REGULAR MEETING AGENDA

Date: 12/05/2022
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 871 4022 8110 and
Council Chambers
751 Laurel St., Menlo Park, CA 94025

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE
Consistent with Government Code section 54953(e), and in light of the declared state of emergency, and maximize public safety while still maintaining transparency and public access, 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 Council Chambers
- Access the meeting real-time online at:
  zoom.us/join – Meeting ID# 871 4022 8110
- Access the meeting real-time via telephone (listen only mode) at:
  (669) 900-6833
  Regular Meeting ID # 871 4022 8110
  Press *9 to raise hand to speak
- Submit a written comment online up to 1-hour before the meeting start time:
  PlanningDept@menlopark.org *
  Please include the agenda item number you are commenting on.

  *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: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, 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's website www.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/agenda).

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 September 12, 2022, Planning Commission meeting. (Attachment)

E2 Approval of minutes from the September 19, 2022, Planning Commission meeting. (Attachment)

F. Public Hearing

F1. Consider and adopt a resolution to approve a variance and use permit revision to a previously approved use permit to construct a new two-story residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district, at 6 Greenwood Place; determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities. The proposed project consists of construction of a new covered patio, which would increase building coverage above the previously-approved building coverage and would be an exterior modification. The project requires a variance to exceed the maximum building coverage. ***Continued from the November 7, 2022 regular meeting***. (Staff Report #22-064-PC)

F2. Consider and adopt a resolution to approve a use permit to construct a new attached accessory dwelling unit (ADU) with a front setback of one foot, six inches, where 20 feet is required, and a rear setback of three feet, where four feet is required in the R-1-U (Single Family Urban Residential) zoning district, at 598 Hamilton Avenue; determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities. (Staff Report #22-065-PC)

F3. Consider and adopt a resolution to approve a use permit to demolish an existing single-story, single-family residence and construct a new two-story residence with an attached garage on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district, at 123 Dunsmuir Way; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction of small structures. The project includes an attached accessory dwelling unit (ADU) which is exempt from discretionary review. (Staff Report #22-066-PC)

F 4. Consider and adopt a resolution recommending that the City Council adopt a resolution revising the use permit and architectural control approvals for the previously approved Menlo Uptown development project, which consists of 441 rental units and 42 for-sale condominium units and approximately 2,940 square feet of commercial space (for the project's community amenity) and is located at 141 Jefferson Drive, and 180-186 Constitution Drive, to allow for the potential removal of infrastructure investments at Willow Road and Bay Road from the project conditions of approval. This action is consistent with the project-level EIR certified by the City Council on September 14, 2021 (Staff Report #22-067-PC)

F5. Consider and adopt a resolution to approve a use permit and architectural control to allow comprehensive exterior modifications to an existing multi-tenant commercial building and to allow a change of use from a salon, tutoring service, and vacant suite to a yoga and wellness studio and a café, on a parcel with substandard parking, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district, at 605 Cambridge. The proposal also includes a use permit request to allow outdoor seating associated with the proposed café. Determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities. (Staff Report #22-068-PC)

F6. Consider and adopt a resolution to approve a request for architectural control for exterior modifications to an existing commercial building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district and a use permit for outdoor seating, at 772-780 Santa Cruz Avenue and 1110 Crane Street. The request includes modifications to the Santa Cruz Avenue, Crane Street, and Ryan's Lane façades. The proposal also includes a request for a use permit to allow outdoor seating along the Crane Street frontage for a proposed restaurant at 772-780 Santa Cruz Avenue. Determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities. (Staff Report #22-069-PC)

F7. Consider and adopt a resolution recommending that the City Council adopt a resolution approving a request for a two-year extension of a vesting tentative map to merge the existing SP-ECR/D (El Camino Real/Downtown Specific Plan) lots, abandon a portion of Alto Lane, and create a two-lot subdivision for condominium purposes, with 12 residential units, one restaurant space and no more than three retail spaces on one lot in the SP-ECR/D zoning district, at 201 El Camino Real, and two townhouses on the second lot in the R-3 (Apartment) zoning district, at 612 Cambridge Avenue. The request is associated with a previously approved project containing a new three-story mixed use building with a below-ground parking lot, and two detached townhouses. This action is consistent with the Initial Study/Mitigated Negative Declaration adopted for this project by the City Council on October 27, 2020. (Staff Report #22-070-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: December 12, 2022
- Regular Meeting: January 9, 2023

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 prior to, 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.org. 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 Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.gov/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.gov/subscribe. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 11/30/2022)

REGULAR MEETING DRAFT MINUTES

Date: 09/12/2022
Time: 7:00 p.m.
Meeting Location: Zoom.us/join – ID# 871 4022 8110

A. Call To Order

Chair Chris DeCardy called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes, Chris DeCardy (Chair), Linh Dan Do, Henry Riggs, David Thomas (arrived at approximately 7:55 p.m.), Michele Tate

Staff: Nira Doherty, City Attorney; Fahteen Khan, Associate Planner; Kyle Perata, Planning Manager; Corinna Sandmeier, Acting Principal Planner; Ed Shaffer, Special Counsel; Chris Turner, Associate Planner

Absent: Cynthia Harris (Vice Chair)

C. Reports and Announcements

None

D. Public Comment

None

E. Consent Calendar

None

F. Public Hearing

F1. Adopt a resolution to approve architectural control, a use permit, and a variance for exterior and interior modifications to an existing commercial building at 135 El Camino Real in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. Modifications include a new front façade, a small second-story addition and roof deck, and modifications to the landscaping. The request also includes a change of use from a restricted personal service to a mixed-use office and residential building with one residential unit on a property that is substandard with regard to parking, and a variance request to reduce the required front setback by 3.5 feet. (Staff Report #22-049-PC)

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

Ross Levy, project applicant, spoke on behalf of the project.

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

The Commission discussed the project, confirmed waterproofing methods under the stucco and noted it was an upgrade to the existing building

ACTION: Motion and second (Barnes/Riggs) to adopt a resolution to approve architectural control, a use permit, and a variance for exterior and interior modifications to an existing commercial building at 135 El Camino Real in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district, passes 5-0-2 with Commissioners Harris and Thomas absent.

F2. Adopt resolutions to certify the Final Environmental Impact Report (FEIR) and approve a use permit and architectural control to develop a five-story research and development (R&D) building with up to 260,400 square feet of gross floor area (GFA), as part of the 1350 Adams Court Project in the LS-B (Life Sciences, Bonus) zoning district. The project site consists of an existing two-story approximately 188,100-square-foot life sciences building, addressed 1305 O'Brien Drive, and an undeveloped northern portion of the site anticipated to be addressed 1350 Adams Court. The proposed R&D building would be located on the vacant site area and the existing building would remain. Parking for the proposed new R&D building would be located in a partially-below-grade podium level with three additional levels of parking provided above grade and integrated into the building. The total gross floor area at the project site with the proposed and existing buildings would be approximately 448,500 square feet, with a total proposed floor area ratio (FAR) of approximately 92 percent for the site. The proposal includes a request for an increase in height and FAR under the bonus level development allowance in exchange for community amenities. The applicant is proposing payment of a community amenities in-lieu fee. The project also includes upgrades of water lines beneath Adams Court, along the interior of the project site, and beneath O'Brien Drive from the southwest corner of the project site frontage to the intersection with Willow Road. The project also includes a request to use and store hazardous materials to allow a diesel generator to operate the facilities in the event of a power outage or emergency. The Final Environmental Impact Report (EIR) pursuant to CEQA was released on September 1, 2022. The Final EIR for the proposed project does not identify any significant and unavoidable environmental impacts that would result from the implementation of the proposed project. The Final EIR identifies potentially significant environmental impacts that can be mitigated to a less than significant level (LTS/M) in the following categories: Air Quality, Greenhouse Gas Emissions, Noise and Transportation. The Final EIR identifies less than significant (LTS) environmental impacts in the following categories: Population and Housing and Utilities and Energy. The City previously prepared an initial study for the proposed project that determined the following topic areas would have no impacts, less-than-significant impacts, or less than-significant impacts with mitigation measures (including applicable mitigation measures from the ConnectMenlo EIR): Aesthetics, Agriculture and Forestry Resources, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Public Services, Recreation, Tribal Cultural Resources and Wildfire. The Draft EIR was circulated for a 45-day public review from April 2, 2022 through May 19, 2022 and the Planning Commission held a public hearing on the Draft EIR at its meeting on May 2, 2022. The Final EIR includes responses to all substantive comments received on the Draft EIR. The project location does not contain a toxic site pursuant to Section 6596.2 of the Government Code. (Staff Report #22-050-PC)

Associate Planner Chris Turner presented on the agenda item and noted revisions to the draft resolution including removal of condition 2.R, modification of conditions 2.T, 2.Z, 2.AA, 2.BB.i, and 2.BB.ii and read those into the record:

Condition 2.R: Omit in its entirety.
Condition 2.T modify as follows: No later than upon the submittal of a complete building permit application and prior to issuance of the foundation building permit, the Applicant shall submit a plat and legal description and proposed form of ~~irrevocable easement~~ agreement for public utilization of the Publicly Accessible Open Space to the satisfaction of the Public Works Director and City Attorney. The form of ~~irrevocable easement~~ agreement shall ensure, to the satisfaction of the City, that the Applicant has reasonable control over the Publicly Accessible Open Space and that the Publicly Accessible Open Space is accessible to the general public, ~~in perpetuity~~ for the life of the project during reasonable hours of each day of the week, which may be determined by the Applicant provided that the Publicly Accessible Open Space shall be open to the public at least between sunrise and thirty minutes past sunset.
Condition 2.Z modify as follows: The Applicant shall submit complete plans for construction of improvements to the City prior to issuance of building permit. The Applicant shall construct all improvements prior to occupancy, subject to relief for diligent pursuit as noted below, upon obtaining final approval from the City and Caltrans.
Condition 2.AA modify as follows: In order to overcome shortfalls in level of service created by the Project, the Applicant shall perform, construct and complete, at the Applicant's own expense with provision for credit and/or reimbursement as noted below, certain transportation improvements, prior to issuance of certificate of occupancy for the Project subject to relief for diligent pursuit as noted below. The Applicant shall submit documented costs, including design, engineering, and permitting costs, to the Director of Public Works or designee of said transportation improvements and the Applicant shall be entitled to credit ~~and/or reimbursement~~ for said transportation improvements pursuant to MPMC 13.26.80, or reimbursement should the final expenses for improvements included in the TIF program exceed the Project TIF payment. If the final expenses to the Applicant for the required intersection improvements included in the City's TIF program exceed the Project's TIF payment, the City and the Applicant shall enter into a reimbursement agreement, which will provide for the Applicant to be reimbursed by the City from available TIF revenues.
Condition 2.BB.i modify as follows: Under the Near Term Scenario, the proposed intersection improvement at the intersection of University Avenue and Adams Drive is to install a traffic signal This improvement is included in the City's TIF program and located within the City of East Palo Alto. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit complete plans to the City of East Palo Alto and Caltrans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to striping modifications and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the Applicant shall construct the improvements prior to the granting of occupancy. If East Palo Alto and/or Caltrans approval has not been obtained or intersection improvements have not been completed prior to occupancy of the ~~first~~ building, but the applicant demonstrates that it has worked diligently to pursue agency approvals and completion of construction to the satisfaction of the Director of Public Works or designee, the City shall grant occupancy and the applicant shall continue to pursue approval and construction for a period of five years from the date of issuance of the first building permit. If the applicant continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval or been able to construct the improvement, then the applicant shall be relieved of responsibility to construct the improvement ~~and the bond shall be released by the City of Menlo Park~~.

- **Condition 2.BB.ii modify as follows**: Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Newbridge Street is to modify signal timing to a protected left-turn phasing operation on Newbridge Street. Provide a leading left-turn phase on

southbound Newbridge Street and a lagging left-turn phase on northbound Newbridge Street and optimize the signal timing. This improvement was studied and is included in the City's TIF program. The proposed improvement would require Caltrans and/or City of East Palo Alto approval. Signal and other electrical utilities and equipment will also require modification. Note this improvement has been initiated. The applicant shall consult with the City for direction prior to proceeding to the next step. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy of the ~~first~~ building. If East Palo Alto and/or Caltrans approval has not been obtained or intersection improvements have not been completed prior to occupancy of the ~~first~~ building, but the applicant demonstrates that it has worked diligently to pursue agency approvals and completion of construction to the satisfaction of the Director of Public Works or designee, the City shall grant occupancy and the applicant shall continue to pursue approval and construction for a period of five years from the date of issuance of the first building permit. If the applicant continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval or been able to construct the improvement, then the applicant shall be relieved of responsibility to construct the improvement ~~and the bond shall be released by the City of Menlo Park~~.

Heidi Mekkelson, ICF, Lead CEQA Consultant, introduced colleague Devin Adivary, and Ling Jin with Hexagon, Transportation Consultant. Ms. Mekkelson spoke on the development of the Final Environmental Impact Report and next steps.

John Tarlton, project applicant, and Susan Eschweiler, project architect, spoke on behalf of the project.

Commissioner David Thomas arrived at approximately 7:55 p.m. during applicants' presentation.

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

The Commission agreed to vote first on EIR items and then on the project entitlements. The Commission discussed in general impacts from large projects in the ConnectMenlo area including housing, water, energy and traffic and specifically a need to redefine parking requirements.

ACTION: Motion and second (Riggs/Barnes) to adopt a resolution certifying the Final impact Report (FEIR); adopting the Mitigation Monitoring and Reporting Program (MMRP); and adopting the CEQA Findings; passes 4-2-1 with Commissioners DeCardy and Do opposed and Commissioner Harris absent.

Chair DeCardy reopened the public hearing on the use permit request and architectural control and closed it as no persons requested to speak.

Commissioner Barnes moved to approve the use permit, architectural control and a community amenities proposal from any existing or new lists but not an in-lieu fee noting the intention was not to delay the project timeline.

The Commission and staff including Planner Sandmeier, Planning Manager Kyle Perata, and Special Counsel Ed Shaffer discussed in-lieu fee for community amenities by ordinance and the community engagement process to define what community amenities would be funded.

Commissioner Barnes said he would remove the condition to specify community amenity list and that an in-lieu community amenity fee would be paid and separately recommend to the City Council that those in-lieu fees needed to be spent per an approved community amenities list that was developed through a community engagement process.

Chair DeCardy clarified the motion was to recommend adoption per the staff report with the revisions presented by staff earlier this evening and a recommendation that in-lieu fees be spent on community amenities defined through a robust community engagement process. City Attorney Nira Doherty confirmed revision to the resolution to approve to include that recommendation was acceptable.

Commissioner Riggs seconded the motion.

Commissioner Do said her only opposition to the project was the parking allowed.

The Commission generally found the project well designed and complimented the applicant team on its sustainability efforts.

ACTION: Motion and second (Barnes/Riggs) to adopt a resolution to approve a use permit, architectural control, and community amenities proposal with the following modifications; passes 5-1 with Commissioner Do opposed and Commissioner Harris absent:

- **Modify the draft resolution to**: Include a recital indicating that the community amenity in-lieu fee payment would be used on a community amenity chosen from a list of possible community amenities that was assembled through a robust community outreach process.
- **Condition 2.R**: Omit in its entirety.
- **Condition 2.T modify as follows**: No later than upon the submittal of a complete building permit application and prior to issuance of the foundation building permit, the Applicant shall submit a plat and legal description and proposed form of ~~irrevocable easement~~ agreement for public utilization of the Publicly Accessible Open Space to the satisfaction of the Public Works Director and City Attorney. The form of ~~irrevocable easement~~ agreement shall ensure, to the satisfaction of the City, that the Applicant has reasonable control over the Publicly Accessible Open Space and that the Publicly Accessible Open Space is accessible to the general public, ~~in perpetuity~~ for the life of the project during reasonable hours of each day of the week, which may be determined by the Applicant provided that the Publicly Accessible Open Space shall be open to the public at least between sunrise and thirty minutes past sunset.
- **Condition 2.Z modify as follows:** The Applicant shall submit complete plans for construction of improvements to the City prior to issuance of building permit. The Applicant shall construct all improvements prior to occupancy, subject to relief for diligent pursuit as noted below, upon obtaining final approval from the City and Caltrans.
- **Condition 2.AA modify as follows**: In order to overcome shortfalls in level of service created by the Project, the Applicant shall perform, construct and complete, at the Applicant's own expense with provision for credit and/or reimbursement as noted below, certain transportation improvements, prior to issuance of certificate of occupancy for the Project subject to relief for diligent pursuit as noted below. The Applicant shall submit documented costs, including design,

engineering, and permitting costs, to the Director of Public Works or designee of said transportation improvements and the Applicant shall be entitled to credit ~~and/or reimbursement~~ for said transportation improvements pursuant to MPMC 13.26.80, or reimbursement should the final expenses for improvements included in the TIF program exceed the Project TIF payment. If the final expenses to the Applicant for the required intersection improvements included in the City's TIF program exceed the Project's TIF payment, the City and the Applicant shall enter into a reimbursement agreement, which will provide for the Applicant to be reimbursed by the City from available TIF revenues.

- **Condition 2.BB.i modify as follows**: Under the Near Term Scenario, the proposed intersection improvement at the intersection of University Avenue and Adams Drive is to install a traffic signal This improvement is included in the City's TIF program and located within the City of East Palo Alto. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit complete plans to the City of East Palo Alto and Caltrans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to striping modifications and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the Applicant shall construct the improvements prior to the granting of occupancy. If East Palo Alto and/or Caltrans approval has not been obtained or intersection improvements have not been completed prior to occupancy of the ~~first~~ building, but the applicant demonstrates that it has worked diligently to pursue agency approvals and completion of construction to the satisfaction of the Director of Public Works or designee, the City shall grant occupancy and the applicant shall continue to pursue approval and construction for a period of five years from the date of issuance of the first building permit. If the applicant continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval or been able to construct the improvement, then the applicant shall be relieved of responsibility to construct the improvement ~~and the bond shall be released by the City of Menlo Park~~.
- **Condition 2.BB.ii modify as follows**: Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Newbridge Street is to modify signal timing to a protected left-turn phasing operation on Newbridge Street. Provide a leading left-turn phase on southbound Newbridge Street and a lagging left-turn phase on northbound Newbridge Street and optimize the signal timing. This improvement was studied and is included in the City's TIF program. The proposed improvement would require Caltrans and/or City of East Palo Alto approval. Signal and other electrical utilities and equipment will also require modification. Note this improvement has been initiated. The applicant shall consult with the City for direction prior to proceeding to the next step. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy of the ~~first~~ building. If East Palo Alto and/or Caltrans approval has not been obtained or intersection improvements have not been completed prior to occupancy of the ~~first~~ building, but the applicant demonstrates that it has worked diligently to pursue agency approvals and completion of construction to the satisfaction of the Director of Public Works or designee, the City shall grant occupancy and the applicant shall continue to pursue approval and construction for a period of five years from the date of issuance of the first building permit. If the applicant continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval or been able to construct the

improvement, then the applicant shall be relieved of responsibility to construct the improvement ~~and the bond shall be released by the City of Menlo Park~~.

G. Informational Items

G1. Future Planning Commission Meeting Schedule

- Regular Meeting: September 19, 2022

Planner Sandmeier said the September 19 agenda would have one item the sign program for 500 El Camino Real.

- Regular Meeting: October 3, 2022

Commissioner Thomas noted he and his wife would be leaving Menlo Park and this was his last meeting as a commissioner.

H. Adjournment

Chair DeCardy adjourned the meeting at 9:43 p.m.

Staff Liaison: Corinna Sandmeier, Acting Principal Planner

Recording Secretary: Brenda Bennett

REGULAR MEETING DRAFT MINUTES

Date: 09/19/2022
Time: 7:00 p.m.
Meeting Location: Zoom.us/join – ID# 871 4022 8110

A. Call To Order

Chair Chris DeCardy called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes, Chris DeCardy (Chair), Linh Dan Do, Henry Riggs, Michele Tate

Absent: Cynthia Harris (Vice Chair)

Staff: Fahteen Khan, Associate Planner; Matt Pruter, Associate Planner; Corinna Sandmeier, Acting Principal Planner

C. Reports and Announcements

Acting Principal Planner Corinna Sandmeier reported an update to the Consent Calendar with two items being the minutes from April 25 and May 23, 2022. She said the April 25 minutes were in the traditional style and the May 23 minutes were summary minutes, which were being done to get the minutes current and might continue going forward.

Commissioner Tate said the minutes for May 23 indicated the April 25 minutes were approved. Planner Sandmeier said that the approval was for the court reporter transcript of the environmental impact report scoping session and not the meeting minutes.

Commissioners Riggs and Tate requested that summary minutes be used temporarily and that the more complete minutes be resumed noting public comment record and commissioners' comments' inclusion in full.

D. Public Comment

None

E. Consent Calendar

Commissioner Riggs asked to remove May 23, 2022 minutes from the Consent Calendar.

E1. Approval of minutes from the April 25, 2022, Planning Commission meeting. (Attachment)

ACTION: Motion and second (Riggs/Do) to approve as submitted, passes 4-0-1-1 with Commissioner Tate abstaining and Commissioner Harris absent.

E1. Approval of minutes from the May 23, 2022, Planning Commission meeting. (Attachment)

Commissioner Riggs requested clarification in the minutes to read that the court reporter transcript was approved but the April 25, 2022 meeting minutes were not presented for approval as having been deferred previously.

ACTION: Motion and second (Riggs/Do) to approve the minutes of May 23, 2022 with the clarification that only the court reporter transcript of the April 25, 2022 meeting was approved and not the meeting minutes themselves; passes 4-0-1-1 with Commissioner Tate abstaining and Commissioner Harris absent.

Commissioner Barnes said he should have abstained from approving the May 23, 2022 minutes as he was absent.

ACTION: Motion and second (Barnes/Riggs) to reconsider the motion; passes 5-0-1 with Commissioner Harris absent.

ACTION: Motion and second (Barnes/Riggs) to approve the minutes of May 23, 2022 with the clarification that only the court reporter transcript of the April 25, 2022 meeting was approved and not the meeting minutes themselves; passes 3-0-2-1 with Commissioners Barnes and Tate abstaining, and Commissioner Harris absent.

Replying to Commissioner Tate, Planner Sandmeier said she would confirm with the City Attorney whether a person abstaining on the vote could make the motion to approve, and if there was an issue the minutes would be brought back for reconsideration.

F. Public Hearing

F1. Adopt a resolution to approve a Master Sign Program for a mixed-use development (Middle Plaza at 500 El Camino Real) in the ECR/D-SP (El Camino Real/Downtown Specific Plan) zoning district. (Staff Report #22-051-PC)

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

Michael Burch, project applicant representative, spoke on behalf of the Master Sign Program for the 500 El Camino Real project.

Commissioner Riggs confirmed with Mr. Burch that the only signage on the residential buildings were two modest monument signs at grade level at each of the driveway entries and a selection of very small “point of entry” signs at graded level at gated entries off El Camino Real and there would be no large skyline or parapet sign advertising the residential building.

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

The Commission confirmed with staff that there was no restriction on wayfinding interior signage.

The Commission discussed that the larger signage was appropriate but questioned whether the retail, ground-level signage lettering might be reduced from 36-inch to something like the 24-inch

approved for the 1300 Station project. Staff confirmed that logo size could be larger if approved through a condition of approval.

Chair DeCardy said he would vote against the Master Sign Program as he felt signage in this area should be more constrained for the community's benefit.

Commissioner Riggs moved to approve with the modifications that the first-floor signage as indicated in Option A would be limited to 24-inches and a logo would be allowed to fill 50% of a 30-inch by 30-inch box.

After additional discussion and questions of the logo allowance, Commissioner Riggs withdrew the portion of his motion regarding the logo allowance. It was noted that a logo approval process existed.

Commissioner Barnes seconded the motion as restated to exclude a logo allowance.

ACTION: Motion and second (Riggs/Barnes) to adopt a resolution to approve a Master Sign Program for a mixed-use development (Middle Plaza at 500 El Camino Real) in the ECR/D-SP (El Camino Real/Downtown Specific Plan) zoning district with the following added condition; passes 4-1-1 with Commissioner DeCardy opposed and Commissioner Harris absent:

"Simultaneous with the submittal of a complete sign permit application, the applicant shall submit revised plans to reflect a maximum letter size of 24 inches for the option "A" first floor retail signs."

G. Informational Items

G1. Future Planning Commission Meeting Schedule

- Regular Meeting: October 3, 2022

Planner Sandmeier said the agenda for the October 3 meeting would have a generator use permit along El Camino Real, a use permit for a taller fence along Santa Cruz Avenue, a use permit for noise exceedance for the Menlo Park Community campus pool heaters and a below market rate agreement.

- Regular Meeting: October 24, 2022

H. Adjournment

Chair DeCardy adjourned the meeting at 8:30 p.m.

Staff Liaison: Corinna Sandmeier

Recording Secretary: Brenda Bennett

STAFF REPORT

Planning Commission
Meeting Date: **12/5/2022**
Staff Report Number: **22-064-PC**

Public Hearing: **Consider and adopt a resolution to approve a variance and use permit revision to a previously approved use permit to construct a new two-story residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district, at 6 Greenwood Place**

Recommendation

Staff recommends that the Planning Commission adopt a resolution approving a variance to exceed the maximum building coverage and approving a use permit revision for exterior modifications to a previously approved use permit for a new two-story residence on a substandard lot in the R-1-U (Single Family Urban Residential) zoning district. The draft resolution is included as Attachment A.

Policy Issues

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

Background

Site location

The project site is located on Greenwood place, a cul-de-sac in the Suburban Park neighborhood. All other properties in the immediate vicinity are also single-family properties located in the R-1-U zoning district. The surrounding properties are developed with a mix of older, one-story, ranch-style homes and newer, two-story homes of varying architectural styles. A location map is included as Attachment B.

Project history

On February 25, 2019, the Planning Commission approved a use permit to construct a new two-story residence on a substandard lot with regard to minimum lot width and area in the R-1-U zoning district. The project was unanimously approved as recommended by the staff report. The project proposed to construct the new residence at the maximum floor area limit (2,800 square feet), and building coverage (35 percent of lot area). Hyperlinks to the staff report and meeting minutes are included as Attachments C and D, respectively. After approval of the use permit, the residence was constructed and received final inspection on September 9, 2020.

On October 15, 2020, a building permit application was submitted to convert a portion of the existing residence and existing covered patio, and add on an additional 174.3 square feet to create an attached

accessory dwelling unit (ADU). The project resulted in the residence and ADU exceeding the maximum floor area limit by approximately 282 square feet and building coverage by 174.3 square feet. Under the state ADU laws and the Accessory Dwelling Unit chapter of the zoning ordinance (Chapter 16.79), accessory dwelling units are permitted by right and are allowed to exceed the maximum floor area limit and building coverage by up to 800 square feet, provided that the ADU is built concurrently with or after the main dwelling unit. The building permit for the ADU conversion/construction received final inspection on July 13, 2021.

Analysis

Project description

The applicant is requesting a variance to further exceed the maximum building coverage in order to construct a new covered patio addition to the main house. Since the proposed patio addition would serve the main residence, a use permit revision is also required to modify the design and building coverage of the residence originally approved in 2019. The residence would remain a two-story, single-family residence, with common area and attached ADU on the first floor, and three bedrooms on the second floor. The project plans and project description letter are included as Attachment A Exhibit A and Attachment A Exhibit B, respectively.

Previous Planning Commission review

On November 7, 2022, the Planning Commission reviewed the proposed project and staff's recommendation to deny the project. A hyperlink to the staff report is included as Attachment E. The Commission asked clarifying questions of staff regarding how the sequence of development affects the ability of property owners to maximize the development potential on their lot when an ADU is constructed after a main residence. The Commission asked how the sequencing of previous development on the subject lot affected the ability to construct the proposed covered porch addition. After discussing the project, the Commission continued the item and directed staff to develop a resolution and findings to approve the variance and use permit revision.

Variance

As directed by the Planning Commission, the following findings were developed to support the variance:

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

A hardship peculiar to the property exists because, at the time of the initial ADU conversion, the ADU regulations allowing for the exceedance of maximum building coverage and floor area were relatively new and the requirement to construct all improvements concurrently was not fully understood or communicated to the applicant. Therefore, a hardship particular to the property exists because the full development potential was not realized.

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

Such a variance is necessary for the preservation of substantial property rights possessed by other conforming properties in the same vicinity because, to accommodate an ADU, neighboring properties can maximize their development potential and exceed the maximum building coverage by up to 800 square feet while also using the full amount of building coverage square footage for the main house allowed in the R-1-U zoning district. Therefore, since other properties are able to construct an additional covered patio in conjunction with an ADU conversion, the variance does not constitute a special privilege.

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

Although the covered patio's construction would affect the lot's overall building coverage and aesthetics, the affect is minor. The patio is located in the rear of the house, therefore, because of the patio's discrete location, staff believes that the patio would not be detrimental to the public health, safety, and welfare, or impair an adequate supply of light and air to the adjacent properties

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

The conditions upon which the variance is based would not be applicable to other property in the same zoning classification because the sequencing requirement is fully understood and therefore other property owners would be able to develop their property to the full potential without a variance.

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

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

Trees and landscaping
Landscaping on the property would not be substantially altered as a result of this project. Additionally, there are no heritage trees in the vicinity of the proposed covered patio and the slab is existing, so construction of the patio would not require further grading or foundation work that would potentially harm heritage trees. The plans and documents were reviewed by the City Arborist who noted that standard tree protection measures for other trees on the property would apply at the construction stage.

Correspondence
At the time of staff report publication, staff has not received any written correspondence on the project. The applicant submitted a document detailing outreach they conducted (Attachment G). The document indicates that the applicant discussed the project with several neighbors and did not receive any negative feedback or concerns on the project, and that four offered to write letters of support, which the applicant declined.

Conclusion
Staff believes the findings reflect the direction provided by the Planning Commission at the November 7, 2022 meeting. The ADU laws were relatively new at the time of the ADU conversion/addition, and the sequencing requirements were not fully understood, creating a hardship for the applicant that warrants a variance for the construction of the covered patio. Staff also believes the covered patio would maintain the

architectural style of the residence and would not be detrimental to the health safety and welfare of neighboring residents. Therefore, staff recommends the Planning Commission adopt a resolution approving the variance to further exceed the maximum building coverage for the proposed covered patio and approving the use permit revision to construct modifications to the previously approved use permit.

Impact on City Resources

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

Environmental Review

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

Public Notice

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

Appeal Period

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

Attachments

A. Draft Planning Commission Resolution Adopting Findings for Approval of a Variance and Use Permit Revision
   Exhibits to Attachment A
   A. Project Plans
   B. Project Description Letter
   C. Variance Letter
   D. Conditions of Approval
B. Location Map
C. Hyperlink February 25, 2019 staff report: https://www.menlopark.org/DocumentCenter/View/20700/F1-6-Greenwood-Place?bidId=
D. Hyperlink February 25, 2019 Meeting Minutes: https://menlopark.org/AgendaCenter/ViewFile/Minutes/_02252019-3240
E. Hyperlink November 7, 2022 Staff Report: https://menlopark.gov/files/sharedassets/public/agendas-and-minutes/planning-commission/2022-meetings/agendas/20221107-planning-commission-agenda-packet.pdf
F. Data Table
G. Neighborhood Outreach Letter

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the

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

Exhibits to Be Provided at Meeting

None

Report prepared by:
Chris Turner, Associate Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING (1) A VARIANCE TO EXCEED THE MAXIMUM BUILDING COVERAGE ABOVE LIMITS SET BY THE R-1-U (SINGLE-FAMILY URBAN RESIDENTIAL) ZONING DISTRICT AND APPLICABLE ALLOWANCES IN CHAPTER 16.79 REGARDING CONSTRUCTION OF ACCESSORY DWELLING UNITS, AND (2) A USE PERMIT REVISION TO MODIFY A PREVIOUSLY-APPROVED USE PERMIT AND CONSTRUCT A NEW COVERED PATIO.

WHEREAS, the City of Menlo Park ("City") received an application requesting a variance to further exceed the maximum building coverage on a property in the R-1-U (Single Family Urban Residential) zoning district, that had previously exceeded the maximum floor area and building coverage limits in order to construct an attached accessory dwelling unit (ADU). The request also includes a use permit revision to modify a previously-approved use permit to construct a new two-story, single-family residence on a substandard lot in the R-1-U zoning district, in order to construct the proposed covered patio (collectively, the "Project") from Kelly Blythe ("Owner" and "Applicant"), located at 6 Greenwood Place (APN 055-292-110) ("Property"). The variance and use permit revision are depicted in and subject to the development plans and documents which are attached hereto as Exhibit A through Exhibit D and incorporated herein by this reference; and

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

WHEREAS, on February 25, 2019, the Planning Commission approved a use permit to construct a new two-story residence on a substandard lot in the R-1-U zoning district; and

WHEREAS, the residence approved by the use permit was constructed at the maximum building coverage of 35 percent; and

WHEREAS, pursuant to Section 16.79.050, the maximum floor area and/or building coverage is allowed to be exceeded by up to 800 square feet in order to accommodate construction of an accessory dwelling unit (ADU), provided that the ADU is constructed concurrently with or after the existing or proposed main dwelling unit; and

WHEREAS, on January 6, 2020, the applicant was issued a building permit to convert a portion of the main residence, and construct additions to create an attached ADU which would exceed the maximum floor area and building coverage limits. The ADU was constructed and received final inspection on July 13, 2021; and

WHEREAS, the existing development exceeds both maximum floor area and building coverage limits; and

WHEREAS, additional development of the main residence that would further exceed maximum floor area and/or building coverage limits are typically not permitted after development of an ADU has exceeded such limits; and

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

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

WHEREAS, the Project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines; and

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

WHEREAS, at a duly and properly noticed public hearing held on November 7, 2022, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the variance and use permit revision.

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

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

Section 2. Variance Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of a variance:

1. That a hardship peculiar to the property and not created by any act of the owner exists; in that, the applicant previously was granted a use permit for the construction of a new two-story residence on a substandard lot prior to current ADU regulations going into effect. The subsequent building permit for the conversion of existing space and addition to create an attached ADU was not analyzed to consider the

maximum development potential, including the ADU and other improvements to the main residence, and the sequencing requirements were not adequately understood at the time of permit application.

2. That the variance is necessary for the preservation and enjoyment or substantial property rights possessed by other conforming properties in the vicinity and that the variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors; in that, other properties would be allowed to construct a main house up to the applicable floor area and building coverage limits in addition to constructing an ADU to exceed the maximum floor area and building coverage limits by up to 800 square feet. Therefore, granting of the variance is necessary for the preservation of property rights to realize the maximum development potential on the lot.

3. That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property; in that the patio is one story and located in the rear of the existing residence, and therefore would not impair adequate light and air to the adjacent property.

4. That the conditions upon which the requested variance is based would not be applicable, generally, to property within the same zoning classification; in that, the most recent ADU ordinance went into effect shortly after construction of the main residence, and if a project to construct a new residence concurrently with an ADU to exceed the maximum building coverage was proposed on another property in the same zoning classification, the project could be approved without a variance.

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

Section 3. Conditional Use Permit Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The granting of the use permit revision to construct a new covered patio that would modify a previously-approved use permit for the construction of a new two-story residence on a substandard lot in the R-1-U zoning district is 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, 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 project would exceed the maximum building coverage of the R-1-U zoning district, but would fall within the permitted exceedances allowed under Chapter 16.79 of the Zoning Ordinance.

b. The proposed covered patio addition would maintain the craftsman style of the originally-approved residence.
c. The project would remain in compliance with other applicable zoning standards including, but not limited to, maximum height, setbacks, and daylight plane restrictions.

Section 3. Variance and Conditional Use Permit. The Planning Commission hereby approves the variance and use permit revision No. PLN2022-00037, which variance and use permit revision are depicted in and subject to the development plans, project description letter, and variance letter which are attached hereto and incorporated herein by this reference as Exhibit A, Exhibit B, and Exhibit C, respectively. The variance and use permit revision are conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit D.

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

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

Section 6. SEVERABILITY

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

I, Corinna Sandmeier, Acting Principal Planner and Planning Commission Liaison 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 December 5, 2022, by the following votes:

AYES:

NOES:

ABSENT:

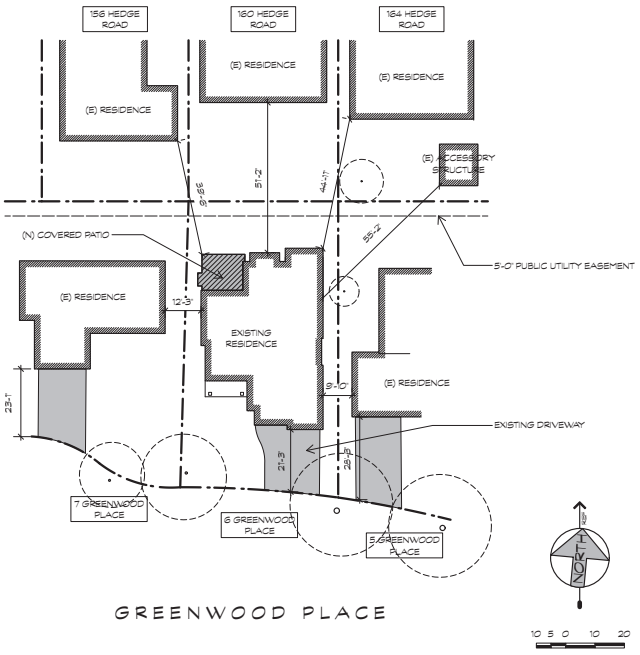
ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 5th day of December, 2022

_____
Corinna Sandmeier
Acting Principal Planner and Planning Commission Liaison
City of Menlo Park

Exhibits

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



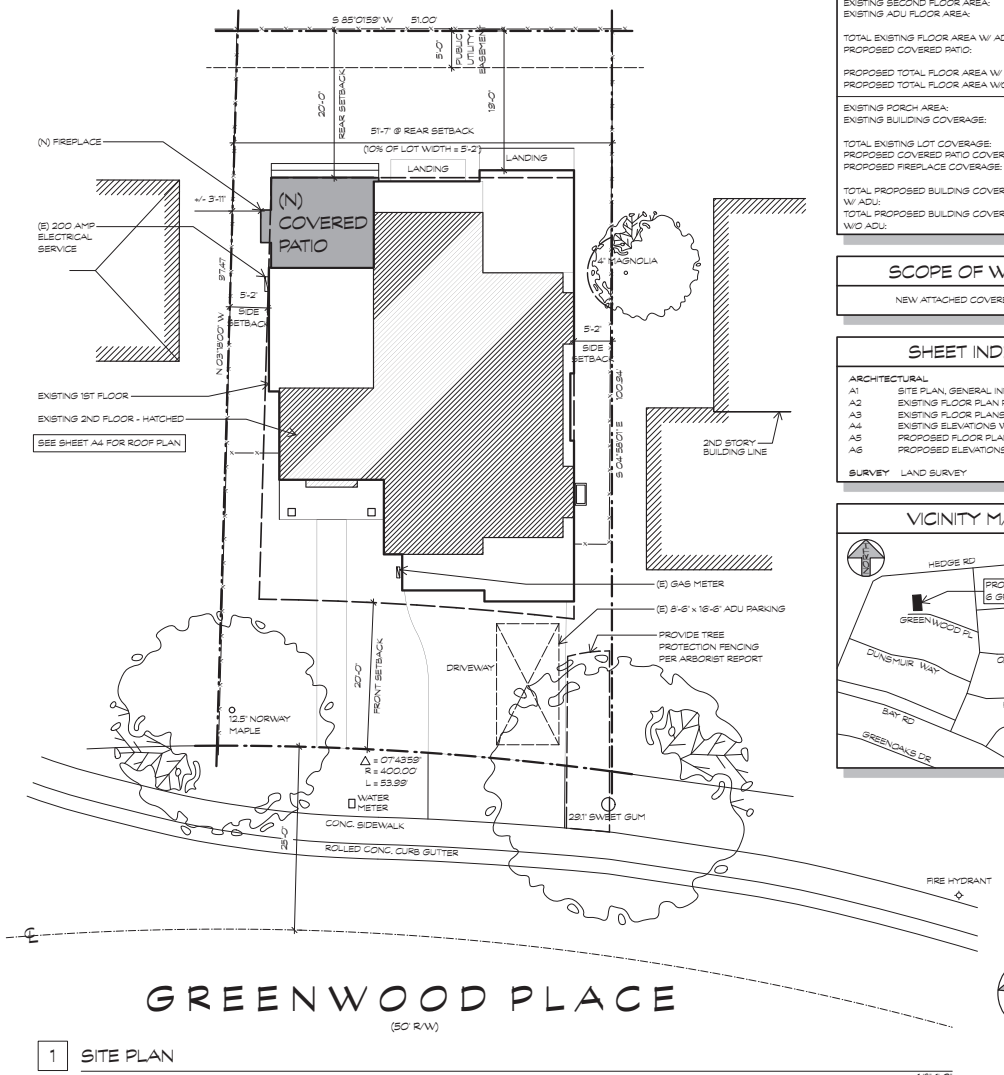
2 AREA PLAN

1"=20'-0"



3 STREETSCAPE

1/16"=1'-0"



1 SITE PLAN

1/8"=1'-0"

SITE DATA

APN:	055-292-110
ZONE:	R-1-U
OCCUPANCY:	R-3/U
CONSTRUCTION TYPE:	V-B
LOT AREA:	5,168.0 SF
MAXIMUM FLOOR AREA:	2,800.0 SF
MAXIMUM LOT COVERAGE (35%):	1,808.8 SF
EXISTING FIRST FLOOR AREA:	936.2 SF
EXISTING GARAGE FLOOR AREA:	525.8 SF
EXISTING SECOND FLOOR AREA:	1,185.3 SF
EXISTING ADU FLOOR AREA:	454.7 SF
TOTAL EXISTING FLOOR AREA W/ ADU:	3,082.0 SF
PROPOSED COVERED PATIO:	171.2 SF
PROPOSED TOTAL FLOOR AREA W/ ADU:	3,253.2 SF
PROPOSED TOTAL FLOOR AREA W/O ADU:	2,798.5 SF
EXISTING PORCH AREA:	59.8 SF
EXISTING BUILDING COVERAGE:	1,916.7 SF
TOTAL EXISTING LOT COVERAGE:	1,976.5 SF
PROPOSED COVERED PATIO COVERAGE:	171.2 SF
PROPOSED FIREPLACE COVERAGE:	6.4 SF
TOTAL PROPOSED BUILDING COVERAGE W/ ADU:	2,154.1 SF
TOTAL PROPOSED BUILDING COVERAGE W/O ADU:	1,693.4 SF

SCOPE OF WORK

NEW ATTACHED COVERED PATIO

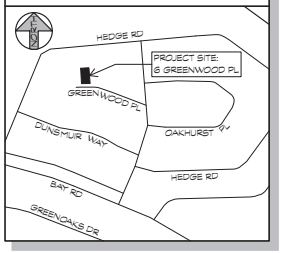
SHEET INDEX

ARCHITECTURAL

A1	SITE PLAN, GENERAL INFORMATION
A2	EXISTING FLOOR PLAN PRIOR TO ADU
A3	EXISTING FLOOR PLANS W/ ADU ADDITION
A4	EXISTING ELEVATIONS W/ ADU ADDITION
A5	PROPOSED FLOOR PLAN & ROOF PLAN
A6	PROPOSED ELEVATIONS, SECTION & CALCS

SURVEY LAND SURVEY

VICINITY MAP

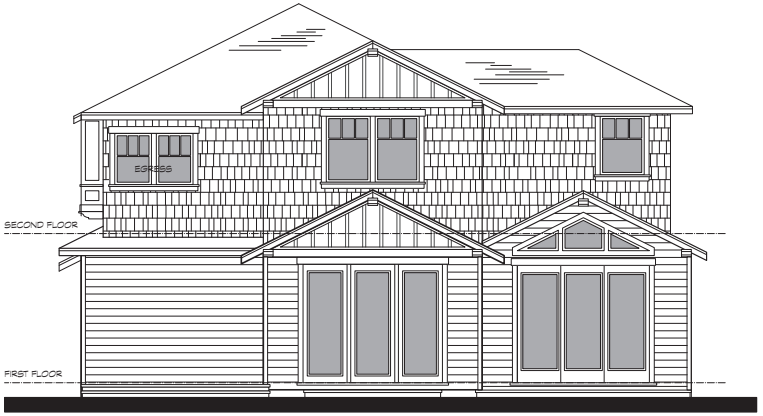


REVISION
24 AUGUST 2022

metropolis ARCHITECTURE
445 N. Whisman Road
Suite #300
Mountain View,
CA 94043
650-318-0211

BLYTHE RESIDENCE
6 GREENWOOD PLACE
MENLO PARK, CALIFORNIA

Date	5 JULY 2022
Scale	NOTED
Drawn	METRO
Job	BLYTHE
Sheet	A1



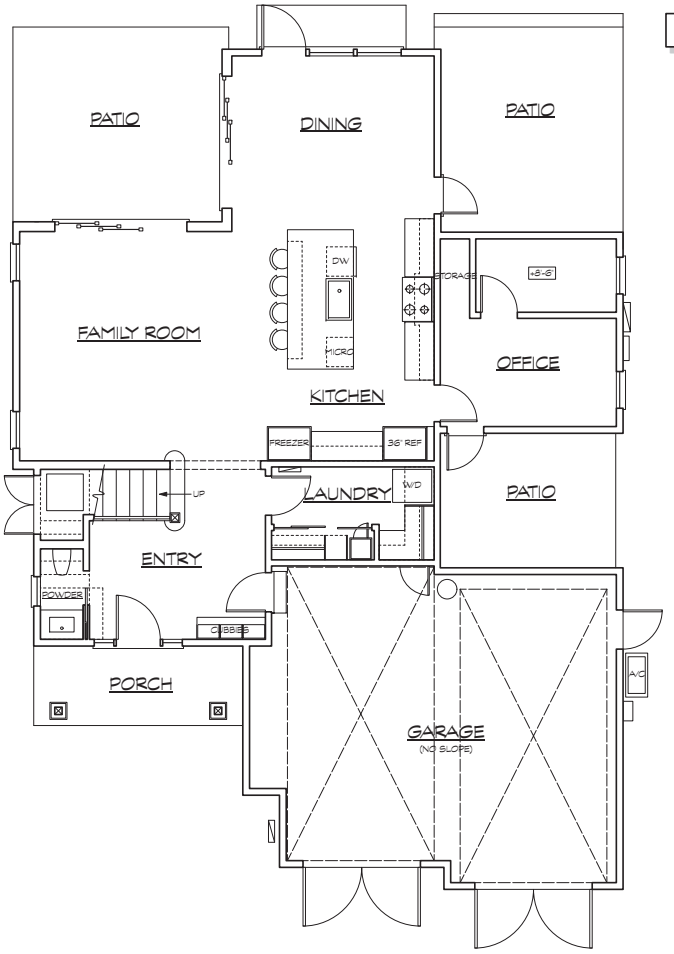
NORTH (REAR)



EAST (RIGHT)

2 EXISTING ELEVATIONS PRIOR TO ADU

1/4"=1'-0"



1 EXISTING FIRST FLOOR PLAN PRIOR TO ADU

1/4"=1'-0"



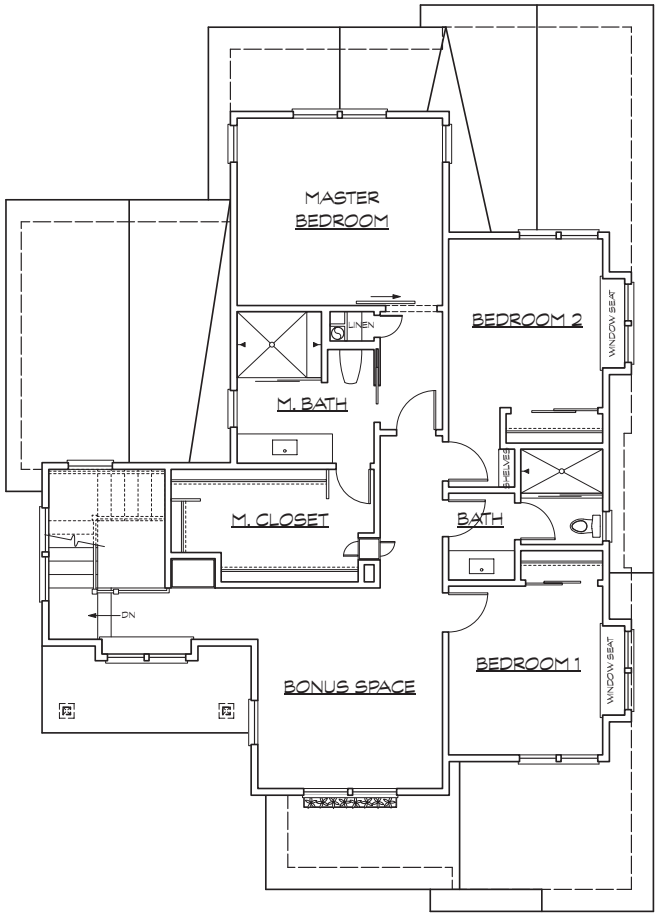
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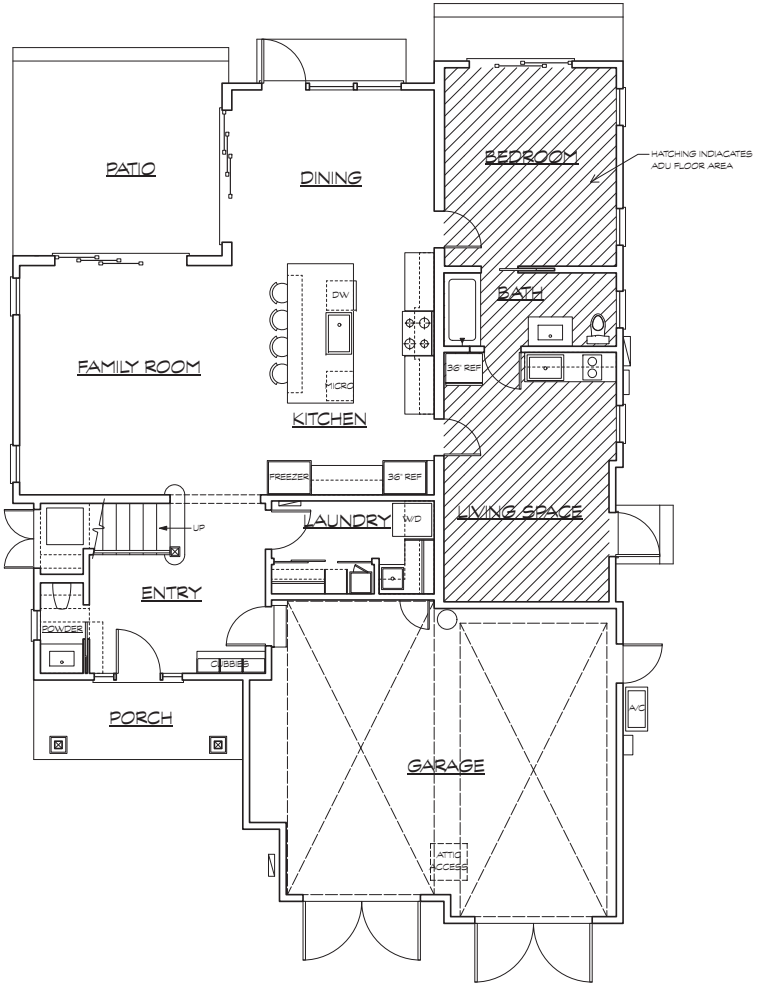
BLYTHE RESIDENCE
6 GREENWOOD PLACE
MENLO PARK, CALIFORNIA

Date	5 JULY 2022
Scale	NOTED
Drawn	METRO
Job	BLYTHE
Sheet	A2



2 EXISTING SECOND FLOOR PLAN

1/4"=1'-0"



1 EXISTING FIRST FLOOR PLAN W/ ADU ADDITION

1/4"=1'-0"



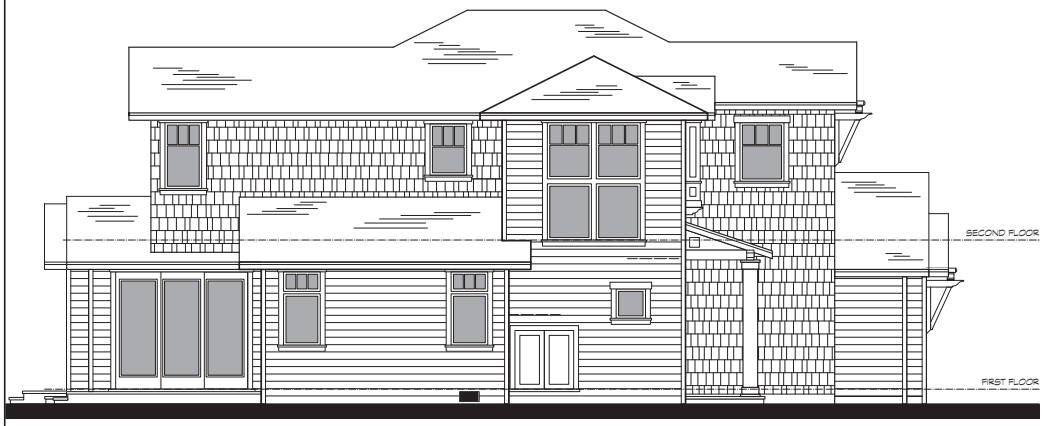
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REVISION
24 AUGUST 2022

metropolis ARCHITECTURE
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CA 94043
650-318-0211

BLYTHE RESIDENCE
6 GREENWOOD PLACE
MENLO PARK, CALIFORNIA

Date	5 JULY 2022
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Drawn	METRO
Job	BLYTHE
Sheet	A3



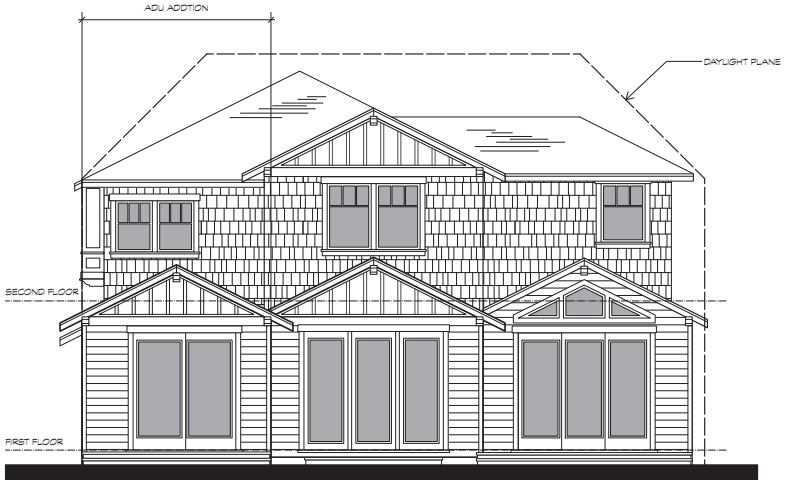
WEST (LEFT)



SOUTH (FRONT)



EAST (RIGHT)



NORTH (REAR)

4 2 0 4 8 12

1/4"=1'-0"

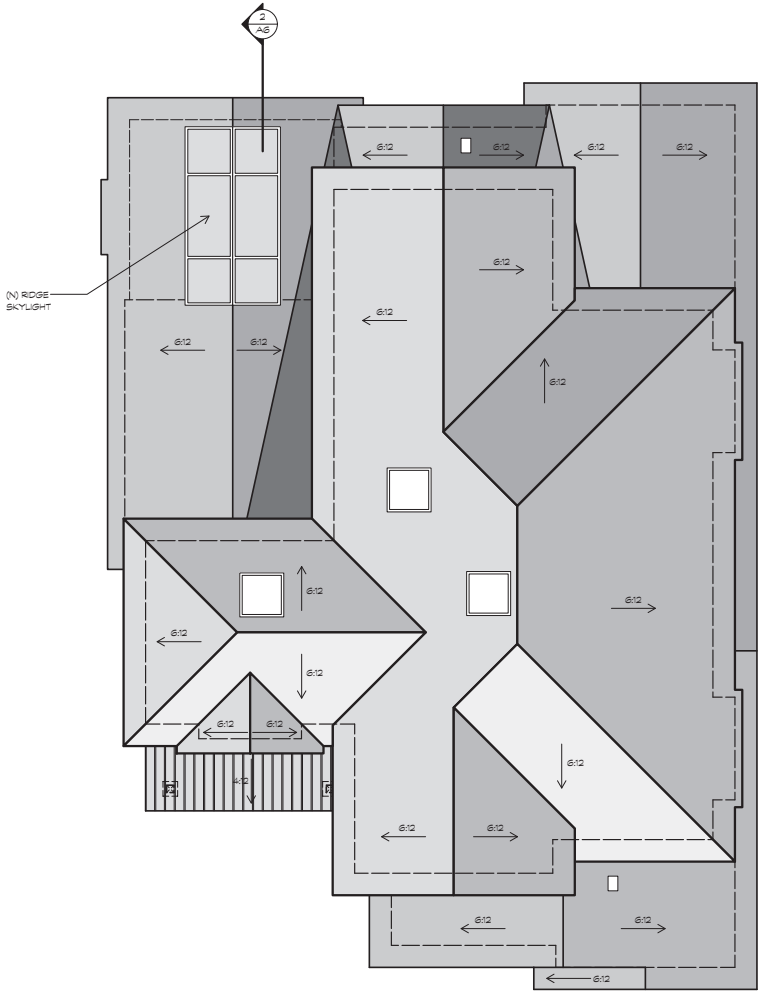
1 EXISTING ELEVATIONS W/ ADU ADDITION

REVISION
24 AUGUST 2022

metropolis ARCHITECTURE
445 N. Whisman Road
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Mountain View,
CA 94043
650-318-0211

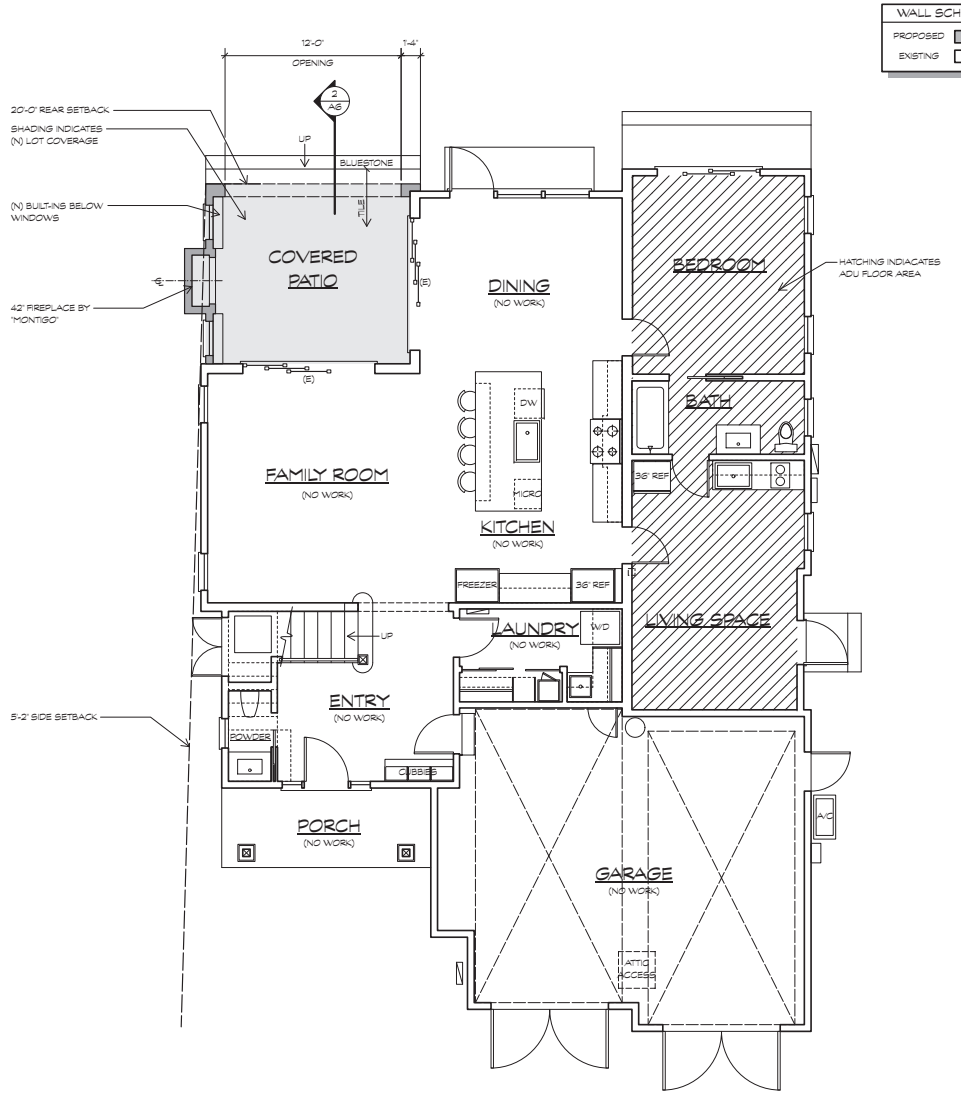
BLYTHE RESIDENCE
6 GREENWOOD PLACE
MENLO PARK, CALIFORNIA

Date	5 JULY 2022
Scale	NOTED
Drawn	METRO
Job	BLYTHE
Sheet	A4



2 ROOF PLAN

1/4"=1'-0"



1 PROPOSED FIRST FLOOR PLAN

1/4"=1'-0"

4 2 0 4 8 12

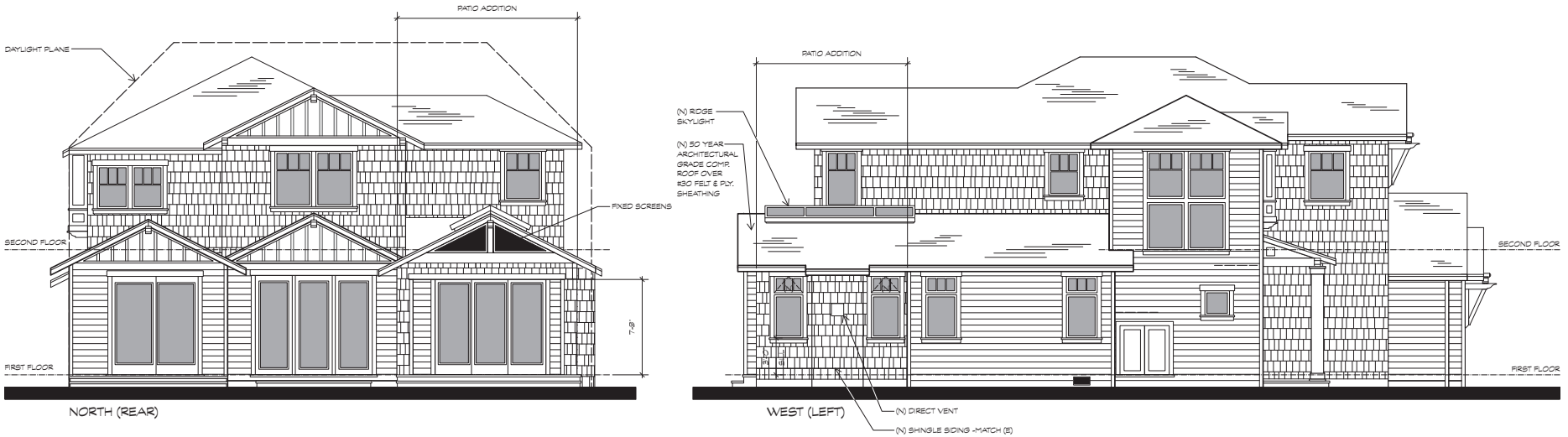
NORTH

REVISION
24 AUGUST 2022

metropolis
ARCHITECTURE
445 N. Whisman Road
Suite #300
Mountain View,
CA 94043
650-918-0211

BLYTHE RESIDENCE
6 GREENWOOD PLACE
MENLO PARK, CALIFORNIA

Date	5 JULY 2022
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Job	BLYTHE
Sheet	A5



1 PROPOSED ELEVATIONS

LEGEND

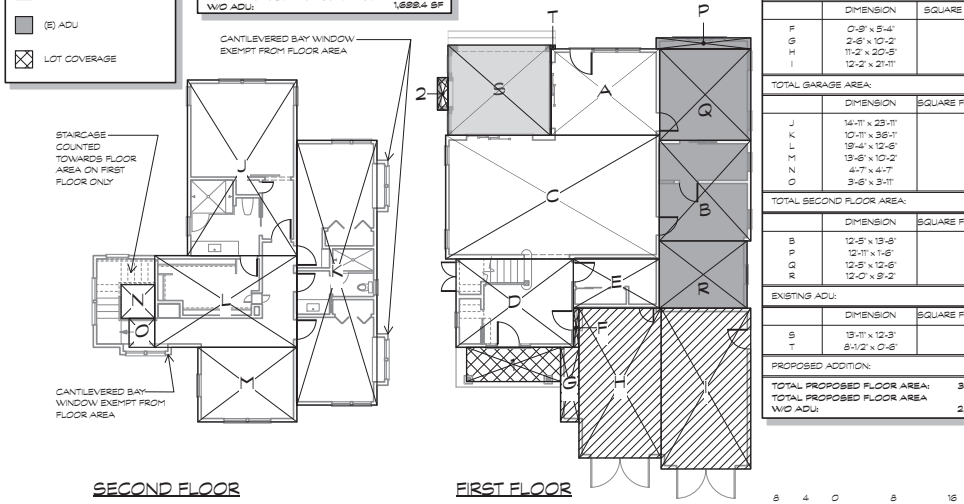
- (E) HOUSE FLOOR AREA
- (E) GARAGE FLOOR AREA
- PROPOSED PATIO ADDITION
- (E) ADU
- LOT COVERAGE

COVERAGE CALCULATION

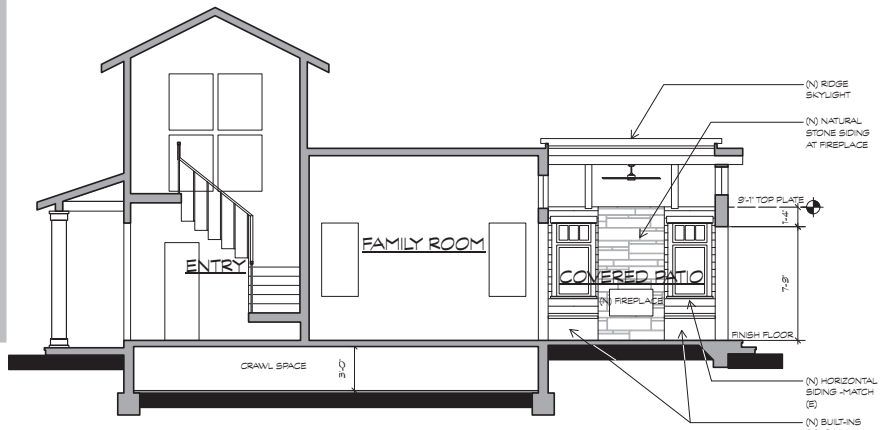
	DIMENSION	SQUARE FOOTAGE
1	12'-10" x 4'-8"	59.8 SF
2	1'-5" x 4'-5"	6.4 SF
TOTAL COVERAGE AREA:		66.2 SF
TOTAL PROPOSED LOT COVERAGE:		**2,154.1 SF**
TOTAL PROPOSED LOT COVERAGE W/O ADU:		**1,699.4 SF**

FLOOR AREA CALCULATION

	DIMENSION	SQUARE FOOTAGE
A	14'-9" x 11'-9"	173.5 SF
C	29'-2" x 16'-11"	491.5 SF
D	16'-0" x 12'-1"	192.7 SF
E	11'-9" x 6'-8"	78.5 SF
TOTAL FIRST FLOOR AREA:		936.2 SF
	DIMENSION	SQUARE FOOTAGE
F	0'-9" x 5'-4"	4.0 SF
G	2'-6" x 10'-2"	25.4 SF
H	11'-2" x 20'-5"	228.6 SF
I	12'-2" x 21'-11"	267.6 SF
TOTAL GARAGE AREA:		525.6 SF
	DIMENSION	SQUARE FOOTAGE
J	14'-11" x 23'-11"	357.0 SF
K	10'-11" x 36'-1"	393.9 SF
L	19'-4" x 12'-6"	242.2 SF
M	13'-6" x 10'-2"	137.3 SF
N	4'-7" x 4'-7"	21.0 SF
O	3'-6" x 3'-11"	13.9 SF
TOTAL SECOND FLOOR AREA:		1,165.3 SF
	DIMENSION	SQUARE FOOTAGE
B	12'-5" x 13'-8"	170.8 SF
P	12'-11" x 1'-6"	19.5 SF
Q	12'-5" x 12'-6"	154.8 SF
R	12'-0" x 9'-2"	109.6 SF
EXISTING ADU:		454.7 SF
	DIMENSION	SQUARE FOOTAGE
S	13'-11" x 12'-3"	170.8 SF
T	8'-1/2" x 0'-6"	0.4 SF
PROPOSED ADDITION:		171.2 SF
TOTAL PROPOSED FLOOR AREA:		**3,253.2 SF**
TOTAL PROPOSED FLOOR AREA W/O ADU:		**2,798.5 SF**



3 FLOOR AREA & LOT COVERAGE CALCULATIONS



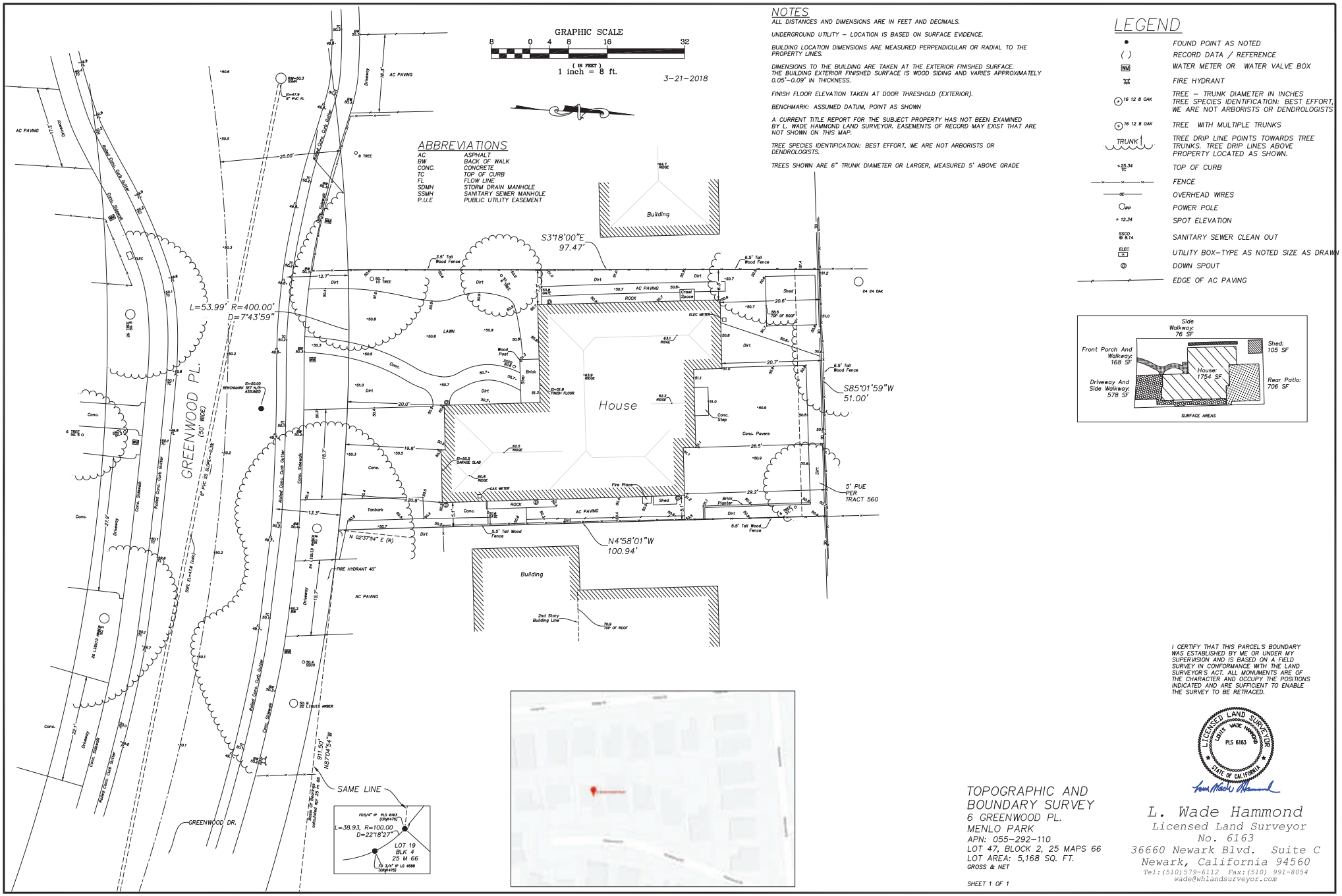
2 PROPOSED SECTION

REVISION
24 AUGUST 2022

metropolis ARCHITECTURE
445 N. Whisman Road
Suite #300
Mountain View,
CA 94043
650-318-0211

BLYTHE RESIDENCE
6 GREENWOOD PLACE
MENLO PARK, CALIFORNIA

Date	5 JULY 2022
Scale	NOTED
Drawn	METRO
Job	BLYTHE
Sheet	A6



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

LICENSED LAND SURVEYOR
LOUIS WADE HAMMOND
PLS 6163
STATE OF CALIFORNIA

TOPOGRAPHIC AND BOUNDARY SURVEY

6 GREENWOOD PL.
MENLO PARK
APN: 055-292-110
LOT 47, BLOCK 2, 25 MAPS 66
LOT AREA: 5,168 SQ. FT.
GROSS & NET

SHEET 1 OF 1

L. Wade Hammond
Licensed Land Surveyor
No. 6163
36660 Newark Blvd. Suite C
Newark, California 94560
Tel:(510)579-6112 Fax:(510) 991-8054
wade@whlandsurveyor.com

A12

July 1, 2022

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

RE: Blythe Residence
6 Greenwood Place
Menlo Park, CA 94025

PROJECT DESCRIPTION

This project adds a 171.2 square foot roof and one wall on an existing patio to the first floor. The proposed structure will be constructed using conventional wood framing.

ARCHITECTURAL STYLE

The proposed covered porch is to match the exiting 2 story single family craftsman style residence. The exterior material is primarily painted cement-fiber shingle siding. The rear facade features screened openings along with a dual roller screen system. The wood windows will have simulated divided lites with interior spacer bars.

COMMUNITY OUTREACH

Community Outreach will be completed before the meeting.

Sincerely,

Lawrence Kahle
Metropolis Architecture
445 N. Whisman Rd Suite #300
Mountain View, CA 94043
(650) 318-0211

June 30, 2022

City of Menlo Park
Community Development Department
701 Laurel Street
Menlo Park, CA 94025

Project: Variance Application for 6 Greenwood Place

Dear Planning Commission:

We are requesting a variance for the construction of a new covered three-sided patio on an existing slab attached to an existing two story residence at 6 Greenwood Place. The purpose of this new covered three-sided patio is to replace a covered three-sided patio that was reclassified from the existing house to ADU space as part of the construction of a new ADU. The new patio is slightly smaller in square footage than the original patio converted to ADU space.

We believe the five findings can be made for the variance from the building coverage limit requirement in the Menlo Park Municipal Code.

Below are the findings required and our explanation of why they are met in this case:

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

The hardship is particular to 6 Greenwood Place and not created by any act of the owner but was created by the City. A legal ADU was created by doing three things: 1) enclosing an existing covered three-sided porch, 2) redesignating a portion of the existing home as part of the ADU, and 3) enclosing an existing patio. These three areas are contiguous, with the redesignated portion of the existing home between the two patios that were enclosed to make the permitted ADU.

When the ADU was permitted, the redesignation of the existing main house space to ADU was clearly presented in the project drawings.

At no time during the planning and permitting of the ADU was the owner notified that the removal of square footage from the main house would not be allowed to be added back to the main house in the future. This was an error of omission on the City's part - staff never notified the Owner nor is this addressed in the City codes.

Kelly Blythe 6 Greenwood Place, Menlo Park, California 94025 707-290-8448
KellyRBlythe@gmail.com

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

The variance at 6 Greenwood Place is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property since any other homes wishing to build an ADU could do the same build-out if they submit the projects concurrently.

During the original planning for the main house in 2018, the covered patio was planned in the location requested in this variance application. However, while the slab was placed as part of the main house construction, adding the third wall and covering the slab was not included at the same time as the main house due to cost considerations. In 2020, when the ADU was permitted, the covered patio was still planned, but was planned for construction after the ADU, again for cost considerations.

The existing home had an existing three sided porch on the side of the house converted to the ADU. The owners wish to convert an uncovered existing patio on the back of the house to a covered three-sided porch, to regain the use of the same type of space that was lost to the ADU. While the new patio is enclosed on three sides and covered like the patio lost to the ADU, it is in fact slightly smaller in area than the patio that was lost to the ADU.

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

Granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property. The new covered patio is only one story, at the back of the house, on an existing slab.

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

The conditions upon which the requested variance is based are not applicable to other properties within the same zoning classification due to the fact that this project is based on the reclassification of square footage of the main house to ADU space and the intention to replace the reclassified square footage of the existing three-sided patio with a similar sized three-sided patio on an existing slab that was constructed in 2020 with the intention of having said patio built on it. The intent to build this covered patio can be verified by project drawings dated 2018 that show the desired covered three-sided patio built on the existing slab.

The condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during the applicable process.

At no time during the planning and permitting of the ADU was the owner notified that the loss of square footage from the main house was a "one-way street", and that there would be no way to regain the

square footage given over to the ADU. The owner has been told recently by City staff that had the ADU and the new covered patio been submitted at the same time, they would likely have been allowed since there is a clear cause-effect relationship between the two projects.

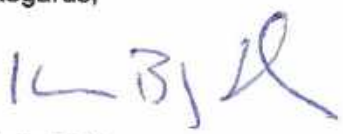
The fact that the ADU was built prior to the requested three-sided covered patio does not change the fact that there is a clear cause-effect relationship between the two projects.

There is nothing in the municipal code that dictates or indicates that building coverage removed from the main structure for an ADU cannot be built back, or that there is a required sequence in building that must be met, save that an ADU must be build during the construction of the main house or after the main house is completed, which is what was done in this case.

(5) That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable specific plan process. (Ord. 979 § 12 (part), 2012: Ord. 879 § 3 (part), 1996).

The Specific Plan does not apply to this property.

Regards,

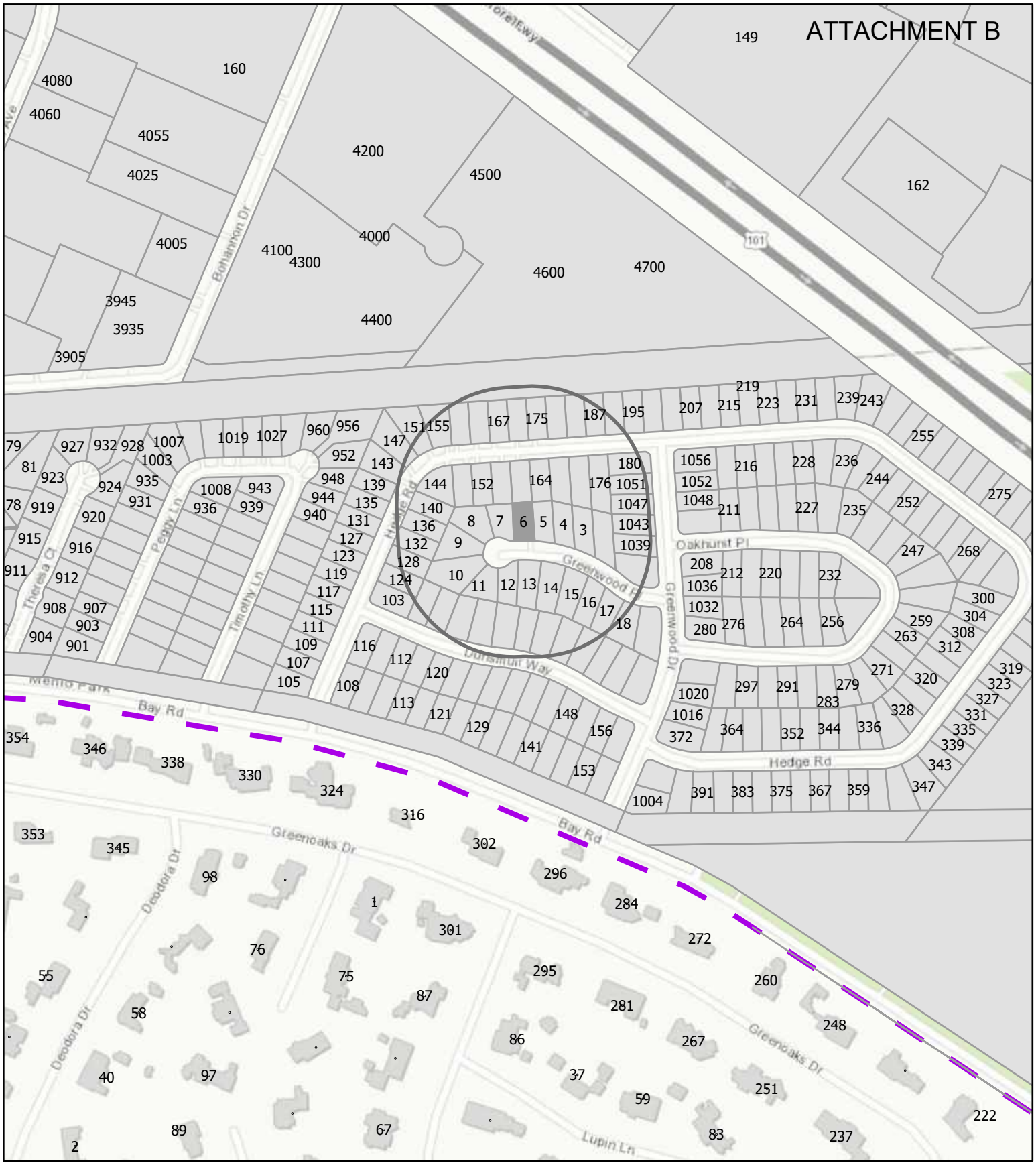


Kelly Blythe

LOCATION: 6 Greenwood Place	**PROJECT NUMBER:** PLN2022-00037	**APPLICANT:** Kelly Blythe	**OWNER:** Kelly Blythe

PROJECT CONDITIONS:

1. The applicant shall be required to apply for a building permit within one year from the date of approval (by December 5, 2023) for the use permit to remain in effect.
2. Development of the project shall be substantially in conformance with the plans prepared by Metropolis Architecture consisting of seven plan sheets, dated received August 24, 2022 and approved by the Planning Commission on December 5, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
3. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
4. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
5. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
6. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
7. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
8. Prior to building permit issuance, the applicant shall pay all fees incurred through staff time spent reviewing the application.
9. The applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit, or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.



CITY OF MENLO PARK

LOCATION MAP

6 GREENWOOD PLACE

Scale: 1:4,000 Drawn By: CRT Checked By: CDS Date: 12/5/2022

N

CITY OF MENLO PARK

6 Greenwood Place – Attachment E: Data Table

	PROPOSED PROJECT	EXISTING CONDITIONS	ZONING ORDINANCE
Lot area	5,168 sf	5,168 sf	7,000 sf min.
Lot width	51.6 ft.	51.6 ft.	65 ft. min.
Lot depth	100.9 ft.	100.9 ft.	100 ft. min.
Setbacks			
Front	21.3 ft.	21.3 ft.	20 ft. min.
Rear	19* ft.	19* ft.	20 ft. min.
Side (left)	5.2 ft.	5.2 ft.	5.2 ft. min.
Side (right)	5.2 ft.	5.2 ft.	5.2 ft. min.
Building coverage	2,154.1 sf 41.7 %	1,976.5 sf 38.2** %	1,808.8 sf max. 35.0 % max.
FAL (Floor Area Limit)	3,082** sf	3,082** sf	2,800 sf max.
Square footage by floor	936.2 sf/1st 1,144.3 sf/2nd 525.8 sf/garage 454.7 sf/ADU 231.0 sf/porches 6.4 sf/fireplace 21.0 sf/ area greater than 12 feet in height	936.2 sf/1st 1,144.3 sf/2nd 525.8 sf/garage 454.7 sf/ADU 59.8 sf/porches 21.0 sf/area greater than 12 feet in height	
Square footage of buildings	3,319.4 sf	3,141.8 sf	
Building height	26.8 ft.	26.8 ft.	28 ft. max.
Parking	2 covered, 1 uncovered	2 covered, 1 uncovered	1 covered/2 uncovered ****
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			

Trees					
Heritage trees	1***	Non-Heritage trees	4	New Trees	0
Heritage trees proposed for removal	0	Non-Heritage trees proposed for removal	0	Total Number of Trees	5

* This measurement is to the rear of the attached ADU, which has a minimum required rear setback of four feet, and therefore, the setback is compliant.
**The maximum floor area limit and building coverage are allowed to be exceeded by up to 800 square feet to accommodate an ADU.
***This tree is located in the public right-of-way.
****One uncovered parking space, which may be located anywhere on the lot, is required for the ADU.

Date: August 24, 2022

To: City of Menlo Park Planning Commission

From: Kelly Blythe

Re: Outreach to neighbors regarding rear patio build-out at 6 Greenwood Place

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This memo is to document the outreach and responses from the neighbors regarding the pending rear patio build-out at our home on Greenwood Place.

A letter (Attachment A) was supplied to the homes in close proximity on our court who may be impacted by the construction. The letter explained the proposed project and included a plan view of the property showing the existing patio at the rear of the property that is to be covered.

A map (Attachment B) shows the specific homes where the letter was delivered.

There were no negative comments received and no concerns raised by any of the homes where the project information was discussed or delivered.

On the contrary, as is indicated on Attachment B there are several neighbors that offered to provide a letter to the City indicating their support for the project. We have declined their offer, but if the Commission would like, we can procure the letters for your review.

August 14, 2022

Dear Neighbors

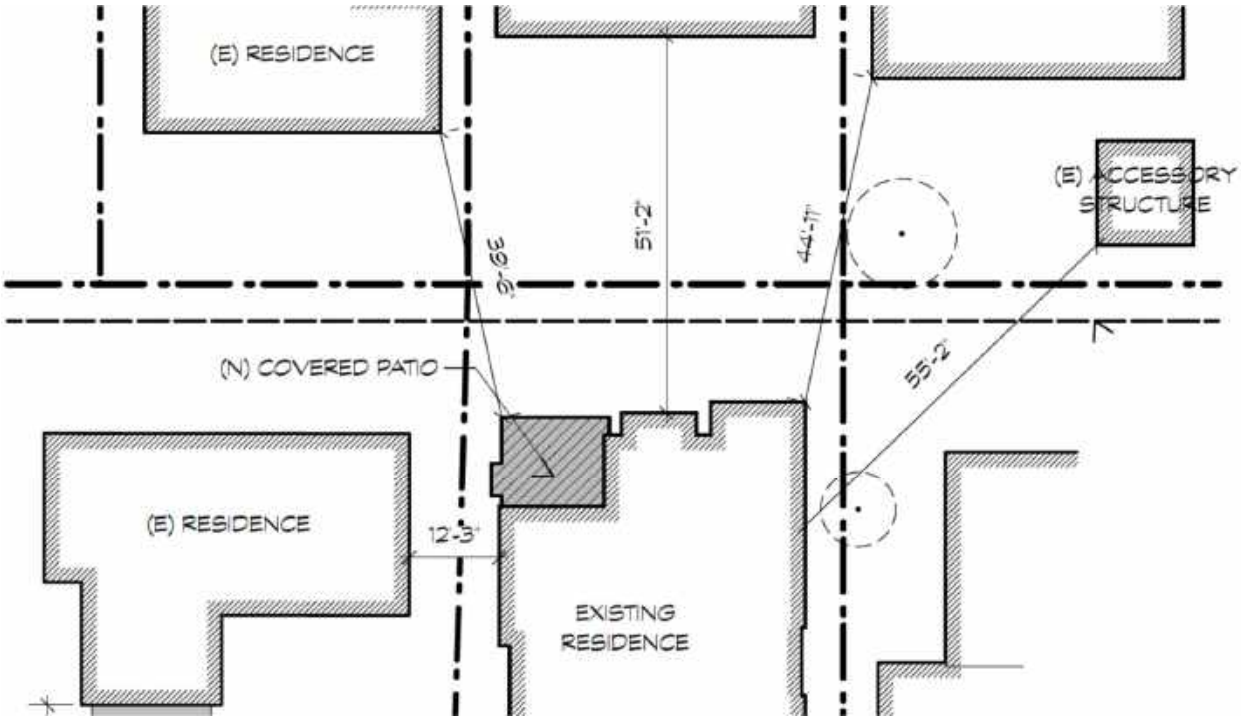
Juli and I are planning to cover an existing patio at the rear of our house at 6 Greenwood Place. Even though the patio exists, due to the City's odd permit requirements, we have been directed to apply for a permit and variance.

The patio is at the rear of the house and located in a corner such that walls of our house are on two sides. It is our plan to add a third wall and a roof, leaving the patio open to the back yard. See the drawing below.

We are well aware of the impact construction can have on a neighborhood. We will be using the same builder for our patio that built our home. We hope his track record for minimizing impact to neighbors will alleviate any concerns you may have.

If you have any questions we would be happy to discuss them and share more details of the plan with you.

Kelly, Juli, Ben and Joey
KellyRBlythe@gmail.com
707-290-8448




Hedge Rd
Hedge Rd
Hedge Rd
Hedge Rd
Greenwood Pl
Greenwood Pl
Dunsmuir Way
Dunsmuir Way
Project Area – Rear Patio at
6 Greenwood Place
Information handout delivered
Information handout delivered
Discussed project in person
Information handout delivered
Discussed project in person
Letter of support offered
Google
Map data ©2018 Google

STAFF REPORT

Planning Commission Meeting Date: **12/5/2022**
Staff Report Number: **22-065-PC**

Public Hearing: **Consider and adopt a resolution to approve a use permit to construct a new attached accessory dwelling unit (ADU) with a front setback of one foot, six inches, where 20 feet is required, and a rear setback of three feet, where four feet is required in the R-1-U (Single Family Urban Residential) zoning district, at 598 Hamilton Avenue**

Recommendation

Staff recommends that the Planning Commission approve a use permit to construct a new attached accessory dwelling unit (ADU) with a front setback of one foot, six inches, where 20 feet is required, and a rear setback of three feet, where four feet is required in the R-1-U (Single Family Urban Residential) zoning district. The draft resolution, including the recommended actions and conditions of approval, is included as Attachment A.

Policy Issues

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

Background

Site location

Using Hamilton Avenue in the east-west orientation, the subject property is located on the southern side of Hamilton Avenue, at the southwest corner of Hamilton Avenue and Henderson Avenue, in the Belle Haven neighborhood. Hamilton Avenue is a residential street that runs on the eastern side of US 101, between Market Place to the west and Willow Road to the east. A location map is included as Attachment B.

Houses along Hamilton Avenue include both one- and two-story residences, developed in a variety of architectural styles, including ranch and craftsman. The neighborhood features predominantly single-family residences that are also in the R-1-U zoning district along the southern side of Hamilton Avenue, along with some churches and residences in the R-3 (Apartment) zoning district on the northern side of Hamilton Avenue. The Clarum Homes development, zoned R-3X (Apartment, Conditional), containing 47 single-family residential units, is also located along the northern side, and surrounds Hamilton Park, which is zoned OSC (Open Space Conservation).

Analysis

Project description

The subject property is currently occupied by a two-story residence with an attached two-car garage, two sheds and a detached carport. The lot is three sided and oriented such that the front property line extends for the full length of the frontage along Hamilton Avenue. The functional left side is located along the full length of the frontage along Henderson Avenue, and the remaining property line shared with the side property line for the property located at 590 Hamilton Avenue is considered the rear property line. The subject property is substandard with regard to lot width and lot depth.

The existing residence, which is a two-story, single-family residence with an attached two-car garage, is considered to be a non-conforming structure, with a rear setback of approximately 7.8 feet, where a minimum of 20 feet is required, and a left corner side setback (along Hamilton Avenue) of 2.6 feet, where a minimum of 12 feet is required. The existing residence is also nonconforming with respect to the floor area limit (FAL) for the lot, with an area of 4,061 square feet, where 4,014.3 square feet is the FAL. The existing two sheds and detached carport further exceed the FAL; however, these three structures are proposed for removal.

Two covered parking spaces, serving the main residence, are located in the attached garage. Per Section 16.79.080 (d)(1) of the Municipal Code, an ADU is exempt from requiring additional on-site parking if the ADU is located within a half mile walking distance to public transit. In the case of the subject property, the ADU would be located within a half mile distance of a service stop for the Dumbarton Express bus service, located at the intersection of Willow Road and Hamilton Avenue. Thus, no additional parking is required for the ADU or the project site.

The applicant is proposing to demolish a limited amount of the main residence's wall along the front elevation, on the first floor, and build a 565.0-square-foot ADU, which would be attached to the front of the main residence.

The proposed ADU would include a total of one bedroom and one bathroom, along with a kitchen and living room. Of particular note with regard to Zoning Ordinance requirements:

- The allowable FAL for the lot is 4,014.3 square feet. With removal of the two sheds and detached carport, the proposed residence and ADU (565 square feet) would combine to have a floor area of 4,626.0 square feet, which is permitted as the area of the 565.0-square-foot ADU may exceed the FAL by up to 800 square feet.
- The proposed front setback of the attached ADU would range between one foot, six inches, and two feet, four inches, which is closer than the required 20-foot front setback but is allowable through a use permit.
- The proposed rear setback of the attached ADU would be three feet, which is closer than the required four-foot rear setback but is allowable through a use permit.
- The proposed building coverage, including the proposed ADU, would be 3,057.0 square feet, approximately 25.8 percent of the lot area, where 35 percent is the maximum allowed.
- The proposed ADU would be 14.3 feet in height, where 28 feet is the maximum allowed for an attached ADU. (The existing residence is 22.8 feet in height.)

As stated earlier, the proposed ADU front and rear setbacks would be closer than allowable, but shorter setback distances may be requested through the use permit process. Unlike variance requests, which may not provide relief in excess of 50 percent of any Zoning Ordinance requirement, use permit requests do not include a similar limitation. Based on the unique, pie-shaped lot and the location of the existing residence, the ADU faces constraints that limit its potential location. The front-right side of the lot appears to provide the only location for the proposed ADU without further reducing it in size. Staff believes that the reduced setbacks are necessary in order to feasibly allow for an ADU on this property.

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

Design and materials

The existing residence features a ranch/traditional architectural style with stucco finish and composition shingles. The applicant clarifies in their project description letter that the proposed ADU would be designed to match the existing residence, with stucco finish and composition shingles.

The existing doors and windows are wood and vinyl, respectively. The proposed ADU entry door would be wood as well, and the window frames for the ADU would be vinyl to match the main residence. New roofing of the ADU would integrate into the existing front roofing for the main residence using a metal valley flashing, which would guide the drainage between the two units and prevent pooling of water along the first floor roof. A detailed drawing is available on the proposed roof plan, on Sheet A2.7.

Staff believes that the scale, materials, and style of the proposed ADU would be consistent with the existing residence, as well as the broader neighborhood, given the similar architectural styles of structures in the area.

Flood zone

The subject property is located within the "AE" zone established by the Federal Emergency Management Agency (FEMA). Within this zone, flood-proofing techniques are required for new construction and substantial improvements of existing structures. The Public Works Department has reviewed and indicated that the proposed project is not a substantial improvement and therefore is not subject to specific flood-proofing techniques.

Trees and landscaping

The applicant has submitted an arborist report (Attachment F), detailing the species, size, and conditions of the nearby heritage and non-heritage trees. The report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance and protection. As part of the project review process, the arborist report was reviewed by the City Arborist.

Based on the arborist report, there are 14 existing trees located on or near the property. Of these trees, two trees are heritage size. The heritage trees consist of two Mexican fan palm trees (trees #4 and 5) located in the front of the neighboring property, which are both street trees.

A total of 12 trees assessed are non-heritage size, and seven of these are street trees located in the public right-of-way and five are located on the subject property. Two non-heritage trees within the subject property are proposed for removal (trees #12 and 13).

To protect the heritage and non-heritage trees on site, the arborist report has identified such measures as tree protection fencing, monthly monitoring of the trees by a certified arborist, prohibiting chemical and material storage or usage within the tree critical root zones, and continued monitoring of the trees for a one-year period following completion of construction. All recommended tree protection measures identified in the arborist report would be implemented and ensured as part of condition 1h.

Correspondence

The applicant states in their project description letter that the property owner has completed some outreach efforts, which involved emailing project details to neighbors. The applicant attached some correspondence with neighbors to the project description letter, and describes receiving positive feedback from both the one adjoining neighbor located at 590 Hamilton Avenue and the neighbor on the opposite side of Henderson Avenue, located at 606 Hamilton Avenue.

As of the writing of this report, staff has received no direct correspondence.

Conclusion

Staff believes that the scale, materials, and style of the proposed ADU would be consistent with the existing residence, as well as the broader neighborhood, given the similar architectural styles of structures in the area. The floor area and building coverage increases are allowable based on the ADU regulations. The shorter setback distances are allowable per ADU regulations as well, through this use permit request, and staff believes that reduced setbacks are necessary in order to feasibly allow for an ADU on this property. Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

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

Environmental Review

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

Public Notice

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

Appeal Period

The Planning Commission action will be effective after 15 days unless the action is appealed to the City

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

Attachments

A. Draft Planning Commission Resolution of Approval Adopting Findings for project Use Permit, including project Conditions of Approval
   Exhibits to Attachment A
      A. Project Plans (See Attachment D to this (December 5, 2022) Planning Commission Staff Report)
      B. Project Description Letter (See Attachment E to this (December 5, 2022) Planning Commission Staff Report)
      C. Conditions of Approval
B. Location Map
C. Data Table
D. Project Plans
E. Project Description Letter
F. Arborist Report

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

Exhibits to Be Provided at Meeting

None

Report prepared by:
Matt Pruter, Associate Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT FOR THE CONSTRUCTION OF A NEW ACCESSORY DWELLING UNIT (ADU) WITH A FRONT SETBACK OF ONE FOOT, SIX INCHES, WHERE 20 FEET IS REQUIRED, AND A REAR SETBACK OF THREE FEET, WHERE FOUR FEET IS REQUIRED, IN THE R-1-U (SINGLE FAMILY URBAN RESIDENTIAL) ZONING DISTRICT

WHEREAS, the City of Menlo Park ("City") received an application requesting to construct a new attached accessory dwelling unit (ADU) with a front setback of one foot, six inches, where 20 feet is required, and a rear setback of three feet, where four feet is required, in the Single Family Urban Residential (R-1-U) zoning district (collectively, the "Project") from Sharmila Subramaniam ("Applicant"), on behalf of the property owner Namit Raisurana ("Owner"), located at 598 Hamilton Avenue (APN 055-342-160) ("Property"). The Project use permit is depicted in and subject to the development plans and project description letter, which are attached hereto as Exhibit A and Exhibit B, respectively, and incorporated herein by this reference; and

WHEREAS, the Property is located in the Single Family Urban Residential (R-1-U) district. The R-1-U district supports accessory dwelling unit uses; and

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

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

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

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

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

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

WHEREAS, at a duly and properly noticed public hearing held on December 5, 2022, 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 Revisions.

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

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

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

The approval of the use permit for the construction of new attached accessory dwelling unit with modified front and rear setbacks is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

1. That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
    a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the proposed use permit is consistent with the R-1-U zoning district and the General Plan because accessory dwelling units are allowed to be constructed with modified setbacks subject to granting of a use permit and provided that the proposed residence conforms to applicable zoning standards, including, but not limited to, maximum floor area limit, and maximum building coverage.

    b. The proposed residence would include the required number of off-street parking spaces because the proposed accessory dwelling unit is located within one half mile in walking distance of public transit, pursuant to Menlo Park Municipal Code Section 16.79.080 (d)(1).

    c. The proposed Project is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code and the Commission concludes that the Project would not be detrimental to the health, safety, and

welfare of the surrounding community as the new residence would be located in a single-family neighborhood and designed at one story in height, minimally affecting privacy concerns and not affecting public safety in its proximity to property lines.

Section 3. Conditional Use Permit. The Planning Commission approves Use Permit No. PLN2022-00009, which use permit is depicted in and subject to the development plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit B, respectively. The Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit C.

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

A. The Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15301 et seq. (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 Project, shall continue in full force and effect unless amended or modified by the City.

I, Corinna Sandmeier, Acting Principal Planner and Planning Commission Liaison 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 December 5, 2022, 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 5th day of December, 2022

_____

Corinna Sandmeier
Acting Principal Planner and Planning Commission Liaison
City of Menlo Park

Exhibits

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

LOCATION: 605 Cambridge Avenue	**PROJECT NUMBER:** PLN2022-00028	**APPLICANT:** Camden Santo	**OWNER:** Anh Cohen

PROJECT CONDITIONS:

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

   a. The applicant shall be required to apply for a building permit within one year from the date of approval (December 5, 2023) for the use permit to remain in effect.

   b. Development of the project shall be substantially in conformance with the plans prepared by Square Three Architecture Inc., consisting of 20 plan sheets, dated received November 14, 2022 and approved by the Planning Commission on December 5, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

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

   d. The applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project and in effect at the time of building permit issuance.

   e. Applicant shall keep the property in a clean and sanitary condition at all times, and maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the City of Menlo Park Municipal Code.

   f. The Project shall adhere to all ordinances, plans, regulations, and specifications of the City of Menlo Park and all applicable local, State, and Federal laws and regulations.

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

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

   i. Heritage trees in the vicinity of the construction project shall be retained and/or protected pursuant to the Heritage Tree.

   j. Prior to building permit issuance, the Applicant shall submit plans for construction parking management, construction staging, material storage and Traffic Control Handling Plan to be reviewed and approved by the City. The applicant shall secure adequate parking for any and all construction trades.

LOCATION: 605 Cambridge Avenue	**PROJECT NUMBER:** PLN2022-00028	**APPLICANT:** Camden Santo	**OWNER:** Anh Cohen

PROJECT CONDITIONS:

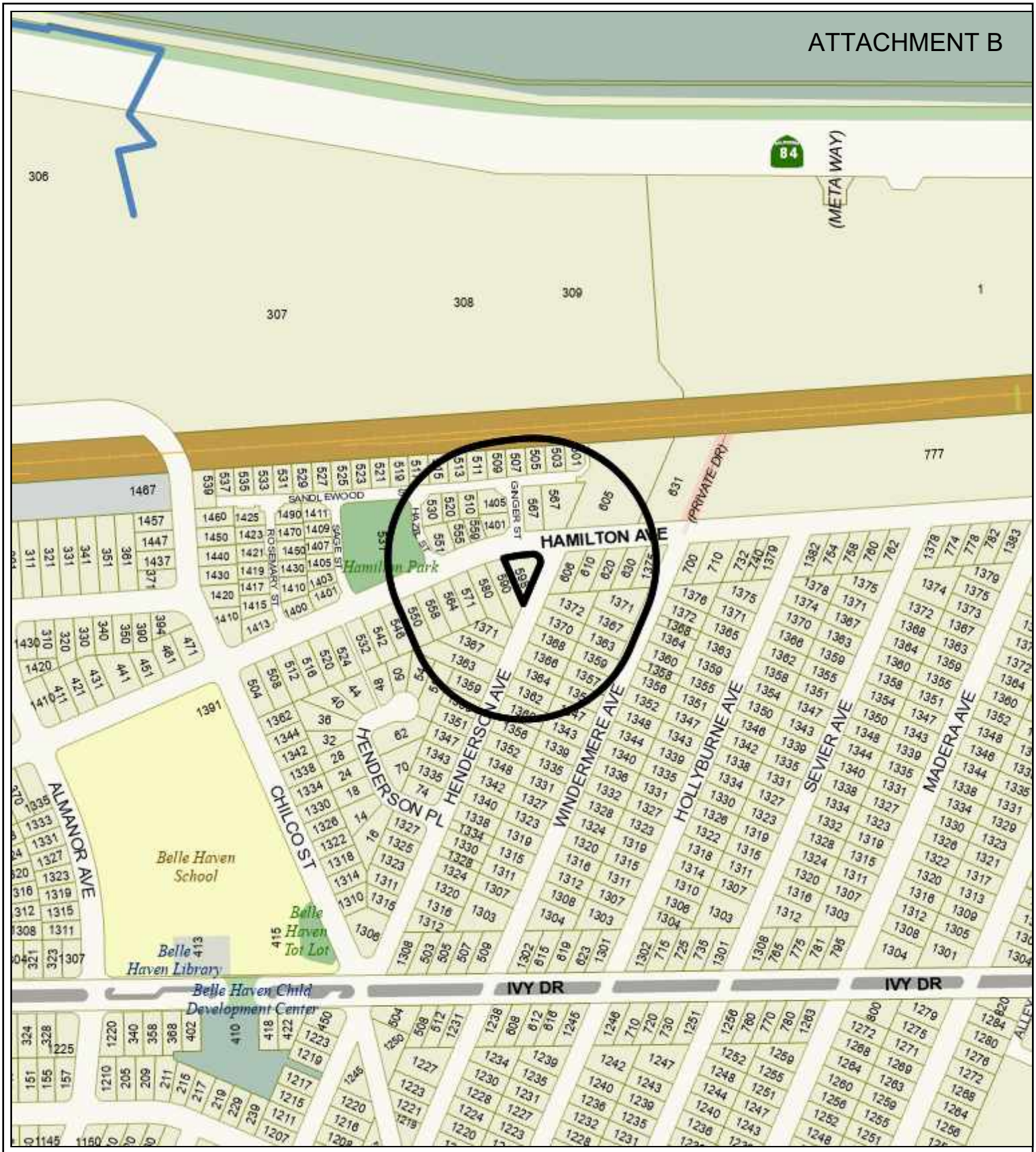
k. Prior to building permit issuance, the applicant shall pay all fees incurred through staff time spent reviewing the application.

l. 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; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

2. The use permit and architectural control permit shall be subject to the following *project-specific* condition:

a. The applicant shall adhere to and/or implement all mitigation measures which apply to this Project and were adopted as a part of the Mitigation Monitoring and Reporting Programs (MMRPs) for the ConnectMenlo General Plan and the El Camino Real/Downtown Specific Plan. These mitigation measures are set forth in Attachment F to December 5, 2022 staff report, attached hereto and incorporated herein by this reference. Failure to meet these requirements may result in delays to the building permit issuance, stop work orders during construction, and/or fines.

ATTACHMENT B



City of Menlo Park

Location Map

598 Hamilton Avenue

Scale: 1:4,000 | Drawn By: MAP | Checked By: CDS | Date: 12/5/2022 | Sheet: 1

	PROPOSED PROJECT	EXISTING PROJECT	ZONING ORDINANCE
Lot area	11,857.0 sf	11,857.0 sf	7,000 sf min.
Lot width	n/a ft.	n/a ft.	65 ft. min.
Lot depth	n/a ft.	n/a ft.	100 ft. min.
Setbacks			
Front	22.9 ft. (Main House) 1.5 ft. (ADU)	22.9 ft.	20 ft. min. (Main House and ADU)
Rear	7.8 ft. (Main House) 3.0 ft. (ADU)	7.8 ft.	20 ft. min. (Main House) 4 ft. min (ADU)
Side (left)	2.6 ft. (Main House) 54.0 ft. (ADU)	2.6 ft.	12 ft. min. (Main house) 4 ft. min (ADU)
Side (right)	n/a ft.	n/a ft.	5 ft. min.
Building coverage*	3,057.0 sf 25.8 %	2,741.0 sf 23.1 %	4,150.0 sf max. 35 % max.
FAL (Floor Area Limit)*	4,626.0 sf	4,310.0 sf	4,014.3 sf max.
Square footage by floor	1,812.0 sf/1st 1,241.0 sf/2nd 380.0 sf/greater than 12 feet 628.0 sf/garage 36.0 sf/porches 16.0 sf/fireplaces 565.0 sf/ADU	1,812.0 sf/1st 1,241.0 sf/2nd 380.0 sf/greater than 12 feet 628.0 sf/garage 176.0 sf/carport 73.0 sf/accessory buildings 36.0 sf/porches 16.0 sf/fireplaces	
Square footage of buildings	4,678.0 sf	4,362.0 sf	
Building height	22.8 ft.	22.8 ft.	28 ft. max.
Parking	2 covered	3 covered**	1 covered/1 uncovered
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			

Trees	Heritage trees***	2	Non-Heritage trees****	12	New Trees	0
	Heritage trees proposed for removal	0	Non-Heritage trees proposed for removal	2	Total Number of Trees	12

* Floor area and building coverage for the proposed project includes the ADU, which is 565.0 square feet in size and is allowed to exceed the floor area limit and maximum building coverage.
** This parking count includes the two attached garage parking spaces and the existing detached carport, which is proposed to be removed.
*** Of the two heritage trees, both are street trees located in front of the subject property.
**** Of the non-heritage trees, seven are street trees located in the public right-of-way and five located on the subject property.

RESIDENTIAL ADDITION: NEW ATTACHED ADU

MENLO PARK, CALIFORNIA 94025

☒ PLANNING DEPARTMENT ☐ BUILDING DEPARTMENT ☒ RESUBMITTAL # 3

PROJECT INFORMATION

A.P.N.	055342160
ZONING	R-1-U
SETBACKS EXISTING MAIN HOUSE , NO CHANGE	FRONT= 20', REAR= 20', STREETSIDE = 12'
CONSTRUCTION TYPE	V-B
NUMBER OF STORIES - MAIN HOUSE	2 STORY
MAX. LOT COVERAGE	35% (4,150 SF)
FIRE SPRINKLERS	NO
LOT SIZE	11,857 SF
FLOOR AREA LIMIT	4,014 SF
TOTAL EXISTING FLOOR AREA	**4,310 SF**
TOTAL PROPOSED FLOOR AREA (WITHOUT ADU)	4,061 SF
TOTAL PROPOSED FLOOR AREA (WITH ADU)	4,626 SF
EXISTING BUILDING COVERAGE	23.1% (2,741 SF)
PROPOSED BUILDING COVERAGE (WITHOUT ADU)	21.0% (2,492 SF)
PROPOSED BUILDING COVERAGE (WITH ADU)	25.8% (3,057 SF)
MAXIMUM HEIGHT	28'
EXISITNG HEIGHT - MAIN HOUSE	22'- 9"
PROPOSED ADDITION AREA:	
PROPOSED ADU *(SAME FLOOR AREA & BUILDING COVERAGE)*	**565 SF**
PROPOSED ADU HEIGHT	**14' - 3" (TOP OF RIDGE)**

SCOPE OF WORK

THIS PROJECT INCLUDES ADDITION OF AN ATTACHED ACCESSORY DWELLING UNIT (ADU) AT THE FRONT YARD OF AN EXISTING SINGLE-FAMILY RESIDENCE.

RELOCATE EXISITNG FRONT WINDOW OF RESIDENCE TO THE RIGHT SIDE WALL. NEW ATTACHED ADU COMPRISING OF BEDROOM, BATHROOM, CLOSETS, LIVING ROOM & KITCHEN. NEW CEILING, LIGHTS & ROOF. NEW WINDOWS & DOORS.

VICINITY MAP



APPLICABLE CODES

2019 CALIFORNIA BUILDING CODE INCLUDING SANTA CLARA COUNTY CODE AMMENDMENTS
2019 CALIFORNIA RESIDENTIAL CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA PLUMBING CODE
2019 CALIFORNIA ENERGY CODE
2019 CALIFORNIA FIRE CODE
2019 CALIFORNIA GREEN BUILDING STANDARDS CODE
ALL APPLICABLE LOCAL, COUNTY, STATE AND FEDERAL CODES, LAWS AND REGULATIONS

PROJECT TEAM

OWNER:

NAMIT RAISURANA
598 HAMILTON AVENUE
MENLO PARK, CA 94025
T: 925.858.5095
namitrs@gmail.com

ARCHITECT:

SSA, INC.
SHARMILA SUBRAMANIAM
3687 SKYLINE DRIVE
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sharmila@ss-arc.com

SHEET INDEX

ARCHITECTURAL

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CIVIL

CS-1	BOUNDARY & TOPOGRAPHIC SURVEY

STREET VIEWS





NOTES

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

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

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SSA

598 HAMILTON AVENUE, MENLO PARK, CA

RESIDENTIAL ADDITION FOR

NAMIT RAISURANA

LICENSED ARCHITECT
SHARMILA SUBRAMANIAM
No. C-32214
REN. 07/31/2023
STATE OF CALIFORNIA
sharmila subramaniam

STAMP

This sheet is not to be used for construction unless the architect's stamp & signature appear on the drawings and the status box indicates drawings have been released for construction.

These plans & prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
These plans & prints must be returned to SSA on the completion of work, if requested.

Written dimensions on these drawings shall have precedence over scaled dimensions; contractor shall verify, and be responsible for, all dimensions and conditions on the job and this office must be notified of any variations from the dimensions and conditions shown on these drawings.

Shop details must be submitted to this office for review before proceeding with fabrication.

REVISIONS

No.	Description	Date

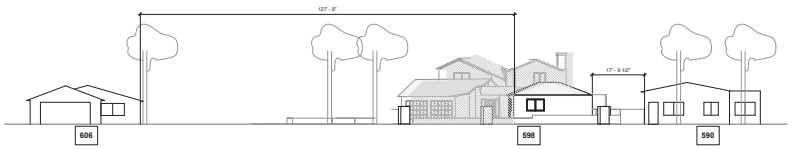
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SCALE	
PROJECT ID	2021.23
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COVER SHEET

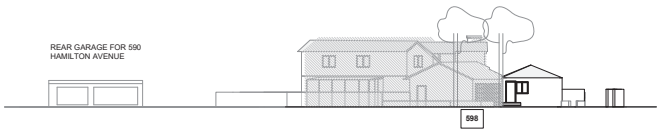
SHEET TITLE

A1.0

SHEET NO.



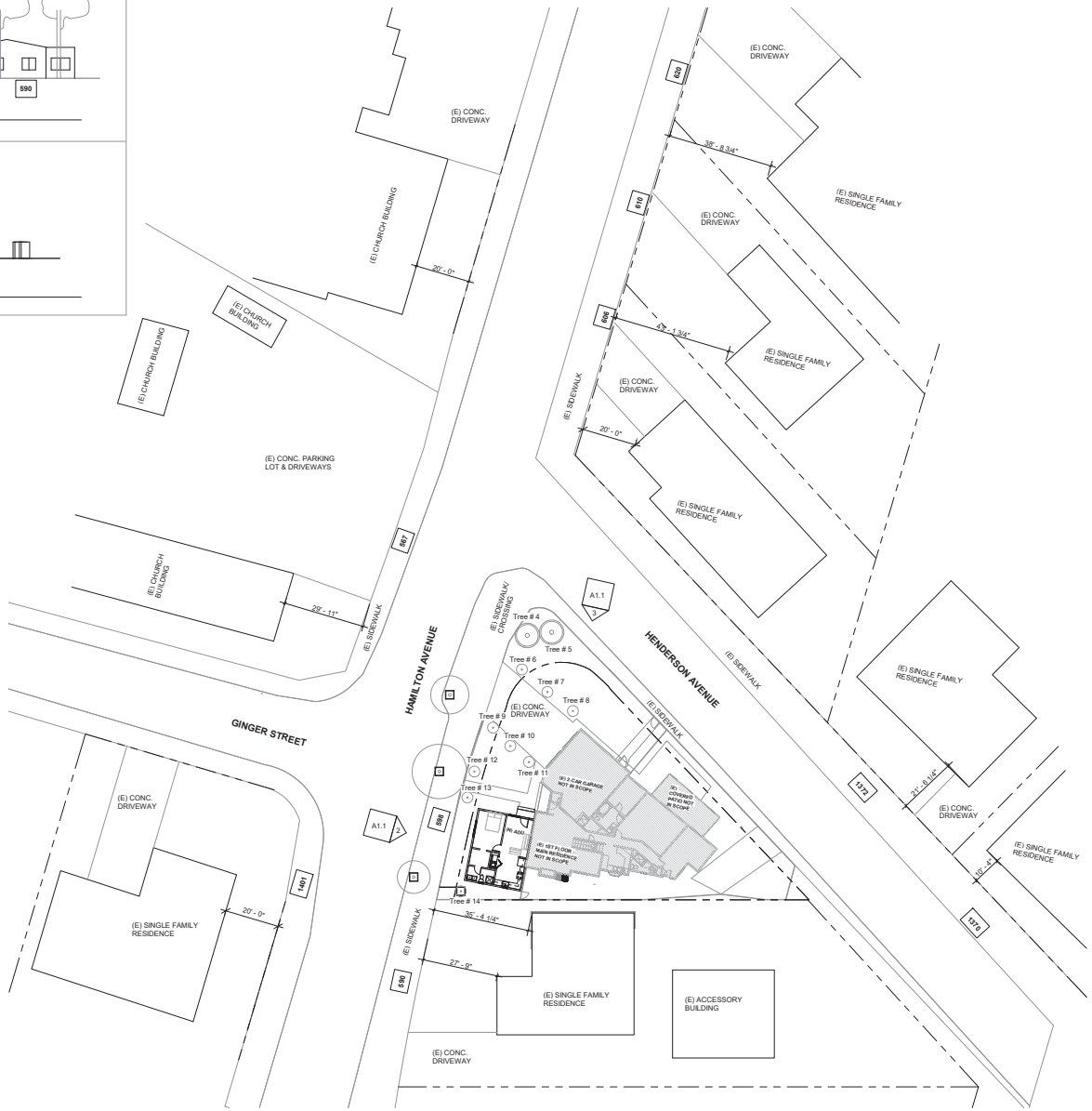
② Elevation - Hamilton Avenue
1" = 20'-0"



③ Elevation - Henderson Avenue
1" = 20'-0"

SITE LEGEND

- PROPERTY LINE
- NOT IN SCOPE - MAIN RESIDENCE
- (E) NON-HERITAGE TREE
- (E) HERITAGE TREE



① Area Plan - Proposed
1" = 20'-0"

N

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598 HAMILTON AVENUE, MENLO PARK, CA

RESIDENTIAL ADDITION FOR

NAMIT RAISURANA

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REVISIONS

No.	Description	Date

DATE	10.25.22
SCALE	As indicated
PROJECT ID	2021.23
DRAWN BY	Author

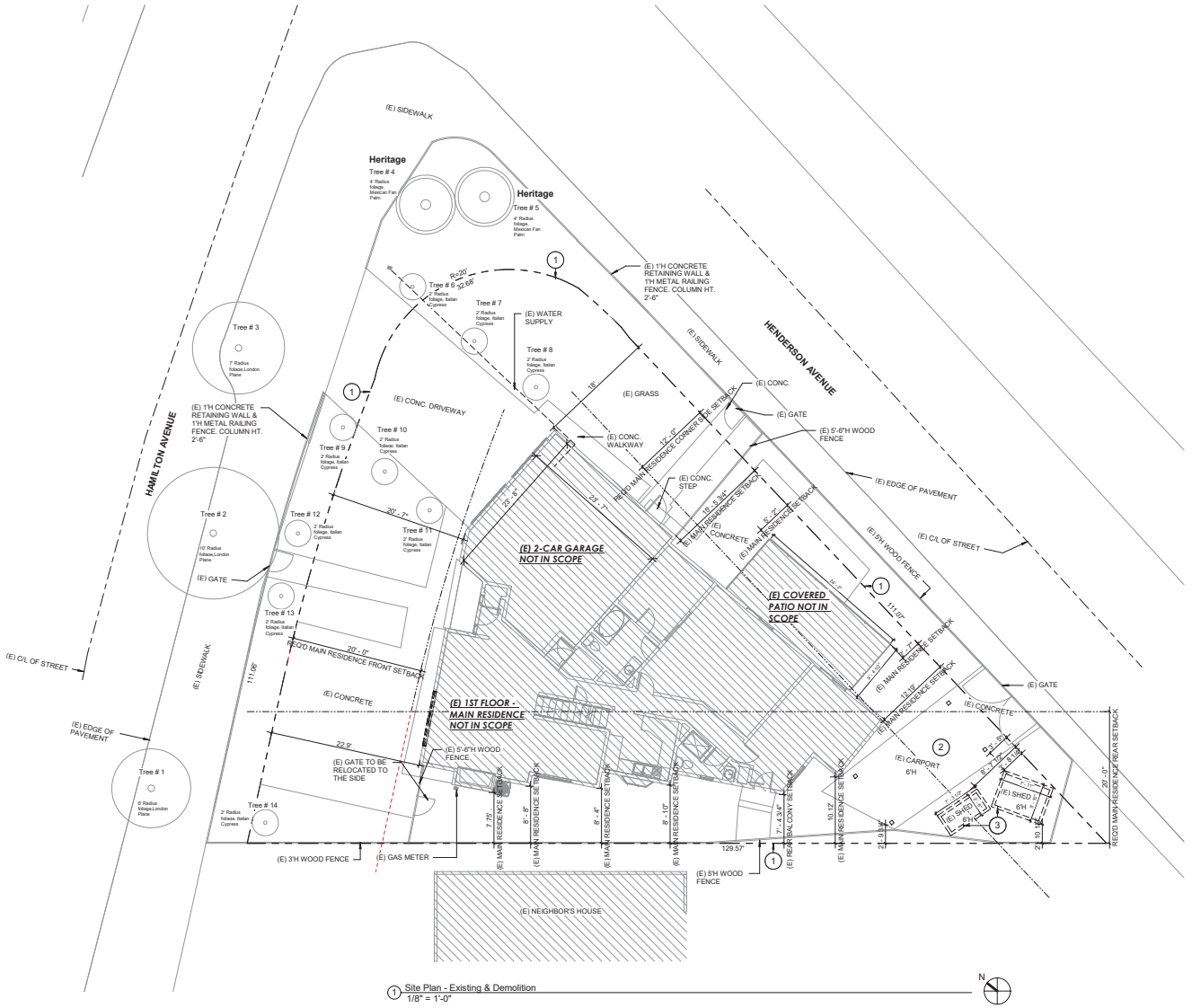
AREA PLAN & STREETSCAPE ELEVATIONS

SHEET TITLE

A1.1

SHEET NO.

D2



1 Site Plan - Existing & Demolition
1/8" = 1'-0"

NOTE: NON-CONFORMING WALLS OF THE EXISTING RESIDENCE CANNOT BE REBUILT IF DEMOLISHED PAST THEIR FRAMING MEMBERS.

Site Analysis - Zoning: R-1-U

LOT AREA:	11,857 SF
EXISTING MAIN HOUSE (NOT IN SCOPE) TOTAL AREA:	4,177 SF
EXISTING PARKING:	2 Covered in Garage
PROPOSED ADU AREA:	565 SF
LAND COVERED BY STRUCTURES:	2,741 SF (23.1%)
PERVIOUS SURFACES:	1,865 SF
CONCRETE SURFACES:	2,138 SF
TOTAL IMPERVIOUS SURFACE (STRUCTURES + CONCRETE)	6,764 SF
ALL GRADES TO REMIAN NATURAL	

Keynotes

Indicated by (X)→ on the plans

1 PROPERTY LINE.
2 REMOVE (E) CARPORT ENTIRELY.
3 REMOVE (E) SHED ENTIRELY.

Legend

PROPERTY LINE
NOT IN SCOPE - MAIN RESIDENCE
(E) NON-HERITAGE TREE
(E) HERITAGE TREE

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SSA

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RESIDENTIAL ADDITION FOR

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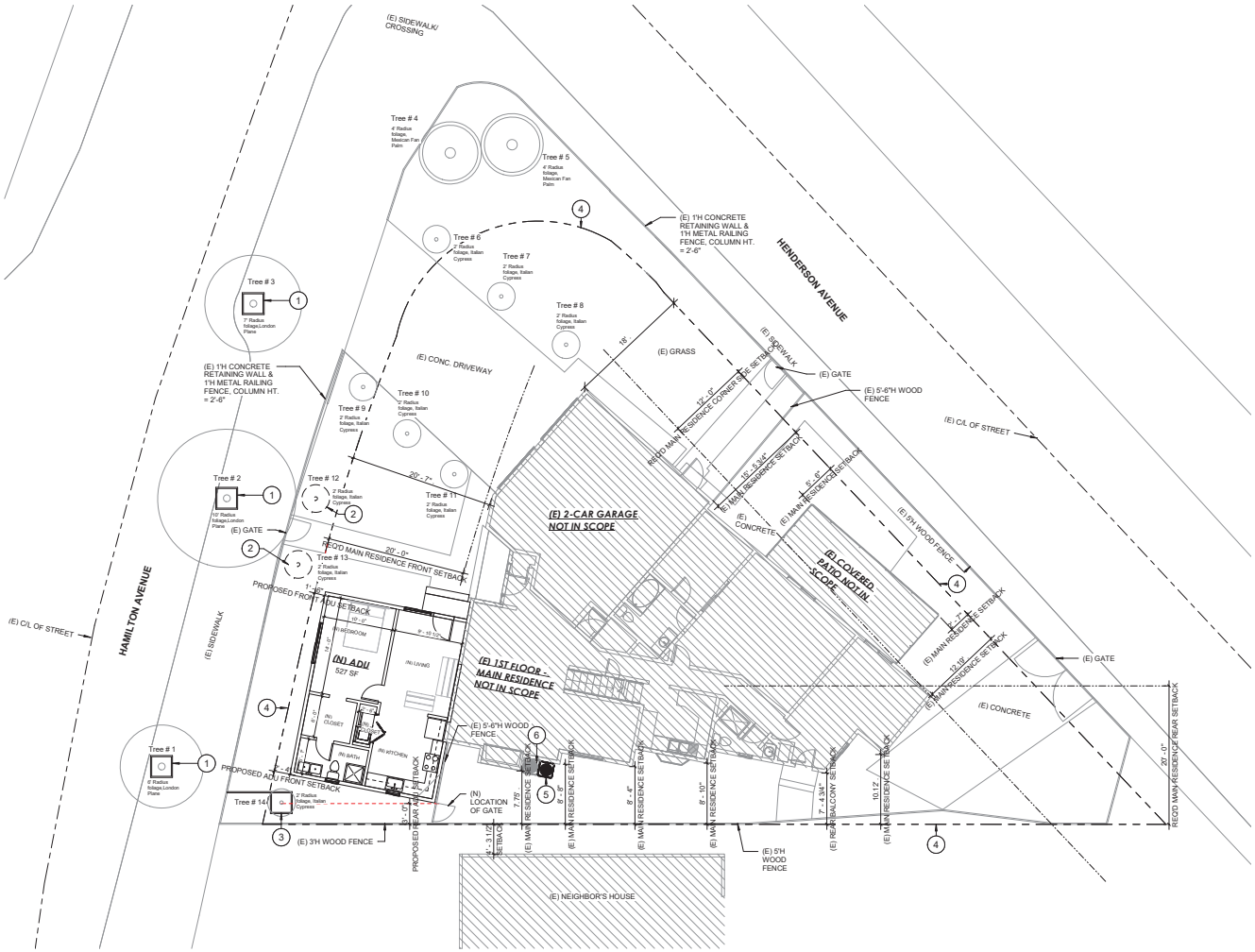
DATE	11.20.22
SCALE	As indicated
PROJECT ID	2021.23
DRAWN BY	Author

SITE PLAN - EXISTING

SHEET TITLE

A1.2

SHEET NO.



1 Site Plan - Proposed
1/8" = 1'-0"

NOTE: NON-CONFORMING WALLS OF THE EXISTING RESIDENCE CANNOT BE REBUILT IF DEMOLISHED PAST THEIR FRAMING MEMBERS.

Arborist's Conclusions & Recommendations

Based on visual evaluations and the impacts of proposed development, all trees that have the potential to be impacted may be retained.

- Three (3) trees are considered city-maintained street trees (trees #1-3) and two (2) trees are considered Heritage trees (trees #4-5). The total replacement cost for the Heritage trees was $13,700.00, and was the total replacement cost for the street trees was $5,840.00 (appraisal values can be found in Appendix C).
- Trees #1-3 were in good health with good structure and were located in tree wells along Hamilton Avenue. The proposed foundation of the new ADU will be approximately 13 feet from tree #1, 12.5 feet from tree #2, and over 20 feet from tree #3. Impacts to the trees should be minimal. Tree protection fencing should be installed along TPZ enclosing each tree well and allowing for pedestrian and vehicle access on the sidewalk and street.
- Tree #4-5 are Heritage Mexican fan palms located in the front/side lawn, and are in good health with good structure and are over 25 feet from any excavation. Impacts will be minimal to none. Tree protection fencing should be installed along the driveway (east edge) and connect to the front fence and corner of garage.
- Trees #6-8 are Italian cypress, maintained as hedges/screening. The trees are in good health with fair structure. Impacts will be minimal to none. Tree protection fencing should be installed along the driveway (east edge) and connect to the front fence and corner of garage.
- Trees #9-11 are Italian cypress, maintained as hedges/screening. The trees are in good health with fair structure. Impacts will be minimal. Tree protection fencing should be installed along the driveway (west edge) and along the TPZ on the west side of the trees, enclosing the trees together.
- Trees #12-13 are Italian cypress, maintained as hedges/screening. The trees are in good health with fair structure. Impacts will be severe to moderate. The trees will require removal for the project. No permit is required.

1 Dr. Kim D. Coder, University of Georgia June 1996

- Tree #14 is an Italian cypress in good health with good structure. Impacts may be severe to moderate. Tree protection fencing should be installed along the TPZ and moved in when excavation is to occur in the TPZ, and moved to the farthest extent possible when excavation is complete. Excavation will occur within 6 feet of the trunk and should be done under arborist supervision. Exploratory trenching should be done to determine the root quantity and size in the area. Any roots over 2-inches in diameter should only be removed with the approval of the onsite arborist, and if substantial roots are discovered the arborist may recommend the removal of the tree if design plans cannot be changed.
- TPZ fencing should be 6 feet in height, constructed of chain link fencing. The fencing may be moved within the dripline if directed by the on-site or City Arborist but cannot be moved to within 2 feet of the trunk. Fence posts must be 2-inch in diameter and galvanized, and installed 2 feet below grade. Posts may be movable rather than below grade and may not be spaced more than 10 feet apart. Signs must be posted stating: 'TREE PROTECTION FENCE - DO NOT MOVE OR REMOVE WITHOUT APPROVAL FROM CITY ARBORIST.' The fence may not be moved without authorization from the on-site or City Arborist.
- TPZ fencing must be in place before any equipment is on-site, and it must be inspected by a Certified Arborist who shall provide a verification letter summarizing the conditions. The fencing must remain in place for the entirety of the project and only removed, temporarily or otherwise, by a Certified Arborist while activities are directly supervised, and replaced immediately after.
- Monitoring of the tree protection specifications by an ISA Certified Arborist or ASCA Registered Consulting Arborist is required at monthly intervals.
- No material shall be stored, nor concrete basins washed, or any chemical materials or paint stored within the CRZ of trees, and no construction chemicals or paint should be released into landscaped areas, as these can be toxic to trees and contaminate soil.
- After construction is complete, the property owner should monitor the trees for at least one year and contact a Certified Arborist to inspect if any lean, limb die-back, leaf drop, or foliage discoloration develops.

Parking Requirement for (N) ADU

PER 16.79.080 (d)(1) OF THE ZONING ORDINANCE, THE PROPERTY IS LOCATED WITHIN A 1/2 MILE OF PUBLIC TRANSIT, NOTABLY THE DUMBARTON EXPRESS (DB) BUS STOP LOCATED AT THE INTERSECTION OF HAMILTON AVENUE AND WILLOW ROAD.

HENCE NO PARKING REQUIRED.

Keynotes

Indicated by (X)→ on the plans

1 (N) 6'H TEMPORARY CHAIN LINK FENCING AROUND TREE WELLS.
2 REMOVE (E) TREE & TRUNK ENTIRELY.
3 (N) 6'H TEMPORARY CHAIN LINK FENCING ALONG TPZ (CONNECT TO EXISTING FENCE ALONG SIDEWALK). ARBORIST SUPERVISION FOR EXCAVATION WITHIN THE TPZ.
4 PROPERTY LINE.
5 (N) AC HEAT PUMP CONDENSER FOR ADU. NOT TO EXCEED 60 DBA DURING THE DAYTIME HOURS OR 50 DBA DURING THE NIGHTTIME HOURS AT THE NEAREST RESIDENTIAL PROPERTY LINE.
6 (E) AC HEAT PUMP CONDENSER FOR MAIN RESIDENCE.

Legend

PROPERTY LINE
NOT IN SCOPE - MAIN RESIDENCE
(E) NON-HERITAGE TREE
(E) HERITAGE TREE

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598 HAMILTON AVENUE, MENLO PARK, CA

RESIDENTIAL ADDITION FOR

NAMIT RAISURANA

LICENSED ARCHITECT
SHARMILA SUBRAMANIAM
No. C-32214
REN. 07/31/2023
STATE OF CALIFORNIA
sharmila subramanian

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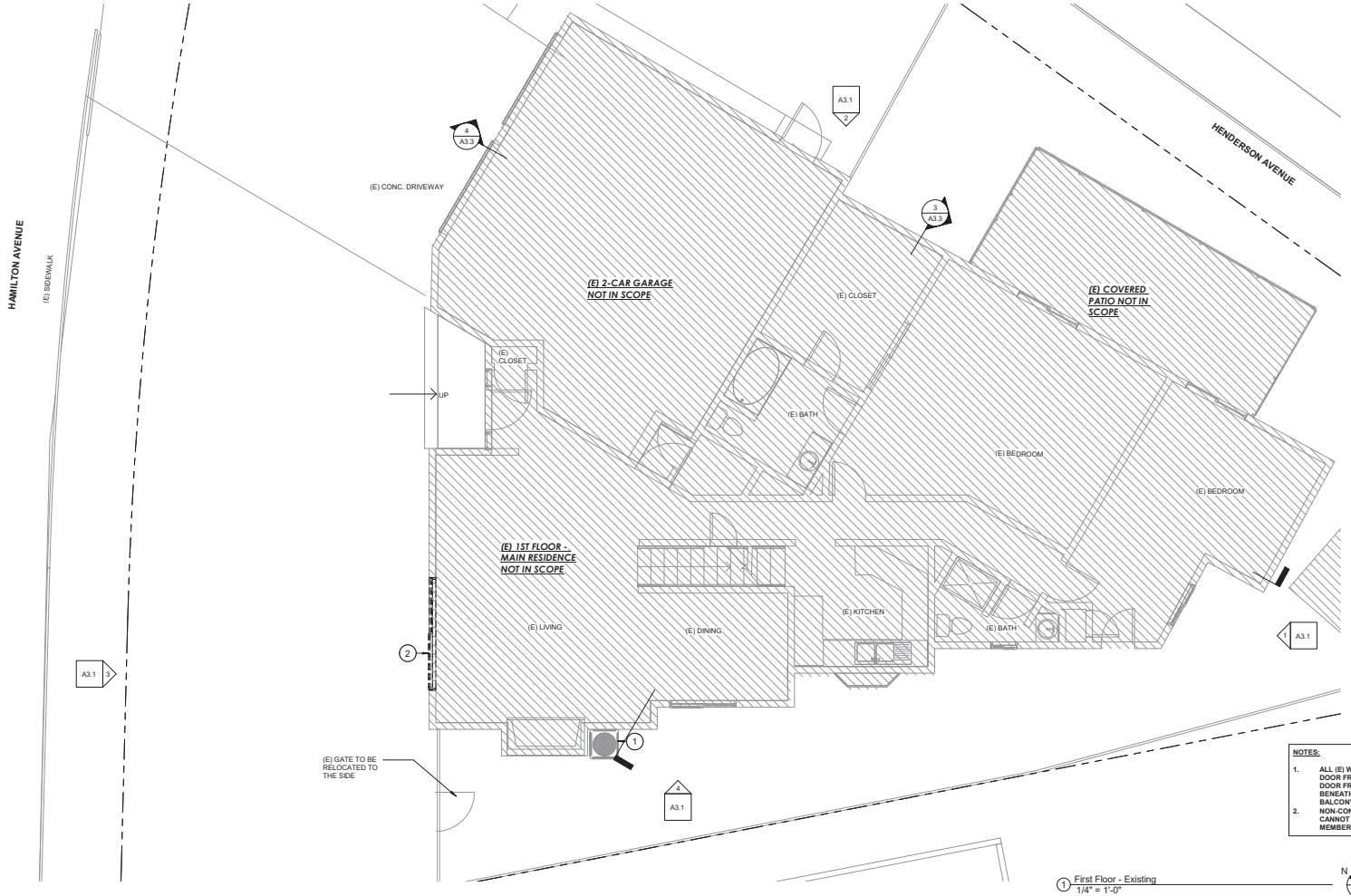
DATE	10.25.22
SCALE	As indicated
PROJECT ID	2021.23
DRAWN BY	Author

SITE PLAN - PROPOSED

SHEET TITLE

A1.3

SHEET NO.



General Notes

1. A SPHERE 4" IN DIAMETER MAY NOT PASS THROUGH RAIL.
2. A GRASPABLE HANDRAIL EXTENDING 6" PAST THE TOP AND BOTTOM RISERS 34"-38" ABOVE THE STAIR NOSING IS REQUIRED AT STAIRS HAVING THREE OR MORE RISERS. IN A SINGLE FAMILY DWELLING, THE GUARDRAIL HEIGHT AT THE STAIRS MAY MATCH THE HANDRAIL HEIGHT, AND A 6" SPHERE MAY PASS THROUGH AT THE STAIR TREAD.
3. SHOWER FLOOR AND WALLS WITH INSTALLED SHOWER HEADS AND IN SHOWER COMPARTMENTS SHALL BE FINISHED WITH A NONABSORBENTSURFACE. SUCH WALL SURFACES SHALL EXTEND TO A HEIGHT OF NOT LESS THAN 6 FEET ABOVE THE FLOOR. CRC R307.2 & R702.3.8.1.
4. THE BLUE BOARD SHALL BE USED IN SHOWER AREA ADDITIONALLY.
5. SHOWERS SHALL BE EQUIPPED W/ A PRESSURE/BALANCE THERMOSTATIC MIXING VALVE, MAX. FLOW OF ANY SHOWER HEADS OR HANDHELD OUTLETS CONTROLLED BY DIVERTER VALVE SHALL BE 1.8 GPM COMBINED.
6. THE SHOWER DOOR SHALL BE TEMPERED GLASS. CRC R308.4.1.
7. (N) SHOWER COMPARTMENTS SHALL HAVE A MIN. FINISHED DAM, CURB, OR THRESHOLD NOT LESS THAN 2" OR EXCEEDING 9" IN DEPTH, W/ AN INTERIOR OF 1,024 SQ.IN. & SHALL ALSO BE CAPABLE OF ENCOMPASSING A 30" DIA. CIRCE MEASURED TO THE CENTER OF THE THRESHOLD. SHOWER ENTRANCE SHALL BE PROVIDED WITH A MIN. 22" CLR. OPENING & W/ A DOOR SLIDING OR OUTWARD SWINGING. ANY GLAZING WITHIN 60" RADIUS OF TUB/SHOWER ENCLOSURES SHALL BE TEMPERED SAFETY GLASS. THE SHOWER DOOR SHALL BE TEMPERED GLASS. CRC R308.4.1.
8. ALL EXISTING NON-COMPLIANT PLUMBING FIXTURES (BASED ON WATER EFFECIENCY TABLE) THROUGHOUT THE HOUSE SHALL BE UPGRADED PER THE WATER CONSERVING FIXTURE CHART/ TABLE SHOWN ON PLUMBING PLAN.
9. THE DECK SHOULD SLOPE 1/4":1' TO DRAIN.
10. ALL PENETRATIONS OR OPENINGS IN CONSTRUCTION ASSEMBLIES FOR PIPING, ELECTRICAL DEVICES, RECESSED CABINETS, BATHTUBS, SOFFITS OR HEATING, VENTILATING OR EXHAUST DUCTS SHALL BE SEALED, LINED, INSULATED FOR A STC RATING OF MIN. 50.
11. ALL PENETRATIONS SHALL BE PROTECTED BY FIRESTOP SYSTEM. SEE DETAILS SHEET.
12. ALL (N) EXTERIOR WALLS WILL HAVE (N) ONE LAYER OF NO.15 ASPHALT FELT, FREE FROM HOLES & BREAKS, COMPLYING W/ ASTM D226 FOR TYPE 1 FELT APPLIED OVER STUDS OR SHEATHING.
13. RANGE HOODS SHALL BE SIZED PER THE MANUFACTURER'S SPECIFICATIONS FOR THE APPLIANCE SERVED & CABINETS SHALL MEET ALL CLEARANCES HORIZONTALLY & VERTICALLY PER LISTING.
14. ALL (N) EXTERIOR WALLS TO RECEIVE (N) STUCCO FINISH AND PAINT TO MATCH (E) HOUSE.

Keynotes

Indicated by (X)→ on the plans

1 (N) AC HEAT PUMP CONDENSER FOR ADU. NOT TO EXCEED 60 DBA DURING THE DAYTIME HOURS OR 50 DBA DURING THE NIGHTTIME HOURS AT THE NEAREST RESIDENTIAL PROPERTY LINE.

2 REMOVE (E) WINDOW, FRAME & HARDWARE ENTIRELY. PATCH, REPAIR & INFILL WALL AS NEEDED FOR (N) 1-HR RATED ASSEMBLY.

Legend

- EXISTING WALL TO REMAIN
- EXISTING NON-BEARING WALL OR WALL FURRING TO BE DEMOLISHED
- EXISTING WINDOW TO BE DEMOLISHED (INCLUDING FRAME)
- EXISTING DOOR TO BE DEMOLISHED (INCLUDING FRAME)
- NOT IN SCOPE
- NEW FULL HEIGHT WALL: 2x DF @ 16" O.C. W/ 3/4" THK. SOUND ATTENUATION GLASS FIBER BATT INSULATION, STC RATING 50 W/ 5/8" GYP. BD. BOTH SIDES U.O.N. AT TILED WALLS USE 5/8" CEMENT BD. U.O.N. PROVIDE LEVEL 4 SMOOTH FINISH. PAINT P1 U.O.N.
- NEW DOOR , SEE SCHEDULE
- NEW WINDOW , SEE SCHEDULE
- 101 DOOR TAG. SEE SCHEDULE
- W10 WINDOW TAG. SEE SCHEDULE
- CO CARBON MONOXIDE ALARM (NO COMBINATION ALARMS)
- SD SMOKE ALARM (PHOTOELECTRIC) HARD WIRED, INTERCONNECTED
- NEW 1-HR RATED WALL. SEE DETAIL ON A5.1

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DRAWN BY	Author

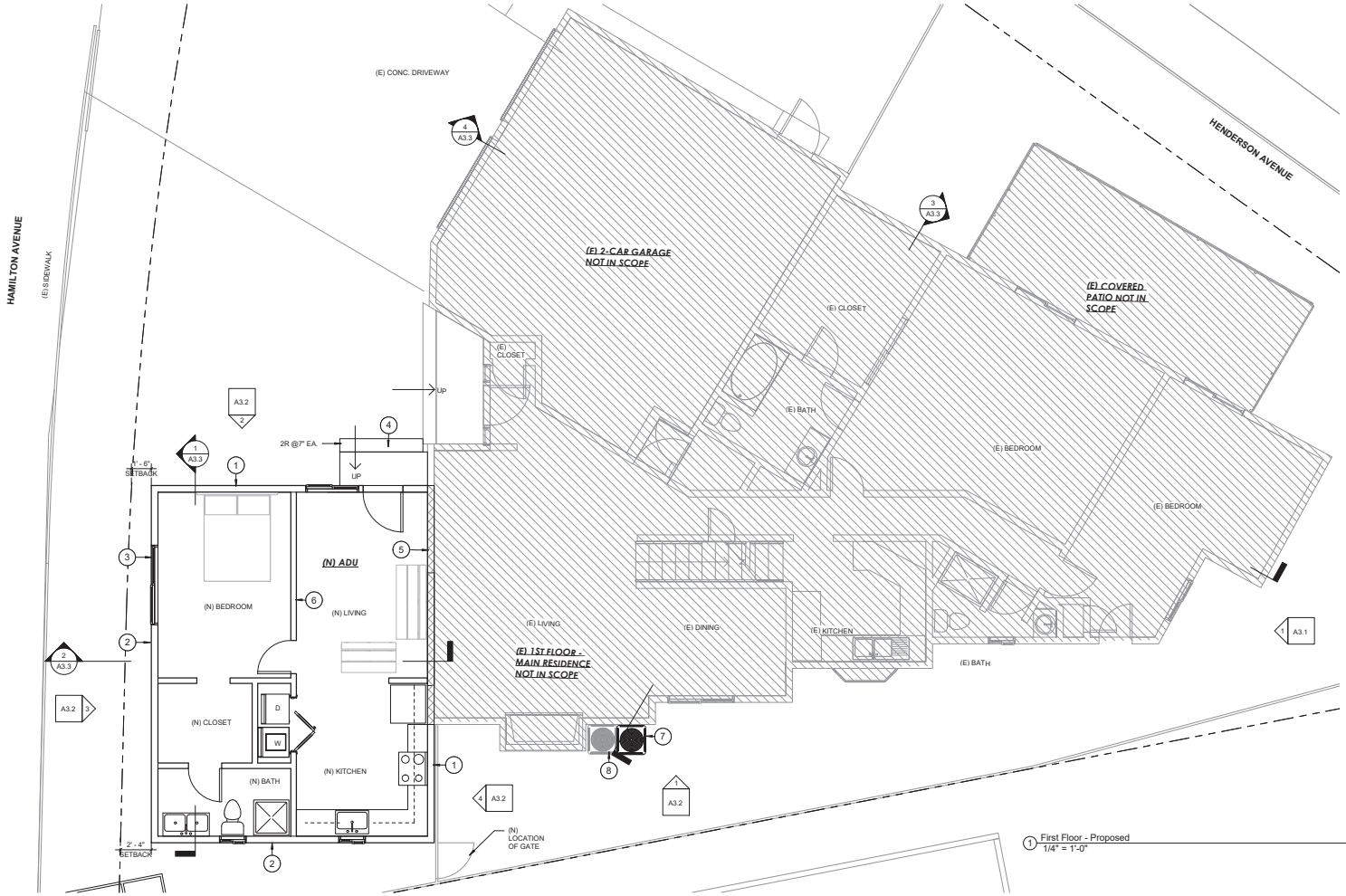
FIRST FLOOR PLAN - EXISTING

SHEET TITLE

A2.1

SHEET NO.

D5



General Notes

1. A SPHERE 4" IN DIAMETER MAY NOT PASS THROUGH RAIL.
2. A GRASPABLE HANDRAIL EXTENDING 6" PAST THE TOP AND BOTTOM RISERS 34"-38" ABOVE THE STAIR NOSING IS REQUIRED AT STAIRS HAVING THREE OR MORE RISERS. IN A SINGLE FAMILY DWELLING, THE GUARDRAIL HEIGHT AT THE STAIRS MAY MATCH THE HANDRAIL HEIGHT, AND A 6" SPHERE MAY PASS THROUGH AT THE STAIR TREAD.
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14. ALL (N) EXTERIOR WALLS TO RECEIVE (N) STUCCO FINISH AND PAINT TO MATCH (E) HOUSE.

Keynotes

Indicated by (X)→ on the plans

1. (N) 2X @ 16" O.C. DF STUD WALL TYP., S.S.D. R19 BATT INSULATION TO BE INSTALLED IN ALL (N) EXTERIOR WALLS. (N) STUCCO TO MATCH FINISH OF (E) MAIN HOUSE EXTERIOR WALLS.
2. (N) 1-HR FIRE RATED WALL CONTINUOUS FROM FLOOR TO ROOF.
3. (N) JELD-WEN VINYL, GLASS SLIDING WINDOW. MATCH FRAME COLOR TO (E) MAIN HOUSE WINDOWS.
4. (N) CONCRETE STEPS.
5. (N) 1-HR FIRE RATED ASSEMBLY BETWEEN (N) ADU & EXISTING HOUSE .
6. (N) 2X @ 16" O.C. DF STUD WALL TYP., S.S.D. R19 BATT INSULATION TO BE INSTALLED IN ALL (N) INTERIOR WALLS. (N) GYP. BD. FINISH & PAINT.
7. (N) AC HEAT PUMP CONDENSER FOR ADU. NOT TO EXCEED 60 DBA DURING THE DAYTIME HOURS OR 50 DBA DURING THE NIGHTTIME HOURS AT THE NEAREST RESIDENTIAL PROPERTY LINE.
8. (E) AC HEAT PUMP CONDENSER FOR MAIN RESIDENCE.

Legend

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- CO CARBON MONOXIDE ALARM (NO COMBINATION ALARMS)
- SD SMOKE ALARM (PHOTOELECTRIC) HARD WIRED, INTERCONNECTED
- NEW 1-HR RATED WALL. SEE DETAIL ON A5.1

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PROJECT ID	2021.23
DRAWN BY	Author

FIRST FLOOR PLAN - PROPOSED

SHEET TITLE

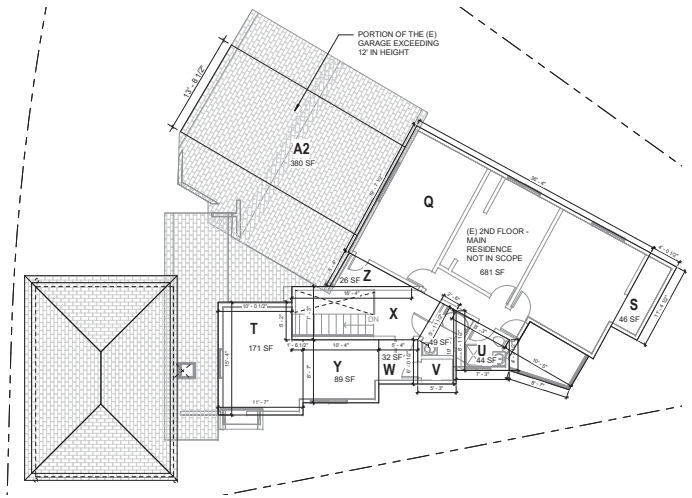
A2.2

SHEET NO.

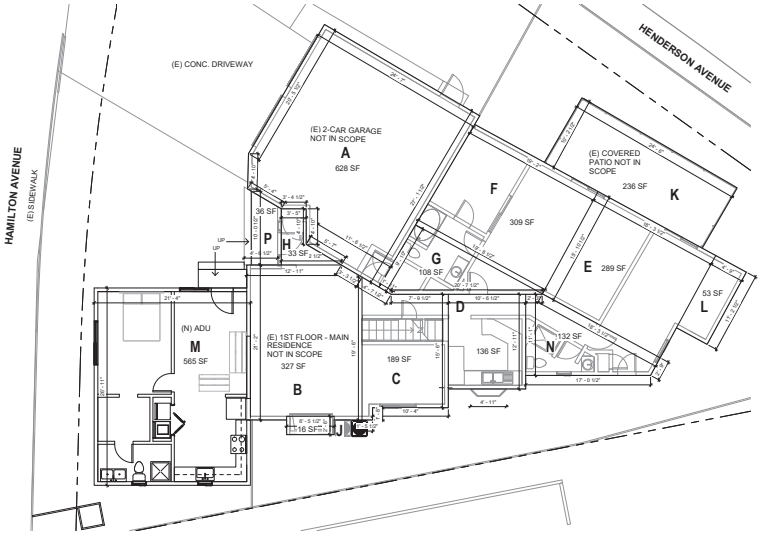
D6

FLOOR AREA LIMIT CALCULATION

AREA		DIMENSIONS	SF
FLOOR AREA LIMIT = 2,800 SF + 25% (11,857 SF - 7,000 SF) = 4,014 SF			
MAXIMUM BUILDING COVERAGE = 35% (11,857 SF) = 4,150 SF			
EXISTING FIRST FLOOR AREA = 2,440 SF			
	A		628 SF
	B		327 SF
	C		189 SF
	D		136 SF
	E	DIMENSIONS ON PLAN AREA BOUNDARIES	289 SF
	F		309 SF
	G		108 SF
	H		33 SF
	K		236 SF
	L		53 SF
	N		132 SF
	TOTAL EXISTING FIRST FLOOR		**2,440 SF**
EXISTING CARPORT AND ACCESSORY BUILDINGS = 249 SF			
	CARPORT	9' - 5 1/2" X 18' - 6"	176 SF
	SMALL SHED	7' - 3 1/2" X 3' - 8"	27 SF
	LARGE SHED	7' - 11" X 5' - 10"	46 SF
	TOTAL CARPORT AND ACCESSORY BUILDINGS		**249 SF**
EXISTING GARAGE AREA GREATER THAN 12 FEET (AREA A2) = 380 SF			
EXISTING SECOND FLOOR AREA = 1,241 SF			
	Q		681 SF
	S		46 SF
	T		171 SF
	U		44 SF
	V	DIMENSIONS ON PLAN AREA BOUNDARIES	49 SF
	W		32 SF
	X (NOT INCLUDING STAIRCASE)		103 SF
	Y		89 SF
	Z		26 SF
	TOTAL EXISTING SECOND FLOOR		**1,241 SF**
TOTAL EXISTING FLOOR AREA = 4,310 SF			
(TOTAL 1ST FLOOR + TOTAL CARPORT AND ACCESSORY BUILDINGS + GARAGE GREATER THAN 12' + TOTAL 2ND FLOOR = 2,440 SF + 249 SF + 380 SF + 1,241 SF = 4,310 SF)			
TOTAL EXISTING BUILDING COVERAGE = 2,741 SF			
	TOTAL EXISTING 1ST FLOOR		2,440 SF
	TOTAL CARPORT AND ACCESSORY BUILDINGS		249 SF
	J	6' - 5 1/2" X 2' - 6"	16 SF
	P (COVERED PORCH)		36 SF
	TOTAL EXISTING BUILDING COVERAGE		**2,741 SF**
PROPOSED ADU (AREA M) = 565 SF (SAME FLOOR AREA AND BUILDING COVERAGE FOR ADU)			
TOTAL PROPOSED FLOOR AREA = 4,061 SF + 565 SF = 4,626 SF			
	TOTAL EXISTING 1ST FLOOR		2,440 SF
	TOTAL GARAGE GREATER THAN 12'		380 SF
	TOTAL 2ND FLOOR		1,241 SF
	TOTAL PROPOSED FLOOR AREA		4,061 SF
	TOTAL PROPOSED FLOOR AREA WITH ADU		4,626 SF
TOTAL PROPOSED BUILDING COVERAGE = 2,741 SF + 565 SF = 3,057 SF			
	TOTAL EXISTING 1ST FLOOR		2,440 SF
	J + P		52 SF
	TOTAL PROPOSED BUILDING COVERAGE		2,492 SF
	TOTAL PROPOSED BUILDING COVERAGE WITH ADU		3,057 SF



2 (E) Second Floor - F.A.L.
1/8" = 1'-0"



1 First Floor - F.A.L.
1/8" = 1'-0"

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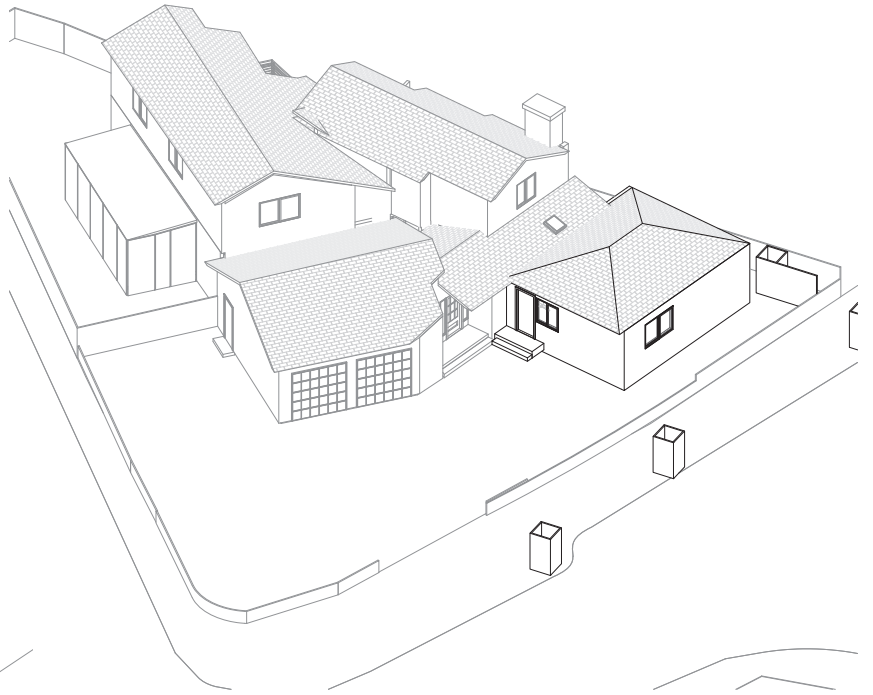
DATE	11.20.22
SCALE	1/8" = 1'-0"
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DRAWN BY	Author

FLOOR AREA DIAGRAMS

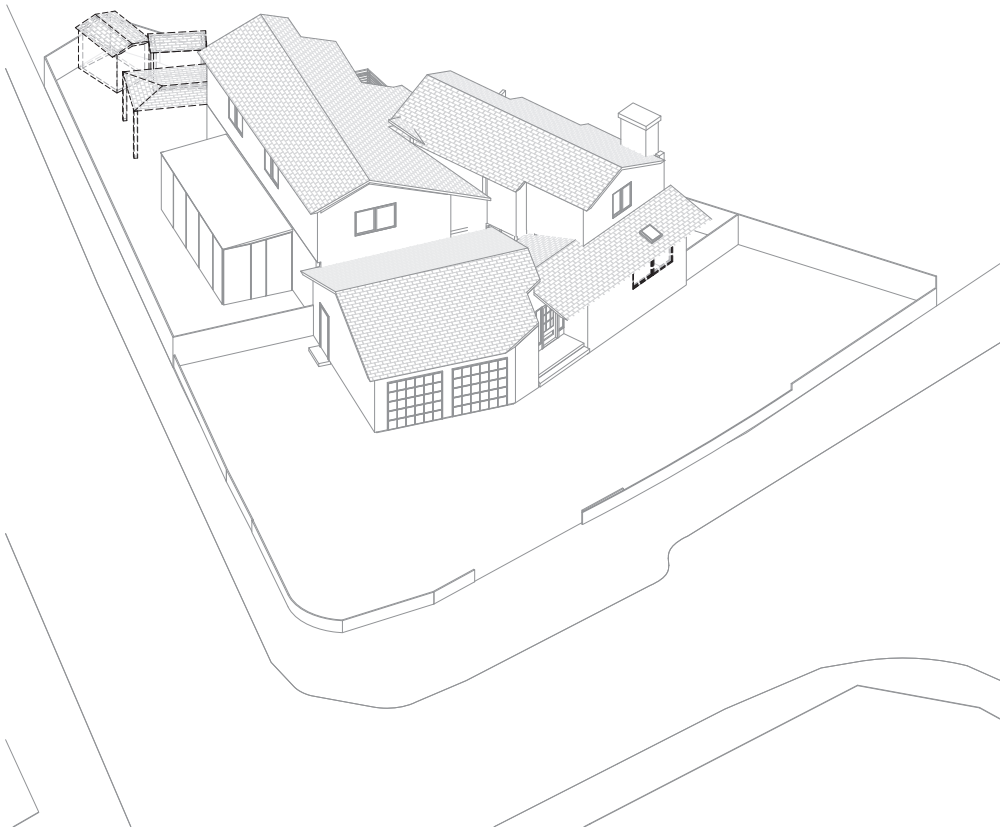
SHEET TITLE

A2.3

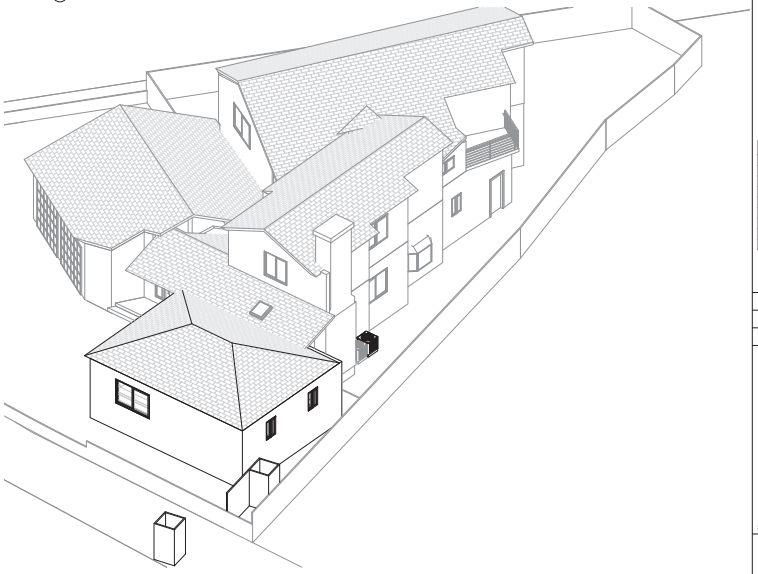
SHEET NO.



1 PROPOSED ADU FRONT VIEW



2 EXISTING & DEMOLITION



3 PROPOSED ADU SIDE VIEW

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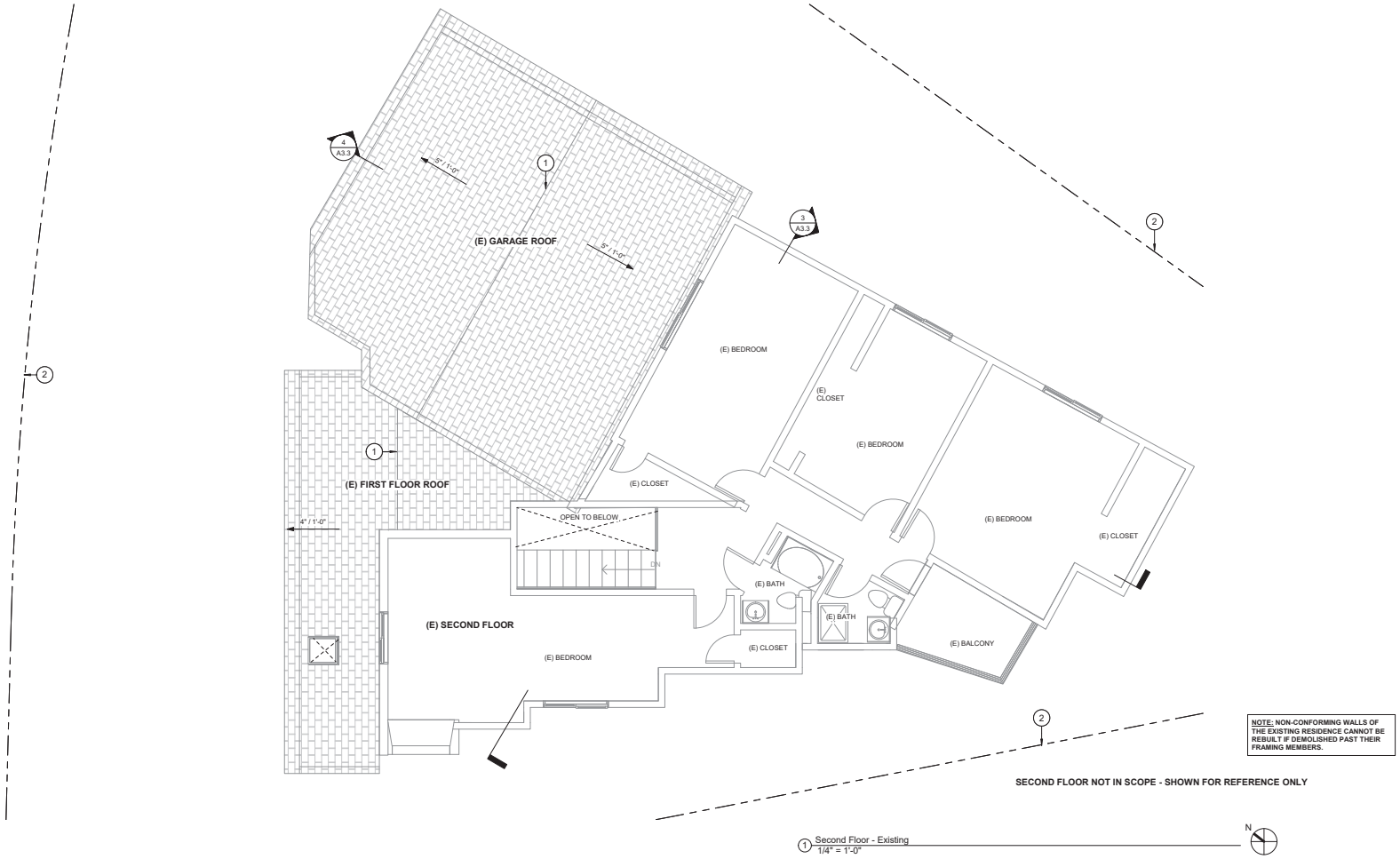
VIEWS

SHEET TITLE

A2.4

SHEET NO.

D8



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8. ALL EXISTING NON-COMPLIANT PLUMBING FIXTURES (BASED ON WATER EFFECIENCY TABLE) THROUGHOUT THE HOUSE SHALL BE UPGRADED PER THE WATER CONSERVING FIXTURE CHART/ TABLE SHOWN ON PLUMBING PLAN.
9. THE DECK SHOULD SLOPE 1/4":1' TO DRAIN.
10. ALL PENETRATIONS OR OPENINGS IN CONSTRUCTION ASSEMBLIES FOR PIPING, ELECTRICAL DEVICES, RECESSED CABINETS, BATHTUBS, SOFFITS OR HEATING, VENTILATING OR EXHAUST DUCTS SHALL BE SEALED, LINED, INSULATED FOR A STC RATING OF MIN. 50.
11. ALL PENETRATIONS SHALL BE PROTECTED BY FIRESTOP SYSTEM. SEE DETAILS SHEET A5.1.
12. ALL (N) EXTERIOR WALLS WILL HAVE (N) ONE LAYER OF NO.15 ASPHALT FELT, FREE FROM HOLES & BREAKS, COMPLYING W/ ASTM D226 FOR TYPE 1 FELT APPLIED OVER STUDS OR SHEATHING.
13. RANGE HOODS SHALL BE SIZED PER THE MANUFACTURER'S SPECIFICATIONS FOR THE APPLIANCE SERVED & CABINETS SHALL MEET ALL CLEARANCES HORIZONTALLY & VERTICALLY PER LISTING.
14. ALL (N) EXTERIOR WALLS TO RECEIVE (N) STUCCO FINISH AND PAINT TO MATCH (E) HOUSE.

Keynotes

Indicated by (X)→ on the plans

1 (E) ROOF RIDGE TO REMAIN AS IS.
2 PROPERTY LINE.

Legend

- EXISTING WALL TO REMAIN
- EXISTING NON-BEARING WALL OR WALL FURRING TO BE DEMOLISHED
- EXISTING WINDOW TO BE DEMOLISHED (INCLUDING FRAME)
- EXISTING DOOR TO BE DEMOLISHED (INCLUDING FRAME)
- NOT IN SCOPE
- NEW FULL HEIGHT WALL: 2x DF @ 16" O.C. W/ 3/4" THK. SOUND ATTENUATION GLASS FIBER BATT INSULATION, STC RATING 50 W/ 5/8" GYP. BD. BOTH SIDES U.O.N. AT TILED WALLS USE 5/8" CEMENT BD. U.O.N. PROVIDE LEVEL 4 SMOOTH FINISH. PAINT P1 U.O.N.
- NEW DOOR , SEE SCHEDULE
- NEW WINDOW , SEE SCHEDULE
- 101 DOOR TAG. SEE SCHEDULE
- W10 WINDOW TAG. SEE SCHEDULE
- CO CARBON MONOXIDE ALARM (NO COMBINATION ALARMS)
- SD SMOKE ALARM (PHOTOELECTRIC) HARD WIRED, INTERCONNECTED
- NEW 1-HR RATED WALL. SEE DETAIL ON A5.1

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RESIDENTIAL ADDITION FOR

NAMIT RAISURANA

LICENSED ARCHITECT
SHARMILA SUBRAMANIAM
No. C-32214
REN. 07/31/2023
STATE OF CALIFORNIA
sharmila subramanian

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No.	Description	Date

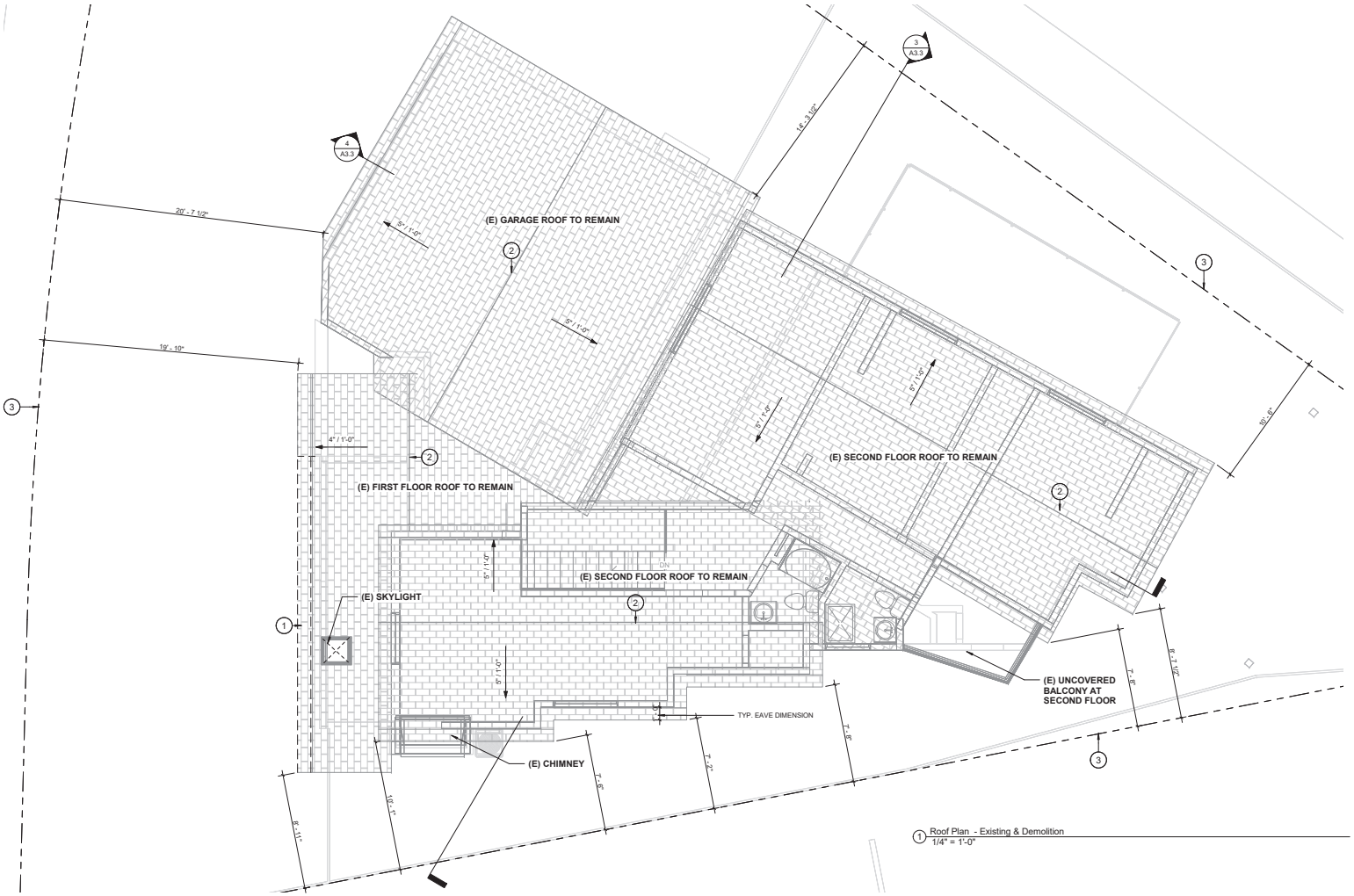
DATE	10.25.22
SCALE	1/4" = 1'-0"
PROJECT ID	2021.23
DRAWN BY	Author

EXISTING SECOND FLOOR PLAN

SHEET TITLE

A2.5

SHEET NO.



1 Roof Plan - Existing & Demolition
1/4" = 1'-0"

N

NOTE: NON-CONFORMING WALLS OF THE EXISTING RESIDENCE CANNOT BE REBUILT IF DEMOLISHED PAST THEIR FRAMING MEMBERS.

General Notes

1. A SPHERE 4" IN DIAMETER MAY NOT PASS THROUGH RAIL.
2. A GRASPABLE HANDRAIL EXTENDING 6" PAST THE TOP AND BOTTOM RISERS 34"-38" ABOVE THE STAIR NOSING IS REQUIRED AT STAIRS HAVING THREE OR MORE RISERS. IN A SINGLE FAMILY DWELLING, THE GUARDRAIL HEIGHT AT THE STAIRS MAY MATCH THE HANDRAIL HEIGHT, AND A 6" SPHERE MAY PASS THROUGH AT THE STAIR TREAD.
3. SHOWER FLOOR AND WALLS WITH INSTALLED SHOWER HEADS AND IN SHOWER COMPARTMENTS SHALL BE FINISHED WITH A NONABSORBENTSURFACE. SUCH WALL SURFACES SHALL EXTEND TO A HEIGHT OF NOT LESS THAN 6 FEET ABOVE THE FLOOR. CRC R307.2 & R702.3.8.1.
4. THE BLUE BOARD SHALL BE USED IN SHOWER AREA ADDITIONALLY.
5. SHOWERS SHALL BE EQUIPPED W/ A PRESSURE/BALANCE THERMOSTATIC MIXING VALVE, MAX. FLOW OF ANY SHOWER HEADS OR HANDHELD OUTLETS CONTROLLED BY DIVERTER VALVE SHALL BE 1.8 GPM COMBINED.
6. THE SHOWER DOOR SHALL BE TEMPERED GLASS. CRC R308.4.1.
7. (N) SHOWER COMPARTMENTS SHALL HAVE A MIN. FINISHED DAM, CURB, OR THRESHOLD NOT LESS THAN 2" OR EXCEEDING 9" IN DEPTH, W/ AN INTERIOR OF 1,024 SQ.IN. & SHALL ALSO BE CAPABLE OF ENCOMPASSING A 30" DIA. CIRCE MEASURED TO THE CENTER OF THE THRESHOLD. SHOWER ENTRANCE SHALL BE PROVIDED WITH A MIN. 22" CLR. OPENING & W/ A DOOR SLIDING OR OUTWARD SWINGING. ANY GLAZING WITHIN 60" RADIUS OF TUB/SHOWER ENCLOSURES SHALL BE TEMPERED SAFETY GLASS. THE SHOWER DOOR SHALL BE TEMPERED GLASS. CRC R308.4.1.
8. ALL EXISTING NON-COMPLIANT PLUMBING FIXTURES (BASED ON WATER EFFECIENCY TABLE) THROUGHOUT THE HOUSE SHALL BE UPGRADED PER THE WATER CONSERVING FIXTURE CHART/ TABLE SHOWN ON PLUMBING PLAN.
9. THE DECK SHOULD SLOPE 1/4":1' TO DRAIN.
10. ALL PENETRATIONS OR OPENINGS IN CONSTRUCTION ASSEMBLIES FOR PIPING, ELECTRICAL DEVICES, RECESSED CABINETS, BATHTUBS, SOFFITS OR HEATING, VENTILATING OR EXHAUST DUCTS SHALL BE SEALED, LINED, INSULATED FOR A STC RATING OF MIN. 50.
11. ALL PENETRATIONS SHALL BE PROTECTED BY FIRESTOP SYSTEM. SEE DETAILS SHEET.
12. ALL (N) EXTERIOR WALLS WILL HAVE (N) ONE LAYER OF NO.15 ASPHALT FELT, FREE FROM HOLES & BREAKS, COMPLYING W/ ASTM D226 FOR TYPE 1 FELT APPLIED OVER STUDS OR SHEATHING.
13. RANGE HOODS SHALL BE SIZED PER THE MANUFACTURER'S SPECIFICATIONS FOR THE APPLIANCE SERVED & CABINETS SHALL MEET ALL CLEARANCES HORIZONTALLY & VERTICALLY PER LISTING.
14. ALL (N) EXTERIOR WALLS TO RECEIVE (N) STUCCO FINISH AND PAINT TO MATCH (E) HOUSE.

Keynotes

Indicated by (X)⟶ on the plans

1 REMOVE (E) FIRST FLOOR ROOF OVERHANG, GUTTERS & DOWNSPOUTS AT (N) ADU.
2 (E) ROOF RIDGE TO REMAIN AS IS.
3 PROPERTY LINE.

Legend

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SCALE	1/4" = 1'-0"
PROJECT ID	2021.23
DRAWN BY	Author

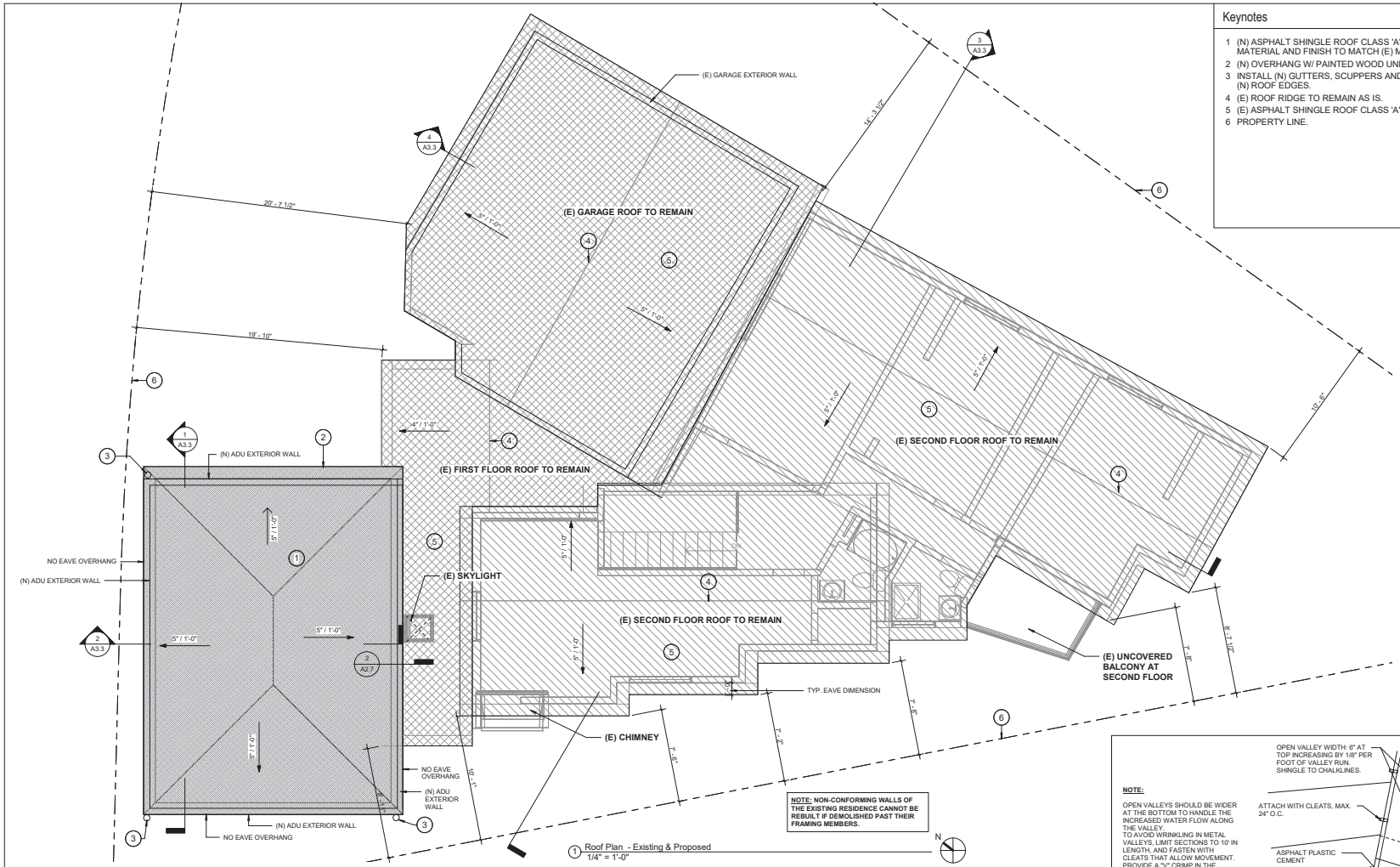
EXISTING & DEMOLITION ROOF PLAN

SHEET TITLE

A2.6

SHEET NO.

D10



1 Roof Plan - Existing & Proposed
1/4" = 1'-0"

Keynotes

Indicated by (X)→ on the plans

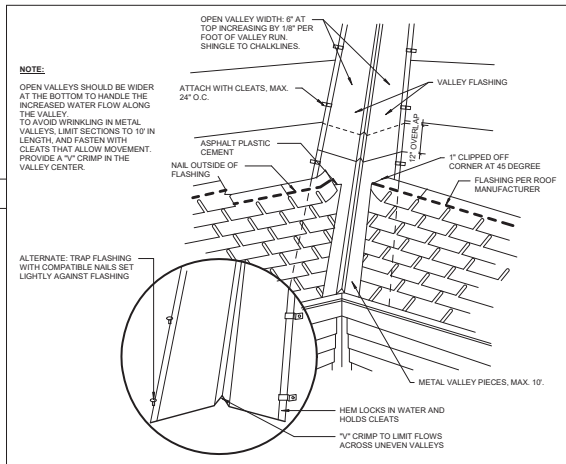
1. (N) ASPHALT SHINGLE ROOF CLASS 'A' FIRE RESISTANT, (N) ROOF SLOPE. MATERIAL AND FINISH TO MATCH (E) MAIN HOUSE ROOF.
2. (N) OVERHANG W/ PAINTED WOOD UNDERSIDE & FASCIA.
3. INSTALL (N) GUTTERS, SCUPPERS AND DOWNSPOUTS AS INDICATED ALONG ALL (N) ROOF EDGES.
4. (E) ROOF RIDGE TO REMAIN AS IS.
5. (E) ASPHALT SHINGLE ROOF CLASS 'A' FIRE RESISTANT.
6. PROPERTY LINE.

General Notes

1. A SPHERE 4" IN DIAMETER MAY NOT PASS THROUGH RAIL.
2. A GRASPABLE HANDRAIL EXTENDING 6" PAST THE TOP AND BOTTOM RISERS 34"-38" ABOVE THE STAIR NOSING IS REQUIRED AT STAIRS HAVING THREE OR MORE RISERS. IN A SINGLE FAMILY DWELLING, THE GUARDRAIL HEIGHT AT THE STAIRS MAY MATCH THE HANDRAIL HEIGHT, AND A 6" SPHERE MAY PASS THROUGH AT THE STAIR TREAD.
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4. THE BLUE BOARD SHALL BE USED IN SHOWER AREA ADDITIONALLY.
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14. ALL (N) EXTERIOR WALLS TO RECEIVE (N) STUCCO FINISH AND PAINT TO MATCH (E) HOUSE.

Legend

- PROPERTY LINE
- EXISTING SECOND FLOOR ROOFING TO REMAIN
- EXISTING FIRST FLOOR ROOFING TO REMAIN
- NEW ADU ROOFING



2 (E) MAIN HOUSE & (N) ADU ROOF INTERSECTION VALLEY DETAIL
1/2" = 1'-0"

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PROJECT ID	2021.23
DRAWN BY	Author

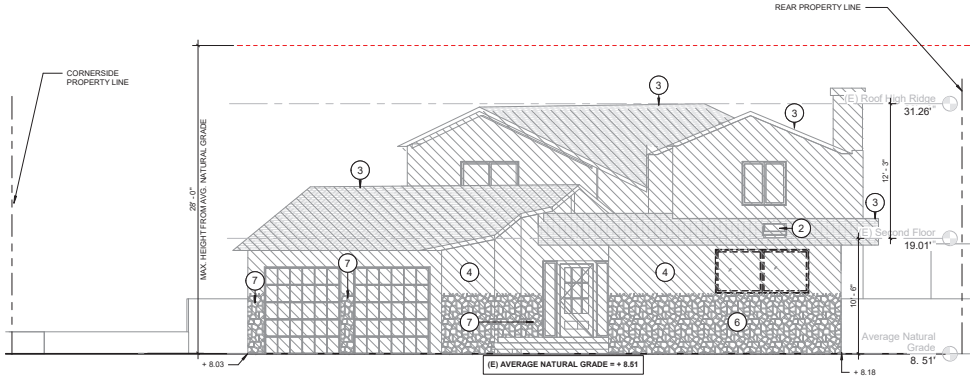
PROPOSED ROOF PLAN

SHEET TITLE

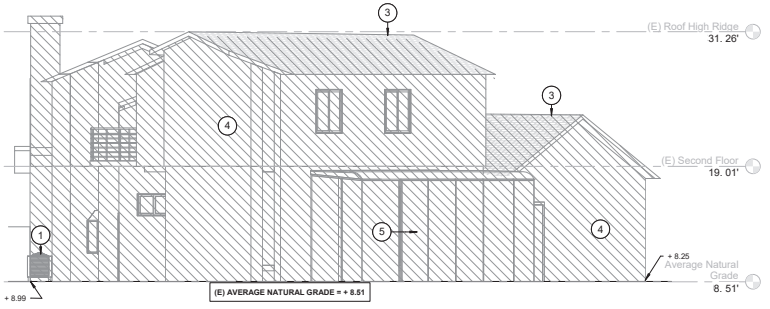
A2.7

SHEET NO.

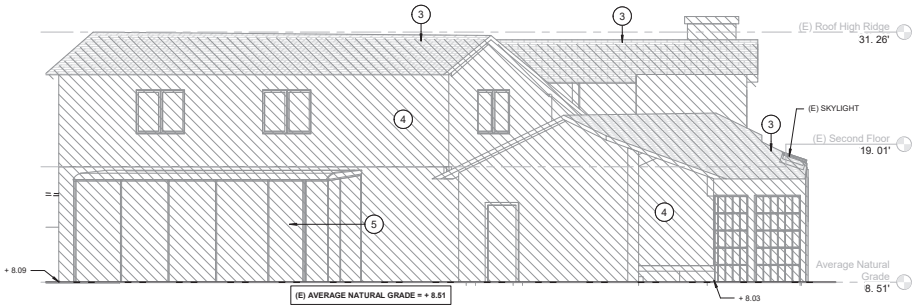
D11



3 FRONT ELEVATION - EXISTING & DEMOLITION
3/16" = 1'-0"



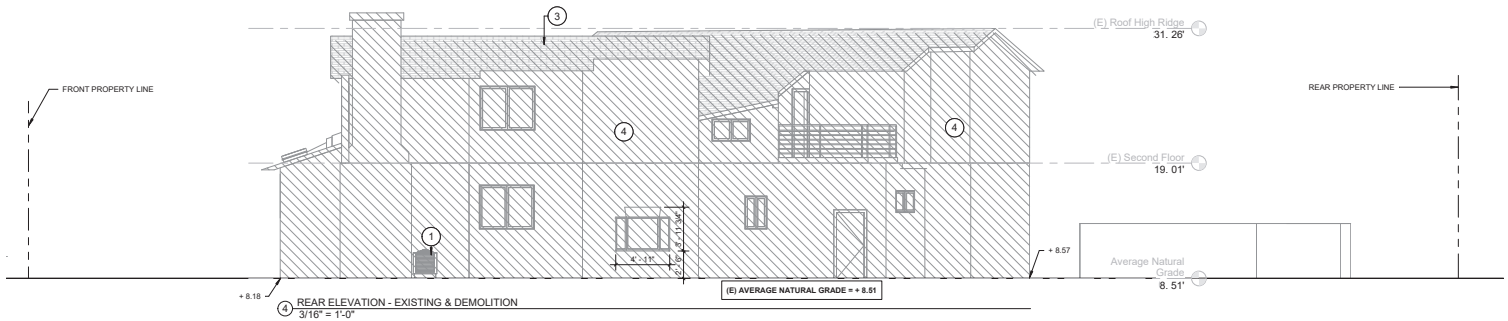
1 EAST PROPERTY CORNER ELEVATION - EXISTING & DEMOLITION
3/16" = 1'-0"



2 CORNER LEFT SIDE ELEVATION - EXISTING & DEMOLITION
3/16" = 1'-0"

NOTES:

1. **ALL (E) WINDOW FRAMES ARE WHITE VINYL. (E) FRONT ENTRY DOOR FRAME IS NATURAL WOOD FINISH. (E) MAIN GARAGE DOOR FRAMES ARE PAINTED WOOD. (E) REAR ENTRY BENEATH BALCONY, SIDE ENTRY DOOR AT GARAGE AND BALCONY ENTRY DOORS ARE PAINTED WOOD FRAME.**



4 REAR ELEVATION - EXISTING & DEMOLITION
3/16" = 1'-0"

General Notes

1. PATCH, REPAIR AND INFILL ALL EXTERIOR WALL OPENINGS WHERE (E) WINDOWS ARE BEING DEMOLISHED WITH (N) 2X DF STUDS AS NEEDED TO MAINTAIN SHEAR.
2. CONTRACTOR TO V.I.F. EXACT LOCATIONS OF ALL (E) OPENINGS.

Legend

- EXISTING TO REMAIN
- DEMOLITION
- EXISTING WINDOW & DOOR TO BE DEMOLISHED (INCLUDING FRAME)
- NOT IN SCOPE

Keynotes

Indicated by (X)→ on the plans

1 (E) AC HEAT PUMP CONDENSER FOR MAIN RESIDENCE.
2 (E) SKYLIGHT.
3 (E) ASPHALT SHINGLE ROOF CLASS 'A' FIRE RESISTANT.
4 ALL (E) EXTERIOR WALLS OF MAIN RESIDENCE & GARAGE HAVE PAINTED STUCCO FINISH.
5 (E) METAL FRAMED GLASS WALLS ON THREE SIDES & ROOF AT COVERED SIDE PATIO.
6 REMOVE (E) STONE VENEER CLADDING AT THIS ELEVATION FOR (N) ADU WALL.
7 (E) STONE VENEER CLADDING.

NOTE: NON-CONFORMING WALLS OF THE EXISTING RESIDENCE CANNOT BE REBUILT IF DEMOLISHED PAST THEIR FRAMING MEMBERS.

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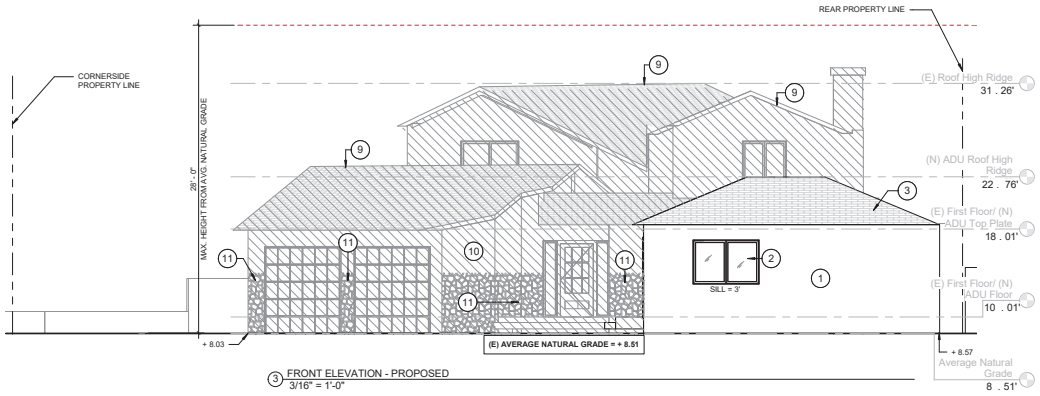
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SCALE	As indicated
PROJECT ID	2021.23
DRAWN BY	Author

EXTERIOR ELEVATIONS - EXISTING & DEMOLITION

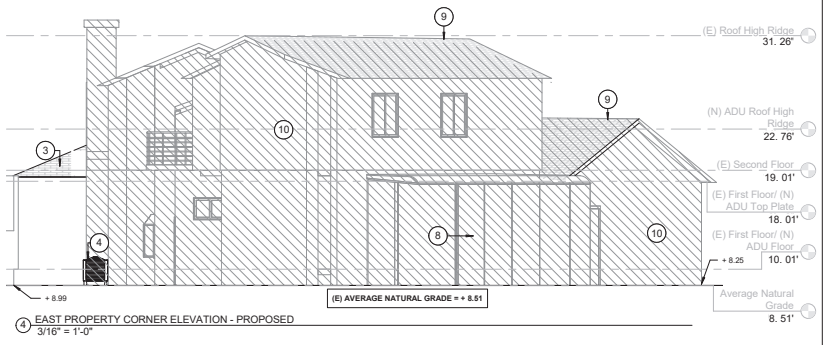
SHEET TITLE

A3.1

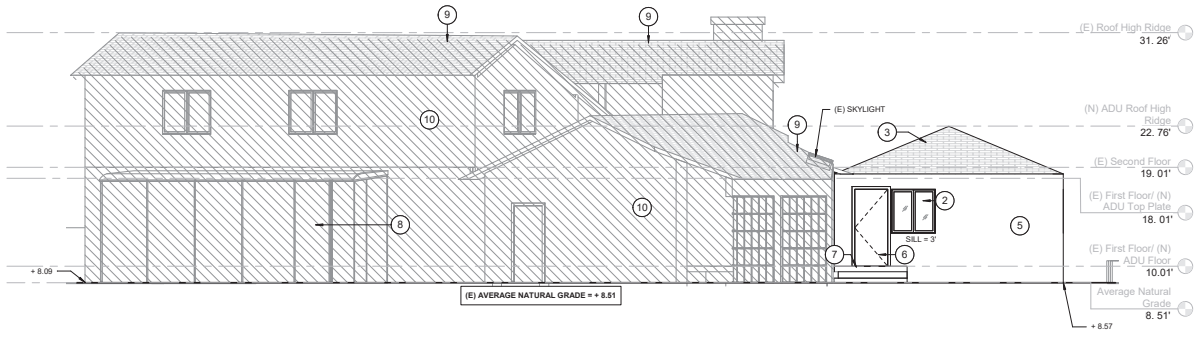
SHEET NO.



3 FRONT ELEVATION - PROPOSED
3/16" = 1'-0"



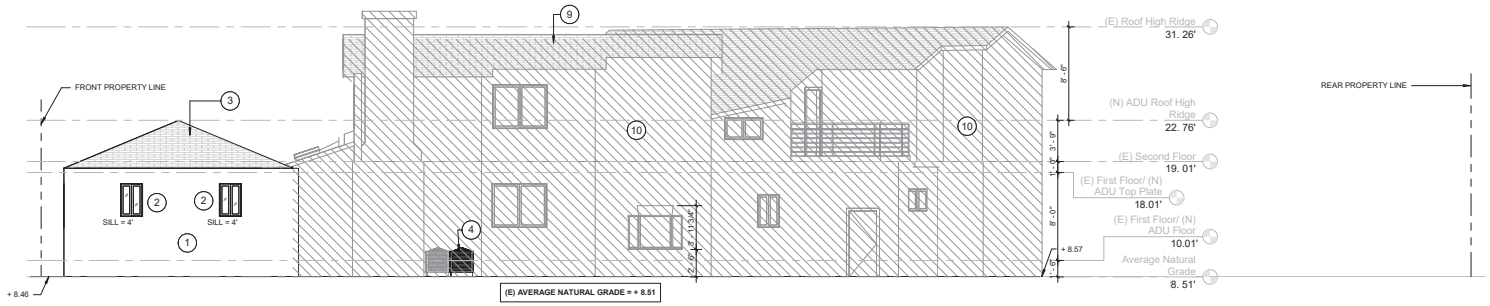
4 EAST PROPERTY CORNER ELEVATION - PROPOSED
3/16" = 1'-0"



2 CORNER LEFT SIDE ELEVATION - PROPOSED
3/16" = 1'-0"

NOTES:

1. **(E) GARAGE DOOR & FRAME IS PAINTED WOOD. (E) MAIN ENTRY DOOR IS PAINTED WOOD.**
2. **NON-CONFORMING WALLS OF THE EXISTING RESIDENCE CANNOT BE REBUILT IF DEMOLISHED PAST THEIR FRAMING MEMBERS.**
3. **ALL (N) WINDOW FRAMES ARE WHITE VINYL TO MATCH (E) MAIN HOUSE WINDOW FRAMES. (N) ADU MAIN ENTRY DOOR IS PAINTED WOOD FRAME.**
4. **ALL (E) WINDOW FRAMES ARE WHITE VINYL. (E) FRONT ENTRY DOOR FRAME IS NATURAL WOOD FINISH. (E) MAIN GARAGE DOOR FRAMES ARE PAINTED WOOD. (E) REAR ENTRY BENEATH BALCONY, SIDE ENTRY DOOR AT GARAGE AND BALCONY ENTRY DOORS ARE PAINTED WOOD FRAME.**



1 REAR ELEVATION - PROPOSED
3/16" = 1'-0"

General Notes

1. THE ADDRESS NUMERALS MUST BE CLEARLY VISIBLE & LEGIBLE FROM THE ADJACENT PUBLIC WAY OR STREET WILL BE PROVIDED WITH THE FOLLOWING STANDARDS (CRC R319):
2. ADDRESS NUMBERS SHALL BE INTERNALLY OR EXTERNALLY LIT DURING NON-DAYLIGHT HOURS. LIGHTING MUST BE ON ALL THE TIME (TYPICAL OF LOW VOLTAGE UNITS) OR IF LIT ONLY DURING NON-DAYLIGHT HOURS, SWITCHING SHALL BE CONTROLLED BY A TIME CLOCK OR A PHOTO SENSOR. BATTERY OR PHOTO CELL POWERED UNITS CANNOT BE USED FOR REQUIRED ADDRESS.
3. ADDRESS NUMBERS SHALL BE AT LEAST 4" HIGH AND INSTALLED ON A CONTRASTING BACKGROUND & SHALL READ FROM LEFT TO RIGHT. VERTICALLY POSITIONED NUMBERS CANNOT BE USED.
4. ADDRESS NUMBERS SHALL BE PLACED IN SUCH A LOCATION THAT EMERGENCY CREWS CAN READ THE ADDRESS FROM THE STREET FRONTING THE DWELLING.
5. THE NFRC LABEL WHICH STATES THE REQUIRED U-VALUE & SHGC FOR ALL FENETRATION PRODUCTS SHALL NOT BE REMOVED PRIOR TO INSPECTION OR THE REMOVAL BY A BUILDING INSPECTOR & SHALL REFLECT THE VALUES LISTED IN THE ENERGY REPORT.
6. ALL STAIRS WILL HAVE MAX. 7" HIGH RISER & MIN. 11" WIDE TREADS.

Keynotes

Indicated by (X) on the plans

1 (N) 1-HR FIRE RATED WALL CONTINUOUS FROM FLOOR TO ROOF.
2 (N) JELD-WEN VINYL, GLASS SLIDING WINDOW. MATCH FRAME COLOR TO (E) MAIN HOUSE WINDOWS.
3 (N) ASPHALT SHINGLE ROOF CLASS 'A' FIRE RESISTANT, (N) ROOF SLOPE. MATERIAL AND FINISH TO MATCH (E) MAIN HOUSE ROOF.
4 (N) AC HEAT PUMP CONDENSER FOR ADU. NOT TO EXCEED 60 DBA DURING THE DAYTIME HOURS OR 50 DBA DURING THE NIGHTTIME HOURS AT THE NEAREST RESIDENTIAL PROPERTY LINE.
5 (N) 2X @ 16" O.C. DF STUD WALL TYP., S.S.D. R19 BATT INSULATION TO BE INSTALLED IN ALL (N) EXTERIOR WALLS. (N) STUCCO TO MATCH FINISH OF (E) MAIN HOUSE EXTERIOR WALLS.
6 (N) MAIN ENTRY PAINTED WOOD DOOR, J-SWING.
7 (N) CONCRETE STEPS.
8 (E) METAL FRAMED GLASS WALLS ON THREE SIDES & ROOF AT COVERED SIDE PATIO.
9 (E) ASPHALT SHINGLE ROOF CLASS 'A' FIRE RESISTANT.
10 ALL (E) EXTERIOR WALLS OF MAIN RESIDENCE & GARAGE HAVE PAINTED STUCCO FINISH.
11 (E) STONE VENEER CLADDING.

Legend

EXISTING TO REMAIN
NEW CONSTRUCTION
NEW WINDOWS
NOT IN SCOPE

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REVISIONS

No.	Description	Date

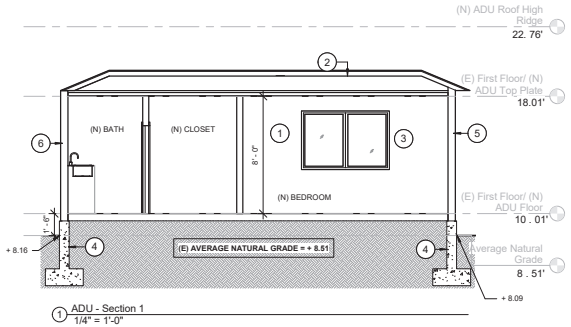
DATE	11.20.22
SCALE	As indicated
PROJECT ID	2021.23
DRAWN BY	Author

EXTERIOR ELEVATIONS - PROPOSED

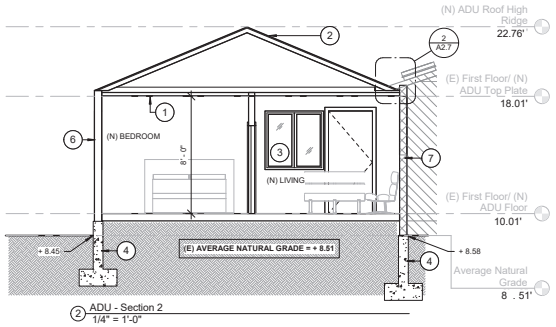
SHEET TITLE

A3.2

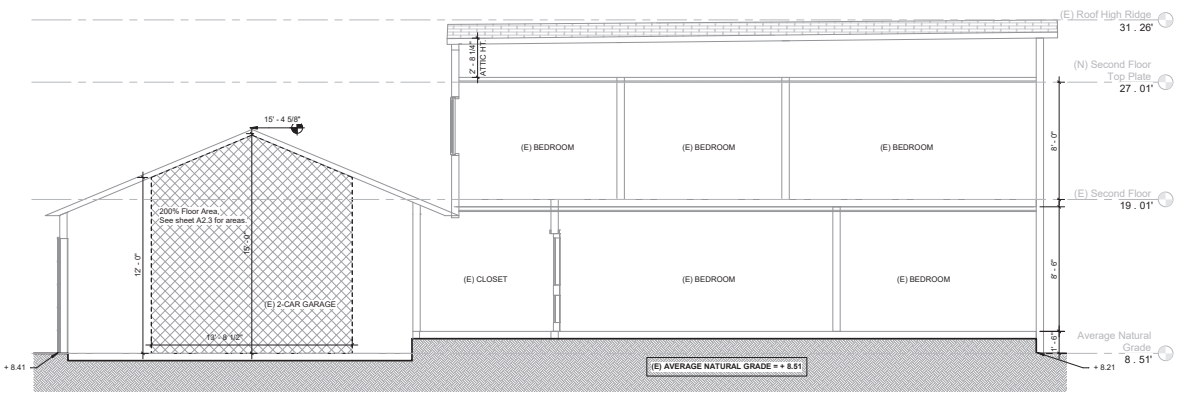
SHEET NO.



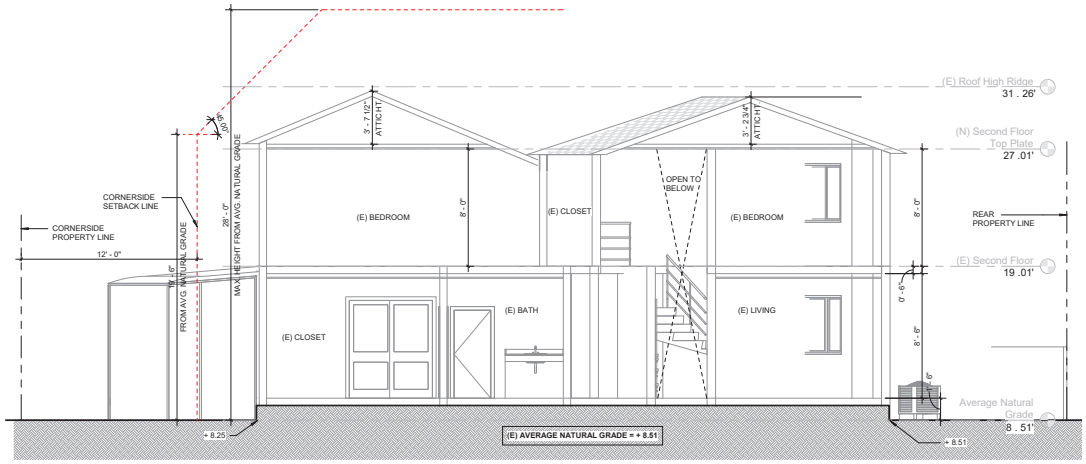
1 ADU - Section 1
1/4" = 1'-0"



2 ADU - Section 2
1/4" = 1'-0"



4 Section 3
1/4" = 1'-0"



3 Section 4
1/4" = 1'-0"

Keynotes

Indicated by (X)→ on the plans

1 (N) GYP. BD. CEILING. PROVIDE LEVEL 4 SMOOTH FINISH.
2 (N) ASPHALT SHINGLE ROOF CLASS 'A' FIRE RESISTANT, (N) ROOF SLOPE. MATERIAL AND FINISH TO MATCH (E) MAIN HOUSE ROOF.
3 (N) JELD-WEN VINYL, GLASS SLIDING WINDOW. MATCH FRAME COLOR TO (E) MAIN HOUSE WINDOWS.
4 (N) CONCRETE FOUNDATION.
5 (N) 2X @ 16" O.C. DF STUD WALL TYP., S.S.D. R19 BATT INSULATION TO BE INSTALLED IN ALL (N) EXTERIOR WALLS. (N) STUCCO TO MATCH FINISH OF (E) MAIN HOUSE EXTERIOR WALLS.
6 (N) 1-HR FIRE RATED WALL CONTINUOUS FROM FLOOR TO ROOF.
7 (N) 1-HR FIRE RATED ASSEMBLY BETWEEN (N) ADU & EXISTING HOUSE .

Existing House Photos



HENDERSON AVENUE VIEW



HAMILTON AVENUE VIEW

3987 SKYLINE DRIVE
HAYWARD, CA 94542
T: 510.415.4158
E: sharmila@ssa-arc.com

SSA

598 HAMILTON AVENUE, MENLO PARK, CA

RESIDENTIAL ADDITION FOR

NAMIT RAISURANA

LICENSED ARCHITECT
SHARMILA SUBRAMANIAM
No. C-32214
REN. 07/31/2023
STATE OF CALIFORNIA
sharmila subramaniam

STAMP

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REVISIONS

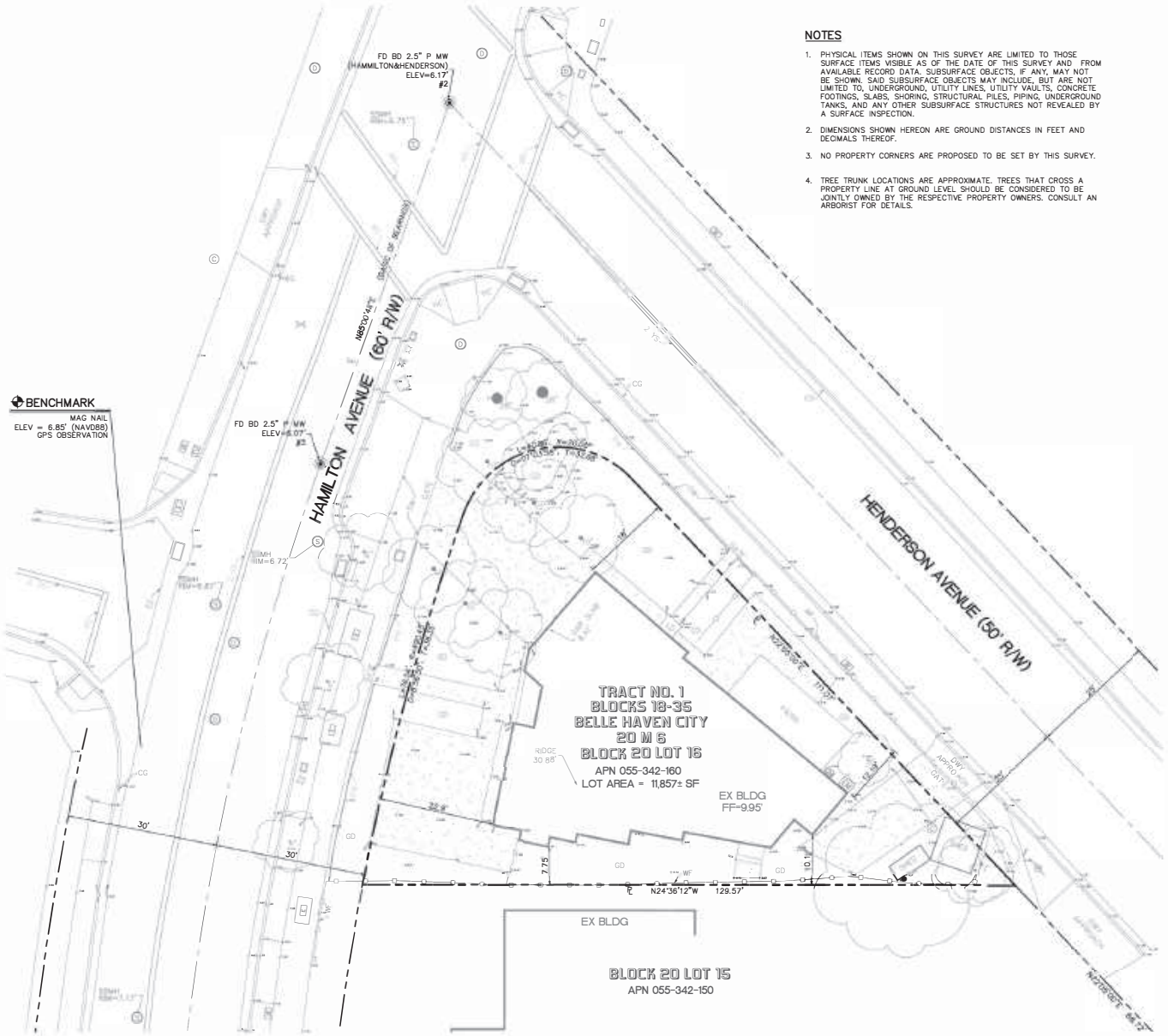
No.	Description	Date

DATE	10.25.22
SCALE	1/4" = 1'-0"
PROJECT ID	2021.23
DRAWN BY	Author

BUILDING SECTIONS

SHEET TITLE

SHEET NO. **A3.3**



NOTES

1. PHYSICAL ITEMS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SURFACE ITEMS VISIBLE AS OF THE DATE OF THIS SURVEY AND FROM AVAILABLE RECORD DATA. SUBSURFACE OBJECTS, IF ANY, MAY NOT BE SHOWN. SAID SUBSURFACE OBJECTS MAY INCLUDE, BUT ARE NOT LIMITED TO, UNDERGROUND, UTILITY LINES, UTILITY VAULTS, CONCRETE FOOTINGS, SLABS, SHORING, STRUCTURAL PILES, PIPING, UNDERGROUND TANKS, AND ANY OTHER SUBSURFACE STRUCTURES NOT REVEALED BY A SURFACE INSPECTION.
2. DIMENSIONS SHOWN HEREON ARE GROUND DISTANCES IN FEET AND DECIMALS THEREOF.
3. NO PROPERTY CORNERS ARE PROPOSED TO BE SET BY THIS SURVEY.
4. TREE TRUNK LOCATIONS ARE APPROXIMATE. TREES THAT CROSS A PROPERTY LINE AT GROUND LEVEL SHOULD BE CONSIDERED TO BE JOINTLY OWNED BY THE RESPECTIVE PROPERTY OWNERS. CONSULT AN ARBORIST FOR DETAILS.

LEGEND & ABBREVIATIONS

BENCHMARK
BORDER LINE
BOUNDARY
BUILDING OUTLINE
CATCH BASIN
STREET LIGHTING
CENTERLINE
PAVED
BRICK
CONCRETE
TACTILE
EXISTING CONTOUR
EASEMENT LINE
+70.69 EM ELECTRICAL METER
OR (70.69) EXISTING ELEVATION
EXISTING CHAIN LINK FENCE
EXISTING WOOD FENCE
EXISTING TREE AND DIAMETER
FLOW LINE
GAS METER
GUY POLE
GUY WIRE ANCHOR
EXISTING HYDRANT
JOINT POLE
LIGHT POST
MANHOLE
STREET MONUMENT
PROPERTY CORNER MONUMENT
MONUMENT LINE
PARCEL LINE / RIGHT OF WAY
PGE BOX
PVC PIPE AND DIAMETER
SANITARY SEWER CLEAN OUT
SANITARY SEWER MANHOLE
SANITARY SEWER STORMDRAIN
SETBACK LINE
STREET SIGN
TREE STUMP AND DIAMETER
UTILITY: EXISTING
WATER METER
WATER VALVE
BOLLARD
BOX
MAILBOX
TV CABLE

AC	ASPHALT CONCRETE
AD	AREA DRAIN
BD	BRASS DISC
BLDG	BUILDING
BOL	BOLLARD
BRC	BACK OF ROLLED CURB
BSL	BUILDING SETBACK LINE
BWK	BACK OF WALK
BWV	BACKFLOW WATER VALVE
CB	CATCH BASIN
CG	CURB & GUTTER
℄	CENTERLINE
CLF	CHAIN LINK FENCE
CLM	COLUMN
CONC	CONCRETE
COR	CORNER
DWY	DRIVEWAY
EA	EASEMENT
EC	EDGE OF CONCRETE
ELEV	ELEVATION
EM	ELECTRIC METER
E(OH)	ELECTRIC OVERHEAD
E(UG)	ELECTRIC UNDERGROUND
EP	EDGE OF PAVEMENT
EX	EXISTING
FF	FINISH ELEVATION OF SUBFLOOR
FG	GROUND FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
G	GAS LINE
GAR	GARAGE SLAB ELEVATION
GD	GROUND
GM	GAS METER
HC	HANDICAPPED
INV	INVERT
IEE	INGRESS AND EGRESS EASEMENT
IP	IRON PIPE
IRR	IRRIGATION
LD	LANDING
LIP	LIP OF GUTTER
LS	LANDSCAPED AREA
MH	MANHOLE
MON	MONUMENT
℄	PROPERTY LINE
PLTR	PLANTER
PP	POWER POLE
PRUE	PRIVATE SERVICES AND UTILITY EASEMENT
PSDE	PRIVATE STORM DRAINAGE EASEMENT
PSE	PUBLIC SERVICE EASEMENT
PSSE	PRIVATE SANITARY SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
PVAE	PRIVATE VEHICLE ACCESS EASEMENT
PVMT	PAVEMENT
RC	ROLLED CURB
RW	RETAINING WALL
R/W	RIGHT OF WAY
SDE	STORM DRAIN EASEMENT
SSCO	SANITARY SEWER CLEANOUT
SSE	SANITARY SEWER EASEMENT
SSMH	SANITARY SEWER MANHOLE / LATERAL
STLT	STREET LIGHTING BOX
SW	SIDEWALK
TEL	TELEPHONE BOX
TW	TOP OF WALL
TYP	TYPICAL
WCE	WIRE CLEARANCE EASEMENT
WF	WOOD FENCE
WLE	WATER LINE EASEMENT
WLK	WALKWAY
WS	WHITE STRIPE
WV	WATER VALVE
YS	YELLOW STRIPE

BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS MAP ARE BASED ON THE CENTERLINE OF HAMILTON AVENUE, AS SHOWN AS N85°00'48"E ON "HAMILTON PARK", RECORDED IN VOLUME 134 OF MAPS, AT PAGE 26, SAN MATEO COUNTY RECORDS.

SURVEYOR'S STATEMENT

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

H. W. CHUI
RCE NO. 32912 EXP.06-30-2022

05/15/202
DATE

REGISTERED PROFESSIONAL ENGINEER H. W. CHUI No. 32912 CIVIL STATE OF CALIFORNIA

NO	REVISIONS	DATE	APP'D

BY	
DESIGNED	
DRAWN	
SCALE	1" = 10'
CHECKED	
DATE	05/15/2022

LC ENGINEERING
598 E Santa Clara St #270
San Jose, CA 95112
Phone: (408) 806-7787

BOUNDARY MAP AND TOPOGRAPHIC SURVEY
598 HAMILTON AVENUE
APN 055-342-160
Menlo Park California

PROJECT NO.
CONTRACT NO.
DRAWING NO. CS-1
SHT NO.
FILE NO.

ROAD NAME : HAMILTON AVENUE

D15

SSA

Matt Pruter, Associate Planner
City of Menlo Park – Planning Division
701 Laurel Street, Menlo Park, CA 94025

Re: 598 Hamilton Avenue – Project Description Letter

Subject: Use Permit Application for front setback reduction. On behalf of the Owner, Namit Raisurana.

We are submitting the subject project for a Use Permit. We would like to add an attached Accessory Dwelling Unit (ADU) to the front yard of the existing single-family residence. The ADU comprises of 1 bedroom, 1 bathroom, living room, kitchen, closets, ceiling, lights, windows, raised floor & doors. We are requesting the front setback requirement of 20-foot to be reduced to zero (0') feet to allow sufficient area to accommodate a 1bedroom, 1bath ADU. We are requesting the rear setback requirement of 10-foot to be reduced to three (3') feet.

The existing residence has painted stucco exterior façade with asphalt shingle roofing system. The ADU will have exterior painted stucco finish to match that of the existing main house and the adjacent houses in the neighborhood. The roof will be Asphalt shingle to match that of the existing main house. All windows and exterior door of the ADU will match that of the existing house. The decision for these exterior materials is based on existing condition of the main house and all the houses in the adjacent neighborhood. The design of the ADU is to match that of the existing main house and neighborhood.

The new ADU will be a rental to meet the growing demands for housing in Menlo Park. This location for the new ADU is optimal since this site is well connected via public transportation to major tech - hubs such as the Facebook Campus. The State ADU ordinance was set specifically to address the housing shortage.

The property owner is requesting a front setback reduction due to the shape of the site & the existing building footprint. The property on the right-hand adjacent side (590 Hamilton Avenue) has an in-law unit/ADU in the rear and was able to accommodate that due to the rectangular shape of the site. All the adjacent sites around the subject property have rectangular shapes. Any additions that neighbor propose in future can be accommodated without asking for relief. There is very little we can do without being granted relief. The rear is tapered pointed and cannot accommodate any detached or attached units. We believe this to be an unusual circumstance – the triangular shape of the site and the existing house footprint. The existing front yard is large and has a setback more than the minimum required 20'. We plan to utilize that area of the front yard which at present is unused and prime real estate.

The ADU is only 1-story with an 8' top plate and high roof ridge at 14'-2" & does not block any windows of adjacent neighbors. See included support email letters from the adjacent neighbors on both Hamilton & Henderson Avenues. We would, therefore, submit that the granting of the Use Permit would not be detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to any adjacent property.

Sincerely,

Sharmila Subramaniam, Architect, License #C-32214, Cc: Namit Raisurana, Property Owner

Encl: Neighbor Support letters. Neighbor outreach was conducted via email on 01/12/22. The following properties provided support letters included in the next page –

606 Hamilton Avenue, Menlo Park, 590 Hamilton Avenue, Menlo Park

January 12, 2022

Christopher R. Turner, Assistant Planner
City of Menlo Park – Planning Division
701 Laurel Street, Menlo Park, CA 94025

Re: 598 Hamilton Avenue, Menlo Park, CA
Subject: Neighbor support letter for proposed Accessory Dwelling Unit (ADU). This letter provides adjacent neighbor's support to the proposed development.

Dear Christopher,
I am the owner at 606 Hamilton Avenue, the adjacent left side homeowner to the above proposal.
I fully support the addition of this ADU to the front yard of the property at 598 Hamilton Avenue. This addition blend with the existing character of the residence and the neighborhood. I am aware of the housing shortage in Menlo Park and this addition will only help reduce that. Also, will bring in additional rental tax revenue to the City & State. The ADU is aligned with the new State laws of providing additional in-law/ADU units to provide accommodation for all income groups.
We are hopeful that this letter will assist in the front setback reduction variance approval for this proposal. Feel free to contact me directly if you have any questions or need additional feedback.

Sincerely,
Jose M. Rendon

Jose Rendon
Property Owner at 606 Hamilton Avenue, Menlo Park
Jmrendon650@aol.com
650 4004548

January 21, 2022

Christopher R. Turner, Assistant Planner
City of Menlo Park – Planning Division
701 Laurel Street, Menlo Park, CA 94025

Re: 598 Hamilton Avenue, Menlo Park, CA

Subject: Neighbor support letter for proposed Accessory Dwelling Unit (ADU). This letter provides adjacent neighbor's support to the proposed development.

Dear Christopher,

I am the owner at 590 Hamilton Avenue, the adjacent right-side homeowner to the above proposal.

I fully support the addition of this ADU to the front yard of the property at 598 Hamilton Avenue.

We are hopeful that this letter will assist in the approval for this proposal. Feel free to contact me directly if you have any questions or need additional feedback.

Sincerely,

Christian Gurecki

Property Owner at 590 Hamilton Avenue, Menlo Park

Christian.gurecki@yahoo.com

Corporate Headquarters
1500 North Mantua Street
P.O. Box 5193
Kent, OH 4240-5193
330-673-5685
Toll Free 1-800-828-8312
Fax: 330-673-0860

Northern California Office
PO Box 5321
Larkspur, CA 94977
916-204-7902
Timothy.Moran@Davey.com

Arborist Report and Tree Protection Plan

598 Hamilton Avenue
Menlo Park, CA 94025
January 2022



Arborist Report & Tree Protection Plan for
176 East Creek Drive
Menlo Park, California 94025

Prepared for:

Sharmila Subramaniam
SSA
3687 Skyline Drive
Hayward, CA 94542

January 2022

Prepared by:

Davey Resource Group
A Division of The Davey Tree Expert Company
1500 North Mantua Street
Kent, OH 44240

Contact:

Tim Moran
ISA Arborist #WE-12426A
ISA Tree Risk Assessment Qualified
www.daveyresourcegroup.com

Notice of Disclaimer

Inventory data provided by Davey Resource Group is based on visual recording at the time of inspection. Visual records do not include testing or analysis and do not include aerial or subterranean inspection. Davey Resource group is not responsible for discovery or identification of hidden or otherwise non-observable risks. Records may not remain accurate after inspection due to variable deterioration of inventoried material and site disturbance. Davey Resource Group provides no warranty with respect to the fitness of the urban forest for any use or purpose whatsoever or for future outcomes of the inventoried trees.

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Summary

In December 2021, Davey Resource Group (DRG) was contracted by Sharmila Subramaniam of SSA to conduct a tree inventory and develop a tree protection plan for the trees in the area of impact on the property at 598 Hamilton Avenue in Menlo Park, CA. The request was made to assess the current condition of the trees and establish a protection plan based on the findings.

On January 10, 2022, an International Society of Arboriculture (ISA) Certified Arborist (Tim Moran, #WE-12426A) from Davey Resource Group conducted the evaluation of fourteen (14) trees that may be impacted by development. The trees were assessed by their location, size, current condition, health, structure, and form (and functional and external limitations for appraisal values). The current site plan was used to estimate the construction footprint in relation to the critical root zones (CRZ) of the trees in order to help guide construction, and to reduce potential impacts on the trees. Current plans include the addition of a 535 square foot ADU attached to the existing house on the north side of the structure (front patio and walkway). Tree information is summarized as follows:

- The fourteen (14) trees inventoried comprise three (3) species: London plane (3 trees), Mexican fan palms (2 trees), and Italian cypress (9 trees).
- The inventory encompasses the trees that may be impacted by the proposed construction (any trees with construction occurring within 10 times the trunk diameter or canopies that overhang the site).
- Three (3) trees are Menlo Park street trees and require a permit for any work within ten (10) feet from the trunk or five (5) times the diameter of the tree, whichever is greater. Under current plans, no excavation will occur within those limits, and the impact to the trees will be minimal to none. The trees should be protected with fencing as described.
- Two (2) of the trees are considered Heritage trees according to the City of Menlo Park (also considered by the city to be undesirable/invasive) and tree protection measures are required.
- Six (6) trees were in good condition and eight (8) trees were in fair condition.
- Tree heights ranged from 12 to 60 feet.
- Tree diameters at four and a half feet above grade/breast height (DBH) ranged from 4.9 to 25.8 inches.
- Two (2) trees will require removal under the current design plans, and twelve (12) trees may be retained; tree protection measures are provided.
- The total appraisal value (rounded) of the inventoried trees was $33, 900.00.

This report focuses on tree protection recommendations for tree preservation and provides the CRZs and SRZs of these trees for planning purposes. DRG has provided general site preservation recommendations based on the provided construction plans. Arborist monitoring of construction is required whenever work is performed within the critical root zones and work in structural root zones should be excavated by hand or with pneumatic air spade excavation tools. The trees identified for preservation should be monitored by a Certified Arborist at the end of construction and ongoing as needed.

Introduction

Background

Current plans for new construction at 598 Hamilton Avenue in Menlo Park include the addition of a 598 square foot accessory dwelling unit (ADU) on the existing single family home. The unit will be attached to the existing house on the north side, or front of the property, which currently consists of a front entrance concrete walkway and concrete patio area. The proposed project has the potential to impact trees on the property and on several city street trees. All trees over 4 inches in diameter on the property and adjacent properties with construction or excavation occurring within 10 times the DBH of the tree were assessed and evaluated for impacts, and to determine if any trees meet criteria for Heritage status as defined by the City of Menlo Park.

Assignment

The arborist visually assessed each tree on the site, and the required tree data were collected using a portable tablet device. Following data collection, specific tree preservation plan elements were calculated that identified each tree's critical and structural root zones (CRZ and SRZ) to better ensure survivability during the planned development. This report establishes the condition of the trees and canopy within the project area. The trees were visually assessed, and photo documented so that change in condition can be evaluated if needed.

Limits of the Assignment

Many factors can limit specific and accurate data when performing evaluations of trees, their conditions, and potential for failure or response to site disturbances. No soil or tissue testing was performed. All observations were made from the ground on January 10, 2022, and no soil excavation to expose roots was performed. The most recent development plans were available to assist in determining potential construction impacts. The determinations and recommendations presented here are based on current data and conditions that existed at the time of the evaluation and cannot be a predictor of the ultimate outcome for the evaluated trees in the future. No physical inspection of the upper canopy, sounding, resistance drilling, or other technologies were used in the evaluation of the trees.

Purpose and Use of Report

The purpose of this report is to provide a summary inventory of all trees within the project area of impact, including an assessment of the current condition and health, as well as providing a tree protection plan for all evaluated trees/canopies that may be impacted by construction plans. The findings in this report can be used to make informed decisions on design planning and be used to guide long-term care of the trees. This report and detailed tree protection plan can also be submitted to the City of Menlo Park for permitting purposes.

Observations

Methods

Only a visual inspection was used to develop the findings, conclusions, and recommendations found in this report. Data collection included measuring the diameter of significant trees at approximately 54 inches above grade (DBH), height estimation, a visual assessment of tree condition, structure, and health, and a photographic record. A rating percentage (0-100%) was assigned for each tree's health, structure, and form, and the lowest percentage was used as the overall tree condition. A preservation priority was assigned to each tree on a scale of 1 to 4: a rating of 1 representing the highest priority for protection due to excellent overall condition, unique specimen, or high value tree; a rating of 2 for a good to fair condition tree worthy of protection but not uniquely value; a rating of 3 for a fair condition tree that can be easily replaced; and a rating of 4 for trees in poor to critical condition that should be removed under most circumstances.

Site Observations

The project site is located in the Belle Haven neighborhood at 598 Hamilton Avenue in Menlo Park, CA. The parcel is a privately owned lot with an existing single family house. The lot parcel contains mostly shrubs and hedged trees (Oriental arborvitae and Italian cypress), with two (2) large Mexican fan palms in the front/side lawn and three (3) young street trees (London planes) in tree wells along the street. No trees in the backyard or on adjacent properties will be impacted and thus were not assessed.

Tree Observations

Fourteen (14) trees were assessed within the project area, comprising three (3) distinct non-native species: London plane (*Platanus* x *hispanica*), Mexican fan palm (*Washingtonia robusta*), and Italian cypress (*Cupressus sempervirens*). The trees are mostly mature, and tree condition ratings were good for six (6) trees and fair for eight (8) trees. Tree diameters ranged from 4.9 inches to 25.8 inches with an average of 10.0 inches. Tree heights ranged from 12 feet to 60 feet, with an average height of 23 feet.

A map of tree locations can be found in Appendix A. Tree photographs can be found in Appendix B and a complete Tree Inventory, Condition Assessment, and Tree Appraisal Values can be found in Appendix C.

Root Zone Calculations

The trunk diameters of the assessed trees are often used to determine the Critical Root Zone (CRZ). The CRZ is considered the ideal preservation area of a tree. It can be calculated by adding 1 foot of radius for every inch of trunk diameter measured at 4.5 feet from grade/breast height (DBH). For example; a tree with a DBH of 10 inches has a calculated CRZ radius of 10 feet from the trunk. The CRZ represents the typical rooting area required for tree health and survival. As this project is located in the City of Menlo Park, CRZ was substituted with the city standard of 10 times DBH to determine the Tree Protection Zone (TPZ) as seen in Table 1. Some impact (25% or less) within this zone is typically acceptable for average to good condition trees with basic mitigation/stress reduction measures. Construction activities should not occur within the TPZ of any tree to be retained. This includes but is not limited to the storage of materials, parking of vehicles, contaminating soil by washing out equipment, (concrete, paint, etc.), or changing soil grade.

The structural root zone was calculated using a commonly accepted method established by Dr. Kim Coder in *Construction Damage Assessments: Trees and Sites.*[1] In this method, the root plate size (i.e. pedestal roots, zone of rapid taper area, and roots under compression) and limit of disruption based upon tree DBH is considered as a minimum distance that any disruption should occur during construction. Significant risk of catastrophic tree failure exists if structural roots within this given radius are destroyed or severely damaged. The SRZ is the area where minimal or no disturbance should occur without arborist supervision. The TPZ and SRZ for the surveyed trees are listed in Appendix B, Table 2.

Conclusion and Recommendations

Based on visual evaluations and the impacts of proposed development, all trees that have the potential to be impacted may be retained.

- Three (3) trees are considered city-maintained street trees (trees #1-3) and two (2) trees are considered Heritage trees (trees #4-5). The total replacement cost for the Heritage trees was $13,700.00, and was the total replacement cost for the street trees was $5,840.00 (appraisal values can be found in Appendix C).
- Trees #1-3 were in good health with good structure and were located in tree wells along Hamilton Avenue. The proposed foundation of the new ADU will be approximately 13 feet from tree #1, 12.5 feet from tree #2, and over 20 feet from tree #3. Impacts to the trees should be minimal. Tree protection fencing should be installed along TPZ enclosing each tree well and allowing for pedestrian and vehicle access on the sidewalk and street.
- Tree #4-5 are Heritage Mexican fan palms located in the front/side lawn, and are in good health with good structure and are over 25 feet from any excavation. Impacts will be minimal to none. Tree protection fencing should be installed along the driveway (east edge) and connect to the front fence and corner of garage.
- Trees #6-8 are Italian cypress, maintained as hedges/screening. The trees are in good health with fair structure. Impacts will be minimal to none. Tree protection fencing should be installed along the driveway (east edge) and connect to the front fence and corner of garage.
- Trees #9-11 are Italian cypress, maintained as hedges/screening. The trees are in good health with fair structure. Impacts will be minimal. Tree protection fencing should be installed along the driveway (west edge) and along the TPZ on the west side of the trees, enclosing the trees together.
- Trees #12-13 are Italian cypress, maintained as hedges/screening. The trees are in good health with fair structure. Impacts will be severe to moderate. The trees will require removal for the project. No permit is required.

[1] Dr. Kim D. Coder, University of Georgia June 1996

- Tree #14 is an Italian cypress in good health with good structure. Impacts may be severe to moderate. Tree protection fencing should be installed along the TPZ and moved in when excavation is to occur in the TPZ, and moved to the farthest extent possible when excavation is complete. Excavation will occur within 6 feet of the trunk and should be done under arborist supervision. Exploratory trenching should be done to determine the root quantity and size in the area. Any roots over 2-inches in diameter should only be removed with the approval of the onsite arborist, and if substantial roots are discovered the arborist may recommend the removal of the tree if design plans cannot be changed.
- TPZ fencing should be 6 feet in height, constructed of chain link fencing. The fencing may be moved within the dripline if directed by the on-site or City Arborist but cannot be moved to within 2 feet of the trunk. Fence posts must be 2-inch in diameter and galvanized, and installed 2 feet below grade. Posts may be movable rather than below grade and may not be spaced more than 10 feet apart. Signs must be posted stating: "TREE PROTECTION FENCE - DO NOT MOVE OR REMOVE WITHOUT APPROVAL FROM CITY ARBORIST." The fence may not be moved without authorization from the on-site or City Arborist.
- TPZ fencing must be in place before any equipment is on-site, and it must be inspected by a Certified Arborist who shall provide a verification letter summarizing the conditions. The fencing must remain in place for the entirety of the project and only removed, temporarily or otherwise, by a Certified Arborist while activities are directly supervised, and replaced immediately after.
- Monitoring of the tree protection specifications by an ISA Certified Arborist or ASCA Registered Consulting Arborist is required at monthly intervals.
- No material shall be stored, nor concrete basins washed, or any chemical materials or paint stored within the CRZ of trees, and no construction chemicals or paint should be released into landscaped areas, as these can be toxic to trees and contaminate soil.
- After construction is complete, the property owner should monitor the trees for at least one year and contact a Certified Arborist to inspect if any lean, limb die-back, leaf drop, or foliage discoloration develops.

Appendix A – Location Map



Appendix B – Tree Photos



Photo 1. Trees #1-3 (l to r) are city street trees in good condition that will be minimally impacted by construction but should be protected with fencing around the tree wells.



Photo 2. Trees #4 and 5 are located in the front/side yard and well outside of any excavation.



Photo 3. Trees #6-8 (l to r) are east of the driveway and should be protected together with fencing along the driveway edge.



Photo 4. Trees #9-11 are in the front lawn and impacts should be minimal but the fencing should be installed along the driveway edge and the TPZ on the west side.



Photo 5. Trees #12-13 (behind small arborvitae shrubs) will require removal.



Photo 6. Site of new foundation for ADU, encompassing tree #13 (left) and three (3) small arborvitae.



Photo 7. Tree #14 (center) is located 6 feet from the corner of the proposed foundation; fencing should be installed along the TPZ (connect to existing fence along sidewalk). Arborist supervision for excavation within the TPZ is recommended.

Appendix C – Tables

Table 1. Tree Inventory and Root Zones

Tree #	DBH	Stems	Botanical Name	Common name	Preservation Priority	Height (ft)	Canopy Radius (ft)	SRZ (Radius in ft)	TPZ (Radius in ft)
1	4.9	1	*Platanus* x *hispanica*	London plane	2	25	6	3	4
2	6.1	1	*Platanus* x *hispanica*	London plane	2	25	10	4	5
3	6.3	1	*Platanus* x *hispanica*	London plane	2	25	7	4	5
4	24.6	1	*Washingtonia robusta*	Mexican fan palm	2	60	4	10	21
5	25.8	1	*Washingtonia robusta*	Mexican fan palm	2	55	4	10	22
6	8 (est.)	1	*Cupressus sempervirens*	Italian cypress	3	12	2	5	7
7	8 (est.)	1	*Cupressus sempervirens*	Italian cypress	3	12	2	5	7
8	8 (est.)	1	*Cupressus sempervirens*	Italian cypress	3	12	2	5	7
9	8 (est.)	1	*Cupressus sempervirens*	Italian cypress	3	12	2	5	7
10	8 (est.)	1	*Cupressus sempervirens*	Italian cypress	3	12	2	5	7
11	8 (est.)	1	*Cupressus sempervirens*	Italian cypress	3	12	2	5	7
12	8 (est.)	1	*Cupressus sempervirens*	Italian cypress	3	12	2	5	7
13	8 (est.)	1	*Cupressus sempervirens*	Italian cypress	4	12	2	5	7
14	8.4	1	*Cupressus sempervirens*	Italian cypress	2	40	2	5	7

Table 2. Condition Assessment January 2022

Tree #	Common name	Condition	Health (%)	Structure (%)	Form (%)	Heritage/ Street Tree (Y/N)	Removal Required (Y/N)	Notes
1	London plane	Good	80	80	85	Y	N	Street tree in 10’ x 4’ well. Overhangs site 1’. Trunk 13’ from new foundation. Impacts minimal.
2	London plane	Good	80	75	85	Y	N	Street tree in 8’ x 4’ well. Trunk 12.5’ from new foundation. Overhangs site 2’. Impacts minimal.
3	London plane	Good	80	75	85	Y	N	Street tree in 13.5’ x 4’ well. Overhangs site 3’. Trunk >20’ from new foundation. Impacts minimal.
4	Mexican fan palm	Good	70	95	95	Y	N	Heritage tree, in front yard, impacts minimal to none.
5	Mexican fan palm	Good	70	85	95	Y	N	Heritage tree, in front yard, impacts minimal to none.
6	Italian cypress	Fair	70	60	50	N	N	Hedged, impacts minimal to none.
7	Italian cypress	Fair	70	60	50	N	N	Hedged, impacts minimal to none.
8	Italian cypress	Fair	70	60	50	N	N	Hedged, impacts minimal to none.
9	Italian cypress	Fair	70	60	50	N	N	Hedged, impacts minimal.
10	Italian cypress	Fair	70	60	50	N	N	Hedged, impacts minimal.
11	Italian cypress	Fair	70	60	50	N	N	Hedged, impacts minimal.
12	Italian cypress	Fair	70	60	50	N	Y	Hedged, impacts moderate to severe.
13	Italian cypress	Fair	70	60	50	N	Y	Hedged, impacts severe.
14	Italian cypress	Good	75	80	85	N	N	Trunk 6’ from new foundation, impacts moderate.

Table 3. Tree Appraisal Values*

Tree #	Common name	Condition	External Limitations (%)	Functional Limitations (%)	Heritage/ Street Tree (Y/N	Removal (Y/N)	Total Functional Replacement Cost ($)	Rounded Functional Replacement Cost ($)
1	London plane	Good	80	65	Y	N	1,899.84	1,900.00
2	London plane	Good	80	60	Y	N	1,937.33	1,940.00
3	London plane	Good	80	65	Y	N	1,999.80	2,000.00
4	Mexican fan palm	Good	60	60	Y	N	6,683.64	6,700.00
5	Mexican fan palm	Good	60	65	Y	N	6,988.56	7,000.00
6	Italian cypress	Fair	85	75	N	N	1,588.40	1,590.00
7	Italian cypress	Fair	90	90	N	N	1,595.20	1,600.00
8	Italian cypress	Fair	65	60	N	N	1,581.60	1,580.00
9	Italian cypress	Fair	80	65	N	N	1,574.80	1,570.00
10	Italian cypress	Fair	80	60	N	N	1,581.60	1,580.00
11	Italian cypress	Fair	80	65	N	N	1,574.80	1,570.00
12	Italian cypress	Fair	60	60	N	Y	1,581.60	1,580.00
13	Italian cypress	Fair	60	65	N	Y	1,581.60	1,580.00
14	Italian cypress	Good	85	75	N	N	1,707.19	1,710.00

*Appraisal values include $1,500/tree in additional costs for replacement tree installation, aftercare, and cleanup. All values calculated using the Trunk Formula Method as described in the 10th edition of the *Guide for Plant Appraisal* by the Council of Tree and Landscape Appraisers.

Appendix D – Tree Appraisal Calculation Methodology

The valuation of the assessed trees for the site was calculated using the trunk formula method described in the 10th edition of the *Guide for Plant Appraisal* by the Council of Tree and Landscape Appraisers. The basic formula is as follows:

Unit Tree Cost x Condition Rating (%) x Functional Limitations (%) x External Limitations (%)

The basic tree cost is the sum of the installed tree cost and the cost of the difference between the adjusted trunk area and the replacement tree size (appraised tree size increase multiplied by unit tree cost). Size was measured as trunk cross-sectional area (square inches), calculated by 0.785 x $(DBH)^2$; where a circular cross-section was assumed.

Species size and cost data were obtained from the ISA Western Chapter Species Classification for Landscape Tree Appraisal (2004). The Western rating was used. No nursery group data were used as the Basic Tree Cost was calculated using the above formula(s). The condition rating was based on field observations already described. The functional limitation and external limitation ratings were based on field and aerial imagery observations. The basic functional replacement tree cost was then calculated by multiplying the functional replacement tree cross section area by the unit tree cost. The depreciated functional replacement tree (calculated using the basic functional replacement cost, the overall condition rating (%), the functional limitations rating (%), and the external limitations rating (%) is then added to the total additional costs. The additional cost includes installation cost, replacement tree aftercare cost, and cleanup costs.

Regional Data - Western	
State or Region	Northern California
Replacement Tree Size (in. diam @ 12” Above Grade)	2
Installation Cost $	$800.00
Replacement Tree Aftercare Cost $	$500.00
Other Costs (Hardscape, Cleanup, etc.) $	$200.00
Unit Tree Cost ($/sq in)	$172.73

STAFF REPORT

Planning Commission
Meeting Date: **12/5/2022**
Staff Report Number: **22-066-PC**

Public Hearing: **Consider and adopt a resolution to approve a use permit to demolish an existing single-story, single-family residence and construct a new two-story residence with an attached garage on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district, at 123 Dunsmuir Way**

Recommendation

Staff recommends that the Planning Commission adopt a resolution approving a use permit to demolish an existing one-story, single-family residence and construct a new two-story residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district. The proposal also includes an attached accessory dwelling unit (ADU), which is 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 proposal.

Background

Site location

The subject property is located on the northern side of Dunsmuir Way, between Greenwood Drive and Hedge Road in the Suburban Park neighborhood. All neighboring properties are also located in the R-1-U zoning district. A location map is included as Attachment B. Dunsmuir way features many one-story ranch homes, but several properties have been redeveloped with newer two-story homes with varying architectural styles.

Analysis

Project description

The applicant is proposing to demolish the existing one-story, single-family residence, and construct a new two-story, single-family residence with an attached ADU. A data table summarizing parcel and project characteristics is included as Attachment C. The project plans and project description letter are included as Attachment A Exhibits A and B, respectively.

The proposed residence would be a three-bedroom, three and one half-bathroom home. The first floor

would be shared living space, including the kitchen, dining room, living room, and a covered rear patio. The attached ADU would also be located on the first floor. The three bedrooms and a laundry room would be located on the second floor. The required parking for the primary dwelling would be provided by an attached, front-loading, two-car garage. The proposed residence would meet all Zoning Ordinance requirements for setbacks, lot coverage, floor area limit (FAL), daylight plane, parking, and height. Of particular note, the project would have the following characteristics with regard to the Zoning Ordinance:

- The proposed floor area would be at the maximum with 3,176.4 square feet proposed where 2,800 square feet is the maximum permitted. The main residence would be 2,792.1 square feet and the attached ADU would be 384.3 square feet and would exceed the maximum floor area limit, however the maximum FAL is permitted to be exceeded by up to 800 square feet in order to accommodate the ADU;
- The proposed residence and ADU would be at the maximum building coverage with 41.6 percent proposed where 35 percent is the maximum. The main residence would be 34.9 percent, and the attached ADU would exceed the maximum building coverage by 382.5 square feet, however the maximum building coverage is permitted to be exceeded by up to 800 square feet in order to accommodate the ADU ;
- The proposed second floor would be below the second floor limit with 1,101.1 square feet proposed where the maximum allowable second-story floor area is 1,400 square feet;
- The proposed residence would be below the maximum height, with 25 feet, nine inches proposed where 28 feet is the maximum permitted height.

The proposed residence would have a front setback of 20 feet, and a rear setback of approximately 23 feet, 11 inches, where 20 feet is required in either case. The residence is proposed to be built to the minimum five-foot-one-inch required side setback on both sides. The attached ADU would conform to the required side setback of the main residence, where four feet is the minimum required side setback. The proposed second story would be stepped back from the first story on all sides. The second story would be stepped back to 24 feet, eight inches on the front, 52 feet, eight inches on the rear, approximately six feet, five inches on the right side, and approximately five feet, seven inches on the left side.

Design and materials

The applicant states that the proposed residence would be constructed in a style most closely related to the craftsman style. The siding material would be horizontal lap siding with horizontal lap siding accents on the gables. Roofing is proposed to be composite asphalt shingle roofing material. The support columns for the rear covered patio would be wood with stone veneer accents on the base of the columns. The garage and front doors, along with the gable fascia would be painted wood. Windows would be metal-clad simulated true divided lite windows with interior and exterior muntins with spacer bars between panes, and would have wood trim.

All front- and side-facing second-story windows would have sill heights with a minimum of three feet. One rear-facing window would have a sill height of two feet, six inches. However, due to the extent of the second-floor step back at the rear, staff does not believe this would cause an impact to privacy.

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

Trees and landscaping

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

on-site and nearby heritage and non-heritage trees. The arborist report lists a total of three trees on and around the subject property of which two are heritage size. There is one non-heritage Japanese maple tree (Tree #3) located on the property to the left, one heritage sweetgum tree (Tree #2) on the property to the right, and one heritage sweetgum tree (Trees #1) on the subject property. No trees are proposed for removal.

The arborist report includes tree protection recommendations for the pre-construction, construction, and post-construction phases of the project. As part of the project review process, the arborist report was reviewed by the City Arborist. Implementation of all recommendations to mitigate impacts to the heritage trees identified in the arborist report would be ensured as part of condition 1h. The applicant has not proposed any additional landscaping at this time. Additional landscaping, if any, would be reviewed during the building permit stage.

Correspondence

The applicant states in their project description letter that the owners have reached out to several neighboring property owners, and have not received any negative feedback on the project. As of the publication of this report, staff has not received any direct correspondence regarding the project.

Conclusion

Staff believes that the design, scale, and materials of the proposed residence are generally compatible with the surrounding neighborhood. The craftsman style would be generally attractive and well-proportioned, and the inset of the second floor would help increase privacy while reducing the perception of mass. Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

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

Environmental Review

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

Public Notice

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

Appeal Period

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

Attachments

A. Draft Planning Commission Resolution Adopting Findings of Approval for project Use Permit, including project Conditions of Approval
   Exhibits to Attachment A

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

B. Location Map
C. Data Table
D. Arborist Report

Disclaimer

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

Exhibits to Be Provided at Meeting

None

Report prepared by:
Chris Turner, Associate Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT FOR THE DEMOLITION OF AN EXISITNG ONE-STORY, SINGLE-FAMILY RESIDENCE AND CONSTRUCTION OF A NEW TWO-STORY, SINGLE-FAMILY RESIDENCE ON A SUBSTANDARD LOT WITH REGARD TO MINIMUM LOT WIDTH AND AREA IN THE R-1-U (SINGLE FAMILY URBAN RESIDENTIAL) ZONING DISTRICT

WHEREAS, the City of Menlo Park ("City") received an application requesting to demolish an existing one-story, single-family residence, and construct a new two-story residence on a substandard lot with regard to minimum lot width and area in the Single Family Urban Residential (R-1-U) zoning district (the "Project") from Kyu Kim ("Applicant"), on behalf of the owners Dipesh Shrestha and Justina Kayastha ("Owners") located at 123 Dunsmuir Way (APN 055-292-320) ("Property"). The Project use permit is depicted in and subject to the development plans and project description letter which are attached hereto as Exhibit A and Exhibit B, respectively, and incorporated herein by this reference; and

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

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

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

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

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

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

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

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

WHEREAS, at a duly and properly noticed public hearing held on December 5, 2022, 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 Revisions.

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

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

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

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

1. That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
    a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the proposed use permit is consistent with the R-1-U zoning district and the General Plan because two-story residences are allowed to be constructed on substandard lots subject to granting of a use permit provided that the proposed residence conforms to applicable zoning standards, including, but not limited to, minimum setbacks, maximum floor area limit, and maximum building coverage.

    b. The proposed residence would include the required number of off-street parking spaces because one covered and one uncovered parking space would be required at a minimum, and two covered parking spaces are provided.

Section 3. Conditional Use Permit. The Planning Commission approves Use Permit No. PLN2022-00029, which use permit is depicted in and subject to the development plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit B, respectively. The Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit C.

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

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

Section 5. SEVERABILITY

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

I, Corinna Sandmeier, Acting Principal Planner and Planning Commission Liaison 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 December 5, 2022, 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 5th day of December, 2022

_____
Corinna Sandmeier
Acting Principal Planner and Planning Commission Liaison
City of Menlo Park

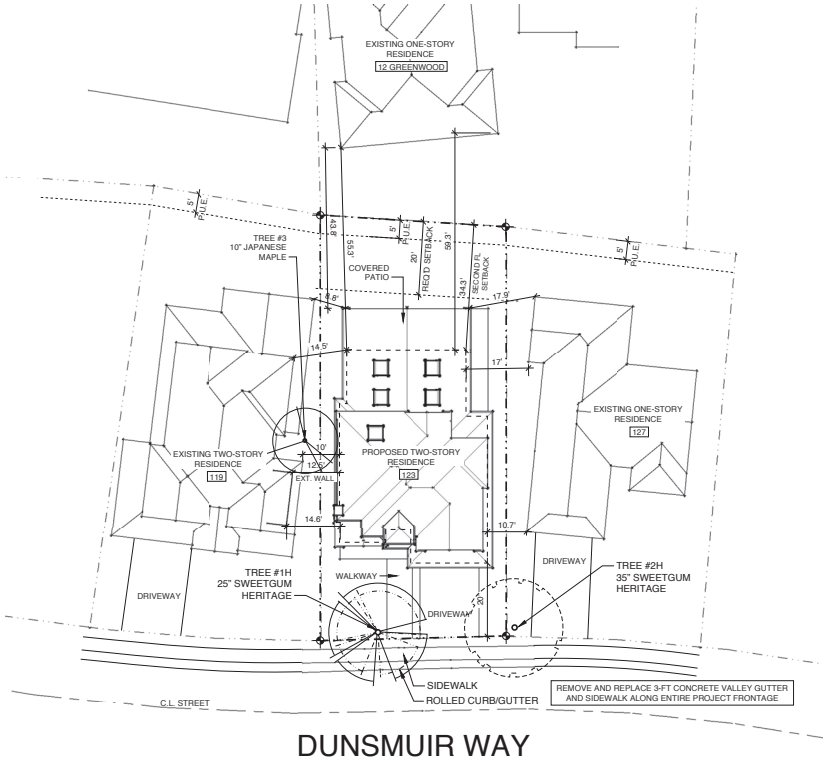
Exhibits

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

Project Title

NEW TWO-STORY SINGLE FAMILY DWELLING
DUNSMUIR WAY RESIDENCE
123 DUNSMUIR WAY, MENLO PARK, CA 94025

Area Plan
1/16" = 1'-0"



DUNSMUIR WAY

Streetscape Dunsmuir Way
1/8" = 1'-0"



Project Contacts

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Applicable Codes

California Building Code	2019 Edition
California Residential Code	2019 Edition
California Mechanical Code	2019 Edition
California Plumbing Code	2019 Edition
California Electrical Code	2019 Edition
California Fire Code	2019 Edition
California Energy Code	2019 Edition
Green Building Standards Code	2019 Edition

Fire Sprinkler Note

Main House and ADU to be Fire Sprinklered.

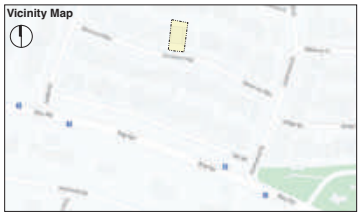
Project Description

Demolition of existing single-story single-family dwelling and construction of new two-story single-family dwelling with attached accessory dwelling unit (ADU).

Sheet Index

A0.0	Cover Page
A0.1	[reserved]
A0.2	Area Calculations
A0.3	Lot Width Calculations
A0.4	[reserved]
SU1	Property Survey
A1.0	Site Plans
A1.1	Tree Protection Plan
A1.2	Existing Floor Plan
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A2.1	First Floor Plan
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A4.1	Proposed Elevations
A4.2	Proposed Elevations
A4.3	Proposed Sections
A4.4	Proposed Section
A5.1	3d Perspective Views

Vicinity Map



Fireplace Note

Proposed Fireplaces 1

Proposed fireplace at Library shall be natural gas and comply with EPA particulate emissions standards dated May 2015.

Pre-manufactured fireplaces will be a "listed" approved unit. CRC R1005.1.

Site Summary Table

Lot Area	5,762 S.F.
Max. Allowed FAL	2,800 S.F. (Main Dwelling) + 800 S.F. (ADU)
Max. Allowed Building Coverage (two-story development)	5,762 x 0.35 = 2,016.70 S.F.
Proposed Floor Area (Main Dwelling)	
First Floor	1,691.03 S.F.
Second Floor	1,101.13 S.F.
Total	2,792.17 S.F.
Proposed Floor Area (ADU)	384.32 S.F.
Proposed FAL	2,792.17 S.F. (Main Dwelling) + 384.32 S.F. (ADU)
Proposed Building Coverage	2,014.92 S.F. / 35%
Propose Max. Height	25'-9"
Total Number of Parking Spaces	
Covered	2 (Garage)
Uncovered	1 (Driveway for ADU)

Public Works Notes

Frontage Improvement Notes:

1. All existing cracked or damaged features along the property frontage must be repaired in kind. Any frontage improvements which are damaged as a result of construction will be required to be replaced. All frontage improvement work shall be in accordance with the latest version of the City Standard Details.
2. An encroachment permit from the Engineering Division is required prior to any construction activities, including utility laterals, in the public right of way.

Coordination Notes:

1. Water provider is California Water Service. Contractor to coordinate as necessary.
2. Sanitary sewer provider is West Bay Sanitary Sewer District. Contractor to coordinate as necessary. (650-321-0384)

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Stamp

LICENSED ARCHITECT
KYU YOUNG KIM
C-30482
10-31-2023
STATE OF CALIFORNIA

Project
NEW TWO-STORY DWELLING
DUNSMUIR WAY RESIDENCE
123 DUNSMUIR WAY, MENLO PARK, CA 94025, APN 055-292-320

Version History	Date

Notes

Title: Cover Sheet

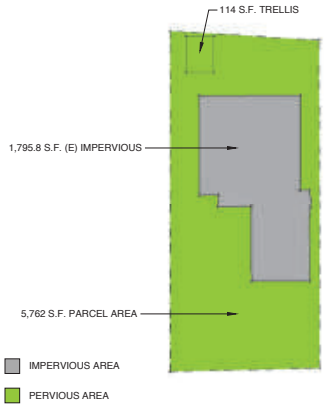
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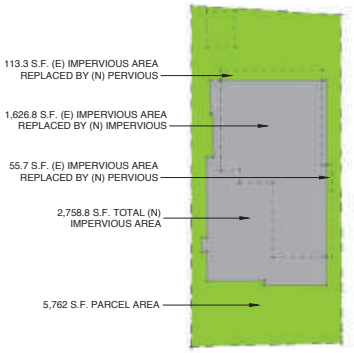
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Of Sheets

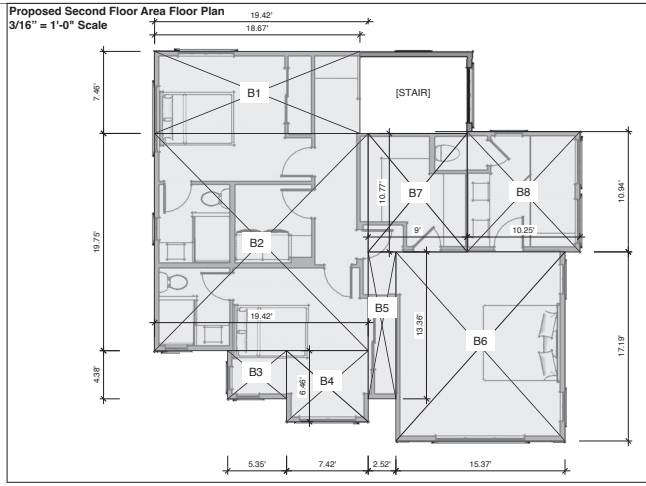
Impervious Area – Existing Site Plan
1"=20'



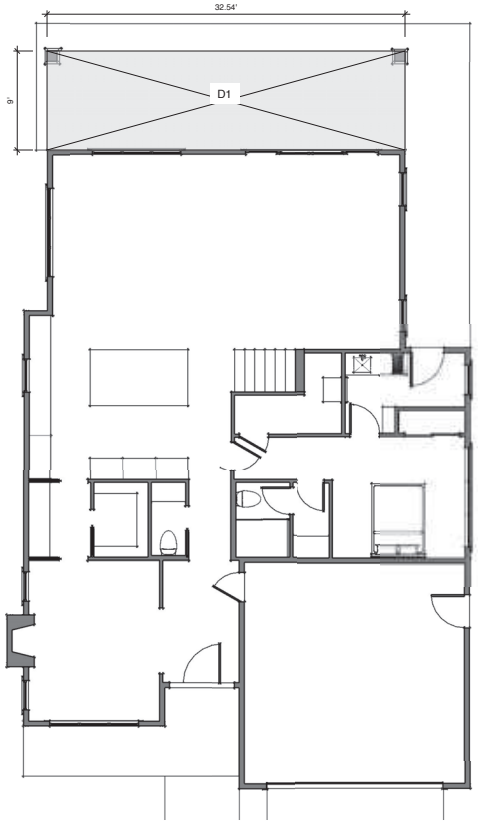
Impervious Area – Proposed Site Plan
1"=20'



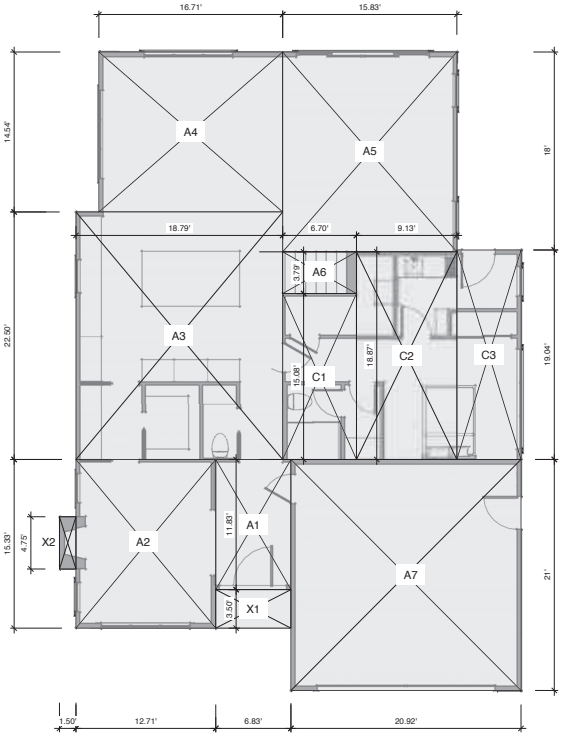
Proposed Second Floor Area Floor Plan
3/16" = 1'-0" Scale



Proposed Coverage Area Floor Plan
3/16" = 1'-0" Scale



Proposed First Floor Area Floor Plan
3/16" = 1'-0" Scale



Floor Area Breakdown

Region	Dimensions (ft.)		Area (S.F.)
A1	6.83	11.83	80.80
A2	12.71	15.83	194.84
A3	18.79	22.50	422.78
A4	16.71	14.54	242.96
A5	15.83	18.00	284.94
A6	6.70	3.79	25.39
A7	20.92	21.00	439.32
B1	19.17	7.46	139.28
B2	19.92	19.75	383.55
B3	5.85	4.38	23.43
B4	7.42	6.46	47.93
B5	2.52	13.36	33.67
B6	15.37	17.19	264.21
B7	9.00	10.77	96.93
B8	10.25	10.94	112.14
C1	6.70	15.08	101.04
C2	9.13	18.87	172.28
C3	5.83	19.04	111.00
D1	32.54	9.00	292.86
X1	6.83	3.50	23.91
X2	1.50	4.75	7.13

Area Legend

A	First Floor Area
B	Second Floor Area
C	ADU Area
D	Rear Covered Patio
X	Additional Coverage

Floor Area Tabulation

Proposed First Floor Area:
(Main Dwelling)
= A1+A2+A3+A5+A6+A7
= 1,691.03 S.F.

Proposed Second Floor Area:
= B1+B2+B3+B4+B5+B6+B7+B8
= 1,101.13 S.F.

Proposed ADU Floor Area:
= C1+C2+C3
= 384.32 S.F.

Proposed Main Dwelling Floor Area:
= A1+A2+A3+A5+A6+A7
+B1+B2+B3+B4+B5+B6+B7+B8
= 2,792.17 S.F.

Proposed Total Floor Area:
(Main Dwelling + ADU)
= A1+A2+A3+A5+A6+A7+C1+C2+C3
+B1+B2+B3+B4+B5+B6+B7+B8
= 3,176.49 S.F.

Proposed Coverage (w/o ADU):
= A1+A2+A3+A5+A6+A7+D1+X1+X2
= 2,014.92 S.F.

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KYU YOUNG KIM
STATE OF CALIFORNIA

Project

NEW TWO-STORY DWELLING
DUNSMUIR WAY RESIDENCE
123 DUNSMUIR WAY, MENLO PARK, CA 94025, APN 055-292-320

Version History	Date

Notes

Title

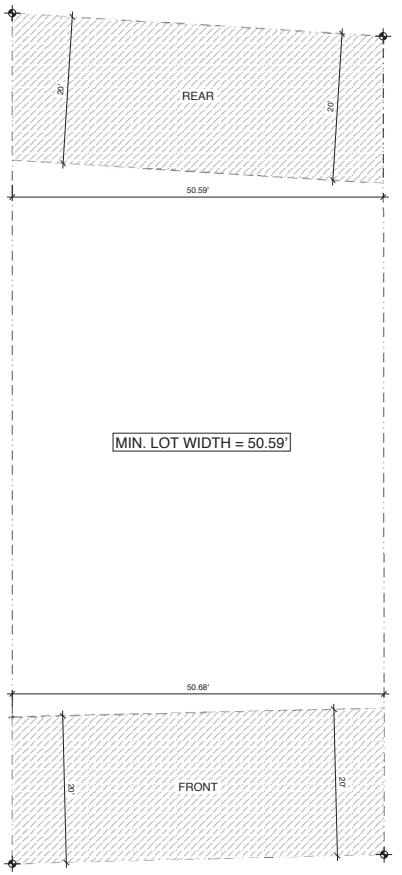
Scale: as noted

Date: 10/10/22

Sheet: A0.2

Of Sheets

MIN. LOT WIDTH	50.59’
REQ’D INTERIOR SIDE YARD SETBACK	50.59’ x 10% = 5.06’ = 5’-3/4”



DUNSMUIR WAY

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DUNSMUIR WAY RESIDENCE
123 DUNSMUIR WAY, MENLO PARK, CA 94025, APN 055-292-320

Version History	Date

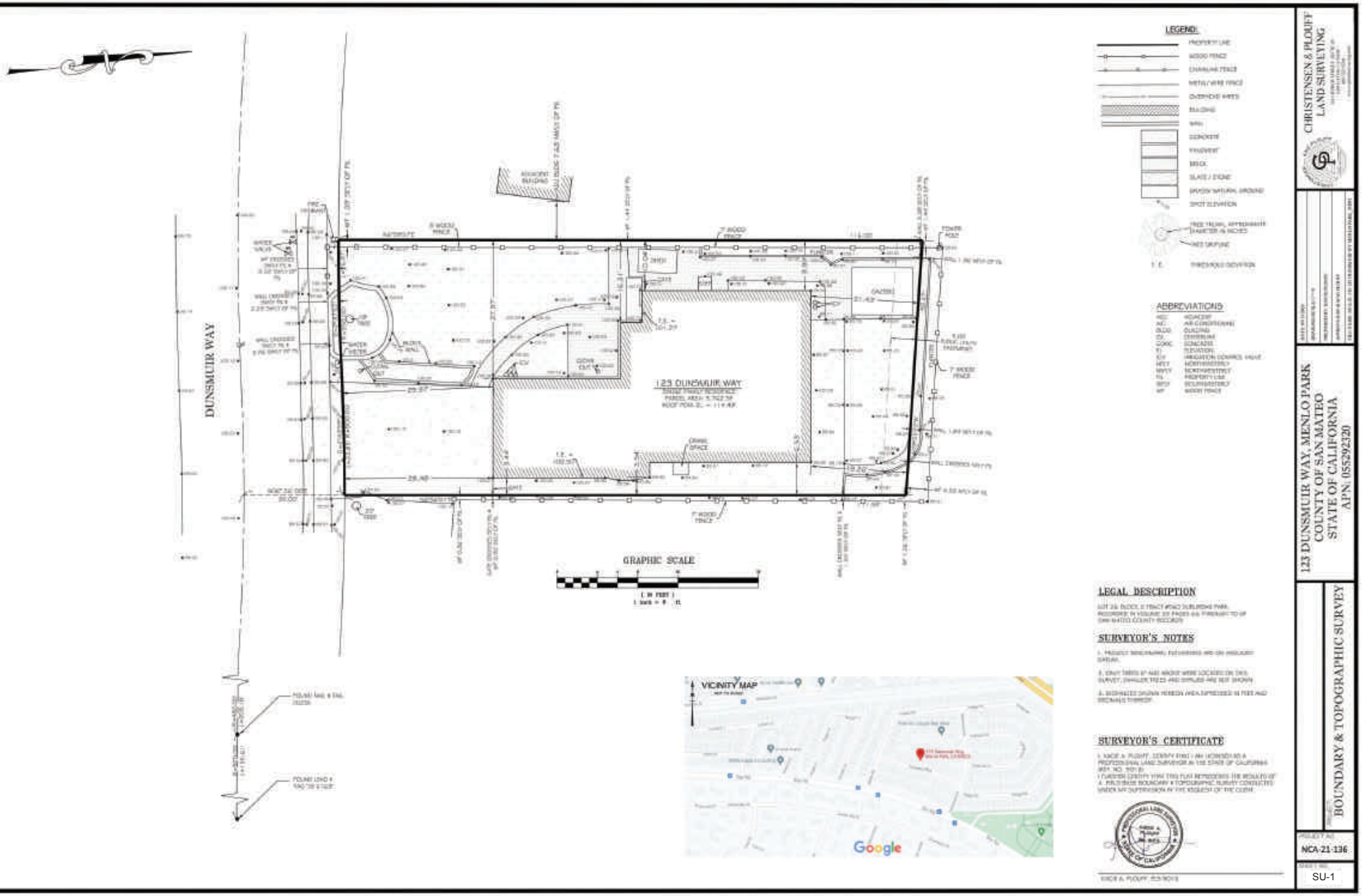
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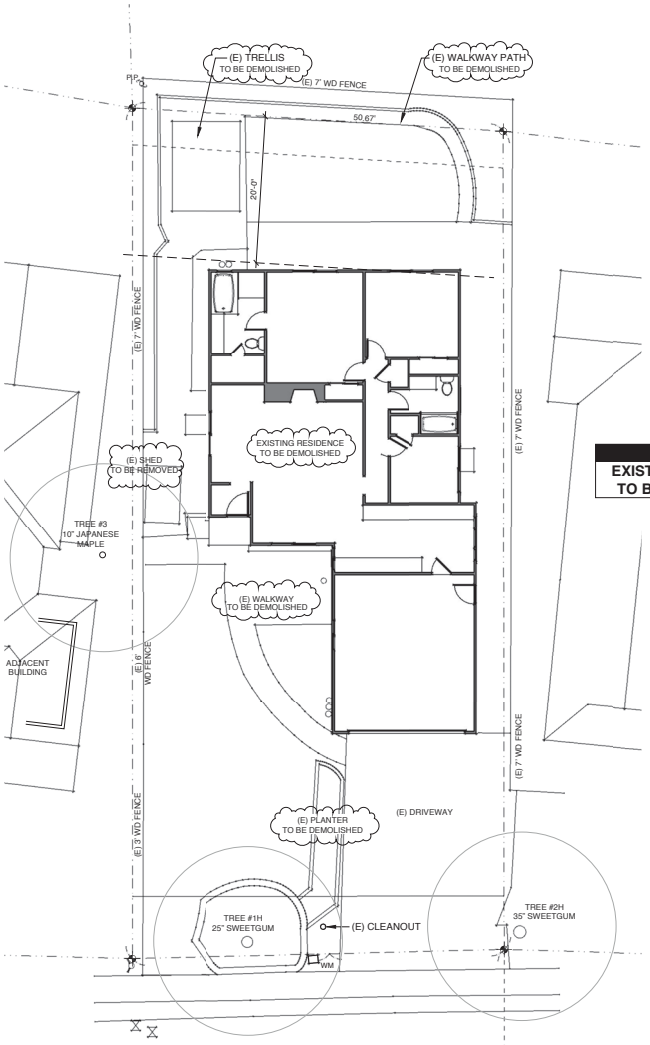
Title

Scale

Date
10/10/22

Sheet
A0.3
Of Sheets


DUNSMUIR WAY
123 DUNSMUIR WAY
GRAPHIC SCALE
VICINITY MAP
Google
LEGEND:
ABBREVIATIONS
LEGAL DESCRIPTION
SURVEYOR'S NOTES
SURVEYOR'S CERTIFICATE
CHRISTENSEN & PLOUFF
LAND SURVEYING
123 DUNSMUIR WAY, MENLO PARK
COUNTY OF SAN MATEO
STATE OF CALIFORNIA
A.P.N. 055292320
BOUNDARY & TOPOGRAPHIC SURVEY
NCA-21-136
SU-1



NOTE
EXISTING RESDIENCE TO BE DEMOLISHED

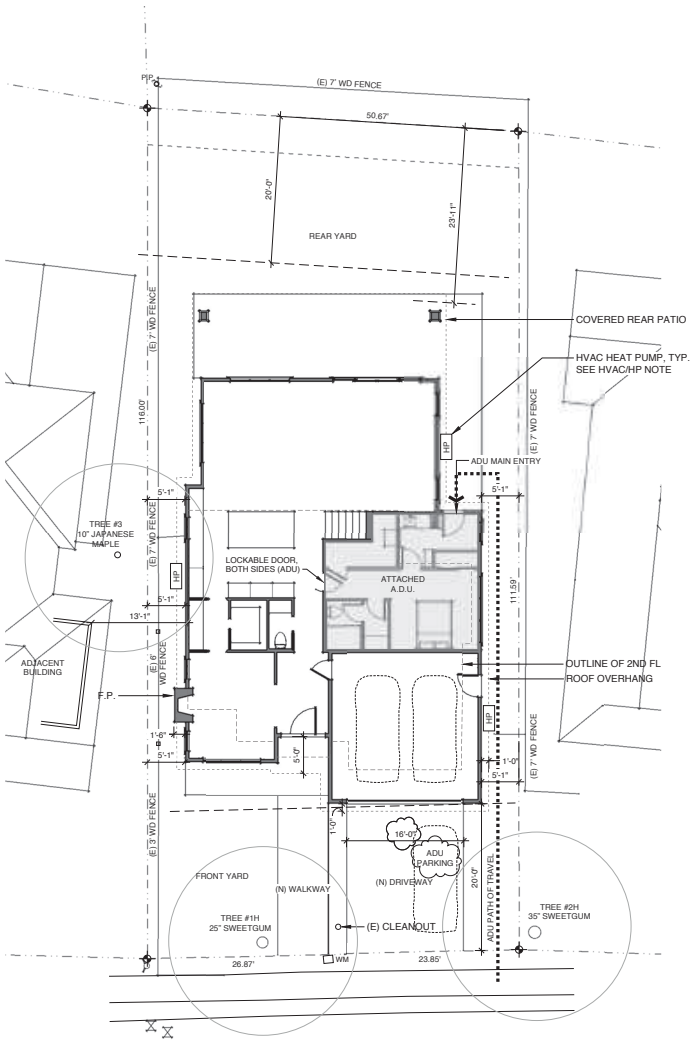
EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

2

LOT DRAINAGE NOTE
LOT DRAINAGE WILL BE 5% AWAY FROM BUILDING AND 2% TOWARDS THE PUBLIC RIGHT-OF-WAY NOT CROSSING PROPERTY LINES CRC R401.3, CPC 1101.2

TREE PROTECTION NOTE
SEE SHEET A1.1 FOR TREE PROTECTION PLAN BY ARBORIST

HVAC/HEAT PUMP NOTE
HEAT PUMP AND HVAC EQUIPMENT LOCATED AT EXTERIOR SHALL NOT EXCEED 50dBA AT NIGHT, AND 60 dBA DURING THE DAY AT THE NEAREST PROPERTY LINE



PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

1

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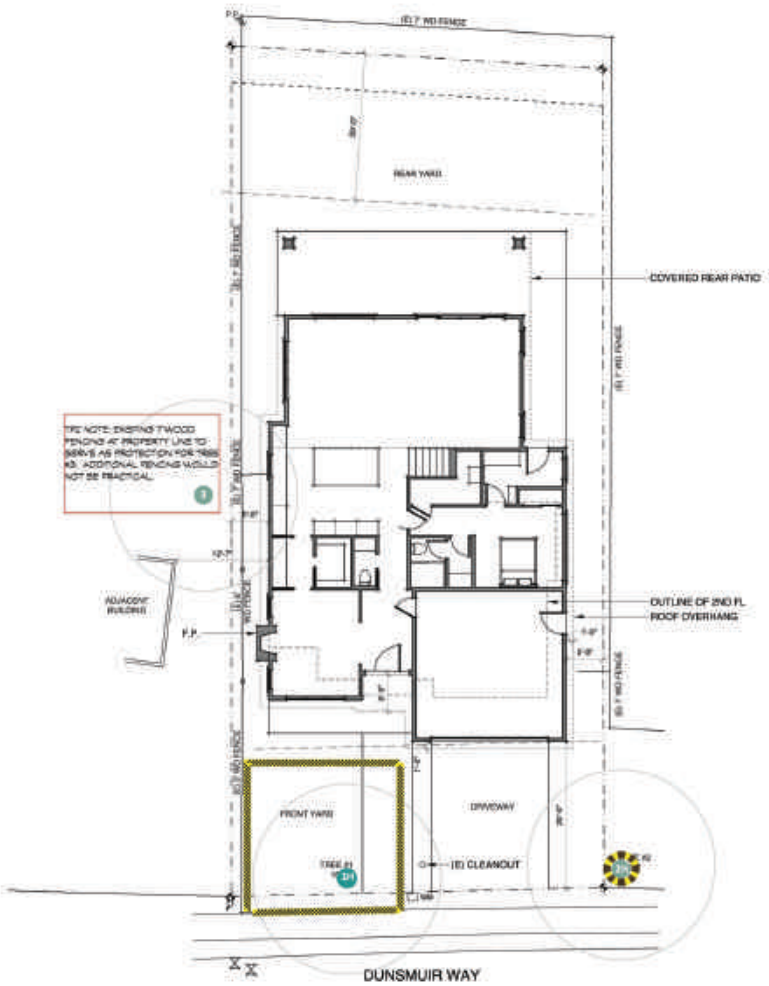
Project
NEW TWO-STORY DWELLING
DUNSMUIR WAY RESIDENCE
123 DUNSMUIR WAY, MENLO PARK, CA 94025, APN 055-292-320

Version History	Date

Notes

Title: Site Plans
Scale: 1/8" = 1'-0"
Date: 10/10/22
Sheet: A1.0
Of Sheets

LOT DRAINAGE NOTE
LOT DRAINAGE WILL BE 5% AWAY FROM BUILDING AND 2% TOWARDS THE PUBLIC RIGHT-OF-WAY NOT CROSSING PROPERTY LINES CRC R401.3, CPC 1101.2



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



NOTE: TREE #3 WAS PLACED BY PROJECT ARBORIST AND LOCATION IS APPROXIMATE.

IT WAS NOT CLEAR WHETHER TREES #4 AND #24 WERE CITY STREET TREES OR PRIVATE.

CITY TO VERIFY JURISDICTION.



TREE PROTECTION ZONE MAP

123 DUNSMUIR WAY, MENLO PARK, CA

DATE:
05/17/22

TPZ ELEMENTS DRAWN:
B. FRESTONE
ISA-CERTIFIED ARBORIST
#WE-6525A

BASE MAP, SITE PLAN A1.0
by ACS ARCHITECTS
(04/28/2022)

ARBORIST
REPORT pg. 20

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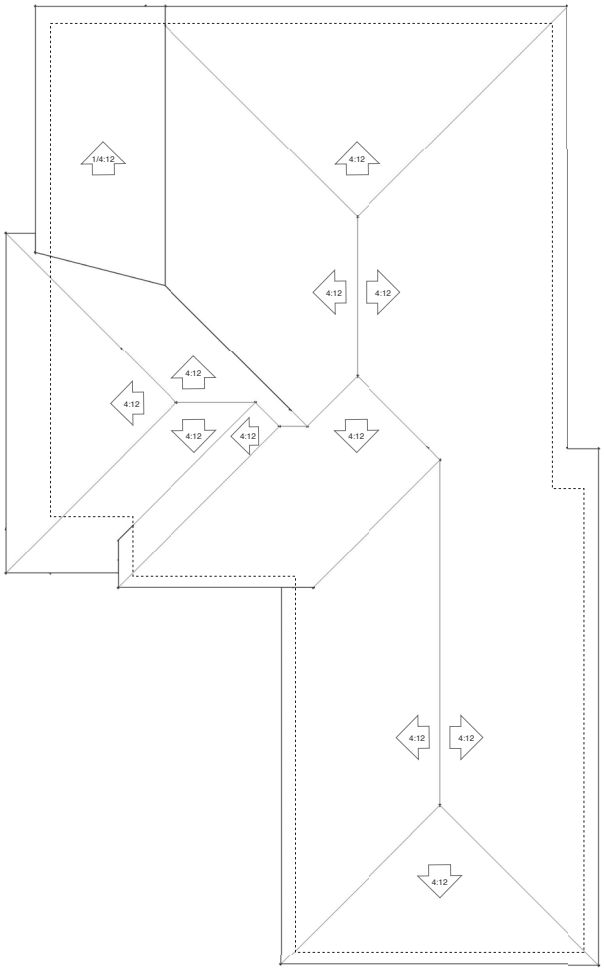
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NEW TWO-STORY DWELLING
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123 DUNSMUIR WAY, MENLO PARK, CA 94025, APN 055-292-320

Version History	Date

Notes

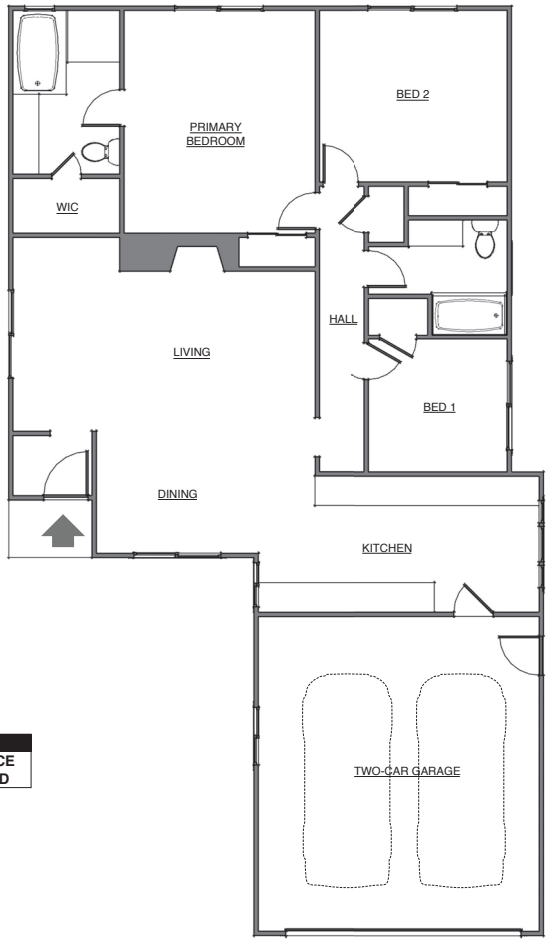
Title: Tree Protection Plan
Scale: 1/4" = 1'-0"
Date: 10/10/22
Sheet: A1.1
Of Sheets



EXISTING ROOF PLAN

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

2



NOTE
EXISTING RESDIENCE TO BE DEMOLISHED

EXISTING FAL = 1,727 S.F.
VERIFIED BY PERMIT NO. 12-74

EXISTING FLOOR PLAN

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

1

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123 DUNSMUIR WAY, MENLO PARK, CA 94025, APN 055-292-320

Version History	Date

Notes

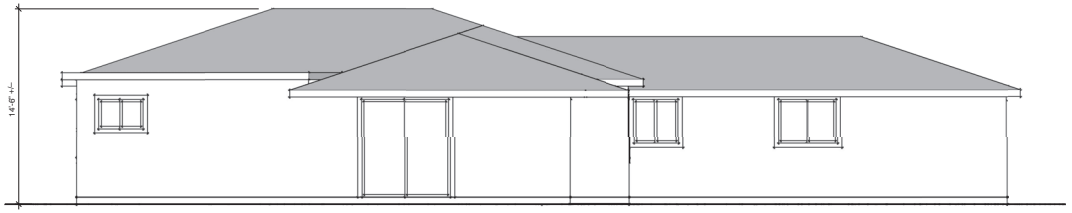
Title: Existing Plans

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

Date: 10/10/22

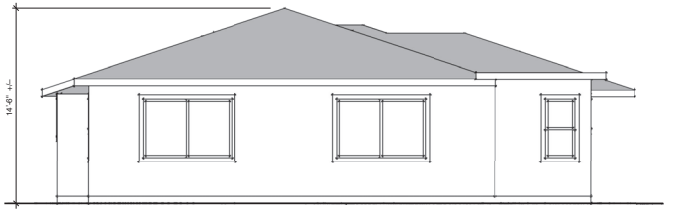
Sheet: A1.2

Of Sheets



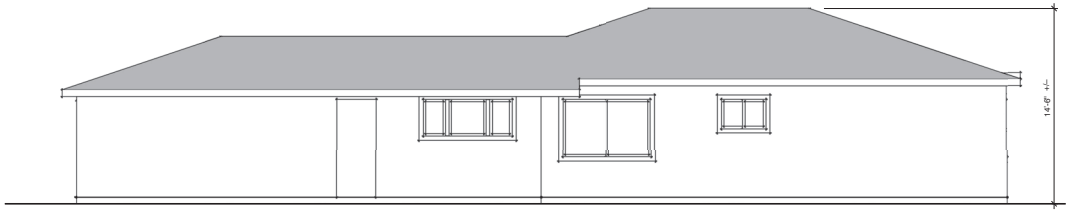
EXISTING WEST ELEVATION 4

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



EXISTING NORTH ELEVATION 3

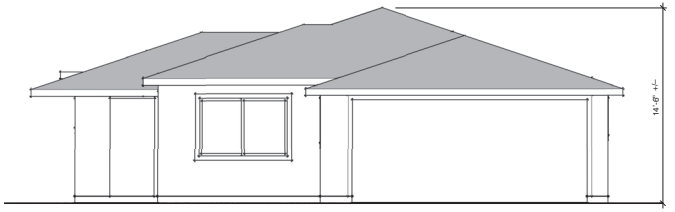
SCALE: 1/4" = 1'-0"



EXISTING EAST ELEVATION 2

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

NOTE
EXISTING RESDIENCE TO BE DEMOLISHED



EXISTING SOUTH ELEVATION 1

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

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Version History	Date

Notes

Title: Existing Elevations

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

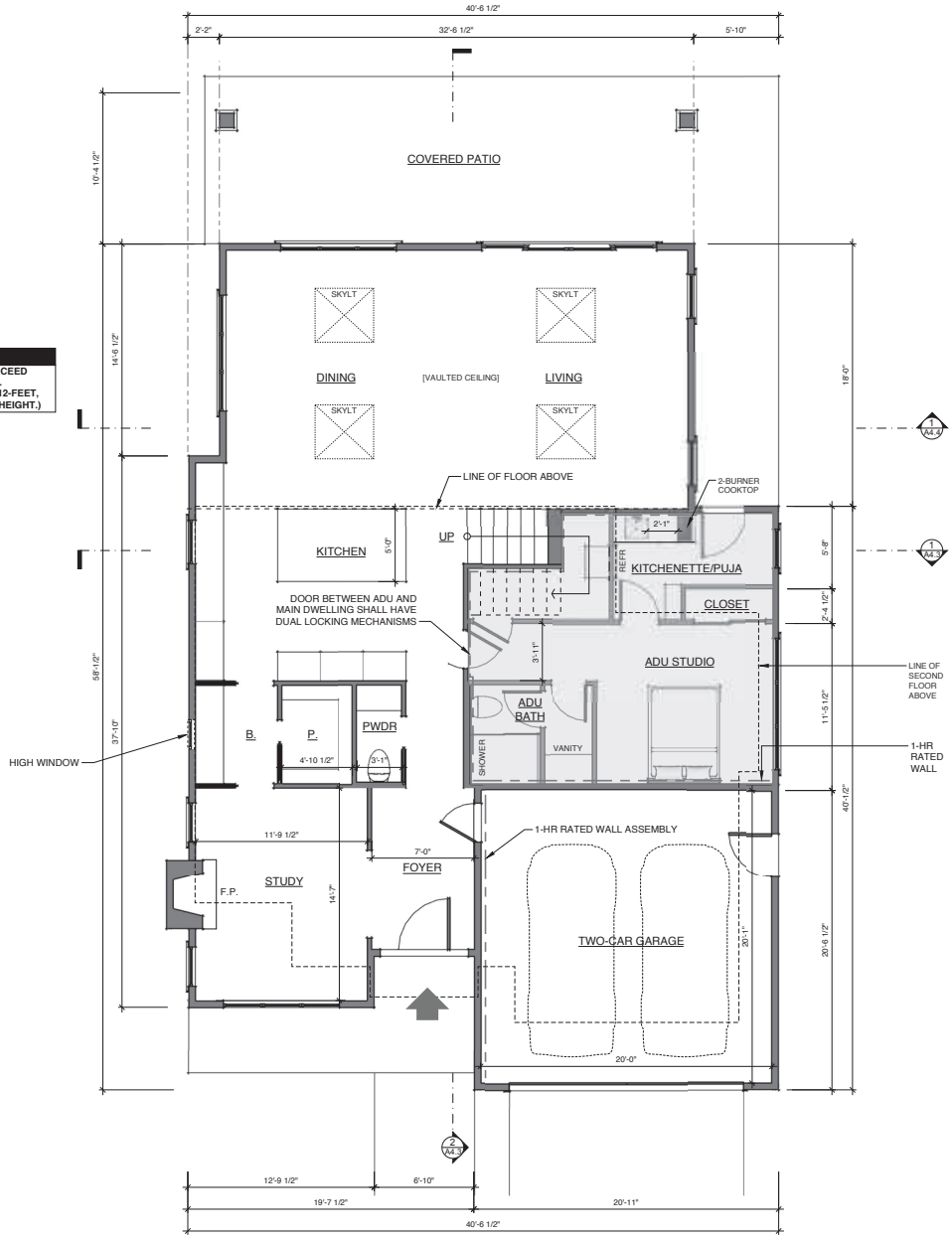
Date: 10/10/22

Sheet: A1.3

Of Sheets

SKYLIGHT NOTE

PROPOSED SKYLIGHTS DO NOT EXCEED INTERIOR HEIGHT OF 12-FEET. (SHOULD INTERIOR HEIGHT EXCEED 12-FEET, A LENS WILL BE PLACED AT CEILING HEIGHT.)



FIRST FLOOR PLAN ☐ ADU

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

1

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DUNSMUIR WAY RESIDENCE

123 DUNSMUIR WAY, MENLO PARK, CA 94025, APN 055-292-320

Version History	Date

Notes

Title: First Floor Plan

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

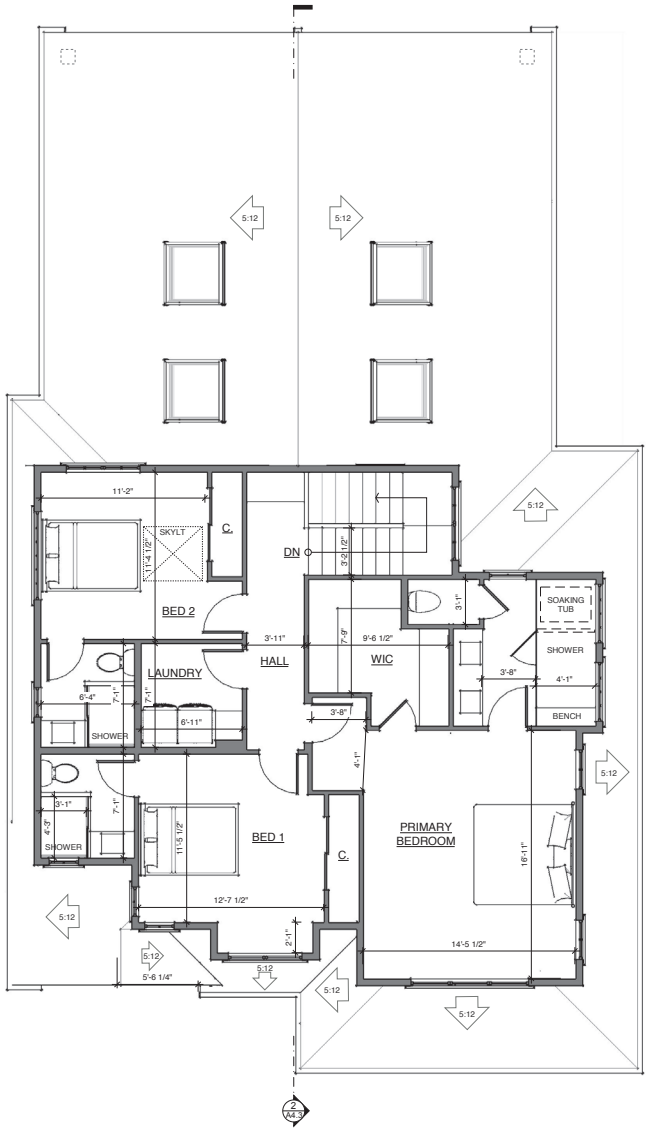
Date: 10/10/22

Sheet: A2.1

Of Sheets

SKYLIGHT NOTE

PROPOSED SKYLIGHTS DO NOT EXCEED INTERIOR HEIGHT OF 12-FEET. (SHOULD INTERIOR HEIGHT EXCEED 12-FEET, A LENS WILL BE PLACED AT CEILING HEIGHT.)



SECOND FLOOR PLAN

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

1

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DUNSMUIR WAY RESIDENCE

123 DUNSMUIR WAY, MENLO PARK, CA 94025, APN 055-292-320

Version History	Date

Notes

Title: Second Floor Plan

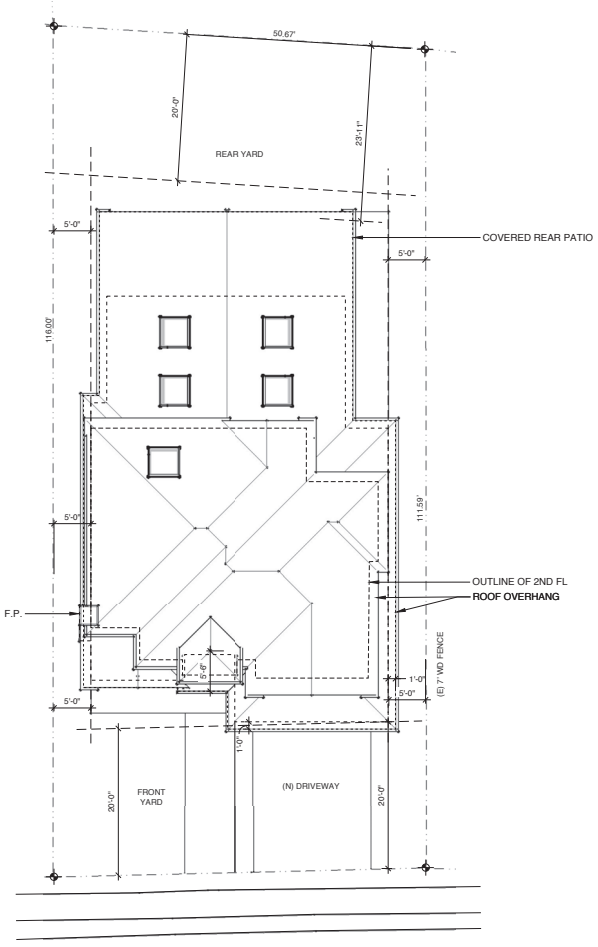
Scale: 1/4" = 1'-0"

Date: 10/10/22

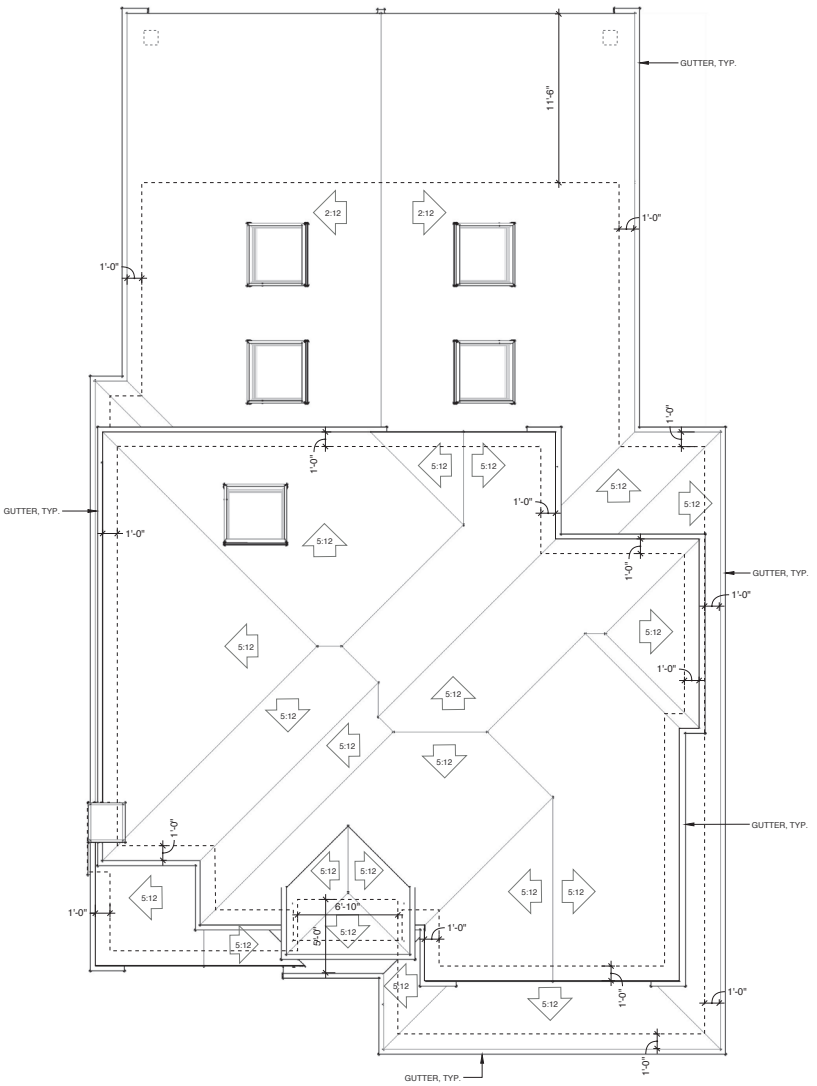
Sheet: A2.2

Of Sheets

SKYLIGHT NOTE
PROPOSED SKYLIGHTS DO NOT EXCEED INTERIOR HEIGHT OF 12-FEET.
(SHOULD INTERIOR HEIGHT EXCEED 12-FEET, A LENS WILL BE PLACED AT CEILING HEIGHT.)



REDUCED ROOF PLAN
SCALE: 1/8" = 1'-0"
2



ROOF PLAN
SCALE: 1/4" = 1'-0"
1

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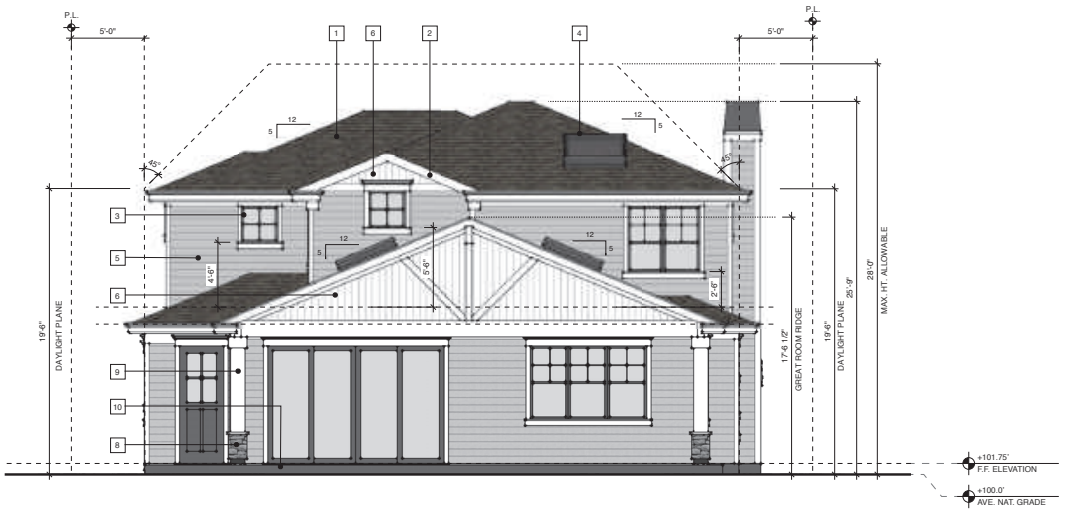
Version History | Date

Notes

Title: Roof Plan
Scale: 1/4" = 1'-0"
Date: 10/10/22
Sheet: A2.3
Of Sheets

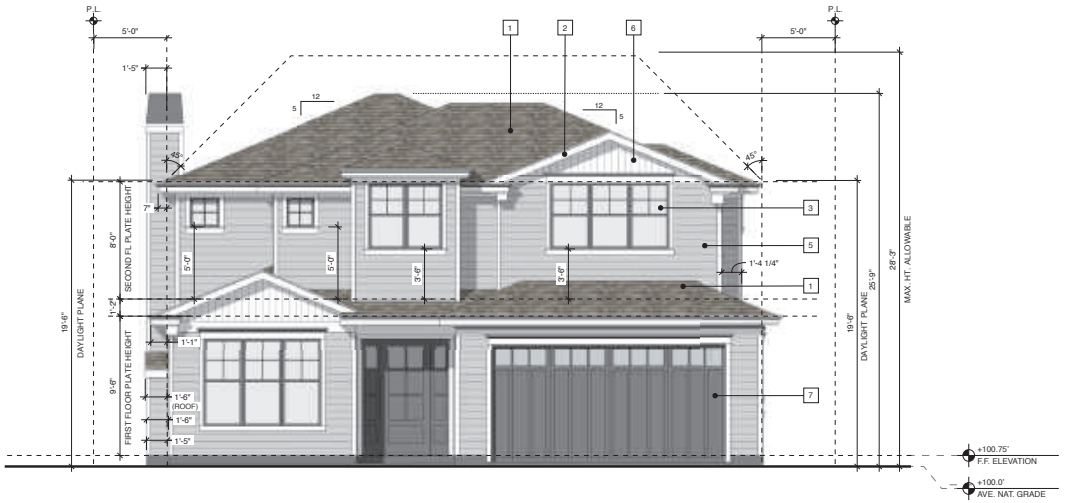
KEYNOTE LEGEND:

1. CHARCOAL BLACK SHINGLE ROOF
2. PAINTED WHITE WOOD FASCIA
3. METAL CLAD WOOD WINDOWS W/ SIMULATED DIVIDED LITES W/ MULLIONS ON BOTH INTERIOR & EXTERIOR AND SPACER BARS BETWEEN GLASS SURROUNDED BY PAINTED WOOD TRIM
4. VELUX SKYLIGHT
5. GRAY HORIZONTAL PLANK LAP SIDING
6. WHITE VERTICAL BOARD SIDING
7. PAINTED WOOD GARAGE DOOR
8. STONE VENEER AT REAR PATIO COLUMN BASE
9. PAINTED WOOD COLUMN
10. INTEGRAL COLOR POURED CONCRETE PORCH/PATIO AND STEPS



REAR / NORTH ELEVATION (2)

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



FRONT / STREET / SOUTH ELEVATION (1)

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

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123 DUNSMUIR WAY, MENLO PARK, CA 94025, APN 055-292-320

Version History	Date

Notes

Title: Elevations

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

Date: 10/10/22

Sheet: A4.1

Of Sheets

KEYNOTE LEGEND:

1. CHARCOAL BLACK SHINGLE ROOF
2. PAINTED WHITE WOOD FASCIA
3. METAL CLAD WOOD WINDOWS W/ SIMULATED DIVIDED LITES W/ MULLIONS ON BOTH INTERIOR & EXTERIOR AND SPACER BARS BETWEEN GLASS SURROUNDED BY PAINTED WOOD TRIM
4. VELUX SKYLIGHT
5. GRAY HORIZONTAL PLANK LAP SIDING
6. WHITE VERTICAL BOARD SIDING
7. PAINTED WOOD GARAGE DOOR
8. STONE VENEER AT REAR PATIO COLUMN BASE
9. PAINTED WOOD COLUMN
10. INTEGRAL COLOR POURED CONCRETE PORCH/PATIO AND STEPS



LEFT / WEST ELEVATION

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

2



RIGHT / EAST ELEVATION

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

1

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Version History	Date

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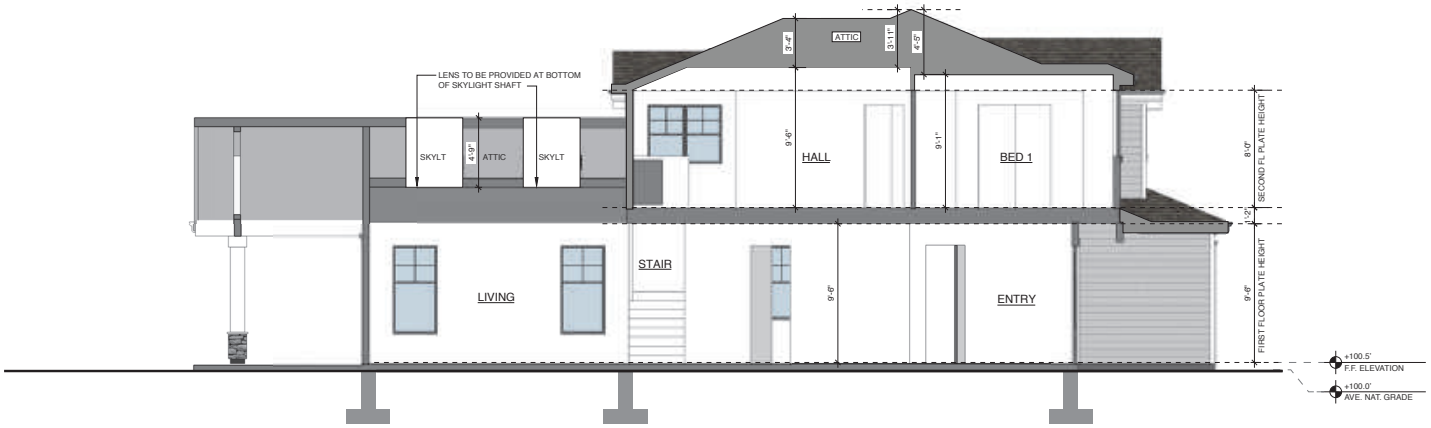
Title: Elevations

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

Date: 10/10/22

Sheet: A4.2

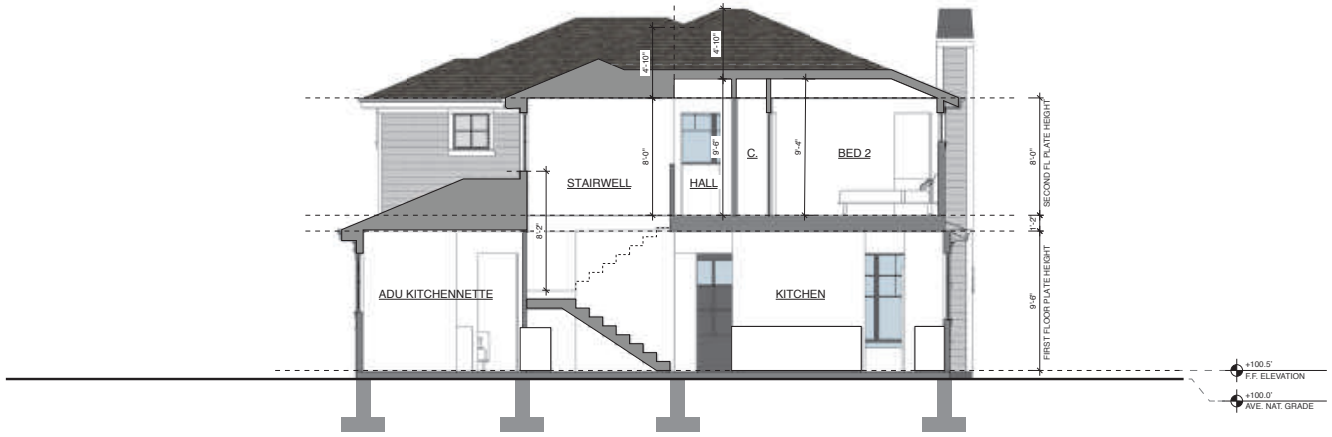
Of Sheets



LONG SECTION "B"

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

2



SHORT SECTION "A"

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

1

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Version History	Date

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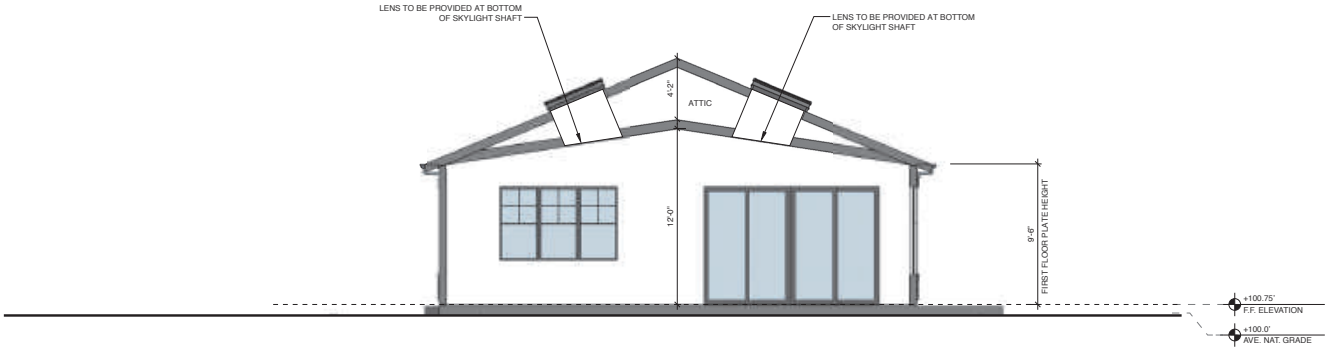
Title: Sections

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

Date: 10/10/22

Sheet: A4.3

Of Sheets



SECTION THRU DINING/LIVING GREAT ROOM

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

1

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Version History	Date

Notes

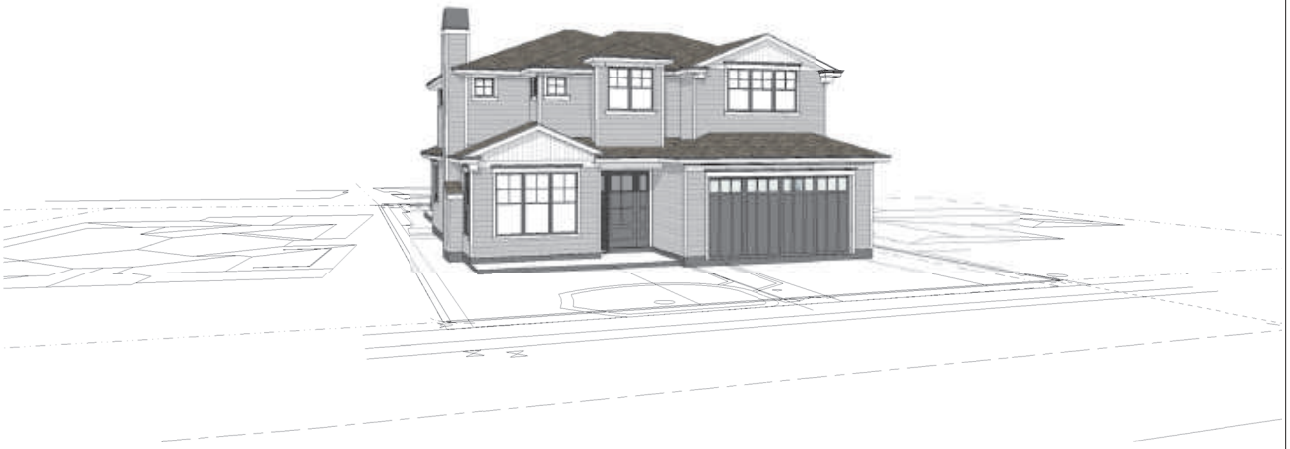
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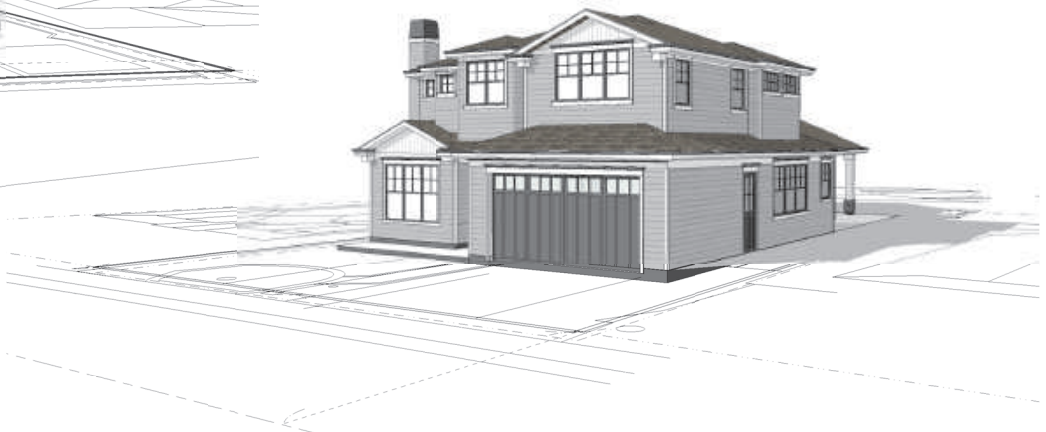
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KYU YOUNG KIM
LIC # C 26648
7-31-2023
STATE OF CALIFORNIA

Project

NEW TWO-STORY DWELLING
DUNSMUIR WAY RESIDENCE
123 DUNSMUIR WAY, MENLO PARK, CA 94025, APN 055-292-320

Version History	Date

Notes

Title
3d Views

Scale

Date
10/10/22

Sheet
A5.1

Of Sheets

RE: Dunsmuir Way Residence
123 Dunsmuir Way
Menlo Park, CA 94025
APN: 055-292-320

FROM: ACS Architects
1130 Oregon Ave
Palo Alto, CA 94303
(650) 321-1219

DATE: Monday, October 10, 2022

Project Description Letter

Purpose of the proposal

Dipesh Shrestha and Justina Kayastha have lived at 123 Dunsmuir Way in Suburban Park since 2013. At the time, they were a family of three living in a modest 1,300 square feet, but the family has grown and they wish to rebuild rather than relocate. Their multi-generational family is in need of modern-day accommodations and increased living space compared to what they have currently. The intent of the project is to create a new two-story home (no basement) that adheres to the required setbacks and daylight planes as necessary, while creating a better flow of indoor-outdoor common living space. An attached ADU unit on the first floor is also proposed for grandparents.

Scope of work

The scope of work involved deconstruction of the existing single story dwelling and proposing a new 2,792 square foot two-story home, including two-car attached garage. Additionally, an attached 384 square foot ADU is proposed as a part of the project.

Architectural style, materials, colors, and construction methods

The exterior of the house shall be all gray-tone horizontal board siding to achieve a clean and contemporary yet classic look at feel that can be most closely related to 'craftsman' in style. The roof shall be gray composite asphalt shingles. A dark gray accent shall be used for simulated true divided light windows surrounded with classic white trim, and windows on gable ends will feature a crown molding header trim. Gable ends shall also feature vertical board siding painted white to match the gutters and window trim. The house will avoid using steel members and will prefer to be constructed out of conventional type V-B construction.

Basis for site layout

The proposed two-story residence will maximize its footprint towards the street side of the property while adhering to all required setbacks, daylight planes, and height limits. While there is a rolled curb, the proposed home attempts to keep the existing driveway and garage placement more or less the same. Just behind the two-car garage will be the attached ADU suite. A rear yard covered patio is proposed in the by the large sliding doors for indoor-outdoor living. The second story shall create a private living quarters for the main dwelling, containing three bedrooms suites and the laundry room.

Existing and proposed uses

The existing building is a single-story, single-family residence. The proposed project is a new two-story main dwelling, in addition to a new attached Accessory Dwelling Unit on the first floor.

Outreach to neighboring properties

The homeowner is friends with their immediate neighbors on Dunsmuir Way, in addition to others up and down the street. They have also reached out to their rear neighbors on Greenwood Place in inform them of their plans to redevelop the property. Dipesh and Justina have hand delivered courtesy letters to each of the neighbors and have received no negative feedback or qualms about their proposal. The immediate neighbor at 119 Dunsmuir Way has recently completed their own two-story new dwelling project in recent years.

119 Dunsmuir Way (left neighbor as viewed from street) – Chris and Deb Martin
127 Dunsmuir Way (right neighbor as viewed from street) – Larry and Peggy McGill
132 Dunsmuir Way (across the street neighbor) – Rafat and Mira Alvi
12 Greenwood Place (rear neighbor) – Laurie Hernandez
115 Dunsmuir Way – Bonnie Neylan

LOCATION: 123 Dunsmuir Way	**PROJECT NUMBER:** PLN2022-00029	**APPLICANT:** Kyu Kim	**OWNER:** Dipesh Shrestha and Justina Kayastha

PROJECT CONDITIONS:

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

   a. The applicant shall be required to apply for a building permit within one year from the date of approval (by December 5, 2023) for the use permit to remain in effect.

   b. Development of the project shall be substantially in conformance with the plans prepared by ACS Architects consisting of 16 plan sheets, dated received October 11, 2022 and approved by the Planning Commission on December 5, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

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

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

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

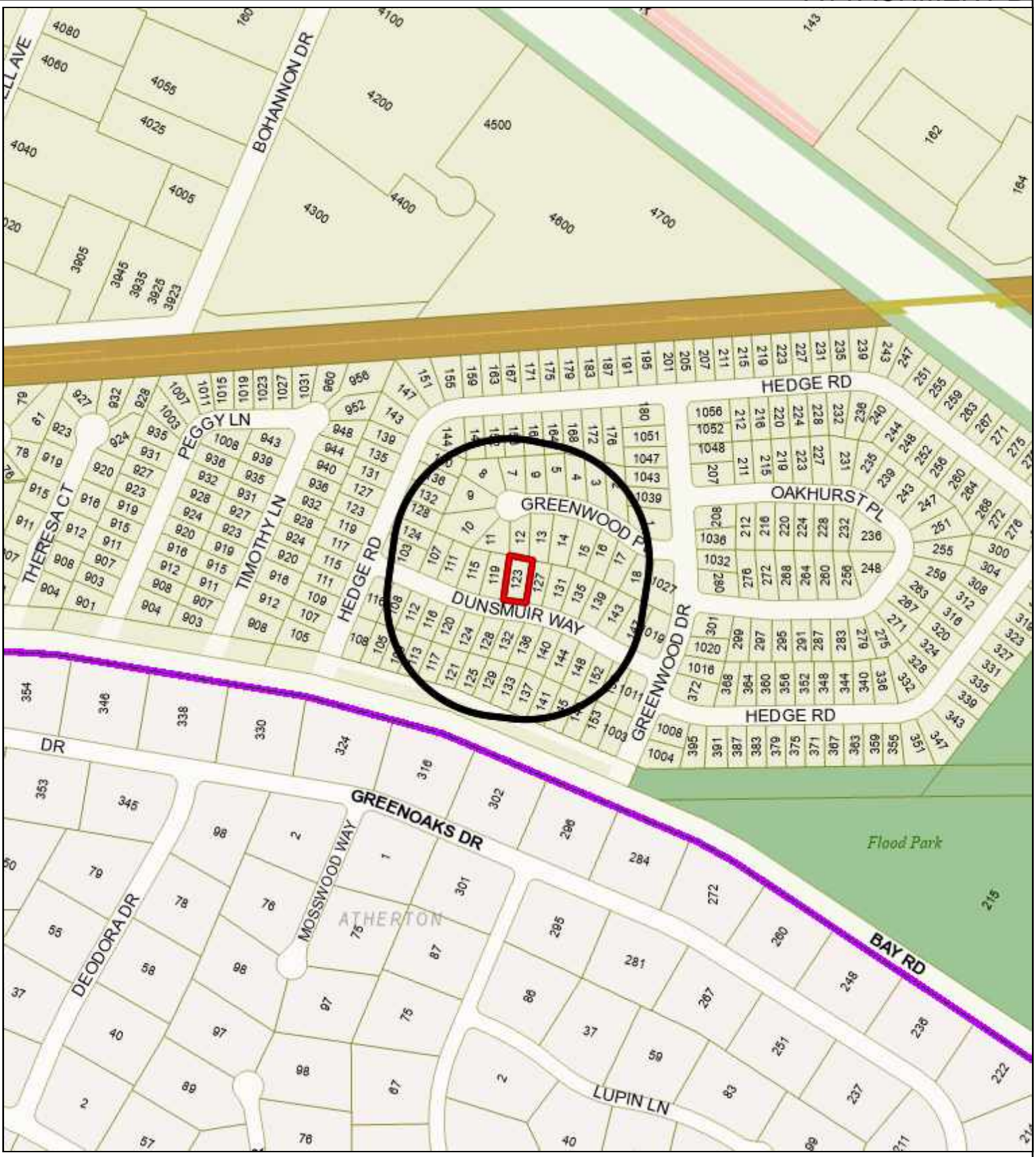
   f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering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

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

   h. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Bo Firestone Consulting and Design dated May 17, 2022.

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

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



City of Menlo Park

Location Map
123 DUNSMUIR WAY

Scale: 1:4,000 | Drawn By: CRT | Checked By: CDS | Date: 12/5/2022 | Sheet: 1

123 Dunsmuir Way – Attachment C: Data Table

	PROPOSED PROJECT	EXISTING PROJECT	ZONING ORDINANCE
Lot area	5,762 sf	5,762 sf	7,000 sf min
Lot width	50.6 ft	50.6 ft	65 ft min
Lot depth	113.8 ft	113.8 ft	100 ft min
Setbacks			
Front	20 ft	29.5 ft	20 ft min
Rear	23.9 ft	19.3 ft	20 ft min
Side (left)	5.1 ft	10 ft	10 percent of minimum lot width, minimum 5 feet
Side (right)	5.1 ft	3.5 ft	
Building coverage*	2,399.2* sf 41.6* %	1,795.8 sf 31.2 %	2,016.7 sf max 35.0 % max
FAL (Floor Area Limit)*	3,176.4* sf	1,795.8 sf	2,800 sf max
Square footage by floor	1,251.7 sf/1st 1,101.1 sf/2nd 439.3 sf/garage 384.3 sf/ADU 316.8 sf/porch 7.1 sf/fireplace	1,368.9 sf/1st 426.9 sf/garage	
Square footage of buildings	3,500.3 sf	1,795.8 sf	
Building height	25.8 ft	14.5 ft	28 ft max
Parking	2 covered spaces	2 covered spaces	1 covered and 1 uncovered space
Note: Areas shown highlighted indicate a nonconforming or substandard situation			

Trees					
Heritage trees	2**	Non-Heritage trees	1***	New trees	0
Heritage trees proposed for removal	0	Non-Heritage trees proposed for removal	0	Total Number of trees	3

* Floor area and building coverage for the proposed project includes the ADU, which is allowed to exceed the maximum floor area and building coverage by up to 800 square feet

** Of these trees, one is located on the subject property and one is located on a neighboring property.

*** This tree is located on a neighboring property.

ARBORIST REPORT

TREE PROTECTION PLAN

BO FIRESTONE
Consulting & Design
Certified Arborist since 2008

MAY 17, 2022

PREPARED FOR:
DIPESH SHRESTHA & JUSTINA KAYASTHA

SITE ADDRESS:
123 DUNSMUIR WAY • MENLO PARK, CA 94025



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Introduction

ARBORIST ASSIGNMENT

On May 11, 2022, at the request of the property owners I visited 123 Dunsmuir Way in the role of Project Arborist. The purpose was to perform the assessments and data collections as necessary to create an industry-standard Tree Protection Report for their project permit. It was my understanding that the existing single-story house would be demolished and a new two-story home with attached ADU and garage would be built in its place. The assessments in this report were based on review of the following Plan Sheets:

- Architectural Plans A0.01 – A5.1 dated 04/28/2022 by ACS Architects. These included the existing site survey, Site Plan (A1.0), floor plans, and elevations

- Topographic and Boundary Survey by Christensen & Pluoff (09/13/2021)

My inventory included a total of three (3) trees over six inches (6" DBH). There were two (2) trees of Heritage size, both sweetgum (*Liquidambar styraciflua)* in front of the house. Both trees were adjacent to the sidewalk with one to the right of the driveway on the neihgboring property. Other significant neighboring trees included one (1) Japanese maple (*Acer palmatum*). All other neighboring trees were sufficiently distant from the work (>10x DBH). **No trees of 6" DBH or larger would be removed for the project.**

USES OF THIS REPORT

According to City Ordinance, any person who conducts grading, excavation, demolition, or construction activity on a property to do so in a manner that does not threaten the health or viability or cause the removal of any Heritage Tree. **Any work performed within an area 10 times the diameter of the tree (i.e., the tree protection zone) requires the submittal of a tree protection plan for approval by the City before issuance of any permit for grading or construction.**

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

City Tree Protection Requirements

Heritage Tree Definition

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

Construction-Related Tree Removals

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

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

Violation Penalties

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

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

Impacts on Protected Trees

SITE DESCRIPTION

The property at 123 Dunsmuir Way was a residential lot typical of the neighborhood. The topography was not notable. There was a house with attached garage on-site with a driveway on the right-hand side. There was one sweetgum in front of the house by the sidewalk in a raised planting area and a second along the east property line in front of the neighbor's property. In the side yard of the neighbor to the west was a Japanese maple standing between the two houses.

TREE INVENTORY

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

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

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

PROJECT DESCRIPTION

After review of proposed architectural plans, it was my understanding the existing single-story house would be demolished and a new two-story home with attached ADU and garage would be built in its place. Please see attached Tree Protection Pan Map / Site Plan A1.00.

HOW CONSTRUCTION CAN DAMAGE TREES

Damage to Roots

Where are the Roots?

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

Damage from Excavation

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

Damage from Fill

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

Changes to Drainage and Available Water

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

Soil Compaction and Contamination

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

Mechanical Injury

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

IMPACTS TO HERITAGE TREES

SUMMARY

There were two (2) trees of Heritage size, both sweetgum (*Liquidambar styraciflua)* in front of the house. Both trees were adjacent to the sidewalk with the second to the right of the driveway on the neighboring property. Other significant neighboring trees included one (1) Japanese maple (*Acer palmatum*). All other neighboring trees were sufficiently distant from the work (>10x DBH). **No trees of 6" DBH or larger would be removed for the project.**

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

General species tolerance to construction, and condition of the trees (health and structural integrity), was also noted on the Inventory. These major factors, as well as tree age, soil characteristics, and species desirability, all factored into an individual tree's suitability rating, as summarized on the Inventory. Suitability of trees to be retained was rated as "high," "moderate," "low." Trees with low suitability would be appropriate candidates for removal. **Please see Glossary for definitions of ratings.**

TREE REMOVALS

No trees of 6" DBH or larger would be removed for the project.

IMPACTS TO SIGNIFICANT TREES

Tree #1H (25" sweetgum): This tree adjacent to the sidewalk on the property would incur a "low" impact (no more than 10% root loss) from the proposed excavation work (foundation and repaving of driveway).

Tree #2H (35" neighboring sweetgum): This tree adjacent to the sidewalk on the neighbor's property would be expected to sustain a moderate (acceptable) impact of 10 – 25% roots loss from the proposed excavation of the new foundation as the repaving of the driveway. I assume the concrete would be removed around the base of the tree and the soil dressed with new material. **Please see "Special Tree Protection Measures" section of this report for guidelines on working within 6x DBH of this tree.**

Tree #3 (10" neighboring Japanese maple): this tree would be expected to sustain a moderate (acceptable) impact of 10 – 25% roots loss from the proposed excavation of the new foundation as well as landscaping work on the western side yard. Although I haven't reviewed any landscaping plans, I assume there would be a new walkway adjacent to the tree. **In the case that this is true, please see "Special Tree Protection Measures" section of this report for guidelines on working within 6x DBH of this tree.**

Tree Protection Recommendations

PRE-CONSTRUCTION

Establish Tree Protection Zones (TPZ)

The Tree Protection Zone (TPZ) shall be a fenced-off area where work and material storage is not allowed. They are established and inspected prior to the start of work. This barrier protects the critical root zone and trunk from compaction, mechanical damage, and chemical spills.

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

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

Specific recommended protection for trees is as follows:

- **Tree #1H (25" sweetgum):** Establish standard TPZ fencing enclosure with a radius of 20 feet, or the greatest extent as possible, as limited by the property line, driveway, and sidewalk. Leave the minimum necessary workspace around the proposed structure and access around the house (usually 6'). **See attached "TPZ Map" for recommended fencing locations**

- **Tree #2H (35" neighboring sweetgum):** I recommended TPZ Trunk Wrap as an alternative to protect this tree surrounded by the concrete driveway. Standard fencing would not be feasible due to the proximity of the work. **Please see attached "TPZ Trunk Wrap" specification for best-practice method using dimensional lumber**. A coiled straw wattle wrap from the ground to 6' height, secured with two layers of plastic construction fencing is also acceptable.

- **Tree #3 (10" neighboring Japanese maple):** this neighboring tree would be partially protected by the existing (7') wooden property fence. Additional fencing would not be practical due to the proximity of the work.

TPZ FENCING SPECIFICATIONS:

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

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

Preventing Root Damage

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

Pruning Branches

No pruning has been identified for this project. In general, I recommend that trees be pruned only as necessary to provide minimum clearance for proposed structures and the passage of workers, vehicles, and machines, while maintaining a natural appearance. Any large dead branches should be pruned out for the safety of people working on the site.

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

Any property owner wanting to prune heritage tree more than one-fourth of the canopy and/or roots, must have permission from the City. Adjacent landowners should be consulted if pruning a neighboring tree.

Arborist Inspection

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

DURING CONSTRUCTION

Special Tree Protection Measures – Trees #1H, #2H, and #3

Demolition of existing concrete around Tree #2 should be performed in a manner that avoids tearing roots:

- Using the smallest effective machinery, break up pieces of the concrete and lift pieces up and away from trees. Dragging concrete or machinery across bare soil would disturb soil and roots.
- Cut roots embedded in paving rather than tearing them (see instructions on "Root Pruning").
- Some concrete appeared to be imbedded in the root flare of the tree. The Project or City Arborist should monitor when this concrete is removed to help ensure that the living wood is not damaged.
- I recommend that no new hardscaping be put between the new driveway and the trunk. Dress the existing soil with 1" – 4" of an appropriate mulch material such as compost, wood chips, or pebbles.

New Hardscaping (walkways, driveway) – Trees #2H and #3:

- When excavating within 15 feet of Trees #1H or 2H, and when installing new materials within 5 feet of Tree #3, use hand tools. Leave roots encountered undisturbed if possible.
- Excavation depth for installation of new landscape materials within these prescribed setbacks should be no more than 6 inches into existing soil grade. No compaction of subgrade under pavers.
- If roots must be cut, please see section titled "Root Pruning."
- No paving materials or any excavation or grading within five (5) feet of trunks.

Root Pruning

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

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

Any root pruning must be supervised by the Project Arborist.

Irrigation

Water moderately and highly impacted trees during the construction phase (in this case, Trees #2H and #3). As a rule of thumb, provide one to two inches per month. Water slowly so that it penetrates 18 inches into the soil, to the depth of tree roots. Do not water native oaks during the warm dry season (June – September) as this activates oak root fungus. Instead, make sure that the soil is sufficiently insulated with mulch (where possible). Remember that unsevered tree roots typically extend three to five times the distance of the canopy.

Project Arborist Supervision

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

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

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

POST-CONSTRUCTION

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

Continued Tree Care

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

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

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

Post-Construction Monitoring

Monitor trees for changes in condition. Check trees at least once per month for the first year post-construction. Expert monitoring should be done at least every 6 months or if trees show signs of stress. Signs stress include unseasonably sparse canopy, leaf drop, early fall color, browning of needles, and shoot die-back. Stressed trees are also more vulnerable to certain

disease and pest infestations. Call the Project Arborist, or a consulting arborist if these, or other concerning changes occur in tree health.

City Arborist Inspection

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

Conclusion

The home building project planned at 123 Dunsmuir Way appeared to be a valuable upgrade to the property and neighborhood. If any of the parties involved have questions on this report, or require Project Arborist supervision or technical support, please do not hesitate to contact me at (408) 497-7158 or busara@bofirestone.com.

Signed,



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

Supporting Information

GLOSSARY

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

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

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

SPREAD: Diameter of canopy between farthest branch tips

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

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

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

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

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

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

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

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

IDEAL TPZ RADIUS: Minimum recommended tree protection radius to ensure healthy, sound trees. Based on species tolerance, age, and size (total combined stem area). Compromising the radius in a specific area may be acceptable as per arborist approval.

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

IMPACT: Anticipated impact to an individual tree including……

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

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

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

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

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

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

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

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

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

BIBLIOGRAPHY

Fite, Kelby, and E. Thomas Smiley. *Managing trees during construction,* second edition. Champaign, IL: International Society of Arboriculture, 2016. Print.

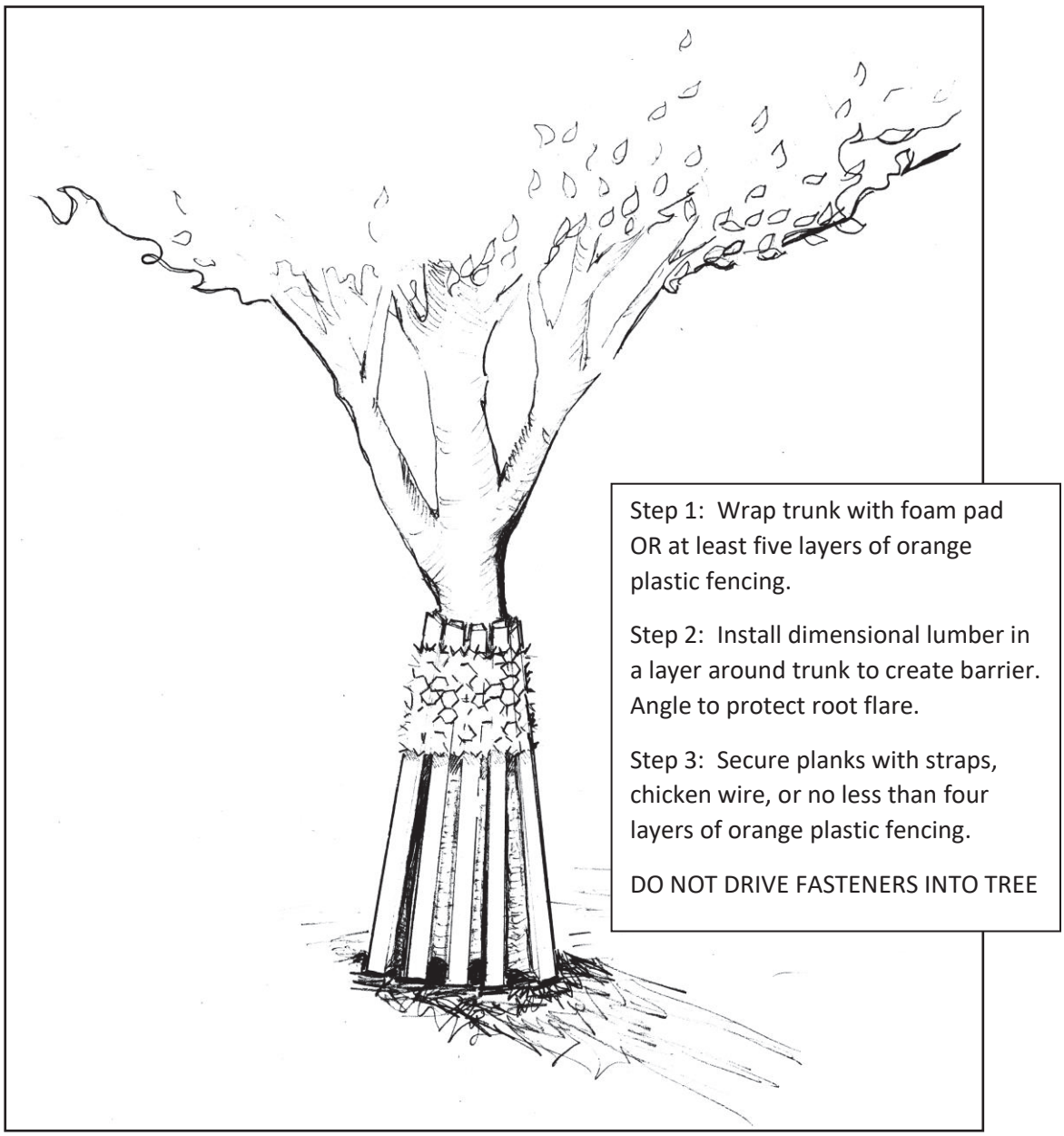
ISA. *Guide for Plant Appraisal,* 10th edition, second printing. Atlanta, GA: International Society of Arboriculture, 2019. Print.

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

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

TPZ II – Alternative Method of Tree Protection

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



Step 1: Wrap trunk with foam pad OR at least five layers of orange plastic fencing.

Step 2: Install dimensional lumber in a layer around trunk to create barrier. Angle to protect root flare.

Step 3: Secure planks with straps, chicken wire, or no less than four layers of orange plastic fencing.

DO NOT DRIVE FASTENERS INTO TREE

CERTIFICATE OF APPRAISAL

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

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

Signed,

Busara (Bo) Firestone

ISA Certified Arborist WE-#8525A

05/17/2022

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

TREE INVENTORY -123 Dunsmuir Way, Menlo Park, CA, 94025

Date: 5/17/22

									TREE IMPACT ASSESSMENT											
#	Heritage (H)	Common Name	Botanical Name	Protected Status	DBH (inches)	math. DBH (inches)	Height (feet)	Spread (feet)	Condition	Health, Structure, Form notes	Age	Species Tolerance	6X DSH* (feet)	Est. Root Loss**	TPZ mult. Factor	Ideal TPZ Radius (ft)	Impact Level ***	Suitability Rating	Removal Status	Appraisal Result
1	H	Sweetgum	*Liquidambar styracifula*	HERITAGE	25	25	60	25	POOR (25%)	codominant form, large heading cuts, moderate canker infection on major stem, moderate vigor	MATURE	MODERATE	13	< 10%	12	25	LOW	LOW	PRESERVE	$2,271
2	H	Sweetgum	*Liquidambar styracifula*	HERITAGE	35	35	65	25	FAIR (50%)	codominant form, large heading cuts, moderate victor, root plate growing over concrete	MATURE	MODERATE	18	10 - 25%	12	35	MODERATE*	MODERATE	PRESERVE	$7,419
3		Japanese Maple	*Acer palmatum*	(Neighboring, non-heritage)	est. 10	10	25	25	FAIR (50%)	natural form altered by heavy pruning, good vigor, sun scald wounds on trunks	MATURE	MODERATE	5	10 - 25%	12	10	MODERATE	MODERATE	PRESERVE	$950
KEY:																				
#		**on neighboring parcel**																		
		proposed removal (0)																		
ARBORIST NOTE: It was not clear to me if Trees #1 and #2 were City Street Trees or privately owned.																				

SEE GLOSSARY FOR DEFINITION OF TERMS

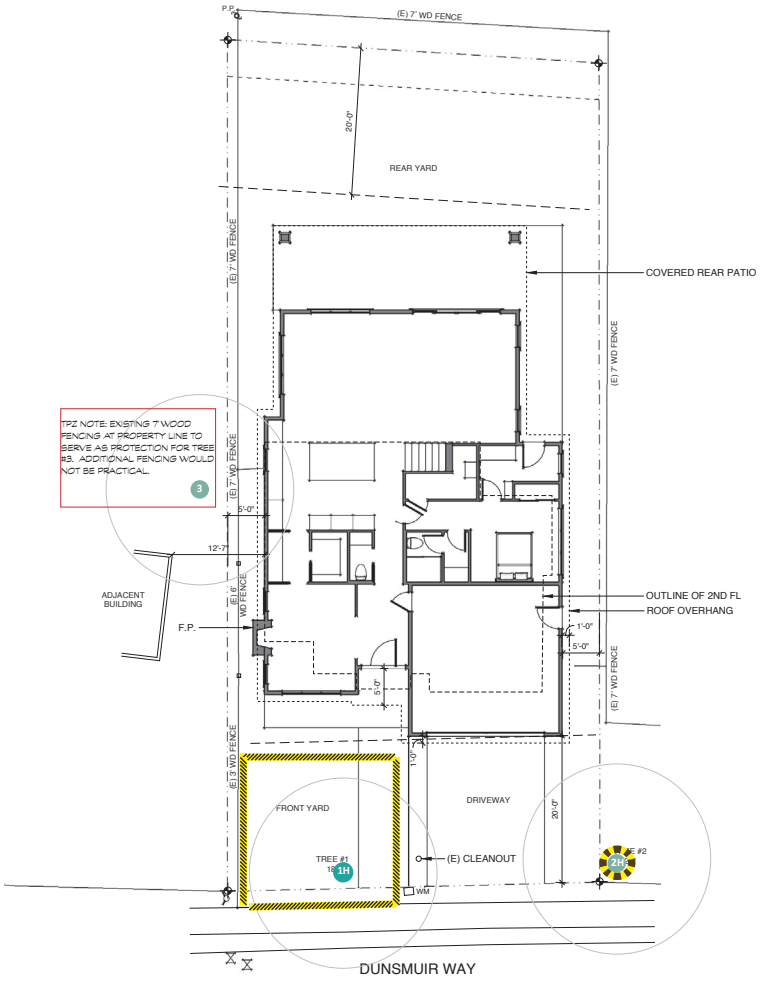
* 6X DBH is recongnized by tree care industry best practices as the distance from trunkface to a cut across the root plate that would result in a loss of approximately 25% of the root mass. Cuts closer than this may result in tree decline or instability.
**Based on approximate distance to excavation and extent of excavation (as shown on plans).
***Impact level assumming all basic and special tree protection measures are followed.

Appraisal calculations summary available apon request.

Prepared by Busara Firestone
ISA Certified Arborist #WE-8525A

LOT DRAINAGE NOTE

LOT DRAINAGE WILL BE 5% AWAY FROM BUILDING AND 2% TOWARDS THE PUBLIC RIGHT-OF-WAY NOT CROSSING PROPERTY LINES CRC R401.3, CPC 1101.2



SITE PLAN

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

1

TPZ MAP LEGEND:

- n — TREE TO REMAIN
- n — TREE ON NEIGHBORS PROPERTY
- TREE PROTECTION FENCING (SEE REPORT FOR SPEC.)
- TRUNK WRAP (SEE ATTACHED DIAGRAM FOR SPEC.)

NOTE: TREE #3 WAS PLACED BY PROJECT ARBORIST AND LOCATION IS APPROXIMATE.

IT WAS NOT CLEAR WHETHER TREES #1H AND #2H WERE CITY STREET TREES OR PRIVATE.

CITY TO VERIFY JURISDICTION.

TREE PROTECTION ZONE MAP

123 DUNSMUIR WAY, MENLO PARK, CA

DATE:
05/17/22

TPZ ELEMENTS DRAWN:
B. FIRESTONE
ISA-CERTIFIED ARBORIST
#WE-8525A

BASE MAP: SITE PLAN A1.0
by ACS ARCHITECTS
(04/28/2022)

ARBORIST
REPORT pg. 20

CITY OF MENLO PARK

STAFF REPORT

City Council
Meeting Date: **12/5/2022**
Staff Report Number: **22-067-PC**

Public Hearing: **Consider recommending that City Council adopt a resolution revising the use permit and architectural control approvals for the Menlo Uptown development project to allow for the potential removal of infrastructure investments at Willow Road and Bay Road from the project conditions of approval**

Recommendation

Staff recommends that the Planning Commission adopt a resolution recommending that the City Council adopt a resolution approving the use permit and architectural control revisions to modify the conditions of approval for the Menlo Uptown development project to allow for the City Council to consider removal of infrastructure investments at Willow Road and Bay Road from conditions of approval (Attachment A).

Policy Issues

The proposed action is consistent with General Plan Circulation Element policies to provide and maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe, and active community and quality of life throughout Menlo Park, including CIRC 1.1 (Vision Zero), CIRC 2-1 (accommodating all modes), CIRC 2-6 (reduce cut through traffic), and others.

Background

The Menlo Uptown development project, which consists of 441 rental units and 42 for-sale condominium units and approximately 2,940 square feet of commercial space (for the project's community amenity) and is located at 141 Jefferson Drive, and 180-186 Constitution Drive, was approved by the Planning Commission on June 21, 2021. That approval was appealed to the City Council, which rejected the appeals and approved the development on September 14, 2021. During the hearing on the appeal, City Council members raised questions about certain proposed infrastructure investments at intersections along Willow Road on the west side of U.S. 101 that were identified as conditions of the project.

Similar to other development projects reviewed by the City, the Menlo Uptown project included analysis of traffic conditions at intersections consistent with the City's Transportation Impact Analysis (TIA) Guidelines. These guidelines require new development projects to evaluate the potential impact of each development project on intersection level of service (LOS) for all intersections where the proposed project would add 10 or more vehicles per lane in the peak hour. Potential infrastructure investments are identified for intersections for which the project would cause the intersection to exceed the City's LOS standard or, if the intersection already exceeds the City's LOS standard, if the delay at the intersection would increase by 0.8 seconds.

The Transportation Impact Analysis (TIA) for the Menlo Uptown project identified infrastructure investments

at seven intersections, including intersections with near term impacts (for which the developer had responsibility to construct the investments) and cumulative impacts (for which the developer contributes a payment for their fair share of the investment).

The final conditions of approval for Menlo Uptown included language that the City Council could consider removal of select infrastructure investments identified as a function of level of service deficiencies generated by the project. Specifically, condition 2.xx identifies that required infrastructure investments at the following intersections would remain in the conditions of approval but could be removed by a future action of the City Council if desired:

- Willow Road and Coleman Avenue
- Willow Road and Gilbert Avenue
- Jefferson Drive and Chrysler Drive
- Chilco Street and Bayfront Expressway
- Chilco Street and Constitution Drive

Two other locations with infrastructure investments were not covered by this condition (at Willow Road and Bay Road and at Chrysler Drive and Independence Drive). At these two locations, the proposed investments are consistent with projects identified in the City's Transportation Impact Fee (TIF) nexus study.

On May 24, 2022, the City Council approved the public improvement agreement for the Menlo Uptown development, which included infrastructure investments at the above noted intersections, as well as several others that were not identified for potential reconsideration. Subsequently, on August 9, 2022, the City Council adopted a resolution to remove the infrastructure investments at Willow Road and Coleman Avenue and Willow Road and Gilbert Avenue from the public improvement agreement as contemplated in condition 2.xx of the final conditions of approval.

Analysis

At the October 11, 2022 City Council meeting, Councilmember Combs requested that the City reconsider the Menlo Uptown condition of approval at Willow Road and Bay Road (condition 2.ww.iii) that would add a second, short left turn lane from Bay Road onto Willow Road, due to inconsistency with complete streets principles. There were no objections by City Council members to bring this back for reconsideration. Because this proposed investment was not identified for potential removal in the final conditions of approval for the Menlo Uptown project, the reconsideration requires returning to the Planning Commission for review, followed by the City Council.

The Menlo Uptown project is expected to add just under 100 vehicles to Willow Road in both the eastbound and westbound directions in the AM peak period and about 40 to 60 vehicles in the PM peak period, depending on direction (Table 1). Notably, the Menlo Uptown project is not anticipated to add any trips to the travel movements to or from Bay Road.

Table 1: Traffic volumes at Willow Road and Bay Road with and without Menlo Uptown project

Period	Scenario	Willow Road EB		Willow Road WB		Bay Road	
		Thru	Left	Thru	Right	Left	Right
AM	Existing	1,080	65	1,186	423	352	60
	With project	1,172	65	1,282	423	352	60

	Difference	92	0	96	0	0	0
PM	Existing	1,201	20	678	100	241	40
	With project	1,245	20	739	100	241	40
	Difference	44	0	61	0	0	0

In principle, installing the left turn lane allows the left turns from Bay Road on to Willow Road to clear slightly more quickly, allowing for more of each signal cycle to be allocated to the Willow Road through traffic, which has the highest vehicle volumes. The addition of the left turn lane is expected to increase the amount of green time for Willow Road by between 5 and 7 percent, depending on the direction and time of day. Today, the green time for the Willow Road through traffic is between 60 and 70 percent of the total signal cycle time.

In practice, actual conditions and performance do not match analysis and may be somewhat worse or better than identified in the evaluation depending on a variety of considerations. Importantly, this type of analysis considers only conditions at a specific location, and does not consider how these changes may impact the behavior of people traveling across the entire roadway network, which could result in shifting of travel patterns. For example, adding additional turning capacity at Bay Road could encourage more people to use Bay Road as a cut through route.

The proposed investment at Willow Road and Bay Road is identified within the City's Transportation Impact Fee (TIF) nexus study. Unlike projects that are identified as a result of level of service deficiencies only, developers that construct TIF projects receive a credit against their TIF payment. If the condition is removed, the City will simply collect the TIF payment from Menlo Uptown following the typical approach. The recommended updated conditions of approval are included in Exhibit A to Attachment A, which would modify condition 2.xx to include the Willow Road and Bay Road intersection investment (condition of approval 2.ww.iii) in the list of intersections that the City Council could consider removing at a later time. The public improvement agreement would be updated and modified accordingly and a redlined version is included in Attachment B for reference.

Conclusion

The Planning Commission is a recommending body to the City Council on the requested revisions to the approved architectural control and use permit. If the City Council approves the requested revisions, the Council would be able to consider whether to remove the intersection improvement at Willow Road and Bay Road at a future City Council meeting as a separate action. The modification to the condition of approval provides this flexibility but does not require removal of the intersection investment in condition 2.ww.iii. The public improvement agreement would be modified accordingly and is not subject to Planning Commission review and action.

Impact on City Resources

There is no anticipated impact on City resources as a result of this action.

Environmental Review

The Menlo Uptown Final Environmental Impact Report was certified on September 14, 2021. The proposed modification to the conditions of approval would result in no change to the street network at Willow Road and Bay Road and thus does not have an environmental impact.

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 ¼ miles radius of the subject property.

Attachments

A. Draft Planning Commission Resolution
   Exhibits to Attachment A
   A. Draft revised Exhibit I of Resolution 6661 (~~Strikethrough~~ and underlined conditions of approval)
B. Draft revised public improvement agreement (~~Strikethrough~~ and underlined)

Report prepared by:
Hugh Louch, Assistant Public Works Director – Transportation

Report reviewed by:
Kyle Perata, Planning Manager
Corinna Sandmeier, Acting Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2022-XX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK RECOMMENDING THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVE REVISIONS TO THE APPROVED USE PERMIT AND ARCHITECTURAL CONTROL PERMIT FOR THE MENLO UPTOWN MULTIFAMILY AND TOWNHOME PROJECT TO MODIFY THE CONDITIONS OF APPROVAL TO ALLOW THE CITY COUNCIL TO CONSIDER WHETHER TO REQUIRE THE CONSTRUCTION OF CERTAIN TRANSPORTATION IMPROVEMENTS WHICH IMPROVEMENTS MUST BE CONSTRUCTED PURSUANT TOTHE CONDITIONS OF APPROVAL AND PUBLIC IMPROVEMENT AGREEMENT

WHEREAS, the City of Menlo Park ("City") received an application requesting environmental review, use permit, architectural control, below market rate (BMR) Housing Agreement, heritage tree removal permits, major subdivision, and community amenities operating covenant from CLPF GRP Uptown Menlo Park, LLC and CLPF CRP TH Menlo Park, LLC ("Applicant"), to redevelop the property located at 141 Jefferson Drive, and 180-186 Constitution Drive (APNs 055-242-030, 055-242-040, 055-242-140) ("Property"), with a bonus level development project consisting of up to 483 dwelling units comprised of 441 rental units and 42 for-sale condominium units and approximately 2,940 square feet of commercial space proposed to be used as part of the Applicant's community amenity (hereinafter the "Project"); and

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

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

WHEREAS, the City released a Notice of Preparation ("NOP") and Initial Study for the Project on November 25, 2019 for a 30-day public review period ending on January 10, 2020. The City held a public EIR scoping meeting on December 16, 2019 before the City Planning Commission to receive comments on the NOP prior to the close of the public review period. Comments received by the City on the NOP and at the public EIR scoping meeting were considered during preparation of the Draft EIR. The initial study disclosed relevant impacts and mitigation measures already covered in the program-level ConnectMenlo EIR; and

WHEREAS, the Draft EIR was released on December 4, 2020 for an extended 60-day review period (to account for the December holidays and City hall closures) that ended on February 2, 2021. The public review period included one duly noticed public meeting on January 11, 2021 to receive oral and written comments on the Draft EIR; and

WHEREAS, the Draft EIR was filed with the California Office of Planning and Research and copies of the Draft EIR were made available at the Community Development Department, on the City's website and at the Menlo Park Library; and

WHEREAS, on June 11, 2021, the City published a Response to Comments Document that contains all of the comments received during the public comment period, including a transcript of the public hearing, and written responses to those comments, and any text changes to the Draft EIR, prepared in accordance with CEQA and the CEQA Guidelines. The Draft EIR and Response to Comments Document constitute the Final EIR; and

WHEREAS, the City prepared or caused to be prepared the Findings of Fact in accordance with CEQA and CEQA Guidelines Section 15091; and

WHEREAS, the City prepared or caused to be prepared a Mitigation Monitoring and Reporting Program ("MMRP"), which is incorporated herein by this reference and as part of the Final EIR, which will ensure all mitigation measures relied upon in the findings are fully implemented and that all environmental impacts are reduced to a less than significant level; and

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

WHEREAS, after notice having been lawfully given, a duly noticed public hearing was held before the City Planning Commission on June 21, 2021 at which all persons interested had the opportunity to appear and comment; and

WHEREAS, after closing the public hearing, the Planning Commission considered all public and written comments, pertinent information, documents and plans and all other evidence in the public record on the Project; and

WHEREAS, the Planning Commission fully reviewed, considered, evaluated, and certified the Final EIR, along with all public and written comments, pertinent information, documents and plans prior to taking action to approve the use permit, architectural control, BMR Housing agreement, and community amenities operating covenant and recommended approval of the major subdivision to the City Council for the Menlo Uptown project; and

WHEREAS, following the Planning Commission's review, consideration, evaluation and certification of the Final EIR and approval of the use permit, architectural control, BMR Housing agreement, and community amenities operating covenant, the City Council received two timely appeals to the Planning Commission's actions on the project; and

WHEREAS, on September 14, 2021, the City Council held a public hearing and separately reviewed and considered the aforementioned appeals, and fully reviewed, considered, evaluated, and certified the Final EIR, along with all public and written comments, pertinent information, documents and plans prior to taking action to deny the appeals and approve the use permit, architectural control, BMR Housing agreement, and community amenities agreement for the Project; and

WHEREAS, Condition of Approval 2.ww.iii of Resolution No. 6661, incorporated herein, approving the use permit, architectural control, BMR Housing Agreement, and community amenities agreement for the Project requires the Applicant to construct certain transportation improvements at Willow Road and Bay Road; and,

WHEREAS, on May 24, 2022 the City Council approved a Public Improvement Agreement, incorporated herein, for the Project which governs the permitting, construction and phasing of the various public improvements required pursuant to the project entitlements ("Public Improvement Agreement"), including the construction of those certain transportation improvements at Willow Road and Bay Road; and,

WHEREAS, in conformance with conditions of approval 2.ww.iii, subsection (i) of subsection (f) of section (2) of the Public Improvement Agreement requires Applicant to prepare and submit Plans, Specifications and Cost Estimates in connection with the Near Term Transportation Improvements (improvements required pursuant to condition of approval 2.w.iii "Willow Road and Bay Road") prior to the issuance of a superstructure permit from City to Applicant for the construction of the multifamily component of the project; and,

WHEREAS, the Applicant has completed the appropriate Plans, Specifications, and Cost Estimates as required; and

WHEREAS, members of the City Council of Menlo Park have requested reconsideration of the proposed improvement at Willow Road and Bay Road; and,

WHEREAS, pursuant to subsection (i) of subsection (f) of section (2) of the Public Improvement Agreement, the City Council desires to have flexibility to consider whether to remove the Near Term Transportation Improvement requirements of condition of approval 2.ww.iii (governing improvements at Willow Road and Bay Road); and

WHEREAS, Condition of approval 2.xx of the Project allows the City Council to determine whether to implement certain intersection improvements identified in the conditions of approval; and

WHEREAS, modification of condition of approval 2.xx to allow the City Council to consider and potentially not require applicant to construct the intersection improvements at Willow Road and Bay Road requires Planning Commission review and recommendation to the City Council because the City Council would need to revise the approved conditions of approval for the use permit and architectural control permit; and

WHEREAS, allowing for the City Council to consider removing condition of approval 2.ww.iii would be consistent with the City's General Plan, including policies CIRC-1.1 (Vision Zero), CIRC 2-1 (accommodating all modes), CIRC 2-6 (reduce cut through traffic); and

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

WHEREAS, after notice having been lawfully given, a duly noticed public hearing was held before the City Planning Commission on December 5, 2022, at which all persons interested had the opportunity to appear and comment; and

WHEREAS, after closing the public hearing, the Planning Commission considered all public and written comments, pertinent information, documents and plans an all other evidence in the public record on the Project; and

WHEREAS, the Planning Commission fully reviewed, considered, evaluated, and recommended to the City Council that modification to condition of approval 2.ww.iii as follows: the intersection improvement at Willow Road and Bay Road required by Condition of Approval 2.ww.iii

be added to the list of intersection improvements identified in condition of approval 2.xx that the City Council has authority to review and determine whether to require at a future time; and

WHEREAS, the recommended modifications to condition of approval 2.xx and 2.ww.iii are set forth and shown in Exhibit A, attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission finds that the above recitals together with the staff report and the application materials, including without limitation, the certified EIR, and all other documents, reports, studies, memoranda, maps, oral and written testimony, and materials in the City's file for the applications and the Project, and all adopted and applicable City planning documents related to the Project and the Project Site and all associated approved or certified environmental documents, have together served as an adequate and appropriate evidentiary basis for the recommendations set forth in this resolution.

BE IT FURTHER RESOLVED that the Planning Commission makes the following findings and recommendations:

Section 1. Modification to Project conditions of approval in City Council Resolution 6661. Modify the Project conditions of approval to include condition of approval 2.ww.iii (Willow Road and Bay Road) in the listed intersections and conditions in condition of approval 2.xx to allow for the City Council to have the authority to determine whether said improvement shall be constructed as a condition of the Project. All other terms, provisions and requirements of Resolution No.6661 and the Public Improvement Agreement would remain unchanged and unaltered.

Section 2. Condition of Approval 2.ww.iii and 2.xx shall be amended as set forth and shown in Exhibit A, attached hereto and incorporated herein by this reference (additions in underline, deletions in ~~strikethrough~~.)

Section 2. California Environmental Quality Act. On September 14, 2021, the City Council adopted Resolution No. 6660 certifying the Menlo Uptown Final Environmental Impact Report ("EIR"), State Clearinghouse No. 2019110498, in compliance with the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.), the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). The City Council certified an EIR and adopted an MMRP for the Menlo Uptown Project. This action would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified significant effects analyzed in the EIR and as such, this action is not subject to further CEQA review or action.

SEVERABILITY

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

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I, Deanna Chow, Assistant Community Development Director of Menlo Park, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on the ____ day of December, 2022, 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 December, 2022.

_____
Deanna Chow
Assistant Community Development Director
City of Menlo Park

Exhibits
A. City Council Resolution No. 6661 Exhibit I (Redlined conditions of approval)

LOCATION: 141 Jefferson Drive, 180-186 Constitution Drive	**PROJECT NUMBER:** PLN2019-00062	**APPLICANT:** Andrew Morcos	**OWNER:** CLPF GRP Uptown Menlo Park LLC and CLPF CRP TH Menlo Park, LLC

PROJECT CONDITIONS:

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

General Conditions

a. Development of the project shall be substantially in conformance with the plans prepared by Heller Manus Architects, ktgy Architecture + Planning, BDE Architecture, and PGAdesign Landscape Architects attached to the June 21, 2021 Planning Commission staff report as Attachment E, and consisting of 138 plan sheets, dated received on June 11, 2021 (hereinafter the "Plans"). The Plans are incorporated by reference herein. The Plans may only be modified by the conditions contained herein (conditions 1d. and 1e.), subject to review and approval of the Community Development Director or their designee.

b. The Project shall be subject to the California Environmental Quality Act Environmental Impact Report prepared for and certified prior to approval of the Project and the associated Mitigation Monitoring and Reporting Program (MMRP), CEQA Clearinghouse No. 2019060108. The project shall comply with all mitigation measures of the MMRP which is attached to Menlo Park City Council Resolution No. 2021-___ and incorporated herein by this reference.

c. All outstanding and applicable fees associated with the processing of this Project shall be paid prior to the issuance of any building permit for the Project.

d. Substantially consistent and minor modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be approved in writing by the Community Development Director or designee, based on the determination that the proposed modification is consistent with other building and design elements of the approved architectural control permit and will not have an adverse impact on the character and aesthetics of the site. Substantially consistent modifications are modifications to the development that do not increase the intensity or density of the project or the allowed uses. The Director may refer any request for revisions to the plans to the Planning Commission. If the Director refers the plans to the Planning Commission, the Director shall provide written documentation of the Director's determination that the modification is substantially consistent and a member of the Planning Commission may request to discuss these modifications on the next agenda within 72 hours of notification of the modifications by the Community Development Director. Further environmental review and analysis may be required if such changes necessitate further review and analysis pursuant to the California Environmental Quality Act.

e. Major modifications to the development plan which involve material expansion or intensification of development, modifications to the permitted uses, or modifications to the architectural design, including materials and colors may be allowed subject to obtaining architectural control and use permit revisions from the Planning Commission.

f. Prior to issuance of the first building permit, the applicant shall execute and record in the San Mateo County Recorder's office the Below Market Rate (BMR) Housing Agreement. Agreement is attached to Menlo Park City Council Resolution No. 2021-___ as Exhibit G and incorporated herein by this reference.

g. Prior to issuance of the first building permit, the applicant shall execute and record in the San Mateo County Recorder's office a covenant or deed restriction, to the satisfaction of the City Attorney, documenting that all applicable development regulations (including density, floor area ratio, height, parking, and open space) are calculated across all three parcels on the entire

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PROJECT CONDITIONS:

project site and notifying any future owners of the shared development potential between project parcels.

h. Applicant shall keep the property in a clean and sanitary condition at all times, maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the City of Menlo Park Municipal Code.

i. The Project shall adhere to all ordinances, plans, regulations and specifications of the City of Menlo Park and all applicable local, State, and Federal laws and regulations.

j. Prior to issuance of the first building permit, the applicant shall comply with all requirements of and conditions imposed by the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

k. Prior to issuance of any building permit for the Project, Applicant shall clearly indicate compliance with all conditions of approval on the plans and/or provide written explanations to the Director of Community Development regarding any inability to satisfy all conditions of approval.

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

Building Division Conditions

m. The use permit granted in accordance with Section 16.82.170 of the Menlo Park Municipal Code shall be null and void if not used within one year from the date of approval. The applicant shall be required to submit a complete building permit application within one year from the date of approval (June 21, 2022) for the use permit to remain in effect. The Community Development Director or their designee may extend the effective date of approval upon written request of the applicant for up to one year, if the Director or their designee finds that there is a good cause for the extension based upon unusual circumstances and/or conditions not of the making of the applicant.

n. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans to the Building Division verifying that the project complies with all applicable Municipal Code Title 12 (Buildings and Construction) for review and approval.

o. The project is subject to the California Building Code, the California Building Standards Code and any adopted Reach Codes and/or local building code ordinances in effect at the time of complete building permit application submittal.

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p. The project is subject to the California Green Building Standards Code (CalGreen) and any local amendments to the Code in effect at the time of submittal of the complete building permit application. Other forms of green building checklist will not be acceptable in-lieu of the CalGreen requirements.

q. The complete building permit application shall include all unit plans to be fully drawn and detailed including mirrored plans. Further, all residential building plans are required to include drawings for mirrored units including structural, mechanical, electrical, and plumbing plan sheets.

r. All deferred submittals other than trusses are to be approved by the Building Official or their designee prior to submittal of the complete building permit application.

s. The complete building permit application shall include information on all imported fill. The imported fill must meet the City of Menlo Park's requirements. Documentation demonstrating that the fill meets the City's requirements must be submitted to and approved by the Building Official or their designee prior to fill being brought on site. Fill requirements are outlined in CBC appendix J section J107 as adopted in MPMC Section 12.06.020.

t. As part of the complete building permit application submittal, approved soil management plans and work plans by the agency with jurisdiction over any remediation work is required to be submitted to the City for reference purposes. Any excavation related to soils remediation shall require issuance of a building permit from the City.

u. Each occupancy and unit set forth in the Plans shall have the required fire protection systems, allowable building height and separations per Table 508.4 of the 2019 California Building Code (CBC) or whichever CBC is in effect at the time of building permit submittal. Simultaneous with the submittal of a complete building permit application, the applicant shall include documentation the Plans have been reviewed and approved by the Menlo Park Fire District.

v. The complete building permit application shall include construction documents needed to identify the location of electric vehicle (EV) spaces as per 2016 Cal Green Code 4.106.4.3 and the City's local amendments or the CalGreen code and any local amendments in effect at the time of submittal of a complete building permit application.

w. The complete building permit application shall include pedestrian protection along the public right-of-way with sidewalks, as required per Section 3306 of the 2019 CBC or the CBC in effect at the time of submittal of a complete building permit application.

x. The complete building permit application shall include details regarding protection of adjoining property, as required per Section 3307 of the 2019 CBC or the CBC in effect at the time of submittal of a complete building permit application.

y. The complete building permit application shall include details demonstrating that the building meets the sound transmission requirements of Section 1207 of the 2019 CBC or the CBC in effect at the time of submittal of a complete building permit application.

z. Simultaneous with the submittal of a complete building permit application, the applicant shall submit and get approval of a construction waste management plan per City's ordinance

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PROJECT CONDITIONS:

12.18.010. The construction waste management plan is subject to approval by the Building Official or their designee.

aa. The complete building permit application shall include details demonstrating that all sanitary sewer lines will gravity feed to the sewer mains in the public right-of-way unless otherwise approved by the Building Official or their designee.

bb. The complete building permit application shall include details demonstrating that all slopes away from the building shall comply with the Section 1804.4 of the 2019 CBC or the current CBC in effect at the time of submittal of a complete building permit application.

cc. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans for: 1) construction safety fences around the periphery of the construction area, 2) dust control, 3) air pollution control, 4) erosion and sedimentation control, 5) tree protection fencing, and 6) construction vehicle parking. The plans shall be subject to review by the Engineering, Planning, and Building Divisions and the City's Building Official or their designee shall approve the Plans subject to input by City staff. The safety fences, dust and air pollution control measures, erosion and sedimentation control measures, and tree protection measures shall be installed according to the approved plan prior to commencing construction and implemented throughout the duration of construction at the project site.

Engineering Division Conditions

dd. Simultaneous with the submittal of a complete building permit application, the applicant shall provide documentation indicating the amount of irrigated landscaping. If the project includes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44) and a detailed landscape plan shall be submitted simultaneously with the submittal of a complete building permit application, subject to review and approval by the Engineering Division.

ee. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a draft "Stormwater Treatment Measures Operations and Maintenance (O&M) Agreement" to the City subject to review and approval by the Engineering Division. With the executed agreement, the property owner is responsible for the operation and maintenance of stormwater treatment measures for the project. The agreement shall run with the land and shall be recorded with the San Mateo County Recorder's Office prior to building permit final inspection.

ff. Simultaneous with the submittal of a complete building permit application, the applicant shall submit all applicable engineering plans for Engineering review and approval. The plans shall include, but are not limited to:
   i. Existing Topography (NAVD 88')
   ii. Demolition Plan
   iii. Site Plan (including easement dedications)
   iv. Construction Parking Plan
   v. Grading and Drainage Plan
   vi. Utility Plan
   vii. Erosion Control Plan / Tree Protection Plan
   viii. Planting and Irrigation Plan
   ix. Off-site Improvement Plan

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PROJECT CONDITIONS:

x. Construction Details (including references to City Standards)

gg. During the design phase of the construction drawings, all potential utility conflicts shall be potholed and actual depths shall be recorded and submitted to the City simultaneous with the submittal of a complete building permit.

hh. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. Utility equipment shall meet the requirements of Chapter 16.45.120(6)(B) of the Menlo Park Zoning Ordinance. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping, subject to review and approval of the Planning, Engineering, and Building Divisions. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

ii. Simultaneous with submittal of a complete building permit application, the applicant shall submit plans that include proposed measures to prevent erosion and polluted runoff from all site conditions, subject to review and approval of the Engineering Division. During construction, if construction is not complete by the start of the wet season (October 1 through April 30), the applicant shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of much onto public right-of-way; and covering/tarping stored construction materials, fuels, and other chemicals. A site specific winterization plan implemented during construction would be subject to review by the Engineering, Building, and Planning Divisions and subject to approval by the Building Official or their designee with input from City staff. The winterization plan would be in addition to the erosion control plan required in condition 1.ff.

jj. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit a plat and legal description and proposed form of irrevocable easement agreement for public utilization of the Publicly Accessible Open Space, including the publicly accessible paseo, to the satisfaction of the Public Works Director and City Attorney. The form of irrevocable easement shall ensure, to the satisfaction of the City, that the Applicant has reasonable control over the Publicly Accessible Open Space and that the Publicly Accessible Open Space is accessible to the general public, in perpetuity during reasonable hours of each day of the week.

i. The irrevocable easement agreement requires City Manager approval and shall be recorded with the County of San Mateo prior to granting of the first unit and/or building occupancy.

kk. Prior to issuance of the first building permit, the applicant shall comply with all Sanitary District, Menlo Park Municipal Water, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.

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ll. Prior to building permit issuance (grading and utilities phase), applicant shall coordinate with Menlo Park Municipal Water (MPMW) to confirm the existing water mains and service laterals meet the domestic and fire flow requirements of the project. If the existing water main and service laterals are not sufficient as determined by MPMW, applicant may, as part of the project, be required to construct and install new water mains and service laterals sufficient to meet such requirements. Any required off-site improvements would be required to be completed prior to the granting of occupancy.

mm. Prior to building permit issuance (grading and utilities phase), applicant shall coordinate with West Bay Sanitary District to confirm the existing sanitary sewer mains and service laterals have sufficient capacity for the project. If the existing sanitary sewer mains and service laterals are not sufficient as determined by West Bay Sanitary District, applicant may, as part of the project, be required to construct and install new sanitary sewer mains and service laterals sufficient to meet such requirements. Any required off-site improvements would be required to be completed prior to the granting of temporary occupancy.

nn. Simultaneous with the submittal of a complete building permit application, the applicant's design professional shall evaluate the Project's impact to the City's storm drainage system and prepare a hydrology report to the satisfaction of the City Engineer. Post-construction runoff into the storm drain shall not exceed pre-construction runoff levels.

oo. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Storm Water Management Report that meets the requirements of the San Mateo County's C.3 Stormwater Technical Guidance Manual.

pp. The Project Stormwater Management Plan shall incorporate trash capture measures such as screens, filters or CDS/Vortex units to address the requirements of Provision C.10 of the Regional Water Quality Control Board (RWQCB) Municipal Regional Permit (MRP). The Stormwater Management Plan shall be reviewed and approved by the Engineering Division prior to building permit issuance (grading and utilities phase).

qq. Prior to issuance of the first building permit, the applicant shall submit plans for construction related parking management, construction staging, material storage and Traffic Control Handling Plan (TCHP) to be reviewed and approved by the Transportation, Engineering, Planning, and Building Divisions. The applicant shall secure adequate parking for any and all construction trades, until the parking podium is available on the project site. The plan shall include construction phasing and anticipated method of traffic handling for each phase. The plan shall include construction phasing and anticipated method of traffic handling for each phase. The existing sidewalk and bike lanes or an acceptable pedestrian and bicycle pathways along project's frontage shall be provided during all construction phases except when the new sidewalk is being constructed.

rr. Prior to issuance of the first building permit, all applicable Public Works fees shall be paid. Refer to the most current City of Menlo Park Master Fee Schedule.

ss. Prior to Final Map approval or Building Permit issuance, whichever comes first, the Applicant shall enter into an Agreement for Completion of Development Improvements and provide a performance bond for the completion of the off-site improvements as shown on the approved Off-site Improvement Plans. The Applicant shall obtain an encroachment permit, from the

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appropriate reviewing jurisdiction, prior to commencing any work within the right-of-way or public easements.

tt. As part of the complete building permit application, the plan shall include details on all Stormwater Pollution Prevention Program Best Management Practices (BMPs). Prior to commencing any work on the project site, BMPs for construction shall be implemented to protect water quality, in accordance with the approved Stormwater Pollution Prevention Plans.

uu. Heritage trees to remain in the vicinity of the construction project shall be protected during the entire construction phase, pursuant to the Heritage Tree Ordinance and the arborist report prepared by HortScience | Bartlett Consulting, dated received November 20, 2019.

vv. Heritage tree replacements, required as part of approval of heritage tree permit HTR2021-00035, shall be planted on the project site to the satisfaction of the City Arborist and Planning Division prior to final building permit inspection.

ww. Prior to final inspection, all public right-of-way improvements, including frontage improvements, shall be completed to the satisfaction of the Engineering Division.

xx. The applicant shall retain a civil engineer to prepare "as-built" or "record" drawings of public improvements, and the drawings shall be submitted in AutoCAD and Adobe PDF formats to the Engineering Division. “As-built” or “record” drawings shall be submitted to the Engineering Division prior to granting of occupancy.

2. The architectural control and use permit shall be subject to the following ***project-specific*** conditions:

Planning Division Conditions

a. Simultaneous with the submittal of a complete building permit application, the applicant shall enroll in EPA Energy Star Building Portfolio Manager. Prior to building permit final approval, the applicant shall submit documentation showing compliance to the satisfaction of the Planning and Building Divisions.

b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit an updated LEED Checklist, subject to review and approval of the Planning Division. The Checklist shall be prepared by a LEED Accredited Professional (LEED AP). The LEED AP shall submit a cover letter stating their qualifications, and confirm that they have prepared the Checklist and that the information presented is accurate. Confirmation that the project conceptually achieves LEED Gold certification for the apartment buildings and LEED Silver certification for the townhomes and registration with the USGBC shall be required before issuance of the building permit. Prior to final inspection of the building permit or as early as the project can be certified by the United States Green Building Council, the project shall submit verification that the development has achieved final LEED Gold and LEED Silver certification. Occupancy and/or final inspection can be granted with an agreed upon timeline for final certification between the City and the Applicant.

c. Prior to issuance of the first building permit, the Community Amenities Operating Covenant, attached to Menlo Park City Council Resolution No.2021-___ as Exhibit H, and incorporated herein by this reference, shall be executed and recorded with the County of San Mateo and a conformed copy shall be submitted to the Planning Division.

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d. The applicant shall operate and maintain the Community Amenities pursuant to the Project Plans and as more fully set forth in the Community Amenities Operating Covenant. The required Community Amenities shall be consistent with the appraisal and valuation approved by both Applicant and the City of Menlo Park pursuant to section 16.45.070 of the Menlo Park Municipal Code.

e. Operator shall commence operation of the Community Amenity within one (1) year of issuance of the first Temporary Certificate of Occupancy for any residential unit (ownership or rental) within the Project.

f. Operator shall maintain the Community Amenity space open to the general public for a minimum of 40 hours per week, seven days a week, consistent with the Community Amenities Operating Covenant for the project. The City Manager may approve modified minimum hours of operation upon written request, including reasonable justification(s) for the request, from the Operator.

g. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a zero-waste management plan to the City, which will cover how the applicant plans to minimize waste to landfill and incineration in accordance with all applicable state and local regulations, including compliance with the requirements of Chapter 16.45.130(5)(A) of the Zoning Ordinance. Applicants shall show in their zero-waste plan how they will reduce, recycle and compost wastes from occupancy phases of the building. Zero Waste plan elements shall include the property owner's assessment of the types of waste to be generated during occupancy, and a plan to collect, sort and transport materials to uses other than landfill and incineration. The plan shall be subject to the satisfaction of the Sustainability Manager or their designee and comply with requirements in place at the time of the SB 330 application for the project.

h. Prior to issuance of the first building permit, the applicant shall submit plans and supporting documentation to the Building and Planning Divisions documenting that the project meets one hundred percent of its energy demand (electricity and natural gas), as required by Chapter 16.45.130(2) of the Zoning Ordinance, through the combination of the following measures and to the satisfaction of the Building and Planning Divisions:

    i. On-site energy generation;

    ii. Purchase of 100% renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the project;

    iii. Purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the project;

    iv. Purchase of certified renewable energy credits and/or certified renewable energy off-sets annually in an amount equal to the annual energy demand of the project.

    If a local amendment to the California Energy Code is approved by the California Energy Commission (CEC), the following provision becomes mandatory:

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PROJECT CONDITIONS:

The project will meet one hundred percent (100%) of energy demand (electricity and natural gas) through a minimum of 30% of the maximum feasible on-site energy generation, as determined by an On-Site Renewable Energy Feasibility Study and any combination of measures ii to iv above. The On-Site Renewable Energy Feasibility Study shall demonstrate the following cases at a minimum: 1. Maximum on-site generation potential. 2. Solar feasibility for roof and parking areas (excluding roof mounted HVAC equipment). 3. Maximum solar generation potential solely on the roof area.

i. Simultaneous with the submittal of a complete building permit application, the applicant shall incorporate dual plumbing for internal use of future recycled water to the satisfaction of the Building Division.

j. Simultaneous with the submittal of a complete building permit application, the applicant shall submit updated water budgets and accompanying calculations following the methodology approved by the City and consistent with submitted building permit plans. The water budget and calculations shall be reviewed and approved by the City's Public Works Director prior to certification of occupancy. On January 1 of the year following the first full calendar year after the date of occupancy, the building owner shall submit data and information sufficient to allow the city to compare the actual water use to the allocation in the approved water budget. In the event that actual water consumption exceeds the water budget, a water conservation program, as approved by the city's Public Works Director, shall be implemented. Twelve (12) months after City approval of the water conservation program, the building owner shall submit data and information sufficient to allow the city to determine compliance with the conservation program. If water consumption exceeds the budgeted amount, the city's Public Works Director may prohibit the use of water for irrigation or enforce compliance as an infraction pursuant to Chapter 1.12 until compliance with the water budget is achieved.

k. Prior to framing inspection for the building, the applicant shall construct an in-field mock-up to demonstrate that the exterior stucco is smooth troweled, per the requirements of Chapter 16.45.120(6)(F) of the Zoning Ordinance, to the satisfaction of the Community Development Director or their designee.

l. During all phases of construction, potable water shall not be used for dust control.

m. Prior to final inspection, occupancy sensors or other switch control devices shall be installed on nonemergency lights and shall be programmed to shut off during non-work hours and between ten (10) p.m. and sunrise, as required by Section 16.45.130(6)(C) of the Zoning Ordinance.

n. Prior to occupancy of the first apartment building to be constructed on the site, the applicant shall construct the paseo and publicly accessible open space on the apartment building parcels for the project to the satisfaction of the Building, Engineering, Planning, and Transportation Divisions. The remainder of the publicly accessible open space on the townhome parcel shall be constructed prior to occupancy of the first townhome building on the site.

o. Within one year of issuance of the first temporary certificate of occupancy for any residential unit (ownership or rental) within the project, Operator shall commence operation of the

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Community Amenity, and may request an extension from the Community Development Director, or their designee, in their reasonable discretion.

p. During all phases of construction and after final inspection for the life of the project, rodenticides shall not be used on the property in accordance with Section 16.45.130(6)(G) of the Zoning Ordinance.

q. Any project up-lighting shall be programmed to automatically shut off at or before midnight daily and remain off until sunrise, consistent with the recommendations of the Avian Collision Risk Assessment prepared by H.T. Harvey & Associates, dated November 5, 2020.

r. Exterior lighting fixture types L1, L1A, L2, and L7 shall be International Dark-Sky approved fixtures; and exterior lighting fixture types L4, L5, L8, L10, D1, D2, D3, and D4 shall be shielded or directed lights, as identified in the Avian Collision Risk Assessment prepared for the project by H.T. Harvey & Associates, dated November 5, 2020.

s. If there is an increase in the quantity of hazardous materials on the project site, a change in the location of the storage of the hazardous materials, or the use of additional hazardous materials after entitlements are granted, the applicant shall apply for an administrative permit revision.

t. Any citation or notification of violation by the Menlo Park Fire Protection District, San Mateo County Environmental Health Department, West Bay Sanitary District, Menlo Park Building Division or other agency having responsibility to assure public health and safety for the use of hazardous materials will be grounds for considering revocation of the use permit.

u. If operations discontinue at the premises, the use permit for hazardous materials shall expire unless a new user submits a new hazardous materials information form to the Planning Division for review by the applicable agencies to determine whether the new hazardous materials business plan is in substantial compliance with the use permit.

v. Testing of the generators shall be limited to the hours between 8:00 a.m. and 6:00 p.m., Monday through Friday.

w. Prior to issuance of the first building permit, the applicant shall enter into a Payment In-Lieu of Taxes Agreement (“PILOT Agreement”) with the City of Menlo Park and shall record the executed PILOT Agreement in the San Mateo County Recorder’s office. The PILOT Agreement shall require that in the event Owner or any of its operators or lessees or its and their successors or assigns applies for and is granted a "welfare exemption" pursuant to Section 214 of the California Revenue and Taxation Code, or any successor provision, or any other exemption from the payment of real or personal property taxes of any nature, Owner shall pay annually to the City a payment in lieu of taxes in an amount equal to the portion of the real and personal property tax levy the City would have received but for the exemption as determined by the City and as increased annually by the amount permitted under the provisions of Article XIIIA, Section 2, of the California Constitution. The PILOT Agreement shall run with the land.

x. Applicant and representatives of Sequoia Union High School District will meet.

Engineering Division Conditions:

y. Simultaneous with the submittal of a complete building permit application, the applicant shall submit an Off-Site Improvements Plan for review and approval of the Engineering Division. The

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Off-Site Improvements Plan shall include all improvements within public right-of-way including curb, gutter, sidewalks, street trees, street lights, storm drain extension, undergrounding utilities, and water and sanitary sewer connections. The Off-Site Improvements Plan shall be approved prior to issuance of the building permit (superstructure phase).

z. The Off-Site Improvement Plans shall include Green Infrastructure in the form of a stormwater treatment area along the project's frontage to treat runoff from the public right-of-way. The treatment area shall be located within the landscape area between the curb and sidewalk. Sizing and design shall conform to San Mateo Countywide Water Pollution Prevention Program design templates and technical guidance and be approved by the Engineering Division. The street tree planting plan for Green Infrastructure improvements along the project frontages is subject to review and approval by the City Arborist and Planning Division.

aa. Simultaneous with the submittal of a complete building permit application, the stormwater main shall be designed to the satisfaction of City Engineer.

bb. Prior to granting of occupancy, Jefferson Drive and Constitution Drive along the project frontage shall receive an asphalt concrete overlay at the completion of improvements. Existing striping, markings, and legends shall be replaced in kind, or as modified by the City Engineer.

cc. Simultaneous with the submittal of a complete building permit application, the applicant shall submit documentation of acceptance of the frontage improvements by West Bay Sanitary District. The existing sanitary sewer line appears to conflict with the proposed street trees and other required frontage improvements. If West Bay Sanitary or other utility agencies will not allow the frontage improvements as proposed, the project will be required to relocate the existing utilities at the applicant's expense and the Off Site Improvements plan shall incorporate the relocated sanitary sewer and other applicable utility lines.

dd. Prior to granting of occupancy, streets adjoining the project frontage shall receive an asphalt concrete overlay at the completion of improvements. Existing striping, markings, and legends shall be replaced in kind, or as modified by the City Engineer.

ee. Non-standard features such as pavers or special sidewalk treatment are not allowed in the right-of-way. Sidewalk must conform to City Standard Details.

ff. The project is in the Special Flood Hazard Area (Zone AE) and must be designed and constructed in compliance with current FEMA regulations and the City's Flood Damage Prevention Ordinance. Simultaneous with the submittal of a complete building permit application, the applicant shall document compliance with the City's Flood Damage Prevention Ordinance, applicable FEMA requirements, and the City's sea level rise resiliency ordinance (16.45.130(4)(A)).

gg. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a FEMA Conditional Letter of Map Revision-Fill (CLOMR-F) application to the Public Works Department for review and approval. In accordance with the National Flood Insurance Program (NFIP), Section 65.5, the applicant shall prepare supporting data, including relevant hydraulic and hydrologic analyses, delineation of floodplain boundaries and all other information required by FEMA to review and evaluate the request for a CLOMR-F. Upon receiving City approval, the applicant shall submit the CLOMR-F application to FEMA. Prior to issuance of the building permit the applicant shall obtain a CLOMR-F from FEMA.

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PROJECT CONDITIONS:

hh. The applicant shall submit an elevation certificate to the Engineering Division prior to final signoff of the foundation inspection.

ii. When construction is complete, appropriate as-built data must be supplied to FEMA for a permanent LOMR-F to be issued.

jj. Prior to issuance of the first building permit, the Applicant shall file and obtain a VOC and Fuel Discharge Permit with the San Francisco Bay Regional Water Quality Control Board as necessary for groundwater discharge. All groundwater discharge to the City storm drain during construction shall be approved to the satisfaction of the Public Works Department prior to commencement of work. The City may request, at the behest of the Public Works Department, additional narratives, reports, or engineering plans to establish compliance with state and local regulations prior to approval. Similarly, any discharge to the City's Sanitary Sewer system shall be approved to the satisfaction of West Bay Sanitary District, with proof of acceptance, prior to commencement of work.

kk. If existing utilities are in conflict with required frontage improvements, including PG&E natural gas and City water lines, the utilities must be relocated at the Applicant's expense.

ll. For construction activity resulting in a land disturbance of one acre or more, Applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board under the Construction Activities Storm Water General Permit (General Permit). The NOI indicates the Applicant's intent to comply with the San Mateo Countywide Stormwater Pollution Prevention Program, including a Stormwater Pollution Prevention Plan (SWPPP).

mm. Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality, in accordance with the approved Stormwater Pollution Prevention Plan (SWPPP). BMP plan sheets are available electronically for inserting into Project plans.

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

oo. Single pass cooling systems shall be prohibited in all new buildings.

pp. All new buildings shall be built and maintained without the use of well water.

qq. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans demonstrating that potable water shall not be used for decorative features, unless water is recirculated subject to review and approval of the Building, Planning, and Engineering Divisions.

Transportation Division Conditions

rr. All public right-of-way improvements, including frontage improvements, shall be completed to the satisfaction of the Engineering Division and Transportation Division prior to the granting of occupancy. The applicant shall notify the Transportation Division prior to commencing design

LOCATION: 141 Jefferson Drive, 180-186 Constitution Drive	**PROJECT NUMBER:** PLN2019-00062	**APPLICANT:** Andrew Morcos	**OWNER:** CLPF GRP Uptown Menlo Park LLC and CLPF CRP TH Menlo Park, LLC

PROJECT CONDITIONS:

for each intersection, to avoid duplicating efforts started by the City and/or other development projects.

ss. Prior to submittal of a building permit for off-site improvements, the Complete Streets Commission shall review the proposed loading zones adjacent to the project frontage(s) and determine whether to allow the loading zones with timed parking restrictions. If the Complete Streets Commission does not approve the request, the applicant shall remove the loading zones from the building permit plans prior to approval of the permit for off-site improvements.

tt. Prior to issuance of the first building permit, the Applicant shall pay the transportation impact fee (TIF) in effect at the time of payment, subject to review and approval of the Transportation Division. Such fee includes:

i. The TIF is estimated to be $1,048,172.51. This was calculated by multiplying the fee of $5,383.85 per multi-family unit by 483 units plus the fee of $10.81/s.f. per restaurant space by 713 s.f. of café space and subtracting a credit by multiplying $18.55/s.f. per office space by 15,000 s.f. of existing office space. Fees are due prior to issuance of the first building permit.

uu. For intersection improvements requiring Caltrans' approval, simultaneous with the building permit submittal, the applicant shall provide complete plans to install improvements, including all work in the Caltrans right-of-way. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. After receiving approval for the improvements plans, the applicant shall submit the improvement plans to Caltrans and request encroachment permit approvals.

vv. The applicant shall submit complete plans to construction improvements to the City and provide a bond for improvements prior to issuance of building permit. The applicant shall construct all improvements prior to occupancy, upon obtaining final approval from the City and Caltrans.

ww. In order to overcome shortfalls in level of service created by the Project, the applicant shall perform, construct and complete, at the applicant's own expense, certain transportation improvements, prior to issuance of certificate of occupancy for the Project. The Director of Public Works or designee shall determine the reasonable cost of said transportation improvements and the applicant shall be entitled to credit and/or reimbursement for said transportation improvements pursuant to MPMC 13.26.80, should the final expenses for improvements included in the TIF program exceed the Project TIF payment. If the final expenses to the applicant for the required intersection improvements included in the City's TIF program exceed the Project's TIF payment the City and the applicant shall enter into a reimbursement agreement.

The transportation improvements shall include all near term intersection improvements and cumulative intersection fair share contributions identified below. Applicant shall enter into an improvement agreement with the City memorializing the terms for performance, construction, and completion of the transportation improvements.

LOCATION: 141 Jefferson Drive, 180-186 Constitution Drive	**PROJECT NUMBER:** PLN2019-00062	**APPLICANT:** Andrew Morcos	**OWNER:** CLPF GRP Uptown Menlo Park LLC and CLPF CRP TH Menlo Park, LLC

PROJECT CONDITIONS:

i. Under the Near Term scenario, the proposed intersection improvement at the intersection of Marsh Road and Bayfront Expressway/Haven Avenue is to restripe the through lane on Haven Avenue to a shared through/right lane resulting in having one shared left/through lane, one shared through/right lane, and one right-turn lane. This improvement was studied and is included in the City's TIF program. Note this improvement has been initiated. The applicant shall consult with the City for direction prior to proceeding to the next step and the applicant's obligation. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvement prior to occupancy.

ii. Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Newbridge Street is to modify signal timing to a protected left-turn phasing operation on Newbridge Street. Provide a leading left-turn phase on southbound Newbridge Street and a lagging left-turn phase on northbound Newbridge Street and optimize the signal timing. This improvement was studied and is included in the City's TIF program. The proposed improvement would require Caltrans approval. Signal and other electrical utilities and equipment will also require modification. Note this improvement has been initiated. The applicant shall consult with the City for direction prior to proceeding to the next step and the applicant's obligation. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy of the first building. If Caltrans approval has not been obtained prior to occupancy of the first building, but the applicant demonstrates that it has worked diligently to pursue Caltrans approval to the satisfaction of the Director of Public Works or designee, the applicant shall submit to the City a performance bond for 100 percent of the estimated costs plus a 30 percent contingency. The applicant shall continue to pursue approval and construction for a period of five years from the date of issuance of the first building permit. If the applicant continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval to construct the improvement, then the applicant shall be relieved of responsibility to construct the improvement and the bond shall be released by the City of Menlo Park.

iii. Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Bay Road is to modify southbound Bay Road to have two left-turn lanes and one right turn lane. This improvement was studied and is included in the City's TIF program. The proposed improvement would require Caltrans approval. Both above and below ground utilities may require modification due to the widening. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not

LOCATION: 141 Jefferson Drive, 180-186 Constitution Drive	**PROJECT NUMBER:** PLN2019-00062	**APPLICANT:** Andrew Morcos	**OWNER:** CLPF GRP Uptown Menlo Park LLC and CLPF CRP TH Menlo Park, LLC

PROJECT CONDITIONS:

limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy of the first building. If Caltrans approval has not been obtained prior to occupancy of the first building, but the applicant demonstrates that it has worked diligently to pursue Caltrans approval to the satisfaction of the Director of Public Works or designee, the applicant shall submit to the City a performance bond for 100 percent of the estimated costs plus a 30 percent contingency. The applicant shall continue to pursue approval and construction for a period of five years from the date of issuance of the first building permit. If the applicant continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval to construct the improvement, then the applicant shall be relieved of responsibility to construct the improvement and the bond shall be released by the City of Menlo Park.

iv. Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Coleman Avenue is to install a right-turn lane on eastbound Willow Road and restripe the shared through/right lane to through lane resulting in having one left-turn lane, one through lane, and one right-turn lane in this direction. Both above and below ground utilities may require modification due to the widening. This improvement is not included in the City's TIF program. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy. Any project(s) approved within 10 years of the approval date of the Menlo Uptown project and required to implement the same intersection improvement shall reimburse the Menlo Uptown applicant for its proportional fair share of the improvement costs.

v. Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Gilbert Avenue is to install a right-turn lane on eastbound Willow Road and restripe the shared through/right lane to through lane resulting in having one left-turn lane, one through lane, and one right-turn lane in this direction. Both above and below ground utilities may require modification due to the widening. This improvement is not included in the City's TIF program. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy. Any project(s) approved within 10 years of the approval date of the Menlo Uptown project and required to implement the same intersection improvement shall reimburse the Menlo Uptown applicant for its proportional fair share of the improvement costs.

LOCATION: 141 Jefferson Drive, 180-186 Constitution Drive	**PROJECT NUMBER:** PLN2019-00062	**APPLICANT:** Andrew Morcos	**OWNER:** CLPF GRP Uptown Menlo Park LLC and CLPF CRP TH Menlo Park, LLC

PROJECT CONDITIONS:

vi. Under the Cumulative scenario, the proposed intersection improvements at the intersection of Chrysler Drive and Jefferson Drive are to install 1) a traffic signal and 2) convert the shared left/right lane to one left-turn lane and one right-turn lane on northbound Jefferson Drive. The installation of a traffic signal was studied and is included in the City's TIF program. The TIF payment will fulfill this requirement. To fulfill the other intersection improvement, the applicant shall provide a conceptual plan and a cost estimate (including design engineering) for approval by the Transportation Division to determine the fair share contribution. The fair share contribution for the intersection improvement, calculated as 7.4% of the cost estimate, shall be paid prior to the issuance of a building permit. If these funds are not used within a 5-year period, they will be returned to the Applicant.

vii. Under the Cumulative scenario, the proposed intersection improvement at the intersection of Chilco Street and Bayfront Expressway is to modify the center left-turn lane to shared left-/right lane on Chilco Street and re-design the existing shared bike lane, resulting in having one left-turn lane, one shared left/right lane, and one right-turn lane. This improvement is not included in the City's TIF program. To fulfill this improvement, the applicant shall provide a conceptual plan and a cost estimate (including design engineering) for approval by the Transportation Division to determine the fair share contribution. The fair share contribution for the intersection improvement, calculated as 2.2% of the cost estimate, shall be paid prior to the issuance of a building permit. If these funds are not used within a 5-year period, they will be returned to the Applicant.

viii. Under the Cumulative scenario, the proposed improvement at the intersection of Chilco Street and Constitution Drive is to install a left-turn lane and convert the shared left/through lane to through lane on southbound Constitution Drive resulting in having one left-turn lane, one through lane, and one right-turn lane. Applicant shall provide a conceptual plan of the following improvement and a cost estimate (including design engineering) for approval by the Transportation Division to determine the fair share contribution. This improvement is not included in the City's TIF program. The fair share contribution for the intersection improvement, calculated as 3.5% of the cost estimate, shall be paid prior to the issuance of a building permit. If these funds are not used within a 5-year period, they will be returned to the Applicant.

xx. All conditions of approval (2.ww.iii, 2.ww.iv, 2.ww.v, 2.ww.vi, 2.ww.vii, 2.ww.viii) mandating improvements to the following intersections will remain as drafted in the conditions of approval but may, at a time determined by the City Council, be analyzed and potentially removed from the approved conditions of approval. If the City Council does not analyze and/or remove said conditions of approval, the applicant shall continue to be bound by the existing conditions of approval regarding the following intersections: Willow Road and Bay Road, Willow Road and Coleman Avenue, Willow Road and Gilbert Avenue, conversion of the shared left/right lane to one left-turn lane and one right-turn lane on northbound Jefferson Drive at Chrysler Drive and Jefferson Drive, Chilco Street and Bayfront Expressway, and Chilco Street and Constitution Drive.

yy. Prior to issuance of any project-related building permit and within each construction phase, the applicant shall submit plans for construction related parking management, construction staging, material storage and Traffic Control Handling Plan (TCHP) to be reviewed and approved by the City. The applicant shall secure adequate parking for any and all construction

trades. The plan shall include construction phasing and anticipated method of traffic handling

LOCATION: 141 Jefferson Drive, 180-186 Constitution Drive	**PROJECT NUMBER:** PLN2019-00062	**APPLICANT:** Andrew Morcos	**OWNER:** CLPF GRP Uptown Menlo Park LLC and CLPF CRP TH Menlo Park, LLC

PROJECT CONDITIONS:

for each phase. The existing sidewalk and bike lanes or an acceptable pedestrian and bicycle pathways along project's frontage shall be provided during all construction phases except when the new sidewalk is being constructed.

zz. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Transportation Demand Management (TDM) plan consistent with the plan outlined in the Final Environmental Impact Report. Any changes to the plan are subject to review and approval by the City prior to occupancy. On January 1 of the year following the first full calendar year after the date of occupancy, or as otherwise designated in the Zoning Ordinance, the applicant shall submit an Annual Monitoring Report to determine that implementation of the TDM plan is effective in reaching the trip reduction requirements established in the Zoning Ordinance and incorporated into the approved TDM plan. The monitoring report shall be submitted annually to the City's Transportation Division. If the subject site is not in compliance with the anticipated trip reductions from the TDM program, the applicant shall submit a detailed mitigation and monitoring plan identifying steps to be taken to bring the project site into compliance with the maximum Daily, AM and PM trips identified in the trip generation analysis and TDM program.

aaa. Prior to issuance of building permit, the applicant shall submit plans for street light design per City standards LE-02A and LE-02B, at locations approved by the Transportation Division based on the photometric analysis to be submitted by the applicant.

Recording requested by and when
Recorded return to:

City of Menlo Park
Attn: City Clerk
701 Laurel Street
Menlo Park, CA 94025-3483

Exempt From Recording Fees Per
Government Code §27383 And
Building Homes & Jobs Trust Fund
Fee Per Government Code §27388.1(a) (2) (D)

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)
APN: 055-242-140, 055-242-030, and 055-242-040

PUBLIC IMPROVEMENT AGREEMENT

Uptown - Multifamily and Townhome Improvements

This PUBLIC IMPROVEMENT AGREEMENT (this "**Agreement**"), is entered into as of _____, 2022 (the "**Effective Date**"), by and between the CITY OF MENLO PARK, a municipal corporation of the State of California ("**City**") and CLPF GRP Uptown Menlo Park, LLC, a Delaware limited liability company ("**MF Owner**"); and CLPF CRP TH Menlo Park, LLC, a Delaware limited liability company ("**TH Owner**")). MF Owner and TH Owner are collectively referred to as "**Developers**." City, MF Owner and TH Owner are referred to herein individually as a "**Party**" and collectively as the "**Parties**."

RECITALS

A. MF Owner owns certain real property located at 141 Jefferson Drive, in the City of Menlo Park, State of California, more particularly described in legal description attached hereto as **Exhibit A-1** ("**Multifamily Property**"), and TH Owner owns certain real property located at 180 Constitution Drive and 186 Constitution Drive in the City of Menlo Park, County of San Mateo, State of California, more particularly described in the legal description attached hereto as **Exhibit A-2** ("**Townhome Property**"). The Multifamily Property and Townhome Property are collectively referred to as the "**Property**".

B. On June 21, 2021, after a duly noticed public hearing, and on the recommendation of the City's Housing Commission, the City's Planning Commission approved Planning Commission Resolution No. 2021-07, permitting Developers to develop 441 multi-family residential units ("**Multifamily Component**") and 42 for-sale townhome units ("**Townhome Component**"), approximately 2,940 square feet of community amenity space, as well as associated open space, circulation and parking, and infrastructure improvements at the Property (the "**Project**"), subject to certain requirements and conditions contained in the Conditions of Approval

("**Conditions of Approval**") and on September 14, 2021, after a duly noticed public hearing, the City Council adopted Resolution Nos. 6660, 6661, and 6662 denying all appeals to, and upholding the Planning Commission's approval of, the Project.

C. Pursuant to Condition of Approval 1.ss, Developers shall enter into an agreement for completion of development improvements and provide a performance bond for the completion of the off-site improvements for the Project as referenced in Condition of Approval 2.z (green infrastructure), 2.cc, 2.kk, 2.uu (existing utilities to be relocated), 1.hh (new utilities), 1.ll (water mains and service laterals), 1.aa, 1.mm, 1.cc (sanitary sewer mains and service laterals), 1.ww, 2.nn (remove/replace any damaged/worn frontage improvements), 2.bb, 2.dd (asphalt overlay), and 2.ss (loading zones-Complete Streets Commission) and more particularly listed and depicted in **Exhibit B** (the "**Off-Site Improvements**"), which Off-Site Improvements shall be installed, constructed and completed as detailed in plans and specifications approved by the Public Works Director ("**Director**") or the City Engineer or their designees where authorized by law. Developers shall obtain an encroachment permit from the City prior to commencing any work on the Off-Site Improvements within the public right-of-way or public easements.

D. Condition of Approval 2.w.w. provides that Developers shall enter into an improvement agreement with the City memorializing the terms for performance, construction, and completion of the transportation improvements, which are more particularly described in **Exhibit C** (the "**Transportation Improvements**").

E. The City's approval of the Project also included the approval of a lot line adjustment to create the Multifamily Property and Townhome Property, as well as a tentative map in accordance with the Subdivision Map Act and the City of Menlo Park Municipal Code (the "**Code**"), for the creation of 42 townhomes on the Townhome Property. On May ___, 2022, the City Council adopted Resolution No. _____, approving the final map for the creation of the 42 townhomes on the Townhome Property ("**Final Map**"), subject to the TH Owner entering into this Agreement regarding the Off-Site Improvements for the Townhome Property.

F. The City and the Developers desire to enter into this Agreement in order to permit the issuance of a building permit for the development of the Project, filing of the Final Map in the Official Records of the County of San Mateo, implement the Conditions of Approval, and to simultaneously satisfy the security provisions of the Code and the Conditions of Approval.

NOW, THEREFORE, in order to ensure satisfactory performance of the Developers under the Code and Conditions of Approval, Developers and the City agree as follows:

1. Recitals. The above recitals are true and correct, and are incorporated into this Agreement.

2. Developers' Obligations.

(a) Off-Site Improvements and Transportation Improvements: Plans and Specifications and Construction. As more particularly described below, Developers shall, at its sole cost and expense, furnish all necessary materials, equipment and labor as is required to prepare the designs, plans and specifications for the Off-Site Improvements and Transportation Improvements for the Project for the review and approval of the Director of Public Works

("**Director**") and/or the City Engineer, as applicable (the "**Plans and Specifications**"). Developers shall, at its sole cost and expense, furnish all necessary materials, equipment and labor, and perform all work in a good and workmanlike manner, and cause the Off-Site Improvements and Near Term Improvements, as defined below, to be designed, installed, constructed and completed in substantial conformity with the Plans and Specifications, or with any changes required or ordered by the Director or City Engineer to the approved Plans and Specifications (the "**Work**"), which in his or her reasonable opinion are necessary or required to complete the Work in compliance with all applicable federal, state and local laws, ordinances, rules, regulations and policies.

(b) Multifamily Improvement Plans. As of the Effective Date, the Plans and Specifications for the Off-Site Improvements for the Multifamily Component listed in **Exhibit B** consist of conceptual improvement plans entitled "Menlo Uptown (Multifamily) Off-Site Street Improvements" prepared by BKF Engineers dated April 25, 2022, PGA Design dated April 22, 2022 and Giacalone Design, Inc. dated March 24, 2022, March 17, 2022, February 3, 2022 and March 11, 2022 ("**Multifamily Improvement Plans**"). MF Owner shall continue to work towards completion of and City approval of one hundred percent (100%) Multifamily Improvement Plans. The City shall diligently review and process the Multifamily Improvement Plans submitted by MF Owner. As each stage of improvement plans are approved by the City, the more complete and recently approved improvement plans shall be the "**Multifamily Improvement Plans**". MF Owner shall obtain the approval of the Multifamily Improvement Plans to be constructed by MF Owner in accordance with the Conditions of Approval within three (3) months from the Effective Date. Further, in no event shall the City be obligated to issue a superstructure building permit to MF Owner for the construction of the Multifamily Component of the Project until the Multifamily Improvement Plans have been approved by City.

(c) Commencement and Completion of Construction of Multifamily Improvement Plans. Within ninety (90) days following the issuance of a superstructure building permit for the construction of the Multifamily Component of the Project, MF Owner shall commence the installation and construction of the improvements set forth in the Multifamily Improvement Plans to be constructed by MF Owner in accordance with the Conditions of Approval and this Agreement. In the event MF Owner fails to timely commence the construction of the improvements set forth in the Multifamily Improvement Plans as required herein, City may, in its discretion, issue and enforce a stop work notice on all or any portion of work being undertaken by MF Owner pursuant to any building permits issued by City for the construction of any portion of the Multifamily Component of the Project until construction of the improvements set forth in the Multifamily Improvement Plans has commenced to the reasonable satisfaction of the Director or City Engineer.

MF Owner shall complete the installation and construction of the improvements set forth in the Multifamily Improvement Plans in accordance with Section 6 (a) [Director's Inspection] below and City shall complete the Acceptance of the improvements set forth in the Multifamily Improvement Plans in accordance with Section 6 (b) [Acceptance] upon the earlier of (i) twenty four (24) months following the commencement of the installation and construction of the improvements set forth in the Multifamily Improvement Plans or (ii) issuance of a certificate of occupancy, inclusive of a temporary certificate of occupancy, from City for any portion of the Multifamily Component of the Project. The period of time provided for MF Owner to complete

the installation and construction of the improvements set forth in the Multifamily Improvement Plans pursuant to this Agreement may be extended upon application by MF Owner and approval by the Director pursuant to Section 4(b) [Extensions] below.

(d) Townhome Improvement Plans. As of the Effective Date, the Plans and Specifications for the Off-Site Improvements for the Townhome Component listed in **Exhibit B** consist of conceptual improvement plans entitled "Menlo Uptown (Townhomes) Off-Site Street Improvements" prepared by BKF Engineers dated April 25, 2022, PGA Design dated April 22, 2022 and Giacalone Design, Inc. dated March 8, 2022, March 17, 2022 and February 3, 2022 ("**Townhome Improvement Plans**"). TH Owner shall work towards completion of and shall obtain City approval of one hundred percent (100%) Townhome Improvement Plans. The City shall diligently review and process the Townhome Improvement Plans submitted by the TH Owner. As each stage of improvement plans are approved by the City, the more complete and recently approved improvement plans shall be the "**Townhome Improvement Plans**". TH Owner shall obtain the approval of the Townhome Improvement Plans to be constructed by TH Owner within eighteen (18) months of the Effective Date. Further, in no event shall City be obligated to issue a superstructure building permit to TH Owner for the construction of the Townhome Component of the Project until the Townhome Improvement Plans have been approved by City.

(e) Commencement and Completion of Construction of Townhome Improvement Plans. TH Owner shall commence the installation and construction of the improvements set forth in the Townhome Improvement Plans to be constructed by TH Owner in accordance with the Conditions of Approval and this Agreement, within ninety (90) days following the earlier of (i) issuance of a final certificate of occupancy from City for any portion of the Multifamily Component of the Project, or (ii) issuance of a superstructure building permit from the City to TH Owner for the construction of the Townhome Component of the Project. In the event TH Owner fails to timely commence the construction of the improvements set forth in the Townhome Improvement Plans as required herein, City may, in its discretion, issue and enforce a stop work notice on all or any portion of work being undertaken by TH Owner pursuant to any building permits issued by City for the construction of any portion of the Townhome Component of the Project until construction of the improvements set forth in the Townhome Improvement Plans has commenced to the reasonable satisfaction of the Director or City Engineer. The period of time provided for TH Owner to commence the installation and construction of the improvements set forth in the Townhome Improvement Plans pursuant to Section 2 (e)(i) above may only be extended upon application by TH Owner and approval by the Director pursuant to Section 4(b) [Extensions] below, which approval, if granted, shall be extended to a date or time certain and conditioned on the delivery of improvement security by TH Owner to City in accordance with Section 3 (c).

TH Owner shall complete the installation and construction of the improvements set forth in the Townhome Improvement Plans in accordance with Section 6 (a) [Director's Inspection] below and City shall complete the Acceptance of the improvements set forth in the Townhome Improvement Plans in accordance with Section 6 (b) [Acceptance] upon the earlier of (i) twenty four (24) months following the commencement of the installation and construction of the improvements set forth in the Townhome Improvement Plans or (ii) issuance of a certificate of occupancy, inclusive of a temporary certificate of occupancy, from City for any portion of the Townhome Component of the Project. The period of time provided for TH Owner to complete

the installation and construction of the improvements set forth in the Townhome Improvement Plans pursuant to this Agreement may be extended upon application by TH Owner and approval by the Director pursuant to Section 4(b) [Extensions] below.

(f) Transportation Improvements.

(i) Transportation Improvements Requiring Plans and Specifications for Construction. MF Owner shall prepare and submit Plans, Specifications, and Cost Estimates in connection with Condition of Approval 2.w.iii (Willow Road and Bay Road), Condition of Approval 2.ww.iv (Willow Road and Coleman Avenue) and Condition of Approval 2.ww.v (Willow Road and Gilbert Avenue)(collectively referred to as "**Near Term Transportation Improvements**"), prior to the issuance of a superstructure permit from City to MF Owner for the construction of the Multifamily Component of the Project ("**Transportation Improvement Plans**"), unless the City Council determines not to require the construction of the transportation improvement identified in Condition of Approval 2.ww.iii (Willow Road and Bay Road), Condition of Approval 2.ww.iv (Willow Road and Coleman Avenue) and Condition of Approval 2.ww.v (Willow Road and Gilbert Avenue) pursuant to Condition of Approval 2.xx. The City shall diligently review and process Transportation Improvement Plans submitted by MF Owner. Within one hundred twenty (120) days following the issuance of a superstructure building permit for the construction of the Multifamily Component of the Project, MF Owner shall commence the installation and construction of the improvements set forth in the Transportation Improvement Plans to be constructed by MF Owner in accordance with the Conditions of Approval and this Agreement. In the event MF Owner fails to timely commence the construction of the improvements set forth in the Transportation Improvement Plans as required herein, City may, in its discretion, issue and enforce a stop work notice on all or any portion of work being undertaken by MF Owner pursuant to any building permits issued by City for the construction of any the Multifamily Component of the Project until construction of the improvements set forth in the Transportation Improvement Plans has commenced to the reasonable satisfaction of the Director or City Engineer. Notwithstanding the foregoing, to the extent that the review and approval of improvement plans by Caltrans of improvements under Caltrans' jurisdiction for Condition of Approval 2.w.iii (Willow Road and Bay Road) delays commencement and progress on transportation improvements, MF Owner may provide documentation of such delays to City and City shall not issue a stop work notice in such circumstance.

MF Owner shall complete the installation and construction of the improvements set forth in the Transportation Improvement Plans in accordance with Section 6 (a) [Director's Inspection] below and City shall complete the Acceptance of the improvements set forth in the Transportation Improvement Plans in accordance with Section 6 (b) [Acceptance] upon the earlier of (i) twenty four (24) months following the commencement of the installation and construction of the improvements set forth in the Transportation Improvement Plans or (ii) issuance of a certificate of occupancy, inclusive of a temporary certificate of occupancy, from City for any portion of the Multifamily Component of the Project. The period of time provided for MF Owner to complete the installation and construction of the improvements set forth in the Transportation Improvement Plans pursuant to this Agreement may be extended upon application by MF Owner and approval by the Director pursuant to Section 4(b) [Extensions] below.

(ii) Transportation Improvements Requiring Conceptual Plans, Cost Estimates and Fees Only. Notwithstanding anything else herein, the Parties acknowledge and agree that Condition of Approval 2.ww.vi (Chrysler Drive and Jefferson Drive), Condition of Approval 2.ww.vii (Chilco Street and Bayfront Expressway) and Condition of Approval 2.ww.viii (Chilco Street and Constitution Drive) (collectively referred to as "**Cumulative Transportation Improvements**") as further identified in **Exhibit C** obligate MF Owner to provide conceptual plans and cost estimates and pay fair share fees without any obligation to construct any of the Cumulative Transportation Improvements. Unless such obligation is modified by the City Council consistent with Condition of Approval 2.xx, MF Owner shall be required to provide conceptual plans, engineer's cost estimates and pay fair share fees for the Cumulative Transportation Improvements prior to issuance of a superstructure building permit from the City to MF Owner for the construction of the Multifamily Component of the Project. MF Owner shall not be required to provide 100% plans and shall not be required to construct such improvements or otherwise comply with the terms of this Agreement relating to construction of improvements.

(iii) Transportation Improvements Not Required. Developers shall not be required to construct improvements in connection with Condition of Approval 2.ww.i (Marsh Road and Bayfront Expressway/Haven Avenue) and Condition of Approval 2.ww.ii (Willow Road and Newbridge Street) and shall instead pay applicable Transportation Impact Fee Program fees.

(g) Other Required Documentation.

(i) Prior to the issuance of a superstructure building permit from City to MF Owner for the construction of the Multifamily Component of the Project, MF Owner shall provide executed copies of all the documents, agreements and notices required pursuant to and set forth in **Exhibit D** and labeled as required pursuant to Section 2 (g)(i), including the improvement security set forth in Section 3 and insurance coverage set forth in Section 9, with respect to the Near Term Transportation Improvements and improvements set forth in the Multifamily Improvement Plans to be installed, constructed and completed by MF Owner in accordance with the Conditions of Approval and this Agreement, unless waived or deferred by the Director, in writing, until a time certain or the time of a request for a Notice of Completion pursuant to Section 6 (a) [Director's Inspection] below. The required documents shall include an (A) estimate of costs to construct and complete the improvements set forth in the Multifamily Improvement Plans plus a twenty five percent (25%) contingency ("**Multifamily Engineer's Estimate**") and (B) an estimate of costs to construct and complete the improvements set forth in the Transportation Improvement Plans plus a twenty five percent (25%) contingency ("**Transportation Engineer's Estimate**").

(ii) Prior to the earlier of (i) issuance of a final certificate of occupancy from City for any portion of the Multifamily Component of the Project, or (ii) issuance of a superstructure building permit from the City to TH Owner for the construction of the Townhome Component of the Project, TH Owner shall provide executed copies of all the documents, agreements and notices required pursuant to and set forth in **Exhibit D** and labeled as required pursuant to Section 2 (g)(ii), including the improvement security set forth in Section 3 and insurance coverage set forth in Section 9, with respect to the improvements set forth in the Townhome Improvement Plans to be installed, constructed and completed by TH Owner in

accordance with the Conditions of Approval and this Agreement, unless waived or deferred by the Director, in writing, until a time certain or the time of a request for a Notice of Completion pursuant to Section 6 (a) [Director's Inspection] below. The required documents shall include an estimate of costs to construct and complete the improvements set forth in the Townhome Improvement Plans plus a twenty five percent (25%) contingency ("**Townhome Engineer's Estimate**").

(iii) At the time of a request for a Notice of Completion for the improvements set forth in the Transportation Improvement Plans, Multifamily Improvement Plans or the Townhome Improvement Plans pursuant to Section 6 (a) [Director's Inspection] below, Developers, as appropriate, shall provide all documents required pursuant to and set forth in **Exhibit E**, plus any other materials previously deferred by the Director pursuant to subsections 2 (g)(i) or 2(g)(ii) above, unless waived or deferred by the Director, in writing, until a time certain or the time of a request for Acceptance pursuant to Section 6 (b) below. The required documents shall include as-built plans of the completed improvements, or portion thereof, set forth in the Transportation Improvement Plans, Multifamily Improvement Plans and Townhome Improvement Plans in both electronic (in a reasonably current version of AutoCAD and/or another digital format acceptable to Public Works) and Mylar formats and any reports required by any related Plans and Specifications.

(iv) At the time of a request for Acceptance of the improvements set forth in the Transportation Improvement Plans, Multifamily Improvement Plans or the Townhome Improvement Plans pursuant to Section 6(b) below, Developers, as appropriate, shall provide all the documents required pursuant to and set forth in **Exhibit F**, plus any other materials previously deferred by the Director pursuant to subsections 2(g)(i), 2 (g)(ii) and 2(g)(iii) above, unless waived or deferred by the Director in writing. In addition, as part of compliance with this subsection 2 (h)(iv), Developers shall coordinate with the City and assist in the City's process for the subsequent dedication and Acceptance of the improvements set forth in the Transportation Improvement Plans, Multifamily Improvement Plans and the Townhome Improvement Plan by (A) providing necessary maps, legal descriptions and plats for street openings, proposed easements and/or dedications for right of way or utility purposes and for relinquishment of existing rights of access and utilities associated with on-site and off-site development, to the extent applicable, and (B) executing easement agreements or grant deeds or modifying existing easements or grant deeds consistent with the Conditions of Approval, to the extent applicable.

(h) Labor Code Compliance. Developers shall carry out, and shall use its best efforts to ensure that its contractors and subcontractors carry out, the design, installation, construction and completion of the Near Term Transportation Improvements in conformity with all applicable State of California Labor Code requirements; the City zoning and development standards; building, plumbing, mechanical and electrical codes; all other provisions of the City of Menlo Park Municipal Code; and all applicable disabled and handicapped access requirements, including the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.,* Government Code Section 4450, *et seq.,* Government Code Section 11135, *et seq.,* and the Unruh Civil Rights Act, Civil Code Section 51, *et seq.*

Developers acknowledge and agree that the Off-Site Improvements and Near Term Transportation Improvements constitute "public works" as defined in Labor Code §1720. Developers shall be required to comply with prevailing wage requirements in connection with the

design and construction of the Off-Site Improvements and Near Term Transportation Improvements to the extent required by applicable State of California Labor Code requirements. Developers shall require the general contractor(s) for the Off-Site Improvements and Near Term Transportation Improvements to post on the job site prevailing wage rates for all applicable trades and to submit certified copies of payroll records to Developers to ensure compliance with State of California Labor Code requirements pertaining to public works. Developers shall provide such payroll records to City within ten (10) days following City's request therefor. Developers shall also include in its construction contract a provision obligating Developers' contractor to require its contractors and/or subcontractors to comply with public works prevailing wage requirements.

Developers shall defend, with counsel reasonably acceptable to City, indemnify and hold harmless City and Bay Cities Joint Powers Insurance Authority and their respective officials, officers, employees, agents and representatives ("**Indemnitees**") from and against any and all liabilities, obligations, orders, claims, damages, governmental fines or penalties, and actual expenses of defense with respect thereto, including reasonable attorneys' fees and costs ("**Claims**") arising out of Developers' failure to comply with State of California Labor Code requirements pertaining to the design and construction of the Near Term Transportation Improvements. Further, Developers shall indemnify and hold harmless the Indemnitees with respect to all final judgments or settlements in actions brought by any "contractor" in which City is (i) determined to be an "awarding body" and (ii) damages are awarded, pursuant to Labor Code sections 1726 or 1781. Developers' defense, indemnity and hold harmless obligations under this section shall survive expiration or termination of this Agreement.

Developers hereby waive, release and discharge forever the Indemnitees from any and all present and future Claims arising out of or in any way connected with Developers' obligation to comply with all State of California Labor Code requirements pertaining to the design, installation, construction and completion of the Near Term Transportation Improvements.

This release applies to all potential future claims and Developers on behalf of itself and its agents, representatives, assigns, heirs, spouses, successors-in-interest, executors, administrators, employees, contractors, subcontractors, material suppliers and vendors ("**Releasors**"), agrees to waive any and all rights pursuant to Section 1542 of the California Civil Code, which reads as follows:

> "A general release does not extend to claims that the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

Developers shall include within each of its contracts, subcontracts, and within any other agreements with Releasors involved in the Work, a release in favor of the Indemnitees substantially identical to this Section 2 (h).

3. Improvement Security.

(a) Security: Multifamily Improvement Plans. Concurrent with the delivery of the documentation set forth in **Exhibit D** in accordance with the provisions of Section 2(g)(i), MF

Owner shall furnish and deliver to the Director bonds, in favor of the City, substantially in the form attached as **Exhibits G-1** and **G-2** and approved by the City Attorney, from an issuer approved by the Director, securing the completion of the installation and construction of the improvements set forth in the Multifamily Improvement Plans, and payment for all labor, materials, equipment, and services required for the installation and construction of the improvements set forth in the Multifamily Improvement Plans, including any monuments as determined to be necessary by the Director or City Engineer, as follows:

(i) Performance bonds, substantially in the form attached as **Exhibit G-1** and approved by the City Attorney, in the amount of the Multifamily Engineer's Estimate to secure the satisfactory performance of MF Owner's obligation to complete the installation and construction of the improvements set forth in the Multifamily Improvement Plans; further, as provided therein, upon Acceptance of the improvements set forth in the Multifamily Improvement Plans by City pursuant to Section 6(b), the performance bond shall convert to a warranty bond in the amount of ten percent (10%) of the Multifamily Engineer's Estimate for a period of one (1) year to secure the Warranty Period provided in Section 8(a) below; and

(ii) Payment bonds, substantially in the form attached as **Exhibit G-2** and approved by the City Attorney, in the amount of the Multifamily Engineer's Estimate to guarantee payment for the labor, materials, equipment, and services required for the installation, construction and completion of the improvements set forth in the Multifamily Improvement Plans.

(b) Security: Transportation Improvement Plans. Concurrent with the delivery of the documentation set forth in **Exhibit D** in accordance with the provisions of Section 2(g)(i), MF Owner shall furnish and deliver to the Director bonds, in favor of the City, substantially in the form attached as **Exhibits G-1** and **G-2** and approved by the City Attorney, from an issuer approved by the Director, securing the completion of the installation and construction of the improvements set forth in the Transportation Improvement Plans, and payment for all labor, materials, equipment, and services required for the installation and construction of the improvements set forth in the Transportation Improvement Plans, including any monuments as determined to be necessary by the Director or City Engineer, as follows:

(i) Performance bonds, substantially in the form attached as **Exhibit G-1** and approved by the City Attorney, in the amount of the Transportation Engineer's Estimate for the installation, construction and completion of the improvements set forth in the Transportation Improvement Plans, to secure the satisfactory performance of MF Owner's obligation to complete the installation and construction of the improvements set forth in the Transportation Improvement Plans; further, as provided therein, upon Acceptance of the improvements set forth in the Transportation Improvement Plans by City pursuant to Section 6 (b), the performance bond shall convert to a warranty bond in the amount of ten percent (10%) of the Transportation Engineer's Estimate for a period of one (1) year to secure the Warranty Period provided in Section 8(a) below; and

(ii) Payment bonds, substantially in the form attached as **Exhibit G-2** and approved by the City Attorney, in the amount of the Transportation Engineer's Estimate to guarantee payment for the labor, materials, equipment, and services required for the installation,

construction and completion of the improvements set forth in the Transportation Improvement Plans.

(c) Security: Townhome Improvement Plans. Concurrent with the delivery of the documentation set forth in **Exhibit D** in accordance with the provisions of Section 2(g)(ii), TH Owner shall furnish and deliver to the Director bonds, in favor of the City, substantially in the form attached as **Exhibits G-1** and **G-2** and approved by the City Attorney, from an issuer approved by the Director, securing the completion of the installation and construction of the improvements set forth in the Townhome Improvement Plans, and payment for all labor, materials, equipment, and services required for the installation and construction of the improvements set forth in the Townhome Improvement Plans, including any monuments as determined to be necessary by the Director or City Engineer, as follows:

(i) Performance bonds, substantially in the form attached as **Exhibit G-1** and approved by the City Attorney, in the amount of the Townhome Engineer's Estimate for the installation, construction and completion of the improvements set forth in the Townhome Improvement Plans, to secure the satisfactory performance of TH Owner's obligation to complete the installation and construction of the improvements set forth in the Townhome Improvement Plans; further, as provided therein, upon Acceptance of the improvements set forth in the Townhome Improvement Plans by City pursuant to Section 6 (b), the performance bond shall convert to a warranty bond in the amount of ten percent (10%) of the Townhome Engineer's Estimate for a period of one (1) year to secure the Warranty Period provided in Section 8(a) below; and

(ii) Payment bonds, substantially in the form attached as **Exhibit G-2** and approved by the City Attorney, in the amount of Townhome Engineer's Estimate guarantee payment for the labor, materials, equipment, and services required for the installation, construction and completion of the improvements set forth in the Townhome Improvement Plans.

(d) Use of Security. Any security provided under Section 3(a), 3 (b) and 3(c) shall be referred to collectively as the "**Security**". If the installation and construction of the improvements set forth in the Multifamily Improvement Plans, Townhome Improvement Plans or Transportation Improvement Plans are not commenced or completed within the time periods specified in Sections 2(c), 2(e), or 2 (f)(i), respectively, and such period is not extended by the City or as otherwise provided under this Agreement, or Developers has not satisfactorily corrected all deficiencies during the Warranty Period (as defined below), the Security may, as determined by the Director, be used by the City for commencement and completion of the installation and construction of the improvements set forth in and in accordance with the Multifamily Improvement Plans, Townhome Improvement Plans or Transportation Improvement Plans and for the correction of any such deficiencies.

4. Construction of the Off-Site Improvements and Near Term Transportation Improvements.

(a) Permits and Fees. Developers shall not perform any work on the Off-Site Improvements or Near Term Transportation Improvements until all required permits have been obtained for the portion of work involved, and all applicable fees, including, but not limited to,

encroachment permit, building permit, plan check, inspection and testing fees, have been paid to City. In addition, no work shall commence until the Developers have submitted to the City and City has approved, which approval shall not be unreasonably withheld, all required items described in Section 2(g), as applicable, and any additional requirements of and authorizations specified in the Code, Conditions of Approval, and this Agreement, unless the Director, in his or her discretion, has granted a written waiver or deferral for one or more of these materials.

Developers acknowledge that City may inspect the construction of the Off-Site Improvements and Near Term Transportation Improvements and agrees to pay costs incurred by City for these inspection services. Costs of inspection services include, but are not limited to, checking of maps and plans, field checking, inspection and testing conducted by City staff and/or agents or consultants contracted by City to perform such services. City staff, agents and consultants shall at all times during construction of the Off-Site Improvements and Near Term Transportation Improvements have access to the work.

(b) Extensions. The Developers may request an extension of the time period specified in Sections 2(c), 2(e), or 2(f)(i) for completion of the installation and construction of the Off-Site Improvements and Near Term Transportation Improvements by written request to the Director. A request shall include satisfactory evidence, as determined by the Director, to justify the extension, and shall be made upon the Director's determination that Developers cannot reasonably meet the deadline in the time remaining for completion. The Director may request additional information, and shall in good faith attempt to determine within thirty (30) days of the request whether to grant an extension of time. The Director's failure to respond within the time specified shall, however, not constitute either a grant or denial of the requested extension. The Director shall not unreasonably withhold a request for an extension. The Director may reasonably condition an extension subject to the terms of this Agreement and the conditions provided in the Code, including execution of an extension agreement and the extension of any security. No extension approved hereunder shall limit or relieve a surety's liability, or provide an extension on any future obligation under this Agreement.

(i) Consistent with Condition of Approval 2.w.iii (Willow Road and Bay Road), which requires Caltrans review and approval, MF Owner may request the ability to provide a performance bond for 100 percent of the estimated cost of the improvements plus 30 percent contingency in order to obtain occupancy of the Multifamily Portion of the Project. If MF Owner continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval to construct the improvements within five years from the date of issuance of the building permit for the Multifamily Component of the Project, then MF Owner shall be relieved of the responsibility to construct the improvements and the bond shall be released by the City.

(c) Revisions to Plans and Specifications. Requests by the Developers for revisions, modifications, or amendments to the approved Multifamily Improvement Plans, Townhome Improvement Plans or Transportation Improvement Plans (each a "**Plan Revision**") shall be submitted in writing to the Director (with a copy to the Director's designee). Developers shall not commence construction of any proposed Plan Revision without approval by Public Works and until revised plans have been received and approved by the Director (or the Director's designee) in writing.

(i) Any documentation required for a Plan Revision shall be processed with reasonable promptness, and approval of the Plan Revision shall not be deemed final until the amendment or other documentation has been completed.

(ii) Any Plan Revision request shall be accompanied by (A) a statement explaining the need for or purpose of the proposed revision, and (B) drawings and specifications and other related documents showing the proposed Plan Revision in reasonable detail, consistent with the original Plans and Specifications.

5. Release of Security. The Security, or any portions thereof, not required to secure completion of Developers' obligation for construction or installation of Off-Site Improvements and Near Term Transportation Improvements, to satisfy claims by contractors, subcontractors, and/or persons furnishing materials or equipment, or for setting monuments, shall be released to the Developers, or its successors in interest, or reduced, pursuant to the procedures below as appropriate:

(a) Warranty Bond. Upon the Acceptance of Off-Site Improvements and Near Term Transportation Improvements in accordance with Section 6(a), the Security shall be reduced as to that portion of Off-Site Improvements and Near Term Transportation Improvements in accordance with Section 3(a)(i), 3(b)(i) and 3(c)(i). As to that portion of Off-Site Improvements and Near Term Transportation Improvements, the Security remaining following such reduction is referred to herein as the "**Remaining Security**," which term shall also refer to all Security remaining after any release under this Subsection following the Director's issuance of a Notice of Completion for the final portion of Off-Site Improvements and Near Term Transportation Improvements.

(b) Partial Release of Security. Notwithstanding the release provisions in Section 5(a) and except as provided in Section 5(c), the Security as required by Section 3 may be reduced in conjunction with completion of any portion of Off-Site Improvements and Near Term Transportation Improvements to the satisfaction of the Director in compliance with Section 6(a) to an amount determined by the Director that equals the actual cost of the completed portion of Off-Site Improvements and Near Term Transportation Improvements. Prior to the date that the conditions set forth in Section 5(c) are satisfied, in no event, however, shall the amount of the Security be reduced below the greater of (i) the amount required to guarantee the completion of the remaining portion of Off-Site Improvements and Near Term Transportation Improvements and any other obligation imposed by the Subdivision Map Act, if applicable, the Code, Conditions of Approval or this Agreement; or (ii) the warranty bond totaling ten percent (10%) of the original bond amount.

(c) Release of Remaining Security. Remaining Security shall be released when all of the following have occurred:

(i) One (1) year following the date of Acceptance (as defined below) of (or, as appropriate, a Certificate of Conformity) regarding the relevant portion of Off-Site Improvements and Near Term Transportation Improvements, or, with respect to any specific claim of defects or deficiency in Off-Site Improvements and Near Term Transportation Improvements (excepting therefrom normal wear and tear) after such has been Accepted, one (1) year following

the date that any such defect or deficiency which the Director identified in the Off-Site Improvements and Near Term Transportation Improvements in accordance with Section 6(a) has been corrected or waived in writing by the Director; and

(ii) The City Clerk (or the Clerk's designee) certifies that no claims by any contractor, subcontractor or person furnishing labor, materials or equipment for the Off-Site Improvements and Near Term Transportation Improvements have been filed with the City, or all such claims have been satisfied, withdrawn, or otherwise secured by bond or other security provided by Developers and approved by the Director (or the Director's designee).

6. Completion and Acceptance.

(a) Director's Inspection. No sooner than ninety (90) days prior to the date that Developers intend for the Director to issue a Notice of Completion, Developers shall make a written request to the Director of the Developers' intent to initiate the Notice of Completion process ("**Letter of Intent to Request Notice of Completion**"). Upon written request from the Developers for a "**Notice of Completion**", accompanied with any and all materials that are required under Section 2(g)(iii) [Other Required Documentation] related to the Notice of Completion and any other materials that the Director deferred in writing pursuant to Section 2(g)(i) or 2(g)(ii), other than those materials that the Director has deferred until Acceptance, the Director shall initiate the inspection. If the Developers fail to submit a Letter of Intent to Request Notice of Completion, the Director need not consider the Developers' request for the Director's issuance of a Notice of Completion until such a Letter of Intent to Request Notice of Completion is submitted to the Director and ninety (90) days have passed from the submission of the Letter; provided, however, that the Director, in his or her discretion, may agree in writing to a period of less than ninety (90) days from receipt of the Letter to consider issuance of a Notice of Completion. If the Director determines that the Off-Site Improvements and Near Term Transportation Improvements have not been completed or does not satisfy the above requirements, Director shall notify Developers of such determination together with a statement setting forth with particularity the basis for that determination. If the Director determines that the Off-Site Improvements and Near Term Transportation Improvements has been completed and meets the above requirements, the Director shall issue the Notice of Completion. For the sake of clarity, the Developers may submit separate requests for Notices of Completion for the improvements set forth in the Multifamily Improvement Plans, improvements set forth in the Transportation Improvement Plans and improvements set forth in the Townhome Improvement Plans. Requests to further separate Notices of Completion for separate scopes of work shall be subject to the Director's approval.

(b) Acceptance. "**Acceptance**" by the City of the Off-Site Improvements and Near Term Transportation Improvements, or portion thereof, for public use and maintenance shall be deemed to have occurred when:

(i) The Director has issued a Notice of Completion for the Off-Site Improvements and Near Term Transportation Improvements, or portion thereof, in accordance with Section 6(a);

(ii) The Developers submit a written request to the Director to accept the Off-Site Improvements and Near Term Transportation Improvements, or portion thereof. Such

submission shall include all materials required by Section 2(g)(iv) and all materials for which the Director authorized deferral under Sections 2(g)(i), 2(g)(ii) and 2(g)(iii); and

(iii) The Director, in writing, accepts the Off-Site Improvements and Near Term Transportation Improvements, or portion thereof, for public use and maintenance in accordance with the Code and Developers' warranty obligations under Section 8(a) of this Agreement.

(c) Offers of Dedication. The Developers' statements on a Final Map, if applicable, include or shall include certain irrevocable offers of dedication of improvements, easements shown only on the map, easements by agreement, and real property in fee simple. In addition to statements on a Final Map, if applicable, offers of dedication of improvements shall be made by separate instrument(s); offers of dedication of real property in fee simple shall be made by separate instrument(s) and separate deed(s); and offers of dedication of easements shall be made by separate instrument(s). The City Council shall accept, conditionally accept, or reject such offers of easements or fee simple in real property, if applicable, at its discretion, and may accept these offers of easements or fee simple in real property at its convenience through formal action of the City Council or as otherwise provided in local law. The Public Works Director shall accept, conditionally accept, or reject for public right-of-way and utility purposes the Off-Site Improvements and Near Term Transportation Improvements (or a portion of the Off-Site Improvements and Near Term Transportation Improvements), in writing, in accordance with Section 6(b). The Final Map, if applicable, may include certain offers of dedication of easements or fee simple in real property as more particularly set forth therein; upon the Director's issuance of a Notice of Completion for the Off-Site Improvements and Near Term Transportation Improvements, or portion thereof, in accordance with Section 6(a) of this Agreement, the City Council shall by resolution accept, conditionally accept, or reject such offers of dedication of easements or fee simple in real property.

(d) Dedication. In addition to accepting improvements, if applicable, the City shall dedicate the Off-Site Improvements and Near Term Transportation Improvements to public use and shall designate them for their appropriate public uses.

7. Developers' Maintenance Responsibility.

(a) General Maintenance and Liability Prior to Acceptance. Prior to Acceptance, Developers shall be responsible for the maintenance and repair of the Off-Site Improvements and Near Term Transportation Improvements, in accordance with the obligations identified for the MF Owner and TH Owner in Section 2, and shall bear liability regarding the same.

(b) Maintenance and Liability Following Acceptance. Following Acceptance of Off-Site Improvements and Near Term Transportation Improvements, and subject to Section 8(a), the City shall assume the responsibility of operating and maintaining and shall be liable for such Off-Site Improvements and Near Term Transportation Improvements in accordance with State law and the Code, as either may be amended from time to time. Without limiting the generality of the foregoing, nothing in this Agreement shall be construed to mean that City shall have right to call upon the Security pursuant to Section 8(a) for the repair, replacement, restoration,

or maintenance of the Off-Site Improvements and Near Term Transportation Improvements damaged during the Warranty Period by the actions of third parties following Acceptance by the City or by ordinary wear and tear or harm or damage from improper operation of the Off-Site Improvements and Near Term Transportation Improvements by the City, or any agent or agency of either. Furthermore, without limiting the generality of the foregoing, nothing in this Agreement shall be construed to mean that Developers do not retain responsibility for maintenance and repair of "sidewalks" and "walkways", as defined in California Streets and Highways Code §5600 and Menlo Park Municipal Code §13.08.010, respectively, constructed as part of the Off-Site Improvements, pursuant to California Streets and Highways Code §5600 *et seq.* and Chapter 13.08 of Title 13 of the Code, as said provisions may be amended from time to time.

(c) Protection of Off-Site Improvements and Near Term Transportation Improvements. Developers may, but shall not be obligated to, allow access by the public to portions of the Off-Site Improvements and Near Term Transportation Improvements that have been constructed but not Accepted. In order to protect the Off-Site Improvements and Near Term Transportation Improvements from damage and to minimize Developers' exposure to liability until such time as the applicable Off-Site Improvements and Near Term Transportation Improvements, or portion thereof, is Accepted, Developers may erect a construction fence or other physical barrier around areas under construction, to be constructed in the future, or constructed but not Accepted, provided that Developers have procured all necessary permits and complied with all applicable laws. However, no construction fence or other physical barrier may be built or maintained if the Director determines that a construction fence or other physical barrier adversely affects public health or safety by unreasonably restricting the ingress and egress of the public to and from a public right of way. For purposes of the preceding sentence, if there exists an alternative means of ingress and egress other than the Off-Site Improvements and Near Term Transportation Improvements, then the Director may not determine that the construction fence or other physical barrier constitutes an unreasonable restriction of ingress and egress of the public to and from a public right of way.

8. Warranty and Indemnity.

(a) Warranty. Acceptance of Off-Site Improvements and Near Term Transportation Improvements by the City shall not constitute a waiver of any defects. Separate and apart from any warranty provided at law, Developers covenant that all Off-Site Improvements and Near Term Transportation Improvements constructed or installed by Developers shall be free from defects in material or workmanship and shall perform satisfactorily for a period (a "**Warranty Period**") of one (1) year for all portions of the Off-Site Improvements and Near Term Transportation Improvements. Such Warranty Period shall begin upon the Acceptance of the Off-Site Improvements and Near Term Transportation Improvements (or portion thereof), except that the Warranty Period for plant materials and trees planted as part of the Off-Site Improvements and Near Term Transportation Improvements shall not commence until the plant establishment period set in accordance with the Multifamily Improvement Plans, Townhome Improvement Plans and Transportation Improvement Plans has satisfactorily passed. During the Warranty Period, Developers shall, as necessary, and upon receipt of a request in writing from the Director that defective work be corrected, inspect, correct, repair or replace any defects in the Off-Site Improvements and Near Term Transportation Improvements (excepting therefrom normal wear and tear) at its own expense. Should Developers fail to act with reasonable promptness to make

such inspection, correction, repair or replacement, or should an emergency require that inspection, correction, repair or replacement be made before Developers can be notified (or prior to Developers' ability to respond after notice), the City may, at its option, upon notice to Developers, make the necessary inspection, correction, repair or replacement or otherwise perform the necessary work and Developers shall reimburse the City for the actual cost thereof. During the Warranty Period, the City shall hold the Developers' Security, reduced as described in Section 5, to secure performance of Developers' foregoing warranty obligations. Developers' responsibility during the Warranty Period shall include repairing defects and defective material or workmanship, but not ordinary wear and tear or harm or damage from improper maintenance or operation of the Off-Site Improvements and Near Term Transportation Improvements by the City, or any agent or agency of either.

(b) Indemnification of City. Developers, its successors and assigns, shall defend and indemnify the Indemnitees from and against any and all loss, cost, damage, injury, liability, and claims ("**Losses**") to the extent arising from Developers' breach of or negligent performance (or nonperformance) of this Agreement, except to the extent that such indemnity is void or otherwise unenforceable under applicable law, and except to the extent such Loss is the result of the gross negligence or willful misconduct of City, and further provided that any demand for indemnification hereunder with respect to negligent or defective construction must be brought, if at all, within one (1) year after expiration of the Warranty Period applicable to the Off-Site Improvements, or portion therefore. The foregoing indemnity shall include, without limitation, reasonable fees of attorneys, consultants and experts and related costs, and the City's cost of investigating any claims against the City.

(c) Limitation on City Liability. The City shall not be an insurer or surety for the design or construction of the Off-Site Improvements and Near Term Transportation Improvements pursuant to the approved Multifamily Improvement Plans, Townhome Improvement Plans and Transportation Improvement Plans, nor shall any officer or employee thereof be liable or responsible for any accident, loss, or damage happening or occurring during the construction of the Off-Site Improvements and Near Term Transportation Improvements as specified in this Agreement, except as may arise due to the gross negligence or willful acts or omissions of the City.

9. Insurance. Prior to performing any Work pursuant to this Agreement, Developers shall, at its sole cost and expense, procure and maintain in effect, or cause to be procured and maintained in effect by contractor performing said Work, insurance coverage for general liability, automobile liability, workers compensation, pollution liability and Builder's Risk against claims which may arise out of or result from the design, installation, construction and completion of the Off-Site Improvements by Developers, its agents, employees and contractors. Concurrent with the delivery of the documentation set forth in **Exhibit D** in accordance with the provisions of Section 2(g)(i) and 2 (g)(ii), Developers shall deliver to City one or more certificates of coverage, with the appropriate endorsements outlined below. The insurance policies shall be provided by a financially responsible insurance company authorized to write business in the State of California and have, at

all times, a Best's rating of "A- VII" (A minus VII) or better by AM Best & Company, and with coverage and policy limits as follows:

(i) The general liability insurance coverage shall have a per occurrence limit of two million and 00/100 dollars ($2,000,000.00) and an aggregate limit of at least five million and 00/100 dollars ($5,000,000.00), and shall be endorsed to (a) include the Indemnitees as additional covered parties providing all required coverages including coverages for both ongoing and completed operations, (b) stipulate that such coverage is primary and is not excess of, or contributing with, any other insurance carried by, or for the benefit of the Indemnitees, (c) apply separately to each insured and additional insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability, (d) waive any and all right of subrogation against the Indemnitees, and (e) contain a cross liability/severability endorsement (unless the base policy contains a separation of insureds clause accomplishing the same result);

(ii) The auto liability insurance coverage shall cover all owned, hired and non-owned vehicles utilized in connection with the construction of the Off-Site Improvements with a per occurrence limit of two million and 00/100 dollars ($2,000,000.00) and an aggregate limit of not less than five million and 00/100 dollars ($5,000,000.00), and shall be endorsed to (a) include the Indemnitees as additional covered parties, (b) stipulate that such coverage is primary and is not excess of, or contributing with, any other insurance carried by, or for the benefit of the Indemnitees, (c) apply separately to each insured and additional covered parties against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability, (d) waive any and all right of subrogation against the Indemnitees, and (e) contain a cross liability/severability endorsement (unless the base policy contains a separation of insureds clause accomplishing the same result);

(iii) Worker's Compensation insurance as required by the State of California which shall be endorsed to waive any and all rights of subrogation against the Indemnitees; further, any and all subcontractors shall maintain insurance coverage limits in accordance with state statute which shall also be endorsed to waive any and all rights of subrogation against the Indemnitees;

(iv) Pollution liability coverage shall have coverage limits of not less than $2,000,000 for each claim arising from the discharge, dispersal, release or escape of any irritant or contaminant into or upon land, any structure, the atmosphere, watercourse or body of water, including groundwater; coverage shall include on and off-site clean up and emergency response costs and claims arising from above ground and below ground storage tanks; and

(v) Builder's Risk property insurance (either directly or through Developers' general contractor) on all buildings, structures, improvements, materials and real property on site, that are intended to be, or have already been incorporated into and forming part of the Work. Such coverage shall be on a builder's risk "special perils" or equivalent policy form in an amount not less than the Multifamily Engineer's Estimate and the Transportation Engineer's Estimate in the case of the MF Owner and the Townhome Engineer's Estimate in the case of the TH Owner, plus the value of subsequent contract modifications and the cost of the materials supplied or installed by others, comprising the total value of the Work on a replacement cost basis, with a deductible not to exceed $100,000.00. Such property insurance shall be maintained for the Work, unless otherwise agreed in writing by City. This insurance shall include the interests of City and the other

Indemnitees, Developers, Developers' contractor and subcontractors on the Work. City shall further have the right to review and reasonably approve the form of Builder's Risk policy.

10. Miscellaneous.

(a) Relationship Between the Parties; Authority; Binding Effect. In performing its obligations under this Agreement, the Developers are independent contractors and not an agent or employee of the City. This Agreement does not create any partnership or agency between the Parties, each of which is, and at all times shall remain, solely responsible for all acts of its officials, employees, agents, contractors and any subcontractors, including any negligent acts or omissions. No Party is an agent of the other, and has no authority to act on behalf of or to bind the other Party to any obligation whatsoever. Each Party executing this Agreement on behalf of a Party represents and warrants that such person is duly and validly authorized to do so on behalf of the entity it purports to bind. Each of the terms, covenants and conditions of this Agreement shall extend to and be binding on and shall inure to the benefit the Parties and each of their respective successors and assigns and all those taking by, under or through it or them.

(b) Venue; Attorneys' Fees. In the event that any action is brought by either Party hereto as against the other Party for the enforcement or declaration of any right or remedy in or under this Agreement or for the breach of any covenant or condition of this Agreement, venue for any such proceeding shall be in the Superior Court of the County of San Mateo, State of California. Should any party hereto institute any action or proceeding in court or other dispute resolution mechanism ("**DRM**") to enforce any provision hereof by reason of an alleged breach of any provision of this Agreement, the prevailing party shall be entitled to receive from the losing party, court or DRM costs or expenses incurred by the prevailing party including, without limitation, expert witness fees, document copying expenses, exhibit preparation costs, carrier expenses and postage and communication expenses, and such amount as the court or DRM may adjudge to be reasonable attorneys' fees for the services rendered the prevailing party in such action or proceeding. Attorneys' fees under this Section 10(b) include attorneys' fees on any appeal, and, in addition, a party entitled to attorneys' fees shall be entitled to all other reasonable costs and expenses incurred in connection with such action.

(c) Notices.

(i) A notice or communication under this Agreement by either Party to the other (or by or to the Director) shall be sufficiently given or delivered if dispatched by hand or by registered or certified mail, postage prepaid, or via electronic mail, addressed as follows:

In the case of a notice or communication to the Public Works Director:

City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025-3483
Attn: Nicole H. Nagaya, Public Works Director
Reference: Menlo Uptown
Email: nhnagaya@menlopark.org

With copies to:

Office of the City Attorney
c/o Burke, Williams & Sorensen, LLP
181 Third Street, Suite 200
San Rafael, CA 94901-6587
Attn: Nira Doherty, City Attorney
Reference: Menlo Uptown
Email: NDoherty@bwslaw.com

And in the case of a notice or communication to the Developers:

CLPF GRP Uptown Menlo Park, LLC
450 Sansome Street, Suite 500
San Francisco, CA 94111
Attn: Matthew Udouj
Email: matthew.udouj@greystar.com

CLPF CRP TH Menlo Park, LLC,
450 Sansome Street, Suite 500
San Francisco, CA 94111
Attn: Matthew Udouj
Email: matthew.udouj@greystar.com

With copies to:

Chelsea Maclean
Holland & Knight, LLP
50 California Street, Suite 2800
San Francisco, CA 94111
Email: chelsea.maclean@hklaw.com

(ii) Any mailing address may be changed at any time by giving written notice of such change in the manner provided above at least ten (10) days prior to the effective date of the change. All notices under this Agreement shall be deemed given, received, made or communicated on the date personal receipt actually occurs or, if mailed, on the delivery date or attempted delivery date shown on the return receipt or, if by electronic mail transmission, on the date when sent provided that the sender receives no notice of non-delivery.

(d) Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the permitted successors and assigns of the Parties hereto, and upon such transfer in accordance with the provisions set forth herein, the Developers shall be released from its obligations hereunder. Any assignment of rights and obligations under this Agreement shall be in writing between City, Developers and its assignee, shall clearly identify the scope of the rights and/or obligations assigned and shall be subject to the approval of the Director and City Attorney,

including, but not limited to, the requirement that the assignee provides replacement bonds that are consistent with **Exhibits G-1** and **G-2** in an amount required to secure any remaining obligations as approved by City, the assignee provides proof of adequate insurance in the amount previously provided by Developers and by an insurer with an equal or better credit rating, and the assignee has obtained all rights, title and interest in and to the Property and any other real estate rights reasonably required to satisfy all other conditions required to complete the Work contemplated by this Agreement.

(e) Legal and Equitable Relief. Each Party shall have the right (but not the obligation) to prosecute any proceedings at law or in equity against any other Party, or any other person or entity, violating or attempting to violate or defaulting in the performance of any of the provisions contained in this Agreement in order to prevent such party, person or entity from violating or attempting to violate or defaulting in the performance of any of the provisions of this Agreement or to recover damages for any such violation or default. It is agreed that damages would be an inadequate remedy for violation of this Agreement by any party and, therefore, injunctive or other appropriate equitable relief shall be available to the other party. The remedies available under this Section 10(e) shall include, by way of illustration but not limitation, ex parte applications for temporary restraining orders, preliminary injunctions and permanent injunctions enjoining any such violation or attempted violation or default, and actions for specific performance of this Agreement. The result of every action or omission whereby any covenant, condition or restriction herein contained is violated in whole or in part is hereby declared to be and to constitute a nuisance, and every remedy allowed by law or equity against any party, either public or private, shall be applicable against every such result and may be exercised by any party.

(f) Waiver. Failure by a Party to insist upon the strict performance of any of the provisions of this Agreement by another Party, or the failure by a Party to exercise its rights upon the default of another Party, shall not constitute a waiver of such Party's right to insist upon and demand strict compliance by the other Party with the terms of this Agreement thereafter.

(g) Parties in Interest. Nothing in this Agreement, expressed or implied, is intended to or shall be construed to confer upon or to give to any person or entity other than the City and the Developers, any rights, remedies or claims under or by reason of this Agreement or any covenants, conditions or stipulations hereof; and all covenants, conditions, promises, and agreements in this Agreement contained by or on behalf of the City, or the Developers shall be for the sole and exclusive benefit of the named Parties.

(h) Amendment. This Agreement may be amended, from time to time, by written supplement or amendment hereto and executed by the City and the Developers. The Director of Public Works, with the consent and approval of the City Attorney, is authorized to execute on behalf of the City any amendment that the Director determines is in the City's best interests and does not materially increase the City's obligations or materially diminish the City's rights under this Agreement. The foregoing notwithstanding, nothing herein shall preclude the Director from seeking and securing approval or concurrence of any amendment by the City Council.

(i) Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original.

(j) Interpretation of Agreement. The recitals above and exhibits attached hereto are incorporated herein by reference and comprise part of this Agreement. This Agreement constitutes the entire agreement between the Parties with respect to the subject matter hereof and no prior oral or written understanding shall be of any force or effect with respect to the matters covered herein. The titles to the sections of this Agreement are not a part of this Agreement and shall have no effect upon the construction or interpretation of any part of this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The word "including" shall be construed as if followed by the words "without limitation." This Agreement shall be interpreted as though prepared jointly by both Parties. The laws of the State of California, without regard to conflict of laws principles, shall govern the interpretation and enforcement of this Agreement. This Agreement shall be interpreted as though jointly prepared by both Parties.

(k) Severability. If any term, provision, condition or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

(l) Recording Agreement. This Agreement shall be recorded against the title of the Property.

(m) Purpose and Effect of Recording. This Agreement shall be recorded for the purpose of providing constructive notice to any future owner of the Property of Developers' obligations and responsibilities under this Agreement.

(n) Notice of Termination. At the time all the obligations and requirements specified in this Agreement are fully satisfied as determined by the Director of Public Works in consultation with affected City departments, the Parties shall execute and record (if applicable) a Notice of Termination.

IN WITNESS WHEREOF, the City, and MF Owner and TH Owner have executed this Agreement in one or more copies as of the day and year first above written.

[SIGNATURES ON NEXT PAGE]

MF OWNER:

CLPF GRP Uptown Menlo Park, LLC, a Delaware limited liability company

By: GS Uptown MP Manager, LLC, a Delaware limited liability company, its Managing Manager

By: _____

Name: _____

Its: _____

TH OWNER:

CLPF CRP TH Menlo Park, LLC, a Delaware limited liability company

By: GS Uptown MP Manager, LLC, a Delaware limited liability company, its Managing Member

By: _____

Name: _____

Its: _____

CITY:

CITY OF MENLO PARK,
a municipal corporation

_____

By: _____
Its: _____

APPROVED AS TO FORM:

CITY ATTORNEY

_____

City Attorney

LIST OF EXHIBITS

Exhibit A-1 – Legal Description of Multifamily Property

Exhibit A-2 – Legal Description of Townhome Property

Exhibit B – List of Off-Site Improvements

Exhibit C – List of Transportation Improvements

Exhibit D – Documents Required by City Pursuant to Section 2(g)(i) and 2(g)(ii)

Exhibit E – Documents Required by City Pursuant to Section 2(g)(iii) to Request Notice of Completion

Exhibit F – Documents Required by City Pursuant to Section 2(g)(iv) to Request Acceptance by Public Works Director

Exhibit G-1 – Performance Bond

Exhibit G-2 – Payment Bond

EXHIBIT A-1

Legal Description of Multifamily Property

PARCEL A:

ADJUSTED PARCEL 1 AS SHOWN ON LOT LINE ADJUSTMENT NO. 20180527-10, AS EVIDENCED BY DOCUMENT RECORDED JANUARY 18, 2022 AS INSTRUMENT NO. 2022-003974 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL 1, AS SAID PARCEL IS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON JANUARY 17, 1978 IN BOOK 40 OF PARCEL MAPS AT PAGES 38 AND 39, RECORDS OF SAN MATEO COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THAT CERTAIN CENTERLINE MONUMENT OF CONSTITUTION DRIVE LOCATED AT THE NORTHWESTERLY TERMINUS OF THAT CERTAIN COURSE LABELED "N. 67°17' W. 821.51" ON THAT CERTAIN MAP ENTITLED "BOHANNON INDUSTRIAL PARK UNIT NO. 6" FILED FOR RECORD ON OCTOBER 22, 1963, IN BOOK 59 OF MAPS AT PAGE 11, RECORDS OF SAN MATEO COUNTY;

THENCE ALONG SAID CENTERLINE, SOUTH 67°17'00" EAST, 20.51 FEET;

THENCE AT A RIGHT ANGLE SOUTH 22°43'0" WEST, 30.00 FEET TO THE MOST NORTHERLY CORNER OF SAID PARCEL 1 AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID CONSTITUTION DRIVE;

THENCE LEAVING SAID RIGHT-OF-WAY LINE, ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 1, SOUTH 22°43'00" WEST, 225.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE LEAVING SAID NORTHWESTERLY LINE, SOUTH 67°17'00" EAST, 267.00 FEET TO THE SOUTHEASTERLY LINE OF SAID PARCEL 1;

THENCE ALONG THE SOUTHEASTERLY, SOUTHWESTERLY, AND NORTHWESTERLY LINES OF SAID PARCEL 1 THE FOLLOWING THREE (3) COURSES:

1. SOUTH 22°43'00" WEST, 225.00 FEET TO THE NORTHEASTERLY LINE OF JEFFERSON DRIVE;
2. ALONG SAID NORTHEASTERLY LINE, NORTH 67°17'00" WEST, 267.00 FEET;
3. LEAVING SAID NORTHEASTERLY LINE, NORTH 22°43'00" EAST, 225.00 FEET TO THE POINT OF BEGINNING.

PARCEL B:

ADJUSTED PARCEL 2 AS SHOWN ON LOT LINE ADJUSTMENT NO. 20180527-10, AS EVIDENCED BY DOCUMENT RECORDED JANUARY 18, 2022 AS INSTRUMENT NO. 2022-003974 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL 1, AS SAID PARCEL IS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON JANUARY 17, 1978 IN BOOK 40 OF PARCEL MAPS AT PAGES 38 AND 39, RECORDS OF SAN MATEO COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THAT CERTAIN CENTERLINE MONUMENT OF CONSTITUTION DRIVE LOCATED AT THE NORTHWESTERLY TERMINUS OF THAT CERTAIN COURSE LABELED ”N. 67°17' W. 821.51" ON THAT CERTAIN MAP ENTITLED "BOHANNON INDUSTRIAL PARK UNIT NO. 6" FILED FOR RECORD ON OCTOBER 22, 1963, IN BOOK 59 OF MAPS AT PAGE 11, RECORDS OF SAN MATEO COUNTY;

THENCE ALONG SAID CENTERLINE, SOUTH 67°17'00" EAST, 20.51 FEET;

THENCE AT A RIGHT ANGLE SOUTH 22°43'00" WEST, 30.00 FEET TO THE MOST NORTHERLY CORNER OF SAID PARCEL 1 AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID CONSTITUTION DRIVE, SAID CORNER ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE ALONG SAID RIGHT-OF-WAY LINE, AND ALONG THE NORTHEASTERLY AND SOUTHEASTERLY LINES OF SAID PARCEL 1, THE FOLLOWING TWO (2) COURSES:

1. SOUTH 67°17'00" EAST, 267.00 FEET;
2. LEAVING SAID RIGHT OF WAY LINE, SOUTH 22°43'00" WEST, 225.00 FEET;

THENCE LEAVING SAID SOUTHEASTERLY LINE OF PARCEL 1, NORTH 67°17'00" WEST, 267.00 FEET TO THE NORTHWESTERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID NORTHWESTERLY LINE, NORTH 22°43'00" EAST, 225.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT A-2

Legal Description of Townhome Property

Real property in the City of Menlo Park, County of San Mateo, State of California, described as follows:

ADJUSTED PARCEL 3 AS SHOWN ON LOT LINE ADJUSTMENT, AS EVIDENCED BY DOCUMENT RECORDED JANUARY 18, 2022 AS INSTRUMENT NO. 2022-003974 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF LOTS 18, 19, AND 20, AS SAID LOTS ARE SHOWN ON THAT CERTAIN MAP ENTITLED "BOHANNON INDUSTRIAL PARK UNIT NO 6" FILED FOR RECORD ON OCTOBER 22, 1963, IN BOOK 59 OF MAPS AT PAGE 11, RECORDS OF SAN MATEO COUNTY.

EXHIBIT B

List of Off-Site Improvements

Off-Site Improvements for Multifamily Component:

- Sewer Upsize on Jefferson
- Sewer Upsize on Chrysler
- Portion of Water Main Relocation on Constitution (along MF frontage)
- Portion of Gas Main Relocation on Constitution (along MF frontage)
- Gas main relocation on Jefferson
- Electric Undergrounding across Jefferson

Parcel adjacent improvements

- Asphalt Paving Improvements
- Concrete Improvements
- Sanitary Sewer
- Storm Drain
- Landscape & Irrigation
- Water
- Dry Utility
- Demolition
- Green Infrastructure

Off-Site Improvements for Townhome Component:

- Portion of Water Main Relocation on Constitution (along TH Frontage)
- Portion of Gas Main Relocation on Constitution (along TH Frontage)

Parcel adjacent improvements

- Asphalt Paving Improvements
- Concrete Improvements
- Sanitary Sewer
- Storm Drain
- Landscape & Irrigation
- Water
- Dry Utility
- Demolition
- Green Infrastructure

EXHIBIT C

List of Transportation Improvements

Transportation Improvements:

<u>Near Term Transportation Improvements</u> - Requiring Plans and Specifications for Construction (unless modified by City Council):

Condition of Approval 2.w.iii.

Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Bay Road is to modify southbound Bay Road to have two left-turn lanes and one right turn lane. This improvement was studied and is included in the City's TIF program. The proposed improvement would require Caltrans approval. Both above and below ground utilities may require modification due to the widening. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy of the first building. If Caltrans approval has not been obtained prior to occupancy of the first building, but the applicant demonstrates that it has worked diligently to pursue Caltrans approval to the satisfaction of the Director of Public Works or designee, the applicant shall submit to the City a performance bond for 100 percent of the estimated costs plus a 30 percent contingency. The applicant shall continue to pursue approval and construction for a period of five years from the date of issuance of the first building permit. If the applicant continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval to construct the improvement, then the applicant shall be relieved of responsibility to construct the improvement and the bond shall be released by the City of Menlo Park.

Condition of Approval 2.ww.iv.

Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Coleman Avenue is to install a right-turn lane on eastbound Willow Road and restripe the shared through/right lane to through lane resulting in having one left-turn lane, one through lane, and one right-turn lane in this direction. Both above and below ground utilities may require modification due to the widening. This improvement is not included in the City's TIF program. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy. Any project(s) approved within 10 years of the approval date

of the Menlo Uptown project and required to implement the same intersection improvement shall reimburse the Menlo Uptown applicant or its proportional fair share of the improvement costs.

Condition of Approval 2.ww.v.

Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Gilbert Avenue is to install a right-turn lane on eastbound Willow Road and restripe the shared through/right lane to through lane resulting in having one left-turn lane, one through lane, and one right-turn lane in this direction. Both above and below ground utilities may require modification due to the widening. This improvement is not included in the City's TIF program. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy. Any project(s) approved within 10 years of the approval date of the Menlo Uptown project and required to implement the same intersection improvement shall reimburse the Menlo Uptown applicant for its proportional fair share of the improvement costs.

<u>Cumulative Transportation Improvements</u> - Transportation Improvements Requiring Conceptual Plans and Cost Estimates for Fees (unless modified by City Council):

Condition of Approval 2.ww.vi.

Under the Cumulative scenario, the proposed intersection improvements at the intersection of Chrysler Drive and Jefferson Drive are to install 1) a traffic signal and 2) convert the shared left/right lane to one left-turn lane and one right-turn lane on northbound Jefferson Drive. The installation of a traffic signal was studied and is included in the City's TIF program. The TIF payment will fulfill this requirement. To fulfill the other intersection improvement, the applicant shall provide a conceptual plan and a cost estimate (including design engineering) for approval by the Transportation Division to determine the fair share contribution. The fair share contribution for the intersection improvement, calculated as 7.4% of the cost estimate, shall be paid prior to the issuance of a building permit. If these funds are not used within a 5-year period, they will be returned to the Applicant.

Condition of Approval 2.ww.vii.

Under the Cumulative scenario the proposed intersection improvement at the intersection of Chilco Street and Bayfront Expressway is to modify the center left-turn lane to shared left-/right lane on Chilco Street and re-design the existing shared bike lane, resulting in having one left-turn lane, one shared left/right lane, and one right-turn lane. This improvement is not included in the City's TIF program. To fulfill this improvement, the applicant shall provide a conceptual plan and a cost estimate (including design engineering) for approval by the Transportation Division to determine the fair share contribution. The fair share contribution for the intersection improvement, calculated as 2.2% of the cost estimate, shall be paid prior to the issuance of a

building permit. If these funds are not used within a 5-year period, they will be returned to the Applicant.

Condition of Approval 2.ww.viii.

Under the Cumulative scenario, the proposed improvement at the intersection of Chilco Street and Constitution Drive is to install a left-turn lane and convert the shared left/through lane to through lane on southbound Constitution Drive resulting in having one left-turn lane, one through lane, and one right-turn lane. Applicant shall provide a conceptual plan of the following improvement and a cost estimate (including design engineering) for approval by the Transportation Division to determine the fair share contribution. This improvement is not included in the City's TIF program. The fair share contribution for the intersection improvement, calculated as 3.5% of the cost estimate, shall be paid prior to the issuance of a building permit. If these funds are not used within a 5-year period, they will be returned to the Applicant.

Transportation Improvements Not Required to be Constructed

Condition of Approval 2.ww.i

Under the Near Term scenario, the proposed intersection improvement at the intersection of Marsh Road and Bayfront Expressway/Haven Avenue is to restripe the through lane on Haven Avenue to a shared through/right lane resulting in having one shared left/through lane, one shared through/right lane, and one right-turn lane. This improvement was studied and is included in the city's TIF program. Note this improvement has been initiated. The applicant shall consult with the City for direction prior to proceeding to the next step and the applicant's obligation. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvement prior to occupancy.

Condition of Approval 2.ww.ii

Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Newbridge Street is to modify signal timing to a protected left-turn phasing operation on Newbridge Street. Provide a leading left-turn phase on southbound Newbridge Street and a lagging left-turn phase on northbound Newbridge Street and optimize the signal timing. This improvement was studied and is included in the City's TIF program. The proposed improvement would require Caltrans approval. Signal and other electrical utilities and equipment will also require modification. Note this improvement has been initiated. The applicant shall consult with the City for direction prior to proceeding to the next step and the applicant's obligation. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited

to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy of the first building. If Caltrans approval has not been obtained prior to occupancy of the first building, but the applicant demonstrates that it has worked diligently to pursue Caltrans approval to the satisfaction of the Director of Public Works or designee, the applicant shall submit to the City a performance bond for 100 percent of the estimated costs plus a 30 percent contingency. The applicant shall continue to pursue approval and construction for a period of five years from the date of issuance of the first building permit. If the applicant continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval to construct the improvement, then the applicant shall be relieved of responsibility to construct the improvement and the bond shall be released by the City of Menlo Park.

EXHIBIT D

Documentation Required by City Pursuant to Sections 2 (g) (i) and 2 (g) (ii)

Multifamily Component Requirements Pursuant to Section 2 (g) (i)

1. Approved Multifamily Improvement Plans and Transportation Improvement Plans
2. Offer of dedication of Off-Site Improvements for the Multifamily Component from Developer to City upon Acceptance of Off-Site Improvements
3. Offer of dedication of Near Term Transportation Improvements for the Project from Developer to City upon Acceptance of Near Term Transportation Improvements
4. Offer of dedication of real property interests, if any, from Developer to City upon Acceptance of Off-Site Improvements and Near Term Transportation Improvements
5. Deeds/public easement agreements, if necessary
6. Insurance Certificates
7. Multifamily Engineer's Estimate
8. Payment and Performance/Warranty Bonds in amount of Multifamily Engineer's Estimate and Transportation Engineer's Estimate
9. Encroachment Permits for work in public right of way.

Townhome Component Requirements Pursuant to Section 2 (g) (ii)

1. Approved Townhome Improvement Plans
2. Offer of dedication of Off-Site Improvements for the Townhome Component from Developer to City upon Acceptance of Off-Site Improvements
3. Offer of dedication of real property interests, if any, from Developer to City upon Acceptance of Off-Site Improvements and Near Term Transportation Improvements
4. Deeds/public easement agreements, if necessary
5. Insurance Certificates
6. Townhome Engineer's Estimate
7. Payment and Performance/Warranty Bonds in amount of Townhome Engineer's Estimate
8. Encroachment Permits for work in public right of way.

EXHIBIT E

Documentation Required by City Pursuant to Section 2 (g) (iii) to Request Notice of Completion

1. Developer Request Letter for Determination of Completeness ("DOC")
2. Contractor Substantial Completion Letter
3. Civil Engineer Completion Notice
4. Geotechnical Engineer Completion Letter
5. Landscape Architect Completion Notice
6. City Final Punch-list Approval
7. Utility Conformance Letter (as applicable)
8. As-Built Plan Approval
9. Recorded Notice of Completion
10. Survey Monuments
11. Test Reports
12. Joint Trench Conduits mandrel test (as applicable)
13. Confirmation of Removal of all Non-Compliance Reports ("NCR")
14. Confirmation of all Change Orders/Instructional Bulletins
15. Confirmation from City that Spare Parts have been provided (as applicable)
16. Operation and Maintenance Manuals (as applicable)
17. DOC Recommendation from Public Works

EXHIBIT F

Documentation Required by City Pursuant to Section 2 (g) (iv) to Request Acceptance by Public Works Director

1. Developer Request for Acceptance Letter
2. Lien Notification to General Contractor and Subs
3. Utility Bill of Sale (as applicable)
4. 3rd Party Reimbursement Checks-Copies
5. Assignment of Warranties and Guaranties
6. License Agreements (as applicable)
7. Mechanic's Lien Guarantee
8. Modified Offers of Off-Site Improvements (as applicable)
9. Updated Grant Deeds (as applicable)

EXHIBIT G-1

Performance/Warranty Bond

(Chapter 5, Division 2, Title 7 of California Government Code)

Bond no. _____

WHEREAS, the CITY OF MENLO PARK, a California municipal corporation ("**Owner**"), has approved the [*Multifamily Improvement Plans* OR *Townhome Improvement Plans* (*insert actual title of plans*)], prepared by [*Name of Engineering Firm*] and dated _____, 2022 ("**Improvement Plans**"), which improvements described therein are required to be constructed as set forth in that certain Public Improvement Agreement dated _____, 2022, by and between Owner, CLPF GRP Uptown Menlo Park, LLC, and CLPF CRP TH Menlo Park, LLC ("**Agreement**"); and

WHEREAS, [*insert name of developer*]("**Developer**") is required to furnish a bond in connection with the construction of the improvements shown on said Improvement Plans in the amount of the Engineer's Estimate (as said term is defined in the Agreement) ($_____) ("**Penal Sum**") as security for the faithful performance of the work to be performed, which upon completion and acceptance of the constructed improvements by the Owner, converts to a warranty bond equal to ten (10%) of the Engineer's Estimate ($_____), for the warranty of the accepted improvements for a period of one (1) year; and

WHEREAS, this Bond consists of this page and the Bond Terms And Conditions, Paragraphs 1 through 14, attached to this page.

NOW, THEREFORE, we the undersigned Developer and, _____, as Surety are held and firmly bound unto the sum of _____dollars ($_____) to be paid to the Owner, for which payment, we bind ourselves, jointly and severally.

[Signature Pages to Follow]

Dated: _____, 2022

DEVELOPER:

By: _____
Name: _____
Its: _____

SURETY:

[insert name of Surety]

By: _____
Attorney-in-fact

Correspondence or claims relating to this bond should be sent to the Surety at the following address:

_____
_____
_____

Note: Signature of those executing for the Surety must be properly acknowledged, and a power of attorney attached.

CERTIFICATE OF ACKNOWLEDGMENT

State of California, County of San Mateo.

On this _____ day of _____ in the year 2022 before me, _____, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument as the attorney-in-fact of _____, and acknowledged to me that he (she) subscribed the name of the said company thereto as surety, and his (her) own name as attorney-in-fact.

(SEAL)

_____
Notary Public

BOND TERMS AND CONDITIONS

1. Developer and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to Owner for the complete and proper performance of the Agreement, which is incorporated herein by reference.

2. If Developer completely and properly performs all of its obligations under the Agreement, Surety and Developer shall have no obligation under this Bond.

3. If there is no Owner Default, Surety's obligation under this Bond shall arise after:

3.1 Owner provides Surety with written notice that Owner has declared a default under the Agreement pursuant to the terms of the Agreement.

4. When Owner has satisfied the conditions of Paragraph 3 above, Surety shall promptly (within forty (40) days) and at Surety's expense elect to take one of the following actions:

4.1 Arrange for Developer, with consent of Owner, to perform and complete the Agreement (but Owner may withhold consent, in which case the Surety must elect an option described in Paragraphs 4.2, 4.3 or 4.4 below); or

4.2 Undertake to perform and complete the Agreement itself, through its agents or through independent contractors or construction entities; provided, that Surety may not select Developer as its agent or independent contractor or Developer without Owner's consent; or

4.3 Undertake to perform and complete the Agreement by obtaining bids from qualified contractors or Construction entities acceptable to Owner for a contract for performance and completion of the Agreement and, upon determination by Owner of the lowest responsive and responsible Bidder, arrange for a contract to be prepared for execution by Surety and the contractor or Developer selected with Owner's concurrence, to be secured with performance and payment bonds executed by a qualified surety equivalent to the bonds issued on the Agreement; or

4.4 Waive its right to perform and complete, arrange for completion, or obtain a new contractor or Developer, and with reasonable promptness under the circumstances and, after investigation and consultation with Owner, determine in good faith its monetary obligation to Owner under Paragraph 6 below, for the performance and completion of the Agreement and, as soon as practicable after the amount is determined, tender payment therefor to Owner with full explanation of the payment's calculation. If Owner accepts Surety's tender under this Paragraph 4.4, Owner may still hold Surety liable for future damages then unknown or unliquidated resulting from the Developer's default, as agreed by Owner and Surety at the time of tender. If Owner disputes the amount of Surety's tender under this Paragraph 4.4, Owner may exercise all remedies available to it at law to enforce Surety's liability under Paragraphs 6 and 7 below.

5. At all times Owner shall be entitled to enforce any remedy available to Owner at law or under the Agreement including, without limitation, and by way of example only, rights to perform work, protect Work, mitigate damages, advance critical Work to mitigate schedule delay, and coordinate Work with other consultants or contractors.

6. If Surety elects to act under Paragraphs 4.1, 4.2 or 4.3 above, within the time period provided in Paragraph 4, above, and complies with its obligations under this Bond, Surety's obligations under this Bond are commensurate with Developer's obligations under the Agreement. Surety's obligations include, but are not limited to:

6.1 Developer's obligations to complete the Agreement and correct Defective Work;

6.2 Developer's obligations to pay liquidated damages, if applicable; and

6.3 To the extent otherwise required of Developer under the Agreement, Developer's obligations to pay additional legal, design professional, and other costs not included within liquidated damages resulting from Developer Default (but excluding attorney's fees incurred to enforce this Bond).

7. If Surety does not elect to act under Paragraphs 4.1, 4.2, 4.3, or 4.4, above, within the time period provided in Paragraph 4, above, or comply with its obligations under this Bond, then Surety shall be deemed to be in default on this Bond ten Days after receipt of an additional written notice from Owner to Surety demanding that Surety perform its obligations under this Bond. Such Surety default shall be independent of the Developer Default. To the extent Surety's independent default causes Owner to suffer damages including, but not limited to, delay damages, which are different from, or in addition to (but not duplicative of) damages which Owner is entitled to receive under the Agreement, Surety shall also be liable for such damages. In the event any Surety obligation following its independent default is inconsistent or conflicts with California Civil Code Section 2809, or any other law which either prohibits, restricts, limits or modifies in any way any obligation of a surety which is larger in amount or in any other respect more burdensome than that of the principal, Surety hereby waives the provisions of such laws to that extent.

8. If Surety elects to act under Paragraphs 4.1, 4.3 or 4.4 above, within the time period provided in Paragraph 4, above, and complies with all obligations under this Bond, Surety's monetary obligation under this Bond is limited to the Penal Sum.

9. No right of action shall accrue on this Bond to any person or entity other than Owner or its successors or assigns.

10. Surety hereby waives notice of any change, alteration or addition to the Agreement or to related subcontracts, design agreements, purchase orders and other obligations, including changes of time, and of any Owner action in accordance with Paragraph 5 above. Surety consents to all terms of the Agreement, including provisions on changes to the Agreement. No extension of time, change, alteration, modification, deletion, or addition to the Agreement, Plans and Specifications, or of the work (including services) required thereunder, or any Owner action in accordance with Paragraph 5 above shall release or

exonerate Surety on this Bond or in any way affect the obligations of Surety on this Bond, unless such action is an Owner Default.

11. Any proceeding, legal or equitable, under this Bond shall be instituted in any court of competent jurisdiction where a proceeding is pending between Owner and Developer regarding the Agreement, or in the courts of the County of San Mateo, or in a court of competent jurisdiction in the location in which the work is located.

12. All notices to Surety or Developer shall be mailed or delivered (at the address set forth on the signature page of this Bond), and all notices to Owner shall be mailed or delivered as provided in the Agreement. Actual receipt of notice by Surety, Owner or Developer, however accomplished, shall be sufficient compliance as of the date received at the foregoing addresses.

13. Any provision in this Bond conflicting with any statutory or regulatory requirement shall be deemed deleted here from and provisions conforming to such statutory requirement shall be deemed incorporated herein.

14. Definitions

14.1 Agreement: That certain Public Improvement Agreement dated _____, 2022, by and between Developer and Owner, including any amendments or addenda thereto.

14.2 Developer Default: Material failure of Developer, which has neither been remedied nor waived, to perform or otherwise to comply with the terms of the Agreement.

14.3 Owner Default: Material failure of Owner, which has neither been remedied nor waived, to perform material terms of the Agreement, if such failure is the cause of the asserted Developer Default.

END OF DOCUMENT

EXHIBIT G-2

Payment Bond

(Chapter 5, Title 3, Part 6, Division 4 of California Civil Code or Chapter 5, Division 2, Title 7 of California Government Code)

Bond No. _____

WHEREAS, the CITY OF MENLO PARK, a California municipal corporation ("**Owner**"), has approved the [*Multifamily Improvement Plans* OR *Townhome Improvement Plans* (*insert actual title of plans*)], prepared by [*Name of Engineering Firm*] and dated _____, 2022 ("**Improvement Plans**"), which improvements described therein are required to be constructed as set forth in that certain Public Improvement Agreement dated _____, 2022, by and between Owner, CLPF GRP Uptown Menlo Park, LLC, and CLPF CRP TH Menlo Park, LLC ("**Agreement**"); and

WHEREAS, [*insert name of developer*] ("**Developer**") is required to furnish a Payment Bond in connection with said Agreement, to secure the payment of claims of laborers, mechanics, material men and other persons as provided by law.

NOW, THEREFORE, we, the undersigned Developer and_____ _____ , as Surety, are held and firmly bound unto Owner in the sum of the Engineer's Estimate (as defined in the Agreement) ($_____) ("**Penal Sum**"), for which payment well and truly to be made we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if Developer, or its executors, administrators, successors, or assigns approved by Owner, or its subcontractors shall fail to pay any of the persons named in California Civil Code Section 9100, or amounts due under the State of California Unemployment Insurance Code with respect to work or labor performed under the Agreement, or for any amounts required to be deducted, withheld, and paid over to the State of California Employment Development Department from the wages of employees of Developer and subcontractors pursuant to Section 13020 of the State of California Unemployment Insurance Code with respect to such work and labor, that Surety will pay for the same in an amount not exceeding the Penal Sum specified in this bond, plus reasonable attorneys' fees, otherwise the above obligation shall become and be null and void.

This bond shall inure to the benefit of any of the persons named in California Civil Code Section 9100, as to give a right of action to such persons or their assigns in any suit brought upon this bond. The intent of this bond is to comply with the California Mechanic's Lien Law.

Surety, for value received, hereby expressly agrees that no extension of time, change, modification, alteration, or addition to the undertakings, covenants, terms, conditions, and agreements of the

Agreement, or to the work to be performed thereunder, shall in any way affect the obligation of this bond; and it does hereby waive notice of any such extension of time, change, modification, alteration, or addition to the undertakings, covenants, terms, conditions, and agreements of the Agreement, or to the work to be performed thereunder.

Surety's obligations hereunder are independent of the obligations of any other surety for the payment of claims of laborers, mechanics, material suppliers, and other persons in connection with the Agreement; and suit may be brought against Surety and such other sureties, jointly and severally, or against any one or more of them, or against less than all of them without impairing Owner's rights against the other.

Correspondence or claims relating to this bond shall be sent to Surety at the address set forth below.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____ **,** 2022.

[Signature Pages to Follow]

Dated: _____, 2022

DEVELOPER:

By: _____
Name: _____
Its: _____

SURETY:

[*insert name of Surety*]

By: _____
Attorney-in-fact

Correspondence or claims relating to this bond should be sent to the Surety at the following address:

_____
_____
_____

Note: Signature of those executing for the surety must be properly acknowledged, and a power of attorney attached.

CERTIFICATE OF ACKNOWLEDGMENT

State of California, County of San Mateo.

On this _____ day of _____ in the year 2022 before me, _____, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument as the attorney-in-fact of _____, and acknowledged to me that he (she) subscribed the name of the said company thereto as surety, and his (her) own name as attorney-in-fact.

(SEAL)

_____

Notary Public

CITY OF MENLO PARK

STAFF REPORT

Planning Commission
Meeting Date: **12/5/2022**
Staff Report Number: **22-068-PC**

Public Hearing: **Consider and adopt a resolution to approve a use permit and architectural control to allow comprehensive exterior modifications to an existing multi-tenant commercial building and to allow a change of use from a salon, tutoring service, and vacant suite to a yoga and wellness studio and a café, on a parcel with substandard parking, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district, at 605 Cambridge**

Recommendation

Staff recommends that the Planning Commission approve a request for a use permit and architectural control to allow comprehensive exterior modifications to an existing multi-tenant commercial building and to allow a change of use from a salon, tutoring service, and vacant suite to a yoga and wellness studio and a café, on a parcel with substandard parking, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The proposal also includes a use permit request to allow outdoor seating associated with the proposed café. A draft resolution, including the recommended conditions of approval, is included as Attachment A.

Policy Issues

The proposed project requires the Planning Commission to consider the merits of the project. The Planning Commission should consider whether the required use permit and architectural control findings can be made for the proposal.

Background

Site location

The subject property is located at 605 Cambridge Avenue. The property is zoned SP-ECR/D (El Camino Real/Downtown Specific Plan). Within the Specific Plan, the property is in the South-West (SW) sub-district and the El Camino Real Mixed Use (ECR-MU) land use designation. The site is currently developed with a single-story commercial building.

Using Cambridge Avenue in the east-west orientation, the subject property is located at the southern side of the street, between El Camino Real and Cornell Road. Surrounding the subject property there are various zoning districts. Properties along the north and west are zoned low density apartment (R-2), properties along the south and east are part of the SP-ECR/D zoning district, within the SW sub-district and within the ECR-MU land use designation. A location map is included as Attachment B.

Analysis

Project description

The applicant is proposing to change the use of the existing single-story, multi-tenant commercial building from a salon, tutoring service, and vacant suite to a yoga and wellness studio and a café. The proposed change of use requires approval of a use permit because the parcel is substandard with regard to parking, with 12 existing parking spaces where 16 spaces are required. In addition to the change of use, the proposal includes comprehensive exterior modifications and proposed outdoor seating associated with the café.

The subject property is developed with an existing single-story commercial building with a Gross Floor Area (GFA) of 3,978 square feet. The maximum permitted base Floor Area Ratio (FAR) for the ECR SW sub-district is 1.1, which would be 8,917.7 square feet for the subject property. No change is proposed to the existing GFA. The project plans and the applicant's project description letter are included as Attachments C and D, respectively.

Design and materials

The Specific Plan includes a detailed set of design standards and guidelines. Compliance with the standards and guidelines is evaluated in the Standards and Guidelines Project Compliance Worksheet (Attachment E). The guidelines are intended to provide for a pleasant pedestrian experience with visual interest and continuity for storefronts. Staff believes the proposed modern suburban architectural style of the project would be consistent with the diverse aesthetic of the surrounding neighborhood and downtown.

Exterior modifications would include changes to the Alto Lane facing façade, used as frontage to the commercial building. The project would retain its existing footprint and overall height. The applicant is proposing three new double door entries to provide access, new windows with wood framing, and changing stucco to wood siding along the façade that faces Alto Lane. The façade facing Cambridge Avenue would be painted white. No changes are proposed for exterior materials on the remaining two sides. The existing building features colored brick pilasters and stucco. The proposed façade along Alto Lane would feature white wood siding with white colored brick pilasters, along with colored wood window and door frames. Painted steel awnings are proposed over the entry doorways that extend three feet from the facade. The proposed exterior building materials, finishes, and colors are shown on Sheet A3.01 and A3.02 of the plan set. The project would not alter any existing sidewalk or landscape conditions on the frontage.

Guidelines related to ground floor treatment for commercial frontages, which are intended to provide for a pleasant pedestrian experience with visual interest, continuity for storefronts, and retail transparency, would be meet. The relevant guidelines are discussed below:

E.3.5.02 (Guideline): Ground floor commercial buildings shall have a minimum of 50% transparency (i.e., clear-glass windows) for retail uses, office uses and lobbies to enhance the visual experience from the sidewalk and street. Heavily tinted or mirrored glass shall not be permitted.

> **Complies:** The proposed changes on the elevation facing Alto Lane would be compliant with the guideline. The proposed design would meet this requirement and provide 50.4 percent transparency The development would meet the development regulations in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district.

E.3.3.07 (Standard): Architectural projections like canopies, awnings and signage shall not project beyond

a maximum of 6 feet horizontally from the building face at the property line or at the minimum setback line. There shall be a minimum of 8-foot vertical clearance above the sidewalk, public right-of way or public space.

> **Complies:** Proposed changes to the front façade include addition of three painted metal overhangs (awning). The overhangs would extend beyond the front facade by approximately three feet, where a maximum of six feet horizontal extension is allowed; and would have a vertical clearance of 11 feet, 6 inches from the street level, where minimum vertical clearance of eight feet as permitted by Specific Plan Standard E.3.3.07.

E.3.5.08 (Guideline): Architectural projections like canopies and awnings should be integrated with the ground floor and overall building design to break up building mass, to add visual interest to the building and provide shelter and shade.

> **Complies:** Metal overhangs are proposed at the three entries along Alto Lane to help break the overall massing. Sheets A2.01, A2.02, A3.01 and A3.02 provide additional information regarding the awning placement.

E.3.5.19 (Guideline): Storefront elements such as windows, entrances and signage should provide clarity and lend interest to the façade.

> **Complies:** Design of glazing and overhangs at the building entrance from Alto Lane would provide identity and interest to the façade.

Proposed interior modifications include demolition of walls between the existing suites, to create space catered towards a yoga and wellness studio. The yoga and wellness studio would include a centralized lobby with reception area and office, a training room, and a yoga studio with shower stalls and bathrooms. In addition to the yoga studio, the applicant is also proposing a café, that would not only cater to the patrons of the facility but to neighbors as well. As part of the café, outdoor seating for a total of four tables and eight chairs are proposed. Overall, the building would have a modern appeal with a varied use of materials and detailing.

Parking and circulation

The subject site provides 12 parking spaces accessed via Alto Lane. The Specific Plan requires four parking spaces per 1,000 square feet of commercial space which is considered adequate for retail, personal service or non-medical office uses, and six parking spaces per 1,000 square feet for restaurant uses, resulting in a requirement of 14 parking spaces for the personal improvement services and four for the café use, for a total of 20 parking spaces. Because the site can only accommodate 12 parking spaces, it is considered substandard with regard to parking, and any change of use requires approval of a use permit. Pedestrian access to the yoga and wellness studio and café would also be off of Alto Lane.

The applicant has provided a trip generation analysis (Attachment G) to determine whether the proposed change of use would result in an increase in trips to and from the subject site, which was reviewed by the Transportation Division. The trip generation analysis report determined that there would be 12 net new vehicular trips to the subject site and so the proposed change of use would require a transportation demand management (TDM) plan. Trip reduction measures and credits are taken from the City/County Association of Governments (C/CAG) guidelines dated April 9, 2020; which were used to quantify the necessary trip reduction credits for this project. The project proposes to add seven bike racks along with shower and changing rooms. In addition to the aforementioned, the applicant would be limiting the number of students in

each yoga class to no more than ten and no more than two employees at a time. Each session would have a 30-minute break in between to avoid congestion. Personal training would be made available during times when yoga classes are not in session. These measures would provide the necessary number of credits to comply with the City's Downtown Specific Plan.

Trees and landscaping
As part of the project review process, the plan was reviewed by the City Arborist. There is a heritage oak tree located on the subject property near the corner of Cambridge Avenue and Alto Lane, proposed to be retained. No new trees are proposed to be planted.

Correspondence
Staff has not received any direct correspondence at the time of writing this report.

Conclusion
Staff believes that the materials, and proposed design would be generally compatible with the surrounding buildings in the neighborhood and downtown. The proposed design elements, specifically the use of wood siding and glazing with dark metal framing would update the building's overall design. The new exterior elements and modifications proposed as part of the project would comply with all relevant Specific Plan design standards and guidelines. 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 proposed project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines, and as such, no additional environmental analysis is required.

Public Notice

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

Attachments

A. Draft Planning Commission Resolution of Approval Adopting Findings for project Architectural Control, including project Conditions of Approval
   Exhibits to Attachment A
   A. Project Plans (See Attachment C to this (December 5, 2022) Planning Commission Staff Report)
   B. Project Description Letter (See Attachment D to this (December 5, 2022) Planning

Commission Staff Report)
C. Conditions of Approval

B. Location Map
C. Project Plans
D. Project Description Letter
E. Specific Plan Standards and Guidelines Compliance Worksheet
F. Mitigation Monitoring and Reporting Program (MMRP)

Disclaimer

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

Exhibits to Be Provided at Meeting

None

Report prepared by:
Fahteen Khan, Associate Planner

Report Reviewed by:
Corinna Sandmeier, Acting Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A REQUEST FOR A USE PERMIT AND ARCHITECTURAL CONTROL TO ALLOW COMPREHENSIVE EXTERIOR MODIFICATIONS TO AN EXISTING MULTI-TENANT COMMERCIAL BUILDING AND TO ALLOW A CHANGE OF USE FROM A SALON, TUTORING SERVICE, AND VACANT SUITE TO A YOGA AND WELLNESS STUDIO AND A CAFE, ON A PARCEL WITH SUBSTANDARD PARKING, IN THE SP-ECR/D (EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN) ZONING DISTRICT. THE PROPOSAL ALSO INCLUDES A USE PERMIT REQUEST TO ALLOW OUTDOOR SEATING ASSOCIATED WITH THE PROPOSED CAFÉ.

WHEREAS, the City of Menlo Park ("City") received an application requesting a use permit and architectural control to allow a change of use to an existing multi-tenant commercial building from a salon, tutoring, and vacant suite to a personal improvement service (yoga and wellness studio), on a parcel with substandard parking, in the SP-ECR-D (El Camino Real/Downtown Specific Plan) zoning district. The subject property is substandard with regard to parking, with 12 existing parking spaces where 20 spaces are required, and requires a use permit for the change of use. Applicant is also requesting a use permit for outdoor seating associated with the proposed café. Additionally, the request includes architectural control review for comprehensive exterior modifications to the commercial building along with interior modifications, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district (collectively, the "Project") from Camden Santo ("Applicant"), on behalf of the property owner Anh Cohen ("Owner"), located at 605 Cambridge Avenue (APN 071-433-120) ("Property"). The Architectural Control and Use Permit 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 El Camino Real/Downtown Specific Plan (SP-ECR/D) zoning district, and the El Camino Real South-West (SW) sub-district, which supports a variety of uses including retail and service uses, and office and residential uses; and

WHEREAS, the proposed Project complies with all objective standards of the SP-ECR/D district and the SW sub-district; and

WHEREAS, the findings and conditions for the architectural control and use permit would ensure that all City requirements are applied consistently and correctly as part of the project's implementation; and

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

WHEREAS, the Applicant proposes measures to adequately protect street trees near the vicinity of the project; and

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

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

WHEREAS, the Project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines; and

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

WHEREAS, at a duly and properly noticed public hearing held on December 5, 2022, 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 architectural control permit.

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. Architectural Control Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the architectural control for the modifications to the exterior of an existing building is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.68.020:

1. That the general appearance of the structure is in keeping with the character of the neighborhood; in that, the Project is designed in a modern architectural style consistent with the diverse aesthetic of the surrounding neighborhood. The change of materials and exterior modifications will comply with the SP-ECR/D zoning district objective standards, and will provide visual interest along the streetscape.

2. That the development will not be detrimental to the harmonious and orderly growth of the city; in that, the project is a renovation project. The proposed Project is designed in a manner that is consistent with all applicable requirements of the City of Menlo Park Municipal Code and the Specific Plan.

3. That the development will not impair the desirability of investment or occupation in the neighborhood; in that, the Project consists of exterior and interior modifications consistent with the Municipal Code. The proposed materials and colors will be compatible with the appearance of the existing neighboring buildings. Therefore, the Project would not impair the desirability of investment or occupation in the neighborhood.

4. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking; in that, the existing development is considered legal, non-conforming with regard to parking, and with the issuance of a use permit, is permitted to change the use from a mixed-use to a personal improvement service and cafe.

5. That the project is consistent with applicable specific plan regulations and guidelines, as verified in detail in the Standards and Guidelines Compliance Worksheet attached to the December 5th, 2022, Planning Commission staff report.

Section 3. 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 change the use from a mixed-use to a personal improvement service and cafe that is substandard with regard to parking and request for outdoor seating with the associated cafe is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

1. That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
    a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the proposed use is consistent with the El Camino Real/Downtown Specific Plan (SP-ECR/D) zoning district, and the El Camino Real South-West (SW) sub-district and the General Plan because the change of use on a substandard lot with regard to parking, and outdoor seating, are permitted subject to granting of a use permit.
    b. The proposed Project is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code, with the granting of the use permit, and the Commission concludes that the Project would not be detrimental to the health, safety, and welfare of the surrounding community.

Section 4. Architectural Control Permit and Use Permit. The Planning Commission hereby approves the Architectural Control Permit, No. PLN2022-00028, which Architectural Control and 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 Architectural Control and Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit C.

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

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

Section 6. SEVERABILITY

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

I, Corinna Sandmeier, Acting Principal Planner and Planning Commission Liaison 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 December 5, 2022, 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 5th day of December, 2022

_____
Corinna Sandmeier
Acting Principal Planner and Planning Commission Liaison
City of Menlo Park

Exhibits

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

LOCATION: 605 Cambridge Avenue	**PROJECT NUMBER:** PLN2022-00028	**APPLICANT:** Camden Santo	**OWNER:** Anh Cohen

PROJECT CONDITIONS:

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

   a. The applicant shall be required to apply for a building permit within one year from the date of approval (December 5, 2023) for the use permit to remain in effect.

   b. Development of the project shall be substantially in conformance with the plans prepared by Square Three Architecture Inc., consisting of 20 plan sheets, dated received November 14, 2022 and approved by the Planning Commission on December 5, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

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

   d. The applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project and in effect at the time of building permit issuance.

   e. Applicant shall keep the property in a clean and sanitary condition at all times, and maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the City of Menlo Park Municipal Code.

   f. The Project shall adhere to all ordinances, plans, regulations, and specifications of the City of Menlo Park and all applicable local, State, and Federal laws and regulations.

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

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

   i. Heritage trees in the vicinity of the construction project shall be retained and/or protected pursuant to the Heritage Tree.

   j. Prior to building permit issuance, the Applicant shall submit plans for construction parking management, construction staging, material storage and Traffic Control Handling Plan to be reviewed and approved by the City. The applicant shall secure adequate parking for any and all construction trades.

LOCATION: 605 Cambridge Avenue	**PROJECT NUMBER:** PLN2022-00028	**APPLICANT:** Camden Santo	**OWNER:** Anh Cohen

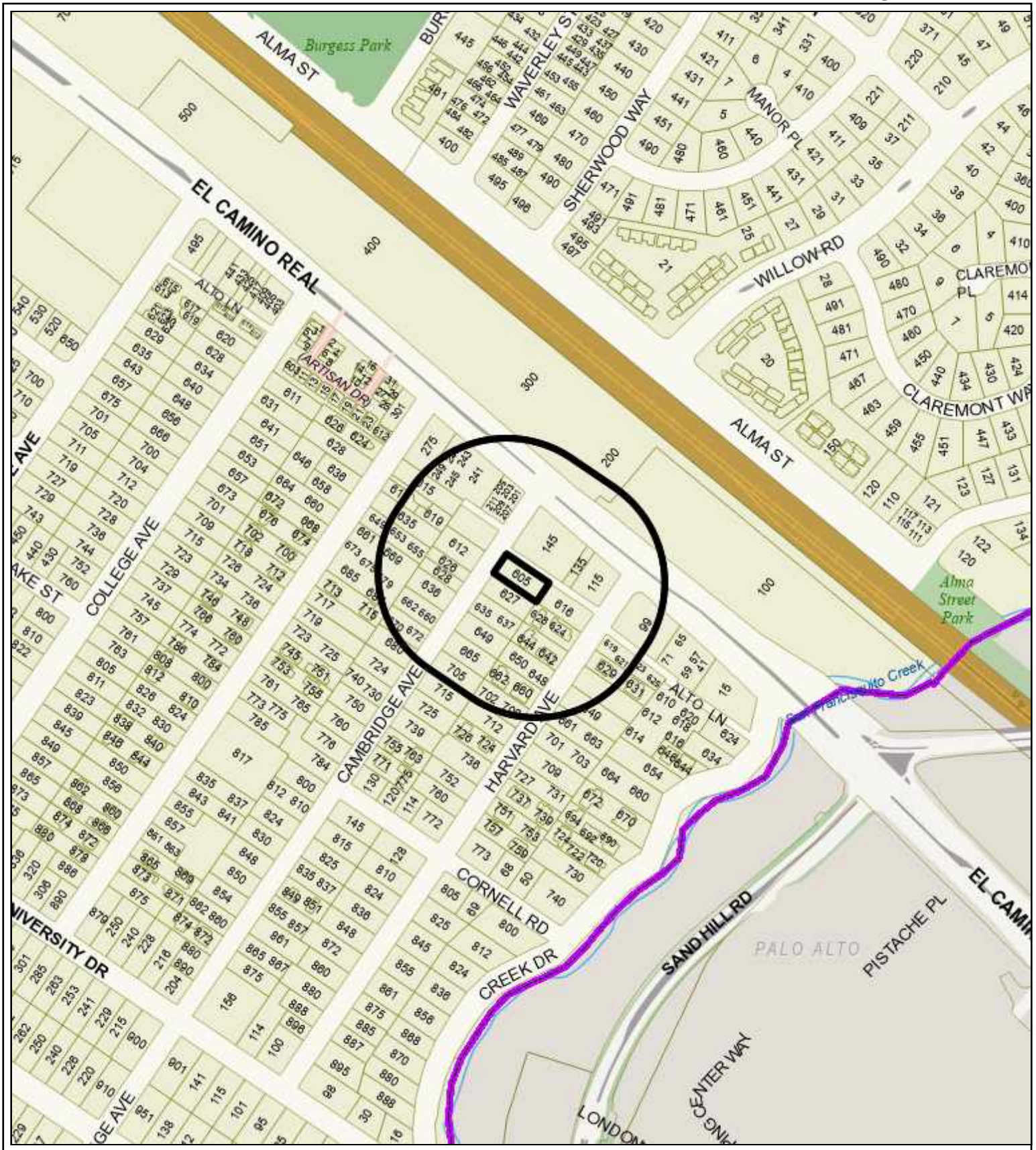
PROJECT CONDITIONS:

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

l. 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; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

2. The use permit and architectural control permit shall be subject to the following *project-specific* condition:

a. The applicant shall adhere to and/or implement all mitigation measures which apply to this Project and were adopted as a part of the Mitigation Monitoring and Reporting Programs (MMRPs) for the ConnectMenlo General Plan and the El Camino Real/Downtown Specific Plan. These mitigation measures are set forth in Attachment F to December 5, 2022 staff report, attached hereto and incorporated herein by this reference. Failure to meet these requirements may result in delays to the building permit issuance, stop work orders during construction, and/or fines.



City of Menlo Park

Location Map
605 Cambridge Avenue

Scale: 1:4,000 | Drawn By: FNK | Checked By: CDS | Date: 12/5/2022 | Sheet: 1

ATTACHMENT C



PROPOSED STREETSCAPE | 0 8 16 32 64 FT. | 1/16" | 5

THIS PROJECTS INVOLVES THE FOLLOWING:

1. RENOVATION OF EXISTING MULTI-TENANT COMMERICAL BUILDING INTO A SINGLE TENANT SPACE FOR A NEW WELLNESS CENTER.
2. UPGRADE OF EXISTING BUILDING FACADE.
3. BUILDING MECHANICAL IMPROVEMENTS AND ADDED FIRE SPRINKLER SYSTEM.

PROJECT DESCRIPTION | 7

1. ALL EXISTING CRACKED OR DAMAGED FEATURES ALONG THE PROPERTY FRONTAGE MUST BE REPAIRED IN KIND. ADDITIONALLY, ANY FRONTAGE IMPROVEMENTS WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION WILL BE REQUIRED TO BE REPLACED. ALL FRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY STANDARD DETAILS.
2. AN ENCROACHMENT PERMIT FROM THE ENGINEERING DIVISION IS REQUIRED PRIOR TO ANY CONSTRUCTION ACTIVITIES, INCLUDING UTILITY LATERALS, IN THE PUBLIC RIGHT OF WAY.

FRONTAGE IMPROVEMENTS | 6

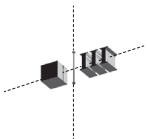
OWNERS:
ANH COHEN
310 TENNYSON AVENUE
PALO ALTO, CA 94301
EM.: ANHCOHEN2002@YAHOO.COM

ARCHITECT:
SQUARE THREE ARCHITECTURE
900 HIGH STREET, SUITE 3
PALO ALTO, CA 94301
PH.: 650.328.3660 X112, X115
EM.: TOM@SQUARETHREE.COM
CAMDEN@SQUARETHREE.COM
CONTACTS: TOM CARRUBBA, CAMDEN SANTO

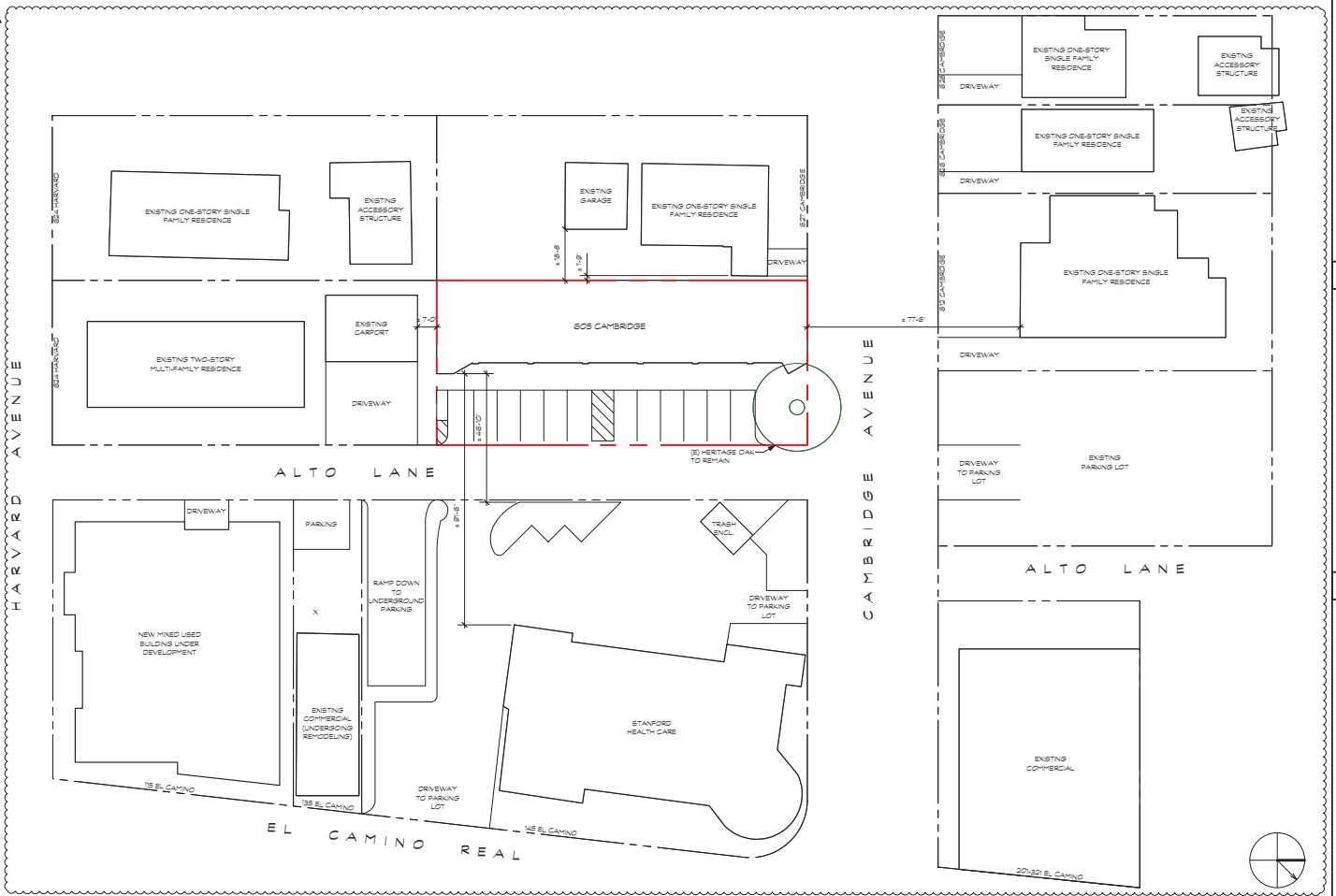
SURVEYOR:
MACLEOD AND ASSOCIATES INC.
965 CENTER STREET
SAN CARLOS, CA 94070
PH.: 650.593.8560 X3
EM.: DPM@MACLEODASSOCIATES.NET
CONTACT: DANNY MACLEOD

ARBORIST:
NED PATCHETT TREE CARE & CONSULTING
841 OLD COUNTY RD.
SAN CARLOS, CA 94070
PH.: 650.728.8303
EM.: NED@NEDPATCHETTCONSULTING.COM
CONTACTS: NED PATCHETT

PROJECT DIRECTORY | 1



square three architecture inc
900 high street suite 3
palo alto, ca 94301
650•326•3860



AREA PLAN | 0 10 20 40 80 FT. | 1"=20' | 8



VICINITY MAP | N.T.S. | 2

A0.01 PROJECT INFORMATION, SHEET INDEX, DATA SHEET, STREETSCAPE, AREA PLAN & VICINITY MAP
CIVIL TOPO
A1.01 EXISTING SITE & DEMOLITION PLAN
A1.02 PROPOSED SITE PLAN
A1.03 EXISTING FLOOR PLAN & DEMOLITION PLAN
PROPOSED FLOOR PLAN
A1.04 EXISTING ROOF PLAN & DEMOLITION PLAN
PROPOSED ROOF PLAN
A1.05 PROPOSED FLOOR PLAN BLOCK-OUT DIAGRAM
A1.06 SITE PLAN SQUARE-FOOTAGE CALCULATIONS, PARKING PAVING CALCULATIONS, & LANDSCAPE (OPEN SPACE) CALCULATIONS
A2.01 PROPOSED ENLARGED FLOOR PLAN - AREA A
A2.02 PROPOSED ENLARGED FLOOR PLAN - AREA B
A3.01 EXISTING & PROPOSED EXTERIOR ELEVATIONS
A3.02 EXISTING & PROPOSED EXTERIOR ELEVATIONS
A3.03 EXISTING & PROPOSED EXTERIOR ELEVATIONS
A3.04 EXISTING & PROPOSED EXTERIOR ELEVATIONS
A3.05 EXISTING & PROPOSED EXTERIOR ELEVATIONS
A3.06 EXISTING & PROPOSED EXTERIOR ELEVATIONS
A3.07 PROPOSED PERSPECTIVES
A3.08 PROPOSED PERSPECTIVES
A5.01 PROPOSED BUILDING SECTIONS

SHEET INDEX | 3

SITE DATA

A.P.N.	071.433.120
OCCUPANCY	GROUP B
BUILDING TYPE	V-B
ZONE	SP-ECR / SW

PROJECT DATA

SITE AREA	8,100 SF
BUILDING AREA	3,978 SF
AREA OF IMPROVEMENTS	3,978 SF
EXISTING BUILDING HEIGHT	± 13'-10"
PROPOSED BUILDING HEIGHT	± 18'-8"
REQUIRED PARKING SPACES	DETERMINED BY USE
PROPOSED PARKING SPACES	12
EXISTING FIRE SPRINKLERS	NO

BUILDING CODES

2019 CBC, 2019 CEC, 2019 CMC, 2019 CPC
2019 CALIFORNIA BUILDING ENERGY CODE
2019 CALIFORNIA GREEN BUILDING STANDARDS
MENLO PARK MUNICIPLE CODE

PROJECT DATA | 4

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

A RE-MODEL FOR:
WELLNESS WITH SANTOSHA
ANH COHEN
605 CAMBRIDGE AVENUE
MENLO PARK, CA 94025

LICENSED ARCHITECT
THOMAS PETER CARRUBBA
No. C28276
REN 2-28-23
STATE OF CALIFORNIA

revision	date
PLAN CHECK COMMENTS	09/19/22

sheet title
PROJECT DIRECTORY
PROJECT DESCRIPTION
SHEET INDEX
DATA SHEET
STREETSCAPE
AREA PLAN & VICINITY MAP

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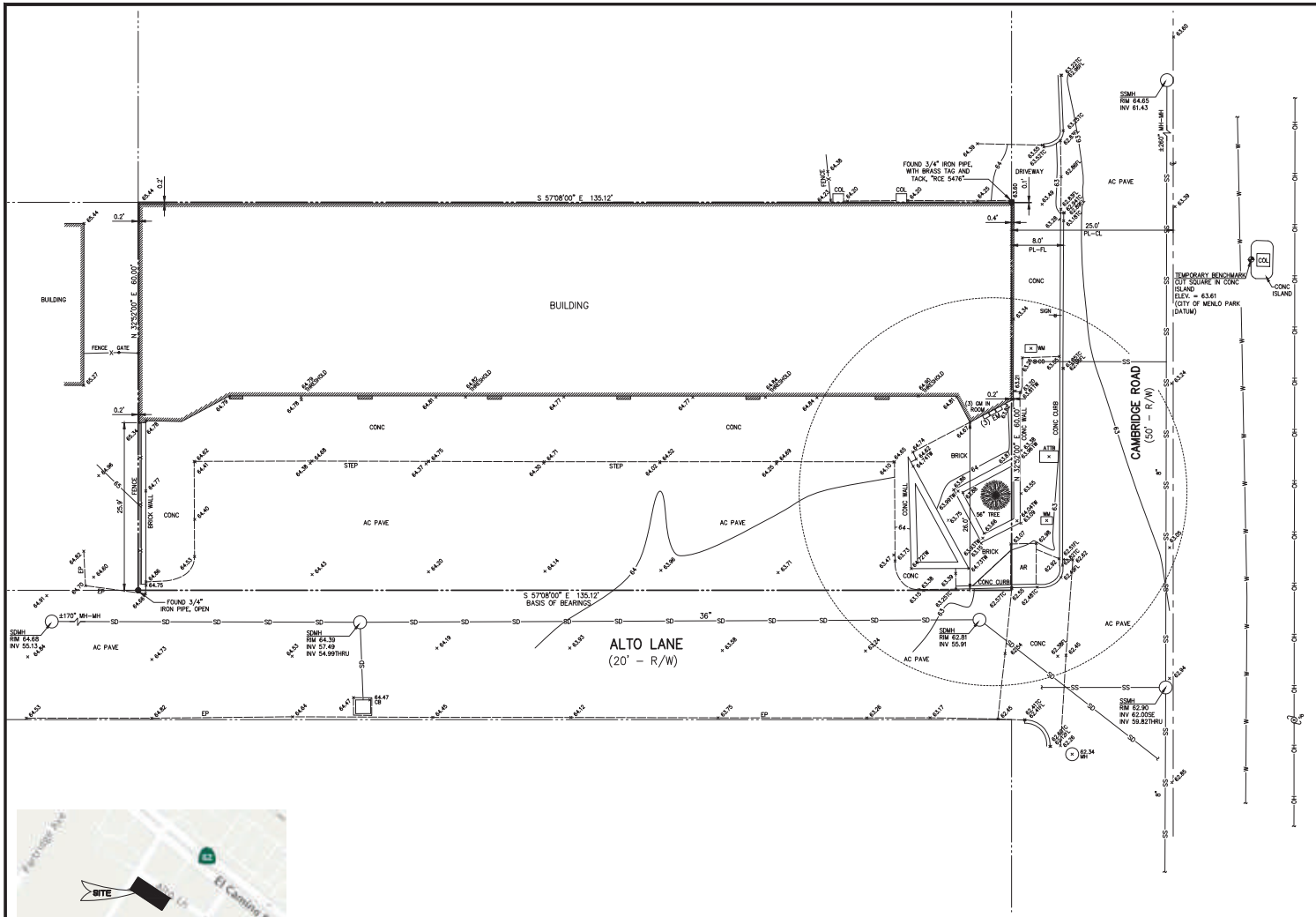
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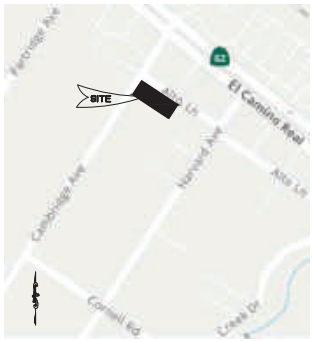
P.D. 11.14.22

A0.01

FILE: 22102.UPR2_cover.v2022

C1





VICINITY MAP
(NOT TO SCALE)

LEGEND

———	PROPERTY LINE
AC PAVE	ASPHALT CONCRETE PAVEMENT
AR	ACCESSIBLE RAMP
ATTB	AT&T BOX
CB	CATCH BASIN
℄	CENTER LINE
CO	CLEANOUT
COL	COLUMN
CONC	CONCRETE
EM	ELECTRIC METER
EP	EDGE OF PAVEMENT
FL	FLOWLINE
GM	GAS METER
INV	INVERT
JP	JOINT UTILITY POLE
SDMH	STORM DRAIN MANHOLE
SSMH	SANITARY SEWER MANHOLE
TC	TOP OF CURB
TW	TOP OF WALL
WM	WATER METER
WV	WATER VALVE
12" TREE	TREE W/ SIZE
-X-X-	FENCE
-OH-	OVERHEAD UTILITY LINE
-SS-	SANITARY SEWER LINE
-SD-	STORM DRAIN LINE
-W-	WATER LINE

LOT AREA:

= 8,107 SQ. FT. ±
= 0.186 ACRES ±

UTILITY NOTE:

THE UTILITIES EXISTING ON THE SURFACE AND SHOWN ON THIS DRAWING HAVE BEEN LOCATED BY FIELD SURVEY. ALL UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE FROM RECORDS OF THE VARIOUS UTILITY COMPANIES AND THE SURVEYOR/ENGINEER DOES NOT ASSUME RESPONSIBILITY FOR THEIR COMPLETENESS, INDICATED LOCATION, OR SIZE. RECORD UTILITY LOCATION SHOULD BE CONFIRMED BY EXPOSING THE UTILITY.

EASEMENT NOTE:

MACLEOD AND ASSOCIATES, INC. WAS NOT PROVIDED WITH A PROPERTY TITLE REPORT. EASEMENTS, IF ANY, ARE NOT INDICATED HEREON.

TIE NOTE:

ALL TIE DIMENSIONS ARE MEASURED FROM FACE OF BRICK SIDING OR STUCCO FINISH PERPENDICULAR TO PROPERTY LINE.

FIRE HYDRANT NOTE:

THE NEAREST FIRE HYDRANT IS LOCATED AT THE SOUTHEASTERLY CORNER OF CAMBRIDGE AVENUE AND EL CAMINO REAL.

SETBACK NOTE:

THE PROPERTY IS ZONED SP-ECR/D. SEE NOTED SPECIFIC PLAN FOR REQUIRED BUILDING SETBACKS.

BOUNDARY NOTE:

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

04/22/22
DATE

GRAPHIC SCALE
(IN FEET)
1 inch = 8 ft.

REV.	DESCRIPTION	BY:	DATE

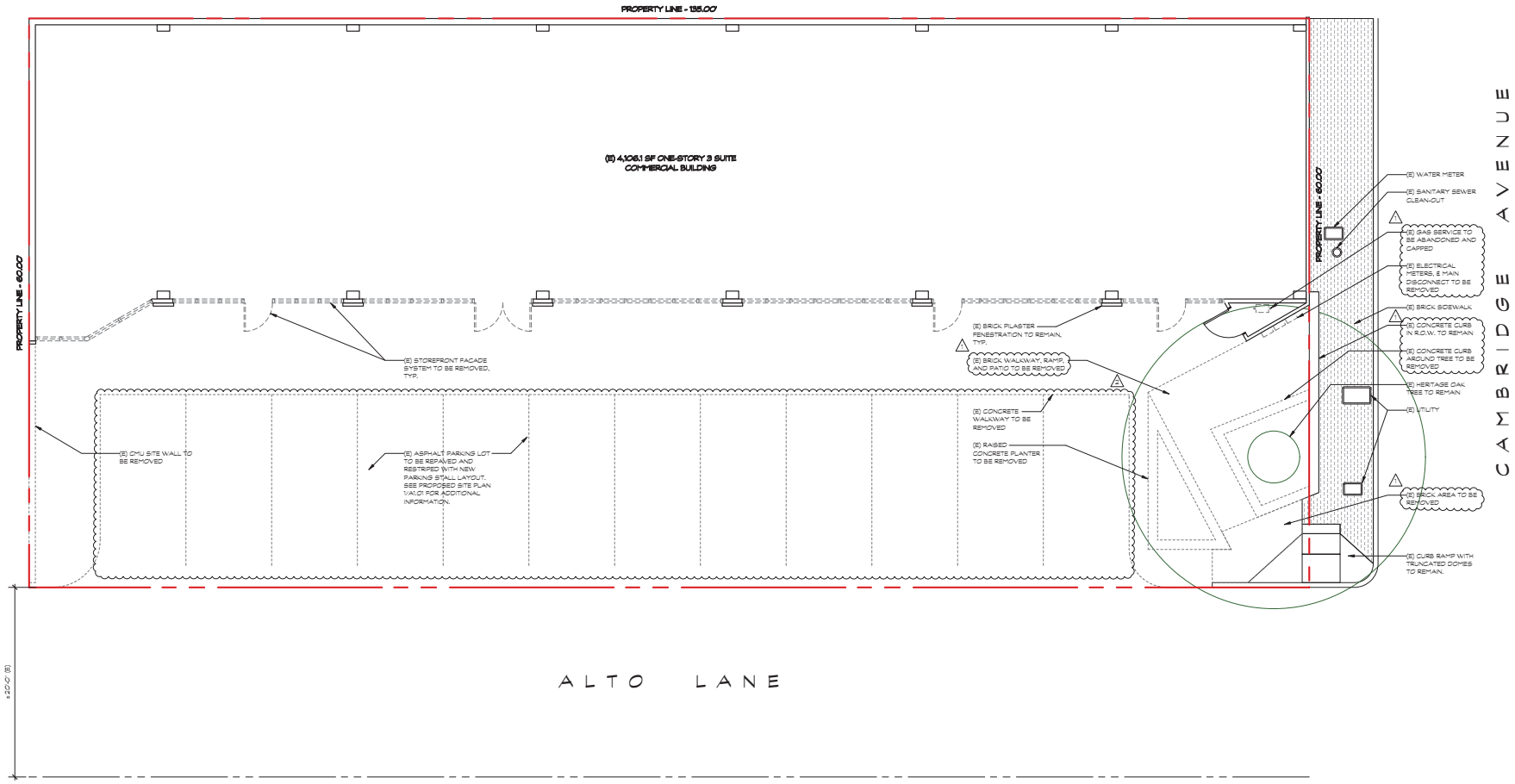
MacLEOD AND ASSOCIATES
CIVIL ENGINEERING • LAND SURVEYING
965 CENTER STREET • SAN CARLOS • CA 94070 • (650) 593-8580

PREPARED FOR:
ANH COHEN

BOUNDARY AND TOPOGRAPHIC SURVEY PLAN

605 CAMBRIDGE AVENUE
A.P.N. 071-433-120
LOT 28, BLOCK 8, 8 MAPS 46
MENLO PARK SAN MATEO COUNTY CALIFORNIA

DRAWN BY:	MDL
DESIGNED BY:	---
CHECKED BY:	DGM
SCALE:	1"=8'
DATE:	04-22-22
DRAWING NO.	5237-TOPO
SHEET	1 OF 1



NONCONFORMING WALLS OF THE EXISTING BUILDING CANNOT BE REBUILT IF DEMOLISHED PAST THEIR FRAMING MEMBER

EXISTING SITE & DEMOLITION PLAN

0 4 8 16 32 FT.

3/16" | 1

C3

square three architecture inc
900 high street suite 3
palo alto, ca 94301
650•326•3860

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

A REMODEL FOR:
WELLNESS WITH SANTOSHA
ANH COHEN
605 CAMBRIDGE AVENUE
MENLO PARK, CA 94025

LICENSED ARCHITECT
THOMAS PETER CAMPBELL
No. C28276
REN. 2-28-23
STATE OF CALIFORNIA

revision	date
PLAN CHECK COMMENTS	09/19/22
PLAN CHECK COMMENTS	11/14/22

sheet title
EXISTING SITE & DEMOLITION PLAN

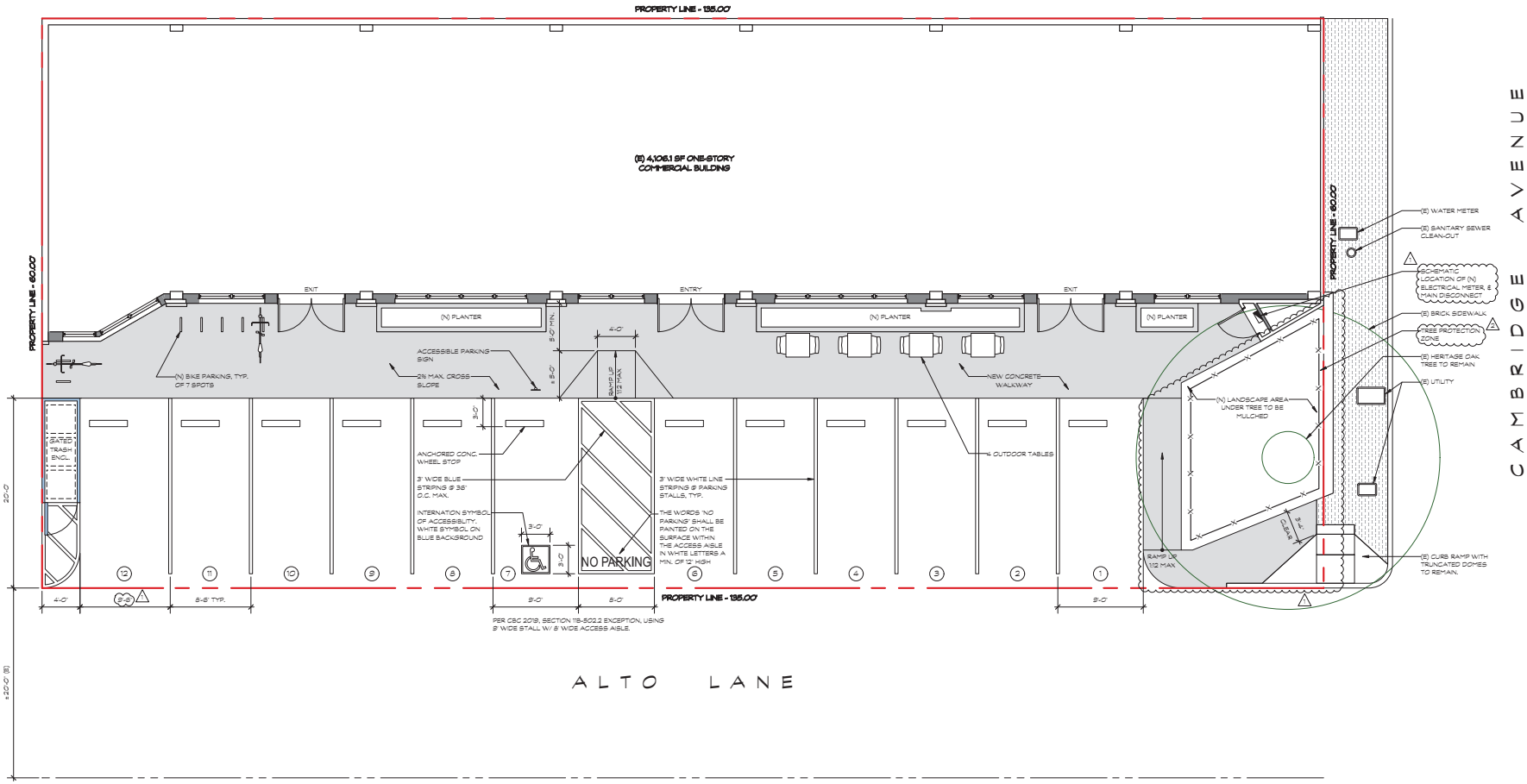
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A1.01

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PRIOR TO DEMOLITION, THE PROJECT ARBORIST SHALL PROVIDE DEMOLITION GUIDELINES AROUND THE VALLEY OAK TREE. ONCE DEMOLITION IS COMPLETE, THE PROJECT ARBORIST SHALL INSPECT ANY ROOTS THAT HAVE BEEN EXPOSED, EVALUATE POTENTIAL CONSTRUCTION IMPACTS, AND PROVIDE PRESERVATION GUIDELINES. AT THAT TIME, CONSTRUCTION PLANS SHALL BE MODIFIED TO PRESERVE CRITICAL ROOTS AND ENSURE TREES SURVIVAL.

NONCONFORMING WALLS OF THE EXISTING BUILDING CANNOT BE RESULT IF DEMOLISHED PAST THEIR FRAMING MEMBER

PROPOSED SITE PLAN

0 4 8 16 32 FT.

3/16" | 1

C4

square three architecture inc
900 high street suite 3
palo alto, ca 94301
650•326•3860

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

A RE-MODEL FOR:
WELLNESS WITH SANTOSHA
ANH COHEN
605 CAMBRIDGE AVENUE
MENLO PARK, CA 94025

LICENSED ARCHITECT THOMAS PETER CAMBRAY No. C28276 REN 2-28-23 STATE OF CALIFORNIA

revision	date
PLAN CHECK COMMENTS	09/19/22
PLAN CHECK COMMENTS	11/14/22

sheet title
PROPOSED SITE PLAN

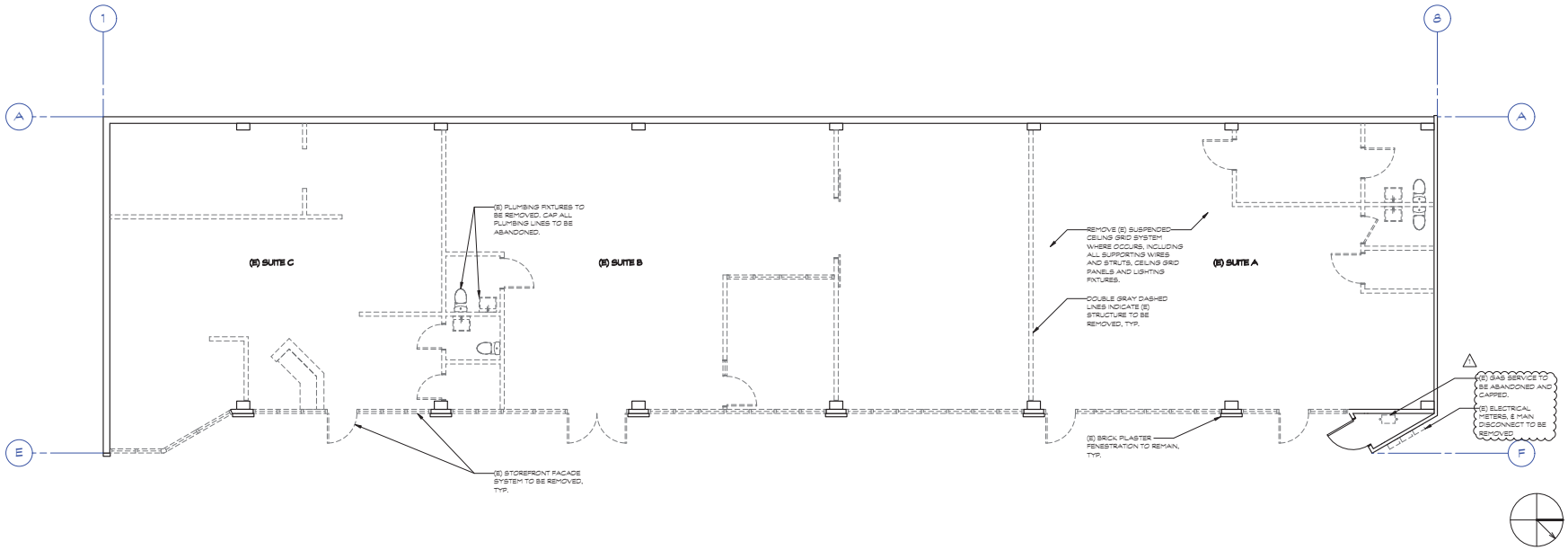
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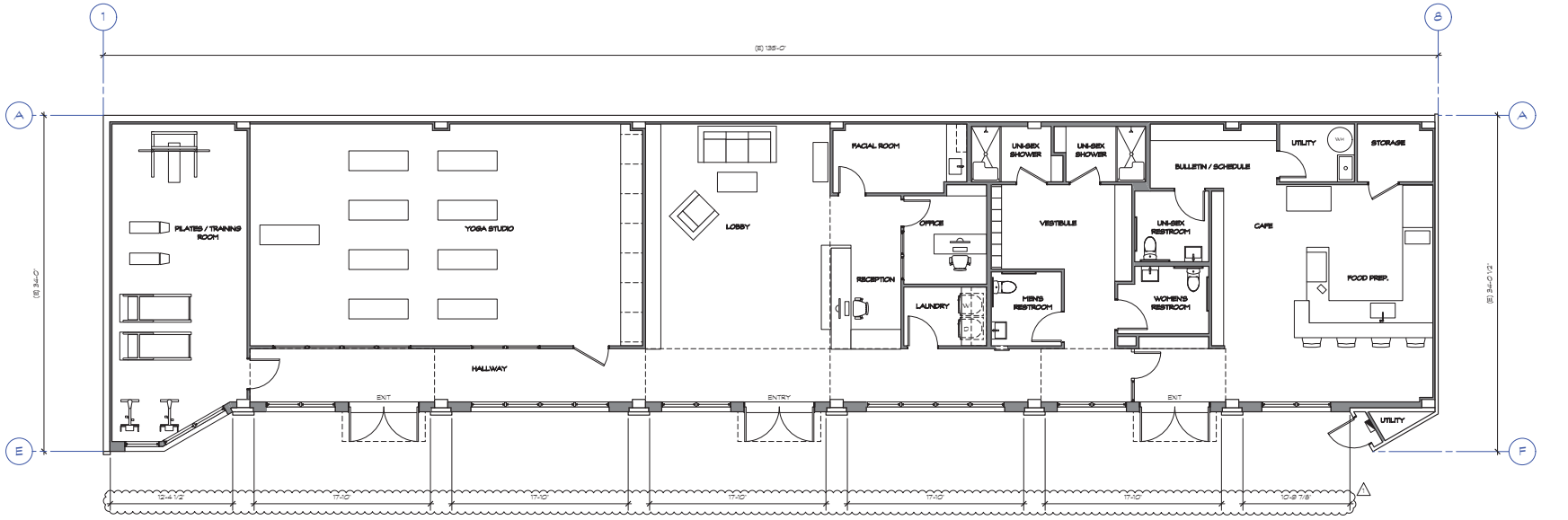
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EXISTING FLOOR & DEMOLITION PLAN | 3/16" | 1



PROPOSED FLOOR PLAN | 3/16" | 1

C5

square three architecture inc
900 high street suite 3
palo alto, ca 94301
650 • 326 • 3860

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

A REMODEL FOR:
WELLNESS WITH SANTOSHA
ANH COHEN
605 CAMBRIDGE AVENUE
MENLO PARK, CA 94025

LICENSED ARCHITECT
THOMAS PETER CARUSO
No. C28276
REN 2-28-23
STATE OF CALIFORNIA

revision	date
PLAN CHECK COMMENTS	09/19/22

sheet title
EXISTING FLOOR & DEMOLITION PLAN
PROPOSED FLOOR PLAN

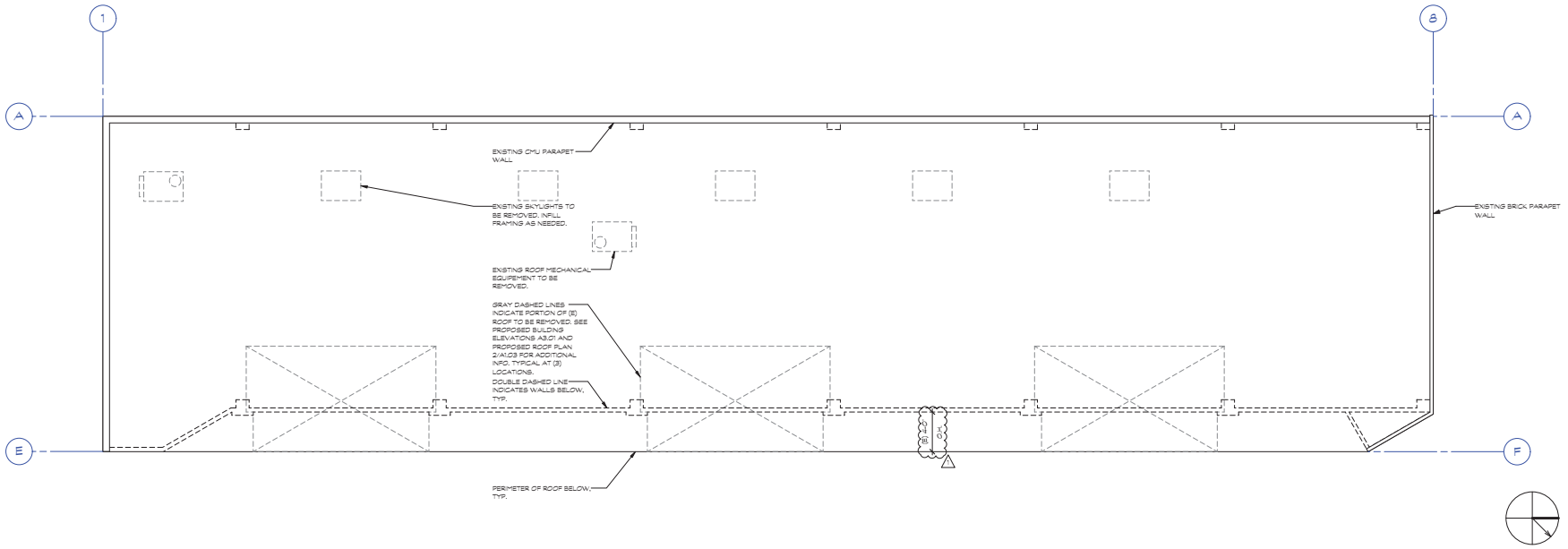
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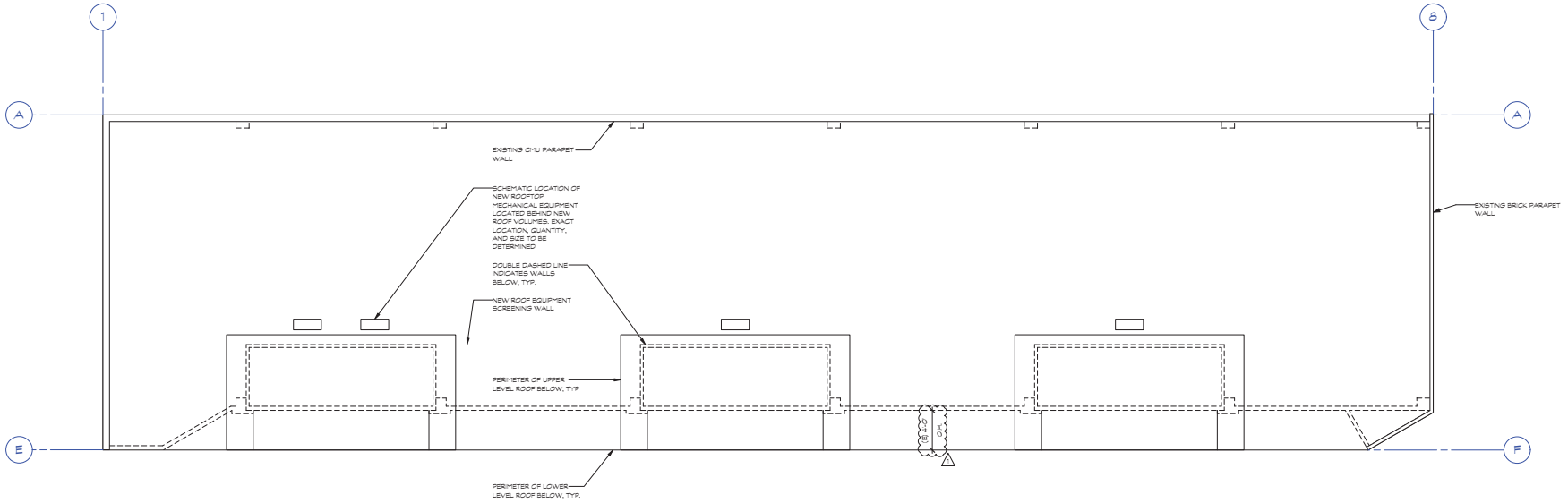
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A1.03

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EXISTING ROOF & DEMOLITION PLAN | 3/16" | 1



PROPOSED ROOF PLAN | 0 4 8 16 32 FT. | 3/16" | 2

C6

square three architecture inc
900 high street suite 3
palo alto, ca 94301
650 • 326 • 3860

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

A REMODEL FOR:
WELLNESS WITH SANTOSHA
ANH COHEN
605 CAMBRIDGE AVENUE
MENLO PARK, CA 94025

LICENSED ARCHITECT
THOMAS PETER CARUSO
No. C28276
REN 2-28-23
STATE OF CALIFORNIA

revision	date
PLAN CHECK COMMENTS	09/19/22

sheet title
EXISTING ROOF & DEMOLITION PLAN
PROPOSED ROOF PLAN

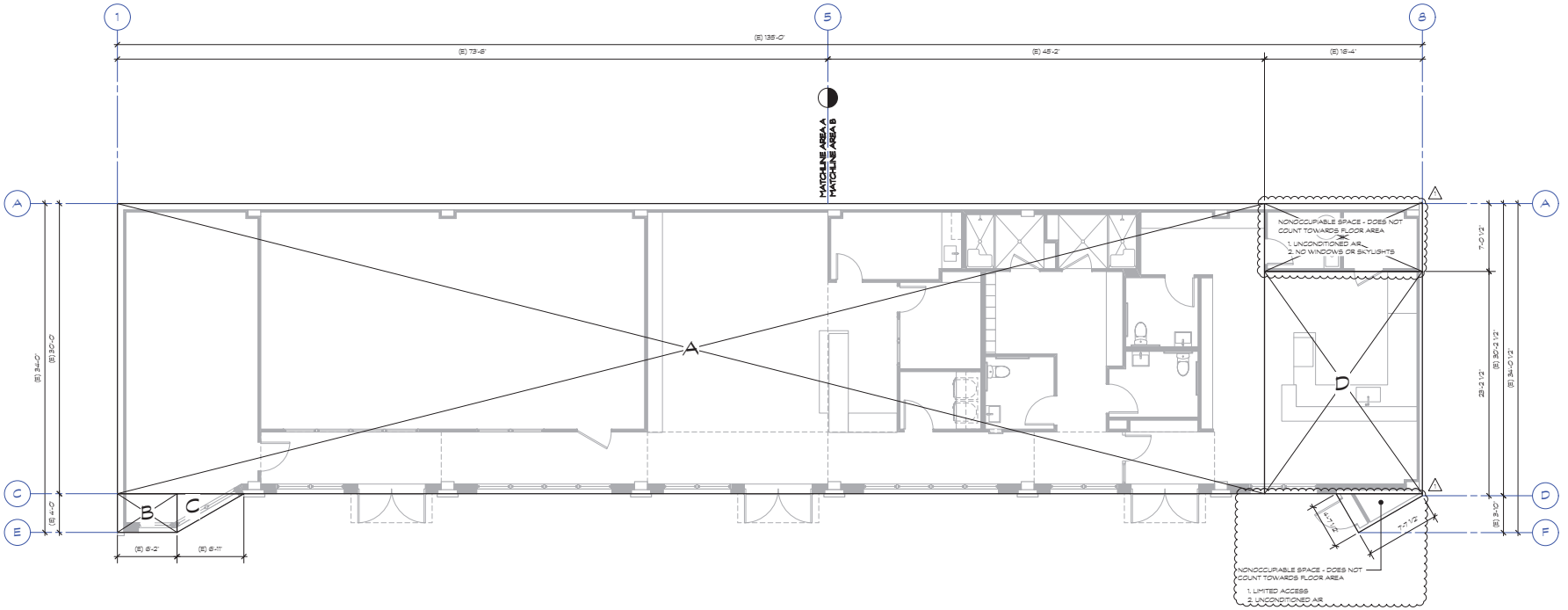
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A1.04

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FLOOR AREA		
SECTION	DIMENSION	AREA
A	118'-8" x 30'-0"	3560.0 SF
B	6'-2" x 4'-0"	24.7 SF
C	(6'-11" x 4'-0") / 2	13.8 SF
D	16'-4" x 23'-2 1/2"	379.1 SF
N.O. SPACE	——	128.5 SF
FLOOR AREA TOTAL		= 3977.6 SF
BUILDING COVERAGE TOTAL		= 4106.1 SF

NO NEW FLOOR AREA IS BEING ADDED AS PART OF THE PROPOSED PROJECT

PROPOSED FLOOR PLAN BLOCK-OUT DIAGRAM

0 4 8 16 32 FT.

3/16" | 1

C7

square three architecture inc
900 high street suite 3
palo alto, ca 94301
650 • 326 • 3860

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

A REMODEL FOR:
WELLNESS WITH SANTOSHA
ANH COHEN
605 CAMBRIDGE AVENUE
MENLO PARK, CA 94025

LICENSED ARCHITECT
THOMAS PETER CARRUBBA
No. C28276
RENEWAL 8-31-23
STATE OF CALIFORNIA

revision	date
PLAN CHECK COMMENTS	09/19/22

sheet title
PROPOSED FLOOR PLAN BLOCK-OUT DIAGRAM

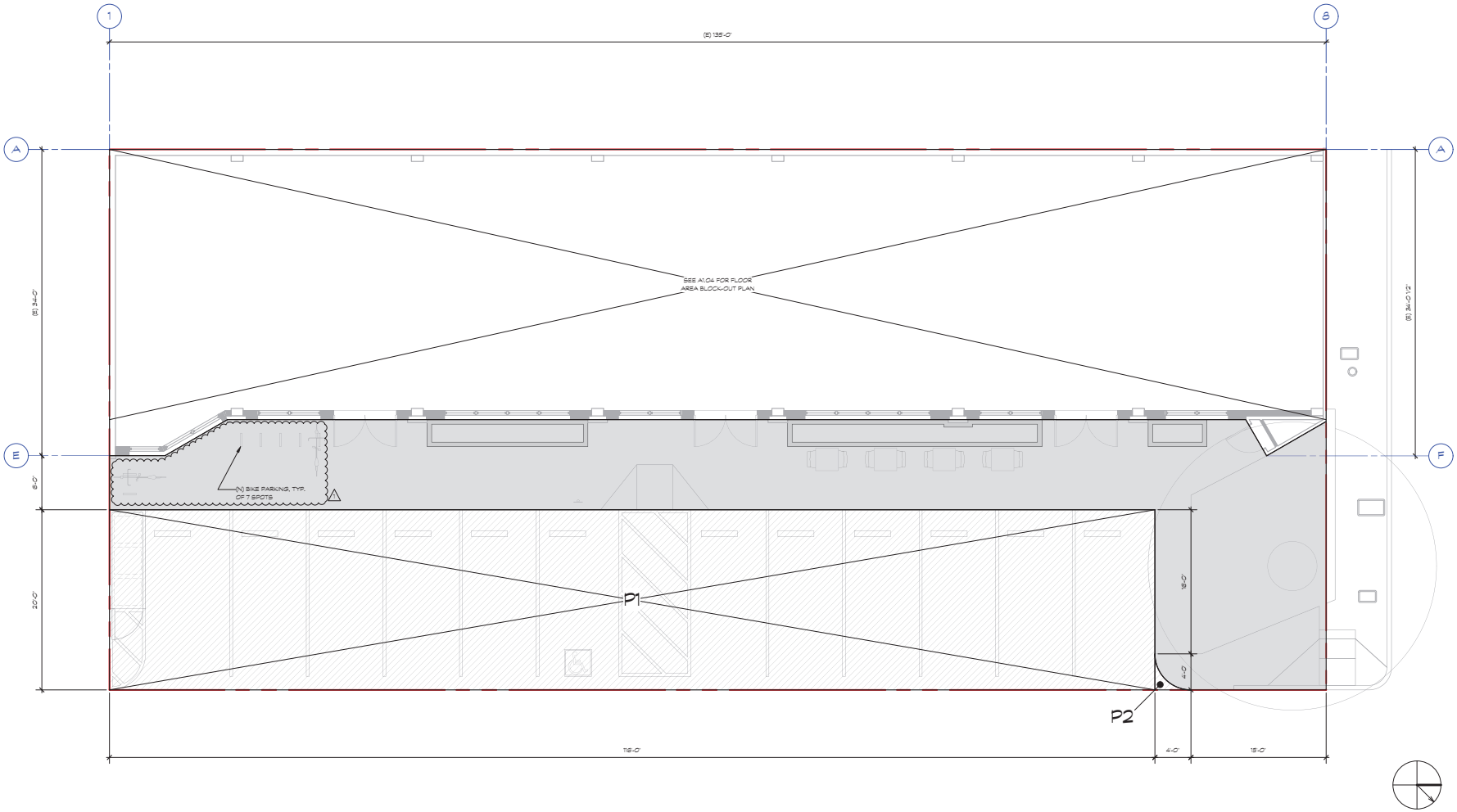
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P.D. 11.14.22

A1.05

FILE: 22102.UPR2_plot plans.v2022



SITE PLAN SQUARE-FOOTAGE CALCULATIONS

0 4 8 16 32 FT. | 3/16" | 1

LANDSCAPING COVERAGE (OPEN SPACE)

SITE AREA = 8,100 SF

PROPOSED
(SEE A1.04 FOR REFERENCE CALCS.)
SITE AREA - BLDG. COVERAGE - PARKING PAVING =
8,100 - 4,106.1 - 2323.4 = 1,670.5 SF

*PER MENLO PARK ZONING CODE 16.04.500: OPEN SPACE INCLUDES WALKWAYS, LANDSCAPING, UNCOVERED PATIOS/REC. FACILITIES

PARKING PAVING CALCULATION

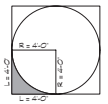
SECTION	DIMENSION	AREA
P1	116'-0" x 20'-0"	2320.0 SF
P2	SEE P2 AREA CALC.	3.4 SF
	AREA TOTAL =	2323.4 SF

P2 AREA CALCULATION

A = AREA OF SMALL SQUARE
A = 4'-0" x 4'-0" = 16 SF

B = AREA OF CIRCLE QUADRANT
B = ((TAR) / 4 = 12.6 SF

P2 = A - B = 16 - 12.6 = 3.4 SF



LANDSCAPE (OPEN SPACE) CALCULATION	3	PARKING PAVING CALCULATION	2

square three architecture inc
900 high street suite 3
palo alto, ca 94301
650 • 326 • 3860

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

A RE-MODEL FOR:
WELLNESS WITH SANTOSHA
ANH COHEN
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MENLO PARK, CA 94025

LICENSED ARCHITECT
THOMAS PETER CARNEY
No. C28276
REN 2-28-23
STATE OF CALIFORNIA

revision	date
PLAN CHECK COMMENTS	09/19/22

sheet title

SITE PLAN
SQUARE-FOOTAGE CALCULATIONS

LANDSCAPE (OPEN SPACE) CALCULATIONS

PARKING PAVING CALCULATION

COPYRIGHT 2022
SQUARE THREE ARCHITECTURE, INC.

date 11.14.22

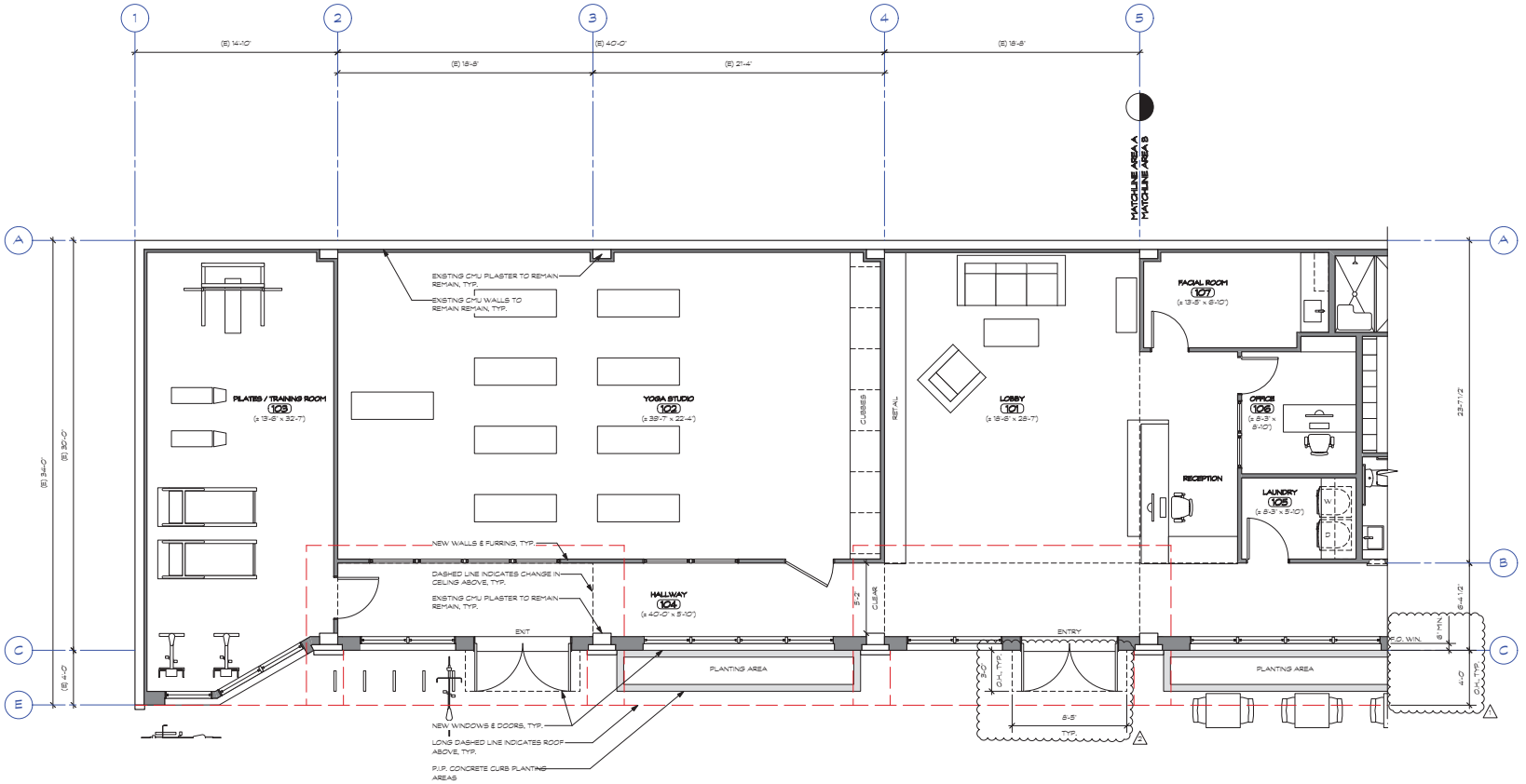
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A1.06

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PROPOSED ENLARGED FLOOR PLAN - AREA A

0 2 4 8 16 FT.

1/4" | 1

C9

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USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

A REMODEL FOR:
WELLNESS WITH SANTOSHA
ANH COHEN
605 CAMBRIDGE AVENUE
MENLO PARK, CA 94025

LICENSED ARCHITECT
THOMAS PETER CARRUBBA
No. C28276
REN. 2-28-23
STATE OF CALIFORNIA

revision	date
1 PLAN CHECK COMMENTS	09/19/22
2 PLAN CHECK COMMENTS	11/14/22

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PROPOSED ENLARGED FLOOR PLAN - AREA A

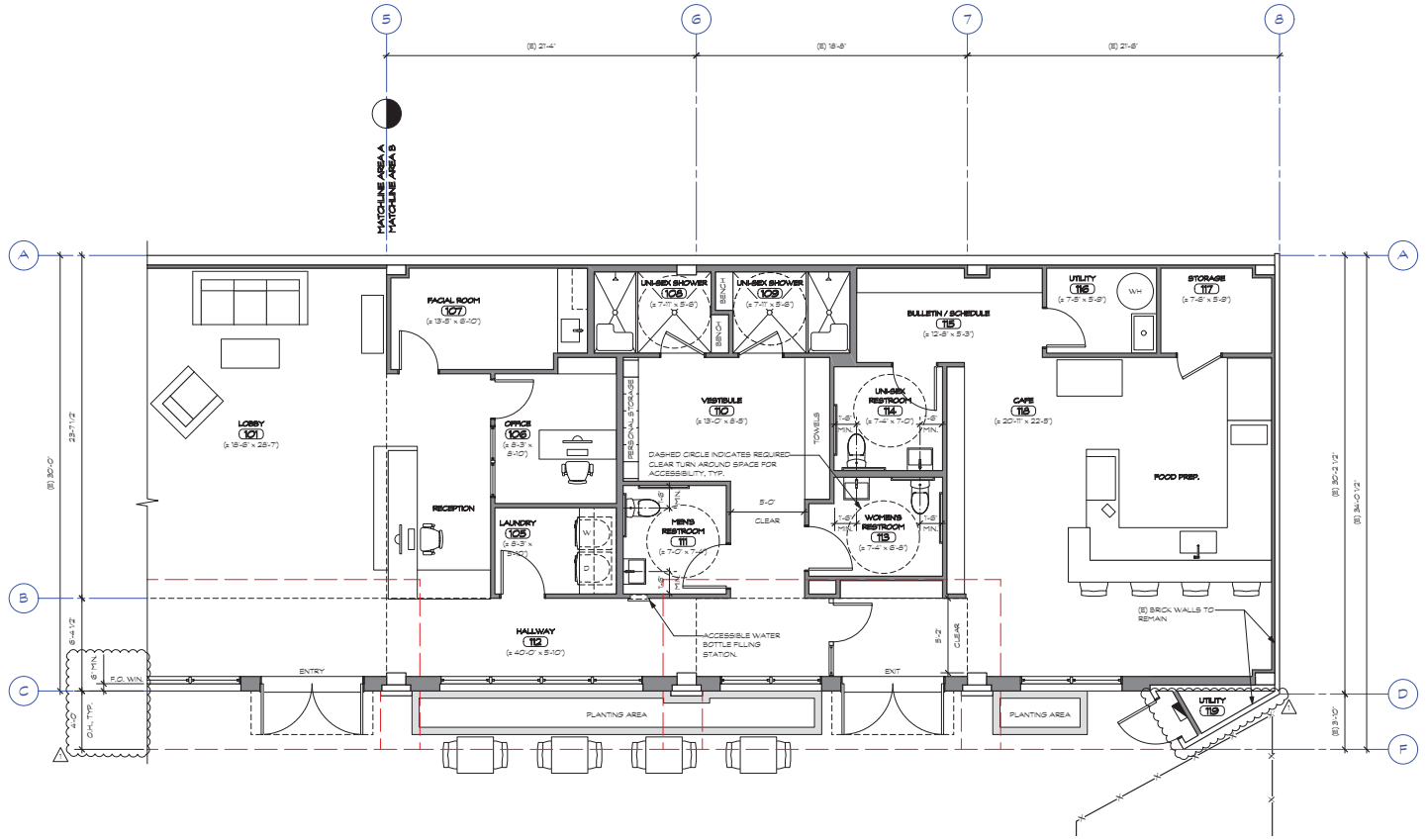
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A2.01

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PROPOSED ENLARGED FLOOR PLAN - AREA B

0 2 4 8 16 FT.

1/4" | 1

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A RE-MODEL FOR:
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LICENSED ARCHITECT THOMAS PETER CARUSO No. C28276 REN. 2-28-23 STATE OF CALIFORNIA

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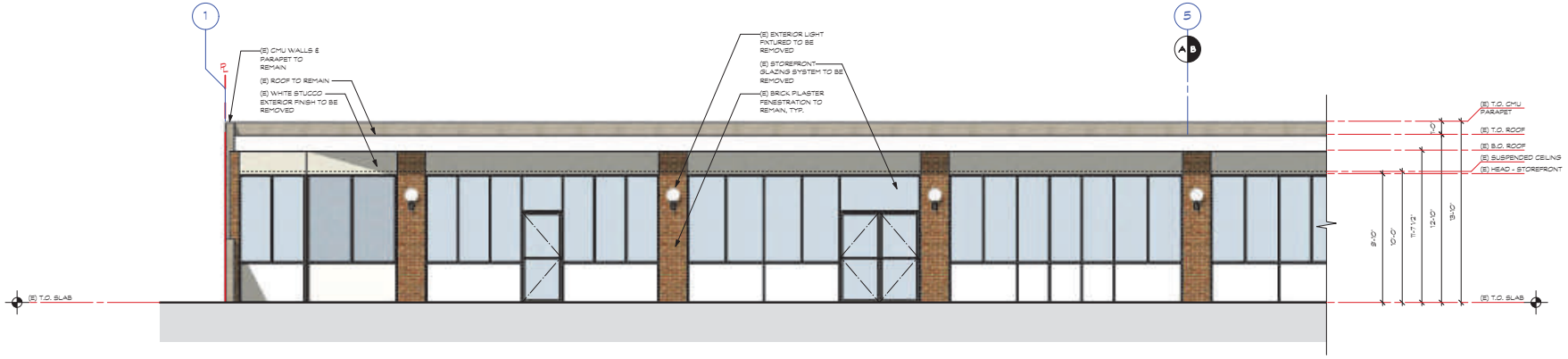
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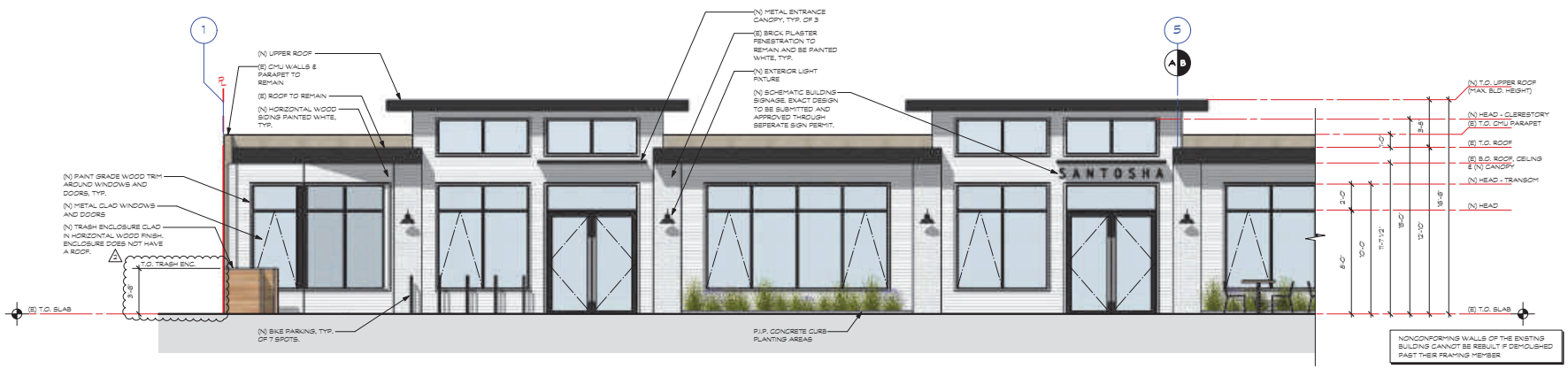
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C10



EXISTING FRONT (EAST) ELEVATION - AREA A | 1/4" | 1



PROPOSED FRONT (EAST) ELEVATION - AREA A | 1/4" | 2

C11

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LICENSED ARCHITECT
THOMAS PETER CARUSO
No. C28276
REN. 2-28-23
STATE OF CALIFORNIA

revision	date
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sheet title
EXISTING FRONT (EAST) ELEVATION - AREA A
PROPOSED FRONT (EAST) ELEVATION - AREA A

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A3.01

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EXISTING FRONT (EAST) ELEVATION - AREA B | 1/4" | 1



PROPOSED FRONT (EAST) ELEVATION - AREA B | 0 2 4 8 16 FT. | 1/4" | 2

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LICENSED ARCHITECT THOMAS PETER CARUSO No. C28276 REN. 2-28-23 STATE OF CALIFORNIA

revision	date
1 PLAN CHECK COMMENTS	09/19/22

sheet title
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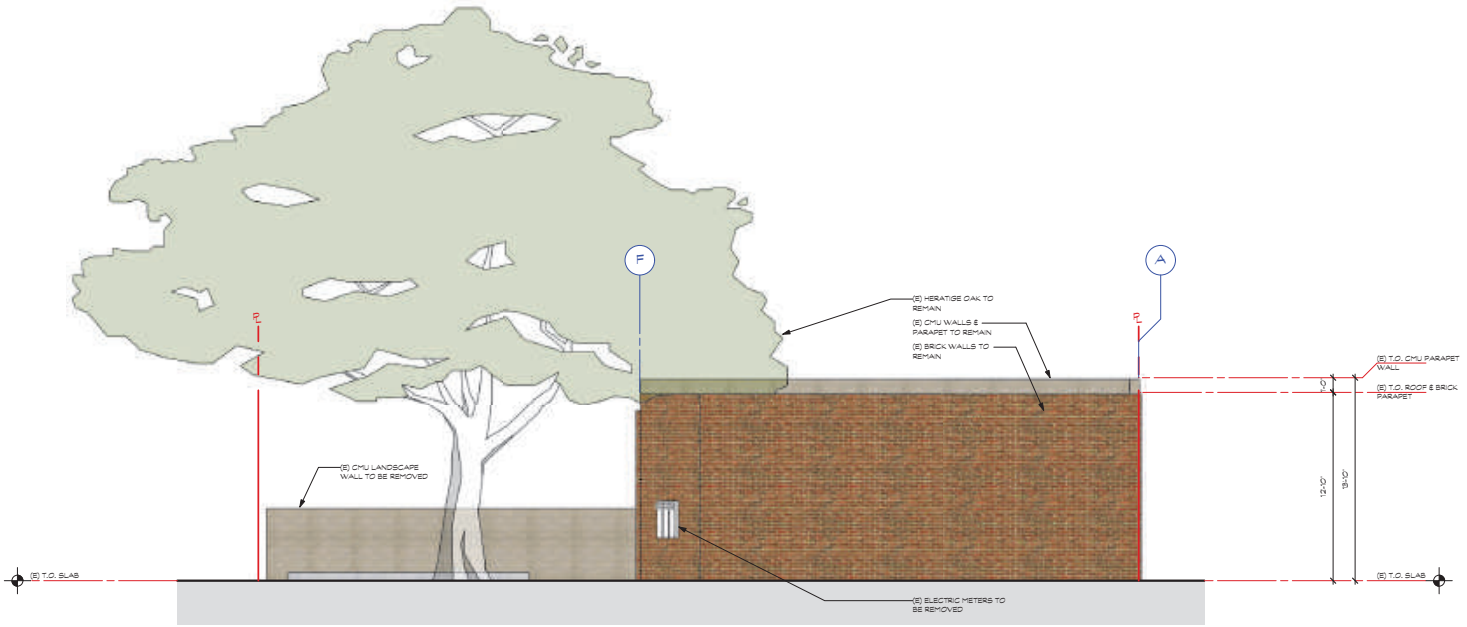
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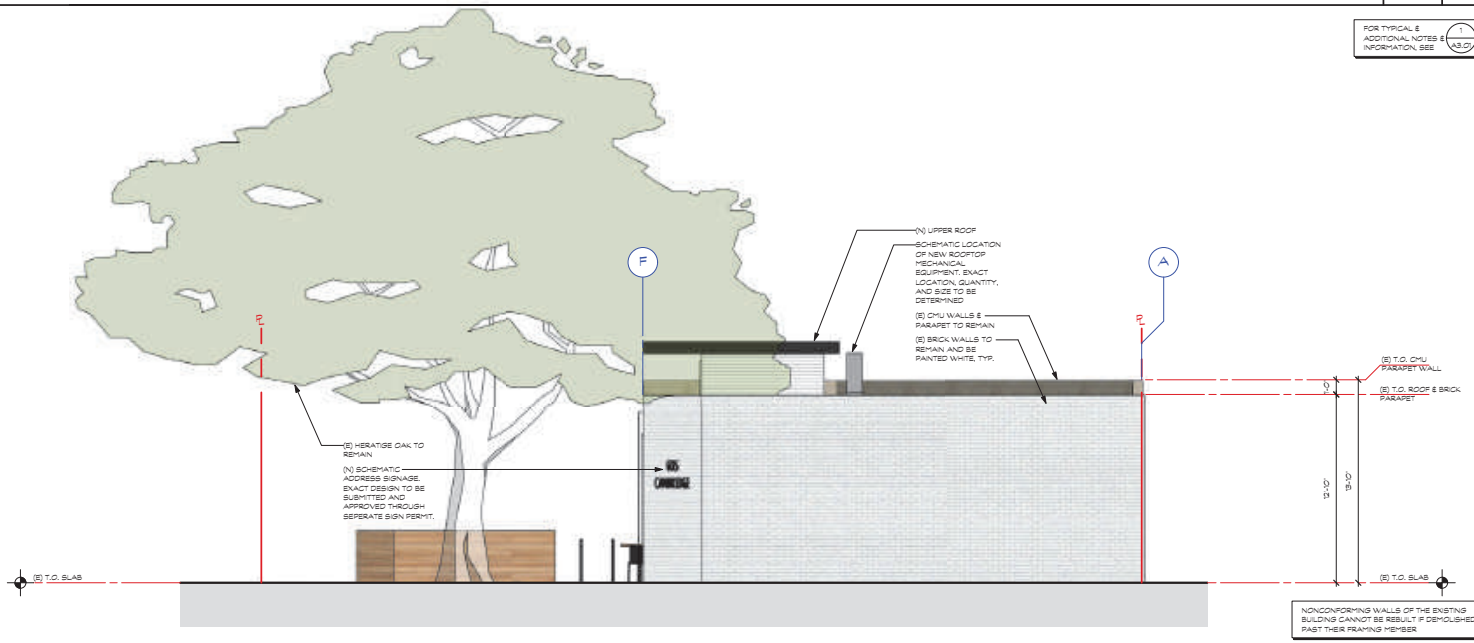
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A3.02

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EXISTING SIDE (NORTH) ELEVATION | 1/4" | 1



FOR TYPICAL & ADDITIONAL NOTES & INFORMATION, SEE 1/A3.0

NONCONFORMING WALLS OF THE ENSTING BUILDING CANNOT BE REBUILT IF DEMOLISHED PAST THEIR FRAMING MEMBER

PROPOSED SIDE (NORTH) ELEVATION | 0 2 4 8 16 FT. | 1/4" | 2

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

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A REMODEL FOR:
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MENLO PARK, CA 94025

LICENSED ARCHITECT THOMAS PETER CARUSO No. C28276 STATE OF CALIFORNIA REN 2-28-23

revision	date
PLAN CHECK COMMENTS	09/19/22

sheet title: PROPOSED FLOOR PLAN - AREA A

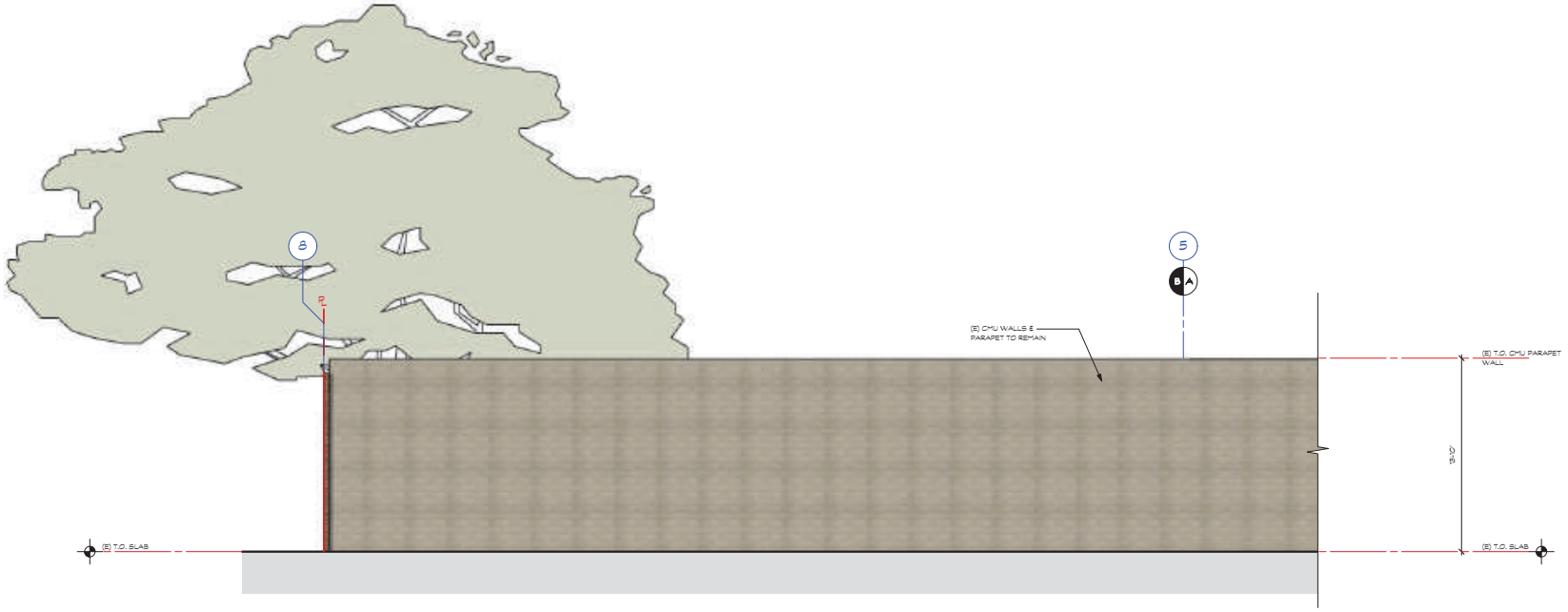
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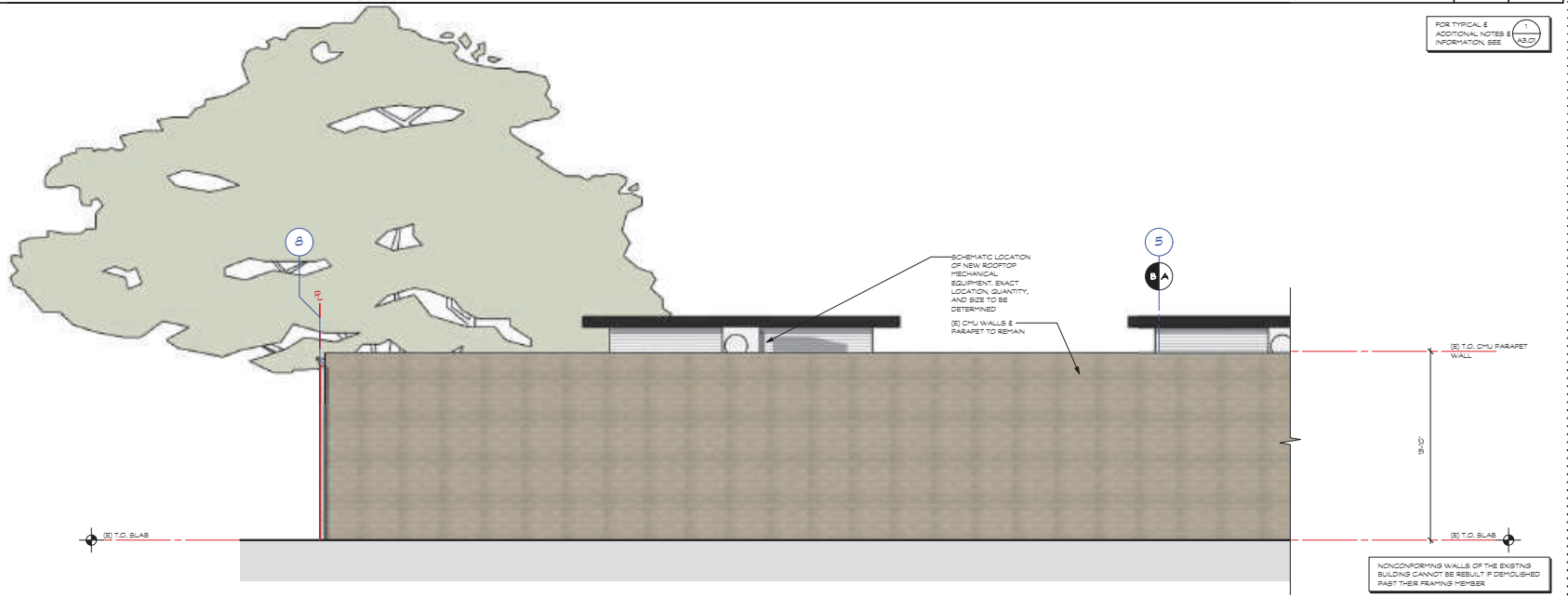
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A3.03

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EXISTING REAR (WEST) ELEVATION - AREA B (NO WORK PROPOSED) | 1/4" | 1



PROPOSED REAR (WEST) ELEVATION - AREA B (NO WORK PROPOSED) | 1/4" | 2

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A RE-MODEL FOR:
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USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

LICENSED ARCHITECT
THOMAS PETER CARUSO
No. C28276
REN. 2-28-23
STATE OF CALIFORNIA

revision	date
1 PLAN CHECK COMMENTS	09/19/22

sheet title
PROPOSED FLOOR PLAN - AREA A

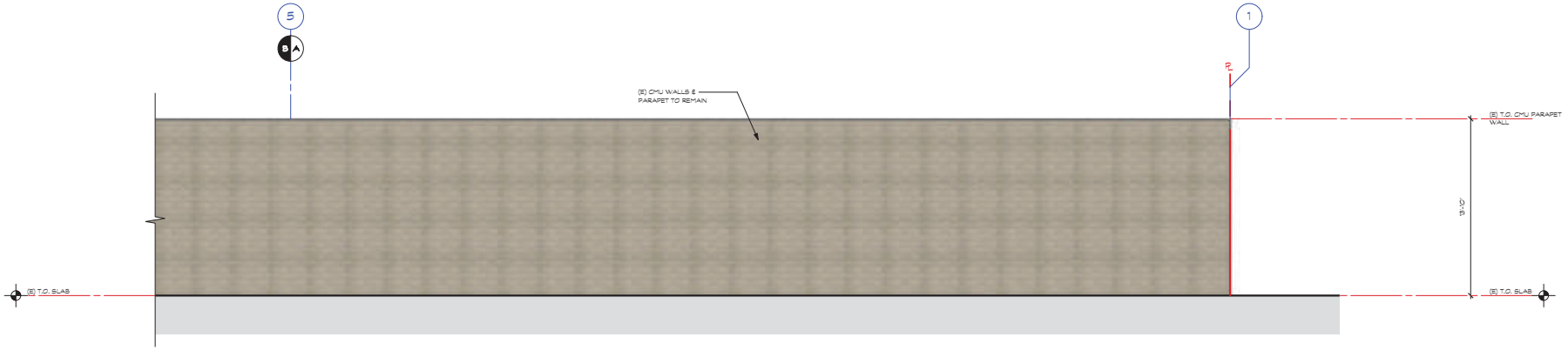
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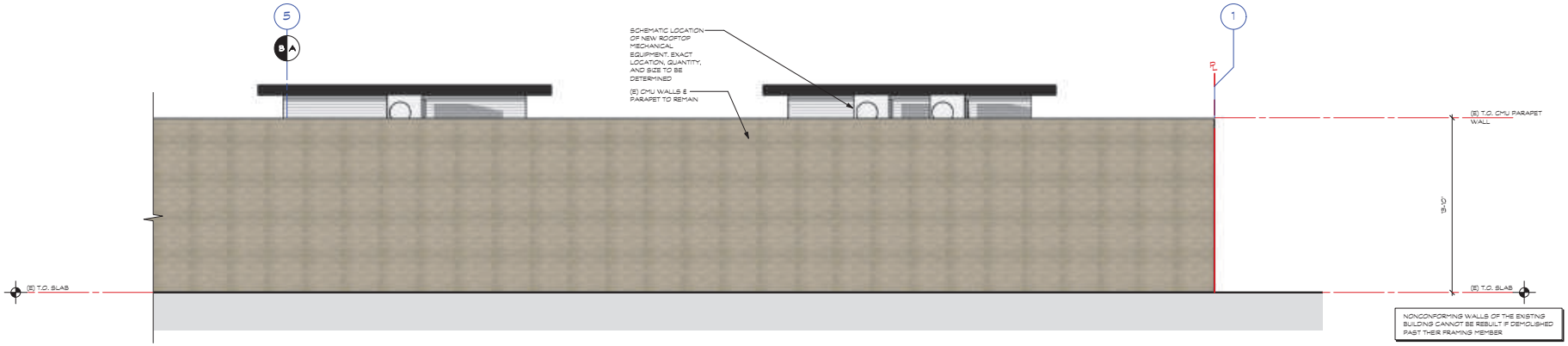
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FILE: 22102.UPR2_steve.sectv.2022



EXISTING REAR (WEST) ELEVATION - AREA B (NO WORK PROPOSED) | 1/4" | 1

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NONCONFORMING WALLS OF THE ENSTING BUILDING CANNOT BE REBUILT IF DEMOLISHED PAST THEIR FRAMING MEMBER

PROPOSED REAR (WEST) ELEVATION - AREA B (NO WORK PROPOSED) | 0 2 4 8 16 FT. | 1/4" | 2

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

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A RE-MODEL FOR:
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LICENSED ARCHITECT THOMAS PETER CARUSO No. C28276 REN 2-28-23 STATE OF CALIFORNIA

revision	date
PLAN CHECK COMMENTS	09/19/22

sheet title: PROPOSED FLOOR PLAN - AREA A

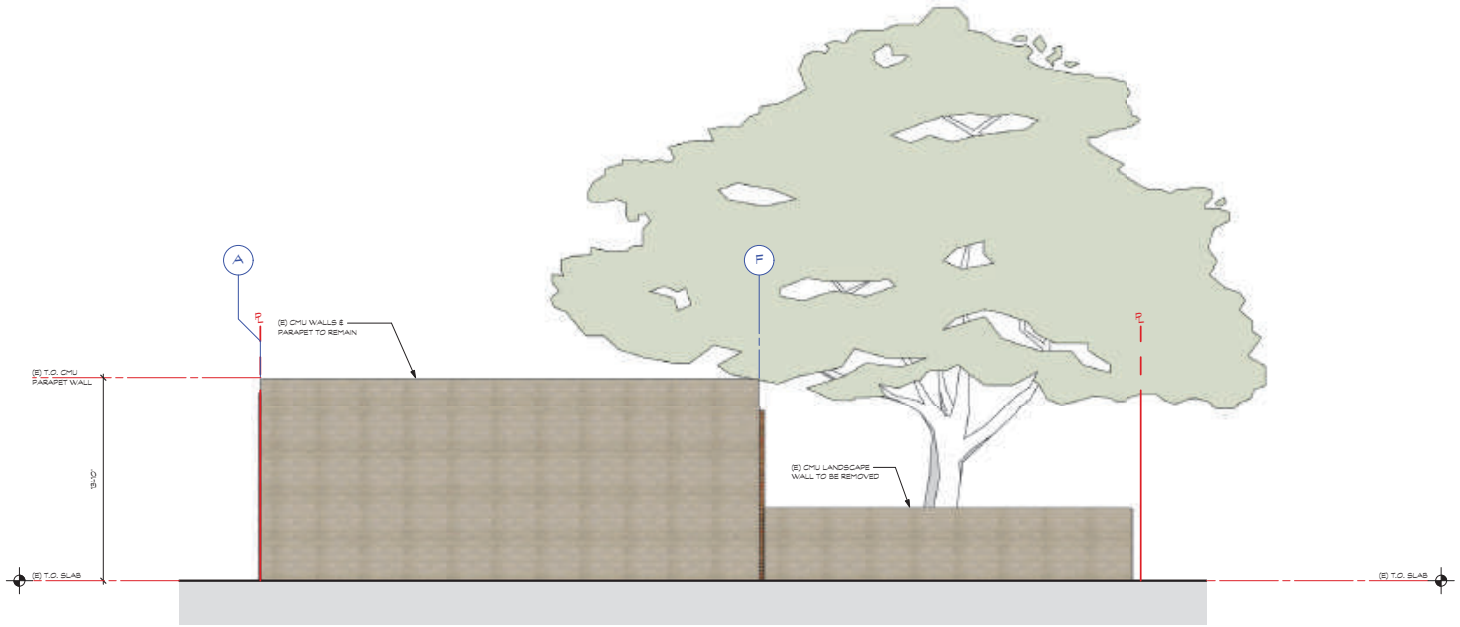
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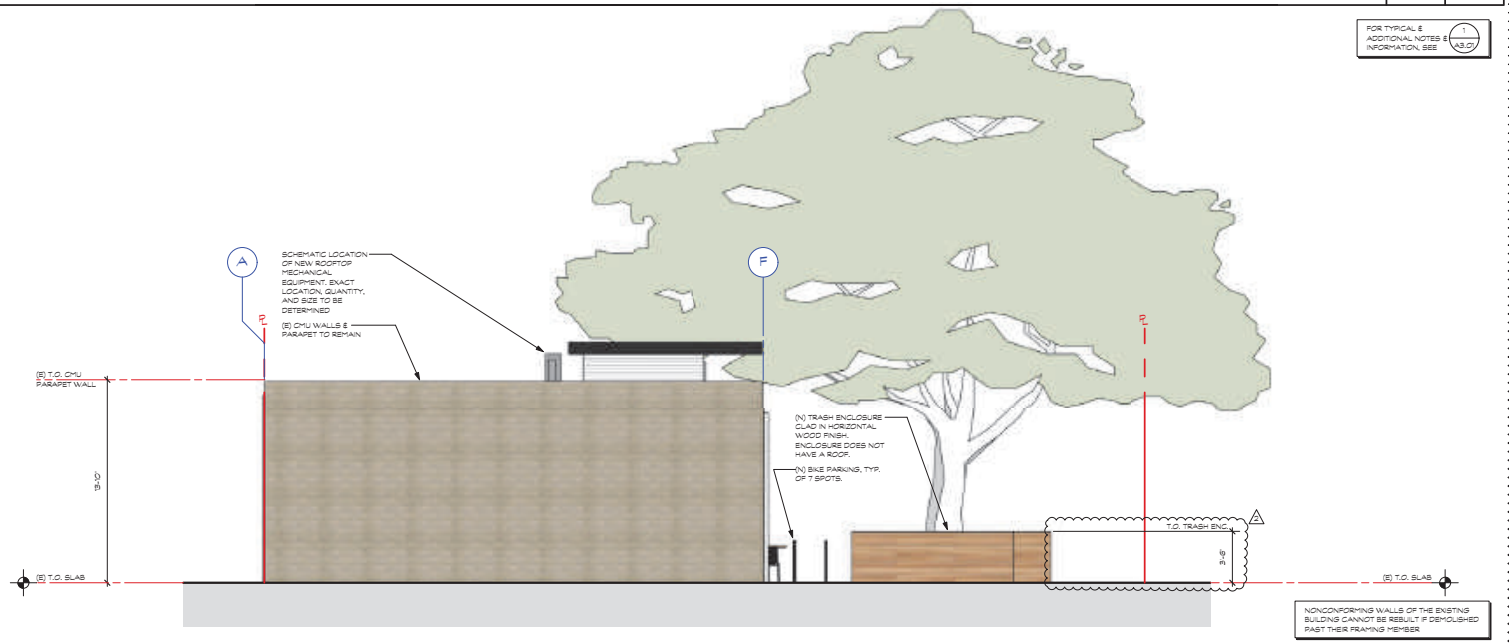
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A3.05

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EXISTING SIDE (SOUTH) ELEVATION (NO WORK PROPOSED) | 1/4" | 1



PROPOSED SIDE (SOUTH) ELEVATION (NO WORK PROPOSED) | 0 2 4 8 16 FT. | 1/4" | 2

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MENLO PARK, CA 94025

USE PERMIT APPLICATION - NOT FOR CONSTRUCTION

LICENSED ARCHITECT THOMAS PETER CARUSO No. C28276 REN 2-28-23 STATE OF CALIFORNIA

revision	date
1 PLAN CHECK COMMENTS	08/19/22
2 PLAN CHECK COMMENTS	11/14/22

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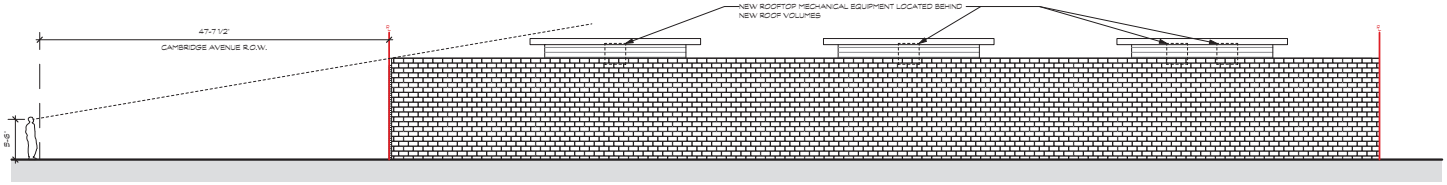
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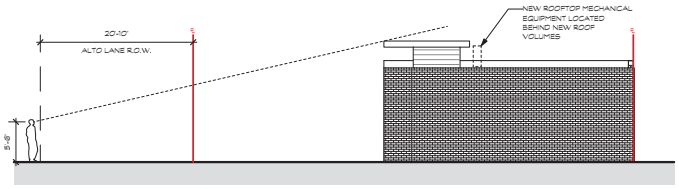
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PROPOSED FRONT (EAST) ELEVATION - FACING ALTO LANE TRANSPARENCY DIAGRAM | 1/8" | 1



LINE OF SIGHT DIAGRAM - CAMBRIDGE AVENUE | 1/8" | 2



LINE OF SIGHT DIAGRAM - ALTO LANE | 0 4 8 16 32 FT. | 1/8" | 3

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A RE-MODEL FOR:
WELLNESS WITH SANTOSHA
ANH COHEN
605 CAMBRIDGE AVENUE
MENLO PARK, CA 94025

LICENSED ARCHITECT
THOMAS PETER CARUSO
No. C28276
REN. 2-28-23
STATE OF CALIFORNIA

revision	date
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PROPOSED FLOOR PLAN - AREA A

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ELEVATION 1



SOUTH-EAST CORNER VIEW 3



NORTH-EAST CORNER VIEW 2

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A REMODEL FOR:

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LICENSED ARCHITECT
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PERSPECTIVE VIEW 2 | 3



PERSPECTIVE VIEW 1 | 1



PERSPECTIVE VIEW 3 | 4

NOT USED | 2

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A REMODEL FOR:

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MENLO PARK, CA 94025

LICENSED ARCHITECT
THOMAS PETER CAMERON
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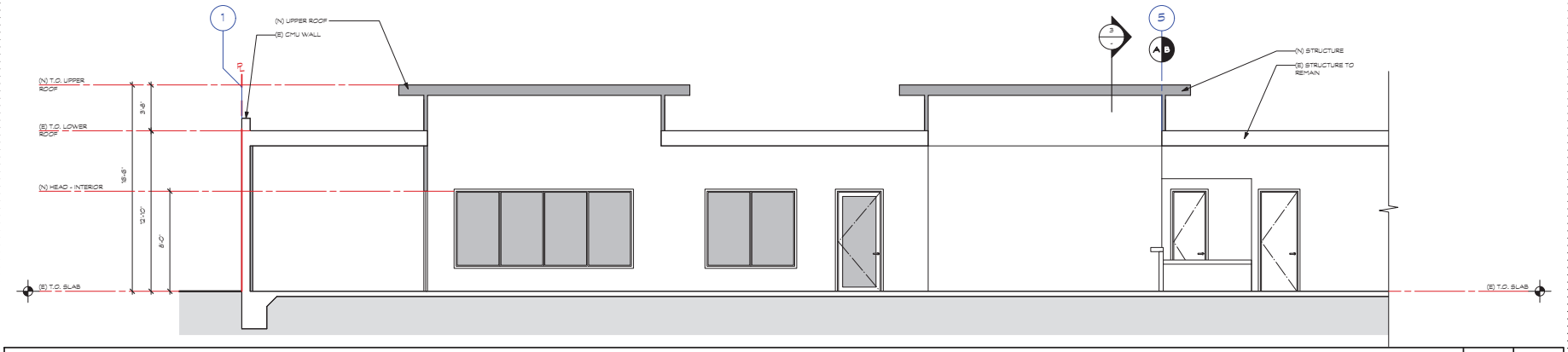
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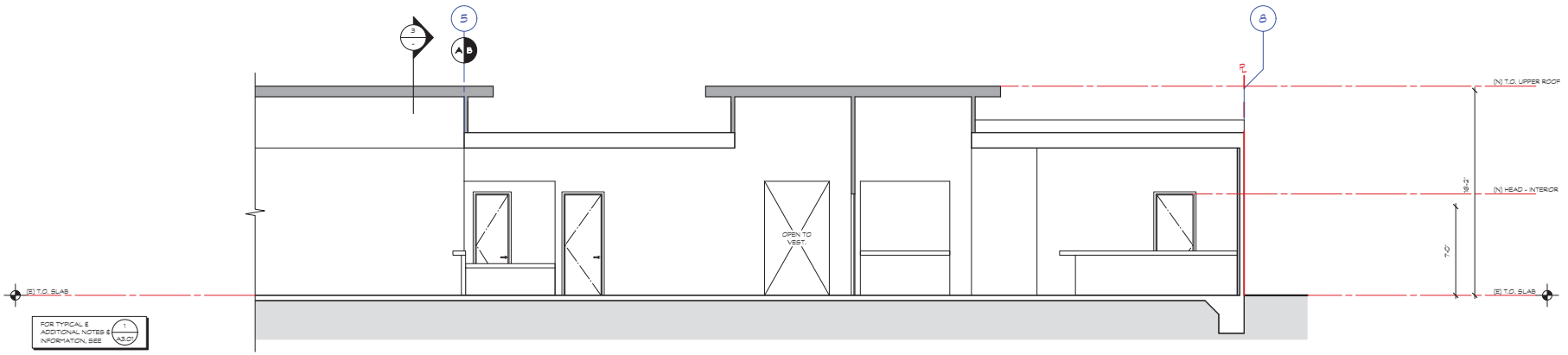
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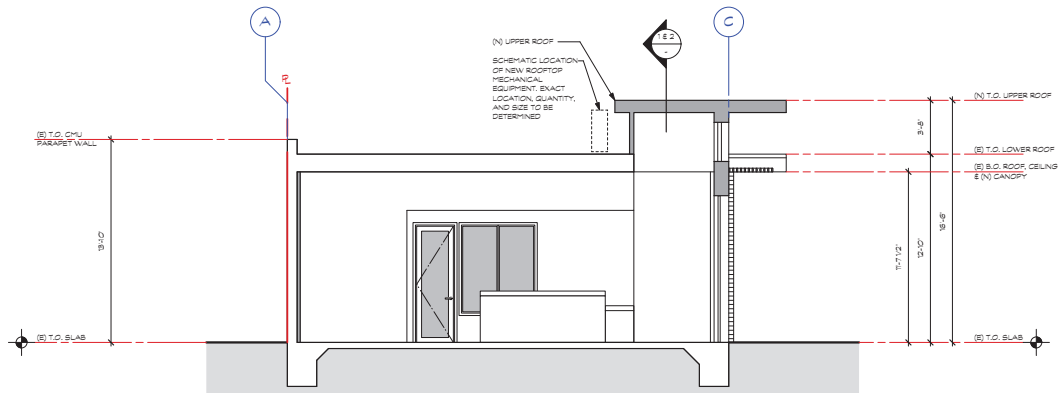
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PROPOSED FRONT (EAST) ELEVATION - AREA A | 1/4" | 1



PROPOSED FRONT (EAST) ELEVATION - AREA B | 1/4" | 2



PROPOSED SIDE (NORTH) ELEVATION | 0 2 4 8 16 FT. | 1/4" | 3

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A RE-MODEL FOR:
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MENLO PARK, CA 94025

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The discussion provided herein is intended to accompany the application by the property owner Anh Cohen for a new use permit for the property located at 605 Cambridge Avenue ("Property") to allow a neighborhood-serving wellness center.

I. Property and Project Description

Currently, on the Property there is an approximately 4,100 square foot single story "contractor modern" building consisting of three commercial units and 12 parking spaces. A use permit was approved for the Property in 2011 allowing a math tutoring center with individual and small group tutoring sessions within one of the commercial units. At the time the other use was a salon, and the third commercial unit was vacant. The use permit approved a non-conforming number of parking spaces (12 spaces where 24 were required) and required a gap between tutoring sessions.

The proposed project would remodel the existing building, neither adding square footage nor parking. The remodeled "modern suburban" building would be occupied by the owner operating a neighborhood-serving wellness center, including yoga, personal training, and a juice bar/café. The owner will be one of the regular yoga instructors. A new use permit would be necessary to allow this wellness center use to operate with a continued, but less non-conforming number of parking spaces. To ensure that adequate parking is available, the owner would limit the number of students in each yoga class, include a half-hour gap between classes and allow personal training only during times when classes are not in session. Thus, as before there would be no neighborhood parking intrusion and the use would integrate into the community without any detrimental impacts.

The intent is for the proposed wellness center to primarily serve the surrounding neighborhood and with the expectation that most of the patrons (students and café patrons) would be within walking or biking range and not need to drive. Consistent with the wellness center's passion for a healthy lifestyle, students who walk or bike to class will receive a discount.

The wellness center's hours of operation would be Monday through Sunday (7 days/week) from 7:00am to 8:00pm. Below is a typical daily schedule, which would include a maximum of eight classes per day:

7:00 - 8:00am	Flow Yoga
8:30 - 9:30am	Hot Yoga
10:00 - 11:00am	Beginning Yoga
11:30am - 12:30pm	Sculpt Yoga
12:30pm - 5:30pm	Personal Training & Café open
5:30 - 6:30pm	Sculpt Yoga
7:00 - 8:00pm	Flow Yoga

The maximum anticipated number of occupants include 1 instructor, 10 students, 1 café employee, plus up to 6 café patrons from the community.

The juice bar/café will primarily serve the yoga students, but will also be open to the community. The café will serve fresh-squeezed juices, smoothies, coffee and other grab-and-go items, such as muffins, pre-prepared salads, wraps and sandwiches. Food preparation will be minimal and will consist of blending juices or smoothies and heating grab-and-go foods. Equipment will consist of a sink, juicer, cold press, blender, ice machine, drip coffee maker, refrigerator, freezer and compact speed oven. All of the equipment for the café will be electric powered. There will be no natural gas service proposed for the remodeled building. The existing building gas service will be abandoned and capped.

The café will have an indoor standing counter area, indoor counter seating for four, as well as a maximum of four outdoor bistro tables with two chairs each on the sidewalk area in front of the building for the seating of 8 people.

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II Specific Plan

The Property is governed by the El Camino Real Downtown Specific Plan ("Specific Plan"). The Specific Plan land use designation for the Property is El Camino Real Mixed Use, specifically El Camino Real South-West (ECR SW). The ECR SW district is located on the west side of El Camino Real between Menlo Avenue and the southern city limits and is characterized by a mix of retail, office, residential and service uses.

Small-scale commercial recreation is a permitted use that includes small, generally indoor facilities, including gymnasiums less than 20,000 square feet. This use classification may include snack bars and other incidental food and beverage services. Thus, the proposed 4,100 square foot wellness center, with yoga classes, personal training and an accessory juice bar/café is a permitted small-scale commercial recreation use. Even though the use is permitted, because the parking is non-conforming, a use permit is required.

Parking. The Specific Plan provides minimum parking standards consistent with the mixed-use nature of the area, proximity to the Caltrain station and bus routes, and the high use of walking and biking modes by Menlo Park residents. The Specific Plan does not identify a parking standard for a personal improvement use like the wellness center. Thus, the focus is on whether the parking is adequate for the proposed use. As noted in the project description, to ensure that the 12 existing parking spaces are adequate, the owner would limit the number of students in each yoga class to no more than 10 students. In addition, no more than 2 employees would be on site at any one time. The half-hour gap between classes would allow students to chat, grab a drink or snack and leave before the next group of students arrives. See typical daily schedule under the Project Description on page 1. As an accessory use, the juice bar/café is anticipated to generate only a few independent trips to the site. Personal training would only take place during times when yoga classes are not in session. With its location near the Allied Arts neighborhood and new residential development, the owner anticipates that most people will walk and bike to the wellness center. Based on all of the foregoing, the existing 12 parking spaces would be adequate.

III. Planning Commission Can Make Findings for Use Permit

Municipal Code Section 16.80.020(5) provides that any use occupying a structure which is non-conforming because it does not satisfy the parking requirements for the zoning district in which it is located may be changed to a similar or more restrictive use, subject to obtaining a use permit. To approve a use permit, the Planning Commission must find that the use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood and will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city. The use will not be a detriment to the community. In fact, as described above, the wellness center will serve the community, the classes and other activities will be coordinated by a single owner to ensure the parking on-site is adequate. Thus, the Planning Commission can make the necessary findings.

IV. Neighborhood Outreach

Neighborhood outreach was conducted by way of hand-delivering an outreach letter from the Property Owner along with a single 12" x 18" drawing sheet with the proposed site/floor plan and front (Alto Lane) exterior elevation on August 19, 2022. A copy of the neighbor outreach letter and drawing are attached at the end of this document. See list below of the specific properties for which the outreach was conducted:

605 Cambridge Ave	subject property tenants (suite A and suite C)
627 Cambridge Ave	single-family residence
635 Cambridge Ave	single-family residence

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637 Cambridge Ave	single-family residence
612 Cambridge Ave	multi-family (apartments 1-4)
626 Cambridge Ave	single-family residence
628 Cambridge Ave	single-family residence
115 El Camino Real	*commercial building under construction*
135 El Camino Real	*commercial building vacant*
145 El Camino Real	commercial building suites 145A & B)
201-321 El Camino Real	*commercial building vacant*
624 Harvard Avenue	multi-family (apartments 1-6)
628 Harvard Avenue	single-family residence

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square three architecture inc

August 18, 2022

Dear, Neighbor,

My name is Anh Cohen and I am the new owner of the building at 605 Cambridge Avenue (where *Mathnasium* is located). I am a yoga instructor and have a passion for sharing a healthy lifestyle. I am writing to tell you about my proposal to remodel the existing commercial building into a neighborhood serving Wellness Center, with yoga, personal training, and a juice bar/café. Remodeling the building, changing the use to a Wellness Center and maintaining the existing 12 parking spaces requires a use permit from the City of Menlo Park.

As a member of the community, I know traffic and parking are always neighborhood concerns. To ensure that adequate parking is available, I would limit the number of students in each yoga class to no more than 10 students, include a half-hour gap between classes, and allow personal training only during times when classes are not in session. In addition, my hope is that the Center will serve neighbors from Allied Arts and others living nearby who don't need a car to come to class. To encourage this -- and a healthy lifestyle -- I plan to provide a discount for students who walk or bike to class.

The Wellness Center's anticipated hours of operation would be Monday through Sunday (7 days/week) from 7:00am to 8:00pm. Below is a typical daily schedule, which would include a maximum of 8 classes per day:

7:00 - 8:00am	Flow Yoga
8:30 - 9:30am	Hot Yoga
10:00 - 11:00am	Beginning Yoga
11:30am - 12:30pm	Sculpt Yoga
12:30pm - 5:30pm	Personal Training & Café open
5:30 - 6:30pm	Sculpt Yoga
7:00 - 8:00pm	Flow Yoga

The juice bar/café will primarily serve the yoga students, but will also be open to the community. The café will serve fresh-squeezed juices, smoothies, coffee and other grab-and-go items, such as muffins, pre-prepared salads, wraps and sandwiches.

Please review the enclosed architectural drawings of the proposed Wellness Center. Our design concept for the exterior facade improvements is to provide a fresh architectural style to the existing nondescript character and to introduce materials, details and scale that would complement some of the historic residences in the surrounding neighborhood. Additionally, in keeping with the city's Energy Reach Code goals of reducing dependency on fossil fuels, the existing building's gas service will be abandoned and the building will be all electric.

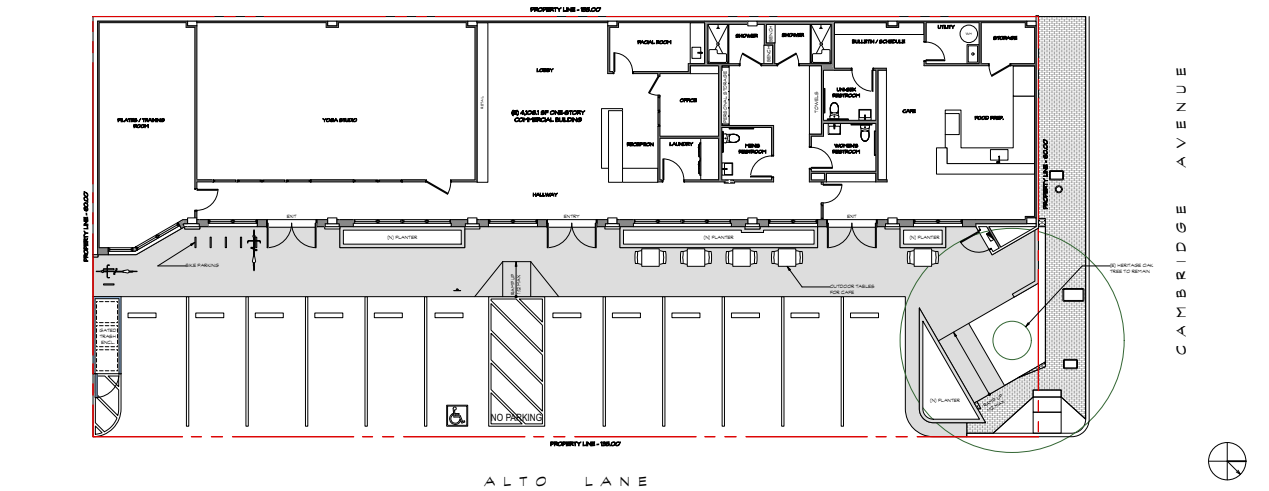
I welcome any feedback (anhcohen2002@yahoo.com) and hope that you will support the project.

Sincerely,

Anh

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Drawing included with neighbor outreach letter



PROPOSED SITE & FLOOR PLAN | 3/16" | 1



PROPOSED ELEVATION | 3/16" | 2

Response from Neighbors

From: Greg Alden <galden@woodsidehotelgroup.com>
Date: August 26, 2022 at 2:57:26 PM PDT
To: anhcohen2002@yahoo.com
Cc: Avi Haksar <ghaksar@stanfordparkhotel.com>
Subject: Welcome to the neighborhood from the Stanford Park

Hi Anh,

Peter Herbert shared with my your plans for the wellness center on Cambridge.

I'm the owner of the Stanford Park, and have copied Avi Haksar, the hotel's Managing Director, here.

If there is anything we can do to support your application please let us know. We are excited about your concept and think it would be a great addition to the neighborhood, and hope to be able to send our guests your way!

Best wishes for a speedy approval process,

g/

Greg Alden
PRESIDENT / CEO
650 330 8899 / M 650 814 2033
WOODSIDEHOTELGROUP.COM
Woodside
HOTEL GROUP

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Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: 605 Cambridge Avenue Compliance Worksheet

Section	Standard or Guideline	Requirement	Evaluation
E.3.1 Development Intensity			
E.3.1.01	Standard	Business and Professional office (inclusive of medical and dental office) shall not exceed one half of the base FAR or public benefit bonus FAR, whichever is applicable.	**Complies:** No office use proposed
E.3.1.02	Standard	Medical and Dental office shall not exceed one third of the base FAR or public benefit bonus FAR, whichever is applicable.	**Not Applicable:** No medical or dental office proposed as part of this project.
E.3.2 Height			
E.3.2.01	Standard	Roof-mounted mechanical equipment, solar panels, and similar equipment may exceed the maximum building height, but shall be screened from view from publicly-accessible spaces.	**Complies:** New Roof mounted mechanical equipment does not exceed the max allowable height. Equipment is screened by new entry volumes, see A3.07 for line of site diagrams.
E.3.2.02	Standard	Vertical building projections such as parapets and balcony railings may extend up to 4 feet beyond the maximum façade height or the maximum building height, and shall be integrated into the design of the building.	**Not applicable:** Proposed project complies with max allowable height, all parapet walls comply with height restrictions.
E.3.2.03	Standard	Rooftop elements that may need to exceed the maximum building height due to their function, such as stair and elevator towers, shall not exceed 14 feet beyond the maximum building height. Such rooftop elements shall be integrated into the design of the building.	**Not applicable:** No rooftop elements exceed the max allowable height.
E.3.3 Setbacks and Projections within Setbacks			
E.3.3.01	Standard	Front setback areas shall be developed with sidewalks, plazas, and/or landscaping as appropriate.	**Complies:** Developed with sidewalk
E.3.3.02	Standard	Parking shall not be permitted in front setback areas.	**Complies:** Existing on-site parking is not in the front setback.
E.3.3.03	Standard	In areas where no or a minimal setback is required, limited setback for store or lobby entry recesses shall not exceed a maximum of 4-foot depth and a maximum of 6-foot width.	N/A - Setbacks are required in ECR-SW. However, proposed project reuses existing building and general site development.

Section	Standard or Guideline	Requirement	Evaluation
E.3.3.04	Standard	In areas where no or a minimal setback is required, building projections, such as balconies, bay windows and dormer windows, shall not project beyond a maximum of 3 feet from the building face into the sidewalk clear walking zone, public right-of-way or public spaces, provided they have a minimum 8-foot vertical clearance above the sidewalk clear walking zone, public right-of-way or public space.	**Not Applicable:** Building projections such as balconies, bay windows and dormer windows are not proposed.
E.3.3.05	Standard	In areas where setbacks are required, building projections, such as balconies, bay windows and dormer windows, at or above the second habitable floor shall not project beyond a maximum of 5 feet from the building face into the setback area.	**Not Applicable:** Building projections such as balconies, bay windows and dormer windows are not proposed. Proposed project does not have a second habitable floor.
E.3.3.06	Standard	The total area of all building projections shall not exceed 35% of the primary building façade area. Primary building façade is the façade built at the property or setback line.	**Complies:** Building projections are not proposed.
E.3.3.07	Standard	Architectural projections like canopies, awnings and signage shall not project beyond a maximum of 6 feet horizontally from the building face at the property line or at the minimum setback line. There shall be a minimum of 8-foot vertical clearance above the sidewalk, public right-of-way or public space.	**Complies:** New metal entrance canopies/awnings are not located at property line or minimum setback line. Canopies/awnings project only 3 ft. from building façade, where 6 feet horizontal extension is allowed; and have 11 ft. 6 in. vertical clearance, where 8 feet vertical clearance is required.
E.3.3.08	Standard	No development activities may take place within the San Francisquito Creek bed, below the creek bank, or in the riparian corridor.	**Complies:** No development activities are proposed within the San Francisquito Creek bed, below the creek bank, or in the riparian corridor.
E.3.4 Massing and Modulation			
E.3.4.1 Building Breaks			
E.3.4.1.01	Standard	The total of all building breaks shall not exceed 25 percent of the primary façade plane in a development.	**Not Applicable:** The guideline applies to new buildings. This is an existing building. Proposed project reuses existing building. Building is not located on El Camino Real or Alma, is single story, and is not located on the street edge.
E.3.4.1.02	Standard	Building breaks shall be located at ground level and extend the entire building height.	**Not Applicable:** The guideline applies to new buildings. This is an existing building.

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.1.03	Standard	In all districts except the ECR-SE zoning district, recesses that function as building breaks shall have minimum dimensions of 20 feet in width and depth and a maximum dimension of 50 feet in width. For the ECR-SE zoning district, recesses that function as building breaks shall have a minimum dimension of 60 feet in width and 40 feet in depth.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the South-West (SW) sub-district and it is an existing building that does not require building breaks as it is less than 25 ft wide.
E.3.4.1.04	Standard	Building breaks shall be accompanied with a major change in fenestration pattern, material and color to have a distinct treatment for each volume.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the South-West (SW) sub-district and it is an existing building.
E.3.4.1.05	Standard	In all districts except the ECR-SE zoning district, building breaks shall be required as shown in Table E3.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the South-West (SW) sub-district and it is an existing building.
E.3.4.1.06	Standard	In the ECR-SE zoning district, and consistent with Table E4 the building breaks shall: • Comply with Figure E9; • Be a minimum of 60 feet in width, except where noted on Figure E9; • Be a minimum of 120 feet in width at Middle Avenue; • Align with intersecting streets, except for the area between Roble Avenue and Middle Avenue; • Be provided at least every 350 feet in the area between Roble Avenue and Middle Avenue; where properties under different ownership coincide with this measurement, the standard side setbacks (10 to 25 feet) shall be applied, resulting in an effective break of between 20 to 50 feet. • Extend through the entire building height and depth at Live Oak Avenue, Roble Avenue, Middle Avenue, Partridge Avenue and Harvard Avenue; and • Include two publicly-accessible building breaks at Middle Avenue and Roble Avenue.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the South-West (SW) sub-district and it is an existing building.

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.1.07	Standard	In the ECR-SE zoning district, the Middle Avenue break shall include vehicular access; publicly-accessible open space with seating, landscaping and shade; retail and restaurant uses activating the open space; and a pedestrian/bicycle connection to Alma Street and Burgess Park. The Roble Avenue break shall include publicly-accessible open space with seating, landscaping and shade.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the South-West (SW) sub-district.
E.3.4.1.08	Guideline	In the ECR-SE zoning district, the breaks at Live Oak, Roble, Middle, Partridge and Harvard Avenues may provide vehicular access.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the South-West (SW) sub-district.
E.3.4.2 Façade Modulation and Treatment			
E.3.4.2.01	Standard	Building façades facing public rights-of-way or public open spaces shall not exceed 50 feet in length without a minor building façade modulation. At a minimum of every 50' façade length, the **minor vertical façade modulation** shall be a minimum 2 feet deep by 5 feet wide recess or a minimum 2 foot setback of the building plane from the primary building façade.	**Complies:** Building facade facing Cambridge Ave. is less than 50 ft. in length. Building facade facing Alto Lane has vertical facade modulation.
E.3.4.2.02	Standard	Building façades facing public rights-of-way or public open spaces shall not exceed 100 feet in length without a major building modulation. At a minimum of every 100 feet of façade length, a **major vertical façade modulation** shall be a minimum of 6 feet deep by 20 feet wide recess or a minimum of 6 feet setback of building plane from primary building façade for the full height of the building. This standard applies to all districts except ECR NE-L and ECR SW since those two districts are required to provide a building break at every 100 feet.	**Not Applicable:** Proposed project is located in ECR-SW zoning district.
E.3.4.2.03	Standard	In addition, the major building façade modulation shall be accompanied with a 4-foot minimum height modulation and a major change in fenestration pattern, material and/or color.	**Complies:** There is change in material, fenestration pattern and height.
E.3.4.2.04	Guideline	Minor façade modulation may be accompanied with a change in fenestration pattern, and/or material, and/or color, and/or height.	**Complies:** Minor facade modulation is accompanied by a change in material, fenestration pattern and height.
E.3.4.2.05	Guideline	Buildings should consider sun shading mechanisms, like overhangs, *bris soleils* and clerestory lighting, as façade articulation strategies.	**Complies:** Proposed project uses a variation of overhangs, sun shading canopies, and clerestory windows as facade articulation

Section	Standard or Guideline	Requirement	Evaluation
			strategies. Facade has a generally northern exposure.
E.3.4.3 Building Profile			
E.3.4.3.01	Standard	The 45-degree building profile shall be set at the minimum setback line to allow for flexibility and variation in building façade height within a district.	**Complies:** The height of the building is 16 feet 6 inches whereas the maximum façade height is 30 feet. Therefore the building profile is being met.
E.3.4.3.02	Standard	Horizontal building and architectural projections, like balconies, bay windows, dormer windows, canopies, awnings, and signage, beyond the 45-degree building profile shall comply with the standards for Building Setbacks & Projection within Setbacks (E.3.3.04 to E.3.3.07) and shall be integrated into the design of the building.	**Not Applicable:** The guideline applies to new buildings and additions on existing ones. This is an existing building with no change to existing footprint.
E.3.4.3.03	Standard	Vertical building projections like parapets and balcony railings shall not extend 4 feet beyond the 45-degree building profile and shall be integrated into the design of the building.	**Not Applicable.**
E.3.4.3.04	Standard	Rooftop elements that may need to extend beyond the 45-degree building profile due to their function, such as stair and elevator towers, shall be integrated into the design of the building.	**Not Applicable.**
E.3.4.4 Upper Story Façade Length			
E.3.4.4.01	Standard	Building stories above the 38-foot façade height shall have a maximum allowable façade length of 175 feet along a public right-of-way or public open space.	**Not Applicable.**
E.3.5 Ground Floor Treatment, Entry and Commercial Frontage			
Ground Floor Treatment			
E.3.5.01	Standard	The retail or commercial ground floor shall be a minimum 15-foot floor-to-floor height to allow natural light into the space**.**	**Not Applicable:** No changes are proposed to the first floor height.
E.3.5.02	Standard	Ground floor commercial buildings shall have a minimum of 50% transparency (i.e., clear-glass windows) for retail uses, office uses and lobbies to enhance the visual experience from the sidewalk and street. Heavily tinted or mirrored glass shall not be permitted.	**Complies**: The proposed front façade meets the 50% transparency requirements. The proposed transparency is 50.4%. See A3.07 for transparency diagram.

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.03	Guideline	Buildings should orient ground-floor retail uses, entries and direct-access residential units to the street.	**Complies:** Access to the personal improvement services use is directly from the sidewalk facing the street. No residential units.
E.3.5.04	Guideline	Buildings should activate the street by providing visually interesting and active uses, such as retail and personal service uses, in ground floors that face the street. If office and residential uses are provided, they should be enhanced with landscaping and interesting building design and materials.	**Complies.**
E.3.5.05	Guideline	For buildings where ground floor retail, commercial or residential uses are not desired or viable, other project-related uses, such as a community room, fitness center, daycare facility or sales center, should be located at the ground floor to activate the street.	**Not Applicable:** Proposed personal improvement service space is facing the street.
E.3.5.06	Guideline	Blank walls at ground floor are discouraged and should be minimized. When unavoidable, continuous lengths of blank wall at the street should use other appropriate measures such as landscaping or artistic intervention, such as murals.	N/A - Proposed project reuses existing building and general site development.
E.3.5.07	Guideline	Residential units located at ground level should have their floors elevated a minimum of 2 feet to a maximum of 4 feet above the finished grade sidewalk for better transition and privacy, provided that accessibility codes are met.	**Not Applicable**: The building is existing and does not have any residential units.
E.3.5.08	Guideline	Architectural projections like canopies and awnings should be integrated with the ground floor and overall building design to break up building mass, to add visual interest to the building and provide shelter and shade.	**Complies:** Canopies and raised clerestory volumes are utilized over entrances to add visual interest to the building. Deep roof overhangs are utilized to provide shade.
Building Entries			
E.3.5.09	Standard	Building entries shall be oriented to a public street or other public space. For larger residential buildings with shared entries, the main entry shall be through prominent entry lobbies or central courtyards facing the street. From the street, these entries and courtyards provide additional visual interest, orientation and a sense of invitation.	**Complies:** Building entries are oriented to a public street and toward the proposed sidewalk located behind the parking area.

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.10	Guideline	Entries should be prominent and visually distinctive from the rest of the façade with creative use of scale, materials, glazing, projecting or recessed forms, architectural details, color, and/or awnings.	**Complies:** Building entries are clearly distinguished with raised clerestory volumes, metal entrance canopies and signage.
E.3.5.11	Guideline	Multiple entries at street level are encouraged where appropriate.	**Complies:** Building has 3 entry / exit.
E.3.5.12	Guideline	Ground floor residential units are encouraged to have their entrance from the street.	**Not Applicable:** No residential unit existing or proposed.
E.3.5.13	Guideline	Stoops and entry steps from the street are encouraged for individual unit entries when compliant with applicable accessibility codes. Stoops associated with landscaping create inviting, usable and visually attractive transitions from private spaces to the street.	**Not Applicable:** Stoops are not being proposed.
E.3.5.14	Guideline	Building entries are allowed to be recessed from the primary building façade.	N/A - Proposed project reuses existing building.
Commercial Frontage			
E.3.5.15	Standard	Commercial windows/storefronts shall be recessed from the primary building façade a minimum of 6 inches	**Complies:** Proposed windows are recessed 6 inches into the thickened building facade facing Alto Ln. See floor plans A2.01 & A2.02 for dimensions.
E.3.5.16	Standard	Retail frontage, whether ground floor or upper floor, shall have a minimum 50% of the façade area transparent with clear vision glass, not heavily tinted or highly mirrored glass.	**Complies:** Proposed project has 50% transparency on improved building facade that is facing Alto Ln. See A3.07 for transparency diagram.
E.3.5.17	Guideline	Storefront design should be consistent with the building's overall design and contribute to establishing a well-defined ground floor for the façade along streets.	**Complies:** The proposed storefront windows facilitate meeting the transparency requirement, and fit into the overall design which is an update from the existing façade.
E.3.5.18	Guideline	The distinction between individual storefronts, entire building façades and adjacent properties should be maintained.	**Complies:** Building facade is distinct from adjacent properties.
E.3.5.19	Guideline	Storefront elements such as windows, entrances and signage should provide clarity and lend interest to the façade.	**Complies:** Proposed windows, entrances, and signage help to provide clarity and interest to the facade.
E.3.5.20	Guideline	Individual storefronts should have clearly defined bays. These bays should be no greater than 20 feet in length. Architectural elements, such as piers,	**Complies:** Building facade is divided into less than 20 ft. in length bays using existing brick pilasters.

Section	Standard or Guideline	Requirement	Evaluation
		recesses and projections help articulate bays.	
E.3.5.21	Guideline	All individual retail uses should have direct access from the public sidewalk. For larger retail tenants, entries should occur at lengths at a maximum at every 50 feet, consistent with the typical lot size in downtown.	**Complies:** Building has multiple entries / exits that occur at lengths in less than 50 ft. which can be accessed through Cambridge Avenue and Alto Lane.
E.3.5.22	Guideline	Recessed doorways for retail uses should be a minimum of two feet in depth. Recessed doorways provide cover or shade, help identify the location of store entrances, provide a clear area for out-swinging doors and offer the opportunity for interesting paving patterns, signage and displays.	N/A - Proposed project reuses existing building.
E.3.5.23	Guideline	Storefronts should remain un-shuttered at night and provide clear views of interior spaces lit from within. If storefronts must be shuttered for security reasons, the shutters should be located on the inside of the store windows and allow for maximum visibility of the interior.	**Complies:** Shutters are not being proposed.
E.3.5.24	Guideline	Storefronts should not be completely obscured with display cases that prevent customers and pedestrians from seeing inside.	**Complies:** Proposed storefront windows will not be obscured by any objects.
E.3.5.25	Guideline	Signage should not be attached to storefront windows.	**Complies:** Proposed signage is not attached to storefront windows. See front elevation A3.01 & A3.02 for example.
E.3.6 Open Space			
E.3.6.01	Standard	Residential developments or Mixed Use developments with residential use shall have a minimum of 100 square feet of open space per unit created as common open space or a minimum of 80 square feet of open space per unit created as private open space, where private open space shall have a minimum dimension of 6 feet by 6 feet. In case of a mix of private and common open space, such common open space shall be provided at a ratio equal to 1.25 square feet for each one square foot of private open space that is not provided.	**Not applicable:** No residential unit existing or proposed.

Section	Standard or Guideline	Requirement	Evaluation
E.3.6.02	Standard	Residential open space (whether in common or private areas) and accessible open space above parking podiums up to 16 feet high shall count towards the minimum open space requirement for the development.	**Not applicable:** No residential unit existing or proposed.
E.3.6.03	Guideline	Private and/or common open spaces are encouraged in all developments as part of building modulation and articulation to enhance building façade.	**Not applicable:** No residential unit existing or proposed.
E.3.6.04	Guideline	Private development should provide accessible and usable common open space for building occupants and/or the general public.	**Complies:** There are outdoor tables available for patrons of the cafe.
E.3.6.05	Guideline	For residential developments, private open space should be designed as an extension of the indoor living area, providing an area that is usable and has some degree of privacy.	**Not applicable:** No residential unit existing or proposed.
E.3.6.06	Guideline	Landscaping in setback areas should define and enhance pedestrian and open space areas. It should provide visual interest to streets and sidewalks, particularly where building façades are long.	**Complies:** Project implements in ground planters along the building's facade to help soften the length of the building and enhance pedestrian area along Alto Lane. Sidewalk would occupy front setback, along Cambridge Avenue.
E.3.6.07	Guideline	Landscaping of private open spaces should be attractive, durable and drought-resistant.	**Complies:** The landscaping in front of the building enhances the pedestrian area along the sidewalk. The curbed planters help protect the landscaping. Planting will be a variety of durable and drought resistant plants.
E.3.7 Parking, Service and Utilities			
General Parking and Service Access			
E.3.7.01	Guideline	The location, number and width of parking and service entrances should be limited to minimize breaks in building design, sidewalk curb cuts and potential conflicts with streetscape elements.	**Not Applicable.**
E.3.7.02	Guideline	In order to minimize curb cuts, shared entrances for both retail and residential use are encouraged. In shared entrance conditions, secure access for residential parking should be provided.	**Not Applicable.**
E.3.7.03	Guideline	When feasible, service access and loading docks should be located on secondary streets or alleys and to the rear of the building.	**Not applicable:** Curb cuts are not being proposed.

Section	Standard or Guideline	Requirement	Evaluation
E.3.7.04	Guideline	The size and pattern of loading dock entrances and doors should be integrated with the overall building design.	**Not applicable:** Loading docks are not proposed or needed.
E.3.7.05	Guideline	Loading docks should be screened from public ways and adjacent properties to the greatest extent possible. In particular, buildings that directly adjoin residential properties should limit the potential for loading-related impacts, such as noise. Where possible, loading docks should be internal to the building envelope and equipped with closable doors. For all locations, loading areas should be kept clean.	**Not applicable:** Loading docks are not proposed or needed.
E.3.7.06	Guideline	Surface parking should be visually attractive, address security and safety concerns, retain existing mature trees and incorporate canopy trees for shade. See Section D.5 for more compete guidelines regarding landscaping in parking areas.	**Complies:** Existing heritage oak is being preserved. The large oak helps shade the parking area.
Utilities			
E.3.7.07	Guideline	All utilities in conjunction with new residential and commercial development should be placed underground.	**Complies:** All existing utilities are already underground.
E.3.7.08	Guideline	Above ground meters, boxes and other utility equipment should be screened from public view through use of landscaping or by integrating into the overall building design.	**Complies:** The existing gas meter is being removed as part of this project. New electrical meter will be integrated in with the design of the building.
Parking Garages			
E.3.7.09	Standard	To promote the use of bicycles, secure bicycle parking shall be provided at the street level of public parking garages. Bicycle parking is also discussed in more detail in Section F.5 “Bicycle Storage Standards and Guidelines.”	**Complies:** Proposed project provides 7 free standing bike racks.
E.3.7.10	Guideline	Parking garages on downtown parking plazas should avoid monolithic massing by employing change in façade rhythm, materials and/or color.	**Not applicable:** A parking garage is not proposed.
E.3.7.11	Guideline	To minimize or eliminate their visibility and impact from the street and other significant public spaces, parking garages should be underground, wrapped by other uses (i.e. parking podium within a development) and/or screened from view through architectural and/or landscape treatment.	**Not applicable:** A parking garage is not proposed.

Section	Standard or Guideline	Requirement	Evaluation
E.3.7.12	Guideline	Whether free-standing or incorporated into overall building design, garage façades should be designed with a modulated system of vertical openings and pilasters, with design attention to an overall building façade that fits comfortably and compatibly into the pattern, articulation, scale and massing of surrounding building character.	**Not applicable:** A parking garage is not proposed.
E.3.7.13	Guideline	Shared parking is encouraged where feasible to minimize space needs, and it is effectively codified through the plan's off-street parking standards and allowance for shared parking studies.	**Not applicable:** A parking garage is not proposed.
E.3.7.14	Guideline	A parking garage roof should be approached as a usable surface and an opportunity for sustainable strategies, such as installment of a green roof, solar panels or other measures that minimize the heat island effect.	**Not applicable:** A parking garage is not proposed.
E.3.8 Sustainable Practices			
Overall Standards			
E.3.8.01	Standard	Unless the Specific Plan area is explicitly exempted, all citywide sustainability codes or requirements shall apply.	The proposed remodel will comply with city codes where applicable.
Overall Guidelines			
E.3.8.02	Guideline	Because green building standards are constantly evolving, the requirements in this section should be reviewed and updated on a regular basis of at least every two years.	The proposed remodel will comply with city codes where applicable.
Leadership in Energy and Environmental Design (LEED) Standards			

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.03	Standard	Development shall achieve LEED certification, at Silver level or higher, or a LEED Silver equivalent standard for the project types listed below. For LEED certification, the applicable standards include LEED New Construction; LEED Core and Shell; LEED New Homes; LEED Schools; and LEED Commercial Interiors. Attainment shall be achieved through LEED certification or through a City-approved outside auditor for those projects pursing a LEED equivalent standard. The requirements, process and applicable fees for an outside auditor program shall be established by the City and shall be reviewed and updated on a regular basis. LEED certification or equivalent standard, at a Silver lever or higher, shall be required for: • Newly constructed residential buildings of Group R (single-family, duplex and multi-family); • Newly constructed commercial buildings of Group B (occupancies including among others office, professional and service type transactions) and Group M (occupancies including among others display or sale of merchandise such as department stores, retail stores, wholesale stores, markets and sales rooms) that are 5,000 gross square feet or more; • New first-time build-outs of commercial interiors that are 20,000 gross square feet or more in buildings of Group B and M occupancies; and • Major alterations that are 20,000 gross square feet or more in existing buildings of Group B, M and R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed. All residential and/or mixed use developments of sufficient size to require LEED certification or equivalent standard under the Specific Plan shall install one dedicated electric vehicle/plug-in hybrid electric vehicle recharging station for every 20 residential parking spaces provided. Per the Climate Action Plan the complying applicant could receive incentives, such as streamlined permit processing, fee discounts, or design templates.	**Not applicable:** Proposed project is not among the project types requiring LEED.

Section	Standard or Guideline	Requirement	Evaluation
Leadership in Energy and Environmental Design (LEED) Guidelines			
E.3.8.04	Guideline	The development of larger projects allows for more comprehensive sustainability planning and design, such as efficiency in water use, stormwater management, renewable energy sources and carbon reduction features. A larger development project is defined as one with two or more buildings on a lot one acre or larger in size. Such development projects should have sustainability requirements and GHG reduction targets that address neighborhood planning, in addition to the sustainability requirements for individual buildings (See Standard E.3.8.03 above). These should include being certified or equivalently verified at a LEED-ND (neighborhood development), Silver level or higher, and mandating a phased reduction of GHG emissions over a period of time as prescribed in the 2030 Challenge. The sustainable guidelines listed below are also relevant to the project area. They relate to but do not replace LEED certification or equivalent standard rating requirements.	**Not applicable:** The proposed project does not meet the definition of a larger development project.
Building Design Guidelines			
E.3.8.05	Guideline	Buildings should incorporate narrow floor plates to allow natural light deeper into the interior.	N/A - Proposed project only includes 1 floor.
E.3.8.06	Guideline	Buildings should reduce use of daytime artificial lighting through design elements, such as bigger wall openings, light shelves, clerestory lighting, skylights, and translucent wall materials.	**Complies:** Proposed project utilizes large fenestration and clerestories to amplify daylight into the interior.
E.3.8.07	Guideline	Buildings should allow for flexibility to regulate the amount of direct sunlight into the interiors. Louvered wall openings or shading devices like *bris soleils* help control solar gain and check overheating. *Bris soleils*, which are permanent sun-shading elements, extend from the sun-facing façade of a building, in the form of horizontal or vertical projections depending on sun orientation, to cut out the sun's direct rays, help protect windows from excessive solar light and heat and reduce glare within.	**Complies:** Proposed project utilizes deep overhangs and sun shading devices to help reduce the solar heat gain during the hot months. The main building facade along Alto Lane has a generally north / northeast exposure. So direct sun exposure will be minimal.

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.08	Guideline	Where appropriate, buildings should incorporate arcades, trellis and appropriate tree planting to screen and mitigate south and west sun exposure during summer. This guideline would not apply to downtown, the station area and the west side of El Camino Real where buildings have a narrower setback and street trees provide shade.	N/A - Proposed project glazing faces north east.
E.3.8.09	Guideline	Operable windows are encouraged in new buildings for natural ventilation.	**Complies:** Proposed project incorporates operable windows in remodeled facade.
E.3.8.10	Guideline	To maximize use of solar energy, buildings should consider integrating photovoltaic panels on roofs.	**Complies:** To be considered by applicant.
E.3.8.11	Guideline	Inclusion of recycling centers in kitchen facilities of commercial and residential buildings shall be encouraged. The minimum size of recycling centers in commercial buildings should be 20 cubic feet (48 inches wide x 30 inches deep x 24 inches high) to provide for garbage and recyclable materials.	**Complies:** Recycling center will be provided in the cafe space.
Stormwater and Wastewater Management Guidelines			
E.3.8.12	Guideline	Buildings should incorporate intensive or extensive green roofs in their design. Green roofs harvest rain water that can be recycled for plant irrigation or for some domestic uses. Green roofs are also effective in cutting-back on the cooling load of the air-conditioning system of the building and reducing the heat island effect from the roof surface.	Proposed Project does not include a green roof.
E.3.8.13	Guideline	Projects should use porous material on driveways and parking lots to minimize stormwater run-off from paved surfaces.	N/A - Proposed project reuses existing building and general site development.
Landscaping Guidelines			
E.3.8.14	Guideline	Planting plans should support passive heating and cooling of buildings and outdoor spaces.	Remodeled building does not have any southern or western exposure, passive heating and cooling would be minimal.
E.3.8.15	Guideline	Regional native and drought resistant plant species are encouraged as planting material.	Native and /or drought tolerant plants are being considered.
E.3.8.16	Guideline	Provision of efficient irrigation system is recommended, consistent with the City's Municipal Code Chapter 12.44 "Water-Efficient Landscaping".	New planting is minimal and no irrigation system is being proposed.
Lighting Standards			

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.17	Standard	Exterior lighting fixtures shall use fixtures with low cut-off angles, appropriately positioned, to minimize glare into dwelling units and light pollution into the night sky.	**Complies:** New exterior light fixtures point down to reduce glare and light pollution. See exterior elevations A3.01 and A3.02.
E.3.8.18	Standard	Lighting in parking garages shall be screened and controlled so as not to disturb surrounding properties, but shall ensure adequate public security.	**Not Applicable:** A parking garage is not proposed.
Lighting Guidelines			
E.3.8.19	Guideline	Energy-efficient and color-balanced outdoor lighting, at the lowest lighting levels possible, are encouraged to provide for safe pedestrian and auto circulation.	New exterior light fixtures will be LED for energy efficiency and will be color-balanced.
E.3.8.20	Guideline	Improvements should use ENERGY STAR-qualified fixtures to reduce a building's energy consumption.	New light fixtures will be ENERGY-STAR qualified where applicable.
E.3.8.21	Guideline	Installation of high-efficiency lighting systems with advanced lighting control, including motion sensors tied to dimmable lighting controls or lighting controlled by timers set to turn off at the earliest practicable hour, are recommended.	New light fixtures will be tied to an advanced lighting control system where applicable.
Green Building Material Guidelines			
E.3.8.22	Guideline	The reuse and recycle of construction and demolition materials is recommended. The use of demolition materials as a base course for a parking lot keeps materials out of landfills and reduces costs.	The reuse and recycle of construction and demolition materials will be maintained as applicable.
E.3.8.23	Guideline	The use of products with identifiable recycled content, including post-industrial content with a preference for post-consumer content, are encouraged.	The use of materials with recycled content will be used where feasible.
E.3.8.24	Guideline	Building materials, components, and systems found locally or regionally should be used, thereby saving energy and resources in transportation.	The use of locally or regionally sourced materials will be used where feasible.
E.3.8.25	Guideline	A design with adequate space to facilitate recycling collection and to incorporate a solid waste management program, preventing waste generation, is recommended.	The proposed project will provide recycling and compost bins, in addition to waste.
E.3.8.26	Guideline	The use of material from renewable sources is encouraged.	The use of materials from renewable sources will be used where feasible.

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
AIR QUALITY				
Specific Plan Impact AIR-1: Implementation of the Specific Plan would result in increased long-term emissions of criteria pollutants associated with construction activities that could contribute substantially to an air quality violation. (Significant)				
Mitigation Measure AIR-1a: During construction of individual projects under the Specific Plan, project applicants shall require the construction contractor(s) to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic dust control procedures required for construction sites. For projects for which construction emissions exceed one or more of the applicable BAAQMD thresholds, additional measures shall be required as indicated in the list following the Basic Controls.		Measures shown on plans, construction documents and on-going during demolition, excavation and construction.	Project sponsor(s) and contractor(s)	PW/CDD
Basic Controls that Apply to All Construction Sites				
1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.	Exposed surfaces shall be watered twice daily.			
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.	Trucks carrying demolition debris shall be covered.			
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.	Dirt carried from construction areas shall be cleaned daily.			
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.	Speed limit on unpaved roads shall be 15 mph.			
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	Roadways, driveways, sidewalks and building pads shall be laid as soon as possible after grading.			
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.	Idling times shall be minimized to 5 minutes or less; Signage posted at all access points.			
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.	Construction equipment shall be properly tuned and maintained.			
8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.	Signage will be posted with the appropriate contact information regarding dust complaints.			
9. Minimizing the idling time of diesel powered construction equipment to two minutes.	Idling time of diesel powered equipment will not exceed two minutes.			

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
10. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent nitrogen oxides reduction and 45 percent particulate matter reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.	Plan developed that demonstrates emissions from use of off-road equipment during construction will be reduced as specified.			
11. Use low volatile organic compound (VOC) (i.e., reactive organic gases) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).	Low VOC coatings shall be used.			
12. Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of nitrogen oxides and particulate matter.	Require Best Available Control Technology for all construction equipment, diesel trucks, and generators.			
13. Requiring all contractors use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy duty diesel engines.	Equipment shall meet standards for off-road heavy duty diesel engines.			
BIOLOGICAL RESOURCES				
Specific Plan EIR Impact BIO-1: The Specific Plan could result in the take of special-status birds or their nests. (Potentially Significant)				
Mitigation Measure BIO-1a: Pre-Construction Special-Status Avian Surveys. No more than two weeks in advance of any tree or shrub pruning, removal, or ground-disturbing activity that will commence during the breeding season (February 1 through August 31), a qualified wildlife biologist will conduct pre-construction surveys of all potential special-status bird nesting habitat in the vicinity of the planned activity. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered. ***If pre-construction surveys indicate that no nests of special-status birds are present or that nests are inactive or potential habitat is unoccupied:*** no further mitigation is required.	A nesting bird survey shall be prepared if tree or shrub pruning, removal or ground-disturbing activity will commence between February 1 through August 31.	Prior to tree or shrub pruning or removal, any ground disturbing activity and/or issuance of demolition, grading or building permits.	Qualified wildlife biologist retained by project sponsor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
If active nests of special-status birds are found during the surveys: implement Mitigation Measure BIO-1b.				
Specific Plan EIR Impact BIO-3: Impacts to migratory or breeding special-status birds and other special-status species due to lighting conditions. (Potentially Significant)				
Mitigation Measure BIO-3a: Reduce building lighting from exterior sources. a. Minimize amount and visual impact of perimeter lighting and façade up-lighting and avoid uplighting of rooftop antennae and other tall equipment, as well as of any decorative features; b. Installing motion-sensor lighting, or lighting controlled by timers set to turn off at the earliest practicable hour; c. Utilize minimum wattage fixtures to achieve required lighting levels; d. Comply with federal aviation safety regulations for large buildings by installing minimum intensity white strobe lighting with a three-second flash interval instead of continuous flood lighting, rotating lights, or red lighting e. Use cutoff shields on streetlight and external lights to prevent upwards lighting.	Reduce building lighting from exterior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD
Mitigation Measure BIO-3b: Reduce building lighting from interior sources. a. Dim lights in lobbies, perimeter circulation areas, and atria; b. Turn off all unnecessary lighting by 11pm thorough sunrise, especially during peak migration periods (mid-March to early June and late August through late October); c. Use gradual or staggered switching to progressively turn on building lights at sunrise. d. Utilize automatic controls (motion sensors, photosensors, etc.) to shut off lights in the evening when no one is present; e. Encourage the use of localized task lighting to reduce the need for more extensive overhead lighting; f. Schedule nightly maintenance to conclude by 11 p.m.; g. Educate building users about the dangers of night lighting to birds.	Reduce building lighting from interior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD
Specific Plan Impact BIO-5: The Specific Plan could result in the take of special-status bat species. (Potentially Significant)				

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure BIO-5a: Preconstruction surveys. Potential direct and indirect disturbances to special-status bats will be identified by locating colonies and instituting protective measures prior to construction of any subsequent development project. No more than two weeks in advance of tree removal or structural alterations to buildings with closed areas such as attics, a qualified bat biologist (e.g., a biologist holding a California Department of Fish and Game collection permit and a Memorandum of Understanding with the California Department of Fish and Game allowing the biologist to handle and collect bats) shall conduct pre-construction surveys for potential bats in the vicinity of the planned activity. A qualified biologist will survey buildings and trees (over 12 inches in diameter at 4.5-foot height) scheduled for demolition to assess whether these structures are occupied by bats. No activities that would result in disturbance to active roosts will proceed prior to the completed surveys. If bats are discovered during construction, any and all construction activities that threaten individuals, roosts, or hibernacula will be stopped until surveys can be completed by a qualified bat biologist and proper mitigation measures implemented. ***If no active roosts present:*** no further action is warranted. ***If roosts or hibernacula are present:*** implement Mitigation Measures BIO-5b and 5c.	Retain a qualified bat biologist to conduct pre-construction survey for bats and potential roosting sites in vicinity of planned activity. Halt construction if bats are discovered during construction until surveys can be completed and proper mitigation measures implemented.	Prior to tree pruning or removal or issuance of demolition, grading or building permits.	Qualified bat biologist retained by project sponsor(s)	CDD
Mitigation Measure BIO-5b: Avoidance. If any active nursery or maternity roosts or hibernacula of special-status bats are located, the subsequent development project may be redesigned to avoid impacts. Demolition of that tree or structure will commence after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) or before maternity colonies forms the following year (i.e., prior to March 1). For hibernacula, any subsequent development project shall only commence after bats have left the hibernacula. No-disturbance buffer zones acceptable to the California Department of Fish and Game will be observed during the maternity roost season (March 1 through July 31) and during the winter for hibernacula (October 15 through February 15). Also, a no-disturbance buffer acceptable in size to the California Department of Fish and Game will be created around any roosts in the Project vicinity (roosts that will not be destroyed by the Project but are within the Plan area) during the breeding season (April 15 through August 15), and around hibernacula during winter (October 15 through February 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the “take” of individuals is prohibited.	If any active nursery or maternity roosts or hibernacula are located, no disturbance buffer zones shall be established during the maternity roost and breeding seasons and hibernacula.	Prior to tree removal or pruning or issuance of demolition, grading or building permits	Qualified bat biologist retained by project sponsor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure BIO-5c: Safely evict non-breeding roosts. Non-breeding roosts of special-status bats shall be evicted under the direction of a qualified bat biologist. This will be done by opening the roosting area to allow airflow through the cavity. Demolition will then follow no sooner or later than the following day. There should not be less than one night between initial disturbance with airflow and demolition. This action should allow bats to leave during dark hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees with roosts that need to be removed should first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours. However, the "take" of individuals is prohibited.	A qualified bat biologist shall direct the eviction of non-breeding roosts.	Prior to tree removal or pruning or issuance of demolition, grading or building permits.	Qualified bat biologist retained by project sponsor(s)	CDD
CULTURAL RESOURCES				
Impact CUL-1: The proposed Specific Plan could have a significant impact on historic architectural resources. (Potentially Significant)				
Mitigation Measure CUL-1: Site Specific Evaluations and Treatment in Accordance with the Secretary of the Interior's Standards: ***Site-Specific Evaluations:*** In order to adequately address the level of potential impacts for an individual project and thereby design appropriate mitigation measures, the City shall require project sponsors to complete site-specific evaluations at the time that individual projects are proposed at or adjacent to buildings that are at least 50 years old. The project sponsor shall be required to complete a site-specific historic resources study performed by a qualified architectural historian meeting the Secretary of the Interior's Standards for Architecture or Architectural History. At a minimum, the evaluation shall consist of a records search, an intensive-level pedestrian field survey, an evaluation of significance using standard National Register Historic Preservation and California Register Historic Preservation evaluation criteria, and recordation of all identified historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms. The evaluation shall describe the historic context and setting, methods used in the investigation, results of the evaluation, and recommendations for management of identified resources. If federal or state funds are involved, certain agencies, such as the Federal Highway Administration and California Department of Transportation (Caltrans), have specific requirements for inventory areas and documentation format.	A qualified architectural historian has completed a site-specific historic resources study. The existing structure has not been found to be histori.	Submitted by applicant. Prepared by Ver Planck dated July 26, 2022.	Qualified architectural historian retained by the Project sponsor(s).	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Treatment in Accordance with the Secretary of the Interior's Standards. Any future proposed project in the Plan Area that would affect previously recorded historic resources, or those identified as a result of site-specific surveys and evaluations, shall conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995). The Standards require the preservation of character defining features which convey a building's historical significance, and offers guidance about appropriate and compatible alterations to such structures.				
HAZARDOUS MATERIALS				
Impact HAZ-3: Hazardous materials used on any individual site during construction activities (i.e., fuels, lubricants, solvents) could be released to the environment through improper handling or storage. (Potentially Significant)				
Mitigation Measure HAZ-3: All development and redevelopment shall require the use of construction Best Management Practices (BMPs) to control handling of hazardous materials during construction to minimize the potential negative effects from accidental release to groundwater and soils. For projects that disturb less than one acre, a list of BMPs to be implemented shall be part of building specifications and approved of by the City Building Department prior to issuance of a building permit.	Implement best management practices to reduce the release of hazardous materials during construction.	Prior to building permit issuance for sites disturbing less than one acre and on-going during construction for all project sites	Project sponsor(s) and contractor(s)	CDD
NOISE				
Specific Plan Impact NOI-1: Construction activities associated with implementation of the Specific Plan would result in substantial temporary or periodic increases in ambient noise				
Mitigation Measure NOI-1a: Construction contractors for subsequent development projects within the Specific Plan area shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acousticallyattenuating shields or shrouds, etc.) when within 400 feet of sensitive receptor locations. Prior to demolition, grading or building permit issuance, a construction noise control plan that identifies the best available noise control techniques to be implemented, shall be prepared by the construction contractor and submitted to the City for review and approval. The plan shall include, but not be limited to, the following noise control elements: * Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler shall achieve lower noise levels from the exhaust by approximately 10 dBA. External jackets on the tools themselves shall be used where feasible in order to achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible;	A construction noise control plan shall be prepared and submitted to the City for review. Implement noise control techniques to reduce ambient noise levels.	Prior to demolition, grading or building permit issuance Measures shown on plans, construction documents and specification and ongoing through construction	Project sponsor(s) and contractor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
* Stationary noise sources shall be located as far from adjacent receptors as possible and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible; and * When construction occurs near residents, affected parties within 400 feet of the construction area shall be notified of the construction schedule prior to demolition, grading or building permit issuance. Notices sent to residents shall include a project hotline where residents would be able to call and issue complaints. A Project Construction Complaint and Enforcement Manager shall be designated to receive complaints and notify the appropriate City staff of such complaints. Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and day and evening contact numbers, both for the construction contractor and City representative(s), in the event of problems.				
Specific Plan Impact NOI-3: The Specific Plan would introduce sensitive receptors to a noise environment with noise levels in excess of standards considered acceptable under the City of Menlo Park Municipal Code. (Potentially Significant)				

STAFF REPORT

Planning Commission Meeting Date: **12/5/2022**
Staff Report Number: **22-069-PC**

Public Hearing: **Consider and adopt a resolution to approve a request for architectural control for exterior modifications to an existing commercial building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district and a use permit for outdoor seating, at 772-780 Santa Cruz Avenue and 1110 Crane Street**

Recommendation

Staff recommends that the Planning Commission approve a request for architectural control for exterior modifications to an existing commercial building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The request includes modifications to the Santa Cruz Avenue, Crane Street, and Ryan's Lane façades. The proposal also includes a request for a use permit to allow outdoor seating along the Crane Street frontage for a proposed restaurant at 772-780 Santa Cruz Avenue. A draft resolution, including the recommended 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 architectural control and use permit findings can be made for the proposal.

Background

Site location

The subject property is located at 772 and 780 Santa Cruz Avenue and 1110 Crane Street, three suites that comprise a two story commercial building in the downtown. The property is zoned SP-ECR/D (El Camino Real/Downtown Specific Plan). Within the Specific Plan, the property is in the Downtown (D) sub-district and the Downtown/Station Area Retail/Mixed Use (DSARMU) land use designation. The site is currently developed with a two-story commercial building which was built in 1953, and includes suites previously used for retail uses and Ann's coffee shop. The project site is bounded by three public streets: Santa Cruz Avenue, Crane Street, and Ryan's Lane. No private parking spaces are provided on site, and the site can be accessed along the frontages of Santa Cruz Avenue and Crane Street. The site has vehicular parking via parking plaza (#3), accessible on the opposite side of Crane Street, and limited diagonal parking spaces along Santa Cruz Avenue. There is no on-site parking for the subject property. A location map is included as Attachment B.

The surrounding lots are all part of the SP-ECR/D zoning district and within the D sub-district. Properties

along Santa Cruz Avenue are located within the Downtown/Station Area "Main Street" Overlay (DSAMSO) land use designation, while properties to the rear of the project site are located within the Downtown/Station Area Retail/Mixed Use (DSARMU) land use designation. Using Santa Cruz Avenue in the east-west orientation, the subject property is located at the northern side of the street, between Chestnut Street and Crane Street. Surrounding properties near the subject property include a mix of commercial uses (primarily retail and restaurant uses).

Analysis

Project description

The applicant is proposing comprehensive exterior modifications to the front (along Santa Cruz Avenue), street side (along Crane Street) and rear (along Ryan's Lane) facades to the existing two-story, commercial building with a mezzanine, including minor interior modifications. The former retail and restaurant suites are proposed to be combined into one suite to accommodate the restaurant use. The suite located at 1110 Crane Street, currently used for personal services, has no interior or use changes proposed, but the exterior is proposed to be changed along the rear façade facing Ryan's Lane.

The applicant is also requesting outdoor seating for a proposed restaurant through a use permit, which is included with this application.

The subject property is developed with one two-story building containing three suites (772 and 780 Santa Cruz Avenue and 1110 Crane Street). The existing Gross Floor Area (GFA) of the building is 6,207.2 square feet. With the modifications from the proposed project, the proposed GFA would be reduced to 6,193.0 square feet. Maximum permitted base Floor Area Ratio (FAR) for the ECR D sub-district is 2.0, which would be 9,388 square feet for the subject property. As stated earlier, a small reduction is proposed to the GFA as part of the proposal. The applicant's project description letter and project plans are included as Attachments C and D, respectively.

Design and materials

The Specific Plan includes a detailed set of design standards and guidelines. Compliance with the standards and guidelines is evaluated in the Standards and Guidelines Project Compliance Worksheet (Attachment E). The guidelines are intended to provide for a pleasant pedestrian experience with visual interest and continuity for storefronts. Staff believes the proposed modifications to the existing architectural style of the project would be consistent with the diverse aesthetic of the surrounding neighborhood.

Exterior modifications would include changes to all three public façades, but predominantly along the Santa Cruz Avenue and Crane Street frontages. The project would retain its existing footprint and existing building height. On the front façade along Santa Cruz Avenue, the applicant is proposing an Americans with Disabilities Act (ADA) compliant door entry to provide access. On the side façade along Crane Street, the applicant is proposing an open entry to an outdoor seating area, spaced between the sidewalk and the interior restaurant. The existing building features stucco with brick planters along the base of the Santa Cruz Avenue façade and two wood awnings (one larger awning over the 772 and 780 Santa Cruz Avenue suites, and a shorter awning over the 1110 Crane Avenue suite and part of the 780 Santa Cruz Avenue suite). The proposed front façade would feature repainted stucco and aluminum window and door frames

containing clear glass, along with maintaining and repairing the existing brick planters. The additional glazing would enhance the transparency of the existing building. The larger wood awning would be replaced to match, while the smaller wood awning would remain but be cut in size to match the same thickness of the other awning (11 inches). Along the Crane Street façade, the existing stucco would be repainted fully, and new aluminum window and door frames containing clear glass would be incorporated along the entire facade, apart from two square-shaped windows located along the second floor, near a proposed cellar room. Along the Ryan's Lane façade, only the stucco would be repainted.

With proposed air conditioning units and associated equipment for the rooftop, wood screening is also proposed on the rooftop, to the height of the equipment.

The proposed exterior building materials, finishes, and colors are shown on Sheet A6-4 of the plan set. The project would not alter any existing sidewalk conditions on either frontage.

Guidelines related to ground floor treatment for commercial frontages, which are intended to provide for a pleasant pedestrian experience with visual interest, continuity for storefronts, and retail transparency, would be met. The relevant guidelines are discussed below:

E.3.5.02 (Standard): Ground floor commercial buildings shall have a minimum of 50% transparency (i.e., clear-glass windows) for retail uses, office uses and lobbies to enhance the visual experience from the sidewalk and street. Heavily tinted or mirrored glass shall not be permitted.

> Complies: The proposed facade would be updated to be compliant with the guideline. The project also includes an increase in glazing along the side of the building on the ground floor, facing Crane Street. The proposed design would exceed this requirement and provide 52 percent transparency along the front façade and 51 percent along the side façade.

E.3.3.07 (Standard): Architectural projections like canopies, awnings and signage shall not project beyond a maximum of 6 feet horizontally from the building face at the property line or at the minimum setback line. There shall be a minimum of 8-foot vertical clearance above the sidewalk, public right-of way or public space.

> Complies: As shown on Sheet A5-1, the two aforementioned awnings would both extend no greater than six feet from the respective property lines. The front awning, located along the front elevation and the front portion of the side elevation, would extend approximately two feet, six inches from the proposed new front façade. The awning that is located solely along the side elevation and primarily above the 1110 Crane Street unit would continue to extend six feet along the side façade, where a six-foot horizontal extension is allowed. Both awnings would be 10 feet, three inches above street level, where a minimum of eight feet vertical clearance is required, per Specific Plan Standard E.3.3.07.

E.3.5.08 (Guideline): Architectural projections like canopies and awnings should be integrated with the ground floor and overall building design to break up building mass, to add visual interest to the building and provide shelter and shade.

Complies: The proposed project would retain the same amount of sun shading mechanisms, which include one existing awning to be reduced in surface area but kept in place, and another awning that would be replaced to match. The awnings would be along the front and side façades.

E.3.5.19 (Guideline): Storefront elements such as windows, entrances and signage should provide clarity and lend interest to the façade.

Complies: The proposed building meets the 50 percent transparency requirement, and provides enhanced glazing square footage while also providing a well-defined ground floor storefront.

Parking and circulation

The proposed building would comply with the Specific Plan parking requirements. The subject site is located in the downtown shared and unbundled parking area, which indicates that the parking for the first 1.0 FAR of the building is covered by the public parking plazas. The existing building currently exceeds 1.0 FAR, with a total FAR of 1.3. The subject property currently does not include parking on site, and no on-site parking is proposed. While new development exceeding 1.0 FAR in the downtown shared and unbundled parking areas is required to provide parking either on site or off site for the portion of the FAR that exceeds 1.0, this requirement does not apply to existing buildings that predate adoption of the Specific Plan when no increase in GFA is proposed.

Trees and landscaping

The applicant has submitted an arborist report (Attachment F) detailing the species, size, and conditions of the heritage and non-heritage trees on site. The report discusses the impacts of the proposed improvements, including temporary construction impacts, and provides recommendations for tree maintenance and the protection of some trees, based on their health. As part of the project review process, the arborist report was reviewed by the City Arborist.

Based on the arborist report, there are four existing trees located on or near the property. Of these trees, one tree is heritage size, tree #3, which is a street silver linden tree located along the Santa Cruz Avenue public right-of-way, in a planter area between the sidewalk and Santa Cruz Avenue roadway.

The three other trees assessed are non-heritage size, and two are street trees located in the public right-of-way, along the Crane Street frontage (trees #3 and 4), while the remaining tree is located within the brick planter in the front of the Santa Cruz Avenue elevation (tree #1). Tree #1 is proposed to be removed.

With the removal of tree #1, the arborist report has determined that the remaining three street trees (trees #2-4) are located far enough from the proposed work and no tree protection measures would be necessary.

All recommendations identified in the arborist report would be implemented and ensured as part of Condition 1h. No new trees are proposed to be planted.

Correspondence

Staff has not received any correspondence at the time of writing this report.

Conclusion

Staff believes that the materials, and proposed design would be generally compatible with the surrounding buildings in the downtown. The proposed design elements, specifically the retention of stucco and brick planter materials, would provide an update the building's existing design while maintaining the earlier appearance of the building. The comprehensive door and window revisions throughout much of the building's front and side façades offer an update to the existing storefront glazing system, while also enhancing storefront transparency. The new exterior elements and modifications proposed as part of the project would comply with all relevant Specific Plan design standards and guidelines. Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

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

Environmental Review

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines, and as such, no additional environmental analysis is required.

Public Notice

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

Appeal Period

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

Attachments

A. Draft Planning Commission Resolution of Approval Adopting Findings for project Use Permit, including project Conditions of Approval
   Exhibits to Attachment A
      A. Project Plans (See Attachment D to this (December 5, 2022) Planning Commission Staff Report)
      B. Project Description Letter (See Attachment C to this (December 5, 2022) Planning Commission Staff Report)
      C. Conditions of Approval
B. Location Map
C. Project Description Letter
D. Project Plans

E. Specific Plan Standards and Guidelines Compliance Worksheet
F. Arborist Report
G. Mitigation Monitoring and Reporting Program (MMRP)

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

Exhibits to Be Provided at Meeting
None

Report prepared by:
Matt Pruter, Associate Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2022-XX

DRAFT RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A REQUEST FOR A USE PERMIT TO ALLOW OUTDOOR SEATING AND ARCHITECTURAL CONTROL FOR EXTERIOR MODIFICATIONS TO AN EXISTING COMMERCIAL BUILDING IN THE SP-ECR/D (EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN) ZONING DISTRICT

WHEREAS, the City of Menlo Park ("City") received an application requesting use permit review to allow outdoor seating and architectural control review for exterior and interior modifications to an existing commercial building, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district (collectively, the "Project") from Bill Hagman ("Applicant"), on behalf of the property owner Clark's MP, LLC ("Owner"), located at 772-780 Santa Cruz Avenue and 1110 Crane Street (APN 071-094-120) ("Property"). The Use Permit and Architectural Control Permit depicted in and subject to the development plans and documents which are attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the Property is located in the El Camino Real/Downtown Specific Plan (SP-ECR/D) zoning district, and the El Camino Real Downtown (D) sub-district, which supports a variety of uses including restaurant, retail, and service uses, and office and residential uses; and

WHEREAS, the proposed Project is located in the El Camino Real/Downtown Specific Plan (SP-ECR/D) zoning district and is requesting outdoor seating for its proposed restaurant, which is allowed in the SP-ECR/D zoning district through a use permit or administrative permit; and

WHEREAS, the proposed Project complies with all objective standards of the SP-ECR/D district and the D sub-district; and

WHEREAS, the findings and conditions for the architectural control would ensure that all City requirements are applied consistently and correctly as part of the project's implementation; and

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

WHEREAS, the Applicant proposes measures to adequately protect street trees near the vicinity of the project; and

WHEREAS, the Project, requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act ("CEQA," Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14,

§15000 et seq.) require analysis and a determination regarding the Project's environmental impacts; and

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

WHEREAS, the Project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines; and

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

WHEREAS, at a duly and properly noticed public hearing held on December 5, 2022, 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 architectural control permit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Menlo Park finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Menlo Park ("City") hereby approves a use permit for the Project, subject to conditions attached hereto as Exhibit C incorporated herein by this reference. The approval is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

1. That the Commission has given consideration and due regard to the nature and condition of all adjacent uses and structures, and to general and specific plans for the area in question and surrounding areas, and impact of the application hereon. The proposed Project is designed in a manner consistent with the goals, policies, and objectives of ConnectMenlo, the SP-ECR/D zoning district objective standards, and applicable Zoning Ordinance requirements. For the proposed restaurant, the outdoor seating request, as a use permit, is compliant with the Zoning Ordinance. Compliance with the SP-ECR/D zoning district, applicable Zoning Ordinance requirements, and consistency with ConnectMenlo would ensure that the Project would not be detrimental to the health, safety, and welfare of the surrounding community. The Project is subject to mitigation measures and conditions of approval that ensure that all existing adjoining structures are appropriately protected during and after construction.

2. That the Commission has considered whether or not the establishment, maintenance, or operation of the use applied for will, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such

proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city; in that, the proposed Project is designed as a restaurant with outdoor seating, which is a conditionally allowed use. The proposed Project, which includes the request to have outdoor seating, is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code and staff believes the proposed Project would not be detrimental to the health, safety, and welfare of the surrounding community due to the architectural design of the building and compliance with the Zoning Ordinance design standards and the architectural review process. The proposed outdoor seating use permit request has been approved following Building, Engineering, Planning, and Transportation Division review. The location and sizing of the outdoor seating would not conflict with accessibility or egress for the building, or accessibility within the public right-of-way. As such, the proposed Project is consistent with the goals and policies established by the ConnectMenlo General Plan. Therefore, the proposed Project would not be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Menlo Park ("City") hereby approves an architectural control permit for the Project, subject to conditions attached hereto as Exhibit C and incorporated herein by this reference. The approval is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.68.020:

1. That the general appearance of the structures is in keeping with character of the neighborhood; in that, the change of materials and exterior modifications will comply with the SP-ECR/D zoning district objective standards, and will provide visual interest along the streetscape.

2. That the development will not be detrimental to the harmonious and orderly growth of the city; in that, the project is a remodel project. The proposed Project is designed in a manner that is consistent with all applicable requirements of the City of Menlo Park Municipal Code and the Specific Plan.

3. That the development will not impair the desirability of investment or occupation in the neighborhood; in that, the Project consists of exterior and interior modifications consistent with the Municipal Code. The proposed materials and colors will be compatible with the appearance of the existing neighboring buildings. Therefore, the Project would not impair the desirability of investment or occupation in the neighborhood.

4. That the development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking; in that, parking for the parcel is provided by the parking plazas.

5. That the project is consistent with applicable specific plan regulations and guidelines, as verified in detail in the Standards and Guidelines Compliance

Worksheet attached to the December 5th, 2022, Planning Commission staff report.

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

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

SEVERABILITY

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

I, Corinna Sandmeier, Acting Principal Planner and Planning Commission Liaison 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 December 5, 2022, 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 5th day of December, 2022

_____
Corinna Sandmeier
Acting Principal Planner and Planning Commission Liaison
City of Menlo Park

Exhibits

A. Project Plans

B. Project Description Letter
C. Conditions of Approval

LOCATION: 772-780 Santa Cruz Avenue and 1110 Crane Street	**PROJECT NUMBER:** PLN2022-00018	**APPLICANT:** Bill Hagman	**OWNER:** Clark's MP, LLC

PROJECT CONDITIONS:

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

   a. The applicant shall be required to apply for a building permit within one year from the date of approval (by December 5, 2023) for the use permit to remain in effect.

   b. Development of the project shall be substantially in conformance with the plans prepared by The Hagman Group, consisting of 24 plan sheets, dated received November 3, 2022 and approved by the Planning Commission on December 5, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

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

   d. The applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project and in effect at the time of building permit issuance.

   e. Applicant shall keep the property in a clean and sanitary condition at all times, and maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the City of Menlo Park Municipal Code.

   f. The Project shall adhere to all ordinances, plans, regulations, and specifications of the City of Menlo Park and all applicable local, State, and Federal laws and regulations.

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

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

   i. Heritage trees to remain in the vicinity of the construction project shall be protected during the entire construction phase, pursuant to the Heritage Tree Ordinance and the arborist report prepared by Aesculus Arboricultural Consulting, dated October 9, 2022. The tree protection zone shall be established and perimeter fencing shall be erected prior to commencement of any construction activity on site including but not limited to demolition, rough grading, etc.

   j. Prior to building permit issuance, the Applicant shall submit plans for construction parking management, construction staging, material storage and Traffic Control

LOCATION: 772-780 Santa Cruz Avenue and 1110 Crane Street	**PROJECT NUMBER:** PLN2022-00018	**APPLICANT:** Bill Hagman	**OWNER:** Clark's MP, LLC

PROJECT CONDITIONS:

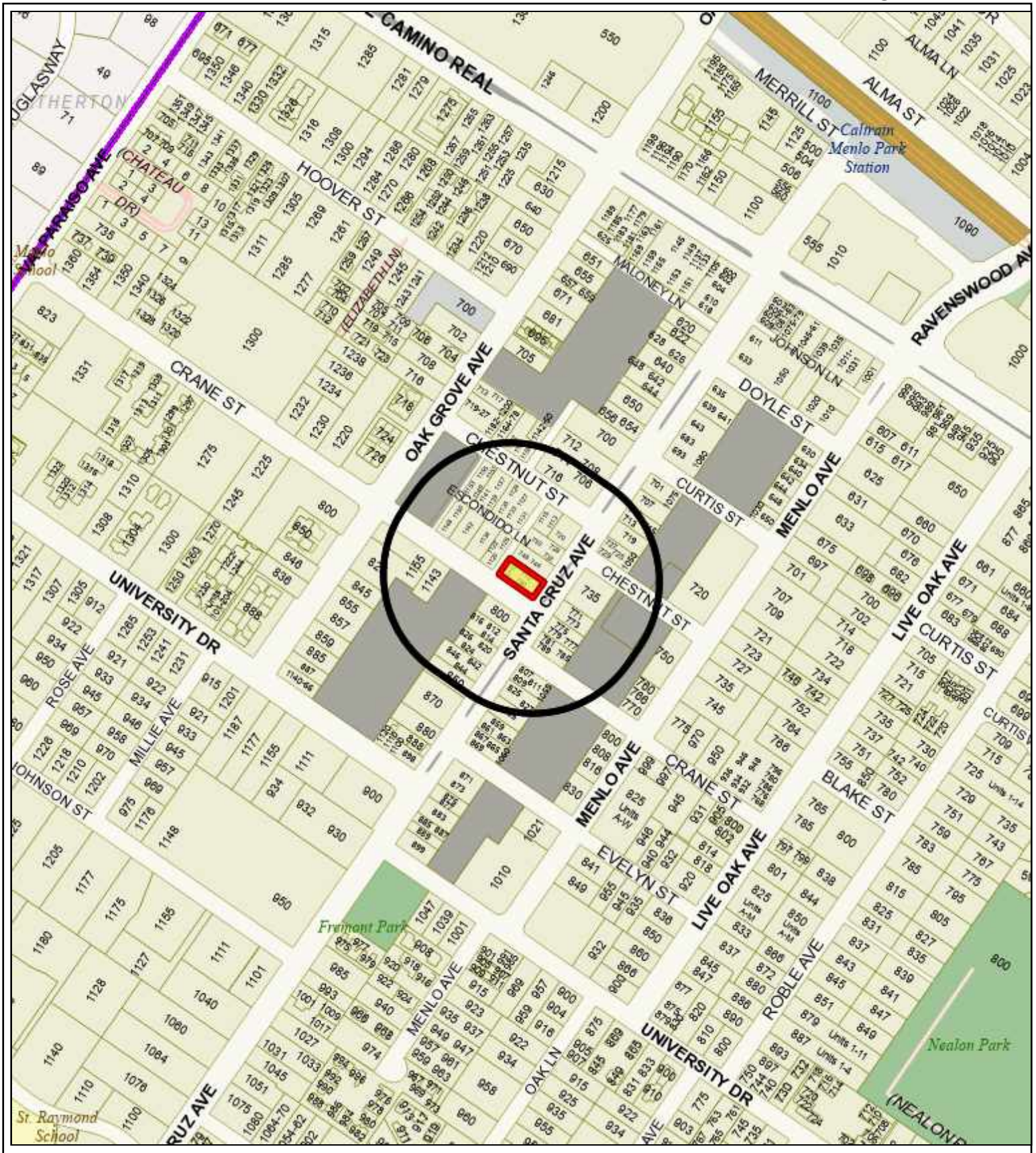
Handling Plan to be reviewed and approved by the City. The applicant shall secure adequate parking for any and all construction trades.

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

l. 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; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

2. The architectural control permit and use permit shall be subject to the following *project-specific* condition:

a. The applicant shall adhere to and/or implement all mitigation measures which apply to this Project and were adopted as a part of the Mitigation, Monitoring, and Reporting Programs (MMRP) for the ConnectMenlo General Plan and the El Camino Real/Downtown Specific Plan. These mitigation measures are set forth in Attachment G to December 5, 2022 staff report, attached hereto and incorporated herein by this reference. Failure to meet these requirements may result in delays to the building permit issuance, stop work orders during construction, and/or fines.



City of Menlo Park

Location Map

772-780 Santa Cruz Avenue and 1110 Crane Street

Scale: 1:4,000	Drawn By: MAP	Checked By: CDS	Date: 12/5/2022	Sheet: 1

Clark’s Menlo Park

772-780 Santa Cruz Ave

Project Description (REVISED 11.18.22)

The project located at 772 and 780 Santa Cruz Ave consists of renovating an existing one-story with mezzanine commercial building of approximately 5,174 square feet. The building is currently divided into two empty tenant spaces. The previous uses consisted of a retail tenant in 780 and a restaurant located in 772 Santa Cruz Ave. The purpose of the enclosed application is to construct a new restaurant use to occupy the entire building, both first floor and mezzanine. The improvements will consist of an approximately 120 seat full-service seafood restaurant. The exterior design will incorporate an opening within the property line along the exterior wall of Crane Street to provide outdoor seating. There will also be four tables with two seats each at the adjoining sidewalk. The interior outdoor area will not have any partitioning when the restaurant is closed. The existing exterior design of cement plaster parapet walls, flat overhang canopies, low brick planters, glass storefront and the corner parapet sign will remain. The current personal services tenant at the back of the building, at the corner of Crane Street and Ryan's Lane, will also remain. Suite 1110 Crane Street is outside of the scope of work. The current use is a hair salon.

A use permit request for proposed outdoor dining area is being submitted as part of this project. The proposed outdoor seating area will include 31 seats in the proposed outdoor area within the property line and 8 seats at the public sidewalk.

An Alcohol Beverage Control (ABC) license will be required for alcohol service and a separate Administrative Permit with the City will be requested as a part of this project.

ABBREVIATIONS

&	And	JAN.	Janitor
<	Angle	JT.	Joint
@	At		
℄	Centerline	KIT.	Kitchen
~	Diameter or Round		
#	Pound or Number	LAB.	Laboratory
(E)	Existing	LAM.	Laminate
ACOUS.	Acoustical	LAV.	Lavatory
A.D.	Area Drain	LKR.	Locker
ADJ.	Adjustable	LT.	Light
AGGR.	Aggregate		
A.	Aluminum	MAX.	Maximum
APPROX.	Approximate	M.C.	Medicine Cabinet
ARCH.	Architectural	MECH.	Mechanical
ASB.	Asbestos	MEMB.	Membrane
ASPH.	Asphalt	MET.	Metal
BD.	Board	MFR.	Manufacturer
BITUM.	Bituminous	MH.	Manhole
BLDG.	Building	MIN.	Minimum
BLK.	Block	MIR.	Mirror
BLKG.	Blocking	MISC.	Miscellaneous
BM.	Beam	M.O.	Masonry Opening
BOT.	Bottom	MTD.	Mounted
		MUL.	Mullion
CAB.	Cabinet	N.	North
C.B.	Catch Basin	N.I.C.	Not In Contract
CEM.	Cement	NO.or#	Number
CER.	Ceramic	NOM.	Nominal
C.I.	Cast Iron	N.T.S.	Not To Scale
C.G.	Corner Guard		
CLG.	Ceiling	O.A.	Overall
CLKG.	Caulking	OBS.	Obscure
CLO.	Closet	O.C.	On Center
CLR.	Clear	O.D.	Outside Diameter (Dim.)
C.O.	Cased Opening	OFF.	Office
COL.	Column	OPNG.	Opening
CONC.	Concrete	OPP.	Opposite
CONN.	Connection	OSB.	Oriented Strand Board
CONSTR.	Construction		
CONT.	Continuous	PRCST.	Pre-cast
CORR.	Corridor	PL.	Plate
CTSK.	Countersunk	P. LAM	Plastic Laminate
CNTR.	Counter	PLAS.	Plaster
CTR.	Center	PLYWD.	Plywood
		PR.	Pair
DBL.	Double	PT.	Point
DEPT.	Department	P.T.D.	Paper Towel Dispenser
D.F.	Drinking Fountain	P.T.D./R	Combination Paper Towel Dispenser & Receptacle
DET.	Detail		
DIA.	Diameter	PTN.	Partition
DIM.	Dimension	P	Paint
DISP.	Dispenser		
DN.	Down	Q.T.	Quarry Tile
D.O.	Door Opening		
DR.	Door	R.	Riser
DWR.	Drawer	RAD.	Radius
D.S.	Downspout	R.D.	Roof Drain
D.S.P.	Dry Standpipe	REF.	Reference
DWG.	Drawing	REFR.	Refrigerator
		RGTR.	Register
E.	East	REINF.	Reinforced
EA.	Each		Required
E.J.	Expansion Joint	RESIL.	Resilient
EL.	Elevation	RM.	Room
ELEC.	Electrical	R.O.	Rough Opening
ELEV.	Elevator	RSRW.	Resawn Redwood
EMER.	Emergency	R.W.L.	Rain Water Leader
ENCL.	Enclosure		
E.P.	Electrical Panel Board	S.	Stain
EQ.	Equal	S.C.	Solid Core
EQPT.	Equipment	S.C.D.	Seat Cover Dispenser
E.W.C.	Electric Water Cooler	SCHED.	Schedule
EXST.	Existing	S.D.	Soap Dispenser
EXPO.	Exposed	SECT.	Section
EXP.	Expansion	SH.	Shelf
EXT.	Exterior	SHT.	Sheet
		SIM.	Similar
F.A.	Fire Alarm	S.N.D.	Sanitary Napkin Dispenser
F.B.	Flat Bar	S.N.R.	Sanitary Napkin Receptacle
F.D.	Floor Drain	SPEC.	Specification
FDN.	Foundation	SQ.	Square
F.E.	Fire Extinguisher	S.S.D.	SEE STRUCTURAL DRAWINGS
F.E.C.	Fire Extinguisher Cab.	S.ST.	Stainless Steel
F.H.C.	Fire Hose Cabinet	S.SK.	Service Sink
FIN.	Finish	STA.	Station
FL.	Floor	S.T.D.	Standard
		STL.	Steel
FLASH.	Flashing	STOR.	Storage
FLUOR.	Fluorescent	STRL.	Structural
F.O.C.	Face of Concrete	SUSP.	Suspended
F.O.F.	Face of Finish	SYM.	Symmetrical
F.O.S.	Face of Studs		
FPRF.	Fireproof	TRD.	Tread
F.S.	NTS. Size	T.B.	Towel Bar
FT.	Foot or Feet	T.C.	Top of Curb
FTG.	Footing	TEL.	Telephone
FURR.	Furring	TER.	Terrazzo
FUT.	Future	T.& G.	Tongue & Groove
G.A.	Gauge	THK.	Thick
GALV.	Galvanized	T.P.	Top of Pavement
G.B.	Grab Bar	T.P.D.	Toilet Paper Dispenser
G/A.	Glass / Aluminum	T.V.	Television
GND.	Ground	T.W.	Top of Wall
GR.	Grade	TYP.	Typical
GSM.	Galvanized Sheet metal	W	WOOD
HM	Hollow Metal	WP.	WATER PROOF

PROJECT DATA

APN: 071-094-120

LOT: 4,694 SQ.FT

PLANNING ZONE: SP-ECR-D

OCCUPANCY TYPE: M -A2 (RESTAURANT)

CONSTRUCTION TYPE: V-B NON-SPRINKLERED (FIRE SPRINKLERS WILL BE INSTALLED)

NUMBER OF STORIES: ONE + MEZZANINE

BUILDING AREA:

GROUND FLOOR:	4,538,04 SF.
MEZZANINE:	1669,11 SF.
TOTAL	6,207,15 SF.

PROJECT SUITE AREA:

GROUND FLOOR:	3,811,21 SF.
MEZZANINE:	1,656,33 SF.
TOTAL	5,467,54 SF.

EXISTING GROSS FLOOR AREA = 6,207,15 SF.
PROPOSED GROSS FLOOR AREA: 6,192,96 SF.
EXISTING FAR: 1.32
PROPOSED FAR: 1.31
BUILDING HEIGHT: 21'-4"

PROJECT DESCRIPTION

THE PROJECT LOCATED AT 772 AND 780 SANTA CRUZ AVE CONSISTS OF RENOVATING AN EXISTING ONE-STORY WITH MEZZANINE COMMERCIAL BUILDING OF APPROXIMATELY 5,470 SQUARE FEET. THE BUILDING IS CURRENTLY DIVIDED INTO TWO EMPTY TENANT SPACES. THE PREVIOUS USES CONSISTED OF A RETAIL TENANT IN 780 AND A RESTAURANT LOCATED IN 772 SANTA CRUZ AVE. THE PURPOSE OF THE ENCLOSED APPLICATION IS TO CONSTRUCT A NEW RESTAURANT USE TO OCCUPY THE ENTIRE BUILDING, BOTH FIRST FLOOR AND MEZZANINE. THE IMPROVEMENTS WILL CONSIST OF AN APPROXIMATE 120 SEAT FULL SERVICE SEAFOOD RESTAURANT AND BAR. THE EXTERIOR DESIGN WILL INCORPORATE AN OPENING IN THE EXTERIOR WALL ALONG CRANE STREET TO PROVIDE FOR OUTDOOR SEATING. THE EXISTING EXTERIOR DESIGN OF CEMENT PLASTER PARAPET WALLS, FLAT OVERHANG CANOPIES, LOW BRICK PLANTERS, GLASS STOREFRONT AND THE CORNER PARAPET SIGN WILL REMAIN. THE CURRENT RETAIL TENANT AT THE BACK OF THE BUILDING, AT THE CORNER OF CRANE STREET AND RYAN'S LANE, WILL ALSO REMAIN.

SHEET INDEX

CS-1 COVER SHEET
A1-1 AREA PLAN
A1-2 STREETSCAPE ELEVATION
A1-3 PROPOSED SITE PLAN
A2-1 DEMOLITION GROUND FLOOR PLAN
A2.2 DEMOLITION MEZZANINE FLOOR PLAN
A2-3 EXISTING ELEVATIONS
A2-4 EXISTING ELEVATION
A3-1 PROPOSED GROUND FLOOR PLAN
A3-2 PROPOSED MEZZANINE FLOOR PLAN
A4-1 EXISTING / DEMOLITION ROOF PLAN
A4-2 PROPOSED ROOF PLAN
A5-1 PROPOSED EXTERIOR ELEVATIONS
A5-2 EXISTING EXTERIOR ELEVATION
A5-3 PROPOSED TRANSPARENCY DIAGRAMS
A5-4 SITE LINE DIAGRAM
A6-1 EXISTING BUILDING SECTIONS
A6-2 PROPOSED BUILDING SECTIONS
A6-3 PERSPECTIVE RENDERINGS
A6-4 COLOR AND MATERIALS BOARD
A6-5 EXISTING PHOTOGRAPHS
A7-1 EXISTING FLOOR AREA CALCULATIONS
A7-2 PROPOSED FLOOR AREA CALCULATIONS
T-1 TOPOGRAPHIC AND BOUNDARY SURVEY

APPLICABLE CODES

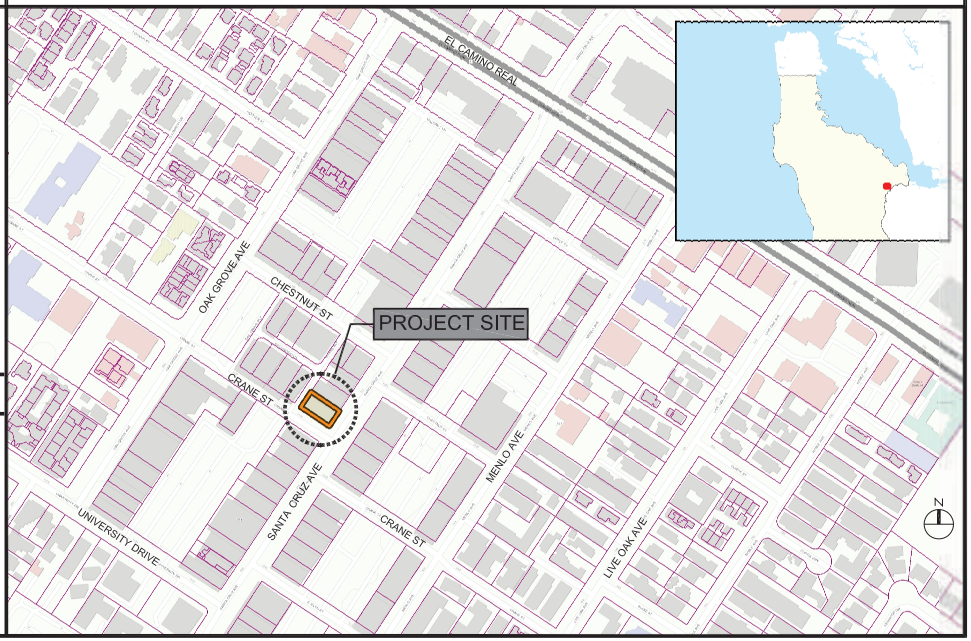
THE FOLLOWING BUILDING CODES AND STANDARDS:
2019 CALIFORNIA REFERENCED STANDARDS CODE (CCR TITLE 24,PART 12)
2019 CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE (CCR TITLE 24, PART 1)
2019 CALIFORNIA BUILDING CODE, VOLUMES 1 AND 2 (CCR TITLE 24, PART2)
2019 CALIFORNIA GREEN BUILDING STANDARDS (CCR TITLE 24, PART 11)
2019 CALIFORNIA ELECTRICAL CODE (BASED ON THE 2006 NATIONAL ELECTRICAL CODE)
2019 CALIFORNIA MECHANICAL CODE (BASED ON THE 2006 UNIFORM MECHANICAL CODE)
2019 CALIFORNIA PLUMBING CODE (BASED ON THE 2006 2206 UNIFORM PLUMBING CODE)
2019 CALIFORNIA ENERGY CODE (CCR TITLE 24, PART 6)
2019 CALIFORNIA RESIDENTIAL ENERGY STANDARDS (CCR TITLE 24, PARTS 1 AND 6)
2019 CALIFORNIA FIRE CODE (BASED ON THE INTERNATIONAL FIRE CODE)
2010 ADA STANDARDS FOR ACCESSIBLE DESIGN

SAN MATEO COUNTY LOCAL CODES
CITY OF MENLO PARK, CA. LOCAL CODES AND ORDINANCES

RENDERING



VICINITY MAP



CLARK'S MENLO PARK
772-780 SANTA CRUZ AVE
MENLO PARK, CA.

LAMBERT MCGUIRE
104 W ANNIE ST.
AUSTIN, TX 78704

The Hagman Group
Architecture And Planning
1155 Crane Street, #4
Menlo Park, CA 94025
408-241-1433

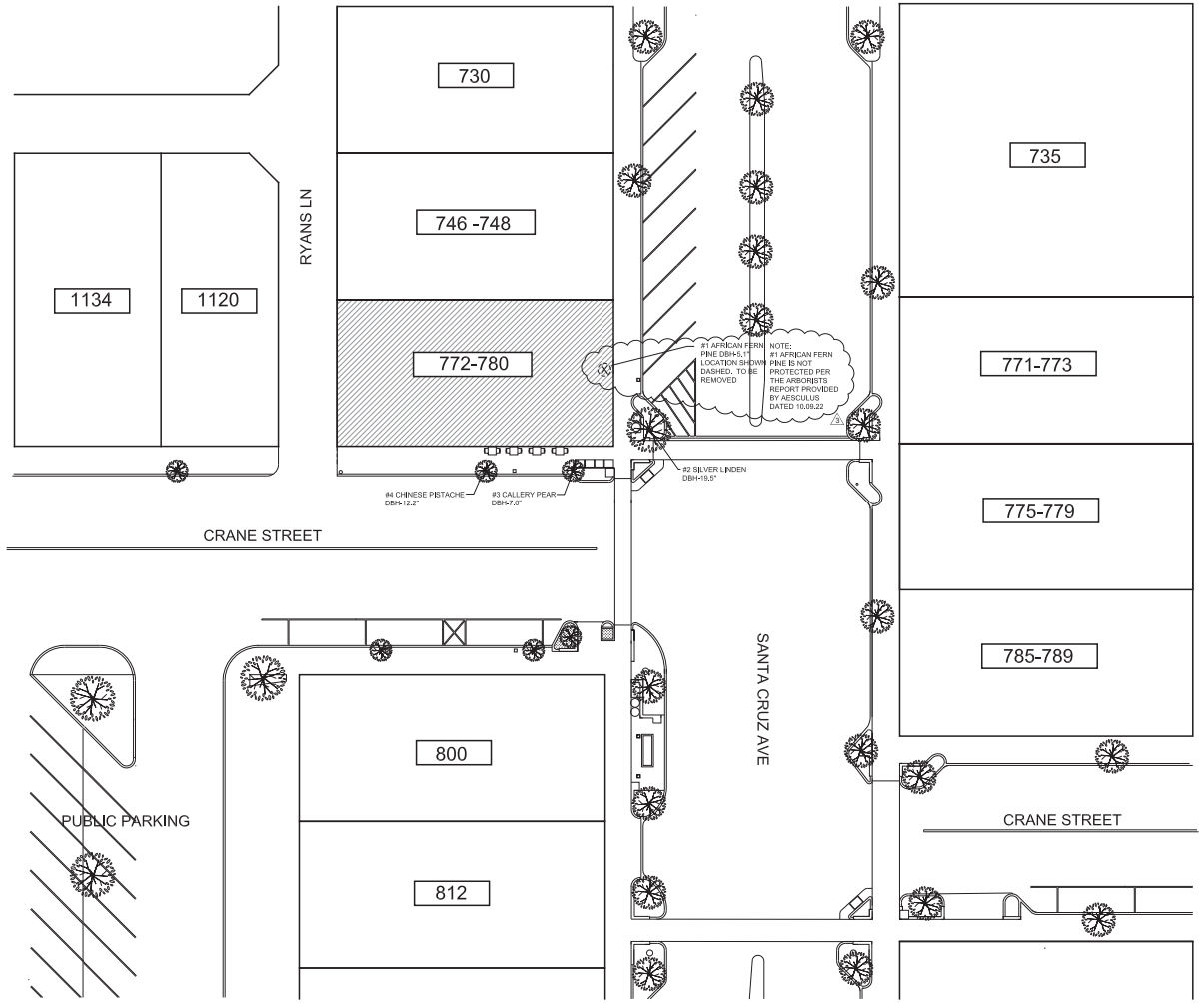
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1	PLANNING COMMENTS	06.27.22
2	PLANNING COMMENTS	09.16.22
3	PLANNING COMMENTS	11.01.22

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COVER SHEET

PROJECT NO: 2021-13
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CS-1



1 AREA PLAN
SCALE: 1"=20'-0"

GRAPHIC SCALE
0 20' 40'

REF. NORTH

CLARK'S MENLO PARK
772-780 SANTA CRUZ AVE
MENLO PARK, CA.

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104 W ANNIE ST.
AUSTIN, TX 78704

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3	PLANNING COMMENTS	11.01.22

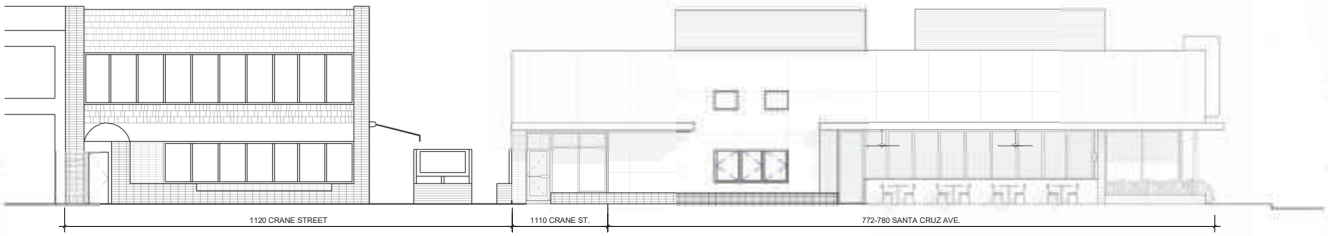
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AREA PLAN

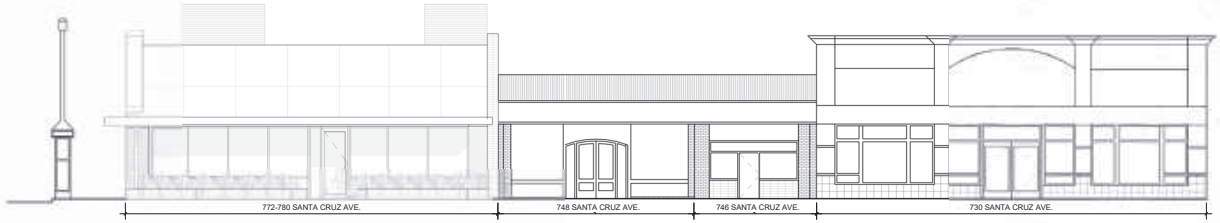
PROJECT NO: 2021-13
DATE : 03.27.22
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SHEET NO.
A1-1

D2



2 PROPOSED STREET ELEVATION - EAST
SCALE : 1/8" = 1'-0"



1 PROPOSED STREET ELEVATION - NORTH
SCALE : 1/8" = 1'-0"

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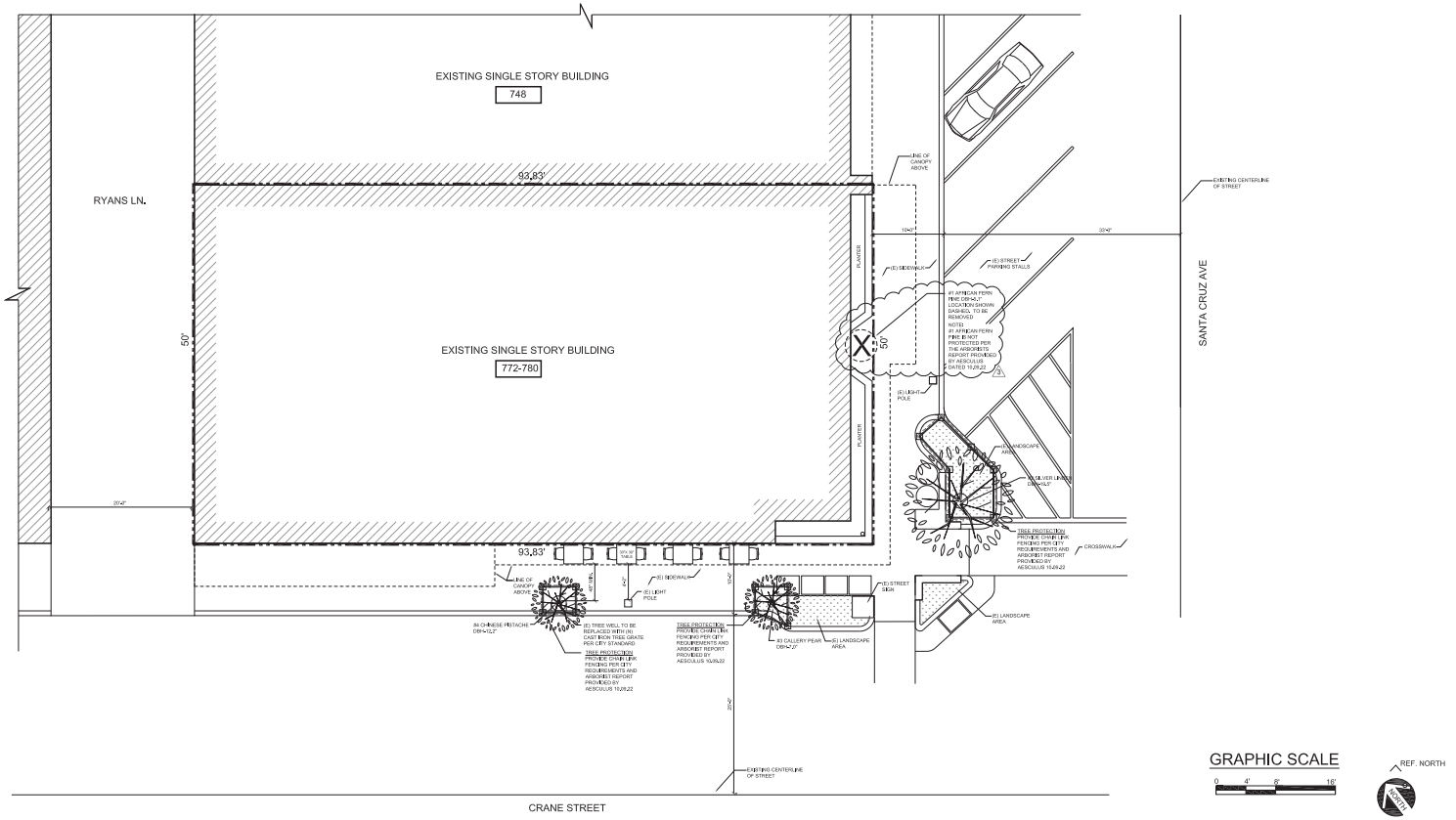
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1	PLANNING PERMIT	6/27/22
2	PLANNING COMMENTS	9/15/22
3	PLANNING COMMENTS	11/01/22

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STREETSCAPE ELEVATION

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D3



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

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1	PLANNING COMMENTS	06.27.22
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3	PLANNING COMMENTS	11.01.22

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PROPOSED
SITE PLAN

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D4

KEY - DEMO

TO BE DEMOLISHED

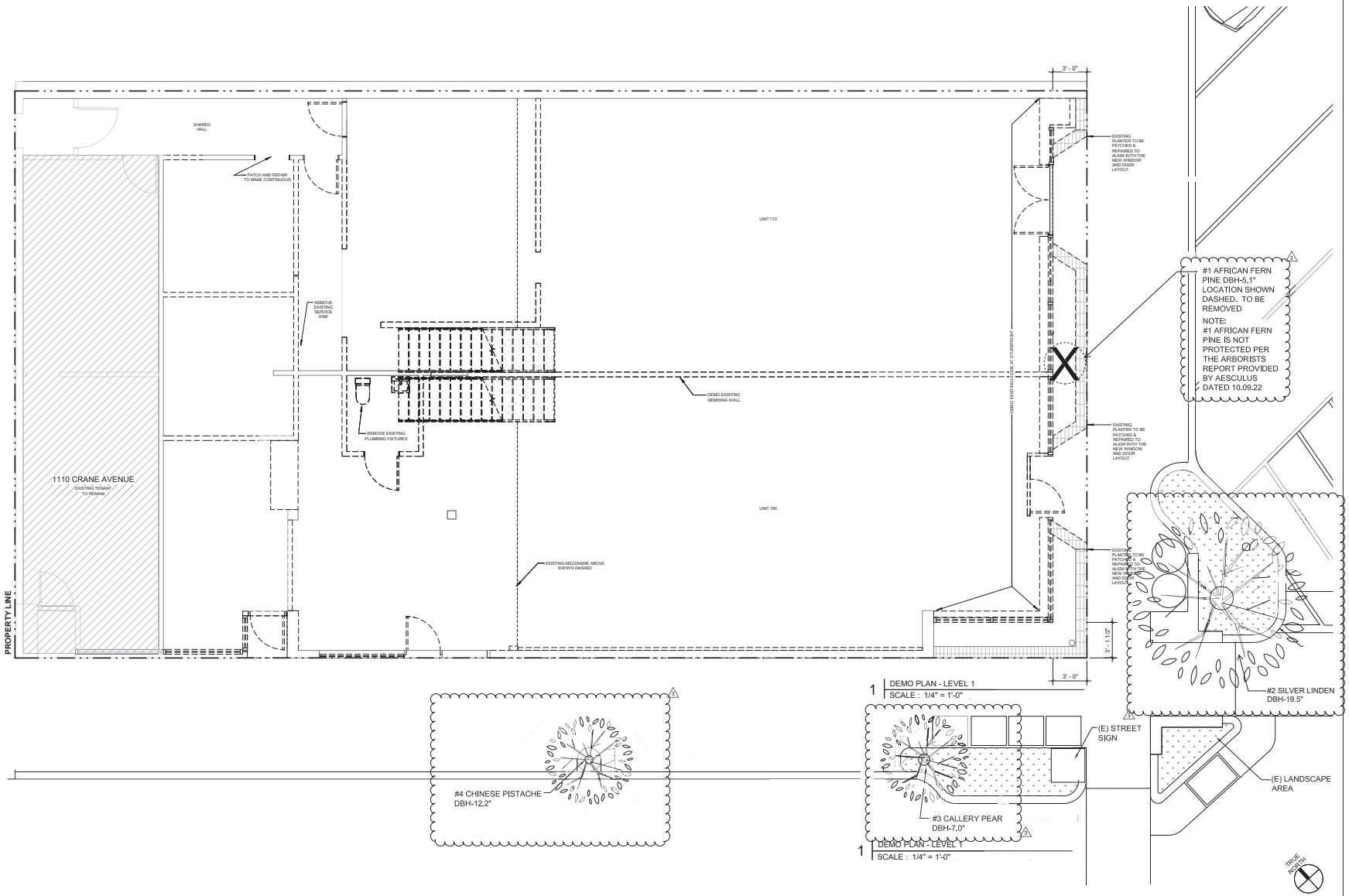
PROPERTY LINE

BRICK PLANTER

1110 CRANE AVENUE (NOT IN SCOPE)

GENERAL NOTES - DEMO

1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS. THESE DEMOLITION PLANS ARE PROVIDED FOR THE CONVENIENCE OF THE CONTRACTOR. THE DASHED LINES GENERALLY INDICATE THOSE BUILDING ELEMENTS WHICH MUST BE DEMOLISHED TO COMPLETE THE WORK. CONTRACTOR SHALL REMOVE FINISHES AND COMPONENTS AS REQUIRED TO COMPLETE THE NEW WORK WHETHER OR NOT SUCH REMOVAL IS SPECIFICALLY NOTED HEREIN.
2. PROTECT EXISTING ITEMS, MATERIALS, AND / OR FINISHES ARE TO REMAIN FROM DAMAGE.
3. NOTIFY ARCHITECT IF EXISTING CONDITIONS DEVIATE FROM THAT SHOWN PRIOR TO EXECUTING WORK.
4. DIMENSIONS IN RENOVATED AREA ARE FROM FINISH FACE OF EXISTING WALL AND TO FACE OF STUD OF PARTITION WALLS, UNLESS OTHERWISE INDICATED.
5. REPAIR DAMAGE TO OR HOLES IN EXISTING PARTITIONS TO REMAIN ARISING FROM DEMOLITION OPERATIONS. PREPARE REPAIRED AREAS TO RECEIVE NEW SCHEDULED FINISHES.



1 DEMO PLAN - LEVEL 1
SCALE : 1/4" = 1'-0"

1 DEMO PLAN - LEVEL 1
SCALE : 1/4" = 1'-0"

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MENLO PARK, CA.

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1	PLANNING PERMIT	6/27/22
3	PLANNING COMMENTS	11/01/22

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DEMOLITION GROUND FLOOR PLAN

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DATE : 03.27.22	A2-1
DRAWN :	
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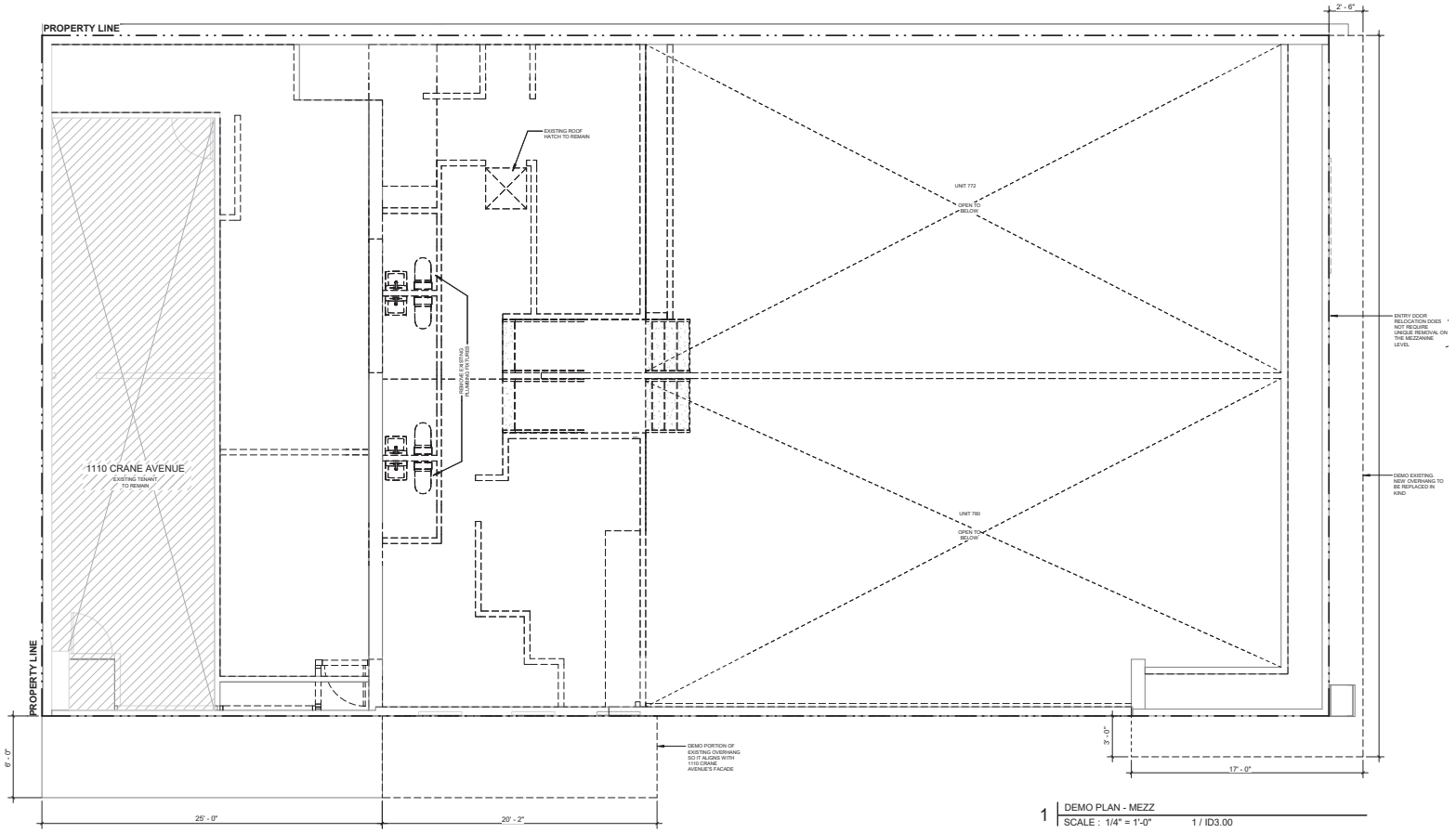
D5

KEY - DEMO

- TO BE DEMOLISHED
- PROPERTY LINE
- BRICK PLANTER
- 1110 CRANE AVENUE (NOT IN SCOPE)

GENERAL NOTES - DEMO

1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS. THESE DEMOLITION PLANS ARE PROVIDED FOR THE CONVENIENCE OF THE CONTRACTOR. THE DASHED LINES GENERALLY INDICATE THOSE BUILDING ELEMENTS WHICH MUST BE DEMOLISHED TO COMPLETE THE WORK. CONTRACTOR SHALL REMOVE FINISHES AND COMPONENTS AS REQUIRED TO COMPLETE THE NEW WORK WHETHER OR NOT SUCH REMOVAL IS SPECIFICALLY NOTED HEREIN.
2. PROTECT EXISTING ITEMS, MATERIALS, AND / OR FINISHES ARE TO REMAIN FROM DAMAGE.
3. NOTIFY ARCHITECT IF EXISTING CONDITIONS DEVIATE FROM THAT SHOWN PRIOR TO EXECUTING WORK.
4. DIMENSIONS IN RENOVATED AREA ARE FROM FINISH FACE OF EXISTING WALL AND TO FACE OF STUD OF PARTITION WALLS, UNLESS OTHERWISE INDICATED.
5. REPAIR DAMAGE TO OR HOLES IN EXISTING PARTITIONS TO REMAIN ARISING FROM DEMOLITION OPERATIONS. PREPARE REPAIRED AREAS TO RECEIVE NEW SCHEDULED FINISHES.



1 DEMO PLAN - MEZZ
SCALE : 1/4" = 1'-0" 1 / ID3.00

TRUE NORTH

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MENLO PARK, CA.

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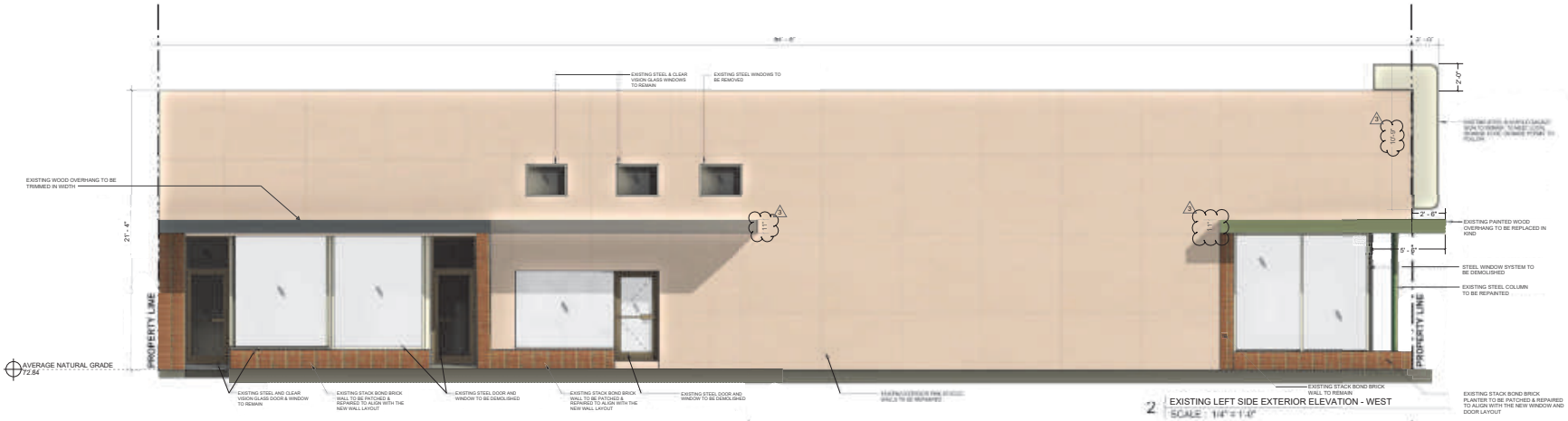
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Menlo Park, CA 94025
408-241-1493

NO	DESCRIPTION	DATE
1	PLANNING PERMIT	6/27/22

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DEMOLITION MEZZANINE FLOOR PLAN

PROJECT NO: 2021-13	SHEET NO.
DATE : 03.27.22	A2-2
DRAWN:	
CHECK :	



2 EXISTING LEFT SIDE EXTERIOR ELEVATION - WEST
SCALE : 1/4" = 1'-0"



1 EXISTING FRONT EXTERIOR ELEVATION - SOUTH
SCALE : 1/4" = 1'-0"

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AUSTIN, TX 78704

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Architecture And Planning
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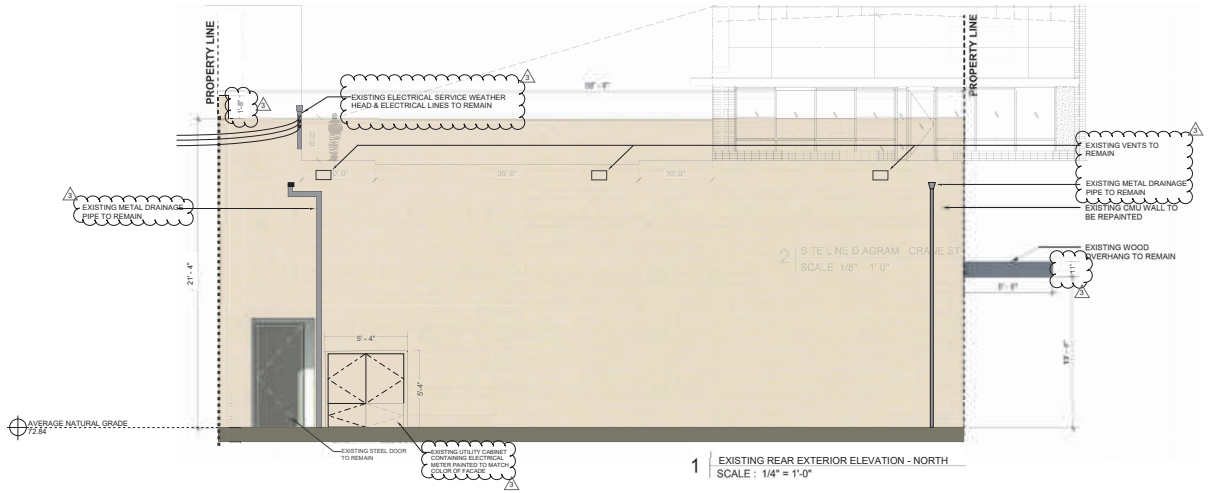
NO	DESCRIPTION	DATE
1	PLANNING PERMIT	6/27/22
2	PLANNING COMMENTS	9/15/22
3	PLANNING COMMENTS	11/01/22

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EXISTING ELEVATIONS

PROJECT NO: 2021.13
DATE : 03.27.22
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CHECK :

SHEET NO.
A2-3



1 EXISTING REAR EXTERIOR ELEVATION - NORTH
SCALE : 1/4" = 1'-0"

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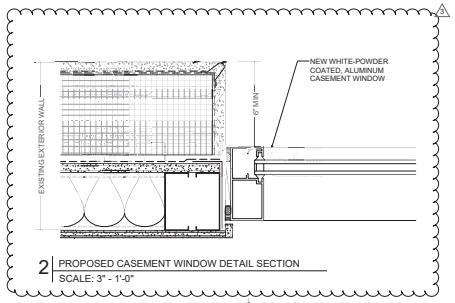
Architecture And Planning
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408-241-1433

NO	DESCRIPTION	DATE
1	PLANNING COMMENTS	06.27.22
2	PLANNING COMMENTS	09.16.22
3	PLANNING COMMENTS	11.01.22

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EXISTING EXTERIOR ELEVATION

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DATE : 03.27.22	A2-4
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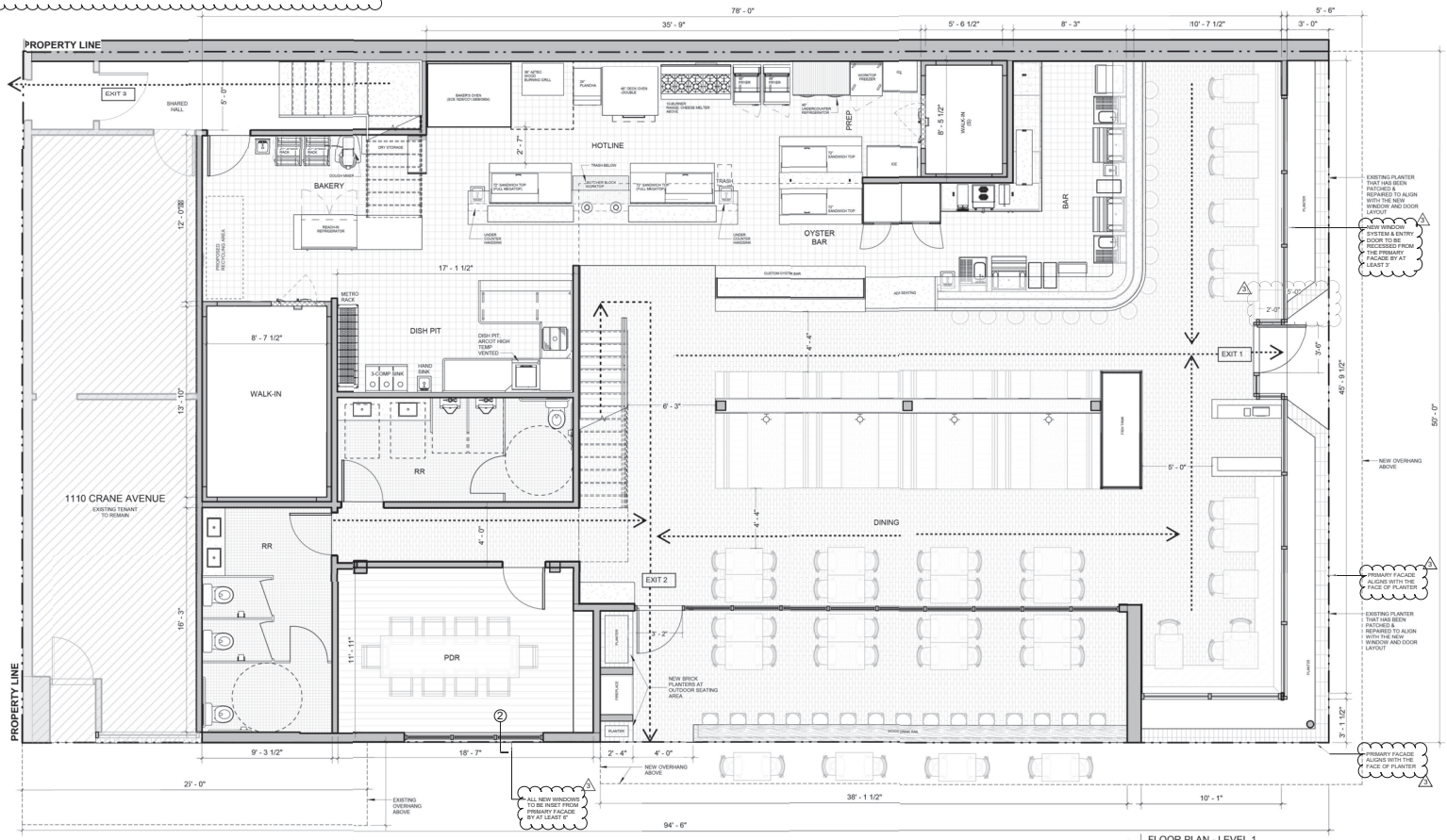
2 PROPOSED CASEMENT WINDOW DETAIL SECTION
SCALE: 3" - 1'-0"

GENERAL NOTES - FLOOR PLAN

1.

2.

3. ALL DIMENSIONS ARE TO FACE OF FINISH UNLESS NOTED OTHERWISE.



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

TRUE NORTH

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MENLO PARK, CA.

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1	PLANNING PERMIT	6/27/22
2	PLANNING COMMENTS	8/18/2
3	PLANNING COMMENTS	11/01/22

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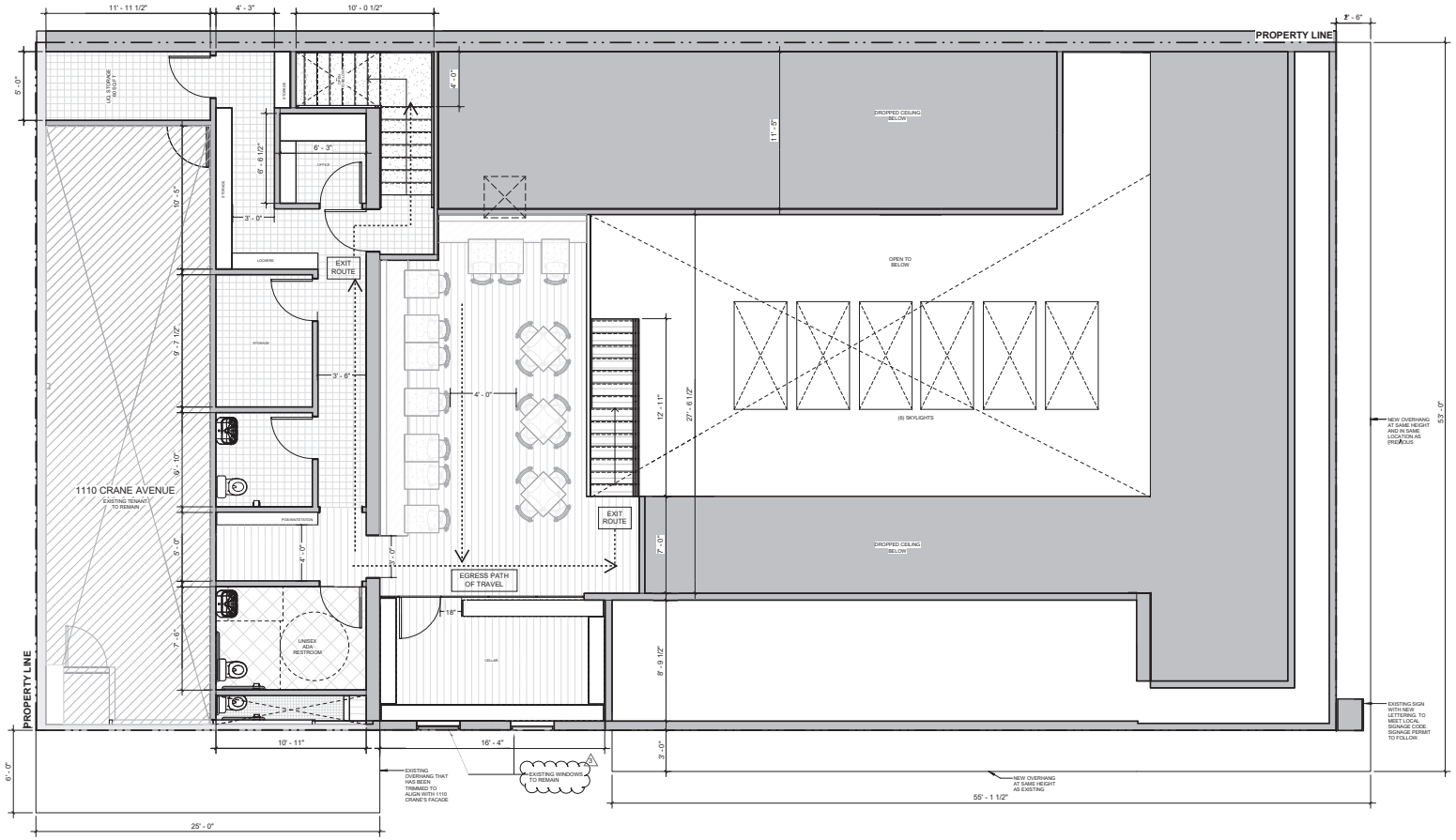
PROPOSED GROUND FLOOR PLAN

PROJECT NO: 2021-13	SHEET NO.
DATE : 03.27.22	A3-1
DRAWN :	
CHECK :	

D9

GENERAL NOTES - FLOOR PLAN

1. DIMENSIONS ARE TO GRID LINE, FACE OF STUD, FACE OF CONCRETE, AND CENTERLINE OF DOOR OPENINGS, UNLESS NOTED OTHERWISE. DIMENSIONS NOTED AS "CLR" MUST BE PRECISELY MAINTAINED. DIMENSIONS ARE NOT ADJUSTABLE WITHOUT ARCHITECT'S APPROVAL UNLESS NOTED AS "+/-". VERIFY DIMENSIONS MARKED "V.I.F." PRIOR TO COMMENCEMENT OF WORK. DRAWINGS ARE NOT TO BE SCALED. WHERE ITEMS ARE INDICATED/DETAILED/NOTED, "ALIGN" SHALL MEAN TO ACCURATELY LOCATE FINISH FACES IN THE SAME PLANE.
2. FURNITURE LAYOUT IS FOR "REFERENCE" ONLY.
3. ALL NEW WINDOWS/STOREFRONTS TO BE RECESSED AT LEAST SIX INCHES.



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

TRUE NORTH

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772-780 SANTA CRUZ AVE
MENLO PARK, CA.

LAMBERT MCGUIRE

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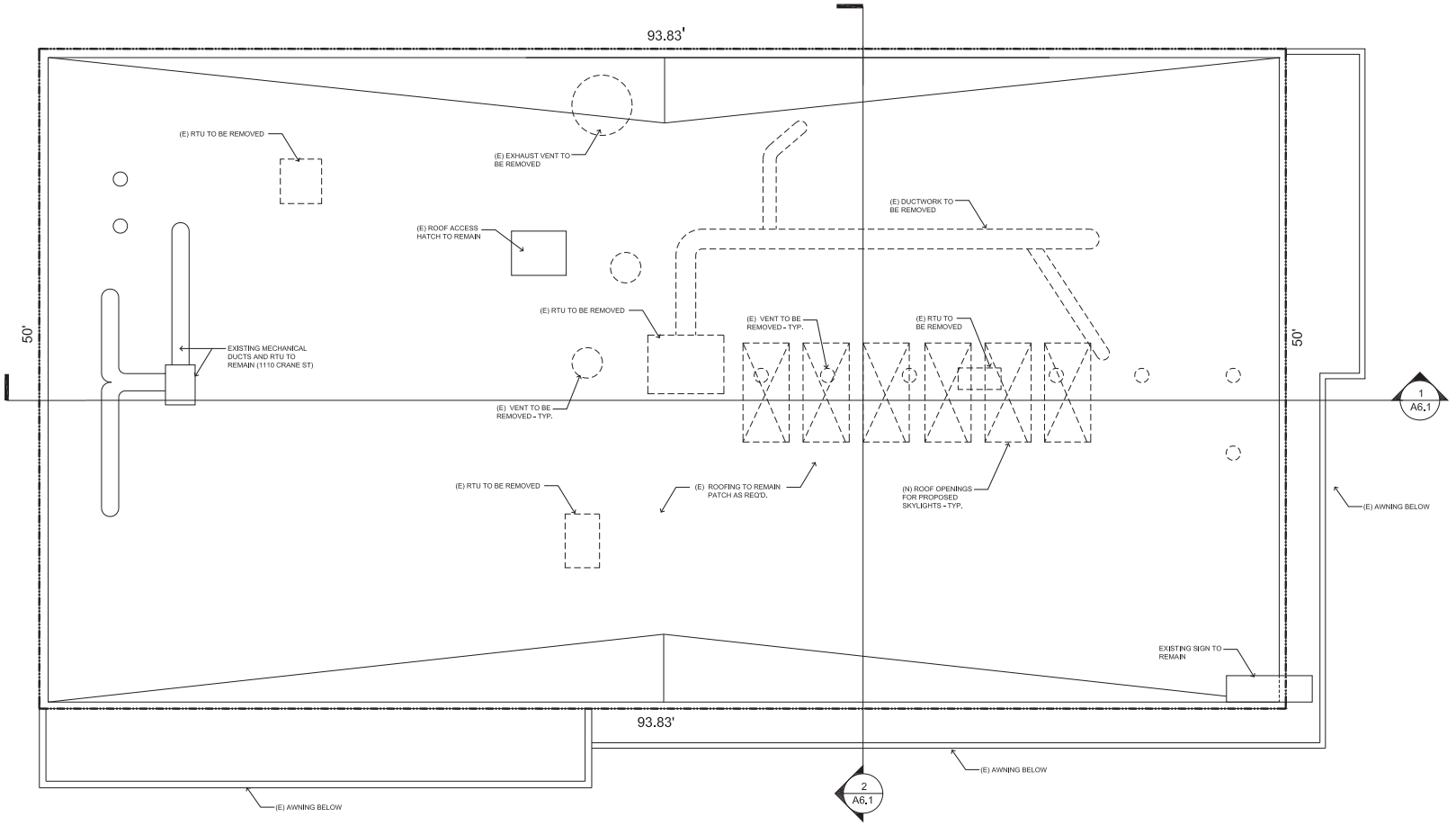
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1	PLANNING PERMIT	6/27/22
2	PLANNING COMMENTS	9/16/22
3	PLANNING COMMENTS	11/01/22

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PROPOSED MEZZANINE FLOOR PLAN

PROJECT NO: 2021-13	SHEET NO.
DATE : 03.27.22	A3-2
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D10



1 EXISTING / DEMOLITION ROOF PLAN
SCALE: 1/4" = 1'-0"

REF. NORTH

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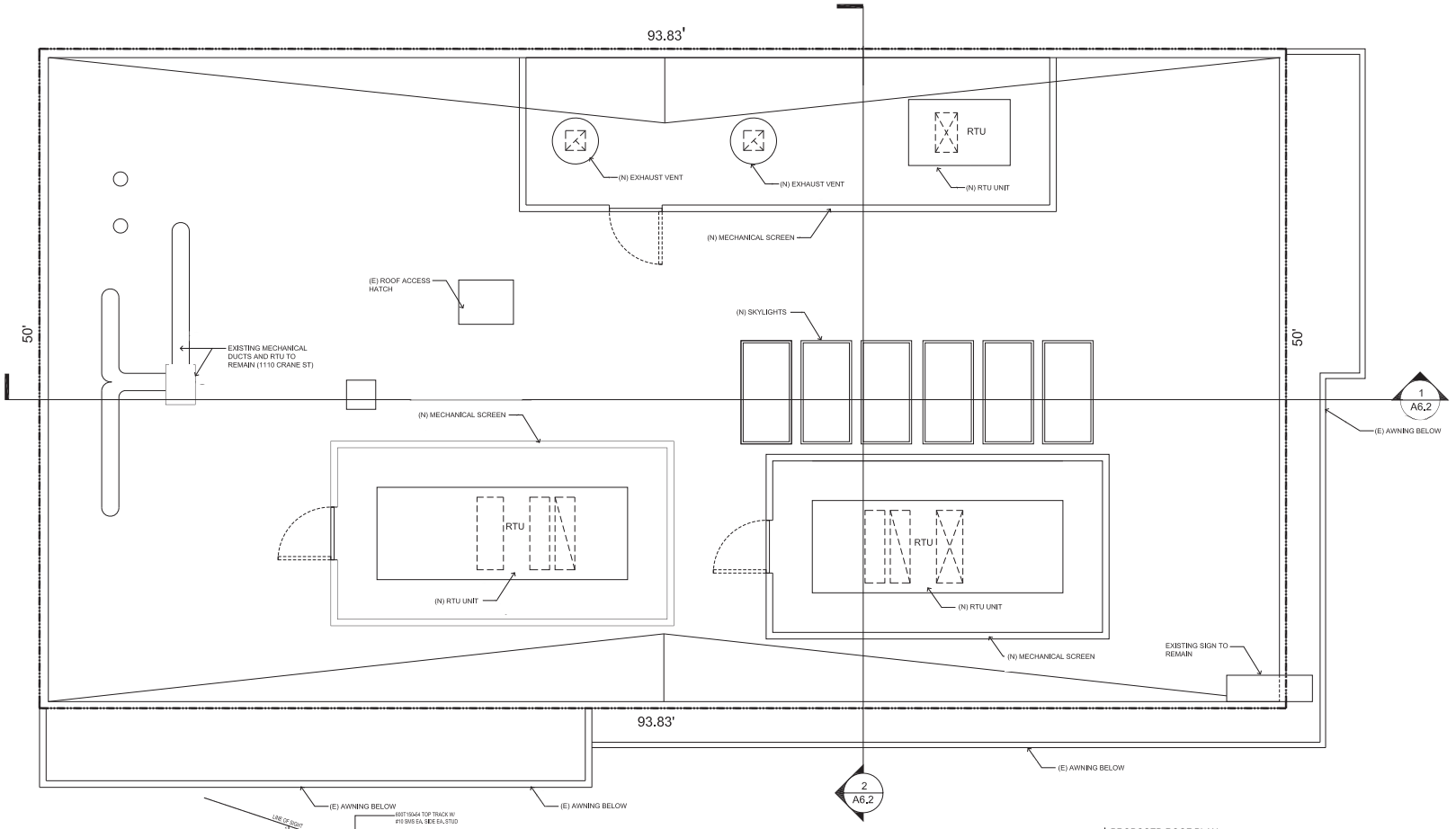
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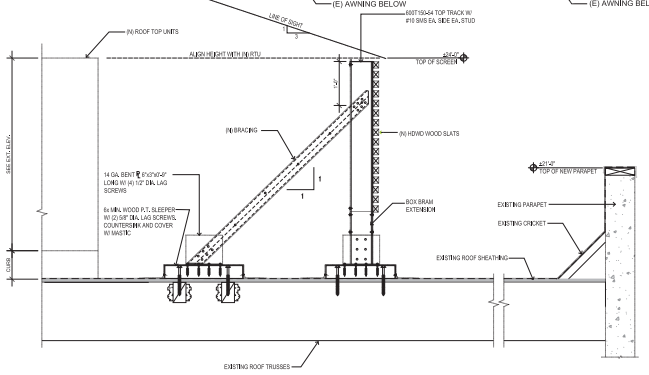
EXISTING DEMOLITION ROOF PLAN

PROJECT NO: 2021-13	SHEET NO.
DATE : 03.27.22	A4-1
DRAWN:	
CHECK :	

D11



1 PROPOSED ROOF PLAN
SCALE: 1/4" = 1'-0"



2 MECHANICAL SCREEN DETAIL
SCALE: 1/4" = 1'-0"

REF. NORTH

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772-780 SANTA CRUZ AVE
MENLO PARK, CA.

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1	PLANNING COMMENTS	06.27.22
2	PLANNING COMMENTS	09.15.22

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PROPOSED ROOF PLAN

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DATE : 03.27.22	A4-2
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D12



2 PROPOSED LEFT SIDE EXTERIOR ELEVATION - WEST
SCALE : 1/4" = 1'-0"



1 PROPOSED FRONT EXTERIOR ELEVATION - SOUTH
SCALE : 1/4" = 1'-0"

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MENLO PARK, CA.

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104 W ANNIE ST.
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NO.	DESCRIPTION	DATE
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2	PLANNING COMMENTS	9/16/22
3	PLANNING COMMENTS	11/01/22

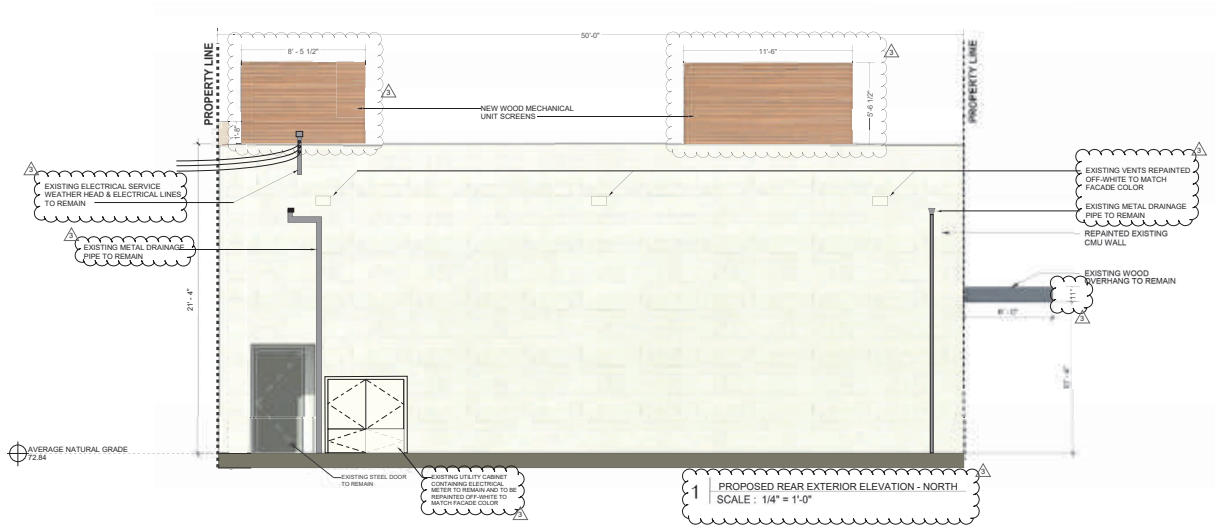
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PROPOSED EXTERIOR ELEVATIONS

PROJECT NO: 2021-13
DATE : 06.27.22
DRAWN :
CHECK :

SHEET NO.
A5-1

D13



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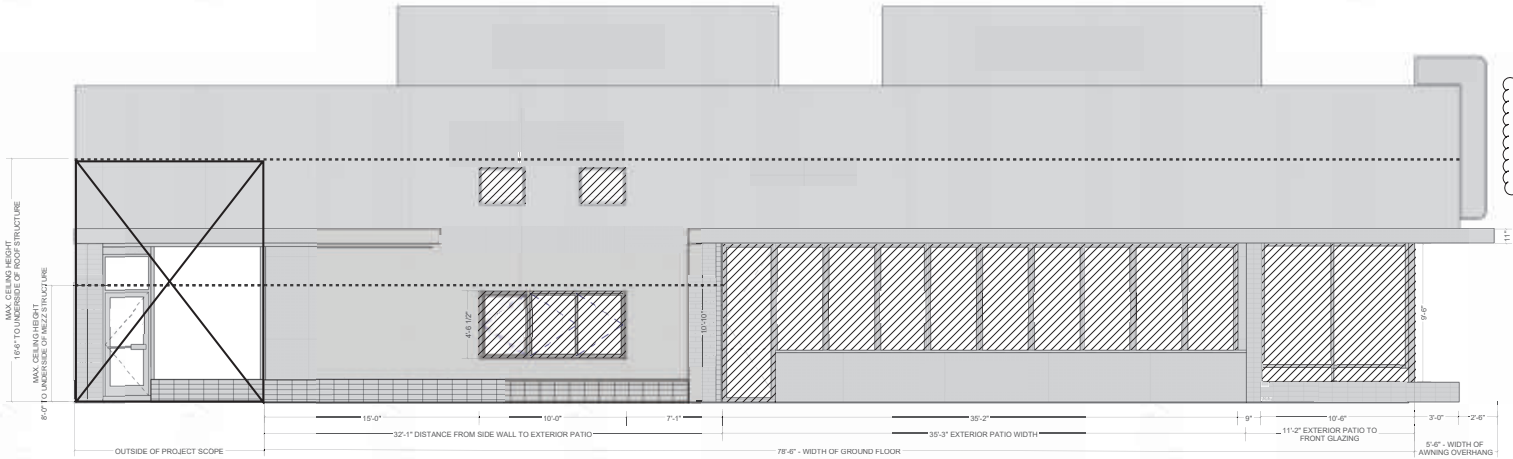
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NO	DESCRIPTION	DATE
2	PLANNING COMMENTS	9/16/22
3	PLANNING COMMENTS	11/01/22

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PROPOSED EXTERIOR ELEVATION

PROJECT NO: 2021-13	SHEET NO.
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FACADE DIAGRAM TOTALS:

LOWER FACADE AREA = 1040 SF

GROUND FLOOR GLAZING = 526 SF

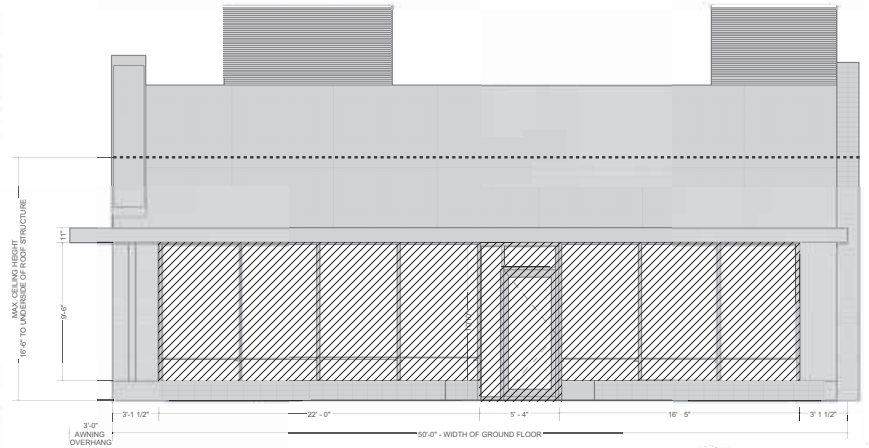
GROUND FLOOR TRANSPARENCY = 52%

2 PROPOSED LEFT SIDE EXTERIOR ELEVATION - WEST
SCALE : 1/4" = 1'-0"

TRANSPARENCY CALCULATION

PER MENLO PARK EL CAMINO REAL / DOWNTOWN SPECIFIC PLAN E3.5.02, "GROUND FLOOR COMMERCIAL BUILDINGS SHALL HAVE A MINIMUM OF 50% TRANSPARENCY FOR RETAIL USES, OFFICE USES, AND LOBBIES TO ENHANCE THE VISUAL EXPERIENCE FROM THE SIDEWALK AND STREET. HEAVILY TINTED OR MIRRORED GLASS SHALL NOT BE PERMITTED."

NOTE: HATCHED GLAZING IN ELEVATION ARE TO BE VISION GLAZING COMPLYING WITH STANDARDS E.3.5.02 AND E3.5.16



FACADE DIAGRAM TOTALS:

LOWER FACADE AREA = 825 SF

GROUND FLOOR GLAZING = 423 SF

GROUND FLOOR TRANSPARENCY = 51%

1 PROPOSED FRONT EXTERIOR ELEVATION - SOUTH
SCALE : 1/4" = 1'-0"

CLARK'S MENLO PARK
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MENLO PARK, CA.

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184 W ANNIE ST.
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Menlo Park, CA 94025
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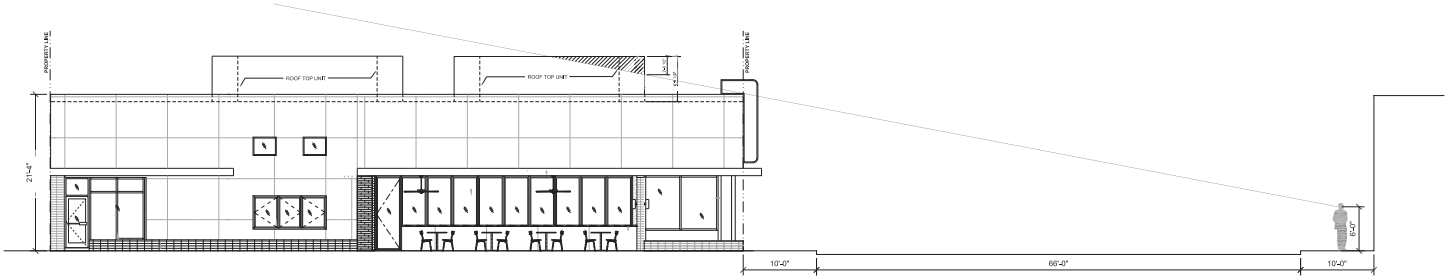
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3	PLANNING COMMENTS	11/01/22

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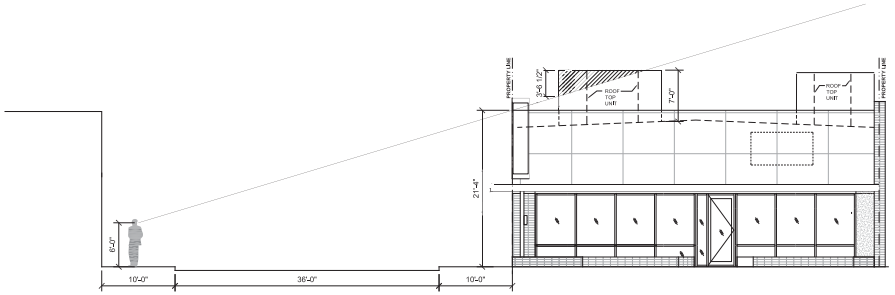
PROPOSED TRANSPARENCY DIAGRAMS

PROJECT NO: 2021-13
DATE : 03.27.22
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CHECK :

SHEET NO.
A5-3



1 SITE LINE DIAGRAM - SANTA CRUZ AVE
SCALE: 1/8" = 1'-0"



2 SITE LINE DIAGRAM - CRANE ST.
SCALE: 1/8" = 1'-0"

CLARK'S MENLO PARK
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MENLO PARK, CA.

LAMBERT MCGUIRE
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AUSTIN, TX 78704

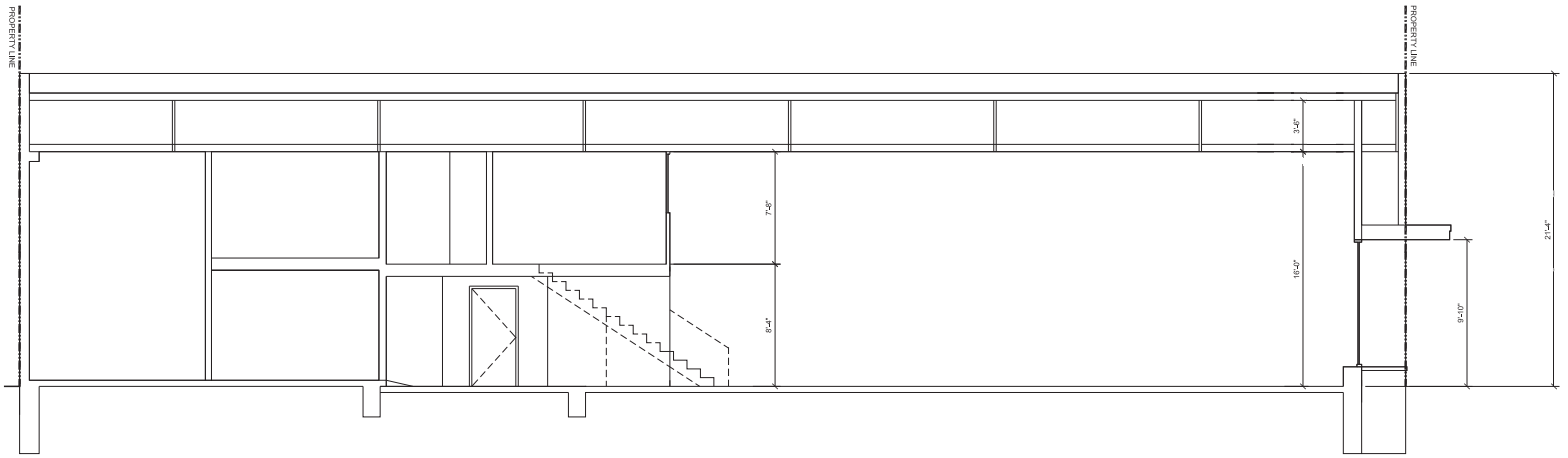
The Hagman Group
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1155 Crane Street, #4
Menlo Park, CA 94025
408-241-1433

NO	DESCRIPTION	DATE
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2	PLANNING COMMENTS	09.15.22

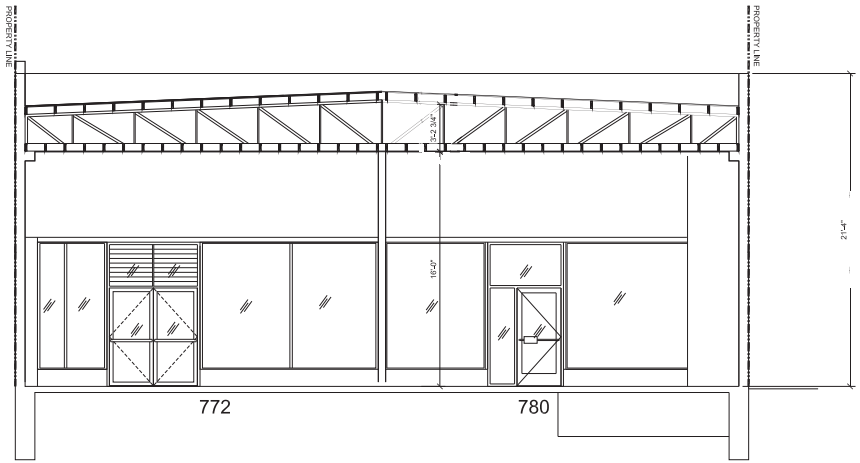
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LINE OF
SITE DIAGRAM

PROJECT NO: 2021-13	SHEET NO.
DATE : 03.27.22	A5-4
DRAWN:	
CHECK :	



1 PROPOSED BUILDING SECTION
SCALE: 1/4" = 1'-0"



2 PROPOSED BUILDING SECTION
SCALE: 1/4" = 1'-0"

CLARK'S MENLO PARK
772-780 SANTA CRUZ AVE
MENLO PARK, CA.

LAMBERT MCGUIRE
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AUSTIN, TX 78704

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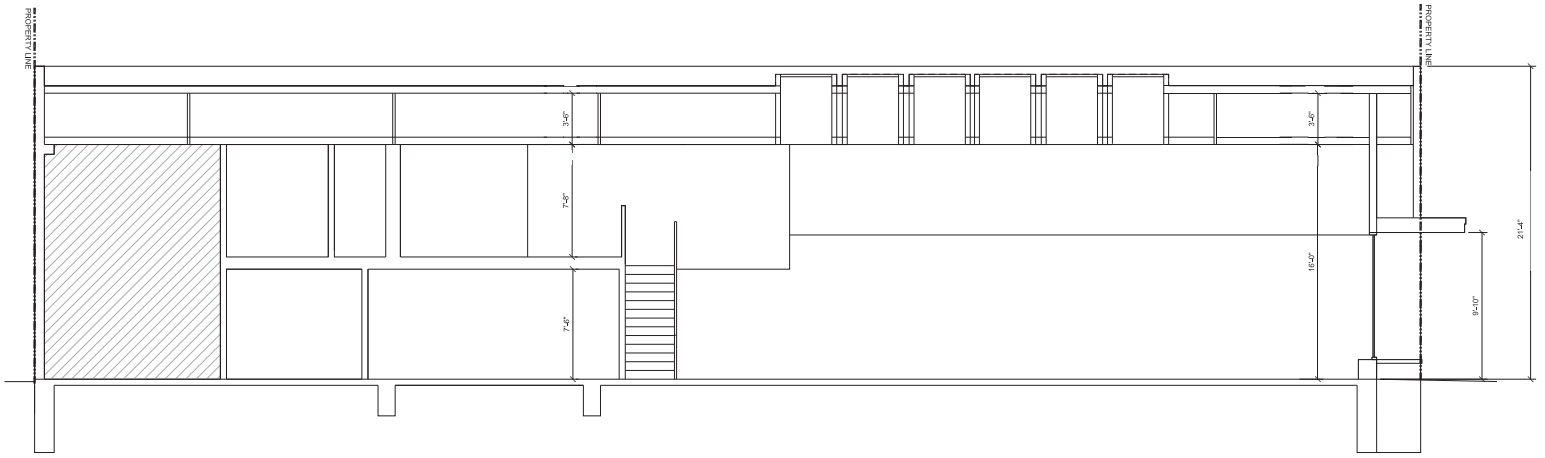
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2	PLANNING COMMENTS	09.12.22

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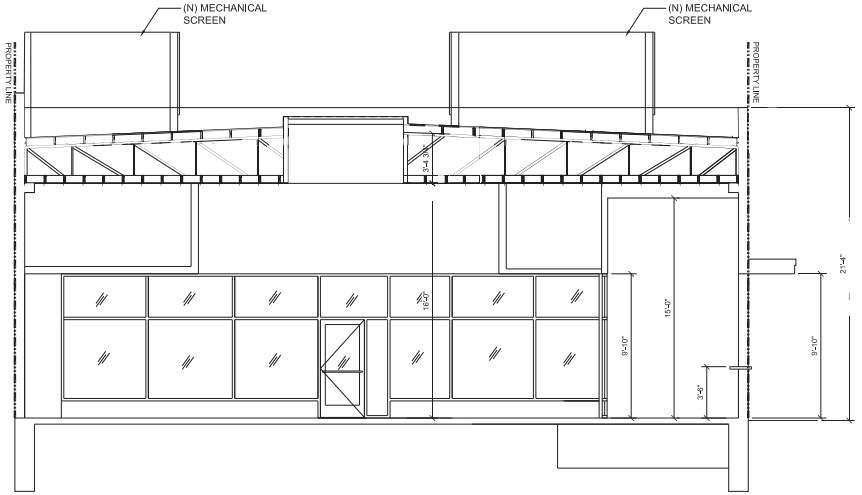
EXISTING BUILDING SECTIONS

PROJECT NO: 2021-13	SHEET NO.
DATE : 03.27.22	A6-1
DRAWN:	
CHECK :	

D17



1 PROPOSED BUILDING SECTION
SCALE: 1/4" = 1'-0"



2 PROPOSED BUILDING SECTION
SCALE: 1/4" = 1'-0"

CLARK'S MENLO PARK
772-780 SANTA CRUZ AVE
MENLO PARK, CA.

LAMBERT MCGUIRE
104 W ANNIE ST.
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NO	DESCRIPTION	DATE
1	PLANNING COMMENTS	06.27.22
2	PLANNING COMMENTS	09.12.22

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PROPOSED BUILDING SECTIONS

PROJECT NO: 2021-13	SHEET NO.
DATE : 03.27.22	A6-2
DRAWN:	
CHECK :	



2 ENTRY PERSPECTIVE
SCALE :



1 EXTERIOR PERSPECTIVE
SCALE :

CLARK'S MENLO PARK
772-780 SANTA CRUZ AVE
MENLO PARK, CA.

LAMBERT MCGUIRE

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408-241-1493

NO	DESCRIPTION	DATE
2	PLANNING COMMENTS	9/16/22

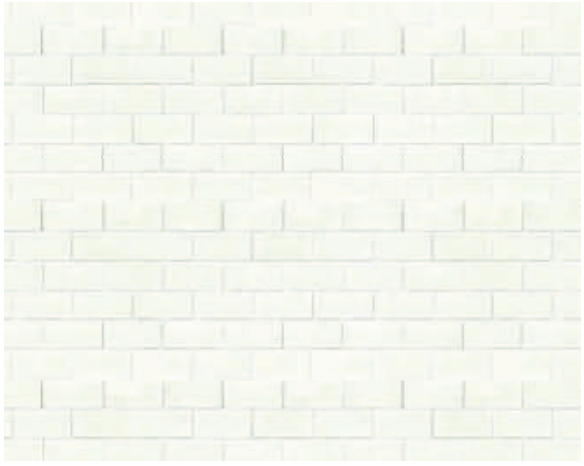
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PERSPECTIVE RENDERINGS

PROJECT NO: 2021-13	SHEET NO.
DATE : 03.27.22	A6-3
DRAWN :	
CHECK :	



OFF-WHITE PAINTED STUCCO



OFF-WHITE PAINTED CMU



STACK BOND BRICK



PAINTED GREEN WOOD OVERHANG

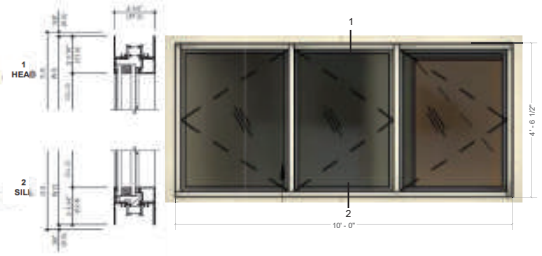


CLEAR VISION GLASS

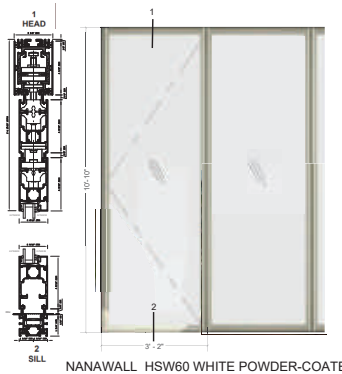


WHITE POWDER-COATED ALUMINUM STOREFRONT

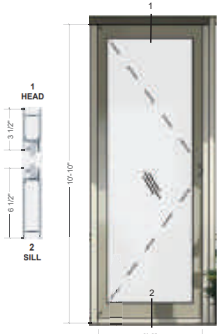
WHITE POWDER-COATED STOREFRONT AND DOORS



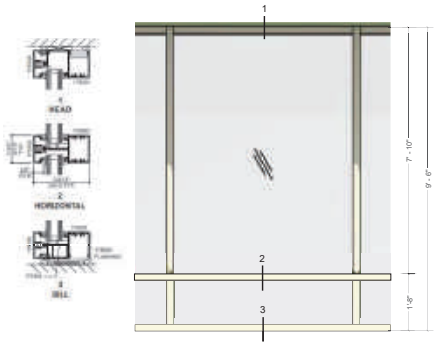
KAWNEER SLIMLINE WHITE POWDER-COATED ALUMINUM CASEMENT WINDOW



NANAWALL HSW60 WHITE POWDER-COATED ALUMINUM SLIDING GLASS STOREFRONT WALL AT EXTERIOR PATIO



KAWNEER 350/500 WHITE POWDER-COATED ALUMINUM ENTRY DOOR



KAWNEER ENCORE WHITE POWDER-COATED ALUMINUM STOREFRONT SYSTEM

CLARK'S MENLO PARK
772-780 SANTA CRUZ AVE
MENLO PARK, CA.

LAMBERT MCGUIRE
184 W ANNIE ST.
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1105 Crane Street, #4
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NO	DESCRIPTION	DATE
2	PLANNING COMMENTS	9/16/22
3	PLANNING COMMENTS	11/01/22

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COLOR AND MATERIALS BOARD

PROJECT NO: 2021-13
DATE : 03.27.22
DRAWN :
CHECK :

SHEET NO.
A6-4



772, 780 SANTA CRUZ AVE



748, 746 SANTA CRUZ AVE



730 SANTA CRUZ AVE



820, 816, 812, 800 SANTA CRUZ AVE



812, 800 SANTA CRUZ AVE



771, 773, 781, 775 SANTA CRUZ AVE



777, 779, 781, 785, 789 SANTA CRUZ AVE



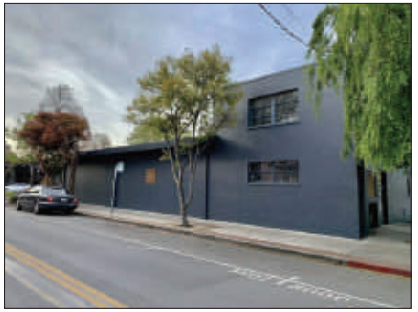
780 SANTA CRUZ AVE



1120 CRANE STREET



800 CRANE STREET



800 CRANE STREET

CLARK'S MENLO PARK
772-780 SANTA CRUZ AVE
MENLO PARK, CA.

LAMBERT MCGUIRE

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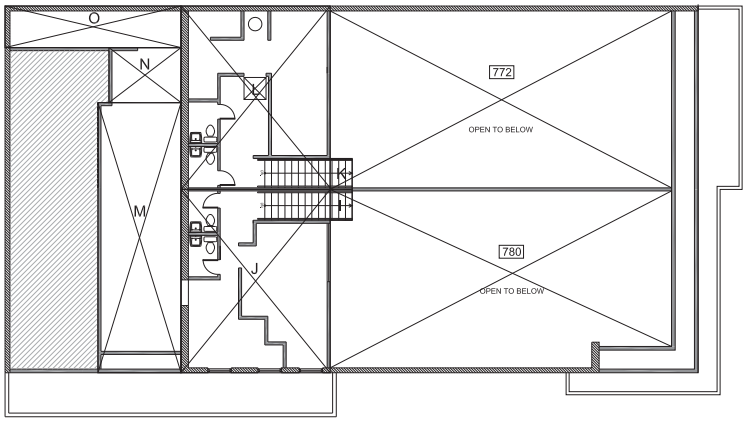
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2	PLANNING COMMENTS	09.15.22

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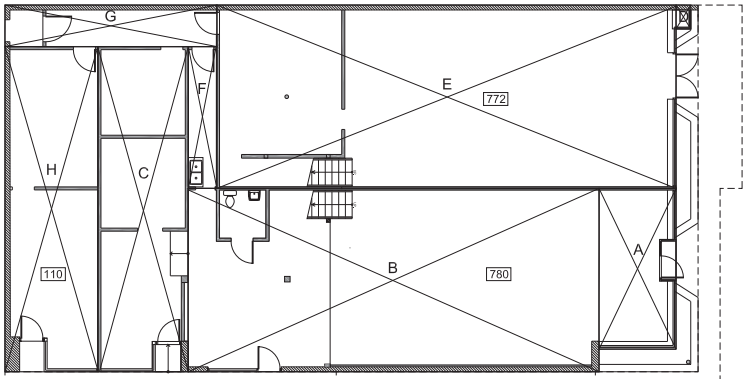
EXISTING PHOTOGRAPHS

PROJECT NO: 2021-13	SHEET NO. A6-5
DATE : 03.27.22	
DRAWN:	
CHECK :	

D21



2 EXISTING MEZZANINE PLAN
SCALE: 1/8" = 1'-0"



1 EXISTING GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

EXISTING FLOOR AREA

LOT AREA = 4,694 SF
GROSS FLOOR AREA = 6,207.15 SF

FAR =1.32 (2.0 MAX ALLOWED - 9,338 SF)

SUITE 780 - GROUND FLOOR

A - 10'-6" X 21'-11"	230.13 SF
B - 56'-0" X 25'-0"	1,400.00 SF
C - 12'-1" X 44'-4"	535.69 SF
F - 3'-11" X 19'-4"	75.72 SF
TOTAL	2,241.54 SF

SUITE 780 - MEZZANINE

I - 3'-0"X4'-2-1/2"	12.63 SF
J - 20'-4" X 25'-0"	506.33 SF
M - 11'-4" X 36'-10"	417.44 SF
N - 9'-10" X 7'-6"	73.75 SF
O - 24'-0" X 5'-8"	136.00 SF
TOTAL	1,148.15 SF

TOTAL AREA	3,389.69 SF

SUITE 772 - GROUND FLOOR

D - 2'-0" X 3'-3"	6.5 SF
E - 25'-0" X 62'-7"	1,564.58 SF
TOTAL	1,571.08 SF

SUITE 772 - MEZZANINE

K - 3'-0"X4'-3-1/2"	12.63 SF
L - 20'-4" X 25'-0"	508.33 SF
TOTAL	520.96 SF

TOTAL AREA	2,092.04 SF

GROUND FLOOR COMMON AREA

G - 28'-11" X 5'-8"	163.86 SF

1110 CRANE ST.

H - 12'-8" X 44'-4"	561.56 SF

TOTAL BUILDING AREA	6,207.15 SF

REF. NORTH

CLARK'S MENLO PARK
772-780 SANTA CRUZ AVE
MENLO PARK, CA.

LAMBERT MCGUIRE

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AUSTIN, TX 78704

The Hagman Group

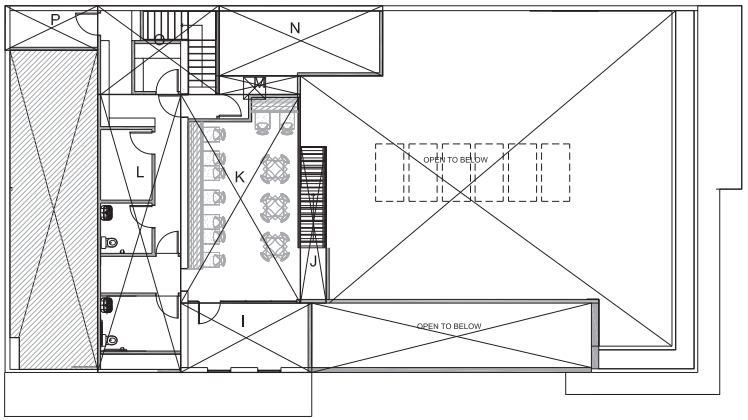
Architecture And Planning
1155 Crane Street, #4
Menlo Park, CA 94025
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NO	DESCRIPTION	DATE
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2	PLANNING COMMENTS	09.16.22
3	PLANNING COMMENTS	11.01.22

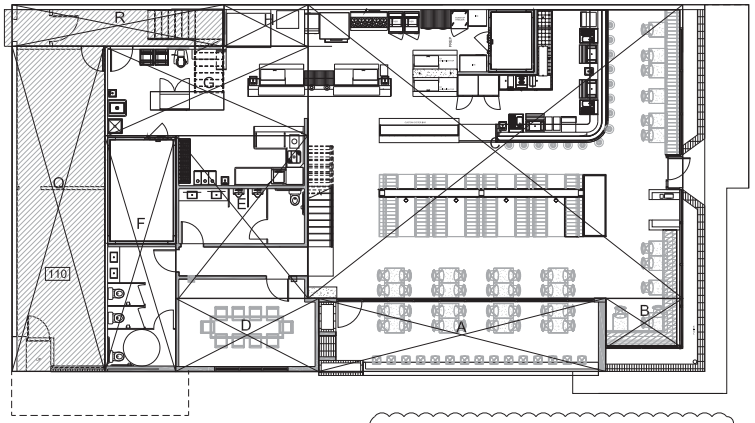
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EXISTING
FLOOR AREA
CALCULATIONS

PROJECT NO: 2021-13	SHEET NO.
DATE : 03.27.22	A7-1
DRAWN:	
CHECK :	



2 PROPOSED MEZZANINE PLAN
SCALE: 1/8" = 1'-0"



1 PROPOSED GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROPOSED FLOOR AREA

LOT AREA = 4,694 SF
GROSS FLOOR AREA = 6,192.96 SF

FAR =1.31 (2.0 MAX ALLOWED - 9,338 SF)

GROUND FLOOR

A - 39'-1-1/2" x 9'-11-1/2"	389.62 SF
B - 10'-6" X 6'-9"	70.88 SF
C - 51'-1" X 40'-1/2"	2,045.46 SF
D - 19'-6" X 9'-11-1/2"	194.19 SF
E - 18'-1/2" X 22'-2"	399.92 SF
F - 9'-7-1/2" X 32'-2"	309.6 SF
G - 27'-4" X 12'-2"	336.61 SF
H - 11'-5-1/2" X 5'-8"	64.93 SF
TOTAL	3,811.21 SF

MEZZANINE

I - 17'-10-1/2" X 9'-5-1/2"	169.07 SF
J - 3'-6" X 21'-4"	74.67 SF
K - 16'-4" X 28'-5"	464.14 SF
L - 11'-4" X 37'-11"	429.72 SF
M - 11'-1" X 2'-6 1/2"	28.17 SF
N - 22'-3-1/2" X 9'-7"	213.63 SF
O - 16'-7" X 12'-1"	200.38 SF
P - 12'-7" X 6'-1"	76.55 SF
TOTAL	1,656.33 SF

PROJECT AREA	5,467.54 SF
GROUND FLOOR COMMON AREA	
R- 28'-11" X 5'-8"	163.86 SF
1110 CRANE ST	
Q - 12'-8" X 44'-4"	561.56 SF
BUILDING AREA	6,192.96 SF

REF. NORTH

CLARK'S MENLO PARK
772-780 SANTA CRUZ AVE
MENLO PARK, CA.

LAMBERT MCGUIRE
104 W ANNIE ST.
AUSTIN, TX 78704

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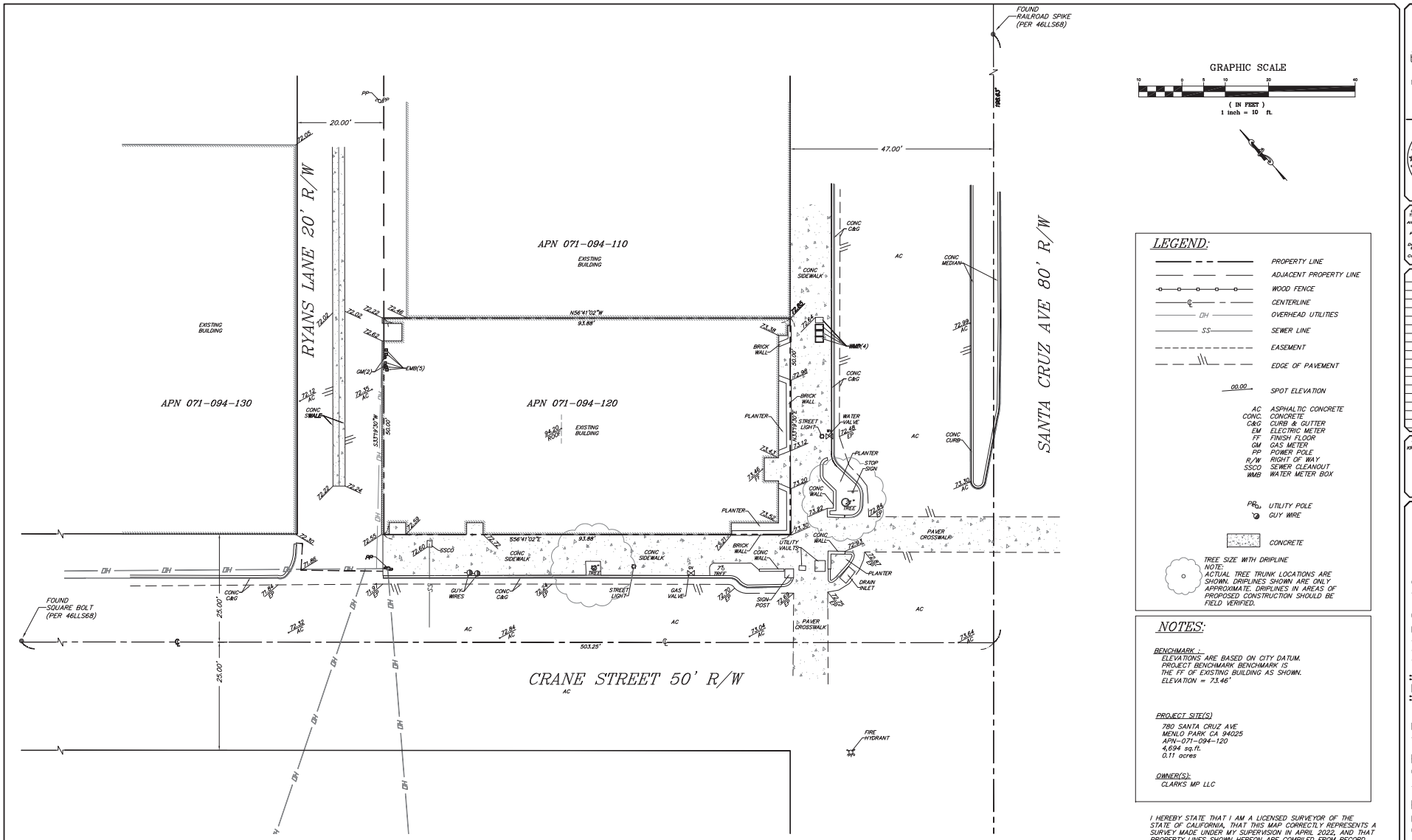
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1	PLANNING COMMENTS	06.27.22
2	PLANNING COMMENTS	09.16.22
3	PLANNING COMMENTS	11.01.22

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PROPOSED FLOOR AREA CALCULATIONS

PROJECT NO: 2021-13	SHEET NO.
DATE : 03.27.22	A7-2
DRAWN:	
CHECK :	

D23



GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

LEGEND:

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- WOOD FENCE
- CENTERLINE
- OH — OVERHEAD UTILITIES
- SS — SEWER LINE
- EASEMENT
- EDGE OF PAVEMENT
- 00.00 — SPOT ELEVATION

AC	ASPHALTIC CONCRETE
CONC.	CONCRETE
C&G	CURB & GUTTER
EM	ELECTRIC METER
FF	FINISH FLOOR
GM	GAS METER
PP	POWER POLE
R/W	RIGHT OF WAY
SSCO	SEWER CLEANOUT
WMB	WATER METER BOX

- PP — UTILITY POLE
- GUY WIRE
- CONCRETE

TREE SIZE WITH DRIPLINE NOTE: ACTUAL TREE TRUNK LOCATIONS ARE SHOWN. DRIPLINES SHOWN ARE ONLY APPROXIMATE. DRIPLINES IN AREAS OF PROPOSED CONSTRUCTION SHOULD BE FIELD VERIFIED.

NOTES:

BENCHMARK :
ELEVATIONS ARE BASED ON CITY DATUM.
PROJECT BENCHMARK BENCHMARK IS THE FF OF EXISTING BUILDING AS SHOWN.
ELEVATION = 73.46'

PROJECT SITE(S)
780 SANTA CRUZ AVE
MENLO PARK CA 94025
APN-071-094-120
4,694 sq.ft.
0.11 acres

OWNER(S):
CLARKS MP LLC

I HEREBY STATE THAT I AM A LICENSED SURVEYOR OF THE STATE OF CALIFORNIA, THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION IN APRIL 2022, AND THAT PROPERTY LINES SHOWN HEREON ARE COMPILED FROM RECORD DATA AND THAT THIS MAP DOES NOT INCLUDE EASEMENTS EXCEPT THOSE SPECIFICALLY DELINEATED HEREON.

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

BEFORE EXCAVATING CALL U.S.A.

OWNER AND/OR CONTRACTOR ARE RESPONSIBLE FOR LOCATION AND VERIFICATION OF ALL EXISTING UNDERGROUND UTILITIES. UNDERGROUND SERVICE ALERT (USA) SHOULD BE NOTIFIED FOR ASSISTANCE IN THIS MATTER AT (800) 227-2600, 48 HOURS PRIOR TO ANY CONSTRUCTION.
THE (USA) AUTHORIZATION NUMBER SHALL BE KEPT AT THE JOB SITE.
LOCATION AND CHARACTER OF ANY UTILITIES IF SHOWN HEREON ARE APPROXIMATE, AND TAKEN FROM A COMBINATION OF SURFACE STRUCTURE OBSERVATION AND/OR THE RECORDS OF THE CONTROLLING AGENCY. HUMANN COMPANY DOES NOT ASSUME RESPONSIBILITY FOR THE LOCATION OF ANY EXISTING UTILITIES OR OTHER UNDERGROUND FEATURES SUCH AS VAULTS, TANKS, BASEMENTS, BURIED OBJECTS, ...ETC.

UTILITY NOTE

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

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

PROFESSIONAL LAND SURVEYOR
ANDREW K HOLMES
PLS 4428
STATE OF CALIFORNIA

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REVISIONS:	BY:

PREPARED FOR:
KRISTIN MURRAY-RALSTON

PORT LOT 13, "E" MAPS 10

BOUNDARY & TOPOGRAPHIC SURVEY

MENLO PARK, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

DATE	4/25/2022
SCALE	1" = 10'
DRAWN	MN
JOB NO.	09-2298
DWG	1
SHEET	1 OF 1

D24

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: 772-780 Santa Cruz Avenue and 1110 Crane Street Compliance Worksheet

Section	Standard or Guideline	Requirement	Evaluation
E.3.1 Development Intensity			
E.3.1.01	Standard	Business and Professional office (inclusive of medical and dental office) shall not exceed one half of the base FAR or public benefit bonus FAR, whichever is applicable.	**Complies:** No office use proposed.
E.3.1.02	Standard	Medical and Dental office shall not exceed one third of the base FAR or public benefit bonus FAR, whichever is applicable.	**Not applicable:** No medical or dental office proposed at this time.
E.3.2 Height			
E.3.2.01	Standard	Roof-mounted mechanical equipment, solar panels, and similar equipment may exceed the maximum building height, but shall be screened from view from publicly-accessible spaces.	**Complies**: All rooftop mechanical equipment will be fully screened.
E.3.2.02	Standard	Vertical building projections such as parapets and balcony railings may extend up to 4 feet beyond the maximum façade height or the maximum building height, and shall be integrated into the design of the building.	**Complies:** No new parapets are proposed, and the existing building does not exceed the maximum building height.
E.3.2.03	Standard	Rooftop elements that may need to exceed the maximum building height due to their function, such as stair and elevator towers, shall not exceed 14 feet beyond the maximum building height. Such rooftop elements shall be integrated into the design of the building.	**Complies:** New screening does not exceed the maximum building height.
E.3.3 Setbacks and Projections within Setbacks			
E.3.3.01	Standard	Front setback areas shall be developed with sidewalks, plazas, and/or landscaping as appropriate.	**Complies:** Existing raised planters are proposed to be restored and maintained, with new landscaping. The existing sidewalk and public right-of-way are already developed.
E.3.3.02	Standard	Parking shall not be permitted in front setback areas.	**Complies:** The building is in a no or minimal setback area.
E.3.3.03	Standard	In areas where no or a minimal setback is required, limited setback for store or lobby entry recesses shall not exceed a maximum of 4-foot depth and a maximum of 6-foot width.	**Complies:** The new front building entry is proposed two feet from the primary building façade, and is less than six feet in width.
E.3.3.04	Standard	In areas where no or a minimal setback is required, building projections, such as balconies, bay windows and dormer windows, shall not project beyond a maximum of 3 feet from the building face into the sidewalk clear walking zone, public right-of-way or public spaces, provided they have a minimum 8-foot vertical clearance above the sidewalk clear walking zone, public right-of-way or public space.	**Not applicable:** No building projections are proposed.

Section	Standard or Guideline	Requirement	Evaluation
E.3.3.05	Standard	In areas where setbacks are required, building projections, such as balconies, bay windows and dormer windows, at or above the second habitable floor shall not project beyond a maximum of 5 feet from the building face into the setback area.	**Not applicable:** No building projections are proposed.
E.3.3.06	Standard	The total area of all building projections shall not exceed 35% of the primary building façade area. Primary building façade is the façade built at the property or setback line.	**Not applicable:** No building projections are proposed.
E.3.3.07	Standard	Architectural projections like canopies, awnings and signage shall not project beyond a maximum of 6 feet horizontally from the building face at the property line or at the minimum setback line. There shall be a minimum of 8-foot vertical clearance above the sidewalk, public right-of-way or public space.	**Complies:** The two awnings will both extend approximately 2'-6" from the proposed new front façade and six feet along the side façade, where six feet horizontal extension is allowed; and will be 10'-3" from the street level, where 8 feet vertical clearance is required.
E.3.3.08	Standard	No development activities may take place within the San Francisquito Creek bed, below the creek bank, or in the riparian corridor.	**Complies:** No development activities are proposed within the San Francisquito Creek bed, below the creek bank, or in the riparian corridor.
E.3.4 Massing and Modulation			
E.3.4.1 Building Breaks			
E.3.4.1.01	Standard	The total of all building breaks shall not exceed 25 percent of the primary façade plane in a development.	**Not Applicable:** The guideline applies to new buildings. This is an existing building.
E.3.4.1.02	Standard	Building breaks shall be located at ground level and extend the entire building height.	**Not Applicable:** The guideline applies to new buildings. This is an existing building.
E.3.4.1.03	Standard	In all districts except the ECR-SE zoning district, recesses that function as building breaks shall have minimum dimensions of 20 feet in width and depth and a maximum dimension of 50 feet in width. For the ECR-SE zoning district, recesses that function as building breaks shall have a minimum dimension of 60 feet in width and 40 feet in depth.	**Not Applicable:** The guideline applies to new buildings. This is an existing building.
E.3.4.1.04	Standard	Building breaks shall be accompanied with a major change in fenestration pattern, material and color to have a distinct treatment for each volume.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the Downtown (D) sub-district. This is an existing building.
E.3.4.1.05	Standard	In all districts except the ECR-SE zoning district, building breaks shall be required as shown in Table E3.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the Downtown (D) sub-district. This is an existing building.

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.1.06	Standard	In the ECR-SE zoning district, and consistent with Table E4 the building breaks shall: • Comply with Figure E9; • Be a minimum of 60 feet in width, except where noted on Figure E9; • Be a minimum of 120 feet in width at Middle Avenue; • Align with intersecting streets, except for the area between Roble Avenue and Middle Avenue; • Be provided at least every 350 feet in the area between Roble Avenue and Middle Avenue; where properties under different ownership coincide with this measurement, the standard side setbacks (10 to 25 feet) shall be applied, resulting in an effective break of between 20 to 50 feet. • Extend through the entire building height and depth at Live Oak Avenue, Roble Avenue, Middle Avenue, Partridge Avenue and Harvard Avenue; and • Include two publicly-accessible building breaks at Middle Avenue and Roble Avenue.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the Downtown (D) sub-district. This is an existing building.
E.3.4.1.07	Standard	In the ECR-SE zoning district, the Middle Avenue break shall include vehicular access; publicly-accessible open space with seating, landscaping and shade; retail and restaurant uses activating the open space; and a pedestrian/bicycle connection to Alma Street and Burgess Park. The Roble Avenue break shall include publicly-accessible open space with seating, landscaping and shade.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the Downtown (D) sub-district. This is an existing building.
E.3.4.1.08	Guideline	In the ECR-SE zoning district, the breaks at Live Oak, Roble, Middle, Partridge and Harvard Avenues may provide vehicular access.	**Not Applicable:** The subject property is in the zoning district: SP/ECR-D, in the Downtown (D) sub-district. This is an existing building.
E.3.4.2 Façade Modulation and Treatment			
E.3.4.2.01	Standard	Building façades facing public rights-of-way or public open spaces shall not exceed 50 feet in length without a minor building façade modulation. At a minimum of every 50' façade length, the **minor vertical façade modulation** shall be a minimum 2 feet deep by 5 feet wide recess or a minimum 2 foot setback of the building plane from the primary building façade.	**Not Applicable:** This is an existing building and is not subject to the modulation requirements.

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.2.02	Standard	Building façades facing public rights-of-way or public open spaces shall not exceed 100 feet in length without a major building modulation. At a minimum of every 100 feet of façade length, a **major vertical façade modulation** shall be a minimum of 6 feet deep by 20 feet wide recess or a minimum of 6 feet setback of building plane from primary building façade for the full height of the building. This standard applies to all districts except ECR NE-L and ECR SW since those two districts are required to provide a building break at every 100 feet.	**Not Applicable:** This is an existing building and is not subject to the modulation requirements.
E.3.4.2.03	Standard	In addition, the major building façade modulation shall be accompanied with a 4-foot minimum height modulation and a major change in fenestration pattern, material and/or color.	**Not Applicable:** This is an existing building and is not subject to the modulation requirements.
E.3.4.2.04	Guideline	Minor façade modulation may be accompanied with a change in fenestration pattern, and/or material, and/or color, and/or height.	**Not Applicable:** This is an existing building and is not subject to the modulation requirements.
E.3.4.2.05	Guideline	Buildings should consider sun shading mechanisms, like overhangs, *bris soleils* and clerestory lighting, as façade articulation strategies.	**Complies:** The proposed project will retain the same amount of sun shading mechanisms, which include one existing awning to be reduced in surface area but kept in place, and another awning that will be replaced to match. The awnings will be along the front and side façades.
E.3.4.3 Building Profile			
E.3.4.3.01	Standard	The 45-degree building profile shall be set at the minimum setback line to allow for flexibility and variation in building façade height within a district.	**Complies:** The existing building is beneath the building profile height of 30 feet.
E.3.4.3.02	Standard	Horizontal building and architectural projections, like balconies, bay windows, dormer windows, canopies, awnings, and signage, beyond the 45-degree building profile shall comply with the standards for Building Setbacks & Projection within Setbacks (E.3.3.04 to E.3.3.07) and shall be integrated into the design of the building.	**Complies:** The existing building is beneath the building profile height of 30 feet.
E.3.4.3.03	Standard	Vertical building projections like parapets and balcony railings shall not extend 4 feet beyond the 45-degree building profile and shall be integrated into the design of the building.	**Complies:** The existing building and projections are beneath the building profile height of 30 feet.
E.3.4.3.04	Standard	Rooftop elements that may need to extend beyond the 45-degree building profile due to their function, such as stair and elevator towers, shall be integrated into the design of the building.	**Complies:** The existing building and rooftop equipment and screening are beneath the building profile height of 30 feet.
E.3.4.4 Upper Story Façade Length			

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.4.01	Standard	Building stories above the 38-foot façade height shall have a maximum allowable façade length of 175 feet along a public right-of-way or public open space.	**Complies:** The existing building and rooftop equipment and screening are beneath the façade height of 38 feet.
E.3.5 Ground Floor Treatment, Entry and Commercial Frontage			
Ground Floor Treatment			
E.3.5.01	Standard	The retail or commercial ground floor shall be a minimum 15-foot floor-to-floor height to allow natural light into the space**.**	**Complies:** The ground floor restaurant use will feature expanded 18-foot first floor space, within the existing building footprint.
E.3.5.02	Standard	Ground floor commercial buildings shall have a minimum of 50% transparency (i.e., clear-glass windows) for retail uses, office uses and lobbies to enhance the visual experience from the sidewalk and street. Heavily tinted or mirrored glass shall not be permitted.	**Complies:** The front façade will feature 52 percent transparency and the side façade will feature 51 percent transparency, using all clear-glass windows for new and replacement glazing.
E.3.5.03	Guideline	Buildings should orient ground-floor retail uses, entries and direct-access residential units to the street.	**Complies:** The ground floor restaurant use will incorporate a front-facing and street-side entry along Santa Cruz Avenue and Crane Street, respectively.
E.3.5.04	Guideline	Buildings should activate the street by providing visually interesting and active uses, such as retail and personal service uses, in ground floors that face the street. If office and residential uses are provided, they should be enhanced with landscaping and interesting building design and materials.	**Complies:** An existing personal services use will remain (1110 Crane Street), and a restaurant is proposed for the remainder of the site.
E.3.5.05	Guideline	For buildings where ground floor retail, commercial or residential uses are not desired or viable, other project-related uses, such as a community room, fitness center, daycare facility or sales center, should be located at the ground floor to activate the street.	**Not Applicable:** An existing personal services use will remain (1110 Crane Street), and a restaurant is proposed for the remainder of the site.
E.3.5.06	Guideline	Blank walls at ground floor are discouraged and should be minimized. When unavoidable, continuous lengths of blank wall at the street should use other appropriate measures such as landscaping or artistic intervention, such as murals.	**Complies:** Publically-facing facades are articulated such that they are not blank.
E.3.5.07	Guideline	Residential units located at ground level should have their floors elevated a minimum of 2 feet to a maximum of 4 feet above the finished grade sidewalk for better transition and privacy, provided that accessibility codes are met.	**Not Applicable:** The existing building has no residential units, and no residential units are proposed.

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.08	Guideline	Architectural projections like canopies and awnings should be integrated with the ground floor and overall building design to break up building mass, to add visual interest to the building and provide shelter and shade.	**Complies:** The proposed project will retain the same amount of sun shading mechanisms, which include one existing awning to be reduced in surface area but kept in place, and another awning that will be replaced to match. The awnings will be along the front and side façades.
Building Entries			
E.3.5.09	Standard	Building entries shall be oriented to a public street or other public space. For larger residential buildings with shared entries, the main entry shall be through prominent entry lobbies or central courtyards facing the street. From the street, these entries and courtyards provide additional visual interest, orientation and a sense of invitation.	**Complies:** The entries to the commercial spaces are from a major public street, Santa Cruz Avenue, as well as Crane Street.
E.3.5.10	Guideline	Entries should be prominent and visually distinctive from the rest of the façade with creative use of scale, materials, glazing, projecting or recessed forms, architectural details, color, and/or awnings.	**Complies:** Both entries to the restaurant are set back farther than the primary façade. The entries are fully glazed, recessed and have awnings.
E.3.5.11	Guideline	Multiple entries at street level are encouraged where appropriate.	**Complies:** The entries to the restaurant are from a major public street, Santa Cruz Avenue, as well as Crane Street.
E.3.5.12	Guideline	Ground floor residential units are encouraged to have their entrance from the street.	**Not Applicable:** The existing building has no residential units, and no residential units are proposed.
E.3.5.13	Guideline	Stoops and entry steps from the street are encouraged for individual unit entries when compliant with applicable accessibility codes. Stoops associated with landscaping create inviting, usable and visually attractive transitions from private spaces to the street.	**Not Applicable:** No stoops are proposed.
E.3.5.14	Guideline	Building entries are allowed to be recessed from the primary building façade.	**Complies:** Both entries to the restaurant are set back farther than the principal façade. The entries are fully glazed, recessed and have awnings.
Commercial Frontage			
E.3.5.15	Standard	Commercial windows/storefronts shall be recessed from the primary building façade a minimum of 6 inches	**Complies:** New glazing for the restaurant are proposed to be set back six inches from the primary building façade.
E.3.5.16	Standard	Retail frontage, whether ground floor or upper floor, shall have a minimum 50% of the façade area transparent with clear vision glass, not heavily tinted or highly mirrored glass.	**Complies:** The proposed building meets the 50 percent transparency requirement.

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.17	Guideline	Storefront design should be consistent with the building's overall design and contribute to establishing a well-defined ground floor for the façade along streets.	**Complies:** The proposed building meets the 50 percent transparency requirement, provide enhanced glazing square footage while providing a well-defined ground floor storefront.
E.3.5.18	Guideline	The distinction between individual storefronts, entire building façades and adjacent properties should be maintained.	**Complies:** The existing building is unique and has clear distinction with adjacent properties.
E.3.5.19	Guideline	Storefront elements such as windows, entrances and signage should provide clarity and lend interest to the façade.	**Complies:** The proposed building meets the 50 percent transparency requirement, provide enhanced glazing square footage while providing a well-defined ground floor storefront.
E.3.5.20	Guideline	Individual storefronts should have clearly defined bays. These bays should be no greater than 20 feet in length. Architectural elements, such as piers, recesses and projections help articulate bays.	**Complies:** Ground floor windows do not exceed 20 feet in length, and there is distinction between the restaurant and personal services suite entries along Crane Street
E.3.5.21	Guideline	All individual retail uses should have direct access from the public sidewalk. For larger retail tenants, entries should occur at lengths at a maximum at every 50 feet, consistent with the typical lot size in downtown.	**Complies:** The entries to the restaurant are from a major public street, Santa Cruz Avenue, as well as Crane Street.
E.3.5.22	Guideline	Recessed doorways for retail uses should be a minimum of two feet in depth. Recessed doorways provide cover or shade, help identify the location of store entrances, provide a clear area for out-swinging doors and offer the opportunity for interesting paving patterns, signage and displays.	**Complies:** Both entries to the restaurant are set back farther than the primary façade by a minimum of two feet. The entries are fully glazed, recessed and have awnings.
E.3.5.23	Guideline	Storefronts should remain un-shuttered at night and provide clear views of interior spaces lit from within. If storefronts must be shuttered for security reasons, the shutters should be located on the inside of the store windows and allow for maximum visibility of the interior.	**Complies:** Shutters are not proposed for this project.
E.3.5.24	Guideline	Storefronts should not be completely obscured with display cases that prevent customers and pedestrians from seeing inside.	**Complies:** The proposed storefront windows will not be obscured by objects.
E.3.5.25	Guideline	Signage should not be attached to storefront windows.	**Complies:** Signage attached to the storefront is not being proposed.
E.3.6 Open Space			

Section	Standard or Guideline	Requirement	Evaluation
E.3.6.01	Standard	Residential developments or Mixed Use developments with residential use shall have a minimum of 100 square feet of open space per unit created as common open space or a minimum of 80 square feet of open space per unit created as private open space, where private open space shall have a minimum dimension of 6 feet by 6 feet. In case of a mix of private and common open space, such common open space shall be provided at a ratio equal to 1.25 square feet for each one square foot of private open space that is not provided.	**Not Applicable:** The existing building has no residential units, and no residential units are proposed.
E.3.6.02	Standard	Residential open space (whether in common or private areas) and accessible open space above parking podiums up to 16 feet high shall count towards the minimum open space requirement for the development.	**Not Applicable:** The existing building has no residential units, and no residential units are proposed.
E.3.6.03	Guideline	Private and/or common open spaces are encouraged in all developments as part of building modulation and articulation to enhance building façade.	**Not Applicable:** The existing building has no residential units, and no residential units are proposed.
E.3.6.04	Guideline	Private development should provide accessible and usable common open space for building occupants and/or the general public.	**Not Applicable:** The existing building has no residential units, and no residential units are proposed.
E.3.6.05	Guideline	For residential developments, private open space should be designed as an extension of the indoor living area, providing an area that is usable and has some degree of privacy.	**Not Applicable:** The existing building has no residential units, and no residential units are proposed.
E.3.6.06	Guideline	Landscaping in setback areas should define and enhance pedestrian and open space areas. It should provide visual interest to streets and sidewalks, particularly where building façades are long.	**Complies:** The proposed improvements include restoring landscape planters along the front and a portion of the side façades.
E.3.6.07	Guideline	Landscaping of private open spaces should be attractive, durable and drought-resistant.	**Complies:** The proposed improvements include restoring landscape planters along the front and a portion of the side façades.
E.3.7 Parking, Service and Utilities			
General Parking and Service Access			
E.3.7.01	Guideline	The location, number and width of parking and service entrances should be limited to minimize breaks in building design, sidewalk curb cuts and potential conflicts with streetscape elements.	**Complies:** Service entrances are generally adjacent to street parking along Santa Cruz Avenue and the parking plaza.
E.3.7.02	Guideline	In order to minimize curb cuts, shared entrances for both retail and residential use are encouraged. In shared entrance conditions, secure access for residential parking should be provided.	**Not Applicable:** No curb cuts are proposed.
E.3.7.03	Guideline	When feasible, service access and loading docks should be located on secondary streets or alleys and to the rear of the building.	**Not Applicable:** No loading docks are proposed.

Section	Standard or Guideline	Requirement	Evaluation
E.3.7.04	Guideline	The size and pattern of loading dock entrances and doors should be integrated with the overall building design.	**Not Applicable:** No loading docks are proposed.
E.3.7.05	Guideline	Loading docks should be screened from public ways and adjacent properties to the greatest extent possible. In particular, buildings that directly adjoin residential properties should limit the potential for loading-related impacts, such as noise. Where possible, loading docks should be internal to the building envelope and equipped with closable doors. For all locations, loading areas should be kept clean.	**Not Applicable:** No loading docks are proposed.
E.3.7.06	Guideline	Surface parking should be visually attractive, address security and safety concerns, retain existing mature trees and incorporate canopy trees for shade. See Section D.5 for more compete guidelines regarding landscaping in parking areas.	**Not Applicable:** No on-site parking exists, and no on-site parking is proposed.
Utilities			
E.3.7.07	Guideline	All utilities in conjunction with new residential and commercial development should be placed underground.	**Complies:** Existing utilities are underground, and no utility upgrades are proposed.
E.3.7.08	Guideline	Above ground meters, boxes and other utility equipment should be screened from public view through use of landscaping or by integrating into the overall building design.	**Complies:** No new utility equipment is proposed, and meters are proposed to be integrated into the building design.
Parking Garages			
E.3.7.09	Standard	To promote the use of bicycles, secure bicycle parking shall be provided at the street level of public parking garages. Bicycle parking is also discussed in more detail in Section F.5 “Bicycle Storage Standards and Guidelines.”	**Not Applicable:** No public parking garages are proposed.
E.3.7.10	Guideline	Parking garages on downtown parking plazas should avoid monolithic massing by employing change in façade rhythm, materials and/or color.	**Not Applicable:** No public parking garages are proposed.
E.3.7.11	Guideline	To minimize or eliminate their visibility and impact from the street and other significant public spaces, parking garages should be underground, wrapped by other uses (i.e. parking podium within a development) and/or screened from view through architectural and/or landscape treatment.	**Not Applicable:** No public parking garages are proposed.
E.3.7.12	Guideline	Whether free-standing or incorporated into overall building design, garage façades should be designed with a modulated system of vertical openings and pilasters, with design attention to an overall building façade that fits comfortably and compatibly into the pattern, articulation, scale and massing of surrounding building character.	**Not Applicable:** No public parking garages are proposed.

Section	Standard or Guideline	Requirement	Evaluation
E.3.7.13	Guideline	Shared parking is encouraged where feasible to minimize space needs, and it is effectively codified through the plan's off-street parking standards and allowance for shared parking studies.	**Not Applicable:** No public parking garages are proposed.
E.3.7.14	Guideline	A parking garage roof should be approached as a usable surface and an opportunity for sustainable strategies, such as installment of a green roof, solar panels or other measures that minimize the heat island effect.	**Not Applicable:** No public parking garages are proposed.
E.3.8 Sustainable Practices			
Overall Standards			
E.3.8.01	Standard	Unless the Specific Plan area is explicitly exempted, all citywide sustainability codes or requirements shall apply.	**Complies:** The proposed remodel will comply with city codes where applicable.
Overall Guidelines			
E.3.8.02	Guideline	Because green building standards are constantly evolving, the requirements in this section should be reviewed and updated on a regular basis of at least every two years.	**Complies:** The proposed remodel will comply with city codes where applicable.
Leadership in Energy and Environmental Design (LEED) Standards			

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.03	Standard	Development shall achieve LEED certification, at Silver level or higher, or a LEED Silver equivalent standard for the project types listed below. For LEED certification, the applicable standards include LEED New Construction; LEED Core and Shell; LEED New Homes; LEED Schools; and LEED Commercial Interiors. Attainment shall be achieved through LEED certification or through a City-approved outside auditor for those projects pursing a LEED equivalent standard. The requirements, process and applicable fees for an outside auditor program shall be established by the City and shall be reviewed and updated on a regular basis. LEED certification or equivalent standard, at a Silver lever or higher, shall be required for: • Newly constructed residential buildings of Group R (single-family, duplex and multi-family); • Newly constructed commercial buildings of Group B (occupancies including among others office, professional and service type transactions) and Group M (occupancies including among others display or sale of merchandise such as department stores, retail stores, wholesale stores, markets and sales rooms) that are 5,000 gross square feet or more; • New first-time build-outs of commercial interiors that are 20,000 gross square feet or more in buildings of Group B and M occupancies; and • Major alterations that are 20,000 gross square feet or more in existing buildings of Group B, M and R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed. All residential and/or mixed use developments of sufficient size to require LEED certification or equivalent standard under the Specific Plan shall install one dedicated electric vehicle/plug-in hybrid electric vehicle recharging station for every 20 residential parking spaces provided. Per the Climate Action Plan the complying applicant could receive incentives, such as streamlined permit processing, fee discounts, or design templates.	**Not applicable:** The proposed project is not among the project types requiring LEED.

Section	Standard or Guideline	Requirement	Evaluation
Leadership in Energy and Environmental Design (LEED) Guidelines			
E.3.8.04	Guideline	The development of larger projects allows for more comprehensive sustainability planning and design, such as efficiency in water use, stormwater management, renewable energy sources and carbon reduction features. A larger development project is defined as one with two or more buildings on a lot one acre or larger in size. Such development projects should have sustainability requirements and GHG reduction targets that address neighborhood planning, in addition to the sustainability requirements for individual buildings (See Standard E.3.8.03 above). These should include being certified or equivalently verified at a LEED-ND (neighborhood development), Silver level or higher, and mandating a phased reduction of GHG emissions over a period of time as prescribed in the 2030 Challenge. The sustainable guidelines listed below are also relevant to the project area. They relate to but do not replace LEED certification or equivalent standard rating requirements.	**Not applicable:** The proposed project does not meet the definition of a larger development project.
Building Design Guidelines			
E.3.8.05	Guideline	Buildings should incorporate narrow floor plates to allow natural light deeper into the interior.	**Complies:** The proposed project will maintain a narrow floor plate, and also expand the open first floor area.
E.3.8.06	Guideline	Buildings should reduce use of daytime artificial lighting through design elements, such as bigger wall openings, light shelves, clerestory lighting, skylights, and translucent wall materials.	**Complies:** The expanded storefront glazing along the front and side façades will allow more daylight into the building, in addition to skylights on the rooftop.
E.3.8.07	Guideline	Buildings should allow for flexibility to regulate the amount of direct sunlight into the interiors. Louvered wall openings or shading devices like *bris soleils* help control solar gain and check overheating. *Bris soleils*, which are permanent sun-shading elements, extend from the sun-facing façade of a building, in the form of horizontal or vertical projections depending on sun orientation, to cut out the sun's direct rays, help protect windows from excessive solar light and heat and reduce glare within.	**Complies:** The awnings along the front and side façades will continue to provide shade and relief from solar heat gain..
E.3.8.08	Guideline	Where appropriate, buildings should incorporate arcades, trellis and appropriate tree planting to screen and mitigate south and west sun exposure during summer. This guideline would not apply to downtown, the station area and the west side of El Camino Real where buildings have a narrower setback and street trees provide shade.	**Not applicable:** This project is in the downtown area within the Specific Plan area.

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.09	Guideline	Operable windows are encouraged in new buildings for natural ventilation.	**Not applicable:** This project is in the downtown area within the Specific Plan area.
E.3.8.10	Guideline	To maximize use of solar energy, buildings should consider integrating photovoltaic panels on roofs.	**Complies:** To be considered by applicant.
E.3.8.11	Guideline	Inclusion of recycling centers in kitchen facilities of commercial and residential buildings shall be encouraged. The minimum size of recycling centers in commercial buildings should be 20 cubic feet (48 inches wide x 30 inches deep x 24 inches high) to provide for garbage and recyclable materials.	**Complies:** The recycling center is proposed within the proposed kitchen space.
Stormwater and Wastewater Management Guidelines			
E.3.8.12	Guideline	Buildings should incorporate intensive or extensive green roofs in their design. Green roofs harvest rain water that can be recycled for plant irrigation or for some domestic uses. Green roofs are also effective in cutting-back on the cooling load of the air-conditioning system of the building and reducing the heat island effect from the roof surface.	**Not applicable:** The existing building will not involve new roofing.
E.3.8.13	Guideline	Projects should use porous material on driveways and parking lots to minimize stormwater run-off from paved surfaces.	**Not applicable:** The project site does not contain any driveways or parking lots.
Landscaping Guidelines			
E.3.8.14	Guideline	Planting plans should support passive heating and cooling of buildings and outdoor spaces.	**Not applicable:** The existing building will not incorporate new heating systems.
E.3.8.15	Guideline	Regional native and drought resistant plant species are encouraged as planting material.	**Complies:** The restored planters will incorporate native and drought-tolerant planting.
E.3.8.16	Guideline	Provision of efficient irrigation system is recommended, consistent with the City's Municipal Code Chapter 12.44 "Water-Efficient Landscaping".	**Complies:** The restored planters will contain an efficient irrigation system.
Lighting Standards			
E.3.8.17	Standard	Exterior lighting fixtures shall use fixtures with low cut-off angles, appropriately positioned, to minimize glare into dwelling units and light pollution into the night sky.	**Complies:** The proposed remodel meets the requirement.
E.3.8.18	Standard	Lighting in parking garages shall be screened and controlled so as not to disturb surrounding properties, but shall ensure adequate public security.	**Not Applicable:** No public parking garages are proposed.
Lighting Guidelines			
E.3.8.19	Guideline	Energy-efficient and color-balanced outdoor lighting, at the lowest lighting levels possible, are encouraged to provide for safe pedestrian and auto circulation.	**Complies:** The proposed remodel will provide energy-efficient and color-balanced outdoor lighting.
E.3.8.20	Guideline	Improvements should use ENERGY STAR-qualified fixtures to reduce a building's energy consumption.	**Complies:** The proposed remodel will provide ENERGY STAR-qualified fixtures.

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.21	Guideline	Installation of high-efficiency lighting systems with advanced lighting control, including motion sensors tied to dimmable lighting controls or lighting controlled by timers set to turn off at the earliest practicable hour, are recommended.	**Complies:** The proposed remodel lighting systems with advanced lighting control where applicable.
Green Building Material Guidelines			
E.3.8.22	Guideline	The reuse and recycle of construction and demolition materials is recommended. The use of demolition materials as a base course for a parking lot keeps materials out of landfills and reduces costs.	**Not Applicable:** No parking areas are proposed.
E.3.8.23	Guideline	The use of products with identifiable recycled content, including post-industrial content with a preference for post-consumer content, are encouraged.	**Complies:** This will be done where feasible.
E.3.8.24	Guideline	Building materials, components, and systems found locally or regionally should be used, thereby saving energy and resources in transportation.	**Complies:** This will be done where feasible.
E.3.8.25	Guideline	A design with adequate space to facilitate recycling collection and to incorporate a solid waste management program, preventing waste generation, is recommended.	**Complies:** This will be done where feasible.
E.3.8.26	Guideline	The use of material from renewable sources is encouraged.	**Complies:** This will be done where feasible.

Aesculus
Arboricultural Consulting

10/9/2022

Kristin Murray-Ralston
MML Hospitality
780 Santa Cruz Ave
Menlo Park, 94025
512.435.7616
kristin@mmlhospitality.com

Re: Tree protection for the proposed Parklet at 780 Santa Cruz Ave, Menlo Park, 94025

Dear Kristin,

At your request, we have visited the property referenced above to evaluate the trees present with respect to the proposed project. The report below contains our analysis.

Summary

There are three protected trees on and adjacent to this property, all street trees, one of which is heritage sized. All are in reasonably good condition and should be retained and protected as detailed in the Recommendations, below. With proper protection, all are expected to survive and thrive during and after construction.

Assignment and Limits of Report

We have been asked to write a report detailing impacts to trees from the proposed parklet on this property. This report may be used by our client and other project members as needed to inform all stages of the project.

All observations were made from the ground with basic equipment. No root collar excavations or aerial inspections were performed. No project features had been staked at the time of our site visit.

Tree Regulations

In the City of Menlo Park, native oak trees are protected at 10 inches DBH (diameter at breast height, 4.5 feet above grade), and all other trees are protected at 15 inches DBH. Street trees are protected regardless of size.

According to the Heritage Tree Ordinance Administrative Guidelines, the dollar value of replacement trees is determined as follows:

- One (1) #5 container – $100
- One (1) #15 container – $200
- One (1) 24-inch tree box – $400
- One (1) 36-inch tree box – $1,200
- One (1) 48-inch tree box – $5,000
- One (1) 60-inch tree box – $7,000

We highly recommend that all members of the project team familiarize themselves with the following documents guiding tree protection during construction in Menlo Park, as they are complex, and failure to follow them can result in project delays:

1. Heritage Tree Ordinance Administrative Guidelines - https://www.menlopark.org/DocumentCenter/View/25577/Heritage-tree-ordinance-administrative-guidelines---draft
2. Arborist Report Requirements: Large Projects - https://www.menlopark.org/DocumentCenter/View/25468/Arborist-report-large-project-requirements#:~:text=The%20Arborist%20Report%20shall%20include,proposed%20for%20removal%20of%20heavy
3. Tree Protection Specifications - https://www.menlopark.org/DocumentCenter/View/90/Tree-Protection-Specifications

Observations

Trees

There are four trees on and adjacent to this property (Images 1-4, below): one African fern pine (*Afrocarpus falcatus*), one Chinese pistache (*Pistacia chinensis*), one Callery pear (*Pyrus calleryana*), and one silver linden (*Tilia tomentosa*).

Protected statuses - trees #2-4 are street trees, and tree #2 is of heritage size. Tree #1 is a shrub in a raised planter.

Health - All trees are in moderately good to good health. Tree #3, a Callery pear, has significant fire blight throughout the canopy.

Structural issues - all street trees have moderate structure, with no major defects. Tree #1 has a shrubby structure.

Current Site Conditions

A retail building is currently present on the property, with sidewalk on both the front and side. This building appears to be attached to the neighboring parcel to the northeast. No driveway is present. The street behind the building has been converted to an open-air seating area. Angled street parking is present outside the storefront on Santa Cruz Ave.

Raised planters are present at the storefront, one of which contains tree #1. Tree #2 is in a small at-grade planter bed between the sidewalk and parking area. Trees #3 and 4 are in small tree wells on Crane St.

Project Features

Outdoor seating is proposed along the southwest side of the building, comprising freestanding tables and chairs. No excavation is proposed.

No structural, hardscape, grading, drainage, utility, or fencing work is shown on the plans provided to me.

Potential Conflicts (Protected Trees Only)

Tree #1 - this tree is not protected, so it has not been evaluated for potential conflicts.

Tree #2 - the proposed tables and chairs within this tree's TPZ,[1] on top of existing asphalt not proposed for removal or modification.

Trees #3 and 4 - the proposed area of work is outside these trees' TPZs and on the other side of the building. Construction access within their TPZs appears unlikely.

Testing and Analysis

Tree DBHs were taken using a diameter tape measure if trunks were accessible. Multistemmed trees were measured below the point where the leaders diverge, if possible. The DBHs of trees with non-accessible trunks were estimated visually. All trees over four inches in DBH were inventoried, as well as street trees of all sizes.

Vigor ratings are based on tree appearance and experiential knowledge of each species.

Tree location data was collected using a GPS smartphone application and processed in GIS software to create the maps included in this report. Due to the error inherent in GPS data collection, and due also to differences between GPS data and CAD drawings, tree locations shown on the map below are approximate except where matched to the survey.

We visited the site once, on 6/24/2022. All observations and photographs in this report were taken at that site visit.

The tree protection analysis in this report is based on Sheet A1.0, titled "SITE PLAN PARKLET," dated 3/27/2022, provided to us electronically by the client.

Discussion

Tree Protection Zones (TPZs)

Tree roots grow where conditions are favorable, and their spatial arrangement is therefore unpredictable. Favorable conditions vary among species, but generally include the presence of moisture, and soft soil texture with low compaction.

Contrary to popular belief, roots of all tree species grow primarily in the top two to three feet of soil in the clay soils typical for this geographic region, with a small number of roots sometimes occurring at greater depths. Some species have taproots when young, but these

[1] Tree protection zones. See Discussion, Tree Map, and Tree Table for more detail.

almost universally disappear with age. At maturity, a tree's root system may extend out from the trunk farther than the tree is tall, and the tree maintains its upright position in much the same manner as a wine glass.

The optimal size of the area around a tree which should be protected from disturbance depends on the tree's size, species, and vigor, as shown in the following table (adapted from *Trees & Construction*, Matheny and Clark, 1998):

Species tolerance	Tree vitality[2]	Distance from trunk (feet per inch trunk diameter)
Good	High	0.5
	Moderate	0.75
	Low	1
Moderate	High	0.75
	Moderate	1
	Low	1.25
Poor	High	1
	Moderate	1.25
	Low	1.5

It is important to note that some roots will almost certainly be present outside the TPZ; however, root loss outside the TPZ is unlikely to cause tree decline.

Some of the tree species present here are not evaluated in Trees & Construction. Our own evaluation of them based on our experience with the species is as follows:

Species	Estimated tolerance	Reason for tolerance rating
Pistacia chinensis	3	Based on my own observations
Tilia tomentosa	1	Other tilia species are rated between 1 and 2 by Matheny & Clark

Critical Root Zones (CRZs)

Although any root loss inside the TPZ may cause a short-term decline in tree condition, trees can often recover adequately from a small amount of root loss in the TPZ.

[2] Matheny & Clark uses tree age, but we feel a tree's vitality more accurately reflects its ability to handle stress.

Tree stability is impacted at a shorter distance from the tree trunk. For linear cuts on one side of the tree, the minimum distance typically recommended is three times the DBH, measured from the edge of the trunk (*Best Management Practices: Root Management*, Costello, Watson, and Smiley, 2017). This is called the critical root zone (CRZ), as any distance shorter than this increases a tree's likelihood of failure.

Tree Appraisal Methods

We use the trunk formula technique with discounting for condition and functional and external limitations, as detailed in the second printing of the 10th Edition of the *Guide for Plant Appraisal* (Council of Tree and Landscape Appraisers, 2019).

For palms, we use the approximate height of clear trunk (estimated visually) multiplied by the per-foot cost given in the regional plant appraisal committee species classification for California.

Conclusions

Tree #1 - this tree is not protected, so it has not been evaluated for construction impacts.

Trees #2, 3 and 4 - no impacts to these trees are likely from the project as proposed, even without any tree protection measures.

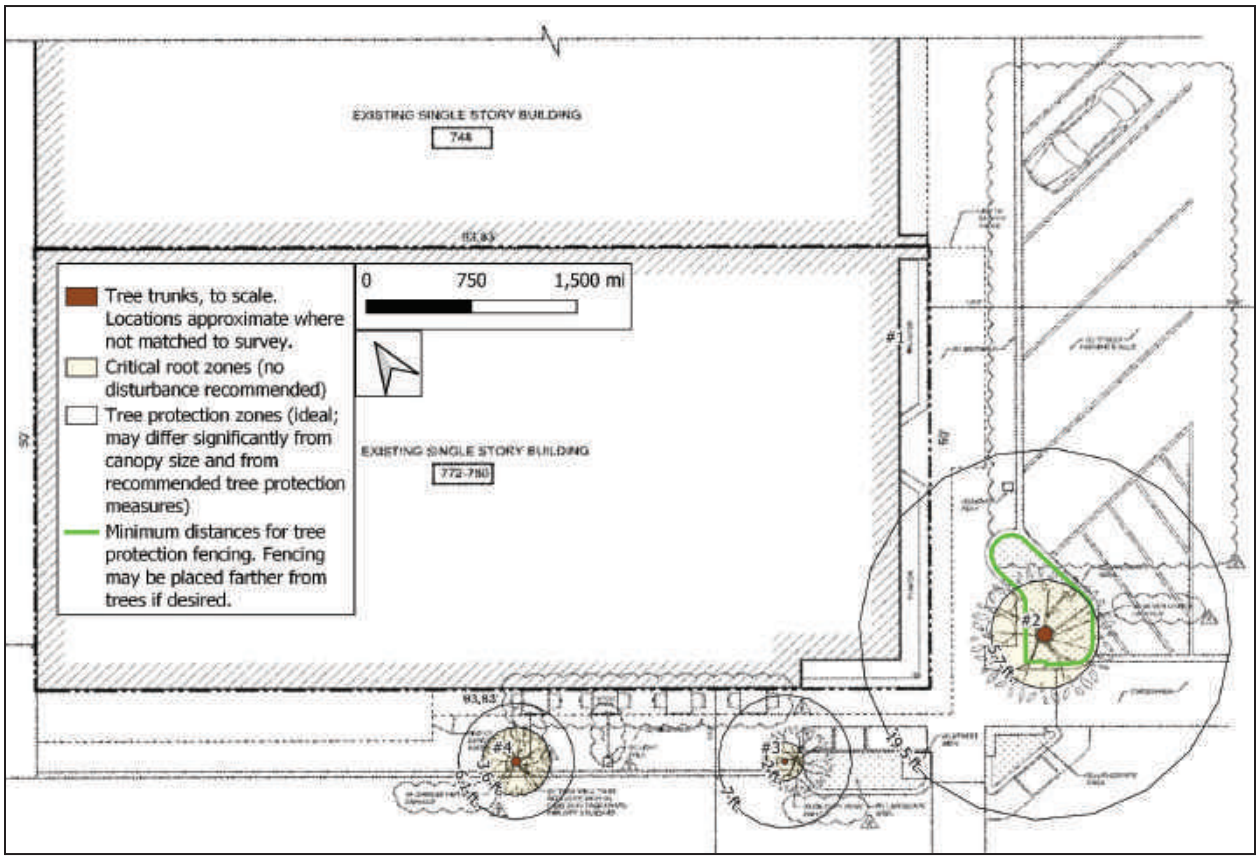
Recommendations

1. Install tree protection fencing as shown in the Tree Map, below.
    a. Minimum fencing distances are shown on the Tree Map. Fencing must be installed at or beyond these distances.
    b. Where existing barriers which will be retained impede access comparably to tree protection fencing, these barriers are an acceptable substitute for tree protection fencing.
    a. Please be aware that tree protection fencing may differ from ideal tree protection zones, and from canopy sizes.
    c. Tree protection fencing shall comprise 6' chain link fabric mounted on 1.5" diameter metal posts driven into the ground.
    d. Place a 6" layer of wood chips inside tree protection fencing.

e. Tree protection fencing shall adhere to the requirements in the document titled "Tree Protection Specifications," available at https://www.menlopark.org/DocumentCenter/View/90/Tree-Protection-Specifications

2. Maintain tree protection fencing as detailed above for the duration of the project.

Tree Map



Supporting Photographs

Image 1: African fern pine #1



Image 2: Silver linden #2



Image 3: Callery pear #3



Image 4: Chinese pistache #4



Respectfully submitted,

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1. All property lines and ownership of property, trees, and landscape plants and fixtures are assumed to be accurate and reliable as presented and described to the consultant, either orally or in writing. The consultant assumes no responsibility for verification of ownership or locations of property lines, or for results of any actions or recommendations based on inaccurate information.
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6. The consultant shall not be required to provide further documentation, give testimony, be deposed, or to attend court by reason of this appraisal/report unless subsequent contractual arrangements are made, including payment of additional fees for such services as set forth by the consultant or in the fee schedule or contract.
7. Aesculus Arboricultural Consulting makes no warranty, either expressed or implied, as to the suitability of the information contained in any reports or correspondence, either oral or written, for any purpose. It remains the responsibility of the client to determine applicability to his/her particular case.
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Tree #	Common Name	Species	DBH (in.)	Vitality (0-3)	Structure (0-3)	Heritage Tree?	Street Tree?	Off-Site Tree?	Suitability for preservation (0-3)	Remove?	Appraised Value	Species Construction Tolerance (1 = poor, 3 = good)	CRZ radius (ideal; ft. from center of trunk)	TPZ radius (ideal; ft. from center of trunk)	Expected Impacts	Notes
1	African fern pine	Afrocarpus falcatus	5.1	3	1				2		-	-	0.0	0.0	None	Shrub in raised planter under overhang. No tree protection recommended.
2	Silver linden	Tilia tomentosa	19.5	3	2	X	X		3		$14,100.00	1	5.7	19.5	None	-
3	Callery pear	Pyrus calleryana	7.0	2	2		X		2		$1,490.00	2	2.0	7.0	None	No tree protection recommended
4	Chinese pistache	Pistacia chinensis	12.2	3	2		X		3		$5,500.00	3	3.6	6.1	None	No tree protection recommended

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
AIR QUALITY				
Specific Plan Impact AIR-1: Implementation of the Specific Plan would result in increased long-term emissions of criteria pollutants associated with construction activities that could contribute substantially to an air quality violation. (Significant)				
Mitigation Measure AIR-1a: During construction of individual projects under the Specific Plan, project applicants shall require the construction contractor(s) to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic dust control procedures required for construction sites. For projects for which construction emissions exceed one or more of the applicable BAAQMD thresholds, additional measures shall be required as indicated in the list following the Basic Controls.		Measures shown on plans, construction documents and on-going during demolition, excavation and construction.	Project sponsor(s) and contractor(s)	PW/CDD
Basic Controls that Apply to All Construction Sites				
1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.	Exposed surfaces shall be watered twice daily.			
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.	Trucks carrying demolition debris shall be covered.			
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.	Dirt carried from construction areas shall be cleaned daily.			
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.	Speed limit on unpaved roads shall be 15 mph.			
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	Roadways, driveways, sidewalks and building pads shall be laid as soon as possible after grading.			
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.	Idling times shall be minimized to 5 minutes or less; Signage posted at all access points.			
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.	Construction equipment shall be properly tuned and maintained.			
8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.	Signage will be posted with the appropriate contact information regarding dust complaints.			
9. Minimizing the idling time of diesel powered construction equipment to two minutes.	Idling time of diesel powered equipment will not exceed two minutes.			

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
10. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent nitrogen oxides reduction and 45 percent particulate matter reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.	Plan developed that demonstrates emissions from use of off-road equipment during construction will be reduced as specified.			
11. Use low volatile organic compound (VOC) (i.e., reactive organic gases) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).	Low VOC coatings shall be used.			
12. Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of nitrogen oxides and particulate matter.	Require Best Available Control Technology for all construction equipment, diesel trucks, and generators.			
13. Requiring all contractors use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy duty diesel engines.	Equipment shall meet standards for off-road heavy duty diesel engines.			
BIOLOGICAL RESOURCES				
Specific Plan EIR Impact BIO-1: The Specific Plan could result in the take of special-status birds or their nests. (Potentially Significant)				
Mitigation Measure BIO-1a: Pre-Construction Special-Status Avian Surveys. No more than two weeks in advance of any tree or shrub pruning, removal, or ground-disturbing activity that will commence during the breeding season (February 1 through August 31), a qualified wildlife biologist will conduct pre-construction surveys of all potential special-status bird nesting habitat in the vicinity of the planned activity. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered. ***If pre-construction surveys indicate that no nests of special-status birds are present or that nests are inactive or potential habitat is unoccupied:*** no further mitigation is required.	A nesting bird survey shall be prepared if tree or shrub pruning, removal or ground-disturbing activity will commence between February 1 through August 31.	Prior to tree or shrub pruning or removal, any ground disturbing activity and/or issuance of demolition, grading or building permits.	Qualified wildlife biologist retained by project sponsor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
If active nests of special-status birds are found during the surveys: implement Mitigation Measure BIO-1b.				
Mitigation Measure BIO-1b: Avoidance of active nests. If active nests of special-status birds or other birds are found during surveys, the results of the surveys would be discussed with the California Department of Fish and Game and avoidance procedures will be adopted, if necessary, on a case-by- case basis. In the event that a special-status bird or protected nest is found, construction would be stopped until either the bird leaves the area or avoidance measures are adopted. Avoidance measures can include construction buffer areas (up to several hundred feet in the case of raptors), relocation of birds, or seasonal avoidance. If buffers are created, a no disturbance zone will be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted will take into account factors such as the following: 1. Noise and human disturbance levels at the Plan area and the nesting site at the time of the survey and the noise and disturbance expected during the construction activity; 2. Distance and amount of vegetation or other screening between the Plan area and the nest; and 3. Sensitivity of individual nesting species and behaviors of the nesting birds.	If active nests are found during survey, the results will be discussed with the California Department of Fish and Game and avoidance procedures adopted. Halt construction if a special-status bird or protected nest is found until the bird leaves the area or avoidance measures are adopted.	Prior to tree or shrub pruning or removal, any ground-disturbing activities and/or issuance of demolition, grading or building permits.	Project sponsor(s) and contractor(s)	CDD
Specific Plan EIR Impact BIO-3: Impacts to migratory or breeding special-status birds and other special-status species due to lighting conditions. (Potentially Significant)				
Mitigation Measure BIO-3a: Reduce building lighting from exterior sources. a. Minimize amount and visual impact of perimeter lighting and façade up-lighting and avoid uplighting of rooftop antennae and other tall equipment, as well as of any decorative features; b. Installing motion-sensor lighting, or lighting controlled by timers set to turn off at the earliest practicable hour; c. Utilize minimum wattage fixtures to achieve required lighting levels; d. Comply with federal aviation safety regulations for large buildings by installing minimum intensity white strobe lighting with a three-second flash interval instead of continuous flood lighting, rotating lights, or red lighting e. Use cutoff shields on streetlight and external lights to prevent upwards lighting.	Reduce building lighting from exterior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD
Mitigation Measure BIO-3b: Reduce building lighting from interior sources. a. Dim lights in lobbies, perimeter circulation areas, and atria; b. Turn off all unnecessary lighting by 11pm thorough sunrise, especially during peak migration periods (mid-March to early June and late August through late October); c. Use gradual or staggered switching to progressively turn on building lights at sunrise. d. Utilize automatic controls (motion sensors, photosensors, etc.) to shut off lights in the evening when no one is present;	Reduce building lighting from interior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
e. Encourage the use of localized task lighting to reduce the need for more extensive overhead lighting; f. Schedule nightly maintenance to conclude by 11 p.m.; g. Educate building users about the dangers of night lighting to birds.				
Specific Plan Impact BIO-5: The Specific Plan could result in the take of special-status bat species. (Potentially Significant)				
Mitigation Measure BIO-5a: Preconstruction surveys. Potential direct and indirect disturbances to special-status bats will be identified by locating colonies and instituting protective measures prior to construction of any subsequent development project. No more than two weeks in advance of tree removal or structural alterations to buildings with closed areas such as attics, a qualified bat biologist (e.g., a biologist holding a California Department of Fish and Game collection permit and a Memorandum of Understanding with the California Department of Fish and Game allowing the biologist to handle and collect bats) shall conduct pre-construction surveys for potential bats in the vicinity of the planned activity. A qualified biologist will survey buildings and trees (over 12 inches in diameter at 4.5-foot height) scheduled for demolition to assess whether these structures are occupied by bats. No activities that would result in disturbance to active roosts will proceed prior to the completed surveys. If bats are discovered during construction, any and all construction activities that threaten individuals, roosts, or hibernacula will be stopped until surveys can be completed by a qualified bat biologist and proper mitigation measures implemented. ***If no active roosts present:*** no further action is warranted. ***If roosts or hibernacula are present:*** implement Mitigation Measures BIO-5b and 5c.	Retain a qualified bat biologist to conduct pre-construction survey for bats and potential roosting sites in vicinity of planned activity. Halt construction if bats are discovered during construction until surveys can be completed and proper mitigation measures implemented.	Prior to tree pruning or removal or issuance of demolition, grading or building permits.	Qualified bat biologist retained by project sponsor(s)	CDD
Mitigation Measure BIO-5b: Avoidance. If any active nursery or maternity roosts or hibernacula of special-status bats are located, the subsequent development project may be redesigned to avoid impacts. Demolition of that tree or structure will commence after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) or before maternity colonies forms the following year (i.e., prior to March 1). For hibernacula, any subsequent development project shall only commence after bats have left the hibernacula. No-disturbance buffer zones acceptable to the California Department of Fish and Game will be observed during the maternity roost season (March 1 through July 31) and during the winter for hibernacula (October 15 through February 15). Also, a no-disturbance buffer acceptable in size to the California Department of Fish and Game will be created around any roosts in the Project vicinity (roosts that will not be destroyed by the Project but are within the Plan area) during the breeding season (April 15 through August 15), and around hibernacula during winter (October 15 through February 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the “take” of individuals is prohibited.	If any active nursery or maternity roosts or hibernacula are located, no disturbance buffer zones shall be established during the maternity roost and breeding seasons and hibernacula.	Prior to tree removal or pruning or issuance of demolition, grading or building permits	Qualified bat biologist retained by project sponsor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure BIO-5c: Safely evict non-breeding roosts. Non-breeding roosts of special-status bats shall be evicted under the direction of a qualified bat biologist. This will be done by opening the roosting area to allow airflow through the cavity. Demolition will then follow no sooner or later than the following day. There should not be less than one night between initial disturbance with airflow and demolition. This action should allow bats to leave during dark hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees with roosts that need to be removed should first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours. However, the "take" of individuals is prohibited.	A qualified bat biologist shall direct the eviction of non-breeding roosts.	Prior to tree removal or pruning or issuance of demolition, grading or building permits.	Qualified bat biologist retained by project sponsor(s)	CDD
CULTURAL RESOURCES				
Impact CUL-1: The proposed Specific Plan could have a significant impact on historic architectural resources. (Potentially Significant)				
Mitigation Measure CUL-1: Site Specific Evaluations and Treatment in Accordance with the Secretary of the Interior's Standards: ***Site-Specific Evaluations:*** In order to adequately address the level of potential impacts for an individual project and thereby design appropriate mitigation measures, the City shall require project sponsors to complete site-specific evaluations at the time that individual projects are proposed at or adjacent to buildings that are at least 50 years old. The project sponsor shall be required to complete a site-specific historic resources study performed by a qualified architectural historian meeting the Secretary of the Interior's Standards for Architecture or Architectural History. At a minimum, the evaluation shall consist of a records search, an intensive-level pedestrian field survey, an evaluation of significance using standard National Register Historic Preservation and California Register Historic Preservation evaluation criteria, and recordation of all identified historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms. The evaluation shall describe the historic context and setting, methods used in the investigation, results of the evaluation, and recommendations for management of identified resources. If federal or state funds are involved, certain agencies, such as the Federal Highway Administration and California Department of Transportation (Caltrans), have specific requirements for inventory areas and documentation format.	A qualified architectural historian has completed a site-specific historic resources study. The existing structure has not been found to be histori.	Submitted by applicant. Prepared by Ver Planck dated March 24, 2022.	Qualified architectural historian retained by the Project sponsor(s).	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Treatment in Accordance with the Secretary of the Interior's Standards. Any future proposed project in the Plan Area that would affect previously recorded historic resources, or those identified as a result of site-specific surveys and evaluations, shall conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995). The Standards require the preservation of character defining features which convey a building's historical significance, and offers guidance about appropriate and compatible alterations to such structures.				
HAZARDOUS MATERIALS				
Impact HAZ-3: Hazardous materials used on any individual site during construction activities (i.e., fuels, lubricants, solvents) could be released to the environment through improper handling or storage. (Potentially Significant)				
Mitigation Measure HAZ-3: All development and redevelopment shall require the use of construction Best Management Practices (BMPs) to control handling of hazardous materials during construction to minimize the potential negative effects from accidental release to groundwater and soils. For projects that disturb less than one acre, a list of BMPs to be implemented shall be part of building specifications and approved of by the City Building Department prior to issuance of a building permit.	Implement best management practices to reduce the release of hazardous materials during construction.	Prior to building permit issuance for sites disturbing less than one acre and on-going during construction for all project sites	Project sponsor(s) and contractor(s)	CDD
NOISE				
Specific Plan Impact NOI-1: Construction activities associated with implementation of the Specific Plan would result in substantial temporary or periodic increases in ambient noise				
Mitigation Measure NOI-1a: Construction contractors for subsequent development projects within the Specific Plan area shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acousticallyattenuating shields or shrouds, etc.) when within 400 feet of sensitive receptor locations. Prior to demolition, grading or building permit issuance, a construction noise control plan that identifies the best available noise control techniques to be implemented, shall be prepared by the construction contractor and submitted to the City for review and approval. The plan shall include, but not be limited to, the following noise control elements: * Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler shall achieve lower noise levels from the exhaust by approximately 10 dBA. External jackets on the tools themselves shall be used where feasible in order to achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible;	A construction noise control plan shall be prepared and submitted to the City for review. Implement noise control techniques to reduce ambient noise levels.	Prior to demolition, grading or building permit issuance Measures shown on plans, construction documents and specification and ongoing through construction	Project sponsor(s) and contractor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
* Stationary noise sources shall be located as far from adjacent receptors as possible and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible; and * When construction occurs near residents, affected parties within 400 feet of the construction area shall be notified of the construction schedule prior to demolition, grading or building permit issuance. Notices sent to residents shall include a project hotline where residents would be able to call and issue complaints. A Project Construction Complaint and Enforcement Manager shall be designated to receive complaints and notify the appropriate City staff of such complaints. Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and day and evening contact numbers, both for the construction contractor and City representative(s), in the event of problems.				
Specific Plan Impact NOI-3: The Specific Plan would introduce sensitive receptors to a noise environment with noise levels in excess of standards considered acceptable under the City of Menlo Park Municipal Code. (Potentially Significant)				

STAFF REPORT

Planning Commission Meeting Date: **12/5/2022**
Staff Report Number: **22-070-PC**

Public Hearing: **Consider and adopt a resolution recommending that the City Council adopt a resolution approving a request for a two-year extension of a vesting tentative map to merge the existing SP-ECR/D (El Camino Real/Downtown Specific Plan) lots, abandon a portion of Alto Lane, and create a two-lot subdivision for condominium purposes, with 12 residential units, one restaurant space and no more than three retail spaces on one lot in the SP-ECR/D zoning district, at 201 El Camino Real, and two townhouses on the second lot in the R-3 (Apartment) zoning district, at 612 Cambridge Avenue**

Recommendation

Staff recommends that the Planning Commission recommend that the City Council adopt a resolution to approve a two-year extension of a vesting tentative map associated with a major subdivision to merge the existing SP-ECR/D (El Camino Real/Downtown Specific Plan) lots, abandon a portion of Alto Lane, and create a two-lot subdivision for condominium purposes, with 12 residential units, one restaurant space and no more than three retail spaces on one lot in the SP-ECR/D zoning district, and two townhouses on the second lot in the R-3 (Apartment) zoning district. The draft resolution is included as Attachment A.

Policy Issues

The proposed project requires the Planning Commission and City Council to consider whether or not the approved vesting tentative map should be extended for two years. The City Council is the final decision making body on the extension of the vesting tentative map.

Background

Site location

For purposes of this staff report, El Camino Real (California State Route 82) is considered to have a north-south orientation, and all compass directions referenced will use this orientation. The project site is located at the northwest corner of El Camino Real and Cambridge Avenue, and is bounded by Cambridge Avenue to the south and El Camino Real to the east. The project site consists of two legal parcels that are located within the El Camino Real/Downtown Specific Plan area, zoned SP-ECR/D, a portion of Alto Lane to be abandoned between these two parcels, and a third legal parcel that is located outside the Specific Plan

area and zoned R-3. A location map is provided as Attachment B.

Uses to the west of the project site include mostly single- and multi-family residential developments. Nearby uses along El Camino Real include restaurant, office, and service station uses along the western side of the street, and the 500 El Camino Real mixed-use development on the eastern side of the street, which is under construction and is approved for office, residential, and retail/restaurant uses. The parcels to the west of the project site are located in the R-3 and R-2 (Low Density Apartment) zoning districts. Parcels to the north and south along El Camino Real are also located in the SP-ECR/D zoning district, and like the subject parcels in the SP-ECR/D zone, these parcels are located within the El Camino Real South-West (ECR SW) sub-district and the El Camino Real Mixed Use (ECRMU) land use designation.

Project history

On October 27, 2020, the City Council adopted the following four resolutions:

- A resolution adopting findings required by the California Environmental Quality Act (CEQA), adopting the Initial Study and Mitigated Negative Declaration, and the Mitigation, Monitoring, and Reporting Program;
- A resolution approving findings and conditions for the architectural control, a use permit, and a vesting tentative map;
- A resolution ordering the vacation and abandonment of Alto Lane, public right-of-way adjacent to the property at 201-211 El Camino Real and 239-251 El Camino Real; and
- A resolution approving the Below Market Rate (BMR) Housing Agreement and declaration of restrictive covenants between the City of Menlo Park and HuHan Two, LLC for the proposed project.

The City Council staff report and minutes are included as hyperlink Attachments D and E.

On November 24, 2021, the Community Development Director approved a one-year extension for the use permit request based on conditions not of the applicant's making, including economic constraints due to the pandemic. The applicant has recently applied for building permits for the project, prior to the October 27, 2022 use permit extension deadline, thus allowing the use permit to remain valid.

Analysis

Vesting tentative map extension

The City Council's 2020 approval of the project included a vesting tentative map associated with a major subdivision to merge the existing SP-ECR/D lots, abandon a portion of Alto Lane, and create a two-lot subdivision for condominium purposes, with 12 residential units, one restaurant space and no more than three retail spaces on one lot, and two townhouses on the second lot. The existing 201 El Camino Real parcel, portion of Alto Lane, and the associated parking lot would be merged so that the proposed improvements would not cross any property lines. The condominium subdivision would allow the individual residential units to be bought or sold independently. A lot line adjustment between the subject property and the adjacent property at 239-251 El Camino Real would also occur, but there would be no change in overall square footage.

The Subdivision Ordinance requires the preparation of a tentative map, which has been included in the

applicant's approved project plans. The vesting tentative map has been reviewed by the City's engineering division and has been found to comply with the provisions of the State Subdivision Map Act and the City's Subdivision Ordinance subject to previous conditions of approval. There are no new recommended conditions of approval.

The applicant is now requesting an additional two-year extension for the vesting tentative map. The applicant indicates the extensions are needed to secure additional permitting with other agencies, along with contract assignments necessary for the project. The applicant's plan set and project description letter are included as Attachments F and G, respectively. Concerning agency permitting, the applicant has indicated in their project description letter that the variety of required permits from City departments, which include the Building and Engineering Divisions, Pacific Gas and Electric (PG&E), Caltrans, and AT&T have been delayed largely due to the COVID-19 Pandemic.

Correspondence

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

Conclusion

Staff believes the extension of the vesting tentative map, by two years, to allow the applicant to secure the necessary agency permitting and contractors for the project and to allow the approved project to be implemented, is appropriate. Staff recommends the Planning Commission recommend that the City Council adopt a resolution to approve the extension of the vesting tentative map.

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

State CEQA Guidelines Section 15162 (Subsequent environmental impact reports and Negative Declarations) provides that when an environmental impact report (EIR) has been certified or negative declaration adopted for a project, no subsequent EIR or Negative Decalaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are new significant environmental effects due to a change in the project or circumstances, or there is new information of substantial importance as identified in State California Environmental Quality Act (CEQA) Guidelines Section 15162(a)(3.) An Initial Study and Mitigated Negative Declaration, collectively referred to as the MND, was prepared for the project and adopted on October 27, 2020 by the City Council. The extension of time for a tentative map does not involve any physical changes in the environment and hence does not have the potential for causing a significant effect on the environment. No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the MND. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, no further environmental

review is required.

Public Notice

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

Attachments

A. Draft Planning Commission Resolution of Approval Adopting Findings for project Use Permit, including project Conditions of Approval
   Exhibits to Attachment A
      A. Project Plans (See Attachment F to this (December 5, 2022) Planning Commission Staff Report)
      B. Project Description Letter (See Attachment G to this (December 5, 2022) Planning Commission Staff Report)
      C. Conditions of Approval
B. Location Map
C. Hyperlink: 201 El Camino Real and 612 Cambridge Avenue Initial Study and Mitigated Negative Declaration: https://menlopark.gov/files/sharedassets/public/community-development/documents/201-ecr-initial-study-20201026_202010261713195286.pdf
D. Hyperlink: City Council staff report, October 27, 2020 https://menlopark.org/DocumentCenter/View/26524/F1-20201027-CC-201-ECR
E. Hyperlink: City Council Minutes, October 27, 2020 https://www.menlopark.org/AgendaCenter/ViewFile/Minutes/_10272020-3523
F. Project Plans
G. Project Description Letter

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

Exhibits to Be Provided at Meeting

None

Report prepared by:
Matt Pruter, Associate Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK RECOMMENDING THAT THE CITY COUNCIL APPROVE A TWO-YEAR EXTENSION OF A VESTING TENTATIVE MAP ASSOCIATED WITH A MAJOR SUBDIVISION TO MERGE THE EXISTING SP-ECR/D (EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN) LOTS, ABANDON A PORTION OF ALTO LANE, AND CREATE A TWO-LOT SUBDIVISION FOR CONDOMINIUM PURPOSES, WITH 12 RESIDENTIAL UNITS, ONE RESTAURANT SPACE AND NO MORE THAN THREE RETAIL SPACES ON ONE LOT IN THE SP-ECR/D ZONING DISTRICT, AND TWO TOWNHOUSES ON THE SECOND LOT IN THE R-3 (APARTMENT) ZONING DISTRICT.

WHEREAS, on October 27, 2020, the City approved a vesting tentative map associated with a major subdivision to merge the existing SP-ECR/D (El Camino Real/Downtown Specific Plan) lots, abandon a portion of Alto Lane, and create a two-lot subdivision for condominium purposes, with 12 residential units, one restaurant space and no more than three retail spaces on one lot in the SP-ECR/D zoning district, and two townhouses on the second lot in the R-3 (Apartment) zoning district (collectively, the "Project") from Ray Parkinson ("Applicant"), on behalf of the property owner HuHan Two, LLC ("Owner"), located at 201-211 El Camino Real (APN 071-431-200), the unaddressed property with an APN of 071-413-370, a portion of Alto Lane, and 612 Cambridge Avenue (APN 071-413-380) ("Property"). The vesting tentative map is depicted in and subject to the development plans and documents which are attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the Property is located in the El Camino Real/Downtown Specific Plan (SP-ECR/D) zoning district and the El Camino Real South West (ECR SW) sub-district, which supports a variety of uses including restaurant, retail, and residential uses; and

WHEREAS, on October 19, 2022, the City received an application requesting a two-year extension of the above referenced vesting tentative map which is depicted in Exhibit A; and

WHEREAS, the proposed vesting tentative map extension complies with all objective standards of the SP-ECR/D district and ECR SW sub-district and furthers the original purposes of the project approvals by allowing the applicant to secure agency permitting and project contracting for the project and allow the approved project to be implemented; and

WHEREAS, the findings and conditions for the vesting tentative map extension would ensure that all City requirements are applied consistently and correctly as part of the project's implementation; and

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

WHEREAS, the approval of the vesting tentative map extension is consistent with the City Council's approval of the project and allows the project to be implemented; 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 City had previously prepared and adopted an Initial Study and Mitigated Negative Declaration, collectively referred to as the MND, for the project; and

WHEREAS, State CEQA Guidelines Section 15162 (Subsequent environmental impact reports and Negative Declarations) provides that when an environmental impact report (EIR) has been certified or negative declaration adopted for a project, no subsequent EIR or Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are new significant environmental effects due to a change in the project or circumstances, or there is new information of substantial importance as identified in State California Environmental Quality Act (CEQA) Guidelines Section 15162(a)(3.); 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 December 5, 2022, 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 Project; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission finds that the above recitals together with the staff report and the application materials, including without limitation, the adopted MND, and all other documents, oral and written testimony, and materials in the City's file for the applications and the Project, and all adopted and applicable City planning documents related to the Project and the Project Site and all associated approved or certified environmental documents, have together served as an adequate and appropriate evidentiary basis for the recommendations set forth in this resolution.

BE IT FURTHER RESOLVED that the Planning Commission makes the following findings and recommendations:

1. The proposed vesting tentative map extension does not modify any of the original Vesting Tentative Map's design, and therefore, all of the findings made on the original Vesting Tentative Map (City Council Resolution No. 6595) are still valid and apply to this extension; and
2. All conditions of approval in City Council Resolution No. 6595, not otherwise modified by this resolution, are still in effect.
3. The extension of vesting tentative map expiration by two years would allow the applicant to secure financing for the project and allow the approved project to be implemented, is appropriate.
4. State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are new significant environmental effects due to a change in the project or circumstances, or there is new information of substantial importance as identified in State CEQA Guidelines Section 15162(a)(3). A MND was adopted for the project by City Council October 27, 2020. The extension of time for a tentative map does not involve any physical changes in the environment and hence does not have the potential for causing a significant effect on the environment. No potential new impacts related to the Project have been identified that would necessitate further environmental review. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, no further environmental review is required.

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

I, Corinna Sandmeier, Acting Principal Planner and Planning Commission Liaison 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 December 5, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 5th day of December, 2022

_____

Corinna Sandmeier
Acting Principal Planner and Planning Commission Liaison
City of Menlo Park

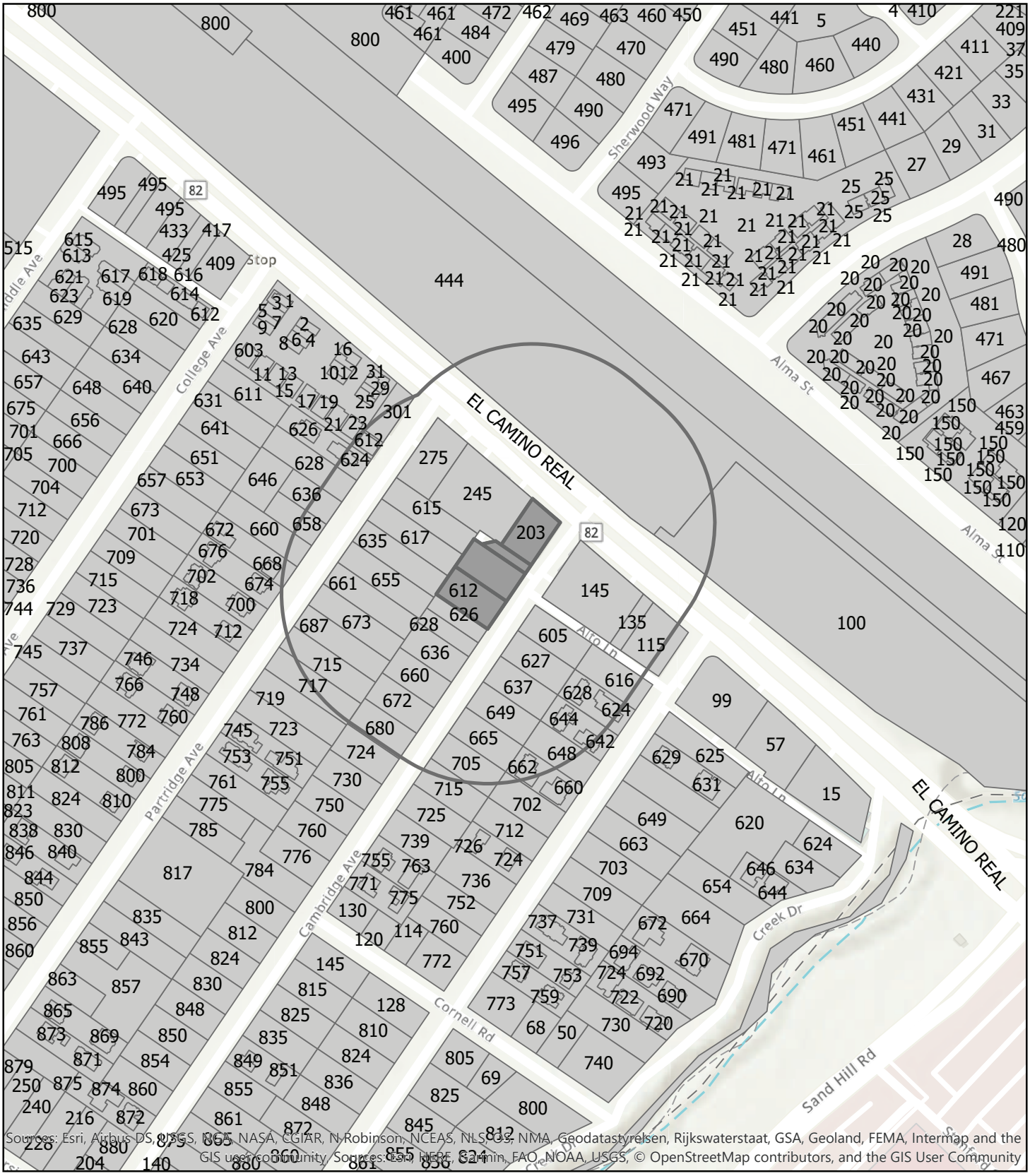
Exhibits

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

LOCATION: 201 El Camino Real and 612 Cambridge Avenue	**APPLICATION:** SUB2022-00008	**APPLICANT:** Ray Parkinson	**OWNER:** HuHan Two, LLC

PROJECT CONDITIONS – VESTING TENTATIVE MAP EXTENSION:

1. The vesting tentative map extension shall be subject to all conditions that were included in the City's Council's October 27, 2020 approval of the vesting tentative map and associated entitlements, except that the expiration date of the vesting tentative map is extended to October 27, 2024.



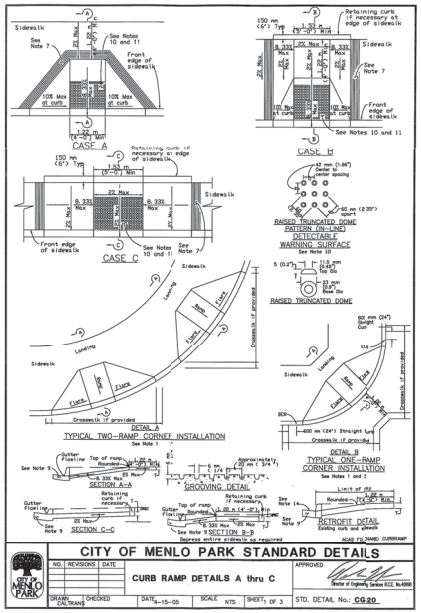
CITY OF MENLO PARK

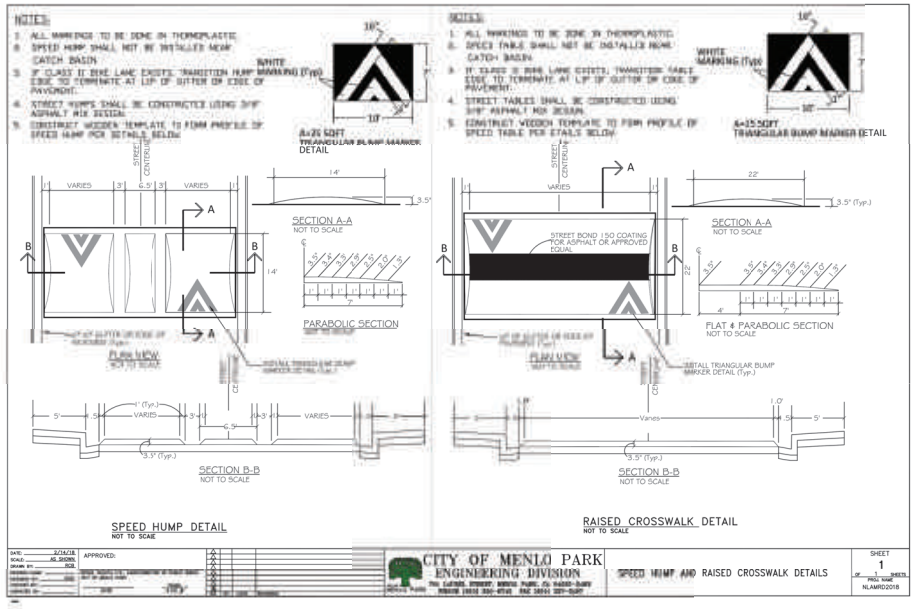
LOCATION MAP

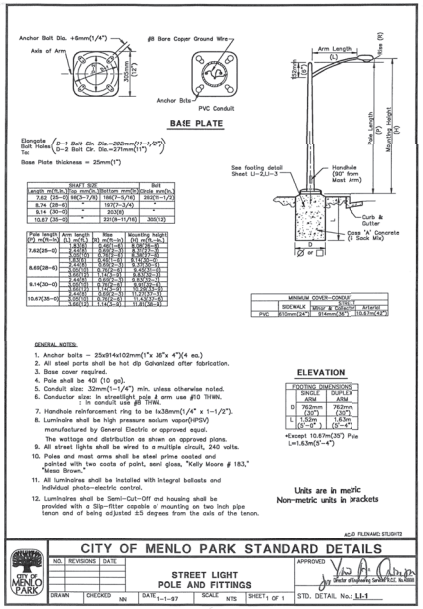
201 El Camino Real and 612 Cambridge Avenue

Scale: 1:3,000 Drawn By: MAP Checked By: CDS Date: 12/5/2022

N







NOT FOR CONSTRUCTION

SILVERWOOD DESIGN ENGINEERING
2548 Mission Street
San Francisco, CA 94110
www.silverwooddesigngroup.com

201 EL CAMINO REAL
at CAMBRIDGE AVE
MENLO PARK, CALIFORNIA 94025

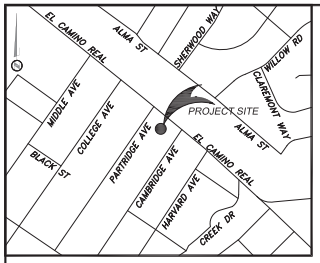
SHEET TITLE
CITY DETAILS

REVISIONS:

CHECKED: CB
PLOT DATE: JULY 24, 2020

PROJ NO.: 17-214
ISSUED: 07/24/2020
DWG. SCALE: NTS
DRAWN BY: AK

SHEET NO.
C8.0



VICINITY MAP
NOT TO SCALE

SERVICE PROVIDERS

PARKS & RECREATION DISTRICT
CITY OF MENLO PARK (650) 330-2267

SCHOOL DISTRICT
LAS LOMITAS ELEMENTARY SCHOOL DISTRICT
(650) 854-6311
MENLO PARK CITY SCHOOL DISTRICT
(650) 321-7140
REDWOOD CITY SCHOOL DISTRICT
(650) 482-2200
SEQUOIA UNION HIGH SCHOOL DISTRICT
(650) 369-1411
MENLO SCHOOL
(650) 330-2001
MENLO COLLEGE
(800) 556-3656

WATER
CAL WATER (650) 561-9709

SANITARY SEWER
WEST BAY SANITARY DISTRICT
(650) 321-0384

STORM DRAIN
SFPUC WATER (650) 872-5900

UTILITY
STANFORD UNIVERSITY UTILITY
(650) 444-9203

SOLID WASTE
RECOLOGY SAN MATEO COUNTY (650) 595-3900

GAS
PG&E (800) 743-5000

ELECTRIC
PG&E (800) 743-5000

POLICE DEPARTMENT
MENLO PARK POLICE (650) 330-6300

FIRE DEPARTMENT
MENLO PARK FIRE DISTRICT-STATION 3
(650) 688-8400

COMMUNICATIONS
AT&T (800) 241-3624
COMCAST (888) 824-8399
LEVEL3COMM (877) 366-8344 EX: 3
MCI WORLDCOMM (800) 624-9675
SPRINT (800) 521-0579
QWEST COMM (800) 283-4237
TELEPORT COMM (800) 241-3624
TPX COMMUNICATIONS (925) 726-5974
WAVE BROADBAND (888) 317-0488
ZAYO GROUP (888) 267-1063

201 EL CAMINO REAL

ASSESSOR'S PARCEL NUMBER
APN: 071-413-380
APN: 071-413-370
APN: 071-413-200

PROPERTY OWNER/DEVELOPER
HU-HANTWO LLC
86 MICHAELS WAY
ATHERTON, CA 94027

CIVIL ENGINEER
SHERWOOD DESIGN ENGINEERS
58 MAIDEN LANE, 3RD FLOOR
SAN FRANCISCO, CA 94108
415-677-7300

SURVEYOR
MARK THOMAS
3000 OAK ROAD, SUITE 650
WALNUT CREEK, CA 94597
ATTN: TRAVIS BOHAN
TBOHAN@MARKTHOMAS.COM

LOT AREA
TOTAL(GROSS): 0.59± AC

NUMBER OF PARCELS
3 EXISTING PARCELS

EXISTING ZONING
R3, SP-ECR-D

FLOOD ZONING
ZONE X (AREA OF MINIMAL FLOOD HAZARD)
PER FEMA MAP NO. 06081C0308E
EFFECTIVE DATE 10/16/2012

EXISTING LAND USE
GENERAL PLAN
DESIGNATION
CC, PR

PROPERTY DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MENLO PARK, COUNTY OF SAN MATEO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOTS 69, 70, 71 AND 72, BLOCK 7, AS DELINEATED UPON THAT CERTAIN MAP ENTITLED "MAP NO. 2 STANFORD PARK MENLO PARK, SAN MATEO COUNTY, CALIFORNIA", FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ON APRIL 2, 1913 IN BOOK 8 OF MAPS, AT PAGE 46.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA FOR HIGHWAY PURPOSES BY DEED RECORDED FEBRUARY 4, 1930 IN BOOK 452, PAGE 399, OFFICIAL RECORDS.

ALSO THAT PORTION OF ALTO LANE (20 FOOT WIDE) WITHIN ABOVE SAID BLOCK 7, LYING ADJOINING AND BETWEEN LOT 70 AND LOTS 71-74 INCLUSIVE. (TO BE VACATED PER SEPARATE DOCUMENT)

PROJECT DESCRIPTION

THE PURPOSE OF THIS PROJECT IS TO CREATE A 2-LOT SUBDIVISION FOR CONDOMINIUM PURPOSES. THE FIRST SHALL INCLUDE 12 RESIDENTIAL UNITS, 1 RESTAURANT, AND NO MORE THAN 3 RETAIL SPACES. THE SECOND SHALL HAVE 2 TOWNHOUSES.

SHEET INDEX

C0.0 TENTATIVE MAP COVER SHEET
C0.1 PARCEL PLAN
C0.2 PROPOSED LOT LINE ADJUSTMENT
C0.3 TOPOGRAPHICAL BOUNDARY SURVEY
C1.0 PROPOSED SITE PLAN
C1.1 AREA PLAN - UNDERGROUND
C1.2 AREA PLAN - 1ST FLOOR
C1.3 AREA PLAN - 2ND FLOOR
C1.4 AREA PLAN - 3RD FLOOR
C1.5 AREA PLAN - TOWNHOUSE
C1.6 FIRST FLOOR PLAN - MIXED-USE
C1.7 SECOND FLOOR PLAN - MIXED-USE
C1.8 THIRD FLOOR PLAN - MIXED-USE
C1.9 GARAGE LEVEL 1
C1.10 GARAGE LEVEL 2
C1.11 TOWNHOUSE #1 FLOOR PLANS
C1.12 TOWNHOUSE #2 FLOOR PLANS
C1.13 BUILDING SECTIONS
C1.14 BUILDING SECTIONS
C1.14 BUILDING SECTIONS
C1.16 BUILDING SECTIONS
C1.17 BUILDING SECTIONS
C2.0 CIRCULATION PLAN
C2.1 GARAGE VEHICLE TURNING
C2.2 FIRE ACCESS PLAN
C3.0 SITE AND GRADING PLAN - PRIVATE AND ONSITE
C3.1 UTILITY AND RELOCATION - PRIVATE AND ONSITE
C4.0 SITE AND GRADING PLAN - PUBLIC AND OFFSITE
C4.1 UTILITY AND RELOCATION - PUBLIC AND OFFSITE
C5.0 STORMWATER MANAGEMENT PLAN
C6.0 EROSION CONTROL PLAN
JT1 JOINT TRENCH CONCEPTUAL COMPOSITE
L1.0 LANDSCAPE PLAN
L2.0 PLANT LIST AND IMAGES
L3.0 WATER USE CALCULATIONS

BASIS OF BEARINGS

THE BEARINGS SHOWN ARE BASED ON NAD83 GRID BEARINGS AS ESTABLISHED FOR THE CENTERLINE OF CAMBRIDGE ROAD. TO MATCH THE RECORD BEARINGS OF N32°52'E, PER STANFORD PARK MAP NO. 2, FILED IN BOOK 8 OF MAPS, PAGE 46, SAN MATEO COUNTY RECORDS, ROTATE THE BEARINGS 1°20'53" COUNTER-CLOCKWISE.

NOTES

1. MARK THOMAS RELIED UPON CHICAGO TITLE COMPANY PRELIMINARY TITLE REPORT, ORDER NO. FWTO-4071400065-JJ, DATED MARCH 14, 2014, AS TITLE REFERENCE. EASEMENTS REFERENCED WITHIN SAID REPORT MAY AFFECT PROPERTY.

2. UTILITIES SHOWN HEREON TAKEN FROM VISUAL SURFACE EVIDENCE AND SHOULD BE CONSIDERED AS APPROXIMATE ONLY. ACTUAL LOCATIONS OF UTILITIES MAY VARY. TRUE LOCATION OF UTILITIES CAN ONLY BE OBTAINED BY EXPOSED UTILITY.

3. TREE LOCATIONS SHOWN HEREON ARE SHOWN SYMBOLICALLY WITH SYMBOL SIZES BASED UPON TRUNK DIAMETER AT CHEST HEIGHT, AT THE LOCATION WHERE THE TREE ENTERS THE GROUND SURFACE. LOCATIONS AND SIZE OF TREE TRUNKS CAN ONLY BE CONSIDERED AS APPROXIMATE UNLESS OTHERWISE STATED ON THE MAP. TREES WITH TRUNK DIAMETER SIZES OF 6 INCHES OR GREATER WERE LOCATED BY THE FIELD CREW.

4. THIS TENTATIVE PARCEL MAP MERGES & RESUBDIVIDES EXISTING PARCELS OWNED BY HU-HANTWO LLC.

5. PARCEL DIMENSIONS AND ACREAGES ARE APPROXIMATE.

6. PARCEL LINES AND AREAS MAY BE ADJUSTED AT THE TIME OF THE FINAL PARCEL MAP PROVIDED NO NEW ADDITIONAL PARCELS ARE CREATED, SUBJECT TO THE APPROVAL OF THE CITY OF MENLO PARK.

7. PURSUANT TO GOVERNMENT CODE SECTION 66456.1. THE SUBDIVIDER MAY FILE MULTIPLE FINAL MAPS BASED UPON THIS TENTATIVE PARCEL MAP. THE FILING OF A FINAL MAP ON A PORTION OF THIS TENTATIVE MAP SHALL NO INVALIDATE ANY PART OF THIS TENTATIVE PARCEL MAP.

8. EASEMENTS TO ACCOMMODATE NEW PUBLIC UTILITY IMPROVEMENTS, ACCESS REQUIRED FOR PARCEL DEVELOPMENT, OR OTHER SIMILAR MAPPING REQUIREMENTS NEEDED TO ACCOMPLISH THE FINAL DESIGN MAY BE ADDED PRIOR TO EACH FINAL MAP BASED ON THIS TENTATIVE PARCEL MAP.

9. ALL EXISTING RIGHT OF WAYS SHOWN WITHIN THE PROJECT LIMIT BOUNDARY ARE TO BE VACATED PER GOVERNMENT SECTION 66499.20, UNLESS OTHERWISE NOTED.

10. ALL STREET SIGNAGE AND STRIPING TO BE REPLACED TO THE SATISFACTION OF THE TRANSPORTATION MANAGER OF CITY OF MENLO PARK.

11. PER INSTRUMENT NUMBER 84083442 (TITLE REPORT EXCEPTION NUMBER 4), LOT 70 IS SUBJECT TO A PARKING EASEMENT TO BENEFIT LOT 69. EASEMENT WILL TERMINATE IF BUILDING ON LOT 69 IS REMOVED.

LEGEND

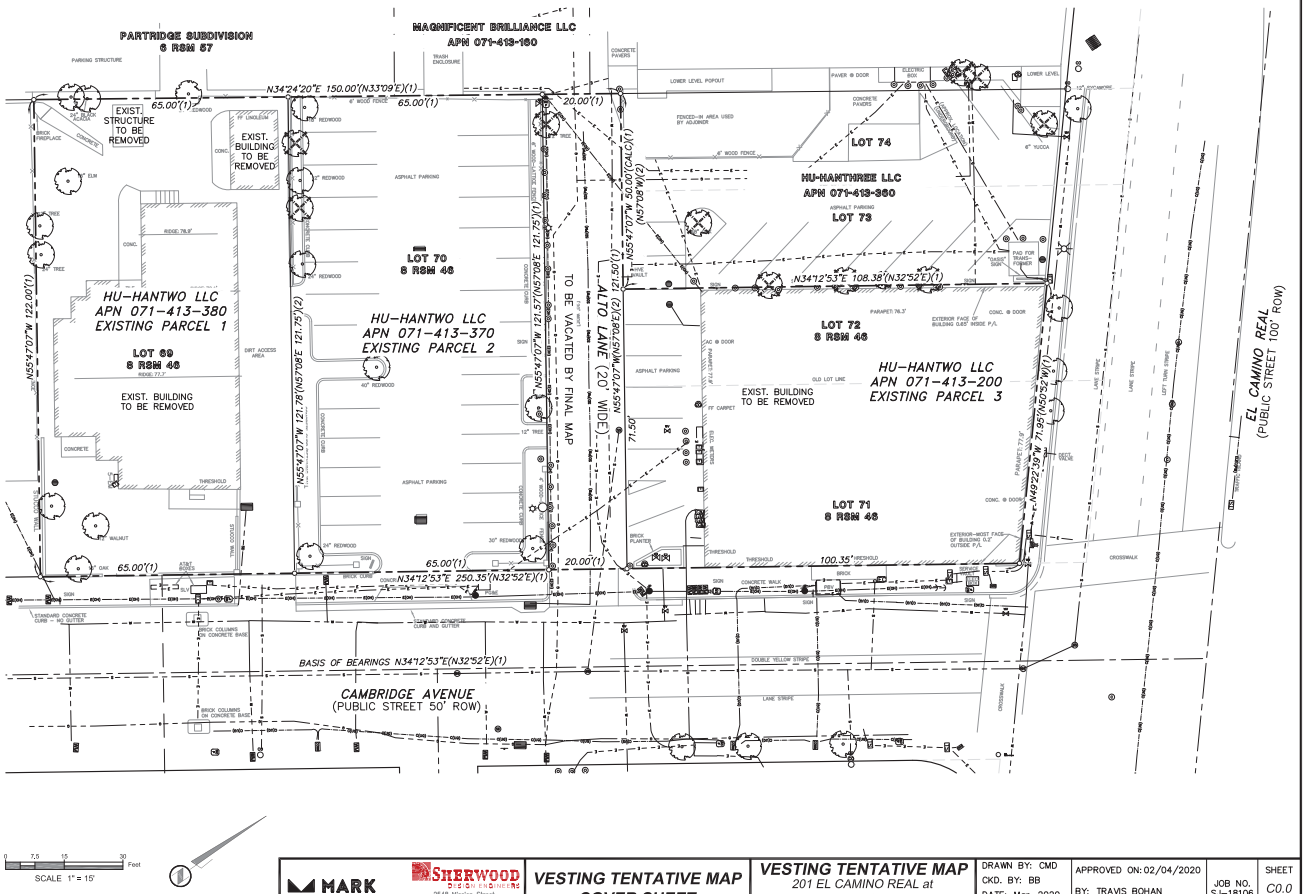
- AREA DRAIN
- BACKFLOW ASSEMBLY
- BOLLARD
- COMMUNICATIONS BOX
- COMMUNICATIONS MANHOLE
- DIMENSION POINT, NOTHING FOUND OR SET
- ELECTRICAL BOX
- ELECTRICAL METER
- ELECTROLIER
- FIRE DEPARTMENT CONNECTION
- FIRE HYDRANT
- GAS METER
- GUY ANCHOR
- HANDICAP PARKING SIGN
- JOINT POLE
- LIGHT POLE
- NO PARKING SIGN
- POWER POLE
- SEWER CLEANOUT
- SEWER MANHOLE
- SIGN
- SPEED LIMIT SIGN
- STORM DRAIN INLET
- STORM DRAIN MANHOLE
- TRAFFIC SIGNAL
- TRAFFIC SIGNAL BOX
- TRAFFIC SIGNAL AND ELECTROLIER
- TREE
- TREE TO BE REMOVED
- WATER METER
- WATER VALVE
- (1) STANFORD PARK, 8 MAPS, PAGE 46

LEGEND

- BUILDING FOOT PRINT (EXISTING)
- COMMUNICATIONS LINE UNDERGROUND
- TOP FACE OF CURB
- TOP BACK OF CURB
- ELECTRIC LINE OVER HEAD
- ELECTRIC LINE UNDERGROUND
- FENCE
- GAS LINE
- SANITARY SEWER LINE
- STORM DRAIN LINE
- STRIPING
- WATER LINE
- PROJECT LIMITS
- RIGHT OF WAY
- PROPERTY LINE
- CENTERLINE
- CONCRETE EDGE
- EDGE OF PAVEMENT
- WALL
- LIP OF GUTTER

ABBREVIATIONS

AC	ASPHALTIC CONCRETE
CONC	CONCRETE
FF	FINISHED FLOOR
OH	OVERHEAD ELECTRICAL
PBV	PACIFIC BELL VAULT
ROW	RIGHT OF WAY
SLV	SIGNAL VAULT



SURVEYOR'S STATEMENT

THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS ACT IN NOVEMBER, 2018

LICENSED LAND SURVEYOR
TRAVIS TIMOTHY BOHAN
No. 8965
STATE OF CALIFORNIA

MARK THOMAS
3000 OAK ROAD, SUITE 650
WALNUT CREEK, CA 94597

TRAVIS TIMOTHY BOHAN LS 8965

11/12/19
DATE

MARK THOMAS

SHERWOOD DESIGN ENGINEERS
2548 Mission Street
San Francisco, CA 94110
www.sherwoodengineers.com

VESTING TENTATIVE MAP COVER SHEET

VESTING TENTATIVE MAP
201 EL CAMINO REAL at CAMBRIDGE AVE
MENLO PARK, CALIFORNIA 94025

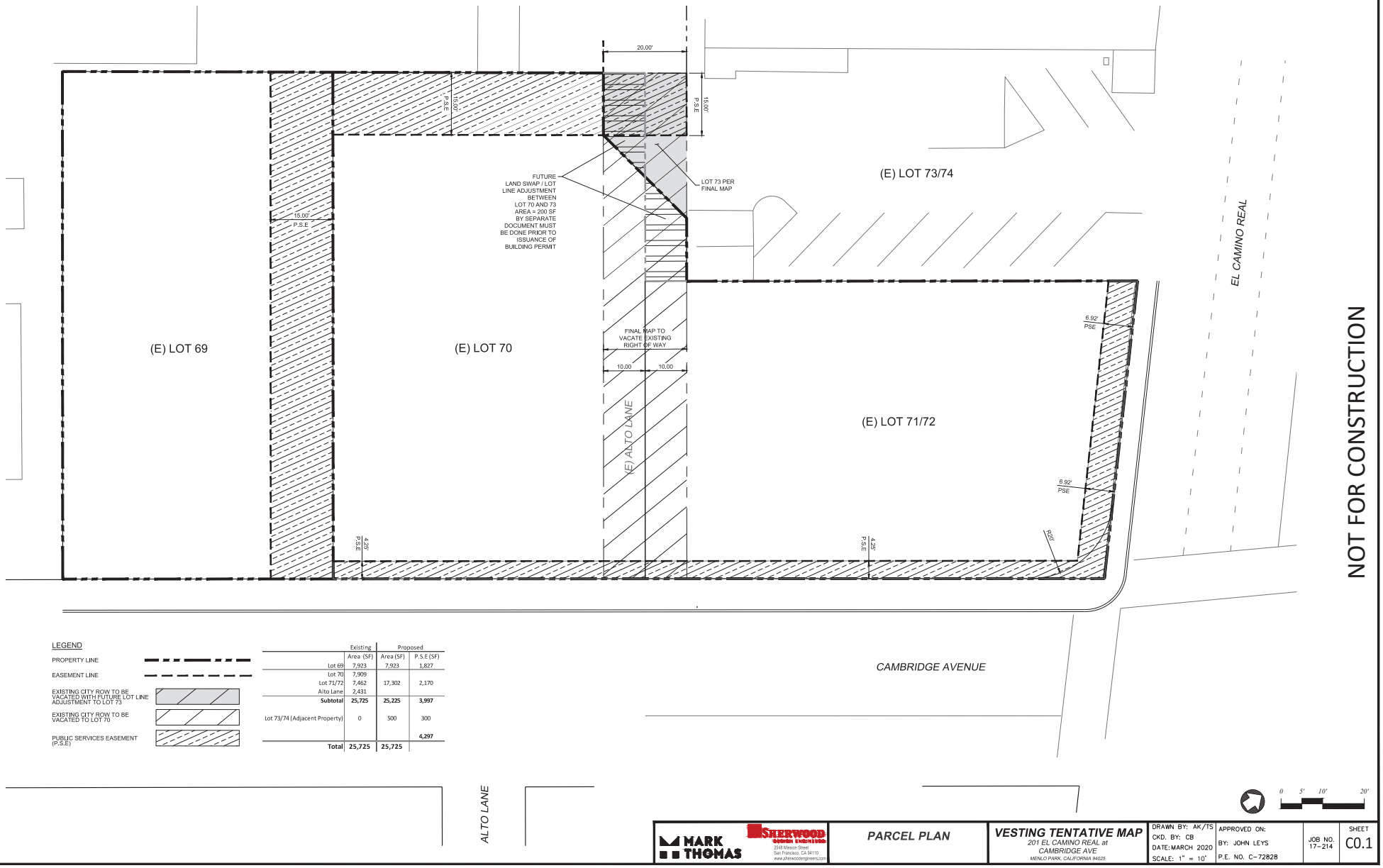
DRAWN BY: CMD
CKD. BY: BB
DATE: Mar. 2020
SCALE: 1"=15'

APPROVED ON: 02/04/2020
BY: TRAVIS BOHAN
L.S. NO. 8965

JOB NO. SJ-18106

SHEET C0.0

F2



LEGEND

- PROPERTY LINE
- EASEMENT LINE
- EXISTING CITY ROW TO BE VACATED WITH FUTURE LOT LINE ADJUSTMENT TO LOT 73
- EXISTING CITY ROW TO BE VACATED TO LOT 70
- PUBLIC SERVICES EASEMENT (P.S.E)

	Existing	Proposed	
	Area (SF)	Area (SF)	P.S.E (SF)
Lot 69	7,923	7,923	1,827
Lot 70	7,909		
Lot 71/72	7,462	17,302	2,170
Alto Lane	2,431		
Subtotal	**25,725**	**25,225**	**3,997**
Lot 73/74 (Adjacent Property)	0	500	300
			4,297
Total	**25,725**	**25,725**	

0 5' 10' 20'

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PARCEL PLAN

VESTING TENTATIVE MAP
201 EL CAMINO REAL at CAMBRIDGE AVE
MENLO PARK, CALIFORNIA 94025

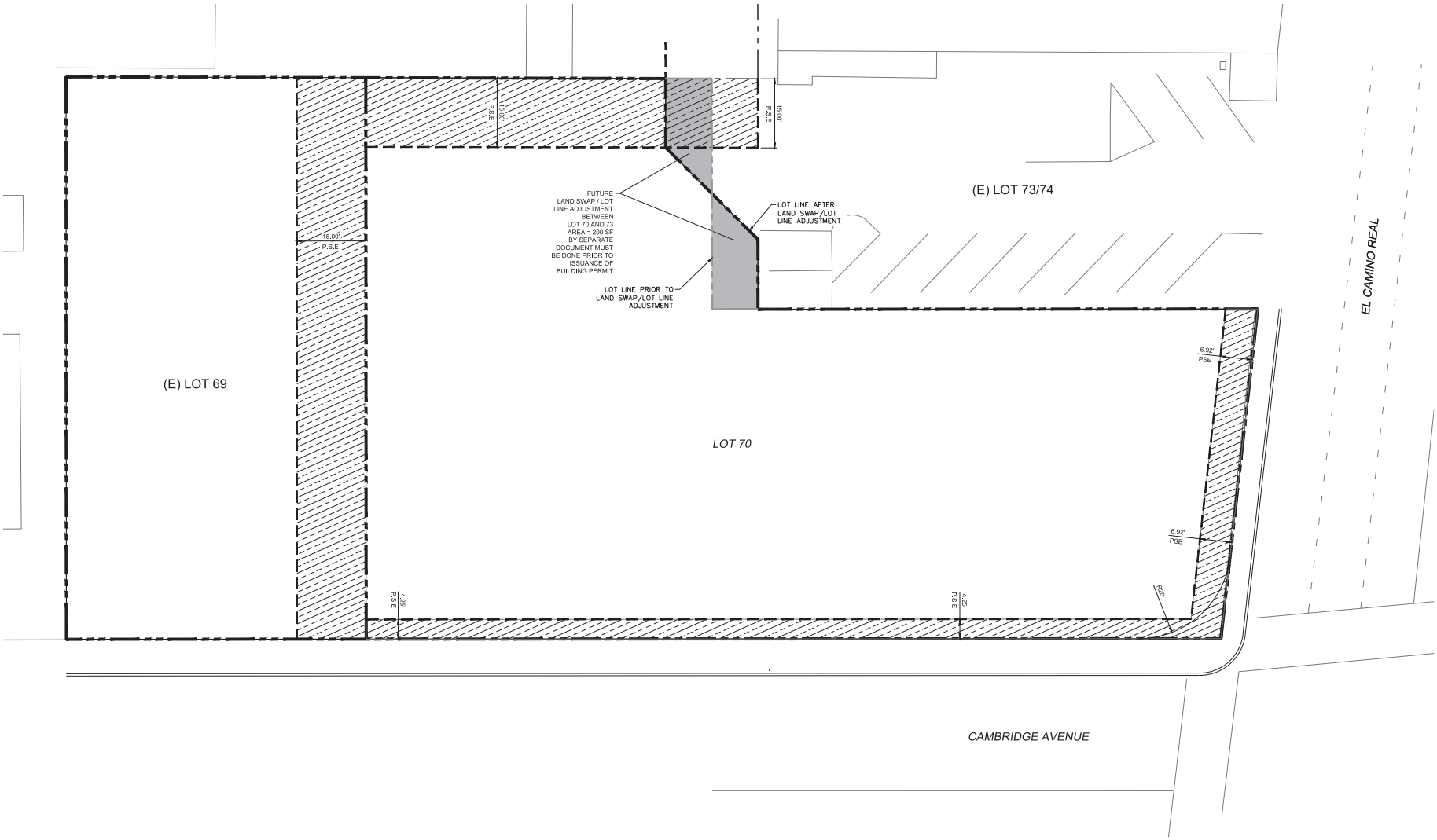
DRAWN BY: AK/TS
CKD. BY: CB
DATE: MARCH 2020
SCALE: 1" = 10'

APPROVED ON:
BY: JOHN LEYS
P.E. NO. C-72828

JOB NO. 17-214

SHEET C0.1

P:\2017\17214_201 Cambre\04_Design\01 CAD\01 SD\C0107 ARC.dwg,C0.1 PARCEL PLAN, Tina Stimpson, 3/30/2020 4:22:58 PM,ARCH expand D (36.00 x 24.00 Inches),1:1



NOT FOR CONSTRUCTION

MARK THOMAS

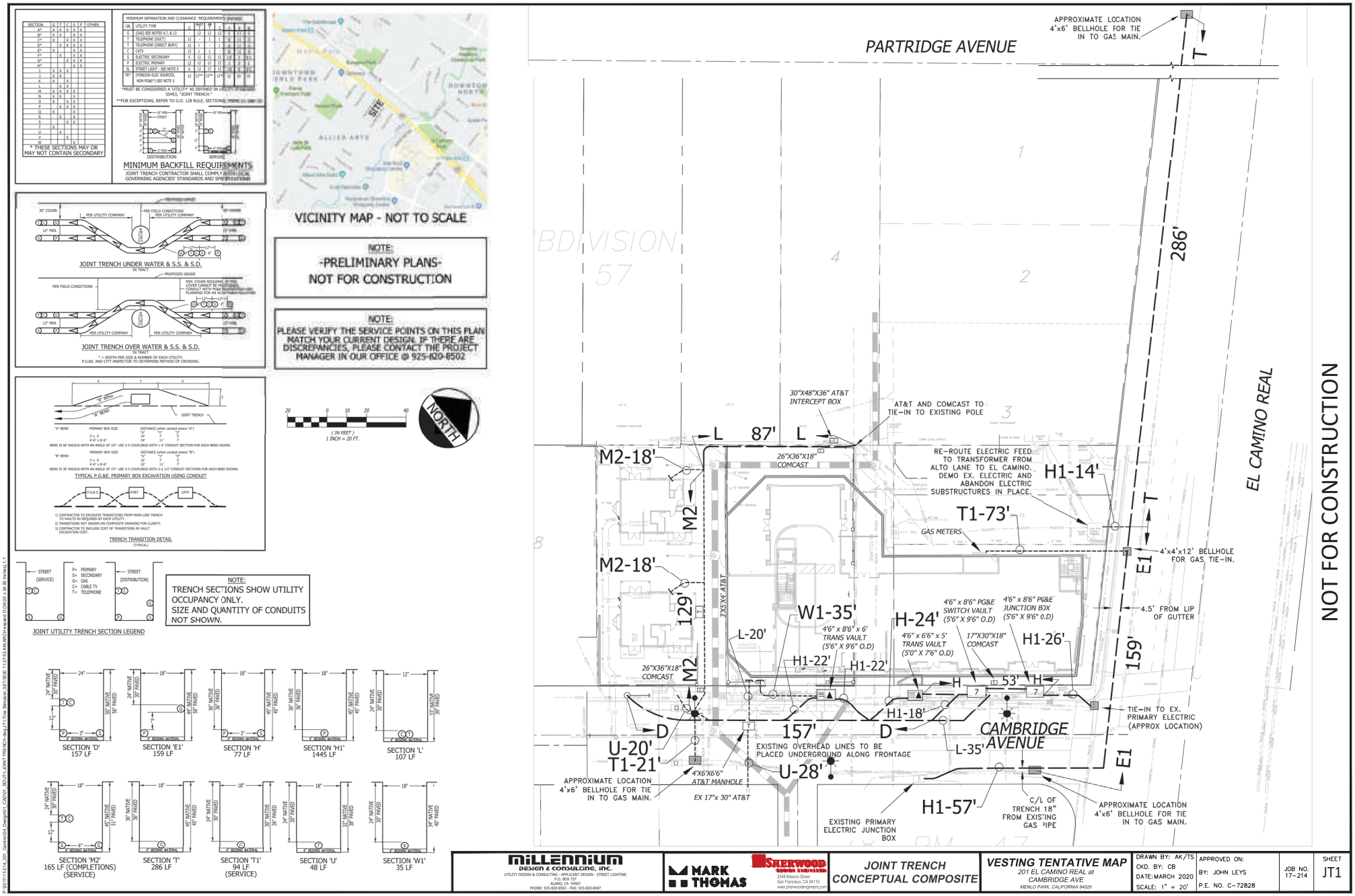
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LOT LINE ADJUSTMENT

VESTING TENTATIVE MAP
201 EL CAMINO REAL at CAMBRIDGE AVE
MENLO PARK, CALIFORNIA 94025

DRAWN BY: AK/TS	APPROVED ON:	JOB NO. 17-214	SHEET C0.2
CKD. BY: CB	BY: JOHN LEYS		
DATE: MARCH 2020	P.E. NO. C-72828		
SCALE: 1" = 10'			

P:\2017\17214_201 Camino\04_Design\01_CAD\01_SD\C020 LOT LINE ADJUST.dwg,C0.2 LOT LINE ADJUST,Tina Stimpson,3/25/2020 4:23:06 PM,ARCH expand D (36.00 x 24.00 Inches),1:1



SECTION	G	T	C	S	P	OTHER
A*	X	X	X	X	X	
B*	X	X		X	X	
C*	X		X	X	X	
D*		X	X	X	X	
E*	X			X	X	
F*		X		X	X	
G*			X	X	X	
H*			X	X	X	
I	X	X	X			
J	X	X				
K	X		X			
L		X	X			
M	X	X	X	X		
N	X	X		X		
O	X		X	X		
P		X	X	X		
Q	X			X		
R		X		X		
S			X	X		
T	X					
U		X				
V			X			
W				X		

* THESE SECTIONS MAY OR MAY NOT CONTAIN SECONDARY

MINIMUM SEPARATION AND CLEARANCE REQUIREMENTS (inches)

LN	UTILITY TYPE	G	DUCT T	DUCT C	OR T	OR C
G	(GAS) SEE NOTES 4,7, & 13	-	12	12	6	6
T	TELEPHONE (DUCT)	12	-	1	3	3
T	TELEPHONE (DIRECT BURY)	12	1	-	3	6
C	CATV	12	1	-	3	6
S	ELECTRIC SECONDARY	6	12	12	3	6
P	ELECTRIC PRIMARY	12	12	12	3	6
SL	STREET LIGHT - SEE NOTE 5	6	12	12	3	6
FP*	PORTION ELEC SOURCES, NON PG&E*) SEE NOTE 5	12	12**	12**	12	12

*MUST BE CONSIDERED A "UTILITY" AS DEFINED IN UTILITY CODE SECTION 50453, "JOINT TRENCH."

**FOR EXCEPTIONS, REFER TO G.O. 128 RULE, SECTION(S)

MINIMUM BACKFILL REQUIREMENTS

JOINT TRENCH CONTRACTOR SHALL COMPLY WITH LOCAL GOVERNING AGENCIES' STANDARDS AND SPECIFICATIONS

VICINITY MAP - NOT TO SCALE

NOTE:
-PRELIMINARY PLANS-
NOT FOR CONSTRUCTION

NOTE:
PLEASE VERIFY THE SERVICE POINTS ON THIS PLAN MATCH YOUR CURRENT DESIGN. IF THERE ARE DISCREPANCIES, PLEASE CONTACT THE PROJECT MANAGER IN OUR OFFICE @ 925-820-8502

JOINT UTILITY TRENCH SECTION LEGEND

NOTE:
TRENCH SECTIONS SHOW UTILITY OCCUPANCY ONLY.
SIZE AND QUANTITY OF CONDUITS NOT SHOWN.

20 0 10 20 40
(IN FEET)
1 INCH = 20 FT.

NORTH

MILLENNIUM DESIGN & CONSULTING, INC.
UTILITY DESIGN & CONSULTING - APPLICANT DESIGN - STREET LIGHTING
P.O. BOX 737
ALAMO, CA 94507
PHONE: 925-820-8502 - FAX: 925-820-8407

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JOINT TRENCH CONCEPTUAL COMPOSITE

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SHEET JT1

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ENVIRONMENTAL | EID ARCHITECTS ECO FUNCTIONAL ARCHITECTURE | INNOVATIONS

201 El Camino Real & 612 Cambridge Avenue

Major Subdivision Map Revisions

Request for Extension

We are writing to request an extension for the Major Subdivision Map Revisions for the project approved by City Council on October 27, 2020. (PLN2018-00061) associated with the construction of a mixed-use project at 201 El Camino Real and Townhomes at 612 Cambridge Avenue. Per the Development Permit Application & Agreement To Pay Fees submitted on 04/08/2022, we are requesting a twenty-four month extension (after 10/27/2022) for the Planning Approval and Building Permit Submittal (PLN2018-00061).

We are requesting this extension to allow additional time for the plan check review of the construction documents and permit issuance that is necessary before construction can commence on the project. The project team is diligently working to advance the various associated permit processes and interconnected contract assignments with City Departments, PG&E, Caltrans, AT&T, various joint trench, demolition subcontractors and general contractors, etc; and, due to delays related to Covid19 and subsequent variants which caused extenuating circumstances throughout the building industry, the project will need additional time requested to assist the construction process.

Construction documents have been completed and have been submitted to the city for plan check review for the mixed-use building at 201 El Camino Real (**BPA2022-02658),** and for the two detached single-family Townhomes at 612 Cambridge Avenue. (**BLD2022-02665 & BPA2022-02663).**

The two Heritage trees that were approved to be removed as part of the approved project have been removed under permit HTR2019-00024.

No further community outreach has occurred after the City Council approval on 10/27/2022.

Sincerely,



STUART WELTE, AIA, LEED ap, ICC
EID ARCHITECTS
dir 650.793.2856