# **Planning Commission**



# **REGULAR MEETING AGENDA**

Date: 7/14/2025 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 June 23, 2025 Planning Commission meeting (Attachment)

# F. Public Hearing Items

F1. Use Permit/Rex McLean/1221 Windermere Ave.:

Consider and adopt a resolution to approve a use permit to determine the Floor Area Limit (FAL) on a lot less than 5,000 square feet in area, and to remodel and construct first- and second-story additions to an existing nonconforming one-story, single-family residence on a substandard lot with regard to minimum lot width, depth, and area in the R-1-U (Single Family Urban Residential) zoning district. The proposal would exceed 50 percent of the replacement value in a 12-month period and requires use permit approval. The proposal would also exceed 50 percent of the existing floor area and is considered equivalent to a new structure. *Continue to August 11, 2025.* 

F2. Use Permit/Seyed Ali Modarres Najafabadi/303 Concord Dr.:

Consider and adopt a resolution to approve a use permit to construct first-floor additions and conduct interior modifications to an existing nonconforming single-story residence at 303 Concord Dr. in the R-1-U (Single Family Urban Residential) zoning district. The proposed work would exceed 75 percent of the replacement value of the existing structure, which requires a use permit. Determine this action is categorically exempt under CEQA Guidelines Section 15303, Class 3 exemption for new construction or conversion of small structures. The proposal includes the addition of an attached accessory dwelling unit (ADU) and a junior accessory dwelling unit (JADU), which are permitted uses and not subject to discretionary review. (Staff Report #25-029-PC)

F3. Use Permit/Steve Rawlings/3000 Sand Hill Rd.:

Consider and adopt a resolution to approve a use permit to 1) modify the previously approved State of California Alcoholic Beverage Control (ABC) license type 41 (on-sale beer and wine – eating place) to type 47 (on-sale general – eating place), which would allow the sale of beer, wine, and distilled spirits for consumption at an existing restaurant, and 2) modify the restaurant hours of operation to 8 a.m. to 7 p.m. seven days a week, at 3000 Sand Hill Rd. in the C-1-C(X) (Administrative, Professional, and Research District, Restrictive, Conditional Development Permit) zoning district. Determine these actions are categorically exempt under CEQA Guidelines Section 15301, Class 1 exemption for existing facilities. (Staff Report #25-030-PC)

F4. Use Permit/Steve Rawlings/125-135 Constitution Dr.:

Consider and adopt a resolution to approve a use permit for the sale of beer and wine for on-site consumption (State of California Alcoholic Beverage Control license type 41), which is considered a special use, at existing corporate campus cafeterias at 125-135 Constitution Dr. in the M-3(X) (Commercial Business Park, Conditional Development Permit) zoning district. Determine these actions are categorically exempt under CEQA Guidelines Section 15301, Class 1 exemption for existing facilities. (Staff Report #25-031-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: July 28, 2025
  - Regular Meeting: August 11, 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.

Agendas are posted in accordance with Cal. Gov. Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the city website at menlopark.gov/agendas and can receive email notifications of agenda postings by subscribing at menlopark.gov/subscribe. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 7/9/2025)

# **Planning Commission**



# **REGULAR MEETING DRAFT MINUTES**

Date: 6/23/2025 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 Andrew Ehrich called the meeting to order at 7:01 p.m.

# B. Roll Call

Present: Andew Ehrich (Chair), Ross Silverstein (Vice Chair), Katie Behroozi, Linh Dan Do, Jennifer Schindler, Misha Silin

Absent: Katie Ferrick

Staff: Matthew Pruter, Associate Planner; Corinna Sandmeier, Principal Planner; Mariam Sleiman, City Attorney's Office

# C. Reports and Announcements

Principal Planner Corinna Sandmeier said the City Council at its June 24, 2025 meeting would review the proposed budget for the upcoming fiscal year.

# D. Public Comment

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

# E. Consent Calendar

E1. Approval of minutes from the June 9, 2025 Planning Commission meeting (Attachment)

Chair Ehrich opened public comment on the Consent Calendar and closed it as no persons requested to speak.

ACTION: Motion and second (Behroozi/Schindler) to approve the Consent Calendar consisting of the minutes from the June 9, 2025 Planning Commission meeting; passes 6-0 with Commissioner Ferrick absent.

# F. Regular Business Item

F1. Architectural Control/Stanford University/200 and 300 El Camino Real: Consider and adopt a resolution to approve an architectural control permit for minor alterations to two existing office buildings at 200-300 El Camino Real, including the installation of metal roll-up gates for two rear-facing underground parking garage entrances at 300 El Camino Real, and the installation of metal roll-up gates for two rear-facing underground parking garage entrances and a metal gate for one side-facing pedestrian entrance at 200 El Camino Real, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district, and determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities. (Staff Report #25-028-PC)

Associate Planner Matthew Pruter said staff had no additions to the written report.

Michelle Coplan, property manager, spoke on behalf of the project.

Chair Ehrich opened for public comment on the project and closed public comment as no persons requested to speak.

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

# G. Informational Items

- G1. Future Planning Commission Meeting Schedule
  - Regular Meeting: July 14, 2025

Planner Sandmeier said the agenda for the July 14 meeting had some single family home projects and some smaller commercial projects.

• Regular Meeting: July 28, 2025

Planner Sandmeier said the Parkline project was tentatively scheduled for the July 28 agenda.

Commissioner Silverstein said he would be absent from the July 14 meeting. Chair Ehrich noted that Commissioner Ferrick would also be absent from the July 14 meeting.

# H. Adjournment

Chair Ehrich adjourned the meeting at 7:26 p.m.

Staff Liaison: Corinna Sandmeier, Principal Planner

Recording Secretary: Brenda Bennett

# **Community Development**



# STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

Public Hearing:

7/14/2025 25-029-PC

Consider and adopt a resolution to approve a use permit to construct first-floor additions and conduct interior modifications to an existing nonconforming single-story residence in the R-1-U (Single Family Urban Residential) zoning district at 303 Concord Drive and determine this action is categorically exempt under CEQA Guidelines Section 15303, Class 3 exemption for new construction or conversion of small structures. The proposal includes the addition of an attached accessory dwelling unit (ADU) and a junior accessory dwelling unit (JADU), which are permitted uses and not subject to discretionary review.

# Recommendation

Staff recommends that the Planning Commission adopt a resolution approving a use permit to construct first-floor additions and conduct interior modifications to an existing nonconforming single-story residence in the R-1-U (Single Family Urban Residential) zoning district. The proposed work would exceed 75 percent of the replacement value of the existing structure, which requires a use permit. The proposal includes the addition of an attached accessory dwelling unit (ADU) and a junior accessory dwelling unit (JADU), which are permitted uses 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

The subject property is located at the northeastern corner of Concord Drive and Trenton Way, in the Willows neighborhood. Concord Drive is considered the front property line because it has a shorter frontage than the Trenton Way frontage. All neighboring properties are also located in the R-1-U district. A location map is included as Attachment B. The surrounding neighborhood consists of single- and two-story residences, many featuring ranch and bungalow architectural styles.

# Analysis

# **Project description**

The residence is nonconforming with regard to the side setbacks. To the south along Trenton Way, the residence is set back from the property line 9.7 feet, where a 12-foot corner side setback is required. Along the north property line, the residence is set back five feet and the garage is set back 3.7 feet, where a 6.8 feet setback is required. The lot is presently occupied by a 1,710 square-foot single-story, single-family residence with two-car garage, originally built in 1948 in the ranch style. The front entrance and driveway of the residence face Concord Drive.

The applicant is proposing to construct first floor additions and interior modifications to the existing residence, expanding the building footprint and also adding an attached 660 square-foot ADU to the rear (west) and converting/expanding the existing garage at the front (east) to a 490 square-foot JADU. New walls and rooms are proposed at the front and rear of the residence within the front and rear setbacks, while select portions of nonconforming walls, along the northern and southern sides of the property are proposed to retain the existing nonconforming side setbacks. The proposal increases the existing primary residence square footage, excluding garage, by approximately 621 square feet and the front entrance and driveway would continue to be oriented towards Concord Drive. The new ADU at the rear (west) would have independent access through double doors oriented south and the new garage conversion JADU at the front (east) would have independent access through a door oriented to the north. The primary residence would include three bedrooms, two bathrooms, dining room, kitchen, and family room spaces in an open layout.

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

- The total proposed FAL would be 3,091 square feet, where a maximum of 2,800 square feet is permitted.
  - The project is allowed to exceed the FAL by up to 800 square feet in order to accommodate the 660 square-foot ADU.
- The total proposed building coverage would be 2,977 square feet, where a maximum of 2,609 square feet is permitted.
  - The project is allowed to exceed the maximum building coverage by up to 800 square feet in order to accommodate the 660 square-foot ADU.
- The primary residence would meet front and rear setbacks and would continue to maintain the nonconforming setback of five feet to the north where 6.8 feet is required, and also 9.7 feet to the south where 12 feet is required. All new portions of the primary residence would meet setback requirements. The existing garage, which has a north side setback of 3.7 feet would maintain this setback with the conversion to the JADU. The proposed attached ADU would meet setback requirements.
- The proposed building height would be 19.8 feet, where a maximum building height of 28 feet is permitted. The existing residence is 17.8 feet tall.

The proposed project would be approximately 90 percent of the replacement cost of the existing nonconforming structure and thereby exceeds the 75 percent nonconforming structures threshold per Municipal Code section 16.80.030 and requires a use permit. The applicant's project plans and project description letter are included as Attachment A, Exhibits A and B, respectively. A data table summarizing parcel and project attributes is included as Attachment C.

# Parking and circulation

The property has an existing driveway along Concord Drive which provides access to an attached two-car garage. The driveway location is proposed to remain and a future concrete driveway would effectively provide two uncovered parking spaces with at least one parking space being required by the new ADU. No parking spaces are required for the JADU and since the existing two-car garage is being converted to the JADU, no replacement parking is required for the primary residence. The proposed JADU includes space for bicycle storage.

# Design and materials

The applicant describes the architectural style as Mediterranean and highlights features such as stucco siding, arched doorways and windows, and a wrought-iron entrance. Stone molding around doors and gridded windows as well as tile wainscotting are proposed. The applicant states the color palette would include warm earth tones such as beige, terracotta, and limestone veneer. A standing seam metal roof is proposed above the main entrance and an asphalt shingle roof is proposed elsewhere. The entrance to the JADU bicycle storage area would feature a wood sectional roll-up door facing Concord Drive. Multiple skylights are proposed for the primary residence, ADU, and JADU.

# Trees and landscaping

The applicant submitted an arborist report (Attachment A, Exhibit C), detailing the species, size (trunk diameter), and conditions of on-site and nearby trees, summarized in Table 1 on the following page.

Table 1: Tree summary and disposition								
ID #	Species	Trunk Diameter	Condition	Status	Removal or Retention	Off-site or On-site		
242	Sweetgum	34	Fair	Heritage	Retention	Off-site (street)		
243	Cheesewood	10	Fair	Non-heritage	Retention	Off-site (street)		
244	Cheesewood	11	Fair	Non-heritage	Retention	Off-site (street)		
245	Orange	17	Very poor	Heritage	Retention	On-site		
246	Plum	15	Very poor	Heritage	Retention	On-site		
247	Birch	8	Dead	Non-heritage	Removal	On-site		
248	Black acacia	5	Good	Non-heritage	Retention	On-site		
249	Lemonwood	4	Good	Non-heritage	Retention	On-site		
250	Common camelia	4	Good	Non-heritage	Retention	On-site		
251	Common camelia	9	Good	Non-heritage	Retention	On-site		
252	Common camelia	9	Good	Non-heritage	Retention	On-site		
253	Common camelia	7	Good	Non-heritage	Retention	On-site		
254	Cheesewood	10	Good	Non-heritage	Retention	Off-site		

255	Common camelia	5	Good	Non-heritage	Retention	Off-site
266	Common camelia	5	Good	Non-heritage	Retention	Off-site
257	Common camelia	5	Good	Non-heritage	Retention	Off-site

The project arborist inventoried a total of 16 trees on-site and surrounding the property, with three trees being considered heritage trees (two on-site and one street tree). All heritage trees would be retained. Of the non-heritage trees, one dead on-site birch tree would be removed and all other non-heritage trees would be retained. The arborist report specifies tree protection measures, including two tree protection zones to minimize potential injury to trees during construction. Two new street trees (gingko and Chinese flame) are proposed along Concord Drive. The City Arborist has reviewed the application, including review for the new street trees, and all recommended tree protection measures identified in the arborist report would be implemented and ensured as part of draft condition of approval 1h (see Attachment A, Exhibit D).

# Correspondence

The applicant states in their project description letter that they have made efforts to inform and engage neighboring property owners and the proposal has received positive responses. As of the completion of this report, staff has not received any correspondence.

# Conclusion

The proposed project would update and improve the housing condition of the existing residence originally constructed in 1948. Staff believes the design and materials of the proposed residence are compatible with the surrounding neighborhood, which features a mixture of single- and two-story residence with varied architectural styles. The proposed project would feature a consistent, harmonious architectural style between the main house, attached ADU, and JADU, and would increase the local housing stock by supporting the addition of two living units to an existing single-family residence, for a total of three living units on the site. 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

Staff Report #: 25-029-PC Page 5

Council, in which case the outcome of the application shall be determined by the City Council.

# Attachments

- A. Draft Planning Commission resolution approving the use permit Exhibits to Attachment A
  - A. Project plans
  - B. Project description letter
  - C. Arborist report
  - D. Conditions of approval
- B. Location map
- C. Data table

Report prepared by: Calvin Chan, Senior Planner

Report reviewed by: Tom Smith, Principal Planner

# PLANNING COMMISSION RESOLUTION NO. 2025-0XX

# A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT TO CONSTRUCT FIRST-FLOOR ADDITIONS AND CONDUCT INTERIOR MODIFICATIONS TO AN EXISTING NONCONFORMING SINGLE-STORY RESIDENCE IN THE R-1-U (SINGLE FAMILY URBAN RESIDENTIAL) ZONING DISTRICT AT 303 CONCORD DRIVE.

WHEREAS, the City of Menlo Park ("City") received an application requesting a use permit to construct first-floor additions and conduct interior modifications to an existing nonconforming single-story residence in the R-1-U (Single Family Urban Residential) zoning district (collectively, the "Project") from Seyed Ali Modarres Najafabadi ("Applicant" and "Owner"), at 303 Concord Drive (APN 062-333-200) ("Property"). The proposal also includes the addition of an attached accessory dwelling unit (ADU) and a junior accessory dwelling unit (JADU), which are permitted uses 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 Residential (R-1-U) district. The R-1-U district supports single-family residential uses and accessory dwelling units; and

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

WHEREAS, the proposed project includes a new attached ADU and a new JADU converted/expanded from an existing garage, which are permitted uses and not subject to discretionary review; and

WHEREAS, the Applicant submitted an arborist report prepared by Monarch Consulting Arborists, 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 proposed Project was found to be in compliance with City standards; 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 exempt from environmental review pursuant to CEQA Guidelines section 15303 (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 July 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 to construct first-floor additions and conduct interior modifications to an existing nonconforming single-story residence is granted based on the following findings, which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

- That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
  - a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the proposed use permit is consistent with the R-1-U zoning district and the General Plan because nonconforming single-story residences are allowed to be modified and expanded beyond 75 percent of the value of the proposed new work in any 12-month period on substandard lots, subject to granting of a use permit.

- b. The proposed project would refresh and improve the housing condition of the existing residence originally constructed in 1948. The primary residence would meet front and rear setbacks and would continue to maintain the nonconforming interior side setback of five feet to the north where 6.8 feet is required, and also 9.7 feet to the south where a corner side setback of 12 feet is required. All new portions of the primary residence would meet setback requirements. The existing garage, which has a north side setback of 3.7 feet would maintain this setback with the conversion to the JADU. The proposed attached ADU would meet setback requirements.
- c. The proposal would be compliant with all parking requirements and would include a new driveway in the existing location and effectively provide two uncovered parking spaces, as well as bicycle parking for the proposed JADU.
- d. The proposed Project is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code and the Commission concludes that the Project would not be detrimental to the health, safety, and welfare of the surrounding community as the proposed residence would be located in a single-family neighborhood and has been designed in a way to complement the existing scale of surrounding homes.

Section 3. Conditional Use Permit. The Planning Commission approves Use Permit No. PLN2024-00044, 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, Thomas Rogers, 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 July 14, 2025, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_\_\_ day of July 2025.

PC Liaison Signature

Thomas Rogers Principal Planner City of Menlo Park

Exhibits

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

# EXHIBIT A







NONCONFORMING ELEMENTS SHALL NOT BE REMOVED PAST THEIR FRAMING MEMBERS AND IF DEMOLISHED CANNOT BE REBUILT IN THE CURRENT LOCATION. THIS WORK WAS PREPARED BY JOHN A. RIDER, ASSOCIATE AIA R UNDER MY SUPERV John A. Rider l ma ma ma ma ma 303 Concord Drive Tree Protection Plan Sheet T-1 February 28, 2025 © 2025 J. Rider Design September 24, 2024 Revised December 10, 2024 00 Concord Drive, Menio Park Tree Inventory, Assessment and Protection Report September 24, 2024 Revised December 10, 2024 303 Concord Drive, Menio Park Tree Inventory, Assessment and Protection Report 303 Concord Drive, Menio Park Tree Inventory, Assessment and Protection Report September 24, 2024 Revised December 10, 2024 Design Tree Inventory, Assessment and Protection Report Appendix B: Tree Inventory and Assessment Tables Table of Contem Arborist's Response to City Comments plement e 408-515-51 iderdesign.cc Appendix C: Photographs... Arborist's Response to Cit 10 City Letter dated November 7, 2024 C1: Sweetgum #242. 101 Concord Drive C2: Orange #245 and Plum #246. The City is concerned about the severity of potential impacts to heritage street tree #242, which is right next to the construction entrance, driveway demolition and construction, and area to be graded. 303 Concord Drive Menlo Park, CA 94025 Annendix D: Tree Protection Guidelines | Im p Phone www.jric Prepared for: MCA: to preserve the heritage street tree #242 in front of the site the plans have been modified to retain the existing driveway throughout construction thus preserving the existing conditions and limiting impacts to the tree. Ali and Mahsa Modar a. Please provide more detailed, specific recommendations for how the grading and driveway demolition and construction should be conducted to reduce intracts to the liamidanthar. ze Penhilind Activities 20 Monitoring 21 Boring or Turneling 21 Boring or Turneling 21 Boring or Turneling 21 Boring or Turneling 21 Appendix E: Tree Protection Signs 22 September 24, 2024 Revised December 10, 2024 Analysis ..... MCA: The plan, as stated above, is to retain the existing driveway during construction. This will allow for access and staging in this ana without causing harm to the tree or its roots. Once the project is near completion the existing driveway will be removed/ demoloibed. 27 Prepared By: Discussion..... <u>ــ</u> 951 This permit application will only be approved once impacts to protocted trees have been sufficiently initigated with design changes and planned work methods (e.g., exploratory excerning, careful denoifision of hardscope near trees without hency machinery, hwaving the project attrabuist non-into chancement and gains or optimizing adpreservation, etc.). Ð E1: English..... E2: Spanish..... ceive Drive California õ Conclusion ...... Recommendation meaning, along up page memory one is a scattering angung a ·--Certification of Performance Conc Bibliography ..... R Golf Jose, Glossary of Terms..... Monarch Consulting Arborists Appendix A: Tree Inventory Map 3990 San J Charles who will be 肉 Monarch Consulting Arborists LLC - P.O Box 1010, Felton, CA 95018 831.331.8982 - tick@monarcharborist.com 肉 Monarch Consulting Arbonists LLC - P.O Box 1010, Felton, CA 95018 831.331.8882 - rick Resonancharbonist.com 肉 Monarch Consulting Arborists LLC - P.O Box 1010, Felton, GA 95018 831.331.8982 - tick Researcharborist.com Page 1 of 1 ш 303 Concord Drive, Menio Park 303 Concord Drive, Menio Park The Inventory, Assessment and Potentian Report 303 Concord Drive, Merio Park 303 Concord Drive, Menio Park Tree Inventory, Assessment and Protection Report Tree Inventory, Assessment and Protection Report September 24, 2024 September 24, 2024 Revised December 10, 2024 Tree Inventory, Assessment and Protection Report September 24, 2024 September 24, 2024 υ The plans reviewed for this assignment were as follows (Table 1) Purpose and use of the report teen (16) trees comprised of eight (8) different species (Table 2). There are three (3) trees co rating on the adjacent site. The remaining thirteen (13) are not large enough to be considered Introduction Summarv Analysis ▼ 2 Z The report is intended to identify all the tree area that could be affected by a project. The **€** ▲ ● 9402! n proposed home addition and remodel. Th sixteen (16) trees comprised of eight (8) here are three (3) trees considered e originating on the adjacent site. The (13) are not large enough to be considered Background Table 1: Plans Reviewed Checklist Table 2: Tree Inventory Tree appraisal was performed according to the Council of Tree & Landscape Appraisers Guide for Plant Appraised 10th Edition, 2017 (CLTA) along with Western Chapter International Society of Arboriculture Species Classification and Group Assignment, 2049. The trees were appraised using the "Cost Approach" and more specifically the "Trank Formala Technique" (Appendix B). old The area that could be affected by a project. by the property owners and the City of 2 reference for existing tree conditions to requirements. LD.# Trunk - Height (ft.) - Canopy Diameter (ft.) Ali and Mahsa Modares asked me to assess the site, trees, and proposed footprint plan, and to provide a report with my findings and recommendations to help satisfy planning Plan Date Sheet Reviewed Source 
 The Section
 Dial
 Team
 Product
 Control

 memory in [justements
 200
 30
 60
 50
 Re

 memory in [justements
 200
 30
 60
 8
 8
 Re

 datasensed (Plangment total)
 200
 50
 6
 8
 Re
 Re

 desarrout (Plangment total)
 200
 60
 10
 8
 Re
 Ш ENTO Existing Site 08/27/24 C1 Yes "Trank Formula Technique" is calculated as follows: Basic Tree Cost = (Unit tree cost x Appraised Hunk area), Appraised Value Basic tree cost X functional Limitations (percentage) X Condition (percentage) X External Limitations (percentarei). 
 Site uphic
 OB/27/24
 C1
 Yes
 Sterling Consultants

 ed Site
 12/08/24
 A0
 Yes
 JRider Design
 Heritage Tree Non-Heritage Non-Heritage Heritage Tree Heritage Tree Non-Heritage Non-Heritage Non-Heritage Non-Heritage Non-Heritage Non-Heritage Non-Heritage Non-Heritage Non-Heritage remaining thirdeen (13) are not large enough to be considere "Heritage". Ten (10) trees are in good condition. Three (3) to are in fair shape and both "Heritage Trees" on the site are in "Jerv Poze" condition (comme (2345 and nhum (236)) 
 Spergraft Sin
 Operation
 Ğ, Δ Observations The tends formula valuations are based on former fasters; into (trank creas sectional area), condition, functional limitations, and cannot limitations. These are to stop we detension the condition that the first args in a distance to the limitations are detensioned in the stop of the detension of the stop of the sto Assignment Tree Inventory Provide an arborit's report including an assessment in the trees within the project area and on the adjucent nice. The assessment in its include the species: and (trank dimented), condition (health, structure, and (tern), and suitability for preservation transform, Alfas mather tags and the trans for reference on and and on plans.
 Provide tag president on problem providence, and impact 1 - Provide tag president on plans and the providence of the provide tag president values using the Trank Formula Technique. Eight trees are expected to be moderately impacted. The applicant anticipates retaining all the trees around the property except the dead and failed birch tree #247. \_ enlo Park, 13.24.020 Definitions ທ <sup>4</sup> Heritage Tree<sup>4</sup> shall mean: A. All nees other than oaks which have a trunk with a ciccumference of 47.1 inches (diameter of fifteen (15) inches) or mees, measured fifty-four (54) inches above matural grade. tgum #242 will require fence around it on th Committeed on the independent of the two basis. Can thereby an answerster of condition, functional limitations, and extend includents. The conditions measures applications and presentages or additud in the "Condition Realing" sections of this report, the condition of the report, and the report of the report of the report of the report of the report. Section 2014 and the report, and the report of the report of the report of the report of the report. Interface of the report, and the report of the report ш enlo The specified TPZ will need to conform to the driverway location (Appendix A). Threes #245 and #246 are anticipated to be retained and the specified TPZ requires fence around them in the back corner of the site. 12,09,04 A8, Yes A9, A10 Q Š Limits of the assignment Σ There were three "Heritage" trees trees appraised for a rounded derecciated value of \$18,090.00. Landscape Plan and Pool There were three "Heritage" trees trees appraised for a rounded depreciated value of \$18,090.00. The information in this report is limited to the condition of the trees during my impection on August 16, 2024. No tree risk assessments were performed.
 Tree heights and canopy diameters are estimates. ٠ Irrigation Plan T-1 Tree Protection Plan uisal worksheets are available upon request. resolution of the city council ທ RUCTI Drive The plans are to build an Accessory Dwelling Unit (ADU) within the footprint of the existing pool and construct a new smaller pool on the other side of the property. Ш 肉 愈 Monarch Consuling Arborists LLC - P.O Box 1010, Felton, CA 95018 831.331.8982 - tick Researcharborist.com Monarch Consulting Arbonists LLC - P.D Box 1010, Felton, CA 95018 801.331.8982 - rick@monarcharbonist.com 肉 Monarch Consulting Arborists LLC - P.O Box 1010, Fellon, CA 95018 831.331.8982 - rick@monarcharborist.com 肉 Monarch Consulting Arbonists LLC - P.D Box 1010, Fellon, CA 95018 831.331.8982 - rick@monarcharbonist.com Concord Page 1 of 25 Page 2 of 25 Page 3 of 25 Page 4 of 25 ٩**٢** ∢ 303 Concord Drive, Menio Park September 24, 2024 Revised December 10, 2024 303 Concord Drive, Menio Park September 24, 2024 Revised December 10, 2024 303 Concord Drive, Merio Park September 24, 2024 Revised December 10, 2024 303 Concord Drive, Merilo Park Tree Inventory, Assessment and Protection Report September 24, 2024 Revised December 10, 2024 Tree Inventory, Assessment Tree Inventory, Assessment Tree Inventory, Assessment and Protection Report Δ Expected Impact Level Å Sö Discussion Tree Protection Conclusion Ten trees are in good condition, abhough many of those I would call shrubs for clarification since they are abrost all pitosportum and camellias with the exception of the sweetgam #242 (Charl I). There trees are in fair shape and both Heritage Trees on the site are in "Very Poor" condition. Impact level defines how a tree may be sile The protocols between a second gas appropriate the resonance of second large bardies from here programmer (Appendix G). These measurements merely resonance bardies may are below in an increasing product bardies of the second a hand memory network on the resonance bardies are protoknown and the destinated by a multiple transmission protocol major of the second and and the second and the second and the second second second second second second second second memory and the second sec activity and proximity to the tree may be affected by constr activity and proximity to the tree, and is described as low, moderate, or high. The following scale defines the impact rating: Condition Rating The plans indicate a proposed home addition and remodel. The investory contains sinteen (16) trees comprised of eight (3) different species. There are three (3) trees considered "Heritage" with one originating on the adjacent site. The remaining thiesen (13) are not large enough to be considered "Heritage". Chart-K Experied Interest El Quantity 0 CONDUCT: A tree's condition is a determination of its over structure, and form. The assessment considered —bined condition rating (ISA, 2019). nation of its overall health, ........... Ten (10) trees are in good condition, although many of these I would consider shrabs for clarification since they are almost all pittopromu and camelias with the exception of the meetingent #242. Three trees are in fair shape and both "Heritage Trees" on the vite are in "Wey Nees", condition (prange 2425 and plane #245). Σ · Low = The construction activity will have little influence or 1 00% - in the transmission may cause future leadsh or the transmission and cause makes that no postere the more to solve fitting replanes, and stays must be taken to postere the more to solve fitting replanes.
1 (ight - Trac versions and hadre will be compression and the data for the trace on more to kalen for the trace to located in the bailding 100% - Exceptional = Good health and structure with that 1. Dentition Restings The table below indicates the "calculated" two procession and is often the Reinger Tor. In our loss of many (A. 1). Does not commanding to a starty of the start and the start of the starts of the start of the star significant size, location or quality. • 61-80% - Good = Normal vigor, well-developed structure, function and aesthetics not compromised with good longery E Quardiy Eight trees are expected to be moderately impacted. The applicant anticipates retaining all the trees around the property except the deal and failed birch tree #247. ----This mass significant on the adjacent properties but only the amongous D24.2 is considered a "Bachage Tao". There is strongly a angle for free twentow the properties properties three small address three measures and address and the strongly and plane are about to extrain the strongly and plane are about to extrain the strongly and plane are about to extrain the strongly and the strongly and the strongly and the strongly and plane are about to extrain the strongly and plane are about to extrain the strongly and the strongly and the strongly and plane are about to extrain the strongly and plane are about to extrain the strongly and the strongly and the strongly and the strongly and plane are about to extrain the strongly and the Rev 1.1.1 Description 41 40% - From Fattancia Yung, daminga, a dinacha, or para handigina makara diaka manging transmut. Mayir argumany and orizonta from the operator of the strange memory or deviation from the operator of the strange of the para virge, downand fattaling and deviating approaches with proving the downand fattaling constraints of the strange para virge downand fattaling approximation of the strange para virge downand fattaling approximation of the strange para virge downand fattaling approximation of the strange para virge downand the strange of the strange para virge para virge downand the strange of the strange para virge in the strange parallel memory and strange para virge para intervention downand strange and strange para virge para intervention downand strange parallel memory. In the strange parallel memory and strange para virge para virge para in the strange parallel memory and strange parallel memory and and the strange parallel memory. The strange parallel memory and a strange parallel memory and strange parallel memory and a strange parallel memory and strange parallel memory and a strange parallel memory and strange parallel memory and a strange parallel memory and strange parallel memory and a strange para strange parallel memory and a s PC 8/12/24 and the second s Table 3: Ideal Tree Protection Offsets Eight trees are expected to be moderately impacted located in the back of the sites. The applicant anticipates retaining all the trees around the resserve excert the dead and failed birch tree 
 Nation 3 - does to the The Products Units

 The Specifier
 LD.#
 Think (r)
 -Think (r)
 -Thin 2 PC 1/30/25 ---There were three "Heritage" trees trees appraised for a rounded depreciated value of \$18,090.00.  $\sqrt{3}$ PC 3/1/25 ---- $\overline{4}$ PC 3/24/25 orange (Clinux ainensiz) 246 15 20 15 Mature 10 13 5 PC 3/31/25 6 PC 4/08/25 7 PC 4/09/25 愈 Monarch Consulting Arborists LLC - P.D Box 1010, Fellon, CA 95018 831.331.8982 - rick@monarchatbolist.com 肉 肉 Monarch Consulting Arborists LLC - P.O. Box 1010, Fellon, CA 95018 831.331.8982 - rick@monarcharborist.com 肉 Monarch Consulting Arborists LLC - P.O Box 1010, Fellon, CA 95018 831.331.8982 - rick@monarcharborist.crm Monarch Consulting Arborists LLC - P.O Box 1010, Fallon, CA 95018 Page 5 of 25 Page 7 of 25 8 PC 5/21/25 9 PC 6/8/25 10 PC 6/11/25 11 PC 6/13/25 Issue Date: 6/16/25 AS NOTED Drawn By: JA/JR John A. Rider Ð Monarch Consulting Arborists LLC - P.O Box 1010, Felton, CA 95018 831.331.8982 - rick @monarcharborist.com Page 2 of 4 07-21

**T4** 

4 a 47

Tree Protection Plan

nrider/Synchrad/syn/ACTIVE PROJECTS/2021/07.21 Modares (MPM/odares: ARCHITECT/IRA/ Modares: CONST. DOCS/Modares / JoaPermit plo

\_\_\_\_\_ NONCONFORMING ELEMENTS SHALL NOT BE REMOVED PAST THEIR FRAMING MEMBERS AND IF DEMOLISHED CANNOT BE REBUILT IN THE CURRENT LOCATION. 18 

September 24, 2024 Revised December 10, 2024

Page 12 of 25

Page 16 of 25

September 24, 2024 Revised December 10, 2024

September 24, 2024

February 28, 2025

THIS WORK WAS PREPARED BY JOHN A. RIDER, ASSOCIATE AIA OR UNDER MY SUPERVISION.

ple

Design

\_

Φ

j

JR

ш

υ

Z Ш SLUE Ğ,

 $\overline{\boldsymbol{\upsilon}}$ 

ທ ш ٥Ľ Z 0 ທ

٩**٢** ∢

Δ

0

Σ

Rev Description PC 8/12/24

2 PC 1/30/25

3 PC 3/1/25

4 PC 3/24/25 5 PC 3/31/25

6 PC 4/08/25 7 PC 4/09/25

8 PC 5/21/25 9 PC 6/8/25 10 PC 6/11/25 11 PC 6/13/25 Issue Date: 6/16/25 Scale: AS NOTED Drawn By: JA/JR John A. Rider

> 07-21 **T5**

> > 5 a 47

© 2025 J. Rider Design

plement e 408-515-51 iderdesign.cc

| Im p Phone www.jric

ceive Drive California

**S** ▲ ▲

DOCUM Menlo Park,

Drive CONSTRUCT ш

Concord

A So 

Golf Jose, Co

3990 San J

95127

Ð

Visu

## Tree Protection Plan Sheet T-1

September 24, 2024 Revised December 10, 2024

September 24, 2024 Revised December 10, 2024

Page 18 of 25

303 Concord Drive, Menio Park

Glossary of Terms

Basic Tree Cost: The cost of rep

## 303 Concord Drive, Menio Park Recommendations

303 Concord Drive

- Place tree numbers and tree protection fence locations and guidelines on the plans including the grading, drainage, and utility plans. Create a separate plan sheet that includes all protection measures labeled "T-1 Tree Protection Plan."
- hiveway during construction. Place tree protection fence around Sweetgum #242 at the driveway edge fro feet into the property parallel to the sidewalk (Appendix A).

Tee Inventory, Assessment

September 24, 2024 Revised December 10, 2024

Page 9 of 25

September 24, 2024 Revised December 10, 2024

Page 17 of 25

303 Concord Drive, Menio Park

Bibliography

(Management of Trees and Shrubs During Site Planning, Secretariat, Tree Care Industry Association, 2023. Print.

- 3. Place tree protection around the back of the property to preserve trees #245 through #257 (Appendix A).
- Install temporary irrigation or sonker hoses in the TPZs and provide supplemental watering during construc-and 46). Memiry watering times or amounts to ensure adequate soil statustion. (A.S.W. stacker hose requires deliver one intic do water to a garden. This number is affected by the height do the hose and the overall rate funcet. A good rule of thamb is to expect about ½5 GPM as a standard funcet flow rate.).
- ad care shall be performed by a qualified arborist with a C-61.D-49 California G shall be specified in writing according to American National Standard for Tree G & Management: Standard Practices parts 1 through 10 and adhree to ANSI 2233 mintenance is to be performed according to ISA Bent Management Practices.
- Provide a copy of this report to all contractors and project managers, including the architect, civil enginee or architect. It is the responsibility of the owner to ensure all parties are familiar with this document.
- Arrange a pre-construction meeting with the project arborist or landscape architect to verify tree protection is in place, with the
  arrange and at the arrange distances.
- 肉 Monarch Consulting Arborists LLC - P.O Box 1010, Felton, CA 95018 831.331.8982 - tick @monarcharborist.com





Tee Inventory, Assessmen and Protection Report



Tee Inventory, Assessmen and Protection Report

The Inventory, Assessment

American National Standard for Tree Care Operations: Tree, Shrub and Other Woody Plant Management : Standard Practices (Management of Trees and Shrubs During Site Planning, Site Development, and Construction)(Part 5). Londonderty, NH:

Gilpin, R., Hauer, R., Matheny, N., and Smiley, E.T. Mawaging trees during construction, Third edition. Champuign, IL: Inter-Society of Athoniculture. 2023

ISA. Guide For Plant Appraisal 9th Edit	w. Savoy, IL: International Society of Arboricalture, 2000. Print.		Cost Approach: An indication of value by adding the land va	alue 1
ISA. Guide For Plant Appraisal 10th Ed	ion. Savoy, IL: International Society of Arboriculture, 2018. Print.		Critical root zone: a conceptual soil area containing the min tree health and structural interrity. There are no universally a	
ISA. Species Classification and Group A	signment, 2004 Western Chapter Regional Supplement. Western Chapter IS		Defect: An imperfection, weakness, or lack of something nec	
Matheny, Nelda P., Clark, James R. Trees Bedminster, PA: International Soc	and development: A technical guide to preservation of trees during land dev inte of Arbanizzhure 1908	lopment.	conditions that reduce the tree's structural strength.	
	Management Practices: Tree Risk Assessment: International Society of Arb	sriculture, 2017.	Diameter at breast height (DBH): Measures at 1.4 meters ( New Zealand, and when using the Guide for Plant Appraisal, Canada, the European Union, and in UK forestry; and at 1.5 r	9th e
			Drip Line: Imaginary line defined by the branch spread or a	singl
			Form: describes a plant's habit, shape or silhouette defined b	ry its j
			Health: Assessment is based on the overall appearance of the disease.	tree,
			Mechanical damage: Physical damage caused by outside for the tree trunk, roots or branches.	CES N
(2) Nora	ch Consulting Arbonists LLC - P.O Box 1010, Felton, CA 95018 831.331.8982 - tick@monarchatborist.com	Page 10 of 25	Monarch Consuling Arboris 831.331.8982	



Tee Inventory, Assessment

September 24, 2024 Revised December 10, 2024

ancord Drive, Menio Park

Teents Steer of a teer

凤

## Monarch Consulting Arborists LLC - P.D Box 1010, Felton, CA 95018 831.331.8982 - rick@monarchatborist.com Page 11 of 25 September 24, 2024 The Inventory, Assessment Appendix B: Tree Inventory and Assessment Tables

Tree Species	LD.#	Trunk Diameter (in.)	Condition	Expected Impact	Heritage Tree	Rounded Depreciated Value
sweetgum (Liquidambar styreciflue)	242	34	Fair	Low	Heritage Tree	\$16,300.00
cheesewood (Pittasporum tobira)	243	10	Fair	Low	Non-Heritage	NA
cheesewood (Pillosporum tobira)	244	11	Fair	Low	Non-Heritage	NA
orange (Citruz sitensis)	245	17	Very poor	Moderate	Heritage Tree	\$1,220.00
plum (Phanux domestica)	245	15	Very poor	Moderate	Heritage Tree	\$570.00
birch (Betula pendula)	247	8	Dead	NA	Non-Heritage	NA
black acacia (Acacia melancoylor)	245	5	Good	Moderate	Non-Heritage	NA
lemonwood (Pittosporum eugenoides)	249	4	Good	Moderate	Non-Heritage	NA
common carnellia (Carnellia /aponica)	250	4	Good	Moderate	Non-Heritage	NA
common carnellia (Carnellia /aponica)	251	9	Good	Moderate	Non-Heritage	NA
common carnellia (Carnellia /aponica)	252	9	Good	Moderate	Non-Heritage	NA
common carnellia (Carnellia /aponica)	253	7	Good	Moderate	Non-Heritage	NA
cheesewood (Pittosporum tobira)	254	10	Good	Low- moderate	Non-Heritage	NA
common carnellia (Carnellia /aponica)	255	5	Good	Low	Non-Heritage	NA
common carnellia (Carnellia /aponica)	255	5	Good	Low	Non-Heritage	NA
common camellia (Camella Japonica)	257	5	Good	Low	Non-Heritage	NA



Tree Inventory, Assessment and Protection Report

Tree Risk Assessment: Process of evaluating what unexpected things could happen, how likely it is, and what the likely outcomes on In two researchments the extension in measure to determine the head of aids second hear two interactions and the second s

Monarch Consulting Arborists LLC - P.D Box 1010, Felton, CA 95018 831.331.8982 - tick @monarcharborist.com

The Inventory, Assessmen

ified tree protection zone (specified TPZ): a TPZ that is adjusted in size or shape to accommo ad construction, and aspects of the size, as well as the tree canopy conformation, visible root or rivs and specific neurons to constructions.

traw wattle: also known as straw worms, bio-logs, straw noodles, or straw tub row (whest or rice). 8 to 12 inches in diameter and 20 to 25 feet long. They are

Tree Protection Zone (TPZ): Defined area within which certain activities are pro-

Trunk Formula Technique: Method to appraise the monetary value of trees considered too l grown stock: Based on developing a representative unit cost for replacement with the same or

obunteer: A tree, not planted by human hands, that begins to grow on residential or commercial pro-

ary to designated trees, especially during construction or development

aterials, and have an average weight of 35 pound

Appendix C: Photographs

C1: Sweetoum #242

Monarch Consulting Arborists LLC - P.O Box 1010, Fellon, CA 95018 831 331,8982 - rick @monarcharborist.com 꼜

303 Concord Drive, Menio Park Two Inventory, Assessment and Protection Report

#### 13.24.040 Removal and major pruning of Heritage Trees prohibited.

vyr, or cause to be removed, any Heritage Tree from any ndalizes, grievously mutilates, destroys or unbalances a Heritage Tu

## ohibited Activities

Page 15 of 25

September 24, 2024 Revised December 10, 2024

The following are prohibited activities within the TPZ Grade changes (e.g. soil cuts, fills);
 Trenches;
 Root cuts;

肉



Page 3 of 4

Tree Protection Plan



303 Concord Drive, Menio Park

凤

C2: Orange #245 and Plum #246

Monarch Consulting Arbonists LLC - P.O Box 1010, Felton, CA 95018 831.331.8982 - rick@monarchasbotist.com

CTIVE PROJECTS/2021/07-21 Modaros (MPI/Modaros ARCHITECT/IR4/ Modaros CONST DOCS/Modaros UsoPermit nin



Appendix D: Tree Protection Guidelines Plan Sheet Detail S-X (Type I)

202 Concord Drive, Menio Park

肉

S-X) TREE PROTECTION Hard Tax Contraction Contra Hard Sciences (Social Contraction) Manufactory (Social Contraction) Manufactory (Social Contraction) naulting Arborists LLC - P.O Box 10 831.331.8987 - sirelit



肉

203 Concord Drive, Merrio Park

Plan sheet detail for trunk protection

11111

肉

(m)

IMAGE 3: WRAPPING WITH STRAW WATTLE

Ð

<text><text><text><text><text><text></text></text></text></text></text></text>	R E S – D E N C E JRider - Dessent Oncoursts ▲ Conceive   Visualize   Implement
<text><text><text><text><text><text></text></text></text></text></text></text>	SIDENCE
not	S - D E N O CUMENTS A
<text><section-header><section-header></section-header></section-header></text>	S - D E N O CUMENTS A
	PC 8/12/2 PC 130/2 PC 31/2/2 PC 31/2/2 PC 31/2/2 PC 31/2/2 PC 408/2 PC 408/2 PC 68/12 PC 68/12 PC 61/12 Main Cole eff(16/2) PC 61/32 Main Cole eff(16/2) PC 61/32 Main Cole eff(16/2) PC 61/32 Main Cole eff(16/2) PC 61/32 Main Cole eff(16/2) PC 61/32 Main Cole eff(16/2) PC 61/32 Main Cole eff(16/2) PC 61/32 PC 61/3
Monach Consisting Advoids LLC - PO Bios 1010, Pellon, CA 99018 Bit 1.35 (1990) - rola @monachadorbiti.com Page 4	Scale: AS NOTED Disen By: JAUJR Chicked By: John A. Ride 07-21 Sheet Number: T66









# **Construction Best Management Practices (BMPs)**

Earthmoving

Grading and Earthwork

daring dry weather:

Schedule grading and encaration work.

Construction and december array, install and

naturain temperary erosion curitude fauch

as crossion control fabric of herded fiber

mattin) until vegetation is established.

absolutely necessary, plant temporary regulation for annulon control on slopes

Provent sediment from manating official

and protect storm drain inkits, draiming

courses and streams by installing and

maintaining appropriate BMPs (i.e. silt-

C Knew excitation will on site and transfer it

to damp tracks on site, not in the streets.

Burind barrols, debris, or teach

If the above conditions are observed.

document any signs of potential metamination and clearly yurk them so

they an act dimuted by commuction

fences, gravel hage, litter rolls, semporary

or where construction is tail ironaliauth

D Hemove existing vegetation only when

Construction projects are required to implement year-round stormwater BMPs.

Materials & Waste Management



#### Non-Hazardaus Materials

- C Bern and cover sinct piles of said, dirt or other construction material with targe when rain is forecast or when they are not in use.
- D Use that don't overnoe) reclaimed water for dust control. Q Ensure dust control water doesn't leave site or discharge to storm

## Hacardons Materials

- C Label all bacattoos meteriois and kazardous wastes (such as proticides, paints, thornurs, solvents, fail, ril, and antifractor) in occordance with City, County, State and Federal regulations.
- Q Store humidous materials and wastes in water tight containers, store in appropriate ascendary containment, and cover flatts at the and of corry work day or during well wrafter or when vait is forecast C Follow manufacturer's application instituctions for harmfular
- maternals and do not use more than topossary. Do not rately instale outdoors when take is forscast within 24 hours. Q Amange for appropriate disposal of all hanardous waters.

## Waste Management

- Cover and maintain diampeters. Check frequently for leaks. Place dampoters under roofs or cover with targs or plastic alcerting secured around the outside of the dampster. A plassic limy is revorme mded to meyern leaks. Never clean out a duranter by history it down on the
- Q Place pertable tellets away from sterm drains. Nake sare they are inneed working order. Check frequently for leads. Q Dispose of all wartes and demolition definit preparly Decycle
- risk and wartes that can be recycled, including solverus, water Tursed pairty, webicle fluids, broken applialt and concerne, word, and churnd vegetation.
- Q Dispose of Tapid residues from paints, thinken, solvents, glues, and choning fluids as franctions wave.
- C Keep site free of titler to g, lends items, cipantie batto). D Prevent litter from uncovered loads by covering loads that are being
- categorited to and from site.

## Construction Entrances and Perimeter

- C Establish and manual effective permeter controls and addition all construction entrances and exits to sufficiently control erosion and
- undarized discharges from one and tracking off one Sweep of vacuum any street miching immediately and secure
- danced source to prevent Bather tracking. Noter hour donce streets to clean up tracking

## Equipment Management &

# **Spill Control**

- Maintenance and Parking
- Disignate an area of the construction site, well away from streams or storm drain telats and fitted with appropriate BMD's, for auto and equipment parking
- and storage. D Perform major maintenance, report jobs, and tohicle and equipment washing off site.
- □ If refueling or vehicle maintainer must be done onlife, work in a berned area away from sharm drains and over a drip pair or thep eleths big enough to collect
- fuids. Recycle or diamse of fhids as bacadone mate-If wehicle or equipment cleaning must be done onsite, clean with water only in a benned area that will not allow nine water to run integation, streets, storm
- drains, or surface waters. Do not clean vehicle or equipment units using soaps, solvents, degenesers, or strans cleaning opsipment, and do not use diesel off to Jubricate equipment or parts

## Suil Prevention and Central

ionelle.

- Keen spill clearup muturlals (e.g., rugs, absorberts and cut lines available at the countaction site at all times. 13 Matmain all vehicles and heavy opapment, hispart
- treparently for and repair leaks. Use drip pare to candy Isaka until reports are made. Clean so leaks, drips and other spills immediately and
- chapter of ideatup materials properly. D Use dey cleanup methoda wherever possible (absorbers materials, cot litter staffer rags)
- Sweep up spilled dry materials inmediately. Never attempt to "wash faces swow" with water, or bury

## Landscaping

- Citem on upills on dist areas by figging up and property dispering of contaminated soil D Report registraam spells to the appropriate bood spill response approximation instructurely. If the staff owners a significant hand to homen beath and artery, property
- or the environment, you man record it to the State Office of Emergency Services (800) 852-7550 (24 boats2
  - forecast run event or during set weather

## **Concrete Management**



## Concrete Management

- Hore both dry and wet moneckes under cover, protected from rainfall and raisoff and away itom storm drains or waterways. Norsmaterials off the ground, on pollers. Protect dry materials from wind. 2 Wash down exposed aggregate concret
- only when the work water can (1) first othe a dist area: (2) drawn write a beented surface from which it can be pumped and disposed of properly; or (3) black any storm drain indexs and vacuate weather ater from the gatter. If possible, eweep first Wish out concrete equipment/maths offlitte
- or in a designated wash-signated or allow where the water will flow into a temponery wante per, and make sure weak teater does not teach into the underlying soil, (See CASQA Construction BMP Hundbook for property designed concrete washouts a
- If any of the following conditions are Discharges of groundwater or captored mnoff from dewatering operations must he properly managed and disposed. When
  - discharging in the satisfary searce, rall you local supposed for manness plant. Disart nation want from efforts away from
  - Which downstring, notify and obtain. present from the local manipingitic before Distinging water to a street gener or street drain. Fiftration of diversion through a haven, tark, or sediment trap may be required. D to ateas all known or asspectful
  - wided. Pumped groatstwater may need to be saidested and handed off site for treatment aid proper disposal.





- Avoid paving and seal country in wat weather ut when rain is function in prevent motorials that have not cored from contactous scientiscalar runoff.
- Cover steen doin inhits and mathems
- when applying and cost, darry seal, ing ent, or similar materials.
- Collect and recycle or properly dispose of excess almalite invelor said. Do NOT oweep or wash & loss patters,

#### Servicetting & Asphalit Constals Reported C Protect down drain inferts during any

G If new catability enters a catch basin, clear it op immediately. C Shovel or vacuum way cut slarry deposits and remove from the site. When making ers cars, use as title water is proably Sweep up, and property dispose of all residers.

## Painting & Paint Removal



## Patrilug Cleanop and Renoval

- 🖾 Never clean brushes in rinse pair containers min a street, gatter, storm ibuis, or stream.
- D For water-based points, paint our brushes to the evient possible, and time into a dram that goes to the sanitary server. Never pots point down a storn drain.
- G For eil-based paints, paint out brashes to the extern possible and clean with thisner in advent in a proper container. Filter and more thinners and solvents. Dispose of excettor ligerids on brazatchous wanted Seven up or collect paint chips and dust
- form not-hazardous dry strepping and sand blasting intro plastic drop chothy and disponent an meth
- Chemical must difpping residue and chips and dust from manne points or paints containing lead, aterrary, in tributyting trast be disposed of as fractedous waste Lead based paint removal najahes a state certified promotion.



## NONCONFORMING ELEMENTS SHALL NOT BE REMOVED PAST THEIR FRAMING MEMBERS AND IF DEMOLISHED CANNOT BE REBUILT IN THE CURRENT LOCATION. /8 .....





Dewatering

- possible, send devatoring discharge to hadropped area or natitary sever. If
- all distarbed areas.

tamination, call your local agency to determine whether the ground water mani be



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



Chicksontinus proliegton of any endible landscope material within 2 days before a

observed, test for concentrationitie and consiger the Kepineial Water Coality Control Board-- Usunal sel continue, deedontion. or oder Alundoned inderground talks. Abandoraal wells

incovides.

plannet.

station, etc. )

**Contaminated Solls** 



## NONCONFORMING STRUCTURE - NEW WORK VALUE CALCULATION

## Address: Case No.:

50% of Existing Value 75% of Existing Value \$145,650.00 \$218,475.00 Value of Proposed Project \$261,955.00 90% Existing Development

Non-Conforming Structure Type	Square Footage		Construction Cost	Existing Value
Existing 1st floor	1320	х	\$200/Sq.Ft	\$264,000.00
Existing 2nd floor	0	х	\$200/Sq.Ft	\$0.00
Existing Basement	0	х	\$200/Sq.Ft	\$0.00
Existing Garage	390	х	\$200/Sq.Ft	\$27,300.00
Total	1710			\$291,300.00

Note: This spreadsheel is only used on one nonconforming structure at a time. If there are detached structures on the same site, they are either subject to their one spreadsheet (if they are also nonconforming and subject to new work) or ginstere if conforming, or nonconforming but not adapted to new work).

## Proposed Development

Proposed Development Type	Square Footage		Construction Cost	Development Value
Category 1: New square foots	age (areas of n	ew foun	dation and/or wall fram	ing)
1st Floor Addition	478	х	\$200/Sq.Ft	\$95,600.00
2nd Floor Addition	0	х	\$200/Sq.Ft	\$0.00
Basement Floor Addition	0	х	\$200/Sq.Ft	\$0.00
Garage Addition	0	х	\$70/Sq.Ft	\$0.00
Category 2: Remodel of existing square Note: Square footage measurements are taken to a room is changing, the pro-	full extent of ar posed use sho	iy room uld be u	with any interior modific used for this calculation	cations. When the use of h.
Remodel of Kitchen	84	х	\$130/Sq.Ft	\$10,920.00
Remodel of Bathrooms	0	х	\$130/Sq.Ft	\$0.00
Remodel of Other Living Areas	1372	х	\$100/Sq.Ft	\$137,200.00
Remodel of Garage	0	х	\$35/Sq.Ft	\$0.00
Category 3: Exte Window and exterior door replacements are inclu and new siding on existing portions of the stru accounted.	ded in areas re	modeleo cluded i	d and accounted for in in Category 2 or Categ	
New Roof Structure Over Existing Sq. Ft.	357	х	\$50/Sq.Ft	\$17,850.00
Replacement of Existing Windows/Exterior Doors	11	х	\$35/Sq.Ft	\$385.00
Replacement of Existing Siding	0	x	\$35/Sa.Ft	\$0.00

2302

\$261,955.00

Any areas that are proposed to be remodeled into Accessory Dwelling Unit (ADU) use should be given an Existing Development value of \$200Hz (even if the area is currently a garage), and neither the addition for an ADU under Category 1 work, conversion of the ADU area nor any associated Category 3 work (roof structure, aiding, etc.) should be included in the Proposed Development calculation.

Total

e/ACTIVE PROJECTS/2021/07.21 Modares (MPI/Modares & RCHITECT/IR&/ Modares CONST DOCS/Modares UsePermit



5500

mmm







\_\_\_\_\_

Nonconforming Calculations

13 of 47
























Conceive | Visualize | Implement

#### Project Description for; 303 Concord Drive • 5-21-25

**Purpose of the Proposal:** The purpose of this proposal is to seek approval for the conversion of an existing Ranch-style home into of a new Mediterranean-style single-story home with two accessory dwelling units (ADU). This new home is designed to blend seamlessly with the surrounding neighborhood while providing modern amenities and a comfortable living space for the residents.

**Scope of Work:** The scope of work includes the design, construction, and hardscape of the new home. The project will involve site preparation, foundation work, framing, roofing, installation of windows and doors, interior and exterior finishes, and hardscape.

Architectural Style, Materials, Colors, and Construction Methods: The proposed home will feature a Mediterranean architectural style, characterized by stucco walls, arched doorways and windows, and wrought-iron entrance. The existing roof will be extended at the same pitch to accommodate the higher ceilings within. The color palette will include warm earth tones such as beige, terracotta, and limestone veneer. Construction methods will adhere to current California building codes and standards, ensuring durability and high energy efficiency.

**Basis for Site Layout:** The site layout is based on maximizing the use of the available space while adhering closely to the local zoning ordinance. The home will be positioned to take advantage of natural light and ventilation, with outdoor living spaces that enhance the overall aesthetic and functionality of the property.

**Existing and Proposed Uses:** The existing site is currently occupied by a single-story single family residence. The proposed use is a single-family residential home, which is consistent with the zoning regulations and the character of the neighborhood. Additionally, the new design leverages the site so as to provide accessory dwelling units to increase available local housing.

**Outreach to Neighboring Properties:** As part of the planning process, outreach efforts have been made to inform and engage neighboring property owners. Informal meetings and discussions have been held to address any concerns and gather feedback. The proposal has received positive responses from the neighbors thus far.

Tree Inventory, Assessment, and Protection Report

303 Concord Drive Menlo Park, CA 94025

**Prepared for:** 

Ali and Mahsa Modares

September 24, 2024 Revised December 10, 2024

**Prepared By:** 



## **Monarch Consulting Arborists**

Richard Gessner P.O. Box 1010 – Felton, CA 95018 1 831 331 8982 www.monarcharborists.com

## **Table of Content**

Arborist's Response to City Comments1
Summary1
Introduction1
Background1
Assignment1
Limits of the assignment1
Purpose and use of the report2
Observations2
Tree Inventory2
Analysis4
Discussion5
Condition Rating
Expected Impact Level
Tree Protection
Conclusion8
Recommendations9
Bibliography10
Glossary of Terms11
Appendix A: Tree Inventory Map13
A1: Existing Topographic Survey and Demolition13
A2: Proposed Site Plan14



Appendix B: Tree Inventory and Assessment Tables	15
Appendix C: Photographs	16
C1: Sweetgum #242	16
C2: Orange #245 and Plum #246	17
Appendix D: Tree Protection Guidelines	18
Plan Sheet Detail S-X (Type I)	18
Plan sheet detail for trunk protection	19
13.24.040 Removal and major pruning of Heritage Trees prohibited	20
Prohibited Activities	20
Monitoring	21
Root Pruning	21
Boring or Tunneling	21
Tree Pruning and Removal Operations	21
Appendix E: Tree Protection Signs	22
E1: English	22
E2: Spanish	23
Qualifications, Assumptions, and Limiting Conditions	24
Certification of Performance	25



## **Arborist's Response to City Comments**

City Letter dated November 7, 2024

1. The City is concerned about the severity of potential impacts to heritage street tree #242, which is right next to the construction entrance, driveway demolition and construction, and area to be graded.

MCA: to preserve the heritage street tree #242 in front of the site the plans have been modified to retain the existing driveway throughout construction thus preserving the existing conditions and limiting impacts to the tree.

a. Please provide more detailed, specific recommendations for how the grading and driveway demolition and construction should be conducted to reduce impacts to the liquidambar.

MCA: The plan, as stated above, is to retain the existing driveway during construction. This will allow for access and staging in this area without causing harm to the tree or its roots. Once the project is near completion the existing driveway will be removed/ demolished.

2. This permit application will only be approved once impacts to protected trees have been sufficiently mitigated with design changes and planned work methods (e.g., exploratory excavation, careful demolition of hardscape near trees without heavy machinery, having the project arborist on-site to document and guide root pruning and preservation, etc.).

MCA: At the time the existing driveway is to be demolished and removed the project arborist will monitor and document the construction. If significant roots are encountered under the existing hardscape a plan to preserve them or remove them if feasible will occur. Selectively remove roots that can be eliminated without causing health or structural issues with the tree or shave larger roots where feasible. If necessary design a new driveway or raise the elevation of the driveway to bury offending roots rather than remove them completely. Roots greater than four inches (4") in diameter shall not be cut without the project arborist's written recommendations and documentation. When roots over four inches (4") in diameter are encountered and are authorized to be cut or removed, they should be pruned by hand with a handsaw, reciprocating saw (sawzall), or chain saw rather than left crushed or torn. Roots should be cut beyond sinker roots or outside root branch junctions and be observed by the project arborist. When completed, exposed roots should be kept moist or backfilled as soon as reasonably possible and not left exposed over-night.



## Summary

The plans indicate a proposed home addition and remodel. The inventory contains sixteen (16) trees comprised of eight (8) different species. There are three (3) trees considered "Heritage" with one originating on the adjacent site. The remaining thirteen (13) are not large enough to be considered "Heritage". Ten (10) trees are in good condition. Three (3) trees are in fair shape and both "Heritage Trees" on the site are in "Very Poor" condition (orange #245 and plum #246).

Eight trees are expected to be moderately impacted. The applicant anticipates retaining all the trees around the property except the dead and failed birch tree #247.

Sweetgum #242 will require fence around it on the property but there is also an existing driveway within the calculated TPZ. The specified TPZ will need to conform to the driveway location (Appendix A). Trees #245 and #246 are anticipated to be retained and the specified TPZ requires fence around them in the back corner of the site.

There were three "Heritage" trees trees appraised for a rounded depreciated value of \$18,090.00.

## Introduction

## Background

Ali and Mahsa Modares asked me to assess the site, trees, and proposed footprint plan, and to provide a report with my findings and recommendations to help satisfy planning requirements.

## Assignment

- Provide an arborist's report including an assessment of the trees within the project area and on the adjacent sites. The assessment is to include the species, size (trunk diameter), condition (health, structure, and form), and suitability for preservation ratings. Affix number tags on the trees for reference on site and on plans.
- Provide tree protection specifications, guidelines, and impact ratings for those affected by the project.
- Provide appraised values using the Trunk Formula Technique.

## Limits of the assignment

- The information in this report is limited to the condition of the trees during my inspection on August 16, 2024. No tree risk assessments were performed.
- Tree heights and canopy diameters are estimates.



• The plans reviewed for this assignment were as follows (Table 1)

Table 1: Plans Reviewed Checklist

Plan	Date	Sheet	Reviewed	Source
Existing Site Topographic	08/27/24	C1	Yes	Sterling Consultants
Proposed Site Plan	12/09/24	A0	Yes	JRider Design
Demolition Plan	09/23/24	C1	Yes	Sterling Consultants
Erosion Control	09/23/24	C3	Yes	Sterling Consultants
Grading and Drainage	09/23/24	C2	Yes	Sterling Consultants
Utility Plan and Hook-up locations				
Exterior Elevations	12/09/24	A8, A9, A10	Yes	JRider Design
Landscape Plan and Pool				
Irrigation Plan				
T-1 Tree Protection Plan				

## Purpose and use of the report

The report is intended to identify all the trees within the plan area that could be affected by a project. The report is to be used by the property owners and the City of Menlo Park as a reference for existing tree conditions to help satisfy planning requirements.

## **Observations**

## **Tree Inventory**

#### 13.24.020 Definitions

"Heritage Tree" shall mean:

- A. All trees other than oaks which have a trunk with a circumference of 47.1 inches (diameter of fifteen (15) inches) or more, measured fifty-four (54) inches above natural grade.
- B. An oak tree (Quercus) which is native to California and has a trunk with a circumference of 31.4 inches (diameter of ten (10) inches) or more, measured at fifty-four (54) inches above natural grade.
- C. A tree or group of trees of historical significance, special character or community benefit, specifically designated by resolution of the city council.

The plans are to build an Accessory Dwelling Unit (ADU) within the footprint of the existing pool and construct a new smaller pool on the other side of the property.



The inventory contains sixteen (16) trees comprised of eight (8) different species (Table 2). There are three (3) trees considered "Heritage" with one originating on the adjacent site. The remaining thirteen (13) are not large enough to be considered "Heritage".

#### Table 2: Tree Inventory

Tree Species	I.D. #	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Condition	Status
sweetgum (Liquidambar styraciflua)	242	34	65	35	Fair	Heritage Tree
cheesewood (Pittosporum tobira)	243	10	8	8	Fair	Non-Heritage
cheesewood (Pittosporum tobira)	244	11	8	8	Fair	Non-Heritage
orange (Citrus sinensis)	245	17	15	18	Very poor	Heritage Tree
plum ( <i>Prunus domestica</i> )	246	15	15	15	Very poor	Heritage Tree
birch ( <i>Betula pendula</i> )	247	8	25	15	Dead	Non-Heritage
black acacia (Acacia melanoxylon)	248	5	15	10	Good	Non-Heritage
lemonwood (Pittosporum eugenoides)	249	4	10	10	Good	Non-Heritage
common camellia ( <i>Camellia japonica)</i>	250	4	8	6	Good	Non-Heritage
common camellia ( <i>Camellia japonica)</i>	251	9	10	8	Good	Non-Heritage
common camellia ( <i>Camellia japonica)</i>	252	9	10	8	Good	Non-Heritage
common camellia ( <i>Camellia japonica)</i>	253	7	10	8	Good	Non-Heritage
cheesewood (Pittosporum tobira)	254	10	10	10	Good	Non-Heritage
common camellia (Camellia japonica)	255	5	10	10	Good	Non-Heritage
common camellia (Camellia japonica)	256	5	10	10	Good	Non-Heritage
common camellia (Camellia japonica)	257	5	10	10	Good	Non-Heritage



## Analysis

Tree appraisal was performed according to the Council of Tree & Landscape Appraisers *Guide for Plant Appraisal 10th Edition, 2019* (CLTA) along with Western Chapter International Society of Arboriculture *Species Classification and Group Assignment, 2004*. The trees were appraised using the "Cost Approach" and more specifically the "Trunk Formula Technique" (Appendix B).

"Trunk Formula Technique" is calculated as follows: Basic Tree Cost = (Unit tree cost x Appraised trunk area), Appraised Value = (Basic tree cost X functional Limitations (percentage) X Condition (percentage) X External Limitations (percentage)).

The trunk formula valuations are based on four tree factors; size (trunk cross sectional area), condition, functional limitations, and external limitations. There are two steps to determine the overall value. The first step is to determine the "Basic Tree Cost" based on size and unit tree cost. Unit tree cost is calculated by dividing the nursery wholesale cost of a 24 inch box specimen and its replacement size (cost per square inch trunk caliper) which is determined by the *Species Classification and Group Assignment, 2004 Western Chapter Regional Supplement*. The cost of the 24 inch box wholesale specimen was determined through personal communications with BrightView and Normans nurseries in Farmington and Central Wholesale in San Jose for an average of \$214.00.

The second part is to depreciate the tree's Basic Cost through an assessment of condition, functional limitations, and external limitations. The condition assessment guidelines and percentages are defined in the "Condition Rating" section of this report. Functional limitations are based on factors associated with the tree's interaction to its planting site that would affect condition, limit development, or reduce the utility in the future and include genetics, placement, and site conditions for the individual tree. External limitations are outside the property, out of control of the owner and also affect condition, limit development, or reduce the utility in the future (i.e power lines, municipal restrictions, drought adaptations, or species susceptibility to pests).

There were three "Heritage" trees trees appraised for a rounded depreciated value of \$18,090.00.

Appraisal worksheets are available upon request.



## Discussion

## **Condition Rating**

A tree's condition is a determination of its overall health, structure, and form. The assessment considered all three criteria for a combined condition rating (ISA, 2019).

- 100% Exceptional = Good health and structure with significant size, location or quality.
- 61-80% Good = Normal vigor, well-developed structure, function and aesthetics not compromised with good longevity for the site.
- 41-60 % Fair = Reduced vigor, damage, dieback, or pest problems, at least one significant structural problem or multiple moderate defects requiring treatment. Major asymmetry or deviation from the species normal habit, function and aesthetics compromised.
- 21-40% Poor = Unhealthy and declining appearance with poor vigor, abnormal foliar color, size or density with potential irreversible decline. One serious structural defect or multiple significant defects that cannot be corrected and failure may occur at any time. Significant asymmetry and compromised aesthetics and intended use.
- 6-20% Very Poor = Poor vigor and dying with little foliage in irreversible decline. Severe defects with the likelihood of failure being probable or imminent. Aesthetically poor with little or no function in the landscape.
- 0-5% Dead/Unstable = Dead or imminently ready to fail.

Ten trees are in good condition, although many of these I would call shrubs for clarification since they are almost all pittosporum and camellias with the exception of the sweetgum #242 (Chart 1). Three trees are in fair shape and both Heritage Trees on the site are in "Very Poor" condition..





#### **Expected Impact Level**

Impact level defines how a tree may be affected by construction activity and proximity to the tree, and is described as low, moderate, or high. The following scale defines the impact rating:

- Low = The construction activity will have little influence on the tree.
- Moderate = The construction may cause future health or structural problems, and steps must be taken to protect the tree to reduce future problems.
- High = Tree structure and health will be compromised and removal is recommended, or other actions must be taken for the tree to remain. The tree is located in the building envelope.

Eight trees are expected to be moderately impacted located in the back of the sites. The applicant anticipates retaining all the trees around the property except the dead and failed birch tree #247.





#### **Tree Protection**

Tree protection focuses on avoiding damage to the roots, trunk, or scaffold branches from heavy equipment (Appendix D). The tree protection zone (TPZ) is the defined area in which certain activities are prohibited to minimize potential injury to the tree and should encompass the critical root zone. There are two tree protection zones determined which include the "calculated" and "specified" tree protection zones. The "calculated" tree protection zone is determined by a multiplication factor based on species tolerance, tree age/ vigor/health, and trunk diameter (Table 3). The "specified" tree protection zone is adjusted in size and shape to accommodate the existing infrastructure, planned construction, and specific site constraints. This "specified" zone includes tree canopy conformation, visible root orientation, size, condition, maturity, and species tolerances (Gilpin, R, Hauer, R, Matheny, N, and Smiley, E.T. 2023).

The table below indicates the "calculated" tree protection radii for the Heritage Tree to be retained (Table 3). Due to site constraints and the size of the trees it may not be possible to obtain these radii. Five trees originate on the adjacent properties but only sweetgum #242 is considered a "Heritage Tree" (the remaining are camellias and pittosporum). There is already a neighbor fence between the properties to protect these small shrubs/trees from construction damage. Sweetgum #242 will require fence around it but there is an existing driveway within the calculated TPZ. The specified TPZ will need to conform to the driveway location. The orange and plum are also to be retained and the specified TPZ will need to conform to the existing site constraints (Appendix A).

Tree Species	I.D. #	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Life Stage	ISA 8X DBH (ft.) Radius	Menlo Park 10x DBH (ft.) Radius
sweetgum ( <i>Liquidambar</i> <i>styraciflua</i> )	242	34	65	35	Mature	23	28
orange (Citrus sinensis)	245	17	20	15	Mature	11	14
plum ( <i>Prunus</i> <i>domestica</i> )	246	15	20	15	Mature	10	13

#### Table 3: Ideal Tree Protection Offsets



## Conclusion

The plans indicate a proposed home addition and remodel. The inventory contains sixteen (16) trees comprised of eight (8) different species. There are three (3) trees considered "Heritage" with one originating on the adjacent site. The remaining thirteen (13) are not large enough to be considered "Heritage".

Ten (10) trees are in good condition, although many of these I would consider shrubs for clarification since they are almost all pittosporum and camellias with the exception of the sweetgum #242. Three trees are in fair shape and both "Heritage Trees" on the site are in "Very Poor" condition (orange #245 and plum #246).

Eight trees are expected to be moderately impacted. The applicant anticipates retaining all the trees around the property except the dead and failed birch tree #247.

Five trees originate on the adjacent properties but only the sweetgum #242 is considered a "Heritage Tree". There is already a neighbor fence between the properties to protect these small shrubs/trees from construction damage. Sweetgum #242 will require fence around it, but there is also an existing driveway within the calculated TPZ. The specified TPZ will need to conform to the driveway location. The orange and plum are also to be retained and the specified TPZ will need to conform to the existing site constraints.

There were three "Heritage" trees trees appraised for a rounded depreciated value of \$18,090.00.



## **Recommendations**

- 1. Place tree numbers and tree protection fence locations and guidelines on the plans including the grading, drainage, and utility plans. Create a separate plan sheet that includes all protection measures labeled "T-1 Tree Protection Plan."
- 2. Retain the existing driveway during construction. Place tree protection fence around Sweetgum #242 at the driveway edge from the sidewalk and 28 feet into the property parallel to the sidewalk (Appendix A).
- 3. Place tree protection around the back of the property to preserve trees #245 through #257 (Appendix A).
- 4. Install temporary irrigation or soaker hoses in the TPZs and provide supplemental watering during construction (Trees #1, #4, #5, and #6). Monitor watering times or amounts to ensure adequate soil saturation. (A 5/8" soaker hose requires about 200 minutes to deliver one inch of water to a garden. This number is affected by the length of the hose and the overall rate of flow from the faucet. A good rule of thumb is to expect about ½ GPM as a standard faucet flow rate.).
- 5. All tree maintenance and care shall be performed by a qualified arborist with a C-61/D-49 California Contractors License. Tree maintenance and care shall be specified in writing according to American National Standard for Tree Care Operations: *Tree, Shrub and Other Woody Plant Management: Standard Practices* parts 1 through 10 and adhere to ANSI Z133.1 safety standards and local regulations. All maintenance is to be performed according to ISA Best Management Practices.
- 6. Provide a copy of this report to all contractors and project managers, including the architect, civil engineer, and landscape designer or architect. It is the responsibility of the owner to ensure all parties are familiar with this document.
- 7. Arrange a pre-construction meeting with the project arborist or landscape architect to verify tree protection is in place, with the correct materials, and at the proper distances.



## **Bibliography**

- American National Standard for Tree Care Operations: Tree, Shrub and Other Woody Plant Management : Standard Practices (Management of Trees and Shrubs During Site Planning, Site Development, and Construction)(Part 5). Londonderry, NH: Secretariat, Tree Care Industry Association, 2023. Print.
- Gilpin, R, Hauer, R, Matheny, N, and Smiley, E.T. *Managing trees during construction*, Third edition. Champaign, IL: International Society of Arboriculture, 2023.
- ISA. Guide For Plant Appraisal 9th Edition. Savoy, IL: International Society of Arboriculture, 2000. Print.
- ISA. Guide For Plant Appraisal 10th Edition. Savoy, IL: International Society of Arboriculture, 2018. Print.
- ISA. Species Classification and Group Assignment, 2004 Western Chapter Regional Supplement. Western Chapter ISA
- Matheny, Nelda P., Clark, James R. Trees and development: A technical guide to preservation of trees during land development. Bedminster, PA: International Society of Arboriculture1998.
- Smiley, E, Matheny, N, Lilly, S, ISA. *Best Management Practices: Tree Risk Assessment:* International Society of Arboriculture, 2017. Print



## **Glossary of Terms**

**Basic Tree Cost:** The cost of replacement for a perfect specimen of a particular species and cross sectional area prior to location and condition depreciation.

**Calculated tree protection zone:** A TPZ calculated using the trunk diameter and a multiplication factor based on species tolerance to construction and tree age. It is often plotted on a plan as a circle or other arbitrary shape and can be used as a guide for establishing the specified TPZ.

Cost Approach: An indication of value by adding the land value to the depreciated value of improvements.

**Critical root zone:** a conceptual soil area containing the minimal amount of all the essential parts of the root zone needed to sustain tree health and structural integrity. There are no universally accepted methods to calculate the CRZ.

**Defect:** An imperfection, weakness, or lack of something necessary. In trees defects are injuries, growth patterns, decay, or other conditions that reduce the tree's structural strength.

**Diameter at breast height (DBH):** Measures at 1.4 meters (4.5 feet) above ground in the United States, Australia (arboriculture), New Zealand, and when using the Guide for Plant Appraisal, 9th edition; at 1.3 meters (4.3 feet) above ground in Australia (forestry), Canada, the European Union, and in UK forestry; and at 1.5 meters (5 feet) above ground in UK arboriculture.

**Drip Line:** Imaginary line defined by the branch spread or a single plant or group of plants. The outer extent of the tree crown.

Form: describes a plant's habit, shape or silhouette defined by its genetics, environment, or management.

**Health:** Assessment is based on the overall appearance of the tree, its leaf and twig growth, and the presence and severity of insects or disease.

**Mechanical damage:** Physical damage caused by outside forces such as cutting, chopping or any mechanized device that may strike the tree trunk, roots or branches.



Scaffold branches: Permanent or structural branches that for the scaffold architecture or structure of a tree.

**Specified tree protection zone (specified TPZ):** a TPZ that is adjusted in size or shape to accommodate the existing infrastructure, planned construction, and aspects of the site, as well as the tree canopy conformation, visible root orientation, size, condition, maturity, and species response to construction.

**Straw wattle:** also known as straw worms, bio-logs, straw noodles, or straw tubes are man made cylinders of compressed, weed free straw (wheat or rice), 8 to 12 inches in diameter and 20 to 25 feet long. They are encased in jute, nylon, or other photo degradable materials, and have an average weight of 35 pounds.

**Structural evaluation:** focused on the crown, trunk, trunk flare, above ground roots and the site conditions contributing to conditions and/or defects that may contribute to failure.

**Tree Protection Zone (TPZ):** Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, especially during construction or development.

**Tree Risk Assessment:** Process of evaluating what unexpected things could happen, how likely it is, and what the likely outcomes are. In tree management, the systematic process to determine the level of risk posed by a tree, tree part, or group of trees.

Trunk: Stem of a tree.

**Trunk Formula Technique:** Method to appraise the monetary value of trees considered too large to be replaced with nursery or field grown stock. Based on developing a representative unit cost for replacement with the same or comparable species of the same size and in the same place, subject to depreciation for various factors. Contrast with replacement cost method.

**Volunteer:** A tree, not planted by human hands, that begins to grow on residential or commercial property. Unlike trees that are brought in and installed on property, volunteer trees usually spring up on their own from seeds placed onto the ground by natural causes or accidental transport by people. Normally, volunteer trees are considered weeds and removed, but many desirable and attractive specimens have gone on to become permanent residents on many public and private grounds.



## **Appendix A: Tree Inventory Map** A1: Existing Topographic Survey and Demolition



#### A2: Proposed Site Plan

(Grading and Drainage Plan not to scale)



## **Appendix B: Tree Inventory and Assessment Tables**

257

Tree Species	I.D. #	Trunk Diameter (in.)	Condition	Expected Impact	Heritage Tree	Rounded Depreciated Value
sweetgum (Liquidambar styraciflua)	242	34	Fair	Low	Heritage Tree	\$16,300.00
cheesewood (Pittosporum tobira)	243	10	Fair	Low	Non-Heritage	N/A
cheesewood (Pittosporum tobira)	244	11	Fair	Low	Non-Heritage	N/A
orange (Citrus sinensis)	245	17	Very poor	Moderate	Heritage Tree	\$1,220.00
plum (Prunus domestica)	246	15	Very poor	Moderate	Heritage Tree	\$570.00
birch ( <i>Betula pendula</i> )	247	8	Dead	N/A	Non-Heritage	N/A
black acacia (Acacia melanoxylon)	248	5	Good	Moderate	Non-Heritage	N/A
lemonwood (Pittosporum eugenoides)	249	4	Good	Moderate	Non-Heritage	N/A
common camellia (Camellia japonica)	250	4	Good	Moderate	Non-Heritage	N/A
common camellia (Camellia japonica)	251	9	Good	Moderate	Non-Heritage	N/A
common camellia (Camellia japonica)	252	9	Good	Moderate	Non-Heritage	N/A
common camellia (Camellia japonica)	253	7	Good	Moderate	Non-Heritage	N/A
cheesewood (Pittosporum tobira)	254	10	Good	Low- moderate	Non-Heritage	N/A
common camellia (Camellia japonica)	255	5	Good	Low	Non-Heritage	N/A
common camellia (Camellia japonica)	256	5	Good	Low	Non-Heritage	N/A

 Table 2: Inventory Summary



common camellia (Camellia japonica)

Good

Low

Non-Heritage

5

N/A

## Appendix C: Photographs C1: Sweetgum #242





## C2: Orange #245 and Plum #246





## Appendix D: Tree Protection Guidelines Plan Sheet Detail S-X (Type I)





#### Plan sheet detail for trunk protection



Detail



#### 13.24.040 Removal and major pruning of Heritage Trees prohibited.

It is unlawful for any person to remove, or cause to be removed, any Heritage Tree from any parcel of property in the city, or perform major pruning on a Heritage Tree, without obtaining a permit; provided, that in case of emergency, when a Heritage Tree is imminently hazardous or dangerous to life or property, it may be removed by order of the police chief, fire chief, the public works director or their respective designees. Any person who vandalizes, grievously mutilates, destroys or unbalances a Heritage Tree without a permit or beyond the scope of an approved permit shall be in violation of this chapter. (Ord. 1060 § 2 (part), 2019).

#### **Prohibited Activities**

The following are prohibited activities within the TPZ:

- Grade changes (e.g. soil cuts, fills);
- Trenches;
- Root cuts;
- Pedestrian and equipment traffic that could compact the soil or physically damage roots;
- Parking vehicles or equipment;
- Burning of brush and woody debris;
- Storing soil, construction materials, petroleum products, water, or building refuse; and,
- Disposing of wash water, fuel or other potentially damaging liquids.



#### Monitoring

Any trenching, construction or demolition that is expected to damage or encounter tree roots should be monitored by the project arborist or a qualified ISA Certified Arborist and should be documented.

The site should be evaluated by the project arborist or a qualified ISA Certified Arborist after construction is complete, and any necessary remedial work that needs to be performed should be noted.

#### **Root Pruning**

Roots greater than two inches in diameter shall not be cut. When roots over two inches in diameter are encountered and are authorized to be cut or removed, they should be pruned by hand with loppers, handsaw, reciprocating saw, or chain saw rather than left crushed or torn. Roots should be cut beyond sinker roots or outside root branch junctions and be supervised by the project arborist. When completed, exposed roots should be kept moist with burlap or backfilled within one hour.

#### **Boring or Tunneling**

Boring machines should be set up outside the drip line or established Tree Protection Zone. Boring may also be performed by digging a trench on both sides of the tree until roots one inch in diameter are encountered and then hand dug or excavated with an Air Spade® or similar air or water excavation tool. Bore holes should be adjacent to the trunk and never go directly under the main stem to avoid oblique (heart) roots. Bore holes should be a minimum of three feet deep.

#### **Tree Pruning and Removal Operations**

All tree pruning or removals should be performed by a qualified arborist with a C-61/D-49 California Contractors License. Treatment, including pruning, shall be specified in writing according to the most recent ANSI A-300A Standards and Limitations and performed according to ISA Best Management Practices while adhering to ANSI Z133.1 safety standards. Trees that need to be removed or pruned should be identified in the pre-construction walk through.



## Appendix E: Tree Protection Signs E1: English

# WARNING Tree Protection Zone

## This Fence Shall not be moved without approval. Only authorized personnel may enter this area!

**Project Arborist** 



September 24, 2024 Revised December 10, 2024

E2: Spanish

# CUIDADO Zona De Arbol Pretejido

## Esta cerca no sera removida sin aprobacion. Solo personal autorizado entrara en esta area!

**Project Arborist** 



## **Qualifications, Assumptions, and Limiting Conditions**

Any legal description provided to the consultant is assumed to be correct. Any titles or ownership of properties are assumed to be good and marketable. All property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

All property is presumed to be in conformance with applicable codes, ordinances, statutes, or other regulations.

Care has been taken to obtain information from reliable sources. However, the consultant cannot be responsible for the accuracy of information provided by others.

The consultant shall not be required to give testimony or attend meetings, hearings, conferences, mediations, arbitration, or trials by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

This report and any appraisal value expressed herein represent the opinion of the consultant, and the consultant's fee is not contingent upon the reporting of a specified appraisal value, a stipulated result, or the occurrence of a subsequent event.

Sketches, drawings, and photographs in this report are intended for use as visual aids, are not necessarily to scale, and should not be construed as engineering or architectural reports or surveys. The reproduction of information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is only for coordination and ease of reference. Inclusion of said information with any drawings or other documents does not constitute a representation as to the sufficiency or accuracy of said information.

Unless otherwise expressed: a) this report covers only examined items and their condition at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that structural problems or deficiencies of plants or property may not arise in the future.



## **Certification of Performance**

I Richard Gessner, Certify:

That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and/or appraisal is stated in the attached report and Terms of Assignment;

That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That the analysis, opinions and conclusions stated herein are my own;

That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;

That no one provided significant professional assistance to the consultant, except as indicated within the report.

That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any other subsequent events; I further certify that I am a Registered Consulting Arborist® with the American Society of Consulting Arborists, and that I acknowledge, accept and adhere to the ASCA Standards of Professional Practice. I am an International Society of Arboriculture Board Certified Master Arborist®. I have been involved with the practice of Arboriculture and the care and study of trees since 1998.

Richard J. Gessner

phahoal of thesenes

ASCA Registered Consulting Arborist® #496 ISA Board Certified Master Arborist® WE-4341B



#### Copyright

© Copyright 2024, Monarch Consulting Arborists LLC. Other than specific exception granted for copies made by the client for the express uses stated in this report, no parts of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, recording, or otherwise without the express, written permission of the author.



LOCATION: 303 Concord I	Drive	PROJECT NUMBER: PLN2024-00044	APPLICANT: Seyed Ali Modarres Najafabadi	<b>OWNER:</b> Seyed Ali Modarres Najafabadi				
PROJECT CC	NDITIONS	:						
1. Tł	ne use pern	nit shall be subject to the fo	ollowing standard condition	ns:				
a.	a. The applicant shall be required to apply for a building permit within one year from date of approval (by July 14, 2026) for the use permit to remain in effect.							
b.	prepared and appr	ment of the project shall be by JRider Design consisti oved by the Planning Com s contained herein, subject	ng of 24 plan sheets, date mission on July 14, 2025,	d received June 16, 2025 except as modified by th				
C.	Menlo Pa	uilding permit issuance, th ark Fire Protection District, e to the project.						
d.	Building	uilding permit issuance, th Division, Engineering Divis e to the project.						
e.	installatio Building cannot b shall sho	building permit issuance, th ons or upgrades for review Divisions. All utility equipm e placed underground sha w exact locations of all me poxes, relay boxes, and ot	and approval by the Plann ent that is installed outside Il be properly screened by ters, back flow prevention	hing, Engineering and e of a building and that landscaping. The plan				
f.	shall sub and signi	eous with the submittal of mit plans indicating that th ficantly worn sections of fr v and approval of the Engi	e applicant shall remove a ontage improvements. The	and replace any damaged				
g.	shall sub Division.	eous with the submittal of mit a Grading and Drainag The Grading and Drainage demolition or building pern	e Plan for review and app Plan shall be approved p	roval of the Engineering				
h.	the Herita	trees in the vicinity of the c age Tree Ordinance and th , dated September 24, 202	ne arborist report prepared	by Monarch Consulting				
i.		uilding permit issuance, th nt reviewing the applicatior		es incurred through staff				
j.	Park or it against the void, or a Developr concerning brought we that the a	icant or permittee shall def is agents, officers, and em he City of Menlo Park or its annul an approval of the Pl ment Director, or any other ng a development, varianc within the time period provi applicant's or permittee's d ct to the City's promptly no	ployees from any claim, ac s agents, officers, or emplo anning Commission, City ( department, committee, c e, permit, or land use appr ded for in any applicable s uty to so defend, indemnif	ction, or proceeding byees to attack, set aside Council, Community or agency of the City roval which action is statute; provided, howeve y, and hold harmless sha				

LOCATION 303 Conco		rive	PROJECT NUMBER: PLN2024-00044	APPLICANT: Seyed Ali Modarres Najafabadi	<b>OWNER:</b> Seyed Ali Modarres Najafabadi						
PROJECT CONDITIONS:											
		action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.									
	k.	or other of approval	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.	Th	e use pern	nit shall be subject to the f	ollowing project-specific co	nditions:						
	a.	required the curb new side	Upon the submission of a comprehensive building permit application, the applicant is required to submit revised plans that encompass both the removal and replacement of the curb and gutter along the entire project frontage, as well as the construction of a new sidewalk that conforms to the adjacent property. These plans will be subject to review and approval by the Engineering Division.								
	b.	Pursuant JADUs):	Pursuant to Menlo Park Municipal Code section 16.79.070 (Regulations applicable to JADUs):								
		or th	1. The owner must reside in either the remaining portion of the primary dwelling unit or the newly created JADU. Owner occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.								
			2. The owner must record a deed restriction, which shall run with the land, and shall include both of the following:								
		sale	(1) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.								
			(2) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this chapter.								
		Prior to building permit final, the owner shall provide a copy of the recorded deed restriction to the Planning Division for verification.									

#### ATTACHMENT B



## ATTACHMENT C

#### 303 Concord Drive (PLN2024-00044) – Data Table

	Proposed Project	Existing Project	Zoning Ordinance		
Lot area	6,523 sf	6,523 sf	7,000 sf min		
Lot width	68 ft	68 ft	65 ft min		
Lot depth	94 ft	94 ft	100 ft min		
Setbacks		÷			
Front (east/Concord Drive)	20 ft	24.7 ft	20 ft min		
Rear (west)	26.5 ft (Main House)	26.4 ft	20 ft min		
	4 ft (ADU)		4 ft min to ADU		
Side-left (south/Trenton Way)	9.7 ft	9.7 ft	12 ft min		
Side-right (north)	5 ft (Main House)	5 ft to primary	6.8 ft min		
	3.7 ft (JADU)	3.7 ft to garage			
	4 ft (ADU)		4 ft min to ADU		
Building coverage	2,977 sf	2,035 sf	2,609 sf max		
	45.6 %	31.2 %	40 % max		
Floor Area Limit (FAL)	3,091 sf	1,710 sf	2,800 sf max total		
Square footage by floor	1,941 sf-1 <sup>st</sup>	1,320 sf-1 <sup>st</sup>			
	490 sf-JADU	390 sf-garage			
	660 sf-ADU	325 sf-porches			
	40 sf-porch				
Square footage of	3,131 sf	2,035 sf			
buildings					
Building height	19.8 ft	17.8 ft	28 ft max		
Parking	1 uncovered space	2 covered spaces	1 covered/1 uncovered		
Trees	Heritage trees 3	Non-Heritage 13 trees	New trees 2		
	Heritage trees 0	Non-Heritage 1	Total Number of 17		
	proposed for removal	trees proposed	trees		
		for removal			
Notes	1. An ADU may exceed the tota				
		are feet provided the ADU is bui			
	existing or proposed primary unit and other structures on site (Menlo Park Municipal Code				
	section 16.79.050).				
	2. If the garage is converted to an ADU (including JADU), no replacement parking for the				
		amily district is required (Menlo P			
		ce on the driveway is provided as	s required by the proposed		
	attached ADU.				
	3. The summary of trees include		property.		
	<ol><li>Areas shown highlighted indic</li></ol>	cate a nonconforming situation.			
# **Community Development**



#### STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

Public Hearing:

7/14/2025 25-031-PC

Consider and adopt a resolution to approve a use permit to modify the previously approved State of California Alcoholic Beverage Control license type 41 (on-sale beer and wine – eating place) to type 47 (on-sale general – eating place), which would allow the sale of beer, wine, and distilled spirits for consumption at an existing restaurant, and modify the restaurant hours of operation to 8 a.m. to 7 p.m. seven days a week, in the C-1-C(X) (Administrative, Professional, and Research District, Restrictive, Conditional Development Permit) zoning district at 3000 Sand Hill Road. Determine these actions are categorically exempt under CEQA Guidelines Section 15301, Class 1 exemption for existing facilities.

#### Recommendation

Staff recommends that the Planning Commission adopt a resolution to approve a use permit to 1) modify the previously approved State of California Alcoholic Beverage Control (ABC) license type 41 (on-sale beer and wine – eating place) to type 47 (on-sale general – eating place), which would allow the sale of beer, wine, and distilled spirits for consumption at an existing restaurant, and 2) modify the restaurant hours of operation to 8 a.m. to 7 p.m. seven days a week, at 3000 Sand Hill Road. Staff also recommends that the Planning Commission determine these actions are categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15301, Class 1 exemption for existing facilities.

The draft resolution, including the recommended actions and conditions of approval, is included as Attachment A.

#### **Policy Issues**

Each use permit is considered individually. The Planning Commission should consider whether the required use permit findings in Menlo Park Municipal Code section 16.82.030 (Permits, Granting) can be made for the proposed project. The City's General Plan includes a variety of goals and associated policies that may be considered in evaluating the proposed project, such as:

Policy LU-4.5: Business Uses and Environmental Impacts. Allow modifications to business
operations and structures that promote revenue generating uses for which potential environmental
impacts can be mitigated.

#### Background

#### Site location

The property at 3000 Sand Hill Road was originally part of a 38-acre parcel that was subdivided and developed with a Conditional Development Permit (CDP) approved by the City Council on June 24, 1969. The CDP rezoned the 38 acres from the OSC (Open Space and Conservation) zoning district to R-2(X) (Low Density Apartment, Conditional Development Permit) and C-1-C(X) (Administrative, Professional, and Research, Restrictive, Conditional Development Permit) zoning districts. The project site at 3000 Sand Hill Road (referred to as the "The Ranch") is one of three office campuses of the Sand Hill Collection, which includes 2400-2498 Sand Hill Road and 2700-2770 Sand Hill Road.

Situated in the western portion of the city and part of the Sharon Heights neighborhood, The Ranch's property area is approximately 16.5 acres, and the existing Sand Hill Sundeck restaurant, the subject business requesting a use permit, is located at the center of the property. The generally circular-shaped site is bordered by residences within the R-2(X) zoning district and further surrounded by the Sharon Heights Golf and Country Club (2900 Sand Hill Road). A location map is included as Attachment B.

#### **Conditional Development Permit**

The original 1969 CDP limited restaurant patronage to employees of the offices without any alcohol service, however, in 2011, the CDP was amended to allow the restaurant service to be available to office tenants as well as the general public and concurrently expanded the restaurant offerings with the sale of beer and wine. The CDP for the site has evolved over time and there have been no significant issues that have resulted from such modifications. The current use permit request represents an additional, modest set of alterations to the CDP.

The CDP that governs the site requires restaurant service to be available to office tenants and the general public, and to operate under the following guidelines regarding alcohol service and hours of operation:

- On-sale of beer and wine for an eating place (type 41 license) is permitted; and
- Hours of operation are limited to the following:
  - 7:30 a.m. to 7 p.m., Monday through Friday, and
  - 10 a.m. to 2 p.m., Saturday and Sunday.

The CDP requires any changes to the restaurant operations to receive a use permit from the Planning Commission.

#### Analysis

#### **Project description**

The applicant requests a use permit for the following changes to the restaurant operations:

- Modify the ABC license from type 41 to type 47, which would allow on-sale of beer, wine, and distilled spirits; and
- Modify hours of operation to 8 a.m. to 7 p.m. seven days a week.

The applicant states that the primary intention of the use permit request is to add the ability for sale of spirits at the existing restaurant that currently serves beer and wine. The restaurant would continue to

primarily operate Monday through Friday (currently closed on weekends). The request for expanded weekend operation hours is to allow opportunities for holiday weekend-related dining. The restaurant is located at the center of the office complex and includes outdoor seating/dining. The nearest residences (Sand Hill Circle townhouses) are sufficiently separated by distance, office buildings, and mature landscaping. The proposed modifications to add distilled spirits and modify hours of operation represent a relatively minor adjustment to the prior 2011 CDP amendment which opened up the restaurant to the general public and also added alcohol service.

The proposal includes no new construction. The Police Department and Transportation Division have both reviewed the application. A restaurant business license has been at site since approximately 1995 and there have been no past or present code enforcement cases or complaints recorded for the property. The Transportation Division has determined that the scope of work does not require a Transportation Impact Analysis or Transportation Demand Management Plan. No physical improvements are proposed, and the parking and circulation plans for the site will remain similar to current conditions. ABC has determined that there is no overconcentration of alcohol licenses in the census tract within which the site is located.

General Plan Policy LU-4.5 is intended to allow modifications to business operations that promote revenue generation without negative environmental impacts. The proposed modifications to operations at the existing restaurant do not include any new construction and no foreseeable negative environmental impacts have been identified. Staff believes the proposed sale of beer, wine, and distilled spirits at the existing restaurant, along with expanded hours of operation, would provide a convenience and service to workers and visitors to the site.

#### Community outreach and correspondence

The applicant has relayed that postcards were mailed to neighboring properties within 500 feet of the site to invite individuals to attend a virtual community meeting about the proposal. The virtual community meeting was held on June 30, 2025 and the applicant has indicated positive feedback was received.

As of the completion of this report, staff has not received any public correspondence regarding the application.

#### Conclusion

The proposed modifications to operations at the existing restaurant to add the sale of spirits and expand hours of operation would provide a convenience and service to workers and visitors to the site, are consistent with General Plan policy, and have been reviewed by the Transportation Division and Police Department. There are no physical changes associated with the proposal or foreseeable negative environmental impacts. Staff recommends the Planning Commission approve the proposed project.

#### Impact on City Resources

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

#### **Environmental Review**

The proposed project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current 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 500-foot radius of the subject property.

#### **Appeal Period**

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

#### Attachments

- A. Draft Planning Commission Resolution
  - Exhibits to Attachment A
  - A. Project Plans
  - B. Project Description Letter
  - C. Conditions of Approval
- B. Location Map

Report prepared by: Calvin Chan, Senior Planner

Report reviewed by: Tom Smith, Principal Planner

#### PLANNING COMMISSION RESOLUTION NO. 2025-0XX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT TO MODIFY THE PREVIOUSLY APPROVED STATE OF CALIFORNIA ALCOHOLIC BEVERAGE CONTROL LICENSE TYPE 41 (ON-SALE BEER AND WINE – EATING PLACE) TO TYPE 47 (ON-SALE GENERAL – EATING PLACE), WHICH WOULD ALLOW THE SALE OF BEER, WINE, AND DISTILLED SPIRITS FOR CONSUMPTION AT AN EXISTING RESTAURANT, AND MODIFY THE HOURS OF OPERATION FOR THE RESTAURANT TO 8 A.M. TO 7 P.M. SEVEN DAYS A WEEK, IN THE C-1-C(X) (ADMINISTRATIVE, PROFESSIONAL, AND RESEARCH DISTRICT, RESTRICTIVE, CONDITIONAL DEVELOPMENT PERMIT) ZONING DISTRICT AT 3000 SAND HILL ROAD.

WHEREAS, the City of Menlo Park ("City") received an application requesting a use permit to modify the previously approved State of California Alcoholic Beverage Control license type 41 (on-sale beer and wine – eating place) to type 47 (on-sale general – eating place), which would allow the sale of beer, wine, and distilled spirits for consumption at an existing restaurant, and modify the hours of operation for the restaurant to 8 a.m. to 7 p.m. seven days a week in the C-1-C(X) (Administrative, Professional, and Research District, Restrictive, Conditional Development Permit) zoning district (collectively, the "Project") from Anthony Grivas of the Compass Group ("Applicant") on behalf of Greg Walker of DivcoWest ("Owner") located at 3000 Sand Hill Road (074-500-010) (collectively, the "Property"). The Project use permit is depicted in and subject to the plans (Exhibit A) and project description letter (Exhibit B), which are attached hereto and incorporated herein by this reference; and

WHEREAS, the Property is located in the C-1-C(X) Administrative, Professional, and Research District, Restrictive, Conditional Development Permit zoning district; and

WHEREAS, on May 15, 1969, the City Council approved a Conditional Development Permit to develop the Property, inclusive of a restaurant that is existing and in operation; and

WHEREAS, on December 13, 2011, the City Council approved an amendment to the Conditional Development Permit to allow the restaurant service to be available to office tenants as well as the general public and concurrently expanded the restaurant offerings with the sale of beer and wine; and

WHEREAS, the Conditional Development Permit governing the site includes restaurant operation guidelines regarding alcohol service and hours of operation and any changes to restaurant operations requires review and approval of a use permit by the Planning Commission; and

WHEREAS, the proposed Project would modify the California Alcoholic Beverage Control license from type 41 (on-sale beer and wine – eating place) to type 47 (on-sale general – eating place); and

WHEREAS, the proposed Project would modify hours of operation to 8 a.m. to 7 p.m. seven days a week; and

WHEREAS, the proposed Project would not involve any new construction; and

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

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

WHEREAS, the Project is categorically exempt under CEQA Guidelines Section 15301, Class 1 exemption for existing facilities; and

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

WHEREAS, at a duly and properly noticed public hearing held on July 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 proposed 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 to modify the previously approved State of California Alcoholic Beverage Control license type 41 (on-sale beer and wine – eating place) to type 47 (on-sale general – eating place), which would allow the sale of beer, wine, and distilled spirits for consumption at an existing restaurant, and modify the hours of operation for the restaurant to 8 a.m. to 7 p.m. seven days a week, at 3000 Sand Hill Road, 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—the restaurant is located at the center of the office complex and includes outdoor seating/dining and the nearest residences are sufficiently separated by distance, office buildings, and mature landscaping—and to general plans for the area in question and surrounding areas, and impact of the application hereon. The proposed Project includes no new construction and there are no foreseeable negative environmental impacts. A restaurant business license has been at the site since approximately 1995 and there have been no past or present code enforcement cases or complaints recorded for the site. The modifications to operations at the existing restaurant are consistent with the goals, policies, and objectives of the General Plan and applicable Municipal Code and Zoning Ordinance requirements, and more specifically the Project would be compatible with the surrounding uses.
- 2. That a public convenience or necessity would be served by the issuance of license to sell alcohol because:
  - a. California Alcoholic Beverage Control has determined that there is no overconcentration of alcohol licensing in the census tract within which the site is located.
  - b. The proposed Project would provide a convenience and service to workers and visitors to the site.

Section 3. Conditional Use Permit. The Planning Commission approves Use Permit No. PLN2025-00026, which use permit is depicted in and subject to the plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit B, respectively. The Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit C.

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

1. The Project is categorically exempt from environmental review per CEQA Guidelines Section 15301, Class 1 exemption for existing facilities.

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 proposed Project, shall continue in full force and effect unless amended or modified by the City.

I, Thomas Rogers, 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 July 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 July 2025.

PC Liaison Signature

Thomas Rogers Principal Planner City of Menlo Park

Exhibits

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

## **EXHIBIT A**

O ARCHITECTS

DESCRIPTION

12.22.2028

1" = 40'-0"

2023.045



12/22/2023





#### Project Description Sand Hill Sundeck 3000 Sand Hill Road, Menlo Park, CA July 1, 2025

**Proposed Use:** Permit to allow the sales of beer, wine, and distilled spirits for on-site consumption (ABC Type 47 License) at an existing restaurant that currently serves beer and wine both inside and on the patio. Restaurant is open to the public. NO NEW CONSTRUCTION IS PROPOSED AS ALL IMPROVEMENTS ARE EXISTING.

Hours of Operations: 8am to 7pm weekdays and weekends

Menu: See Attached

Number of Employees: 10 - 15

**Employee Training:** The management and staff will participate in an ABC approved responsible beverage sales and service training program within 60 days of their first day of employment.

#### Neighborhood Outreach:

- Mailers were sent to properties within 500' on June 16 inviting them to attend a virtual community meeting held on June 30.
- There was 1 attendee at the meeting.
- There was no opposition to the proposed use.
- Furthermore, we received 2 phone calls in support of the project:
  - o 6/19/25: Doug Finney, 400 Sand Hill Circle (650.740.0660)
  - o 6/19/25: Dan Crow, 300 Sand Hill Circle (785.249.8686)

#### About Bon Appetit www.bamco.com

Bon Appetit has been hired to manage the Quadrus restaurant and meeting facilities by the property owner. **Bon Appétit Management Company** is a Palo Alto, California-based on-site restaurant company, that provides café and catering services to corporations, colleges, and universities. The company is a subsidiary of the British multinational corporation Compass Group since 2002 and operates over 1,000 cafes in 34 states.

Notable Bay Area Clients include:

Twitter, LinkedIn, Nvidia, Google, Chase Center, Electronic Arts, Yahoo, Oracle, University of San Francisco, Pinterest

This mission statement, called The Dream and written by our CEO and cofounder Fedele Bauccio, has been Bon Appétit's guiding philosophy since we were founded in 1987:

Our Dream is to be the premier onsite restaurant company known for its culinary expertise and commitment to socially responsible practices. We are a culture driven to create food that is alive with flavor and nutrition, prepared from scratch using authentic ingredients. We do this in a socially responsible manner for the well-being of our guests, communities, and the environment.

	PLN2025-00026	APPLICANT: Anthony Grivas, Compass Group	OWNER: Greg Walker, DivcoWest
--	---------------	--	-------------------------------------

#### **PROJECT CONDITIONS:**

- 1. The use permit shall be subject to the following standard conditions:
  - a. 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 full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.
  - b. 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. The project shall comply with all requirements from external agencies including, but not limited to, California Alcoholic Beverage Control.
  - b. No physical improvements to the restaurant or site are included with this permit. The restaurant operations shall be substantially in conformance with the plans prepared by Studio G Architects and Site Landscape Architecture, consisting of three plan sheets, dated received May 1, 2025, and the applicant's project description letter, dated received July 1, 2025, and approved by the Planning Commission on July 14, 2025.

### ATTACHMENT B



# **Community Development**



#### STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

Public Hearing:

7/14/2025 25-031-PC

Consider and adopt a resolution to approve a use permit for the sale of beer and wine for onsite consumption (State of California Alcoholic Beverage Control license type 41), which is considered a special use, at existing corporate campus cafeterias in the M-3(X) (Commercial Business Park, Conditional Development Permit) zoning district at 125-135 Constitution Drive. Determine these actions are categorically exempt under CEQA Guidelines Section 15301, Class 1 exemption for existing facilities.

#### Recommendation

Staff recommends that the Planning Commission adopt a resolution to approve a use permit for the sale of beer and wine for on-site consumption (State of California Alcoholic Beverage Control license type 41), which is considered a special use, at existing corporate campus cafeterias in the M-3(X) (Commercial Business Park, Conditional Development Permit) zoning district at 125-135 Constitution Drive. Staff also recommends that the Planning Commission determine these actions are categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15301, Class 1 exemption for existing facilities.

The draft resolution, including the recommended actions and conditions of approval, is included as Attachment A.

#### **Policy Issues**

Each use permit is considered individually. The Planning Commission should consider whether the required use permit findings in Menlo Park Municipal Code section 16.82.030 (Permits, Granting) can be made for the proposed project. The City's General Plan includes a variety of goals and associated policies that may be considered in evaluating the proposed project, such as:

Policy LU-4.5: Business Uses and Environmental Impacts. Allow modifications to business
operations and structures that promote revenue generating uses for which potential environmental
impacts can be mitigated.

#### Background

#### Site location

The property at 125-135 Constitution Drive consists of two office buildings located on an approximately 16-acre campus that are part of the Menlo Gateway development, which was rezoned and developed with a Conditional Development Permit (CDP) approved by the City Council on June 15, 2010. The CDP rezoned the property from the M-2 (General Industrial) zoning district to the M-3(X) (Commercial Business Park, Conditional Development Permit) zoning district. Situated in the Bayfront area of the city north of US Highway 101, the two office buildings contain employee cafeteria dining spaces that are the subject of the requested use permit. A location map is included as Attachment B.

#### Conditional Development Permit and conditional use

The CDP that governs the site allows food-serving uses for employees and business visitors. Within the M-3(X) zoning district, retail sale of beer and wine for on-site consumption is considered a special use subject to Planning Commission review and approval of a use permit.

#### Analysis

#### **Project description**

The applicant requests a use permit for the sale of beer and wine for on-site consumption at the existing cafeteria dining spaces to expand offerings to employees and business visitors, with general hours of operation between 8 a.m. to 7 p.m. daily, seven days a week.

The proposal includes no new construction or modification to parking and circulation plans for the site. The Police Department has reviewed the application. A business license for the restaurant was granted in January 2025 and there have been no past or present code enforcement cases or complaints recorded for the property. The State of California Alcoholic Beverage Control (ABC) has determined there is no overconcentration of alcohol licenses in the census tract within which the site is located.

General Plan Policy LU-4.5 is intended to allow modifications to business operations that promote revenue generation without negative environmental impacts. The proposed modifications to operations at the existing cafeteria dining spaces within the two office buildings do not include any new construction and no foreseeable negative environmental impacts have been identified. Staff believes the proposed sale of beer and wine at the existing cafeteria dining spaces would provide a convenience and service to workers and visitors to the site.

#### Community outreach and correspondence

The applicant stated that with the focused scope of work involving no new construction or change in business operations, no specific community outreach was conducted. However, the applicant remains committed to addressing any future concerns.

As of the completion of this report, staff has not received any public correspondence regarding the application.

#### Conclusion

The proposed sale of beer and wine for on-site consumption at existing cafeteria dining spaces within office buildings would provide a convenience and service to workers and visitors to the site, is consistent with General Plan policy, and has been reviewed by the Police Department and ABC. There are no physical changes associated with the proposal or foreseeable negative environmental impacts. Staff recommends the Planning Commission approve the proposed project.

#### Impact on City Resources

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

#### **Environmental Review**

The proposed project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current 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 500-foot radius of the subject property.

#### Appeal Period

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

#### Attachments

- A. Draft Planning Commission Resolution
  - Exhibits to Attachment A
  - A. Project Plans
  - B. Project Description Letter
  - C. Conditions of Approval
- B. Location Map

Report prepared by: Calvin Chan, Senior Planner

Report reviewed by: Tom Smith, Principal Planner

#### PLANNING COMMISSION RESOLUTION NO. 2025-0XX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT FOR THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION (STATE OF CALIFORNIA ALCOHOLIC BEVERAGE CONTROL LICENSE TYPE 41) AT EXISTING CORPORATE CAMPUS CAFETERIAS IN THE M-3(X) (COMMERCIAL BUSINESS PARK, CONDITIONAL DEVELOPMENT PERMIT) ZONING DISTRICT AT 125-135 CONSTITUTION DRIVE.

WHEREAS, the City of Menlo Park ("City") received an application requesting a use permit for the sale of beer and wine for on-site consumption (State of California Alcoholic Beverage Control license type 41) at existing corporate campus cafeterias in the M-3(X) (Commercial Business Park, Conditional Development Permit) zoning district at 125-135 Constitution Drive (collectively, the "Project") from Alexia Nguyen of Bon Appétit Management Company ("Applicant") on behalf of Bohannon MG2, LLC ("Owner") located at 125-135 Constitution Drive (055-234-290) (collectively, the "Property"). The Project use permit is depicted in and subject to the plans (Exhibit A) and project description letter (Exhibit B), which are attached hereto and incorporated herein by this reference; and

WHEREAS, the Property is located in the M-3(X) Commercial Business Park, Conditional Development Permit zoning district; and

WHEREAS, on June 15, 2010, the City Council approved a Conditional Development Permit (CDP) to develop the Property and the CDP allows food-serving uses to serve employees and visitors; and

WHEREAS, special uses, such as the retail sale of beer and wine for on-site consumption, are allowed in the M-3(X) zoning district subject to obtaining a use permit; and

WHEREAS, the proposed Project is requested as part of the Applicant's intention to obtain a State of California Alcoholic Beverage Control license type 41 (on-sale beer and wine – eating place); and

WHEREAS, the proposed Project would not involve any new construction; and

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

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

WHEREAS, the Project is categorically exempt under CEQA Guidelines Section 15301, Class 1 exemption for existing facilities; and

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

WHEREAS, at a duly and properly noticed public hearing held on July 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 proposed 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 sale of beer and wine for on-site consumption (State of California Alcoholic Beverage Control license type 41), which is considered a special use, at existing corporate campus cafeterias located at 125-135 Constitution Drive is granted based on the following findings, which are made pursuant to Menlo Park Municipal Code section 16.82.030 and section 16.78.020:

- 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. The proposed Project includes no new construction and there are no foreseeable negative environmental impacts. The cafeteria dining spaces within the office buildings are existing and since the cafeterias received business license approval in January 2025, there have been no code enforcement cases or complaints recorded for the site. The Project is consistent with the goals, policies, and objectives of the General Plan and applicable Municipal Code and Zoning Ordinance requirements, and more specifically the Project would be compatible with the surrounding uses.

- 2. That the use applied for will, under the circumstance of the particular case, not be unreasonably incompatible with uses permitted in surrounding areas. The proposed Project does not include foreseeable impacts such as: 1) damage or nuisance from noise, smoke, odor, dust or vibration, 2) hazard from explosion, contamination or fire, or 3) hazard occasioned by unusual volume or character of traffic or the congregation of a large number of people or vehicles. The cafeteria dining spaces within the office buildings are existing and there have been no code enforcement cases or complaints recorded for the site.
- 3. That a public convenience or necessity would be served by the issuance of license to sell alcohol because:
  - a. California Alcoholic Beverage Control has determined that there is no overconcentration of alcohol licensing in the census tract within which the site is located.
  - b. The proposed Project would provide a convenience and service to workers and visitors to the site.

Section 3. Conditional Use Permit. The Planning Commission approves Use Permit No. PLN2025-00027, which use permit is depicted in and subject to the plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit B, respectively. The Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit C.

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

1. The Project is categorically exempt from environmental review per CEQA Guidelines Section 15301, Class 1 exemption for existing facilities.

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 proposed Project, shall continue in full force and effect unless amended or modified by the City.

I, Thomas Rogers, 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 July 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 July 2025.

PC Liaison Signature

Thomas Rogers Principal Planner City of Menlo Park

### Exhibits

- A. Project PlansB. Project Description LetterC. Conditions of Approval

## EXHIBIT A









#### Project Description Bon Appetit Snowflake 125 & 135 Constitution Dr June 24, 2025

**Proposed Use:** Permit to allow the sales of beer and wine for on-site consumption (ABC Type 41 License) at two existing corporate campus cafes serving employees and business visitors. NO NEW CONSTRUCTION IS PROPOSED AS ALL IMPROVEMENTS ARE EXISTING.

Hours of Operations: 8am to 7pm daily. The alcohol service would be limited to the café hours.

Number of Employees: 10 - 15

**Employee Training:** The management and staff will participate in an ABC approved responsible beverage sales and service training program within 60 days of their first day of employment.

**Public Outreach**: No community meeting was held as the cafés are located within a corporate campus surrounded by commercial developments and because the scope of work does not involve new construction or change in business operations. However, we are committed to addressing any concerns should any arise.

#### About Bon Appetit www.bamco.com

Bon Appetit has been hired to manage the Snowflake restaurant facilities. **Bon Appétit Management Company** is a Palo Alto, California-based on-site restaurant company, that provides café and catering services to corporations, colleges, and universities. The company is a subsidiary of the British multinational corporation Compass Group since 2002 and operates over 1,000 cafes in 34 states.

Notable Bay Area Clients include:

Twitter, LinkedIn, Nvidia, Google, Chase Center, Electronic Arts, Yahoo, Oracle, University of San Francisco, Pinterest

This mission statement, called The Dream and written by our CEO and cofounder Fedele Bauccio, has been Bon Appétit's guiding philosophy since we were founded in 1987:

Our Dream is to be the premier onsite restaurant company known for its culinary expertise and commitment to socially responsible practices. We are a culture driven to create food that is alive with flavor and nutrition, prepared from scratch using authentic ingredients. We do this in a socially responsible manner for the well-being of our guests, communities, and the environment.

LOCATION: 125-135 Constitution Drive			PROJECT NUMBER: PLN2025-00027	APPLICANT: Alexia Nguyen, Bon Appétit Management Company	OWNER: Bohannon MG2, LLC			
PR	OJE	ECT CONDITIONS	:					
1.	The	The use permit shall be subject to the following standard conditions:						
	a.	a. 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's defense of said claims, actions, or proceedings.						
	b.	exactions impose development. Pe	ed by the City as part of th	e approval or as a conditior Code 66020, this 90-day pro	y fees, dedications, reservations, or other or as a condition of approval of this this 90-day protest period has begun as			
2.	The	ne use permit shall be subject to the following project-specific conditions:						
	a.	Sale of beer and wine for on-site consumption shall be limited to employees and business visitors, consistent with food-serving uses allowed by the Conditional Development Permit.						
	b.	The project shall comply with all requirements from external agencies including, but not limited to, California Alcoholic Beverage Control.						
	C.	No physical improvements to the restaurant or site are included with this permit. The restaurant operations shall be substantially in conformance with the plans prepared by WRNS Studio, consisting of four plan sheets, dated received May 1, 2025, and the applicant's project description letter, dated received June 24, 2025, and approved by the Planning Commission on July 14, 2025.						

## ATTACHMENT B

