



## REGULAR MEETING AGENDA

**Date:** 5/1/2023  
**Time:** 7:00 p.m.  
**Location:** Zoom.us/join – ID# 862 5880 9056 and  
City Council Chambers  
751 Laurel St., Menlo Park, CA 94025

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

### How to participate in the meeting

- Access the live meeting, in-person, at the City Council Chambers
- Access the meeting real-time online at:  
[zoom.us/join](https://zoom.us/join) – Meeting ID# 862 5880 9056
- Access the meeting real-time via telephone (listen only mode) at:  
(669) 900-6833  
Regular Meeting ID # 862 5880 9056  
Press \*9 to raise hand to speak
- Submit a written comment online up to 1-hour before the meeting start time:  
[planning.commission@menlopark.gov](mailto:planning.commission@menlopark.gov)\*  
Please include the agenda item number related to your comment.

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

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

## Regular Meeting

### A. Call To Order

### B. Roll Call

### C. Reports and Announcements

### D. Public Comment

Under “Public Comment,” the public may address the Commission on any subject not listed on the agenda. Each speaker may address the Commission once under public comment for a limit of three minutes. You are not required to provide your name or City of residence, but it is helpful. The Commission cannot act on items not listed on the agenda and, therefore, the Commission cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

### E. Consent Calendar

E1. Approval of minutes from the January 12, 2023, Planning Commission meeting. ([Attachment](#))  
***Continued from the meeting of April 24, 2023***

E2. Approval of minutes from the February 6, 2023, Planning Commission meeting. ([Attachment](#))  
***Continued from the meeting of April 24, 2023***

E3. Approval of minutes from the February 27, 2023, Planning Commission meeting. ([Attachment](#))

E4. Approval of minutes from the March 13, 2023, Planning Commission meeting. ([Attachment](#))

### F. Public Hearing

F1. Use Permit/Kelvin Chua/1143 Woodland Drive:  
Application for a use permit to construct a one-story, detached accessory dwelling unit (ADU) within the front setback of a standard lot in the R-1-U (Single-Family Urban Residential) zoning district. The ADU would be constructed with a four-foot front setback where 20 feet is required. ([Staff Report #23-028-PC](#)) ***Continued from the meeting of April 24, 2023***

F2. Planned Development Permit Revision/City of Menlo Park/700-800 El Camino Real:  
Consider and adopt a resolution for a revision to an existing Planned Development Permit to reduce the lot size, reduce the number of required onsite parking spaces from 360 to 315 spaces, and modify percentage based development standards (e.g. building coverage and floor area ratio) based on the reduced lot size to allow for the future purchase of a portion of the existing site, currently used for parking, by the City of Menlo Park for the Middle Avenue Caltrain crossing project. The revision to the planned development permit would not result in any increase in gross floor area, building coverage, or any modifications to the existing buildings on the project site. The Planning Commission is a recommending body to the City Council on the requested revision to the Planned Development Permit. The site is located in the ECR/D-SP (El Camino Real/Downtown Specific Plan) zoning district. ([Staff Report #23-031-PC](#))

- F3. Use Permit/City of Menlo Park/450-490 Willow Road:  
Consider and adopt a resolution for a use permit to construct a new accessory building containing two bathrooms and a utility closet in Willow Oaks Park, generally between the parking lot and the tennis courts, in the OSC (Open Space Conservation) zoning district. Determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures. ([Staff Report #23-032-PC](#))

## **G. Regular Business**

- G1. Selection of Planning Commission Chair and Vice Chair for May 2023 through April 2024 ([Staff Report #23-033-PC](#))

## **H. Informational Items**

- H1. Future Planning Commission Meeting Schedule – The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.
- Regular Meeting: May 15, 2023
  - Regular Meeting: June 5, 2023

## **I. Adjournment**

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

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

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

Any writing that is distributed to a majority of the Planning Commission by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at [jaherren@menlopark.gov](mailto:jaherren@menlopark.gov). Persons with disabilities, who require auxiliary aids or services in attending or participating in Planning Commission meetings, may call the City Clerk's Office at 650-330-6620.

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# Housing and Planning Commissions



## SPECIAL JOINT MEETING DRAFT MINUTES

**Date:** 01/12/2023  
**Time:** 7:00 p.m.  
**Location:** Zoom.us/join – ID# 862 5880 9056 and  
Council Chambers  
751 Laurel St., Menlo Park, CA 94025

### A. Call To Order

Planning Commission Chair (PCC) Chris DeCardy called the meeting to order at 7:13 p.m.

### B. Roll Call

Planning Commission Present: Andrew Barnes, Chris DeCardy (Chair), Linh Dan Do, Cynthia Harris (Vice Chair), Jennifer Schindler, Michele Tate

Planning Commission Absent: Henry Riggs

Housing Commission Present: Nevada Merriman, Chelsea Nguyen (Vice Chair), John Pimentel, Adriana Walker

Housing Commission Absent: Lauren Bigelow (Chair), Jackelyn Campos, Heather Leitch

Staff: Deanna Chow, Assistant Community Development Director; Tom Smith, Principal Planner; Calvin Chan, Senior Planner; Chris Turner, Associate Planner

### C. Reports and Announcements

Deanna Chow said the city recently released a Notice of Funding Availability providing an opportunity for affordable housing developers to make proposals for production of affordable housing.

### D. Public Comment

None

### E. Public Hearing

- E1. Planning Commission and Housing Commission review of the Housing Element for the 2023-2031 planning period and the following actions: 1) adopt a resolution of the Planning Commission recommending the City Council certify the subsequent environmental impact report, adopt California Environmental Quality Act findings, adopt a Statement of Overriding Considerations for significant and unavoidable impacts, and approve a mitigation and monitoring program for the Housing Element project, and 2) adopt Planning Commission and Housing Commission resolutions recommending that the City Council amend the General Plan to update the Housing Element. ([Staff Report #23-006-PC and 23-001-HC](#))



Principal Planner Tom Smith introduced the item.

Luke Evans, ESA, the city's environmental consultant, presented on the Subsequent Environmental Impact Report (SEIR).

Planner Smith made a presentation on the revisions to the draft Housing Element Update (HEU) made after review of the draft by the state's Department of Housing and Community Development (HCD).

PCC DeCardy opened the public hearing.

- Lynne Bramlett expressed concern with the city's general plan process and its available resources to support that process and recommended creating a citizen's taskforce to examine that process, make a report and then prepare annual reports on the general plan.
- Soody Tronson expressed dissatisfaction with the process and that the city was not resolving problems associated with the Housing Element and housing.
- Karen Grove, Menlo Park, supported changes and to have programs implemented to protect residents with affirmatively furthering fair housing.
- Jenny Michel, Coleman Place Neighborhood Block, recommended increasing protection for renters and affordable housing and types.
- Misha Silin, Allied Arts neighborhood, said that some of the changes were encouraging but challenged the reality of identified affordable housing sites.
- Pam Jones, Belle Haven, recommended to add that the city was committed to education to develop a sense of a lens of equity referring to the Government Alliance for Racial Equity and that it be placed on the Council's 2023-2024 workplan.
- Brittani Baxter, district 3 resident, commended efforts toward anti-displacement and tenant protection measures and urged to find some way that people currently living in multifamily projects would be enabled to return to those units should the property redevelop; under environmental justice that landlords improve buildings toward climate resiliency, and rezone so that vacant office space becomes residential zoning.
- Katherine Dumont supported inclusion of stronger tenant protection programs and their accelerated timelines and supported increasing density and types of housing, especially in high resource areas like the downtown.
- Michael (no last name given), downtown Menlo Park resident, suggested rezoning the downtown to allow taller buildings and greater residential density.
- Skyler Spear, Public Advocates, supported inclusion of tenant protection and adding a commitment to expand just cause evictions; suggested redeveloping city-owned parking lots to provide housing; and expressed concern with the feasibility of the sites identified.

PCC DeCardy closed the public hearing.

Housing Commissioner Nguyen said she supported developing city-owned lots in the downtown into mixed use and that be expedited to occur before 2024.

#### Planning Commission Discussion

The Planning Commission discussed the SEIR.

- Ratio of population to acres of park and recreational facilities was citywide and did not address dearth of those facilities in areas of the city;
- Reference to public comment on tribal cultural resources and concern that the city had no overarching guidance about historic preservation and that should be established outside of the Housing Element.

PLANNING COMMISSION ACTION: Motion and second (Harris/Schindler) to adopt a resolution recommending certification of the Supplemental Environmental Impact Report (SEIR), approval of the California Environmental Quality Act (CEQA) findings, and adoption of the Statement of Overriding Considerations (SOC) and Mitigation, Monitoring, and Reporting Program (MMRP); passes 5-1 with Commissioner Barnes opposed and Commissioner Riggs absent.

#### Housing Commission Discussion

- Concern that the Affordable Housing Overlay allowed for additional density in exchange for added public benefit but in process of densifying, it makes it more expensive and difficult for a nonprofit or any affordable developer to acquire and suggested increasing ability to increase the number of units per acre beyond 100;
- Look at impact fee deferral until occupancy;
- Recommend racial equity training;
- Accelerate housing development in downtown and city owned parking lots – set up zoning upfront or seek developers to submit RFQ's with creative proposals.

PCC DeCardy recessed the meeting for a short break.

HOUSING COMMISSION ACTION: Motion and second (Pimentel/Walker) to adopt a resolution recommending the City Council approve the 2023 to 2031 Housing Element with the following modifications; passes 4-0-3 with Commissioners Bigelow, Campos, and Leitch absent. The modifications are as follows:

1. Strengthen fee waivers or defer fees for affordable housing development on sites where the Affordable Housing Overlay (AHO) would be applicable; and
2. Add a program for City participation in a racial equity training program, such as the Government Alliance on Race and Equity (GARE).

**HOUSING COMMISSION ACTION:** Motion and second (Nguyen/Pimentel) to recommend an additional modification to the Housing Element; passes 3-0 with Commissioners Bigelow, Campos, and Leitch absent and Commissioner Merriman abstaining. The additional modification is as follows:

1. Expedite the implementation of Program H4.G, "Consider City-Owned Land for Housing (Downtown Parking Lots)," with a feasibility study to assess which parking lots are most suitable for residential development to be initiated in 2023.

#### Planning Commission Discussion

- Expedite Program H4.G in three ways and to happen concurrently; 1) administratively seek RFQs or some mechanism to involve developer(s), as soon as possible, 2) hire a consultant to study the site feasibility, and 3) enact zoning changes;
- Language to modify the AHO to allow greater than 100 dwelling units per acre;
- Add that alternative transportation in-lieu fee collected under H4.M be used for improvement for transit modes other than personal motor vehicles;
- For H6.F not to limit TDM to transit areas;
- Add program for move-in readiness for renters.

**PLANNING COMMISSION ACTION:** Motion and second (Harris/Tate) to continue until 11:30 p.m.; passes 6-0-1 with Commissioner Riggs absent.

- Do annual check-in on program implementation;
- Ask Council to direct staff to seek creative ways to accelerate downtown parking lots for affordable housing;
- Concern that stakeholders downtown needed to be consulted at the start of actions toward using city-owned parking lots for residential development;
- Support for Housing Commission recommendations;
- Accelerate implementation of H2.E, "Anti-displacement Strategy;"

**PLANNING COMMISSION ACTION:** Motion and second (Harris/Tate) to adopt a resolution recommending the City Council approve the 2023 to 2031 Housing Element with the following modifications; 6-0 passes with Commissioner Riggs absent. The modifications are as follows:

1. Accept modifications #1 and #2 as recommended by the Housing Commission (listed above);
2. Consider further accelerating the timeframes for implementation of Program H2.E, "Anti-Displacement Strategy;"

3. Revise Program H4.D, "Modify the Affordable Housing Overlay (AHO)," to indicate that the AHO may be modified to allow maximum densities greater than 100 dwelling units per acre (du/ac);
4. Revise the title of Program H4.G, "Consider City-Owned Land for Housing (Downtown Parking Lots)," to state, "Prioritize City-Owned Land for Housing (Downtown Parking Lots)" and set the timeframe for administrative tasks such as development of the feasibility study, rezoning of the parking lots, and development of a request for qualifications (RFQ) to commence concurrently in 2023;
5. Modify Program H4.M, "Update Parking Requirements and Design Standards," to specify that alternative transportation in-lieu fees collected as part of the program be utilized toward improvements for modes of transport other than personal motor vehicles;
6. Modify Program H6.F, "Transit Incentives," to specify that transit demand management (TDM) strategies should be integrated into all residential development, regardless of proximity to transit; and
7. Add a program to develop a move-in readiness program, including exploring financial assistance, focused on renters.

## **F. Informational Items**

### **F1. Future Planning Commission Meeting Schedule**

- Regular Meeting: January 23, 2023
- Special Meeting: February 6, 2023

## **G. Adjournment**

Chair DeCardy adjourned the meeting at 11:29 p.m.

Staff Liaison: Deanna Chow, Assistant Community Development Director

Recording Secretary: Brenda Bennett



## REGULAR MEETING DRAFT MINUTES

**Date:** 2/6/2023  
**Time:** 7:00 p.m.  
**Location:** Zoom.us/join – ID# 862 5880 9056 and  
City Council Chambers  
751 Laurel St., Menlo Park, CA 94025

### A. Call To Order

Acting Chair Cynthia Harris called the meeting to order at 7:00 p.m.

### B. Roll Call

Present: Andrew Barnes, Linh Dan Do, Cynthia Harris (Acting Chair), Henry Riggs, Jennifer Schindler, Michele Tate

Staff: Michael Biddle, City Attorney's Office; Fahteen Khan, Associate Planner; Matt Pruter, Associate Planner; Corinna Sandmeier, Acting Principal Planner; Chris Turner, Associate Planner

### C. Reports and Announcements

Acting Principal Planner Corinna Sandmeier said the Housing Element Update was adopted by the City Council on January 31, 2023.

### D. Public Comment

None

### E. Consent Calendar

- E1. Approval of minutes from the November 3, 2022, Planning Commission meeting. (Attachment)
- E2. Approval of minutes from the November 7, 2022, Planning Commission meeting. (Attachment)
- E2. Approval of court report transcripts for 123 Independence Drive and Parkline from the December 12, 2022, Planning Commission meeting. (Independence Drive; Parkline)

ACTION: Motion and second (Riggs/Do) to approve the consent calendar as submitted; passes 6-0.

### F. Study Session

- F1. Study session for the Parkline Master Plan project to comprehensively redevelop an approximately 63.2-acre site located at 301 and 333 Ravenswood Avenue and 555 and 565 Middlefield Road. The proposed project would redevelop SRI International's research campus by creating a new office/research and development, transit-oriented campus with no net increase in commercial square footage, up to 550 new rental housing units (with a minimum of 15% of the units available for below market rate households), new bicycle and pedestrian connections, and approximately 25 acres of

publicly accessible open space. The proposed project would demolish all existing buildings, excluding Buildings P, S, and T, which would remain on-site and operational by SRI and its tenants. The proposed project would organize land uses generally into two land use districts within the Project site, including 1) an approximately 10-acre Residential District in the southwestern portion of the Project site; and 2) an approximately 53-acre Office/R&D (research and development) District that would comprise the remainder of the Project site. In total, the Proposed Project would result in a total of approximately 1,898,931 square feet, including approximately 1,380,332 square feet of office/R&D and approximately 518,599 square feet of residential uses (including up to 450 rental residential units). In addition, the proposed project would establish a separate parcel of land that is proposed to be leased to an affordable housing developer for the future construction of a 100 percent affordable housing or special needs project which would be separately rezoned as part of the proposed project for up to 100 residential units (in addition to the residential units proposed within the Residential District), and which is not included in residential square footage calculations as the square footage has not been determined. The EIR will study two potential project variants, one that includes an approximately 2 million gallon buried concrete water reservoir and associated facilities, and one that includes an additional 50 residential units for a total of up to 600 dwelling units, inclusive of the standalone affordable housing building. The Planning Commission previously held a public hearing on the scope and content of the EIR as part of the 30-day NOP (Notice of Preparation) comment period that ended on January 9, 2023. The project site is zoned "C-1(X)" (Administrative and Professional District, Restrictive) and governed by a Conditional Development Permit (CDP) approved in 1975, and subsequently amended in 1978, 1997, and 2004. The proposed project is anticipated to include the following entitlements: General Plan Amendment (Text and Map), Zoning Ordinance Amendment, Rezoning, Conditional Development Permit, Development Agreement, Architectural Control (for potential future Design Review), Heritage Tree Removal Permits, Vesting Tentative Map, Below Market Rate (BMR) Housing Agreement and Environmental Review. ***Continued from the meeting of January 23, 2023.*** (Staff Report #22-073-PC; Correspondence)

Planner Sandmeier made a presentation on the item.

Mark Murray, Lane Partners, spoke on behalf of the proposed project.

Acting Chair Harris opened public comment.

Public Comment:

- Jenny Michel, Coleman Place Neighborhood Block, urged the creation of up to 1,850 residential units at 30% affordable through the proposed development.
- Rob Wellington, Willows, said he supported the project for its housing and open space. He said commercial was important to have near the downtown to support local retail businesses.
- Karen Grove supported the move of the affordable housing into the residential zone and willingness to do more than 100 units of deeply affordable housing and to study up to 800 housing units.
- Pam Jones noted the additional affordable housing and residential units and said to meet RHNA for affordable housing at all levels the city needed 1,662 new affordable units noting 594 were in

the pipeline. She said if more affordable units could be built physically separate that should be the goal and the Council should rezone to increase well over the 100 residential units allowed per acre in District 1.

- Ken Chan, Housing Leadership Council of San Mateo County, said he appreciated the applicant's willing response to community comments to improve the proposal and urged the Commission to support the proposal that allowed for the greatest feasible number of homes, especially affordable ones.
- Michal Bortnik supported increased housing up to 800 units due to the number of expected employees at the commercial site and urged that everything be done to mitigate traffic impacts.
- Adina Levin, Menlo Park, expressed support for the evolved proposal to have more homes including more affordable housing.
- Conor Flannery said this was a great site for commercial use that would help the city attract and retain great employers to continue to be a leader in the tech and life sciences area.
- Kartherine Dumont, Linfield Oaks, said she supported that the applicants were looking into providing more housing and a variety of and dedicated affordable and deeply affordable housing. She said this project also made it possible to make the area safer for bicyclists and pedestrians.
- Sarah Brophy, Menlo Park, supported the project and noted the housing and affordable housing component.
- Phil Bahr expressed concern with the proposal for the four story parking structures that would block the views of McCandless Business Park, and that the 1 million square feet of new office space and 650 apartments would add to traffic gridlock.
- Michael Arousa, Menlo Park, expressed strong support for the project proposal and maximizing the amount of housing built up to 800 units.

Acting Chair Harris closed public comment.

Commissioner Comments:

- Support for integrating the donated acre within residential component, the possibility of increasing size of donated land and number of affordable units, and studying 800 or more housing units
- Support for the level of affordable housing at 30% and efforts to increase that
- Consider longer term rental leases such as 10 years
- Consider two parking structures rather than three and one to two levels with affordable housing on top
- Support for an aggressive TDM plan for the project due to its proximity to downtown and transit
- Consider realignment of Ravenswood with Ringwood
- Support for keeping residential and commercial traffic separate



- Support for the office amenity center being open to the public and tenants of other office buildings along Middlefield Road
- Consider creation of two regulation-sized sports field and office space for Menlo Park School District or one regulation-sized sports field and four pickleball courts
- Appreciation for the open space and connectivity through the site and preservation of heritage trees, in particular the native oaks
- Support for Mission revival architecture
- Support for reservoir variant

Comments were also made regarding a desire for an EIR alternative analysis of 1,000 to 1,700 housing units.

## **G. Public Hearing**

- G1. Consider and adopt a resolution to approve 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 in the R-1-U (Single Family Urban Residential) zoning district, at 893 Woodland Avenue; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures. ***Continued to a future meeting.***
- G2. Consider and adopt a resolution to approve a use permit to demolish an existing one-story, single-family residence, and construct 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, at 440 University Drive. The project includes an attached accessory dwelling unit (ADU), which is a permitted use not subject to discretionary review; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures. (Staff Report #23-010-PC)

Associate Planner Chris Turner reported no updates to the published staff report.

Anna Felver, Thomas James Homes, applicant, spoke on behalf of the project.

Acting Chair Harris opened the public hearing.

Public Comment:

- Elizabeth Houck spoke against the project due to concerns about privacy impacts.

Acting Chair Harris closed the public hearing.

The Commission discussed stairwell glazing and potential shade impacts.

Commissioner Riggs moved to approve the item with the addition of obscure glazing on the stairwell. Commissioner Schindler seconded the motion.

**ACTION:** Motion and second (Riggs/Schlinder) to adopt a resolution to approve a use permit to demolish an existing one-story, single-family residence, and construct 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, at 440 University Drive with the following modification; passes 4-0-2 with Commissioners Barnes and Tate abstaining.

**Add Condition 2a:** Simultaneous with the submittal of a complete building permit application, the Applicant shall revise the elevation drawings to indicate the stair well window will have obscured glass, subject to review and approval of the Planning Division.

- G3. Consider and adopt a resolution to approve a use permit to demolish an existing one-story, single-family residence and detached accessory building, and construct a new two-story, single-family residence on a substandard lot with regard to lot width, depth, and area in the R-1-U (Single Family Urban Residential) zoning district, at 167 McKendry Drive; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures. (Staff Report #23-011-PC)

Commissioner Barnes recused himself from consideration of this item.

Planner Pruter said an additional piece of correspondence was received expressing privacy concerns and proposed tree planting.

Eiki Tanaka, project architect, spoke on behalf of the project.

Acting Chair Harris opened the public hearing.

Public Comment:

- Alex Lee, neighbor, expressed concerns with the stairwell window and its view into his property and backyard and said the proposed tree type offered for screening was unacceptable.

Acting Chair Harris closed the public hearing.

Commissioner Riggs moved to adopt a resolution to approve the project with the condition that the lower section of the stairwell window be obscure glass and the applicant work with staff on alternative tree selections that might be more amenable to the neighbor. Commissioner Tate seconded the motion.

**ACTION:** Motion and second (Riggs/Tate) to adopt a resolution to approve a use permit to demolish an existing one-story, single-family residence and detached accessory building, and construct a new two-story, single-family residence on a substandard lot with regard to lot width, depth, and area in the R-1-U (Single Family Urban Residential) zoning district, at 167 McKendry Drive; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures with the following additional condition; passes 5-0-1 with Commissioner Barnes recused.

**Add Condition 2a:** Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans showing obscured glass for the lower portion of the window (lower lite) at the stairs along the right-side elevation and alternative tree selections, for the purpose of providing privacy screening between the window at the stairs and the neighboring residence, subject to review and approval of the Planning Division.

- G4. Consider and adopt a resolution to approve a use permit to demolish an existing one-story, single family residence and construct two new two-story residences on a substandard lot with regard to minimum lot width in the R-2 (Low Density Apartment) district, at 785 Partridge Avenue. The project would also include excavation in the interior side and rear setbacks for lightwells associated with basements; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures. Additionally, the proposal includes administrative review of a minor subdivision to subdivide the project into two condominium units. (Staff Report #23-012-PC)

Planner Fahteen Khan noted an added condition of approval: *Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report detailing guidelines for root preservation for trees #2 and 3 (Douglas firs), located at 817 Partridge Avenue. In addition to detailed instructions on excavation methods and monitoring, the guidelines shall specify alternative driveway construction techniques and/or materials to preserve roots of trees #2 and 3 within 12 feet of their trunks and state that no roots greater than or equal to 2 inches in diameter shall be cut within 12 feet of trees' trunks. The revised arborist report shall be subject to review and approval by the City Arborist and Planning Division.*

Jose Ares, Studio Squared Architecture, spoke on behalf of the project.

Acting Chair Harris opened the public hearing.

Public Comment:

- Ken Chen expressed concern that the existing home had asbestos siding and that had also potentially permeated the soil and asked for confirmation it would be removed safely.
- A neighbor (*name not provided*) expressed concerns about the advanced age and health of the Douglas firs and protection of their property from their potential collapse, the project built up to their property line and privacy impacts, impacts to their foundation from the proposed excavation as well as asbestos hazards, and whether the transformer was sufficient with this new structure.

ACTION: Motion and second (Tate/Schindler) to continue to 11:15 p.m.; passes 6-0.

- Anna (*last name not provided*), neighbor, said she could not support the project and noted past bad experience with a similar project and requested responsive contact information for the course of the project, and full attention to safe handling of potential asbestos siding.

Acting Chair Harris closed the public hearing.

Ms. Khan explained that remediation for asbestos removal and structural requirements regarding lightwells and basements were determined during the building permit process. She said building inspectors visit the construction site to ensure compliance to regulations and standards. She was not able to address the transformer question.

ACTION: Motion and second (Riggs/Schindler) to adopt a resolution including the added condition to approve a use permit to demolish an existing one-story, single family residence and construct two new two-story residences on a substandard lot with regard to minimum lot width in the R-2 (Low

Density Apartment) district at 785 Partridge Avenue; passes 5-0-1 with Commissioner Barnes abstaining.

**Add Condition 2b:** Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report detailing guidelines for root preservation for trees #2 and 3 (Douglas firs), located at 817 Partridge Ave. In addition to detailed instructions on excavation methods and monitoring, the guidelines shall specify alternative driveway construction techniques and/or materials to preserve roots of trees #2 and 3 within 12 feet of their trunks and state that no roots greater than or equal to 2 inches in diameter shall be cut within 12 feet of trees' trunks. The revised arborist report shall be subject to review and approval by the City Arborist and Planning Division.

## **H. Informational Items**

### **H1. Future Planning Commission Meeting Schedule**

- Regular Meeting: February 27, 2023

Planner Sandmeier said the February 27 and March 13 agendas were not finalized.

- Regular Meeting: March 13, 2023

## **I. Adjournment**

Acting Chair Harris adjourned the meeting at 11:10 p.m.

Staff Liaison: Corinna Sandmeier, Principal Planner

Recording Secretary: Brenda Bennett



## REGULAR MEETING DRAFTMINUTES

**Date:** 02/27/2023  
**Time:** 7:00 p.m.  
**Location:** Zoom.us/join – ID# 862 5880 9056 and  
Council Chambers  
751 Laurel St., Menlo Park, CA 94025

### A. Call To Order

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

### B. Roll Call

Present: Linh Dan Do (Acting Chair), Henry Riggs, Jennifer Schindler, Michele Tate

Absent: Andrew Barnes, Cynthia Harris

Staff: Theresa Avidian, Senior Civil Engineer; Christine Begin; Planning Technician; Calvin Chan, Senior Planner; Nira Doherty, City Attorney; Connor Hochleutner, Assistant Planner; Matt Pruter, Associate Planner; Corinna Sandmeier, Acting Principal Planner; Tom Smith, Principal Planner; Chris Turner, Associate Planner

### C. Reports and Announcements

None

### D. Public Comment

- Pamela Jones, Menlo Park, asked how people at Belle Haven Library would be able to participate in public comment.

Sean Reinhart, Library and Community Services Director, said attendees at the library would provide comment cards to speak and he asked Acting Chair Do to check with the site when public comment was opened.

### E. Consent Calendar

E1. None

### F. Public Hearing

- F1. Consider and adopt a resolution to approve a variance to increase the height of the daylight plane from 19 feet, six inches to approximately 23 feet, seven inches, and to approve a use permit to demolish an existing one-story, single-family residence and construct a new two-story residence with a basement on a substandard lot with regard to minimum lot area and width in the R-1-U (Single Family Urban Residential) zoning district, at 103 Dunsmuir Way; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction of small structures. Continued from the January 23, 2023 regular meeting. (Staff Report #23-013-PC)

Senior Planner Calvin Chan said staff had no additions to the written staff report.

Commissioner Riggs suggested for the first variance finding to clarify that the hardship peculiar to the property would not generally be applicable to other properties that were not corner lot parcels with a street side property line and setback oriented towards the south.

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

ACTION: Motion and second (Riggs/Schindler) adopt a resolution to approve a variance to increase the height of the daylight plane from 19 feet, six inches to approximately 23 feet, seven inches, and to approve a use permit to demolish an existing one-story, single-family residence and construct a new two-story residence with a basement on a substandard lot with regard to minimum lot area and width in the R-1-U (Single Family Urban Residential) zoning district, at 103 Dunsmuir Way; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction of small structures and with modification to the response to the first variance finding to clarify language that the hardship peculiar to the property would not generally be applicable to other property that are not corner lot parcels with a street-side property line and setback oriented towards the south; passes 4-0-2 with Commissioners Barnes and Harris absent.

- F2. Consider and adopt a resolution to approve a use permit to exceed the maximum nighttime noise limit of 50 dBA, measured at residential property lines, to accommodate electric pool heating equipment for the Menlo Park Community Campus located at 100 Terminal Avenue; determine that this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction of small structures. (Staff Report #23-014-PC) Continued from the October 3, 2022 regular meeting.

Associate Planner Chris Turner said an additional email was received expressing concern with the impact of noise from the project on neighbors.

Menlo Park Senior Civil Engineer Theresa Avidian introduced Cheryl Jarrett and Sean O'Neill from Meta, Ethan Salter and Skyler Carrico, the acoustical consultants, Jeff Till from Hart Howerton, and Binh Li from Pace the pool designer. Ms. Avidian and Sean Reinhart, Library and Community Services Director, spoke on behalf of the project.

Acting Chair Do opened the public hearing.

Public Comment:

- Donald Mendoza expressed opposition to the proposed project and would offer suggestions in writing to the City.
- Siobhan Flynn expressed dissatisfaction with the proposed solution and process.
- Alberto expressed opposition to the proposed project.
- Arlene expressed opposition to the proposed project.
- Eduardo expressed opposition to the proposed project.
- Rosita expressed opposition to the proposed project.
- Ruby expressed opposition to the proposed project.
- Maya Perkins expressed opposition to the proposed project

- Peter expressed concern with unanswered details and expressed opposition.
- Pam Jones expressed opposition to the proposed project and suggested mitigation for residents.
- Karen Grove expressed opposition to the proposed project and made suggestions to process.

Acting Chair Do closed the public hearing.

The Commission discussed cumulative noise impacts, location and relocation of heat pumps, number of heat pumps and frequency of use, comparable external noise, and treatment to reduce noise impact with Ethan Salter, Binh Le, Sean Reinhart, Ms. Avidian, and Jeff Till.

Commissioner Riggs moved to continue the application for the acoustics to be successfully addressed. Commissioner Tate seconded and added a requirement that outreach be done with all of Belle Haven and not just Del Norte residents. Commissioner Riggs clarified for staff that the project should meet the noise ordinance levels. Commissioner Tate expressed concern that 50 decibels was loud and suggested the city consider as had been done for Sharon Road residents to provide reparation to neighbors to upgrade windows. Commissioner Riggs agreed that 50 decibels was loud for sleeping. Planner Turner said that exceeding 50 decibels was why the item was before the Commission.

Commissioner Riggs withdrew his motion and moved to deny the project. Commissioner Tate seconded. Planner Turner said if the Commission wanted to deny that staff requested the Commission continue the project with direction to staff to prepare findings and resolution for denial. Planner Sandmeier suggested it could be to a date certain and not need to be re-noticed.

Commissioner Riggs said that was amenable to him and moved to continue the application to a date certain with direction to staff to prepare a resolution and findings for denial and recommend that nighttime use be at a lower than 50 decibel level. Commissioner Tate said she would like the meeting to be re-noticed and more outreach done.

City Attorney Nira Doherty said she was not sure the Commission had the purview to direct staff to do more outreach beyond the noticing of residents within 300-foot radius and indicated that would come through the city manager. Commissioner Tate indicated that she wanted the item re-noticed and if possible, through the city manager for greater outreach to Belle Haven residents to occur. Commissioner Riggs amended his motion to remove the phrase "to a date certain." Commissioner Tate seconded the motion.

**ACTION:** Motion and second (Riggs/Tate) to continue the application with direction to staff to prepare a resolution and findings for denial, to re-notice the project upon return, with a request for additional community canvassing, and to request lower noise emissions be targeted below the maximums allowed by the Municipal Code; passes 4-0-2 with Commissioners Barnes and Harris absent.

Acting Chair Do recessed the meeting for a short break.

- F3. Consider and adopt a resolution to approve a use permit for the partial demolition of an existing nonconforming two-story, single-family residence, and construction of first and second-story additions and remodeling which would exceed 50 percent of the existing value in a 12-month period on a standard lot in the R-1-U (Single Family Urban Residential) zoning district, at 312 Oakwood Place; determine this action is categorically exempt under CEQA Guidelines Section 15301's

exemption for existing facilities. (Staff Report #23-015-PC)

Associate Planner Chris Turner said staff had no additions to the written report.

Commissioner Riggs asked about outreach. Ching-Pei Hu, property owner, described their neighbor outreach.

Una Kinsella from UKM Architecture spoke on behalf of the project.

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

ACTION: Motion and second (Schindler/Riggs) to adopt a resolution to approve a use permit for the partial demolition of an existing nonconforming two-story, single-family residence, and construction of first and second-story additions and remodeling which would exceed 50 percent of the existing value in a 12-month period on a standard lot in the R-1-U (Single Family Urban Residential) zoning district, at 312 Oakwood Place and determine this action is categorically exempt under CEQA Guidelines Section 15301's exemption for existing facilities; passes 4-0-2 with Commissioners Barnes and Harris absent.

- F4. Consider and adopt a resolution to approve a use permit to demolish an existing single-story, single-family residence and construct a new two-story, single-family residence on a substandard lot with regard to minimum lot width in the R-1-S (Single-Family Suburban) zoning district, at 1340 Hillview Drive; determine that this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction of small structures. The proposal includes an attached accessory dwelling unit (ADU), which is not subject to discretionary review. (Staff Report #23-016-PC)

Assistant Planner Connor Hochleutner said staff had no additions to the written report.

Anna Felver, Thomas James Homes, and Alberto Puggelli, property owner, spoke on behalf of the project.

Acting Chair Do opened the public hearing.

Public Comment:

- Jim Brelsford expressed support for the property owners but concern with increased building of two-story homes with basements that changed the character of Menlo Park.

Acting Chair Do closed the public hearing.

ACTION: Motion and second (Riggs/Tate) to adopt a resolution to approve a use permit to demolish an existing single-story, single-family residence and construct a new two-story, single-family residence on a substandard lot with regard to minimum lot width in the R-1-S (Single-Family Suburban) zoning district at 1340 Hillview Drive and determine that this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction of small structures; passes 4-0-2 with Commissioners Barnes and Harris absent.

- F5. Consider and adopt a resolution to approve a use permit to remodel and construct first- and second-



story additions to an existing nonconforming, one-story, single-family residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district, at 211 Oakhurst Place. The proposed work would exceed 50 percent of the replacement value of the existing nonconforming structure in a 12-month period. The proposal would also exceed 50 percent of the existing floor area and is considered equivalent to a new structure; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures. The proposal includes an attached accessory dwelling unit (ADU), which is not subject to discretionary review. (Staff Report #23-017-PC)

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

Jen and Peter Tanner, property owners, and Larry Kahle, project architect, spoke on behalf of the project.

Acting Chair Do opened the public hearing and closed it was no one requested to speak.

ACTION: Motion and second (Riggs/Schindler) to adopt a resolution to approve a use permit to remodel and construct first- and second- story additions to an existing nonconforming, one-story, single-family residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district, at 211 Oakhurst Place and determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures; passes 4-0-2 with Commissioners Barnes and Harris absent.

- F6. Consider and adopt a resolution recommending the City Council accept the 2022 Housing Element Annual Progress Report; the Housing Element Annual Progress Report is not considered a project under CEQA. (Staff Report #23-018-PC)

Principal Planner Tom Smith presented the item.

Acting Chair Do opened the public hearing and closed it as no other persons requested to speak.

ACTION: Motion and second (Riggs/Tate) to adopt a resolution recommending the City Council accept the 2022 Housing Element Annual Progress Report; passes 4-0-2 with Commissioners Barnes and Harris absent.

## **H. Informational Items**

### **H1. Future Planning Commission Meeting Schedule**

- Regular Meeting: March 13, 2023

Planner Sandmeier said the March 13 agenda would have one single-family residential project, a use permit and architectural control request for the Sharon Heights golf course and country club, and a study session for a project at 1030 O'Brien.

Regular Meeting: March 27, 2023



**I. Adjournment**

Acting Chair Do adjourned the meeting at 9:54 p.m.

Staff Liaison: Corinna Sandmeier, Principal Planner

Recording Secretary: Brenda Bennett



## REGULAR MEETING DRAFT MINUTES

**Date:** 03/13/2023  
**Time:** 7:00 p.m.  
**Location:** Zoom.us/join – ID# 862 5880 9056 and  
Council Chambers  
751 Laurel St., Menlo Park, CA 94025

### A. Call To Order

Acting Chair Cynthia Harris called the meeting to order at 7:00 p.m.

### B. Roll Call

Present: Cynthia Harris (Acting Chair), Linh Dan Do, Henry Riggs, Jennifer Schindler, Michele Tate

Absent: Andrew Barnes

Staff: Fahteen Khan, Associate Planner; Leila Moshref-Danesh, City Attorney's Office; Kyle Perata, Planning Manager; Matt Pruter, Associate Planner; Corinna Sandmeier, Principal Planner; Chris Turner, Associate Planner

### C. Reports and Announcements

Principal Planner Sandmeier said the City Council at its March 14, 2023 meeting would consider the 201 El Caminor Real tentative map extension, SB 9 code amendments-titles 15 and 16, and the Parkline project environmental review comments.

### D. Public Comment

- Ron Schloss, Sand Hill Circle, asked whom to contact to have the speed limit on his street changed from the current 25 miles per hour to the original 15 miles per hour.
- Kenneth Do, Carpenters Union Local 217, encouraged the city to adopt regulations to use workforce that met labor standards for both the benefit of the workers and the community.

### E. Consent Calendar

E1. Approval of minutes from the November 14, 2022 Planning Commission meeting.

E2. Approval of minutes from the December 1, 2022 Planning Commission meeting.

**ACTION:** Motion and second (Do/Schlinder) to approve the consent calendar as submitted; passes 3-0-2-1 with Commissioners Riggs and Tate abstaining and Commissioner Barnes absent.

## **F. Public Hearing**

- F1. Consider and adopt a resolution to approve 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 in the R-1-U (Single Family Urban Residential) zoning district, at 893 Woodland Avenue; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures.

Associate Planner Khan noted a letter from a neighbor received after publication of the staff report.

Leo Li, project designer, spoke on behalf of the project.

Acting Chair Harris opened the public hearing.

Public Comment:

- Naomi Goodman, resident adjacent to the subject property, expressed concern with the noise level of proposed heat pumps and suggested using high grade equipment, use of a sound-absorbing pad, and an enclosure.
- Greg Webb, resident adjacent to the subject property, expressed concerns about preservation of the heritage redwood trees, privacy impacts related to windows in the master bedroom, and light and noise pollution.

Acting Chair Harris closed the public hearing.

The Commission discussed location of the replacement tree in the front and code requirements for the location of heat pumps with staff, and confirmed with the applicant that external lights would be turned downwards.

Replying to Acting Chair Harris, Mr. Li said the heat pump chosen would comply with code and they were open to building an enclosure around it to reduce noise.

Commissioner Riggs moved to approve with three added conditions: second floor windows as discussed would have their lower half obscured, the replacement tree in the front would be planted as close as possible to the sidewalk, and the applicant would work with staff to construct an enclosure and/or ways to reduce noise below 50 decibels at the property line from the heat pump. Commissioner Schindler seconded the motion.

Upon inquiry, Leila Moshref-Danesh, City Attorney's Office, said the two-story residential development could be so conditioned regarding the heat pump and noise level.

Mr. Li clarified the two windows to be obscured were in the master bedroom.

Commissioner Schindler asked that the condition regarding the enclosure for the heat pump use the word "endeavor" to reduce the noise to below 50 decibels.

Commissioners expressed concern with trying to reduce the noise level below the municipal code allowance.

Planning Manager Kyle Perata said that requiring more than code for the noise level was a policy issue.

Commissioner Tate referred to the previous meeting's discussion about heat pumps for the pool and that the noise be less than 50 decibels at the property line, and questioned consistency.

Planning Manager Perata said the item mentioned by Commissioner Tate was a use permit requesting to exceed the 50 decibels allowed at night or 10 p.m. to 7 a.m.

Commissioner Riggs noted the applicant's willingness to enclose the heat pump to try to mitigate the noise level to lower than 50 decibels.

Acting Chair Harris suggested use of the word "endeavor." Ms. Moshref-Danesh said the applicant's willingness to build an enclosure supported the condition and the use of the word "endeavor" would strengthen the condition from a legal perspective.

Commissioner Riggs said that was acceptable to him to use the word endeavor and Commissioner Schindler's language. Commissioner Schindler said her wording for the condition was: applicant shall endeavor to reduce heat pump noise levels below 50 decibels through a range of tactics such as building an enclosure.

**ACTION:** Motion and second (Riggs/Schindler) to adopt a resolution to approve 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 in the R-1-U (Single Family Urban Residential) zoning district, at 893 Woodland Avenue and determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures with the following modifications; passes 4-1-1 with Commissioner Tate opposed and Commissioner Barnes absent.

**Add Condition 2b:** Simultaneous with the submittal of a complete building permit application, the applicant shall revise the elevation drawings to indicate that the lower half of the master bedroom windows shall have obscured glass, subject to review and approval by the Planning Division;

**Add Condition 2c:** Simultaneous with the submittal of a complete building permit application, the applicant shall revise the site plan and landscape plans to indicate the location of replacement heritage tree as close to the front property line as possible, subject to review and approval by the Planning Division and City Arborist;

**Add Condition 2d:** The applicant shall endeavor to reduce heat pump noise levels below 50 decibels through a range of tactics such as building an enclosure.

- F2. Consider and adopt a resolution to approve a use permit and architectural control to make landscaping modifications to an existing golf course in the OSC (Open Space and Conservation) zoning district. The proposed work includes grading changes, irrigation improvements, new pathways, and landscaping throughout the fairways. The proposal also includes an expansion of the artificial lake for additional recycled water storage. The project also includes a request to construct three carports on the main parking lot adjacent to the existing clubhouse and two pergolas adjacent to the existing clubhouse and pool deck, which would provide solar arrays. Determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities, Section 15302's Class 2 exemption for replacement or reconstruction, Section 15303's Class 3 exemption for new construction or conversion of small structures, and Section 15311's Class 11 exemption for accessory structures. The City Arborist conditionally approved the removal of 258 heritage trees for the proposed project.

Associate Planner Matt Pruter said six comment letters were received after publication of the staff report with some supporting the project, others expressing concern with the number of heritage trees proposed for removal and the process of tree removal approval, and the level of environmental review.

Andy Duncan, project representative, introduced attorney Frank Petrelli, civil engineer Cliff Bechtel, arborist Gordon Matt, environmental specialist Scott Yanger, and golf course superintendent Chad Twaddle. Mr. Duncan spoke on behalf of the proposed project.

Acting Chair Harris opened the public hearing.

Public Comment:

- Lynne Bramlett said she was concerned with the proposed heritage and other tree removals and the process allowing that with seeming ease for development projects.
- Jennifer Johnson, Sharon Heights, Country Club Fairways Homeowners' Association (HOA), said her HOA was not invited to the presentation given to the other HOA named by the speaker and expressed concern with the number of trees, heritage and other, being removed and not all being replaced including safety concerns as well as concerns with construction noise and dirt.
- Ron Schloss questioned the 100 trees for which no reason was given for removal and noted he did not think there was any value in replacing a redwood tree with a native tree unless there was an environmental impact or cost impact.
- Nancy Larocca Hedley, Environmental Quality Commission, said she was speaking as an individual and echoed concerns expressed by previous commenters and suggested changes to the process to allow for greater citywide input when large numbers of heritage trees were proposed for removal.
- Rick Johnson said the International Audobon Society was not affiliated with the National Audobon Society,

- Ron Snow said the Country Club impacted the biodiversity environment for miles around it; questioned how many trees were in fact ill or dead, and suggested goals could be accomplished without removing so many trees.
- Joseph David said he supported the project noting he was initially opposed to tree removals but realized that those trees were planted unwisely, took a lot of water, and that naturally this area would be grasslands and oak and sycamore trees.

Acting Chair Harris closed the public hearing.

The Commission discussed the tree removal, public comments, and presentation and noted the complexity of understanding the why of the tree removal through those.

Commissioner Riggs moved to approve as submitted. Commissioner Tate seconded the motion.

Replying to the Chair, Mr. Duncan said regarding errant golf balls and safety to nearby residences that they intended to increase the safety netting height from 50 feet to 75 feet and with the project would plant trees that were bushier and would block balls from the second and eighth holes better.

ACTION: Motion and second (Riggs/Tate) adopt a resolution to approve a use permit and architectural control to make landscaping modifications to an existing golf course in the OSC (Open Space and Conservation) zoning district and determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities, Section 15302's Class 2 exemption for replacement or reconstruction, Section 15303's Class 3 exemption for new construction or conversion of small structures, and Section 15311's Class 11 exemption for accessory structures; passes 4-0-1-1 with Commissioner Do abstaining and Commissioner Barnes absent.

Acting Chair Harris recessed the meeting at 9:30 p.m. for a short break.

Acting Chair Harris reconvened the meeting at 9:35 p.m.

## **G. Study Session**

- G1. Request for a study session for a proposal to demolish two existing, one-story commercial buildings and construct a new three story life science/research and development (R&D) building with a ground floor commercial space in the L-S (Life Sciences) zoning district. The project site currently includes four legal parcels with four existing buildings. Two of the existing buildings, addressed 980-990 and 1010 O'Brien Drive would remain. The proposed total gross floor area of the proposed building would be approximately 61,901 square feet of R&D space and 5,787 square feet of commercial space. The development regulations would be calculated across the entire project site (e.g. gross floor area, parking, etc.). The total area of R&D and related uses, inclusive of the two buildings to remain, would be a floor area ratio of approximately 0.55. The commercial space would be an additional floor area ratio of approximately 3.7 percent beyond the 55 percent allowed for R&D uses. The proposed project is anticipated to include the following entitlements: architectural control, use permit, below market rate (BMR) housing in lieu fee, and environmental review. The proposed project also includes a request for hazardous materials (diesel fuel) for an emergency backup generator. Additionally, two of the four parcels would be merged to allow for the proposed building.

The Planning Commission held a study session to provide feedback to the applicants and receive public comments on the proposal.

Planner Khan presented the item.

Steve Reller, property owner, and Rob Zirkle, project architect, spoke on behalf of the project.

Acting Chair Harris opened for public comment.

Public Comment:

- Lynne Bramlett said that such proposed life sciences projects did not address the safety element, environmental justice or the municipal code and questioned adequate regulation of these life science industries close to residential areas.
- Pam Jones said she lived close to this project and many others slated to be developed in District 1 and expressed concerns about the loss of view and hazardous waste disposal impacts to residents including East Palo Alto residents.
- Naomi Goodman said she was concerned about city regulation of life science research and development projects and mentioned biosafety levels for life science facilities and how those should be analyzed relative to people and the environment's safety.

Acting Chair Harris closed public comment.

Planning Commissioners provided the following general comments:

- Proposed public space seemed adequate.
- Proposed project used nice materials, was an attractive building, the modulations worked, and the building entries were clear.
- Consider creating openings or slits in the proposed stairwells.
- Consider reducing the number of parking spaces proposed on-site.
- Confirm the commercial use.
- Consider more outreach to neighbors of the subject properties in Menlo Park and in East Palo Alto.
- Consider reducing nighttime lighting impacts on the surrounding neighbors.
- Consider City of East Palo noise ordinance requirements.

## **H. Informational Items**

### **H1. Future Planning Commission Meeting Schedule**

- Regular Meeting: March 27, 2023

Planner Sandmeier said the March 27 agenda would have Willow Village architectural control permits (not residential), an architectural control permit for the 120 Constitution Drive project and a use permit for 1145 Hidden Oaks single-family development project.

- Regular Meeting: April 10, 2023

**I. Adjournment**

Acting Chair Harris adjourned the meeting at 10:56 p.m.

Staff Liaison: Corinna Sandmeier, Principal Planner

Recording Secretary: Brenda Bennett





May 1, 2023

**Errata to April 24, 2023 staff report number 23-028-PC titled: Consider and adopt a resolution to approve a use permit to construct a new detached accessory dwelling unit (ADU) with a front setback of four feet, where 20 feet is required in the R-1-U (Single Family Urban Residential) zoning district, at 1143 Woodland Avenue**

Staff intended to bring the subject project, located at 1143 Woodland Avenue, to the April 24, 2023 meeting for a public hearing of a use permit application to construct an accessory dwelling unit (ADU) within the front setback of a single-family property. At the meeting, Staff asked the Commission to continue the item in order for Staff to seek further guidance from the California Department of Housing and Community Development (HCD) regarding the ability of the City to impose front setback standards on certain ADUs; namely those ADUs subject to limited State standards under Government Code section 65852.2 subd. (e).

Pursuant to previous informal advice from HCD, the City had proceeded with the subject application understanding that the proposed ADU would be subject to the City's front yard setback standards as long as the ADU could be relocated elsewhere on the residential lot, outside of the front yard setback. HCD has never taken a formal position on this precise issue, and HCD's 2022 ADU Handbook guidance is vague and ambiguous on this topic. As drafted, the State ADU laws provide that cities may impose *no* objective standards on ADUs that fall within Gov. Code section 65852.2 subd. (e). The proposed ADU falls within subd. (e) because it is less than 800 SF, complies with 4 foot side and rear yard setbacks and is less than 16 feet in height. (See Gov. Code sec. 65852.2(e)(1)(B).). The City requested advice from HCD on this precise issue and was informed that a city cannot *require* an alternate location for a subd. (e) ADU and a city *must* approve a subd. (e) ADU within a front setback even if the ADU *could* be relocated elsewhere on the lot, outside of the front setback.

Based on the above described advice from HCD, the subject ADU will be processed ministerially through review of a building permit application and will not be subject to discretionary review or the issuance of a use permit.

At the May 1, 2023 Planning Commission meeting, Staff recommends the Planning Commission take public comment on this item but take no action on the use permit application. Staff will process the application ministerially. Correspondence received after publication of the April 24, 2023 staff report is included in this errata as Attachment A.

**Attachments:**

A. Correspondence received after publication of the April 24, 2023 staff report

Report prepared by:  
Chris Turner, Associate Planner

Report reviewed by:  
Corinna Sandmeier, Principal Planner  
Nira Doherty, City Attorney

Turner, Christopher R

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**From:** KATHY Haffner <kthegrape88@gmail.com>  
**Sent:** Friday, April 21, 2023 9:52 PM  
**To:** \_Planning Commission  
**Cc:** lhanley4211@gmail.com  
**Subject:** ADU SRN: 23-028-PC

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

Dear Planning Commision,

I am writing as the longest term resident in the neighborhood. I have owned my property since Dec. 1959. I do not agree with ADUs being added which impinge on my property's quietness and privacy. This request for an ADU regards the closeness to my property and my residence. I find the changes in the law quite frustrating after living here many years and enjoying the quiet neighborhood. I find it difficult to accept that permitting is being changed after the fact for us long term residents. It impinges on all of us long term homeowners, who have abided by the rules and now see them bent.

Sincerely,

Ellen H. Haffner  
A 64 year resident  
1117 Woodland Ave.  
Menlo Park, CA  
94025

## Turner, Christopher R

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**From:** Elliot Zeien <zeienelliot@gmail.com>  
**Sent:** Monday, April 24, 2023 5:11 PM  
**To:** \_Planning Commission  
**Cc:** Grace Fergusson; Kelly Fergusson  
**Subject:** Item F2

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

Dear Commissioner,

During tonights planning commission meeting, I will be attending via zoom along with my sister Grace Fergusson. During item F2, I would like to donate my 3 minutes to my mother Kelly Fergusson and Grace would like to donate her time to Harry Price.

Thanks,  
Elliot Zeien

## Turner, Christopher R

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**From:** Laura Hanley <lhanley4211@gmail.com>  
**Sent:** Friday, April 21, 2023 4:17 PM  
**To:** Turner, Christopher R  
**Cc:** \_Planning Commission  
**Subject:** Re: Application Submittal Notice for 1143 Woodland Ave.

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

Mr. Turner -

After reviewing the packet released last night by your office re: 1143 Woodland, I observe that my letter of last year, written in opposition to the project, is not included. In fact, no letters from this period of the review process were included in the packet. Please include the correspondence from myself dated October 25, 2022 in PLN2022-00047.

If any other correspondence was received by your office, from neighbors or other entities, at this stage of the review process regarding this project I would anticipate that would also appear in PLN2022-00047.

I also enclose the photo of parked cars which did not quite make it onto agenda page 115 (attachment G p. G3).

Laura Hanley

Begin forwarded message:

**From:** Laura Hanley <lhanley4211@gmail.com>  
**Subject:** Re: Application Submittal Notice for 1143 Woodland Ave.  
**Date:** October 25, 2022 at 4:01:24 PM PDT  
**To:** Chris Turner <crtturner@menlopark.org>  
**Cc:** LH <lhanley4211@gmail.com>

**Laura and John Hanley**  
1141 Woodland Ave.  
Menlo Park, CA 94025  
[lhanley4211@gmail.com](mailto:lhanley4211@gmail.com)

25th October 2022

**Chris Turner**  
Associate Planner, Planning Division  
701 Laurel Street  
Menlo Park, CA 94025  
[crtturner@menlopark.org](mailto:crtturner@menlopark.org)

Re. Application Submittal Notice for 1143 Woodland Ave.

Dear Mr. Turner,

The Planning Division is considering an application that affects a property and its easement in an unusual way. We purchased 1141 Woodland with certain easement rights, which the application seeks to unilaterally expand. Here are the particulars.

Six years ago my husband and I designed and built our dream home in the Willows neighborhood of Menlo Park. It was intended as the home we would live in for all our remaining years. We carefully planned every detail and reviewed everything with our new neighbors to ensure their concerns were addressed and privacy protected. While it was possible to build a much larger home because of our lot size, we opted for a modest footprint to better fit into the character of the neighborhood. The Menlo Park Planning and Building departments scrutinized our plans and required we make only two changes: (1) a 45 degree cut away at the top corner of two tall walls to ensure a shadow was not cast on a shared property line and (2) we were compelled to move the western wall of our garage 6' to not cast a shadow on our own driveway because our driveway also served as an easement for 1143 Woodland Ave., the property in question. Even though we thought these requested adjustments were a little silly and niggling, we made them without comment because we appreciated a community which carefully protected its laws and codes. We were mindful that a developer might someday purchase 1143, attempt to bend the standards to erect a mini-mansion which would loom over our smaller home and look into our courtyards and windows, but we were confident that Menlo Park Planning would not allow such a thing to happen without review and comment.

Anything like the current 1143 Woodland proposal, submitted by an individual unknown to us on behalf of the owners, had never occurred to us! Their present home, zoned as a single family dwelling, is unique, not least because it is designed with two complete kitchens, side by side, which allowed in the past for the house to be converted into two separate dwellings by the previous owner. In recent years the wall separating the kitchens has come and gone, and I have no direct knowledge of the current configuration of the house, but it makes it easier to understand how five adult professionals can comfortably live in a relatively modest size house. Our neighbors are quiet and try to be considerate, but there are unintended conditions which have already negatively impacted our home and general comfort.

1143 is not what we understand to be a normal flag lot with a dedicated narrow driveway to provide access to the property. Rather, the occupants of 1143 access their property by first driving across our property, using our driveway, passing within feet of our garage door and dining room. With the previous family that owned it, traffic was what you would expect, but today the traffic has exploded not only because of the five adult inhabitants coming and going daily, but also the parade of delivery trucks from Amazon, UPS and FedEx. And with the increased traffic on our driveway has come increased speed, raising clouds of dust settling on our windows. I have personally been very nearly struck twice coming out of my garage on foot or on bike and have witnessed some vehicles traveling at 20 MPH. This is because, since the owners of 1143 moved in, Google Maps has converted our driveway to an unnamed municipal public road. We have tried in vain to have this corrected, but been ignored by the maps sites. One of the owners of 1143, a Google employee, was able to get this corrected for a time. The delivery traffic stopped immediately, until 1143's daily shipments were delayed and then the correction was reverted.

Now the owners of 1143 want to build an ADU and rent it out to an additional two or more adult professionals, with the obvious increase of noise, nuisance and traffic. The burden falls on us and our property. 1143 is not even required to provide an additional parking space, a sensible building code which we had to comply with six years ago, now waved off if the structure can fit in the category of ADU. If required to provide parking, I believe, this unit could not be built as the house already cannot provide adequate parking for the inhabitants, leading one of the owners to park across the Chaucer bridge in Palo Alto where night time street parking is permitted.

It has been brought to my attention that to express opposition to the submitted Use Permit is, in fact, likely against my own self interest, because if the owners are not permitted to build their ADU within their front property setback, which they explained they want to do because **they** don't want to look at the structure, the ADU will instead be built in what is their back setback, directly on our property line, with the new primary bedroom looking into our family room/office; an encroachment that is allowed only because it is an ADU. We are told we will have no recourse or avenue to object. This feels extortionate. And not at all the intended outcome of the sweeping laws passed by the State of California.

You see, our household has always supported ADUs as a solution for California's housing issues. If our other neighbors, with which we only share a property line, wanted to build a 800 sq ft structure in their backyard, I would be writing to support the idea. And if 1143 was erecting an ADU for an elderly parent we would find it difficult to object. But, in this unique instance, with this unique property and easement, we are asked to shoulder all the burden and likely decrease to our property value and enjoyment, so that our neighbor can enjoy rents now and increased property value in future, without any of the normal and careful oversight Menlo Park residents have always relied on and come to expect.

The current proposal does not suggest a means of granting ADU access via other means than through our driveway.

When our easement was written, no one in Menlo Park could have foreseen the circumstances where the single family home at 1143 Woodland would become the residence of 7 adults. We seek your assistance ensuring that an ADU is not constructed at 1143 Woodland Ave that would create an undue burden on our easement, creating nuisance and added danger due to the shared driveway crossing our property.

Please find that the existing driveway easement exempts the proposed 1143 ADU project from the "no review" rule.

Sincerely yours,

Laura and John Hanley







## Turner, Christopher R

---

**From:** KATHY Haffner <kthegrape88@gmail.com>  
**Sent:** Friday, April 21, 2023 8:58 PM  
**To:** \_Planning Commission  
**Cc:** lhanley4211@gmail.com  
**Subject:** Staff Report Number: 23-028-PC regarding ADU at 1143 Woodland Ave. M.P.

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

Dear Planning Commission of Menlo Park,

I am living with my mother Ellen Haffner at 1117 Woodland Ave. next door to the proposed ADU. I strongly oppose this project for the following reasons: our 2 driveways are side to side, our home was bought in a quiet neighborhood and there are already 7 people using that driveway.

Our 2 driveways are only divided by a wooden fence, which means that we see and hear the activity from our dining room, living room and kitchen. It is already quite busy, especially with all the Amazon and UPS trucks that zip up and down the driveway. I have 3 young nephews that live 2 doors down and often walk their dog on the sidewalk that connects that driveway to the street, their safety is a concern, as well as the 3 little girls who live in between us who will have to grow up with that threat.

My mom and dad bought this property in the late 50's. I was born while they lived on this property, then we moved to 1103 Woodland Ave. where I grew up until age 13. This is my old neighborhood. I lived abroad for many years and have since returned to help care for my elderly mother. Generally it is a neighborhood that looks out for one another. The high density neighborhoods only 4-5 blocks away are dirtier, with trash and litter strewn around and more dangerous to walk through. I would not want that to happen here too.

The addition of an ADU to the property at 1143 with adjacent driveway could bring an additional 2 people with cars to the use of the driveway and additional deliveries further adding to noise and safety concerns to our immediate homes as well as those within several houses away who constantly use the sidewalk to walk dogs, get children out into the fresh air and to get exercise themselves.

Please reconsider this proposition and not allow this to happen, in order to keep us all healthier, safer and happier. I appreciate your consideration of my opinion.

A concerned neighbor,

Katherine Ellen Haffner-Zoccatelli  
1117 Woodland Ave.  
Menlo Park, CA  
94025

## Turner, Christopher R

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**From:** kelly.fergusson@engie.com  
**Sent:** Sunday, April 23, 2023 7:37 PM  
**To:** Andrew Barnes; Cynthia Harris; Riggs, Henry; Jennifer Schindler; Michele Tate  
**Cc:** Turner, Christopher R; Sandmeier, Corinna D; Linh Dan  
**Subject:** RE: Item F2 Materials omitted from Apr 24 Agenda Packet

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

Volunteer Commissioners, a further update:

My neighbors at 1215 Woodland (with whom I share a property line) contacted me today because they had been out with a measuring tape to further understand the impact on their property of the proposed new house.

They alerted me to the fact that CA Sita's drawings show the roof ridgeline of the proposed new house at 13-1/2 feet, but that the actual physical story poles erected by 1143 Woodland are substantially shorter than 13-1/2 feet, so the photos I sent you earlier today, and also presumably Jackie Copple's property devaluation assessment letter, substantially underestimate the full living space intrusion and financial impact of the proposed new house on my property.

Best regards,  
-- Kelly

---

**From:** FERGUSON Kelly (ENGIE North America)  
**Sent:** Sunday, April 23, 2023 12:38 PM  
**To:** Andrew Barnes <andrew@barnes210.com>; CynthiaHarrisMP@gmail.com; hlriggs@comcast.net; jennifers@gmail.com; tatemelopark@gmail.com  
**Cc:** crturner@menlopark.gov; cdsandmeier@menlopark.gov; Linh Dan <linhdan@gmail.com>  
**Subject:** Item F2 Materials omitted from Apr 24 Agenda Packet

Dear Planning Commissioners –

Relevant attachments were omitted from the Apr 24 Agenda Report:

- 1) The market analysis report that accompanied realtor Jackie Copple's letter. This report is the basis for quantifying the negative impact the ADU in its proposed location would have on my property value (8-12%, or about \$350,000). This report is on pages 3-16 of the attached letter.
- 2) When the planner Chris Turner visited my home, he took a number of photos from inside my house showing the intrusiveness of the ADU's proposed location (as indicated by story poles) on my indoor and outdoor living spaces. I was surprised these were omitted from the Agenda Report. I have attached a pdf of some photos I took myself, though I surely would welcome each of you to come by to see the situation for yourself.
- 3) I was also surprised that a discussion of the necessary Conditional Use Permit Findings you must each make was omitted from the Agenda Report. The Findings were always a key part of deliberations when I served on the PC. Times change but this seems fundamental to your decision. Please do review the necessary Findings in the F2 Agenda Item Resolution.

Best regards,  
-- Kelly

**Kelly Fergusson, PhD, PE, LEED AP**

Senior Business Development Manager, Public Sector  
M +1 415 405 6673



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**COLDWELL BANKER  
REALTY**

## **COLDWELL BANKER REALTY**

1125 Merrill Street | Menlo Park, CA 9402

10/14/2022

Kelly Fergusson  
168 Oak Court  
Menlo Park, CA 94025

Dear Kelly:

Thank you for this opportunity to be of service to you. I am responding to your inquiry as to the potential effect on the market value of your home if your back-door neighbor builds a detached accessory dwelling a mere four feet from your joint property line.

You have provided me with a letter dated June 17, 2022 from Casita, a builder of ADU's, entitled Project Description and Location Justification, regarding the Yang Residence at 1143 Woodland Avenue, Menlo Park, CA. I am not sure of the accuracy of all the statements therein, but I was able to view the orange streamers and poles laying out where the proposed ADU would be placed. It is immediately across the fence from almost the entire back of your house.

Your house at 168 Oak Court has an open floor plan, such that as a person walks in the front door, they are met with a wall of floor to ceiling windows viewing onto your lovely back newly expanded patio and yard. This proposed ADU structure, were it built, would in my opinion be the new focus of your dining room, living room, patio, and downstairs bedroom facing the backyard. In my opinion, this is detrimental to the value of your property, and injurious to you as the owner. In order to determine on this loss, we first have to value 168 Oak Court.

I have attached a Market Analysis Summary of residential properties currently for sale and sold within the last six months. We have gone through a bit of a market shift since the Fed began increasing the interest rates, and there have been fewer sales in all price ranges since June.

The property that is most comparable to Oak is the first sold listing, 2040 Menalto, with the exception that Menalto will be a new home. Both are four bedroom houses, according to the county records, around 2300 square feet, and are on gated properties. 168 Oak Court has one more bathroom, and an 8400 square foot lot vs 5452 square feet for 2040 Menalto. Please note that 168 Oak Court has two additional permitted rooms that qualify as bedrooms with closets: an office and a music room.

2040 Menalto sold for \$3,850,000 and closed escrow 7/26/22. The median sales price for all sales was \$3,075,000. The average sales price was \$3,136,000. Since 168 Oak Court has a 35% larger lot than Menalto, I would estimate today's market value conservatively at \$3,400,000 to \$3,600,000.

As a realtor with over 30 years' experience selling homes in Menlo Park and the SF mid-peninsula, I usually see that a location discount is anywhere from 8-12%. This would be, for example, if the home were on a busy street. In this instance, with Oak and the ADU, I would say that the loss of privacy and visual intrusion into the backyard, and in fact the main living area as well, is equivalent to a location discount.

Therefore, I would say that the potential loss in value of your home, were this ADU be built in this location and four feet from your property line, would be \$340,000 to \$360,000.

I hope this analysis has been helpful in your discussion with your neighbor.

Always,

A handwritten signature in cursive script that reads "Jackie Copple". The signature is written in dark ink and is positioned above the printed contact information.

Jackie Copple, MBA  
Realtor, CRS, SRES  
Senior Marketing Specialist  
Coldwell Banker Realty  
1125 Merrill Street  
Menlo Park, CA 94025  
650-465-9160



Beds	4	Full Baths	4	Half Baths	N/A	Sale Price	\$375,000	Sale Date	N/A
Bldg Sq Ft	2,323	Lot Sq Ft	8,400	Yr Built	1957	Type	SFR		

## OWNER INFORMATION

Owner Name	Ferguson Kelly Jean	Tax Billing Zip	94025
Tax Billing Address	168 Oak Ct	Tax Billing Zip+4	2837
Tax Billing City & State	Menlo Park, CA	Owner Occupied	Yes

## LOCATION INFORMATION

School District	Sequoia Un	Property Carrier Route	C043
Community College District	San Mateo Junior	Zoning	R16000
Elementary School District	Menlo Park City Rave	Market Area	308
Census Tract	9121.01		

## TAX INFORMATION

APN	063-425-310	Tax Area	006068
Exemption(s)	Homeowner	Lot Number	53
% Improved	66%		
Legal Description	20 AC MOL COM 408.57 FT FRM N ELY COR PTN OF LOT 53 4TH ADD SUNNYMEAD CHAS WEEKS POULTRY COLONY		

## ASSESSMENT &amp; TAX

Assessment Year	2022	2021	2020
Assessed Value - Total	\$847,811	\$831,188	\$822,667
Assessed Value - Land	\$287,755	\$282,113	\$279,221
Assessed Value - Improved	\$560,056	\$549,075	\$543,446
YOY Assessed Change (\$)	\$18,623	\$8,521	
YOY Assessed Change (%)	2%	1.04%	
Tax Year	Total Tax	Change (\$)	Change (%)
2019	\$10,681		
2020	\$10,600	\$129	1.21%
2021	\$10,885	\$75	0.7%

## CHARACTERISTICS

Land Use - CoreLogic	SFR	Bedrooms	4
Land Use - County	1 Family Residence	Total Baths	4
Lot Acres	0.1928	Full Baths	4
Lot Area	8,400	Heat Type	Central
Year Built	1957	Cooling Type	Central
Building Sq Ft	2,323	Parking Type	Attached Garage
Stories	1	Garage Capacity	1
Total Rooms	9	Garage Sq Ft	400

## SELL SCORE

Rating	High	Value As Of	2022-10-29 04:33:21
Sell Score	724		

## ESTIMATED VALUE

RealAVM™	\$3,264,280	Confidence Score	28
RealAVM™ Range	\$2,285,040 - \$4,243,500	Forecast Standard Deviation	30
Value As Of	09/19/2022		

(1) RealAVM™ is a CoreLogic® derived value and should not be used in lieu of an appraisal.

(2) The Confidence Score is a measure of the extent to which added data, property information, and comparable sales support the property valuation analysis process. The confidence score ranges in 00 - 100. Clear and consistent quality and quantity of data drive higher confidence scores while lower confidence scores indicate diversity in data, lower quality and quantity of data, and/or limited similarity of the subject property to comparable sales.

(3) The FSD denotes confidence in an AVM estimate and uses a consistent score and meaning to generate a standardized confidence metric. The FSD is a statistic that measures the likely range or dispersion an AVM estimate will fall within, based on the completeness of the information available to the AVM at the time of estimation. The FSD can be used to create confidence that the true value has a statistical degree of certainty.

# LAST MARKET SALE & SALES HISTORY

Recording Date	05/14/1997	Deed Type	Grant Deed
Sale Price	\$375,000	Owner Name	Fergusson Kelly Jean
Price Per Square Feet	\$161.43	Seller	Snyder Deloris M
Document Number	56789		

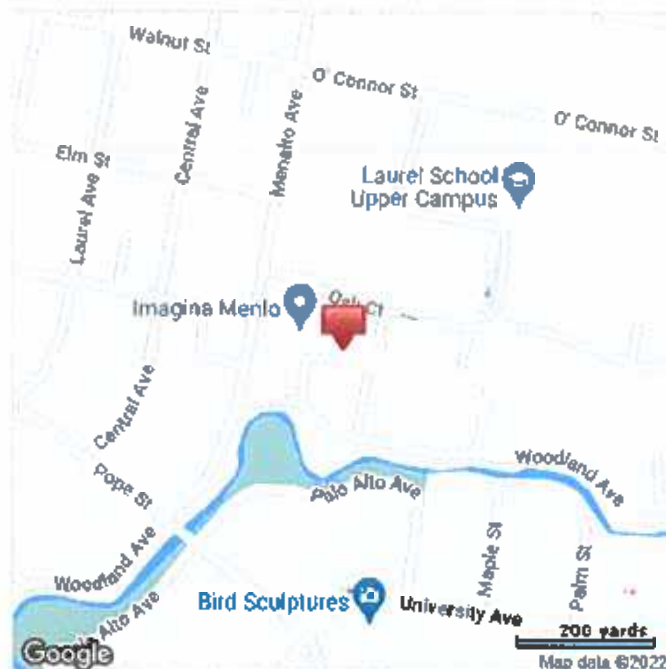
Recording Date	04/13/2018	04/13/2018	04/20/2017	05/14/1997
Sale Price				\$375,000
Nominal	Y	Y	Y	
Buyer Name	Survivors Kelly J F Trust Ut d	Zelen R C & Fergusson K J Trust	Fergusson-Zelen Family Trust	Zelen Robert C
Buyer Name 2		N		Fergusson Kelly Jean
Seller Name	Fergusson-Zelen Family Trust	Zelen Robert C	Zelen Robert C	Snyder Deloris M
Document Number	28038	28037	34290	56789
Document Type	Trustee's Deed(Transfer)	Affidavit	Deed (Reg)	Grant Deed

## MORTGAGE HISTORY

Mortgage Date	10/20/2021	04/07/2017	04/07/2017	08/30/2013	04/25/2012
Mortgage Amount	\$400,000	\$290,000	\$1,257,000	\$100,000	\$1,250,000
Mortgage Lender	Stanford Fcu	Stanford Fcu	Stanford Fcu	Stanford Fcu	Union Bk
Mortgage Code	Conventional	Conventional	Conventional	Conventional	Conventional
Mortgage Type	Refi	Refi	Refi	Refi	Refi

Mortgage Date	05/22/2008	07/03/2007	11/05/2004
Mortgage Amount	\$1,250,000	\$835,000	\$300,000
Mortgage Lender	Opes Advisors Inc	Vineyard Bk	First Republic Bk
Mortgage Code	Conventional		Conventional
Mortgage Type	Refi	Construction	Refi

## PROPERTY MAP





# Market Analysis Summary | Residential

Listings as of 10/14/2022 at 3:53 pm, Page 1 of 12

## Listings: ACTIVE

# ID #	Status	Address	City	Bd	Ba	DOM	SqFt	\$/SqFt	Lot (SqFt)	List Price	Age	COE	SP-LLP
1	ML81909234	A	1289 Woodland Avenue	Menlo Park	4	3/0	11	2,520	\$1,664.68	\$4,195,000	66		
2	ML81908912	A	1489 Woodland Avenue	Menlo Park	3	3/1	33	3,115	\$1,282.50	\$3,995,000	82		
3	ML81906998	A	307 Concord Drive	Menlo Park	5	3/0	30	2,270	\$1,277.53	\$2,900,000	74		
4	ML81907758	A	318 Laurel Avenue	Menlo Park	3	2/0	25	1,955	\$1,480.82	\$2,895,000	89		
5	ML81908469	A	215 Height Street	Menlo Park	3	2/0	18	1,800	\$1,548.89	\$2,788,000	77		

Med	25	2,270	\$1,480.82	8,890 (sf)	\$2,900,000	74
Min	11	1,800	\$1,277.53	10,005 (sf)	\$2,788,000	66
Max	33	3,115	\$1,664.68	8,880 (sf)	\$4,195,000	82
Avg	23	2,332	\$1,480.89	8,998 (sf)	\$3,354,800	74

## Listings: SOLD

# ID #	Status	Address	City	Bd	Ba	DOM	SqFt	\$/SqFt	Lot (SqFt)	List Price	Age	Sale Price	COE	SP-LLP
6	ML81899492	S	2040 Menlo	Menlo Park	4	3/0	153	2,257	\$1,705.80	\$3,850,000	1	\$3,850,000	07/26/22	100%
7	ML81891533	S	611 Laurel Avenue	Menlo Park	3	2/0	6	1,620	\$2,008.17	\$2,488,000	73	\$3,250,000	06/16/22	131%
8	ML81882332	S	777 Woodland Avenue	Menlo Park	3	2/0	7	1,490	\$2,063.76	\$2,795,000	74	\$3,075,000	04/15/22	110%
9	ML81883927	S	108 Clover Lane	Menlo Park	3	2/0	19	1,540	\$1,818.18	\$2,895,000	57	\$2,800,000	06/17/22	97%
10	ML81891677	S	526 Central Avenue	Menlo Park	3	2/0	29	1,642	\$1,644.34	\$2,998,000	95	\$2,700,000	09/03/22	90%

Med	18	1,620	\$1,818.18	8,000 (sf)	\$2,998,000	79	\$3,075,000	100%
Min	6	1,490	\$1,644.34	11,244 (sf)	\$2,488,000	1	\$2,700,000	90%
Max	153	2,257	\$2,063.76	7,008 (sf)	\$3,850,000	95	\$3,980,000	131%
Avg	43	1,710	\$1,847.65	7,028 (sf)	\$3,005,200	60	\$3,138,000	106%

Total Listings	10	Average for all:	33	2,021	\$1,649.27	8,013 (sf)	\$3,179,900	67	\$3,138,000	53%
		Median for all:	22	1,878	\$1,654.51	7,420 (sf)	\$2,897,500	74	\$3,075,000	46%





Jackie Copple

jcopple@clmofcal.com



Quick		Min	Max	Avg	Med
List Price		\$2,488,000	\$4,195,000	3,179,900.00	\$2,897,500
Statistics					
Sale Price		\$2,700,000	\$3,850,000	3,135,000.00	\$3,075,000
Sale/List		0%	131%	53%	45%



Jackie Copple  
jcopple@cbnortcal.com



Residential Brief Report

Residential

Active

1289 Woodland Avenue Menlo Park 94025

Beds: 4

Baths (F/P): 3/0

\$4,195,000

MLS: ML81909234

DOM: 11

Property Overview

Area: Willows / O'Conner Area (308)

SqFt: 2,520

Age: 86

Lot: 12,545 (sf)

Pricing / Dates

Original: \$4,195,000

List: \$4,195,000

\$/SqFt: \$1,664.68

Date: 10/3/22

Date: 10/3/22



Remarks

Stunning whole home transformation on large 12,545 sq ft lot in the willows with a gated driveway. The entire home is thoughtfully designed for everyday living with a huge great room with a shiplap detailed cathedral ceiling and skylights. Wide plank hardwood floors throughout and superb attention to detail in this completely renovated home. Sleek modern kitchen with a suite of high-end stainless steel appliances including 6-burner gas cooktop, 2 Wolf ovens, Sub-Zero refrigerator, vertical grain cabinetry, and honed Calacatta counters. 4 bedrooms including primary suite with luxurious bath, walk in closet and adjacent office. Dedicated media room, huge laundry room and an amazing private yard plus many extra features and all just a short stroll to a market, one mile to the shops and restaurants on renowned University Avenue in Palo Alto. Plus, minutes away access to the Dumbarton Bridge as well as Highway 101 puts Meta head quarters and all of Silicon Valley within easy reach- must see.

Property Features

Family Room  
Kitchen/Family Room Combo

Dining Area  
Dining Area

Pool Options

Garage/Parking  
Attached Garage

Listed By Judy Citron, Compass



Jackie Copple  
jcopple@cbnrcal.com



Active

1489 Woodland Avenue Menlo Park 94025

Beds: 3

Baths (F/P): 3/1

\$3,995,000

MLS: ML81906912

DOM: 33

### Property Overview

### Pricing / Dates

Area: Willows / O'Conner Area (308)	Age: 82	Original: \$3,995,000	Date: 9/11/22
SqFt: 3,115	Lot: 10,005 (sf)	List: \$3,995,000	Date: 9/11/22
		\$/SqFt: \$1,282.50	

### Remarks

Tucked into a spacious lot flanked by majestic Redwoods, this 3 Bedroom/3.5 Bath home offers a private retreat in the heart of the Willows neighborhood. Rich hardwood floors throughout the downstairs combine with fine millwork cabinetry to give a contemporary vibe. Formal living and dining rooms, along with kitchen/family room and informal dining complete the public spaces. Two guest bedrooms, one bath and powder room round out the guest accommodations. The primary suite features a true spa bath with tub and shower, plus lavatory and walk-in closet. Upstairs lies the Rec Room, with plumbed wet bar and full bath. This 575sf space has a multitude of options: Remodeled as a primary suite, convert to guest bedrooms, dual offices for work at home use, current use, as a game/rec room. Attached 2-car garage provides easy access to the home. In addition, there is an abundance of additional parking that can accommodate multiple autos or RVs. Outstanding Menlo Schools just moments away.

### Property Features

Family Room  
Separate Family Room

Pool Options

--

Dining Area  
Breakfast Room, Dining Bar, Formal Room

Garage/Parking  
Gate/Door Opener, Guest / Visitor Parking, Off-Street Parking,  
With Restrictions

Listed By Derk T. Baill, Compass



Jackie Copple  
jcopple@climacal.com

Active

307 Concord Drive Menlo Park 94025

Beds: 5

Baths (F/P): 3/0

\$2,900,000

M.L.S: ML 81906998

DOM: 30



### Property Overview

Area: Willows / Overlook Area (308)

Age: 74

SqFt: 2,270

Lot: 5,720 (sr)

### Pricing / Dates

Original: \$2,900,000

List: \$2,900,000

\$/SqFt: \$1,277.53

Date: 9/14/22

Date: 9/14/22

### Remarks

First time on the market in 60 years! Don't miss this 5 Bedroom, 3 Bathroom home in the heart of The Willows. With 3 bedrooms downstairs, including a primary suite, and 2 oversized bedrooms upstairs, the home has room for everyone. East facing with generously sized windows in every room allows for ample light during the day. New hardware, lights, and paint throughout. Ideally located near local grocery stores, cafes, and coffee! The Willows Market, Cafe Zoo, Willows Oaks Park and more, are only 1/2 mile away. Just 1 mile from downtown Palo Alto and easy access to Highway 101 make this a must see location. With extra storage in the multiple attic spaces, a sun-drenched west facing yard, and spacious kitchen, this home has everything you need to call it your own.

### Property Features

Family Room  
No Family Room

Pool Options

Dining Area  
Dining "L", Dining Area

Garage/Parking  
Attached Garage, Off-Street Parking

Listed By Kalena Masching, Compass



**Jackie Cople**  
[jcople@dnr.ca.com](mailto:jcople@dnr.ca.com)



Active

316 Laurel Avenue Menlo Park 94025

Beds: 3

Baths (F/P): 2/0

\$2,895,000

M.L.S.: ML 81807768

DOM: 25



Property Overview

Pricing / Dates

Area: Willows / O'Connor Area (308)		Original: \$2,895,000		Date: 9/19/22	
Age: 89		List: \$2,895,000		Date: 9/19/22	
SqFt: 1,955		Lot: 7,840 (sf)			
		\$/SqFt: \$1,480.82			

Remarks

3 bed, 2 bath dwelling brimming with curb appeal & offering a separate unit above the garage with kitchen & full bath. Exceptionally deep lot & prime location on tree-lined drive in sought after Willows neighborhood. Fluid floorplan with charming design elements – hardwood floors, traditional moldings & fresh white cabinetry. Abundant, paired glass windows framing natural garden views. Well-appointed kitchen with stainless appliances & granite counters. Formal dining room. Generously proportioned living room with cozy fireplace. Main level bedroom & bath. Spacious & sunny primary bedroom, second bedroom, home office or nursery & bath upstairs, all overlooking the lush gardens below. Laundry room, basement & 2-car garage. Studio apartment above garage with kitchen & full bath is ideal for visiting guests, home office, gym or potential rental possibilities (buyer to verify). Easy access to Hwy 101, Facebook/Metcia campus, Downtown Menlo Park, Palo Alto & Stanford. Top Menlo Park schools.

Property Features

Family Room  
No Family Room

Dining Area  
Formal Room

Pool Options  
--

Garage/Parking  
Detached Garage, Guest / Visitor Parking, Off-Street Parking,  
Room for Oversized Vehicle

Listed By Billy McNeil, Compass





Jackie Copple  
jcopple@dnrncal.com



Active

215 Haight Street Menlo Park 94025

Beds: 3

Baths (F/P): 2/0

\$2,788,000

MLS: ML81908469

DOM: 18

### Property Overview

### Pricing / Dates

Acre: Willows / O'Conner Area (309)

Original: \$2,788,000

Date: 9/26/22

SqFt: 1,800

Age: 77

List: \$2,788,000

Date: 9/26/22

SqFt: 1,800

Lot: 8,800 (sf)

\$/SqFt: \$1,548.89

### Remarks

Extensively remodeled 3 bed + bonus, 2 bath Willows home designed for comfortable living & indoor/outdoor entertaining. Open spacious floor plan with contemporary finishes. Down-to-stud remodel! Curved brick pathway leads to this beautiful home located on the west side of the street. Family kitchen/dining living room combination with dramatic high ceiling, hardwood floors, recessed lights, natural light & neutral color palette. Sleek sophisticated modern kitchen styling with an open layout and clean lines, tons of workspace & pantry, stainless appliances, center waterfall island. Primary suite w/walk-in closet. Remodeled contemporary trendy 2 bath with floor to ceiling tiles. Bonus room adjoining one of the bedrooms. Newly landscaped yard with paver patio, succulent, fruit & citrus trees, explore adding an ADU. Two outer buildings at the rear, one is used as an office, another one storage. Top rated MJP schools. Easy access to commuter routes & mine to downtown Menlo Park, Facebook.



### Property Features

Family Room  
Kitchen/Family Room Combo

Pool Options

Dining Area  
Dining Area, Eat in Kitchen

Garage/Parking  
Attached Garage, Off-Street Parking

Listed By Carol Li, Compass



Jackie Cople  
jcople@cbnrcal.com



**Sold** 2040 Menatto Menlo Park 94025

\$3,850,000 MLS: ML81888492

Beds: 4

Baths (F/P): 3/0

DOM: 163

### Property Overview

Area: Wilsons/O'Connor Area (206)

SqFt: 2,257

Age: 1

Lot: 5,452 (sf)

### Pricing / Dates

Original: \$3,850,000

List: \$3,850,000

Sold: \$3,850,000

\$/SqFt: \$1,705.80

Date: 4/25/22

Date: 10/14/21

Date: 7/26/22

OMKIDate: 4/26/22



### Remarks

Unique opportunity to buy a completely new dream home with Thomas James Homes. Enter into a contract to purchase the home site and watch as they build and finish this beautiful Menlo Park home. 2040 Menatto Ave is offered at a guaranteed/transparent price, meaning no escalating budgets and comes with a full 10-year new home construction warranty providing peace of mind to all buyers. See listing agent and T&H rep for more details.

### Property Features

Family Room  
Kitchen/Family Room Combo

Pool Options

Dining Area  
Breakfast Bar, Eat in Kitchen, Formal Room

Garage/Parking  
Attached Garage

Listed By Mark Palermo, Compass



Jackie Copple  
jcopple@dnr.ca.com



**Sold** 528 Central Avenue Menlo Park 94025

Beds: 3

Baths (F/P): 2/0

\$2,998,000

MLS: ML81891877

DOM: 29

### Property Overview

Area: Wilbur / O'Corner Area (308)

Age: 35

SqFt: 1,642 Lot: 7,000 (sf)

### Pricing / Dates

Original: \$3,148,000 Date: 5/16/22

List: \$2,998,000 Date: 5/16/22

Sold: \$2,700,000 Date: 8/3/22

\$/SqFt: \$1,644.34

OffMk/Date: 6/14/22



### Remarks

Enchanting and updated home on ideally located wonderful tree-lined street. Architectural details throughout, from the welcoming front porch to beautiful ceiling detail. Double French doors in the living room with wood burning fireplace open to the formal dining room with fine built in cabinetry and French doors opening to the side patio. Beautifully remodeled kitchen with soapstone counters and subway-set backsplashes. High end appliances including Thermador gas range and Sub-Zero wine cooler with a concealed laundry closet. Casual dining and family room with doors opening to the spacious rear deck and private yard with vast lawn. Primary bedroom with garden views, ensuite all white bath. Two bedrooms served by a beautiful hallway bath with vanity topped in Carrera marble. Newly constructed and designed detached studio with heat, perfect for home office. Finished garage with built-ins, EV charging. Just minutes to both downtown Palo Alto and Menlo Park and excellent Menlo Park schools.

### Property Features

Family Room  
Kitchen/Family Room Combo

Pool Options

Dining Area  
Formal Room

Garage/Parking  
Detached Garage

Listed By Judy Citron, Compass





Jackie Copple  
jcopple@cbn.or.ca.com



**Sold** 108 Clover Lane Menlo Park 94025

Beds: 3 Baths (F/P): 2/0

\$2,895,000 MLS: ML61889327  
DOM: 19

**Property Overview**

**Pricing / Dates**

Area: Willows / O'Conner Area (308)	Age: 57	Original: \$2,895,000	Date: 4/29/22
SqFt: 1,540	Lot: 6,000 (sf)	List: \$2,895,000	Date: 4/29/22
		Sold: \$2,800,000	Date: 6/17/22
		\$/SqFt: \$1,818.18	
		CRM/kiDate: 6/18/22	

**Remarks**

Turn-key home on quiet lane! 3 bed, 2 bath with large backyard. Smart home with CAT6 wiring and Gigabit network ready. Updated kitchen and baths, hardwood floors, double pane windows. Excellent Menlo Park school. Easy access to freeway, Stanford, Palo Alto and Menlo Park.



**Property Features**

Family Room  
No Family Room

Dining Area  
Breakfast Bar, Dining "L"

Pool Options

Garage/Parking  
Gate/Door Opener, Off-Street Parking

Listed By Kristin Castrin, Sereno



Jackie Copple  
jcopple@ctnrcal.com



Sold 777 Woodland Avenue Menlo Park 94025

\$2,795,000 MLS: ML81882332

Beds: 3 Baths (F/P): 210

DOM: 7

Property Overview

Pricing / Dates

Area: Willows / OC Corner Area (308)	Age: 74	Original: \$2,795,000	Date: 4/1/22
SqFt: 1,490	Lot: 5,446 (sf)	List: \$2,795,000	Date: 4/1/22
		Sold: \$3,075,000	Date: 4/15/22
		\$/SqFt: \$2,063.76	

CRMA/Date: 4/8/22



Remarks

Weekend Home! This charming Willows 3 bedroom, 2 bath ranch style home boasts warmth and joy from the moment you walk in. Enjoy the coming of Spring sipping coffee on your front porch while you listen to the birds sing and enjoy the blossoming garden enclosed by a white picket fence lined with beautiful flowering Loquat trees. Spacious living and dining room. Three sets of French doors create an indoor/outdoor atmosphere. Gourmet kitchen has breakfast nook/den/desk option. Separate laundry room with lots of storage space. Hardwood floors throughout. Large carpeted two car garage for multi use purposes. Award winning Menlo Park Schools include Laurel Elementary, Hillview Middle School and Menlo-Atherton High School. Close proximity to downtown Menlo Park, Palo Alto, easy access to freeway, quick commute to Facebook and Google campuses. Don't miss out on all that the Willows Neighborhood has to offer.

Property Features

Family Room	Dining Area
No Family Room	Formal Room
Pool Options	Garage/Parking
--	Attached Garage, Parking Area

Listed By Liliana Perazich, Coldwell Banker Realty



**Jackie Copple**  
[jcopple@cbiorcal.com](mailto:jcopple@cbiorcal.com)



Sold

611 Laurel Avenue Menlo Park 94025

Beds: 3

Baths (F/P): 2/0

\$2,488,000

MLS: ML81891533

DOM: 6



Property Overview		Pricing / Dates	
Area: Willows / O'Connell Area (308)	Age: 73	Original:	Date: 5/13/22
SqFt: 1,620	Lot: 11,244 (sf)	List:	Date: 5/13/22
		Sold:	Date: 6/16/22

Remarks

In a charming quarter-acre setting on a tree-lined street in The Willows near excellent schools and bordering North Palo Alto, an updated, 3-bedroom, 2-bath, midcentury home is surrounded by beautiful grounds with a majestic oak tree, patio, lawn, deck, garden beds and more and its filled with possibility!

Inside, white oak flooring, beamed shiplap ceilings, skylights, new and retro light fixtures, and new carpet and paint enrich the 1,620sqft sq. ft. layout. Recent updates include the kitchen with stone counters/backsplashes and stainless steel appliances, on-street tile bathrooms with marble-topped vanities, and bedroom suite with a sitting room and series of wall closets. Both, the living-dining room with fireplace and the adjoining family room open to the outdoors for extended entertaining.

\*Buyers to investigate lot size square footage with City of Menlo Park as well as San Mateo County. Numbers don't exactly match on both sources.\* See property Disclosure-TRUST SALE

Property Features

Family Room  
Separate Family Room

Pool Options

Dining Area  
Dining Area in Living Room

Garage/Parking  
On Street

Listed By Julie Baumann, Compass



**Intrusion of 1143 ADU on 168 Oak Court Living Areas**



View from Inside Landing



View from Inside Living Room



View from Inside Dining Room



View from Master Bedroom Balcony



View from Outdoor Living Area



## Turner, Christopher R

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**From:** Mhaire Fraser <mhaire.fraser@gmail.com>  
**Sent:** Monday, April 24, 2023 3:34 PM  
**To:** planningcommission@menlopark.gov; Turner, Christopher R  
**Subject:** opposition to RDU at 1143 Woodland Avenue

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

City Council of Menlo Park  
Planning Commission

April 24, 2023

I am writing to express concern and opposition to a proposed RDU to be built at 1143 Woodland Avenue in Menlo Park.

I reside at 1115 Woodland Avenue. Since receiving a public notice of intent to build and RDU at 1143, I have been paying attention to the amount of traffic, deliveries, and other disruptive events along the short distance between my residence and 1143 Woodland. To say that there are quite a few noisy events on a daily basis is an understatement. I am concerned about the addition of one to three more cars and additional deliveries that will further unsettle the tranquility of this neighborhood, and remove the community feeling of peace we work hard to maintain as neighbors. I am aware that Menlo Park has this goal for its residents as well. While it is becoming increasingly difficult to navigate peaceful living, we manage to do it fairly well. Having another RDU in such close proximity just adds more stress to the situation and is not a good decision for the community.

Having watched the disruptions and carefully making a choice to maintain the peace and calm we value here, I must protest the building of the proposed RDU at 1143 Woodland Avenue.

Thank you,

Dr. M. L. Fraser  
1115 Woodland Avenue  
Menlo Park, CA 94025

## Turner, Christopher R

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**From:** Michael Furukawa <michaelfurukawa69@gmail.com>  
**Sent:** Monday, April 24, 2023 1:35 PM  
**To:** Turner, Christopher R  
**Subject:** PLN2022-00047; I do not approve project

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

I was made aware of this project at **1143 Woodland Ave.** was being discussed. As I am on the fence line behind this property I do not want to see this project move forward as it is planned currently.

We did not receive notice that this project was going on nor the scope of work.

Michael Furukawa  
homeowner  
190 Oak Court  
Menlo Park, CA 94025

## Turner, Christopher R

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**From:** R George Komoto <george.komoto@gmail.com>  
**Sent:** Tuesday, April 25, 2023 8:21 PM  
**To:** \_Planning Commission; Turner, Christopher R  
**Subject:** protest of ADU on 1143 Woodland Ave

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

City Council of Menlo Park  
Planning Commission

April 25, 2023

I am writing to express concern and opposition to a proposed ADU to be built at **1143 Woodland Avenue in Menlo Park**. I reside at 1115 Woodland Avenue. The amount of traffic, deliveries, and other disruptive events along Woodland Ave has only been more apparent in recent months.

I am concerned about the addition of one to three more cars as well as additional services that come with the proposed large ADU. The lot is already dense and difficult to maneuver.

With the increased traffic on Woodland Avenue, I protest the building of the ADU on 1143 Woodland Ave.

Thank you,  
George Komoto  
1115 Woodland Avenue  
Menlo Park, CA 94025



## STAFF REPORT

### Planning Commission

**Meeting Date:**

**4/24/2023**

**Staff Report Number:**

**23-028-PC**

**Public Hearing:**

**Consider and adopt a resolution to approve a use permit to construct a new detached accessory dwelling unit (ADU) with a front setback of four feet, where 20 feet is required in the R-1-U (Single Family Urban Residential) zoning district, at 1143 Woodland Avenue**

### Recommendation

Staff recommends that the Planning Commission approve a use permit to construct a new detached accessory dwelling unit (ADU) with a front setback of four feet, where 20 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*

The subject property is located on the northern side of Woodland Avenue, near the intersection of Woodland Avenue and Menalto Avenue in the Willows neighborhood. The property is a landlocked (panhandle) lot and does not have any street frontage of its own. Rather, the property's "handle" intersects with an access easement across the western portion of the property located at 1141 Woodland Avenue. Properties to the east along Menalto Avenue are located in the R-2 (Low Density Apartment) zoning district, and are developed with a mix of one and two-story single-family homes and duplexes. The remaining properties to the north, south, and east of the subject property are also located in the R-1-U zoning district, and are developed with one- and two-story single-family residences. A location map is included as Attachment B.

### Analysis

#### *Project description*

The applicant is proposing to construct a new accessory dwelling unit (ADU) with a front setback of four feet where 20 feet is required. The lot is not an ordinary a flag lot whose handle intersects the public right-of-way. Rather the handle intersects an access easement through 1141 Woodland Avenue, forming a "U" shape between the easement, the handle, and the remaining developable portion of the property. Per the



definition of a front lot line (Section 16.04.400 (6)), the front lot line of a panhandle lot is the shorter of the two property lines which are contiguous to the private driveway or easement which provides access to the lot. In this case, the shorter of the two property lines is the northern property line, which creates the border between the subject property and 168 Oak Court. This property line is 168 Oak Court's rear property line. Per Section 16.79.040, ADU development regulations, including required setbacks, may be modified through granting of a use permit.

The subject property is currently occupied by a two-story residence with an attached two-car garage, and a shed. The existing shed is considered to be nonconforming since it is located entirely within the front setbacks. However, the shed is proposed to be demolished. No work to the main residence is proposed as part of this project. 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 one half-mile of a service stop for several lines, located at the intersection of University Avenue and Chaucer Street in Palo Alto. Thus, no additional parking is required for the ADU or the project site.

The ADU would be 744 square feet and would include two bedrooms and one bathroom, along with a combined kitchen and living room. The ADU would be constructed in an "L" shape with the front entrance facing the driveway. The long end would extend from the proposed four-foot front setback south along the eastern side property line towards the main residence. The applicant states that the southern portion of the lot (i.e. the rear) was considered as part of the site planning. However, distance from utility lines, existing trees and landscaping, and access to the ADU are cited in the project description letter as challenges to locating the ADU in the rear of the property.

Aside from the proposed front setback, the ADU would be in compliance with the Zoning Ordinance requirements. Of particular note:

- The proposed floor area would be 4,002 square feet where 3,274 square feet is the maximum floor area limit (FAL). ADUs are allowed to exceed the floor area limit by up to 800 square feet, and therefore, the project would be in compliance with the maximum FAL.
- The proposed building coverage would be 2,687 square feet where 3,094 square feet is the maximum.
- The proposed side setback would be four feet, where four feet is required.
- The proposed ADU would be approximately 13 feet, six inches in height, where 16 feet is the maximum.

A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the project description letter are included as Attachment A, Exhibits A and B, respectively.

### ***Design and materials***

The applicant states that the proposed ADU would be a craftsman bungalow style structure. The siding would be cement fiber shingles to match the existing main residence. Roofing material would be asphalt shingle roofing. Windows would be painted fiberglass windows. No windows would face north towards the 168 Oak Court property, reducing potential privacy impacts.

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.

### ***Trees and landscaping***

The applicant has submitted an arborist report (Attachment D), detailing the species, size, and conditions of trees on the subject property and adjacent properties. 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.

The arborist report lists 23 trees of various sizes and species on the subject and neighboring properties. Several trees are clustered near the footprint of the proposed ADU, including one heritage magnolia tree (Tree #3) located on the neighboring property to the east, and three heritage privet trees (Trees #5, 6, and 7) on the subject property. The applicant proposes to remove the three heritage privet trees. The City Arborist reviewed and approved a heritage tree removal permit application for the removal of the privet trees on the basis of being species of low desirability. Three replacement trees – one 15-gallon valley oak, one 15-gallon blue oak, and one 15-gallon black walnut tree – to be planted in the rear of the property were approved by the City Arborist. The remainder of the existing trees and landscaping are proposed to remain. 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 they conducted outreach to adjacent neighbors in the area to gain feedback on the proposal. The applicant states the story poles were erected as requested by the owner of 168 Oak Court to demonstrate the scale of the proposed ADU. Staff has had several discussions with the owner of 168 Oak Court, and visited the 168 Oak Court property upon request of the neighbor to view the story poles. The owner of 168 Oak Court submitted a letter to the applicant, with a carbon copy sent to the Planning Division (Attachment E) expressing their concerns with the proposed ADU, including potential privacy impacts, height of the ADU, and increased traffic causing additional air pollution. Additionally, the owner of 168 Oak Court submitted a letter from a real estate analyst (Attachment F) which suggests the property value of 168 Oak Court may decrease as a result of the ADU's construction.

As noted earlier in this report, there would be no windows facing the 168 Oak Court property, alleviating the privacy concern outlined in the letter. The proposed ADU would be approximately 13.5 feet in height where 16 feet is the maximum. Staff believes that the height of the proposed ADU would not be overly intrusive, given that it would be well below the maximum height.

Staff received one additional piece of email correspondence (Attachment G) from the owners of 1141 Woodland Avenue, located adjacent to the subject property to the west. The comments express concerns regarding the amount of parking on site, use and maintenance of the shared driveway, and Fire Department access.

## **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 lot is not a typical panhandle lot and the orientation of the lot itself dictates that the proposed ADU would be within the front setback. However, the ADU would not be visible from the street and would be located adjacent to neighboring properties' rear and side property lines, similar to ADUs on other, more typical lots. The absence of north-facing windows alleviates potential privacy impacts for the neighbor at 168 Oak Court. Staff recommends that the Planning Commission approve the proposed project.

## **Impact on City Resources**

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

## **Environmental Review**

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

## **Public Notice**

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

## **Appeal Period**

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

## **Attachments**

- A. Draft Planning Commission Resolution of Approval Adopting Findings for project Use Permit, including project Conditions of Approval
  - Exhibits to Attachment A
    - A. Project Plans
    - B. Project Description Letter
    - C. Conditions of Approval
- B. Location Map
- C. Data Table
- D. Arborist Report
- E. Letter from Kelly Fergusson
- F. Letter from Jackie Copple
- G. Email from John and Laura Hanley

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, Principal Planner

## PLANNING COMMISSION RESOLUTION NO. 2023-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 FOUR FEET, WHERE 20 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 detached accessory dwelling unit (ADU) with a front setback of four feet, where 20 feet is required, in the Single Family Urban Residential (R-1-U) zoning district (collectively, the “Project”) from Kelvin Chua (“Applicant”), on behalf of the property owner Lusann Yang (“Owner”), located at 1143 Woodland Avenue (APN 063-425-590) (“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 Aesculus Arboricultural Consulting, which was reviewed by the City Arborist and found to be in compliance with the Heritage Tree Ordinance and proposes mitigation measures to adequately protect heritage trees in the vicinity of the project; and

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

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

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

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

**WHEREAS**, at a duly and properly noticed public hearing held on April 24, 2023, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the Project.

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

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

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

The approval of the use permit for the construction of new detached accessory dwelling unit with a modified front setback 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 other applicable zoning standards, including, but not limited to, maximum floor area limit, and maximum building coverage.
  - b. The proposed project 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, and therefore, is not required to provide a parking space pursuant to Menlo Park Municipal Code Section 16.79.080 (d)(1).

- c. The proposed Project is designed to meet all other 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, with no northern-facing windows, minimally affecting privacy and not affecting public safety in its proximity to property lines.

**Section 3. Conditional Use Permit.** The Planning Commission approves Use Permit No. PLN2022-00047, 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, 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 April 24, 2023, 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 24<sup>th</sup> day of April, 2023

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

Exhibits

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



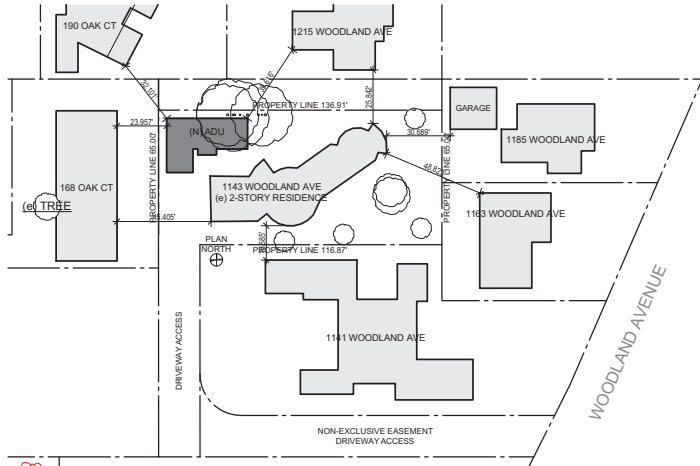
SITE PLAN LEGEND

- Property line
- Contour line
- Setback line
- Underground electric line
- Underground telephone/cable
- Underground water supply line
- Sanitary sewer line - 4" ABS
- Protective tree fencing
- Erosion control fencing
- Straw rolls

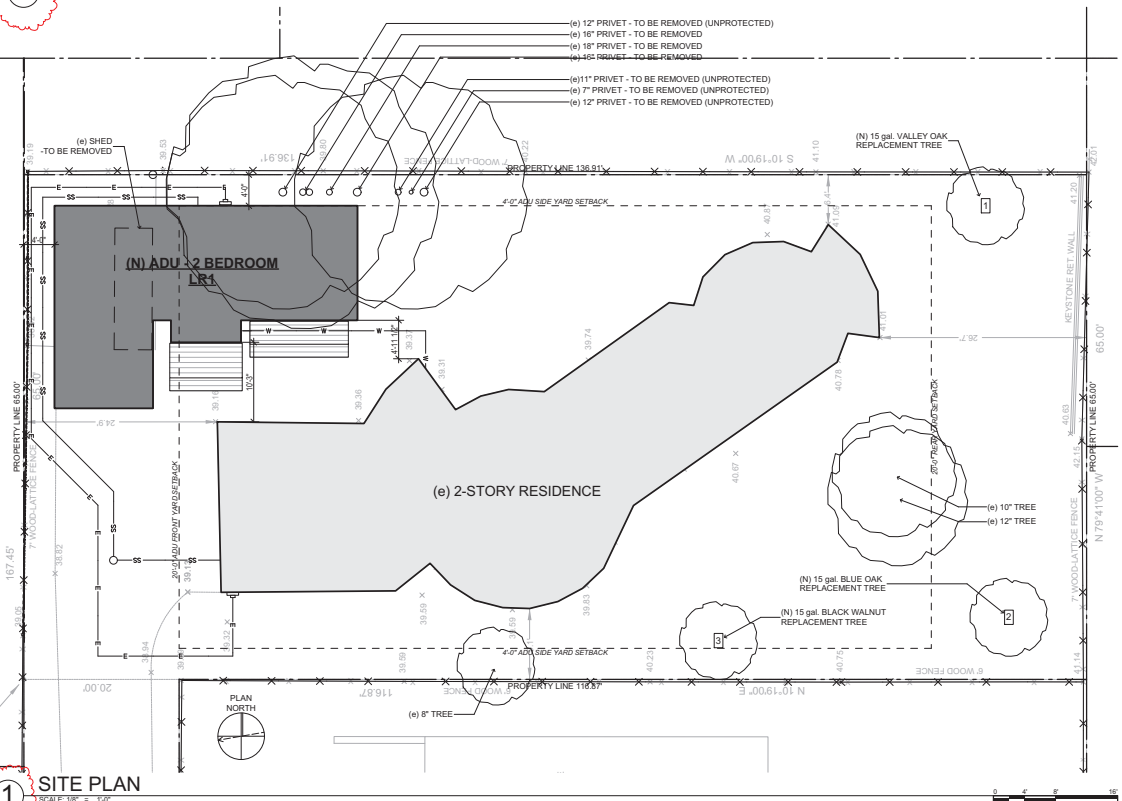
LOCATION MAP



SCOPE OF WORK:  
- NEW DETACHED ADU



2 AREA PLAN  
SCALE: 1" = 30'



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

PROJECT INFORMATION

Property: 1143 Woodland Avenue  
Menlo Park, CA 94025  
APN: 063-42-5590  
Owner: Lussen Yang  
Lot size: 10,947 s.f.  
Lot zoning: R-1-L  
Type of Construction: Type V-B  
Occupancy: R-3  
Structural Engineer: Peter Balay, TOPOS Architects  
Energy Efficiency Analyst: Kevin Chua, CASITA, Inc.

Zoning Analysis			
Parking:	New ADU	2-uncovered	
	Existing residence	2-covered	
Total		4	
Fire Sprinklers:	New ADU	NO	
	Existing residence	NO	
Floor areas:	New ADU	744 sf	Allowed 800 sf
	Existing Residence	2,338 sf	3,287 sf
	Total	3,582 sf	4,587 sf
	Proposed	744 sf	Allowed 800 sf
Lot coverage:	New ADU	1,345 sf	3,831 sf
	Existing Residence	2,687 sf	4,631 sf
	Total	4,032 sf	
	Proposed	1,345 sf	Allowed 1,600 sf
Building Setbacks:	Front	4.0 ft	20.0 ft
	Rear	80.9 ft	4.0 ft
	Side-left	4.0 ft	4.0 ft
	Side-right	34.9 ft	4.0 ft
	Main Res. separation	5.0 ft	3.0 ft
	Building Height:	Proposed 13.5 ft	Allowed 16.0 ft

APPLICABLE CODES

- 2019 California Building Code
  - 2019 California Residential Code
  - 2019 California Green Building Code
  - 2019 California Mechanical Code
  - 2019 California Plumbing Code
  - 2019 California Electric Code
  - 2019 California Fire Code
  - 2019 California Energy Code
- All as amended by local jurisdiction.

GENERAL NOTES

- All structural and framing dimensions are to the exterior face of studs or concrete, unless noted otherwise. All finish dimensions are to the face of the finished surface. All dimensions take precedence over scale.
- The Contractor shall verify all dimensions and recommendations shown on the drawings, and between these drawings and documents prepared by other consultants; proper fit and attachment of all parts is required. Any discrepancies shall be brought to the attention of the Architect before beginning related work. In the event of the Contractor's failure to do so, the Contractor shall be fully and solely responsible for the correction or adjustment of any such related work or errors.
- The construction documents are provided to illustrate the design intent and general type of construction required. All conditions not specifically detailed on the drawings shall be constructed in a manner consistent with the design intent and other details and specifications in the drawings.

SHEET INDEX

SITE PLAN PROJECT INFORMATION - 2BR	A0.1
FLOOR PLAN - 2BR	A1.1
ELEVATIONS - 2BR	A2.1
SECTIONS - 2BR	A3.1
ARCHITECTURAL DETAILS	A5.1
ARCHITECTURAL DETAILS-Craftsman Bungalow	A5.2
SCHEDULES	A6.1
ELECTRICAL PLAN - 2BR	E1.1
MECHANICAL PLAN - 2BR	M1.1
STRUCTURAL NOTES AND SPECIFICATIONS	S0.1
FOUNDATION PLAN - 2BR	S1.1
FRAMING PLAN - 2BR	S2.1
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LAND SURVEY	L1.1



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(650) 353-3320

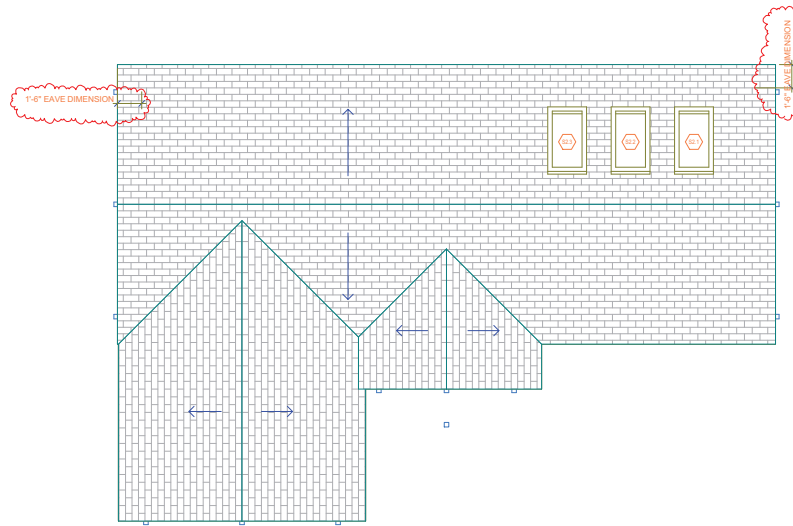
YANG RESIDENCE ADU  
1143 WOODLAND AVENUE MENLO PARK CA 94025

DATE:  
2/20/23  
REVISIONS:

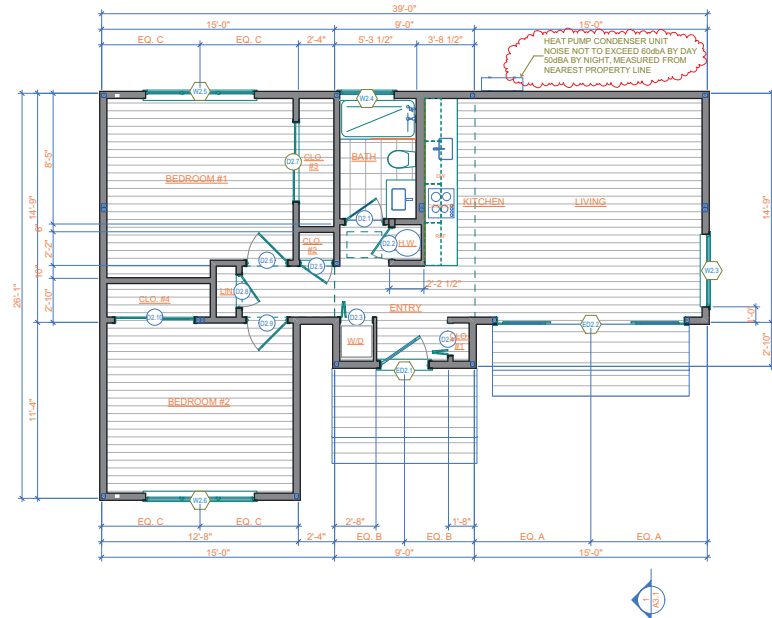
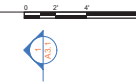
SITE PLAN  
PROJECT  
INFORMATION -  
2BR

SHEET:

A0.1



② ROOF PLAN - 2BR  
SCALE 1/4" = 1'-0"



④ FLOOR PLAN - 2BR  
SCALE 1/4" = 1'-0"

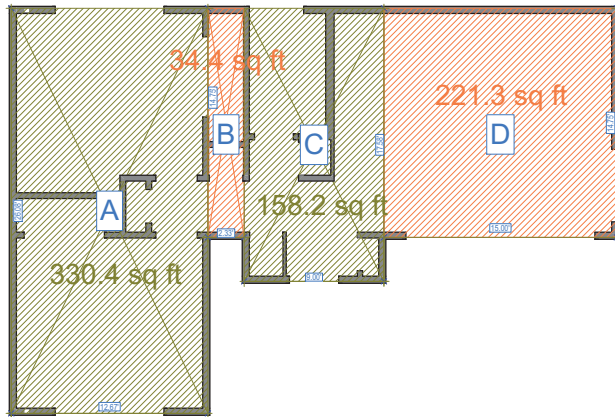


FLOOR AREA  
LIMIT CALCULATION

A	12.67' x 26.08' =	330.4	sf
B	2.33' x 14.75' =	34.4	sf
C	9.00' x 17.58' =	158.2	sf
D	15.00' x 14.75' =	221.3	sf
	TOTAL	744.3	sf

BUILDING COVERAGE  
CALCULATION

A	12.67' x 26.08' =	330.4	sf
B	2.33' x 14.75' =	34.4	sf
C	9.00' x 17.58' =	158.2	sf
D	15.00' x 14.75' =	221.3	sf
	TOTAL	744.3	sf

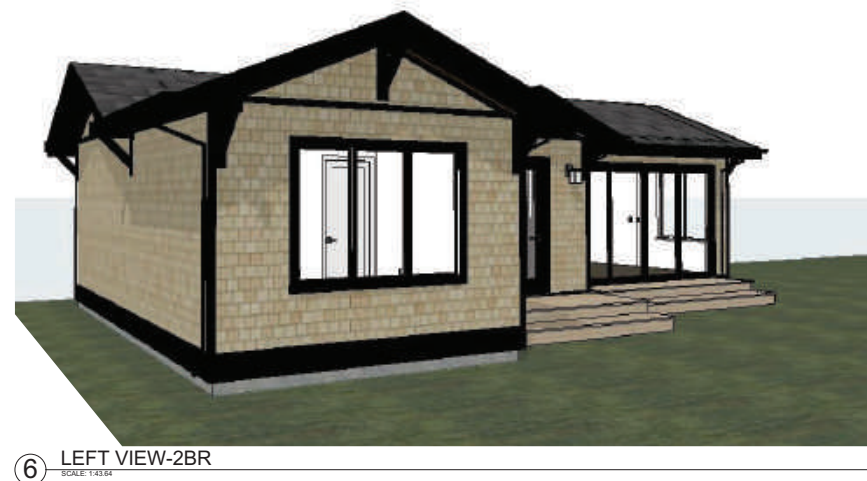
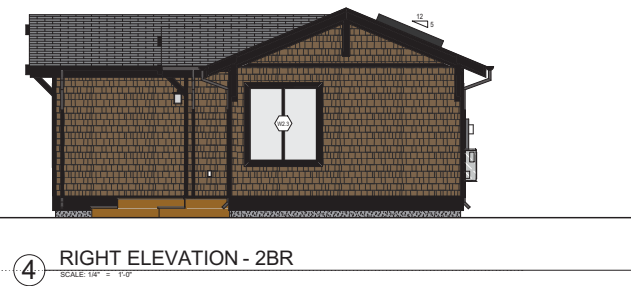
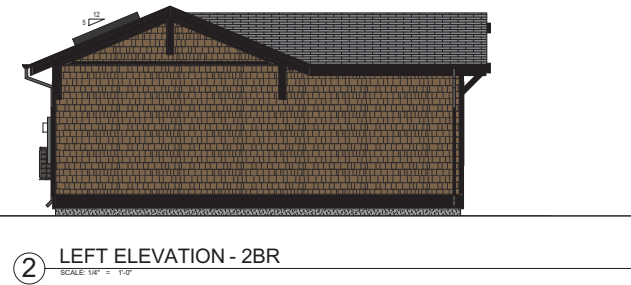


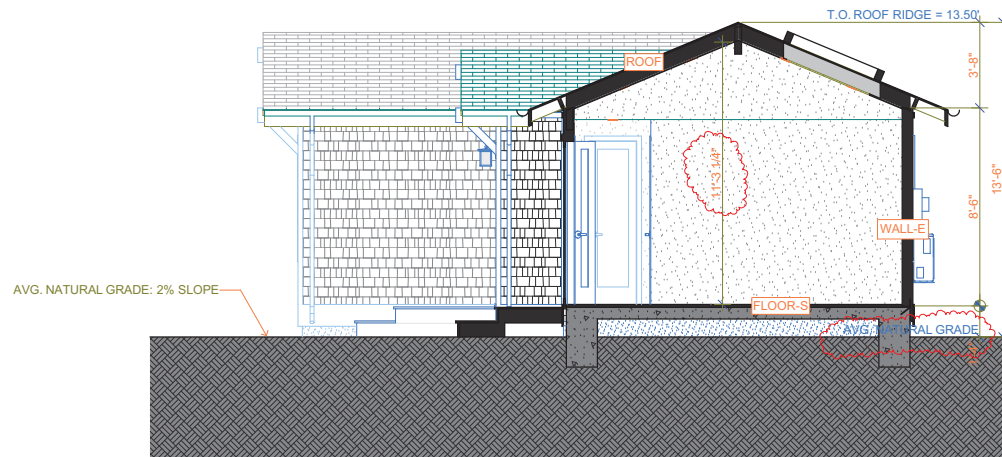
③ AREA CALCULATIONS  
SCALE 1/4" = 1'-0"

# PLAN LEGEND / NOTES

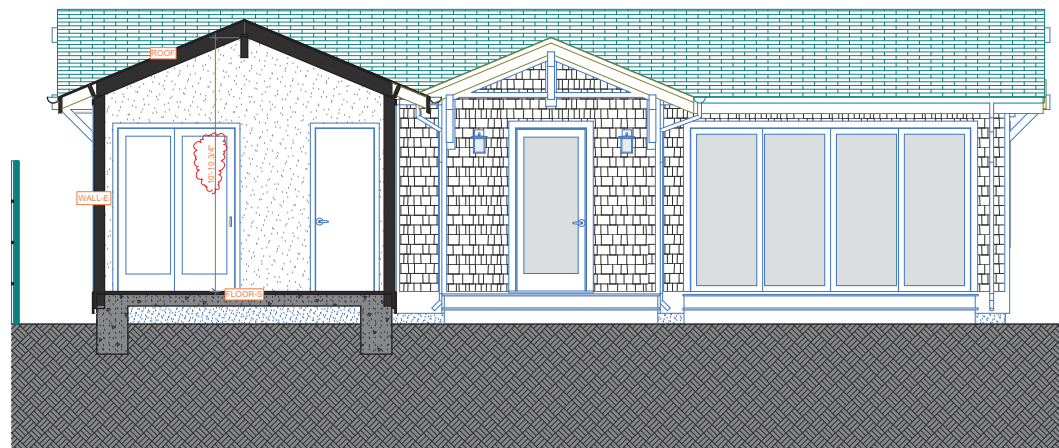
- New 2x4 wall
- New 2x6 wall

- Verify all wall locations and heights. Notify architect of discrepancies for resolution before continuing work.
- All dimensions are to face of studs or concrete walls, unless noted otherwise.
- Provide 5/8" type "X" gypsum wallboard below all stairways, and at all floors/walls/roofs separating the garage from the residence.
- Provide floor or landing on each side of exterior doors. Such floor and landing shall be at the same elevation on each side of the floor.
- Landing and doorway shall not be more than 7.75' below the top of the threshold, provided the door does not swing over the landing.





1 SECTION - 2BR - KITCHEN  
SCALE: 3/8" = 1'-0"



2 SECTION - 2BR - BEDROOM  
SCALE: 3/8" = 1'-0"

## CONSTRUCTION ASSEMBLIES

- ROOF** Asphalt composition shingles  
GAF Timeline HD Reflector series  
See Ext. Finish Schedule (Reflectivity>0.15/Emissivity<0.75)  
ICC ESR-3287-Class A rated  
15# building paper per ASTM D328  
1/2" CDX plywood sheathing (1/2" OSB acceptable)  
Roof framing per framing plans  
5" spray applied closed cell foam insulation (R-35)  
[icynene PROSEAL LE](http://www.icynene.com) [www.icynene.com](http://www.icynene.com) or equal  
ICC ESR-3500 report  
1/2" gypsum wallboard  
PVA primer (>1 perm vapor transmission)  
Kelly Moore 95-500 Vapor Shield Primer or equal
- WALL-E** Shingle siding  
James Hardie fiber cement shingle siding  
15/16" x 48" boards with 7" exposure  
3-1/2" x 3/4" smooth finish vertical corner trim  
Pre-finished, color per Exterior Finish Schedule  
ICC ESR-1844 report  
Hardie Wrap Weather Barrier  
6" lapped and taped vertical seams  
ICC ESR-2290 report  
Grace Bluthene 3000 self-adhesive membrane at all:  
1. Inside and outside corners-24" min. width  
2. Window and exterior door jambs-12" min. width  
3. Penetrations-12"x12" min.  
1/2" CDX plywood sheathing (1/2" OSB acceptable)  
2x4 studs at 16" o.c.  
3.5" spray applied closed cell foam insulation (R-25)  
[icynene PROSEAL LE](http://www.icynene.com) [www.icynene.com](http://www.icynene.com) or equal  
ICC ESR-3500 report  
1/2" gypsum wallboard  
PVA primer (>1 perm vapor transmission)  
Kelly Moore 95-500 Vapor Shield Primer or equal
- WALL-I** Walls-Interior  
1/2" gypsum wallboard  
2x4 studs at 16" o.c.  
3-1/2" fiberglass batt insulation (R-13)  
1/2" gypsum wallboard
- FLOOR-S** Floors-on slab  
5/8" finish flooring (engineered wood)  
3/4" P.T. 18g plywood sub-floor glued & nailed to concrete  
Concrete slab per plans-room finish  
Vapor barrier-Stego Wrap 15 mil, or equal  
Compacted baserock per foundation plans
- FLOOR-T** Floors-tile  
Stone or ceramic tile finish  
Thin-set mortar bed  
Waterproof membrane  
Schuster Ditra system  
[www.schuster.com](http://www.schuster.com)  
cUPC listed per ANSI A118.10-99  
3/4" 18g plywood sub-floor glued & nailed to framing  
2x8 P.T. doug. fir framing  
5" spray applied closed cell foam insulation (R-35)  
[icynene PROSEAL LE](http://www.icynene.com) [www.icynene.com](http://www.icynene.com) or equal  
ICC ESR-3500 report
- DECK** Wood decks  
1x6 composite wood decking  
Fiberon Concordia-Symmetry Collection  
Fiberon Phantom GT hidden fastener system  
Color per Exterior Finish Schedule  
PER-15097 report  
P.T. framing per framing plan

**casita**

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**YANG RESIDENCE ADU**  
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SECTIONS - 2BR

SHEET:

**A3.1**







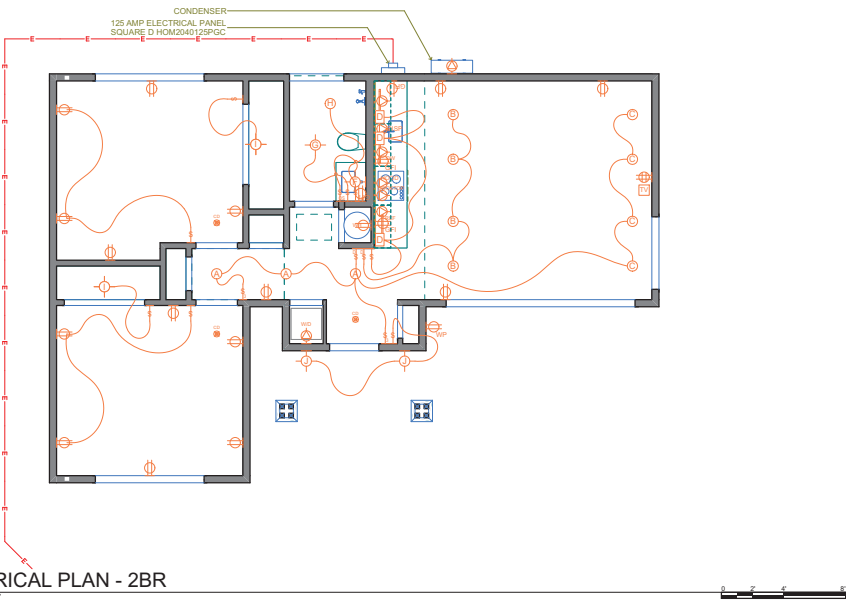


ELECTRICAL FIXTURE SCHEDULE

ID	Amt.	Location	Type	Manufacturer/Model	Luminaire	Electrical Power / Load		Control	Notes
2 BEDROOM									
A	3	Entry hall	4" recessed Trim	Nora NHIC-427LMRAT Nora NOX-431 Onyx Round	LED	11 w.	33 w.	Dimmer	
B	4	Kitchen	4" recessed Trim	Nora NHIC-427LMRAT Nora NOX-431 Onyx Round	LED	11 w.	44 w.	Dimmer	
C	4	Living	4" recessed Trim	Nora NHIC-427LMRAT Nora NOX-431 Onyx Round	LED	11 w.	44 w.	Dimmer	
D	2	Kitchen	Undercabinet	Maxlite 24L827	LED	10 w.	20 w.		
E	2	Kitchen	Pendant	By Owner	LED	6 w.	12 w.	Dimmer	
F	1	Bath	Sconce	WAC Lighting-Soho WS-6123-CH	LED	34 w.	34 w.	Dimmer	Horizontal
G	1	Bath	Fan	Panasonic FV-110CVS	n/a	27 w.	27 w.		Humidity sensing fan
H	1	Bath	4" recessed Trim	Nora NHIC-427LMRAT Nora NOX-431 Onyx Round	LED	11 w.	11 w.	Dimmer	UL Wet location listed
K3	1	Closet #3	Ceiling	Lithonia Lighting FMMCL 7.840 PIR	LED	11 w.	11 w.		Motion sensor light
K4	1	Closet #4	Ceiling	Lithonia Lighting FMMCL 7.840 PIR	LED	11 w.	11 w.		Motion sensor light
J	3	Exterior	Sconce	Arroyo Craftsman Mission MW-6	LED	14 w.	42 w.		
						289 w.			

1 ELECTRICAL PLAN - 2BR

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



ELECTRICAL NOTES

- SERVICE ENTRANCE**
- Provide (n) underground electric service entrance wiring.
  - Provide (n) electric service ground.
  - Provide (n) disconnect for PV panels.
- DISTRIBUTION**
- Provide complete wiring distribution per plans.
  - Provide one dedicated 20 amp GFI protected circuit to each bathroom for required outlets. Do not serve any other outlet, fan, light or other from these circuits.
  - Provide two dedicated 20 amp GFI protected circuits for all kitchen countertop outlets. Do not serve any other appliances, lights, or other from these circuits.
  - Provide two dedicated 20 amp circuits to supply the washer/dryer laundry receptacle outlets. Do not serve any other appliances, lights, or other from these circuits.
  - Provide listed arc-fault circuit interrupter protection devices at all 120v. branch circuits in bedrooms to protect the entire branch circuit.
  - All exterior receptacle outlets shall be waterproofed and GFI protected.
  - All 125-volt, single phase, 15 and 20 amp receptacles shall be listed tamper-resistant.
  - Provide "Decora" style receptacles and trim plates.
- LIGHTING**
- All recessed lights in insulated ceilings must be I.C. and A.T. rated.
  - All fixtures in tub/shower enclosures must be labeled "suitable for damp location."
  - All indoor lighting to be high efficacy (fluorescent or LED) or controlled by a "manual on" occupant sensor.
  - All outdoor lighting permanently mounted to a building to be high efficacy, and must be controlled by a manual ON or OFF switch and one of the following automatic control types: photocell and motion sensor, photocell and automatic time switch control, or an astronomical time clock control that automatically turns the outdoor lighting off during daylight hours.
  - Provide 12" horizontal clearance from fluorescent/LED lights to closet shelving.
  - Verify switch and outlet colors with owner/architect.
  - All switches labeled with an "D" are dimmable switches. Lutron Diva series, or equal.
  - All switches labeled with an "M" are manual-on motion sensor switches, with variable time setting. Verify selection with owner. Leviton 252ZW, or equal.
  - All switches labeled "T" are timer switches. Lutron Maestro timer, or equal.
  - All new bathroom vents to be equipped with humidity control capable of adjustment between a relative humidity range of 50-80 percent. Leviton IPHS-ILW or equal.
  - All outdoor lighting to be weatherproofed.
- COMMUNICATION WIRING**
- "Home run" wire all telephone and coaxial cables to service entrance. All telephone, cable and other communication wiring by owner.
- SOLAR PANEL WIRING**
- Provide Soladex SD-0789-5G Roof Mount Combiner Box for future solar panels at roof. Run Romex 10-2 and Green 8-gauge single-conductor stranded THHN wire from Soladex into subpanel with a 20 amp breaker for solar to feed into.

ELECTRICAL/MECHANICAL LEGEND

- Recessed light fixture, see schedule
- Light fixture, see schedule
- Wall mounted light fixture, see schedule
- Duplex electrical receptacle
- Quadplex electrical receptacle
- Ground Fault Interrupter electrical receptacle
- Weatherproof GFI electrical receptacle
- Special purpose outlet, as noted
- Wall switch, "Decora" style
- Dimmer controlled wall switch, Lutron Maestro
- Occupancy sensor wall switch, Lutron Maestro
- Communication jack (Category 7 cable)
- Cable TV jack (RG-6 coax cable)
- Audio jack (2-channel speaker wire)
- Interconnected smoke/carbon monoxide combination detector
- Air registers at floor, wall, or ceiling, size as noted
- Thermostat, Nest or equivalent



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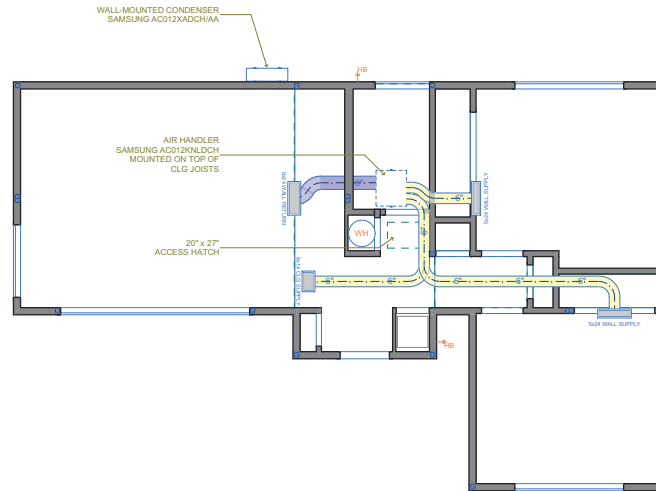
DATE:  
2/20/23  
REVISIONS:

ELECTRICAL PLAN  
2BR

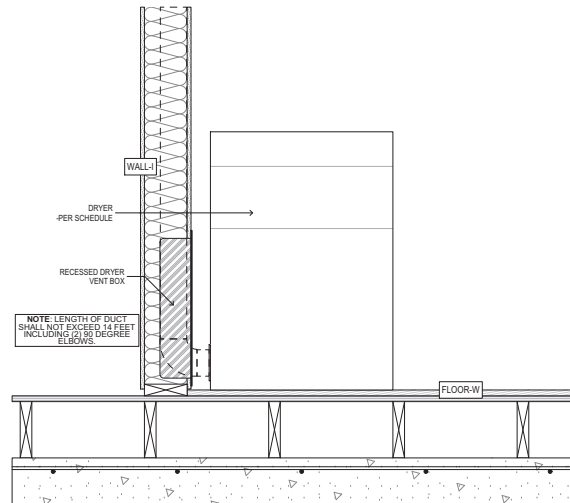
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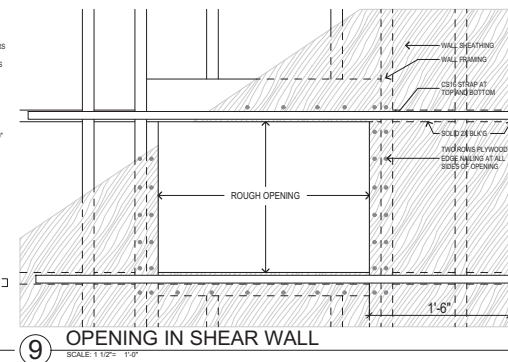
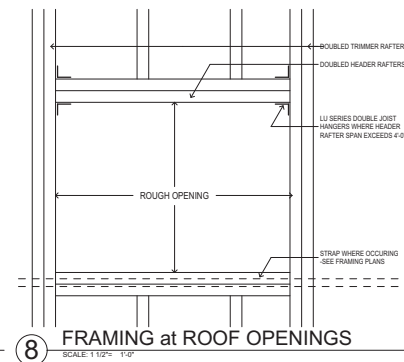
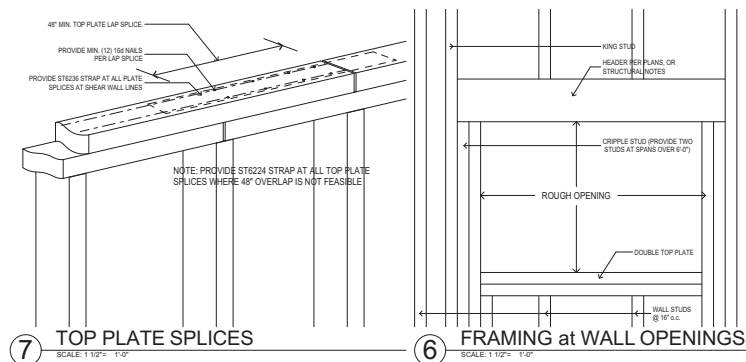
1 MECHANICAL PLAN - 2BR  
SCALE: 1/4" = 1'-0"



3 CLOTHES DRYER VENT  
SCALE: 1/12" = 1'-0"

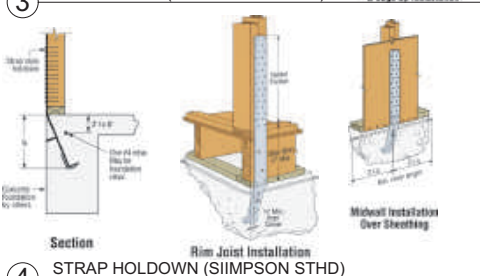
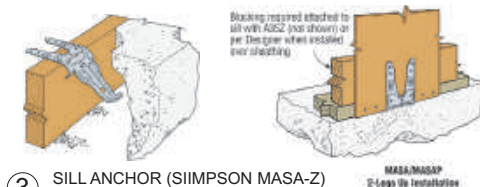
## MECHANICAL and PLUMBING NOTES

- MECHANICAL**
- Provide a mini split heat pump system for heating and cooling, per plans.
    - Air handler and condenser per equip. schedule
    - Wall mounted per plans
  - Seal all ductwork connections airtight per SCMANA or ACCA specifications (mastic or UL listed metal tape) to ensure maximum air loss of 6% of rated fan capacity, (CA Title 24 Part 6 Standard).
  - All duct and other related air distribution component openings shall be covered with tape, plastic, sheet metal, or other methods acceptable to the Building Official until final startup of the heating, cooling and ventilating equipment.
  - Insulate all ductwork to R-6 minimum.
  - Provide Nest Thermostat (snow). Provide 18ga. control wiring from thermostat location to mechanical area.
  - Provide 4" dia. rigid galv. metal clothes dryer exhaust ducting to exterior. 14' max. length including two 90 deg. bends. Provide back draft damper and weatherproof hood at exterior. No screws in duct connections.
  - Vent kitchen range hood to roof. Provide weatherproof hood at exterior. Verify duct size with hood manufacturer.
  - Provide clearances for equipment per manufacturer's written specifications.
  - Termination of all environmental air ducts shall be a minimum of 3 feet from any openings into the building.
  - Termination of all environmental air ducts shall be a minimum of 3 feet from any openings into the building.
  - Environmental air ducts, such as, ventilation for human usage, kitchen range exhaust, bathroom exhaust and clothes dryer shall be equipped with back-draft damper.
  - Provide Energy Star rated bathroom exhaust venting to all bathrooms operated by humidity sensor per plans and per ASHRAE 62.2 standards.
  - HVAC system installers shall be trained and certified in the proper installation of HVAC systems per CalGreen 702.1
- PLUMBING**
- Provide new water supply line per plans.
  - Provide new sewer line per plans.
  - Provide copper supply piping from water supply to water heater at manifold. Provide "PEX" or copper distribution piping sized per fixture schedule. Provide shut-off valves at each line.
  - Insulate all hot water piping (heated and unheated spaces).
  - Provide cast iron or ABS DWV piping.
  - Provide 30" clear width/24" front clearance at all toilets.
  - Provide minimum shower stalls of 1,024 square inches capable of encompassing a 30 inch circle.
  - All tub and shower areas have waterproof finish on 1/2" cement board on 30# felt from curb to 70" min. height above drain.
  - Provide non-removable backflow prevention devices at all hose bibs.
  - Provide water hammer arrestors (not air chambers) at all appliances that have quick-acting valves (i.e. dishwashers and clothes washers).
  - Provide air gap fittings on the discharge side of all dishwashing machines, per CPC section 807.4.
  - All showers and tubs to have individual pressure balanced (anti-scald) valves or thermostatically controlled valves. The maximum hot water temp discharging from the bathtub and whirlpool bathtub filler shall be limited to 120 deg F.
  - All new toilets are 1.28 gal. / flush.
  - Shower heads to have a max. 2.0 gpm flow at 80 psi per CGBCS 4.303.1.3.1. Multiple shower heads at a single shower to have a total flow of 2.0 gpm at 80 psi.
  - Bathroom faucets to have a max. 1.5 gpm flow at 60psi, and 0.8 gpm flow at 20psi minimum per CGBCS 4.303.1.4.1.
  - Kitchen faucets to have a max. 1.8 gpm flow at 60psi, per CGBCS 4.303.1.4.4.
- HOT WATER**
- Provide new hot water heater per plans.
  - Provide temperature and pressure relief valve with piping to drain pan.
  - Provide a galv. steel drain pan below water heater. Drain pan by gravity to floor drain to exterior perimeter drainage system.
  - Strap hot water heater to wall w/ (2) seismic straps, one located within the top 1/3 of the water heater and one at the bottom 1/3. The bottom strap shall be located at least 4" away from the heater controls. CPC 508.2
  - Provide clearances for equipment per manufacturer's written specifications.
  - Provide sediment trap at water heater supply per 1210.8 CPC.
- FLOOD ZONE CONSTRUCTION MATERIALS and METHODS**
- All new construction and substantial improved structures shall be constructed with flood-resistant materials and utility equipment shall be resistant to flood damage as specified in FEMA's technical bulletins and applicable local code.



- ### STRUCTURAL NOTES
- #### Design Loads
- Roof-20 psf live load (39 psf total load)  
Floor-40 psf live load (65 psf total load)  
Wind-basic wind speed (3-sec. gust)-92 mph, Exposure C  
Seismic design category D  
S<sub>w</sub>=2.580 S<sub>s</sub>=1.012  
SDS=2.004 S<sub>1</sub>=1.012  
Soil bearing capacity=1,500 psf (CBC R401.4.1)
- #### General
- Do not scale drawings. Scale and grid lines are for reference only.
  - The Contractor shall check, field verify and coordinate all dimensions and recommendations within these drawings, and between these drawings and documents prepared by other consultants. Any discrepancies shall be brought to the attention of the Architect prior to beginning work on areas affected by these discrepancies.
  - Typical details and notes shown on these drawings shall apply unless specifically shown or otherwise noted.
  - These drawings represent the finished structure and do not indicate the method of construction. It is the Contractor's sole responsibility to provide protection of life and property during construction. The design and construction of all shoring, bracing and formwork shall be the responsibility of the Contractor unless otherwise noted.
- #### Concrete
- All concrete is f'<sub>c</sub>=3,000 psi (design assumes f'<sub>c</sub>=2,500 psi), 5-1/2 sack cement mix, min.
  - All reinforcing bars are ASTM A615 Grade 60 steel.
  - 48" min. lap splice.
  - Pour all footings and slabs to undisturbed soil (machine compacted to 90% relative compaction).
  - Provide 3" min. concrete cover for all rebars (1-1/2" where concrete is placed against formwork or not exposed to weather or soil).
  - Provide min. 30% Class F fly ash by weight of the cementitious material.
- #### Fasteners
- All sheet metal connectors as manufactured by Simpson Strong-Tie Company, San Leandro, CA. [www.strongtie.com](http://www.strongtie.com).
  - All nailing per 2019 CBC Table 2304.10.1, unless noted otherwise.
  - All bolts, lag screws, etc. to ASTM 307, unless noted otherwise.
  - All fasteners exposed to weather to be hot-dip galvanized.
  - All Simpson epoxy is Simpson SET-XP "Epoxy-Tie" adhesive anchor system with gals. threaded rod inserts per ICC-ES ESR-2508.
  - All CS16 straps have 30" nailed at each end + clear span.
  - All anchor bolts are 5/8" dia. w/ 3"x3"x14" square washers.
  - All SDS screws are Simpson SDS series per ICC-ES ESR-2236.
  - All fasteners and connectors in contact with pressure treated lumber or fire-retardant treated lumber to be hot-dipped galvanized steel or stainless steel.

- #### Wood
- Provide double studs or 4x posts below all beams, u.n.o.
  - All 2x lumber is douglas fir #2, unless noted otherwise.
  - All 4x, 6x lumber is douglas fir #1 and better, u.n.o.
  - All structural composite lumber shall be manufactured by Weyerhaeuser and shall conform to ICC ESR-1387 and the following design values:  
(LVL) laminated veneer lumber F<sub>v</sub>=255psi F<sub>b</sub>=2,500psi  
(PSL) parallel strand lumber F<sub>v</sub>=290psi F<sub>b</sub>=2,900psi  
(Z-PE PSL) parallel strand lumber F<sub>v</sub>=290psi F<sub>b</sub>=2,900psi
  - All plywood is exposure 1, APA rated
  - All sill plates and other lumber within 12" of grade is pressure treated 0.40 CCA.
  - All headers are 4x6 minimum size, unless noted otherwise.
  - Provide solid blocking at all joint supports and all bearing points.
  - Nail all wall sheathing with 8d nails at 6" o.c. edges/12" o.c. field, unless noted otherwise on plans or in shear schedule.
  - Nail and glue all floor sheathing with 10d ring-shank nails (0.131" diax3") at 6" o.c. edges/12" o.c. field.



### SHEAR WALL SCHEDULE

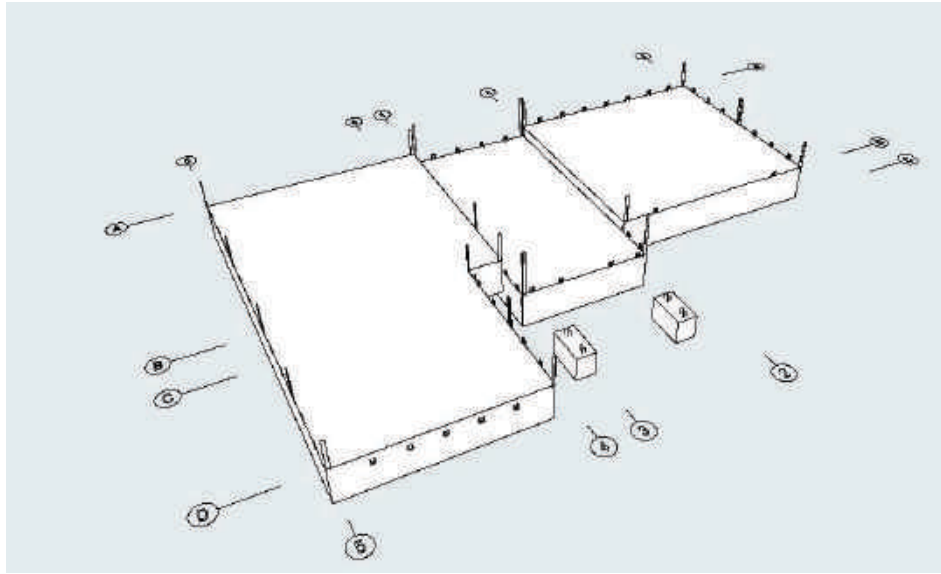
Wall	L <sub>ft</sub> (ft)	Shear (k)	Uplift (k)	Sheathing/ nailing	Top plate/ fasteners	Sill plate/ fasteners	Holddown/ endpost	Nailing/ Anchor	Edge <sup>1</sup> dist.	L <sub>e</sub> <sup>2</sup>	Notes
M-1	7.33	353	2.85	1/2" CDX ply/ 8d @ 6"/12" o.c.	2-2x4/ A307 @ 16" o.c.	2x4/ A307 @ 16" o.c.	STHD 10/ 2-2x posts	(20) 10d common	1/2"	10"	
M-3	11.08	378	2.99	1/2" CDX ply/ 8d @ 6"/12" o.c.	2-2x4/ A307 @ 15" o.c.	2x4/ A307 @ 16" o.c.	STHD 10/ 2-2x posts	(20) 10d common	1/2"	10"	
M-5	7.33	219	1.71	1/2" CDX ply/ 8d @ 6"/12" o.c.	2-2x4/ A307 @ 32" o.c.	2x4/ A307 @ 16" o.c.	STHD 10/ 2-2x posts	(20) 10d common	1/2"	10"	

M-A	15.00	270	1.88	1/2" CDX ply/ 8d @ 6"/12" o.c.	2-2x4/ A307 @ 32" o.c.	2x4/ A307 @ 16" o.c.	STHD 10/ 2-2x posts	(20) 10d common	1/2"	10"	
M-C	9.00	570	1.80	1/2" CDX ply/ 8d @ 6"/12" o.c.	2-2x4/ A307 @ 15" o.c.	2x4/ A307 @ 16" o.c.	STHD 10/ 2-2x posts	(20) 10d common	1/2"	10"	2,4
M-D	11.33	702	1.34	1/2" CDX ply/ 10d @ 6"/12" o.c.	2-2x4/ A307 @ 32" o.c.	2x4/ A307 @ 16" o.c.	STHD 10/ 2-2x posts	(20) 10d common	1/2"	10"	4

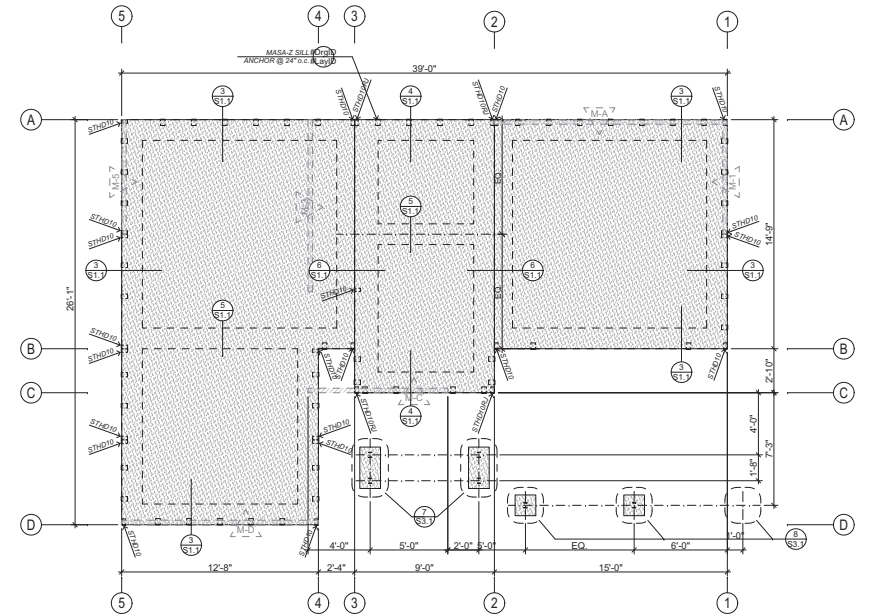
### ROOF/FLOOR DIAPHRAGM SCHEDULE

Diaphragm	Load	Sheathing	Notes
ROOF	175 k/ft	1/2" CDX plywood 8d @ 6" o.c. edges/12" o.c. field	

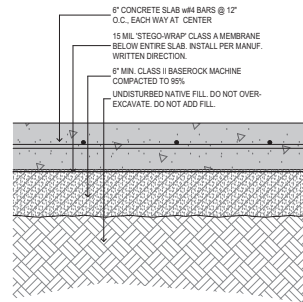
- #### FOOTNOTES:
- All wall sheathing is 15/32" 4/5 ply exterior rated plywood, unless noted otherwise.
  - Allowable panel shear reduced by 2w/ft per CBC Table 2305.3.4.
  - Plywood sheathing on both sides of wall.
  - Perforated shear wall-additional straps at openings performing details.
  - Edge distances are from the center of the anchor, and are required minimum distances.
  - Minimum bolt embedment from underside of bolt head or washer to top of concrete.
  - Lap wall sheathing 4" min. onto rim joist and provide plywood edge nailing.
- #### GENERAL NOTES:
- All wood sheathing is APA rated CDX plywood or Structural 1 plywood, as noted.
  - Shear wall design per AF&PA SP00WS.
  - Orient plywood sheets with long dimension across wall studs, joists and rafters. Stagger all joints.
  - Use full sheets of plywood. DO NOT "piece" together sheathing. 24" min. sheet width.
  - Where unit wall shear exceeds 350 plf, provide 3x studs at all panel edges.
  - Provide plywood edge nailing (P.E.N.) at all top plates, sill plates, posts and all studs with holdowns.
  - Where holdowns are attached to double studs, nail studs together with 16d nails @ 4" o.c.
  - Splice all top plates w/ (8) 16d nails / splice.
  - Strap all wall plates across beams w/ ST 6224 straps.
  - Provide threaded rod extensions attached with coupler nuts w/ witness holes at all holdown anchor extensions.
  - Plywood joint and sill plate nailing to be staggered in all cases.
  - All holdown anchor bolts are Simpson pre-fabricated anchors. Equivalent dia. and grade threaded rods with a 3"x3"x36" plate washer secured by double nuts on the embedded end may be substituted. Set all bolts to min. edge spacings and embedment depths shown on schedule, prior to placing concrete.



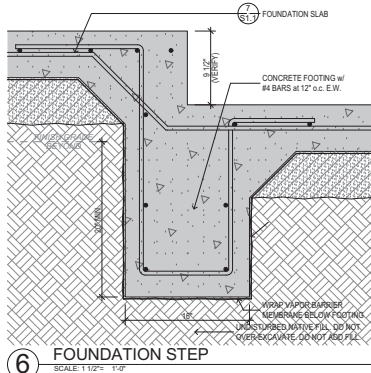
2 FOUNDATION-AXONOMETRIC 2BR-MIRRORED



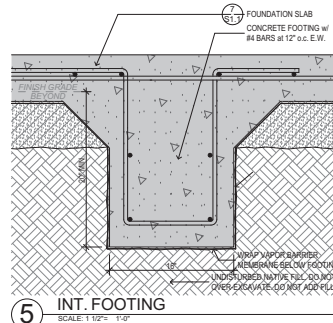
1 FOUNDATION PLAN - 2BR  
SCALE: 1/4" = 1'-0"



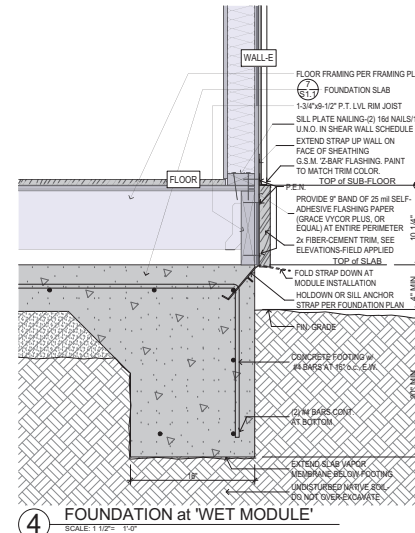
7 FOUNDATION SLAB  
SCALE: 1 1/2" = 1'-0"



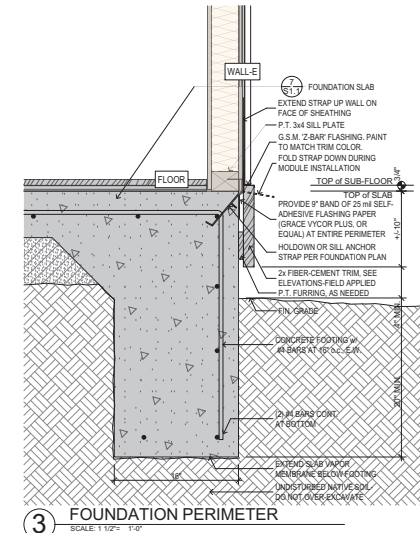
6 FOUNDATION STEP  
SCALE: 1 1/2" = 1'-0"



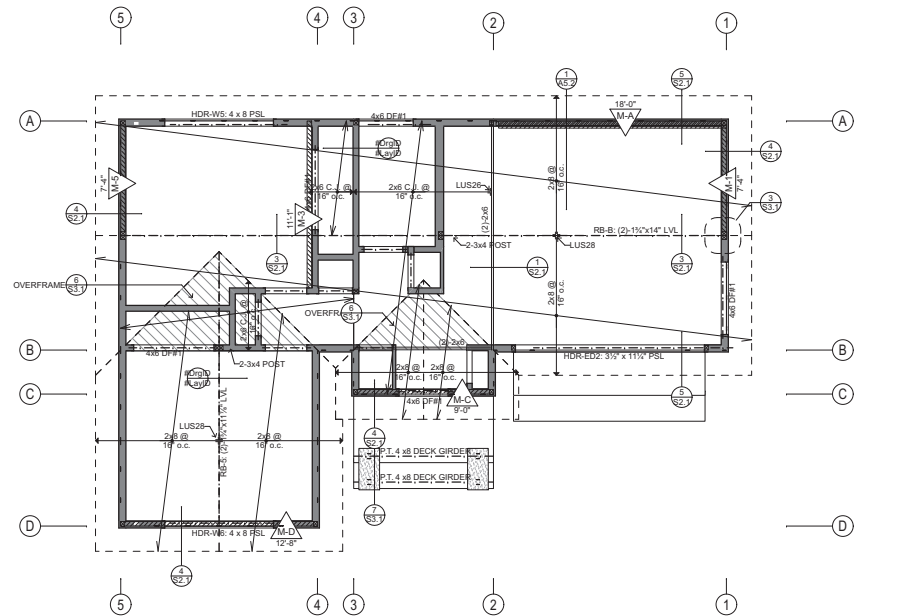
5 INT. FOOTING  
SCALE: 1 1/2" = 1'-0"



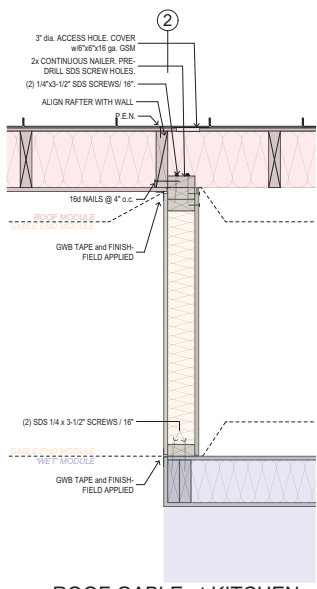
4 FOUNDATION at 'WET MODULE'  
SCALE: 1 1/2" = 1'-0"



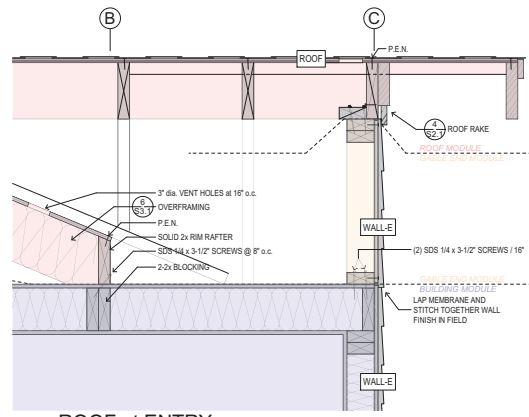
3 FOUNDATION PERIMETER  
SCALE: 1 1/2" = 1'-0"



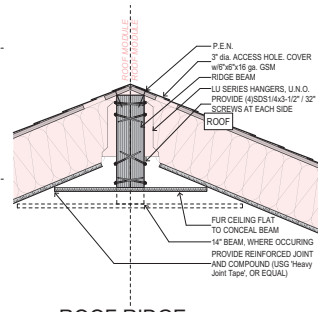
**6 FRAMING PLAN - 2BR**  
SCALE: 1/4" = 1'-0"



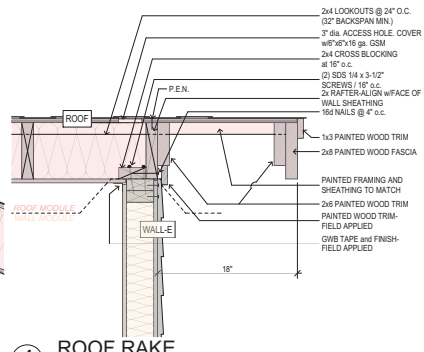
**1 ROOF GABLE at KITCHEN**  
SCALE: 1/12" = 1'-0"



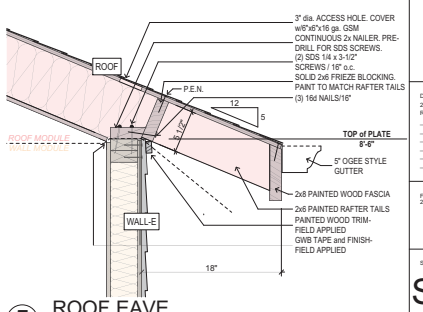
**2 ROOF at ENTRY**  
SCALE: 1/12" = 1'-0"



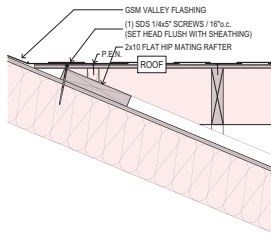
**3 ROOF RIDGE**  
SCALE: 1/12" = 1'-0"



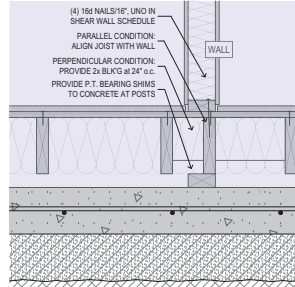
**4 ROOF RAKE**  
SCALE: 1/12" = 1'-0"



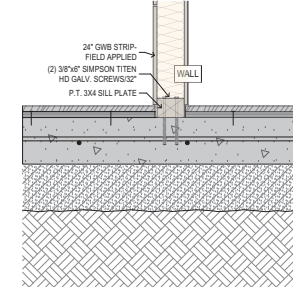
**5 ROOF EAVE**  
SCALE: 1/12" = 1'-0"



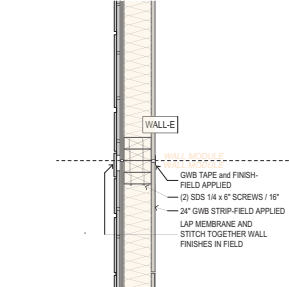
**6 ROOF OVERFRAMING**  
SCALE: 1/12" = 1'-0"



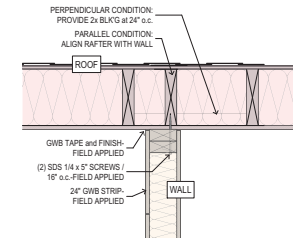
**5 WALL to FLOOR-FRAMED**  
SCALE: 1/12" = 1'-0"



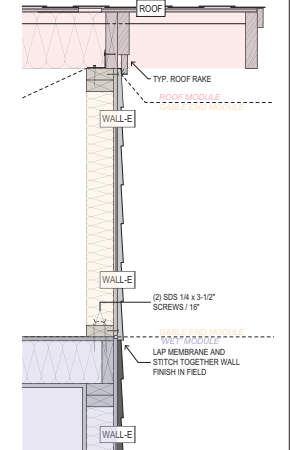
**4 WALL to FLOOR-CONCRETE**  
SCALE: 1/12" = 1'-0"



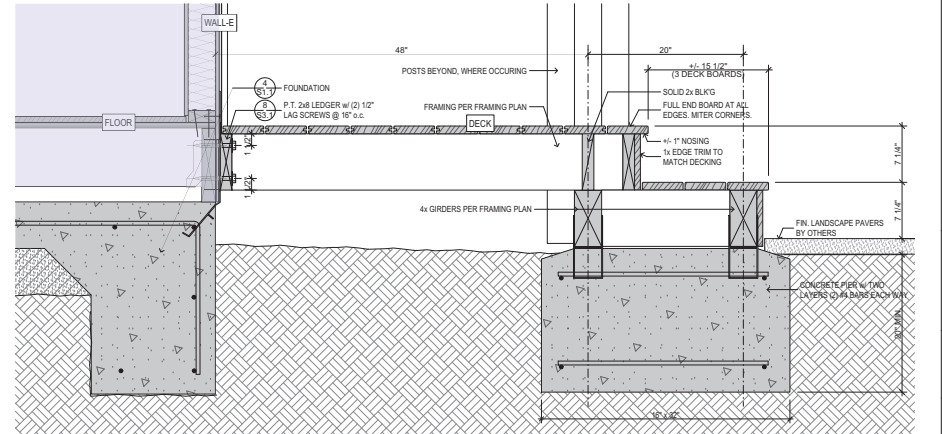
**3 WALL CONNECTION**  
SCALE: 1/12" = 1'-0"



**2 INTERIOR WALL to ROOF**  
SCALE: 1/12" = 1'-0"

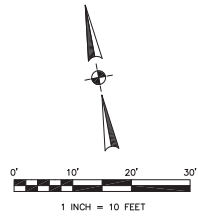


**1 GABLE END WALL**  
SCALE: 1/12" = 1'-0"



**7 ENTRY STOOP FLOORING and FRAMING**  
SCALE: 1/12" = 1'-0"





#### BASIS OF BEARINGS

BEARINGS SHOWN HEREON TAKEN FROM THE PARCEL MAP WHICH WAS FILED FOR RECORD IN VOLUME 47 OF PARCEL MAPS PAGES 45-46 ON JULY 19, 1979, SAN MATEO COUNTY RECORDS.

#### BENCHMARK

ELEVATIONS SHOWN HEREON ARE BASED UPON NAVD 88 DATUM. BENCHMARK USED WAS THE SANTA CLARA VALLEY WATER DISTRICT BENCHMARK #456, A BRASS DISK ON TOP OF THE SOUTHWESTERN HEADWALL AT SAN FRANCISCO CREEK AND POPE/CHAUCER STREET. (PUBLISHED ELEVATION: 43.90 FEET)

#### NOTES:

I CERTIFY THAT THE PARCEL BOUNDARY WAS ESTABLISHED BY ME OR UNDER MY DIRECT SUPERVISION AND IS BASED UPON A FIELD SURVEY AND I CERTIFY THAT MONUMENTS SHOWN ARE OF THE CHARACTER STATED AS OF THE DATE OF THE FIELD SURVEY SHOWN BELOW.

BGT RELIED UPON A CORNERSTONE TITLE COMPANY PRELIMINARY TITLE REPORT, ORDER NO. 3670318-00992, AS TITLE REFERENCE FOR ALL PLOTTABLE EASEMENTS OF RECORD PLOTTED HEREON.

CERTAIN FEATURES WERE NOT LOCATED PER LIMITED SCOPE OF WORK. I.E. TREES, UTILITIES, ALL HARDSCAPES, ETC.

SURVEY PERFORMED BY: BGT LAND SURVEYING  
www.bgtlandsurveying.com

DATE OF FIELD SURVEY: MARCH 21, 2022  
JOB NUMBER: 22-071

#### FEMA:

PANEL NO: 0681C0309F  
EFFECTIVE: 04/05/2019  
ZONE: X (AREA OF MINIMAL FLOOD HAZARD)

#### LEGEND

AC	ASPHALT CONCRETE
BW	BACK OF WALK
CB	CATCH BASIN
CL	CENTERLINE
CO	CLEAN OUT BOX
CP	CABLE TELEVISION POINT
CTV	CABLE TELEVISION LINE
DI	DROP INLET
EM	ELECTRIC METER
EV	ELECTRIC VAULT
FF	FINISHED FLOOR
FL	FLOWLINE
FH	FIRE HYDRANT
GM	GAS METER
GRD	GROUND
GUY	GUY ANCHOR
GV	GAS VALVE
HCR	HANDICAP RAMP
INV.	INVERT
IP	IRON PIPE
JP	JOINT POLE
LG	LIP OF GUTTER
MH	MANHOLE
MON-MON	MONUMENT TO MONUMENT DISTANCE
PBV	PACBELL/SBC VAULT
PCE	POCE VAULT
PP	POWER POLE
SDMH	STORM DRAIN MANHOLE
SSV	SANITARY SEWER VAULT
TBC	TOP BACK OF CURB
TBM	TEMPORARY BENCHMARK
UNK	UNKNOWN TYPE
WM	WATER METER BOX
WV	WATER VALVE

3" WATER LINE EASEMENT  
PER 186 D.R. 364 AS  
SHOWN ON 47 PM 45-46

NON-EXCLUSIVE EASEMENT  
FOR INGRESS, EGRESS, AND  
PUBLIC UTILITIES, APPURTENANT  
TO SUBJECT PROPERTY

FOUND 3/4" IP WITH PLASTIC  
PLUG AND TACK 'LS 3272'

WOODLAND AVENUE

47 PM 45-46

PARCEL A

PARCEL B

PARCEL C

PARCEL D

APN 063-425-510  
APN 063-425-560  
10.947 SQ. FT. ±  
0.25131 ACRES ±



BOUNDARY SURVEY WITH HOUSE LOCATION  
PARCEL B, PORTION OF PARCEL A, 47 PARCEL MAPS 45-46

1143 WOODLAND AVENUE  
MENLO PARK, COUNTY OF SAN MATEO, CALIFORNIA

Assessor's Parcel Number:  
063-425-510  
063-425-560  
Prepared For:  
LUSIANA YARD  
1143 WOODLAND AVENUE  
MENLO PARK, CA 94025

Date: APRIL 2022  
Scale: 1" = 10'  
Contour Interval: N/A  
Drawn by: LHL

Revisions:

SU-1

Job No. 22-071



## Project Description

February 2, 2023

Regarding:

1143 Woodland Avenue  
Menlo Park, CA 94025

### Purpose of the proposal:

The property is a R-1U zoned 'flag lot' parcel. It is not in the flood zone. Due to the 'flag lot' configuration, the west side of the property is the 'front' of the parcel, even though it adjoins the back of the neighboring parcel and does not abut the public right of way. Thus, the proposed ADU is located within the front yard setback and requires a Use Permit.

We propose to locate the ADU as indicated because:

1. The ADU has a direct connection to the driveway and parking space, allowing the tenant independent private access, which will promote use as a separate dwelling.
2. The ADU is directly adjacent to the existing garage, further promoting privacy and second dwelling use.
3. The ADU is proximate to the existing sewer, water and electric connections, minimizing site construction disturbance.
4. The ADU is located in an under-developed portion of the site, minimizing the impact to established landscaping.
5. The ADU abuts rear yard areas of neighboring properties. The nearest neighboring structure is 25' away, minimizing neighbor impact.
6. The only alternate ADU location (south-west corner) is not suitable because:
  - a. It is 65' from the driveway and parking space with access across private landscaped areas of the primary residence.
  - b. It is directly adjacent to the main living areas of the primary residence, reducing privacy for all residents.
  - c. It is adjacent to neighboring side yards. The adjacent residence would be 11.5' away along the entire length of the ADU, creating a significant privacy impact.

### Scope of work:

We plan to build a detached accessory dwelling unit (ADU):

1. Single story, two bedroom
2. 744 sf
3. 13.5 ft. high
4. 4.0' from side and front property lines
5. Use Permit is required to build in front yard setback

www.buildmycasita.com  
652 Gilman St., Palo Alto, 94301  
650.600.9050





**Architectural Style, materials, colors, and construction methods:**

1. Craftsman Bungalow style
2. Fiber cement shingles to match existing house - Timber Bark (brown)
3. Asphalt composition roof shingles - charcoal
4. Fiberglass window frames - black
5. Slab-on-grade foundation
6. Type V-B Construction - wood framed construction

**Existing and proposed uses:**

Existing use is a single-family residence. Proposed use remains the same as a single-family residence with a detached ADU added to the yard.

**Outreach to neighboring properties:**

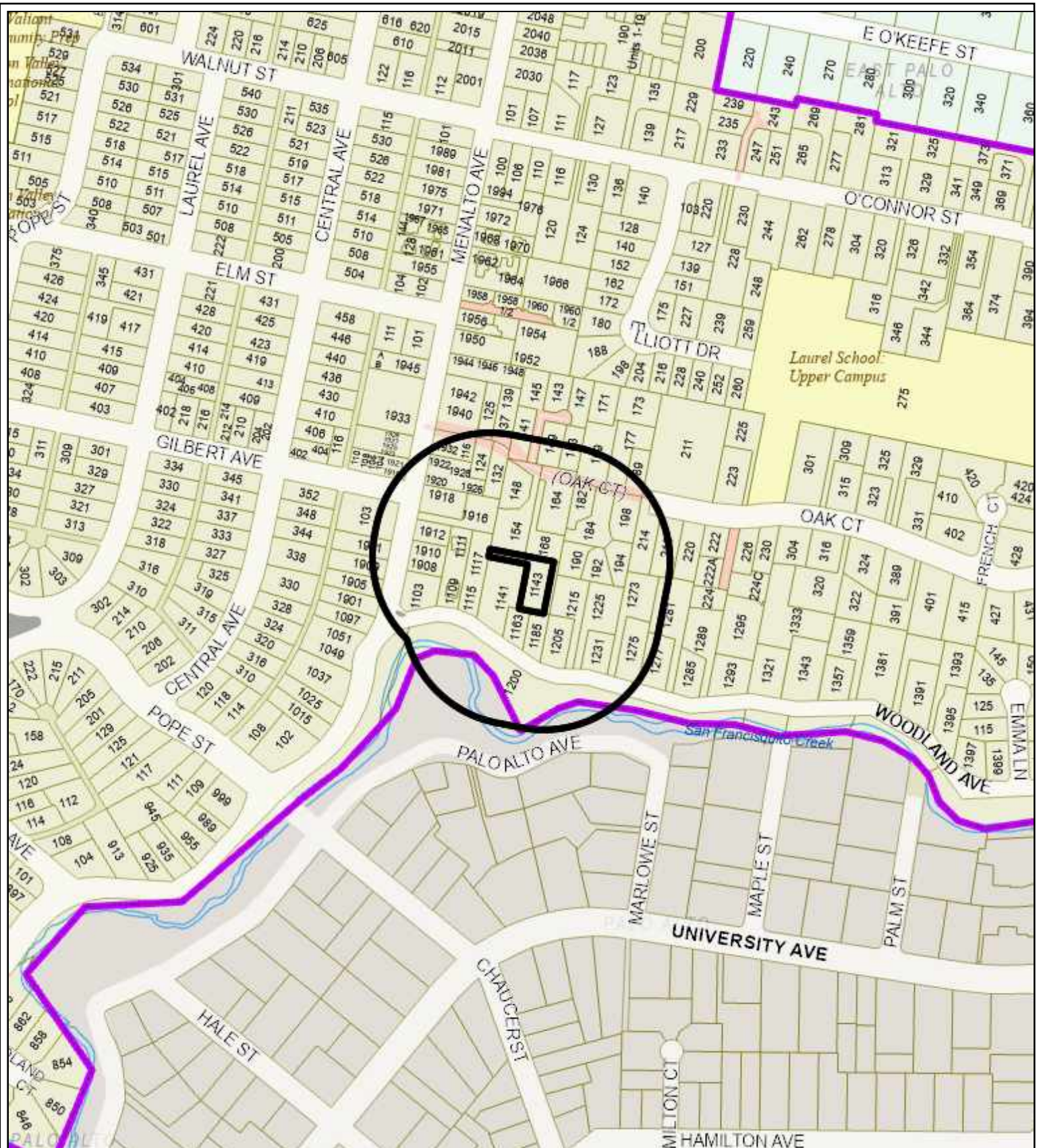
Outreach consists of the owners reaching out to each of the neighbors adjacent to said property to discuss the proposed location of the detached ADU. The application of the Use Permit is also discussed and the reason for the location of the ADU. Mitigation measures and removal trees will also be discussed with neighbors. Story poles were also erected to display the minimal amount of impact that the ADU would have on the adjacent neighbor's property and to show the height that was minimized as much as possible which does not come anywhere close to the 16 ft height which is allowed by the state of California.

<b>LOCATION:</b> 1143 Woodland Avenue	<b>PROJECT NUMBER:</b> PLN2022-00047	<b>APPLICANT:</b> Kelvin Chua	<b>OWNER:</b> Lusann Yang
<p><b>PROJECT CONDITIONS:</b></p> <p>1. The use permit shall be subject to the following standard conditions:</p> <ul style="list-style-type: none"> <li>a. The applicant shall be required to apply for a building permit within one year from the date of approval (by April 24, 2024) for the use permit to remain in effect.</li> <li>b. Development of the project shall be substantially in conformance with the plans prepared by Casita, consisting of 14 plan sheets, dated received April 4, 2023 and approved by the Planning Commission on April 24, 2023, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.</li> <li>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.</li> <li>d. 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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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 Aesculus Arboricultural Consulting, dated received December 31, 2022.</li> <li>i. Prior to building permit issuance, the applicant shall pay all fees incurred through staff time spent reviewing the application.</li> <li>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.</li> </ul>			

1143 Woodland Avenue – Attachment A, Exhibit C

<b>LOCATION:</b> 1143 Woodland Avenue	<b>PROJECT NUMBER:</b> PLN2022-00047	<b>APPLICANT:</b> Kelvin Chua	<b>OWNER:</b> Lusann Yang
<b>PROJECT CONDITIONS:</b> <ul style="list-style-type: none"><li>k. Notice of Fees Protest – The applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of the approval or as a condition of approval of this development. Per California Government Code 66020, this 90-day protest period has begun as of the date of the approval of this application.</li></ul>			





City of Menlo Park  
Location Map  
1143 WOODLAND AVENUE



Scale: 1:4,000

Drawn By: CRT

Checked By: CDS

Date: 4/24/2023

Sheet: 1

## 1143 Woodland Avenue – Attachment C: Data Table

	PROPOSED PROJECT	EXISTING PROJECT	ZONING ORDINANCE
Lot area	8,899.1 sf	8,899.1 sf	8,400* sf min.
Lot width	65 ft.	65 ft.	65 ft. min.
Lot depth	136.9 ft.	136.9 ft.	100 ft. min.
Setbacks			
Front	4 ft.	n/a ft.	20 ft. min.
Rear	93.9 ft.	n/a ft.	4 ft. min.
Side (left)	4 ft.	n/a ft.	4 ft. min.
Side (right)	34.9 ft.	n/a ft.	4 ft. min.
Building coverage*	2,687 sf	2,019.2 sf	3,114 sf max.
	30.2 %	22.7 %	35 % max.
FAL (Floor Area Limit)*	4,002.5** sf	3,334.7 sf	3,274.8 sf max.
Square footage by floor	3,258.5 sf/main residence 744 sf/ADU	3,258.5 sf/main residence 76.2 sf/accessory buildings	
Square footage of buildings	4,002.5 sf	3,334.7 sf	
Building height	13.5 ft.	n/a ft.	16 ft. max.
Parking	2 covered	2 covered	1 covered/1 uncovered
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			
Trees	Heritage trees*** 9	Non-Heritage trees*** 14	New Trees 3
	Heritage trees proposed for removal 3	Non-Heritage trees proposed for removal 0	Total Number of Trees 23

\*Per Section 15.28.110, panhandle lots must be 20 percent larger than required by the zoning district in which it is located.

\*\* Floor area and building coverage for the proposed project includes the ADU, which is 744.0 square feet in size and is allowed to exceed the floor area limit and maximum building coverage by up to 800 square feet.

\*\*\* Of the these trees, four are on the subject property and five are on neighboring properties.



12/31/2022

Kelvin Chua  
Casita  
1143 Woodland Avenue,  
Menlo Park, California 94025  
(650) 799-5101  
kelvin@builmycasita.com

Re: Tree protection for proposed ADU construction at 1143 Woodland Avenue, Menlo Park, CA 94025

Dear Kelvin,

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 23 trees on and adjacent to this property, nine of which are protected. Three protected trees, all on this property, are recommended for removal, as they conflict with project features.

All other trees are in reasonably good condition and should be retained and protected as detailed in the Recommendations, below. With proper protection, all are expected to survive and thrive during and after construction, according to each tree's existing condition.



## Assignment and Limits of Report

We have been asked to write a report detailing impacts to trees from the proposed ADU construction 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 23 trees on and adjacent to this property (Images 1-23, below). Seven are privets (*Ligustrum lucidum*), three are pittosporums (*Pittosporum undulatum*), and two are Chinese elms (*Ulmus parvifolia*), and the remaining eleven are of various individual species.

Protected statuses - trees #2, #3, #5-7, #15-17, and 23 are Heritage Trees. Trees #3, #15-17, and 23 overhang the property from adjacent properties.

Health - all trees present are in moderate to good health.

Structure - most trees present exhibit good to moderate branching architecture. Only trees #4-12 exhibit poor structure.

### *Current Site Conditions*

A single-family home is currently present on the property. The driveway and other hardscape appear typical, as do the utilities and property line fences.

### *Project Features*

An ADU is proposed in the northeast corner of the property, with associated utilities and steps up to the doors.

No other structural work is shown on the plans provided to us, nor is any hardscape, grading, drainage, utility, or fencing work.

### *Potential Conflicts*

Trees #2, 17, 23 - the proposed access route lies within or just outside these trees' TPZs.<sup>1</sup> Some branches of tree #23 may be low enough to conflict with some larger construction vehicles.

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<sup>1</sup> Tree protection zones. See Discussion, Tree Map, and Tree Table for more detail.

Tree #3 - the proposed ADU is within part of this tree's TPZ.

Trees #5-7 - the proposed ADU is well within these trees' CRZs.<sup>2</sup>

Trees #15, 16 - all proposed construction activities are well outside these trees' TPZs.

Trees #1, 4, 8-14, 18-22 - since these trees are not protected, they have not been evaluated for potential conflicts.

## Testing and Analysis

Tree DBHs were taken using a diameter tape measure if trunks were accessible. Multistemmed trees were measured below the point where the leaders diverge, if possible. The DBHs of trees with non-accessible trunks were estimated visually. All trees over four inches in DBH were inventoried, as well as street trees of all sizes. Vigor ratings are based on tree appearance and our experiential knowledge of each species' healthy appearance.

Tree location data was collected using a GPS smartphone application and processed in GIS software to create the maps included in this report. Due to the error inherent in GPS data collection, and due also to differences between GPS data and CAD drawings, tree locations shown on the map below are approximate except where matched to the survey.

We visited the site once, on 11/23/22. All observations and photographs in this report were taken at that site visit.

The tree protection analysis in this report is based on the plan set titled "Yang Residence ADU," dated 7/21/2022, 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.

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<sup>2</sup> Critical root zone. See Discussion, Tree Map, and Tree Table for more detail.

Contrary to popular belief, roots of all tree species grow primarily in the top two to three feet of soil in the clay soils typical for this geographic region, with a small number of roots sometimes occurring at greater depths. Some species have taproots when young, but these almost universally disappear with age. At maturity, a tree's root system may extend out from the trunk farther than the tree is tall, and the tree maintains its upright position in much the same manner as a wine glass.

The optimal size of the area around a tree which should be protected from disturbance depends on the tree's size, species, and vigor, as shown in the following table (adapted from *Trees & Construction*, Matheny and Clark, 1998):

<b>Species tolerance</b>	<b>Tree vitality<sup>3</sup></b>	<b>Distance from trunk (feet per inch trunk diameter)</b>
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:

<b>Species</b>	<b>Estimated tolerance</b>	<b>Reason for tolerance rating</b>
Chinese elm	High	Highly tolerant of all kinds of stress, including compacted soil. One of the few species able to repair root architecture problems.
Privet	High	Performs well to the point of weediness

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<sup>3</sup> Matheny & Clark uses tree age, but we feel a tree's vitality more accurately reflects its ability to handle stress.

## Palms and Other Monocots

Because palms, yuccas, and other monocots (grasses) are morphologically very different from woody trees, they respond differently to root disturbance. All palm roots are adventitious, arising as needed from the root initiation zone, and roots grow only in length but not in girth.

Palm species differ in their tolerance of root pruning, but all are much more tolerant than angiosperm trees. Optimal root ball sized, given in distance from the trunk, is summarized in the following table (reproduced from Broschat 2017)<sup>4</sup>:

Table 1. Average percentage of cut roots branching in four different root-length classes.

Species	Root-stub length (inches)				Avg. no. of new roots
		<6	6-12	12-24	
<i>Cocos nucifera</i>	47	61	50	50	20
<i>Phoenix reclinata</i>	0	2	8	32	62
<i>Roystonea regia</i>	1	6	24	36	97
<i>Sabal palmetto</i>	1	1	3	1	196
<i>Syagrus romanzoffiana</i>	3	41	49	57	13
<i>Washingtonia robusta</i>	2	14	31	59	144

Data from Broschat and Donselman (1984; 1990b).

For palms and other monocots not addressed in this table, I specify a tree protection zone extending 24" beyond the edge of the trunk, the most conservative distance tested in this study.

### Critical Root Zones (CRZs)

Although any root loss inside the TPZ may cause a short-term decline in tree condition, trees can often recover adequately from a small amount of root loss in the TPZ.

Tree stability is impacted at a shorter distance from the tree trunk. For linear cuts on one side of the tree, the minimum distance typically recommended is three times the DBH, measured from the edge of the trunk (*Best Management Practices: Root Management*, Costello, Watson, and Smiley, 2017). This is called the critical root zone (CRZ), as any distance shorter than this increases a tree's likelihood of failure.

---

<sup>4</sup> Broschat, Timothy K. Publication #CIR1047: Transplanting Palms in the Landscape. Original publication date April 1992. Revised June 2009. Reviewed December 2017. UF IFAS Extension. Available at <https://edis.ifas.ufl.edu/pdf/files/EP/EP00100.pdf>

### *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**

Trees #2, 15-17, 23 - **minimal** impacts to these trees are likely from the project as proposed. Tree #23 may require clearance pruning if large construction vehicles are to be brought onsite.

Tree #3 - **minor to moderate** impacts to this tree are expected from construction of the proposed ADU foundation.

Trees #5-7 - these trees are **incompatible** with the proposed ADU.

Trees #1, 3, 4, 8-14, 18-22 - since these trees are not protected, they have not been evaluated for construction impacts.

## Recommendations

### *Preconstruction Phase*

1. Remove trees #5-7, upon receipt of a permit from the City of Menlo Park.
2. 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>

### *Demolition Phase*

1. When demolishing existing features within TPZs, start work close to trees and move backwards, limiting equipment to still-paved areas. This applies to the following features, and any others within TPZs:

### *Construction Phase*

1. Maintain tree protection fencing as detailed above.
2. Alert the project arborist if utility or other work becomes necessary within any tree TPZs.
1. If live roots over 1" in diameter are encountered when excavating in any location:
  - a. Hand-excavate edge nearest trunk to the full depth of the feature being installed or to a depth of three feet, whichever is shallower.
  - b. Retain as many roots as practical.

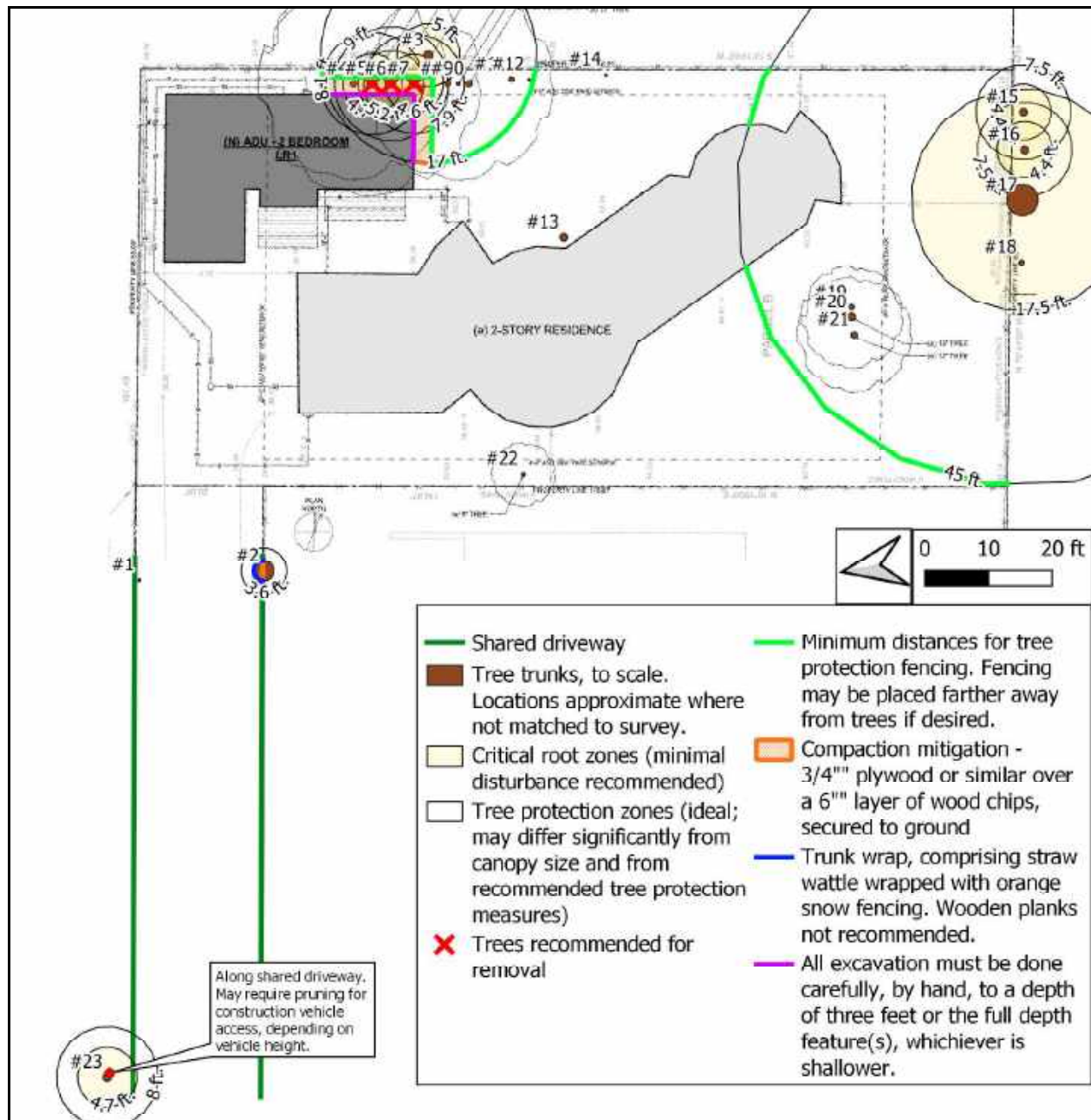
- c. If roots 1-2" in diameter must be cut, sever them cleanly with a sharp saw or bypass pruners.
- d. If roots over 2" must be cut, stop work in that area and contact the project arborist for guidance.
- e. Notify project arborist when excavation is complete. Project arborist shall inspect work to make sure all roots have been cut cleanly.
- f. If excavation will be left open for more than 3 days:
  - i. Cover excavation wall nearest trunk with several layers of burlap or other absorbent fabric.
  - ii. Install a timer and soaker hoses to irrigate with potable water twice per day, enough to wet fabric thoroughly.

#### *Post-Construction Phase*

- 1. Provide supplemental irrigation for tree #3 to aid in root regrowth for at least three years.
  - a. Irrigate at a very slow trickle for several hours to ensure infiltration. Once per month is usually sufficient.



## Tree Map



[illegible]

## Supporting Photographs

*Image 1: apple #1*

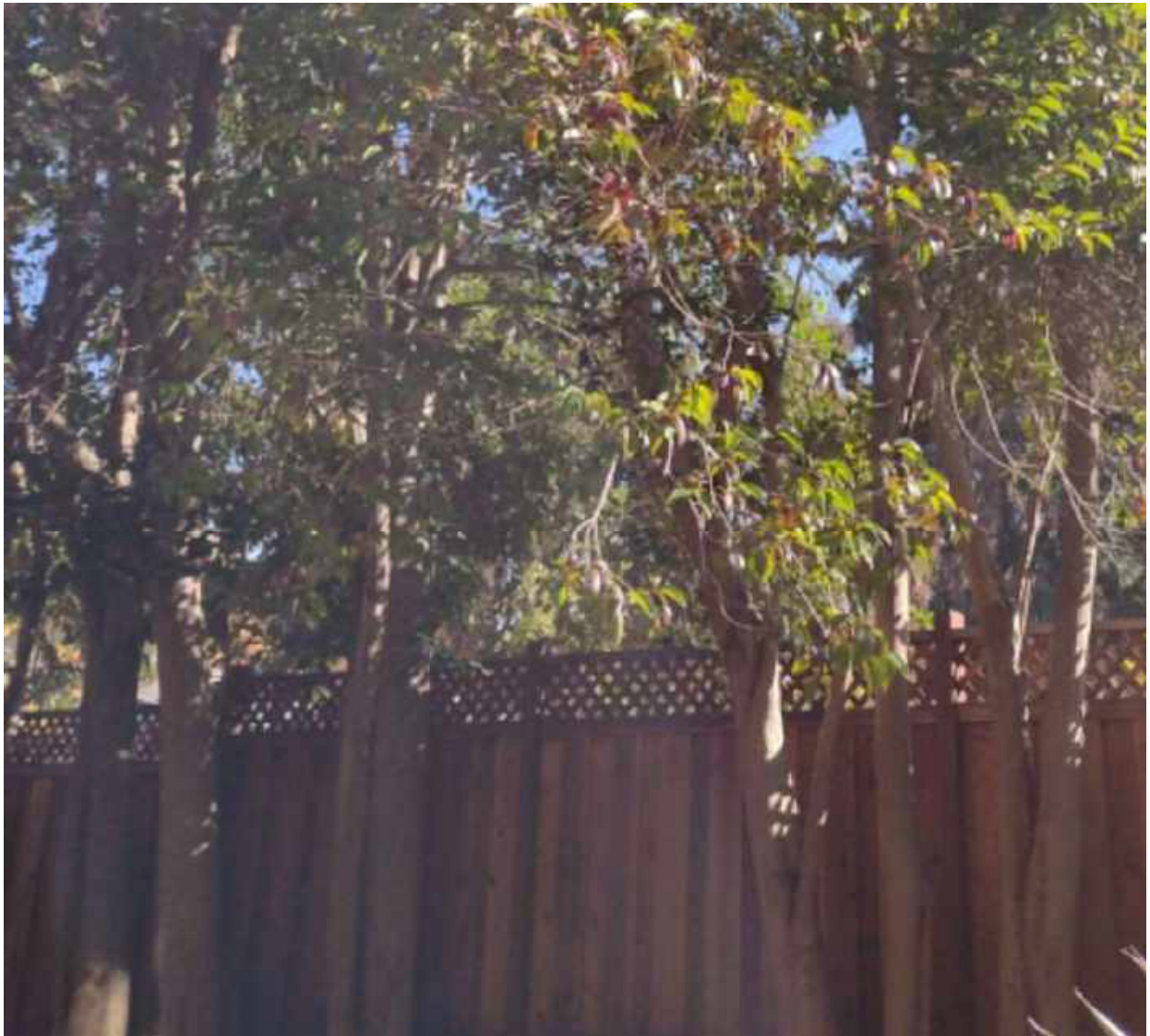




*Image 2: Canary Island date palm #2*



*Image 3: southern magnolia #3 (obscured)*





*Image 4: privet #4*



*Image 5: privet #5*





*Image 6: privet #6*

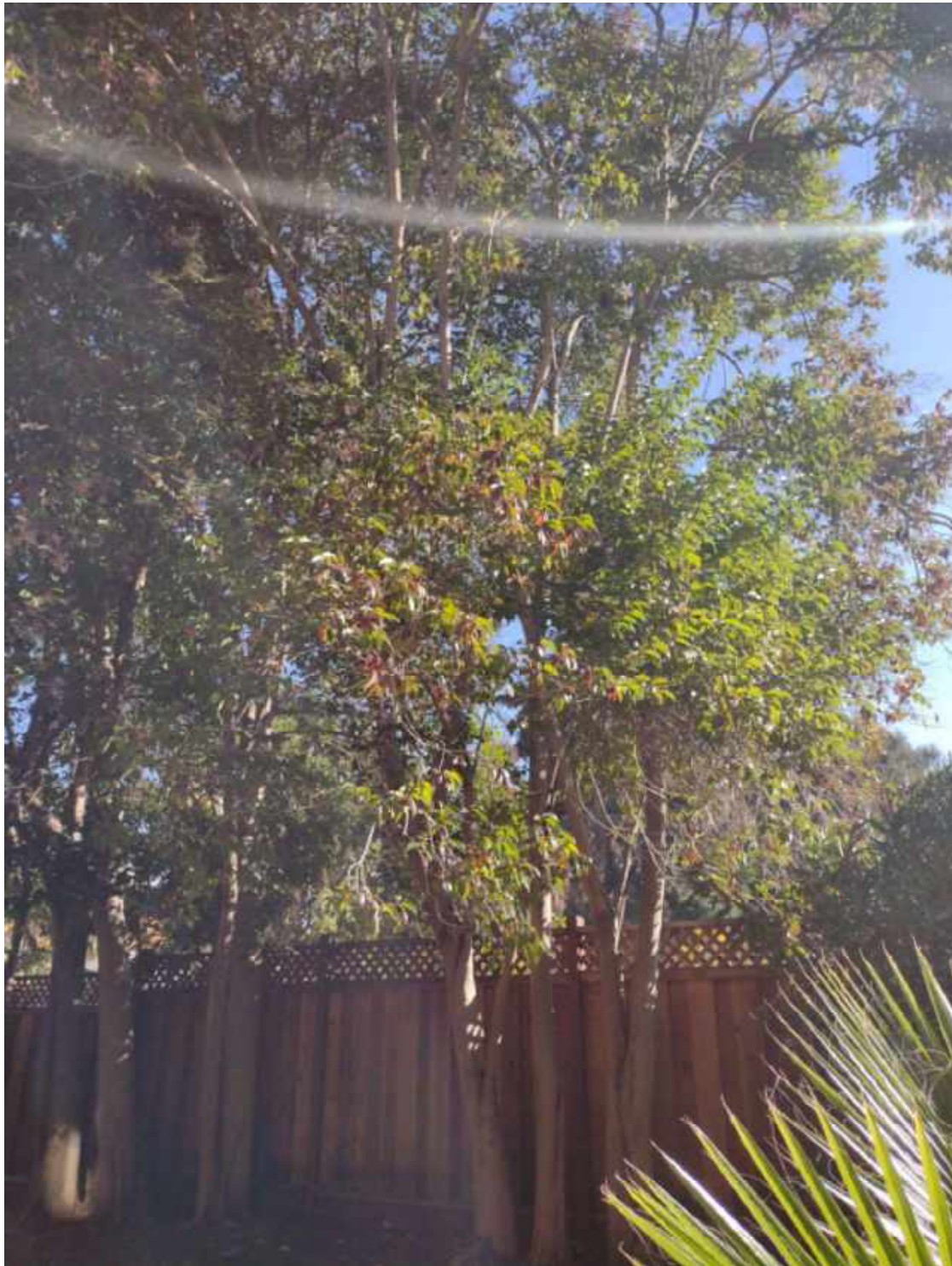


*Image 7: privet #7*



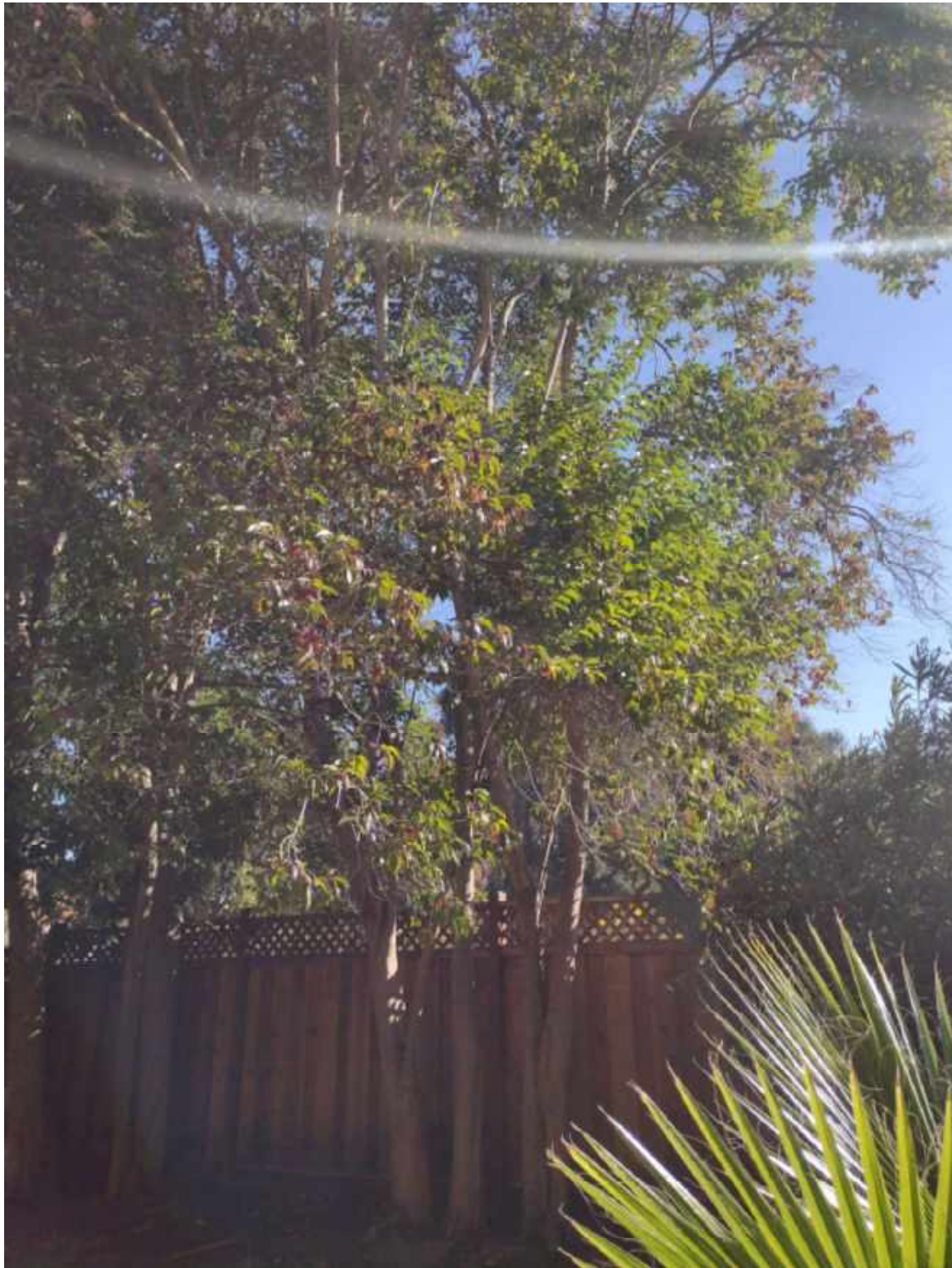


*Image 8: privet #8*

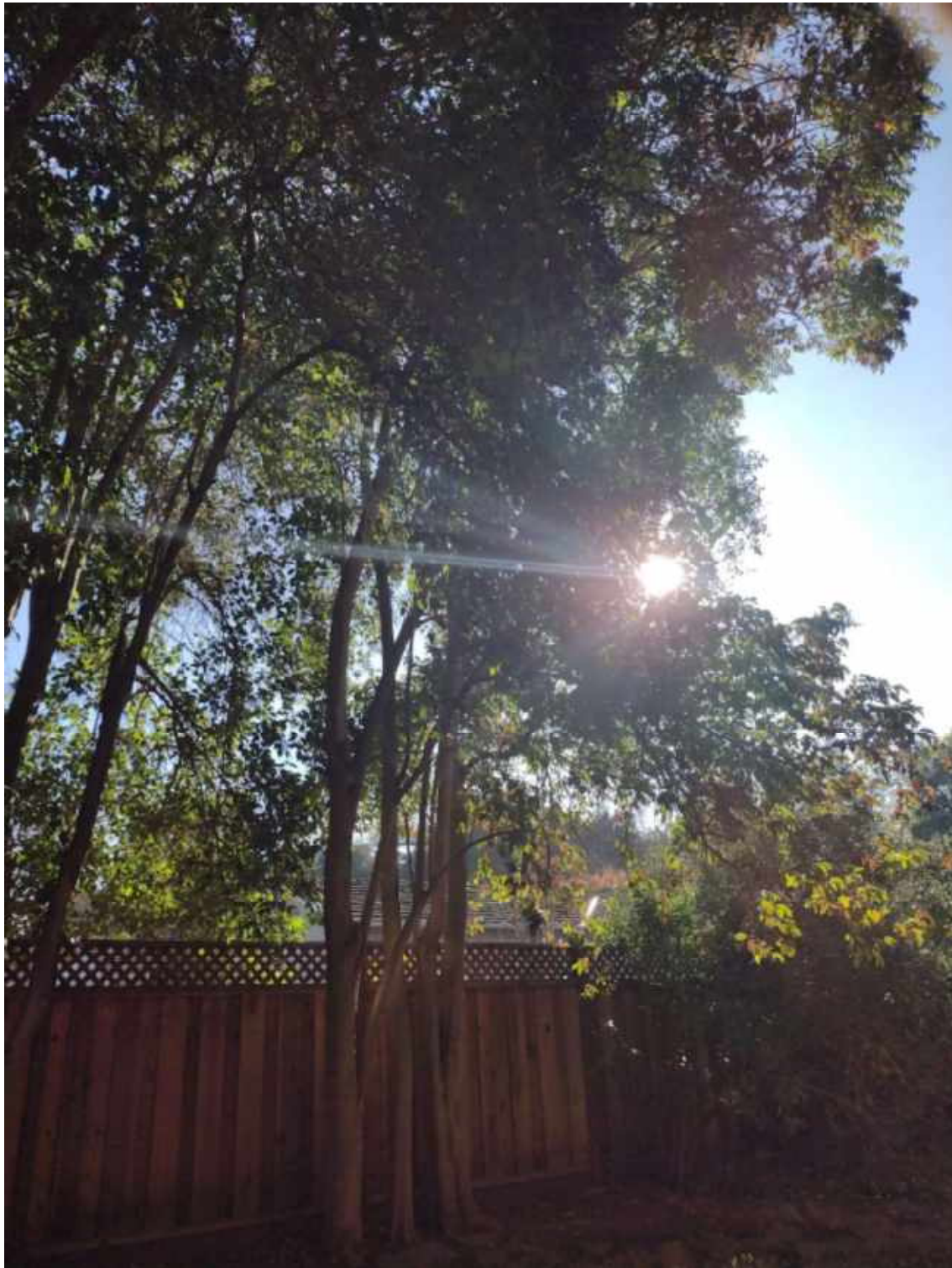




*Image 9: privet #9*



*Image 10: privet #10*



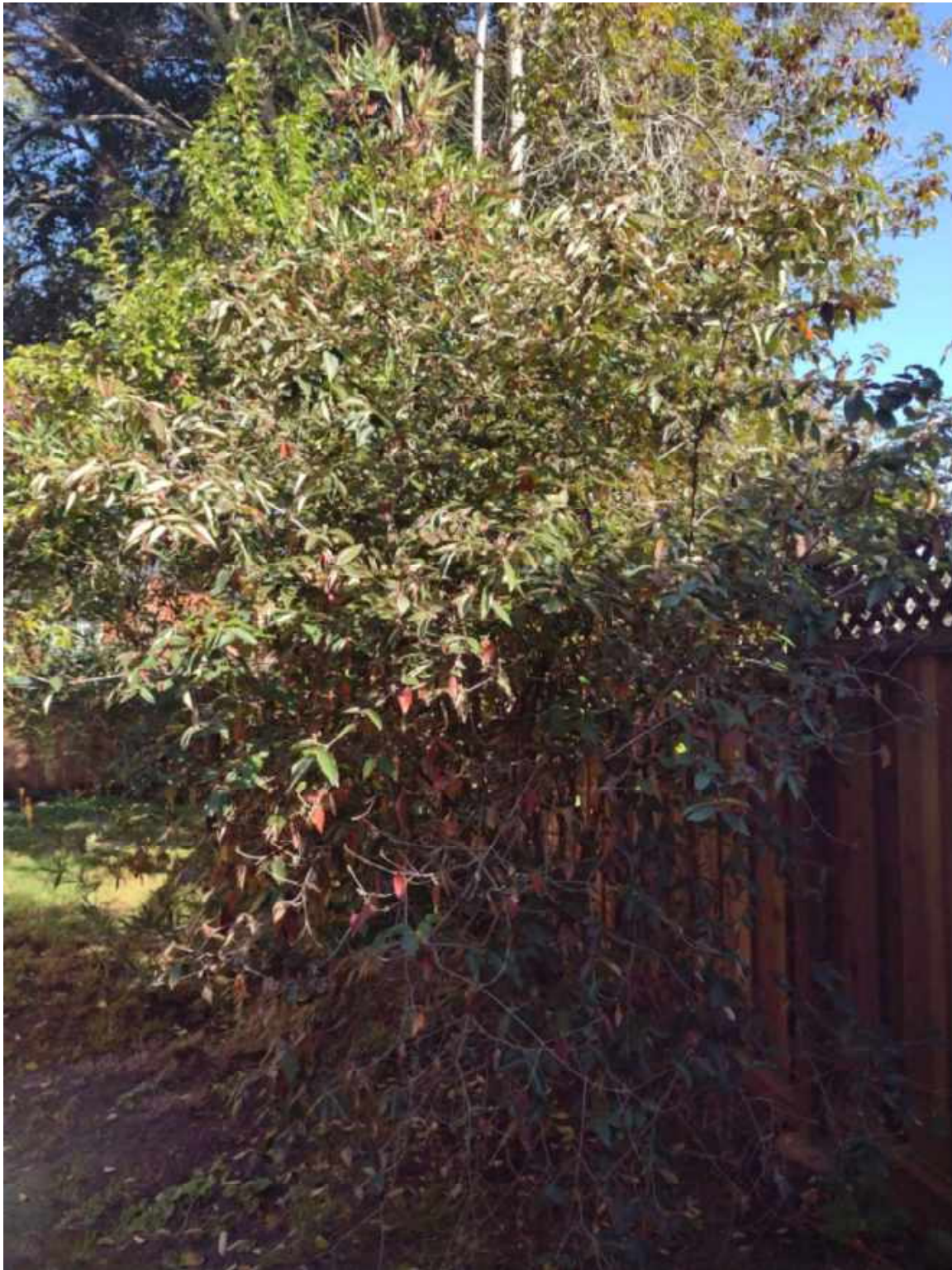


*Image 11: oleander #11*





*Image 12: shrub #12*





*Image 13: tree fern #13*

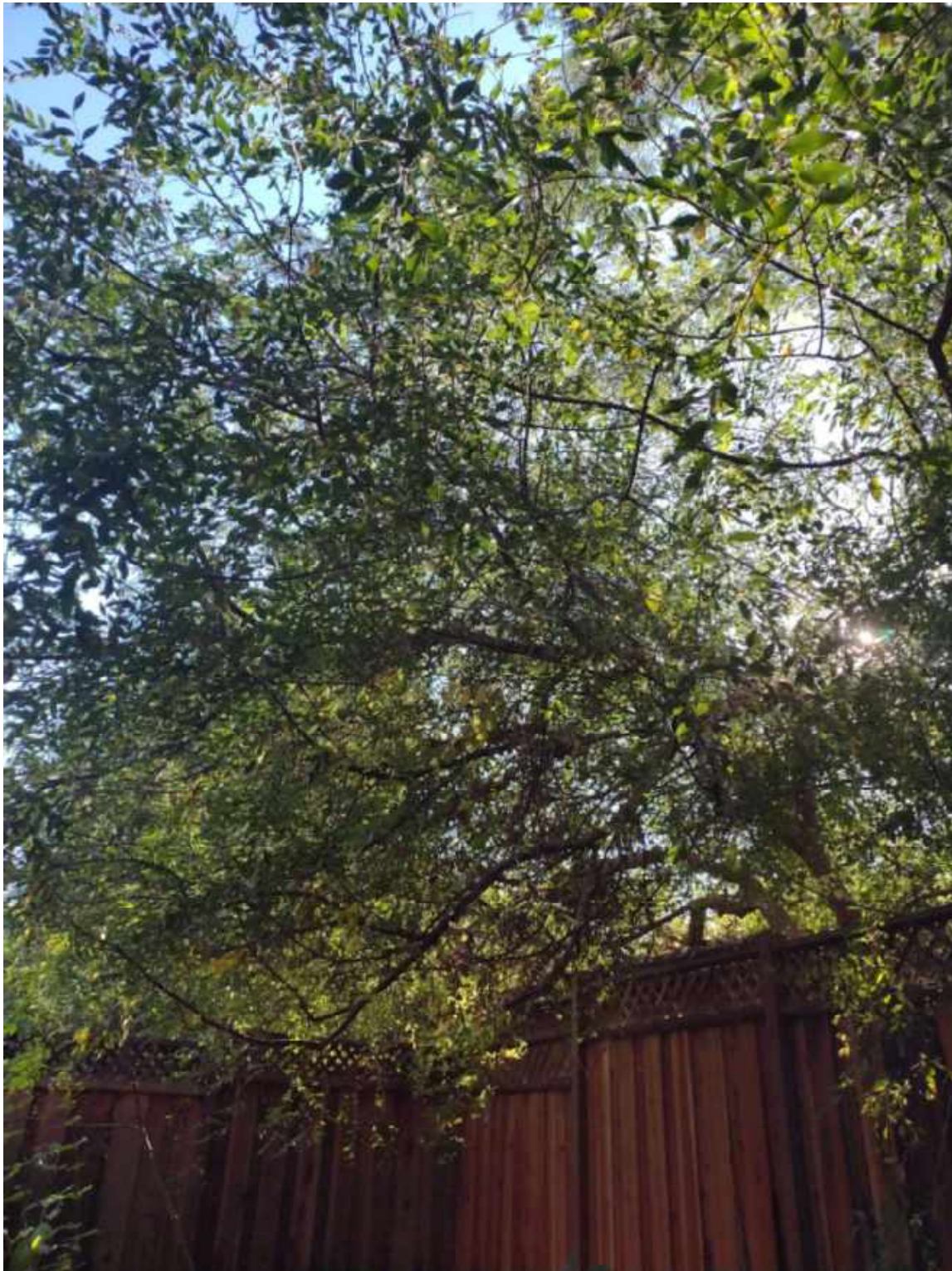


*Image 14: strawberry tree #14*





*Image 15: Chinese elm #15*





*Image 16: Chinese elm #16*



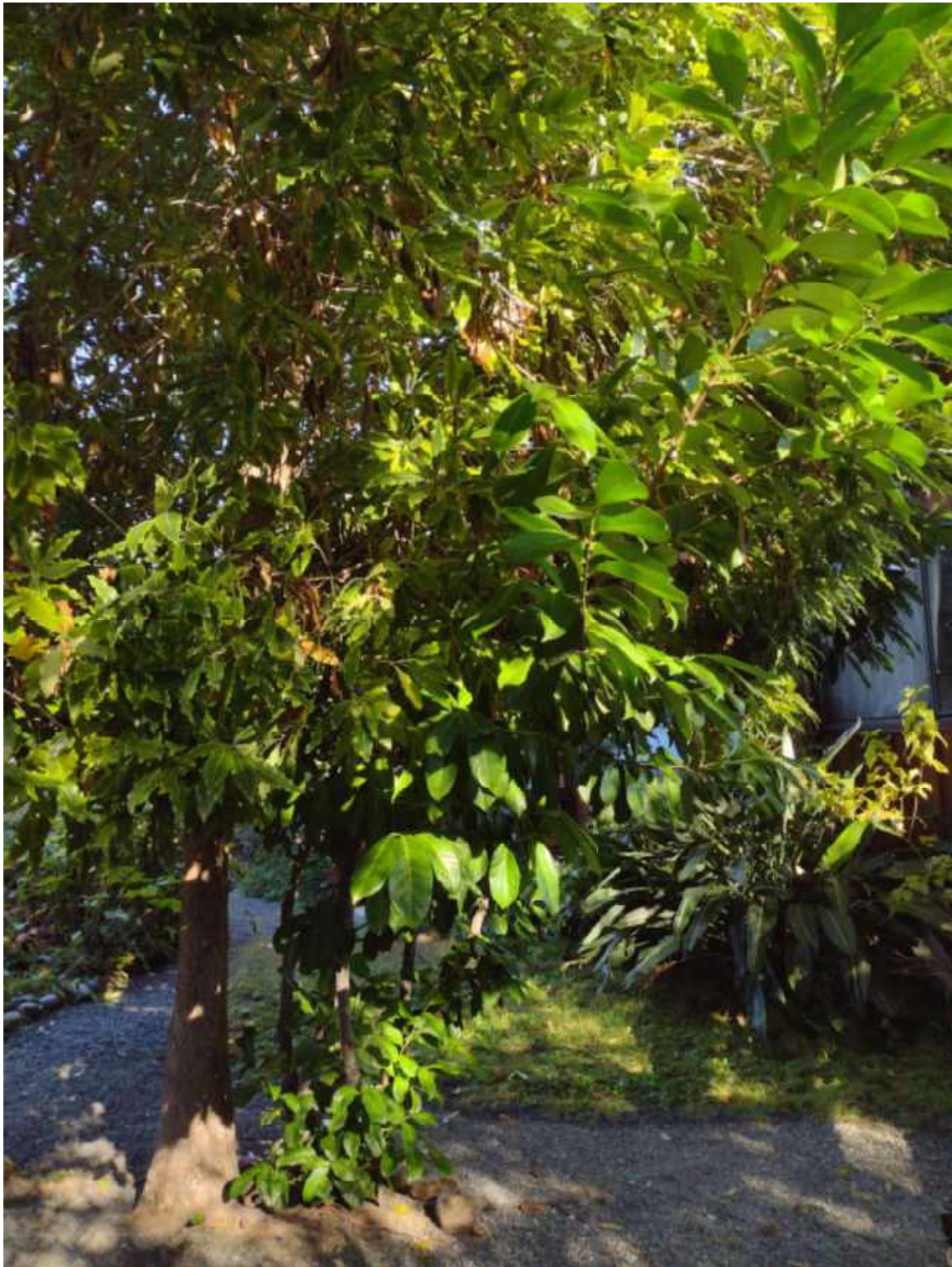


*Image 17: coast redwood #17*



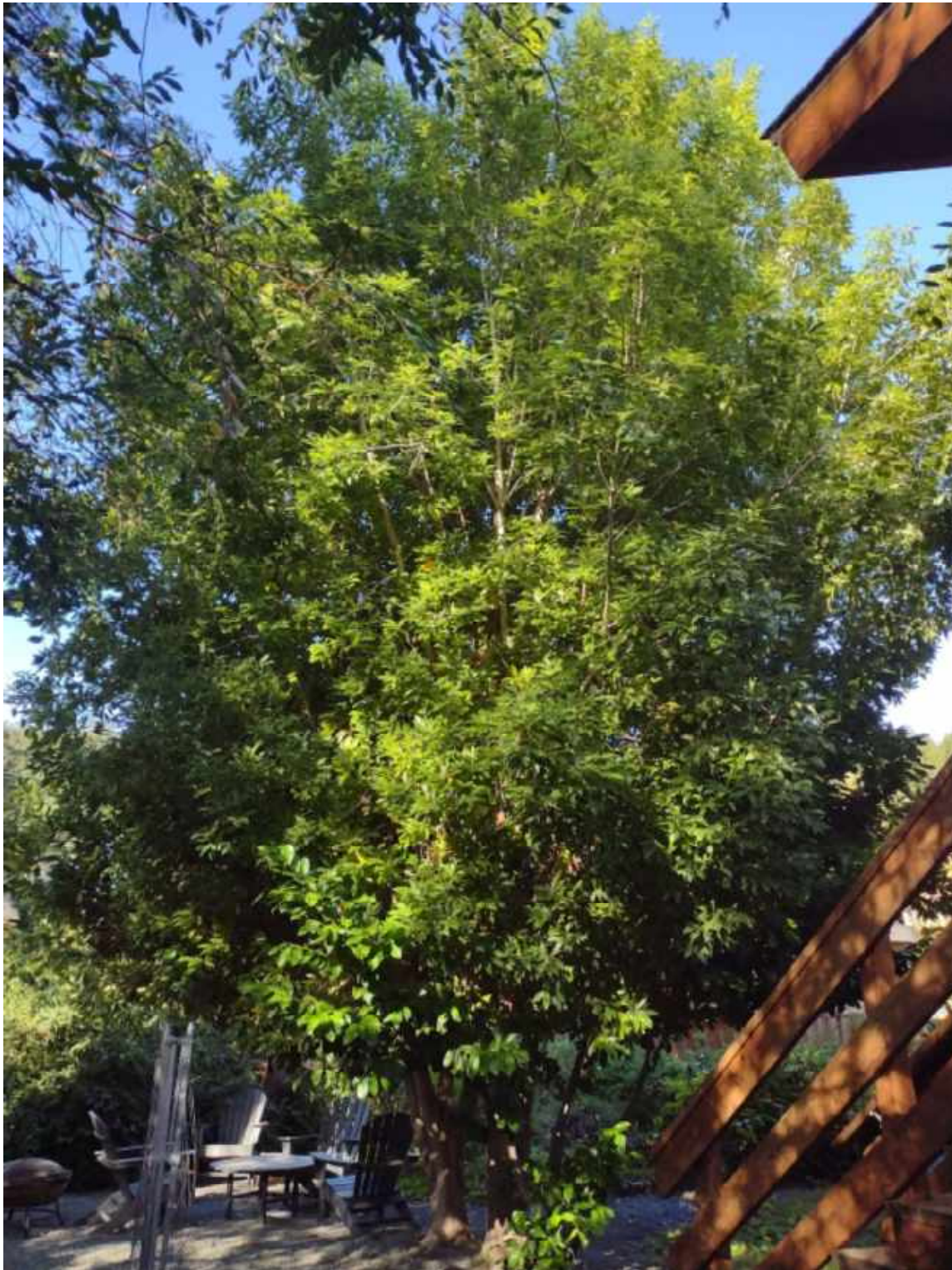


*Image 18: bay laurel #18*



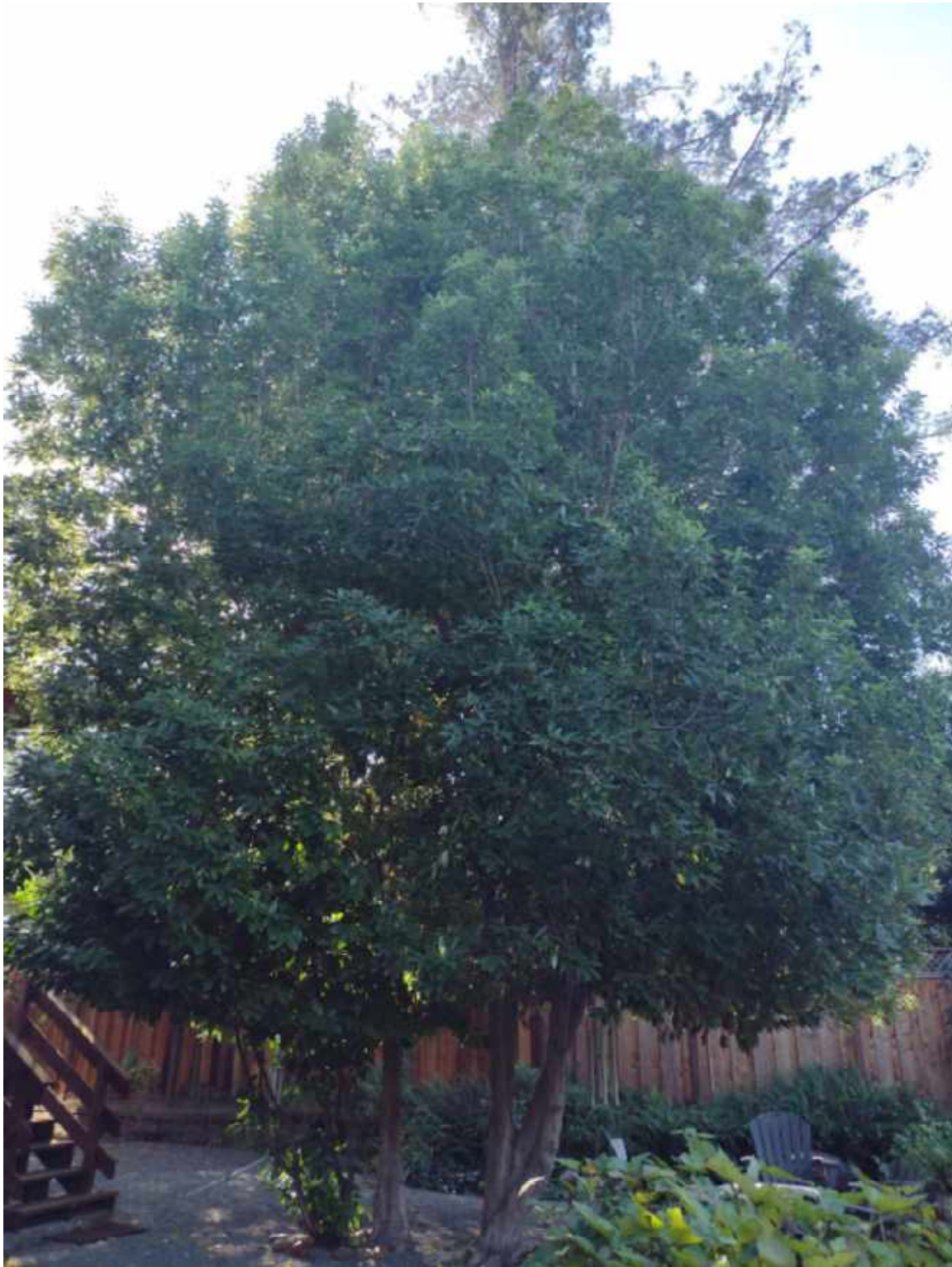


*Image 19: pittosporum #19*





*Image 20: pittosporum #20*



*Image 21: persimmon #21*





*Image 22: pittosporum #22*



*Image 23: coast live oak #23*



Respectfully submitted,



Katherine Naegele

She/Her

Consulting Arborist

Master of Forestry, UC Berkeley

International Society of Arboriculture Certified Arborist #WE-9658A

ISA Tree Risk Assessment Qualification Credentialed

American Society of Consulting Arborists, Member

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[Yelp](#)



## Terms of Assignment

The following terms and conditions apply to all oral and written reports and correspondence pertaining to the consultations, inspections, and activities of Aesculus Arboricultural Consulting:

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



Tree # (23 total)	Common Name	Species	DBH (in.)	Vitality (0-3)	Structure (0-3)	Heritage Tree - 9	Street Tree - 0	Off-Site Tree - 5	Suitability for preservation (0-3)	Remove - 3	Appraised Value (worksheet available upon request)	Species Construction Tolerance (1 = poor, 3 = good)	CRZ radius (ideal; ft. from center of trunk)	TPZ radius (ideal; ft. from center of trunk)	Expected Impacts	Notes
1	Apple	Malus domestica	4.9	3	3				3		-	-	0.0	0.0	-	-
2	Canary Island date palm	Phoenix dactylifera	38.0	3	3	X			3		\$13,125.00	2' beyond trunk edge	0.0	3.6	Minimal from construction access	-
3	Southern magnolia	Magnolia grandiflora	17.0	3	3	X		X	3		\$6,700.00	1	5.0	17.0	Minor to moderate from ADU foundation	-
4	Privet	Ligustrum lucidum	12.1	3	1				2		-	-	0.0	0.0	-	-
5	Privet	Ligustrum lucidum	16.2	3	1	X			2	X	\$3,610.00	3	4.7	8.1	Incompatible with ADU	Appears to have been maintained as a shrub early in life
6	Privet	Ligustrum lucidum	17.9	3	1	X			2	X	\$1,890.00	3	5.2	9.0	Incompatible with ADU	Appears to have been maintained as a shrub early in life
7	Privet	Ligustrum lucidum	15.8	3	1	X			2	X	\$3,430.00	3	4.6	7.9	Incompatible with ADU	Appears to have been maintained as a shrub early in life
8	Privet	Ligustrum lucidum	10.3	3	1				2		-	-	0.0	0.0	-	-
9	Privet	Ligustrum lucidum	6.8	3	1				2		-	-	0.0	0.0	-	-

Tree # (23 total)	Common Name	Species	DBH (in.)	Vitality (0-3)	Structure (0-3)	Heritage Tree - 9	Street Tree - 0	Off-Site Tree - 5	Suitability for preservation (0-3)	Remove - 3	Appraised Value (worksheet available upon request)	Species Construction Tolerance (1 = poor, 3 = good)	CRZ radius (ideal; ft. from center of trunk)	TPZ radius (ideal; ft. from center of trunk)	Expected Impacts	Notes
10	Privet	Ligustrum lucidum	11.6	3	1				2		-	-	0.0	0.0	-	-
11	Oleander	Nerium oleander	8.5	3	1				2		-	-	0.0	0.0	-	-
12	Shrub	Unknown	5.6	3	1				2		-	-	0.0	0.0	-	-
13	Tree fern	Unknown	13.3	3	3				3		-	-	0.0	0.0	-	-
14	Strawberry tree	Arbutus unedo	5.0	3	2				3		-	-	0.0	0.0	-	-
15	Chinese elm	Ulmus parvifolia	15.0	3	2	X		X	3		\$7,300.00	3	4.4	7.5	None	-
16	Chinese elm	Ulmus parvifolia	15.0	3	2	X		X	3		\$5,200.00	3	4.4	7.5	None	-
17	Coast redwood	Sequoia sempervirens	60.0	2	3	X		X	3		\$70,700.00	3	17.5	45.0	Minimal from construction access	-
18	Bay laurel	Laurus nobilis	8.7	3	2				3		-	-	0.0	0.0	-	-
19	Pittosporum	Pittosporum sp.	10.5	3	2				3		-	-	0.0	0.0	-	-
20	Pittosporum	Pittosporum sp.	13.3	3	2				3		-	-	0.0	0.0	-	-
21	Persimmon	Diospyros kaki	13.1	2	2				2		-	-	0.0	0.0	-	-
22	Pittosporum	Pittosporum sp.	8.0	3	2				3		-	-	0.0	0.0	-	-

Tree # (23 total)	Common Name	Species	DBH (in.)	Vitality (0-3)	Structure (0-3)	Heritage Tree - 9	Street Tree - 0	Off-Site Tree - 5	Suitability for preservation (0-3)	Remove - 3	Appraised Value (worksheet available upon request)	Species Construction Tolerance (1 = poor, 3 = good)	CRZ radius (ideal; ft. from center of trunk)	TPZ radius (ideal; ft. from center of trunk)	Expected Impacts	Notes
23	Coast live oak	Quercus agrifolia	16.0	3	3	X		X	3		\$8,200.00	3	4.7	8.0	Minimal from construction access - may need pruning for construction vehicle clearance, if large vehicles will be used	-

*Kelly Fergusson  
168 Oak Court  
Menlo Park, CA 94025  
(415) 405-6673*

December 4, 2022

Lusann Wang and Stephen Granger-Bevan  
1143 Woodland Avenue  
Menlo Park, CA 94025

Hi Lusann & Stephen –

Thank you for keeping the lines of communication open and continuing the dialogue regarding your proposed new dwelling unit -- initially in July, then again in August, and now most recently at my place on November 3. I am writing this letter to formalize my concerns discussed during our November 3 meeting.

I want to express my serious concerns about the new unit as currently proposed in your front setback, immediately adjoining the center of my backyard. I really appreciate that you erected “Story Poles” to show the outline of the structure. However, the story poles demonstrate the structure to be even more overwhelmingly intrusive than I had previously imagined.

My original house was built in the late 1950s with a modern, passive solar design, with the south wall comprised of windows facing the backyard. We retained the essentials of this design in our 2007 remodel. The backyard patio is a focal point of the living area in both form and function, and we use it daily for dining and recreation. Your proposed new structure would dominate the setting, stripping my domicile of its privacy, seclusion, and charm. The structure would have a dramatic negative impact on the quality of our enjoyment of our property. I can only ask you to consider: if the roles were reversed, would this proposal sound reasonable? To me, it is clearly unreasonable.

Given the elevation of the floor level of the new structure (which I presume would match the floor level of your primary structure – about 4 to 6 feet above grade), your proposed development would cause an interference with our privacy and the use of our home as well as backyard. Residents approaching the unit would have views of our master bedroom, secondary bedroom, and studio. Bedroom #2 will have views into our living/dining great room, patio, and studio. One wishes to have to have a home in which one can utilize every room, however your proposed development would negatively impact the use of many of the rooms in our house.

As the fiduciary for my children’s assets, it is my obligation to preserve what my late husband and I worked our whole lives to earn. Out of concern for the impact of the proposed structure on my property value, I asked Jackie Copple, MBA, realtor for Coldwell Banker Realty in Menlo Park with 30 years of selling property in Menlo Park and the mid-peninsula to evaluate the impact. Her evaluation is attached,



and concludes the damage to my property value from the proposed structure will amount to a loss of \$340,000 to \$360,000.

According to Section 16.82.030 of Menlo Park's Zoning Ordinance, in order to grant the Use Permit for your application the planning commission must make findings that the new structure ***will not "be detrimental to the... comfort and general welfare of the persons residing*** or working in the neighborhood of such proposed use" and that it will ***not be "injurious or detrimental to property*** and improvements in the neighborhood". Given the facts of the matter, such findings will be very difficult to make, since the loss of property value is indeed "injurious", and the impacts indeed "detrimental".

Section 16.79.050 of the Zoning Code for detached ADUs in Single-Family areas states: "The ADU shall comply with the front yard setback applicable to the primary dwelling." My main concerns are with the placement of the structure in the 20 foot front setback of your property, and its height. I would support a proposal, however, that was sited outside of the front setback and had a lower profile. That would likely preclude you from using a prefabricated structure, and instead require developing a customized design. A new design will still have significant noise and air pollution (vehicle parking), and possibly visual (bulk, light) impacts on my property, but would be preferable to the current proposal. I will also note there is twice as much space on the other side of your house to locate the unit.

As a bold housing advocate myself, having changed Menlo Park's zoning to allow thousands of additional housing units during my service on the planning commission (2002-2004) and city council (2004-2012), I strongly believe in the need for more housing in Menlo Park, including ADUs. However, the Use Permit process is designed to be a check on proposals that negatively impact neighbors. I am very hopeful you will revise your proposal to address my concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kelly Fergusson".

Kelly Fergusson  
168 Oak Court, Menlo Park

Copy to: Chris Turner, Menlo Park Planning Department

PS Having reviewed your Use Permit Application as submitted to the City, I note that the North Arrow on the Page 1 site plan remains incorrectly oriented despite our discussion with your architect about this when we met in August. The North Arrow should point left on the Page 1 Site Plan, since your property is directly south of mine. I worry the city staff and planning commission may be misled about the sunlight impacts on my property because of this error. North is correctly shown on Page 16 of your plans.



**COLDWELL BANKER  
REALTY**

**COLDWELL BANKER REALTY**

1125 Merrill Street | Menlo Park, CA 9402

10/14/2022

Kelly Fergusson  
168 Oak Court  
Menlo Park, CA 94025

Dear Kelly:

Thank you for this opportunity to be of service to you. I am responding to your inquiry as to the potential effect on the market value of your home if your back-door neighbor builds a detached accessory dwelling a mere four feet from your joint property line.

You have provided me with a letter dated June 17, 2022 from Casita, a builder of ADU's, entitled Project Description and Location Justification, regarding the Yang Residence at 1143 Woodland Avenue, Menlo Park, CA. I am not sure of the accuracy of all the statements therein, but I was able to view the orange streamers and poles laying out where the proposed ADU would be placed. It is immediately across the fence from almost the entire back of your house.

Your house at 168 Oak Court has an open floor plan, such that as a person walks in the front door, they are met with a wall of floor to ceiling windows viewing onto your lovely back newly expanded patio and yard. This proposed ADU structure, were it built, would in my opinion be the new focus of your dining room, living room, patio, and downstairs bedroom facing the backyard. In my opinion, this is detrimental to the value of your property, and injurious to you as the owner. In order to determine on this loss, we first have to value 168 Oak Court.

I have attached a Market Analysis Summary of residential properties currently for sale and sold within the last six months. We have gone through a bit of a market shift since the Fed began increasing the interest rates, and there have been fewer sales in all price ranges since June.

The property that is most comparable to Oak is the first sold listing, 2040 Menalto, with the exception that Menalto will be a new home. Both are four bedroom houses, according to the county records, around 2300 square feet, and are on gated properties. 168 Oak Court has one more bathroom, and an 8400 square foot lot vs 5452 square feet for 2040 Menalto. Please note that 168 Oak Court has two additional permitted rooms that qualify as bedrooms with closets: an office and a music room.

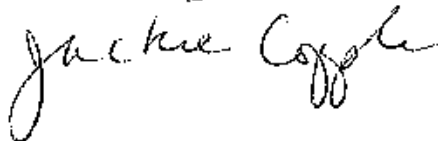
2040 Menalto sold for \$3,850,000 and closed escrow 7/26/22. The median sales price for all sales was \$3,075,000. The average sales price was \$3,136,000. Since 168 Oak Court has a 35% larger lot than Menalto, I would estimate today's market value conservatively at **\$3,400,000 to \$3,600,000.**

As a realtor with over 30 years' experience selling homes in Menlo Park and the SF mid-peninsula, I usually see that a location discount is anywhere from 8-12%. This would be, for example, if the home were on a busy street. In this instance, with Oak and the ADU, I would say that the loss of privacy and visual intrusion into the backyard, and in fact the main living area as well, is equivalent to a location discount.

Therefore, I would say that the potential loss in value of your home, were this ADU be built in this location and four feet from your property line, would be **\$340,000 to \$360,000.**

I hope this analysis has been helpful in your discussion with your neighbor.

Always,



Jackie Copple, MBA  
Realtor, CRS, SRES  
Senior Marketing Specialist  
Coldwell Banker Realty  
1125 Merrill Street  
Menlo Park, CA 94025  
650-465-9160

**Turner, Christopher R**

---

**From:** J Hanley <jhanley741@gmail.com>  
**Sent:** Tuesday, April 18, 2023 3:17 PM  
**To:** Turner, Christopher R  
**Cc:** \_Planning Commission  
**Subject:** Use Permit with Variance, for 1143 Woodland Ave

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Tuesday, 18th April 2023

ref: PLN2022-00047, Ordinance 16.82.010 .. 030, parcel 063425590

Dear Commissioners:

We are John & Laura Hanley of 1141 Woodland Ave., which for 219 feet is adjacent to the Yang residence at 1143 Woodland.

You have discretion to not grant a Use Permit that includes a Variance. We ask that you not grant 1143's request. We believe the project proposes a use which would not be properly integrated into the community in this specific location, and would be detrimental to the health, safety, comfort and general welfare of the persons residing adjacent.

#### **current use**

In 2013 we purchased 1141 with an access easement to the adjacent Sloo single family residence, where a single family resided. We bought into our obligations, and our neighbors used our property with care when accessing 1143. The Sloo's created a duplex without permits, to accommodate their elderly parent, partitioning two separate kitchens with a wall.

In 2018 the Sloo's sold to Lusann Yang and Stephen Granger-Bevan. Subsequently they offered space to a changing set of three adult renters. From what we observe we believe that a partitioned duplex is the current use pattern.

#### **traffic**

With this higher occupancy, vehicle traffic in our driveway became faster and more frequent, due to residents, visitors, and vendors. We see vendors backing up at speed, due to the lack of turnaround. This happens in both directions, as sometimes a driver discovers this surprising situation only after visiting 1143. This impacts our safety as we exit our garage, leading to some near misses. Lusann and Stephen advise us that they cannot control the behavior of other driveway users.

In 2013 we purchased a lot with a Private Driveway that did not appear on digital maps. Residents at 1143 arranged for Google Maps to show our driveway as an Unnamed Road. Vendors immediately started zipping down it at 20 mph, just as on the public Woodland Avenue. Clouds of dust raised by these trucks waft through our sliding glass doors into the dining room, so we seldom dine with them open any more.

#### **maintenance**

We use a portion of our driveway. The access easement requires us to shoulder half the cost of all driveway maintenance. Approving this variance will increase both traffic and maintenance costs, taxing us for their traffic.

#### **security**

We have reported theft and vandalism in our driveway and have seen trespassers peering in our windows especially around Christmas, so we try to keep an eye out for unknown individuals who are on our driveway. This becomes harder with the growth of a revolving collection of residents, many of whom we never meet.

#### **parking**

Current residents at 1143 have four automobiles and two accessible uncovered parking spaces. A garage exists which they do not use and which is blocked by vehicles in the uncovered parking spaces.

The project plans submitted to the city indicate the new ADU will have two uncovered parking spots, but this is the same parking currently used by existing residents. (Please attached photo). The problem is already so acute that Lusann regularly parks in Palo Alto to ensure her car is accessible. With the new construction several more cars could be brought onto the property with no new parking.

We are concerned that development which exacerbates the existing tight parking will increase vendor traffic to accommodate residents who have trouble visiting a store and so will prefer to click to order.

#### **fire access**

No sprinklers are installed at 1143, and none appear in the project plan for the ADU. The longer a structure fire at 1143 burns out of control, the greater the risk of damage to neighboring structures. Resident and vendor vehicles sometimes stack up in the driveway, which can prevent fire equipment from closely approaching the structure.

The closest hydrant is 420 hose feet away from the proposed site. Parking and the proposed new improvement restrict easy access to fight a fire in either structure. The submitted plans will increase the fire hazard.

#### **future owners**

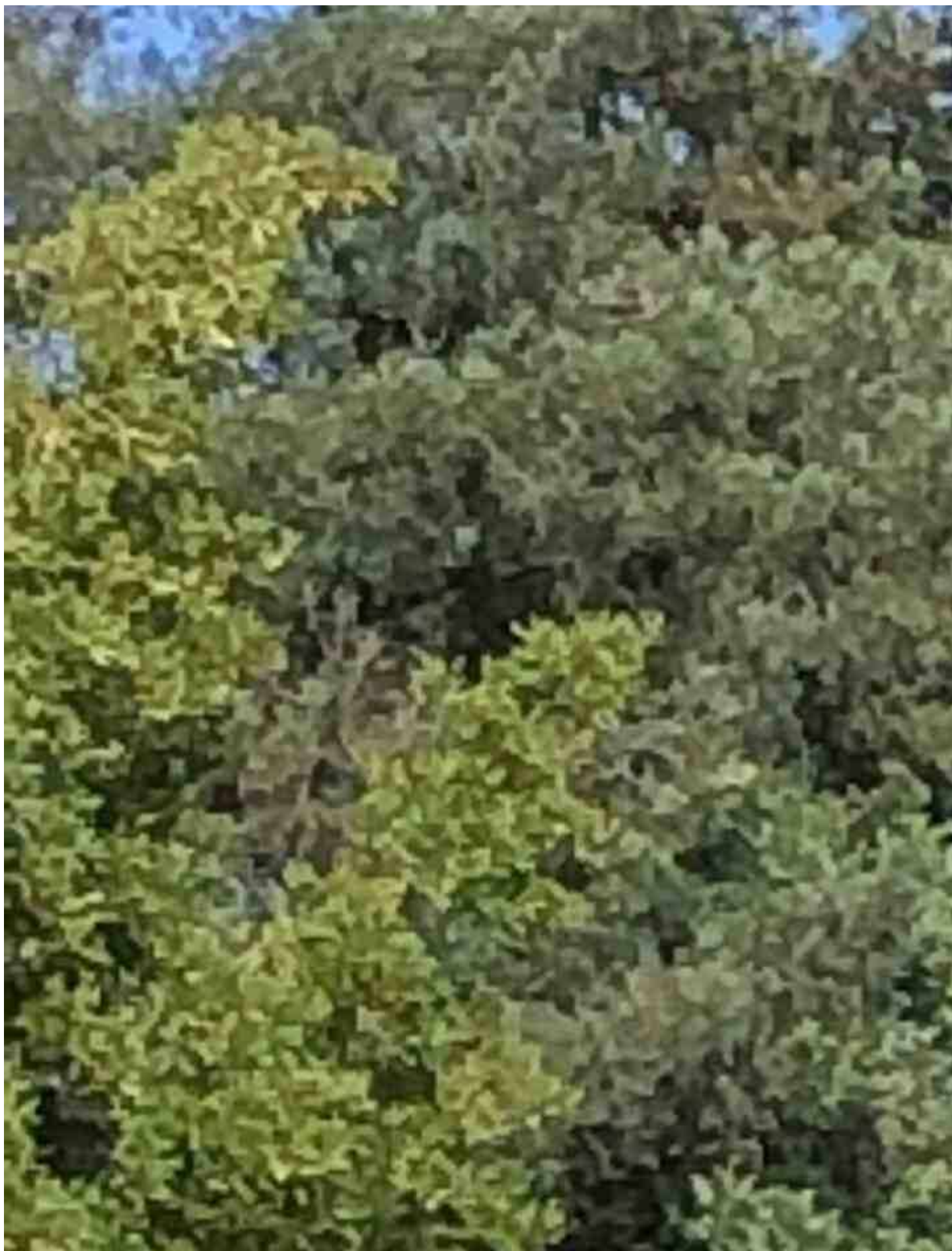
The decisions we make today last long into the future. We do not look forward to how future owners will use this property with three distinct dwellings and no discernable front yard. When 1143 is sold the easement will survive, burdening us and our successors.

Thank you for your kind attention, and for careful use of the discretion the ordinance affords you. Should a better understanding of details be desired, we are happy to meet with any or all Commissioners or Staff at our home, at your convenience.

Sincerely,

John & Laura Hanley









## STAFF REPORT

### Planning Commission

Meeting Date:

4/24/2023

Staff Report Number:

23-031-PC

### Public Hearing:

**Consider and provide a recommendation to the City Council for a revision to the Menlo Station Planned Development Permit to reduce the lot size, reduce the number of required onsite parking spaces from 360 to 315 spaces, and modify percentage based development standards (e.g. building coverage and floor area ratio) based on the reduced lot size to allow for the future purchase of a portion of the existing site by the City of Menlo Park for the Middle Avenue Caltrain crossing project, at 700-800 El Camino Real**

## Recommendation

Staff recommends that the Planning Commission review and provide a recommendation that the City Council approve a revision to the Menlo Station Planned Development Permit (PDP). The revision would reduce the lot size, reduce the number of required onsite parking spaces from 360 to 315 spaces, and modify percentage based development standards (e.g. building coverage and floor area ratio) based on the reduced lot size to allow for the future purchase of a portion of the existing site, currently used for parking, by the City of Menlo Park for the Middle Avenue Caltrain crossing project. The revision to the planned development permit would not result in any increase in gross floor area, or any modifications to the existing buildings on the project site. The draft revised PDP is included as Attachment A Exhibit A.

## Policy Issues

Each Planned Development Permit (PDP) request is considered individually. Revisions to the PDP require a recommendation from Planning Commission to City Council for approval of any revisions which involve changes to land use, expansion or intensification of development or a relaxation in the standards of development. The revisions must then be approved by a majority of the City Council.

The subject request involves a reduction in the lot size and required number of parking spaces, and modifications to percentage based development standards to allow for the future purchase of a portion of the existing site, currently used for parking, by the City for the Middle Avenue Caltrain crossing project. The crossing would implement the new pedestrian and bicycle crossing of the Caltrain tracks from approximately Middle Avenue to Burgess Park that is identified in the El Camino Real/Downtown Specific Plan and the City's Transportation Master Plan.

## Background

### Site location

Using El Camino Real in the north-south orientation, the project site is located at the eastern side of El

Camino Real, near the intersection of Ravenswood and El Camino Real, at 700-800 El Camino Real. The surrounding lots are all part of the SP-ECR/D zoning district. A location map is included as Attachment B.

### ***Original development***

A Planned Development Permit was approved for the Menlo Station (700-800 El Camino Real) development on January 8, 1980 for a one-story retail mall and a four-story office building, project plans are included as Attachment C. The property is approximately 5.93 acres in size and originally included an approximately 19-foot wide right-of-way easement owned by Southern Pacific Railroad. The easement has since been abandoned. The approved PDP includes an onsite parking lot consisting of 360 parking spaces and a provision that, in the event the 19-foot easement at the rear of the property was revoked by Southern Pacific Railroad, a contingency parking plan would be implemented to provide for no less than 329 parking spaces. With the abandonment of the easement, this provision is no longer valid.

On June 7, 1982, the project returned to the Planning Commission for an architectural control revision. In addition to reducing the overall floor area of the retail component of the PDP, the approved architectural control revision also included an increase in the total number of parking spaces from 360 to 369. These 369 parking spaces included 225 standard parking spaces, 6 accessible parking spaces, and 138 compact parking spaces. In approximately 1989, The Cortana Corporation purchased the right-of-way easement at the rear of the Menlo Station property. This purchase secured the ability to provide the 369 parking spaces.

## **Analysis**

### ***Project description***

The City is in the design phase for the Middle Avenue Caltrain crossing project. The project would provide a grade separated crossing through the Caltrain Railway, from El Camino Real to Alma Street at Middle Avenue to create a pedestrian and bicycle connection between east and west Menlo Park. The project is critical to provide greater east-west connectivity, as El Camino Real, in addition to the Caltrain railroad tracks, are both a real and perceived barrier. Long crossing distances make traversing the street on foot inconvenient and the proposed undercrossing would help improve connectivity for neighborhoods on both sides of the Caltrain tracks with City amenities, and access to public transit and Downtown Menlo Park. The City Council identified the Middle Avenue Caltrain crossing project as one of the top five priority projects in April of 2019. The City Council has approved preferred design for the project and directed staff to proceed with the final design and construction of the project in June of 2019.

The proposed concept design for the Middle Avenue Caltrain crossing project includes an access ramp on the west side of the railroad tracks that is located on the 700-800 El Camino Real property. Approximately 17,000 square foot of the 700-800 El Camino Real Property extends south from the main property, lying between the railroad tracks and 500 El Camino Real. The Middle Avenue Caltrain crossing project would require purchase of this portion of 700-800 El Camino Real, currently used for parking, by the City. The purchase would require a revision to the planned development permit for 700-800 El Camino Real to reduce the required lot size and parking, and modify percentage based development standards (e.g. building coverage and floor area ratio) based on the reduced lot size. The revision to the planned development permit would not result in any increase in gross floor area, or any modifications to the existing buildings on the project site.

Table 1 below shows the proposed revisions to the planned development permit, including modification of the percentage based development standards. A project description letter is included as Attachment D.

Table 1: Modification to development standards		
	Existing/PDP Standard	Proposed
Lot size	257,260 SF	239,777 SF
Total floor area (700 + 800 ECR)	101,832 SF	101,832 SF
Gross floor area	39.6%	42.5%
Building coverage	25.6 %	27.6%
Parking spaces	360	315

As previously noted, 700-800 El Camino Real is a 5.93-acre property, which was developed in the mid-1980s and consists of an approximately 56,424 square foot one-story commercial/retail building and a 45,408 square foot four-story office building. The property was originally approved with 360 parking spaces, which increased to 369 spaces as part of an architectural control revision. Over the years and with installation of additional accessible parking spaces along with trash enclosures, the total available spaces have been reduced to 353. Currently, there are 203 standard parking spaces, 141 compact parking spaces and 9 Americans with Disabilities Act (ADA) parking spaces.

The portion of the 700-800 El Camino Real site proposed for acquisition is approximately 52 feet long by 336 feet wide, and approximately 17,000 square feet in size. City staff conducted a parking utilization count in 2019 and found this area to be a heavily underutilized parking lot with 38 parking spaces for the onsite commercial and office development. A parking utilization study of the entire parking lot was conducted in September and October 2019 and revealed an occupancy rate for the entire property between 22 percent and 47 percent.

Acquisition of the approximately 17,000 square feet needed by the City would reduce the overall lot size from approximately 5.93 to approximately 5.5 acres, which in turn would increase the allowable building coverage and floor area ratio, as aforementioned. However, there would be no change to the existing gross floor area or design parameters, as the existing commercial/retail and office buildings are proposed to be retained. The City Council authorized the City Manager to enter into a purchase agreement with the property owner Menlo Station Development, LLC to purchase this portion of 700-800 El Camino Real in January of 2022.

### **Correspondence**

Staff has not received any correspondence at the time of writing this staff report.

### **Conclusion**

Staff believes that the PDP revision is critical to acquisition of a portion of 700-800 El Camino Real needed to construct a pedestrian undercrossing to improve east-west bicycle and pedestrian connectivity. The proposed undercrossing would help improve bicycle and pedestrian connectivity for neighborhoods on both sides of the Caltrain tracks and improve access to public transit and downtown Menlo Park. It would encourage the use of more active modes of transportation and contribute to a healthier Menlo Park, and support the City's goal for the Middle Avenue Caltrain crossing project. City staff is unaware of any parking problems at Menlo Station. Staff recommends that the Planning Commission recommend that they City Council adopt the revised PDP.



### **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 three California Environmental Quality Act (CEQA) exemptions - Class 1 (Section 15301, "Existing Facilities") Class 5 (Section 15305, "Minor Alterations in Land Use Limitations") and "Common Sense Exemption", Section 15601(b)(3) 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
  - Exhibits to Attachment A
    - A. Planned Development Permit, 1980
    - B. Revised Planned Development Permit
    - C. Project Plans
    - D. Project Description Letter
- B. Location Map

### **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, Principal Planner

## PLANNING COMMISSION RESOLUTION NO. 2023-XX

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK RECOMMENDING THE CITY COUNCIL APPROVE REVISIONS TO AN EXISTING PLANNED DEVELOPMENT PERMIT TO REDUCE THE LOT SIZE, REDUCE THE NUMBER OF REQUIRED ONSITE PARKING SPACES FROM 360 TO 315 SPACES, AND MODIFY PERCENTAGE BASED DEVELOPMENT STANDARDS (E.G. BUILDING COVERAGE AND FLOOR AREA RATIO) BASED ON THE REDUCED LOT SIZE TO ALLOW FOR THE FUTURE PURCHASE OF A PORTION OF THE EXISTING SITE, CURRENTLY USED FOR PARKING, BY THE CITY OF MENLO PARK FOR THE MIDDLE AVENUE CALTRAIN CROSSING PROJECT. THE REVISIONS TO THE PLANNED DEVELOPMENT PERMIT WOULD NOT RESULT IN ANY INCREASE IN GROSS FLOOR AREA, BUILDING COVERAGE, OR ANY MODIFICATIONS TO THE EXISTING BUILDINGS ON THE PROJECT SITE.**

**WHEREAS**, the City of Menlo Park (“City”) received an application requesting revisions to an existing Planned Development Permit (“PDP”) at 700-800 El Camino Real (Exhibit A) to reduce the lot size, reduce the number of required onsite parking spaces from 360 to 315 spaces, and modify percentage based development standards (e.g. building coverage and floor area ratio) based on the reduced lot size to allow for the future purchase of a portion of the existing site, currently used for parking, by the City of Menlo Park for the Middle Avenue Caltrain crossing project (collectively, the “Project”) from City of Menlo Park (“Applicant”), on behalf of the property owner Menlo Station Development, LLC (“Owner”), located at 700-800 El Camino Real (APN 071-333-200; previous APNs - 071-333-13, 071-333-030, 071-333-040, 071-333-050, 071-333-060, 071-333-070, 071-333-080, 872-41-12-D and 071-333-090) (“Property”). The revised Planned Development Permit (PDP), project plans and project description letter are attached hereto as Exhibit B, C and D and incorporated herein by this reference; and

**WHEREAS**, on August 27, 2019, the City Council unanimously selected a preferred concept for the proposed pedestrian and bicycle undercrossing of the Caltrain tracks at Middle Avenue Caltrain Crossing; and,

**WHEREAS**, on January 11, 2022, the City Council adopted Resolution Number 6690 to authorize the city manager to execute a purchase and sale agreement for a portion of 700-800 El Camino Real to support implementation of the Middle Avenue pedestrian and bicycle rail undercrossing project and making specified findings consistent with the certified El Camino Real and Downtown specific plan environmental report and the certified addendum to the specific plan environmental impact report; and,

**WHEREAS**, the El Camino Real and Downtown Specific Plan and the City’s Transportation Master Plan identifies a new pedestrian and bicycle crossing of the Caltrain tracks from approximately Middle Avenue to Burgess Park; and,

**WHEREAS**, the City has negotiated with Menlo Station Development, LLC, a California limited liability company, owner of 700-800 El Camino Real (Owner), to develop a Purchase and Sale Agreement that would transfer the Property from the Owner to the City and provide for construction, and access easements for use by the City during construction of the undercrossing; and,

**WHEREAS**, an approximately 17,000 square foot portion of 700-800 El Camino Real (APN 071-333-200) lies between the Caltrain railroad tracks and the 500 El Camino Real property and is the location selected for the construction of ramps to access the proposed undercrossing; and,

**WHEREAS**, the proposed Middle Avenue Caltrain crossing project would require purchase of a portion of the existing site at 700-800 El Camino Real of approximately 17,000 square feet, which would reduce the existing lot size from approximately 5.93 to approximately 5.5 acres, and based on the reduced lot size modify percentage based development standards such as building coverage and floor area ratio; and

**WHEREAS**, there will be no modifications to the existing height and gross floor area of the existing buildings on the subject property; and

**WHEREAS**, City staff conducted a parking utilization count in 2019 and found the area to be a heavily underutilized parking lot with 38 parking spaces for the onsite commercial and office development; and

**WHEREAS**, a public hearing by the Planning Commission, and a recommendation by the Planning Commission to the City Council shall be required prior to issuance of a Permit for revisions of the Development Plan which involve changes in land use, expansion or intensification of development or a relaxation in the standards of development.

**WHEREAS**, approving the revised PDP, a draft of which is attached hereto as Exhibit B, is necessary to authorize the development of the Middle Avenue Caltrain crossing project, consistent with the Specific Plan; 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 each of the following three California Environmental Quality Act (CEQA) exemptions - Class 1 (Section 15301, "Existing Facilities"), Class 5 (Section 15305, "Minor Alterations in Land Use Limitations") and "Common

Sense Exemption” (Section 15601(b)(3), 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 May 1, 2023, 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 making a recommendation to the City Council regarding revision to the Planned Development Permit.

**NOW, THEREFORE, THE MENLO PARK PLANNING COMMISSION HEREBY RECOMMENDS THE CITY COUNCIL TO RESOLVES AS FOLLOWS:**

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

**Section 2. Planned Development Permit Findings.** The City Council of the City of Menlo Park does hereby make the following Findings:

Consideration and due regard were given to the proposed revisions to the PDP to be consistent with PDP (V)(H):

This Permit may be amended by majority vote of the City Council. Application for the amendment shall be made by the property owner, in writing, to the Planning Commission. The Commission shall then forward their recommendation to the City Council.

**Section 4. Planned Development Permit.** The Planning Commission hereby recommends the City Council to approve the revised Planned Development Permit (Application #PLN2020-00007), which Planned Development Permit is depicted in and subject to the revised Planned Development attached hereto and incorporated herein by this reference as Exhibit B and development plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit C and Exhibit D, respectively.

**Section 5. ENVIRONMENTAL REVIEW.** The Planning Commission recommends that the City Council 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 each of the following: Class 1 (Section 15301, “Existing Facilities”), Class 5 (Section 15305, “Minor Alterations in Land Use

Limitations”), and “Common Sense Exemption” Section 15601(b)(3), 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, 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 May 1, 2023, 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 1<sup>st</sup> day of May, 2023

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

### **Exhibits**

- A. Planned Development Permit, 1980
- B. Revised Planned Development Permit
- C. Project Plans
- D. Project Description Letter



## Planned Development Permit

**FILE COPY**

"MENLO STATION"

P-D Zone #1

## I. Statement of Purpose:

The intent of the P-D Zone is to promote comprehensive planning of large parcels of land to protect the natural environment by allowing flexibility from the strict requirements of the conventional zoning regulations; to encourage development of more usable open space; to promote more efficient use of land, utilities and circulation systems; to promote creative design and to permit the application of innovative and desirable development techniques, consistent with the aesthetic and environmental qualities of the community.

## II. General Information:

- A. Applicant: The Cortana Corporation
- B. Nature of Project for which the P-D Zone is being requested: A one-story enclosed retail mall and a 4-story office building.
- C. Property Location: 700-888 El Camino Real
- D. Assessor's Parcel Numbers: 071-333-13, 071-333-030, 071-333-040, 071-333-050, 071-333-060, 071-333-070, 071-333-080, 872-41-12-0 and 071-333-090.
- E. Area of Property: 5.93 acres
- F. Present Zoning: C-4 (General Commercial)
- G. Proposed Zoning: P-D (Planned Development) Zone
- H. Permitted Uses: There are no permitted uses in the P-D Zone.
- I. Conditional Uses: Conditional uses allowed in the P-D Zone are as follows: Retail stores, offices, personal services, cafes and restaurants. Other uses may be allowed, subject to obtaining a Use Permit.

## III. Project Plans and Approvals:

## A. General Development Plans:

The General Development Plans for the project shall be reviewed by both the City Council and the Planning Commission. They will consist of the following: Site Plan, Preliminary Grading Plan, Building Elevations, Parking Plan/Preliminary Off-Site Improvement Plans, Preliminary Landscaping Plan, and Circulation Plan. The zone reclassification will not be approved until both the City Council and the Planning Commission have approved the General Development Plans.

III. Project Plans and Approvals (cont'd.):

B. Precise Development Plans:

The Precise Development Plans shall be submitted to the Planning Commission for Architectural Control review and approval prior to the issuance of Building Permits. The precise plans shall conform with the General Development Plans and shall be comprised of the following:

1. Site Plan: Site Plan shall show all major dimensions and exact location of all proposed buildings and related improvements, e.g. walls, fences, patios, driveways, external lighting, fire hydrants, etc.
2. Final Grading and Drainage Plans: The final grading and drainage plan shall show the exact finish grade elevation and final design of the drainage system. Site drainage shall be directed to Alma Street storm drain as approved by the City Engineer.
3. Building Elevation and Floor Plans: Elevation drawings shall show all exterior finishes, colors and all painted and stained surfaces and major building dimensions. Floor plans shall fully describe the proposed use of all the interior space.
- ✓ 4. Detailed Landscaping Plan: The detailed landscaping plan shall show the exact location of all plant material and a plant schedule (listing size and quantity of plant material) and all other landscaping materials (including paved areas). The plan shall also show the construction details of all fences, walls and exterior lighting fixtures. All landscaping affected by repairs to existing water lines within easements shall be restored to its original condition by the owner.
5. Parking Plan: The parking plan shall show the exact number and location of all the off-street parking to be developed to serve the project. The plan shall also include provisions for employee parking and designate specific areas for this purpose. A Contingency Plan shall be prepared and approved by the Planning Commission to implement in case the 19 ft. wide easement is revoked by the Southern Pacific Railroad. Two off-street loading areas shall be provided with either plan.
- ✓ 6. Off-Site Improvement Plans: The off-site improvement plans shall delineate all the off-site improvements that are to be constructed in conjunction with the project and shall show all construction details.

- ✓ 7. Circulation Plan: The circulation plan shall show the on-site circulation pattern and its relation to the off-site peripheral traffic pattern.
- 8. Subdivision Maps: The Tentative Parcel Map for the resubdivision of the subject property shall show all the existing and newly created easements, including a reciprocal access easement between the project and Ken's Pancake House restaurant. In the event the office building and the retail mall were to be resubdivided into two separate parcels, provisions shall be included in the resubdivision documents to retain the parking areas in common use.

IV. Development Standards:

- A. Building setbacks, building coverage and open space shall be in accordance with the approved development plans. Building coverage shall not exceed 26% of the total site; driveways and paved areas shall not exceed 51% of the site area and the remaining 23% shall be developed in appropriate landscaping and walks.
- B. Building height shall not exceed 56 feet for the office building and 32 feet for retail mall, as measured from the average elevation of the natural grade adjacent to the topmost point of the structure, including elevator penthouses, ventilating and air conditioning equipment.
- C. Buildings' floor areas shall be as follows:
  - Gross floor area: Retail Mall shall not exceed 57,214 square feet, including public spaces. Office Building shall not exceed 45,848 square feet.
  - Net floor area: Retail sales space shall not exceed 44,534 square feet. Office Building shall not exceed 36,952 square feet. Area designated for restaurant use shall not exceed 7,500 square feet of net floor area.
- ✓ D. Public improvements: Improvements to full City and State standards for all public rights of way abutting the development shall be required. In addition, if determined necessary for proper traffic circulation, applicant agrees to work with the City's Staff to provide proper methods of ingress and egress to the development and appropriate parking regulations along the El Camino Real frontage. Determination shall be made by the City.
- ✓ E. The applicant shall contribute \$10.00 for each A.D.T. generated by the project for related traffic improvements or post a bond covering 100% of the cost of the installation of a traffic signal at El Camino Real/ Roble Avenue for the period of 5 years from completion of the project, whichever shall be greater, and shall work with Caltrans and the City to implement said traffic improvements, including a traffic signal at El Camino Real and Roble Avenue, if required by the City.

- F. Three hundred sixty on-site parking spaces shall be provided to serve the project. In the event the 19 foot wide easement is revoked by Southern Pacific, the Contingency Plan shall be implemented to provide no less than 329 parking spaces.
- ✓ G. Provide covered, secure bicycle parking for employees and the general public.
- ✓ H. All utilities shall be placed underground.
- ✓ I. All air conditioning equipment, roof mounted equipment, etc., shall be properly screened and sound-proofed.
- ✓ J. Install separate water meters for domestic and landscape irrigation use.
- K. Incorporate appropriate life safety system into the project for emergencies.
- L. All hard surfaces affected by repairs to water lines in easements shall be resurfaced by the owner.
- ✓ M. Fence along property line at the Southern Pacific Railroad shall be painted to blend with landscaping.

V. Other Conditions:

- A. A Soils Report shall be submitted for the City's Geologist review.
- B. The project shall be constructed and maintained in accordance with the approved Precise Development Plans. ✓
- C. Revision of Plan - A public hearing by the Planning Commission and City Council shall be required prior to issuance of a Permit for revisions of the Development Plan which involve changes in land use, expansion or intensification of development or a relaxation in the standards of development. All other revisions may be allowed after a Permit is approved by the Planning Commission and City Council. A public hearing may be called regarding such changes if deemed necessary by the Planning Commission.
- D. On special occasions, under the supervision of the City's Police Department, the owner/operator of the development may be required to employ private security patrol to assist in law enforcement on the property.
- E. Development Schedule - 1) A Development Plan shall be accompanied by a development schedule indicating the approximate date when construction of the project can be expected to begin, which date shall be no later than eighteen months from the effective date of the rezoning of the property, the anticipated rate of development, and completion date. The development schedule, if approved by the City Council, shall be adhered to by the owner of the property in the "P-D" Zone and his successors in interest; 2) Periodically the Planning Commission shall compare the actual development in the "P-D" Zone with the approved development schedule.

- F. Revocation - If, in the opinion of the Planning Commission, the owner, or owners, are failing or have failed to meet the approved schedule, the Commission may initiate proceedings to reclassify the property and revoke the approval of the Development Plan, or to amend the Development Plan. Upon the recommendation of the Planning Commission and for good cause shown by the property owner, the Council may extend the limits imposed by the development schedule.
- G. This Permit is deemed to be in force for the lifetime of the project and is, therefore, binding on the applicant and any subsequent owner of the property or any portion thereof. Failure to comply with any of the conditions of this Permit may result in the revocation of this Permit.
- H. This Permit may be amended by majority vote of the City Council. Application for amendment shall be made by the property owner, in writing, to the Planning Commission. The Commission shall then forward their recommendation to the City Council.

Acknowledged and agreed to by applicant:

David A. Wolkenberg

Executive Vice President

for the Cortana Corporation

Approved by the Planning Commission

Approved by the City Council

on October 15, 1979

January 8, 1980

attest

attest

Leon C. Pirofalo  
Leon C. Pirofalo, Director of Community  
Development

Margaret E. Snowden  
Margaret Snowden, City Clerk



## Planned Development Permit

## "MENLO STATION"

## P-D Zone #1

- I. Statement of Purpose: The intent of the P-D Zone is to promote comprehensive planning of large parcels of land to protect the natural environment by allowing flexibility from the strict requirements of the conventional zoning regulations; to encourage development of more usable open space; to promote more efficient use of land, utilities and circulation systems; to promote creative design and to permit the application of innovative and desirable development techniques, consistent with the aesthetic and environmental qualities of the community.
- II. General Information:
- A. Applicant: The Cortana Corporation
  - B. Nature of Project for which the P-D Zone is being requested: A one-story enclosed retail mall and a 4-story office building.
  - C. Property Location: 700-~~888800~~ El Camino Real
  - D. Assessor's Parcel Numbers: 071-333-200 (previous APNs: 071-333-13, 071-333-030, 071-333-040, 071-333-050, 071-333-060, 071-333-070, 071-333-080, 872-41-12-D and 071-333-090).
  - E. Area of Property: 5.5 ~~5.93~~ acres
  - ~~F. Present Zoning: C-4 (General Commercial) El Camino Real Downtown Specific Plan (ECR-SP/D)~~
  - ~~F.G. Sub-district: El Camino Real South East (ECR-SE)~~
  - ~~G. Proposed Zoning: P-D (Planned Development) Zone~~
  - H. Permitted Uses and Conditional Uses: This permit regulates all uses at the site.:- There are no permitted uses in the P-D Zone.
  - ~~I. Conditional Uses: Conditional uses allowed in the P-D Zone are as follows: Retail stores, offices, personal services, cafes and restaurants. Other uses may be allowed, subject to obtaining a Use Permit.~~
- III. Project Plans and Approvals:
- A. General Development Plans:  
The General Development Plans for the project shall be reviewed by both the City Council and the Planning Commission. They will consist of the following: Site Plan, Preliminary Grading Plan, Building Elevations, Parking Plan/Preliminary Off-Site Improvement Plans, Preliminary Landscaping Plan, and Circulation Plan. The zone

reclassification will not be approved until both the City Council and the Planning Commission have approved the General Development Plans.

B. Precise Development Plans:

The Precise Development Plans shall be submitted to the Planning Commission for Architectural Control review and approval prior to the issuance of Building Permits. The precise plans shall conform with the General Development Plans and shall be comprised of the following:

1. Site Plan: Site Plan shall show all major dimensions and exact location of all proposed buildings and related improvements, e.g. walls, fences, patios, driveways, external lighting, fire hydrants, etc.
2. Final Grading and Drainage: The final grading and drainage plan shall show the exact finish grade elevation and final design of the drainage system. Site drainage shall be directed to Alma Street storm drain as approved by the City Engineer.
3. Building Elevation and Floor Plans: Elevation drawings shall show all exterior finishes, colors and all painted and stained surfaces and major building dimensions. Floor plans shall fully describe the proposed use of all the interior space.
4. Detail Landscaping Plan: The detailed landscaping plan shall show the exact location of all plant material and a plant schedule (listing size and quantity of plant material) and all other landscaping materials (including paved areas). The plan shall also show the construction of all fences, walls and exterior lighting fixtures. All landscaping affected by repairs to existing water lines within easements shall be restored to its original condition by the owner.
5. Parking Plan: The parking plan shall show the exact number and location of all the off-street parking to be developed to serve the project. The plan shall also include provisions for employee parking and designate specific areas for this purpose. A Contingency Plan shall be prepared and approved by the Planning Commission to implement in case the 19 ft. wide easement is revoked by the Southern Pacific Railroad. Two off-street loading areas shall be provided with either plan.
6. Off-Site Improvement Plans: The off-site improvement plans shall delineate all the off-site improvements that are to be constructed in conjunction with the project and shall show all construction details.

7. Circulation Plan: The circulation plan shall show the on-site circulation pattern and its relation to the off-site peripheral traffic pattern.
8. Subdivision Maps: The Tentative Parcel Map for the resubdivision of the subject property shall show all the existing and newly created easements, including a reciprocal access easement between the project and Ken's Pancake House restaurant. In the event the office building and the retail mall were to be resubdivided into two separate parcels, provisions shall be included in the resubdivision documents to retain the parking area as in common use.

#### IV. Development Standards

- A. Building setbacks, building coverage and open space shall be in accordance with the approved development plans. Building coverage shall not exceed ~~268~~26% of the total site; driveways and paved areas shall not exceed 51% of the site area and the remaining 23% shall be developed in appropriate landscaping and walks.
- B. Building height shall not exceed 56 feet for the office building and 32 feet for retail mall, as measured from the average elevation of the natural grade adjacent to the topmost point of the structure, including elevator penthouses, ventilating and air conditioning equipment.
- C. Buildings floor areas shall be as follows:
- |                  |   |
|------------------|---|
| Gross floor area | Retail Mall shall not exceed 57,214 square feet, including public spaces. Office Building shall not exceed 45,848 square feet.  |
| Net floor area:  | Retail sales space shall not exceed 44,534 square feet. Office Building shall not exceed 36,952 square feet. Area designated for restaurant use shall not exceed 7,500 square feet of net floor area. |
- D. Public improvements: Improvements to full City and State standards for all public rights of way abutting the development shall be required. In addition, if determined necessary for proper traffic circulation, applicant agrees to work with the City's Staff to provide proper methods of ingress and egress to the development and appropriate parking regulations along the El Camino Real frontage. Determination shall be made by the City.
- E. The applicant shall contribute \$10.00 for each A.D.T. generated by the project for related traffic improvements or post a bond covering 100% of the cost of the installation of a traffic signal at El Camino Real/Roble Avenue for the period of 5 years from completion of the project, whichever shall be greater, and shall work with Caltrans and the City to implement said traffic improvements, including a traffic signal at El Camino Real and Roble Avenue, if required by the City.
- F. Three hundred ~~sixty-fifteen~~ 329 on-site parking spaces shall be provided to serve the project. ~~In the event the 19 foot wide easement is revoked by Southern Pacific, the Contingency Plan shall be implemented to provide no less than 329 parking spaces.~~
- G. All utilities shall be placed underground.
- H. All air conditioning equipment, roof mounted equipment, etc., shall be properly screened and sound-proofed.
- I. Install separate water meters for domestic and landscape irrigation use.

- J. Incorporate appropriate life safety system into the project for emergencies.
- K. All hard surfaces affected by repairs to water lines in easements shall be resurfaced by the owner.
- L. Fence along property line at the Southern Pacific Railroad shall be painted to blend with landscaping.

V. Other Conditions:

- A. A Soils Report shall be submitted for the City's Geologist review.
- B. The project shall be constructed and maintained in accordance with the approved Precise Development Plans.
- C. Revision of Plan - A public hearing by the Planning Commission and City Council shall be required prior to issuance of a Permit for revisions of the Development Plan which involve changes in land use, expansion or intensification of development or a relaxation in the standards of development. All other revisions may be allowed after a permit is approved by the Planning Commission and City Council. A public hearing may be called regarding such changes if deemed necessary by the Planning Commission.
- D. On special occasions, under the supervision of the City's Police Department, the owner/operator of the development may be required to employ private security patrol to assist in law enforcement on the property.
- E. Development Schedule - 1) A Development Plan shall be accompanied by a development schedule indicating the approximate date when construction of the project can be expected to begin, which date shall be no later than eighteen months from the effective date of rezoning of the property, the anticipated rate of development, and completion date. The development schedule, if approved by the City Council, shall be adhered to by the owner of the property in the "P-D" Zone and his successors in interest; 2) Periodically the Planning Commission shall compare the actual development in the "P-D" Zone with the approved development schedule.
- F. Revocation - If, in the opinion of the Planning Commission, the owner, or owners, are failing or have failed to meet the approved schedule, the Commission may initiate proceedings to reclassify the property and revoke the approval of the Development Plan, or to amend the Development Plan. Upon the recommendation of the Planning Commission and for good cause shown by the property owner, the Council may extend the limits imposed by the development schedule.
- G. This Permit is deemed to be in force for the lifetime of the project and is, therefore, binding on the applicant and any subsequent owner of the property or any portion thereof. Failure to comply with any of the conditions of this Permit may result in the revocation of this Permit.
- H. This Permit may be amended by majority vote of the City Council. Application for amendment shall be made by the property owner, in writing, to the Planning Commission. The Commission shall then forward their recommendation to the City Council.



# EXHIBIT C

## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING DIVISION

701 Laurel Street  
Menlo Park, CA 94025  
phone: (650) 330-6702  
fax: (650) 327-1653  
planning@menlopark.org  
<http://www.menlopark.org>

### DATA SHEET

Please provide the appropriate information pertaining to your application. It is important to complete the existing and proposed development items even if the existing structure is being demolished or if there is no specific zoning ordinance requirement.

<b>LOCATION:</b> 700-800 El Camino Real, Menlo Park, CA 94025				
<b>EXISTING USE:</b> Office / Commercial		<b>APPLICANT:</b> City of Menlo Park		
<b>PROPOSED USE:</b> Office / Commercial		<b>PROPERTY OWNER(S):</b> Menlo Station Development		
<b>ZONING:</b> SP-ECR-D		<b>APPLICATION(S):</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>PROPOSED PROJECT</b>	<b>EXISTING DEVELOPMENT</b>	<b>ZONING ORDINANCE</b>	
Lot area	239,777 sf	257,260 sf	sf min.	
Lot width	1,133 ft.	1,529 ft.	ft. min.	
Lot depth	220 ft.	220 ft.	ft. min.	
<b>Setbacks</b>				
Front	~2 ft.	~2 ft.	ft. min.	
Rear	~123.48 ft.	~123.48 ft.	ft. min.	
Side (left)	8.09 ft.	8.09 ft.	ft. min.	
Side (right)	58.61 ft.	58.61 ft.	ft. min.	
Building coverage	66,112 sf	66,112 sf	sf max.	
	27.57 %	25.70 %	% max.	
FAR (Floor Area Ratio)*	101,832 sf	101,832 sf	sf max.	
	42.47 %	39.58 %	% max.	
FAL (Floor Area Limit)**			sf	
<b>Square footage by floor</b>				
below grade	-- sf	-- sf		
1 <sup>ST</sup>	66,216 sf	66,216 sf		
2 <sup>ND</sup> , 3 <sup>RD</sup> , 4 <sup>TH</sup>	11,872/11,872/11,872 sf	11,872/11,872/11,872 sf		
garage				
accessory building(s)				
other				
Square footage of buildings	96,610 sf	96,610 sf	sf max.	
Building height	50 ft.	50 ft.	ft. max.	
Landscaping**	57,005 sf	61,305 sf	sf min.	
	23.77 %	23.83 %	% min.	
Paving***			sf min.	
			% min.	
Parking	315 spaces	356 spaces	spaces	
Define Basis for Parking	Per AB 2097, signed in 2022 legislative session, no parking minimums within ½ mile of transit			
Trees	# of existing <b>Heritage</b> trees	# of existing <b>non-Heritage</b> trees	# of new trees	
	# of existing <b>Heritage</b> trees to be removed	# of <b>non-Heritage</b> trees to be removed	<b>Total #</b> of trees	

\* Commercial and Multiple-residential properties | \*\* Single family residential and R-2 residential, and R-2 zoned properties

Updated March 2008

V:\HANDOUTS\Approved\Data Sheet.doc





700-800 El Camino Real

Property being purchased

800 El  
Camino  
Real

700 El Camino Real

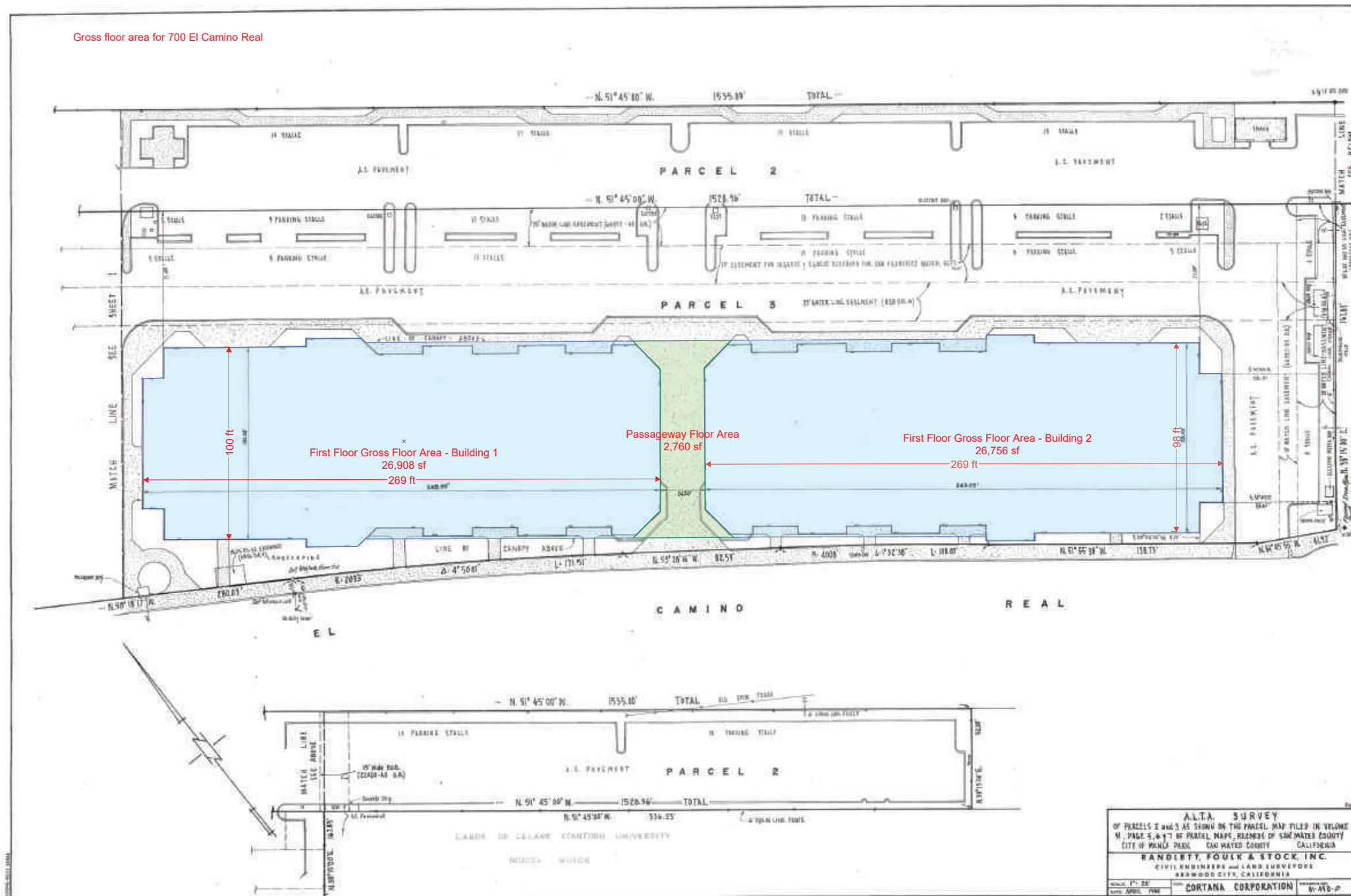
A15

0 125 250 500 Feet

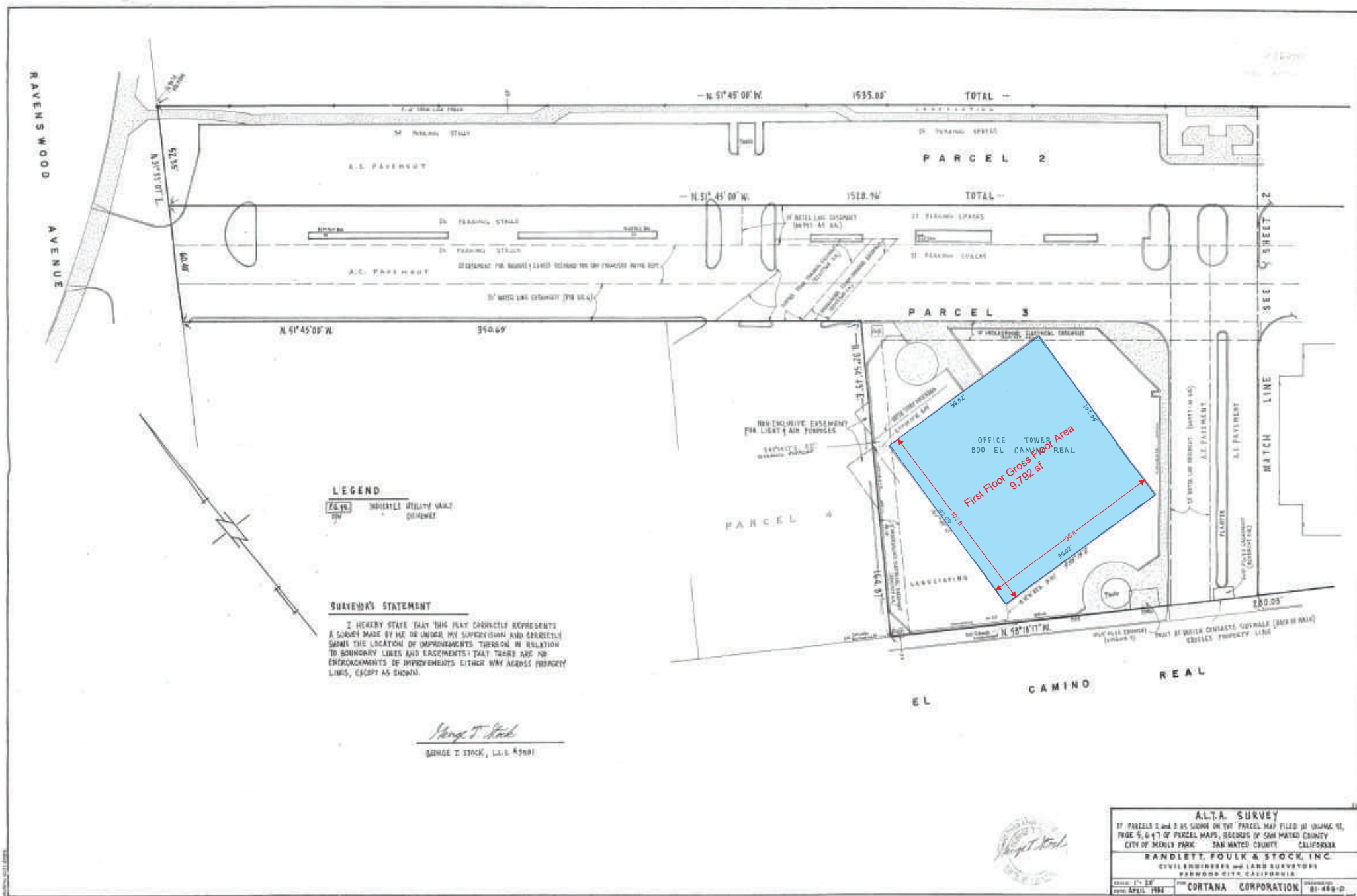
700-800 El Camino Real Site Plan



Gross floor area for 700 El Camino Real



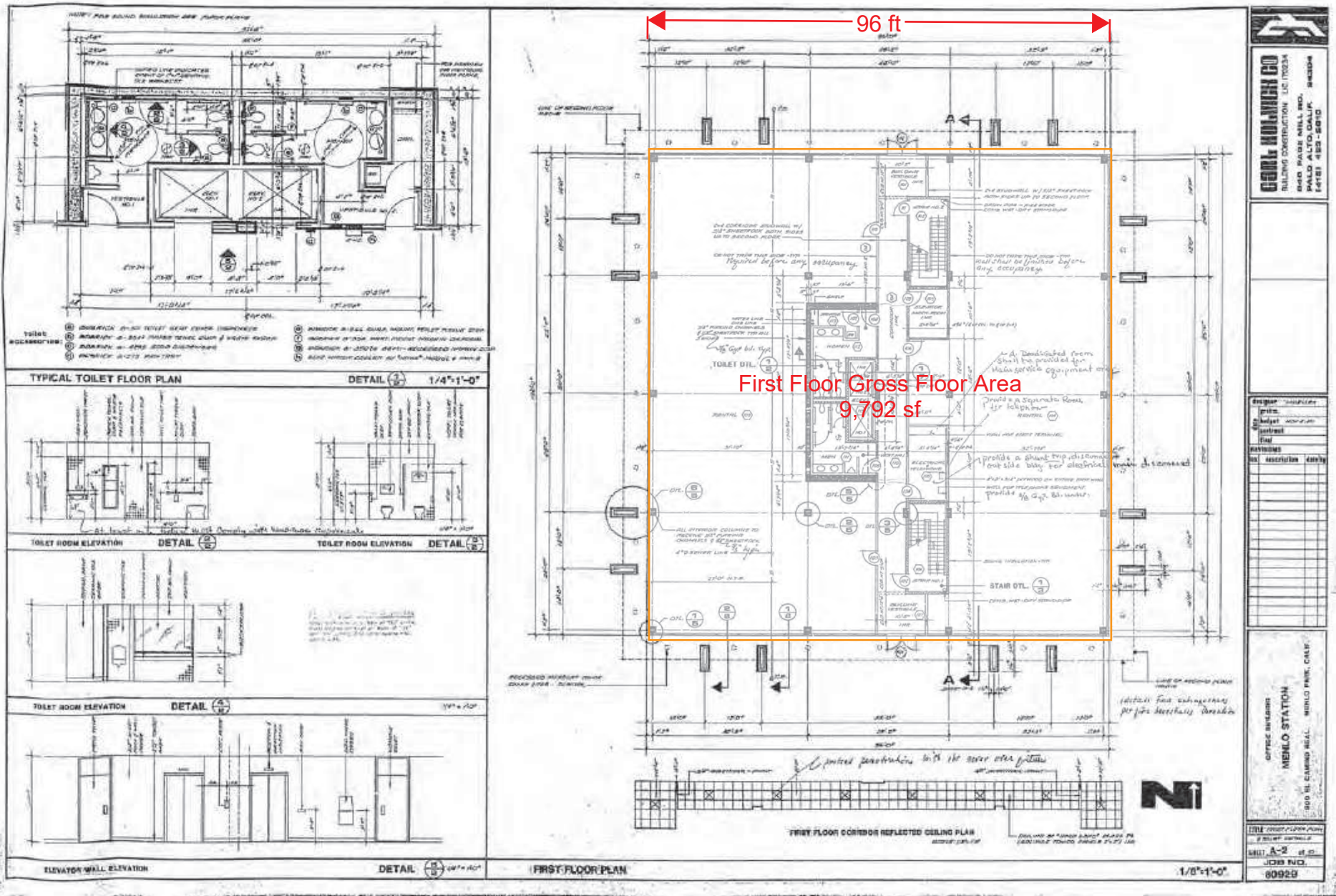
Gross floor area for 800 El Camino Real 1st floor





## Gross floor area for 800 El Camino Real 1st floor

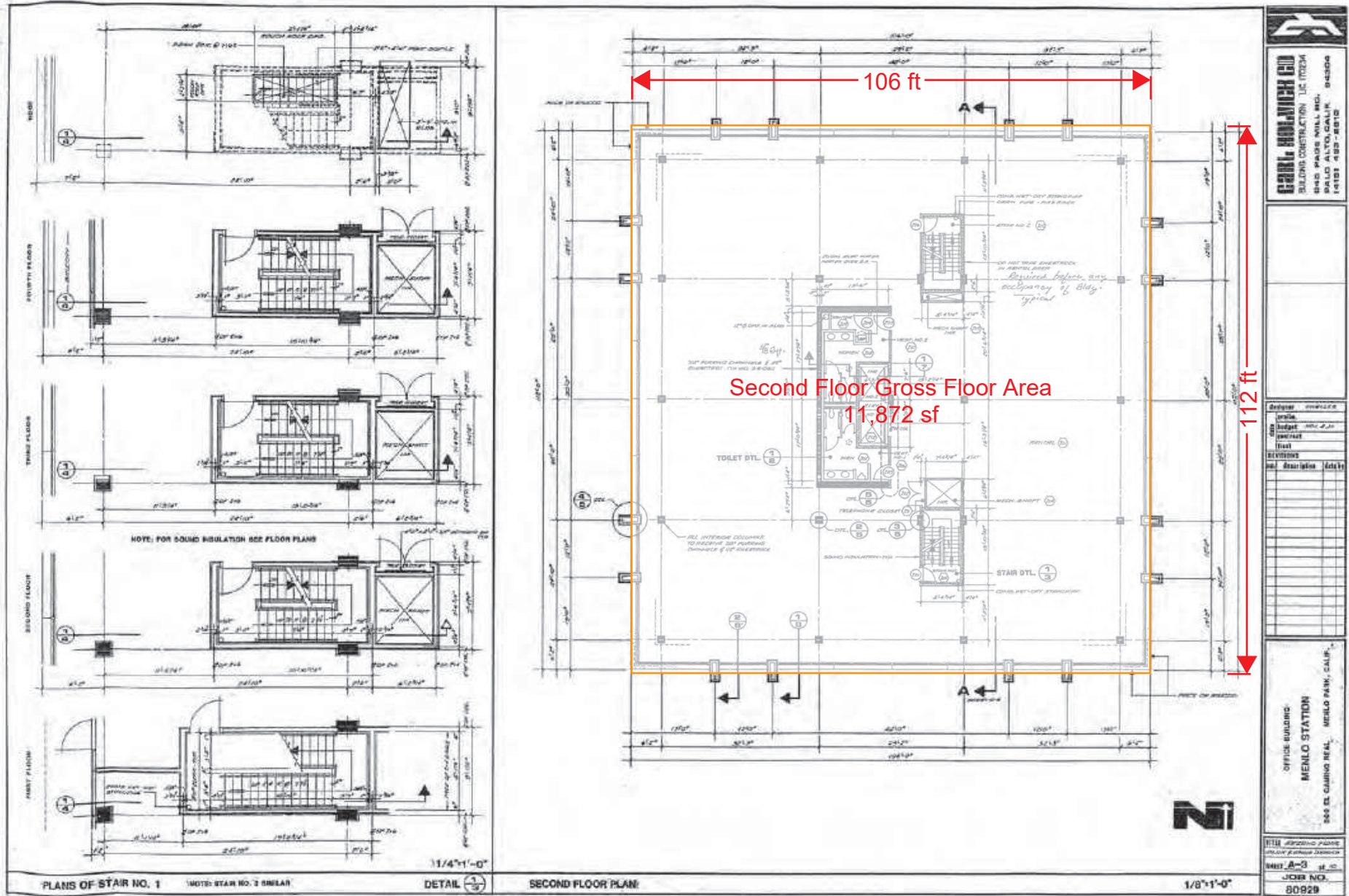
Note - drawing scale has inaccuracy due to scanning





# Gross floor area for 800 El Camino Real 2nd floor

Note - drawing scale has inaccuracy due to scanning



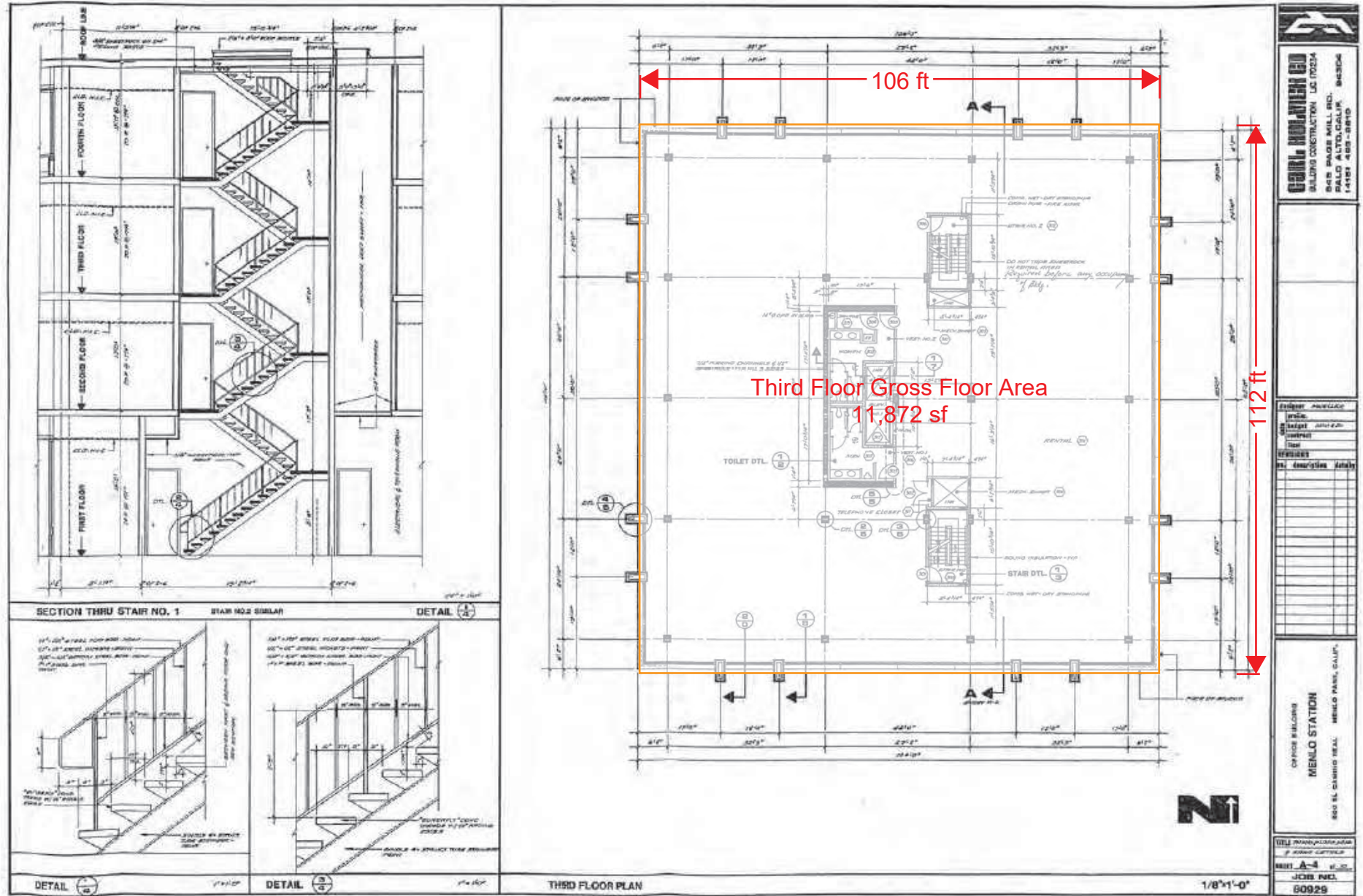
A-17838

24X



# Gross floor area for 800 El Camino Real 3rd floor

Note - drawing scale has inaccuracy due to scanning

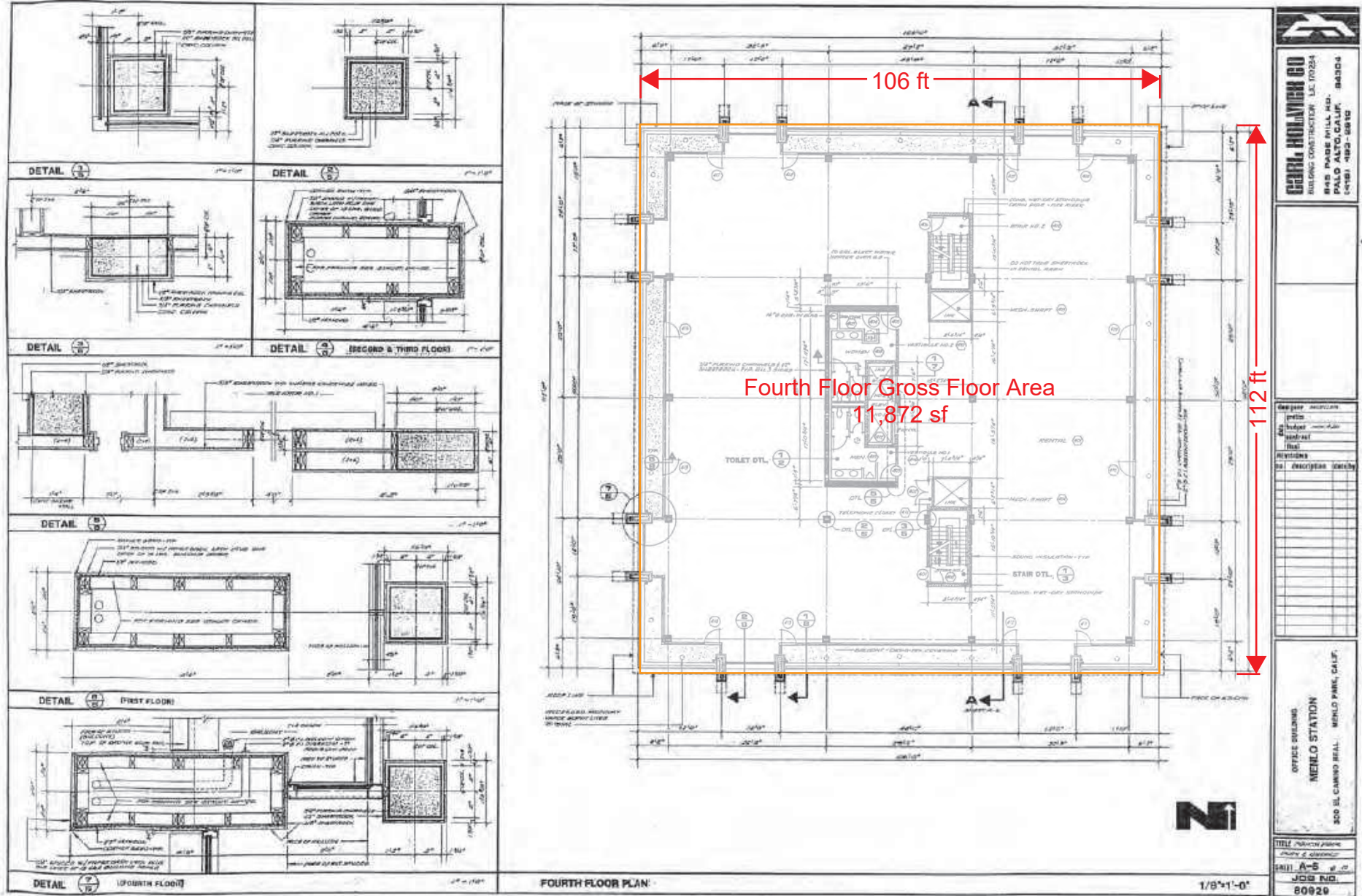


A-17838

24X

# Gross floor area for 800 El Camino Real 4th floor

Note - drawing scale has inaccuracy due to scanning

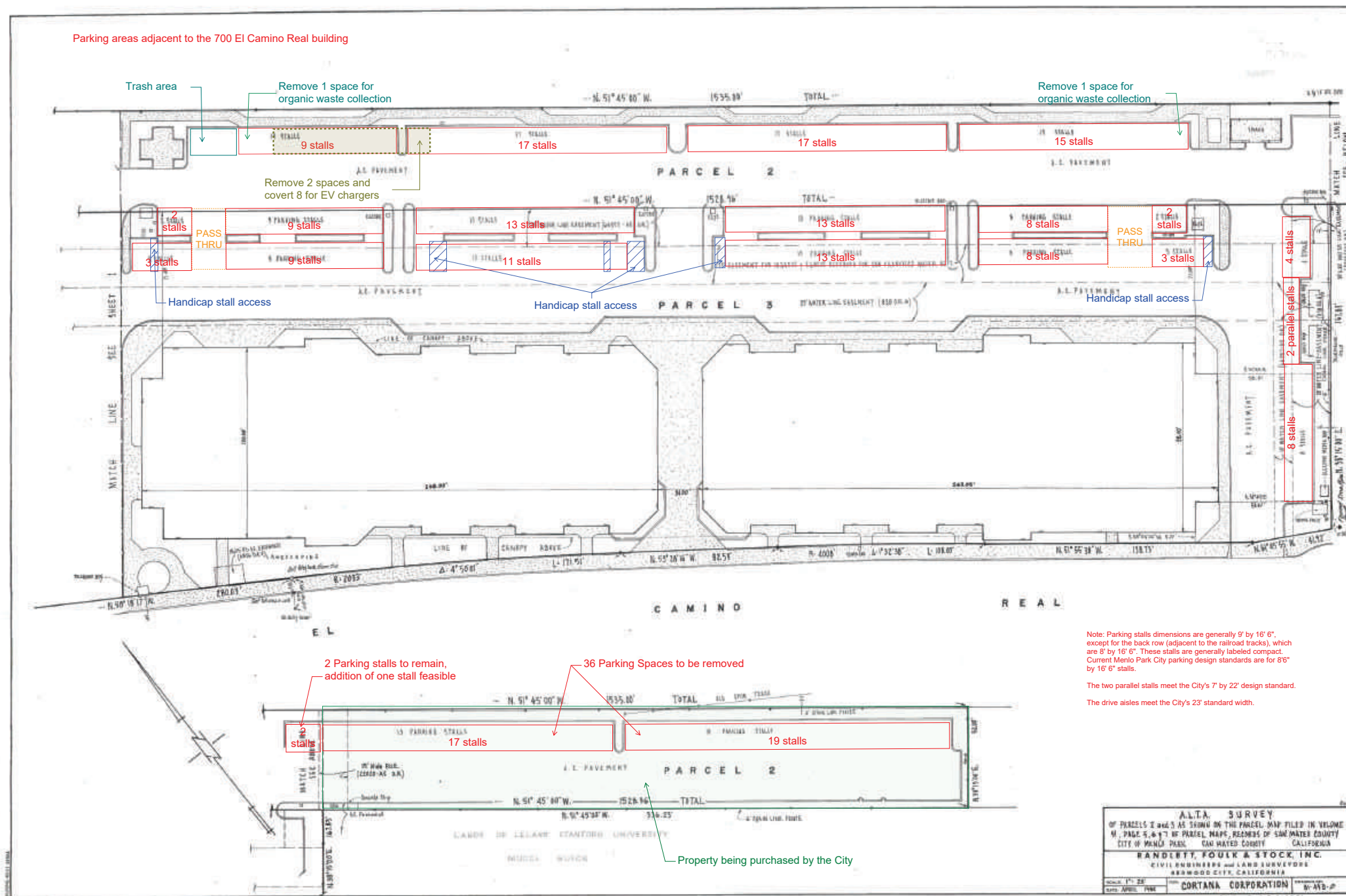


A-17838

24X



Parking areas adjacent to the 700 El Camino Real building



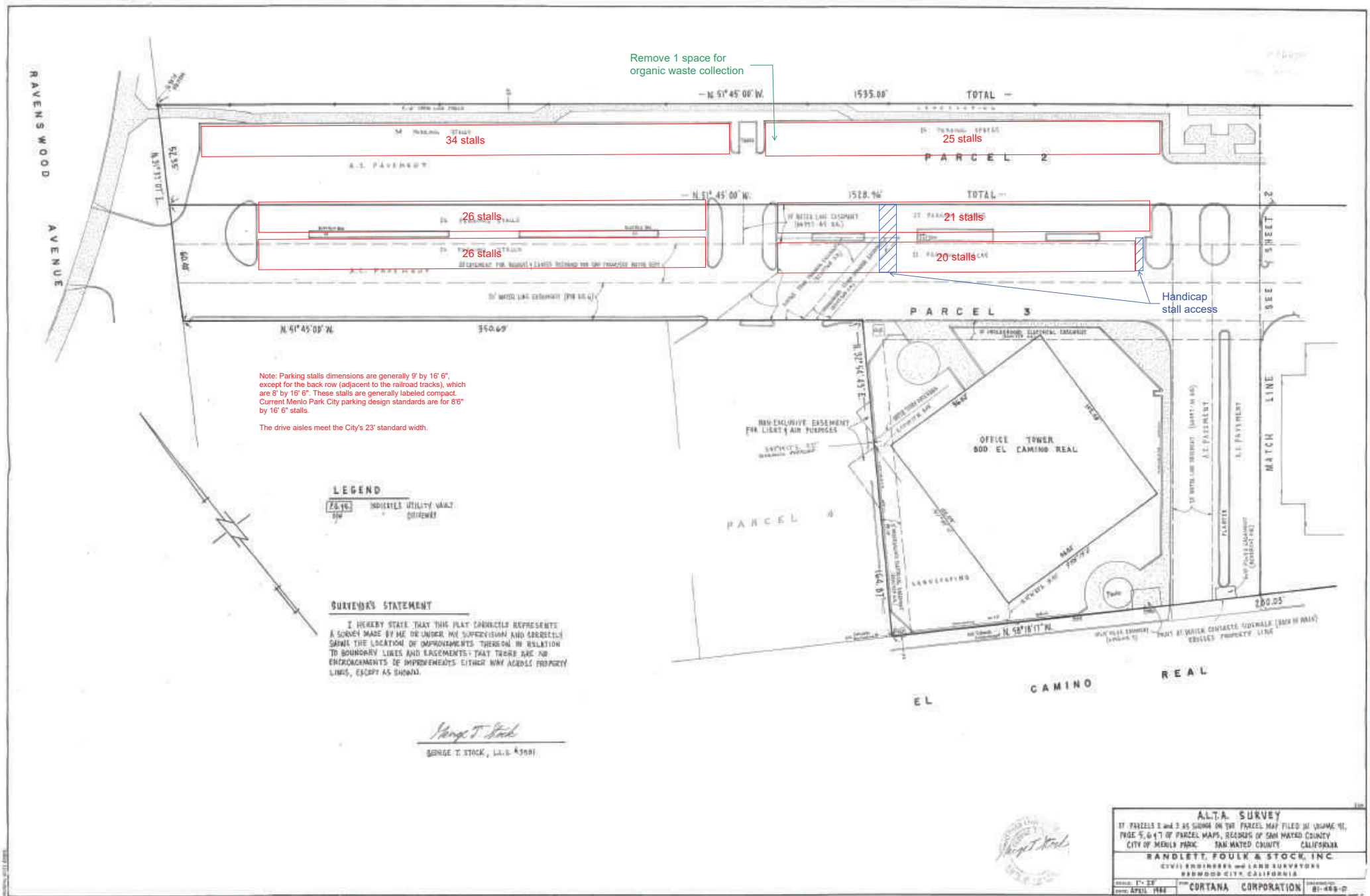
Note: Parking stalls dimensions are generally 9' by 16' 6", except for the back row (adjacent to the railroad tracks), which are 8' by 16' 6". These stalls are generally labeled compact. Current Menlo Park City parking design standards are for 8'6" by 16' 6" stalls.

The two parallel stalls meet the City's 7' by 22' design standard.

The drive aisles meet the City's 23' standard width.

A.L.T.A. SURVEY OF PARCELS 1 and 5 AS SHOWN ON THE PARCEL MAP FILED IN YELLOW M. PAGE 5, & 7 OF PARCEL MAP, RECORDS OF SAN JUAN COUNTY CITY OF MINO PARCEL SAN JUAN COUNTY CALIFORNIA	
RANDITT, FOUK & STOCK, INC. CIVIL ENGINEERS AND LAND SURVEYORS 8000 50TH ST. CALIFORNIA	
SCALE: 1" = 20' DATE: APRIL, 1966	CORTANA CORPORATION 800-475-27

Parking areas adjacent to the 800 El Camino Real building



## **Planned Development Permit Revision**

### **700-800 El Camino Real**

#### **Proposed Permit Application**

*The City of Menlo Park proposes to reinstate an existing planned development (PD#1) at 700-800 El Camino Real to reduce the number of available parking spaces by 38, from 353 parking spaces to 315.*

#### **Project Description**

*The City of Menlo Park is in the design phase for Middle Avenue Caltrain crossing project (Project). The Project will provide a grade separated crossing under the Caltrain Railroad, from El Camino Real to Alma Street at Middle Avenue to create a pedestrian and bicycle connection between east and west Menlo Park. The Project is critical to provide greater east-west connectivity, as the Caltrain railroad tracks are a real and perceived barrier for people walking and bicycling. Long distances between existing crossing locations south of Ravenswood Avenue make crossing the railroad on foot inconvenient for many residents. The existing at grade railroad crossings also create safety concerns for bicyclists. The new undercrossing would improve connectivity for neighborhoods on both sides of the Caltrain tracks to schools, City amenities, public transit, and Downtown Menlo Park. The City Council identified the Project as one of five priority projects in April of 2019. The City Council approved concept 3 (see attached Exhibit A) as the preferred design for the Project, and directed staff to proceed with the final design and construction of the Project in June of 2019.*

#### **Property Acquisition**

*The Project will require acquisition of a portion of the adjacent property located at 700-800 El Camino Real (proposed parcel). Please see attached exhibit B. The City Council authorized the City Manager to enter into a purchase agreement with Menlo Station Development, LLC to purchase the portion of property in January 2022, which is currently in escrow. The property developed in the mid-1980's consists of an approximately 51,000 sq ft one story commercial/retail building and a 40,000 sq ft 4-story office building. The property was originally approved for 360 parking spaces. Over the years and with installation of additional accessible parking spaces along with trash enclosures, the total available spaces were reduced to 353.*

*The proposed parcel is approximately 52 feet long by 336 feet wide. The parcel is heavily underutilized parking lot (38 parking spaces) for the adjacent commercial and office development.*

#### **Parking Utilization**

*The city staff has observed fully vacant parking spaces during several site visits to the Parcel. The Parcel was previously fenced off and leased to the adjacent auto dealers for several years during the 1990's. It*



*is also currently fenced off and leased to Palisade Builders, construction company building the adjacent 500 El Camino Real development project.*

*A parking utilization study of the entire parking lot for the 700-800 El Camino Real was conducted in September and October 2019. The study revealed an occupancy rate for the entire property of as little as 22% and as high as 47%. The parking utilization study was conducted during 12pm to 5pm on Saturday September 28, 2019, and during 10am to 5pm on Tuesday October 1, 2019. (See attached exhibit C).*

*Finally, as part of preparing an appraisal report to determine the market value of the property based on a highest and best use, the appraiser determined the parking reduction does not result in a negative impact to the property and the remaining available parking spaces (315 spaces) are within the range of available parking spaces for 10 other similar existing developments in the area. Please see attached relevant two pages of appraisal report (Exhibit D).*

#### **Environmental Clearance**

*The Project's environmental clearance was achieved by preparing an addendum to the Menlo Park El Camino Real/Downtown Specific Plan EIR to analyze potential impacts from the implementation of the Project. One of the improvements anticipated in the Specific Plan is the development of a grade-separated pedestrian and bike linkage across the railroad tracks to Burgess Park and Alma Street at Middle Avenue.*



DRAFT

Middle Avenue Bicycle & Pedestrian Rail Crossing  
CONCEPT 3



700-800 El Camino Real

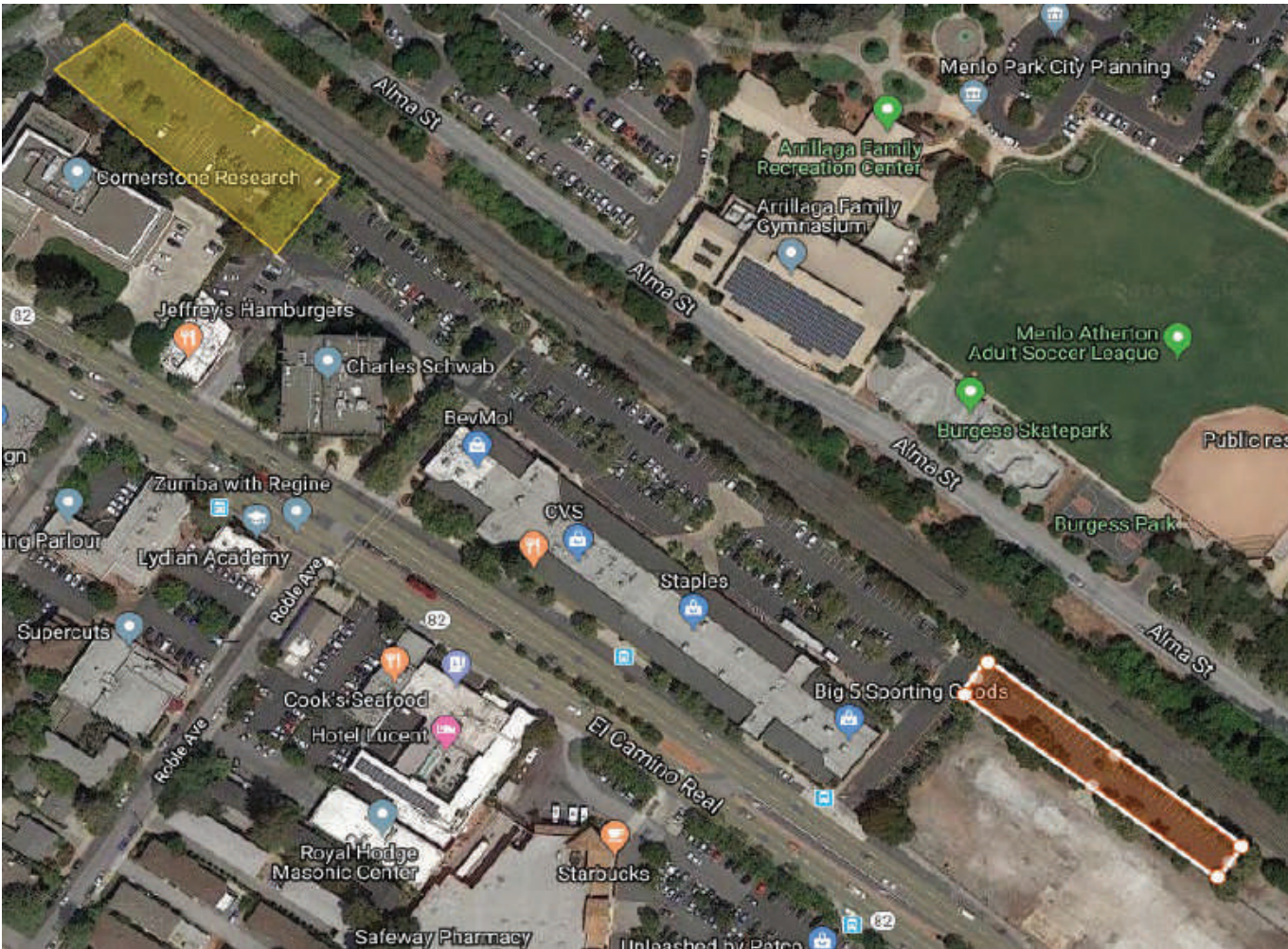


700-800 El Camino - Parking Count

TIME	Date	% Occupancy	Total Supply**	Construction Zone Spaces*	Available spaces	Vehicle Count
12:00 PM	Saturday 9/28/2019	21.90%	353	38	315	69
1:00 PM	Saturday 9/28/2019	24.44%	353	38	315	77
2:00 PM	Saturday 9/28/2019	25.71%	353	38	315	81
3:00 PM	Saturday 9/28/2019	25.71%	353	38	315	81
4:00 PM	Saturday 9/28/2019	24.44%	353	38	315	77
10:00 AM	Tuesday 10/1/2019	28.89%	353	38	315	91
11:00 AM	Tuesday 10/1/2019	37.46%	353	38	315	118
12:00 PM	Tuesday 10/1/2019	44.76%	353	38	315	141
1:00 PM	Tuesday 10/1/2019	46.67%	353	38	315	147
2:00 PM	Tuesday 10/1/2019	36.51%	353	38	315	115
3:00 PM	Tuesday 10/1/2019	33.65%	353	38	315	106
4:00 PM	Tuesday 10/1/2019	31.75%	353	38	315	100
5:00 PM	Tuesday 10/1/2019	33.97%	353	38	315	107

\*Construction Zone is orange area in map below:

\*\*Total supply does include 38 construction zone spaces





## City of Menlo Park

### Middle Avenue Bicycle & Pedestrian Crossing Project

APN: 071-333-200 – Menlo Station Development

## Damages and Benefits

As previously described, the acquired parking spaces would result in a permanent reduction in the parking ratio from 3.91 to 3.52 parking spaces per 1,000 square feet of building area for the entire property, and a reduction from 3.92 to 3.22 parking spaces per 1,000 square feet of building area for the area allocated to the retail building alone. Including the lost parking spaces within the TCE area, the resulting parking ratio reduction on a temporary basis would be from 3.91 to 3.50 spaces per 1,000 square feet of total building area and 3.92 to 3.18 for the area allocated to the retail building alone.

The table depicting the parking study conducted for this assignment is depicted again as follows for illustrative purposes.

Address City	Tenant(s)	Bldg s.f. Site s.f. FAR	Total Parking Spaces	Parking Ratio (Spaces/1,000 s.f. bldg.)	Comments
1414 El Camino Real San Carlos, CA	Walgreens Trader Joe's	18,717 51,017 37%	59	3.15	Walgreens only. Shared parking with Trader Joe's on other aisle
928 Whipple Avenue Redwood City, CA	Any Mountain	11,424 24,378 47%	37	3.24	Single-tenant
1950 El Camino Real Redwood City, CA	Bed Bath & Beyond, Subway, Starbucks, Laundromat	38,808 99,260 39%	100	2.58	Multi-tenant, anchored by Bed Bath & Beyond
989 El Camino Real Menlo Park, CA	Barre3, dry cleaner, laundromat, pizza restaurant	6,502 15,654 42%	25	3.84	Multi-tenant. Inferior property, not likely to attract similar tenants, but across the street from SP
4170 El Camino Real Palo Alto, CA	Walgreens	14,399 43,996 33%	49	3.40	Single-tenant
3990 El Camino Real Palo Alto, CA	Immersion Spa, Baja Fresh, Baron Barista, C2 Education	10,800 42,410 25%	49	4.54	Multi-tenant
4700 El Camino Real Los Altos, CA	BevMo!	6,985 23,979 29%	23	3.29	Single-tenant Parking on both sides of building
1910 West El Camino Real Mountain View, CA	Cost Plus World Market, The Little Gym, other misc. in-line tenants	39,106 105,851 37%	131	3.35	Multi-tenant
910 El Monte Avenue Mountain View, CA	Office Depot	20,037 54,100 37%	48	2.40	Single-tenant
1905 West El Camino Real Mountain View, CA	Walgreens, O'Reilly Auto Parts, FedEx Office, PetCo, other misc. in-line tenants	68,000 188,459 36%	205	3.01	Multi-tenant, whole shopping center
<b>Median Parking Ratio</b>				<b>3.27</b>	
<b>Average Parking Ratio</b>				<b>3.28</b>	

**City of Menlo Park**

Middle Avenue Bicycle & Pedestrian Crossing Project

APN: 071-333-200 – Menlo Station Development

On both a permanent and temporary basis, compared with the market parking ratio of around 3.3 spaces per 1,000 square feet of building area, the parking ratio would remain within the range of market demands for similar retail buildings. Additionally, adequate parking spaces on the office portion of the subject property along the northeast property boundary exist to compensate for any impacts to the retail portion of the subject to compensate for this temporary shortfall of parking spaces resulting from the temporary additional loss of two parking spaces. During two visits to the subject property, several of the spaces in this area were observed to be vacant. No signage exists in this area indicating that the spaces are only available to the tenants of the office building.

The lost spaces are located on a portion of the site that is reportedly rarely used. During two visits to the site, the area to be acquired was observed to be occupied by one car and no cars, respectively. Furthermore, as previously described, based on conversations with both the property owner and the Client, this appraisal has been conducted under the assumption that as part of the project, the permit under which the subject property was originally developed will be amended to reflect the amount of parking spaces left on the subject property in the after condition so that the off-street parking requirement will be legally in conformance.

Accordingly, no damages accrue to the remainder as a result of the proposed project. In the absence of damages, benefits are not quantified.





City of Menlo Park  
Location Map  
700-800 El Camino Real



Scale: 1:4,000

Drawn By: FNK

Checked By: CDS

Date: 4/24/2023

Sheet: 1





## STAFF REPORT

### Planning Commission

**Meeting Date:**

**5/1/2023**

**Staff Report Number:**

**23-032-PC**

**Public Hearing:**

**Consider and adopt a resolution to approve a use permit to construct a new accessory building containing two bathrooms and a utility closet at Willow Oaks Park in the OSC (Open Space Conservation) zoning district, at 450-490 Willow Road**

### Recommendation

Staff recommends that the Planning Commission adopt a resolution approving a use permit to construct a new accessory building containing two bathrooms and a utility closet at Willow Oaks Park, generally between the parking lot and the tennis courts, in the OSC (Open Space Conservation) zoning district, at 450-490 Willow Road. 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 at Willow Oaks Park (hereafter referred to as the park), a City park located within the Willows neighborhood and along Willow Road. Using Willow Road in an east-west orientation, the park is located on the southern side of Willow Road, with a main entrance driveway and parking lot located to the south of the intersection of Willow Road and Coleman Avenue. There is also a pedestrian entrance to the park on Gilbert Avenue. There are tennis courts located adjacent to the Willow Road-facing parking lot, and the proposed project is located near the entrance to these tennis courts. The park also contains a large field, and an enclosed and designated off-leash dog park area. There is also a child care center on site that was approved through a use permit in 1980. A location map is included as Attachment B.

The neighborhood features predominantly single-family residences to the south and west of the site, and is largely zoned as R-1-U (Single Family Urban Residential), apart from several commercial uses in the C-2-A (Neighborhood Shopping, Restrictive) and C-4 (General Commercial) zoning districts, to the west and east of the park's Willow Road entrance, respectively. Silicon Valley International School – Willows Campus borders the park to the east, and its property is zoned P-F (Public Facilities). The United States Department of Veterans Affairs has a campus along the northern side of Willow Road, and it is designated



as P-F (Public Facilities), and there are also several multifamily residential buildings along the northern side of Willow Road that are either zoned R-3 (Apartment) or R-3(X) (Apartment, Conditional).

## **Analysis**

### ***Project description***

City staff is proposing to build a new 166-square-foot accessory building containing two bathrooms and a utility closet associated with the bathrooms. A use permit is required for the proposed project because accessory buildings are a conditional use within the OSC zoning district, thus requiring Planning Commission review. In total, the proposed changes would increase the site gross floor area (GFA) by 166 square feet, which would, in turn, increase the total GFA from 1,315 square feet to 1,481 square feet. This proposed total GFA would remain well below the property's maximum GFA of 2,874.8 square feet, or 2.5 percent of the total lot area. The project plans and project description letter are included as Exhibits A and B within Attachment A, respectively.

The proposed project is intended to be a part of several improvements proposed at the park, based on a City survey that was completed to assess desired site improvements for the park as a whole. However, only the proposed bathroom building requires Planning Commission review and approval as a use permit. Additional information can be found in Attachments C and D, which contain the May 24, 2017 Parks and Recreation meeting staff report and minutes, respectively, and Attachments E and F, which are the May 10, 2022 City Council meeting staff report and minutes, respectively. A bathroom building was requested during this survey process, and two all-gender bathrooms are proposed in the new building, with a utility chase area in a closet located between the two bathroom areas. Programmatically, the hours of operation are proposed to be 7:00 a.m. to 10:00 p.m., which is based on the park opening at sunrise and the lighted tennis court, immediately adjacent to the proposed building, closing at 10:00 p.m.

### ***Design and materials***

The bathroom building would be constructed using mostly precast construction materials. The walls would have a lighter grey color overall, and the roofing and doors would be charcoal grey in color. The walls of the proposed building would be precast concrete and the roofing would be pitched, with precast concrete and a ribbed metal texture. The doors would be comprised of galvanized steel with a louvered vent and the windows and identification signs would be made of polycarbonate. Each bathroom would also have one stainless steel exhaust fan, one stainless steel wall vent, and one polyvinyl chloride (PVC) plumbing vent, in the shape of a short tube extending through the roof. The maximum proposed height of the building would be nine feet, 11 inches.

Staff believes that the proposed building would be compatible with surrounding park uses and ambience, and the architecture also features limited visibility from the public right-of-way, which further lessens any potential visual impacts in relation to the neighboring properties and Willow Road streetscape.

### ***Trees and landscaping***

An arborist report (Attachment G), detailing the species, size, and conditions of the nearby heritage and non-heritage trees, was prepared for the project. 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. Table 1 below summarizes the project trees by species, size, condition, and whether the trees are proposed to be preserved. All 10 of the assessed trees are on site, at the park.

Table 1: Project tree summary				
Tree Number	Species	Size (DBH, in inches)	Condition	Removal/Reason
3565	Japanese maple	15.2 (heritage size)	Poor	To be preserved
3566	Japanese maple	15.6 (heritage size)	Poor	To be preserved
3567	Japanese maple	18.6 (heritage size)	Poor	To be preserved
3568	Japanese maple	10.3 (non-heritage size)	Poor	To be preserved
3575	Japanese maple	19.1 (heritage size)	Poor	To be preserved
3576	Japanese maple	14.6 (non-heritage size)	Poor	To be preserved
3577	Flowering pear	16.7 (heritage size)	Poor	To be preserved
3578	Flowering pear	18.3 (heritage size)	Poor	To be preserved
3579	Sweetgum	13.8 (non-heritage size)	Poor	To be preserved
3580	Japanese maple	14.3 (non-heritage size)	Poor	To be preserved

To protect the heritage and non-heritage trees on site, the arborist report has identified such measures as tree protection fencing, providing root protection measures for any work within the tree protection zones, and root pruning for all roots two inches or greater in diameter that are impacted by excavation within a protected tree drip line. All recommended tree protection measures identified in the arborist report would be implemented and ensured as part of condition 1h.

### **Correspondence**

As of the writing of this report, staff received two letters of correspondence about the proposed project (Attachment H). One letter expressed concern with waste management and security issues at the site and the other letter expressed concern with security issues and potential anti-social behavior. Staff is aware of potential concerns regarding these matters, and the City would be managing the site security, waste management, and park facilities closure. In particular, the bathrooms would operate on an automatic lock system, wherein the exterior bathroom doors would become automatically locked or unlocked based on the hours of operation, and if vandalism is reported, the timing for the automatic locks can be adjusted. The bathroom building would be open during the park hours, and would close at the same time as the adjacent tennis courts. The bathroom, like all City park bathrooms, would be cleaned on a daily basis by an outside vendor. Similarly, the City has an outside vendor that collects trash from all parks, and although no new trash cans are currently proposed within the vicinity of the proposed bathroom, any new garbage

can locations added to the park would be added to the garbage pickup schedule overall. Park trash cans are emptied twice a week by the outside vendor.

## **Conclusion**

Staff believes that the scale, materials, and style of the proposed bathroom building are generally compatible with the surrounding neighborhood, and provide a minimal visual impact, given the limited visibility from the public right-of-way. The automatic locking functions would ensure that access to the bathrooms is restricted to appropriate park hours, and vandalism and trash concerns would be addressed by outside vendors maintaining the facilities at the park accordingly. 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**

#### **Exhibits to Attachment A**

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

### **B. Location Map**

### **C. May 24, 2017 Parks and Recreation Staff Report Hyperlink:**

<https://www.menlopark.org/DocumentCenter/View/14542/E3-Willow-Oaks-Park-Improvements-New?bidId>

### **D. May 24, 2017 Parks and Recreation Meeting Minutes Hyperlink:**

[https://menlopark.org/AgendaCenter/ViewFile/Minutes/\\_05242017-2930](https://menlopark.org/AgendaCenter/ViewFile/Minutes/_05242017-2930)

- E. May 10, 2022 City Council Staff Report Hyperlink:  
<https://menlopark.gov/files/sharedassets/public/agendas-and-minutes/city-council/2022-meetings/agendas/20220510-city-council-agenda-packet.pdf>
- F. May 10, 2022 City Council Meeting Minutes Hyperlink:  
<https://menlopark.gov/files/sharedassets/public/agendas-and-minutes/city-council/2022-meetings/minutes/20220510-city-council-minutes.pdf>
- G. Arborist Report
- H. Correspondence

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, Principal Planner



**PLANNING COMMISSION RESOLUTION NO. 2023-XX****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT TO CONSTRUCT A NEW ACCESSORY BUILDING IN THE OSC (OPEN SPACE CONSERVATION) ZONING DISTRICT**

**WHEREAS**, the City of Menlo Park (“City”) received an application requesting to construct a new accessory building containing two bathrooms and a utility closet at Willow Oaks Park—(collectively, the “Project”) from the City of Menlo Park (“Applicant” and “Property Owner”), located at 450-490 Willow Road (APN 062-320-400) (“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 OSC (Open Space and Conservation) zoning district. The OSC zoning district supports accessory buildings; and

**WHEREAS**, the proposed Project complies with all standards of the OSC zoning 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 California Tree and Landscape Consulting, Inc., 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 May 1, 2023, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the Project.

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

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

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

The approval of the use permit for the proposed accessory building 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 OSC zoning district and the General Plan because accessory buildings are allowed to be constructed and maintained subject to granting of a use permit.
  - b. The proposed Project would include the required number of off-street parking spaces because no parking would be reduced from the previously approved parking space count for the site.
  - 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 Project would maintain the overall public recreation facility and not expand its footprint or functions.

**Section 3. Conditional Use Permit.** The Planning Commission approves Use Permit No. PLN2022-00032, 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 Construction of Small Structures).

**Section 5. Severability.**

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

I, Corinna Sandmeier, Principal Planner 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 May 1, 2023, 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 1<sup>st</sup> day of May, 2023

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

Exhibits

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



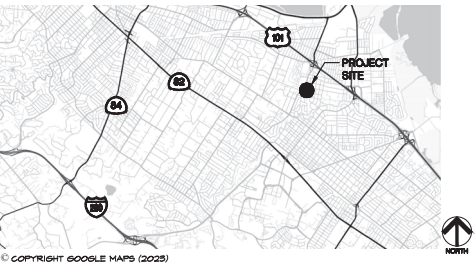
# WILLOW OAKS PARK RESTROOM BUILDING

450-490 WILLOW ROAD, MENLO PARK, CALIFORNIA

PLANNING USE PERMIT SUBMITTAL

MARCH 31, 2023

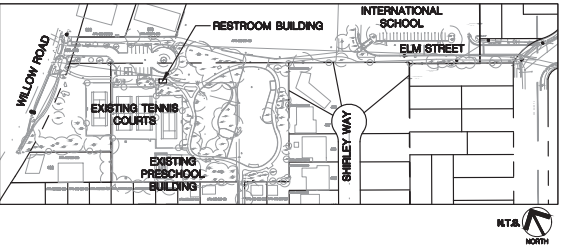
## VICINITY MAP



## LOCATION MAP




## SITE CONTEXT MAP



## SHEET SCHEDULE

DRAWING #	SHEET TITLE
L1.0	COVER SHEET
L2.0	AREA PLAN
L3.0	STREETSCAPE DRAWING
L4.0	SITE PLAN
L5.0	PROPOSED RESTROOM BUILDING
L6.0	MATERIALS SHEET
TOPO	TOPOGRAPHIC SURVEY

DATE: 3/31/23		CALLANDER ASSOCIATES LANDSCAPE ARCHITECTURE  1633 BAYSHORE HWY, SUITE 133 BURLINGAME, CA 94010 415.275.1313 WWW.CALLANDERASSOCIATES.COM CALA PROJECT 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REDWOOD CITY, CA 94061  
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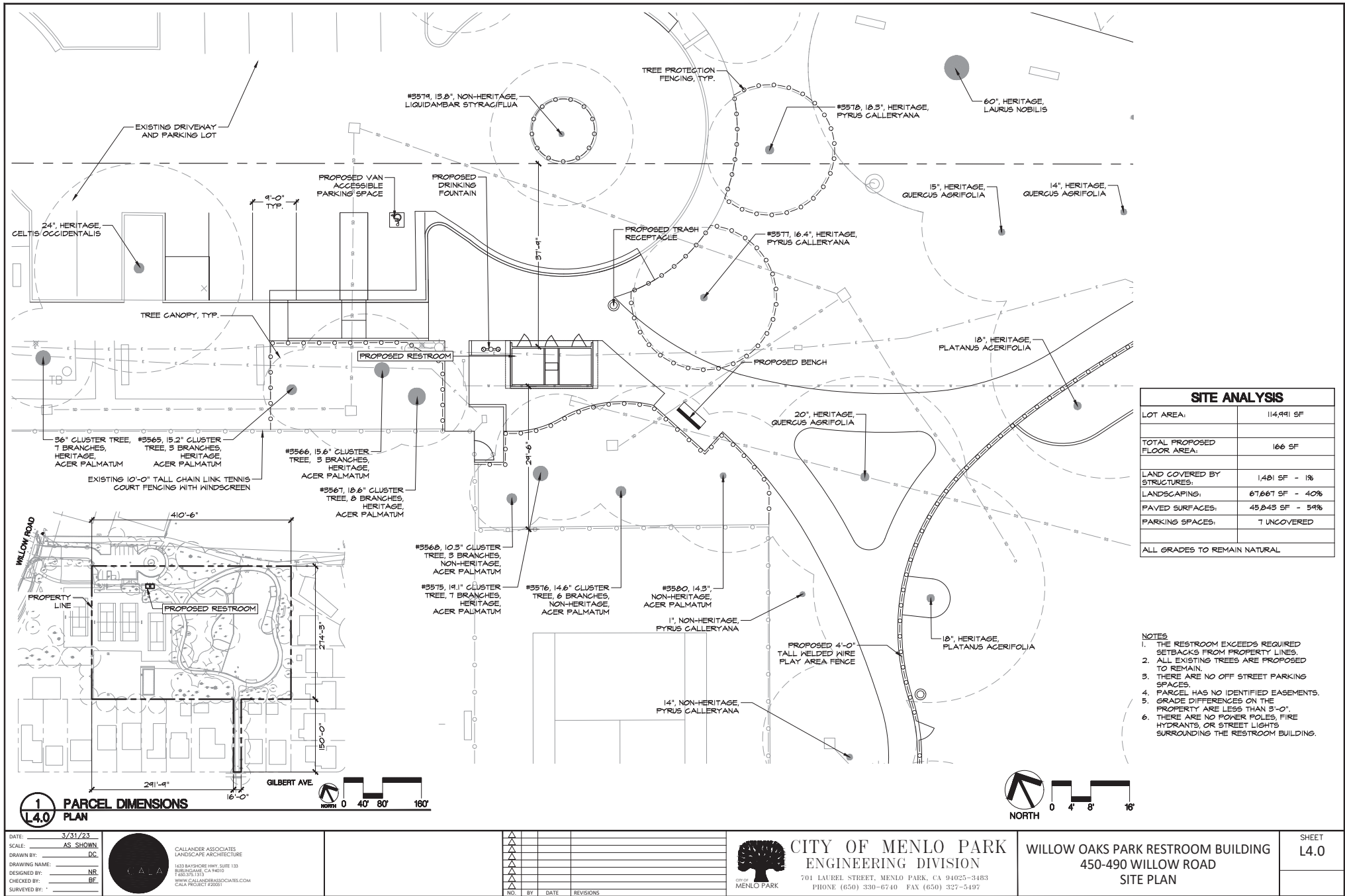
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CITY OF MENLO PARK  
ENGINEERING DIVISION  
701 LAUREL STREET, MENLO PARK, CA 94025-3483  
PHONE (650) 330-6740 FAX (650) 327-5497

WILLOW OAKS PARK RESTROOM BUILDING  
450-490 WILLOW ROAD  
STREETSCAPE DRAWING

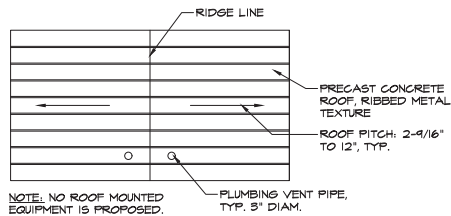
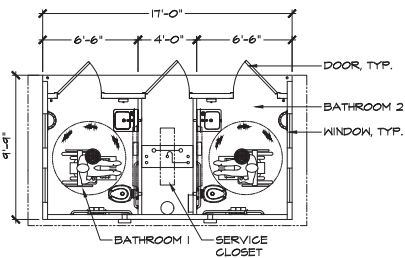
SHEET  
L3.0



SITE ANALYSIS	
LOT AREA:	114,491 SF
TOTAL PROPOSED FLOOR AREA:	166 SF
LAND COVERED BY STRUCTURES:	1,401 SF - 1%
LANDSCAPING:	67,667 SF - 40%
PAVED SURFACES:	45,843 SF - 54%
PARKING SPACES:	7 UNCOVERED
ALL GRADES TO REMAIN NATURAL	

- NOTES**
1. THE RESTROOM EXCEEDS REQUIRED SETBACKS FROM PROPERTY LINES.
  2. ALL EXISTING TREES ARE PROPOSED TO REMAIN.
  3. THERE ARE NO OFF STREET PARKING SPACES.
  4. PARCEL HAS NO IDENTIFIED EASEMENTS.
  5. GRADE DIFFERENCES ON THE PROPERTY ARE LESS THAN 3'-0".
  6. THERE ARE NO POWER POLES, FIRE HYDRANTS, OR STREET LIGHTS SURROUNDING THE RESTROOM BUILDING.

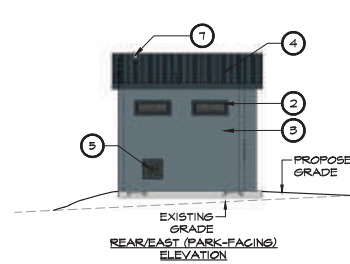
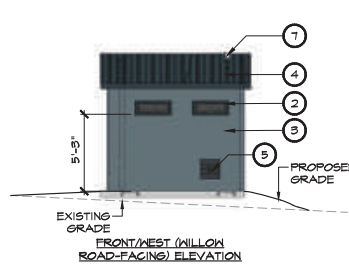
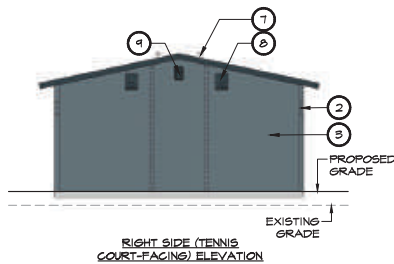
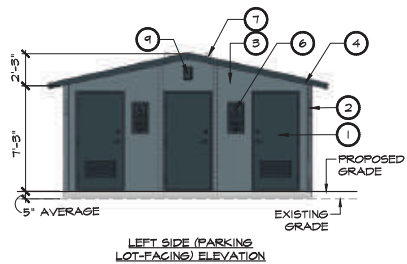




**1**  
**L5.0** PROPOSED FLOOR PLAN

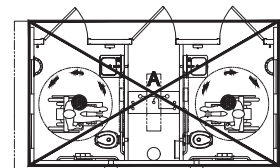
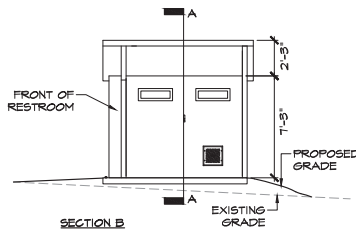
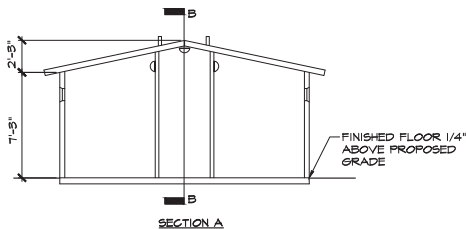


**2**  
**L5.0** PROPOSED ROOF PLAN



- LEGEND**
- 1 DOORS, PAINTED GALVANIZED STEEL WITH LOUVERED VENT.
  - 2 WINDOWS, SINGLE PANE, GLAZED TRANSLUCENT LEXAN POLYCARBONATE.
  - 3 WALLS, PRECAST CONCRETE, SMOOTH TROWEL TEXTURE.
  - 4 ROOF, PRECAST CONCRETE, RIBBED METAL TEXTURE.
  - 5 WALL VENT, STAINLESS-STEEL WITH MESH SCREEN.
  - 6 IDENTIFICATION SIGNS, POLYCARBONATE, INSET INTO WALL.
  - 7 PLUMBING VENT, PVC PLASTIC.
  - 8 EXHAUST FAN, STAINLESS STEEL.
  - 9 LIGHT, VANDAL RESISTANT LED.

**3**  
**L5.0** PROPOSED COLOR ELEVATIONS



GROSS AREA CALCULATION		
AREA	DIMENSION	SF
A	17' X 9'-4"	166 SF
TOTAL GFA		166 SF

**4**  
**L5.0** SECTION DRAWINGS



**5**  
**L5.0** GROSS FLOOR AREA CALCULATION PLAN



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**WILLOW OAKS PARK RESTROOM BUILDING**  
**450-490 WILLOW ROAD**  
**PROPOSED RESTROOM BUILDING**

SHEET  
L5.0



ROOF, RIBBED METAL TEXTURE.



WALL COLOR: GRANITE ROCK OR SIMILAR



ROOF COLOR: CHARCOAL GRAY OR SIMILAR



DOOR COLOR: CHARCOAL GRAY OR SIMILAR



PHOTO OF SIMILAR RESTROOM

PRECAST CONCRETE ROOF WITH RIBBED METAL TEXTURE

PRECAST WALLS WITH SMOOTH FINISH

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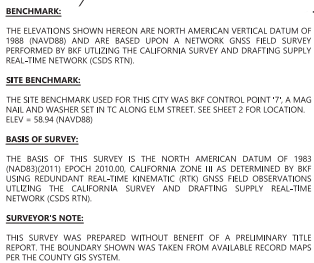
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WILLOW OAKS PARK RESTROOM BUILDING  
450-490 WILLOW ROAD  
MATERIALS SHEET

SHEET  
L6.0





<b><u>ABBREVIATIONS:</u></b>			
AC	ASPHALTIC CONCRETE	FL VG	FLOW LINE VALLEY GUTTER
APN	ASSESSORS PARCEL NUMBER	KV	IRIGATION CONTROL VALVE
BOL	BOLACK FLOW PREVENTER	INV	INVERT
BOL	BOLLARD	LG	UP OF DRAIN
CB	CONCRETE	LY	POLYVINYL CHLORIDE
COMM BOX	COMMUNICATION BOX	SDDI	STORM DRAIN DROP INLET
CONC	CONCRETE	SD	STORM DRAIN CATCH BASIN
EC	ELECTRIC BOX	SDDMH	STORM DRAIN MANHOLE
ECW	EDGE OF WALK	SL	STREET LIGHT
EP	EDGE OF PAVEMENT	SSCO	SEWANTERY SEWER CLEAN OUT
FL	ELECTRIC VALVE	SV	SANITARY SEWER MANHOLE
FL	FLOW LINE	TB	TRANSIT BIN

<u>SYMBOLS:</u>			
T C&B	TELECOM CABINET		SITE BENCHMARK
TC	TOP OF CURB		AREA LIGHT
TS	TRAFFIC SIGNAL		BOLLARD
TSB	TRAFFIC SIGNAL BOX		FIRE HYDRANT
WB	WATER BOX		GAS METER
WF	WATER FOUNTAIN		JOINT POLE
WM	WATER METER		
W-T	WALL TOP		

	SANITARY SEWER UTILITY HOLE
	SIGN
	STORM DRAIN MANHOLE
	STREET LIGHT
	TRAFFIC SIGNAL
	VALVE AS NOTED

**SURVEYORS STATEMENT**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT.

DAVID J. MORGAN, P.L.S. 9267

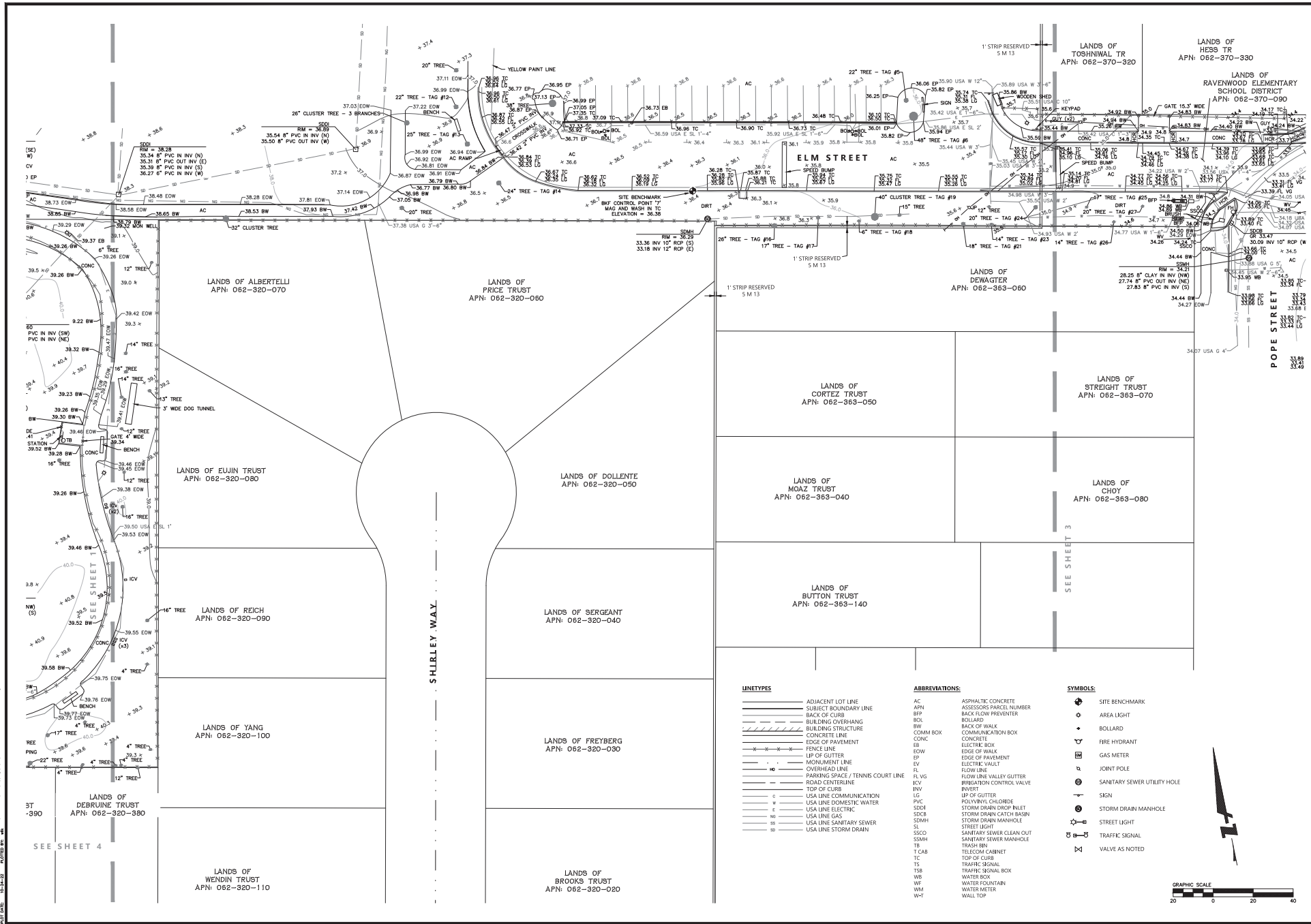
10/24/2022  
DATE

DAVID JUNGMAUN, P.L.S. 9267

10/24/2022  
DATE



Revisions		No.	Date
1	AS SHOWN		2022-09-02
2	MS/MG		
3	DCJ		
Drawing Number:		2101622	
Job No:		2101622	



UNETYPES

---	ADJACENT LOT LINE
---	SUBJECT BOUNDARY LINE
---	BACK OF CURB
---	BUILDING OVERHANG
---	BUILDING STRUCTURE
---	CONCRETE LINE
---	EDGE OF PAVEMENT
---	FENCE LINE
---	UP OF GUTTER
---	MONUMENT LINE
---	OVERHEAD LINE
---	PARKING SPACE / TENNIS COURT LINE
---	ROAD CENTERLINE
---	TOP OF CURB
---	USA LINE COMMUNICATION
---	USA LINE DOMESTIC WATER
---	USA LINE ELECTRIC
---	USA LINE GAS
---	USA LINE SANITARY SEWER
---	USA LINE STORM DRAIN

ABBREVIATIONS:

AC	ASPHALTIC CONCRETE
APN	ASSESSORS PARCEL NUMBER
BP	BACK FLOW PREVENTER
BOL	BOLLARD
BO	BACK OF WALK
CB	CONCRETE BOX
CONC	CONCRETE
EB	ELECTRIC BOX
EW	EDGE OF WALK
EP	EDGE OF PAVEMENT
EV	ELECTRIC VAULT
FL	FLOW LINE
FL VG	FLOW LINE VALLEY GUTTER
ICV	IRRIGATION CONTROL VALVE
INV	INVERT
LG	UP OF GUTTER
SDR	POLYETHYLENE GLYCOL
SDR	STORM DRAIN DROP INLET
SDR	STORM DRAIN CATCH BASIN
SDR	STORM DRAIN MANHOLE
SL	STREET LIGHT
SSC	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MANHOLE
T	TELECOM CABINET
TC	TOP OF CURB
TS	TRAFFIC SIGNAL
TB	TRAFFIC SIGNAL BOX
WB	WATER BOX
WF	WATER FOUNTAIN
WM	WATER METER
WT	WALL TOP

SYMBOLS:

+	SITE BENCHMARK
+	AREA LIGHT
+	BOLLARD
+	FIRE HYDRANT
+	GAS METER
+	JOINT POLE
+	SANITARY SEWER UTILITY HOLE
+	SIGN
+	STORM DRAIN MANHOLE
+	STREET LIGHT
+	TRAFFIC SIGNAL
+	VALVE AS NOTED

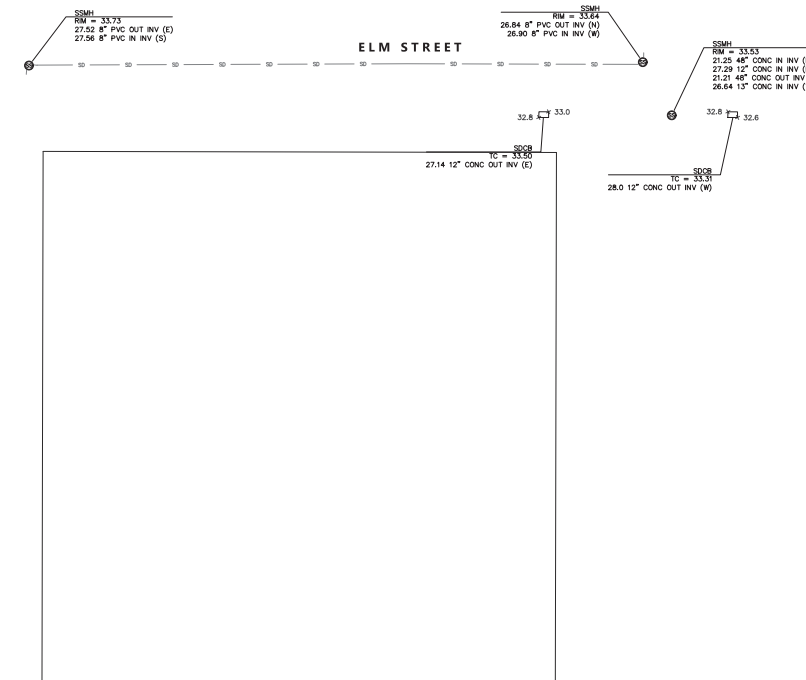




## MENLO PARK

TOPO

3 OF 4

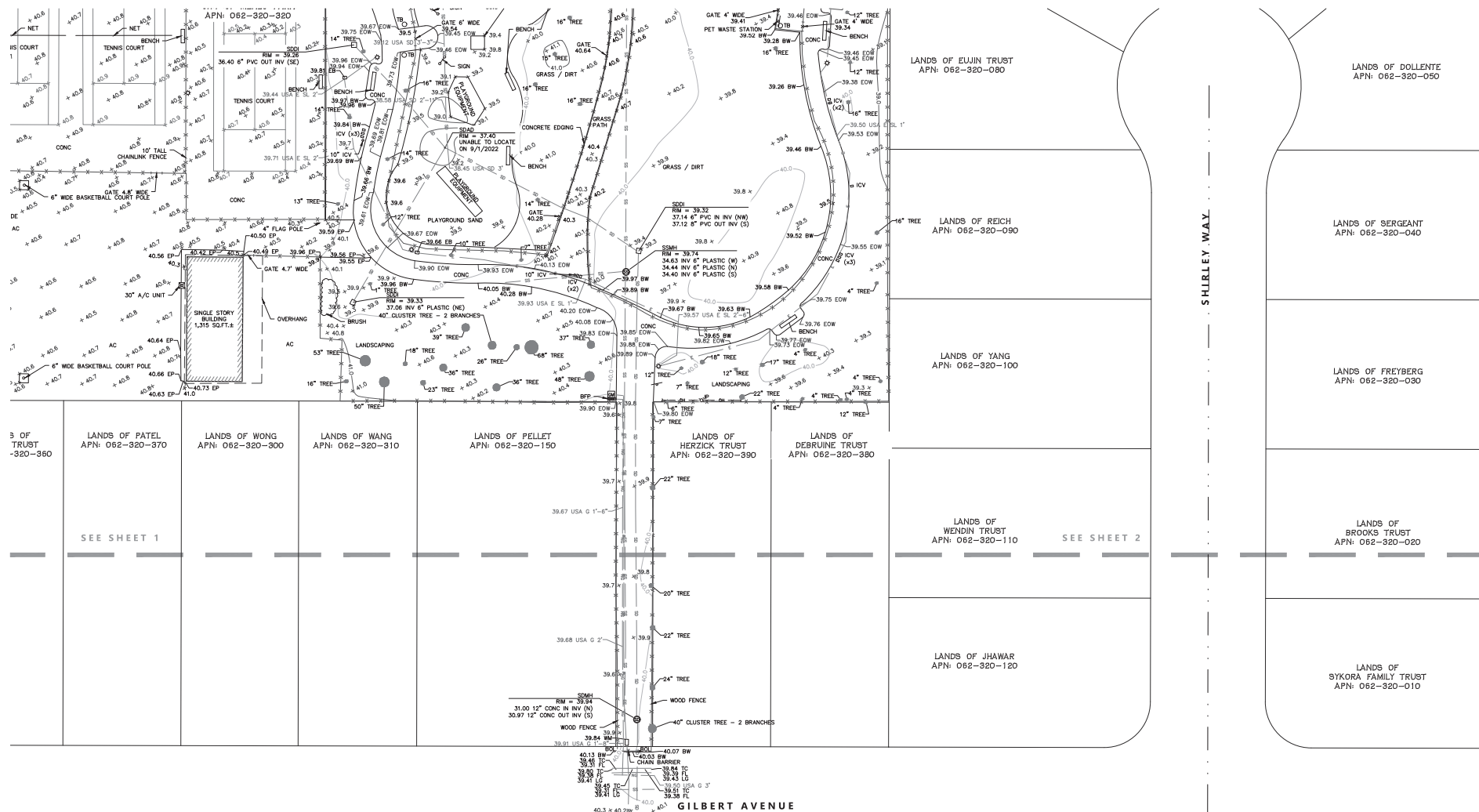


ABBREVIATIONS:	
AC	ASPHALTIC CONCRETE
APN	ASSESSORS PARCEL NUMBER
BFL	BACK FLOW PREVENTER
BOLD	BOLLARD
BW	BACK OF WALL
COMM BOX	COMMUNICATION BOX
CP	CONCRETE
EB	ELECTRIC BOX
EW	EDGE OF WALK
EW	EDGE OF PAVEMENT
EV	ELECTRIC VALVE
FL	FLOW LINE
FLVG	FLOW LINE VALLEY GUTTER
IRV	IRRIGATION CONTROL VALVE
LCV	LEAF LITTER
PVC	POLYVINYL CHLORIDE
SD	STORM DRAIN DROP INLET
SCDB	STORM DRAIN CATCH BASIN
SDMH	STORM DRAIN MAHOLE
ST	STREET LIGHT
SSCO	SEWER SNIFFER CLEAN OUT
SDMH	SEWER SNIFFER MAHOLE
TR	TRASH BIN
T CAB	TELEPHONE CABINET
TOP	TOP OF CURB
TS	TRAFFIC SIGNAL
TSB	TRAFFIC SIGNAL BOX
WB	WATER BOX
WF	WATER FOUNTAIN
W	WATER
W-T	WALL TOP

4



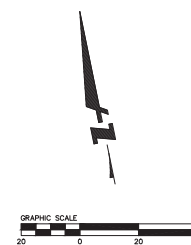
Date:	2022-09-02	No.	Revisions
Scale:	AS SHOWN		
Design:			
Drawn:	JMS/JMG		
Approved:	DCJ		
Job No:	2101622		



LINETYPES	
---	ADJACENT LOT LINE
---	SUBJECT BOUNDARY LINE
---	BACK OF CURB
---	BUILDING OVERHANG
---	BUILDING STRUCTURE
---	CONCRETE LINE
---	EDGE OF PAVEMENT
---	FENCE LINE
---	UP OF GUTTER
---	MONUMENT LINE
---	OVERHEAD LINE
---	PARKING SPACE / TENNIS COURT LINE
---	ROAD CENTERLINE
---	TOP OF CURB
---	USA LINE COMMUNICATION
---	USA LINE DOMESTIC WATER
---	USA LINE GAS
---	USA LINE ELECTRIC
---	USA LINE SANITARY SEWER
---	USA LINE STORM DRAIN

ABBREVIATIONS	
AC	ASPHALTIC CONCRETE
APN	ASSESSORS PARCEL NUMBER
BFP	BACK FLOW PREVENTER
BOL	BOULARD
BW	BACK OF WALK
COMM BOX	COMMUNICATION BOX
CONC	CONCRETE
EB	ELECTRIC BOX
EDW	EDGE OF WALK
EP	EDGE OF PAVEMENT
EV	ELECTRIC VAULT
FL	FLOW LINE
FL VG	FLOW LINE VALLEY GUTTER
ICV	IRIGATION CONTROL VALVE
INV	INVERT
LG	LIP OF GUTTER
PVC	POLYVINYL CHLORIDE
SDBI	STORM DRAIN DROP INLET
SDBS	STORM DRAIN CATCH BASIN
SDMH	STORM DRAIN MANHOLE
SL	STREET LIGHT
SSCO	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MANHOLE
TB	TRASH BIN
TCAB	TELECOM CABINET
TC	TOP OF CURB
TS	TRAFFIC SIGNAL
TSSB	TRAFFIC SIGNAL BOX
WB	WATER BOX
WF	WATER FOUNTAIN
WM	WATER METER
WT	WALL TOP

SYMBOLS:	
+	SITE BENCHMARK
+	AREA LIGHT
+	BOULARD
+	FIRE HYDRANT
+	GAS METER
+	JOINT POLE
+	SANITARY SEWER UTILITY HOLE
+	SIGN
+	STORM DRAIN MANHOLE
+	STREET LIGHT
+	TRAFFIC SIGNAL
+	VALVE AS NOTED





April 20, 2023

**USE PERMIT FOR NEW RESTROOM BUILDING MEMORANDUM  
WILLOW OAKS PARK IMPROVEMENTS PROJECT**

---

**TO:** PLANNING DEPARTMENT

**FROM:** Bill Halleck, Acting Senior Project Manager  
CIP, Public Works

**SUBJECT:** **WILLOW OAKS PARK RESTROOM PROJECT DESCRIPTION**

**RE: WILLOW OAKS PARK 450 - 490 Willow (PLN2022-00032) Use Permit**

The City is requesting approval for a use permit for the construction and installation of a new restroom building in the Willow Oaks Park. The park is identified to receive improvements reflecting neighborhood expressed desires based on an extensive City conducted survey. The proposed restroom is an important enhancement identified to be constructed, based on the survey results as part of the park's future site improvements. Consequently, an approval of this request, if granted, is based in that the proposed building is in compliance with the City's Planning Use Permit per Zoning Ordinance Title 16.

The hours of operation of the restroom for public use is proposed 7am until 10pm. This is based on park opening at sunrise and closing when the lighted tennis court use ends at 10pm.

*Meeting Background*

On May 24, 2017, the restroom preliminary architectural building proposals were presented to the Parks and Recreation Commission in order to receive comments of the recommended options. Consequently, the restroom building rendering plan sheets attached to this use permit request is the same identified for approval by the Planning Commission at that time. The Willow Oaks Park Project intends to install the new restroom as well as other improvements within the park in compliance with permit use to be located between the tennis courts and the parking lot.

On May 10, 2022, the City Council, at a regular public business session, received a presentation of the conceptual plans for Willow Oaks Park improvements which included the proposed restroom building. Council granted the approval of the conceptual plans, including the restroom, which allowed staff to proceed with development of the construction plans.

Restroom Building Description:

The restroom building is proposed to have a 17'-0" x 9'-9" building floor plan with a 12" to 2-9/16" pitch gable roof. The restroom building consists of two separate all gender restrooms side to side with a utility chase area separating the restrooms with a total area of approximately 166 square feet. The ratio of the planned restroom floor area of 166-square feet with the existing Willow Oaks Park lot area of 114,991-square feet is 0.14%, is in compliance with the total gross floor area of all buildings shall not exceed two and one-half (2.5) percent of the total lot area per the Use Permit Ordinance, Chapter 16.

Response to Public Comments:

On 8/17/2022 Silvia Colombetti submitted a comment on this application. Response to this public comment is as follows:

Hello Ms. Colombetti,

Thank you for sharing your concern about the proposed restroom at Willow Oaks Park. The City's 2019 Parks and Recreation Facilities Master Plan identifies Willow Oaks Park as a Neighborhood & Community Park, and recommends the addition of a restroom at this park. The City understands that the introduction of a park restroom will require maintenance. The City has a contract with Significant Cleaning, an outside vendor, to clean all City park restrooms on a daily basis. If constructed, the new restroom at Willow Oaks Park will be added to the daily park restroom cleaning schedule.

The restroom will be open for public use between 7am and 10pm each day. All park restrooms are locked and unlocked by automatic timers (the restrooms automatically unlock at 7am and automatically lock at 10pm). The locks are also adjusted seasonally so that the restrooms are open during daylight hours. If vandalism is reported in the restroom, the timing on the locks can be adjusted and the vandalism is addressed by staff.

The current plans for Willow Oaks Park do not include the addition of a trash can at the entrance of the park on Gilbert. The City has a contract with Dinsmore, an outside vendor, to empty the park garbage cans twice per week. Any new garbage can locations that are added to the park will be added to the garbage pickup schedule.

Thank you again for sharing your concerns and we hope to work with you and the community to address these concerns.

On 9/3/2022 Amit Paka submitted a comment on this application. Response to this public comment is as follows:

Hello Mr. Paka,

Thank you for sharing your concern about the proposed restroom at Willow Oaks Park. The City's 2019 Parks and Recreation Facilities Master Plan identifies Willow Oaks Park as a Neighborhood & Community Park, and recommends the addition of a restroom at this park. The City understands that the introduction of a park restroom will require maintenance. The City has a contract with Significant



Cleaning, an outside vendor, to clean all City park restrooms on a daily basis. If constructed, the new restroom at Willow Oaks Park will be added to the daily park restroom cleaning schedule.

The restroom will be open for public use between 7am and 10pm each day. All park restrooms are locked and unlocked by automatic timers (the restrooms automatically unlock at 7am and automatically lock at 10pm). The locks are also adjusted seasonally so that the restrooms are open during daylight hours. If vandalism is reported in the restroom, the timing on the locks can be adjusted and the vandalism is addressed by staff.

If there are reports of illegal or unsavory activities at the park, the Menlo Park Police Department will respond and investigate.

Thank you again for sharing your concerns.

## 450-490 Willow Road– Attachment A, Exhibit C

<b>LOCATION:</b> 450-490 Willow Road	<b>PROJECT NUMBER:</b> PLN2022-00032	<b>APPLICANT:</b> City of Menlo Park	<b>OWNER:</b> City of Menlo Park
<p><b>PROJECT CONDITIONS:</b></p> <ol style="list-style-type: none"> <li>1. The use permit shall be subject to the following standard conditions: <ol style="list-style-type: none"> <li>a. The applicant shall be required to apply for a building permit within one year from the date of approval (by May 1, 2024) for the use permit to remain in effect.</li> <li>b. Development of the project shall be substantially in conformance with the plans prepared by Callander Associates Landscape Architecture, consisting of 10 plan sheets, dated received April 20, 2023 and approved by the Planning Commission on May 1, 2023, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.</li> <li>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.</li> <li>d. 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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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 California Tree and Landscape Consulting, Inc., dated received March 31, 2023.</li> <li>i. Prior to building permit issuance, the applicant shall pay all fees incurred through staff time spent reviewing the application.</li> <li>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.</li> </ol> </li> </ol>			



City of Menlo Park  
Location Map  
450-490 Willow Road



Scale: 1:4,000

Drawn By: MAP

Checked By: CDS

Date: 5/1/2023

Sheet: 1





## California Tree and Landscape Consulting, Inc.

March 28, 2023

Mr. Nate Richie, Project Manager  
Callander Associates  
1633 Bayshore Highway, Suite 133  
Burlingame, CA 94010  
nrichie@callanderassociates.com  
650-375-1313

### **RE: CONSTRUCTION IMPACT ASSESSMENT AND TREE PROTECTION PLAN FOR WILLOW OAKS PARK, 450-490 WILLOW RD, MENLO PARK, CA RESTROOM INSTALLATION**

#### **EXECUTIVE SUMMARY**

Calladner Associates contacted California Tree and Landscape Consulting, Inc. to document and provide a tree protection plan the trees growing in the vicinity of the Willow Oaks Park Restroom Installation. They requested an arborist report and tree inventory suitable for submittal to the City of Menlo Park. This is a Final Arborist Report, Tree Inventory, Construction Impact Assessment and Tree Protection Plan for the project to begin. Once the tree protection is in place, and letter of confirmation with photos will be provided that can be presented to the City to allow the project to begin. The project arborist will make monthly inspections (if the project lasts longer than 1 month) and follow up report letters for each inspection.

Gordon Mann, ISA Certified visited the property on Wednesday March 22, 2023, to provide species identification, measurements of DBH and canopy, field condition notes, recommended actions, ratings, and approximate locations for the trees on the site. There were 10 trees included in the inspection and no trees are proposed for removal. The tree protection provided in this letter will need to be installed so the construction can commence.

#### **CONSTRUCTION IMPACT ASSESSMENT**

This Arborist Report, Tree Inventory, Construction Impact Assessment and Tree Protection Plan is intended to provide Callander Associates, the City of Menlo Park, and other members of the development team a detailed pre-construction approach for the protection of the trees 10 trees near the proposed project area. We reviewed the site plan provided for the restroom installation. The perceived construction impacts to protected trees are summarized below. All the trees are growing in the park in landscape planting locations. The proposed construction is to place the restroom into the location in the park and make the necessary function connections. No work was shown on the plans in the tree protection zones of the 10 trees. None of the 10 trees are expected to experience any construction impacts.

#### **OBSERVATIONS**

There were 10 trees included in the project and inspection as requested by Callander and Associates for the subject project. The site was inspected on Wednesday, March 22, 2023 at approximately 1:00 pm. All of the trees are growing in park landscape sites, 7 Japanese Maple trees in planting areas, 2 Flowering Pear in turf next to sidewalk, and 1 Sweetgum growing in a circle in the driveway. All of the trees were found to be in poor condition, and growing as landscape trees in the park. The Pear trees had typical branch failures. The inspection data is included in the Willow Oaks Park Menlo Park Tree List.



The tools used were a diameter tape, probe, tags, hammer, and nails, and camera. Crown radius was calculated by pacing. The trunk diameter was measured with a diameter tape. The height the diameter measurement was taken is listed. Typically, diameter is measured at 4.5 feet above grade. Sometimes the shape of the trunk does not allow accurate measurement at 4.5 feet. The optimum height was found on the trunk to best represent the correct trunk diameter and was measured with a diameter tape. The multi trunk Japanese Maple trees were measured low on the trunk before the leaders separated.

The trees were assessed and rated for health and structure, and overall condition considering: leaf quality, size, color and density; vitality; dieback; root impacts; branch structure, branch attachment, crotch structure, trunk flare, surface roots, decay, insects and diseases, growth habit, any physical damages, lean, and other issues that affect the condition of the trees.

The rating system used for both health, structure, and overall condition is:

- (0) Dead;
- (1) Very Poor/severe decline; no corrective mitigation
- (2) Poor/Declining; likely no corrective mitigation
- (3) Fair; has defects that can be pruned or maintained and average vigor
- (4) Good; few defects, good vigor and
- (5) Excellent; excellent vigor and crown structure, no significant defects.

## DISCUSSION

### SUMMARY OF TREE PROTECTION MEASURES

The Project Arborist will help ensure protection measures are incorporated into the site plans and followed. The Project Arborist has, in cooperation with the Engineers and/or Architects:

- Identify the Root Protection Zones on the final construction drawings, prior to bidding the project.
- The concrete areas adjacent to the trees are suitable tree protection. Fencing shall be placed to protect soil up to the concrete or tennis court fencing to create a tree protection area. Signage to meet Menlo Park tree protection requirements shall be posted on the fencing.
- Show the placement of tree protection fences, as well as any areas to be irrigated, fertilized and mulched on the final construction drawings.
- No excavation or contact with branches was found to be a concern for this project.
- If grade cuts, expose roots by hand digging, potholing or using an air spade and then cut roots cleanly prior to further grading outside the tree protection zones. If roots are encountered in any excavation areas, the roots should be cut at the edge of the excavation area before digging and removing the roots to avoid tearing roots beyond the edge of the excavation area. All root pruning shall be performed with a sharp tool appropriate for the size of the root making a clean cut. The cut roots shall be kept moist with wet burlap or fabric cover, or backfill until the project is backfilled.
- For fills, if a cut is required first, follow as for cuts.
- If fill, where possible, specify geotextile fabric and/or thickened paving, re-enforced paving, and structural soil in lieu of compacting, and avoid root cutting as much as possible, prior to placing fills on the soil surface. Any proposed retaining wall or fill soil shall be discussed with the engineer and arborist in order to reduce impacts to trees to be preserved.

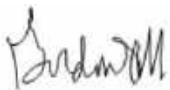
- Clearly designate an area on the site outside the drip line of all trees where construction materials may be stored, and parking can take place. No materials or parking shall take place within the root zones of protected trees.
- Design utility and irrigation trenches to minimize disturbance to tree roots. Where possible, dig trenches with hydro-vac equipment or air spade, placing pipes underneath the roots, or bore the deeper trenches underneath the roots.
- Include on the plans an Arborist inspection schedule to monitor the site during (and after) construction to ensure protection measures are followed and make recommendations for care of the trees on site, as needed. Refer to Appendix 3 for post construction instructions.
- The tree removals will be performed by a logging specialist and tree protection will need to be overseen by the project arborist.
- The tree protection fencing material is proposed to be Chain link fencing staked on steel posts. The extensive quantity and length of fencing, and the contours of the project do not align well with chain link panels.

## TREE APPRAISAL

The value of the protected trees was appraised using the 10<sup>th</sup> Edition Second Printing of the Guide for Plant Appraisal written by the Council of Tree and Landscape Appraisers and published by the International Society of Arboriculture in 2019. The companion Species Classification and Group Assignment "A Regional Supplement to the CTLA Guide for Plant Appraisal 9<sup>th</sup> Edition, published by the Western Chapter of the International Society of Arboriculture in 2004 was used to categorize the nursery container sizes. The appraised value of 6 protected trees was \$48,400.

**Note:** General Tree protection measures are included in Appendices 4 and 5. These measures need to be included on the Site, Grading, Utility and Landscape Plans. The project arborist will be working directly with the engineer, architect, and construction contractors to assure the trees are protected during the project. If the above recommendations are followed, the amount of time required by the arborist for inspection through the final report should be minimal.

Report Prepared by:



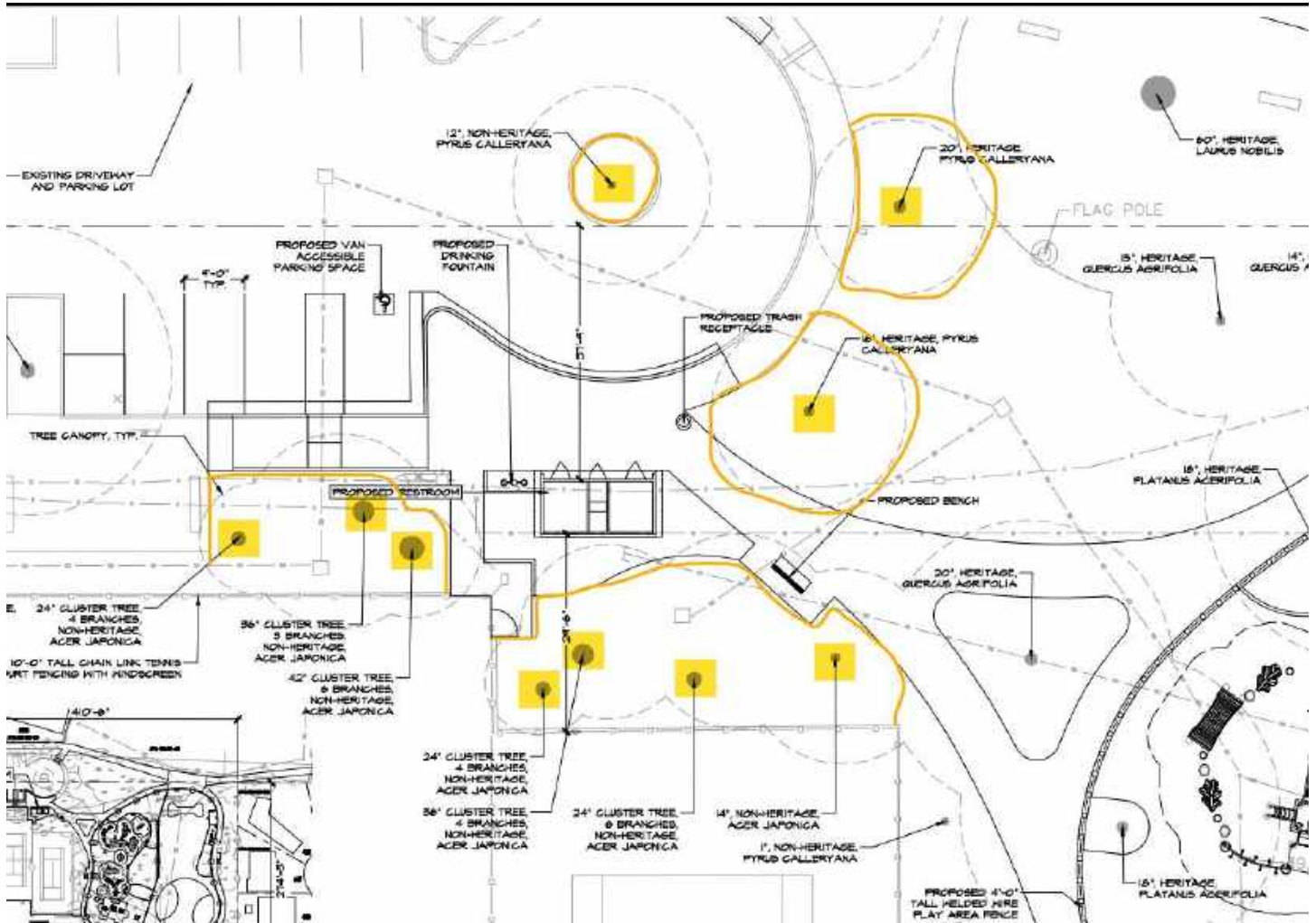
Gordon Mann  
Consulting Arborist and Urban Forester  
Registered Consulting Arborist #480  
ISA Certified Arborist and Municipal Specialist #WE-0151AM  
CaUFC Certified Urban Forester #127  
ISA Qualified Tree Risk Assessor

Attachments: Appendix 1 – Images  
Appendix 2 – Tree List  
Appendix 3 – Tree Appraisal Worksheet  
Appendix 4 – Avoiding Tree Damage During Construction  
Appendix 5 – Tree Protection Specifications

## APPENDIX 1 – Images



Aerial Image with tree #s in approximate locations



Approximate Locations of Tree Protection Fencing (gold lines)  
Trees to be protected (yellow squares)

The construction plan above shows the approximate locations of the tree protection fencing in gold around the trees to be retained and protected. The trees are not surrounded by fence because the fences are next to existing tennis court fencing, inside curbing in the driveway circle, and inside concrete sidewalks. The concrete and other fencing serve as suitable tree protection.

If work is necessary within the tree protection fencing areas, the project arborist shall provide root protection measures for the necessary work to occur while protecting the trees.

All excavation near the drip line of protected trees shall require the roots 2 inches diameter and larger to be pruned at the edge of the excavation area to avoid tearing roots farther back towards the trees beyond the tree protection zone edge prior to excavation. Roots shall be pruned with sharp tools appropriate for the root diameter to make clean cuts.





Trees 1365 – 1368 in planter



Trees 1365 – 1368 in planter



Trees 3568, 3575, 3576, and 3580 in planter



Tree 3577 in space next to turf





Tree 3578 in space next to turf



Tree 3579 in island circle

Bases of Japanese Maple trees with multiple leaders:





## APPENDIX 2 – TREE LIST

Willow Oaks Park Menlo Park  
Tree List

Tree #	Common Name	Species	DBH (in)	Ht Meas At (in)	Canopy Radius (ft)	Condition Rating	Comments	Protected	Project Status
3565	Japanese Maple	Acer palmatum	15.2	12	11	2 Poor - Major Structure or health problems	3 stems at 18", co dominant, 4th stem cur, likely anthracnose, good crown density 1 dead branch, crown mostly N	yes	Retain and protect
3566	Japanese Maple	Acer palmatum	15.6	6	16	2 Poor - Major Structure or health problems	3 stems at base, included bark on smallest & largest stems, lower than 7' over sidewalk, good crown density, dead branches to 1/2", possible anthracnose	yes	Retain and protect
3567	Japanese Maple	Acer palmatum	18.6	1	12	2 Poor - Major Structure or health problems	8 stems at base, 5 lean outwards, medium crown density, low branches over tennis fence, low branches <7' over sidewalk, tiny branch dieback, included bark, stem wounds	yes	Retain and protect
3568	Japanese Maple	Acer palmatum	10.3	1	11	2 Poor - Major Structure or health problems	3 stems at base, W stem canker 0-18", likely anthracnose, moderate crown density dead branches to 1/2", possible anthracnose	no	Retain and protect
3575	Japanese Maple	Acer palmatum	19.1	1	17	2 Poor - Major Structure or health problems	7 stems at base, 4 lean outwards, medium crown density, dead branches to 1", included bark, stem wounds, possible anthracnose	yes	Retain and protect
3576	Japanese Maple	Acer palmatum	14.6	1	12	2 Poor - Major Structure or health problems	6 stems at base, trunk wounds & cankers 0-4', 4 stems lean outward, small dead branches, medium crown density,	no	Retain and protect

TREE LIST PAGE 1

Willow Oaks Park Menlo Park  
Tree List

3577	Flowering Pear	Pyrus calleryana	16.4	54	17%	2 Poor - Major Structure or health problems	ivy around flare, 5 of 8 co doms remain at 6-7', poor pruning cuts, E stems included bark, headed reduced branches	yes	Retain and protect
3578	Flowering Pear	Pyrus calleryana	18.3	54	16	2 Poor - Major Structure or health problems	ivy around flare, 7 co doms at 6-7', poor pruning cuts, E stem branch tearout at 15', headed reduced branches	yes	Retain and protect
3579	Sweetgum	Liquidambar styraciflua	13.8	54	15	2 Poor - Major Structure or health problems	normal flare, main trunk bends W, 2 lg laterals cut S at 7', low laterals E&N, medium crown density, pruning cuts not well made	no	Retain and protect
3580	Japanese Maple	Acer palmatum	14.3	1	16	2 Poor - Major Structure or health problems	5 stems at base, trunk wounds 3 stems lean outward, small dead branches, medium crown density	no	Retain and protect

10 trees in the inspection; no trees to be removed;

TREE LIST PAGE 2

## APPENDIX 3 – Tree Appraisal Worksheet

Willow Oaks Park Menlo Park  
10th Edition appraisal worksheet

Tree #	species	trunk dia. (in.)	x-sect area (sq. in.)	condition rating	health rating	structure rating	form rating	functional limitation	external limitation	nursery group	nursery trunk dia. (in.)	nursery x-sect area (sq. in.)	replacement species	replacement tree cost (24" box)	unit tree cost (\$/sq. in.)	basic reproduction cost (\$)	Depreciated reproduction cost (\$)	Depreciated rep. cost rounded to \$100
3565	Japanese Maple	15.2	181.37	0.40	0.45	0.3	0.45	0.7	0.9	2	1.69	2.24	Japanese Maple	292.58	130.62	23689.37	5969.72	\$6,000
3566	Japanese Maple	15.6	191.04	0.40	0.45	0.3	0.45	0.7	0.9	2	1.69	2.24	Japanese Maple	292.58	130.62	24952.58	6288.05	\$6,300
3567	Japanese Maple	18.6	271.58	0.40	0.45	0.3	0.45	0.7	0.9	2	1.69	2.24	Japanese Maple	292.58	130.62	35472.53	8939.08	\$8,900
3568	Japanese Maple	10.3	83.28	0.40	0.45	0.3	0.45	0.7	0.9	2	1.69	2.24	Japanese Maple	292.58	130.62	10877.79	2741.20	\$2,700
3575	Japanese Maple	19.1	286.38	0.40	0.45	0.3	0.45	0.7	0.9	2	1.69	2.24	Japanese Maple	292.58	130.62	37405.29	9426.13	\$9,400
3576	Japanese Maple	14.6	167.33	0.40	0.45	0.3	0.45	0.7	0.9	2	1.69	2.24	Japanese Maple	292.58	130.62	21856.07	5507.73	\$5,500
3574	Flowering Pear	16.4	211.13	0.40	0.45	0.35	0.4	0.8	0.9	2	1.69	2.24	Flowering Pear	292.58	130.62	27577.44	7942.30	\$7,900
3578	Flowering Pear	18.3	262.89	0.40	0.45	0.35	0.4	0.8	0.9	2	1.69	2.24	Flowering Pear	292.58	130.62	34337.48	8889.20	\$8,900
3579	Sweetgum	13.8	149.50	0.40	0.45	0.4	0.35	0.65	0.9	2	1.69	2.24	Sweetgum	292.58	130.62	19526.50	4569.20	\$4,600
3580	Japanese Maple	14.3	160.52	0.40	0.45	0.3	0.45	0.7	0.9	2	1.69	2.24	Japanese Maple	292.58	130.62	20957.10	5289.71	\$5,300
Total 10 trees; 6 protected trees; total appraised value of 6 protected trees: \$48,400																		\$66,500
																6 trees		\$48,400

color key  
unprotected trees

## APPENDIX 4 – Avoiding Tree Damage During Construction

Edited from the 's tree protection guidelines

As cities and suburbs expand, wooded lands are being developed into commercial and residential sites. Homes are constructed in the midst of trees to take advantage of the aesthetic and environmental value of the wooded lots. Wooded properties can be worth as much as 20 percent more than those without trees, and people value the opportunity to live among trees.

Unfortunately, the processes involved with construction can be deadly to nearby trees. Unless the damage is extreme, the trees may not die immediately but could decline over several years. With this delay in symptom development, you may not associate the loss of the tree with the construction.

It is possible to preserve trees on building sites if the right measures are taken. The most important step is to hire a professional arborist during the planning stage. An arborist can help you decide which trees can be saved and can work with the builder to protect the trees throughout each construction phase.

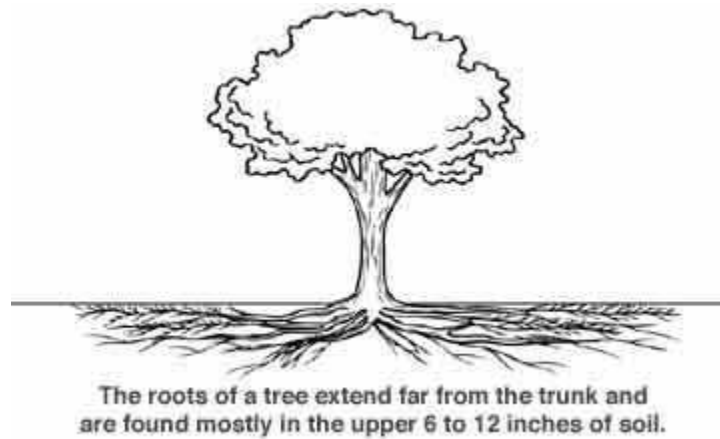
### How Trees Are Damaged During Construction

**Physical Injury to Trunk and Crown.** Construction equipment can injure the aboveground portion of a tree by breaking branches, tearing the bark, and wounding the trunk. These injuries are permanent and, if extensive, can be fatal.

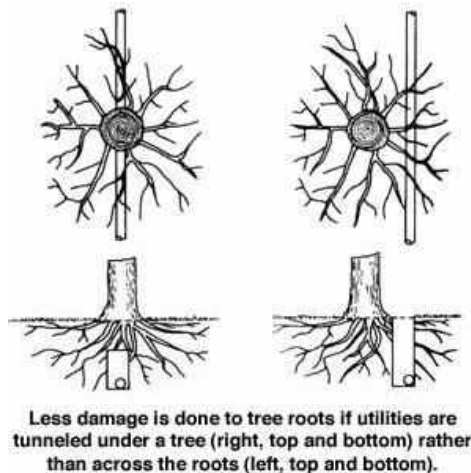
**Cutting of Roots.** The digging and trenching that are necessary to construct a house and install underground utilities will likely sever a portion of the roots of many trees in the area. It is easy to appreciate the potential for damage if you understand where roots grow. The roots of a tree are found mostly in the upper 6 to 24 inches of the soil. In a mature tree, the roots extend far from the trunk. In fact, roots typically are found growing a distance of one to three times the height of the tree. The amount of damage a tree can suffer from root loss



depends, in part, on how close to the tree the cut is made. Severing one major root can cause the loss of 5 to 20 percent of the root system.



Another problem that may result from root loss caused by digging and trenching is that the potential for the trees to fall over is increased. The roots play a critical role in anchoring a tree. If the major support roots are cut on one side of a tree, the tree may fall or blow over.



Less damage is done to tree roots if utilities are tunneled under a tree rather than across the roots.

**Soil Compaction.** An ideal soil for root growth and development is about 50 percent pore space. These pores—the spaces between soil particles—are filled with water and air. The heavy equipment used in construction compacts the soil and can dramatically reduce the amount of pore space. This compaction not only inhibits root growth and penetration but also decreases oxygen in the soil that is essential to the growth and function of the roots, and water infiltration.

**Smothering Roots by Adding Soil.** Most people are surprised to learn that 90 percent of the fine roots that absorb water and minerals are in the upper 6 to 12 inches of soil. Roots require space, air, and water. Roots grow best where these requirements are met, which is usually near the soil surface. Piling soil over the root system or increasing the grade smothers the roots. It takes only a few inches of added soil to kill a sensitive mature tree.

**Exposure to the Elements.** Trees in a forest grow as a community, protecting each other from the elements. The trees grow tall, with long, straight trunks and high canopies. Removing neighboring trees or opening the shared canopies of trees during construction exposes the remaining trees to sunlight and wind. The higher levels of sunlight may cause sunscald on the trunks and branches. Also, the remaining trees are more prone to breaking from wind or ice loading.

### **Getting Advice**

Hire a professional arborist in the early planning stage. Many of the trees on your property may be saved if the proper steps are taken. Allow the arborist to meet with you and your building contractor. Your arborist can assess the trees on your property, determine which are healthy and structurally sound, and suggest measures to preserve and protect them.

One of the first decisions is determining which trees are to be preserved and which should be removed. You must consider the species, size, maturity, location, and condition of each tree. The largest, most mature trees are not always the best choices to preserve. Younger, more vigorous trees usually can survive and adapt to the stresses of construction better. Try to maintain diversity of species and ages. Your arborist can advise you about which trees are more sensitive to compaction, grade changes, and root damage.

### **Planning**

Your arborist and builder should work together in planning the construction. The builder may need to be educated regarding the value of the trees on your property and the importance of saving them. Few builders are aware of the way trees' roots grow and what must be done to protect them.

Sometimes small changes in the placement or design of your house can make a great difference in whether a critical tree will survive. An alternative plan may be more friendly to the root system. For example, bridging over the roots may substitute for a conventional walkway. Because trenching near a tree for utility installation can be damaging, tunneling under the root system may be a good option.

### **Erecting Barriers**

Because our ability to repair construction damage to trees is limited, it is vital that trees be protected from injury. The single most important action you can take is to set up construction fences around all of the trees that are to remain. The fences should be placed as far out from the trunks of the trees as possible. As a general guideline, allow 1 foot of space from the trunk for each inch of trunk diameter. The intent is not merely to protect the aboveground portions of the trees but also the root systems. Remember that the root systems extend much farther than the drip lines of the trees.

Instruct construction personnel to keep the fenced area clear of building materials, waste, excess soil, and equipment. No digging, trenching, or other soil disturbance such as driving vehicles and equipment over the soil should be allowed in the fenced area.

Protective fences should be erected as far out from the trunks as possible in order to protect the root system prior to the commencement of any site work, including grading, demolition, and grubbing.

### **Limiting Access**

If at all possible, it is best to allow only one access route on and off the property. All contractors must be instructed where they are permitted to drive and park their vehicles. The construction access drive should be the route for utility wires; underground water, sewer, or storm drain lines; roadways; or the driveway.



Protective fences should be erected as far out from the trunks as possible in order to protect the root systems.

Specify storage areas for equipment, soil, and construction materials. Limit areas for burning (if permitted), cement wash-out pits, and construction work zones. These areas should be away from protected trees.

### **Specifications**

Specifications are to be put in writing. All of the measures intended to protect your trees must be written into the construction specifications. The written specifications should detail exactly what can and cannot be done to and around the trees. Each subcontractor must be made aware of the barriers, limitations, and specified work zones. It is a good idea to post signs as a reminder.

Fines and penalties for violations should be built into the specifications. Not too surprisingly, subcontractors are much more likely to adhere to the tree preservation clauses if their profit is at stake. The severity of the fines should be proportional to the potential damage to the trees and should increase for multiple infractions.

### **Maintaining Good Communications**

It is important to work together as a team. You may share clear objectives with your arborist and your builder, but one subcontractor can destroy your prudent efforts. Construction damage to trees is often irreversible.

Visit the site at least once a day if possible. Your vigilance will pay off as workers learn to take your wishes seriously. Take photos at every stage of construction. If any infraction of the specifications does occur, it will be important to prove liability.

### **Final Stages**

It is not unusual to go to great lengths to preserve trees during construction, only to have them injured during landscaping. Installing irrigation systems and roto-tilling planting beds are two ways the root systems of trees can be damaged. Remember also that small increases in grade (as little as 2 to 6 inches) that place additional soil over the roots can be devastating to your trees. ANSI A300 Standards Part 5 states that tree protection shall be in place for the landscape phase of the site development. Landscape tree protection may be different than other construction process tree protection, and a conference with the landscape contractor should be held prior to the commencement of the landscape work. Careful planning and communicating with landscape designers and contractors is just as important as avoiding tree damage during construction.

### **Post-Construction Tree Maintenance**

Your trees may require several years to adjust to the injury and environmental changes that occur during construction. The better construction impacts are avoided, the less construction stress the trees will experience.

Stressed trees are more prone to health problems such as disease and insect infestations. Talk to your arborist about continued maintenance for your trees. Continue to monitor your trees, and have them periodically evaluated for declining health or safety hazards.

Despite the best intentions and most stringent tree preservation measures, your trees still might be injured from the construction process. Your arborist can suggest remedial treatments to help reduce stress and improve the growing conditions around your trees. In addition, the International Society of Arboriculture offers a companion to this brochure titled “Treatment of Trees Damaged by Construction”.

## **APPENDIX 5 – TREE PROTECTION SPECIFICATIONS**

The trees proposed to be retained are growing in landscape areas in the park. The trees can be protected with fencing. The City requires 6-foot tall chain link fence connected to steel posts inserted in the ground approximately 2 feet.

The tree protection fencing shall be installed prior to any grading, clearing, or construction activities.

During project excavation, as the excavation approaches the tree driplines and protected areas, the roots 2” diameter and greater at the outside edge of the excavation closest to the trees shall be pruned to prior to excavating the roots from the soil to avoid tearing the roots farther back towards the trees. This practice limits the impact to the trees to the point where the roots are pruned. Pruning shall be performed with a sharp tool appropriate for the diameter of the root being severed, and clean cuts being made. If the root-cut site is open for more than 24 hours, a moist cover shall be put over exposed roots. The moist cover can be wet burlap, covered with a tarp to slow the evaporation from the burlap, or a comparable moisture protection. The moisture protection shall be in place until the roots are buried with soil.

Following is further tree protection information below provided by the City of Menlo Park.



**COMMUNITY DEVELOPMENT DEPT.**

701 Laurel Street  
Menlo Park, CA 94025  
650.330.6704  
2/28/2011

**TREE PROTECTION SPECIFICATIONS**

1. A 6" layer of coarse mulch or woodchips is to be placed beneath the dripline of the protected trees. Mulch is to be kept 12" from the trunk.
2. A protective barrier of 6' chain link fencing shall be installed around the dripline of protected tree(s). The fencing can be moved within the dripline if authorized by the Project Arborist or City Arborist but not closer than 2' from the trunk of any tree. Fence posts shall be 1.5" in diameter and are to be driven 2' into the ground. The distance between posts shall not be more than 10'. This enclosed area is the Tree Protection Zone (TPZ).
3. Movable barriers of chain link fencing secured to cement blocks can be substituted for "fixed" fencing if the Project Arborist and City Arborist agree that the fencing will have to be moved to accommodate certain phases of construction. The builder may not move the fence without authorization from the Project Arborist or City Arborist.
4. Where the City Arborist or Project Arborist has determined that tree protection fencing will interfere with the safety of work crews, Tree Wrap may be used as an alternative form of tree protection. Wooden slats at least one inch thick are to be bound securely, edge to edge, around the trunk. A single layer or more of orange plastic construction fencing is to be wrapped and secured around the outside of the wooden slats. Major scaffold limbs may require protection as determined by the City Arborist or Project Arborist. Straw waddle may also be used as a trunk wrap by coiling the waddle around the trunk up to a minimum height of six feet from grade. A single layer or more of orange plastic construction fencing is to be wrapped and secured around the straw waddle.
5. **Avoid the following conditions.**  
**DO NOT:**
  - a. Allow run off of spillage of damaging materials into the area below any tree canopy.
  - b. Store materials, stockpile soil, or park or drive vehicles within the TPZ.
  - c. Cut, break, skin, or bruise roots, branches, or trunks without first obtaining authorization from the City Arborist.
  - d. Allow fires under and adjacent to trees.
  - e. Discharge exhaust into foliage.
  - f. Secure cable, chain, or rope to trees or shrubs.
  - g. Trench, dig, or otherwise excavate within the dripline or TPZ of the tree(s) without first obtaining authorization from the City Arborist.
  - h. Apply soil sterilants under pavement near existing trees.
6. Only excavation by hand or compressed air shall be allowed within the dripline of trees. Machine trenching shall not be allowed.

7. Avoid injury to tree roots. When a ditching machine, which is being used outside of the dripline of trees, encounters roots smaller than 2", the wall of the trench adjacent to the trees shall be hand trimmed, making clear, clean cuts through the roots. All damaged, torn and cut roots shall be given a clean cut to remove ragged edges, which promote decay. Trenches shall be filled within 24 hours, but where this is not possible, the side of the trench adjacent to the trees shall be kept shaded with four layers of dampened, untreated burlap, wetted as frequently as necessary to keep the burlap wet. Roots 2" or larger, when encountered, shall be reported immediately to the Project Arborist, who will decide whether the Contractor may cut the root as mentioned above or shall excavate by hand or with compressed air under the root. Root is to be protected with dampened burlap.
8. Route pipes outside of the area that is 10 times the diameter of a protected tree to avoid conflict with roots.
9. Where it is not possible to reroute pipes or trenches, the contractor shall bore beneath the dripline of the tree. The boring shall take place not less than 3' below the surface of the soil in order to avoid encountering "feeder" roots.
10. Trees that have been identified in the arborist's report as being in poor health and/or posing a health or safety risk, may be removed or pruned by more than one-third, subject to approval of the required permit by the Planning Division. Pruning of existing limbs and roots shall only occur under the direction of a Certified Arborist.
11. Any damage due to construction activities shall be reported to the Project Arborist or City Arborist within six hours so that remedial action can be taken.
12. An ISA Certified Arborist or ASCA Registered Consulting Arborist shall be retained as the Project Arborist to monitor the tree protection specifications. The Project Arborist shall be responsible for the preservation of the designated trees. Should the builder fail to follow the tree protection specifications, it shall be the responsibility of the Project Arborist to report the matter to the City Arborist as an issue of non-compliance.
13. Violation of any of the above provisions may result in sanctions or other disciplinary action.

### **MONTHLY INSPECTIONS**

It is required that the site arborist provide periodic inspections during construction. Four-week intervals would be sufficient to access and monitor the effectiveness of the Tree Protection Plan and to provide recommendations for any additional care or treatment.

W:\HANDOUTS\Approved Tree Protection Specifications 2019.doc

**Assignment Assumptions and Limiting Conditions**

1. Consultant assumes that any legal description provided to Consultant is correct and that title to property is good and marketable. Consultant assumes no responsibility for legal matters. Consultant assumes all property appraised or evaluated is free and clear, and is under responsible ownership and competent management.
2. Consultant assumes that the property and its use do not violate applicable codes, ordinances, statutes or regulations.
3. Although Consultant has taken care to obtain all information from reliable sources and to verify the data insofar as possible, Consultant does not guarantee and is not responsible for the accuracy of information provided by others.
4. Client may not require Consultant to testify or attend court by reason of any report unless mutually satisfactory contractual arrangements are made, including payment of an additional fee for such Services as described in the Consulting Arborist Agreement.
5. Unless otherwise required by law, possession of this report does not imply right of publication or use for any purpose by any person other than the person to whom it is addressed, without the prior express written consent of the Consultant.
6. Unless otherwise required by law, no part of this report shall be conveyed by any person, including the Client, the public through advertising, public relations, news, sales or other media without the Consultant's prior express written consent.
7. This report and any values expressed herein represent the opinion of the Consultant, and the Consultant's fee is in no way contingent upon the reporting of a specific value, a stipulated result, the occurrence of a subsequent event or upon any finding to be reported.
8. Sketches, drawings and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys. The reproduction of any information generated by architects, engineers or other consultants and any sketches, drawings or photographs is for the express purpose of coordination and ease of reference only. Inclusion of such information on any drawings or other documents does not constitute a representation by Consultant as to the sufficiency or accuracy of the information.
9. Unless otherwise agreed, (1) information contained in this report covers only the items examined and reflects the condition of those items at the time of inspection; and (2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing or coring. Consultant makes no warranty or guarantee, express or implied that the problems or deficiencies of the plans or property in question may not arise in the future.
10. Loss or alteration of any part of this Agreement invalidates the entire report.

**Report Assumptions and Limitations:**

This report provides information about the subject trees at the times of the inspection. Trees and conditions may change over time. This report is only valid for the trees with the conditions present at the times of the inspections. All observations were made while standing on the ground. The inspection consisted of visual observations, using a probe to gain additional information about decay and hollow portions of the tree, and if needed, light excavation was performed to observe shallow depth areas below grade at the base of the trees. No further examinations were requested or performed.

Sincere attempts were made to accurately locate the trees and show the trees on the plan. All tree locations were attempted to be shown as observed in the field.

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

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

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

Trees can be managed, but they cannot be controlled. To live near a tree is to accept some degree of risk. The only way to eliminate all risks is to eliminate all trees. Our company goal is to help clients enjoy life with trees, and grow better trees.



## **Certificate of Performance**

I, Gordon Mann, certify that:

I, Gordon Mann, ISA Certified Arborist #WE-0151AM have personally inspected the trees and site referred to in this report, and I have reviewed all the data and stated my findings accurately. The extent of the inspection is stated in the attached report under Assignment;

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

The analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts;

My analysis, opinions, and conclusions were developed, and this report has been prepared according to commonly accepted arboricultural practices;

No one provided significant professional assistance to me, except as indicated within the report;

My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client, or any other party, nor upon the results of the assignment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am a member in good standing of the International Society of Arboriculture (ISA) and an ISA Certified Arborist and Municipal Specialist. I am also a Registered Consulting Arborist member in good standing of the American Society of Consulting Arborists. I have been involved in the practice of arboriculture and the care and study of trees for over 43 years.

Signed:



Gordon Mann

Date: March 28, 2023

**Pruter, Matthew A**

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**From:** Silvia Colombetti <SilviaColombetti@hotmail.com>  
**Sent:** Wednesday, August 17, 2022 11:19 AM  
**To:** Pruter, Matthew A  
**Subject:** bathrooms in Willow Oaks Park

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

To whom it may concern:

Many years ago, the park was a playground for children with picnic tables and a bathroom. The bathrooms were being mistreated and since the playground was considered a "neighborhood park" they were eliminated. Now, we have a smaller play area and a large dog park where people come from all over with car loads of dogs. So, is it no longer a neighborhood park?

One problem I see is, who's going to be cleaning on a daily basis and locking the facilities at night to avoid it being used as a homeless center?

We used to have a garbage can at the entrance of the park on Gilbert. That was a huge problem. Always overflowing. So, obviously no one was in charge of a daily cleanup. I called the city and it was removed the same day.

I've discussed this with a few neighbors who are also not in favor.

Thank you for your consideration.

Silvia Colombetti

## Pruter, Matthew A

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**From:** Amit Paka <amitpaka@gmail.com>  
**Sent:** Saturday, September 3, 2022 4:39 PM  
**To:** Pruter, Matthew A; Combs, Drew  
**Subject:** Feedback for Restroom Permit of Willows Oaks Park

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hi Matt & Drew,

I'm writing about my concerns about the proposal for the restroom permit at the Willows Oaks park. I live at 442 Gilbert Ave, Menlo Park and our home shares a wall with this park. These concerns are shared by several neighbors.

I'm opposed to the construction of the restrooms for safety reasons. Having restrooms will invite illegal and unsavory activities like in the past to this popular children's park. There used to be restrooms in the previous iteration of Willows Oak park but they were removed also for safety reasons. For example, this park is only 1 mile [from the shooting death of a teenager](#) at Manhattan Ave in Palo Alto in June. This park is a neighborhood park so visitors are less in need of restrooms in any case.

Please do record my feedback during the discussion on permit issuance.

Best,  
Amit



## STAFF REPORT

### Planning Commission

Meeting Date:

5/1/2023

Staff Report Number:

23-033-PC

Regular Business:

Planning Commission Chair and Vice Chair

Selection: May 2023 - April 2024

### Recommendation

Staff recommends that the Planning Commission select a Chair and Vice Chair for the term of May 2023 through April 2024.

### Policy Issues

City Council Procedure CC-19-0004 "Commissions/Committees Policies and Procedures and Roles and Responsibilities" states that each Commission shall annually rotate its Chair and Vice Chair. The policy does not provide any particular guidance for these selections, although staff would note that the Planning Commission has historically appointed Commissioners that have served the longest in their current service period without being Chair or Vice Chair, with any tiebreakers going to a Commissioner whose term is expiring first. However, these are not requirements.

### Background

The Planning Commission last selected a Chair and Vice Chair on May 2, 2022, with Commissioners DeCardy and Harris being appointed to those roles, respectively.

### Analysis

The Commission should seek nominations for the position of Chair and Vice Chair in two separate motions. Each position needs to receive a majority of votes of a quorum present and voting. The Chair and Vice Chair selected would serve through April 2024, or possibly through part of May, depending on when the City Council makes appointments for any expiring Commission seats.

The Chair and Vice Chair should both have a basic familiarity with typical meeting rules of order, although this does not require any specialized training; most Commissioners have likely absorbed these procedures through their membership on the Commission, and staff will always provide support. Ideally, the Chair and Vice Chair should not share similar conflicts-of-interest (e.g., home location or place of employment).

For reference, Table 1 on the following page summarizes the service to date of each Commissioner, with a sorting that reflects the Commission's typical past selection practices, with alphabetical sorting where Commissioners have the exact same appointment/term details.



**Table 1: Planning Commission Appointment/Chair History**

<b>Commissioner</b>	<b>Date Appointed</b>	<b>Previously Served as Chair</b>	<b>Term Expiration</b>	<b>Eligible for Reappointment when Current Term Expires</b>
Harris	May 2021	No	April 2025	Yes
Do	April 2022	No	April 2026	Yes
Schindler	November 2022	No	April 2026	Yes
Ehrich	April 2023	No	April 2027	Yes
Ferrick	April 2023 (separately served 2008-2016)	(Yes, during previous term from March 2012 to May 2013)	April 2027	Yes
Barnes	May 2016; Reappointed June 2020	Yes - May 2019-July 2020	April 2024	No
Riggs	May 2016; Reappointed June 2020 (separately served 2005-2014)	Yes – July 2020- May 2021 (separately served as Chair during previous term September 2008-December 2009)	April 2024	No

### **Impact on City Resources**

Selection of a Chair and Vice Chair does not have any impact on City resources.

### **Environmental Review**

Selection of a Chair and Vice Chair is not considered a project under the California Environmental Quality Act (CEQA), and thus does not require any environmental review.

### **Public Notice**

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

### **Attachments**

None

Report prepared by:  
Corinna Sandmeier, Principal Planner