

COUNTY OF SAN MATEO  
ENVIRONMENTAL SERVICES AGENCY

Date: May 7, 2001  
Hearing Date: May 22, 2001  
Set Time: 10:00 a.m.

To. Honorable Board of Supervisors

From: Marcia Raines, Director of Environmental Services *MR*

Subject: EXECUTIVE SUMMARY: Consideration of General Plan and Zoning amendments to allow a residentially zoned and used parcel to be converted and developed to accommodate an office and residential use located at 2104 Sand Hill Road in the unincorporated West Menlo Park area.

**RECOMMENDATION**

1. Certify the Negative Declaration as complete and adequate in accordance with the California Environmental Quality Act (CEQA).
2. Adopt the resolution to change the subject parcel's General Plan designation from "Medium-Low Density Residential" to "Office/Residential "
3. Adopt the ordinance to change the subject parcel's Zoning Map designation from R-1/S-9 (Single-Family Residential/10,000 sq. ft. Minimum Parcel Size) to "PUD-129" (Planned Unit Development-129).
4. Adopt the ordinance to enact, applicable only to the subject parcel, the "PUD-129" (Planned Unit Development-129) Regulations.

**PROPOSAL**

The applicant proposes, on a single parcel, to revise its General Plan land use designation from "Medium-Low Density Residential" to "Office/Residential" and to rezone the parcel from R-1/S-9 (Single-Family Residential/10,000 sq. ft. Minimum Parcel Size) to "PUD" (Planned Unit Development-129). The project elements include: (1) remodeling and renovation of an existing two-story house; (2) construction of a two-story structure, both buildings for use as offices for 12 employees in the owner's construction and development company, (3) a parking area for 15 spaces for company employees; and (4) an additional detached two-story building consisting of a two-car garage with a one-bedroom apartment above for use by a renter. The proposed PUD zoning would provide for a set of zoning regulations customized to fit and "lock in" the particular development proposal, including the restriction to an administrative office use

## **PLANNING COMMISSION ACTION**

The Planning Commission voted 3-1 (Commissioner Silver opposed; Commissioner Bomberger absent) to approve the project. The Commissioner who did not support the project voiced concerns over the cumulative impact that this project will have on the already adversely impacted and congested Sand Hill Road/Santa Cruz Avenue intersection.

## **SUMMARY**

1. Compliance with Previous Planning Commission Requests. The first Initial Study and Negative Declaration for the project were circulated for review and brought before the Planning Commission on August 23, 2000, for consideration. The Commission had concerns regarding the document's adequacy and requested that the applicant submit various data and directed staff to prepare and re-circulate, if appropriate, a revised Initial Study and Negative Declaration based on any new information and project changes the applicant chose to provide. All requested items were submitted and staff re-circulated a revised Initial Study and Negative Declaration.
2. Compliance with General Plan and PUD Findings. The Planning Commission believes that the project and its associated General Plan land use amendment, as stipulated, comply with the applicable General Plan policies. The proposed "Office/Residential" land use designation would provide a reasonable transitional use on a parcel that lies between the heavily traveled Santa Cruz Avenue/Sand Hill Road intersection and residential uses (within the city limits of Menlo Park) on the other two sides. The proposed development would retain and preserve the existing historic house, all of the mature trees towards the rear of the parcel, provide an apartment unit in order to retain some residential use of the site, and generally pose no adverse impact to the surrounding residential community. For many of the same reasons, the Planning Commission believes that the project and its associated PUD rezoning, as stipulated, complies with the required PUD findings
3. Responses to Initial Study and Negative Declaration. Several comment letters regarding the Negative Declaration were submitted to and considered by the Planning Commission. The report includes those letters as attachments.

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Date: May 7, 2001  
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To: Honorable Board of Supervisors

From: Marcia Raines, Director of Environmental Services

Subject: Consideration of a General Plan amendment to change a parcel's land use designation from "Medium-Low Density Residential" to "Office/Residential" and to rezone the parcel from R-1/S-9 (Single-Family Residential/10,000 sq. ft. Minimum Parcel Size) to PUD-129 (Planned Unit Development-129) pursuant to Sections 6190, 6192 and 6550 of the San Mateo County Zoning Regulations. The purpose of the amendment is to convert an existing house and construct new buildings to accommodate a proposed office use and a small apartment. The project site is located at 2104 Sand Hill Road in the unincorporated West Menlo Park area.

County File Number: PLN 2000-00037 (Chargin/Rodine)

**RECOMMENDATION**

That the Board of Supervisors:

1. Certify the Negative Declaration as complete and adequate in accordance with the California Environmental Quality Act (CEQA).
2. Adopt the resolution to change the subject parcel's General Plan land use designation from "Medium-Low Density Residential" to "Office/Residential."
3. Adopt the ordinance to change the subject parcel's Zoning Map designation from R-1/S-9 (Single-Family Residential/10,000 sq. ft. Minimum Parcel Size) to "PUD-129" (Planned Unit Development-129).
4. Adopt the ordinance to enact, applicable only to the subject parcel, the "PUD-129" (Planned Unit Development-129) Regulations.

## **PROPOSAL**

The project involves a proposal to change the current zoning designation of a 16,467 sq. ft. parcel located at the southwest corner of Santa Cruz Avenue and Sand Hill Road in unincorporated Menlo Park from R-1/S-9 (Single-Family Residential/10,000 sq. ft. Minimum Parcel Size) to "PUD" (Planned Unit Development-129), and the General Plan land use designation from "Medium-Low Density Residential" to "Office/Residential." The project proposal seeks to: (1) remodel and renovate an existing two-story 2,512 sq. ft. house (built in 1902); (2) construct a new two-story 1,406 sq. ft. structure (requiring demolition of an old garage), both for use as offices for 12 employees in the property owner's construction and development company; and (3) construct an additional detached two-story building consisting of a 400 sq. ft. garage with a 557 sq. ft. one-bedroom apartment above. The proposed PUD zoning would provide for a set of zoning regulations customized to fit and "lock in" the particular development proposal, including restriction to an administrative office use. The apartment is proposed in response to concerns that the original proposal retained no housing option on the site.

The project also includes parking for 15 vehicles (including one handicap parking space). Two of the 15 spaces would be within the proposed garage, with one of those spaces being reserved for the upstairs apartment tenant. The project involves no significant tree removal. Site access would remain in the location where it currently exists on Sand Hill Road, approximately 90 feet westward from its intersection with Santa Cruz Avenue.

## **BACKGROUND**

Report Prepared By: David Holbrook, Project Planner, Telephone 650/363-1837

Property Owner: Dennis Chargin

Project Applicant: J. R. Rodine

Location: 2104 Sand Hill Road, West Menlo Park

APN: 074-120-100

Parcel Size: 16,467 sq. ft.

Parcel Legality: Two legal parcels; Subdivision approved on October 19, 1953 (County File Number X6E-1113)

Existing Zoning: R-1/S-92 (Single-Family Residential/10,000 sq. ft. minimum parcel size)

General Plan Designation: Medium-Low Density Residential (2.4 to 6.0 dwelling units per acre)

Land Use: Single-family residence with detached garage



Flood Zone: Flood Zone C, Area of Minimal Flooding

Environmental Evaluation: A revised Negative Declaration was circulated for a 20-day review period from January 11, 2001 through January 31, 2001.

Setting: The project site is a legal parcel located at the northwest corner of Sand Hill Road and Santa Cruz Avenue, about 1.4 miles east of Interstate 280 and 1.6 miles west of the Stanford Shopping Center. The generally level project site rises above the intersection from 3 to 6 feet. The site is developed with a single-family residence built in 1902 and a detached garage with driveway access from Sand Hill Road, about 95 feet from the Santa Cruz Avenue intersection. The parcel was legally subdivided into two parcels in 1953, but both lots have always remained together with the development as it currently exists.

The project site is one of three parcels constituting an unincorporated pocket somewhat separate from the greater unincorporated West Menlo Park area across Santa Cruz Avenue to the north. Other than a two-lot, R-1 zoned and developed subdivision located adjacent to the project site to the southwest, the site is generally surrounded by Menlo Park city limits, including the adjacent 26-unit Pacific Hill condominium development to the north and the Sharon Heights neighborhood comprised of duplex apartment and single-family development to the west (see Attachment C).

Across Sand Hill Road, lies property owned by Stanford that includes the historic but presently vacant Buck Estate, which in the past has operated with a County-issued use permit as a Stanford conference center. Stanford plans to structurally retrofit the house and restore the grounds, after which they will need to renew their use permit. On July 26, 2000, the Planning Commission approved a use permit (County File No. PLN 1999-00331) for a 48,000 sq. ft., two-story building for use as the primary office headquarters for the Hewlett Foundation, located adjacent and just west of the Buck Estate and accessible from the south side of Sand Hill Road. That facility would employ up to 100 employees. The remaining Stanford Lands site west of the Hewlett Foundation facility along Sand Hill Road is currently undeveloped.

## **DISCUSSION**

### **A. PLANNING COMMISSION ACTION**

On March 14, 2001, the Planning Commission voted 3-1 (Commissioner Silver opposed; Commissioner Bomberger absent) to approve the project. The Commissioner who did not support the project voiced concerns over the cumulative impact that this project will have on the already adversely impacted and congested Sand Hill Road/Santa Cruz Avenue intersection. The Commissioner generally supported the intent of the project and did not necessarily believe the office use would have an adverse impact on the surrounding residential uses. However, he believed that a "line needed to be drawn" to prevent one more project from contributing any additional traffic onto the surrounding intersection and road system.

## B. KEY ISSUES

### 1. Pre-Application Public Review and Initial Planning Commission Evaluation

The project was first submitted for review as a Major Development Pre-Application on October 26, 1999. On January 12, 2000, a public meeting was held to collect public comments. The applicant's formal application was submitted on January 19, 2000. The first Initial Study and Negative Declaration for the original project was circulated for review and brought before the Planning Commission on August 23, 2000, for consideration and to take public testimony on the document. The Commission had some concerns regarding the document's adequacy and provided formal comments to the applicant asking that certain issues be resolved, including directing staff to prepare and re-circulate a revised Initial Study and Negative Declaration based on new information and project changes the applicant provided (see Attachment Q).

The following comments arising from the Planning Commission hearing and transmitted to the applicant in the August 25 letter (Attachment M) are listed below (*italicized*), each followed by staff's response as to that requirement's status.

- a. *The applicant should re-evaluate his application for rezoning to consider alternative approaches, such as Planned Unit Development (PUD) zoning, which would narrowly limit future alternative use and development of the property and thus reducing the need for the analysis of the potential environmental impacts of those alternatives*

Status The applicant revised the application to request a rezoning to the "PUD" District (see Attachment CC)

- b. *Prior to further consideration of his project, the applicant shall submit, and the staff shall review, evaluate and determine to be adequate, the following materials which are listed in the mitigation measures of the draft Initial Study for future submittal*

- (1) *Erosion and Sediment Control Plan.*

Status: Submitted; the plan (Attachment I) has been reviewed by Planning staff and found to be adequate to provide erosion and sediment control during project construction.

- (2) *Dust Control Plan.*

Status: Submitted, the plan (Attachment I) has been reviewed by Planning staff and found to be adequate to provide dust control during project construction.

- (3) *Revise site plan to show alternative, permeable surfacing materials, wherever possible for all at-grade parking areas and walkways to and around the building for the purpose of decreasing off-site drainage.*

Status: Submitted; the grading and drainage plan (Attachment H) proposes the use of interlocking pavers (on a sand base) throughout the parking and driveway area which will provide a greater degree of permeability than that of an asphalt or concrete surface, thus reducing the off-site drainage. Staff has reviewed and found the plan to be adequate.

- (4) *Drainage Plan.*

Status: Submitted; the grading and drainage plan (Attachment H) proposes the installation of a new drainage culvert to collect water runoff from the parking area and transfer it off-site to an existing storm drain on Santa Cruz Avenue. The plan also shows and retains an existing open drainage channel traversing diagonally across the site's southwest corner, carrying runoff towards the adjacent Pacific Hill development, connecting to an underground culvert at the property line. The Department of Public Works has reviewed the plan and found it to be adequate.

- (5) *Stormwater Pollution Prevention Plan.*

Status: The applicant's drainage plan has been conditioned to require the implementation of specific provisions to adequately capture and filter out the pollutants of stormwater prior to any off-site discharge into a public storm drain system. Staff recommends a condition of approval requiring that such provisions be added for review and approval by the Planning Director prior to the Planning Division's approval of the building permit.

- (6) *Transportation System Management (TSM) Plan.*

Status: Submitted with the supplemental traffic analysis (Attachment O). Staff has reviewed the plan in the context of the amended traffic data which indicated that only 38% and 56% of the total number of employees would be going to and leaving from the site during AM and PM peak traffic hours, respectively. The supplemental analysis suggested that such a schedule would even further reduce the impact of the project-generated traffic on the adjacent intersection to nearly negligible.

- (7) *Sight Line Analysis.*

Status: Submitted with the supplemental traffic analysis (Attachment O). The traffic consultant conducted a sight line analysis on vehicles entering and exiting the project site driveway off Sand Hill Road, taking into consideration

potential traffic hazards posed by vehicles turning right from Santa Cruz Avenue or traveling west and through the intersection along Sand Hill Road. The analysis, reviewed and supported by the Department of Public Works, concluded that the sight lines would be adequate.

(8) *Exterior Lighting Plan.*

Status: Submitted; the plan (Attachment K) shows both the location and specific types of lighting fixtures proposed for around the site. Review of the plan shows that the number of light fixtures are minimized for adequate security lighting and all the fixtures are low to the ground with all light glare confined to the site. Staff has found this plan to be adequate.

(9) *Arborist Report.*

Status: Submitted; the report (Attachment FF) identifies 30 trees existing on the site, evaluates their health and risk from proposed construction, recommends protection measures for those trees at greatest risk during project construction and maintenance measures to ensure the long-term health of the trees. Staff has reviewed the report and found it to be adequate.

(10) *Detailed Landscaping Plan.*

Status: Submitted; the landscape plan (Attachment J) shows and retains 26 trees, and proposes six additional trees, as well as a large amount of flowering shrubs, ferns, groundcover and other plantings. The applicant's historic architectural consultant indicates that the plan includes a mix of plant types that are typical of the era of the main house. Staff has reviewed and found the plan to be adequate.

(11) *Exterior Wall Color, Material and Roof Samples.*

Status: Submitted; the project design shows that the proposed two structures will match the main old house in general architecture, exterior materials (lap wood siding) and colors. The proposed exterior wall color is a warm gray with off-white trim and the roof material is a charcoal composition roof. The applicant's historic architectural consultant concurs that the proposed new buildings' materials and colors will appropriately match those of the existing house style.

- c. *The traffic consultant shall prepare a supplement to the traffic report, which addresses all comments received on the traffic impacts of the project*

Status: Submitted; the supplemental traffic analysis includes responses to the City of Menlo Park's initial comments and clarifies other issues as requested. These are

further discussed in subsection (d) below. The traffic consultant also submitted an addendum letter (Attachment DD) that further responds to Menlo Park's issues raised in their more recent comments to the revised Negative Declaration.

- d. *The traffic consultant shall clarify the criteria used to evaluate the significance of the potential traffic impacts of the project. This shall include an evaluation of the thresholds of significance used by Santa Clara County, the City of Menlo Park and the City of Palo Alto, if any, in evaluating the traffic impacts of development and what they would indicate with regard to the traffic impacts of this project.*

Status: Completed; the consultant included this data in Table H of the supplemental traffic analysis. The initial traffic analysis concluded that the AM peak hour project-added traffic would not change the critical volume-to-capacity (V/C) ratio and would only change the average delay by 0.1 seconds, with no change to the LOS (though currently and projected to operate at E). During the PM peak hour, the addition of project traffic (under cumulative conditions) does not change the V/C ratio and only increases the delay by 0.5 seconds. The supplemental traffic analysis, as requested by the Planning Commission, compared the LOS service standards and definitions of significance in the analysis of project-generated vehicle delay among San Mateo County, Santa Clara County, and the cities of Palo Alto, and Menlo Park. The comparison table showed that the definitions of significance among two of the four agencies are quite similar. San Mateo County does not have an adopted or defined threshold of significance. However, the project-generated traffic delay does meet the City of Menlo Park's significance threshold and would result – by their definition – in an adverse impact to vehicle delay movements in the adjacent Santa Cruz Avenue/Sand Hill Road intersection.

- e. *Staff shall seek consultant assistance at the applicant's expense to address any comments on the draft Initial Study and Negative Declaration that are beyond its expertise*

Status: Staff was able to complete the necessary review and analysis based on the applicant's additional submitted materials as requested by the Planning Commission.

- f. *The applicant and staff shall evaluate and report on an alternative, which would retain one dwelling unit within the project to mitigate the loss of the existing housing unit and to partially redress the adverse impact on the jobs housing balance that would result from the project*

Status: The revised project includes a detached two-story building which includes a two-vehicle garage and a small one-bedroom apartment above it. The applicant included this revision as a mitigation to the loss of the main house as a residence upon its conversion to an office use.

- g. *If the applicant does not revise his application to request PUD or equivalent zoning to narrow the range of future options for use and development of the property, staff shall evaluate alternative techniques for accomplishing that, including the limits imposed by the currently proposed O/S-92 zoning, the effects of PUD zoning, deed restrictions and historic designations or restrictions. Staff shall determine the implications of those alternatives for the environmental review process*

Status: The applicant has revised his application to request the PUD zoning. This zoning would be more restrictive than the initially proposed "Office" rezoning which would have only required a use permit for the proposed office use, a mechanism that could accommodate changes with use permit amendment requests. The PUD zoning would be more restrictive since it would "lock in" the project development and use as proposed.

- h. *The applicant shall retain the services of a qualified historic preservation architect, to be approved by the County, to prepare a historic preservation plan for the property which achieves the applicant's objective of an office complex for his business while preserving and protecting the historic integrity of the exterior of the existing house on the property, including design and construction methods and long-term use, care and maintenance.*

Status: The applicant hired an architectural historian who prepared and submitted a thorough history of the old house, including comments on the overall proposal (Attachment P). The report generally concluded that the proposed use and new development, with some recommendations, would adequately preserve and protect the historic integrity of the exterior of the old house. This issue is further discussed in the General Plan Compliance section ("Historic and Archaeological Resources") of this report.

1. *Staff shall prepare an analysis of other means by which the purported public benefits of the project (new sidewalks historic preservation and merger of the two lots which comprise the site, among others) could be achieved absent the project or the conversion of the site to office use.*

Status: This was done, but the Planning Commission action was to approve the project rather than pursue alternative means of achieving its benefits.

- j. *Once the above work has been completed, a revised Initial Study shall be prepared and recirculated for public comment, responses to comments shall be prepared in accordance with the above guidelines and the Initial Study and project shall be set for a noticed hearing and decision by the Planning Commission.*

Status: Completed; the revised Initial Study and Negative Declaration (Attachment Q) were re-circulated for public comment, with staff's responses to those comments appearing in the Environmental Review section of this report.

## 2. Compliance with General Plan Policies

The Compliance with Planned Unit Development (PUD) Regulations section of this report discusses the proposed PUD District's required findings in terms of the project's compliance with the General Plan. However, the following General Plan policies warrant specific discussion as follows:

- a. Soil Resources. Policy 1 24 (*Protect Vegetative Resources*) seeks to ensure that development will minimize the removal of vegetative resources, and/or . . . protect historic and scenic trees. The applicant's arborist report identifies 30 existing trees on the project site, 13 of which are concentrated in the eastern corner of the site. Existing trees to be preserved range in size from 6 to 36 inches, with 15 of them ranging in height from 40 to 75 feet. These trees have been associated with this property and house for many years. The project would require the removal of four small trees (less than 6-inch diameter) to accommodate the parking area. Twenty-six of the 30 trees will be protected during construction and maintained as recommended in the arborist report and as stipulated in the PUD District regulations. Four trees are proposed for removal due to their location in the parking area.
- b. Visual Quality Policies. Policy 4 14 (*Appearance of New Development*) regulates development to promote and enhance good design, site relationships and other aesthetic considerations. The old house, built in 1902, is a unique design resource in the immediate area. The Planning Commission believes, and the applicant's architectural historian concurs, that the two proposed buildings are both designed and proportioned to match and compliment the architectural style and materials of the old house.

Policy 4 21 (*Scenic Corridors*) seeks to protect and enhance the visual quality of scenic corridors by managing the location and appearance of structural development. The project site is located on Sand Hill Road, which is a County-designated scenic corridor. The site, developed with the old house and dense tree canopy, has been a historic and contributing element to the visual quality as seen from Sand Hill Road. The Planning Commission believes that the project, with its preservation of the existing house and all of the mature trees, the extent and quality of proposed new landscaping and the matching and well articulated design of the proposed buildings, will ensure that the visual quality is protected and enhanced along this portion of Sand Hill Road.

Policy 4.35 (*Urban Area Design Concept*) seeks to: (a) maintain and, where possible, improve upon the appearance and visual character of development in urban areas, and (b) ensure that new development is designed and constructed to the orderly and harmonious development of the locality. The Planning Commission believes, based on the preceding discussion, that the project complies with these policies

Policy 4.54 (*Commercial Signs and Outdoor Advertisements*) regulates commercial signs and outdoor advertisements by using a consolidated set of standards. The project includes a sign identifying the business and address mounted at the site's corner on a stone wall surrounding the site, facing the intersection. The wall behind the sign is higher in order to better shield the parked vehicles from view from the intersection and residences to the north. The applicant's architectural historian recommended that the sign be relocated on that portion of the wall close to the site entrance on Sand Hill Road to ensure that the sign is subordinate and respectful of the site's history as a residence. While the Planning Commission has no objection to locating the sign on the corner as proposed by the applicant, the Planning Commission recommends a condition of approval requiring that the sign not be lit in any fashion and that a detailed design be submitted for further review, including the use of a number and letter font that corresponds with a design in keeping with the era of the house.

c. Historical and Archaeological Resources Policies

Policy 5.15 (*Protection of Historic Resources*) encourages the protection of historic resources and landmarks on sites that are proposed for new development. While the old house is not officially designated as a historic structure (although it is listed on the City of Menlo Park's Historical Building Survey), the applicant hired an architect, Ruth Todd, AIA, who has a background in architectural history and research who is also on staff at Stanford University as an architect. Her report (Attachment P) confirmed that the house was built in 1902 by Mrs. Jane Stanford (wife of Leland Stanford, Sr.) as a residence for her secretary, Bertha Berner. The house design is in the architectural style known as the "American Four Square." It sits on a lot that was originally much larger, and was relocated and turned 90 degrees atop a new basement to make way for the Sand Hill Road/Santa Cruz Avenue intersection widening project in 1966. An associated carriage house was also relocated at that time and has since been demolished.

While the house is not listed with the County as a historic resource or structure, the consultant believed that because of its age and architectural integrity, the house should be reviewed with the criteria of the Secretary of the Interior's Standards for Historic Preservation (as recommended by Policy 5.15 (c)). Of the ten standards, only three are applicable, as listed below followed by a summary of the consultant's conclusions.

*"Standard No. 1: A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment "*

The consultant concluded that the new office use is compatible with the historic residential use and would result in minimal changes to the defining characteristics of the building.



*“Standard No 2 The historic character of a property shall be retained and preserved The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.”*

The consultant concluded that the minor modifications proposed to the old house to accommodate the office use do not impact the historic character of the structure. While she was not clear where or how the handicap wheelchair access ramp was to be accommodated, she recommended that a ramp not be located against the wood building wall of the raised porch of the existing house, suggesting that the best solution would provide the least visually conspicuous ramp that retains the character of the raised porch at the main entry. In fact, the access ramp is not located adjacent to the porch, but leads up to the porch of the new office structure; that porch level is then connected to the porchway of the old house.

*“Standard No 9 New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”*

The consultant concluded that while the proposed new construction does not destroy historic architectural materials, it does impact the landscape character of the site. She recommended that tree protection measures during construction be implemented and monitored, but concluded that the applicant’s proposed landscape plan included plant materials that were appropriate to the residential character of the site. The consultant generally concluded that the proposed new office building is compatible with the architectural features of the historic house. Additionally, she felt that the proposed garage/apartment structure is compatible with the massing and architectural features of the old house. However, she felt that a partial balcony at the second level projecting above the entry and garage doors could help to reduce their prominent appearance as well as break up the mass of the front elevation, including vines or plantings on the balcony to provide some human scale and visual relief to the hardscape that surrounds the new building.

Policy 5.19 (*Economic Use*) encourages compatible and adaptive residential, commercial or public uses of historic structures as a means for their protection. This report previously discussed the challenge of preserving and maintaining the old house under the development scenario whereby its use is restricted to that as a single-family residence. The Planning Commission believes that the proposal under consideration provides an incentive to preserve and maintain the old house for the long term as mandated by the proposed PUD zoning

d General Land Use Policies

Policy 7.15 (*Designation of Land Uses*) establishes land use designations in Table 7.1P and applies these designations where appropriate to urban and rural areas to meet land use objectives. Table 7.1P lists the land use designation “Office/Residential” and describes its associated primary feasible uses as: “Service uses including but not limited to business and professional offices; residential uses including but not limited to space for non-transient housing.” The project’s primary use would be as professional offices, but it also includes a residential component – the detached one-bedroom apartment.

Policy 7.16 (*Land Use Objectives for Urban Areas*) seeks to locate land use designations in urban (unincorporated) areas in order to: (1) maximize the efficiency of public facilities, services and utilities, (2) minimize energy consumption, (3) encourage the orderly formation and development of local government agencies, (4) protect and enhance the natural environment, (5) revitalize existing developed areas, and (6) discourage urban sprawl. Sewer and water service connections, and existing electric and telephone utility lines are of adequate capacity to serve the proposed project. The project’s required stormwater runoff pollution controls, as previously discussed, will ensure that there is no adverse impact to the water quality of the nearby San Francisquito Creek’s natural environment. The project’s preservation of the old house contributes to the revitalization of the existing developed area. Finally, the project occurs on a parcel surrounded by development and will not encourage any additional urban sprawl beyond the developed area’s existing limits. The Planning Commission believes that the project, as proposed and as mandated by the PUD zoning, meets all of these criteria.

c. Urban Land Use Policies

The project is located in West Menlo Park, which is part of an urban community. Policy 8.2 (*Land Use Objectives for Urban Communities*) stipulates the following objectives (*italicized*), each followed by staff’s response.

- (1) *Plan Urban Communities to be balanced, self-contained areas which have a sufficient mix of urban land uses to support the internal housing, employment, shopping, and recreational needs of the community.* Except for several blocks of commercial uses along Alameda de las Pulgas, the West Menlo Park neighborhood is primarily comprised of single-family residential uses, with a small appendage of such uses (three parcels) fronting onto Sand Hill Road that includes the subject property. Clearly, the existing commercial uses indicated do not entirely support the neighborhood’s employment and shopping needs; most residents travel outside of the neighborhood to meet those needs. The proposal to convert the site’s existing residential use to a commercial use (employing 12 people) and to build one apartment unit (housing one or two

people), staff believes, will not adversely impact the overall balance of this neighborhood.

- (2) *Provide a mix of residential, commercial and industrial land uses which will generate sufficient tax revenues to pay for the costs of providing desired levels of services and facilities.* As previously stated, the proportion of commercial to residential uses in the West Menlo Park neighborhood is very small. The project does, however, add an office use to this mix, while retaining a residential element
- (3) *Provide a mix of commercial and industrial uses in order to maintain, support, and strengthen local economies* See the previous discussion in response to subsections (1) and (2).
- (4) *Provide a mix and an amount of residential land uses which will provide a substantial amount of housing opportunities in unincorporated areas* There is already an abundance of residential land uses in the neighborhood. The proposed project will provide an on-site one-bedroom, residential apartment unit.
- (5) *Establish land use patterns which give Urban Communities strong, individual and identifiable characters* The subject property, with its house and dense tree canopy, is located at the southeast corner of and acts as a gateway to the West Menlo Park neighborhood. The old house provides a unique and identifiable character to the area. The Planning Commission believes that since the project proposes to retain the old house and all of the mature trees, it complies with this objective.

Policy 8.9 (*Designation of Existing Urban Neighborhoods*) designates West Menlo Park as an existing urban neighborhood. Policy 8.3.b (*Land Use Objectives for Urban Neighborhoods*) seeks to provide a mix of residential and commercial land uses to balance generated tax revenues with the costs of providing desired levels of public services and facilities. The project's conversion to a commercial/office use will result in increased tax revenues collected on this parcel greater than those collected as a residential use in a community whose predominant tax base is residential. Policy 8.3.c seeks to establish land use patterns which make urban neighborhoods compatible, functional and identifiable with adjoining cities. The project's resultant change to the neighborhood's overall land use pattern, for reasons previously discussed, will not substantially affect its compatibility or identity and only slightly change its functionality with the adjoining City of Menlo Park

Policy 8.13 (*Appropriate Land Use Designations and Locational Criteria for Urban Unincorporated Areas*) utilizes, as guidelines only, the designation and densities shown in Table 8.1P to achieve stated land use objectives within unincorporated urban communities and urban neighborhoods. The locational criteria for the

“Office/Residential” land use designation include: (1) where residential uses need to be buffered from major transportation routes, and (2) where existing residential and commercial uses need to be buffered by a transition zone. The project site is located on the corner of a very busy intersection as evidenced in the project’s initial traffic analysis. The project site acts as a buffer between the high-density residential development to the west and the single-family development to the south and the busy intersection on two of its sides.

Policy 8.14 (*Residential Land Use Compatibility*) seeks to protect existing single-family areas from adjacent incompatible land use designations which would degrade the environmental quality and economic stability of the area. Policy 8.15 (*Commercial Land Use – Compatibility*) seeks to ensure that commercial development is compatible with adjacent land uses. The project’s overall design, intended to match and compliment the existing residential use, and the project’s negligible traffic impacts, leads the Planning Commission to believe that the proposed use will be compatible with the adjacent residential uses

Policy 8 18 (*Commercial Land Use – Standards*) seeks to regulate development by enforcing development standards (e g., site planning, design, and construction standards) and performance standards to ensure high quality commercial development. The project’s two new buildings, as previously discussed, have been sited in such a way and designed to match and compliment the old house. The Planning Commission proposes a condition of approval requiring that the construction drawings be strictly implemented to ensure that the new buildings are constructed to the architectural quality and detail shown on the proposed plans. Additionally, the proposed PUD zoning district regulations (Attachment DD) include performance standards that regulate trash storage, hours of operation and deliveries, outdoor lighting restrictions and noise restrictions.

Policy 8 30 (*Regulation of Development in Urban Areas – Mixed Use*) encourages development which contains a combination of land uses (mixed-use development), particularly commercial and residential developments along major transportation routes. The project involves an office use and a residential component in the form of a small apartment on a site located on a major transportation route (Santa Cruz Avenue and Sand Hill Road).

Policy 8.31.b (*Overcoming Constraints to Development*) encourages improvements which minimize the dangers of natural and manmade hazards to human safety and property. The applicant has already worked with the County Department of Public Works to pave and widen the corner sidewalk, as previously discussed.

Policy 8 34 (*General Development Standards – Zoning Regulations*) ensures that development is consistent with land use designations by continuing to use zoning districts which regulate development by applying specific standards. Policy 8 35 (*Uses*) allows uses in zoning districts that are consistent with the overall land use

designation. The proposed PUD zoning district, written to reflect an office use with a residential component, is consistent with the proposed “Office/Residential” land use designation.

Policy 8.38 (*Height, Bulk and Setbacks*) regulates height, bulk, and setback requirements in zoning districts in order to: (1) ensure that the size and scale of development is compatible with parcel size, (2) provide sufficient light and air in and around structures, (3) ensure that development of permitted densities is feasible, and (4) ensure public health and safety. The project is not subject to the R-1/S-92 Zoning regulations because it includes a proposal to rezone the subject site to a PUD zoning district. The purpose of a PUD District is to provide reasonable flexibility to create zoning standards that are appropriate to a particular site and project, when the necessary findings can be made, as discussed in Section B.3 of this report.

The configuration of the parcel (regardless of its address and entry on Sand Hill Road) designates that its front yard is along Santa Cruz Avenue, with its rear yard on the opposite end (adjacent to the two unincorporated R-1 zoned parcels to the south), and its sides along Sand Hill Road and adjacent to the Pacific Hill Condominium development to the north. Whereas the proposed office building would maintain a 10-foot rear yard setback, that building is adjacent to a 15-foot access driveway serving a flag lot to the south, whereby the actual distance to the closest residence (2128 Sand Hill Road) is 35 feet. The main building (old house) is located 10 feet away from the side property line. The proposed garage/apartment building is located 8 feet from that side and 9 feet 4 inches from the front property line along Santa Cruz Avenue. The proposed PUD zoning district regulations acknowledge these setbacks and include performance standards that put restrictions on the proposed use activities to limit potentially adverse impacts to the surrounding residential uses. The Planning Commission believes that the location of both proposed buildings relative to the location of the existing main building, as well as the surrounding adjacent development, would provide adequate light and air to the employees and apartment tenant(s) associated with the project as well as to residents of the surrounding developments. The proposed “Office/Residential” General Plan land use amendment does not, by its definition, include a density limit (e.g., number of dwelling units per acre). The Planning Commission believes, however, that the project components, as planned and designed, create an acceptable density of development on that parcel and there would be no adverse impacts to the public health or safety.

Policy 8.39 (*Parking Requirements*) regulates minimum on-site parking requirements and development standards in order to (1) accommodate the parking needs of the development, (2) provide convenient and safe access, (3) prevent congestion of public streets, and (4) establish orderly development patterns. The County Zoning Regulations (Section 6118) set requirements for the number of parking spaces for various uses, including one (1) space per 200 sq. ft. of office area, with allowances to deduct certain areas within a building that are non-office use (i.e., areas for storage, utilities, stairways, restrooms, kitchens).

The project proposes 15 spaces, whereas the Parking Regulations require 16 for the proposed office-related floor area. Additionally, where the minimum parking space size standard is 9 ft. x 19 ft., the project proposes that 14 of the 15 spaces are slightly reduced size spaces, which are typical of acceptable compact size spaces. The proposed parking area, driveway and back-up distances do meet the minimal standards for parking areas. Both the reduced number of spaces proposed as well as the reduced size of the spaces are incorporated in the proposed PUD zoning district regulations, which also reserve two of the spaces strictly for visitor parking.

The Planning Commission believes that the 12 remaining parking spaces would be adequate for a business of 12 employees. Since there is no additional off-site parking nearby the project site, it is assumed the parking provisions will either be somewhat self-limiting in terms of the number of employees. If the number of employees were ever to increase, generating the need for more off-site parking spaces, the owner would be required to apply for an Off-Street Parking Exception to allow off-site parking in an alternative location. In addition, the Menlo Park Fire Department has reviewed the plans and indicated that they believe the site access and internal layout is adequate for emergency access purposes.

f. Housing Policies

Policy 14.21 (*Provide New Housing Opportunities – Locate New Housing Near Employment Centers*) encourages the provision of housing near employment centers where adequate services exist or can be provided. The project site is located very near a major employment center. The project includes a one-bedroom apartment, which was added to the project in response to concerns about the conversion of the main house to an office use. Policy 14.32 (*Explore Use of Alternative Housing Types and Flexible Site Design*) seeks to reduce construction costs by continuing to allow flexible site design standards and encouraging the use of the PUD District, where appropriate. The project includes rezoning the site to PUD, which would allow, amongst other elements of the commercial project, the addition of the apartment unit.

g. Manmade Hazards – Noise

Policy 16.9 defines Noise Impact Areas as those experiencing noise levels of 60 or greater Community Noise Equivalent Level (CNEL). CNEL is defined as the average equivalent sound level, during a 24-hour day, adjusted to account for the acoustic responses of the human ear, the total number of individual noise events, and the greater sensitivity to noise during the evening and nighttime. The project site is at the corner of a busy intersection, identified by County noise maps as experiencing noise levels from 60 to 65 CNEL. Understandably, noise from heavy traffic at rush hour can range from 95 to 110 decibels.

Policy 16.11 (*Regulate Distribution of Land Uses*) regulates the distribution of land uses to attain noise compatibility. Policy 16.12 (*Regulate Noise Levels*) regulates noise levels emanating from noise generating land uses through measures which establish maximum land use compatibility and nuisance thresholds. The proposed PUD zoning district regulations include performance standards that limit the hours of office deliveries to the site so that associated noise impacts on adjacent neighbors are restricted to occur only during typical business hours (8:00 a.m. to 6:00 p.m.). Policy 16.16 (*Construction Techniques Noise Control*) promotes measures which incorporate noise control into the construction of existing and new buildings, including, but not limited to, use of dense noise insulating building materials. Due to its proximity on the site, the Planning Commission is recommending that a condition of approval require that the apartment unit be constructed of noise insulation materials to reduce the interior noise levels (from the intersection/road traffic) to not exceed 45 decibels.

### 3. Compliance with Planned Unit Development (PUD) Findings

The project includes the proposed rezoning of subject parcel to Planned Unit Development (PUD). Zoning Regulations Section 6191 (PUD Districts) states that no PUD District shall be enacted for any area unless and until the Planning Commission has first:

*Reviewed a precise plan of the subject area and its environs, and found that the proposed zoning of the area would be in harmony with said plan, and would not be in conflict with the County Master Plan [i.e., 1986 General Plan], or with any current land use plan for a sub-area of the County previously adopted by the Commission*

Response: The Planning Commission has reviewed the originally proposed project plan at a previous hearing. The Planning Commission believes, based on the previous discussion in the General Plan Compliance section of this report, that the proposed PUD zoning district regulations are in harmony with the applicable General Plan policies. Additional required findings listed below (*italicized*), each followed by staff's response, stipulate that the specific PUD District

#### a. *Is a desirable guide for the future growth of the subject area of the County*

Response: The proposed PUD zoning district affects only the single subject parcel, converting its use from residential to office (with a residential component). Opponents to the project have concerns that the project's General Plan land use and zoning amendment elements to allow this conversion of a residential to an office use could create a precedent for similar requests for other residentially-zoned areas along Santa Cruz Avenue and Sand Hill Road. The County cannot speak for or anticipate the City of Menlo Park's position should such requests come to them for parcels within their jurisdiction. However, the subject property is unique from other residentially-zoned parcels in the unincorporated area due to: (1) its size (triple what the nearby 5,000 sq. ft. lots are along Santa Cruz Avenue and larger than the 10,000 sq.

ft. minimum lot size required by its current R-1/S-92 zoning), (2) its corner location at a very busy intersection, and (3) its historic development. While the project proposal changes the use of the property, the direct impacts to the adjacent residential uses are minimized due to the residential-like design of the new buildings, their location, and the retention of the mature tree canopy buffering the project from the adjacent uses.

- b. *Will not be detrimental to the character and social and economic stability of the subject area and its environs, and will assure the orderly and beneficial development of such areas*

Response: The project's minimal traffic impacts, preservation of the old house and mature trees, overall quality of site and building design, and the development and performance standards/restrictions included in the project's PUD regulations ensure that the project will not be detrimental to the character, social and economic stability of the area and its environs.

- c. *Will be in harmony with the zoning in adjoining unincorporated area.*

Response. The zoning in the adjacent unincorporated area to the south is R-1/S-92. The area to the west is within Menlo Park's incorporated jurisdiction. The area to north makes up the bulk of the unincorporated West Menlo Park area, comprised of all R-1 zoned parcels, with several blocks of commercial zoning along Alameda de las Pulgas. However, the subject site is separated from the West Menlo Park area. The zoning of the Stanford Lands parcels across Sand Hill Road to the east is R-1/S-9 (site of the Buck Estate, which operates with a use permit) and RE/S-9 (Residential Estates; site of the future Hewlett Foundation office building, operating with a use permit). The Planning Commission believes that the PUD District, given its inherent performance standards and the project's overall design as previously discussed, will be in harmony with the zoning in the adjoining unincorporated area.

- d. *Will obviate the menace to the public safety resulting from land uses proposed adjacent to highways in the County, and will not cause undue interference with existing or prospective traffic movements on said highways*

Response: The Planning Commission believes that the following elements support this finding:

- (1) The supplemental traffic analysis studied the traffic hazard potential for vehicles entering and exiting the site from Sand Hill Road and concluded that the sight line would be adequate, a conclusion reviewed and supported by the County Department of Public Works.
- (2) The recently completed sidewalk-widening project will improve pedestrian safety.



- e. *Will provide adequate light, air, privacy and convenience of access to the subject property and further, that said property shall not be made subject to unusual or undue risk from fire, inundation, or other dangers*

Response: The Planning Commission believes that the project's overall site design, the proposed buildings' locations and setbacks relative to the site, to each other and to nearby development on adjacent properties, provide adequate light, air, privacy and convenience of access to the subject property. Additionally, the site is in an area of minimal flooding and the project design has been reviewed and is found satisfactory by the Menlo Park Fire Department.

- f. *Will not result in overcrowding of the land or undue congestion of population*

Response: The Planning Commission believes that the project's use, its proposed number of employees and apartment tenants, and its overall building density relative to the site size will not create any overcrowding or undue congestion.

## C ENVIRONMENTAL REVIEW

A revised Initial Study was completed and a Negative Declaration was issued and circulated for this project according to the California Environmental Quality Act (CEQA) requirements, with a review period from January 11, 2001 through January 31, 2001 (see Attachment Q). During the comment period, ten written comments were received, which are summarized (in *italics*) below, each followed by staff's response.

- 1. Comments from Janet Davis (Attachment R). Ms. Davis' primary comment headings are listed below, each followed by staff's response.

- a. *Present Zoning* It is not relevant to look to the present zoning as the guide to whether or not the proposed development is allowed for the following reasons: (1) while the subject parcel is comprised of a historic two-lot subdivision, the project builds across the historic lot line, effectively merging the two parcels; in any case, the project includes a provision to merge the two historic lots so that they cannot ever be developed separately in the future, and (2) the proposed General Plan amendment and PUD zoning do not dictate how many structures or dwelling units are allowed on the parcel; "second dwelling units" are identified and allowed only in R-1 zoned districts, which is a zoning designation this project proposes to revise at this site. The PUD zoning is tailored specifically in this case to accommodate the project as described.
- b. *Parking Requirements* The Planning Commission acknowledged that the number of parking spaces proposed by the applicant does not meet those required by County's Parking Regulations. However, while it is reasonable to assess the proposed parking provisions against the County regulations, it is important to reiterate that the application of a PUD District can include parking provisions tailored to the proposed project.

In any case, the area of all floors of both the existing and proposed office buildings has been measured and it has been confirmed that the proposed applicable “office” floor area generates the need for 16 parking spaces according to the County’s requirements, whereas the project proposes 15 spaces (including one required handicap parking space which counts towards the total number required). The one-bedroom apartment requires and will be restricted to only one covered space. This leaves 14 spaces available for the office use, two of which the PUD regulations would restrict for visitor/guest parking only. That leaves 12 spaces for the currently proposed 12 employees. The Planning Commission acknowledges that the County’s ability to legally restrict that number, or to even effectively monitor it in the future, would be difficult. However, since no additional off-site parking exists within any close proximity, staff believes it is reasonable to assume that the accommodation of any additional employees for the office use could only occur if those additional employees found alternative transit modes by which to get to and from the site.

While the Parking Regulations call for parking areas to be surfaced with an “asphaltic or Portland cement binder,” such requirements are often not compatible with the requirement to reduce impermeable, paved surfaces in order to reduce stormwater runoff, as the Planning Commission has indicated in this case. Interlocking pavers on a sand base have been shown to be very successful in meeting this objective. It is important to remember that PUD regulations are able to accommodate and “lock in” unique zoning requirements, including mixed uses, development standards, and tailored parking provisions.

The project includes drainage improvements that would direct drainage from the parking and driveway areas into a culvert that empties out onto Santa Cruz Avenue towards a public storm drain system that does find its way to San Francisquito Creek several hundred feet away to the east. However, the project will be conditioned to require that mesh screening be installed in the drain receptacles to adequately filter petroleum and other pollutants from stormwater runoff before it leaves the site. The PUD regulations also include provisions requiring that these filtering materials be periodically checked, cleaned or replaced to ensure their continued function. A project approval condition will require that a landscape surety deposit be submitted and held for three years from the date of the building permit’s final inspection to ensure that all existing and new landscaping is maintained in a healthy state. Finally, the project will be conditioned to require that a 6-foot masonry wall be constructed along those portions of the property where parking areas are adjacent to residential uses.

- c *Environmental Review Standards/Spot Zoning* an EIR is required for this project. County Counsel has determined that the proposed PUD zoning designation does not constitute “spot zoning.” All recommended conditions associated with this project are included in this report and, as applicable, mandated in the proposed PUD zoning district regulations and available for public review prior to the Board of Supervisors’ consideration of the project.

The revised Initial Study and Negative Declaration stated that potentially significant impacts related to project-generated traffic would constitute a less-than-significant level, based on the initial and supplemental traffic analyses, as previously discussed. The supplemental traffic analysis included discussion of how the County's definition of "threshold of significance" compared to that of surrounding jurisdictions' definitions for evaluating the traffic impacts of development. As previously stated, the projected delay is defined by the City of Menlo as a significant impact that they do not believe is mitigable.

- d. *"Focused EIR "* The Planning Commission spoke of the possible need for a focused EIR only if they ultimately determined that the additional information requested of the applicant was not adequate to support a Negative Declaration, due to adverse impacts that cannot be mitigated. The Planning Commission chose not to require an EIR and certified the Negative Declaration.
- e. *Notification to Responsible Agencies* While the Negative Declaration did not legally have to be referred to either the State Clearinghouse or the Regional Water Quality Control Board, staff sent copies to those agencies anyway. In addition, the nature of the project did not warrant sending a referral to CalTrans. However, all other agencies received copies of the environmental document. The San Francisquito Creek Watershed CRMP responded back by telephone that they were satisfied with the project as long as stormwater pollution control measures were incorporated into the on-site drainage provisions. Previous discussion has indicated that such measures will be included in the project.
- f. *Purpose of PUD* The purpose of implementing a PUD zoning district can certainly be to accommodate uses with customized zoning regulations in order to provide additional open space and recreational area. However, there is no such expressed purpose in the PUD regulations, nor in the General Plan under General or Urban Land Use policies. A PUD zoning district must meet certain findings as previously discussed in Section B.3 of this report.
- g. *County's Own Ordinances Preclude a PUD.* There are no County ordinances that preclude a PUD unless the findings cannot be made.
- h. *Touted Elimination of Need for Use Permit* The PUD regulations do not include a requirement for a use permit. Additionally, the Planning Commission at their August 23, 2000 meeting suggested that the applicant consider the option of revising their rezoning request to that of a PUD District for the purpose of better "locking in" the project as submitted, and thus reducing the potential for impacts due to future requests to amend a use permit or the difficulty of assuring compliance with use permit conditions.

- i. *Historic Nature of Home* The proposed PUD zoning district includes a provision that prohibits: (1) the house from being moved off the site, or (2) any exterior modifications. The project plans include no removal of any portion of the old house. The architectural historian's only concerns regarding the disabled access ramp was in the event that it be placed against the exterior porch wall of the old house. Staff has confirmed and informed the historian that the ramp is not in that location, but leads up to the entry deck in front of the new office building, a location not challenged by the consultant. Staff's comment in the initial Negative Declaration about the feasibility of the old house continuing to be used as a residence was mentioned only to acknowledge the opinion of the applicant and that of other consultants staff had spoken with.
- j. *Bikeway/Walkway.* Section B.1.i of this report discussed the County's recently completed improvement of the corner sidewalk portion of the intersection, which included the owner's proposal to further widen and improve it to a greater standard than initially proposed.
- k. *Traffic Study* Ms. Davis contends that the initial and supplemental traffic analysis is inadequate and that it relied on a previous traffic study conducted for the Hewlett Foundation's approved office headquarters, which she believes was also flawed. Ms. Davis disagrees with the technical traffic data presented in both the initial and supplemental reports.

The typical and primary focus in traffic analyses is the number of project-generated vehicle trips during AM and PM peak hours, not during off-peak hours, and the resultant delay that the additional vehicles may cause at nearby intersections. It was also assumed that non-employees (clients, consultants, etc.) would not be coming to and from the site during peak commute hours. See Section B.1.d of this report for discussion regarding the conclusions of the initial and supplemental traffic analyses.

- l. *Public Transportation* The Marguerite Shuttle service route does not extend out as far as the project site. However, the traffic analysis conclusions are not based upon the likelihood that the project employees will consistently take this form of public transit to and from work.
- m. *Driveway Sight Distance* There is previous discussion in this report about the supplemental traffic analysis' review of the driveway sight distance issue and its conclusion that vehicles entering and exiting the driveway do not pose an undue risk from vehicles traveling west on Sand Hill Road. The Planning Commission recommends a condition of approval requiring that a sign be posted for vehicles exiting the site to watch for opposing traffic to their left.
- n. *Drainage/Creek* The existing drainage channel through the western corner of the project site will not be built over and will remain open. The proposed office building should not affect this drainage, nor will the soils around it be modified. A condition

of approval, as previously indicated, will require that the drain inlet located in the parking area be constructed to incorporate filter fabric to adequately catch and filter petroleum and other pollutants before they run off-site into the public storm drain system. The drainage outlet from the parking area emptying onto Santa Cruz Avenue was reconstructed as part of the Department of Public Works' recent sidewalk improvement project.

- o. *Trees* Of the 30 existing trees surveyed in the arborist report, 26 are designated for preservation. The project includes the removal of four trees located within the proposed parking area, with diameters ranging from 2 to 4 inches. The existing trees along the site's corner perimeter are all remaining.
- p. *Additional Living Unit* Upon discussion with County Counsel, staff agreed that restricting the apartment tenant's employment qualifications would likely not be legal in this case. It is also understood that the County could not prevent the tenant(s) from having a vehicle, as would be reasonable to expect. However, the proposed PUD regulations would restrict the apartment such that its tenant(s) would be restricted to utilize only one on-site parking space, and within the garage below the apartment (the second garage space would be reserved for an office employee). The tenant(s) would not be subject to any other employment-type restrictions.

The following comments, each followed by staff's response, were included in Ms. Davis' supplemental letter dated January 28, 2001 (Attachment R, second letter):

- q. *It is clear that there is a huge financial incentive for office conversion in this particular area. Any property designated "Office" can be used for multiple housing, the owner could build the same type of high-density development on the site as the adjacent Pacific Hills development. It is not relevant nor is staff qualified to comment on degree of the financial incentive afforded to the owner in this case, except to say that there generally is financial incentive behind any proposed development. However, the General Plan designation of "Office/Residential" (not "Office" alone) does allow a residential component, as is the case with this project. However, the accompanying PUD zoning would not allow the present or any future owner from using the site as anything but that described both in terms of the proposed use and development. A future proposal to build a multiple housing project would require that the site be rezoned again.*
  - r. *The enormous windfall profit potential resulting from rezoning is highly likely to (1) induce substantial growth or concentration of population, (2) increase traffic, (3) conflict with adopted environmental plans and goals of the community, and (4) have a substantial negative aesthetic effect. This has been discussed in previous sections of this report.*
2. Comments from Linda Meier (Attachment S). Ms. Meier's primary comment headings are listed below, each followed by staff's response:

- a. *Planning Commission hearing times* Occasionally, the Planning Commission has scheduled evening meetings to consider certain projects. However, any changes to hearing dates or times are at their discretion.
  - b. *Reason for proposed Planned Unit Development (PUD) rezoning* The primary purpose for the PUD zoning in this case is that the Planning Commission thought it a better way to mandate a specific project as ordinance (which cannot be changed or modified), rather than with a use permit (which can be amended by the present or a future owner). There were concerns expressed at the first Planning Commission hearing that the initially proposed use permit may be too weak a restriction mechanism to ensure that the project components and its performance can be adequately monitored (if approved) into the future, especially under a different owner or different lessee or office use. The PUD zoning district can “lock in” the desirable elements of the project as proposed while providing a stricter legal mechanism to ensure its compliance with the PUD regulations. The idea behind a PUD zoning designation is that it affords some flexibility to accommodate a mixed-use development (as this one is with office and a residential use) whose components do not meet any single set of zoning regulations, but where the overall intent of the project is worthwhile. In this case, the project would preserve the existing old house, provide an office use in a residential character in keeping with the surrounding residential uses, and provide a small residential unit.
  - c. *Traffic Study.* See staff’s response to Ms. Davis’ comment (b) in Section C.1 of this report. Additionally, the proposed parking lot shows the minimum required back-up space between parking spaces.
  - d. *Will this project result in or increase traffic hazards?* See staff’s response to Ms. Davis’ comment (m) in Section C.1 of this report
  - e. *Will the project result in the introduction of activities not currently found within the community?* The proposal is for a business to be operated out of buildings that are and would be residential in character located on a site at the very corner of a very busy intersection, near other major office facilities to the south and east. The Planning Commission concludes that this use, while located adjacent to single and high-density multiple-family residential uses and nearby a duplex residential area, should not have any adverse impacts on the character of those residential neighborhoods.
  - f. *Will the project result in any changes in land either on or off the project site?* See previous response.
3. Comments from Kent Mitchell, Attorney (Attachment T). Mr. Mitchell represents the Pacific Hill Homeowners Association, the 26-condominium unit project located adjacent to the project site to the west. Mr. Mitchell references the August 4, 2000 letter from the

Association and states that the substantive points raised in that letter are still applicable to the revised project. His additional comments are summarized below, each followed by staff's response:

- a. *The addition of an apartment unit is an attempt to turn the Planning Commission's attention away from what is still a conversion of residential property to office property* Staff agrees that the project would convert the primary use of the property. However, the inclusion of the apartment use was in response to the Planning Commission's concern for the loss of the site's residential use in terms of the "jobs/housing" balance issue.
- b. *The project will exacerbate traffic problems and the critical jobs/housing imbalance in this area* See staff's response to Ms. Davis' comments in Section C.1 and in Section B.1 of this report.
- c. *A full EIR should be required, focusing on the existing traffic problems and on the cumulative jobs/housing imbalance that already exists* The Planning Commission reviewed the new information, took testimony and recommended that the Board of Supervisors certify the revised Negative Declaration

4 Comments from Matilde Nino-Murcia (Attachment U). Ms. Nino-Murcia's primary comments are summarized below, each followed by staff's response:

- a. *The Hewlett Foundation office development is not "across the street" The fact that there are office buildings ¾ of a mile on the other direction does not make [the project] right.* Staff agrees that the Hewlett office development is not directly across the street. For reasons previously discussed, the Planning Commission does not believe that the project will adversely affect the residential character of the neighborhood.
- b. *It has been omitted that the project site is bordered on the west by two single-family houses The noise, lighting and added traffic will affect the quality of life of the families residing in these houses.* The initial staff report to the Planning Commission included a location map that showed the two adjacent single-family residences southwest of the subject site. Traffic impacts have been previously discussed in Section B.1 of this report and in response to Ms. Davis' comments. Since the parking area is located around the outside, corner-facing perimeter of the site, the noise impacts on the adjacent residences from vehicles (including occasional deliveries) coming and going would be buffeted by the existing and proposed development located between them. The project lighting plan proposes 15, 1-foot high "path" lights located around the perimeter of the parking and walkway areas, and 8 ground-mounted accent lights which are placed only along the corner-facing perimeter of the site illuminating some sides of the buildings. There are no lights located to the rear of the buildings, so there should be no direct light glare directed towards the adjacent

residential development. Additionally, the office use itself would not be expected to generate any adverse noise levels.

- c *The project decreases the availability of housing; the small apartment is not a solution.* Staff agrees that the provision of a small one-bedroom apartment does not replace the loss of a full-sized house. Indeed, the site could be maximally developed as a two-lot subdivision (since it was legally subdivided in 1957 but never sold or developed as two separate lots), each lot containing a single-family residence. However, the Planning Commission suggested that the applicant consider a revision that preserved some residential element on the site, which is what the current proposal reflects.

5. Comments from Gunter Steffen (Attachment V): Mr. Steffen's primary comment headings are listed below, each followed by staff's response:

- a. *Planning Commissioner' Instructions Not Complied With* Instruction No. 9 is responded to by staff in Section B.1(i) of this report. The Planning Commission's intent was not for all of these issues to be discussed in the revised Negative Declaration, but that relevant data be submitted and discussed upon bringing the item back to the Commission at a future hearing, which is the purpose of this report. Officially designating the old house as a County historic building would not, by itself, ensure that any further improvement to the sidewalk beyond that already proposed by the Department of Public Works, nor would it ensure that the house be restricted to a residential use. As previously discussed, the General Plan encourages compatible and adaptive residential, commercial or public uses of historic structures as a means for their protection. The Planning Commission's letter dated August 25, 2000 indicated only a preference for preserving a residential use on the property; it was not specific as to how that might be done and did not directly imply that the project alternatives or revisions had to retain the old house as the residential use. Also, as previously discussed, there are requirements to ensure that stormwater runoff is adequately filtered before heading off-site.
- b. *Growth Inducing Factors.* The issue around the project being precedent setting is discussed in Section B.3 a of this report. Whereas staff completed and circulated the Negative Declaration for the Hewlett Foundation office project in April of 2000, the subject project was not submitted until July 2000.
- c. *Setting Aside Housing According to Employment.* As previously discussed in response to Ms. Davis' comments, staff agrees that it would not be legally feasible to restrict the apartment tenant's employment qualifications.
- d. *Traffic Data* The initial traffic analysis focused on the Santa Cruz Avenue and Sand Hill Road intersection primarily because it is the most heavily burdened intersection in the immediate area and all employees traveling to and from the site must go through it in some manner. Staff agrees that the supplemental traffic analysis



proposal for a TSM Plan that includes bike racks and the availability of alternative transit options would not, alone, be adequate to significantly reduce project-generated vehicle trips. However, the Planning Commission (with the exception of the dissenting Commissioner) generally supported the traffic analysis' overall conclusion that the number of generated vehicle trips would not likely be significant enough during peak commute hours to adversely impact the intersection, regardless of whether or not the TSM Plan or the employee schedule could be adhered to. However, there are concerns about the realistic expectation that employee work schedules will be adhered to as suggested in the supplemental traffic analysis. Mr. Cullen of the Department of Public Works has previously represented that the surrounding roads are near or at capacity.

- e. *Parking* The fact that the parking plan includes reduced parking spaces does not preclude their accessibility for use. The County has previously approved reduced-size (compact) parking spaces that are usable, with adequate back-up and turning radius space. Additionally, the project is not strictly held to the Parking Regulations, since the proposed PUD regulations acknowledge the inclusion of the compact spaces. The Planning Commission believes the proposed parking is adequately shielded since it is located around the outer perimeter of the site away from adjacent residential uses. The proposed landscaping and stone wall around the site's corner boundary will help to shield the parked vehicles from view from the intersection and residential properties to the north.
- f. *Driveway* This has been discussed in response to Ms. Davis' comments in Section C 1.m of this report.
- g. *Sign* The proposed signage is discussed in Section B 2.b of this report.
- h. *First Alternative Suggested of "Use Permit"* The project revision to rezone the site to PUD, as suggested by the Planning Commission, precludes the need for a use permit, since the project components and associated restrictions are "built into" the PUD District regulations specific to this site. While initially discussed, the Planning Commission did not support the option of pursuing a use permit.

6. Comments from Gerald Meloy (Attachment W): Mr. Meloy's primary comments are summarized below, each followed by staff's response.

- a. *The addition of the apartment is an attempt to limit neighbors' opportunity to object to the project* The project's revision to add the apartment occurred in response to the Planning Commission's directive to review options that would retain some residential use of the site given the jobs/housing balance discussion. The applicant's initial proposal that the apartment be rented to a teacher was an attempt to merely accommodate a local public employee who could benefit from a housing location that could accommodate walking to work. As previously indicated, such a restriction was determined to not be legally feasible.

- b. *The original plan and Negative Declaration implied that office occupants and visitors would arrive and leave in the night with no traffic or noise impacts.* The proposal and initial Negative Declaration acknowledged that the employees would be generally arriving and leaving during AM and PM peak hours. The initial traffic analysis concluded, however, that the impact of the number of project-generated vehicles would not result in any significant overall delays for vehicles passing through the intersection. The supplemental traffic analysis included an employee schedule that showed a reduced percentage of employees traveling to and from work during AM and PM peak hours.
  - c. *Other nearby projects have been approved on the basis that they would have little or no traffic impacts* Staff acknowledges that all of the identified developments together add some traffic and traffic-generated noise. However, the traffic analysis concluded that taking all existing conditions into consideration, the project's traffic impacts would not be significant.
7. Comments from Shawn Amir (Attachment X): Mr. Amir's primary comments are summarized below, each followed by staff's response:
- a. *The added apartment does not make it a PUD; the proposed tenant restriction is meaningless* See the previous discussion in response to Mr. Meloy's comment in this report.
  - b. *The original proposal added an office use in addition to the continued use of the main house as the primary residence of the owner Mr. Chargin* While Mr. Chargin currently lives in the old house, the initial project proposal did not state that he would continue to live there; the project always described that the old house was to be converted to an office use.
  - c. *The proposed office use will worsen an already bad traffic situation that exceeds that identified in the traffic analysis.* See the previous discussion in this report.
  - d. *The supplemental traffic analysis employee schedule is not guaranteed to be reliable into the future* This has been previously discussed in this report.
  - e. *Where will customers, clients park? What about contractors' trucks and equipment?* Staff has previously discussed the fact that two parking spaces will be reserved for visitors. There will be no construction trucks or equipment stored or parked on the site at any time (except during construction). The Planning Commission recommends a condition of approval restricting project construction to occur only between 8:00 a.m. and 6:00 p.m. on weekdays (as agreed to by the owner), with no construction allowed on weekends or nationally-observed holidays.

- f. *The proposed brick wall and office signage are not in keeping with our residential neighborhood* The Planning Commission does not believe that the proposed wall is out of character with the surrounding residential neighborhood. However, the Planning Commission recommends a condition that would require that the proposed signage be relocated next to the entry driveway as previously discussed in this report. Additionally, and as shown on the submitted landscape plan, there will be low-growing shrubs or groundcover between the sidewalk and the wall to soften its appearance.
8. Comments from Charles and Sara Botsford (Attachment Y): The Botsfords' primary comment headings are listed below, each followed by staff's response:
    - a. *Signage* See the previous discussion in Section B.2.b of this report
    - b. *Sidewalk* See the previous discussion in Section B 1.i of this report.
    - c. *Large Wall* See the previous discussion in response to Mr. Amir's comments and in Section B.2.b of this report.
  9. Comments from the City of Menlo Park (Attachment Z): The City of Menlo Park's primary comment headings are listed below, each followed by staff's response:
    - a. *Air Quality, Water Quality, Sonic, Compliance with Bay Area Air Quality Management District (BAAQMD) requirements and potential long-term air quality impacts from project-generated traffic.* The applicant has provided documentation from a certified consultant as to the air quality impacts generated by both the project-generated traffic as well as during construction. The consultant concluded that pollution from project-generated traffic would not exceed State or federal air quality standards and that on a regional scale, the increase on resultant traffic emissions would be substantially below the BAAQMD thresholds of significance
    - b. *Lack of study indicating current noise levels* Section B.2.h of this report discusses the noise impacts that the nearby intersection poses on the project and the project-related noise impacts on the surrounding residential area.
    - c. *Transportation – Previous Comments* Items 1 through 5 in the City's letter reiterates concerns over traffic they had previously conveyed in response to the first Initial Study/Negative Declaration. The supplemental traffic analysis and an addendum letter recently submitted by the traffic consultant (Attachment DD) included responses to those comments.
    - d. *Transportation – New Comments.* Comments 6 through 10 are new and are discussed below.

- (1) *Inadequacy of TSM Plan.* Staff agrees that the suggested TSM Plan, alone, may not impact the commute habits of the presently proposed or future employees. However, the Planning Commission determined that the project-generated traffic impacts from 12 employees should not pose a significant impact on the adjacent intersection.
  - (2) *Irrelevancy of employee travel habits.* While the employees' travel habits during peak commute hours would be difficult to regulate and monitor, it is acknowledged that the project's 0.5 second delay at the adjacent intersection operating at an LOS F in the PM peak hour would be considered a significant impact based on the City's criteria.
  - (3) *Dismissal of cumulative analysis from City of Menlo Park's consideration.* The Planning Commission has acknowledged the City's concerns in this report.
  - (4) *Inadequacy of driveway sight distance analysis.* This has been previously discussed in this report.
  - (5) *How does project cause more traffic through Sand Hill/Santa Cruz intersection than accounted for in peak trip generation?* The traffic consultant's February 15, 2001 letter clarified that not all driveway traffic goes through the intersection. Traffic exiting the site and heading west on Sand Hill Road does not go through the intersection.
- e *Land Use and General Plans opposition to conversion based on the incompatibility between the proposed office use and adjacent residential use and intensification of the jobs/housing imbalance.* Section C of this report includes responses to comments regarding the inclusion of the apartment unit and its relation to the jobs/housing imbalance. Section B 2 of this report discusses the project's compliance with applicable General Plan Land Use policies. Other responses in this section address similar comments regarding the discussion of both these issues.
- f *Disagreement with the County's determination that the General Plan Urban Area Land Use Designation locational criteria have been met.* Staff corrected its previous statement and agreed that the project site is not within an existing office area. However, the Planning Commission believes that the locational criteria can be met, as discussed in Section B.1.e of this report.
- g *The revised Initial Study states that there would be no impact to solid waste creation, the project should include conditions or mitigations that require a recycling program* The Planning Commission agrees and recommends that conditions of approval require that all demolition and construction material waste associated with the project be recycled. Currently, BFI supplies pick-up and disposal services for all refuse and recyclable materials generated from the site. Trash pick-up is weekly (currently early Thursday mornings) with recycle collection occurring every other week. The

collection trucks parks along Sand Hill Road immediately south of the site while refuse or recycle containers are collected. The owner does not anticipate any change to the service (with the possible exception for the addition of the refuse or collection containers) upon conversion of the site's primary use to office. The project does not include nor will it require that a large dumpster replace the current multiple 20-30 gallon containers. However, a recommended condition of approval would require that the property owner ensure that the office and apartment tenants participate fully with the ongoing recycling program for all generated recyclable waste and refuse (e g., paper, cardboard, glass, metal, aluminum and plastic materials).

### **REVIEWING AGENCIES AND ORGANIZATIONS**

County Building Inspection Section  
County Department of Public Works  
County Counsel  
State Regional Water Quality Control Board  
City of Menlo Park  
Town of Portola Valley  
Town of Woodside  
Santa Clara County Planning Division  
San Francisquito Creek Watershed CRMP  
Menlo Park Fire Protection District  
West Bay Sanitary District  
California Water Service Company  
Sharon Heights Homeowners Association  
Sharon Oaks Homeowners Association  
Sharon Heights Condominium Association  
Pacific Hill Homeowners Association  
Stanford Lands Management Company

### **ATTACHMENTS**

- A. Recommended Findings and Conditions of Approval
- B. Area Location Map
- C. Detailed Location Map (Showing Surrounding Zoning and Uses)
- D. Project Site Plan
- E. Proposed Office Building Elevation and Floor Plans
- F. Existing Main Building Elevations and Floor Plans
- G. Proposed Apartment/Garage Elevations and Floor Plans
- H. Grading and Drainage Plan
- I. Erosion and Dust Control Plan
- J. Landscape Plan
- K. Lighting Plan and Lighting Details
- L. Project Rendering
- M. Planning Commission Comment Letter (Dated August 25, 2000)

- N. Applicant's Request for "PUD" Rezoning
- O. Supplemental Traffic Analysis
- P. Historic Analysis of House
- Q. Revised Initial Study and Negative Declaration
- R. Janet Davis' Comment Letters (Dated January 21 and 28, 2001)
- S. Linda Meier's Comment Letter (Dated January 26, 2001)
- T. Kent Mitchell's Comment Letter (Dated January 30, 2001)
- U. Matilde Nino-Murcia's Comment Letter (Dated January 30, 2001)
- V. Gunter Steffen's Comment Letter (Dated January 30, 2001)
- W. Gerald Meloy's Comment Letter (Dated January 31, 2001)
- X. Shawn Amir's Comment Letter (Dated January 31, 2001)
- Y. Charles and Sara Botsford's Comment Letter (Dated January 31, 2001)
- Z. City of Menlo Park's Comment Letter (Dated January 31, 2001)
- AA. County Department of Public Works Comments Letter Regarding Sidewalk Improvements
- BB. Proposed Resolution and Map to Amend General Plan
- CC. Proposed "PUD-129" District Regulations Ordinance
- DD. Traffic Consultant's Letter Responding to City of Menlo Park Comments (Dated February 15, 2001)
- EE. Initial Traffic Analysis
- FF. Arborist Report

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COUNTY OF SAN MATEO  
ENVIRONMENTAL SERVICES AGENCY

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2000-00037

Hearing Date: May 22, 2001

Prepared By: David Holbrook

For Adoption By: Board of Supervisors

**RECOMMENDED FINDINGS**

Based on the staff report and evidence presented at the hearing, the Board of Supervisors finds:

**Regarding the Planned Unit Development District Zoning**

- 1 That the proposed zoning of the area would be in harmony with said plan, and would not be in conflict with the County Master Plan [i.e., 1986 General Plan], or with any current land use plan for a sub-area of the County previously adopted by the Commission, and that the specific PUD District under consideration, as documented in the staff report, Section B.3:
  - a. Is a desirable guide for the future growth of the subject area of the County.
  - b. Will not be detrimental to the character and social and economic stability of the subject area and its environs, and will assure the orderly and beneficial development of such areas.
  - c. Will be in harmony with the zoning in adjoining unincorporated area.
  - d. Will obviate the menace to the public safety resulting from land uses proposed adjacent to highways in the County, and will not cause undue interference with existing or prospective traffic movements on said highways.
  - e. Will provide adequate light, air, privacy and convenience of access to the subject property and further, that said property shall not be made subject to unusual or undue risk from fire, inundation, or other dangers
  - f. Will not result in overcrowding of the land or undue congestion of population.

Regarding the Negative Declaration:

2. That the Negative Declaration is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines.
3. That, on the basis of the Initial Study and comments received thereto, no substantial evidence exists that the project, if subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment.
4. That the mitigation measures identified in the Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6.
5. That the Negative Declaration reflects the independent judgment of the San Mateo County Board of Supervisors.

**CONDITIONS OF APPROVAL**

Planning Division

1. This approval applies only to the proposal and plans as described in this report and submitted to and approved by the Board of Supervisors May 8, 2001. Minor adjustments to the project in the course of applying for building permits may be approved by the Planning Director if they are consistent with the intent of and in substantial conformance with this approval.
2. Color verification by a planner of the approved exterior wall colors and roofing materials on all buildings shall occur in the field after the applicant has painted and roofed the buildings but before the applicant schedules a final inspection.
3. Noise levels produced by the proposed construction activity shall not exceed the 80 dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday. Construction shall not occur on weekends or any nationally observed holiday.
4. As part of the stormwater pollution prevention plan required by the building permit, the applicant shall implement the approved erosion and sediment transport control plan, designed by their civil engineer (hereafter referred to as the applicant's erosion control consultant). Implementation shall occur as follows:
  - a. The erosion and sediment control plan shall be implemented and inspected as part of the inspection process for the project. The approved plan shall be activated during the period of grading activity if any rainstorms occur. Any revisions to the plan shall be



prepared and signed by the applicant's erosion control consultant and reviewed by the Department of Public Works.

- b. The plan shall be based on the specific erosion and sediment transport control needs of each area in which grading and construction is to occur. The possible methods are not necessarily limited to the following items.
  - (1) Confine grading and activities related to grading (construction, preparation and use of equipment and material storage/staging areas, preparation of access roads) to the dry season, whenever possible.
  - (2) If grading or activities related to grading need to be scheduled for the wet season, ensure that structural erosion and sediment transport control measures are ready for implementation prior to the onset of the first major storm of the season.
  - (3) Locate staging areas outside major drainage ways.
  - (4) Keep the lengths and gradients of constructed slopes (cut or fill) as low as possible.
  - (5) Discharge grading and construction runoff into small drainages at frequent intervals to avoid buildup of large potentially erosive flows.
  - (6) Prevent runoff from flowing over unprotected slopes.
  - (7) Keep disturbed areas (areas of grading and related activities) to the minimum necessary for demolition or construction.
  - (8) Keep runoff away from disturbed areas during grading and related activities.
  - (9) Stabilize disturbed areas as quickly as possible, either by vegetative or mechanical methods
  - (10) Direct runoff over vegetated areas prior to discharge into public storm drainage systems, whenever possible.
  - (11) Trap sediment before it leaves the site with such techniques as check dams, sediment ponds, or siltation fences.
  - (12) Make the contractor responsible for the removal and disposal of all sedimentation on-site or off-site that is generated by grading and related activities of the project

- (13) Use landscaping and grading methods that lower the potential for downstream sedimentation. Modified drainage patterns, longer flow paths, encouraging infiltration into the ground, and slower stormwater conveyance velocities are examples of effective methods.
  - (14) Control landscaping activities carefully with regard to the application of fertilizers, herbicides, pesticides or other hazardous substances. Provide proper instruction to all landscaping personnel on the construction team.
  - c. During the installation of the erosion and sediment control structures, the applicant's erosion control consultant shall be on the site to supervise the implementation of the designs, and the maintenance of the facilities throughout the grading and construction period. It shall be the responsibility of the consultant to regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected.
5. During project construction, the applicant shall, pursuant to Section 5022 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and water bodies by:
- a. Using filtration materials on storm drain covers to remove sediment from dewatering effluent.
  - b. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
  - c. Removing spoils promptly, and avoiding stockpiling of fill materials, when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
  - d. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
  - e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
  - f. Limiting and timing applications of pesticides and fertilizer to avoid polluting runoff.
6. The applicant's building permit application and plans shall include the submitted on-site drainage plan, as prepared by the project civil engineer, showing all permanent, post-construction stormwater controls and drainage mechanisms. The plan shall ensure that a minimum of 50% of stormwater from impervious surfaces is directed to the perimeter landscaped areas. The required drainage plan shall show the necessary mechanisms to contain all water runoff generated by on-site impervious surfaces and shall include facilities to minimize the amount and pollutants of stormwater runoff through on-site percolation

and filtering facilities, the latter being applicable to the storm drain proposed in the parking lot area. The final drainage plan shall be reviewed and approved by the Planning Director prior to issuance of the building permit. The County Building Inspection Section and Department of Public Works shall ensure that the approved plan is implemented prior to the project's final building inspection approval.

7. No clearing, grading or construction activity on the site shall occur until the applicant has been issued a valid building permit.
8. The applicant shall implement and follow the requirements set forth in the approved dust control plan for the duration of all grading and construction activities.
9. The applicant shall comply with the recommendations of the submitted arborist report (dated January 17, 2001) with regard to all tree preservation and maintenance action. The applicant shall retain the services of an arborist to confirm in writing that he has observed that the necessary tree protection measures have been implemented prior to the issuance of the building permit. It is the applicant's responsibility to ensure that all of the subject trees are protected and survive through the construction process
10. The applicant shall implement all planting elements of the approved landscape plan prior to the applicant scheduling a final inspection and the Planning Division's final approval on the building permit.
11. The applicant shall submit a maintenance surety deposit (in the form of a Certificate of Deposit) in the amount of \$2,500 to ensure that all approved landscaping survive for a period of three years, starting from the date of its confirmed planting. Any dead or dying plants, shrubs or trees shall be replaced immediately in like kind.
12. The applicant shall agree to merge the two subdivided lots that comprise the subject parcel. The merger document shall be prepared by the Planning Division and recorded prior to the issuance of a building permit for the project
13. The applicant shall be restricted to the one sign proposed to be located on the wall on the corner of the parcel facing the adjacent roadway intersection. The applicant shall submit a detailed sign plan design, for review and approval by the Planning Director, including the use of a number and letter font that corresponds with a design in keeping with the era of the house. The sign shall not be lit in any fashion.
14. The applicant shall post a sign clearly visible on the driveway alerting those exiting the site to watch for oncoming traffic to their left (traveling westward on Sand Hill Road). The sign message shall be reviewed by the Planning Director prior to installation and the sign shall be installed prior to the final inspection approval of the building permit.
15. All hard surfaces (e.g., driveways, parking areas and walkways) shall employ interlocking pavers as proposed. The site plan submitted with the building permit application and plans

shall clearly designate this material, including an elevation to show its construction application. The provision of the required surfacing materials shall be confirmed by the Planning Division prior to the request for a building final inspection.

16. All parking spaces shall have wheel stops installed. All parking spaces shall be adequately and clearly labeled as follows: (a) two spaces shall be strictly reserved for visitors only, (b) one space within the garage shall be strictly reserved for the upstairs apartment tenant, and (c) all remaining spaces shall be reserved for tenants or employees. The provision of wheel stops and required parking space labels shall be confirmed by the Planning Division prior to the request for a building final inspection.

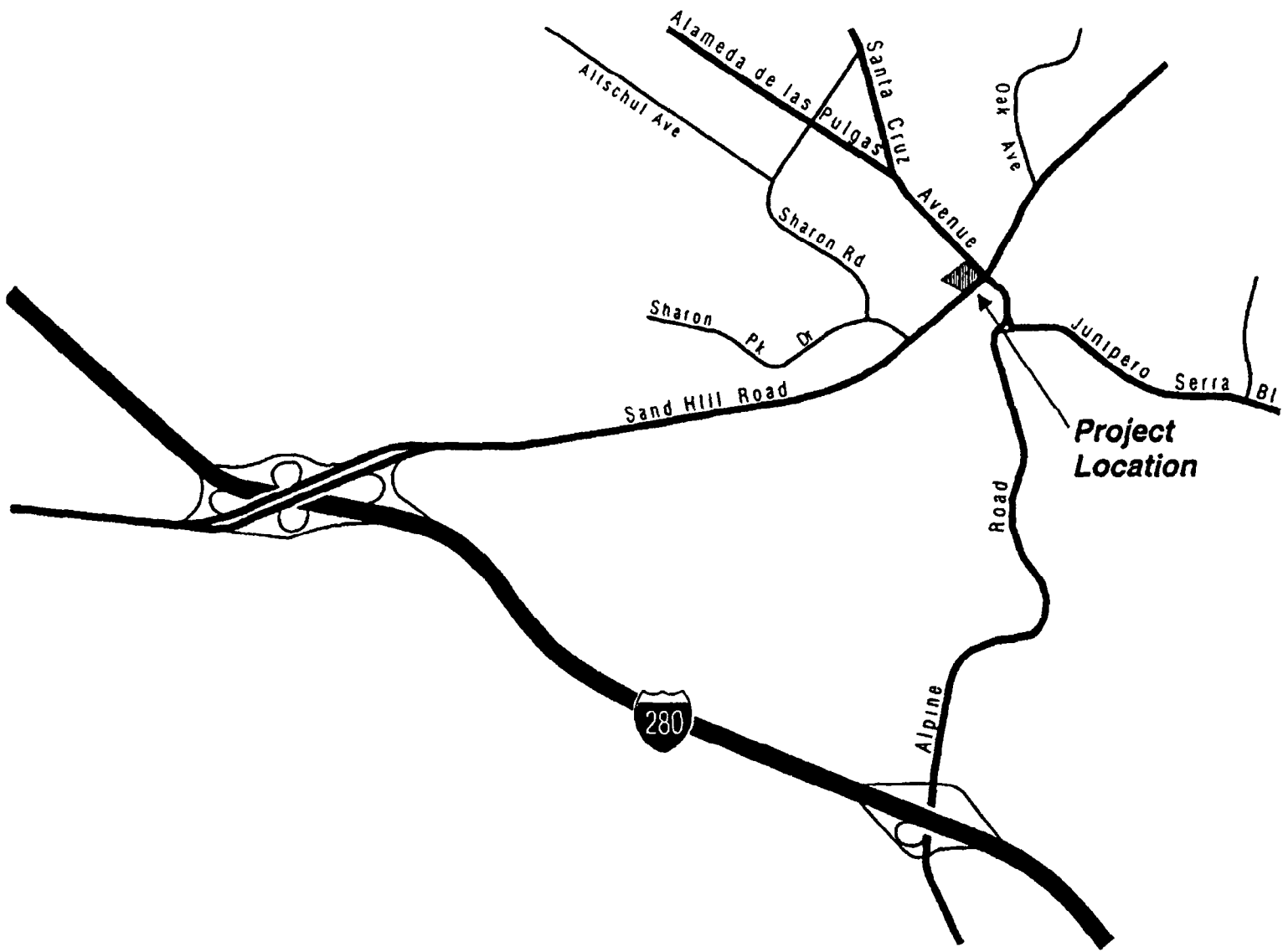
#### Department of Public Works

17. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance #3277.
18. The applicant shall submit a driveway "plan and profile," to the Department of Public Works, showing the driveway access to the parcel (garage slabs/parking lot) complying with County standards for driveway slopes (not to exceed 20%) and to County standards for driveways (at the property line) being the same elevation as the center of the access roadway. The driveway plan shall also include and show specific provisions and details for handling both the existing and the proposed drainage along and within the Sand Hill Road right-of-way.
19. No construction work within the County right-of-way shall begin until Public Works' requirements for the issuance of an encroachment permit, including review of applicable plans, have been met and an encroachment permit issued by the Department of Public Works
20. The applicant shall work with the Department of Public Works to improve and widen the sidewalk at the corner of Santa Cruz Avenue and Sand Hill Road, including drainage improvements leading from the site to the storm drain system on Santa Cruz Avenue.

#### Building Inspection Section

21. The applicant shall apply for a building permit prior to any construction.
22. The applicant shall apply for a demolition permit to remove the existing garage.

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## San Mateo County Board of Supervisors Meeting

Applicant: Chargin

Attachment: B

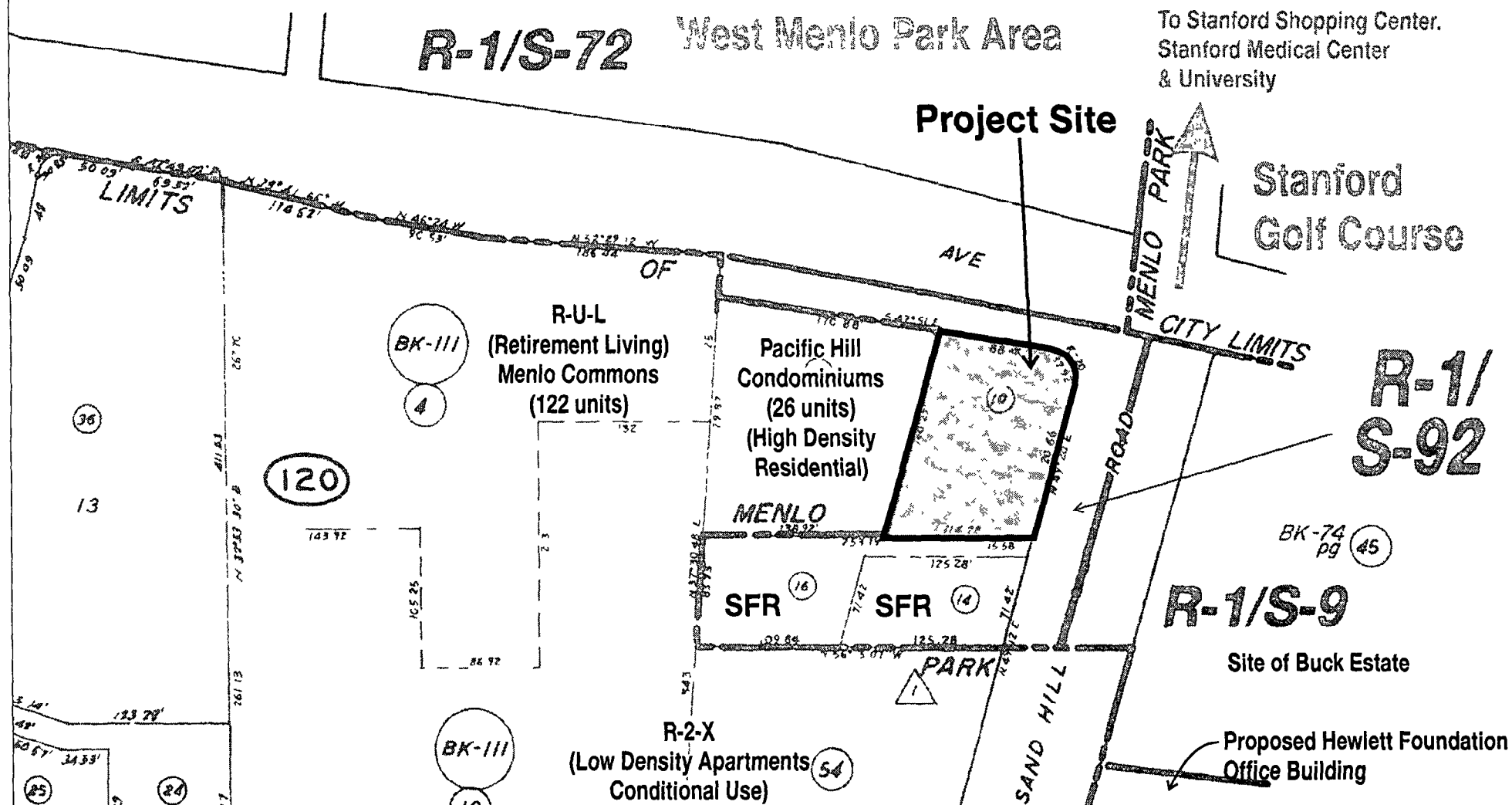
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# General Plan Amendment: from "Low Density Residential" to "Office/Residential"

74-12

## Rezoning: from "R-1/S-92" to "PUD-128" (Planned Unit Development)



### San Mateo County Board of Supervisors Meeting

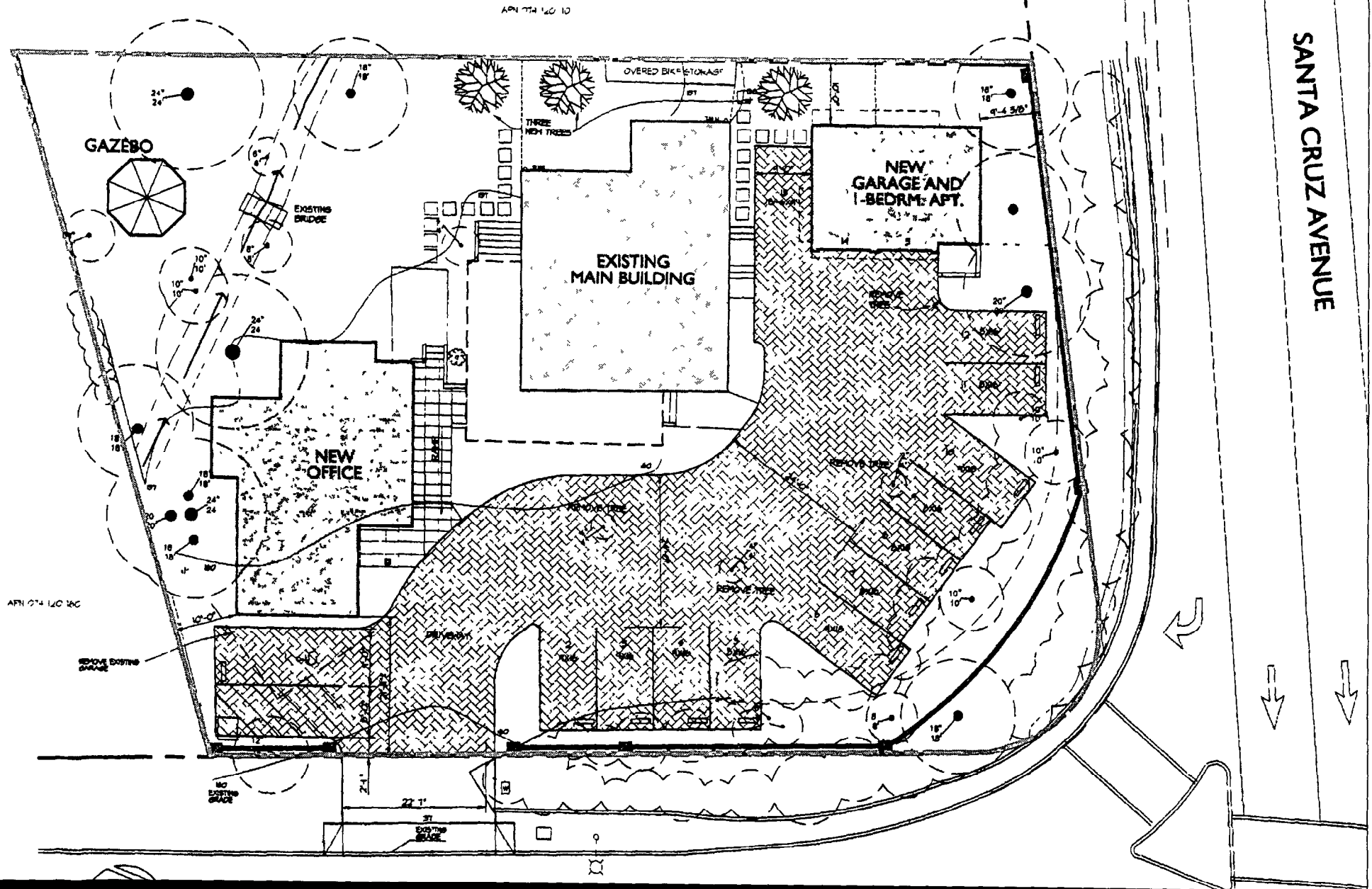
Applicant: Chargin

Attachment: C

File Numbers: PLN 2000 00037



SANTA CRUZ AVENUE



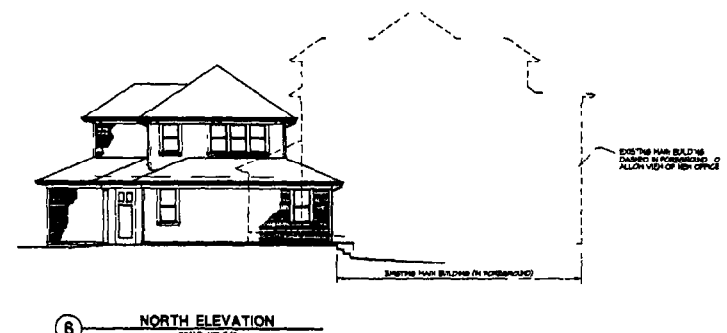
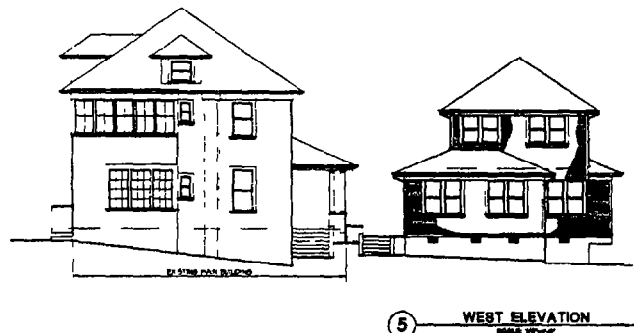
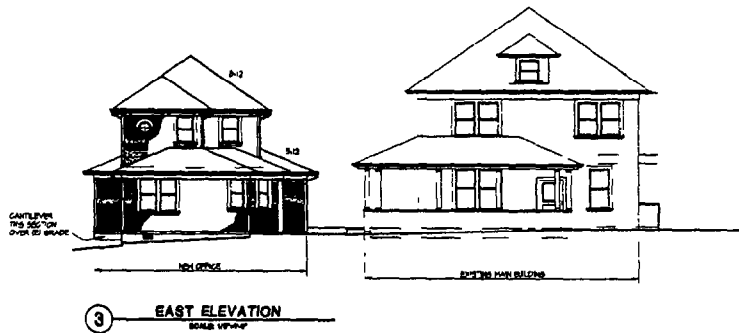
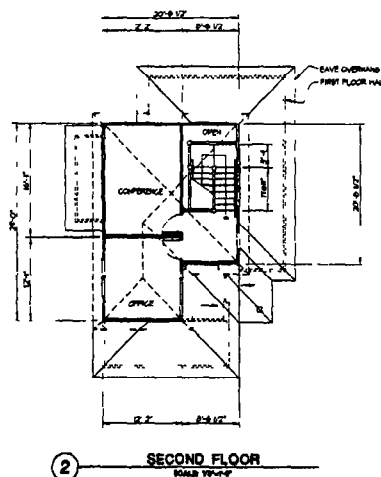
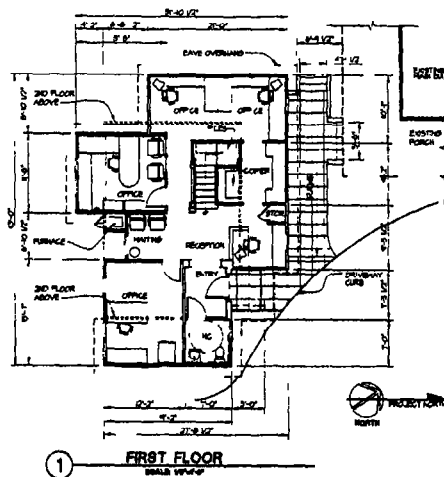
## San Mateo County Board of Supervisors Meeting

Applicant: Chargin

File Numbers: PLN 2000-00037

Attachment: D





THACHER &  
THOMPSON  
ARCHITECTS

300 WASHINGTON STREET  
SANTA CRUZ, CA 95061  
408.298.1111

2104 SAND HILL ROAD LLC  
2104 SAND HILL ROAD, MENLO PARK, CALIFORNIA  
NEW OFFICE  
PRELIMINARY DESIGN

DRAWING DATE  
OCTOBER 3, 2009

CONSTRUCTION RELEASE

CLIENT NAME  
Chargin

PROJECT NAME  
JENNIFER SANDHILL, W-152

REVISION

NO.	DESCRIPTION	DATE
REV 1	2-25-07	
REV 2	3-1-07	

2

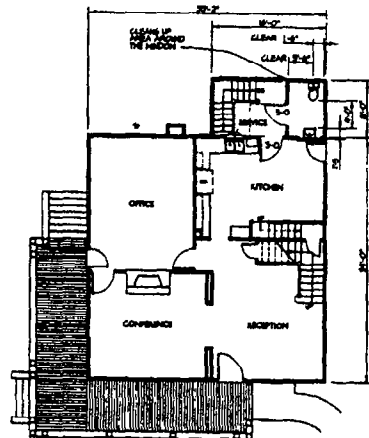
## San Mateo County Board of Supervisors Meeting

Applicant: Chargin

Attachment: E

File Numbers: PLN 2000 00037





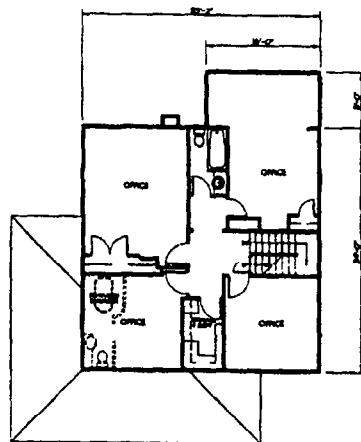
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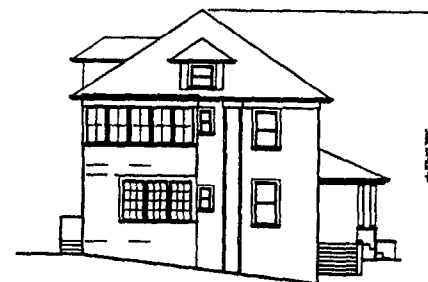
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4 SECOND FLOOR PLAN  
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5 SIDE ELEVATION  
SCALE 1/8"=1'-0"



6 REAR ELEVATION  
SCALE 1/8"=1'-0"



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ARCHITECTS  
200 WASHINGTON STREET  
SANTA CRUZ, CA 95060  
408.297.1000  
www.thacher.com

2104 SAND HILL ROAD LLC  
2104 SAND HILL ROAD, PLEASANTON, CALIFORNIA  
MAIN BUILDING PLANS & ELEVATIONS

DATE: OCTOBER 8, 2000  
CONSTRUCTION RELEASE  
CLIENT NAME: CHARGIN  
PROJECT NAME: CHARGIN SANDHILL RESID

REVISIONS	DESCRIPTION	DATE

DISCLAIMER  
The undersigned hereby certifies that the plans and specifications shown on these drawings were prepared by the undersigned or under the direct supervision and control of the undersigned, and that the undersigned is a duly licensed professional architect in the State of California.

## San Mateo County Board of Supervisors Meeting

Applicant: Chargin

Attachment: F

File Numbers: PLN 2000-00037

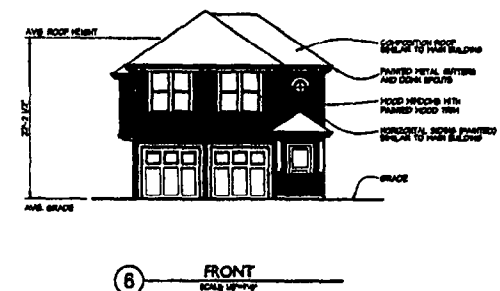
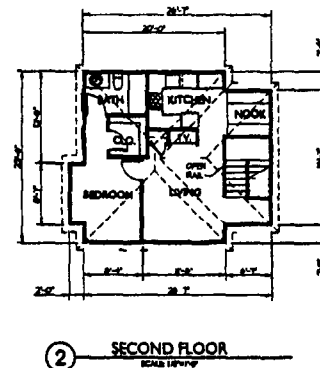
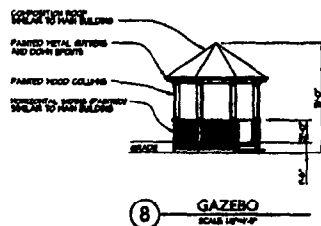
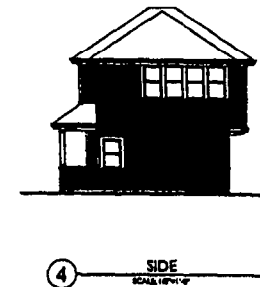
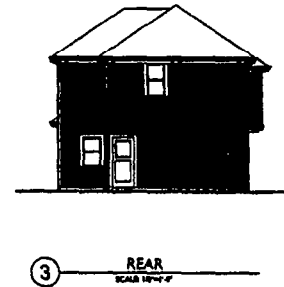
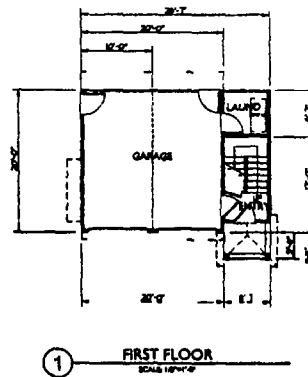
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OCTOBER 14, 2005  
CONSTRUCTION RELEASE  
CLIENT NAME  
CHAMBER  
PROJECT NAME  
CAMERON SANDHILL FIB

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
## San Mateo County Board of Supervisors Meeting

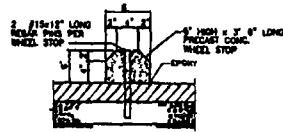
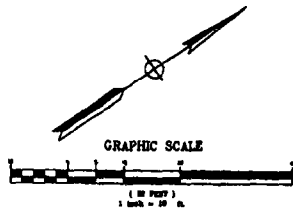
Applicant: Chargin

File Numbers: PLN 2000 00037

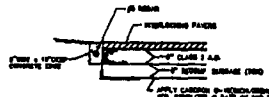
Attachment :G

### LEGEND

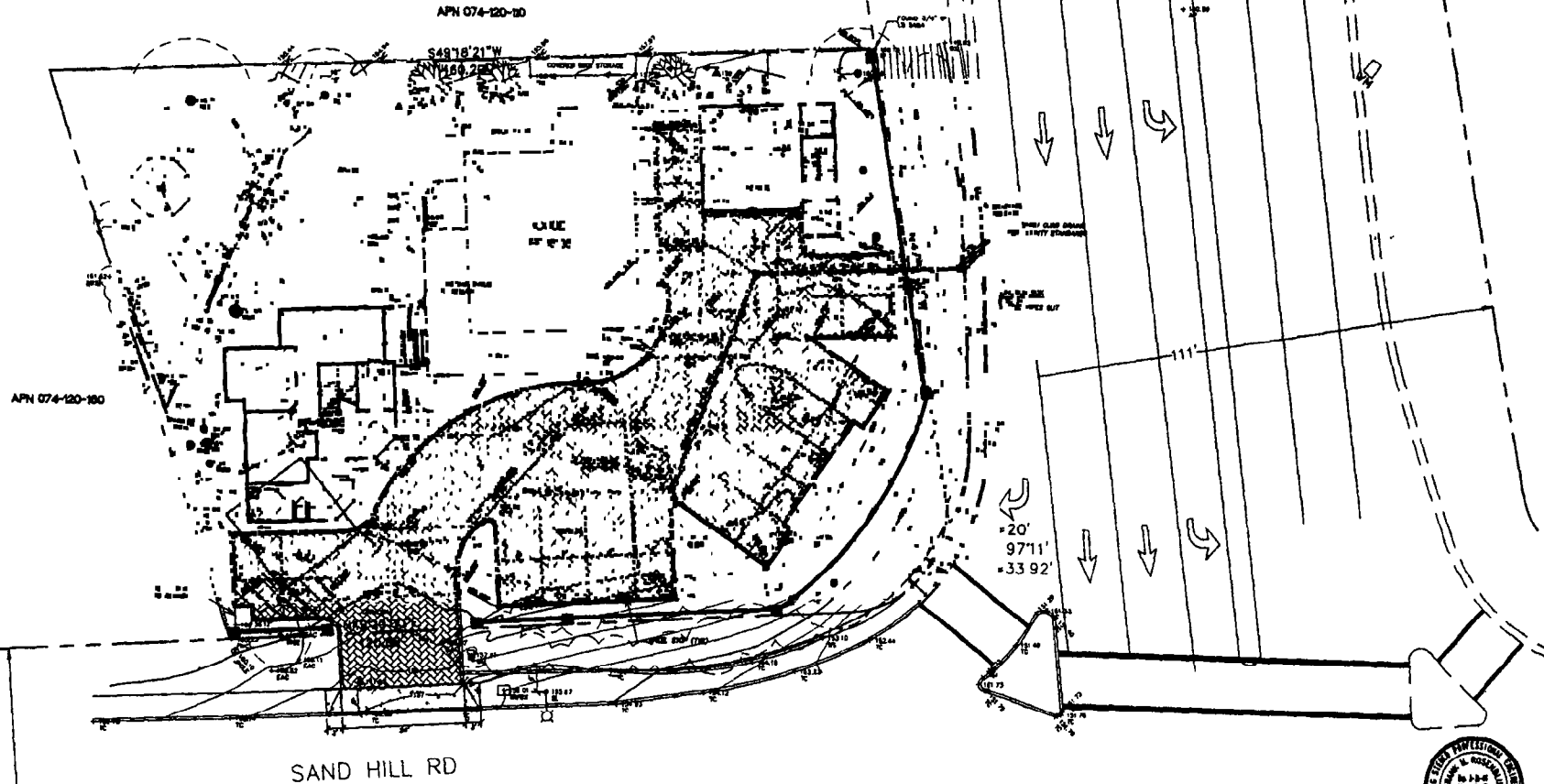
- 
- Diagram illustrating the layers of a road surface, showing the relationship between different materials and their positions relative to the ground and existing structures.
- NEW IN RELACING PAVED FOR**  
 RECONSTRUCTION OF EXISTING ROAD
- LIST OF LAYERS**
- EXISTING PAVING
  - ASPHALT CONCRETE
  - AREA DRAIN
  - TOP OF CURB
  - PORTLAND CONCRETE
  - CATCH BASIN
  - GRADING
  - GRADE BREAK
  - WALKWAY
  - PAVING LINE GRADE
  - POUGH TOP OF PAVEMENT GRADE
  - REMAIN EXISTING SIDE



CONC WHEEL STOP DETAIL



**NEW PAVEMENT EDGE DETAIL**



**UNDERWOOD & ROGERKELIM**  
**CIVIL ENGINEERS AND SURVEYORS**  
1870 Vander Weyer Ave. 8th Fl., San Jose, Ca. 95128  
Tel. San. (415) 357-1244 FAX San. (415) 357-1244

2104 SAND HILL ROAD  
APN 074-120-100  
MENDOTA PARK CALIFORNIA

# PRELIMINARY GRADING AND DRAINAGE PLAN

10-12-00  
12x18"  
From Bill  
to 99061  
Rept

**C1**

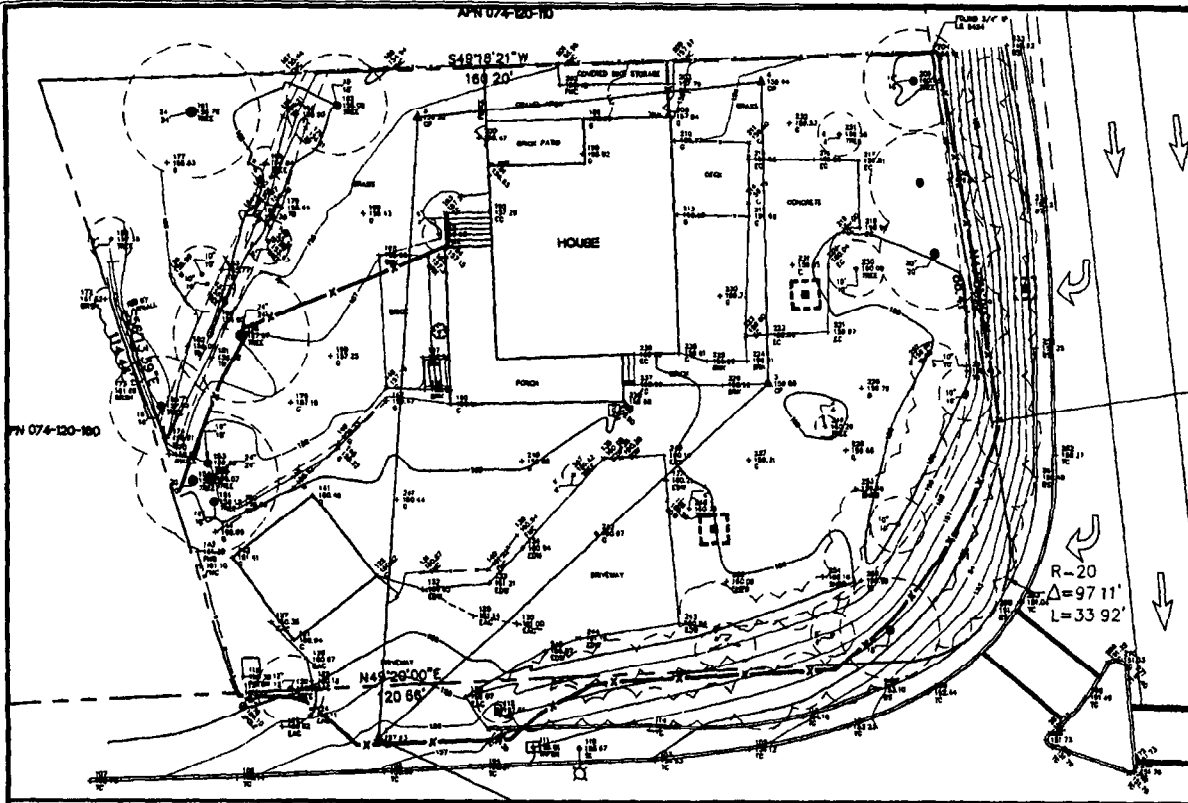
# San Mateo County Board of Supervisors Meeting

Applicant: Chargin

File Numbers. PLN 2000 00037

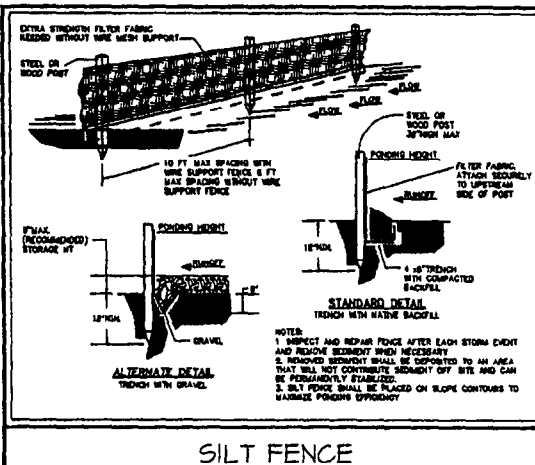
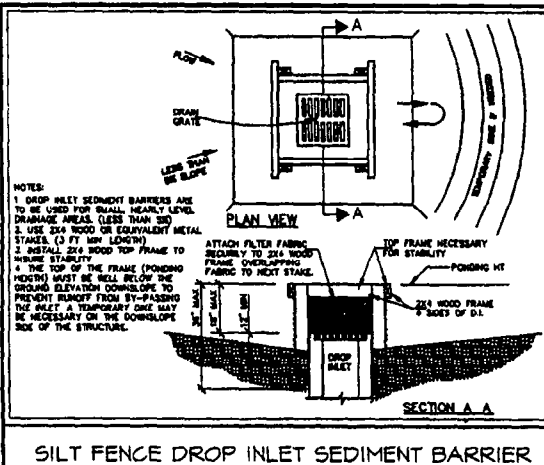
Attachment: H





### EROSION CONTROL NOTES

1. THE FACILITIES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL THE SEDIMENT DURING THE RAINY SEASON. OCTOBER 1, TO APRIL 15, AFTER ROUGH GRADING HAS BEEN COMPLETED. MEASURES ARE TO BE OPERABLE PRIOR TO OCTOBER 1ST OF ANY YEAR. GRADING OPERATIONS HAVE LEFT AREAS UNPROTECTED FROM EROSION.
2. MAINTENANCE IS TO BE PERFORMED AS FOLLOWS:
  - A) REPAIR DAMAGES CAUSED BY SOIL EROSION OR CONSTRUCTION AT THE END OF EACH WORKING DAY.
  - B) SWALES SHALL BE INSPECTED PERIODICALLY AND MAINTAINED AS REQUIRED.
  - C) STRAW BALE DIKE, BERM, AND SWALES ARE TO BE INSPECTED AFTER EACH STORM AND REPAIRS ARE TO BE MADE AS NEEDED.
  - D) SEDIMENT SHALL BE REMOVED AND SEDIMENT TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT HAS ACCUMULATED TO WITHIN ONE FOOT OF OUTLET ELEVATION.
  - E) SEDIMENT REMOVED FROM TRAP SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.
3. DURING THE RAINY SEASON ALL PAVED AREAS SHALL BE KEPT CLEAR OF EARTH MATERIAL AND DEBRIS. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT LOADED RUNOFF TO ANY STORM DRAINAGE SYSTEM.
4. CONSTRUCTION ENTRANCE CONSISTING OF AN 8" THICK LAYER OF 2" COARSE DRAINAGE FOR A DISTANCE OF 30 FEET IS TO BE PROVIDED AT EACH VEHICLE ACCESS POINT TO EXISTING PAVED STREETS.
5. INLETS NOT USED IN CONJUNCTION WITH EROSION CONTROL TO BE BLOCKED UNLESS THE AREA DRAINED IS UNDISTURBED OR STABILIZED.
6. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED AND CHANGES TO THIS EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS ONLY WITH THE APPROVAL OF OR AT THE DIRECTION OF THE DIRECTOR OF PUBLIC WORKS.
7. THIS PLAN COVERS ONLY THE FIRST WINTER FOLLOWING GRADING. PLANS ARE TO BE SUBMITTED FOR CITY APPROVAL PRIOR TO THE SEPTEMBER FIRST OF EACH SUBSEQUENT YEAR UNTIL THE SITE IMPROVEMENTS ARE ACCEPTED BY THE CITY.
8. ALL EROSION CONTROL FACILITIES MUST BE INSPECTED AND REPAIRED AT THE END OF EACH WORKING DAY OR DAILY DURING THE RAINY SEASON.
9. SEDIMENT BASINS SHALL BE CLEANED OUT WHENEVER SEDIMENT REACHES THE SEDIMENT CLEANOUT LEVEL INDICATED ON THE PLANS.
10. BORROW AREAS AND TEMPORARY STOCKPILES SHALL BE PROTECTED WITH APPROPRIATE EROSION CONTROL MEASURES TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS.
11. ALL CUT AND FILL SLOPES ARE TO BE PROTECTED TO PREVENT OVERLAND FLOW.
12. THIS PLAN MAY NOT COVER ALL THE SITUATIONS THAT ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. VARIATIONS MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OF THE CITY.
13. THE CONTRACTOR AND/OR HIS SUBCONTRACTORS SHALL PREVENT THE FORMATION OF AN AIRBORNE DUST NUISANCE WHEN HE OR HIS SUBCONTRACTORS ARE OPERATING EQUIPMENT ON THE SITE AT ALL TIMES DURING CONSTRUCTION AND UNTIL FINAL COMPLETION. THEY SHALL DO SO BY WATERING AND/OR TREATING THE SITE OF WORK. THEY SHALL BE RESPONSIBLE FOR ANY DAMAGE DONE BY DUST FROM THEIR CONSTRUCTION ACTIVITIES IN PERFORMING THE WORK UNDER THIS CONTRACT. THE PRICES FOR THE VARIOUS ITEMS OF WORK SHALL INCLUDE PROVIDING ADEQUATE DUST CONTROL, AS REQUIRED BY THE LOCAL AGENCY.



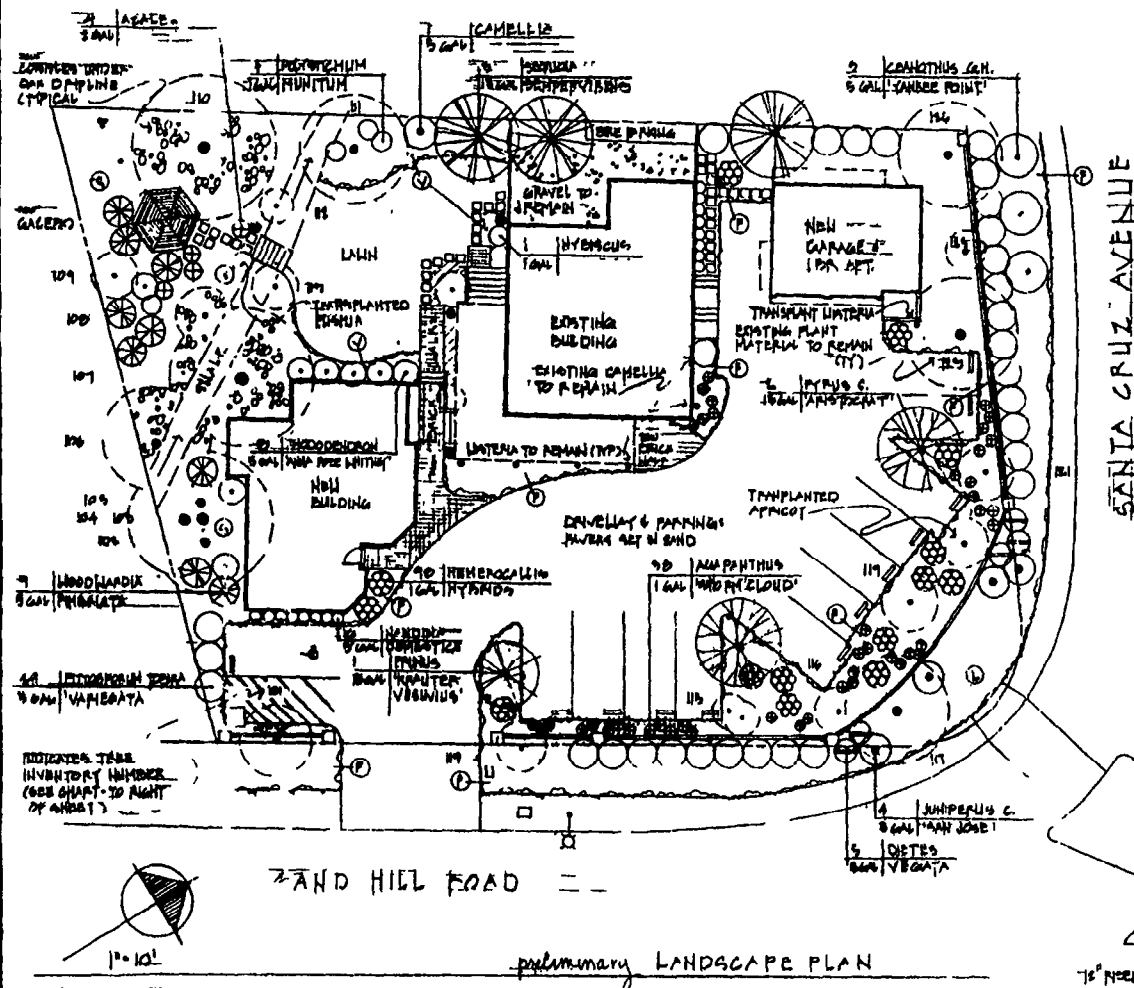
## San Mateo County Board of Supervisors Meeting

Applicant: Chargin

File Numbers: PLN 2000-00037

Attachment: I



[illegible]

# PLANT MATERIALS LIST

- |   |                                     |       |                     |
|---|-------------------------------------|-------|---------------------|
| ⑦ | PRAGARIA CHILENSIS SAND STRAWBERRY  | PLATS | 12' AC. 12' SPACING |
| ⑧ | LANTANA MONTEVIDEOS / NCH           | PLAT  | 3' AC. 12' SPACING  |
| ⑨ | SOLEIROLA SOLEIROLII / BABY'S TEARS | PLATS | 3' PLUGS 6' AC      |
| ⑩ | VINCA MINOR / DORY PENNINKLE        | PLATS | 9' AC. 12' SPACING  |

NOTES

- 1) ROOFS GREATER THAN 2 HORIZONTAL TO 1 VERTICAL SHALL RECEIVE JUST HALF.
- 2) ALL LANDSCAPE AREAS SHALL BE IRRIGATED BY AN AUTOMATIC TRIGGERING SYSTEM. IRRIGATION PLAN SHALL BE SUBMITTED PRIOR TO ANY LANDSCAPE BUILDING PERMIT.
- 3) ● IS NOT PATH LIGHTING 'DOWNLIGHT' BY IS LUMINANCE

HEAVY DUFF.  
LANDSCAPE ARCH TEST 2007 2010  
100 BOX 42. NOW BEING A 4000  
DUFF 4 100 (200) 100-1115

2104 SAND HILL ROAD LLC  
SAN MATEO COUNTY CALIFORNIA

NAME	ALLEN, J. R.
ROOM	AS 101
DATE	10/10
TIME	
BY	

## San Mateo County Board of Supervisors Meeting

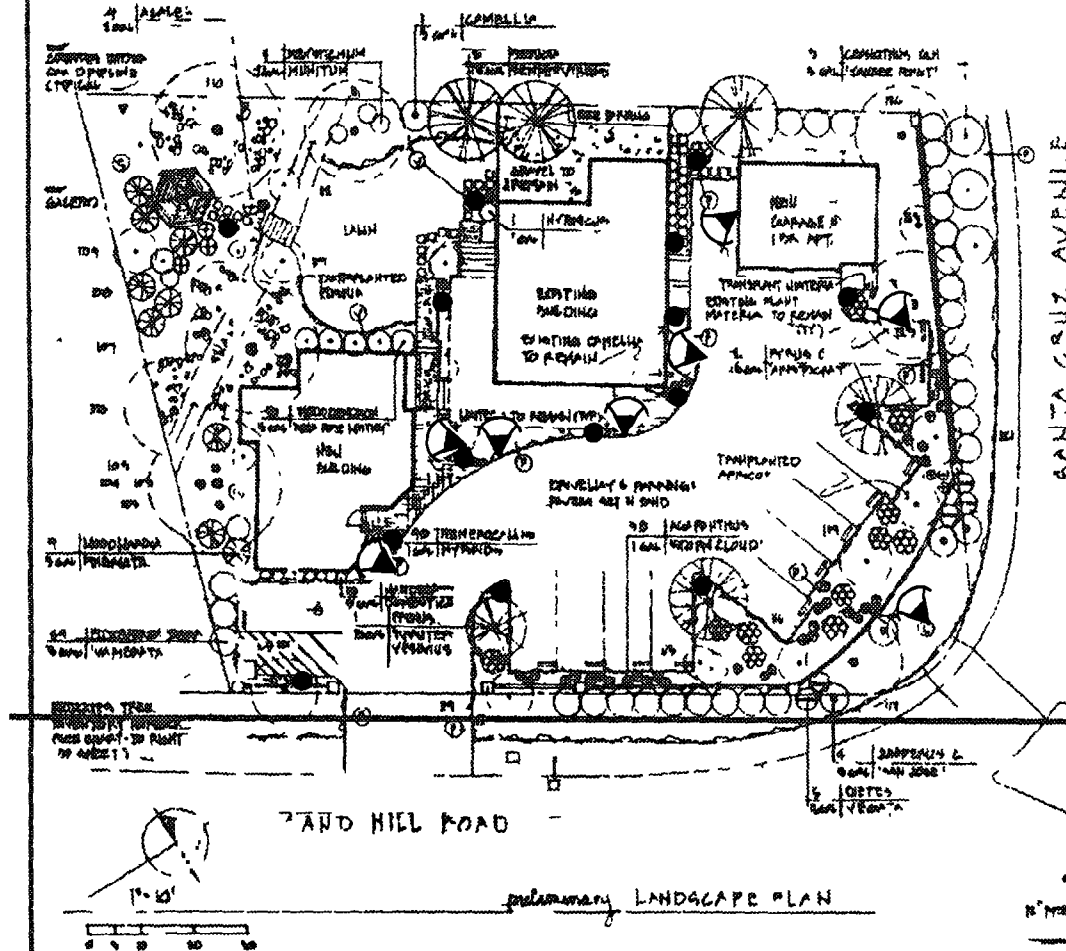
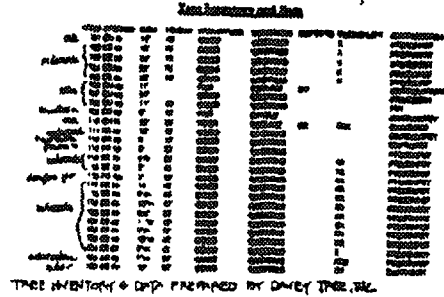
Applicant: Chargin

File Numbers: PLN 2000-00037

Attachment: J



- Up Light (8)
- Path Light (15)

[illegible]

- |   |                                    |       |                         |
|---|------------------------------------|-------|-------------------------|
| ⑦ | FRAGRANT CHILDRENS SAND STRAWBERRY | PLATS | 16' x 2' 1/2" x 2' 1/2" |
| ⑧ | LAVENDER MONTEPERDUS / VCH         | PLAT  | 3' x 2' 1/2" x 2' 1/2"  |
| ⑨ | SOLEIL D'OR GLOBE / RUBY TANG      | PLATS | 3' x 2' 1/2" x 2' 1/2"  |
| ⑩ | VERA MINOR / DUNE PINKHILL         | PLATS | 9' x 2' 1/2" x 2' 1/2"  |

NOTE  
1) A. CLOSER PROPORTION TO HORIZONTAL TO VERTICAL CHAIN POSITIVE  
JULI. FROM  
2) B. LANDSCAPE FROM CHAIN BE TRANSMITTED BY AN ALTERNATE TRANSMISSION  
PATCH TRANSMISSION PLAN WILL BE SUBMITTED FROM TO MONITOR.  
BEHIND PERMIT  
3) C. B. TRANSMISSION TRANSMITTED BY TRANSMISSION

[illegible]

2104 SAND HILLS ROAD -  
SAN MATEO COUNTY CALIFORNIA

# AMBIANCE™

## 12v and 120v spot lighting

### 12V FIXTURES COMPLETE WITH:

### 36" 16/2 AWG EXTENSION CABLE, STAKE AND CONNECTOR FOR FLEXIBLE ELECTRICAL CONNECTION

- Use to achieve dramatic effects such as: downlighting, uplighting, moonlighting, and spotlighting
- Angular silicone glare shield is rotatable and holds a tempered borosilicate glass lens for water resistance and affords easy bulb replacement with no screws or tools.
- Fully adjustable swivel base easily attaches to polycarbonate stake (included), 1/2" threaded pipe or surface mounts to walls, fences, and any other solid surfaces
- Large swivel with internal teeth and stainless steel screw allows for precise aiming.
- Constructed of rugged die-cast aluminum with a powder coat finish
- Corrosion resistant finish is guaranteed for ten years
- Directional spot lights provide optimum light output for accent and security lighting.
- For 12 volt fixtures select miniature halogen light bulbs, for 120 volt fixtures select encapsulated halogen light bulbs
- UL and C-UL listed for wet locations.

QTY 8

### 12v

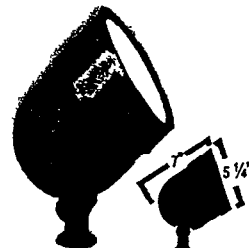
**9323-12** Black Finish  
**9323-40** Chestnut Finish (shown)  
 Accommodates MR16 G5.3,  
 GX5.3 Bi-Pin 50w Max Light Bulb.  
 Select From The Following  
 Light Bulbs Available:  
 9709 12V 50W - NSP 15°  
 9710 12V 50W - NFL 25°  
 9711 12V 50W - FL 40°



**9325-12** Black Finish  
 Accommodates T4 G6 35,  
 GY6 35 Bi-Pin 50w Max Light Bulb.  
 Select From The Following  
 Light Bulbs Available:  
 9792 12v 20w  
 9793 12v 35w  
 9794 12v 50w



**9326-12** Black Finish  
**9326-40** Chestnut Finish (shown)  
 Accommodates Par 36 Screw  
 Terminal, 12v 50w Max. Light Bulb.  
 Select From The Following  
 Light Bulbs Available:  
 9765 12v 50w NSP 5°  
 9766 12v 50w SP 8°  
 9767 12v 50w FL 30°



### 120v

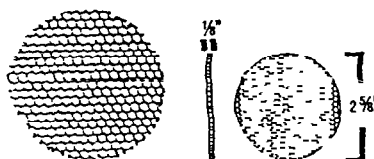
**9312-12** Black Finish  
**9312-40** Chestnut Finish (shown)  
 Accommodates Medium Base  
 Par 20 Short Neck, 120v 50w Max.  
 Light Bulb



**9313-12** Black Finish (shown)  
**9313-40** Chestnut Finish  
 Accommodates Medium Base  
 Par 30 Short Neck, 120v 75w Max.  
 Light Bulb

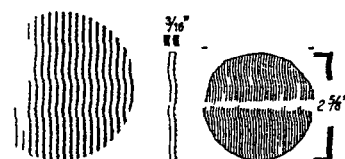


### accessories for 9323



**9354-12** Black Finish  
 Eggcrate Honeycomb Louver Trim Provides A  
 45° Beam Of Light. Use With 9323 Spot Light

49



**9397-32** Clear Tempered Glass Spread Lens.  
 Optic Ribs Create An Elongated Strip Of Light.  
 Rotate Lens For Horizontal Or Vertical Light  
 Pattern. Use With 9323 Spot Light

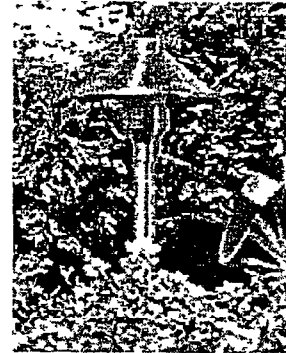


## RESOURCES

### DemiLite

The SOLID COPPER DemiLite is perfect for the clients that want a pathlite that will make a long-term contribution to their landscape. Extra heavy-duty construction allows this elegant fixture to survive the rigors of the low level environment.

Long life halogen lamp reduces maintenance costs. Lamp mount is adjustable to allow installer to fine tune beam spread for maximum projection with minimum glare. The copper will turn verde green naturally over time.



#### Options

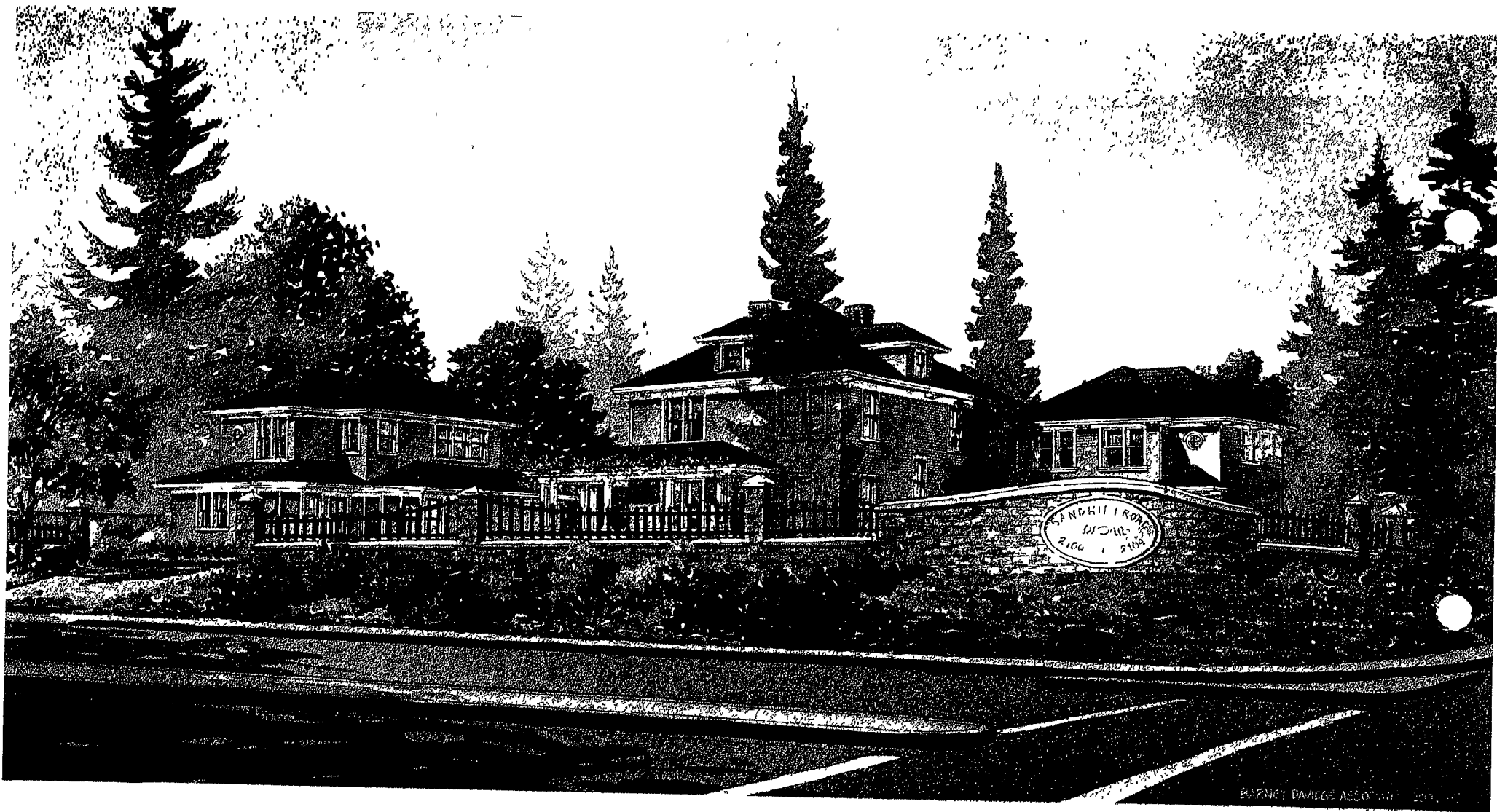
12' Riser for 16' height - SKU 59004320

10 5 watt lamp - for a soft glow effect

Replacement Lamp T3-10 - SKU 19031570

QTY 15





BARNET DWALGE ASSOCIATES

Rose Jacobs Gibson  
Richard S. Gordon  
Mary Griffin  
Jerry Hill  
Michael D. Nevin

Planning Administrator  
Terry L. Burnes



Planning and Building Division

**County of San Mateo**

Mail Drop PLN122 · 455 County Center · 2nd Floor · Redwood City  
California 94063 · Telephone 650/363-4161 · Fax 650/363-4849

Please reply to: **Dave Holbrook**  
(650) 363-1837

August 25, 2000

**FILE COPY**

J.R. Rodine  
1059 Monterey Avenue  
Foster City, CA 94404-3798

**Subject:** File Number PLN 2000-00037  
**Location:** 2104 Sand Hill Road, Menlo Park  
**APN:** 074-120-100

On August 23, 2000, the Planning Commission held a public hearing to seek comments from the public and to give preliminary direction regarding the adequacy of the environmental evaluation (Initial Study and Negative Declaration) of this project. Based on the information and comments provided, the Planning Commission directed staff as follows:

1. The applicant should reevaluate his application for rezoning to consider alternative approaches, such as Planned Unit Development (PUD) zoning, which would narrowly limit future alternative use and development of the property and thus reduce the need for the analysis of the potential environmental impacts of those alternatives.
2. Prior to further consideration of his project, the applicant shall submit, and the staff shall review, evaluate and determine to be adequate, the following materials which are listed in the mitigation measures of the draft initial study for future submittal:
  - a. Erosion and sediment control plan;
  - b. Dust control plan;
  - c. Revised site plan to show alternative, permeable surfacing materials, wherever possible, for all at-grade parking areas and walkways to and around the building for the purpose of decreasing off-site drainage;

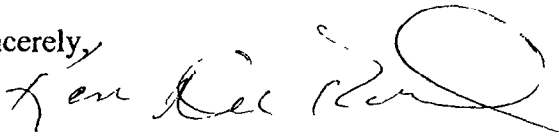
- d. Drainage plan;
  - e. Storm water pollution prevention plan;
  - f. Transportation System Management (TSM) Plan;
  - g. Site line analysis;
  - h. Exterior lighting plan;
  - i. Arborist report;
  - j. Detailed landscaping plan; and
  - k. Exterior wall color, material and roof samples.
3. The traffic consultant shall prepare a supplement to the traffic report, which addresses all comments received on the traffic impacts of the project.
  4. The traffic consultant shall clarify the standards of criteria used to evaluate the significance of the potential traffic impacts of the project. This shall include an evaluation of the thresholds of significance used by Santa Clara County, the City of Menlo Park and the City of Palo Alto, if any, in evaluating the traffic impacts of development and what they would indicate with regard to the traffic impacts of this project.
  5. Staff shall seek consultant assistance at the applicant's expense to address any comments on the draft initial study and negative declaration that are beyond its expertise.
  6. The applicant and staff shall evaluate and report on an alternative which would retain one dwelling unit within the project, to mitigate the loss of the existing housing unit and to partially redress the adverse impact on the jobs housing balance which would result from the project.
  7. If the applicant does not revise his application to request PUD or equivalent zoning to narrow the range of future options for use and development of the property, the staff shall evaluate alternative techniques for accomplishing that, including the limits imposed by the currently proposed O/S-92 zoning, the effects of PUD zoning, deed restrictions and historic designations or restrictions. Staff shall determine the implications of those alternatives for the environmental review process.

J.R. Rodine  
August 25, 2000  
Page 3

8. The applicant shall retain the services of a qualified historic preservation architect, to be approved by the County, to prepare an historic preservation plan for the property which achieves the applicant's objective of an office complex for his business while preserving and protecting the historic integrity of the exterior of the existing house on the property, including design and construction methods and long term use, care and maintenance.
9. Staff shall prepare an analysis of other means by which the purported public benefits of the project (new sidewalks, historic preservation and merger of the two lots which comprise the site, among others) could be achieved absent the project or the conversion of the site to office use.
10. Once the above work has been completed, a revised initial study shall be prepared and recirculated for public comment, responses to comments shall be prepared in accordance with the above guidelines and the initial study and project shall be set for a noticed hearing and decision by the Planning Commission.

Any questions or comments may be directed to Dave Holbrook, Project Planner at 650/363-1837.

Sincerely,



Kan Dee Rud  
Planning Commission Secretary  
Pcd0823k.4kr

cc: Public Works  
Building Inspection  
Environmental Health  
Assessor  
Dennis Chargin  
Richard Hopper  
Molly Duff  
Linda Meier  
Richard Herzog  
Rifikri Ertukel  
Suzanne Hogan  
Lennie Roberts  
Janet Davis  
Other Interested Parties

J. R. RODINE

GOVERNMENTAL AFFAIRS CONSULTANT

---

Land Use Permit Streamlining  
Development Team Management

October 30, 2000

Mr. Dave Holbrook  
Senior Planner  
Planning and Building Division  
County of San Mateo  
455 County Government Center  
Redwood City, CA 94063

**VIA HAND DELIVERY:**

**PROJECT: PLN 2000-00037 Chargin/Rodine @ 2104 Sand Hill Road, Menlo Park**

Dear Dave:

This letter serves as our formal request to amend the present rezoning application under consideration by the county. That request calls for rezoning from R-1/S-72 to Office "O" District in conjunction with the pending General Plan Amendment for redesignation of the subject property to "Office/Residential". Therefore, we now request that the new zoning becomes Office/Planned Unit Development or simply Planned Unit Development "PUD" as the county deems appropriate.

This proposal to amend our application to a "PUD" District reflects the broader overall suggestion of staff as endorsed by the commission. Further, it will facilitate our ability to add a residential apartment to the housing mix. We feel that such an application amendment satisfies objectives expressed by the staff, the commission, the City of Menlo Park, the community at large, and our own, thus we are happy to comply.

Please feel free to contact me if you require additional documentation in connection with this application revision.

Yours truly,



J. R. Rodine

CC: Dennis A. Chargin



---

Civil and Transportation Engineering

October 19, 2000

Mr. David Holbrook  
Planning and Building Division  
County of San Mateo  
455 County Center - 2<sup>nd</sup> floor  
Redwood City, CA 94063

RE: 2104 Sand Hill Road; PLN 2000-00037

Dear Dave:

Enclosed is the addendum to the traffic impact study of 4/7/00. The addendum responds to the  
✓ traffic items contained in the County Planning Commission's letter of 8/25/00.

If you have any questions regarding the addendum, please call me at your convenience.

Very truly yours,

RKH

A handwritten signature in black ink, appearing to read 'Richard K. Hopper', written over the printed name.

Richard K. Hopper, P.E., P.T.O.E.  
Principal

encl.

cc: Dennis Chargin  
J R Rodine



## Civil and Transportation Engineering

### ADDENDUM TO TRAFFIC IMPACT STUDY

2104 SAND HILL ROAD  
SAN MATEO COUNTY, CALIFORNIA

October 19, 2000

The items outlined below are those items contained in the County Planning Commission's letter of 8/25/00.

#### 2 f. Transportation Demand Management (TDM) Plan

**Background.** The proposed office building project contains 3,978 square feet of floor area. The vehicle trip generation presented in Table C of the Traffic Impact Study dated 4/7/00 is considered a worst case estimate based on data compiled for a large number of office buildings. The general correlation between floor area and employees is 3.3 employees per 1,000 square feet. For this project the trip generation estimates equate to 13 employees. The actual number of employees that will occupy the site are 12. The typical working hours for these 12 employees are shown in the chart below.

Employee	AM					PM							
	7	8	9	10	11	12	1	2	3	4	5	6	7
Principal													
Principal													
Office Manager													
Project Manager													
Controller													
Receptionist													
Senior Staff													
Senior Staff													
Staff													
Staff													
Staff													
Assistant													
Employees Present	1	5	10	12	12	12	12	11	10	10	6	3	

During the morning street peak hour, which is approximately 8-9 a.m., there will be less than 50% of the total employees on the site. During the afternoon street peak hour, which is typically 5-6 p.m., 50% of the employees will be present. The actual trip generation is on the order of 38% of projected for the morning peak hour and 46% of projected for the afternoon peak hour.

The varied working hours significantly reduce peak hour trip generation but are not conducive to carpooling. The emphasis should be, therefore, on public transit and other alternative modes such as bicycling. One employee currently uses Caltrain to and from work three days each week.

### Recommended Plan.

- a. Provide 2 bike lockers/racks on site.
- b. Participate in the Marguerite shuttle service to the Menlo Park Caltrain Station.
- c. Provide transit schedules and maps to employees upon request.

### 3. Responses to Comments on Traffic Impact Study.

The City of Menlo Park submitted written comments to the County on August 7, 2000. The following are responses to those comments. The comments relating to traffic were numbered 3 through 8.

(3) Menlo Park a responsible agency for implementing mitigation measures. Comment noted.

(4) Project will create a significant impact at the Sand Hill/Santa Cruz intersection at Cumulative Conditions. The intersection was analyzed using the operations methodology as contained in the 1994 update to the *Highway Capacity Manual*. A summary of the analyses for the afternoon peak hour is provided in Table A below.

Conditions	V/C	Calculated Delay (sec.)	LoS	Incremental Change in Delay (sec.)
Existing	1.025	49.1	E	
Background	1.102	70.7	F	+21.6
Project	1.102	71.0	F	+0.3
Cumulative	1.223	120.7	F	+49.7
C + Proj.	1.224	121.2	F	+0.5



A project cannot be held accountable for cumulative traffic projections which have a high degree of uncertainty to them. When the calculated delay exceeds 60 seconds the results become almost meaningless. Figure 1 demonstrates the how the calculated average stopped delay increases dramatically as the volume increases. At the higher end of the volume range a very small change in volume results in a very large change in delay.

The only meaningful evaluation of a project's impacts is the change in delay from Background to Project conditions. Background conditions should have a reasonably good degree of certainty so that the relative change brought about by the project is a reasonable one. The Menlo Park criteria for defining significance does not state whether it applies to Project and Cumulative conditions or just to Project conditions. The implication is that it applies to Project conditions.

The City of Menlo Park has known for many years that the intersection will need to have major improvements to meet existing and cumulative traffic conditions. Past projects have been approved by Menlo Park with mitigation measures for the intersection that were never built. It is unreasonable to assert that this project will create a significant impact at this intersection at Cumulative conditions given the uncertainty of the projections and the fact that the actual peak hour traffic generation by the project will likely be less than half of that estimated in the traffic impact study.

(5) Conflict between Table C and Figure 6? There is no conflict between Table C which shows the estimated vehicle trip generation for the project (i.e., the traffic in and out of the driveway) and Figure 6 which shows the project traffic not only in and out of the driveway but the project traffic through the intersection.

(6) A focused EIR is needed because the project creates a significant impact at the intersection of Sand Hill road & Santa Cruz Avenue. See response on the previous page concerning significant impact.

(7) Driveway sight distance. An analysis of the driveway sight distance has been done. Figure 2 shows the driveway sight distance for a vehicle exiting the driveway. The driver of the vehicle on the driveway will be able to see a vehicle making the right turn from Santa Cruz Avenue onto westbound Sand Hill Road at a distance of about 120 feet, or about a four second travel time. The driveway will have no effect on the operation of the intersection in terms of capacity or delay. The driveway is on the departure lanes of the intersection where the flow of traffic is controlled by the traffic signal at the intersection.

(8) A TSM Plan will not reduce the project's significant impacts. First, the project will not create a significant impact and second, the TDM plan recognizes the need to reduce, when and where possible single occupant vehicles in an area that is experiencing, and will continue to experience, heavy traffic congestion during peak traffic times.

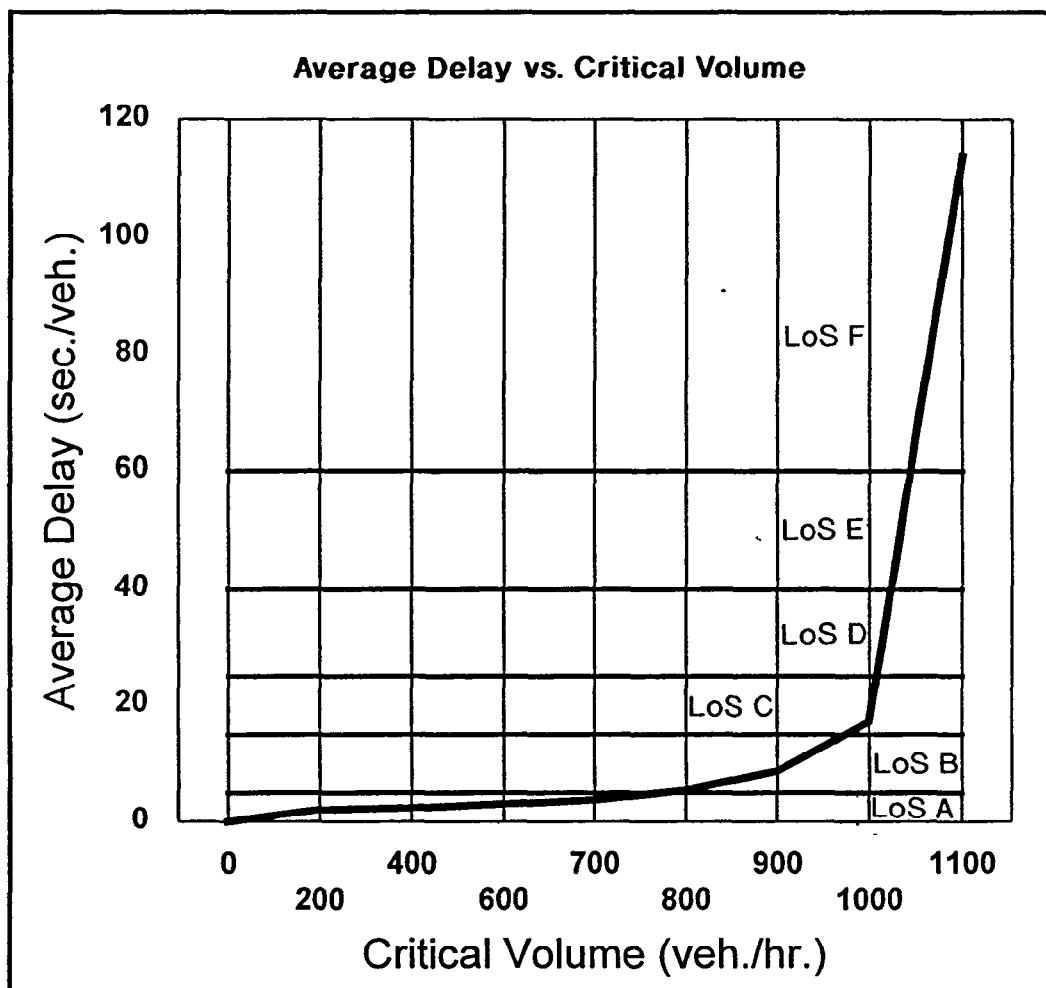


FIGURE 1

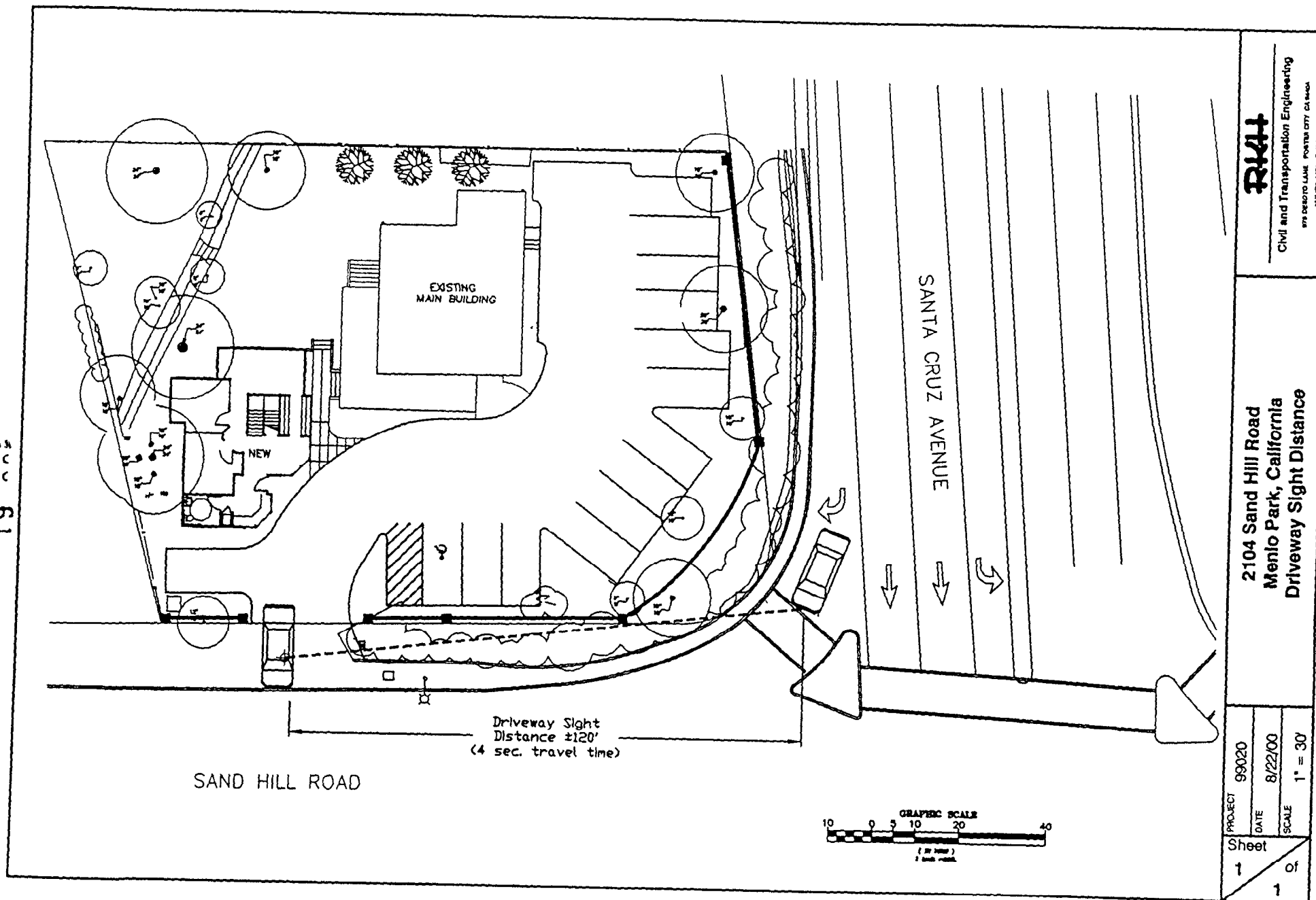


FIGURE 2

4. **Levels of Service Standards and Definitions of Significance for Traffic Impact Analyses.**

Table B below provides a comparison of the LoS (Levels of Service) standards and definitions of significance in the analysis of traffic impacts among four public agencies: San Mateo County (as defined in the study of 2104 Sand Hill Road), Menlo Park, Palo Alto, and Santa Clara County.

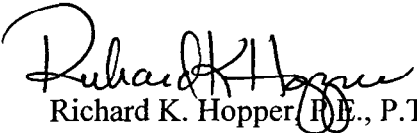
TABLE B: Levels of Service Standards and Definitions of Significant Impact for Signalized Intersections		
Agency	LoS Standard	Definition of Significance (With the Addition of Project Generated Traffic)
San Mateo County (As defined in study of 2104 Sand Hill Rd.)	D, with average stopped delay of not more than 40 seconds.	1. The LoS degrades to E or F. 2. If the intersection is already at LoS E or F, critical movement delay increases by four or more seconds and the critical v/c ratio increases by 0.01 or more.
Menlo Park	D.	1. The LoS degrades to E or F. 2. If the intersection is already at LoS E or F, critical movement delay increases by 0.5 seconds.
Palo Alto	D.	1. The LoS degrades to E or F. 2. If the intersection is already at LoS E or F, critical movement delay increases by four or more seconds and the critical v/c ratio increases by 0.01 or more.
Santa Clara County CMP	E.	1. The LoS degrades to F. 2. If the intersection is already at LoS F, critical movement delay increases by four or more seconds and the critical v/c ratio increases by 0.01 or more.

The definitions of significance among the four agencies are quite similar with the exception of Menlo Park. The 0.5 change in critical movement delay as defined by Menlo Park could occur with the addition of just a few vehicles (as demonstrated in this study) if the calculated delay is near the upper end of the curve. Given the variability of traffic volume data from day to day, week to week, and month to month, the definition of significance should not be held to a finer tolerance than the data from which the calculations were made.

## Analysis of Potential Land Use Change

The project applicant is considering the addition of one residential studio apartment unit containing 679 square feet of floor area. One additional parking space will be provided on the site. The proposed tenant of this apartment unit is a school teacher who walks to work at a near by elementary school. Typically an apartment unit will generate between four and seven vehicle trips during an average weekday<sup>1</sup> depending on size, number of bedrooms, number of occupants, and location. Without home-to-work trips, this studio apartment unit might generate between two and five vehicle trips during off-peak and evening hours of an average weekday but would not add to the peak period traffic on the adjacent streets.

The addition of this residential studio apartment unit will not create a significant impact on traffic through the adjacent intersection. It will help to reduce the jobs-housing imbalance created initially by the project and the associated VMT (vehicle-miles traveled) in the area. (An area that has a high jobs-housing imbalance will have higher VMT than an area where the jobs-housing ratio is more in balance.)

  
Richard K. Hopper, R.E., P.T.O.E.



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<sup>1</sup> Caltrans, Progress Reports on Trip Ends Generation Research Counts, various

P.

H. RUTH TODD, AIA  
A R C H I T E C T  
2215 GOUGH 4  
SAN FRANCISCO  
C A 9 4 1 0 9  
4 1 5 . 9 2 3 0 9 8 1

20 November, 2000  
*revised 12 December, 2000*

Dave Holbrook, Project Planner  
County of San Mateo Planning and Building Division  
455 County Center, Second Floor  
Mail Drop PLN122  
Redwood City, CA 94063

Subject: File Number PLN 2000-00037  
Location: 2104 Sand Hill Road, Menlo Park  
APN: 074-120-100

This letter has been prepared in response to Item #8 of the Planning Commission Secretary's letter of 25 August, 2000 (Pcd0823k.4kr) which requires input from a historic preservation architect regarding the impacts of the project to the historic property.

I have met with the applicant, visited and photographed the site, and have reviewed the architectural drawings prepared by Thacher & Tompson Architects dated 10/11/2000. I have spoken with County staff in order to clarify the required scope and project issues. In addition, due to the confusion as to the identity of the original owner of the historic house, I have conducted research that may help to clarify the history of the house and a former carriage house which once stood on the property. This historical summary is enclosed at the end of this letter.

### **Background**

The house on 2104 Sand Hill Road at Santa Cruz Avenue was constructed in 1902 in the architectural style known as the American Four Square. It is an excellent example of the style and appears to have had only minor modifications since it was built, most noticeably at the rear. County records indicate that some of these modifications may have occurred as early as 1905. It appears that a one story porch was added and/or filled in, and a sleeping porch added or enclosed later at the second level. The basement has been excavated for occupied space and access has been provided at the rear. The house is sided with horizontal wood siding and contains wood windows and simple details. Character-defining features include simple rectangular massing; a raised front porch; projecting roof eaves; large (often paired) windows; and dormer windows. The setting of mature

trees greatly contributes to the character of the house. Neighbored by a major vehicular intersection and contemporary multi-family buildings, the house has lost its original context and sits somewhat isolated among the mature trees on the property. There is a three-sided garage on the property that appears to be an early but non-original addition to the property. It has an awkward relationship to the house and to the entry drive; it is doubtful that this is its original site or function.

### **Project Impacts**

The property is not listed as an historic structure but because of its age and architectural integrity, should be reviewed within the criteria of the Secretary of the Interior's Standards for Historic Preservation (attached). Of ten Standards, only three are impacted:

*Standard #1: A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.*

- The new office use is compatible with the historic residential use and results in minimal changes to the defining characteristics of the building. The character of the site has been impacted by the increase in density (additional structures) and parking. Parking requirements have resulted in the loss of the front yard of the historic house and its garden setting. Relaxed parking and/or turnaround requirements could allow for a better planting edge along the entry porch of the historic house as well as the entry approach to the new office structure.

*Standard #2: The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*

There are only a few alterations proposed for the exterior of the historic structure

- North elevation drawings indicate that a door is to be removed and a new one installed within the adjacent (non-original) wide window opening. These are minor modifications that do not impact the historic character of the structure. However, in this same area, it appears (this is unclear on the drawing) that the removal of horizontal wood cornice detailing is proposed to be replaced with wood siding to match adjacent surfaces. This feature should remain as evidence of an alteration to the second floor and back porch area. If possible the removed door should be stored on site rather than discarded, in order to allow for its restoration in the future.
- The provision for wheelchair access is unclear from the drawings. The site plan indicates that a ramp will replace steps at the south corner of the porch,

yet the first floor plan on page 3 shows these south steps in place, and the north (main) step removed. Perhaps the final grades are not yet resolved. It will be difficult to provide wheelchair access to the raised porch - the best solution would be one that provides the least visually conspicuous ramp that retains the character of a raised porch at the main entry. Sloping the grade directly against the wood building wall should be avoided, as there is not enough room to screen it with plantings and maintenance problems could result.

*Standard #9: New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

- The proposed new office structure requires the demolition of the existing free-standing garage. In my opinion, this garage was not built at the same time as the home, they do not share similar materials or detailing, and the garage is awkwardly sited in its relationship to the house and to Sand Hill Road. This garage was most probably relocated to its current location and, judging from the door at the rear, was most likely converted to a garage from another use. It has lost its original context and, given the allowed site density, is on a logical building site. Prior to demolition, it would be environmentally responsible to salvage the building materials and re-use them on site, or offer them to a company that resells salvaged or recycled materials.
- The proposed new construction does not destroy historic architectural materials but it does impact the landscape character of the site. Tree protection during construction should be carefully monitored and new plant materials should be chosen that reference the residential character of the site. The planting plan on L1 indicates an appropriate selection of plant material.
- The proposed new office building is compatible with the architectural features of the historic house. Its compatibility could be greatly enhanced with the addition of a front entry porch, if room can be found on the site to allow this added feature while accommodating the programmatic functions of the first floor plan. A porch would also provide more compatible massing with that of the historic structure, as well as integrate the two bay-like windows of the entry with the more rectilinear features of the historic house. Additionally, if the first floor ceiling height could be increased, the scale of the building would be more compatible with the historic building than currently proposed.
- The proposed new garage and apartment is compatible with the massing and architectural features of the historic house. Note: A partial balcony at the second level which projected above the entry and garage doors could help to down-play their prominent appearance as well as break up the mass of the



front elevation and provide a sunny outdoor space for the apartment's tenant. Vines or plantings on the balcony could provide some human scale and visual relief to the hardscape that surrounds the new building.

**General Comments on the rendering:**

- The exterior colors and materials chosen for the new structures are compatible with the character of the historic structure.
- It is difficult to interpret from the rendering, but it appears that the brick fencing surrounding the site is more monumental than the residentially scaled site warrants (the scale is dependant upon the density of the tree cover behind it, which is unclear in the rendering). The major sign would be more appropriate if it were located at the Sand Hill road entrance to the site, as the structures relate to Sand Hill Road and not the corner of the site.

If there are questions or concerns regarding any of the above comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "H. Ruth Todd". The signature is stylized, with the first name "H." and last name "Todd" clearly legible, and a small flourish at the end.

H. Ruth Todd AIA  
Preservation Architect

Cc: Dennis Chargin  
J. R. Rodine

## THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- (2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- (3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- (4) Most properties change over time, those changes that have acquired historic significance in their own right shall be retained and preserved.
- (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
- (7) Chemical or physical treatments such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures shall be undertaken using the gentlest means possible.
- (9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

## **Berner House** (research is still underway)

Address            2104 Sand Hill Road Menlo Park  
APN                074-120-100

Mrs. Jane Stanford co-founder with her husband Governor Leland Stanford Sr. of Stanford University, commissioned the house in 1902 for her secretary and companion Miss Bertha Berner. The house neighbored the estates of Jane Lathrop Stanford's brothers Charles Lathrop at Alta Vista on Junipero Serra and Ariel Lathrop at Cedro Cottage in Menlo Park (now the site of Oak Knoll School) and family friend Henry Meyer at Atalaya just across Sand Hill Road. Miss Berner's home was just up the narrow dirt Sand Hill Road from the Stanford's creekside home near the present site of the Stanford Shopping Center. Miss Berner was happily included in the neighborhood of Stanford family and friends.

Miss Berner is best known as a biographer of Jane Stanford, one with a uniquely personal point of view. She was employed by Mrs. Stanford from 1884 when she was hired to assist Mrs. Stanford in responding to the hundreds of letters of condolence following the death of her only son Leland Stanford Jr. until Jane Stanford's death in 1905. She assisted Mrs. Stanford through the building of the University and the purchasing of the collections for the Leland Stanford Junior Museum and traveled widely with Mrs. Stanford in Europe, the Middle East and Asia. In 1934 she published a biography of Jane Stanford among a number of articles and books recounting her adventures with the Stanfords.

### **Construction History**

1902	Built for Bertha Berner by Jane Stanford. Brother August Berner also lived there. Bertha and August Berner resided on property until their respective deaths. Bertha died in 1945.
1905	Remodeled. Several outbuildings may have been constructed on the property within this timeframe, including a carriage house. Oral history indicates that Bertha Berner and her brother may have moved into the carriage house (nicknamed the Chateau) after Mrs. Stanford's death in 1905 in order to rent the main house as a source of income.
1926 +/- 1954	Property sold to John Canning. Original residence purchased by Paul Bliss. Carriage house purchased by LaVern E. Judy for \$23,000. Purchase included house and outbuildings on two lots. Judy was a stockbroker and trustee of Las Lomitas School District. Wife Mary Lou was an obstetrician-gynecologist at Menlo Park Medical Clinic.
1966	Carriage house relocated (downhill to level ground and rotated 90 degrees) to 2160 Santa Cruz Avenue when Sand Hill Road/Santa Cruz Avenue intersection was widened. County paid Judy \$11,000 for relocation and an additional \$10,000 for taking 1/4 acre of land along Santa Cruz Avenue. Mounds of earth were pushed up to hide home from Santa Cruz Avenue. Trees, pampas grass, and bamboo were planted. Main house relocated also due to road widening project, turned 90 degrees atop a new basement.
1967	Carriage house (now demolished) extensively remodeled for Judy family (architect: George Cody).
1999	Original home purchased by Dennis Chargin.
sources	Palo Alto Times, 23 March 1968, page 9 San Mateo County Historical Association The Almanac 9/20/2000 Viewpoint section Oral histories from former owners

Q.

COUNTY OF SAN MATEO, PLANNING DIVISION

NEGATIVE DECLARATION

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.) that the following project: Chargin Office Conversion - General Plan and Zoning Amendments, when implemented will not have a significant impact on the environment.

FILE NO.: PLN 2000-00037

OWNER: Dennis Chargin

APPLICANT: J.R. Rodine

ASSESSOR'S PARCEL NO.: 074-120-100

PROJECT LOCATION: 2104 Sand Hill Road, West Menlo Park

REVISED PROJECT DESCRIPTION

The project has been revised in response to the Planning Commission's comments upon their review of first Initial Study and Negative Declaration on August 23, 2000. Initially, the project involves a proposal to change the current zoning designation of a 16,467 sq. ft. parcel located at the southwest corner of Santa Cruz Avenue and Sand Hill Road in unincorporated Menlo Park from "Single-Family Residential/10,000 sq. ft. Minimum Parcel Size" (R-1/S-9) to "Office" (O), and the General Plan designation from "Medium-Low Density Residential" to "Office/Residential." The project, although not changed in its original intent and scope, has since been revised to: (1) change the zoning to "Planned Unit Development" (PUD), and (2) construct an additional detached 2-story building consisting of a 400 sq. ft. garage with a 557 sq. ft. apartment above. The revised rezoning would provide for a set of zoning regulations customized to fit the particular development proposal, and would narrowly limit future alternative use and development of the property and thus reduce the need for the analysis of the potential environmental impacts of those alternatives. The proposed upstairs apartment would be reserved, as an element of the PUD zoning, for a teacher currently teaching at a local school, in reaction to some concerns of the original proposal that additional jobs (and associated traffic) were being proposed at the site at the expense of housing being lost there. The applicant's purpose for the rezoning remains the same, which is to: (1) remodel and renovate an existing 2-story 2,512 sq. ft. house (built in 1902), and (2) construct a new 2-story 1,406 sq. ft. structure (requiring demolition of an old garage), both for use as offices for approximately 12-14 employees in the property owner's construction and development company. Whereas the initially proposed "Office" rezoning allowed office uses with a use permit, the change to a PUD zoning negates the need for a use permit, since the revised zoning is built around and tailored to the specific elements of the office proposal. The project also includes parking for 14 vehicles and one handicap parking space. Two of the 14 spaces would be within the proposed garage,

no significant tree removal. Site access would remain in the location where it currently exists on Sand Hill Road, approximately 90 feet westward from the Santa Cruz Avenue intersection.

#### FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Planning Division has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially;
2. The project will not have adverse impacts on the flora or fauna of the area;
3. The project will not degrade the aesthetic quality of the area;
4. The project will not have adverse impacts on traffic or land use;
5. In addition, the project will not:
  - a. Create impacts which have the potential to degrade the quality of the environment.
  - b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
  - c. Create impacts for a project which are individually limited, but cumulatively considerable;
  - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

**Mitigation Measure 1:** Noise levels produced by the proposed construction activity shall not exceed the 80 dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.

**Mitigation Measure 2:** The applicant shall also submit a \$1,000 maintenance surety deposit to ensure that all existing and new landscaping survives for two full years from the date of the Building Inspection Section's final approval of the project. The health of all existing and new trees and other landscaping shall be monitored regularly and any dead or dying trees shall be replaced in a timely manner.

**Mitigation Measure 3:** The Planning Division shall ensure that the approved colors and materials are in place prior to the project's final inspection and occupancy approval.

**RESPONSIBLE AGENCY CONSULTATION**

San Mateo County Planning Division

**INITIAL STUDY**

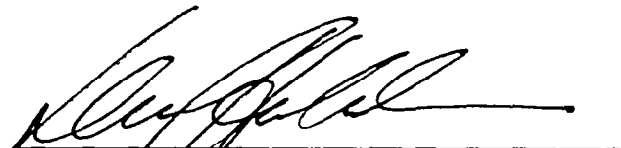
The San Mateo County Planning Division has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

**REVIEW PERIOD** January 11, 2001 to January 31, 2001

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning Division, 455 County Center, Second Floor, Redwood City, no later than 5:00 p.m., January 31, 2001.

**CONTACT PERSON**

David Holbrook, Senior Planner  
650/363-1837

  
David Holbrook, Senior Planner

DJH:kcd - DJHL0065\_WKH.DOC

County of San Mateo  
Planning and Building Division

**INITIAL STUDY**  
**ENVIRONMENTAL EVALUATION CHECKLIST**  
(To Be Completed By Planning Division)

I. **BACKGROUND**

Project Title Chargin Office Conversion - General Plan and Zoning Amendments

File No. PLN 2000 00037

Project Location: 2104 Sand Hill Road, West Menlo Park

Assessor's Parcel No. 074-120-100

Applicant/Owner: J.R. Rodine/Dennis Chargin

Date Environmental Information Form Submitted: January 19, 2000

**PROJECT DESCRIPTION**

The project has been revised in response to the Planning Commission's comments upon their review of first Initial Study and Negative Declaration on August 23, 2000. Initially, the project involves a proposal to change the current zoning designation of a 16,467 sq. ft. parcel located at the southwest corner of Santa Cruz Avenue and Sand Hill Road in unincorporated Menlo Park from "Single-Family Residential/10,000 sq. ft. Minimum Parcel Size" (R-1/S-9) to "Office" (O), and the General Plan designation from "Medium Low Density Residential" to "Office/Residential." The project, although not changed in its original intent and scope, has since been revised to: (1) change the zoning to "Planned Unit Development" (PUD), and (2) construct an additional detached 2-story building consisting of a 400 sq. ft. garage with a 557 sq. ft. apartment above. The revised rezoning would provide for a set of zoning regulations customized to fit the particular development proposal, and would narrowly limit future alter-native use and development of the property and thus reduce the need for the analysis of the potential environmental impacts of those alternatives. The proposed upstairs apartment would be reserved, as an element of the PUD zoning, for a teacher currently teaching at a local school, in reaction to some concerns of the original proposal that additional jobs (and associated traffic) were being proposed at the site at the expense of housing being lost there. The applicant's purpose for the rezoning remains the same, which is to: (1) remodel and renovate an existing 2-story 2,512 sq. ft. house (built in 1902), and (2) construct a new 2-story 1,406 sq. ft. structure (requiring demolition of an old garage), both for use as offices for approximately 12-14 employees in the property owner's construction and development company. Whereas the initially proposed "Office" rezoning allowed office uses with a use permit, the change to a PUD zoning negates the need for a use permit, since the revised zoning is built around and tailored to the specific elements of the office proposal. The project also includes parking for 14 vehicles and one handicap parking space. Two of the 14 spaces would be within the proposed garage, with one of those spaces being reserved for the upstairs apartment tenant. The project involves no significant tree removal. Site access would remain in the location where it currently exists on Sand Hill Road, approximately 90 feet westward from the Santa Cruz Avenue intersection.

## II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 10 and 11

	IMPACT					SOURCE	
	NO	YES					
		Not Significant	Significant Unless Mitigated	Significant	Cumulative		
<b>1 <u>LAND SUITABILITY AND GEOLOGY</u></b>							
Will (or could) this project:							
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>B,F,O</u>	
b. Involve construction on slope of 15% or greater.	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>E,I</u>	
c. Be located in area of soil instability (subsidence, landslide or severe erosion)?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>Bc,D</u>	
d. Be located on, or adjacent to a known earthquake fault?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>Bc,D</u>	
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts.	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>M</u>	
f. Cause erosion or siltation?	<u>      </u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>M,I</u>	
g. Result in damage to soil capability or loss of agricultural land?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>A,M</u>	
h. Be located within a flood hazard area?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>G</u>	
i. Be located in an area where a high water table may adversely affect land use?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>D</u>	
j. Affect a natural drainage channel or streambed, or watercourse?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>E</u>	
<b>2 <u>VEGETATION AND WILDLIFE</u></b>							
Will (or could) this project:							
a. Affect federal or state listed rare or endangered species of plant life in the project area?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>F</u>	



	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I,A</u>
c. Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>F</u>
d. Significantly affect fish, wildlife, reptiles, or plant life?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I</u>
e. Be located inside or within 200 feet of a marine or wildlife reserve?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>E,F,O</u>
f. Infringe on any sensitive habitats?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>F</u>
g. Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I,F,Bb</u>
3 <u>PHYSICAL RESOURCES</u>						
Will (or could) this project:						
a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or top soil)?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I</u>
b. Involve grading in excess of 150 cubic yards?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I</u>
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I</u>
d. Affect any existing or potential agricultural uses?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>A,K,M</u>

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
4 <u>AIR QUALITY, WATER QUALITY, SONIC</u>						
Will (or could) this project.						
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on site or in the surrounding area?	_____	<u>  X  </u>	_____	_____	_____	<u>I,N,R</u>
b. Involve the burning of any material, including brush, trees and construction materials?	<u>  X  </u>	_____	_____	_____	_____	<u>I</u>
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?	<u>  X  </u>	_____	_____	_____	_____	<u>Ba,I</u>
d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?	<u>  X  </u>	_____	_____	_____	_____	<u>I</u>
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?	<u>  X  </u>	_____	_____	_____	_____	<u>A,Ba,Bc</u>
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?	_____	<u>  X  </u>	_____	_____	_____	<u>I</u>
g. Generate polluted or increased surface water runoff or affect groundwater resources?	_____	<u>  X  </u>	_____	_____	_____	<u>I</u>
h. Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?	<u>  X  </u>	_____	_____	_____	_____	<u>S</u>

	IMPACT					SOURCE	
	NO	YES					
		Not Significant	Significant Unless Mitigated	Significant	Cumulative		
<b>5. <u>TRANSPORTATION</u></b>							
Will (or could) this project:							
a. Affect access to commercial establishments, schools, parks, etc.?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>A,I</u>	
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>A,I</u>	
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?	<u>      </u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I</u>	
d. Involve the use of off-road vehicles of any kind (such as trail bikes)?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I</u>	
e. Result in or increase traffic hazards?	<u>      </u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>S</u>	
f. Provide for alternative transportation amenities such as bike racks?	<u>      </u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I</u>	
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>S</u>	
<b>6. <u>LAND USE AND GENERAL PLANS</u></b>							
Will (or could) this project							
a. Result in the congregating of more than 50 people on a regular basis?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I</u>	
b. Result in the introduction of activities not currently found within the community?	<u>      </u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I</u>	
c. Employ equipment which could interfere with existing communication and/or defense systems?	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>I</u>	

	IMPACT					SOURCE
	NO		YES			
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
d. Result in any changes in land use, either on or off the project site?	_____	<u>X</u>	_____	_____	_____	<u>I</u>
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?	_____	<u>X</u>	_____	_____	_____	<u>I,Q,S</u>
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?	<u>X</u>	_____	_____	_____	_____	<u>I,S</u>
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity?	<u>X</u>	_____	_____	_____	_____	<u>I,S</u>
h. Be adjacent to or within 500 feet of an existing or planned public facility?	<u>X</u>	_____	_____	_____	_____	<u>A</u>
i. Create significant amounts of solid waste or litter?	<u>X</u>	_____	_____	_____	_____	<u>I</u>
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?	<u>X</u>	_____	_____	_____	_____	<u>I</u>
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?	_____	_____	<u>X</u>	_____	_____	<u>B</u>
l. Involve a change of zoning?	_____	_____	<u>X</u>	_____	_____	<u>C</u>
m. Require the relocation of people or businesses?	_____	<u>X</u>	_____	_____	_____	<u>I</u>
n. Reduce the supply of low-income housing?	_____	<u>X</u>	_____	_____	_____	<u>I</u>

	IMPACT					SOURCE	
	NO	YES					
		Not Significant	Significant Unless Mitigated	Significant	Cumulative		
o. Result in possible interference with an emergency response plan or emergency evacuation plan?	_____	<u>X</u>	_____	_____	_____	<u>S</u>	
p. Result in creation of or exposure to a potential health hazard?	_____	<u>X</u>	_____	_____	_____	<u>S</u>	
<b>7. AESTHETIC, CULTURAL AND HISTORIC</b>							
Will (or could) this project:							
a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?	<u>X</u>	_____	_____	_____	_____	<u>A,Bb</u>	
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads?	<u>X</u>	_____	_____	_____	_____	<u>A,I</u>	
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height?	<u>X</u>	_____	_____	_____	_____	<u>I</u>	
d. Directly or indirectly affect historical or archaeological resources on or near the site?	_____	<u>X</u>	_____	_____	_____	<u>H</u>	
e. Visually intrude into an area having natural scenic qualities?	<u>X</u>	_____	_____	_____	_____	<u>A,I</u>	

III. **RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board		X	
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish & Wildlife Service		X	
Coastal Commission		X	
City/County	X		City of Menlo Park, Palo Alto, Santa Clara County - referral
Sewer/Water District:		X	
Other	X		Various neighborhood and Homeowners Associations - referral

#### IV. MITIGATION MEASURES

Mitigation measures have been proposed in project application

Yes X No       

Other mitigation measures are needed

       X

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

**Mitigation Measure 1:** Noise levels produced by the proposed construction activity shall not exceed the 80 dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.

**Mitigation Measure 2:** The applicant shall also submit a \$1,000 maintenance surety deposit to ensure that all existing and new landscaping survives for two full years from the date of the Building Inspection Section's final approval of the project. The health of all existing and new trees and other landscaping shall be monitored regularly and any dead or dying trees shall be replaced in a timely manner.

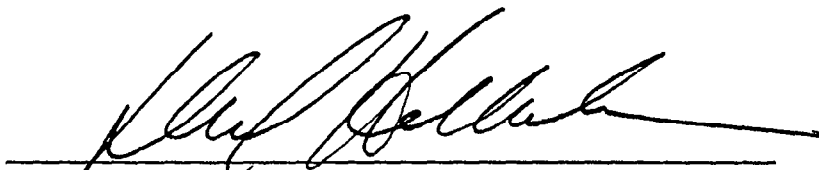
**Mitigation Measure 3:** The Planning Division shall ensure that the approved colors and materials are in place prior to the project's final inspection and occupancy approval.

V. MANDATORY FINDINGS OF SIGNIFICANCE

	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?	_____	<u>  X  </u>
2. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	_____	<u>  X  </u>
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable?	_____	<u>  X  </u>
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?	_____	<u>  X  </u>

On the basis of this initial evaluation:

- \_\_\_\_\_ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Division.
- X   I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared
- \_\_\_\_\_ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

  
 \_\_\_\_\_  
 David Holbrook

  1-10-01    
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Senior Planner

## VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
  - a. General Plan Chapters 1-16
  - b. Local Coastal Program (LCP) (Area Plan)
  - c. Skyline Area General Plan Amendment
  - d. Montara-Moss Beach-El Granada Community Plan
  - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
  - 1. USGS Basic Data Contributions
    - a. #43 Landslide Susceptibility
    - b. #44 Active Faults
    - c. #45 High Water Table
  - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H )
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map - National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C R S ) Procedures for Protection of Historic and Cultural Properties- 36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas – REDI
  - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
  - 2. Aerial Photographs, 1981
  - 3. Coast Aerial Photos/Slides, San Francisco County Line to Ano Nuevo Point, 1971
  - 4. Historic Photos, 1928-1937
- L. Williamson Act Maps



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- M Soil Survey, San Mateo Area, U.S Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps - Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F and H )
- P Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R Environmental Regulations and Standards.
  - Federal
    - Review Procedures for CDBG Programs 24 CFR Part 58
    - NEPA 24 CFR 1500-1508
    - Protection of Historic and Cultural Properties 36 CFR Part 800
    - National Register of Historic Places
    - Floodplain Management Executive Order 11988
    - Protection of Wetlands Executive Order 11990
    - Endangered and Threatened Species
    - Noise Abatement and Control 24 CFR Part 51B
    - Explosive and Flammable Operations 24 CFR 51C
    - Toxic Chemicals/Radioactive Materials HUD 79-33
    - Airport Clear Zones and APZ 24 CFR 51D
  - State
    - Ambient Air Quality Standards Article 4, Section 1092
    - Noise Insulation Standards
- S. Consultation with Departments and Agencies:
  - a. County Health Department
  - b. City Fire Department
  - c. California Department of Forestry
  - d. Department of Public Works
  - e. Disaster Preparedness Office
  - f. Other

DJH kcd - DJHL0064\_WKH.DOC  
CPD FORM A-ENV-30  
FRM00018.DOC (8/4/1999)

**COUNTY OF SAN MATEO**  
Environmental Services Agency  
Planning and Building Division

**Initial Study Pursuant to CEQA**  
**Project Narrative and Answers to Questions for the Negative Declaration**  
**File Number: PLN 2000-00037**  
**Chargin Office Conversion - General Plan and Zoning Amendments**

**REVISED PROJECT DESCRIPTION**

The project has been revised in response to the Planning Commission's comments upon their review of first Initial Study and Negative Declaration on August 23, 2000. Initially, the project involves a proposal to change the current zoning designation of a 16,467 sq. ft. parcel located at the southwest corner of Santa Cruz Avenue and Sand Hill Road in unincorporated Menlo Park from "Single-Family Residential/10,000 sq. ft. Minimum Parcel Size" (R-1/S-9) to "Office" (O), and the General Plan designation from "Medium-Low Density Residential" to "Office/Residential." The project, although not changed in its original intent and scope, has since been revised to: (1) change the zoning to "Planned Unit Development" (PUD), and (2) construct an additional detached 2-story building consisting of a 400 sq. ft. garage with a 557 sq. ft. apartment above. The revised rezoning would provide for a set of zoning regulations customized to fit the particular development proposal, and would narrowly limit future alternative use and development of the property and thus reduce the need for the analysis of the potential environmental impacts of those alternatives. The proposed upstairs apartment would be reserved, as an element of the PUD zoning, for a teacher currently teaching at a local school, in reaction to some concerns of the original proposal that additional jobs (and associated traffic) were being proposed at the site at the expense of housing being lost there. The applicant's purpose for the rezoning remains the same, which is to: (1) remodel and renovate an existing 2-story 2,512 sq. ft. house (built in 1902), and (2) construct a new 2-story 1,406 sq. ft. structure (requiring demolition of an old garage), both for use as offices for approximately 12-14 employees in the property owner's construction and development company. Whereas the initially proposed "Office" rezoning allowed office uses with a use permit, the change to a PUD zoning negates the need for a use permit, since the revised zoning is built around and tailored to the specific elements of the office proposal. The project also includes parking for 14 vehicles and one handicap parking space. Two of the 14 spaces would be within the proposed garage, with one of those spaces being reserved for the upstairs apartment tenant. The project involves no significant tree removal. Site access would remain in the location where it currently exists on Sand Hill Road, approximately 90 feet westward from the Santa Cruz Avenue intersection.

***NOTE:** While some responses to this revised Initial Study/Negative Declaration have not changed as a result of the revised project, they are repeated in this document. Revised or new responses and discussion as a result of the revisions submitted as requested by the Planning Commission on August 23, 2000, are italicized.*

**RESPONSES TO IDENTIFIED IMPACTS FOR INITIAL STUDY ANALYSIS**

**1. LAND SUITABILITY AND GEOLOGY**

**f. Will this project cause erosion or siltation?**

Yes, Not Significant. The project site is relatively flat, although it drops downward around and along its perimeter bordering Santa Cruz Avenue and Sand Hill Road. While the General Plan and Zoning amendments associated with this project will have no direct impact on erosion or siltation, the proposed new development could have such impacts during construction if not adequately mitigated.

*In response to the Planning Commission's August 23, 2000 comments on the initial Negative Declaration, the applicant has submitted an Erosion and Sediment Control Plan (Attachment F) that staff believes to be adequate to control erosion and sediment flow off the site both during construction (through such measures as silt fence sediment barriers) and post-construction (through on-site filtered drainage inlets)*

**4. AIR QUALITY, WATER QUALITY, SONIC**

**a. Will this project generate pollutants (hydrocarbons, thermal odor, dust, or smoke particulates, radiation, etc.) that will violate existing standards of air quality on site or in the surrounding area?**

Yes, Not Significant. The project's demolition of an old garage and minor grading for the foundation of the proposed new building, as well as its construction, are all activities that can generate dust.

During Construction: Construction-related emissions would be temporary in duration, but could adversely impact air quality. Fine particulate matter emissions can result from a variety of construction activities, including excavation, grading, vehicle travel on unpaved surfaces and diesel equipment exhausts. The applicant's certified consulting meteorologist has submitted a report that stipulates that the Bay Area Air Quality Management District's (BAAQMD) guidelines provide that construction dust impacts can normally be mitigated to a level of insignificance with the implementation of appropriate dust control measures.

*In response to the Planning Commission's comments on the initial Negative Declaration, the applicant has submitted a Dust Control Plan that staff believes to be adequate to control dust generated from demolition and construction activities.*

## ANSWERS TO QUESTIONS

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After Construction: Once completed, the office use would generate additional vehicle trips to the project site. These vehicles would emit additional local pollutants along roads providing access to the site and slightly add to the regional burden of pollution within the larger air basin. The most significant local air pollutant is carbon monoxide, with the highest concentrations normally found near roads and highways.

The BAAQMD CEQA Guidelines identify three criteria that would require that local carbon monoxide concentrations be estimated as follows: (a) project vehicle emissions would exceed 550 pounds daily, (b) project traffic would impact intersections operating at Level of Service (LOS) D, E, or F or would cause LOS at such intersections to decline to D, E, or F, or (c) project traffic would increase traffic volumes on nearby roadways by 10% or more. The total project emissions of carbon monoxide would not exceed the BAAQMD's maximum daily threshold, thus no additional mitigation measure is warranted relative to this impact.

- f. **Will this project generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance.**

Yes, Significant Unless Mitigated. Demolition and construction activities associated with the project could, if not restricted, create noise levels that exceed those deemed appropriate in the County Noise Ordinance, necessitating the following mitigation to reduce the impact to less than significant.

**Mitigation Measure 1:** Noise levels produced by the proposed construction activity shall not exceed the 80 dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.

- g. **Will this project generate polluted or increased surface water runoff or affect groundwater resources?**

Yes, Not Significant. The addition of new buildings and a paved parking area will increase the amount of impermeable space currently on the site, *which will create additional runoff onto the street and into the public drainage system.*

*In response to the Planning Commission's comments on the initial Negative Declaration, the applicant has submitted a revised site plan (Attachment A) that utilize interlocking paver blocks throughout the entire parking area and on walkways, thus facilitating greater permeability and significantly reducing the amount of runoff from those areas. The revised site plan also shows a drainage plan that directs all rain water coming off roof drains, as well as any additional runoff from the parking and*

## ANSWERS TO QUESTIONS

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*walkway areas, towards on-site filtered storm drain inlets, whereby the sediment and pollutant levels of the runoff will be adequately filtered. Staff believes that these project elements will reduce the impact from surface water runoff to less than significant.*

### 5. TRANSPORTATION

- c. **Will this project cause noticeable changes in vehicular traffic patterns or volumes (including bicycles)?**

*Yes, Not Significant.* The applicant's Traffic Impact Study (see Attachment K), prepared by RKH Civil and Transportation Engineering, reported existing and projected traffic counts, focusing on the signaled intersection of Sand Hill Road and Santa Cruz Avenue, since that is the primary intersection most impacted by project-generated vehicle trips during peak A.M. (7:00 to 9:00) and P.M. (4:00 to 6:00) commute hours. The Study used the Level of Service (LOS) methodology, which is a qualitative description of an intersection's operation, as follows:

<b>LOS "A"</b>	Uncongested operations; all traffic clears in a single-signal cycle.
<b>LOS "B"</b>	Uncongested operations; all traffic clears in a single cycle.
<b>LOS "C"</b>	Light congestion; occasional backups on critical approaches.
<b>LOS "D"</b>	Significant congestion of critical approaches but intersection remains functional with cars required to wait through more than one cycle during short peaks.
<b>LOS "E"</b>	Severe congestion with long standing traffic on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic may block nearby intersection(s) upstream of critical approach(es).
<b>LOS "F"</b>	Total breakdown, stop-and-go operations.

The initially submitted Traffic Study indicates that a project will create a significant impact on a signalized intersection if one of the following is determined if: (a) the development causes the level of service of an intersection operating at LOS D or better under baseline conditions to degrade to LOS E or F, or (b) when the intersection is already operating at LOS E or F under baseline conditions, the project adds four or more seconds of average stopped delay for the critical movements and the critical volume-to-capacity ratio increases by 0.01 seconds or more.

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**Existing Traffic Conditions:** Table A below shows existing traffic conditions (as expressed via Level of Service and Volume-to-Capacity ratio) at the Sand Hill Road/Santa Cruz Avenue intersection:

TABLE A: Intersection Levels of Service Existing Conditions				
Signalized Intersection	Peak Hour	V/C	Delay	LOS
Sand Hill Road and Santa Cruz Avenue	A.M.	0.882	30.9	D
	P.M.	1.025	49.1	E

**Background Traffic Conditions.** Table B below shows background traffic conditions (not including project-generated traffic) that are expected at the time the project is completed and ready for occupancy compared with existing traffic conditions. These conditions are generally arrived at by adding the traffic projections from approved but not yet occupied projects together with projects in the planning process that are nearing reasonably certain approval.

TABLE B: Intersection Levels of Service Background Traffic Conditions							
Signalized Intersection	Peak Hour	Existing Conditions			Background Conditions		
		V/C	Delay	LOS	V/C	Delay	LOS
Sand Hill Road and Santa Cruz Avenue	A.M.	0.882	30.9	D	0.951	37.0	D
	P.M.	1.025	49.1	E	1.102	70.7	F
Delay is average stopped delay in seconds per vehicle. LOS is defined in Appendix D. V/C is the Critical Volume-to-Capacity ratio.							

**Project Traffic Conditions.** In response to the Planning Commission's comments on the initial Negative Declaration, the applicant's traffic engineer submitted an amended Traffic Study (Attachment K) which included a detailed work hour schedule of the company's 12 employees, shown below in Table C. Those results affected the project-generated A.M. and P.M. peak hour traffic totals as noted by (\*) and discussed below

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TABLE C: Traffic Study													
	A.M.					P.M.							
	7	8	9	10	11	12	1	2	3	4	5	6	7
Principal													
Principal													
Office Manager													
Project Manager													
Controller													
Receptionist													
Sr. Staff													
Sr. Staff													
Staff													
Staff													
Staff													
Assistant													
Employees Present	1	5	10	12	12	12	12	11	10	10	6	3	

The net change in vehicle trip generation as indicated in the applicant's initial Traffic Study is shown in Table D below. The A.M. and P.M. peak hour traffic totals affected by the amended Traffic Study's work schedule data are noted with an (\*) and discussed

TABLE D: Vehicle Trip Generation									
Use	Size	Units	A.M. Peak Hour			P.M. Peak Hour			Daily
			In	Out	Total	In	Out	Total	
SFR <sup>1</sup>	-1	DU	0	-1	-1	-1	0	-1	-10
Office	3978	SF	10	1	11*	2	8	10*	80*
Net Total			10	0	10*	1	8	9*	70*

<sup>1</sup> An occupied single-family residence currently exists on the site. The project site actually is comprised of two legally subdivided parcels, each of which, if subsequently developed, would generate 10 vehicle trips daily.

<sup>2</sup> The revised project includes an apartment that would house a person who would walk to a nearby job, thus not generating any additional vehicle trips during A.M. or P.M. peak hours. Without home-to-work trips, this unit might typically generate between 2 and 5 vehicle trips during off-peak and evening hours on an average weekday but would not add to peak period traffic on adjacent streets.

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*The amended Traffic Study, based on the work schedule submitted (Table C), indicated that during both the A.M. and P.M. peak hour periods, there would be either less or not more than 50% of the total number of employees on the site. The revised total trip generation relative to Table D above is approximately 38% of projected A.M. peak hour traffic figure (4 instead of 11) and 56% of the projected P.M. peak hour traffic figure (5 instead of 10), based on this schedule. The amended study concluded that while the varied working hours were not conducive to carpooling, they would significantly reduce peak hour trip generation, adding that public transit (one employee currently uses CalTrain to and from work three days each week) and other alternative modes of transit such as bicycling should also be pursued*

Table E below, from the applicant's initial Traffic Study, shows traffic conditions at the time of the project's full occupancy, compared with background traffic condition:

TABLE E: Intersection Levels of Service Project Traffic Conditions							
Signalized Intersection	Peak Hour	Background Conditions			Project Conditions		
		V/C	Delay	LOS	V/C	Delay	LOS
Sand Hill Road and Santa Cruz Avenue	A.M.	0.951	37.0	D	0.951	37.1 (37.0)	D
	P.M.	1.102	70.7	F	1.102	71.0 (70.8)	F
<p>Delay is average stopped delay in seconds per vehicle.            LOS is defined in Appendix D.            V/C is the Critical Volume-to-Capacity ratio.  <i>Italicized Project Condition figures represent <u>revised</u> delay based on data from Tables C and D and discussed above.</i></p> <p><b>NOTE:</b> The Traffic Study assessment and conclusions do not assume any lane addition/widening improvements to Sand Hill Road as suggested in the 1996 Sand Hill Road Corridor Projects EIR or those mitigation measures described in the Negative Declaration document for the 2775 Sand Hill Road Traffic Study.</p>							

*Based on the amended Traffic Study data previously discussed, the project would contribute five vehicle trips to the intersection in the A.M. peak hour and four vehicle trips to the intersection during the P.M. peak hour. These volumes represent nearly imperceptible amounts to the total intersection volume during the A.M. and P.M. peak traffic hours. During the A.M. peak hour, project-added traffic does not change the V/C ratio or the delay by a perceptible degree, with the LOS remaining at D. During*



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*the P.M. peak hour, the addition of project traffic does not change the V/C ratio and only increases the average delay by 0.1 seconds at LOS F.*

*Under cumulative traffic conditions, the Sand Hill Road/Santa Cruz Avenue intersection is projected to operate in excess of the County's LOS standard for signalized intersections. However, the addition of project-generated traffic does not create a significant impact on the intersection for either the A.M. or P.M. peak traffic hours. During both peak hour times, the addition of project traffic does not change the V/C ratio nor does it perceptibly change delay, based on the amended Traffic Study data previously discussed. Table F below shows the cumulative traffic conditions (comprised of all other already or tentatively approved projects expected to generate traffic at the intersection) compared to those traffic conditions that include the project's generated traffic.*

TABLE F: Intersection Levels of Service Cumulative Traffic Conditions							
Signalized Intersection	Peak Hour	Cumulative Conditions			Project Conditions		
		V/C	Delay	LOS	V/C	Delay	LOS
Sand Hill Road and Santa Cruz Avenue	A.M.	1.041	52.4	E	1.042	52.5 (52.5)	E
	P.M.	1.223	120.7	F	1.224	121.2 (121.4)	F
Delay is average stopped delay in seconds per vehicle. LOS is defined in Appendix D. V/C is the Critical Volume-to-Capacity ratio. <i>Italicized Project Condition figures represent revised delay based on data from Tables C and D and discussed above.</i>							

*In response to the Planning Commission's comments on the initial Negative Declaration (and as stipulated as a mitigation in that document), the applicant's traffic engineer submitted a Transportation System Management (TSM) Plan that identifies the following techniques to be used by project employees in order to help minimize the vehicle traffic at the Sand Hill Road/Santa Cruz Avenue intersection:*

- 1. Provide two bike lockers/racks on the site.*
- 2. Participate in the Marguerite shuttle service to and from the Menlo Park CalTrain station (as one employee currently does).*

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3. *Provide transit schedules and maps to employees upon request.*

**Response to Menlo Park Comments.** *The applicant's amended Traffic Study included responses to several comments by the City of Menlo Park, provided to the initial Negative Declaration. One response was to the City's claim indicating that the project would create a significant impact at the Sand Hill/Santa Cruz intersection at cumulative conditions. The Study analyzed the intersection using the operations methodology as contained in the 1994 update in the Highway Capacity Manual. A summary of the analyses for the P.M. peak hour is provided in Table G. below:*

<p style="text-align: center;"><b>TABLE G:</b> <b>Intersection Levels of Service Comparison</b> <b>Sand Hill Road and Santa Cruz Avenue</b> <b>PM Peak Hour</b></p>				
<b>Conditions</b>	<b>V/C</b>	<b>Calculated Delay (sec.)</b>	<b>LoS</b>	<b>Incremental Change in Delay (sec.)</b>
<b>Existing</b>	1.025	49.1	E	
<b>Background</b>	1.102	70.7	F	+21.6
<b>Project</b>	1.102	71.0	F	+0.3
<b>Cumulative</b>	1.223	120.7	F	+49.7
<b>C+ Project</b>	1.224	121.2	F	+0.5

*The amended Traffic Study (Attachment I) includes the full response to all of Menlo Park's comments.*

*The Study concluded that a project cannot be held accountable for cumulative traffic projects, which have a high degree of uncertainty to them, especially when the calculated delay exceeds 60 seconds. The Study added that the only meaningful evaluation of a project's impacts is the change in delay from Background to Project conditions and that it is unreasonable to assert that this project will create a significant impact at this intersection at cumulative conditions given the uncertainty of the projections and the fact that the actual project-generated peak hour traffic will likely be less than half that estimated in the initial Traffic Study based on the submitted work schedule data.*

**Definition of Significance.** *In response to the Planning Commission's comments on the initial Negative Declaration, the applicant's amended Traffic Study included*

*comparison of Levels of Service standards and definitions of significance for traffic impact analysis between the jurisdictions indicated by Table H below:*

<b>TABLE H: Levels of Service Standards and Definitions of Significant Impact for Signalized Intersections</b>		
<b>Agency</b>	<b>LOS Standard</b>	<b>Definition of Significance (with addition of project-generated traffic)</b>
<b>San Mateo Co.</b> (as defined in study of 2104 Sand Hill Road)	D with average stopped delay of not more than 40 seconds	<ol style="list-style-type: none"> <li>1. LOS degrades to E or F.</li> <li>2. If intersection is already at LOS E or F, critical movement increases by 4+ seconds and the critical v/c ratio increases by 0.01 or more.</li> </ol>
<b>Menlo Park</b>	D	<ol style="list-style-type: none"> <li>1. LOS degrades to E or F.</li> <li>2. If intersection is already at LOS E or F, critical movement delay increases by 0.5 seconds.</li> </ol>
<b>Palo Alto</b>	D	<ol style="list-style-type: none"> <li>1. LOS degrades to E or F.</li> <li>2. If intersection is already at LOS E or F, critical movement delay increases by 4+ seconds and the critical v/c ratio increases by 0.01 or more.</li> </ol>
<b>Santa Clara Co.</b> (CMP)	E	<ol style="list-style-type: none"> <li>1. LOS degrades to F.</li> <li>2. If intersection is already at LOS F, critical movement delay increases by 4+ seconds and the critical v/c ratio increases by 0.01 or more.</li> </ol>

*The definitions of significance among the four agencies are quite similar with the exception of Menlo Park. The 0.5 change in critical movement delay as defined by them could occur with the addition of just a few vehicles (as demonstrated in this study) if the calculated delay is near the upper end of the curve. Given the variability of traffic volume data from day to day, week to week, and month to month, the definition of significance should not be held to a finer tolerance than the data from which the calculations were made.*

*Staff believes that, given the conclusions rendered in the applicant's initial Traffic Study together with the amended Study data and recommendations, the project's traffic*

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*impact on the Santa Cruz Avenue/Sand Hill Road intersection will be reduced to less than significant*

**e. Will this project result in or increase traffic hazards?**

Yes, Not Significant. The only entrance to the project site is at the existing driveway off Sand Hill Road approximately 95 feet west of the signaled intersection at Santa Cruz Avenue. Vehicles entering onto the site, heading west on Sand Hill Road, can only turn right from the road into the driveway. Vehicles exiting the site can only turn right out of the driveway heading west onto the Sand Hill Road. Since the present grade of the existing driveway exceeds that allowed by the Department of Public Works, the applicant proposes to regrade the driveway to the acceptable minimum standard, which will also improve the line-of-sight (looking eastward back up towards the intersection) for vehicles exiting onto Sand Hill Road. The Sand Hill Road/Santa Cruz Avenue intersection is the only one directly used and impacted by project employees. The applicant's traffic engineer has concluded that the additional traffic going to or leaving the project site through that intersection will not increase traffic hazards in any significant manner.

*In response to the Planning Commission's comments on the initial Negative Declaration (as well as responding to a comment by the City of Menlo Park), the applicant's amended Traffic Study evaluated the driveway sight distance and concluded that the driver of the vehicle on the driveway will be able to see a vehicle making the right turn from Santa Cruz Avenue onto westbound Sand Hill Road at a distance of about 120 feet, or about a 4-second travel time. Thus, the driveway will have no adverse effect on the operation of the intersection in terms of capacity or delay and is on the departure lanes of the intersection where the flow of traffic is controlled by the traffic signal at the intersection. The County Department of Public Works has reviewed this analysis and concurs with the conclusion.*

**f. Will this project provide for alternative transportation amenities such as bike racks?**

Yes. The applicant's amended Traffic Study indicates that two bike lockers or bike racks will be provided on the site. These facilities would have to be shown on the applicant's future building plans and would have to be installed prior to the project's final inspection approval.

**g. Will this project generate traffic which will adversely affect the traffic-carrying capacity of any roadway?**

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No. The project will result in a very small net increase in vehicles onto the surrounding roadways. However, the County Department of Public Works indicates that the traffic carrying capacity of the surrounding roadways is not at capacity nor will the project's generated traffic adversely impact the situation.

### 6. LAND USE AND GENERAL PLANS

**b. Will the project result in the introduction of activities not currently found within the community?**

Yes, Not Significant. The proposed General Plan and Zoning amendments would change the land use and zoning designations of the subject parcel in order to allow the existing and a proposed structure to be used by the owner as an administrative office use for his company of 12 employees, as well as an additional 2-story structure containing a small apartment above a 2-car garage. The site's current use is that of a single-family residence. While most all of the uses on the north side of Sand Hill Road (mostly within Menlo Park city limits) are residential in nature (ranging from single-family to high density residential), most of the uses along the south side of Sand Hill Road are offices, including the recently approved Hewlett Foundation office headquarters to be located across the street. While the proposed office use will be different from the residential uses immediately surrounding it, it would occur within the existing house (to be renovated) and a similarly designed building (matching in its residential architecture and character). Additionally, performance standards included in the PUD regulations, the applicant's proposed project elements and other mitigation measures discussed in this report will ensure that the office use has less than a significant impact on the surrounding residential neighborhood.

**d. Will the project result in any changes in land either on or off the project site?**

Yes, Significant Unless Mitigated. The project involves the General Plan redesignation of the subject site from "Medium-Low Density Residential (2.4 to 6.0 dwelling units per acre)" to "Office/Residential" to allow the proposed office use. The County's General Plan Urban Area Land Use Designation locational criteria stipulate that such designations should occur: (1) within existing office areas, (2) along transportation corridors, (3) near employment centers, (4) where commercial and residential uses need to be buffered, and (5) where there is convenient automobile, transit, pedestrian and/or bicycle access. While there are no offices immediately surrounding the project site, there is a significant amount of administrative and high tech office use westward (towards Interstate 280) along both the north and south sides of Sand Hill Road. Directly across the street, on the Stanford-owned Buck Estate property, the Hewlett Foundation has recently begun construction of their headquarters office facility for up to 100 employees (approved by the County Planning Commission on July 26, 2000).

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Sand Hill Road is a major transportation corridor, leading west to the 280 Freeway and east to Stanford University, Stanford Medical Center, Stanford Shopping Center and through to El Camino Real. Santa Cruz Avenue heading north leads to downtown Menlo Park. Sand Hill Road and Santa Cruz Avenue provide ample automobile and transit (via SamTrans bus line) access to points west, north and east. The project site is bordered to the north by a 26-unit condominium (Pacific Hill) development and to the west by duplex and apartment development. Beyond these are single-family residential neighborhoods. The project will also include the improvement and widening of the substandard sidewalk currently surrounding the site at the corner of Sand Hill Road and Santa Cruz Avenue, further improving pedestrian access. Staff believes that the project would generally meet these criteria.

*Also, the proposed PUD zoning will include development restrictions that are tailored to and "lock in" the project as currently proposed in terms of its restricted use, scale, design, restricted hours of operation, maximum number of employees, drainage facilities, outdoor lighting restrictions, restrictions on hours and days of office supply truck deliveries, restrictions prohibiting future expansion or a change in use, and retention and restriction of the apartment unit for someone who can walk, bike or otherwise take an alternative mode of transit to work locally. Any future proposals to change any aspect of the proposed development would likely require a change to the PUD Zoning District Regulations, i.e., it would not be as simple as amending an on-going use permit as anticipated with the initially proposed project. Staff believes that given all of these project elements and anticipated zoning restrictions, that the project would have both short- and long-term compatibility with the adjacent residential uses.*

*In response to the Planning Commission's comments on the initial Negative Declaration, the applicant has submitted an exterior lighting and landscaping plan (Attachments G and H). Staff review of the lighting plan shows that the amount of exterior lighting necessary has been minimized, includes no typical overhead pole-erected lighting fixtures, and ensures that all exterior light glare is contained to the project site. The applicant has also submitted an arborist report that evaluated the health of all existing mature trees and proposed adequate protection measures for all those trees in close proximity to any construction or grading activities.*

**Mitigation Measure 2:** The applicant shall also submit a \$1,000 maintenance surety deposit to ensure that all existing and new landscaping survives for two full years from the date of the Building Inspection Section's final approval of the project. The health of all existing and new trees and other landscaping shall be monitored regularly and any dead or dying trees shall be replaced in a timely manner.

**Mitigation Measure 3:** The Planning Division shall ensure that the approved colors and materials are in place prior to the project's final inspection and occupancy approval.

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- e. **Will this project serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded utilities, new industry, commercial facilities or recreation activities)?**

Yes, Not Significant. Some neighbors have raised the concern that given the current value of land along Sand Hill Road, the proposal, if approved, would set a precedent for such other residential-to-office use conversions via similar general plan and zoning amendments. Their concerns center on the potential adverse impacts such office uses would pose to adjacent and nearby residential uses (e.g. within the Sharon Heights neighborhood), including increased traffic on already burdened roads and intersections during peak commute hours. Since most all of these properties to the west are within the city limits of Menlo Park, staff cannot speculate on the city's response or the feasibility to such similar applications. However, on the few adjacent unincorporated parcels, staff can respond that the merit of such proposals could only be considered on a case-by-case basis. However, the current proposal is unique, due to its corner location, the unlikely scenario of the old house being used as it is currently zoned, and the fact that the project and associated PUD zoning regulations would severely restrict the proposed office use and preserve the old house and all significant and mature trees on the property.

- k. **Will the project require amendment to or exception from adopted general plans, specific plans, or community policies or goals?**

Yes, Significant Unless Mitigated. See Responses 6.b., d. and e. for discussion and proposed mitigation measures.

## 7. AESTHETIC, CULTURAL AND HISTORIC

- d. **Will this project directly or indirectly affect historic or archaeological resources on or near the site?**

Yes, Not Significant. *In response to the Planning Commission's comments on the initial Negative Declaration requesting that a historian or other professional provide a report evaluating the proposed project's impact to the architectural and historical integrity of the old house, the applicant hired an architect, Ruth Todd, AIA, who has a background in architectural history and research and is on staff at Stanford University as an architect. Her report (Attachment M) confirmed that the house was built in 1902 by Mrs. Jane Stanford (wife of Leland Stanford, Sr.) as a residence for her secretary and companion, Bertha Berner. The house design is in the architectural style known as the American Four Square. It sits on a lot that was originally much larger, and was relocated and turned 90 degrees atop a new basement to make way for the Sand Hill*

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*Road/Santa Cruz Avenue intersection widening project in 1966. A an associated carriage house was also relocated at that time and has since been demolished.*

*While the house is not listed with the County as an historic structure (although it is listed on the City of Menlo Park's Historical Building Survey), the consultant believed that because of its age and architectural integrity, the old house on the site should be reviewed within the criteria of the Secretary of the Interiors' Standards for Historic Preservation. Of the ten standards, only three are impacted, as listed below followed by the consultant's conclusions.*

*"Standard No. 1: A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment."*

*The consultant concluded that the new office use is compatible with the historic residential use and would result in minimal changes to the defining characteristics of the building*

*"Standard No. 2: The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided."*

*The minor modifications proposed to the historic house to accommodate the office use do not impact the historic character of the structure. While the consultant was not clear where or how the handicap wheelchair access ramp was to be accommodated, she recommended that a ramp not be located against the wood building wall of the raised porch of the existing house, suggesting that the best solution would provide the least visually conspicuous ramp that retains the character of the raised porch at the main entry.*

*"Standard No. 9: New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."*

*While the proposed new construction does not destroy historic architectural materials, it does impact the landscape character of the site. The consultant recommended that tree protection measures during construction should be implemented and monitored, but concluded that the applicant's proposed landscape plan included plant materials that were appropriate to the residential character of the site. The consultant generally*



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*concluded that the proposed new office building is compatible with the architectural features of the historic house. Additionally, she felt that the proposed garage/apartment structure is compatible with the massing and architectural features of the historic house. However, she felt that a partial balcony at the second level projecting above the entry and garage doors could help to reduce their prominent appearance as well as break up the mass of the front elevation, including vines or plantings on the balcony to provide some human scale and visual relief to the hardscape that surrounds the new building.*

### ATTACHMENTS

- A. Project Site Plan (Revised)
- B. Proposed Office Building Elevations and Floor Plans
- C. Existing Main Building Elevations and Floor Plans
- D. Proposed Apartment/Garage Elevations and Floor Plans
- E. Drainage and Grading Plan
- F. Erosion and Dust Control Plan
- G. Landscape Plan
- H. Lighting Plan and Lighting Details
- I. Project rendering seen from Corner of Sand Hill Road and Santa Cruz Avenue
- J. Planning Commission Letter from August 23, 2000 Hearing
- K. Amended Traffic Study
- L. Applicant's Request For "PUD" Rezoning
- M. Architect's Historic Analysis of House

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LETTER#1

R.

Janet Davis  
2455 Alpine Road  
Menlo Park CA 94025  
650 854-4511

January 21 2001

David Holbrook Sr. Planner  
San Mateo County Planning Dept.  
County Government Center  
455 Government Center  
Redwood City, CA 94063

Dear Mr Holbrook

re 2104 Sand Hill Road Menlo Park 074-120-100  
File No. 2000-00037 - OBJECTIONS THERETO

**SUMMARY:**

This Revised Rezoning" proposal is substantially more flawed even than the original, and should be rejected in its entirety. The Negative Declaration is inappropriate and a full EIR should have been conducted since the rezoning is in conflict with the General Plan and substantial evidence supports a fair argument that the project – even with mitigation – may have a significant environmental impact.

The N D is further defective (even IF appropriate) in that it leaves to future consideration conditions that should have been disclosed in this document. The proposal does not even conform to present County ordinances, amounts to spot zoning, misconstrues the purpose of a P.U.D., misapplies P.U.D. zoning in conflict with ordinances, and places unenforceable and unconstitutional restrictions on living accommodations.

The Traffic Study component is based on false assumptions and extrapolations, spurious data and is flat out **not** credible. The parking provisions are grossly inadequate and do not conform to even the minimum mandated by County Ordinances. The elimination of streetside trees and most of the garden area will create acoustic problems for neighbors and detract from the residential ambience of the area and the historic aura of the home. The project would also cause a significant increase in contaminated run-off to the creek via the storm drains, and it is not clear that all the affected agencies have been properly notified.

The proposal has a distinct danger of triggering future office conversions in this area, a fact recognized by over 200 neighbors who are protesting this zoning change. The two items that proponents offer in exchange for approval are things that, but for its negligence, the County should have provided decades ago.

1. Historic status and protection for the house and gardens
2. A safe pedestrian walk-way and a bike lane

As to item (2) there was testimony at the last hearing that the County was on notice at least two years ago that a dangerous condition existed and elderly people had been hurt. Despite that, nothing has as yet been done to eliminate the plain hazards. Let alone improve the situation. This is both inexcusable, and creates unnecessary liability exposure.

Below are more specific objections to the Negative Declaration.

### **Present Zoning:**

It is alleged that there are two legal parcels according to the present zoning designation which requires a minimum site of 10 000 square feet each. Since the entire property comprises 16 467 sq ft any such two lots would have to be non conforming. I saw no lot line designation on any of the plans in any proposal. Thus, there is **no right** under the present zoning for **TWO** structures (even if residential) unless the second were to be a "second living unit."

### **Parking Requirements:**

The present and proposed second office structure comprise a total of 3918 sq ft. (2512 + 1406) Under the County's parking requirements for "Professional Offices" 1 space is mandated for each 200 sq ft. That means 19 spaces are required for the offices alone. An additional residence (even if permitted) would require an additional one or two parking spaces, making a total of 20-21. A total for the entire proposed development is 14 spaces – only 66% of the minimum required! This does not comply with County's own rules. The Revised Proposal has even increased the need for parking and reduced the landscaping area. The variance procedure requires a showing of special hardship affecting that particular property – which obviously does not exist. All of which additionally detracts from the garden environment increases the non permeable surface increases run-off and potential pollution, obstructs the view and milieu of the historic house to the detriment of the residential character of the neighborhood.

The interlocking pavers do not provide a permeable surface. Also the proposed pavers conflict with Ordinance 6121 which requires areas for more than 10 vehicles to be surfaced with asphaltic or Portland cement binder pavement to provide a durable and dust free surface. That Ordinance also requires screening of parking facing residential areas with a solid masonry wall no less than 6 feet high and a landscape bond for three years. All of which conflicts with the proposal. Plus a large impermeable surface devoted to cars at least 14 cars immediately adjacent to the creek (and draining into it) is a significant pollution source that cannot be mitigated.

### **Environmental Review Standard/Spot Zoning:**

The PROJECT DESCRIPTION p.1 asserts that changing zoning to a PUD "reduces the need for the analysis of potential environmental impacts of those alternatives." This is absolutely not so. In addition, the PROJECT DESCRIPTION included in the INITIAL STUDY claims that "the revised zoning [to PUD] is built around and tailored to the specific elements of the office proposal. That could easily be construed as "spot zoning" impermissibly granting an advantage to ONE landowner.

Also where a public hearing is required for a zoning action and future conditions are sought to be imposed, any and all such provisions are to be available for public review PRIOR to any consideration. Conditions cannot be negotiated behind closed doors – after the fact – as is the frequent custom of this Planning Department.

Where substantial evidence supports a fair argument that significant environmental impacts MAY occur as a result of the proposal it is an abuse of discretion to certify a negative declaration. This standard is met since:

- The Initial Study concluded that there might be significant impact ;
- That there was considerable neighborhood opposition
- That there was a distinct difference of expert opinion as to traffic impacts and
- That there was testimony at the first hearing regarding traffic problems and concerns as to precedent setting, among other issues.

All indicate substantial evidence supports a fair argument that the proposal – even with mitigating measures – MAY have a significant impact. Thus, a full EIR is required. This is especially true where the project conflicts with the General Plan as it does – not only with that of the County – but with that of the City of Menlo Park.

**"Focused EIR":**

At the previous hearing there was some discussion as to the advisability of preparing such a document. A focused EIR has no application to the present proposal. It is defined as:

"a limited analysis of a subsequent project identified in a Master EIR (Pub.Res. Code section 21158(a)) . . . "It analyzes only the subsequent project's additional significant impacts on the environment and any new or additional mitigation measures or alternatives not identified and analyzed by the Master EIR. It may be used only where the lead agency finds that the analysis in the Master EIR is adequate for the subsequent project as to

- cumulative impacts
- growth inducing impacts, and
- irreversible significant impacts

("California Law Use Procedure" J. R. Ramos Section T3.44.1 12 (October 1999))

There are various exceptions but they do not apply to this project

**Notification to Responsible Agencies:**

I also question whether all the appropriate agencies have been notified of this proposed Negative Declaration, specifically

- the State Clearing House,
- the Regional Water District,
- the Joint Powers for San Francisquito Creek
- Cal Trans,
- Stanford and
- Santa Clara County

since they will all be impacted by traffic concerns and by drainage into the adjacent creek

**Purpose of P.U.D.**

There is a complete misunderstanding of what the purpose of a P.U.D. is. It is for use where it makes sense to combine small lots and cluster residential units to provide MORE open space and recreational area. While non residential structures are not totally precluded as part of a P.U.D. the entire reason for the clustering is to provide a more environmentally sensitive residential ambience. It is ludicrous to apply this land use technique to cram a highly profitable commercial enterprise into a totally residential area especially one that serves none of the local residents and whose purpose is to develop more property. This is especially ill-conceived given the precedent setting impact that this would have.

**The County's Own Ordinances Preclude a P.U.D.:**

The County's own ordinances [ch 9 section 6190-6192] mandate that the Planning Dept. make a finding that the proposed P.U.D. zoning of the area would not be "in conflict with the County Master Plan" which it most assuredly is. There then follow six separate findings that must be made. None of which can be made in respect to this proposal since it has to be found that the P.U.D.:

1. Is a desirable guide for the future growth of the subject area of the County
2. Will not be detrimental to the character and the social and economic stability of the subject area and environs and will assure the orderly and beneficial development of such areas
3. Will be in harmony with the zoning in adjoining unincorporated area
4. Will obviate the menace to the public safety resulting from land uses adjacent to highways in the County and will not cause undue interference with existing or prospective traffic movements on said highways

- 5 Will provide adequate light air privacy and convenience of access to the subject property and further that said property shall not be made subject to unusual or undue risk from fire inundation or other dangers
- 6 Will not result in overcrowding of the land or undue congestion of population

As to the first criteria, over 200 nearby residents expressed trepidation as to this factor. Given the uncertain future of the residences along lower Sand Hill Road and Stanford's commercial plans for the Buck Estate, SLAC, Webb Ranch and possibly Rural Lane -- all of which are in San Mateo County -- this is a major consideration that at least the local residents recognize even if the County does not

The second finding is connected to the first. Refer to copy of article from The Recorder dated 12/12/2000 stating:

*"Bay Area real estate brokers now rank Sand Hill Road -- location of the greatest concentration of investment capital in the world -- among the most expensive pieces of real estate on earth."*

This fact was instrumental in driving out a major law firm unable to absorb the cost. Once a precedent has been set this kind of pressure could change the entire area. The County has already succumbed to Stanford's pressure with respect to the Hewlett Foundation and changed housing land to office space. That property's zoning specifically disallowed Use Permits for anything but parks churches and golf courses yet the County approved the Foundation anyway by contorting a general Use Permit zoning provision that has no application in RE zoning

The third and fourth finding cannot be made. The City of Menlo Park's surrounding zoning is mostly SUBURBAN Residential. The Pacific Hill high density condominiums next door were intensely opposed, but were passed by a pro-developer City Council as a floating R-40 floating zone because

- (a) Several units were to be 'Below Market' and Menlo Park was below its affordable units allocation, and
- (b) the precedent set by the two very large brick faced structures on the opposite side of the road. These latter were approved by the County over vigorous opposition by the surrounding residents. [These brick units were precedent for the density of Pacific Hill, which is now being used as a justification for this proposal which will (if permitted) become a precedent for many future large scale homes-to-offices conversion]

As to the fifth finding it would be interesting to see how fire engines could acquire adequate access to the structure particularly during day time hours since it would appear that there is insufficient turn-around room for the vehicles. The alternative of providing sprinklers would (at least in the old house) destroy some architectural features. There is also only one street exit in case of emergency. There is also the problem of interruption of traffic flow should an emergency occur. [Recently a potential emergency occurred on Stowe Lane. About 3 fire engines, Paramedics and police arrived and occupied much of the street and part of Alpine Road. Should such an event occur at 2140 Sand Hill the entire intersection could be blocked interrupting all area traffic significantly, since there are no alternative routes

#### **Touted Elimination of Need for Use Permit:**

Residential Estate zoning allows Use Permits ONLY for

1. Schools, libraries fire stations, churches and riding academies
2. Golf Course with standard length fairways and other NON COMMERCIAL CLUBS

Thus no Use Permit could be granted anyway. It is ridiculous to argue that a P.U.D. is superior since it

- (a) eliminates the need for a Use Permit and
- (b) is more restrictive

Even if (b) were true the restrictions are not itemized for public hearing which would make the granting on any such Negative Declaration invalid Use Permits are designed for one purpose P U Ds for another

### Historic Nature of Home:

The County list of historic sites in the General Plan includes several rather unremarkable architectural sites considered worthy of preservation for their historical significance, such as a few railroad stations, the 1934 Pulgas Water Temple The Alpine Inn and the Tanforan Race Track. According to Appendix D of the General Plan:

*a significant historical, traditional or cultural resource should be provided a sufficient area for reasonable protection of the site and preservation of that site should be paramount to the exclusion of all unrelated development.*

The subject house is both beautiful and has historical significance to this particular area of the county

Applicants argue that the office conversion is a societal BENEFIT because it will preserve the house That is false logic. At the site visit Mr. Chargin stated that

*Wherever [he] moved the house would move too*

It is therefore critical that the County follow its own Ordinances and preserve the house and garden as a historical resource at its present site and retain the present zoning Otherwise the SITE could be zoned for offices the historic house could be moved and the property owner would be totally free to build any type of commercial structure, and the local residents would be burdened with a commercial nuisance

There are some problems with the Proposal that even the applicant's own historical architect noted She advises against the disabled access ramp and had several reservations about other facets of the design It was also stated at the site visit that part of the back of the house would be demolished to make it comply with legal requirements for commercial buildings This is not in the spirit of preservation

Everybody wants the house preserved Those neighbors who supported the project did so on two bases .

- (a) the applicant had asserted that the only way to retain the beautiful house was to allow it to become an office and
- (b) that approving his project was the only way the nearby senior citizens could get a path

Neither assertion is true Both constitute misrepresentations since other means exist to accomplish those goals. The applicants bought the house with full knowledge of its residential zoning. Mr. J. R. Rodine's letterhead lists him as "Governmental Affairs Consultant Land Use Permit Streamlining, Development Team Management" It is unclear as to whether he and Chargin are partners in this particular venture, but it would appear to be so. It seems they co-run a development company. As such both should be held to a high standard of knowledge as to what is entailed in the permitting process

The Application, "ANSWERS TO QUESTIONS" Section p. 14, paragraph 6(e). states that it is unlikely that the house will be used as currently zoned and that therefore it will not serve as a precedent for future residential-to-office conversions This is complete nonsense The house IS purportedly being used as zoned, and has been for nearly a century Mr Chargin stated that he and his daughter live there and have done so since 1999. Currently there is a flyer posted at the local Safeway advertising the fact that his dog who also resides there, is lost. The neighboring houses list for close to \$1 000 000 and even the town houses in the high density Pacific Hill development sell for over \$500 000 Should he choose to sell it is HIGHLY LIKELY that there would be multiple offers Over 200 neighbors objected to this project

on the basis of it setting a precedent. These people know much more about what is happening in this area than anyone in the Planning Department.

### **Bikeway/Walkway:**

The corner is hazardous in the extreme especially to the senior citizens living at Menlo Commons. In 1966 part of the present site was apparently condemned to widen the roadway. More should be taken to provide safe access for pedestrians bicyclists and as an emergency "shoulder" to allow vehicles to pull over when Fire Trucks try to get from the Alameda Station to Alpine or Sand Hill Roads.

Supervisor Rich Gordon responded to residents on Alameda de las Pulgas and helped institute restrictions that eliminated two traffic lanes to accommodate a safe bike and pedestrian way That location, while hazardous, is nowhere near as dangerous as the Sand Hill intersection At the last hearing on the 2104 project there was testimony as to the dangers and accidents that the senior citizens at Menlo Commons had experienced when attempting to negotiate the path. Despite this clear notice to the County and the onset of Winter not one thing has been done to rectify this obviously hazardous situation When it rains, water gushes out of pipes in the 2104 embankment (making this walkway even more dangerous) and flooding the bikeway

Whatever the status of this proposal the County appears to be negligent in its duty to maintain this much used walkway and in failing to improve a substandard bikeway The fact that General Services has been negligent should not be parlayed into a reason to approve a non meritorious project

All the guidebooks list the Sand Hill/Alpine loop as a major bike and trail route Three of the four sides of the Sand Hill intersection are controlled by San Mateo County (in addition to the Buck side of the Alpine intersection ) These two intersections are among the most congested and hazardous in the County. Instead of providing for safe access for bicycles by condemning part of the Buck Estate and 2104 Sand Hill Road the County continues to add to the problems This is unconscionable especially since the County had the opportunity to require bike access as a part of the Hewlett Foundation approval that was pushed through recently

### **Traffic Study:**

This purported study is pure fabrication It relies on the Fehr study done on a couple of afternoons in November 1998 for the Hewlett Foundation proposal RKH Report p. 91 (attached to original August 23 2000 Agenda) states that this data was extrapolated to 2000 at the rate of 1% per year to account for general growth in traffic." This is a totally false assumption, and the average delay times listed can be controverted by anyone who lives nearby or commutes through the area Nor does the study take into account the slowing of through traffic by vehicles making a U' turn The RKH diagram at p. 101 shows 7 employees making a "U" turn, with a total of 10 employee vehicles going through the intersection at "peak" a.m. hours.

Planning decisions are to be made on the merits of the Proposal itself not on the habits of the individuals occupying the structures It is totally irrelevant what hours the present employees allegedly work. Even so, the submitted data defies logic The study arbitrarily defined those peak periods as 7-9 a.m. and 4-6 p.m. The heaviest a.m. traffic actually runs all the way from around 6:30 a.m. to 10:30 There is additional very heavy lunch time traffic from around 11:15 to 2:00 and the afternoon rush hour runs from about 3:30 to 7:00 p.m. There is also very heavy traffic any time that Stanford has a function or the Shopping Center has a sale - which can occur at night or on weekends There is frequent total gridlock with no traffic able to move in any direction The intersection has been at level F for at least the last 5 years. When there is an accident breakdown altercation or roadwork (all of which are frequent), everything grinds to a halt in all directions.

To assert that a thriving real estate business with 12-14 'employees' generates 10 PEAK a.m. trips/day while quoting Caltrans Reports noting that a typical apartment unit will generate between 4-7

vehicle trips/weekday emphasizes the fallacy of Mr Hopper's data regarding a business dependent on site visits and client visits

The proposal shows 12 present employees," 3 3 per 1000 square feet or approximately 303 square feet/employee (Most Silicon Valley cubicle dwellers are lucky to get 36 square feet ) One such employee is a Receptionist -- plainly contemplating visitors None of these non-"employee vehicle trips is accounted for. Nor is off peak or lunch time traffic through the neighborhood. A purported home architectural office situation with one observable employee exists next to my house. That generates several vehicles in and out on a daily basis. A real estate development business sufficiently active to require a Controller, Project Manager and Office Manager is going to cause excessive in and out traffic during any given day that will be a nuisance to those next door and nearby. The kind of vehicular traffic generated by a typical family is totally different and occurs at different times from that of a commercial enterprise.

There is a talk of providing a grade separation at this intersection to prevent some of the back-ups. It is foolhardy to exacerbate this situation.

The applicant was instructed to address traffic problems more thoroughly All that resulted was a response that Menlo Park has approved projects [unspecified but presumably Pacific Hill] without mitigation [unstated but presumably the 4 block widening of Sand Hill Road] therefore this proposal should go through. The City's traffic Engineer disputes that the widening of Sand Hill would solve the problem. Furthermore it is the COUNTY that controls the north side of the intersection and has done absolutely nothing to improve the situation and has just approved the massive Hewlett Foundation that will contribute to the overall deterioration of the traffic flow. Neither Menlo Park nor San Mateo County had any control over the City of Palo Alto approving the huge developments by Stanford. However they certainly have it within their power to control what occurs at the Sand Hill and the Alpine Road intersections.

#### **Public Transportation:**

There is none As stated previously the Cal train shuttle does not correspond to any of the listed work hours

#### **Driveway Sight Distance:**

Cars accelerating and bikes coming from Santa Cruz Avenue making a right turn onto Sand Hill Road, could easily be cut off by a vehicle turning into 2104. These cars could also be side-swiped by 2104-bound vehicles "U" turning at the intersection.

#### **Drainage/Creek:**

At the site visit there was an observable drainage channel across the property. The plans indicate that this may be built over. A very high percentage of the permeable soil is proposed to be removed. Interlocking pavers are not permeable. All this water gets channeled into the creek across the road. Even if it is filtered, that is a huge amount of additional run-off that contributes to water velocity downstream erosion and possible flooding It is not stated if and how the petroleum and other pollutants will be retrieved from the catch basins. It is my belief that everything will go straight into the storm drain and down to San Francisquito Creek.

Another drainage factor that is not addressed is the flow of water that runs both down Sand Hill and down the corner embankment into the gutter and thence down Santa Cruz Avenue causing down road residents to place sand bags across their driveways every wet winter



**Trees:**

Presently there are many large but immature redwood oak and olive trees surrounding the property which are proposed to be replaced by a hideous wall with iron railings. Ms. Todd A I A also finds fault with the "monumental" walls and the sign. When the trees are removed it will alter the acoustics so that residents of 2160 and those on the other side of Santa Cruz Avenue will be subjected to increased road noise from Sand Hill and their views will be negatively impacted. The present trees conform to those in adjacent and neighboring structures and provide an integrated view from the road.

**The Additional Living Unit:**

It is proposed that this be restricted to a teacher "currently" employed at a nearby elementary school who could walk or bike to school. This is an unenforceable and probably unconstitutional restriction. It is impermissible to restrict living situations based on family status. Even married teachers could scarcely afford a market rent in this area. A spouse might have a vehicle or a single parent may need a car to transport a child. There is no way that a landlord could force a tenant to walk/bike to work and there is no guarantee that someone "currently" employed will retain that post. Also most schools have about 3 months/year down time. La Entrada, the closest school dismisses its pupils between 2:30 and 3:00 p.m. which would mean that any teacher would be available for after work vehicle trips right about the claimed peak traffic times. Hillview School has similar hours. It is also impermissible to regulate tenants' social lives. Since there is insufficient parking, cars would get parked along the side of Sand Hill Road and Santa Cruz Avenue.

In one part of the proposal the applicant (or the County) is arguing that no one would want to live at the intersection. Yet Ruth Todd A.I.A. suggests the living unit incorporate a balcony suggesting that the area is not so unlivable. Indeed many of the contiguous and nearby living units incorporate balconies giving the lie to this contention.

It is idiotic to claim that a 700 sq. ft. residence does anything to compensate for the houses/jobs imbalance when the County would simultaneously be removing one large family home and adding 12-14 jobs. This is especially ludicrous when the County has just removed several acres at the Buck Estate from the residential reserve, and approved a 48,000 sq. ft. office complex accommodating 100+ employees.

**SUMMARY:**

This proposal has no merit and is being pushed through by a real estate speculator cashing in on the sky high commercial rents along upper Sand Hill Road. The applicant had full knowledge of the existing residential zoning at the time of purchase. The house is a beautiful structure that should be accorded historical status, preserved and maintained as a residence and garden that enhances and beautifies the residential area that surrounds it. It is inexcusable to remove over 16,000 sq. ft. from residential land and replace it with office space further exacerbating the jobs/homes imbalance.

The County should acquire a sufficient part of the perimeter of the property (and that of the Buck Estate) to allow the many people who do live here, to walk and bike from their homes to local stores and parks which would alleviate some of the traffic problems at this intersection. As it exists, people have to use their cars because the intersection is too dangerous for most of us to travel it any other way.

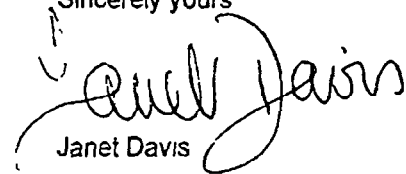
The General Provisions of the County's Zoning Ordinances state that the purpose of zoning is to promote and protect public health, safety, peace, morals, comfort, convenience and general welfare. In particular to protect the character and the social and economic stability of residential and other private and public areas within the County and to assure the orderly and beneficial development of such areas. In a significant proportion of proposals that I have experienced, this County's Planning Department has ignored residential concerns and has violated or contorted its own ordinances to push through any and all development no matter what the consequences are to those who live nearby. The Ordinances themselves are of such little consequence that no systematic effort appears to have been deployed to make them be relevant, unambiguous, internally consistent or even conform to California

law or easily available to the public. When individual ordinances prove troublesome to the Planning Department goals, these ordinances appear to be ignored, changed on the fly without going through the Resolution procedure, misinterpreted or misapplied, or retyped omitting portions. The general population is entitled to rely on the zoning that does exist and not have it changed at the drop of a hat by every developer who sees a quick buck to be made.

The Planning Department needs to fill an obvious void and find an educated professional, competent Manager capable of intelligent direction and unbiased judgment who will take action to remedy the problems that have existed in that department for years. The department (and that of the Board of Supervisors), needs to be responsive to the needs of the public and hold meetings when those persons affected can attend without missing work – as is done in all nearby jurisdictions. Presently it appears that public hearings are purely pro forma since matters have already been decided behind closed doors within the inner sanctum of the Planning Department where the general citizenry has no access.

San Mateo County is a big county and a wealthy county. However, it has a Planning Department that is so disorganized and mismanaged, it is truly a disgrace.

Sincerely yours

  
Janet Davis

✓

LETTER #2

Janet Davis  
2455 Alpine Road  
Menlo Park CA 94025

January 28 2001

David Holbrook Senior Planner  
San Mateo County Planning Dept.  
455 County Government Center  
Redwood City CA 94063

Dear Mr Holbrook

re 2104 Sandhill Road Menlo Park 074-120-100  
File No 2000-00037 - Addendum to and Evidence Supporting 12/21/00 Objections  
That Proposal is Growth Inducing

The above property was purchased in May 1999 for the relative bargain price of approximately \$1 000,000 [Assessor's Records show assessed value at \$962 000 ] This is roughly equivalent to two of the units at the adjacent Pacific Hill development Also for comparison nearby 2095 Santa Cruz Avenue unincorporated Menlo Park is currently listed by Encore Property for \$899 000 That property is 7100 sq ft and consists of a 70 year old studio cottage with loft and a converted garage

The house at 2104 might lease out as a residence for as much as \$60 000 per annum (or \$5 000 per month.) However, since average Sandhill office space leases for around \$180 sq ft [See copy of Recorder dated 12/12/2000] the house -- converted to office space -- could lease for \$452 160 [2512 sq.ft x \$180] per annum If the additional new structure were also leased the total income generated could be \$705,240 [3918 sq ft x \$180] per annum!

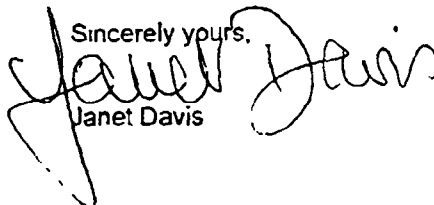
**It is thus crystal clear that there is a huge financial incentive for office conversion in this particular area**

Additionally under the terms of the County's office zoning ordinance any property designated "office" can be used for **Multiple Housing** Since the 2104 Sandhill property is roughly the same size as that on which the Pacific Hills development was built it is entirely conceivable that an owner would have the right to build another such high density development on the site If the zoning were changed there would be virtually nothing the Planning Dept could do to stop it. Assuming another 26 units could be constructed each selling for at least \$500 000 that would gross \$12 000 000 Given the office development recently approved at the Buck Estate there would be great pressure to redress the jobs/housing imbalance by approving such a high density project The intersection would be a complete debacle at this point

In either case, the enormous windfall profit potential resulting from rezoning is highly likely to

- induce substantial growth or concentration of population;
- cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system;
- conflict with adopted environmental plans and goals of the community
- have a substantial negative aesthetic effect

If a rezoning results, there is absolutely nothing to protect the long term survival of the historic home which *even the applicant*, is advocating.

Sincerely yours,  
  
Janet Davis

Re: Eric Sand Hill Rd



### Troop Movements

L.A.-based Troop Steuber is splintering and a number of its lawyers are heading to Ak n Gump

Page 2

### Fuzzy Math

Justice Marvin Baxter and his Supreme Court cohorts are taking a close look at attorneys fees in anti-SLAPP suits

Page 4



# RECO

1310 FLO...  
JAN 1 1991  
MENLO PARK

AN AMERICAN LAWYER MEDIA PUBLICATION

TUESDAY, DECEMBER 12, 2000

## Say Goodbye To Sand Hill

Menlo Park's famed Sand Hill Road is so expensive it makes S.F. look like a bargain

By RENEE DEGER  
STAFF WRITER

With office space on Menlo Park's storied Sand Hill Road costing an eye-popping \$180 a square foot, even San Francisco can look like a bargain.

At least that's how Venture Law Group sees it. The Menlo Park firm that launched on Sand Hill Road in 1993 moved to San Francisco's "low-rent" Financial District for its recent expansion.

VLG will open its new San Francisco office in spring in the newly renovated Pier 1 building along the Embarcadero, where rents are closer to \$80 a square foot.

As VLG is not the only law firm to balk at rates venture capitalists and investment bankers are willing to pay for a Sand Hill Road address. As a result of some recent lease signings, Bay Area real estate brokers now rank Sand Hill as the most expensive place of office in the region.



**PIER 1 IMPORT:** Venture Law Group's Donald Keller Jr. says the firm's office at San Francisco's Pier 1 will help it recruit clients in the city. The firm is also moving to rent in San Francisco and to offices in Menlo Park.

# ENCORE

PROPERTY

2095 Santa Cruz Avenue  
Menlo Park



*This delightful cottage, arranged in a functional split-level floorplan, is an island of lushly-treed privacy in Menlo Park. Cheerful and secluded, it's a quaint hideaway that's convenient to both downtown shopping and the Stanford campus.*

- 3 bedrooms, 2 bathrooms currently set up as 2 separate living spaces, including an in-law apartment with its own private courtyard, entry, living room, kitchen, bedroom and bathroom; can be easily reconfigured into a single living space
- Open, airy living room with stone gas-log fireplace flanked by bright windows, with exposed beam ceiling and built-in bookshelves
- Spacious marble tile master bathroom with twin basin marble vanities, large whirlpool tub and separate glass-enclosed shower
- Hardwood deck leading to charming, terraced rear grounds
- Lovingly maintained with glistening hardwood flooring
- Privacy fence all around the property, with security gate and abundant foliage

*Offered at \$899,000*

*For more information on this property please contact:*

GARNETT WILLIAMS

# ENCORE

WWW.ENCORE-RE.COM

*A Division of The McGraw-Hill Companies*

1100

January 26, 2001

David Holbrook  
 Senior Planner  
 County Planning Division  
 455 County Center  
 Second Floor  
 Redwood City, California 94063-1646

File No.: PLN 2000-00037  
 Owner: Dennis Chargin  
 Applicant: J R. Rodine  
 Assessor's Parcel: 074-120-100  
 Project Location: 2104 Sand Hill Road, Menlo Park

Dear Mr. Holbrook,

Listed below are my comments and concerns regarding the above referenced project. I reside next door to this project. Since this project will directly impact my life style and the value of my property I hope the Planning Commission will strongly consider my comments during their deliberations of this project.

**GENERAL COMMENTS:**

1. As I stated at the August 23, 2000 Planning Commission hearing future hearings need to be held at times that are convenient for the people in the community (i.e. after general business hours). I personally had to take a day of vacation to attend the August 23, 2000, hearing.
2. This project has been changed to a Planned Unit Development (PUD). What specifically does this mean, and why would it be better for the neighborhood to have a PUD designation on this property? This concept has not been fully developed in the package.

**SPECIFIC COMMENTS:**

The following comments are made to File No. PLN 2000-00037.

Section 5. **TRANSPORTATION**

1. Page 6, **TABLE C: Traffic Study** --- The number of people shown working at the site is 12, plus 1 - 2 people residing in the apartment. The business will need to interact with a number of other business and service providers such as Architects, Accountants, Attorneys, Contractors, UPS, FedEx, Cleaners, Gardeners, etc.

Question: There could easily be 14 people onsite before any visitors come to the site. Is there enough room for them all to park their vehicles or even turn their vehicles around? This traffic/parking situation seems very tight. Is it a realistic plan? It looks like there are not

Linda K. Meier  
 2126 Sand Hill Road  
 Menlo Park, California 94125  
 510-574-6150  
[linda.meier@Sun.COM](mailto:linda.meier@Sun.COM)

page 1 of 2

enough parking spaces for the amount of activity that will be going on at this site.

2. Page 11, **e. Will this project result in or increase traffic hazards?** — As I stated at the August 23, 2000, hearing, this is a very dangerous corner. As cars heading south on Santa Cruz make a right turn on to Sand Hill Road they do not have to stop, and as a result the drivers do not expect someone to be coming out of the driveway or slowing down to turn into the driveway which is only a few feet away. There is very little time for the drivers to react to this unexpected situation. Most of the cars making a right hand turn on to Sand Hill do not slow down.

With numerous trips in and out of the driveway each day by 13+ people, this is an accident waiting to happen.

#### Section 6. **LAND USE AND GENERAL PLANS**

3. Page 12 **b. Will the project result in the introduction of activities not currently found within the community?** — This is a business nestled in a residential neighborhood. Residents have paid a great deal of money to live in this neighborhood, and do not want a business next door.

The argument for a PUD has not been made. Why would this be of any benefit to the neighborhood?

4. Pages 12 & 13 **d. Will the project result in any changes in land either on or off the project site?** — This section leads the reader to think that there are large business and community buildings close by. This is not true. The referenced office buildings are at a minimum 3/4 of a mile away. The Buck estate and Hewlett Foundation are on the other side, of Sand Hill Road and are located back off of the road. None of these buildings are nestled in a residential neighborhood as this project would be.

The plan states, The project site is bordered to the north by a 26-unit condominium (Pacific Hill) development and to the west by duplex and apartment development. . This statement is only partly correct.

PLEASE NOTE: Directly west of this property are two single family houses. The plan would lead the reader to think that this area is strictly multi-family residences. In fact it is not.

The two single family homes are the ones which will be most impacted by this change. We will be the ones who will be affected by the changes including noise traffic, lighting and general hubbub of what is taking place next door.

I urge you to reject the request for conversion of the use of this property.

Yours truly,



Linda K. Meier  
2126 Sand Hill Road  
Menlo Park, California 94125  
510-574-6150  
[Linda.meier@Sun.COM](mailto:Linda.meier@Sun.COM)

page 2 of 2

T.

**MITCHELL & HERZOG**  
ATTORNEYS AT LAW  
550 HAMILTON AVENUE, SUITE 230  
PALO ALTO CALIFORNIA 94301-2030  
TELEPHONE (650) 327-7476

KENT MITCHELL  
RICHARD R. HERZOG

FACSIMILE NUMBER  
(650) 327-7994

January 30, 2001

**FAX & MAIL**  
363-4849

Planning Commission  
County Government Center  
455 County Center, 2<sup>nd</sup> Floor  
Mail Drop PLN 122  
Redwood City, California 94063

Re. Your File PLN 2000-00037  
Chargin Project  
Project Location: 2104 Sand Hill Road, Menlo Park, CA

Dear Commissioners:

We represent the Pacific Hills Homeowners Association which consists of twenty-six condominium unit owners whose condominiums are at 2160 Santa Cruz Avenue, Menlo Park, immediately adjacent to the Chargin project.

The Association's letter to you dated August 4, 2000, is attached. That letter opposed this project and a Negative Declaration for it. The substantive points in that letter are just as applicable to the revised Chargin project, as to the former project.

There is no fundamental substantive change in the revised Chargin project. The proposed commercial office use in what is now exclusively a residential zone is a complete change of land use. "Reserving" space in the new office building for a teacher's apartment is an attempt to turn your attention away from what is really happening here, namely, conversion of residential property to office property.

The County Staff's conclusions regarding a negative declaration after review of the initial study are flawed. This project will exacerbate traffic problems and the critical jobs/housing imbalance in this area. Thus, contrary to the Staff Report's conclusions, it "will have adverse impacts on traffic and land use", it does "create impacts which are individually limited, but cumulatively considerable", e.g. traffic and jobs/housing imbalance.



Planning Commission  
January 30, 2001  
page 2

A full EIR, not a mitigated negative declaration, focusing on the existing traffic problems at the Sand Hill/Alameda intersection, and on the cumulative exacerbation of the jobs/housing imbalance that already exists, should be required by you. Otherwise, allowing this to go forward without such environmental analysis ignores these serious problems, sets a bad precedent, and sends a clear signal to developers that elimination of housing and creation of jobs without housing is the County's policy.

We do not believe that is your policy, and we do not believe this is the signal your Commission wants to send.

Therefore, we urge you to reject the mitigated negative declaration and commission an EIR which adequately addresses the negative impacts this project presents.

Very truly yours,



Kent Mitchell

KM.j

M-R4P133-001\PlanComm\KM.l3

PACIFIC HILLS HOMEOWNERS ASSOCIATION  
2160 Santa Cruz Avenue  
Menlo Park, CA 94025

August 4, 2000

DELIVER

Planning Commission  
County Government Center  
455 County Center, 2<sup>nd</sup> Floor  
Mail Drop PLN 122  
Redwood City, California 94063

Re: Your File PLN 1999-00816  
Chargin Project  
Project Location: 2104 Sand Hill Road, Menlo Park, CA

Dear Planning Commissioners:

Our Pacific Hills Homeowners Association represents twenty-six residential condominium homeowners who live at 2160 Santa Cruz Avenue in Menlo Park. Our homes are immediately adjacent to the above-referenced Chargin residence which Mr. Chargin wants to develop as an office building. We strongly protest any changes in the County's General Plan and Zoning Ordinance which would permit the Chargin property to become a commercial office site

We also speak for numerous neighbors who are not members of our Association, but who are similarly opposed to Mr. Chargin's proposal. We have submitted several petitions opposed to this project which are signed by our members and by a number of our neighbors who oppose the project also.

Under the current land use designations for this site, there is no possibility that this purely residential site can be developed as a commercial office building. Furthermore, there is no compelling reason why the County should change existing rules to allow that to happen. The site is presently located amongst other residential properties. Loss of yet another residential site in favor of more office space merely exacerbates the jobs/housing imbalance which already exists in our area. Your charge and resolve should be to mitigate this crisis wherever possible, not make it worse.

Any action you take to change existing zoning from residential to office uses sets a bad precedent and sends a very bad signal to office developers. It indicates the County is really not committed

to protecting residential opportunities, and instead is willing to let developers nip away at the outer edges of residential areas with their proposals for commercial development. Eventually, this has a cumulative, accretive effect, and suddenly "there goes the neighborhood."

As you know, Developer Chargin is asking you to take a purely discretionary legislative action which is solely for his economic benefit and which is completely out of character with the established uses of his property and all abutting properties. Why would you do this, especially with the overwhelming opposition of abutting residential owners who do not want any erosion of the residential character of their neighborhood?

We also submit that Mitigation Measures 5 and 9 are wish lists that will simply embroil County staff in endless policing with little or no hope of compliance or effective enforcement. Filing a TSM Plan under Measure 5 is one thing. Effectively monitoring it is another. Where these plans might work with large established organizations with adequate administrative staff to commit to implementing these measures, they cannot be expected to work here with an individually owned building and limited office staff, all of whom are committed on a daily basis to the economic objectives of property development.

Furthermore, under Measure 9, does the County staff really have the time and resources to verify the number of employees? Furthermore, in a real property development company, much of its work is done by consultants, contractors, subcontractors, attorneys and other professionals who spend substantial time at the developer's office, but technically are not employees. The County should not put itself in the bed-check business with such a condition and should avoid situations like this where such Mitigation Measures are even necessary to avoid otherwise adverse impacts of a development. The wiser choice is to turn down such development proposals.

In summary, this is not a situation where "a line needs to be drawn somewhere." Here, that line has already been drawn correctly and should not be moved. We come to you as the people who will be impacted the most by the Chargin proposal, and we trust you will make the right decision ensuring our future enjoyment of our homes and neighborhood.

Finally, we strongly disagree with the Staff's concern (p 12, Staff Report) that if this house is retained as a residence, it will "fall into irrecoverable disrepair." We submit that buyers would line up in this market for a chance to own and live in that house.

Very truly yours,

PACIFIC HILLS  
HOMEOWNERS ASSOCIATION

By Norma Stewart  
Norma Stewart, Its Representative

4.

Matilde Nino-Murcia, M.D  
2128 Sand Hill Road  
Menlo Park, Ca. 94025-6903  
(650) 854-7426 (Home)  
(650) 493-5000 Ext. 65946 (Office)  
(FAX) (650) 852-3282  
e-mail: ninomurcia@forsythe.stanford.edu

January 30, 2001

David Holbrook  
Senior Planner  
County Planning Division  
455 County Center, 2nd floor  
Redwood City, CA 94063-1646

Re: File No. PLN 2000-00037  
Owner: Dennis Chargin  
Location: 2104 Sand Hill Rd., West Menlo Park.

Dear Mr. Holbrook:

I strongly request that the concerns and comments expressed by myself and the other neighbors regarding this project be taken into consideration during the deliberations of the County Planning Commission. I live in one of the single-family houses next door to this project site and feel that this project will significantly impact my life style, my right to privacy and the quality of life in my neighborhood.

#### Comments.

1. In Section 6-d (pages 12-13) the information provided is misleading. The surroundings of the location of this project is completely residential. The approved Hewlett Foundation office development is not "across the street" as stated in this document. The Buck State is and will continue to be across the street. The Hewlett Foundation office development will be on the south side of Sand Hill Road, across the Sharon Heights Shopping Center.

This project will be nestled in a residential area! The fact that there are office buildings 3/4 of a mile in other direction does not make it right! I asked that you make every effort to preserve the residential character of this neighborhood.

2. In Section 6-d (pages 12 -13) information regarding the borders of the project site is incomplete. It has been omitted that the project site is bordered on the west by two single-family houses. The people living in these houses will be significantly affected by the change in the use (from residential to offices) of the adjacent property. The noise, lighting and added traffic will affect the quality of life of the families residing in these houses.

3. This project changes the use of this property from residential to offices and in doing so decreases the availability of housing, aggravating the problem of lack of housing in this area. In the revised plan, a new 2-story building (page 1, paragraph 1) has been added, which will have a 557 sq. ft. apartment for a "teacher currently teaching at a local school". This is not the solution to the problems this kind of project will create for the neighborhood and the community in general.

I appreciate your time and consideration of this request and urge you to reject the proposal for re-zoning of the 2104 Sand Hill Rd. property.

Sincerely,



Matilde Nino-Murcia



Gunter Steffen  
2455 Alpine Road  
Menlo Park CA 94025

January 30 2001

David Holbrook  
San Mateo County Planning Dept  
County Government Center 455  
Redwood City 94063

## **2104 Sand Hill Road – Objections to Revised Negative Declaration**

Dear Mr. Holbrook

I have several objections *in addition* to those of my wife, which have already been faxed to you

### **1. Planning Commissioners' Instructions Not Complied With**

- Instruction (9) has also been ignored. Staff was specifically instructed to look into other alternatives whereby the proposed *benefits* (the improved walk and bike ways and preservation of the historic house) could be achieved *in the absence* of this project. This is inexcusable since the obvious means are
  - a) accord the existing home historic status
  - b) Instruct Neil Cullen to improve the walkway and use the County's power to acquire any property needed in order to accomplish that
- The instruction to retain one home was ignored. Instead an *additional* structure was incorporated into the design
- (e) and (f) Applicant's Attachments A and F do not show storm water pollution control from gasoline and oil run off which was the focus of the inquiry at the last hearing

### **2. Growth Inducing Factors**

The N D states that this proposal will have no potential for triggering future development but that any such future projects will be dealt with on a "case by case" basis. This was also asserted during the proceedings in support of the Hewlett Foundation (for which you were also the Planner) that **that** project would have *no likelihood of inducing further development*. Now you are using that same Foundation as a precedent for this present proposal. This is unconscionable, but typical of what we have experienced with the San Mateo Planning Dept.

The ANSWER to 6(e) at p.14 insults the intelligence of anyone reading it. The comments regarding "already burdened roads" additionally conflicts with the assertion at p 12 5(g) that these roads are not at capacity.

### **3. Setting Aside Housing According to Employment**

Beth Rosen Prinz, Administrator of the State Department of Fair Employment and Housing is quoted in *The San Jose Mercury* dated 1/29/01 (in the context of a large development in Redwood City seeking to set aside units for teachers) that she has reservations as to legality of any such discriminatory constraint. Given her lack of endorsement of this approach, it would certainly be foolhardy for the County to approve construction predicated on such a restriction.

### **4. Traffic Data**

- The City of Menlo Park noted in its response to the EIR for Stanford's Cancer Treatment Center [p.2 para. 5b] that the Santa Cruz / Sand Hill intersection is compound influenced by the Alpine /Junipero Serra intersection and that the LOS analysis must use a higher level of analysis accurately reflecting this interaction. This is obvious since, rather than make a U turn at Sand Hill, many vehicles will come via Alpine Road.

- There was no analysis of the Sand Hill / Sharon Park Dr / Sharon Road intersections which is obviously the route of choice to down town Menlo Park. This route is frequently blocked by vehicles going or coming to La Entrada School
- There was no analysis of traffic on Las Pulgas. This traffic is the subject of a virulent neighborhood dispute, as is the office development also recently approved by this county
- Since I commute on Cal Train, I can personally attest to the lack of public transport coinciding with the train schedules, to the unreliability (until recently) of the Cal Train service, and to the general lack of public transportation. I have had to have my wife pick me up at the train station which results in two rather than one vehicle trip
- TSM: applicant's response p 3 p.8 merely contends that the TSM will not reduce the project's significant impact. This is obvious since it only involves putting up a couple of bike racks and handing out bus schedules: neither of which are of use to anyone
- ANSWERS pp. 11,12 Sections (e) & (g): These demonstrate the lack of credibility of Public Works and the Project's Traffic Engineer
  - a) Sand Hill / Santa Cruz intersection is **not** the only intersection used.
  - b) Traffic carrying capacity of surrounding roads are near or at capacity. (Mr Cullen reportedly admitted that in a letter to Committee for Green Foothills that was produced at the Board of Supervisors' Hearing regarding an appeal of a road vacation decision.) This has also been stated to us by Highway Patrol and is readily observable to anyone commuting anywhere near this intersection
- The Amended Traffic Study is non responsive to the concerns raised particularly with respect to the impact of several vehicles making a "U" turn at the Sand Hill intersection
- The ANSWER p 3 regarding BAAQMD Carbon Monoxide levels makes no apparent sense as written since it is obvious that project traffic **would** be impacting intersections at LOS D E or F
- ANSWER p 7 Table E somehow comes up with reduced delay figures based on Figure D. This Figure D, in turn, is based on the apparently obvious fallacy that an additional living unit results in a net decrease in vehicle trips – since if the property were developed as two residences (rather than offices) there would be additional trips.

## 5. Parking

According to your Ordinances [6247] office parking cannot be located within the 20 foot set backs. The project drawings may indicate this requirement is violated. Five of the spaces are designated "compact" which means that they will be hard to access one is "handicap accessible" which means it is off limits to everyone else two by the driveway exit would be extremely hard to use and one has to be allocated to the apartment. This means that there are a total of **eight** standard parking spaces for the 12 presently "employed" persons plus all visitors. This is obviously **not** going to work.

Living next to a housing project with sub par parking and combined with a commercial enterprise, we and all of our neighbors, know all of the problems associated with this Planning Department approving projects that have insufficient and inadequately shielded parking. This is especially hazardous where it occurs in combination with a poor driveway and a dangerous road.

## 6. Driveway

According to the traffic engineer, the proposed line of sight allows 4 seconds to gauge the traffic situation. That is insufficient to assess pedestrian and bicycle traffic coming from **both** directions. This is especially so since much of the pedestrian traffic I have observed on that path consists of elderly people. Bikes (which have no separate bikeway) often go through the intersection at high rates of speed irrespective of the light, while pedestrians may be coming from the opposite direction. Four seconds is insufficient time for merging vehicles and bikes to observe (or be observed from) the driveway given the number of vehicles that are likely to be using the entrance to the project.

There have been many accidents along Alpine Road caused by cars entering / exiting driveways. Adding a business driveway at that intersection which is already the scene of many accidents, borders on madness. At the very least it makes life more dangerous for the people who live at the adjacent residences.

**7. Sign**

The unappealing sign in front of the structures seems to violate Ordinance 6247(f) since the owner of the project is now to be 2104 Sand Hill Road LLC

**8. First Alternative Suggested of "Use Permit"**

The first suggestion is clearly not feasible since [Ord. 6500 (c)] such a permit can only be issued when found to be **necessary for the public health, safety, convenience or welfare**. Something that even this Planning Department could not find

**CONCLUSION:**

Planning Depts. are charged with overseeing the *intelligent* development of their jurisdictions. They have the responsibility of ensuring that residential areas are **protected**. This county has **not** fulfilled its obligations. This area of San Mateo County needs no more office buildings or multi-unit housing developments. The roads are over-saturated and dangerous. The air has become polluted and the noise from traffic is deafening. San Francisquito Creek one of the county's major natural resources is being inundated with pollutants from cars and over development. The residents of West Menlo Park and Stanford Weekend Acres have become pawns in a power struggle between several jurisdictions that converge at the intersections of Sand Hill / Santa Cruz and Alpine / Junipero Serra roads. For the applicant to contend that he does not have to address traffic problems because in his view, Menlo Park City has not solved other issues related to Palo Alto's development, does nothing to resolve the daily traffic woes experienced by those of us who actually live here.

The applicant bought the house for a song (relatively speaking) knowing its current zoning. He apparently lives there and enjoys the home as it exists. He **should** be happy. The County should leave the zoning as it exists but add the site to the Historic Register and instruct the Department of Public Works to fix the path. There are no advantages only substantial detriment to the public of changing the zoning. The applicant however would gain a huge windfall from the conversion. This is not the purpose of zoning.

Sincerely yours.



Günter Steffen



RECEIVED

JAN 31 10 49 AM '01

SAN  
PLANNING COMMISSIONGerald Meloy  
2140 Sand Hill Road  
Menlo Park, CA 94025

January 28, 2001

County of San Mateo Planning Commission  
Attn: Dave Holbrook

Re: File No. PLN 2000-00037

Dear Mr. Holbrook:

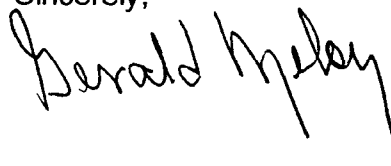
I have reviewed the revision to the above referenced plan and have found nothing to change my initial objections. The addition of an apartment above the garage is a transparent and cynical attempt to limit neighbors opportunity to object to the project. The school teacher is a particularly cynical addition. Next this teacher will be a minority, handicapped female veteran.

The original plan and negative declaration implied that the office either would have no occupants or that occupants and visitors would arrive and leave surreptitiously in the night, in stealth vehicles, having no impact on traffic or noise. Clearly, this will not be the case. An office is an office with employees and visitors arriving and leaving during and between rush hours.

The Hewlett Foundation Headquarters was approved on the basis that it would have little or no impact on traffic, the Pacific Hill units were approved on the same basis. Now comes Mr. Chargin with his project and the same claim. It is absurd to continue adding office space, while claiming no noticeable noise or traffic impact on the surrounding residential neighbors.

The area from the Menlo Commons, around the corner, to Sharon Heights is residential. Mr. Chargin's project is not consistent with this neighborhood. We already suffer from traffic pollution and noise, and difficulty entering and exiting our driveways. We do not need additional traffic resulting from an office complex inappropriately located in our residential neighborhood.

Sincerely,



X.

To: Menlo Park Planning Commission

Att: Dave Holbrook

Re: File: PLN-2000-00037

Loc: 2104 Sandhill Road, Menlo Park

APN: 074-120-100

RECEIVED

JAN 31 10 49 AM '01

SAN  
PLANNING COMMISSION

From Shawn Amir  
White Oak Townhouses  
2140-2158 Sandhill Road  
Menlo Park 94025

Date: 1/27/2001

To whom it may concern:

I would like to renew my objections to the Chargin office complex project. This new proposal is nothing more than an end-run around the problems originally cited by the planning commission and an insult to us all. This area is zoned as residential and as neighbors we would like to limit this area to residences, not office complexes.

Including a tiny apartment in an office complex does not make it a PUD. Frankly I am surprised that Mr. Chargin did not stipulate that a *handicapped minority* teacher may live above his garage. Perhaps he could also stuff a priest or a nun into a closet somewhere? What is next, get a kitten and call the place a nature preserve?

To quote from the filing: "The project, although not changed in its original intent and scope.....The applicant's purpose for the rezoning remains the same ...[two structures] both for use as offices..."

The proposal remains for an office complex, and this is the problem—we do not want an office complex in this location. At least the original filing wanted to add a single office building to the residence which was to be occupied by Mr. Chargin. Do we now hear the true intent of the project?

The traffic in this corner of Sandhill and Alameda/Santa Cruz is very bad. To say that the intersection already gets an LoS of F rating is a gross oversimplification. Much of the problems and backup are caused by traffic that turns right on to Sandhill from Alameda/Santa Cruz. I have seen backups all the way to Campo Bello. This flow will be severely impacted by the proposed office complex—far worse than even 10-20 residential units.

Sometimes it takes five minutes to exit my driveway—I have to wait for multiple cycles of the intersection light before I can sneak on to Sandhill. This office complex will only make things worse.

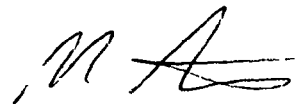
The proposed arrival/departure schedule for the office workers is laughably disingenuous—how long will people keep to this schedule, two weeks? Three? Do we also expect no visitors to the office complex? No customers, no contractors, no clients? When will they arrive? Where will they park? And the customary hordes of contractors with their trucks and equipment? Will this be a 5am staging area? And what business will be run out of this complex after Mr. Chargin sells it to make his profit. This is not just an investment to us, we live here.

We are extremely concerned with our property values. The proposed brick wall and signage for the office complex are not in keeping with our residential neighborhood. This is not a mall or the place for a monument. We do not want a staging area for construction crews, large industrial parking lots, more traffic, noise, and all the other problems of living next to an office complex. We have already suffered through one of Mr. Chargin's parties—a live band and rows of cars parked all around the neighborhood. How bad will things get when this become a real office complex

This is a quiet residential area and we would like to keep it that way. We believe that an office structure will have a very negative impact on the quality of our lives and ultimately reduce property values. This amended proposal for an office complex is an insult both to our neighborhood and the planning commission.

Please, reject this silliness and let our residential area remain so. I am sure Mountain View would welcome another office complex—or a nature preserve

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shawn Amir', with a stylized, cursive script.

Shawn Amir  
2158 Sandhill Road

CHARLES & SARA BOTSFORD  
2150 Sand Hill Road  
Menlo Park, CA 94025

January 27, 2001

RECEIVED

JAN 31 10 48 AM '01

SAN MATEO COUNTY  
PLANNING DIVISION

Planning Division  
County of San Mateo  
455 County Center, Second Floor  
Redwood City, CA 94063

File No.: PLN 2000-00037  
Location: 2104 Sand Hill Road, Menlo Park  
APN: 074-120-100  
Owner: Dennis Chargin

Re: Revised Project Description

Although the revised project description eliminates the owner's proposal to request rezoning to office/residential, and thus overcomes one of the main objections of local residents, the primary intent of the developer remains the same, namely to create an office complex in a residential area. Allowing this project to proceed as designed not only degrades the desirability of residences immediately adjacent to the property, but encourages other developers to use similar schemes to overcome residential zoning restrictions and change local residential property into commercial. All of the surrounding residential property will be at risk. Do not let this happen

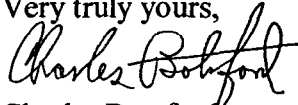
The revised project description has other flaws to which serious objection remains.

- Signage. A rendering of the project shows that after completion, a large wall will extend from the corner at Sand Hill Road and Santa Cruz Avenue with a large commercial sign right at the corner advertising the owners business and illuminated with spot lights. Such a sign is entirely inappropriate in a residential neighborhood, it calls attention to the site as a business, and it belies any contention by the owner to keep the project compatible with the surrounding residential area. The historic preservation architect selected by the owner also found the location and size of the proposed sign to be inappropriate, and recommended a more modest and less garish sign be placed at the entrance to the driveway. Such a location would be consistent with other signs in the community, which subtly indicate the name and street number of a structure on the applicable property.
- Sidewalk. The sidewalk at the corner of Sand Hill Road and Santa Cruz Avenue narrows to about two feet and in some places to eighteen inches due to erosion, improper maintenance, and other causes. The sidewalk along the adjacent Pacific Hills development is a full five feet. A retaining wall to stop erosion is badly needed as well as removal of sufficient dirt to permit at least a five foot sidewalk. The owner should be required to perform this improvement immediately. The walkway in its present state is unsafe, and serious injury or death to a pedestrian, particularly to one

of our senior citizens who must use the sidewalk frequently, is likely unless something is done soon.

- Large Wall. An artist's rendering of the project after completion shows a large wall along the front and side of the property adjacent the street. Such a wall would result in a feeling of unfriendliness. A more friendly residential feeling can be projected by planting vegetation between the sidewalk and the wall, thereby masking the wall and preserving the residential feeling in the area.

Very truly yours,



Charles Botsford

2.

CITY COUNCIL  
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FAX 650 327 1953

January 31, 2001

Dave Holbrook  
Planning and Building Division  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1646

**RE: 2104 Sand Hill Road – Revised Initial Study and Negative Declaration**

Thank you for the opportunity to comment on the Revised Initial Study and Negative Declaration for the redevelopment of the property located at 2104 Sand Hill Road. As we understand the revised proposal, the project would involve the conversion of the existing 2,512 square foot single-family residence into a general office use, demolition of an existing garage and replacement with a two-story, 1,406 square foot office building to the west of the original residence, and construction of a new 400 square foot garage with a 557 square foot apartment above the garage. Fourteen new parking spaces would also be created.

As revised, the proposal will require County approval of a General Plan Amendment to change the designation of the site from *Medium Low Density Residential* to *Office/Residential* and a rezoning from *Single-Family Residential/10,000 square foot Minimum Parcel Size* to *Planned Unit Development (PUD)*. The PUD zoning will be specifically tailored to the elements of the proposal. A use permit is not required under the PUD zoning.

The City of Menlo Park's specific comments on the revised environmental documents and proposed project are listed below by the same categories as listed in the Revised Initial Study. We would also refer you to the City's comment letter on the original environmental documents, dated August 7, 2001.

***Air Quality, Water Quality, Sonic***

1. When the original environmental documents were released for public review, the City of Menlo Park expressed concern related to potential long-term air quality impacts. The Revised Initial Study does not contain any additional information on this subject, therefore, we continue to be concerned that the proposal may result in long-term air quality impacts. Essentially, no analysis is provided that would document the determination that the total project emissions of carbon monoxide, after construction, would not exceed the Bay Area Air Quality Management

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DIVISION

District's (BAAQMD) maximum daily threshold. Specifically, the BAAQMD CEQA Guidelines identify three criteria that would require that local carbon monoxide concentrations be estimated, including in cases where project traffic would impact intersections operating at Level of Service (LOS) D, E, or F. Given the City's position that the project would result in significant impacts to the Sand Hill Road/Santa Cruz Avenue intersection, analysis of local carbon monoxide concentrations should be analyzed. At a minimum, the Initial Study should explain why none of the three criteria for estimating carbon monoxide concentrations are being triggered.

2. Other than construction related noise, the Revised Initial Study states that the project operations would not result in any noise impacts in excess of the existing situation or standards contained in the County Noise Ordinance. However, the document does not provide any information on the existing noise levels, referenced standards or projected noise levels. Given the proximity to residential property in Menlo Park, it is important to understand how the County's noise regulations compare to Menlo Park's and whether the adjacent residential properties would be adequately protected.

Specifically related to construction noise, the revised documents include a mitigation that would place limits on the hours of noisy construction. The limits are more generous than allowed by the City of Menlo Park. Given the proximity of the project to Menlo Park residences, we would request that hours of construction be limited to 8 am to 6 pm, Monday through Friday, with construction prohibited on Saturday, Sunday and holidays.

### ***Transportation***

It is the City of Menlo Park's position that the Revised Initial Study and Negative Declaration and the project applicant's Addendum To Traffic Impact Study do not adequately address the City of Menlo Park's original comments on Transportation presented in the City's letter of comment of August 7, 2000. Additionally, it would appear that, based on information in the traffic study addenda and as a result of changes made by the applicant in the application, the previous mitigation measures related to traffic are no longer included in the document. The following comments were presented in response to the original environmental documents and are being reiterate below since they remain pertinent to the proposal.

1. Because the project's principal traffic impacts fall on streets under the jurisdiction of the City of Menlo Park and because the City of Menlo Park has authority and responsibility for implementing the principal traffic mitigation measures, the City of Menlo Park is a Responsible Agency.
2. The primary study intersection of Sand Hill/Santa Cruz is located in the City of Menlo Park; therefore, the analyst should employ the methodology used by the City of Menlo Park to analyze the level of service at this key intersection. As indicated in the report, this intersection will be operating at unacceptable levels of service. Under the cumulative traffic conditions this intersection will be operating at level of service "F" in the pm peak hour and the project traffic would be adding 0.5 sec of delay which is considered a significant impact based on our City's criteria. This issue needs to be addressed in the report.

3. On page 6 of the report, the fourth paragraph, it is indicated that the project would contribute four trips to the intersection during the pm peak hour, however in TABLE “C” it shows nine trips. Please explain this discrepancy.
4. The traffic study in the Initial Study identifies project traffic congestion and delay impacts as insignificant. It should be recognized that the traffic delay caused by the project is significant based on the City of Menlo Park’s significance criteria. For this reason, a full EIR focusing on traffic impacts should be performed.
5. The entry driveway to the project site located on Sand Hill Road, which is only 95 feet away from the intersection of Sand Hill/Santa Cruz has been examined in terms of sight distance. However, there is no analysis of the impacts of this driveway on the intersection operation in terms of capacity and efficiency. This issue needs to be addressed in the report

Pertinent additional considerations are as follows:

6. In concluding that the project’s traffic impacts are mitigated, the original Negative Declaration relied upon Mitigation Measure #5, which required preparation of a TSM plan. The revised documents note that the applicant has submitted a TSM Plan as part of the application. The proposed TSM Plan provides for only three measures (bike lockers/racks, participation in the Marguerite shuttle service and the provision of transit schedules and maps upon request by an employee. We note that there is no requirement to implement the TSM measures nor is there any quantitative demonstration that the TSM measures would reduce the project’s significant traffic impacts to conditions less than significant. Hence, there is no basis for concluding that the project’s significant traffic impacts are mitigated
7. The particular travel habits of the applicant’s current work force are irrelevant to the analysis of impact. There is no guarantee that the individuals in the current work force will remain employed over the long term or that the applicant firm will continue to occupy the project site over the long term.
8. Dismissal of cumulative analysis from consideration or disputing the legitimacy of the City of Menlo Park’s established significance criteria are not a legitimate basis for concluding the project would not have significant impacts.
9. The analysis of sight distance adequacy is apparently presumptive that vehicles turning right from Santa Cruz Avenue to Sand Hill Road westbound would turn at low speeds and continue westbound at those low speeds without acceleration. In fact, these vehicles accelerate rapidly as they turn onto Sand Hill Road. The analysis also implies that the signal at the Sand Hill – Santa Cruz intersection will create gaps in westbound traffic that would provide opportunities for vehicles to exit the project driveway. However, the reality is that the PM peak period conditions at this location are such that there is an almost constant stream of westbound traffic on Sand Hill Road at this location.
10. It remains unclear how the project could cause more traffic through the Sand Hill – Santa Cruz intersection than accounted for in the peak period trip generation or “driveway count”



*Land Use and General Plans*

1. The City of Menlo Park remains opposed to the conversion of the site from residential use to office use based on both the incompatibility between the proposed office use and the adjacent residential properties and the intensification of the jobs to housing imbalance. Related to the incompatibility with adjacent uses, the document notes that the proposed use will be different from the uses immediately surrounding the site, but feels that the use of the existing residential building, residential-like design of the new buildings and performance standards included in the PUD regulations would result in an office use that would have a less than significant impact on the surrounding residential neighborhood. The PUD regulations are briefly mentioned in the text of the environmental documents, but neither a copy of the PUD nor a specific listing of the regulations is provided as documentation of the less than significant determination. Of the restrictions that are named, most, including lighting, restricted hours for supply truck deliveries and a limit on the number of employees are identical to those listed in the previous document. Other performance standards, such as business operating hours, limits on visitors to the site, allowed activities on the site and restricted hours for disposal services, have not been considered even though these items would tend to generate as much disruption as those activities which are being restricted. The need for specific regulations actually serves to emphasize the differences between the uses and the need for such additional protection measures

Regarding the jobs to housing imbalance, the City of Menlo Park does not believe that the one additional housing unit serves to mitigate the intensification of the jobs to housing imbalance that this project represents with approximately 3,900 square feet of new office space. The revised documents do not address the issue of the jobs to housing imbalance nor do they address the use of the site for housing at a higher density level than exists. The Revised Initial Study also does not reference any County General Plans policies related to the retention or development of housing. Does the General Plan or other planning document contain policies specific to housing that this project may be in conflict with?

Although the City of Menlo Park would support any efforts to target the proposed housing unit for specific types of occupancy, the environmental documents appear to contain a discrepancy with regard to who would be targeted. Under the *Revised Project Description* of the Negative Declaration, the document states that the housing unit would be set aside for “a teacher currently teaching at a local school”. Under the discussion of *Land Use and General Plans* in the Initial Study, the document states that the apartment would be set aside for “someone who can walk, bike or otherwise take an alternative mode of transit to work locally”. It would seem important to clarify this discrepancy. Further, it would be important to outline exactly how these provisions would be implemented and enforced.

2. The City of Menlo Park would disagree with the County’s determination that the General Plan Urban Area Land Use Designation locational criteria have been met. With regard to the statement that the area is within existing office areas and near employment centers, it is clear that this is not the case. Office uses may be located further west or east on Sand Hill Road, but they clearly do not comprise the uses adjacent to the project site. With regard to convenient automobile, transit, pedestrian and/or bicycle access, the site is located at a complex and highly congested intersection that makes all types of access difficult.

- 3 The Revised Initial Study states that there would be no impact to solid waste creation. It would be appropriate for the project to include conditions or mitigations that require the development of a program for recycling of demolition and construction materials and for the on-going operation of the office proposed for the site.

The City of Menlo Park would appreciate receiving a written response to the issues and concerns that have been raised in this letter. Further, we would request that this letter and the responses be forwarded to the County Planning Commission and Board of Supervisors for consideration prior to action on the proposed Negative Declaration and project.

Again, we thank you for the opportunity to comment on the project. Please feel free to contact me at (650) 858-3400 if you have any questions or would like further clarification of the City's position.

Sincerely,



Arlinda Heineck  
Chief Planner

- c San Mateo County Board of Supervisors  
San Mateo County Planning Commission  
Menlo Park Mayor and City Council  
Menlo Park Planning Commission  
David Boesch, City Manager  
Kris Schenk, Director of Community Development  
Dan Smith, Transportation Consultant  
Jamal Rahimi, Transportation Manager  
J R. Rodine, project applicant

V:\trmem\2001\aa\012601ltr – 2104 Sand Hill Neg Dec Responses

## Department of Public Works



## COUNTY OF SAN MATEO

555 COUNTY CENTER 5<sup>TH</sup> FLOOR • REDWOOD CITY • CALIFORNIA 94063-1665 • PHONE (650) 363-4100 • FAX (650) 361-8220

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 DIRECTOR

January 26, 2001

Mr. Dave Holbrook, Senior Planner  
 455 County Center, 2<sup>nd</sup> Floor  
 Redwood City, CA 94063

Dear Mr. Holbrook

**Re: County of San Mateo Department of Public Works' Comments on Negative Declaration for 2104 Sand Hill Road, West Menlo Park – File No. PLN 2000-00037**

The purpose of this letter is to provide our comments on the Negative Declaration for the above named property and to clarify what work the Department of Public Works is proposing on the walkway area adjacent to this property. The Department had prepared plans to provide for a minimum widening of the existing sidewalk between the existing masonry block wall on Santa Cruz Avenue and the driveway to the property on Sand Hill Road, as we had received complaints in the past regarding the width of this walk. We discussed these improvements with Mr. Chargin, the owner of 2104 Sand Hill Road, and he agreed to provide additional funds to widen the walk to provide a 4-foot wide asphalt concrete walk along the property with a five (5) foot width at the corner of Sand Hill Road and Santa Cruz Avenue where pedestrians stand to cross Santa Cruz Avenue (schematic attached).

The Department has also obtained the necessary temporary construction easements and road easements from the property owner to complete the proposed work. These plans are based on providing a minimum sidewalk area as described above, as providing a standard 5' wide sidewalk will require either significant grading on the property or fairly large retaining walls. In addition, Stanford Lands' proposed widening of Sand Hill Road also envisions other modifications at this intersection, which would require the relocation of the sidewalk in this area.

The comments in the Negative Declaration and accompanying plans and rendering infer that the property owner will be improving and widening the sidewalk in this same area as well as doing grading, removal of vegetation, and constructing a wall adjacent to Sand Hill Road and Santa Cruz Avenue. The Negative Declaration states on page 13 paragraph 1 "The project will also include the improvement and widening of the substandard sidewalk currently surrounding the site at the corner of Sand Hill Road and Santa Cruz Avenue, further improving pedestrian access." We contacted the property owner to clarify what he proposes to do and it is our understanding that the work we are proposing as described above is the only work on the sidewalk that is proposed by the property owner, except for the additional drainage across the sidewalk area on the Santa Cruz Avenue side of the property. Therefore, the Negative Declaration should be clear on what is or is not proposed in terms of sidewalk improvements for this area.

Mr Dave Holbrook, Senior Planner

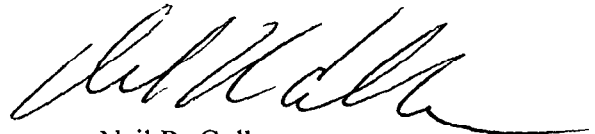
**Re: County of San Mateo Department of Public Works' Comments on Negative  
Declaration for 2104 Sand Hill Road, West Menlo Park – File No. PLN 2000-00037**  
January 26, 2001

Page 2

The Negative Declaration indicates that on site drainage is proposed through an 8-inch storm drain line, which connects to a junction box and then the flow is distributed into three (3) three-inch pipes under the sidewalk. This configuration poses a potential maintenance problem for the Department as the three-inch lines may become plugged and water may end up flowing over the sidewalk. We have spoken to the property owner about this and he has requested that we install the appropriate drain across the sidewalk to accommodate his proposed drainage and that he would be willing to reimburse the Department on a time and material basis for this construction (i.e. a trench drain which has a checkered plate top). We can provide for the drainage that is proposed on Mr. Chargin's property in as much as this same stormwater eventually ends up in the gutter along Santa Cruz Avenue. However, since it was not covered in our original agreement with Mr. Chargin, either having Mr. Chargin do the work or depositing funds to pay for the work should be a requirement of the Negative Declaration.

Ken Wick, Ann Stillman, or Bruce Kirk of my staff can be reached at (650) 363-4100 if you have questions or need additional information.

Very truly yours,



Neil R. Cullen  
Director of Public Works

NRC AMS mmy

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F:\USERS\DESIGN\SDSK\PROJE4556000\DOCS\NegDec01.doc

Attachment:

cc Mr. Dennis and Ms. Linda Chargin  
2104 Sand Hill Road, Menlo Park, CA 94025  
J. R. Rodine, Governmental Affairs Consultant  
1059 Monterey Avenue, Foster City, Ca 94404-3798  
Lynda Green, Real Property Division

BB.

RESOLUTION NO. \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\* \* \* \* \*

RESOLUTION TO AMEND THE SAN MATEO COUNTY GENERAL PLAN  
LAND USE MAP AFFECTING ONE PARCEL AT CORNER OF SANTA CRUZ AVENUE  
AND SAND HILL ROAD IN UNINCORPORATED WEST MENLO PARK

\* \* \* \* \*

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, in 1986, the Board of Supervisors adopted the County General Plan, which included the "Office/Residential" Land Use designation, and identified West Menlo Park as an urban neighborhood and community; and

WHEREAS, changing the General Plan Land Use designation to Office/Residential is appropriate in order to provide an opportunity to preserve the 1902 house and most of the mature trees. The project complies with the intent of the land use designation "Office/Residential," which describes its associated primary feasible uses as: "Service uses including but not limited to business and professional offices; residential uses including but not limited to space for non-transient housing." The project's primary use would be as professional offices and includes a residential component – the detached one-bedroom apartment; and

WHEREAS, the project complies with General Plan Policy 8.13 (*Appropriate Land Use Designations and Locational Criteria for Urban Unincorporated Areas*), which stipulates stated land use objectives within unincorporated Urban Communities and Urban Neighborhoods. The locational criteria for the Office/Residential land use designation include (1) where residential uses need to be buffered from major transportation routes, and (2) where existing residential and commercial uses need to be buffered by a transition zone. The project site is located on the corner of Sand Hill Road and Santa Cruz Avenue, an identified major transportation route. The project site acts as a buffer between the high-density residential development to the west and the

single and two-family residential development to the south and the busy intersection on its other two sides; and

WHEREAS, the project complies with the land use objectives for urban neighborhoods and communities; and

WHEREAS, the accompanying PUD-129 (Planned Unit Development No. 129) zoning designation best locks in the project as proposed, ensuring its compliance with the intent and objectives of the Office/Residential Land Use designation as stated above, and

WHEREAS, on August 23, 2000, and March 14, 2001, the San Mateo County Planning Commission held public hearings to consider the amendment described above; and

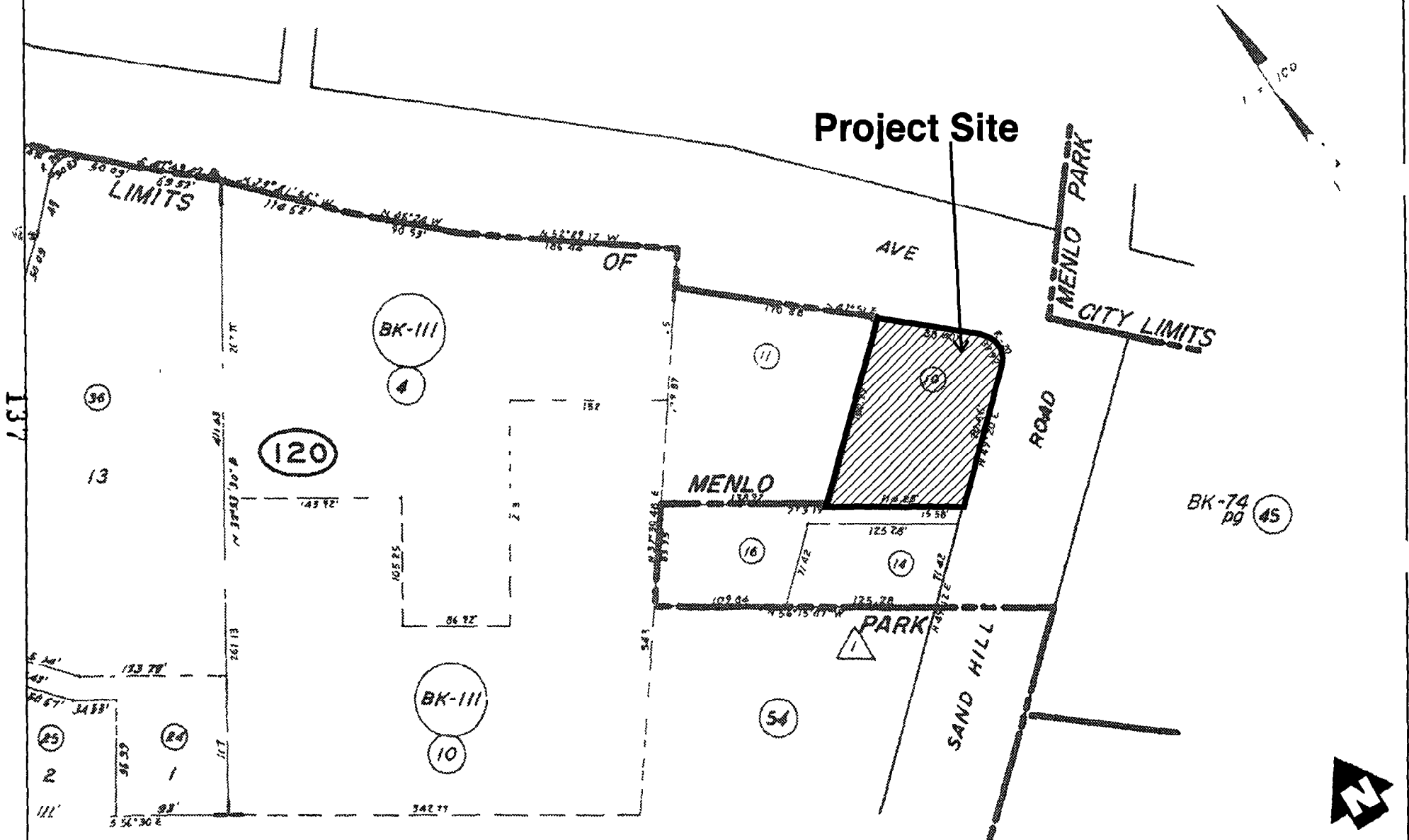
WHEREAS, on April \_\_\_, 2001, the San Mateo County Board of Supervisors held a public hearing to consider the amendment described above.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the San Mateo County Board of Supervisors hereby amends the County General Plan Land Use Map as shown on the attached map

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74-12

# General Plan Amendment: from "Low Density Residential" to "Office/Residential"



San Mateo County Planning & Building Division

cc.

ORDINANCE NO. \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\* \* \* \* \*

AN ORDINANCE AMENDING DIVISION VI OF THE SAN MATEO COUNTY  
ORDINANCE CODE (ZONING ANNEX) TO REVISE THE ZONING MAPS, APPENDIX A  
(PLANNED UNIT DEVELOPMENTS) TO ENACT THE PLANNED UNIT DEVELOPMENT  
(PUD-129) ZONING DISTRICT REGULATIONS ON A SINGLE PARCEL IN  
UNINCORPORATED WEST MENLO PARK

\* \* \* \* \*

The Board of Supervisors of the County of San Mateo, State of California, DO ORDAIN  
as follows:

Section 1. The San Mateo County Ordinance, Division VI, Part One, Zoning Maps  
Appendix A (Special Districts and Planned Unit Developments) is hereby amended to establish  
and enact the Planned Unit Development No. 129 (PUD-129) to read as follows:

**PUD-129. PLANNED UNIT DEVELOPMENT**

**SECTIONS:**

- XXXX. PURPOSE
- XXXX. DEVELOPMENT PLAN
- XXXX. RESTRICTION TO PERMITTED USES
- XXXX. MAINTENANCE OF APARTMENT/RESIDENTIAL USE
- XXXX. HEIGHT
- XXXX. SETBACKS
- XXXX. LOT COVERAGE
- XXXX. FLOOR AREA
- XXXX. ARCHITECTURAL PRESERVATION OF OLD HOUSE
- XXXX. PRESERVATION OF TREES



- XXXX. MAINTENANCE OF LANDSCAPING
- XXXX. RESTRICTION OF OUTDOOR LIGHTING
- XXXX. MAINTENANCE OF MINIMUM PARKING PROVISIONS
- XXXX. RESTRICTED HOURS FOR DELIVERIES
- XXXX. RESTRICTION ON HOURS OF OPERATION
- XXXX. TRASH DISPOSAL AND RECYCLING
- XXXX. ENTRY/EXIT DRIVEWAY
- XXXX. SIGNAGE

**SECTION XXXX. PURPOSE.** The following PUD-129 regulations shall govern the land use and development of an administrative office development (described below) on a 16,467 sq. ft. parcel (Assessor's Parcel Number 074-120-100) located at 2101 Sand Hill Road at the corner of Santa Cruz Avenue, in the unincorporated West Menlo Park area of San Mateo County. To the extent that the regulations contained herein conflict with other provisions of Part One, Division VI (Zoning) of the San Mateo County Ordinance Code, the regulations contained herein shall govern.

**SECTION XXXX. DEVELOPMENT PLAN.** All development shall conform to the development plans (County File Number PLN 2000-00037) for the subject property as approved by the Planning Commission on \_\_\_\_\_, and by the Board of Supervisors on \_\_\_\_\_, and on file in the office of the County Planning Division. Those plans include the following specific elements: (a) the remodeling and renovation of the original 2-story 2,512 sq. ft. house (built 1902) for conversion to an office use, (b) construction of the new 2-story 1,406 sq. ft. structure also for office use, (c) construction of a 2-story building consisting of a 400 sq. ft. garage below with a 557 sq. ft. one-bedroom apartment above, (d) a parking area for 15 parking spaces, including one handicap space, (e) the preservation of all mature trees, (f) the provision and maintenance of all new and approved landscaping, and (g) the provision and maintenance of all parking area surface materials and drainage elements. No enlargements to these buildings shall be allowed and no building or site design modifications shall be allowed. Determination of conformity with the plan shall be made by the Planning Director.

**SECTION XXXX. RESTRICTION TO PERMITTED USES.** Only the following uses shall be allowed: administrative office use within the converted old house and within the new building, parking facilities and a residential use restricted to the apartment over the garage.

**SECTION XXXX. MAINTENANCE OF APARTMENT/RESIDENTIAL USE.** The apartment shall be maintained and utilized as a one-bedroom unit strictly for residential use.

**SECTION XXXX. HEIGHT.** Heights of all the buildings shall conform to those shown in the approved plans.

**SECTION XXXX. SETBACKS.** The minimum setbacks of all the buildings shall conform to those shown in the approved plans.

**SECTION XXXX. LOT COVERAGE.** The maximum lot coverage for all buildings shall comply with that shown on the approved plans.

**SECTION XXXX. FLOOR AREA.** The maximum floor area for all floors of all buildings shall comply with that shown on the approved plans.

**SECTION XXXX. ARCHITECTURAL PRESERVATION OF OLD HOUSE.** The original old house was built in 1902 by Mrs. Jane Stanford (wife of Leland Stanford, Sr.) as a residence for her secretary and companion, Bertha Berner. The house design is in the architectural style known as the "American Four Square." The architectural integrity of this structure shall be preserved in its present state as shown on the approved plans and shall not be modified in any way, except for necessary repairs and maintenance. All future exterior repairs and maintenance activities, including changes to exterior wall colors, shall be subject to the approval by the Planning Director, including where necessary, review and approval by the County Historic Resource Advisory Board.

**SECTION XXXX. PRESERVATION OF TREES.** All mature tree indicated on the approved plans and identified on the arborist report shall be preserved and maintained in a healthy condi-

tion. Any proposed tree removal shall be accompanied by a report prepared by a professional arborist evaluating the health of the subject tree(s). Any trees approved for removal shall be replaced at a one-to-one basis, or as directed by the Planning Director.

**SECTION XXXX. MAINTENANCE OF LANDSCAPING.** All proposed landscaping (i.e., trees, shrubs flowers, groundcover) shown on the approved landscape plan shall always be maintained in a healthy condition. Any dead or dying landscaping elements shall be replaced in like kind

**SECTION XXXX. RESTRICTION OF OUTDOOR LIGHTING.** Outdoor lighting (i.e., number, location and type of fixtures) shall be restricted to that on the approved plans. All light glare shall be contained to the subject parcel and shall not be visible from any adjacent residential use.

**SECTION XXXX. MAINTENANCE OF MINIMUM PARKING PROVISIONS.** Parking provisions for a minimum of 15 parking spaces (including one handicap space), and the minimum 24-foot back-up area, shall be provided and maintained as shown on the approved plans. The apartment tenant(s) shall be restricted to one parking space within the garage below their unit. Two of the parking spaces shall be signed and reserved for visitors. The internal back-up area shall be kept free of any permanently parked vehicles, and shall be reserved for vehicle circulation and temporary deliveries.

**SECTION XXXX. RESTRICTED HOURS FOR DELIVERIES.** Equipment, supply and other deliveries shall be restricted to weekdays and Saturdays between the hours of 8:00 a.m. and 7:00 p.m.

**SECTION XXXX. TRASH DISPOSAL AND RECYCLING.** The office use shall participate fully with the local jurisdiction's trash disposal and recycling program (for recycling of all eligible glass, aluminum, steel, plastic, paper).

**SECTION XXXX. ENTRY/EXIT DRIVEWAY.** The required safety sign at the driveway shall alert all exiting vehicles to watch out for oncoming traffic to their left (traveling westward on Sand Hill Drive) before they turn right (right turn only). This sign shall be maintained in good and readable condition.

**SECTION XXXX. SIGNAGE.** Only one business-identifying sign is allowed as shown on the approved plan. That sign may not be lit in any fashion. Its design shall be subject to the review and approval of the Planning Director.

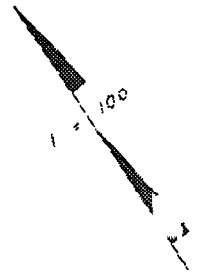
**Section 2.** This ordinance shall be in full force and effect thirty (30) days after its passage.

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(03/06/01)

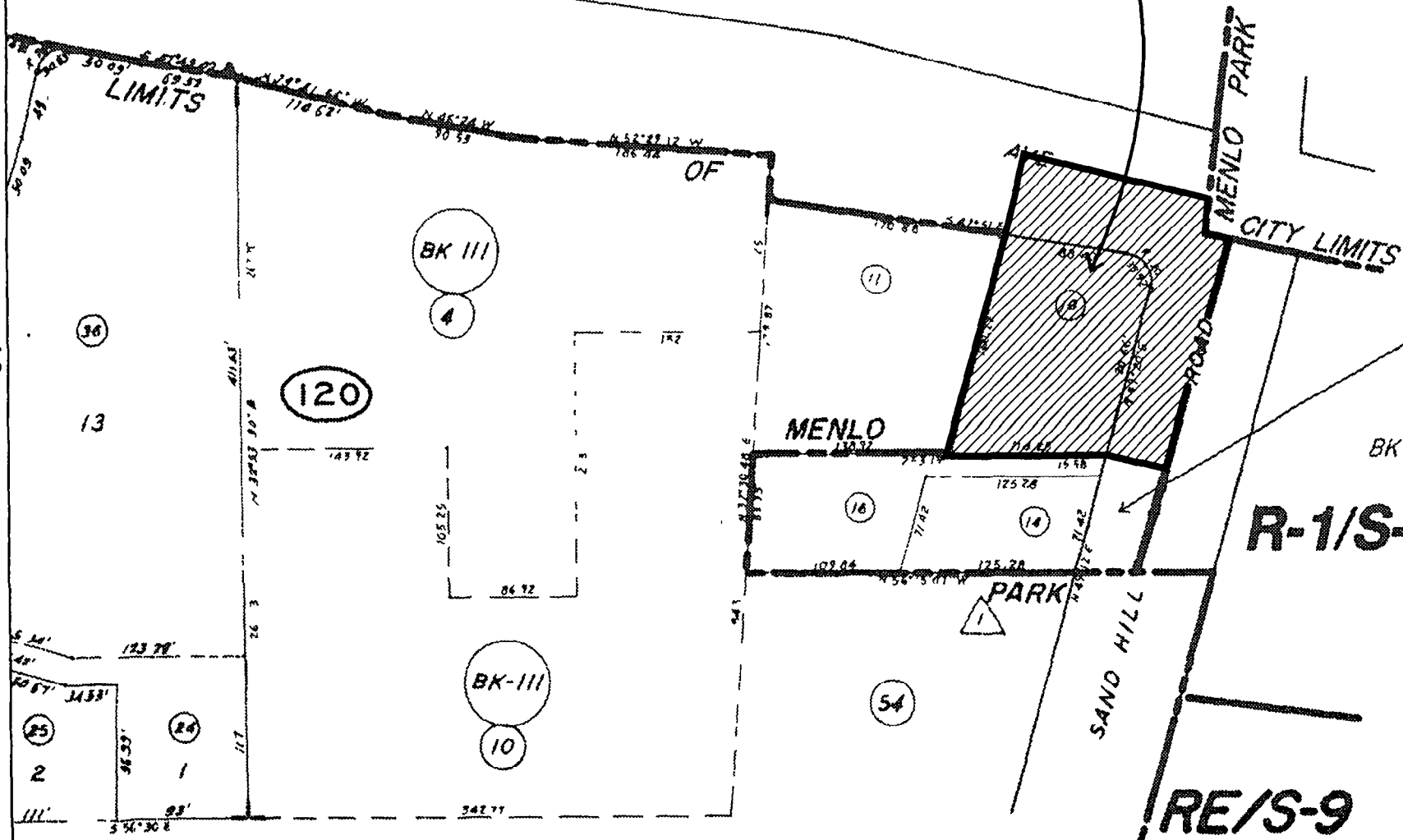
74-12

# Rezoning from R-1/S-92 to PUD-129

R-1/S-72



143



R-1/  
S-92

R-1/S-9

RE/S-9

ORDINANCE NO. \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\* \* \* \* \*

AN ORDINANCE AMENDING CHAPTER 2 OF DIVISION VI OF THE  
SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) TO REVISE THE  
ZONING MAPS, APPENDIX A, TO ADD THE PLANNED UNIT DEVELOPMENT  
(NUMBER 129) DISTRICT REGULATIONS, AFFECTING ONE PARCEL IN  
UNINCORPORATED WEST MENLO PARK

\* \* \* \* \*

The Board of Supervisors of the County of San Mateo, State of California, ORDAINS as follows:

Section 1. Section 6115 of Chapter 2 of Part One of Division VI of the San Mateo County Ordinance Code (Zoning Maps), Appendix A, to establish the Planned Unit Development (Number 129) Zoning District Regulations, applicable to Assessor's Parcel Number 074-120-100 (2104 Sand Hill Road).

Section 2. This ordinance shall be in full force and effect thirty (30) days after its passage.

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## Rezoning from R-1/S-92 to PUD-129

1  
MENLO PARK

**CITY LIMITS**

3-9

BK-74 (45)  
pg.

**R-1/S-**

**RE/S-9**

**San Mateo County Planning & Building Division**

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Civil and Transportation Engineering

February 15, 2001

Mr. David Holbrook  
Planning and Building Division  
County of San Mateo  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063

RE: 2104 Sand Hill Road; PLN 2000-00037: Responses to Comments on Revised Initial Study and Negative Declaration

Dear Dave:

The following are responses to comments received from the City of Menlo Park in a letter dated January 31, 2001.

*Transportation*

- 1 Comment noted.
2. The City of Menlo Park does not specifically prescribe a methodology for determining LoS (Level of Service) except to say that the methodology should be one that "permits estimates of average vehicle delay on approaches that experience LoS "F" conditions." The methodology used in this study is that contained in the *Highway Capacity Manual*, 1994 update. That methodology calculates average vehicle delay.

The City of Menlo Park has known for many years that the intersection of Sand Hill/Santa Cruz could not accommodate future traffic without major modifications to the intersection. Other projects with measures to mitigate the traffic impacts at this intersection have been approved by the City without these mitigation measures being implemented. As stated in the addendum dated 10/19/00 to the Initial Study the criteria by which the City of Menlo Park defines significance is not within the degree of accuracy of the data from which the LoS calculations are made, particularly with regard to cumulative traffic conditions. Agencies surrounding Menlo Park use a 4.0 second increase in critical movement delay to define significance. The City of Menlo Park uses a 0.5 second increase in critical movement delay. The intent of such a restrictive definition is not a matter of sound engineering judgement but rather one of a political nature forcing development projects into a full environmental impact report process.



Mr. David Holbrook  
page 2  
February 15, 2001

3. There is no conflict between Table C and Figure 6. Table C shows driveway trips into and out of the site while Figure 6 not only shows the driveway trips but the trips through the intersection of Sand Hill/Santa Cruz.
4. See Response #2 above.
5. The effects of driveway traffic on the downstream flow of traffic moving away from the intersection could have a negative impact on traffic flow if the volume of driveway traffic was heavy enough to cause traffic in the outside lane to stop and wait for traffic to turn into the driveway. The volume of traffic turning into the driveway necessary to cause a delay to through traffic flow in the outside lane moving away from the intersection would need to be on the order of 100 vehicles per hour, the volume considered minimum to require a separate turn lane. The forecast of project traffic turning into the driveway is 10 during the morning peak hour and 2 in the afternoon peak hour. Project traffic should not cause any noticeable disruption to traffic flow moving past the site driveway.
6. Implementation of a TDM (Transportation Demand Management) Plan is a matter of conditioned project approval by the County. There is no recognized methodology for determining the true effects of TDM measures. Assumptions can be made as to the impacts of these measures but they are subjective in nature and do not lend themselves to quantitative analysis.
7. The impact analysis projects traffic on the basis of a generic office building. Therefore, the analysis presents a conservative scenario. The fact that the actual peak hour traffic will likely be much less than that predicted in the study is merely one presenting actual conditions, not hypothetical conditions.
8. See Response #2 above.
9. The analysis assumed an average travel speed from the right-turn corner to the driveway of 20 mph, recognizing that the speed of the vehicles at the intersection will be less and the speed of the vehicles near the driveway will be higher as they accelerate away from the intersection. A solution to offer additional sight distance for motorists exiting the driveway would be to place a convex mirror on the traffic signal pole at the intersection so that the drivers can, in effect, see around the corner to vehicles entering the right-turn lane.

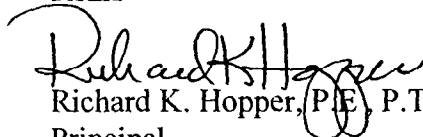
Mr. David Holbrook  
page 3  
February 15, 2001

10. Not all driveway traffic goes through the intersection. Traffic exiting the site and heading west on Sand Hill Rd. would not go through the intersection at all. Figure 6 clearly shows the project's peak hour trips through the intersection and into and out of the site driveway.

I trust these responses adequately address the concerns expressed by Menlo Park. If you have any questions, please do not hesitate to call.

Very truly yours,

RKH

  
Richard K. Hopper, P.E., P.T.O.E.  
Principal

cc: Dennis Chargin  
J. R. Rodine

**FF.**

**2104 SANDHILL ROAD  
TREE PRESERVATION PLAN**

Prepared by  
C.L. Sheppard, Davey Tree Experts  
Certified Arborist wc3592  
305 Adrain Rd. Millbrae, CA 94030  
vm 650.652.9180 xt 16  
fx 650.652.9184  
shepsmith@prodigy.net

### **Introduction**

The purpose of this report is to provide the necessary information required for tree preservation at 2104 Sand Hill Rd, Menlo Park. The tree survey provides information on species, size (dbh), health, and structural condition for all trees selected for preservation. The survey data provides a designation for trees at risk due to proximity to proposed construction. Tree protection guidelines are provided with specifications and procedures necessary for a successful effort.

Total trees surveyed A total of 26 trees were surveyed. All are currently designated for preservation. Of those selected for preservation, 13 are within moderate impact, and another 13 are expected to be impacted only marginally.

Tree preservation Tree preservation guidelines and procedures described in this report are designated to assure long term health and structural stability of all trees selected for preservation.

### **Survey Method**

Trees were surveyed in accordance with International Society of Arboriculture guidelines. A tag with an individual number was attached to all trees surveyed, then located on a site plan, and

- 5) All trees shall receive an aerial inspection while the arborist is aloft. Any additional work needed shall be reported to the consultant.

#### Specific Prescribed Clearance Pruning:

##### **\*See Tree Inventory Data**

These activities must be undertaken prior to construction. In addition to changes in project design to reduce adverse impact, the improvement of tree health by these procedures greatly improves the conditions for tree health and tree survival.

#### **Tree Protection during Construction**

Pre Construction Meeting It is important that construction personnel understand tree protection requirements. All personnel on site shall be oriented with tree preservation measures and rules.

- 1) Contractor is required to review with consultant access routes, work procedures, storage areas, and tree protection measures.
- 2) Tree protection fencing is to remain in place until all work is complete. Fences may not be moved or relocated.
- 3) All underground plants and utilities shall be routed outside protection zones.
- 4) No materials, spoils, equipment, waste or washout shall be deposited, stored or parked within the tree protection zone (fenced area).
- 5) Before grading, pad preparation or excavation for foundations, footings, etc., trees listed below shall be root pruned under arborists' supervision, by cutting all roots affected cleanly to a depth of 36". Roots shall be cut by manually digging a trench and cutting exposed roots cleanly with a saw, vibrating knife, or other method approved by the consultant. Excavations or cut grades with exposed roots require wet burlap or wet mulch covering at all times.

information and assessment data was recorded under the corresponding tree number.

Size of Trees Surveyed Measurement was taken as DBH (diameter measured at 4 ½ feet above grade).

\*Single stem tree - Trees which are greater than six inch diameter.

\*Multi stem tree – Largest trunk diameter also denoted by 'M' symbol.

Data Collected Tree species, diameter, health, and structural condition are primary data. A risk factor is used to designate trees that will be subject to potential construction impact. Risk is based upon both distances from impact, condition, defects and size of the tree.

Trees at Risk Assesses risk due to projected building footprints and roadways. One 'X' indicates light construction impact. Suitable for preservation. 'XX' indicates moderate construction impact. Suitable for preservation with monitoring and mitigation procedures. 'XXX' indicates major construction impact. Removal and replacement may be most appropriate.

Preservation Guidelines Guidelines for tree preservation during pre construction, construction phase and continuing maintenance are provided to ensure the survival of all trees designated for preservation.

## **Design Recommendations**

Some measures are recommended to be incorporated into the design, which limit the adverse impact and assure the survival of the trees. Some design options are;

- a) use of retaining walls for grade transitions
- b) Modify footing and foundation design to reduce excavation in the root zone. e.g. pier and header within critical root zone
- c) Canopy conformations when locating fireplaces, windows, and structures

## **Pre Construction Activity**

- 1) Demolition contractor is to meet with the consultant at the site prior to commencement to review access and haul routes, and tree protection measures.
- 2) Limits of critical root zones shall be staked in the field.
- 3) Tree(s) to be removed shall be done under the supervision of a qualified arborist, and in a manner that causes no damage to remaining trees and understory within the grove.
- 4) Brush shall be chipped and placed within the protection zone to a depth of six inches.
- 5) Mulch placed to a depth of 6" is required to protect tree roots and reduce soil compaction in the critical root zone and areas immediately outside of critical root zone.
- 6) All trees shall be pruned in accordance with the provided specifications.
- 7) A barrier fence shall be erected, to enclose the critical root zone.
- 8) Any damage to trees due to demolition activities shall be reported to the arborist within 6 hours, so remedial action can be taken. Timeliness is critical.

## **Pruning Specifications**

- 1) All pruning is to be done under the direct supervision of the consultant.
- 2) All trees within protection zone shall be pruned to;
  - a) clear crown of dead, diseased, crossing, and weak wood to a minimum diameter of 1.5 inches.
  - b) remove stubs, cutting outside the wound wood tissue that has formed around the branch.
- 3) Where temporary clearance is needed for access, branches shall be tied back to hold them out of the clearance zone.
- 4) No more than 20% live foliage shall be removed within the trees.

- 6) Maintain fire safe areas around fenced areas. Also, no heat sources, flames, ignition sources or smoking is allowed near mulch or trees.

Specific Prescribed Root Pruning

\*See Tree Inventory and Data

**Function of Arborist during Construction Phase**

- 1) Maintaining the Tree Protection Zone.
- 2) Assist with changes in the field.
- 3) Monitor tree health and conditions.
- 4) Communicate with project manager and contractors.
- 5) Help identify appropriate work procedures around trees.
- 6) Facilitate completion of the project.
- 7) Prepare and deliver tree maintenance recommendations (post construction) for trees associated with each lot address.

Once the project is approved and begun, it shall be the responsibility of the consultant to help in the completion of the 2104 Sand Hill Rd. project in a timely manner. This, however, is not done at the expense of adequate tree protection and preservation, but in a spirit of cooperation with all agencies involved.



Chris L. Sheppard  
Davey Tree Experts  
Certified Arborist wc3592

1-16-1

date

Chargin Tree Preservation Report

TREE SPECIES	DBH	HEIGHT	STRUCTURE	CONDITION	DEFECTS	SUITABILITY	RECOMMENDATION
101 QU.lo	13"	40'	GOOD	GROWING		X	PTC/RP/FRT
102 SE.se	16"	75'	GOOD	GROWING		X	PTC/RP/FRT
103 SE.se	24"	75'	GOOD	GROWING		X	PTC/RP/FRT
104 SE.se	22"	75'	GOOD	GROWING		X	PTC/RP/FRT
105 SE.se	15"	70'	GOOD	GROWING		X	PTC/RP/FRT
106 QU.ag	17"	40'	FAIR	DECLINE	DB		DW/RMIV/FR/FRT
107 QU.ag	24"	55'	GOOD	GROWING			PTC/RP/FRT
108 QU.ag	11"	30'	GOOD	GROWING			FRT
109 CR.sp	6"	15'	FAIR	STABLE			DW/RMIV/FRT
110 QU.lo	36"	55'	POOR	DECLINE	DB	XXX	DW/FR/FRT
111 SE.se	12"	55'	GOOD	GROWING			DW/RMIV/FRT
112 CR.sp	6"	18'	GOOD	GROWING			DW/TH/FRT
113 PR.sp	9"	22'	GOOD	GROWING			PTC/RP/FRT
114 SE.se	8"m	25'	GOOD	GROWING		XX	PTC/RP/FRT
115 SE.se	8"	40'	GOOD	GROWING		XX	PTC/RP/FRT
116 PS.me	8"	40'	GOOD	GROWING		XX	PTC/RP/FRT
117 SE.se	14"	45'	GOOD	GROWING		XX	PTC/RP/FRT
118 SE.se	8"m	40'	GOOD	GROWING		XX	PTC/RP/FRT
119 SE.se	10"m	40'	GOOD	GROWING		XX	PTC/RP/FRT
120 SE.se	6"m	25'	GOOD	GROWING		XX	PTC/RP/FRT
121 SE.se	11"m	40'	GOOD	GROWING		XX	PTC/RP/FRT
122 SE.se	9"m	35'	GOOD	GROWING		XX	PTC/RP/FRT
123 SE.se	18"m	40'	GOOD	GROWING		XX	PTC/RP/FRT
124 SE.se	8"m	35'	GOOD	GROWING		X	PTC/RP/FRT
125 AR.sp.	7"m	24'	GOOD	GROWING		XXX	PTC/RP/FRT
126 CE.de	16"	55'	GOOD	GROWING		XX	DW/TH/FRT

PTC- prune to clear ; RP- root prune ; FRT- fertilize ;  
 DW- deadwood ; RMIV- remove ivy ;  
 TH- thinning ; FR- future removal ; DB- Dieback

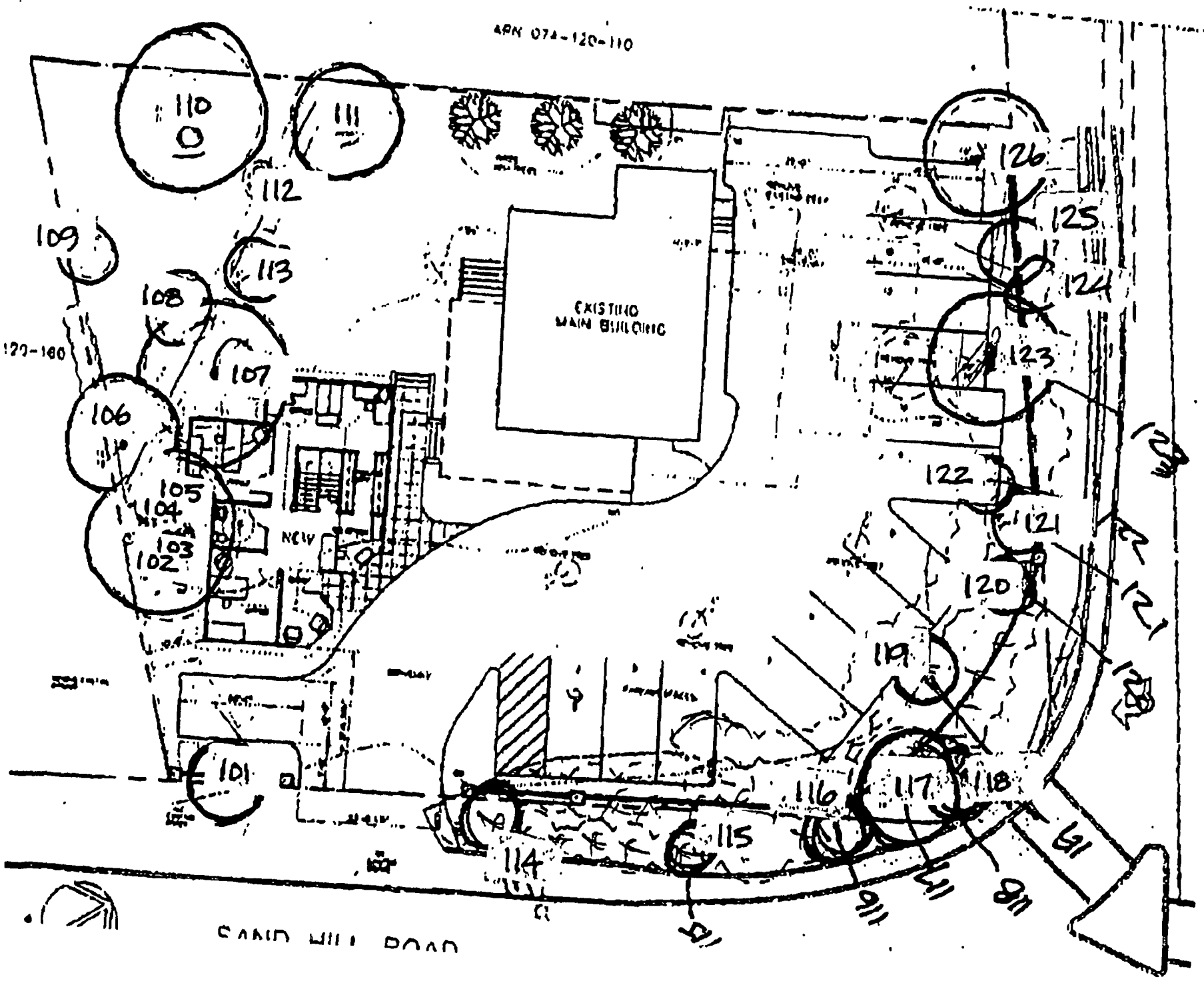


Harvest Square

AREA MAP

APN 074-120-110

APN 074-120-180



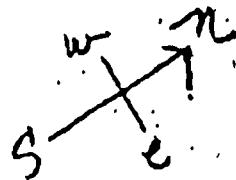
01/18/01 THU 10:20 FAX 4086151747  
1-17-201 12:14PM FR DAVEY TREE SF 550 652 9184

Aug. 17 2000 01:51PM P1

FAX NO. : 650 7287723

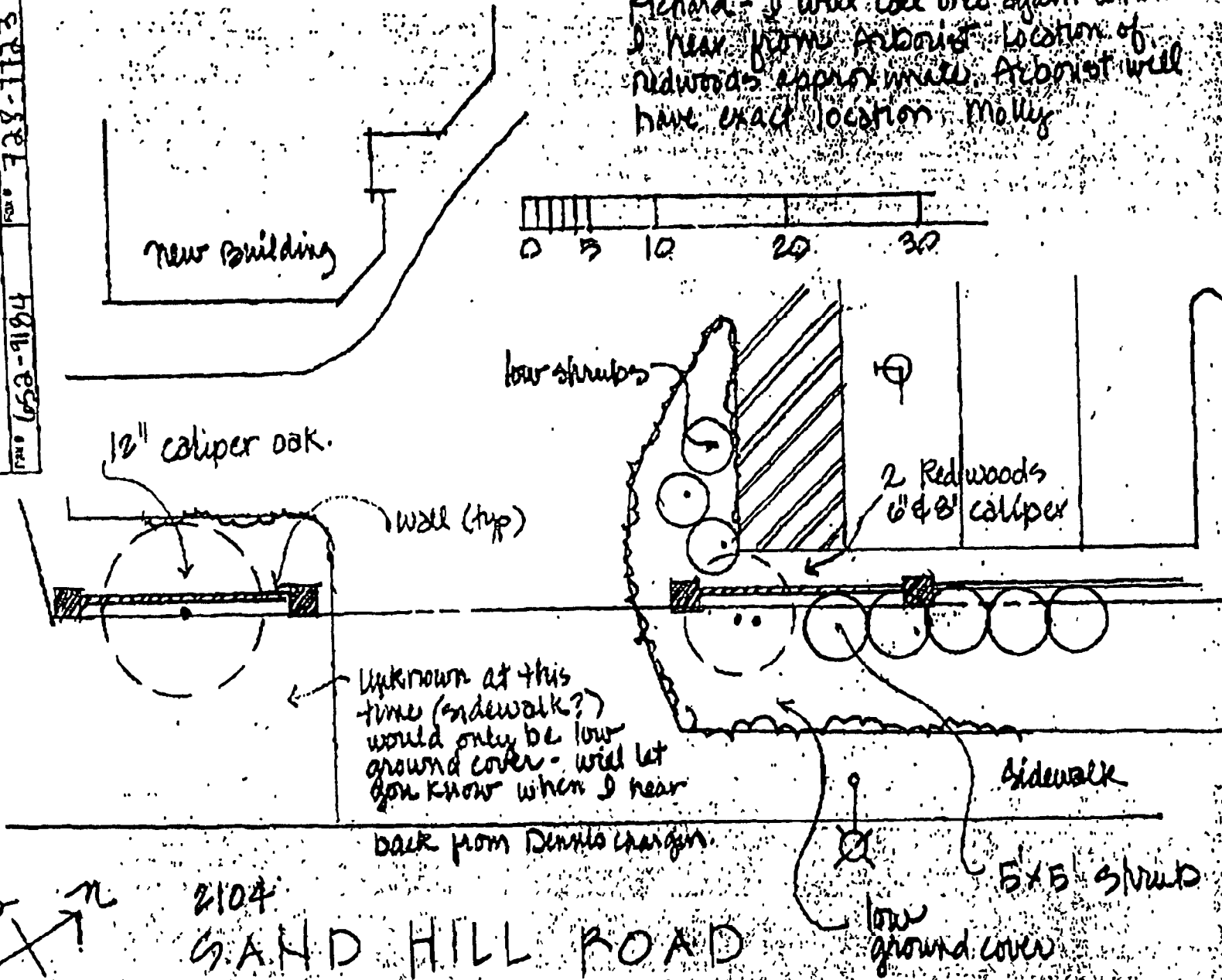
FROM : MOLLY DUFF

Date	Aug 17 2000
From	Molly Duff
To	hms
Phone	728-1123
Fax	728-1123
Post-it Fax Note	7671
Fax	650-9184



2104

SAND HILL ROAD



Richard - I will call once again when I hear from Arboist. Location of Redwoods approx. Arboist will have exact location. Molly