REGULAR MEETING AGENDA

Date: 4/14/2025
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 846 9472 6242 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# 846 9472 6242
- Access the meeting real-time via telephone (listen only mode) at:
  (669) 900-6833
  Regular Meeting ID # 846 9472 6242
  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).

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 March 10, 2025 Planning Commission meeting (Attachment)

F. Public Hearing

F1. Use Permit/Dan Spiegel/228 San Mateo Dr.:
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 basement, on a substandard lot with regard to lot width in the R-1-S (Single Family Suburban 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 also includes a detached accessory dwelling unit (ADU), which is a permitted use and not subject to discretionary review. (Staff Report #25-015-PC)

F2. Variance/Vahid Taslimitehrani/108 Blackburn Ave.:
Consider and adopt a resolution to approve a variance to reconstruct a non-conforming wall at a reduced setback of 5 feet where a 5.5-foot, left-side setback is required. The property was granted use permit approval on March 25, 2024 to remodel and add first- and second-story additions to an existing nonconforming single-story, single-family residence located on a substandard lot with regard to minimum lot width, depth and area in the R-1-U (Single Family Urban Residential) zoning district. Determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities. (Staff Report #25-016-PC)

G. Informational Items

G1. 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: April 28, 2025
- Regular Meeting: May 5 , 2025

H. 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.

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REGULAR MEETING DRAFT MINUTES

Date: 3/10/2025
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 846 9472 6242 and
City Council Chambers
751 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Jennifer Schindler called the meeting to order at 7:02 p.m.

B. Roll Call

Present: Jennifer Schindler (Chair), Andrew Ehrich (Vice Chair), Katie Behroozi, Katie Ferrick, Misha Silin, Ross Silverstein

Absent: Linh Dan Do

Staff: Connor Hochleutner, Assistant Planner; Fahteen Khan, Associated Planner; Corinna Sandmeier, Principal Planner; Marian Sleiman, City Attorney's Office

C. Reports and Announcements

Principal Planner Corinna Sandmeier reported that the City Council will hear an appeal of the Planning Commission's approval of the 320 Sheridan Drive project at tomorrow's City Council meeting.

D. Public Comment

Chair Schindler opened public comment and closed public comment as no persons requested to speak.

E. Consent Calendar

E1. Approval of minutes from the February 24, 2025 Planning Commission meeting (Attachment)

Chair Schindler opened public comment and closed public comment as no persons requested to speak.

ACTION: Motion and second (Behroozi/Ferrick) to approve the consent calendar consisting of the minutes from the February 24, 2025 Planning Commission meeting; passes 6-0 with Commissioner Do absent.

F1. Use Permit/Thomas James Homes/670 Cambridge Ave.:
Consider and adopt a resolution to approve a use permit to demolish an existing single-story, two-unit multifamily residence and accessory building and construct a new two-story, single-family

residence and detached garage on a substandard lot with regard to minimum lot width in the R-2 (Low Density Apartment) 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 also includes an attached accessory dwelling unit (ADU), which is a permitted use and not subject to discretionary review. The project includes one development-related heritage tree removal which was reviewed and conditionally approved by the City Arborist. (Staff Report #25-009-PC)

Commissioner Silin said that his residence was located within 500 feet of the subject property, and he would recuse himself.

Assistant Planner Hochleutner reported that there were no changes to the published report.

Gagan Kang, Thomas James Homes, spoke on behalf of the project.

Chair Schindler opened the public hearing and closed the public hearing as no persons requested to speak.

The Commission asked the applicant to discuss the decision process to not add a second single-family residence; the applicant indicated he would provide more information to the Commission through Planner Hochleutner.

ACTION: Motion and second (Ehrich/Behroozi) to adopt a resolution approving the item as submitted; passes 5-0 with Commissioner Silin recused, and Commissioner Do absent.

F2. Use Permit/Karen Staubach/340 Nova Ln.:
Consider and adopt a resolution to approve a use permit to demolish an existing single-story, single-family residence and a detached garage and construct a new two-story, single-family residence on a substandard lot with regard to width, depth, and area 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 also includes an attached accessory dwelling unit (ADU) which is a permitted use and not subject to discretionary review. (Staff Report #25-010-PC)

Associate Planner Khan said staff had no additions to the published staff report.

Karen and Nick Staubach, applicants, spoke on behalf of the project.

Chair Schindler opened the public hearing.

Public Comment:

- Jory Macdonald, neighbor, expressed support for the project.

Chair Schindler closed the public hearing.

ACTION: Motion and second (Ferrick/Silverstein) to adopt a resolution approving the item as submitted; passes 6-0 with Commissioner Do absent.

G. Public Meeting

G1. Housing Element Annual Progress Report/City of Menlo Park:
Consider and adopt a resolution recommending the City Council accept the 2024 annual progress report regarding the status and implementation of the City's 2023-2031 General Plan Housing Element; the Housing Element annual progress report is not considered a project under CEQA.
Continue to the meeting of March 24, 2025

Chair Schindler opened public comment and closed public comment as no persons requested to speak.

ACTION: Motion and second (Behroozi/Schindler) to continue the item; passes 6-0 with Commissioner Do absent.

G2. Environmental Justice Element Annual Progress Report/City of Menlo Park:
Consider and adopt a resolution recommending the City Council accept the 2024 annual progress report regarding the status and implementation of the City's General Plan Environmental Justice Element; the Environmental Justice Element annual progress report is not considered a project under CEQA.
Continue to the meeting of March 24, 2025

Chair Schindler opened public comment and closed public comment as no persons requested to speak.

ACTION: Motion and second (Silverstein/Ehrich) to continue the item; passes 6-0 with Commissioner Do absent.

H. Informational Items

H1. Future Planning Commission Meeting Schedule.

- Regular Meeting: March 24, 2025

Planner Sandmeier said the March 24 agenda would have two single-family residential projects, a hazmat use permit, and the annual progress report on the General Plan.

- Regular Meeting: April 14, 2025

I. Adjournment

Chair Schindler adjourned the meeting at 8:07 p.m.

Staff Liaison: Corinna Sandmeier, Principal Planner

Recording Secretary: Brenda Bennett

STAFF REPORT

Planning Commission
Meeting Date: **4/14/2025**
Staff Report Number: **25-015-PC**

Public Hearing: **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 basement on a substandard lot with regard to minimum lot width in the R-1-S (Single-Family Suburban Residential) zoning district at 228 San Mateo Drive, 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 basement on a substandard lot with regard to minimum lot width in the R-1-S (Single Family Suburban Residential) zoning district, at 228 San Mateo Drive. The proposal includes a detached 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 use permit findings can be made for the proposed project.

Background

Site location

Using San Mateo Drive in the north-south orientation, the subject parcel is located on the east side of San Mateo Drive between Middle Avenue to the north and an offset portion of Bay Laurel Drive to the south in the West Menlo neighborhood, near the Allied Arts Guild. A location map is included as Attachment B.

Surrounding properties feature a mix of older single-story, ranch-style residences along with newer two-story residences in a mixture of traditional and modern architectural styles. San Mateo Drive does not feature curbs or sidewalks, and lots are heavily wooded which lends to the semi-rural character of the neighborhood. The neighborhood features single-family residences that are also in the R-1-S zoning district.

Analysis

Project description

The subject property is currently occupied by a single-story residence built in 1941 with a detached two-car garage. The property is a substandard lot with a substandard width of 78 feet, where 80 feet is required. The property has a 10-foot wide access easement on the left side, which stretches from the front to back of the property, providing driveway access to both 228 San Mateo Drive and 270 San Mateo Drive (located behind 228).

The applicant is proposing to demolish the existing residence and construct a new two-story, single-family residence with a basement, an attached two-car garage, and a detached ADU at the rear of the property.

The proposed residence would include a total of three bedrooms and three-and-a-half bathrooms, with a centrally located courtyard. The required parking for the residence would be provided by an attached side-facing, two-car garage, located at the front of the property.

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

- The proposed floor area for the lot would be 4,802.4 square feet, where 4,084.5 square feet is the maximum permitted (based on the net lot area, excluding the access easement that provides access to the rear panhandle lot at 270 San Mateo Drive; however, the maximum FAL is permitted to be exceeded by up to 800 square feet in order to accommodate the ADU.
- On the first floor, there are portions of the entry foyer which would extend beyond a height of 12 feet. This area, which constitutes 76.8 square feet, has been counted at 200 percent within the floor area calculations.
- The second floor would be limited in size relative to the overall development, with a floor area of 838.3 square feet (20.5 percent of overall maximum FAL), where 2,042.3 square feet (50 percent of overall maximum FAL) is the absolute limit.
- The proposed residence would be 24.3 feet in height, where 28 feet is the maximum allowed.
- Both sides of the first floor would have approximately 10-foot setbacks, effectively matching the minimum requirement. For properties with an access easement, the setback is taken from the edge of the easement line and not the property line.
- Of particular note, the project has eaves in excess of six feet, which count towards building coverage.

The proposed residence would be set back 22 feet from the front property line and approximately 48 feet from the rear property line, where a 20-foot setback is required for both. The proposed second story would be additionally stepped back from the first story on portions of the front and right side. It would be set back approximately 25.5 feet from the right, whereas the minimum required side setbacks are 10 feet and it would be set back 84.3 feet from the front property line, where a 20-foot setback is required.

The proposed residence would include a side-facing oversized two-car garage accessed from the access easement (driveway), which would allow two covered parking spaces and additional space for bicycle parking and storage. The garage being side-facing would reduce the potential visual impacts of the garage and paving on the streetscape, in addition to the existing trees. The existing driveway would be repaired and replaced in kind. The Public Works Department reviewed and included a recommended project

condition that the asphalt parking strip along San Mateo Drive be removed and replaced. This would be implemented and ensured as part of project specific condition 2a. Additionally, given that the property is not within half a mile from transit, the proposal also includes an uncovered off-street parking space for the ADU, located behind the proposed ADU in the rear setback.

The proposal includes a small second-floor balcony with a green roof overlooking the rear yard. Balconies in single-family residential districts require a minimum 20-foot setback along each side and a minimum 30-foot rear setback, with which the project would comply. The balcony would have guardrails, separating it from the rest of the flat roof, which would be inaccessible. Two sides would be surrounded by the proposed second story, creating an enclosure which would create privacy for the proposed balcony along the left side. Beyond the proposed balcony, the remaining area of the flat roof over the rear patio would be utilized as a roof top garden, which would have an irrigation system and would not require constant monitoring or access to the space.

The proposal also includes a detached, single-story ADU along the rear of the property, set back four feet from the access easement, 8.2 feet from the right side and 9.4 feet from the rear property line.

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

Staff believes the residence would feature a contemporary style, although as noted by the applicant in the project description letter, the proposed materials would refer to a Spanish Colonial Revival aesthetic. The proposal includes the use of smooth and textured stucco plaster across the exterior. Segments of channel glass façade would be intermixed to provide a light filled interior, while maintaining privacy. All windows and glazed doors would have dual-pane with wood-clad frames. Window types across the project would include fixed, sliding, awning, and casement. The garage doors facing the access easement would be clad in either fire resistant wood or finished metal. The roof would be clad with standing seam metal, and the direction of the seams would coordinate with the orientation of the proposed channel glass. Roof eave/overhangs would be strategically located and minimized in areas and would feature fire resistant wood finish.

The second-story window sill heights would be a minimum of three feet, with the exception of windows along the front and rear, which would feature floor to ceiling height windows, and one floor to ceiling height window from the master bedroom overlooking the proposed green roof on the right elevation, set back approximately 35 feet. The second floor would be set back from the first floor which would help reduce the overall massing and visual impact. The proposed ADU would be finished in the same materials as the main residence for continuity.

Staff believes that the scale, materials, and style of the proposed residence would feature a consistent aesthetic approach and are generally consistent with the broader neighborhood, given the similar architectural styles and sizes of structures in the area.

Trees and landscaping

The applicant has submitted an arborist report (Exhibit C) completed by Kielty Arborists Services LLC, detailing the species, size, and conditions of the nearby heritage and non-heritage trees. The report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance and protection. As part of the project review process, the arborist report was reviewed by the City Arborist. Based on the arborist report, there are 28 existing trees located on or near the property, of which 15 trees are of heritage size. Of the 28 trees, 11 are on adjacent properties, seven trees are shared between 228

and 300 San Mateo (trees #11-17), and five are street trees (trees #1-3, 9 and 10). Table 1 lists the tree numbers, their species, trunk diameter, overall condition, and any additional notes.

Table 1: Tree summary and disposition					
Tree Number	Species	Size (DBH, in inches)	Health	Disposition	Notes
1	Black walnut	41.4	Good	Retain	Street tree
2	Ginkgo	5.7	Good	Relocate	Street tree
3	Ginkgo	5.3	Good	Retain	Street tree
4	Camelia	6.2	Good	Remove	On property
5	Sweet michelia	11	Good	Remove	On property
6	Camelia	7.1	Good	Remove	On property
7	Camelia	7.2	Good	Remove	On property
8	Japanese Maple	14	Good	Retain	On property
9	Coast live oak	25.5	Good	Retain	Street tree
10	Coast live oak	25	Good	Retain	Street tree
11	Coast live oak	8	Good	Retain	Shared tree
12	Coast live oak	40	Fair	Retain	Shared tree
13	Coast live oak	28	Fair	Retain	Shared tree
14	Coast live oak	18	Fair-Poor	Retain	Shared tree
15	Coast live oak	23	Good	Retain	Shared tree
16	Coast live oak	40	Good	Retain	Shared tree
17	Coast live oak	19	Fair	Retain	Shared tree
18	Douglas fir	32	Good	Retain	On property
19	Coast live oak	30	Good	Retain	Neighboring tree
20	Coast live oak	48	Good	Retain	Neighboring tree
21	Lemonwood	6	Good	Retain	Neighboring tree
22	Lemonwood	6	Good	Retain	Neighboring tree

23	Lemonwood	6	Good	Retain	Neighboring tree
24	Lemonwood	6	Good	Retain	Neighboring tree
25	Australian brush cherry	6	Good	Retain	On property
26	Redwood	30	Good	Retain	Neighboring tree
27	Redwood	27	Good	Retain	Neighboring tree
28	Douglas fir	36	Good	Retain	Neighboring tree

The applicant is proposing to remove four non-heritage sized trees (trees #4-7) as part of the development. Tree #2 would be replanted, on the right-of-way to provide for adequate separation distances between trees #1 and 3. There are six new trees proposed. To protect the heritage and non-heritage trees on site, the arborist report has identified measures to be followed, as well as monitoring during and after construction by a certified arborist. All recommended tree protection measures identified in the arborist report would be implemented and ensured as part of condition 1h.

Correspondence
As of the writing of this report, staff has not received any correspondence regarding the project.

Conclusion
Staff believes that the design, scale, and materials of the proposed residence are generally compatible with the surrounding neighborhood, and would feature a consistent aesthetic approach. The architectural style would be generally attractive and well-proportioned, and the additional side setback distances for the second floor and overall rear setback would help increase privacy in addition to all the trees on and surrounding the subject property. Staff recommends that the Planning Commission approve the proposed project.

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

Environmental Review
The project is categorically exempt under Class 3 (Section 15303, "New construction or conversion of small structures") of the current California Environmental Quality Act (CEQA) Guidelines.

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

Appeal Period

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

Attachments

A. Draft Planning Commission Resolution of Approval Adopting Findings for project Use Permit, including project Conditions of Approval
   Exhibits to Attachment A
      A. Project Plans
      B. Project Description Letter
      C. Arborist Report
      D. Conditions of Approval
B. Location Map
C. Data Table

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

Exhibits to Be Provided at Meeting

None

Report prepared by:
Fahteen Khan, Associate Planner

Report reviewed by:
Thomas Rogers, Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2025-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 CONSTRUCT A NEW TWO-STORY, SINGLE-FAMILY RESIDENCE WITH A BASEMENT ON A SUBSTANDARD LOT WITH REGARD TO MINIMUM WIDTH IN THE R-1-S (SINGLE-FAMILY SUBURBAN) ZONING DISTRICT, AT 228 SAN MATEO DRIVE.

WHEREAS**,** the City of Menlo Park ("City") received an application requesting a use permit to demolish an existing one-story, single-family residence and construct a new two-story, single-family residence with a basement on a substandard lot with regard to minimum width in the R-1-S (Single-Family Suburban) zoning district (collectively, the "Project") from Dan Spiegel ("Applicant"), on behalf of the property owner Elizabeth Rabinovitsj ("Owner") located at 228 San Mateo Drive (APN 071-342-100) ("Property"). The proposal also includes a detached accessory dwelling unit (ADU), which is a permitted use, and not subject to discretionary review. 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-S) 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-S 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 Kielty Arborist Services LLC (incorporated herein as Exhibit C), 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 April 14, 2025, 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 with basement on a substandard lot 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 proposed use permit is consistent with the R-1-S 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 in an attached garage. Additionally, given that the property is not within half a mile from transit, the proposal also includes an uncovered off-street parking space for the ADU, located behind the proposed ADU in the rear setback.

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. The project would be designed such that privacy concerns would be addressed through second story setbacks greater than the minimum required setbacks along the front, rear and right side in the R-1-S district.

Section 3. Conditional Use Permit. The Planning Commission approves Use Permit No. PLN2024-00049, 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 D.

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, Corinna Sandmeier, Principal Planner 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 April 14, 2025, 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 April, 2025.
PC Liaison Signature

_____
Corinna Sandmeier
Principal Planner
City of Menlo Park

Exhibits

A. Project plans
B. Project description letter
C. Arborist report
D. Conditions of approval

RABINOVITSJ RESIDENCE

228 SAN MATEO DR. MENLO PARK, CA 94025
PARCEL NUMBER: 071342100

USE PERMIT APPLICATION

LOCATION MAP

PROJECT DESCRIPTION

THE SCOPE OF THIS PROJECT INCLUDES THE CONSTRUCTION OF A NEW TWO-STORY DWELLING W/BASEMENT, DETACHED ACCESSORY DWELLING UNIT (BY SEPARATE PERMIT), INTERNAL COURTYARD, AND GREEN ROOF WITH PATIO. THE MAJORITY OF THE BUILDING IS SINGLE STORY, WITH A COMPACT TWO-STORY BEDROOM WING AT THE NORTHEAST CORNER OF THE SITE. THE EXISTING SINGLE FAMILY RESIDENCE, GARAGE, SHED, AND PATIO WILL BE REMOVED. THE EXISTING DRIVEWAY WILL BE REPAIRED/REPLACED IN KIND. ALL PERIMETER FENCES WILL BE REPLACED IN KIND. ADJUSTMENT TO THE LANDSCAPE INCLUDES MINOR GRADING TO MANAGE RUNOFF, THE ADDITION OF COVERED AND UNCOVERED PATIOS, AND THE ADDITION OF NEW TREES AND SHRUBS.

APPLICABLE CODES

1. 2022 CALIFORNIA BUILDING CODE - VOLUMES 1 & 2
2. 2022 CALIFORNIA RESIDENTIAL CODE
3. 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN)
4. 2022 CALIFORNIA MECHANICAL CODE
5. 2022 CALIFORNIA ELECTRICAL CODE
6. 2022 CALIFORNIA PLUMBING CODE
7. 2022 CALIFORNIA ENERGY CODE
8. 2022 CALIFORNIA FIRE CODE
9. THE CURRENT MENLO PARK MUNICIPAL CODE

CONTACT INFORMATION

OWNER/CONTRACTOR:	ARCHITECT:
DAN AND LIZ RABINOVITSJ 228 SAN MATEO DR. MENLO PARK, CA 94025 rabinovitsj@gmail.com	DAN SPIEGEL SAW // SPIEGEL AIHARA WORKSHOP 2325 3RD STREET, SUITE 216 SAN FRANCISCO, CA 94107 650.200.3723 dspiegel@s-a-works.com

DRAWING LIST

Drawing #	Drawing Name	Scale
G100	COVER SHEET	NTS
G101	EXTERIOR RENDERING AND STREETSCAPE - PROPOSED	AS NOTED
G102	NOTES	AS NOTED
SU1	TOPOGRAPHIC SURVEY (LEA & BRAZE ENGINEERING)	1/8" = 1'-0"
A000	AREA PLAN - PROPOSED	1" = 20'-0"
A001	SITE PLAN - PROPOSED	1/8" = 1'-0"
AX100	FIRST FLOOR PLAN - EXISTING	1/4" = 1'-0"
AX101	FIRST FLOOR GARAGE PLAN - EXISTING	1/4" = 1'-0"
A100	BASEMENT FLOOR PLAN - PROPOSED	1/4" = 1'-0"
A101	FIRST FLOOR PLAN - PROPOSED	1/4" = 1'-0"
A102	SECOND FLOOR PLAN - PROPOSED	1/4" = 1'-0"
A103	ROOF PLAN - PROPOSED	1/4" = 1'-0"
A104	ADU FLOOR PLAN - PROPOSED	1/4" = 1'-0"
A105	ADU ROOF PLAN - PROPOSED	1/4" = 1'-0"
A106	SQUARE FOOTAGE CALCULATION PLANS	1/8" = 1'-0"
A107	SQUARE FOOTAGE CALCULATION PLANS	1/8" = 1'-0"
AX200	ELEVATIONS - EXISTING	NTS
AX201	ELEVATIONS - EXISTING	NTS
AX202	ELEVATIONS - EXISTING	NTS
AX203	ELEVATIONS - EXISTING	NTS
A200	ELEVATIONS - PROPOSED	1/4" = 1'-0"
A201	ELEVATIONS - PROPOSED	1/4" = 1'-0"
A202	COURTYARD ELEVATIONS - PROPOSED	1/4" = 1'-0"
A203	ADU ELEVATIONS - PROPOSED	1/4" = 1'-0"
A204	ADU ELEVATIONS - PROPOSED	1/4" = 1'-0"
A300	SECTIONS - PROPOSED	1/2" = 1'-0"
A301	SECTIONS - PROPOSED	1/2" = 1'-0"
A302	SECTIONS - PROPOSED	1/2" = 1'-0"
A303	SECTIONS - PROPOSED	1/2" = 1'-0"

DATA SHEET

LOCATION:	228 SAN MATEO DR. MENLO PARK, CA 94025		
EXISTING USE:	SINGLE FAMILY RESIDENCE		
PROPOSED USE:	NEW SINGLE FAMILY RESIDENCE		
ZONING:	R-1-S		
DEVELOPMENT STANDARDS	PROPOSED	EXISTING	ZONING ORD.
GROSS LOT AREA:	13,923 SF	13,923 SF	10,000 SF MIN
NET LOT AREA:	12,138 SF	12,138 SF	
LOT WIDTH:	78'-0"	78'-0"	80'-0" MIN
LOT DEPTH:	178'-6"	178'-6"	100'-0" MIN
SETBACKS:			
FRONT SETBACK	22'-2 3/4"	36'-5 3/4"	20'-0" MIN
REAR SETBACK	48'-1 3/4"	38'-9 1/4"	20'-0" MIN
SIDE (NE) SETBACK	10'-3"	4'-9"	10'-0" MIN
SIDE (SW) SETBACK	10'-0" (FROM EASEMENT)	2'-11 1/2" (FROM EASEMENT)	10'-0" MIN
BUILDING COVERAGE:	4432 SF (W/ADU) 31.8 % (W/ADU)	3828 SF 25.5 %	4873.1 SF 35% MAX
FLOOR AREA RATIO:	N/A	N/A	N/A
FLOOR AREA LIMIT:	4003 SF (W/O ADU)	4135 SF	4084.5 SF
FLOOR AREA LIMIT (2ND FL)	838 SF	0 SF	1784.8 SF
SQUARE FOOTAGE BY FLOOR:			
BELOW GRADE	839 SF	0 SF	
FIRST FLOOR	2338 SF	3578 SF	
SECOND FLOOR	838 SF	0 SF	
GARAGE	826 SF	508 SF	
ACCESSORY BUILDINGS (BY SEPARATE PERMIT)	800 SF	49 SF	
SQFT OF BUILDINGS:	5641 SF	4135 SF	
BUILDING HEIGHT:	24'- 2 3/4"	20'-0"	28'-0" MAX
LANDSCAPING:	N/A	N/A	N/A
PAVING:	N/A	N/A	N/A
PARKING:	2 COVERED 1 UNCOVERED (ADU)	2 COVERED 0 UNCOVERED	2 SPACES
PARKING BASIS:	2 SPACES PER RESIDENTIAL UNIT		
TREES:	(E) PROTECTED TREES: 15	(E) NON-PROTECTED TREES: 13	(N) TREES: 6
	(E) PROTECTED TREES TO BE REMOVED: 0	(E) NON-PROTECTED TREES TO BE REMOVED: 4	TOTAL # OF TREES: 30

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03.31.2025

1	REVISION	02.07.2025
2	REVISION	03.12.2025
3	REVISION	03.19.2025
4	REVISION	04.04.2025
5	REVISION	04.08.2025

RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

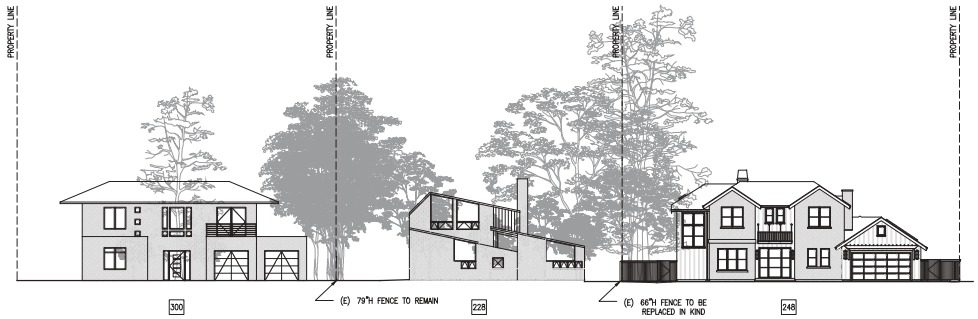
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

COVER SHEET

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

G100

Scale: NTS



STREETSCAPE 2

PROPOSED 1/16"=1'-0"

STREET VIEW RENDERING 1

PROPOSED NTS

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RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

USE PERMIT APPLICATION
NOT FOR CONSTRUCTION

EXTERIOR RENDERING AND STREETSCAPE - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

G101

Scale: AS NOTED

ARBORIST NOTES, SEE ABORIST REPORT FOR MORE INFORMATION

To ensure the health and resilience of trees impacted by construction activities, a meticulously planned approach that includes both pre-construction and post-construction care is essential. This comprehensive strategy is designed to mitigate stress, promote root and shoot growth, and ensure long-term tree vitality.

Basement:
The northwest side of the basement will require vertical shoring to protect trees #16 and #17. Using a standard OSHA overcut would further impact the trees more than necessary and would lead to high impacts. By shoring the basement near these two trees the cut can be reduced and the driveway could also be retained. Any exposed roots at the basement cut should be cleanly cut back to the basement wall and covered with 3 layers of wetted down burlap. The contractor must maintain burlap moisture while exposed. Impacts are expected to be minor.

ADU foundation construction near protected trees:
The entire proposed foundation when within 40 feet (10x the diameter) of neighboring coast live oak #20 is required to be excavated by hand in combination with hand tools such as an air knife, rotary hammer with clay spade attachment, or shovels, while under the direct supervision of the Project Arborist. All roots encountered within the foundation area measuring 1.5" in diameter or larger are recommended to be retained for the Project Arborist to inspect before being cleanly cut. Once inspected and documented, the roots will need to be cleanly cut using a hand saw or loppers. Cut root ends on the tree side are recommended to be covered by 3 layers of wetted-down burlap to help avoid root desiccation. The contractor shall wet down the burlap daily while exposed. The area between the tree and the foundation (tree protection zone) is recommended to be irrigated before excavation and grading begins. Deep water fertilizing the tree with Nutriroot (pre and post construction) is also recommended as an additional mitigation measure. This will act as a mitigation measure for the minor impacts. This work will be required to be documented by the City of Menlo Park with a letter sent to the city arborist.

Driveway construction near protected trees:
The existing driveway is to be retained for this project. Notes on the site plan say the driveway is to be repaired as needed. It is recommended that the driveway be retained for as long as possible as an additional tree protection measure for trees #11-18. Where driveway repairs are needed, it is recommended that this work take place by hand. If driveway work is needed, it is recommended that this work take place during the landscaping phase of the project. It is recommended that driveway sections be carefully removed by hand under the direct supervision of the project arborist when working within 10x the diameter of trees #11-18. A jackhammer can be used to break the material into small hand manageable sized pieces. All roots encountered during this process are recommended to stay as damage free as possible. Acceptable hand tools include rotary hammer with clay spade attachment as well as an air knife. Encountered roots shall be exposed and wrapped/covered in layers of wetted down burlap to help avoid root desiccation. The contractor is recommended to wet down the burlap daily while exposed.

The base rock section for the driveway is recommended to be no deeper than the existing base rock section. It is required to hand excavate for the new driveway using an air knife (pneumatic tool) when working within 10x the diameter of protected trees. All encountered roots shall stay as damage free as possible. New baserock shall then be packed around tree roots with the driveway built on top of the tree's root zone where possible to avoid the need to cut roots at 10x diameter. Impacts are expected to be minor as the majority of the driveway is in good shape.

Required Documentation
For compliance with Menlo Park city requirements, it is imperative to submit a tree protection verification letter ahead of the issuance of demolition and construction permits. This documentation, prepared by the project arborist, must include photographic evidence that corroborates the installation of tree protection measures, which must be consistent with both the city's standards and the suggestions provided in the arborist's report.

Tree Protection Inspections:
The Project Arborist will conduct monthly tree protection monitoring inspections during active demolition and construction. These inspection reports are to be submitted directly to the City Arborist for evaluation and record-keeping. During these inspections, the Project Arborist will observe the condition of the trees, note any issues, verify the compliance of tree protection measures, provide recommendations for any necessary maintenance and impact mitigation, and prepare monthly reports for City Arborist Review.

Development-related Work:
When development-related work necessitates supervision by a Project Arborist, it is essential that the arborist's report includes a comprehensive description of the recommended work plan and any mitigation treatments proposed. This report should detail the specific actions to be undertaken, the methodologies to be employed, and the rationale behind each recommendation, ensuring adherence to ISA guidelines and relevant city codes.

The work plan should encompass all necessary precautions and measures to protect trees within the construction zone, particularly those within 'ten times the diameter' of a tree, where activities are most impactful. This may include, but is not limited to, the use of specific hand tools such as shovels, air knives, and rotary hammers with clay spade attachments, as per the permitted range.

Furthermore, upon completion of the mitigation activities, the Project Arborist is obligated to provide a follow-up letter. This document serves as a formal attestation that all mitigation measures have been executed as per the specifications detailed in the report. This letter is a critical element, confirming that the protective actions and treatments have been applied correctly and effectively, thereby ensuring the integrity and health of the trees involved. It acts as a record of compliance and due diligence in the tree protection process during the construction project.

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RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

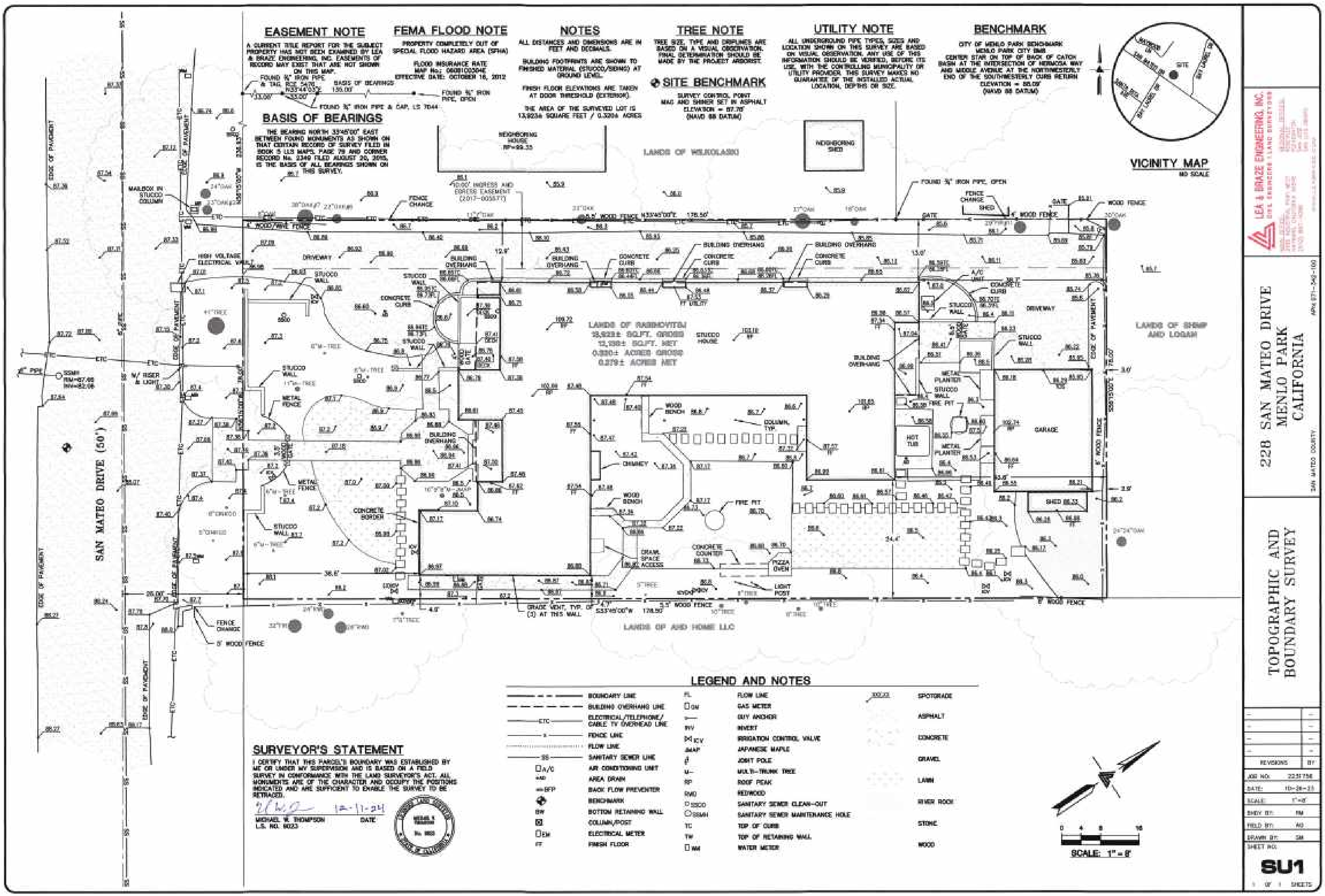
USE PERMIT APPLICATION
NOT FOR CONSTRUCTION

NOTES

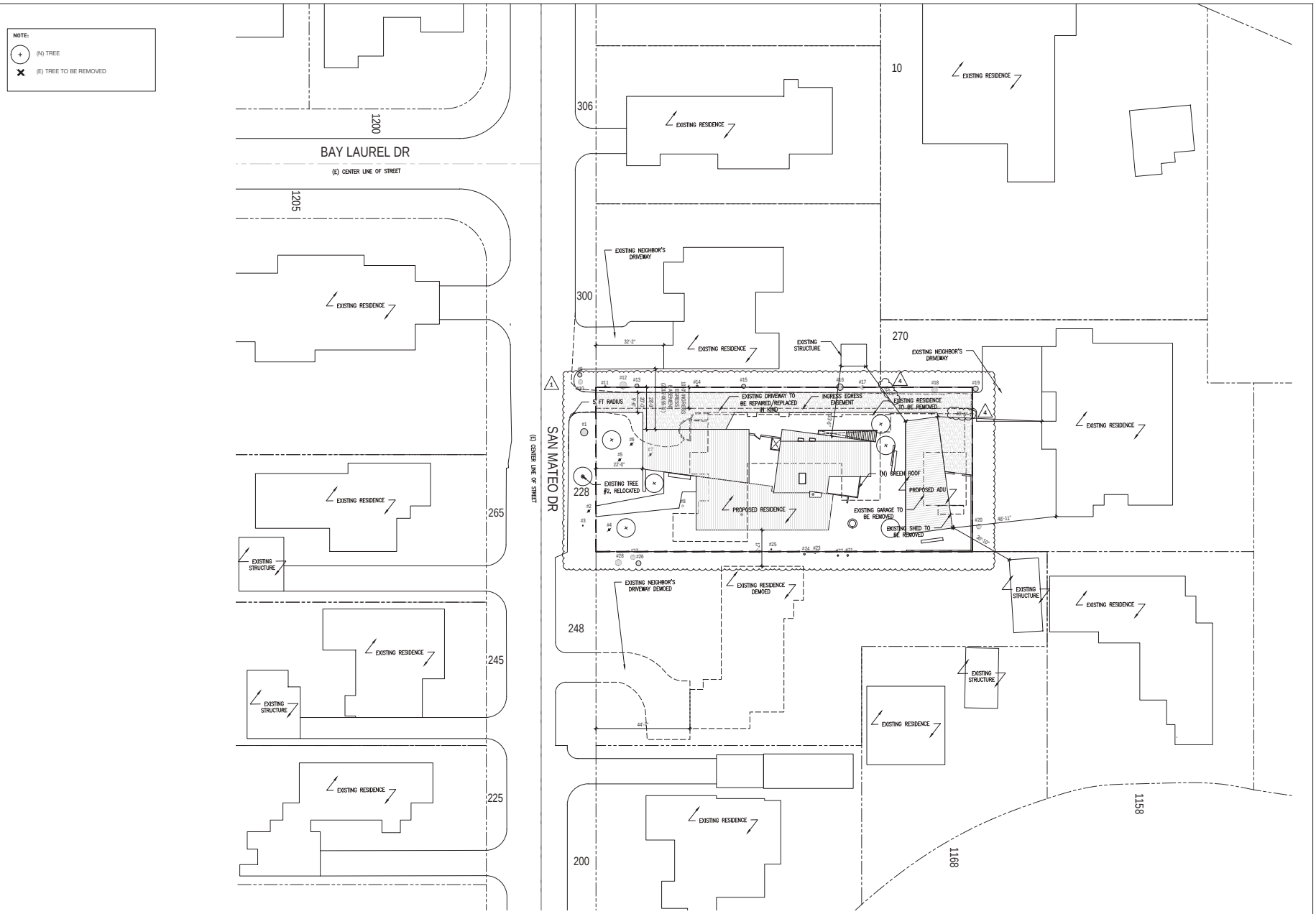
Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

G102

Scale: NTS


EASEMENT NOTE
A CURRENT TITLE REPORT FOR THE SUBJECT PROPERTY HAS NOT BEEN EXAMINED BY LEA & BRAZE ENGINEERING, INC. EASEMENTS OF RECORD MAY EXIST THAT ARE NOT SHOWN ON THIS MAP.
FEMA FLOOD NOTE
PROPERTY COMPLETELY OUT OF SPECIAL FLOOD HAZARD AREA (SFHA)
FLOOD INSURANCE RATE MAP No.: 06081C0304E EFFECTIVE DATE: OCTOBER 16, 2012
NOTES
ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS.
BUILDING FOOTPRINTS ARE SHOWN TO FINISHED MATERIAL (STUCCO/SIDING) AT GROUND LEVEL.
FINISH FLOOR ELEVATIONS ARE TAKEN AT DOOR THRESHOLD (EXTERIOR).
THE AREA OF THE SURVEYED LOT IS 13,923± SQUARE FEET / 0.320± ACRES
TREE NOTE
TREE SIZE, TYPE AND DRIPLINES ARE BASED ON A VISUAL OBSERVATION. FINAL DETERMINATION SHOULD BE MADE BY THE PROJECT ARBORIST.
SITE BENCHMARK
SURVEY CONTROL POINT MAG AND SHINER SET IN ASPHALT ELEVATION = 87.78' (NAVD 88 DATUM)
UTILITY NOTE
ALL UNDERGROUND PIPE TYPES, SIZES AND LOCATION SHOWN ON THIS SURVEY ARE BASED ON VISUAL OBSERVATION. ANY USE OF THIS INFORMATION SHOULD BE VERIFIED, BEFORE ITS USE, WITH THE CONTROLLING MUNICIPALITY OR UTILITY PROVIDER. THIS SURVEY MAKES NO GUARANTEE OF THE INSTALLED ACTUAL LOCATION, DEPTHS OR SIZE.
BENCHMARK
CITY OF MENLO PARK BENCHMARK MENLO PARK CITY BM8 CENTER STAR ON TOP OF BACK OF CATCH BASIN AT THE INTERSECTION OF HERMOSA WAY AND MIDDLE AVENUE AT THE NORTHWESTERLY END OF THE SOUTHWESTERLY CURB RETURN ELEVATION = 88.09' (NAVD 88 DATUM)
BASIS OF BEARINGS
THE BEARING NORTH 33°45'00" EAST BETWEEN FOUND MONUMENTS AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED IN BOOK 5 LLS MAPS, PAGE 79 AND CORNER RECORD No. 2349 FILED AUGUST 20, 2015, IS THE BASIS OF ALL BEARINGS SHOWN ON THIS SURVEY.
FOUND ¾" IRON PIPE & TAG, RCE 5470
FOUND ¾" IRON PIPE & CAP, LS 7044
FOUND ¾" IRON PIPE, OPEN
VICINITY MAP
NO SCALE
SITE
SAN MATEO DR
NEIGHBORING HOUSE RP=99.35
LANDS OF WILKOLASKI
NEIGHBORING SHED
LANDS OF RABINOVITCH
13,923± SQ.FT. GROSS
12,138± SQ.FT. NET
0.320± ACRES GROSS
0.279± ACRES NET
STUCCO HOUSE
GARAGE
HOT TUB
LANDS OF SHIMP AND LOGAN
LANDS OF AND HOME LLC
SAN MATEO DRIVE (50')
EDGE OF PAVEMENT
10.00' INGRESS AND EGRESS EASEMENT (2017-005577)
N33°45'00"E 178.50'
S33°45'00"W 178.50'
N56°15'00"W 78.00'
S56°15'00"E 78.00'
SURVEYOR'S STATEMENT
I CERTIFY THAT THIS PARCEL'S BOUNDARY WAS ESTABLISHED BY ME OR UNDER MY SUPERVISION AND IS BASED ON A FIELD SURVEY IN CONFORMANCE WITH THE LAND SURVEYOR'S ACT. ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.
12-11-24
MICHAEL W. THOMPSON L.S. NO. 9023
DATE
LEGEND AND NOTES
BOUNDARY LINE
BUILDING OVERHANG LINE
ELECTRICAL/TELEPHONE/CABLE TV OVERHEAD LINE
FENCE LINE
FLOW LINE
SANITARY SEWER LINE
AIR CONDITIONING UNIT
AREA DRAIN
BACK FLOW PREVENTER
BENCHMARK
BOTTOM RETAINING WALL
COLUMN/POST
ELECTRICAL METER
FINISH FLOOR
FL FLOW LINE
GM GAS METER
GUY ANCHOR
INV INVERT
ICV IRRIGATION CONTROL VALVE
JMAP JAPANESE MAPLE
JOINT POLE
M– MULTI-TRUNK TREE
RP ROOF PEAK
RWD REDWOOD
SSCO SANITARY SEWER CLEAN-OUT
SSMH SANITARY SEWER MAINTENANCE HOLE
TC TOP OF CURB
TW TOP OF RETAINING WALL
WM WATER METER
SPOTGRADE
ASPHALT
CONCRETE
GRAVEL
LAWN
RIVER ROCK
STONE
WOOD
SCALE: 1" = 8'
LEA & BRAZE ENGINEERING, INC.
CIVIL ENGINEERS | LAND SURVEYORS
228 SAN MATEO DRIVE
MENLO PARK
CALIFORNIA
SAN MATEO COUNTY
APN 071-340-100
TOPOGRAPHIC AND BOUNDARY SURVEY
REVISIONS
BY
JOB NO: 2231756
DATE: 10-26-23
SCALE: 1"=8'
SHEET NO:
SU1
1 OF 1 SHEETS

A8



AREA PLAN

PROPOSED

1

1"=20'-0"

0 5' 10' 20' 40'

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5	REVISION	04.08.2025

RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

AREA PLAN - PROPOSED

Date: April 8, 2025
Drawn By: MM
Checked By: DS

A000

Scale: 1" = 20'-0"

TREE PROTECTION NOTES:

1. Tree Protection Fencing: The fencing shall remain intact throughout the duration of the project or until activities within the TPZ are finalized. Tree protection fencing should be a 6-foot-tall metal chain link type supported by 2-inch thick diameter metal posts pounded into the ground to a depth of no less than 2 feet, ensuring stability even in challenging conditions. Poles should be spaced no more than 10 feet apart from center to center, providing a consistent and strong barrier. For trees near existing hardscapes or structures, tree protection fencing shall be placed as close as possible while still allowing access. Sensitive areas may require a landscape barrier if fencing needs to be reduced for access reasons. The location for tree protection fencing for the protected trees on site should be placed at 10x the tree diameters where possible (TPZ). All other non-protected trees are recommended to be protected by fencing placed at the drip line. No equipment or materials should be stored or cleaned inside protection zones. Signs should be placed on fencing signifying "Tree Protection Zone – Keep Out". If fencing needs to be reduced for access or any other reasons, the non-protected areas must be protected by a landscape buffer. All tree protection and inspection schedule measures, design recommendations, watering, and construction schedules shall be implemented in full by the owner and contractor
2. Landscape Barrier Zone: If for any reason a smaller tree protection zone is needed for access, a landscape buffer should be used, composed of wood chips layered to a depth of six inches, complemented by plywood atop the wood chips where tree protection fencing would typically be situated. The plywood should be ¾-inch thick for maximal durability and efficacy. This landscape buffer plays a crucial role in mitigating soil compaction within the tree's vulnerable root zone. For optimum stability, it is advisable to securely join the plywood boards, thus preventing any unwanted shifts in the plywood or underlying wood chips.

NEW TREE LEGEND

NUMBER	SPECIES
(N) #A	ARBUTUS UNEDO
(N) #B	ACER PALMATUM VAR. DISSECTUM 'WATERFALL'
(N) #C	ARBUTUS UNEDO
(N) #D	ARBUTUS UNEDO
(N) #E	ACER PALMATUM 'SANGO-KAKU'
(N) #F	ARBUTUS X 'MARINA'

SITE ANALYSIS

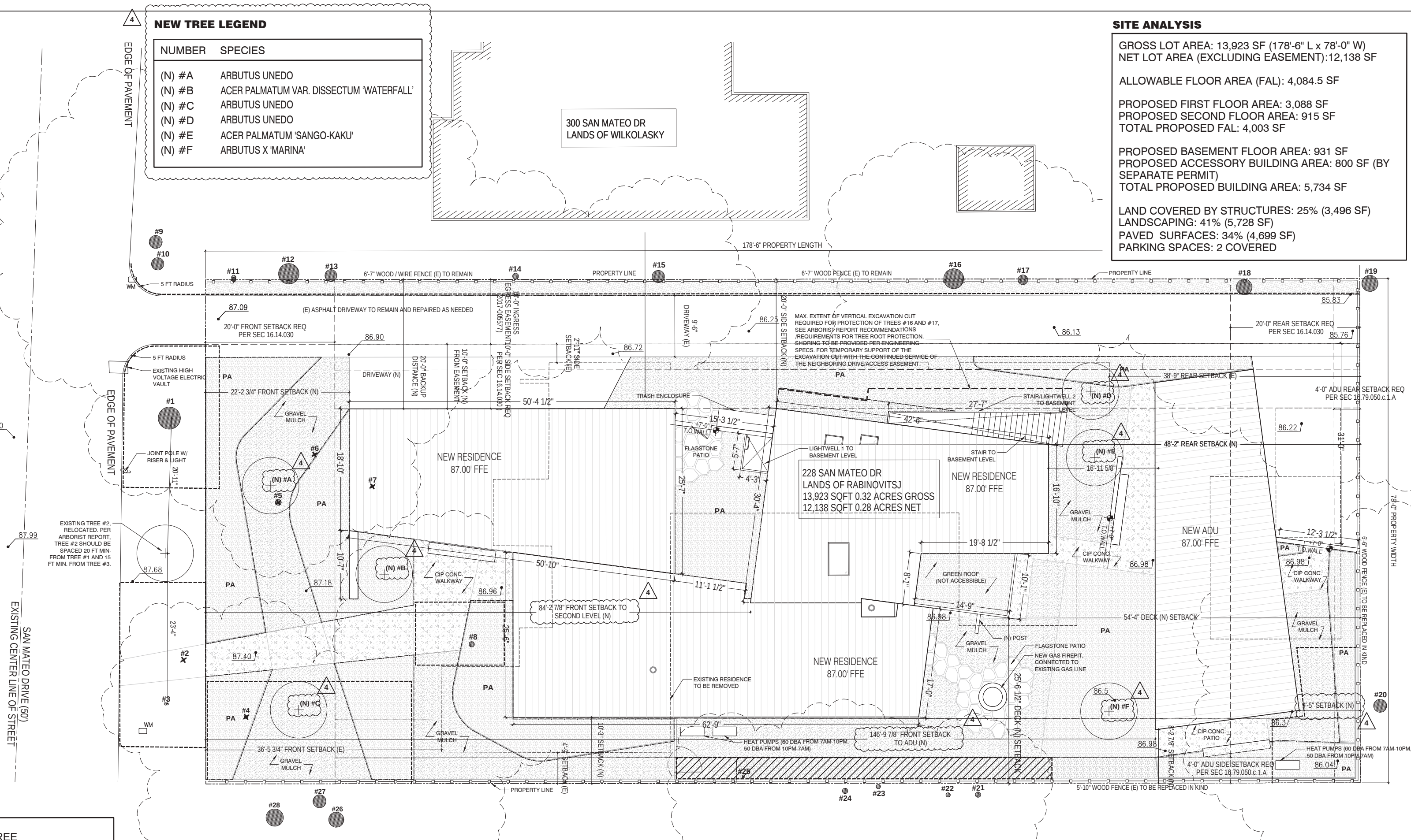
GROSS LOT AREA: 13,923 SF (178'-6" L x 78'-0" W)
NET LOT AREA (EXCLUDING EASEMENT):12,138 SF

ALLOWABLE FLOOR AREA (FAL): 4,084.5 SF

PROPOSED FIRST FLOOR AREA: 3,088 SF
PROPOSED SECOND FLOOR AREA: 915 SF
TOTAL PROPOSED FAL: 4,003 SF

PROPOSED BASEMENT FLOOR AREA: 931 SF
PROPOSED ACCESSORY BUILDING AREA: 800 SF (BY SEPARATE PERMIT)
TOTAL PROPOSED BUILDING AREA: 5,734 SF

LAND COVERED BY STRUCTURES: 25% (3,496 SF)
LANDSCAPING: 41% (5,728 SF)
PAVED SURFACES: 34% (4,699 SF)
PARKING SPACES: 2 COVERED



PLANTING

	EXISTING TREE
	PROPOSED TREE
	METAL EDGING
✕	TREE TO BE REMOVED
	EXISTING FENCE
PA	PROPOSED PLANTING AREA
	TYPE 1 TREE PROTECTION FENCING, SEE ARBORIST REPORT
	LANDSCAPE BARRIER ZONE, SEE ARBORIST REPORT

EXISTING TREE LEGEND

NUMBER	SPECIES	TRUNK (IN.)	PROTECTED	TO REMAIN
#1	BLACK WALNUT	41	YES	YES
#2	GINKO	6	YES	YES, RELOCATED
#3	GINKO	5	YES	YES
#4	CAMELLIA	6	NO	NO
#5	SWEET MICHELIA	11	NO	NO
#6	CAMELLIA	7	NO	NO
#7	CAMELLIA	7	NO	NO
#8	JAPANESE MAPLE	14	NO	YES
#9	COAST LIVE OAK	26	YES	YES
#10	COAST LIVE OAK	25	YES	YES
#11	COAST LIVE OAK	8	NO	YES
#12	COAST LIVE OAK	40	YES	YES
#13	COAST LIVE OAK	28	YES	YES
#14	COAST LIVE OAK	18	YES	YES

NUMBER	SPECIES	TRUNK (IN.)	PROTECTED	TO REMAIN
#15	COAST LIVE OAK	23	YES	YES
#16	COAST LIVE OAK	40	YES	YES
#17	COAST LIVE OAK	19	YES	YES
#18	DOUGLAS-FIR	32	YES	YES
#19	COAST LIVE OAK	30	YES	YES
#20	COAST LIVE OAK	48	YES	YES
#21	LEMONWOOD	6	NO	YES
#22	LEMONWOOD	6	NO	YES
#23	LEMONWOOD	6	NO	YES
#24	LEMONWOOD	6	NO	YES
#25	AUSTRALIAN BRUSH CHERRY	6	NO	YES
#26	REDWOOD	30	YES	YES
#27	REDWOOD	27	YES	YES
#28	DOUGLAS FIR	36	YES	YES

SITE PLAN
PROPOSED

1
1/8"=1'-0"

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RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

DESIGN DEVELOPMENT - NOT FOR CONSTRUCTION

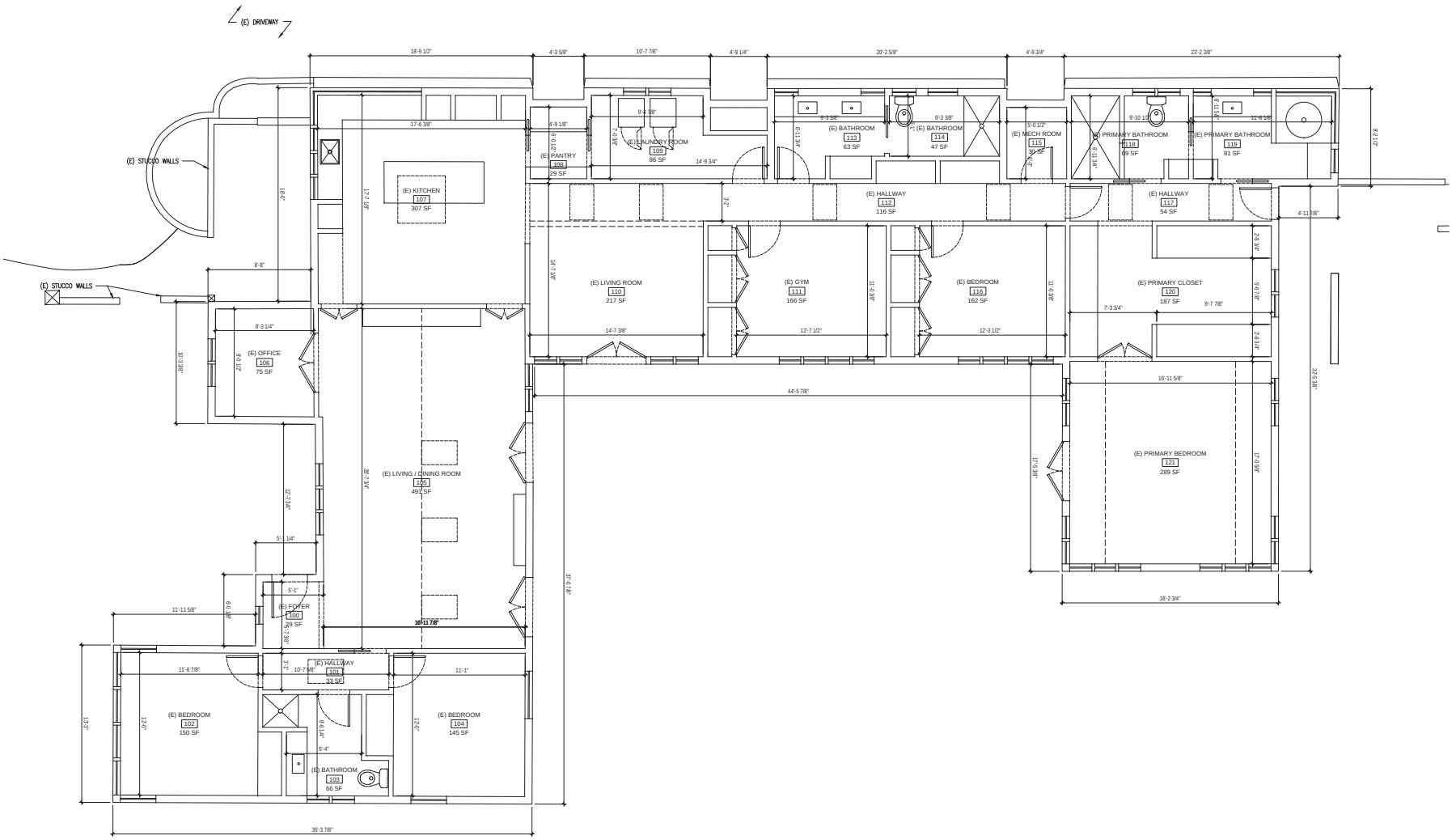
SITE PLAN - PROPOSED

Date: April 8, 2025
Drawn By: MM
Checked By: DS

A001

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

NOTE:
EXISTING STRUCTURES TO BE COMPLETELY REMOVED



FIRST FLOOR PLAN

EXISTING

1

1/4"=1'-0"

0 4' 8' 16'

SAW

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228 SAN MATEO DR
MENLO PARK, CA 94025

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

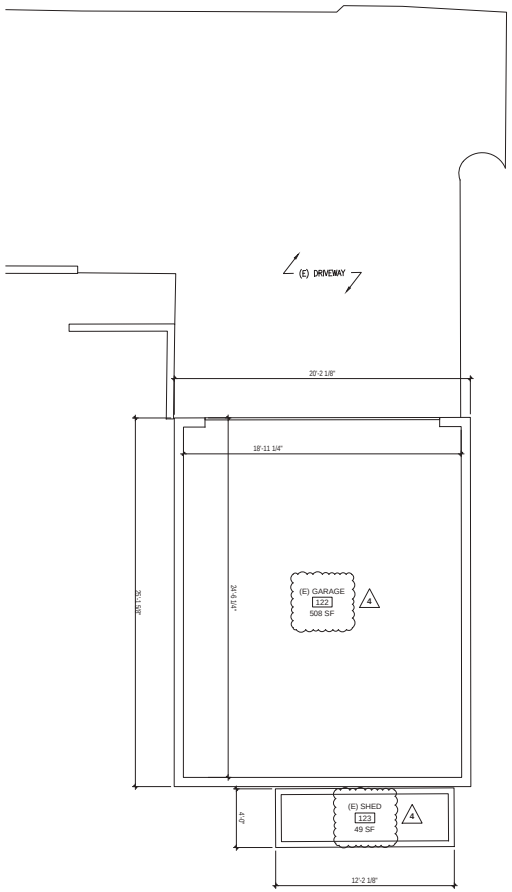
FLOOR PLANS - EXISTING

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

AX100

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

NOTE:
EXISTING STRUCTURES TO BE COMPLETELY REMOVED



FIRST FLOOR PLAN - GARAGE
EXISTING

1
1/4"=1'-0"

0 4' 8' 16'

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1	REVISION	02.07.2025
2	REVISION	03.12.2025
3	REVISION	03.19.2025
4	REVISION	04.04.2025
5	REVISION	04.08.2025

RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

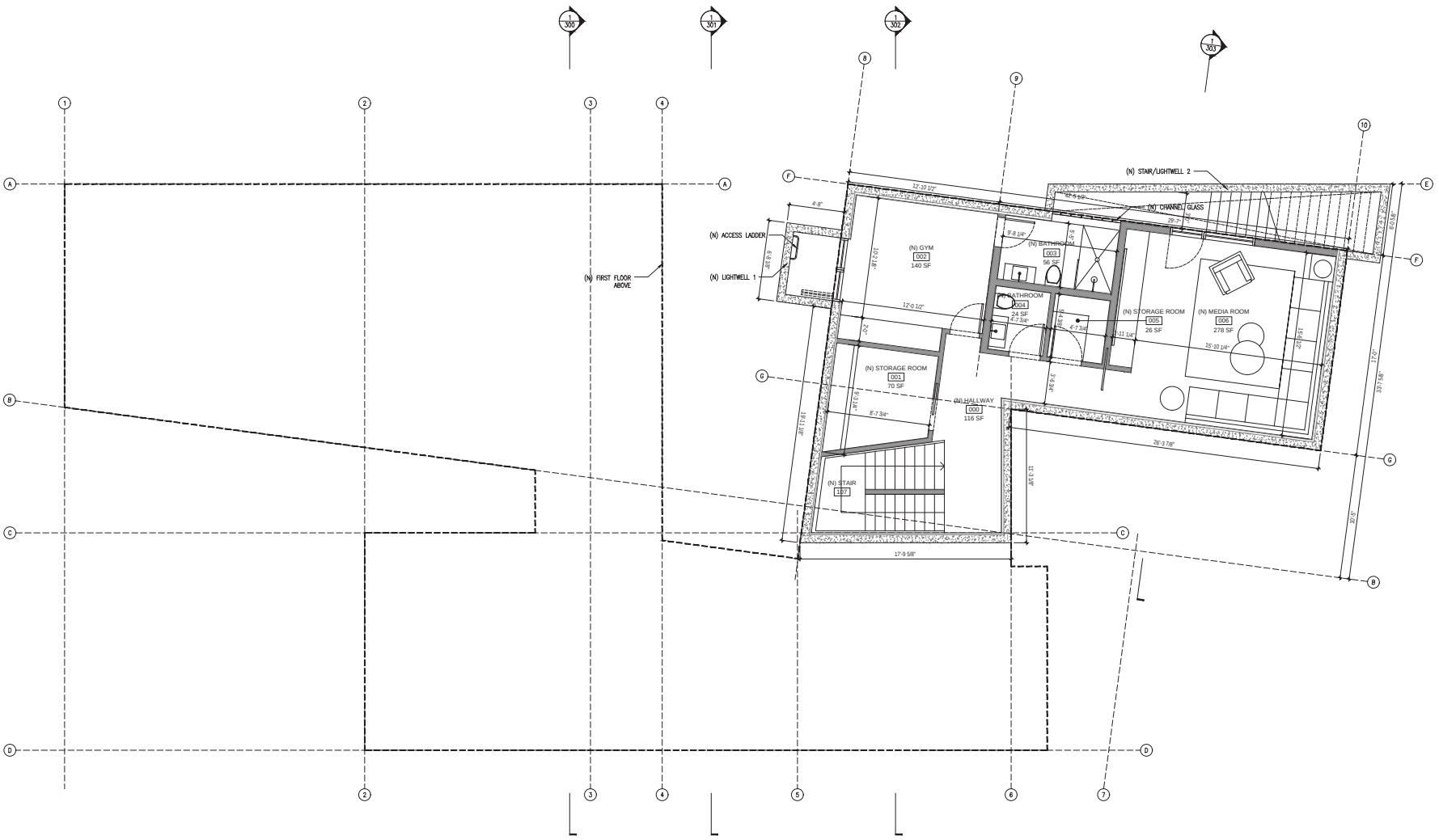
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

FLOOR PLANS - EXISTING

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

AX101

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



BASEMENT FLOOR PLAN

PROPOSED

1

1/4"=1'-0"

SAW

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www.s-a-works.com

03.31.2025

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4	REVISION	04.04.2025
5	REVISION	04.08.2025

RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

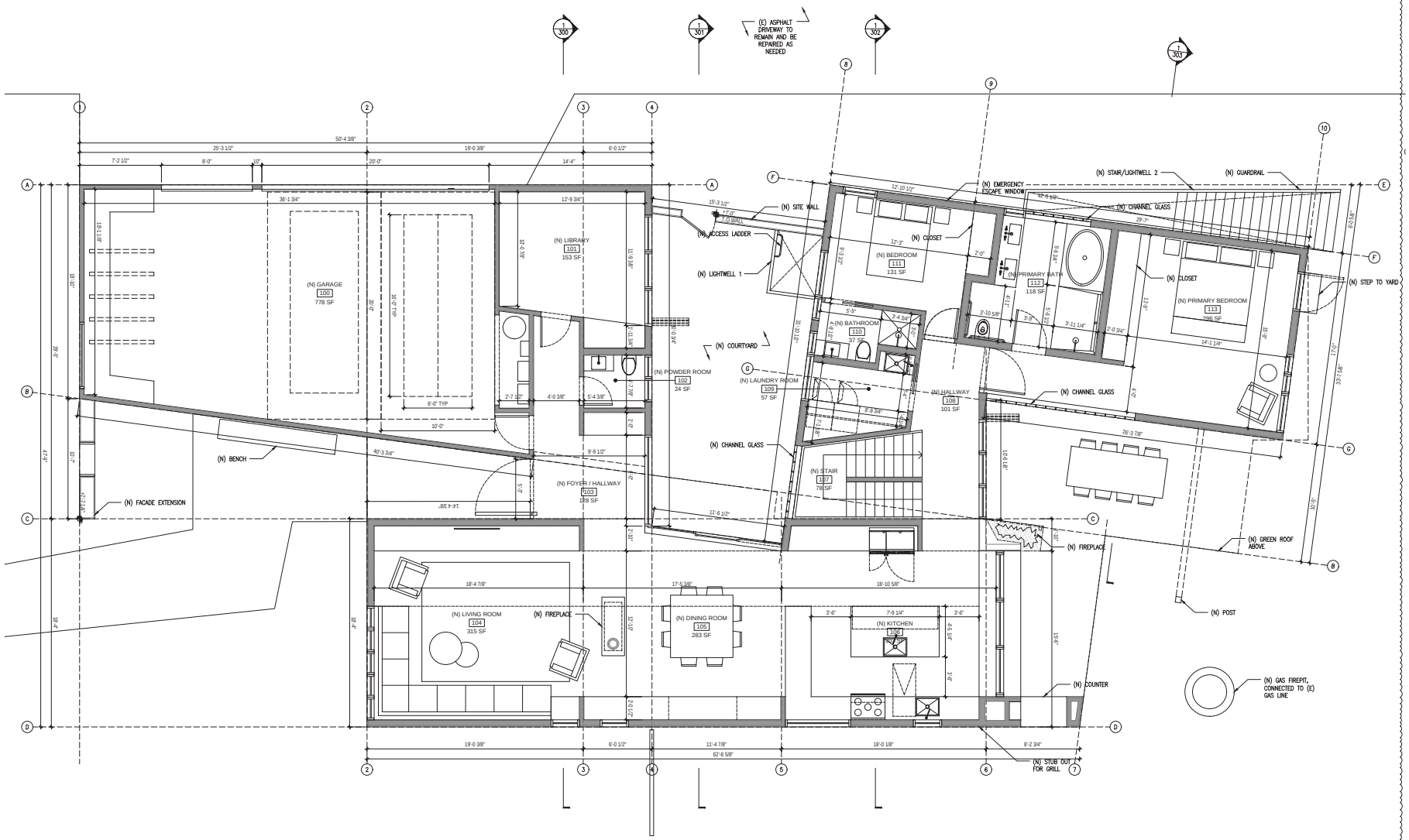
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

FLOOR PLANS - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

A100

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



FIRST FLOOR PLAN

PROPOSED

1

1/4"=1'-0"

0 4' 8' 16'

SAW

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5	REVISION	04.08.2025

RABINOVITSJ RESIDENCE

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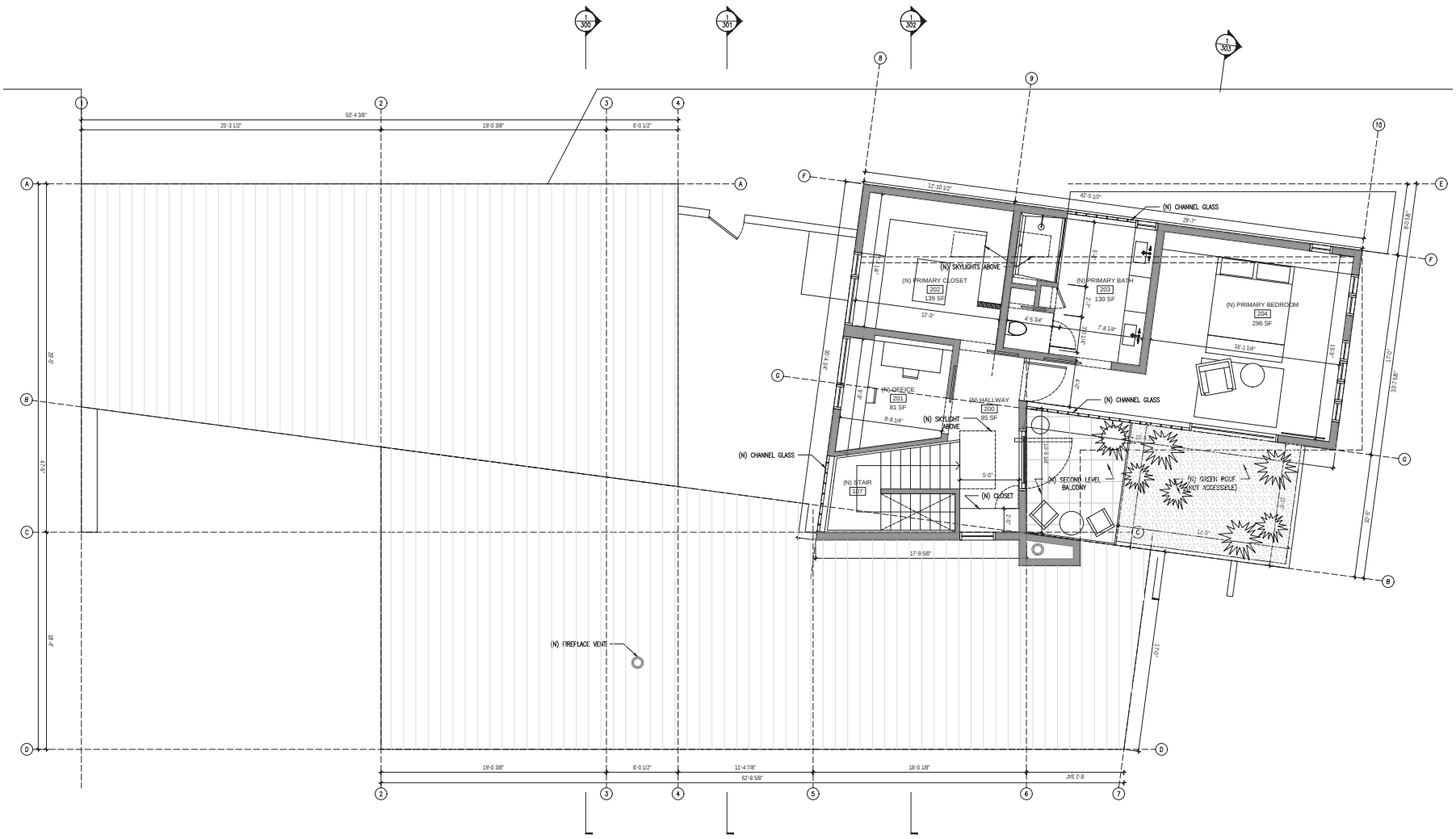
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

FLOOR PLANS - PROPOSED

Date: April 8, 2025
Drawn By: MM
Checked By: DS

A101

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



SECOND FLOOR PLAN

PROPOSED

1

1/4"=1'-0"

0 4' 8' 16'

SAW

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5	REVISION	04.08.2025

RABINOVITSJ RESIDENCE

228 SAN MATEO DR
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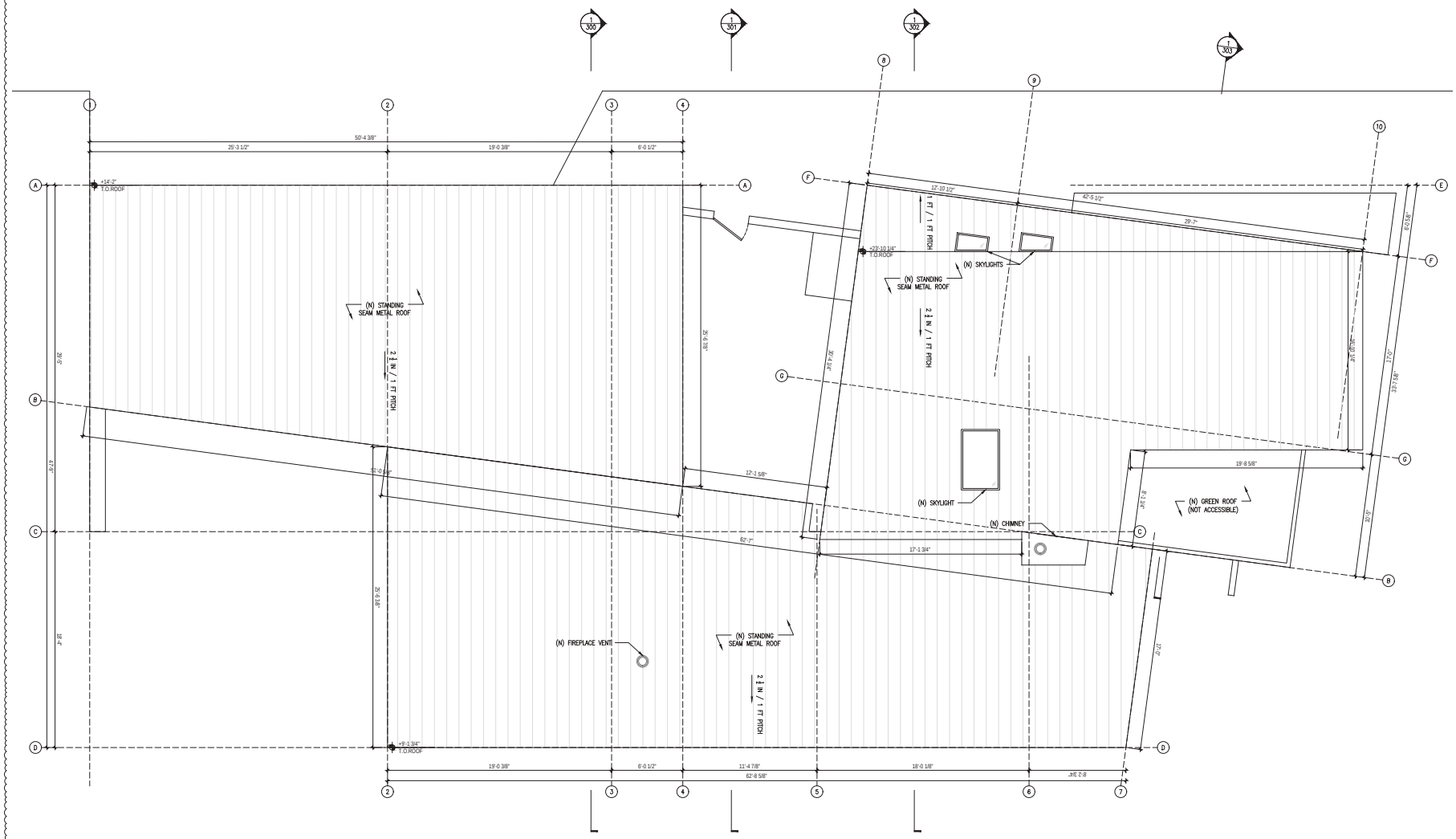
FLOOR PLANS - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

A102

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



ROOF PLAN

PROPOSED

1

1/4"=1'-0"

0 4' 8' 16'

SAW

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4	REVISION	04.04.2025
5	REVISION	04.08.2025

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RESIDENCE

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MENLO PARK, CA 94025

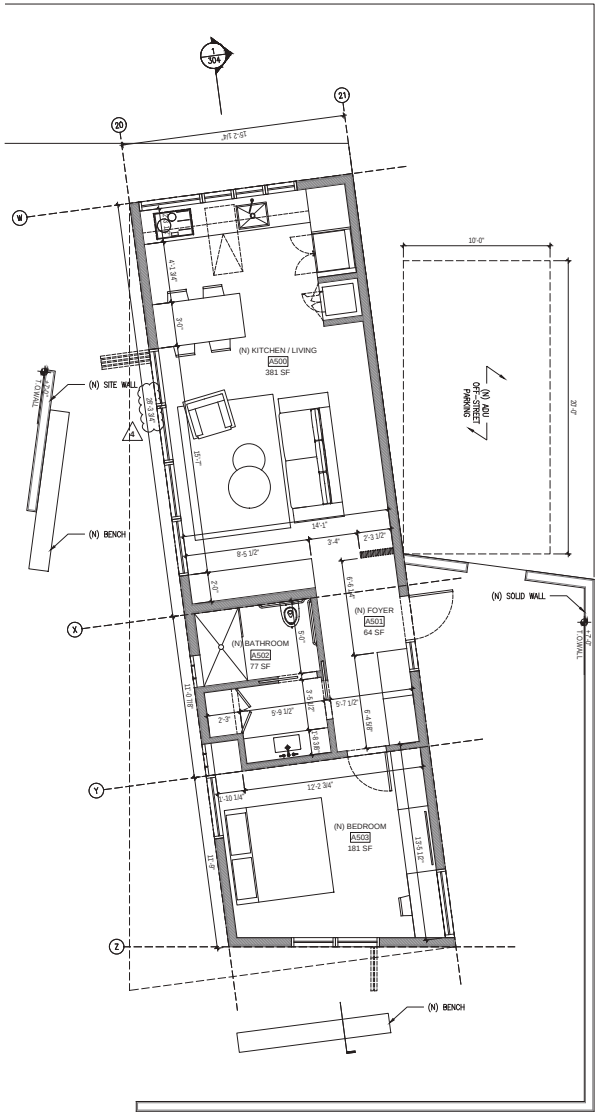
USE PERMIT APPLICATION -
NOT FOR CONSTRUCTION

ROOF PLAN - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

A103

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



ADU FLOOR PLAN

PROPOSED

1

1/4"=1'-0"

0 4' 8' 16'

SAW

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4	REVISION	04.04.2025
5	REVISION	04.08.2025

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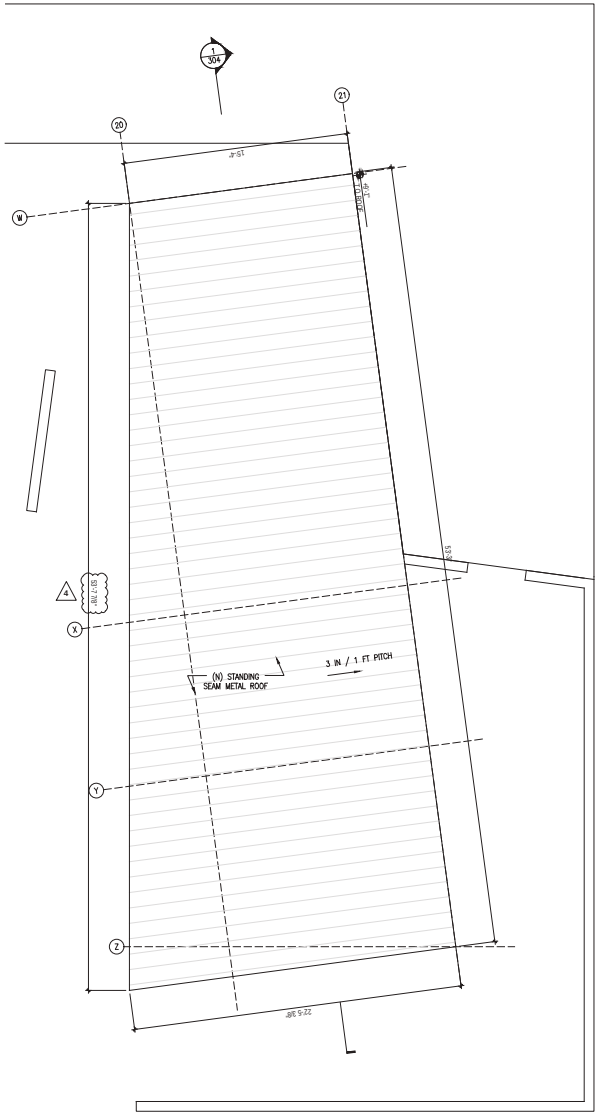
ADU FLOOR PLAN - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

A104

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



ADU ROOF PLAN

PROPOSED

1

1/4"=1'-0"

0 4' 8' 16'

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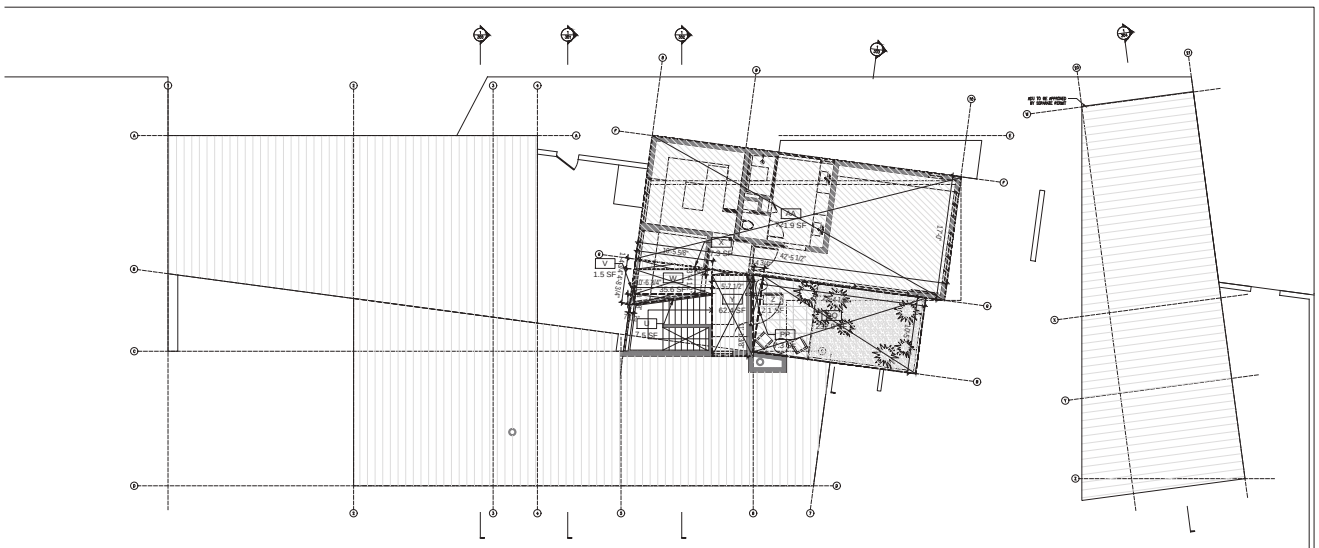
ADU ROOF PLAN - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

A105

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

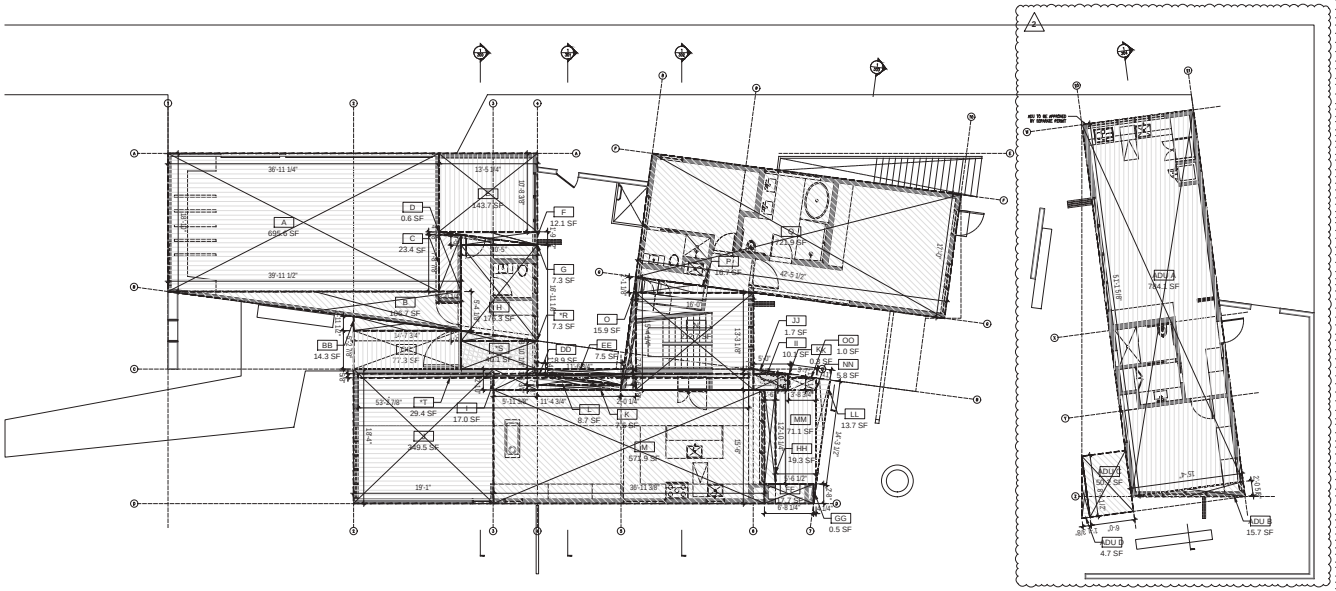


SECOND FLOOR PLAN

SQUARE FOOTAGE CALCULATION

2

1/8"=1'-0"



FIRST FLOOR AND ADU PLAN

SQUARE FOOTAGE CALCULATION

1

1/8"=1'-0"

SQUARE FOOTAGE CALCULATION:		
AREA	DIMENSIONS	SF
GARAGE (A, B, C, D)	(18'-10" x 36'-11 1/2") + [(5'-4 1/2" x 39'-11 1/2") / 2] + (7'-8 1/2" x 3'-2") + [(4 1/2" x 3'-2") / 2]	826.3
E	10'- 8 1/2" x 13'-5 1/2"	143.7
F	(1'-9 1/2" x 13'-5 1/2") / 2	12.1
G	(1'-5" x 10'-5") / 2	7.3
H	16'-11 1/2" x 10'-5"	176.3
I	2'-10" x 5'-11 1/2"	17.0
J	18'-4" x 19'-1"	349.5
K	7 1/2" x 11'-5 1/2"	7.5
L	(1'-6 1/2" x 11'-5 1/2") / 2	8.7
M	15'-6" x 36'-11 1/2"	571.9
N	13'-3 1/2" x 16'-0"	212.7
O	(15'-4 1/2" x 2'-2") / 2	15.9
P	(2'-1 1/2" x 16'-0") / 2	16.7
Q	(17'-0" x 42'-5 1/2")	721.9
"R	(1'-5" x 10'-5") / 2	7.3
"S	3'-10 1/2" x 10'-5"	40.1
"T	(6 1/2" x 53'-2 1/2")	29.4
U	(1'-4 1/2" x 10'-6 1/2") / 2	7.5
V	(4'-8 1/2" x 7 1/2") / 2	1.5
W	3'-4 1/2" x 10'-6 1/2"	35.6
X	(1'-4 1/2" x 10'-5 1/2") / 2	7.3
Y	11'-1 1/2" x 5'-7 1/2"	62.4
Z	(9" x 5'-7 1/2") / 2	2.1
AA	17'-0" x 42'-5 1/2"	721.9
TOTAL FAL		4002.6
BA A	(11'-3 1/2" x 5'-7 1/2")	63.4
BA B	(1'-5 1/2" x 10'-8") / 2	7.6
BA C	(4'-11/16" x 6 1/2") / 2	1.1
BA D	2-7 1/2" x 10'-8"	27.9
BA E	(2'-2 1/2" x 16'-1 1/2") / 2	17.2
BA F	(17'-0" x 42'-5 1/2")	721.9
ADU A	51'-1 1/2" x 15'-4"	784.1
ADU B	(2'- 1/2" x 15'-4") / 2	15.7

*CEILING HEIGHT > 12 FT (200% FLOOR AREA)

BUILDING COVERAGE CALCULATION:		
AREA	DIMENSIONS	SF
FRONT PORCH (BB, CC)	[(1'-11 1/2" x 14'-7 1/2") / 2] + (5'-2 1/2" x 14'-7 1/2")	91.6
REAR PORCH (PP, QQ)	[(10'-5" x 1'-4 1/2") / 2] + (10'-5" x 22'-4 1/2")	240.2
EAVES > 6 FT (FF, GG, HH, II, JJ, KK, LL, MM, NN, OO, ADU C, ADU D	(2'-8" x 6'-8 1/2") + [(2'-8" x 4 1/2") / 2] + (12'-10 1/2" x 1'-6") + (2'-1 1/2" x 5'-0") + [(7 1/2" x 5'-0") / 2] + [(2'-1 1/2" x 3') / 2] + [(14'-3 1/2" x 1'-11") / 2] + (12'-10 1/2" x 5'-6 1/2") + (1'-7 1/2" x 3'-8 1/2") + [(6 1/2" x 3'-7") / 2] + (8'-4 1/2" x 6'-0") + [(8'-4 1/2" x 1'-1 3/8") / 2	196.1
CLERESTORY (DD, EE)	[(1'-6 1/2" x 11'-6 1/2") / 2] + (7 1/2" x 11'6 1/2")	16.4
1ST FLOOR		3087.5
ADU		799.8
TOTAL BUILDING COVERAGE		4431.6

PROJECT CALCULATION:		
AREA	NOTES	SF
BASEMENT		839.1
FIRST FLOOR		3164.3
SECOND FLOOR		838.3
ADU	BY SEPARATE PERMIT	799.8
TOTAL		5641.5

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03.31.2025

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3	REVISION	03.19.2025
4	REVISION	04.04.2025
5	REVISION	04.08.2025

RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

SQUARE FOOTAGE CALCULATION PLANS

Date: April 8, 2025
Drawn By: MM
Checked By: DS

A106

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

SQUARE FOOTAGE CALCULATION:

AREA	DIMENSIONS	SF
GARAGE (A, B, C, D)	(18'-10" x 36'-11 1/4") + [(5'-4 1/8" x 39'-11 1/2") / 2] + (7'-8 7/8" x 3'- 1/4") + [(4 7/8" x 3'- 1/4") / 2]	826.3
E	10'- 8 3/8" x 13'-5 1/4"	143.7
F	(1'-9 1/2" x 13'-5 1/4") / 2	12.1
G	(1'-5" x 10'-5") / 2	7.3
H	16'-11 1/8" x 10'-5"	176.3
I	2'-10" x 5'-11 3/8"	17.0
J	18'-4" x 19'-1"	349.5
K	7 7/8" x 11'-5 5/8"	7.5
L	(1'-6 3/8" x 11'-5 5/8") / 2	8.7
M	15'-6" x 36'-11 3/8"	571.9
N	13'-3 1/8" x 16'-0"	212.7
O	(15'-4 1/4" x 2'-1/4") / 2	15.9
P	(2'-1 1/8" x 16'-0") / 2	16.7
Q	(17'-0" x 42'-5 1/2")	721.9
*R	(1'-5" x 10'-5") / 2	7.3
*S	3'-10 1/8" x 10'-5"	40.1
*T	(6 5/8" x 53'-2 7/8")	29.4
U	(1'-4 7/8" x 10'-6 3/4") / 2	7.5
V	(4'-8 3/4" x 7 1/2") / 2	1.5
W	3'-4 1/2" x 10'-6 3/4"	35.6
X	(1'-4 3/4" x 10'-5 5/8") / 2	7.3
Y	11'-1 3/8" x 5'-7 1/2"	62.4
Z	(9" x 5'-7 1/2") / 2	2.1
AA	17'-0" x 42'-5 1/2"	721.9
TOTAL FAL		4002.6
BA A	(11'-3 1/8" x 5'-7 1/2")	63.4
BA B	(1'-5 1/8" x 10'-8") / 2	7.6
BA C	(4'-9/16" x 6 5/8") / 2	1.1
BA D	2-7 3/8" x 10'-8"	27.9
BA E	(2'-2 7/8" x 16'-1 3/4") / 2	17.2
BA F	(17'-0" x 42'-5 1/2")	721.9
ADU A	51'-1 5/8" x 15'-4"	784.1
ADU B	(2'- 5/8" x 15'-4") / 2	15.7

*CEILING HEIGHT > 12 FT (200% FLOOR AREA)

5 4

BUILDING COVERAGE CALCULATION:

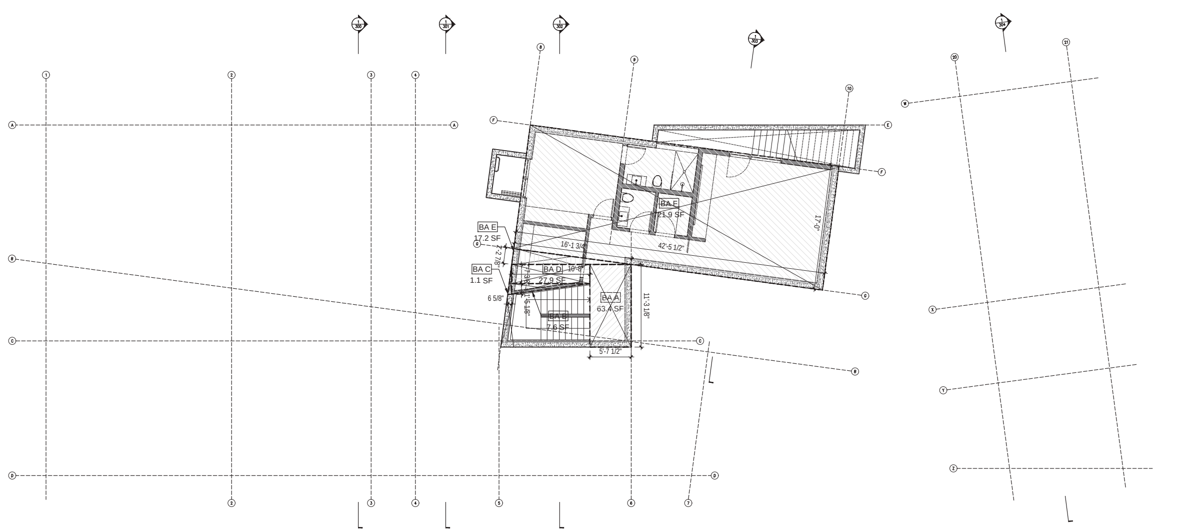
AREA	DIMENSIONS	SF
FRONT PORCH (BB, CC)	[(1'-11 1/2" x 14'-7 3/4") / 2] + (5'-2 7/8" x 14'-7 3/4")	91.6
REAR PORCH (PP, QQ)	[(10'-5" x 1'-4 3/4") / 2] + (10'-5" x 22'-4 1/4")	240.2
EAVES > 6 FT (FF, GG, HH, II, JJ, KK, LL, MM, NN, OO, ADU C, ADU D	(2'-8" x 6'-8 1/4") + [(2'-8" x 4 1/4") / 2] + (12'-10 1/4" x 1'-6") + (2'-1 3/4" x 5'-0") + [(7 1/4" x 5'-0") / 2] + [(2'-1 3/4" x 3 1/2") / 2] + [(14'-3 1/2" x 1'-11") / 2] + (12'-10 1/4" x 5'-6 1/2") + (1'-7 1/2" x 3'-8 3/4") + [(6 3/4" x 3'-7") / 2] + (8'-4 1/2" x 6'-0") + [(8'-4 1/2" x 1'-1 3/8") / 2	196.1
CLERESTORY (DD, EE)	[(1"-6 3/8" x 11'-6 3/4") / 2] + (7 3/4" x 11'6 3/4")	16.4
1ST FLOOR		3087.5
ADU		799.8
3 TOTAL BUILDING COVERAGE		4431.6

4

PROJECT CALCULATION:

AREA	NOTES	SF
BASEMENT		839.1
FIRST FLOOR		3164.3
SECOND FLOOR		838.3
ADU	BY SEPARATE PERMIT	799.8
TOTAL		5641.5

2



BASEMENT FLOOR PLAN 1

SQUARE FOOTAGE CALCULATION

1/8"=1'-0"

0 8' 16' 32'

SAW

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03.31.2025

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5	REVISION	04.08.2025

RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

USE PERMIT APPLICATION
NOT FOR CONSTRUCTION

SQUARE FOOTAGE CALCULATION PLANS

Date: April 8, 2025

Drawn By: MM

Checked By: DS

A107

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

SIDE YARD VIEW OF EXISTING HOUSE 4

EXISTING NTS

SIDE YARD VIEW OF EXISTING HOUSE 3

EXISTING NTS

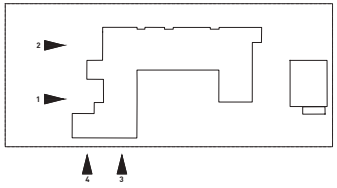
FRONT YARD VIEW OF EXISTING HOUSE 2

EXISTING NTS

FRONT YARD VIEW OF EXISTING HOUSE 1

EXISTING NTS

KEY PLAN NTS



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RABINOVITSJ RESIDENCE

228 SAN MATEO DR
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USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

ELEVATIONS - EXISTING

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

AX200

Scale: NOT TO SCALE

SIDE YARD VIEW OF EXISTING HOUSE 4

EXISTING NTS

SIDE YARD VIEW OF EXISTING HOUSE 3

EXISTING NTS

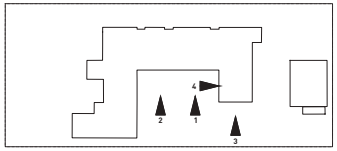
SIDE YARD VIEW OF EXISTING HOUSE 2

EXISTING NTS

SIDE YARD VIEW OF EXISTING HOUSE 1

EXISTING NTS

KEY PLAN NTS



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ELEVATIONS - EXISTING

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

AX201

Scale: NOT TO SCALE

SIDE YARD VIEW OF EXISTING GARAGE 3

EXISTING NTS

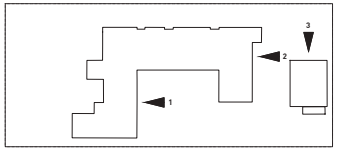
REAR YARD VIEW OF EXISTING HOUSE 2

EXISTING NTS

SIDE YARD VIEW OF EXISTING HOUSE 1

EXISTING NTS

KEY PLAN NTS



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RABINOVITSJ RESIDENCE

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MENLO PARK, CA 94025

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

ELEVATIONS - EXISTING

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

AX202

Scale: NOT TO SCALE

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RABINOVITSJ
RESIDENCE

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MENLO PARK, CA 94025

USE PERMIT APPLICATION -
NOT FOR CONSTRUCTION

ELEVATIONS - EXISTING

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

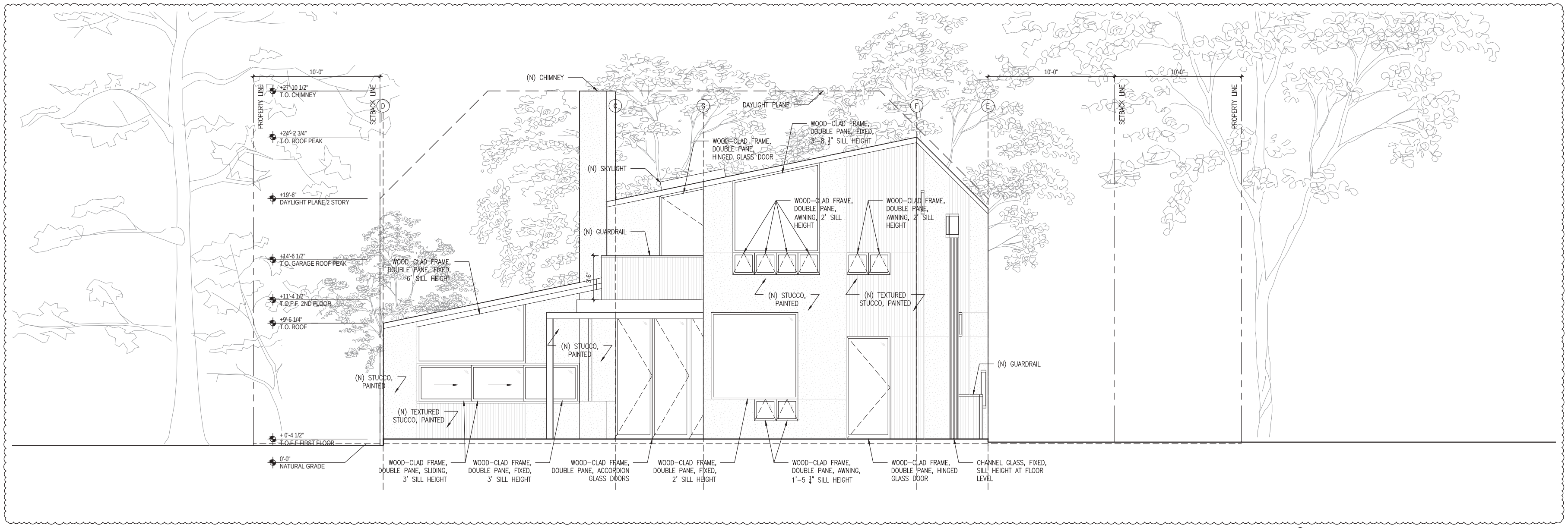
AX203

Scale: AS NOTED

KEY PLAN 1 NTS

SIDE YARD VIEW OF EXISTING HOUSE 1

EXISTING NTS

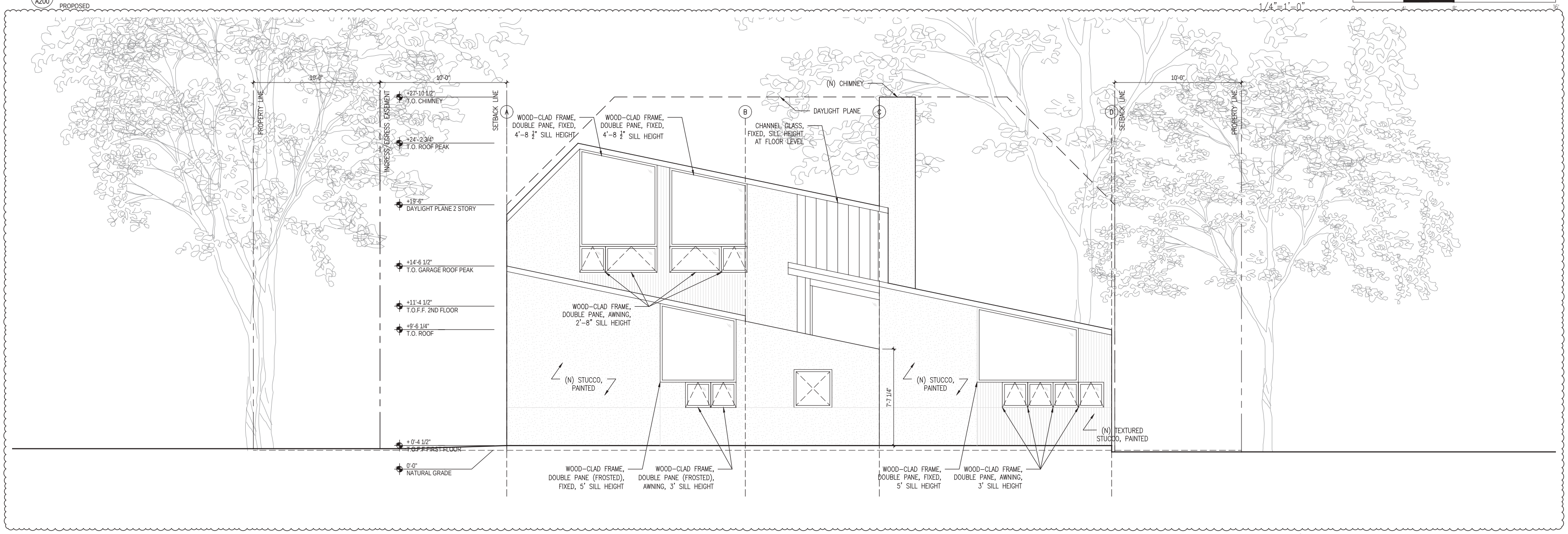


2 A200 NORTHEAST (REAR) ELEVATION

PROPOSED

2

1/4"=1'-0"



1 A200 SOUTHWEST (FRONT) ELEVATION

PROPOSED

1

1/4"=1'-0"

0 4' 8' 16'

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03.31.2025

1	REVISION	02.07.2025
2	REVISION	03.12.2025
3	REVISION	03.19.2025
4	REVISION	04.04.2025
5	REVISION	04.08.2025

RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

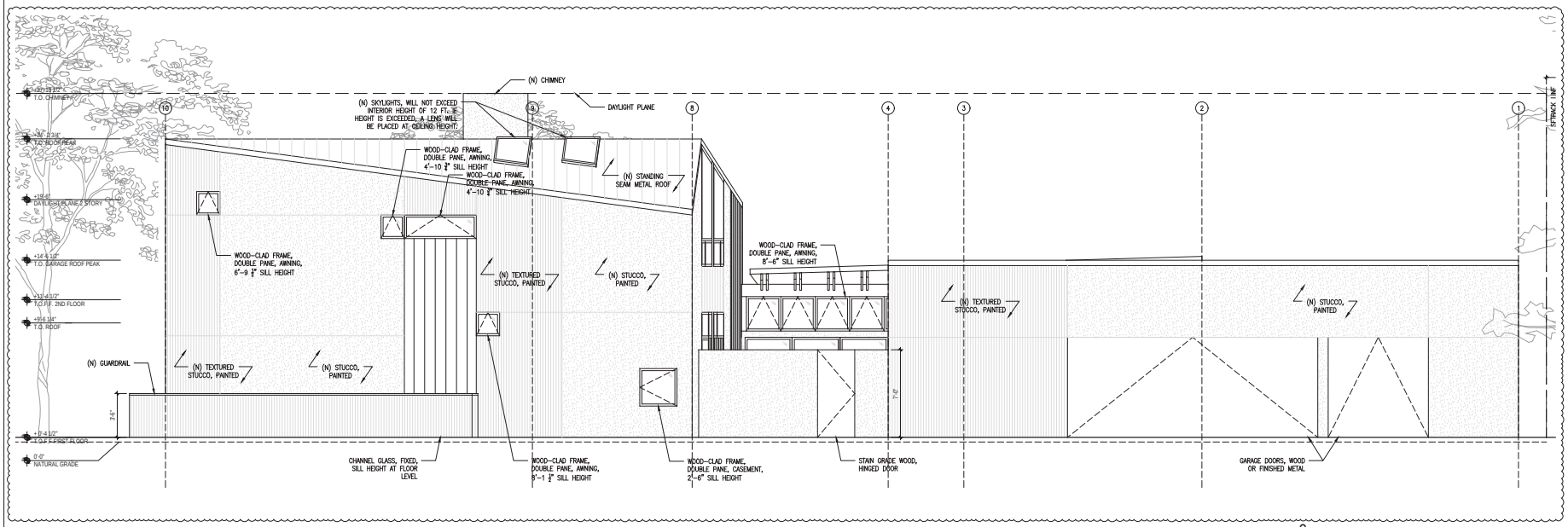
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

ELEVATIONS - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

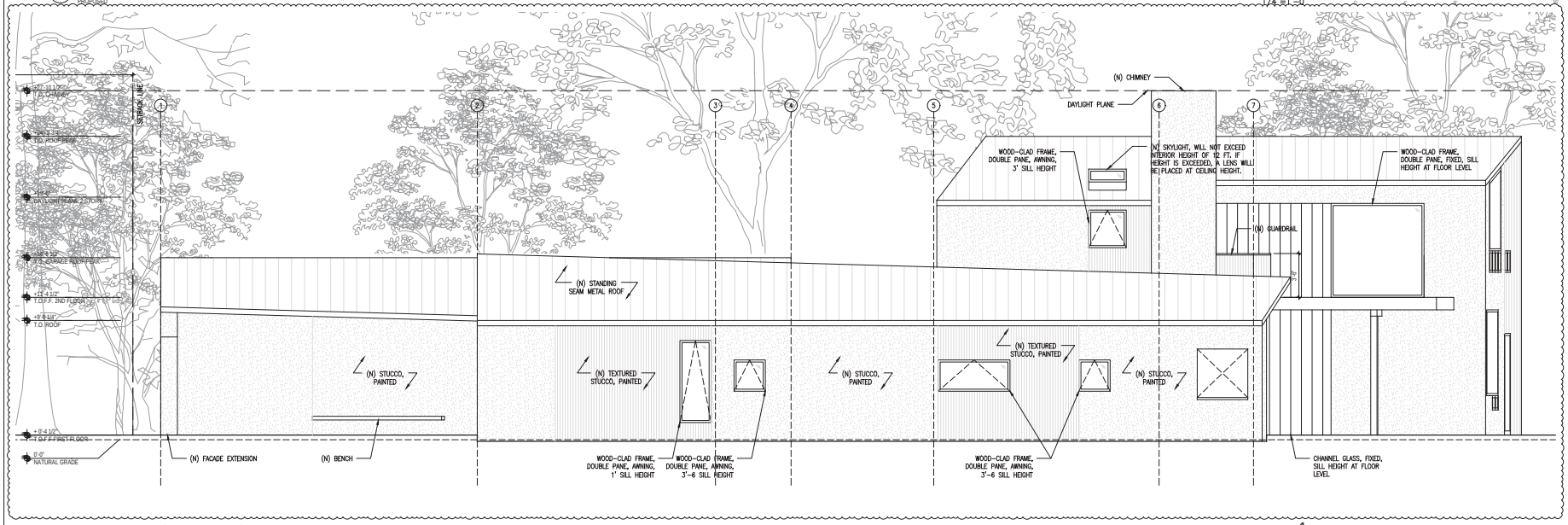
A200

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



2 A201 NORTHWEST (LEFT SIDE) ELEVATION
PROPOSED

2
1/4"=1'-0"



1 A201 SOUTHEAST (RIGHT SIDE) ELEVATION
PROPOSED

1
1/4"=1'-0"

0 4' 8' 16'

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03.31.2025

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RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

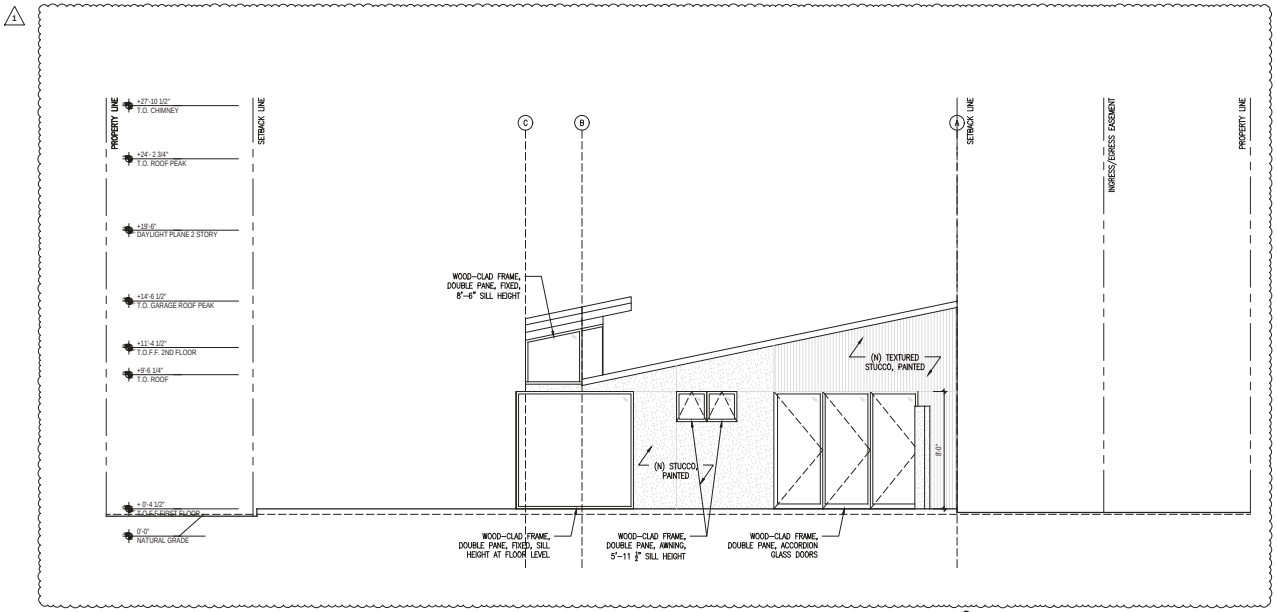
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

ELEVATIONS - PROPOSED

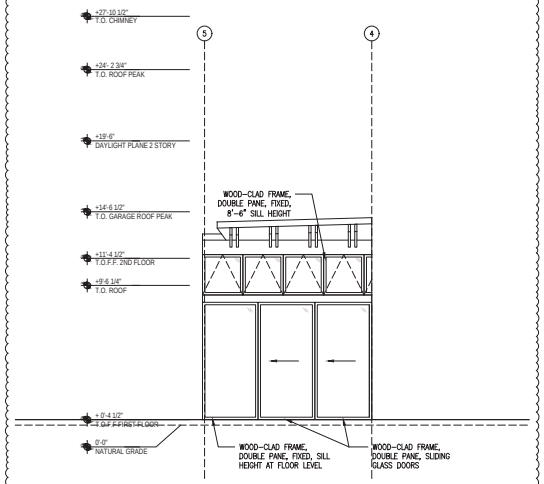
Date: April 8, 2025
Drawn By: MM
Checked By: DS

A201

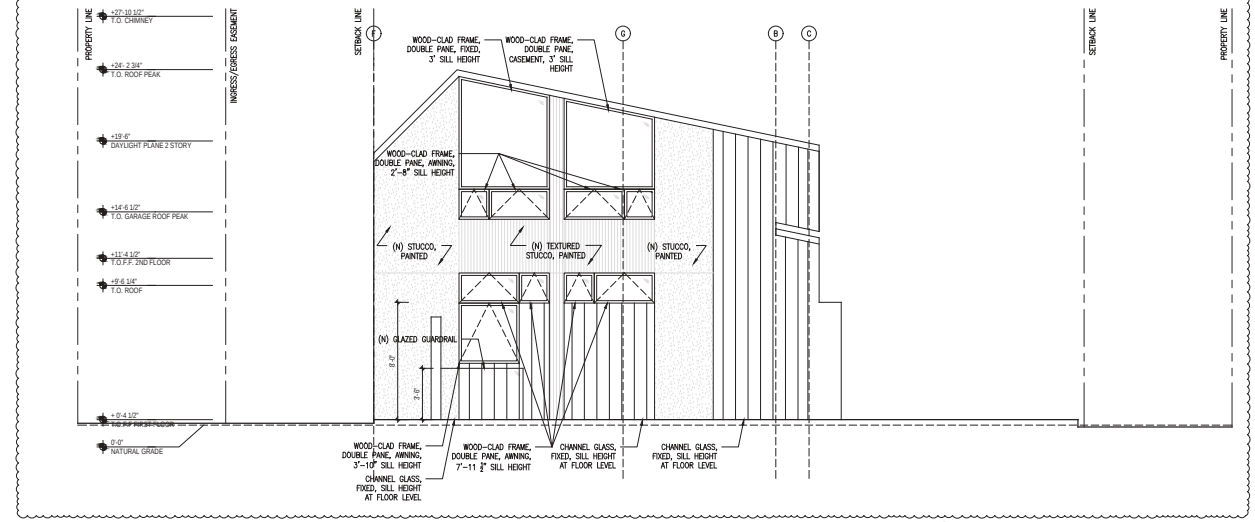
Scale: 1/4" = 1'-0"



3 A202 SOUTHWEST COURTYARD ELEVATION 3
PROPOSED 1/4"=1'-0"



2 A202 EAST COURTYARD ELEVATION 2
PROPOSED 1/4"=1'-0"



1 A202 NORTHWEST COURTYARD ELEVATION 1
PROPOSED 1/4"=1'-0"

0 4' 8' 16'

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RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

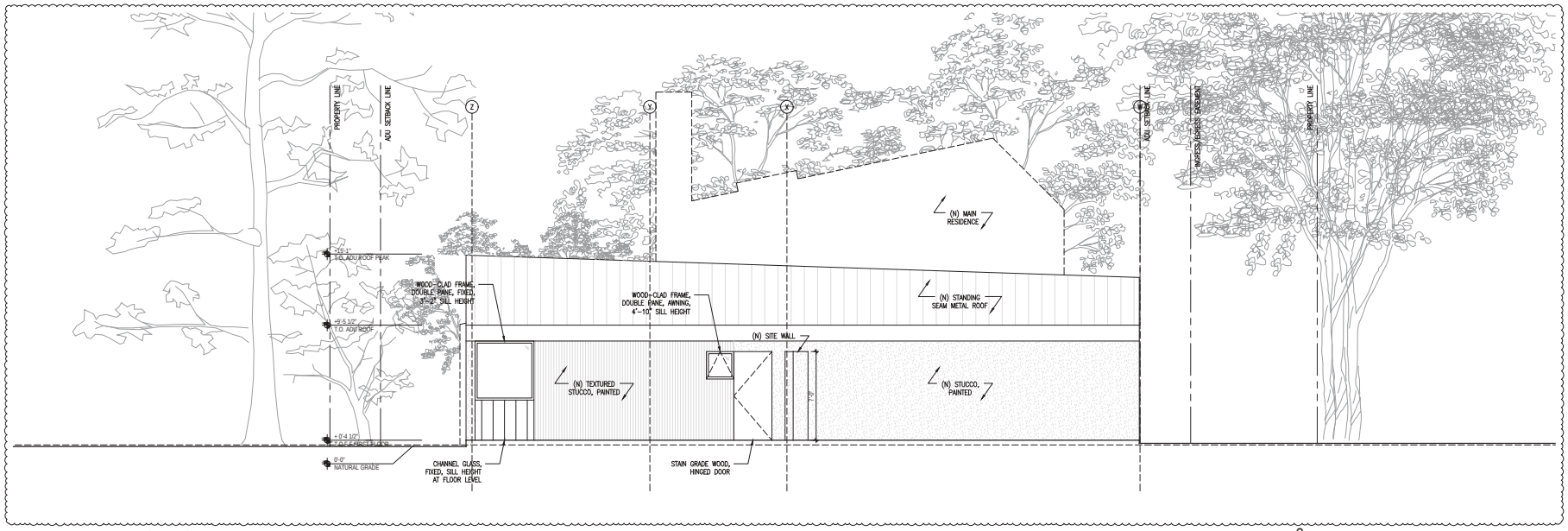
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

COURTYARD ELEVATIONS - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

A202

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

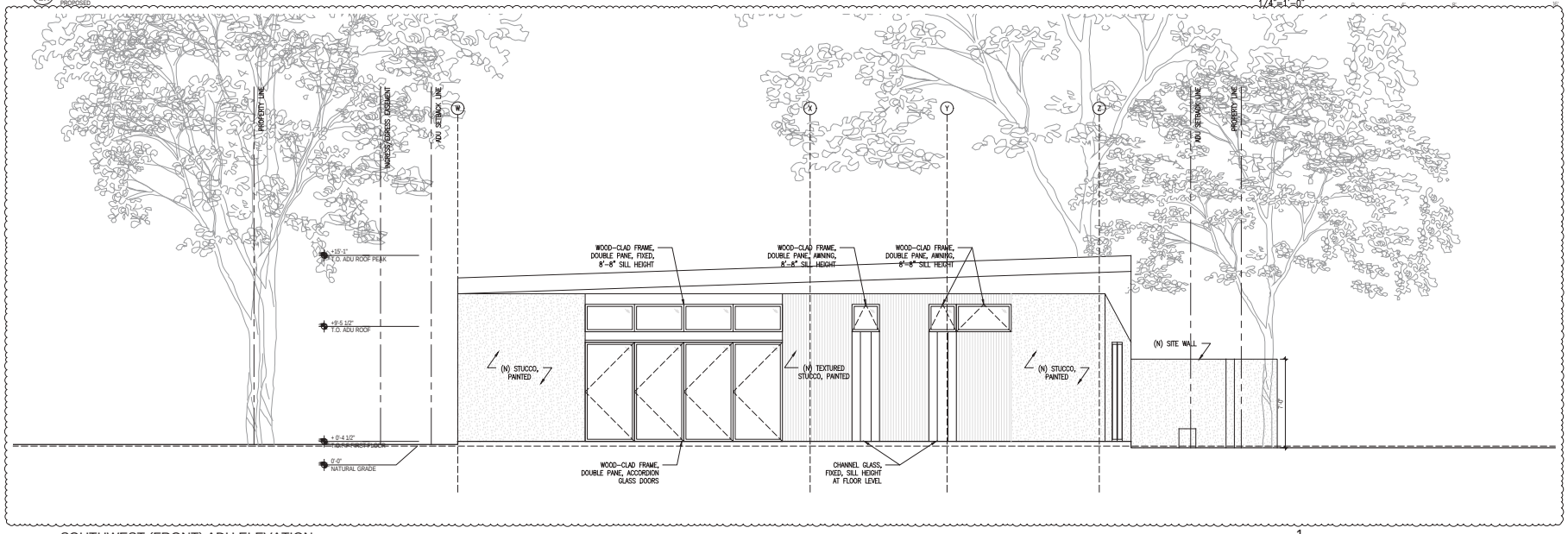


2 A203 PROPOSED

NORTHEAST (REAR) ADU ELEVATION

2

1/4"=1'-0"



1 A203 PROPOSED

SOUTHWEST (FRONT) ADU ELEVATION

1

1/4"=1'-0"

0 4' 8' 16'

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RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

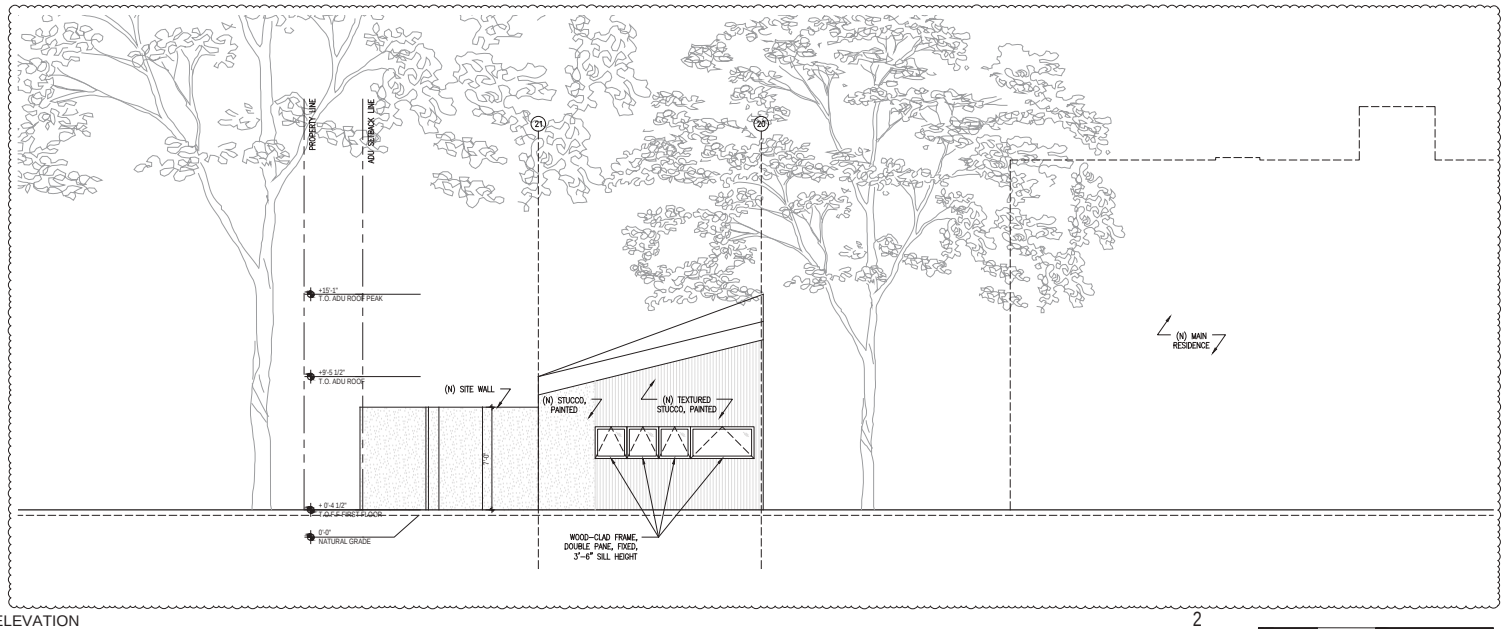
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

ADU ELEVATIONS - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

A203

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

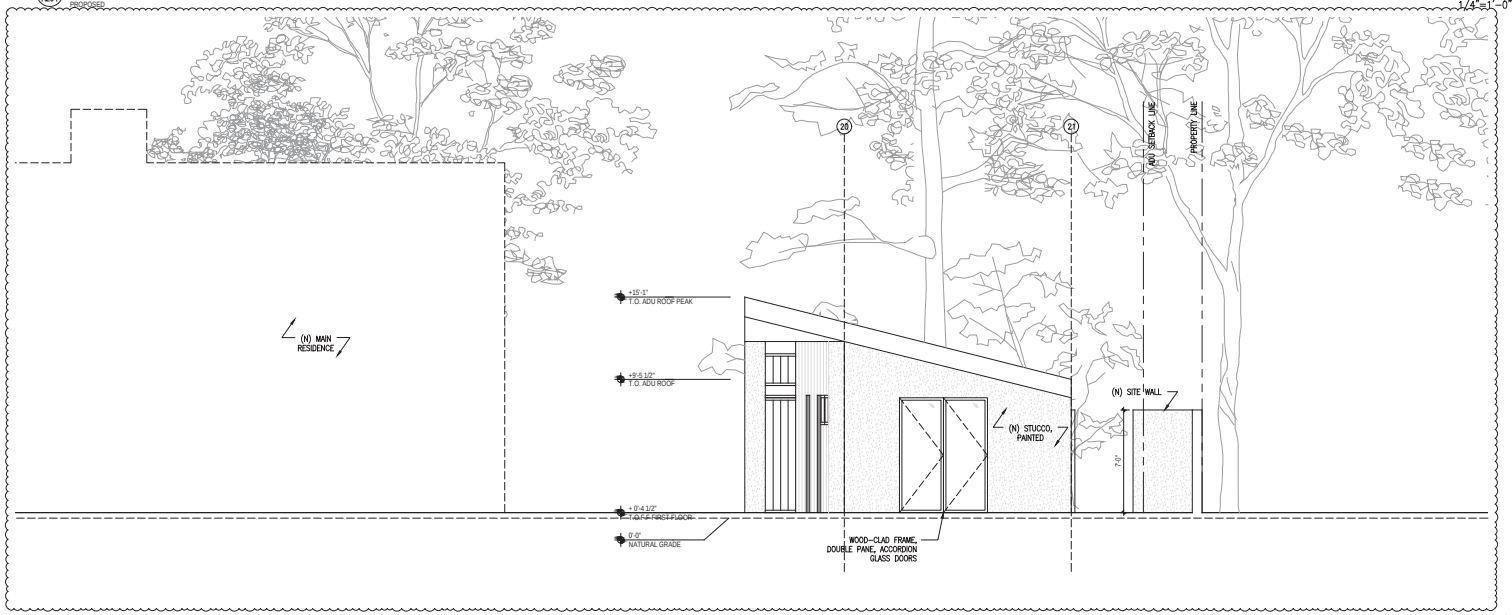


2 A204 PROPOSED

NORTHWEST (LEFT SIDE) ADU ELEVATION

2

1/4"=1'-0"



1 A204 PROPOSED

SOUTHEAST (RIGHT SIDE) ADU ELEVATION

1

1/4"=1'-0"

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RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

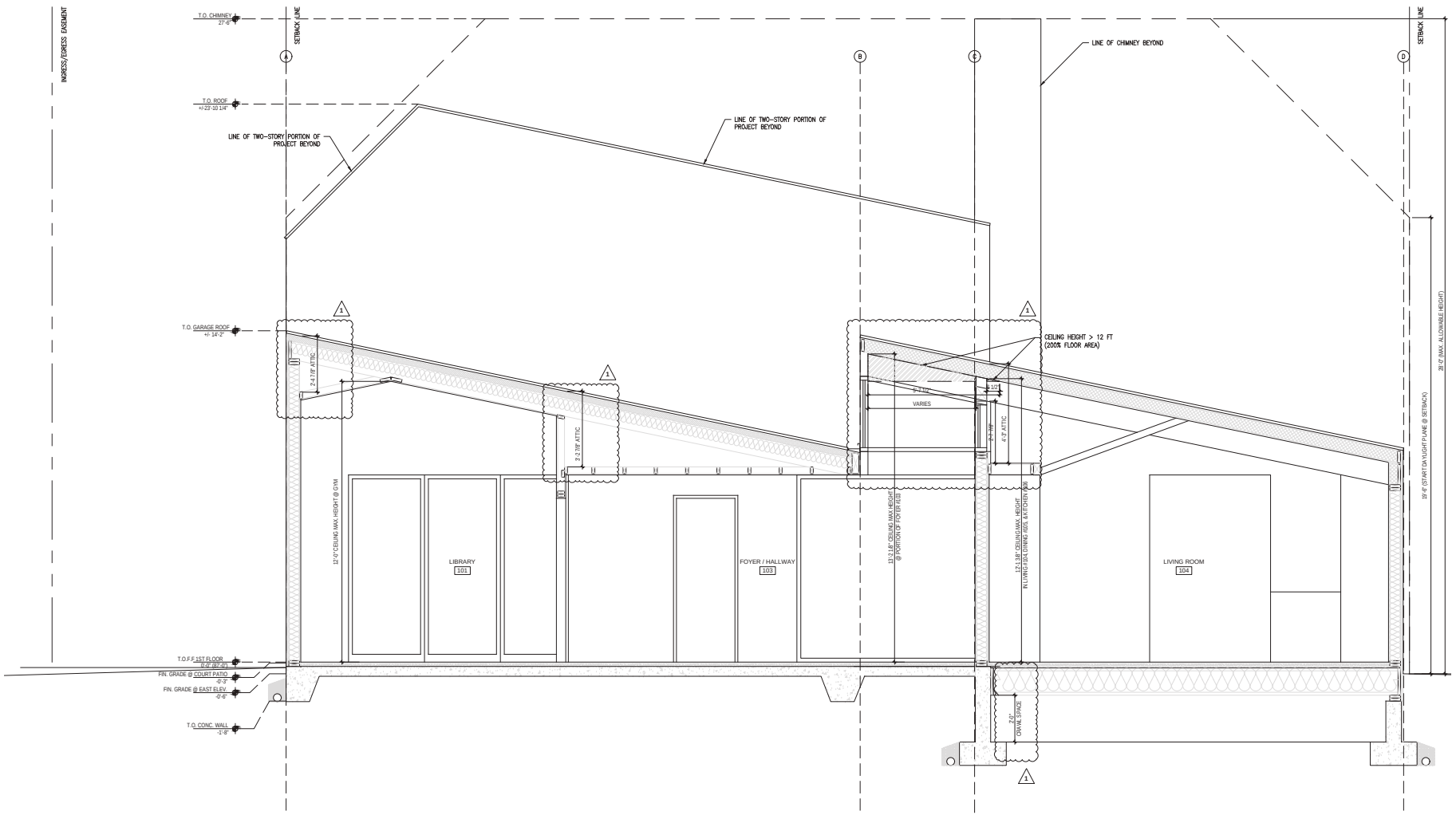
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

ADU ELEVATIONS - PROPOSED

Date: April 8, 2025
Drawn By: MM
Checked By: DS

A204

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



1/A300 SECTION
PROPOSED

1
1/2"=1'-0"

0 2' 4' 8'

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RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

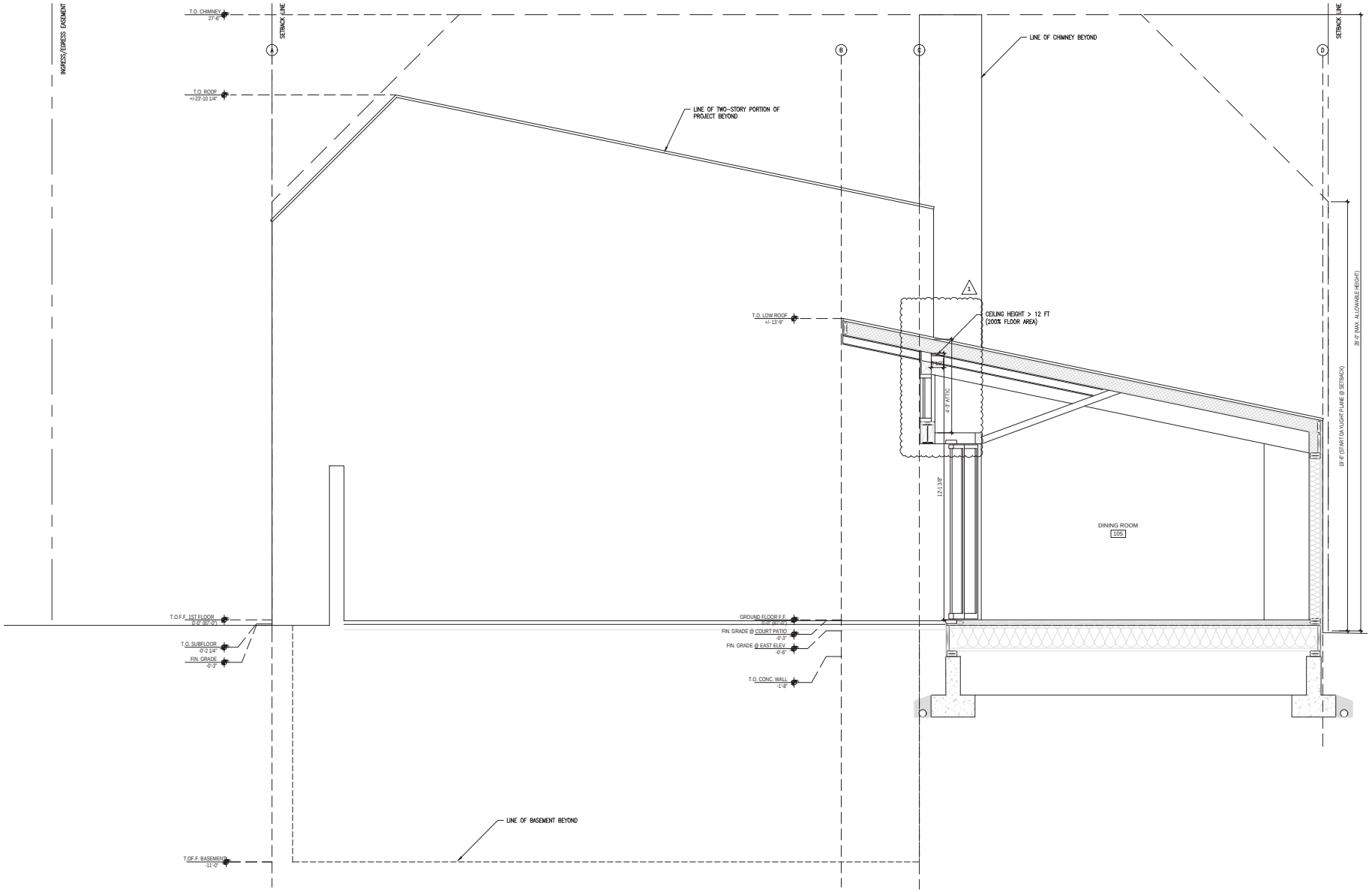
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

SECTIONS - PROPOSED

Date: April 8, 2025
Drawn By: MM
Checked By: DS

A300

Scale: 1/2" = 1'-0"



1 A301 SECTION
PROPOSED

1
1/2"=1'-0"

0 2' 4' 8'

SAW
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5	REVISION	04.08.2025

RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

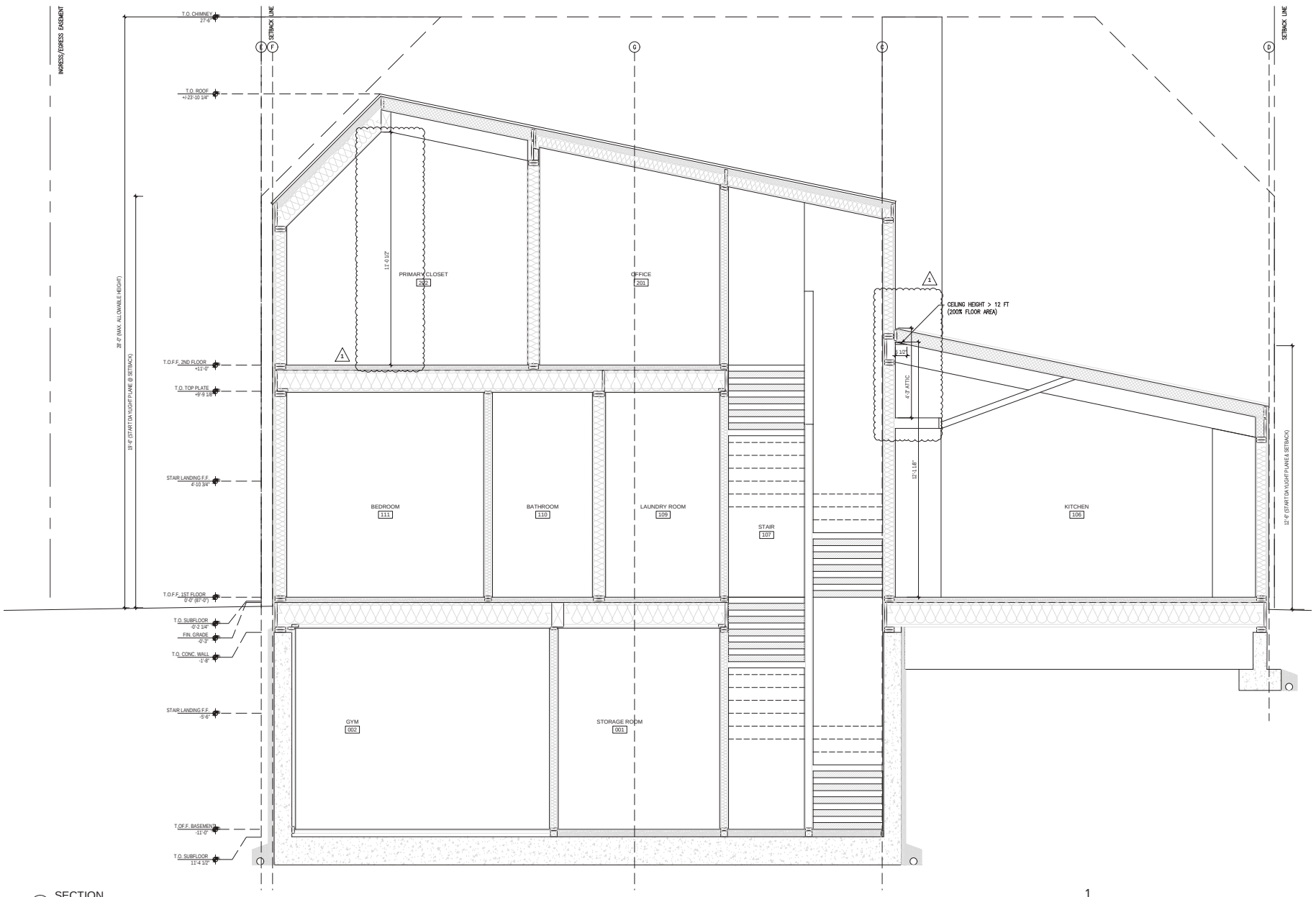
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

SECTIONS - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

A301

Scale: 1/2" = 1'-0"



1 A302 SECTION
PROPOSED

1
1/2"=1'-0"

0 2' 4' 8'

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RABINOVITSJ RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

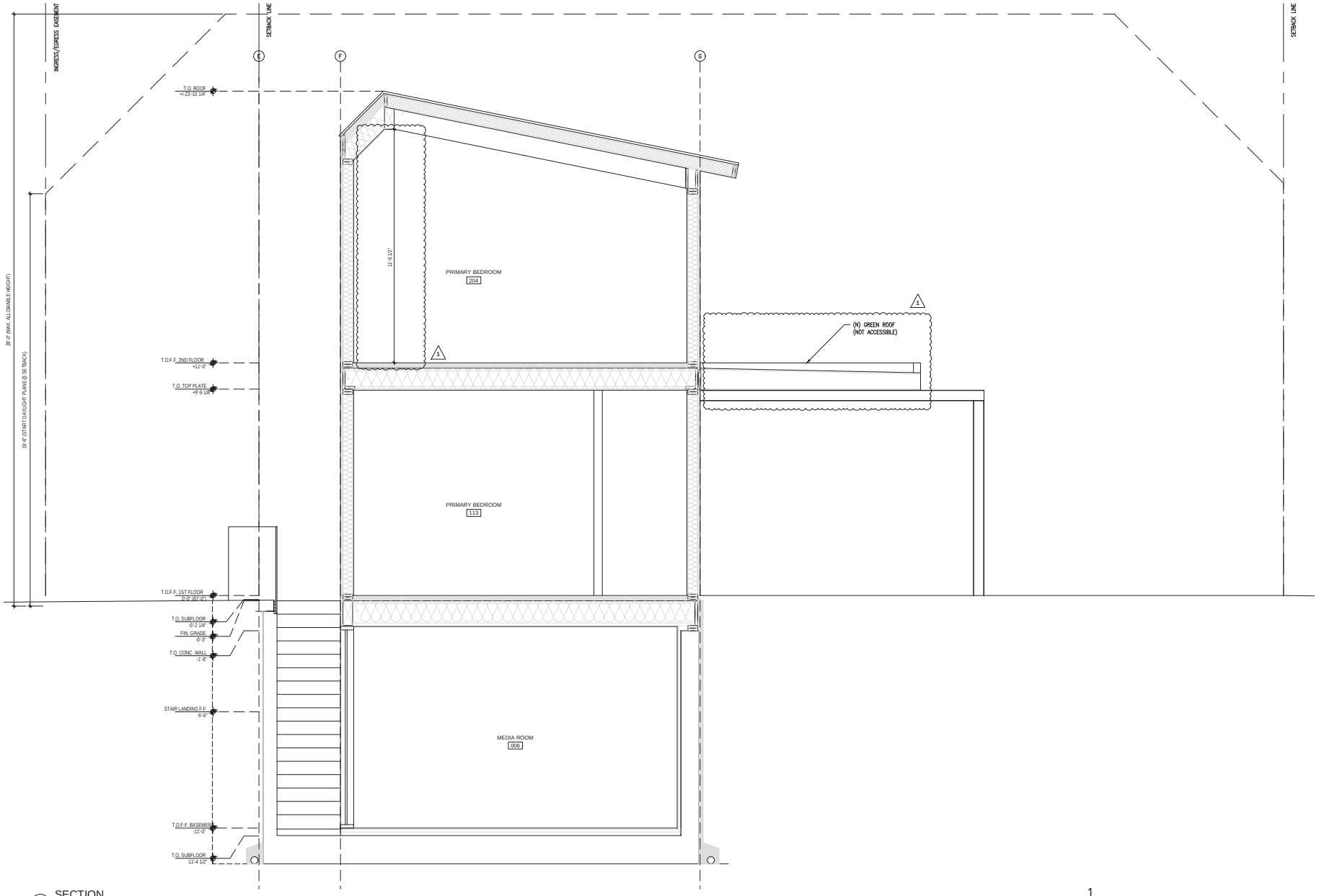
USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

SECTIONS - PROPOSED

Date: April 8, 2025
Drawn By: MM
Checked By: DS

A302

Scale: 1/2" = 1'-0"



1 A303 SECTION
PROPOSED

1
1/2"=1'-0"

0 2' 4' 8'

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4	REVISION	04.04.2025
5	REVISION	04.08.2025

RABINOVITSJ
RESIDENCE

228 SAN MATEO DR
MENLO PARK, CA 94025

USE PERMIT APPLICATION -
NOT FOR CONSTRUCTION

SECTIONS - PROPOSED

Date:	April 8, 2025
Drawn By:	MM
Checked By:	DS

A303

Scale: 1/2" = 1'-0"

228 San Mateo Drive
Rabinovitsj Residence General Project Description

This proposal is for a use permit for a project which consists of alterations to the property at 228 San Mateo Drive, Menlo Park, CA, and includes the following:

The existing single-family residence (3,578 sq. ft.) will be removed, the existing detached garage (508 sq. ft.) will be removed, and a small shed (49 sq. ft.) at the northeast area of the property will be removed. The existing driveway—an ingress and egress easement—will be repaired and replaced in kind. All existing perimeter fences will be replaced in kind, except for the fence along the northwest property line which will remain. Four non-protected trees will be removed (#4, #5, #6, #7 in the arborist report). One small tree (#2 in the arborist report) will be relocated.

The new construction will include a single-family, two-story residence with a basement (4,015 sq. ft. of finished space), an attached two-car garage (826 sq. ft. of unconditioned space), and a detached accessory dwelling unit (800 sq. ft.). The majority of the building is single-story, with a compact two-story bedroom wing and basement at the northwest corner of the site. The second-floor bedroom wing includes a green roof and patio, and its roof peak reaches a maximum height of 24'-2 ¾" from natural grade. The green roof will include a drip irrigation system to limit routine maintenance by a person. A stairwell runs along the perimeter of the bedroom wing to provide egress from the basement level to grade. Two lightwells direct light into the basement level.

Adjustment to the landscape around these buildings includes minor grading to manage runoff, the addition of covered and uncovered patios, a new gas fire pit connected to an existing gas line (to remain), new site walls to establish privacy, an existing driveway to be repaired and replaced in kind, and the addition of shrubs and six new trees.

The design of the new residence has been carefully considered to fit within the neighboring context, use materials in a sensitive and expressive way, and produce a sustainable, architecturally layered structure that will enhance its surroundings. The new buildings sets back generously in both distance and in height from the street front, producing a modest profile and deferring to the existing mature oak trees which are defining characteristics of Menlo Park. The proposed primary residence is comprised of three primary volumes / massings to break up the scale of the project: a garage volume, a living volume, and a bedroom volume. These volumes are organized around an interior, central courtyard. The

siting of each establishes both a visual and physical connection between interior and exterior, and allows for cross ventilation and natural lighting across each space. The three

volumes are interwoven across the site by a series of roof planes that utilize slope to provide both privacy and canopy for the residence.

The window and door composition across the project establishes a playful relationship between light and ventilation. Light is prioritized through large, fixed windows, while ventilation is achieved through a series of smaller, operable windows. These operable windows are primarily arrayed directly below their fixed counterparts. All windows and glazed doors are to be specified as dual-pane with wood-clad frames. Window types across the project include fixed, sliding, awning, and casement. The garage doors facing the easement driveway will be clad in either fire resistant wood or finished metal. The roof will be clad with a class-A standing seam metal roof—the directionality of the seams coordinating with the orientation of the channel glass.

The proposed project's material language includes an interplay of smooth and textured stucco plaster across the exterior to register relationships between openings and break up the project's massing further. Segments of channel glass façade are intermixed to provide a light filled interior, while maintaining privacy. Stucco was selected as the primary exterior material for this project as a reference to both the existing residence and to adjacent residences on San Mateo Drive. Additionally, it serves as a material reference to Spanish Colonial Revival which became a prevalent architectural style for coastal California in the 1920s (San Mateo Heritage Alliance) in large part due to its fire resistance. In keeping with a fire-resistant strategy, roof eave/overhangs are strategically located and minimized in other areas and will be enclosed with fire resistant wood finish and no eave venting openings.

To date, several neighbors have been informed and were supportive of the project, including Julia Logan at 270 San Mateo Drive who shares a driveway with the subject residence, Nancy Fulton at 245 San Mateo Drive, and Tom Lemieux at 205 San Mateo Drive.

228 San Mateo Drive
Menlo Park, CA
Arborist Report 2024

Prepared For:
Dan and Liz Rabinovitsj

Site: 228 San Mateo Drive
Menlo Park, CA 94025

Submitted by:
David Beckham
Certified Arborist
WE#10724A
TRAQ Qualified

KIELTY
ARBORISTS SERVICES LLC
Certified Arborist WE#10724A TRAQ Qualified
P.O. Box 6187 San Mateo, CA 94403
650- 532-4418

September 9, 2024
Revised: February 7, 2025

Attn: Dan and Liz Rabinovitsj
Subject: Tree protection plan for 228 San Mateo Dr, Menlo Park, CA 94025

INTRODUCTION AND OVERVIEW

Kielty Arborists Services LLC visited the property at 228 San Mateo Dr, Menlo Park on May 22, 2024 to evaluate the trees present with respect to the proposed construction project. The report below contains the analysis of the site visit. Dan and Liz Rabinovitsj are planning the construction of a new two-story residence with a basement, and detached ADU. The current site consists of a residential home, driveway, landscaping, and mixed tree species. The findings and recommendations presented in this report are based on the design development plans titled *Rabinovitsj Residence - Use Permit Application A000 through A302* by Spiegel Aihara Workshop. These plans were electronically provided to us via email and are dated February 7, 2025. By thoroughly analyzing these plans in conjunction with our field observations, we have developed an accurate and reliable assessment of the tree conditions and how best to mitigate potential impacts.

There are 12 trees located on the property, 6 of which are protected (#1-3, and 16-18). 16 trees included in the survey are located on neighboring property, 11 of which are protected (#9, 10-15, 19, 20, and 26-28).

Data Summary:

Total Trees	Significant / Protected Trees	Non-Protected Trees
28	17	11

Non-protected trees #4-7 are proposed for removal due to conflicts with the proposed project features. Protected trees #1, 14, and 17 have been assessed as being in poor condition, primarily due to their visibly compromised structure and form. These trees will require further management to address their declining health and ensure their safety. All other protected trees are in fair condition and should be retained and protected as outlined in the recommendations below. With proper tree protection measures and cultural practices during construction, the retained trees are expected to survive and thrive both during and after the project.

ASSIGNMENT

At the request of Dan and Liz Rabinovitsj, Kielty Arborists Services LLC conducted a site visit on May 22, 2024 to prepare a comprehensive Tree Inventory Report/Tree Protection Plan for the proposed construction project. This report is a requirement when submitting plans to the City of Menlo Park. The analysis in this report is based on the plans received from Spiegel Aihara Workshop, dated February 7, 2025.

The primary focus of this report is as follows:

- Identification and assessment of trees on the construction site that may be affected by the proposed development.
- Determination of potential impacts on tree health and stability, considering factors such as root damage and crown damage.

- Provision of recommendations for tree protection and preservation measures during the construction process to mitigate potential impacts.
- Ensuring compliance with local regulations pertaining to tree preservation, protection, and removal within the construction plans.

Please note that the report will provide specific details regarding tree assessments, impacts, and preservation measures.

The City of Menlo Park requires the following tree reporting elements for development projects:
1. Inventory of all trees over 4 inches in diameter.
2. Map of tree locations.
3. Tree protection or removal recommendations for all trees over 4 inches in diameter.

LIMITS OF THE ASSIGNMENT

As part of this assessment, it is important to note that Kielty Arborists Services LLC did not conduct an aerial inspection of the upper crown, a detailed root crown inspection, or a plant tissue analysis on the subject trees. Therefore, the information presented in this report does not include data obtained from these specific methods.

Furthermore, it is essential to clarify that no tree risk assessments were completed as part of this report unless stated otherwise. The focus of this assessment primarily centers on tree identification, general health evaluation, and the potential impacts of the proposed construction.

While the absence of these specific assessments limits the scope of the analysis, the findings and recommendations provided within this report are based on available information and observations made during the site visit.

METHOD OF INSPECTION

The inspections were conducted from the ground without climbing the trees. No tissue samples or root crown inspections were performed. The trees under consideration were identified based on the provided site plan. To assess the trees, their diameter at 54 inches above ground level (DBH or diameter at breast height) was measured using a D-Tape. For the surveying of multi-trunk trees, our methodology aligns with city ordinances. In cases where the city does not offer specific guidelines for measuring multi-trunk trees, we adhere to the standards outlined in the "Guide for Plant Appraisal, 10th Edition, Second Printing" by the Council of Tree and Landscape Appraisers. Additionally, the protected trees were evaluated for their health, structure, form, and suitability for preservation with the following explanation of the ratings:

EVALUATION FIELDS

Tree Tag #:	Protected Tree:
Identification number for individual trees.	Specifies whether the tree is protected by the city or county ordinance.

Height (ft.) / Canopy Spread (ft.):	Trunk (in.):
Measures both the height of the tree and the spread of its canopy.	Measures the primary trunk's diameter at the required height.

Comments:	Tree Picture:
Any additional notes or observations about the tree.	A photograph of the tree for visual assessment and record-keeping.

Preserve or Remove:	Common Name / Scientific Name:
Indicates the recommended action based on the tree's condition.	Specifies the name of the tree, both in common terms and scientific nomenclature.

If more than 1 Trunks, Total Diameter:	6 ,8, 10 Times the Diameter (ft.):
If the tree has multiple trunks, this field indicates the combined diameter of all trunks.	Provides calculations based on the diameter to assist in various tree protection requirements.

Appraised Value:
An unbiased estimate of the tree's worth is performed in accordance with the current edition of the Guide for Plant Appraisal by the Council of Tree and Landscape Appraisers.

*Note that not all fields may be provided for every tree. Some might be left blank due to various reasons, such as lack of accessibility to the tree, incomplete data, or the parameter not being applicable for a particular tree.

Tree Structure Ratings:
Poor: Major uncorrectable structural flaws present; significant dead wood, decay, or multiple trunks; potentially hazardous lean.
Fair: Structural flaws exist but less severe; issues like slight lean and crowding on trunk; some uncorrectable issues through pruning.
Good: Minor flaws; mainly upright trunk, well-spaced branches; flaws correctable through pruning; symmetrical or mostly symmetrical canopy.

Tree Health Ratings:
Poor: Minimal new growth; significant dieback and pest infestation; expected not to reach natural lifespan.
Fair: Moderate new growth; canopy density 60-90%; potential external threats; not in decline but vulnerable.
Good: Vigorous growth; healthy foliage; 90-100% canopy density; expected natural lifespan.

Suitability for Preservation:
Poor: Adds little to landscape; poor health and potential hazards; unlikely to survive construction impacts.
Fair: Contributes to landscape; survival possible with protection during minor construction impacts.
Good: Valuable landscape asset; likely survival during minor to moderate construction impacts with protection.

Tree Form Ratings:
Poor: Highly asymmetric or abnormal form; visually unappealing; little landscape function.
Fair: Significant asymmetries; deviation from species norm; compromised function or aesthetics.
Good: Near ideal form; minor deviations; consistent aesthetics and function in landscape.

*Suitability for Preservation: This rating is based solely on the tree itself, irrespective of potential construction impacts.

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

The trees were assigned a condition rating based on a combination of existing tree health, tree structure, and tree form using the following scale.

Tree Tag #	Protected Tree	Preserve or Remove	Common Name / Scientific Name	Appraised value	Trunk (in.)	Ten Times the Diameter in (ft.)	Height (ft.) / Canopy Spread (ft.)	Health Rating	Structural Rating	Form Rating	Suitability for Preservation	Overall Condition (0-100%)	Summary	Tree Picture #1
1	Yes	(P)	black walnut ***Juglans nigra***	**$8,800**	41.4	35	35/15	Good	Poor	Poor	Good	45	Street tree. 10 feet from street. Located under electrical utility lines. Codominant at 10 feet. Large lateral limbs removed in past. Topped in past. Vigorous sprouts.	
2	Yes	(P)	ginkgo ***Ginkgo biloba***	**$1,500**	5.7	5	18/10	Good	Good	Good	Good	70	**Street tree**. 10 feet from street, under electrical utility lines. Aesthetically pleasing tree.	
3	Yes	(P)	ginkgo ***Ginkgo biloba***	**$1,400**	5.3	4	18/10	Good	Good	Good	Good	70	**Street tree.** 10 feet from street, under electrical utility lines. Aesthetically pleasing tree.	
4	No	(R)	camellia ***Camellia japonica***	**N/A**	6.2	5	18/10	Good	Fair	Good	Good	65	In front yard. 10 feet from property boundary.	
5	No	(R)	sweet michelia ***Michelia doltsopa***	**N/A**	11	9	20/15	Good	Poor	Fair	Fair	50	Codominant at grade, one sided crown, minor deadwood, extended branch supported by rope.	
6	No	(R)	camellia ***Camellia japonica***	**N/A**	7.1	6	15/15	Good	Fair	Fair	Fair	50	Codominant below grade. 5 feet from driveway hardscape.	

Tree Tag #	Protected Tree	Preserve or Remove	Common Name / Scientific Name	Appraised value	Trunk (in.)	Ten Times the Diameter in (ft.)	Height (ft.) / Canopy Spread (ft.)	Health Rating	Structural Rating	Form Rating	Suitability for Preservation	Overall Condition (0-100%)	Summary	Tree Picture #1
7	No	(R)	camellia ***Camellia japonica***	**N/A**	7.2	6	15/15	Good	Fair	Fair	Fair	50	Codominant below grade. 5 feet from driveway hardscape.	
8	No	(P)	Japanese maple ***Acer palmatum***	**N/A**	14	12	30/30	Good	Good	Good	Good	65	2 feet from existing home and concrete walkway. Codominant at 3.5 feet. Minor lean to main stem. Aesthetically pleasing tree.	
9*	Yes	(P)	coast live oak ***Quercus agrifolia***	**$10,100**	25.5	21	45/30	Good	Fair	Fair	Good	55	**Street tree**. Neighboring tree. 10 feet from street. Surrounded by asphalt driveway and gravel driveway.	
10*	Yes	(P)	coast live oak ***Quercus agrifolia***	**$9,700**	25	21	45/30	Good	Fair	Fair	Good	55	**Street tree**. Neighboring tree. 10 feet from street. Surrounded by asphalt driveway and gravel driveway.	
11*	No	(P)	coast live oak ***Quercus agrifolia***	**N/A**	8	7	30/12	Good	Good	Good	Good	65	Neighboring tree, on property boundary. Suppressed by large oak.	
12*	Yes	(P)	coast live oak ***Quercus agrifolia***	**$22,200**	40	33	55/50	Fair	Fair	Fair	Good	50	Neighboring tree, on property boundary. Codominant at 7 feet. Deadwood, potentially drought stressed. 6 inches from asphalt driveway, lifting driveway.	

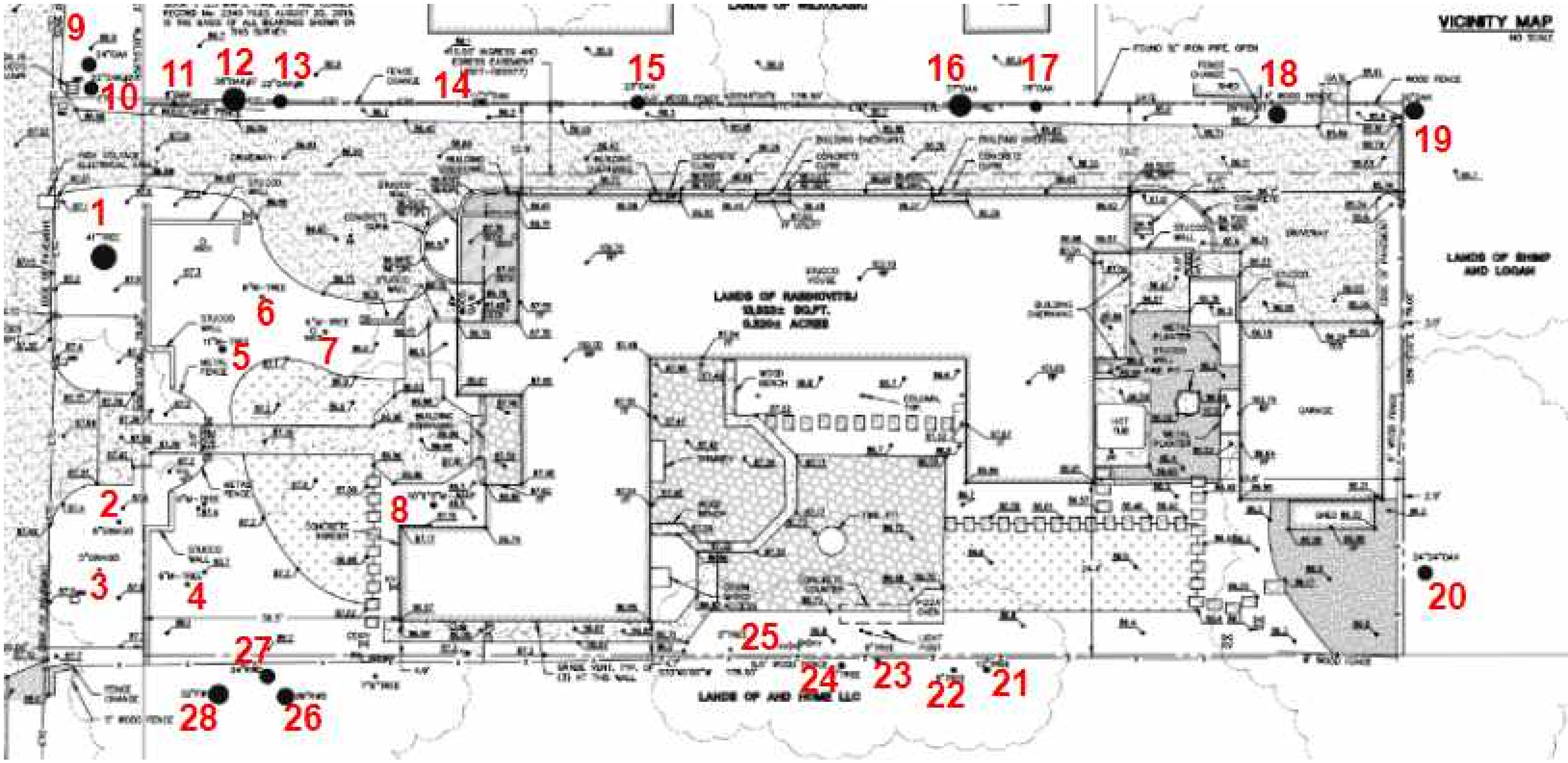
Tree Tag #	Protected Tree	Preserve or Remove	Common Name / Scientific Name	Appraised value	Trunk (in.)	Ten Times the Diameter in (ft.)	Height (ft.) / Canopy Spread (ft.)	Health Rating	Structural Rating	Form Rating	Suitability for Preservation	Overall Condition (0-100%)	Summary	Tree Picture #1
13*	Yes	(P)	coast live oak ***Quercus agrifolia***	**$14,800**	28	23	55/50	Fair	Fair	Fair	Good	55	Neighboring tree, on property boundary. Growing at angle, drought stressed, limb failure in past.	
14*	Yes	(P)	coast live oak ***Quercus agrifolia***	**$2,900**	18	12	24	Fair-Poor	Poor	Poor	Fair	30	Shared tree, on property boundary. Along driveway, approximately 10 feet from existing home. 12 inches from asphalt driveway. Large cavity and heartwood decay at base.	
15*	Yes	(P)	coast live oak ***Quercus agrifolia***	**$8,500**	23	19	50/15	Good	Good	Fair	Good	55	Shared tree, on property boundary. Along driveway, approximately 10 feet from existing home. Growing through fence. 6 inches from the asphalt driveway.	
16	Yes	(P)	coast live oak ***Quercus agrifolia***	**$24,400**	40	33	60/40	Good	Fair	Fair	Good	55	Along driveway, approximately 10 feet from existing home. Shared tree, on property boundary. 6 inches from asphalt driveway. Codominant at 15 feet with included bark. Crown reduction, cuts in past.	
17	Yes	(P)	coast live oak ***Quercus agrifolia***	**$4,600**	19	16	45/15	Fair	Poor	Poor	Fair	40	Shared tree, on property boundary. Along driveway, approximately 10 feet from existing home.1 foot from asphalt driveway. Growing in fence. Codominant at 7 feet. Covered in ivy. Topped in past.	
18	Yes	(P)	Douglas-fir ***Pseudotsuga menziesii***	**$14,800**	32	27	80/30	Good	Fair	Fair	Good	55	On property boundary, 6 inches from asphalt driveway. 20 feet from existing home.	

Tree Tag #	Protected Tree	Preserve or Remove	Common Name / Scientific Name	Appraised value	Trunk (in.)	Ten Times the Diameter in (ft.)	Height (ft.) / Canopy Spread (ft.)	Health Rating	Structural Rating	Form Rating	Suitability for Preservation	Overall Condition (0-100%)	Summary	Tree Picture #1
19*	Yes	(P)	coast live oak ***Quercus agrifolia***	**$18,600**	30	25	60/60	Good	Fair	Good	Good	65	Neighboring tree. Surrounded by driveway paver hardscape. Codominant at 6.5 feet.	
20*	Yes	(P)	coast live oak ***Quercus agrifolia***	**$43,000**	48	40	65/50	Good	Fair	Good	Good	60	Neighboring tree, limited visual inspection. Codominant at 4 feet. Cabled in pass between two main leaders. Aesthetically pleasing tree. 10 from existing garage.	
21*	No	(P)	lemonwood ***Pittosporum eugenioides***	**N/A**	6	5	30/5	Good	Fair	Fair	Good	55	Neighboring tree, limited visual inspection. Privacy screen. On property boundary.	
22*	No	(P)	lemonwood ***Pittosporum eugenioides***	**N/A**	6	5	30/5	Good	Fair	Fair	Good	55	Neighboring tree, limited visual inspection. Privacy screen. On property boundary.	
23*	No	(P)	lemonwood ***Pittosporum eugenioides***	**N/A**	6	5	30/5	Good	Fair	Fair	Good	55	Neighboring tree, limited visual inspection. Privacy screen. On property boundary.	
24*	No	(P)	lemonwood ***Pittosporum eugenioides***	**N/A**	6	5	30/5	Good	Fair	Fair	Good	55	Neighboring tree, limited visual inspection. Privacy screen. On property boundary.	

Tree Tag#	Protected Tree	Preserve or Remove	Common Name / Scientific Name	Appraised value	Trunk (in)	Ten Times the Diameter in (ft)	Height (ft.) / Canopy Spread (ft.)	Health Rating	Structural Rating	Form Rating	Suitability for Preservation	Overall Condition (0-100%)	Summary	Tree Picture #1
25	No	(P)	Australian brush cherry ***Syzygium australe***	N/A	6	5	30/5	Good	Fair	Fair	Good	50	2 feet from property boundary. Privacy screen. 10 feet from existing home. 4 feet from patio hardscape.	
26*	Yes	(P)	redwood ***Sequoia sempervirens***	$16,100	30	25	70/35	Good	Good	Good	Good	65	Neighboring tree, limited visual inspection. 7 feet from property boundary	
27*	Yes	(P)	redwood ***Sequoia sempervirens***	$13,100	27	23	70/35	Good	Good	Good	Good	65	Neighboring tree, limited visual inspection. 3 feet from property boundary	
28*	Yes	(P)	Douglas-fir ***Pseudotsuga menziesii***	$21,100	36	30	75/30	Good	Good	Good	Good	60	Neighboring tree, limited visual inspection. 5 feet from property boundary	

An (*) appearing next to the tree tag number indicates a neighboring tree.

TREE MAP


VICINITY MAP
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OBSERVATIONS

Species List:
12 trees were surveyed on the property and consist of the following species:

- black walnut - *Juglans nigra*
- (2) ginkgo - *Ginkgo biloba*
- (3) camellia - *Camellia japonica*
- sweet michelia - *Michelia doltsopa*
- Japanese maple - *Acer palmatum*
- (2) coast live oak - *Quercus agrifolia*
- Douglas-fir - *Pseudotsuga menziesii*
- Australian brush cherry - *Syzygium australe*

16 trees included in the survey are located on neighboring property and consist of the following species:

- (9) coast live oak - *Quercus agrifolia*
- (4) lemonwood - *Pittosporum eugenioides*
- (2) redwood - *Sequoia sempervirens*
- Douglas-fir - *Pseudotsuga menziesii*

Trees Proposed For Removal:
Tree Removal For Proposed Development:
'heritage' Size Trees: Total = 0
'unprotected' Size Trees: Total = 4

In compliance with the City's Municipal Code, it is imperative to note that any heritage tree designated for retention and protected under these regulations is subject to mandatory replacement if it sustains irreparable damage due to construction activities. The replacement of such a heritage tree is not discretionary; it is a required action. The value of the replacement is determined based on the appraised value of the damaged heritage tree. This policy underscores the importance of rigorous tree protection measures during construction to safeguard these valuable natural assets.

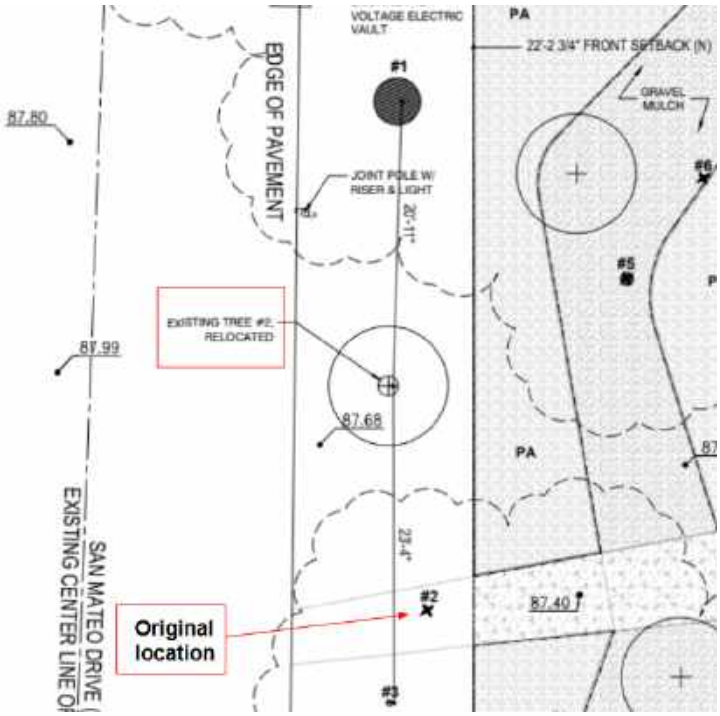
Total Removed Trees	Significant / Protected Trees	Non-Protected Trees
4	0	4

Non-Protected Trees to be Removed:
Camellia #4, 6, 7, and sweet michelia #5 were assigned Fair condition ratings and exhibit main stem codominance, close proximity to existing hardscape, and minor deadwood. These trees are proposed to be removed to facilitate the proposed construction.

PROJECT PLAN REVIEW

Design development plans titled *Rabinovitsj Residence - Use Permit Application A000 through A303* by Spiegel Aihara Workshop, dated February 7, 2025 were reviewed for the findings in this report, including: A000 through A302, Survey plans titled *Topographic and Boundary Survey SU1* by Lea and Braze Engineering, Inc., dated October 26, 2023 were also reviewed for our findings. Proposed site improvements will include: demolition of the existing home, garage, shed and patio, and construction of a new two-story residence with a basement, detached ADU, replacement of existing driveway, and the addition of covered and uncovered patios.

All of the trees on site are to be protected by Type I Tree Protection Fencing. Where work is shown within 10x the diameter of a protected tree on site, tree protection fencing must be placed as close as possible to the proposed work while still allowing the work to safely continue. All work within 10x the diameter of a protected tree will also require hand excavation under the project arborist supervision. Notes are required to be shown on all plans indicating areas of hand excavation.



Street tree #2 - ginkgo was assigned a good condition rating. The tree is located 10 feet from the street, under electrical utility lines, and is proposed to be transplanted in another location within the city's right-of-way. It will be relocated as shown in the image. To encourage healthy growth, the ginkgo should be spaced at least 20 feet from tree #1 and at least 15 feet from tree #3.

The following guidelines should be observed if any tree is to be relocated to a more suitable area where it can thrive without interference from construction activities. This relocation should be conducted under the supervision of the project arborist to ensure the tree's health and structural integrity are maintained during the process.

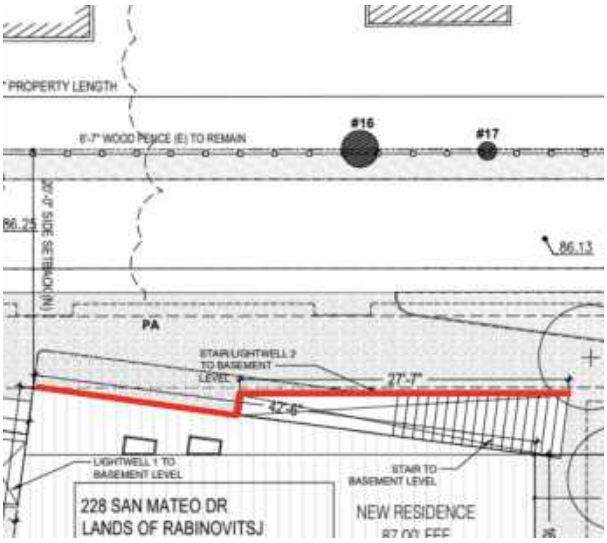
- **Site Selection:** Choose a location that provides adequate sunlight, appropriate soil conditions, and sufficient space for the tree to grow to its full potential.
- **Preparation:** Dig a hole twice the width of the tree's root ball and just as deep. Ensure the sides of the hole are rough to prevent root circling.
- **Excavation:** Dig carefully to preserve the root ball and avoid damage to major roots. For large trees, mechanical tree spades may be necessary. Wrap the root ball in burlap and secure it with twine or wire to maintain its integrity during transport.
- **Lifting:** Use cranes, tree spades, or other heavy equipment for lifting, ensuring that the trunk is stabilized to prevent damage. Avoid lifting by the trunk alone.

- **Transport:** Minimize the time between excavation and replanting to reduce root desiccation. Cover the root ball during transport to protect it from wind and temperature fluctuations.
- **Transplanting:** Carefully remove the tree from its current location, preserving as much of the root ball as possible. Place the tree in the new hole, ensuring it is at the same depth as it was previously. Maintain the tree's original orientation (north-facing side of the trunk) to reduce stress.
- **Backfilling:** Amend the backfilling soil with a soil conditioner to improve drainage. Fill the hole with the soil, gently tamping it down but not too hard. Irrigate thoroughly to help settle the soil.
- **Mulching:** Apply a layer of mulch around the base of the tree, extending to the drip line, to retain moisture and regulate soil temperature. Keep mulch away from the trunk.
- **Watering:** Water the tree deeply immediately after planting to keep the soil moist but not waterlogged, especially during the first two years. Continue to water regularly, especially during dry periods, to establish a strong root system.
- **Staking:** If necessary, stake the tree to provide support during the establishment period, ensuring the stakes are removed after one year to allow natural movement and strengthening of the trunk.

Special considerations must be taken into account for demolition, grading, excavation, and construction occurring within tree protection zones of all trees on site. Impacts to retained trees are expected to be minor to non-existent. To ensure the health and resilience of trees impacted by construction activities, a meticulously planned approach is essential. This comprehensive strategy is designed to mitigate stress, promote root and shoot growth, and ensure long-term tree vitality.

Concerns regarding soil grading near protected trees:
Grading often involves the use of heavy machinery and equipment, which can result in soil compaction. Compacted soil restricts the movement of air, water, and nutrients within the soil, making it difficult for tree roots to access essential resources. Compacted soil can also inhibit root growth and development, leading to poor tree health and vitality. For these reasons, it is recommended that grading take place outside the dripline of the retained trees.
Root damage: During grading activities, tree roots may be inadvertently severed, injured, or exposed. Tree roots are critical for anchoring the tree and absorbing water and nutrients from the soil. Damage to the root system can disrupt the tree's ability to take up essential resources, weakening its overall health and stability.
Soil Erosion: Grading can disrupt the natural drainage patterns of the land, leading to increased soil erosion. When soil erodes, it can expose tree roots, destabilize the tree's base, and affect the tree's ability to acquire nutrients. Excessive soil erosion can also result in the loss of topsoil, which is rich in organic matter and essential for healthy tree growth.
Changes in Water Availability: Altering the topography through grading can impact water availability and drainage around trees. If grading changes the natural flow of water, it can cause water logging or excessive water runoff, both of which can have detrimental effects on tree health. Insufficient water availability can lead to drought stress, while excessive water accumulation can lead to root suffocation and fungal diseases.
Structural damage: Grading activities near trees can cause physical damage to the tree's trunk, branches, or canopy. Machinery, equipment, or debris may inadvertently come into contact with the tree, leading to wounds or injuries. Structural damage weakens the tree's integrity and can create entry points for pests, diseases, or decay.

To ensure the health and resilience of trees impacted by construction activities, a meticulously planned approach that includes both pre-construction and post-construction care is essential. This comprehensive strategy is designed to mitigate stress, promote root and shoot growth, and ensure long-term tree vitality.



Basement:
The northwest side of the basement will require vertical shoring to protect trees #16 and #17. Using a standard OSHA overcut would further impact the trees more than necessary and would lead to high impacts. By shoring the basement near these two trees the cut can be reduced and the driveway could also be retained. Any exposed roots at the basement cut should be cleanly cut back to the basement wall and covered with 3 layers of wetted down burlap. The contractor must maintain burlap moisture while exposed. Impacts are expected to be minor.

Red line indicating the area recommended to be vertically shored.

ADU foundation construction near protected trees:
The entire proposed foundation when within 40 feet (10x the diameter) of neighboring coast live oak #20 is required to be excavated by hand in combination with hand tools such as an air knife, rotary hammer with clay spade attachment, or shovels, while under the direct supervision of the Project Arborist. All roots encountered within the foundation area measuring 1.5” in diameter or larger are recommended to be retained for the Project Arborist to inspect before being cleanly cut. Once inspected and documented, the roots will need to be cleanly cut using a hand saw or loppers. Cut root ends on the tree side are recommended to be covered by 3 layers of wetted-down burlap to help avoid root desiccation. The contractor shall wet down the burlap daily while exposed. The area between the tree and the foundation (tree protection zone) is recommended to be irrigated before excavation and grading begins. Deep water fertilizing the tree with Nutriroot (pre and post construction) is also recommended as an additional mitigation measure. This will act as a mitigation measure for the minor impacts. This work will be required to be documented by the City of Menlo Park with a letter sent to the city arborist.

Driveway construction near protected trees:
The existing driveway is to be retained for this project. Notes on the site plan say the driveway is to be repaired as needed. It is recommended that the driveway be retained for as long as possible as an additional tree protection measure for trees #11-18. Where driveway repairs are needed, it is recommended that this work take place by hand. If driveway work is needed, it is recommended that this work take place during the landscaping phase of the project. It is recommended that driveway sections be carefully removed by hand under the direct supervision of the project arborist when working within 10x the diameter of trees #11-18. A jackhammer can be used to break the material into small hand manageable sized pieces. All roots encountered during this process are recommended to stay as damage free as possible. Acceptable hand tools include rotary hammer with clay spade attachment as well as an air knife. Encountered roots shall be exposed and wrapped/covered in layers of wetted down burlap to help avoid root desiccation. The contractor is recommended to wet down the burlap daily while exposed.

The base rock section for the driveway is recommended to be no deeper than the existing base rock section. It is required to hand excavate for the new driveway using an air knife (pneumatic tool) when working within 10x the diameter of protected trees. All encountered roots shall stay as damage free as possible. New baserock shall then be packed around tree roots with the driveway built on top of the tree's root zone where possible to avoid the need to cut roots at 10x diameter. Impacts are expected to be minor as the majority of the driveway is in good shape.

Required Documentation
For compliance with Menlo Park city requirements, it is imperative to submit a tree protection verification letter ahead of the issuance of demolition and construction permits. This documentation, prepared by the project arborist, must include photographic evidence that corroborates the installation of tree protection measures, which must be consistent with both the city's standards and the suggestions provided in the arborist's report.

Tree Protection Inspections:
The Project Arborist will conduct monthly tree protection monitoring inspections during active demolition and construction. These inspection reports are to be submitted directly to the City Arborist for evaluation and record-keeping. During these inspections, the Project Arborist will observe the condition of the trees, note any issues, verify the compliance of tree protection measures, provide recommendations for any necessary maintenance and impact mitigation, and prepare monthly reports for City Arborist Review.

Development-related Work:
When development-related work necessitates supervision by a Project Arborist, it is essential that the arborist's report includes a comprehensive description of the recommended work plan and any mitigation treatments proposed. This report should detail the specific actions to be undertaken, the methodologies to be employed, and the rationale behind each recommendation, ensuring adherence to ISA guidelines and relevant city codes.

The work plan should encompass all necessary precautions and measures to protect trees within the construction zone, particularly those within 'ten times the diameter' of a tree, where activities are most impactful. This may include, but is not limited to, the use of specific hand tools such as shovels, air knives, and rotary hammers with clay spade attachments, as per the permitted range.

Furthermore, upon completion of the mitigation activities, the Project Arborist is obligated to provide a follow-up letter. This document serves as a formal attestation that all mitigation measures have been executed as per the specifications detailed in the report. This letter is a critical element, confirming that the protective actions and treatments have been applied correctly and effectively, thereby ensuring the integrity and health of the trees involved. It acts as a record of compliance and due diligence in the tree protection process during the construction project.

By adhering to these guidelines and recommendations, the construction plan aligns with sustainable tree management, thereby minimizing adverse impacts on existing arboricultural assets.

To ensure the health and resilience of trees impacted by construction activities, a meticulously planned approach that includes both pre-construction and post-construction care is essential. This comprehensive strategy is designed to mitigate stress, promote root and shoot growth, and ensure long-term tree vitality.

Pre And Post-Construction Care:
If the project is approved, a comprehensive soil test is recommended to assess and address any nutrient deficiencies for the retained trees near the proposed construction. The soil test shall take place before the start of construction.

Pre-Construction Care:
In the pre-construction phase, it is critical to prepare the trees for the upcoming stress and disturbances. Implementing a deep watering schedule is foundational, ensuring trees receive adequate moisture deep within their root zones. Depending on the recommended soil test analysis, fertilizing may be needed. Within the tree protection zones, it is recommended that an inline drip emitter system be installed in a grid-like manner to provide deep irrigation during the dry season. The irrigation system should be placed on top of the existing grade and require no excavation. The irrigation system shall be turned on by the project arborist as seen fit during the required monthly inspections. Regardless of the soil test results, the use of NutriRoot is still strongly advisable for trees that will be impacted by construction activities. The stresses caused by construction, such as root disturbance, soil compaction, and changes in water availability, can severely affect a tree's health. NutriRoot provides essential nutrients, promotes root growth, and enhances water management, helping trees withstand and recover from these stresses. Importantly, NutriRoot is low in macronutrients, which means it should not cause issues associated with over-fertilization, such as nutrient runoff or root burn. This makes it a safe and effective option for supporting the resilience and vitality of trees during and after construction, ensuring their long-term health and stability.

Post-Construction Care:
Following the completion of construction activities, it's vital to continue supporting the trees' recovery and growth. Annual inspections by a Certified Arborist are recommended to ensure the tree remains in good health. Maintaining the deep watering schedule will ensure that trees remain adequately hydrated. After the first year, the oak trees should be deep-watered during the months of May and September to combat drought stresses. All imported trees shall be irrigated every other week. A post-construction application of NutriRoot is advised to sustain soil moisture control and support ongoing root health. It is also pertinent to reintroduce microbial inoculants to restore beneficial microbial communities that may have been disrupted during construction. Additional applications of soil amendments like Biochar and HydraHume will continue to enhance soil structure, fertility, and water-holding capacity, supporting the trees' long-term health and resilience. Employing air spading techniques can also be advantageous to aerate the soil and gently introduce these amendments without causing root damage.

By adopting this dual-phase approach, (pre- and post-construction) leveraging a combination of deep watering, nutritional support, and soil health enhancement, the strategy aims to not only protect the trees during construction but also promote their recovery and thriving in the post-construction landscape. This holistic care plan underscores a commitment to sustainable tree management, ensuring that the trees remain a valuable and vibrant part of the ecosystem for years to come.

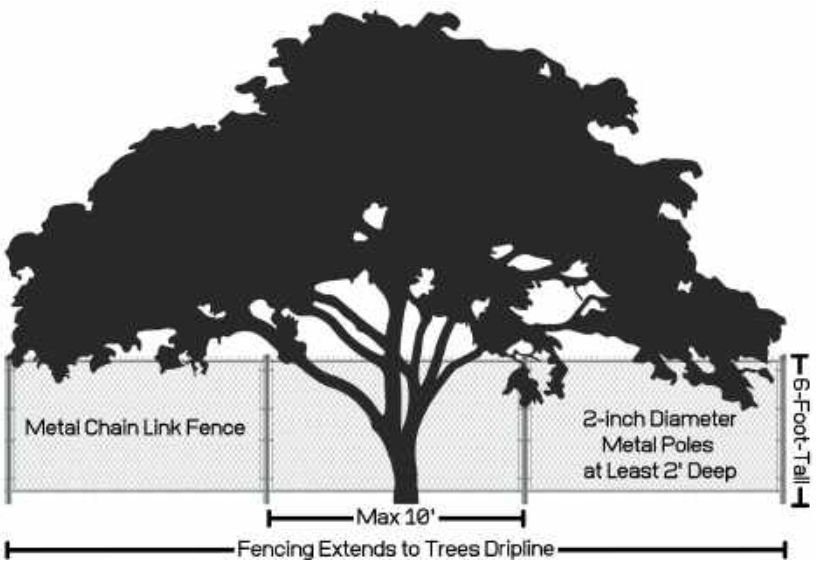
TREE PROTECTION PLAN

Detailed Tree Protection Plan
For the aforementioned tree protection plan, this detailed guide has been designed by Kielty Arborists Services LLC. The following section offers an in-depth perspective on the recommended tree preservation guidelines. The aim is to ensure the conservation, vitality, and beauty of trees during construction and developmental endeavors, mitigating any potential detrimental effects. Adherence to these guidelines is essential to uphold both the ecological significance and visual allure of trees within the designated project vicinity. Effective tree protection during construction or development projects requires the use of fencing to demarcate and protect sensitive areas around trees. Should you have any questions or require further clarification, please contact Kielty Arborists Services directly.

Fencing Specifications:
The tree protection fencing should be established and maintained throughout the entire length of the project. It's essential that no equipment, materials, or debris are stored or cleaned inside these protection zones. The zones should remain free from human activity unless explicitly authorized. The choice of fencing type depends on the tree's location and the nature of the surrounding environment.

Type I Tree Protection:
Description: This is the most comprehensive form of tree protection fencing. It encompasses the full canopy dripline or Tree Protection Zone (TPZ) of trees designated for preservation.
Application: Typically used in areas where trees are a significant distance away from construction activity or when trees have a large canopy spread.

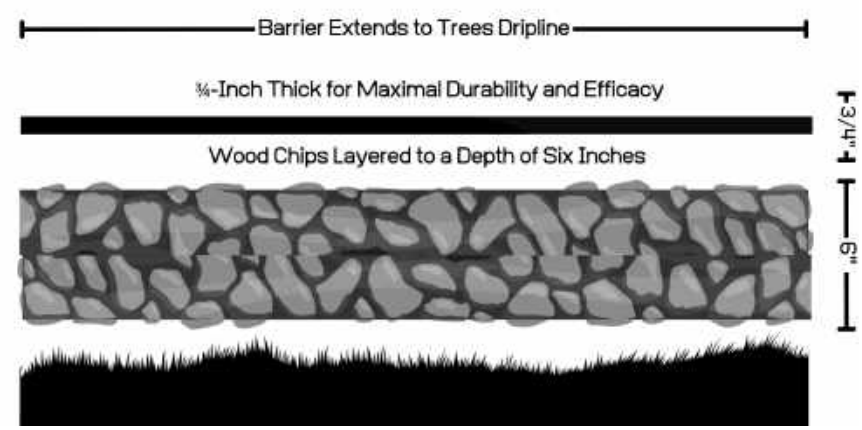
Specifications:
The fencing shall remain intact throughout the duration of the project or until activities within the TPZ are finalized. Tree protection fencing should be a 6-foot-tall metal chain link type supported by 2-inch thick diameter metal posts pounded into the ground to a depth of no less than 2 feet, ensuring stability even in challenging conditions. Poles should be spaced no more than 10 feet apart from center to center, providing a consistent and strong barrier. For trees near existing hardscapes or structures, tree protection fencing shall be placed as close as possible while still allowing access. Sensitive areas may require a landscape barrier if fencing needs to be reduced for access reasons. The location for tree protection fencing for the protected trees on site should be placed at 10x the tree diameters where possible (TPZ). All other non-protected trees are recommended to be protected by fencing placed at the drip line. No equipment or materials should be stored or cleaned inside protection zones. Signs should be placed on fencing signifying “Tree Protection Zone - Keep Out”. If fencing needs to be reduced for access or any other reasons, the non-protected areas must be protected by a landscape buffer. All tree protection and inspection schedule measures, design recommendations, watering, and construction schedules shall be implemented in full by the owner and contractor. <u>All trees except trees #21-25 are to be protected by Type I Tree Protection Fencing.</u>



Type I Fencing

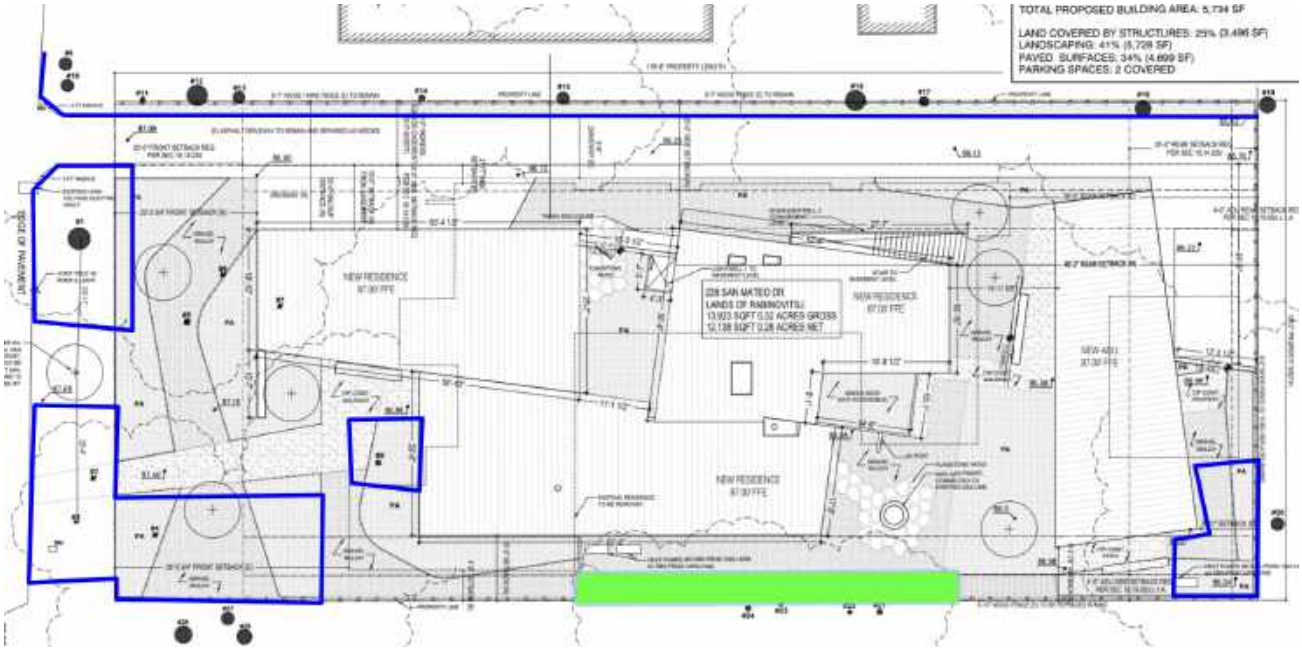
Landscape Barrier Zone

If for any reason a smaller tree protection zone is needed for access, a landscape buffer should be used, composed of wood chips layered to a depth of six inches, complemented by plywood atop the wood chips where tree protection fencing would typically be situated. The plywood should be ¾-inch thick for maximal durability and efficacy. This landscape buffer plays a crucial role in mitigating soil compaction within the tree's vulnerable root zone. For optimum stability, it is advisable to securely join the plywood boards, thus preventing any unwanted shifts in the plywood or underlying wood chips. Trees #21-25 are required to be protected by a Landscape Barrier.



Landscape Barrier Zone

TREE PROTECTION MAP



Approximate placement area of Type I Tree Protection Fencing outlined in Blue and landscape barrier zones indicated in Green

Staging

All tree protection measures must be in place before the start of construction. An inspection prior to the start of construction is often required by the town. All vehicles must remain on paved surfaces if possible. Existing pavement should remain and should be used for staging. If vehicles are to stray from paved surfaces, 6 inches of chips shall be spread, and plywood laid over the mulch layer. This type of landscape buffer will help reduce the compaction of desired trees. Parking will not be allowed off the paved surfaces

Root Cutting

If for any reason roots are to be cut, the work shall be monitored and documented. Large roots (over 2 inches in diameter) or large masses of roots to be cut must be inspected by the site arborist. The site arborist, at this time, may recommend irrigation or fertilization of the root zone. All roots needing to be cut should be cut clean with a saw or lopper. Roots to be left exposed for a period of time should be covered with layers of burlap and kept moist.

Trenching/excavation

Trenching or excavation for irrigation, drainage, electrical, foundation, or any other reason shall be done by hand when inside the dripline of a protected tree. Hand digging and the careful placement of pipes below or besides protected roots will significantly reduce root loss, thus reducing trauma to the tree. All trenches shall be backfilled with native materials and compacted to near their original level, as soon as possible. Trenches to be left open for a period of time (24 hours), will require the covering of all exposed roots with burlap and be kept moist. The trenches will also need to be covered with plywood to help protect the exposed roots.

Grading

All existing grades underneath the dripline of a protected tree shall remain as is where possible. Grading within the dripline of a protected tree is required to be done under the supervision of the project arborist.

Irrigation

Non native trees- Irrigating the retained mature trees in the landscape is important to ensure their health and vitality. Proper watering can help the trees continue to thrive. Deep irrigation is recommended to take place every other week during the dry season. During the dry season, trees typically need deep, infrequent watering. Watering every 2 weeks is sufficient for the retained trees on this site. Applying water slowly and consistently until it penetrates at least 12-18 inches into the soil is recommended. Avoid spraying water directly on the trunks, as this can lead to disease and decay. Mulch is recommended to be maintained with mulch added over time, as needed. Mulch helps retain soil moisture, regulates temperature, and prevents weeds, which can compete with the tree for water. The use of soaker hoses or an inline drip emitter system set up in a grid like manner to provide deep irrigation during the dry season is recommended. The irrigation system should be placed on top of grade and require no excavation. This will help to keep the trees healthy.

Native oak trees- Native oak trees are recommended to only be irrigated during the months of May and September or if their root zones are traumatized. Frequent irrigation during dry summer months can significantly raise the risk of oak trees developing oak root fungus disease and is the leading cause of oak tree death and failure in the urban landscape.

Tree Pruning

Tree pruning during construction is not just about aesthetics and safety; it's also about adhering to best practices and standards set by professional bodies like the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI A300 Pruning Standards) . The ISA sets rigorous standards to ensure trees are cared for sustainably and scientifically. Under these guidelines, and for the well-being of trees during construction, it's imperative to have an expert arborist oversee any pruning. Their knowledge guarantees that only the necessary branches are removed, ensuring both safety and tree health. The guideline to prune no more than 25% of the tree's total foliage is grounded in sound arboricultural practices. This safeguards the tree's photosynthetic capability, reduces undue stress, and preserves the balance between its roots and canopy. Homeowners should be aware of these standards and ensure they are being met, trusting in the expertise of their arborist and keeping open communication about their tree care decisions. This approach not only ensures the tree's compatibility with new construction aesthetics but also its long-term health and vitality.

Traffic Within TPZs

Strictly prohibit driving vehicles or heavy foot traffic on bare soil within the TPZs of protected trees. Such activities can crush roots directly and compact the soil, impeding oxygen and water infiltration. In areas without existing pavement, use temporary anti-compaction materials, such as wood chips covered with plywood, to prevent damage to tree roots (landscape barrier). Temporary pathways or boardwalks can be constructed to facilitate access while minimizing soil compaction within the TPZ.

Chemical and Material Handling

Store chemicals and construction materials away from TPZs to prevent accidental spills or exposure that may harm tree health. Follow proper handling and disposal procedures for chemicals to ensure compliance with environmental regulations. Minimize the use of toxic materials near trees and opt for environmentally friendly alternatives whenever possible.

Monitoring and Inspection
Regularly monitor and inspect the tree protection measures throughout the construction process to ensure their effectiveness and compliance with the Tree Preservation Plan. Assign a qualified individual, such as a project arborist or certified arborist, to conduct periodic inspections and provide recommendations for any necessary adjustments or improvements. Maintain detailed records of inspections, including dates, findings, and any actions taken.

Post-Construction Maintenance
After construction is completed, continue monitoring the health and condition of preserved trees to address any potential issues promptly. Implement post-construction maintenance practices such as watering, mulching, pruning, and fertilization as needed to support the recovery and long-term health of the trees. Regularly assess the trees for signs of stress, disease, or structural instability and take appropriate measures, including consulting with a certified arborist if necessary.

Compliance with Environmental Laws
Ensure full compliance with all applicable local, state, and federal environmental laws, regulations, and permit requirements pertaining to tree protection during construction. Familiarize yourself with specific regulations regarding tree preservation in your jurisdiction and consult with local authorities or arborists for guidance if needed.

Responsibility
Designate a responsible person or team within the project organization to oversee the implementation and enforcement of the Tree Preservation Plan. Clearly communicate the roles and responsibilities of all parties involved in the construction project regarding tree protection.

Emergency Procedures
Develop clear procedures to follow in the event of emergencies that may impact tree preservation, such as severe storms, accidents, or unexpected tree health issues. Ensure that emergency response plans address prompt actions to mitigate potential risks to trees and contact qualified professionals, such as arborists or tree care companies when needed.

Communication and Training
Facilitate effective communication among all project stakeholders, including contractors, subcontractors, architects, engineers, and landscape professionals, regarding the importance of tree preservation and the specific guidelines to follow. Conduct training sessions or workshops to educate personnel.

PURPOSE & USE OF THE REPORT

This report informs tree management decisions for the construction project and provides recommendations to maximize tree survival. It serves as a valuable resource for stakeholders, facilitating informed discussions and sustainable tree management practices.

TESTING & ANALYSIS

In order to assess the trees, a thorough examination was conducted using a variety of methods. For trees with accessible trunks, precise measurements of the Diameter at Breast Height (DBH) were taken using a specialized diameter tape measure. In cases where the trunks were not readily accessible, visual estimations were employed to determine the DBH. As part of the inventory process, all trees exceeding a specific DBH threshold stated in city code were included.

To evaluate the health of the trees, multiple factors were considered, including their overall appearance and our team's extensive experiential knowledge of each species. This holistic approach ensured a comprehensive understanding of the tree's well-being.

To accurately document the location of each tree, a GPS smartphone application was utilized during the data collection process. This enabled us to create detailed maps that are included in this report. However, it is important to note that despite our efforts to minimize errors, inherent limitations of GPS data collection, coupled with slight discrepancies between GPS data and CAD drawings, may result in approximate tree locations depicted on the map.

TREE WORK STANDARDS AND QUALIFICATIONS

To ensure high-quality tree work, including removal, pruning, and planting, the following standards and qualifications will be adhered to:

- **Industry Standards**: All tree work will be performed in accordance with industry standards established by the International Society of Arboriculture (ISA). These standards encompass best practices and guidelines for tree care and maintenance.
- **Contractor Licensing and Insurance:** The contractor undertaking the tree work must possess a valid State of California Contractors License for Tree Service (C61-D49) or Landscaping (C-27). Additionally, they must have comprehensive general liability, worker's compensation, and commercial auto/equipment insurance coverage.
- **Workmanship Standards:** Contractors must adhere to the current Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI). These standards, including ANSI A300 and Z133.1, outline guidelines for tree pruning, fertilization, and safety. Compliance with these standards ensures the use of proper techniques and practices throughout the tree work process.

By adhering to these established standards and qualifications, we can ensure the provision of professional and safe tree services that meet the industry's best practices and promote the health and longevity of the trees.

SCHEDULE OF INSPECTIONS

Kielty Arborists Services LLC:

We will conduct the following inspections as needed for the project:

- **Pre-Equipment Mobilization, Delivery of Materials, Tree Removal, and Site Work:** Our project arborist will meet with the general contractor and owners to review tree protection measures. We will

identify and mark tree-protection zone fencing, specify equipment access routes and storage areas, and assess the existing conditions of trees to determine any additional necessary protection measures.

- **Inspection after Installation of Tree-Protection Fencing:** Upon completion of tree-protection fencing installation, our project arborist will inspect the site to ensure that all protection measures are correctly implemented. We will also review any contractor requests for access within the tree protection zones and assess any changes in tree health since the previous inspection.
- **Inspection during Soil Excavation or Work Potentially Affecting Protected Trees:** During any work within non-intrusion zones of protected trees, our project arborist will inspect the site and document the implemented recommendations. We will assess any changes in tree health since the previous inspection to monitor the well-being of the trees.
- **Final Site Inspection:** Prior to project completion, our project arborist will conduct a final site inspection to evaluate tree health and provide necessary recommendations to promote their longevity. A comprehensive letter report summarizing our findings and conclusions will be provided to the City of Menlo Park.

Our inspections aim to ensure proper tree protection, health, and adherence to project requirements.

ASSUMPTIONS AND LIMITING CONDITIONS

- **Legal Descriptions and Titles:** The consultant/arborist assumes the accuracy of any legal description and titles provided. No responsibility is assumed for any legal due diligence. The consultant/arborist shall not be held liable for any discrepancies or issues arising from incorrect legal descriptions or faulty titles.
- **Compliance with Laws and Regulations:** The property is assumed to be in compliance with all applicable codes, ordinances, statutes, or other government regulations. The consultant/arborist is not responsible for identifying or rectifying any non-compliance.
- **Reliability of Information:** Though diligent efforts have been made to obtain and verify information, the consultant/arborist is not responsible for inaccuracies or incomplete data provided by external sources. The client accepts full responsibility for any decisions or actions taken based on this data.
- **Testimony or Court Attendance:** The consultant/arborist has no obligation to provide testimony or attend court regarding this report unless mutually agreed upon through separate written agreements, which may incur additional fees.
- **Report Integrity:** Unauthorized alteration, loss, or reproduction of this report renders it invalid. The consultant/arborist shall not be liable for any interpretations or conclusions made from altered reports.
- **Restricted Publication and Use:** This report is exclusively for the use of the original client. Any other use or dissemination, without prior written consent from the consultant/arborist, is strictly prohibited.
- **Non-disclosure to Public Media:** The client is prohibited from using any content of this report, including the consultant/arborist's identity, in any public communication without prior written consent.
- **Opinion-based Report:** The report represents the independent, professional judgment of the consultant/arborist. The fee is not contingent upon any predetermined outcomes, values, or events.
- **Visual Aids Limitation:** Visual aids are for illustrative purposes and should not be considered precise representations. They are not substitutes for formal engineering, architectural, or survey reports.
- **Inspection Limitations:** The consultant/arborist's inspection is limited to visible and accessible components. Non-invasive methods are used. There is no warranty or guarantee that problems will not develop in the future.

ARBORIST DISCLOSURE STATEMENT

Arborists specialize in the assessment and care of trees using their education, knowledge, training, and experience.

- **Limitations of Tree Assessment:** Arborists cannot guarantee the detection of all conditions that could compromise a tree's structure or health. The consultant/arborist makes no warranties regarding the future condition of trees and shall not be liable for any incidents or damages resulting from tree failures.
- **Remedial Treatments Uncertainty:** Remedial treatments for trees have variable outcomes and cannot be guaranteed.
- **Considerations Beyond Scope:** The consultant/arborist's services are confined to tree assessment and care. The client assumes responsibility for matters involving property boundaries, ownership, disputes, and other non-arboricultural considerations.
- **Inherent Risks:** Living near trees inherently involves risks. The consultant/arborist is not responsible for any incidents or damages arising from such risks.
- **Client's Responsibility:** The client is responsible for considering the information and recommendations provided by the consultant/arborist and for any decisions made or actions taken.

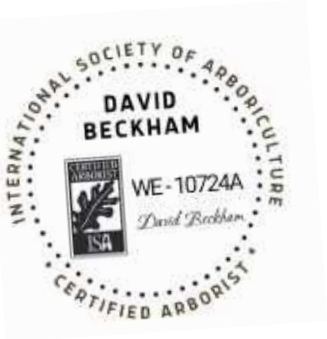
The client acknowledges and accepts these Assumptions and Limiting Conditions and Arborist Disclosure Statement, recognizing that reliance upon this report is at their own risk. The consultant/arborist disclaims all warranties, express or implied.

CERTIFICATION

I hereby certify that all the statements of fact in this report are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

David Beckham

Signature of Consultant
David Beckham
Certified Arborist
WE#10724A TRAQ Qualified
September 9, 2024
Revised February 7, 2025



LOCATION: 228 San Mateo Drive	**PROJECT NUMBER:** PLN2024-00049	**APPLICANT:** Dan Spiegel	**OWNER:** Elizabeth Rabinovitsj

PROJECT CONDITIONS:

1. 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 of approval (by April 14, 2026) for the use permit to remain in effect.
   b. Development of the project shall be substantially in conformance with the plans prepared by Spiegel Aihara Workshop consisting of 29 plan sheets, dated received April 4, 2025 and approved by the Planning Commission on April 14, 2025, 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, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to 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 applicable 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. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Kielty Arborists Services LLC, dated September 4, 2024.
   i. Prior to building permit issuance, the applicant shall pay all fees incurred through staff time spent reviewing the application.
   j. The applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit, or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

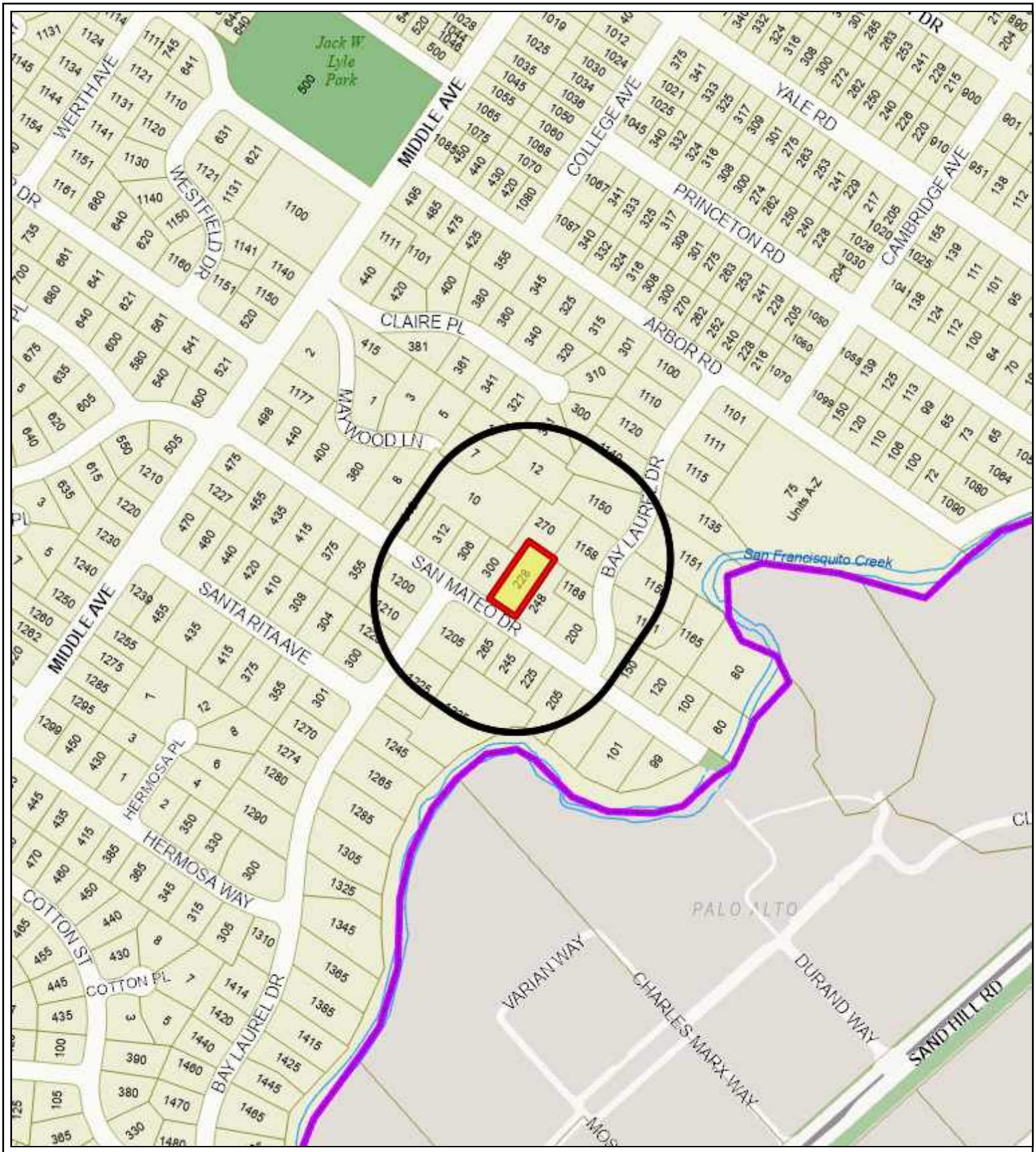
LOCATION: 228 San Mateo Drive	**PROJECT NUMBER:** PLN2024-00049	**APPLICANT:** Dan Spiegel	**OWNER:** Elizabeth Rabinovitsj

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 use permit shall be subject to the following **project-specific** conditions**:**

a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans showing the removal and replacement of the asphalt parking strip, subject to review and approval by the Engineering Division.



City of Menlo Park

Location Map
228 San Mateo Drive

Scale: 1:4,000 | Drawn By: FNK | Checked By: THR | Date: 4/14/2025 | Sheet: 1

228 San Mateo Drive – Attachment C: Data Table

	PROPOSED PROJECT	EXISTING PROJECT	ZONING ORDINANCE
Lot area (gross)	13,923 sf	13,923 sf	10,000.0 sf min.
Lot area (net)	12,138 sf	12,138 sf	
Lot width	78.0 ft.	78.0 ft.	80.0 ft. min.
Lot depth	178.5 ft.	178.5 ft.	100.0 ft. min.
Setbacks			
Front	22.2 ft. (Main House) 146.8 ft.(ADU)	36.5 ft.	20.0 ft. min. 20.0 ft. min.
Rear	48.2 ft. (Main House) 9.4 ft. (ADU)	38.7 ft.	20.0 ft. min. 4.0 ft. min.
Side (left)*	10.0 ft. (Main House) 4.0 ft. (ADU)	2.9 ft.	10.0 ft. min. 4.0 ft. min.
Side (right)	10.1 ft. (Main House) 8.2 ft. (ADU)	4.7 ft.	10.0 ft. min. 4.0 ft. min.
Building coverage	4,199.2 sf**/*** 30.2 %**	3,827.8 sf 27.5 %	4,873.1 sf max. 35.0 % max.
FAL (Floor Area Limit)	4,802.4 sf**	4,134.8 sf	4,084.5 sf max.
Square footage by floor	839.1 sf/basement 2,261.2 sf/1st 838.3 sf/2nd 826.3 sf/garage 799.8 sf/ADU 91.6 sf/front porch 24.2 sf/rear porch 76.8 sf/ areas >12’ 196.1 sf/ eaves >6’	3,271.0 sf/1st 508.0 sf/garage 48.8 sf/shed 307.0 sf/ areas >17’	
Square footage of buildings	5,498.4 sf	4,134.8 sf	
Building height	24.3 ft.	20.0 ft.	28.0 ft. max.
Parking	2 covered	2 covered	1 covered/1 uncovered
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			

Trees	Heritage trees 15	Non-Heritage trees 13	New Trees 6
	Heritage trees proposed for removal 0	Non-Heritage trees proposed for removal 4	Total Number of Trees 30

*Setback taken from the access easement.

**Floor area and building coverage for the proposed project includes the ADU, which is 799.8 square feet in size. ADU and main residence combined, will exceed the floor area limit but not the building coverage. The ADU exceeds the FAL by 717.9 square feet.

*** Building coverage is calculated using the gross lot area. Whereas the FAL is calculated using the net lot area.

CITY OF MENLO PARK

STAFF REPORT

Planning Commission
Meeting Date: **4/14/2025**
Staff Report Number: **25-016-PC**

Public Hearing: **Consider and adopt a resolution to approve a variance to reconstruct a non-conforming wall at a reduced left-side setback of five feet where a 5.5-foot setback is required. The property was granted use permit approval on March 25, 2024 to remodel and add first- and second-story additions to an existing nonconforming single-story, single-family residence located on a substandard lot with regard to minimum lot width, depth and area in the R-1-U (Single Family Urban Residential) zoning district, at 108 Blackburn Avenue. 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 variance to reconstruct a non-conforming wall at a reduced left-side setback of five feet where a 5.5-foot setback is required. The property was granted use permit approval on March 25, 2024 to remodel and add first- and second-story additions to an existing nonconforming single-story, single-family residence located on a substandard lot with regard to minimum lot width, depth and area in the R-1-U (Single Family Urban Residential) zoning district, at 108 Blackburn Avenue. The draft resolution, including the recommended actions and conditions of approval, is included as Attachment A.

Policy Issues

Each variance request is considered individually. The Planning Commission should consider whether the required variance findings can be made for the proposed single-family residence.

Background

Site location

The subject site is located at 108 Blackburn Avenue, on the north side of the street between Willow Road to the west and McKendry Drive to the east, in the Willows neighborhood. A location map is included as Attachment B. The parcel is within the "AE" flood zone established by the Federal Emergency Management Agency (FEMA).

The surrounding parcels are also R-1-U-zoned properties. South of the project site, where Willow Road meets Middlefield Road, there are also parcels zoned C-1-A (Administrative and Professional), R-3 (Apartment) and C-MU (Neighborhood Mixed-Use). The properties within the immediate vicinity are

developed with single-story, single-family residences predominantly in a ranch style, although a mix of single- and two-story developments are visible throughout the neighborhood that feature a variety of architectural styles including traditional, cottage, craftsman and contemporary homes.

Previous Planning Commission review
On March 25, 2024, the Planning Commission approved a use permit to remodel and add first- and second-story additions to an existing nonconforming single-story, single-family residence, on a substandard lot with regard to minimum lot width, depth and area. The proposed work exceeded 50 percent of the replacement value of the existing nonconforming structure in a 12-month period and therefore required a use permit under Menlo Park Municipal Code section 16.80.030. The propose work also required a use permit as it exceeded 50 percent of the existing floor area and therefore was considered equivalent to a new structure. No members of the public (e.g., neighbors) submitted correspondence or spoke at the hearing. The project was unanimously approved (4-0, with Commissioner Barnes and Ehrich recused and Commissioner Do absent) as recommended by the staff report. Hyperlinks to the staff report and meeting minutes are included as Attachments C and D, respectively.

Building and construction
On May 14, 2024, a building permit application was submitted for the proposed addition and remodel of the existing non-conforming residence. On October 16, 2024, the Building Division issued permit BLD2024-01315 to begin construction. During the construction process, in order to flood proof flooring materials per FEMA regulations, the project contractor removed the framing for a portion of the nonconforming left side wall when it was specified to remain.

As a result, all construction work related to the non-conforming side of the residence has stopped until review of the proposed variance by the Planning Commission can be completed, while construction on the conforming portions of the residence can proceed.

Analysis

Project description
The applicant is requesting a variance to rebuild the left side wall at five feet where 5.5 feet is the required side setback. Pursuant to Municipal Code Section 16.80.030**,** nonconforming walls and eaves can remain when the existing framing is retained; however, once the framing is removed, the new walls and eaves must meet the current setback requirements unless a variance is approved to reconstruct the nonconformity. In other words, the use permit issued in March 2024 covered the existing structure and the proposed additions, but once the nonconforming wall was demolished, it can only be rebuilt to its old specifications if the Planning Commission approves the variance request.

The variance proposal would effectively result in the same project the Planning Commission approved last year, albeit with a rebuilt left-side wall, instead of a retained/improved wall in this area. Per the previously approved use permit, the applicant is proposing ground-floor additions to the front and rear of the existing residence comprising approximately 486 square feet of living space, as well as remodeling and reconfiguring most of the single-story residence in order to build a new 961-square-foot second story.

The floor area, building coverage, and height of the proposed residence would all remain below the maximum amounts permitted by the Zoning Ordinance. The residence would meet all Zoning Ordinance requirements aside from the variance request for the reconstructed left-side setback. Because none of the development metrics would change, an updated Data Table is not included with this report, but the original table is available as part of the hyperlinked report in Attachment C.

Design and materials

The current variance request does not include any changes to the proposed exterior elevations or floor plan. As part of the previously approved use permit request, the proposed project would feature a mix of modern and contemporary California architectural styles with an updated roof design. The primary exterior material would be smooth finish stucco, with some wood cladding to add variation, and composition shingles for the roof. Windows are proposed to be aluminum-clad with wood trim, clear glass and no lites or dividers. The second floor would be stepped back from the first floor on all four sides, which would help reduce the perception of mass. Sill heights for the second story windows on the right-side elevation would be six feet. The left-side elevation would include three windows with sill heights at two feet. Two of these windows would feature obscure glass on the lower portion of the window and the third window would be located within the stairwell, which creates an effective sill height of seven feet, six inches from the mid-stairwell landing. The two additional windows would contain sill heights of six feet. Staff believes the side setbacks for the second story, sill heights, and use of obscured glass (none of which are proposed to change from the approved use permit) would continue to alleviate potential privacy concerns.

Staff believes that the materials, and style of the proposed residence remain consistent with the broader neighborhood, given the architectural styles in the area, and nothing about the variance request warrants reconsideration of the design aspects. The project plans and the applicant's project description letter are included as Attachment A, Exhibits A and B respectively.

Flood zone

The subject property is located within the "AE" zone established by FEMA. Within this zone, flood-proofing techniques are required for new construction and substantial improvements of existing structures, so that they are compliant with current FEMA standards and the City's Flood Damage Prevention Ordinance (Municipal Code §§ 12.42.51 and 12.42.52).

During the original use permit review, Public Works and Planning staff reviewed and verified the project's compliance, at a conceptual level, with FEMA standards, while also retaining the existing non-conforming wall, per the site plan and first floor plans. However, at both the use permit and building permit stage, the plans showed retention of the non-conforming wall on the site plan and first floor plan but new flooring, foundation and wall framing on the sections, which staff did not catch. As a result, a building permit was issued with these inconsistences.

At the building permit stage, the applicant did not indicate which specific method they would use to flood-proof the existing flooring as compliance with FEMA regulations is verified after construction and not during the building permit stage. During construction the project contractor made an in-field decision to completely remove the wall, including the framing, in order to pressure treat materials below the design flood elevation (DFE) to comply with FEMA regulations.

Variance

The applicant is now requesting a variance to rebuild a portion of the nonconforming wall that was removed within the required left setback. The applicant has provided a variance request letter that is included as Attachment A, Exhibit B. The required variance findings are evaluated below in succession:

1. *That a hardship peculiar to the property and not created by any act of the owner exists. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not hardships justifying a variance. Further, a previous variance can never have set a precedent, for each*

case must be considered only on its individual merits;

Owner response:
The owner states that a hardship stems from the property's FEMA designation, which subjects the property to meet FEMA regulations which requires raising or constructing the first floor above the base flood elevation (BFE). The requirement to replace and raise the existing floor necessitated the removal of the non-conforming left-side wall. Additionally, the owner states that the hardship is unique to the property due to its flood zone designation, which was not created by the owner.

Staff analysis:
There are many properties within the City that are subject to FEMA regulations due to their flood zone designation. This case may be considered unique because the property is both substandard and in the flood zone, with an existing non-conforming house, which poses limitations on how to functionally remodel and expand. The owner has stated that, in order to flood proof the sub-floor material as required by FEMA, the project contractor had no option but remove the existing nonconforming wall framing.

Staff believes that there could have been another way to implement the FEMA regulation while also retaining the non-conforming wall. However, in this particular case, it appears the hardship arose from inconsistent information. Specifically, in the project description of the use permit application, the applicant stated that the non-conformity would remain "untouched". However, there were inconsistencies between the floor plans and site plan. The site plan and first floor plan indicate, using architectural symbology, that the left-side wall and associated structural elements would remain. Yet, the section drawing specified completely new materials which was not caught by staff. Given the details that the project contractor had it could have presented confusion and a hardship to the contractor, resulting in the contractor deciding to remove the non-conforming wall to pressure treat the materials below the design floor elevation (DFE).

While the owner could have used this opportunity to move the wall in six inches, this option would have been disruptive because it would require the redesigning of a project while it's being constructed.

Staff acknowledges that the importance of retaining the wall framing may not have been as clear as it could have been, especially with the approval of inconsistent plans, and that the overlapping requirements (i.e. Zoning Ordinance and FEMA regulations) could have created confusion that resulted in the current situation. Staff believes these factors can be considered unique to the property in question.

2. *That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors;*

Owner response:
The owner believes that the variance would not grant a special privilege but rather restore the pre-existing condition, while also bringing the structure up to compliance with necessary floodproofing regulations under FEMA. Additionally, it would allow the owners to maintain a functional residence without expanding the nonconformity beyond than what existed.

Staff analysis:
As noted earlier, there are several properties within the City that are designated in the flood zone and would be required to meet FEMA regulations should they undergo substantial improvement or redevelopment. Other existing non-conforming homes could propose to add a new second story without a variance request, and without removing the non-conformity. Since the property is within the flood zone and proposing

substantial improvements which necessitated to elevate the entire house to ensure that it would be above the flood zone, while also keeping the non-conforming wall intact posed is a unique situation which was not fully understood or communicated to the applicant.

Additionally, the requested variance would not grant a special privilege because it would simply restore the pre-existing condition of the home that was approved through the use permit March 2024, with additional compliance of necessary flood proofing regulations. Granting the variance allows the property owner to maintain a functional residence without expanding nonconformity beyond what exists. In addition, the absolute distance in question (six inches) does not represent a significant privilege because another property in the same situation could likely retain the non-conformity and comply with FEMA regulations, with better guidance and more thorough review of the plans by staff.

3. *That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property; and*

Owner response:
The owner states that rebuilding the left side wall in the required setback would have minor effect, since it would be restoring the existing condition, while keeping the setbacks unchanged from its previous condition; with no new obstruction.

Staff analysis:
Staff agrees that the location of the encroachment would not be particularly detrimental to the public health, safety, and welfare, or impair an adequate supply of light and air to the adjacent properties, given that the variance request would allow rebuilding the non-conforming left-side wall and restoring an existing condition without further expanding on the non-conformity. Additionally, the variance request is only for a six-inch relief from the required 5.5-foot setback (or, 9 percent relief) for a section of the first floor approximately 12 feet in height; whereas a variance request may allow up to 50 percent relief from development regulations. Rebuilding the wall would not impact the light or air to the adjacent neighbor as the adjacent residence is setback approximately 11.6 feet from the property line and approximately 16.6 feet away from the non-conformity. Therefore, the granting of the variance would not be materially detrimental to the public health, safety or welfare.

4. *That the conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification.*

Owner response:
The owner believes the variance request is specific to 108 Blackburn Avenue due to its location within Flood Zone AE and the subsequent FEMA compliance requirements for substantial improvements. Other properties in the same zoning district that are not within a flood zone would not face the same mandate to replace materials below the BFE, making this an uncommon situation rather than a broadly applicable condition.

Staff analysis:
The conditions upon which the variance is based would not be applicable to other property in the same zoning classification because the variance request is specific to 108 Blackburn Avenue due various factors which, combined together create a unique situation. The unique situation includes the property being substandard in nature, in a flood zone, with a non-conforming house adding a new second story on an existing non-conforming residence, and staff not catching inconsistencies in the plan set, thus not fully communicating the need to retain the non-conforming wall. Given the unique configuration of facts, the

conditions of the requested variance would not be applicable to other properties within the same zoning classification.

5. *That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process.*

The property is not within any Specific Plan area. Hence, a finding regarding an unusual factor does not apply.

Approval of a variance requires that all five findings be made. Findings to this effect are included in the resolution.

Trees and landscaping
The original use permit request included submittal of an arborist report that was reviewed by the City Arborist to confirm the accuracy of the conclusions of the report. A total of five trees were assessed, which included three heritage trees, two of which were proposed for removal as part of the original request. The proposed heritage tree removal permits HTR2023-00219 and HTR2024-00040 were reviewed and approved by the City Arborist on November 16, 2023 and March 13, 2024 respectively. The removals are not related to the Variance, and no changes to the trees and landscaping are proposed with this request.

Valuation
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 are 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 applicant proposed to add a new second-story on an existing single-story structure, the 50 percent threshold applies. The City determined that the value of the proposed work under the original use permit for the project would exceed 50 percent of the replacement cost of the existing structure, at approximately 193 percent, and therefore required a use permit approval by the Planning Commission. The variance request to fully rebuild the wall would increase the valuation, but a use permit revision is not required since the original project was significantly above the threshold.

Correspondence
As of the publication of this report, staff has not received any direct correspondence regarding the project. During the use permit review process the applicant conducted outreach to seven neighbors.

Conclusion
Staff believes that the design, scale, and materials of the proposal would remain compatible with the surrounding neighborhood, and would add to the architectural variation of the neighborhood. Aside from the variance requests, the floor area, building coverage, and height of the proposed residence would all be at or below the maximum amounts permitted by the Zoning Ordinance. Given the unique circumstances discussed in the variance section, staff recommends that the Planning Commission approve the proposed project.

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

Environmental Review

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

Public Notice

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

Appeal Period

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

Attachments

A. Draft Planning Commission Resolution Adopting Findings for Approval of a Variance
   Exhibits to Attachment A
   A. Project Plans
   B. Project Description and Variance Letter
   C. Conditions of Approval
B. Location Map
C. Hyperlink March 25, 2024 Planning Commission Staff Report: 20240325-planning-commission-agenda-packet.pdf
D. Hyperlink March 25, 2024 Planning Commission Meeting Minutes: 20240325-pc-approved-minutes.pdf

Disclaimer

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

Exhibits to Be Provided at Meeting

None

Report prepared by:
Fahteen Khan, Associate Planner

Report reviewed by:
Thomas Rogers, Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2025-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A VARIANCE TO RECONSTRUCT A NON-CONFORMING WALL AT A REDUCED LEFT-SIDE SETBACK OF FIVE FEET WHERE A 5.5-FOOT SETBACK IS REQUIRED, ASSOCIATED WITH A PREVIOUSLY-APPROVED USE PERMIT AT 108 BLACKBURN AVENUE.

WHEREAS, the City of Menlo Park ("City") received an application requesting a variance to reconstruct a non-conforming wall at a reduced left-side setback of five feet where a 5.5-foot setback is required, to a previously approved use permit to remodel and add 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, (collectively, the "Project") from Vahid Talismitehrani ("Owner" and "Applicant"), located at 108 Blackburn Avenue (APN 062-311-620) ("Property"). The variance 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) zoning district, which supports the construction of single family residences; and

WHEREAS, the existing residence is nonconforming with regard to the left side setback; and

WHEREAS, on March 25, 2024, the Planning Commission approved a use permit to remodel and add first- and second-story additions to an existing nonconforming one-story, single-family residence on a substandard lot in the R-1-U zoning district; and

WHEREAS, on October 16, 2024, the Building Division issued a building permit to remodel and construct the additions; and

WHEREAS, during construction the non-conforming wall was removed to flood-proof flooring materials per FEMA regulations; 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 exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (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 April 14, 2025, 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 variance.

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. Variance Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of a variance:

1. That a hardship peculiar to the property and not created by any act of the owner exists; in that, the property is a substandard lot, has an existing non-conforming house posing limitations on how to functionally remodel and expand, and is in the flood zone so it is subject to multiple sets of regulations. The hardship arose from the property's location within Flood Zone AE, which subjects it to FEMA regulations requiring flood-resistant materials below the Design Flood Elevation (DFE). Additionally, staff did not catch inconsistencies in the submitted plans, which could have presented confusion and a hardship for the project contractor, resulting in the contractor deciding to remove the non-conforming wall to pressure treat the materials below the DFE.

2. That the variance is necessary for the preservation and enjoyment, or substantial property rights possessed by other conforming properties in the vicinity and that the variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors; in that the property is within the flood zone and proposing substantial improvements which necessitated compliance with FEMA regulations. Additionally, the requested variance would not grant a special privilege but rather restore the pre-existing condition of the home with compliance of necessary flood-proofing regulations. Granting the variance allows the property owner to maintain a functional residence without expanding nonconformity beyond what existed. In addition, the absolute distance in question (six inches) does not represent a significant privilege because another property in the same situation could likely retain the non-conformity and comply with FEMA regulations, with better guidance and more thorough review of the plans by staff. Therefore, granting of the variance is necessary for the preservation of property rights to realize the maximum development potential on the lot.

3. That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property in that the variance request would allow rebuilding the non-conforming left-side wall and restoring an existing condition without further expanding on the non-conformity. Additionally, the variance request is only for a six-inch relief from the required 5.5-foot

setback (or, 9 percent relief) for a section of the first floor approximately 12 feet in height; whereas a variance request may allow up to 50 percent relief from development regulations. Therefore, the granting of the variance will not be materially detrimental to the public health, safety or welfare.

4. The conditions upon which the variance is based would not be applicable to other property in the same zoning classification because the variance request is specific to 108 Blackburn Avenue due various factors coupled together that created a unique situation, which includes the property being substandard in nature with a non-conforming house in the flood zone, adding a new second story on an existing non-conforming residence, and inconsistencies in the plan set, thus not fully communicating the need to retain the non-conforming wall; making this a unique case which would not be broadly applicable.

5. That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process; in that, the subject parcel is not located within a Specific Plan area.

Section 3. Variance. The Planning Commission hereby approves the variance PLN2025-00020, which are depicted in and subject to the development plans, project description and variance letter, which are attached hereto and incorporated herein by this reference as Exhibit A, and Exhibit B, respectively. The variance 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:

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

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, Corinna Sandmeier, Principal Planner 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 April 14, 2025, 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 April, 2025.
PC Liaison Signature

_____
Corinna Sandmeier
Principal Planner
City of Menlo Park

Exhibits

A. Project Plans
B. Project Description Letter and Variance Letter
C. Conditions of Approval

VAHID & HALEH RESIDENCE

SINGLE FAMILY NEW HOME

PROJECT SUMMERY

- ZONING : R1
- A.P.N. # 623-11-620
- BUILDING OCCUPANCY : R-1/U
- TYPE OF CONST : TYPE V-B
- NET LOT AREA : 5445 SQ. FT

- EXISTING
3 BEDROOMS, 1 BATHROOM, LIVING, DINING, KITCHEN.

- PROPOSED: ADDITION
4 BEDROOMS, 3.5 BATHROOM, LAUNDRY, WIC, LIVING, KITCHEN, DINING, FAMILY AREA.

APPLICABLE CODES

- 2022 CALIFORNIA BUILDING CODE
- 2022 CALIFORNIA RESIDENTIAL CODE
- 2022 CALIFORNIA ELECTRICAL CODE
- 2022 CALIFORNIA MECHANICAL CODE
- 2022 CALIFORNIA PLUMBING CODE
- 2022 CALIFORNIA FIRE CODE
- 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN)
- 2022 CALIFORNIA ENERGY CODE

VICINITY MAP

PARCEL MAP

NOTES

- THE PROJECT WILL BE DESIGNED TO COMPLY WITH THE CITY'S FLOOD DAMAGE PREVENTION ORDINANCE, CHAPTER 12, SECTION 42
- ANY FRONTAGE IMPROVEMENTS WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION WILL BE REQUIRED TO BE REPLACED. ALL FRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY STANDARD DETAILS.
- AN ENCROACHMENT PERMIT FROM THE ENGINEERING DIVISION IS REQUIRED PRIOR TO ANY CONSTRUCTION ACTIVITIES, INCLUDING UTILITY LATERALS, IN THE PUBLIC RIGHT OF WAY.
- I HAVE COMPLIED WITH THE CRITERIA OF THE WATER CONSERVATION IN LANDSCAPE ORDINANCE AND HAVE APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN PLAN."
- "A 3" LAYER OF MULCH SHALL BE APPLIED TO ALL EXPOSED PLANTING SURFACES WITH THE EXCEPTION OF TURF."

PROJECT DATA — A.P.N. # 623-11-620

LOCATION: 108 BLACKBURN AVE, MENLO PARK, CA 94025, USA
EXISTING USE: SINGLE FAMILY RESIDENCE
PROPOSED USE: SINGLE FAMILY RESIDENCE
APPLICANT: VAHID & HALEH
PROPERTY OWNER: VAHID & HALEH
ZONING: R1
LOT AREA 5445.00

FRONT SETBACK	20' - 0"			
REAR SETBACK	38' - 2"	ZONE - AE		
RIGHT SETBACK	4' - 11"	BASE FLOOD ELEVATION BFE - 52.7 NAVD88,		
LEFT SETBACK	5' - 6"	DESIGN FLOOD ELEVATION DFE - 53.7 NAVD88		

EXISTING DEVELOPMENT

LIVING AREA	1146.00 SF			
GARAGE	221.00 SF	TOTAL FLOOR AREA	1146.00 SF	21.0%
PORCH	47.00 SF	LOT COVERAGE	1414.00 SF	26.0%
BLDG. HIEGHT	13' - 10"			
LANDSCAPING	3076.00 SF	56.5% SF		
PAVING	955.00 SF	17.5% SF		

PROPOSED DEVELOPMENT

LIVING AREA	1089.00 SF			
GARAGE	441.00 SF			
PORCH	63.00 SF			
NEW FF LIVING ADD.	149.00 SF	TOTAL FLOOR AREA	1742.00 SF	32.0%
NEW SF LIVING ADD.	961.00 SF	LOT COVERAGE	2703.00 SF	49.6%
BLDG. HIEGHT	25' - 7"			
LANDSCAPING	3230.00 SF	59.3%		
PAVING	473.00 SF	8.7%		

SCOPE OF WORK

- 63 SF OF NEW PORCH.
- 47 SF OF PORCH REMODEL TO GARAGE.
- 57 SF OF LIVING REMODEL TO GARAGE.
- 337 SF NEW GARAGE ADDITION.
- 149 SF NEW FIRST FLOOR LIVING ADDITION.
- 961 SF NEW SECOND FLOOR LIVING ADDITION.
- WALKWAY AND CURB IMPROVEMENT.

DRAWING INDEX

ISSUED / REVISED

REV 1 - 12-15-2023

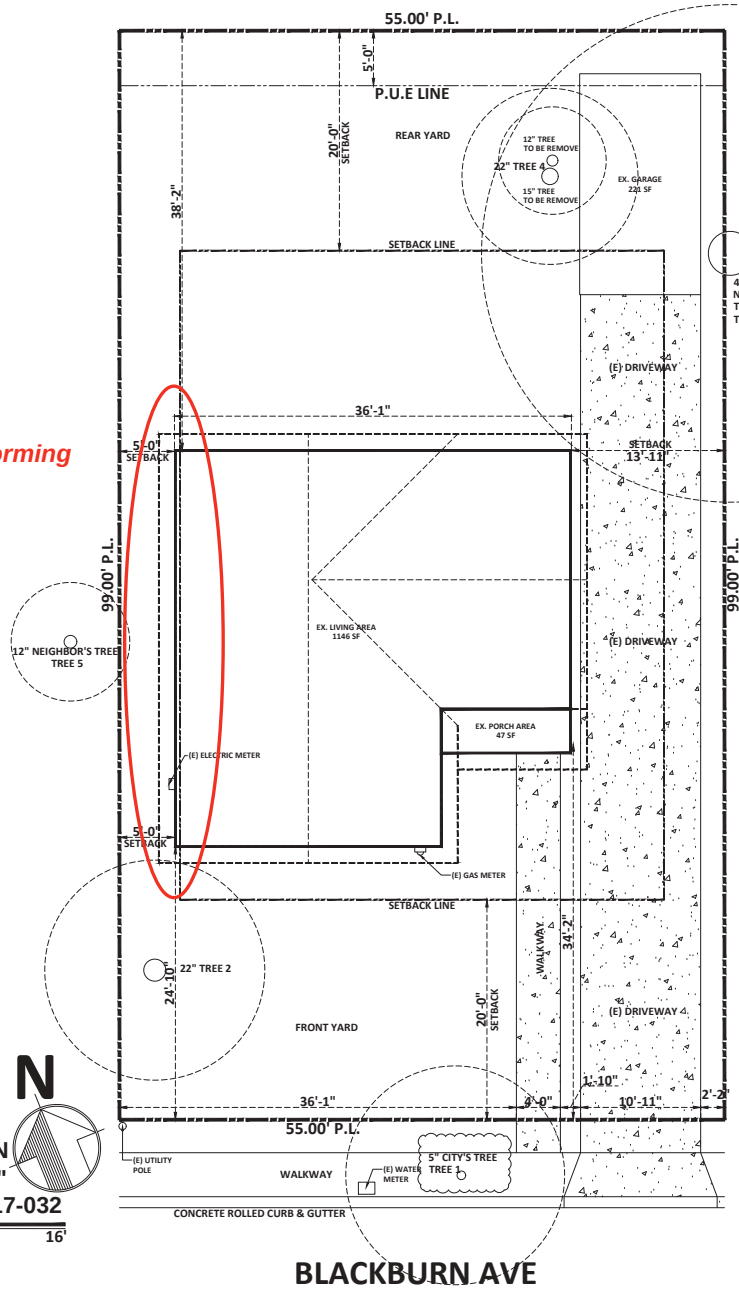
SHAH DESIGNS
RUCHA SHAH
12631 SHEREE CT,
SAN JOSE, CA 95127
PHONE 408-838-7464
shahdesigns2015@gmail.com

SINGLE FAMILY RESIDENCE
NO. 108
STREET BLACKBURN AVE,
CITY MENLO PARK, CA
ZIPCODE 94025

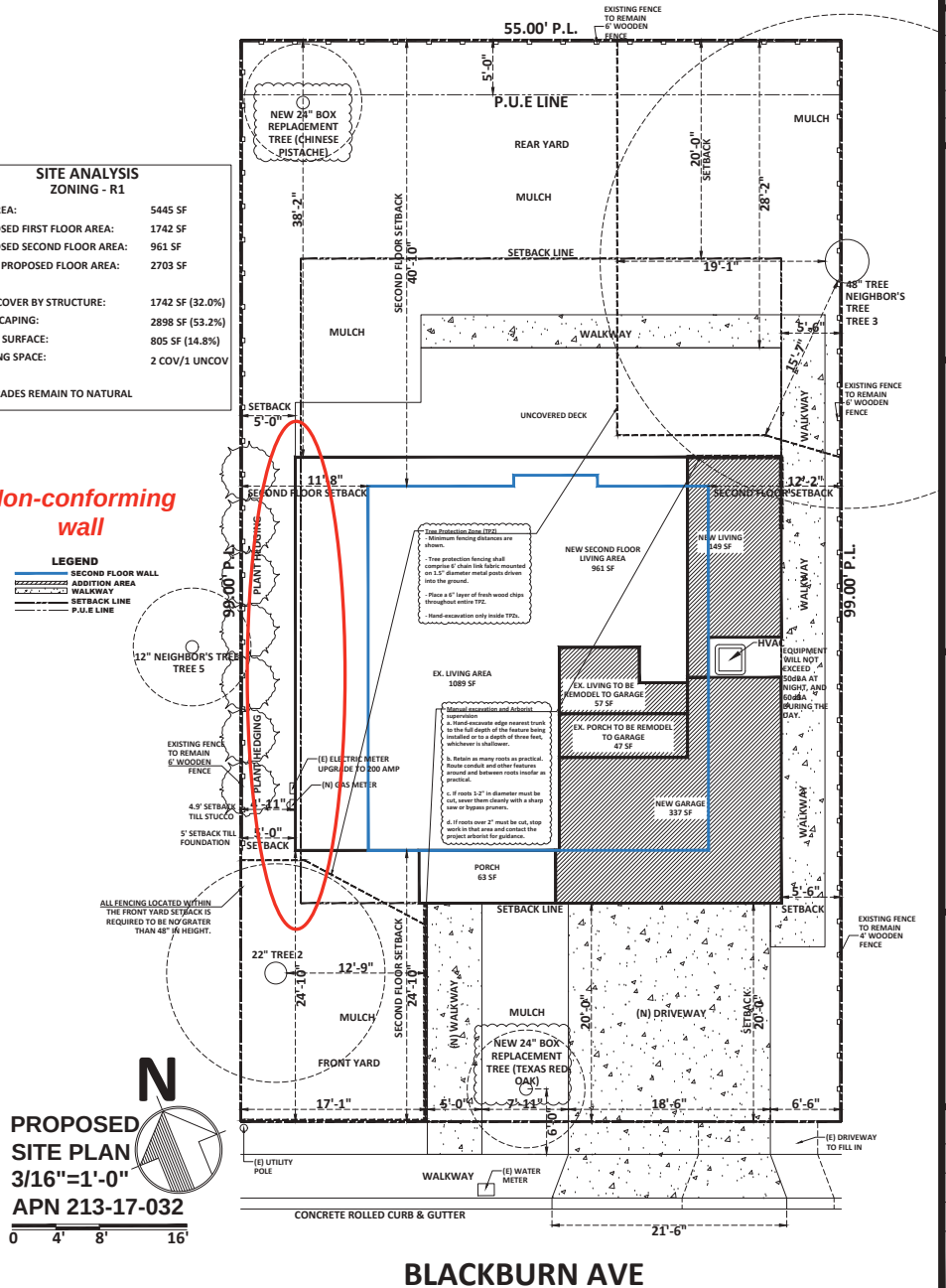
SHAH DESIGNS

DRAWN : AJ
CHECKED : RS
SCALE :
DATE : 12-15-2023

A0



SITE ANALYSIS ZONING - R1	
LOT AREA:	5445 SF
PROPOSED FIRST FLOOR AREA:	1742 SF
PROPOSED SECOND FLOOR AREA:	961 SF
TOTAL PROPOSED FLOOR AREA:	2703 SF
LAND COVER BY STRUCTURE:	1742 SF (32.0%)
LANDSCAPING:	2898 SF (53.2%)
PAVED SURFACE:	805 SF (14.8%)
PARKING SPACE:	2 COV/1 UNCOV
ALL GRADES REMAIN TO NATURAL	



ISSUED / REVISED
REV 1 - 12-15-2023
REV 2 - 02-13-2024

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SAN JOSE, CA 95127
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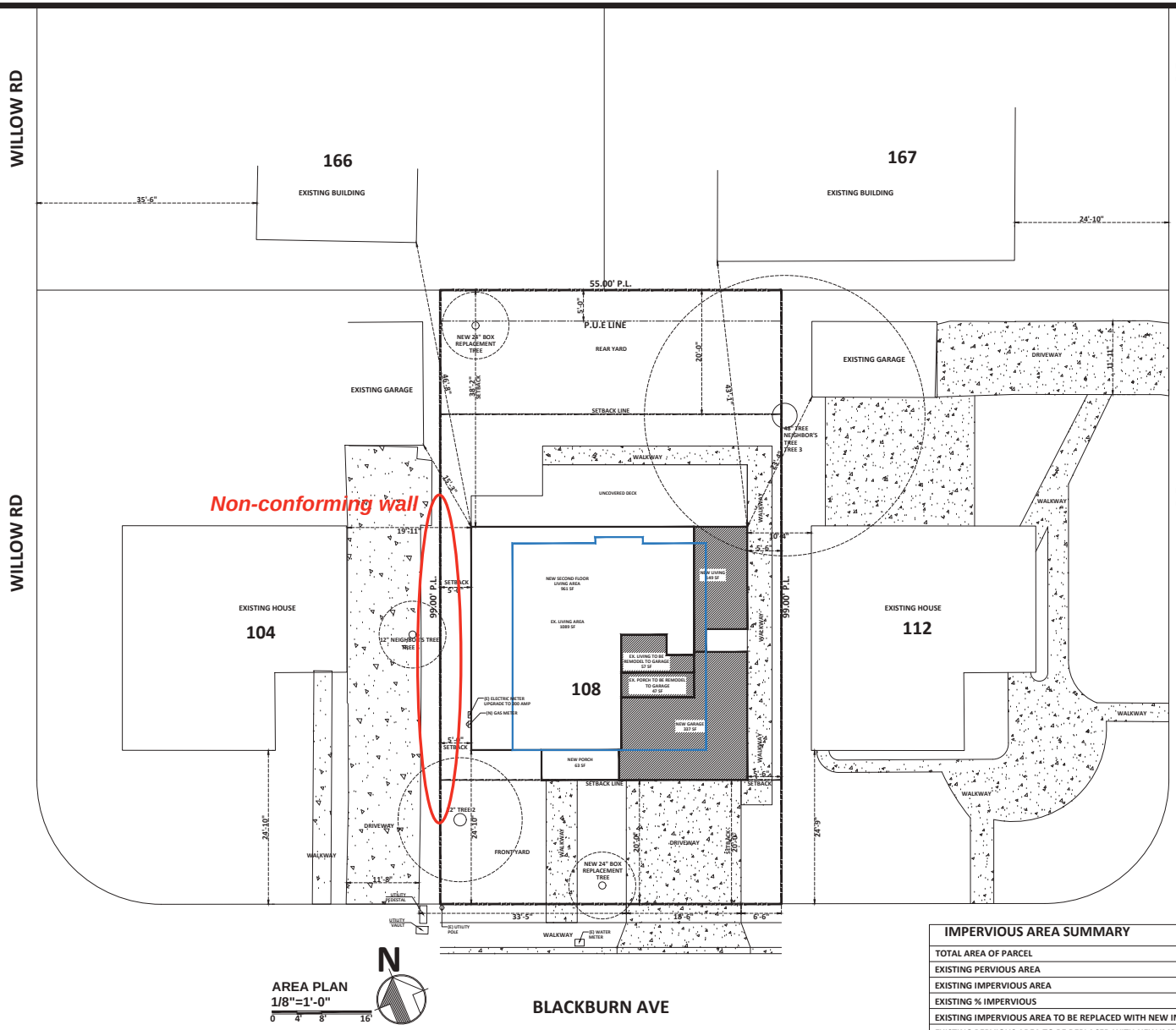
SINGLE FAMILY RESIDENCE
NO. 108
STREET BLACKBURN AVE,
CITY MENLO PARK, CA
ZIPCODE 94025

SHAH DESIGNS

DRAWN : AJ
CHECKED : RS
SCALE : 3/16":12"
DATE : 12-15-2023

A1



IMPERVIOUS AREA SUMMARY

TOTAL AREA OF PARCEL		A =	5445 SF
EXISTING PERVIOUS AREA		B =	3076 SF
EXISTING IMPERVIOUS AREA		C =	2369 SF
EXISTING % IMPERVIOUS	(C ÷ A x 100)	D =	43.51%
EXISTING IMPERVIOUS AREA TO BE REPLACED WITH NEW IMPERVIOUS AREA		E =	771 SF
EXISTING PERVIOUS AREA TO BE REPLACED WITH NEW IMPERVIOUS AREA		F =	580 SF
NEW IMPERVIOUS AREA (CREATING AND/OR REPLACING)	(E + F)	G =	1350 SF
EXISTING IMPERVIOUS AREA TO BE REPLACED WITH NEW PERVIOUS AREA		H =	402 SF
NET CHANGE IN IMPERVIOUS AREA	(F - H)	I =	178 SF
PROPOSED PERVIOUS AREA	(B - I)	J =	2898 SF
PROPOSED IMPERVIOUS AREA	(C + I)	K =	2547 SF
PROPOSED % IMPERVIOUS AREA	(K ÷ A x 100)	L =	46.78%

ISSUED / REVISED

REV 1 - 12-15-2023

REV 2 - 02-13-2024

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SAN JOSE, CA 95127
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SINGLE FAMILY RESIDENCE
NO. 108
STREET BLACKBURN AVE,
CITY MENLO PARK, CA
ZIPCODE 94025

SHAH DESIGNS

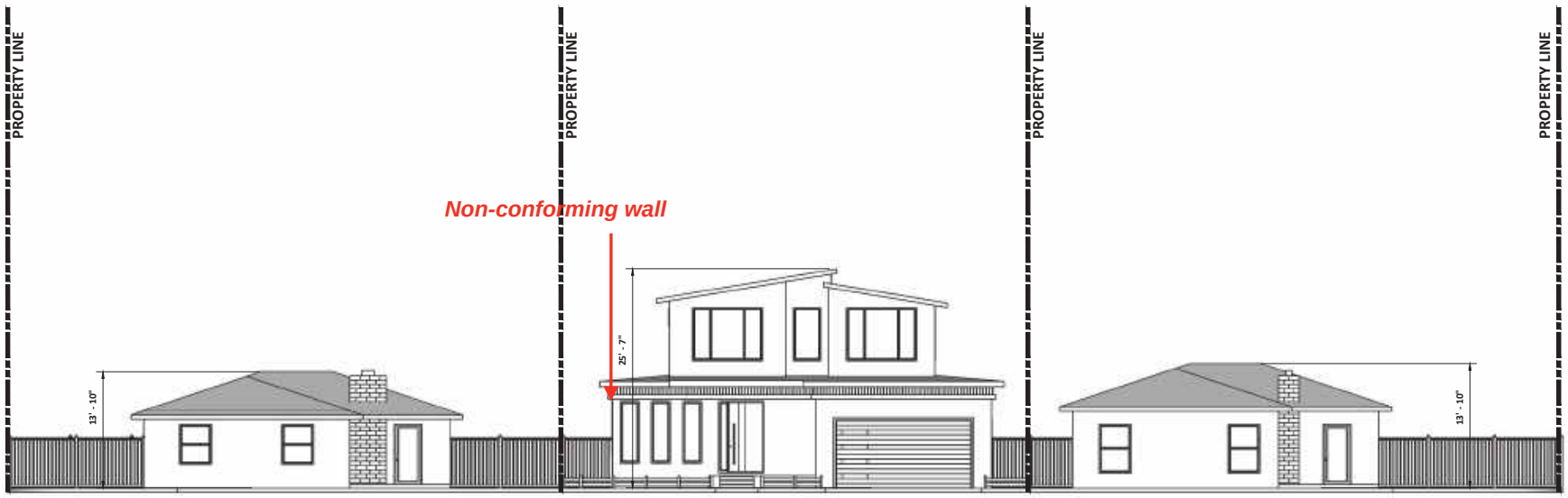
DRAWN : AJ

CHECKED : RS

SCALE : 1/8":12"

DATE : 12-15-2023

A2



STREETSCAPE ELEVATION

ISSUED / REVISED
REV 1 - 12-15-2023

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shahdesigns2015@gmail.com

SINGLE FAMILY RESIDENCE
NO. 108
STREET BLACKBURN AVE,
CITY MENLO PARK, CA
ZIPCODE 94025

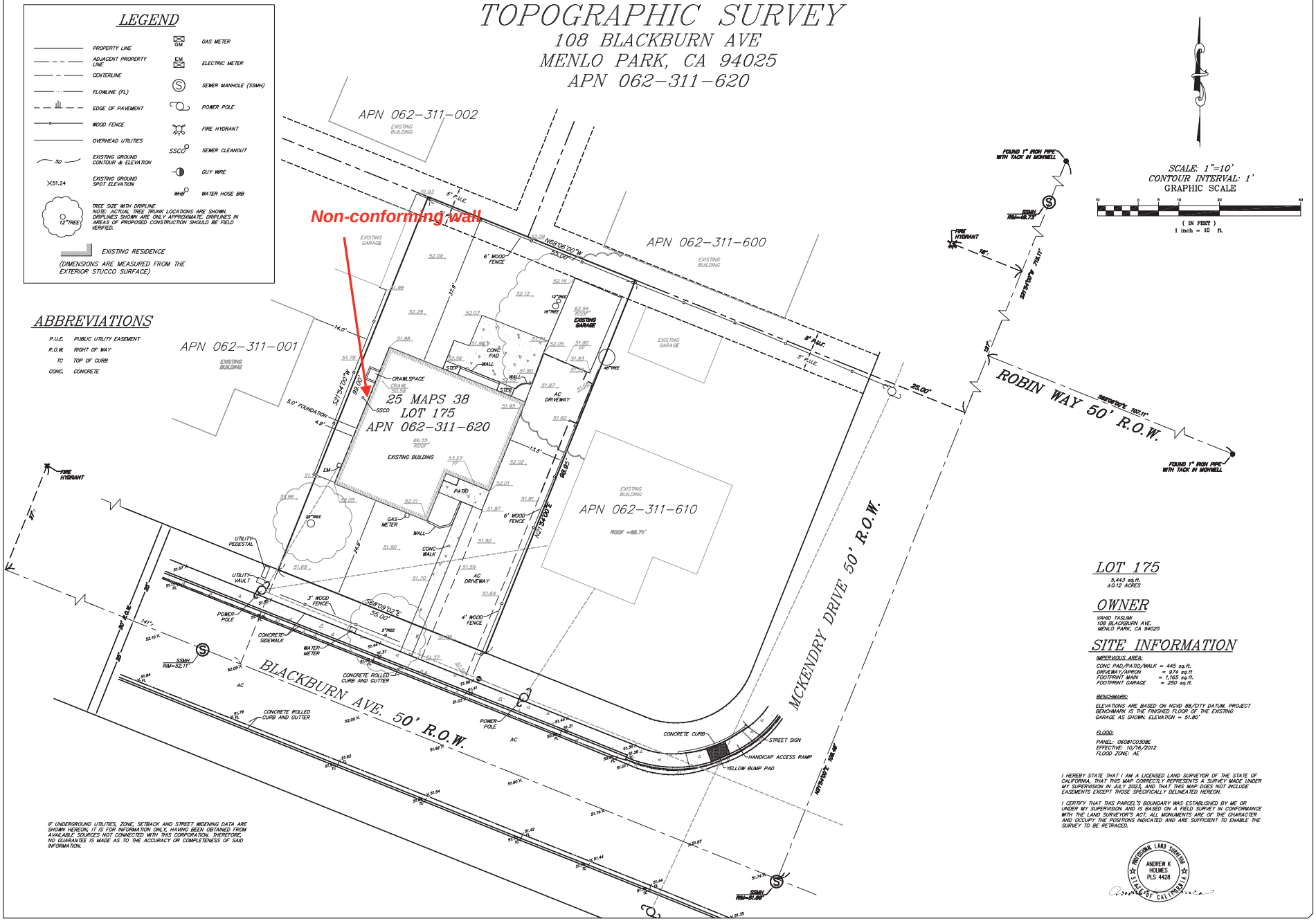
SHAH DESIGNS

DRAWN : AJ
CHECKED : RS
SCALE :
DATE : 12-15-2023

A3

TOPOGRAPHIC SURVEY

108 BLACKBURN AVE
MENLO PARK, CA 94025
APN 062-311-620



LOT 175

5,443 sq.ft.
±0.12 ACRES

OWNER

VAHID TASLIMI
108 BLACKBURN AVE.
MENLO PARK, CA 94025

SITE INFORMATION

IMPERVIOUS AREA:

CONC PAD/PATIO/WALK = 445 sq.ft.
DRIVEWAY/APRON = 974 sq.ft.
FOOTPRINT MAIN = 1,165 sq.ft.
FOOTPRINT GARAGE = 250 sq.ft.

BENCHMARK:

ELEVATIONS ARE BASED ON NGVD 88/CITY DATUM. PROJECT BENCHMARK IS THE FINISHED FLOOR OF THE EXISTING GARAGE AS SHOWN. ELEVATION = 51.80'

FLOOD:

PANEL: 06081C0308E
EFFECTIVE: 10/16/2012
FLOOD ZONE: AE

I HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA, THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION IN JULY 2023, AND THAT THIS MAP DOES NOT INCLUDE EASEMENTS EXCEPT THOSE SPECIFICALLY DELINEATED HEREON.

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

PROFESSIONAL LAND SURVEYOR
ANDREW K HOLMES
PLS 4428
STATE OF CALIFORNIA

IF UNDERGROUND UTILITIES, ZONE, SETBACK AND STREET WIDENING DATA ARE SHOWN HEREON, IT IS FOR INFORMATION ONLY, HAVING BEEN OBTAINED FROM AVAILABLE SOURCES NOT CONNECTED WITH THIS CORPORATION. THEREFORE, NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF SAID INFORMATION.

triad/holmes assoc.
civil engineering
land surveying
MAMMOTH LAKES
BISHOP
REDWOOD CITY

REVISIONS: BY:

PREPARED FOR:
BENDICT NG
112 BLACKBURN AVE.
MENLO PARK, CA 94025

LOT 175, 25 MAPS 38
TOPOGRAPHIC SURVEY
MENLO PARK, SAN MATEO COUNTY, STATE OF CALIFORNIA

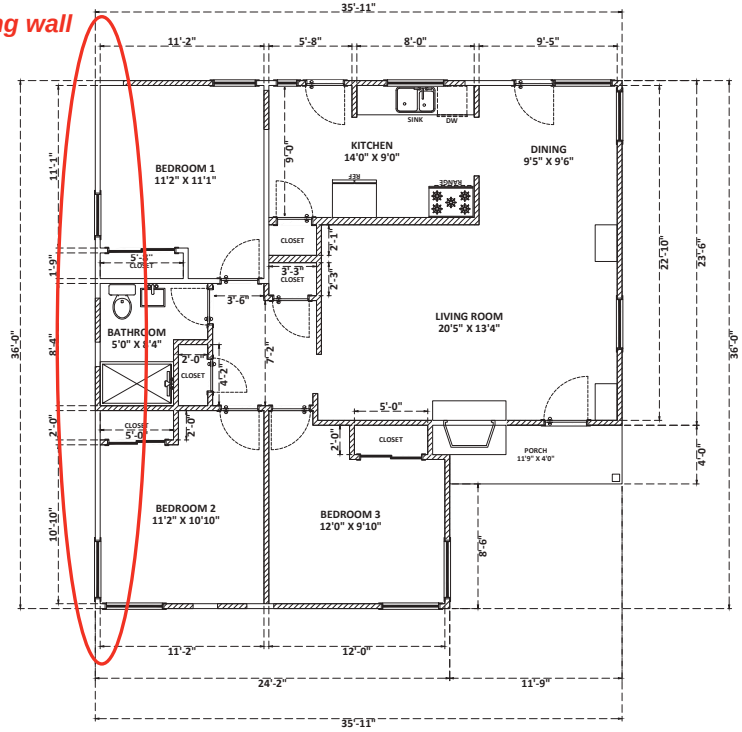
DATE 7/7/23
SCALE 1"=10'
DRAWN TJP
JOB NO 09.2341
DWG 1
SHEET 1 OF 1

WALL LEGEND

EXISTING WALL

WALL REMOVAL

Non-conforming wall



EXISTING FLOOR PLAN

1/4" = 1'0"

ISSUED / REVISED

SHAH DESIGNS
RUCHA SHAH
12631 SHEREE CT,
SAN JOSE, CA 95127
PHONE 408-838-7464
shahdesigns2015@gmail.com

SINGLE FAMILY RESIDENCE
NO. 108
STREET BLACKBURN AVE,
CITY MENLO PARK, CA
ZIPCODE 94025

SHAH DESIGNS

DRAWN : AJ

CHECKED : RS

SCALE : 1/4":12"

DATE : 12-15-2023

A4

WALL LEGEND

EXISTING WALL

NEW WALL

DOOR SCHEDULE

SYM	Q.	SIZE	MATERIAL	THICKNESS	COMMENTS
D01	1	4'-0"x8'-0"	WOOD	1-3/8"	ENTRY GLASED DOOR
D02	4	2'-6"x8'-0"	WOOD	1-3/8"	SINGLE HINGE DOOR
D03	6	2'-8"x8'-0"	WOOD	1-3/8"	SINGLE HINGE DOOR
D05	1	8'-0"x8'-0"	ALUMINIUM	1-3/8"	SLIDING DOOR
D06	1	12'-0"x8'-0"	ALUMINIUM	1-3/8"	BI-FOLD DOOR
D08	1	2'-4"x8'-0"	WOOD	1-3/8"	SINGLE HINGE DOOR
D09	1	2'-4"x8'-0"	WOOD	1-3/8"	POCKET DOOR
D10	1	3'-0"x8'-0"	WOOD	1-3/8"	DOUBLE HINGE DOOR

ALL DOORS ARE TO BE PRE-HUNG @ DRILLED TO ACCEPT DOOR HARDWARE.

ALL INTERIOR DOORS TO BE CONTINENTAL 2 PANEL, SOLID PARTICLEBOARD CORE, BY DOOR CRAFT (TYP. U.N.O.)

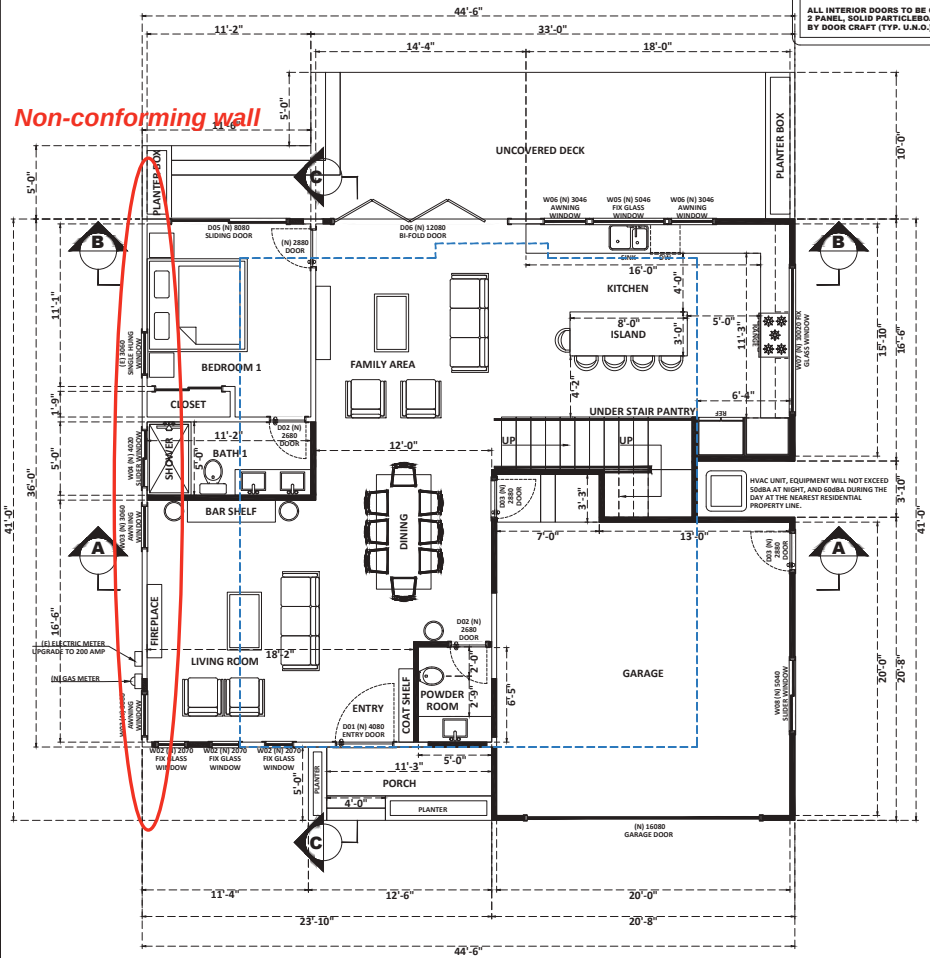
ALL THRESHOLDS ARE TO BE BRONZE ANODIZED ALUMINUM

ALL CASING TO BE 3-1/4" #1212-S BY WHITE BROTHERS

WINDOW SCHEDULE

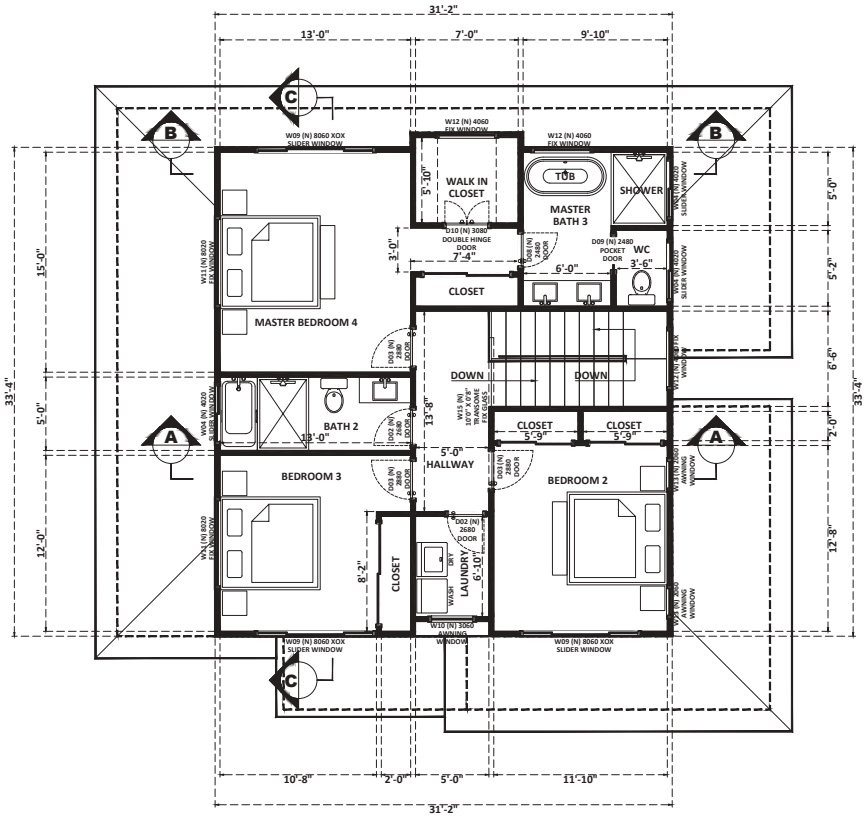
SYM	Q.	SIZE	MATERIAL	THICKNESS	COMMENTS
W01	1	1'-0"x8'-0"	FIBER GLASS	1-1/8"	FIX GLASS
W02	3	2'-0"x7'-0"	FIBER GLASS	1-1/8"	FIX GLASS
W03	2	3'-0"x6'-0"	FIBER GLASS	1-1/8"	AWNING WINDOW
W04	4	4'-0"x2'-0"	FIBER GLASS	1-1/8"	SLIDER WINDOW
W05	1	5'0"x4'-6"	FIBER GLASS	1-1/8"	FIX GLASS WINDOW
W06	2	3'-0"x4'-6"	FIBER GLASS	1-1/8"	AWNING WINDOW
W07	1	10'-0"x2'-0"	FIBER GLASS	1-1/8"	FIX GLASS WINDOW
W08	1	5'-0"x4'-0"	FIBER GLASS	1-1/8"	SLIDER WINDOW
W09	3	8'-0"x6'-0"	FIBER GLASS	1-1/8"	XOX SLIDER WINDOW
W10	1	3'-0"x6'-0"	FIBER GLASS	1-1/8"	AWNING WINDOW
W11	2	8'-0"x2'-0"	FIBER GLASS	1-1/8"	FIX GLASS WINDOW
W12	3	4'-0"x6'-0"	FIBER GLASS	1-1/8"	FIX GLASS WINDOW
W13	2	2'-0"x6'-0"	FIBER GLASS	1-1/8"	AWNING - OBSCURE
W14	1	10'-0"x0'-8"	FIBER GLASS	1-1/8"	TRANSOME FIX GLASS

Non-conforming wall



PROPOSED FIRST FLOOR PLAN

1/4" = 1'0"



PROPOSED SECOND FLOOR PLAN

1/4" = 1'0"

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ZIPCODE 94025

SHAH DESIGNS

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REV 1 - 12-15-2023

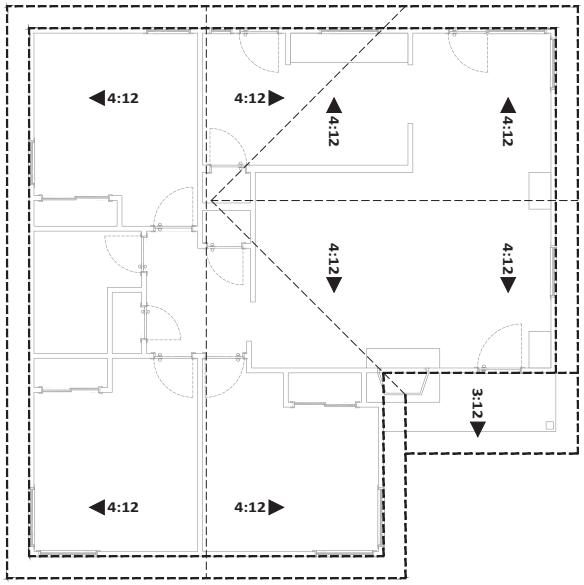
DRAWN : AJ

CHECKED : RS

SCALE : 1/4":12"

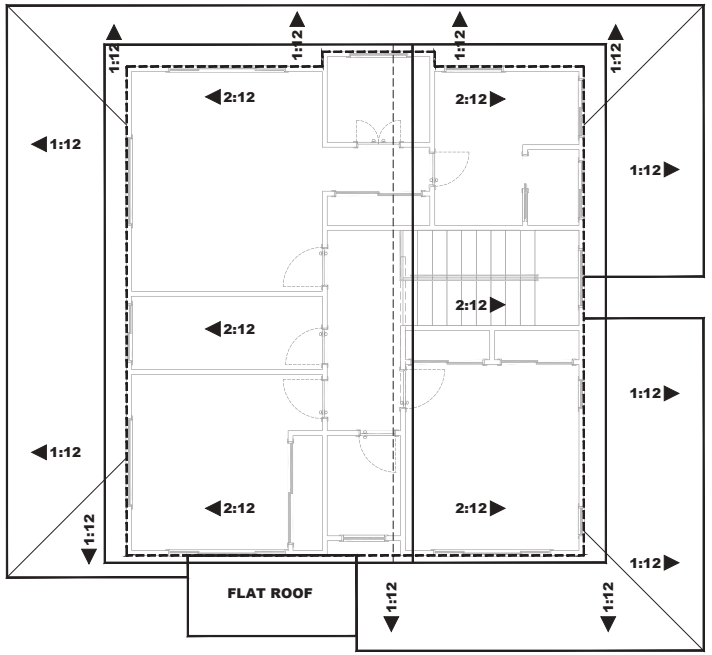
DATE : 12-15-2023

A5



EXISTING ROOF PLAN

1/4" = 1'0"



PROPOSED ROOF PLAN

1/4" = 1'0"

ISSUED / REVISED

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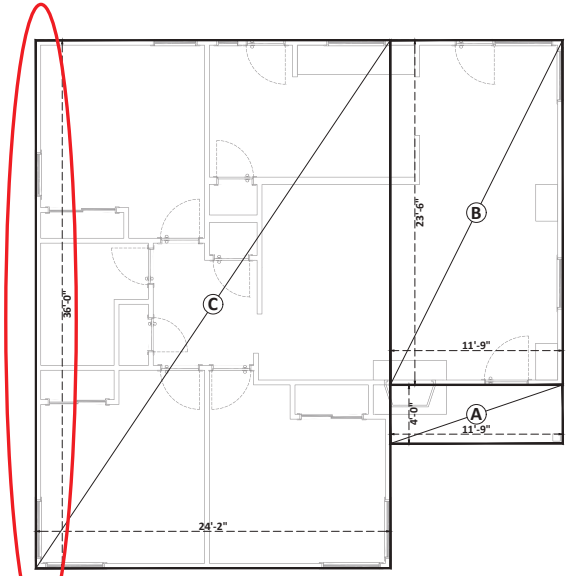
A6

AREA	DIMENSIONS	SF.	TITLE
A	11'-9" X 4'-0"	47 SF	PORCH
B	11'-9" X 23'-6"	276 SF	LIVING
C	24'-2" X 36'-0"	870 SF	LIVING
TOTAL AREA		1146 SF	LIVING
		47 SF	PORCH

Non-conforming wall



EXISTING AREA CALCULATION PLAN

1/4" = 1'0"

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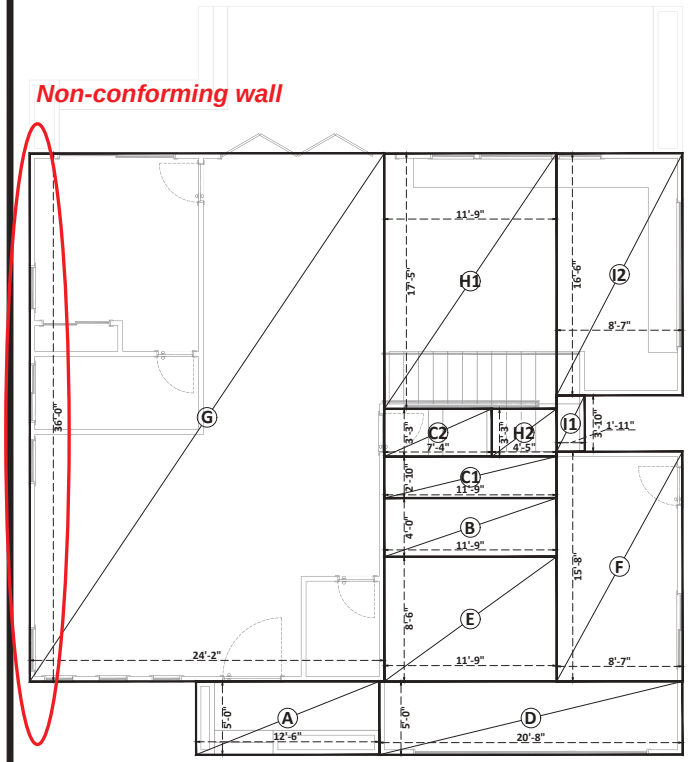
A7

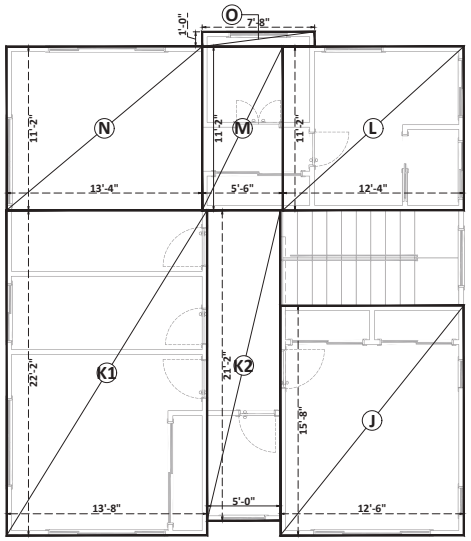
Non-conforming wall



AREA	DIMENSIONS	SF.	TITLE
A	12'-6" X 5'-0"	63 SF	NEW PORCH
B	11'-9" X 4'-0"	47 SF	PORCH REMODEL TO GARAGE
C1	11'-9" X 2'-10"	33 SF	LIVING REMODEL TO GARAGE
C2	7'-4" X 3'-3"	24 SF	LIVING REMODEL TO GARAGE
D	20'-8" X 5'-0"	103 SF	NEW ADD. GARAGE
E	11'-9" X 8'-6"	100 SF	NEW ADD. GARAGE
F	8'-7" X 15'-8"	134 SF	NEW ADD. GARAGE
G	24'-2" X 36'-0"	870 SF	EX. LIVING
H1	11'-9" X 17'-5"	205 SF	EX. LIVING
H2	4'-5" X 3'-3"	14 SF	EX. LIVING
I1	1'-11" X 3'-10"	7 SF	NEW ADD. LIVING
I2	8'-7" X 16'-6"	142 SF	NEW ADD. LIVING
J	12'-6" X 15'-8"	196 SF	NEW ADD. LIVING
K1	13'-8" X 22'-2"	303 SF	NEW ADD. LIVING
K2	5'-0" X 21'-2"	106 SF	NEW ADD. LIVING
L	12'-4" X 11'-2"	138 SF	NEW ADD. LIVING
M	5'-6" X 11'-2"	61 SF	NEW ADD. LIVING
N	13'-4" X 11'-2"	149 SF	NEW ADD. LIVING
O	7'-8" X 1'-0"	8 SF	NEW ADD. LIVING

AREAS SF.		
	63 SF	NEW PORCH
	47 SF	PORCH REMODEL TO GARAGE
	57 SF	LIVING REMODEL TO GARAGE
	337 SF	NEW ADD. GARAGE
	1089 SF	EX. LIVING
	149 SF	NEW ADD. LIVING FIRST FLOOR
	961 SF	NEW ADD. LIVING SECOND FLOOR

TOTAL AREAS SF		
	63 SF	PORCH
	441 SF	GARAGE
	1238 SF	FIRST FLOOR LIVING
	961 SF	SECOND FLOOR LIVING



PROPOSED FIRST FLOOR AREA CALCULATION PLAN

1/4" = 1'0"

PROPOSED SECOND FLOOR AREA CALCULATION PLAN

1/4" = 1'0"

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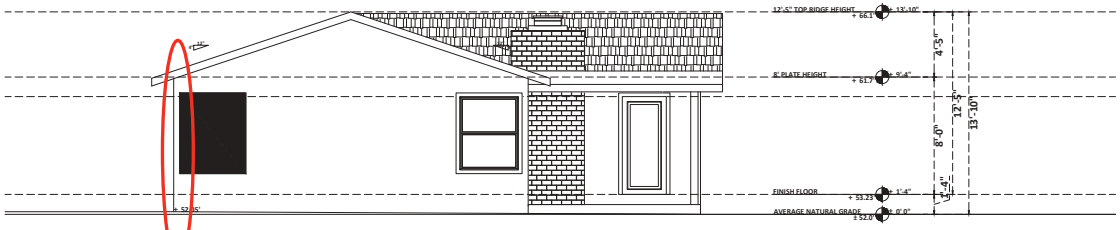
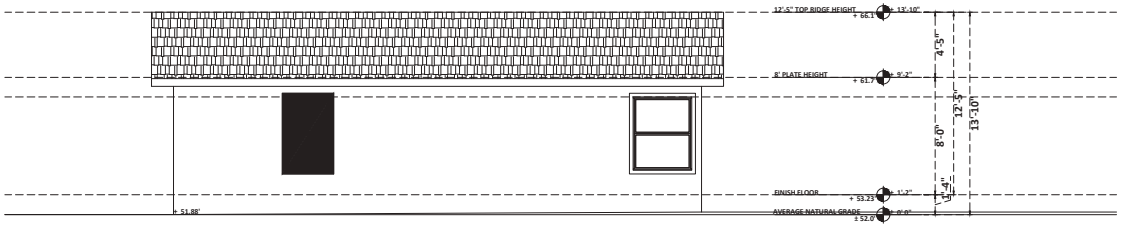
A8



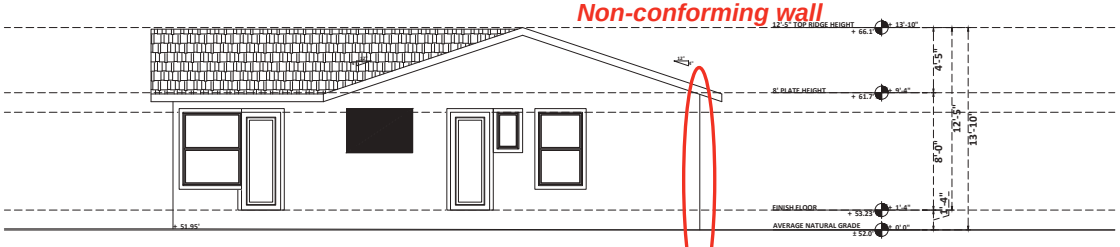
EXISTING FRONT ELEVATION
SOUTH ELEVATION
1/4" = 1'0"

Non-conforming wall

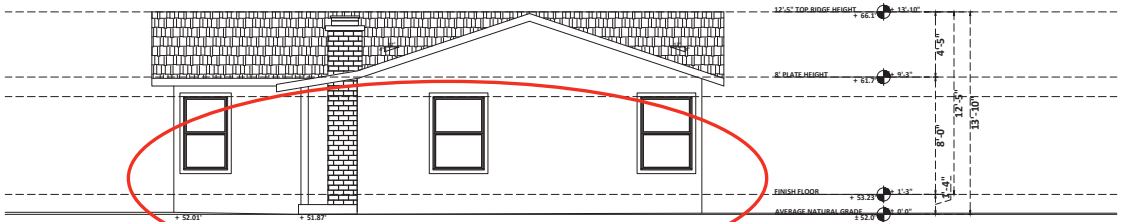


EXISTING RIGHT ELEVATION
WEST ELEVATION
1/4" = 1'0"

Non-conforming wall



EXISTING REAR ELEVATION
NORTH ELEVATION
1/4" = 1'0"



EXISTING RIGHT ELEVATION
EAST ELEVATION
1/4" = 1'0"

Non-conforming wall

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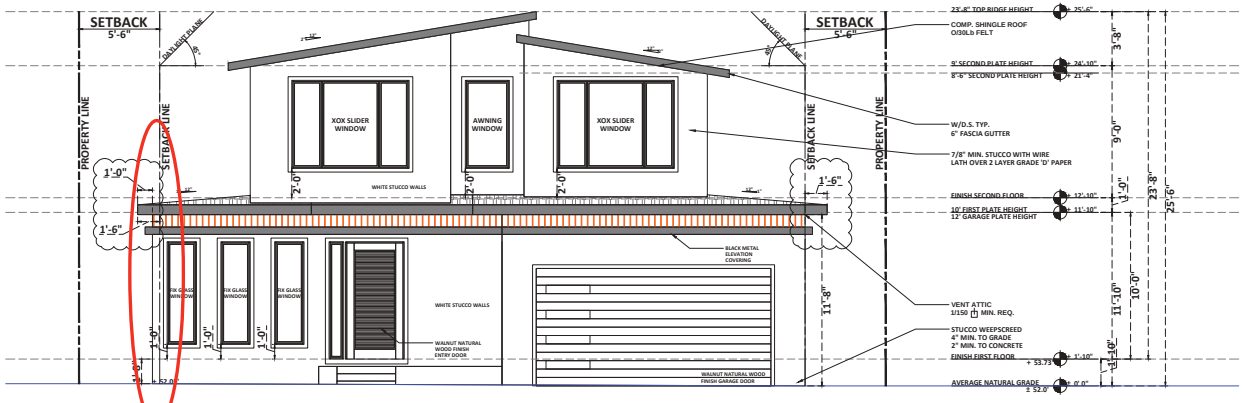
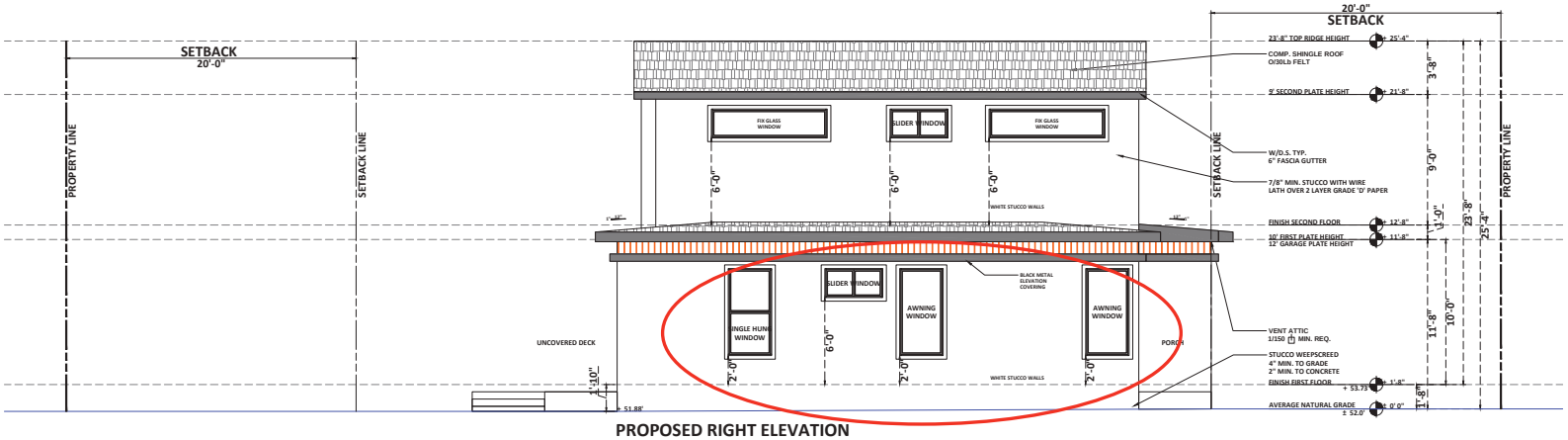
A10



PROPOSED FRONT ELEVATION
(SOUTH ELEVATION)
1/4" = 1'0"

Non-conforming wall



PROPOSED RIGHT ELEVATION
(WEST ELEVATION)
1/4" = 1'0"

Non-conforming wall

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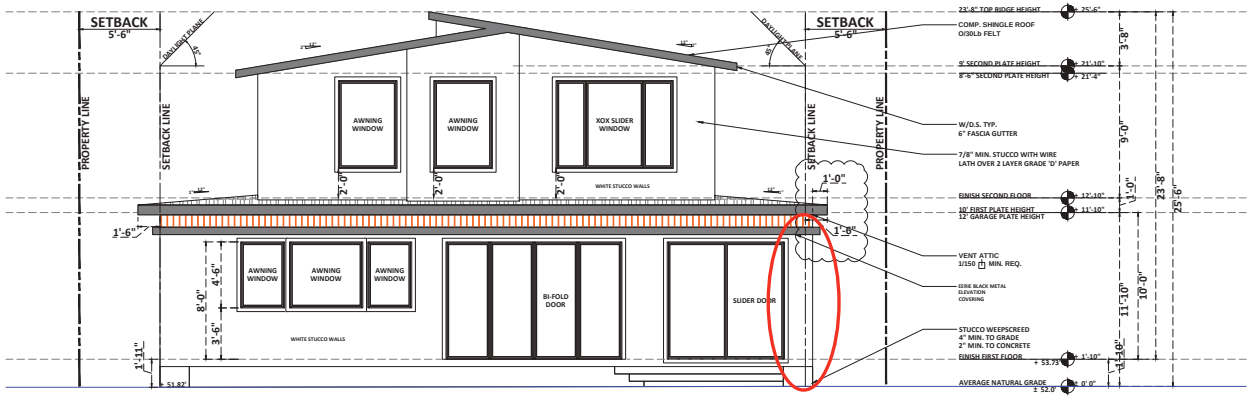
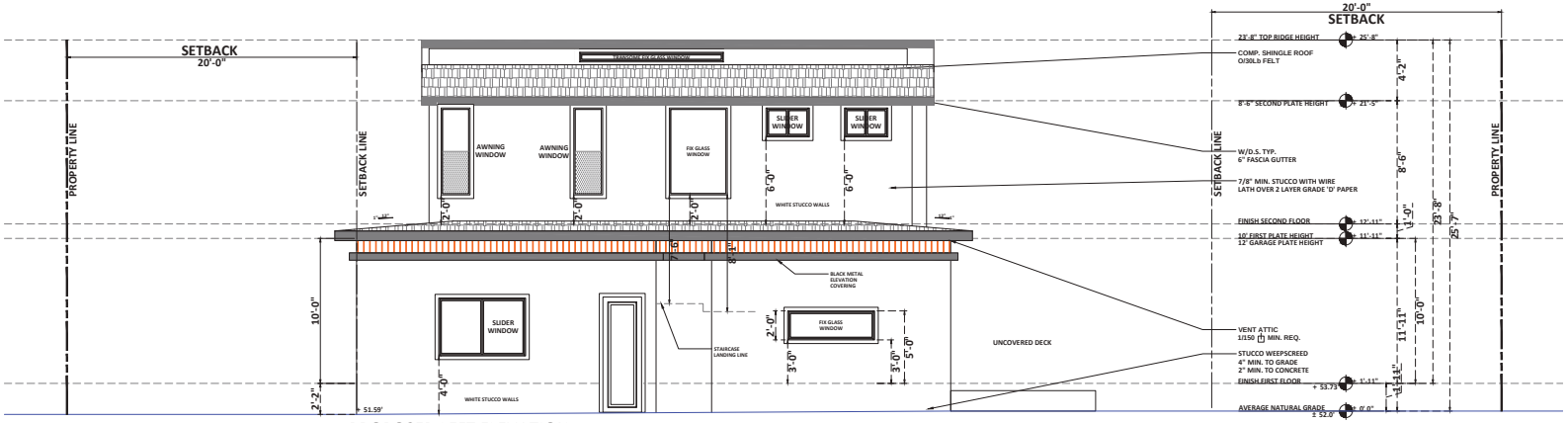
A11



PROPOSED REAR ELEVATION
(NORTH ELEVATION)
1/4" = 1'0"

Non-conforming wall



PROPOSED LEFT ELEVATION
(EAST ELEVATION)
1/4" = 1'0"

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CHECKED : RS

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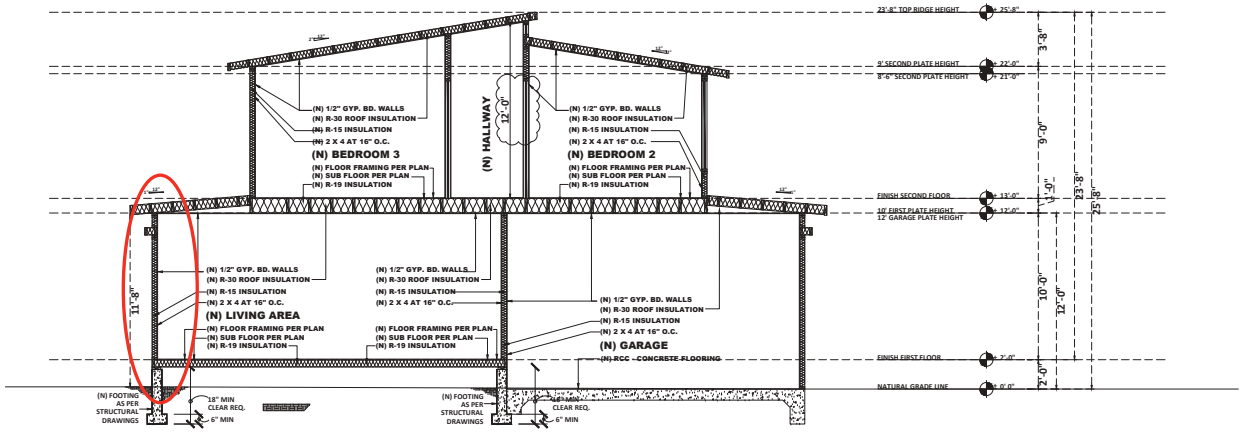
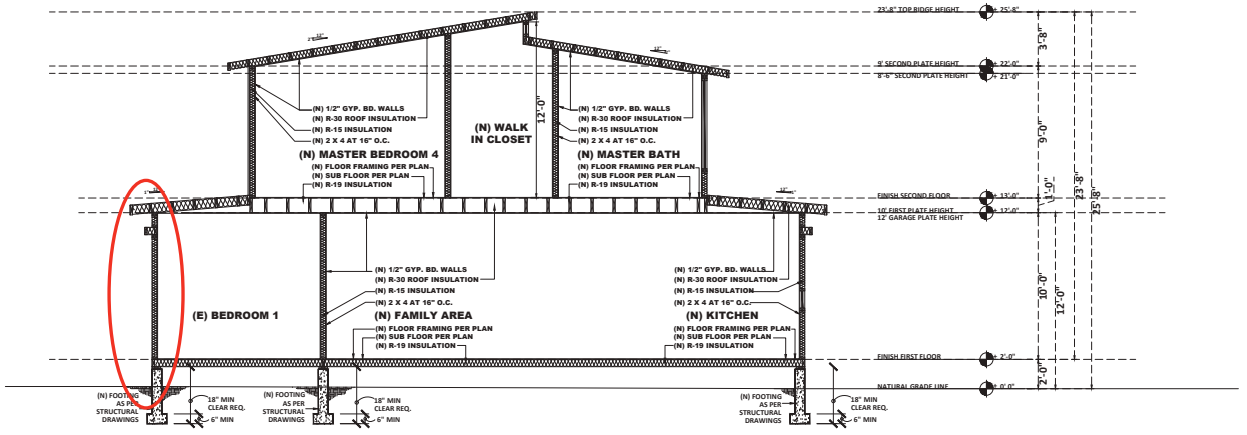
A12



PROPOSED SECTION A
1/4" = 1'0"

Non-conforming wall



PROPOSED SECTION B
1/4" = 1'0"

Non-conforming wall

ISSUED / REVISED

REV 1 - 12-15-2023

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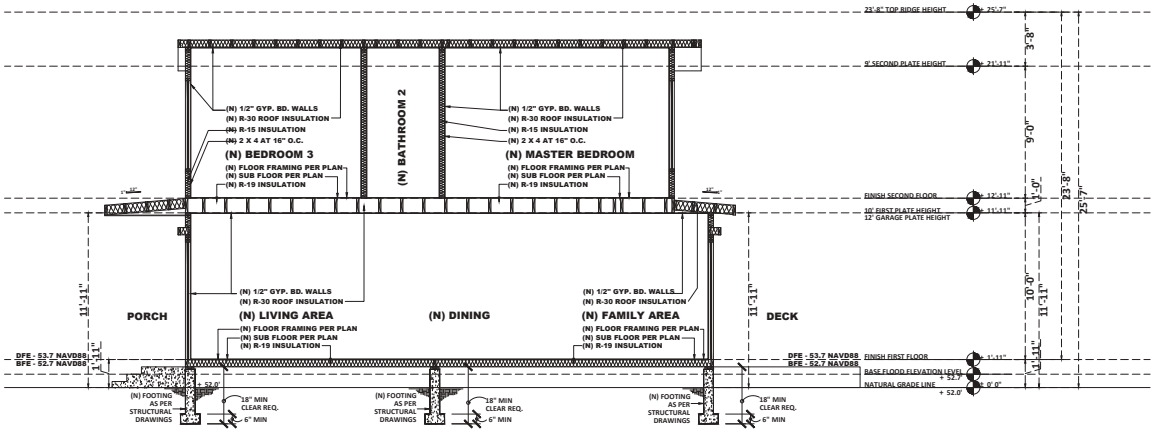
DRAWN : AJ
CHECKED : RS
SCALE : 1/4":12"
DATE : 12-15-2023

A13



PROPOSED SECTION C

1/4" = 1'0"

Non-conforming wall

ISSUED / REVISED
REV 2 - 02-13-2024

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DATE : 12-15-2023

A14

WPC EXTERIOR WOODEN TEXTURED FLUTED PANELS

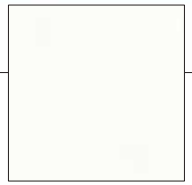
ANDERSON 100-SERIES ALUMINIUM SINGLE HUNG WINDOW WITH DOVE BLACK VINYL TRIMS

NEW COMPOSITE SHINGLE ROOFING

ANDERSON E-SERIES ALUMINIUM GLIDING WINDOW WITH BLACK VINYL TRIMS

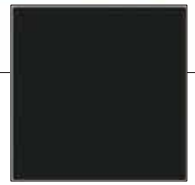
ALUMINIUM GUTTER BLACK

Non-conforming wall



DOVE WHITE COLORED STUCCO WALLS

WALNUT NATURAL WOOD FINISH ENTRY DOOR



EERIE BLACK METAL ELEVATION COVERING

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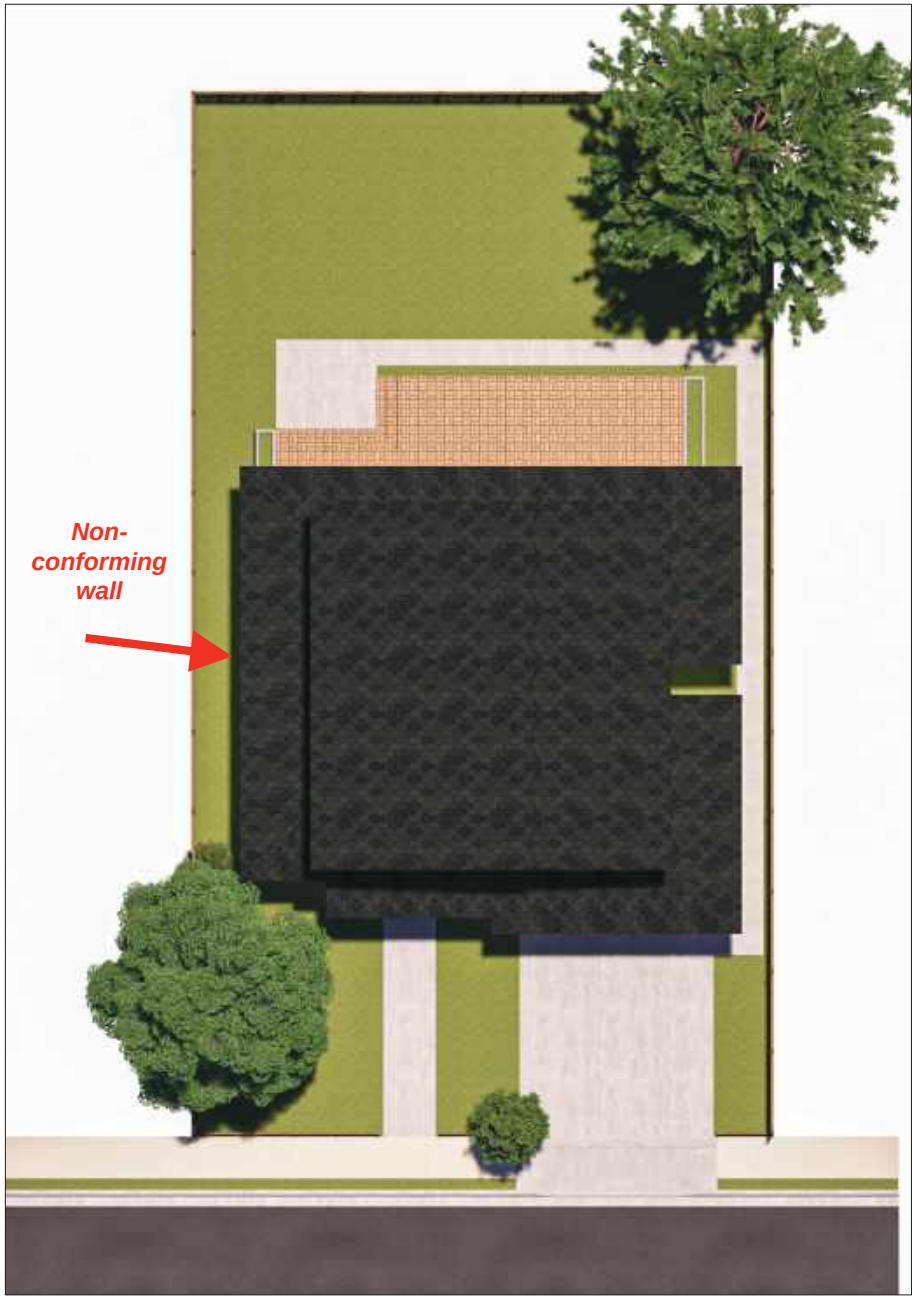
A15



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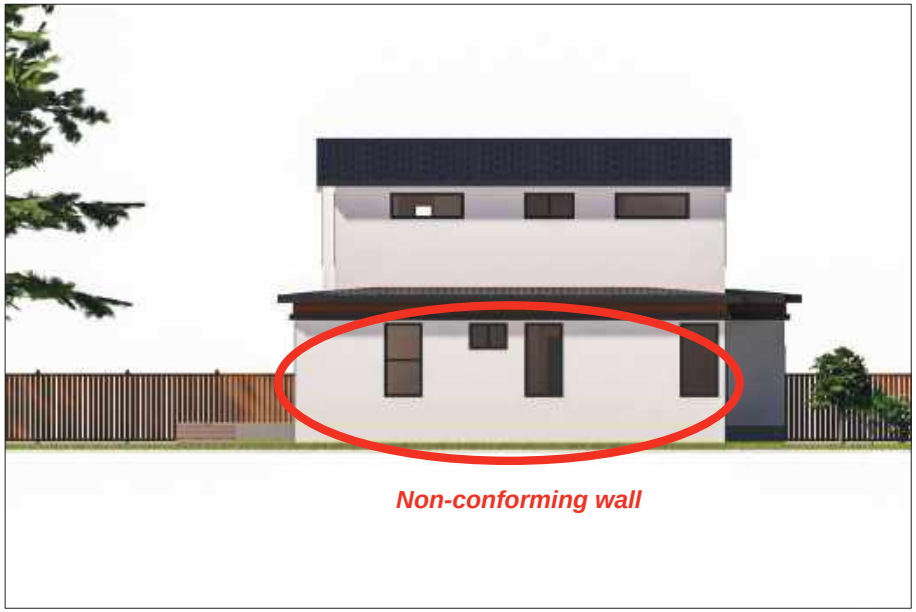
A19



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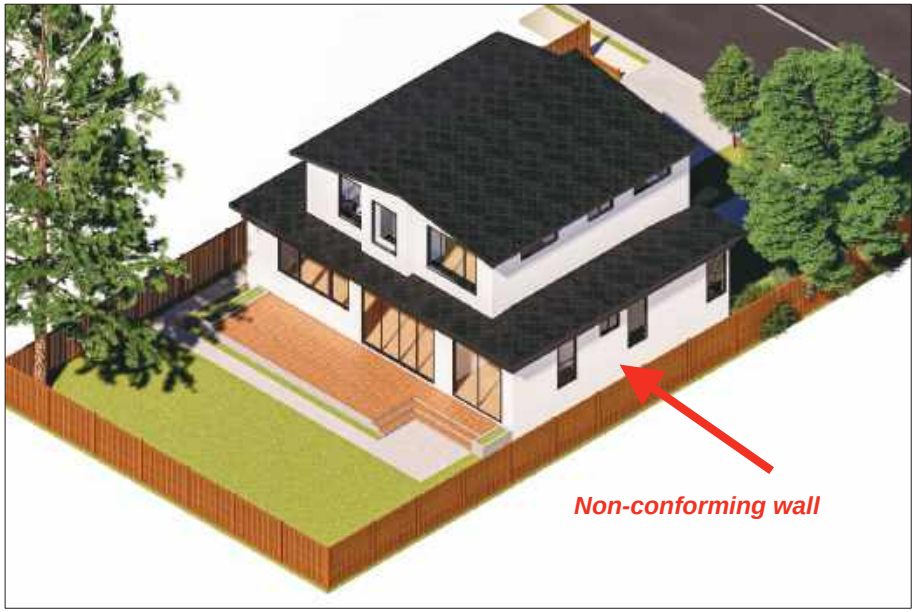
A20



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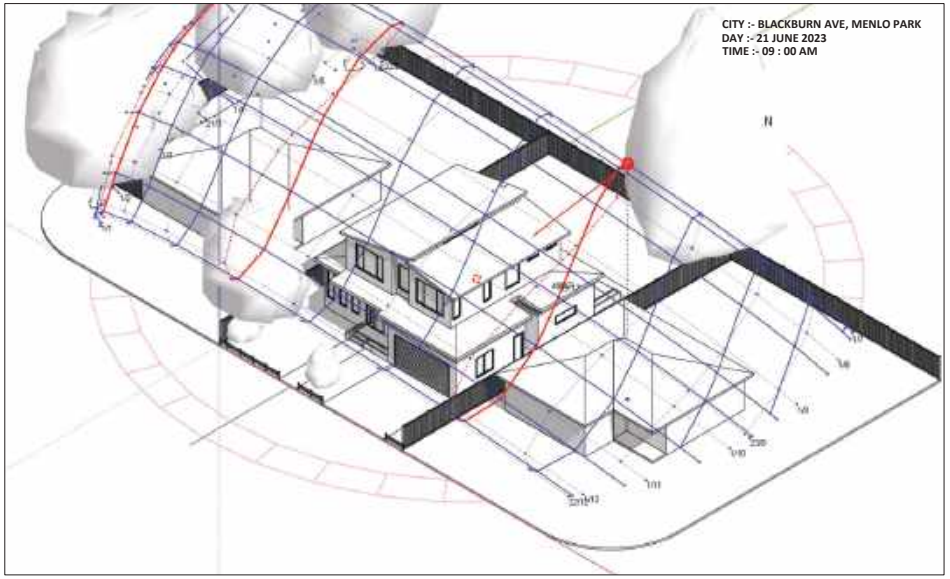
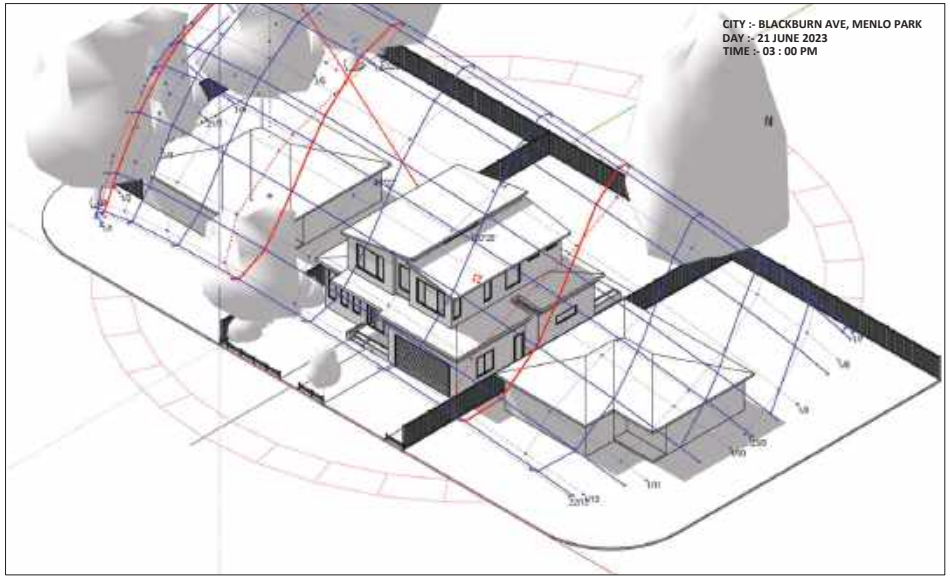
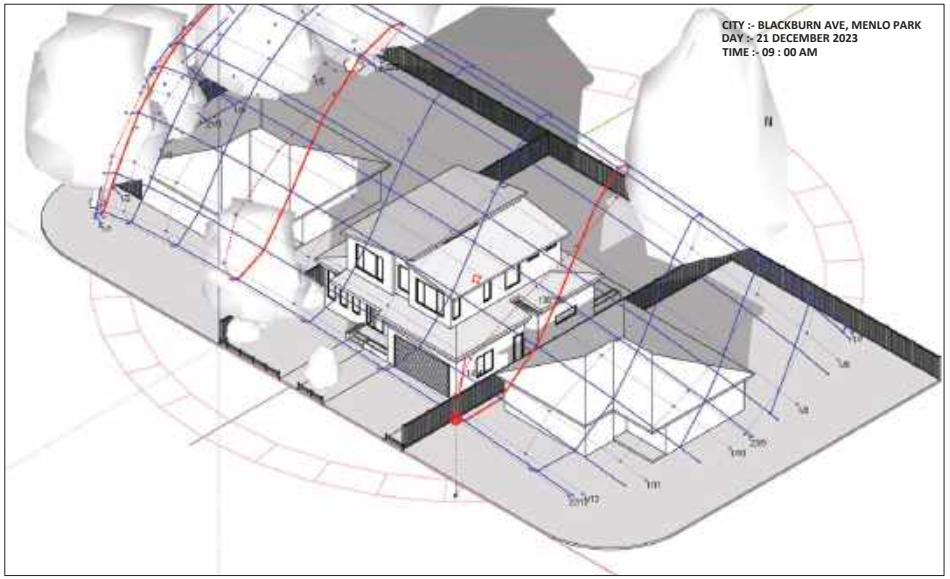
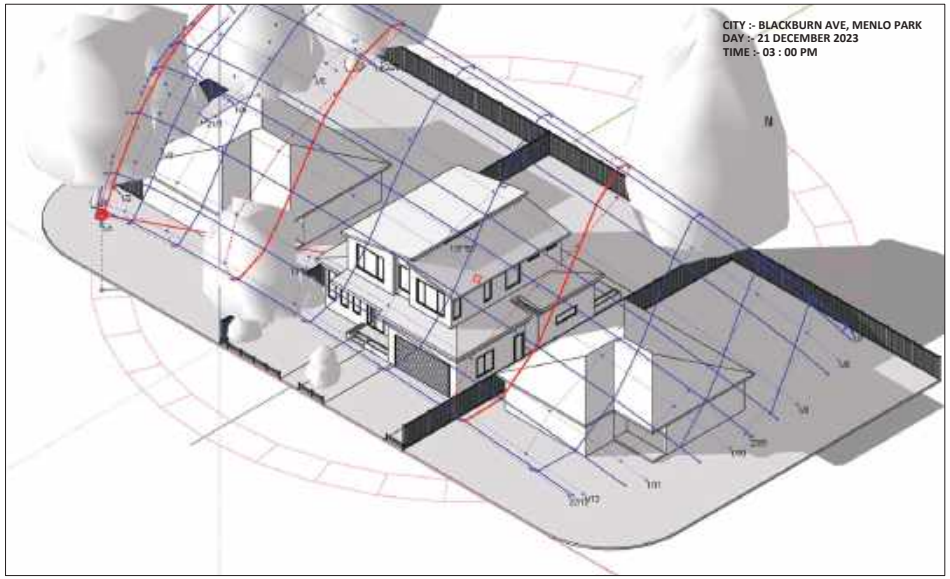
A21









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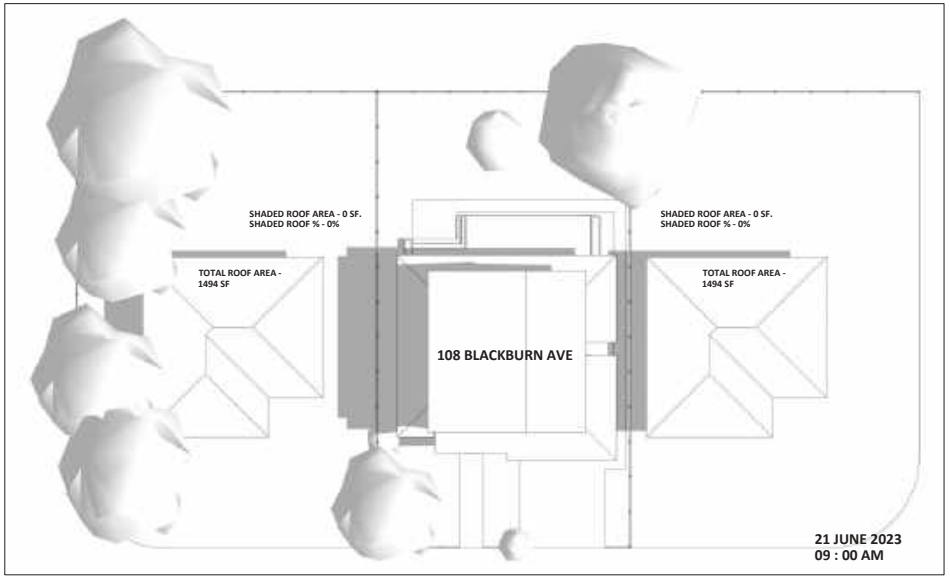

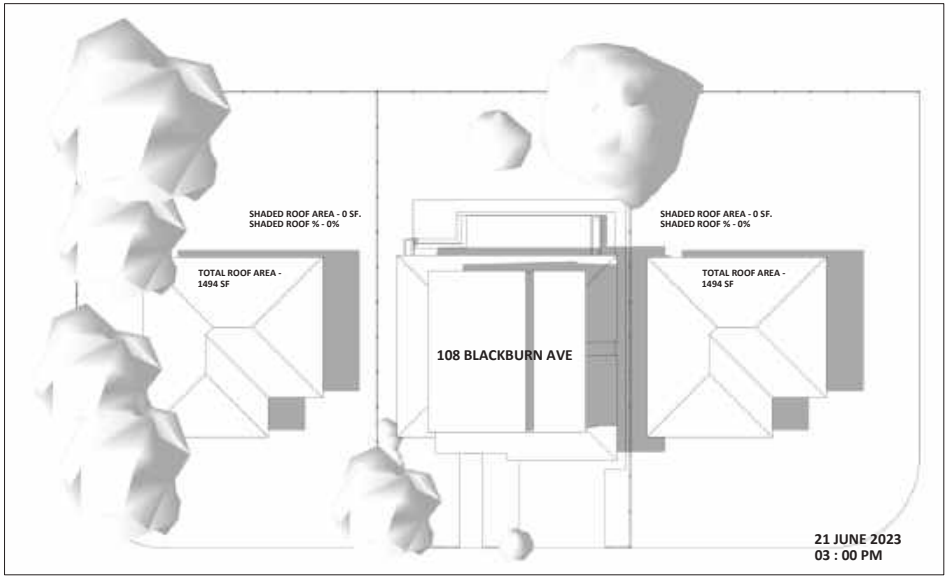

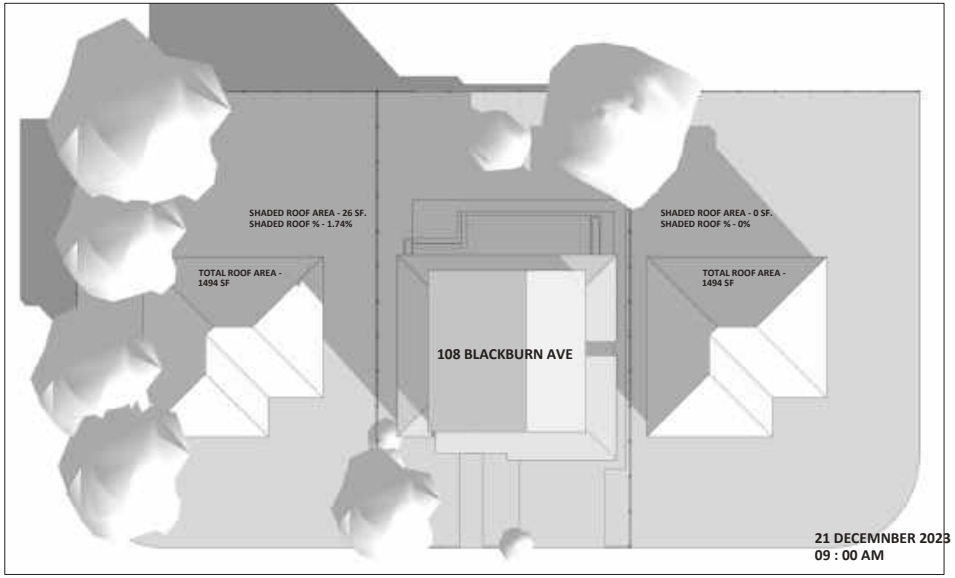

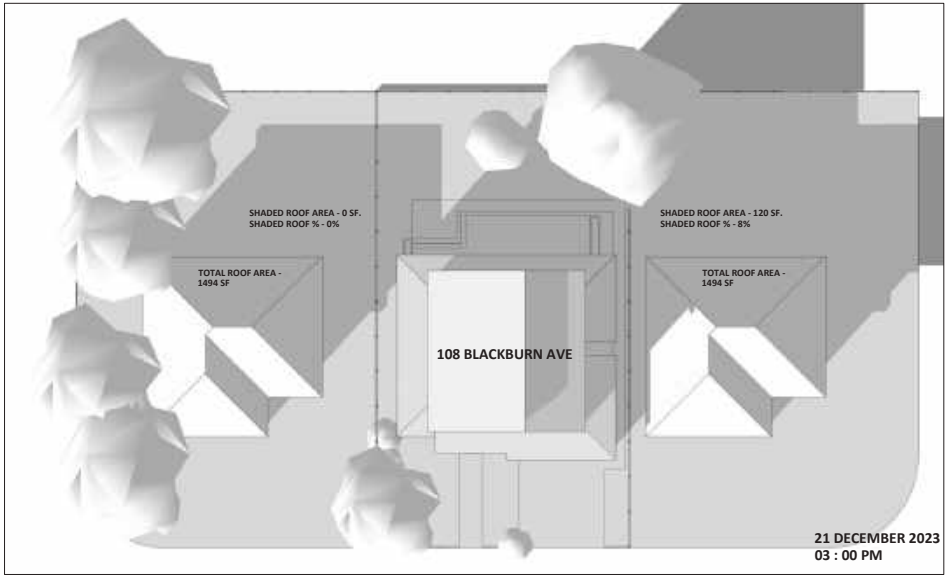

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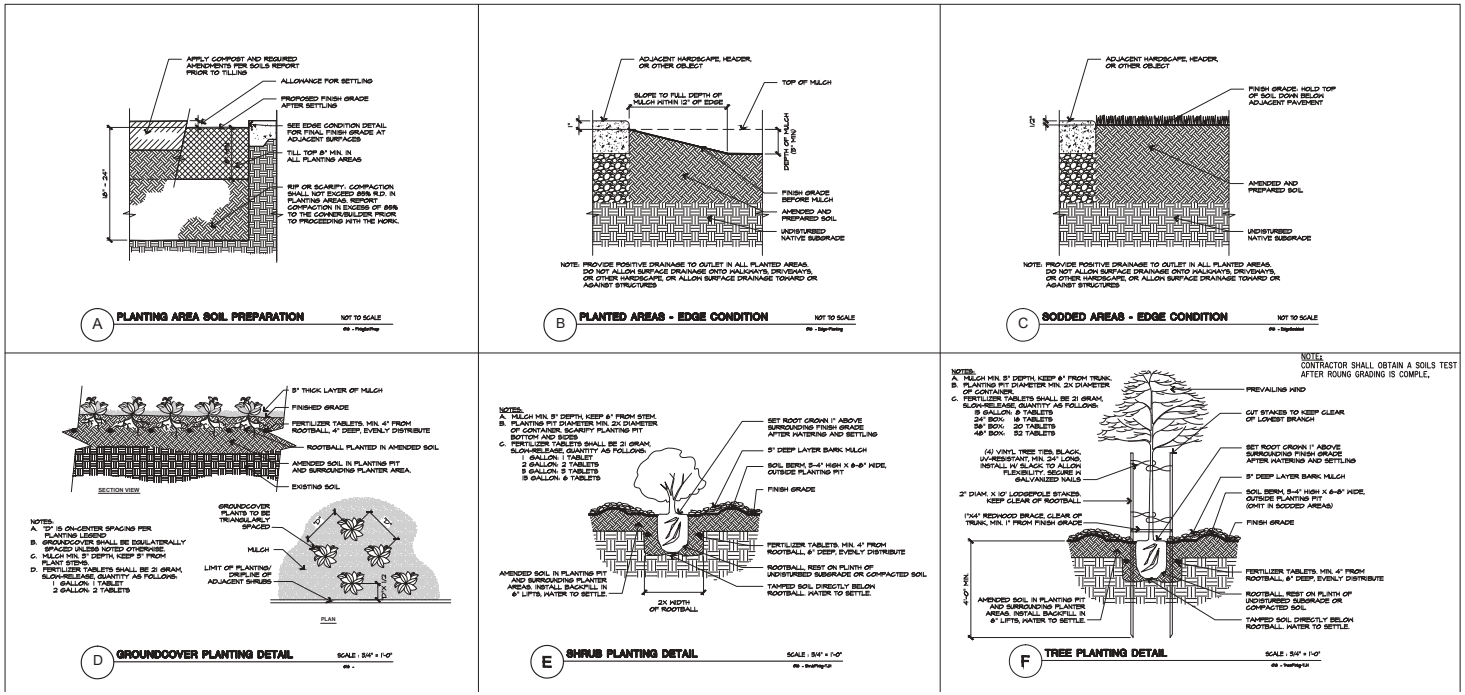


DEMOLITION NOTES:

1. SPECIFICATIONS: SEE GENERAL NOTES FOR ADDITIONAL INFORMATION INCLUDING UTILITIES VERIFICATION, PROTECTION, AND RESTORATION INFORMATION AND REQUIREMENTS.
2. CLEARING AND GRUBBING: CLEAR AND GRUB TO THE LIMITS OF WORK PER SPECIFICATIONS TAKING CARE TO NOT DISTURB THE ROOT SYSTEMS OF EXISTING TREES TO REMAIN.
3. EXISTING UTILITY BOXES: ADJUST ALL UTILITY BOXES TO BE FLUSH WITH FINISHED GRADE.
4. EXISTING PAVING TO REMAIN: IN LOCATIONS WHERE NEW PAVING WILL BE CONSTRUCTED NEXT TO EXISTING PAVING, ENSURE DURING THE CONSTRUCTION PROCESS THAT A SMOOTH TRANSITION CAN BE MADE FROM THE EXISTING PAVING TO THE PROPOSED PAVING. RECONSTRUCT EXISTING PAVING AT SUCH LOCATIONS IF NECESSARY.
5. REMOVAL OF EXISTING TREES: SEVERAL EXISTING TREES ARE BEING REMOVED DUE TO POOR CONDITION OR HEALTH, OR LOCATION IN RELATION TO FUTURE BUILDING SITES OR FOOTINGS AND OTHER STRUCTURES.
6. EXISTING TREES TO REMAIN: EXISTING TREES TO REMAIN SHALL BE PRUNED UNDER THE DIRECTION OF A CERTIFIED ARBORIST IN ACCORDANCE WITH INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA) GUIDELINES PRIOR TO BEGINNING OF CONSTRUCTION. DURING CONSTRUCTION, CONSTRUCTION FENCING SHALL BE INSTALLED AT THE DRIP LINE OF ALL EXISTING TREES TO REMAIN, PER ARBORIST AND TREE PROTECTION PLAN. ALL EXCAVATION WITHIN THE DRIP LINES OF EXISTING TREES TO REMAIN SHALL BE DONE BY HAND WITH CARE TAKEN NOT TO DAMAGE THE ROOT SYSTEMS OF THESE TREES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING AND INSURING THE HEALTH OF THE TREES TO REMAIN. DO NOT WATER CALIFORNIA NATIVE OAK TREES TO REMAIN DURING THE DRY SEASON (APRIL– OCTOBER). TREES THAT DIE DURING THE CONSTRUCTION AND MAINTENANCE PERIOD SHALL BE REPLACED BY THE CONTRACTOR AT NO COST TO THE OWNER AT THEIR CURRENT SIZE.
7. CONTRACTOR TO VERIFY EXISTING DRAINAGE SYSTEM BEFORE CONSTRUCTION, SAVE AND PROTECT IN PLACE, REPAIR AS REQUIRED.
8. CONTRACTOR TO VERIFY EXISTING LIGHTING & ELECTRICAL SYSTEMS, SAVE AND PROTECT IN PLACE, REPAIR AS REQUIRED.
9. CONTRACTOR TO VERIFY EXISTING IRRIGATION SYSTEM BEFORE CONSTRUCTION, SAVE AND PROTECT IN PLACE, REPAIR AS REQUIRED.
10. DO NOT WILLFULLY PROCEED WITH CONSTRUCTION ASDESIGNED WHEN IT IS OBVIOUS THAT UNKNOWNOBSTRUCTIONS, AREA DISCREPANCIES AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BEIMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.

GENERAL NOTES:

1. CONTRACTOR TO FAMILIARIZE HIM/HERSELF WITH ALL SITE CONDITIONS PRIOR TO BIDDING ON PROJECT.
2. CONTRACTOR SHALL CLEAN OUT AND REPAIR/REPLACE AS REQUIRED EXISTING DRAINAGE. SYSTEM AND GRADE SITE SO THAT THE SITE HAS POSITIVE DRAINAGE.
3. ALL GRADING SHALL BE IN ACCORDANCE WITH LOCAL GRADING CODES AND ORDINANCES.
4. THE CONTRACTOR SHALL OBTAIN, COORDINATE AND PAY FOR ANY AND ALL PERMITS AND ALL INSPECTIONS AS REQUIRED.
5. ALL CONCRETE FLATWORK LAYOUT SHALL BE APPROVED BY OWNER AND/OR LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
6. THE LOCATION AND PROTECTION OF ALL UTILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
7. ALL DIMENSIONS ARE FROM OUTSIDE FACE OF PAVING, WALLS, ETC., UNLESS OTHERWISE NOTED ON PLANS.
8. ALL PROPERTY LINES AND LOT LINES SHALL BE VERIFIED PRIOR TO COMMENCING WORK.
9. THE CONTRACTOR SHALL BE RESPONSIBLE AND LIABLE FOR ANY AND ALL DAMAGE DUE TO OPERATIONS, OR NEGLECT OF SUBCONTRACTORS.
10. ALL WALLS AND WALKS SHALL HAVE SMOOTH, CONTINUOUS CURVES AS INDICATED ON PLANS. JOIN ALL EXISTING PAVING FLUSH.
11. APPROVED PROTECTIVE MEASURES AND TEMPORARY DRAINAGE PROVISIONS SHALL BE USED TO PROTECT THE ADJOINING PROPERTIES DURING GRADING OPERATIONS.
12. LANDSCAPE AREAS SHALL DRAIN AWAY FROM ALL BUILDINGS AND FACILITIES AT 2% MIN. 5' AS SHOWN ON THE PLAN.
13. ALL MATTER OR DEBRIS SHALL BE REMOVED BY THE CONTRACTOR FROM THE SURFACE UPON WHICH FILL IS TO BE PLACED.
14. DUST SHALL BE CONTROLLED BY WATERING.
15. EXPORTED SOIL AND DEBRIS SHALL GO TO A LEGAL DUMPSITE AT NO ADDITIONAL COST TO THE OWNER.
16. ALL LANDSCAPE AREAS SHALL BE SMOOTH IN CHARACTER AND SHALL HAVE NATURAL TRANSITIONS BETWEEN CONTOURS AS DIRECTED BY THE LANDSCAPE ARCHITECT.
17. LANDSCAPE MOUNDS AND FILL AREAS SHALL BE SPREAD IN LOOSE LIFTS OF 6 INCHES OR LESS AND COMPACTED TO A DEGREE OF 95% OR GREATER.
18. DO NOT WILLFULLY PROCEED WITH CONSTRUCTION ASDESIGNED WHEN IT IS OBVIOUS THAT UNKNOWNOBSTRUCTIONS, AREA DISCREPANCIES AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BEIMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.

GRADING NOTES:

1. EXISTING GRADES ARE USED BASED ON INFORMATION DIRECTLY FROM CIVIL ENGINEER'S PLANS. VERIFY EXISTING GRADES FOR ACCURACY PRIOR TO THE START OF GRADING AND NOTIFY THE OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY SHOULD CONFLICTS ARISE.
2. THE LAYOUT OF PIPING AND ACCESSORIES IS DIAGRAMMATIC UNLESS SPECIFICALLY DIMENSIONED. PRIOR TO GRADING, VERIFY UNDERGROUND UTILITY LOCATIONS, EXISTING DRAINAGE STRUCTURES, AND STREET IMPROVEMENTS WHICH MAY INTERFERE WITH THE WORK TO BE DONE. CONTACT THE UNDERGROUND SERVICE ALERT (USA) (800)642–2444 PRIOR TO DIGGING. NOTIFY THE OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY SHOULD CONFLICTS ARISE.
3. PROPOSED PAVING SURFACES SHALL MEET PAVED SURFACES WITH A SMOOTH AND CONTINUOUS TRANSITION. LOW SPOTS WHICH HOLD STANDING WATER WILL NOT BE PERMITTED.
4. STEP TREAD SURFACES SHALL BE SLOPED AT 1% FOR DRAINAGE, AND SHALL HAVE SLIP RESISTANT FINISHES.
5. WALKWAYS SHALL BE INSTALLED WITH A MAXIMUM CROSS SLOPE OF 2% AND SHALL MEET ALL LOCAL AND COUNTY REQUIREMENTS.
6. WHEN UTILIZED, CARE SHALL BE TAKEN TO ACCURATELY CENTER ALL DECK DRAINS WITHIN AREA BETWEEN CONCRETE EXPANSION JOINT AND SCORE LINES AS SHOWN ON THE PLANS.
7. PLANTED AREAS SHALL BE SLOPED AT MINIMUM OF 2% TOWARDS CATCH BASINS AND SWALES AS SHOWN ON PLAN. LOW SPOTS WHICH HOLD STANDING WATER WILL NOT BE PERMITTED. POSITIVE DRAINAGE AWAY FROM BUILDING FOUNDATIONS, AND PROPERTY LINES IS IMPERATIVE. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY SHOULD CONFLICTS ARISES.
8. GROUNDCOVER AREAS SHALL BE 2", LAWN AREA 1" BELOW TOP OF ADJACENT PAVING, EADERS, OR CURBS, UNLESS OTHERWISE NOTED. LOW SPOT WHICH HOLD STANDING WATER WILL NOT BE PERMITTED.
9. DRAINLINES SHALL DRAIN AT 2% MINIMUM WITH A SMOOTH AND CONTINUOUS FALL, NLESS OTHERWISE NOTED.
10. VERIFY EXISTING DRAINLINE LOCATIONS AT WALKWAY CROSSINGS. DAYLIGHT PROPOSED DRAINLESS THROUGH THE FACE OF EXISTING CURBS 1" ABOVE THE FLOW LINE.
11. POOLS, SPAS, AND FOUNTAINS SHALL BE DRAINED PER LOCAL CODES AND REQUIREMENTS.
12. WHEN POSSIBLE, CLEAN TOPSOIL SHALL BE REMOVED FROM AREAS TO BE PAVED AND STOCKPILED TO BE USED AT BACKFILL IN PLANTING AREAS.
13. REFER TO PLANTING PLANS FOR SLOPE STABILIZATION AND PLANTING REQUIREMENTS HOULD SLOPE EXCEED 3:1. NOTIFY THE OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY SHOULD FIELD CONDITIONS ARISE WHICH INCREASE THE MAXIMUM PROPOSED SLOPE GRADES.

PLANTING NOTES:

1. CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL EASEMENTS, UNDERGROUND UTILITIES, PIPES AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF SAID UTILITIES.
2. DO NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS, AREA DISCREPANCIES AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
3. LANDSCAPE AREAS SHALL DRAIN AWAY FROM ALL BUILDINGS AND FACILITIES AT 2% MIN. FOR 5' AS PER DRAINAGE PLAN. FOLLOW ALL DRAINAGE PLANS.
4. ALL PLANT MATERIAL SHALL BE OF NURSERY QUALITY AND BE GUARANTEED FOR THREE MONTHS.
5. ALL PLANT MATERIAL SHALL BE APPROVED FOR QUALITY BY THE OWNER AND/OR LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
6. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER.
7. SOIL PREPARATION:
   - ROTOTILL THE FOLLOWING AMENDMENTS 6" INTO THE SOIL AT RATES INDICATED PER 1,000 SQUARE FEET FOR ALL PLANTING AREA AND SOD AREAS.
   - 6 CUBIC YARDS NITROGEN STABILIZED SAWDUST OR EQUAL.
   - 125 LBS. GRO–POWER PLUS OR EQUAL PRE PLANT FERTILIZER.
8. A SITE SPECIFIC SOIL, ANALYSIS SHOULD BE FOLLOWED BY CONTRACTOR PER WELO REQUIREMENT.
8. PLANT PITS SHALL BE 2X THE ROOT BALL SIZE WITH 70% NATIVE SOIL AND 30% AMENDMENTS WITH PLANT TABLETS OR OTHER PRE PLANT FERTILIZER.
9. ALL PLANTS SHALL HAVE A 2" MIN. WATERING BERM AROUND THEM.
10. TREES ARE TO BE STAKED WITH A MIN. 2"X2"X REQUIRED HEIGHT STAKE AND TIED TO INSURE VERTICAL GROWTH.
11. ALL PLANTING AREAS SHALL BE WATERED WITH AN AUTOMATIC IRRIGATION SYSTEM.
12. ALL APPLICABLE CODES TO BE FOLLOWED. ALL WORK REQUIRING PERMITS SHALL HAVE PERMITS BEFORE WORK IS TO BEGIN.
13. ALL PLANTING AREAS TO BE COVERED WITH 3" THICK LAYER OF PREMIUM ARBOR MULCH
14. ALL TREE ROOTS GREATER THAN 1–1/2" IN DIAMETER DAMAGED DURING CONSTRUCTION SHALL BE CUT CLEAN AND SEALED.
15. CONTRACTOR TO VERIFY QUANTITIES, QUANTITIES SHOWN ARE FOR REFERENCE ONLY

ISSUED / REVISED

SHAH DESIGNS
RUCHA SHAH
12631 SHEREE CT,
SAN JOSE, CA 95127
PHONE 408-838-7464
shahdesigns2015@gmail.com

SINGLE FAMILY RESIDENCE
NO. 108
STREET BLACKBURN AVE,
CITY MENLO PARK, CA
ZIPCODE 94025

SHAH DESIGNS

DRAWN : AJ
CHECKED : RS
SCALE :
DATE : 12-15-2023

L1

Subject: Request for Variance – 108 Blackburn Avenue

Dear Planning Department,

We are writing to formally request a variance for the property located at 108 Blackburn Avenue. Due to unforeseen circumstances related to FEMA compliance, we are seeking approval to reconstruct the left-side wall of the residence in its original location.

Background

The property is a substandard lot measuring 55 feet in width and 99 feet in depth, situated in the R-1-U zoning district. Under zoning regulations, the required side setback is 10% of the lot width, with a minimum of five feet and a maximum of 10 feet. In this case, the required setback is 5.5 feet. The original structure included a nonconforming wall on the left side, which was located 5 feet from the property line.

On March 25, 2024, the Planning Commission approved a use permit for remodeling and the addition of first and second-story expansions to the existing nonconforming, single-story residence. This approval was granted with the condition that the project would not increase the nonconformity of the left-side wall.

Additionally, the property is located within Flood Zone AE and is subject to Menlo Park's Flood Damage Prevention Ordinance, which aligns with FEMA Technical Bulletins and the latest state and national building codes. Because the scope of work qualifies as a FEMA-designated substantial improvement, all materials below the Design Flood Elevation (DFE) must be resistant to flood damage, per FEMA's guidelines.

Current Status and Justification for Variance

During construction, we discovered that in order to meet FEMA's floodproofing requirements, all materials below the DFE had to be replaced with flood-resistant materials (such as pressure-treated wood, redwood, or concrete). This requirement necessitated the demolition of all existing walls below the DFE, including the nonconforming left-side wall.

To confirm this requirement, we reached out to the city's flood management department and received the following response:

"Regarding any existing materials below the DFE (53.7'), they are required to be brought into compliance with current NFIP standards, including the requirement that they be flood-damage resistant (i.e., pressure-treated, redwood, concrete, etc.)."

Given this directive, the demolition of the left-side wall was unavoidable in order to bring the structure into compliance with FEMA and Menlo Park's Flood Damage Prevention Ordinance.

We are requesting a variance to allow the left-side wall to be reconstructed in its original location, utilizing the existing, intact foundation. The proposed reconstruction will not extend beyond the previous footprint or increase nonconformity in any way. This request arises from an exceptional situation where adherence to FEMA regulations directly conflicts with zoning requirements related to nonconforming structures.

Conclusion

We respectfully ask for the Planning Department's consideration in granting this variance, as it would allow us to comply with both flood mitigation standards and local zoning regulations in the most practical manner. We appreciate your time and consideration and welcome any opportunity to discuss this matter further.

Attached to this letter are the planning commission approval letter, evidence for the required findings to grant variance, email communication with flood management, and Menlo Park's Flood Damage Prevention Ordinance.

Please let us know if additional information is required.

Sincerely,

Lavan Construction and Vahid Taslimitehrani/Haleh Dolati (property owners)

Findings

1. That a hardship peculiar to the property and not created by any act of the owner exists. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not hardships justifying a variance. Further, a previous variance can never have set a precedent, for each case must be considered only on its individual merits;

The hardship arises from the property's location within Flood Zone AE, which subjects it to FEMA regulations requiring flood-resistant materials below the Design Flood Elevation (DFE). The requirement to replace these materials necessitated the demolition of the nonconforming left-side wall. This is a hardship unique to the property due to its flood zone designation, and it was not created by any act of the owner. Instead, it results from federal and local flood protection regulations that must be followed to ensure the property's compliance and safety.

2. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors.

The requested variance would not grant a special privilege but rather restore the pre-existing condition of the home in compliance with necessary floodproofing regulations. Other properties in the vicinity that do not fall under the same flood zone restrictions are not subject to this hardship. Granting the variance allows the property owner to maintain a functional residence without expanding nonconformity beyond what existed before the necessary demolition.

3. That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property.

Rebuilding the left-side wall in its original location will not impact public health or safety, as it aligns with FEMA flood protection measures. The setback remains unchanged from its previous condition, ensuring no new obstruction to neighboring properties' light or air supply. Additionally, adherence to flood-resistant construction materials enhances overall property safety, benefiting the broader community.

4. That the conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification.

This variance request is specific to 108 Blackburn Avenue due to its location within Flood Zone AE and the subsequent FEMA compliance requirements for Substantial Improvements (SI). Other properties in the same zoning district that are not within a flood zone would not face the same mandate to replace materials below the DFE, making this an uncommon situation rather than a broadly applicable condition.

5. That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process.

The conflict between FEMA's floodproofing requirements for Substantial Improvements (SI) and Menlo Park's zoning restrictions for nonconforming structures is an unusual and unforeseen circumstance. While the Planning Commission approved the remodeling with the condition that nonconformity would not increase, the necessity to demolish the wall to comply with flood regulations was not fully anticipated. This situation was not explicitly discussed in prior planning considerations, making the variance necessary to reconcile regulatory conflicts.

LOCATION: 108 Blackburn Avenue	**PROJECT NUMBER:** PLN2025-00020	**APPLICANT:** Vahid Taslimitehrani	**OWNER:** Vahid Taslimitehrani

PROJECT CONDITIONS:

1. The use permit shall be subject to the following **standard** conditions**:**

   a. Development of the project shall be substantially in conformance with the plans prepared by Architect: Rucha Shah consisting of 23 plan sheets, dated received March 31, 2025 and approved by the Planning Commission on April 14, 2025, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

   b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.

   c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

   d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

   e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.

   f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.

   g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Heartwood Consulting Arborists, dated received February 15, 2024.

   h. Prior to building permit issuance, the applicant shall pay all fees incurred through staff time spent reviewing the application.

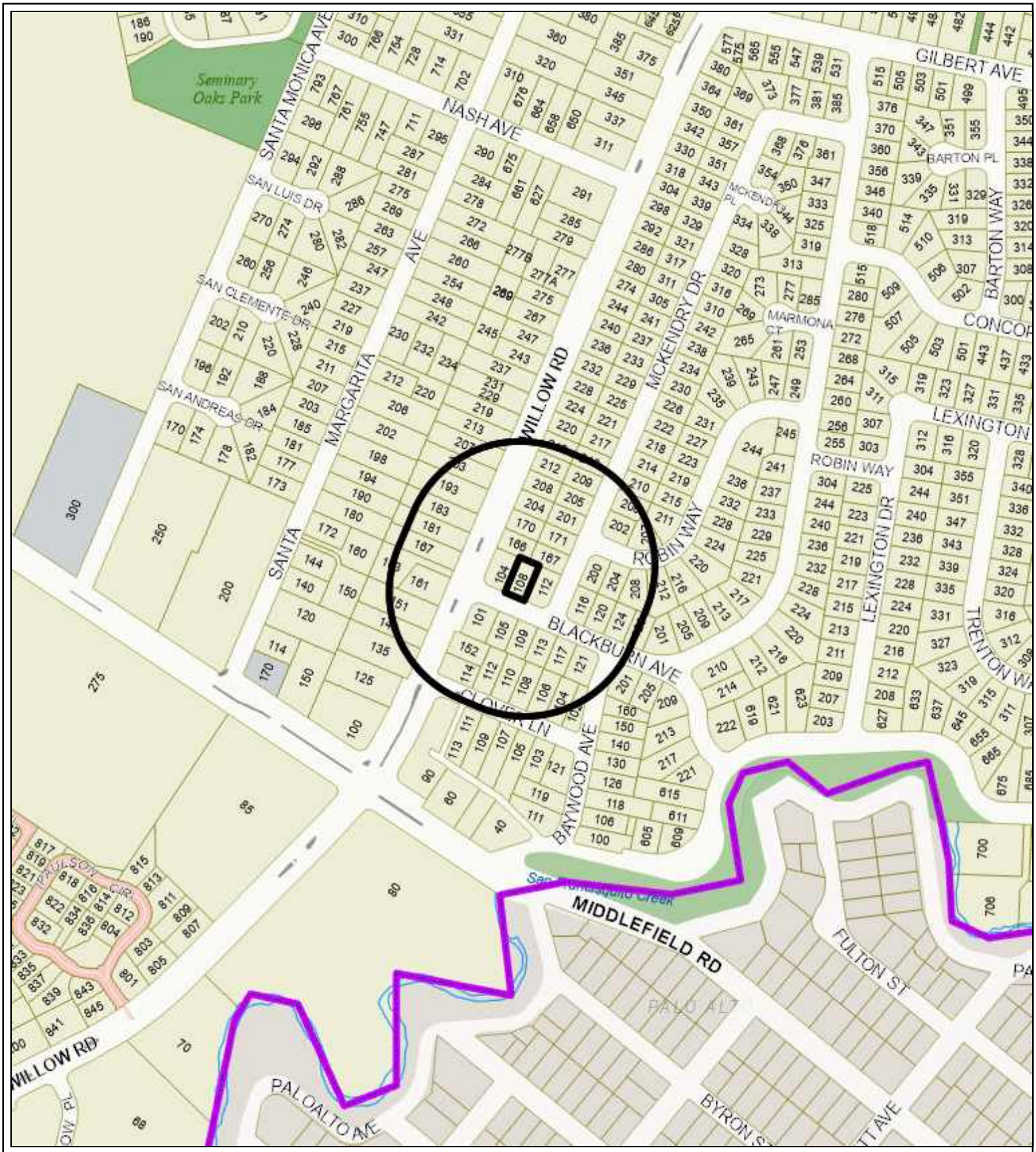
   i. The applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit, or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

   j. 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

LOCATION: 108 Blackburn Avenue	**PROJECT NUMBER:** PLN2025-00020	**APPLICANT:** Vahid Taslimitehrani	**OWNER:** Vahid Taslimitehrani

PROJECT CONDITIONS:

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.



City of Menlo Park

Location Map
108 Blackburn Avenue

Scale: 1:4,000 | Drawn By: FNK | Checked By: | Date: 3/24/2024 | Sheet: 1