NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

Teleconference meeting: In accordance with Government Code section 54953(e), and in light of the declared state of emergency, all members of the Planning Commission, city staff, applicants, and members of the public will be participating by teleconference.

How to participate in the meeting

- Submit a written comment online up to 1-hour before the meeting start time: PlanningDept@menlopark.org *
- Access the meeting real-time online at: zoom.us/join – Meeting ID# 871 4022 8110
- Access the meeting real-time via telephone (listen only mode) at: (669) 900-6833 Regular Meeting ID # 871 4022 8110
  Press *9 to raise hand to speak

*Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the Planning Commission at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, the format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the City’s website www.menlopark.org. 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.org/agenda).
Regular Meeting

A. Call To Order

B. Roll Call

C. Reports and Announcements

D. Public Comment

Under “Public Comment,” the public may address the Commission on any subject not listed on the agenda, and items listed under Consent Calendar. Each speaker may address the Commission once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. 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

None

F. Public Hearing

F1. Use Permit/Erin Foxcurran/1044 Berkeley Avenue:
Request for a use permit to partially demolish an existing one-story, single-family residence and detached garage, and construct first- and second-story additions, including an attached garage, on a substandard lot with regard to minimum lot area and width in the R-1-U (Single Family Urban Residential) zoning district. The addition would be greater than 50 percent of the existing floor area and is considered equivalent to a new structure. (Staff Report #22-019-PC)

F2. Use Permit/Thomas James Homes/905 Sherman Avenue:
Request for a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story residence with an attached garage on a substandard lot with regard to minimum lot width and lot area in the R-1-U (Single Family Urban Residential) zoning district. The proposal includes an attached Accessory Dwelling Unit (ADU), which is a permitted use. (Staff Report #22-020-PC)

F3. Conditional Development Permit Major Modification/Heather Skeehan/300 Constitution Drive:
Request for review and approval of major modifications to an approved Conditional Development Permit (CDP) for interior and exterior changes to the previously approved hotel building and changes to the landscaping and on-site circulation. No changes are proposed to the number of rooms (240 rooms), the number of onsite parking spaces (118 parking spaces) or the shared parking agreement between the hotel use and the other site occupant, Meta (formerly Facebook). The proposed modifications would continue to comply with the floor area ratio, building coverage, and maximum height limits of the previously approved CDP. In 2016 the City Council certified an Environmental Impact Report (EIR) as part of its approval of the Meta Campus Expansion Project, which included a potential 200-room hotel. Subsequent revisions to the Meta Campus were previously analyzed through the Facebook Campus Expansion Project First Addendum. In February 2020 the City Council approved revisions to increase the number of hotel rooms to 240 rooms and approved a shared parking agreement, which was analyzed in a Second Addendum to the certified
EIR. The currently proposed revisions have been reviewed against the analysis in the certified EIR, and First and Second Addendums, and the proposed revisions would not result in new impacts or an increase in the severity of previously identified impacts. **Continued from the meeting of February 28, 2022.** (Staff Report #22-021-PC)

**G. Informational Items**

**G1. Future Planning Commission Meeting Schedule** – The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.

- Regular Meeting: April 25, 2022
- Special Meeting: May 2, 2022

**H. Adjournment**

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

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

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

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

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the “Notify Me” service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 04/06/22)
Recommendation
Staff recommends that the Planning Commission approve a use permit to partially demolish an existing one-story, single-family residence and detached garage, and construct first- and second-story additions, including an attached garage, on a substandard lot with regard to minimum lot area and width in the R-1-U (Single Family Urban Residential) zoning district. The addition would be greater than 50 percent of the existing floor area and is considered equivalent to a new structure. The recommended actions are 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 site is located on the east side of Berkeley Avenue between Bay Road to the south and Van Buren Road to the north, in the Flood Triangle neighborhood. The subject property is surrounded by a mix of predominantly single-story, single-family residences with attached garages, all of which are also zoned R-1-U. The nearby properties feature a mixture of architectural styles and scales, although single-story ranch designs are the most common. A location map is included as Attachment B.

Analysis

Project description
The applicant is proposing to partially demolish an existing one-story residence and add a total of 1,501 square feet to the existing residence to create a two-story residence with additional bedrooms and a larger living area. The existing residence is a three-bedroom, two-bathroom, single-story residence, with a detached single-car garage. The applicant is proposing a five-bedroom, three-bathroom, two-story house with an attached single-car garage. Because the existing house was originally built with only one required off-street parking space in the existing detached garage, the residence is considered to be legal non-conforming in terms of parking.

On the first floor, the applicant is proposing to build 948.2 square feet of additional family room, as well as
a bay window architectural feature on the living room front facade. On the second story, the applicant is proposing a 552.8-square-foot addition to create two additional bedrooms and a bathroom. The addition would be greater than 50 percent of the existing floor area and is considered equivalent to a new two-story structure on a substandard lot, which is why a use permit is required.

The proposed remodeling and additions would allow for additional bedrooms and change the existing layout for better functionality. The floor area, building coverage, and height of the structure would all be within the maximum amounts permitted by the Zoning Ordinance. Additionally, the structure would comply with the front, rear and side setbacks, and daylight plane requirements in the R-1-U zoning district. Of particular note with regard to Zoning Ordinance requirements:

- The parcel is substandard with regard to lot width, at 50 feet where 65 feet is required.
- The parcel is substandard with regard to lot area, at 6,795.9 square feet where 7,000 square feet is required.
- The second floor would be relatively limited in size at 552.8 square feet (19.7 percent of the permitted FAL), where 1,400 square feet (50 percent of the permitted FAL) could be permitted.
- The second floor would feature greater setbacks than required on all four sides, and the overall structure would be well within the daylight plane.
- The parking for the property would remain legally nonconforming, with one nonconforming covered parking space within the proposed attached garage, which may be permitted on remodel/expansion projects.

As part of this proposal the applicant is also proposing to remove a 100-square-foot shed and a 272-square-foot detached garage. A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant’s project description letter are included as Attachments D and E, respectively.

**Design and materials**

The applicant states that the proposed residence would be designed in a California Craftsman style. The exterior materials would be stucco, with shingle roofing and standing seam metal roofing at the bay window. The proposed windows would include wood trim. The front door would be a wooden door with sidelites on both sides and glass on top. A concrete paver driveway would be used to access the attached single-car garage. The garage door would be wood with tempered glass panels.

The second-story windows would have sill heights of three feet or more above the finished floor. The window along the staircase would be four feet, 10 inches from the landing. The first floor would have a front setback of 24 feet, five inches and rear setback of 46 feet, where 20 feet is required for both. The first floor left-side setback would be five feet, eight inches and the right-side setback would be five feet, one-inch, where five feet is required on both sides. The second floor would be well inset from the property lines, at approximately nine feet, six inches on the left and 17 feet on the right, where five feet is required on either side, and 47 feet, two inches at the front and 49 feet, four inches at the rear, where 20 feet is required for both.

Staff believes that the architectural style of the proposed residence would be generally attractive and well-
proportioned. The second level would be inset from the ground floor, helping minimize the perception of mass and providing a privacy buffer for neighbors.

**Parking**
The existing house was originally built with only one required off-street parking space in the existing detached one-car garage. As a result, the residence is considered to be legal non-conforming in terms of parking. This type of nonconformity may be permitted to remain as part of an expansion/remodeling project as the existing building footprint, proposed to be partly retained, limits the potential to bring the parking into full compliance. There is additional space to park on the driveway but that would not count towards the property’s off-street parking requirement although it may provide informal parking. Currently, there is one existing curb cut and driveway apron shared between 1044 and 1048 Berkeley Avenue to access both the properties, which is proposed to remain. The existing shared curb cut is proposed to be retained in order to save a heritage street tree (tree #5). The proposed site plan was reviewed by the Transportation Division, who has indicated that there would be adequate space to turn into the attached one-car garage using the shared curb cut.

**Trees and landscaping**
The applicant has submitted an arborist report and an addendum (combined as Attachment F) detailing the species, size, and conditions of the trees on and near the subject site. The report and addendum discuss the impacts of the proposed improvements and provide recommendations for tree maintenance, based on their health.

There are a total of five trees on or near the property. There are two liquid amber, heritage-size street trees (trees #4 and 5) in front of the property and one heritage-size tulip (tree #3) in the front yard. Additionally, there is a heritage-size coast live oak (tree #2) at the middle rear of the subject property. Tree #1 is a walnut tree, which is the neighbor's tree (1048 Berkeley), located near the rear-left side of the subject property. There are no non-heritage trees on the property and no trees are proposed for removal. The existing trees would help with privacy screening for the proposed residence.

The original proposal included a two-car driveway apron in front of the subject property, which would have resulted in the removal of tree #5. However, the City Arborist worked with the applicant to retain tree #5 and protection measures for this tree are included in the addendum. As part of the project review process, both the arborist report and addendum were reviewed by the City Arborist. All recommendations identified in the arborist report and addendum would be ensured as part of condition 3(k).

**Correspondence**
The applicant indicated in their project description letter that the property owners discussed the project with their neighbors and have received positive feedback. Staff received four emails in support of the project, with one of the emails also stating opposition to the use permit requirement (Attachment G).

**Conclusion**
Staff believes that the scale, materials, and style of the proposed additions would complement the existing residence and are compatible with the neighborhood. The craftsmen style of the proposed residence
would be generally attractive, well-proportioned, and comprehensively executed. The second level would be inset from the ground floor, helping minimize the perception of mass and providing a privacy buffer. 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. Recommended Actions
B. Location Map
C. Data Table
D. Project Plans
E. Project Description Letter
F. Arborist Report
G. Neighbor Correspondence

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
**LOCATION:** 1044 Berkeley Avenue  
**PROJECT NUMBER:** PLN2020-00027  
**APPLICANT:** Erin Foxcurran  
**OWNER:** Erin Foxcurran

**PROPOSAL:** Use Permit/Erin Foxcurran/1044 Berkeley Avenue: Request for a use permit to partially demolish an existing one-story, single-family residence and detached garage, and construct first- and second-story additions, including an attached garage, on a substandard lot with regard to minimum lot area and width in the R-1-U (Single Family Urban Residential) district. The addition would be greater than 50 percent of the existing floor area and is considered equivalent to a new structure.

**DECISION ENTITY:** Planning Commission  
**DATE:** April 11, 2022  
**ACTION:** TBD

**VOTE:** TBD (Barnes, DeCardy, Doran, Harris, Kennedy, Riggs, Tate)

**ACTION:**

1. Make a finding that 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.

2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.

3. Approve the use permit subject to the following standard conditions:
   
   a. The applicant shall be required to apply for a building permit within one year from the date of approval (by April 11, 2023) for the use permit to remain in effect.

   b. Development of the project shall be substantially in conformance with the plans prepared by Mundy Creative Services consisting of 16 plan sheets, dated received February 28, 2022, and approved by the Planning Commission on April 11, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

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

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

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

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

   g. All applicable public right-of-way improvements, including frontage improvements and the dedication of easements and public right-of-way, shall be completed to the satisfaction of the Engineering Division prior to building permit final inspection.
**LOCATION:** 1044 Berkeley Avenue  
**PROJECT NUMBER:** PLN2020-00027  
**APPLICANT:** Erin Foxcurran  
**OWNER:** Erin Foxcurran

**PROPOSAL:** Use Permit/Erin Foxcurran/1044 Berkeley Avenue: Request for a use permit to partially demolish an existing one-story, single-family residence and detached garage, and construct first- and second-story additions, including an attached garage, on a substandard lot with regard to minimum lot area and width in the R-1-U (Single Family Urban Residential) district. The addition would be greater than 50 percent of the existing floor area and is considered equivalent to a new structure.

**DECISION ENTITY:** Planning Commission  
**DATE:** April 11, 2022  
**ACTION:** TBD

**VOTE:** TBD (Barnes, DeCardy, Doran, Harris, Kennedy, Riggs, Tate)

**ACTION:**

h. 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.

i. Post-construction runoff into the storm drain shall not exceed pre-construction runoff levels. The applicant's design professional shall evaluate the Project's impact to the City's storm drainage system and shall substantiate their conclusions with drainage calculations to the satisfaction of the City Engineer prior to building permit issuance.

j. Simultaneous with the submittal of a complete building permit application, the applicant shall provide documentation indicating the amount of irrigated landscaping. If the project proposes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Submittal of a detailed landscape plan would be required concurrently with the submittal of a complete building permit application.

k. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report by Aesculus, dated November 5, 2020 and amended July 14, 2021.

l. If construction is not complete by the start of the wet season (October 1 through April 30), the Applicant shall implement a winterization program to minimize the potential for erosion and sedimentation.

m. Prior to building permit issuance, the applicant shall pay all applicable City fees. Refer to City of Menlo Park Master Fee Schedule.
<table>
<thead>
<tr>
<th></th>
<th>Proposed Project</th>
<th>Existing Development</th>
<th>Zoning Ordinance</th>
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<td>Lot area</td>
<td>6,795.9 sf</td>
<td>6,795.9 sf</td>
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<td>Lot width</td>
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<td>Lot depth</td>
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<td>Side (left)</td>
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<td>Side (right)</td>
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<td>1,927.4 sf/1st floor</td>
<td>1,467.1 sf/1st floor</td>
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<td></td>
<td>552.8 sf/2nd floor</td>
<td>271.7 sf/garage</td>
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<td>100.0 sf/shed</td>
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<td>40.8 sf/porches</td>
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<td>New Trees</td>
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</tbody>
</table>
| Note: Areas shown highlighted indicate a nonconforming or substandard situation.
**FOXCURRAN RESIDENCE**

**1044 Berkeley Ave**
Menlo Park, CA 94025

**Conclusions:**

These #5 trees likely undergo minor to moderate impacts from these new sidewalks, depending on how many roots can be retained. Both will likely survive and thrive.

Tree #4 will likely undergo major impacts from the new driveway apron and sidewalk. Its condition may decline but it is unlikely to die or become structurally unstable.

**Recommendations (updated):**

1. Place tree protection fencing for trees #1, 3, and 4, as shown on the Tree Protection Map.
   a. Tree protection fencing shall consist of six (6) foot tall chain link fencing, mounted on eight (8) foot tall, two (2) inch diameter galvanized posts, driven 24 inches into the ground and spaced no more than 10 feet apart.
   b. The chain link fencing shall be removed when no construction activity is taking place (DO NOT WORK ON TREE PROTECTION FENCING WHEN IT IS IN PLACE).
   c. Spread wood chips inside tree protection fencing to a depth of 6 inches.
2. Wrap trunk of tree #4 with straw wattle and orange snow fencing to prevent accidental equipment strikes during landscape demolition in back yard.
3. If any of the #5 trees are to be removed, the developer shall remove all stumps, remaining root ball, any demolition equipment coming onto site, and to remain in place through the duration of construction as noted in the Construction recommendations, below.
4. When removing the concrete around tree #2:
   a. Use the smallest vehicle practical.
   b. Confine vehicular to existing paved areas toward as practiced.
   c. Compress equipment on concrete slab before removing concrete.
5. Tree #4 should have its canopy on the apron side trimmed.
6. If surface roots are present, contact the project arborist to evaluate the roots and advise on how to proceed.
7. Explore the feasibility of bridging over or otherwise accommodating the roots, note the following parameters, but do not proceed without consulting with the project arborist.
   a. The root zone of a mature sand redbud should be used over any root zone damage is provided.
   b. If bridging the entire root is feasible, up to 1/3ertz thickness may be removed via grading.

**Construction**

- Remove all existing planting membranes from tree #5.
- Install tree protection fencing for tree #4. A sheet of orange snow fencing to prevent equipment to the area of any hazardous locations.
- Planting installation depends on the planting conditions.
- The project arborist shall be notified of any hazardous conditions before planting.

**Tree Protection Map updated:**

- Hemlock
- Pine
- Evergreen
- Orange snow fencing
- Tree protection fencing
- Site Erosion Control

**Tree Protection Map updated:**

- Hemlock
- Pine
- Evergreen
- Orange snow fencing
- Tree protection fencing
- Site Erosion Control

**Notes:**

- The tree protection fence shall be removed when no construction activity is taking place (DO NOT WORK ON TREE PROTECTION FENCING WHEN IT IS IN PLACE).
- Spread wood chips inside tree protection fencing to a depth of 6 inches.
- Wrap trunk of tree #4 with straw wattle and orange snow fencing to prevent accidental equipment strikes during landscape demolition in back yard.
- If any of the #5 trees are to be removed, the developer shall remove all stumps, remaining root ball, any demolition equipment coming onto site, and the area shall remain in place through the duration of construction as noted in the Construction recommendations, below.
- When removing the concrete around tree #2:
  - Use the smallest vehicle practical.
  - Confine vehicular to existing paved areas toward as practiced.
  - Compress equipment on concrete slab before removing concrete.
- Tree #4 should have its canopy on the apron side trimmed.
- If surface roots are present, contact the project arborist to evaluate the roots and advise on how to proceed.
- Explore the feasibility of bridging over or otherwise accommodating the roots, note the following parameters, but do not proceed without consulting with the project arborist.
  - The root zone of a mature sand redbud should be used over any root zone damage is provided.
  - If bridging the entire root is feasible, up to 1/3ertz thickness may be removed via grading.
City of Menlo Park
Planning Department
701 Laurel St, Menlo Park, CA 94025
(650) 330-6702

Subject: Project Description Letter for the property of:
James & Erin Foxcurran
1044 Berkeley Avenue
Menlo Park, CA 94025
(PLN2020-00027)

The 6,795.9 sf parcel located at 1044 Berkeley Avenue is substandard in width and lot size, which is the reason a Use Permit is required for the proposed two-story single family residence with attached garage project. The R-1-U zoning ordinance requires a minimum of 65 feet wide, but the existing parcel is +/- 50 feet wide. The R-1-U zoning ordinance requires a minimum lot area of 7,000 sf, but the existing lot area is 6,795.9 sf. There are two heritage trees on property, two heritage street trees in front of the property, and one adjacent heritage tree on a neighboring property, all of which would be protected with tree protection measures per arborist guidance.

The existing residence is a simple, one-story ranch home, built in 1947. It is 1,474.2 sf and has a 271.7 sf detached one-car garage that has a nonconforming parking situation, with tandem driveway access. Erin and James would like the new two-story home to have an understated craftsman aesthetic (California Craftsman architectural style), fitting in context to other homes in their neighborhood, with a low pitch gabled roof, small front porch, simulated divided-paned windows. Two new dormers with new windows, exposed rafter tails and deep roof eaves.

The scope of the project includes the removal of the existing detached garage and shed. Partial demolition of the existing one-story, single family residence, which the Foxcurran family currently live in. The purpose of the project is that Erin and James would like to remodel and expand their residence to a two-story, single family modest traditional home that can accommodate themselves and their three elementary and preschool aged daughters as they grow and need more space, including current pandemic needs for working from home and schooling.

Proposed project would expand residence to include on the first floor: attached one-car garage, mudroom, expanded kitchen, expanded dining room, and family room, largely retaining the original footprint. An addition of a second floor which includes: two (2) bedrooms, a bathroom and game room. The proposed home would have 5 bedrooms and 3 bathrooms, which would allow for extended family to visit and necessary home office space.

The exterior of the proposed residence would predominantly feature a stucco finish, with bay windows containing wood siding and mitered joints at all outside corners. The roofing would feature asphalt composition shingle & standing seam metal roofing at the bay window. The windows would be Milgard Tuscany vinyl (or equal), and feature simulated divided lite, with interior and exterior grids and a spacer bar between the glass panes. Wood frame construction method.

Basis for site layout: The site layout for the proposed structure is largely driven by the dimensions and orientation of the site, pedestrian and vehicular access, heritage tree locations, building setbacks, daylight...
plane and general R-1-U zoning ordinances. Due to the substandard property width, the first floor footprint of the proposed residence has been largely retained from the existing single-story residence.

Garage considerations: The front wall of the garage is well beyond the 20'-0” front yard setback, helping to reduce its prominence from the street. Most neighboring residences have prominently positioned garages, and the proposed placement is consistent with the neighborhood pattern. Given the relatively narrow lot width and the rear yard heritage tree location, the first floor buildable area is very constrained. Locating an attached garage further back would significantly reduce the amount of available area for ground floor habitable space. Similarly, a detached garage located towards the rear of the property would also impede upon the buildable area since it would have to comply with setbacks and the rear property line PUE; considering that the driveway would have to cut through the site for access would further eliminate available buildable area for the house. Further, placing a detached garage in the rear of the property might cause harm to the roots of established trees on the property or neighboring properties.

Parking considerations: The parking for the remodel/expansion project would remain legally nonconforming, with one covered parking space in the attached garage. The proposed driveway would continue to provide two unofficial, uncovered parking spaces within the front setback, which provides flexibility for additional parking needs. This nonconforming configuration would remain adequate for the Foxcurran family’s parking situation. The ability to bring off-street parking into full compliance is limited, as the existing building footprint would be largely retained, preserving a modest entryway dimension and laundry/mudroom which is a functional necessity for a large, growing family of five.

Privacy between the proposed home and adjacent neighbors is a priority. This is addressed with usage of transom windows on the second story bedroom sides of the home, planned usage of bottom-up window coverings, and privacy fencing. The coast live oak heritage tree in the rear of the property also provides green screening for the proposed project and the neighboring outdoor living space.

Massing and scale have been an important aspect of the design. The proposed home stays 3’-10” below the maximum height. The second floor footprint steps in from the footprint of the first floor to reduce the visual mass and allow more natural light to adjacent properties, with the proposed second story addition set 20'-0” further back from the front wall of the garage.

Neighbor outreach efforts to introduce the project have been conducted. Erin and James reached out in person to residents of all directly adjacent properties on Berkeley Avenue (1048, 1040, 1043, 1039, 1035) and Henderson Avenue (1031, 1035, 1039) to knock on doors and hand deliver hard copies of the previously submitted plan set, for the opportunity to discuss and answer any questions. The neighbors at 1040 were living abroad at the time of outreach, and were also reached out to by email correspondence with a positive reception of the project. Neighbors have all been verbally positive and supportive of the project, with also a few written notes of support enclosed.

Jason Mundy, Assoc. AIA
Mundy Creative Service
Jason@mundyscs.com
Dear Erin,

At your request, I have evaluated the revised driveway apron and sidewalk plan with regard to tree impacts. The report below contains my analysis. I have also included several updates to the information contained in my original arborist report, as requested by city staff.

**Summary:**
The original plan included a two-car driveway with a two-car driveway apron. However, because this would have resulted in the removal of tree #5, city staff directed my client to consider a one-car driveway apron while retaining the two-car driveway. This is what is now being proposed. Additionally, the original plan had called for retention of the existing sidewalk, but most of the sidewalk is now proposed for replacement.

Reducing the size of the driveway apron will allow the retention of liquidambar (*Liquidambar styraciflua*) #5, which had been proposed for removal on the old plans. Although this tree will likely undergo major impacts from driveway apron and sidewalk installation and may decline, its likelihood of failure (falling down) will remain low and it will...
likely survive. Note that it will be important to bridge over roots as much as possible for the sidewalk and explore similar options for the driveway.

I have also included additional updated information in the Observations, Tree Table, and Recommendations sections, per city staff’s request.

This is the first addendum to my original report for this project dated 11/5/2020.

**Assignment:**
I have been asked to write a report detailing impacts to trees from the revised driveway apron and sidewalk plan.

I have also been asked to include several elements not in the original arborist report.

**Limits of the Assignment:**
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 my site visit.

**Purpose & Use of the Report:**
This report is intended to inform tree management decisions for this project with respect to the revised project features, and to provide recommendations to maximize the likelihood of survival for the trees which may reasonably be retained.

**Observations:**

*Site Description*

The site is a developed single-family residential property. The house is typical for the neighborhood. There is a one-car detached garage set back from the house on the left (as viewed from the street). There is significant canopy cover from mature trees on this property and overhanging from neighboring properties.

*Trees*

Only trees #3-5 are being contemplated in this addendum. All were in good condition at the time of my original site visit on 10/1/2020. I did not reevaluate the trees in person for this addendum.
Project Updates

The existing one-car driveway will be demolished, and a new two-car driveway and one-car driveway apron will be installed in the same area, with the driveway extending farther to the southwest.

Most of the existing sidewalk in front of the property will be replaced.

Tree Conflicts

Tree #1 – no changes from my report dated 11/5/2020.

Tree #2 – no changes from my report dated 11/5/2020.

Trees #3 and 4 – most of the proposed new sidewalk lies within these trees' TPZs (tree protection zone; see Discussion, below).

Tree #5 – the new driveway apron will be about 5 feet from the edge of this tree's trunk. Some surface roots are visible in the area of soil to be excavated.

Testing & Analysis:

I visited the site once, on 10/1/2020, for my original report dated 11/5/2020. All observations and photographs in this report were taken at that site visit. I did not revisit the site for this addendum.

This report is based on the set of drawings titled “Foxcurran Residence,” dated 4/19/2021, provided to me electronically by the client.

Discussion:

Tree Protection Zone (TPZ)

Tree roots grow where conditions are favorable, and their spatial arrangement is therefore unpredictable. Favorable conditions vary among species, but generally include the presence of moisture, and soft soil texture with low compaction.

Contrary to popular belief, roots of all tree species grow primarily in the top two feet of soil, 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.

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):
<table>
<thead>
<tr>
<th>Species tolerance</th>
<th>Tree vigor</th>
<th>Distance from trunk (feet per inch trunk diameter)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good High</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td>Moderate Low</td>
<td>0.75</td>
<td></td>
</tr>
<tr>
<td>Low</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Moderate High</td>
<td>0.75</td>
<td></td>
</tr>
<tr>
<td>Moderate Low</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Low</td>
<td>1.25</td>
<td></td>
</tr>
<tr>
<td>Poor High</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Moderate Low</td>
<td>1.25</td>
<td></td>
</tr>
<tr>
<td>Low</td>
<td>1.5</td>
<td></td>
</tr>
</tbody>
</table>

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. Even a small amount of root loss within the TPZ is often acceptable, depending on the specific situation.

*Root Loss inside TPZ*

Although any root loss inside the TPZ may cause a short-term decline in tree condition, trees can usually recover adequately from the loss of up to 25% of 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). Any distance shorter than this increases a tree’s likelihood of failure.

*Hardscape in TPZs*

Compaction for hardscape installation destroys roots and creates a less favorable environment for future root growth. Compaction removes pore spaces which allow oxygen to reach the roots. Without oxygen, the roots cannot transpire (break down stored food for the tree to use).

However, after hardscape is installed, its presence does not impede future root growth. The likelihood of future root damage can be reduced by using a gravel or coarse sand subbase.
Conclusions:
Trees #3 and 4 will likely undergo minor to moderate impacts from the new sidewalk, depending on how many roots can be retained. Both will likely survive and thrive.

Tree #5 will likely undergo major impacts from the new driveway apron and sidewalk. Its condition may decline but it is unlikely to die or become structurally unstable.

Recommendations (updated):

Demolition
1. Place tree protection fencing for trees #1, 3, and 4, and 5, as shown on the Tree Protection Map.
   a. Tree protection fencing shall consist of six (6)-foot tall chain link fencing mounted on eight (8)-foot tall, two (2)-inch diameter galvanized posts, driven 24 inches into the ground and spaced no more than 10 feet apart.
   b. Fencing shall be posted with signs saying “TREE PROTECTION FENCE - DO NOT MOVE OR REMOVE WITHOUT APPROVAL FROM CITY ARBORIST.
   c. Spread wood chips inside tree protection fencing to a depth of 6 inches.
2. Wrap trunk of tree #2 with straw wattle and orange snow fencing to prevent accidental equipment strikes during hardscape demolition in back yard.
3. All tree protection fencing and trunk wrapping is to be installed prior to any demolition equipment coming onsite, and is to remain in place through the duration of construction except as noted in the Construction recommendations, below.
4. When demolishing the concrete around tree #2:
   a. Use the smallest vehicle practical.
   b. Confine vehicles to existing paved areas insofar as practical.
   c. Work backwards to minimize operation on non-paved soil.
5. After demolishing 1) the driveway, and 2) the portion of the sidewalk to be replaced:
   a. If surface roots are present, contact the project arborist to evaluate the roots and advise on how to proceed.
   b. Explore the feasibility of bridging over or otherwise accommodating the roots. Note the following parameters, but do not proceed without consulting with the project arborist:
      i. A minimum 2” gravel or coarse sand subbase should be used over any root to reduce the likelihood of future root damage.
      ii. If bridging the entire root is infeasible, up to 1/3 of its thickness may be removed via planing.

Construction
1. Remove trunk wrapping materials from tree #2.
2. Install tree protection fencing for tree #2 as shown in orange on the Tree Protection Map, to the same specifications as the fencing installed for demolition.
3. Move tree protection fencing for tree #3 as shown in orange on the Tree Protection Map.

4. Maintain fencing for trees #1, 4, and 5 as installed during the demolition phase.

5. All tree protection fencing is to be installed prior to any construction equipment coming onsite, and is to remain in place through the duration of construction.

6. Excavation within TPZ's: 1) garage foundation in area now covered by existing driveway; 2) southwest (right) side of driveway; 3) new sidewalk; and 4) new driveway apron.
   a. Use hand tools to perform all excavation along the edges of features within the TPZs of trees #3-5, in the areas shown on the Tree Protection Map.
   b. If live roots over two inches in diameter are encountered during excavation:
      i. Stop work in that area.
      ii. Notify and submit photographs to the project arborist.
      iii. Project arborist may visit the site to evaluate the root(s).
      iv. Project arborist will provide recommendations for how to proceed.
   c. If live roots must be severed, prune cleanly with a sharp saw or bypass pruners.
   d. If roots are to be retained in a given area, then remaining excavation in that area must be performed by hand.
   e. If no roots are to be retained in a given area, then remaining excavation in that area may be performed with heavy machinery.

7. Grading: minimize grading near trees. Ensure that fill soil used near trees is landscape quality. Do not add more than 6 inches of soil within the TPZ of any tree.

8. Any tree protected by the City's Municipal Code will require replacement according to its appraised value if it is damaged beyond repair as a result of construction

Post-Construction

9. Provide additional irrigation for trees #2-5 during construction and for at least one year after project completion, to aid in new root growth.
   a. Only irrigate tree #2 during the rainy season (October-April), and only if rainfall is below average.
   b. Irrigation for all trees should be performed about once per month during the specified season(s), using a soaker hose set to a slow trickle for several hours.
Tree Protection Map (updated)
## Tree Inventory Table (updated)

<table>
<thead>
<tr>
<th>Tree #</th>
<th>Common Name</th>
<th>Species</th>
<th>DBH (in.)</th>
<th>Vitality (0 = dead, 3 = healthy)</th>
<th>Species Construction Tolerance (1 = poor, 3 = good)</th>
<th>TPZ radius (ideal; feet)</th>
<th>Designation (H = Heritage Tree, S = Street Tree)</th>
<th>Off-Site Tree</th>
<th>Suitability for Preservation</th>
<th>Appraised Value (10th Edition)*</th>
<th>Project Impacts</th>
<th>Protection measures, or removal</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Northern California black walnut</td>
<td>Juglans hindsii</td>
<td>36.0</td>
<td>3</td>
<td>1</td>
<td>36.0</td>
<td>H</td>
<td>X</td>
<td>High</td>
<td>$34,700</td>
<td>None</td>
<td>Fence at TPZ</td>
<td>DBH estimated</td>
</tr>
<tr>
<td>2</td>
<td>Coast live oak</td>
<td>Quercus agrifolia</td>
<td>23.7</td>
<td>3</td>
<td>3</td>
<td>9.3</td>
<td>H</td>
<td>-</td>
<td>High</td>
<td>$9,300</td>
<td>Minor - demolition of walkway and shed in backyard</td>
<td>1) Wrap trunk during walkway and shed demolition 2) Fence TPZ after demolition is complete</td>
<td>Two stems, DBH 18.5 and 10.4</td>
</tr>
<tr>
<td>3</td>
<td>Tulip tree</td>
<td>Liriodendron tulipifera</td>
<td>26.6</td>
<td>3</td>
<td>1</td>
<td>26.6</td>
<td>H</td>
<td>-</td>
<td>High</td>
<td>$12,100</td>
<td>Moderate - demolition of existing driveway and walkway to front door, and installation of new driveway, walkway, and sidewalk 1) Fence at edge of existing driveway and walkway during demolition 2) Fence edge of new driveway and walkway after demolition is complete, to enclose front yard 3) Gentle excavation for new driveway, sidewalk, portion of house foundation 4) Possible bridging or other design modifications to hardscape over roots</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

*DBH estimated*
<table>
<thead>
<tr>
<th>Tree #</th>
<th>Common Name</th>
<th>Species</th>
<th>DBH (in.)</th>
<th>Vitality (0 = dead, 3 = healthy)</th>
<th>Species Construction Tolerance (1 = poor, 3 = good)</th>
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<th>Project Impacts</th>
<th>Protection measures, or removal</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Liquidambar</td>
<td>Liquidambar styraciflua</td>
<td>16.5</td>
<td>3</td>
<td>1</td>
<td>16.5</td>
<td>S</td>
<td>-</td>
<td>High</td>
<td>$5,600</td>
<td>Moderate - new sidewalk</td>
<td>1) Fence the portion of the park strip within TPZ 2) Gentle excavation and root pruning for new driveway, sidewalk 3) Possible bridging or other design modifications to hardscape over roots</td>
<td>Bacterial flux in lower trunk</td>
</tr>
<tr>
<td>5</td>
<td>Liquidambar</td>
<td>Liquidambar styraciflua</td>
<td>18.8</td>
<td>3</td>
<td>1</td>
<td>18.8</td>
<td>S</td>
<td>-</td>
<td>High</td>
<td>$6,600</td>
<td>Major - new driveway, driveway apron, and sidewalk</td>
<td>1) Fence the portion of the park strip within TPZ 2) Gentle excavation and root pruning for new driveway apron and new sidewalk 3) Possible bridging or other design modifications to hardscape over roots</td>
<td>Original appraised value using 9th Edition methodology was $7,300.</td>
</tr>
</tbody>
</table>

*Basic tree cost and discounting for each tree are available upon request.*
Photographs

Image 1: surface roots of tree #5 near existing driveway apron
Respectfully submitted,

Katherine Naegele
Consulting Arborist
Aesculus Arboricultural Consulting, LLC
Master of Forestry, UC Berkeley
ISA Certified Arborist #WE-9658A
ISA Tree Risk Assessment Qualified
American Society of Consulting Arborists, Member
Cell: 408 201-9607
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.
11/5/2020

Erin Foxcurran  
1044 Berkeley Ave.  
Menlo Park, CA 94025  
206-618-1350  
erinfoxcurran@gmail.com

Re: Tree Protection for Proposed Addition and Remodel at 1044 Berkeley Ave.

Dear Erin,

At your request, I have visited the property referenced above to evaluate the trees present with respect to the proposed construction project. The report below contains my analysis.

Summary:
There are five trees in or near the project area: two trees on this property, two street trees at this address, and one tree overhanging the property from an adjacent back yard. One of the street trees is recommended for removal, as it conflicts with project features.

All other trees are in good health and should be protected as detailed in the Recommendations, below. With proper protection, all are expected to survive and thrive during and after construction.

Assignment:
I have been asked to write a report detailing impacts to trees from construction of the proposed addition and remodel at this property.

Introduction:
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.

This report will address only tree protection measures, and only for protected trees.
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

**Limits of the Assignment:**
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 my site visit.

**Purpose & Use of the Report:**
This report is intended to inform tree management decisions for this project, and to provide recommendations to maximize the likelihood of survival for the trees which may reasonably be retained.

**Observations:**

**Trees**
There are five trees on and adjacent to this property: two liquidambers (*Liquidambar styraciflua*), both street trees; one northern California black walnut (*Juglans hindsii*), a neighbor tree; one tulip tree (*Liriodendron tulipifera*); and one coast live oak (*Quercus agrifolia*) ([Images 1-4](#)).

One old stump is also present, in the southeastern corner of the back yard ([Image 5](#)). It is being documented here only to clarify that the tree was not removed as part of this project.

**Project Features**
A two-story addition will be made on the northeast side of the existing building. This addition will include a two-car garage at the front of the property.

The existing one-car driveway will be demolished, and a new two-car driveway and driveway approach will be installed in the same area, extending farther to the southwest.

The existing porch will be remodeled, with no foundation work.

The paved walkway and shed at the rear of the property will be removed and not replaced.

New electrical service will be installed along the northeastern edge of the building.

No grading, drainage, or fencing work is shown on the plans provided to me.
Tree Conflicts

Tree #1 – no project features are within or near this tree’s TPZ (tree protection zone, defined in the Discussion section, below).

Tree #2 – the existing concrete walkway and shed near this tree will be demolished. The concrete walkway lies within the TPZ, and the shed lies just outside the TPZ. No new project features are proposed near this tree.

Tree #3 – a portion of the existing driveway and the entire concrete walkway to the front door lie within this tree’s TPZ. The new driveway lies about 10 feet closer to the tree (distance estimated visually from plans), and the new walkway is entirely within the TPZ, in a different configuration from the existing walkway. A portion of the new garage foundation lies within the TPZ, in part of the area now occupied by the existing driveway. The other part of the garage foundation will be in the area now occupied by the existing building.

Tree #4 – no project features are proposed in or near this tree’s TPZ.

Tree #5 – the new driveway approach will be in or very close to this tree’s root collar.

Testing & Analysis:

Tree DBHs were taken using a diameter tape measure if trunks were accessible. The DBHs of trees with non-accessible trunks were estimated visually. All protected trees were inventoried.

Vigor ratings are based on tree appearance and experiential knowledge of each species.

Appraisal was only performed for tree #5, as this is the only tree requested for removal. The appraisal methodology from the 10th Edition of the Guide for Plant Appraisal was used. Sufficient data was collected on all other trees to perform appraisals later if needed.

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 slight differences between GPS data and CAD drawings, tree locations shown on the map below are approximate.

I visited the site once, on 10/1/2020. All observations and photographs in this report were taken at that site visit.

This report is based on the set of drawings titled “Foxcurran Residence: Preliminary Drawings,” dated 8/19/2020, provided to me electronically by the client.

Discussion:

Tree Protection Zone (TPZ)

Tree roots grow where conditions are favorable, and their spatial arrangement is therefore unpredictable. Favorable conditions vary among species, but generally include the presence of moisture, and soft soil texture with low compaction.

Contrary to popular belief, roots of all tree species grow primarily in the top two feet of soil, 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.

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):

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<tr>
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</tbody>
</table>

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. Even a small amount of root loss within the TPZ is often acceptable, depending on the specific situation.

Traffic in TPZs

Driving or heavy foot traffic on bare soil around trees destroys roots, both by crushing them directly and by compacting the soil. Compaction removes pore spaces which allow oxygen to reach the roots. Without oxygen, the roots cannot transpire (break down stored food for the tree to use).

This effect can be minimized during concrete demolition by working backwards and keeping equipment on existing concrete. Using the smallest vehicles practical also minimizes this effect.

Hardscape in TPZs

Compaction for hardscape installation destroys roots and creates a less favorable environment for future root growth. Compaction removes pore spaces which allow oxygen to reach the roots. Without oxygen, the roots cannot transpire (break down stored food for the tree to use).

However, after hardscape is installed, its presence does not impede future root growth, particularly beneath the compacted layer.

Root Loss in the Root Collar Area

No root loss is acceptable in or near the root collar. Roots in this area are major structural roots, and their loss greatly increases a tree’s likelihood of failure (falling down).
Appraisal of Tree #5

This tree’s base value, based purely on its size and replacement cost, is $21,547.35. I assigned it a functional limitations rating of 70%, to account for:

- This individual’s codominant leaders
- The species’ nuisance fruits, and
- The species’ aggressive roots (though this individual’s roots do not currently appear problematic)

I also assigned it an external limitations rating of 70%, to account for:

- Limited soil volume in park strip, which would necessitate regular root pruning.
- The potential for this species, and this individual, to outgrow the park strip.

Conclusions:
Trees #1, 2 and 4 are unlikely to undergo noticeable impacts from the project as proposed, if protected appropriately.

Tree #3 will likely undergo moderate impacts from the driveway expansion. It will also likely undergo minor impacts from the walkway reconfiguration and garage addition.

Tree #5 is incompatible with the project as proposed. In order to install the new driveway approach as proposed, major structural roots would need to be removed from the root collar area, which would greatly increase the tree’s likelihood of failure. Its appraised value is $7,300.
Recommendations:

**Demolition**

1. Remove tree #5
2. Place tree protection fencing for trees #1, 3, and 4, as shown in light blue on the Tree Protection Map.
3. Wrap trunk of tree #2 with straw wattle and orange snow fencing to prevent accidental equipment strikes.
4. All tree protection fencing and trunk wrapping is to be installed prior to any demolition equipment coming onsite, and is to remain in place through the duration of construction except as noted in the Construction recommendations, below.
5. When demolishing the concrete around tree #2:
   a. Use the smallest vehicle practical.
   b. Confine vehicle to existing paved areas insofar as practical.
   c. Work backwards to minimize operation on non-paved soil.

**Construction**

1. Install tree protection fencing for tree #2 as shown in orange on the Tree Protection Map.
2. Move tree protection fencing for tree #3 as shown in orange on the Tree Protection Map.
3. Maintain fencing for trees #1 and 4 as installed during the demolition phase.
4. All tree protection fencing is to be installed prior to any construction equipment coming onsite, and is to remain in place through the duration of construction.
5. New garage foundation in area now covered by existing driveway:
   a. If grading, use hand tools to excavate the edge of the graded area within the TPZ of tree #3, as shown in pink on the Tree Protection Map.
   b. Sever all roots encountered with a sharp saw or bypass pruners.
   c. Remaining excavation may be performed with heavy machinery.
6. If live roots over two inches in diameter are encountered during excavation in any location:
   a. Stop work in that area.
   b. Notify and submit photographs to the project arborist.
   c. Project arborist may visit the site to evaluate the root(s).
   d. Project arborist will provide recommendations for how to proceed.
7. Grading: minimize grading near trees. Ensure that fill soil used near trees is landscape quality. Do not add more than 6 inches of soil within the TPZ of any tree.

**Post-Construction**

1. Plant a replacement tree(s) for tree #5, with a value totaling $7,300.
   a. I recommend a species other than liquidambar for the park strip, such as Autumn Blaze maple (*Acer x freemanii* ‘Jeffersred’). The largest specimen that can be planted in the park strip is a 24” box, worth $400. There will be room for only one tree in the park strip.
   b. Another tree could be planted in the southeastern corner of the back yard. The largest container size that could feasibly be transported to the back yard is likely a 36” box, worth $1,200. I do not believe there is room for more than one new tree in the back yard.
   c. Installation of these two replacement trees would leave an in-lieu fee of $5,700.
Tree Protection Map

- Tree #5 to be removed for driveway approach
- Hand excavation along new garage foundation in area now under existing driveway
- Tree protection fencing (demolition phase)
- Tree protection fencing (modified for construction phase)
## Tree Inventory Table

<table>
<thead>
<tr>
<th>Tree #</th>
<th>Common Name</th>
<th>Species</th>
<th>DBH (inches)</th>
<th>Vitality (0 = dead, 3 = healthy)</th>
<th>Species Construction Tolerance (1 = poor, 3 = good)</th>
<th>TPZ radius (ideal; feet)</th>
<th>Project Impacts</th>
<th>Protection measures, or removal</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Northern California black walnut</td>
<td>Juglans hindsii</td>
<td>36.0</td>
<td>3</td>
<td>1</td>
<td>36.0</td>
<td>None</td>
<td>Fence at TPZ</td>
<td>DBH estimated, as this tree is located on a neighboring property</td>
</tr>
<tr>
<td>2</td>
<td>Coast live oak</td>
<td>Quercus agrifolia</td>
<td>23.7</td>
<td>3</td>
<td>3</td>
<td>9.3</td>
<td>Minor - demolition of walkway and shed in back yard</td>
<td>1) Wrap trunk during walkway and shed demolition 2) Fence TPZ after demolition is complete</td>
<td>Two stems, DBH 18.5 and 10.4</td>
</tr>
<tr>
<td>3</td>
<td>Tulip tree</td>
<td>Liriodendron tulipifera</td>
<td>26.6</td>
<td>3</td>
<td>1</td>
<td>26.6</td>
<td>Moderate - demolition of existing driveway and walkway to front door, and installation of new driveway and walkway</td>
<td>1) Fence at edge of existing driveway and walkway during demolition 2) Fence edge of new driveway and walkway after demolition is complete, to enclose front yard</td>
<td>-</td>
</tr>
<tr>
<td>4</td>
<td>Liquidambar</td>
<td>Liquidambar styraciflua</td>
<td>16.5</td>
<td>3</td>
<td>1</td>
<td>16.5</td>
<td>None</td>
<td>Fence the portion of the park strip within TPZ</td>
<td>Bacterial flux in lower trunk</td>
</tr>
<tr>
<td>5</td>
<td>Liquidambar</td>
<td>Liquidambar styraciflua</td>
<td>18.8</td>
<td>3</td>
<td>1</td>
<td>18.8</td>
<td>Incompatible - new driveway and approach are within root collar or major structural root area</td>
<td>REMOVE</td>
<td>Appraised value $7,300.00.</td>
</tr>
</tbody>
</table>
Supporting Photographs:
Image 1: black walnut #1 (neighbor tree)
Image 2: coast live oak #2 (two views)
Image 3: tulip tree #3 (two views)
Image 4: Liquidambars #4 (right) and 5
Image 5: Liquidambars #4 (right) and 5, alternate views
Image 5: old stump in SE corner of back yard
Respectfully submitted,

Katherine Naegele  
Consulting Arborist  
Aesculus Arboricultural Consulting, LLC  
Master of Forestry, UC Berkeley  
ISA Certified Arborist #WE-9658A  
ISA Tree Risk Assessment Qualified  
American Society of Consulting Arborists, Member  
Cell: 650 209-0631
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:

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.
From: Sophie Whelan-Kirk [mailto:whelankirk@hotmail.com]
Sent: Sunday, October 25, 2020 9:56 PM
To: Tapia, Leonel <LTapia@menlopark.org>
Subject: Remodel support for 1044 Berkeley Ave. Menlo Park

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 Leonel Tapia,

Our names are David and Sophia Kirk and we live at 1035 Berkeley Avenue Menlo Park. We are writing in support of Jake and Erin Foxcurran's proposed remodel at 1044 Berkeley Avenue. We have seen the design plans and feel the new house will fit in quite nicely on the block. It is a huge improvement from the house that exist there now.

Please feel free to contact us should you have any questions.

Sincerely,

David and Sophia Kirk
850-644-8014
Hi Erin,

Thanks for sharing the plan with us. I think it looks good.
Good luck with the construction. It will be a long process :)

Po & jessica

> Erin Foxcurran <erinfoxcurran@gmail.com> 於 2020年10月9日上午2:46 寫道:
> 
> [Quoted text hidden]
> > <2019-071 Foxcurran (2020-08-24) Planning Set.pdf>
From: William R. Brown [mailto:bill@termanbrown.net]
Sent: Saturday, September 26, 2020 4:02 PM
To: Tapia, Leonel <L.Tapia@manlopark.org>
Subject: Use Permit / Erin Foxcurran / 1044 Berkeley Avenue - Support

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 write to let the City know that we support the issuance of a Use Permit to Erin Foxcurran for the remodel of 1044 Berkeley Avenue.

We live across the street at 1043 Berkeley Avenue, our home for 31 years.

I note that the design includes appropriate setbacks for the second floor and a complex and interesting profile that will be pleasant to the eye.

I urge the planning commission issue the use permit for this remodel.

William Brown & Donna Terman
1043 Berkeley Avenue
Menlo Park, CA 94025
From: William R. Brown <bill@termanbrown.net>
Sent: Wednesday, March 30, 2022 3:22 PM
To: Khan, Fahteen N
Subject: Use Permit for 1044 Berkeley Avenue - Support

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.

Planner Fahteen Khan:

I support the application for a Use Permit for 1044 Berkeley Avenue, Menlo Park.

I also oppose the whole Use Permit requirement. I urge the planning commission to create another zoning category “small lots” which would encompass lots smaller than current R-1-U standard, and which could be developed without the extra step of obtaining a Use Permit in addition to the building permit.

Most of the lots in the Flood Park Triangle, and probably in Belle Haven, and elsewhere this side of El Camino are considered substandard. The Use Permit process raises the costs for people trying to improve their homes in these areas. We would all love to have bigger lots, but that was not what we could afford when we bought. The Use Permit should either apply to every lot in the City, or to none. I would prefer none.

In any case, I approve of the plan to improve 1044 Berkeley Avenue and support the application for a use permit.

William R. Brown  
1043 Berkeley Avenue  
Menlo Park, CA 94025  
(650) 248-3015 (cell)  
Bill@termanbrown.net
Recommendation
Staff recommends that the Planning Commission approve the request for a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story residence with an attached garage on a substandard lot with regard to minimum lot width and lot area in the R-1-U (Single Family Urban Residential) zoning district. The proposal includes an attached Accessory Dwelling Unit (ADU), which is a permitted use. Recommended actions are 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 site is located at 905 Sherman Avenue, between Avy Avenue and Santa Cruz Avenue. The parcel is near the boundary of the City of Menlo Park and unincorporated West Menlo Park, although all of the immediately adjacent parcels are within City limits. Using Sherman Avenue in an east-west orientation, the project site is located on the south side of Sherman Avenue. Most of the nearby residences are one-story in height, although there are several two-story houses in the vicinity. The adjacent parcels along the street are also located within the R-1-U (Single Family Urban Residential) zoning district and feature primarily single-family residences. The area represents a variety of architectural styles, including craftsman, traditional, and ranch style homes. A location map is included as Attachment B.

Analysis
Project description
The applicant is proposing to demolish the existing one-story, single-family residence and detached garage and construct a new two-story, single-family residence with an attached two-car garage. A data table summarizing parcel and project characteristics is included as Attachment C. The project plans and project description letter are included as Attachments D and E, respectively.

The proposed primary dwelling would be a three-bedroom home with all the bedrooms on the second floor. The primary bedroom would have an adjoining full bathroom and the other two bedrooms would have access to a shared second full bathroom on the second floor. The primary dwelling areas on the first floor would be dedicated to shared living space, including the kitchen, dining, and living rooms and an office. An
attached ADU is proposed on the first floor at the right side toward the rear, which is a permitted use. The required parking for the primary dwelling would be provided by an attached, front-loading, two-car garage. An uncovered parking space in tandem to the proposed garage is proposed to provide a parking space for the ADU. The proposed residence would meet all Zoning Ordinance requirements for setbacks, lot coverage, floor area limit (FAL), daylight plane, parking, and height. Of particular note, the project would have the following characteristics with regard to the Zoning Ordinance:

- The proposed floor area would be just below the maximum floor area limit (FAL) with 2,796.3 square feet proposed for the primary dwelling where 2,800 square feet is the maximum permitted;
- The proposed primary dwelling would be constructed below the maximum lot coverage at 33.8 percent (1,905.5 square feet) where 35 percent (1,925 square feet) is the maximum permitted;
- The proposed ADU would exceed the FAL by approximately 484 square feet and the maximum building coverage for the lot by approximately 468 square feet, which is permitted if the ADU is built at the same time as, or after, the primary dwelling and other structures; and
- The height of the residence would be 26 feet, three inches where 28 feet is the maximum permitted.

The proposed primary dwelling would have a front setback of 21 feet, and a rear setback of 34.6 feet, where 20 feet is required in either case. The required interior side setback in the R-1-U district is 10 percent of the minimum lot width, with a minimum of five feet and a maximum of ten feet. The subject parcel’s lot width is 50 feet, meaning the required side setbacks for the residence are five feet on either side. The residence is proposed to be located 6.5 feet from the right side property line and 5.1 feet from the left side. The second story would be stepped back from the first story by a minimum of three feet at the front and left side.

The second story at the right side at the front of the proposed residence would be set back two feet, five inches from the first floor. The portion of the second floor over the ADU toward the rear would be closest to the right side property line directly above the first floor. An outdoor living area and lanai are proposed next to the ADU. A paved pathway would provide access from the street to the rear yard and patio for the primary dwelling on the left side of the property. A separate path along the right side would provide access to the ADU.

**Design and materials**

The applicant states that the style of the residence would be contemporary. The modulated forms and material variation of the residence would help break up the perceived mass of the structure. The exterior materials would be smooth stucco and horizontal lap siding. The composition shingle roof would be comprised of shed roof forms on either side overlapping at a ridge. The windows would be fiberglass windows without gridding. The windows at the second floor would be installed with a minimum sill height of three feet, with several smaller windows set higher on the wall. At the first floor, the rear elevation would feature sliding glass doors to the living area.

Staff believes the sill heights of the second floor windows and second floor setback from the first would help mitigate potential privacy concerns. The small size of the majority of the proposed, second-story, side-facing windows would also help reduce potential privacy concerns.

Staff believes the contemporary style would be generally attractive and add to the mix of architectural styles in the area.

**Trees and landscaping**

There are a total of nine trees on or near the project site. Three trees, tree #1, tree #6 and tree #7, are located on neighboring lots. Tree #1, a non-heritage southern magnolia, is located in the right-of-way in
front of the subject site. Tree #6, a heritage valley oak, is located on the neighboring lot to the left, and tree #7, a non-heritage black acacia, is located on the neighboring property to the rear near the property line. 

Five non-heritage trees, trees #3, 4, 5, 8 and 9, are proposed for removal. One non-heritage tree, tree #2 a valley oak, is proposed to remain. One new Crape Myrtle tree is proposed to be planted at the front. The heritage trees would be protected according to the heritage tree ordinance and the applicant's arborist report (Attachment F). The project plans would be updated to include the tree protections from the arborist report in the details for the landscape plans per project-specific condition of approval 4.a.

A lawn and outdoor seating area are proposed in the rear. Person gates are proposed at either side of the home toward the front of the property. The gate at the right side connects to a pathway that would afford separate access to the proposed attached ADU. On the left a decomposed granite path would connect to a side door to the garage and continue down the left side of the residence to AC units and the rear yard. The applicant has proposed a new fence inset from the property line, in the same location as the existing fence, on the left side to accommodate a request by the neighbor at that side. The path would be narrower than the actual setback, however this should not prevent usability. Smaller shrubs are proposed around the perimeter of the lot. The proposed tree protections and plantings were evaluated by the City Arborist to confirm compliance with relevant standards. Protection of the trees in accordance with the arborist report and the Heritage Tree Ordinance would be ensured through standard condition of approval 3(k).

**Correspondence**

Staff has received 13 items of correspondence regarding the proposed project, included as Attachment G. Concerns about neighborhood compatibility related to the design and size of the proposed residence, as well as concerns about trees and the applicant’s outreach efforts, were expressed in the correspondence.

Staff facilitated discussions between the applicant and the left-adjacent neighbor that resulted in design modifications to ensure protection of the neighboring oak (tree #6), including revising the floor plan layout of the proposed home to place the ADU on the right, although the left-adjacent neighbor has expressed some on-going concerns. The City Arborist team has reviewed and determined the tree protections outlined in the arborist report and plans are adequate as proposed, and condition of approval 4.a would require the project plans to be updated to include the tree protections from the arborist report in the details for the landscape plan sheets.

The owners of the right-adjacent property commented in opposition to the contemporary style of the proposed residence, citing concerns over the compatibility with the style of homes in the neighborhood. Another neighbor on the street noted a request to see the home situated farther back from the front property line on the left side and a new tree planted to replace the Crape Myrtle proposed for removal at the front; however, the tree protections measures for tree #6 limit the location of the proposed residence. In response to the comment regarding the requested tree at the front the applicant has proposed to plant a new Crape Myrtle in the front, as shown in the project plans (Attachment D).

**Conclusion**

Staff believes the proposed home would add to the mix of architectural styles in the neighborhood. The smaller side-facing windows at the second floor, the stepped in massing, and three-foot sill heights would help to reduce potential privacy concerns. The City Arborist team has reviewed the plans and arborist report and determined the tree protections are adequate as proposed. Staff recommends the Planning Commission approve the proposed project.
Impact on City Resources
The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City’s Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review
The 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. Recommended Actions
B. Location Map
C. Data Table
D. Project Plans
E. Project Description Letter
F. Arborist Report
G. Correspondence

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:
Ori Paz, Management Analyst II

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner
REQUEST: Request for a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story residence with an attached garage on a substandard lot with regard to minimum lot width and lot area in the R-1-U (Single Family Urban Residential) zoning district. The proposal includes an attached Accessory Dwelling Unit (ADU), which is a permitted use.

DECISION ENTITY: Planning Commission
DATE: April 11, 2022
ACTION: TBD
VOTE: TBD (Barnes, DeCardy, Doran, Harris, Kennedy, Riggs, Tate)

ACTION:

1. Make a finding that 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.

2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.

3. Approve the use permit subject to the following standard conditions:
   a. The applicant shall be required to apply for a building permit within one year from the date of approval (by April 11, 2023) for the use permit to remain in effect.
   b. Development of the project shall be substantially in conformance with the plans prepared by Dahlin consisting of 21 plan sheets, dated received April 5, 2022, and approved by the Planning Commission on April 11, 2022, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
   c. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies’ regulations that are directly applicable to the project.
   d. 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.
   e. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
   f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
   g. All applicable public right-of-way improvements, including frontage improvements and the dedication of easements and public right-of-way, shall be completed to the satisfaction of the Engineering Division prior to building permit final inspection.
   h. 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
LOCATION: 905 Sherman Avenue  
PROJECT NUMBER: PLN2021-00036  
APPLICANT: Thomas James Homes  
OWNER: SF21A LLC

REQUEST: Request for a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story residence with an attached garage on a substandard lot with regard to minimum lot width and lot area in the R-1-U (Single Family Urban Residential) zoning district. The proposal includes an attached Accessory Dwelling Unit (ADU), which is a permitted use.

DECISION ENTITY: Planning Commission  
DATE: April 11, 2022  
ACTION: TBD

VOTE: TBD (Barnes, DeCardy, Doran, Harris, Kennedy, Riggs, Tate)

ACTION:

Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.

i. Post-construction runoff into the storm drain shall not exceed pre-construction runoff levels. The applicant's design professional shall evaluate the Project's impact to the City's storm drainage system and shall substantiate their conclusions with drainage calculations to the satisfaction of the City Engineer prior to building permit issuance.

j. Simultaneous with the submittal of a complete building permit application, the applicant shall provide documentation indicating the amount of irrigated landscaping. If the project proposes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Submittal of a detailed landscape plan would be required concurrently with the submittal of a complete building permit application.

k. Heritage and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report by Monarch Consulting Arborists, dated August 23, 2021.

l. If construction is not complete by the start of the wet season (October 1 through April 30), the Applicant shall implement a winterization program to minimize the potential for erosion and sedimentation.

m. Prior to building permit issuance, Applicant shall pay all applicable City fees. Refer to City of Menlo Park Master Fee Schedule.

4. Approve the use permit subject to the following project-specific condition:

a. Simultaneous with the submittal of a complete building permit application, the applicant shall provide revised plans that specify the tree protections from the arborist report in the detail drawings included with the landscape plan sheets, subject to review and approval by the Planning Division and the City Arborist.
## 905 Sherman Avenue – Attachment C: Data Table

<table>
<thead>
<tr>
<th>PROPOSED PROJECT</th>
<th>EXISTING DEVELOPMENT</th>
<th>ZONING ORDINANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot area</td>
<td>5,500.0 sf</td>
<td>5,500.0 sf</td>
</tr>
<tr>
<td>Lot width</td>
<td>50.0 ft.</td>
<td>50.0 ft.</td>
</tr>
<tr>
<td>Lot depth</td>
<td>110.0 ft.</td>
<td>110.0 ft.</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>21.0 ft.</td>
<td>24.9 ft.</td>
</tr>
<tr>
<td>Rear</td>
<td>34.6 ft.</td>
<td>39.9 ft.</td>
</tr>
<tr>
<td>Side (left)</td>
<td>5.1 ft.</td>
<td>7.0 ft.</td>
</tr>
<tr>
<td>Side (right)</td>
<td>6.5 ft.</td>
<td>10.8 ft.</td>
</tr>
<tr>
<td>Building coverage*</td>
<td>2,393.2 Sf</td>
<td>1,882.0 sf</td>
</tr>
<tr>
<td></td>
<td>43.5 %</td>
<td>34.2 %</td>
</tr>
<tr>
<td>FAL (Floor Area Limit)*</td>
<td>3,284.1 Sf</td>
<td>1,783.0 sf</td>
</tr>
<tr>
<td>Square footage by floor</td>
<td>1,158.7 sf/1st floor</td>
<td>1,222.0 sf/1st floor</td>
</tr>
<tr>
<td></td>
<td>1,201.1 sf/2nd floor</td>
<td>419.0 sf/garage</td>
</tr>
<tr>
<td></td>
<td>436.5 sf/garage</td>
<td>142.0 sf/acc. bld.</td>
</tr>
<tr>
<td></td>
<td>487.8 sf/ADU</td>
<td>99.0 sf/porch</td>
</tr>
<tr>
<td></td>
<td>310.2 sf/porches</td>
<td></td>
</tr>
<tr>
<td>Square footage of buildings</td>
<td>3,594.3 sf</td>
<td>1,882.0 sf</td>
</tr>
<tr>
<td>Building height</td>
<td>26.3 ft.</td>
<td>16.1 ft.</td>
</tr>
<tr>
<td>Parking</td>
<td>1 covered/1 uncovered</td>
<td>1 covered</td>
</tr>
</tbody>
</table>

**Note:** Areas shown highlighted indicate a nonconforming or substandard situation.

<table>
<thead>
<tr>
<th>Trees</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Heritage trees**:</td>
<td>1</td>
<td>Non-Heritage trees: 8</td>
<td>New Trees: 1</td>
</tr>
<tr>
<td>Heritage trees proposed for removal:</td>
<td>0</td>
<td>Non-Heritage trees proposed for removal: 5</td>
<td>Total Number of Trees**: 5</td>
</tr>
</tbody>
</table>

*Includes 487.8 sf ADU area. Allowed exceedance of the FAL and building coverage maximum by up to the area of the ADU.

**Includes trees on the neighboring properties.
PLANNING SUBMITTAL FOR:

905 SHERMAN AVENUE
MENLO PARK, CA

PROJECT TEAM INFO:

Developer
Thomas James Homes
250 Sherman Dr Suite 229
Redwood City, CA 94063
Tel: (650) 710-9394

Architect
Dahl Group
5850 Chevron Drive
Fremont, CA 94538
Tel: (510) 781-0400
Contact: David Vlahakis
jav@bldgplanners.com

Landscape
Ross & Campbell
111 Singles Drive
Sacramento, CA 95825
Tel: (916) 455-2423
Contact: Anne Hebb
anne@rosscampbell.com

DEVELOPMENT SUMMARY

LOCATION
205 SHERMAN AVE
PROJECT NUMBER
D29A MODERN
PARCEL AREA (ACRES)
2.000
STANDARD DF/FT
2.00
MAX BUILDING COVERAGE
1,000 SF
MAX BUILDING HEIGHT
30 FT

REQUIREMENTS:

MAX. FLOOR AREA: 2,000 SF
MAX. BUILDING COVERAGE: 1,000 SF
MAX. HORIZONTAL EXTENSION: 30 FT

EXISTING CONDITIONS:

EXISTING USE:
ONE SINGLE FAMILY DETACHED RESIDENCE OF APPROX. 1,222 SQ FT TO BE DEMOLISHED.

PROPOSED USE:
ONE NEW SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE OF 3,284 SQ FT.

EXISTING CONDITIONS:

EXISTING USE:
ONE SINGLE FAMILY DETACHED RESIDENCE OF APPROX. 1,222 SQ FT TO BE DEMOLISHED.

PROPOSED USE:
ONE NEW SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE OF 3,284 SQ FT.

CODES AND REGULATIONS GOVERNING THE PROJECT:
CURRENT 2019 CALFORNIA CODE

EXISTING PLANS:

1. EXISTING FLOOR PLAN
2. EXISTING ROOF PLAN
3. EXISTING ELEVATIONS

CIVIL:

1. TOPOGRAPHIC & BOUNDARY SURVEY

LANDSCAPE:

L1.1 PRELIMINARY LAYOUT PLAN
L1.2 CONSTRUCTION DETAILS
L3.1 PLANTING PLAN
L3.2 PLANTING DETAILS
L3.3 TREE PROTECTION PLAN
L3.4 TREE PROTECTION SUPPLEMENT

FRONTAGE IMPROVEMENTS

ALL EXISTING CRACKED OR DAMAGED FEATURES ALONG THE PROPERTY FRONTAGE MUST BE REPAIRED OR REPLACED. ANY PROPOSED IMPROVEMENTS SHOWN ARE TO BE COMPLETED PRIOR TO THE PRELIMINARY PLAN SUBMISSION. FRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY'S STANDARD DETAIL.

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

TITLE SHEET

905 SHERMAN DR., MENLO PARK
D29A MODERN
THOMAS JAMES HOMES

DATE: 04-09-2023

ATTACHMENT D

D1
ELEVATIONS
905 SHERMAN DR., MENLO PARK
D29A MODERN
THOMAS JAMES HOMES

AVERAGE NATURAL GRADE CALCULATION:
- HIGHEST GRADE NEAR LEFT SETBACK = +4.116.23
- LOWEST GRADE NEAR RIGHT SETBACK = +4.113.55
- AVERAGE NATURAL GRADE NEAR RIGHT SETBACK = +4.114.89
- HIGHEST GRADE NEAR LEFT SETBACK = +4.115.22
- LOWEST GRADE NEAR LEFT SETBACK = +4.114.48
- AVERAGE NATURAL GRADE NEAR LEFT SETBACK = +4.115.35

BUILDING HEIGHT MEASURED FROM AVERAGE GRADE UNDER THE BUILDING

AVERAGE GRADE AT LEFT SETBACK = +4.113.90
AVERAGE GRADE AT RIGHT SETBACK = +4.114.98

WINDOWS
MARVIN ESSENTIAL ALL ULTRAX
FIBERGLASS WINDOWS 1 PR.
NO grids OR space bars

DAYLIGHT PLANE
SEE DAYLIGHT PLANE & SETBACK EXHIBIT ON SHEET A.9

FRONT ELEVATION 1/4" = 1'-0"

REAR ELEVATION 1/4" = 1'-0"

DATE: 04/09/2023
JOB NO. 1814536

D8
SECTION - A  1/4" = 1'-0"

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

SECTION - C  1/4" = 1'-0"

DAYLIGHT PLANE & SETBACK EXHIBIT

7 1/2" EXTENSION OF ARCHITECTURAL FEATURE INTO RIGHT SETBACK (10' MAX, ALLOWED)
5 FT. REQUIRED SIDE SETBACK
NO DAYLIGHT PLANE INTRUSION
1/3 FT. PERMITTED INTRUSION ON ONE SIDE, BASE OF TRIANGLE NOT TO EXCEED 30° AND WITHIN THE MAX. BUILDING HEIGHS-T

SECTIONS

905 SHERMAN DR., MENLO PARK
D29A MODERN

THOMAS JAMES HOMES

D10
EXTERIOR LIGHTING

ADDRESS SIGN

GARAGE DETAILS

COLORS & MATERIALS

905 SHERMAN DR., MENLO PARK
D29A MODERN
THOMAS JAMES HOMES
Non-Tagged Trees, Retain and Protect

Covered Patio, Refer to Arch. for Trellis

Existing Utilities, Field Locate and Verify

6' High Sideyard Fence, Typ. (Similar to) Sideyard Fence, 36" High Within 20' Front Yard Setback End of 36" High Front Sideyard Fence

Turf Property Line, Typ.

Furniture by Buyer, Typ.

A/C Location, Verify in Field. Refer to Plans by Others to Verify Pad Height and Required Clearances

Center Walk on Arch, Typ. Align Scores on Arch, Typ.

Driveway Apron, Refer to Civil Drawings

Existing Mailbox, Retain and Protect

Horizontal Wood Fence, Typ.

Tree Protection Chart

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>RADIUS</th>
<th>LOCATION</th>
<th>COMMON NAME</th>
<th>SCIENTIFIC NAME</th>
<th>DBH (IN)</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>12</td>
<td>On Site</td>
<td>Sycamore</td>
<td>Platanus × acerifolia</td>
<td>4</td>
<td>Fence</td>
</tr>
<tr>
<td>2</td>
<td>9</td>
<td>On Site</td>
<td>Oak</td>
<td>Quercus sp.</td>
<td>6</td>
<td>Chair</td>
</tr>
<tr>
<td>3</td>
<td>6</td>
<td>On Site</td>
<td>Maple</td>
<td>Acerola sp.</td>
<td>8</td>
<td>Chair</td>
</tr>
</tbody>
</table>

Site Calculations

<table>
<thead>
<tr>
<th>SITE</th>
<th>AREA (SF)</th>
<th>% SITE AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yard</td>
<td>2000</td>
<td>100%</td>
</tr>
</tbody>
</table>

See Sheet L1.2 for Construction Details
## Irrigation Schedule

<table>
<thead>
<tr>
<th>Valve Number</th>
<th>Valve Size</th>
<th>Valve Flow</th>
<th>Valve Callout</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Irrigation Keynotes

- **Irrigation Legend**

- **Irrigation Notes**

## Additional Information

- **Valve Information**: Valve number, valve size, valve flow, valve callout.

---

** valuation note: 1.2.

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** SEE SHEET L2.2 FOR IRRIGATION NOTES **

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** Building Permit Number: D19 **

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** Building Permit Number: D19 **

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** Building Permit Number: D19 **

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** Building Permit Number: D19 **
IRRIGATION CONTROLLER: INTERIOR WALL MOUNT

SHUTOFF VALVE (RESIDENTIAL)

IRRIGATION TRENCHING

REMOTE CONTROL VALVE: RESIDENTIAL

AT-GRADE DRIP: LATERAL CONNECTION

AT-GRADE DRIP: CENTER FEED

AT-GRADE DRIP: END FEED

AT-GRADE DRIP: LAYOUT AT TREES

GENERAL IRRIGATION NOTES

IRRIGATION CONTROLLER: INTERIOR WALL MOUNT

SHUTOFF VALVE (RESIDENTIAL)

IRRIGATION TRENCHING

REMOTE CONTROL VALVE: RESIDENTIAL

AT-GRADE DRIP: LATERAL CONNECTION

AT-GRADE DRIP: CENTER FEED

AT-GRADE DRIP: END FEED

AT-GRADE DRIP: LAYOUT AT TREES

GENERAL IRRIGATION NOTES

1. The irrigation system shall be designed and installed in accordance with the latest edition of the Uniform Plumbing Code, the Uniform Fire Code, and the International Building Code.

2. All valves shall be easily accessible and shall be located at least 12 inches above the finished grade.

3. All lateral lines shall be at least 6 inches above the finished grade or as required by local code.

4. All laterals shall be run in accordance with the local jurisdictional requirements, or as shown in the trenching details.

5. All valves shall be remotely controlled and shall be located at least 12 inches above the finished grade.

6. All laterals shall be run in accordance with the local jurisdictional requirements, or as shown in the trenching details.

7. All valves shall be remotely controlled and shall be located at least 12 inches above the finished grade.

8. All laterals shall be run in accordance with the local jurisdictional requirements, or as shown in the trenching details.

9. All valves shall be remotely controlled and shall be located at least 12 inches above the finished grade.

10. All laterals shall be run in accordance with the local jurisdictional requirements, or as shown in the trenching details.

11. All valves shall be remotely controlled and shall be located at least 12 inches above the finished grade.

12. All laterals shall be run in accordance with the local jurisdictional requirements, or as shown in the trenching details.
**PLANTING NOTES**

1. **NON-TAGGED TREES, RETAIN AND PROTECT 3" BARK MULCH ALL PLANTER AREAS, TYP.**

2. **PROPERTY LINE, TYP.**

3. **PROPERTY LINE, TYP.**

4. **5 GAL. (3) PHO WAV CHO TEC (5) DIA LI3 (19)**

5. **SOD (207 sf) TUR SOD 4" POT (32) DYM MAR 4" POT (11) DYM MAR**

6. **5 GAL. RHA MIN (4) 5 GAL. ROS BAR (3) 5 GAL. RHA MIN (4)**

7. **5 GAL. (1) ILE SKY 5 GAL. LOM SYG (6) 5 GAL. (3) SAL MEX 5 GAL. (3) ROS BAR**

8. **5 GAL. RHA MIN (2) 5 GAL. OLE LIT (23) 1 GAL. LOM SYG (6) 24" BOX (1) LAG NAT**

9. **PROTECTIVE FENCING TO BE ADJUSTED DURING LANAI CONSTRUCTION.**

---

**WATER USE CALCULATIONS**

**PRELIMINARY PLANT LEGEND**

**TREE PROTECTION CHART**

SEE SHEET L2.2 FOR PLANTING DETAILS
1. **PLANTING AREA SOIL PREPARATION**

   - Soil preparation shall be conducted to the following standards:
     - Root Structure: Containerized Plants
     - Root Structure: Cat. E
     - Root Structure: Root Ball
     - Root Structure: Standard

2. **PLANTED AREA EDGE CONDITION AT HARDSCAPE**

   - Edges shall be maintained at a minimum of 2'-0".

3. **ROOT STRUCTURE: CONTAINERIZED PLANTS**

   - Example A: Aspect Ratio
     - 2.50" x 1.80" = 0.72
     - 2.0" x 2.0" = 1.0
     - 2.50" x 2.0" = 0.80
     - 4.0" x 3.0" = 0.75

   - Aspect Ratio of B:A is greater than or equal to 0.66 as measured 1" above the top of the branch union.

4. **TREE BRANCHING STRUCTURE**

   - Example B: Aspect Ratio
     - 1.50" x 0.50" = 0.33
     - 2.50" x 0.90" = 0.36
     - 2.0" x 1.00" = 0.50
     - 2.50" x 1.60" = 0.64

   - Aspect Ratio of B:A is greater than or equal to 0.66 as measured 1" above the top of the branch union.

5. **TREE PLANTING: STANDARD UP TO 36" BOX**

6. **SHRUB PLANTING**

7. **GROUND COVER PLANTING**

8. **SOIL FERTILITY ANALYSIS**: Note, contractor shall obtain a soils test after rough grading is complete, see planting note #1.

9. **CERTIFICATE OF COMPLETION**: Note, see planting note #12.
NON-TAGGED TREES, RETAIN AND PROTECT

PROTECTIVE FENCING TO BE ADJUSTED DURING LANAI CONSTRUCTION

BUILDING SUBMITTAL - NOT FOR CONSTRUCTION UNLESS APPROVED BY THE AUTHORITY HAVING JURISDICTION (AHJ).

LANDSCAPE IMPROVEMENT PLANS FOR
905 SHERMAN AVENUE, MENLO PARK, CA
BY THOMAS JAMES HOMES

L3.3

SEE SHEET L2.2 FOR PLANTING DETAILS
THOMAS JAMES HOMES
255 Shoreline Dr Suite 428,
Redwood City, CA 94065

905 SHERMAN AVENUE
PROJECT DESCRIPTION
April 4, 2022

PARCEL GENERAL INFORMATION
The existing parcel located at 950 Sherman Avenue is substandard in area and width, which is the reason a Use Permit is required for the proposed two-story residence. The R-1-U zoning ordinance requires a minimum of 7000 sq. ft. in area and 65ft in width. The existing parcel is 5500sq. ft. in area and 50ft in width.

Nine trees have been surveyed: 7 trees onsite and 2 trees offsite. There are 7 non protected trees onsite of which 5 trees are proposed to be removed due to health and proximity to house or driveway. One new tree is proposed for the front yard. We are retaining 2 non protected trees, sacrificing a straight driveway and providing a curved driveway to bend around trees. Tree protection is proposed to be provided for the trees to remain during construction through fencing as well as construction methods to save the trees from being impacted.

EXISTING HOME TO BE DEMOLISHED
The existing house is a Minimal Traditional style home built in 1946. It is 1,222 sf home including a detached garage and a separate 140sf office building. There is a raised deck onsite for an existing hot tub location.

PROPOSED SINGLE FAMILY RESIDENCE
The proposed two-story single-family residence has a modern design, with a combination of smooth stucco and horizontal siding for a balanced and cohesive aesthetic. Given the neighborhood style and the mix of 1- & 2-story homes, we believe that the home will compliment well with the neighborhood context. The new home will have 3 bedrooms and 2.5 baths including an attached garage with an open floor plan designed to appeal to families. An attached ADU is uniquely proposed to have 1 bedroom and 1 bath and shares the outdoor lanai. The attention paid to indoor-outdoor living contributes to community interaction.

NEIGHBOR RELATIONS
We have reached out to neighbors within 300-ft. of this property with a copy of the site plan, floor plan, elevations and a letter addressing our project on August 3, 2021. We held a virtual neighbor meeting on August 18, 2021 to collect neighbor feedback. After revisions were made to address both city and neighbor comments, we reached out to the neighborhood with a revised copy of plans on February 7, 2022. Please refer to the attached notice.

In addition to mailing notices, we have coordinated with a few neighbors who have reached out with concerns. Please see the neighbor addresses and related concerns below.
Neighbors at 885 Sherman  
**Concerns:**  
A. Fencing plan, heritage valley oak and garage locations on their property, and 2\(^{nd}\) story overhang of proposed home.  
B. Tree protection fencing requested at Lanai area, until construction of the lanai itself must begin. Confirmation that decomposed granite paths and patio areas shall be a maximum of 5”, without subgrade compaction.  
**Response:**  
A. Thomas James Homes has accommodated the neighbor’s fencing concern by retaining the new fence at the existing fence location off the property line. We have analyzed and surveyed Tree 6 and neighbor garage locations to properly locate on revised drawings. Proposed home has been flipped to minimize impact to the neighbor’s tree 6. Proposed home has been revised to setback 2\(^{nd}\) story from 1\(^{st}\) story.  
B. Tree protection fencing is now indicated at the lanai, per arborist report, landscape drawings, and site plan. Decomposed granite pathways and patio areas are confirmed to be a maximum of 5”, without subgrade compaction, per the arborist report, and drawing sheet L3.4.

Neighbors at 950 Sherman  
**Concerns:** Concern with the second floor overlapping over the garage  
**Response:** Thomas James Homes has revised the proposed home to setback 2\(^{rd}\) story from 1\(^{st}\) story.

Neighbors at Anonymous Address  
**Concerns:**  
A. Concern with the "boxy second floor bedroom over the garage, which is out of place with the rest of the houses on the block."  
B. Request to push garage back to 22’ from property line.  
C. Request for a Crape Myrtle tree to be specified for front yard.  
**Response:**  
A. Thomas James Homes has revised the proposed home to setback 2\(^{nd}\) story from 1\(^{st}\) story.  
B. Garage is currently at 21’ from property line (Menlo Park requirement is for 20’ minimum), and pushing the garage back an additional foot would result in the building footprint extending toward Tree #6. Since both of these factors need to be considered, and since the current setback is compliant, the garage location is proposed to remain unchanged, at a 21’ setback.  
C. TJH is now proposing a 24” box Crape Myrtle tree for front yard.

We look forward to adding to the community in Menlo Park, and welcome any questions the City may have as we go through the Use Permit process.

Best,  
Anna Felver, Planning Manager at Thomas James Homes  
afelver@tjhusa.com | 650. 402.3024
Cynthia Thiebaut, Director of Development
Thomas James Homes
255 Shoreline Drive, Suite 428
Redwood City, California 94065
Via Email: cthiebaut@tjhusa.com

RE: 905 Sherman Avenue, Menlo Park, California [APN 071-113-100]

EXECUTIVE SUMMARY
Thomas James Homes contacted California Tree and Landscape Consulting, Inc. to document the trees on the property for a better understanding of the existing resource and any potential improvement obstacles that may arise. Thomas James Homes requested an Arborist Report, Tree Inventory, Construction Impact Assessment and Tree Protection Plan suitable for submittal to the City of Menlo Park. This is a revised Final Arborist Report to address the City Planner’s comments regarding specific tree protections relating to the construction of a decomposed granite pathway, a wooden fence and a lanai structure. The prior report was dated March 28, 2022. The original report was dated October 29, 2021.

Thomas M. Stein, ISA Certified Arborist WE-12854A, visited the property on March 15 and October 27, 2021, to provide species identification, measurements of DBH and canopy, field condition notes, recommended actions, ratings, and approximate locations for the trees. A total of 9 trees were evaluated on this property, 2 of which are protected trees according to the City of Menlo Park Municipal Code, Chapter 13.24. Three trees are located off the parcel but were included in the inventory because they may be impacted by development of the parcel. Five trees are proposed to be removed during construction. Four trees are due to be retained during construction.

<table>
<thead>
<tr>
<th>Tree Species</th>
<th>Total Trees Inventoried</th>
<th>Trees on this Site²</th>
<th>Protected Heritage Oak Trees</th>
<th>Protected Heritage Other Trees</th>
<th>Street Tree</th>
<th>Trees Proposed for Removal for Development</th>
<th>Total Proposed for Retention³</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blackwood Acacia</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Coast Live Oak</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Crape Myrtle</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Japanese Maple</td>
<td>1</td>
<td>1</td>
<td>0</td>
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</tr>
<tr>
<td>Southern Magnolia</td>
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<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
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<td>1</td>
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<tr>
<td>Tristinia</td>
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<tr>
<td>Valley Oak</td>
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<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>White Mulberry</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>9</strong></td>
<td><strong>6</strong></td>
<td><strong>1</strong></td>
<td><strong>0</strong></td>
<td><strong>1</strong></td>
<td><strong>5</strong></td>
<td><strong>4</strong></td>
</tr>
</tbody>
</table>

¹ Any tree protected by the City’s Municipal Code will require replacement according to its appraised value if it is damaged beyond repair as a result of construction. In addition, any time development-related work is recommended to be supervised by a Project Arborist, it must be written in the report to describe the work plan and mitigation work. The Project Arborist shall provide a follow-up letter documenting the mitigation has been completed to specification.

² CalTLC, Inc. is not a licensed land surveyor. Tree locations are approximate and we do not determine tree ownership. Trees which appear to be on another parcel are listed as off-site and treated as the property of that parcel.

³ Trees in close proximity to development may require special protection measures. See Appendix/Recommendations for specific details.

359 Nevada Street, Ste 201, Auburn, CA 95603 Office: 530.745.4086 Direct: 916.801.8059
**ASSIGNMENT**

Perform an examination of the site to document the presence and condition of trees protected by the City of Menlo Park. The study area for this effort includes the deeded parcel as delineated in the field by the property fences and any significant or protected trees overhanging from adjacent parcels.

Prepare a report of findings. All trees protected by the City of Menlo Park are included in the inventory.

**METHODS**

Appendix 2 in this report is the detailed inventory and recommendations for the trees. The following terms and Table A – Ratings Descriptions will further explain our findings.

The protected trees evaluated as part of this report have a numbered tag that was placed on each one that is 1-1/8” x 1-3/8”, green anodized aluminum, “acorn” shaped, and labeled: CalTLC, Auburn, CA with 1/4” pre-stamped tree number and Tree Tag. They are attached with a natural-colored aluminum 10d nail, installed at approximately 6 feet above ground level on the approximate north side of the tree. The tag should last “10-20+ years depending on the species, before it is enveloped by the trees’ normal growth cycle.

The appraisals included in this report (see Appendix 4) is based on the 10th Edition of the Guide for Plant Appraisal.\(^4\) The trunk formula technique of appraisal provides a basic cost to replace a tree, determined by its species and size. The tree costs are extrapolated from that of the most commonly available and used tree for landscaping, which at this time in Northern California has been determined to be a 24” box specimen.\(^5\) Based on the size and value of the tree as a 24” box, the species are valued at $36.60 to $82.82 per square inch of trunk area. Per the request of the city of Menlo Park, multi-stem trees are measured as a single trunk, just below the lowest point of branching.

The basic value is depreciated by the tree’s condition, which is considered a function of its health, structure and form and expressed as a percentage of the basic value. The result if termed the deterioration of the tree.

The trees are further depreciated by the functional and external limitations that may impact their ability to grow to their normal size, shape and function. Functional limitations include limited soil volume, adequate growing space, poor soil quality, etc. External limitations include easements, government regulations and ownership issues beyond the control of the tree’s owner.

The final value is rounded to the nearest $100 to obtain the assignment result. If the tree is not a complete loss, the value of loss is determined as a percentage of the original value. The appraised value of Tree # 6 should be considered a rough estimate. It should be noted that Tree # 6 (Tag # 9551) is offsite and was inspected only from one side, from ground level at a distance of approximately 10 feet from the trunk. The appraised value shown in the appraisal table and inventory summary should be considered only a rough estimate of the tree’s value. If an accurate appraisal is required, it will need re-appraisal without the observation limitations, and may require more advanced inspection techniques to determine the extent of the tree’s defects.

**TERMS**

Species of trees is listed by our local common name and botanical name by genus and species.

---


DBH (diameter breast high) is normally measured at 4’6” (54”) above the average ground height, but if that varies then the location where it is measured is noted here. A steel diameter tape was used to measure the trees.

Canopy radius is measured in feet. It is the farthest extent of the crown composed of leaves and small twigs measured by a steel tape. This measurement often defines the Critical Root Zone (CRZ) or Protection Zone (PZ), which is a circular area around a tree with a radius equal to this measurement.

Actions listed are recommendations to improve health or structure of the tree. Trees in public spaces require maintenance. If a tree is to remain and be preserved, then the tree may need some form of work to reduce the likelihood of failure and increase the longevity of the tree. Preservation requirements and actions based on a proposed development plan are not included here.

Arborist Rating is subjective to condition and is based on both the health and structure of the tree. All of the trees were rated for condition, per the recognized national standard as set up by the Council of Tree and Landscape Appraisers and the International Society of Arboriculture (ISA) on a numeric scale of 5 (being the highest) to 0 (the worst condition, dead). The rating was done in the field at the time of the measuring and inspection.

<table>
<thead>
<tr>
<th>Table A – Ratings Descriptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>No problem(s)</td>
</tr>
<tr>
<td>No apparent problem(s)</td>
</tr>
<tr>
<td>Minor problem(s)</td>
</tr>
<tr>
<td>Major problem(s)</td>
</tr>
<tr>
<td>Extreme problem(s)</td>
</tr>
<tr>
<td>Dead</td>
</tr>
</tbody>
</table>

Rating #0: This indicates a tree that has no significant sign of life.

Rating #1: The problems are extreme. This rating is assigned to a tree that has structural and/or health problems that no amount of work or effort can change. The issues may or may not be considered a dangerous situation.

Rating #2: The tree has major problems. If the option is taken to preserve the tree, its condition could be improved with correct arboricultural work including, but not limited to: pruning, cabling, bracing, bolting, guyling, spraying, mistletoe removal, vertical mulching, fertilization, etc. If the recommended actions are completed correctly, hazard can be reduced and the rating can be elevated to a 3. If no action is taken the tree is considered a liability and should be removed.

Rating #3: The tree is in fair condition. There are some minor structural or health problems that pose no immediate danger. When the recommended actions in an arborist report are completed correctly the defect(s) can be minimized or eliminated.

Rating #4: The tree is in good condition and there are no apparent problems that a Certified Arborist can see from a visual ground inspection. If potential structural or health problems are tended to at this stage future hazard can be reduced and more serious health problems can be averted.

Rating #5: No problems found from a visual ground inspection. Structurally, these trees have properly spaced branches and near perfect characteristics for the species. Highly rated trees are not common in natural or developed landscapes. No tree is ever perfect especially with the unpredictability of nature, but with this highest rating, the condition should be considered excellent.

Notes indicate the health, structure and environment of the tree and explain why the tree should be removed or preserved. Additional notes may indicate if problems are minor, extreme or correctible.

Remove is the recommendation that the tree be removed. The recommendation will normally be based either on poor structure or poor health and is indicated as follows:

Yes H – Tree is unhealthy
Yes S – Tree is structurally unsound
OBSERVATIONS AND CONCLUSIONS

The site is located in an existing subdivision with single-family residences, and the vegetation is comprised of ornamental landscape plants. There are three off-site trees overhanging the project site. The existing structure is a single-story home with a reported area of 1,750 sq ft and the lot size is a reported 5,500 sq ft. The utilities supplied to the home include electrical, communication, water, gas and the home is connected to the municipal waste system. The development work includes demolition of the existing home and construction of a new two-story home with a reported area of 2,363 sq ft (livable) and hardscape and landscape installation. Refer to Appendix 2 – Tree Data for details.

RECOMMENDED REMOVALS OF HAZARDOUS, DEFECTIVE OR UNHEALTHY TREES

At this time, no trees have been recommended for removal from the proposed project area due to the nature and extent of defects, compromised health, and/or structural instability noted at the time of field inventory efforts.

CONSTRUCTION IMPACT ASSESSMENT

This Arborist Report, Tree Inventory, Construction Impact Assessment and Tree Protection Plan is intended to provide to Thomas James Homes, the City of Menlo Park, and other members of the development team a detailed pre-development review of the species, size, and current structure and vigor of the trees within and/or overhanging the proposed project area. At this time, we have reviewed the most recent Preliminary Landscape Improvement Plans drafted by Roach & Campbell dated March 22, 2022, the Planning Submittal drafted by Dahlin dated January 26, 2022, and the Site Plan drafted by Dahlin dated January 26, 2022. The perceived construction impacts to protected trees are summarized below. Refer to Appendix 2 – Tree Data for protective measures to be taken for trees that will remain.

Tree # 9546 (Tree # 1): Moderate impact to the CRZ is expected due to installation of new driveway and sidewalk. Slight impact to the canopy is expected due to driveway clearance needs.

Tree # 9547 (Tree # 2): Minor impact to the CRZ is expected due to installation of new driveway. Slight impact to the canopy is expected due to driveway clearance needs.

Tree # 9548 (Tree # 3): Tree is proposed to be removed due to construction.

Tree # 9549 (Tree # 4): Tree is proposed to be removed due to construction.

Tree # 9550 (Tree # 5): Tree is proposed to be removed due to construction.

Tree # 9551 (Tree # 6): Minor impact to the CRZ is expected due to foundation excavation. Moderate impact to the tree’s canopy is expected due to building encroachment

Tree Pruning – On the tree’s northwest side, a 10’ wide section of the tree’s canopy is overhanging the southern edge of the house. To protect the tree, the foliage and branches should be raised to a height of 15’ in the overhanging section from the outer tips of canopy to a distance of 8’ south towards the interior of the tree canopy. The clearance pruning should be done using reduction cuts back to their parent stems which are as small as possible in order to achieve the wall/roof clearance. Less than 5% of the tree’s total canopy is expected to be pruned for building clearance. Refer to the following photographs:
Description: View to northwest. Canopy to be removed for building clearance.

Description: View east-southeast. Locations of recommended pruning cuts.
Tree # 9552 (Tree # 7): No impact is expected from development.

Tree # 9553 (Tree # 8): Tree is proposed to be removed due to construction.

Tree # 9554 (Tree # 9): Tree is proposed to be removed due to construction.

**DISCUSSION**

Trees need to be protected from normal construction practices if they are to remain healthy and viable on the site. Our recommendations are based on experience, and City ordinance requirements, so as to enhance tree longevity. This requires their root zones remain intact and viable, despite heavy equipment being on site, and the need to install foundations, driveways, underground utilities, and landscape irrigation systems. Simply walking and driving on soil has serious consequences for tree health.

Following is a summary of Impacts to trees during construction and Tree Protection measures that should be incorporated into the site plans in order to protect the trees. Once the plans are approved, they become the document that all contractors will follow. *The plans become the contract between the owner and the contractor, so that only*...
items spelled out in the plans can be expected to be followed. Hence, all protection measures, such as fence locations, mulch requirements and root pruning specifications must be shown on the plans.

RECOMMENDATIONS: SUMMARY OF TREE PROTECTION MEASURES

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

- Identify the Root Protection Zones on the final construction drawings, prior to bidding the project.
- Show the placement of tree protection fences, as well as areas to be irrigated, fertilized and mulched on the final construction drawings.
- Clearly show trees for removal on the plans and mark them clearly on site. A Contractor who is a Certified Arborist should perform tree and stump removal. All stumps within the root zone of trees to be preserved shall be ground out using a stump router or left in place. **No trunk within the root zone of other trees shall be removed using a backhoe or other piece of grading equipment.**
- Prior to any grading, or other work on the site that will come within 50’ of any tree to be preserved:
  1. Irrigate (if needed) and place a 6” layer of chip mulch over the protected root zone of all trees that will be impacted.
  2. Erect Tree Protection Fences. Place boards against trees located within 3’ of construction zones, even if fenced off.
  3. Remove lower foliage that may interfere with equipment PRIOR to having grading or other equipment on site. The Project Arborist should approve the extent of foliage elevation, and oversee the pruning, performed by a contractor who is an ISA Certified Arborist.
- For 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.
- For fills, if a cut is required first, follow as for cuts.
- 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.
General Tree protection measures are included as Appendix 3. These measures need to be included on the Site, Grading, Utility and Landscape Plans. This final report of recommendations is specific to the latest version of the layout plan provided by Roach & Campbell, dated January 7, 2022.

Report Prepared by:  
R. Cory Kinley  
International Society of Arboriculture  
Certified Arborist WE-9717A, TRAQ

Report Reviewed 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

Enc.:  
Appendix 1 – Tree Inventory and Protective Plan Exhibit  
Appendix 2 – Tree Data  
Appendix 3 – General Practices for Tree Protection  
Appendix 4 – Appraisal Value Table  
Appendix 5 – Tree Protection Specifications
APPENDIX 1 – TREE INVENTORY AND PROTECTIVE PLAN EXHIBIT

Thomas James Homes: 905 Sherman Ave., Menlo Park, CA
Project Site
Tree Inventory and Protection Plan Exhibit

X = Removals
----- = Protective Tree Fence
NP = Non-protected tree

Area to be protected until installation of concrete

Prepared by California Tree and Landscape Consulting, Inc.
January 10, 2022
## APPENDIX 2 – TREE DATA

<table>
<thead>
<tr>
<th>Tree #</th>
<th>Tag #</th>
<th>Heritage Oak 31.4&quot;+ circ.</th>
<th>Heritage Other Tree 47.1&quot;+ circ.</th>
<th>Street Tree</th>
<th>Offsite</th>
<th>Common Name</th>
<th>Botanical Name</th>
<th>DBH</th>
<th>Circ.</th>
<th>Measured At</th>
<th>Measured Canopy Radius</th>
<th>Arborist Rating</th>
<th>Dvlpmnt Status</th>
<th>Notes</th>
<th>Recommendations</th>
<th>Construction Impact</th>
<th>Protective Measures to be Taken</th>
<th>Suitability for Preservation</th>
<th>Appraised Value, Rounded ($)</th>
<th>Justification for Removal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>9546</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Southern Magnolia</td>
<td>Magnolia grandiflora</td>
<td>11</td>
<td>35</td>
<td>54</td>
<td>12</td>
<td>3 Fair - Minor Problems</td>
<td>Protect</td>
<td>Growing 5’ 5 of sidewalk. Growing “3” from property line. Growing E of water meter by 5’.</td>
<td>Remove 5’ oak growing 2’ away to improve growth room.</td>
<td>Moderate impact to CRZ due to driveway and sidewalk installation. Minor impact to canopy due to driveway clearance needs.</td>
<td>Tree Protection Fencing &amp; Trunk Protection. Hand digging for fence posts within CRZ.</td>
<td>High</td>
<td>$1,100</td>
<td>N/A</td>
</tr>
<tr>
<td>2</td>
<td>9547</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Valley Oak</td>
<td>Quercus lobata</td>
<td>7</td>
<td>22</td>
<td>54</td>
<td>15</td>
<td>2 Major Structure or Health Problems</td>
<td>Protect</td>
<td>None at this time.</td>
<td>Minor impact to CRZ due to driveway installation.</td>
<td>Minor impact to canopy due to driveway clearance needs.</td>
<td>Tree Protection Fencing &amp; Trunk Protection. Hand digging for fence posts within CRZ.</td>
<td>Low/Medium</td>
<td>$700</td>
<td>N/A</td>
</tr>
<tr>
<td>3</td>
<td>9548</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Coast Live Oak</td>
<td>Quercus agrifolia</td>
<td>9</td>
<td>28</td>
<td>54</td>
<td>9</td>
<td>3 Fair - Minor Problems</td>
<td>Remove</td>
<td>To be removed for development.</td>
<td>N/A</td>
<td>N/A</td>
<td>$1,000</td>
<td>Discretion of Owner/Designer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>9549</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>White Mulberry</td>
<td>Morus alba</td>
<td>10</td>
<td>31</td>
<td>54</td>
<td>20</td>
<td>2 Major Structure or Health Problems</td>
<td>Protect</td>
<td>None at this time.</td>
<td>To be removed for development.</td>
<td>N/A</td>
<td>N/A</td>
<td>$700</td>
<td>Impacts due to foundation excavation.</td>
<td></td>
</tr>
<tr>
<td>Tree #</td>
<td>Tag #</td>
<td>Heritage Oak Tree 31.4&quot;+ circ.</td>
<td>Heritage Other Tree 47.2&quot;+ circ.</td>
<td>Street Tree</td>
<td>Offsite</td>
<td>Common Name</td>
<td>Botanical Name</td>
<td>DBH</td>
<td>Circ.</td>
<td>Measured At</td>
<td>Measured Canopy Radius</td>
<td>Arborist Rating</td>
<td>Dvlpmnt Status</td>
<td>Notes</td>
<td>Recommendations</td>
<td>Construction Impact</td>
<td>Protective Measures to be Taken</td>
<td>Suitability for Preservation</td>
<td>Appraised Value, Rounded ($)</td>
<td>Justification for Removal</td>
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</tr>
<tr>
<td>5</td>
<td>9550</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Crape Myrtle</td>
<td>Lagerstroemia</td>
<td>10</td>
<td>31</td>
<td>54</td>
<td>15</td>
<td>3 Fair - Minor Problems</td>
<td>Protect</td>
<td>DLR estimated toward existing house. Growing in small planter center of lawn. Codominant branching 7' above grade.</td>
<td>None at this time.</td>
<td>N/A</td>
<td>N/A</td>
<td>$2,900</td>
<td>In driveway area.</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>9551</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Valley Oak</td>
<td>Quercus lobata</td>
<td>42</td>
<td>132</td>
<td>54</td>
<td>45</td>
<td>3 Fair - Minor Problems</td>
<td>Preserve</td>
<td>Growing offsite 8' E of E property line. DLR/DBH estimated. Overhanging project site ~20'. Codominant 12' above grade. Root crown obscured by retaining wall.</td>
<td>Will require clearance pruning.</td>
<td>Minor impact to the CRZ is expected due to foundation excavation. Minor impact to the canopy is expected due to building encroachment.</td>
<td>Pre-meeting with project arborist prior to clearance pruning, protective tree fence for overhanging canopy. Maximum of 5' of excavation for DG path with no sub-grade compaction. Hand digging for lanai structure foundation and fence posts within CRZ.</td>
<td>High</td>
<td>$43,200</td>
<td>N/A</td>
</tr>
<tr>
<td>7</td>
<td>9552</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Blackwood Acacia</td>
<td>Acacia melanoxylon</td>
<td>7</td>
<td>22</td>
<td>54</td>
<td>9</td>
<td>3 Fair - Minor Problems</td>
<td>Preserve</td>
<td>Growing 1' SW of property line. Overhanging site 5'. Root collar/lower trunk obscured by fence. DLR/DBH estimated. Tag on fence.</td>
<td>None at this time.</td>
<td>No impact is expected from development.</td>
<td>N/A</td>
<td>High</td>
<td>$600</td>
<td>N/A</td>
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<tr>
<td>8</td>
<td>9553</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Japanese Maple</td>
<td>Acer palmatum</td>
<td>7</td>
<td>22</td>
<td>36</td>
<td>12</td>
<td>3 Fair - Minor Problems</td>
<td>Remove</td>
<td>Branches 40&quot; above grade. In elevated planter.</td>
<td>None at this time.</td>
<td>To be removed for development.</td>
<td>N/A</td>
<td>N/A</td>
<td>$1,000</td>
<td>Impacts from construction of wall and foundation</td>
</tr>
<tr>
<td>Tree #</td>
<td>Tag #</td>
<td>Heritage Oak Tree</td>
<td>Heritage Other Tree</td>
<td>Street Tree</td>
<td>Offsite</td>
<td>Common Name</td>
<td>Botanical Name</td>
<td>DBH</td>
<td>Circ.</td>
<td>Measured Canopy Radius</td>
<td>Arborist Rating</td>
<td>Dvlpmt Status</td>
<td>Notes</td>
<td>Recommendations</td>
<td>Construction Impact</td>
<td>Protective Measures to be Taken</td>
<td>Suitability for Preservation</td>
<td>Appraised Value, Rounded ($)</td>
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<tr>
<td>9</td>
<td>9554</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Tristania</td>
<td>Lophostemon</td>
<td>7</td>
<td>22</td>
<td>54</td>
<td>18</td>
<td>Remove</td>
<td>DLR estimated over existing home. Leans toward house. 1' from property line. Codominant branching 10'. None at this time.</td>
<td>To be removed for development.</td>
<td>N/A</td>
<td>N/A</td>
<td>$600</td>
<td>Impacts from construction of wall and foundation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL INVENTORY TREES = 9 trees (345 aggregate circumference inches)**

**TOTAL RECOMMENDED REMOVALS = None**

**TOTAL RECOMMENDED REMOVALS FOR DEVELOPMENT= 5 trees (134 aggregate circumference inches)**

Rating (0-5, where 0 is dead) = 2=3 trees; 3=6 trees

Total Protected Oak Trees 31.4"+ = 1 tree (132 aggregate circumference inches)

Total Protected Other Trees 47.1"+ = None

**TOTAL PROTECTED TREES = 2 trees (167 aggregate circumference inches)**
APPENDIX 3 – GENERAL PRACTICES FOR TREE PROTECTION

Root zone: The roots of trees grow fairly close to the surface of the soil, and spread out in a radial direction from the trunk of tree. A general rule of thumb is that they spread 2 to 3 times the radius of the canopy, or 1 to 1½ times the height of the tree. It is generally accepted that disturbance to root zones should be kept as far as possible from the trunk of a tree.

Inner Bark: The bark on large valley oaks and coast live oaks is quite thick, usually 1” to 2”. If the bark is knocked off a tree, the inner bark, or cambial region, is exposed or removed. The cambial zone is the area of tissue responsible for adding new layers to the tree each year, so by removing it, the tree can only grow new tissue from the edges of the wound. In addition, the wood of the tree is exposed to decay fungi, so the trunk present at the time of the injury becomes susceptible to decay. Tree protection measures require that no activities occur which can knock the bark off the trees.

Methods Used in Tree Protection:

No matter how detailed Tree Protection Measures are in the initial Arborist Report, they will not accomplish their stated purpose unless they are applied to individual trees and a Project Arborist is hired to oversee the construction. The Project Arborist should have the ability to enforce the Protection Measures. The Project Arborist should be hired as soon as possible to assist in design and to become familiar with the project. He must be able to read and understand the project drawings and interpret the specifications. He should also have the ability to cooperate with the contractor, incorporating the contractor’s ideas on how to accomplish the protection measures, wherever possible. It is advisable for the Project Arborist to be present at the Pre-Bid tour of the site, to answer questions the contractors may have about Tree Protection Measures. This also lets the contractors know how important tree preservation is to the developer.

Root Protection Zone (RPZ): Since in most construction projects it is not possible to protect the entire root zone of a tree, a Root Protection Zone is established for each tree to be preserved. The minimum Root Protection Zone is the area underneath the tree’s canopy (out to the dripline, or edge of the canopy), plus 1’. The Project Arborist must approve work within the RPZ.

Irrigate, Fertilize, Mulch: Prior to grading on the site near any tree, the area within the Tree Protection fence should be fertilized with 4 pounds of nitrogen per 1000 square feet, and the fertilizer irrigated in. The irrigation should percolate at least 24 inches into the soil. This should be done no less than 2 weeks prior to grading or other root disturbing activities. After irrigating, cover the RPZ with at least 12” of leaf and twig mulch. Such mulch can be obtained from chipping or grinding the limbs of any trees removed on the site. Acceptable mulches can be obtained from nurseries or other commercial sources. Fibrous or shredded redwood or cedar bark mulch shall not be used anywhere on site.

Fence: Fence around the Root Protection Zone and restrict activity therein to prevent soil compaction by vehicles, foot traffic or material storage. The fenced area shall be off limits to all construction equipment, unless there is express written notification provided by the Project Arborist, and impacts are discussed and mitigated prior to work commencing.

A protective barrier of 6’ chain link fence 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’. 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 or city arborist.

Where the city 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 1” 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 or project arborist. Straw waddle may also be used as a trunk wrap by coiling waddle around the trunk up to a minimum height of 6’ from grade. A single layer or more of orange plastic construction fencing is to be wrapped and secured around the straw waddle.

Signage should be placed on the protective tree fence no further than 30’ apart. The signage should present the following information:

- The tree protection fence shall not be moved without authorization of the Project or City Arborist.
- Storage of building materials or soil is prohibited within the Tree Protection Zone.
- Construction or operation of construction equipment is prohibited within the tree protection zone.

In areas with many trees, the RPZ can be fenced as one unit, rather than separately for each tree.

Do not allow run off or spillage of damaging materials into the area below any tree canopy.

Do not store materials, stockpile soil or park or drive vehicles within the TPZ.

Do not cut, break, skin or bruise roots, branches, or trunks without first obtaining authorization from the city arborist.

Do not allow fires under and adjacent to trees.

Do not discharge exhaust into foliage.

Do not secure cable, chain or rope to trees or shrubs.

Do not trench, dig, or otherwise excavate within the dripline or TPZ of the tree(s) without first obtaining authorization from the city arborist.

Do not apply soil sterilant under pavement near existing trees.

Only excavation by hand, compressed air or hydro-vac shall be allowed within the dripline of trees.

**Elevate Foliage:** Where indicated, remove lower foliage from a tree to prevent limb breakage by equipment. Low foliage can usually be removed without harming the tree, unless more than 25% of the foliage is removed. Branches need to be removed at the anatomically correct location in order to prevent decay organisms from entering the trunk. For this reason, a contractor who is an ISA Certified Arborist should perform all pruning on protected trees.6

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6 International Society of Arboriculture (ISA), maintains a program of Certifying individuals. Each Certified Arborist has a number and must maintain continuing education credits to remain Certified.
Expose and Cut Roots: Breaking roots with a backhoe, or crushing them with a grader, causes significant injury, which may subject the roots to decay. Ripping roots may cause them to splinter toward the base of the tree, creating much more injury than a clean cut would make. At any location where the root zone of a tree will be impacted by a trench or a cut (including a cut required for a fill and compaction), the roots shall be exposed with either a backhoe digging radially to the trunk, by hand digging, or by a hydraulic air spade, and then cut cleanly with a sharp instrument, such as chainsaw with a carbide chain. Once the roots are severed, the area behind the cut should be moistened and mulched. A root protection fence should also be erected to protect the remaining roots, if it is not already in place. Further grading or backhoe work required outside the established RPZ can then continue without further protection measures.

Protect Roots in Deeper Trenches: The location of utilities on the site can be very detrimental to trees. Design the project to use as few trenches as possible, and to keep them away from the major trees to be protected. Wherever possible, in areas where trenches will be very deep, consider boring under the roots of the trees, rather than digging the trench through the roots. This technique can be quite useful for utility trenches and pipelines.

Route pipes outside of the area that is 10 times the diameter of the protected tree to avoid conflicts with roots. 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 sold in order to avoid encountering feeder roots. Alternatively, the trench can be excavated using hand, pneumatic of hydro-vac techniques within the RPZ. The goal is to avoid damaging the roots while excavating. The pipes should be fed under the exposed roots. Trenches should 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 4 layers of dampened, untreated burlap, wetted as frequently as necessary to keep the burlap wet.

Protect Roots in Small Trenches: After all construction is complete on a site, it is not unusual for the landscape contractor to come in and sever a large number of “preserved” roots during the installation of irrigation systems. The Project Arborist must therefore approve the landscape and irrigation plans. The irrigation system needs to be designed so the main lines are located outside the root zone of major trees, and the secondary lines are either laid on the surface (drip systems), or carefully dug with a hydraulic or air spade, and the flexible pipe fed underneath the major roots.

Design the irrigation system so it can slowly apply water (no more than ¼” to ½” of water per hour) over a longer period of time. This allows deep soaking of root zones. The system also needs to accommodate infrequent irrigation settings of once or twice a month, rather than several times a week.

Monitoring Tree Health During and After Construction: The Project Arborist should visit the site at least once a month during construction to be certain the tree protection measures are being followed, to monitor the health of impacted trees, and make recommendations as to irrigation or other needs.
**Root Structure**

The majority of a tree’s roots are contained in a radius from the main trunk outward approximately two to three times the canopy of the tree. These roots are located in the top 6” to 3’ of soil. It is a common misconception that a tree underground resembles the canopy (see Drawing A below). The correct root structure of a tree is in Drawing B. All plants’ roots need both water and air for survival. Surface roots are a common phenomenon with trees grown in compacted soil. Poor canopy development or canopy decline in mature trees is often the result of inadequate root space and/or soil compaction.

**Drawing A**
Common misconception of where tree roots are assumed to be located

**Drawing B**
The reality of where roots are generally located
Structural Issues

Limited space for canopy development produces poor structure in trees. The largest tree in a given area, which is ‘shading’ the other trees is considered Dominant. The ‘shaded’ trees are considered Suppressed. The following picture illustrates this point. Suppressed trees are more likely to become a potential hazard due to their poor structure.

Co-dominant leaders are another common structural problem in trees.

The tree in this picture has a co-dominant leader at about 3’ and included bark up to 7 or 8’. Included bark occurs when two or more limbs have a narrow angle of attachment resulting in bark between the stems – instead of cell to cell structure. This is considered a critical defect in trees and is the cause of many failures.

Photo from Evaluation of Hazard Trees in Urban Areas by Nelda P. Matheny and James R. Clark, 1994 International Society of Arboriculture
Pruning Mature Trees for Risk Reduction

There are few good reasons to prune mature trees. Removal of deadwood, directional pruning, removal of decayed or damaged wood, and end-weight reduction as a method of mitigation for structural faults are the only reasons a mature tree should be pruned. Live wood over 3” should not be pruned unless absolutely necessary. Pruning cuts should be clean and correctly placed. Pruning should be done in accordance with the American National Standards Institute (ANSI) A300 standards. It is far better to use more small cuts than a few large cuts as small pruning wounds reduce risk while large wounds increase risk.

Pruning causes an open wound in the tree. Trees do not “heal” they compartmentalize. Any wound made today will always remain, but a healthy tree, in the absence of decay in the wound, will ‘cover it’ with callus tissue. Large, old pruning wounds with advanced decay are a likely failure point. Mature trees with large wounds are a high failure risk.

Overweight limbs are a common structural fault in suppressed trees. There are two remedial actions for overweight limbs (1) prune the limb to reduce the extension of the canopy, or (2) cable the limb to reduce movement. Cables do not hold weight they only stabilize the limb and require annual inspection.
Lion’s – Tailing is the pruning practice of removal of “an excessive number of inner and/or lower lateral branches from parent branches. Lion’s tailing is not an acceptable pruning practice” ANSI A300 (part 1) 4.23. It increases the risk of failure.

Pruning – Cutting back trees changes their natural structure, while leaving trees in their natural form enhances longevity.

Arborist Classifications

There are different types of Arborists:

Tree Removal and/or Pruning Companies. These companies may be licensed by the State of California to do business, but they do not necessarily know anything about trees;

Arborists. Arborist is a broad term. It is intended to mean someone with specialized knowledge of trees but is often used to imply knowledge that is not there.

ISA Certified Arborist: An International Society of Arboriculture Certified Arborist is someone who has been trained and tested to have specialized knowledge of trees. You can look up certified arborists at the International Society of Arboriculture website: isa-arbor.org.

Consulting Arborist: An American Society of Consulting Arborists Registered Consulting Arborist is someone who has been trained and tested to have specialized knowledge of trees and trained and tested to provide high quality reports and documentation. You can look up registered consulting arborists at the American Society of Consulting Arborists website: https://www.asca-consultants.org/
Decay in Trees

Decay (in General): Fungi cause all decay of living trees. Decay is considered a disease because cell walls are altered, wood strength is affected, and living sapwood cells may be killed. Fungi decay wood by secreting enzymes. Different types of fungi cause different types of decay through the secretion of different chemical enzymes. Some decays, such as white rot, cause less wood strength loss than others because they first attack the lignin (causes cell walls to thicken and reduces susceptibility to decay and pest damage) secondarily the cellulose (another structural component in a cell walls). Others, such as soft rot, attack the cellulose chain and cause substantial losses in wood strength even in the initial stages of decay. Brown rot causes wood to become brittle and fractures easily with tension. Identification of internal decay in a tree is difficult because visible evidence may not be present.

According to Evaluation of Hazard Trees in Urban Areas (Matheny, 1994) decay is a critical factor in the stability of the tree. As decay progresses in the trunk, the stem becomes a hollow tube or cylinder rather than a solid rod. This change is not readily apparent to the casual observer. Trees require only a small amount of bark and wood to transport water, minerals and sugars. Interior heartwood can be eliminated (or degraded) to a great degree without compromising the transport process. Therefore, trees can contain significant amounts of decay without showing decline symptoms in the crown.

Compartmentalization of decay in trees is a biological process in which the cellular tissue around wounds is changed to inhibit fungal growth and provide a barrier against the spread of decay agents into additional cells. The weakest of the vertical wall. Accordingly, decay progression inward at large are more than one pruning cut trunk of the tree, the likelihood of decay progression and the associated structural loss of integrity of the internal wood is high.

Oak Tree Impacts

Our native oak trees are easily damaged or killed by having the soil within the Critical Root Zone (CRZ) disturbed or compacted. All of the work initially performed around protected trees that will be saved should be done by people rather than by wheeled or track type tractors. Oaks are fragile giants that can take little change in soil grade, compaction, or warm season watering. Don’t be fooled into believing that warm season watering has no adverse effects on native oaks. Decline and eventual death can take as long as 5-20 years with poor care and inappropriate watering. Oaks can live hundreds of years if treated properly during construction, as well as later with proper pruning, and the appropriate landscape/irrigation design.
### APPENDIX 4 – APPRAISAL VALUE TABLE

**Client:** Thomas James Homes: Tree Appraisals at 905 Sherman Avenue, Menlo Park, CA

<table>
<thead>
<tr>
<th>Tree #</th>
<th>Tag #</th>
<th>DBH</th>
<th>Species</th>
<th>Tree Sq. In.</th>
<th>Unit Cost/ Sq. In.</th>
<th>Basic Price</th>
<th>Physical Deterioration</th>
<th>Functional Limitations</th>
<th>External Limitations</th>
<th>Total Depreciation</th>
<th>Depreciated Cost</th>
<th>Appraisal Value (rounded)</th>
<th>% Loss</th>
<th>Assignment Result</th>
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<tbody>
<tr>
<td>1</td>
<td>9546</td>
<td>11</td>
<td>Southern Magnolia</td>
<td>95.0334</td>
<td>45.46</td>
<td>$4,320.22</td>
<td>0.5</td>
<td>0.7</td>
<td>0.7</td>
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<td>0.7</td>
<td>1</td>
<td>0.35</td>
<td>$1,012.22</td>
<td>$1,000 TBD</td>
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<td>Crape Myrtle</td>
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<table>
<thead>
<tr>
<th>Additional Costs</th>
<th>TBD</th>
<th>$0</th>
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Assignment Result (Rounded): **$51,800**

*The value of the trees was determined using the Trunk Formula Method, described in the Guide for Plant Appraisal, and on the Species Classification and Group Assignment published by the Western Chapter, International Society of Arboriculture (ISA).*

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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.
Dear Ori,

I live on the same block as the proposed Thomas James home at 905 Sherman Ave. I have two comments/concerns about the proposed house:

- Natchez Crape Myrtle: In their Oct’21 plans, Thomas James was planning to save the Crape Myrtle tree in front, which was great. The tree is relatively large, helps reduce carbon, and helps make our street more inviting.
  - However, Thomas James flipped the whole house right-to-left, and the Feb plans now show that the Natchez Crape Myrtle tree with white flowers and cinnamon bark will be removed to make room for the driveway. I expressed my disappointment about losing the tree to Anna Felver at Thomas James, and she said that she would look into moving the tree, or if that was not possible, plant a replacement (I assume in approximately the mirror location) which would be great.
  - Could you please ensure that a Crape Myrtle in the front yard is specified in the final plans?

- Garage setback: Thomas James revised the second story bedroom over the garage, reducing its mass; this looks much better than the original version.
  - However, they bumped the garage out so that the garage is now 21 ft from the property line, when it was originally at least 22 ft from the front property line. (Pgs 8 and 9 of the Oct’21 plans show that the second story is set back 21 ft. from the front property line and the garage is set back from the second story). The smaller setback makes the street feel more closed in, which will be even worse if it sets a precedence for how close new houses will be situated to the street. The front walls of the houses on the block are all set back 25 ft. from the front property line (e.g., pg. 16 of the Feb’22 plans shows 905 Sherman and the two adjacent houses are set back 25 ft.)
  - Could the garage be pushed back to at least 22 ft (its Oct’21 location) so that the front wall of the house is closer to the 25 ft setback used by the rest of the houses on the block?

Thank you,
Francine
Hi Ori,

If the excavation for the Lanai is less than 5 inches deep, then that will be alright. I was under the impression from the plans I had that the concrete required 14 inches of excavation (4” concrete + 4” gravel + 6” scarified sub grade).

Vic and I will try to get you a summary letter by tomorrow.

Thanks again
Roxie and Vic
Hello Ori,

We hope TJ Homes will change the proposed method of Lanai construction, which includes deep grading/scarification and poured field cement. As has been pointed out, that will harm the Heritage Oak tree and possibly lead to its death. If TJ Homes can not change the method, we will ask the Planning Commission to deny the permit and appeal the decision to the City Council if the permit is given. Let’s hope it doesn’t come to that.

I downloaded the plans you sent me a link to and have been reviewing the plan file to insure the protective measures specified in the arborist report are there, since only items spelled out in the plans can expect to be followed. (As per CalTech’s arborist report pp 6 -7). Listed below are a few comments and questions.

1) The plan file you gave me a link to seems to be incomplete. According to the note at lower right hand corner of the Landscape Plans, the set has 8 pages, there are only five pages in the file I have. The L3.1 and L3.3 have a note “SEE SHEET L2.2 FOR PLANTING DETAILS”, but there is no L2.2 page, probably a missing page. Could I have a link to a file with all of the pages? See link above

2) I could not find a page that specifies hand digging for the foundation under the tree canopy, maybe this page is not in the file I have. See the detail for paving L1.2.

3) On page L 1.1: the note for P2 reads :

"STABILIZED DECOMPOSED GRANITE PATIO AND WALKWAYS. INSTALL GRANITE IN 2” LIFT OVER 4” CLASS II AGGREGATE BASE COMPACTED TO 92% REFER TO DETAIL 4L1.2”

This doesn't match up with the specifications in note 4 on page L1.2, the base is 3” not 4” and the compaction is different. To avoid confusion, please change the note on L1.1 to something like:

"STABILIZED DECOMPOSED GRANITE PATIO AND WALKWAYS. INSTALL GRANITE IN 3” LIFT OVER 3” CLASS II AGGREGATE BASE TAMP COMPACT TO 88-90% REFER TO DETAIL 4L1.2"

See snip, the detail appears to note 4” with the clarifications for the tree protections specified. I will relay the concern to the project team for their clarification. <image002.jpg>

4) On page L 1.2 : There needs to be a note added (probably in section titled SIDEYARD FENCE WITH GATE) specifying HAND DIGGING for fence posts within the CRZ. The tree protections are outlined in the plans on sheets. We will have them update the details to note the tree protections for clarity.

5) On page L 3.3 : The protective fencing for the Oak tree in our yard needs to include the lanai area. The updated plans show two fencing locations. The first includes this area, then shifts to the fence during lanai construction.

6) On Page L1.1 the lanai is currently labelled with a marker for field cement, since I hope the method of construction will change, it will need to be re-labeled.

The link you provided for the Menlo Park website listing notices of public meetings is not what I asked for, you sent me to the public meetings website, where agendas are not posted until about 3 days before meetings. There used to be a page where the notices of public meetings that were mailed out were posted as soon as they were mailed. I think the notices on that webpage sometimes linked to project files. The plans will be posted online with the staff report three days ahead of the Planning Commission meeting. They are otherwise available upon request for sharing via box link.
Finally, our current thoughts on the project depend largely on the decision regarding the lanai structure. Providing a summary without knowing TJ Homes decision on this is, well, fraught. I understand that there are a lot of emails, but don’t we need to be sure that all of our correspondences are kept in the record if we have to challenge this in court? The notice mentions that one may be limited to issues brought up in the meeting. Let’s talk about this, I supposed you’ve had these situations before. **The full correspondence record is kept and may be requested through the City Clerk. I would need to defer to the City Attorney’s Office for any questions regarding potential litigation. For the purposes of the Planning Commission hearing a summary is helpful but I can include this email and the others if you prefer.**

As always, thank you.

Roxie and Vic Lovell  
885 Sherman Ave, Menlo Park. 94025  
650-283-7899
Hello Ori,

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As always, thank you.

Roxie and Vic Lovell
885 Sherman Ave, Menlo Park. 94025
650-283-7899

On Mar 31, 2022, at 12:19 PM, Paz, Ori <OriPaz@menlopark.org> wrote:

Hi Roxie,

Please see responses below.

Thank you,
Ori

From: Roxanne Rorapaugh [mailto:roxielovell@icloud.com]
Sent: Wednesday, March 30, 2022 4:21 PM
To: Paz, Ori <OriPaz@menlopark.org>
Subject: Re: 905 Sherman Ave house, one addition question.

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.

Hello Ori,

Could you answer any of the our earlier questions below:

1) Have TJ Homes agreed to modifying the lanai (or patio) to be more friendly for the heritage Oak in our yard? At this time they have not revised the proposed patio material.
2) Have they agreed to modify the method they are using for the decomposed granite pathways and other surfaces within the critical root zone of the Oak Tree? They have indicated hand digging would be used within the CRZ. The following detail was included in the plans for the pathways limiting compaction and the depth of excavation.
3) Will there be a tree protection fence protecting the critical root zone in place (including the area that will eventually be the lanai, until the lanai is constructed): The tree protection fencing is shown outside the area of the lanai.
4) Is there a way for us to see the current plans? We have a citizen account in the Accela system that holds planning documents. Perhaps we could be given access to the files for 905 Sherman, Please use this link to view the current plans https://menlopark.box.com/s/zrxb27wz4eqxn2r70kz38wzv8j1g1wwq

G6
5) We could not find a page on Menlo Park website with the notification, there used to be a webpage listing notices of public meetings. Can you send us the link to it. Please find the agendas and minutes webpage here https://beta.menlopark.org/Agendas-and-minutes#section-11

We cannot write a letter about our current position without knowing what is planned. Our previous correspondences should be included in your report. Thank you for reminding us of the public meeting, we plan to attend. There has been a substantial amount of correspondence. Please provide a summary of your current thoughts on the project.

Thanks
Vic and Roxie

On Mar 30, 2022, at 4:07 PM, Paz, Ori <OriPaz@menlopark.org> wrote:

Hi Roxie,

The applicant recently resubmitted an updated arborist report that updated the table to note the suitability for preservation as “high”. In earlier correspondence clarifying the question they noted "A tree that is not highly impacted by construction and that will contribute both environmentally and culturally for at least 10 years is considered suitable for preservation by the Arborist. The tree in question was deemed to fit this description."

Anna mentioned she would be reaching out with an update to discuss how the last comments had been addressed. Please let me know if there are any additional questions and please provide an updated letter indicating your current position as it relates to the project generally to replace earlier correspondence. The updated letter will be included in the staff report for the project. You are also welcome to join the meeting on April 11 to share comments during the public comment portion of the meeting for this item.

Thank you,
Ori

From: Roxanne Rorapaugh [mailto:roxielovell@icloud.com]
Sent: Wednesday, March 30, 2022 2:49 PM
To: Paz, Ori <OriPaz@menlopark.org>
Subject: 905 Sherman Ave house, one addition question.

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.
In the arborists report what does CalTLC mean by the “Acceptable impacts. 5-10-yr contribution highly likely” entry in the column labeled “Suitability for Preservation” for the Heritage Oak Tree in our yard (tree #6) in the chart on page 11 of their report.
Hello Anna,

Thank you for this information. We appreciate the arborist report update and the plan changes you have made for the heritage Valley Oak tree (tree #6) in our yard.

We see just a couple of problems that need to be addressed:

1) Excavation of the area that will be the lanai and pouring a concrete floor will be too harmful to the tree. This was pointed out by the city’s consulting arborist in an email from Ori Paz we received on March 1, 2022. Perhaps you did not get this email, I can send you a copy if you like. There are other methods for creating a Lanai which won’t impact the tree so much. You could use porcelain pavers, which can be installed with minimal excavation or even over grass. I’m attaching a catalog from a manufacturer that might interest you. Your designers could also consider a low deck. We hope your designers will rethink this issue (porcelain pavers would be much nicer than concrete).

2) The protective fencing for tree #6 should include lanai area until the lanai has been built. This will prevent construction traffic on the critical root zone as well as materials/equipment storage.

3) Can the arborist’s note “maximum of 5” of excavation for DG path with no sub grade compaction” also apply to the dg patio?

The house at 905 Sherman is going to be very nice. The future owners probably would not want to move in and find out their construction led to such a wonderful tree dying. We can make sure that doesn’t happen!

Thank you,
Dr. Vic Lovell and Roxie Rorapaugh Lovell
885 Sherman Ave
Menlo Park, CA. 94025
Heilo Ori,

Thank you for the link to the files. The 905 Sherman house is certainly nicer now than the first version, although it still takes some getting used to such a different type of house. We appreciate the modifications that have been made so far and the plan to build a new fence along the same line as the current fence between our properties.

There are following problems with the plans regarding the heritage valley oak tree in our yard as shown in the REVISED: ARBORIST REPORT, TREE INVENTORY, CONSTRUCTION IMPACT ASSESSMENT AND TREE PROTECTION PLAN:

1). The protective fencing shown in the plan is following the outline of the lanai, leaving a large part of the CRZ outside of the protective fence. The protective fencing should follow the outline of the house foundation (with a little extra space for working on that corner of the house), leaving the bulk of the CRZ within the protection fence. The lanai is a landscape feature, so shouldn't be worked on until the later phases of the project. Having the fence there during house construction will prevent heavy machinery from being used over the tree roots, as well as parking and material storage over the CRZ.

2). For the record, the oak tree is not in a planter, as the Tree Inventory suggests. When the house was built in the 40’s, the tree was already growing, the grading was done around the tree root zone and a short retaining wall was built around the small berm that was created by this grading. That is why the garage is at an angle, it was done that way for the tree, and I think it acted on one side to retain the dirt the oak roots were in. I think the original walls were logs or railroad ties. The tree was smaller then, but over the last 70 plus years the tree has gown to fill out more of the space with its trunk, and the wood was replaced with bricks, so it might appear to be a planter, but that is not the case.

3) The pruning of the tree as outlined is not acceptable. Didn’t Anna say they would not need to prune the tree since the house plan was changed? At any rate, there is no reason to trim the branches farther than where they actually interfere with the roof. The branches hang over the by a couple of feet, and the plan suggest cutting them back 8 feet. The photos are confusing if not misleading. Also, if the cuts proposed are where I think they are, they seem to be greater that 6” and 7”. This company is the same one who misplaced the tree in the first tree inventory, I think they sent the same person out for the tree pruning assessment and it is all wrong again. The branches they are proposing to cut do not interfere with the roof. This indiscriminate chopping of the tree canopy is not in keeping with the spirit of our heritage tree ordinance. Especially now, when trees are under stress from the drought, pruning should really be done only for the health of the tree, and when it is needed for other reasons should me kept at a minimum. We had the Oak pruned 2 years ago, so it does not need any pruning. We can see about 2-3 feet of small branch that could be in the way of the new house’s roof, so this section just amazes us. We would like to work towards a better pruning plan.

4). The plans need to state that the digging for the foundation area inside the CRZ for the Oak tree be done by hand, as well as notes regarding hand digging for lanai structure and fence posts within the CRZ.
5) Finally, on page 11 of tree inventory there is a chart of trees. One of the columns, Titled "Suitability for Preservation", there is an entry next to the Oak Tree in our yard saying “Acceptable impacts. 5-10-yr contribution highly likely”. What does that mean?

We wonder if the Japanese Maple in the back might be kept now that the house plan has changed. It’s a nice tree, the new owners might like it, but it’s just a suggestion.

As to the house itself, we are wondering why there is a new gas meter on the plans? We thought the new house was going to be all electric. Isn’t that the more efficient way to build houses now?

Thanks again for all of your help.
cheers,

Dr. Vic Lovell and Roxie Rorapaugh Lovell
roxielovell@icloud.com

On Feb 15, 2022, at 4:05 PM, Paz, Ori <OriPaz@menlopark.org> wrote:

Hi Roxie,

The applicant resubmitted the plans and their arborist report. They can be viewed here: https://menlopark.box.com/s/zbdxoy6v6iwbqkcc1rooz0ryptbt9qad

Staff is working to review the materials and confirm compliance with related requirements. We will be striving to provide any additional comments or a notice of completeness to the applicant by March 14. Please let me know if you have any questions regarding the updated materials, or would like to provide additional written correspondence to amend/replace your earlier emails.

Thank you,
Ori

Ori Paz
Associate Planner
City Hall - 1st Floor
701 Laurel St.
tel 650-330-6711
menlopark.org

From: Paz, Ori
Sent: Thursday, February 10, 2022 4:52 PM
To: 'Roxanne Rorapaugh' <roxielovell@icloud.com>
Cc: Andrews, Chuck <CHAndrews@menlopark.org>; jillian Keller <jkeller@bartlett.com>; Mueller, Ray <RDMueller@menlopark.org>
Subject: RE: 905 Sherman Avenue - Revised Plans
Hi Roxie,

Thank you for your email. Please see responses to your questions in-line below.

Sincerely,
Ori

From: Roxanne Rorapaugh [mailto:roxielovell@icloud.com]
Sent: Wednesday, February 9, 2022 4:02 PM
To: Paz, Ori <OriPaz@menlopark.org>
Cc: Andrews, Chuck <CHAndrews@menlopark.org>; jillian Keller <jkeller@bartlett.com>; Mueller, Ray <RDMueller@menlopark.org>
Subject: Fwd: 905 Sherman Avenue - Revised Plans

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.

Hello Ori,

Vic and I are encouraged to see the changes Anna outlined for the 905 Sherman Ave Property and what appears to be a careful reconsideration of the plan to protect the heritage Oak tree in our yard as well as other issues. Thank you as well for the help you have given us in making our voices heard.

We are a little confused by this last message from Anna, so just want to clarify a few things:

1) has a date been set for the project going before the Planning Commission? No date for the Planning Commission has been set at this time. The most recent iteration of the project will need to be reviewed to determine whether the project can be deemed complete before a meeting date is scheduled.

2) If it hasn’t, could you let us know when the date is set? I check the commission’s website frequently, but the agendas aren’t posted until just a few days before the meeting and we need more time than that to review the plans. I will let you know when the project is deemed complete and relay the tentative Planning Commission date when available.

3) Anna mentions a “neighbor notice” being mailed out. The neighbor notice link Anna includes in her email takes us to Thomas James Homes website that has only a few pages of plans. The website is also very slow and doesn’t allow use to download the plans so we can view them easily. There used to be a web page that listed Application Notices (which I think are the same as neighbor notices) that had been mailed out were listed and files could be downloaded. I can’t find that page anymore. Do you if there is a page like that anymore and could you point me to it? The notice Anna referenced is a mailer from the project team. The next notice from the City would be the Planning Commission meeting notice and will include a link to final plans and project materials along with the staff report 72 hours before the Planning Commission meeting. I am working to have the project team provide the plans. I can share those with you once received.

4) We do want to see additional details and will likely have more comments for your team and for the planning commission. We need to see detailed plans, including the tree protection plan.
and arborists report. Please let us know when these are available for review. I am working to have the project team provide the plans and arborist report. I can share those with you once received.

Thank you again for all of your help in this process.

Cheers,
Dr. Vic Lovell and Roxie Rorapaugh Lovell
885 Sherman Ave
Menlo Park, CA. 94025
roxielovell@icloud.com
6502837899

Begin forwarded message:

From: Anna Felver <afelver@tjhusa.com>
Subject: Re: 905 Sherman Avenue - Revised Plans
Date: February 4, 2022 at 10:53:18 AM PST
To: Roxanne Rorapaugh <roxielovell@icloud.com>
Cc: "Paz, Ori" <oripaz@menlopark.org>, chuck Andrews <chandrews@menlopark.org>, jillian Keller <jkeller@bartlett.com>, Ray Mueller <rdmueller@menlopark.org>

Dr. Vic and Roxie,

Glad to hear! We will continue to coordinate throughout the process. We will now submit to the city to receive review.

Best,

<image001.jpg>
Anna Felver
Senior Planning Manager

THOMAS JAMES HOMES
255 Shoreline Dr Suite 428, Redwood City, CA 94065
(650) 402-3024 | TJH.com
THE RIGHT HOME, RIGHT WHERE YOU WANT IT.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed.
From: Roxanne Rorapaugh <roxielovell@icloud.com>
Sent: Thursday, February 3, 2022 8:43 PM
To: Anna Felver <afelver@tjhusa.com>
Cc: Paz, Ori <oripaz@menlopark.org>; chuck Andrews <chandrews@menlopark.org>; jillian Keller <jkeller@bartlett.com>; Ray Mueller <rdmueller@menlopark.org>
Subject: Re: 905 Sherman Avenue - Revised Plans

This message was sent from outside the company by someone with a display name matching a user in your organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Hello Anna,

Thank you for the update, we are very happy to see the changes. From what we can see, the goal of protecting the Heritage Oak tree in our yard is on track to be met. We also appreciate locating the fence so that we can use our driveway in the same way we have been using it since Vic bought the house in 1972.

It is great that we have been able to work this out. We feel the 905 house will be a better home with these changes. There are many large trees in our neighborhood, being able to see one from their own yard will allow our future neighbors at 905 to enjoy the ambiance of a mature tree canopy more fully.

We will review the neighbor notice when we receive it for details, but what we see so far looks good.

Thank you for listening.

Dr. Vic Lovell & Roxie Rorapaugh Lovell

On Feb 2, 2022, at 6:51 PM, Anna Felver <afelver@tjhusa.com> wrote:

Roxie and Dr. Vic Lovell,

We appreciate you reaching out and coordinating throughout this process. I know it's a challenging and lengthy process, but we want to design a home that accommodates Tree 6 and your help has been important in achieving that.

Since the last time I responded, our team has looked at several alternatives and have revised the plans again based on more root analysis of Tree6 and based on the City's further analysis of the tree. Our team also looked at your driveway condition in relation to the property line and made changes to our proposed fence location to accommodate. We have collated our plans to be able to show you these changes. Please refer to the attached site plan comparison for more information regarding the specific site changes. A new neighbor notice will be mailed shortly or you can select the link to view.

• House location change for Tree 6: Based on our arborist's root analysis of Tree 6 and its condition in your planter, it has been recommended to be over 19ft away from the tree face with a standard foundation. By flipping the whole house, locating the ADU on the right side and the lanai on the left side, we are able to move our home foundation over 22ft away from the tree exceeding the minimum given by the arborist. The lanai area is proposed to be a landscape feature and therefore will have minimal impact to the tree root zone. As for tree canopy, the second floor location will minimally impact the canopy. Our arborist will be providing a report to reflect these findings and show a protection plan which will be
implemented during demo and construction phases of the home. The report will be reviewed and confirmed by the city before any approval is given to this project.

- Fence Location change: After doing site observation, our team showed us that your driveway is close to the property line and that the existing fence line is located on our property. Typically, we position our new fencing on the recorded property lines. However, we understand that this your driveway and access would be impacted, so we are proposing to move that new fence off the property line and follow the existing fence line (shown in green in the attached document) to offer you continued access as you have requested below. We will continue to work with you at time of construction of the fence to further coordinate the details of this.

- Side Access: Since we are moving that fence line in and due to other site constraints, we still need to provide enough access between the fence line and the garage per code. This will provide 3-4ft at the closest area between garage and fence and provide 7-8ft at house and fence. We will have a path that allows the homeowners to access their backyard.

- ADU Location: Due to the flip of the house, the ADU is no longer on the left side but now on the right.

- Other Trees Impacted: Due to the flip of the house, the garage is on the left side and will impact the trees with significant health issues, we are proposing to remove trees 3, 4 and 5 on that front left side in order to retain Tree 6. We are modifying our driveway (as you can see it has a bend in the plans) to bend around trees 1 and 2 for retention.

- Elevation changes: The second-floor plan, as previously expressed, has been significantly redesigned and is proposed to be setback from the front garage as well as along other edges. There will be no cantilever/overhang of the 2nd floor offering a more desirable front elevation.

Please continue to reach out if you need more info. or more coordination. Again, appreciate your attention and participation with this new home. Even though it has taken more time and effort, we want to resolve concerns during this design phase. We will be submitting this iteration to the city soon.

Best,

Anna Felver
Senior Planning Manager

THOMAS JAMES HOMES
255 Shoreline Dr Suite 428, Redwood City, CA 94065
(650) 402-3024 | TJH.com
THE RIGHT HOME, RIGHT WHERE YOU WANT IT.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed.

Anna Felver
Senior Planning Manager

THOMAS JAMES HOMES
255 Shoreline Dr Suite 428, Redwood City, CA 94065
While we appreciate your letter below, we still see the Heritage Valley Oak tree to be endangered by your project as planned.

1). Your plan does not show any protective measures for the critical root zone and the tree protection zone for the heritage Oak. A heritage tree protection zone is the area within 10 times the diameter of the tree. In the case of the heritage oak living on our property that is 35 feet \((3.5 \text{ ft} \times 10)\). It looks like at least 2/3 of the ADU portion of your plan falls in this zone. There needs to be a tree protection plan created for the review and approval of the public works director. (See item c from chapter 13.24 of Menlo Park Municipal Code copied below this message regarding this plan.

We are concerned with how you plan to build this without harming the roots of a heritage tree that has been living for probably over a century and is contributing to the health, air quality and beauty of the entire neighborhood. In fact, the owner of the house you are building would likely prefer the tree be protected as well, a mature tree canopy is one thing that can not be built, only time creates that. Have you considered moving the ADU to the other side of the house, where the Lanai is?

2). As for the fence, a representative from Thomas James Homes who came by our house last week to verify the placement of the oak tree said that we could keep our old fence and that the building on the 905 Sherman property would take place within the fence borders. We prefer to do this, leave the fencing as is. We do not mind if you want to remove the planter portion attached to the fence on your side of the property, but we want to keep the fence itself.

3) ok

4) That’s nice about the second floor setback over the garage.

In conclusion, Dr. Vic Lovell has owned and lived at 885 Sherman Ave since 1973, and his wife Roxie has lived at the same address since we were married in 2002. The heritage Oak tree we are discussing was already mature and in residence when Vic moved in. Our neighbors have enjoyed this Oak tree as much as we have. It cleans the air, provides shade, habitat and
beauty. We are fortunate and proud to live in a city where the health and safety of trees are valued. We know our future neighbors will be happier and healthier if they are able to live under the shade of this lovely tree as well. Let’s continue to work towards this.

Regards,
Dr. Vic Lovell and Roxie Rorapaugh Lovell.

13.24.030 Maintenance and preservation of heritage trees.

(a) Any person who owns, controls, or has custody or possession of any real property within the city shall use reasonable efforts to maintain and preserve all heritage trees located thereon in a state of good health pursuant to the provisions of this chapter. Failure to do so shall constitute a violation of this chapter.

(b) Any person who conducts any grading, excavation, demolition or construction activity on property shall do so in such a manner as to not threaten the health or viability or cause the removal of any heritage tree.

(c) Any work performed within an area ten (10) times the diameter of a heritage tree (i.e., the tree protection zone) shall require submittal and implementation of a tree protection plan for review and approval by the public works director prior to issuance of any permit for grading or construction. The tree protection plan shall be prepared by a city-approved certified arborist and shall address issues related to protective fencing and protective techniques to minimize impacts associated with grading, excavation, demolition and construction. The public works director may impose conditions on any city permit to assure compliance with this section. (Ord. 1060 § 2 (part), 2019).

On Nov 22, 2021, at 4:53 PM, Anna Felver <afelver@tjhusa.com> wrote:

Roxie and Victor,

Progress has been made and I understand that it has been awhile since we touched base and I wanted to assure you that we are working on addressing all the comments you have given to us and the city. We have not compiled for a resubmittal, as soon as we do, I will notify you with the plans so that you have the new proposal at hand.

The design phase does take time. So thank you for working with us and waiting patiently on the design changes. As a quick summary:

• Tree #6 - the Valley Oak tree on your property. Yes it was located inconsistently in our drawings. This will be revised.
• Location: Trees are surveyed by our Civil Engineer and their location was estimated per the Property line. We had a team go out and re measure. From Tree face is 8ft and 6inches from side fence line and 19ft from the rear fence line.
• Diameter: The city assessed the tree. They measured the Tree diameter to be 42" which is in alignment with our arborist who noted 42" in diameter. The city assessment will be included in our revised set.
• Value: The city arborist also assessed the value of the tree. Again not far off from our arborists value. The city's report will be included with their value of $49,951.
• Pruning: The pruning of the tree will be minor as the proposed second story is setback from this first story footprint. I have a diagram to show that estimated canopy and the 2nd floor in blue. The first story will be around 12.5ft tall so those limbs should have a small impact and small percentage of pruning needed. If we would have put the 2nd story over the 1st story on that corner then pruning would have a greater impact on the tree, but this is being avoided by the significant setback.

• (NOTE: this is not the fully updated version.)
•
• <image.png>
•
• Fencing- We are showing in the image a red line which is just an estimate of where the existing fence is located. Again, we will want to coordinate that new fence location based on the existing as we get closer to construction.
•
• 855 Sherman Garage location - we typically do not show accessory units if they are not right off the property line. However, we will have it shown in our revised drawing set.
•
• House overhanging feature - We have modified our design for our revised drawing set. The image above shows the 2nd floor setback further from the garage outline. This will significantly change the look of the home.

We will reach out once we have completed our changes throughout the drawings.
Best,

<7808fd5a-be35-4f7c-879c-b85bd074d4b1.jpg>
Anna Felver
Planning Manager

THOMAS JAMES HOMES
255 Shoreline Dr Suite 428, Redwood City, CA 94065
(650) 402-3024 | TJH.com
THE RIGHT HOME, RIGHT WHERE YOU WANT IT.

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<Area plan- 905 Sherman Avenue.pdf>
Comments on 905 Sherman, Menlo Park

1. It is stated that the applicant reached out to all neighbors within 300 feet off the property. I own two homes within 75 feet of the applicant home on Sherman Avenue (935 Sherman and 955 Sherman) and I never received anything. While these are rental homes, my information is on title, and I would assume that it would be available to applicant.

2. I support that applicant’s desire for a two-story home.

3. I believe that the modern design of the home is out of character with the neighborhood and will work to the deterrent of our block of Sherman Avenue. It is challenging to understand how the applicant believes that it will “compliment (sic) well with the neighborhood context” when there are no similar homes on the block. I know that I and many other neighbors would like to see them build a traditional home in this location.

Michael Citron
Hi Ori,

The home continues to be a modern home in a neighborhood of classical homes. When we built on 955 Sherman, the planning department insisted that our build fit in with the neighborhood, from front lot line to front door to look. Indeed, I had to prove it was a safety issue to have the garage in the back or I would not have been allowed to move it to the front and attach it to the home.

This home should be a home that looks and feels as though it belongs.

Thank you,

Sloane.
I’m flabbergasted that my carefully made comments made last November, as you stated, which are essential to this project, were not received and posted. How can this be? I did exactly what I was supposed to do.

Please let me know that the project will be put on hold until these comments are officially added to the record and properly addressed. Let me know if I need to go directly to the planning board to explain the omission or if this is something you will do.

I would hate to see the situation become legally escalated because of this oversight.

Thank you,
Sloane.

From: "Paz, Ori" <OriPaz@menlopark.org>
Date: Tuesday, February 15, 2022 at 4:18 PM
To: Sloane Citron <sloanecitron@gmail.com>
Subject: RE: 905 Sherman

Hi Sloane,

I wanted to let you know that we received a resubmittal for the subject project. The applicant has been working to preserve a heritage tree and modified the proposed layout and design accordingly.

Please find the plans, description letter and arborist report here: https://menlopark.box.com/s/zbdxoy6v6iwbqkcc1rooz0ryptbt9qad

In searching for your email to send you this update I see there may have been another email from you in November that was withheld by the email security program. Please resend at your soonest convenience and let me know if you would like to update your comments on the project for the record based on the updated materials.

Thank you,
Ori

From: Paz, Ori
Sent: Tuesday, November 2, 2021 3:31 PM
To: 'Sloane Citron' <sloanecitron@gmail.com>
Subject: RE: 905 Sherman

Hi Sloane,

The plans can be viewed at this link: https://www.menlopark.org/ArchiveCenter/ViewFile/Item/12827

The floor area limit (FAL) is 2,800 square feet. State law allows them to exceed the FAL by the area of the proposed ADU, up to 800 square feet. They appear to comply with the allowable areas. A breakdown can be found on the title sheet of the plans, page 10 of the notice pdf at the link above, and floor area and building coverage diagrams are included on page 16.

State law preempts the Planning Division and Planning Commission’s discretion for a number of ADU elements, provided the minimum requirements for a unit are provided and the State’s allowable setbacks and size limitations would be met. The proposed ADU appears to meet the minimum requirements to be considered a unit, and would comply with the setbacks and related requirements with the exception of a City requirement related to the landing proposed on the left side of the home. The landing will need to be revised to be a minimum of four feet from the side property line.

G21
Typically information about commenters is included in public comment to provide context for the Commission. We would also forward your comments to the applicant to allow them the opportunity to try to respond and/or mitigate concerns. This would not be possible if the comments are posted anonymously, however I can look into whether you would be allowed to comment anonymously if you would like. Please let me know if you would like me to look into that for you.

Thank you,
Ori

---

Hi Ori,

Can you help me? I can’t tell from the plans whether they are staying within the square footage allocated for a 5500 sq. foot lot or if they are asking for a variance from that.

Also, what is the planning department’s view of the ADU that they are proposing. Does everything go now, no matter what?

As soon as I have that information, I’ll send a response letter. Do the response letters require our names?

Thank you for your help.

Sloane.

---

Hi Sloane and Judy,

We are early in the process for this project. The other neighbor contacted me last week and we received their comments this week. I will work with our administrative staff to update the mailing lists to include your mailing address.

As for your comments on the project more generally, I can and will forward those to the applicant. However, please let me know if there are any specific changes that you would like to discuss with the applicant or if you would prefer I send your written comments below to the applicant and include them in the public record to be forwarded to the Planning Commission with the report later in the process.

Thank you,
Ori
Hi Ori,

Thank you for your email. In your email you mention that “the applicant is still working to revise the plans to address the comments from staff and other neighbors.” We are perplexed, however, as to why we just learned about this plan and did not have the ability to previously contribute input? We are, of course, most affected by this development as we own both 935 Sherman and 955 Sherman.

We are vehemently opposed to the design, scope and look of this home and will do everything in our power to make sure that it does not transpire. It is indeed remarkable that the developer states that they “believe that the home will compliment well with the neighborhood context.” The design and look of this home could not be further from the traditional look and feel of the neighborhood.

We look forward to taking our appropriate and rightful role in the development of this property and appreciate you keeping us fully informed. Any correspondence should be directed to us at the address and phone number below.

All the best,

Sloane and Judy Citron
310 Arden Road
Menlo Park, CA 94025
650.465.5407
Hi Ori,

We would appreciate it if you could make sure to include us on any reviews, issues, planning meetings etc. with regard to 905 Sherman Ave as we own the two next door homes at 935 Sherman and 955 Sherman.

Thank you. We appreciate it.

All the best,

Sloane and Judy Citron.
Recommendation
Staff recommends that the Planning Commission approve a request for review and approval of major modifications to an approved Conditional Development Permit (CDP) for interior and exterior changes to the previously approved hotel building and changes to the landscaping and on-site circulation. No changes are proposed to the number of rooms (240 rooms), the number of on-site parking spaces (118 parking spaces) or the shared parking agreement between the hotel use and the other site occupant, Meta, (formerly Facebook). The proposed modifications would continue to comply with the floor area ratio, building coverage, and maximum height limits of the previously approved CDP.

In 2016 the City Council certified an Environmental Impact Report (EIR) as part of its approval of the Meta Campus Expansion Project, which included a potential 200-room hotel. Subsequent revisions to the Meta Campus were previously analyzed through the Facebook Campus Expansion Project First Addendum. In February 2020 the City Council approved revisions to increase the number of hotel rooms to 240 rooms and approved a shared parking agreement, which was analyzed in a Second Addendum to the certified EIR. The currently proposed revisions have been reviewed against the analysis in the certified EIR, and First and Second Addendums, and the proposed revisions would not result in new impacts or an increase in the severity of previously identified impacts. Staff’s recommended actions are included in Attachment A.

Policy Issues
The Third Amended and Restated Conditional Development Permit (herein referred to as the CDP) for the subject property outlines a five-tier review process for progressively more substantial reviews for changes to the project as opposed to the initial project approval. Major Modifications are reviewed by the Planning Commission as a Regular Business item, and publicly noticed. Major Modifications are changes or modifications to the Project that are not in substantial compliance with and/or substantially consistent with the Project Plans and Project Approvals. The Planning Commission should review the proposed modifications for compatibility with other building and design elements and onsite/offsite improvements of the CDP and determine if the required findings in Attachment A can be made.

Background
Site location
The approved hotel will be located on the Meta West Campus (“Project Site”), which will ultimately contain Meta Buildings 20, 21, 22, 23 and the hotel when build out is complete. The hotel will be located in the
northwestern corner of the Project Site ("Hotel Site"). The Project Site extends along the southern side of Bayfront Expressway between Chilco Street along the western and southern edges of the Project Site and Willow Road along the eastern edge of the Project Site. Bayfront Expressway and the former salt ponds that are part of a current restoration project are located to the north of the Project Site.

To the west of the Hotel Site and across Chilco Street are commercial and industrial uses within the O (Office) zoning district, including the Meta occupied buildings at 180-200 and 220 Jefferson Drive. That site includes the Meta Chilco Campus Transit Center, and includes a centralized shuttle and tram pick-up/drop-off location to serve employees in Meta occupied buildings along Jefferson Drive and the western portion of the Meta West Campus. To the east of the Hotel Site is Meta Building 22 and its parking structure. Directly to the south is Meta Building 23 and further south, across the Dumbarton Rail Corridor and Chilco Street, are the Menlo Park Community Center site currently under construction (formerly Onetta Harris Community Center and Menlo Park Senior Center), Beechwood School, Menlo Park Fire Protection District Station 77, and single-family residences (R-1-U zoning district). A location map identifying the entire Meta West Campus is included as Attachment B. An exhibit which identifies the locations of each building on the Project Site is included on sheet CDP-01 of the project plans (hyperlink Attachment C).

**Previous Planning Commission review**

The proposed Major Modifications were first heard at the February 28, 2022 Planning Commission meeting. After receiving a presentation from the applicant, taking public comment, and discussing the project, the Commission voted unanimously to continue the item, with direction to the applicant to revise their proposal. The February 28, 2022 staff report, which provides a full project history and a detailed discussion of the revisions, is included as hyperlink Attachment D. The video of the February 28, 2022 Planning Commission meeting is available as hyperlink Attachment E. The applicant has now prepared a revised proposal addressing the Commission’s feedback. Table 1 below notes the main aspects of the Commission’s feedback and the revisions the applicant has made in response. The revised proposal is further discussed in the “Analysis” section of this report.
### Analysis

**Project description**

The revised proposal would retain all project characteristics related to the footprint, landscaping, parking and circulation, and other site and building features that were presented to the Planning Commission on February 28, 2022, with the exception of the proposed exterior materials at the ground floor of the north façade and west end of the building. As previously stated, no changes are proposed to the previously-approved number of rooms, the number of onsite parking spaces or the shared parking agreement between the hotel use and Meta, the other site occupant.

Consistent with what was presented to the Planning Commission on February 28, 2022, the proposed project continues to include the following modifications from the previously approved CDP:

- Reduce the overall building gross floor area from 90,243 square feet to 79,413 square feet;
- Reconfigure the ground floor to locate more building program under the western tower to enclose the previously open-air plaza area for meeting rooms;
- Relocate the fitness center to the ground floor;
- Consolidate the shipping and receiving to one central area;

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<table>
<thead>
<tr>
<th>2/28/2022 Planning Commission Feedback</th>
<th>Revised Proposal (plan sheets referenced are included in Attachment C)</th>
</tr>
</thead>
<tbody>
<tr>
<td>* Revisit the façade treatment of the back-of-house area on the north elevation to increase glazing</td>
<td>* Floor-to-ceiling glazing proposed at occupied rooms (i.e. fitness center, offices, storage) of back of house area (CDP-14, CDP-16, CDP 20, CDP-51, CDP-52)</td>
</tr>
<tr>
<td>* Retain more of the visual interest at north elevation</td>
<td>* Façade treatment consistent with the restaurant would be applied to the back of house areas (CDP-14 and CDP-16)</td>
</tr>
<tr>
<td>* Retain pedestrian scale of the previously-approved design in the proposed modifications at north elevation</td>
<td>* Façade treatments to create smaller strong visual borders, similar to the, “TV frame”, elements of the towers, applied to the ground floor back of house façade on the north elevation to break up the mass of the wall (CDP-14, CDP-16, CDP 20, CDP-51, CDP-52)</td>
</tr>
<tr>
<td>* Consider revisions to improve the ground floor façade at the “ends” of the building</td>
<td>* Glazing would wrap the corners and extend approximately eight feet toward the center of the western end of the building to increase openness and visibility of structural members</td>
</tr>
<tr>
<td>* Provide an update on the community outreach plan for the large scale artwork on the west elevation</td>
<td>* A community outreach plan (Attachment F) was provided outlining the intended approach to outreach for the artwork</td>
</tr>
</tbody>
</table>
- Remove one red exterior staircase (on the east elevation) and provide an internal replacement stairwell;
- Revise the primary restaurant entrance to the north elevation;
- Revise circulation to accommodate two-way traffic and emergency vehicle access consistent with passenger vehicle direction of travel;
- Regrade the site around the modified footprint of the building and install a retaining wall at the southwest corner near the on-site walkway to comply with FEMA lowest adjacent grade (LAG) requirements;
- Provide a new accessible pedestrian connection to the Chilco Street sidewalk from the north entrance plaza;
- Revise rooftop mechanical penthouse configuration and screening;
- Move the glazing at the ground floor from being inset from the façade behind the structural columns to be directly below the façade of the upper levels; and
- Modify the exterior material application between the first and second levels to differentiate between the ground floor and upper floors.

The revisions in response to the Commission’s feedback included in the current proposed project materials include:

- Extend the façade design features of the restaurant to the back of house area and additional floor-to-ceiling glazing for the occupied spaces at the north elevation; and
- Continue the glazing around the corner of the west end of the building and install a green wall near the exterior staircase where the wall is proposed to be a solid wall.

The applicant has submitted a project description letter (Attachment G) that describes the proposed modifications, including the changes made in response to the Planning Commission’s feedback from the February 28, 2022 meeting, and updated project plans (hyperlink Attachment C).

**Design and materials**

The design modifications proposed in response to the Planning Commission’s feedback from the February 28 meeting would enhance the design of the ground floor back of house at the north elevation by applying material treatments consistent with those proposed for the restaurant at the east side of the back of house projection and adding floor-to-ceiling glazing for the occupied spaces at the west end. The applicant has indicated the material treatment would tie in the “TV-frame” design of the towers, creating modulations at the pedestrian scale to break up the mass. Plantings and necessary irrigation are proposed at the base of the back of house façade, at the north elevation, consistent with the proposed modifications presented to the Commission on February 28, to grow vines to cover the lower portion of the walls.

As part of the response to the Commission’s feedback, the applicant also proposed additional glazing for the west end of the building at the ground floor to increase transparency and retain more of the openness of the approved design. The modifications in response to the Planning Commission’s feedback would feature floor-to-ceiling glazing that would wrap the corners of the western end of the building and install a green wall for the segment behind the exterior staircase where stucco would remain.

The siding panels from the approved contemporary architectural style were incorporated into the revised
The proposed color of the siding between the major faces of the building would be changed to a darker color that would increase the contrast of the bright siding panels. Details regarding the materials can be found on sheet CDP-12 in the project plans (hyperlink Attachment C).

Consistent with the approved hotel, a mural or similar largescale artwork will be applied to the western side of the west massing of the building near the red exterior staircase. At its February 28, 2022 meeting, the Planning Commission requested an update on the community engagement plan for the artwork. The applicant has provided an overview of the outreach plan (Attachment F) outlining their engagement plan. The plan indicates a five-member selection committee (two local artists/critics, two Belle Haven community members and one citizenM representative) would be established to extend invitations to 10 local artists for evaluation. The evaluation process would involve review of resumes and photos of previous work and interviews to establish three finalists who would be compensated to prepare proposals for review by the selection committee and the public. The selection committee would evaluate public input and make a recommendation to the citizenM Creative Board for confirmation of the selection. The process and outcome would then be presented to the Menlo Park Community Development Director for validation and confirmation before the citizenM team works with the artist to finalize the installation. Public outreach is required through CDP condition of approval 15.2.2, included below for reference:

The Hotel Operator shall conduct community outreach to the satisfaction of the Community Development Director for the exterior facade mounted artwork with the goal of ensuring that the selected artwork reflects the values and input of the community. The artwork selected as a result of the community outreach process shall not be subject to Planning Commission review, unless otherwise requested by the Community Development Director. Installation of the community selected artwork shall conform to the size, location, lighting and other design specifications approved by the Planning Commission.

Staff believes the proposed modifications in response to the Planning Commission’s feedback would enhance the design and be consistent with the style of the approved design. The application of the exterior treatments for the restaurant to the back of house area, and the additional glazing for occupied spaces would improve the visual quality of the north elevation. The use of living walls and vines would help to add visual interest. The wrapping of glazing around the corners of the west end of the building would increase visibility of the structural elements and red features to retain more of the open, floating appearance of the approved design. The return to the approved siding panel style and enhancement of contrast through the proposed change to the color of the panels between the major faces of the towers would retain additional elements of the approved design and enhance the proposed Major Modifications.

**Correspondence**

As of the writing of this report, staff has not received any items of correspondence on the proposed Major Modifications to this project.

**Conclusion**

Staff believes the changes proposed in response to the Planning Commission’s feedback would improve the overall appearance of the back of house area and west end of the building, and would retain aesthetic elements from the approved contemporary architectural style of the building. The changes and overall
proposed Major Modifications to the hotel would comply with the CDP and would not increase the number of hotel rooms or decrease the approved number of parking spaces. The certified EIR and the Second Addendum approved by the City Council in 2020 adequately assessed potential impacts. No additional environmental impacts are anticipated based on the proposed modifications or changes made in response to the Planning Commission’s feedback. Staff recommends that the Planning Commission approve the Major Modifications to the CDP.

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. The project will also be required to pay the Transportation Impact Fee (TIF) in place at the time of building permit issuance for the 240 rooms, per CDP condition of approval 15.4. The current TIF is $10,010.13 per hotel room. The total estimated TIF is $2,402,431.2. The TIF escalates annually on July 1.

Environmental Review
As part of the Facebook Expansion Project, in November 2016 the City Council approved an amended and restated conditional development permit for a 200-room limited service hotel of approximately 174,800 square feet. Although it had not yet been designed, the Facebook Campus Expansion Project EIR analyzed the potential environmental impacts of a 200-room limited service hotel as part of the overall Campus Expansion Project. A First Addendum to the EIR was approved in 2017 for changes to the Facebook Campus plan unrelated to the hotel project.

In February 2020, the City Council approved the third amended and restated conditional development permit to increase the approved number of hotel rooms from 200 to 240 rooms, decrease the number of onsite parking spaces for the hotel use from 245 to 118 parking spaces, and incorporate a design review process for large scale exterior artwork. The environmental impacts of these changes were analyzed in a Second Addendum to the 2016 Facebook Campus Expansion Project EIR.

The Second Addendum concluded that the revised Hotel would not result in any new significant impacts or increases in the severity of previously identified significant impacts. As described in the Addendum, the revised Hotel would maintain the same uses identified in the 2016 EIR, include less gross square footage, and decrease the total height of the hotel as compared to the hotel analyzed in the 2016 EIR. Further, the revised Hotel would result in fewer trips than were analyzed in the 2016 EIR, and the trip cap for the approved project would continue to apply. With respect to air quality, the revised Hotel construction would be substantially the same as or, because of modular construction, less intense than the construction activities (i.e., schedule, demolition, construction equipment) analyzed for the hotel in the 2016 EIR.

Finally, the Second Addendum concluded that since certification of the EIR, there had been no substantial changes with respect to the circumstances under which the revised Hotel would be undertaken that would result in any new or substantially more severe significant impacts than the impacts identified in the 2016 EIR.

The proposed modifications would not intensify or change the mix of uses analyzed in the Second
Addendum, and the same number of parking spaces would be provided. The overall building square footage would be approximately 10,830 square feet less than the approved Hotel, resulting in a slight reduction in construction impacts. As a result, impacts related to operational air quality, land use and planning, operational greenhouse gas emissions, operational noise, population and housing, and transportation would remain unchanged from the impacts disclosed in the Second Addendum and the original EIR. Due to the reduced size of the modified hotel, impacts during construction related to air quality, greenhouse gas emissions, and noise would be slightly reduced from those impacts disclosed in the Second Addendum. Finally, since adoption of the Second Addendum there have been no substantial changes with respect to the circumstances under which the revised Hotel would be undertaken that would result in any new or substantially more severe significant impacts. Therefore, none of the conditions described in CEQA Guidelines Section 15162 have occurred and no changes are needed to the EIR or the Second Addendum in order to address the proposed modifications. No further CEQA review is required.

Below is a more detailed description of the possible topic areas that could be affected by the changes to confirm the proposed project is adequately addressed by the environmental review in the 2016 EIR and the First and Second Addenda to the EIR and no new or more severe impacts would be created:

Aesthetics: Although the overall height of the proposed Hotel would increase slightly compared with the approved conditions, the proposed Hotel would be reduced in size compared to what was studied in the EIR. Similar to the approved conditions studied in the Second Addendum, the proposed Hotel may include somewhat more lighting than anticipated in the EIR. However, in compliance with Mitigation Measure AES 3.1 and CDP Section 9.33, the Hotel Project Sponsor shall submit a lighting plan to the satisfaction of the City to ensure that light and glare do not spillover to neighboring properties, ensuring that potential light and glare impacts are mitigated to a less significant level. Minor changes to a few of the proposed materials are proposed, as well as elimination of one of the red exterior staircases, however these visual changes would not represent meaningful differences in evaluation of the proposed project relative to the approved project as studied in the Second Addendum or the maximum size studied in the EIR.

Transportation: The proposed project includes modifications to circulation on the project site relative to the approved hotel conditions. However, no changes to the number or approximate locations of ingress/egress points are proposed. Additionally, the proposed travel path and parking configuration has been preliminarily approved by the Menlo Park Fire Protection District and Recology waste services. No changes to the number of rooms nor parking spaces are proposed, and the area of the restaurant would be only slightly reduced resulting in no meaningful changes to the analysis completed for the shared parking agreement. Furthermore, the proposed Hotel would be subject to the same approved vehicle trip cap that applies to the entire Project site.

Air quality/Greenhouse Gas Emissions/Noise: The revised Hotel construction would be substantially the same as the approved modular construction activities (i.e., schedule, demolition, construction equipment) identified for the approved Hotel in the Second Addendum, though the proposed changes would reduce the overall area of the building and therefore slightly reduce the impacts studied in these three topic areas.

Population and housing: The proposed project would not increase the number of hotel rooms and would
slightly decrease the area of the restaurant, thus the proposed changes would not increase the number of employees assessed as part of the Second Addendum. As discussed in the Second Addendum, using the rates from the EIR, the approved Hotel would have resulted in three additional Menlo Park residents and demand for two additional housing units. The two additional households would represent approximately 0.2 percent of the overall household growth in the City during the 5-year period and is not considered a new significant impact. Using the applicant’s employee estimate the approved Hotel would have resulted in a slight decrease in employment and population compared to the Hotel Project studied in the CDP. The proposed changes are likewise not considered a significant new impact.

The Certified EIR, First and Second Addenda to the Certified EIR are available for review at the Community Development Department, the main branch of the Menlo Park Library, the Belle Haven branch of the Menlo Park Library, and online at the following link. http://menlopark.org/1012/Environmental-Impact-Report

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 quarter mile radius of the subject property.

Attachments
A. Recommended Actions
B. Location Map
C. Hyperlink: Project Plans
D. Hyperlink: February 28, 2022 Planning Commission Staff Report
E. Hyperlink: Video of February 28, 2022 Planning Commission meeting:
   https://www.youtube.com/watch?v=2yKGaYtIGQ4
F. Public Artwork Community Engagement Plan Overview
G. Project Description Letter

Disclaimer
Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible.

Exhibits to Be Provided at Meeting
None
LOCATION: 300 Constitution Drive  
PROJECT NUMBER: PLN2021-00056  
APPLICANT: Heather Skeehan  
OWNER: HIBISCUS PROPERTIES, LLC

PROPOSAL: Request for review and approval of major modifications to an approved Conditional Development Permit (CDP) for interior and exterior changes to the previously approved hotel building and changes to the landscaping and on-site circulation. No changes are proposed to the number of rooms (240 rooms), the number of onsite parking spaces (118 parking spaces) or the shared parking agreement between the hotel use and the other site occupant, Meta (formerly Facebook). The proposed modifications would continue to comply with the floor area ratio, building coverage, and maximum height limits of the previously approved CDP. The City Council certified the Environmental Impact Report (EIR) as part of its approval of the project in November 2016. Subsequent project revisions were previously analyzed in the Facebook Campus Expansion Project Addendum to the EIR (First Addendum). The City Council approved revisions to increase the number of hotel rooms to 240 rooms and approved a shared parking agreement in February, 2020, which was analyzed in a Second Addendum to the EIR. The currently proposed revisions have been reviewed and determined to be adequately studied by the certified EIR together with the First Addendum and Second Addendum. The proposed revisions would not result in new impacts or an increase in the severity of previously identified impacts, thus no new environmental review is required.

DECISION ENTITY: Planning Commission  
DATE: April 11, 2022  
ACTION: TBD

VOTE: TBD (Barnes, DeCardy, Doran, Harris, Kennedy, Riggs, Tate)

ACTION:

1. Make a finding that potential environmental effects of the revised project are adequately considered by the analysis in the certified EIR, First Addendum and Second Addendum, no new or more severe impacts would occur than previously recognized, no other circumstances exist requiring additional environmental review, and the pending application may be considered in reliance on the EIR, First Addendum and Second Addendum.

2. Make findings, as per Section 6.1.3 of the Third Amended and Restated CDP pertaining to Major Modifications, that the proposed changes will be compatible with other building and design elements or onsite/offsite improvements of the Third Amended and Restated Conditional Development Permit and would not have an adverse impact on safety and/or the character and aesthetics of the site.

3. Approve the Major Modification to the Third Amended and Restated CDP subject to the following standard conditions:
   a. The applicant shall be required to apply for a building permit within one year from the date of approval (by April, 11, 2023).
   b. Development of the project shall be substantially in conformance with the plans prepared by Baskerville Architects, consisting of 55 plan sheets, dated received March 16, 2022, and approved by the Planning Commission on April 11, 2022 except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
   c. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies’ regulations that are directly applicable to the project.
   d. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
   e. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Division.
LOCATION: 300 Constitution Drive
PROJECT NUMBER: PLN2021-00056
APPLICANT: Heather Skeehan
OWNER: HIBISCUS PROPERTIES, LLC

PROPOSAL: Request for review and approval of major modifications to an approved Conditional Development Permit (CDP) for interior and exterior changes to the previously approved hotel building and changes to the landscaping and on-site circulation. No changes are proposed to the number of rooms (240 rooms), the number of onsite parking spaces (118 parking spaces) or the shared parking agreement between the hotel use and the other site occupant, Meta (formerly Facebook). The proposed modifications would continue to comply with the floor area ratio, building coverage, and maximum height limits of the previously approved CDP. The City Council certified the Environmental Impact Report (EIR) as part of its approval of the project in November 2016. Subsequent project revisions were previously analyzed in the Facebook Campus Expansion Project Addendum to the EIR (First Addendum). The City Council approved revisions to increase the number of hotel rooms to 240 rooms and approved a shared parking agreement in February, 2020, which was analyzed in a Second Addendum to the EIR. The currently proposed revisions have been reviewed and determined to be adequately studied by the certified EIR together with the First Addendum and Second Addendum. The proposed revisions would not result in new impacts or an increase in the severity of previously identified impacts, thus no new environmental review is required.

DECISION ENTITY: Planning Commission
DATE: April 11, 2022
ACTION: TBD

VOTE: TBD (Barnes, DeCardy, Doran, Harris, Kennedy, Riggs, Tate)

**ACTION:**

Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

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

g. All applicable public right-of-way improvements, including frontage improvements and the dedication of easements and public right-of-way, shall be completed to the satisfaction of the Engineering Division prior to building permit final inspection.

h. 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.

i. Post-construction runoff into the storm drain shall not exceed pre-construction runoff levels. The applicant's design professional shall evaluate the Project's impact to the City's storm drainage system and shall substantiate their conclusions with drainage calculations to the satisfaction of the City Engineer prior to building permit issuance.

j. Simultaneous with the submittal of a complete building permit application, the applicant shall provide documentation indicating the amount of irrigated landscaping. If the project proposes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Submittal of a detailed landscape plan would be required concurrently with the submittal of a complete building permit application.
**PROPOSAL:** Request for review and approval of major modifications to an approved Conditional Development Permit (CDP) for interior and exterior changes to the previously approved hotel building and changes to the landscaping and on-site circulation. No changes are proposed to the number of rooms (240 rooms), the number of onsite parking spaces (118 parking spaces) or the shared parking agreement between the hotel use and the other site occupant, Meta (formerly Facebook). The proposed modifications would continue to comply with the floor area ratio, building coverage, and maximum height limits of the previously approved CDP. The City Council certified the Environmental Impact Report (EIR) as part of its approval of the project in November 2016. Subsequent project revisions were previously analyzed in the Facebook Campus Expansion Project Addendum to the EIR (First Addendum). The City Council approved revisions to increase the number of hotel rooms to 240 rooms and approved a shared parking agreement in February, 2020, which was analyzed in a Second Addendum to the EIR. The currently proposed revisions have been reviewed and determined to be adequately studied by the certified EIR together with the First Addendum and Second Addendum. The proposed revisions would not result in new impacts or an increase in the severity of previously identified impacts, thus no new environmental review is required.

**DECISION ENTITY:** Planning Commission  
**DATE:** April 11, 2022  
**ACTION:** TBD

**VOTE:** TBD (Barnes, DeCardy, Doran, Harris, Kennedy, Riggs, Tate)

**ACTION:**

k. Heritage and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report by SBCA Tree Consulting, Inc. dated November 18, 2019.

l. If construction is not complete by the start of the wet season (October 1 through April 30), the applicant shall implement a winterization program to minimize the potential for erosion and sedimentation.

m. Prior to building permit issuance, the applicant shall pay all applicable City fees. Refer to City of Menlo Park Master Fee Schedule.

4. Approve the Major Modifications subject to the following **project-specific** conditions:

a. Prior to building permit issuance the applicant shall demonstrate compliance with all project-specific conditions of approval outlined in Section 15 of the Third Amended and Restated CDP subject to review and approval by the Planning, Building, Engineering and Transportation Divisions.
03/16/2022

citizenM Community Outreach; Recap and Next Steps

As a global hotel brand with 23 locations and five more on the way, our success is dependent upon understanding and respecting the values, perspectives, needs, and concerns of the communities in which we operate. Through a commitment to dialogue and emphasis on listening, we are immensely proud of the relationships that we have built and continue to develop throughout the world.

As a result, in the lead up to obtaining entitlement modifications in 2020, we conducted an outreach process which included holding an open house on October 9, 2019 at the Onetta Harris Community Center to discuss our specific plans for the site. The open house was an opportunity for community members to learn more about the project, meet members of the citizenM team, ask questions, and provide feedback. Notice of the meeting was distributed through the Belle Haven Neighborhood Association and the Belle Haven Community Development Fund, as well as by email and posts on the Nextdoor community website. The event was well-attended by a number of community members, as well as elected officials and others, whose feedback focused on local hiring efforts, food and beverage options, meeting and events space, parking and traffic issues, and design and landscaping.

To further solidify our relationship with the local community, we met with local workforce training organization JobTrain to discuss job opportunities in construction or operations which led to the development of a MOU and a framework for establishing a working partnership once the hotel is closer to opening and our operations team becomes involved.

In February 2022, our design and construction team sought approval for certain design modifications intended to make the hotel more cost-effective to build given a significant escalation in construction costs, while leaving all of the community amenities intact. We met with Councilmembers Taylor and Nash in advance of a Planning Commission hearing on the modifications, and also heard support for the project. At the public hearing on February 28th, we received helpful feedback from the Planning Commission, which generally expressed support for the programmatic changes but also expressed concerns about certain design issues, and ultimately requested a continuance to provide more time for us to incorporate what we heard, develop some alternatives and elicit input on those alternatives from individual Planning Commissioners, and generally improve our proposal. While the art selection process was not anticipated to commence until later 2022 after construction commenced, we also heard a desire to begin our outreach efforts early, as well as for an outreach plan, which is discussed below.

Art Selection Process

Consistent with our values, desire to incorporate an art installation, and the process envisioned in the CDP, we plan to work collaboratively both with City staff and through a concerted community engagement effort to design an effective outreach plan that solicits input from as many community members and stakeholders as possible on appropriate artwork for the site that reflects the community's values and input.

We envision a robust 6 month outreach process, with a goal of identifying a popular local artist to prepare a one-of-a-kind piece. Our efforts will be focused on engaging the Belle Haven Neighborhood Association and the Belle Haven Economic Development Fund, among others, for guidance. Ideally, as we have done in the past, we
anticipate holding both virtual and in-person open houses (safety permitting) at a convenient location for local community members, where the entire community is invited to learn more about our projects, ask questions, and provide feedback. The COVID-19 pandemic has limited our ability to conduct these meetings over the past two years, during which we were admittedly focused on developing construction documents and that aspect of the project. With the situation improving, we hope to be able to hold in-person events in the near future. One complicating factor is that the Onetta Harris Community Center is not currently an available venue due to the construction of the new Menlo Park Community Campus, so we will need to identify a satisfactory alternative location in the area that is similarly convenient for community members.

Referencing section 15.2 of our CDP, we present the draft plan below for how we could manage the art selection process. We will be happy to further liaise with staff to refine this plan and incorporate community member and Planning Commission input on the proposed process.

We look forward to returning to the Planning Commission in April 2022 to report back on how we improved our plans and kicking off the art selection process in Summer 2022.

Example Art Selection Process (as recently executed by citizenM in Seattle)

- Create a 5 member Selection Committee composed of:
  - Two local artists or art critics
  - Two [Belle Haven] Community Members
  - One citizenM representative

- Using a ‘direct-select’ process we plan to send out invitations to approximately 10 artists. These 10 invited artists will be selected based on type of work, background, medium familiarity, availability, and neighborhood engagement.
  - Artists will be requested to submit resumes and images of their previous work

- Approximately 5 artists will be interviewed

- A short list of 3 artists will be selected to present their proposed art to the Selection Committee.
  - Artists will be financially compensated for their work

- After gathering community member feedback, the Selection Committee will rank the artist’s proposals

- This ranking will be presented to the citizenM Creative Board for their confirmation of the selected artist

- The process and outcome will be presented to the [Menlo Park CDD] for their validation and confirmation

- citizenM will then work with the artist to finalize the art’s installation on the building
March 16, 2022

Menlo Park Planning Division
701 Laurel St.
Menlo Park, CA 94025
Attention: Ori Paz, Kyle Perata & Corinna Sandmeier

RE: citizenM Menlo Park | New Build Hotel Construction
Project Narrative for Proposed Design Modifications to the Conditional Development Permit
– (PLN2019-00015)

Mr. Paz & Perata,

On behalf of the citizenM team, we thank you for your time and review of the citizenM Menlo Park hotel project and your willingness to work together and keep this project moving forward for the benefit of the community.

As you are aware, the original entitlements for the project were approved in 2020, and the team has subsequently been focused on working through schematic design with the hope of breaking ground in early 2022. Given delays due to the COVID-19 pandemic, increases in construction costs, and other factors, our team is now requesting certain modifications to the project design which, among other changes, would reduce the overall size of the project by approximately 10,830 square feet. In general, the requested modifications are intended to improve circulation and access, make the building more efficient, and respond to feedback heard from the community and the City Council during the approval hearing in 2020, while retaining the original design intent and public amenity program.

We understand these changes will require Planning Commission approval as a “major modification” to the design as noted in the amended CDP for the project. To help facilitate the Planning Commission’s review, we are pleased to submit this letter which provides a more in-depth explanation as to why these modifications to the design are being proposed and how the design team is complying with the design intent of the original project. We have also attached a separate design presentation which we hope will be useful for the Planning Commission in evaluating the proposed changes.
Architectural Changes:

citizenM’s intent is to keep the original architectural style and design intent of the building, with some proposed modifications generally focused on maximizing building efficiency. The project is to remain a 5-story structure with 240 guestrooms. The requested modifications would reduce the overall building square footage from approximately 90,243 square feet to 79,413 square feet, while retaining the same mix of uses as originally designed. The reduction in building area is achieved by re-configuring the public space to be more efficient. Looking at program adjacencies, MEP systems and creative space planning techniques, the design team was able to compress and shift existing required programmatic spaces into a more compact and efficient design that streamlined MEP systems, pedestrian circulation, back of house operations and hotel delivery operations. The summary of changes is described in the following paragraphs.

The major programmatic shift in the re-design effort to make the building more efficient and reduce the building overall area is that the ground floor has been reconfigured to have more building program under the tower. Instead of an open-air area below the west tower, the approved open-air plaza at the main entry (on the western side of the building) will now be enclosed space and house the public meeting space and lobby spaces that are open and accessible for public use (with no increase in the amount of meeting space). The east side of the building infilled the open breezeway space to relocate building program and centralize the delivery and loading dock area into one area. The first-floor exposed structure (pilotis) is now being inset into the building just behind the glazing. The columns and diagonal braces will still be visible through the glazing, which is intended to maintain the appearance of having the upper floors "float" above the ground floor.

The fitness center was relocated to the first floor from the 5th floor providing active use and storefront on the north west corner of the back of house mass. This move allowed for one guestroom bay to be eliminated from the buildings east wing tower and thus reducing the buildings overall footprint. A simple re-work and shift of program on the buildings upper floors allowed for the removal of the exterior egress stair on the east side of the building, reconfiguring the elevator core to maximize space, redistribution of guestrooms to maximize efficiency. The guestrooms have been made more efficient and by combining the MEP systems into the riser, and thus reducing the riser size. We were able to add 5 square feet back to the guestrooms with this efficiency, however, the overall length and width of the guestrooms remains unchanged.

The location of the elevator core has also been reconfigured, thus eliminating a large dark spot on the exterior facade at the elevator core where faux glazing was previously proposed. This area will now be hotel staff office space and give employees natural light and views from their work space.

Minor changes are being proposed to the building facade style, due to structural and MEP design needs and requirements. At the time of the original CDP submission the project was in schematic and design development phases, which did not truly reflect the structural and mechanical systems for the building. Once the structural and mechanical systems were dialed in and sized accordingly, the need to modify the façade arose in order encapsulate and conceal the systems. The design team extended the lower portion of the second-floor façade to conceal the structural beam that is 36” deep supporting the second floor and all other floors above. This beam impacted the façade
material height at the first and second floor transition and an adjustment was made to accommodate this condition.

Storefront and curtain wall glazing will encompass most of the publicly visible façade, and for the private back of house areas (North façade), the facade will be painted stucco with metal panel vertical and horizontal extruded trim details to compliment the buildings overall “picture frame” or “TV frame” projection design detail. All occupied rooms in that mass, including the fitness room and hotel staff office space, will have floor to ceiling storefront windows to both provide natural light for the occupants as well as to activate the north side of the building. Thus, creating a front of house aesthetic on the North façade facing Bayfront Expressway. These changes to the back of house North facade create a building scale that is more in tune with the pedestrian user and experience. Certain landscape features and elements such as living vines on the stucco wall and metal perforated screening in front of the loading dock are proposed which will help soften the visual impact of the solid wall as well.

Minimal changes and updates to the building façade materials are reflected in the proposed design. The design intent and color palette of the original design still remains the basis of design, however at the time of the original submission product materials and manufactures had not been identified or selected. Now that the project is though the construction documentation phase actual products and manufactures of façade materials and systems have been selected and specified, the final available colors offered by some of the manufactures vary ever so slightly from the approved design and modifications had to be incorporated and adjusted.

The exterior red egress stair is to remain on the public facing west side (Chilco St) end of the building. Eliminating the exterior stair on the east side of the interior site that faces the parking garage on the Facebook campus allows more outdoor public space and dining for the future restaurant while allowing the curtain wall glazing to wrap the building creating a more open and aesthetically pleasing perception and view for patrons. This modification also allows the project to focus expenses on items such as the public outdoor terrace and dining areas that will provide community benefits. Otherwise, all site and landscape design features and other elements are to remain aligned with the original design intent and no material changes are being proposed.

Finally, the revised project proposes to relocate the Restaurant primary entrance to the north side of the building where one of the loading docks was previously located, thus creating a better wayfinding experience and visual / aesthetic experience from Bayfront Expressway. The design style of this enhanced restaurant entry is to compliment the tower above “picture frame / TV frame” design along with the adjacent back of house exterior design. This design style adds symmetry and balance to the overall building and creates a scale more pedestrian friendly on the ground level.

**Circulation Changes (Vehicular and Pedestrian):**

With respect to circulation and access, the proposed changes would revise the vehicular site entrance and vehicular circulation to accommodate two-way traffic and fire vehicle access, since the original design would not allow for a fire truck to follow the normal circulation path or entrance (i.e., fire truck would have had to enter at rear of site and drive against traffic).
All building entrances are now prominent and there is a clear visual connection for the primary and secondary entrances to the hotel from the drive aisle and parking lot which did not exist before. The restaurant space main entrance was relocated from the side of the building breezeway to the north side of the building facing Bayfront Expressway creating a more prominent entrance. The revised project also condenses the loading docks into one central location (previously, there were two separate loading docks), thus eliminating wasted space and inactive back of house area on the north side of the building facing Bayfront Expressway.

With the redesign of the site, the design team was able to adjust the site grading and parking stall layout to incorporate an accessible pedestrian access path connecting Chilco Street to the building site at the Northwest corner side of the property. The pedestrian path will connect the secondary entrance on the north side of the building to Chilco Street and allow the hotel guest and public direct access to the site from Chilco Street and Bayfront Expressway intersection area, thus a closer connection to the bayfront trail and Bedwell Bayfront Park.

**Conclusion:**

In sum, we believe the proposed changes are necessary in order to ensure a functional and economically viable project that is consistent with the goal of providing the community with significant amenities. The building site will still consist of landscape areas, parking for hotel guest and restaurant/public space, along with a public space amenity deck consisting of spaces for the community to gather and enjoy outdoor dining, games and community activities. Additional outdoor public space has been allocated for the future restaurant, while overall square footage and programming for the public space amenity deck is relatively unchanged. Vehicular circulation and the fire department vehicular access has been improved and coordinated with the Fire Marshall. Green space and outdoor public space square footage has increased with the reduction of the building footprint and more efficient site design.

We look forward to presenting these changes to the Planning Commission. Please feel free to reach out directly if there is any further information we can provide that would be helpful in assisting the Planning Commission’s review.

Sincerely,

Bradley V. Richards, AIA, RIBA
Principal
California Registration# C33987