	0.75		
	Low	1		
Moderate	High	0.75		
	Moderate	1		
	Low	1.25		
Poor	High	1		
	Moderate	1.25		
	Low	1.5		

It is important to note that some roots will almost certainly be present outside the TPZ; however, root loss outside the TPZ is unlikely to cause tree decline.

### Critical Root Zones (CRZs)

Although any root loss inside the TPZ may cause a short-term decline in tree condition, trees can often recover adequately from a small amount of root loss in the TPZ.

Tree stability is impacted at a shorter distance from the tree trunk. For linear cuts on one side of the tree, the minimum distance typically recommended is three times the DBH, measured from the edge of the trunk (*Best Management Practices: Root Management*, Costello, Watson, and Smiley, 2017). This is called the critical root zone (CRZ), as any distance shorter than this increases a tree's likelihood of failure.

### Tree Appraisal Methods

We use the trunk formula technique with discounting for condition and functional and external limitations, as detailed in the second printing of the 10th Edition of the *Guide for Plant Appraisal* (Council of Tree and Landscape Appraisers, 2019).

For palms, we use the approximate height of clear trunk (estimated visually) multiplied by the per-foot cost given in the regional plant appraisal committee species classification for California.

<sup>&</sup>lt;sup>2</sup> Matheny & Clark uses tree age, but we feel a tree's vitality more accurately reflects its ability to handle stress.

## Conclusions

Tree #1 - this tree is **incompatible** with both demolition of the existing garage, and construction of the proposed retaining wall.

Tree #2 - **minor** impacts are likely from demolition of the existing garage.

Tree #3 - **moderate** impacts are likely overall: **minor** from driveway demolition; **moderate** from installation of the proposed decomposed granite walkway; and **minor** from the proposed house foundation.

Tree #4 - **moderate** impacts are likely overall: **minor** from driveway demolition; **minor** from the proposed driveway; **minor** from the proposed house foundation; **minor** from the proposed fencing for the backyard gate; and **minor** from the proposed decomposed granite walkway.

## Recommendations

### Design Phase

- 1. Explore design options that minimize impacts to trees #3 and 4 from the decomposed granite path, including, but not limited to:
  - a. Minimizing depth of base and subbase (but not less than four inches), and
  - b. Using a gravel or coarse sand subbase to minimize root damage to the walking surface over time.

## Preconstruction Phase

- 1. Remove tree #1, upon receipt of a permit from the City of Menlo Park.
- 2. Install a trunk wrap for tree #2 to protect it during demolition.

### Demolition Phase

- 1. When demolishing existing features within TPZs, start work close to trees and move backwards, limiting equipment to still-paved areas. This applies to the following features, and any others within TPZs:
  - a. Existing garage, within the TPZ of tree #2
  - b. Existing driveway, within the TPZs of trees #3 and 4

- 2. Directly after demolishing garage and driveway (irrespective of other demolition):
  - a. Remove the trunk wrap for tree #2.
  - 3. Install tree protection fencing as shown in the Tree Map, below.
    - a. Minimum fencing distances are shown on the Tree Map, plus some small areas outside TPZs if needed for practicality. Fencing must be installed at or beyond these distances.
    - b. Where existing barriers which will be retained impede access comparably to tree protection fencing, these barriers are an acceptable substitute for tree protection fencing.
    - a. Please be aware that tree protection fencing may differ from ideal tree protection zones, and from canopy sizes.
    - c. Tree protection fencing shall comprise 6' chain link fabric mounted on1.5" diameter metal posts driven into the ground.
    - d. Place a 6" layer of wood chips inside tree protection fencing.
    - e. Tree protection fencing shall adhere to the requirements in the document titled "Tree Protection Specifications," available at <a href="https://www.menlopark.org/DocumentCenter/View/90/Tree-Protection-Specifications">https://www.menlopark.org/DocumentCenter/View/90/Tree-Protection-Specifications</a>
- 3. Install compaction mitigation as shown in the Tree Map, below.<sup>3</sup>
  - a. Spread wood chips to a depth of 4-6".
  - b. Top with <sup>3</sup>/<sub>4</sub>"-thick plywood or other durable material secured to the ground to prevent shifting.<sup>4</sup>

## Construction Phase

- 1. Maintain tree protection fencing as detailed above.
- 2. Alert the project arborist if utility or other work becomes necessary within any tree TPZs.
- 3. When excavating within TPZs for the proposed house foundation, driveway, and decomposed granite walkway:

<sup>&</sup>lt;sup>3</sup> Note that compaction from construction machinery during the building phase would likely be substantially worse for roots than the proposed decomposed granite walkways to be installed later in these areas.

<sup>&</sup>lt;sup>4</sup> One effective method we have observed for securing plywood is to place rebar just outside the edges and top with square caps.

- a. Hand-excavate edge nearest trunk to the full depth of the feature being installed or to a depth of three feet, whichever is shallower.
- b. Retain as many roots as practical.
- c. If roots 1-2" in diameter must be cut, sever them cleanly with a sharp saw or bypass pruners.
- d. If roots over 2" must be cut, stop work in that area and contact the project arborist for guidance.
- e. Notify project arborist when excavation is complete. Project arborist shall inspect work to make sure all roots have been cut cleanly.
- f. If excavation will be left open for more than 3 days:
  - i. Cover excavation wall nearest trunk with several layers of burlap or other absorbent fabric.
  - ii. Install a timer and soaker hoses to irrigate with potable water twice per day, enough to wet fabric thoroughly.

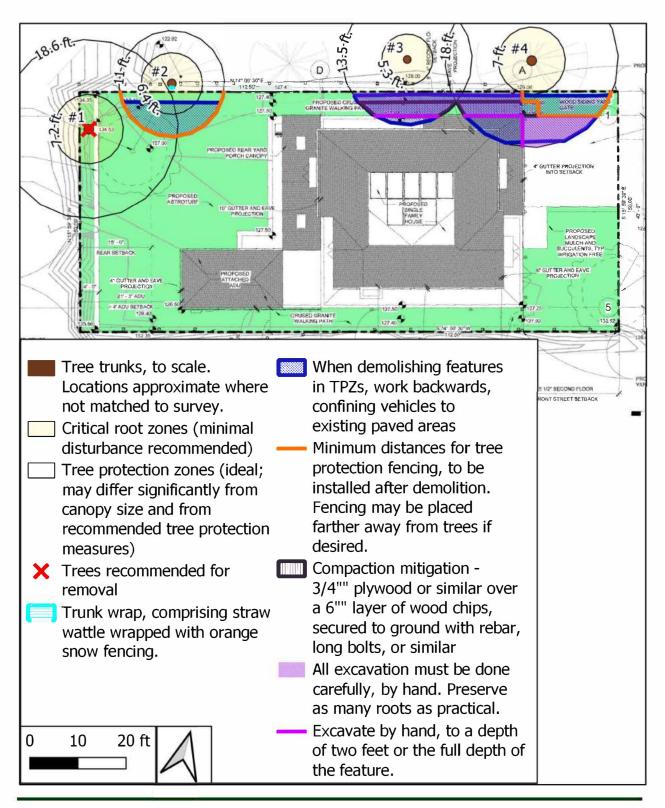
### Post-Construction Phase

- 1. Install new trees and/or pay in-lieu fees to offset the removal of tree #1, per City of Menlo Park requirements.
  - a. Tree #1 is valued at \$14,000.00, which is equal to two 60-inch boxed trees or any other equivalent combination from the following list, taken from the <u>Heritage Tree Ordinance Administrative Guidelines:</u>

In reference to Section 13.24.090(2), applicants may use the following monetary value of the replacement trees to help design their landscape plans for development-related removals:

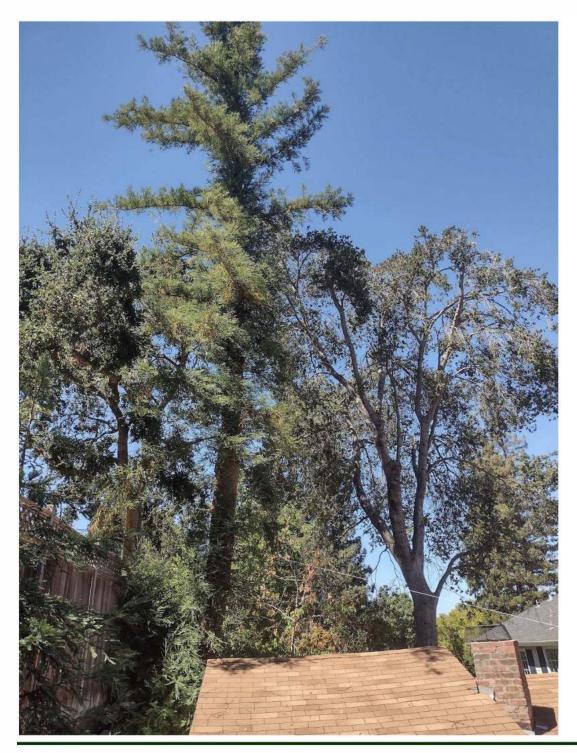
- One (1) #5 container \$100
- One (1) #15 container \$200
- One (1) 24-inch tree box \$400
- One (1) 36-inch tree box \$1,200
   One (1) 48 inch tree box \$5,000
- One (1) 48-inch tree box \$5,000
  One (1) 60-inch tree box \$7,000
  - 2. Provide supplemental irrigation for trees #3 and 4 to aid in root regrowth for at least three years.
    - a. Since these trees are native oaks, irrigation should only take place in the normal rainy season for this area (October April), and only if rainfall is below average.

## Tree Map



# Supporting Photographs

Image 1: coast redwood #1



Prepared for Hester Seth by Aesculus Arboricultural Consulting on 11/5/2023 11 of 16

Image 2: coast live oak #2

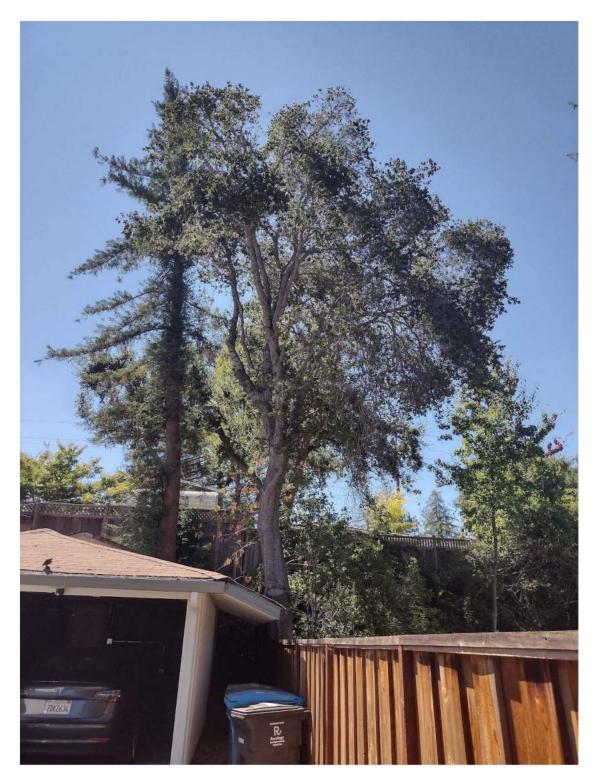


Image 3: valley oak #3

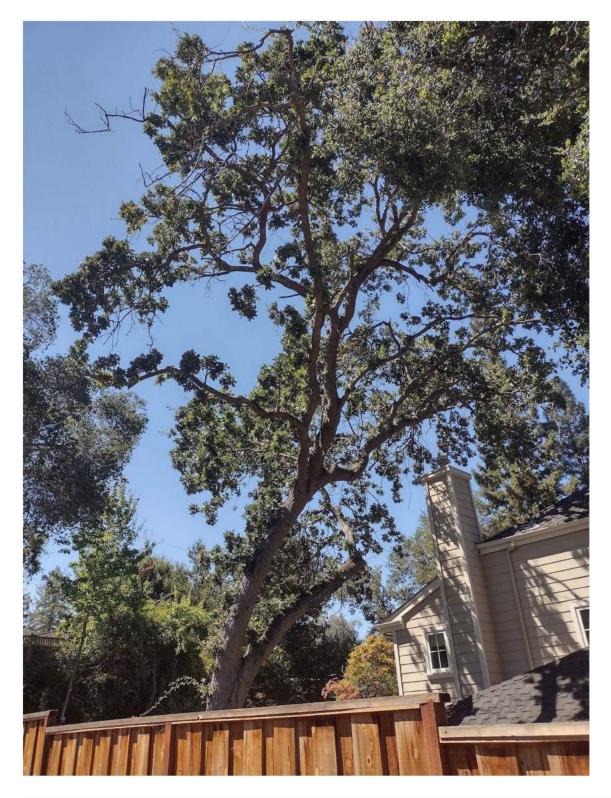
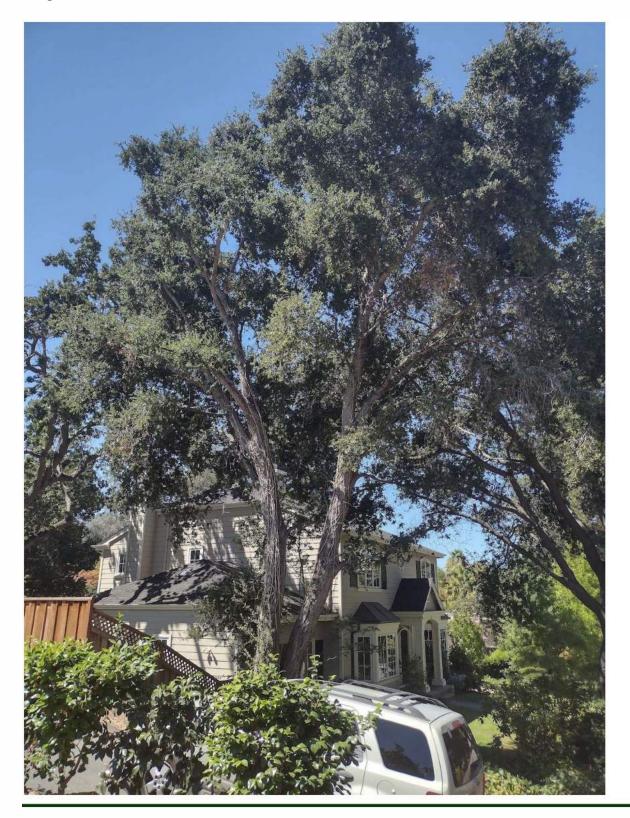


Image 4: coast live oak #4



Prepared for Hester Seth by Aesculus Arboricultural Consulting on 11/5/2023 14 of 16

Respectfully submitted,

Kati Mah

Katherine Naegele She/Her Consulting Arborist Master of Forestry, UC Berkeley International Society of Arboriculture Certified Arborist #WE-9658A ISA Tree Risk Assessment Qualification Credentialed American Society of Consulting Arborists, Member katherine@aacarbor.com (408) 201-9607 (direct cell) (408) 675-1729 (main cell) aacarbor.com

<u>Yelp</u>





## **Terms of Assignment**

The following terms and conditions apply to all oral and written reports and correspondence pertaining to the consultations, inspections, and activities of Aesculus Arboricultural Consulting:

- 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 orally 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 Aesculus Arboricultural Consulting is in accordance with 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. The existence of liens or encumbrances has not been determined, and any and all property is appraised and/or assessed as though free and clear, under responsible ownership and competent management.
- 3. All reports and other correspondence are confidential and are the property of Aesculus Arboricultural Consulting and its named clients and their assigns 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. Aesculus Arboricultural Consulting assumes no liability for the failure of trees or parts of trees, 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, and reflect the condition of those items and features at the time of inspection. No warranty 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 to attend court by reason of this appraisal/report unless subsequent contractual arrangements are made, including payment of additional fees for such services as set forth by the consultant or in the fee schedule or contract.
- 7. Aesculus Arboricultural Consulting makes no warranty, either expressed or implied, as to the suitability of the information contained in any reports or correspondence, either oral or written, 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 consultant, and the fee for services is in no manner contingent upon the reporting of a specified value nor upon any particular finding.
- 9. Any photographs, diagrams, charts, sketches, or other graphic material included in any report are 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 reproduction of graphic material or the work product of any other persons is intended solely for clarification and ease of reference. Inclusion of said information does not constitute a representation by Aesculus Arboricultural Consulting as to the sufficiency or accuracy of that information.

Tree #	Common Name	Species	DBH (in.)	Vitality (0-3)	Structure (0-3)	Heritage Tree?	Street Tree?	Off-Site Tree?	S tability for preservation (0-3)	Remove?	Appraised Value (worksheet available upon request)	Species Construction Tolerance (1 = poor, 3 = good)	CRZ radius (ideal; ft. from center of trunk)	TPZ radius (ideal; ft. from center of trunk)	Expected Impacts	Notes
1	Coast redwood	Sequoia sempervirens	24.8	2	3	x			3	x	\$14,000.00	3	7.2	18.6	Incompatible with demolition of existing garage. Also incompatible with proposed rear retaining wall.	Supported by rear garage wall
2	Coast live oak	Quercus agrifolia	22	3	2	x		x	3		\$13,000.00	3	6.4	11.0	Minor impacts from demolition of existing garage	On neighbor property, but in wooden property line fence; DBH estimated. Trunk conflicting with existing garage overhang at 765 Stanford. Codominant leaders.
3	Valley oak	Quercus lobata	18	3	2	x		x	3		\$12,700.00	2	5.3	13.5	Moderate impacts overall - minor from driveway demolition, moderate from proposed decomposed granite walkway; minor from proposed house foundation	Neighbor tree. DBH estimated. Two codominant leaders.
4	Coast live oak	Quercus agrifolia	24	2	2	x		x	2		\$13,400.00	3	7.0	18.0	Moderate impacts overall - minor from driveway demolition; minor from proposed driveway; minor from decomposed granite walkway; minor from fencing for gate; minor from proposed house foundation	Neighbor tree. DBH estimated. Two codominant leaders.

# **Community Development**



#### STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

1/8/2024 24-004-PC

Public Hearing:

Consider and adopt a resolution recommending the City Council amend the 2023-2031 Housing Element of the General Plan, as conditionally approved by the California Department of Housing and Community Development; determine this action is consistent with a previously-certified subsequent environmental impact report under the California Environmental Quality Act

#### Recommendation

Staff recommends that the Planning Commission adopt a resolution recommending the City Council amend the 2023-2031 Housing Element of the General Plan, as conditionally approved by the California Department of Housing and Community Development (HCD). The draft Planning Commission resolution is included as Attachment A and a copy of the conditionally-approved Housing Element incorporating all revisions requested by HCD is included as Attachment A, Exhibit 1. The draft City Council resolution is included as Attachment A, Exhibit 2.

#### **Policy Issues**

The Housing Element is one of the state-mandated elements of the City's General Plan. The proposed revisions to the Housing Element require the Planning Commission to consider the merits of the document, including consistency with the General Plan, Municipal Code, and other adopted policies and programs. These policy issues are discussed in the remainder of this report.

#### Background

State law requires the City to maintain a general plan with specific elements to provide a vision for the City's future and inform local decisions about land use and development. In addition to including goals, policies, and implementation programs concerning housing issues, general plan housing elements must include an inventory or list of housing sites on which housing development is allowed at sufficient densities to accommodate a specific number of units at various levels of affordability, called the regional housing needs allocation (RHNA). Based on HCD's requirements, the City's Housing Element identifies sites for the City's RHNA of 2,946 units at specified levels of affordability (income limits/groups based on area median income, adjusted annually by HCD) plus a buffer of additional units at appropriate densities.

State law, specifically Government Code Section 65588, required the City to update the Housing Element by January 31, 2023 for the eight-year planning period from 2023 to 2031 (also referred to as the 6<sup>th</sup> Cycle). The City Council adopted the Housing Element on January 31, 2023 (Attachment B) and made findings of compliance with state housing element law. Following adoption, HCD requested additional revisions in April and Aug. 2023, which were integrated into the Housing Element. The City Council reviewed the revisions and authorized transmittal of the changes to HCD on June 27 and Oct. 10. Staff Staff Report #: 24-004-PC Page 2

reports from those meetings, detailing HCD's requests and the City's responses, are included as Attachments C and D, respectively. On Dec. 16, HCD provided City staff with preliminary review comments on the revisions to the Housing Element. Staff addressed two minor comments and submitted the proposed revisions to HCD. On Dec. 20, HCD provided a letter (Attachment E) indicating that the revisions are in substantial compliance with state law pending adoption of the revised Housing Element by City Council and certification by HCD.

As part of implementation of the adopted Housing Element, the City Council adopted General Plan and El Camino Real/Downtown Specific Plan (Specific Plan) amendments on November 28, 2023, and Zoning Ordinance and zoning map amendments on December 5, 2023 to accommodate the RHNA on Housing Element inventory sites and in associated zoning districts, prior to a state-mandated deadline of January 31, 2024. The revisions to the Housing Element are consistent with the adopted zoning-related amendments and do not necessitate any changes to the actions that were taken to implement the Housing Element.

#### Analysis

The focus of this staff report is on revisions made to the Housing Element since its Jan. 31, 2023 adoption. After the Housing Element was adopted, HCD requested and the City made subsequent revisions in the following topic areas:

- Racial/ethnic areas of concentration of affluence (RCAAs),
- Disproportionate housing needs including displacement,
- Contributing factors to fair housing issues,
- Progress in meeting the RHNA,
- Development of small and large sites,
- Suitability of nonvacant sites,
- City-owned sites, federally-owned and school sites,
- Environmental constraints,
- The electronic sites inventory,

- Zoning for a variety of housing types (emergency shelters),
- Land use controls,
- Density bonuses,
- Fees and exactions,
- Local processing and permit procedures,
- Constraints on housing for persons with disabilities,
- Shortfall of adequate sites,
- Actions, programs, metrics, milestones,
- Specific quantified objectives.

More detailed analysis regarding specific changes in each topic area is available in Attachments C and D. A summary table of the revisions requested by HCD since the January 31, 2023 adoption of the Housing Element is included as Attachment F in reverse chronological order, starting with the Dec. 2023 responses to HCD's comments. A tracked changes version of the conditionally-approved Housing Element is included as Attachment G.

The January 8 Planning Commission public hearing provides the Commission an opportunity to hear from members of the public, review the revisions to the Housing Element and HCD's conditional approval, and make a recommendation to the City Council on the revisions to the Housing Element. The City Council is scheduled to take action on adoption of the amendments to the Housing Element on January 23, 2024.

#### Correspondence

As of the writing of this report, staff has not received any correspondence.

#### Impact on City Resources

As part of the fiscal year 2020-21 budget, the City Council appropriated nearly \$1.5 million from the general fund to support the Housing Element Update (including preparation of the subsequent environmental impact report (SEIR)), which is a City Council priority. The contract was subsequently amended to accommodate additional revisions, meetings and outreach. Most recently, on Oct. 24, 2023, the City Council approved an additional budget augment for a contract total of \$1,700,212 to ensure the continued involvement of project consultants in conducting public engagement and finalizing the documents and tasks necessary to complete the project.

#### **Environmental Review**

As part of the Housing Element Update project (i.e., Housing Element and Safety Element updates, a new Environmental Justice Element, and associated changes including zoning amendments), a SEIR (SCH Number 1990030530) was prepared. On Jan. 31, 2023, the City Council adopted Resolution No. 6808 certifying the SEIR and taking associated California Environmental Quality Act (CEQA) actions.

An addendum to the SEIR was prepared to reflect the City Council's direction to study increased densities, primarily in the Specific Plan area, above those studied in the SEIR. The addendum concluded that the adopted General Plan, Specific Plan, Zoning Ordinance, and zoning map amendments were covered by the previously-certified SEIR and no supplemental or subsequent EIR was required for the proposed amendments because none of the circumstances requiring a supplemental EIR or subsequent EIR existed (CEQA Guidelines §15162).

The proposed amendments to the Housing Element are also covered by the SEIR and none of the circumstances requiring a supplemental EIR or subsequent EIR exist (CEQA Guidelines §15162).

#### **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 a notice in the local newspaper.

#### Attachments

- A. Planning Commission resolution recommending adoption of amendments to the 2023-2031 Housing Element
  - Exhibit to Attachment A
  - Hyperlink conditionally-approved 2023-2031 Housing Element: https://menlopark.gov/files/sharedassets/public/v/2/communitydevelopment/documents/projects/housing-element-update/2023-2031-city-of-menlo-park-housingelement-clean\_010324.pdf
  - 2. Draft City Council resolution adopting amendments to the 2023-2031 Housing Element
- B. Hyperlink adopted Jan. 31, 2023 Housing Element: https://menlopark.gov/files/sharedassets/public/v/1/communitydevelopment/documents/projects/housing-element-update/city-of-menlo-park-2023-2031-housingelement.pdf
- C. Hyperlink June 27, 2023 City Council staff report: https://menlopark.gov/files/sharedassets/public/v/3/agendas-and-minutes/city-council/2023-

meetings/agendas/20230627-city-council-regular-agenda-packet.pdf

- D. Hyperlink Oct. 10, 2023 City Council staff report: https://menlopark.gov/files/sharedassets/public/v/3/agendas-and-minutes/city-council/2023meetings/agendas/20231010-city-council-special-and-regular-agenda-packet-w-pres.pdf
- E. Hyperlink HCD letter of substantial Housing Element compliance: https://menlopark.gov/files/sharedassets/public/v/1/communitydevelopment/documents/projects/housing-element-update/20231220-hcd-substantial-compliancedetermination.pdf
- F. Summary table of revisions to Housing Element since Jan. 31, 2023
- G. Hyperlink tracked changes version of conditionally-approved 2023-2031 Housing Element: https://menlopark.gov/files/sharedassets/public/v/1/communitydevelopment/documents/projects/housing-element-update/2023-2031-city-of-menlo-park-housingelement-track-change\_010324.pdf

Report prepared by: Tom Smith, Principal Planner

Report reviewed by: Mary Wagner, Assistant City Attorney Deanna Chow, Community Development Director

#### PLANNING COMMISSION RESOLUTION NO. XXXX

#### RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AMENDMENTS TO THE 2023-2031 HOUSING ELEMENT OF THE GENERAL PLAN, AS CONDITIONALLY APPROVED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**WHEREAS**, there is a statutory recognition that the availability of housing is a matter of statewide importance and that cooperation between government and the private sector is critical to attainment of the State's housing goals; and

**WHEREAS**, California Government Code Section 65588(b) requires the City of Menlo Park to periodically prepare an update to the Housing Element of its General Plan; and

**WHEREAS**, the City of Menlo Park prepared the draft 2023-2031 Housing Element ("Housing Element") in accordance with California Housing Element law (Government Code Section 65580 *et seq.*, "Housing Element Law"); and

WHEREAS, California Government Code Section 65583 requires that the Housing Element contain: (i) an assessment of the City's housing needs and an analysis of the resources and constraints, both governmental and non-governmental, relevant to the meeting of these needs; (ii) an inventory of land suitable and available for residential development and an analysis of the development potential of such sites; (iii) a statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing; and (iv) programs that set forth a schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element; and

**WHEREAS**, the City's share of the regional housing was established in the Regional Housing Needs Allocation Plan (RHNP) prepared and adopted by the Association of Bay Area Governments in December, 2021; and

**WHEREAS**, the allocation in the RHNP establishes the number of new units needed, by income category, to accommodate expected population growth over the planning period of the Housing Element; and

WHEREAS, Housing Element Law requires local governments to be accountable for ensuring projected housing needs reflected by the Regional Housing Needs Assessment (RHNA) allocation can be accommodated; and

**WHEREAS**, the City of Menlo Park was assigned a RHNA of 2,946 units (740 very-low income, 426 low income, 496 moderate income, and 1,284 above-moderate income); and

**WHEREAS**, as provided in Government Code Sections 65352 – 65352.5 the City mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and other entities listed and no California Native American tribe requested consultation; and

**WHEREAS**, the City conducted extensive community outreach over a period of more than 19 months including five public meetings before the Planning Commission, and performed additional outreach following adoption of the 2023-2031 Housing Element; and

**WHEREAS**, in accordance with Government Code Section 65585(b), on May 11, 2022 the Housing Element was posted/released for public review, with the intent to garner as much feedback as possible, the City continued to receive and consider comments for the draft Housing Element up through July 5, 2022, and on July 25, 2022, the City submitted the 6<sup>th</sup> Cycle (2023-2031) Draft Housing Element to the State Department of Housing and Community Development (HCD); and

**WHEREAS**, HCD issued a letter to the City dated October 21, 2022, which found that in HCD's opinion the City's July 22, 2022 draft housing element required revisions to comply with Housing Element Law requirements; and

WHEREAS, the City incorporated all of HCD's specific requirements identified in the October 21, 2022 letter into the City's Housing Element Update so that the Housing Element met all Housing Element Law Requirements; and

**WHEREAS**, the Planning Commission and Housing Commission held a duly noticed public hearing as prescribed by law to consider the 2023-2031 Housing Element Update on January 12, 2023; and

WHEREAS, the Planning Commission adopted Planning Commission Resolution No. 2023-04, on file with the Community Development Department and incorporated by this reference, recommending that the City Council certify the Subsequent Environmental Impact Report (State Clearinghouse #2015062054) for the City of Menlo Park Housing Element Update, make CEQA findings of fact and adopt a statement of overriding considerations, and adopt the mitigation monitoring and reporting program the City has prepared to analyze, and mitigate where feasible, the potential effects of the project; and

**WHEREAS**, the Planning Commission adopted Planning Commission Resolution No. 2023-05, on file with the Office of the City Clerk and incorporated by this reference, recommending approval of the 2023-2031 Housing Element Update, with recommended modifications; and

WHEREAS, on Jan. 31, 2023, the City Council adopted Resolution No. 6808 certifying the Subsequent Environmental Impact Report for the Housing Element Update (SCH Number 1990030530) (SEIR) and taking associated California Environmental Quality Act (CEQA) actions; and

WHEREAS, on January 31, 2023, the City Council held a duly noticed public hearing as prescribed by law, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and determined the Housing Element to be in substantial compliance with Housing Element Law and the General Plan of the City of Menlo Park; and

**WHEREAS**, the City Council adopted Resolution No. 6809 and thereby adopted the 2023-2031 Housing Element following the January 31, 2023 public hearing; and

**WHEREAS**, after submittal of the adopted 2023-2031 Housing Element, the City received a letter from HCD on April 7, 2023 acknowledging that the adopted Housing Element addressed many statutory requirements, but requesting additional revisions; and

**WHEREAS**, on June 27, 2023 the City Council conducted a meeting to review and authorize staff to submit a Housing Element incorporating HCD's requested revisions for review; and

**WHEREAS**, after a required seven-day public review period had passed, the City submitted a revised 2023-2031 Housing Element to HCD for review on June 30, 2023; and

**WHEREAS**, on August 29, 2023, the City received a letter from HCD acknowledging that the adopted Housing Element addressed many statutory requirements, but requesting further revisions; and

**WHEREAS**, on October 23, 2023, the City Council conducted a meeting to review and authorize staff to submit a Housing Element incorporating HCD's additional requested revisions for review; and

**WHEREAS**, after a required seven-day public review period had passed, the City submitted a revised 2023-2031 Housing Element to HCD for review on November 3, 2023; and

**WHEREAS**, on December 16, 2023, the City received preliminary review comments from HCD indicating that, with minor modifications, the revised 2023-2031 Housing Element would be in substantial compliance with Housing Element Law; and

**WHEREAS**, on December 18, 2023, the City provided HCD with proposed additional minor changes to the 2023-2031 Housing Element in order to address the preliminary review comments; and

WHEREAS, on December 20, 2023, the City received a letter of conditional approval from HCD indicating the revised 2023-2031 Housing Element (Exhibit 1) is in substantial compliance with Housing Element Law following adoption of the changes and submittal of the final document to HCD; and

WHEREAS, an addendum to the SEIR was prepared to reflect the City Council's direction to study increased densities, primarily in the Specific Plan area, above those studied in the SEIR, the addendum concluded that the adopted General Plan, Specific Plan, Zoning Ordinance, and zoning map amendments were covered by the previously-certified SEIR and no supplemental or subsequent EIR was required for the proposed amendments because none of the circumstances requiring a supplemental EIR or subsequent EIR existed (CEQA Guidelines §15162); and

WHEREAS, the proposed amendments to the 2023-2031 Housing Element are also covered by the SEIR and none of the circumstances requiring a supplemental EIR or subsequent EIR exist (CEQA Guidelines §15162); and

**WHEREAS**, the Planning Commission held a duly noticed public hearing as prescribed by law to consider the amendments to the 2023-2031 Housing Element Update on January 8, 2024.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Menlo Park in its independent judgment and based on substantial evidence in the record, hereby declares that:

- 1. The foregoing recitations are true and correct and are hereby incorporated into this Resolution.
- The amendments to the 2023-2031 Housing Element were considered within the Subsequent Environmental Impact Report (SCH #2015062054) (SEIR) for the Housing Element Update project, certified by Council Resolution No. 6808, adopted January 31, 2023. No supplemental or subsequent EIR is required because none of the circumstances requiring a supplemental or subsequent EIR exist (CEQA Guidelines Section 15162): (a) No substantial changes are proposed in the project which will require major revisions

(a) No substantial changes are proposed in the project which will require major revisions of the previous SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The amendments to the 2023-2031 Housing Element do not create any additional environmental impacts.

(b) No substantial changes have occurred with respect to the circumstances under which the project is undertaken. The SEIR was certified in January 2023, and no substantial evidence has been submitted showing any change in the circumstances applicable to the project.

(c) No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous SEIR was certified as complete, has been submitted to the City.

- 3. The findings made by the Planning Commission in Resolution No. 2023-04 are hereby incorporated herein by reference.
- 4. The City has considered the requests for additional information from the Department of Housing and Community Development and information has been included in the amendments to the 2023-2031 Housing Element that respond to these requests.
- 5. The amended 2023-2031 Housing Element is consistent with the purposes of the General Plan and Municipal Code in that the amendments support a variety of objectives including increasing housing choice by accommodating a variety of housing types to meet the needs of all Menlo Park residents; promoting the orderly development of Menlo Park and its surrounding area (Land Use Goal LU-1); maintaining and enhancing the character, variety and stability of Menlo Park's residential neighborhoods (Land Use Goal LU-2); encouraging mixed-use projects with residential units through compatible project design (Land Use Policy LU-2.3); encouraging the development of accessory dwelling units on single-family lots (Land Use Policy LU-2.4); promoting residential uses in mixed-use arrangements (Land Use Policy LU-2.9); encouraging underutilized properties to redevelop with uses that complement existing uses and support vibrant neighborhoods (Land Use Policy LU-3.1); encouraging development of a range of housing types in the El Camino Real/Downtown Specific Plan ("Specific Plan") Area (Land Use Policy LU-5.2); exploring opportunities to evaluate and update parking requirements so that they are appropriate for new development to accommodate residents, employees, customers and visitors (Circulation Policy CIRC-7.1 and Program CIRC-7-A); planning for residential recreational needs through connected neighborhoods (Open Space/Conservation Policy OSC2.2); encouraging a sustainable approach to land use planning to reduce resource consumption, including a balance and match between jobs and housing, and higher

density residential and mixed-use development connected to services and transit (Open Space/Conservation Policy OSC4.1); providing adequate sites with corresponding density to meet the City's RHNA; adopting State mandated and locally desired programs to implement the Housing Element Update effectively; and supporting development that help reduces vehicle miles traveled.

- 6. The amended 2023-2031 Housing Element complies with Housing Element Law, as provided in Government Code Section 65580 *et seq*., and contains all provisions required by Housing Element Law.
- 7. Based on substantial evidence in the record including a strong history of residential development on non-vacant sites in Menlo Park, demonstrating market demand for such development; examples of affordable housing projects constructed on nonvacant sites throughout San Mateo and Santa Clara Counties in recent years; examples of the redevelopment of existing parking lots with residential uses throughout the Bay Area and the City's ownership and control of eight surface parking lots in the Downtown area; the removal of a residential development cap of 680 units and increased residential densities in the Specific Plan area; application of an Affordable Housing Overlay to all inventory sites, allowing up to 100 dwelling units per acre for 100 percent affordable housing development; and other incentives for residential development citywide, such as permitting housing in certain existing commercial-only zoning districts and increasing residential densities in certain zoning districts where residential uses are currently allowed, the existing uses on the nonvacant sites identified in the site inventory to accommodate the RHNA are likely to be discontinued during the planning period and therefore do not constitute an impediment to planned residential development on the site during the planning period.

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that the City Council adopt the amendments to the 2023-2031 Housing Element **(Exhibit 2)**.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective upon adoption by the Planning Commission.

#### **SEVERABILITY**

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

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I, Kyle Perata, Assistant Community Development Director of Menlo Park, do hereby certify that the above and foregoing Planning Commission resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on the 8<sup>th</sup> day of January, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 8<sup>th</sup> day of January, 2024.

Kyle Perata Assistant Community Development Director City of Menlo Park

Exhibits:

- 1. Conditionally-approved 2023-2031 Housing Element
- 2. Draft City Council resolution adopting amendments to the 2023-2031 Housing Element

#### DRAFT CITY COUNCIL RESOLUTION NO. XXXX

#### DRAFT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK, CALIFORNIA, ADOPTING AMENDMENTS TO THE 2023-2031 HOUSING ELEMENT OF THE GENERAL PLAN, AS CONDITIONALLY APPROVED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**WHEREAS**, there is a statutory recognition that the availability of housing is a matter of statewide importance and that cooperation between government and the private sector is critical to attainment of the State's housing goals; and

**WHEREAS**, California Government Code Section 65588(b) requires the City of Menlo Park to periodically prepare an update to the Housing Element of its General Plan; and

**WHEREAS**, the City of Menlo Park prepared the 2023-2031 Housing Element ("Housing Element") in accordance with California Housing Element law (Government Code Section 65580 *et seq.*, "Housing Element Law"); and

WHEREAS, California Government Code Section 65583 requires that the Housing Element contain: (i) an assessment of the City's housing needs and an analysis of the resources and constraints, both governmental and non-governmental, relevant to the meeting of these needs; (ii) an inventory of land suitable and available for residential development and an analysis of the development potential of such sites; (iii) a statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing; and (iv) programs that set forth a schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element; and

**WHEREAS**, the City's share of the regional housing was established in the Regional Housing Needs Allocation Plan (RHNP) prepared and adopted by the Association of Bay Area Governments in December, 2021; and

**WHEREAS**, the allocation in the RHNP establishes the number of new units needed, by income category, to accommodate expected population growth over the planning period of the Housing Element; and

WHEREAS, Housing Element Law requires local governments to be accountable for ensuring projected housing needs reflected by the Regional Housing Needs Assessment (RHNA) allocation can be accommodated; and

**WHEREAS**, the City of Menlo Park was assigned a RHNA of 2,946 units (740 very-low income, 426 low income, 496 moderate income, and 1,284 above-moderate income); and

**WHEREAS**, as provided in Government Code Sections 65352 – 65352.5 the City mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and other entities listed and no California Native American tribe requested consultation; and

**WHEREAS**, the City conducted extensive community outreach over a period of more than 19 months including more than eight public meetings before the City Council; and

**WHEREAS**, in accordance with Government Code Section 65585(b), on May 11, 2022 the Housing Element was posted/released for public review, with the intent to garner as much feedback as possible, the City continued to receive and consider comments for the draft Housing Element up through July 5, 2022, and on July 22, 2022, the City submitted the 6<sup>th</sup> Cycle (2023-2031) Draft Housing Element to the State Department of Housing and Community Development (HCD); and

**WHEREAS**, HCD issued a letter to the City dated October 21, 2022, which found that in HCD's opinion the City's July 22, 2022 draft Housing Element required revisions to comply with Housing Element Law requirements; and

**WHEREAS**, the City incorporated all of HCD's specific requirements identified in the October 21, 2022 letter into the City's Housing Element Update so that the Housing Element met all Housing Element Law requirements; and

**WHEREAS**, the Planning Commission and Housing Commission held a duly noticed public hearing as prescribed by law to consider the 2023-2031 Housing Element Update on January 12, 2022; and

WHEREAS, the Planning Commission adopted Planning Commission Resolution No. 2023-04, on file with the Office of the City Clerk and incorporated by this reference, recommending that the City Council certify the Subsequent Environmental Impact Report (State Clearinghouse #2015062054) for the City of Menlo Park Housing Element Update, make CEQA findings of fact and adopt a statement of overriding considerations, and adopt the mitigation monitoring and reporting program; and

**WHEREAS**, the Planning Commission adopted Planning Commission Resolution No. 2023-05, on file with the Office of the City Clerk and incorporated by this reference, recommending approval of the 2023-2031 Housing Element Update, with recommended modifications; and

**WHEREAS**, the Housing Commission adopted Housing Commission Resolution No. 2023-01, on file with the Office of the City Clerk and incorporated by this reference, recommending approval of the 2023-2031 Housing Element Update, with recommended modifications; and

WHEREAS, on Jan. 31, 2023, the City Council adopted Resolution No. 6808 certifying the Subsequent Environmental Impact Report for the Housing Element Update (SCH Number 1990030530) (SEIR) and taking associated California Environmental Quality Act (CEQA) actions; and

WHEREAS, on January 31, 2023, the City Council held a duly noticed public hearing as prescribed by law, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and determined the Housing Element to be in substantial compliance with Housing Element Law and the General Plan of the City of Menlo Park; and

**WHEREAS**, the City Council adopted Resolution No. 6809 and thereby adopted the 2023-2031 Housing Element following the January 31, 2023 public hearing; and

**WHEREAS**, after submittal of the adopted 2023-2031 Housing Element, the City received a letter from HCD on April 7, 2023 acknowledging that the adopted Housing Element addressed many statutory requirements, but requesting additional revisions; and

**WHEREAS**, on June 27, 2023 the City Council conducted a meeting to review and authorize staff to submit a Housing Element incorporating HCD's requested revisions for review; and

**WHEREAS**, after a required seven-day public review period had passed, the City submitted a revised 2023-2031 Housing Element to HCD for review on June 30, 2023; and

**WHEREAS**, on August 29, 2023, the City received a letter from HCD acknowledging that the adopted Housing Element addressed many statutory requirements, but requesting further revisions; and

**WHEREAS**, on October 23, 2023, the City Council conducted a meeting to review and authorize staff to submit a Housing Element incorporating HCD's additional requested revisions for review; and

**WHEREAS**, after a required seven-day public review period had passed, the City submitted a revised 2023-2031 Housing Element to HCD for review on November 3, 2023; and

**WHEREAS**, on December 16, 2023, the City received preliminary review comments from HCD indicating that, with minor modifications, the revised 2023-2031 Housing Element would be in substantial compliance with Housing Element Law; and

**WHEREAS**, on December 18, 2023, the City provided HCD with proposed additional minor changes to the 2023-2031 Housing Element in order to address the preliminary review comments; and

**WHEREAS**, on December 20, 2023, the City received a letter of conditional approval from HCD indicating the revised 2023-2031 Housing Element is in substantial compliance with Housing Element Law following adoption of the changes and submittal of the final document to HCD; and

WHEREAS, an addendum to the SEIR was prepared to reflect the City Council's direction to study increased densities, primarily in the Specific Plan area, above those studied in the SEIR, the addendum concluded that the adopted General Plan, Specific Plan, Zoning Ordinance, and zoning map amendments were covered by the previously-certified SEIR and no supplemental or subsequent EIR was required for the proposed amendments because none of the circumstances requiring a supplemental EIR or subsequent EIR existed (CEQA Guidelines §15162); and

WHEREAS, the proposed amendments to the 2023-2031 Housing Element are also covered by the SEIR and none of the circumstances requiring a supplemental EIR or subsequent EIR exist (CEQA Guidelines §15162); and

**WHEREAS**, the Planning Commission held a duly noticed public hearing as prescribed by law to consider the amendments to the 2023-2031 Housing Element Update on January 8, 2024; and

**WHEREAS**, the Planning Commission adopted Planning Commission Resolution No. 2024-\_\_\_, on file with the Office of the City Clerk and incorporated by this reference, recommending adoption of the amendments to the 2023-2031 Housing Element; and

WHEREAS, on January 23, 2024, the City Council held a duly noticed public hearing as prescribed by law, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and determined the amendments to the 2023-2031 Housing Element to be consistent with Housing Element Law and the General Plan of the City of Menlo Park.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Menlo Park hereby finds that in its independent judgment and based on substantial evidence in the record, after fully considering all alternatives, that:

- 1. The foregoing recitations are true and correct and are hereby incorporated into this Resolution.
- The amendments to the 2023-2031 Housing Element were considered within the Subsequent Environmental Impact Report (SCH #2015062054) (SEIR) for the Housing Element Update project, certified by Council Resolution No. 6808, adopted January 31, 2023. No supplemental or subsequent EIR is required because none of the circumstances requiring a supplemental or subsequent EIR exist (CEQA Guidelines Section 15162):

(a) No substantial changes are proposed in the project which will require major revisions of the previous SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The amendments to the 2023-2031 Housing Element do not create any additional environmental impacts.

(b) No substantial changes have occurred with respect to the circumstances under which the project is undertaken. The SEIR was certified in January 2023, and no substantial evidence has been submitted showing any change in the circumstances applicable to the project.

(c) No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous SEIR was certified as complete, has been submitted to the City.

- 3. The findings made by the City Council in Resolution No. 6809 are hereby incorporated herein by reference.
- 4. The City has considered the requests for additional information from the Department of Housing and Community Development and information has been included in the amendments to the 2023-2031 Housing Element that respond to these requests.
- 5. The amended 2023-2031 Housing Element is consistent with the purposes of the General Plan and Municipal Code in that the amendments support a variety of objectives including increasing housing choice by accommodating a variety of housing types to meet the needs of all Menlo Park residents; promoting the orderly development of Menlo Park and its surrounding area (Land Use Goal LU-1);

maintaining and enhancing the character, variety and stability of Menlo Park's residential neighborhoods (Land Use Goal LU-2); encouraging mixed-use projects with residential units through compatible project design (Land Use Policy LU-2.3); encouraging the development of accessory dwelling units on single-family lots (Land Use Policy LU-2.4); promoting residential uses in mixed-use arrangements (Land Use Policy LU-2.9); encouraging underutilized properties to redevelop with uses that complement existing uses and support vibrant neighborhoods (Land Use Policy LU-3.1); encouraging development of a range of housing types in the El Camino Real/Downtown Specific Plan ("Specific Plan") Area (Land Use Policy LU-5.2); exploring opportunities to evaluate and update parking requirements so that they are appropriate for new development to accommodate residents, employees, customers and visitors (Circulation Policy CIRC-7.1 and Program CIRC-7-A); planning for residential recreational needs through connected neighborhoods (Open Space/Conservation Policy OSC2.2); encouraging a sustainable approach to land use planning to reduce resource consumption, including a balance and match between jobs and housing, and higher density residential and mixed-use development connected to services and transit (Open Space/Conservation Policy OSC4.1): providing adequate sites with corresponding density to meet the City's RHNA; adopting State mandated and locally desired programs to implement the Housing Element Update effectively; and supporting development that help reduces vehicle miles traveled.

- 6. The amended 2023-2031 Housing Element complies with Housing Element Law, as provided in Government Code Section 65580 *et seq.*, and contains all provisions required by Housing Element Law.
- 7. Based on substantial evidence in the record including a strong history of residential development on non-vacant sites in Menlo Park, demonstrating market demand for such development; examples of affordable housing projects constructed on non-vacant sites throughout San Mateo and Santa Clara Counties in recent years; examples of the redevelopment of existing parking lots with residential uses throughout the Bay Area and the City's ownership and control of eight surface parking lots in the Downtown area; the removal of a residential development cap of 680 units and increased residential densities in the Specific Plan area; application of an Affordable Housing Overlay to all inventory sites except for Site #38 (the former Flood School site), allowing up to 100 dwelling units per acre for 100 percent affordable housing development; and other incentives for residential development citywide, such as permitting housing in certain existing commercialonly zoning districts and increasing residential densities in certain zoning districts where residential uses are currently allowed, the existing uses on the non-vacant sites identified in the site inventory to accommodate the RHNA are likely to be discontinued during the planning period and therefore do not constitute an impediment to planned residential development on the site during the planning period.
- As required by Government Code Section 65585(e), the City Council has considered the findings made by the California Department of Housing and Community Development (HCD) included in HCD's letters to the City dated April 7, 2023; August 29, 2023; and December 20, 2023. Consistent with Government Code Section 65585(f)(1), the City has modified the 2023-2031 Housing Element

in response to the findings of the Department to substantially comply with the requirements of Article 10.6 of the Government Code as interpreted by HCD.

**BE IT FURTHER RESOLVED** that the amendments to the 2023-2031 Housing Element are hereby adopted **(Exhibit 1).** 

**BE IT FURTHER RESOLVED** that this Resolution shall become effective upon adoption by the City Council.

**BE IT FURTHER RESOLVED** that the Community Development Director or designee is hereby directed to file all necessary material with the HCD for the Department to find that the Housing Element is in substantial compliance with Housing Element Law.

I, Judi Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at the meeting by said City Council on the \_\_\_\_ day of January, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_\_ day of January, 2024.

Judi Herren, City Clerk

Exhibits:

1. Amendments to the 2023-2031 Housing Element

	Summary of Responses to December 16, 2023 HCD Preliminary Review Comments			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
1	Remove the word "preponderance" as it relates to evaluation criteria under Program H1.H (Transparency on Progress towards RHNA and Mid- cycle Review).	Program H1.H was modified to remove the word "preponderance" as it relates to evaluation criteria.	Chapter 8: Goals, Policies and Programs	
2	Clarify the range of allowable residential densities within the rezoning programs to accommodate lower income RHNA shortfall.	Program H4.K was modified to describe the City's adopted increases in residential density to a range from a minimum of 20 du/ac and allowing for densities of up to 100 du/ac or greater.	Chapter 8: Goals, Policies and Programs	

Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	1. Promote AFFH		
1	Actions, Programs, Metrics, and Milestones: The element was revised to include geographic targeting and some additional actions. However, given the disparities in access to opportunity between the east and west side of the City, the element still must include a significant and robust suite of actions to 1) promote housing mobility 2) increase new housing choices and affordability in higher opportunity or relatively higher-income areas 3) place-based strategies for community preservation and revitalization and 4) displacement protection. Additionally, given the stark contrast between different parts of the City in terms of income and access to opportunity, the element must be revised to include significant numeric metrics (beyond the	<ul> <li>Table 4-26 (Fair Housing Issue, Contributing Factors, and City Actions) has been modified to add specificity for geographic targeting (e.g., Belle Haven) and city actions linked with Housing Element programs and/or quantified metrics to support AFFH.</li> <li>A description of the community amenities program and funds, including benefits for the Belle Haven and Bayfront neighborhoods—areas that are identified as Underserved Communities in the city's ongoing preparation of its first Environmental Justice Element—has been added. In Chapter 8, Program H5.J has been added to identify and support the preparation of Menlo</li> </ul>	Chapter 4: Affirmatively Furthering Fair Housing Chapter 8: Goals, Policies and Programs

	Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	Regional Housing Needs Allocation (RHNA)) focused on all four program areas noted above. For your information, quantified metrics should target beneficial impacts for people, households, and neighborhoods (e.g., number of people or households assisted, number of housing units built, number of parks or infrastructure projects completed). HCD will follow-up under a separate cover with additional guidance.	Park's first Environmental Justice Element. As stated in Program H5.J (Environmental Justice Element), the City will annually evaluate potential funding of environmental justice programs through utilization of community amenities funds and will implement at least one Environmental Justice Element program each year with emphasis on the highest priority programs. Examples may include sidewalks, lighting, and landscaping improvements; affordable ownership housing; anti-displacement programs; and open space and recreation enhancements.		
		Table 4-26 identifies the factors that contribute to fair housing issues and sets forth specific city actions with metrics and milestones to address the issues; these actions, along with the programs in Chapter 8, constitute Menlo Park's housing program strategy for implementation of the Housing Element. The city will report its progress in implementing its fair housing actions and all its Housing Element programs as part of Annual Progress Reports (APR).		
	2. Inventory of land suitable and available for residential development			
2	Zoning for a Variety of Housing Types – Emergency Shelters: The element explains parking requirements for emergency shelters complies with AB 139 (Statutes of 2020). However, AB 139 provides that parking requirements shouldn't be more than what is necessary for staff working in the shelter. The City's requirements exceed the number	The Emergency Shelters section of Chapter 5 has been revised to discuss an inconsistency between the city's existing off-street parking requirements and what state law allows for shelters. In Chapter 8, Program H3.G has been modified to note that parking requirements for emergency shelters will	Chapter 5: Actual and Potential Constraints to Housing Chapter 8: Goals, Policies and Programs	

	Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	of spaces necessary for staff and as a result, the element should add or modify programs to address the constraint.	be set at the number of spaces needed only to accommodate shelter staff.		
	In addition, Chapter 654, Statutes of 2022 (AB 2339), adds specificity on how cities and counties plan for emergency shelters and ensure sufficient and suitable capacity. Future submittals of the housing element may need to address these statutory requirements. For additional information and timing requirements, please see HCD's memo at https://www.hcd.ca.gov/sites/default/files/docs/plann ing-and- community/ab2339-notice.pdf.			
3	Electronic Sites Inventory: Although the City has submitted electronic sites inventory as described in the prior review, if any changes occur, the City should submit revisions as part of any future re- adoption or submittal. Please see HCD's housing element webpage at https://www.hcd.ca.gov/planning-and-community- development/housing-elements for additional information.	Unless City Council directs otherwise, staff will submit a revised electronic sites inventory using the methodology described in the "Responses to HCD comments" subsection of the staff report, and change numbers throughout the Housing Element for consistency.	Various	
4	Programs: As noted above, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element must be revised, as follows: The element includes many complex and challenging strategies that are essential to the City's	Program H1.H has been expanded to clarify that the mid-cycle review will evaluate progress on pipeline projects, nonvacant sites, zoning modifications, the AHO, and governmental constraints, and propose modifications to address any significant shortfalls and/or remaining governmental constraints.	Chapter 8: Goals, Policies and Programs	

	Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	approach in addressing its housing needs including identifying publicly-owned sites, large pipeline projects and complex nonvacant typologies. As a result, the element should include a program to evaluate the effectiveness of these approaches and commit to adjustments, as appropriate, to continue working toward the housing element's goals and objectives. Specifically, the element could include a program to conduct an in-depth mid-term evaluation of identified sites and programs, including their effectiveness in addressing the RHNA, and commit to adjustments within a specified time period. Topics should include pipeline projects, nonvacant sites, rezoning, Affordable Housing Overlay zone and governmental constraints (e.g., parking, lot coverage, Floor Area Ratio (FAR), etc.,)			
5	<u>Shortfall of Adequate Sites (Program H4.K –</u> <u>Rezone for Lower-Income Shortfall):</u> HCD's prior review found that this program must include several revisions related to appropriate statutory references, timelines and other provisions. While this Program was revised to address some of HCD's prior review, it still must identify the shortfall by income group, acreage, allowable densities and commitment to appropriate development standards. Additionally, HCD's prior review found that the element must clarify whether other programs are needed to meet the City's RHNA and if so, it also needs to comply with the applicable rezone requirements under Government Code section 65583(c)). While the element clarified that Programs H4.I (Create New Opportunities for Mixed-Use Development) and H4.T (Residential Overlay) are needed to address a	In Chapter 7, the analysis of sites in the site inventory that are the appropriate size and density to meet HCD requirements for lower-income units has been expanded, and a shortfall of 193 lower- income units with the current zoning in place has been described in terms of income group, acreage, and allowable densities. The zoning programs that will be implemented to address the shortfall are described and the resulting surplus of units and adequacy of the sites has been quantified. In making the revisions, staff closely followed an example of how to address the comment provided by HCD staff.	Chapter 7: Site Inventory and Analysis Chapter 8: Goals, Policies and Programs	

	Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	shortfall of sites and implement rezones, it did not revise these programs to comply with all applicable requirements.	zoning programs that will be implemented to address the shortfall.		
6	<u>Federally-Owned Sites and School Sites:</u> HCD's prior review found that the element must include sufficient analysis demonstrating the feasibility and likelihood of these sites redeveloping during the planning period. While the element now includes an analysis, it should also include a program committing to facilitating development on these sites during the planning period. Specifically, the element should include a program with numerical objectives that ensures, if applicable, compliance with the Surplus Land Act, provides incentives and actions along with a schedule to facilitate development on these sites and alternatives (e.g., identifying additional sites) if production does not actualize as identified in the inventory. Actions could include but are not limited to outreach with owners, facilitating communications developers, issuing requests for proposals, incentives, fee waivers, priority processing and financial assistance.	Chapter 7 has been updated with the most recent status of potential and known projects on federally-owned and school sites, namely the USGS site, the VA site, and the former Flood School site, indicating continued progress, any known timing, and anticipated likelihood of development occurring during the Housing Element planning period (through 2031). A new program, H4.U, has been added to Chapter 8 clarifying and quantifying potential incentives and city actions that will lead to housing on the federally-owned and school sites in the site inventory, and a commitment to review progress on the sites as part of the mid-cycle evaluation from Program H1.H.	Chapter 7: Site Inventory and Analysis Chapter 8: Goals, Policies and Programs	
	3. Analysis of potential and actual governmental constraints			
7	Land Use Controls: HCD's prior review found that the element must analyze development standards in the R-3 zones and whether standards facilitate achieving maximum densities. The element briefly discussed that landscaping, parking, and FAR requirements could act as a constraint to development and included a program to evaluate and modify these requirements. However, the	In Chapter 5, new text has been added acknowledging that HCD views lot coverage of less than 50 percent to be a constraint on multifamily development and references Program H4.J to address the constraint. Program H4.J in Chapter 8 has been revised to include actions to increase lot coverage to more	Chapter 5: Actual and Potential Constraints to Housing Chapter 8: Goals, Policies and Programs	

	Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	element must also include actions addressing lot coverage in R-3 zones as a constraint. Specifically, the element acknowledged that the City's current lot coverage requirements in these zones are generally lower than what's permissible in neighboring jurisdictions (p. 5-26). In addition, HCD finds that lot coverage for multifamily housing less than 50 percent is generally considered a constraint. The element must include or modify programs(s) committing to increasing lot coverage requirements in these zones	than 50 percent in the city's R-3 and R-4 zoning districts.		
8	State Density Bonus Law (SDBL): The element was revised to note that the City's affordable housing overlay zone conflicts with SDBL and included a program to address this conflict. However, irrespective of the City's overlay zone and as found in HCD's prior review, this analysis must specifically address how the City complies with SDBL. As found in HCD's prior review, the element could discuss the procedures, various levels of benefits (e.g., density, concessions and incentives, parking reductions), non-discretionary actions and burden of proof.	Chapter 5 has been updated with a new section titled "Existing Governmental Constraints – State Density Bonus Law." The analysis notes inconsistencies with current state law and notes a new section of Program H4.D in Chapter 8 to modify Chapter 16.97 of the city's Zoning Ordinance and state that no part of the chapter shall be read to oppose or otherwise interfere with State Density Bonus Law.	Chapter 5: Actual and Potential Constraints to Housing Chapter 8: Goals, Policies and Programs	
9	Affordable Housing Overlay Zone (AHOZ): HCD's prior review found that the element must describe the City's AHOZ including analyzing densities and development standards under this zone. The element was revised to briefly describe past projects that utilized this zone, available incentives, and compliance with SDBL (p. 5-19). The element also stated that when combined with other incentives such as SDBL, a project could potentially achieve 100 du/ac. However, this analysis still does not address HCD's prior review. The element must	New text was added to Chapter 5 to provide more thorough descriptions of the AHO density bonuses, incentives, and thresholds, as well as potential updates to the AHO through Program H4.D. Site capacity calculations would be modified consistent with comment 3 above.	Chapter 5: Actual and Potential Constraints to Housing	

	Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	specifically discuss and analyze the framework of the overlay zone including thresholds for a project to qualify for the additional density under this zone and any other applicable requirements. Further, HCD now understands that the City is utilizing the potential density available through the overlay zone to calculate realistic capacity for sites identified in prior planning periods, rezoned sites to accommodate a shortfall, and potentially other types of sites. This information is supported by statements and assumptions on Table 7-7 (RHNA and Reuse Sites), Site-specific fact sheets (Appendix 7-5), sites inventory (Appendix 7-1). To utilize these capacity assumptions, the element must include evidence demonstrating the likelihood of developers taking advantage of the density bonus and circumstances where the density bonus will not be utilized. Based on a complete analysis, the element may need to rescale assumptions and include programs as appropriate			
10	<u>Programs:</u> As noted above, the element does not include a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, HCD's prior review found that the element must clarify what parking requirements will be reduced and ensure updates will not result in any constraints to development. While the element was revised to specify that adjustments in standards will be to facilitate achieving maximum densities, Program H4.M (Update Parking Requirements and Design	In Chapter 8, Program H4.M has been updated to include a provision that reduced parking requirements shall not constrain multifamily residential development and no more than one parking space shall be required for smaller units.	Chapter 8: Goals, Policies and Programs	

	Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	Standards) still should include specific information about reduction in parking requirements such as ensuring reductions will not constrain multifamily development and the number of spaces that will be considered (e.g., one space for smaller bedroom types).			

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
1	The adopted housing element addresses many statutory requirements described in HCD's October 21, 2022 review; however, additional revisions are necessary to substantially comply with State Housing Element Law (Article 10.6 of the Gov. Code), see enclosed Appendix.	After receiving HCD's April 7, 2023 letter regarding the City's Housing Element adopted January 31, 2023, the City made changes to the document to respond to HCD's feedback. An overview of the revisions made in response to HCD's comments to ensure that the adopted Housing Element is in substantial compliance with State law is included below, including references to the location in the Housing Element (with redlined changes) where additions and/or revisions have been made in response to HCD's letter. With the referenced additions and revisions, the City Council believes that the 2023 to 2031 Housing Element continues to substantially comply with the requirements of State law.	Various	
2	Racial/Ethnic Areas of Concentration of Affluence [sic] (RCAA): While the element was revised to state where the RCAA is geographically located within the City, it must provide an analysis. The analysis should incorporate local data and knowledge and other relevant factors such as past zoning and	Housing Element pages 4-47 and 4-48: Additional discussion has been added regarding restrictive covenants and federal discrimination in place when Menlo Park expanded after World War II, contributing to demographic and associated income disparities east and west of US-101. A	Chapter 4: Affirmatively Furthering Fair Housing	

Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	investment and add or modify programs as appropriate to promote housing mobility and place- based strategies for community revitalization	new table showing RCAA status of each census tract in city has been created, and identifies the number of Housing Element inventory sites and associated units by income category in each tract. Based on the results of the table, additional narrative has been added describing how the site inventory improves fair housing conditions by integrating affordable housing opportunities within areas of affluence.	
3	Disproportionate Housing Needs Including Displacement: While the element was revised to provide information on cost burden and displacement, it should also describe and analyze disproportionate housing needs for persons experiencing homelessness, including impacts on protected characteristics and patterns or areas of higher need relative to access to transportation and services.	Housing Element page 4-55: A summary of the disproportionate housing needs of unhoused individuals, especially in the Bayfront and Belle Haven neighborhoods because of less access to transportation and services as compared to more central areas of the city, has been provided. Housing Element pages 4-78 through 4-82: The Unhoused Individuals section of the chapter has been updated with new information from 2022, and describes Menlo Park's increase in homelessness compared to the County as a whole and possible reasons for the increase. A new Figure 4-37 was added showing a heat map of the 2022 Point-in-Time Count by census tract.	Chapter 4: Affirmatively Furthering Fair Housing
4	Contributing Factors to Fair Housing Issues: Based on the outcomes of a complete analysis, the element should re-assess and prioritize contributing factors to fair housing issues and add or modify programs as appropriate.	Housing Element pages 4-87 through 4-93: Based on the additional analysis performed, Table 4-26 has been expanded to cover more place-based strategies and community benefits to address fair housing issues, and relevant housing programs have been further described.	Chapter 4: Affirmatively Furthering Fair Housing
5	Progress in Meeting the Regional Housing Needs Allocation (RHNA): While the element was revised to address affordability, additional information is needed regarding availability of the new units during	Housing Element page 7-7: Footnote number 72 in Chapter 7 describes the Willow Village project and includes a link to the project page (https://menlopark.gov/WillowVillage) where the	Chapter 7: Site Inventory and Analysis

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	the planning period, particularly for the Willow Village project. Specifically, while the element discusses the status of the Willow Village and anticipated timing for issuing building permits, it should also discuss any barriers to development, phasing and anticipated build out horizons to demonstrate the units can be available in the planning period. The element may utilize past build out trends to facilitate this analysis. In addition, the element references Program H1.H to monitor progress. However, the program must be revised to include specific commitments to annually monitor production and affordability of pipeline projects and if necessary, evaluate whether build out will occur as anticipated in the sites inventory at least twice in the planning period. The Program should also commit to identify additional sites by specific dates if necessary.	current status can be monitored. As noted on the project webpage, staff has reviewed detailed architectural control plans for the project and the first four sets will be reviewed at a June 26, 2023 Planning Commission meeting. Additional architectural control plans are anticipated to be reviewed by the Planning Commission during summer 2023 with a goal of completing the reviews by fall 2023. The project is subject to a development agreement that became effective in January 2023. The development agreement allows build-out to occur over a ten-year period (through January 2033). As a result, it can be reasonably assumed that the majority of residential units would be occupied, under construction, and/or granted building permits within the 2023 to 2031 planning period, and those units would count toward the City's production in annual progress reports to HCD. The development agreement includes a provision allowing for a seven-year extension of the agreement, partially contingent on occupancy of at least 865 residential units. Development of other Bayfront area residential mixed-use projects has occurred quickly following discretionary approvals, with pipeline projects such as Menlo Uptown (141 Jefferson Drive) and Menlo Portal (110 Constitution Drive), receiving initial building permits within approximately 10 months and 9 months, respectively. Both projects are currently under construction. However, to ensure a stronger commitment to providing transparency on the city's progress toward meeting its RHNA, Program	Chapter 8: Goals, Policies and Programs	

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
		H1.H (Housing Element pages 8-6 and 8-7) commits to annual monitoring of pipeline projects that are not currently under construction and an evaluation of build-out progress. The program also commits to a mid-cycle review with the City Council in 2027 to evaluate overall progress on meeting the city's RHNA. If the city is falling significantly short of its goals, additional sites and/or increased residential densities will be identified and the City Council will consider and take action on proposed zoning changes that may improve RHNA progress.		
6	Small and Large Sites: The element should be revised to demonstrate that sites of equivalent size and affordability were successfully developed during the prior planning period. While the element mentions a history of lot consolidation, examples must be provided to support assumptions and relate those trends to the identified sites. The element must also describe lot consolidation incentives or provide programs as appropriate. While the element describes assumptions for the development of large sites, it should provide examples to support those assumptions such as previous projects with parceling or other methods to develop affordable units on sites larger than 10 acres.	Housing Element pages 7-17 through 7-19: Parcel consolidation has not been a demonstrated constraint in Menlo Park's recent residential development history. Of the 8 pipeline projects that are part of the Housing Element update, 6 include consolidated parcels. Of the 51 broader examples of past and present projects throughout the city listed in Appendix 7-3, Development in Menlo Park, 14 are located on parcels less than 0.5 acres in size (over one-quarter of the projects). The 2023 to 2031 Housing Element site inventory includes 32 parcels less than 0.5 acres in size. 15 of the parcels, or nearly half, are part of a consolidated site of more than 0.5 acres under common ownership. All of the parcels are in zones where development standards are being modified to encourage development and lot consolidation: 20 parcels in the El Camino Real/Downtown Specific Plan Area (Program H4.L), 4 parcels in the R-3 zone (Program H4.J), and 8 in C-4 or C-1-A zones (Program H4.I). The	Chapter 7: Site Inventory and Analysis Appendix 7-3: Development in Menlo Park Appendix 7-7: Housing Opportunity Sites and Redevelopment Factors	

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
		referenced programs will incentivize residential development on the parcels (see Appendix 7-7, column J). For large sites, two projects (one approved and one under review) in Appendix 7-3 are on parcels larger than 10 acres in size.		
7	Suitability of Nonvacant Sites: While the element includes a description of existing uses, it must also demonstrate the potential for additional development in the planning period. In addition, the element must analyze the extent that existing uses may impede additional residential development. The element should provide past experiences of similar developments on religious institution sites and commercial sites with remaining buildings. In addition, the element should clarify whether the entire parking lots are assumed to be developed, or only the City-Owned portion. Finally, Public commenters have pointed to various issues that may impact the potential for redevelopment in the planning period. These comments should be addressed, and programs (e.g., increasing allowable densities) should be added or modified as appropriate. In addition, for your information, the element relies on nonvacant sites to accommodate 50 percent or more of the housing needs for lower- income households, which triggers requirements to make findings based on substantial evidence that the existing use is not an impediment and will likely discontinue in the planning period. While the resolution of adoption includes findings, any changes to the analysis should be reflected in future re-adoption of the element, if necessary.	Housing Element Appendix 7-7: A new appendix has been developed to demonstrate the suitability of nonvacant sites by comparing the site inventory to recent developments in Menlo Park and the surrounding area. The sites are then identified with redevelopment factors (previous use, low improvement to land value ratio, older buildings, maximum FAR less than or equal to 0.5, etc.) and development incentives (density increases, whether the site is in a TCAC high/highest opportunity area, and/or whether the site is within a half-mile of transit). In response to public comments, the City Council will be evaluating the proposed zoning changes to implement related Housing Element programs during summer 2023 and may consider additional increases in density in certain areas of the city, such as the downtown, above those indicated in the Housing Element.	Appendix 7-7: Housing Opportunity Sites and Redevelopment Factors	

Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
8	City-Owned Sites: The element must include additional discussion on each of the City-Owned sites identified to accommodate the RHNA. Specifically, the analysis should address general plan designations, allowable densities, support for residential capacity assumptions, existing uses and any known conditions that preclude development in the planning period and the potential schedule for development. If zoning does not currently allow residential uses at appropriate densities, then the element must include programs to rezone sites pursuant to Government Code section 65583.2, subdivisions (h) and (i). The element should clarify whether any of the other City-Owned sites are considered for redevelopment. Lastly, while the element includes Program H4.G to comply with Surplus Lands Act, it must clarify whether the City commits to developing all of the City-Owned sites listed in the inventory or include a commitment to ensure at least the number of units assumed in the inventory will be developed between the identified sites.	Housing Element pages 7-29 through 7-31: Table 7-8 has been added to the Housing Element to address general plan designations, allowable densities, and other descriptive factors regarding the City-owned parking lots. The table also notes Program H4.D (modifications to the Affordable Housing Overlay) and the rezoning of the sites under Program H4.L to increase development potential on the sites. Under Program H4.G, the City will plan for the development of 345 or more affordable units on a combination of the City- owned parking lot sites while complying with the Surplus Lands Act. As part of the program, the City will grant additional points to proposals that address the city's most difficult to achieve housing priorities including providing a greater number of extremely low-, very low-, low-, and moderate- income units, or committing to make a percentage of the units preferential for people with special needs who will benefit from coordinated on-site services, such as for people living with disabilities, including developmental disabilities.	Chapter 7: Site Inventory and Analysis Chapter 8: Goals, Policies and Programs
9	Federally-Owned Sites and School Sites: While the element was revised to include some additional information on federally-owned sites, it should also include additional information on feasibility of development of the USGS and post office sites including time of the sale and whether the post office is likely to be redeveloped during the planning period. In addition, the element should analyze the feasibility of the VA development occurring during the planning period, and the disposition process and timing. The element must also ensure the school	Information regarding the USGS site was previously included in Chapter 7 of the Housing Element (pages 7-18 and 7-38). That information continues to provide an accurate history of the status of the site. In April 2023, the City received correspondence from the General Services Administration indicating that the USGS site is anticipated to be reoffered by public online auction in late 2024 after USGS completes its move to Moffett Field. The City will continue to coordinate with GSA and prospective buyers to communicate	Chapter 7: Site Inventory and Analysis

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	site will comply with Surplus Lands Act and whether the school district's plan is likely to move forward during the planning period. Lastly, if zoning does not currently allow residential uses at appropriate densities, then the element must include programs to rezone sites pursuant to Government Code section 65583.2, subdivisions (h) and (i). The element must provide additional support and describe whether the City has contacted the owners regarding feasibility of development on these sites and whether they will be available during the planning period.	the intent for affordable housing and school facilities as part of a desired future development program, consistent with the Housing Element sites inventory. The Planning Commission held a study session on the VA project at 795 Willow Road on May 15, 2023. Following a final review of an updated and coordinated plan set, the Community Development Director will consider whether to issue a letter of general compliance with the R-4- S zoning district. This letter would identify that the project is generally in compliance with the R-4-S zoning district and would enable MidPen to continue to compete for State funding for the proposed project. As stated previously, the applicant has separately applied for funding for the proposed project through the City's NOFA process. Given the continued progress of the project in 2023, it is reasonable to assume that the development could be permitted and constructed within the remainder of the planning period. Note: The Community Development Department has issued a letter of compliance and this update will be reflected in the revised Housing Element before submittal to HCD. In May 2023, the City received communication from the Ravenswood City School District that the former Flood School site was originally declared surplus in 2012, but out of an abundance of		

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
		<ul> <li>caution, the District will work with HCD to confirm that the Surplus Lands Act is followed as it continues with development of a project for the site within the planning period.</li> <li>Finally, based on discussions with HCD and community members and because of limited supporting evidence, the City is considering removal of the post office site at 3875 Bohannon Drive from the sites inventory. This would result in a reduction of 85 potential moderate-income units from the City's inventory, but would not affect the</li> </ul>		
10	Environmental Constraints: While the element was revised to describe hazardous materials, it must describe other conditions that could impact housing development in the planning period such as easements, shape, compatibility and other relevant factors.	City's ability to meet its RHNA. Housing Element page 7-52: A general description of any known environmental features (flood hazard, fire hazard) that have the potential to impact the development viability of the identified sites has been added, noting that none of the sites are in an identified Fire Hazard Severity Zone, nor are any sites in protected wetlands. 9 sites are located partially or fully in a 500-year flood area. The environmental assessment for the Housing Element contains a list of Mitigation Monitoring Programs that support this determination that no environmental features preclude development of the sites.	Chapter 7: Site Inventory and Analysis	
11	Electronic Sites Inventory: Although the City has submitted electronic sites inventory as described in the prior review, if any changes occur, the City should submit revisions as part of any future re- adoption or submittal. Please see HCD's housing element webpage at https://www.hcd.ca.gov/planning-and-community-	This comment has been noted and if the previously-submitted electronic sites inventory is modified as a result of any changes determined by the City Council, an updated version of the inventory will be submitted according to the instructions provided by HCD.	Appendix 7-1: Site Inventory	

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	development/housing-elements for additional information.			
12	Zoning for a Variety of Housing Types (Emergency Shelters): While the element states that the number of allowed beds is a constraint, it must describe the permit processing, all development, and management standards of the Homeless Overlay that allows emergency shelters by-right. The element should provide an analysis of proximity to transportation and services for these sites (other than the VA center), hazardous conditions, and any conditions inappropriate for human habitability. The element should describe whether any of the 26 parcels included in the overlay are feasible to develop with an emergency shelter. Lastly, program H3.G must commit to addressing all constraints, in addition to the bed requirement by a specific date. In addition, Chapter 654, Statutes of 2022 (AB 2339), adds specificity on how cities and counties plan for emergency shelters and ensure sufficient and suitable capacity. Future submittals of the housing element may need to address these statutory requirements. For additional information and timing requirements, please see HCD's memo at https://www.hcd.ca.gov/sites/default/files/docs/plann ing-and-community/ab2339-notice.pdf.	Housing Element pages 5-12 through 5-15: Additional narrative has been added to the Emergency Shelters section of Chapter 5, acknowledging that the City's standard of a maximum 16-bed capacity for emergency shelters for the homeless is a potential constraint and describing the permitting process; development standards; and an analysis of proximity to transportation and services, hazardous conditions, and habitability of the 26 sites within the Emergency Shelter for the Homeless Overlay regulated by Section 16.99 of the Municipal Code. Program H3.G, Zoning Text Amendments for Special Needs Housing (Housing Element page 8- 17), has been updated to expand the maximum number of beds in an emergency shelter from 16 to 30 and to reflect inclusion of the entire Veterans Affairs Medical Center site in the Overlay, as previously identified in the City's 2015 to 2023 (5th Cycle) Housing Element.	Chapter 5: Actual and Potential Constraints to Housing Chapter 8: Goals, Policies and Programs	
13	Land Use Controls: While the element was revised to remove the conditional use permit (CUP) for multifamily uses in the R4 zone, it should describe whether three stories are allowed without a use permit in the R-3, R3A, R3-C, C-2B, and R-MU	<ul> <li>The changes below have been made.</li> <li>Housing Element pages 5-24 and 5-25: Story Limits: Table 5-2 has been edited to note no story limits in the R-3, R-3-A, R-3-C, C-2-B, and R-MU zones</li> </ul>	Chapter 5: Actual and Potential Constraints to Housing	

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	zones where height limits are 35 feet or less. The element should also analyze the land use controls including landscaping, parking, and floor area ration (FAR) requirements in the R-3 zone and whether the development standards facilitate achieving maximum allowable densities. The element should also describe and analyze densities and development standards that are allowed in the Affordable Housing Overlay. In addition, the element must describe and analyze the X Conditional Development District approval findings and whether they pose a constraint. Lastly, the element should add programs as appropriate to address any identified constraints.	<ul> <li>Housing Element pages 5-26 and 5-27: R-3 Development Standards: An analysis of the R-3 standards has been added, noting that development standards may preclude maximum allowable densities. As a result, Program H4.J (Housing Element page 8-27) has been changed to indicate that development standards for the R-3 district will be modified to facilitate development proposals that can achieve the maximum allowable densities;</li> <li>Housing Element pages 5-19 and 5-20: AHO: Additional narrative regarding potential changes to the AHO has been added, with examples of recent use and a description of Program H4.D, which directs an update of the AHO to allow for densities of 100 dwelling units per acre or greater (when used in combination with the state density bonus program) and expansion of the AHO to encompass all sites in the housing inventory and and R-3 sites near downtown. (Program H4.D is located on Housing Element page 8- 24.)</li> <li>Housing Element pages 5-20 and 5-21: X District: Additional information has been added to indicate that the X district is a combining district that developers may voluntarily opt into to provide greater development flexibility and allow relief from standard zoning regulations. As a result, it is not a constraint, but a tool that may permit the</li> </ul>	Chapter 8: Goals, Policies and Programs	

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
		application of new and desirable development techniques.		
14	Density Bonus: While the element generally indicates the City's ordinance complies with State Density Bonus Law, it should describe the ordinance to support this conclusion and add or modify programs as appropriate. For example, the element could discuss the procedures, various levels of benefits (e.g., density, concessions and incentives, parking reductions), non-discretionary actions and burden of proof.	Housing Element page 5-19: Within the discussion of the City's proposed changes to the AHO and its expansion (Program H4.D), it has been stated that the updated AHO will be additive and can be combined with the state density bonus program, and also that incentives/concessions/waivers provided pursuant to the AHO can be combined with incentives/concessions/waivers available under state density bonus law. Additional incentives to be evaluated in the updated AHO include fee waivers, deferrals, or further reduction of other fees (such as traffic impact fees, recreation in-lieu fees, etc.); increased heights; reduced parking; and priority development review processing, among others.	Chapter 5: Actual and Potential Constraints to Housing	
15	Fees and Exaction: The element must describe all required fees for single-family and multifamily housing development, including impact fees, and analyze their impact as potential constraints on housing supply and affordability. While the element lists some standard fees in Table 5-4, it must list typical fees including, but not limited to, zone changes, general plan amendments, variances, site plans, specific plans, affordable housing in lieu fee, lot line adjustment, and other environmental fees. Based on the outcomes of the analysis, the element should include programs to address identified constraints.	Housing Element pages 5-29 through 5-38: Other required planning fees from the most recent Menlo Park Fee Schedule (2019) have been added into Table 5-4. Table 5-5 has been refined to capture updated information from Table 5-4. Programs H3.I (Housing Element page 8-18) and H4.D (Housing Element page 8-24) are referenced to note that fees for affordable housing projects may be reduced in exchange for providing a deed-restricted ADU affordable to low income households or affordable housing on sites where the AHO is applicable.	Chapter 5: Actual and Potential Constraints to Housing Chapter 8: Goals, Policies and Programs	

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
16	Local Processing and Permit Procedures: The element should clarify whether the typical processing time for approval in Table 5-8 is for both single- and multifamily developments. In addition, while the element states where in the City code findings for a CUP are located, the element should also describe and analyze the process and approval for a CUP. In addition, the element should analyze whether the listed findings for architectural control review are a constraint and add a program as appropriate.	Housing Element page 5-45: The chapter has been updated confirming that the City's current architectural control findings 1, 2, and 3 (in Section 16.68.020 of the Municipal Code) do not meet the State's definition of an objective standard. As a result, Program H7.A (Create Objective Residential Design Standards) (Housing Element page 8-39) has been updated to establish clear criteria for projects that require architectural control review.	Chapter 5: Actual and Potential Constraints to Housing Chapter 8: Goals, Policies and Programs	
17	Constraints on Housing for Persons with Disabilities: The element must include an analysis of zoning, development standards, building codes, and process and permit procedures as potential constraints on housing for persons with disabilities. In addition, while the element includes Program H3.A (Reasonable Accommodation) to remove the reasonable accommodation fee, the element must describe the findings and approval procedures and modify the program as appropriate. Lastly, Program H3.G Amendments for Special Needs) should also commit to amend permit procedures to allow group homes for seven or more persons with objectivity to facilitate approval certainty and similar to other residential uses of the same form.	<ul> <li>The changes below have been made.</li> <li>Housing Element pages 5-49 through 5-51: Chapter 5 has been updated with additional discussion regarding constraints on housing for persons with disabilities, with a focus on the City's reasonable accommodation regulations. Program H3.A (Housing Element pages 8-13 and 8-14) has been modified to commit to updating the City's reasonable accommodation procedures to eliminate subjective findings for consistency in compliance with guidance from the Department of Housing and Urban Development and the Department of Justice.</li> <li>Housing Element page 8-17: Program H3.G has been modified to read that group homes would be allowed "similar to other residential uses of the same form in the same zone, subject to only those limitations authorized by and consistent with state law and fair housing requirements."</li> </ul>	Chapter 5: Actual and Potential Constraints to Housing Chapter 8: Goals, Policies and Programs	

Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
18	While the element was revised to include expiration dates on most at-risk properties, it must also identify public and nonprofit corporations known to the City to have the legal and managerial capacity to acquire and manage at-risk units (Qualified Entities). HCD will send a list of qualified entities under separate cover.	Housing Element page 3-38: A new "Administrative Resources" section has been added to Chapter 3 describing the role and current operations of Habitat for Humanity, HIP Housing, LifeMoves, MidPen Housing, and Peninsula Volunteers in Menlo Park. These organizations may serve as resources in implementation of the City's housing activities based on their demonstrated ability to acquire and manage affordable housing and at-risk units in Menlo Park.	Chapter 3: Housing Conditions and Trends
19	<ul> <li>To address the program requirements of Government Code section 65583, subdivision (c)(1- 6), and to facilitate implementation, programs should include: (1) a description of the City's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include the following:</li> <li>Program H2.C (Assist in Implementing Housing Rehabilitation Programs): The program should be revised to include proactive outreach.</li> <li>Program H3.E (Continue Support for Countywide Homeless Programs): The program was not revised. The program should describe what the City is doing to implement the results of the check-in meetings. The program should also include timing of implementing the resulting actions.</li> <li>Program H3.H (Inclusionary Accessible Units): While the program was revised, it should describe actions the City will take to encourage</li> </ul>	<ul> <li>The changes below have been made.</li> <li>Housing Element pages 8-9 and 8-10: Program H2.C has been updated to specify that outreach will be conducted.</li> <li>Housing Element pages 8-15 and 8-16: Program H3.E has been modified to commit to involvement of the City's Housing Division staff in the LifeMoves Homeless Outreach Team meetings along with continued participation of the City's Police department, and consider the potential for assisting with funding a LifeMoves case manager that would be able to concentrate on assistance to homeless persons in Menlo Park, as has been done by other Bay Area cities. City staff will work to ensure that outreach and assistance is provided to areas with the most identified needs (Downtown, Belle Haven, and the Bayfront).</li> <li>Housing Element page 8-18: Program H3.H has been revised to specify what type of incentives may be provided for accessible</li> </ul>	Chapter 8: Goals, Policies and Programs

	Summary of Responses to April 7, 2023 HCD Comment Letter			
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	the units and whether incentives will be provided.	units in the AHO, such as a density bonus of 1.5 affordable units for every fully accessible affordable unit provided. The specific incentives incorporated into to the AHO and BMR program guidelines will be included in a Housing Element Annual Progress Report to HCD and on the City's website.		
20	Shortfall of Adequate Sites: While program H4.K (Rezone for Lower-Income Shortfall) [sic], the program cited the wrong government code. The program must commit to identify sites with appropriate zoning to accommodate the regional housing need within the planning period. The program should identify the shortfall by income group, acreage, allowable densities, appropriate development standards and meet all by right requirements pursuant to Government Code section 65583.2, subdivisions (h) and (i), including but not limited to permitting multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households. In addition, the element must clarify whether programs H4.I (Create New Opportunities for Mixed-Use Development), H4.J (Increase Residential Density), H4.L (Modify EI Camino Real/Downtown Specific Plan), and H4.T (Residential Overlay) are needed to meet the City's RHNA, and if so, address the requirements above. Lastly, timing of the rezone program states "within one year of housing element adoption", this should be revised to be completed within the first year of the planning period.	<ul> <li>The changes below have been made.</li> <li>Housing Element page 8-27: Program H4.K has been updated to cite the correct government code sections and indicates that the City will permit multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households and specifies a completion timeframe of January 2024 (i.e., within the first year of the planning period).</li> <li>Housing Element page 8-31: Program H4.T has been updated to indicate a timeframe of completion within the first year of the planning period.</li> <li>Programs H4.J and H4.L (Housing Element pages 8-27 and 8-28) are not required to meet the City's RHNA, but Programs H4.I (Housing Element page 8-31) are necessary. However, the zoning changes in these programs are specified in the Housing Element as to be completed by January 2024 (i.e., within the first year of the planning period).</li> </ul>	Chapter 8: Goals, Policies and Programs	
21	Program H4.G (Prioritize Affordable Housing on City-Owned Parking Lots Downtown): While the	Housing Element page 8-26: Program H4.G has been modified to note that the City commits to	Chapter 8: Goals, Policies and Programs	

	Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised	
	program was revised to commit to the Surplus Lands Act requirements, it does not commit to develop all sites. The program must either commit to develop all parking lot sites or commit to develop the total number of units assumed in the inventory on the City-Owned sites.	develop, at a minimum, a total of 345 units on a combination of parking lot sites "consistent with the Housing Element sites inventory." Housing Element page 7-30 provides more information about the program in Chapter 7.		
22	As noted in Finding A3, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, Program H4.M (Update Parking Requirements and Design Standards) should clarify what parking requirements will be reduced and ensure updates will result in addressing constraints on development.	Housing Element page 5-24: Table 5-2 has been updated with a new asterisk noting that "Program H4.M will revise parking standards so that only 1 space is required for a studio unit, and 1.25 spaces is required for a 1-bedroom unit, inclusive of guest parking." (Program H4.M is described on Housing Element page 8-28.)	Chapter 5: Actual and Potential Constraints to Housing	
23	As noted in Finding A1, the element requires a complete Affirmatively Furthering Fair Housing (AFFH) analysis. The element must be revised to add goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics, and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in higher opportunity or relatively higher-income areas, place- based strategies for community preservation and	Housing Element pages 4-87 through 4-93: Based on the additional analysis performed, Table 4-26 has been expanded to cover more place-based strategies and community benefits to address fair housing issues, relevant actions have been further described, and geographic targets have been more clearly specified.	Chapter 4: Affirmatively Furthering Fair Housing	

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	revitalization and displacement protection. While some programs include metrics and milestones, additional programs that AFFH should also include them as well. In addition, geographic targets should be more focused and include high and highest opportunity areas or areas of higher income when appropriate.		
24	While the element was revised to include quantified objectives, it should include specific rehabilitation and conservation objectives by income group for extremely-low income and very low-income households instead of aggregating objectives.	Housing Element page 7-53: In Table 7-16, rehabilitation objectives and conservation objectives have been provided separately, with the objectives in both categories being targeted toward very low-income units.	Chapter 7: Site Inventory and Analysis

# **Community Development**



# STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

Public Hearing:

Consider and make a recommendation to the City Council on proposed amendments to the City of Menlo Park General Plan land use map and zoning map for the parcel at 512 Durham Street and a portion of a parcel at 687 Bay Road for consistency with recently-adopted amendments to implement zoning-related programs in the adopted 2023-2031 Housing Element; determine this action is consistent with a previously-certified subsequent environmental impact report under the California Environmental Quality Act

#### Recommendation

Staff recommends that the Planning Commission review and adopt a resolution recommending the City Council amend the General Plan land use map and zoning map for two parcels, 512 Durham Street and 687 Bay Road, for consistency with actions on the 2023-2031 6<sup>th</sup> Cycle Housing Element General Plan amendments adopted by City Council on Nov. 28, 2023 and zoning-related amendments adopted on Dec. 5, 2023. The draft Planning Commission resolution is included as Attachment A and the draft City Council resolution and ordinance are included as Exhibits 1 and 2 to Attachment A.

1/8/2024

24-005-PC

## **Policy Issues**

The Housing Element contains programs committing the City to implement zoning changes to increase permitted densities within certain zoning districts and on Housing Element inventory sites within a one-year timeframe from adoption of the Housing Element. The City Council adopted these changes on Nov. 28 and Dec. 5, 2023, prior to the Jan. 31, 2024 deadline. Since the adoption of the amendments, staff has identified two parcels with unique zoning that were not fully rezoned to the new C-MU (Neighborhood Mixed Use) district created under the adopted amendments to implement Housing Element program H4.I.

The Planning Commission and ultimately the City Council will need to consider the merits of the proposed amendments to the General Plan land use map and zoning map and consistency with the General Plan, Municipal Code, zoning map, and other adopted policies and programs. The City Council will be the final decision-making body on the proposed General Plan and zoning amendments, and is tentatively anticipated to review the proposed actions at a Feb. 13, 2024 meeting, with adoption of the proposed ordinance on Feb. 27.

#### Background

On Oct. 23, 2023 and Nov. 6, the Planning Commission held public hearings to discuss proposed amendments necessary to implement zoning-related programs in the Housing Element. The Nov. 6 staff

report (Attachment B) details the recommended modifications to the General Plan, El Camino Real/Downtown Specific Plan (Specific Plan), Zoning Ordinance and zoning map, and outlines minor changes based on feedback from the Oct. 23 meeting. On Nov. 6, the Planning Commission recommended that the City Council adopt the proposed resolutions and ordinances as recommended by staff.

On Nov. 28, the City Council conducted a public hearing and adopted resolutions amending the General Plan Land Use Element and map and Specific Plan, and introduced ordinances amending the Zoning Ordinance and zoning map, with modifications, to implement the zoning-related Housing Element programs. On Dec. 5, the ordinances were adopted by City Council and became effective Jan. 4, 2024.

As part of implementation of Housing Element program H4.I, the City Council adopted an ordinance creating the C-MU district to allow new and/or increased opportunities for residential and/or mixed use developments with a density of up to 30 dwelling units per acre (du/ac) on sites that previously allowed only nonresidential uses or lower residential densities. The C-MU zoning regulations are included as Attachment C. A map of the parcels previously rezoned C-MU is included as Attachment D.

# Analysis

Following adoption of the City Council resolutions and ordinances, staff identified two sites with unique zoning characteristics that resulted in only a portion of each site being rezoned to the new C-MU district, with the remainder of each site maintaining its existing zoning. The two sites are located at 687 Bay Road and 512 Durham Street. Neither of these sites were included in the Housing Element sites inventory to provide capacity for lower income households. Staff recommends amending the zoning designations, and associated General Plan land use designation as applicable, for the sites to create uniform C-MU zoning on both properties. The two sites and proposed modifications are described briefly below.

## 687 Bay Road

687 Bay Road is a single parcel located between Windermere Avenue and Hollyburne Avenue in the Suburban Park/Flood Triangle neighborhood. The parcel has an existing General Plan land use designation of Retail/Commercial that predated the Housing Element-related zoning amendments, and is occupied by an office building and surface parking lot. Although the parcel has one General Plan land use designation, it has split zoning, where the portion of the parcel containing the office building is zoned C-MU and the remainder (the parking lot) is zoned R-1-U (Single Family Urban Residential). The adjacent parcel to the east (along Bay Road) is zoned C-MU, parcels to the south (across Bay Road) are zoned P-F (Public Facilities) and are part of the Veterans Affairs Medical Center campus, and parcels to the west and north are zoned R-1-U.

The proposed zoning map amendment to apply C-MU zoning across the R-1-U portion of the parcel would create consistency with the existing commercial land use and General Plan land use designation, streamline zoning implementation for future development on the site, and further implement Housing Element program H4.I as intended through the recently-approved Housing Element Update zoning amendments. At this time, staff is not aware of any planned redevelopment of the property. A map of the proposed zoning map amendment for 687 Bay Road is included in Attachment A, Exhibit 2.

## 512 Durham Street

512 Durham Street is one parcel of a two-parcel site that includes 812 Willow Road and comprises El Rancho Market. The site is located in the Willows neighborhood at the corner of Willow Road and Durham Street. The Veterans Affairs Medical Center is located across Willow Road from the subject site. The

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subject parcel provides parking and circulation for the market, which is located on the adjacent Willow Road parcel. 512 Durham Street has an existing General Plan land use designation of Low Density Residential, while 812 Willow Road has an existing General Plan land use designation of Retail/Commercial. The Durham Street parcel is zoned R-1-U and the Willow Road parcel is zoned C-MU. Adjacent parcels to the west of the Durham Street parcel along Willow Road are zoned C-MU, while immediately adjacent parcels to the north, east, and south are zoned R-1-U.

The proposed General Plan land use map amendment from Low Density Residential to Retail/Commercial land use and zoning map amendment to apply C-MU zoning to the subject parcel would allow the entire El Rancho Market site to have a single land use designation and zoning that is consistent with the existing use of the site. The proposed changes would also streamline zoning implementation for future development on the site, and further implement Housing Element H4.I as intended through the recently-approved Housing Element Update zoning amendments. At this time, staff is not aware of any planned redevelopment of the property. Maps of the proposed General Plan land use map and zoning map amendments for 512 Durham Street are included in Attachment A, Exhibits 1 and 2.

## Conclusion

While it would be possible in theory to redevelop each site under split/mixed zoning, there may be financial and/or technical challenges to creating a viable development under the more complex zoning arrangements. Split/mixed zoning on the two sites would also limit the maximum number of housing units that could be developed. Rezoning the properties to create consistent zoning across each development site could potentially yield up to approximately six more units on the 687 Bay Road parcel and approximately five additional units at the 812 Willow Road/512 Durham Street site, assuming the parcels were developed with residential uses or mixed uses with multifamily housing and nonresidential uses. The proposed changes would be more consistent with nature of the uses already occupying each parcel, would streamline future redevelopment, and would create additional housing opportunities consistent with the recent Housing Element Update zoning amendments.

## Correspondence

As of the writing of this report, staff has not received any correspondence.

## Impact on City Resources

As part of the fiscal year 2020-21 budget, the City Council appropriated nearly \$1.5 million from the general fund to support the Housing Element Update (including preparation of the subsequent environmental impact report (SEIR)), which is a City Council priority. The contract was subsequently amended to accommodate additional revisions, meetings and outreach. Most recently, on Oct. 24, 2023, the City Council approved an additional budget augment for a contract total of \$1,700,212 to ensure the continued involvement of project consultants in conducting public engagement and finalizing the documents and tasks necessary to complete the project.

#### **Environmental Review**

As part of the Housing Element Update project (i.e., Housing Element and Safety Element updates, a new Environmental Justice Element, and associated changes including zoning amendments), a Subsequent Environmental Impact Report (SCH Number 1990030530) (SEIR) was prepared. On Jan. 31, 2023, the City Council adopted Resolution No. 6808 certifying the SEIR and taking associated California Environmental Quality Act (CEQA) actions.

An addendum to the SEIR was prepared to reflect the City Council's direction to study increased densities, primarily in the Specific Plan area, above those studied in the SEIR. The addendum concluded that the adopted General Plan, Specific Plan, Zoning Ordinance, and zoning map amendments were covered by the previously-certified SEIR and no supplemental or subsequent EIR was required for the proposed amendments because none of the circumstances requiring a supplemental EIR or subsequent EIR existed (CEQA Guidelines §15162).

The proposed amendments for zoning consistency would remain consistent with the conclusions of the SEIR and addendum and none of the circumstances requiring a supplemental EIR or subsequent EIR existed (CEQA Guidelines §15162).

# **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 properties.

# Attachments

- A. Resolution recommending the City Council amend the General Plan land use map and zoning map <u>Exhibits to Attachment A</u>
  - 1. Draft City Council resolution adopting an amendment to the land use map of the General Plan to change the land use designation of the parcel at 512 Durham Street from Low Density Residential to Retail/Commercial to create new opportunities for mixed-use development
  - 2. Draft City Council ordinance adopting an amendment rezoning a parcel at 512 Durham Street and a portion of a parcel at 687 Bay Road from R-1-U to C-MU create new opportunities for mixed-use development
- B. Hyperlink Nov. 6 Planning Commission staff report: https://menlopark.gov/files/sharedassets/public/v/4/agendas-and-minutes/planning-commission/2023meetings/agendas/20231106-planning-commission-agenda-packet.pdf
- C. C-MU (Neighborhood Mixed Use) zoning regulations
- D. Map of C-MU-zoned parcels

Report prepared by: Tom Smith, Principal Planner

Report reviewed by: Deanna Chow, Community Development Director Mary Wagner, Assistant City Attorney

#### PLANNING COMMISSION RESOLUTION NO. 2024-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK RECOMMENDING THE CITY COUNCIL ADOPT A RESOLUTION AND ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND ZONING MAP FOR PARCELS LOCATED AT 512 DURHAM STREET AND 687 BAY ROAD TO FURTHER IMPLEMENT ZONING-RELATED PROGRAM H4.I, CREATE NEW OPPORTUNITIES FOR MIXED-USE DEVELOPMENT, FROM THE 2023 TO 2031 HOUSING ELEMENT

WHEREAS, beginning in 2021, the City undertook a multi-year process with extensive public outreach, community engagement, and public hearings to update the City's General Plan Housing Element as part of the Housing Element Update project, and adopted a Housing Element on January 31, 2023; and

**WHEREAS**, previously, on December 8, 2021, the City Council conducted a public meeting and reviewed and recommended potential land use strategies for the Housing Element, and from that meeting the strategies were developed into programs included in Chapter 8 of the adopted Housing Element; and

WHEREAS, the adopted Housing Element includes Program H4.I, Create New Opportunities for Mixed-Use Development, to adopt General Plan Land Use Element and Zoning Ordinance amendments (and other related actions) to allow only residential uses and/or mixed-use developments with a density of up to 30 dwelling units per acre in existing non-residential zones (and a density of up to 60 dwelling units per acre in the C-2 district); and

**WHEREAS**, the Planning Commission held a study session on August 14, 2023, to discuss proposed General Plan, Specific Plan, Zoning Ordinance, and zoning map amendments necessary to implement the programs within the Housing Element; and

**WHEREAS**, the City Council held a study session on August 22, 2023 to discuss proposed General Plan, Zoning Ordinance, zoning map, and El Camino Real/Downtown Specific Plan amendments necessary to implement the programs within the Housing Element; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 23, 2023 that was continued to November 6, 2023 to fully review, consider, and evaluate amendments to the General Plan Land Use Element and land use map, amendments to Title 16 of the Menlo Park Municipal Code, and subsequent zoning map amendments ("rezonings") prior to recommending actions to the City Council; and

**WHEREAS**, after due consideration of the proposed amendments to the General Plan, Title 16 and the rezoning of certain properties, public comments, and the staff report, the Planning Commission recommended that the proposed amendments and rezoning of properties was consistent with the General Plan and is appropriate; and

**WHEREAS**, the City Council held a duly noticed public hearing on December 5, 2023, and after due consideration of the proposed amendments to the General Plan, Title 16 and the rezoning of certain properties, public comments, the Planning Commission's recommendation, a subsequent environmental impact report ("SEIR"), an addendum to the SEIR, and the staff

report, the City Council found that the proposed amendments and rezoning of properties was consistent with the General Plan and was appropriate; and

**WHEREAS**, following adoption of the amendments, City staff identified a parcel at 512 Durham Street (Assessor's Parcel Number 062-205-170), which has a Low Density Residential General Plan land use designation and is zoned R-1-U (Single Family Urban Residential); and

WHEREAS, the parcel at 512 Durham Street provides parking and circulation as part of a nonresidential development located at an adjacent parcel at 812 Willow Road that has a Retail/Commercial General Plan land use designation and C-MU (Neighborhood Mixed Use) zoning; and

WHEREAS, an amendment to change the land use designation of the parcel at 512 Durham Street from Low Density Residential to Retail/Commercial would allow the parcel to be rezoned C-MU in the interest of creating consistent zoning for the entire site and providing additional opportunities for the creation of new housing units to further implement Housing Element program H4.I; and

**WHEREAS**, City staff identified a second development site at 687 Bay Road with a Retail/Commercial General Plan land use designation, but split C-MU and R-1-U zoning; and

**WHEREAS**, rezoning the R-1-U portion of the 687 Bay Road parcel to C-MU would create consistent zoning for the entire parcel and provide additional opportunities for the creation of new housing units to further implement Housing Element program H4.I; and

**WHEREAS**, the proposed amendments to the General Plan land use map and zoning map would be internally consistent.

#### NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MENLO PARK HEREBY RESOLVES AS FOLLOWS:

**Section 1. Recitals.** The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided, and the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

**Section 2. Recommendation.** Having fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter, the Planning Commission recommends that the City Council vote to adopt a resolution and ordinance amending the General Plan land use map and zoning map as fully described in **Exhibits 1 and 2** of this resolution.

**Section 3. Severability.** If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Planning Commission hereby declares that it would have recommended this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

**Section 4. Compliance with CEQA.** The Planning Commission hereby finds and recommends that the action to adopt this Resolution and the amendments to the General Plan Land Use map and zoning map were considered within the Subsequent Environmental Impact Report (SCH

#2015062054) (SEIR) for the Housing Element Update project, certified by Council Resolution No. 6808, adopted January 31, 2023. No supplemental or subsequent EIR is required because none of the circumstances requiring a supplemental or subsequent EIR exist (CEQA Guidelines Section 15162):

- a. No substantial changes are proposed in the project which will require major revisions of the previous SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The General Plan and zoning map amendments do not create any additional environmental impacts.
- b. No substantial changes have occurred with respect to the circumstances under which the project is undertaken. The SEIR was certified in January 2023, and no substantial evidence has been submitted showing any change in the circumstances applicable to the project.
- c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous SEIR was certified as complete, has been submitted to the City.

I, Kyle Perata, Assistant Community Development Director of the City of Menlo Park, do hereby certify that the above and foregoing Planning Commission resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on January 8, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_\_ day of January, 2024.

Kyle Perata Assistant Community Development Director City of Menlo Park

Exhibits

- 1. Draft City Council resolution amending the General Plan land use map for 512 Durham Street
- 2. Draft City Council ordinance amending the zoning map for 512 Durham Street and 687 Bay Road

#### DRAFT CITY COUNCIL RESOLUTION NO. XXXX

DRAFT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO AMEND THE GENERAL PLAN LAND USE DESIGNATION OF 512 DURHAM STREET (ASSESSOR'S PARCEL NUMBER 062-205-170) FROM LOW DENSITY RESIDENTIAL TO RETAIL/COMMERCIAL ASSOCIATED WITH THE IMPLEMENTATION OF HOUSING ELEMENT PROGRAM H4.I, CREATE NEW OPPORTUNITIES FOR MIXED-USE DEVELOPMENT, AND DETERMINE THAT THE AMENDMENT WAS CONSIDERED WITHIN THE HOUSING ELEMENT UPDATE SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

**WHEREAS**, the City of Menlo Park General Plan provides a framework for land use and planning decisions, including the General Plan Land Use Element last updated as part of the Housing Element Update project in November 2023; and

WHEREAS, beginning in 2021, the City undertook a multi-year process with extensive public outreach, community engagement, and public hearings to update the City's General Plan Housing Element as part of the Housing Element Update project, and adopted a Housing Element on January 31, 2023; and

WHEREAS, on December 8, 2021, the City Council conducted a public meeting and reviewed and recommended potential land use strategies for the Housing Element, and among those was a strategy to modify the city's retail/commercial zoning districts to allow for residential uses and other potential development standards to encourage the production of mixed-use developments; and

**WHEREAS**, on May 11, 2022, the City released a draft Housing Element containing policies and programs to help the City meet its Regional Housing Needs Allocation (RHNA), including programs to rezone properties and amend the Zoning Ordinance to encourage the development of new residential uses on identified nonresidential zoned sites; and

**WHEREAS**, on January 31, 2023, the City adopted the Housing Element, including Housing Element Policy H4.4, Mixed-Use Housing, to encourage well-designed residential mixed-use developments where residential use is appropriate to the setting, in proximity to transit and other services, within certain existing non-residential zoning districts; and

**WHEREAS**, the adopted Housing Element includes Policy H4.5, Redevelopment of Commercial Shopping Areas and Sites, to encourage housing development in conjunction with the redevelopment of commercial shopping areas and sites; and

WHEREAS, the adopted Housing Element includes Program H4.I, Create New Opportunities for Mixed-Use Development, to adopt Zoning Ordinance amendments (and other related actions) to allow only residential uses and/or mixed-use developments with a density of up to 30 dwelling units per acre in existing non-residential and low-density residential zones; and

**WHEREAS**, the Planning Commission held a study session on August 14, 2023, to discuss the proposed General Plan, Zoning Ordinance, zoning map, and El Camino Real/Downtown Specific Plan amendments necessary to implement the programs within the Housing Element, including Program H4.I; and

**WHEREAS**, the City Council held a study session on August 22, 2023 to discuss the proposed General Plan, Zoning Ordinance, zoning map, and El Camino Real/Downtown Specific Plan amendments necessary to implement the programs within the Housing Element, including Program H4.I; and

**WHEREAS**, amendments to the City of Menlo Park General Plan Land Use Element were necessary to implement Housing Element Program H4.I, including the creation of a new Neighborhood Mixed Use (C-MU) zoning district that would allow a mix of residential and/or nonresidential land uses, especially on sites along major corridors in the city; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 23, 2023 that was continued to November 6, 2023 to review and consider amendments to the General Plan Land Use Element and land use map, amendments to Title 16 of the Menlo Park Municipal Code, and subsequent zoning map amendments ("rezonings"), and adopted Planning Commission Resolution No. 2023-54 recommending that the City Council adopt the amendments, where all interested persons had the opportunity to appear and comment; and

WHEREAS, the City Council held a duly noticed public hearing on December 5, 2023, and after due consideration of the proposed amendments to Title 16 and the rezoning of certain properties, public comments, the Planning Commission's recommendation, and the staff report, the City Council found that the proposed amendments and rezoning of properties was consistent with the General Plan and was appropriate; and

**WHEREAS**, following adoption of the amendments, City staff identified a parcel at 512 Durham Street (Assessor's Parcel Number 062-205-170), which has a Low Density Residential General Plan land use designation and is zoned R-1-U (Single Family Urban Residential); and

WHEREAS, the parcel at 512 Durham Street provides parking and circulation as part of a nonresidential development including an adjacent parcel at 812 Willow Road with a Retail/Commercial General Plan land use designation and C-MU (Neighborhood Mixed Use) zoning; and

**WHEREAS**, an amendment to change the land use designation of the parcel at 512 Durham Street from Low Density Residential to Retail/Commercial (<u>Exhibit A</u>) would then allow the parcel to be rezoned C-MU in the interest of creating consistent zoning for the entire parcel and providing additional opportunities for the creation of new housing units; and

**WHEREAS**, the proposed amendments to the General Plan are internally consistent; and

WHEREAS, the City, as the lead agency, pursuant to CEQA and the CEQA Guidelines previously prepared and certified the Housing Element Update Subsequent EIR (SCH #2015062054) ("SEIR") in January 2023; and

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

**WHEREAS**, at a duly and properly noticed public hearing held on January 8, 2024, the Planning Commission considered the previously-certified SEIR and an addendum as part of its consideration of the proposed amendment to the land use map of the General Plan, prior to making a determination on its recommendation to the City Council; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter, voted to recommend that the City Council of the City of Menlo Park make findings that the proposed amendment to the land use map of the General Plan are in compliance with all applicable State regulations and the City's General Plan, and adopt a resolution approving the proposed land use map amendment.

# NOW, THEREFORE, THE MENLO PARK CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

**Section 1. Recitals.** The City Council has considered the full record before it, which may include but is not limited to such items as the staff report, public testimony, SEIR, the Planning Commission's review and recommendation, and other materials and evidence submitted or provided, and the City Council finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

**Section 2. Compliance with CEQA.** The City Council of the City of Menlo Park does hereby finds that the action to adopt this Resolution and the amendment to the General Plan Land Use map were considered within the Subsequent Environmental Impact Report (SCH #2015062054) (SEIR) for the Housing Element Update project, certified by Council Resolution No. 6808, adopted January 31, 2023. No supplemental or subsequent EIR is required because none of the circumstances requiring a supplemental or subsequent EIR exist (CEQA Guidelines Section 15162):

- a. No substantial changes are proposed in the amendments to the General Plan which will require major revisions of the previous SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The General Plan amendment does not create any additional environmental impacts.
- b. No substantial changes have occurred with respect to the circumstances under which the project is undertaken. The SEIR was certified in January 2023, and no substantial evidence has been submitted showing any change in the circumstances applicable to the project.
- c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous SEIR was certified as complete, has been submitted to the City.

**Section 3. Findings.** The City Council of the City of Menlo Park does hereby make the following findings:

- The amendment to the land use map of the General Plan is necessary to allow the City Council to further implement Housing Element Program H4.I to correct a previous zoning oversight and create consistent zoning for a two-parcel nonresidential development with mixed General Plan land use and zoning, and create new opportunities for mixed-use development in the C-MU commercial zoning district.
- 2. The amendment to land use map in the Land Use Element of the General Plan is consistent with the objectives, policies, general land uses and programs specified in the General Plan.

## Section 4. Severability.

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining

provisions of these findings, or their application to other actions related to the Housing Element Update, shall continue in full force and effect unless amended or modified by the City.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the \_\_\_\_ day of \_\_\_\_, 2024, by the following votes:

AYES:

NOES:

ABSENT:

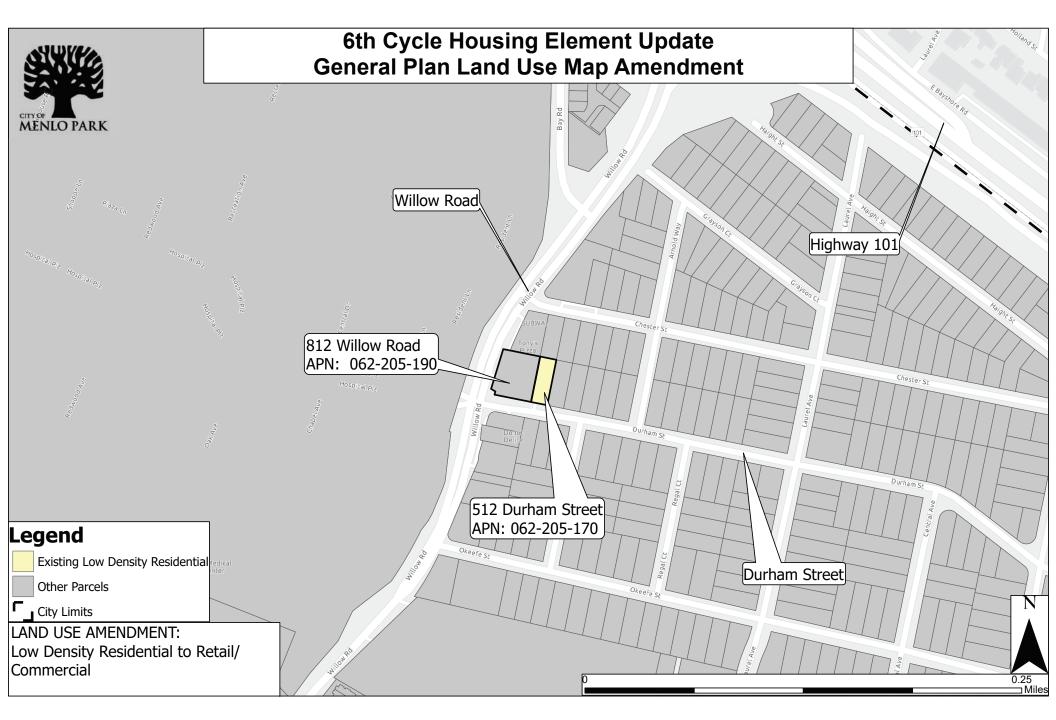
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_ day of \_\_\_\_, 2024.

Judi A. Herren, City Clerk

Exhibits

A. General Plan Land Use Map Amendment: Low Density Residential to Retail/Commercial



#### DRAFT CITY COUNCIL ORDINANCE NO. XXXX

DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK REZONING A PARCEL AT 512 DURHAM STREET (ASSESSOR'S PARCEL NUMBER 062-205-170) AND A PORTION OF A PARCEL AT 687 BAY ROAD (ASSESSOR'S PARCEL NUMBER 062-062-230) FROM R-1-U TO C-MU TO IMPLEMENT HOUSING ELEMENT PROGRAM H4.I AND CREATE NEW OPPORTUNITIES FOR MIXED-USE DEVELOPMENT, AND DETERMINE THAT THE AMENDMENT WAS CONSIDERED WITHIN THE HOUSING ELEMENT UPDATE SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

**WHEREAS**, beginning in 2021, the City undertook a multi-year process with extensive public outreach, community engagement, and public hearings to update the City's General Plan Housing Element as part of the Housing Element Update project, and adopted a Housing Element on January 31, 2023; and

WHEREAS, previously, on December 8, 2021, the City Council conducted a public meeting and reviewed and recommended potential land use strategies for the Housing Element, and among those was a strategy to modify the city's retail/commercial zoning districts to allow for residential uses and other potential development standards to encourage the production of mixed-use developments; and

**WHEREAS**, on January 31, 2023, the City adopted the Housing Element, including Housing Element Policy H4.4, Mixed-Use Housing, to encourage well-designed residential mixed-use developments where residential use is appropriate to the setting, and proximate to transit and other services, within certain existing non-residential zoning districts; and

**WHEREAS**, the adopted Housing Element includes Policy H4.5, Redevelopment of Commercial Shopping Areas and Sites, to encourage housing development in conjunction with the redevelopment of commercial shopping areas and sites; and

**WHEREAS**, the adopted Housing Element includes Program H4.I, Create New Opportunities for Mixed-Use Development, to adopt Zoning Ordinance amendments (and other related actions) to allow only residential uses and/or mixed-use developments with a density of up to 30 dwelling units per acre in existing non-residential zones; and

**WHEREAS**, the Planning Commission held a study session on August 14, 2023, to discuss proposed General Plan, Zoning Ordinance, zoning map, and El Camino Real/Downtown Specific Plan amendments necessary to implement the programs within the Housing Element, including Program H4.I; and

**WHEREAS**, the City Council held a study session on August 22, 2023 to discuss proposed General Plan, Zoning Ordinance, zoning map, and El Camino Real/Downtown Specific Plan amendments necessary to implement the programs within the Housing Element, including Program H4.I; and

WHEREAS, City staff determined that amendments to the City of Menlo Park General Plan Land Use Element were necessary to implement Housing Element Program H4.I, including the creation of a new Neighborhood Mixed Use (C-MU) zoning district that would allow a mix of residential and/or nonresidential land uses, especially on sites along major corridors in the city; and WHEREAS, the Planning Commission held a duly noticed public hearing on October 23, 2023 that was continued to November 6, 2023 to review and consider amendments to the General Plan Land Use Element, amendments to Title 16 of the Menlo Park Municipal Code, and subsequent zoning map amendments ("rezonings"), and adopted Planning Commission Resolution No. 2023-54 recommending that the City Council adopt the amendments, where all interested persons had the opportunity to appear and comment; and

WHEREAS, the City Council held duly noticed public hearings on November 28 and December 5, 2023, and after due consideration of the proposed amendments to Title 16 and the rezoning of certain properties, public comments, the Planning Commission's recommendation, and the staff report, the City Council found that the proposed amendments and rezoning of properties was consistent with the General Plan and was appropriate; and

**WHEREAS**, following adoption of the amendments, City staff identified a parcel at 512 Durham Street (Assessor's Parcel Number 062-205-170), which has R-1-U (Single Family Urban Residential) zoning; and

**WHEREAS**, the parcel at 512 Durham Street provides parking and circulation as part of a nonresidential development including an adjacent parcel at 812 Willow Road (Assessor's Parcel Number 062-205-190) with C-MU (Neighborhood Mixed Use) zoning; and

**WHEREAS**, an amendment to rezone the parcel at 512 Durham Street from R-1-U to C-MU (<u>Exhibit A</u>) would create consistent zoning for the entire development site and provide additional opportunities for the creation of new housing units; and

**WHEREAS**, following adoption of the amendments, City staff identified a second parcel at 687 Bay Road, which has split C-MU and R-1-U zoning; and

**WHEREAS**, the R-1-U-zoned portion of the parcel provides parking for the portion of the parcel with C-MU (Neighborhood Mixed Use) zoning; and

**WHEREAS**, an amendment to rezone the portion of parcel at 687 Bay Road from R-1-U to C-MU (<u>Exhibit B</u>) would create consistent zoning for the entire development site and provide additional opportunities for the creation of new housing units; and

**WHEREAS**, the rezoning of properties identified in <u>Exhibits A and B</u> is consistent with the General Plan land use designation of Retail/Commercial; and

**WHEREAS**, after due consideration of the proposed amendments to Title 16 and the rezoning of certain properties, public comments, the Planning Commission's recommendation, and the staff report, the City Council finds that the proposed amendments and rezoning of properties as identified herein is consistent with the General Plan and is appropriate.

# NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MENLO PARK:

**Section 1. Findings.** The above recitals are hereby declared to be true and correct findings of the City Council of the City of Menlo Park.

**Section 2.** Zoning Map Amendment. The zoning map of the City of Menlo Park is hereby amended such that certain real properties as identified in <u>Exhibits A and B</u> are rezoned to the C-MU (Neighborhood Mixed Use) zoning district;

**Section 3. Severability.** If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

**Section 4. Compliance with CEQA.** The City Council hereby finds that the action to adopt this Ordinance was considered within the Subsequent Environmental Impact Report (SCH #2015062054) (SEIR) for the Housing Element Update project, certified by Council Resolution No. 6808, adopted January 31, 2023, and the addendum to the SEIR adopted December 5, 2023. No supplemental or subsequent EIR is required because none of the circumstances requiring a supplemental or subsequent EIR exist (CEQA Guidelines Section 15162):

- a. No substantial changes are proposed in the project which will require major revisions of the previous SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Zoning Ordinance and Zoning Map amendments do not create any additional environmental impacts.
- b. No substantial changes have occurred with respect to the circumstances under which the project is undertaken. The SEIR was certified in January 2023, and no substantial evidence has been submitted showing any change in the circumstances applicable to the project.
- c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous SEIR was certified as complete, has been submitted to the City.

**Section 5. Publication; Effective Date.** This ordinance shall be published in accordance with state law and will become effective thirty (30) days after the date of its adoption. INTRODUCED on the \_\_\_\_ day of \_\_\_\_, 2024.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said City Council on the \_\_\_\_ day of \_\_\_\_, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

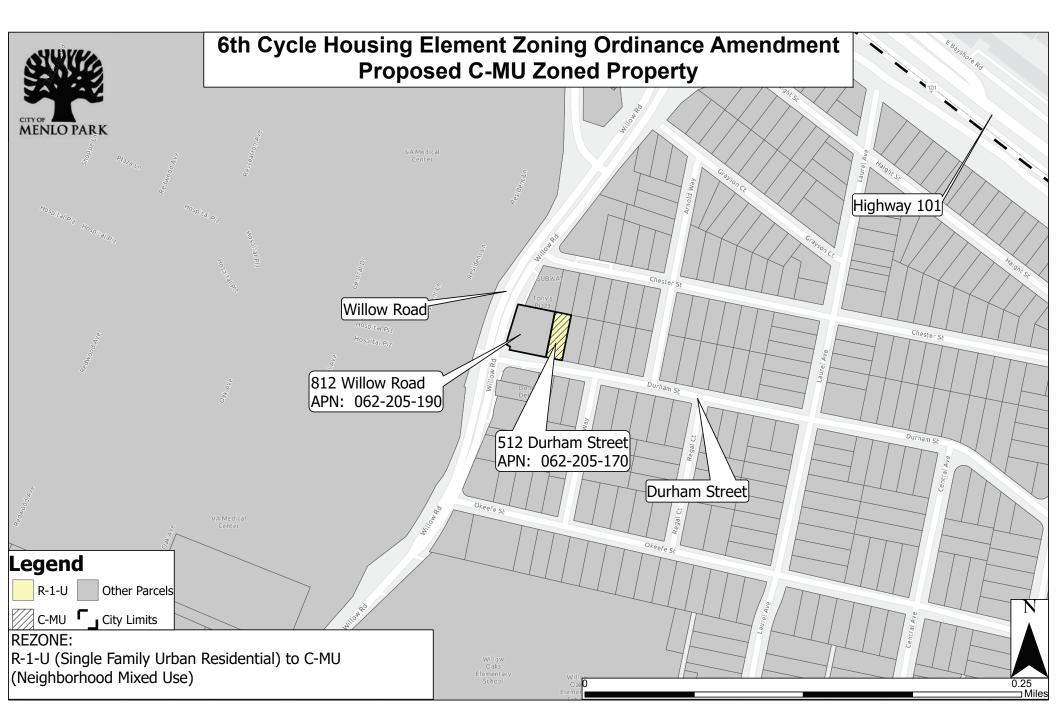
Cecilia Taylor, Mayor

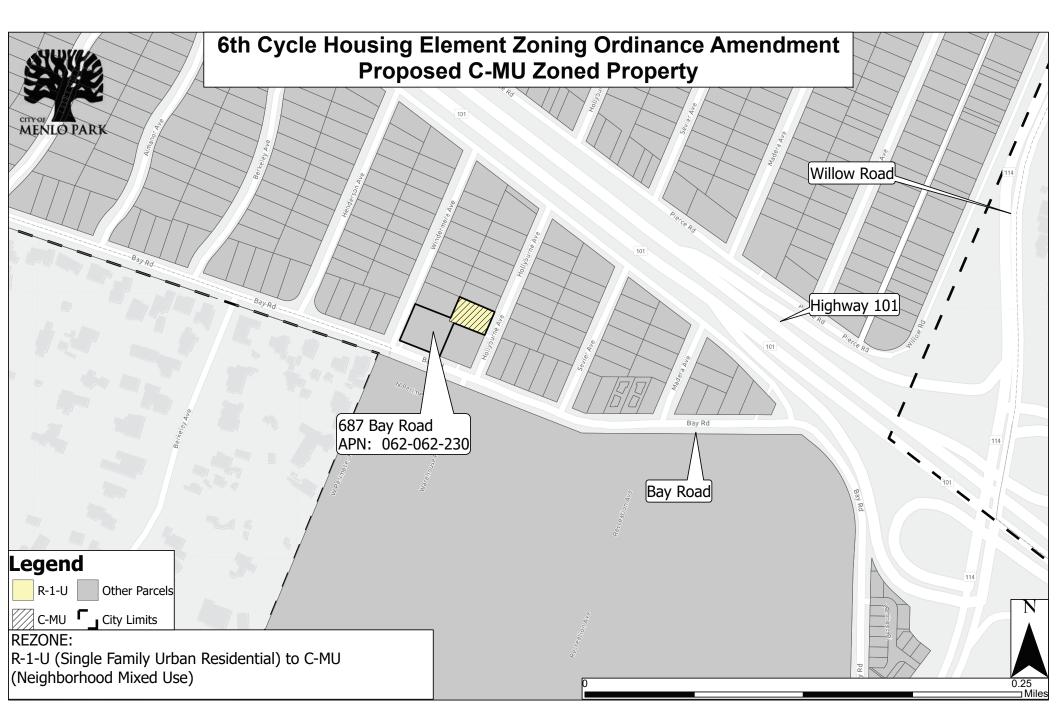
ATTEST:

Judi A. Herren, City Clerk

Exhibits

- 512 Durham Street Rezoning Map 687 Bay Road Rezoning Map Α.
- Β.





#### Proposed Zoning Ordinance Text Amendments to Chapter 16.40 of Title 16 of the City of Menlo Park Municipal Code

**Section 1.** Chapter 16.40 – C-2-B Neighborhood Mixed Use District, Restrictive of Title 16 – Zoning of the City of Menlo Park Municipal Code is hereby renamed and amended to read as follows (additions in <u>underline</u>, deletions in <del>strikethrough</del> text):

#### Chapter 16.40 C-2-BC-MU NEIGHBORHOOD MIXED USE DISTRICT, RESTRICTIVE

#### 16.40.010 Permitted uses.

Permitted uses in the C-2-BC-MU district, all within a building and intended to serve the neighborhood and limited to the hours between eight (8) a.m. and eight (8) p.m., including loading and unloading of any kind, are as follows:

- (1) Retail services;
- (2) Personal services;
- Cafes and restaurants, excluding (A) fast food restaurants, (BA) drive-inthrough restaurants, (CB) restaurants serving beer, wine or alcoholic beverages, and (DC) restaurants providing live music or entertainment;
- (4<u>4</u>) Multiple dwellings. (Ord. 1027 § 3 (part), 2016: Ord. 936 § 3 (part), 2005: Ord. 766 § 3 (part), 1988).

# 16.40.015 Administratively permitted uses.

Uses allowed in the <u>C-2-BC-MU</u> district, subject to obtaining an administrative permit, are as follows:

- (1) Financial services;
- (2) Professional offices;
- (3) All of the specified uses in this chapter between the hours of eight (8) p.m. and eight (8) a.m., or when not intended to serve the neighborhood. (Ord. 1027 § 3 (part), 2016: Ord. 936 § 3 (part), 2005).
- (3) Outdoor seating;
- (4) Live music or entertainment.

#### 16.40.020 Conditional uses.

Conditional uses allowed in the C-2-BC-MU district, subject to obtaining a use permit, are as follows:

- (1) Service stations, with or without car wash and/or mini-mart;
- (2) Automotive repair with service station;
- (3) Mortuaries;
- (4) Convalescent homes;
- (5) Mini-warehouse storage;
- (5) Child day care center;
- (6) Cafes and restaurants serving beer, wine, or alcoholic beverages and/or provides live music or entertainment;

- (77) Public utilities in accordance with Chapter 16.76;
- (88) Special uses in accordance with Chapter 16.78. (Ord. 1027 § 3 (part), 2016: Ord. 936 § 3 (part), 2005: Ord. 850 § 7 (part), 1993; Ord. 766 § 3 (part), 1988).

# 16.40.030 Development regulations.

Development regulations in the C-2-BC-MU district are as follows:

- (1) Minimum district size: twenty-five thousand (25,000) square feet;
- (2) Minimum lot area: none, except that the cumulative lot area of all property within the C-2-BC-MU district shall be no less than twenty-five thousand (25,000) square feet;
- (3) Minimum lot dimensions: none;
- (4) Required minimum yards: front, ten (10) feet; side, none; corner side, ten (10) feet, rear, none; except when abutting a residential district where a twenty (20) foot yard shall be provided;
- (5) Land covered by all structures shall not exceed sixty percent (60%) of <u>a</u> building site;
- (6) Not less than ten percent (10%) of <u>a</u> building site shall be occupied by <u>appropriate</u> landscaping;
- Height of structures shall not exceed thirty (30) feet. For a mixed residential and nonresidential development, the maximum building height shall not exceed forty (40) feet;
- (8) In the case of conditional uses, additional regulations may be required by the planning commission;
- (9) Nonresidential uses are a required component of any development in the C-MU district, except for sites identified in Appendix 7-1, Table B of the 2023 to 2031 6th Cycle Housing Element for very low and low income households, which are subject to the provisions of Section 16.08.105;
- (910) The floor area ratio for nonresidential uses shall not exceed forty percent (40%), except that fifty percent (50%) may be allowed with use permit approval and a minimum lot size of twenty thousand (20,000) square feet;
- (1011) The maximum density is thirty (30) dwelling units per acre (du/ac) is thirty (30) du/ac;
- (1112) The floor area ratio for multiple dwelling units shall increase on an even gradient up to ninety percent (90%) for thirty (30) du/ac. The maximum floor area ratio may be allowed when the maximum number of dwelling units is proposed, even if less than thirty (30) du/ac;
- (1213) In a mixed residential and commercial development, the combined maximum floor area ratio shall not exceed one hundred <u>ten</u> percent (100%110%). The maximum nonresidential and residential floor area ratios for each component shall not exceed the maximum allowed per subsections (910) and (112) of this section;
- (14) In a mixed nonresidential and residential development that provides the maximum number of dwelling units per subsection (12), the combined maximum floor area ratio is one hundred-forty percent (140%). The maximum nonresidential and residential floor area ratios for each component shall not exceed the maximum allowed per subsections (10) and (12) of this section;
- (1315) Development in the C-2-BC-MU district shall meet the following parking requirements:
  - (a) Parking shall not be located in any required yard adjacent to a street.

Land Use	Minimum Spaces (Per Unit or 1,000 Sq. Ft.)	Maximum Spaces (Per Unit or 1,000 Sq. Ft.)	Minimum Bicycle Parking <sup>1</sup>		
Residential units	1 per unit	1.5 per unit	1.5 long-term <sup>2</sup> per unit; 10% additional short-term <sup>2</sup> for guests		
Office	2	3	1 per 5,000 sq.ft. of gross floor area Minimum 2 spaces for office and research development: 80% for long-term <sup>2</sup> and 20% for short-term <sup>2</sup> For all other commercial uses: 20% for long-term <sup>2</sup> and 80% for short-term <sup>2</sup>		
<del>Research and</del> development	<del>1.5</del>	<del>2.5</del>			
Retail	2.5	3.3			
Financial services	2	3.3			
Eating and drinking establishment	2.5	3.3			
Personal services	2	3.3			
Private recreation	2	3.3			
Child care center	2	3.3			
Other	At transportation manager discretion	At transportation manager discretion	At transportation manager discretion		

1 See the latest edition of best practice design standards in Association of Pedestrian and Bicycle Professionals Bicycle Parking Guidelines.

2 Long-term parking is for use over several hours or overnight, typically used by employees and residents. Short-term parking is considered visitor parking for use from several minutes to up to a couple of hours.

 (b) The electric vehicle charging spaces requirements in Section 16.72.010 apply. (Ord. 1050 § 7, 2018: Ord. 1027 § 3 (part), 2016: Ord. 766 § 3 (part), 1988).
 (c) Parking facilities may be shared at the discretion of the city's transportation manager if multiple uses cooperatively establish and operate the facilities, if these uses generate parking demands primarily during different hours than the remaining uses, and if a sufficient number of spaces are provided to meet the maximum cumulative parking demand of the participating uses at any time. An individual development proposal may incorporate a shared parking study to account for the mixture of uses, either on site or within a reasonable distance. The shared parking supply would be subject to review and approval based on the proposed uses, specific design and site conditions. Project applicants may also be allowed to meet the minimum parking requirements through the use of nearby off-site facilities at the discretion of the transportation manager.

#### 16.40.040 Residential design standards.

Construction of any new building incorporating residential uses, residential additions of ten thousand (10,000) square feet or more of gross floor area to any existing building, and conversion of more than fifty percent (50%) of the gross floor area of an existing nonresidential building to residential uses shall adhere to the following design standards, subject to architectural control established in Section 16.68.020. For residential additions, the applicable design standards apply only to the new construction. Design standards may be modified subject to approval of a use permit or a conditional development permit per Chapter 16.82.

- (1) Building Setbacks and Projections within Setbacks.
  - (A) Building projections, such as balconies and bay windows, at or above the second floor shall not project beyond a maximum of five (5) feet into the setback area.
    - (B) Where a property is contiguous to a single-family zoned property, no projections into the setback are permitted for balconies or decks at or above the second floor.
    - (C) The total area of all horizontal and vertical building projections shall not exceed thirty-five percent (35%) of the building facade area, and no one projection shall exceed fifteen percent (15%) of the facade area on which the projections are located. Where such projections enclose interior living space, eighty-five percent (85%) of the vertical surface of the projection shall be windows or glazed. (See Figure 1.)

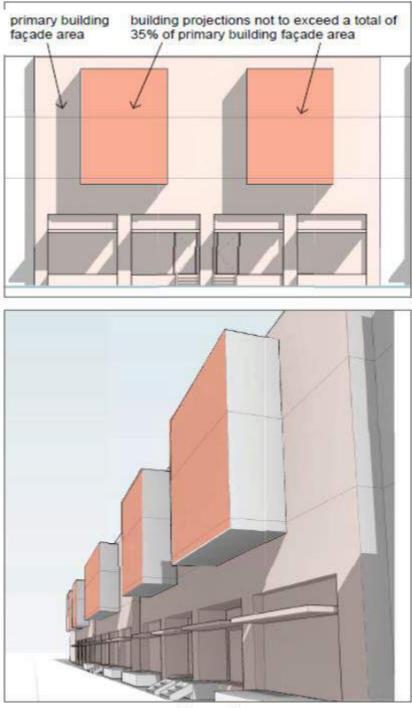
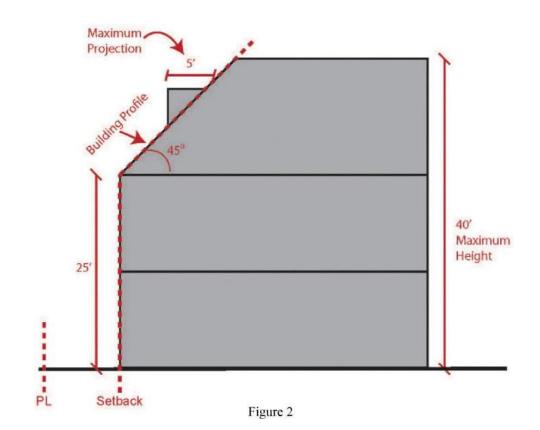


Figure 1

- (2) Facade Modulation and Treatment.
  - (A) Building facades facing public rights-of-way or public open spaces shall not exceed fifty (50) feet in length without a minor building facade modulation. At a minimum of every thirty-five (35) feet of facade length, the minor vertical facade modulation shall be a minimum two (2) feet deep by five (5) feet wide recess or a minimum two (2) foot setback of the building plane from the primary building facade.

- (B) Building facades facing public rights-of-way or public open spaces shall not exceed one hundred (100) feet in length without a major building facade modulation. At a minimum of every seventy-five (75) feet of facade length, a major vertical facade modulation shall be a minimum of six (6) feet deep by twenty (20) feet wide recess or a minimum six (6) foot setback of building plane from primary building facade for the full height of the building.
- (C) In addition, the major building facade modulation shall be accompanied with a four (4) foot minimum height modulation and a major change in fenestration pattern, material and/or color.
- (3) Building Profile.
  - (A) Starting at a height of twenty-five (25) feet, a forty-five (45) degree building profile shall be set at the minimum setback line contiguous with a public right-of-way or single-family zoned property.
  - (C) Horizontal building and architectural projections, like balconies, bay windows, and dormer windows, that extend beyond the forty-five (45) degree building profile shall comply with the standards for building setbacks and projection in Section 16.40.040(1). (See Figure 2.)



- (D) Vertical building projections like parapets and balcony railings shall not extend more than four (4) feet beyond the forty-five (45) degree building profile.
- (E) Rooftop elements that may need to extend beyond the forty-five (45) degree building profile due to their function, such as stair and elevator towers, shall utilize materials and colors consistent with the design of the remainder of the building.

# (4) Height.

- (A) Vertical building projections such as parapets and balcony railings may extend up to four (4) feet beyond the maximum building height.
- (B) Rooftop elements that may need to exceed the maximum building height due to their function, such as stair and elevator towers, shall not exceed fourteen (14) feet beyond the maximum building height.
- (C) Towers, cupolas, spires, chimneys, and other architectural features not exceeding ten percent (10%) of the roof area may exceed the maximum building height limit by a maximum of ten (10) feet.
- (5) Exterior Materials.
  - (A) All exterior stucco shall be completed in textures that are smooth, sanded, or fine-scraped. Heavy-figuring or rough cast stucco are not permitted.
  - (B) Stucco on the exterior facade shall be limited to no more than fifty percent (50%) of the entire area of an elevation, inclusive of all windows and doors.
  - (C) All exterior windows located in solid walls shall be inset by a minimum of two (2) inches from the face of the exterior finishes.
  - (D) When simulated divided light windows are included in a development, the windows shall include mullions on the exterior of the glazing and contain internal dividers (spacer bars) between the window panes.
- (6) Building Design.
  - (A) When a building is adjacent to a public street or other public space, the building shall provide entries, access points or features oriented to the street that are visible from the public right-of-way or public space and provide visual cues to denote access into the building. For larger residential buildings with shared entries, the main entry shall be through prominent entry lobbies or central courtyards facing the street.
  - (B) Utilities, including meters, backflow prevention devices, etc., shall be concealed or integrated into the building design to the extent feasible, as determined by the public works director.
  - (C) Projects shall include dedicated, screened, and accessible space for recycling, compost, and solid waste storage and collection.
  - (D) Trash and storage shall be enclosed and screened from public view.
  - (E) Materials and colors of utility, trash, and storage enclosures shall match with the primary building.
  - (F) Roof-mounted equipment shall meet the requirements of Section 16.08.095.
- (7) Open Space.
  - (A) Residential developments shall have a minimum of one hundred (100) square feet of open space per unit created as common open space or a minimum of eighty (80) square feet of open space per unit created as private open space, where private open space shall have a minimum dimension of six (6) feet by six (6) feet. In case of a mix of private and common open space, such common open space shall be provided at a ratio equal to one and one-quarter (1.25) square feet for each one (1) square foot of private open space that is not provided.
  - (B) Depending on the number of dwelling units, additional common open space shall be provided to meet the following criteria:
    - (i) Ten (10) to fifty (50) units: minimum of one (1) space, twenty (20) feet minimum dimension (four hundred (400) sf total, minimum).
    - (ii) Fifty-one (51) to one hundred (100) units: minimum of one (1) space, thirty (30) feet minimum dimension (nine hundred (900) sf total, minimum).

- (iii) One hundred one (101) or more units: minimum of one (1) space, forty (40) feet minimum dimension (one thousand six hundred (1,600) sf total, minimum).
- (8) Access and Parking.
  - (A) Shared entrances to parking for nonresidential and residential uses shall be used where possible.
  - (B) Service access and loading docks shall be located on local or interior access streets and to the rear of buildings.
  - (C) Aboveground garages shall be screened (with perforated walls, vertical elements, landscaping or materials that provide visual interest at the pedestrian scale) or located behind buildings that are along public streets.
  - (D) Surface parking lots shall be buffered from adjacent buildings by a minimum six (6) feet of paved pathway and/or landscaped area.
  - (E) Surface parking lots shall be screened with landscaping features such as trees, planters, and vegetation.
  - (F) Surface parking lots shall be planted with at least one (1) tree with a minimum size of a twenty-four (24) inch box for every eight (8) parking spaces. Required plantings may be grouped where carports with solar panels are provided.
- (9) Lighting.
  - (A) Exterior lighting fixtures shall use fixtures with low cut-off angles, appropriately positioned, to minimize glare into dwelling units and light pollution into the night sky.
  - (B) Lighting in parking garages shall be screened and controlled so as not to disturb surrounding properties, but shall ensure adequate public security.

# 16.40.050 Residential green and sustainable building.

In addition to meeting all applicable regulations specified in Title 12 (Buildings and Construction), the following provisions shall apply to construction of any new building incorporating residential uses, residential additions to any existing building, and alterations of residential buildings. Implementation of these provisions may be subject to separate discretionary review and environmental review pursuant to the California Environmental Quality Act.

- (1) Green Building.
  - (A) Any new construction, addition or alteration of a building with residential uses shall be required to comply with Table 16.40.050(1)(B).
- (2) Energy.
  - (A) For all new construction, the project will meet one hundred percent (100%) of energy demand (electricity and natural gas) through any combination of the following measures:
    - (i) On-site energy generation;
    - (ii) Purchase of one hundred percent (100%) renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the project;
    - (iii) Purchase and installation of local renewable energy generation within the city of Menlo Park in an amount equal to the annual energy demand of the project;
    - (iv) Purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the project.

If a local amendment to the California Energy Code is approved by the California Energy Commission (CEC), the following provision becomes mandatory:

The project will meet one hundred percent (100%) of energy demand (electricity and natural gas) through a minimum of thirty percent (30%) of the maximum feasible on-site energy generation, as determined by an on-site renewable energy feasibility study and any combination of the measures in subsections (2)(A)(ii) to (iv) of this section. The on-site renewable energy feasibility study shall demonstrate the following cases at a minimum:

- a. Maximum on-site generation potential.
- b. Solar feasibility for roof and parking areas (excluding roof mounted HVAC equipment).
- c. Maximum solar generation potential solely on the roof area.
- (B) Alterations and/or additions of ten thousand (10,000) square feet or larger where the building owner elects to update the core and shell through the option presented in Tables 16.40.050(1)(B):

The project will meet one hundred percent (100%) of energy demand (electricity and natural gas) through any combination of measures listed in subsections (2)(A)(i) to (iv) of this section.

	NEW CONSTRUCTION		ADDITIONS AND/OR ALTERATIONS			
<u>Green</u> <u>Building</u> Requirement	<u>10,000 sq. ft.—</u> 25,000 sq. ft.	<u>25,001 sq. ft.—</u> <u>100,000 sq. ft.</u>	<u>100,001 sq. ft.</u> <u>and above</u>	<u>1 sq. ft.—9,999</u> <u>sq. ft. of</u> <u>conditioned area,</u> <u>volume or size</u>	10,000 sq. ft.— 25,000 sq. ft. of conditioned area, volume or size <sup>3</sup>	25,001 sq. ft. and <u>above of</u> <u>conditioned area,</u> <u>volume or size<sup>3</sup></u>
<u>Green</u> Building	<u>Designed to meet</u> <u>LEED Silver</u> BD+C <sup>1</sup>	<u>Designed to meet</u> <u>LEED Silver</u> <u>BD+C<sup>1</sup></u>	<u>Designed to meet</u> <u>LEED Gold</u> <u>BD+C<sup>1</sup></u>	<u>CALGreen</u> mandatory	LEED Silver ID+C1 or update core and shell of entire building to current California Energy Code <sup>2</sup> and meet	Designed to meet LEED Gold ID+C1 or update core and shell of entire building to current California Energy Code <sup>2</sup> and meet Section 16.40.050(2)(B)
<u>Electric</u> <u>Vehicle (EV)</u> <u>Charging</u> <u>Spaces</u>	The electric vehicle	e charging spaces re	equirements in Sect	ion 16.72.010 apply	<u>.</u>	
Energy Reporting	Manager and submit documentation of compliance as required by the	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the city	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the city	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the city	Energy Star Building Portfolio Manager and submit documentation of compliance as	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the city

TABLE 16.40.050(1)(B): RESIDENTIAL GREEN BUILDING REQUIREMENTS

<u>1</u> "Designed to meet LEED standards" is defined as follows: (a) applicant must submit appropriate LEED checklist and verifying cover letter from a project LEED AP with the project application and (b) applicant must complete all applicable LEED certification documents prior to approval of the final inspection for the

building permit to be reviewed either for LEED certification, or for verification by a third party approved by the city for which the applicant will pay for review and/or certification.

2 Building owners may choose to have additions and/or alterations follow the LEED ID+C path, or alternatively, building owners may upgrade the entire existing building's core and shell to the current California Energy Code standards and follow the city's requirements listed in Section 16.40.050(2)(B). If the building owner chooses to upgrade the entire building's core and shell to current California Energy Code standards and follow the city's requirements listed in Section 16.40.050(2)(B), additions and alterations of that building will be exempt from the LEED ID+C requirement for three (3) code update cycles beginning with the upgrade cycle and ending with the two (2) cycles following the upgrade cycle. If this option is selected by the applicant, the building owner must upgrade to the Energy Code in effect at the time of the first building permit application for interior alterations and/or additions. Building permits for the core and shell upgrade project before occupancy for the additions and/or alterations shall be granted by the city's building department. If the building owner fails to complete these core and shell upgrades within one (1) year of permit initiation, or receive a written letter from the community development director or his/her designee extending the deadline, the building owner shall be subject to typical permit violation penalties, including but not limited to stop work orders on any construction on the subject property, fines, and legal action.

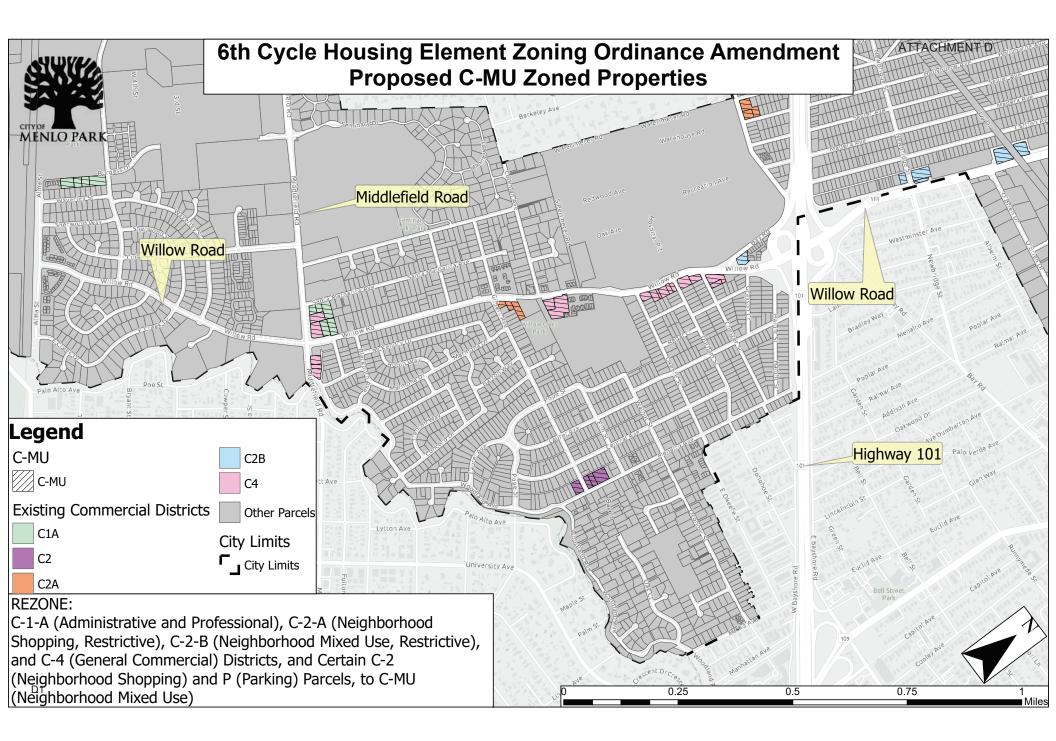
<u>3</u> If over a period of five (5) years (or sixty (60) months) the subject property makes smaller additions and/or alterations that cumulatively equal or exceed the trigger square footage listed above (i.e., ten thousand (10,000) square feet or twenty-five thousand one (25,001) square feet), the subject property shall be required to comply with the green and sustainable building requirements of this table.

#### (3) Water Use Efficiency and Recycled Water.

- (A) Single pass cooling systems shall be prohibited in all new buildings.
- (B) All new buildings shall be built and maintained without the use of well water.
- (C) Applicants for a new building more than one hundred thousand (100.000) square feet or more of gross floor area shall prepare and submit a proposed water budget and accompanying calculations following the methodology approved by the city. For all new buildings two hundred fifty thousand (250,000) square feet or more in gross floor area, the water budget shall account for the potable water demand reduction resulting from the use of an alternative water source for all city approved nonpotable applications. The water budget and calculations shall be reviewed and approved by the city's public works director prior to certification of occupancy. Twelve (12) months after the date of the certification of occupancy, the building owner shall submit data and information sufficient to allow the city to compare the actual water use to the allocation in the approved water budget. In the event that actual water consumption exceeds the water budget, a water conservation program, as approved by the city's public works director, shall be implemented. Twelve (12) months after city approval of the water conservation program, the building owner shall submit data and information sufficient to allow the city to determine compliance with the conservation program. If water consumption exceeds the budgeted amount, the city's public works director may prohibit the use of water for irrigation or enforce compliance as an infraction pursuant to Chapter 1.12 until compliance with the water budget is achieved. All new buildings shall be dual plumbed for the internal use of recycled water. (D) (E) All new buildings two hundred fifty thousand (250,000) square feet or more in gross floor area shall use an alternate water source for all city approved nonpotable applications. An alternative water source may include, but is not limited to, treated nonpotable water such as gravwater. An alternate water source assessment shall be submitted that describes the alternative water source and proposed nonpotable application. Approval of the alternate water source assessment, the alternative water source and its proposed uses shall be

approved by the city's public works director and community development director. If the Menlo Park Municipal Water District has not designated a recycled water purveyor and/or municipal recycled water source is not available prior to planning project approval, applicants may propose conservation measures to meet the requirements of this section subject to approval of the city council. The conservation measures shall achieve a reduction in potable water use equivalent to the projected demand of city approved nonpotable applications, but in no case shall the reduction be less than thirty percent (30%) compared to the water budget in subsection (3)(C) of this section. The conservation measures may include on-site measures, off-site measures or a combination thereof.

- (F) Potable water shall not be used for dust control on construction projects.
- (G) Potable water shall not be used for decorative features, unless the water recirculates.
- (4) Waste Management.
  - (A) Applicants shall submit a zero-waste management plan to the city, which will cover how the applicant plans to minimize waste to landfill and incineration in accordance with all applicable state and local regulations. Applicants shall show in their zero-waste plan how they will reduce, recycle and compost wastes from the demolition, construction and occupancy phases of the building. For the purposes of this chapter, "zero waste" is defined as ninety percent (90%) overall diversion of nonhazardous materials from landfill and incineration, wherein discarded materials are reduced, reused, recycled, or composted. Zero-waste plan elements shall include the property owner's assessment of the types of waste to be generated during demolition, construction and occupancy, and a plan to collect, sort and transport materials to uses other than landfill and incineration.
- (5) Bird-Friendly Design.
  - (A) No more than ten percent (10%) of facade surface area shall have non-birdfriendly glazing.
  - (B) Bird-friendly glazing includes, but is not limited to, opaque glass, covering the outside surface of clear glass with patterns, paned glass with fenestration, frit or etching patterns, and external screens over nonreflective glass. Highly reflective glass is not permitted.
  - (C) Occupancy sensors or other switch control devices shall be installed on nonemergency lights and shall be programmed to shut off during nonwork hours and between ten (10) p.m. and sunrise.
  - (D) Placement of buildings shall avoid the potential funneling of flight paths towards a building facade.
  - (E) Glass skyways or walkways, freestanding (see-through) glass walls and handrails, and transparent building corners shall not be allowed.
  - (F) Transparent glass shall not be allowed at the rooflines of buildings, including in conjunction with roof decks, patios and green roofs.
  - (G) Use of rodenticides shall not be allowed.
  - (H) A project may receive a waiver from one (1) or more of the items listed in subsections (5)(A) to (F) of this section, subject to the submittal of a site specific evaluation from a qualified biologist and review and approval by the planning commission.



# **Community Development**



# STAFF REPORT

Planning Commission Meeting Date: Staff Report Number: Consent Calendar:

1/8/2024

24-006-PC Consider and adopt a resolution approving use permit and architectural control permit revisions to a previously approved 163-room hotel and determine that these actions are consistent with the previously adopted mitigated negative declaration pursuant to CEQA Guidelines Section 15162

#### Recommendation

Staff recommends that the Planning Commission adopt a resolution to approve proposed revisions to the previously approved use permit and architectural control permit to develop a 163-room hotel at 3723 Haven Avenue, in the O-B (Office - Bonus) zoning district. The proposed revisions would modify the previously approved modifications to the Zoning Ordinance requirements for modulations and stepback design standards. The proposed revisions to the previously approved project also involve elimination of one parking level (which reduces the building from eight to seven floors), an overall height increase of six inches, relocation of a rooftop deck from the fourth to third floor resulting in a height decrease of four feet for the deck, an internal reconfiguration of parking spaces to utilize tandem parking through the use of a valet service, minor building footprint modifications at the southeast building corner, comprehensive landscaping changes, and comprehensive material and color changes. The overall gross floor area would be reduced by approximately 55 square feet. The draft resolution, which includes recommended conditions of approval, is provided in Attachment A.

# **Policy Issues**

The Planning Commission previously reviewed the merits of the hotel use and approved the hotel in November 2022. For this current item, the proposed revisions require the Planning Commission to consider the merits of the project modifications, including consistency with the City's General Plan, Municipal Code, and other adopted policies and programs. For the architectural control revisions, the Planning Commission will need to consider the changes in height, massing, materials, and colors, and other site improvements. The proposed use permit revisions, would modify the previously approved modifications to the Zoning Ordinance requirements for modulations and stepback design standards. The proposed revisions do not include any changes to the previously approved hotel room quantity, or other on- and off-site improvements.

#### Background

# Site location

The approximately 0.76-acre project site is located on one parcel that is zoned O-B (Office, Bonus) and is

currently developed with an approximately 13,681-square-foot, one-story office building and a surface parking lot with 36 parking spaces. No demolition of the existing office building has occurred as of the publication of this staff report.

The project site is located to the west of the intersection of Marsh Road/Bayfront Expressway (State Route 84) and Haven Avenue, specifically at a bend in the road where Haven Avenue transitions from an east-west to a north-south orientation. East of the intersection, Haven Avenue intersects with Bayfront Expressway. Generally, Haven Avenue is an east-west street, running parallel to US 101. Atherton Channel is a neighboring waterway that runs parallel to Haven Avenue across the public right-of-way from the project site.

The project site is bounded by Haven Avenue to the east, and private properties in the other directions. The parcels to the west of the project site, within two separate developments, contain 540 multi-family dwelling units, ranging between three and four stories in height. These properties are located in the R-4-S (AHO) (High Density Residential, Special – Affordable Housing Overlay) zoning district. The adjacent parcel to the south (addressed 3715 Haven Avenue) contains a two-story building with professional office uses and is also zoned O-B. Immediately south of that property, at 3705 Haven Avenue, which is located at the bend in Haven Avenue, an eight-story, 99-unit residential development is currently proposed and under review by the City. Parcels to the north include one-story buildings containing warehousing uses (self-storage) and an animal boarding/day care business, located in the M-2 (General Industrial) zoning district. Slightly farther north, undeveloped wetlands connect to the San Francisco Bay, alongside Bedwell Bayfront Park. A location map is provided as Attachment B.

# Project history

At the public hearing on November 14, 2022, the Planning Commission adopted the following resolutions:

- 1. A resolution adopting findings required by the California Environmental Quality Act (CEQA), adopting the Initial Study and Mitigated Negative Declaration, and adopting a Mitigation, Monitoring and Reporting Program (MMRP); and
- 2. A resolution approving a use permit to construct a new 163-room hotel of up to 58,014 square feet, in the O-B zoning district, including modifications to the Zoning Ordinance requirements for modulations and stepback design standards, and outdoor seating for the proposed coffee shop and bar and restaurant; and approving an architectural control permit for the design of the new hotel and associated site improvements.

A hyperlink to the November 14, 2022 Planning Commission staff report is available as Attachment C, which includes the associated resolutions.

#### Proposed revisions to approved project

Following the completion of the entitlement process, the applicant applied for a building permit and made several revisions, based on the structural design of the building. The following list identifies the proposed revisions to the approved project:

- Elimination of one parking level, which reduces the building from eight to seven floors;
- An overall height increase of six inches;
- Relocation of a rooftop deck from the fourth to third floor, resulting in a height decrease of four feet for

the deck;

- An internal reconfiguration of parking spaces to utilize tandem parking through the use of a valet service;
- Minor building footprint modifications at the southeast building corner;
- Comprehensive landscaping changes;
- Comprehensive material and color changes; and
- A reduction in overall gross floor area (GFA) by 55 square feet.

# Analysis

#### **Project overview**

The proposed revised project would still provide 163 hotel rooms, but the building footprint and site layout would differ from the approved project. As mentioned earlier, there are a variety of design- and circulation-focused revisions. The proposed revised project plan set is included as Attachment A, Exhibit A and the applicant's updated project description letter is included as Attachment A, Exhibit B. The proposed revised project plans contain a side-by-side comparison of relevant sheets for ease of reference.

Table 1 provides a comparison between the existing development, proposed revised project, and base level standards for development in the O-B zoning district, along with the net changes.

	Approved project	Proposed revised project	Net change	Zoning Ordinance base level standards
Floor area ratio	174.8%	174.6%	(0.2%)	175.0% (maximum)
Gross floor area	58,014 s.f.	57,959 s.f.	(55 s.f.)	58,086 s.f. (maximum)
Height (maximum)	91.7 feet	92.1 feet	0.4 feet	120.0 feet (maximum)*
Parking**	124 spaces	129 spaces***	5 spaces	123 spaces (minimum)**
Total open space	39.9% (13,245 s.f.)	41.9% (13,898 s.f.)	2.0%	30% (9,958 s.f. minimum)
Public open space	16.2% (5,393 s.f.)	16.4% (5,451 s.f.)	0.2%	15% (4,979 s.f. minimum)

\*For O zoned properties located within the flood zone, such as the subject property, the maximum height is increased by 10 feet, resulting in a maximum of 120 feet instead of 110 feet.

\*\* The minimum required parking for the site, based on a hotel use and using a rate of 0.75 spaces per hotel room, is 123 parking spaces. The O zoning district establishes minimum and maximum parking values to limit construction and operational transportation impacts.

\*\*\* Of these 129 spaces, seven of the spaces are Americans with Disabilities Act (ADA) compliant, 22 spaces are tandem, 88 spaces are in parking stackers, and 12 spaces are standard parking spaces.

#### Site layout

The approved project included an eight-story building, which is now proposed to be seven stories tall.

However, for the proposed revised project, several of the floors would feature taller ceiling heights, which amounts to an overall height increase of six inches. With the reduction of one story, the first three podium parking floors would be reduced to include two above-grade levels of parking. In their project description letter, the applicant has cited construction costs as the main reason for the removal of the third floor of parking. A coffee shop with outdoor seating along the front of the building would still be located in front of the ground floor. There would also be a smaller lobby on the ground floor, with elevator and stair connections to the fourth floor and main lobby. Access to the parking podium, which would have valet service, is located along the southern façade and largely within an existing 40-foot Pacific Gas and Electric (PG&E) easement. A bar and restaurant, accessible to the general public, are still proposed for the fourth floor roof deck.

# Floor Area Ratio (FAR) and Gross Floor Area (GFA)

The approved project would contain 58,014 square feet of gross GFA, but with the proposed revisions, the applicant is now proposing a slightly lower GFA of 57,959 square feet. The main reason for the reduction in GFA stems from slight reductions in the overall footprint of the hotel room façades along the southern elevation, along with the southwest corner being slightly notched, for the fourth to seventh floors. The proposed revised project would be developed at a base level floor area ratio (FAR) of 174.6 percent, near the maximum FAR of 175 percent but less than the approved FAR of 174.8 percent. Table 1 includes more details regarding GFA and FAR for the proposed revised project.

#### <u>Height</u>

The proposed building would have a maximum height of 86.1 feet, which represents an increase by six inches from previously approved height of 85.6 feet.

The rooftop deck would feature a modified height, relative to average natural grade, based on the reduction of the building's parking garage. Specifically, the roof deck would be four feet lower than the previous approval, which may have the potential to cause noise to travel over a shorter distance to neighboring residential apartment buildings to the western side (i.e., rear) of the hotel. However, noise mitigation measures from the mitigated negative declaration for the approved project would be applicable to the proposed revised project and would ensure that project operation would comply with applicable noise limits.

#### Site access and circulation

The proposed revised project would still utilize the same two existing curb cuts as vehicle access points along Haven Avenue, with the first connecting to a service road running along the northern portion of the property. The other curb cut is near the southern edge of the property and located within the PG&E easement, with high voltage overhead power lines above. The proposed revised project would contain a similar site access and circulation system, which still factors in the PG&E easement, all EVA requirements, and the location and access points for the parking podium. Along the southern driveway, vehicles would pass along a designated drop-off area near the front of the property before arriving at the valet drop-off zone.

With the revisions, the proposed parking would result in a total of 129 parking spaces, which include seven Americans with Disabilities Act (ADA) compliant parking spaces and 122 identified parking spaces (comprising of non-tandem spaces, tandem spaces, and stacker spaces). The applicant has confirmed

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that all parking would be served through a valet service company, and valet drivers would take cars at a designated drop-off point near the main entrance. Along the same stretch of driveway, valet attendants would return cars for guests on the opposite side. For accessibility requirements, all seven ADA parking spaces would be fully accessible for guests using these spaces. This would allow guests to drive directly into any available ADA parking space, navigate between the ADA parking space and the hotel, and return to their vehicle without using valet services to exit if preferred. Section 16.43.090 of the Zoning Ordinance allows parking facilities to be shared or reduced at the discretion of the city's transportation manager. This would allow for modifications to parking conditions on site as well as inclusion of parking spaces off site.

#### Site parking

The proposed building would be primarily located on a reduced, two-story podium at the base of the hotel that would provide 124 of the proposed 129 parking stalls. The applicant is proposing several tandem parking spaces, to be accessed and serviced only through the valet service. Five surface parking spaces would still be located around the perimeter of the building. Within the parking podium, 24 of the ground floor parking spaces and 64 of the second floor parking spaces would be provided using a stacker system. The proposed revised project parking would be accommodated through seven ADA spaces, 88 stacker spaces, 22 tandem spaces, and 12 standard spaces.

The applicant is still proposing 10 short-term bicycle parking spaces within the outdoor area in the front of the property and 12 long term bicycle parking lockers within the parking garage, for a total of 22 bicycle parking spaces. The 12 long-term bicycle parking would be provided by a series of six dual-stacking bicycle lockers within the rear of the parking garage. The bicycle parking proposed on site complies with the Zoning Ordinance requirements.

The Transportation Division reviewed the parking proposed with this request and has determined that necessary parking space count for the hotel use would be satisfied on site through valet services that would be able to effectively utilize and navigate the stacker and tandem spaces. The proposed revised project would include the necessary ADA compliance parking spaces. Condition 2a would require to the hotel operator to utilize valet services at all times for on-site parking, except for ADA parking spaces.

#### Open space

The minimum open space required for the approved project would be 9,958 square feet (30 percent of site area), of which a minimum of 4,979 square feet must be publicly accessible (15 percent of site area). As shown in Table 1, the proposed revised project would include 13,898 square feet (41.9 percent) of open space for the development and 16.4 percent public open space, which is an overall increase from the previous approval of 13,245 square feet (39.9 percent) and 5,393 square feet (16.2 percent), respectively. As a whole, the applicant is still proposing to include front plaza areas, portions of the rooftop deck on the fourth floor, and landscape areas to the left side of the hotel as open space.

The applicant is proposing revisions to the layout of the rooftop garden, which include changes to hardscape and landscape features, along with a modified fencing location to differentiate the publicly accessible open space area from the private open space area adjacent to the bar and restaurant. The applicant has confirmed that members of the public still do not have to be customers or guests of the hotel to access the rooftop garden, and direct access would still be provided by a direct stair and elevator without the need to access via the hotel lobby. Staff believes that the proposed revised publicly accessible

open space is generally consistent in size, design, and accessibility as the approved project's publicly accessible open space.

#### Trees and landscaping

There are currently 14 trees on the project site, three of which are heritage size. Of those 14 trees, no additional trees are proposed for removal. Originally, three trees were proposed for removal, and no additional removals are proposed as part of the proposed revisions. Fewer new trees are proposed for the site overall, with 11 proposed instead of 17. The applicant has indicated that they have encountered challenges with planting six trees on the fourth floor roof deck, and are proposing smaller landscaping features on the roof deck instead. The applicant has provided an amended arborist report (Attachment D), which contains updated assessments on all trees previously analyzed.

# Design and materials

#### Design standards

In the O-B zoning district, all new construction and building additions of 10,000 square feet of gross floor area (GFA) or more must meet design standards subject to architectural control review. The design standards regulate the siting and placement of buildings, landscaping, parking, and other features in relation to the street; building mass, bulk, size, and vertical building planes; ground floor exterior facades of buildings; open space, including publicly accessible open space; development of paseos to enhance pedestrian and bicycle connections between parcels and public streets in the vicinity; building design, materials, screening, and rooflines; and site access and parking. Below is a summary of how the proposed revised project complies with various design standards. Generally, the proposed revisions would still satisfy the standards, in a similar manner as the approved project.

#### Architectural style and building design

The design of the proposed revised project would maintain its contemporary architectural style. Specific colors are found in the materials board. Façade material colors would change slightly, from an earlier combination of high reflective white and sea blue stucco, to high reflective white, gray, and navy blue. The wood paneling material is proposed to be replaced by fiber cement siding, and the metal panels would have two shades of orange, one shade of brown, and one shade of red. Some limited modulations would still be provided along the front (Haven Avenue) façade, but only between floors three through seven and not the entirety of the building height. Section 16.43.130 (2) of the Municipal Code requires one building modulation along any facade facing publicly accessible spaces, such as streets. The proposed revised project would continue to modify this development standard, which requires at least one major modulation along the Haven Avenue facade. Section 16.43.130 of the Municipal Code, which allows for any design standard to be modified through a use permit. Staff supports this continued request, as the design changes found in the proposed revised project are also in the same spirit as the approved project's design. The main entry of the proposed building would be located near the middle left of the front facade along Haven Avenue and would remain clad in glass with aluminum framing. Columns supporting the loggia, in front of the main entrance and coffee shop, would feature metal panels and some porcelain, instead of smooth-troweled stucco. In addition, the southeast corner of the building, which had a notched corner, has now been squared off as a result of access and clearance needs for hotel rooms located within that portion of the building on the upper floors. The squared-off corner would be more visually prominent and defined.

Hotels in the O-B zoning district, per Section 16.43.130 (2) of the Municipal Code, are also required to provide a stepback of at least 15 feet from the building face along any façade facing publicly accessible spaces, including Haven Avenue, for all portions of the building above 60 feet in height. As part of the proposed revised project, the applicant is requesting to continue to modify this design standard by removing the required stepback. Similarly, Section 16.43.130 of the Municipal Code also allows for this design standard to be modified through a use permit. The applicant states in their project description letter they are not further modifying these portions of the building in relation to this requirement. Staff believes that the design, in relation to this development standard, is similar to or generally consistent with the approved project. In addition, staff believes that this request would reinforce a cohesive design.

The proposed parking podium would be integrated into the footprint of the building and would encompass the rear half of the ground floor and the entirety of the second floor. All parking podium openings would still be screened with Kaynemaile, a polycarbonate material mimicking metallic chainmail that would have a silver color. In addition, two types of steel guardrails are proposed: one for the roof deck would be a grated steel guardrail system, while the parking garage would utilize cable railings.

From an overall design perspective, staff believes that the design of the proposed revised project has not changed substantially from the November 2022 approval, apart from the nature of the parking allocation and extent of color and material changes. The general massing and visual presence of the building would generally match the approved project. With regard to the overall project design/style and the application of O-B district standards, staff believes that the design would still be in compliance subject to the requested modifications that would be allowed through the use permit. Staff believes that continuing the two use permit requests, which are not being modified, to modify the modulation and stepback requirements, are still reasonable and continue to help create a cohesive design.

# Green and sustainable building regulations

The proposed revised project would, at a minimum, comply with the green and sustainable building requirements of the City's Zoning Ordinance and EV charger ordinance. The summary below includes the City's requirements for the proposed revised project, which would still be satisfied:

- Meet 100 percent of its energy demand through any combination of on-site energy generation, purchase of 100 percent renewable electricity, and/or purchase of certified renewable energy credits;
- Be designed to meet LEED (Leadership in Energy and Environmental Design) Silver BD+C (Building Design + Construction);
- Comply with the electric vehicle (EV) charger requirements adopted by the City Council in November 2018;
- Meet water use efficiency requirements including the use of recycled water for all City-approved nonpotable applications;
- Locate the proposed buildings 12 inches above the Federal Emergency Management Agency (FEMA) base flood elevation (BFE) to account for sea level rise;
- Plan for waste management during the demolition, construction, and occupancy phases of the project (including the preparation of the required documentation of zero waste plans); and
- Incorporate bird friendly design in the placement of the building and use bird friendly exterior glazing

and lighting controls.

# Below market rate (BMR) requirements

The approved project's required BMR in-lieu payment would still be provided, as the applicant is still proposing to provide an in-lieu payment, and the specific value of the payment would be updated based on the final square footage for the building. The new estimated in-lieu fee payment is \$384,824.60, and this value accounts for the change in square footage for the proposed revised project, along with the current BMR in-lieu fee rates for commercial development. The in-lieu fee payment would be adjusted based on the rate in effect at time of payment.

#### Correspondence

Since the November 2022 Planning Commission meeting, the applicant states in their project description letter that an outreach meeting was held at the Arrillaga Family Recreation Center in August 2023, where the applicant team presented the updates while also requesting feedback on events and activities that the public would like to partake in at the hotel. As of the writing of this report, staff has not received any items of correspondence regarding the proposed revisions.

#### Conclusion

Staff believes that the proposed revisions to the scale, materials, and proposed design would be compatible with the previous approval. The proposed revisions would be generally harmonious with the existing site context, as much of the building footprint and massing would generally be similar to the previous approval. The valet service would effectively ensure that required parking, albeit with a tandem configuration for some parking spaces, would meet the required parking for the site. No additional heritage tree removals are proposed, and the City Arborist has approved the amended arborist report. Staff recommends that the Planning Commission approve the proposed revised 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 proposed revised project involves modifications to the design for an approved but not yet built hotel. As described in more detail elsewhere in this staff report, the proposed design changes involve elimination of one parking level, which reduces the building from eight to seven floors, an overall height increase of six inches, relocation of a rooftop deck from the fourth to third floor, resulting in a height decrease of four feet for the deck, an internal reconfiguration of parking spaces to utilize tandem parking through the use of a valet service, minor building footprint modifications at the southeast building corner, comprehensive landscaping changes, comprehensive material and color changes, and a reduction in GFA by 55 square feet.

The Planning Commission adopted resolutions in November 2022 to approve a use permit and

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architectural control permit for the approved project. CEQA review to support the approvals consisted of a mitigated negative declaration based on an initial study (IS/MND).

Section 15162(a) of the CEQA Guidelines provides the rule in this situation. Once the IS/MND was adopted, no subsequent EIR or negative declaration is required to consider future approvals unless (1) substantial changes to the project are proposed that would (2) require the preparation of major revisions to the previous negative declaration because (3) the project changes create new significant environmental effects or substantially increase the severity of a previously identified significant effect. In this case, the proposed changes do not affect any of the environmental analyses in the IS/MND or its impact conclusions and mitigation recommendations. All the mitigation measures in the IS/MND will continue to apply to the proposed revised project. None of the tests in Section 15162(a) require additional CEQA analysis. Furthermore, based on Sections 15162(b) and 15164(b) of the CEQA Guidelines, a separate CEQA addendum is not required, as nothing about the proposed revised project triggers the need to make any changes or additions to the IS/MND. Staff has determined that the Planning Commission may rely on the adopted IS/MND to consider the requested revisions to the proposed revised project's use permit and architectural control permit without additional CEQA review.

# **Public Notice**

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. 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. Draft Planning Commission Resolution
- Exhibits to Attachment A
  - A. Project Plans
  - B. Project Description Letter
  - C. Conditions of Approval
- B. Location Map
- C. Hyperlink: November 14, 2022 Staff Report: https://menlopark.gov/files/sharedassets/public/v/2/agendas-and-minutes/planning-commission/2022meetings/agendas/20221114-planning-commission-agenda-packet.pdf
- D. Arborist Report

# Exhibits to Be Provided at Meeting

None

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Report prepared by: Matt Pruter, Associate Planner

Report reviewed by: Corinna Sandmeier, Principal Planner

# PLANNING COMMISSION RESOLUTION NO. 2024-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A PROPOSED REVISED PROJECT, INCLUDING USE PERMIT AND ARCHITECTURAL CONTROL PERMIT REVISIONS TO ALLOW THE APPLICANT TO ELIMINATE ONE PARKING LEVEL, WHICH REDUCES THE BUILDING FROM EIGHT TO SEVEN FLOORS, INCREASE THE OVERALL HEIGHT BY SIX INCHES, RELOCATE A ROOFTOP DECK FROM THE FOURTH TO THIRD FLOOR RESULTING IN A HEIGHT DECREASE OF FOUR FEET FOR THE DECK, COMPLETE AN INTERNAL RECONFIGURATION OF PARKING SPACES TO UTILIZE TANDEM PARKING THROUGH THE USE OF A VALET SERVICE, CONSTRUCT MINOR BUILDING FOOTPRINT MODIFICATIONS AT THE SOUTHEAST BUILDING CORNER. CONDUCT COMPREHENSIVE LANDSCAPING CHANGES AND COMPREHENSIVE MATERIAL AND COLOR CHANGES, AND REDUCE THE GROSS FLOOR AREA BY 55 SQUARE FEET, FOR A 163-ROOM HOTEL IN THE O-B (OFFICE, BONUS) ZONING DISTRICT

WHEREAS, the City of Menlo Park ("City") received an application for a use permit revision and architectural control permit revision to an Approved Project depicted in Planning Commission Resolutions No. 2022-34 and 2022-35, adopted by the Planning Commission on November 14, 2022, to complete a series of architectural and parking modifications, which involve elimination of one parking level, which reduces the building from eight to seven floors, an overall height increase of six inches, relocation of a rooftop deck from the fourth to third floor resulting in a height decrease of four feet for the deck, an internal reconfiguration of parking spaces to utilize tandem parking through the use of a valet service, minor building footprint modifications at the southeast building corner, comprehensive landscaping changes, comprehensive material and color changes, and a reduction of gross floor area by 55 square feet, for a previously approved 163-room hotel in the O-B (Office, Bonus) zoning district, (collectively, the "Revised Project") from AI Patel ("Applicant") and Menlo Park Hotel Group LLC ("Owner"), located at 3723 Haven Avenue (APN 055-170-350) ("Property"). The Project is depicted in and subject to the development plans and project description letter, which are attached hereto as Exhibit A and Exhibit B, respectively, and incorporated herein by this reference; and

WHEREAS, the proposed Revised Project is located in the O-B (Office, Bonus) zoning district. The O-B zoning district allows a mixture of land uses with the purposes of attracting professional office uses, allowing administrative and professional office uses and other services that support light industrial and research and development sites nearby, providing opportunities for quality employment and development of emerging technology, entrepreneurship, and innovation, and facilitating the creation of a thriving business environment with goods and services that support adjacent neighborhoods as well as the employment base; and

**WHEREAS**, the base level provisions identified in the City's Zoning Ordinance allow a hotel development to seek a floor area ratio (FAR) of 175 percent; and

**WHEREAS,** pursuant to the City's Below Market Rate (BMR) Housing Program (Chapter 16.96.040), the applicant would pay an in-lieu fee of approximately \$384,824.60, to be paid prior to issuance of building permits; and

WHEREAS, the proposed Revised Project complies with all applicable objective standards of the City's Zoning Ordinance, including design standards (assuming approval of the use permit application requesting certain modifications), green and sustainable building standards, and including modifications to the stepback and modulation requirements, which modifications would be generally compatible with the approved project, and is consistent with the City's General Plan goals, policies, and programs; and

**WHEREAS**, the proposed Revised Project complies with all standards of the O zoning district; and

**WHEREAS**, the proposed Revised Project was reviewed by the Engineering Division and found to be in compliance with City standards; and

**WHEREAS**, the proposed Revised Project was reviewed by the Transportation Division and found to be in compliance with City standards, and the required parking for a hotel use would be satisfied on site through valet services; and

**WHEREAS**, the Applicant submitted an updated arborist report prepared by Urban Tree Management on December 19, 2023, which was reviewed by the City Arborist and found to be in compliance with the Heritage Tree Ordinance and proposes mitigation measures to adequately protect heritage trees in the vicinity of the proposed Revised Project; and

WHEREAS, the proposed Revised Project, requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act ("CEQA," Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require a determination regarding the proposed Revised Project's compliance with CEQA; and

**WHEREAS**, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the proposed Revised Project; and

WHEREAS, the City released an Initial Study and Mitigated Negative Declaration for the approved Project on October 13, 2022 for a 30-day public review period ending on November 14, 2022. The Initial Study disclosed relevant impacts and mitigation measures already covered in the program-level ConnectMenIo EIR (which was certified by the City Council on November 29, 2016, as part of an update to the Land Use and Circulation Elements of the General Plan and related zoning changes, commonly referred to as ConnectMenlo), identified additional impacts, and recommended additional project-specific mitigation measures; and

**WHEREAS**, the proposed changes of the proposed Revised Project are de minimis, and the existing negative declaration contains mitigation measures to address any changes to aesthetics or noise, based on modifications to sources of noise and light, along with any other impacts, thus allowing the proposed Revised Project to require no additional CEQA review, pursuant to Section 15162 of the CEQA Guidelines; and

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

**WHEREAS**, at a duly and properly noticed public hearing held on January 8, 2024, the Planning Commission fully reviewed, considered, and evaluated the whole of the record, including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the proposed Revised Project.

# NOW, THEREFORE, THE MENLO PARK PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

**Section 1. Recitals.** The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided, and the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

**Section 2. Conditional Use Permit Findings.** The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the use permit revision and architectural control permit revision to complete a series of architectural and parking modifications for a proposed 163-room hotel is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

- 1. That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
  - a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the earlier Initial Study and Mitigated Negative Declaration determined that the

proposed Revised Project with mitigation incorporated would cause less than significant impacts on the environment or less than significant impacts on the environment with mitigation incorporated. The proposed Revised Project is designed in a similar manner to the approved project, which is consistent with the goals, policies, and objectives of ConnectMenlo and applicable Zoning Ordinance requirements. Specifically, the proposed Revised Project would be an infill project that would be compatible with the surrounding uses. The proposed Revised Project includes on-site open space and parking, and the proposed building adheres to the design standards set forth by the Zoning Ordinance and therefore, the proposed Revised Project would be consistent with ConnectMenlo. A request to maintain the previous modification from the modulation and stepback requirements is still being requested as part of this use permit revision. The intent of the proposed modifications is still consistent with the spirit of ConnectMenlo, by providing varied masses and forms mainly facing the streetscape but also along other facades of the building. Compliance with the Zoning Ordinance and consistency with ConnectMenlo would ensure that the proposed Revised Project would not be detrimental to the health, safety, and welfare of the surrounding community. The proposed Revised Project is subject to mitigation measures and conditions of approval that ensure that all existing adjoining structures are appropriately protected during and after construction and the heritage tree removals would be replaced by the value of the removed trees on the site, in compliance with the Heritage Tree Ordinance. Moreover, the proposed Revised Project is designed with appropriate ingress and egress and sufficient on-site bicycle and vehicular parking; and therefore, will not have a detrimental impact on the surrounding areas.

b. That the Commission has considered whether or not the establishment, maintenance, or operation of the use applied for will, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city; in that, the proposed Revised Project is still being designed as a hotel, which was previously approved as a conditional use pursuant to Chapter 16.44.020 of the City of Menlo Park Municipal Code. The proposed Revised Project is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code and staff believes the proposed Revised Project would not be detrimental to the health, safety, and welfare of the surrounding community due to the architectural design of the building and compliance with the Zoning Ordinance design standards and the architectural review process. The proposed Revised Project is consistent with the goals and policies established by the Connect/Menlo General Plan and would result in a project that embodies the live/work/play vision of ConnectMenlo and the O-B zoning district. Specifically, the proposed Revised Project would continue to be designed to be compatible with surrounding uses, and the commercial building design addresses potential compatibility issues such as traffic, parking, light spillover, dust, and biological resource habitat encroachment. The proposed Revised Project is designed with

sufficient on-site vehicular and bicycle parking, as well as public and private open spaces. The vehicular parking envisioned in the proposed Revised Project would feature sufficient parking spaces through tandem spaces, stacker spaces, and standard spaces, accessed through a valet service to ensure the on-site parking is accessible to patrons of the hotel and ancillary commercial uses (e.g. restaurant and coffee shop). The proposed Revised Project is designed with furnished, landscaped, publicly-accessible open space fronting the hotel and atop the third floor rooftop deck to further the goals and policies of the land use, circulation, and open space design provisions within the project site. The proposed Revised Project is designed with appropriate ingress and egress and off-site improvements such as landscaping, street lighting, sidewalks, and green infrastructure. Further, the Initial Study and Mitigated Negative Declaration prepared for the approved Project found that approved Project, and, subsequently, the proposed Revised project, would result in less than significant impacts on the environment after implementation of mitigation measures from the program-level EIR prepared for the ConnectMenlo General Plan Update and project-specific studies. Therefore, the proposed Revised Project would not be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood.

**Section 3. Architectural Control Permit.** The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the architectural control permit for the proposed netting structure is granted based on the following findings, which are made pursuant to Menlo Park Municipal Code Section 16.82.020:

- 2. That the general appearance of the structure is in keeping with character of the neighborhood; in that, the proposed Revised Project is still designed in a contemporary architectural style incorporating both solid elements and glass paneling along the majority of the primary street façades. The materials and forms of the proposed building would provide a variety of modulations and articulations along the facades of the buildings. The materials would continue to comply with the City's Zoning Ordinance design standards and would provide visually interesting building facades. The facades would predominantly consist of metal clad windows, metal and wood paneling, smooth-troweled stucco, fiber cement, and porcelain. The proposed windows would consist of high efficiency glass with aluminum mullions. The proposed Revised Project continues to incorporate complementary colors. The proposed Revised Project would comply with the height and building projections, along with ground floor transparency, entrances, and garage entrance requirements. Compliance with the Zoning Ordinance would further the goals and policies of ConnectMenlo for hotel design and compatible buildings with surrounding land uses.
- 3. That the development will not be detrimental to the harmonious and orderly growth of the city; in that, the proposed Revised Project is a 57,959-square-foot hotel. The proposed Revised Project's design is generally consistent with all

applicable requirements of the City of Menlo Park Municipal Code. The proposed Revised Project does include modifications to the design standards of the O-B zoning district, which include the modulation and stepback requirements. The proposed Revised Project also includes a request to modify the parking to include some tandem parking to satisfy the minimum parking standard for the development. With valet service attending to the parking garage, the development will provide adequate parking that is efficiently and effectively provided on site. The proposed Revised Project is consistent with the development and population growth envisioned by ConnectMenlo. Moreover, the proposed Revised Project is designed in a manner that is consistent with the existing and future development in the area. The proposed Revised Project is designed with appropriate ingress and egress and appropriate number of bicycle parking on site to serve the commercial space. The proposed Revised Project would provide publicly-accessible open space along the Haven Avenue frontage. Therefore, the proposed Revised Project will not be detrimental to the harmonious and orderly growth of the city.

- 4. That the development will not impair the desirability of investment or occupation in the neighborhood; in that, the proposed Revised Project is a 57,959-squarefoot hotel, which is a use that is consistent with the applicable standards of the Zoning Ordinance for the project site. The proposed Revised Project is designed in a manner consistent with all applicable codes and ordinances, as well as the ConnectMenlo goals and policies. The proposed Revised Project would revise a project that is proposed develop an underutilized site. The proposed Revised Project would provide publicly accessible pedestrian and bicycle connectivity within the vicinity of the project site as well as additional ground level open space to enhance the pedestrian experience in the area. Therefore, the proposed Revised Project would not impair the desirability of investment or occupation in the neighborhood.
- 5. That the development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking; in that, the proposed Revised Project provides a total of 129 vehicular parking spaces to serve the proposed building, where a minimum number of 123 and maximum number of 179 parking spaces are required pursuant to the Zoning Ordinance requirements. The development provides a combination of nontandem and tandem parking spaces through a valet service. The Transportation Division reviewed the parking proposed with this request and has given approval. The proposed Revised Project is required pursuant to the Zoning Ordinance to reduce vehicle trips from the site by 20 percent from the typical land uses within the site, through the implementation of a transportation demand management program. Lastly, consistent with the Zoning Ordinance requirements, the proposed Revised Project provides 10 short-term bicycle parking spaces and 12 long-term bicycle lockers to serve all the uses on site. Therefore, the proposed Revised Project provides sufficient on-site parking for both vehicles and bicycles.

6. That the development is consistent with any applicable specific plan; in that, the proposed Revised Project is located in the Bayfront Area, which is not subject to any specific plan. However, the proposed Revised Project is consistent with all the applicable goals, policies, and programs of ConnectMenlo and is consistent with all applicable codes, ordinances, and requirements outlined in the City of Menlo Park Municipal Code.

**Section 4. Conditional Use Permit.** The Planning Commission approves Use Permit No. PLN2023-00026, which use permit is depicted in and subject to the development plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit B, respectively. The Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit C.

**Section 5. Architectural Control Permit.** The Planning Commission approves Architectural Control Permit No. PLN2023-00026, which is depicted in and subject to the development plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit B, respectively. The Architectural Control Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit C.

Environmental Review. The Planning Commission finds, based on its Section 6. independent judgment after considering the proposed Revised Project, and having reviewed and taken into consideration all written and oral information submitted in this matter, no subsequent environmental impact report (EIR) or negative declaration is required to consider future approvals unless (1) substantial changes to the project are proposed that would (2) require the preparation of major revisions to the previous negative declaration because (3) the project changes create new significant environmental effects or substantially increase the severity of a previously identified significant effect. The proposed revisions do not affect any of the environmental analyses in the initial study and mitigated negative declaration (IS/MND) or its impact conclusions and mitigation recommendations. All the mitigation measures in the IS/MND will continue to apply to the proposed Revised Project, and none of the tests in Section 15162(a) require additional CEQA analysis. Therefore, the adopted IS/MND remains the applicable CEQA analysis for approving requested amendments to the proposed Revised Project's use permit and architectural control permit, and no additional CEQA review is necessary.

**Section 7. Severability.** If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the proposed Revised Project, shall continue in full force and effect unless amended or modified by the City.

I, Kyle Perata, Assistant Community Development Director of the City of Menlo Park, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on January 8, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_\_\_\_ day of January, 2024

PC Liaison Signature

Kyle Perata Assistant Community Development Director City of Menlo Park

Exhibits

- A. Project plans
- B. Project description letter
- C. Conditions of approval

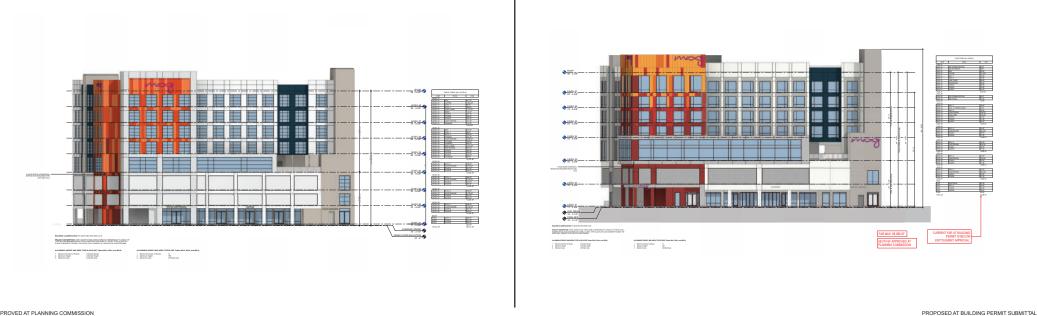
EXHIBIT A



APPROVED AT PLANNING COMMISSION

EN-01- RENDERING COMPARISON

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

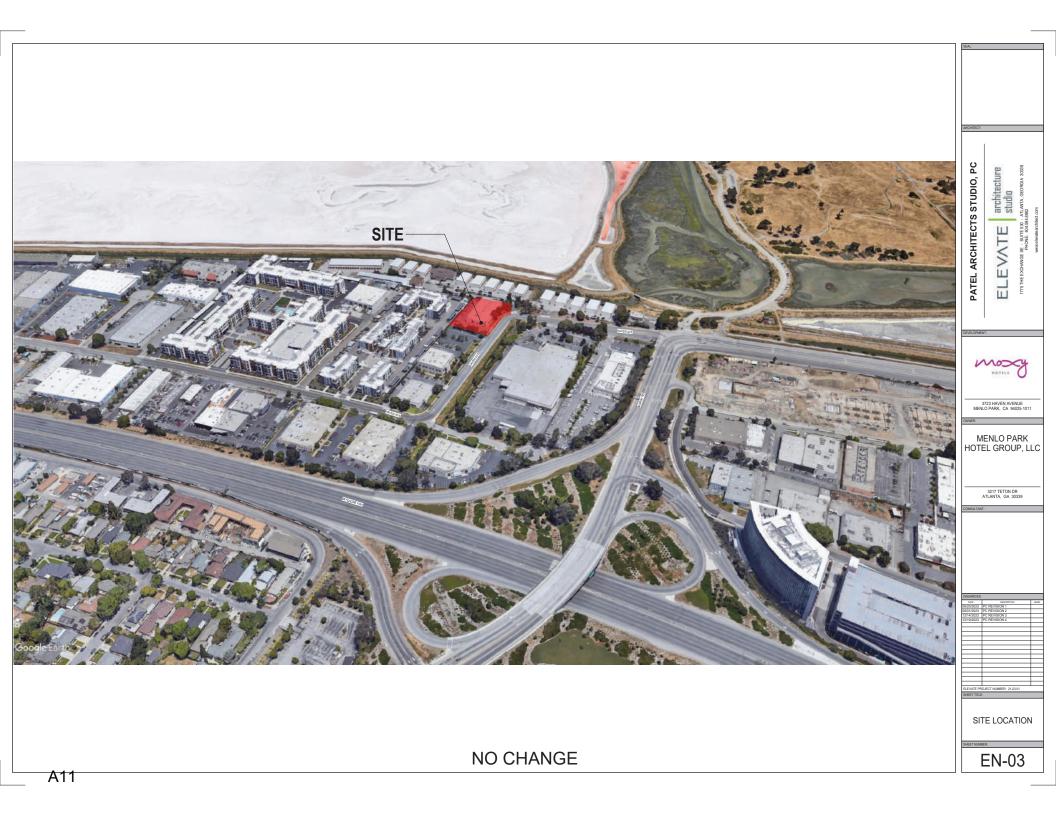


EN-02 - PROJECT DATA

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

ELEVATE architecture

A10



















EXISTING CONDITIONS





SIDE VIEW





SIDE VIEW



REAR VIEW



FRONT VIEW



FRONT & SIDE VIEW

EXISTING BUILDING TO BE DEMOLISHED EXISTING BUILDING HEIGHT : 20' - 22' TALL







ST23 HAVEN AVENUE MENLO PARK, CA 94025-1011

MENLO PARK HOTEL GROUP, LLC

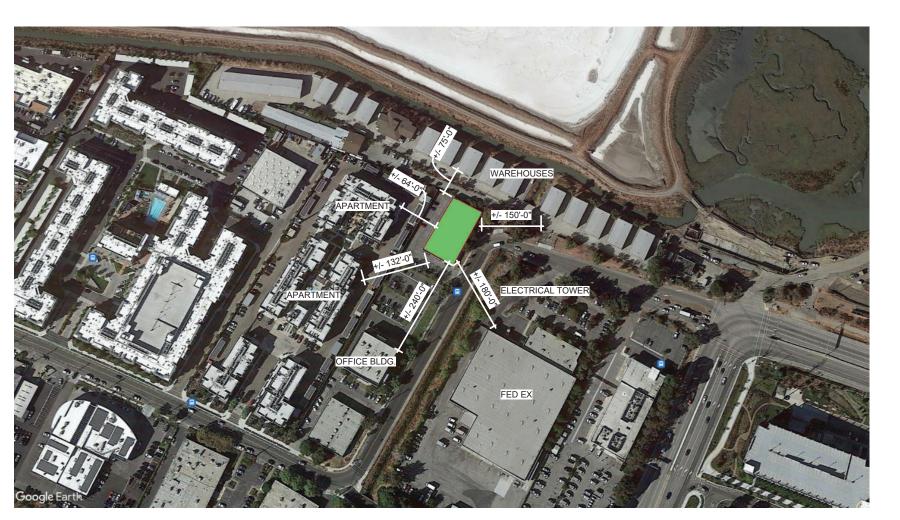
3217 TETON DR ATLANTA, GA 30339

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EXISTING CONDITIONS

EN-05

NO CHANGE



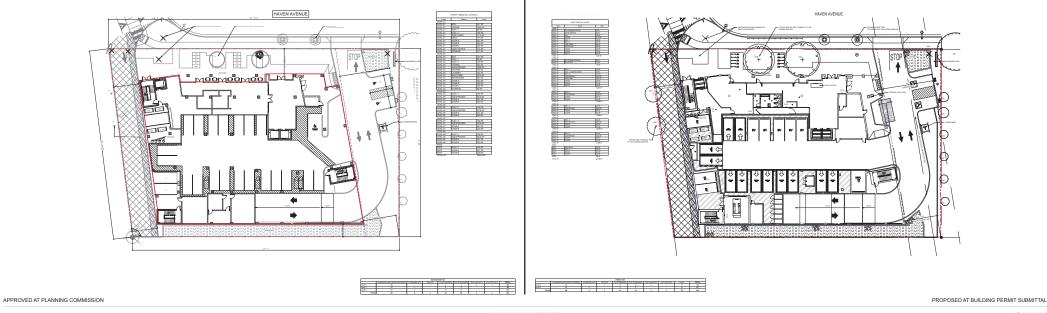


NEIGHBORING
BLDG DISTANCE

EN-06

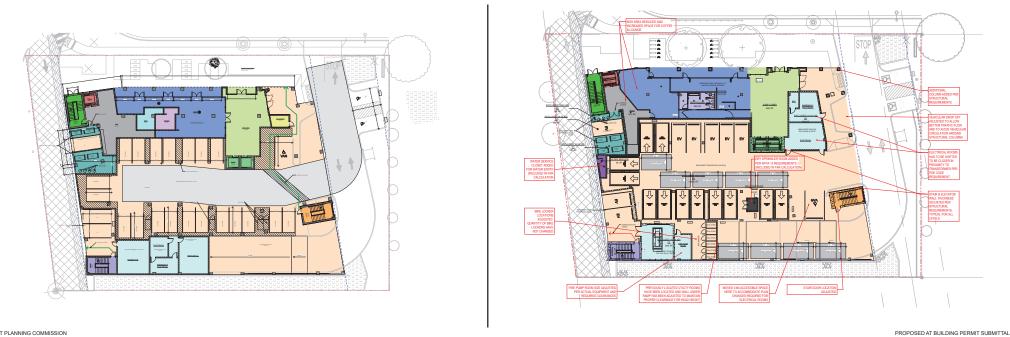
NO CHANGE





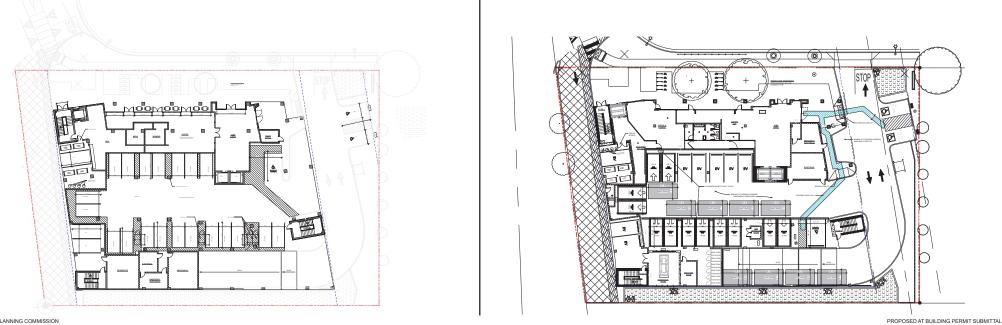
EN-08 - SITE PLAN

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



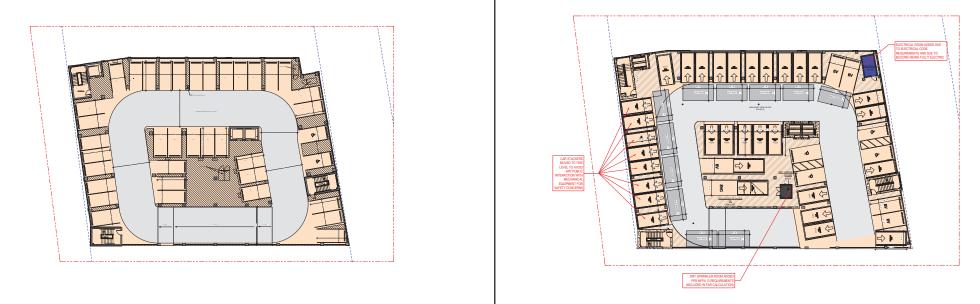
EN-09 - LEVEL 1

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



EN-10 - LEVEL 1

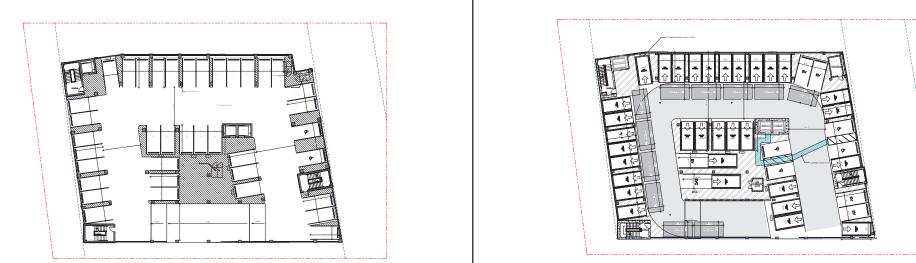
MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



PROPOSED AT BUILDING PERMIT SUBMITTAL

EN-11 - LEVEL 2

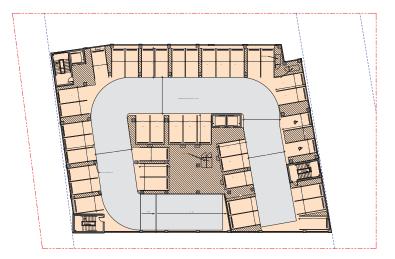
MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



PROPOSED AT BUILDING PERMIT SUBMITTAL

EN-12 - LEVEL 2

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

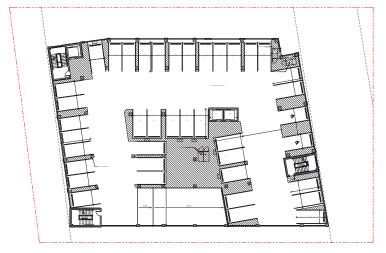


3RD FLOOR PARKING LEVEL HAS BEEN REMOVED

APPROVED AT PLANNING COMMISSION

EN-13 - LEVEL 3

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL



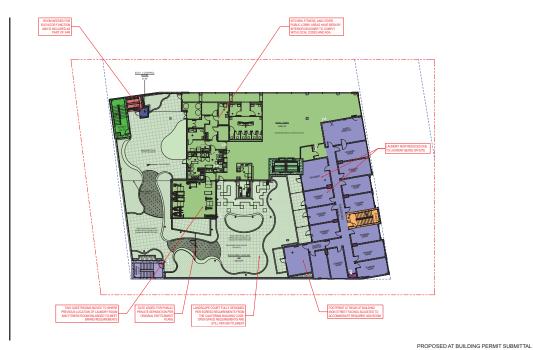
MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

3RD FLOOR PARKING LEVEL HAS BEEN REMOVED

PROPOSED AT BUILDING PERMIT SUBMITTAL

EN-14 - LEVEL 3

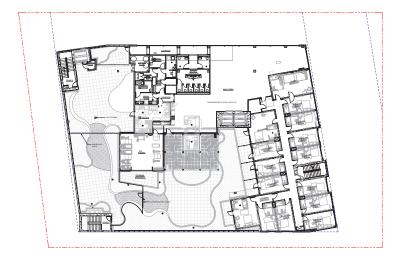




EN-15 - LEVEL 4 & PROPOSED LEVEL 3

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023





EN-16 - LEVEL 4 & PROPOSED LEVEL 3

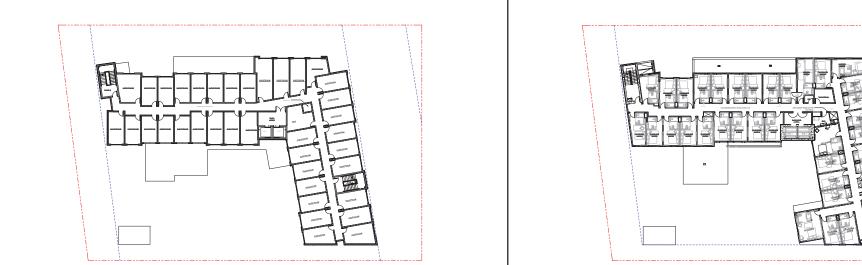
MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL





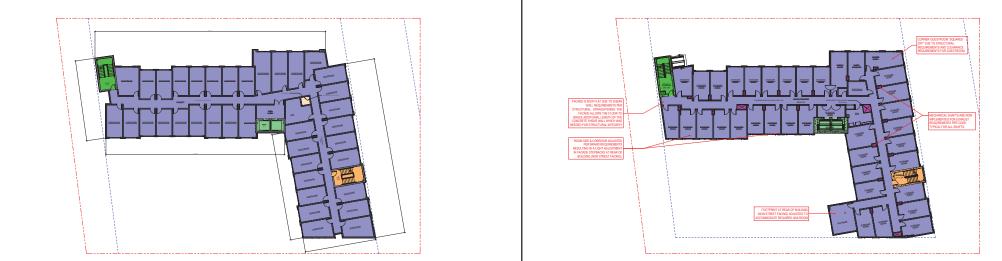
EN-17 - LEVEL 5 & PROPOSED LEVEL 4

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL



EN-18 - LEVEL 5 & PROPOSED LEVEL 4

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL

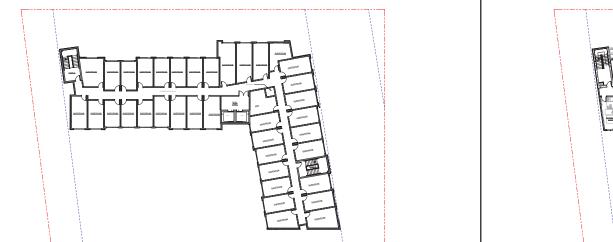


PROPOSED AT BUILDING PERMIT SUBMITTAL

EN-19 - LEVEL 6 & PROPOSED LEVEL 5

APPROVED AT PLANNING COMMISSION

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



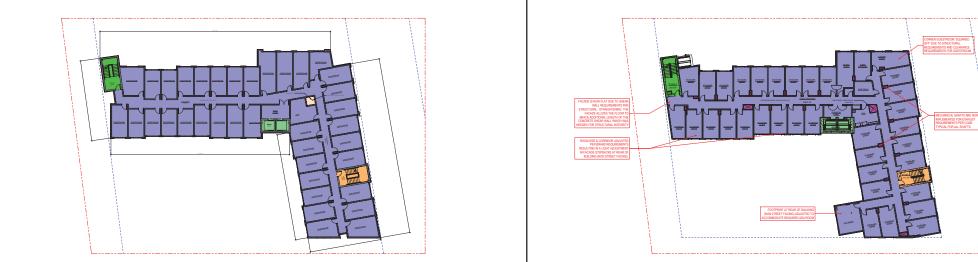


EN-20 - LEVEL 6 & PROPOSED LEVEL 5

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

ELEVATE architecture

PROPOSED AT BUILDING PERMIT SUBMITTAL

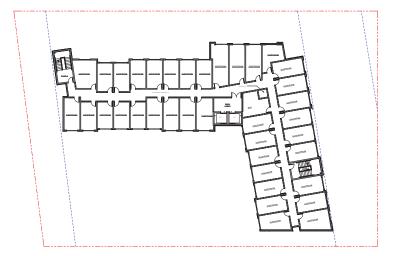


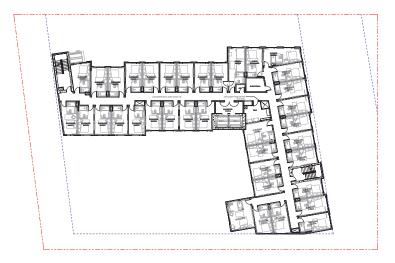
PROPOSED AT BUILDING PERMIT SUBMITTAL

EN-21 - LEVEL 7 & PROPOSED LEVEL 6

APPROVED AT PLANNING COMMISSION

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

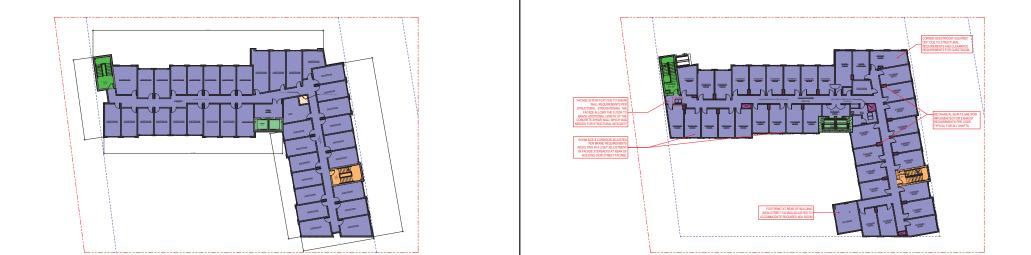




EN-22 - LEVEL 7 & PROPOSED LEVEL 6

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

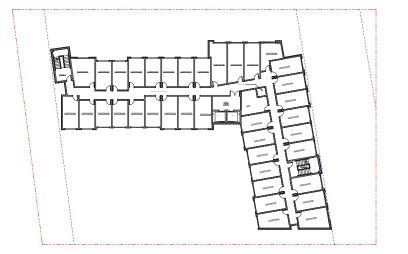
PROPOSED AT BUILDING PERMIT SUBMITTAL ELEVATE architecture

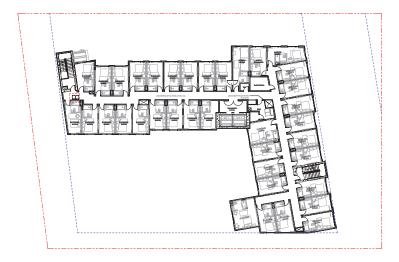


EN-23 - LEVEL 8 & PROPOSED LEVEL 7

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL

A31





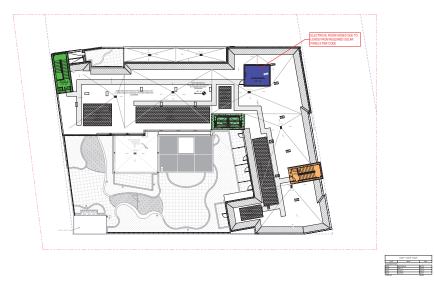
EN-24 - LEVEL 8 & PROPOSED LEVEL 7

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

ELEVATE architecture

PROPOSED AT BUILDING PERMIT SUBMITTAL

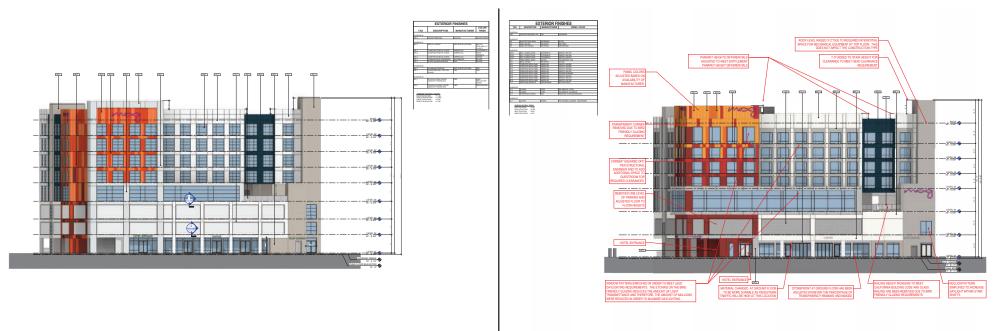




PROPOSED AT BUILDING PERMIT SUBMITTAL

EN-25 - ROOF PLAN

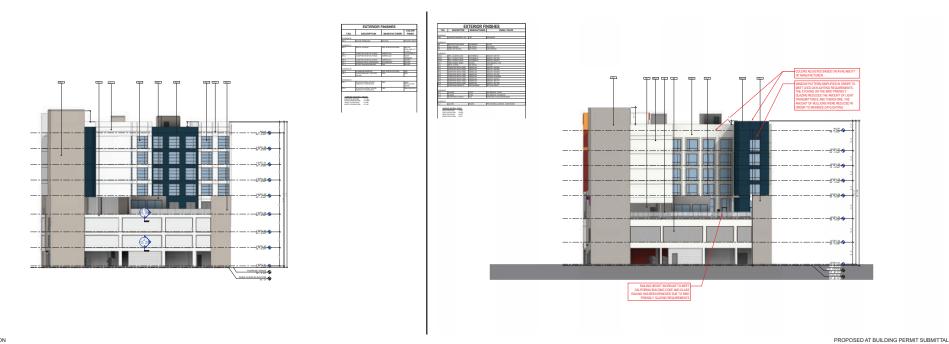
MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



PROPOSED AT BUILDING PERMIT SUBMITTAL

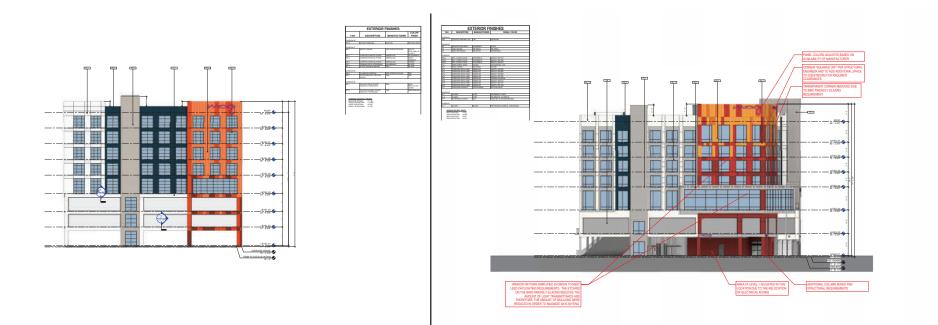
EN-26 - EAST (FRONT) ELEVATION

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



EN-27 - NORTH (LEFT) ELEVATION

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

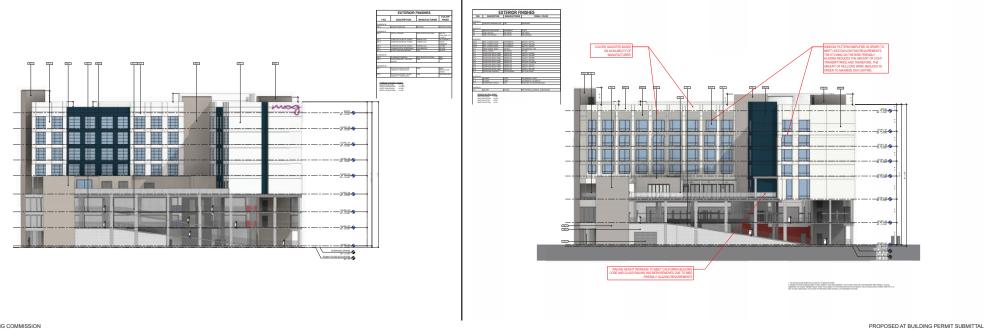


EN-28 - SOUTH (RIGHT) ELEVATION

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

ELEVATE architecture

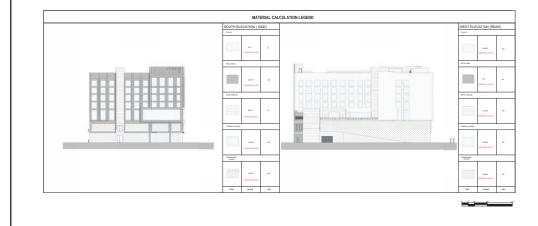
PROPOSED AT BUILDING PERMIT SUBMITTAL



EN-29 - WEST (REAR) ELEVATION

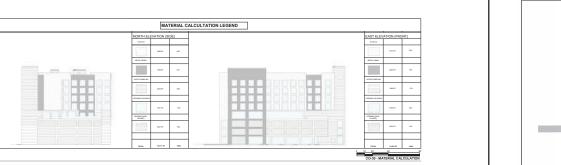
MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

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EN-30 - MATERIAL CALCULATION

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL





EN-31 - MATERIAL CALCULATION

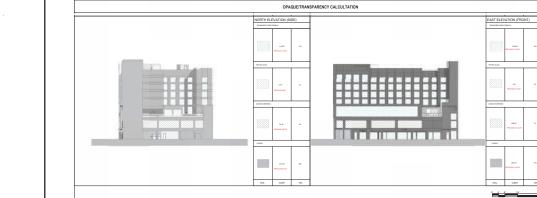
MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL

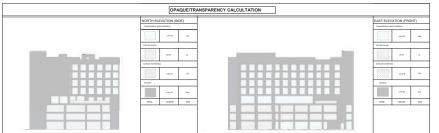
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	TRANSPORTER (BITC FRADELY)					
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EN-32 - OPAQUE / TRANSPARENCY DIAGRAM

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL





EN-33 - OPAQUE / TRANSPARENCY DIAGRAM

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL



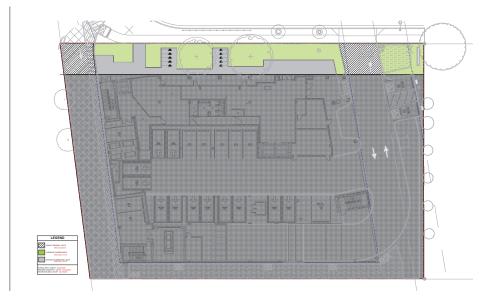
OPAQUE/TRANSPARENCY CALCULATION - GROUND LEVEL

APPROVED AT PLANNING COMMISSION

EN-34 - GROUND FLOOR GLAZING DIAGRAM

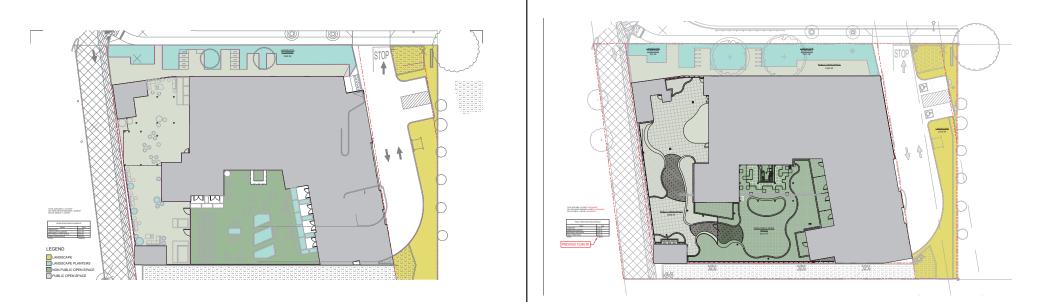
MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023





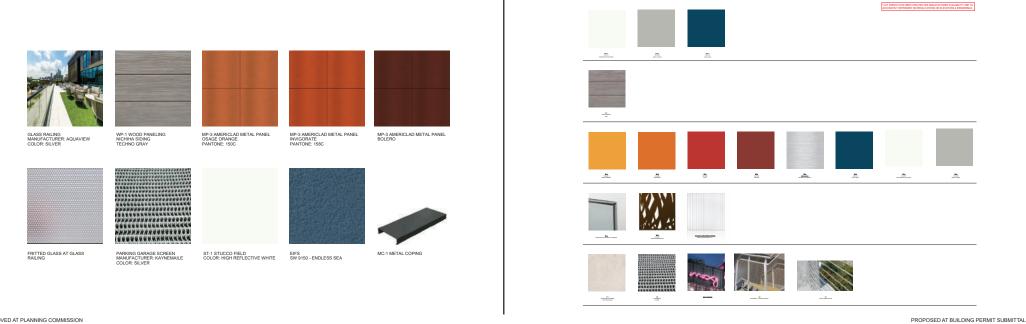
EN-35 - HARDSCAPE / LANDSCAPE DIAGRAM - LEVEL 01

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL



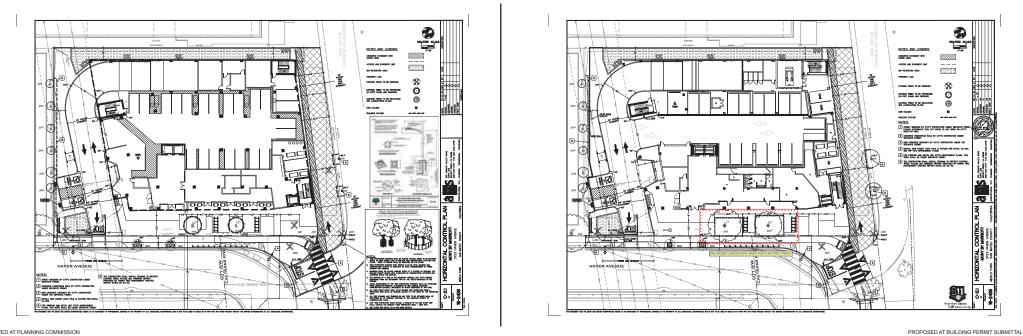
EN-36 - OPEN SPACES DIAGRAM - LEVEL 04 AND PROPOSED LEVEL 03

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023 PROPOSED AT BUILDING PERMIT SUBMITTAL



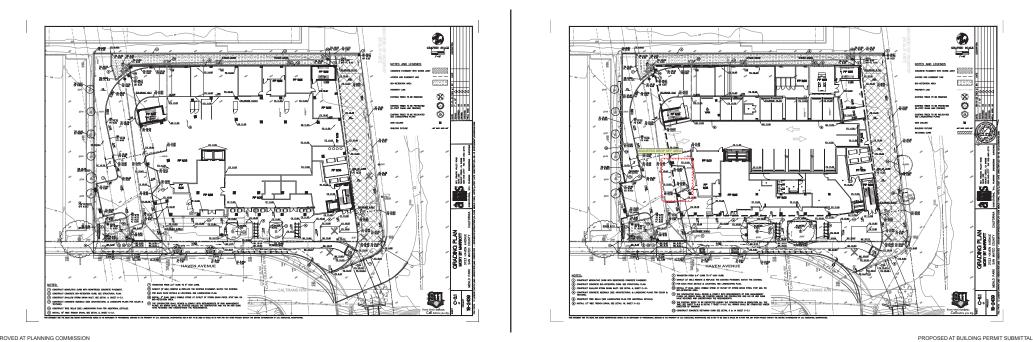
EN-37 - MATERIAL BOARD

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



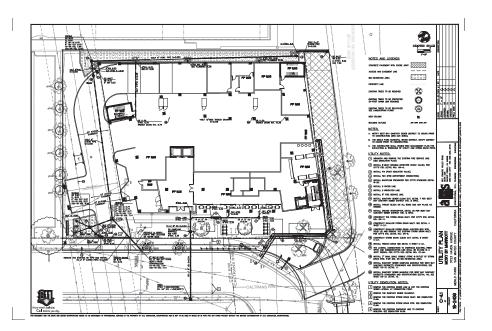
EN-39- HORIZONTAL CONTROL PLAN

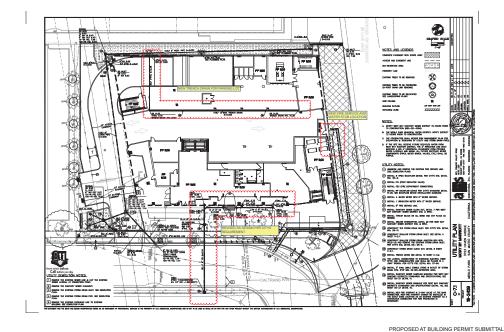
MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



EN-40 - GRADING PLAN

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



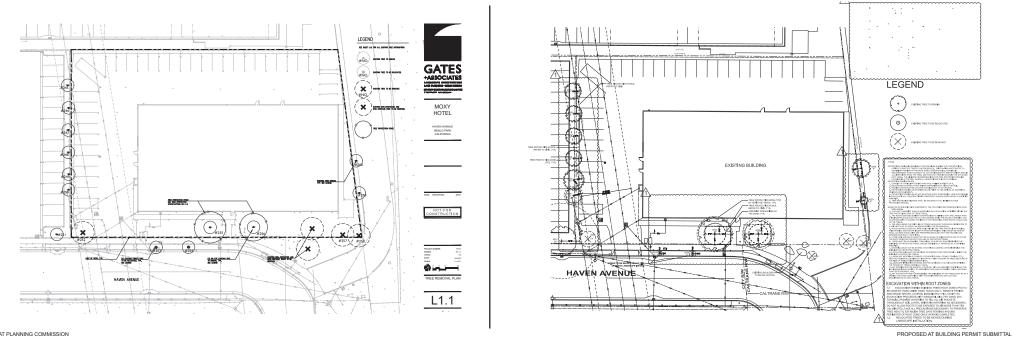


EN-41 - UTILITY PLAN

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023

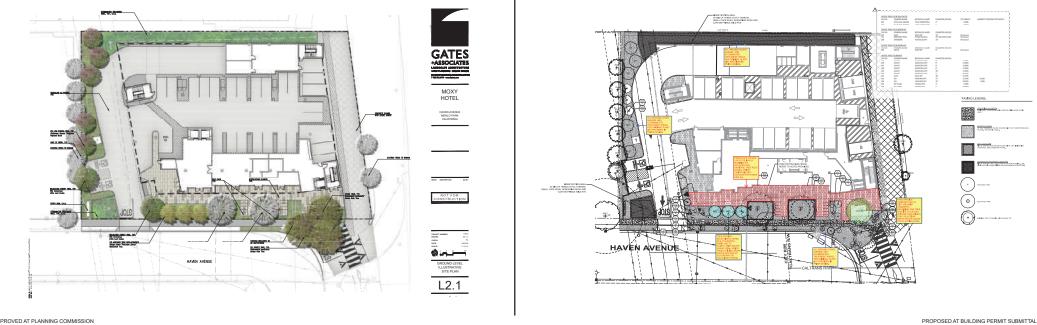
ELEVATE architecture

A48



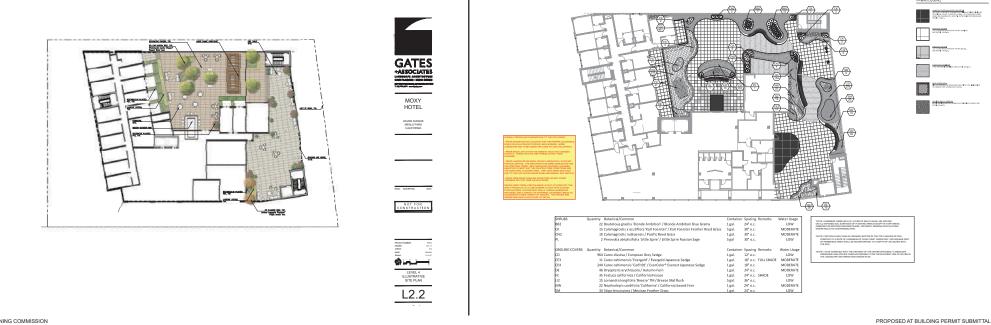
EN-42 - TREE REMOVAL PLAN

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



EN-43 - GROUND FLOOR LANDSCAPE PLAN

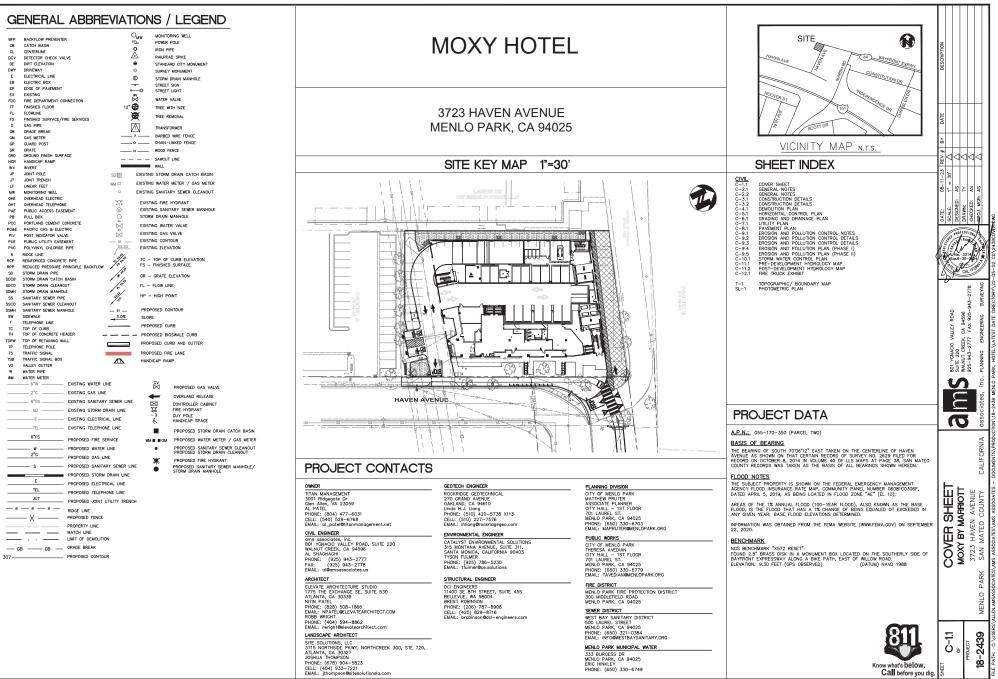
MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023



EN-44 - LEVEL 4 LANDSCAPE PLAN

MOXY BY MARRIOTT MENLO PARK, CA COMPARISON PLANS • 12-19-2023





THIS DOCUMENT AND THE IDEAS AND DESIGN INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICES IS THE PROPERTY OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANNO ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANNO ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANY ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANY ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN THE PART FOR ANY ASSOCIATES.

### GENERAL SITE WORK:

- THE CONTRACTOR AND ALL SUBCONTRACTORS SHALL HAVE APPROVED AND SIGNED PLANS PRIOR TO BEGINNING CONSTRUCTION. A SET OF SIGNED AND APPROVED PLANS ARE TO BE ON THE JOB SITE AT ALL THES DURING CONSTRUCTION. NO ONE SHALL USE PLANS NOT APPROVED FOR CONSTRUCTION.
- THE ENGINEER ASSUMES NO RESPONSIBILITY FOR ANY WORK PERFORMED BY THE CONTRACTOR OR OWNER BASED ON PLANS WHICH HAVE NOT BEEN SIGNED AND SEALED BY THE ENGNERE AND APPROVED BY THE LOCAL JURISDICTIONS. ALL INFORMATION SHOWN ON PRELIMINARY DRAWINGS IS SUBJECT TO CORRECTION AND CHANGE.
- WHERE GOVERNING AGENCIES HAVE CONFLICTING SPECIFICATIONS WITH THESE NOTES, THE CONTRACTOR SHALL FOLLOW THE MORE STRINGENT REQUIREMENT.
- THE CONTRACTOR SHALL MAKE SITE INSPECTIONS PRIOR TO BIDDING TO DETERMINE ALL ITEMS NOT SHOWN AS BID ITEMS WHICH ARE NECESSARY TO PERFORM A COMPLETE AND ACCEPTABLE JOB. ALL SUCH ITEMS SHALL BE NOTED AND INCLUDED IN THE BID.
- IF THE CONTRACTOR ENCOUNTERS ERRORS OR DISCREPANCIES ON THE DRAWINGS, OR SITE CONDITIONS WHICH PREVENT OR DELAY THE COMPLETION OF WORK AS INDICATED, THE REPROSE DISCREPANCIES AND OWNESSIONS. THE CONTRACTOR SHALL INDEMNITY AND HOLD THE ENGNEER AND OWNER HARMLESS IF, ATTER CONTRACTOR FOR THE WORK HE HAS WORLTAY DAMAGE BECAUSE OF SITE CONTINUOUS FOR THE WORK HE HAS NORTANT DAMAGE BECAUSE OF SITE CONTINUOUS FOR THE WORK HE HAS
- THE CONTRACTOR SHALL NOT BEGIN WORK SHOWN ON THESE PLANS UNTIL THE ENGINEER'S SIGNATURE OF APPROVAL IS AFFIXED HEREON AND ALL APPLICABLE PERMITS HAVE BEEN OBTAINED.
- ALL MATERIALS, METHODS, AND WORKMANSHIP SHALL CONFORM TO THE SPECIFICATION OF THE AGENCIES INVOLVED AND ALL WORK SUBJECT TO THEIR APPROVAL.
- THESE PLANS ARE CHECKED BY THE LOCAL JURISDICTION, BUT SUCH CHECKING AND/OR THESE COMPARE STEAMED BY THE DOVED BAND CONTRACTOR FOR THEORY AND CONTRACTOR STALL MANDATELY NOTIFY THE ENGINEER OF ANY ERROR'S FOUND IN THESE PLANS OR CONSTRUCTION STALL MANDATELY NOTIFY THE ENGINEER OF ANY ERROR'S FOUND IN THESE PLANS OR CONSTRUCTION STALL MANDATELY NOTIFY THE ENGINEER OF ANY ERROR'S FOUND IN THESE PLANS OR CONSTRUCTION STALL MANDATELY NOTIFY THE ENGINEER OF ANY ERROR'S FOUND IN THESE PLANS OR CONSTRUCTION STALL MANDATELY NOTIFY THE ENGINEER OF ANY ERROR'S FOUND IN THESE PLANS OR CONSTRUCTION STALL MANDATELY NOTIFY THE ENGINEER OF ANY ERROR'S FOUND IN THESE PLANS OR CONSTRUCTION STALL MANDATELY NOTIFY THE ENGINEER OF ANY ERROR'S FOUND IN THESE PLANS OR CONSTRUCTION STALL MAND BISCREPANDES.
- BEFORE COMMENCING WORK, ALL PLANS AND SCHEDULES MUST BE SUBMITTED AND APPROVED.
- CONTRACTOR IS NOT TO WORK OR TRESPASS ON ANY PROPERTY WITHOUT WRITTEN PERMISSION
- THE CONTRACTOR OR DEVELOPER SHALL OBTAIN ALL NECESSARY ENCROACHMENT PERMITS PRIOR TO STARTING ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY.
- THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONSIBILITY FOR WORKING FOLOS, THE CONTRACTOR SHALL DEFENT OF ALL PERSONS AND PROPERTY. THE RECOVERATION SHALL DEFENT OF ALL DEFENT WORKING FOLOS, THE CONTRACTOR SHALL DEFENT OF ALL DEFENT WORKING FOLOS, THE CONTRACTOR SHALL DEFENT ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LABULTY ARRIVER FOR THE SOLE REGLEREED OF THE OWNER, SURVEYOR OF
- THE CONTRACTOR SHALL COMPLY WITH ALL LOCAL, STATE, AND FEDERAL SAFETY REGULATIONS PERTAINING TO HIS OPERATIONS. THE CONTRACTOR SHALL ADEQUATELY BARRICADE THE GENERAL PUBLIC FROM THE SITE AND SHALL PROVIDE ALL UGHTS, BARRICADES, FLAGMEN OR OTHER DEVICES NECESSARY FOR PUBLIC SAFETY.
- THE CONTRACTOR IS HEREY MOTIFED THAT PRICE TO COMMENDING CONSTRUCTION, HE IS RESPONSIBLE FOR CONTACTION ALL UTILITY COMPANIES FOR VERBALTAN OF THE LOCATIONS OF ALL UNDERGROUND FACILITES AT THE CONSTRUCTION STE AND LOCATING WERE SUCH FAULTIES MAY POSSIBLY CONFLICT WITH HE PLACEMENT OF THE IMPROVEMENTS SHOW ON THESE PLANS. NOTIFY "UNDERGROUND SERVICE ALERT" (USA) AT LEAST TWO (2), WORNIG DATES IN ADVANCE OF BEGINNING WORK AT (800) 642-2444 OR (800) 227-2600
- THE CONTRACTOR IS TO ARRANGE A PRECONSTRUCTION MEETING ON THE JOB SITE WITH THE CONTRACTOR IS TO ARRANGE A PHECONSTRUCTION MEETING ON THE JOB SITE WITH THE GOVERNICA GEORIGE, UTILY COMPANIES, OWNER'S DEVELOPER AND/OR REPRESENTATIVES AND GENERAL CONTRACTORS PRIOR TO COMMENCING WORK. THIS MEETING UNLU VERTIFY SOFEDULES, METHODS AND MATERIALS TO BE USED IN CONSTRUCTION OF THE PROJECT. NOTIFY ALL GOVERNING AGENCIES AT LEAST 48 HOURS IN N ADVANCE.
- CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE CODES AND REGULATIONS AND STANDARDS.
- THE GENERAL CONTRACTOR OR A RESPONSIBLE PARTY WHO HAS THE AUTHORITY TO ACT FOR THE CONTRACTOR SHALL BE ON THE JOB SITE DURING ALL WORKING HOURS.
- PRIOR TO COMMENCING CONSTRUCTION, THE CONTRACTOR SHALL POTHOLE AND EXPOSE ALL EXESTING UNDERGROUND FACILITIES FOR SERVICE CONNECTIONS AND POSSIBLE UTILITIES THAT SHOWN ON THESE PLANS SHALL BE REPORTED TO THE OWNER AFFECTED UTILITIES AND ENGNEER WTHIN 48 HOURS OF DISCOVERY. THE LOCATION OF THE EXISTING UTILITIES AND STOM DRAINS ARE FER THE RECORD DRAWINGS OF FIELD GOSERVATIONS.
- INSTALLATION OF ALL GRAVITY UTILITIES (I.e. SEWER, STORM DRAIN) SHALL BE FROM THE POINT OF CONNECTION UPSTREAM.
- In the BELOW CERTIFICATIONS SHALL BE SUPPLIED TO THE OWNER FOR THE FOLLOWING STAGES TO STE WORK. CERTIFICATIONS SHALL BE PERFORMED BY ome ASSOCIATES, INC. ANU/OR THE SOLIS ENDIREER AND PAD FOR BY THE OWNER. ANY COSTS FOR REWORKING, RETESTING, OR RESURVETING DUE TO NON-COMPLIANCE WITH THE SPECIFICATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTACY WITH THE SPECIFICATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTACY.
- ROUGH GRADE SOIL COMPACTION, PRIOR TO ANY UNDERGROUND CONSTRUCTION.
- ROUGH IGARE SUIT COMPACING, PRICE TO ANY UNDERNOUND CONSINUCTION. PAD LOCATION NO GARGE TO PLUS GO MINIS GRAVETENTH OF A POTT PAD LOCATION NO GARGE TO PLUS GO MINIS GRAVETENTH OF A POTT PAD SOLI COMPACTION. PRIOR TO ANY BUILDING CONSTRUCTION. SEVER, STORM, WATER AND REGATION TESTING, PRIOR TO THE GRADING. BEE GRADING TO BUS GO MINIS GRAVET FOT TO FING FROM TO BASE ROCK LACEMENT
- IF AT ANY TIME DURING THE COURSE OF CONSTRUCTING THE PROPOSED PROJECT. IF AT ANY TIME DURING THE COURSE OF CONSTRUCTING THE PROPOSED PROJECT. EVENDERC OF SOLI DANJOR GROUNDWATER CONTAMINATION WITH HARABOUS MATERIAL IS ENCOUNTERED. THE APPLICANT SHALL IMMEDIATLY STOP THE PROJECT AND CONTACT THE PROVIDENT HEALTH SERVICE HAZAROUS MATERIALS SECTION. THE PROJECT SHALL REMAIN STOPPED UNTIL THERE IS RESOLITION OF THE CONTAMINATION PROBLEM TO THE SATISFACTION OF ENVIRONMENTAL HALTH SERVICES AND TO THE WATER QUALITY
- 22 ANY RETAINING WALL SHALL BE CONSTRUCTED AND BACKFILLED IN ACCORDANCE WITH THE STRUCTURAL ENGINEER'S AND SOILS ENGINEER'S RECOMMENDATIONS.
- 23. THE CONTRACTOR SHALL CONTROL DUST AT ALL TIMES DURING CONSTRUCTION.

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- 24 FOR ALL PROJECTS REGARDLESS OF SIZE THE CONTRACTOR SHALL IMPLEMENT PRACTICES (BMP's) TO ELIMINATE OR MINIMIZE POLLUTION DISCHARGE CAUSED BY CONSTRUCTION
- 25. THE CONTRACTOR SHALL COMPLY WITH THE REQUIREMENTS OF THE STATE OF CALIFORMA WATER RESOURCES CONTROL BOARD (SWRCB). THE CONTRACTOR SHALL IMPLEMENT AND MONITOR THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) IN ACCORDANCE WITH THE SWRCB REQULATIONS.

- 26. STREET OR LANKE GLOSIPE WILL BECAUGE A TRAFFIC CONTROL PLAN AND THE DESIGNATION. OF A GLAINEED INNOVALIA FOR ITS MIR-BEAMTENTIAN AND CARE LAMITENIANCE TRAFFIC CONTROL PROCEDURES SHALL CONFORM TO THE MOST RECENT EDITION OF THE "WATCH HANDBOOK" AND THE MOST RECENT EDITION OF THE CALIFORMA UNITO. THE CONTRACTOR SHALL OFTAN APPROVAL FOR THE METHOD OF TRAFFIC CONTROL PRIOR TO STARTING CONSTRUCTION.
- 27. ALL IMPROVEMENTS SHALL BE DONE IN ACCORDANCE WITH THE REQUIREMENTS OF THE GOVERNING AGENCIES STANDARD SPECIFICATIONS AND REQUIREMENTS AND THE LATEST EDITION OF THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION, STANDARD SPECIFICATIONS.
- 28. THE THE CONTRACTOR'S RESPONSEDINT TO COMMINING AND WET WITH THE CITY OF RENO THE RELAXENCE OFF-SITE IMPORTANT ADMINISTRATING TO THE CITY BOHT-CO-KWY MODERNATION WILL BE RETORIED BECAUSE THE CITY OF THE CITY BOHT-CO-KWY WORKING ON THE CITY STRIFT-CO-FWX. THE CONTRACTOR SHOW THE FORENTO OF THE CITY'S WORK FOR RETERENCE. THE CONTRACTOR SHALL DETAIN THE LATEST DRAIMINGS FOR THE CITY OF WEALD PARK FROM TO THE STATE OF ANY WORK.
- WHERE THE PLANS OR SPECIFICATIONS DESCRIBE PORTIONS OF THE WORK IN GENERAL TERMS, BUT NOT IN COMPLETE DETAIL, IT IS UNDERSTOOD THAT ONLY THE BEST GENERA PRACTICE IS TO PREVAIL AND THAT ONLY MATERIALS AND WORKMANSHIP OF THE FINEST QUALITY ARE TO BE USED.
- 30. PLACEMENT OF PROPOSED PUBLIC IMPROVEMENTS AND PROPOSED ONSITE IMPROVEMENTS SHALL NOT BE LIMITED TO THESE PLANS, BUT BE BUILT IN ACCORDANCE WITH THE CITY OF MENLO PARK AND CALTRANS' IMPROVEMENT STANDARDS TO THEIR SATISFACTION.
- 31. THE CONTRACTOR WILL BE RESPONSIBLE FOR ANY DAMAGE TO THE STREETS, SIDEWALKS OR OTHER EXISTING PUBLIC OR PRIVATE IMPROVEMENTS DURING CONSTRUCTION. ANY IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE.
- 32. TEMPORARY CONSTRUCTION FENCING: THE CONTRACTOR SHALL INSTALL A 4' TALL, BRIGHTLY COLORED (USUALLY YELLOW OR ORANGE), SYNTHEITC MESH MATERIAL FENCE WITH SIGNS STATING "THIS TREET OB E SAVED FRIOR TO ANY CONSTRUCTION EQUIPMENT BEING MOVED ON-SITE OR ANY CONSTRUCTION ACTIVITIES TAKING PLACE
- SIGNIFICANT LEVEL
- CONSTRUCTION NOISE: THE CONTRACTOR SHALL INSURE THAT ALL CONSTRUCTION VEHICLES AND EQUIPAENT OPERATED WITHIN CLOSE PROMMITY OF A RESIDENTIAL DELLING ARE COMPEND IN THROFENCY OPERATING AND MAINTANE DUFFLERS OF AUXIMED ACQUISTICAL PROFESSIONAL TO VERIFY THE EQUIPAENT THAS PROFER MUFFLERS. CONSTRUCTION DOSE EUNANTHOR FORM ANY CONSTRUCTION ACTIVITIES FOR WHICH A PERMIT IS REQUIRED IS PROHIBITED ON SUNDAYS AND FEDERAL HOLDAYS, AND SHALL ONLY COCUME
- A. MONDAY THROUGH FRIDAY, 7:00 AM TO 8:00 PM.
- ALL CONSTRUCTION SITE ACTIVITIES, REGARDLESS OF SIZE, SHALL CONFORM TO THE CITY OF MENLO PARK, SAM MATED COUNTY AND THE STATE WATER RESOURCES CONTROL BOARD, NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NEPDES), WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF STORM WATER RUNOFF ASSOCIATED WITH REQUIREMENTS FOR DISCI CONSTRUCTION ACTIVITY.
- FOR ALL CONSTRUCTION PROJECTS OVER ONE ACRE, A NOTICE OF INTENT (NOI) SHALL BE FILED WITH THE STATE WATER RESOURCES CONTROL BOARD AND A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) BE PREPARED AND ON-SITE DURING CONSTRUCTION. THIS IS PARTO OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION 36 SYSTEM (NPDES) PERMIT PROCESS. CONTRACTOR SHALL ALSO BE IN COMPLIANCE WITH ALL LOCAL STORM WATER QUALITY REGULATIONS.
- UPON JOB COMPLETION, THE CONTRACTOR SHALL PROVIDE THE ENGINEER WITH ONE COMPLETE SET OF RECORD DRAWINGS WHICH ACCURATELY SHOW ALL FIELD CHANGES THE CHANGES SHALL BE MARKED ON A CLEAN SET OF DRAWINGS IN CONTRASTING COLORS
- 38. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND SUBCONTRACTOR TO UNDERSTAND THESE DRAMMISS AND THE OBLIGATION TO FERFORM ALL WORK HEREIN. THIS INCLUDES INCLUDION STORMATION WHICH OCCURS ON ARCHITECTURAL FLUXICURAL PLANE MECHANICAL, ELECTRICAL, LANDSCAPE, AND ARCHITECTURAL FLUXIS THAT MAY BE REQUIRED TO CORRECTLY COMPLETE THE WORK.
- 39. THE CONTRACTOR TO REVEW THE ENVIRONMENTAL SAMPLING REPORT DATED APRIL 2019 PREPARED BY AMR ENVIRONMENTAL. THIS REPORT SHALL BE REVEWED BY THE CONTRACTOR DURING THE BIDDING OF THE PROJECT. ALL WORK SHALL BE PER THIS REPORT AND OTHER REPORTS PREPARED FOR THIS PROJECT.

### GRADING/EARTHWORK:

- ALL EARTH AND SITE WORK SHALL BE PERFORMED IN ACCORDANCE WITH RECOMMENDATIONS AS DEFINED IN THE GEOTECHNICAL REPORT, THE CALIFORNIA BUILDING CODE, AND THE LOCAL JURISDICTION.
- 2. THE CONTRACTOR SHALL POSSESS & GRADING PERMIT PRIOR TO ANY GRADING ACTIVITIES.
- THE OWNER SHALL RETAIN THE SERVICES OF A QUALIFIED SOLS ENGINEER TO EVALUATE GEOLOGIC AND SOLS CONDITIONS ON THE SITE, PROVIDE EARTHWORK RECOMMENDATIONS, AND INSPECT THE CONTRACTOR'S WORK FOR CONDUNANCE. ALL TESTS SHALL BE CERTIFIED BY THE SOLS ENGINEER WITH ANY TEST WITHIN THE RIGHT-OF-WAY ALSO BEING APPROVED BY THE GOVERNME GAENCY. 3.
- THE CONTRACTOR SHALL CONTROL DUST, EROSION, AND SEDIMENT AT ALL TIMES DURING CONSTRUCTION. IF GRADING AND CLEARING IMPROVEMENTS ARE INCOMPLETE BY OCTOBER FIRST, THE CONTRACTOR SHALL INSTALL EROSION PROTECTION ON ALL EXPOSED SOIL. INSTALL BMP'S FOR CONTROLLING ANY DRAINAGE FROM THE SITE, AND CLEAN ALL SEDIMENT FROM THE EXISTING STORM DRAIN SYSTEMS.
- CALCULATION OF EARTHWORK QUANTITIES, ANY IMPORT OR EXPORT REQUIRED SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ANY QUANTITIES CALCULATED BY oms ASSOCIATES, INC. ARE FOR PERMIT FEE DETERMINATION ONLY.
- GRADING SHALL NOT OCCUR UNTIL ALL EXISTING TREES TO BE SAVED ARE ADEQUATELY PROTECTED. PLEASE SEE THE CIVIL AND LANDSCAPING PLANS FOR TREE PROTECTION, FENCING AND DETAILS. THE CONTRACTOR IS TO NOTIFY THE ARBORIST 72 HOURS PRIOR THE START OF DEMOLITION AND CONSTRUCTION.
- ALL UNSUITABLE AND SURPLUS MATERIAL SHALL BECOME THE PROPERTY OF CONTRACTOR AND SHALL BE REMOVED FROM THE SITE AT THE CONTRACTOR'S EXPENSE UNLESS THE OWNER OR ENGINEER SPECIFIES OTHERWISE.
- RECOMMENDATIONS AS OUTLINED IN THE SOILS REPORT (PREPARED BY ROCKRIDGE GEOTECHNICAL, JOB NO. 22-235 DATED AUGUST 1ST/, 2022) SHALL BECOME REQUIREMENTS FOR THIS DEVELOPMENT.

THIS DOCUMENT AND THE IDEAS AND DESIGN INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICES IS THE PROPERTY OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anno ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANNO ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANNO ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANNO ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANY OTHER PROJECT WITHOUT THE ASSOCIATES, INCORPORATED ASSOCIATES, INCORPORATED ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITH ANY OTHER PROJECT WITH ANY OTHER ASSOCIATES, INCORPORATED ASSOCIATES, INCORPORATED ASSOCIATES, INCORPORATED ASSOCIATES, INCORPORATED ASSOCIATES, INCORPORATED ASSOCIATES, INCORPORATED ASSOCIATES, INCORPO

- THIS GRADING PLAN IS FOR APPROVAL ON ON-SITE ELEVATIONS ONLY. THE ELEVATIONS SHOWN WITHIN THE PUBLIC RIGHT-OF-WAY REQUIRE SEPARATE PUBLIC WORKS DEPARTMENT APPRVIAL & PERVIAL, ANY NOES THAT APPLY TO THE PUBLIC RIGHT-OF-WAY ARE FOR REFERENCE ONLY. IF ON-SITE ELEVATIONS SHOWN DO NOT CONCOLE WITH APPRVIDE STREPENCE ONLY. IF ON-SITE ELEVATIONS SHOWN DO NOT CONCOLE WITH APPRVIDE STREPENCE ONLY.
- 10. THE SOIL IS HIGHLY CORROSIVE. PLEASE SEE THE GEOTECHNICAL REPORT, SECTION 6.6, PAGE 15. THE PROJECT TEAM MAY BE REQUIRED TO HIRE A CORROSIVE ENGINEER TO REVIEW THE GEOTECHNICAL REPORT AND PROVIDE THE REQUIRED DRAWINGS AS PART OF THE CONSTRUCTION DOCUMENTS.
- 11. THE SOIL SUBGRADE BENEATH THE PROPOSED IMPROVEMENTS (BUILDING PAD AND THE SOL SUBGRADE BENEATH THE PROPOSED IMPROVEMENTS (BUILDING PAD AND CONCRETE LATINGK) OR AREA TO THE PELL SOLUDIE BE SCARMED TO A DEPTH OF AT COMPACTED AT LEAST 900 RELATIVE COMPACTON. THE SOL SUBGRADE FOR VEHICULAR PAVEMENT SOLUDIE BE COMPACTED 10 955 RELATIVE COMPACTON AND EE NON-VELDING. THE SOL SUBGRADE SHOULD BE COMPACTED 10 955 RELATIVE COMPACTON AND EE NON-VEHICULAR. THE SOLL SUBGRADE SHOULD BE COMPACTON TO THE SOL SUBGRADE FOR VEHICULAR.
- 12. FILL SHOULD CONSIST OF ON-SITE SOIL OR IMPORTED SOIL (SELECT FILL) THAT IS FREE OF ORGANIC MATTER, CONTINIS NO ROCKS OR LUMPS LARGER THAN THREE INCHES IN GREATES DIMENSIONS, AND IS APPROVED BY THE GOTECHNICAL ENGINEER. IMPORTED FILL SHOULD ALSO HAVE LUQUD LUMIT OF LESS THAN 40 AND A PLASTICIT INDEX OF LESS THAN 15. PLASES ET HE GOTECHNICAL REPORT FOR ADDITIONAL INFORMATION.

### CURBS. GUTTERS AND WALKS:

- ALL VERTICAL CURBS SHALL BE CONSTRUCTED TO WITHIN 1/2" VERTICAL TOLERANCE EXCEPT WHERE ADJUSTMENTS ARE REQUIRED TO MATCH EXISTING CONDITIONS. ANY C NOT WITHIN THIS TOLERANCE MAY BE REJECTED BY THE ENGINEER AND REMOVED AND ANY CURB REPLACED AT THE CONTRACTOR'S EXPENSE.
- REFER TO THE PLANS FOR CURB AND GUTTER DIMENSIONS AND DETAILS.
- ALL ON-SITE CURB AND GUTTERS SHALL BE CONSTRUCTED TO WITHIN  $1/2^{\prime\prime}$  VERTICAL TOLERANCE. HOWEVER, THE GUTTER SHALL BE CONSTRUCTED SO THAT NO WATER IS TRAPPED IN THE GUTTER AND THAT THE MINIMUM SLOPE ALLOWED BY THE LOCAL JURISDICTION IS NOT EXCEEDED.
- USE EXTREME CARE ALONG ALL ACCESSIBLE ROUTES OF TRAVEL TO ENSURE THAT ALL CURBS, QUITERS, AND SDEWALKS ARE ADA COMPLIANT. THE CONTRACTOR SHALL VERPT FORWORK COMPLIANCE FOR SLOEDS, HEIDHTS, WOTES AND CLEARANCES PRIOR TO REQUESTING AND FOURING ANY CONCRETE. CHECK ALL CONCRETE MANEDIATELY AFTER PLACEMENT AND FOLKING ANY CONCRETE. CHECK ALL CONCRETE MANEDIATELY AFTER PLACEMENT AND REMOVE ANY MORK NOT WITHIN COMPLANCE.
- SEE NOTES FOR PEDESTRIAN AND HANDICAP ACCESSIBILITY FOR ADDITIONAL WALK REQUIREMENTS.
- CURB AND GUTTER IN THE CITY'S RIGHT-OF-WAY SHALL BE PER THE CITY OF MENLO PARK'S STANDARDS AND SPECIFICATIONS.
- 7. CURB AND GUTTER ON CALTRANS' RIGHT-OF-WAY SHALL BE PER CALTRANS' STANDARDS

### PAVING:

9.

- PREPARE AND COMPACT SUBGRADE AND PLACE BASE ROCK AND ASPHALT OR CONCRETE PER THE GEOTECHNICAL REPORT AND THEIR RECOMMENDATIONS. REFER TO THE GRADING PLAN FOR SELECTED PAVEMENT SECTION.
- PAVEMENT THICKNESS SHALL BE WITHIN THE FOLLOWING TOLERANCES: AGGREGATE BASE 1/2" PLUS OR MINUS. ASPHALT OR CONCRETE: 1/4" PLUS OR MINUS.
- THE CONTRACTOR SHALL COORDINATE WITH ALL OTHER WORK TO ASSURE THAT ALL UNDERGROUND COMDUTS AND UTILITIES ARE INSTALLED PRIOR TO PLAVING. ALL PIPES IN PAYED AREAS SHALL BE PLACED PRIOR TO PLAUGK GACREGATE BASE. IN OLDRS, GUTTER, SDEWALK OR AGGREGATE BASE SHALL BE PLACED UNTIL UNDERGROUND UTILITIES ARE INSTALLED.
- COPIES OF CALCULATIONS NECESSARY TO DETERMINE QUANTITIES OF ASPHALT AND BASE ROCK SHALL BE FURNISHED TO THE OWNER AND ENGINEER. MANUFACTURER'S MATERIAL AND WEIGHT TICKETS SHALL BE FURNISHED TO THE OWNER TO SHOW MATERIALS ACTUALLY USED. THE OWNER MAY REQUEST BORNES TO CONFIRM ASPHALT AND BASE ACTUALLY USED. ROCK THICKNESS.
- 5 SOIL STERIUZATION (WEED KILLER) SHALL BE APPLIED IN AREAS TO BE PAVED. KEEI TWO FEET MINIMUM CLEAR OF EXISTING AND PROPOSED LANDSCAPED AREAS. APPLY MANUFACTURER'S RECOMMENDED RATE TO ASSURE 3 INCH MINIMUM PERITRATION. APPLY AT
- THE PAVING CONTRACTOR SHALL PROVIDE ALL REQUIRED COMPACTION TESTS IN THE STREET AT THE CONTRACTOR'S EXPENSE.
- WHEN MATCHING THE PAVEMENT ON AN EXISTING ROAD, THE EXISTING PAVEMENT SHALL BE CUIT TO A NEAT STRAGHT LINE PARALLEL WITH THE LANE AND REMOVED BACK TO AN ADEOLATE STRUCTURAL SECTION. THE EXPOSED EDGE AND VERTICAL EDGE OF GUITER LIP SHALL BE TACKED WITH EMULSION PRIOR TO PAVING.
- INCREASE ASPHALT SECTION AND CONCRETE SECTION AT EDGES TO 150% OF SPECIFIED PAVEMENT THICKNESS OR AS SPECIFIED BY THE GEOTECHNICAL REPORT.
- A TACK COAT SHALL BE APPLIED TO ALL CONCRETE EDGES TO WHICH ASPHALT IS TO BE PLACED. PROTECT ADJACENT SURFACES DURING APPLICATION.
- SURFACE SMOOTHNESS OF ASPHALT OR CONCRETE PAVING SHALL NOT BE ACCEPTABLE IF EXCEEDING 1/4 INCH USING A 10 FOOT STRAGHT EDGE. PONDING OR "BIRDBATHS" EXCEEDING 1/4 INCH IN THICKNESS SHALL NOT BE ACCEPTABLE AND SHALL BE CORRECTED BY THE CONTRACTOR.
- 11 REINFORCE CONCRETE AS PER THE GEOTECHNICAL REPORT OR THE CIVIL DRAWINGS
- 12. SEE NOTES FOR PEDESTRIAN AND HANDICAP ACCESSIBILITY FOR ADDITIONAL PAVING REQUIREMENTS.
- 13. ANY EXISTING PAVEMENT WITHIN THE PROJECT LIMITS THAT IS DAMAGED OR DISPLACED EVEN THOUGH T WAS NOT TO BE REMOVED, SHALL BAMITS HALLS DAMAGED ON DISPLACED, EVEN THOUGH IT WAS NOT TO BE REMOVED, SHALL BE REPARED ON REPLACED, EVEN IF DAMAGE OR DISPLACEMENT OCCURRED PRIOR TO ANY WORK PERFORMED BY THE CONTRACTOR.

### PAVEMENT MARKINGS

- STRIPE ALL PARKING SPACES, AISLES, ENTRANCES AND EXITS PER THE GOVERNING STANDARDS AND AS SPECIFIED. THE GENERAL CONTRACTOR IS TO CONTACT THE CITY OF MENLO PARK AND CALTRANS FOR SPECIFIC REQUIREMENTS.
- 2 HAVEN AVENUE'S PAVEMENT MARKINGS ARE TO CONFORM TO THE MOST RECENT EDITION OF THE CITY OF MENUE PARK AND THE STATE'S DEPARTMENT OF TRANSPORTATION'S STANDARD SPECIFICATIONS AND PLANS. STRIPING SHALL BE DONE WITH THERMOPLASTIC AND REFLECTIVE MARKERS.
- 3. STRIPE ALL HANDICAP STALLS AND PEDESTRIAN ACCESSES PER A.D.A. REQUIREMENTS.

### BUILDINGS:

- 1. PREPARE PAD PER GEOTECH RECOMMENDATIONS.
- 2. THE CONTRACTOR IS TO VERIFY ALL BUILDING DIMENSIONS AND SITE CONDITIONS PRIOR TO STARTING ANY CONSTRUCTION.

- VERFY THE POINT OF CONNECTION BETWEEN STE AND BUILDING UTILITES FRIGR TO ANY CONSTRUCTION. F DISCRETANCES ARISE, MOTEY THE DINGRETE AND ARCHTECT WITH THE WORK AFFECTIE WITHOUT INSTRUCTIONS FROM THE ARCHTECT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY NECESSARY CORRECTIONS TO THE SATISFACTION OF THE ENDREER. 3.
- ALL BUILDING SLABS SHALL BE CONSTRUCTED TO WITHIN 1/8" OF GRADE SHOWN ON THE APPROVED CIVIL PLANS.
- 5. SEE ARCHITECTURAL AND STRUCTURAL PLANS FOR CONSTRUCTION INFORMATION.

#### MISC. SITE WORK:

- OBTAIN APPROVAL FOR ALL GATES FROM THE POLICE AND FIRE DEPARTMENT PRIOR TO CONSTRUCTION
- 2. OBTAIN APPROVAL AND/OR PERMIT FOR ALL SIGNS PRIOR TO CONSTRUCTION.
- 3. STREET SIGNS SHALL BE RELOCATED AND INSTALLED AS REQUIRED.

#### FIRE LANES:

CONSTRUCTION STAKING:

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SERVICES

- FIRE LANES ARE TO BE MARKED AS REQUIRED BY THE CITY OF MENLO PARK FIRE DEPARTMENT'S REQUIREMENTS, THE CALIFORNIA FIRE CODE AND THE STATE'S VEHICLE CODE
- AS A GENERAL GUIDE, WHEREVER THE PARKING OF A VEHICLE WILL COMPROMISE OR OBSTRUCT ENERGENCY VEHICLE ACCESS, PAINT THE CURBS OR PAVENENT RED WITH CONTRASTING LITTERS STENCILED ON THE CURB SIDE OR THE EDGE OF THE DRIVE READING "NO PARKING FIRE LANE". 2.
- 3 ONE OF THE THREE METHODS PRESENTED BELOW FOR FIRE LANE IDENTIFICATION (TAKEN ONE OF THE INFECTION SECTION A SECTION A SECTION AS A SECTIONAS A SECTIONAS A SECTIONAS A SECTIONAS A SECTION
  - POSTING OF A SIGN EVERY 25' ALONG AND IMMEDIATELY ADJACENT TO, AND VISIBLE FROM, THE DESIGNATED FIRE LANE, CLEARLY STATING IN LETTERS NOT LESS THAN ONE INCH IN HEIGHT THAT THE LOCATION IS A FIRE LANE AND NO PARKING IS PERMITTED.
  - PERMITTED. BY OUTLINING OR PAINTING THE PAVEMENT RED WITH THE PAVEMENT PAINT AND, IN CONTRASTING COLOR, MARKING THE PAVEMENT EVERY 25' WITH THE WORDS "FIRE LANE-NO PARKING" MHCH AMERING IHE PARAMENT EVERY 25' WITH THE WORDS "FIRE LANE-NO PARKING" MHCH ARE CLARLY VISUBLE FROM A VEHICL. BY A RED CURB OR RED PAINT ON THE EDGE OF THE ROADWAY UPON WHICH IS CLEARLY LANERDE EVERY 25' WITH THE WORDS "FIRE LANE-NO PARKING" ON THE FACE OF THE CURB.

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DATE: SCALE: DESIGNED: DRAWN: CHECKED: BROJ. MGR

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4. IF FIRE LANES ARE REQUIRED, POST EACH ENTRANCE WITH SIGNS INDICATING THAT

THESE PLANS HAVE BEEN PREPARED by omis dissolidities, inc. IT IS THE RESPONSIBILITY of THE SURVEYOR WHO PROVIDES THE CONSTRUCTION STAKING TO REVER THE CVIL. EACH DISCIPLINE FOR STAKING, on associations, inc. WILL PROVIDE CAD FILLS FOR INFORMATION ONLY. USE OF THESE CAD DRAWINGS OR DATA SHALL BE AT THE SURVEYOR'S SOLE RISK AND WITHOUT LIABILITY OF LEGAL EXPOSITE TO anni sosociaties, inc. FURTHERMORE, THE SURVEYOR SHALL INDEMNEY AND HOLD HARNLESS omis dissociaties, inc. FIGM ALL CLANS, DAMAGES, LOSSES AND EPPENSES.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SURVEY MONUMENTS OR MARKERS DESTROYED OR LOST DURING CONSTRUCTION. ALL SUCH MONUMENTS OR MARKERS DESTROYED OR LOST DURING CONSTRUCTION SHALL BE REPLACED AT THE CONTRACTORS EXPENSE.

WHENEVER THE NOTE "VERIFY" IS INDICATED ON THESE PLANS, THE CONTRACTOR SHALL DEVOCE THESE FACULTIES PHOR TO THE START OF ANY CONSTRUCTION. AFTER THE DEVOCE THESE FACULTIES PHOR TO THE START OF ANY CONSTRUCTION. AFTER THE ADD REQUEST THEY VERIFY THAT THE HORIZONTAL & VERTICAL ALONGERER ADD REQUEST THEY VERIFY THAT THE HORIZONTAL & VERTICAL ALONGENTS. MEASUREMENT, E.C., ARE IN SUBSTANTIAL CONFORMANCE WITH THESE FLANS TO THE PROLECT ENDREVER'S ASSISTANTIAL CONFORMANCE, THE FROMETER RESERVES THE RIGHT TO REVISE THESE FLANS TO REFLICT THE FORDIC CONTIONS.

THE CONTRACTOR WILL NOT PERFORM ANY CORRECTIVE WORK DUE TO STAKING ERRORS WITHOUT FIRST CONSULTING WITH THE PROJECT MANAGER. IN THE EVENT THE COST OF

ANY ITEM OF CORRECTIVE WORK EXCEEDS \$500.00, PERMISSION TO PROCEED MUST BE RECEIVED IN WRITING FROM THE PROJECT MANAGER. NO LIABILITY WILL BE ASSUMED BY THE PROJECT MANAGER FOR THE COSTS OF WORK PERFORMED IN VIOLATION OF THIS

THE CONTRACTOR SHALL VERIFY THE STAKES LOCATION WITH THE SITE PLAN PRIOR TO CONSTRUCTION. IF ANY LOCATION DIFFERS FROM THE PLAN, THE CONTRACTOR IS TO NOTIFY THE SURVEYOR INMEDIATELY FOR RESOLUTION.

THE CONTRACTOR SHALL VERIFY BY LASER LEVEL (OR BETTER) THE STAKE ELEVATION TO THE TEMPORARY SITE BENCH MARK PRIOR TO CONSTRUCTION.

THE CONTRACTOR SHALL VERIFY ALL STAKE GRADES WITH THE GRADING AND/OR UTILITY PLANS PRIOR TO CONSTRUCTION. IF ANY GRADE DIFFERS FROM THE PLAN BY MORE THAN 0.02 THE CONTRACTOR IS TO NOTIFY THE SURVEYOR MINEDIATELY FOR RESOLUTION.

FORM, STRUCTURE AND/OR UTILITY WITH A LASER LEVEL (OR BETTER). BUBBLE OR HAND LEVELS ARE NOT ACCEPTABLE.

ALL CURB STAKE'S OFFSETS WILL BE MEASURED TO THE CURB FACE UNLESS OTHERWISE NOTED OR ARRANGED WITH THE CONTRACTOR PRIOR TO STAKING.

10. ANY BUILDING THAT HAS BEEN STAKED WAS STAKED TO THE BEST INFORMATION SUPPLIED TO THE SURVEYOR. THE CONTRACTOR IS TO VERIFY THAT THE STAKED BUILDING DIMENSIONS MICH THE DIMENSIONS OF THE VOINDATION AND ARCHITECTURAL PLANS PRIOR TO ANY CONSTRUCTION. IF THEY DO NOT, THE CONTRACTOR IS TO NOTIFY THE ARCHITECT AND PROJECT MANAGER IMMEDIATLY FOR RESOLUTION.

11. IF A STAKE IS ILLEGIBLE OR UNCLEAR, THE CONTRACTOR IS TO CONTACT THE SURVEYOR IMMEDIATELY FOR CLARIFICATION.

12. ALL PUBLIC IMPROVEMENTS SHALL BE STAKED UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER AUTHORIZED TO PERFORM LAND SURVEYING

THE CONTRACTOR SHALL TRANSFER THE STAKE ELEVATION FROM THE STAKE TO TH

VEHICLES PARKED IN FIRE LANES WILL BE TOWED AT OWNER'S EXPENSE

### PEDESTRIAN AND DISABLED ACCESSIBILITY:

ALL ACCESSIBLE PATHS OF TRAVEL SHALL BE CONSTRUCTED PER THE MOST STRINGENT INTERPRETATIONS OF THE GOVERNING AGENCIES, A.D.A., U.B.C., TITLE 24, ETC. AND SHALL HAVE:

- 1. A MAXIMUM RUNNING SLOPE OF 5% (4.5% RECOMMENDED).
- HAVE A MAXIMUM CROSS SLOPE OF 2% (1.5% RECOMMENDED).
- 3. NO VERTICAL HEIGHT TRANSITION GREATER THAN 1/4".
- NO BEVELED HEIGHT TRANSITION GREATER THAN 1/2\* WITH A 2:1 SLOPE.
- 5. NO OPENING OR GAP OVER 1/2" WIDE.
- ALL REQUIRED ACCESSIBLE SIGNS.
- RAMPS WITH 8.33% MAXIMUM RUNNING SLOPES AND MINIMUM 6.67% (7.5% RECOMMENDED), AND 2% MAXIMUM CROSS SLOPE. GROOVED BORDERS ALONG THE TOP OF ALL CURB RAMPS.
- APPROVED FABRICATED TRUNCATED DOMES AT BOTTOM LANDINGS OF CURB RAMPS AND/OR BEFORE VEHICULAR CROSSINGS.
- 10. 4' MINIMUM LANDINGS AT TOP OF ALL CURB RAMPS.
- 11. 5' BY 5' MINIMUM LANDINGS AT TOP OF ALL PEDESTRIAN RAMPS.
- 12. 5' BY 6' MINIMUM INTERMEDIATE PEDESTRIAN RAMP LANDINGS.
- 13. 6' MINIMUM LENGTH LANDINGS AT BOTTOM OF ALL PEDESTRIAN RAMPS. 14. HANDRAILS ON BOTH SIDES ALL STAIRS AND RAMPS.
- 15. THE REQUIRED NUMBER OF HANDICAP AND VAN ACCESSIBLE STALLS.
- 9' BY 18' MINIMUM ACCESSIBLE PARKING SPACE AND 5' BY 18' MINIMUM LOADING AISLES WITH SLOPES NO GREATER THAN TWO PERCENT (2%) IN ANY DIRECTION AND HAVE NO STRUCTURES WITHIN THESE AREAS.
- 17. 8' BY 18' LOADING AISLES ON THE PASSENGER SIDE FOR ALL ACCESSIBLE VAN PARKING SPACES, SEE THE ARCHITECTURAL DRAWING FOR HANDRAIL DETAILS.
- 18. LOADING AISLES ON THE PASSENGER SIDE OF ALL SINGLE ACCESSIBLE PARKING SPACES. ACCESSIBILITY SIGNAGE PER A.D.A. STANDARDS INCLUDING ENTRANCE SIGNAGE, ACCESSIBLE PARKING SPACE SIGNS, VAN ACCESSIBLE PARKING SPACE SIGNS, MINIMUM FINE \$25 SIGNS, AND ACCESSIBILE PARKING SPACES.
- 20. ALL ACCESSIBLE LOADING AISLES PAINTED WITH THE WORDS 'NO PARKING" IN 12" HIGH LETTERS.
- 21. ACCESSIBLE ROUTES CLEARLY MARKED AND LABELED.
- 22. ACCESSIBLE ROUTES WITH DIFFERENT SOUND PROPERTIES (WHEN TAPPED BY A CANE) THAN THE SURROUNDING MATERIALS.
- 23. 6" WARNING CURBS ALONG ABRUPT CHANGES OVER 4" VERTICAL UNLESS HAVING GUARD RAILS.
- 24. GUARD RAILS AT ALL VERTICAL DROPS OVER THIRTY INCHES (30").

### UTILITIES (GENERAL):

- LITES LOBREALL. THE LOCATIONS OF ALL UNDERGROUND FACULITES SHOWN ON THIS PLAN ARE APPROXIMATE. A REASONABLE EFFORT HAS BEEN MADE TO LOCATE AND DELINEATE ALL UNDERGROUND ACTURIES, HOWERE, THE ENGINEEN ASSUMES NO LUBLITY FOR THE ACCURACY OR COMPLETENESS OF THE EXISTING FACULITES SHOWN HEREON OR FOR THE EXISTENCE OF OTHER UNDERGROUND UILITIES OF OBJECTS WHICH THE CONTRACTOR MAY UNDERGROUND OF THE UNDERGROUND UILITIES OF OBJECTS WHICH THE CONTRACTOR MAY UNDERDRIVENTO FOR YEAR ON THE CONTRACTOR SHALL STOP WORK UNTL CONSTRUCTION OF IMPROVEMENTS. THE ACUITES INTERFERE WITH THE CONSTRUCTION OF IMPROVEMENTS. THE CONTRACTOR SHALL STOP WORK UNTL MITGATIONS CAN BE MADE. ANY COSTS INCURPER EVALUTIES THE FACULTES THE FACULTES FOUNDE TO STOP WORK AS DIRECTED SHALL BE THE RESPONSIBILITY OF THE OWNER ON THE CONTRACTORS INCLINE RESULTING FRANCHES ON THE CONTRACTORS OF WORK AS DIRECTED SHALL BE THE RESPONSIBILITY OF THE OWNER ON STOP WORK AS DIRECTED SHALL BE THE RESPONSIBILITY OF THE
- THE CONTRACTOR SHALL LOCATE AND PRESERVE ALL EXISTING FACILITIES INCLIDING GAS, WATER, IRRIGATION, POWER, TELEPHONE, SEWER OR OTHERS WHICH MAY BE PRESENT IN THE AREA OF CONSTRUCTION. THE RESPECTIVE UTILITY COMPANIES SHALL BE NOTIFIED PRORT TO BEGINNING WORK.
- PRIOR TO TRENCHING FOR ANY SEWER, WATER, OR STORM DRAIN PIPE, THE CONTRACTOR SHALL VERIFY, IN THE FIELD, THE SIZE AND LOCATION OF THE EXISTING PIPES AT THE POINT OF CONNECTION. ANY DEVATION FROM THE PLANS SHALL BE RESOLVED BY THE DESIGN ENGINEER PRIOR TO TRENCHING.
- ELECTRIC, GAS, TELEPHONE AND CABLE TELEVISION INSTALLATION ARE TO BE COORDINATED WITH THE RESPECTIVE UTILITY COMPANIES.
- ALL UNDERGROUND UTILITIES SHALL BE INSTALLED PRIOR TO CURB, GUTTER AND SIDEWALK CONSTRUCTION AND PAVING. 5.
- ALL LINES ABANDONED DURING CONSTRUCTION SHALL BE REMOVED UNLESS OTHERWISE INDICATED.
- ALL TRENCHES SHALL BE BACKFILLED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT, THE CITY OF MENLO PARK AND CALTRANS' STANDARDS AND SPECIFICATIONS.
- THE CONCRETE CONTRACTOR SHALL STAMP THE LETTER "S" ON THE FACE OF CURB DIRECTLY OVER THE SANITARY SEWER LATERAL AND SHALL STAMP THE LETTER "W" IN THE FACE OF CURB DIRECTLY OVER THE WATER SERVCE.
- MARK ALL UNDERGROUND STUBS WITH  $2^{\ast} x4^{\ast}$  MINIMUM WOOD POSTS OR PLASTIC CONDUITS PAINTED WITH THEIR CORRESPONDING COLOR.
- 10. CONFINED SPACE ENTRY (MANHOLES): IT IS THE OWNER / DEVELOPER'S RESPONSIBILITY AS HOST EMPLOYER TO HAVE A COMPLIANT CONFINED SPACE ENTRY PROGRAM. EXISTING MANHOLES ARE "PERMIT REQUIRED" CONFINED SPACES. THE HOST EMPLOYER'S CONTRACTOR MUST STRICTLY CONFORM TO THE CONFINED SPACE PROGRAM IN ENTERING ANY EXISTING MANHOLE.
- PLACE SLEEVES FOR IRRIGATION LINES UNDER PAVEMENT A MINIMUM OF TWELVE (12) INCHES BELOW SUBGRADE AND COMPACT TO 95% MINIMUM. 11.
- THOLED DECKN SOGGREUE AND COMING TO SOM IMMINIOUS PPESS IN ADDITION TO THE APPLICABLE ASTM. AWA AND GOVERNING AGENCIES' SPECIFICATIONS, PIPES SHALL ALSO MEET THE FOLLOWING: THE PIPE SHALL BE HOMOGENEOUS THOUGHOUT, FREE FORM VIDES CARCES, INCLUING MENS, SUFFACE UNDULATIONS, AND OTHER DEFECTS, AND REASONALLY UNIFORM IN COLOR, DENSITY, AND OTHER STUCK I PROFENTIS. THE PIPE SUFFACES, INCLUING THE JOINT SUFFACES OF OTHER STUCK I REVENTS. FOR OTHER SHALL BE GREEN OR WHITE UNLESS OTHERWISE APPROVED BY THE EXPIREE. 12. APPROVED BY THE ENGINEER.
- 13. ALL PIPE MATERIAL, SLOPE, COVER AND INSTALLATION SHALL BE IN ACCORDANCE WITH THE GOVERNING AGENCY'S STANDARDS AND REQUIREMENTS.
- 14. MANHOLES, VALVES, CLEANOUTS, ETC. SHALL BE BROUGHT TO FINISH GRADE AFTER THE FINAL PAVING COURSE IS PLACED.

### UTILITY LINE EXCAVATION. BEDDING & BACKFILL:

- ALL UTLIT LINE EXCANTION, BEDDING AND BACKFILL MATERIALS, AND COMPACTION SHALL BE PERFORMED IN ACCORDANCE WITH GOVERNING AGENCY'S REQUIREMENTS. UTLITY LINES SHALL INCLUES FORM DRAIN, WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, TELEVISION AND LANDSCAPE IRRIGATION LINES.
- PRIOR TO THE INSTALLATION OF ANY UTILITY LINE, THE TRENCH SHALL BE INSPECTED AND APPROVED BY THE GEOTECHNICAL ENGINEER AND UTILITY COMPANY.
- THE TREVEN SHOULD BE EXAMINED FOR SUBSURFACE SEPAGE. IF SEPAGE IS ENCOUNTERED, THE SOLIS ENGINEER SHOULD BE CONSULTED SO THAT RECOMMENDATIONS FOR SUBSURFACE DRAINAGE CAN BE MADE. TRENCHES CONTAINING FREE WATER SHOULD BE DE-WATERED PRIOR TO BACKFILLING.

- UTILITY LINES MAY NOT BE COVERED UNTIL AFTER THEY HAVE BEEN TESTED AND APPROVED. UPON COMPLETION OF THE BACKFILL OPERATIONS. THE UTILITY LINES SHALL BE RETESTED.
- BE REISHED. PROCEDURE AT PIPE ZONE: SELECTED BACKFILL MATERIAL CONSISTING OF LOOSE EARTH ON SAMO, FREE FROM STOMES, CLOSS, ON CHER DELETROUS MATERIAL SHALL BE REDONG ZONE (SERRING), PICTO THE FILL WONT OF THE TERCH ON IN LAYERS NOT EXCEDING & IN LOOSE THICKNESS AND SHALL BE COMPACTED TO A MINIMUM OF 95X. CARE SHALL BE EXPERISION IN SAMOLIUM AT HT PIPE ZONE'T O AVID DAVAGE TO THE PIPE, BACKFILLING SHALL BE CARRED ON SMULTANEOUSLY ON EACH SDE OF THE PIPE TO ASSURE PROPER PROTECTION OF THE PIPE. 5
- PROCEDURE ABOVE THE PIPE ZONE: FROM 12 INCHES ABOVE THE PIPE TO FINISHED GRADE THE BACKFILL SHALL BE PLACED IN THIN UFTS AND COMPACTED USING APPROVED COMPACTOR EQUIPMENT TO A INIMIMUM DEGREE OF COMPACTION OF 95% IN UPPER 12 INCHES BENEATH PAVED AREAS.
- 7 TRENCH BACKFILL SHALL BE DONE IN A CONTINUOUS OPERATION AND COMPLETED TO SUBGRADE. AREAS OF MINIMUM COVER SHALL BE PROTECTED.
- SUBJOACTION AREAS OF MINIMUM UVER SHALL BE PROTECTED. 8. EACH BACKFILL LAYER SHALL BE EVENLY SPREAD, PROPERLY MOISTENED AND COMPACTED 10 THE SPECIFIED RELATIVE DENSITY. ANY DAMAGE TO THE PIPE AS A RESULT OF CONTRACTOR'S OPERATION SHALL BE REPAIRED AND/OR REPLACED AT THE CONTRACTOR'S EVENSE.
- NO MATERIAL GREATER THAN 3" IN ANY DIMENSION SHALL BE PLACED WITHIN ONE FOOT OF ANY PIPE, MANHOLE OR STRUCTURE.
- MAXIMUM DENSITY SHALL BE DETERMINED IN ACCORDANCE WITH THE LATEST ASTM METHODOLOGY AND ALL BEDDING AND BACKFILL SHALL BE FLACED UNDER THE OBSERVATION OF THE SOILS ENGINEER.
- 11. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO SUPERVISE AND CERTIFY THAT PROPER COMPACTION HAS BEEN OBTAINED BY SUBCONTRACTORS.
- THOTAL COMPRING AUTHORITY MAY REQUIRE THE CONTRACTOR TO UNCOVER ANY IMPROVEMENTS THAT HAVE BEEN COMPLETED WITHOUT PROPER INSPECTION AND/OR APPROVAL. IF THE INSTALLATION IS FOUND AND TO MEET THE AUTHORITIES STANDARDS OR PREVIOUSLY APPROVED ALTERNATIVES SHOWN ON THE FLANS, THE CONTRACTOR MAY BE REQUIRED TO REMOVE AND REPLACE SUCH MERVICEWISTS THE/SHEE EVENSE.
- LE INSUMITÉ LA CREAVE ANU RECLUE SUUL IMPROVEMENTS AT HIS/HEE EXPENSE. 13. WHEEE THE TRENCH BOTOMS ARE BELON GROUND WATER, THE BEDONG SHOULD CONSIST OF AT LEAST SXI MONES OF DRAIN BOCK WRAPPED IN FILTER FARRE. AFTER PIPE AND CONDUIT ARE TESTED, INSPECTED (IF REQUIRED) AND APPROVED, THEY SHALL BE COVERED TO A DEPTH OF 6'WITH SAND OR FINE GRAVEL, WHICH SHOULD BE MECHANICALLY TAMPED.

### STORM DRAIN:

- ALL STORM DRAIN MATERIAL, PLACEMENT AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA PLUMBING CODE, THE MANUFACTURER, THE CITY OF MENLO PARK AND CALIFARMS' RECOMMENDATIONS, STANDARD AND SPECIFICATIONS. 1.
- ONLY THE APPROXIMATE LOCATIONS OF THE EXISTING STORM DRAIN LINES ARE SHOWN. THE CONTRACTOR SHALL EXPOSE EXISTING LINES TO VERIFY THE EXACT LOCATIONS AND INVERTS PRIOT DO ANY CONSTRUCTION. NOTIFY THE PROJECT ENGINEER IMMEDIATELY IF SAID LOCATIONS ARE DIFFERENT FROM THAT SHOWN ON THESE PLANS.
- THE CONTRACTOR SHALL MAINTAIN ALL EXISTING DRAINAGE FACILITIES WITHIN THE CONSTRUCTION AREA UNTIL NEW DRAINAGE IMPROVEMENTS ARE IN PLACE AND FUNCTIONING. 3.
- STORM DRAIN PIPES SHALL NOT BE CHANGED WITHOUT THE APPROVAL OF THE LOCAL JURISDICTION AND THE PROJECT ENGINEER.
- VERIFY THE LOCAL JURISDICTION'S MINIMUM PIPE DIAMETER FOR PUBLIC AND PRIVATE PROPERTY.
- 6. ALL ON-SITE STORM DRAIN SYSTEM SHALL BE PVC (SDR 35) OR EQUAL.
- ALL MATERIAL AND WORK ON THE CITY'S RIGHT-OF-WAY SHALL BE PER THE CITY OF MENLO PARK AND CALTRANS' STANDARDS AND SPECIFICATIONS.

### SANITARY SEWER:

- ALL SANTARY SEWER CONSTRUCTION SHALL BE CONSTRUCTED IN ACCRORANCE WITH T CALIFORNIA PLUMBING CODE (CPC) AND THE CITY OF MENLO PARK WEST BAY SEWER DISTRICT'S STANDARD SPECIFICATIONS AND IMPROVEMENT STANDARDS, LATEST EDITION.
- THE CONTRACTOR SHALL MOTIVE HE SEVEN DISTRICT 4 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR A PRE-CONSTRUCTION MEETING. PRIOR TO THE START OF ANY GRADING OR CONSTRUCTION, THE CONTRACTOR SHALL 3
- ONLY THE APPROXIMATE LOCATIONS OF THE EXISTING SANITARY SEWERS ARE SHOWN. THE CONTRACTOR SHALL EXPOSE EXISTING SEWER LINES TO VERIFY THE EXACT LOCATIONS AND INVERTS PRIOR TO ANY CONSTRUCTION. NOTIFY THE PROJECT ENGINEER IMMEDIATELY IF SAID LOCATIONS ARE DIFFERENT FROM THAT SHOWN ON THESE PLANS.
- IN OWATE OF ORDERRIS ENTERIENT THE SEMERS SHALL BE DISARGED TO THE EXISTING SEWER SYSTEM. MECHANICAL PLUIS, OR AS APPROVED, SHALL BE INSTALLED IN THE MANHOLES AT THE POINTS OF COMMECTION TO THE EXISTING SYSTEM, AND SHALL BE REMOVED ONLY AT THE DIRECTION OF THE SEMER DISTRICT. 5. 6 ALL SEWER PIPE MATERIAL SLOPES CURVES AND PLACEMENT SHALL BE PER THE CPC
- MANUFACTURER AND WEST BAY SEWER DISTRICT'S RECOMMENDATIONS, STANDARDS AND SPECIFICATIONS.
- THE FLOWLINE OF ANY SANITARY SEWER SERVICE ENTERING A MANHOLE SHALL MATCH THE CROWN OF THE EXITING SEWER MAINLINE UNLESS OTHERWISE NOTED. 7 8.
- ALL INTERCEPTORS ARE TO BE VENTED TO ROOF PER THE CPC AND THE SEWER DISTRICT'S REQUIREMENTS.
- THE ENDS OF ALL SEWER SERVICES SHALL HAVE A TEMPORARY RISER INSTALLED FOR INSPECTION PURPOSES. WHEN BUILDINGS ARE TO BE CONNECTED, THE TEMPORARY RISER SHALL BE REMOVED AND REPLACED WITH A CLEANOUT. 9
- 10. SANTARY SEVER TESTING: WEST BAY SEVER DISTRICT SHALL OBSERVE ALL REQUIRED TESTING OF THE SANTARY SEVER SYSTEM. THE CONTRACTOR SHALL NOTFY THE SEVER DISTRICT A MINIMUM OF TWO (2) WORKING DAYS PRIOR TO SCHEDULING ANY AIR TEST, TV INSPECTION, OR BALL AND FLUSH.
- 11. ALL SEWER MANHOLES SHALL BE VACUUM TESTED FOR LEAKAGE.
- 11. ALL SEVER MANNELSS STALL BE VAUUUM IESTED FUR LEARAGE.
  21. ALL SANTEN MANNELSS STALL BE TAUDUM IESTED FUR LEARAGE.
  22. ALL SANTENY SEVER MAINS AND SERVICES SHALL BE TELEVISION INSPECTED, CLEANED, FULSHED WITH AN APPROVED SEVERE BALL AND PASS. A LEARAGE TEST HORP TO SEVER TO APPROVE TO SEVERE BALL AND PASS. A LEARAGE TEST HORP TO PROVE TO APPROVE TO SEVERE BALL AND PASS. A LEARAGE TEST HORP TO SEVER CAMERA WITH A 270 DEGREE ARTICULTING LENS. ALL SEVER INFS SHALL BE INSPECTED FOR D'ETECTING DEFETTS SUCH AS OFFSET JONIS, RERAXS, SAGS. ETC. PRIOR EN PROVED FOR D'ETCH SUCH AS OFFSET JONIS, RERAXS, SAGS. ETC. PRIOR BE FLACED IN THE SEVER SYSTEM IN ORDER TO SHOW ANY SAG IN THE SEVER VERTICAL ALIGNMENT. THE COST OF PROVING HIS INSPECTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. PRIVATE FORCES SHALL DO THE WORK AND SUBMIT RECORDINGS TO THE SEVER DISTINGT. ANY INFREDUARTIES IN CONSTITUCTION OF GARGES ESCEDING. ALLOWABLE TOLERANCES SHALL BE CORRECTED AT THE CONTRACTOR'S EXPENSE PRIOR TO ACCEPTANCE OF THE PROJECT.
- SEWER PIPES SHALL BE PVC(C-900 DR18). PER WEST BAY SANITARY DISTRICT'S STD. & SEPC.

### WATER:

- CONSTRUCTION OF ALL WATER LINES AND APPURTENANCES SHALL BE IN ACCORDANCE WITH THE CITY OF MENLO PARK MUNICIPAL WATER DISTRICT'S (MPMWD) STANDARDS AND REQUIREMENTS.
- WATER MAINS AND SERVICES SHALL BE INSTALLED BY THE CONTRACTOR OR THE MPMWD 2. AT THE CONTRACTOR'S EXPENSE. LOCAL FORCES SHALL BE PRESENT FOR ALL CONNECTIONS TO EXISTING CITY WATER MAINS.
- WATER MAINS AND HYDRANTS SHALL BE AS PER THE MPMWD AND FIRE DEPARTMENT'S SPECIFICATIONS AND SHALL CONFORM TO THE LATEST AWWA SPECIFICATIONS.
- MAINTAIN & THREE (3) FOOT MINIMUM CLEARANCE AROUND ALL FIRE HYDRANTS ALL VALVE STEMS MUST BE BROUGHT TO A MINIMUM OF FOUR FEET (4') BELOW FINISH GRADE WITH STEM EXTENSION UNITS. 5
- THRUST BLOCKS SHALL BE PROVIDED FOR WATER LINES AT ALL REQUIRED LOCATIONS IN ACCORDANCE WITH THE MPMWD'S REGULATIONS.
- ALL WATER LINES SHALL BE PRESSURE-TESTED, DISINFECTED, FLUSHED, AND TESTED IN CONFORMANCE WITH THE LOCAL AGENCY'S SPECIFICATIONS PRIOR TO FINAL ACCEPTANCE. 8
- THE SERVICE. THESE IS AND ARE NOT APPROVED TO BE INTERCORDED THE SERVICE SERVICE SERVICE SERVICE AND A SERVICE AND
- AN UNDERGROUND FIRE SPRINKLER CONTRACTOR SHALL PROVIDE AN UNDERGROUND FIRE SERVICE PLAN TO THE FIRE DEPARTMENT FOR APPROVAL. THE CONTRACTOR SHALL HAVE AN ALLOWANCE FOR THIS WORK.

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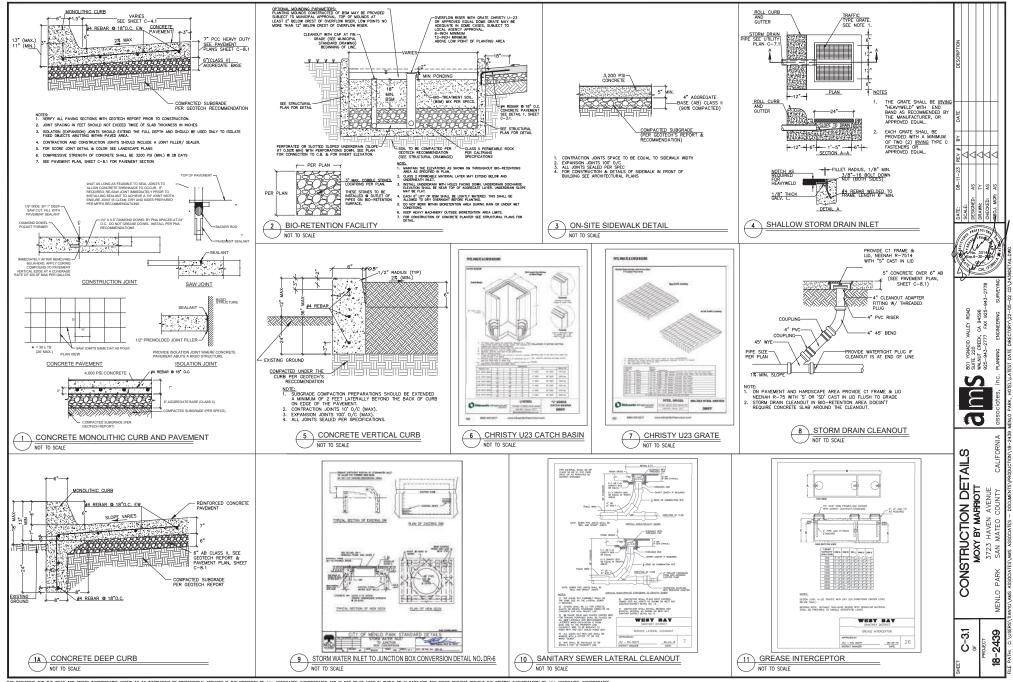
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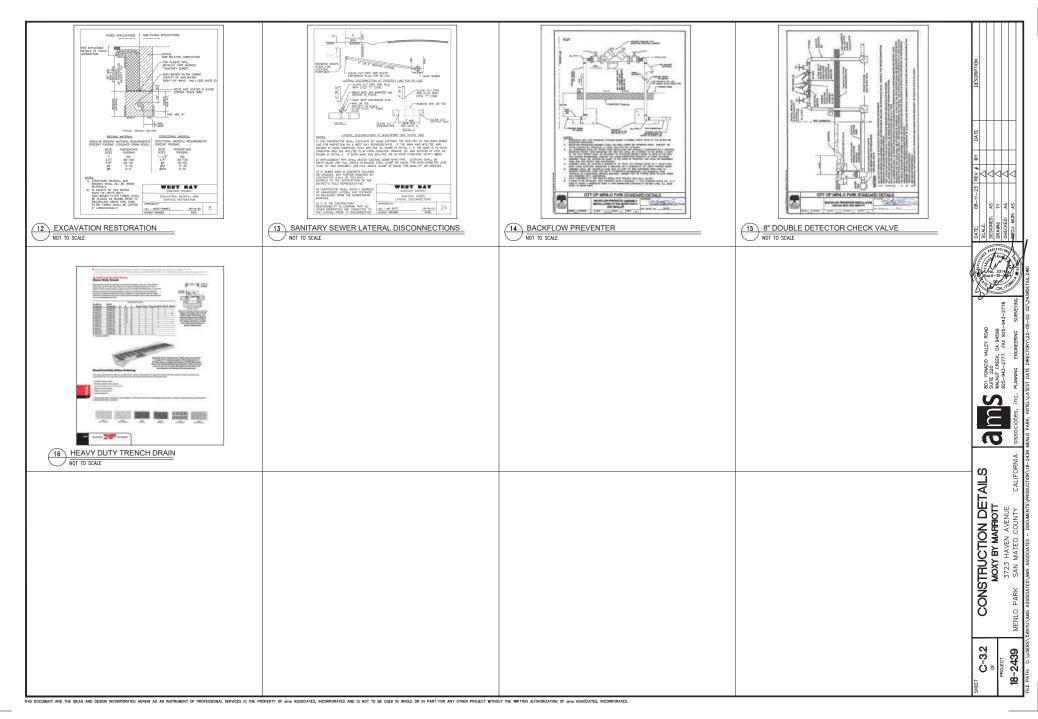
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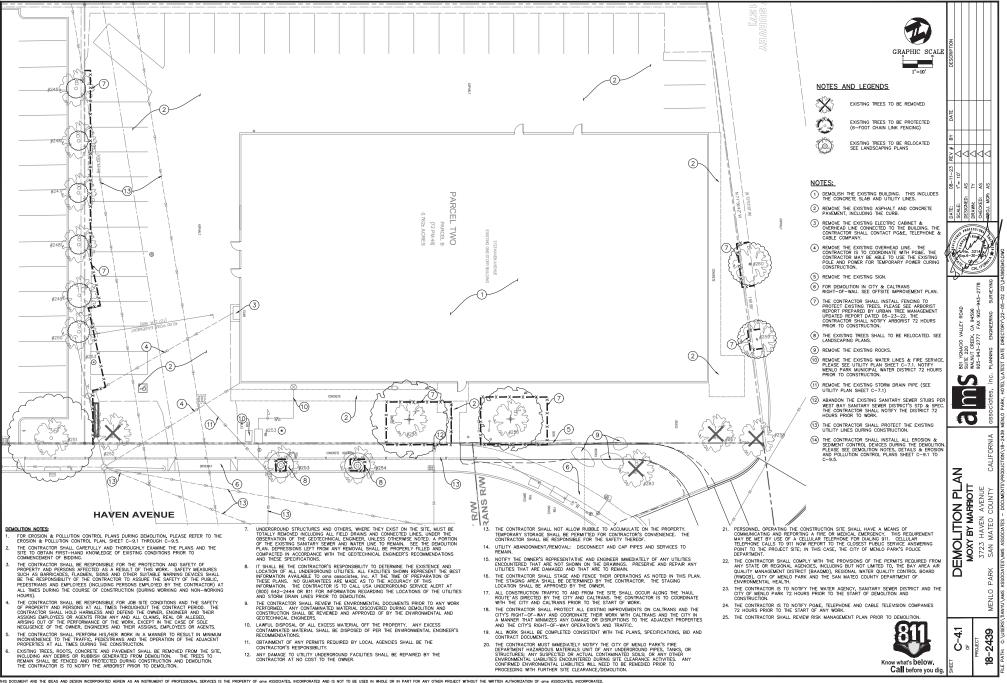
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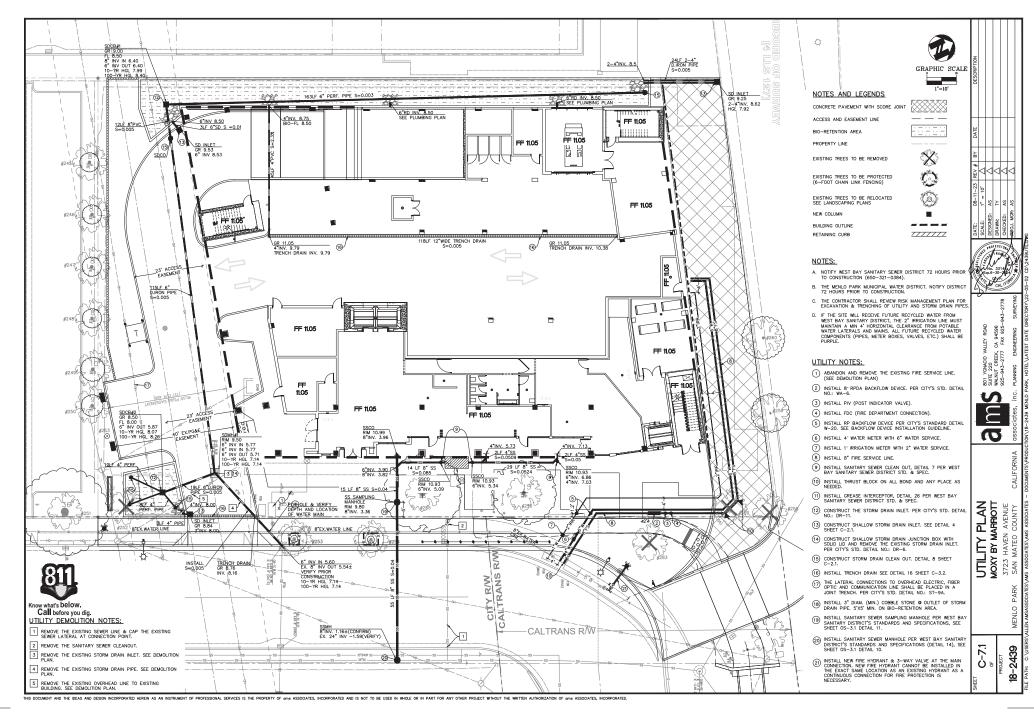
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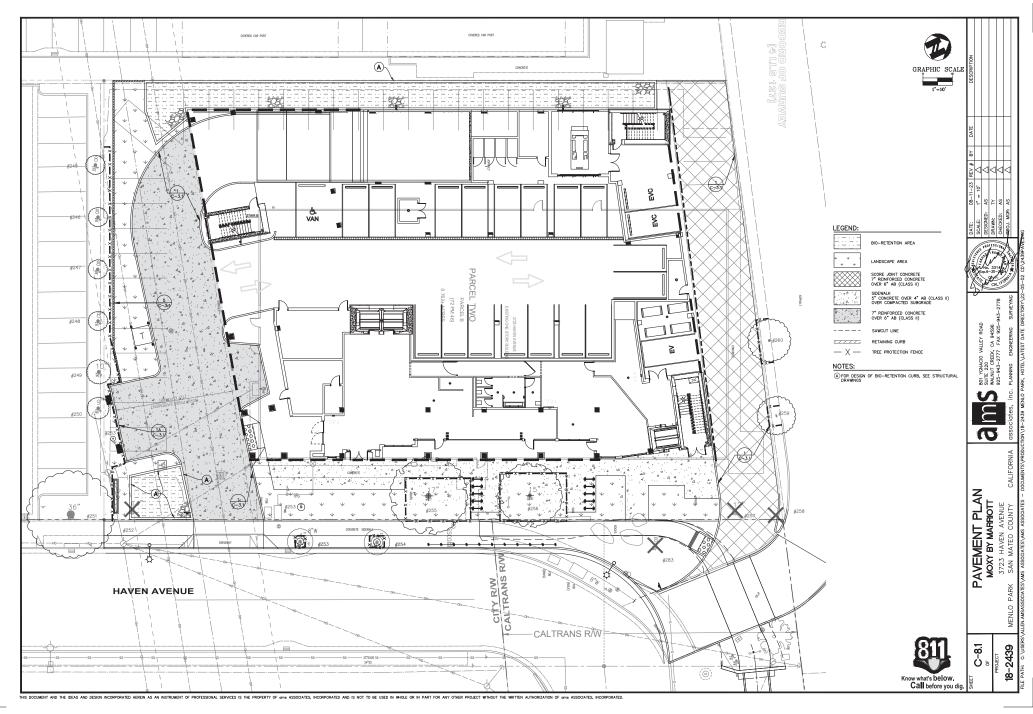


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THE FACILITIES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL SEDIMENT AT ALL TIMES EROSION CONTROL NOTES

- NO WATER SHALL BE ALLOWED TO DRAIN DIRECTLY INTO EXISTING UNDERGROUND STORM SYSTEM BEFORE AN ON-SITE SILT CONTROL SYSTEM IS INSTALLED.
- ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED. ALL EROSION CONTROL FACILITIES MUST BE INSPECTED AND REPAIRED AT THE END OF EACH WORKING DAY.
- SEDIMENT BASINS SHALL BE CLEANED OUT UPON REACHING 25% CAPACITY.
- BORROW AREAS AND TEMPORARY STOCKPILES ARE TO BE PROTECTED WITH APPROPRIATE WIND AND EROSION CONTROL MEASURES TO THE SATISFACTION OF THE CITY'S ENGINEER. ALL CUT AND FILL SLOPES 3:1 OR STEEPER ARE TO BE PROTECTED TO PREVENT SOIL EROSION (SEE NOTE 11).
- THIS PLAN ASSUMES INSTALLATION OF STORM DRAIN IN PLACE.
- SCOPE OF WORK, UNLESS NOTED OTHERWISE, WILL BE WITHIN THE LIMIT OF WORK SHOWN IN PLANS.
- THE AREAS UNCOVERED NEED TO BE "SHELTERED" BY USE OF TARPS OR HAY (IF AREA IS PERMANENTLY FINISHED).
- CONTRACTOR SHALL BE IN COMPLIANCE WITH NATIONAL POLLUTANT DISCHARGE ELMINATION SYSTEM (MPDES) GENERAL PERMIT FOR STORM WATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITY. CONTRACTOR SHALL KEEP A COPY OF NOPDES REPORT ON HIS/HER TRAILER ALL THE TIME ALONG WITH A COPY OF THE SWAPPP. ASSOCIATED
- CONTRACTOR IS TO INSTALL SOIL STABILIZATION BLANKETS ON STEEP SLOPES, AS NOTED IN NOTE 6 ABOVE (GREENFIX, MAT TYPE, WS052 OR EQUAL).
- ALL EROSION WORK SHALL BE IN ACCORDANCE WITH "ABAG MANUAL OF STANDARD FOR EROSION AND SEDIMENT CONTROL MEASURES".
- CONTRACTOR SHALL REVIEW GRADING ACTIVITIES AND EROSION CONTROL PLAN WITH CITY INSPECTOR AS REQUIRED.
- THE ENTRANCES SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP FLOWING OF SEDMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TO DESSING WH ADDITIONAL STORE AS CONDITIONS DEMAND, AND REPAIR AND/OF LEANOIT OF ANY MEASURES USED TO THAT SEDMENT, DEMINE PLANKE OF XUCAN TO TRACED ONTO PUBLIC RIGHT-OF-WAY SHALL BE CLEARED AT THE ADD OF EACH WORK DAY OR AS NEEDED. CONTRACTOR SHALL NOT OBSTRUCT OR CREATE ANY TRAFFIC PROBLEM DURING THE STREET CLEANING.
- WHEN NECESSARY, WHEELS SHALL BE CLEANED TO REMOVE SEDMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABLIZED WHIT CRUSHED STOKE WHICH DRANKS INTO AN APPORED SEDMENT TRAP OR SEDMENT BASIN. ALL SEDMENT SHALL BE PREVENTED FROM ENTERING ANY STOKIN DRAM, DITCH OR WATERCOMEST THROUGH USE OF SAND BASIS, GRAVEL, BOADDS, OTHER APPROVED METHODS.
- STRAW MULCH OR FIBER MATTE SHALL BE SUFFICIENTLY AVAILABLE ON-SITE DURING THE GRADING PERIOD READY TO BE INSTALLED ON FRESH SLOPES THAT MAY BE ERODED DURING STORMY WEATHER.
- CONTRACTOR'S FULL TIME SUPERINTENDENT WITH APPROVED GRADING PLANS, AND SEDIMENT CONTROL PLANS, AND OTHER GRADING/EROSION RELATED DETAILS AND NOTES SHALL BE ONSITE AT ALL TIMES DURING THE GRADING PERIOD.
- THE CONTRACTOR SHALL BE RESPONSIBLE 24 HOURS A DAY TO BE ABLE TO INSTALL EROSION CONTROL DEVICES IN CASE OF RAIN.
- THE NAME, ADDRESS AND 24 HR. TELEPHONE NUMBER OF THE PERSON RESPONSIBLE FOR THE IMPLEMENTATION AND MAINTENANCE OF THIS PLAN SHALL BE PROVIDED TO THE CITY.
- SITE CONTRACTOR SHALL SUBMIT TO LOWE'S PROJECT MANAGER (WEEKLY AND PRIOR TO RAINFALL) INSPECTION REPORTS BRIEFLY DESCRIBING USE OF EROSION AND POLLUTION CONTROL MEASURES REQUIRED BY THE STATE WATER CONTROL BOARD AND AS DESCRIBED IN THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP).
- CONTRACTOR SHALL KEEP A RECORD OF PLANS AND NOTES OF ALL OF HIS OR HER PROCEEDINGS REGARDING THE ERGSION AND POLLUTION ACTIVITIES INDICATING DATE AND TIME. THESE RECORDS SHALL BE AVAILARY TO WATER COLLIFE COLLIFE THESE RECORDS SHALL BE AVAILABLE TO WATER QUALITY BOARD IF REQUIRED
- 22. ALL EXPOSED AREAS SHALL BE SEEDED AS SPECIFIED WITHIN 24 HOURS OF FINAL GRADING OR IF CONSTRUCTION STOPS IN ANY ONE AREA FOR LONGER THAN 14 DAYS.
- ALL GRADED OR DISTURBED AREAS THAT WILL BE IDLE FOR MORE THAN 14 DAYS SHALL BE MULCHED AT THE MINIMUM RATE OF 2 TONS PER ACRE.
- S THE CONTRACTOR'S RESPONSIBILITY TO IMPLEMENT ALL NECESSARY EROSIO ITROL MEASURES AS SPECIFIED IN THE STORM WATER POLLUTION PREVENTION (SWPPP) DURING CONSTRUCTION.
- THE CALIFORNIA GENERAL PERMIT REQUIRES EFFLUENT MONITORING FOR PH AND TURBIDITY. SAMPLING ANALYSIS AND MONITORING REQUIREMENTS FOR PH AND TURBIDITY ARE CONTINNED IN THE GENERAL PERMIT. THIS ASID INCLUES MONITORING AND SAMPLING OF NON-VISIBLE PCLILIANTS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO COMPLY WITH THE GENERAL PERMIT'S REQUIREMENTS.
- THE CONTRACTOR IS TO PROTECT DOWNSPOUT CONNECTIONS AND TRUCK WELL DRAIN PRIOR TO PLACEMENT OF BASE COURSE.
- STREET SWEEPING IS TO BE DONE ON A DAILY BASIS AND AS DIRECTED BY CITY OF MENLO PARK AND CALTRANS' INSPECTOR.
- ALL BASINS AND CHECK DAMS SHALL BE PUMPED DRY AND ALL DEBRIS AND SILT REMOVED WITHIN 24 HOURS AFTER EACH STORM.
- INSTALL ALL SEDIMENTATION BASINS IN ACCORDANCE WITH THE APPROVED EROSION PLANS PRIOR TO OCTOBER 1 OF ANY YEAR.
- 30. ALL STORM DRAINS SHALL BE INSTALLED PRIOR TO OCTOBER 1 OF EACH YEAR.
- ALL CONCRETE LINED DITCHES SHALL BE INSTALLED PRIOR TO OCTOBER 1 OF EACH YEAR, IF REQUIRED.
- 32. AS STORM DRAIN IMPROVEMENTS ARE CONSTRUCTED, ALL STRUCTURES AND INLET PIPES SHALL BE PROTECTED FROM INFLOW OF SILT BY FIBER ROLL BARRIERS PER DETAILS.
- 33. INLET PROTECTION SHALL BE INSTALLED AT OPEN INLETS TO PREVENT SEDIMENT FROM ENTERING THE STORM DRAIN SYSTEM. INLETS NOT USED IN CONJUNCTION WITH EROSION CONTROL ARE TO BE BLOCKED TO PREVENT ENTRY OF SEDIMENT.
- EXCEPT AS OTHERWISE DIRECTED BY THE INSPECTOR, ALL DEVICES SHOWN ON THIS PLAN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN THE FORECAST OF RAIN PROBABILITY EXCEEDS 40% AND MAINTAINED DURING THE RAINY SEASON (OCTOBER 1 TO APRIL 30 ).
- THE FACILITIES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL EROSION AND SEDIMENT DURING THE RAIN' SEASON, OCTOBER IST TO APPEL 30TH. FACILITIES ARE TO BE OPERABLE PROFILO TO COTOBER 10 C ANY TEA, GRADING OPERATIONS DURING THE RAINY SEASON WHICH LEAVE DEVUDED SLOPES SHALL BE PROTECTED WITH EROSION CONTROL MEASURES IMMEDIATLY FOLLOWING GRADING ON THE SLOPES.

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- 36. THIS EROSION AND SEDIMENT CONTROL PLAN MAY NOT COVER ALL THE SITUATIONS THAT MAY ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. VARIATIONS AND ADDITIONS MAY BE MADE TO THIS PLAN IN THE FIELD. NOTIFY THE CITY REPRESENTATIVE OF ANY FIELD CHANGES.
- 37. IT IS THE GENERAL CONTRACTOR'S RESPONSIBILITY TO REVISE THE EROSION AND POLLUTION CONTROL PLAN INCLUDION THE SWIPPP IF IT IS REQUIRED FOR THE PROJECT TO BE DIVIDED INTO PHASES. NO ADDITIONAL FEES WILL BE ALLOWED FOR THIS WORK. THE CONTRACTOR SHALL INCLUDE THIS WORK AS PART OF THEIR BID.
- 38. ADJACENT PROPERTIES SHALL BE PROTECTED FROM STORM WATERS, MUD, SILT, ETC. 39. THE GENERAL CONTRACTORS ARE RESPONSIBLE TO RETAIN A QUALIFIED SWPP
  - PRACTITIONER (QSP) OR AN AUTHORIZED INDIVIDUAL FOR INSPECTION AND MODIFICATION OF THE EROSION CONTROL DEVICES, AS NECESSARY DURING THE RAINY SEASON.
- 40. CONTRACTOR IS RESPONSIBLE TO MAINTAIN ALL VEHICLES AND HEAVY EQUIPMENT, AND INSPECT THEM FREQUENTLY FOR LEAKS.
- 41. THE CONTRACTOR SHALL DESIGNATE ONE AREA OF THE SITE, AWAY FROM STORM DRAIN FACILITES OR STORM DRAIN INLETS, FOR AUTO AND EQUIPMENT PARKING. NO VEHICLE OR EQUIPMENT MAINTENANCE IS ALLOWED.
- 42. CONTRACTOR SHALL NOT DRAIN AND REPLACE MOTOR OL, RADIATOR COOLANT OR OTHER FLUIDS ON SITE. IF NECESSARY TO REPLACE MOTOR OL OR OTHER TEWS INDICATED ABOVE, HOR SHE SHALL USE DRIP PARS TO CATCH DRIPS AND SPLILS. COLCIT ALL SPENT FLUIDS, STORE IN SEPARATE CONTAINERS, AND RECYCLE WHENVER POSSIBLE. NON-RECYCLED FLUIDS GENERALLY WUST BE UBSPESDE OF A HAZAROUS WASTE.
- 43. SWEEP UP SPILLED DRY MATERIALS IMMEDIATELY. NEVER ATTEMPT TO "WASH THEM AWAY" WITH WATER OR BURY THEM. USE ONLY MINIMAL WATER FOR DUST CONTROL.
- 44. CLEAN UP SPILLS ON DIRT AREAS BY DIGGING UP AND PROPERLY DISPOSING OF CONTAMINATED SOIL. 45. CLEAN UP LIQUID SPILLS ON PAVED OR IMPERMEABLE SURFACES USING "DRY" CLEAN UP
- METHODS (ABSORBENT MATERIALS, CAT LITTER, AND/OR RAGS). 46. REPORT SIGNIFICANT SPILLS PER SWPPP'S REQUIREMENTS.
- 47. THE CONTRACTOR IS TO STORE STOCKPILED MATERIALS, WASTE, CONTAINERS, AND DUMPSTERS UNDER TEMPORARY ROOF OR SECURED PLASTIC SHEETING.
- 48. PLASTER OR OTHER POWDERS CAN CREATE LARGE QUANTITIES OF SUSPENDED SOUDS IN RUN OFF, WHICH MAY BE TOXIC TO AQUATIC LIFE AND CAUSE SERVICES ENVIRONMENTAL HARM EVEN IF THE MATERIALS ARE INERT. STORE ALL SUCH POTENTIALLY POLULTING DRY MATERIALS, ESPECIALLY OPEN BAGS, WELL UNDER A TEMPORARY ROOF OR INSIDE A BUILDING, OR COVER SECURELY WITH AN IMPERMEMENTE TAMPORARY ROOF OR INSIDE A BUILDING, OR COVER SECURELY WITH AN IMPERMEMENTE TAMPORARY
- PROPERLY STORE CONTAINERS OF PAINTS, CHEMICALS, SOLVENTS, AND OTHER HAZARDOUS MATERIALS IN GARAGES OR SHEDS WITH DOUBLE CONTAMINANT DURING RAINY PERIODS.
- 50. PLACE DUMPSTERS UNDER ROOFS OR COVER THEM WITH PLASTIC SHEETING AT THE END OF EACH WORK DAY AND DURING RAINY WEATHER. IF YOU USE PLASTIC, PROTECT DUMPSTERS' CONTENTS FROM STORM WATER BY SECURING IT AROUND THE OUTSIDE OF DUMPSTER.
- INSPECT DUMPSTERS REGULARLY FOR LEAKS AND REPAIR OR REPLACE ANY DUMPSTER THAT IS NOT WATER-TIGHT.
- 52. NEVER CLEAN OUT A DUMPSTER BY HOSING IT DOWN ON THE CONSTRUCTION SITE. RETURN DUMPSTER TO THE TRASH HAULING CONTRACTOR FOR CLEANING.
- 53. NEVER CLEAN BRUSHES OR RINSE PAINT CONTAINERS INTO A STREET, GUTTER, STORM DRAIN, OR STREAM.
- 54. FOR WATER BASED PAINTS, PAINT OUT BRUSHES TO THE EXTENT POSSIBLE AND RINSE TO THE SANITARY SEWER.
- 55. FOR OIL BASED PAINTS, PAINT OUT BRUSHES TO THE EXTENT POSSIBLE, AND FILTER AND REUSE THINNERS AND SOLVENTS. DISPOSE OF EXCESS LIQUIDS AND RESIDUE AS HAZARDOUS WASTE.
- REUSE LEFTOVER OIL BASE PAINT. DISPOSE OF EXCESS LIQUID, INCLUDING SLUDGE, AS HAZARDOUS WASTE.
- RECYCLE EXCESS WATER BASED PAINT OR USE UP. DISPOSE OF EXCESS LIQUID, INCLUDING SLUDGE, AS HAZARDOUS WASTE. 58. AVOID MIXING EXCESS AMOUNTS OF FRESH CONCRETE OR CEMENT ON-SITE.
- 59. STORE DRY AND WET MATERIALS UNDER COVER, PROTECTED FROM RAINFALL AND RUNOFF
- 60. WASHOUT CONCRETE MIXERS ONLY IN DESIGNATED WASHOUT AREA WHERE WATER SHALL FLOW INTO SETTING PORD. WHENEVER POSSIBLE, RECYCLE WASHOUT BY PUMPING BACK INTO MIXERS FOR REUSE, INEVER DISPOSE OF WASHOUT INTO STREET, STORM DRAINS, DRAINAGE DITCHES, OR STREAMS.
- 61. THE CONTRACTOR SHALL MAINTAIN PORTABLE TOILETS IN GOOD WORKING ORDER. THE CONTRACTOR SHALL INSPECT VISUALLY FOR LEAKS. BE SURE THE LEASING COMPANY ADEQUATELY MAINTAINS, PROMPTLY REPAIRS, AND REPLACES UNITS, AS NEEDED.
- 62. LEASING COMPANY MUST HAVE A PERMIT TO DISPOSE OF WASTE TO THE SANITARY SEWER.
- 63. CLEARED VEGETATION, TREE TRIMMINGS, AND OTHER PLANT MATERIAL SHOULD NEVER BE PUSHED INTO A CREEK OR STREAM OR LEFT IN ROADWAY WHERE IT CAN LOG STORM DRAIMS, SUCH "ORCANG URBERLA, REQUIRES LAGGE QUANTIES OF OXYGEN TO DECOMPOSE. IN A CREEK OR STREAM, DECOMPOSING VEGETATION REDUCES THE OXYGEN AVAILABLE TO AQUIATE LIFE.
- 64. DO NOT DISPOSE OF PLANT MATERIAL IN TRASH DUMPSTERS OR MIX IT WITH OTHER WASTE. CHIP, IF NECESSARY, AND COMPOST OR TAKE IT TO A LANDFILL THAT COMPOSTS YARD WASTE.
- CONCRETE DEBRIS FROM CONCRETE STRUCTURES AND BROKEN PAVEMENT SHOULD BE RECYCLED AND NOT MIXED WITH OTHER DEBRIS.
- DEBRIS FROM OTHER STRUCTURES (WOOD) OR OTHERS. SHOULD BE CONFINED TO DUMPSTERS, COVERED AT NIGHT OR DURING THE WET WEATHER, AND TAKEN TO A LANDFILL FOR RECYCLING OR DISPOSAL.
- 67. HAZARDOUS DEBRIS SUCH AS ASBESTOS MUST BE HANDLED IN ACCORDANCE WITH SPECIFIC LAWS AND REGULATIONS, AND DISPOSED OF AS A HAZARDOUS WASTE. CONTACT AN ASBESTOS REMOVAL SERVICE FOR SAFE REMOVAL AND DISPOSAL.
- 68. APPLY CONCRETE, ASPHALT, AND SEAL COAT DURING DRY WEATHER. KEEP CONTAMINANTS FROM FRESH CONCRETE AND ASPHALT OUT OF STORM DRAINS AND CREEKS BY SCHEDULING PAUNG JOBS DURING PERODS OF DRY WEATHER, WHEN NEW PAVEMENT WILL HAVE TIME TO CURE BEFORE STORM WATER FLOWS ACROSS IT.
- ALWAYS PARK PAVER OVER DRIP PANS OR ABSORBENT MATERIALS, SINCE THEY TEND TO DRIP CONTINUOUSLY.
- 70. SHOVEL OR VACUUM SAW-CUT SLURRY AND REMOVE FROM THE SITE. COVER OR BARRICADE STORM DRAINS DURING SAW CUTTING TO CONTAIN SLURRY.
- 71. WASH DOWN EXPOSED AGGREGATE CONCRETE ONLY WHEN THE WASH WATER CAN A. FLOW ONTO A DIRT AREA.

THIS DOCUMENT AND THE IDEAS AND DESIGN INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICES IS THE PROPERTY OF anna ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anna ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anna ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anna ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anna ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anna ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anna ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF anna ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANNA ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANNA ASSOCIATES, INCORPORATED AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ANY OTHER PROJECT WRITTEN AU

B. DRAIN ONTO A BERMED SURFACE FROM WHICH IT CAN BE PUMPED AND DISPOSED OF PROPERLY.

IF NECESSARY, PLACE FIBER ROLLS DOWN SLOPE OR DIVERT RUN-OFF WITH TEMPORARY BERMS. MAKE SURE RUN-OFF DOES NOT REACH GUTTERS OR STORM DRAINS.

MAINTENANCE AND INSPECTION:

NON-STORM WATER MANAGEMENT:

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EROSION CONTROL:

SEDIMENT CONTROLS:

RUN-ON AND RUNOFF CONTROLS:

INSPECTION, MAINTENANCE AND REPAIR:

ROUTINELY INSPECT THE COVERS ON HAZARDOUS MATERIAL STORAGE AREAS FOR TEARS OR FLAWS AND REPAIR AS NECESSARY.

ALL SECONDARY CONTAINMENT SYSTEMS MUST BE ABLE TO HOLD THE VOLUME OF THE LARGEST CONTAINER IN THE STORAGE AREA, PLUS PROVIDE SUFFICIENT ADDITIONAL CAPACITY FOR STORM EVENTS.

PERFORM ROUTINE INSPECTIONS TO ENSURE THAT NO HAZARDOUS MATERIALS OR WASTE ARE IMPROPERLY LEFT EXPOSED TO STORM WATER.

CONTRACTOR SHALL CLEAN STREETS IN SUCH A MANNER AS TO PREVENT UNAUTHORIZED NON-STORM WATER DISCHARGES FROM REACHING SURFACE WATER OR MS4 DRAINAGE SYSTEMS.

CONTRACTOR SHALL PROVIDE EFFECTIVE SOIL COVER FOR INACTIVE AREAS AND ALL FINISHED SLOPES, OPEN SPACE, UTILITY BACKFILL, AND COMPLETED LOTS.

CONTRACTOR SHALL LIMIT THE USE OF PLASTIC MATERIALS WHEN MORE SUSTAINABLE, ENVIRONMENTALLY FRIENDLY ALTERNATIVES EXIST. WHERE PLASTIC MATERIALS ARE DEEMED NECESSARY, THE DISCHARGER SHALL CONSIDER THE USE OF PLASTIC MATERIALS RESISTANT TO SOLAR DECRADATION.

THE CONTRACTOR SHALL ESTABLISH AND MAINTAIN EFFECTIVE PERIMETER CONTROLS AND STABILIZE ALL CONSTRUCTION ENTRANCES AND EXITS TO SUFFICIENTLY CONTROL EROSION AND SEDMENT DISCHARGES FROM THE SITE.

ON SITES WHERE SEDIMENT BASINS ARE TO BE USED, THE CONTRACTOR SHALL, AT MINIMUM, DESION SEDIMENT BASINS ACCORDING TO THE METHOD PROVIDED IN CASOA'S CONSTRUCTION BMF GUIDANCE HANDBOOK.

THE CONTRACTOR SHALL EFFECTIVELY MANAGE ALL RUN-ON, ALL RUNOFF WITHIN THE SITE AND ALL RUNOFF THAT DISCHARGES OFF THE SITE. RUN-ON FROM OFF SITE SHALL BE DIRECTED AWAY FROM ALL DEITURBED AREAS ON SHALL COLLECTIVELY BE IN COMPLIANCE WITH THE EFFLUENT LIMITATIONS IN THIS GENERAL PERMIT.

THE CONTRACTOR SHALL ENSURE THAT ALL INSPECTION, MAINTENANCE REPAIR AND SAMPLING ACTIVITIES AT THE PROJECT LOCATION SHALL BE PERFORMED OR SUPERVISED BY A QUALIPED SWPPP PRACTINIDER (OSP) REPRESENTING THE DISCHARGER. THE OSP MAY DELEGATE ANY OR ALL OF THESE ACTIVITIES TO AN EMPLOYEE TRANED TO DO THE TASK(S) APPROMRATELY, QUI STALL ENSURE ADDUATE DEFLOYMENT.

THE CONTRACTOR SHALL PERFORM WEEKLY INSPECTIONS AND OBSERVATIONS (AT LEAST

THE WAITWATTON SHALL PERFORM WERLT INSPECTIONS AND UBSERVAILOWS (AI LEAST ONCE IN EACH 24-HOUR PERFORD DURING EXTENDED STORM EVENTS) TO IDENTRY AND RECORD BMPS THAT NEED MAINTENANCE TO OPERATE EFFECTIVELY, THAT HAVE FAILED, OR THAT COULD FAIL TO OPERATE AS INTENDED. INSPECTORS SHALL BE THE QSP OR BE TRAINED BY THE QSP.

UPON IDENTIFYING FAILURES OR OTHER SHORTCOMINGS, AS DIRECTED BY THE QSP, CONTRACTOR SHALL BEGIN IMPLEMENTING REPAIRS OR DESIGN CHANGES TO BMPS WITHIN 48 HOURS OF IDENTIFICATION AND COMPLETE THE CHANGES AS SDON AS POSSIBLE.

FOR EACH INSPECTION REQUIRED, CONTRACTOR SHALL COMPLETE AN INSPECTION CHECKLIST, USING SWPPP LEDGER.

THE CONTRACTOR SHALL ENSURE THAT CHECKLISTS SHALL REMAIN ON SITE WITH THE

THE CONTRACTOR IS TO HIRE A QUALIFIED SWPPP PRACTITIONER (QSP) TO OVERSEE IMPLEMENTATION OF BMPS REQUIRED TO COMPLY WITH THE CALIFORNIA GENERAL PERMIT.

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CONTRACTOR SHALL IMPLEMENT MEASURES TO CONTROL ALL NON-STORM WATER DISCHARGES DURING CONSTRUCTION.

2. WASHING OF ANY VEHICLES OR EQUIPMENT ON-SITE IS NOT ALLOWED

1. CONTRACTOR SHALL IMPLEMENT EFFECTIVE WIND EROSION CONTROL.

- ALLOW AGGREGATE RINSE TO SETTLE AND PUMP THE WATER TO THE SANITARY SEWER, IF ALLOWED BY YOUR LOCAL WASTEWATER AUTHORITY.
- NEVER WASH SWEEPINGS FROM EXPOSED AGGREGATE CONCRETE INTO A STREET OR STORM DRAIN. COLLECT AND RETURN TO AGGREGATE BASE STOCKPILE OR DISPOSE OF WITH TPASH
- WHEN BREAKING ASPHALT OR CONCRETE, CONTROL EXCESS DUST USING THE SMALLEST AMOUNT OF WATER POSSIBLE. CONTROL RUN-OFF. REMOVE ALL CHUNKS AND PIECES FROM THE SITE.
  - 76. RECYCLE BROKEN CONCRETE AND ASPHALT.
  - LAND DISTURBING ACTIVITIES SHALL NOT COMMENCE UNTIL APPROVAL TO DO SO HAS BEEN RECEIVED BY GOVERNING AUTHORITIES.
  - NO LAND CLEARING OR GRADING SHALL BEGIN UNTIL ALL PHASE I AND PERIMETER SEDIMENT CONTROL MEASURES HAVE BEEN INSTALLED.
  - SHOULD CONSTRUCTION STOP FOR LONGER THAN 14 DAYS (OR SHORTER DURATION IF REQUIRED BY GOVERNING NPDES PERMIT); THE SITE SHALL BE SEEDED AS SPECIFIED.
- 80. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSPECTED AT LEAST ONCE EVERY SEVEN (7) CALENDAR DAYS AND WITHIN 24 HOURS OF 0.5 INCHES RAINFALL OR ORFATER DURING A 24-HOUR PERIOD ON MORE FREQUENTLY IF REQUIRED BY COVERNING NPDES GENERAL PERMIT. ALL MANITENANCE REQUIRED BY INSPECTION SHALL COMMENCE WITHIN 24 HOURS AND BE COMPLETED WITHIN 84 HOURS OF REPORT.
- THIS PLAN SHALL NOT BE CONSIDERED ALL INCLUSIVE IT SHALL BE THE GENERAL CONTRACTOR'S RESPONSIBILITY TO TAKE ALL NECESSARY PRECAUTIONS TO PREVENT SEDIMENT FROM LEAVING THE SITE.
- ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED AS DEEMED NECESSARY BY SITE INSPECTIONS.
- GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO TAKE WHATEVER MEANS NECESSARY TO ESTABLISH PERMANENT SOIL STABILIZATION.
- 84. CONTRACTOR TO ENSURE THAT A MAJORITY OF THE CONSTRUCTION EQUIPMENT USED DURING THE PROJECT WILL INCLUDE DIESEL EMISSION FILTER. DUST CONTROL NOTES:
- THE CONSTRUCTION ACTIVITES WILL GENERATE DUST MOD PARTICULATE MATTER PROR TO THE SISUANCE OF A GANDINE PENINT, A DUST MINISTON FLAM SHALL BE SUBMITTED TO THE CITY FOR REVEW AND APPROVAL THE FLAM SHALL SPECIFY THE METHODS OF CONTROL THAT MILL BE UTLZED, DEMONSTRATE THE AVAILABLIET OF REEDED EQUIPEENT MELECONTROL THAT MILL BE UTLZED, DEMONSTRATE THE AVAILABLIET OF REEDED EQUIPEENT MELECONTROL THAT MILL BE UTLZED, DEMONSTRATE THE AVAILABLIET OF REEDED EQUIPEENT MELECONTROL THAT MELECONTROL MELECONTROL THE OTHER MELECONTROL AND APPROVED AND APPROVED AND APPROVED AND APPROVED MICROTION FLAM SHALL AT MININUM, INCUDE THE FOLLOWING: Α.
- THE PROVISION OF EQUIPMENT AND STAFFING FOR WATERING OF ALL EXPOSED OR DISTURBED SOLL SUFFACES AT LEAST TWICE DAILY, INCLUDING WEEKENDS AND HOULDAYS, AN APPROPRIATE DUST PALLIATIVE OR SUPPRESSANT ADDED TO WATER BEFORE THE APPLICATION SHOULD BE UTILIZED.
- B. WATERING OR COVERING OF STOCKPILES OF DEBRIS, SOIL, SAND OR OTHER MATERIALS THAT CAN BE BLOWN BY THE WIND.
- THE REGULAR SWEEPING OF CONSTRUCTION AREAS AND ADJACENT STREETS OF ALL MUD AND DEBRIS, SINCE THIS MATERIAL CAN BE PULVERIZED AND LATER RE-SUSPENDED BY VEHICLE TRAFFIC.
- D. THE ENFORCEMENT OF A SPEED LIMIT OF 15 MILES PER HOUR FOR ALL CONSTRUCTION VEHICLES WHEN OFF-PAVEMENT.
- E. ALL MATERIALS TRANSPORTED BY TRUCK WILL BE COVERED OR WETTED DOWN.
- ALL INACTIVE PORTIONS OF THE SITE WILL BE WATERED WITH AN APPROPRIATE DUST SUPPRESSANT, COVERED OR SEEDED.
- SUSPENSION OF EARTHMOVING OR OTHER DUST-PRODUCING ACTIVITIES DURING PERIODS OF HIGH WINDS WHEN DUST CONTROL MEASURES ARE UNABLE TO AVOID VISIBLE DUST PLUMES.
- 2. CITY INSPECTOR MAY ADD/MODIFY EROSION CONTROL MEASURES AS REQUIRED

WASTE MANAGEMENT AND HAZARDOUS MATERIAL CONTROLS

- USE THIS BMP WHEN PROJECTS INVOLVE THE STORAGE AND USE OF HAZARDOUS MATERIALS, AND THE GENERATION OF WASTE BYPRODUCTS, FROM THE FOLLOWING: · PETROLEUM PRODUCTS SUCH AS OILS, FUELS, GREASES, COLD MIX, AND TARS.
- · GLUES, ADHESIVES, AND SOLVENTS.
  - HERBICIDES, PESTICIDES, AND FERTILIZERS.
  - · PAINTS, STAINS, AND CURING COMPOUNDS
  - OTHER HAZARDOUS OR TOXIC SUBSTANCES.

HAZARDOUS MATERIALS AND WASTES SHALL BE MANAGED IN ACCORDANCE WITH THE FOLLOWING PROCEDURES:

MINIMIZE THE AMOUNT OF HAZARDOUS MATERIALS STORED AT THE CONSTRUCTION SITE AND THE PRODUCTION AND GENERATION OF HAZARDOUS WASTE AT THE CONSTRUCTION SITE.

CLEARLY MARK ALL HAZARDOUS MATERIALS AND WASTE. PLACE HAZARDOUS WASTE CONTAINERS IN SECONDARY CONTAINMENT SYSTEMS IF STORED AT THE CONSTRUCTION SITE.

DO NOT MIX WASTE MATERIALS, BECAUSE THIS COMPLICATES OR INHIBITS DISPOSAL AND RECYCLING OPTIONS AND CAN RESULT IN DANGEROUS CHEMICAL REACTIONS.

STORM WATER THAT COLLECTS WITHIN SECONDARY CONTAINMENT STRUCTURES MUST BE INSPECTED PRIOR TO BEING DISCHARGED TO ENSURE NO POLLITANTS ARE PRESENT. CONTAININATED STORM WATER IS NOT ALLOWED TO BE DISCHARGED AND SHOULD BE DISPOSED OF IN ACCORDANCE WITH ALL APPLICABLE LAWS AND

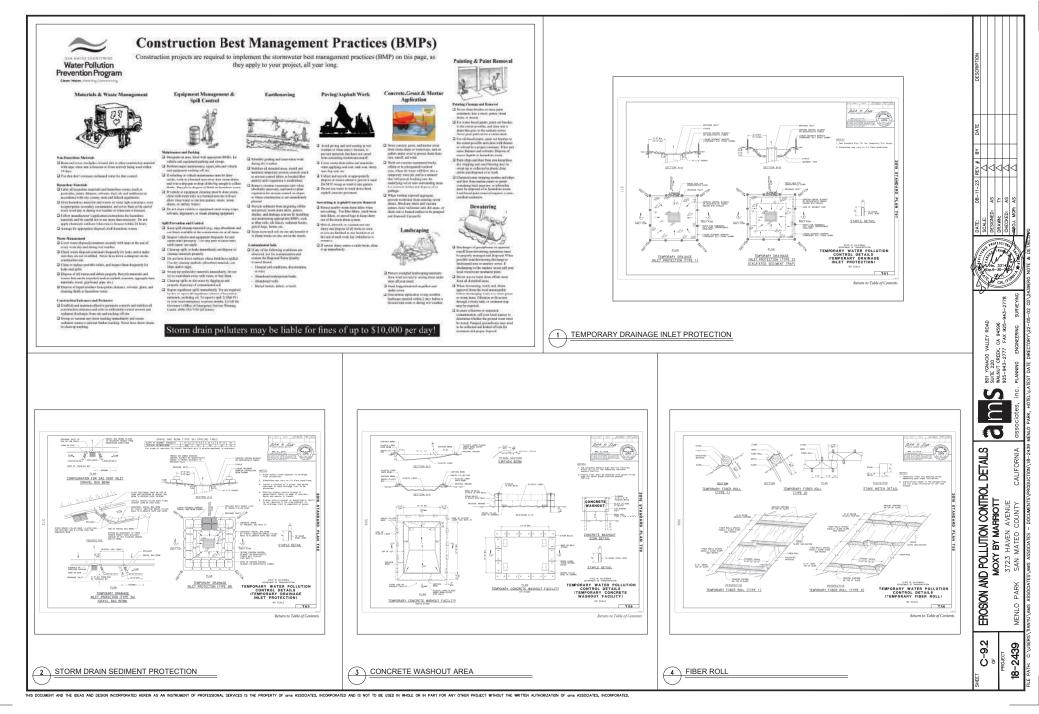
HAZARDOUS WASTE MUST BE SEGREGATED FROM OTHER SOLID WASTE AND DISPOSED OF PROPERLY.

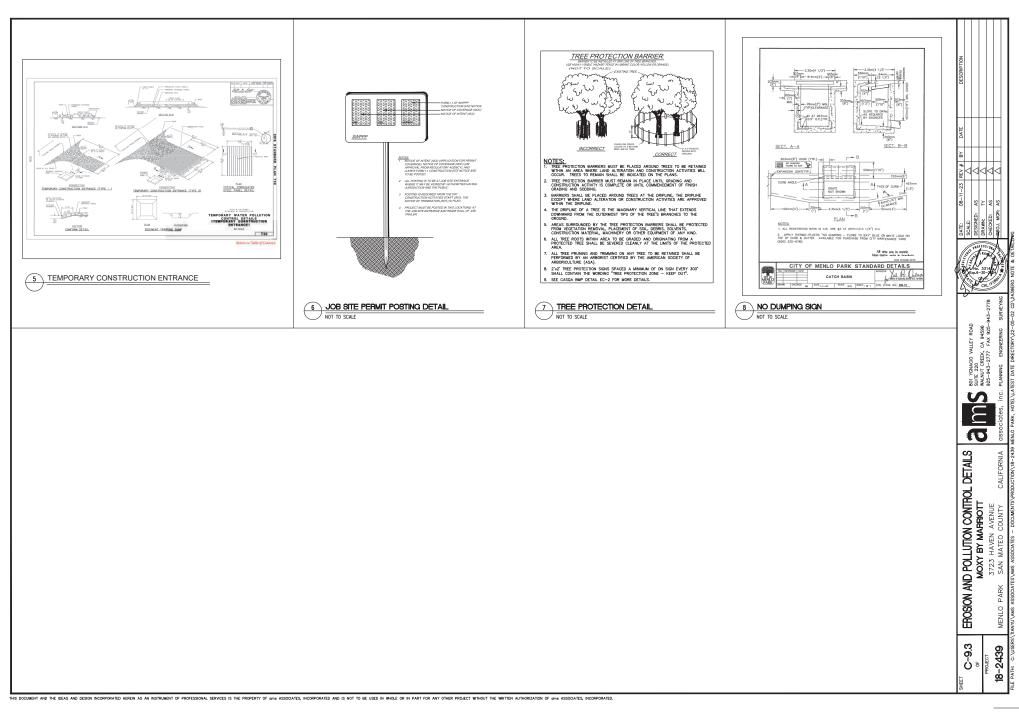
IN ADDITION TO FOLLOWING THIS BMP, EMPLOYEES AND CONTRACTORS ARE RESPONSIBLE FOR COMPLIANCE WITH FEDERAL STATE, AND LOCAL LAWS REGARDING STORAGE, HANDLING, TRANSPORTATION, AND DISPOSAL OF HAZARDOUS WASTE.

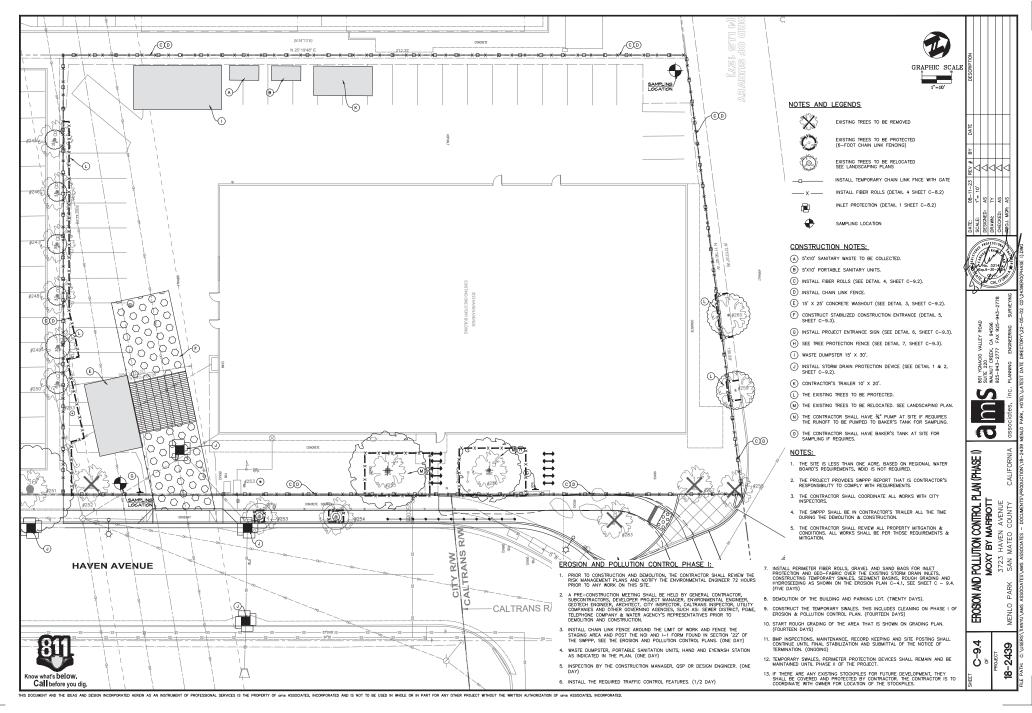
COVER OR CONTAINERIZE AND PROTECT FROM VANDALISM ANY HAZARDOUS MATERIALS AND WASTE.

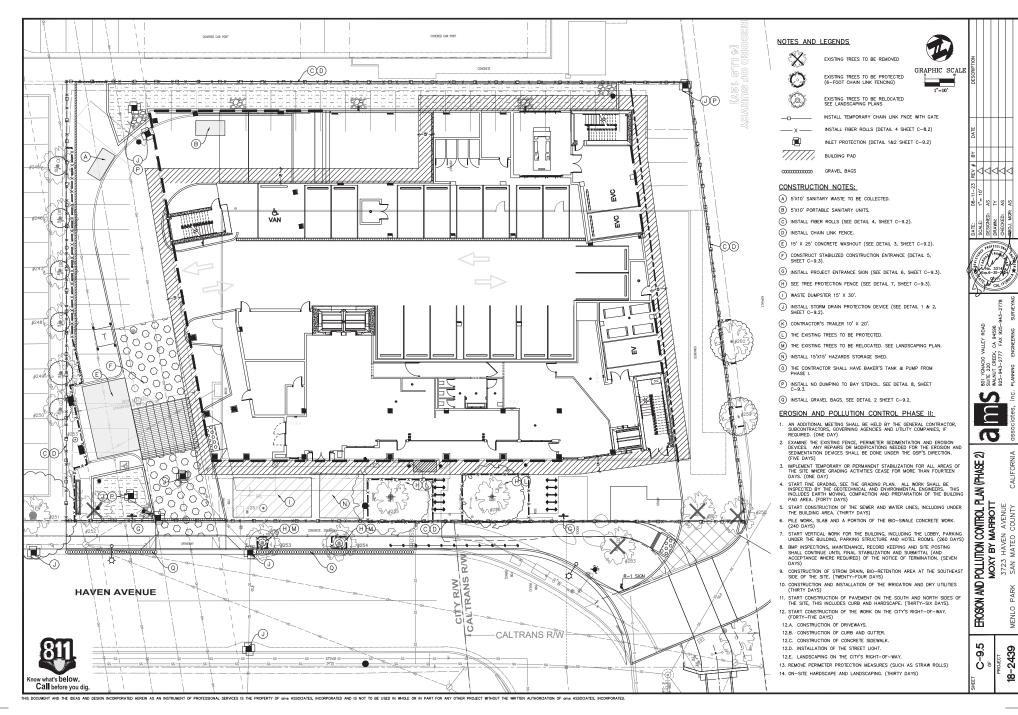
STOCKPILED COLD MIX SHOULD BE PLACED ON AND COVERED WITH PLASTIC.

SPILLS CANNOT BE DISCHARGED FROM A SECONDARY CONTAINMENT SYSTEM

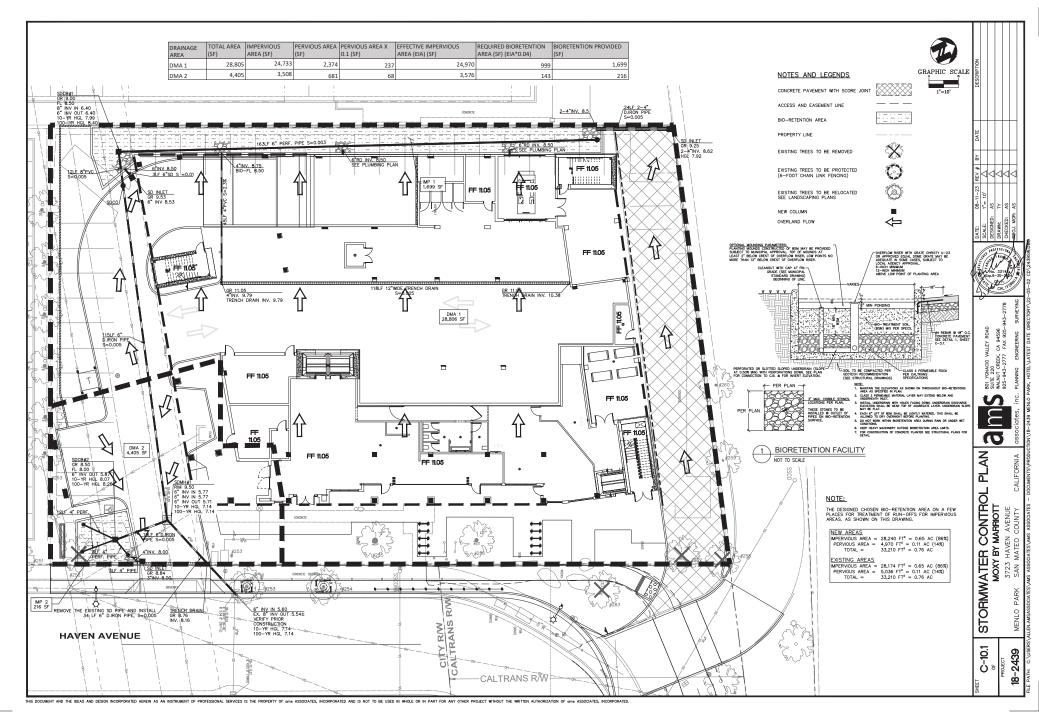




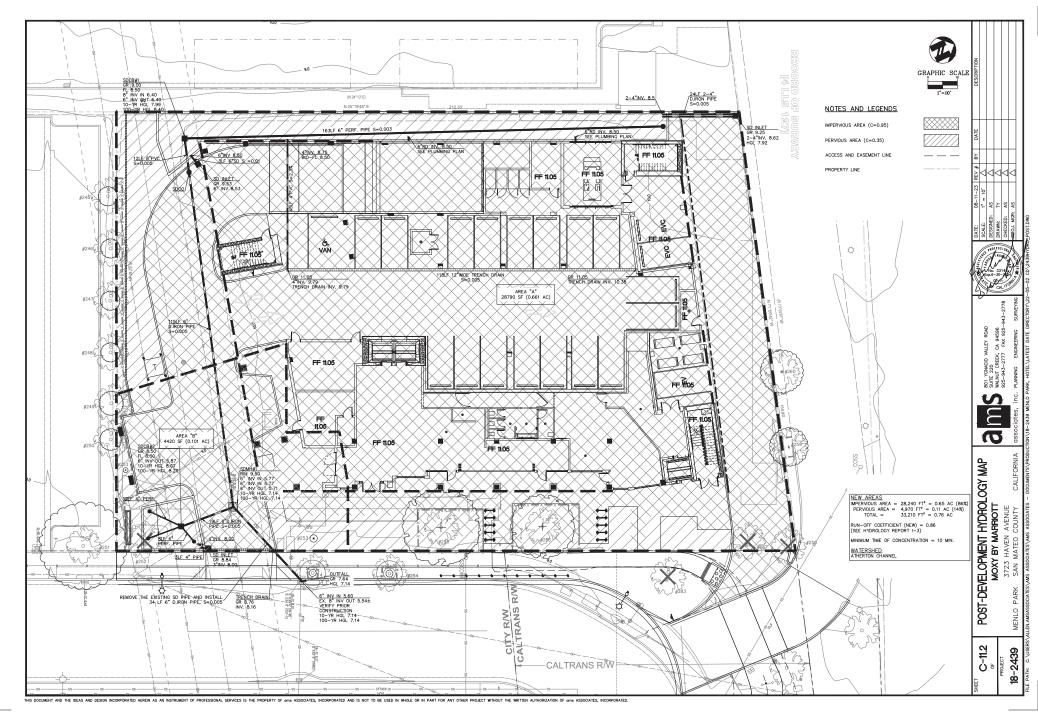


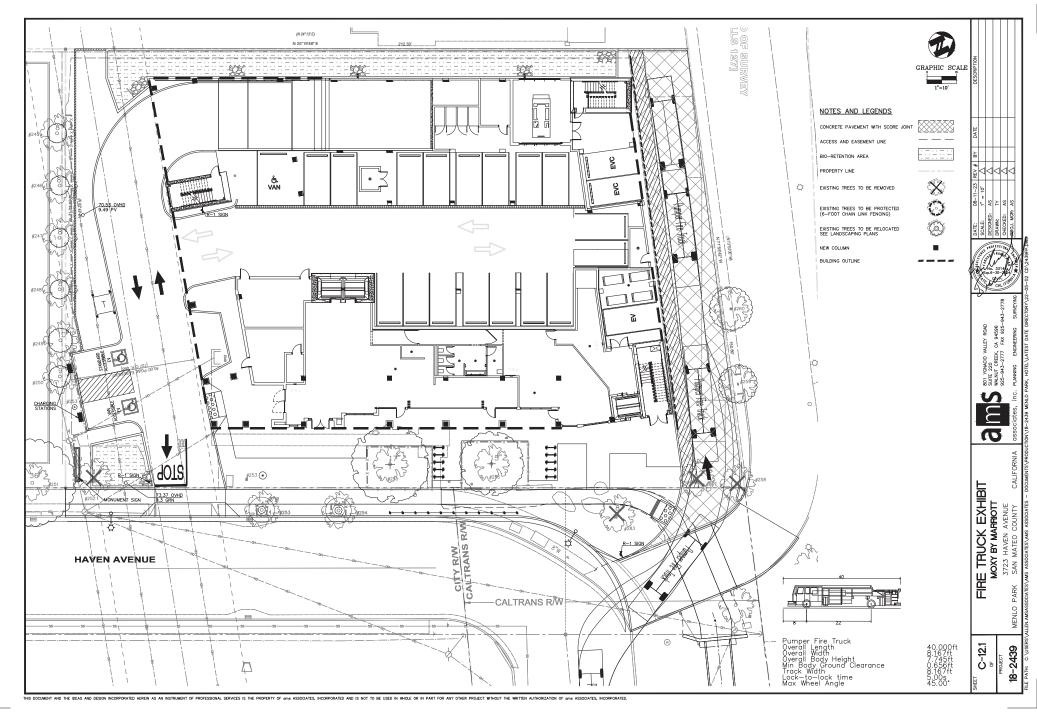


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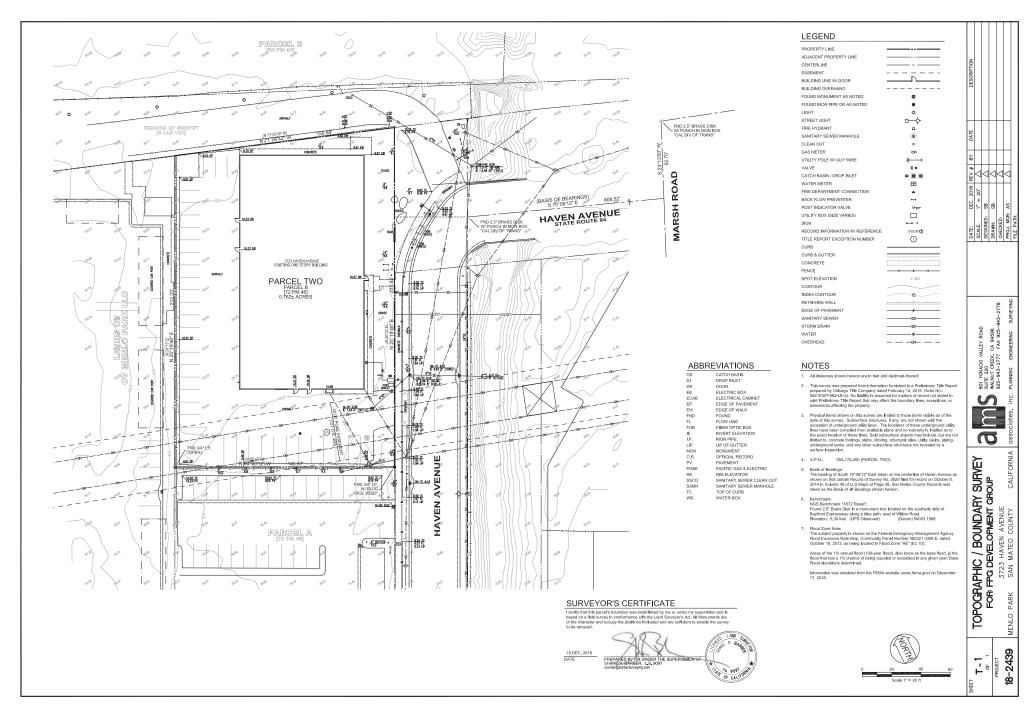


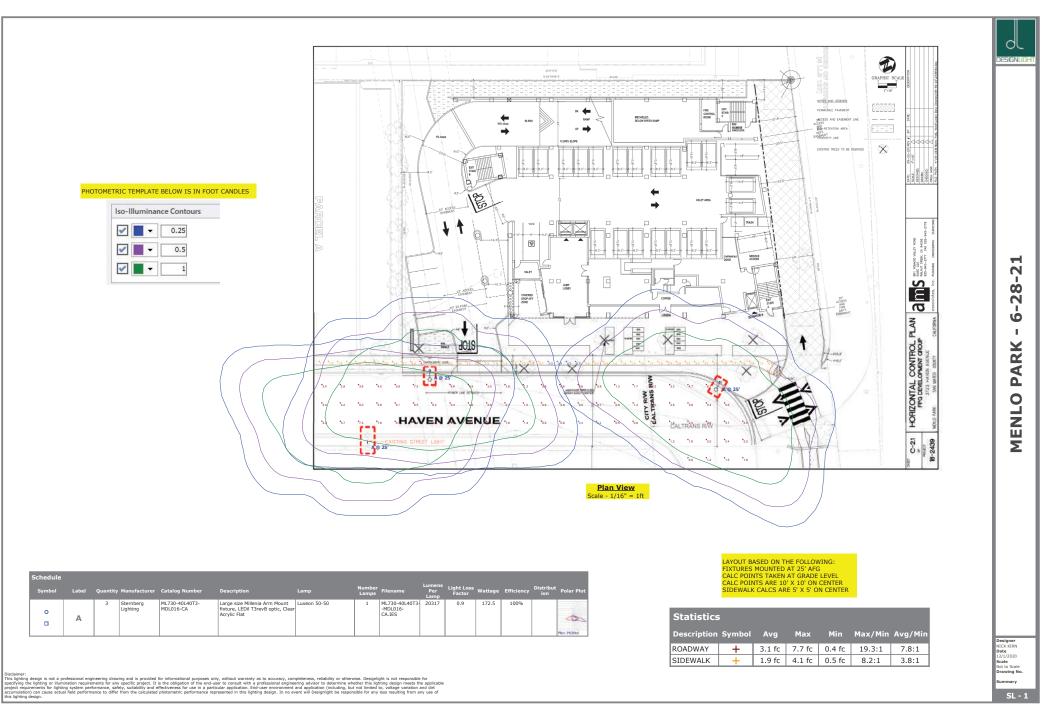






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# **MOXY HOTEL** MENLO PARK, CA

### GENERAL NOTES:

HARDSCAPE HATCHES FOR IDENTIFICATION ONLY. HATCH DOES NOT REPRESENT PAVING 1. TRADUGUME PARTNERS FOR LEARTIFACTOR CALL. TRADET DOES NOT REPRESENT PAYING PATTERN OR DESIRED LAYOUT & ORIENTATION. 2. THE CONTRACTOR BARES ALL RESPONSIBILITY FOR VERIFYING ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES, WALKS AND CURBS IN THE FIELD PRIOR TO CONSTRUCTION. ANY DAMAGE

O BEFORE MENTIONED INFRASTRUCTURE THAT ARE TO REMAIN SHALL BE REPARED IMEDIATELY AT NO EXPENSE TO THE OWNER, SITE SOLUTION ASSUMES NO RESPONSIBILITY FOR ANY UTILITIES NOT SHOWN ON PLANS. ANT OF LITTLES NOT SHOWN ON PLANS. ALL PROPOSED AND FINISHED GRADES ARE BASED ON INFORMATION PROVIDED BY THE

DWNERS SURVEY AND/OR CIVIL ENGINEER. REFER TO CIVIL DWGS. FOR ADDITIONAL GRADING & DRAINAGE. CONTRACTOR TO ALERT LAND. ARCH. OF ANY GRADING OR SPOT INCONSISTENCIES EFORE COMMENCING WORK. EPORE COMMENCING WORK.

FIGURE VERY AND A STARLED FOR REVIEW BY OWNER, ARCHITECT AND LANDSCAPE ARCHITECT. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ANY DEMOLITION, ADJUSTMENTS OR RECONSTRUCTION RESULTING FROM UNAUTHORIZED CONSTRUCTION CTIVITIES.

CONTRACTOR SHALL BE RESPONSIBLE FOR ALL QUANTITIES PER DRAWINGS AND 5. CAN HAR CONSTRUCTOR SHOULD BE REPORTED FOR ALL COMMITTED FER DRIVINGS AND SPECIFICATIONS ANY COMMITTED PROVIDED BY SITE SOLUTIONS ARE PROFOR CONVENIENCE ONLY. NOTEY CANDSCAPE ARCHITECT OF ANY DISCREPANCIES. 5. EASEMINTS, BUILDING SETRACKS, CURR AND CUTTER AND UNDERGROUND UTILITIES HAVE BEEN SUPPLIED TO SITE SOLUTIONS BY THE PROJECT CIVIL ENGINEER. REFER TO CIVIL

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REA CONDUIT. 4. ALL LANDSCAPE AREAS AND POTS TO RECEIVE 100% IRRIGATION COVERAGE.

### LAYOUT NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS, GIVING NOTICES, AND PAYING FEES. THE CONTRACTOR SHALL COMPLY WITH ALL INTERNATIONAL, CITY, COUNTY AND STATE BUILDING CODES AND CORDINANCES RELATING TO THIS CONSTRUCTION ROJECT.

2. WRITTEN DIMENSIONS PREVAIL OVER SCALED DIMENSIONS. IN EVENT OF ANY DISCREPENSIES FOUND IN THE DRAMMINGS, OR IF PROBLEMS ARE ENCOLINTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL BE REQUIRED TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

3. WHERE PLAN DETAILS DIFFER FROM CITY STANDARDS, THE LATTER SHALL BE SUBSTITUTED IN APPROVED IN WRITING BY LANDSCAPE ARCHITECT.

4. DO NOT SCALE DRAWINGS, IF DIMENSIONS ARE IN QUESTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING CLARIFICATION FROM THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

5. NO SUBSTITUTIONS OF ANY MATERIALS OR PRODUCTS SHALL BE ALLOWED WITHOUT THE WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT.

6.CONTRACTOR TO LAY OUT ALL PROPOSED WALK, WALLS, FENCING, RAILING, HANDRAILS LIGHTING, SITE FURNISHINGS, PAVERS, STEPS, LANDSCAPE, TRELLIS, AND IRRIGATION AND RECEIVE OWINER AND LANDSCAPE ARCHITECTS APPROVAL PRIOR TO CONSTRUCTION.

SHOP DRAWINGS & MISC. SUBMITTALS: CONTRACTOR SHALL PREPARE AND PROVIDE SHOP DRAWINGS FOR REVIEW BY THE ARCHITECT AND LANDSCAPE ARCHITECT FOR THE FOLLOWING ITEMS:

BANQUETTE SEAT WALL LOUNGER SEAT WALL SEAT WALL BENCH

. DECKING ORNAMENTAL FENCE

SAMPLES:

CONTRACTOR SHALL PROVIDE SAMPLES FOR REVIEW BY THE OWNER, ARCHITECT, AND LANDSCAPE ARCHITECT FOR THE FOLLOWING ITEMS:

NOTE: SEE SPECS FOR ADDITIONAL SUBMITTALS REQUIRED

NOTE: SEE SPECS FOR ADDITIONAL MOCKUPS REQUIRED

ALL TYPES OF CONCRETE ALL TYPES OF AGGREGATE LIGHT WEIGHT SOIL MD DECKING & PAVERS WOOD VENEERS

NOTE: SEE SPECS FOR ADDITIONAL SAMPLES REQUIRED MOCKUPS:

CONTRACTOR SHALL PROVIDE SAMPLES FOR REVIEW BY THE OWNER ARCHITECT, AND LANDSCAPE ARCHITECT FOR THE FOLLOWING ITEMS

ALL TYPES OF CONCRETE ALL TYPES OF CURBS PLANTER WALLS AND CURBS

. PEDESTAL PAVERS . ON GRADE PAVERS

IRRIGATION:

A72

IRINGATION SHALL BE VENDOR PROVIDED. AN AUTOMATIC, COMMERCIAL GRADE IRRIGATION SYSTEM. ZONED SEPARATELY FOR LWMNS, FLOWER BEDS, SHRUBS, GROUND COVER, TREES, AND POTS SHALL BE FROVIDED TO COVER 10% OF THE LANGESCRE. BEOMOLES TO NOT RECEIVE IRRIGATION, IRRIGATION SYSTEM TO BE HOH EFFLERIOY CUTTING DOWN ON WATER DEMMOS PER LOCAL AND STATE CODE.

# **RevPAR Development LLC**

HARDSCAPE/LANDSCAPE SET 90% CDs / PERMIT 11.23.2022



SHEET REVISION INDEX									
SHEET NO.	SHEET NAME	DD SET	90% CDs / PERMIT SET	REV 1	REV 2				
H1.00	HARDSCAPE COVER SHEET	0	0	0	0				
H1.01	GROUND LEVEL HARDSCAPE PLAN	•	•	•					
H1.02	AMENITY DECK HARDSCAPE PLAN	•	0		•				
H2.01	HARDSCAPE DETAILS	•	•						
H2.02	HARDSCAPE DETAILS	•	0						
H2.03	HARDSCAPE DETAILS	•	•		•				
H2.04	HARDSCAPE DETAILS	•	0						
H2.05	HARDSCAPE DETAILS	۰	0						
H2.06	HARDSCAPE DETAILS	۰	0						
H2.07	HARDSCAPE DETAILS	•	•						
H3.01	AMENITY DECK LIGHTING PLAN	•	•						
H4.01	AMENITY DECK MOUNDING PLAN	•	0						
H5.01	AMENITY DECK DRAINAGE PLAN	0	•						
L0.00	LANDSCAPE NOTES	•	•	•					
L0.01	TREE REMOVAL PLAN	•	•	•					
L0.02	HYDRAZONE PLAN GROUND LEVEL		0	•					
L0.03	HYDRAZONE PLAN AMENITY DECK		0	•					
L0.04	ARBORIST REPORTS			•					
L0.05	ARBORIST REPORTS			•					
L1.01	LANDSCAPE PLAN GROUND LEVEL	•	•	•					
L1.02	LANDSCAPE PLAN AMENITY DECK	۲	0						
L2.01	LANDSCAPE DETAILS	0	0						

### **PROJECT TEAM**

OWNER:	ARCHITECT:				
RevPAR DEVELOPMENT LLC	ELEVATE ARCHITECTURE STUDIO				
1005 SLATER ROAD	1775 THE EXCHANGE SE				
SUITE 107	SUITE 530				
DURHAM, NC 27703	ATLANTA, GA 30339				
(678) 471-7555	(404) 594-8862				
CONTACT: PETE PATEL	CONTACT: NITIN PATEL				

### CIVIL ENGINEER:

AMS ASSOCIATES, INC. 801 YGNACIO VALLEY ROAD, SUITE 220 WALNUT CREEK, CA 94596 (925) 943-2777 CONTACT: AL SHAGHAGHI

### LANDSCAPE ARCHITECT:

SITE SOLUTIONS, LLC 3715 NORTHSIDE PARKWAY NORTHCREEK 300, SUITE 720 ATLANTA, GEORGIA 30327 (678) 904-5822 CONTACT: JOSHUA THOMPSON

# **MOXY HOTEL MENLO** by MARRIOTT RevPAR COMPANIES

SHEET STATUS DATE BY RELEAS

COVER

SHEET

22013.00

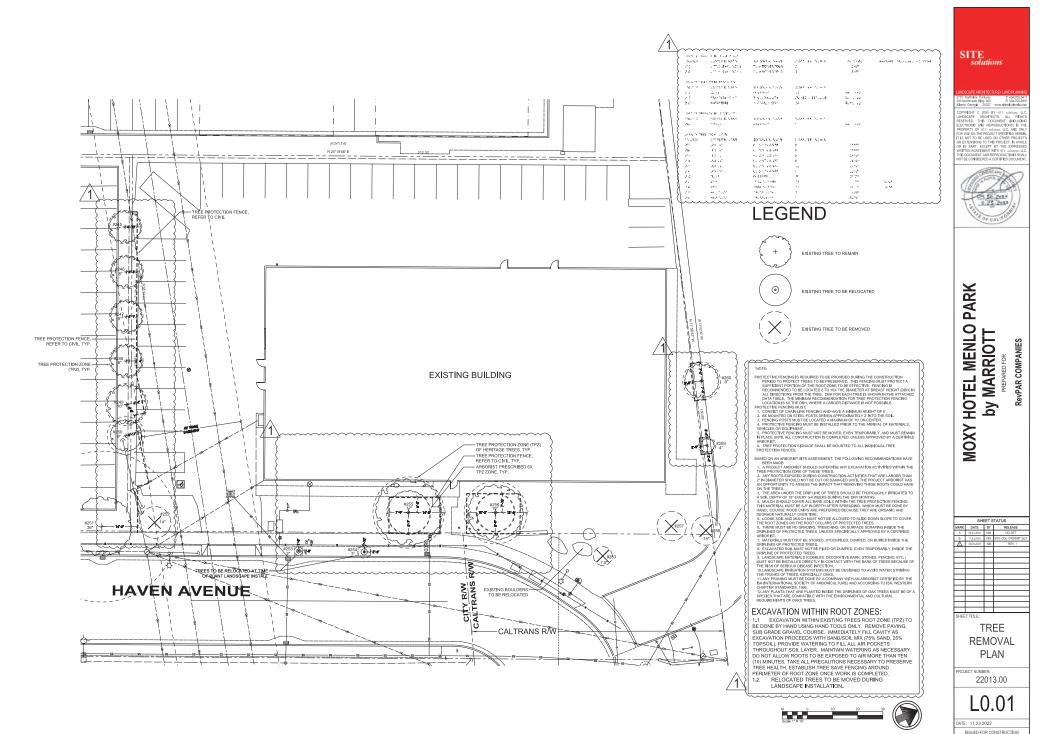
H1.00

CT NUMBE

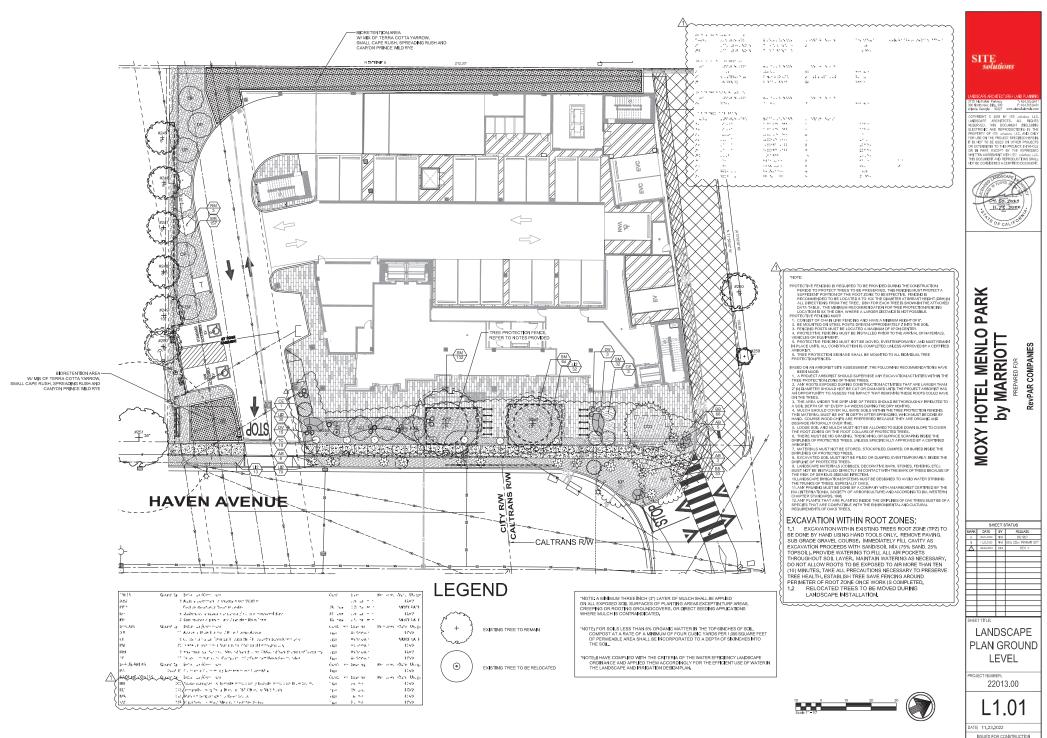
DATE: 11.23.2022 ISSUED FOR CONSTRUCTION

PARK

SITE

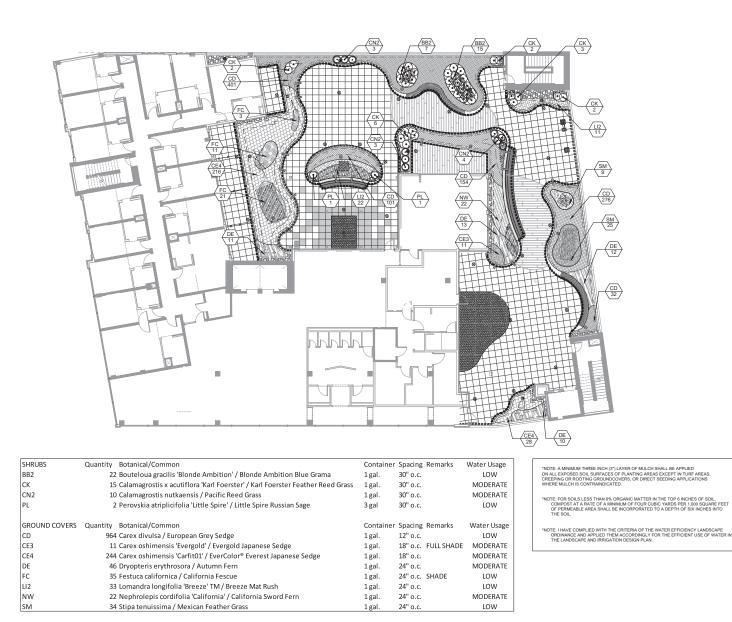


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SITE solutions



MOXY HOTEL MENLO PARK by MARRIOTT Revpar COMPANES

SHEET STATUS							
MARK	DATE	BY	RELEASE				
A	09 21 2022	NM	DD SET				
В	11.23.2022	NM	90% CDs / PERMIT SET				
QUEE	T TITLE:						

4TH FLOOR

AMENITY

DECK NUMBER: 22013.00

1.02

ATE: 11.23.2022 ISSUED FOR CONSTRUCTION



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ELEVATE

architecture studio

# Updated December 19<sup>th</sup>, 2023

Matthew Pruter City of Menlo Park City Hall -1st Floor701 Laurel Menlo Park, CA 94025

RE: Menlo Park Proposed Hotel Narrative

Dear Mr. Pruter,

Thank you for your consideration of the proposed hotel development located at 3723 Haven Avenue. The purpose of this letter is to request an additional planning commission hearing for architectural control. Since the project's approval at the initial planning commission hearing on November 14<sup>th</sup>, 2022, the design & engineering teams have been diligently working to ensure compliance with California Building Code, Accessibility codes, USGBC LEED Codes, and local requirements. While working through these requirements, some portions of the building had to be updated to comply with these code/engineering requirements.

Below is a brief description of high-level updates that were made since our approval in November 2022.

Level 1

- Electrical room locations changed due to PG&E requirements. Rooms are now closer to transformer location. Consequently, the ADA van space location was relocated.
- Dry sprinkler room and water entry rooms were added for sprinkler & plumbing requirements.
- Stair wall & elevator wall thicknesses were adjusted due to structural requirements.

# Parking Levels

- Electrical room and dry sprinkler rooms were added for engineering requirements.
- Removed one parking level (Level 3) and rearranged parking spaces. A parking study was also conducted noting that we can fit nearly 20 additional valet spaces in the drive aisles.

Level 4 (now proposed as Level 3)

- Landscape was fully designed and developed for permit set. The project maintains approved public and private spaces at the amenity deck.
- Laundry room was removed as it will be outsourced, and two guestrooms were relocated to allow for a larger fitness room. Majority of the updates at this level was internal to the building and the project is still in compliance with the FAR.
- The original landscape deck had 8 small, low screen, planter trees which were removed due to multiple factors:
  - Trees that are contained within a planter are not considered a healthy environment as it will constrain the growth of the tree roots.
  - Trees that are planted on an elevated level will also require a tremendous amount of structural support and the thickness of the floor slab will increase exponentially. This will ultimately cause the building to increase in height.

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• The new amenity deck design has more green areas and more plantings that are more conducive to an elevated amenity slab.

**Guestroom Levels** 

- All guestrooms are now designed and developed per Marriott brand standards.
- Mechanical shafts were added for exhaust requirements.
- The service alley façade had to be straightened out for structural shear requirements. This change is not street facing and impacts only the façade facing the alley.

# Roof

• Roof plan has now been fully developed. Electrical space added for solar requirements.

### Exterior

• The corner has been squared off to provide required clearances at the corner guestroom. This created a design conflict with the frame that extended to the roof, so the design was altered, and the silver frame now wraps the entire public space/hotel lobby storefront at level 3. This design update is still in keeping with the original design intent identified in the project description letter.

Step back & Modulation requirements

• The previous design that incorporated the step back and modulation requirements are still intact in this current design. The change at the corner of the building is still pronounced and has a different planar relationship with the adjacent modules.

As noted previously, the changes noted above are high level and can be viewed in detail in the comparison plan set provided. The side by side helps identify the plan updates and will hopefully show the changes are minimal and low impact.

Please see below for the remainder of the project description letter.

# Address

3723 Haven Avenue, Menlo Park, CA

# **Existing**

Currently, there is a 1-story office building on the site with approximately 13,681 square feet.

# **Proposed**

Proposed 7-Story hotel building, consisting of 163 rooms and 125 compliant parking spaces with the ability to park 129 total.

Level 1: Parking, Service areas, Elevators to Jump Lobby Level 2: Above grade parking.

Level 3: Jump Lobby including an indoor/outdoor lounge, fitness center and library.

Levels 4-7: Guestrooms & back of house. The guestroom levels will begin at 40' -0 5/8" (Level 3 above the finished floor.



### **Design Overview**

In general, the Hotel intends to be a neighborhood resource, and thus will provide reasonable access to the roof garden amenity, bar and lounge area for dining and entertainment.

The project has many areas open to the public, including the rooftop garden, the front plaza area along Haven Avenue, the coffee/lounge, and the hardscape area around the main entry.

As the ground level garden and hardscape shall be accessed by the public, especially the neighbors who live in the apartments behind our hotel, and the office workers on each side of the hotel, a ground floor coffee/lounge is being offered as a neighborhood amenity which can be directly accessed from the street and sidewalk, as opposed to entering through the hotel.

Access to the podium level public garden space is via a dedicated elevator and stair at the Northeast corner of the building with a direct connection to this space. The provided elevator does not stop at any other level and will be an express connection to the public space. Both the stair and elevator will be clearly signed and provide wayfinding for the public to use this space.

The front façade of the building, which faces Haven Avenue is divided into 5 vertical slices. The base of the building is set back a minimum of twenty feet from the property line, and further, a Loggia provides relief, rain protection and shade for the ground floor coffee shop. A majority of the façade is set back an additional ten feet from the base of the building to provide vertical relief. The façade is characterized by different punched window types, storefront glazing as well as different materials in each vertical section. The roof line is staggered to provide interest, and a large tower element punctuates the entrance to the hotel.

# Per Response Letter previous responses are included below from the following comments:

The development team feels that the modulation requirement has been met by the current geometry along Haven Avenue. The building is divided into 7 vertical segments along the front façade and those vertical segments have a staggered roof line, as well as being in different planar relation to one another. Additionally, the Hotel is designed so that the South wing follows the easement line which makes a diagonal through the site, that diagonal is expressed on the entry tower, which stands taller than the rest of the facades and contains the Moxy signage, the as well as the transparent storefront at level 4 contained within silver metal panel which provides a portal to the rooftop community garden. The stair tower at the end of the building is then set back from the face in a significant manner. The two-bay sliver to the South of the community garden portal is set back from the adjacent planes by four feet.

The base of the building along the front is divided into 6 segments, and features a loggia along two of the segments, which provides rain protection and shade along the window wall into the lobby and coffee/lounge. The building is very much articulated and meets and exceeds the spirit of your community ordinance calling for 1 modulation. In comparison with the adjacent, recently constructed Hotel Nia by Marriott, the Moxy has significantly more articulation, and is a smaller building. The parking structure is also nicely disguised using Silver Kaynemail screening as shown in the material board on



sheet EN-36 on the second and third level, and actually contributes to the variety in the front façade and creating balcony areas on the 4th floor for public enjoyment. For the coffee/lounge and bar and restaurant, we are requesting a use permit to accommodate outdoor seating. The corner towers along the front façade announce two entryways, the Hotel entrance as primary, and the community garden entrance as secondary.

Refer to the elevation sheets to best explain the 3d geometry of the façade along with the perspective provided on the cover sheet. The horizontal offsets are shown on the elevation sheets and dimensions have been provided to show the height differential. In addition, sheets EN-25 through EN-28 show the roofline, as well as the horizontal offsets at the 3 vertical segments of the façade.

In summary, we feel that the building design meets the spirit of the ordinance, and we have heard positive comment from Planning Commission on the façade design facing Haven Avenue. The development team therefore would like to move forward with the unaltered design of the façade and let the Planning Commission subjectively assess the design.

# Alcohol Licensing Deferral

We are deferring the administrative approval and obtaining the Class 47 license through the California Department of Alcoholic Beverage Control, to after the Planning Commission action.

# **Generator Deferral**

The diesel-powered back-up generator, which requires administrative permit is being deferred until after Planning Commission action.

17. Please provide an adequate series of step-backs, in alignment with Section 16.43.130 (2) of the Zoning Ordinance. Because the site is located in the flood zone, this property is subject to a 10-foot increase per the requirements, and based on the table in the aforementioned section, please provide the following step-backs along the front elevation (facing Haven Avenue): • One step-back of 15 feet at 70 feet height, and an additional 10-foot step- back at 85 feet in height.

Response: Acknowledged. We understand the ordinance and understand that the diagram shows an urban street front condition, in which the building façade is on the edge of the public sidewalk (likely the property line). Due to the business owners in our neighborhood imposing a twenty-foot set-back on buildings, we conclude that we exceed the building setback requirements, which are meant to provide visual relief and reduce urban shadow.

The existing design of the front plaza provides adequate landscaped areas, shaded seating and a minimum of 20-foot setback to the sidewalk. Due to the curvature of Haven Avenue along the North end, the setback to the sidewalk is much greater, actually doubling the distance to 40 feet at some points and provides a generous landscape area to buffer the outdoor seating in the approach to the community garden entrance.

The vertical setbacks as requested by the city were then incorporated into the November

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2020 submittal, as requested, and the Haven Avenue Façade updated to provide more vertical relief between the tower entry element and the balance of the façade

#### **Generator Details**

- 1. Please clarify the use of the diesel generator (and hazardous materials) in more detail, outlining when it would be needed and whether it would service the entire site, or something more particular. In particular, an explanation of its purpose and how the hazardous materials are used to power the generator is needed. Please also explain the amount of fuel that would be stored on site, how often and when refueling would need to occur, how often and when (specific day of the week and time of day) testing will need to occur (along with the duration of testing), and how the project will address any noise implications.
  - a. JSE Response: The Generator will be used to provide backup power to life safety branch, standby branch, & optional branches of emergency system. The Life safety branch will include emergency lighting, fire alarm, & fire pump. The standby branch will include elevators & HVAC systems associated with any smoke control systems. The optional branch will include any non-code required areas such as kitchen equipment, freezers, motors, points of sale, HVAC systems, etc. The fuel system shall include a UL Listed, 600gallon (approximately 18 hours of runtime), double wall fuel tank base. It shall have the structural integrity to support the engine-generator set. Minimum features shall include all welded construction, a lockable fuel filler cap, fuel gauge, low fuel level alarm, tank rupture alarm, fuel line check valve and fittings for fuel supply, return, fill and vent. The generator must maintain no less than 300 gallons of fuel (8 hours runtime is minimum code requirement for fire pump). Re-fueling is subject to the amount fuel level due to generator running during emergency situations and/or exercising and maintenance. Refuel would occur every 12 weeks and testing would occur the first Monday of every Month at 9 AM. Testing will last approximately 30 minutes.
- 2. Please explain the ventilation that would be used and describe the method(s) by which ventilation would occur.
  - a. JSE Response: Ventilation will be achieved bases on requirements from the manufacturer via intake and exhaust louvers sized accordingly and located on opposing walls of the generator room. Louvers will have motorized dampers to maintain fire rating.
- 3. Based on the recent reviews of diesel generator projects, please also explain why a diesel generator is the most feasible option for the project's back-up power supply. A justification will be needed in this letter, in addition to the description explaining whether any alternatives have been considered and why they may not be feasible. At the recent 2/22/2021 Planning Commission meeting, the Planning Commission expressed concern about the proposed use of a diesel-powered generator for a project at 1395 Chrysler Drive (the staff report is available here: https://www.menlopark.org/DocumentCenter/View/27404/F1\_1395-Chrysler-Drive?bidId, and the minutes are available here:

https://www.menlopark.org/AgendaCenter/ViewFile/Minutes/\_02222021-3581). Please note that the discussion mainly involved seeing if alternative energy sources (e.g., rechargeable



batteries, etc.) could be used instead of diesel, and whether alternative energy sources were considered. It is likely that the Planning Commission will ask similar questions for this project.

- a. JSE Response: Diesel is a reliable source of fuel for an emergency backup system. Natural Gas is not allowed within this jurisdiction. Backup power for the fire pump is required to have 8 hours of runtime per NFPA, which batteries will not be able to meet efficiently.
- Any construction details pertaining to the installation of the hazardous materials (namely, timing) are also needed in the project description letter. If possible, please include specifications for the generator as part of the project description letter.
  - a. JSE Response: Generator cut sheet provided. Fuel tank size and run time has been modified to meet the requirements stated in project description.

\*Please note spec in plan is 1000 Gallon / we will be utilizing 600 Gallon.

#### Food and Beverage

The hotel management will make the bar and level 3 garden open to the public during daytime business hours, and until bar closing hour which is 10pm daily. Any public activity past ten PM (10 PM) maybe subject to control due to noise which can interfere with hotel guests and/or neighbors trying to sleep.

While interior dining and lounge spaces may be reserved for hotel guests or paying customers, the public shall be allowed to access these spaces as a customer, during normal business operations between 6am and 10pm.

The Hotel will have a full bar, defined by serving beer, wine, spirits as allowed by the State of California and open standard hours per city code. Lobby and public areas are open and staffed 24 hours every day. Residents from neighboring areas will have 24 access to the hotel however loitering and soliciting will not be allowed. "Doors will always be open."

Lobby area will be open 24 hours to all guests and the public and will offer free "super" wifi internet. Guests and the public can essentially use the hotel lobby work areas as no charge "co-working" space with local coffee and beverage available for purchase – i.e. Emerald Hills Roastery, etc. Our goal is to make the F&B experience very "Menlo" and unique from neighboring cities.

Light continental breakfast and tapas style foods will be served for lunch and dinner. Menu will be determined by Marriott but will be local foods based with as much of a farm to table concept as possible and a local fare twist. Special food events (unique food trucks, celebrity chef, etc.) will be advertised and open to the public, mostly on the weekends. The dining concepts will not be full fare meals, just very healthy small plates at price points to serve the general public.

#### Parking

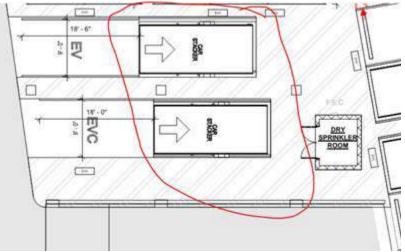
All garage and onsite parking operations will be conducted by a certified parking firm such as SPplus Parking Inc. Parking will be valet only and available 24/7. Depending on public need, parking will be available during slower periods, however guest parking will be a priority. Parking



Stackers, as located within the garage, will only be operated by trained professional valet staff. Guests will not have access to them unless an emergency arises where they will be escorted with a certified valet services staff member.

The stacker being used is a hydraulic, prefabricated system, that is progressive in its design, as it can provide greater parking capacity to valet parking, with environmentally friendly benefits of utilizing less space, concrete and building structure, while conveniently storing away cars for easy retrieval Electric Vehicle charging stations are provided for both standard parking stalls and for accessible stalls. Accessible stalls are located on both levels of the parking structure.

Level 2 contains 4 tandem spaces that are considered "non compliant" and therefore, as previously stated, the project has a total of 125 spaces including the valet spaces. The four non-compliant spaces are circled in red below:



The total number of valet spaces are 20 (9 spaces on Level 1 and 11 on Level 2). This is graphically depicted on the plans.

As mentioned above, parking valet services will be available 24/7. Valet Services will have an administrative desk in the jump lobby as well as a mobile stand-alone kiosk near the curb cutout. Valet personnel will be staffed according to occupancy needs with a minimum of 4 persons dedicated to valet. Guests will pull into the hotel driveway from Haven Ave and will be greeted by the valet staff at the curb cutout/kiosk. Here, guests will exit their car with luggage and hand over their keys to the valet staff who in turn will hand them a ticket with instructions for car retrieval. Vehicles will be able to temporarily pull into the curb cutout for valet transition as depicted on sheet EN-08. Valet staff will park the cars in available garage spots and then secure the vehicle keys in a lockbox. The Valet Co will have 24/7 access to all cars and their keys. This will allow the ability to move around cars in the garage very efficiently. This will also allow for the additional drive aisle valet parking to operate seamlessly. The design and locations of the drive aisle parking was documented per recommendations of the valet firm's in-house engineers and parking consultants who practice these methods throughout the Bay Area. The valet firm will also be trained in the use of EV charging and can operate all charging stations provided on behalf of

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guests. Upon departure, guests can call the front desk, text the valet firm via their ticket instructions, or request their car in person where the car will be brought back to the front entrance area ready for departure.

The valet vehicle return method will be similar to drop off. The curb cutout will be used for departure and if occupied we will use the area next to the transformer in the drive aisle. Typically, we don't see much overlap in arrivals and departures at hotels due to standard check-in and check-out times but if needed, the valet company has alternate locations to service all guest needs.

#### Public Space

The Moxy Hotel enjoys a generous front yard in the form of a linear park. Planting beds arranged like piano keys perpendicular to the façade allow for the public to easily stroll through the gardens and enjoy a nice moment on one of the Hotel's Park benches. As the café is the backdrop for the linear park, it is also convenient as a neighborhood gathering area. Toward the North end of the park, umbrella tables and a small plaza are ringed by existing boulders, which provide the entryway to the Hotel roof garden.

The balcony of the roof garden is visible from the Haven Avenue sidewalk, and is accessible by an elevator and stairway, with direct, non-stop service to the roof deck. There will be individual wayfinding and signage for the Roof deck public space. This will be visible from the public way along Haven Ave. and from the vehicular entry of the property.

The stairwell itself has plenty of glass to be transparent to the public, and the 3rd level is punctuated by a picture window and an open-air balcony. Once off the elevator, you are directly into the public open space area, and have ample seating, planters, fire pits, and other amenities which are also found on the Hotel guest side of the roof deck.

While a Pergola is a visual barrier between the public garden and the hotel bar area, there is restricted movement between both halves to provide alcohol service on the bar side. Comfortable outdoor furniture, night lighting and a peaceful ambiance make this a perfect neighborhood amenity, and provide a view opportunity to the Bay, over the tops of the adjacent warehouses. This is truly an enhancement, and a value add to the residents adjacent to our project.

None of the covered areas have been tabulated in our public open space calculations, but the ancillary areas certainly do add shade and comfort to the edge of the public open space that is a further enhancement of the park and leisure concept.

The South side of the site is a landscape area with dense landscape and a bioswale. The Southeast corner has a monument sign for the Hotel. The public open space is a non-programmed space; however, this serves as a landscape buffer and visual barrier on that edge of the site. Furthermore, there is additional open space on the podium roof deck, which is the Hotel bar area. We have approximately split the types of open space programmed for the roof deck.

Per Menlo Park ordinance, use of the podium roof for a rooftop garden, and added public open space is encouraged as a design principal. Due to the size of our site at 33,192sf our code required open space is



30%, or 9,958 sf. See revised sheet EN-3for updated areas tabulated for Public and Private Open Space. In so doing we have also enhanced the neighborhood experience in providing a long, elevated view out to the Bay. The open space provided includes outdoor furniture, landscape planters, decorative hardscape, potted plants, shaded pergolas and umbrella tables to lengthen and enrich the experience both at the ground level and roof top / podium garden level. The advantage of utilizing the podium for the garden space is that it elevates the view corridor above the neighboring warehouse buildings so that there can be a line of site to San Francisco Bay. More than any other property, this amenity will be distinctive for the Moxy Hotel and a signature attraction for Menlo Park.

In summary, the Moxy Hotel affords the neighborhood an elegant park environment for leisure and relaxation, as a neighborhood meeting place, and allows the public to passively enjoy the Hotel as well as interact with the Hotel amenities (food and bar service). We can see this becoming a very popular destination by those living adjacent in addition to the rotation of guests. The linear park along Haven Avenue, coupled with the easily accessible podium level garden provide a great variety of experience, and allow the public to enjoy the sunny or shady side of the building, depending upon the mood.

#### **Neighborhood Meeting**

Our team held a neighborhood meeting as scheduled on 8/6/19. As you are aware, we had the meeting at the Hotel Nia which is very close to the proposed Moxy Hotel site.

We had only three people come to the meeting. One stated he lived nearby but not very close. One stated he was from LA and was a friend of an employee at Facebook. We didn't get the other individual who was with these folks.

Upon further research, we found out they were from the Hotel Nia. They are as follows: These gentlemen from Ensemble showed up to our meeting.

https://ensemble.net/company/team/.

- 1. Kambiz Babaoff Chairman
- 2. Brian Ehrlich Chief Investment Office
- 3. Third I did not see on their website.

They were basically inquiring information on our project since they were part of the group that financed the Nia.

No neighbors showed up.

Our team met personally with JoAnn and Paul Tyson on 8/5/19 at 1:30pm. They are the adjacent landowners of the dog kennel, daycare, boarding and grooming business as well as the storage facility located at 3757 Haven Avenue, Menlo Park, CA. This meeting went extremely well, and I am having my attorney write up the agreement. I promised them that I would proffer several things during the approval process. They are as follows:



- 1. When we rework the driveway, we cannot do any work between the hours of 6:30AM 9:30 AM and 4:30 PM 7:00 PM.
- 2. We will be required to provide the landowners the following:
  - i. Updated plans with details showing the revised driveway, curbing etc.
  - ii. They want to have the contact information of the project supervisor so if they have any questions and concerns, they have direct access to that person.
  - iii. We will need to keep them updated as to the schedule and invite them to the job meetings (monthly) so if they want to attend, they are more than welcome. The schedule is critical to them because one of the businesses is a dog grooming and training facility. Noise is a big factor with this type of business.
  - iv. We need to have a pre-construction meeting with them to show the "anticipated" schedule and introduce the parties. This should take place a minimum of two weeks prior to the start of construction.
  - v. A critical provision needs to include that we are well aware this is a dog kennel, daycare and boarding facility which provides some grooming services. Also, we have no issue with this business and the related noise of barking dogs.

Our team conducted a neighborhood outreach meeting in 2019 prior to Covid 19 protocols and suspension of in person meetings.

Recently, our team held an additional, non-required, neighborhood meeting on August 22<sup>nd</sup>, 2023, at the Arrillaga Family Rec center in the Cypress Room. The notifications and advertisements for the meeting were made through the following avenues:

- Flyers posted at the Belle Haven Community Center and the Belle Haven Library.
- Flyers posted at the Elan Menlo, Anton Menlo Apartment Complexes.
- o Flyers Posted at the Tyson Kennels
- Paid Banner ad on the Almanac online website including the community calendar.
- $\circ~$  Posting on the NextDoor App for various adjacent neighborhoods. (Over 1000 views to date)

One of the goals for this meeting was to be able to collaborate with local community members and to hear their thoughts on the hotel and what kind of amenities they would like the hotel to offer for the public open space. Conducting this meeting prior to commencing construction allows the development team to better prepare and possibly implement the public's ideas. In addition, the team presented the ideas we have had to date:

- Outdoor Family Movie night
- Food truck shell with rotating vendors
- Art stations at the NW corner with easels provided for local artists.



• Free Yoga classes

A representative from Tyson Kennels was present and there are now ongoing conversations with the development team and Tyson Kennels to host a social hour host at the public open space for their customers and pets. The kennels have several clients who drop their pets off during work hours every day. Per the kennel owners, a spot close by to relax with their pets would be a great amenity before the pet owners head home. This is a small example of the benefits this hotel would bring to the local community and local businesses.

This public outreach meeting was in addition to the outreach requirements set forth by the Conditions of Approval which we will also be conducting prior to Certificate of Occupancy. The development team is also scheduling another non-required outreach meeting in early December 2023.

#### **Brand**

Moxy Hotels serves as a playground that attracts Fun Hunter travelers and is designed to give guests everything they want and nothing they don't at an affordable price.

Lively public spaces, minimalist style and cozy guest rooms offer up a new way of traveling. The brand is well suited for urban/metro areas with a favorable cost-to-build model, featuring efficient rooms and a lean staffing model.

For more information, please visit <u>http://moxy-hotels.marriott.com/en/our-story</u>.

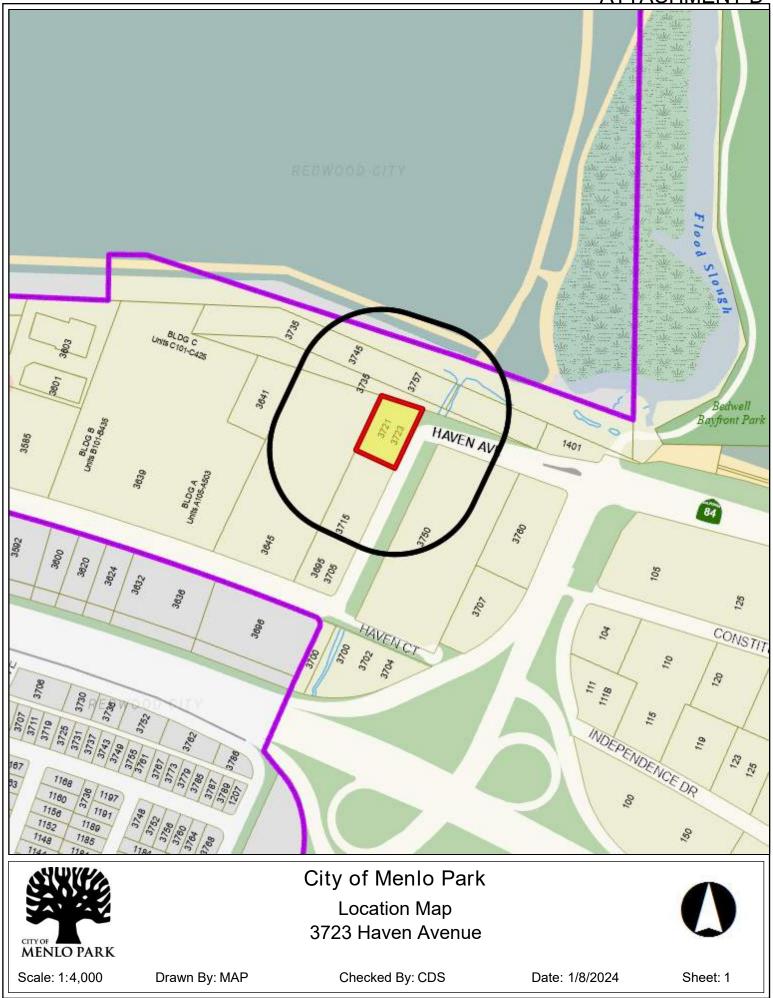
Sincerely, Al Patel Owner Titan Management

CC: Nitin Patel, Elevate Architects Al Shaghaghi, AMS Assoc.

LOCATION: 3723 Haven Avenue			PROJECT NUMBER: PLN2023-00026	OWNER: Menlo Park Hotel Group LLC								
PROJECT	CON	NDITIONS	:	•								
1.			nit revision and architectur ndard conditions:	al control permit revision sl	nall be subject to the							
	a.	Development of the project shall be substantially in conformance with the plans prepared by Elevate Architecture Studio, consisting of 67 plan sheets, dated received December 19, 2023 and approved by the Planning Commission on January 8, 2024, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.										
	b.	Menlo Pa	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.	the Buildi		e applicants shall comply v Division, and Transportation								
	d.	new utility Engineer building a landscap	y installations or upgrades ing and Building Divisions, and that cannot be placed ing. The plan shall show e	applicable, the applicant sh for review and approval by All utility equipment that is underground shall be prop- xact locations of all meters es, relay boxes, and other	/ the Planning, s installed outside of a erly screened by s, back flow prevention							
	e.	the applic any dama	cant shall submit plans ind aged and significantly worr	a complete building permit icating that the applicant sh n sections of frontage impro al of the Engineering Divis	nall remove and replace ovements. The plans shall							
	f.	the applic Engineer	cant shall submit a Grading	a complete building permit g and Drainage Plan for rev and Drainage Plan shall be puilding permits.	view and approval of the							
	g.		ouilding permit issuance, the termination of the second seco		ees incurred through staff							
	h.	the Herita		construction project shall be ne arborist reports prepared mber 19, 2023.								
	i.	Park or its the City of annul an Director, developm time perio or permit City's pro proceedir	s agents, officers, and emp of Menlo Park or its agents approval of the Planning or any other departmen nent, variance, permit, or l od provided for in any applitee's duty to so defend, in omptly notifying the app	s, officers, or employees to Commission, City Council, t, committee, or agency and use approval which a icable statute; provided, ho ndemnify, and hold harmle	tion, or proceeding against attack, set aside, void, or Community Development of the City concerning a ction is brought within the wever, that the applicant's as shall be subject to the ny said claim, action, or							

LOCATION: 3723 Haven Avenue			PROJECT NUMBER: PLN2023-00026	APPLICANT: AI Patel	OWNER: Menlo Park Hotel Group LLC					
PROJECT	COND	ITIONS	:							
	i. Notice of Fees Protest – The applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of the approval or as a condition of approval of this development. Per California Government Code 66020, this 90-day protest period has begun as of the date of the approval of this application.									
2.			nit revision and architectura iect-specific conditions:	al control permit revision sh	nall be subject to the					
	do th or ex co pa	ocumen e reviev oerator kceptior omplian arking s	tation of a valet service pla w and approval of the Plan shall utilize a valet service n of the designated access t spaces to limit potential of paces. The hotel may perr	apancy permit, the hotel op an to access the on-site pa ning and Transportation D to access all parking spac ible or Americans with Disa conflicts between vehicles a mit patrons utilizing the acc lated spaces without the us	rking spaces, subject to ivisions. The hotel es on-site with the abilities Act (ADA) utilizing the non-standard essible (or ADA					
	co ap	ondition oproval	s that were included in the	ctural control revision shall Planning Commission's N tural control, and associate	ovember 14, 2022					

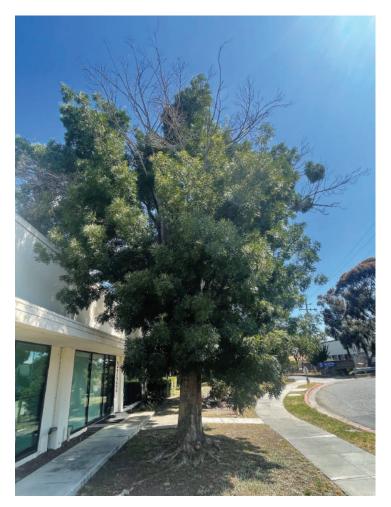
# ATTACHMENT B





# ATTACHMENT D

# **Arborist Report**



Inspection Date: April 4, 2019 Revised: December 14, 2023

Prepared by: Michael Young Project Arborists: Michael Young contractor's license # 755989 certified arborist WC ISA #623

# Submission Date: November 27, 2023

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## Assignment

It was our assignment to physically inspect trees in the survey area based on a topographic map provided by the client. I was to map, tag and compile data for each tree and write an inventory/ survey report documenting my observations. I was also to provide general tree protection measures for use during construction on the site. At the request of the city, we were to revisit the site to remeasure the trees to see if any of the trees had grown to heritage size.

Additionally, we reviewed the "1<sup>st</sup> Floor Hardscape Plan" sheet H1.01, dated 08/04/2023, the "Tree Removal Plan sheet L0.01, dated 08/04/2023 and the "Landscape Hydrozone Plan Ground Level" sheet L0.02, dated 08/04/23.

### Summary

This survey provides a numbered map and complete and detailed information for each tree surveyed. There are 16 trees included in this report. Three of the trees are considered to be Heritage trees under Menlo Park's tree protection regulations. Two of the trees are street trees. Seven trees are located on a neighboring property but overhang the subject property. Heritage tree #257 is a Monterey pine (*Pinus radiata*) that was previously removed due to health and structural issues.

This site has plans to demo the existing building and erect an 8 story Hotel building consisting of 163 rooms and 126 parking spaces.

Sheet C-7.1 of the Civil Plan Set shows a sanitary sewer within the tree protection zone of Ash (*Fraxinus sp.*) trees #255. All trenching for the sanitary sewer shall be hand dug without the use of heavy equipment. The project arborist shall be notified if any roots larger than 2" need to be cut or removed. A 4"-6" layer of mulch before construction commences, along with monthly irrigation to a depth of 18" shall take place during all construction activities.

Sheet H1.01, "1<sup>st</sup> Floor Hardscape Plan", dated 08/04/2023 has been modified to keep the interlocking pavers as far outside the driplines of Ash (*Fraxinus spp.*) trees #255 and #256 as possible. This design consideration keeps all hardscape outside 6x the trunk diameter of these two trees. A layer of mulch 4'-6" deep shall be spread evenly throughout the tree protection zone, along with monthly irrigation is recommended to help alleviate construction stress.

# **Prescriptive Tree Plan**

A 4"-6" layer of mulch shall be spread evenly throughout the tree protection zones of all trees to be preserved onsite. During all construction activities, irrigation to a depth of 18" shall happen once a month for all trees being preserved. If any hand dug trenching needs to take place within the tree protection zones of any tree that remain onsite, the project arborist shall be notified and supervise said trenching. No roots greater than 2" in diameter shall be cut or removed without the approval of the project arborist.

After construction is complete, irrigation shall take place monthly to a depth of 18" for 1 year to help alleviate construction stress and allow the trees to completely recover. A tree company employing an ISA certified arborist, shall make recommendations and provide pruning per the ISA standards of tree care on a yearly basis for the continued care of all trees onsite.

Once tree protection fencing is installed, the project arborist shall provide a tree protection verification letter.

At the conclusion of the project and before the tree protection fencing is removed, the City Arborist shall provide a final inspection signoff for the project. This shall happen after all the required replacement trees have been planted.

Lastly, some tree protection zones may need to be modified if the full circumference is not available. If modification is necessary, the project arborist shall be notified and shall approve said modification before the tree protection zone can be altered.

# Discussion

All the trees surveyed were examined and then rated based on their individual health and structure according to the table following. For example, a tree may be rated "good" under the health column for excellent/vigorous appearance and growth, while the same tree may be rated "fair/poor" in the structure column if structural mitigation is needed. More complete descriptions of how health and structure are rated can be found under the "Methods" section of this report. The complete list of trees and all relevant information, including their health and structure ratings, their "protected/significant" status, a map and recommendations for their care can be found in the data sheet that accompanies this report.

<u>Rating</u>	<u>Health</u>	<u>Structure</u>		
Good	excellent/vigorous	flawless		
Fair/good	no significant health concerns	very stable		
Fair	showing initial or temporary disease, pests, or lack of vitality. measures should be taken to improve health and appearance.	routine maintenance needed such as pruning or end weight reduction as tree grows		
Fair/poor	in decline, significant health issues	significant structural weakness(es), mitigation needed, mitigation may or may not preserve the tree		
Poor	dead or near dead	hazard		

## **Survey Methods**

The trunks of the trees are measured using an arborist's diameter tape at 54" above soil grade. In cases where the main trunk divides below 54", the tree is measured (per Menlo Park specifications) at the point where the trunks divide. In these cases, the height of that measurement is given in the notes column on the attached data sheet. The canopy height and spread are estimated using visual references only.

The condition of each tree is assessed by visual observation only from a standing position without climbing or using aerial equipment. No invasive equipment is used. Consequently, it is possible that individual tree(s) may have internal (or underground) health problems or structural defects, which are not detectable by visual inspection. In cases where it is thought further investigation is warranted, a "full tree risk assessment" is recommended. This assessment may include drilling or using sonar equipment to detect internal decay and include climbing or the use of aerial equipment to assess higher portions of the tree.

The health of an individual tree is rated based on leaf color and size, canopy density, new shoot growth and the absence or presence of pests or disease. Individual tree structure is rated based on the growth pattern of the tree (including whether it is leaning), the presence or absence of poor limb attachments (such as co-dominant leaders, included bark, etc.), the length and weight of limbs and the extent and location of apparent decay.

### **Survey Area Observations**

The property is located in an area of commercial development. The lot is roughly rectangular and is flat. The existing building is located approximately in the center of the property on Haven Avenue.

# **Tree Health**

Generally, the trees in the survey area range from "good to fair poor". Individual issues and recommendations for each tree are listed under the "Notes" column on the accompanying data sheet.

**Monterey Pine #257**: This heritage tree was previously removed due to poor health that included pitch canker disease with multiple dead limbs. The tree has a thin canopy and was leaning strongly over the property line and fence. It provided little screening or aesthetic value and has a limited life span and therefore removed.

**Sycamore #258:** This tree shall be removed for road access. This tree was under the protected diameter at the time of the survey.

## **Tree Structure on This Property**

Ideally, trees are pruned for structure when young and are properly mainained to reduce endweight as they grow. This practice prevents excessively long, lateral branches that are prone to breaking off due to weight or wind.

In the case of the small to medium-sized trees here, this has occurred to some degree. Continued end weight reduction (EWR) is recommended for these trees.

# **Local Regulations Governing Trees**

### Definition of a heritage tree

- 1. Any tree having a trunk with a circumference of 47.1 inches (diameter of 15 inches) or more measured at 54 inches above natural grade.
- 2. Any oak tree native to California, with a circumference of 31.4 inches (diameter of 10 inches) or more measured at 54 inches above natural grade.
- 3. Any tree or group of trees specifically designated by the City Council for protection because of its historical significance, special character or community benefit.
- 4. Trees with more than 1 trunk shall be measured at the diameter below the main union of all multi-trunk trees unless the union occurs below grade, in which case each stem shall be measured as a stand-alone tree. A multi-trunk tree under 12 feet in height shall not be considered a heritage tree.

# **Risks to Trees by Construction**

Besides the above-mentioned health and structure-related issues, the trees at this site could be at risk of damage by construction or construction procedures that are common to most construction sites. These procedures may include the dumping or the stockpiling of materials over root systems; the trenching across the root zones for utilities or for landscape irrigation; or the routing of construction traffic across the root system resulting in soil compaction and root dieback. It is therefore essential that Tree Protection Fencing be used as per the Architect's drawings. In constructing underground utilities, it is essential that the location of trenches be done outside the drip lines of trees except where approved by the Arborist.

# **Tree Protection Plan**

Protective fencing is required to be provided during the construction period to protect trees to be preserved. This fencing must protect a sufficient portion of the root zone to be effective. Fencing is recommended to be located 8 to 10 X the diameter at breast height (DBH) in all directions from the tree. DBH for each tree is shown in the attached data table. The <u>minimum</u> recommendation for tree protection fencing location is 6 X the DBH, where a larger distance is not possible. There are areas where we will amend this distance based upon tree condition and proposed construction. In my experience, the protective fencing must:

a. Consist of chain link fencing and having a minimum height of 6 feet.

- b. Be mounted on steel posts driven approximately 2 feet into the soil.
- c. Fencing posts must be located a maximum of 10 feet on center.
- d. Protective fencing must be installed prior to the arrival of materials, vehicles, or equipment.
- e. Protective fencing must not be moved, even temporarily, and must remain in place until all construction is completed, unless approved be a certified arborist.
- f. Tree Protection Signage shall be mounted to all individual tree protection fences.

Based on the existing development and the condition and location of trees present on site, the following is recommended:

- 1. The Project Arborist is Michael Young (650) 321-0202. A Project Arborist should supervise any excavation activities within the tree protection zone of these trees.
- 2. Any roots exposed during construction activities that are larger than 2 inches in diameter should not be cut or damaged until the project Arborist has an opportunity to assess the impact that removing these roots could have on the trees.
- 3. The area under the drip line of trees should be thoroughly irrigated to a soil depth of 18" every 3-4 weeks during the dry months.
- 4. Mulch should cover all bare soil within the tree protection fencing. This material must be 6-8 inches in depth after spreading, which must be done by hand. Course wood chips are preferred because they are organic and degrade naturally over time.
- 5. Loose soil and mulch must not be allowed to slide down slope to cover the root zones or the root collars of protected trees.
- 6. There must be no grading, trenching, or surface scraping inside the driplines of protected trees, unless specifically approved by a Certified Arborist. For trenching, this means:
  - a. Trenches for any underground utilities (gas, electricity, water, phone, TV cable, etc.) must be located outside the driplines of protected trees, unless approved by a Certified Arborist. Alternative methods of installation may be suggested.
  - b. Landscape irrigation trenches must be located a minimum distance of 10 times the trunk diameter from the trunks of protected trees unless otherwise noted and approved by the Arborist.
- 7. Materials must not be stored, stockpiled, dumped, or buried inside the driplines of protected trees.
- 8. Excavated soil must not be piled or dumped, even temporarily, inside the driplines of protected trees.
- 9. Landscape materials (cobbles, decorative bark, stones, fencing, etc.) must not be installed directly in contact with the bark of trees because of the risk of serious disease infection.
- 10. Landscape irrigation systems must be designed to avoid water striking the trunks of trees, especially oak trees.
- Any pruning must be done by a Company with an Arborist Certified by the ISA (International Society of Arboriculture) and according to ISA, Western Chapter Standards, 1998.

12. Any plants that are planted inside the driplines of oak trees must be of a species that is compatible with the environmental and cultural requirements of oaks trees. A publication detailing plants compatible with California native oaks can be obtained from The California Oak Foundation's 1991 publication "Compatible Plants Under & Around Oaks" details plants compatible with California native oaks and is currently available online at: <a href="http://californiaoaks.org/wp-centerly.optic.com">http://californiaoaks.org/wp-centerly.optic.com</a>

content/uploads/2016/04/CompatiblePlantsUnderAroundOaks.pdf

+ + + + +

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,

mbel 8. for

Michael P. Young





Address: 3723 Haven, Menlo Park, CA 94025 Inspection Date: 6/13/2023

Ratings for health and structure are given separately for each tree according to the table below. IE, a tree may be rated "Good" under the health column For excellent, vigorous appearance and growth, while the same tree may be rated "Fair, Poor" in the structure column if structural mitigation is needed.

KEY	Health	Structure
Good	excellent, vigorous	flawless
Fair - Good	no significant health concerns	very stable
Fair	declining; measures should be taken to improve health and appearance	routine maintenance needed
Fair - Poor	in decline: significant health issues	mitigation needed, it may or may not preserve this tree
Poor	dead or near dead	hazard

TAG NO.	COMMON NAME	DIAMETER AT BREAST	H'/W'	HEALTH	STRUCTURE	PROTECTED (X)	TREE DISPOSITION	NOTES, RECOMMENDATIONS
		HEIGHT"						
245	Locust	8.0	14/14	fg	f		В	EWR, DWR, RCE, SP, multiple leaders
246	Locust	8.0	14/15	fg	f		В	EWR, DWR, RCE, SP, multiple leaders
247	Locust	8.0	14/15	fg	f		В	EWR, DWR, RCE, SP, multiple leaders
248	Locust	8.0	14/18	fg	f		В	EWR, DWR, RCE, SP, multiple leaders
249	Locust	9.5	14/18	fg	f		В	EWR, DWR, RCE, SP, multiple leaders
250	Locust	9.0	14/20	fg	f		В	EWR, DWR, RCE, SP, multiple leaders
251	Olive	36.0	25/35	fg	f	x	с	EWR, DWR, RCE, SP, multiple leaders from base
252	Olive	14.0	'10/13	f	f		D	RR, remove for construction limits
253	Silver linden	2.0	'3/12	g	f		В	EWR, DWR, RCE, SP, multiple leaders
254	Silver linden	2.5	'3/12	g	f		В	EWR, DWR, RCE, SP, multiple leaders
255	Ash	17.0	25/45	fg	fp	x	с	EWR, DWR, RCE, SP
256	Ash	15.0	22/40	fg	f	x	С	EWR, DWR, RCE, SP
257	Monterey Pine	25.0	30/85	fp	fp			Tree was previously removed
258	Sycamore	14.5	25/25	f	f		С	EWR, DWR, RCE, SP
259	Purple leaf plum	4.0	'10/15	g	f		с	EWR, DWR, RCE, SP, multiple leaders
260	Purple leaf plum	9.0	14/18	g	f		С	EWR, DWR, RCE, SP, multiple leaders
283	Japanese maple	7.5 at 1'	15'/7'	fp	fp		D	RR, upper half of tree has no foliage
		A = Retain, condition warrant	ts long-term presei	vation			0	
		B = Preservable, tree is a ben	efit and may be wo	orthy of extensive	e effort or design acc	ommodation.	8	
		C = May be preservable but is	s not worthy of ext	ensive effort or o	lesign accommodatio	on.	6	
		D= Recommend removal due	to existing conditi	on/structure/com	nstruction limits		2	
		TOTAL TREES	-			•	16	
		PROTECTED TOTAL				3		

KEY TO ACRONYMS

DWR - Dead Wood Removal pruning recommended.

EWR - End Weight Reduction: pruning to remove weight from limb ends, thus reducing the potential for limb failure(s).

RCE - Root Collar Excavation: excavating a small area around a tree that is currently buried by soil or refuse above buttress roots, usually done with a hand shovel.

SP - Structural pruning - removal of selected non-dominant leaders in order to balance the tree.

CD - Codominant Leader, two leaders with a narrow angle of attachement and prone to failure.

LCR-Live Crown Ratio.

RR - Recommend Tree Removal based upon Health or Structure of tree.

Prop - Steel prop in concrete footing recommended to help support a tree/limb

Cable - Recommend a steel cable(s) be installed to help support a weakly attached limb(s).

#### TREE ORDINANCE

1. Any tree having a trunk with a circumference of 47.1 inches (diameter of 15 inches) or more measured at 54 inches above natural grade.

2. Any oak tree native to California, with a circumference of 31.4 inches (diameter of 10 inches) or more measured at 54 inches above natural grade.

3. Any tree or group of trees specifically designated by the City Council for protection because of its historical significance, special character or community benefit.

4. Trees with more than one (1) trunk shall be measured at the diameter below the main union of all multi-trunk trees unless the union occurs below grade, in

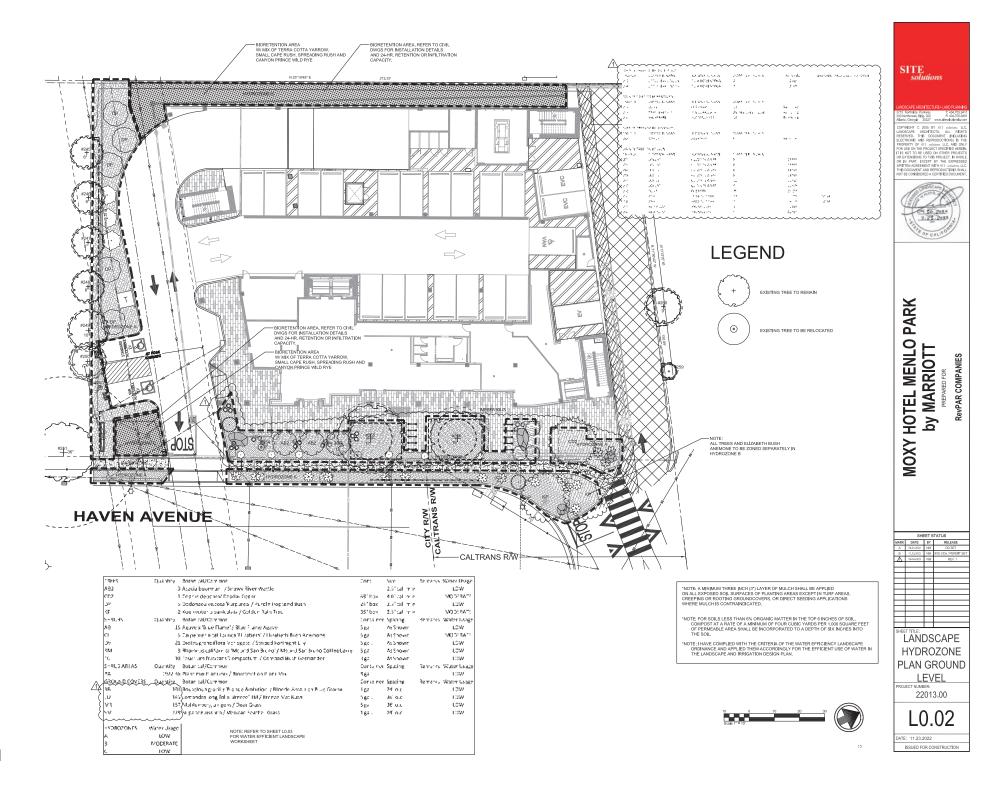
which case each stem shall be measured as a stand-alone tree. A multi-trunk tree under twelve (12) feet in height shall not be considered a heritage tree.



#### TREE SURVEY DATA

NO.	COMMON NAME	DIAMETER AT BREAST	H'/W'	HEALTH	STRUCTURE	PROTECTED (X)	TREE DISPOSITION	NOTES, RECOMMENDATIONS
		HEIGHT"						
	Common Name	Latin Name					-	
	Locust	Gleditsia triacanthos						
	Purpleaf plum	Prunus cerasifera						
	Olive	Olea europaea						
	Sycamore	Platanus sp.						
	Ash	Fraxinus sp.						
	Monterey pine	Pinus radiata						
	Japanese maple	Acer palmatum						
	Silver linden	Tilia tomentosa						
			1					

Disclaimer: Urban Tree Management locates our Tree Inventory Numbers in *approximate* locations, for visual reference only. Field verification of tree locations and tree numbers is required before *any* actions are taken. Trunk diameters, locations, and species are not necessarily accurate on topographic maps. Urban Tree Management, Inc. does not create topographic survey maps and cannot be held liable for information therein.



D11

