CITY OF MENLO PARK

REGULAR MEETING AGENDA

Date: 1/24/2017
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

B. Roll Call

C. Pledge of Allegiance

D. Presentations and Proclamations

D1. Certificate of recognition to Menlo Park child chess champion Shawnak Shivakumar

D2. Proclamation recognizing 100 Anniversary of the Rotary International Foundation

E. Commissioner Report

E1. Transportation Commission update to Council on 2-year work plan

E2. Bicycle Commission update to Council on 2-year work plan

F. Public Comment

Under "Public Comment," the public may address the City Council on any subject not listed on the agenda. Each speaker may address the City Council once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The City Council cannot act on items not listed on the agenda and, therefore, the City Council cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

G. Consent Calendar

G1. Approve the Transportation Commission 2-year work plan goals for years 2016-2018 (Staff Report #17-011-CC)

G2. Approve the Bicycle Commission 2-year work plan goals for years 2016-2018 (Staff Report #17-010-CC)

G3. Authorize the Public Works Director to accept the work performed by W. Bradley Electric, Inc. for the Sand Hill Road Traffic Signal Interconnect Project (Staff Report #17-012-CC)

G4. Adopt a resolution to relocate the stop signs on Hamilton Avenue at the Hollyburne Avenue and Madera Avenue intersections to the Windermere Avenue and Sevier Avenue intersections and to reduce the speed limit on Hamilton Avenue between Willow Road and Chilco Street from 30 mph to 25 mph (Staff Report # 17-017-CC)

G5. Adopt a resolution to approve installation of a No Parking zone on Chilco Street between Dumbarton Railroad tracks and Hamilton Avenue (Staff Report# 17-014-CC)

G6. Adopt a resolution authorizing the filing of an application to receive $619,000 for 2018-19 Santa Cruz and Middle Avenues Rehabilitation Project (Staff Report #17-016-CC)

G7. Adopt a resolution accepting the right-of-way dedication of a portion of land along the property frontage of 161 Constitution Drive for the Menlo Gateway Project (Staff Report #17-018-CC)

G8. Accept the 2016 commissions attendance report and approve an update to the commission attendance policy (Staff Report #17-009-CC)

G9. Request City Council approve funding for Resiliency Immersion Training for Police Department Personnel and appropriate $59,000 from the general fund balance (Staff Report #17-019-CC)

H. Public Hearing

H1. Consider the Planning Commission's recommendation to approve zoning ordinance amendments relating to child day care homes and centers (Staff Report #17-013-CC)

H2. Consider the Planning Commission's recommendation to approve zoning ordinance amendments relating to secondary dwelling units (Staff Report #17-015-CC)

H3. Consider the Planning Commission's recommendation to approve the Final EIR, architectural control, Development Agreement, tentative map, use permit, heritage tree removal permits, and Below Market Rate (BMR) housing agreement for the 1300 El Camino Real (Station 1300) Project (Staff Report #17-021-CC)

I. Regular Business

I1. Review and consider adopting a resolution affirming Menlo Park's commitment to a diverse, supportive, inclusive and protective community; review and consider introducing an ordinance adding Chapter 2.58, National Registry Participation Prohibited, to the Menlo Park Municipal Code; and review and consider alternatives (Staff Report # 17-24-CC)

I2. Appoint City Council representatives and alternates to various regional agencies, to City Council subcommittees, and as liaisons to City Council advisory bodies; Provide direction regarding open seats to be voted on at the January 27, 2017 City Selection meeting (Staff Report #17-004-CC)(Attachment)

J. Informational Items

J1. Update on 2016 City Council goals and City Council 2017 work plan preparation (Staff Report # 17-23-CC)

J2. General Plan Implementation Update (Staff Report #17-020-CC)

J3. Informational update on potential for the City of Menlo Park to join commute.org (Staff Report # 17-022-CC)

K. Councilmember Reports

L. City Manager's Report

M. Adjournment

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At every Regular Meeting of the City Council, in addition to the Public Comment period where the public shall have the right to address the City Council on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during the City Council’s consideration of the item.

At every Special Meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the Chair, either before or during consideration of the item.

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available for inspection at the City Clerk’s Office, 701 Laurel St., Menlo Park, CA 94025 during regular business hours.

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STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-011-CC**

Consent Calendar: **Approve the Transportation Commission 2-Year work plan goals for years 2016-18**

Recommendation

Approve the Transportation Commission (TC) 2-Year work plan goals for years 2016-18.

Policy Issues

The proposed action is consistent with City Council Policy CC-01-0004, Commissions/Committees policies, procedures, roles and responsibilities.

Background

On June 8, 2016, the TC began the process of updating its 2-year work plan. Over a series of meetings, the TC edited and refined the work plan to focus on key goals to support and advance the City Council's city-wide goals for transportation.

Analysis

On October 12, 2016 the TC adopted its 2-Year work plan for 2016-18 (Attachment A), and recommended that it be forwarded to the City Council for approval. In addition, the TC created standing subcommittees that align with each of the following three work plan focus areas:

- Facilitate a robust safe routes to school program
- Create transportation infrastructure, policies, and activities in support of a vibrant downtown and City
- Encourage Menlo Park to adopt Vision Zero

Impact on City Resources

City staff currently serves as liaison to the TC, attending monthly meetings, preparing agendas and minutes, interacting with TC members and stakeholders, and providing information as requested by other City staff, other commissions and the City Council regarding the TC's activities. No additional resources are being requested at this time. Should the TC develop projects as part of their work plan that will require more staff time and/or funds, staff will bring those projects to the Council for prioritization.

Environmental Review

Environmental review is not required for approval of the TC's new 2-Year Work Plan.

Public Notice

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

Attachments

A. Proposed Transportation Commission Work Plan for 2016-18

Report prepared by:
Rene C. Baile, Associate Transportation Engineer

Report reviewed by:
Nicole H. Nagaya, Assistant Public Works Director

Transportation Commission

Mission Statement

In conjunction with other City appointed Commissions and staff, advise City Council on transportation-related matters that affect first and foremost the City of Menlo Park and the extended region as a whole, and provide oversight to the City's Transportation Programs on behalf of the community.

The Commission's duties include, but are not limited to, the following:

1. Advising the City Council on matters related to the adequacy and improvement of all types of transportation within and across the City, including the best approaches to establish and maintain systems and facilities for the transport of people and goods; the coordination of all modes of transportation facilities within the city; the development and encouragement of the most efficient and least detrimental overall transportation system for the City supporting the goals of the General Plan.

2. Reviewing and providing input to the City staff, City Council and Planning Commission on major land use and development projects as it relates to transportation.

3. Advising Council on matters relating to regional transportation agencies and systems.

4. Serving as an appeals board for residents' appeals from staff determinations related to transportation issues, including but not limited to establishment of traffic signs, pavement markings, speed zones, parking regulations, traffic signals, bike lanes, and bus stops.

Transportation Commission
Work Plan for 2016-2018

Commission Members Listing

Commissioner	Philip Mazzara (Chair)
Commissioner	Michael Meyer (Vice Chair)
Commissioner	Penelope Huang
Commissioner	Adina Levin
Commissioner	Maurice Shiu
Commissioner	Bianca Walser
Commissioner	Vacant

Transportation Commission Priority List

The **Transportation Commission** has identified the following priorities to focus on during 2016-2018:

1.	<u>Facilitate a robust Safe Routes to School program within Menlo Park</u> • Identify program champions across the multiple agencies that support the City's SR2S program (City of Menlo Park, Menlo Park City School District, Los Lomitas Elementary School District, Ravenswood City School District, Sequoia Union High School District, and San Mateo County) and find other program champions where needed. • Let people know about the successes of the Menlo Park's SR2S program by assisting the City with online content, media outreach, and resident engagement and work with individual schools / districts to understand their needs and highlight their programs. • Encourage policy changes focused on "best practices" that the SR2S subcommittee identifies through outreach to other local programs, support of a safety curriculum in the various school districts in order to provide district children with pedestrian and bicycle education, and integrate walking and biking into the City's comprehensive transportation planning. • Beyond the two-year work plan goal of focusing on the City's SR2S program, a permanent subcommittee should be created within the Transportation Commission (and possibly a joint subcommittee with the Bicycle Commission) to ensure the City's SR2S program will continue to receive attention and energy.
2.	<u>Create transportation infrastructure, policies, and activities in support of a vibrant downtown and City.</u> • Create an environment in which smaller manageable projects that enhance the viability and vibrancy of the Downtown/El Camino area are created. These "mini projects" would be developed with public input (via workshops) and where possible, spearheaded by a citizen driven group to fit within a bigger framework of making Downtown Menlo Park a destination for the residents of Menlo Park and the neighboring cities. Stakeholders such as the Chamber of Commerce, business owners, local schools, restaurants and retail operators, public safety officers will work together for the benefit of the community as a whole. Examples of projects: Mini street fairs/events, safe biking and bike storage, alternative uses of parking plazas, expanded sidewalks for more outside eating, increased connectivity across El Camino and to the Burgess recreation areas, signage indicating pedestrian and bicycle options.

3.	Encourage Menlo Park to adopt Vision Zero • Vision Zero would require the City of Menlo Park to adopt a goal to end all traffic fatalities and serious injuries within a certain time frame. This policy acknowledges that humans make errors, and our roads should be designed to minimize the impact of human error. Safety should be the primary consideration in transportation decision-making. The Commission's two year work plan would increase awareness of Vision Zero through public workshops, study the current status of traffic safety in Menlo Park and present the findings of the Commission to City Council for adoption. The ultimate goal would be the adoption of a Vision Zero policy by City Council. The Commission may also make interim recommendations to improve safety for all road users.

Step 1

Review purpose of Commission as defined by Menlo Park Council Policy CC-01-0004	This Commission is charged with advising the City Council on matters related to the adequacy and improvement of all types of public and private transportation within and across the City, including the best approaches to establishing and maintaining systems and facilities for the transport of people and goods around the City; the coordination of motor vehicle, bicycle, mass transit, and pedestrian traffic facilities; the development and encouragement of the most efficient and least detrimental overall transportation system for the City supporting the goals of the General Plan; coordination with regional transportation systems; and, serving as an appeals board for appeals from staff determinations concerning establishment of traffic signs, pavement markings, speed zones, parking regulations, traffic signals, bike lanes, bus stops, etc.

Step 2

Develop or review a Mission Statement that reflects that purpose *Who we are, what we do, who we do it for, and why we do it*	In conjunction with other City appointed Commissions and staff, advise City Council on transportation-related matters that affect first and foremost the City of Menlo Park and the extended region as a whole, and provide oversight to the City's Transportation Programs on behalf of the community. The Commission's duties include, but are not limited to, the following: 1. Advising the City Council on matters related to the adequacy and improvement of all types of transportation within and across the City, including the best approaches to establish and maintain systems and facilities for the transport of people and goods; the coordination of all modes of transportation facilities within the city; the development and encouragement of the most efficient and least detrimental overall transportation system for the City supporting the goals of the General Plan. 2. Reviewing and providing input to the City staff, City Council and Planning Commission on major land use and development projects as it relates to transportation. 3. Advising Council on matters relating to regional transportation agencies and systems. 4. Serving as an appeals board for residents' appeals from staff determinations related to transportation issues, including but not limited to establishment of traffic signs, pavement markings, speed zones, parking regulations, traffic signals, bike lanes, and bus stops.

Step 3

Discuss any priorities already established by Council	**Council Goal: Improving Menlo Park's multi-modal transportation system to move people and goods through Menlo Park more efficiently.** **Project Priority 1**: Facilitate a robust Safe Routes to School program within Menlo Park. **Council Goals: Improving Menlo Park's multi-modal transportation system to move people and goods through Menlo Park more efficiently.** **Attract thoughtful and innovative private investment to Menlo Park.** **Project Priority 2**: Create transportation infrastructure, policies, and activities in support of a vibrant downtown and city. **Council Goals: Improving Menlo Park's multi-modal transportation system to move people and goods through Menlo Park more efficiently.** **Maintain and enhance Menlo Park's municipal infrastructure and facilities.** **Project Priority 3**: Encourage Menlo Park to adopt Vision Zero

Step 4 ☐ ☒

Brainstorm goals, projects or priorities of the Commission	Benefit, if completed	Mandated by State/local law or by Council direction?	Required policy change at Council level?	Resources needed for completion? Staff or creation of subcommittees?	Estimated Completion Time	Measurement criteria How will we know how we are doing?
Facilitate a robust Safe Routes to School program within Menlo Park	• Access to all schools that serve Menlo Park residents will be enhanced. • City's Safe Routes to School Program will continue to receive attention and energy.	Yes ☐ No ☒	Yes ☐ No ☒	• Subcommittee • Staff	Ongoing	• Number of students that walk or bike to school • Number of accidents involving students that walk or bike to school • Depth of engagement with local school districts and local organizations
Create transportation infrastructure, policies, and activities in support of a vibrant downtown and City	• Viability and vibrancy of the Downtown/El Camino Real area are enhanced	Yes ☐ No ☒	Yes ☐ No ☒	• Subcommittee • Staff	Ongoing	• Pedestrian counts and bike parking utilization Downtown • Number of projects piloted and projects adopted • Adoption of the bike boulevard

Step 5

List identified Goals, Priorities and/or Tasks for the Commission				Prioritize Tasks by their significance			
Encourage Menlo Park to adopt Vision Zero	• Zero traffic fatalities and serious injuries within a certain time frame	Yes No	Yes No		• Subcommittee • Staff	On-going	• Get best practices from other jurisdictions that had adopted Vision Zero • Develop measurement criteria • Encourage Menlo Park to implement Vision Zero

List identified Goals, Priorities and/or Tasks for the Commission	1 Urgent	2 1-year	3 2-year	4 Long Term
Facilitate a robust Safe Routes to School program within Menlo Park			**X**	
Create transportation infrastructure, policies, and activities in support of a vibrant downtown and City			X	
Encourage Menlo Park to adopt Vision Zero			X	

Step 6 Prepare final work plan for submission to the City Council for review, possible direction and approval and attach the Worksheets used to determine priorities, resources and time lines.

Step 7 Once approved, use this plan as a tool to help guide you in your work as an advisory body.

Step 8 Report out on status of items completed. Provide any information needed regarding additional resources needed or And to indicate items that will need additional time in order to complete.

STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-010-CC**

Consent Calendar: **Approve the Bicycle Commission 2-Year work plan goals for years 2016-2018**

Recommendation

Approve the Bicycle Commission (BC) 2-Year work plan goals for years 2016-18.

Policy Issues

The proposed action is consistent with City Council Policy CC-01-0004, Commissions/Committees policies, procedures, roles and responsibilities.

Background

On June 6, 2016, the BC began the process of updating its 2-year work plan. Over a series of meetings, the BC edited and refined the work plan to focus on key goals to support and advance the City Council's city-wide goals for bicycles.

Analysis

On November 14, 2016, the BC adopted its 2-year work plan for 2016-18 (Attachment A), and recommended that it be forwarded to the City Council for approval. As part of the updated work plan, the BC recommended shortening and simplifying their mission statement. Their previous mission statement is listed below:

The Bicycle Commission's goal is to make Menlo Park a bicycle friendly community where cyclists, pedestrians and motorists thrive. The Commission will advise the Council on matters related to cycling in our city, including but not limited to:

1. Promoting bicycling as a safe form of recreation and transportation
2. Providing a cycling perspective to the city decision-making processes to ensure proper sensitivity to bicycle and pedestrian issues in the design and implementation of relevant public works projects
3. Educating all citizens on the benefits of safe cycling, the city's cycling-related resources, and pedestrian / motorist / cyclist etiquette and regulations
4. Suggesting safe and convenient bicycle routes throughout the city, including appropriate connections to neighboring cities
5. Facilitating the continued development and maintenance of cycling facilities and resources throughout the city.

The new mission statement would state "The Menlo Park Bicycle Commission seeks to make cycling safe and convenient throughout Menlo Park."

In addition, the BC created standing subcommittees that align with each of the following three work plan focus areas:

- Engineering designs for bicycle facilities
- Education efforts on safe cycling at schools and in the community
- Encouragement of bicycling in Menlo Park

Impact on City Resources

City staff currently serves as liaison to the BC, attending monthly meetings, preparing agendas and minutes, interacting with BC members and stakeholders, and providing information as requested by other City staff, other commissions and the City Council regarding the BC's activities. No additional resources are being requested at this time. Should the BC develop projects as part of their work plan that will require more staff time and/or funds, staff will bring those projects to the Council for prioritization.

Environmental Review

Environmental review is not required for approval of the BC's new 2-year work plan.

Public Notice

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

Attachments

A. Proposed Bicycle Commission Work Plan for 2016-18

Report prepared by:
Kristiann Choy, Senior Transportation Engineer

Report reviewed by:
Nicole H. Nagaya, Assistant Public Works Director

Bicycle Commission

Mission Statement

The Menlo Park Bicycle Commission seeks to make cycling safe and convenient throughout Menlo Park.

Bicycle Commission
Work Plan for 2016-18

Commission Members Listing

Commissioner	Cindy Welton (Chair)
Commissioner	Bill Kirsch (Vice Chair)
Commissioner	Katie Behroozi
Commissioner	Lydia Lee
Commissioner	Betsy Nash
Commissioner	Jonathan Weiner
Commissioner	Vacant

Bicycle Commission
Priority List

The **Bicycle Commission** has identified the following priorities to focus on during 2016-18:

1.	<u>Support and provide recommendations on engineering designs for bicycle facilities</u> • Short Term: Continue advocacy work to support implementation of Oak Grove-Crane-University Bike Improvement Pilot Project, development of Laurel Safe Routes to School Plan, and other bike lane implementation projects around the City (e.g. Haven Avenue, Chilco Street, Constitution Drive) • Short & Long Term: Guide the development of citywide network and recommendation for prioritization of route development.
2.	<u>Support education efforts on safe cycling at schools and in the community</u> • Short Term: Develop communication plan to educate and inform community to encourage safe cycling and mobility in Menlo Park. • Short & Long Term: Begin to develop systematic Safe Routes to School programming across Menlo Park in collaboration with school districts, city staff, and Menlo Park Transportation Commission.
3.	<u>Support encouragement efforts on bicycling within Menlo Park and support for transportation options for all people.</u> • Short Term: Consider whether bike share is a good option for encouraging mainstream cycling in and around Menlo Park, and supporting healthier transportation options for all sectors. • Short & Long Term: Support efforts which encourage participation of people who want safe, comfortable bicycling routes in programs and activities that focus on accessing businesses and activities in Menlo Park such as the Bike Menlo Park Frequent Rider Card.

Bicycle Commission Plan Guidelines
Work Plan Worksheet

Step 1

Review purpose of Commission as defined by Menlo Park Council Policy CC-01-0004	The Commission is charged primarily with advising the City Council on ways to improve the bicycling environment, implementation of the bikeways plan and other related matters.

Step 2

Develop or review a Mission Statement that reflects that purpose *Who we are, what we do, who we do it for, and why we do it*	The Menlo Park Bicycle Commission seeks to make cycling safe and convenient throughout Menlo Park.

Step 3

Discuss any priorities already established by Council	Council Goal: Maintaining and enhancing Menlo Park's municipal infrastructure and facilities Council Priorities: Project 20: Install bicycle and pedestrian improvements on Chilco Street Project 23: Improve Haven Avenue streetscape Council Goal: Improving Menlo Park's multi-modal transportation system to move people and goods through Menlo Park more efficiently. Council Priorities: Project 61: Work with Caltrans and regional funding partners to design and begin construction on 101/Willow interchange Project 62: Construct Citywide Bicycle and Pedestrian Visibility Project Project 63: Construct Menlo Park-Atherton Bike/Pedestrian Improvements Project Project 64: Construct Menlo Park-East Palo Alto Connectivity Project Project 69: Begin design and implement El Camino Real Corridor Study

Step 4

Brainstorm goals, projects or priorities of the Commission	Benefit, if completed	Mandated by State/local law or by Council direction?	Required policy change at Council level?	Resources needed for completion? Staff or creation of subcommittees?	Estimated Completion Time	Measurement criteria How will we know how we are doing?
Support and provide recommendations on engineering designs for bicycle facilities	• New bicycle connections within Menlo Park	Yes ☐ No ☒	Yes ☐ No ☒	• Subcommittee • Staff	Ongoing	• Number of new bicycle facilities added or improved • Updated bicycle network through Transportation Master Plan
Support education efforts on safe cycling at schools and in the community .	• Improved safety of bicycling within Menlo Park	Yes ☐ No ☒	Yes ☐ No ☒	• Subcommittee • Staff	Ongoing	• Number of bicycle education programs at schools in Menlo Park • Participation in bicycle education programs at schools. • Reduction in bicycling collisions in Menlo Park
Support encouragement efforts on bicycling within Menlo Park and support for transportation options for all people.	• Increased bicycling within Menlo Park	Yes ☐ No ☒	Yes ☐ No ☒	• Subcommittee • Staff	Ongoing	• Increase in number of bicycle riders on key segments in the Menlo Park • Increase in bike mode share in Menlo Park • Participation in bicycling promotion programs such as the Frequent Rider Card program

Step 5

List identified Goals, Priorities and/or Tasks for the Commission	Prioritize Tasks by their significance			
	1 Urgent	2 1-year	3 2-year	4 Long Term
Continue advocacy work to support implementation of Oak Grove-Crane-University Bike Improvement Pilot Project, development of Laurel Safe Routes to School Plan, and other bike lane implementation projects around the City (Haven Avenue, Chilco Street, Constitution Drive)	X			
Guide the development of citywide network and recommendation for prioritization of route development.			X	
Develop communication plan to educate and inform community to encourage safe cycling and mobility in Menlo Park.		X		
Begin to develop systematic Safe Routes to School programming for Menlo Park in collaboration with school districts, city staff and the Menlo Park Transportation Commission.		X		
Consider whether bike share is a good option for encouraging mainstream cycling in and around Menlo Park and supporting healthier transportation options for all sectors.		X		
Support efforts which encourage participation of people who want safe, comfortable bicycling routes in programs and activities that focus on accessing businesses and activities in Menlo Park such as the Bike Menlo Park Frequent Rider Card.			X	

Step 6 Prepare final work plan for submission to the City Council for review, possible direction and approval and attach the Worksheets used to determine priorities, resources and time lines.

Step 7 Once approved, use this plan as a tool to help guide you in your work as an advisory body.

Step 8 Report out on status of items completed. Provide any information needed regarding additional resources needed or And to indicate items that will need additional time in order to complete.

STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-012-CC**

Consent Calendar: **Authorize the Public Works Director to accept the work performed by W. Bradley Electric, Inc. for the Sand Hill Road Traffic Signal Interconnect Project**

Recommendation

Staff recommends that the City Council authorize the Public Works Director to accept the work performed by W. Bradley Electric, Inc. for the Sand Hill Road Traffic Signal Interconnect Project**.**

Policy Issues

Acceptance by the City Council of the completion of the work begins the one-year construction warranty period.

Background

On December 15, 2015, the City Council awarded a contract to W. Bradley Electric, Inc. in the amount of $568,713 with an authorized construction contract budget of $654,357. The project consisted of installation of traffic signal interconnect system elements, including conduit, pull boxes, fiber optic cable, fiber optic splice closures, video detection systems, closed circuit television cameras and equipment, emergency vehicle priority systems, and other incidentals.

Analysis

The work for the Sand Hill Road Traffic Signal Interconnect Project has been completed in accordance with the plans and specifications. A notice of completion will be filed with the San Mateo County accordingly. The contract was completed within the approved construction budget.

Contractor: W. Bradley Electric, Inc.
90 Hill Rd.
Novato, CA 94945

Impact on City Resources

Acceptance of the work has no impact on the City's resources.

Construction Contract Budget	
Construction contract amount	$568,713
Contingency	$85,644
Total Construction Contract Budget	**$654,357**

Construction Expenditures	
Construction Contract	$568,497
Change Order	$78,308
Total Construction Expenditure	**$646,805**

Environmental Review

The project is categorically exempt under Class 1 of the current State of California Environmental Quality Act Guidelines, which allows minor alterations and replacement of existing facilities.

Public Notice

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

Attachments

None

Report prepared by:
Rene Punsalan, Associate Civil Engineer

Report reviewed by:
Michael Zimmermann, Senior Civil Engineer

STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-017-CC**

Consent Calendar: **Adopt a resolution to relocate the stop signs on Hamilton Avenue at the Hollyburne Avenue and Madera Avenue intersections to the Windermere Avenue and Sevier Avenue intersections and to reduce the speed limit on Hamilton Avenue between Willow Road and Chilco Street from 30 mph to 25 mph**

Recommendation

Staff recommends the City Council adopt a resolution to relocate the stop signs on Hamilton Avenue at the Hollyburne Avenue and Madera Avenue intersections to the Windermere Avenue and Sevier Avenue intersections and to reduce the speed limit on Hamilton Avenue between Willow Road and Chilco Street from 30 mph to 25 mph.

Policy Issues

This project is consistent with policies stated in the 2016 City General Plan Circulation Element. These policies seek to maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe, and active community and quality of life throughout Menlo Park.

Background

Hamilton Avenue is classified as a neighborhood collector street in the Circulation Element and has a speed limit of 30 mph. The subject intersections on Hamilton Avenue at Hollyburne Avenue, Madera Avenue, Windermere Avenue, and Sevier Avenue are located in the Belle Haven neighborhood, adjacent to the Greenheart Hamilton Avenue Project on 777 Hamilton Avenue.

The Hamilton Avenue intersections at Hollyburne Avenue, Madera Avenue and Sevier Avenue are T-intersections and the Hamilton Avenue and Windermere Avenue intersection is a four-way intersection. The Hollyburne Avenue and Madera Avenue intersections have all way stops, while the Windermere Avenue and Sevier Avenue have stops on the side-streets approaches. Hamilton Avenue is the major street.

Adjacent to the subject intersections is the Greenheart Hamilton Avenue Project at 777 Hamilton Avenue. The project includes 195 residential apartments and is scheduled for full completion around March 2017. The first phase of the project includes 104 units and was completed in Fall 2016. When fully completed, the 777 Hamilton Avenue development will have two access points with driveways into the property from Hamilton Avenue at the Sevier Avenue and Windermere Avenue intersections. The Windermere Avenue driveway is now open for use.

Analysis

In response to a request from a community member, staff analyzed the site access for 777 Hamilton Avenue and the surrounding intersections to determine improvements needed to provide a safe and efficient connection between the site and the Menlo Park roadway system. Upon its completion, the site will have two access driveways from Hamilton Avenue at the Sevier Avenue and Windermere Avenue intersections which are side-street stop controlled, but the adjacent intersections on Hamilton Avenue at Hollyburne Avenue and Madera Avenue will remain unchanged as all-way stop controlled. The new driveways will likely result in increased conflicts and the need for major road traffic to stop in order to achieve safe operations at those intersections due to the anticipated increase in pedestrian and vehicles. Staff recommends relocating the main approach stop signs on Hamilton Avenue at the Hollyburne Avenue and Madera Avenue intersections to Windermere Avenue and Sevier Avenue intersection as shown in Attachment C.

Relocating the stop signs will result in the conversion from an all-way stop to a side-street stop at the Hollyburne Avenue and Madera Avenue intersections. If staff's recommended proposal is implemented, per MUTCD guidelines, a "Cross Traffic Does Not Stop" sign would also be installed below both minor street stop signs to warn motorists of the new traffic patterns.

At the City Council meeting on November 15, 2016, a resident also requested that stop signs be added at Sevier Avenue and Windermere Avenue without removing the existing signs at Hollyburne Avenue and Madera Avenue. Hamilton Avenue experiences noticeable cut-through traffic, especially during the evening commute hours. The additional stop signs were requested to reduce such cut-through traffic. Staff has reviewed this request and recommends considering this change as part of the Neighborhood Traffic Plan to be prepared as a required mitigation measure from the Facebook Campus Expansion project. This Plan is anticipated to begin by March 2017, as required by the conditional development permit for the Facebook Campus Expansion project.

At the December 14, 2016 Transportation Commission meeting, the Commission passed a motion 5-0-0 to support the staff recommendation with the addition to change the speed limit on Hamilton Avenue between Willow Road and Chilco Street to 25 mph. The Commission also requested staff to expand the outreach area. Public comments included concerns regarding speeding and neighborhood cut-through traffic.

Speed limits are set based on 85th percentile speeds and are rounded up to the nearest five mile per hour, but can be rounded down to the nearest five mile per hour based on engineering judgment. An engineering and traffic survey was conducted on January 23, 2013 and captured an 85th percentile speed of 29 mph on the Hamilton Avenue segment. Given this information, staff supports reducing the speed limit from 30 mph to 25 mph.

Public outreach for the meeting was achieved by sending bilingual (English and Spanish) notification postcards to residents/property owners surrounding the project area. The notification area was expanded per the Transportation Commission's request and a total of 404 postcards were sent, compared to the previous 240.

Impact on City Resources

Sufficient funds for this project are available in the operating budget under the City's signing and striping

program.

Environmental Review

The relocation of stop signs is categorically exempt under Class 1 of the California Environmental Quality Act. Class 1 allows for minor alterations of existing facilities, including highways and streets, sidewalks, gutters, bicycle and pedestrian access, and similar facilities, as long as there is negligible or no expansion of use.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Postcards regarding this City Council meeting were also mailed to the residents/property surrounding the project area.

Attachments

A. Resolution
B. Existing Area Conditions and Intersection Control
C. Future Area Conditions and Proposed Intersection Control

Report prepared by:
Octavio Duran Jr., Assistant Engineer

Report reviewed by:
Nicole H. Nagaya, Assistant Public Works Director

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RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AUTHORIZING THE RELOCATION OF THE STOP SIGNS ON HAMILTON AVENUE AT HOLLYBURNE AVENUE AND MADERA AVENUE INTERSECTIONS TO THE WINDERMERE AVENUE AND SEVIER AVENUE INTERSECTIONS AND TO REDUCE THE SPEED LIMIT ON HAMILTON AVENUE BETWEEN WILLOW ROAD AND CHILCO STREET FROM 30 MPH TO 25 MPH

WHEREAS, staff received a request from a resident to consider the relocation of stop signs on Hamilton Avenue to improve the connection between the Menlo Park roadway system and the driveways added by the new 777 Hamilton Avenue apartments; and,

WHEREAS, at the December 14, 2016 Transportation Commission meeting, the Commission passed a motion, 5-0-0, to support staff's recommendation to relocate the stop signs on Hamilton Avenue at the Hollyburne Avenue and Madera Avenue intersections to the Windermere Avenue and Sevier Avenue intersections and additionally to change the speed limit on Hamilton Avenue between Willow Road and Chilco Street to 25 mph; and,

WHEREAS, the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore.

NOW, THEREFORE, BE IT RESOLVED, the City Council of Menlo Park does hereby authorize the relocation of the stop signs on Hamilton Avenue at the Hollyburne Avenue and Madera Avenue intersections to the Windermere Avenue and Sevier Avenue intersections and the reduction of the posted speed limit on Hamilton Avenue between Willow Road and Chilco Street from 30 mph to 25 mph.

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-fourth day of January, 2017, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-fourth day of January, 2017.

_____
Pamela Aguilar
City Clerk

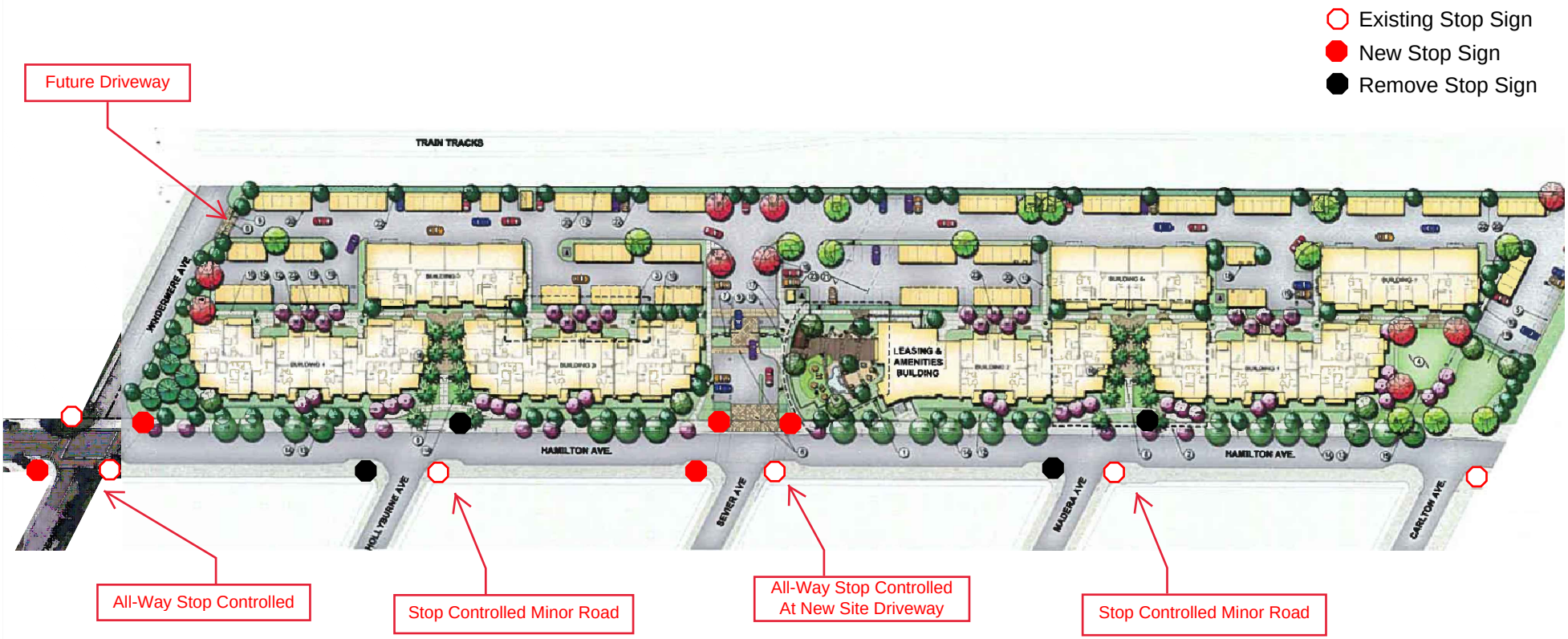
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Attachment B: Existing Area Conditions and Intersection Control



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Future Area Conditions and Proposed Intersection Control



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STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-014-CC**

Consent Calendar: **Adopt a resolution to approve installation of a No Parking zone on Chilco Street between Dumbarton Railroad tracks and Hamilton Avenue**

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) to approve installation of a No Parking zone on Chilco Street between Dumbarton Railroad tracks and Hamilton Avenue.

Policy Issues

The Chilco Street Improvement Project is identified and prioritized in the City Council's 2016 Work Plan (Item #20). The consideration of this No Parking zone is consistent with Section 11.24 of the City of Menlo Park Municipal Ordinance which allows the City Council to establish parking, or stopping, standing and parking restrictions or prohibitions as may be necessary by ordinance or resolution.

In addition, this request is consistent with policies stated in the 2016 City General Plan Circulation Element. These policies seek to improve safe multi-modal transportation and encourage health and wellness through active transportation options.

Background

On March 31, 2015, Hibiscus Properties, LLC, a wholly owned subsidiary of Facebook Inc., submitted a preliminary application for the proposed redevelopment of the TE Connectivity campus located at 301-309 Constitution Drive. The site is located between Chilco Street and the recently completed Building 20, formerly referred to as Facebook's West Campus. The proposal includes construction of two new office buildings totaling 962,400 square feet (a net increase of approximately 126,600 square feet of offices) plus publicly-accessible open space and a new pedestrian/bicycle bridge over Bayfront Expressway, providing a more direct connection from the Belle Haven neighborhood to the Bay Trail.

The site is currently accessed via Constitution Drive at the intersection with Chilco Street. Within the project site, the applicant has identified vehicle, pedestrian and bicycle circulation routes, along with emergency vehicle access routes that would link Buildings 20-23. In addition, Facebook has leased buildings (formerly leased to Intuit) across Chilco Street with frontage on Jefferson Drive. As such, Facebook wanted to improve pedestrian and bicycle circulation across and along Chilco Street and partnered with the City to expedite frontage improvements.

Conceptual designs were developed in Fall 2015, and Facebook has prepared design documents for modifications that are expected to be completed in three phases. The first two phases have been completed in May 2016 and third phase is ongoing.

This item regarding No Parking was brought before the Transportation Commission on July 13, 2016, but was continued for staff to conduct additional outreach to potentially affected residents along Chilco Street. The Transportation Commission completed review of this item on December 14, 2016.

Analysis

Staff and Facebook have proposed a phased approach to expedite the project. Attachment A shows the proposed local circulation network, limits of each of the proposed phases, and simulations of the proposed area planned for Phase 3. Attachment B includes the proposed concept plan showing specific improvements on Chilco Street.

Phase 1 is an interim improvement and was completed in May 2016, to coincide with the occupancy of Building 23. Improvements included a Class IV (separated) bicycle lane and pedestrian facility between approximately Buildings 20 and 23.

Phase 2 consists of a similar conceptual design with Class IV protected bike lanes separated from vehicular traffic and separate pedestrian paths. As part of Phase 2, a new pedestrian crosswalk and stop-controlled intersection was added near the southwest corner of Building 23. The Transportation Commission previously recommended this new stop sign on April 13, 2016; the City Council approved the installation on May 3, 2016.

Phase 3 will provide improvements on Chilco Street across the railroad right-of-way to the intersection of Chilco Street and Hamilton Avenue. Staff is looking to break this phase into two sub-phases (3A and 3B) and complete the sidewalk on the easterly side of the railroad tracks outside the SamTrans and California Public Utility Commission (CPUC) jurisdiction (Phase 3A). Phase 3B, which will require coordination with SamTrans and CPUC, is anticipated to be completed following Phase 3A. Attachment A provides a conceptual design of the proposed Phase 3 improvements.

As part of Phase 3A, staff and the project team has evaluated the current conditions of Chilco Street south of the railroad tracks, and determined that continuous bicycle lanes do not fit within the existing curb-to-curb street width with the two travel lanes and on-street parking currently provided. Staff and the project team has evaluated the traffic volume and travel patterns, and recommends that on-street parking be removed between the railroad tracks and Hamilton Avenue to provide space for Class II striped bicycle lanes.

The proposed Class II bicycle lanes are recommended by staff to provide a continuous striped bicycle lane from the Belle Haven neighborhood to the future pedestrian-bicycle overcrossing of Bayfront Expressway, as proposed as part of the Facebook Campus Expansion project. The volume of traffic on Chilco Street in this area is approximately 7,000 vehicles per day. The posted speed limit in this section is 30 miles per hour, and transitions to 40 miles per hour north of the railroad tracks.

As an alternative, on-street parking could be maintained along this section and shared-lane markings could be added. However, given the volume and speed of traffic along this segment, staff recommends Class II bicycle lanes be installed since this segment would provide a key connection for local residents to access the future overcrossing as well as the recreational opportunities along the Bay, including the Bay Trail and Bedwell-Bayfront Park.

Proposed bicycle lanes also would connect to Belle Haven Elementary School, Belle Haven Library and Child Development Center, the proposed Hamilton Avenue bicycle boulevard (a required mitigation measure of the Facebook Campus Expansion Project), and the Ringwood Avenue Pedestrian Overcrossing. A continuous sidewalk can be constructed within the existing City right-of-way across from Menlo Park Fire Protection District Station 77.

The proposed parking restrictions would remove approximately 15-18 parking spaces in front of approximately 9 single family homes, the Fire Station, and along the side yards of 3 additional homes and Menlo Park Church of God in Christ. Existing curb extensions are located at the Chilco Street and Hamilton Avenue intersection where a No Parking zone is existing.

The Transportation Commission recommended 5-0-2 (with Commissioners Pfannenstiel and Shu absent) at their December 14, 2016 meeting to proceed with staff's recommendation. The Commission also recommended that bicycle facility improvements on Chilco Street, including shared-lane markings and bicycle route signs, be extended on Chilco Street to Newbridge Street and installation occur as one project. Staff supports the Commission's recommendation, and can amend the proposed Phase 3 improvements to install the additional markings and signs on Chilco Street.

Impact on City Resources

The staff time associated with review of the review and development of the Chilco Street improvement Plans, and review and development of any applicable maintenance agreement is fully recoverable through fees collected from the applicant.

Environmental Review

The approval of a No Parking zone is categorically exempt under Class 1 of the California Environmental Quality Act. Class 1 allows for minor alterations of existing facilities, including highways and streets, sidewalks, gutters, bicycle and pedestrian access, and similar facilities, as long as there is negligible or no expansion of use.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Postcards regarding this City Council meeting were also mailed to the residents/property owners within the parking removal area.

Attachments

A. Resolution
B. Project Background Information
C. Conceptual Design Plan for Chilco Street

Report prepared by:
Nicole H. Nagaya, P.E., Assistant Public Works Director

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AUTHORIZING THE INSTALLATION OF NO PARKING ZONES ON CHILCO STREET BETWEEN THE DUMBARTON RAILROAD TRACKS AND HAMILTON AVENUE

WHEREAS, due to requests from residents of Menlo Park for a complete connection between the Belle Haven neighborhood and the San Francisco Bay; and

WHEREAS, in anticipation of the completion of the Chilco Street Improvements and the pedestrian overcrossing of Bayfront Expressway as part of the Facebook Campus Expansion Project; and

WHEREAS, due to the potential for vehicular, pedestrian, and bicyclist interaction and safety; and

WHEREAS, the provision of a dedicated bicycle lane requires the removal of on-street parking along Chilco Street between the Dumbarton Railroad tracks and Hamilton Avenue; and

WHEREAS, at the December 14, 2016 Transportation Commission meeting, the Commission passed a motion with a vote of 5-0-2 to support staff's recommendation to install no parking zones on Chilco Street; and

WHEREAS, the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore.

NOW, THEREFORE, BE IT RESOLVED, the City Council of Menlo Park does hereby authorize the installation of no parking zones on the streets noted above.

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-fourth day of January, 2017, by the following votes:

AYES:

NOES:

ABSENT:

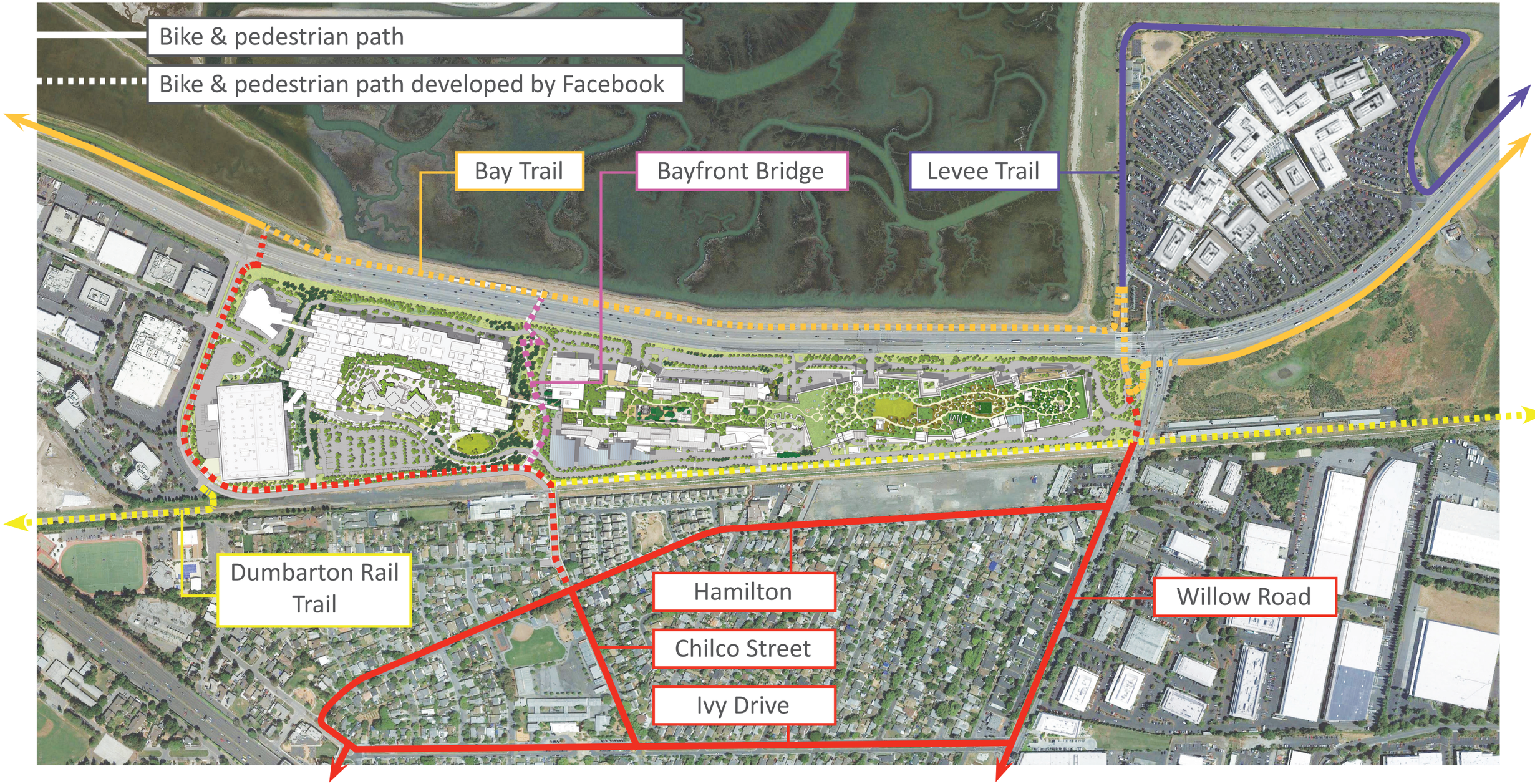
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-fourth day of January, 2017.

_____
Pamela Aguilar
City Clerk

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CONNECTING THE COMMUNITY TO THE BAY ENVIRONMENT
PROJECT BACKGROUND



City of Menlo Park & Facebook - How partnership is improving bicycle & pedestrian safety

PROVIDING SAFE CONNECTIONS TO THE BAY

Chilco Street



Bayfront bridge

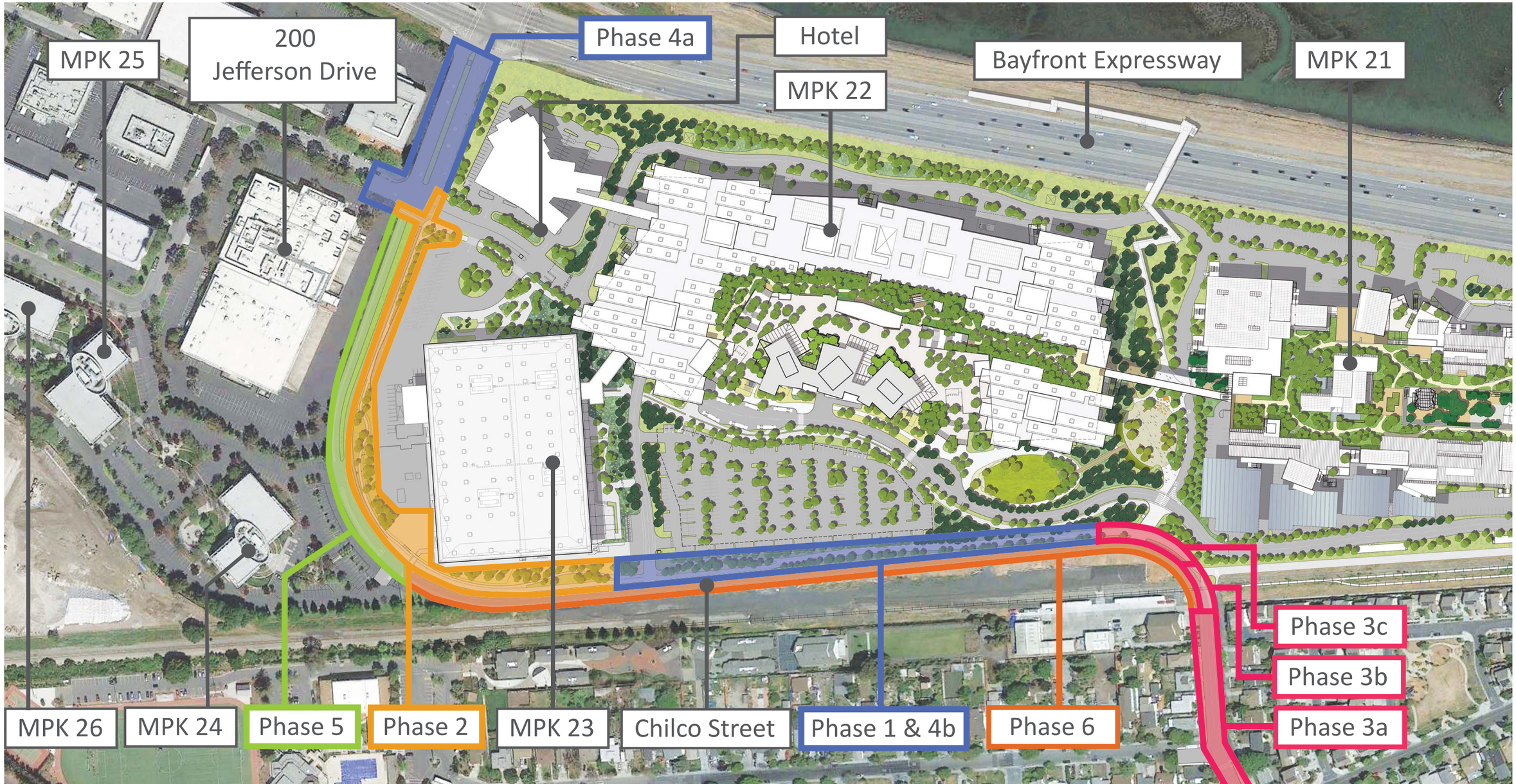


Willow Road



FB West Campus - Ehancing & creating space

CHILCO STREET



Proposed phasing - How phasing of Chilco Street improvements relates to build out of FB West Campus

CHILCO STREET

Before



Complete



Complete



Phase 1

CHILCO STREET



Phase 3 - Existing view

CHILCO STREET



Phase 3 - Proposed view

CHILCO STREET

1. EXTENTS of bike lane (match existing)
2. EXTENTS of proposed parking removal along bike lane
3a. CHILCO street Phase 3a
3b. CHILCO street Phase 3b

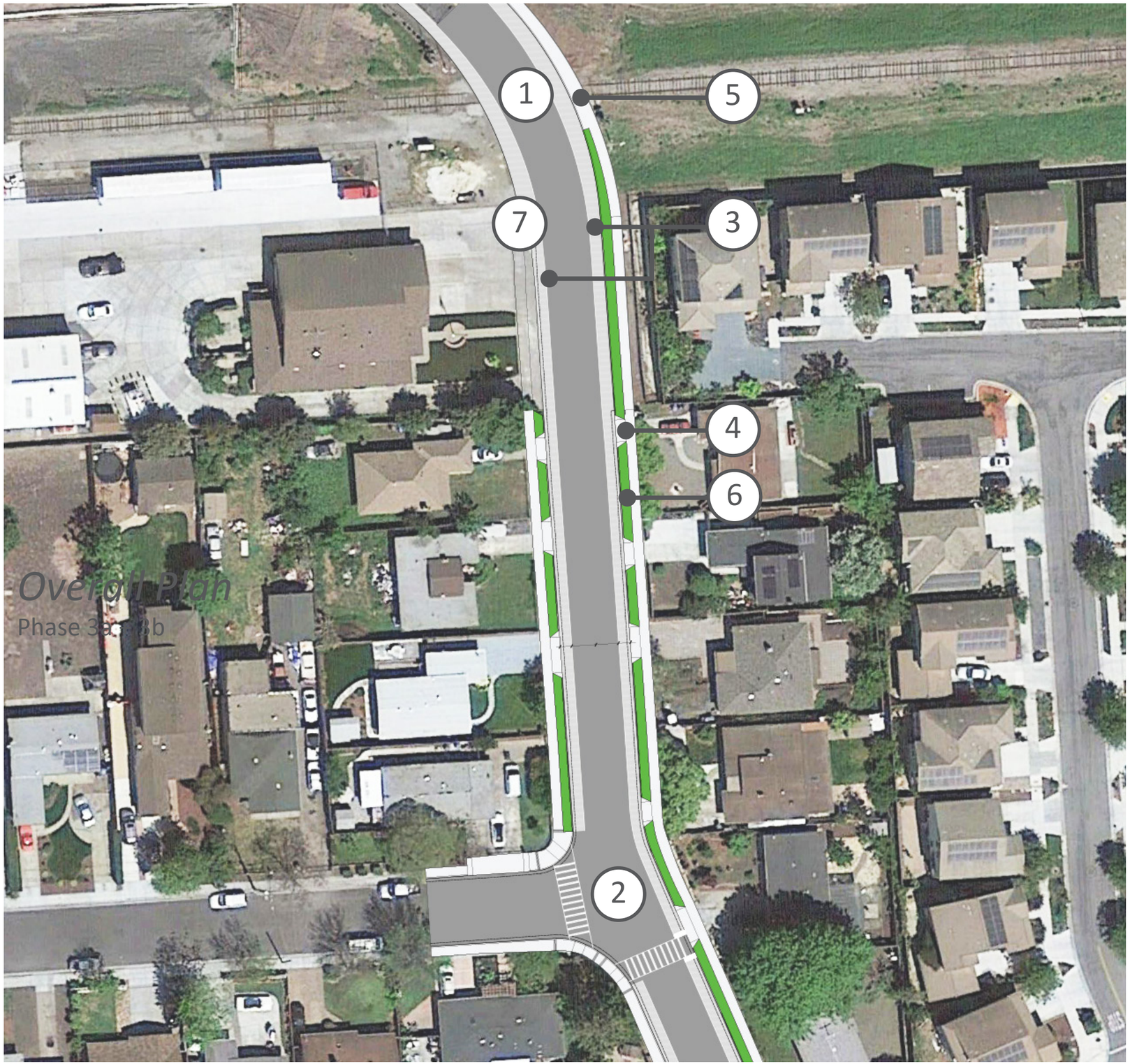


Overall Plan

Phase 3a + 3b

CHILCO STREET

1. EXISTING rail crossing
2. NEW curb ramps & crosswalks at Terminal -- see plan enlargement
3. NEW striping for bike lane
4. EXISTING curb cuts & driveways
5. NEW & EXISTING concrete side-walk
6. NEW & EXISTING landscape buffer
7. EXISTING curb cut at fire station



Overall Plan
Phase 3a

STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-016-CC**

Consent Calendar: **Adopt a resolution authorizing the filing of an application to receive $619,000 for 2018-19 Santa Cruz and Middle Avenues Rehabilitation Project**

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) to authorize the filing of an application for funding in the amount of $619,000 from the Metropolitan Transportation Commission (MTC) and stating the assurance to complete the 2018-19 Santa Cruz and Middle Avenues Rehabilitation Project and agree to commit the necessary City of Menlo Park matching funds and authorize the City Manager to sign any agreement for the Project.

Policy Issues

This project is consistent with several policies in the 2016 General Plan Circulation Element. These policies seek to maintain a circulation system using the Roadway Classification System that will provide and maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe and active community and quality of life throughout Menlo Park and increases accessibility for and use of streets by pedestrians, bicyclists and transit riders. Additionally, the project is within the program required one mile radius of the City's Priority Development Area (PDA). The commitment to perform the project does not represent any change to existing City policy.

Background

The United States Congress legislates to provide funding for various transportation needs and programs as part of the Federal Transportation Act, which includes but is not limited to the Surface Transportation Block Grant Program (STP), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) and the Transportation Alternatives (TA). The funding is disbursed to and disseminated at the discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA). Eligible project sponsors wishing to receive federal or state funds for a regionally-significant project need to submit an application with the appropriate MPO. MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region.

To distribute the funds, the MTC initiated the One Bay Area Grant 2 (OBAG 2) funding approach integrating the Bay Area's Federal Transportation Program with California's climate law (Senate Bill 375) and the Sustainable Communities Strategy (SCS). In July 27, 2016, MTC and Association of Bay Area Governments (ABAG) adopted Resolution 4202 outlining procedures for the OBAG 2 assuring to:

- Reward jurisdictions that produce housing and accept housing allocations through the Regional Housing Need Allocation (RHNA) process.
- Support the Regional Transportation Plan/Sustainable Communities Strategy (aka Plan Bay Area 2040) by promoting transportation investments in PDAs.

As part of the funding application, MTC requires the adoption of a resolution from local jurisdictions committing to complete the sponsored project in compliance with OBAG 2 Grant Program (Resolution 4202). The application requirements as adopted through Resolution 4202 are as follows:

- General plan housing element adopted & certified by the California Department of Housing and Community Development (HCD) for 2015-22 RHNA prior to January 31, 2016.
- Annual Housing Element Report submitted to HCD each year till FY 2022
- Complete streets policies at the local level through the adoption of a complete street policy resolution no later than January 31, 2016 or a general plan that complies with the Complete Streets Act of 2008.
- OBAG 2 Checklist for Local Compliance filled out and signed (Reso 4202).
- Complete Streets Checklist (online application) filled out and saved
- Provide a map of project locations in relation to PDAs.

On May 12, 2016, City/County Association of Governments of San Mateo County (C/CAG) adopted the OBAG 2 plan directing $11,068,000 towards the Local Streets and Roads Preservation Program (LSR) for street and roads integrated in the Federal Highway Administration network which are candidates to receive federal-aid. In September 2016, the City received a letter from C/CAG specifying the formula distribution for LSR funding to be received by each jurisdiction and detailing C/CAG Board's adoption of the call for projects.

City Staff evaluated which streets would meet the C/CAG criteria. Based upon the criteria, staff prepared and submitted required documentation for Santa Cruz and Middle Avenues. The OBAG 2 funds must be used on federally eligible streets only and within one mile of a PDA. Both street sections are in the Federal Highway Administration road network and meet the one mile proximity requirement. Pending the adoption of local support, to be eligible to receive OBAG 2 funding, applicant cities and counties are also required to fulfill the condition to adopt a resolution stating compliance with the Surplus Land Act. The Surplus Land Act requires public agencies to offer surplus land as a priority to developers of affordable housing before disposing of the surplus land. Staff anticipates bringing the Surplus Land Act resolution to the Council in March 2017.

Analysis

The project includes rehabilitation work along Santa Cruz Avenue between Olive Street and Orange Avenue and Middle Avenue between Olive Street and San Mateo Drive and consists of performing base repairs, 2-3 inch deep area grind, 3-inch asphalt overlay, construction of ADA compliant curb ramps, intermittent curb, gutter and sidewalk work, adjusting utility covers to grade, installation of a rectangular rapid flashing beacon on Santa Cruz Avenue at Lemon Street, installation of markings, striping, bike lanes and other ancillary road work including upgrade of drainage inlets. The 2018-19 Santa Cruz and Middle Avenues Rehabilitation Project will also have to comply with all other federal requirements such as environmental, Americans with Disabilities (ADA), Disadvantage Business Enterprise (DBE) as well as other required policies. Compliance with Federal requirements will necessitate that the 2018-19 Santa Cruz and Middle Avenues Rehabilitation Project be a separate resurfacing project from the City's bi-annual street resurfacing project. Staff anticipates construction in late summer 2018.

To obtain the OBAG 2 funds, the funding sources require a local match of at least 11.47% of the project cost. The OBAG 2 fund amount to be allocated to Menlo Park is $619,000 requiring the City to match it with a minimum of $70,999.30. The 2018-19 Santa Cruz and Middle Avenues Rehabilitation Project's estimated project cost is $949,000 with the City committing $330,000, a sum that exceeds the minimum matching fund requirement.

Impact on City Resources

Cost Breakdown	Amount
Construction	$949,000
Contingency	$95,000
Staff Time	$125,000
Total	**$1,169,000**

Funding Source	Amount
OBAG 2 Grant	$619,000
City Share	$550,000
Total Project Funding	**$1,169,000**

Environmental Review

The project is categorically exempt under Class 1 of the current State of California Environmental Quality Act Guidelines, which allows minor alterations and replacement of existing facilities

Public Notice

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

Attachments

A. Resolution of Local Support
B. Priority Development Area Map

Report prepared by:
Rodolfo Ordonez, Associate Engineer

Reviewed by:
Michael Zimmerman Senior Civil Engineer

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RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO METROPOLITAN TRANSPORTATION COMMISSION AND COMMIT TO NECESSARY MATCHING FUNDS AND STATING ASSURANCE TO COMPLETE THE PROJECT

WHEREAS, the City of Menlo Park is submitting an application to the Metropolitan Transportation Commission (MTC) for $619,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the 2018-19 Santa Cruz and Middle Avenues Rehabilitation Project (herein referred to as PROJECT) for the Local Streets and Roads (LSR) Preservation Program (herein referred to as PROGRAM); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the FEDERAL TRANSPORTATION ACT) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

WHEREAS, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to the FEDERAL TRANSPORTATION ACT, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS**,** MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, the City of Menlo Park is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

1. the commitment of any required matching funds; and

2. that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and

3. that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and

4. the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and

5. that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and

6. that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and

7. that the City of Menlo Park has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by the City of Menlo Park; and

WHEREAS, that the City of Menlo Park is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

WHEREAS, there is no legal impediment to the City of Menlo Park making applications for the funds; and

WHEREAS, there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of the City of Menlo Park to deliver such PROJECT; and

WHEREAS, the City of Menlo Park authorizes City Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to MTC in conjunction with the filing of the application.

NOW, THEREFORE, BE IT RESOLVED that the City of Menlo Park is authorized to execute any agreement and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under the FEDERAL TRANSPORTATION ACT or continued funding; and be it further

RESOLVED that the City of Menlo Park will provide any required matching funds; and be it further

RESOLVED that the City of Menlo Park understands that the REGIONAL DISCRETIONARY

FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the City of Menlo Park from other funds, and that the City does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and be it further

RESOLVED that the City of Menlo Park understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and the City of Menlo Park has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by City of Menlo Park; and be it further

RESOLVED that the PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

RESOLVED that the City of Menlo Park has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and be it further

RESOLVED that PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and be it further

RESOLVED that the City of Menlo Park is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

RESOLVED that the City of Menlo Park is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

RESOLVED that there is no legal impediment to the City of Menlo Park making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of the City of Menlo Park to deliver such PROJECT; and be it further

RESOLVED that the City of Menlo Park authorizes its City Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing

Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-fourth day of January, 2017, by the following votes:

AYES:

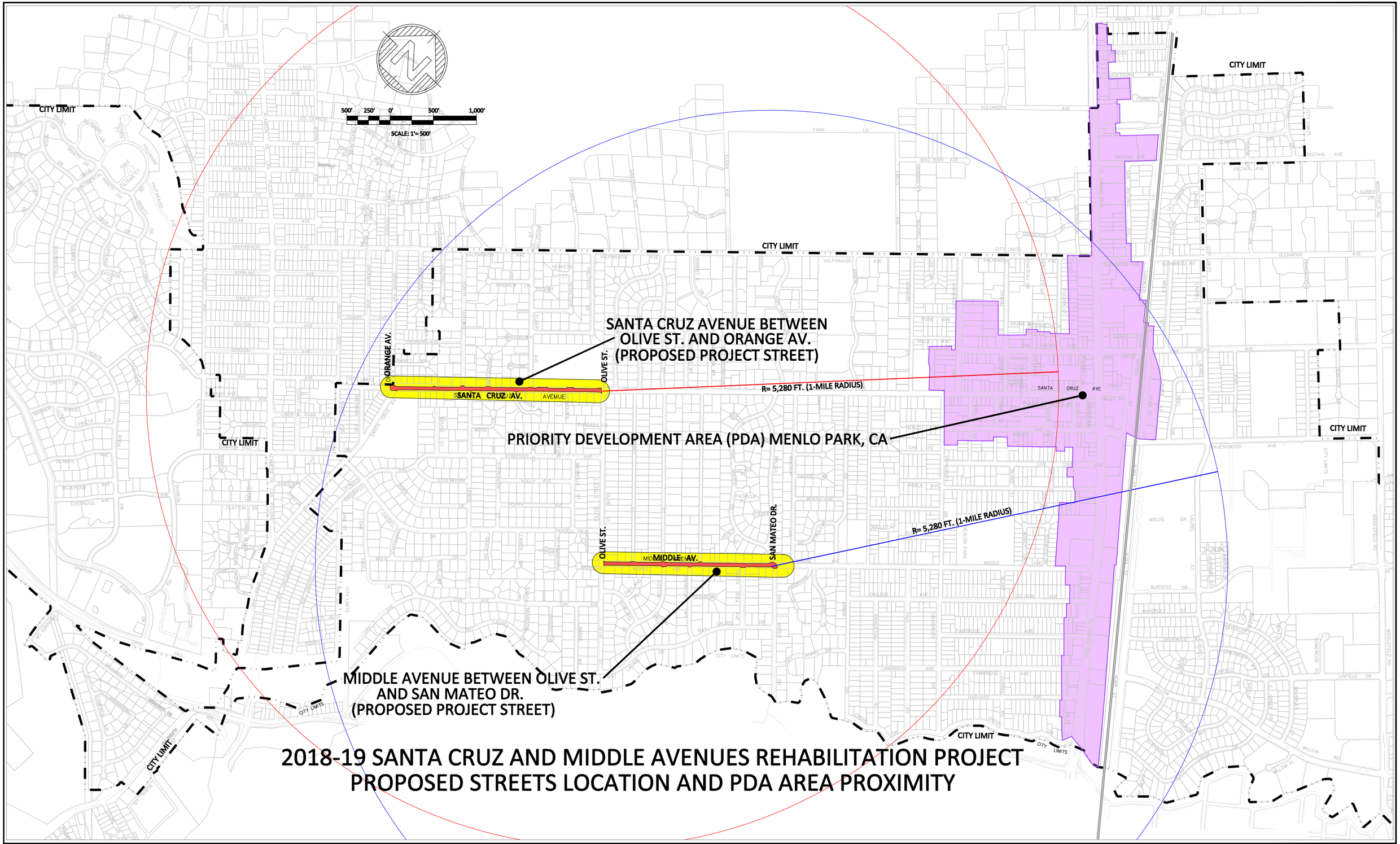
NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-fourth day of January, 2017.

_____
Pamela Aguilar, CMC
City Clerk



2018-19 SANTA CRUZ AND MIDDLE AVENUES REHABILITATION PROJECT
PROPOSED STREETS LOCATION AND PDA AREA PROXIMITY

DATE: 11-29-16
SCALE: AS SHOWN
DRAWN BY:
DRAWING NAME: RESURFACE116
DESIGNED BY: RAO
CHECKED BY:
SURVEYED BY:

APPROVED:

RUBEN NINO, P.E., ASSISTANT DIRECTOR OF PUBLIC WORKS
CITY OF MENLO PARK

DATE 40998 R.C.E. #

NO.	BY	DATE	REVISIONS

CITY OF MENLO PARK
ENGINEERING DIVISION
701 LAUREL STREET, MENLO PARK, CA 94025-3483
PHONE (650) 330-6740 FAX (650) 327-5497

2018-19 SANTA CRUZ AND MIDDLE AVENUES REHABILITATION PROJECT
LOCATION OF PDA AREA TO PROJECT

SHEET 1 OF 1 SHEETS
PROJ. NAME
RESURFACE 2018-19

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STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-018-CC**

Consent Calendar: **Adopt a resolution accepting right-of-way dedication of a portion of land along the property frontage of 161 Constitution Drive for the Menlo Gateway Project**

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) to accept right-of-way dedication of a portion of land along the property frontage of 161 Constitution Drive.

Policy Issues

The recommendation does not represent any change to existing City policy. Right-of-way dedications are required to be accepted by the City Council.

Background

In June 2010, the City Council voted to approve the Menlo Gateway project, subject to voter approval of a ballot measure for the November 2, 2010 general election. The voters approved Measure T, and the project approvals became effective with the certification of the election results on December 7, 2010.

During a March 10, 2015 City Council study session, the applicant presented an update on the Menlo Gateway project including an introduction of the new hotel brand, Marriott Autograph Collection, and the new hotel operator, Ensemble Partners. During the study session, the City Council expressed support for the modified project and urged staff to expedite the approval process to permit construction.

In May 2015, the Planning Commission recommended the modified project for approval by the City Manager. In June 2015, the City Manager issued a letter with the determination that the modifications to the project are substantially consistent with the existing project approvals and do not result in any new or increased environmental impacts. Upon issuance of the letter, the project proceeded with preparation of construction drawings and the submittal of building permits.

Analysis

Item 8.66 of the conditions of approval for the Menlo Gateway project requires the applicant to construct an additional eastbound left turn lane on Chrysler Drive from Constitution Drive to Bayfront Expressway. In order to construct the required improvements, additional right-of-way is required along 161 Constitution Drive along Chrysler Drive to the back of sidewalk. The plat and legal description for the proposed right-of-way dedication are shown in Attachment B.

Impact on City Resources

The costs of the dedication of this right-of-way and the installation of the associated public improvements are borne by the developer. The future costs of maintenance of the curb, gutter, sidewalk, and access ramps will be the responsibility of the property owner, in accordance with City of Menlo Park Municipal Code Section 13.08.

Environmental Review

Environmental review is not required for this action. On June 15, 2010, the City Council adopted findings in accordance with the California Environmental Quality Act and certified the Environmental Impact Report (EIR) prepared for the project.

Public Notice

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

Attachments

A. Resolution
B. Right-Of-Way (ROW)

Report prepared by:
Theresa Avedian, P.E, Senior Civil Engineer

Report reviewed by:
Ruben Niño, P.E., Assistant Public Works Director

RESOLUTION NO. _____

RESOLUTION OF THE CITY OF MENLO PARK ACCEPTING RIGHT-OF-WAY DEDICATION OF A PORTION OF LAND ALONG THE PROPERTY FRONTAGE OF 161 CONSTITUTION DRIVE FOR THE MENLO GATEWAY PROJECT

The City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore,

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby accept the right-of-way dedication from Bohannon Development Company.

BE IT AND IT IS HEREBY ALSO RESOLVED that the City Council authorizes the City Manager to sign the certificate of acceptance for said easement.

I, PAMELA AGUILAR, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said Council on this twenty-fourth day of January, 2017, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-fourth day of January, 2017.

_____
Pamela Aguilar
City Clerk

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RECORDING REQUESTED BY
Bohannon Development Company
Sixty 31st Avenue
San Mateo, CA 94403

WHEN RECORDED MAIL TO
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025
Attn: City Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Documentary Transfer Tax: $-0- No apparent value
"No fee required" (Government Code Section 6103 & 27383)
Recorded for the benefit of the City of Menlo Park.

IRREVOCABLE OFFER OF DEDICATION
OF STREET RIGHT-OF-WAY
(CITY OF MENLO PARK, CALIFORNIA)

FOR A VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, and the benefits to accrue to them by reason of the location and establishment by the City of Menlo Park, of a public street upon, over, and across said land, **Bohannon Development Company**, a California Corporation ("**Grantor**"), does hereby certify that it is the legal owner of the hereinafter described real property, and Grantor does hereby irrevocably offer to dedicate (this "**Irrevocable Offer to Dedicate**") to **City of Menlo Park**, a municipal corporation in the County of San Mateo, State of California ("**Grantee**"), right-of-way and incidents thereto for public street purposes upon, over, and across the said land situated in said City of Menlo Park and more particularly described and shown in Exhibit A and B, attached hereto and incorporated herein by this reference.

This Irrevocable Offer to Dedicate shall continue in full force and effect until the date Grantee accepts or rejects such offer. If Grantee fails to accept this Irrevocable Offer to Dedicate by July 1, 2017, then such offer shall be deemed rejected. If the Irrevocable Offer to Dedicate is rejected by Grantee, then the Grantor shall be automatically released from such offer. The dedication of the land described herein for public street purposes shall be deemed completed and shall become permanent upon acceptance of the offer to dedicate by the Grantee as evidenced by a Certificate of Acceptance or Resolution accepting such offer. The provisions of this Irrevocable Offer to Dedicate shall inure to the benefit of and be binding upon the heirs, successors, assigns, and personal representatives of the respective parties hereto.

The property described in Exhibit A is a portion of the property commonly known as 161 Constitution Drive in the City of Menlo Park State of California [APN: 055-241-140].

[*Signature Page Follows*]

In witness whereof, this instrument has been executed as of_____, 20__and recorded.

Bohannon Development Company,
a California Corporation

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ **(Seal)**

Clear Form Print Form

EXHIBIT "A"
LEGAL DESCRIPTION – RIGHT-OF-WAY DEDICATION

IN THE CITY OF MENLO PARK, COUNTY OF SAN MATEO, STATE OF CALIFORNIA BEING THAT PORTION OF LOT 22 AS SHOWN ON THAT CERTAIN MAP ENTITLED "BOHANNON INDUSTRIAL PARK UNIT NO. 6, MENLO PARK, SAN MATEO COUNTY, CALIFORNIA", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ON OCTOBER 22, 1963 IN VOLUME 59 OF MAPS AT PAGE 11, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 22, THENCE ALONG THE NORTHERLY LINE THEREOF, NORTH 74°22'50" WEST 136.68 FEET TO THE **TRUE POINT OF BEGINNING;**
THENCE ALONG THE GENERALLY EASTERLY BOUNDARY OF CHRYSLER DRIVE DESCRIBED IN DOCUMENT NO. 4485-AR RECORDED OCTOBER 31,1980 AND THE WESTERLY PROLONGATION OF SAID NORTHERLY LINE, NORTH 74°22'50" WEST 18.10 FEET TO AN ANGLE POINT IN SAID EASTERLY BOUNDARY;
THENCE ALONG SAID EASTERLY BOUNDARY, SOUTH 21°56'50" WEST 246.22 FEET TO THE BEGINNING OF A TANGENT 30.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY;
THENCE CONTINUING ALONG SAID EASTERLY BOUNDARY, SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE 47.12 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" TO THE SOUTHERLY LINE OF SAID LOT 22;
THENCE ALONG SAID SOUTHERLY LINE, SOUTH 68°03'10" EAST 10.00 FEET;
THENCE LEAVING SAID SOUTHERLY LINE, NORTH 29°16'38" WEST 37.84 FEET TO A LINE PARALLEL WITH AND 10.50 FEET EASTERLY OF SAID RIGHT OF WAY LINE;
THENCE ALONG SAID PARALLEL LINE, NORTH 21°56'50" EAST 244.73 FEET;
THENCE LEAVING SAID PARALLEL LINE, NORTH 59°21'50" EAST 12.33 FEET TO THE **TRUE POINT OF BEGINNING.**

ALL AS SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 3,896 SQUARE FEET, MORE OR LESS.



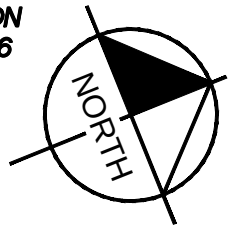
1/11/17
MICHAEL JAMES KNAPTON DATE
P.L.S.8012
REV: 1/11/17



EXHIBIT "B" RIGHT OF WAY DEDICATION

SHEET 1 OF 1

12/21/2016



GRAPHIC SCALE IN FEET
0 20 40 80

Kimley»Horn
401 B STREET, SUITE 600, SAN DIEGO, CA 92101
PHONE: 619-234-9411
WWW.KIMLEY-HORN.COM

CHRYSLER DRIVE

30'

60'

30'

10.50'

RIGHT OF WAY PER
DOC. NO. 4485-AR
REC'D 10/31/1980

RIGHT OF WAY PER
DOC. NO. 4485-AR
REC'D 10/31/1980

R=30.00'
L=47.12'
Δ=90°00'00"

S21°56'50"W 246.22'

N74°22'50"W
18.10'

N21°56'50"E 244.73'

N29°16'38"W
37.84'

S68°03'10"E
10.00'

30'

N59°21'50"E
12.33'

N'LY LINES OF
LOT 22

LOT 22

T.P.O.B.

N74°22'50"W 136.68'

CONSTITUTION DRIVE

RIGHT OF WAY

BOHANNON
INDUSTRIAL PARK
UNIT NO. 6
59 M 11

LICENSED LAND SURVEYOR
MICHAEL J. KNAPTON
No. 8012
Exp. 12/31/16
STATE OF CALIFORNIA

P.O.C.
NE COR.
LOT 22

LOT 23

LEGEND

LMITS OF DEDICATION

T.P.O.B. TRUE POINT OF BEGINNING

P.O.C. POINT OF COMMENCEMENT

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STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-009-CC**

Consent Calendar: **Accept the 2016 commissions attendance report and approve an update to the commission attendance policy**

Recommendation

Staff recommends that the City Council accept the 2016 commissions attendance report and approve an update to the commission attendance policy.

Policy Issues

City Council policy requires an annual attendance report for each commission.

Background

For advisory bodies to function effectively and accomplish their respective goals and work plans, it is important that all members be active participants by attending the regularly scheduled monthly or quarterly Commission meetings.

In accordance with City Council Policy CC 91-001, a report regarding advisory body attendance is prepared each January reflecting data for the previous year. The 2016 attendance report is provided to the City Council for review as Attachment A.

Staff is also recommending an update to the policy to include a requirement that when any absence by a commissioner that occurs after the posting of the agenda which results in a lack of quorum, and therefore cancellation of the meeting, be recorded on the commission attendance report.

Analysis

Prior to the posting of a meeting agenda, staff liaisons communicate with their respective commission members to ensure a quorum will be met in order to properly conduct the commission meeting. In most cases, commissioners advise the staff liaison in advance of their absence and typically absences are due to pre-planned vacations or scheduled work travel and are considered reasonable. Overall, commission liaisons have reported the absences do not have a significant impact on discussion or deliberation of agenda items.

However, there were several instances in 2016 where the absence of a commissioner occurred after the posting of the agenda resulting in a lack of quorum and cancellation of the noticed meeting. In order to accurately reflect this occurrence, staff is proposing an update to the commission policy to add a requirement that when any absence by a commissioner that occurs after the posting of the agenda which

results in a lack of quorum, and therefore cancellation of the meeting, be recorded on the commission attendance report. Currently in this situation, only a cancelled meeting is reported.

The policy states that members who attended less than two-thirds (67%) of the advisory body's scheduled meetings may be replaced by the City Council. In 2016, five commissioners fell below the attendance requirement.

Because the City places a high value on the work of the Commissions and strives to provide sufficient support to all commissioners in order to facilitate their work, removal from a commission appointment is rarely recommended and instead staff liaisons prefer to reach out to the commissioners falling in the 67% or below category to determine the reasons for the absences and assess the ability to continue in their commission service. A commission attendance update is provided to the staff liaisons 2-3 times per year as a tool to monitor attendance.

Last, staff is planning to bring to council at a later date an update to the Commissions Roles and Responsibilities Policy changing the meeting schedule of the Library Commission and Environmental Quality Commission, upon the Commissions' approval, so that these meetings do not conflict with the meetings of the Bicycle Commission and Parks and Recreation Commission, which fall on the same evening.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. The attendance report and policy update were also shared with each commission for their January meetings.

Attachments

A. Attendance data for each advisory body
B. CC-91-001 Commission Attendance Policy – redline version with update

Report prepared by:
Pamela Aguilar, City Clerk

ATTACHMENT A

BICYCLE Meets montly Name	January 1/11/2016	January Jt Mtg w CC 1/26/2016	February 2/8/2016	March 3/14/2016	April 4/11/2016	May 5/9/2016	June SP 6/6/2016	June 6/13/2016	July 7/11/2016	August 8/8/2016	September 9/12/2016	October 10/10/2016	November 11/14/2016	December 12/12/2016
Katie Behroozi	N/A	N/A	N/A	N/A	N/A	ABSENT	Present	Canceled (Advanced to 6/6/2016)	Present	Present	Present	Present	Present	Present
Fred Berghout	Present	Present	Present	Present	Present	N/A	N/A		N/A	N/A	N/A	N/A	N/A	N/A
William Kirsch	Present	Present	Present	Present	Present	Present	Present		Present	Present	Present	Present	Present	Present
Lydia Lee	Present	Present	Present	Present	Present	Present	Present		Present	Present	Present	ABSENT	Present	Present
Witney McKiernan	ABSENT	Present	Present	Present	Present	Present	Present		Present	Present	Present	Present	ABSENT	ABSENT
Betsy Nash	Present	Present	Present	Present	Present	Present	Present		Present	ABSENT	Present	Present	Present	Present
Jonathan Weiner	Present	Present	Present	Present	Present	Present	Present		Present	Present	Present	Present	Present	Present
Cindy Welton	ABSENT	Present	Present	Present	Present	Present	Present		Present	Present	Present	Present	Present	Present

last updated 12/2016

ENVIRON. QUALITY **Meets monthly** **Name**	**January** **1/27/2016**	**February** **2/24/2016**	**March** **3/24/2016**	**April** **4/27/2016**	**May** **5/25/2016**	**June** **6/22/2016**	**July**	**August** **8/31/2016**	**September** **9/28/2016**	**October**	**November**	**December**
Andrew Barnes	N/A	N/A	N/A	N/A	N/A	N/A	Canceled for summer break	N/A	N/A	Canceled due to lack of quorum	N/A	Canceled for winter break
Allan Bedwell	Present	Present	ABSENT	ABSENT	ABSENT	ABSENT		ABSENT	Present		Present	
Chris DeCardy	ABSENT	Present	Present	Present	Present	Present		Present	ABSENT		Present	
Joyce Dickerson	N/A	N/A	N/A	N/A	N/A	ABSENT		Present	Present		ABSENT	
Kristin Kuntz-Duriseti	Present	ABSENT	ABSENT	Present	N/A	N/A		N/A	N/A		N/A	
Janelle London	N/A	N/A	N/A	N/A	Present	Present		Present	Present		Present	
Scott Marshall	Present	Present	Present	Present	Present	Present		Present	Present		Present	
Deborah Martin	Present	Present	Present	Present	Present	Present		ABSENT	Present		Present	
Mitchel Slomiak	Present	Present	Present	Present	N/A	N/A		N/A	N/A		N/A	
Christina Smolke	ABSENT	Present	Present	Present	Present	Present		Present	ABSENT		Present	

FINANCE & AUDIT **Meets quarterly** **Name**	**January** **1/19/2016**	**February**	**March**	**April**	**May**	**June**	**July**	**August** **8/25/2016**	**September**	**October**	**November**	**December** **12/7/2016**
Peter Ohtaki	Present							Present				Present
Rich Cline	ABSENT							ABSENT				ABSENT
Anne Craib	Present							Present				Present
Leslie Denend	Present							Present				Present
Soodie Tornson	Present							Present				Present

HOUSING **Meets quarterly** **Name**	**February** **2/3/2016**	**March** **3/2/2016**	**April** **4/14/2016**	**May** **5/4/2016**	**June** **6/29/2016**	**July** **7/7/2016**	**July** **7/12/2016**	**August** **8/3/2016**	**September** **N/A**	**October** **N/A**	**November** **11/2/2016**	**December**
Sally Cadigan	Canceled	Present	Present	ABSENT	Present	Present	Present	Present			ABSENT	
Lucy Calder		Present	Present	Present	Present	ABSENT	ABSENT	Present			Present	
Meg McGraw-Scherer		N/A	N/A	Present	Present	Present	Present	Present			Present	
Julianna Dodick		Present	ABSENT	ABSENT	Present	ABSENT	Present	ABSENT			Present	
Michele Tate		ABSENT	Present	Present	Present	Present	Present	Present			Present	
Carolyn Clarke		Present	ABSENT	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

LIBRARY **Meets montly** **Name**	**January** **1/11/2016**	**February** **2/8/2016**	**March** **3/14/2016**	**April** **4/11/2016**	**May** **5/9/2016**	**June** **6/13/2016**	**July** **7/11/2016**	**August** **8/8/2016**	**September** **9/12/2016**	**October** **10/10/2016**	**November** **11/14/2016**	**December** **12/12/2016**
Lynne Bramlett	Present	Canceled due to lack of quorum	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Jacqueline Cebrian	Present		Present	Present	Present	Present	ABSENT	Present	Present	ABSENT	ABSENT	Present
Kristen Leep	Present		Present	Present	Present	Present	ABSENT	Present	ABSENT	Present	ABSENT	Present
Kristina Lemons	Present		Present	Present	Present	Present	Present	Present	Present	Present	Present	ABSENT
Margaret Race	N/A		N/A	N/A	Present	Present	Present	Present	Present	ABSENT	Present	ABSENT
Grayson Badgley	N/A		N/A	N/A	N/A	N/A	Present	Present	Present	Present	Present	Present

last updated 8/2016

PARKS & RECREATION Meets monthly Name	January 1/27/2016	February 2/24/2016	March 3/23/2016	April 4/27/2016	May 5/25/2016	June 6/22/2016	July 7/27/2016	August N/A	September 9/7/2016	September 9/28/2016	October 10/26/2016	November 11/16/2016	December 12/21/2016
James Cebrian	Present	Present	Present	ABSENT	ABSENT	ABSENT	ABSENT	Canceled for summer break	ABSENT	Present	Present	Present	N/A
Kristin Cox	Present	ABSENT	Present	ABSENT	N/A	N/A	N/A		N/A	N/A	N/A	N/A	N/A
Christopher Harris	Present	Present	Present	Present	Present	Present	ABSENT		Present	Present	ABSENT	Present	ABSENT
Laura Lane	Present	Present	Present	Present	Present	ABSENT	Present		Present	Present	ABSENT	Present	Present
Marianne Palefsky	Present	Present	Present	Present	ABSENT	Present	Present		Present	ABSENT	Present	Present	Present
Thomas Stanwood	Present	Present	Present	Present	Present	Present	Present		Present	Present	Present	Present	Present
Jennifer Baskin	N/A	N/A	N/A	N/A	Present	ABSENT	Present		Present	Present	Present	ABSENT	Present
Jennifer Johnson	N/A	N/A	N/A	N/A	N/A	Present	ABSENT		Present	ABSENT	Present	Present	Present

last updated 12/2016

PLANNING Meets bi-monthly Name	January 1/11/2016	January 1/25/2016	February 2/8/2016	February 2/22/2016	March 3/7/2016	March 3/21/2016	April 4/11/2016	April 4/18/2016	May 5/9/2016	May 5/23/2016	June 6/6/2016	June 6/20/2016
Andrew Barnes	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Present	Present	ABSENT	Present
Andrew Combs	Present	Present	Present	Present	Present	Present	Present	Present	Present	ABSENT	Present	Present
Katie Ferrick	Present	Present	Present	Present	Present	Present	Present	ABSENT	N/A	N/A	N/A	N/A
Susan Goodhue	ABSENT	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
John Kadvany	Present	Present	Present	Present	Present	Present	Present	Present	N/A	N/A	N/A	N/A
Larry Kahle	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
John Onken	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Henry Riggs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Present	Present	Present	Present
Katherine Strehl	Present	Present	Present	Present	ABSENT	Present	Present	Present	Present	Present	Present	ABSENT
PLANNING **Name**	**July** **7/11/2016**	**July** **7/25/2016**	**August** **8/15/2016**	**August** **8/29/2016**	**September** **9/12/2016**	**September** **9/26/2016**	**October** **10/19/2016**	**October** **10/24/2016**	**November** **11/7/2016**	**November** **11/14/2016**	**December** **12/5/2016**	**December** **12/12/2016**
Andrew Barnes	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Andrew Combs	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Susan Goodhue	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	ABSENT	ABSENT
Larry Kahle	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
John Onken	Present	Present	Present	Present	ABSENT	Present	Present	Present	Present	Present	Present	Present
Henry Riggs	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Katherine Strehl	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present

last updated 8/2016

SISTER CITY **Meets quarterly** **Name**	**June** **6/27/2016**	**July** **7/26/2016**	**August** **N/A**	**September** **9/21/2016**	**October** **N/A**	**November** **11/2/2016**	**November** **11/30/2016**	**December**				
Catherine Carlton	Present	Present		Present		ABSENT	Present					
James Clendenin	Present	Present		Present		Present	Present					
Fran Dehn	Present	Present		Present		Present	Present	Canceled				
Kristy Holch	Present	Present		Present		Present	ABSENT	for winter				
Peter Ohtaki	Present	ABSENT		Present		Present	Present	break				
Analisa Pratt	Present	ABSENT		Present		Present	Present					
Carol Schumacher	Present	Present	Canceled	Present	Canceled	ABSENT	Present					

last updated 12/2016

TRANSPORTATION Meets monthly Name	January 1/13/2016	January Jt Mtg w CC 1/26/2016	February 2/10/2016	March 3/9/2016	April 4/13/2016	May 5/11/2016	June 6/8/2016	July 7/13/2016	August 8/10/2016	September 9/12/2016	October 10/12/2016	November	December 12/14/2016
Penelope Huang	Present	ABSENT	Canceled (Joint meeting held with CC 1/26/2016)	ABSENT	Present	Present	Present	Present	Present	Present	Present	ABSENT	Present
Adina Levin	Present	Present		Present	Present	Present	ABSENT	Present	Present	Present	ABSENT	Present	Present
Philip Mazzara	ABSENT	Present		Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Michael Meyer	Present	Present		Present	Present	Present	ABSENT	Present	ABSENT	Present	ABSENT	Present	Present
Jason Pfannenstiel	Present	ABSENT		Present	ABSENT	Present	ABSENT	ABSENT	ABSENT	ABSENT	Present	ABSENT	ABSENT
Maurice Shiu	Present	Present		ABSENT	ABSENT	Present	Present	ABSENT	Present	ABSENT	ABSENT	ABSENT	ABSENT
Bianca Walser	Present	Present		Present	Present	Present	Present	Present	Present	Present	Present	Present	Present

last updated 12/2016

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City of Menlo Park

City Council Policy

Department	Page 1 of 1	Effective Date
City Council		January 1, 1991
Subject Board and Commission Attendance Policy	**Approved by** Resolution 2801 - 05/27/1985 Revised Resolution 4242 - 12/04/1990	**Procedure #** CC-91-0001

PURPOSE:

This policy is adopted in order to encourage attendance at Board and Commission scheduled meetings and to replace members who are unable to attend on a consistent basis.

BACKGROUND:

A policy of attendance at Board and Commission scheduled meetings has not been uniform throughout the City. Many commissions have their own policies which they implement on an informal basis. Some commission scheduled meetings have been cancelled due to the lack of a quorum, a number of Commissions have members who miss a majority of their scheduled meetings and the issue of attendance at scheduled meetings is of concern. Some Commission chairpersons have previously expressed a need for an attendance policy which would be consistent for all boards and commissions and which would dictate the removal of a board or Commission member who has missed a certain number of scheduled meetings in the calendar year.

There are, often times, excellent reasons why a Board or Commission member might not be able to attend a scheduled meeting: illness, business or home commitments. The policy should be flexible enough so that a reasonable number of absences are allowed. Extensive absences on the part of a Board or Commission member do restrict the ability of a Board or Commission to complete its work and an attendance policy is meant to discourage such behavior.

POLICY:

1) A compilation of attendance will be submitted to the Council annually in January listing absences for all Board and Commission members.

2) Absences, which result in attendance at less than two-thirds of Board and Commission scheduled meetings for any reason during the calendar year, will be reported to the City Council and may result in replacement of the Board or Commission member by the Council.

3) Any Board or Commission member who feels that unique circumstances have led to numerous absences, can appeal directly to the City Council for a waiver of this policy or a leave of absence.

4) When an absence by a commissioner occurs after the posting of the agenda, which results in a lack of a quorum and therefore cancellation of the commission meeting, the attendance of the commission for the noticed meeting will be recorded on the commission attendance report.

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STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-019-CC**

Consent Calendar: **Request City Council approve funding for Resiliency Immersion Training for Police Department Personnel and appropriate $59,000 from the general fund balance**

Recommendation

Staff recommends that the City Council approve funding for Resilience Immersion Training for Police Department Personnel and appropriate $59,000 from the general fund balance.

Policy Issues

Only the City Council can appropriate funds for this initiative.

Background

In June of 2016, through the City Manager's Office, Mayor Kirsten Keith (then Councilmember) and Chief Jonsen met to discuss the value of Mindfulness training for law enforcement in light of recent national discussions on the erosion of the relationship between law enforcement and the public. Mayor Keith suggested the Chief meet with a Lieutenant from Hillsboro Police Department (Oregon) who conducts Mindfulness training for law enforcement.

In November 2016, Chief Jonsen participated in a three day mindfulness training class, "Resilience Immersion Training", in which he found great value in the class and its application to law enforcement. He found that this training would greatly enhance and improve the Police Department personnel's understanding of interactions with the public they serve.

It is the Chief's intention to offer the training to all department personnel. It is anticipated it will take 18-24 months for all employees to participate due to scheduling and availability of the instructors. The first round of training is scheduled for April 7-9, 2017 and involves 29 department personnel. This would constitute a third of the Police Department personnel with a total cost of approximately $59,000. If the Department were to send the remaining personnel in the next fiscal year the cost would be an additional $118,000.

Analysis

The training is geared towards law enforcement employees and offers a deep exploration into the science and experience of mindfulness as it relates to resiliency and fostering compassion for self and others. With a focus on mindfulness skill building to enhance self-awareness, attunement to others, compassion,

wisdom and peak performance, attendees learn skills that can be translated to their personal and professional life. This training model prepares first responders to take on the occupational stressors and trauma of their profession and learn to thrive through the arch of their own personal journey.

Mindfulness training is new to law enforcement but its value is being quickly realized and has been attended by officers from other local jurisdictions, including the Emeryville and Hayward Police Departments. Numerous agencies from Oregon have participated in the training since it is offered on a regular basis in that state.

The training is facilitated by Richard Goerling, who is a police lieutenant at Bend Police Department. He is a retired Commander in the US Coast Guard Reserve and a trained mindfulness facilitator through the UCLA Mindfulness Awareness Research Center. Also facilitating is Brian Shiers, who is an instructor at the UCLA Mindfulness Awareness Research Center and a mindfulness coach for the UCLA Bruin Volleyball team. Brian Shiers has a diverse educational background in the fields of kinesiology, exercise science and mindfulness.

Impact on City Resources

The total cost for the training, which includes registration, lodging and materials along with travel and backfill to cover overtime costs is approximately $59,000. The breakdown is as follows:

Course fee ($698 each)	$20,242
Travel	$12,470
Backfill	$24,645
Total	$58,357

Environmental Review

Not applicable.

Public Notice

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

Attachments

None

Report prepared by:
Commander Dave Bertini

STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-013-CC**

Public Hearing: **Consider the Planning Commission's recommendation to approve zoning ordinance amendments relating to child day care homes and centers**

Recommendation

The Planning Commission and staff recommend that the City Council approve an Ordinance Amending Chapters 16.04 and 16.08 of the Menlo Park Municipal Code (Attachment A), in order to make City regulations consistent with applicable California law regarding child day care homes and centers.

Policy Issues

The proposed Zoning Ordinance Amendments would ensure that the Municipal Code would be in compliance with relevant State regulations.

Background

California law requires that small child day care homes (defined as those serving up to six children, or eight if certain criteria are met) be considered a "residential use" of the property for purposes of all local ordinances, meaning they may not be subject to a permit process. While a city may not prohibit large child day care homes (defined as those serving up to 12 children, or 14 if certain criteria are met) on lots zoned for single family dwellings, a city may require that large child day care homes apply for a permit to use a lot zoned for single-family dwellings, subject to certain requirements; or it may grant a nondiscretionary permit to use a lot zoned for single family dwellings to large family day care homes that comply with local ordinances prescribing reasonable standards, restrictions, and requirements.

The City of Menlo Park's Municipal Code provisions relating to small child day care homes do not currently comply with the most recent changes to California law. In addition, the City does not have any regulations relating to large child day care homes. Further, while the City prescribes permit procedures for "Child Day Care Centers", the term is not presently defined.

On December 5, 2016, the Planning Commission held a public hearing on the proposed changes. No members of the public submitted correspondence or made comments at the meeting. The draft minutes are included as Attachment B. The Planning Commission voted unanimously (6-0-1, with Commissioner Goodhue absent) to recommend approval of the proposed amendments.

Analysis

The proposed Zoning Ordinance amendments revise the City's definitions to define small and large child day care homes consistent with California law. It also adds "Child Day Care Centers" to the Definitions

Chapter. Lastly, it prescribes a permit review and approval process for large child day care homes that complies with State law and sets forth the criteria by which such permits would be reviewed and approved, similar to ordinances in other local cities, including Palo Alto, Redwood City, Mountain View and San Carlos.

Child Day Care Centers - Added to Definitions Chapter of Zoning Ordinance

Currently, the City's Zoning Ordinance requires a use permit for Child Day Care Centers, but the code does not define Child Day Care Centers. As such, this amendment proposes to define Child Day Care Centers as any child care facility other than a large child day care home or small child day care home as defined by Chapter 16.04.165. A use permit would still be required for Child Day Care Centers operating within residential districts, which staff believes is appropriate given the potential for such larger-scale businesses to have unique impacts.

Child Day Care Homes - Amendment to Definition

The City of Menlo Park's current definition of a child day care home is not accurate under state law for either a small day care home or a large day care home. Therefore, the proposed amendment to the definition includes both small and large day care homes. The definitions for each under the proposed amendment are consistent with the definitions in State law.

Child Day Care Homes - Zoning Regulations

The proposed amendments include modifying Section 16.08.085 to provide that small day care homes are a permitted use in a legal dwelling unit in any residential district as required by state law. It is further amended to provide that large child day care homes require a permit and include certain specific standards and conditions that must be met before a permit is granted. The standards have been created after referencing the regulations of similar jurisdictions that have already updated their ordinances to comply with State law. The amendments also establish a permit process for which a large child day care home permit would be approved as required by State law and specify an appeal process for a decision on a large day care home. Staff believes that the proposed revisions would be consistent with the State laws encouraging the provision of child care, which is known to be a critical local need, while also ensuring that such uses would be compatible with residential uses.

Proposed Ordinance Amendments

Attachment A is the draft proposed ordinance. The proposed ordinance amendments do all of the following:

1. Add the definition of "Child day care center;"
2. Amend the definition of "Child day care home;" and
3. Amend the regulations and conditions related to child day care homes.

Conclusion

Staff believes the proposed amendments would bring local regulations into consistency with State law, and would also encourage the provision of child care, which is known to be a critical local need, while ensuring that such uses would be compatible with residential uses. The proposed standards and procedures for large child day care homes have been crafted after referencing ordinances in effect in similar jurisdictions. Staff recommends the City Council follow the Planning Commission's recommendation to approve an Ordinance Amending Chapters 16.04 and 16.08 of the Menlo Park Municipal Code (Attachment A).

Impact on City Resources

This consistency update is being accommodated within the existing budgets of the Planning Division and City Attorney, and is not expected to otherwise affect City resources. The ongoing operations of child care homes and centers are not anticipated to materially affect City resources differently than residential uses. For the processing of new applications: small day care homes are fully exempt from all fees per State law; large day care homes would be subject to standard business license and home occupation fees, as well as any new processing fees established by the City; and child care centers would be required to pay use permit fees that recover all City costs, and if approved would also be subject to standard business license and home occupation fees.

Environmental Review

The proposed ordinance amendment is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The proposed ordinance amendments have no potential for resulting in physical change to the environment either directly or indirectly.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper.

Attachments

A. Draft Ordinance of the City Council of the City of Menlo Park Adding Section 16.04.164 [Child Day Care Center] and Amending Section 16.04.165 [Child Day Care Home] of Chapter 16.04 [Definitions] and Amending Section 16.08.085 [Child Day Care Homes] of Chapter 16.08 [Districts Established-General Regulations] of Title 16 [Zoning] of the Menlo Park Municipal Code
B. Planning Commission Draft Minutes – December 5, 2016

Report prepared by:
Jennifer A. Bregante Beyers and William L. McClure, City Attorney's Office

Report reviewed by:
Thomas Rogers, Principal Planner

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ORDINANCE NUMBER _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ADDING SECTION 16.04.164 [CHILD DAY CARE CENTER] AND AMENDING SECTION 16.04.165 [CHILD DAY CARE HOME] OF CHAPTER 16.04 [DEFINITIONS] AND AMENDING SECTION 16.08.085 [CHILD DAY CARE HOMES] OF CHAPTER 16.08 [DISTRICTS ESTABLISHED-GENERAL REGULATIONS] OF TITLE 16 [ZONING] OF THE MENLO PARK MUNICIPAL CODE.

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. FINDINGS AND DETERMINATIONS.

A. Reasonable control and regulations of activities related to the health, welfare, and safety of children in child care is necessary.
B. Under California law, family day care homes operated under the standards of state law constitute accessory uses of residentially zoned and occupied properties and do not fundamentally alter the nature of the underlying residential uses.
C. Family day care homes draw clients and vehicles to their sites during a limited time of day and do not require the attendance of a large number of employees and equipment.
D. It is determined that the Municipal Code relating to child day care facilities must be amended to provide clarity and comply with California law, while providing standards that are necessary to protect persons in or attending child care facilities or other types of child care arrangements.

SECTION 2. AMENDMENT OF CODE. Section 16.04.164 [Child Day Care Centers] of Chapter 16.04 [Definitions] is hereby added to Title 16 [Zoning] as follows:

Section 16.04.164 Child Day Care Center.
"Child day care center" means any child care facility other than a large child day care home or small child day care home as defined by Section 16.04.165.

SECTION 3. AMENDMENT OF CODE. Section 16.04.165 [Child day care home] of Chapter 16.04 [Definitions] of Title 16 [Zoning] is hereby amended in its entirety as follows:

Section 16.04.165 Child day care home.
"Child day care home" means both a "small child day care home" and a "large child day care home" as further defined herein. A "small child day care home" means a private single family residence licensed by the appropriate state or county agency for the day care or instruction of no more than six children, or up to eight children without an additional adult attendant, if all of the following conditions are met: (1) at least one child is enrolled in and attending a kindergarten or elementary school and a second child is at

least six years of age; (2) no more than two infants are cared for during any time when more than six children are cared for; (3) the licensee notifies each parent that the facility is caring for two additional school-age children and that there may be up to seven or eight children in the home at one time; and (4) the licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented. A “large child day care home” means a private single family residence licensed by the appropriate state or county agency for the day care or instruction of no more than twelve children, or up to fourteen children, if all of the following conditions are met: (1) at least one child is enrolled in and attending a kindergarten or elementary school and a second child is at least six years of age; (2) no more than three infants are cared for during any time when more than twelve children are cared for; (3) the licensee notifies each parent that the facility is caring for two additional school-age children and that there may be up to thirteen or fourteen children in the home at one time; and (4) the licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.

SECTION 4. AMENDMENT OF CODE. Section 16.08.085 [Child day care homes] of Chapter 16.08 [Districts Established-General Regulations] of Title 16 [Zoning] is hereby amended in its entirety as follows:

(1) A small child day care home, as the same is defined in this title, may be a home occupation and as such is a permitted use in a legal dwelling unit in any residential district.

(2) A large child day care home, as the same is defined in this title, requires a permit. A person who desires to obtain a permit for a large child day care home (“Applicant”) must follow the process described below in order to use their home as a large child day care home:

  (A) The City must provide notice of the proposed use to adjoining property owners within a one hundred (100) foot radius of the exterior parcel boundaries of the large child day care home. Notice shall be given not less than ten (10) calendar days prior to the date on which the decision will be made on the application.

  (B) A public hearing is required if one is requested by the Applicant or any other affected party.

  (C) If a public hearing is not required, the Community Development Director, or his/her designee, shall approve a permit for a large child day care home if the property on which the proposed large child day care home is located and Applicant comply with all of the following conditions and standards:

    a. The Applicant must possess a current and valid Large Family Child Care Home license from the State of California, Department of Social Services. The City’s permit shall not become effective until such time as the State license is obtained. If said license is suspended or revoked by the State for any reason, the City’s permit for a large child day care home shall immediately be suspended or revoked to the same extent.

    b. The Applicant must reside at the Property and the use must be clearly incidental and secondary to the use of the Property for residential purposes.

c. The Property is not bordered on more than one (1) side by a child day care home or child day care center.
d. The Property is not located adjacent to a business that uses, sells or stores significant amounts of hazardous materials or creates high noise levels or fumes.
e. Residences with sole access from major arterial and/or collector streets must provide an off-street drop-off/pick-up area. The residential driveway may be used as the drop-off/pick-up area, provided such use does not cause a backup of vehicles on the street.
f. The large child day care home operation shall not result in cars blocking neighbors' driveways or backing up traffic on the street.
g. Provisions have been made to provide, at a minimum, one (1) off-street parking space per employee of driving age not living at the residence. The residential driveway is acceptable if the parking space will not conflict with any required child drop-off/pick-up area and does not block the public sidewalk or right-of-way.
h. The Applicant must comply with all applicable regulations of the Fire Marshall regarding health and safety requirements.
i. Any permanently installed playground apparatus (swings, jungle gym, etc.) shall conform to setback requirements for accessory structures in that particular residential zoning district.
j. Outdoor playtime shall be limited to the hours from 9:00 a.m. to 7:00 p.m.
k. Outdoor play areas shall be set back at least five (5) feet from adjoining residential dwellings and enclosed with a minimum six (6) foot fence. A six (6) foot wood or masonry fence is required along the boundaries with residential uses.
l. A minimum of seventy-five (75) square feet of outdoor space for each child over two years old that is not located in any required front or street side yard. This area must be either owned or leased by the Applicant and cannot be shared with any other property owners unless written permission is granted by the other property owners. This requirement may be waived if the Applicant can demonstrate that there is a public park, school or other public area open within five hundred feet of the child day care home.
m. Hours of operation shall be limited to the hours of 6:00 a.m. and 7:00 p.m., Monday through Friday. Additional hours may be allowed subject to approval of a use permit.
n. The Community Development Director or designee may consider and specify other reasonable conditions that relate to parking, traffic, noise, and spacing and concentrations of Large Child Day Care Homes that might otherwise have an adverse effect on adjacent properties.

(D) If a public hearing is requested, the Community Development Director or his or her designee shall give notice to residents and property owners within 300 feet of the proposed Large Child Day Care Home and shall conduct a public hearing. The decision of the Community Development Director or his or her designee shall be limited to and based on the criteria set forth in Section 2C above.

(E) The Applicant or other affected person may appeal the decision of the Community Development Director or his or her designee to the Planning Commission within fifteen (15) days from the date of the notice of decision in accordance with the Chapter on appeals, provided, that the criteria for upholding or denying decision of the Community Development Director or his or her designee shall be limited to and based on the criteria set forth in Section 2C above.

SECTION 5. SEVERABILITY. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 6. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

SECTION 7. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 30 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posting in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the __ day of _____, 2017.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the __ day of _____, 2017, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

APPROVED:

_____
Mayor

ATTEST:

_____
Pamela Aguilar, City Clerk

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REGULAR MEETING MINUTES - EXCERPT

Date: 12/5/2016
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Katherine Strehl called the meeting to order at 7:01 p.m.

B. Roll Call

Present: Andrew Barnes, Drew Combs (Vice Chair), Larry Kahle, John Onken, Henry Riggs, Katherine Strehl (Chair)
Absent: Susan Goodhue
Staff: Thomas Rogers, Principal Planner; Kaitie Meador, Associate Planner; Yesenia Jimenez, Associate Planner; Angela Obeso, Associate Engineer; Nikki Nagaya, Transportation Manager; Jennifer A. Bregante Beyers, City Attorney's Office

F. Public Hearing

F5. Zoning Ordinance Amendments: Child Day Care Homes and Centers:
Consider amendments to Zoning Ordinance Chapter 16.04 [Definitions] and Chapter 16.08 [Districts Established-General Regulations], in order to make City regulations consistent with applicable California law regarding child day care homes and centers. (Staff Report #16-100-PC)

Staff Comment: Ms. Jennifer Bregante Beyers, City Attorney's Office, said the intention of the proposed amendments were to bring City ordinance into compliance with state law for small and large daycare homes. She said these standards and considerations might be revised and new additional restrictions might be added. She said the amendment also would revise the definition section to distinguish small and large daycare homes, and for child daycare centers.

Chair Strehl asked when the state law changed. Ms. Beyers said they were to be effective January 1, 2015. Commissioner Kahle asked if daycare homes were subject to conditional use permits. Ms. Beyers said they were not conditional use, and that the Commission would not see permits for small daycare homes but might see them for large daycare homes. Commissioner Kahle asked if the 7 p.m. closing time was dictated by state law. Ms. Beyers but was what other cities used as the closing time.

Commission Onken said in Section 6.08.085 that section 1 referred to the small child daycare home and section 2 referred to the large child daycare home but the following conditions seemed applicable to the large child daycare home. He said there seemed to be nothing applicable to the small child daycare home. Ms. Beyers said the conditions only applied to large child daycare homes as small child daycare homes were a permitted use under State law. Commissioner Onken said there were no hours of operation restrictions and no parking restrictions. Ms. Beyers said that was how it was drafted by State law and what was required.

Commissioner Combs asked how many daycare facilities were in Menlo Park. Principal Planner Rogers said just anecdotally he was aware of a few operating out of homes that either predated the zoning ordinance or had gotten use permits, but that staff didn't have a formal inventory. Commissioner Combs asked if an operator of a small daycare center needed to do anything such as get a business license from the City. Ms. Beyers said a state license was required but not a City business license.

Chair Strehl opened public comment and closed it as there were no speakers.

Commission Comment: Commissioner Riggs moved to recommend to the City Council adoption of the revised ordinances.

Commissioners weighed in on concerns with daycare homes and impacts to traffic, parking and noise. Other Commissioners noted how large daycare homes often face considerable opposition when proposed, but once established were typically accepted and their operations were complaint free. There was some individual disagreement about whether daycare homes caused negative impacts.

Commissioner Onken suggested an amendment to the recommendation to require all the conditions of the large daycare home for the small daycare home. Ms. Beyers said that was part of the pre-emption issue and they could not change the regulations for a small daycare home.

Commissioner Kahle seconded Commissioner Riggs motion. He commented that child daycare homes were badly needed in Menlo Park.

ACTION: Motion and second (Riggs/Kahle) to recommend that the City Council approve an Ordinance Amending Chapters 16.04 and 16.08 of the Menlo Park Municipal Code (Attachment A), in order to make City regulations consistent with applicable California law regarding child day care homes and centers; passes 6-0-1 with Commissioner Goodhue not in attendance.

I. Adjournment

Chair Strehl adjourned the meeting at 9:59 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on January 9, 2017

STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-015-CC**

Public Hearing: **Consider the Planning Commission's recommendation to approve zoning ordinance amendments relating to secondary dwelling units**

Recommendation

The Planning Commission and staff recommend that the City Council approve an Ordinance Amending Chapters 16.04 and 16.79 of the Menlo Park Municipal Code (Attachment A) in order to make City regulations consistent with applicable California law regarding secondary dwelling units.

Policy Issues

The proposed Zoning Ordinance Amendments would ensure that the Municipal Code would be in compliance with relevant State regulations. The amendments would also support Housing Element Policy H4.11, which encourages the development of secondary dwelling units.

Background

Assembly Bill 2299 (AB 2299) and Senate Bill 1069 (SB 1069) passed in the 2015-2016 legislative session and amended California laws relating to Secondary Dwelling Units (also referred to as Accessory Dwelling Units). The amendments relate to Government Code § 65852.2. Any existing municipal codes that do not meet the requirements of state law shall be considered null and void, and that agency shall thereafter apply the standards established in state law for the approval of Secondary Dwelling Units, unless and until the agency adopts an ordinance that complies with state law.

The draft amendments to the City of Menlo Park's Code relating to Secondary Dwelling Units are intended to bring the Code into compliance with California State law as amended by AB 2299 and SB 1069. The amendments are not intended to expand or restrict the current Codes relating to Secondary Dwelling Units, except to comply with the requirements of state law, with the exception of a rental term minimum that is discussed later.

Prior to the adoption of AB 2299 and SB 1069, the City adopted Zoning Ordinance Amendments relating to secondary dwelling units in 2013 and 2014, in association with Housing Element Updates. These updates clarified and streamlined the City's secondary dwelling unit regulations. Since these revisions, the number of building permits for secondary dwelling units has increased, helping address one critical housing strategy.

On December 5, 2016, the Planning Commission held a public hearing on the proposed changes. No members of the public submitted correspondence, although one resident made comments at the meeting. The draft minutes are included as Attachment B. The Planning Commission voted unanimously (6-0-1, with Commissioner Goodhue absent) to recommend approval of the proposed amendments.

Analysis

Assembly Bill 2299 and Senate Bill 1069

Secondary Dwelling Unit Standards and Regulations

Effective January 1, 2017, AB 2299 and SB 1069 amend California Government Code § 65852.2 to require any local ordinance regulating Secondary Dwelling Units to include certain specified standards and regulations. Those standards and regulations include: designation of certain areas within the jurisdiction where secondary dwelling units may be permitted; imposing standards on parking, height, setback, lot coverage, landscape, architectural review, maximum unit size, and standards that prevent adverse impacts on property that is listed in the California Register of Historic Places; provide that Secondary Dwelling Units do not exceed the allowable density for the lot on which the unit is located and that Secondary Dwelling Units are for residential use that is consistent with the existing General Plan and zoning designation; and require that Secondary Dwelling Units comply with all of the following:

1. The unit is not intended for sale separate from the primary residence and may be rented;
2. The lot is zoned for single-family or multifamily use and contains an existing, single-family dwelling;
3. The Secondary Dwelling Unit is either attached to the existing dwelling, or located within the living area of the existing dwelling, or detached from the existing dwelling and located on the same lot as the existing dwelling;
4. The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet;
5. The total area of floor space for a detached accessory dwelling unit shall not exceed 1,200 square feet;
6. No passageway shall be required in conjunction with the construction of a Secondary Dwelling Unit;
7. No setback shall be required for an existing garage that is converted to a Secondary Dwelling Unit and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above an existing garage;
8. Local building code requirements that apply to detached dwellings, as appropriate.
9. Parking Requirements as follows:
    a. Parking requirements shall not exceed one parking space per unit or per bedroom. These parking spaces may be provided as tandem parking on an existing driveway;
    b. Off-street parking shall be permitted in setback area in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback area or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction;
    c. Parking requirements shall not apply to any of the following Secondary Dwelling Units:
        i. If the Secondary Dwelling Unit is located within one-half mile of public transit;
        ii. If the Secondary Dwelling Unit is located within an architecturally and historically significant district;
        iii. If the Secondary Dwelling Unit is part of the existing primary residence or an existing accessory structure;
        iv. When on-street parking permits are required but not offered to the occupant of the Secondary Dwelling Unit;
        v. When there is a car share vehicle located within one block of the Secondary Dwelling Unit.
10. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of a Secondary Dwelling Unit, and the local agency requires that those off-street parking spaces be replaced, the replacement spaces may be located in any configuration on the same lot as the Secondary Dwelling Unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts, except that it does not apply to units exempt from parking requirements.

Permit Review

Under the amendments to the Government Code, local ordinances must include an approval process for Secondary Dwelling Units that includes only ministerial approval and shall not include any discretionary processes, provisions or requirements for those units, except as otherwise provided (i.e. Section 65901, which provides authorization of the zoning administrator to hear and decide applications for conditional uses or other permits when the zoning ordinance provides, and 65906, which provides authorization and procedures for variances, or any local ordinance regulating the issuance of variances or special use permits). The approval must be within one hundred and twenty (120) days after receiving the application. A local agency may charge a fee to reimburse it for costs that it incurs as a result of amendments enacted during the 2001-2002 Regular Session of the Legislature, including the costs of adopting or amending any ordinance that provides for the creation of Secondary Dwelling Units.

Failure to Comply with Government Code § 65852.2

If a local agency does not have an ordinance in place relating to Secondary Dwelling Units when it receives a permit to create a Secondary Dwelling Unit, the local agency must accept the application and approve or disapprove the application ministerially without discretionary review pursuant to Government Code § 65852.2(a).

Proposed Municipal Code Amendments

The proposed amendments (Attachment A) would do the following:

1. Amend the definition of Secondary Dwelling Unit to coordinate with the State law definition amendment to Accessory Dwelling Unit, to include specific definitions for “Attached Secondary Dwelling Units,” and “Detached Secondary Dwelling Units.”
2. Amend the regulations and conditions to comply with the State law requirements, as well as add a new minimum rental term for properties with secondary dwelling units.
3. Include a Secondary Dwelling Unit application review process that complies with State law.

The proposed amendments also include a proposed change that would prohibit the rental of the main dwelling or secondary dwelling unit for a term of less than thirty (30) days. This requirement would only apply to parcels that have secondary dwelling units. This change is not required by the recent State legislation, but it has been included by staff in recognition of the fact that landlords can have more control over longer-term residents, and may require tenants to adjust to neighbor or landlord preferences on topics like lighting or noise. In addition, staff believes that this provision would support the City’s housing goals by keeping such units available for residents, as opposed to short-term visitors (who already have a range of local hotel options). However, this provision is not meant to represent a complete strategy for short-term rentals in residential areas, and the City Council may wish to consider that topic comprehensively at a future session.

A comparison of the proposed amendments with the existing Zoning Ordinance is included as Attachment C. In addition, Attachment D provides a comparison of the currently-proposed changes with the proposal that was presented to the Planning Commission on December 5, 2016. These modest changes resulted from additional staff scrutiny, and include typographical corrections, a clearer distinction between accessory building conversions and new construction above a detached garage, a more streamlined approval process, and similar enhancements.

Correspondence

Following the Planning Commission meeting, staff has received four letters in response to the proposal (Attachment E). All provide input on the 30-day rental minimum, and/or on the topic of short-term rentals in general. One letter (anonymous) is from an individual who states that he/she occasionally rents a room

within his/her home, which does not appear to meet the definition of a secondary dwelling unit. Such operations would not be affected by the proposed regulations, which would only affect the rental of whole units on parcels that contain a secondary dwelling unit. However, as noted earlier, the City Council may wish to consider broader regulations with regard to short-term rentals in the future.

Conclusion

Staff believes the proposed amendments would bring local regulations into consistency with the recent State law changes, and support the City's existing policy to encourage appropriate secondary dwelling unit development. The amendments are not intended to expand or restrict the current Codes relating to Secondary Dwelling Units, except to comply with the requirements of state law, although the 30-day rental minimum is also being recommended to minimize neighbor impacts and to help provide more long-term housing options. Staff and the Planning Commission recommend that City Council approve an Ordinance Amending Chapters 16.04 and 16.79 of the Menlo Park Municipal Code (Attachment A).

Impact on City Resources

This consistency update is being accommodated within the existing budgets of the Planning Division and City Attorney, and is not expected to otherwise affect City resources. Secondary dwelling unit building permits will remain subject to existing fees that were established to cover City costs and address impacts.

Environmental Review

The proposed ordinance amendment is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The proposed ordinance amendments have no potential for resulting in physical change to the environment either directly or indirectly.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper.

Attachments

A. Draft Ordinance of the City Council of the City of Menlo Park Amending Section 16.04.295 [Definition of Dwelling Unit, Secondary] and Amending and Restating Chapter 16.79 [Secondary Dwelling Units] of Title 16 [Zoning] of the Menlo Park Municipal Code to Conform to Changes in State Law
B. Planning Commission Draft Excerpt Minutes – December 5, 2016
C. Redline Comparison of Existing and Proposed Ordinances
D. Redline Comparison of Current (January 2017) and Initial (December 2016) Proposed Ordinances
E. Correspondence

Report prepared by:
Jennifer A. Bregante Beyers and William L. McClure, City Attorney's Office

Report reviewed by:
Thomas Rogers, Principal Planner

ORDINANCE NUMBER _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING SECTION 16.04.295 [DEFINITION OF DWELLING UNIT, SECONDARY] AND AMENDING AND RESTATING CHAPTER 16.79 [SECONDARY DWELLING UNITS] OF TITLE 16 [ZONING] OF THE MENLO PARK MUNICIPAL CODE TO CONFORM TO CHANGES IN STATE LAW

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. FINDINGS AND DETERMINATIONS.

A. There is an increased need for housing in the San Francisco Bay Area as more than two million new residents will be added by 2040.
B. Secondary units (also called in-law units or accessory dwelling units) are well-suited as an infill strategy for low-density residential areas because they offer hidden density, housing units not readily apparent from the street- and are relatively less objectionable to neighbors.
C. Recognizing the potential for secondary units as a housing strategy, California has passed several laws to lower local regulatory barriers to construction, which includes a requirement that each City have a ministerial process for approving secondary units.
D. The most recent California legislation (AB 2299 and SB 1069) was passed as a means to streamline current statewide regulations as well as encourage the building of new secondary units to create more housing options.
E. In order to fully comply with the most recent California legislation, the City of Menlo Park must amend its Zoning Ordinance.
F. The City Council of the City of Menlo Park finds and declares an amendment to Chapters 16.04 [Definitions] and 16.79. [Secondary Dwelling Units] is necessary for the above reasons.

SECTION 2. AMENDMENT OF CODE. Section 16.04.295 [Dwelling unit, secondary] of Chapter 16.04 [Definitions] of Title 16 [Zoning] is hereby amended in its entirety as follows:

16.04.295 Dwelling unit, secondary.
A "secondary dwelling unit" (which is referred to as an “accessory dwelling unit” in State law) means a dwelling unit on a residential lot which provides complete independent living facilities for one or more persons, and shall include permanent provisions for living, sleeping, eating, cooking, and sanitation independent of the main dwelling existing on the residential lot. For purposes of a secondary dwelling unit, permanent provisions for eating and cooking include the following: (1) permanent range, (2) counters, (3) refrigerator, and (4) sink. There are two (2) types of secondary dwelling units: (1) units attached to the existing dwelling, including units located within the living area of an existing dwelling unit

("Attached Secondary Dwelling Units"); and (2) units detached from the existing dwelling unit and located on the same lot as the existing dwelling unit ("Detached Secondary Dwelling Units").

SECTION 3. AMENDMENT OF CODE. Chapter 16.79 [Secondary Dwelling Units] of Title 16 [Zoning] is hereby amended in its entirety as follows:

Sections:

16.79.010 Purpose.
16.79.020 Permitted use.
16.79.030 Conditional use.
16.79.040 Development regulations.
16.79.045 Conversion of accessory buildings.
16.79.050 Mitigation monitoring.
16.79.060 Application review and approval process.

16.79.010 Purpose.

The purpose of this chapter is to provide for the creation of secondary dwelling units in single-family residential zones and to set forth criteria and regulations of those secondary dwelling units.

16.79.020 Permitted use.

Secondary dwelling units as defined in Section 16.04.295 are a permitted use in the City's single-family residential zoning districts for residential use that is consistent with the City's general plan and the specific zone for the lot on which the secondary dwelling unit is to be located. Secondary dwelling units must comply with the development standards applicable to the single-family zoning district in which the lot is located, including, but not limited to parking, height, setback, lot coverage, landscape, architectural review, maximum size, and to other standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places, except as otherwise provided elsewhere in this Chapter 16.79.

16.79.030 Conditional use.

Secondary dwelling units that require modification to the development regulations set forth in this Chapter, except for items (3) density and (4) subdivision, are conditionally permitted in the single-family residential zoning districts, subject to the use permit requirements of Chapter 16.82.

16.79.040 Development and use regulations.

Secondary dwelling units are permitted within single-family residential zones, subject to the following standards, restrictions and regulations. Development and use regulations for secondary dwelling units are as follows:

(1) Minimum lot area: six thousand (6,000) square feet.
(2) Primary Residence.
    (A) A single-family residence must be located on the lot.

(B) The secondary dwelling unit may not be sold separately from the primary residence.

(3) Density. No more than one (1) secondary dwelling unit may be allowed on any one lot.

(4) Subdivision. A lot having a secondary dwelling unit may not be subdivided in a manner that would allow for the main dwelling and secondary dwelling unit to be located on separate lots that do not meet the minimum lot area, width and/or depth required by the single-family zoning district in which the lot is located.

(5) Minimum Yards.

(A) Attached Secondary Dwelling Units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located;

(B) Detached Secondary Dwelling Units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located, with the exception that the minimum rear yard is ten (10) feet. Furthermore, the interior side and rear yards may be reduced to five (5) feet, subject to written approval of the owner(s) of the contiguous property abutting the portion of the encroaching structure. If the contiguous interior side or rear property line is an alley, the minimum setback is five (5) feet. If a secondary dwelling unit is constructed above an existing detached garage, the side and rear yard setback is five (5) feet. The provisions of Section 16.62.020 (1) shall not apply to a Detached Secondary Dwelling Unit.

(6) Unit Size.

(A) Detached Secondary Dwelling Units shall not exceed six hundred forty (640) square feet, except buildings complying with all aspects of the disabled access requirements for kitchens, bathrooms, and accessible routes established in the California Building Code for adaptable residential dwelling units shall have a maximum square footage of seven hundred (700) square feet.

(B) Attached Secondary Dwelling Units shall not exceed fifty percent (50%) of the existing living area, with a maximum increase in floor area of six hundred forty (640) square feet, except buildings complying with all aspects of the disabled access requirements for kitchens, bathrooms, and accessible routes established in the California Building Code for adaptable residential dwelling units shall have a maximum square footage of seven hundred (700) square feet.

(C) All secondary dwelling units shall be limited to studio or one (1) bedroom units and one (1) bathroom.

(D) No passage way shall be required in conjunction with the construction of a secondary dwelling unit.

(E) Secondary dwelling units shall count towards the total floor area for the lot, and the entire floor area of all buildings may not exceed the permitted Floor Area Limit (FAL) established by the single-family zoning district in which the lot is located.

(7) Building Coverage. Secondary dwelling units shall count towards the total building coverage for the lot, and the entire building coverage of all buildings may not exceed the permitted building coverage established by the single-family zoning district in which the lot is located.

(8) Height. The maximum permitted height of a secondary dwelling unit is the same as the maximum permitted height for the single-family zoning district in which the lot is

located, except that in no instance shall the maximum total height for any detached secondary dwelling unit exceed seventeen (17) feet.

(9) Daylight Plane. A daylight plane shall begin at a horizontal line nine (9) feet, six (6) inches above the average natural grade at a line three (3) feet from the side property lines and shall slope inwards at a forty-five (45) degree angle. There are no permitted intrusions into the daylight plane. “Average natural grade” means the average of the highest and lowest points of the natural grade of the portion of the lot directly below a line three (3) feet from the side property lines.

(10) Parking. One (1) off-street parking space is required, except as provided in Section 11 (Parking Exceptions) below, in addition to the required parking for the main dwelling unit, that may be provided in the following configurations and areas in addition to the areas allowed for the main dwelling:

(A) In tandem, meaning one (1) car located directly behind another car, including a single-car driveway leading to two (2) required parking spaces for the main dwelling;

(B) Within required interior side yards;

(C) Within required front yards if no more than five hundred (500) square feet of the required front yard are paved for motor vehicle use (inclusive of the main residence driveway and parking areas) and a minimum setback of eighteen (18) inches from the side property lines is maintained.

The required off-street parking can be provided in either a covered or uncovered space, but all covered parking shall comply with the setback requirements of the main dwelling, if the parking is attached, or the accessory building regulations, if the parking is detached.

(11) Parking Exceptions. The off-street parking requirement of Section (10) Parking, does not apply to the following secondary dwelling units:

(A) Secondary dwelling units located within one-half mile of public transit as determined by the community development director.

(B) Secondary dwelling units located within an architecturally and historically significant historic district.

(C) Existing secondary dwelling units that were permitted without additional parking.

(D) When on-street parking permits are required but not offered to the occupant of the secondary dwelling unit.

(E) When a car share vehicle is located within one block of the secondary dwelling unit as determined by the community development director.

(12) Consistency. All secondary dwelling units shall comply with all applicable development regulations for the single-family zoning district in which the lot is located and building code requirements set forth in Title 12, Buildings and Construction, unless otherwise specifically provided for in this section.

(13) Aesthetics. The secondary dwelling unit shall have colors, materials, textures and architecture similar to the main dwelling.

(14) Tenancy. Either the main dwelling or the secondary dwelling unit shall be occupied by the property owner when both units are occupied as dwelling units. If a property owner does not occupy one of the dwelling units, the property owner may apply for a non-tenancy status for a term of one (1) year through a registration process

established by the community development director. To be eligible for the registration process, a property owner must have lived at the subject property for a minimum of two (2) years of the previous five (5) years from the date of application. The property owner may renew the registration annually, not to exceed four (4) years in total, subject to the review and approval of the community development director, pursuant to the following criteria and process established by the community development director. In no instance shall either the main dwelling or secondary dwelling unit be rented for a term of less than thirty (30) days.

(A) The application for the registration and renewal(s) shall be accompanied by a fee, set by the city council.

(B) The application for registration and renewal shall state the reason for the request and provide supporting documentation. The registration shall be approved for any of the following reasons: (i) temporary job relocation, with the intent to return, (ii) relocation for school (e.g., mid-year career change), and (iii) physically unable to live in the house.

(C) The application shall provide a property management plan that includes the name and contact information to address issues or concerns about the use of the property should they arise. The plan should also include information about parking, including (i) a site plan with the parking layout for the property, (ii) how parking will be assigned between tenants, and (iii) an action plan that demonstrates how parking issues will be resolved effectively and efficiently between tenants if tandem parking is provided.

(D) A use permit is required for non-tenancy status longer than four (4) years or for waiver of the requirement that the owner reside in the unit for not less than two (2) of the previous five (5) years prior to the date of application or for a reason other than those stated in subsection (11)(B) of this section.

16.79.045 Conversion of accessory buildings.

(1) An accessory building may be eligible to convert into a secondary dwelling unit, subject to meeting criteria as outlined in subsection (2) of this section and approval through the process outlined in Section 16.79.060. No additional off-street parking shall be required to convert an accessory building into a secondary dwelling unit.

(2) Eligibility. The following criteria must be met in order to be eligible for the conversion of an accessory building:

(A) The accessory building must have received building permits and commenced construction prior to January 1, 2017. Other supporting documentation to show the building was legally built may be substituted for a building permit subject to review by the community development director.

(B) The accessory building must be upgraded to meet the building code requirements based on the change of occupancy at the time of the conversion.

(C) The accessory building must meet all of the development regulations of Section 16.79.040, with the exception of items (5) minimum yards, (8) height, and (9) daylight plane.

(3) All or any portion of an accessory building that meets the eligibility criteria as provided in this section may be demolished and reconstructed to meet the building code requirements based on the change of occupancy at the time of conversion. The

secondary dwelling unit that replaces the accessory building may retain the setbacks and the footprint of the legally constructed accessory building. The existing setbacks and footprint of the accessory building must be evidenced by valid building permits or other supporting documentation subject to review by the community development director. Nothing in this section shall be deemed to authorize the expansion of the footprint or reduction of the setbacks beyond that evidenced by a valid building permit or other supporting documentation subject to review by the community development director or to allow the continuation of any other nonconformity.

16.79.050 Mitigation monitoring.
All second unit development shall comply, at a minimum, with the mitigation monitoring and report program (MMRP) established through Resolution No. 6149 associated with the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment prepared for the Housing Element adopted on May 21, 2013.

16.79.060 Application Review and Approval Process.
Each development of a secondary dwelling unit requires review for compliance with this Chapter 16.79 as part of the building permit review process for the creation of a secondary dwelling unit.
(1) Application. Concurrent with the submittal of a complete building permit application for the secondary dwelling unit, the secondary dwelling unit checklist, which demonstrates compliance with all of the secondary dwelling unit development regulations, shall be submitted. The application shall include plans showing the details of the proposed secondary dwelling unit per submittal guidelines established by the community development director.
(2) Compliance Determination. The community development director or his or her designee shall make a determination of compliance prior to issuance of the building permit for the secondary dwelling unit. The determination of the community development director is final and not subject to appeal.
(3) All applications for secondary dwelling units that meet and comply with the requirements under this Chapter shall be approved without discretionary review or a hearing within one-hundred twenty (120) days after receipt of a substantially complete application. The application shall be denied if the proposed secondary dwelling unit does not comply with all applicable requirements of this Chapter or it may be conditionally approved subject to conditions that will bring the proposed secondary dwelling unit into compliance with this Chapter.

SECTION 4. SEVERABILITY. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 5. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The City Council hereby finds that this ordinance is not subject to the provisions of the

California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

SECTION 6. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 30 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posting in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the __ day of _____, 2017.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the __ day of _____, 2017, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

APPROVED: _____
Mayor

ATTEST:

_____
Pamela Aguilar, City Clerk

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CITY OF MENLO PARK

REGULAR MEETING MINUTES - EXCERPT
Date: 12/5/2016
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Katherine Strehl called the meeting to order at 7:01 p.m.

B. Roll Call

Present: Andrew Barnes, Drew Combs (Vice Chair), Larry Kahle, John Onken, Henry Riggs, Katherine Strehl (Chair)
Absent: Susan Goodhue
Staff: Thomas Rogers, Principal Planner; Kaitie Meador, Associate Planner; Yesenia Jimenez, Associate Planner; Angela Obeso, Associate Engineer; Nikki Nagaya, Transportation Manager; Jennifer A. Bregante Beyers, City Attorney's Office

F. Public Hearing

6. Zoning Ordinance Amendments: Secondary Dwelling Units:
Consider amendments to Zoning Ordinance Chapter 16.04 [Definitions] and Chapter 16.79 [Secondary Dwelling Units], in order to make City regulations consistent with applicable California law regarding secondary (accessory) dwelling units. (Staff Report #16-101-PC)

Staff Comment: Ms. Beyers said the proposed ordinance amendments were drafted to bring existing code into compliance with state law, were not intended to change or add any policy decisions, and generally use regulations in the current code were kept unless state law required otherwise. She said one proposed amendment to the ordinance not required by state law was included in the draft 16.79.040 subsection 14 to prohibit renting secondary dwelling units or primary dwelling units for less than 30 days. She said this was due to some short rentals such as Air B&B that had created some problems within neighborhoods.

Replying to Commissioner Kahle, Ms. Beyers referred to the redlined document. She said most of the changes proposed related to parking requirements, consistency with what was required as far as lot area, primary residence, and other minor regulations. Commissioner Onken asked if it was allowing tandem parking. Ms. Beyers said that it not only would allow tandem parking but there was also an exception to the parking regulations at subsection 11. Commissioner Onken asked if these developments were for Planning Commission review. Ms. Beyers said they were not conditional uses as state law does not permit conditional use permits for secondary dwelling units. She said part of the ordinance required a conditional use permit when the unit is not in conformance with other development regulations. Principal Planner Rogers said that was no different from the current ordinance in that an applicant only needed Planning Commission review when requesting something that did not meet certain standards in the secondary dwelling unit code.

Commissioner Kahle said the density was limited to one secondary dwelling unit. He said other cities have a review process allowing for another secondary dwelling unit within a certain distance. He asked if that had been considered. Ms. Beyers indicated they kept the City's existing ordinance and only changed what was called for by state law. Commissioner Kahle said 16.04.295 Section 5.b, 3rd page, started with language that detached secondary dwelling unit would have a minimum rear setback of 10 feet but the next paragraph indicated with written approval that the rear and side setbacks could be allowed at be five feet. Principal Planner Rogers said the language was setting a process by which a neighbor might approve a reduced setback. Commissioner Kahle asked about section 6, paragraph b, indicating the maximum increase in floor area to 640 square feet. Ms. Beyers said that was pulled from existing code. She said an attached secondary dwelling unit could only increase the floor area to 640 square feet. She said in other sections the total floor area is limited to whatever is allowed in that particular zone. Commissioner Kahle asked where the 640 square foot number came from. Chair Strehl said she believed it came out of the Housing Element and that if applicant was building a secondary dwelling unit that was ADA compliant the floor area could increase to 700 square feet. Commissioner Kahle said one other requirement in the proposed amendment was for the unit to be within half-mile of transit. Ms. Beyers said the state did not define that so they added making that at the discretion of the Community Development Director. Commissioner Kahle confirmed that was the same process for the car share requirement.

Commissioner Riggs said item 7 on page 2 of the staff report noted that secondary dwelling units would have a setback of no more than five feet from the side rear lot line for a unit constructed above an existing garage. He said it did not stipulate an attached garage and questioned height limitations to add a second floor to a detached garage in the rear yard. Principal Planner Rogers said with the 2013 ordinance for secondary dwelling units while they believed every possible scenario had been addressed, one of their first inquiries for a secondary dwelling unit was to put it above an accessory building. He said in looking at that they found it was not prohibited but was somewhat restrained by the 17-foot height limit and daylight plane limits. He said for garage spaces not much space was needed for clearance so with deployment of shed dormers and careful plate heights it appeared feasible if not spacious.

Commissioner Barnes said page 1 of the staff report cited the City has issued an unprecedented number of building permits for secondary dwelling units and asked how many. Principal Planner Rogers said he pulled that language from the 2015 Housing Element Annual Report. He said before the 2013 ordinance was adopted the City had, on average, zero to two applications for secondary dwelling units per year. He said under the last full year the number of permits for secondary dwelling units had been eight, which was a significant increase. Commissioner Barnes said the amendment was not intended to decrease or increase applications for secondary dwelling units but asked if staff had a sense of the level of interest. Principal Planner Rogers said based on the number of inquiries made that interest seemed strong. He said some people were discouraged by the fees such as the Transportation Impact Fee. He said tandem parking was a good improvement to the requirements, which made many more secondary dwelling units feasible.

Chair Strehl opened public comment period.

- Pamela Jones said she was pleased there would not be a method for AirBnB due to disruptions to residents such use had caused. She asked what the expertise of the Community Development Director, or designee, was as their decision appeared to be final and not subject to appeal.

Principal Planner Rogers, responding to the Chair, said Arlinda Heineck, the Community Development Director, has 20-plus years of experience with the City. He said the process for the

applicant would be similar to how items were brought to the Planning Commission with the spirit of problem solving and ordinance compliance. He said that it was not appealable as it was state law and not up to City discretion.

Chair Strehl closed the public comment period.

ACTION: Motion and second (Onken/Barnes) to recommend that the City Council approve an Ordinance Amending Chapters 16.04 and 16.79 of the Menlo Park Municipal Code (Attachment A) in order to make City regulations consistent with applicable California law regarding secondary dwelling units; passes 6-0-1 with Commissioner Goodhue not in attendance.

I. Adjournment

Chair Strehl adjourned the meeting at 9:59 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on January 9, 2017

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Chapter 16.04
DEFINITIONS

16.04.295 Dwelling unit, secondary.

A ~~"~~"secondary dwelling unit~~"~~" (which is referred to as an "accessory dwelling unit" in State law) means a dwelling unit on a residential lot which provides complete independent living facilities for one or more persons, and shall include permanent provisions for living, sleeping, eating, cooking, and sanitation independent of the main dwelling existing on the residential lot. For purposes of a secondary dwelling unit, permanent provisions for eating and cooking include the following: ~~1) permanent range, 2) counters, 3) refrigerator, and 4) sink.~~(1) permanent range, (2) counters, (3) refrigerator, and (4) sink. There are two (2) types of secondary dwelling units: (1) units attached to the existing dwelling, including units located within the living area of an existing dwelling unit ("Attached Secondary Dwelling Units"); and (2) units detached from the existing dwelling unit and located on the same lot as the existing dwelling unit ("Detached Secondary Dwelling Units").

Chapter 16.79
SECONDARY DWELLING UNITS

Sections:

16.79.010 Purpose.
16.79.020 Permitted use.
16.79.030 Conditional use.
16.79.040 Development regulations.
16.79.045 Conversion of accessory buildings.
16.79.050 Mitigation monitoring.
16.79.060 Application review and approval process.

16.79.010 Purpose.

The purpose of this chapter is to provide for the creation of secondary dwelling units in single-family residential zones and to set forth criteria and regulations ~~to control the development of secondary dwelling units within the single-family residential zoning districts.~~

~~16.79.020 Permitted use.~~

~~A~~of those secondary dwelling ~~unit developed within the main dwelling or structurally attached to the main dwelling as defined in Section 16.04.145 Buildings, structurally attached, or a secondary dwelling unit detached from the main dwelling, are permitted in a single-family residential zoning district, subject to the provisions set forth in Section 16.79.040.~~units.

16.79.020 Permitted use.

Secondary dwelling units as defined in Section 16.04.295 are a permitted use in the City's single-family residential zoning districts for residential use that is consistent with the City's general plan and the specific zone for the lot on which the secondary dwelling

unit is to be located. Secondary dwelling units must comply with the development standards applicable to the single-family zoning district in which the lot is located, including, but not limited to parking, height, setback, lot coverage, landscape, architectural review, maximum size, and to other standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places, except as otherwise provided elsewhere in this Chapter 16.79.

16.79.030 Conditional use.

~~A secondary~~Secondary dwelling ~~unit~~units that ~~is either attached or detached and requesting~~require modification to the development regulations set forth in this Chapter, except for items (~~2~~3) density and (~~3~~4) subdivision, ~~as established in Chapter 16.79.040.~~are conditionally permitted in the single-family residential zoning districts, subject to the use permit requirements of Chapter 16.82.

16.79.040 Development and use regulations.

Secondary dwelling units are permitted within single-family residential zones, subject to the following standards, restrictions and regulations. Development and use regulations for ~~a~~ secondary dwelling ~~unit~~units are as follows:

(1) Minimum lot area: six thousand (6,000~~;~~) square feet.

(2) Primary Residence.

(A) A single-family residence must be located on the lot.

(B) The secondary dwelling unit may not be sold separately from the primary residence.

(3) Density~~:~~ . No more than one (1) secondary dwelling unit may be allowed on any one ~~(1)~~ lot~~;~~.

(~~3~~4) Subdivision~~:~~ . A lot having a secondary dwelling unit may not be subdivided in a manner that would allow for the main dwelling and secondary dwelling unit to be located on separate lots that do not meet the minimum lot area, width and/or depth required by the single-family zoning district in which the lot is located~~;~~.

(~~4~~5) Minimum ~~yards:~~Yards.

~~(a) Structurally attached secondary dwelling units: Secondary dwelling units developed within the main dwelling or structurally attached to the main dwelling as defined in Section 16.04.145 Buildings, structurally attached,~~(A) Attached Secondary Dwelling Units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located;

(~~b~~B) Detached ~~secondary dwelling units: Detached secondary dwelling units~~Secondary Dwelling Units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located, with the exception that the minimum rear yard is ten (10) feet. Furthermore, the interior side and rear yards may be reduced to five (5) feet, subject to written approval of the owner(s) of the contiguous property abutting the portion of the encroaching structure. If the contiguous interior side or rear property line is an alley, the minimum setback is five (5) feet. If a secondary dwelling unit is constructed above an existing detached garage, the side and rear yard setback is five (5) feet. The ~~provision~~provisions of Section 16.62.020 (1) shall not apply to a ~~detached secondary dwelling unit~~Detached Secondary Dwelling Unit.

(~~5~~6) Unit ~~size:~~Size.

~~(a) The square footage of all levels of the secondary dwelling unit shall not exceed 640~~(A) Detached Secondary Dwelling Units shall not exceed six hundred forty (640) square feet, except buildings complying with all aspects of the disabled access requirements for kitchens, bathrooms, and accessible routes established in the California Building Code for adaptable residential dwelling units shall have a maximum square footage of seven hundred (700) square feet.

(B) Attached Secondary Dwelling Units shall not exceed fifty percent (50%) of the existing living area, with a maximum increase in floor area of six hundred forty (640) square feet, except buildings complying with all aspects of the disabled access requirements for kitchens, bathrooms, and accessible routes established in the California Building Code for adaptable residential dwelling units shall have a maximum square footage of ~~700 square feet. The maximum square footage does not include the square footage of an attached accessory building for which there is no internal connection to the secondary dwelling unit;~~seven hundred (700) square feet.

(~~b) Secondary~~C) All secondary dwelling units shall be limited to studio or one~~-~~(1) bedroom units and one (1) bathroom.

(~~6~~D) No passage way shall be required in conjunction with the construction of a secondary dwelling unit.

(E) Secondary dwelling units shall count towards the total floor area for the lot, and the entire floor area of all buildings may not exceed the permitted Floor Area Limit (FAL) established by the single-family zoning district in which the lot is located.

(7) Building Coverage. Secondary dwelling units shall count towards the total building coverage for the lot, and the entire building coverage of all buildings may not exceed the permitted building coverage established by the single-family zoning district in which the lot is located.

(8) Height~~:~~. The maximum ~~total~~permitted height ~~is~~ of a secondary dwelling unit is the same as the maximum permitted height for the single-family zoning district in which the lot is located, except that in no instance shall the maximum total height for any detached secondary dwelling unit exceed seventeen (17) feet.

(~~7~~9) Daylight Plane~~:~~. A daylight plane shall begin at a horizontal line nine (9) feet, six (6) inches above the average natural grade at a line three (3) feet from the side property lines and shall slope inwards at a forty-five (45) degree angle. There are no permitted intrusions into the daylight plane. "Average natural grade" means the average of the highest and lowest points of the natural grade of the portion of the lot directly below a line three (3) feet from the side property lines.

(~~8~~10) Parking~~:~~. One (1) off-street parking space is required, except as provided in Section 11 (Parking Exceptions) below, in addition to the required parking for the main dwelling unit, that may be provided in the following configurations and areas in addition to the areas allowed for the main dwelling:

(~~a~~A) In tandem, meaning one (1) car located directly behind another car, including a single-car driveway leading to two (2) required parking spaces for the main dwelling;

(~~b~~B) Within required interior side yards;

(~~c~~C) Within required front yards if no more than five hundred (500) square feet of the required front yard ~~is~~are paved for motor vehicle use (inclusive of the main

residence driveway and parking areas) and a minimum setback of eighteen (18) inches from the side property lines is maintained.

The required off-street parking can be provided in either a covered or uncovered space, but all covered parking shall comply with the setback requirements of the main dwelling, if the parking is attached, or the accessory building regulations, if the parking is detached.

~~(9) Consistency:~~ (11) Parking Exceptions. The off-street parking requirement of Section (10) Parking, does not apply to the following secondary dwelling units:

(A) Secondary dwelling units located within one-half mile of public transit as determined by the community development director.

(B) Secondary dwelling units located within an architecturally and historically significant historic district.

(C) Existing secondary dwelling units that were permitted without additional parking.

(D) When on-street parking permits are required but not offered to the occupant of the secondary dwelling unit.

(E) When a car share vehicle is located within one block of the secondary dwelling unit as determined by the community development director.

(12) Consistency. All secondary dwelling units shall comply with all applicable development regulations for the single-family zoning district in which the lot is located and building code requirements set forth in Title 12 ~~Building~~, Buildings and Construction ~~of the Municipal Code~~, unless otherwise specifically provided for in this section~~:~~.

(~~10~~13) Aesthetics~~:~~. The secondary dwelling unit shall have colors, materials, textures and architecture similar to the main dwelling.

(~~11~~14) Tenancy~~:~~. Either the main dwelling or the secondary dwelling unit shall be occupied by the property owner when both units are occupied as ~~dwellings~~dwelling units. If a property owner does not occupy one of the dwelling units, the property owner may apply for a non-tenancy status for a term of one (1) year through a registration process established by the ~~Community Development Director.~~ community development director. To be eligible for the registration process, a property owner must have lived at the subject property for a minimum of two (2) years of the previous five (5) years from the date of application. The property owner may renew the registration annually, not to exceed four (4) years in total, subject to the review and approval of the ~~Community Development Director~~community development director, pursuant to the following criteria and process established by the ~~Community Development Director.~~ community development director. In no instance shall either the main dwelling or secondary dwelling unit be rented for a term of less than thirty (30) days.

(A) The application for the registration and renewal(s) shall be accompanied by a fee, set by the ~~City Council.~~ city council.

(B) The application for registration and renewal shall state the reason for the request and provide supporting documentation. The registration shall be approved for any of the following reasons: ~~1~~(i) temporary job relocation, with the intent to return, ~~2~~(ii) relocation for school (e.g~~.~~., mid-year career change), and ~~3~~(iii) physically unable to live in the house.

(C) The application shall provide a property management plan that includes the name and contact information to address issues or concerns about the use of the

property should they arise. The plan should also include information about parking, including ~~1~~(i) a site plan with the parking layout for the property, ~~2~~(ii) how parking will be assigned between tenants, and ~~3~~(iii) an action plan that demonstrates how parking issues will be resolved effectively and efficiently between tenants if tandem parking is provided.

(D) A use permit is required for non-tenancy status longer than four (4) years or for waiver of the requirement that the owner reside in the unit for not less than two (2) of the previous five (5) years prior to the date of application or for a reason other than those stated in ~~item 2 above~~subsection (11)(B) of this section.

16.79.045 Conversion of accessory buildings.

(1) An accessory building may be eligible to convert into a secondary dwelling unit, subject to meeting criteria as outlined in ~~Section 16.79.045(2) and approval of an administrative permit per Chapter 16.82.~~subsection (2) of this section and approval through the process outlined in Section 16.79.060. No additional off-street parking shall be required to convert an accessory building into a secondary dwelling unit.

(2) Eligibility~~:~~. The following criteria must be met in order to be eligible for the conversion of an accessory building:

(A) The accessory building must have received building permits and commenced construction prior to ~~June 13, 2014.~~ January 1, 2017. Other supporting documentation to show the building was legally built may be substituted for a building permit subject to review by the ~~Community Development Director~~community development director.

~~(a) The property owner shall have one (1) year from June 13, 2014 to submit a complete administrative permit application, including all applicable fees and plans, to qualify for the conversion process.~~

(B) The accessory building must be upgraded to meet the ~~Building Code~~building code requirements based on the change of occupancy at the time of the conversion.

(C) The accessory building must meet all of the development regulations of Section 16.79.040, with the exception of items (5) minimum yards, ~~which shall be established in the administrative permit.~~(8) height, and (9) daylight plane.

(3) All or any portion of an accessory building that meets the eligibility criteria as provided in this ~~Section 16.79.045~~section may be demolished and reconstructed to meet the ~~Building Code~~building code requirements based on the change of occupancy at the time of conversion. The secondary dwelling unit that replaces the accessory building may retain the setbacks and the footprint of the legally constructed accessory building. The existing setbacks and footprint of the accessory building must be evidenced by valid building permits or other supporting documentation subject to review by the ~~Community Development Director.~~ community development director. Nothing in this ~~Section~~section shall be deemed to authorize the expansion of the footprint or reduction of the setbacks beyond that evidenced by a valid building permit or other supporting documentation subject to review by the ~~Community Development Director~~community development director or to allow the continuation of any other nonconformity.

~~(4) This section 16.97.045 shall sunset in its entirety and no longer be effective one (1) year from June 13, 2014 for any administrative permit application not received by said date. The City Council, by resolution, may extend the effective date without further public hearings by the Planning Commission and City Council.~~

16.79.050 Mitigation ~~Monitoring~~monitoring.

All second unit development shall comply, at a minimum, with the ~~Mitigation Monitoring and Report Program~~mitigation monitoring and report program (MMRP) established through Resolution No. 6149 associated with the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment prepared for the Housing Element adopted on May 21, 2013.

16.79.060 Application Review and Approval Process.

Each development of a secondary dwelling unit requires review for compliance with this Chapter 16.79 as part of the building permit review process for the creation of a secondary dwelling unit.

(1) Application. Concurrent with the submittal of a complete building permit application for the secondary dwelling unit, the secondary dwelling unit checklist, which demonstrates compliance with all of the secondary dwelling unit development regulations, shall be submitted. The application shall include plans showing the details of the proposed secondary dwelling unit per submittal guidelines established by the community development director.

(2) Compliance Determination. The community development director or his or her designee shall make a determination of compliance prior to issuance of the building permit for the secondary dwelling unit. The determination of the community development director is final and not subject to appeal.

(3) All applications for secondary dwelling units that meet and comply with the requirements under this Chapter shall be approved without discretionary review or a hearing within one-hundred twenty (120) days after receipt of a substantially complete application. The application shall be denied if the proposed secondary dwelling unit does not comply with all applicable requirements of this Chapter or it may be conditionally approved subject to conditions that will bring the proposed secondary dwelling unit into compliance with this Chapter.

ORDINANCE NUMBER _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING SECTION 16.04.295 [DEFINITION OF DWELLING UNIT, SECONDARY] AND AMENDING AND RESTATING CHAPTER 16.79 [SECONDARY DWELLING UNITS] OF TITLE 16 [ZONING] OF THE MENLO PARK MUNICIPAL CODE TO CONFORM TO CHANGES IN STATE LAW

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. FINDINGS AND DETERMINATIONS.

A. There is an increased need for housing in the San Francisco Bay Area as more than two million new residents will be added by 2040.
B. Secondary units (also called in-law units or accessory dwelling units) are well-suited as an infill strategy for low-density residential areas because they offer hidden density, housing units not readily apparent from the street- and are relatively less objectionable to neighbors.
C. Recognizing the potential for secondary units as a housing strategy, California has passed several laws to lower local regulatory barriers to construction, which includes a requirement that each City have a ministerial process for approving secondary units.
D. The most recent California legislation (AB 2299 and SB 1069) was passed as a means to streamline current statewide regulations as well as encourage the building of new secondary units to create more housing options.
E. In order to fully comply with the most recent California legislation, the City of Menlo Park must amend its Zoning Ordinance.
F. The City Council of the City of Menlo Park finds and declares an amendment to Chapters 16.04 [Definitions] and 16.79. [Secondary Dwelling Units] is necessary for the above reasons.

SECTION 2. AMENDMENT OF CODE. Section 16.04.295 [Dwelling unit, secondary] of Chapter 16.04 [Definitions] of Title 16 [Zoning] is hereby amended in its entirety as follows:

16.04.295 Dwelling unit, secondary.
A "secondary dwelling unit" (which is referred to as an “accessory dwelling unit” in State law) means a dwelling unit on a residential lot which provides complete independent living facilities for one or more persons, and shall include permanent provisions for living, sleeping, eating, cooking, and sanitation independent of the main dwelling existing on the residential lot. For purposes of a secondary dwelling unit, permanent provisions for eating and cooking include the following: (1) permanent range, (2) counters, (3) refrigerator, and (4) sink. There are two (2) types of secondary dwelling units: (1) units attached to the existing dwelling, including units located within the living area of an existing dwelling unit

("Attached Secondary Dwelling Units"); and (2) units detached from the existing dwelling unit and located on the same lot as the existing dwelling unit ("Detached Secondary Dwelling Units").

SECTION 3. AMENDMENT OF CODE. Chapter 16.79 [Secondary Dwelling Units] of Title 16 [Zoning] is hereby amended in its entirety as follows:

Sections:

16.79.010 Purpose.
16.79.020 Permitted use.
16.79.030 Conditional use.
16.79.040 Development regulations.
16.79.045 Conversion of accessory buildings.
16.79.050 Mitigation monitoring.
16.79.060 Application review and approval process.

16.79.010 Purpose.

The purpose of this chapter is to provide for the creation of secondary dwelling units in single-family residential zones and to set forth criteria and regulations of those secondary dwelling units.

16.79.020 Permitted use.

Secondary dwelling units as defined in Section 16.04.295 are a permitted use in the City's single-family residential zoning districts for residential use that is consistent with the City's general plan and the specific zone for the lot on which the secondary dwelling unit is to be located. Secondary dwelling units must comply with the development standards applicable to the single-family zoning district in which the lot is located, including, but not limited to parking, height, setback, lot coverage, landscape, architectural review, maximum size, and to other standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places, except as otherwise provided elsewhere in this Chapter 16.79.

16.79.030 Conditional use.

Secondary dwelling units that require modification to the development regulations set forth in this Chapter ~~through issuance of a variance or other special use permit~~, except for items (3) density and (4) subdivision, are conditionally permitted in the single-family residential zoning districts, subject to the use permit requirements of Chapter 16.82.

16.79.040 Development and use regulations.

Secondary dwelling units are permitted within single-family residential zones, subject to the following standards, restrictions and regulations. Development and use regulations for secondary dwelling units are as follows:

(1) Minimum lot area: six thousand (6,000) square feet.

(2) Primary Residence.

(A) A single-family residence must be located on the lot.

(B) The secondary dwelling unit may not be sold separately from the primary residence.

(3) Density. No more than one (1) secondary dwelling unit may be allowed on any one lot.

(4) Subdivision. A lot having a secondary dwelling unit may not be subdivided in a manner that would allow for the main dwelling and secondary dwelling unit to be located on separate lots that do not meet the minimum lot area, width and/or depth required by the single-family zoning district in which the lot is located.

(5) Minimum Yards.

(A) Attached Secondary Dwelling Units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located;

(B) Detached Secondary Dwelling Units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located, with the exception that the minimum rear yard is ten (10) feet. Furthermore, the interior side and rear yards may be reduced to five (5) feet, subject to written approval of the owner(s) of the contiguous property abutting the portion of the encroaching structure. If the contiguous interior side or rear property line is an alley, the minimum setback is five (5) feet. If a secondary dwelling unit is constructed above an existing detached garage, the side and rear yard setback is five (5) feet. The provisions of Section 16.62.020 (1) shall not apply to a Detached Secondary Dwelling Unit.

(6) Unit Size.

(A) Detached Secondary Dwelling Units shall not exceed six hundred forty (640) square feet, except buildings complying with all aspects of the disabled access requirements for kitchens, bathrooms, and accessible routes established in the California Building Code for adaptable residential dwelling units shall have a maximum square footage of seven hundred (700) square feet.

(B) Attached Secondary Dwelling Units shall not exceed fifty percent (50%) of the existing living area, with a maximum increase in floor area of six hundred forty (640) square feet, except buildings complying with all aspects of the disabled access requirements for kitchens, bathrooms, and accessible routes established in the California Building Code for adaptable residential dwelling units shall have a maximum square footage of seven hundred (700) square feet.

(C) All secondary dwelling units shall be limited to studio or one (1) bedroom units and one (1) bathroom.

(D) No passage way shall be required in conjunction with the construction of a secondary dwelling unit.

(E) Secondary dwelling units shall count towards the total floor area for the lot, and the entire floor area of all buildings may not exceed the permitted Floor Area Limit (FAL) established by the single-family zoning district in which the lot is located.

(7) Building Coverage. Secondary dwelling units shall count towards the total building coverage for the lot, and the entire building coverage of all buildings may not exceed the permitted building coverage established by the single-family zoning district in which the lot is located.

(8) Height. The maximum permitted height of a secondary dwelling unit is the same as the maximum permitted height for the single-family zoning district in which the lot is

located, except that in no instance shall the maximum total height for any detached secondary dwelling unit exceed seventeen (17) feet.

(9) Daylight Plane. A daylight plane shall begin at a horizontal line nine (9) feet, six (6) inches above the average natural grade at a line three (3) feet from the side property lines and shall slope inwards at a forty-five (45) degree angle. There are no permitted intrusions into the daylight plane. “Average natural grade” means the average of the highest and lowest points of the natural grade of the portion of the lot directly below a line three (3) feet from the side property lines.

(10) Parking. One (1) off-street parking space is required, except as provided in Section 11 (Parking Exceptions) below, in addition to the required parking for the main dwelling unit, that may be provided in the following configurations and areas in addition to the areas allowed for the main dwelling:

(A) In tandem, meaning one (1) car located directly behind another car, including a single-car driveway leading to two (2) required parking spaces for the main dwelling;

(B) Within required interior side yards;

(C) Within required front yards if no more than five hundred (500) square feet of the required front yard are paved for motor vehicle use (inclusive of the main residence driveway and parking areas) and a minimum setback of eighteen (18) inches from the side property lines is maintained.

The required off-street parking can be provided in either a covered or uncovered space, but all covered parking shall comply with the setback requirements of the main dwelling, if the parking is attached, or the accessory building regulations, if the parking is detached.

(11) Parking Exceptions. The off-street parking requirement of Section (10) Parking, does not apply to the following secondary dwelling units:

(A) Secondary dwelling units located within one-half mile of public transit as determined by the community development director.

(B) Secondary dwelling units located within an architecturally and historically significant historic district.

(C) Existing secondary dwelling units that were permitted without additional parking.

(D) When on-street parking permits are required but not offered to the occupant of the secondary dwelling unit.

(E) When a car share vehicle is located within one block of the secondary dwelling unit as determined by the community development director.

(12) Consistency. All secondary dwelling units shall comply with all applicable development regulations for the single-family zoning district in which the lot is located and building code requirements set forth in Title 12, Buildings and Construction, unless otherwise specifically provided for in this section.

(13) Aesthetics. The secondary dwelling unit shall have colors, materials, textures and architecture similar to the main dwelling.

(14) Tenancy. Either the main dwelling or the secondary dwelling unit shall be occupied by the property owner when both units are occupied as dwelling units. If a property owner does not occupy one of the dwelling units, the property owner may apply for a non-tenancy status for a term of one (1) year through a registration process

established by the community development director. To be eligible for the registration process, a property owner must have lived at the subject property for a minimum of two (2) years of the previous five (5) years from the date of application. The property owner may renew the registration annually, not to exceed four (4) years in total, subject to the review and approval of the community development director, pursuant to the following criteria and process established by the community development director. In no instance shall either the main dwelling or secondary dwelling unit be rented for a term of less than thirty (30) days.

(A) The application for the registration and renewal(s) shall be accompanied by a fee, set by the city council.

(B) The application for registration and renewal shall state the reason for the request and provide supporting documentation. The registration shall be approved for any of the following reasons: (i) temporary job relocation, with the intent to return, (ii) relocation for school (e.g., mid-year career change), and (iii) physically unable to live in the house.

(C) The application shall provide a property management plan that includes the name and contact information to address issues or concerns about the use of the property should they arise. The plan should also include information about parking, including (i) a site plan with the parking layout for the property, (ii) how parking will be assigned between tenants, and (iii) an action plan that demonstrates how parking issues will be resolved effectively and efficiently between tenants if tandem parking is provided.

(D) A use permit is required for non-tenancy status longer than four (4) years or for waiver of the requirement that the owner reside in the unit for not less than two (2) of the previous five (5) years prior to the date of application or for a reason other than those stated in subsection (11)(B) of this section.

16.79.045 Conversion of accessory buildings.

(1) An accessory building may be eligible to convert into a secondary dwelling unit, subject to meeting criteria as outlined in subsection (2) of this section and approval through the process outlined in Section 16.79.060. No additional off-street parking shall be required to convert an accessory building into a secondary dwelling unit.

(2) Eligibility. The following criteria must be met in order to be eligible for the conversion of an accessory building:

(A) The accessory building must have received building permits and commenced construction prior to ~~June 13, 2014.~~January 1, 2017. Other supporting documentation to show the building was legally built may be substituted for a building permit subject to review by the community development director.

(B) The accessory building must be upgraded to meet the building code requirements based on the change of occupancy at the time of the conversion.

(C) The accessory building must meet all of the development regulations of Section 16.79.040, with the exception ~~that no setback shall be required, if the conversion is of an existing garage, and a setback of no more than five (5) feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above an existing garage.~~of items (5) minimum yards, (8) height, and (9) daylight plane.

(3) All or any portion of an accessory building that meets the eligibility criteria as provided in this section may be demolished and reconstructed to meet the building code requirements based on the change of occupancy at the time of conversion. The secondary dwelling unit that replaces the accessory building may retain the setbacks and the footprint of the legally constructed accessory building. The existing setbacks and footprint of the accessory building must be evidenced by valid building permits or other supporting documentation subject to review by the community development director. Nothing in this section shall be deemed to authorize the expansion of the footprint or reduction of the setbacks beyond that evidenced by a valid building permit or other supporting documentation subject to review by the community development director or to allow the continuation of any other nonconformity.

16.79.050 Mitigation monitoring.
All second unit development shall comply, at a minimum, with the mitigation monitoring and report program (MMRP) established through Resolution No. 6149 associated with the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment prepared for the Housing Element adopted on May 21, 2013.

16.79.060 Application Review and Approval Process,
Each development of a secondary dwelling unit requires review for compliance with this Chapter 16.79 ~~prior to submittal~~as part of ~~a~~the building permit review process for the creation of a secondary dwelling unit.
(1) Application. ~~Requests~~ Concurrent with the submittal of a complete building permit application for the secondary dwelling unit, the secondary dwelling unit checklist, which demonstrates compliance ~~review~~with all of the secondary dwelling unit development regulations, shall be ~~made in writing by the owner of the property, on a form prescribed by the city.~~submitted. The application shall ~~be accompanied by a fee, set by the city council, and~~include plans showing the details of the proposed secondary dwelling unit per submittal guidelines established by the community development director.
(2) Compliance Determination. The community development director or his or her designee shall make a determination of compliance ~~in writing after reviewing the project plans.~~prior to issuance of the building permit for the secondary dwelling unit. The determination of the community development director is final and not subject to appeal.
(3) All applications for secondary dwelling units that meet and comply with the requirements under this Chapter shall be approved without discretionary review or a hearing within one-hundred twenty (120) days after receipt of a substantially complete application. The application shall be denied if the proposed secondary dwelling unit does not comply with all applicable requirements of this Chapter or it may be conditionally approved subject to conditions that will bring the proposed secondary dwelling unit into compliance with this Chapter.

SECTION 4. SEVERABILITY. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such section, or part hereof, shall be deemed severable from the

remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 5. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

SECTION 6. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 30 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posting in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the __ day of _____, ~~2016~~2017.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the __ day of _____, ~~2016~~2017, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

APPROVED: _____
Mayor

ATTEST:

_____
Pamela Aguilar, City Clerk

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Rogers, Thomas H

From: Carolyn Ordonez <cardord@gmail.com>
Sent: Thursday, December 15, 2016 8:54 AM
To: _Planning Commission
Subject: 30 day minimum occupancy

Dear Commission Members,
I read about the possibility of enforcing a 30 day minimum occupancy for houses or "granny units". The reasons do not work for me.

There is a rental next door to me. It has always been rented to Stanford students. It is three bedrooms with a cottage in the back. That means there are many cars and many people and many parties. It has been the tradition that in June the existing renting students move out and the next renting students move in. This year moving in was happening before moving out.

These students have four cars and girl friends and boy friends who stay over with cars. With the overnight parking restrictions they were finding ways to cram the cars in by using part of my property. They have been polite about not doing that but I shouldn't have had the problem at all.

The issues with a short term rental happen even with long term rentals. I have read on Next Door neighbors looking for a short stay for visiting relatives or a few days for themselves while work was going on at their house. Menlo Park is not Carmel or San Francisco when a short term rental is likely booked every day. I think a good talking to those who might have an Air BB might just do the trick. Or maybe a fine or shut down of one specific host home if problems continue.

I hate to see this restriction with the cost of living in Menlo Park. I am also always looking for other reasons why this restriction might happen. Might I suggest the conflict with the new hotels being built in the Belle Haven area?

Please take a good hard look at this proposed restriction.
Sincerely,
Carolyn Francis

Sent from my iPad

Dear Menlo Park City Council:

We are writing in regard to the upcoming council discussion of Airbnb participation by Menlo Park residents.
My wife and I have been using Airbnb to occasionally rent space in our home. We currently offer a 5 night maximum stay.
It's been a very enjoyable experience, and we appreciate the extra income.

The council is understandably, and properly, concerned about the need for residential units in Menlo Park. Scarcity has driven both house and rental prices up in a way that pushes out people who ought to be able to live here: our teachers, police, firefighters, people who work in restaurants, businesses, shops, and the services. It also damages our diversity and the fabric of our community.

We agree that entire homes and guest houses, where the owner does not reside, should not be rented short-term when they might provide a full-time home.

However, using a service like Airbnb to rent a room in a house, or a space that doesn't qualify as a secondary dwelling, or a house whose owners are away on a vacation, doesn't impact the need for residences.

Our small scale Airbnb use is a benefit to Menlo Park:
- Guests spend money in Menlo Park restaurants, shops, grocery stores, and for other businesses and services.

- Our guests are reviewed by other Airbnb hosts, and we decline anyone without good reviews, or anyone we are leery of. Our guests have mostly been professional people here on business, interviewing for jobs, or people visiting relatives, Stanford Hospital, or here for local events. Guests come into our home, share a bathroom and the kitchen; we haven't had a single guest we've worried about.

- We have been surprised at how few guests have cars. Most walk, bike, taxi, Uber or take mass transportation to destinations, therefore not adding to the already bad traffic jams in our neighborhoods. We provide off street parking for those who do come with a car.

- We enjoy sharing our knowledge of the fun and interesting things to do around here, and many guests are thinking of getting jobs and moving here. We love offering suggestions on local Menlo Park restaurants and other things to do in the area.

- The lodging we provide is unusual and very personal. The people who stay with us are looking for an experience, along with saving some money. If they couldn't stay with us, most would just Airbnb in another town. Very few would pay the increasingly high prices to stay in Menlo Park hotels.

- Many travelers prefer the comfort, safety, and person to person interaction our homes and we graciously provide.

Soni does the hosting for our Airbnb listing, and has gotten rave reviews. She is an Airbnb “Super Host”. Here are some reviews that highlight the local area and personal touches we give as hosts in Menlo Park, and why guests select us rather than a local hotel.

"The location is very convenient if you wanted to check out Menlo Park or visit Stanford.
It was a 12 min drive to Stanford. Plenty of parking space. The neighborhood is quiet. Perfect place to relax"

"Their property is even more lovely than the pictures show. The space was very cozy in all the right ways. The location is so close to everything you might like to do in Menlo Park and Palo Alto. I walked most places including Stanford. Uber is inexpensive but if you're into public transit that is easily accessible as well. I can't recommend this enough."

“The backyard feels like an oasis, in the morning there are lots of birds chirping and squirrels wandering around. . . It is also close to restaurants and downtown. Soni and David's home is lovely, I would love to stay again!"

"This is a super fun experience. If you like meeting cool people, if you have a sense of adventure and a love for the creative approach to living, I'd highly recommend Soni and David's set up. Personally, I feel like I've made some friends."

Our Airbnb participation helps us afford to keep OUR residence in Menlo Park. It has also been a great experience, bringing interesting visitors to get to know the area. We hope the members of the council will consider this a positive and worthwhile Menlo Park experience for out-of-towners who want to visit, and may return numerous times to stay.

Soni rented in Menlo Park for many years before we found a house. I’ve lived in Menlo Park since 1979, and we bought our house here in 1995.

We understand the need to increase, not decrease, the availability of residential units in Menlo Park. We hope the council will find solutions that both protect residential use, and our ability to give visitors the opportunity to stay in Menlo Park the Airbnb way.

Thank you for your consideration, David Lehmann & Soni Bergman
716 Gilbert Ave. Menlo Park d_ingegno@yahoo.com soni@sonidesigns.com

January 17th, 2017

To: Thomas Rogers
Attn: Kirsten Keith, Peter Ohtaki, Ray Mueller, Catherine Carlton, Richard Cline

Dear Mr. Rogers,

I am writing to you about the proposed restrictions regarding airbnb rentals in Menlo Park. I grew up in Menlo Park and have always loved the small town atmosphere here. I am retired, am living on social security and have been offering a room in my house via airbnb for about 2½ years, having been very happy doing so, since it provides me extra income in order to maintain this house which I inherited from my parents. Much of the money which I make, however, goes directly back into the community to businesses like Ace Hardware (Santa Cruz Avenue), Guy Plumbing, local handymen, Café Borrone, Kepler's Books, Beverages & More, Trader Joe's, the Guild Theater, Koma Sushi, The Left Bank, Piccolo Restaurant, Carpaccio Restaurant, The Discovery Shop, The Shop, Starbucks, Peets Coffee, Walgreen's and others.

Just in case you are not aware of how airbnb works, I'll give you a brief description here. Potential guests go to the website, type in "Menlo Park", their preferred price range, then choose a neighborhood which suits their needs. At that point, they contact me (only through airbnb) requesting the room. I can accept or decline them, sometimes asking for more information regarding their stay in Menlo Park. Only after they pay, do they receive my physical address and contact information. When I have guests here, I am always either at home, attending a class or out shopping. Unfortunately a few bad apples are spoiling everything for the rest of us, namely the hosts who are not in their homes when they have guests present and/or do not pay attention to what their guests are doing.

I was an airbnb guest myself in Italy and have very found memories of my airbnb hosts there. Those of you who have traveled abroad know what I'm talking about. Here, I have hosted guests from all over the world and feel very comfortable doing so, since all airbnb guests are well vetted. Most of my guests have been here visiting relatives. If I wish to do so, I can decline a guest without having to give a reason, although I haven't needed to do so yet. All of my guests have been very respectful, considerate and quiet and I have had no complaints from any of my neighbors. Most of my guests stay for 3-5 days, although I did have a two people stay for two weeks, but only one time. I have never had anyone request to stay for one month, nor would I want that, since I like my privacy. My listing offers a private single room, a private bathroom, mini-refrigerator, microwave oven, coffee maker, television, internet service and a parking space in my driveway. Many, however, do not rent cars and instead use Uber or Lyft for transportation often offered by a local person. Most of my guests eat in local restaurants, since they can walk to downtown Menlo Park, if they wish.

Thank you for taking into consideration my request that you not restrict airbnb in Menlo Park.

p.s. Airbnb can remove any host if there are complaints. To do so:
1) go to the website: www.airbnb.com
2) click/tap on "Help" in the upper right-hand corner.
3) type in the word "complaints".
4) click/tap on "How do I file a complaint if my neighbor is an airbnb host?"
5) click/tap on "airbnb neighbors" then follow the instructions and your problem will be resolved. The offending airbnb host will be prohibited from renting his/her home via airbnb.

Rogers, Thomas H

From: Anne Jones <annelj9570@aol.com>
Sent: Tuesday, January 17, 2017 4:49 PM
To: Rogers, Thomas H
Subject: in favor of short term rentals

I am in favor of short and long term rentals in homes or on properties in Menlo Park. In my experience, people want or need to visit to see grandchildren, visit people in the hospital, conduct job interviews, check out Menlo Park as a possible future home to move to, etc.

If we have friendly policies towards visitors staying here, they are more likely to go to local restaurants, buy groceries, and shop in Menlo Park. We have a shortage of housing on the peninsula, and MP, Los Altos and Palo Alto are especially expensive. Why encourage visitors to short term rent, or stay at a hotel or motel, in RWC or Mountain View, spending their money there instead of MP?

I'm not aware of any complaints in my neighborhood from short term visitors.

From what I observe from travelers today, most prefer uber-like transportation over more costly car rentals and parking fees. They take Cal Train to SF or SJ, and some rent bikes, again locally.

As a resident of MP for over 35 years, and a homeowner for 30, I encourage you to allow short term rentals.

Anne Jones

STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-021-CC**

Public Hearing: **Consider the Planning Commission's Recommendation to Approve the Final EIR, Architectural Control, Development Agreement, Tentative Map, Use Permit, Heritage Tree Removal Permits, and Below Market Rate (BMR) Housing Agreement for the 1300 El Camino Real (Station 1300) Project**

Recommendation

The Planning Commission and staff recommend that the City Council make the necessary findings and take actions for approval of the 1300 El Camino Real Project (also known as "Station 1300"), as outlined in Attachment A. The specific entitlements and environmental review components are as follows:

1. Final Environmental Impact Report (EIR) to analyze the potential environmental impacts of the proposed project, along with an associated Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (Attachment B);
2. Architectural Control Review for compliance with Specific Plan standards and guidelines, including determination of a Public Benefit Bonus to exceed the Base level FAR (Floor Area Ratio) and height standards, for a mixed-use development consisting of non-medical office, residential, and community-serving uses on a 6.4-acre site, with a total of approximately 220,000 square feet of non-residential uses and 183 dwelling units (Attachment C);
3. Use Permit for outdoor seating associated with full/limited service restaurants (Attachment C);
4. Tentative Map to merge existing parcels and create one private parcel (with a four-unit commercial condominium) and two public right-of-way parcels; dedicate a new public street extension of Garwood Way; abandon Derry Lane; and abandon/dedicate public access and public utility easements (Attachments C and D);
5. Below Market Rate (BMR) Housing Agreement for compliance with the City's Below Market Rate Housing Program (Attachment E);
6. Heritage Tree Removal Permits to remove 59 heritage trees (Attachment F); and
7. Development Agreement for the project sponsor to secure vested rights, and for the City to secure public benefits, including a $2.1 million cash contribution, additional affordable housing units, a publicly-accessible dog park, and a sales tax guarantee (Attachment G).

Policy Issues

The proposed project requires the City Council to consider the merits of the project, including project consistency with the El Camino Real/Downtown Specific Plan and whether the proposed community benefits justify a Public Benefit Bonus. As part of the project review, the Council will need to make findings that the positive aspects of the project balance the significant and unavoidable impacts by adopting a statement of overriding considerations and a mitigation monitoring and reporting program as part of its certification of the EIR. Additionally, the Council will need to consider a Development Agreement,

architectural control, use permit, tentative map, and abandonment findings. Further, resolutions regarding heritage tree removal permits and the BMR Housing Agreement for the project will need to be considered. The policy issues summarized here are discussed in greater detail throughout the staff report.

Background

Site location

The project site consists of 15 legal parcels (11 assessor's parcels) addressed 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane. The project site would be 6.4 acres in size, after the abandonment of Derry Lane and dedication of an extension of Garwood Way. The project site is within the El Camino Real/Downtown Specific Plan ("Specific Plan") area.

The project site includes parcels that were previously proposed for redevelopment by O'Brien at Derry Lane, LLC and SHP Los Altos, LLC, as well as one parcel that was not previously part of either of the earlier project sites. In total, the project site contains seven existing buildings, totaling approximately 25,800 square feet. In addition, the project site currently includes parking, pavement, and limited vegetative features. A location map is included as Attachment H.

This report refers to compass directions using El Camino Real as running in a predominantly north-south direction. Neighboring land uses include a hotel to the north; single- and multi-family residential units east of the Caltrain right-of-way; the Menlo Park Caltrain Station and a mixed-use development (including residential units) south of Oak Grove Avenue; and the El Camino Real commercial corridor to the west. The northeast corner of El Camino Real and Oak Grove Avenue, immediately adjacent to the project site, includes a gas station and a restaurant/cafe. Downtown Menlo Park is approximately 0.1 mile southwest of the project site.

The entire project site is within the Specific Plan's El Camino Real Northeast – Residential (ECR NE-R) District. The ECR NE-R District is located in the "El Camino Real Mixed Use – Residential" General Plan land use designation, which supports a variety of retail uses, personal services, business and professional offices, and residential uses. The ECR NE-R District allows higher residential densities, in recognition of its location near the train station area and downtown.

Previous Commission and Council review

The project has previously been the focus of multiple Commission and Council meetings:

- Planning Commission
  - August 14, 2014: EIR scoping session and general project study session
  - March 21, 2016: Draft EIR public hearing
  - December 12, 2016: Recommendation on all project actions

- Transportation Commission
  - October 12, 2016: Recommendation on parking limits and Oak Grove Avenue configuration

- Housing Commission
  - March 2, 2016: Recommendation BMR Housing Agreement

- City Council
  - August 27, 2013: Initial California Environmental Quality Act (CEQA) review contract approval
  - June 17, 2014: EIR process information item
  - September 9, 2014: EIR contract approval
  - February 24, 2015: EIR status update
  - July 7, 2016: Appointment of subcommittee for Development Agreement negotiation
  - September 13, 2016: Development Agreement term sheet approval

Commission input is discussed in this report in applicable sections. In addition, the draft minutes from the Planning Commission meeting of December 12, 2016 are included as Attachment I. At this meeting, the Planning Commission voted unanimously (6-0, with Commissioner Goodhue absent) to recommend approval of all project actions.

Analysis

Project description

Greenheart Land Company ("Greenheart") is proposing to redevelop a multi-acre site on El Camino Real and Oak Grove Avenue with approximately 220,000 square feet of non-residential uses and 183 dwelling units. The project would demolish the existing structures in the southern portion of the site and construct approximately 420,000 square feet of mixed uses. In total, the project would include three mixed-use buildings, a surface parking lot, an underground parking garage, pathways and plazas, a dog play area, and landscaping.

The uses at the project site would include approximately 190,800 to 203,000 square feet of non-medical office space in two buildings, approximately 199,000 square feet of residential space in one building, and between approximately 18,600 and 29,000 square feet of community-serving space throughout the proposed office and residential buildings. The square footage has been calculated per the definition of gross floor area (GFA), which counts the full size of a building, with limited exceptions. The project would provide 991 parking spaces within a parking garage and a small surface parking lot. Project plans are included as Attachment J, and the project description letter is included as Attachment K.

The project would include the completion of Garwood Way from the northeast edge of the project site to Oak Grove Avenue. This would connect Glenwood Avenue to the north with Oak Grove Avenue to the south and would allow additional access to the project site. The Garwood Way extension would be constructed concurrently with the construction of the project. All of the existing parcels would be merged, and a number of right-of-way and easement actions would be concurrently implemented to allow for the comprehensive redevelopment.

Land uses

The project includes the following breakdown of land uses:

Table 1: Project Breakdown		
Component	**Square Feet**	**% of Overall Project**
Apartments (183 units)	199,031	47.60%
Non-Medical Office	190,089-202,989	45.5%-48.5%
El Camino Real Community-Serving Uses	11,343-21,743	2.7%-5.2%
Oak Grove Avenue Community Service Uses	7,257	1.70%
Total	418,120	100.00%

The community-serving uses category would include permitted non-residential/non-office uses in the "El Camino Real Mixed Use/Residential" land use designation, for example:

- General Retail Sales
- Full/Limited Service Restaurants
- Food and Beverage Sales
- General Personal Services
- Banks and Financial Institutions
- Business Services
- Personal Improvement Services (subject to a per-business size limit)

The community-serving uses would wrap around both the El Camino Real and Oak Grove Avenue frontages, helping ensure greater activity and vibrancy on the public-facing sides of the project, and representing an amenity for the general public.

The applicant is also requesting that 2,500 square feet of the community-serving uses area could be used for a single real estate office, associated with the property owner. This use is defined by the Specific Plan as an office, but it would be a more active type of office use that staff believes would be compatible in a location alongside the other community-serving uses. If this option is pursued, the overall office square footage would still comply with the Specific Plan limit that non-medical/dental offices not exceed 50 percent of the overall Floor Area Ratio (FAR).

The proposed land uses are all permitted by the Specific Plan, with the exception of restaurant outside seating, which is an administratively-permitted use that can be approved via use permit. The proposal includes such a use permit request for outdoor seating associated with the potential restaurant uses. As shown on Plan Sheet L-6.0, the tables could be located along the Oak Grove Avenue and El Camino Real frontages, outside of the required sidewalk clear walking zones. Outdoor restaurant seating could also be located in the small plaza at the corner of Oak Grove Avenue and Garwood Way, and along the office buildings' entry path and plaza. Staff believes that the outdoor seating areas would be attractive and would activate the street frontages and plaza areas. None of the outdoor seating areas are located in close proximity to residential uses or other populations that are potentially sensitive to noise or other activity.

Additional community-serving uses could be considered through case-by-case Administrative Permit and Use Permit review in the future, as specified in Specific Plan Table E1. For example, a restaurant with live entertainment or alcohol service would require Administrative Permit review.

Overall, the proposal would represent a balanced mixed-use project, with similar proportions of residential and office uses, along with more active community-serving uses along both of the two main project frontages.

Design and materials

The following discussion highlights and expands on topics addressed in the Standards and Guidelines Project Compliance Worksheet (Attachment L).

Design concept, organization and spatial characteristics

The proposal would consist of office and retail uses fronting El Camino Real with relatively continuous building façades, residential above retail uses with relatively continuous building facades fronting Oak Grove Avenue, and residential uses fronting the new section of Garwood Way (see A0.1, A1.1, and A0.4-A0.7). The uses would be separated from each other with landscaped open space at the ground level and would be set on top of a two-level underground parking structure. The project would be organized to treat the office and residential structures as separate, but adjacent, elements that share a landscape interface and similar architecture.

The office component of the program would have two three-story office buildings that would face El Camino Real with retail storefronts and face each other across a large plaza. Sections of the upper floors of both office buildings would be stepped back on the upper floor facing El Camino Real and the promenade between the buildings, in order to vary the building height and profile as seen from the street and quasi-public areas. Also, the South Office Building would feature a large street-facing deck on the third level.

The central plaza would be accessible to pedestrians from El Camino Real through a decorative arched gateway and tree-lined promenade (see L-1.0). In response to staff and Planning Commission comments, the applicant has revised this entry to be more prominent (by enhancing the size and depth of the arch) and inviting to the public (by opening up the side portals, which were previously walled off). The central pathway would be defined by the C-shaped office building walls, and create a nearly rectangular, courtyard-like space about 170 feet across and 120 feet deep. The office buildings' main entrances would be on axis across the plaza and set perpendicular to the primary east-west pedestrian access through the property from El Camino Real to Garwood Way. The center of the open space would feature a circular paved area 60 feet in diameter bound by re-circulating water features, stepped amphitheater seating with overhead trellises and planting areas, and a date palm perimeter. Beyond the central plaza would be additional recreational facilities linking to Garwood Way (see L-2.1)

The residential component of the program would have a four-story building with double-loaded corridors around a central courtyard at the southeast corner of the property. The first level facing Oak Grove Avenue to the depth of the interior corridor would be community serving retail (see A3.01). A wing of the residential building would extend from the main portion of the structure along Garwood Way at four stories for 175 linear feet, then three stories for about 120 feet. The west side of the residential building would be visible from El Camino Real near the Oak Grove Avenue intersection over the one-story gas station and adjacent parking lot and café. This side of the structure would have an open access corridor (gallery style) at the building wall (see A4.06).

The public entry to residential uses would be located off a plaza at the intersection of Oak Grove Avenue and Garwood Way. The street alignment alters the corner of the building and the design responds to the condition by modifying the corner of the building form and creating a plaza forward of the main entry. In response to staff suggestions, the applicant modified this entry slightly since the December 12 Planning Commission meeting, in order to create an impression of more depth and prominence. The wall at the entry and corridors above would be 45 degrees from the primary building walls to create a discrete façade oriented towards the Garwood Way-Oak Grove Avenue intersection (see A4.06, 0.6 and L-2.2).

The primary open space for residential uses would be the courtyard approximately 100 feet wide by 180 feet long. This space would feature a lap pool and spa, pool deck areas, built-in fire feature and barbeque grill, eating and seating areas, and landscape areas. Units at courtyard level would have private patios with landscaped planters between the unit patios and common areas.

In terms of residential unit characteristics, all 183 units would be flats with nine-foot ceilings. Sixty-nine units would face the interior courtyard. All units would have primary entries off building corridors. Nineteen units would have secondary entries to the street or the interior courtyard. Most units would have private patios or balconies.

The average unit size would be about 900 square feet. One-bedroom units would range from 520 to 832 square feet in area (98 total). Of these one-bedroom units, 32 would be small units, more like studios than typical one-bedroom units, with an interior sleeping area partially open to the living area. Two-bedroom units would range from 986 to 1,285 square feet (77 total). Three-bedroom units would be 1,555 square feet in size (8 total).

Generally, the layout of buildings on the property would be well organized and easy to navigate for pedestrians. It would allow for through site connection, allowing access to the Caltrain station and provide attractive publicly-visible amenities at the entry points on both El Camino Real (the gateway to the Office Plaza) and the Oak Grove Avenue/Garwood Way intersection (the Oak Grove Plaza). The project also would have large and varied open spaces with substantial landscaping and limit the impact of parking and services on the overall character of the site given the underground parking as well as the loading zone placed at the northeast corner of the lot where it would be minimally visible. Retail continuity would also be effective along Oak Grove Avenue and El Camino Real to provide an active street/sidewalk condition for pedestrian use. With regard to the retail/service storefronts, since the December 12 Planning Commission meeting, the applicant has revised several entries to include recesses of at least two feet. This better addresses a Specific Plan design guideline, and would both protect patrons during rainy periods and provide shadows that reduce massing and help articulate the entry points.

Architectural Character

The design of both the commercial and residential structures draws heavily on Spanish Revival architectural precedents. Along El Camino Real, there would be a prominent street wall that would be both visually stable through use of symmetry and figurative treatments (e.g. through the shaping of wall planes at the gabled parapets and the use of additive rooflines at lower levels). The large zones of fenestration with varied window grid patterns would add to the visual composition of the elevations. Additionally, there would be substantial differentiation in materials, color, fenestration, and roof forms between the north and south office buildings.

The residential building would incorporate many traditional Spanish Revival elements such as covered balconies supported by timber posts and beams, arch shaped parapets, and tower/turret forms. The facades would be broken down into smaller vertically proportioned façade segments. Variation would be

created at the wall face by projecting elements outward or with recesses, while the roof edge would have some variation in roof form and height. These variations are required by the Specific Plan, but are also fairly well implemented at the architectural level.

Other than the residential building entry and the gateway to the public plaza between the north and south office buildings, the street level experience would be focused on the retail storefronts and sidewalk amenities. The Oak Grove Avenue side of the residential building at the ground level would use a variety of storefront opening shapes, awning/canopy designs, and roof/wall conditions to make the appearance seem playful rather than repetitive. At the El Camino Real side, there would be variation in the fenestration, arched versus flat openings at the façade, and exterior materials. The overall impression at the sidewalk level would be more formal and restrained than on the Oak Grove Avenue side, but still pleasant and refined.

Building Materials

The color and materials board, replicated as sheet A7.01, indicates that the primary building wall material would be cement plaster with a hard trowel Santa Barbara Mission Finish in white and tan colors. A secondary wall material would be thin set stone tile in a buff color and brushed finish. Roofing would be clay tile in brown and red colors. Material and color locations are shown for the office buildings' street side on A4.01 and the residential building's street facades on A4.04 and A4.05.

Fenestration at the office buildings would be aluminum storefront windows, and the north building would have a burnt red color, while the south building would have a bronze color. Residential buildings are indicated to have composite windows in a range of complementary colors, including brown, bronze, ebony, burnt red, blue, or green, which would be colors common to and fitting the style well. White or beige would not be options, since these colors would not fit the style or provide a stylistic contrast.

Other building materials include painted metal railings (color listed as dark gray, green, or brown), cast stone for windowsills, ledgers and coping, and re-sawn wood posts/brackets/beams/rafters at balconies and eaves (color noted as brown, bronze, or burnt red, not a white or beige color). Gunmetal gray painted metal canopies and awnings with colors to be determined but suggested as varied between buildings are also part the material and color palette.

Overall, materials, finishes and colors would work well for the chosen architecture, and have been varied between the buildings to break down the scale of the project as seen from the street.

Lighting

The conceptual lighting plans (Attachment M) show landscape and open space lighting as well as wall mounted exterior lighting. The number and spacing of fixtures suggest adequate levels of overall lighting along with a balanced mixture of ground level, landscape, and overhead lighting.

Interesting lighting concepts include the suspended lights over the center of the promenade linking the sidewalk at El Camino Real with the office plaza and lights mounted to trees or up lights under trees that provide general lighting while illuminating the plant forms at night.

Most of the smaller fixtures including bollards, small wall-mounted sconces, and functional lighting at trellis structures would be simple and modern in design. Most would have a dark bronze or black finish. Pole-mounted area light fixtures are either a mix of contemporary and somewhat traditional style fixtures (e.g. see fixture D options on page 5 of the lighting plans) or it is yet to be decided which fixture to use.

Parking and circulation

Vehicular

The majority of the parking would be provided in a two-level underground garage. The garage would have one access ramp from El Camino Real, and two from Garwood Way. The garage would have certain areas restricted to residential parking, but the overall garage circulation would allow vehicles to enter or exit from the garage using any of the access ramps. The garage would be open during normal business hours, but could be gated at other times. Any such gates would be located 20 feet from the adjacent sidewalks, allowing for multiple cars to stack up without blocking the clear walking zones. A small surface parking lot would also be provided for the office uses, along Garwood Way at the northeast corner of the site. Pedestrian access to the garage levels would be provided by elevators and stairs integrated into all of the buildings, as well as by independent and open stairways at the Garwood/Oak Grove Plaza and the Central Plaza.

For projects in the Specific Plan area, off-street parking should be provided at the rates specified in Table F2, although the Plan allows for mixed-use projects to submit a shared parking study to result in parking rates that more accurately reflect such projects' parking demand. The applicant has submitted a shared parking study, approved by the Transportation Division, which justifies the proposed 991-space parking requirement. The study accounted for the fact that a certain number of residential spaces would be gated and not accessible by other users.

New public parking would be provided along Garwood Way, as well as in a small "bulb" that would result from the street alignment meeting Merrill Street. These spaces would be time-limited as shown on Sheet TM-14.1, but would not be explicitly restricted for residents or users of the project site. These spaces are not counted in the development's off-street parking requirement. On October 12, 2016, the Transportation Commission reviewed and recommended approval of the proposed on-street parking time restrictions. The on-street parking spaces on the existing portion of Garwood Way would remain dedicated for the use of the Marriott Residence Inn at 555 Glenwood Avenue, per that project's approved license agreement. To the extent that the applicant may need to temporarily affect those spaces for utility improvements or other construction, the applicant would be required to provide temporary parking for Marriott. Such replacement parking could be provided on the project site, or could be accommodated by a valet parking service provided by the applicant.

Bicycle

The project would provide required bicycle parking in both short-term and long-term configurations. Short-term bicycle parking would be provided via racks in the public right-of-way. Long-term bicycle parking would be located on the upper garage level, with access provided both by the garage ramps as well as the elevators and stairs. Similar to vehicular parking, covered bicycle parking is exempt from FAR calculations. The commercial bicycle parking area would include changing and shower rooms, which would allow commuters to clean up and change clothes, helping encourage bicycling as a transportation option.

The project would implement bicycle facilities on Garwood Way and Oak Grove Avenue. Specifically, Garwood Way would become a Class III bicycle route, designated by signage and "sharrow" markings on the pavement. Oak Grove Avenue would receive Class II bicycle lanes, although the precise configuration could vary, as shown on Sheet TM-6.1. As part of its October 12, 2016 review, the Transportation Commission recommended that the existing curb line be maintained, and on-street parking in front of the project site be removed ("Alternative Proposal"), in order to limit conflicts between bicycles and parked cars on that side of the street. If the Transportation Commission's recommendation is followed, no changes to the buildings would be required, although the Oak Grove Avenue sidewalk would become larger than the minimum requirement since the curb line would not be moved. By contrast, the applicant is requesting that

the curb line be moved, which would allow for parking to be retained while still implementing a bike lane and buffer ("Project Proposal"). The applicant stated to the Transportation Commission that these on-street parking spaces, while small in number, are critical to the success of the community-serving uses as "teaser" parking that encourages customers to venture to the site. On December 12, 2016, the Planning Commission recommended that the Project Proposal configuration be adopted. As part of its review and action, the City Council should specify which Oak Grove Avenue street configuration be implemented.

Pedestrian

The project would include significant improvements to the pedestrian environment on all of its frontages. Along El Camino Real, the project would implement a 15-foot wide sidewalk. This sidewalk would consist of a five-foot furnishings zone along the curb (featuring elements such as street trees and other landscaping, bicycle racks, benches, and street lights) and a 10-foot clear walking zone next to the buildings. Along Oak Grove Avenue and Garwood Way, similar sidewalks with a four-foot furnishings zone and eight-foot clear walking zone would be constructed with the project.

As specified by Chapter D (Public Space) of the Specific Plan, all pathways would be continuous and direct, and would be designed with pedestrian safety and comfort in mind. For the portions of sidewalk that would extend onto the subject property, a Public Access Easement (PAE) would be dedicated with the Final Map.

Pedestrian access would also be generally allowed through the central axis of the property during normal business hours. However, as noted in the project description letter, this area could be closed at certain times for private events associated with the tenants.

Open space, trees and landscaping

Open space

The project would significantly exceed the ECR NE-R minimum open space requirement of 20 percent of the lot, with approximately 47 percent proposed. Most of the open space would be met at ground level through the sidewalks, public/semi-public plaza areas, private courtyards, and other landscaped areas. Many of the residential balconies would also count toward this total, as permitted by the Specific Plan to encourage the provision of usable private open space.

Heritage Tree Removals

The applicant has submitted an arborist report prepared by SBCA Tree Consulting (Attachment N), evaluating all trees on and near the subject property, including 59 heritage trees. All of the on-site trees are proposed for removal due to the comprehensive nature of the development, with an underground parking garage that spans most of the project site. In addition, trees along the existing portion of Garwood Way and the street extension are proposed for removal, in order to build this new transportation connection, which would include a bicycle route and stormwater treatment area. Likewise, eight street trees on the El Camino Real and Oak Grove Avenue frontages are proposed for removal for new driveway and curb improvements, as well as to create a new comprehensive landscaping aesthetic.

Municipal Code requirements

Section 13.24.040 of Menlo Park's Heritage Tree Ordinance, requires consideration of the following eight factors when determining whether there is good cause for permitting removal of a heritage tree:

1. The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services;
2. The necessity to remove the tree or trees in order to construct proposed improvements to the property;
3. The topography of the land and the effect of the removal of the tree on erosion, soil retention and

diversion or increased flow of surface waters;
4. The long-term value of the species under consideration, particularly lifespan and growth rate;
5. The ecological value of the tree or group of trees, such as food, nesting, habitat, protection and shade for wildlife or other plant species;
6. The number, size, species, age distribution and location of existing trees in the area and the effect the removal would have upon shade, privacy impact and scenic beauty;
7. The number of trees the particular parcel can adequately support according to good arboricultural practices;
8. The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s).

City Arborist review
The City Arborist coordinated for an independent consulting arborist, Fujitrees Consulting, to review the applicant's arborist report, conduct a site visit to independently evaluate the health and condition of the heritage trees proposed for removal, and provide recommendations. This independent evaluation, which has been reviewed and approved by the City Arborist, is included as Attachment O.

The consulting arborist recommends approval of the requested removals in recognition of factors #1 (tree condition/health), #2 (construction conflicts), and #4 (long-term species value). In particular, the majority of the heritage tree removals (59 percent) would be Chinese trees of heaven, which are multi-stem trees that were not deliberately planted and which have limited long-term value. In addition, as previously noted, the heritage trees conflict with the proposed comprehensive redevelopment of this site, which includes the construction of a new street that would serve in part as a bicycle connection, as well as a stormwater treatment area to filter the runoff from this roadway.

As part of the consulting arborist's review, Tree #12, a large redwood tree at the front-left portion of the El Camino Real frontage, was determined to be at high risk, as it exhibits "significant branch dieback with a slight trunk lean toward the roadway". The City Arborist concurred that the tree should be removed as soon as possible and issued an immediate removal authorization. This tree was removed in early September 2016.

The consulting arborist also recommended reconsideration of Tree #13.1 (Holly oak) and Tree #36 (Canary Island palm). The applicant subsequently reviewed both and confirmed that Tree #13.1 would conflict with the proposed El Camino Real sidewalk, and also noted that holly oaks are not native to California, and as such are not protected by the Heritage Tree Ordinance's provisions regarding native oaks. Tree #36 was likewise determined to conflict with the proposed new sidewalk along the improved/extended Garwood Way. However, such palms are generally good candidates for transplanting, and the applicant has proposed to coordinate with J Arnaz Tree Movers to move it to an off-site location.

Environmental Quality Commission review
On August 31, 2016, the Environmental Quality Commission (EQC) reviewed the proposed tree removals and a preliminary landscaping plan, and took the following action:

Motion and second (Marshall/Dickerson) to recommend approval of the Heritage Tree removal permits with the following recommendations (4-0-3) (Yayes: DeCardy, Dickerson, London, Marshall; Absent/Abstain: Bedwell, Martin, Smolke)

1. Consider alternatives to preserve or relocate the nine native trees located on the back of the property; and

2. Revise the landscape plans to use as many California native plants and trees as possible.

Following the meeting, the applicant worked with staff to address the EQC's recommendation, and has submitted two memorandums in response (included together as Attachment P). On item #1, the applicant provided a memorandum dated November 7, 2016, which identifies and discusses the nine trees of focus. After reviewing the memorandum and conducting a supplemental field inspection, staff determined that six of the removals continued to be justified by a combination of poor tree quality/health and clear conflicts with the proposed construction. The conflicts include elements such as widened sidewalks, which are considered critical long-term improvements of the El Camino Real/Downtown Specific Plan. None of these trees are good candidates for relocation, due to health and/or size constraints.

However, for three of the trees (#29, 30, and 33), which initially appeared to have higher quality/health and potentially lesser conflicts with buildings and site improvements, staff asked the applicant for additional justification for the removals. In response, the applicant submitted a follow-up memorandum dated November 21, 2016, which provided greater clarity on the constraints presented by the proposed Garwood Way bioswales and associated retaining walls, a new 24-inch storm drain, the development's basement walls, and existing San Francisco Public Utilities Commission (SFPUC) pipeline and easement. After reviewing this memorandum, staff believes that the removals of these three trees are justified. At the December 12, 2016 meeting, the Planning Commission concurred and recommended approval of the proposed heritage tree removals.

On item #2, the applicant has worked closely with the City Arborist on revisions to the proposed landscaping plans, as discussed in the following section.

Proposed landscaping

The proposed planting plans (Sheets L.1-0 through L-6.0) have been comprehensively revised to address the EQC's guidance and earlier suggestions from the City Arborist. The revisions significantly increase the number of California native trees, such as coast live oaks (including seven 48-inch box specimen plantings), big leaf maples, black oaks, Catalina ironwoods, California lilacs, and western redbuds.

Additional ornamental trees and low landscaping would be planted throughout the site. The project would be required to comply with the Water Efficient Landscaping Ordinance (WELO). The landscape palette generally would fit the site and building style well. The architectural use of palms would help define the plaza, like a colonnade. Lower landscape such as shrubs and ground covers are not specified on the plans. Planting and irrigation intent statements are provided on L-1.0 that appear satisfactory in concept.

The City's heritage tree replacement guideline for commercial/mixed-use projects is to replace trees at a 2:1 level, although this can be adjusted at the City Arborist's discretion. The replacements have to be of a type that can grow to heritage-size. The applicant is proposing to provide 99 heritage tree replacements to compensate for the loss of the 59 heritage trees, which would represent a 1.7:1 replacement ratio. Seven of the replacements would be 48-inch-box specimen trees, as noted earlier, and the remaining 92 would be 24-inch-box trees, which would be a larger size than the typical minimum 15-gallon planting. The City Arborist recommends approval of this replanting ratio due to: 1) the fact that many of the existing heritage trees are Chinese trees of heaven, which have a relatively low value, 2) the larger size of the replacement trees, and 3) the need to maintain certain spacing standards for long-term tree health.

Plaza and park areas

The project would include several areas that would generally be accessible by the public, in particular the Oak Grove Plaza at the corner of Garwood Way and Oak Grove Avenue and the Office Plaza at the center

of the site. However, these would not be fully-public areas covered by a public access easement or similar instrument, and public use could be restricted at times. The dog park and associated recreation areas would be covered by a public use agreement that more formally allow the public to access this area, while also setting up certain usage rules that could be enforced by the property management. The dog park usage rules would be consistent between the general public and the occupants of the project.

Landscape structures include trellises, re-circulating water features at the residential entry plaza and office plaza, raised planters, and benches, seating and tables. Paved areas are shown with patterns on the landscape plans. Since the December 12 Planning Commission meeting, the applicant has provided two sheets (L-7.1 and L-7.2), which provide conceptual diagrams for the on-site paving. These sheets are not meant to relay the precise colors and patterns, but rather to relay the general types of materials and designs that will be confirmed with staff at a later phase of the project construction. In general, the conceptual paving diagrams show a range of quality materials, with different, but related, patterns used to distinguish various areas of the site. Overall, landscape and hardscape areas appear well balanced for the size of spaces, and the landscape structures would add to the ambiance and utility of the open spaces.

Tentative Map

The applicant is requesting approval of a Tentative Map (TM sheets included in plan set), which would enable the following actions:

1. Merge all existing parcels and create one private parcel and two public right-of-way parcels;
2. Abandon Derry Lane and a portion of the existing Garwood Way right-of-way;
3. Abandon and dedicate a number of public access, public utility, and emergency access easements;
4. Dedicate a new public street extension of Garwood Way; and
5. Allow for a four-unit commercial condominium, consisting of one podium/parking garage parcel, two office building parcels, and one apartment building parcel.

As shown on Sheets TM-5 through TM-5.3, the current lot size is 7.12 acres, and full dedication of the adopted Garwood Way and Oak Grove Avenue plan lines would result in a net lot area of 6.4 acres. However, because the adopted Garwood Way plan line would result in a slight misalignment with Merrill Street, across Oak Grove Avenue, staff requested that the applicant adjust the street for safety. This alignment with Merrill Street would help regularize vehicle movements at this location, as well as provide a greater buffer between the intersection and the Caltrain tracks. However, this would result in a reduced lot size of 6.33 acres. In response, the applicant is proposing that the Oak Grove Avenue plan line not be dedicated, and a five-foot portion of the Garwood Way plan line also not be dedicated. All of these zones would be used as sidewalk and landscaping areas and would be protected by public access easements, so staff believes the public experience would be equivalent to them being fully dedicated. These adjustments would bring the total lot area back to 6.4 acres, so that the project would not be penalized for the safety-related street adjustment.

The potential condominium subdivision would allow the entire residential building to be located on its own parcel, but it would not allow the individual residential units to be bought or sold independently. All of the residential units would remain rental apartments. As a result, the Recreation In-Lieu Fee, which is based on residential subdivisions, would not apply, unless a unit-based subdivision is proposed in the future.

The Garwood Way extension would be built across an existing water pipeline and associated easement owned by the San Francisco Public Utilities Commission (SFPUC). The applicant would be responsible for obtaining all necessary SFPUC approvals as part of the project. Per preliminary SFPUC direction to provide additional cover, the plans show the grade of Garwood Way being raised several feet. However, this and

other site regrading does not affect the buildings' height measurement, which is based on average existing grade (see TM-3.1). The SFPUC has also indicated that improvements to the existing portion of Garwood Way would be required to provide additional pipeline protection, which the applicant is already working on.

There are existing utilities in Derry Lane that service the Chevron Gas Station and Jason's Café parcels. In order to abandon Derry Lane, these utilities will need to be removed and new services provided. Staff will not record the abandonment until new services are provided to these parcels.

Trash and recycling

The development would have trash rooms located on the first level of the basement garage, as well as on the upper levels of the residential building. Building management would take the trash and recycling to an enclosure at the back-left corner of the property, where compaction and collection would take place. This trash enclosure would be located close to the garbage/service area of the adjacent neighbor, Marriott Residence Inn, helping consolidate this use. The plans have been reviewed and tentatively approved by the City's refuse collector, Recology.

Signage

Under the current Sign Ordinance, the property would be allowed a total signage area of 100 square feet on El Camino Real, and 50 square feet each on Oak Grove Avenue and Garwood Way. Given the length of the frontages, these areas would likely be disproportionally small relative to the buildings, and could negatively affect the vibrancy of the community-serving uses in particular. During the last review of the Specific Plan, staff identified this as a potential issue for the subject property as well as the Middle Plaza (500 El Camino Real) parcel, and the City Council directed that revisions be pursued to allow larger Specific Plan projects to receive larger signage allocations, subject to discretionary review. The drafting of these Sign Ordinance and/or Specific Plan changes has been delayed, but it is now underway with an expected action in winter/spring 2017. In the meantime, the applicant has started working on a draft master sign plan, and intends to apply for such consideration when it is permitted. It is anticipated that such future sign area actions can be conducted by the Planning Commission, with City Council review only required upon appeal.

Below Market Rate (BMR) Housing

The applicant is required to comply with Chapter 16.96 of City's Municipal Code, ("BMR Ordinance"), and with the BMR Housing Program Guidelines adopted by the City Council to implement the BMR Ordinance ("BMR Guidelines"), as the commercial portion of the project would exceed 10,000 square feet in gross floor area. The residential portion of the project itself does not create any BMR requirement, due to the fact that it would be rental housing, and the City does not currently have any enforceable BMR requirements for rental residential projects, based on a court case.

Specifically, the BMR requirement from the commercial portion of the project would be 9.9 BMR units. The proposal has always included the provision of 10 BMR units, in order to address this requirement. On March 2, 2016, the Housing Commission reviewed this initial BMR Housing proposal and recommended approval.

Following the Housing Commission's review, the Development Agreement negotiations resulted in a revised BMR proposal of 20 units, as discussed in the following section. Because the revised proposal represents an enhancement of what the Housing Commission approved, staff believes it remains in compliance with their recommendation.

Public Benefit Bonus and Development Agreement

The permitted Floor Area Ratio (FAR) in the ECR NE-R District is 1.10, but with a Public Benefit Bonus the FAR can increase to 1.50. In either scenario, non-medical office is limited to no more than one-half the maximum FAR. Similarly, the maximum height in the ECR NE-R district is 38 feet, although 48 feet is permitted with a Public Benefit Bonus. The project is proposed at the maximum FAR and height as permitted with a Public Benefit Bonus.

Public Benefit Bonus proposals require study sessions with the Planning Commission, with additional City Council review recommended for larger projects. Such study sessions are informed by independent fiscal/economic review. For the subject proposal, the City's independent consultant, BAE, determined that development of the project would create approximately $6,300,000 in additional project value compared to a likely Base-level project alternative.

Initial Public Benefit proposal

The initial Public Benefit proposed by the applicant took the form of a cash contribution to the pending El Camino Real/Downtown Specific Plan Public Amenity Fund, in the amount of $2,100,000, which would represent one-third of the projected value increase by going to the Public Benefit Bonus level. The applicant requested that this be memorialized through a Development Agreement, in order to document the project's contribution and vest any project entitlements ultimately approved by the City.

Planning Commission review

On March 21, 2016, the Planning Commission considered this topic in a study session. The Commission did not take any action, but provided individual comments for the consideration of the applicant and staff. From staff's perspective, the Commissioners generally appeared to consider the proposal favorably, with some individual caveats including an encouragement of additional BMR units and a request that any financial contribution from the applicant be used toward public improvements in the Specific Plan area.

City Council review

On July 19, 2016, the City Council appointed Council Members Carlton and Ohtaki to a subcommittee charged with providing input to a City negotiating team for the proposed Development Agreement. Following that appointment, City staff, including the City Manager, Assistant City Manager, and Contract City Attorney, met with the Council Subcommittee to determine the key parameters for the negotiation of public benefits as part of the Development Agreement. Subsequently, staff negotiated with Greenheart and consulted with the Council Subcommittee. On September 13, 2016, the City Council unanimously approved a Development Agreement Term Sheet, which outlined the key parameters that have since been further fleshed out in the draft Development Agreement.

Draft Development Agreement

A Development Agreement is a contract between the City of Menlo Park and a project sponsor that delineates the terms and conditions of a proposed development project. A Development Agreement allows a project sponsor, in this case Greenheart, to secure vested rights, and it allows the City to secure certain benefits that it might not otherwise be entitled to obtain. The City Council is not obligated to approve a Development Agreement, but if the City Council does want to approve a Development Agreement, the terms of the Development Agreement need to be acceptable to both parties; one party cannot impose terms on the other party.

When considering the terms of the draft Development Agreement, it is important to remember that it reflects a negotiated package and any one aspect cannot be viewed in isolation. The key elements of the proposed

draft Development Agreement can be summarized as follows:

Cash Contribution
The initial proposal to provide a $2,100,000 cash contribution to the El Camino Real/Downtown Specific Plan Public Amenity Fund has not changed. These funds would be available to support transportation, public space, or similar improvements in the Specific Plan area.

Affordable Units
The project is required to provide 10 BMR units that are affordable to individuals at the low-income level, as designated for San Mateo County. The applicant initially proposed that this requirement be met by a combination of five large one-bedroom units and five two-bedroom units. The proposal has been revised to consist of eight small one-bedroom units, three large one-bedroom units, and three two-bedroom units, which is a total of 14 BMR units, all at the low-income level.

In addition, the applicant is proposing to designate six additional small one-bedroom units as “workforce” housing. These units would be leased at rents affordable for persons at 100 percent of median income, with eligibility to include persons up to moderate (120 percent of median) income. Workforce housing is not a formal designation under the City’s current BMR program, but it would represent one way to provide housing that is affordable to community members such as teachers and other public employees.

The revised total number of 20 affordable units would represent over 10 percent of the total residential units proposed as part of the project.

Sales Tax
The project would include between 18,600 and 29,000 square feet of community-serving uses, which include retail, personal service, and similar active uses. These would be located on the ground floor of both the El Camino Real and Oak Grove Avenue buildings, helping enliven those frontages. In order to ensure that these tenant spaces are occupied by a healthy mix of retail tenants, the applicant is guaranteeing $83,700 in sales tax per year. This guarantee would commence two years after the final building is occupied, in order to allow for initial leasing to be completed, and would be adjusted yearly by the area CPI (Consumer Price Index). The $83,700 guarantee is based on the minimum 18,600 square feet generating an average City sales tax of $4.50/square foot, which staff believes represents what a typical mix of restaurants, retail, personal services, and similar uses should generate at this location.

Marketing to Incubator/Accelerator/Co-Working Tenants.
The applicant would market the office space to incubator/accelerator/co-working entities, which could help the City attract more innovative businesses. This marketing obligation would not apply if the entire office space is rented to a single tenant.

Dog Park
The project initially included a bocce court area along the Garwood Way frontage. The applicant is proposing to replace these features with a fenced dog park, which would likely be of greater public use.

Assurances Regarding New City Fees.
Similar to provisions included in other comparable development agreements, the City agrees to provide Greenheart assurances as to certain changes in fees and applicable laws, in exchange for the negotiated benefits. The Project will not be subject to any new impact fees, including BMR fees, or any equivalent in-kind obligation, for a three-year period. The applicant can pay a fee to the City to obtain up to two annual extensions of these provisions. The assurances regarding no imposition of new fees shall not limit the City

from imposing increases to existing City and Specific Plan Area impact fees.

Building Permits.
The building code provisions that are applicable to the first building permit shall be applicable to the remaining building permits, as long as substantial time hasn't passed between the permits. This would allow the multi-phase construction project to be conducted under a consistent building code review process.

Term of the Development Agreement.
The Term shall be 10 years, with the understanding that the BMR units will be subject to a separate agreement with a 55-year term.

Correspondence

Staff has received 31 letters regarding the project since the Planning Commission public hearing was scheduled (Attachment Q). Thirty of these letters (several of which are from the same individuals, writing in both December and January) are strongly supportive, citing positive aspects such as the redevelopment of an underutilized site in proximity to transit/services, an increase in downtown vitality, the provision of new community-serving uses, the project's sustainability features, and the development of residential uses in general. The one negative letter states that the uses are not defined, the project benefits are insufficient, among other concerns.

Conclusion

Staff believes that the proposal would represent a balanced mixed-use project, with similar proportions of residential and office uses, along with more active community-serving uses along both of the two main project frontages. The architectural approach would be thoughtful and well-executed with quality materials and detailing, and would address relevant Specific Plan standards and guidelines. The heritage tree removals would be justified by the trees' condition, health, and long-term species value, as well as by construction conflicts. The replacement plantings would emphasize California native species, and would include larger plantings that would help justify a 1.7-to-one replacement ratio. The Tentative Map would allow for the comprehensive redevelopment of the project site, while also dedicating a new roadway and public access easements. The BMR Agreement would address the project's 10-unit BMR requirement, and provide an additional 10 affordable units as a public benefit. The Development Agreement would document the BMR units and other benefits, including a $2,100,000 cash contribution to be used for public improvements in the Specific Plan area. The project's impacts have been fully considered as part of the Final EIR, and relevant mitigation measures have been incorporated into the Mitigation Monitoring and Reporting Program (MMRP). Staff and the Planning Commission recommend that the City Council approve the project per the actions listed in Attachment A.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project. In addition, the proposed development would be subject to payment of Transportation Impact Fee (TIF), Specific Plan Transportation Infrastructure Proportionate Cost-Sharing Fee, and the El Camino Real/Downtown Specific Plan Preparation Fee. These required fees were established to account for projects' proportionate obligations. As noted in the Development Agreement section, the project would also include a $2,100,000 cash contribution, which could be used for public improvements in the Specific Plan area.

Environmental Review

The Specific Plan process included detailed review of projected environmental impacts through a program Environmental Impact Report (EIR), as required by the California Environmental Quality Act (CEQA). In compliance with CEQA requirements, the Draft EIR was released in April 2011, with a public comment period that closed in June 2011. The Final EIR, incorporating responses to Draft EIR comments, as well as text changes to parts of the Draft EIR itself, was released in April 2012, and certified along with the final Plan approvals in June 2012.

As specified in the Specific Plan EIR and the CEQA Guidelines, program EIRs provide the initial framework for review of discrete projects. Most project proposals under the Specific Plan are anticipated to be fully addressed as part of the Specific Plan EIR. However, for the proposed project, staff and an independent CEQA consulting firm (ICF International, with support from W-Trans, a transportation analysis sub-consultant) determined that a project-level EIR was required to examine specific impacts not addressed in the Specific Plan EIR. The specific type of project-level EIR required for the project is defined by Senate Bill (SB) 226 as an "Infill EIR," as the project meets relevant criteria defined by that legislation, as discussed in the Infill EIR itself. Since this determination, the project's CEQA review has proceeded as follows:

Table 2: CEQA Milestones

Date	Milestone	Hearing Body
6/17/2014	EIR Process Information Item	City Council
7/13/2014	Notice of Preparation (NOP) Issuance	n/a
8/4/2014	EIR Scoping Session (held in conjunction with general project Study Session)	Planning Commission
8/13/2014	NOP Comment Deadline	n/a
9/9/2014	Environmental Impact Report (EIR) Contract Approval	City Council
2/24/2015	EIR Status Update	City Council
3/17/2016	Notice of Availability of Draft EIR	n/a
3/18/2016	Draft Infill EIR Review Period Start	n/a
3/21/2016	Draft Infill EIR Public Hearing	Planning Commission
4/4/2016	Draft Infill EIR Review Period End	n/a
42705	Final Infill EIR Review Period Start	n/a
12/12/2016	Public Hearing for Recommendations on All Project Actions Including Final Infill EIR	Planning Commission
1/24/2017	Public Hearing for All Project Actions Including Final Infill EIR	City Council
2/7/2017 (tent.)	Adoption of Ordinance Approving Development Agreement	City Council

Draft Infill EIR

The Draft Infill EIR analyzes the following four topic areas:

- Air Quality (construction)
- Hazards and Hazardous Materials
- Noise (traffic noise)
- Transportation/Traffic

Other environmental analysis areas were found to have been adequately addressed in the Specific Plan EIR. The Infill Environmental Checklist is included as an appendix to the Draft Infill EIR, and it explains in detail how the project is consistent with the Specific Plan EIR and creates no new significant impacts for the topic categories not analyzed in the Draft Infill EIR (e.g., Biological Resources, Hydrology/Water Quality).

The Draft Infill EIR determined that impacts would be less than significant, or less than significant with mitigation, for the following categories:

- Air Quality (construction)
- Hazards and Hazardous Materials
- Noise (traffic noise)

For Traffic/Transportation, the Draft Infill EIR determined that impacts on pedestrian and bicycle facilities, and transit facilities would be less than significant, or less than significant with mitigation. However, the following transportation/traffic impacts have been determined to be potentially significant. Mitigations have been specified for most intersections/segments/routes, but except as noted by "LTS/M" (less than significant with mitigation), the impacts below are considered significant and unavoidable due to factors such as the need to acquire additional rights-of-way, violation of existing policies, or a location outside of the City's jurisdiction. Since the commercial uses could vary somewhat in proportion, the Draft Infill EIR considered the most-intense scenario with regard to traffic analysis, to ensure that the analysis was conservative and accurate.

- Impacts on Intersections
  - Near-Term 2020 plus-Project Conditions (TRA-1)
    - #3. Middlefield Road/Glenwood Avenue-Linden Avenue
    - #11. Ravenswood Avenue/Laurel Street [LTS/M]
    - #13. Oak Grove Avenue/Alma Street
    - #15. Oak Grove Avenue/Derry Lane (Garwood Way)-Merrill Street
    - #20. El Camino Real/Ravenswood Avenue-Menlo Avenue
  - Cumulative 2040 plus-Project Conditions (C-TRA-4)
    - #2. Middlefield Road/Encinal Avenue
    - #3. Middlefield Road/Glenwood Avenue-Linden Avenue
    - #5. Middlefield Road/Ravenswood Avenue
    - #7. Middlefield Road/Willow Road
    - #9. Laurel Street/Glenwood Avenue
    - #11. Ravenswood Avenue/Laurel Street
    - #13. Oak Grove Avenue/Alma Street

    - #15. Oak Grove Avenue/Derry Lane (Garwood Way)-Merrill Street
    - #17. El Camino Real/Glenwood Avenue-Valparaiso Avenue
    - #18. El Camino Real/Oak Grove Avenue
    - #20. El Camino Real/Ravenswood Avenue-Menlo Avenue
    - #25. Oak Grove Avenue/University Drive [LTS/M]
    - #26. Santa Cruz Avenue/University Drive (N) [LTS/M]
- Impacts on Roadway Segments
  - Near-Term 2020 plus-Project Conditions (TRA-2)
    - #5. Ravenswood Avenue between Laurel Street and Middlefield Road
    - #10. Oak Grove Avenue west of Laurel Street
    - #11. Oak Grove Avenue east of Laurel Street
    - #13. Garwood Way south of Glenwood Avenue
  - Cumulative 2040 plus-Project Conditions (C-TRA-5)
    - #5. Ravenswood Avenue between Laurel Street and Middlefield Road
    - #10. Oak Grove Avenue between El Camino Real and Laurel Street
    - #11. Oak Grove Avenue between Laurel Street and Middlefield Road
    - #13. Garwood Way between Glenwood Avenue and Oak Grove Avenue
- Impacts on Routes of Regional Significance
  - Near-Term 2020 plus-Project Conditions (TRA-3)
    - Willow Road – US 101 to Bayfront Expressway (northbound)
    - Willow Road – Bayfront Expressway (southbound)
    - Bayfront Expressway – University Avenue to Willow Road (westbound)
    - Bayfront Expressway – Willow Road to University Avenue (eastbound)
  - Cumulative 2040 plus-Project Conditions (TRA-6)
    - Willow Road – US 101 to Bayfront Expressway (northbound)
    - Willow Road – Bayfront Expressway (southbound)
    - Bayfront Expressway – University Avenue to Willow Road (westbound)
    - Bayfront Expressway – Willow Road to University Avenue (eastbound)
- Impacts on Railroad Crossings (TRA-10)

Partial mitigations are included for the construction of bicycle improvements (Class II bicycle lanes on portions of Oak Grove Avenue and Class III bicycle route on Garwood Way), implementation of a Transportation Demand Management (TDM) plan, and maintenance/improvement of railroad “keep clear” zones. These would be project requirements. However, these mitigations are not projected to fully mitigate the impacts.

Final Infill EIR

The Final Infill EIR, included as a hyperlink as Attachment R, includes the Response to Comments to all the written comments received prior to the deadline and verbal testimony provided at the Planning Commission public hearing on the Draft Infill EIR, and changes to the document to reflect any needed modifications. The comments on the Draft Infill EIR did not result in any impacts not previously identified. Therefore, any changes to the text of the Final Infill EIR were limited to corrections and clarifications that do not alter the environmental analysis. The Final Infill EIR is available on the project web page, as well as City Hall and the Main Library. In response to a few minor changes to the square footage and residential unit count that occurred as the project designs were refined, the City’s environmental consultant prepared a memorandum

confirming that these adjustments do not affect any of the Final Infill EIR's conclusions (Attachment S).

Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (MMRP)

As part of its consideration of the merits of the project, the City Council will need to review and consider the Statement of Overriding Considerations (SOC) along with the Mitigation Monitoring and Reporting Program (MMRP). The draft resolution for the SOC, including the MMRP, is included as part of Attachment B. The draft SOC outlines the following public benefits of the project, inclusive of the benefits derived from the Development Agreement: economic benefits, social benefits, transportation and infrastructure benefits, housing benefits, local community benefits, and region-wide or Statewide benefits. The SOC identifies specific benefits within each category in more detail. The MMRP includes the feasible mitigation measures identified in the EIR and is designed to aid the City of Menlo Park in its implementation and monitoring of measures adopted from the certified EIR. The MMRP would be enforced as part of the project specific conditions of approval for the project. As part of its overall project review, the Planning Commission recommended affirmatively on these items.

Specific Plan Maximum Allowable Development

Per Section G.3, the Specific Plan establishes the maximum allowable net new development as follows:

Residential uses: 680 units; and
Non-residential uses, including retail, office and hotel: 474,000 square feet.

These totals are intended to reflect likely development throughout the Specific Plan area, in excess of certain development projects that were already in the pipeline at the point the Specific Plan Program EIR was commenced (subject to those projects receiving their own independent approvals). As noted in the Plan, development in excess of these thresholds will require amending the Specific Plan and conducting additional environmental review.

Uses that were active on the project site at the commencement of the environmental review are deducted from the project's share of the Maximum Allowable Development. In addition, because the project site includes the parcels that were part of the earlier development proposal from SHP Los Altos, LLC, which was fully approved with CEQA clearance, and because the applicant submitted this development proposal while that project's approval was still valid, the SHP Los Altos, LLC's project's non-residential square footage is deducted from the current total. By contrast, while the project site includes the parcels that were part of the separate project from O'Brien at Derry Lane, LLC, that project never received full approvals, and as such its proposed residential units and non-commercial square footage are not deducted from the current project's total.

If the project is approved and implemented, the Specific Plan Maximum Allowable Development would be revised to account for the net changes as follows:

Table 3: Project and Maximum Allowable Development		
	Dwelling Units	Commercial Square Footage
Existing	-	10,000
SHP Los Altos, LLC Approved/Certified Project	-	110,065
Proposed	183	219,089
Net Change	183	99,024
% of Maximum Allowable Development	26.9%	20.9%

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property. In addition, prior to the December 12, 2016 Planning Commission meeting, notice of the Final Infill EIR's availability and the holding of the Planning Commission public hearing was also provided to agencies and jurisdictions of interest (e.g., Caltrans, Town of Atherton, etc.), and to anyone who commented on the Draft Infill EIR. Email updates regarding both the Planning Commission and City Council meetings were also provided to a list of individuals interested in development projects in the Specific Plan area.

Attachments

A. Recommended Actions
B. Draft Resolution Adopting Findings Required by the California Environmental Quality Act, Including a Statement of Overriding Considerations, Approving a Mitigation Monitoring and Reporting Program, and Certifying the Final Infill Environmental Impact Report
C. Draft Resolution Approving the Findings and Conditions for Architectural Control, Use Permit, and Tentative Map
D. Draft Resolution Ordering the Vacation and Abandonment of Derry Lane, Public Right-of-Way and Public Utility Easements
E. Draft Resolution Approving the Heritage Tree Removal Permits
F. Draft Resolution Approving the BMR Agreement
G. Draft Ordinance Approving the Development Agreement
H. Location Map
I. Planning Commission Draft Minutes – December 12, 2016
J. Project Plans, dated December 1, 2016
K. Project Description Letter
L. Standards and Guidelines Project Compliance Worksheet
M. Lighting Plans
N. Arborist Report
O. Consulting Arborist Peer Review and Recommendations

P. Garwood Way Tree Memorandums
Q. Correspondence
R. Hyperlink to Station 1300 Final Infill EIR - http://www.menlopark.org/DocumentCenter/View/12432
S. Project Modifications Memo, ICF

Disclaimer

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

Exhibits to Be Provided at Meeting

- Color and Materials Boards

Report prepared by:
Thomas Rogers, Principal Planner

Report reviewed by:
Arlinda Heineck, Community Development Director

Attachment A
Recommended Actions
1300 El Camino Real Project (1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane)

Environmental Review

1. Adopt a Resolution of the City Council of the City of Menlo Park Adopting Findings Required by the California Environmental Quality Act, Including a Statement of Overriding Considerations, Approving a Mitigation Monitoring and Reporting Program, and Certifying the Final Infill Environmental Impact Report for the 1300 El Camino Real Project, Located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment B)

Architectural Control, Use Permit, and Tentative Map

2. Adopt a Resolution of the City Council of the City of Menlo Park Approving Findings and Conditions for the Architectural Control, Use Permit, and Tentative Map for the 1300 El Camino Real Project located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment C)
3. Adopt a Resolution of the City Council of the City of Menlo Park Ordering the Vacation and Abandonment of Derry Lane, Public Right-of-Way and Public Utility Easements Within the Property at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment D)

Heritage Tree Removal Permits

4. Adopt a Resolution of the City Council of the City of Menlo Park Approving the Heritage Tree Removal Permits for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment E)

Below Market Rate (BMR) Housing Agreement

5. Adopt a Resolution Approving a Below Market Rate Housing Agreement with Real Social Good Investments, LLC for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment F)

Development Agreement

6. Introduce an Ordinance of the City Council of the City of Menlo Park Approving the Development Agreement with Real Social Good Investments, LLC for for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment G)

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RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ADOPTING FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING A STATEMENT OF OVERRIDING CONSIDERATIONS, APPROVING A MITIGATION MONITORING AND REPORTING PROGRAM, AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FINAL INFILL ENVIRONMENTAL IMPACT REPORT FOR THE 1300 EL CAMINO REAL PROJECT LOCATED AT 1258-1300 EL CAMINO REAL, 550-580 OAK GROVE AVENUE, AND 540-570 DERRY LANE

WHEREAS, Greenheart Land Company ("Project Sponsor") submitted an application to construct an infill project of approximately 420,000 square feet (sf) of mixed uses within three buildings (the "Project") in the City of Menlo Park ("City"); and

WHEREAS, the City released a Notice of Preparation ("NOP") and an Infill Environmental Checklist for the Project on July 14, 2014 for a 30-day public review period. The Infill Environmental Checklist determined that an Infill Environmental Impact Report ("Infill EIR") was required for the Project. The City held a public scoping meeting on August 4, 2014 before the City's Planning Commission. Comments received by the City on the NOP and at the public scoping meeting were taken into account during preparation of the Draft Infill EIR; and

WHEREAS, the Draft Infill EIR and a Notice of Availability were released on February 18, 2016 for a 45-day review period that ended on April 4, 2016. The public review period included one Planning Commission public hearing on March 21, 2016. Comments on the Draft Infill EIR were received from 3 public agencies, 4 organizations, and 11 individuals. On December 1, 2016, the City published a Final Infill EIR document that includes responses to comments. The Draft Infill EIR and the Final Infill EIR document together constitute the Final Infill EIR (also designated the "Infill EIR"); and

WHEREAS, the California Environmental Quality Act ("CEQA", Pub. Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require analysis and a determination regarding the Project's environmental impacts and mitigation measures that, in the City's view, justify approval of the Project; and

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

WHEREAS, a duly and properly noticed public hearing was held before the City Planning Commission on December 12, 2016; and

WHEREAS, the City Planning Commission, having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter, voted affirmatively to recommend to the City Council to make the findings and take the actions required by CEQA with respect to the Infill EIR and the Mitigation Monitoring and Reporting Program; and

WHEREAS, a duly and properly noticed public hearing was held before the City Council on January 24, 2017; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park hereby finds that the above recitals are true and correct, makes the following findings and takes the following actions with respect to the Final Infill EIR prepared for the Project:

I. INTRODUCTION

Greenheart Land Company (Project Sponsor) is proposing to redevelop 11 assessor's parcels of land between El Camino Real and the Caltrain right-of-way into a mixed-use development. The Project site includes property located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane in the City, totaling approximately 7.2 acres (the "Property") located within the area of the El Camino Real/Downtown Specific Plan (the "Specific Plan"). These parcels generally consist of vacant, previously developed land in the site's northern area and commercial buildings along Derry Lane and Oak Grove Avenue in the southern area.

The Property was the subject of two previous development proposals, one termed the Derry Lane site (3.5 acres) and the other the 1300 El Camino Real site (3.4 acres). These previous development proposals would have included development of residential, office, and community serving uses at the two project sites. Both of these proposals obtained environmental impact report (EIR) certification, although the Derry Lane site never received project approvals after a referendum petition was received by the City, and the approval was set aside. The 1300 El Camino Real site's approvals were valid at the point of the Project Sponsor's submittal of this application.

The Project would demolish the existing structures in the southern portion of the site and construct approximately 420,000 square feet (sf) of mixed uses. In total, the Project would include three mixed-use buildings, a surface parking lot, an underground parking garage, onsite linkages, and landscaping. The uses at the Project site would include approximately 190,835 to 202,898 sf of non-medical office space in two buildings, approximately 199,031 sf of residential space (183 housing units) in one building, and between 18,600 and 29,037 sf of community-serving space throughout the proposed office and residential buildings. The Project would provide approximately 1,000 parking spaces within an underground parking garage and a small surface parking lot. After street abandonment and dedication actions under the Project, the total site area would be approximately 6.4 acres.

The Property includes areas that were previously evaluated in the Derry Mixed-Use Development Project EIR (certified in 2006) and the 1300 El Camino Real Sand Hill Project EIR (certified in 2009). However, since certification of these EIRs, the Property has been included in the El Camino Real/Downtown Specific Plan EIR (certified in 2012). The previously proposed projects were analyzed as cumulative projects in the Specific Plan EIR, rather than as opportunity sites on which new development may occur. The analysis in the Specific Plan EIR considered the net new development of up to 680 housing units and approximately 474,000 sf of commercial uses within the Specific Plan area, which includes the El Camino Real corridor, the Caltrain Station area, and the City's downtown core. The Specific Plan EIR assumed the existence of 110,065 sf of non-residential square footage included in the valid approval for the 1300 El Camino Real Sand Hill Project. The Project's net addition to the approved development already assumed to exist and active uses on the site when the Infill EIR was commenced includes the 183 planned units and 99,024 sf of non-residential space.

The Project requires the following City approvals:

- **Environmental Review.** This process includes certification of the environmental review and approval of the mitigation measures presented in this document.

- **Approval of Public Benefit Bonus.** The Planning Commission and City Council, concurrent with overall Project review, will review the proposed public benefits to determine if they are adequate to justify the proposed public benefit bonus of approximately 112,108 sf of additional office and residential space.

- **Architectural Control Review.** Design review for compliance with Specific Plan standards and guidelines.

- **Heritage Tree Removal Permits.** A tree removal permit would be required for each Heritage Tree proposed for removal per Municipal Code Section 13.24.040.

- **Below Market Rate Housing Agreement.** A Below Market Rate Housing Agreement would be required for the Project's compliance with the City's Below Market Rate Housing Program, as outlined in Chapter 16.96 of the Municipal Code.

- **Tentative Map.** The map will merge existing parcels and create one private parcel (with a four-unit commercial condominium) and two public right-of-way parcels; dedicate a new public street extension of Garwood Way; abandon Derry Lane; and abandon/dedicate public access and public utility easements;

- **Use Permit.** Outdoor seating associated with future restaurants would be allowed with a use permit.

- **Development Agreement.** This allows the project sponsor to secure vested rights to the above approvals of the Project, and for the City to secure public

benefits, including a $2.1 million cash contribution, additional affordable housing units, public access to a dog park, marketing of incubator space, and a sales tax guarantee.

II. PROJECT OBJECTIVES

The City Council has determined that the Project has been designed to meet the following objectives:

- Develop a mixed-use, infill project on El Camino Real that is consistent with the goals and vision of the Specific Plan, which seeks to improve underutilized and vacant lots, focus high-density development in proximity to the train station, and enrich El Camino Real as a vibrant pedestrian and transit-oriented corridor.
- Redevelop underutilized parcels with an economically viable mixed-use project that includes multi-family residential, office, and community-serving uses.
- Provide a mix of uses that is close to transit and services, including transportation demand management amenities that reduce vehicle trips and promote walking, biking, carpooling, and transit use.
- Use green design practices and methods that promote energy efficiency and resource conservation.
- Create a mixed-use project that conforms to the design principles set forth in the Specific Plan and that respects the surrounding neighborhood through appropriate building height, siting, and massing.
- Provide new and diverse employment opportunities for City residents.
- Generate revenue for the City and other public entities.

III. GENERAL FINDINGS AND OVERVIEW

A. Use of Infill EIR

The Project is an “infill project” as defined in CEQA Guidelines Section 15183.3(f)(1) because it is a residential, commercial, and retail project that meets the eligibility requirements of Guidelines Section 15183.3(b). It is eligible for the streamlining procedures provided by Guidelines Section 15183.3 because it meets the standards of Guidelines Section 15183.3(b) as discussed on pages 3-2 and 3-3 of the Draft Infill EIR. In particular, it is located on a previously developed site and satisfies the performance standards provided in Appendix M, as demonstrated on pp. 1-4 and 1-5 of the Infill Environmental Checklist. Furthermore, as discussed on p. 1-5 of the Infill Environmental Checklist, the Project site is within a Priority Development Area (PDA) in the adopted Plan Bay Area, which is the Sustainable Communities Strategy (SCS) for the Bay Area as required by Senate Bill 375. PDAs are areas where new development will support the needs of residents and workers in a pedestrian-friendly environment served by transit and where jobs and housing growth are expected to be concentrated. The SCS

does not specify the use, density, or intensity of these areas. Instead, local jurisdictions, including Menlo Park, defined the character of their PDAs as regional centers, city centers, suburban centers, or transit town centers. Therefore, the El Camino Real/Downtown Specific Plan serves as the SCS policies for the PDA that includes the Project site. Since the Project is consistent with the Specific Plan, it is also consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in the SCS.

Because the Project is an eligible infill project, it is exempt from CEQA if an impact was addressed as a significant effect in a prior EIR for a planning level decision or if uniformly applicable development standards or policies (UADPS) substantially mitigate any environmental effects site not analyzed in the previous EIR. The Property is within the Specific Plan area, and the environmental effects of development in the Specific Plan area were previously addressed in the certified El Camino Real/Downtown Specific Plan EIR (the "Specific Plan EIR"). Therefore, the Infill Environmental Checklist was prepared to determine if potential impacts of the Project were addressed as a significant effect in the Specific Plan EIR and whether UADPS would substantially mitigate any environmental effects site not analyzed in the previous EIR. As described in the Infill Environmental Checklist, all environmental effects were determined to have been adequately addressed in the Specific Plan EIR or to have been mitigated by UADPS except for Transportation/Traffic, Air Quality, Noise, and Hazards and Hazardous Materials, which have been evaluated in the Infill EIR.

B. Procedural Background

Per Section 15183(d)(2)(C) of the CEQA Guidelines; if the infill project would result in new specific effects or more significant effects, and UADPS would not substantially mitigate such effects, those effects are subject to CEQA. With respect to those effects that are subject to CEQA, the lead agency shall prepare an Infill EIR if the written checklist shows that the effects of the infill project would be potentially significant. As concluded in the Infill Environmental Checklist for the Project, the Project would have effects that either have not been analyzed in the prior Specific Plan EIR, or are more significant than described in the prior EIR.

The Infill Environmental Checklist and Notice of Preparation (NOP) for the Project were released on July 14, 2014, for a 30-day public review period. The NOP was sent to individuals, local interest groups, adjacent property owners, and responsible and trustee state and local agencies having jurisdiction over or interest in environmental resources and/or conditions in the vicinity of the Project site. The purpose of the NOP was to allow various private and public entities to transmit their concerns and comments on the scope and content of the Draft Infill EIR, focusing on specific information related to each individual's or group's interest or agency's statutory responsibility early in the environmental review process. A public scoping meeting was held on August 4, 2014, before the Planning Commission. The NOP noted that the Project may have a significant effect on the environment and that an EIR would be prepared for the Project.

The Draft EIR was made available for public and agency review on February 18, 2016. Copies of the Notice of Availability ("NOA") of the Draft EIR were mailed to public agencies (including the State Clearinghouse (SCH #2014072028)), organizations, and individuals likely to be interested in the the Project and its potential impacts. In addition, copies of the Draft Infill EIR were distributed to public agencies (including the State Clearinghouse). Copies of the Draft Infill EIR were made available at the Community Development Department, at the Menlo Park Library, and on the City's website.

A public comment session on the Draft Infill EIR was held before the Planning Commission on March 21, 2016. The CEQA-mandated 45-day public comment period for the Draft EIR ended on April 4, 2016. All comments on the Draft Infill EIR concerning environmental issues received during the public comment period were evaluated and responded to in writing by the City as the Lead Agency in accordance with Section 15088 of the CEQA Guidelines.

The comments on the Draft Infill EIR, changes to the Draft Infill EIR, and the written responses were incorporated into a Final Infill EIR document including Chapter 3, *Responses to Comments,* that was published on December 1, 2016. Copies of the Final Infill EIR document were made available at the Community Development Department, on the City's website, and at the Menlo Park Library. The Draft Infill EIR and the Final Infill EIR document together comprise the Final Infill EIR (or "Infill EIR").

A duly and properly noticed public hearing was scheduled before the Planning Commission of the City of Menlo Park December 12, 2016, and the Planning Commission voted affirmatively to recommend to the City Council to find that the Final Infill EIR was prepared in compliance with CEQA and to recommend that findings be made as required by CEQA.

A duly and properly noticed public hearing was held before the City Council on January 24, 2017, where the Council considered the Final Infill EIR and the Project.

IV. CERTIFICATION OF FINAL INFILL ENVIRONMENTAL IMPACT REPORT

In accordance with CEQA Guidelines Section 15090, the City of Menlo Park, acting by and through its City Council hereby certifies that the Final Infill EIR has been completed in compliance with the CEQA and the CEQA Guidelines. The City further certifies that it has been presented with the Final Infill EIR and that it has reviewed and considered the information contained in the Final Infill EIR prior to approving the Project. The City further certifies that the Final Infill EIR reflects its independent judgment and analysis.

V. APPROVAL OF MMRP

The City Council hereby adopts the mitigation measures set forth for the Project in the Final EIR and the MMRP attached hereto as Exhibit A and incorporated herein by this reference.

VI. RECORD OF PROCEEDINGS AND CUSTODIAN OF RECORD

For purposes of CEQA and these Findings, the record of proceedings consists of the following documents and testimony:

(a) The NOP, Infill Environmental Checklist, comments received on the NOP or at the scoping meeting, and all other public notices issued by the City in conjunction with the Project;

(b) Draft Infill EIR released for public review in February 2016, associated appendices to the Draft Infill EIR, and technical materials cited in the document;

(c) All comments submitted by agencies or members of the public during the public comment period on the Draft Infill EIR;

(e) The Final Infill EIR for the Project, including comments received on the Draft Infill EIR, responses to those comments, text revisions to the Draft Infill EIR, appendices to the document, and technical materials cited in the document, as well as all comments and staff responses entered into the record orally or in writing between February 18, 2016 and April 4, 2016;

(f) The Mitigation Monitoring and Reporting Program for the Project;

(g) All non-draft or non-confidential reports, studies, memoranda, maps, staff reports, or other planning documents related to the Project prepared by the City, or consultants to the City with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;

(h) All documents submitted to the City (including the Planning Commission and City Council) by other public agencies or members of the public in connection with the Project, up through the close of the public hearing on January 24, 2017;

(i) Any minutes or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project;

(j) All matters of common knowledge to the Commission and Council, including, but not limited to:

(i) The Menlo Park General Plan and other applicable policies;
(ii) The El Camino Real/Downtown Specific Plan;
(iii) The Menlo Park Zoning Ordinance and other applicable ordinances;
(iv) Environmental documents related to the above documents;
(v) Information regarding the City's fiscal status; and
(vi) Applicable City policies and regulations; and

(k) Any other materials required for the record of proceedings by Public Resources Code Section 21167.6(e).

The documents described above comprising the record of proceedings are located in the Community Development Department, City of Menlo Park, 701 Laurel Street, Menlo Park, CA 94025. The custodian of these documents is the Community Development Director or his/her designee.

VII. FINDINGS ARE DETERMINATIVE

These City of Menlo Park findings required under CEQA for the Project ("Findings") are the City's findings under CEQA (Pub. Resources Code, §21000 et seq.) and *CEQA Guidelines* (Cal. Code of Regulations, Title 14, §15000 et seq.) relating to the Project. The Findings provide the written analysis and conclusions of the Council regarding the Project's environmental impacts, mitigation measures and project alternatives that, in the Council's view, justify approval of the Project. All mitigation measures listed below in this Findings document are included in the Mitigation Monitoring and Reporting Program ("MMRP") adopted by the City Council.

In certifying the Final Infill EIR, the City Council recognizes that there may be differences in and among the different sources of information and opinions offered in the documents and testimony that make up the Infill EIR and the administrative record; that experts disagree; and that the City Council must base its decision and these findings on the substantial evidence in the record that it finds most compelling. Therefore, by these findings, the City Council ratifies, clarifies, and/or makes insignificant modifications to the Infill EIR and resolves that these findings shall control and are determinative of the significant impacts of the Project.

The mitigation measures proposed in the Infill EIR have been adopted and included in the MMRP, substantially in the form proposed in the Infill EIR, with such clarifications and non-substantive modifications as the City Council has deemed appropriate to implement the mitigation measures. The MMRP is expressly incorporated into the Project.

The findings and determinations in this Resolution are to be considered as an integrated whole and, whether or not any subdivision of this Resolution fails to cross-reference or incorporate by reference any other subdivision of this Resolution, any finding or determination required or permitted to be made shall be deemed made if it appears in any portion of this document. All of the text included in this document constitutes findings and determinations, whether or not any particular caption sentence or clause includes a statement to that effect.

Each finding in this Resolution is based on the entire record. The omission of any relevant fact from the summary discussions below is not an indication that a particular finding is not based in part on the omitted fact.

Many of the mitigation measures identified in this Resolution may have the effect of mitigating multiple impacts (e.g., conditions imposed primarily to mitigate traffic impacts may also secondarily mitigate air quality impacts, etc.). The City Council has not attempted to exhaustively cross-reference all potential impacts mitigated by a particular mitigation measure; however, any failure to cross-reference shall not be construed as a limitation on the potential scope or effect of any such mitigation measure.

VIII. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

Findings regarding mitigation and significant and unavoidable impacts are limited to those impacts evaluated in the Infill EIR. The City Council hereby incorporates by reference the findings and statement of overriding considerations required by Sections 15091, 15092, 15093, and 15097 of the State EIR Guidelines and Sections 21081, 21081.5, and 21081.6 of CEQA prepared for the El Camino Real/Downtown Specific Plan, as set forth in detail by the City Council on June 5, 2012. Mitigation measures from the Specific Plan EIR, as contained in the Mitigation Monitoring and Reporting Plan adopted for the Specific Plan, that are required to be implemented as part of the Project, have been incorporated into the MMRP adopted for the Project.

Based upon the EIR and the entire record, the City Council hereby makes the findings below.

A. TRANSPORTATION, CIRCULATION AND PARKING

Impact TRA-1: Impacts on Intersections under Near-Term 2020 plus-Project Conditions. Increases in traffic associated with the Project under near-term 2020 plus-Project conditions would result in increased peak-hour delays at five intersections. At one intersection Ravenswood/Laurel (#11), improvements to be installed by the applicant would reduce impacts to an insignificant level (discussed in Section VIII). However, impacts at the remaining four intersections would remain significant and unavoidable.

Mitigation Measure TRA-1.2: Implement Intersection Improvements to Address Near-Term 2020 plus-Project Effects. Operations at four intersections could be improved by modifying intersection geometry to provide additional capacity. Some of these modifications may require additional rights-of-way to add travel lanes..

a. Middlefield Road/Glenwood Avenue-Linden Avenue (#3)

Acceptable operations could be achieved at Middlefield Road/Glenwood Avenue-Linden Avenue with signalization of the intersection, located in the Town of Atherton. The Project is required to contribute a fair share financial contribution of 3.7 percent of the cost of the improvement toward a traffic signal at this location, which funds would be available to the Town of Atherton for a 5-year period.

However, this mitigation measure may require the acquisition of additional rights-of-way to install traffic signal equipment and modify the Glenwood Gate, a physical gate at the east Linden Avenue leg of the intersection that restricts the Linden Avenue approach to a two-way, one-lane road.

Finding: The improvements to this intersection are within the jurisdiction and responsibility of the Town of Atherton, and its implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable.

b. Oak Grove Avenue/Alma Street (#13)

Acceptable operations could theoretically be achieved at the intersection of Oak Grove Avenue/Alma Street with implementation of Mitigation Measure TRA-1.2.c at Oak Grove Avenue/Derry Lane (Garwood Way)- Merrill Street. The mitigation measure includes a southbound peak- hour left-turn restriction at Oak Grove Avenue/Derry Lane (Garwood Way)-Merrill Street, which would reduce the amount of traffic entering eastbound Oak Grove Avenue at Alma Street.

Finding: Specific technological and other considerations make infeasible the mtiigation measures identified in the Infill EIR. The City's experience has found that turn restrictions are ineffective because turn restrictions are ignored by drivers. Consequently, they would not mitigate the impact. Traffic volumes at this intersection would not satisfy peak-hour signal warrant criteria. Additionally, a traffic signal at this intersection is infeasible because of the immediate proximity of the Caltrain railroad tracks to the east and the potential for queuing to extend onto the tracks. Grade separation for the railroad tracks and Oak Grove Avenue would modify the Alma Street intersection and may mitigate this impact. However, grade separation is a large-scale, long-term project. It is not expected that it would be funded by one development. Therefore, this impact would remain significant and unavoidable.

A partial mitigation measure to reduce the impact on this intersection would be to construct Class II bicycle lanes on Oak Grove Avenue between El Camino Real and the east city limits. The Project is required to implement the Class II bicycle lanes on Oak Grove Avenue, but this mitigation would not reduce the impact to an insignificant level.

c. Oak Grove Avenue/Derry Lane (Garwood Way)-Merrill Street (#15)

Acceptable operations could be achieved at the intersection of Oak Grove Avenue/Derry Lane (Garwood Way)-Merrill Street with implementation of southbound left-turn restrictions during the morning peak period (7:00–9:00 a.m.) and the afternoon peak period (4:00–6:00 p.m.).

Finding: Specific technological and other considerations make infeasible the mtiigation measures identified in the Infill EIR. The City's experience has found that turn restrictions are ineffective because turn restrictions are ignored by

drivers, and they would not mitigate the impact. Although traffic volumes at this intersection would satisfy peak-hour signal warrant criteria, a traffic signal is not recommended. It is infeasible because of the immediate proximity of the Caltrain railroad tracks to the east and the potential for queuing to extend onto the tracks. Although it may mitigate this impact, grade separation is considered a large-scale, long-term project. It is not expected that it would be funded by one development. Therefore, the impact would remain significant and unavoidable.

As part of the Garwood Way extension, the Project would provide a two-lane approach at the Oak Grove Avenue intersection. While this widening would reduce the delay expected at this intersection, the impact would remain significant.

A partial mitigation measure to reduce the impact on this intersection would be to construct Class II bicycle lanes on Oak Grove Avenue between El Camino Real and the east city limits. This improvement was identified in the City's Specific Plan. It could require parking spaces to be removed along Oak Grove Avenue. The Project is required to implement the Class II bicycle lanes on Oak Grove Avenue, but this mitigation would not reduce the impact to an insignificant level.

d. El Camino Real/Ravenswood Avenue-Menlo Avenue (#20)

Acceptable operations could be achieved at El Camino Real/Ravenswood Avenue-Menlo Avenue with the addition of a third northbound through travel lane along El Camino Real. This improvement is specified in the City's Transportation Impact Fee (TIF) program. The measure is consistent with one of the alternatives that is currently being considered in the El Camino Real Corridor Study and would not preclude implementation of potential alternatives. However, widening would likely require removal of some of the trees located at the southeast corner and affect access to the 1000 El Camino Real property.

This measure would have potentially significant secondary effects on bicyclists because they would be required to cross additional lanes of traffic to make a left turn or proceed through the intersection. This improvement would also affect pedestrians by increasing the crossing distance, exacerbating the multiple-threat scenario (where vehicles block sight lines between drivers in adjacent lanes and crossing pedestrians), and increasing their exposure time to vehicles.

Finding: The improvements to this intersection are within the jurisdiction and responsibility of Caltrans, and its implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable. Furthermore, because of the mitigation measure's secondary and access impacts, it may be found to be infeasible after completion of the Corridor Study. There are no other feasible mitigation measures that would fully mitigate the impact on the intersection of El Camino Real/Ravenswood Avenue-Menlo Avenue.

Mitigation Measure TRA-1.3: Implement Transportation Demand Management Program to Partially Reduce Near-Term 2020 plus Project Effects. Several intersections would experience a significant and unavoidable impact under Near-Term 2020 plus-Project conditions.

A partial mitigation measure, to reduce the impacts of the Project at several intersections under the Near-Term 2020 plus-Project conditions, would be to implement a TDM program, as required by the Specific Plan. The proposed TDM program could reduce peak-hour and daily trip generation. However, although the TDM program could reduce the number of vehicular trips by 2 to 30 percent and reduce the intersection impacts, the effectiveness of the TDM program cannot be reliably predicted. Furthermore, the maximum 30 percent would not be enough to reduce impacts to a less-than-significant level. Therefore, the impacts would remain significant and unavoidable.

SUMMARY: IMPACT TRA-1

Effects of Mitigation: Changes or alterations have been incorporated into the Project that lessen the significant environmental effects identified in the Infill EIR, although not to a level of less-than-significant except at the intersection of Ravenswood/Laurel (#11) discussed in Section VIII. Increases in traffic associated with the Project under near-term 2020 plus-Project conditions would result in increased peak-hour delays at five intersections. Partial mitigation measures would reduce some impacts.

Remaining Impacts: Intersection impacts would remain significant and unavoidable at four of the five intersections because improvements are infeasible for specific reasons cited above or are within the responsibility and jurisdiction of another public agency.

Impact TRA-2: Impacts on Roadway Segments under Near-Term 2020 plus-Project Conditions. Increases in traffic associated with the Project under near-term 2020 plus-Project conditions would result in increased ADT volumes on area roadway segments.

Mitigation Measure TRA-2.1: Implement Roadway Segment Improvements to Address Near-Term 2020 plus-Project Effects.

Mitigations for roadway segment impacts would require adding travel lanes and widening roadways throughout Menlo Park, but as the city is built out, there is little opportuntity to widen roadways within the available right-of-ways, and any widening would require property acquisition. Due to the number of affected properties and financial implications, roadway segment impacts are significant and unavoidable, as further described on page 3.1-37 of the Draft Infill EIR. The mitigation measures below would partially reduce significant impacts on study area roadway segments.

a. Oak Grove Avenue between El Camino Real and Laurel Street (#10)

A partial mitigation measure to reduce the impact on this roadway segment would be to construct Class II bicycle lanes on Oak Grove Avenue between El Camino Real and Laurel Street. It could require parking spaces to be removed along Oak Grove Avenue. The applicant is required to construct this improvement.

b. Oak Grove Avenue between Laurel Street and Middlefield Road (#11)

A partial mitigation measure to reduce the impact on this roadway segment would be to construct Class II bicycle lanes on Oak Grove Avenue between Laurel Street and the east city limits. It could require parking spaces to be removed along Oak Grove Avenue. The applicant is required to construct this improvement.

c. Garwood Way between Glenwood Avenue and Oak Grove Avenue (#13)

A partial mitigation measure to reduce the impact on this roadway segment would be to sign a Class III bicycle route on Garwood Way between Glenwood Avenue and Oak Grove Avenue. The applicant is required to construct this improvement.

d. Transportation Demand Management

Impacts on roadway segments would be partially reduced by implementing the trip reduction measures proposed in the Project's TDM program, as required by the Specific Plan. The TDM program could reduce the number of vehicular trips by 2 to 30 percent, but even at the maximum of 30 percent, impacts on the four segments, although reduced, would still remain significant and unavoidable.

SUMMARY: IMPACT TRA-2

Effects of Mitigation: The proposed improvements to bicycle routes to be installed by the Project Sponsor would partially mitigate the impact on roadway segments. However, roadway segment impacts would remain significant and unavoidable since the impact cannot be fully mitigated.

Remaining Impacts: The Project-specific impacts to roadway segments would remain significant and unavoidable.

Impact TRA-3: Impacts on Routes of Regional Significance under Near-Term 2020 plus-Project Conditions. Increases in traffic associated with the Project under near-term 2020 plus-Project conditions would result in significant impacts on several Routes of Regional Significance.

Mitigation Measure TRA-3.1: Implement Routes of Regional Significance Improvements to Address Near-Term 2020 plus-Project Effects. The mitigation measures below were considered to reduce potentially significant impacts on Regional Routes of Significance. Routes of Regional Significance could be widened to add travel lanes in the following segments:

- Willow Road – US 101 to Bayfront Expressway (northbound)
- Willow Road – Bayfront Expressway to US 101 (southbound)
- Bayfront Expressway – University Avenue to Willow Road(westbound)
- Bayfront Expressway – Willow Road to University Avenue(eastbound)

Finding: The improvements to Routes of Regional Significance are within the jurisdiction and responsibility of Caltrans, and their implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable. Although adding a travel lane would increase capacity, constructing additional lanes is not a feasible mitigation measure because of right-of-way constraints. Therefore, impacts would remain significant and unavoidable.

Partial mitigation measures have been identified to reduce impacts of the Project on Routes of Regional Significance under near-term 2020 plus-Project conditions. The Project includes a TDM program that could reduce its peak-hour and daily trip totals by 2 to 30 percent, but even at the maximum of 30 percent, impacts on three of the four segments, although reduced, would still remain significant. With a full 30 percent trip reduction, the TDM program would reduce the impact on northbound Willow Road between US 101 and Bayfront Expressway to a less-than-significant level. However, because the reduction cannot be quantified and the effectiveness of the TDM program is uncertain, impacts to all four of the roadway segments would remain significant and unavoidable, as described below.

SUMMARY IMPACT TRA-3

- *Effects of Mitigation:* Partial mitigation measures are identifed to reduce impacts of the Project on Routes of Regional Significance under near-term 2020 plus-Project conditions. However, impacts to Routes of Regional Significance would remain significant and unavoidable because these roadways are not under the jurisdiction of the City. In addition, freeway improvement projects, which add travel lanes, are planned and funded on a regional scale and would be too costly for a single project to be expected to fund. Although the Project includes a TDM program that could reduce its peak-hour and daily trip totals, the reduction cannot be quantified and the effectiveness of the TDM program is uncertain.

- *Remaining Impacts:* The Project-specific impacts on the Routes of Regional Significance would remain significant and unavoidable.

Impact C-TRA-4: Impacts on Intersections under Cumulative 2040 plus-Project Conditions. Increases in traffic associated with the Project under cumulative 2040 plus-Project conditions would result in increased peak-hour delays at 13 intersections.

Mitigation Measure C-TRA-4.1: Implement Intersection Improvements to Mitigate Cumulative 2040 plus-Project Effects. Operations at several intersections could be improved by modifying intersection geometry to provide additional capacity. The Project is required to contribute its fair share toward the cost of these modifications. However, this would not reduce the impact to an insignificant level because there is not an adopted program to ensure that the improvements would be completed.

a. Oak Grove Avenue/University Drive (#25)

Acceptable operations could be achieved at the intersection of Oak Grove Avenue/University Drive by reconfiguring the westbound Oak Grove approach to have one exclusive left-turn lane and one exclusive right-turn lane. It may be possible to implement this mitigation measure within the existing right-of-way, but it would require removing on-street parking. This mitigation measure would not affect planned bike lanes along Oak Grove Avenue. However, removal of several parking spaces on the south side of Oak Grove Avenue would be required to incorporate both this mitigation measure and planned bike lanes at the Oak Grove Avenue approach to this intersection. With this mitigation measure, the impact would be reduced to a less- than-significant level. The Project would be required to contribute 16.3 percent of the total cost of improvements.

b. Santa Cruz Avenue/University Drive (North) (#26)

Acceptable operations would be achieved at Santa Cruz Avenue/University Drive (North) with signalization of the intersection. This mitigation measure is also specified in the Sant Transportation Impact Fee. Because of the proximity of the nearby traffic signal at Santa Cruz Avenue/University Drive (South), the two signals should be interconnected, and coordinated timing should be implemented.

It may be possible to implement this mitigation measure within the existing right-of-way. The design locations for signal equipment, such as poles and controller cabinets, cannot be determined until the intersection has been potholed, which would typically occur during the preliminary engineering phase of the Project. However, the City's recent traffic signal installation and modification projects did not require additional rights-of-way, were built within the public right-of-way, and were not restricted by underground utilities. Therefore, it may reasonably be concluded that the experience would be similar at this location. The Project is required to contribute 32.6 percent of the total cost of improvements.

Finding: Specific legal considerations, including the City's ability to require only that the applicant pay its fair share toward these intersection improvement, make infeasible completion of the mitigation measure at these two intersections as part

of the Project. While the Project is required to pay a fair share toward the improvements at these intersections, the impacts remain significant and unavoidable because no schedule has been adopted for completion of the improvements.

Mitigation Measure C-TRA-4.2: Implement Intersection Improvements to Reduce Cumulative 2040 plus-Project Effects. Operations at several intersections could be improved by modifying intersection geometry to provide additional capacity. Some of these modifications may require additional rights-of-way to add travel lanes. However, impacts would remain significant and unavoidable because the improvements would require obtaining additional rights-of-way, and some intersections are not under the City's jurisdiction.

a. Middlefield Road/Encinal Avenue (#2)

Acceptable operations could be achieved at the intersection of Middlefield Road/Encinal Avenue in the Town of Atherton with an additional right-turn lane on the southbound Middlefield Road and eastbound Encinal Avenue approaches. The Project is required to contribute 1.6 percent of the cost of the additional right-turn lanes on the southbound Middlefield Road and approach at this location. The funds would be available to the Town of Atherton for a 5-year period.

Finding: The improvements to this intersection are within the jurisdiction and responsibility of the Town of Atherton, and its implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable. Although the impact could be reduced to a less-than-significant level with implementation of this intersection improvement, acquisition of additional rights-of-way would be required, which may be infeasible.

b. Middlefield Road/Glenwood Avenue-Linden Avenue (#3)

For this cumulative scenario, traffic volumes at this intersection in the Town of Atherton satisfy peak-hour traffic signal warrant criteria. Acceptable operations could be achieved with signalization of the intersection. The Project is required to contribute a fair share financial contribution of 3.7 percent of the cost of the improvement toward a traffic signal at this location, which funds would be available to the Town of Atherton for a 5-year period.

However, this mitigation measure may require the acquisition of additional rights-of-way to install traffic signal equipment and modify the Glenwood Gate, a physical gate at the east Linden Avenue leg of the intersection that restricts the Linden Avenue approach to a two-way, one-lane road.

Finding: The improvements to this intersection are within the jurisdiction and responsibility of the Town of Atherton, and its implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable.

c. Middlefield Road/Ravenswood Avenue (#5)

Acceptable operations could be achieved at Middlefield Road/Ravenswood Avenue, located partially in the Town of Atherton, with the addition of a second northbound left-turn lane and a corresponding receiving lane on the west leg. The Project's fair share contribution would be 12 percent of the cost of the improvement.

Additionally, this measure has potentially significant secondary effects on bicyclists because it would require them to cross additional lanes of traffic to make a left turn or proceed through the intersection. This improvement would also affect pedestrians by increasing the crossing distance, exacerbating the multiple-threat scenario (where vehicles block sight lines between drivers in adjacent lanes and crossing pedestrians), and increasing their exposure time to vehicles. This improvement would therefore be required to include enhancements to bicycle and pedestrian infrastructure. These enhancements would include adding a "jughandle" left turn for bikes on the east side of the intersection, adding a bicycle signal for crossing Middlefield Road, and making modifications to signal timing to provide adequate time for crossings. The modifications would also include warning signs and markings to comply with the CA-MUTCD.

Finding: The improvements to this intersection will require approval from the Town of Atherton, and its implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable.

d. Middlefield Road/Willow Road (#7)

Acceptable operations could be achieved at Middlefield Road/Willow Road with the following improvements:

- Widening the eastbound Willow Road approach to provide an additional through lane.
- Widening the westbound Willow Road approach to provide an additional left-turn lane and re-striping the existing shared through/left-turn lane to a through-only lane.
- Widening the southbound Middlefield Road approach to include an exclusive through lane and re-striping the existing shared through/left-turn lane to a through-only lane.

The applicant should pay traffic impact fees per the current TIF schedule.

Finding: Specific technological and other considerations make infeasible this mitigation measure because of potential impacts on bicycles and pedestrians.

This measure would have potentially significant secondary effects on bicyclists because it would require them to cross additional lanes of traffic to make a left turn or proceed through the intersection. This improvement would also affect pedestrians by increasing the crossing distance, exacerbating the multiple-threat scenario (where vehicles block sight lines between drivers in adjacent lanes and crossing pedestrians), and increasing their exposure time to vehicles. This improvement would therefore be required to include enhancements to bicycle and pedestrian infrastructure. These enhancements would include modifications to signal timing to provide adequate time for crossings as well as the installation of warning signs and markings to comply with the CA-MUTCD. Because of these secondary impacts, the improvements identified in the TIF may not be feasible and may need to be modified.

e. Laurel Street/Glenwood Avenue (#9)

Acceptable operations would be achieved at Laurel Street/Glenwood Avenue in the Town of Atherton by signalizing the intersection. It is noted that traffic volumes at this intersection would satisfy peak-hour traffic signal warrant criteria. The Project is required to provide a fairshare contribution of 1.4 percent toward a traffic signal at this location.

Finding: The improvements to this intersection are within the jurisdiction and responsibility of the Town of Atherton, and its implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable.

f. Ravenswood Avenue/Laurel Street (#11)

Improvements noted in TRA-1.1, which include reconfiguring the southbound Laurel Street approach to have a left-turn lane and a shared through/right-turn lane, would only partially mitigate the cumulative impact at Ravenswood Avenue/Laurel Street. No feasible mitigations would fully mitigate the impact. Therefore, this impact would be significant and unavoidable.

g. Oak Grove Avenue/Alma Street (#13)

It is noted that, for the cumulative 2040 plus-Project scenario, traffic volumes at this intersection would satisfy peak-hour traffic signal warrant criteria. Acceptable operations could theoretically be achieved at the intersection of Oak Grove Avenue/Alma Street with implementation of Mitigation Measure TRA-1.2.c at Oak Grove Avenue/Derry Lane (Garwood Way)- Merrill Street. The mitigation measure includes a southbound peak- hour left-turn restriction at Oak Grove Avenue/Derry Lane (Garwood Way)-Merrill Street, which would reduce the amount of traffic entering eastbound Oak Grove Avenue at Alma Street.

Finding: Specific technological and other considerations make infeasible the mtiigation measures identified in the Infill EIR. The City’s experience has found that turn restrictions are ineffective because turn restrictions are ignored by

drivers. Consequently, they would not mitigate the impact. Traffic volumes at this intersection would not satisfy peak-hour signal warrant criteria. Additionally, a traffic signal at this intersection is infeasible because of the immediate proximity of the Caltrain railroad tracks to the east and the potential for queuing to extend onto the tracks. Grade separation for the railroad tracks and Oak Grove Avenue would modify the Alma Street intersection and may mitigate this impact. However, grade separation is a large-scale, long-term project. It is not expected that it would be funded by one development. Therefore, this impact would remain significant and unavoidable.

A partial mitigation measure to reduce the impact on this intersection would be to construct Class II bicycle lanes on Oak Grove Avenue between El Camino Real and the east city limits. The Project is required to implement the Class II bicycle lanes on Oak Grove Avenue, but this mitigation would not reduce the impact to an insignificant level.

h. Oak Grove Avenue/Garwood Way-Merrill Street (#15)

Acceptable operations could be achieved at the intersection of Oak Grove Avenue/Derry Lane (Garwood Way)-Merrill Street with implementation of southbound left-turn restrictions during the morning peak period (7:00–9:00 a.m.) and the afternoon peak period (4:00–6:00 p.m.).

Finding: Specific technological and other considerations make infeasible the mtiigation measures identified in the Infill EIR. The City's experience has found that turn restrictions are ineffective because turn restrictions are ignored by drivers, and they would not mitigate the impact. Although traffic volumes at this intersection would satisfy peak-hour signal warrant criteria, a traffic signal is not recommended. It is infeasible because of the immediate proximity of the Caltrain railroad tracks to the east and the potential for queuing to extend onto the tracks. Although it may mitigate this impact, grade separation is considered a large-scale, long-term project. It is not expected that it would be funded by one development. Therefore, the impact would remain significant and unavoidable.

As part of the Garwood Way extension, the Project would provide a two-lane approach at the Oak Grove Avenue intersection. While this widening would reduce the delay expected at this intersection, the impact would remain significant.

A partial mitigation measure to reduce the impact on this intersection would be to construct Class II bicycle lanes on Oak Grove Avenue between El Camino Real and the east city limits. This improvement was identified in the City's Specific Plan. It could require parking spaces to be removed along Oak Grove Avenue. The Project is required to implement the Class II bicycle lanes on Oak Grove Avenue, but this mitigation would not reduce the impact to an insignificant level.

i. El Camino Real/Glenwood Avenue-Valparaiso Avenue (#17)

Acceptable operations could be achieved at El Camino Real/Glenwood Avenue-Valparaiso Avenue with the following improvements:

- Widening the westbound Glenwood Avenue approach to provide an exclusive right-turn lane,
- Changing the northbound and southbound right-turn lanes to shared through/right-turn lanes, and
- Widening El Camino Real to provide additional receiving lanes in both the northbound and southbound directions.

This improvement is identified in the City's TIF program and the applicant should pay TIF.

Finding: The improvements to this intersection are within the jurisdiction and responsibility of Caltrans, and their implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable.

In addition, specific technological and other considerations make infeasible this mitigation measure. This improvement would conflict with the Specific Plan goals to provide enhanced pedestrian crossing and sidewalks along El Camino Real by increasing the crossing distance, exacerbating the multiple threat scenario (where vehicles block sight lines between drivers in adjacent lanes and crossing pedestrians), increasing exposure time to vehicle traffic, and placing pedestrians closer to moving vehicle traffic. These improvements would have secondary effects on bicyclists because they would be required to cross additional lanes of traffic to make a left-turn or proceed through the intersection. The improvements would also preclude a future bicycle lane on El Camino Real.

Improvements that would partially mitigate the impact at El Camino Real/Glenwood Avenue-Valparaiso Avenue include widening the westbound Glenwood Avenue approach to provide an exclusive right-turn lane. This improvement is identified in the City's TIF program. However, because the intersection is controlled by Caltrans, this measure would require coordination with and approval by Caltrans, which cannot be guaranteed. Therefore, this intersection would experience a significant and unavoidable impact.

j. El Camino Real/Oak Grove Avenue (#18)

Acceptable operations could be achieved at the intersection of El Camino Real/Oak Grove Avenue by reconfiguring the northbound right-turn lane into a shared through/right-turn lane and adding a corresponding receiving lane.

Finding: The improvements to this intersection are within the jurisdiction and responsibility of Caltrans, and their implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable.

In addition, specific technological and other considerations make infeasible this mitigation measure. This measure would have secondary impacts to bicyclists by increasing the crossing distance and precluding a future bicycle lane on El Camino Real. In addition, this measure would conflict with the Specific Plan goals to provide enhanced pedestrian crossings and sidewalks along El Camino Real.

k. El Camino Real/Ravenswood Avenue-Menlo Avenue (#17)

Acceptable operations could be achieved at El Camino Real/Ravenswood Avenue-Menlo Avenue with the following improvements:

- Widening the eastbound Menlo Avenue approach to provide an exclusive left-turn lane,
- Widening the northbound El Camino Real approach to provide an additional through lane,
- Widening the northbound El Camino Real approach to provide an additional left-turn lane and widening Menlo Avenue to provide an additional receiving lane,
- Widening the southbound El Camino Real approach to provide an additional left-turn lane, and
- Re-striping the existing southbound El Camino Real right-turn lane to become a through/right-turn lane.

The applicant is required to pay fees per the current TIF schedule.

Finding: The improvements to this intersection are within the jurisdiction and responsibility of Caltrans, and their implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable.

In addition, specific technological and other considerations make infeasible this mitigation measure. It is not feasible due to right-of-way constraints on northbound El Camino Real and eastbound Menlo Avenue.

These measures would also have potentially significant secondary effects on bicyclists because they would be required to cross additional lanes of traffic to make a left turn or proceed through the intersection and also preclude a future bicycle lane on El Camino Real. This improvement conflicts with the Specific Plan goals to provide enhanced crossings and sidewalks along El Camino Real by increasing the crossing distance, exacerbating the multiple-threat scenario (where vehicles block sight lines between drivers in adjacent lanes and crossing pedestrians), increasing their exposure time to vehicles, and placing pedestrians closer to moving vehicle traffic.

In addition, significantly widening the northbound El Camino Real approach would likely require removal of the trees located at the southeast corner of the intersection and affect access to the 1000 El Camino Real property.

Mitigation Measure C-TRA-4.3: Implement Transportation Demand Management Program to Partially Reduce Cumulative 2040 plus Project Effects. The proposed TDM program could reduce peak-hour and daily trip generation by 2 to 30 percent and reduce the intersection impacts. However, even the maximum 30 percent would not be enough to reduce impacts to a less-than-significant level. Therefore, the impacts would remain significant and unavoidable.

SUMMARY IMPACT C-TRA-4

- *Effects of Mitigation:* Increases in traffic associated with the Project under cumulative 2040 plus-Project conditions would result in increased peak-hour delays at 13 intersections. Intersection impacts would remain significant and unavoidable because many intersections are not under the jurisdiction of the City, the Project would not fully mitigate the impact, or the mitigation measures are infeasible. Although the Project includes a TDM program that could reduce its peak-hour and daily trip totals, the reduction cannot be quantified and the effectiveness of the TDM program is uncertain.
- *Remaining Impacts:* The Project-specific impacts on intersections under cumulative conditions would remain significant and unavoidable.

Impact C-TRA-5: Impacts on Roadway Segments under Cumulative 2040 plus-Project Conditions. Increases in traffic associated with the Project under the cumulative 2040 plus-Project conditions would result in increased daily traffic volumes on area roadway segments.

Mitigation Measure C-TRA-5.1: Implement Roadway Segment Improvements to Address Cumulative 2040 plus-Project Effects.

Mitigations for roadway segment impacts would require adding travel lanes and widening roadways throughout Menlo Park, but as the city is built out, there is little opportunity to widen roadways within the available right-of-ways, and any widening would require property acquisition. Due to the number of affected properties and financial implications, roadway segment impacts are significant and unavoidable. The mitigation measures below will partially reduce potentially significant impacts on study area roadway segments.

a. Oak Grove Avenue between El Camino Real and Laurel Street (#10)

A partial mitigation measure to reduce the impact on this roadway segment would be to construct Class II bicycle lanes on Oak Grove Avenue between El Camino Real and Laurel Street. However, it could require on-street parking

spaces to be removed along Oak Grove Avenue. The Project Sponsor will install this improvement.

b. Oak Grove Avenue between Laurel Street and Middlefield Road (#11)

A partial mitigation measure to reduce the impact on this roadway segment would be to construct Class II bicycle lanes on Oak Grove Avenue between Laurel Street and the east city limits. However, it could require on-street parking spaces to be removed along Oak Grove Avenue. The Project Sponsor will install this improvement.

c. Garwood Way between Glenwood Avenue and Oak Grove Avenue (#13)

A partial mitigation measure to reduce the impact on this roadway segment would be to sign a Class III bicycle route on Garwood Way between Glenwood Avenue and Oak Grove Avenue. This improvement was identified in the City's Specific Plan. The Project Sponsor will install this improvement.

d. Transportation Demand Management

Implementation of the trip reduction measures proposed in the Project's TDM program would partially reduce impacts on the roadway segments. The TDM program could reduce the number of vehicular trips by 2 to 30 percent. At the maximum of 30 percent, the impacts on the four local roadway segments, although reduced, would still remain significant.

SUMMARY IMPACTS C-TRA-5

- *Effects of Mitigation:* Changes or alterations have been incorporated into the project that lessen the significant environmental effects identified in the EIR, although not to a level of insignificance. Implementation of Mitigation Measure TRA-2.1 (TDM Program) would help reduce traffic volumes and minimize the impacts from the Specific Plan, but because the effectiveness of a TDM program cannot be guaranteed, the impacts to roadway segments is considered to be significant and unavoidable.
- *Remaining Impacts:* The cumulative impacts on the foregoing local roadway segments would remain significant and unavoidable.

Impact C-TRA-6: Impacts on Routes of Regional Significance under Cumulative 2040 plus-Project Conditions. Increases in traffic associated with the Project under cumulative 2040 plus-Project conditions would result in significant impacts on several Routes of Regional Significance.

Mitigation Measure C-TRA-6.1: Implement Routes of Regional Significance Improvements to Address Cumulative 2040 plus-Project Effects***.*** The mitigation measures below were considered to reduce potentially significant impacts on

Regional Routes of Significance. Routes of Regional Significance could be widened to add travel lanes in the following segments:

- Willow Road – US 101 to Bayfront Expressway (northbound)
- Willow Road – Bayfront Expressway to US 101 (southbound)
- Bayfront Expressway – University Avenue to Willow Road(westbound)
- Bayfront Expressway – Willow Road to University Avenue(eastbound)

Finding: The improvements to Routes of Regional Significance are within the jurisdiction and responsibility of Caltrans, and their implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable. Although adding a travel lane would increase capacity, constructing additional lanes is not a feasible mitigation measure because of right-of-way constraints. Therefore, impacts would remain significant and unavoidable.

Partial mitigation measures have been identified to reduce impacts of the Project on Routes of Regional Significance under Cumulative conditions. The Project includes a TDM program that could reduce its peak-hour and daily trip totals by 2 to 30 percent, but even at the maximum of 30 percent, impacts on three of the four segments, although reduced, would still remain significant. With a full 30 percent trip reduction, the TDM program would reduce the impact on northbound Willow Road between US 101 and Bayfront Expressway to a less-than-significant level. However, because the reduction cannot be quantified and the effectiveness of the TDM program is uncertain, impacts to all four of the roadway segments would remain significant and unavoidable, as described below.

SUMMARY IMPACT C-TRA-6.1

- *Effects of Mitigation:* Partial mitigation measures are identifed to reduce impacts of the Project on Routes of Regional Significance under Cumulative 2040 plus-Project conditions. However, impacts to Routes of Regional Significance would remain significant and unavoidable because these roadways are not under the jurisdiction of the City. In addition, freeway improvement projects, which add travel lanes, are planned and funded on a regional scale and would be too costly for a single project to be expected to fund. Although the Project includes a TDM program that could reduce its peak-hour and daily trip totals, the reduction cannot be quantified and the effectiveness of the TDM program is uncertain.

- *Remaining Impacts:* The Cumulative impacts on the Routes of Regional Significance would remain significant and unavoidable.

Impact TRA-10: Impacts on Railroad Crossings. The Project would add traffic to a railroad crossing which would result conflicts and safety concerns.

Mitigation Measure TRA-10.1: Implement railroad crossing improvements to address Near-Term 2020 plus-Project and Cumulative 2040 plus-Project Effects. The mitigation measures below are recommended to reduce potential significant impacts on the railroad crossings, although not to a level of insignificance. No feasible mitigation measures were identified to reduce the impact to a level of insignificance.

a. Ravenswood Avenue railroad crossing

Partial mitigations to reduce the impact at the Ravenswood Avenue crossing include:

- Extension of time-of-day turn restrictions on the northbound and southbound Alma Street approaches to Ravenswood Avenue.
- Roadway improvements to improve the visibility of "keep clear" zones when approaching the railroad tracks. The Project shall maintain the "keep clear" visibility zone.

b. Oak Grove Avenue and Glenwood Avenue railroad crossings.

Partial mitigations would reduce the impact at the Oak Grove Avenue and Glenwood Avenue railroad crossings, include maintaining the visibility of the "keep clear" zones, including roadway striping, lighting, and landscape maintenance. The Project shall maintain the "keep clear" visibility zone.

SUMMARY IMPACT TRA-10

- *Effects of Mitigation:* Partial mitigation could be implemented to reduce impacts, including turn restrictions and roadway improvements to improve visibility of the "keep clear" zones. However, this would not reduce impacts to a level of less-than-significant.
- *Remaining Impacts:* The Existing Plus Project impacts to congestion at the railroad crossings would remain significant and unavoidable.

IX. FINDINGS REGARDING ALTERNATIVES

A. Legal Requirements

Section 15126.6(f) of the CEQA Guidelines requires that an EIR include a "reasonable range of alternatives to the project, or to the location of the project, which would avoid or substantially lessen any significant effects of the project." Based on the analysis in the Final Infill EIR, the proposed Project would be expected to result in significant and unavoidable Transportation impacts. The Infill EIR alternatives were designed to avoid or reduce these significant unavoidable impacts and to further reduce impacts that were found to be less than significant. The City Council has reviewed the significant impacts associated with the reasonable range of alternatives as compared to the Project as

originally proposed, and in evaluating the alternatives has also considered each alternative's feasibility, taking into account the project objectives; a range of economic, environmental, social, legal and other factors; and the important factors listed in the Statement of Overriding Considerations in Section X below.

Public Resources Code Section 21081(b)(3) provides that when approving a project for which an EIR has been prepared, a public agency may find that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

B. Evaluation of Alternatives

Chapter 5 of the Infill EIR describes the alternatives considered and compares their impacts to the proposed Project. The Infill EIR evaluated thrree alternatives to the proposed Project: the No Project Alternative and two reduced intensity alternatives, the Base Level Maximum Office Alternative and the Base Level Maximum Residential Alternative.

(1) The No Project Alternative.

CEQA Guidelines Section 15126.6(e)(1) states that a "no project" alternative shall be analyzed. The purpose of describing a "no project" alternative is to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving the proposed project.

Description: Under the No Project Alternative, existing parcels would remain as is. The six buildings and associated parking areas would remain at the Derry Lane site. It is assumed that the vacant buildings would not be retained because of their deteriorated nature. There are no existing buildings at the 1300 El Camino Real site, but the foundations of demolished buildings and associated parking surfaces remain. It is assumed this site would remain vacant and the building foundations and paved surfaces would not be removed. There is one building on the 1258 El Camino Real site that was vacated in 2010. It is assumed that this vacant building would not be re-tenanted because of its deteriorated nature.

On the basis of comparing the extent to which the alternatives reduce or avoid the significant impacts of the Project, the No-Project Alternative would be the environmentally superior alternative. Because no development would occur at the Project site, there would be no construction or operational impacts. However, the CEQA Guidelines state that the No-Project Alternative cannot be selected as the environmentally superior alternative.

Finding: Pursuant to Public Resources Code Section 21081(b)(3) and CEQA Guidelines Section 15091(a), the City Council finds that the No Project Alternative is less desirable and infeasible because of specific economic, legal, social, technological, or other considerations, and is rejected for the following reasons:

The No-Project Alternative would not meet the primary objectives of improving underutilized and vacant lots, focusing high-density development in proximity to the train station, and enriching El Camino Real as a vibrant pedestrian- and transit-oriented corridor. Instead, the sites would remain underutilized, and existing vacant buildings would continue to deteriorate. The No-Project Alternative would not demolish buildings or remove building foundations and paved surfaces from previously demolished buildings. The No-Project Alternative would not construct office space, community space, or residential units. Because the proposed buildings would not be constructed, the No-Project Alternative would not achieve a mix of uses that is close to transit and services, provide new and diverse employment opportunities for City residents, or generate revenue for the City and other public entities. As such, the No-Project Alternative would not meet the Project objectives.

(2) Base Level Maximum Office Alternative.

Description: This alternative allows for a 1.10 FAR, which meets the base density standards of the Specific Plan for the El Camino Real Northeast zoning district. The development standards stipulate that general office space shall not exceed one-half of the base FAR or public bonus FAR. Under this alternative, office space does not exceed half of the base FAR. More specifically, as compared to the Project, this alternative would reduce proposed office square footage by 48,898 sf, from 202,898 sf to 154,000 sf, and reduce residential square footage by 60,031 sf, from 199,031 sf to 139,000 sf (from 183 units to 139 units). The maximum community-serving area would be reduced by 14,000 sf, from 29,000 sf to 15,000 sf. The general layout, as well as ingress and egress, would be the same as that of the Project, although the applicants have presented substantial evidence that an underground garage would not be feasible at the base level density. The Infill EIR found that this alternative would generate the fewer vehicle trips and so have less severe environmental impacts than the Project. However, it would not reduce transportation impacts to a level of insignificance, and transportation impacts would remain significant and unavoidable.

Finding: Pursuant to Public Resources Code Section 21081(b)(3) and CEQA Guidelines Section 15091(a), the City Council finds that the Base Level Maximum Office Alternative is less desirable and infeasible because of specific economic, legal, social, technological, or other considerations, and is rejected for the following reasons:

The City finds that the Base Level Maximum Office Alternative is infeasible because it would meet the the Project objectives to a significantly lesser degree than the Project while not mitigating significant and unavoidable impacts to a level of insignificance. In particular, it would have less high-density development in proximity to the train station; and would replace underground parking with surface parking, thus creating a development with less open space and fewer pedestrian amenities and not enriching El Camino Real as a vibrant pedestrian and transit-oriented corridor to the same extent as the proposed Project. The Maximum Office Alternative would also provide many fewer housing units than the Project and far fewer affordable units and would not provide a

public benefit contribution of $2.1 million for downtown amenities. For these reasons, the City Council finds that this alternative is infeasible.

(3) Base Level Maximum Residential Alternative.

Description: This alternative allows for a 1.10 FAR, which meets the development standards of the Specific Plan, with 32 dwelling units per acre, for the zoning district El Camino Real Northeast – Residential. As compared to the Project, the Maximum Residential Alternative would increase residential square footage by only 6,969 sf, from 199,031 sf to 206,000 sf (from 183 units to 206 units) and reduce office square footage by 115,898 sf, from 202,898 sf to 87,000 sf. The maximum community-serving area would be reduced by 14,000 sf, from 29,000 sf to 15,000 sf. The general layout, as well as ingress and egress, would be the same as that of the Project, although the applicants have presented substantial evidence that an underground garage would not be feasible at the base level density. The Infill EIR found that this alternative was the environmentally superior alternative because it would generate the fewest vehicle trips and so have the least severe environmental impacts. However, it would not reduce transportation impacts to a level of insignificance, and transportation impacts would remain significant and unavoidable.

Finding: Pursuant to Public Resources Code Section 21081(b)(3) and CEQA Guidelines Section 15091(a), the City Council finds that the Base Level Maximum Residential Alternative is less desirable and infeasible because of specific economic, legal, social, technological, or other considerations, and is rejected for the following reasons:

The City finds that the Base Level Maximum Residential Alternative is infeasible because it would meet the the Project objectives to a significantly lesser degree than the Project while not mitigating significant and unavoidable impacts to a level of insignificance. In particular, it would have less high-density development in proximity to the train station; and would replace underground parking with surface parking, thus creating a development with less open space and fewer pedestrian amenities and not enriching El Camino Real as a vibrant pedestrian and transit-oriented corridor to the same extent as the proposed Project. While the Maximum Residential Alternative would provide 23 additional housing units more than the Project, the City would not be able to obtain the same number of affordable units. Fewer new employment opportunities would exist for City residents, and the Project would not provide a public benefit contribution of $2.1 million for downtown amenities. For these reasons, the City Council finds that this alternative is infeasible.

X. FINDINGS FOR SIGNIFICANT IMPACTS AVOIDED OR MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

Potentially significant impacts of the Project are listed below with applicable mitigation measures, all of which are included in the Mitigation Monitoring and Reporting Program ("MMRP") and the Infill EIR. For each of the impacts listed, the City Council finds that changes or alterations have been required in the Project, through the adoption of the

MMRP, to mitigate or avoid the significant impacts on the environment (14 California Code of Regulations § 15091(a)(1)). The mitigation measures associated with the Specific Plan EIR have already been adopted by City Council in those findings dated June 5, 2012. Mitigation measures from the Specific Plan EIR that would result in less-than-significant impacts with mitigation and would apply to the Project include: AIR-5, AIR-7, BIO-1a, BIO-1b, BIO-3a, BIO-3b, BIO-5a, BIO-5b, BIO-5c, CUL-2a, CUL-2b, CUL-3, CUL-4, HAZ-3, NOI-1a, NOI-1b, NOI-1c, NOI-3, and NOI-4. These are included in the MMRP for the Project.

A. Air Quality

Impact AQ-1: Exposure of Sensitive Receptors to Adverse Health Risks in Excess of BAAQMD Thresholds Associated with Localized DPM Concentrations during Construction. The Project would expose sensitive receptors to adverse health risks associated with localized DPM concentrations during construction.

Mitigation Measure AQ-1.1: Utilize Clean Diesel-Powered Off-Road Equipment during Construction to Control Off-Road Construction-Related PM2.5 and PM10 Emissions. The Project Sponsor shall ensure that all off-road diesel-powered equipment used during construction between 2016 and 2018 shall be equipped with EPA Tier 3 or cleaner engines, except for specialized construction equipment for which an EPA Tier 3 engine is not available. This requirement shall ensure construction equipment remains cleaner than the fleet-wide average. The analysis assumes emission reductions compared to a fleet-wide average Tier 2 engine between 2016 and 2018. The Project Sponsor shall also ensure that all off-road, diesel-powered equipment used during construction shall be equipped with a Level 3 Diesel Particulate Filter (DPF).

FINDINGS: Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

- *Effects of Mitigation:* The mitigation has been incorporated in the MMRP and will avoid or substantially lessen the significant environmental effect as identified in the EIR. According to ASHRAE, Standard 52.2 Test Procedures, filters that fall into the MERV rating of 14 or higher reduce DPM levels by approximately 85 percent. The City finds that the requirement for a screening level health risk assessment and installation of appropriate filters where necessary are feasible and will reduce the impacts of TACs associated with the Project to a less-than-significant level.
- *Remaining Impacts:* Any remaining impacts related to impacts of TACs would not be significant.

Impact C-AQ-1: Exposure of Sensitive Receptors to Cumulative Health Risks during Construction. Cumulative development in the Project vicinity could expose sensitive receptors to substantial health risks during construction.

Mitigation Measures AQ-1.1.

FINDINGS: Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

- *Effects of Mitigation:* The mitigation has been incorporated in the MMRP and will avoid or substantially lessen the significant environmental effect as identified in the EIR. According to ASHRAE, Standard 52.2 Test Procedures, filters that fall into the MERV rating of 14 or higher reduce DPM levels by approximately 85 percent. The City finds that the requirement for a screening level health risk assessment and installation of appropriate filters where necessary are feasible and will reduce the impacts of TACs associated with the Project to a less-than-significant level.
- *Remaining Impacts:* Any remaining impacts related to impacts of TACs would not be significant.

B. Hazardous Materials and Hazards

Impact HAZ-1: Routine Hazardous Materials Use. The Project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Mitigation Measure HAZ-1.1: Prepare and Implement a Spill Prevention, Control, and Countermeasure Program for Construction Activities. The contractors will develop and implement a Spill Prevention, Control, and Countermeasure Program (SPCCP) to minimize the potential for and effects from spills of hazardous, toxic, or petroleum substances during construction and demolition activities. The SPCCP will be completed before any construction or demolition activities begin. Implementation of this measure will comply with state and federal water quality regulations.

The Project Sponsor will review and approve the SPCCP before the onset of construction activities. The Project Sponsor will routinely inspect the construction area to verify that the measures specified in the SPCCP are properly implemented and maintained. The Project Sponsor will notify its contractors immediately if there is a noncompliance issue and will require compliance.

The federal reportable spill quantity for petroleum products, as defined in 40 CFR 110, is any oil spill that includes any of the following:

- Violates applicable water quality standards,
- Causes a film or sheen on or discoloration of the water surface or adjoining shoreline, or
- Causes a sludge or emulsion to be deposited beneath the surface of the water or adjoining shorelines.

If a spill is reportable, the contractors' superintendents will notify the Project Sponsor, and the Project Sponsor will take action to contact the appropriate safety and cleanup crews and ensure that the SPCCP is followed. A written description of reportable releases must be submitted to the San Francisco Bay Regional Water Quality Control Board. This submittal must contain a description of the spill, including the type of material and an estimate of the amount spilled, the date of the release, an explanation of why the spill occurred, and a description of the steps taken to prevent and control future releases. The releases will be documented on a spill report form.

If a reportable spill has occurred and Project activities have adversely affected surface water or groundwater quality, a detailed analysis will be performed by a registered environmental assessor to identify the likely cause of contamination. This analysis will conform to American Society for Testing and Materials (ASTM) standards and will include recommendations for reducing or eliminating the source or mechanisms of contamination. Based on this analysis, the Project Sponsor and its contractors will select and implement measures to control contamination, with a performance standard that groundwater quality must be returned to baseline conditions. These measures will be subject to approval by the Project Sponsor.

Impact HAZ-2: Accidental Release of Hazardous Materials. The Project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Mitigation Measure HAZ-2.1: Hazardous Materials Characterization at 1258 and 1300 El Camino Real and Derry Lane. Prior to construction, the following characterization activities shall be conducted by a qualified environmental consultant in areas of the Project site where the likelihood of contaminated media exists. If contaminants are discovered, the consultant shall provide recommendations for the proper treatment and/or removal and disposal of the contaminated media.

The following characterization activities are based on the recommendations included in the Phase I ESAs.

- Remaining components of the 21 hydraulic lifts located on the 1300 El Camino Real site shall be removed by a qualified contractor, with soil samples collected at the bottom of each hole for laboratory analyses for total petroleum hydrocarbons as hydraulic oil and PCBs.
- Soil samples shall be collected at the 1300 El Camino Real site in locations of former automotive painting and detailing operations, sumps, and trenches for laboratory analyses for total extractable and purgeable petroleum hydrocarbons and volatile organic compounds (VOCs).

- Groundwater, soil, and soil vapor sampling for VOCs shall be conducted in the eastern portion of the 1300 El Camino Real site to determine the significance and extent of the on-site impact from the off-site PCE release.
- Fill soils on the 1300 El Camino Real site shall be sampled for chemicals of potential concern associated with an unknown source of fill.
- Soil at the location of a former transformer on the 1300 El Camino Real site shall be sampled for PCBs.
- The cause of the depressed asphalt area on the 1258 El Camino Real shall be investigated and remedied.
- Construction materials shall be surveyed for ACMs and lead-based paint by a certified consultant on the 1258 El Camino Real site, 1300 El Camino Real site, and Derry Lane site to comply with applicable BAAQMD and Cal/OSHA regulations.

If contaminants are discovered during testing, the Project Sponsor will report the contamination to SMCEHD to determine how the contamination is to be addressed and update the HMBP within 30 days of discovering the contamination to reflect the new understanding of hazardous materials at the Project site.

Mitigation Measure HAZ-2.2: Implementation of Remedial Action Recommendations included in the Derry Lane RAW. Upon approval by the DTSC and prior to construction; site-specific remedial action recommendations contained in the RAW shall be conducted at the Derry Lane site as required by the Imminent and Substantial Endangerment Determination and Order and Remedial Action Order issued by the DTSC in May 2011. As detailed in the Environmental Setting, remedial actions proposed in the RAW may include; soil excavation and disposal, ISCO injections, well monitoring and implementation of institutional controls.

Mitigation Measure HAZ-2.3: Implement Engineering Controls and Best Management Practices during Construction. During construction activities conducted on all sites, the contractor shall employ engineering controls and BMPs to minimize human exposure to potential contaminants and potential negative effects from an accidental release to groundwater and soils. Engineering controls and construction BMPs shall include, but not be limited to, the following:

- Contractor employees working on-site shall be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training program.
- Contractor shall monitor the area around the construction site for fugitive vapor emissions with appropriate field screening instrumentation.
- Contractor shall water/mist soil as it is being excavated and loaded onto trucks.

- Contractor shall place any stockpiled soil in areas that are shielded from prevailing winds.
- Contractor shall cover the bottom of excavated areas with sheeting when work is not being performed.

All materials will be handled consistent with the HMBP developed for the Project.

Mitigation Measure HAZ-2.4: Develop Construction Activity Dust Control Plan (DCP) and Asbestos Dust Management Plan (ADMP). Prior to commencement of site grading on all sites, the Project Sponsor shall retain a qualified professional to prepare a DCP/ADMP. The DCP shall incorporate the applicable BAAQMD standards pertaining to fugitive dust control. The ADMP will be prepared if ACMs are identified onsite and shall be submitted to and approved by BAAQMD prior to the beginning of construction. The Project Sponsor will ensure implementation of all specified dust control measures throughout construction of the Project. The ADMP shall require compliance with specific control measures to the extent deemed necessary by BAAQMD to meet its standard.

FINDINGS: Based upon the Infill EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

- *Effects of Mitigation:* Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that implementation of hazardous materials characterization, remedial action recommendations engineering controls and best management practices during construction, construction activity DCP and asbestos dust management plans are feasible and would reduce potentially significant hazard to human health and/or the environment involving the release of hazardous materials to a less-than-significant level.
- *Remaining Impacts:* Any remaining impacts related to the accidental release of hazardous materials would not be significant.

C. Transportation, Circulation and Parking

Impact TRA-1: Impacts on Intersections under Near-Term 2020 plus-Project Conditions. Increases in traffic associated with the Project under near-term 2020 plus-Project conditions would result in increased peak-hour delays at five intersections. The impacts at one of these five intersections will be reduced to a level of insignificance by the mitigation measure below.

Mitigation Measure TRA-1.1: Implement Intersection Improvements to Address Near-Term 2020 plus-Project Effects.

Operations at Ravenswood Avenue/Laurel Street (#11) could be improved by modifying the intersection geometry to provide additional capacity. Acceptable

operations could be achieved at the intersection of Ravenswood Avenue/Laurel Street by reconfiguring the southbound Laurel Street approach to have a left-turn lane and a shared through/right-turn lane. It may be possible to implement this mitigation measure within the existing right-of-way while maintaining the bicycle lanes, but it would require removal of onstreet parking and 10-foot-wide travel lanes. With this mitigation measure, the impact would be reduced to a less-than-significant level. The conditions of approval require the applicant to construct these improvements prior to occupancy.

FINDINGS: Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

- *Effects of Mitigation:* Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the modifications to the intersection of Ravenswood Avenue and Laurel Street are feasible and would reduce near-term 2020 plus-Project impacts at this intersection to an insignificant level.
- *Remaining Impacts:* Any remaining impacts related to near-term 2020 plus-Project impacts at this intersection would not be significant.

Impact TRA-7: Impacts on Bicycle and Pedestrian Facilities. Increased bicycle and pedestrian traffic in the vicinity of the Project would result in added demand for additional bicycle and pedestrian facilities.

Mitigation Measure TRA-7.1: Implement Improvements to Address Impacts on Bicycle Facilities. Gaps in bicycle infrastructure should be closed on Oak Grove Avenue and Garwood Way by constructing bike lanes along Oak Grove Avenue between University Drive and the east city limits as well as a bicycle route along Garwood Way between Glenwood Avenue and Oak Grove Avenue. This mitigation measure is consistent with Mitigation Measures TRA-2.1.a, TRA-2.1.b, and TRA-2.1.c.

FINDINGS: Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

- *Effects of Mitigation:* Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the improvements for bicycle and pedestrian infrastructure are feasible and would reduce pedestrian and/or bicycle/vehicle conflicts to a less-than-significant level.
- *Remaining Impacts:* Any remaining impacts related to bicycle and pedestrian infrastructure would not be significant.

XI. MITIGATION OF POTENTIALLY SIGNIFICANT EFFECTS BY UNIFORMLY APPLICABLE DEVELOPMENT STANDARDS

The Infill Environmental Checklist provides substantial evidence that UADPS would mitigate impacts in several resource areas. These policies and standards include Specific Plan policies as well as city ordinances, resolutions, guidelines, and other adopted policies. As required by Guidelines Section 15183.3(d)(2)(D), the following list outlines which potentially significant effects associated with the project have been substantially mitigated by UADPS and provides a brief explanation of the rationale for the finding. The Infill Environmental Checklist provides substantial evidence for the finding in each of the resource areas.

- **Biological Resources**
  - Checklist Topic: Conflict with any local policies or ordinances protecting biological resources
  - Applicable UADPS:
    - Specific Plan Design Guidelines D.2.04, D.2.21, D.2.27, D.2.30, D.3.06, D.3.22, D.2.40, D.2.45, D.2.49, D.2.54, D.3.09, D.3.16, D.3.25, D.4.05, D.4.11, D.4.14, D.5.03, D.5.04, D.5.17D.5.18, and D.6.06
    - Menlo Park Municipal Code Chapter 13.24 Heritage Trees
    - City's Building Division "Tree Protection Specification" measures
  - *Finding*: The policies and standards call for retention of trees, guidelines for landscaping, protection of heritage trees, and protect heritage trees from construction. Compliance with these policies and standards assures there will be less-than-significant impacts related to compliance with policies protecting biological resources. (Infill Environmental Checklist pp. 3-24 through 3-25)

- **Hydrology and Water Quality**
  - Checklist Topic: Water quality standards
  - Applicable UADPS:
    - Construction General Permit Order 2009-0009 DWQ (Construction General Permit or General Permit)
    - Stormwater Pollution Prevent Plan (SWPPP)
    - Waste Discharge Requirements/NPDES permit
    - City Engineering Division Grading and Drainage (G&D) Permit
    - Specific Plan Guidelines D.2.47, D.4.09, D.5.20, D.6.03, D.6.04 and E.3.8.13
  - *Finding*: These policies and standards regulate construction-related stormwater discharges, regulate stormwater quality best management practices (BMPs) to prevent erosion and transport of polluted runoff and sediment during construction, keep sediment-laden water on site, completing grading activities during dry months, providing temporary sediment basins and traps, and/or utilizing temporary silt fences or straw

rolls. Compliance with these policies and standards will ensure that impacts to water quality would be less than significant. (Infill Environmental Checklist pp. 3-59 through 3-60)

- Checklist Topic: Substantially alter existing drainage
- Applicable UADPS:
  - SWPPP
  - NPDES requirements
  - Specific Plan Guidelines D.2.47, D.4.09, D.5.20, D.6.03, D.6.04 and E.3.8.13
- *Finding*: Adherence to stormwater management requirements would ensure that construction and operation of the Project would not result in substantial erosion or siltation. The Project would not have a direct effect on the course of a stream or river as there are no streams or rivers present at the Project site. Compliance with these policies and standards ensures impacts to drainage would be less than significant. (Infill Environmental Checklist pp**.** 3-61 and 3-63)

- Checklist Topic: Create or contribute runoff that would exceed capacity of existing systems
- Applicable UADPS:
  - Specific Plan Guidelines D.2.47, D.4.09, D.5.20, D.6.03, D.6.04 and E.3.8.13
  - NPDES requirements
- *Finding*: The Project would increase onsite stormwater infiltration by providing biotreatment areas and implementing the Specific Plan guidelines, thereby reducing stormwater loads to the City's drainage system. As such, the Project would not exceed the capacity of the City's stormwater system and would not contribute substantial new sources of polluted runoff, resulting in a less-than-significant impact. (Infill Environmental Checklist p**.** 3-62)

- **Land Use and Planning**
  - Checklist Topic: Physically divide an established community
  - Applicable UADPS:
    - Specific Plan Guidelines: E.3.4.3.01 and E.3.4.2.02
  - *Finding*: With these massing controls, the visual perception from the ground level would be reduced and façade heights would be similar to existing two- and three-story buildings in the vicinity of the Project site. Because the proposed building heights and massing controls would result in buildings relatively compatible with the surrounding existing buildings, the Project would not create physical or visual barriers, resulting in less-than-significant impacts. (Infill Environmental Checklist p**.** 3-67)

- Checklist Topic: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect
- Applicable UADPS:
  - Specific Plan 5 Guiding Principles (1) enhance public space; (2) generate vibrancy; (3) sustain Menlo Park's village character; (4) enhance connectivity; and (5) promote healthy living and sustainability.
  - Specific Plan Guidelines (various)
  - Zoning
- *Finding*: The General Plan designates the Project site as "El Camino Real/Downtown Specific Plan," which requires that the Project conform to the policies of the Specific Plan. The site's zoning is also "El Camino Real/Downtown Specific Plan." Through provision of public spaces; developing underutilized project site; height, massing, and appearance consistent with Specific Plan development standards; promotion of connectivity from the east of the Caltrain corridor to El Camino Real and downtown; extension of Garwood Way; and encouraging transit, the project is consistent with the guiding principles of the Specific Plan. As such, no conflicts with applicable land use plans or policies would result and impacts would be less than significant. (Infill Environmental Checklist p**.** 3-67 through 3-70)

- **Utilities and Service Systems**
  - Checklist Topic: Construction of new stormwater drainage facilities, the construction of which would cause significant environmental effects
  - Applicable UADPS:
    - Specific Plan Guidelines D.2.47, D.4.09, D.5.20, D.6.03, D.6.04 and E.3.8.13
  - *Finding*: Compliance with applicable stormwater management requirements and Specific Plan guidelines, and implementation of a landscaping plan designed to provide stormwater treatment areas, would ensure that the Project would not significantly increase stormwater drainage from the Project site. As such, the Project would not require the construction of new stormwater drainage facilities or the expansion of existing facilities, resulting in a less-than-significant impact. (Infill Environmental Checklist p**.** 3-112 through 3-13)

XII. STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO THE PROJECT FINDINGS

The City Council adopts and makes the following Statement of Overriding Considerations regarding the significant unavoidable impacts of the Project. After review of the entire administrative record, the City Council finds that, pursuant to CEQA section 21081(b) and CEQA Guidelines section 15093, specific economic,

legal, social, technological and other benefits of the Project outweigh the Project's unavoidable adverse impacts and the City Council finds that the significant and unavoidable adverse impacts are acceptable in light of the Project's benefits.

A. Significant Unavoidable Impacts

With respect to the foregoing findings and in recognition of those facts that are included in the entire administrative record, the City has determined that the Project would result in significant unavoidable transportation impacts, as described in Section VI of these Findings.

The City hereby finds that, where possible, changes or alterations have been required in or incorporated into the Project that substantially lessen the significant environmental effects identified in the Infill EIR. The project and the MMRP incorporate all feasible mitigation measures to reduce potential environmental impacts to the greatest extent feasible. The City further finds that there are no additional feasible mitigation measures or alternatives that could be imposed or adopted to eliminate the significant and unavoidable impacts listed above. These impacts could not be reduced to a less-than-significant level by feasible changes, mitigation measures or alternatives to the Project. In particular:

- The City has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project, as described above.
- All feasible Mitigation Measures recommended in the Infill EIR have been incorporated into the Project and will be implemented through the MMRP.
- Except for the No Project alternative, all alternatives to the Project examined in the EIR do not reduce the project's significant and unavoidable impacts to less than significant and also do not achieve the project objectives.

B. Overriding Considerations

The Council has carefully balanced the benefits of the Project against any adverse impacts identified in the Infill EIR that could not be feasibly mitigated to a level of insignificance. The City Council finds that each of the specific environmental, economic, fiscal, social, housing and other overriding considerations set forth below constitutes a separate and independent ground for a finding that the benefits of the Project outweigh its significant adverse environmental impacts and is an overriding consideration warranting approval of the Project. The City Council specifically adopts and makes this Statement of Overriding Considerations regarding the significant unavoidable impacts of the Project and the anticipated benefits of the Project.

In accordance with CEQA Guidelines Section 15093, the City has, in determining whether or not to approve the Project, balanced the economic, legal, social, technological, and other benefits, including region-wide or statewide environmental benefits of the Project against these unavoidable environmental risks, and has found that the benefits of the Project outweigh the unavoidable adverse environmental effects. The following statements specify the reasons why, in the City's judgment, the benefits of the Project outweigh its unavoidable environmental risks. The City also finds that any one of the following reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City will stand by its determination that each individual reason is sufficient to justify approval of the project.

Substantial evidence in the record demonstrates the City would derive the following substantial public benefits from adoption and implementation of the Project:

(1) Economic Benefits

- The Project would redevelop an underutilized, high-visibility site that currently contains vacant parcels and aging commercial buildings with a sustainable, high-quality residential/office/community-serving development.
- The Project would generate revenue for the City through increased direct property tax, sales tax, and Utility Users Tax revenue, and indirect sales tax and transient occupancy tax revenue.
- The Project provides a one-time Public Benefit Payment of $2,100,000 to the City’s El Camino Real/Downtown Specific Plan Public Amenity Fund, which will help fund public improvements within the Specific Plan area.
- The project would provide a sales tax guarantee of $83,700 per year.
- The project would be marketed to incubator/accelerator.co-working tenants.

(2) Social Benefits

- The Project would lead to the redevelopment of an underutilized site served by existing transportation and utility infrastructure.
- The Project would meet the City’s land use planning goals and development strategies for the Specific Plan Area, and promote pedestrian and bicyclist connections by creating on-site and off-site pedestrian and bicycle amenities, and improving connections to off-site pedestrian, bicycle, and transit networks.
- The Project would improve the overall aesthetic and visual quality of the Specific Plan area.

(3) Transportation and Infrastructure Benefits

- The Project would implement a long-planned extension of Garwood Way, helping improve mobility options for drivers, pedestrians, and bicyclists.
- The project would make significant fair share payments toward the cost of infrastructure improvements.

(4) Housing Benefits

- The Project would include the development of 183 dwelling units in an area that is rich in existing services and transportation options.
- The Project would add 20 new below-market rate housing units to help meet the affordable housing needs identified in the City's Housing Element.

(5) Local Community Benefits

- The Project would include a publicly-accessible dog park and additional active and passive recreational spaces open to the public.

(6) Region-wide or Statewide Environmental Benefits

- The Project would provide highly-sustainable buildings constructed to meet the intent of LEED® Gold (residential building) and LEED® Platinum (office buildings) design standards
- The Project would promote compact growth by increasing job opportunities at a location near existing transportation and utility infrastructure.
- The Project's TDM program is designed to reduce parking, driving, and pollution, would encourage workers to commute using transit and other alternatives to single-occupancy vehicles.

XIII. MODIFICATIONS TO PROJECT

Subsequent to preparation and prior to certification of the Final Infill EIR, minor changes were made in the Project to increase the maximum square feet of offices from 199,300 sf to 203,772 sf and to decrease the number of housing units from 202 to 183 units. No change was made in the overall square footage of the Project.

The consultants have prepared an analysis of the modifications to the Project. which demonstrates that the Project as now proposed falls within the scope of the Final Infill EIR, in that these minor changes will not result in any significant environmental impacts not identified in the Final Infill EIR, nor result in a substantial increase in the severity of a significant environmental impact identified in the Final Infill EIR. There are no substantial changes in the Project or the circumstances under which the Project is being

undertaken that necessitate revisions of the Final Infill EIR, nor has significant new information become available.

XIV. SEVERABILITY

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

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-fourth day of January, 2017, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this _____ day of _____, 2017.

Pamela Aguilar
City Clerk

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
AIR QUALITY				
Mitigation Measures from the Specific Plan Applicable to the Project				
IMPACT BEING ADDRESSED: Impact AIR-1: Implementation of the Project would result in increased long-term emissions of criteria pollutants associated with construction activities that could contribute substantially to an air quality violation.				
Mitigation Measure AIR-1a : During construction of individual projects under the Specific Plan, project applicants shall require the construction contractor(s) to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic dust control procedures required for construction sites. For projects for which construction emissions exceed one or more of the applicable BAAQMD thresholds, additional measures shall be required as indicated in the list following the Basic Controls.		Measures shown on plans, construction documents and on-going during demolition, excavation and construction.	Project Sponsor and contractor(s)	PW/CDD
Basic Controls that Apply to All Construction Sites				
1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.	Exposed surfaces shall be watered twice daily.			
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.	Trucks carrying demolition debris shall be covered.			
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.	Dirt carried from construction areas shall be cleaned daily.			
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.	Speed limit on unpaved roads shall be 15 mph.			
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	Roadways, driveways, sidewalks and building pads shall be laid as soon as possible after grading.			
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.	Idling times shall be minimized to 5 minutes or less; Signage posted at all access points.			
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.	Construction equipment shall be properly tuned and maintained.			
8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.	Signage will be posted with the appropriate contact information regarding dust complaints.			
Additional Measures for Development Projects that Exceed Significance Criteria				
1. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.	Water exposed surfaces to maintain minimum soil moisture of 12 percent.			
2. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.	Halt excavation, grading and demolition when wind is over 20 mph.			
3. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.	Install wind breaks on the windward side(s) of disturbed construction areas.			
4. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.	Vegetative ground cover shall be planted in disturbed areas as soon as possible.			
5. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.	Ground-disturbing construction activities shall not occur simultaneously.			
6. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.	Trucks and equipment shall be washed before exiting the site.			

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
7. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. 8. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent. 9. Minimizing the idling time of diesel powered construction equipment to two minutes. 10. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent nitrogen oxides reduction and 45 percent particulate matter reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. 11. Use low volatile organic compound (VOC) (i.e., reactive organic gases) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings). 12. Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of nitrogen oxides and particulate matter. 13. Requiring all contractors use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy duty diesel engines.	Cover site access roads. Erosion control measures shall be used. Idling time of diesel powered equipment will not exceed two minutes. Plan developed that demonstrates emissions from use of off-road equipment during construction will be reduced as specified. Low VOC coatings shall be used. Require Best Available Control Technology for all construction equipment, diesel trucks, and generators. Equipment shall meet standards for off-road heavy duty diesel engines.			
Mitigation Measure AIR-1b: Each applicant for development projects to be implemented under the Specific Plan for projects that exceed the BAAQMD screening criteria shall develop an Exhaust Emissions Control Plan outlining how construction exhaust emissions will be controlled during construction activities. These plans shall be submitted to the City for review and approval and shall be distributed to all employees and construction contractors prior to commencement of construction activities. The plan shall describe all feasible control measures that will be implemented during construction activities. Feasible control measures may include, but not be limited to, those identified in Mitigation Measure AIR-1a.	Require an Exhaust Emissions Control Plan of each applicant with projects that exceed BAAQMD screening criteria.	Plan approved by City prior to building permit issuance; Measures shown on plans, construction documents and specification and ongoing during construction.	Project Sponsor and contractor(s)	CDD
IMPACT BEING ADDRESSED: Impact AIR-2: Implementation of the Specific Plan would result in increased long-term emissions of criteria pollutants from increased vehicle traffic and on-site area sources that would contribute substantially to an air quality violation.				
Mitigation Measure AIR-2: Mitigation Measure TR-2 of Section 4.13, Transportation, Circulation and Parking, identifies Transportation Demand Management (TDM) strategies to be implemented by individual project applicants, although the precise effectiveness of a TDM program cannot be guaranteed. As the transportation demand management strategies included in Mitigation Measure TR-2 represent the majority of available measures with which to reduce VMT, no further mitigation measures are available and this impact is considered to be significant and unavoidable.	Develop a Transportation Demand Management program.	Submit draft TDM program consistent with Infill EIR with First Structure Above Podium (FSAP) building permit. City approval required before occupancy of the first building. Implementation throughout project occupancy.	Project Sponsor	PW/CDD
IMPACT BEING ADDRESSED: Impact AIR-5: Implementation of the Project would locate sensitive receptors in an area of elevated concentrations of toxic air contaminants associated with roadway traffic which may lead to considerable adverse health effects.				

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure AIR-5: The Mitigation Monitoring and Reporting Program shall require that all developments that include sensitive receptors such as residential units that would be located within 200 feet of the edge of El Camino Real or within 100 feet of the edge of Ravenswood Avenue, Oak Grove Avenue east of El Camino Real, or Santa Cruz Avenue west of University Avenue shall undergo, prior to project approval, a screening-level health risk analysis to determine if cancer risk, hazard index, and/or PM2.5 concentration would exceed BAAQMD thresholds. If one or more thresholds would be exceeded at the site of the subsequent project, the project (or portion of the project containing sensitive receptors, in the case of a mixed-use project) shall be equipped with filtration systems with a Minimum Efficiency Reporting Value (MERV) rating of 14 or higher. The ventilation system shall be designed by an engineer certified by the American Society of Heating, Refrigeration and Air-Conditioning Engineers, who shall provide a written report documenting that the system reduces interior health risks to less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD or the City for health risks. The project sponsor shall present a plan to ensure ongoing maintenance of ventilation and filtration systems and shall ensure the disclosure to buyers and/or renters regarding the findings of the analysis and inform occupants as to proper use of any installed air filtration. Alternatively, if the project applicant can prove at the time of development that health risks at new residences due to DPM (and other TACs, if applicable) would be less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD for health risks, or that alternative mitigation measures reduce health risks below+B29 any other City-adopted threshold of significance, such filtration shall not be required.	This mitigation measure was implemented as part of the 1300 El Camino Real Project Infill EIR. No further action is required.	Completed	Completed	Completed
IMPACT BEING ADDRESSED: Impact AIR-7: Implementation of the Project would expose sensitive receptors to elevated concentrations of Toxic Air Contaminants (TACs) associated with Caltrain operations which may lead to considerable adverse health effects.				
Mitigation Measure AIR-7: The Mitigation Monitoring and Reporting Program shall require that all developments that include sensitive receptors such as residential units that would be located within approximately 1,095 feet of the edge of the Caltrain right-of-way shall undergo, prior to project approval, a screening-level health risk analysis to determine if cancer risk, hazard index, and/or PM2.5 concentration would exceed BAAQMD thresholds. If one or more thresholds would be exceeded at the site of the subsequent project, the project (or portion of the project containing sensitive receptors, in the case of a mixed-use project) shall be equipped with filtration systems with a Minimum Efficiency Reporting Value (MERV) rating of 14 or higher. The ventilation system shall be designed by an engineer certified by the American Society of Heating, Refrigeration and Air-Conditioning Engineers, who shall provide a written report documenting that the system reduces interior health risks to less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD or the City for health risks. The project sponsor shall present a plan to ensure ongoing maintenance of ventilation and filtration systems and shall ensure the disclosure to buyers and/or renters regarding the findings of the analysis and inform occupants as to proper use of any installed air filtration. Alternatively, if the project applicant can prove at the time of development that health risks at new residences due to DPM (and other TACs, if applicable) would be less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD for health risks, or that alternative mitigation measures reduce health risks below any other City-adopted threshold of significance, such filtration shall not be required.	A health risk analysis shall be prepared. If one or more thresholds are exceeded, a filtration system shall be installed; Certified engineer to provide report documenting that system reduces health risks Plan developed for ongoing maintenance and disclosure to buyers and/renters.	Simultaneous with a building permit submittal	Project Sponsor	CDD
Mitigation Measures from 1300 El Camino Real Project Infill EIR				
IMPACT BEING ADDRESSED: Impact AQ-1: Exposure of Sensitive Receptors to Adverse Health Risks in Excess of BAAQMD Thresholds Associated with Localized DPM Concentrations during Construction. The Project would expose sensitive receptors to adverse health risks associated with localized DPM concentrations during construction.				

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure AQ-1.1: Utilize Clean Diesel-Powered Off-Road Equipment during Construction to Control Off-Road Construction-Related PM2.5 and PM10 Emissions. The Project Sponsor shall ensure that all off-road diesel-powered equipment used during construction between 2016 and 2018 shall be equipped with EPA Tier 3 or cleaner engines, except for specialized construction equipment for which an EPA Tier 3 engine is not available. This requirement shall ensure construction equipment remains cleaner than the fleet-wide average. The analysis assumes emission reductions compared to a fleet-wide average Tier 2 engine between 2016 and 2018. The Project Sponsor shall also ensure that all off-road, diesel-powered equipment used during construction shall be equipped with a Level 3 Diesel Particulate Filter (DPF).	Utilize clean diesel-powered off-road equipment during construction.	Ongoing during construction.	Project Sponsor	CDD
IMPACT BEING ADDRESSED: Impact C-AQ-1: Exposure of Sensitive Receptors to Cumulative Health Risks during Construction. Cumulative development in the Project vicinity would not expose sensitive receptors to substantial health risks during construction				
Mitigation Measure AQ-1.1	See above	See above	See above	See above

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
BIOLOGICAL RESOURCES				
Mitigation Measures from the Specific Plan Applicable to the Project				
IMPACT BEING ADDRESSED: Impact BIO-1: The Project could result in the take of special-status birds or their nest				
Mitigation Measure BIO-1a: Pre-Construction Special-Status Avian Surveys. No more than two weeks in advance of any tree or shrub pruning, removal, or ground-disturbing activity that will commence during the breeding season (February 1 through August 31), a qualified wildlife biologist will conduct pre-construction surveys of all potential special-status bird nesting habitat in the vicinity of the planned activity. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered. ***If pre-construction surveys indicate that no nests of special-status birds are present or that nests are inactive or potential habitat is unoccupied:*** no further mitigation is required. ***If active nests of special-status birds are found during the surveys:*** implement Mitigation Measure BIO-1b.	A nesting bird survey shall be prepared if tree or shrub pruning, removal or ground-disturbing activity will commence between February 1 through August 31.	Prior to tree or shrub pruning or removal, any ground disturbing activity and/or issuance of demolition, grading or building permits.	Qualified wildlife biologist retained by Project Sponsor	CDD
Mitigation Measure BIO-1b: Avoidance of active nests. If active nests of special-status birds or other birds are found during surveys, the results of the surveys would be discussed with the California Department of Fish and Game and avoidance procedures will be adopted, if necessary, on a case-by- case basis. In the event that a special-status bird or protected nest is found, construction would be stopped until either the bird leaves the area or avoidance measures are adopted. Avoidance measures can include construction buffer areas (up to several hundred feet in the case of raptors), relocation of birds, or seasonal avoidance. If buffers are created, a no disturbance zone will be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted will take into account factors such as the following: 1. Noise and human disturbance levels at the Plan area and the nesting site at the time of the survey and the noise and disturbance expected during the construction activity; 2. Distance and amount of vegetation or other screening between the Plan area and the nest; and 3. Sensitivity of individual nesting species and behaviors of the nesting birds.	If active nests are found during survey, the results will be discussed with the California Department of Fish and Game and avoidance procedures adopted. Halt construction if a special-status bird or protected nest is found until the bird leaves the area or avoidance measures are adopted.	Prior to tree or shrub pruning or removal, any ground-disturbing activities and/or issuance of demolition, grading or building permits.	Project Sponsor and contractor(s)	CDD
IMPACT BEING ADDRESSED: Impact BIO-3: Impacts to migratory or breeding special-status birds another special-status species due to lighting conditions.				
Mitigation Measure BIO-3a: Reduce building lighting from exterior sources. a) Minimize amount and visual impact of perimeter lighting and façade up-lighting and avoid up-lighting of rooftop antennae and other tall equipment, as well as of any decorative features; b) Installing motion-sensor lighting; c) Utilize minimum wattage fixtures to achieve required lighting levels; d) Comply with federal aviation safety regulations for large buildings by installing minimum intensity white strobe lighting with a three-second flash interval instead of continuous flood lighting, rotating lights, or red lighting; e) Use cutoff shields on streetlight and external lights to prevent upwards lighting.	Reduce building lighting from exterior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure BIO-3b: Reduce building lighting from interior sources. a) Dim lights in lobbies, perimeter circulation areas, and atria; b) Turn off all unnecessary lighting by 11pm thorough sunrise, especially during peak migration periods (mid-March to early June and late August through late October); c) Use gradual or staggered switching to progressively turn on building lights at sunrise. d) Utilize automatic controls (motion sensors, photo-sensors, etc.) to shut off lights in the evening when no one is present; e) Encourage the use of localized task lighting to reduce the need for more extensive overhead lighting; f) Schedule nightly maintenance to conclude by 11 p.m.; g) Educate building users about the dangers of night lighting to birds.	Reduce building lighting from interior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD
IMPACT BEING ADDRESSED: Impact BIO-5: The Project could result in the take of special-status bat species.				
Mitigation Measure BIO-5a: Preconstruction surveys. Potential direct and indirect disturbances to special-status bats will be identified by locating colonies and instituting protective measures prior to construction of any subsequent development project. No more than two weeks in advance of tree removal or structural alterations to buildings with closed areas such as attics, a qualified bat biologist (e.g., a biologist holding a California Department of Fish and Game collection permit and a Memorandum of Understanding with the California Department of Fish and Game allowing the biologist to handle and collect bats) shall conduct pre-construction surveys for potential bats in the vicinity of the planned activity. A qualified biologist will survey buildings and trees (over 12 inches in diameter at 4.5-foot height) scheduled for demolition to assess whether these structures are occupied by bats. No activities that would result in disturbance to active roosts will proceed prior to the completed surveys. If bats are discovered during construction, any and all construction activities that threaten individuals, roosts, or hibernacula will be stopped until surveys can be completed by a qualified bat biologist and proper mitigation measures implemented. ***If no active roosts present:*** no further action is warranted. ***If roosts or hibernacula are present:*** implement Mitigation Measures BIO-5b and 5c.	Retain a qualified bat biologist to conduct pre-construction survey for bats and potential roosting sites in vicinity of planned activity. Halt construction if bats are discovered during construction until surveys can be completed and proper mitigation measures implemented.	Prior to tree pruning or removal or issuance of demolition, grading or building permits.	Qualified bat biologist retained by project sponsor(s)	CDD
Mitigation Measure BIO-5b: Avoidance. If any active nursery or maternity roosts or hibernacula of special-status bats are located, the subsequent development project may be redesigned to avoid impacts. Demolition of that tree or structure will commence after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) or before maternity colonies forms the following year (i.e., prior to March 1). For hibernacula, any subsequent development project shall only commence after bats have left the hibernacula. No-disturbance buffer zones acceptable to the California Department of Fish and Game will be observed during the maternity roost season (March 1 through July 31) and during the winter for hibernacula (October 15 through February 15). Also, a no-disturbance buffer acceptable in size to the California Department of Fish and Game will be created around any roosts in the Project vicinity (roosts that will not be destroyed by the Project but are within the Plan area) during the breeding season (April 15 through August 15), and around hibernacula during winter (October 15 through February 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the “take” of individuals is prohibited.	If any active nursery or maternity roosts or hibernacula are located, no disturbance buffer zones shall be established during the maternity roost and breeding seasons and hibernacula.	Prior to tree removal or pruning or issuance of demolition, grading or building permits	Qualified bat biologist retained by project sponsor(s)	CDD

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure BIO-5c: Safely evict non-breeding roosts. Non-breeding roosts of special-status bats shall be evicted under the direction of a qualified bat biologist. This will be done by opening the roosting area to allow airflow through the cavity. Demolition will then follow no sooner or later than the following day. There should not be less than one night between initial disturbance with airflow and demolition. This action should allow bats to leave during dark hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees with roosts that need to be removed should first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours. However, the "take" of individuals is prohibited.	A qualified bat biologist shall direct the eviction of non-breeding roosts.	Prior to tree removal or pruning or issuance of demolition, grading or building permits.	Qualified bat biologist retained by Project Sponsor	CDD
CULTURAL RESOURCES				
Mitigation Measures from the Specific Plan Applicable to the Project				
IMPACT BEING ADDRESSED: Impact CUL-2: The Project could impact currently unknown archaeological resources.				
Mitigation Measure CUL-2a: When specific projects are proposed that involve ground disturbing activity, a site-specific cultural resources study shall be performed by a qualified archaeologist or equivalent cultural resources professional that will include an updated records search, pedestrian survey of the project area, development of a historic context, sensitivity assessment for buried prehistoric and historic-period deposits, and preparation of a technical report that meets federal and state requirements. If historic or unique resources are identified and cannot be avoided, treatment plans will be developed in consultation with the City and Native American representatives to mitigate potential impacts to less than significant based on either the Secretary of the Interior's Standards described in Mitigation Measure CUL-1 (if the site is historic) or the provisions of Public Resources Code Section 21083.2 (if a unique archaeological site).	A qualified archeologist shall complete a site-specific cultural resources study. If resources are identified and cannot be avoided, treatment plans will be developed to mitigate impacts to less than significant, as specified.	Simultaneously with a project application submittal.	Qualified archaeologist retained by the Project Sponsor.	CDD
Mitigation Measure CUL-2b: Should any archaeological artifacts be found during construction, all construction activities within 50 feet shall immediately halt and the City must be notified. A qualified archaeologist shall inspect the findings within 24 hours of the discovery. If the resource is determined to be a historical resource or unique resource, the archaeologist shall prepare a plan to identify, record, report, evaluate, and recover the resources as necessary, which shall be implemented by the developer. Construction within the area of the find shall not recommence until impacts on the historical or unique archaeological resource are mitigated as described in Mitigation Measure CUL-2a above. Additionally, Public Resources Code Se+B66ction 5097.993 stipulates that a project sponsor must inform project personnel that collection of any Native American artifact is prohibited by law.	If any archaeological artifacts are discovered during demolition/construction, all ground disturbing activity within 50 feet shall be halted immediately, and the City of Menlo Park Community Development Department shall be notified within 24 hours. A qualified archaeologist shall inspect any archaeological artifacts found during construction and if determined to be a resource shall prepare a plan meeting the specified standards which shall be implemented by the project sponsor(s).	Ongoing during construction.	Qualified archaeologist retained by the Project Sponsor.	CDD
IMPACT BEING ADDRESSED: Impact CUL-3: The Project may adversely affect unidentifiable paleontological resources.				

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure CUL-3: Prior to the start of any subsurface excavations that would extend beyond previously disturbed soils, all construction forepersons and field supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in teaching non-specialists, to ensure they can recognize fossil materials and will follow proper notification procedures in the event any are uncovered during construction. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who will evaluate its significance. Training on paleontological resources will also be provided to all other construction workers, but may involve using a videotape of the initial training and/or written materials rather than in-person training by a paleontologist. If a fossil is determined to be significant and avoidance is not feasible, the paleontologist will develop and implement an excavation and salvage plan in accordance with SVP standards. (SVP, 1996)	A qualified paleontologist shall conduct training for all construction personnel and field supervisors. If a fossil is determined to be significant and avoidance is not feasible, the paleontologist will develop and implement an excavation and salvage plan in accordance with SVP standards.	Prior to issuance of grading or building permits that include subsurface excavations and ongoing through subsurface excavation.	Qualified archaeologist retained by the Project Sponsor.	CDD
IMPACT BEING ADDRESSED: Impact CUL-4: Implementation Project may cause disturbance of human remains including those interred outside of formal cemeteries.				
Mitigation Measure CUL-4: If human remains are discovered during construction, CEQA Guidelines 15064.5(e)(1) shall be followed, which is as follows: * In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken: 1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: a) The San Mateo County coroner must be contacted to determine that no investigation of the cause of death is required; and b) If the coroner determines the remains to be Native American: 1. The coroner shall contact the Native American Heritage Commission within 24 hours; 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American; 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or 2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. a) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the Commission. b) The descendant identified fails to make a recommendation; or c) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.	If human remains are discovered during any construction activities, all ground-disturbing activity within the site or any nearby area shall be halted immediately, and the County coroner must be contacted immediately and other specified procedures must be followed as applicable.	On-going during construction	Qualified archeologist retained by the Project Sponsor.	CDD

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
GREENHOUSE GASES AND CLIMATE CHANGE				
Mitigation Measures from the Specific Plan Applicable to the Project				
IMPACT BEING ADDRESSED: Impact GHG-1: The Project would generate GHG emissions, both directly and indirectly, that would have a significant impact on the environment.				
Mitigation Measure GHG-1: Implement feasible BAAQMD-identified GHG Mitigation Measures and Proposed City CALGreen Amendments. BAAQMD has identified a menu of over 100 available mitigation measures for the purposes of addressing significant air quality impacts, including GHG impacts that arise from implementation of plans including Specific Plans. Many of the GHG reduction measures are already part of the proposed Specific Plan and discussed in the Project Description. Several BAAQMD identified mitigation measures are not applicable to a Specific Plan as they are correlated to specific elements of a general plan. As an example, Table 4.6-5 presents the mitigation measures contained in the BAAQMD CEQA Guidelines related to Land Use elements and either correlates each to a specific element of the project, explains why it is inapplicable to the proposed project or identifies it as a mitigation measure to be implemented by the proposed project. This method was used in consideration of all BAAQMD identified GHG mitigation measures for plans to develop the following list of available mitigation measures (with BAAQMD-identified category) for the proposed Specific Plan: * Facilitate lot consolidation that promotes integrated development with improved pedestrian and vehicular access (Land Use Element: Compact Development). The Specific Plan's increased intensities encourage lot consolidation for developers wishing to maximize efficiencies and new standards and guidelines will result in improved pedestrian (Section E.5) and vehicular (Section E.3.7) access. * Ensure that new development finances the full cost of expanding public infrastructure and services to provide an economic incentive for incremental expansion (Land Use Element: Compact Development). Specific Plan Section E.3.1 describes a process for public benefit negotiation to obtain additional financing for public infrastructure beyond required payments for impact fees such as park dedication and Transportation Fees. * Ensure new construction complies with California Green Building Code Standards and local green building ordinances (Land Use Element: Sustainable Development). The City currently requires compliance with both California Green Building Code Standards and locally-adopted amendments citywide. Standard E.3.8.01 states that all citywide sustainability codes or requirements shall apply to the Plan area, unless the Plan area is explicitly exempted, which it is not. * Provide permitting incentives for energy efficient and solar building projects (Land Use Element: Sustainable Development). Section E.3.8 of the Specific Plan provides specific standards and guidelines for sustainable practices. Section E.3.1 would allow for the consideration of public benefit bonus intensity or height if a project were to exceed the standards stated Section E.3.8. * Support the use of electric vehicles; where appropriate. Provide electric recharging facilities (Circulation Element: Local Circulation; see also Mitigation Measure GHG-2 below). Mitigation Measure GHG-2a (below) has been incorporated into the Specific Plan. * Allow developers to reach agreements with auto-oriented shopping center owners to use commercial parking lots as park-and-ride lots and multi-modal transfer sites (Circulation Element: Regional Circulation). The intent of the Specific Plan is to preserve and enhance community life, character and vitality through public space improvements, mixed use infill projects sensitive to the small town character of Menlo Park and improved connectivity. Auto oriented shopping centers are not envisioned in the Plan area.	For project-specific actions: Implement feasible BAAQMD-identified GHG Mitigation Measures.Timing: Payment at building permit and occupancy as specified in the conditions of approval. Measures relating to City policies have been incorporated into Specific Plan or otherwise adopted by City (see explanation below regarding applicable measures). 1. The project has consolidated 11 parcels under 3 owners. 2. The project is paying all impact fees to expand public infrastructure and in addition is contributing $2.1 million toward the Downtown Amenity Fund. 3. The parking garage will contain electric recharging stations.	Simultaneous with project application submittal and/or on-going during construction Adopt as part of Specific Plan; verify project compliance simultaneously with project application ***o***r require as conditions of approval. Timing: Payment at building permit and occupancy as specified in the conditions of approval.	Project Sponsor City Council (Plan adoption)	PW/CDD CDD

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
* Eliminate [or reduce] parking requirements for new development in the Specific Plan area (Circulation Element: Parking). The Final Specific Plan has been modified to provide for lower parking rates in the station area and station area sphere of influence. ? Encourage developers to agree to parking sharing between different land uses (Circulation Element: Parking). This is permitted by existing City policies and reinforced in the Specific Plan through allowed shared parking reductions (Section F.8). * Require developers to provide preferential parking for low emissions and carpool vehicles (Circulation Element: Parking). These are included as strategies that may be included in a Transportation Demand Management (TDM) program (Section F.10). * Minimize impervious surfaces in new development and reuse project in the Specific Plan area (Conservation Element: Water Conservation). Section 4.8, Hydrology and Water Quality, of this EIR includes a discussion of existing grading, drainage and hydrology requirements and Specific Plan guidelines to limit impervious surfaces in the Plan area. * Require fireplaces installed in residential development to be energy efficient in lieu of open hearth. Prohibit the installation of wood burning devices (Conservation Element: Energy Conservation). The City of Menlo Park Municipal Code includes Section 12.52, Wood Burning Appliances, to control the use of wood burning devises. * Sealing of HVAC ducts. This is a project level BAAQMD measure that requires the developer to obtain third party HVAC commissioning to ensure proper sealing of ducts and optimal heating and cooling efficiencies. BAAQMD estimated that this measure reduces air conditioning electrical demand by 30 percent. The California Energy commission estimates that air conditioning electrical demand represents approximately 20 percent of total demand for a single family residence and this measure would reduce electrical-related GHG emissions by approximately 100 metric tons/year of CO2e. The City currently requires testing of heating and cooling ducts for all newly constructed buildings.				
Mitigation Measure GHG-2a: All residential and/or mixed use developments of sufficient size to require LEED certification under the Specific Plan shall install one dedicated electric vehicle/plug-in hybrid electric vehicle recharging station for every 20 residential parking spaces provided. Per the Climate Action Plan the complying applicant could receive incentives, such as streamlined permit processing, fee discounts, or design templates.	Install one dedicated electric vehicle/plug-in hybrid electric vehicle recharging station for every 20 residential parking spaces	To be shown on building permit application for underground garage.	Project Sponsor	CDD
HAZARDOUS MATERIALS				

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measures from the Specific Plan Applicable to the Project				
IMPACT BEING ADDRESSED: Impact HAZ-3: Hazardous materials used on any individual site during construction activities (i.e., fuels, lubricants, solvents) could be released to the environment through improper handling or storage.				
Mitigation Measure HAZ-3: All development and redevelopment shall require the use of construction Best Management Practices (BMPs) to control handling of hazardous materials during construction to minimize the potential negative effects from accidental release to groundwater and soils.	Implement best management practices to reduce the release of hazardous materials during construction.	On-going during construction	Project Sponsor and contractor(s)	CDD
Mitigation Measures from 1300 El Camino Real Project Infill EIR				
IMPACT BEING ADDRESSED: Impact HAZ-1: Routine Hazardous Materials Use. The Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.				
Mitigation Measure HAZ-1.1: Prepare and Implement a Spill Prevention, Control, and Countermeasure Program for Construction Activities. The contractors will develop and implement a Spill Prevention, Control, and Countermeasure Program (SPCCP) to minimize the potential for and effects from spills of hazardous, toxic, or petroleum substances during construction and demolition activities. The SPCCP will be completed before any construction or demolition activities begin. Implementation of this measure will comply with state and federal water quality regulations. The Project Sponsor will review and approve the SPCCP before the onset of construction activities. The Project Sponsor will routinely inspect the construction area to verify that the measures specified in the SPCCP are properly implemented and maintained. The Project Sponsor will notify its contractors immediately if there is a noncompliance issue and will require compliance. The federal reportable spill quantity for petroleum products, as defined in 40 CFR 110, is any oil spill that includes any of the following: • Violates applicable water quality standards, • Causes a film or sheen on or discoloration of the water surface or adjoining shoreline, or • Causes a sludge or emulsion to be deposited beneath the surface of the water or adjoining shorelines. If a spill is reportable, the contractors' superintendents will notify the Project Sponsor, and the Project Sponsor will take action to contact the appropriate safety and cleanup crews and ensure that the SPCCP is followed. A written description of reportable releases must be submitted to the San Francisco Bay Regional Water Quality Control Board. This submittal must contain a description of the spill, including the type of material and an estimate of the amount spilled, the date of the release, an explanation of why the spill occurred, and a description of the steps taken to prevent and control future releases. The releases will be documented on a spill report form. If a reportable spill has occurred and Project activities have adversely affected surface water or groundwater quality, a detailed analysis will be performed by a registered environmental assessor to identify the likely cause of contamination. This analysis will conform to American Society for Testing and Materials (ASTM) standards and will include recommendations for reducing or eliminating the source or mechanisms of contamination. Based on this analysis, the Project Sponsor and its contractors will select and implement measures to control contamination, with a performance standard that groundwater quality must be returned to baseline conditions. These measures will be subject to approval by the Project Sponsor.	Prepare and implement a spill prevention, control, and countermeasure program for construction activities.	Submit the SPCCP before the onset of any construction activities, including demolition. Implementation ongoing during construction.	Project Sponsor and contractor(s)	CDD
IMPACT BEING ADDRESSED: Impact HAZ-2: Accidental Release of Hazardous Materials. The Project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.				

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure HAZ-2.1: Hazardous Materials Characterization at 1258 and 1300 El Camino Real and Derry Lane. Prior to construction, the following characterization activities shall be conducted by a qualified environmental consultant in areas of the Project site where the likelihood of contaminated media exists. If contaminants are discovered, the consultant shall provide recommendations for the proper treatment and/or removal and disposal of the contaminated media. The following characterization activities are based on the recommendations included in the Phase I ESAs. • Remaining components of the 21 hydraulic lifts located on the 1300 El Camino Real site shall be removed by a qualified contractor, with soil samples collected at the bottom of each hole for laboratory analyses for total petroleum hydrocarbons as hydraulic oil and PCBs. • Soil samples shall be collected at the 1300 El Camino Real site in locations of former automotive painting and detailing operations, sumps, and trenches for laboratory analyses for total extractable and purgeable petroleum hydrocarbons and volatile organic compounds (VOCs). • Groundwater, soil, and soil vapor sampling for VOCs shall be conducted in the eastern portion of the 1300 El Camino Real site to determine the significance and extent of the on-site impact from the off-site PCE release. • Fill soils on the 1300 El Camino Real site shall be sampled for chemicals of potential concern associated with an unknown source of fill. • Soil at the location of a former transformer on the 1300 El Camino Real site shall be sampled for PCBs. • The cause of the depressed asphalt area on the 1258 El Camino Real shall be investigated and remedied. • Construction materials shall be surveyed for ACMs and lead-based paint by a certified consultant on the 1258 El Camino Real site, 1300 El Camino Real site, and Derry Lane site to comply with applicable BAAQMD and Cal/OSHA regulations. If contaminants are discovered during testing, the Project Sponsor will report the contamination to SMCEHD to determine how the contamination is to be addressed and update the HMBP within 30 days of discovering the contamination to reflect the new understanding of hazardous materials at the Project site.	Characterize hazardous materials	Complete characterization and present reports to City prior to issuance of grading permits.	Project Sponsor and contractor(s)	CDD
Mitigation Measure HAZ-2.2: Implementation of Remedial Action Recommendations included in the Derry Lane RAW. Upon approval by the DTSC and prior to construction; site-specific remedial action recommendations contained in the RAW shall be conducted at the Derry Lane site as required by the Imminent and Substantial Endangerment Determination and Order and Remedial Action Order issued by the DTSC in May 2011. As detailed in the Environmental Setting, remedial actions proposed in the RAW may include; soil excavation and disposal, ISCO injections, well monitoring and implementation of institutional controls.	Implement remedial action recommendations.	Present Remedial Action Recommendations to City prior to issuance of grading permits.	Project Sponsor and contractor(s)	CDD
Mitigation Measure HAZ-2.3: Implement Engineering Controls and Best Management Practices during Construction. During construction activities conducted on all sites, the contractor shall employ engineering controls and BMPs to minimize human exposure to potential contaminants and potential negative effects from an accidental release to groundwater and soils. Engineering controls and construction BMPs shall include, but not be limited to, the following: • Contractor employees working on-site shall be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training program. • Contractor shall monitor the area around the construction site for fugitive vapor emissions with appropriate field screening instrumentation. • Contractor shall water/mist soil as it is being excavated and loaded onto trucks.	Implement best management practices to reduce the release of hazardous materials during construction.	Ongoing during construction.	Project Sponsor and contractor(s)	CDD

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Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
• Contractor shall place any stockpiled soil in areas that are shielded from prevailing winds. • Contractor shall cover the bottom of excavated areas with sheeting when work is not being performed. All materials will be handled consistent with the HMBP developed for the Project.				
Mitigation Measure HAZ-2.4: Develop Construction Activity Dust Control Plan (DCP) and Asbestos Dust Management Plan (ADMP). Prior to commencement of site grading on all sites, the Project Sponsor shall retain a qualified professional to prepare a DCP/ADMP. The DCP shall incorporate the applicable BAAQMD standards pertaining to fugitive dust control. The ADMP will be prepared if ACMs are identified onsite and shall be submitted to and approved by BAAQMD prior to the be+B133ginning of construction. The Project Sponsor will ensure implementation of all specified dust control measures throughout construction of the Project. The ADMP shall require compliance with specific control measures to the extent deemed necessary by BAAQMD to meet its standard.	Develop construction activity DCP and ADMP.	Present ADMP and DCP to City prior to issuance of grading permits.	Project Sponsor	CDD
NOISE				
Mitigation Measures from the Specific Plan Applicable to the Project				
IMPACT BEING ADDRESSED: Impact NOI-1: Construction activities associated with implementation of the Project would result in substantial temporary or periodic increases in ambient noise levels in the Specific Plan area above levels existing without the Project and in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.				
Mitigation Measure NOI-1a: Construction contractors for subsequent development projects within the Specific Plan area shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, etc.) when within 400 feet of sensitive receptor locations. Prior to demolition, grading or building permit issuance, a construction noise control plan that identifies the best available noise control techniques to be implemented, shall be prepared by the construction contractor and submitted to the City for review and approval. The plan shall include, but not be limited to, the following noise control elements: * Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler shall achieve lower noise levels from the exhaust by approximately 10 dBA. External jackets on the tools themselves shall be used where feasible in order to achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible; * Stationary noise sources shall be located as far from adjacent receptors as possible and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible; and * When construction occurs near residents, affected parties within 400 feet of the construction area shall be notified of the construction schedule prior to demolition, grading or building permit issuance. Notices sent to residents shall include a project hotline where residents would be able to call and issue complaints. A Project Construction Complaint and Enforcement Manager shall be designated to receive complaints and notify the appropriate City staff of such complaints. Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and day and evening contact numbers, both for the construction contractor and City representative(s), in the event of problems.	A construction noise control plan shall be prepared and submitted to the City for review. Implement noise control techniques to reduce ambient noise levels.	Prior to demolition, grading or building permit issuance Measures shown on plans, construction documents and specification and ongoing through construction	Project Sponsor and contractor(s)	CDD

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Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure NOI-1b: Noise Control Measures for Pile Driving: Should pile-driving be necessary for a subsequently proposed development project, the project sponsor would require that the project contractor predrill holes (if feasible based on soils) for piles to the maximum feasible depth to minimize noise and vibration from pile driving. Should pile-driving be necessary for the proposed project, the project sponsor would require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring uses.	If pile-driving is necessary for project, predrill holes to minimize noise and vibration and limit activity to result in the least disturbance to neighboring uses.	Measures shown on plans, construction documents and specifications and ongoing during construction	Project Sponsor and contractor(s)	CDD
Mitigation Measure NOI-1c: The City shall condition approval of projects near receptors sensitive to construction noise, such as residences and schools, such that, in the event of a justified complaint regarding construction noise, the City would have the ability to require changes in the construction control noise plan to address complaints.	Condition projects such that if justified complaints from adjacent sensitive receptors are received, City may require changes in construction noise control plan.	Condition shown on plans, construction documents and specifications. When justified complaint received by City.	Project Sponsor and contractor(s) for revisions to construction noise control plan.	CDD
IMPACT BEING ADDRESSED: Impact NOI-3: The Project would introduce sensitive receptors to a noise environment with noise levels in excess of standards considered acceptable under the City of Menlo Park Municipal Code.				
Mitigation Measure NOI-3: Interior noise exposure within homes proposed for the Specific Plan area shall be assessed by a qualified acoustical engineer to determine if sound rated walls and windows would be required to meet the Title 24 interior noise level standard of 45 dBA, Ldn. The results of each study shall be submitted to the City showing conceptual window and wall assemblies with Sound Transmission Class (STC) ratings necessary to achieve the noise reductions for the project to satisfy the interior noise criteria within the noise environment of the Plan area.	Interior noise exposure assessed by qualified acoustical engineer and results submitted to City showing conceptual window and wall assemblies necessary to meet City standards.	Simultaneous with submittal for a building permit for any residence.	Project Sponsor and contractor(s)	CDD
IMPACT BEING ADDRESSED: Impact NOI-4: The Project would expose sensitive receptors to substantial levels of groundborne vibration.				
Mitigation Measure NOI-4: Prior to project approval for development within 200 feet of the mainline track, a detailed vibration design study shall be completed by a qualified acoustical engineer to confirm the ground vibration levels and frequency content along the Caltrain tracks and to determine appropriate design to limit interior vibration levels to 75 VdB for residences and 78 VdB for other uses. If required, vibration isolation techniques could include supporting the new building foundations on elastomer pads similar to bridge bearing pads.	A qualified acoustical engineer to complete a vibration design study.	Simultaneous with submittal for a building permit for all structures except the underground parking garage.	Qualified acoustical engineer retained by the Project Sponsor	CDD
TRANSPORTATION, CIRCULATION AND PARKING				
Mitigation Measures from the Specific Plan Applicable to the Project				
IMPACT BEING ADDRESSED: Impact TR-1: Traffic from the Project would adversely affect operation of area intersections.				
Mitigation Measures TR-1a through TR-1d: (see El Camino Real/Downtown Specific Plan EIR for details)	Payment of fair share funding.	Prior to building permit issuance.	Project Sponsor	PW/CDD
IMPACT BEING ADDRESSED: Impact TR-2: Traffic from the Project would adversely affect operation of local roadway segments.				
Mitigation Measure TR-2: New developments within the Specific Plan area, regardless of the amount of new traffic they would generate, are required to have in-place a City-approved Transportation Demand Management (TDM) program prior to project occupancy to mitigate impacts on roadway segments and intersections. TDM programs could include the following measures for site users (taken from the C/CAG CMP), as applicable: * Commute alternative information; * Bicycle storage facilities; * Showers and changing rooms; * Pedestrian and bicycle subsidies; * Operating dedicated shuttle service (or buying into a shuttle consortium); * Subsidizing transit tickets; * Preferential parking for carpoolers; * Provide child care services and convenience shopping within new developments; * Van pool programs; * Guaranteed ride home program for those who use alternative modes;	Develop a Transportation Demand Management program.	Submit draft TDM program consistent with Infill EIR with First Structure Above Podium (FSAP) building permit. City approval required before occupancy of the first building. Implementation throughout project occupancy.	Project Sponsor	PW/CDD

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Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
* Parking cashout programs and discounts for persons who carpool, vanpool, bicycle or use public transit; * Imposing charges for parking rather than providing free parking; * Providing shuttles for customers and visitors; and/or * Car share programs.				
IMPACT BEING ADDRESSED: Impact TR-8: Cumulative development, along with development in the Plan area would adversely affect operation of local roadway segments.				
Mitigation Measure TR-8: Implement TR-2 (TDM Program).	Develop a Transportation Demand Management program.	See above	Project Sponsor	PW/CDD
Mitigation Measures from 1300 El Camino Real Project Infill EIR				
IMPACT BEING ADDRESSED: Impact TRA-1: Impacts on Intersections under Near-Term 2020 plus-Project Conditions. Increases in traffic associated with the Project under near-term 2020 plus-Project conditions would result in increased peak-hour delays at five intersections. Intersection impacts at the four of the five intersections would remain significant and unavoidable because improvements would require obtaining additional rights-of-way, would violate existing City/town policies, or would be outside the City's jurisdiction.				
Mitigation Measure TRA-1.1: Implement Intersection Improvements to Address Near-Term 2020 plus-Project Effects. Operations at Ravenswood Avenue/Laurel Street (#11) could be improved by modifying the intersection geometry to provide additional capacity. Impacts on this intersection were noted in the Specific Plan's Environmental Impact Report (EIR). Acceptable operations could be achieved at the intersection of Ravenswood Avenue/Laurel Street by reconfiguring the southbound Laurel Street approach to have a left-turn lane and a shared through/right-turn lane. This mitigation measure was not specified in the Specific Plan EIR. Conceptual schematics of the recommended feasible mitigation measures are provided in Appendix 3.1-G. A summary of the intersection analysis with mitigation measures is provided in Table 3.1-13. It may be possible to implement this mitigation measure within the existing right-of-way while maintaining the bicycle lanes, but it would require removal of onstreet parking and 10-foot-wide travel lanes. With this mitigation measure, the impact would be reduced to a less-than-significant level. *Mitigation Measure TRA-1.2* **:** Implement Intersection Improvements to Address Near-Term 2020 plus-Project Effects. Operations at four intersections could be improved by modifying intersection geometry to provide additional capacity. Some of these modifications may require additional rights-of-way to add travel lanes. Conceptual schematics of the recommended feasible mitigation measures are provided in Appendix 3.1-G. A summary of the intersection analysis with mitigation measures is provided in Table 3.1-13. a. Middlefield Road/Glenwood Avenue-Linden Avenue (#3) Impacts on this intersection were noted in the Specific Plan EIR. Acceptable operations could be achieved at Middlefield Road/Glenwood Avenue-Linden Avenue with signalization of the intersection. This mitigation measure would be consistent with the mitigation measure noted in the Specific Plan EIR. No additional mitigation measures beyond those identified in the Specific Plan EIRwould be required to achieve acceptable operations at this intersection. This mitigation measure is specified in the Supplemental Transportation Impact Fee. Although traffic volumes at this intersection would not satisfy peak-hour traffic signal warrant criteria, as discussed in the Traffic Signal Warrants section, the impact would be reduced to a less-than-significant level with implementation of this mitigation measure. However, this mitigation measure may require the acquisition of additional rights-of-way to install traffic signal equipment and modify the Glenwood Gate, a physical gate at the east Linden Avenue leg of the intersection that restricts the Linden Avenue approach to a two-way, one-lane road. Additionally, because the measure would require approval from the Town of Atherton, its implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable. The Project is required to contribute a fair share financial contribution toward a traffic signal at this location, based the percentage of project-generated trips compared to the total number of trips passing through the	Submit complete plans and construct improvements at intersection #11.	Submit complete plans prior to Final Map approal and construct prior to final inspection of the last building.	Project Sponsor	PW/CDD
IMPACT BEING ADDRESSED: Impact TRA-2: Impacts on Roadway Segments under Near-Term 2020 plus-Project Conditions. Increases in traffic associated with the Project under near-term 2020 plus-Project conditions would result in increased ADT volumes on area roadway segments.				

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Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation MeasureTRA-2.1: Implement Roadway Segment Improvements to Address Near-Term 2020 plus-Project Effects. The mitigation measures below are recommended to reduce potentially significant impacts on study area roadway segments.	Implement roadway segments under near-term 2020 plus-Project conditions.	See below	See below	See below
a. Oak Grove Avenue between El Camino Real and Laurel Street (#10) A partial mitigation measure to reduce the impact on this roadway segment would be to construct Class II bicycle lanes on Oak Grove Avenue between El Camino Real and Laurel Street. This improvement was identified in the City's Specific Plan. It could require parking spaces to be removed along Oak Grove Avenue.	Reimburse City for construction of Class II bicycle lanes.	Mid-2017 with invoice payable within 30 days.	Project Sponsor	PW/Caltrans
b. Oak Grove Avenue between Laurel Street and Middlefield Road (#11) A partial mitigation measure to reduce the impact on this roadway segment would be to construct Class II bicycle lanes on Oak Grove Avenue between Laurel Street and the east city limits. This improvement was identified in the City's Specific Plan. It could require parking spaces to be removed along Oak Grove Avenue.	Reimburse City for construction of Class II bicycle lanes.	Mid-2017 with invoice payable within 30 days.	Project Sponsor	PW
c. Garwood Way between Glenwood Avenue and Oak Grove Avenue (#13) A partial mitigation measure to reduce the impact on this roadway segment would be to sign a Class III bicycle route on Garwood Way between Glenwood Avenue and Oak Grove Avenue. This improvement was identified in the City's Specific Plan.	Construct Class III bicycle route as described.	Prior to occupancy of first building.	Project Sponsor	PW
d. Transportation Demand Management Impacts on roadway segments would be partially reduced by implementing the trip reduction measures proposed in the Project's TDM program, as required by the Specific Plan. The TDM program could reduce the number of vehicular trips by 2 to 30 percent, but even at the maximum of 30 percent, impacts on the four segments, although reduced, would still remain significant and unavoidable.	Submit a TDM plan.	Concurrent with the submittal of the FSAP building permit and approved prior to occupancy of first building.	Project Sponsor	PW
IMPACT BEING ADDRESSED: Impact TRA-3: Impacts on Routes of Regional Significance under Near-Term 2020 plus-Project Conditions. Increases in traffic associated with the Project under near-term 2020 plus-Project conditions would result in significant impacts on several Routes of Regional Significance.				
Mitigation Measure TRA-3.1: Implement Routes of Regional Significance Improvements to Address Near-Term 2020 plus-Project Effects. The mitigation measures below were considered to reduce potentially significant impacts on Regional Routes of Significance. Routes of Regional Significance could be widened to add travel lanes; however, the routes are under the jurisdiction of Caltrans. Although adding a travel lane would increase capacity, constructing additional lanes is not a feasible mitigation measure because of right-of-way constraints. Therefore, impacts at the following locations would remain significant and unavoidable: • Willow Road – US 101 to Bayfront Expressway (northbound) • Willow Road – Bayfront Expressway to US 101 (southbound) • Bayfront Expressway – University Avenue to Willow Road (westbound) • Bayfront Expressway – Willow Road to University Avenue (eastbound) Partial mitigation measures are identified to reduce impacts of the Project on Routes of Regional Significance under near-term 2020 plus-Project conditions. The Project includes a TDM program that could reduce its peak-hour and daily trip totals. Impacts on Routes of Regional Significance would be partially reduced by implementing the trip reduction measures proposed in the Project's TDM program, as required by the Specific Plan. The TDM program could reduce the number of vehicular trips by 2 to 30 percent, but even at the maximum of 30 percent, impacts on three of the four segments, although reduced, would still remain significant. With a full 30 percent trip reduction, the TDM program would reduce the impact on northbound Willow Road between US 101 and Bayfront Expressway to a less-than-significant level. However, because the reduction cannot be quantified and the effectiveness of the TDM program is uncertain, impacts to all four of the roadway segments would remain significant and unavoidable, as described below.	Implement TDM program.	Submit draft TDM program consistent with Infill EIR with First Structure Above Podium (FSAP) building permit. City approval required before occupancy of the first building. Implementation throughout project occupancy.	Project Sponsor	PW/Caltrans

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Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
IMPACT BEING ADDRESSED: Impact C-TRA-4: Impacts on Intersections under Cumulative 2040 plus-Project Conditions. Increases in traffic associated with the Project under cumulative 2040 plus-Project conditions would result in increased peak-hour delays at 13 intersections. Intersection impacts would be significant and unavoidable because improvements would require obtaining additional rights-of-way, would violate existing City/town policies, or would be outside the City's jurisdiction.				
Mitigation Measure C-TRA-4.1: Implement Intersection Improvements to Mitigate Cumulative 2040 plus-Project Effects. Operations at several intersections could be improved by modifying intersection geometry to provide additional capacity. Some of these modifications may be made by restriping the existing roadway. Conceptual schematics of the recommended feasible mitigation measures are provided in Appendix 3.1-G. A summary of the intersection analysis with mitigation measures is provided in Table 3.1 21.	See below.	See below.	Project Sponsor	PW
a. Oak Grove Avenue/University Drive (#25) Acceptable operations could be achieved at the intersection of Oak Grove Avenue/University Drive by reconfiguring the westbound Oak Grove approach to have one exclusive left-turn lane and one exclusive right-turn lane. It may be possible to implement this mitigation measure within the existing right-of-way, but it would require removing on-street parking. This mitigation measure would not affect planned bike lanes along Oak Grove Avenue. However, removal of several parking spaces on the south side of Oak Grove Avenue would be required to incorporate both this mitigation measure and planned bike lanes at the Oak Grove Avenue approach to this intersection. With this mitigation measure, the impact would be reduced to a less-than-significant level. The Project would be required to contribute a fair share toward lane reconfigurations at this location. The Project's fair share would be 16.3 percent of the total cost of improvements, as determined in Appendix 3.1-H.	Pay fair share of funding towards lane configuration and provide conceptual plan and a cost estimate (including design engineering) at intersection #25.	Provide conceptual plan and cost estimate prior to final map approval and fair share prior to issuance of a building permit.	Project Sponsor	PW
b. Santa Cruz Avenue/University Drive (North) (#26) Impacts on this intersection were noted in the Specific Plan EIR. Acceptable operations would be achieved at Santa Cruz Avenue/University Drive (North) with signalization of the intersection. This mitigation measure is consistent with the mitigation measure noted in the Specific Plan EIR. No additional mitigation measures beyond those identified in the Specific Plan EIR would be required to achieve acceptable operations at this intersection. This mitigation measure is also specified in the Supplemental Transportation Impact Fee. It is noted that traffic volumes at this intersection would satisfy peak-hour traffic signal warrant criteria, as discussed in the Traffic Signal Warrants section. Because of the proximity of the nearby traffic signal at Santa Cruz Avenue/University Drive (South), the two signals should be interconnected, and coordinated timing should be implemented. It may be possible to implement this mitigation measure within the existing right-of-way. The design locations for signal equipment, such as poles and controller cabinets, cannot be determined until the intersection has been potholed, which would typically occur during the preliminary engineering phase of the Project. However, the City's recent traffic signal installation and modification projects did not require additional rights-of-way, were built within the public right-of-way, and were not restricted by underground utilities. Therefore, it may reasonably be concluded that the experience would be similar at this location. With this mitigation measure, the impact would be reduced to a less-than-significant level. The Project is required to contribute a fair share toward a traffic signal at this location. The Project's fair share would be 32.6 percent of the total cost of improvements, as determined in Appendix 3.1-H. The Supplemental TIF includes the Project's fair share of the cost of the improvements.	Pay the Supplemental Transportation Impact Fee	Prior to issuance of a building permit.	Project Sponsor	PW

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Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure C-TRA-4.2: Implement Intersection Improvements to Reduce Cumulative 2040 plus-Project Effects. Operations at several intersections could be improved by modifying intersection geometry to provide additional capacity. Some of these modifications may require additional rights-of-way to add travel lanes. However, impacts would remain significant and unavoidable because the improvements would require obtaining additional rights-of-way, and some intersections are not under the City's jurisdiction. Conceptual schematics of the recommended feasible mitigation measures are provided in Appendix 3.1-G. A summary of the intersection analysis with mitigation measures is provided in Table 3.1-21.	See below.	See below	Project Sponsor	PW
a. Middlefield Road/Encinal Avenue (#2) Impacts on this intersection were noted in the Specific Plan EIR. Acceptable operations could be achieved at the intersection of Middlefield Road/Encinal Avenue with an additional right-turn lane on the southbound Middlefield Road and eastbound Encinal Avenue approaches. The additional right-turn lane on the eastbound Encinal Avenue approach is consistent with the mitigation measure noted in the Specific Plan EIR. However, the additional right-turn lane on southbound Middlefield Road is beyond what was identified in the Specific Plan EIR as necessary to maintain acceptable operations. Although the impact would be reduced to a less-than-significant level with implementation of this intersection improvement, acquisition of additional rights-of-way would be required. Furthermore, because construction of the improvement would require approval from the Town of Atherton, its implementation cannot be guaranteed; therefore, the impact remains significant and unavoidable. The Project is required to pay the Supplemental Transportation Impact Fee and contribute a fair share toward the additional right-turn lanes on the southbound Middlefield Road and approach at this location which was not identified in the Specific Plan EIR mitigation measure. The funds would be available to the Town of Atherton for a 5-year period. The Project's fair share contribution would be 1.6 percent of the cost of the improvement, as shown in Appendix 3.1-H.	Contribute to a fair share toward the additional lanes and provide conceptual plan and a cost estimate (including design engineering) at intersection #2.	Provide conceptual plan and cost estimate prior to final map approval and fair share prior to issuance of a building permit.	Project Sponsor	PW/Town of Atherton
b. Middlefield Road/Glenwood Avenue-Linden Avenue (#3) It is noted that, for this scenario, traffic volumes at this intersection satisfy peak-hour traffic signal warrant criteria, as discussed in the Traffic Signal Warrants section. The peak-hour warrant would not be satisfied under near-term 2020 plus-Project conditions (see TRA-1.1.a, which is paraphrased below for reference). Impacts on this intersection were noted in the Specific Plan EIR. Acceptable operations could be achieved at the intersection with signalization. This mitigation measure is consistent with the mitigation measure noted in the Specific Plan EIR. No additional mitigation measures beyond those identified in the Specific Plan EIR are required to achieve acceptable operations at this intersection. This mitigation measure is also specified in the Supplemental Transportation Impact Fee. Although signalization would reduce the impact to a less-than-significant level, this mitigation measure may require the acquisition of additional rights-of-way to install traffic signal equipment and modify the Glenwood Gate. Additionally, because the measure would require approval from the Town of Atherton, its implementation cannot be guaranteed; therefore, the impact would be significant and unavoidable. The Project is required to contribute a fair share toward a traffic signal at this location. The funds would be available to the Town of Atherton for a 5-year period. The Project's fair share contribution would be 3.7 percent of the cost of the improvement, as noted in TRA-1.2.a and as shown in Appendix 3.1-H.	Contribute a fair share towards a traffic signal and provide a conceptual plan and cost estimate (including design engineering) at Intersection #3.	Provide conceptual plan and cost estimate prior to final map approval and fair share prior to issuance of a building permit.	Project Sponsor	PW/Atherton
c. Middlefield Road/Ravenswood Avenue (#5)	Pay traffic impact fees per the current TIF	Provide conceptual	Project Sponsor	PW/Town of Atherton

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Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Impacts on this intersection were noted in the Specific Plan EIR. Acceptable operations could be achieved at Middlefield Road/Ravenswood Avenue with the addition of a second northbound left-turn lane and a corresponding receiving lane on the west leg. This measure would require coordination with the Town of Atherton. Although this mitigation measure differs from the mitigation measures noted in the Specific Plan EIR, this measure is specified in the City's TIF program. The applicant should pay traffic impact fees per the current TIF schedule. This measure has potentially significant secondary effects on bicyclists because it would require them to cross additional lanes of traffic to make a left turn or proceed through the intersection. This improvement would also affect pedestrians by increasing the crossing distance, exacerbating the multiple-threat scenario (where vehicles block sight lines between drivers in adjacent lanes and crossing pedestrians), and increasing their exposure time to vehicles. This improvement would therefore be required to include enhancements to bicycle and pedestrian infrastructure. These enhancements would include adding a "jughandle" left turn for bikes on the east side of the intersection, adding a bicycle signal for crossing Middlefield Road, and making modifications to signal timing to provide adequate time for crossings. The modifications would also include warning signs and markings to comply with the CA-MUTCD. The Project is required to contribute a fair share toward enhancements to bicycle and pedestrian infrastructure noted above, which are not included in the City's TIF program. The Project's fair share contribution would be 12 percent of the cost of the improvement, as shown in Appendix 3.1-H. The impact would be reduced to a less-than-significant level with this measure. However, this measure would require coordination with and approval by the Town of Atherton, which cannot be guaranteed. Therefore, this intersection would experience a significant and unavoidable impact.	schedule, contribute a fair share, and provide conceptual plan and cost estimate (including design engineering) at intersection #5.	plan and cost estimate prior to final map approval and fair share prior to issuance of a building permit.		
d. Middlefield Road/Willow Road (#7) Impacts on this intersection were noted in the Specific Plan EIR. Acceptable operations could be achieved at Middlefield Road/Willow Road with the following improvements: • Widening the eastbound Willow Road approach to provide an additional through lane. • Widening the westbound Willow Road approach to provide an additional left-turn lane and re-striping the existing shared through/left-turn lane to a through-only lane. • Widening the southbound Middlefield Road approach to include an exclusive through lane and re-striping the existing shared through/left-turn lane to a through-only lane. This mitigation measure is consistent with the mitigation measure noted in the Specific Plan EIR. Although the improvements to the westbound and eastbound approaches are beyond the scope of the mitigation measures identified in the Specific Plan, these improvements are specified in the City's TIF program. The applicant should pay traffic impact fees per the current TIF schedule. This measure would have potentially significant secondary effects on bicyclists because it would require them to cross additional lanes of traffic to make a left turn or proceed through the intersection. This improvement would also affect pedestrians by increasing the crossing distance, exacerbating the multiple-threat scenario (where vehicles block sight lines between drivers in adjacent lanes and crossing pedestrians), and increasing their exposure time to vehicles. This improvement would therefore be required to include enhancements to bicycle and pedestrian infrastructure. These enhancements would include modifications to signal timing to provide adequate time for crossings as well as the installation of warning signs and markings to comply with the CA-MUTCD.	Pay traffic impact fees per the current TIF schedule.	Prior to issuance of a building permit.	Project Sponsor	PW
e. Laurel Street/Glenwood Avenue (#9)	Contribute to a fair share and provide a	Provide conceptual	Project Sponsor	PW/Town of Atherton

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Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Acceptable operations would be achieved at Laurel Street/Glenwood Avenue by signalizing the intersection. It is noted that traffic volumes at this intersection would satisfy peak-hour traffic signal warrant criteria, as discussed in the Traffic Signal Warrants section. The Project is required to provide a fair-share contribution toward a traffic signal at this location. The Project's fair share contribution would be 1.4 percent of the cost of the improvement, as shown in Appendix 3.1-H. Because this measure would require coordination with and approval by Town of Atherton, its implementation cannot be guaranteed. No other mitigation measure was identified that would fully mitigate the impact. Therefore, this impact would be significant and unavoidable.	conceptual plan and a cost estimate (including design engineering) at intersection #9	plan and cost estimate prior to final map approval and fair share prior to issuance of a building permit.		
f. Ravenswood Avenue/Laurel Street (#11) Impacts on this intersection were noted in the Specific Plan EIR. Improvements noted in TRA-1.1, which include reconfiguring the southbound Laurel Street approach to have a left-turn lane and a shared through/right-turn lane, would only partially mitigate the impact at Ravenswood Avenue/Laurel Street. No feasible mitigations would fully mitigate the impact. Therefore, this impact would be significant and unavoidable.	Complete plans to install this mitigation measure and construct improvements at Intersection #11	Complete plans prior to Final Map Approval and complete improvements prior to final inspection of the last building.	Project Sponsor	PW
g. Oak Grove Avenue/Alma Street (#13) It is noted that, for the cumulative 2040 plus-Project scenario, traffic volumes at this intersection would satisfy peak-hour traffic signal warrant criteria, as discussed in the Traffic Signal Warrants section. However, the peak-hour warrant would not be satisfied at this intersection under near-term 2020 plus-Project conditions. Although traffic volumes at this intersection would satisfy peak-hour signal warrant criteria, as discussed in the Traffic Signal Warrants section, a traffic signal is not recommended because it is infeasible given the immediate proximity of the Caltrain railroad tracks to the west and potential for queuing to extend onto the tracks. Acceptable operations could be achieved at the intersection of Oak Grove Avenue/Alma Street with the implementation of peak-hour left-turn restrictions on northbound Alma Street from 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. (as is currently being done on a trial basis along Ravenswood Avenue with use of a temporary median). However, as noted in TRA-1.2b, the City's experience has found that turn restrictions are ineffective because turn restrictions are ignored by drivers. Consequently, they would not mitigate the impact. Grade separation for the railroad tracks and Oak Grove Avenue would modify the Alma Street intersection and may mitigate this impact. However, grade separation is a large-scale, long-term project. It is not expected to be funded by one development. In addition, a design is still to be completed. No other feasible mitigation measures were identified that would fully mitigate the impact. Therefore, this impact would remain significant and unavoidable. A partial mitigation measure to reduce the impact on this intersection would be to construct Class II bicycle lanes on Oak Grove Avenue between El Camino Real and the east city limits. This improvement was identified in the City's Specific Plan. It could require parking spaces to be removed along Oak Grove Avenue.	See Mitigation Measures TRA-2.1.a and TRA-2.1.b.	See Mitigation Measures TRA-2.1.a and TRA-2.1.b.	Project Sponsor	PW
h. Oak Grove Avenue/Garwood Way-Merrill Street (#15) Although traffic volumes at this intersection would satisfy peak-hour signal warrant criteria, as discussed in the Traffic Signal Warrants section, a traffic signal is not recommended because it is infeasible given the immediate proximity of Caltrain railroad tracks 90 feet to the east and potential for queuing to extend onto the tracks.	See Mitigation Measures TRA-2.1.a and TRA-2.1.b.	See Mitigation Measures TRA-2.1.a and TRA-2.1.b.	Project Sponsor	PW

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Acceptable operations could be achieved at the intersection of Oak Grove Avenue/Garwood Way-Merrill Street with implementation of southbound left-turn restrictions on Garwood Way at Oak Grove Avenue, as noted in Mitigation Measure TRA-1-1.c. However, the City has found turn restrictions to be ineffective because turn restrictions are ignored by drivers. Additionally, the mitigation measure is not recommended under cumulative 2040 conditions because the increase in vehicular traffic that would be turning right at southbound Garwood Way would result in additional traffic at nearby intersections on El Camino Real. These intersections are expected to operate unacceptably under cumulative 2040 plus Project conditions. As discussed in TRA-1.2c, the Garwood Way extension would have a two-lane approach at the Oak Grove Avenue intersection. While this widening would reduce the delays at this intersection, the impact would not be reduced to less than significant. As discussed in TRA-1.2c, although it may mitigate this impact, grade separation is a large-scale, long-term project. It is not expected that it would be funded by one development. No other feasible mitigation measures were identified that would fully mitigate the impact. Therefore, this impact would be significant and unavoidable. A partial mitigation measure to reduce the impact on this intersection would be to construct Class II bicycle lanes on Oak Grove Avenue between El Camino Real and the east city limits. This improvement was identified in the City's Specific Plan. It could require parking spaces to be removed along Oak Grove Avenue.				
i. El Camino Real/Glenwood Avenue-Valparaiso Avenue (#17) Impacts to this intersection were noted in the Specific Plan EIR. Acceptable operations could be achieved at El Camino Real/Glenwood Avenue-Valparaiso Avenue with the following improvements: • Widening the westbound Glenwood Avenue approach to provide an exclusive right-turn lane, • Changing the northbound and southbound right-turn lanes to shared through/right-turn lanes, and • Widening El Camino Real to provide additional receiving lanes in both the northbound and southbound directions. This improvement would conflict with the Specific Plan goals to provide enhanced pedestrian crossing and sidewalks along El Camino Real by increasing the crossing distance, exacerbating the multiple threat scenario (where vehicles block sight lines between drivers in adjacent lanes and crossing pedestrians), increasing exposure time to vehicle traffic, and placing pedestrians closer to moving vehicle traffic. These improvements would have secondary effects on bicyclists because they would be required to cross additional lanes of traffic to make a left-turn or proceed through the intersection. The improvements would also preclude a future bicycle lane on El Camino Real. Improvements that would partially mitigate the impact at El Camino Real/Glenwood Avenue-Valparaiso Avenue include widening the westbound Glenwood Avenue approach to provide an exclusive right-turn lane. This improvement is identified in the City's TIF program and payment of the TIF would be used for construction. Because the intersection is controlled by Caltrans, this measure would require coordination with and approval by Caltrans, which cannot be guaranteed. Therefore, this intersection would experience a significant and unavoidable impact.	Provide payment to the TIF program for improvements at Intersection #17,	Prior to issuance of a building permit.	Project Sponsor	PW/Caltrans
k. El Camino Real/Ravenswood Avenue-Menlo Avenue (#17) Impacts on this intersection were noted in the Specific Plan EIR. Acceptable operations could be achieved at El Camino Real/Ravenswood Avenue-Menlo Avenue with the following improvements: • Widening the eastbound Menlo Avenue approach to provide an exclusive left-turn lane, • Widening the northbound El Camino Real approach to provide an additional through lane,	Pay fees per the current TIF schedule.	Prior to issuance of a building permit.	Project Sponsor	PW/Caltrans

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
• Widening the northbound El Camino Real approach to provide an additional left-turn lane and widening Menlo Avenue to provide an additional receiving lane, • Widening the southbound El Camino Real approach to provide an additional left-turn lane, and • Re-striping the existing southbound El Camino Real right-turn lane to become a through/right-turn lane. Although the additional northbound left-turn lane and corresponding receiving lane is not identified as part of the mitigation measure noted in the Specific Plan EIR, the improvement was identified in the City's TIF program as required in order to achieve acceptable operation, but is not feasible due to right-of-way constraints on northbound El Camino Real and eastbound Menlo Avenue. All other improvements listed above are consistent with the mitigation measure noted in the Specific Plan EIR and specified in the City's TIF program. The applicant is required to pay fees per the current TIF schedule. These measures would have potentially significant secondary effects on bicyclists because they would be required to cross additional lanes of traffic to make a left turn or proceed through the intersection and also preclude a future bicycle lane on El Camino Real. This improvement conflicts with the Specific Plan goals to provide enhanced crossings and sidewalks along El Camino Real by increasing the crossing distance, exacerbating the multiple-threat scenario (where vehicles block sight lines between drivers in adjacent lanes and crossing pedestrians), increasing their exposure time to vehicles, and placing pedestrians closer to moving vehicle traffic. In addition, significantly widening the northbound El Camino Real approach would likely require removal of the trees located at the southeast corner of the intersection and affect access to the 1000 El Camino Real property. Because the intersection is controlled by Caltrans, this measure would require coordination with and approval by Caltrans, which cannot be guaranteed. Furthermore, because of the mitigation measures' secondary impacts and right-of-way acquisition needs, it is considered infeasible. There are no other feasible mitigation measures that would fully mitigate the impact on the intersection of El Camino Real/Ravenswood Avenue-Menlo Avenue, and this impact remains significant and unavoidable.				
Mitigation Measure C-TRA-4.3: Implement Transportation Demand Management Program to Partially Reduce Cumulative 2040 plus Project Effects. A partial mitigation measure, to reduce the impacts of the Project at several intersections under the Cumulative 2040 plus-Project conditions, would be to implement a TDM program, as required by the Specific Plan. The proposed TDM program could reduce peak-hour and daily trip generation. However, although the TDM program could reduce the number of vehicular trips by 2 to 30 percent and reduce the intersection impacts, the effectiveness of the TDM program cannot be reliably predicted. Furthermore, the maximum 30 percent would not be enough to reduce impacts to a less-than-significant level. Therefore, the impacts would remain significant and unavoidable.	Implement the Project's TDM program.	Submit draft TDM program consistent with Infill EIR with First Structure Above Podium (FSAP) building permit. City approval required before occupancy of the first building. Implementation throughout project occupancy.	Project Sponsor	PW
IMPACT BEING ADDRESSED: Impact C-TRA-5: Impacts on Roadway Segments under Cumulative 2040 plus-Project Conditions. Increases in traffic associated with the Project under the cumulative 2040 plus-Project conditions would result in increased daily traffic volumes on area roadway segments.				
Mitigation Measure C-TRA-5.1: Implement Roadway Segment Improvements to Address Cumulative 2040 plus-Project Effects. The mitigation measures below are recommended to reduce potentially significant impacts on study area roadway segments.	See below.	See below.	Project Sponsor	PW/CDD
a. Oak Grove Avenue between El Camino Real and Laurel Street (#10) (See TRA-2.1.a, which is paraphrased below for reference).	See TRA-2.1a	See TRA-2.1a	See TRA-2.1a	See TRA-2.1a

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
A partial mitigation measure to reduce the impact on this roadway segment would be to construct Class II bicycle lanes on Oak Grove Avenue between El Camino Real and Laurel Street. This improvement was identified in the City's Specific Plan. However, it could require on-street parking spaces to be removed along Oak Grove Avenue *b. Oak Grove Avenue between Laurel Street and Middlefield Road (#11)* (See TRA-2.1.b, which is paraphrased below for reference) A partial mitigation measure to reduce the impact on this roadway segment would be to construct Class II bicycle lanes on Oak Grove Avenue between Laurel Street and the east city limits. This improvement was identified in the City's Specific Plan. However, it could require on-street parking spaces to be removed along Oak Grove Avenue.	See TRA-2.1b	See TRA-2.1b	See TRA-2.1b	See TRA-2.1b
c. Garwood Way between Glenwood Avenue and Oak Grove Avenue (#13) (See TRA-2.1.c, which is paraphrased below for reference). A partial mitigation measure to reduce the impact on this roadway segment would be to sign a Class III bicycle route on Garwood Way between Glenwood Avenue and Oak Grove Avenue. This improvement was identified in the City's Specific Plan	See TRA-2.1c	See TRA-2.1c	See TRA-2.1c	See TRA-2.1c
d. Transportation Demand Management Implementation of the trip reduction measures proposed in the Project's TDM program would partially reduce impacts on the roadway segments. The TDM program could reduce the number of vehicular trips by 2 to 30 percent. At the maximum of 30 percent, the impacts on the four local roadway segments, although reduced, would still remain significant.	Implement the Project's TDM program.	Submit draft TDM program consistent with Infill EIR with First Structure Above Podium (FSAP) building permit. City approval required before occupancy of the first building. Implementation throughout project occupancy.	Project Sponsor	PW
IMPACT BEING ADDRESSED: Impact C-TRA-6: Impacts on Routes of Regional Significance under Cumulative 2040 plus-Project Conditions. Increases in traffic associated with the Project under cumulative 2040 plus-Project conditions would result in significant impacts on several Routes of Regional Significance.				
Mitigation Measure C-TRA-6.1: Implement Routes of Regional Significance Improvements to Address Cumulative 2040 plus-Project Effects. The mitigation measures below were considered to reduce potentially significant impacts on Regional Routes of Significance. Routes of Regional Significance could be widened to add travel lanes; however, the routes are under the jurisdiction of Caltrans. Adding a travel lane would increase capacity, but such projects are considered infeasible due to right-of-way constraints. Therefore, the impacts on the following Routes of Regional Significance would remain significant and unavoidable: • Willow Road – US 101 to Bayfront Expressway (northbound) • Willow Road – Bayfront Expressway to US 101 (southbound) • Bayfront Expressway – University Avenue to Willow Road (westbound) • Bayfront Expressway – Willow Road to University Avenue (eastbound)	Implement the Project's TDM program.	Submit draft TDM program consistent with Infill EIR with First Structure Above Podium (FSAP) building permit. City approval required before occupancy of the first building. Implementation throughout project occupancy.	Project Sponsor	PW

1300 El Camino Real Greenheart Project Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Partial mitigation measures have been identified to reduce the impacts of the Project on Routes of Regional Significance under cumulative 2040 plus-Project conditions. The Project includes a TDM program that could reduce the number of trips generated during the peak periods and on a daily basis. To partially reduce impacts on Routes of Regional Significance, implementation of the trip reduction measures proposed in the Project's TDM program is recommended. The TDM program could reduce the number of vehicular trips by 2 to 30 percent. At the maximum of 30 percent, impacts on three of the four segments would be reduced but still significant. The TDM program at the maximum range of effectiveness could reduce the impact on northbound Willow Road from US 101 to Bayfront Expressway to a less-than-significant level However, because the reduction cannot be quantified, and it is not anticipated that this would fully mitigate impacts on these segments, the impacts are considered significant and unavoidable.				
IMPACT BEING ADDRESSED: Impact TRA-7: **Impacts on Bicycle and Pedestrian Facilities. Increased bicycle and pedestrian traffic in the vicinity of the Project would result in added demand for additional bicycle and pedestrian facilities.**				
Mitigation Measure TRA-7.1: Implement Improvements to Address Impacts on Bicycle Facilities. Gaps in bicycle infrastructure should be closed on Oak Grove Avenue and Garwood Way by constructing bike lanes along Oak Grove Avenue between University Drive and the east city limits as well as a bicycle route along Garwood Way between Glenwood Avenue and Oak Grove Avenue. This mitigation measure is consistent with Mitigation Measures TRA-2.1.a, TRA-2.1.b, and TRA-2.1.c.	See Mitigation Measures TRA-2.1.a, TRA-2.1.b, and TRA-2.1.c.	See Mitigation Measures TRA-2.1.a, TRA-2.1.b, and TRA-2.1.c.	See Mitigation Measures TRA-2.1.a, TRA-2.1.b, and TRA-2.1.c.	See Mitigation Measures TRA-2.1.a, TRA-2.1.b, and TRA-2.1.c.
IMPACT BEING ADDRESSED: Impact TRA-10 **: Impacts on Railroad Crossings. The Project would add traffic to a railroad crossing which would result conflicts and safety concerns.**				
TRA-10.1: Implement railroad crossing improvements to address Near-Term 2020 plus-Project and Cumulative 2040 plus-Project Effects. The mitigation measures below are recommended to reduce potential significant impacts on the railroad crossings. a. Ravenswood Avenue railroad crossing Partial mitigations to reduce the impact at the Ravenswood Avenue crossing include: • Extension of time-of-day turn restrictions on the northbound and southbound Alma Street approaches to Ravenswood Avenue. • Roadway improvements to improve the visibility of "keep clear" zones when approaching the railroad tracks. The Project shall maintain the "keep clear" visibility zone. It is worth noting that a median along Ravenswood Avenue, which restricts left turns on the northbound and southbound Alma Street approaches to Ravenswood Avenue, is currently installed as a trial project. Upon analysis of the effects of the median, the City shall determine whether the median along Ravenswood Avenue should remain. b. Oak Grove Avenue and Glenwood Avenue railroad crossings. Partial mitigations to reduce the impact at the Oak Grove Avenue and Glenwood Avenue railroad crossings, include maintaining the visibility of the "keep clear" zones, including roadway striping, lighting, and landscape maintenance. The Project shall maintain the "keep clear" visibility zone.	Implement roadway improvements at railroad crossings, including maintaining the visibility of the "keep clear" zones and maintain the "keep clear" visibility zone.	Prior to occupancy of the first building.	Project Sponsor	PW

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DRAFT – January 24, 2017

RESOLUTION NO.____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING FINDINGS AND CONDITIONS FOR ARCHITECTURAL CONTROL, USE PERMIT, AND TENTATIVE MAP FOR THE 1300 EL CAMINO REAL PROJECT LOCATED AT 1258-1300 EL CAMINO REAL, 550-580 OAK GROVE AVENUE, AND 540-570 DERRY LANE

WHEREAS, the City of Menlo Park ("City") has received an application from Real Social Good Investments, LLC ("Applicant"), to demolish the existing buildings on-site and redevelop the property located at 1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane ("Project Site"), with the subsequent construction of two office buildings and one residential building, both with community-serving uses located on the ground floor, with a total floor area of approximately 420,000 square feet, and an underground parking garage and small surface lot with approximately 1,000 spaces;

WHEREAS, the findings and conditions for Architectural Control, Use Permit, and Tentative Map would ensure that all City requirements are applied consistently and correctly as part of the project's implementation;

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

WHEREAS, an environmental impact report was prepared for the project and certified by the City Council on January 24, 2017, in accordance with the provisions of the California Environmental Quality Act and CEQA Guidelines. Findings and a statement of overriding considerations were adopted by the City Council on January 24, 2017 by Resolution No._____; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on December 12, 2016 whereat all persons interested therein might appear and be heard; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the findings and conditions for Architectural Control, Use Permit, and Tentative Map; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on January 24, 2017 whereat all persons interested therein might appear and be heard; and

WHEREAS, the City Council of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to approve the findings and conditions for Architectural Control, Use Permit, and Tentative Map.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park hereby approves the findings and conditions for Architectural Control, Use Permit, and Tentative Map attached hereto as Exhibit A and incorporated herein by this reference.

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-fourth day of January, 2017, by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this _____ day of November, 2017.

_____
Pamela Aguilar, MMC
City Clerk

LOCATION: 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane	**PROJECT NUMBER:** PLN2012-00092	**APPLICANT:** Greenheart Land Company LLC	**OWNER:** Bayfront Investments LLC, Real Social Good Investments LLC, Landings Investments LLC

REQUEST: Request for Architectural Control and Use Permit for a mixed-use Public Benefit Bonus development consisting of non-medical office, residential, and community-serving uses (including restaurants with outdoor seating) on a 6.4-acre site, with a total of approximately 220,000 square feet of non-residential uses and 183 dwelling units. The project includes a Tentative Map to merge existing parcels and create one private parcel (with a four-unit commercial condominium) and two public right-of-way parcels; dedicate a new public street extension of Garwood Way; abandon Derry Lane and abandon/dedicate public access and public utility easements. The project also includes a Below Market Rate (BMR) Housing Agreement, and Heritage Tree Removal Permits to remove 59 heritage trees and approve a 1.7-to-one replacement ratio. A Development Agreement would allow the project sponsor to secure vested rights, and the City to secure public benefits, including a $2.1 million cash contribution, additional affordable housing units, a publicly-accessible dog park, and a sales tax guarantee. A Final Environmental Impact Report (EIR) analyzes potential environmental impacts of the proposed project, along with an associated Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.

DECISION ENTITY: City Council	**DATE:** January 24, 2017	**ACTION:** TBD

VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)

ACTION:

1. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
    a. The general appearance of the structures is in keeping with the character of the neighborhood. The architecture would represent a modern interpretation of the Spanish Eclectic style, which has several well-regarded local predecessors, including the Allied Arts Guild and the office building at 1600 El Camino Real. The structures would meet relevant massing and modulation standards of the El Camino Real/Downtown Specific Plan, which would provide variety and visual interest, as well as avoid long or monotonous facades. The materials and finishes would be high quality in nature and would reinforce the neighborhood compatibility.
    b. The development will not be detrimental to the harmonious and orderly growth of the City. The project would meet all relevant development standards of the El Camino Real/Downtown Specific Plan. Project land uses would be almost evenly split between residential and commercial uses, representing a balanced project. Development of the project would include the dedication and construction of an extension of Garwood Way, providing a new public connection for pedestrians, bicyclists, and motorists.
    c. The development will not impair the desirability of investment or occupation in the neighborhood. The construction and ongoing occupation of the site would proceed in accordance with all applicable City requirements and procedures, as verified in the these conditions of approval. Project residents and commercial occupants would increase the customer base for existing and new restaurants, shops, and services in and around downtown.
    d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking. Specifically, the project would provide approximately 1,000 parking spaces, in compliance with the parking requirements of the El Camino Real/Downtown Specific Plan and a shared parking study that has been approved by the Transportation Division.

LOCATION: 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane	**PROJECT NUMBER:** PLN2012-00092	**APPLICANT:** Greenheart Land Company LLC	**OWNER:** Bayfront Investments LLC, Real Social Good Investments LLC, Landings Investments LLC

REQUEST: Request for Architectural Control and Use Permit for a mixed-use Public Benefit Bonus development consisting of non-medical office, residential, and community-serving uses (including restaurants with outdoor seating) on a 6.4-acre site, with a total of approximately 220,000 square feet of non-residential uses and 183 dwelling units. The project includes a Tentative Map to merge existing parcels and create one private parcel (with a four-unit commercial condominium) and two public right-of-way parcels; dedicate a new public street extension of Garwood Way; abandon Derry Lane and abandon/dedicate public access and public utility easements. The project also includes a Below Market Rate (BMR) Housing Agreement, and Heritage Tree Removal Permits to remove 59 heritage trees and approve a 1.7-to-one replacement ratio. A Development Agreement would allow the project sponsor to secure vested rights, and the City to secure public benefits, including a $2.1 million cash contribution, additional affordable housing units, a publicly-accessible dog park, and a sales tax guarantee. A Final Environmental Impact Report (EIR) analyzes potential environmental impacts of the proposed project, along with an associated Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.

DECISION ENTITY: City Council	**DATE:** January 24, 2017	**ACTION:** TBD

VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)

ACTION:

e. The development is consistent with the El Camino Real/Downtown Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet that is attached to the January 24, 2017 City Council report.

2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed restaurant outdoor seating will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City. The outdoor seating areas would not intrude onto required clear walking paths, and they would help activate the commercial frontages. The restaurant outdoor seating would be similar to well-regarded outdoor seating areas which have historically operated at 1010-1090 El Camino Real and 1165-1195 Merrill Street.

3. Make findings that the proposed major subdivision is technically correct and in compliance with all applicable State regulations, City General Plan, Zoning and Subdivision Ordinances, and the State Subdivision Map Act:

   a. The proposed map is consistent with applicable general and specific plans. The General Plan and the El Camino Real/Downtown Specific Plan do not contain unique subdivision-related standards, and as such the map is consistent with them.

   b. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans. The map includes public access easements that implement the sidewalk requirements of the El Camino Real/Downtown Specific Plan. The condominium subdivision of the above-grade buildings does not affect the setback, height, or related development standards of the Specific Plan, with which the project would fully comply.

   c. The site is physically suitable for the type of development. The project site has a relatively even grade, and the proposed development would comply with all City standards for grading and drainage. The soil is being remediated to the standards of the California Department of Toxic Substances Control (DTSC).

   d. The site is physically suitable for the proposed density of development. The project would

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REQUEST: Request for Architectural Control and Use Permit for a mixed-use Public Benefit Bonus development consisting of non-medical office, residential, and community-serving uses (including restaurants with outdoor seating) on a 6.4-acre site, with a total of approximately 220,000 square feet of non-residential uses and 183 dwelling units. The project includes a Tentative Map to merge existing parcels and create one private parcel (with a four-unit commercial condominium) and two public right-of-way parcels; dedicate a new public street extension of Garwood Way; abandon Derry Lane and abandon/dedicate public access and public utility easements. The project also includes a Below Market Rate (BMR) Housing Agreement, and Heritage Tree Removal Permits to remove 59 heritage trees and approve a 1.7-to-one replacement ratio. A Development Agreement would allow the project sponsor to secure vested rights, and the City to secure public benefits, including a $2.1 million cash contribution, additional affordable housing units, a publicly-accessible dog park, and a sales tax guarantee. A Final Environmental Impact Report (EIR) analyzes potential environmental impacts of the proposed project, along with an associated Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.

DECISION ENTITY: City Council	**DATE:** January 24, 2017	**ACTION:** TBD

VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)

ACTION:

fully comply with the density/intensity limits of the El Camino Real/Downtown Specific Plan.

e. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. As discussed in more detail in the Infill Environmental Checklist and the Infill Environmental Impact Report (EIR), the project is not located in a sensitive habitat zone, and would not negatively affect fish or wildlife or their habitat.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems. As discussed in more detail in the Infill Environmental Checklist and the Infill Environmental Impact Report (EIR), the project would not cause serious public health problems through the release of hazardous materials, or from construction or operational air quality effects that would exceed the limits of the Specific Plan Program EIR.

g. The design of the subdivision or the type of improvements does not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The project would include the abandonment of the dead-end Derry Lane and the dedication of a new through-street extension of Garwood Way (previously adopted through a plan line), improving overall mobility. Public utility easements for nearby properties would be replaced with equivalent public or private utility easements, and installation of replacement utility services would be required as part of these conditions.

4. Approve the architectural control, use permit, and major subdivision subject to the following ***standard*** conditions:

a. Development of the project shall be substantially in conformance with the plans prepared by BAR Architects, consisting of 104 plan sheets, dated January 10, 2017, reviewed and recommended for approval by the Planning Commission on December 12, 2016 and approved by the City Council on January 24, 2017, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

b. Minor modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be approved by the Community Development

LOCATION: 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane	**PROJECT NUMBER:** PLN2012-00092	**APPLICANT:** Greenheart Land Company LLC	**OWNER:** Bayfront Investments LLC, Real Social Good Investments LLC, Landings Investments LLC

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DECISION ENTITY: City Council	**DATE:** January 24, 2017	**ACTION:** TBD

VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)

ACTION:

Director or designee, based on the determination that the proposed modification is consistent with other building and design elements of the approved Architectural Control and will not have an adverse impact on the character and aesthetics of the site. The Director may refer any request for revisions to the plans to the Planning Commission for architectural control approval. A public meeting could be called regarding such changes if deemed necessary by the Planning Commission.

c. Major modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be allowed subject to obtaining an architectural control permit from the Planning Commission, based on the determination that the proposed modification is compatible with the other building and design elements of the approved Architectural Control and will not have an adverse impact on the character and aesthetics of the site.

d. Major revisions to the development plan which involve material changes, or expansion or intensification of development require public meetings by the Planning Commission and City Council.

e. Prior to issuance of any project-related building permit, the Applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

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

g. Prior to commencing any work within the right-of-way or public easements, the Applicant shall obtain an encroachment permit from the appropriate reviewing jurisdiction.

h. Prior to issuance of any project-related building permit, the Applicant shall comply with all Sanitary District, California Water Company, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.

i. Prior to issuance of the building permit for the first structure above podium (FSAP), the

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DECISION ENTITY: City Council	**DATE:** January 24, 2017	**ACTION:** TBD

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applicant shall submit all necessary improvement plans and documents required by Caltrans for work associated with projects under Caltrans' jurisdiction. The plans shall be subject to review and approval of the Public Works Department prior to submittal to Caltrans.

j. Prior to Final Map approval, Applicant shall submit plans to remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for the review and approval of the Engineering Division.

k. Prior to Final Map approval, Applicant shall submit plans for: 1) construction safety fences around the periphery of the construction area, 2) dust control, 3) air pollution control, 4) erosion and sedimentation control, 5) tree protection fencing, and 6) construction vehicle parking. The plans shall be subject to review and approval by the Building, Engineering, and Planning Divisions. The fences and erosion and sedimentation control measures shall be installed according to the approved plan prior to commencing construction.

l. Prior to Final Map approval, Applicant shall submit a conceptual Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage plan shall be finalized and approved by the Engineering Division prior to issuance of the building permit for the FSAP. Post-construction runoff into the storm drain shall not exceed pre-construction runoff levels. A Hydrology Report will be required to the satisfaction of the Engineering Division. Slopes for the first 10 feet perpendicular to the structure must be 5% minimum for pervious surfaces and 2% minimum for impervious surfaces, including roadways and parking areas, as required by CBC §1804.3. Discharges from the garage ramp and underground parking areas are not allowed into the storm drain system. Discharge must be treated with an oil/water separator and must connect to the sanitary sewer system. This will require a permit from West Bay Sanitary District.

m. Prior to Final Map approval, Applicant shall submit an Off-Site Improvements Plan for review and approval of the Engineering Division. The Off-Site Improvements Plan shall include all improvements within public right-of-way including but not limited to stormwater, concrete, asphalt, landscaping, striping, electrical, water and sanitary sewer.

n. Prior to Final Map approval, Applicant shall provide documentation indicating the amount of

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irrigated landscaping for off-site landscaped areas, subject to the review and approval of the Engineering Division. Prior to issuance of the FSAP, Applicant shall provide documentation indicating the amount of irrigated landscaping for on-site landscaped areas, subject to the review and approval of the Engineering Division. If the project proposes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44).

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

p. The Applicant shall implement a winterization program to minimize the potential for erosion and sedimentation during the wet season (October 1 through April 30).As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of much onto public right-of-way; and covering/tarping stored construction materials, fuels, and other chemicals. Plans shall include proposed measures to prevent erosion and polluted runoff from all site conditions, and shall be submitted for review and approval of the Engineering Division prior to beginning construction.

q. Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality, in accordance with the approved Stormwater Pollution Prevention Plan (SWPPP). BMP plan sheets are available electronically for inserting into Project plans.

r. Prior to Final Map approval, Applicant shall submit a street tree preservation plan, detailing

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the location of and methods for all tree protection measures, subject to approval of the City Arborist and Engineering Division.

s. Prior to Final Map approval, Applicant shall pay all Public Works fees. Refer to City of Menlo Park Master Fee Schedule.

t. Prior to Final Map approval, Applicant shall submit draft Covenants, Conditions and Restrictions (CC&Rs) to the City for review and approval of the Engineering Division and City Attorney. The CC&Rs shall provide for the maintenance of all infrastructure and utilities within the Project site or constructed to serve the Project. This shall include, but not be limited to, the private open spaces, shared parking spaces, common walkways, common landscaping, and the stormwater drainage and sewer collection systems.

u. The Applicant shall retain a civil engineer to prepare "as-built" or "record" drawings of public improvements, and the drawings shall be submitted in AutoCAD and Adobe PDF formats to the Engineering Division prior to final inspection of the final building permit to allow occupancy.

5. Approve the architectural control, use permit, and major subdivision subject to the following ***project-specific*** conditions:

   a. Commencing upon issuance of the building permit for the garage/podium structure, the applicant shall provide the Public Works Department with biweekly updates on construction activities affecting the public right-of-way that are planned for the following four-week period. Such activities shall include sidewalk and parking/traffic lane closures, vehicle or equipment staging areas, and utility work. The Public Works Department shall have the discretion to adjust the scheduling of such activities to minimize conflicts with peak commute periods, special events, the construction work for other projects, and other factors. All activities that require Encroachment Permits shall separately apply for and receive such permits before undertaking work.

   b. Planning-specific conditions:

      i. The applicant shall address all Mitigation Monitoring and Reporting Program (MMRP)

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requirements as specified in the MMRP. Failure to meet these requirements may result in delays to the building permit issuance, stop work orders during construction, and/or fines.

ii. Simultaneous with the submittal of a complete building permit application for each major project phase, the applicant shall submit an updated LEED Checklist, subject to review and approval of the Planning Division. The Checklist shall be prepared by a LEED Accredited Professional (LEED AP). The LEED AP should submit a cover letter stating their qualifications, and confirm that they have prepared the Checklist and that the information presented is accurate. Confirmation that the project conceptually achieves LEED Silver certification shall be required before issuance of the building permit. Prior to final inspection of the building permit or as early as the project can be certified by the United States Green Building Council, the project shall submit verification that the development has achieved final LEED Silver (or greater) certification.

iii. Prior to issuance of the garage/podium building permit, the applicant shall submit the El Camino Real/Downtown Specific Plan Preparation Fee, which is established at $1.13/square foot for all net new development. For the subject proposal, the fee is estimated at $462,655.90 ($1.13 x 409,430 net new square feet).

iv. The Development Agreement memorializes the public benefits offered by the developer to justify the public benefit bonus of approximately 112,000 square feet of office and residential space. The Development Agreement shall be recorded prior to the issuance of any project-related building permit (with the exception of demolition or soil remediation work permits), subject to review and approval of the Planning Division. These benefits include the following:

1. Prior to issuance of any building permit for the garage/podium, the Owner/Applicant shall make a payment of $1,050,000 to the City for the Downtown Public Amenity Fund.
2. Prior to occupancy of the first building, Owner/Applicant shall make a second

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payment of $1,050,000 to the City for the Downtown Public Amenity Fund.

3. Prior to occupancy of the first building, the Public Use Agreement for the dog park shall be recorded against the Property. Construction of the dog park shall be completed prior to occupancy of any residential unit in the Project.
4. The percentage of BMR units approved for occupancy must be equal to the percentage of market-rate units approved for occupancy, and Owner/Applicant shall otherwise comply with all provisions of the BMR Agreement.
5. Within three months after issuance of a building permit for any office building, Owner/Applicant shall submit to the City the marketing plan required by the Strategic Marketing Plan.

c. Engineering-specific conditions:

i. Prior to Final Map approval, the design of Garwood Way extension shall be coordinated with SFPUC. The SFPUC easement reserves the property owner's right to develop a street "over and across, but not along" the property covered by the easement. A consent letter shall be provided from SFPUC agreeing with the Garwood Way extension as Public Street with public utilities, street trees and street lights. All improvements including transition of improvements from existing Garwood Way to Garwood Way extension shall be designed and constructed to the satisfaction of the Engineering Division. Applicant shall pay all costs associated with making Garwood Way a public street.

ii. Prior to Final Map approval, the pavement design of existing Garwood Way between the project boundary and Glenwood Avenue shall be approved by the City and SFPUC. The applicant shall design and construct the existing Garwood Way pavement to meet the projected average daily traffic to mitigate the impacts created by the project.

iii. Applicant shall adhere to the Subdivision Map Act and Chapter 15 of the City's

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Municipal Code.

iv. During the design phase of the construction drawings, all potential utility conflicts shall be potholed with actual depths recorded on the improvement plans submitted for City review and approval.

v. Within two years from the date of approval of the tentative map, the Applicant shall submit a Final Map for City approval.

vi. Prior to Final Map approval, the Applicant shall submit engineered Off-Site Improvement Plans (including specifications & engineers cost estimates), for approval by the Engineering Division, showing the infrastructure necessary to serve the Project. The Improvement Plans shall include, but are not limited to, all engineering calculations necessary to substantiate the design, proposed roadways, drainage improvements, utilities, traffic control devices, retaining walls, sanitary sewers, and storm drains, pump/lift stations, street lightings, common area landscaping and other project improvements. All public improvements shall be designed and constructed to the satisfaction of the Engineering Division.

vii. Prior to Final Map approval, the Applicant shall enter into a Subdivision Improvement Agreement and provide a performance bond for the completion of the off-site improvements as shown on the approved project improvement plans. The Applicant shall obtain an encroachment permit, from the appropriate reviewing jurisdiction, prior to commencing any work within the right-of-way or public easements.

viii. The project is required to construct public improvements along El Camino Real, Oak Grove Avenue and Garwood Way, to be designed to the satisfaction of the Engineering Division. The project may have the option to perform a 3" grind and A.C. overlay (curb to curb) on Oak Grove Avenue between El Camino Real and the railroad ROW versus the City standard utility trench detail. Existing striping, markings, and legends shall be replaced in kind, or as approved by the City. Construction of these public improvements shall be required prior to the final building

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permit to permit occupancy.

ix. All lateral connections to overhead electric, fiber optic, and communication lines shall be placed in a joint trench including the lines crossing Oak Grove.

x. The Final Map shall dedicate the Public Access Easements (PAE), Public Utility Easements (PUE), Right of Way Dedications, and any other necessary easements, along the property frontages on El Camino Real, Oak Grove Avenue and Garwood Way.

xi. Dedication of Garwood Way and area along Garwood Way dedicated for public parking, as shown on the Tentative Map shall be dedicated to the City of Menlo Park, in fee.

xii. Abandonment of Derry Lane and other right of way and public utility easements shall be completed prior to the Final Map approval.

xiii. "No Objection" letters shall be provided to the City from all utilities companies prior to abandonment of public right of ways and public utility easements.

xiv. Utility connections to Jason's Café and Chevron gas station shall be installed and in service prior to the Final Map recordation.

xv. Prior to Final Map approval, Applicant shall submit plans for street light design per City standards, at locations approved by the City. All street lights along the project frontages shall be painted Mesa Brown and upgraded with LED fixtures compliant with PG&E standards.

xvi. New valley gutter shall be installed at the intersection of Garwood Way and Oak Grove Avenue.

xvii. The curb radius shall be designed to 25 feet at the intersection of Garwood Way and Oak Grove Avenue to the satisfaction of the Engineering Division and the Menlo Park Fire District.

xviii. The existing lighted crosswalk on Oak Grove shall be removed and a new pedestrian

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enhanced crossing installed to align with the new Garwood Way ADA ramp. Prior to Final Map approval, the applicant shall submit plans for new pedestrian enhanced crossing for review and approval by the Transportation Division. The enhancements shall include Rectangular Rapid Flashing Beacons. The applicant shall install the new pedestrian enhanced crosswalk prior to occupancy of the first building. If construction phasing will prevent access to this crosswalk, the applicant shall work with the Transportation Division to determine the earliest possible time for installation. Power source for the enhanced crossing shall be solar powered.

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

xx. Prior to building permit issuance, the Applicant shall submit plans for construction related parking management, construction staging, material storage and Traffic Control Handling Plan (TCHP) to be reviewed and approved by the City. The applicant shall secure adequate parking for any and all construction trades, until the parking podium is available on the project site. The plan shall include construction phasing and anticipated method of traffic handling for each phase. The existing parking spaces along Garwood Way that are licensed to the Marriott Residence Inn (MRI) at 555 Glenwood Avenue shall be maintained and be kept accessible during the construction, or the applicant shall provide an equivalent number of temporary parking spaces on the project site or elsewhere nearby for the exclusive use of MRI during the construction of off-site improvements. Alternate parking arrangements may include valet service, if the spaces are located outside of a reasonable walking distance and/or in a tandem or other layout that does not allow for self parking.

xxi. Simultaneous with the submittal of a complete building permit, the Applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board under the Construction Activities Storm Water General Permit (General Permit). The NOI

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indicates the Applicant's intent to comply with the San Mateo Countywide Stormwater Pollution Prevention Program, including a Stormwater Pollution Prevention Plan (SWPPP). The Applicant shall prepare a Notice of Intent and submit a copy to the Engineering Division for the proposed grading operation.

xxii. Prior to issuance of each building permit the Applicant shall pay the applicable Building Construction Street Impact Fee in effect at the time of payment to the satisfaction of the Public Works Director. The current fee is calculated by multiplying the valuation of the construction by 0.0058.

xxiii. Prior to Final Map approval, the Applicant shall submit a draft "Stormwater Treatment Measures Operations and Maintenance (O&M) Agreement" with the City subject to review and approval by the Engineering Division. The property owner will be responsible for the operation and maintenance of stormwater treatment measures for the project. The agreement shall also include operation and maintenance of the stormwater treatment facility on Garwood Way including curb gutter and retaining walls.

xxiv. Prior to Final Map approval, the Applicant shall submit a draft "Garwood Way storm drain Maintenance Agreement". The project will be responsible for the maintenance and operation of storm drain and pump stations on Garwood Way to the satisfaction of the Engineering Division. Also, any nonstandard improvements within the public right-of-way, such as custom paving, shall be maintained in perpetuity by the owner.

xxv. All agreements shall run with the land and shall be recorded with the San Mateo County Recorder's Office prior to building permit final inspection.

xxvi. Street trees shall be from the City-approved street tree species or to the satisfaction of City Arborist. Irrigation within public right of way shall comply with City Standard Details LS-1 through LS-19. Owner shall execute and record a maintenance agreement for irrigation facilities in City right-of-way prior to final inspection of the last permit allowing occupancy.

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VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)

ACTION:

xxvii. If this project is creating more than 5,000 square feet of irrigated landscaping, per the City's Water Efficient Landscape Ordinance (Municipal Code 12.44) the irrigation system is required to have a separate water service.

xxviii. Prior to final inspection of the last building permit allowing occupancy, the Applicant shall submit a landscape audit report.

xxix. Prior to issuance of the building permit for the garage/podium, the Owner/Applicant shall submit design to demonstrate the proposed shoring tie-back/soil nails system does not adversely affect any existing or future utilities and/or any other City infrastructure, to the satisfaction of the Engineering Division. I-beams and appurtenances associated with the shoring plan, other than tie-back cables/soil nails, cannot be placed in the ROW.

xxx. Prior to issuance of the building permit for the garage/podium, the Owner/Applicant shall enter into a Tie-Back Agreement with the City and pay the associated fees for the tie-backs encroaching and remaining into the right of way associated with the project in a form approved by the City Attorney, which agreement shall be recorded and shall be binding on future owners of the property.

xxxi. Prior to issuance of the building permit for the garage/podium, the Applicant shall install reference elevation/benchmarks to monitor ground movement in the vicinity of the shoring system at the current centerline of Oak Grove Avenue adjacent to the property before, during and after excavations. The benchmarks shall be surveyed by a licensed surveyor and tied to an existing city monument or benchmark. The benchmarks shall be monitored for horizontal and vertical displacement of Oak Grove Avenue improvements. Tie-back system shall comply with the City's Tie-Back Guidelines.

d. Transportation-related conditions:

i. Prior to issuance of building permit, the applicant shall submit all relevant transportation impact fees (TIF), subject to review and approval of the Transportation

LOCATION: 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane	**PROJECT NUMBER:** PLN2012-00092	**APPLICANT:** Greenheart Land Company LLC	**OWNER:** Bayfront Investments LLC, Real Social Good Investments LLC, Landings Investments LLC

REQUEST: Request for Architectural Control and Use Permit for a mixed-use Public Benefit Bonus development consisting of non-medical office, residential, and community-serving uses (including restaurants with outdoor seating) on a 6.4-acre site, with a total of approximately 220,000 square feet of non-residential uses and 183 dwelling units. The project includes a Tentative Map to merge existing parcels and create one private parcel (with a four-unit commercial condominium) and two public right-of-way parcels; dedicate a new public street extension of Garwood Way; abandon Derry Lane and abandon/dedicate public access and public utility easements. The project also includes a Below Market Rate (BMR) Housing Agreement, and Heritage Tree Removal Permits to remove 59 heritage trees and approve a 1.7-to-one replacement ratio. A Development Agreement would allow the project sponsor to secure vested rights, and the City to secure public benefits, including a $2.1 million cash contribution, additional affordable housing units, a publicly-accessible dog park, and a sales tax guarantee. A Final Environmental Impact Report (EIR) analyzes potential environmental impacts of the proposed project, along with an associated Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.

DECISION ENTITY: City Council	**DATE:** January 24, 2017	**ACTION:** TBD

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ACTION:

Division. Such fees include:

1. The TIF is estimated to be $1,308,318.73. This was calculated by multiplying the fee of $1,927.02 per multi-family unit by 183 units plus the fee of $4.63/s.f. per office space by 201,272 s.f. of new office space and the fee of $4.63/s.f. per retail space by 11,217 s.f. for new retail uses and subtracting a credit for 5,000 s.f. of existing warehouse and 5,000 s.f. of existing retail uses. Please note this fee is updated annually on July 1st based on the Engineering News Record Bay Area Construction Cost Index. Fees are due before a building permit is issued.
2. The City has adopted a Supplemental Transportation Impact Fee for the infrastructure required as part of the Downtown Specific Plan. The fee is calculated at $379.40 per PM peak hour vehicle trip. The proposed project is estimated to generate 356 PM peak hour trips, so the supplemental TIF is estimated to be $135,066.40, which includes the applicant's fair share costs of intersection improvements at Santa Cruz Avenue/University Drive. Payment is due before a building permit is issued and the supplemental TIF will be updated annually on July 1st along with the TIF.

ii. Prior to issuance of the garage/podium building permit, the applicant shall submit a striping and signage plan for the parking garage subject to review and approval by the Transportation Division.

iii. Prior to each major phase of construction, the applicant shall submit a traffic control plan for review and approval by the Transportation Division. The traffic control plans shall minimize closures of any future bicycle lanes on Oak Grove Avenue.

iv. Intersection of Ravenswood Avenue and Laurel Street: The proposed mitigation measure for this intersection includes reconfiguring the southbound Laurel Street approach to have a left-turn lane and a shared through/right-turn lane. Prior to Final Map approval, the applicant shall submit conceptual plans to install this mitigation measure for review and approval by the Transportation Division. The lane

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modifications may be possible to implement within the existing right-of-way while maintaining the bicycle lanes, but it would require removal of on-street parking (which would require Transportation Commission and Council approval) and 10-foot wide travel lanes. The conceptual plans should provide enough detail for a cost estimate. Upon approval of any necessary parking removal, the applicant shall submit complete plans for review and approval by the Transportation Division. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree properties, striping modifications, and a detailed cost estimate. Upon obtaining approval from the City of Menlo Park, the applicant shall construct the improvements prior to final inspection of the last building permit allowing occupancy.

v. Intersection of Middlefield Road/Glenwood Avenue-Linden Avenue: The proposed mitigation measure for this intersection is signalization. Although the traffic volumes at this intersection would not satisfy peak hour traffic signal warrant criteria, as discussed in the Final Environmental Impact Report the impact would be reduced to a less than significant level with the implementation of this mitigation measure. However, this mitigation measure may require the acquisition of additional right–of-way to install traffic signal equipment and modification of the Glenwood Gate, a physical gate in the east Linden Avenue leg of the intersection that restricts the Linden Avenue approach to a two-way one-lane road. The mitigation measure would require approval from the Town of Atherton. The applicant is required to contribute a fair share financial contribution toward a traffic signal at this location. The project's fair share contribution would be 3.7 percent. Prior to the issuance of the permit for the FSAP, the applicant shall provide a conceptual plan of the improvement and a cost estimate (including design engineering) for approval by the Transportation Division to determine the fair share contribution. The fair share contribution for the intersection improvements shall be paid prior to the issuance of the FSAP. The funds would be available to the Town of Atherton for a 5-year period after which funds will be returned to the applicant.

LOCATION: 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane	**PROJECT NUMBER:** PLN2012-00092	**APPLICANT:** Greenheart Land Company LLC	**OWNER:** Bayfront Investments LLC, Real Social Good Investments LLC, Landings Investments LLC

REQUEST: Request for Architectural Control and Use Permit for a mixed-use Public Benefit Bonus development consisting of non-medical office, residential, and community-serving uses (including restaurants with outdoor seating) on a 6.4-acre site, with a total of approximately 220,000 square feet of non-residential uses and 183 dwelling units. The project includes a Tentative Map to merge existing parcels and create one private parcel (with a four-unit commercial condominium) and two public right-of-way parcels; dedicate a new public street extension of Garwood Way; abandon Derry Lane and abandon/dedicate public access and public utility easements. The project also includes a Below Market Rate (BMR) Housing Agreement, and Heritage Tree Removal Permits to remove 59 heritage trees and approve a 1.7-to-one replacement ratio. A Development Agreement would allow the project sponsor to secure vested rights, and the City to secure public benefits, including a $2.1 million cash contribution, additional affordable housing units, a publicly-accessible dog park, and a sales tax guarantee. A Final Environmental Impact Report (EIR) analyzes potential environmental impacts of the proposed project, along with an associated Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.

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ACTION:

vi. Bike Lanes on Oak Grove between El Camino Real and east city limits: As a partial mitigation measure to reduce the Project's impact on this roadway segment, the applicant shall be required to construct Class II bicycle lanes on Oak Grove between El Camino Real and the east city limits. The improvements are subject to the review and approval of the Transportation Division. The City is planning to install a bike lane pilot project on this section in mid-2017. The applicant shall be invoiced for the City's construction costs of the bike lanes in this segment including 25% of the construction costs for design. The invoice is payable within 30 days.

vii. Garwood Way between Glenwood Avenue and Oak Grove Avenue: As a partial mitigation measure to reduce the Project's impact on this roadway segment, the applicant shall be required to construct Class III bicycle route on Garwood Way between Glenwood Avenue and Oak Grove Avenue. The facility shall include bicycle routes signs and shared-lane markings. The improvements are subject to the review and approval of the Transportation Division. The applicant shall install the proposed bicycle improvements prior to occupancy of the first building.

viii. Transportation Demand Management (TDM) Program: Concurrent with the submittal of the FSAP building permit, the Applicant shall submit a TDM plan for the review and approval of the Transportation Division. The TDM program shall by consistent with the TDM program outlined in the Final Environmental Impact Report and shall be approved prior to occupancy of the first building.

ix. Intersection of Oak Grove Avenue/University Drive: The proposed mitigation measure for the intersection of Oak Grove Avenue/University Drive includes reconfiguring the westbound Oak Grove approach to have one exclusive left-turn lane and one exclusive right-turn lane. It may be possible to implement this mitigation measure within the existing right-of-way, but it would require removing on-street parking. The Project would be required to contribute a fair share toward lane reconfigurations at this location. The Project's fair share would be 16.3 percent of the total cost of improvements. Prior to the issuance of the permit for the FSAP, the applicant shall provide a conceptual plan of the improvement and a cost estimate (including design

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ACTION:

engineering) for approval by the Transportation Division to determine the fair share contribution. The fair share costs shall be paid prior to issuance of the FSAP.

x. Intersection of Santa Cruz Avenue/University Drive (North): The proposed mitigation measure of the intersection of Santa Cruz Avenue/University Drive (north) is signalization of the intersection. This improvement is identified in the City's Supplemental Transportation Impact Fee. The applicant is required to pay a fair share financial contribution toward a traffic signal at this location. The project's fair share contribution is 32.6 percent. The fair share contribution is included in the Supplemental Transportation Impact Fee. Prior to issuance of a building permit, the applicant shall pay the Supplemental Transportation Impact Fee.

xi. Intersection of Middlefield Road/Encinal Avenue: The proposed mitigation measure for the intersection of Middlefield Road and Encinal Avenue include an additional right-turn lane on the southbound Middlefield Road and eastbound Encinal Avenue approaches. The additional right-turn lane on the eastbound Encinal Avenue approach is consistent with the mitigation measure noted in the Specific Plan DEIR. However, the additional right-turn lane on southbound Middlefield Road is beyond what was identified in the Specific Plan DEIR as necessary to maintain acceptable operations. The Project is required to contribute a fair share toward additional right-turn lanes on the southbound Middlefield Road and eastbound Encinal Avenue approaches at this location. The Project's fair share contribution would be 1.6 percent of the cost of the improvement. The funds would be available to the Town of Atherton for a 5-year period. Prior to the issuance of the permit for the FSAP, the applicant shall provide a conceptual plan of the improvement and a cost estimate (including design engineering) for approval by the Transportation Division to determine the fair share contribution. The fair share costs shall be paid prior to issuance of the FSAP.

xii. Laurel Street/Glenwood Avenue: The proposed mitigation measure for the intersection of Laurel Street and Glenwood Avenue includes signalization of the intersection. The Project is required to contribute a fair share contribution toward the signalization. The Project's fair share contribution would be 1.4 percent of the cost of

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ACTION:

the improvement. Prior to the issuance of the permit for the FSAP, the applicant shall provide a conceptual plan of the improvement and a cost estimate (including design engineering) for approval by the Transportation Division to determine the fair share contribution. The fair share costs shall be paid prior to issuance of the FSAP.

xiii. Middlefield Road/Ravenswood Avenue: The proposed mitigation measure for the intersection of Middlefield Road and Ravenswood Avenue includes the addition of a second northbound left-turn lane and a corresponding receiving lane on the west leg. This measure is specified in the City's TIF program. The applicant should pay traffic impact fees per the current TIF schedule. The mitigation also requires enhancements to bicycle and pedestrian infrastructure which include adding a "jughandle" left turn for bikes on the east side of the intersection, adding a bicycle signal for crossing Middlefield Road, and making modifications to signal timing to provide adequate time for crossings. The modifications would also include warning signs and markings to comply with the CA-MUTCD. The Project is required to contribute a fair share toward enhancements to bicycle and pedestrian infrastructure noted above, which are not included in the City's TIF program. The Project's fair share contribution would be 12 percent of the cost of the improvement. Prior to the issuance of the permit for the FSAP, the applicant shall provide a conceptual plan of the improvement and a cost estimate (including design engineering) for approval by the Transportation Division to determine the fair share contribution. The fair share costs shall be paid prior to issuance of the FSAP.

xiv. Oak Grove Avenue and Glenwood Avenue railroad crossing: As a partial mitigation to reduce the impact at the Oak Grove Avenue and Glenwood Avenue railroad crossings, the applicant shall refresh the "Keep Clear" markings in the roadway prior to occupancy of the first building.

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DRAFT – January 24, 2017

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ORDERING THE VACATION AND ABANDONMENT OF DERRY LANE, PUBLIC RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENTS WITHIN THE PROPERTY AT 1258-1300 EL CAMINO REAL, AND 540-570 DERRY LANE

WHEREAS, Greenheart Land Company has submitted to the City of Menlo Park a development project referred to as 1300 El Camino Real which includes the abandonment of Derry Lane, public right-of-way and utility easements ; and

WHEREAS, the Planning Commission of the City of Menlo Park held a Public Hearing on 1300 El Camino Real project on December 12, 2016 which included aforementioned proposed abandonment and has reported to the City Council that said proposed development including abandonments conforms with the City's General Plan; and

WHEREAS, a Public Hearing was held before the City Council of the City of Menlo Park regarding the foregoing matter on January 24, 2017; and

WHEREAS, notice of said Public Hearing was duly made by publication, mailing, and posting as required by law, and proof thereof is on file with the City Clerk of the City of Menlo Park; and

WHEREAS, there are existing utilities in Derry Lane that service the Chevron Gas Station and Jason's Cafe on El Camino Real that will be required to be relocated prior to abandonment; and these existing utilities will be either reconfigured or abandoned and, where necessary, a new easement created to accommodate the new disposition of these utilities; and

IT APPEARING to the City Council of the City of Menlo Park that Derry Lane, public right-of-way and public utility easements should be abandoned for the reason that the existing utilities will be relocated or abandoned and new services will be provided to the Chevron Gas Station and Jason's Cafe and they are no longer needed as a result of the proposed 1300 El Camino Real project, thereby removing these unneeded easement encumbrance, and that public convenience, necessity, and the best interests of the citizens of Menlo Park will be served by such abandonment.

NOW, THEREFORE, the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore,

BE IT AND IT IS HEREBY RESOLVED by the City of Menlo Park

A) that said City Council does hereby abandon, to the full extent permitted by law, Derry Lane, the public right-of-way and public utility easements within the property at 1258-1300 El Camino Real, and 540-570 Derry Lane, described on the legal plats, Exhibit A, attached hereto and by the legal description of said public right-of way and public utility easements on file in the Engineering Division, and said Exhibits and legal descriptions are incorporated herein and made a part hereof; and

B) that said City Council does hereby acknowledge that prior to abandoning Derry Lane, the public right-of-way and public utility easements within the property at 1258-1300 El Camino Real and 540-570 Derry Lane, exist utilities servicing the Chevron Gas Station and Jason's Cafe on El Camino Real will be relocated and new services will be provided; and

C) that said abandonment is consistent with the General Plan; and

D) that said abandonment is exempt under current California Environmental Quality Act Guidelines.

I, PAMELA I. AGUILAR, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty fourth day of January, 2017 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Menlo Park on this twenty-fourth day of January, 2017.

Pamela I. Aguilar
City Clerk

BkF
ENGINEERS
SURVEYORS
PLANNERS

January 10, 2017
Project No. 20160100-20

EXHIBIT A
LEGAL DESCRIPTION

EASEMENT ABANDONMENT

PARCEL 1

10 FOOT WIDE STORM SEWER EASEMENT ABANDONMENT

All that certain real property situate in the City of Menlo Park, County of San Mateo, State of California, described as follows:

Being a portion of that Storm Drain Easement recorded as Document Number 97-137201 of Official Records of said county, dated October 23, 1997, being more particularly described as follows;

BEGINNING at the most northeasterly corner of a Parcel recorded as Document Number 2012-197414 of said county, said corner also being a point on the westerly line of Oak Grove Avenue and also on the southwesterly line of Union Pacific Rail Road, thence along the said westerly line of Oak Grove Avenue, South 31°31'11" West, 10.07 feet;

Thence leaving said westerly line over and across said Parcel, North 51°48'46" West, 129.03 feet;

Thence South 38°11'14" East, 22.32 feet to a point on the Derry Lane Public Street and Utility Easement recorded in Volume 1824 at Page 244 of Official Records of said county, dated March 20, 1950, said point being the beginning of a non-tangent curve to the left;

Thence along the northerly line of said Derry Lane along a non-tangent curve from which a radial line bears South 00°49' 01" West, having a radius of 60.00 feet, through a central angle of 13°18'39", along an arc length of 13.94 feet;

Thence leaving said line and across said Parcel, North 38°11'14" East, 41.98 feet to the northeasterly line of said Parcel;

Thence along said northeasterly line, South 51°48'46" East, 137.86 feet to the **POINT OF BEGINNING**.

Containing an area of 1,652 square feet, more or less, as shown on Exhibit B, attached hereto and made a part hereof.

255 Shoreline Drive
Suite 200
Redwood City
California 94065
phone 650.482.6300
fax 650.482.6399
www.bkf.com

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SURVEYORS
PLANNERS

PARCEL 2

DERRY LANE 40 FOOT WIDE PUBLIC STREET AND UTLITY EASEMENT ABANDONMENT

All that certain real property situate in the City of Menlo Park, County of San Mateo, State of California, described as follows:

Being a portion of the Derry Lane Public Street and Utility Easement recorded in Volume 1821 at Page 244 of Official Records of said county, dated March 20, 1950, being more particularly described as follows;

BEGINNING at the most northeasterly corner of a Parcel recorded as Document Number 2012-197414 of said county, said corner also being a point on the westerly line of Oak Grove Avenue and also on the southwesterly line of Union Pacific Rail Road, thence along the said westerly line of Oak Grove Avenue, South 31°31'11" West, 20.14 feet to the **TRUE POINT OF BEGINNING** of this description;

Thence leaving said westerly right of way line North 51°48'46" West, 93.78 feet to the beginning of a tangent curve to the left;

Thence along said curve having a radius of 60.00 feet, through a central angle of 96°32'00", along an arc length of 101.09 feet;

Thence South 31°39'14" West, 293.24 feet to the southerly line of said Parcel;

Thence along said southerly line, South 58°22'00" East, 40.00 feet;

Thence North 31°39'14" East, 293.22 feet to the beginning of a tangent curve to the right;

Thence along last said curve having a radius of 20.00 feet, through a central angle of 96°32'00", along an arc length of 33.70 feet;

Thence South 51°48'46" East, 98.46 feet to the said westerly right of way line of Oak Grove Avenue;

Thence along said right of way line North 31°31'11" East, 40.27 feet to the **TRUE POINT OF BEGINNING**.

Containing an area of 18,270 square feet, more or less, as shown on Exhibit B, attached hereto and made a part hereof.

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PLANNERS

January 10, 2017
Project No. 20160100-20

PARCEL 3

DERRY LANE PUBLIC STREET AND UTLITIES EASEMENT ABANDONMENT

All that certain real property situate in the City of Menlo Park, County of San Mateo, State of California, described as follows:

Being a portion of Derry Lane, filed for record January 24, 1950 in Volume 1821 in Pages 244 to 247, records of said county, being more particularly described as follows;

BEGINNING at the most northeasterly corner of a Parcel recorded as Document Number 2012-197414 of said county, said corner also being a point on the westerly line of Oak Grove Avenue and also on the northeasterly line of Union Pacific Rail Road, thence along the said westerly line of Oak Grove Avenue, South 31°31'11" West, 60.41 feet to the **TRUE POINT OF BEGINNING** of this description;

Thence continuing along said right of way line South 31°31'11" West, 17.80 feet to the beginning of a non-tangent curve to the left;

Thence along said non-tangent curve from which a radial line bears North 58°28' 49" West, having a radius of 20.00 feet, through a central angle of 83°19'57", along an arc length of 29.09 feet to the southerly line of said Derry Lane;

Thence along the southerly line of said Derry Lane, South 51°48'46" East, 17.80 feet to the said westerly right of way line of Oak Grove Avenue and the **TRUE POINT OF BEGINNING**.

Containing an area of 65 square feet, more or less, as shown on Exhibit B, attached hereto and made a part hereof.

Basis of Bearings:
The bearing north 58°22'00" west of the center line of El Camino Real as shown on that certain Parcel Map recorded on 18 August, 1988 in Book 61 of Parcel Maps at Pages 13 through 15 was used as the basis of all bearings.

A plat showing the above described parcels is attached hereto and made a part hereof.

This legal description was prepared by me or under my direction in conformance with the requirements of the Professional Land Surveyors' Act.



PRELIMINARY

David Jungmann, PLS 9267

12/09/2016
Date

END OF DESCRIPTION

255 Shoreline Drive
Suite 200
Redwood City
California 94065
phone 650.482.6300
fax 650.482.6399
www.bkf.com

EXHIBIT B: PLAT TO ACCOMPANY LEGAL DESCRIPTION

LINE TABLE		
LINE NO.	LENGTH	DIRECTION
L1	129.03'	N51°48'46"W
L2	22.32'	S38°11'14"W
L3	41.98'	N38°11'14"E
L4	10.07'	N31°31'11"E
L5	10.07'	N31°31'11"E
L6	40.27'	N31°31'11"E

NOTE 1:
FOUND 1-1/4"∅ BOLT W/ ROUND HEAD, 0.3' DEEP WITH CHISELED CROSS, AT CL-CL INTERSECTION OF OAK GROVE AND LAUREL STREET ORIGIN UNKNOWN

NOTE 2:
FOUND BRASS DISK WITH PUNCH IN MONUMENT WELL AT THE INTERSECTION OF THE CENTERLINES OF EL CAMINO REAL WITH RAVENSWOOD AVENUE, PER 50 PM 90-91,

NOTE 3:
CL INTERSECTION OF EL CAMINO REAL AND CL OF ENCINAL AVENUE

LEGEND

CL	CENTERLINE
DN.	DOCUMENT NUMBER
O.R.	OFFICIAL RECORDS
PCL	PARCEL
POB	POINT OF BEGINNING
PM	PARCEL MAPS
SFPUC	SAN FRANCISCO PUBLIC UTILITIES COMMISSION
TPOB	TRUE POINT OF BEGINNING
●	MONUMENT AS NOTED
▨	EASEMENT TO BE ABANDONED

PROFESSIONAL LAND SURVEYOR
DAVID JUNGMANN
L.S. 9267
STATE OF CALIFORNIA
PRELIMINARY

BASIS OF BEARINGS

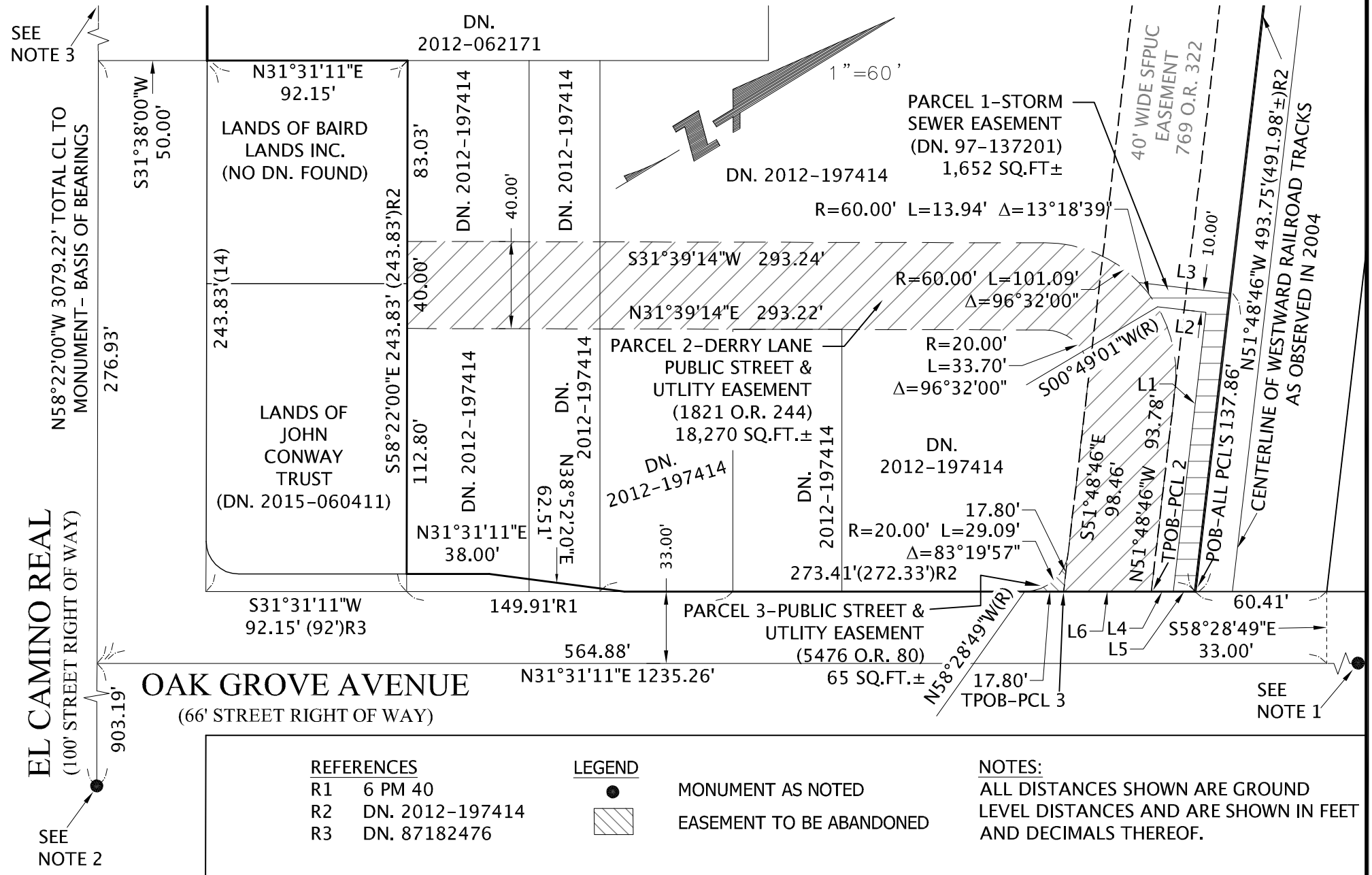
THE BEARING NORTH 58°22'00" WEST OF THE CENTER LINE OF EL CAMINO REAL AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED ON 18 AUGUST, 1988 IN BOOK 61 OF PARCEL MAPS AT PAGES 13 THROUGH 15 WAS USED AS THE BASIS OF ALL BEARINGS SHOWN ON THIS MAP.

BkF ENGINEERS / SURVEYORS / PLANNERS
255 SHORELINE DR
SUITE 200
REDWOOD CITY, CA 94065
650-482-6300
650-482-6399 (FAX)

Subject PLAT TO ACCOMPANY LEGAL DESCRIPTION
Job No. 20160100-20
By AGR Date 01/10/17 Chkd. DCJ
SHEET 4 OF 5

DRAWING NAME: J:\2016\160100_Station_1300_Menlo_Park\SUR\Plats & Legals\1 - Easement Abandonments\2016-12-08 Easement Abandonments.dwg

EXHIBIT B: PLAT TO ACCOMPANY LEGAL DESCRIPTION



REFERENCES

R1	6 PM 40
R2	DN. 2012-197414
R3	DN. 87182476

LEGEND

- MONUMENT AS NOTED
- EASEMENT TO BE ABANDONED

NOTES:

ALL DISTANCES SHOWN ARE GROUND LEVEL DISTANCES AND ARE SHOWN IN FEET AND DECIMALS THEREOF.

BKF ENGINEERS / SURVEYORS / PLANNERS

255 SHORELINE DR
SUITE 200
REDWOOD CITY, CA 94065
650-482-6300
650-482-6399 (FAX)

Subject PLAT TO ACCOMPANY LEGAL DESCRIPTION
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SHEET 5 OF 5

DRAWING NAME: J:\2016\160100_Station_1300_Menlo_Park\SUR\Plats & Legals\1 - Easement Abandonments\2016-12-08 Easement Abandonments.dwg

CLOSURE REPORT

PARCEL 1

10 FOOT WIDE STORM SEWER EASEMENT ABANDONMENT

North: 14008.7551' East: 7174.4800'
Segment #1 : Line
Course: S31° 31' 11"W Length: 10.07'
North: 14000.1725' East: 7169.2165'
Segment #2 : Line
Course: N51° 48' 46"W Length: 129.03'
North: 14079.9426' East: 7067.8005'
Segment #3 : Line
Course: S38° 11' 14"W Length: 22.32'
North: 14062.4024' East: 7054.0040'
Segment #4 : Curve
Length: 13.94' Radius: 60.00'
Delta: 013°18'39" Tangent: 7.001'
Chord: 13.908' Course: S84° 09' 41"W
Course In: S00° 49' 01"W Course Out: N12° 29' 38"W
RP North: 14002.4085' East: 7053.1486'
End North: 14060.9876' East: 7040.1681'
Segment #5 : Line
Course: N38° 11' 14"E Length: 41.98'
North: 14093.9852' East: 7066.1228'
Segment #6 : Line
Course: S51° 48' 46"E Length: 137.86'
North: 14008.7554' East: 7174.4800'
Perimeter: 355.194' Area: 1652.18 Sq. Ft.
Error Closure: 0.0004 Course: N03° 53' 24.38"W
Error North: 0.00037 East: -0.00002

Precision 1: 887907.500

PARCEL 2

DERRY LANE 40 FOOT WIDE PUBLIC STREET AND UTLITY EASEMENT ABANDONMENT

North: 13744.0148' East: 7468.8677'
Segment #1 : Line
Course: N51° 48' 46"W Length: 93.78'
North: 13801.9928' East: 7395.1571'
Segment #2 : Curve
Length: 101.09' Radius: 60.00'
Delta: 096°32'00" Tangent: 67.264'
Chord: 89.550' Course: S79° 55' 14"W
Course In: S38° 11' 14"W Course Out: N58° 20' 46"W
RP North: 13754.8332' East: 7358.0631'

End North: 13786.3204' East: 7306.9891'
Segment #3 : Line
Course: S31° 39' 14"W Length: 293.24'
North: 13536.7083' East: 7153.1024'
Segment #4 : Line
Course: S58° 22' 00"E Length: 40.00'
North: 13515.7290' East: 7187.1593'
Segment #5 : Line
Course: N31° 39' 14"E Length: 293.22'
North: 13765.3293' East: 7341.0386'
Segment #6 : Curve
Length: 33.70' Radius: 20.00'
Delta: 096°32'00" Tangent: 22.421'
Chord: 29.850' Course: N79° 55' 14"E
Course In: S58° 20' 46"E Course Out: N38° 11' 14"E
RP North: 13754.8335' East: 7358.0633'
End North: 13770.5534' East: 7370.4280'
Segment #7 : Line
Course: S51° 48' 46"E Length: 98.46'
North: 13709.6845' East: 7447.8138'
Segment #8 : Line
Course: N31° 31' 11"E Length: 40.27'
North: 13744.0148' East: 7468.8677'

Perimeter: 993.752' Area: 18269.60 Sq. Ft.
Error Closure: 0.0001 Course: S74° 01' 40.43"E
Error North: -0.00002 East: 0.00006

Precision 1: 9937510.000

PARCEL 3

DERRY LANE PUBLIC STREET AND UTLITIES EASEMENT ABANDONMENT

North: 13957.2592' East: 7142.8988'
Segment #1 : Line
Course: S31° 31' 11"W Length: 17.80'
North: 13942.0871' East: 7133.5942'
Segment #2 : Curve
Length: 29.09' Radius: 20.00'
Delta: 083°19'57" Tangent: 17.798'
Chord: 26.592' Course: N10° 08' 47.26"W
Course In: N58° 28' 49"W Course Out: N38° 11' 14"E
RP North: 13952.5430' East: 7116.5450'
End North: 13968.2629' East: 7128.9096'
Segment #3 : Line
Course: S51° 48' 46"E Length: 17.80'
North: 13957.2595' East: 7142.8988'
Perimeter: 64.685' Area: 65.08 Sq. Ft.
Error Closure: 0.0003 Course: N10° 08' 47.27"W

Error North: 0.00033 East: -0.00006

Precision 1: 215616.667

DRAFT – January 24, 2017

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING HERITAGE TREE REMOVAL PERMITS FOR THE 1300 EL CAMINO REAL PROJECT LOCATED AT 1258-1300 EL CAMINO REAL, 550-580 OAK GROVE AVENUE, AND 540-570 DERRY LANE

WHEREAS, the City of Menlo Park ("City") received applications from Real Social Good Investments, LLC, ("Applicant") for the removal of 59 heritage trees at the property located at 1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane ("Project Site") as more particularly described and shown in Exhibit A; and

WHEREAS, the requested tree removals are necessary in order to comprehensively redevelop the Project Site; and

WHEREAS, the removal of Heritage Trees within the City is subject to the requirements of Municipal Code Chapter 13.24, Heritage Trees; and

WHEREAS, the City's Contract Arborist reviewed the requested tree removals over the period of April-June, 2016; and

WHEREAS, the City's Contract Arborist determined that the requested removals are justified in recognition of factors #1 (tree condition/health), #2 (construction conflicts), and #4 (long-term species value); and

WHEREAS, the City's Contract Arborist noted that the majority of the heritage tree removals (59 percent) would be Chinese trees of heaven, which are multi-stem trees that were not deliberately planted and which have limited long-term value; and

WHEREAS, the City Arborist reviewed and approved the work of the City's Contract Arborist; and

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

WHEREAS, an environmental impact report was prepared for the Project that considered the proposed heritage tree removals and was certified by the City Council on January 24, 2017, in accordance with the provisions of the California Environmental Quality Act and CEQA Guidelines. Findings and a statement of overriding considerations were adopted by the City Council on January 24, 2017 by Resolution No._____; and

WHEREAS, after notice having been lawfully given, a public meeting was scheduled and held before the Environmental Quality Commission of the City of Menlo Park on August 31, 2016 whereat all persons interested therein might appear and be heard; and

WHEREAS, the Environmental Quality Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted to recommend to the Planning Commission and City Council of the City of Menlo Park to approve the Heritage Tree Removal Permits for the 59 heritage trees, with a request to consider alternatives to preserve or relocate the nine native trees located on the back of the property, and revise the landscape plans to use as many California native plants and trees as possible; and

WHEREAS, the nine native trees located at the back of the property were the subject of additional detailed review by City staff, who determined that the removal of these trees remains justified by a combination of poor tree quality/health and clear conflicts with the proposed construction, and that relocation of any of these trees is not feasible; and

WHEREAS, the landscape plans have been comprehensively revised to incorporate significantly more California native plants and trees; and

WHEREAS, the revised landscape plans propose a 1.7-to-one replacement ratio in recognition of recommended tree spacing standards, the larger box size of the new trees, and the limited natural value of most of the existing trees; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on December 12, 2016, whereat all persons interested therein might appear and be heard; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the Heritage Tree Removal Permits for the 59 heritage trees and the requested replacement ratio of 1.7 new trees for each existing tree; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on January 24, 2017 whereat all persons interested therein might appear and be heard; and

WHEREAS, the City Council of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to approve the Heritage Tree Removal Permits and the requested replacement ratio of 1.7 new trees for each existing tree.

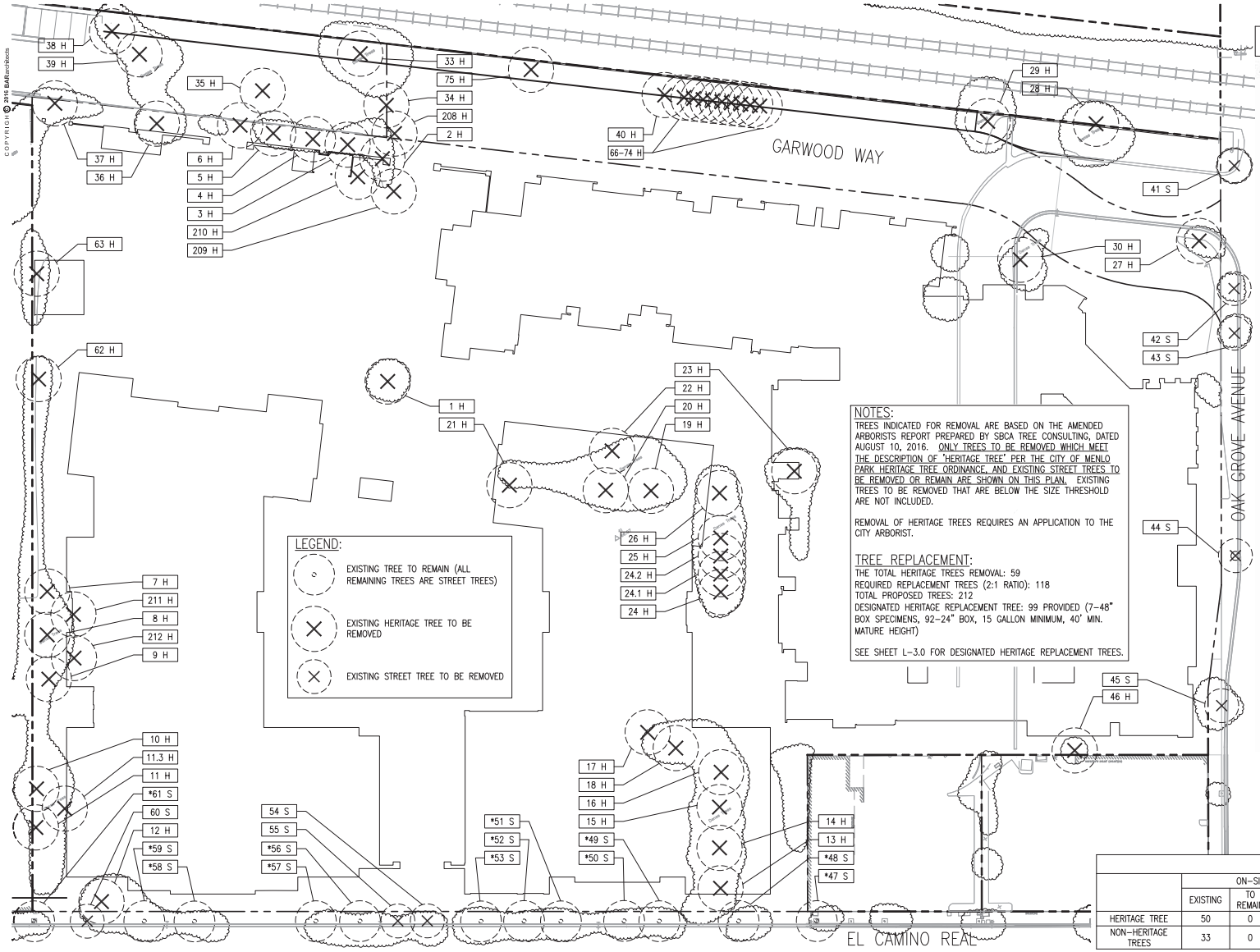
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park hereby approves the Heritage Tree Removal Permits for the 59 heritage trees as identified in Project Plan Sheet L-4.0, attached by this reference herein as Exhibit A.

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-fourth day of January, 2017, by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ____day of _____, 2017.

_____
Pamela Aguilar
City Clerk



TREE CHART

(HERITAGE TREES AND STREET TO BE REMOVED & *STREET TREES TO REMAIN)

TREE	HERITAGE OR STREET	SPECIES	COMMON NAME	DBH	HEALTH	PROPOSED REMOVAL	NOTES
1	H	Sequoia sempervirens	Coast Redwood	28	F	Y	Off-color, Signs of stress, Botryosphaeria
2	H	Ailanthus altissima	Chinese Tree of Heaven	28 @ base	F	Y	Multi
3	H	Ailanthus altissima	Chinese Tree of Heaven	24 @ base	F	Y	Multi
4	H	Ailanthus altissima	Chinese Tree of Heaven	24 @ base	F	Y	Multi, Clump of 4 stems
5	H	Ailanthus altissima	Chinese Tree of Heaven	15 @ base	F	Y	Multi, Clump of 3 stems
6	H	Ailanthus altissima	Chinese Tree of Heaven	18 @ base	F	Y	Multi, Clump of 3 stems
7	H	Ailanthus altissima	Chinese Tree of Heaven	30 @ base	F	Y	Multi, ER
8	H	Ailanthus altissima	Chinese Tree of Heaven	28 @ base	F	Y	Multi
9	H	Ailanthus altissima	Chinese Tree of Heaven	40 @ base	F	Y	Multi
10	H	Acacia melanoxylon	Blackwood Acacia	24	G	Y	CDEB
11	H	Cupressus sempervirens	Italian Cypress	15 @ base	F	Y	CD, 3rd in a line of 7 cypress
11.3	H	Cupressus sempervirens	Italian cypress	15.2	G	Y	Heritage Tree
12	H	Sequoia sempervirens	Coast Redwood HIGH RISK TREE - REQUIRES MITIGATION	54	P - S	Y	Significant tip dieback, Dead CD top, 2.5' (rotting) wound on side facing street, Sk lean to street
13	H	Jacaranda mimosifolia	Jacaranda	17 @ base	G	Y	Multi
14	H	Jacaranda mimosifolia	Jacaranda	28 @ base	G	Y	ER, Multi
15	H	Jacaranda mimosifolia	Jacaranda	26 @ base	G	Y	Multi, PP
16	H	Jacaranda mimosifolia	Jacaranda	15	G	Y	CD
17	H	Ailanthus altissima	Chinese Tree of Heaven	32 @ base	F	Y	Multi, CDEB, ER
18	H	Ailanthus altissima	Chinese Tree of Heaven	22 @ base	F	Y	Multi, Basal damage, Metal in tree
19	H	Ailanthus altissima	Chinese Tree of Heaven	20 @ base	F	Y	Multi, Clump of 6 stems, CDEB
20	H	Ailanthus altissima	Chinese Tree of Heaven	30 @ base	F	Y	Multi
21	H	Quercus agrifolia	Coast Live Oak	30 @ base	F	Y	Multi, ER
22	H	Ailanthus altissima	Chinese Tree of Heaven	40 @ base	G	Y	Multi, multi, ER, ER branch breakout
23	H	Ailanthus altissima	Chinese Tree of Heaven	72 @ base	F-G	Y	Multi, Clump of 9 stems, ER
24	H	Afrocarpus gracilior	African Fern Pine	15	G	Y	CD
24.1	H	Ailanthus altissima	Chinese Tree of Heaven	10.4 base	G	Y	Heritage Tree
24.2	H	Ailanthus altissima	Chinese Tree of Heaven	16.5 base	G	Y	Heritage Tree
25	H	Afrocarpus gracilior	African Fern Pine	15 @ base	F	Y	CDEB
26	H	Afrocarpus gracilior	African Fern Pine	15 @ base	G	Y	CDEB
27	H	Ailanthus altissima	Chinese Tree of Heaven	17 @ base	F	Y	CDEB, PP, W
28	H	Quercus agrifolia	Coast Live Oak	23	F	Y	PP, Wound at base, 3' from curb
29	H	Sequoia sempervirens	Coast Redwood	30.8 @ base	F	Y	Multi, Off-color, Signs of stress, 20' from
30	H	Sequoia sempervirens	Coast Redwood	32.5 @ base	G	Y	Hardscape displacement
33	H	Quercus agrifolia	Coast Live Oak	40.5	G	Y	Off-site, 13' from property line, CD, True retted out on earth side
34	H	Robinia pseudoacacia	Black Locust	30 @ base	F	Y	On property line, Clump of 7 stems, Gro in fence
35	H	Ailanthus altissima	Chinese Tree of Heaven	24 @ base	F	Y	Multi, On property line, Clump of 10 ste 5' from street
36	H	Phoenix canariensis	Canary Island Date Palm	30' of Clear Trunk, 30.9"	G	Y	Off-site , 4' from street
37	H	Quercus lobata	Valley Oak	32	F	Y	Off-site, 2' from property line, 2' from cu Previous 6'±3, Large (rotting) pruning wo PP
38	H	Quercus agrifolia	Coast Live Oak	30	G	Y	Large breakouts, Pruning wounds, Lean light
39	H	Quercus lobata	Valley Oak	23.5	P	Y	8' from curb
40	H	Ailanthus altissima	Chinese Tree of Heaven	20 @ base	F	Y	Multi, Part of a large 70' long stand
41	S	Platanus x hispanica	London Plane Tree	12.5	P	Y	Street tree, Pruning wounds, ID, Previou headed
42	S	Platanus x hispanica	London Plane Tree	12.5	F	Y	Street tree, Pruning wounds, ID, Previou headed
43	S	Platanus x hispanica	London Plane Tree	12.5	F	Y	Street tree, ID, Previously headed
44	S	Quercus agrifolia	Coast Live Oak	5	F	Y	Good push of new growth
45	S	Washingtonia robusta	Mexican Fan Palm	7' of Clear	G	Y	Close to building, Volunteer?
45	S	Pyrus kawakamii	Evergreen Pear	13	G	Y	Large pruning wounds, CD
*47	S	Platanus x hispanica	London Plane Tree	13	F-G	N	Street tree, Lean, CD
*48	S	Platanus x hispanica	London Plane Tree	13	F-G	N	Lean
*49	S	Platanus x hispanica	London Plane Tree	9	F-G	N	Lean
*50	S	Platanus x hispanica	London Plane Tree	13.5	F-G	N	CD, Touching metal grate
*51	S	Platanus x hispanica	London Plane Tree	13	G	N	CD, Touching metal grate
*52	S	Platanus x hispanica	London Plane Tree	10.5	G	N	CD, Touching metal grate
*53	S	Platanus x hispanica	London Plane Tree	13.5	G	N	CD, Touching metal grate
54	S	Platanus x hispanica	London Plane Tree	10	F-G	Y	Large pruning wounds, CD, touching me grate
55	S	Platanus x hispanica	London Plane Tree	10	F-G	Y	No grate
*56	S	Platanus x hispanica	London Plane Tree	8.5	F-G	N	
*57	S	Platanus x hispanica	London Plane Tree	10	F-G	N	Touching metal grate
*58	S	Platanus x hispanica	London Plane Tree	13	G	N	Lean
*59	S	Platanus x hispanica	London Plane Tree	10	G	N	
60	S	Platanus x hispanica	London Plane Tree	9	F	Y	Smaller than others, likely shaded by adjacent redwood
*61	S	Platanus x hispanica	London Plane Tree	7.5	F	N	
62	H	Ailanthus altissima	Chinese Tree of Heaven	18 @ base	G	Y	CDEB, Multi
63	H	Quercus agrifolia	Coast Live Oak	30.5 @ base	G	Y	3 stems
66	H	Ailanthus altissima	Chinese Tree of Heaven	34.5 @ base	G	Y	Multi, Part of a large 70' long stand
67	H	Ailanthus altissima	Chinese Tree of Heaven	28 @ base	G	Y	Multi, Part of a large 70' long stand
68	H	Ailanthus altissima	Chinese Tree of Heaven	30 @ base	G	Y	Multi, Part of a large 70' long stand
69	H	Ailanthus altissima	Chinese Tree of Heaven	18 @ base	G	Y	Multi, Part of a large 70' long stand
70	H	Ailanthus altissima	Chinese Tree of Heaven	26 @ base	G	Y	Multi, Part of a large 70' long stand
71	H	Ailanthus altissima	Chinese Tree of Heaven	16 @ base	G	Y	Multi, Part of a large 70' long stand
72	H	Ailanthus altissima	Chinese Tree of Heaven	15 @ base	G	Y	Multi, Part of a large 70' long stand
73	H	Ailanthus altissima	Chinese Tree of Heaven	28 @ base	G	Y	Multi, Part of a large 70' long stand
74	H	Ailanthus altissima	Chinese Tree of Heaven	30 @ base	G	Y	Multi, Part of a large 70' long stand
75	H	Ailanthus altissima	Chinese Tree of Heaven	22 @ base	G	Y	Multi, Pruning left larger stumps
208	H	Ailanthus altissima	Chinese Tree of Heaven	18 @ base	G	Y	Multi
209	H	Ailanthus altissima	Chinese Tree of Heaven	17 @ base	G	Y	Multi
210	H	Ailanthus altissima	Chinese Tree of Heaven	16 @ base	G	Y	Multi
211	H	Ailanthus altissima	Chinese Tree of Heaven	40 @ base	G	Y	Multi
212	H	Ailanthus altissima	Chinese Tree of Heaven	22 @ base	G	Y	Multi

TREE REMOVAL SUMMARY

	ON–SITE			CITY ROW			TOTAL		
	EXISTING	TO REMAIN	TO BE REMOVED	EXISTING	TO REMAIN	TO BE REMOVED	EXISTING	TO REMAIN	TO BE REMOVED
HERITAGE TREE	50	0	50	9	0	9	59	0	59
NON–HERITAGE TREES	33	0	33	56	*12	44	89	*12	77
							148	*12	136

STATION 1300 | 1300 EL CAMINO REAL

Tree Removal Plan

JETT LANDSCAPE ARCHITECTURE + DESIGN
CRLA #3335 · 2 Theatre Square #218 · Orinda CA · 94563
925.254.5422 · www.2rtl.land

12060 | 12/01/2016

SCALE: 1" = 30'-0"

TRUE NORTH / PROJECT NORTH

L-4.0

© 2016 BARarchitects

DRAFT – January 24, 2017

RESOLUTION NO.____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING THE BELOW MARKET RATE HOUSING AGREEMENT BETWEEN THE CITY OF MENLO PARK AND REAL SOCIAL GOOD INVESTMENTS, LLC, FOR THE 1300 EL CAMINO REAL PROJECT LOCATED AT 1258-1300 EL CAMINO REAL, 550-580 OAK GROVE AVENUE, AND 540-570 DERRY LANE

WHEREAS, the City of Menlo Park ("City") has received an application from Real Social Good Investments, LLC ("Applicant"), to demolish the existing buildings on-site and redevelop the property located at 1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane ("Project Site"), with the subsequent construction of two office buildings and one residential building, both with community-serving uses located on the ground floor, with a total floor area of approximately 420,000 square feet, and an underground parking garage and small surface lot with approximately 1,000 spaces; and

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

WHEREAS, an environmental impact report was prepared for the project and certified by the City Council on January 24, 2017, in accordance with the provisions of the California Environmental Quality Act and CEQA Guidelines. Findings and a statement of overriding considerations were adopted by the City Council on November January 24, 2017 by Resolution No._____; and

WHEREAS, after notice having been lawfully given, a public meeting was scheduled and held before the Housing Commission of the City of Menlo Park on March 2, 2016 to review the initial draft BMR Agreement Term Sheet, for the provision of 10 on-site BMR units, whereat all persons interested therein might appear and be heard; and

WHEREAS, the Housing Commission of the City of Menlo Park having fully reviewed, and considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend the Planning Commission of the City of Menlo Park to approve the BMR Agreement; and

WHEREAS, Applicant and the City have since agreed on an enhanced provision of 20 on-site BMR units, including six "workforce" units, in recognition of both the project's standard BMR requirement and additional public benefits as negotiated through a Development Agreement, and the Below Market Rate Housing Agreement (BMR Agreement) attached hereto as Exhibit A has been structured accordingly; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on December 12, 2016 whereat all persons interested therein might appear and be heard; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the BMR Agreement; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on January 24, 2017 whereat all persons interested therein might appear and be heard.

WHEREAS, on January 24, 2017 the City Council of the City of Menlo Park has read and considered that certain BMR Agreement between the City and the Applicant that satisfies the requirement that Developer comply with Chapter 16.96 of the City's Municipal Code and with the Below Market Rate Housing Program Guidelines.

NOW, THEREFORE**,** the City Council of the City does RESOLVE as follows:

1. Public interest and convenience require the City to enter into the Agreement described above and incorporated herein as Exhibit A.

2. The City of Menlo Park hereby approves the Agreement and the City Manager is hereby authorized on behalf of the City to execute the Agreement.

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-fourth day of January, 2017, by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ____day of _____, 2017.

_____
Pamela Aguilar, MMC
City Clerk

This document is recorded for the benefit of the City of Menlo Park and is entitled to be recorded free of charge in accordance with Sections 6103 and 27383 of the Government Code.

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:
City of Menlo Park
Attn: City Clerk
701 Laurel Street
Menlo Park, CA 94025

AFFORDABLE HOUSING AGREEMENT

AND

DECLARATION OF RESTRICTIVE COVENANTS

STATION 1300 PROJECT

THIS AFFORDABLE HOUSING AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS ("**Agreement**") is entered into as of _____, 2017, by and between the **CITY OF MENLO PARK,** a California municipal corporation ("**City**"), and: **LANDINGS INVESTMENTS, LLC**, a California limited liability company (**"Landings"**), **BAYFRONT INVESTMENTS, LLC**, a California limited liability company (**"Bayfront"**), and **REAL SOCIAL GOOD INVESTMENTS, LLC**, a California limited liability company (**"Real Social Good"**) (Landings, Bayfront, and Real Social Good are, collectively, "**Owner**") (individually a "**Party**" and collectively the "**Parties**"), with reference to the following facts:

RECITALS

A. Owner is the owner of those certain parcels of real property collectively and commonly known as Station 1300 in the City of Menlo Park, California ("**Property**") as more particularly described in Exhibit A attached hereto.

B. The Parties have entered into a Development Agreement ("**Development Agreement**"), effective _____, of even date herewith, to facilitate development of the Property subject to certain terms and conditions. Owner intends to demolish all existing structures on the Property and to construct the Project on the Property, as defined in the

Development Agreement (the "**Project**"). All capitalized terms not otherwise defined in this Agreement have the meaning ascribed to them in the Development Agreement.

C. As a material consideration for the long term assurances, vested rights, and other City obligations provided by the Development Agreement and as a material inducement to City to enter into the Development Agreement and to receive a public benefit bonus consisting of (1) a height increase from 38 feet to 48 feet; and (2) an increase in floor area ratio from 1.1 to 1.5, thus allowing the construction of an additional 112,108 sq. ft. of office and residential space (the "**Public Benefit Bonus**"), Owner offered and agreed to certain terms as specified in the Development Agreement. Section 7.4 of the Development Agreement specifies that the Project shall include fourteen (14) units to be occupied exclusively by, and rented to, qualified Low Income Households, as defined below (the "**Low Income Units**"); and six (6) units to be occupied exclusively by, and rented to, qualified Moderate Income Households, as defined below (the "**Moderate Income Units**"); and specifies further that the. Parties shall enter into and record this Agreement for the benefit of the City. This Agreement further ensures that the Project will comply with the City's Municipal Code Chapter 16.96 and the City's BMR Housing Program Guidelines as adopted by the City Council of Menlo Park, and amended from time to time and, as in effect as of the date of this Agreement, attached hereto as Exhibit B ("**Guidelines**"). The Low Income Units and the Moderate Income Units together are the "**BMR Units**."

NOW, THEREFORE, the Parties hereto agree as follows. The recitals are incorporated into this Agreement by this reference.

100. CONSTRUCTION OF THE IMPROVEMENTS.

101. **Construction of the Property.** The Owner agrees to construct the Project in accordance with the City Municipal Code, the Development Agreement, the Guidelines, and all other applicable state and local building codes, development standards, ordinances and zoning codes. No portion of any residential building may be approved for occupancy unless the percentage of BMR Units approved for occupancy in that portion of the building is equivalent to the percentage of BMR Units in the entire building. (For instance, if 11 percent of the units in the entire building will be BMR Units, then 11 percent of the units approved for occupancy must be BMR Units.)

102. **City and Other Governmental Permits.** Before commencement of the Project, the Owner shall secure or cause its contractor to secure any and all permits which may be required by the City or any other governmental agency affected by such construction, including without limitation building permits. The Owner shall pay all necessary fees and timely submit to the City final drawings with final corrections to obtain such permits; the staff of the City will, without incurring liability or expense therefore, process applications in the ordinary course of business for the issuance of building permits and certificates of occupancy for construction that meets the requirements of the City Code, and all other applicable laws and regulations.

103. **Compliance with Laws.** The Owner shall carry out the acquisition, design, construction and operation of the Project in conformity with all applicable laws, including all applicable state labor standards, City zoning and development standards, building, plumbing, mechanical and electrical codes, and all other provisions of the City Municipal Code, to the extent that these laws, codes, and standards are consistent with the provisions of the Development Agreement. The Owner shall also ensure that the Project is constructed and operated in compliance with all applicable disabled and handicapped access requirements, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.,* Government Code Section 4450, *et seq.,* Government Code Section 11135, *et seq.,* and the Unruh Civil Rights Act, Civil Code Section 51, *et seq.*

200. OPERATION OF HOUSING

201. (a) **BMR Units.** The BMR Units shall be of a quality comparable to all of the other rental units in the Project. The BMR Units shall be one and two bedroom units initially distributed within the Project in accordance with the schedule set forth in Exhibit C. Thereafter, the location of the individual BMR Units may float to account for the Next Available Unit Requirement set forth below and as otherwise necessary for the smooth and professional maintenance of the Project, provided that the location of BMR Units shall be equitably distributed throughout the Project and the City's Director of Community Development ("**Director**") shall be notified of any change or relocation of BMR Units.

201. (b) **Low Income Units.** As described in Recital C above, the Owner agrees to make available, restrict occupancy to, and lease not less than fourteen (14) of the rental units on the Property exclusively to Low Income Households at Affordable Low Income Rent, as defined below. For purposes of this Agreement, "**Low Income Households**" shall mean those households with incomes that do not exceed the low income limits for San Mateo County, adjusted for household size, as set forth in the Guidelines, and as established and amended from time to time in accordance with the low income limits for San Mateo County established by the State of California in the California Code of Regulations, Title 25, Section 6932 or successor provision ("**Low Income Limits**"). A qualified Low Income Household shall continue to qualify unless at the time of recertification, for two consecutive years, the household's income exceeds the Low Income Limits, then the tenant shall not longer be qualified. Upon the Owner's determination that any such household is no longer so qualified, the unit shall no longer be deemed a Low Income Unit, and the Owner shall make the next available unit, which is comparable in terms of size, features and number of bedrooms, a Low Income Unit ("**Next Available Unit Requirement**") and take such other actions, including as specified in Section 11.1.7 of the Guidelines, as may be necessary to ensure that the total required number of units are rented to Low Income Households. The Owner shall notify the City annually if Owner substitutes a different unit for one of the designated Low Income Units pursuant to this paragraph.

201. (c) **Moderate Income Units.** As described in Recital C. above, the Owner agrees to make available, restrict occupancy to, and lease not less than six (6) of the rental units on the Property exclusively to Moderate Income Households at Affordable Moderate Income Rent, as defined below. For purposes of this Agreement, "**Moderate Income Households**" shall mean those households with incomes that do not exceed moderate income limits for San Mateo County (one hundred twenty percent (120%) of median income), adjusted for household size, as set forth in the Guidelines, and as established and amended from time to time in accordance with the low income limits for San Mateo County established by the State of California in the California Code of Regulations, Title 25, Section 6932 or successor provision ("**Moderate Income Limits**"). A qualified Moderate Income Household shall continue to qualify unless at the time of recertification for two consecutive years, the household's income exceeds the Moderate Income Limits, then that tenant shall no longer be qualified. Upon the Owner's determination that any such household is no longer so qualified, the unit shall no longer be deemed a Moderate Income Unit, and the Owner shall comply with the Next Available Unit Requirement and take such other actions, including as specified in Section 11.1.7 of the Guidelines, as may be necessary to ensure that the total required number of units are rented to Moderate Income Households. The Owner shall notify the City annually if Owner substitutes a different unit for one of the designated Moderate Income Units pursuant to this paragraph.

201. (d) **Income Certification.** On or before July 1 of each year, commencing with the calendar year that the first unit in the Project is rented to a tenant, and annually thereafter, the Owner shall obtain from each household occupying a BMR Unit and submit to the City a completed income computation and certification form, which shall certify that the income of the household is truthfully set forth in the income certification form, in the form attached hereto as Exhibit D unless a different form is specified by the City or proposed by Owner and approved by the Director. The Owner shall certify that each household leasing a BMR Unit meets the income and eligibility restrictions for the BMR Unit.

202. (a) **Affordable Rent, Low Income.** The maximum Monthly Rent chargeable for the Low Income Units and actually paid by a Low Income Household shall be thirty percent (30%) of the Low Income Limits, adjusted for assumed household size of two persons in a one-bedroom Low Income Unit and three persons in a two-bedroom Low-Income Unit (the "**Affordable Low Income Rent**").

202. (b) **Affordable Rent, Moderate Income.** The maximum Monthly Rent chargeable for the Moderate Income Units and actually paid by a Moderate Income Household shall be thirty percent (30%) of the median income for San Mateo County, as set forth in the Guidelines, and as established and amended from time to time by the State of California in the California Code of Regulations, Title 25, Section 6932 or successor provision, adjusted for assumed household size of two persons in a one-bedroom Moderate Income Unit, (the "**Affordable Moderate Income Rent**").

202. (c) **Monthly Rent.** For purposes of this Agreement, "**Monthly Rent**" means the total of monthly payments actually made by the household for (a) use and occupancy of each BMR Unit and land and facilities associated therewith, (b) any separately charged fees or service charges mandatorily assessed by the Owner which are required of all tenants, other than security deposits, (c) a reasonable allowance for an adequate level of service of utilities not included in (a) or (b) above, and which are not paid directly by the Owner, including garbage collection, sewer, water, electricity, gas and other heating, cooking and refrigeration fuels, but not including telephone service, cable, and internet service, and (d) possessory interest, taxes or other fees or charges assessed for use of the land and facilities associated therewith by a public or private entity other than Owner. A sample utility allowance schedule prepared by San Mateo County as of the date of this Agreement is attached as Exhibit E.

203. **Lease Requirements.** At least ninety (90) days prior to occupancy of any residential space in the Project, the Owner shall submit a standard lease form for approval by the Director. The City shall reasonably approve such lease form upon finding that such lease form is consistent with this Agreement and contains all of the provisions required by the Guidelines. The Owner shall enter into a written lease, in the form approved by the City, with each new tenant of a BMR Unit upon such tenant's rental of the BMR Unit. Each lease shall be for an initial term of not less than one year, and shall not contain any of the provisions which are prohibited by the Guidelines.

204. **Selection of Tenants.** Each BMR Unit shall be leased to tenant(s) selected by the Owner who meet all of the requirements provided herein, and, to the extent permitted by law, with priority given to those eligible households who either live or work in the City of Menlo Park. The City may, from time to time, provide to the Owner names of persons who have expressed interest in renting BMR Units for the purposes of adding such interested persons to Owner's waiting list to be processed in accordance with Owner's customary policies. The Owner shall not refuse to lease to a holder of a certificate or a rental voucher under the Section 8 program or other tenant-based assistance program, who is otherwise qualified to be a tenant in accordance with the approved tenant selection criteria.

205. **Maintenance.** The Owner shall maintain or cause to be maintained the interior and exterior of the Property in a decent, safe and sanitary manner, and consistent with the standard of maintenance of first class multifamily apartment projects within San Mateo County, California of the age of the Property improvements. If at any time Owner fails to maintain the Property in accordance with this Agreement and such condition is not corrected within five (5) days after written notice from the City with respect to graffiti, debris, waste material, and general maintenance, or thirty (30) days after written notice from the City with respect to landscaping and building improvements (or such longer time in accordance with Section 301 of this Agreement), then the City, in addition to whatever remedy it may have at law or at equity, shall have the right to enter upon the applicable portion of the Property and perform all acts and work necessary to protect, maintain, and preserve the Property, and to attach a lien upon the Property, or to assess the Property, in the amount of the expenditures arising from such acts and work of

protection, maintenance, and preservation by the City and/or costs of such cure, including a reasonable administrative charge, which amount shall be promptly paid by Owner to the City upon demand.

206. **Monitoring and Recordkeeping.** Throughout the Affordability Period, as defined below, Owner shall comply with all applicable recordkeeping and monitoring requirements set forth in the Guidelines and shall annually complete and submit to City by July 1st a Certification of Continuing Program Compliance in a form approved by the City. Representatives of the City shall be entitled to enter the Property, upon at least twenty-four (24) hour notice, to monitor compliance with this Agreement, to inspect the records of the Project with respect to the BMR Units, and to conduct, or cause to be conducted, an independent audit or inspection of such records. The Owner agrees to cooperate with the City in making the Property available for such inspection or audit. If for any reason the City is unable to obtain the Owner's consent to such an inspection or audit, the Owner understands and agrees that the City may obtain at Owner's expense an administrative inspection warrant or other appropriate legal order to obtain access to and search the Property. Owner agrees to maintain records in businesslike manner, and to maintain such records for the Affordability Period.

207. **Non-Discrimination Covenants.** Owner covenants by and for itself, its successors and assigns, and all persons claiming under or through them that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, religion, sex, marital status, familial status, disability, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the Property, nor shall Owner itself or any person claiming under or through it, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the Property.

208. **Agreement to Limitation on Rents**. The Owner hereby covenants that the City's grant of the Public Benefit Bonus and agreement to enter into a Development Agreement for the Project are forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code. The Owner further covenants that it has agreed to limit Monthly Rent in the BMR Units in consideration for the City's grant of the Public Benefit Bonus and agreement to enter into a Development Agreement for the Project under Civil Code Sections 1954.52(b) and 1954.53(a)(2). The Owner hereby agrees that any BMR Units provided pursuant to this Agreement are not subject to Civil Code Section 1954.52(a) or any other provision of the Costa-Hawkins Act inconsistent with controls on rents and further agrees that any limitations on Monthly Rent imposed on the BMR Units are in conformance with the Costa-Hawkins Act.

209. **Term of Agreement.** The Property shall be subject to the requirements of this Agreement from the date of recordation of this Agreement until the fifty-fifth (55^{th}) anniversary of the date of the City's signoff of the final building permit permitting occupancy of all planned residential space in the Project. The duration of this requirement shall be known as the "**Affordability Period**."

210. **Expiration of Affordability Period; Release of Property from Agreement.** Prior to the expiration of the Affordability Period, Owner shall provide all notifications required by Government Code Sections 65863.10 and 65863.11 or successor provisions and any other notification required by any state, federal, or local law. In addition, at least six (6) months prior to the expiration of the Affordability Period, the Owner shall provide a notice by first-class mail, postage prepaid, to all tenants in the BMR Units. The notice shall contain (a) the anticipated date of the expiration of the Affordability Period and (b) any anticipated Monthly Rent increase upon the expiration of the Affordability Period. The Owner shall file a copy of the above-described notice with the City Manager. Upon the expiration of the Affordability Period for all BMR Units, City shall execute and record a release of the Project, the Property, and each unit in the Project from the burdens of this Agreement within thirty (30) days following written notice from the Owner, if at the time the Owner is in compliance with all terms of this Agreement, including without limitation the provisions of this section regarding notice of the expiration of the Affordability Period.

300. DEFAULT AND REMEDIES

301. **Events of Default.** The following shall constitute an "**Event of Default**" by Owner under this Agreement: there shall be a material breach of any condition, covenant, warranty, promise or representation contained in this Agreement and such breach shall continue for a period of thirty (30) days after written notice thereof to the defaulting Party without the defaulting Party curing such breach, or if such breach cannot reasonably be cured within such thirty (30) day period, commencing the cure of such breach within such thirty (30) day period and thereafter diligently proceeding to cure such breach within ninety (90) days, unless a longer period is granted by the City; provided, however, that if a different period or notice requirement is specified for any particular breach under any other paragraph of Article 300 of this Agreement, the specific provision shall control.

302. **Remedies.** The occurrence of any Event of Default under Section 301 shall give the non-defaulting Party the right to proceed with an action in equity to require the defaulting Party to specifically perform its obligations and covenants under this Agreement or to enjoin acts or things which may be unlawful or in violation of the provisions of this Agreement, and the right to terminate this Agreement. Any Event of Default under this Agreement shall constitute a Default under the Development Agreement.

303. **Obligations Personal to Owner.** The liability of the Owner under this Agreement to any person or entity is limited to the Owner's interest in the Project, and the City and any other such persons and entities shall look exclusively thereto for the satisfaction of obligations arising out of this Agreement or any other agreement securing the obligations of the Owner under this Agreement. From and after the date of this Agreement, no deficiency or other personal judgment, nor any order or decree of specific performance (other than pertaining to this Agreement, any agreement pertaining to any Project or any other agreement securing the Owner's obligations under this Agreement),

shall be rendered against the Owner, the assets of the Owner (other than the Owner's interest in the Project), its partners, members, successors, transferees or assigns and each of their respective officers, directors, employees, partners, agents, heirs and personal representatives, as the case may be, in any action or proceeding arising out of this Agreement or any agreement securing the obligations of the Owner under this Agreement, or any judgment, order or decree rendered pursuant to any such action or proceeding. No subsequent owner of the Project shall be liable or obligated for the breach or default of any obligations of the Owner under this Agreement on the part of any prior Owner. Such obligations are personal to the person who was the Owner at the time the default or breach was alleged to have occurred and such person shall remain liable for any and all damages occasioned thereby even after such person ceases to be the Owner. Each Owner shall comply with and be fully liable for all obligations of an "owner" hereunder during its period of ownership. Notwithstanding the above, Bayfront, Landings, and Real Social Good are jointly and severally responsible for all obligations of Owner under this Agreement; and a failure by any one of them to comply substantially and in good faith with any obligations of Owner under this Agreement shall constitute an Event of Default of Owner.

304. **Force Majeure.** Subject to the Party's compliance with the notice requirements as set forth below, performance by either Party hereunder shall not be deemed to be in default, and all performance and other dates specified in this Agreement shall be extended, where delays or defaults are due to causes beyond the control and without the fault of the Party claiming an extension of time to perform, which may include, without limitation, the following: war, insurrection, strikes, lockouts, riots, floods, earthquakes, fires, assaults, acts of God, acts of the public enemy, epidemics, quarantine restrictions, freight embargoes, lack of transportation, governmental restrictions or priority, litigation, unusually severe weather, inability to secure necessary labor, materials or tools, acts or omissions of the other Party, or acts or failures to act of any public or governmental entity (except that the City's acts or failure to act shall not excuse performance of the City hereunder). An extension of the time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the Party claiming such extension is sent to the other Party within thirty (30) days of the commencement of the cause.

305. **Attorneys' Fees.** In addition to any other remedies provided hereunder or available pursuant to law, if either Party brings an action or proceeding to enforce, protect or establish any right or remedy hereunder, the prevailing Party shall be entitled to recover from the other Party its costs of suit and reasonable attorneys' fees.

306. **Remedies Cumulative.** No right, power, or remedy given by the terms of this Agreement is intended to be exclusive of any other right, power, or remedy; and each and every such right, power, or remedy shall be cumulative and in addition to every other right, power, or remedy given by the terms of any such instrument, or by any statute or otherwise.

307. **Waiver of Terms and Conditions.** The City may, in its sole discretion, waive in writing any of the terms and conditions of this Agreement. Waivers of any covenant, term, or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term, or condition.

308. **Non-Liability of City Officials and Employees.** No member, official, employee or agent of the City shall be personally liable to the Owner or any occupant of any BMR Unit, or any successor in interest, in the event of any default or breach by the City or failure to enforce any provision hereof, or for any amount which may become due to the Owner or its successors, or on any obligations under the terms of this Agreement.

400. GENERAL PROVISIONS

401. **Guidelines.** This Agreement incorporates by reference the provisions of Sections 1, 2, 3, 4.1.2, 5.1, 5.2, 5.3, 7.1, 7.2.1, 7.2.3, 7.2.4, 7.2.5, 11.1.1 and 11.1.2 (applicable to the Low Income Units only), 11.1.3 through 11.1.8, 13.6, and 13.7 of the Guidelines as of the date of this Agreement and any successor sections as the Guidelines may be amended from time to time and expresses the entire obligations and duties of Owner with respect to the Owner's obligations under the Guidelines. No other requirements or obligations under the Guidelines shall apply to Owner except as expressly provided for in this Agreement. In the event of any conflict or ambiguity between this Agreement, the requirements of state and federal fair housing laws and the Guidelines, the terms and conditions of this Agreement and the requirements of state and federal fair housing laws shall control.

402. **Time.** Time is of the essence in this Agreement.

403. **Notices.** Any notice requirement set forth herein shall be deemed to be satisfied three (3) days after mailing of the notice first-class United States certified mail, postage prepaid, or by personal delivery, addressed to the appropriate Party as follows:

Owner:

Landings Investments, LLC
Bayfront Investments, LLC
Real Social Good Investments, LLC
621 High Street
Palo Alto, CA 94301
Attention: Robert M. Burke

With a copy to:
Greenheart Land Company
P.O. Box 7775 #45700
San Francisco, CA 94120-7775

Arent Fox LLP
55 2nd Street, 21st Floor
San Francisco, CA 94105
Attention: Steve Atkinson

City: City of Menlo Park
701 Laurel Street
Menlo Park, California 94025-3483
Attention: City Manager

With a copy to:
City of Menlo Park
701 Laurel Street
Menlo Park, California 94025-3483
Attention: City Attorney

Such addresses may be changed by notice to the other Party given in the same manner as provided above.

404. **Covenants Running with the Land; Successors and Assigns.** The City and Owner hereby declare their express intent that the covenants and restrictions set forth in this Agreement shall apply to and bind Owner and its heirs, executors, administrators, successors, transferees, and assignees having or acquiring any right, title or interest in or to any part of the Property and shall run with and burden the Property. Until all or portions of the Property are expressly released from the burdens of this Agreement, each and every contract, deed or other instrument hereafter executed covering or conveying the Property or any portion thereof shall be held conclusively to have been executed, delivered, and accepted subject to such covenants and restrictions, regardless of whether such covenants or restrictions are set forth in such contract, deed or other instrument. In the event of foreclosure or transfer by deed-in-lieu of all or any portion of the Property, title to all or any portion of the Property shall be taken subject to this Agreement. Owner acknowledges that compliance with this Agreement is a land use requirement and a requirement of the Development Agreement, and that no event of foreclosure or trustee's sale may remove these requirements from the Property. Whenever the term "Owner" is used in this Agreement, such term shall include any other permitted successors and assigns as herein provided.

405. **Subordination**. At Owner's request, this Agreement may be subordinated to liens, including a deed of trust (in each case a "Senior Loan"), which secure the financing used to acquire, construct, operate, or refinance the Project, but only if all of the following conditions are satisfied:

(a) The Owner shall submit to the City an appraisal of the Property, completed or updated within 90 days of the proposed closing of the Senior Loan, demonstrating that the amount of all proposed Senior Loans does not exceed eighty percent (80%) of the appraised fair market value of the Property.

(b) The proposed lender of the Senior Loan (the **"Senior Lender"**) must not be an Affiliated Party. For the purposes of this Section, an "**Affiliated Party**" is any corporation, limited liability company, partnership, or other entity which is controlling of,

or controlled by, or under common control with the Owner, and "control," for purposes of this definition, means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of such entity, whether through the ownership of voting securities, by contract, or otherwise. The terms "controlling" and "controlled" have the meanings correlative to "control."

(c) Any subordination agreement shall provide that the BMR Units described in this Agreement unconditionally shall continue to be provided as required by the Development Agreement and Section 404 of this Agreement, provided that any successor in interest to Owner as owner of the Property claiming through the foreclosure or sale under any deed of trust shall not be liable for any violations of the BMR agreement which occurred prior to such successor taking title. In addition, any subordination agreement shall provide that such successor shall, within 90 days after taking title to the Property, execute a new BMR agreement approved by the City and consistent with the provisions of this Agreement, evidencing the obligation to continue to provide the BMR Units.

(d) No subordination agreement may limit the effect of this Agreement before a foreclosure, nor require consent of the Senior Lender or assignee to exercise of any remedies by the City under this Agreement or the Development Agreement;

(e) The subordination described in this Section 405 may be effective only during the original term of the loan of the Senior Lender and not during any extension of its term or refinancing, unless otherwise approved in writing by the City Manager, which approval shall not be unreasonably withheld or delayed, provided that the conditions in this Section 405 are met.

(f) Owner shall submit adequate documentation to City so that City may determine that a proposed Senior Loan conforms with the provisions of this Section 405. Upon a determination by the City Manager that the conditions in this Section 405 have been satisfied, the City Manager is authorized to execute the approved subordination agreement.

406. **Intended Beneficiaries.** The City is the intended beneficiary of this Agreement, and shall have the sole and exclusive power to enforce this Agreement. It is intended that the City may enforce this Agreement in order to satisfy its obligations to improve, increase and preserve affordable housing within the City, as required by the Guidelines, and to provide that a certain percentage of new housing is made available at affordable housing cost to persons and families of low and moderate income, as required by the Guidelines, to qualify the Project for the Public Benefit Bonus, and to implement the provisions of the Development Agreement. No other person or persons, other than the City and the Owner and their assigns and successors, shall have any right of action hereon.

407. **Partial Invalidity.** If any provision of this Agreement shall be declared invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions hereof shall not in any way be affected or impaired.

408. **Governing Law.** This Agreement and other instruments given pursuant hereto shall be construed in accordance with and be governed by the laws of the State of California. Any references herein to particular statutes or regulations shall be deemed to refer to successor statutes or regulations, or amendments thereto. The venue for any action shall be the County of San Mateo.

409. **Each Party's Role in Drafting the Agreement.** Each Party to this Agreement has had an opportunity to review the Agreement, confer with legal counsel regarding the meaning of the Agreement, and negotiate revisions to the Agreement. Accordingly, neither Party shall rely upon Civil Code Section 1654 in order to interpret any uncertainty in the meaning of the Agreement.

410. **Amendment.** This Agreement may not be changed orally, but only by agreement in writing signed by Owner and the City.

411. **Approvals.** Where an approval or submission is required under this Agreement, such approval or submission shall be valid for purposes of this Agreement only if made in writing. Where this Agreement requires an approval or consent of the City, such approval may be given on behalf of the City by the City Manager or his or her designee. The City Manager or his or her designee is hereby authorized to take such actions as may be necessary or appropriate to implement this Agreement, including without limitation the execution of such documents or agreements as may be contemplated by this Agreement and amendments which do not substantially change the uses or restrictions hereunder, or substantially add to the costs of the City hereunder.

IN WITNESS WHEREOF, the Parties hereto have executed this Affordable Housing Agreement as of the date and year set forth above.

OWNER:

BAYFRONT INVESTMENTS, LLC, a California limited liability company

By: _____
Scott W. Hassan, Managing Member

Date: _____

LANDINGS INVESTMENTS, LLC, a California limited liability company

By: _____
Scott W. Hassan, Managing Member

Date: _____

REAL SOCIAL GOOD INVESTMENTS, LLC, a California limited liability company

By: _____
Scott W. Hassan, Managing Member

Date: _____

CITY:

CITY OF MENLO PARK, a California municipal corporation

By: _____
Alex D. McIntyre, City Manager

Date: _____

List of Exhibits

Exhibit A: Property Description

Exhibit B: Below Market Rate Housing Program Guidelines

Exhibit C: Initial Distribution of BMR Units

Exhibit D: Compliance Forms and Certifications

Exhibit E: Sample Utility Allowance

Exhibit A

Property Description

Real property in the City of Menlo Park, County of San Mateo, State of California, described as follows:

Property Owned by Landings Investments, LLC

PORTION OF LOT 186, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, ON SEPTEMBER 14, 1863, IN BOOK "C" OF MAPS, AT PAGE 6, AND COPIED INTO BOOK 2 OF MAPS, AT PAGE 40, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF EL CAMINO REAL, FORMERLY KNOWN AS THE COUNTY ROAD, DISTANT THEREON 243 FEET, 10 INCHES NORTHWESTERLY FROM ITS INTERSECTION WITH THE NORTHWESTERLY LINE OF OAK GROVE AVENUE; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE OF EL CAMINO REAL, 50 FEET; THENCE AT RIGHT ANGLES NORTHEASTERLY, 257 FEET, 7-1/2 INCHES TO THE LANDS, NOW OR FORMERLY, OF MARTIN KUCK; THENCE AT RIGHT ANGLES SOUTHEASTERLY, ALONG SAID KUCK'S LAND, 50 FEET; THENCE AT RIGHT ANGLES SOUTHWESTERLY, 257 FEET 7-1/2 INCHES, MORE OR LESS, TO THE POINT OF BEGINNING.

Property Owned by Bayfront Investments, LLC

PARCEL ONE:

LOTS 1, 2, 3 AND 4, AS DESIGNATED ON THAT CERTAIN MAP ENTITLED, "MAP OF THE SUBDIVISION OF PART OF THE O'KEEFE TRACT AT MENLO PARK, SAN MATEO COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON JULY 30, 1887 IN BOOK 6 OF MISCELLANEOUS RECORDS AT PAGE 197; AND COPIED INTO BOOK "C" OF MAPS AT PAGE 29; AND PORTIONS OF LOTS 184 AND 185 AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PLAT OF LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO ON SEPTEMBER 14, 1863, IN BOOK "C" OF MAPS AT PAGE 6 AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, BEING MORE PARTICULARLY DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY LINE OF EL CAMINO REAL WITH THE DIVIDING LINE BETWEEN LOTS 4 AND 5 OF SAID ABOVE MENTIONED O'KEEFE TRACT; AND RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG SAID NORTHEASTERLY LINE OF EL CAMINO REAL, SOUTH 58° 30'

EAST 251.60 FEET; MORE OR LESS, TO THE SOUTHEASTERLY LINE OF LANDS CONVEYED TO MENLO PARK SCHOOL DISTRICT BY DEED DATED SEPTEMBER 19, 1924 AND RECORDED OCTOBER 10, 1924, IN BOOK 136 OF OFFICIAL RECORDS OF SAN MATEO COUNTY AT PAGE 241; THENCE AT RIGHT ANGLES NORTHEASTERLY AND ALONG SAID SOUTHEASTERLY LINE 257 FEET 7 1/2 INCHES TO THE SOUTHWESTERLY LINE OF THE LANDS FORMERLY OF KUCK (NOW DERRY); THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF 43 FEET TO THE MOST WESTERLY CORNER THEREOF; THENCE CONTINUING NORTHWESTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF EL CAMINO REAL, 208.60 FEET, MORE OR LESS, TO THE NORTHEASTERLY PROLONGATION OF THE DIVIDING LINE BETWEEN LOTS 4 AND 5 OF SAID O'KEEFE TRACT; THENCE SOUTHWESTERLY ALONG SAID PROLONGATION AND CONTINUING ALONG SAID DIVIDING LINE BETWEEN SAID LOTS 4 AND 5 FOR A DISTANCE OF 257 FEET 7 1/2 INCHES, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL TWO:

PORTIONS OF LOTS 184 AND 185 AS DESIGNATED ON THAT CERTAIN MAP ENTITLED "PLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY ON SEPTEMBER 14, 1836 IN BOOK "C" OF MAPS AT PAGE 6 AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERLY LINE OF THE 40 FOOT RIGHT OF WAY AS DESCRIBED IN GRANT FROM MENLO PARK SCHOOL DISTRICT TO CITY AND COUNTY OF SAN FRANCISCO, A MUNICIPAL CORPORATION, DATED FEBRUARY 19, 1938 AND RECORDED AUGUST 6, 1938 IN BOOK 798 OF OFFICIAL RECORDS OF SAN MATEO COUNTY AT PAGE 337 WITH THE SOUTHEASTERLY LINE OF THAT CERTAIN 1.92 ACRE TRACT DESCRIBED IN DEED FROM MICHAEL O'KEEFE TO THE MENLO PARK SCHOOL DISTRICT DATED JULY 28, 1892 AND RECORDED DECEMBER 31, 1892 IN BOOK 61 OF DEEDS AT PAGE 523; THENCE FROM SAID POINT OF BEGINNING SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID 1.92 ACRE TRACT FOR A DISTANCE OF 191 FEET, MORE OR LESS, TO AN ANGLE POINT IN THE DIVIDING LINE BETWEEN SAID SCHOOL LANDS AND LANDS FORMERLY OF KUCK (NOW DERRY); THENCE NORTHWESTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF EL CAMINO REAL, 180 FEET; THENCE NORTHEASTERLY AND PARALLEL WITH THE FIRST ABOVE DESCRIBED COURSE (BEING THE DIVIDING LINE BETWEEN THE LANDS OF DERRY AND SAID SCHOOL PROPERTY) FOR A DISTANCE OF 212 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID 40 FOOT RIGHT OF WAY; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE OF 181.19 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

A PORTION OF LOTS 185 AND 186, AS DESIGNATED ON THAT CERTAIN MAP ENTITLED "PLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON SEPTEMBER 14, 1863, IN BOOK "C" OF MAPS AT PAGE 6 AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF EL CAMINO REAL, FORMERLY KNOWN AS COUNTY ROAD, DISTANT THEREON 393 FEET 10 INCHES NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF OAK GROVE AVENUE; THENCE NORTHWESTERLY, ALONG SAID LINE OF EL CAMINO REAL, 50 FEET 10 INCHES TO THE SOUTHEASTERLY LINE OF LAND CONVEYED BY DEED FROM HELEN M. RUSSELL, ET VIR, TO MENLO PARK SCHOOL DISTRICT, DATED SEPTEMBER 19, 1924 AND RECORDED OCTOBER 10, 1924 IN BOOK 136 OF OFFICIAL RECORDS AT PAGE 241, RECORDS OF SAN MATEO COUNTY, CALIFORNIA; THENCE AT RIGHT ANGLES NORTHEASTERLY, ALONG SAID LINE OF LAND SO CONVEYED TO MENLO PARK SCHOOL DISTRICT, 257 FEET 7 1/2 INCHES TO THE SOUTHWESTERLY LINE OF LANDS OF KUCK; THENCE AT RIGHT ANGLES SOUTHEASTERLY ALONG SAID LINE OF LAND OF KUCK, 50 FEET 10 INCHES; THENCE AT RIGHT ANGLES, SOUTHWESTERLY 257 FEET 7 1/2 INCHES TO THE POINT OF BEGINNING.

PARCEL FOUR:

A PORTION OF LOT 186, AS DESIGNATED ON THAT CERTAIN MAP ENTITLED, "PLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON SEPTEMBER 14, 1863 IN BOOK "C" OF MAPS AT PAGE 6 AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF EL CAMINO REAL, FORMERLY KNOWN AS COUNTY ROAD, DISTANT THEREON 343 FEET 10 INCHES NORTHWESTERLY FROM ITS INTERSECTION WITH THE NORTHWESTERLY LINE OF OAK GROVE AVENUE; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE OF EL CAMINO REAL, 50 FEET TO THE SOUTHEASTERLY LINE OF LANDS CONVEYED TO A.B. SCHIRMER AND WIFE, BY DEED DATED AND RECORDED MAY 4, 1939 IN BOOK 842 OF OFFICIAL RECORDS AT PAGE 125, RECORDS OF SAN MATEO COUNTY, CALIFORNIA; THENCE AT A RIGHT ANGLES NORTHEASTERLY, ALONG SAID SOUTHEASTERLY LINE, 257 FEET 7 1/2 INCHES TO THE LANDS, NOW OR FORMERLY OF MARTIN KUCK; THENCE AT RIGHT ANGLES SOUTHEASTERLY, ALONG SAID KUCK'S LAND, 50 FEET AND THENCE AT RIGHT ANGLES, SOUTHWESTERLY 257 FEET 7 1/2 INCHES TO THE POINT OF BEGINNING.

PARCEL FIVE:

PORTION OF LOT 186, AS DESIGNATED ON THAT CERTAIN MAP ENTITLED, "PLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON SEPTEMBER 14, 1863 IN BOOK "C" OF LANDS AT PAGE 6 AND COPIED IN BOOK 2 OF MAPS AT PAGE 40, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE COUNTY ROAD LEADING FROM SAN FRANCISCO TO SAN JOSE 293 FEET 10 INCHES WESTERLY FROM THE JUNCTION OF OAK GROVE AVENUE WITH THE SAID COUNTY ROAD; THENCE RUNNING NORTHWESTERLY ALONG THE NORTHERLY SIDE OF SAID COUNTY ROAD, 50 FEET; THENCE NORTHEASTERLY AT RIGHT ANGLES, 257 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES, ALONG THE LINE KNOWN AS THE D. & M. KUCKS LAND, 50 FEET; THENCE

SOUTHWESTERLY AT RIGHT ANGLES, 257 FEET, MORE OR LESS, TO THE COUNTY ROAD AND PLACE OF BEGINNING. SAID LAND BEING SITUATE AT MENLO PARK, COUNTY OF SAN MATEO, STATE OF CALIFORNIA, AND BEING A PART OF THE BRICELAND TRACT.

PARCEL SIX:

BEGINNING AT THE MOST NORTHERLY CORNER OF THE LANDS DESCRIBED AS PARCEL ONE IN THAT CERTAIN DEED FROM SHEPARD CADILLAC-PONTIAC CO. TO SHEPARD INVESTMENT COMPANY, RECORDED FEBRUARY 14, 1968, BOOK 5431 OFFICIAL RECORDS, PAGE 315; THENCE FROM SAID POINT OF BEGINNING, ALONG THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF SAID LAST MENTIONED LANDS NORTHEASTERLY TO THE SOUTHWESTERLY BOUNDARY LINE OF THE LANDS CONVEYED TO THE CITY OF MENLO PARK BY DEED RECORDED FEBRUARY 28, 1966, BOOK 5118, OFFICIAL RECORDS, PAGE 247; THENCE ALONG SAID LAST MENTIONED SOUTHWESTERLY BOUNDARY LINE SOUTH 51° 58' EAST 30 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF THE LANDS DESCRIBED AS PARCEL TWO IN THE ABOVE MENTIONED DEED TO SHEPARD INVESTMENT COMPANY; THENCE ALONG SAID LAST MENTIONED NORTHWESTERLY LINE SOUTHWESTERLY 212 FEET, MORE OR LESS, TO THE NORTHEASTERLY LINE OF THE LANDS DESCRIBED AS PARCEL ONE IN SAID LAST MENTIONED DEED; THENCE ALONG SAID LAST MENTIONED NORTHEASTERLY LINE, NORTHWESTERLY 28.60 FEET, MORE OR LESS TO THE POINT OF BEGINNING, AND BEING A PORTION OF PARCEL TWO TO THE PARCEL MAP FILED MARCH 26, 1970, BOOK 9 OF PARCEL MAPS, PAGE 42, SAN MATEO COUNTY RECORDS.

NOTE: PARCELS THREE, FOUR AND FIVE ABOVE INCLUDE THE LAND SHOWN AS PARCEL A IN THE PARCEL MAP FILED NOVEMBER 4, 1968, BOOK 6 OF PARCEL MAPS, PAGE 40, SAN MATEO COUNTY RECORDS.

APN: 061-430-450 (Affects Parcel One through Five); 061-430-420 (Affects Parcel Six)
JPN: 061-43-430-40A; 061-43-430-41A and 061-43-430-42A

Property Owned by Real Social Good Investments, LLC

PARCEL ONE:

A PORTION OF LOTS 186 AND 187 AS SHOWN ON THAT CERTAIN MAP ENTITLED "PLAT OF THE LANDS OF MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO – SAN MATEO COUNTY" FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY OF OCTOBER 14, 1863, IN BOOK "C" OF ORIGINAL MAPS AT PAGE 6 AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, DESCRIBED VIZ:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF OAK GROVE AVENUE DISTANT THEREON 92 FEET NORTHEASTERLY FROM THE NORTHEASTERLY LINE OF EL CAMINO REAL, FORMERLY KNOWN AS COUNTY ROAD; THENCE NORTHEASTERLY ALONG SAID LINE OF OAK GROVE AVENUE, 56 FEET, 6 INCHES, MORE OR LESS, TO A POINT ON SAID LINE OF OAK GROVE AVENUE, 148 FEET, 6 INCHES, NORTHEAST OF SAID EL CAMINO REAL, FORMERLY KNOWN AS COUNTY ROAD, SAID POINT BEING THE MOST SOUTHERLY CORNER OF PROPERTY CONVEYED BY DEED FROM BERNARD GORMAN TO WILLIAM CASEY, DATED MARCH 7, 1874, AND

RECORDED MARCH 7, 1874 IN BOOK 22 OF DEEDS AT PAGE 388; THENCE AT RIGHT ANGLES NORTHWESTERLY AND ALONG THE SOUTHWESTERLY BOUNDARY OF PROPERTY SO CONVEYED TO CASEY, 243 FEET, 10 INCHES; THENCE AT RIGHT ANGLES SOUTHWESTERLY 56 FEET, 6 INCHES, MORE OR LESS, TO A LINE 92 FEET NORTHEASTERLY FROM THE NORTHEASTERLY LINE OF SAID EL CAMINO REAL, FORMERLY COUNTY ROAD; THENCE AT RIGHT ANGLES SOUTHEASTERLY ALONG SAID LINE, 243 FEET, 10 INCHES TO THE POINT OF BEGINNING.

PARCEL TWO:

A PORTION OF LOTS NUMBERED 186 AND 187 AS SHOWN ON THAT CERTAIN MAP ENTITLED "PLAT OF LANDS OF THE MENLO PARK VILLA ASSOCIATION SOUTHERN PORTION OF PULGAS RANCHO – SAN MATEO COUNTY" FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY ON SEPTEMBER 14, 1863, IN BOOK "C" OF ORIGINAL MAPS AT PAGE 6, AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF OAK GROVE AVENUE DISTANT THEREON 148 FEET, 6 INCHES, FROM THE NORTHEASTERLY LINE OF EL CAMINO REAL, FORMERLY CALLED COUNTY ROAD; SAID POINT OF BEGINNING BEING THE MOST EASTERLY CORNER OF PROPERTY CONVEYED TO EDWARD J. DERRY AND WIFE BY DEED RECORDED NOVEMBER 20, 1942; THENCE RUNNING NORTHWESTERLY AT RIGHT ANGLES TO SAID LINE OF OAK GROVE AVENUE AND ALONG THE NORTHEASTERLY LINE OF SAID PROPERTY CONVEYED TO DERRY 245 FEET, 5 INCHES; THENCE RUNNING AT RIGHT ANGLES NORTHEASTERLY 32 FEET, 6 INCHES TO THE SOUTHWESTERLY LINE OF LANDS NOW OR FORMERLY OWNED BY BERTHA KNEK ET AL; THENCE RUNNING AT RIGHT ANGLES SOUTHEASTERLY AND ALONG SAID LINE OF LANDS OF KNEK 243 FEET, 5 INCHES TO SAID NORTHWESTERLY LINE OF OAK GROVE AVENUE; THENCE RUNNING SOUTHWESTERLY AND ALONG SAID LINE OF OAK GROVE AVENUE TO THE POINT OF BEGINNING.

PARCEL THREE:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWESTERLY LINE OF OAK GROVE AVENUE, AS SAME APPEARS ON THE MAP ENTITLED "FLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION", FILED IN THE OFFICE OF THE RECORDER OF SAN MATEO COUNTY ON SEPTEMBER 14, 1863 IN BOOK "C" OF MAPS AT PAGE 6 AND A COPY ENTERED IN BOOK 2 OF MAPS AT PAGE 40, WITH THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY; RUNNING THENCE NORTHWESTERLY, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 491.98 FEET, MORE OR LESS, TO THE MOST EASTERLY CORNER OF THE LANDS OF THE MENLO PARK ELEMENTARY SCHOOL DISTRICT; THENCE ALONG THE SOUTHEASTERLY LINE OF LAST MENTIONED PROPERTY, IN A SOUTHWESTERLY DIRECTION, A DISTANCE OF 251 FEET 5-1/2 INCHES TO A POINT THEREON, WHICH IS 257 FEET 7-1/2 INCHES NORTHEASTERLY, MEASURED AT A RIGHT ANGLE, FROM THE NORTHEASTERLY LINE OF EL CAMINO REAL; THENCE SOUTHEASTERLY PARALLEL WITH SAID LINE OF EL CAMINO REAL, A DISTANCE OF 243 FEET 10 INCHES, TO A POINT WHICH IS DISTANT 243 FEET 10 INCHES NORTHWESTERLY, MEASURED AT A RIGHT ANGLE, FROM THE NORTHEASTERLY LINE OF OAK GROVE AVENUE; THENCE

SOUTHWESTERLY, PARALLEL WITH SAID LINE OF OAK GROVE AVENUE, A DISTANCE OF 75.62 FEET, MORE OR LESS, TO THE MOST NORTHERLY CORNER OF THE LANDS NOW OR FORMERLY OF CASEY; THENCE SOUTHEASTERLY, ALONG THE NORTHEASTERLY LINE OF SAID LANDS OF CASEY, A DISTANCE OF 243 FEET 10 INCHES TO THE NORTHEASTERLY LINE OF OAK GROVE AVENUE AND THENCE NORTHEASTERLY, ALONG SAID LINE, 272.33 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM: PARCEL 2, AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "PARCEL MAP BEING A PORTION OF LOT 187, MENLO PARK VILLA ASSOCIATION", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA, ON MAY 28, 1968 IN BOOK 5 OF PARCEL MAPS AT PAGE 32.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF MENLO PARK PURSUANT TO DEED RECORDED AUGUST 24, 1987, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF OAK GROVE AVENUE WITH THE NORTHEASTERLY LINE OF THE LANDS CONVEYED TO GENERAL PETROLEUM CORPORATION OF CALIFORNIA, A CORPORATION BY DEED RECORDED MARCH 15, 1940 IN VOLUME 883 AT PAGE 345, OFFICIAL RECORDS OF SAN MATEO COUNTY; THENCE ALONG SAID NORTHEASTERLY LINE, N. 58° 11' 00" W., 8.00 FEET; THENCE N. 31° 49' 00" E., 38.00 FEET; THENCE N. 39° 10' 09" E., 62.51 FEET TO THE MOST SOUTHERLY CORNER OF PARCEL 3 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED MAY 23, 1968 IN VOLUME 5 OF PARCEL MAPS AT PAGE 32 IN THE OFFICE OF THE RECORDER OF SAN MATEO COUNTY, SAID CORNER BEING ON THE NORTHWESTERLY LINE OF OAK GROVE AVENUE; THENCE ALONG LAST SAID LINE S. 31° 49' 00" W., 100.00 FEET TO THE POINT OF COMMENCEMENT.

PARCEL FOUR:

PARCEL 2, AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "PARCEL MAP BEING A PORTION OF LOT 187, MENLO PARK VILLA ASSOCIATION", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA, ON MAY 28, 1968 IN BOOK 5 OF PARCEL MAPS AT PAGE 32.

APN: 061-430-200 (Affects A PORTION OF PARCEL THREE);
061-430-210 (Affects A PORTION OF PARCEL THREE);
061-430-220 (Affects PORTIONS OF PARCELS ONE AND TWO);
061-430-230 (Affects A PORTION OF PARCEL ONE);
061-430-310 (Affects PARCEL FOUR);
061-430-320 (Affects A PORTION OF PARCEL THREE);
061-430-380 (Affects A PORTION OF PARCEL THREE) and

061-430-460 (Affects PORTION OF PARCELS ONE, TWO AND THREE)

JPN No's:

061-043-430-20A; 061-043-430-21A; 061-043-430-22A; 061-043-430-23A; 061-043-430-31A; 061-043-430-32A; 061-043-430-38A and 061-043-430-04A

Exhibit B

Below Market Rate Housing Program Guidelines

Exhibit C

Initial Distribution of BMR Units

	Low Income Units	Moderate Income Units
Small One-Bedroom Units	8 Units # 219, 223, 231, 262, 319, 323, 331, 362	6 Units # 209, 225, 260, 309, 325, 360
Large One-Bedroom Units	3 Units # 226, 248, 348	
Two-Bedroom Units	3 Units # 200, 224, 300	
TOTAL	**14**	**6**

Exhibit D

Compliance Forms and Certifications

Exhibit E

Sample Utility Allowance

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***DRAFT* – January 24, 2017**

ORDINANCE NO.___

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING THE DEVELOPMENT AGREEMENT WITH REAL SOCIAL GOOD INVESTMENTS, LLC FOR THE PROPERTY LOCATED AT 1258-1300 EL CAMINO REAL, 550-580 OAK GROVE AVENUE, AND 540-570 DERRY LANE

The City Council of the City of Menlo Park does hereby ORDAIN as follows:

SECTION 1. This Ordinance is adopted under the authority of Government Code Section 65864 *et seq.* and pursuant to the provisions of City Resolution No. 4159, which establishes procedures and requirements for the consideration of developments within the City of Menlo Park ("City"). This Ordinance incorporates by reference that Development Agreement, Station 1300 Project (1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane, Menlo Park, CA) (the "Development Agreement") by and between the City and Real Social Good Investments, LLC ("Applicant") attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 2. The City, as lead agency, prepared an Infill Environmental Impact Report ("EIR") pursuant to the California Environmental Quality Act ("CEQA") that examined the environmental impacts of the redevelopment of the property at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (the "Property"). On January 24, 2017, by Resolution No. _____, the City Council certified the EIR, made certain findings, and adopted a Mitigation Monitoring and Reporting Plan, which Resolution together with the EIR are incorporated herein by reference. The City Council finds that the Development Agreement is within the scope of the EIR.

SECTION 3. As required by Resolution No. 4159, the Planning Commission reviewed the Development Agreement at a duly and properly noticed public hearing held on December 12, 2016 and recommended that the City Council adopt this ordinance. As part of its recommendation to the City Council, the Planning Commission determined that the Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan and the El Camino Real/Downtown Specific Plan; is compatible with the uses authorized in and the regulations prescribed for the SP-ECR/D land use district in which the Property is located; is in conformity with public convenience, general welfare and good land use practice; will not be detrimental to the health, safety and general welfare of the City or the region surrounding the City; and will not adversely affect the orderly development of property or the preservation of property values within the City.

SECTION 4. The City Council held a duly and properly noticed public hearing on the Development Agreement on January 24, 2017. The City Council finds that the following are the relevant facts concerning the Development Agreement:

1. The General Plan land use designation for the Property is El Camino Real/Downtown Specific Plan and the zoning for the Property is SP-ECR/D (El Camino Real/Downtown Specific Plan).

2. The Applicant proposes a unified development on the Property consisting of approximately 6.40 acres (278,812 square feet).

3. The Applicant proposes to demolish the existing buildings on-site and redevelop the Property with the subsequent construction of two office buildings and one residential building, both with community-serving uses located on the ground floor, with a total floor area of approximately 420,000 square feet. An underground parking garage and small surface lot would include approximately 1,000 spaces (the "Project").

SECTION 5. As required by Section 302 of Resolution No. 4159 and based on an analysis of the facts set forth above, the staff report to the City Council, the presentation to the Council, supporting documents, and public testimony, the City Council hereby adopts the following as its findings:

1. The Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan and the El Camino Real/Downtown Specific Plan.

2. The Development Agreement is compatible with the uses authorized in and the regulations prescribed for the SP-ECR/D land use district in which the Property is located.

3. The Development Agreement is in conformity with public convenience, general welfare and good land use practices.

4. The Development Agreement will not be detrimental to the health, safety and general welfare of the City or the region surrounding the City.

5. The Development Agreement will not adversely affect the orderly development of property or the preservation of property values within the City.

6. The Development Agreement will promote and encourage the development of the Project by providing a greater degree of certainty with respect thereto.

7. The Development Agreement will result in the provision of public benefits by the Applicant, including, but not limited to, financial commitments.

SECTION 6. Based upon the above findings of fact, the Development Agreement for the Project is hereby approved. The City Council hereby authorizes the Mayor to execute the Development Agreement and all documents required to implement the Development Agreement on behalf of the City.

SECTION 7. No later than ten days after this ordinance is effective and has been executed by all parties, the City Clerk shall record with the San Mateo County Recorder

a copy of the Development Agreement, as required by Government Code Section 65868.5.

SECTION 8. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or enforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 9. The ordinance shall take effect 30 days after its passage and adoption. Within 15 days of its adoption, the ordinance shall be posted in three public places within the City, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City prior to the effective date.

INTRODUCED on the twenty-fourth day of January, 2017.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the _____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____
Kirsten Keith
Mayor, City of Menlo Park

ATTEST:

_____
Pamela Aguilar, CMC
City Clerk

This document is recorded for the benefit of the City of Menlo Park and is entitled to be recorded free of charge in accordance with Sections 6103 and 27383 of the Government Code.

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:
City of Menlo Park
Attn: City Clerk
701 Laurel Street
Menlo Park, CA 94025

DEVELOPMENT AGREEMENT

STATION 1300 PROJECT
(1258 - 1300 EL CAMINO REAL, 550 – 580 OAK GROVE AVENUE, AND 540 – 570 DERRY LANE, MENLO PARK, CA)

SEPARATE PAGE, PURSUANT TO GOVT. CODE 27361.6

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DEVELOPMENT AGREEMENT

STATION 1300 PROJECT
(1258 - 1300 EL CAMINO REAL, 550 – 580 OAK GROVE AVENUE, AND
540 – 570 DERRY LANE, MENLO PARK, CA)

THIS DEVELOPMENT AGREEMENT ("**Agreement**") is made and entered into as of this ___ day of _____, 2017, by and between the City of Menlo Park, a municipal corporation of the State of California ("**City**") and: Landings Investments, LLC, a California limited liability company (**"Landings"**), Bayfront Investments, LLC, a California limited liability company (**"Bayfront"**), and Real Social Good Investments, LLC, a California limited liability company (**"Real Social Good"**) (Landings, Bayfront, and Real Social Good are, collectively, "**Owner**"), pursuant to the authority of California Government Code Sections 65864-65869.5 and City Resolution No. 4159.

RECITALS

This Agreement is entered into on the basis of the following facts, understandings and intentions of the City and Owner:

A. To strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Government Code Sections 65864-65869.5 authorizing the City to enter into development agreements in connection with the development of real property within its jurisdiction by qualified applicants with a requisite legal or equitable interest in the real property which is the subject of such development agreements.

B. As authorized by Government Code Section 65865(c), the City has adopted Resolution No. 4159 establishing the procedures and requirements for the consideration of development agreements within the City.

C. Owner owns those certain parcels of real property collectively and commonly known as Station 1300 in the City of Menlo Park, California ("**Property**") as shown on Exhibit A attached hereto and being more particularly described in Exhibit B attached hereto.

D. Owner intends to demolish all existing structures on the Property and to construct the Project (as defined in this Agreement) on the Property in accordance with the Project Approvals and any other Approvals. As part of the Project Approvals, Owner obtained a public benefit bonus consisting of: (1) a height increase from 38 feet to 48 feet; and (2) an increase in floor area ratio from 1.1 to 1.5, thus allowing the construction of an additional 112,108 sq. ft. of office and residential space (the **"Public Benefit Bonus"**) in consideration for the substantial public benefits proposed by the Owner and contained in this Agreement.

F. The City examined the environmental effects of the Project (as defined in this Agreement) in an Infill Environmental Impact Report ("**EIR**") prepared pursuant to the California Environmental Quality Act ("**CEQA**"). On _____, the City Council of the City reviewed and certified the EIR.

G. The City has determined that the Project is a development for which a development agreement is appropriate. A development agreement will eliminate uncertainty in the City's land use planning for, and secure orderly development of, the Project and otherwise achieve the goals and purposes for which Resolution No. 4159 was enacted by City. The Project will generate the public benefits described in this Agreement, along with other fees for the City. Owner will incur substantial costs in order to comply with the conditions of the Approvals and otherwise in connection with the development of the Project. In exchange for the public benefits and other benefits to the City and the public, Owner desires to receive vested rights, including, without limitation, legal assurances that the City will grant permits and approvals required for the development, occupancy and use of the Property and the Project, including the Public Benefit Bonus, in accordance with the Existing City Laws (as defined in this Agreement), subject to the terms and conditions contained in this Agreement. In order to effectuate these purposes, the City and Owner desire to enter into this Agreement.

H. On December 12, 2016, after conducting a duly noticed public hearing pursuant to Resolution No. 4159, the Planning Commission of the City recommended that the City Council approve this Agreement, based on the following findings and determinations: that this Agreement: (1) is consistent with the objectives, policies, general land uses and programs specified in the General Plan (as defined in this Agreement); (2) is compatible with the uses authorized in and the regulations prescribed for the land use district in which the Property is located; (3) conforms with public convenience, general welfare and good land use practices; (4) will not be detrimental to the health, safety and general welfare of the City or the region surrounding the City; (5) will not adversely affect the orderly development of property or the preservation of property values within the City; and (6) will promote and encourage the development of the Project by providing a greater degree of certainty with respect thereto.

I. Thereafter, on January 24, 2017 the City Council held a duly noticed public hearing on this Agreement pursuant to Resolution No. 4159. The City Council made the same findings and determinations as the Planning Commission. On that same date, the City Council made the decision to approve this Agreement by introducing Ordinance No. ____ ("**Enacting Ordinance**"). A second reading was conducted on the Enacting Ordinance on _____, on which date the City Council adopted the Enacting Ordinance, making the Enacting Ordinance effective on _____.

NOW, THEREFORE, pursuant to the authority contained in Government Code Sections 65864-65869.5 and Resolution No. 4159, and in consideration of the mutual covenants and promises of the City and Owner herein contained, the City and Owner agree as follows:

1. Definitions. Each reference in this Agreement to any of the following terms shall have the meaning set forth below for each such term. Certain other terms shall have the meaning set forth for such term in this Agreement.

1.1 Approvals. Any and all permits or approvals of any kind or character required under the City Laws in order to authorize and entitle Owner to complete the Project and to develop and occupy the Property in accordance with the terms of the Project including, but not limited to, the items described in the Project Approvals (as defined in this Agreement).

1.2 City Laws. The ordinances, resolutions, codes, rules, regulations and official policies of the City governing the permitted uses of land, density, design, and improvement applicable to the development of the Property. Specifically, but without limiting the generality of the foregoing, the City Laws shall include the General Plan and the City's Zoning Ordinance.

1.3 City Manager. The City Manager or his or her designee as designated in writing from time to time. Owner may rely on the authority of the designee of the City Manager.

1.4 City Wide. Any City Law, Fee or other matter that is generally applicable to one or more kinds or types of development or use of property wherever located in the City or that is applicable only within the area included in the Menlo Park El Camino Real/Downtown Specific Plan. A City Law, Fee or other matter shall not be City Wide if, despite its stated scope, it applies only to the Property or to one or more parcels located within the Property, or if the relevant requirements are stated in such a way that they apply only to all or a portion of the Project.

1.5 Community Development Director. The City's Community Development Director or his or her designee.

1.6 Conditions. All conditions, dedications, reservation requirements, obligations for on- or off-site improvements, services, other monetary or non-monetary requirements and other conditions of approval imposed, charged by or called for by the City in connection with the development of or construction on real property under the Existing City Laws, whether such conditions constitute public improvements, mitigation measures in connection with environmental review of any project, or impositions made under applicable City Laws.

1.7 Default. As to Owner, the failure of Owner to comply substantially and in good faith with any obligations of Owner under this Agreement; and as to the City, the failure of the City to comply substantially and in good faith with any obligations of City under this Agreement; any such failure by Owner or the City shall be subject to cure as provided in this Agreement. Bayfront, Landings, and Real Social Good are jointly and severally responsible for all obligations of Owner under this Agreement; and a failure by any one of them to comply substantially and in good faith with any obligations of Owner under this Agreement shall constitute a Default of Owner.

1.8 Effective Date. The effective date of the Enacting Ordinance pursuant to Government Code Section 65867.5, as specified in Recital I of this Agreement.

1.9 Existing City Laws. The City Laws in effect as of the Effective Date.

1.10 General Plan. Collectively, the General Plan for the City, including all elements as adopted by the City Council on November 29, 2016.

1.11 Impact Fees. The monetary amount charged by the City or equivalent in-kind obligation in connection with a development project for the purpose of defraying all or a portion of the cost of mitigating the impacts of the development project or development of the public facilities related to the development project, including any "fee" as that term is defined by Government Code Section 66000(b) and including any fees included in the MMRP.

1.12 Laws. The laws and Constitution of the State of California, the laws and Constitution of the United States and any state or federal codes, statutes, executive mandates or court decisions thereunder. The term "Laws" shall exclude City Laws.

1.13 Mitigation Measures. The mitigation measures applicable to the Project, developed as part of the EIR process and required to be implemented through the MMRP.

1.14 MMRP. The Mitigation Monitoring and Reporting Plan adopted as part of the Project Approvals and applicable to the Project.

1.15 Mortgage. Any mortgage, deed of trust or similar security instrument encumbering the Property, any portion thereof or any interest therein.

1.16 Mortgagee. With respect to any Mortgage, any mortgagee or beneficiary thereunder.

1.17 Party. Each of the City and Owner and their respective successors, assigns and transferees (collectively, "Parties").

1.18 Processing Fee. A fee imposed by the City upon the submission of an application or request for a permit or Approval, which is intended to cover only the estimated cost to the City of processing such application or request and/or issuing such permit or Approval and which is applicable to similar projects on a City Wide basis, including but not limited to building permit plan check and inspection fees, public works, engineering and transportation plan check and inspection fees, subdivision map application, review and processing fees, fees related to the review, processing and enforcement of the MMRP, and fees related to other staff time and attorney's time incurred to review and process applications, permits and/or Approvals; provided such fees are not duplicative of or assessed on the same basis as any Impact Fees.

1.19 Project. The uses of the Property, the site plan for the Property and the Vested Elements (as defined in Section 3.1), as authorized by or embodied within the Project Approvals and the actions that are required pursuant to the Project Approvals. Specifically, the Project includes the demolition of the existing structures on the Property and the construction of new buildings including office, retail, and residential uses, an underground parking garage, and certain onsite and offsite improvements as more particularly described in the Project Approvals.

1.20 Project Approvals. The following approvals for the Project granted, issued and/or enacted by the City as of the date of this Agreement, as amended, modified or updated from time to time: (a) this Agreement; (b) the statement of overriding considerations and adoption of the MMRP and other actions in connection with environmental review of the Project; (c) Architectural Control, including approving a public benefit bonus; (d) Tentative Map; (e) Use Permit; (f) Heritage Tree Removal Permits; and (g) Below Market Rate (BMR) Housing Agreement.

1.21 Resolution No. 4159. City Resolution No. 4159 entitled "Resolution of the City Council of the City of Menlo Park Adopting Regulations Establishing Procedures and Requirements for Development Agreements" adopted by the City Council of the City of Menlo Park on January 9, 1990.

1.22 Substantially Complete Building Permit Application. Owner's completed or substantially completed application for a building permit for the underground parking garage to be built as part of the Project as reasonably determined by the City's Building Official applied in a manner consistent with City's standard practices in effect at the time of building permit submittal, accompanied by (i) payment of all Processing Fees and other fees required to be submitted with such application and (ii) plans/required submittals for all associated on-site and off-site improvements associated with such structure, as required by the Project Approvals. For the remaining elements of the Project, including without limitation the residential building and the two office buildings, a Substantially Complete Building Permit Application shall mean Owner's completed or substantially completed application for a building permit as reasonably determined by the City's Building Official applied in a manner consistent with the City's standard practices in effect at the time of building permit submittal accompanied by (i) payment of all Processing Fees and other fees to be submitted with such application and (ii) plans/required submittals for all associated on-site and off-site improvements.

2. Effective Date; Term.

2.1 Effective Date. This Agreement shall be dated and the rights and obligations of the Parties hereunder shall be effective as of the Effective Date. Not later than ten (10) days after the Effective Date, the City and Owner shall execute and acknowledge this Agreement, and the City shall cause this Agreement to be recorded in the Official Records of the County of San Mateo, State of California as provided for in Government Code Section 65868.5. However, the failure to record this Agreement

within the time period provided for in Government Code Section 65868.5 shall not affect its validity or enforceability among the Parties.

2.2 Term. This Agreement shall terminate ten (10) years from the Effective Date (the "**Term**"), unless earlier terminated under Sections 9, 11, or 16 of this Agreement or extended by mutual written agreement under Section 10.1.

2.3 Expiration of Term. Except as otherwise provided in this Agreement or any of the Approvals, upon the expiration of the Term of this Agreement: (a) this Agreement, and the rights and obligations of the Parties under this Agreement, shall terminate; and (b) Owner shall thereafter comply with the provisions of the City Laws and Approvals then in effect or thereafter enacted and applicable to the Property and/or the Project, except that the expiration of the Term of this Agreement shall not affect any rights of Owner that are or would be vested under City Laws in the absence of this Agreement or any other rights arising from Approvals granted or issued by the City for the construction or development of all or any portion of the Project.

3. General Development of the Project.

3.1 Project. Owner shall have the vested right to develop and occupy the Property in accordance with the terms and conditions of this Agreement and the Project Approvals, and any additional Approvals for the Project and/or the Property obtained by Owner, as the same may be amended from time to time upon application by Owner; and City shall have the right to control development of the Property in accordance with the Approvals for the Project and/or the Property and the provisions of this Agreement, so long as this Agreement remains effective. Except as otherwise specified herein, until the expiration or earlier termination of this Agreement, this Agreement, the Approvals and the Existing City Laws shall control the overall development, use and occupancy of the Property, and all improvements and appurtenances in connection therewith, including, without limitation, the density and intensity of use ("**Vested Elements**"), and all Mitigation Measures and Conditions required or imposed in connection with the Project Approvals in order to minimize or eliminate environmental impacts of the Project.

3.2 Subsequent Projects. The City agrees that as long as Owner develops and occupies the Project in accordance with the terms of this Agreement, Owner's right to develop and occupy the Property shall not be diminished despite the impact of future development in the City on public facilities, including, without limitation, City streets, water systems, sewer systems, utilities, traffic signals, sidewalks, curbs, gutters, parks and other City owned public facilities that may benefit the Property and other properties in the City.

3.3 Other Governmental Permits. Owner or City (whichever is appropriate) shall apply for such other permits and approvals from governmental or quasi-governmental agencies other than the City having jurisdiction over the Project (e.g. the California Department of Transportation) as may be required for the development of or provision of services to the Project; provided, however, that City shall

not apply for any such permits or approvals without Owner's prior written approval. The City shall use its best efforts to promptly and diligently cooperate, at no cost to the City, with Owner in its endeavors to obtain such permits and approvals and, from time to time at the request of Owner, shall proceed with due diligence and in good faith to negotiate and/or enter into binding agreements with any such entity in order to assure the availability of such permits and approvals or services. All such applications, approvals, agreements, and permits shall be obtained at Owner's cost and expense, including payment of City staff time in accordance with standard practices, and Owner shall indemnify City for any liabilities imposed on City arising out of or resulting from such applications, permits, agreements and/or approvals. The indemnifications set forth in this Section 3.3 shall survive the termination or expiration of this Agreement. To the extent allowed by applicable Laws, Owner shall be a party or third party beneficiary to any such agreement between City and such agencies and shall be entitled to enforce the rights of Owner or the City thereunder and/or the duties and obligations of the parties thereto.

3.4 Vesting. The Parties acknowledge and agree that this Agreement vests Owner's rights to develop the Project in accordance with the terms of this Agreement and the provisions of state law concerning development agreements.

3.5 Fees. Notwithstanding any other provision of this Agreement, and notwithstanding the provisions of Section 3.1, at the time any Approvals are applied for, the City may charge Processing Fees to Owner for land use approvals, building permits, encroachment permits, subdivision maps, and other similar permits and approvals which are in force and effect on a City Wide basis at the time Owner submits an application for those permits. The Project shall additionally be subject to all other taxes, assessments, and fees imposed by the City which are in force and effect on a City Wide basis and imposed on taxpayers, land, or Approvals, except that Impact Fees shall be imposed as provided in Section 3.6.

3.6 Impact Fees.

(a) The City shall not impose any new Impact Fees, including Impact Fees to provide affordable housing, on the Project provided that: (i) a Substantially Complete Building Permit Application is submitted to the City for the underground parking garage within three years of the Effective Date; and (ii) a building permit for the underground parking garage is issued within three years and six months of the Effective Date. Notwithstanding the foregoing, the City may impose increases in existing Impact Fees on the Project that are in force and effect on a City Wide basis at the time Owner submits an application for or receives an Approval that is subject to such increases in existing Impact Fees. As specified in Section 10.1, the time limits in this Section 3.6(a) may not be extended unless approved by the City Council and confirmed by the mutual written agreement of the City and Owner.

(b) The Owner may receive up to two one year extensions of the period in which new Impact Fees may not be imposed on the Project by paying to the City the following: (i) ten percent (10%) of the amount of the new Impact Fee that would

otherwise be imposed on the Project for the first one year extension; and (ii) an additional twenty percent (20%) of the amount of the new Impact Fee that would otherwise be imposed on the Project for the second one year extension. In determining the amount of any affordable housing Impact Fee that would otherwise be imposed on the Project, the City shall provide a credit for the Affordable Housing described in Section 7.4 as provided in the ordinance or resolution establishing the affordable housing Impact Fee.

3.7 Effect of Agreement. This Agreement, the Project Approvals and all plans and specifications upon which such Project Approvals are based (as the same may be modified from time to time in accordance with the terms of the Project Approvals), shall constitute a part of the Enacting Ordinance, as if incorporated by reference therein in full.

3.8 Review and Processing of Approvals. The City shall accept, review and shall use its best efforts to expeditiously process Owner's applications and requests for Approvals in connection with the Project in good faith and in a manner which complies with and is consistent with the Project Approvals and this Agreement. The City shall approve any application or request for an Approval which complies and is consistent with the Project Approvals. Owner shall provide the City with the Processing Fees, applications, documents, plans, materials and other information necessary for the City to carry out its review and processing obligations. Owner shall submit all applications and requests for Approvals in the manner required under applicable City Laws in effect as of the time of such submittal. The Parties shall cooperate with each other and shall use diligent, good faith efforts to cause the expeditious review, processing, and issuance of the approvals and permits for the development and occupation of the Project in accordance with the Project Approvals.

4. Specific Criteria Applicable to the Project.

4.1 Applicable Laws and Standards. Notwithstanding any change in any Existing City Law, including, but not limited to any change by means of ordinance, resolution, initiative, referendum, policy or moratorium, and except as otherwise expressly provided in this Agreement, the laws and policies applicable to the Property are and shall be as set forth in Existing City Laws (regardless of future changes in Existing City Laws by the City) and the Project Approvals. Owner shall also have the vested right to develop and occupy or to cause the Property to be developed and occupied in accordance with the Vested Elements; provided that the City may apply and enforce the California Building Standards Code as amended and adopted by the City (including the Mechanical Code, Electrical Code and Plumbing Code) and the California Fire Code as amended and adopted by the City and/or the Menlo Park Fire Protection District, as such codes may be in effect at the time Owner submits a Substantially Complete Building Permit Application for the underground parking garage, provided that: (a) Owner submits Substantially Complete Building Permit Applications for the remaining buildings in the Project within one year of the submittal of the Substantially Complete Building Permit Application for the underground parking garage; and (b) a building permit is issued for the underground parking garage and each subsequent

permit within 360 days of the submittal of a Substantially Complete Building Permit Application for that permit. Without limiting the generality of the foregoing, except as otherwise expressly provided in this Agreement, during the Term of this Agreement, the City shall not, without the prior written consent of Owner: (a) apply to the Project any new or amended ordinance, resolution, rule, regulation, requirement or official policy that is inconsistent with any Existing City Laws or Approvals and that would have the effect of delaying, preventing, adversely affecting or imposing any new or additional condition with respect to the Project; or (b) apply to the Project or any portion thereof any new or amended ordinance, resolution, rule, regulation, requirement or official policy that requires additional discretionary review or approval for the proposed development, use and/or occupancy of the Project.

4.2 Application of New City Laws. Nothing herein shall prevent the City from applying to the Property new City Laws that are not inconsistent or in conflict with the Existing City Laws or the intent, purposes or any of the terms, standards or conditions of this Agreement, and which do not affect the Vested Elements or impose any other conditions on the Project that are inconsistent with this Agreement or the intent of this Agreement. Any action or proceeding of the City that has any of the following effects on the Project shall be considered in conflict with this Agreement and the Existing City Laws:

(a) Limiting or reducing the density or intensity of use of the Property;

(b) Limiting grading or other improvements on the Property in a manner that is inconsistent with or more restrictive than the limitations included in the Project Approvals; or

(c) Applying to the Project or the Property any law, regulation, or rule restricting or affecting a use or activity otherwise allowed by the Project Approvals.

The above list of actions is not intended to be comprehensive, but is illustrative of the types of actions that would conflict with this Agreement and the Existing City Laws. Prior to the adoption of any new City Law, including without limitation any change in the City's affordable housing rules or policies, City shall, upon Owner's request, confer as to whether such new City Law would be considered in conflict with this Agreement and Existing City Laws.

4.3 Timing. Without limiting the foregoing, no moratorium or other limitation affecting the development and occupancy of the Project or the rate, timing or sequencing thereof shall apply to the Project.

4.4 Subsequent Environmental Review. The Parties acknowledge and agree that the EIR contains a thorough environmental analysis of the Project and the Project alternatives, and specifies the feasible Mitigation Measures available to eliminate or reduce to an acceptable level the environmental impacts of the Project. The Parties further acknowledge and agree that the EIR provides an adequate

environmental analysis for the City's decisions to authorize Owner to proceed with the Project as embodied in the Project Approvals and this Agreement and subsequent development of the Project during the Term of this Agreement. The Mitigation Measures imposed are appropriate for the implementation of proper planning goals and objectives and the formulation of Project conditions of approval. In view of the foregoing, the City agrees that the City will not require another or additional environmental impact report or environmental review for any subsequent Approvals implementing the Project to the extent that is consistent with the California Environmental Quality Act. Owner shall defend, indemnify and hold the City harmless from any costs or liabilities incurred by the City in connection with any litigation seeking to compel the City to perform additional environmental review of any subsequent Approvals.

4.5 Easements; Improvements. The City shall cooperate with Owner in connection with any arrangements for abandoning existing easements and facilities and the relocation thereof or creation of any new easements within the Property necessary or appropriate in connection with the development of the Project. If any such easement is owned by the City or an agency of the City, the City or such agency shall, at the request of Owner, take such action and execute such documents as may be reasonably necessary in order to abandon and relocate such easement(s) as necessary or appropriate in connection with the development of the Project in accordance with the Project Approvals. All on-site and off-site improvements required to be constructed by Owner pursuant to this Agreement, including those set forth in the Project Approvals, shall be constructed by Owner.

5. Condition Precedent. Owner's obligations under Sections 6 and 7 inclusive are expressly conditioned on the City's issuance of a building permit for the underground parking garage to be built as part of the Project. This condition shall be referred to as the "**Condition Precedent**".

6. One Time Public Benefit; Downtown Public Amenity Fund. Prior to issuance of any building permit for the underground parking garage, Owner shall make a payment of One Million Fifty Thousand Dollars ($1,050,000) to the City for deposit into the Downtown Public Amenity Fund. Prior to City sign off on any building permit allowing occupancy of office, retail, or residential space, Owner shall make a second payment of One Million Fifty Thousand Dollars ($1,050,000) to the City for deposit into the Downtown Public Amenity Fund.

7. On-Going Public Benefits.

7.1 Dog Park. The Project shall incorporate a fenced dog park located as shown on Exhibit A attached hereto that shall be open to the public consistent with the public use agreement attached to this Agreement as Exhibit C (the "**Public Use Agreement**"). Prior to City sign off on any building permit allowing occupancy of office, retail, or residential space in the Project, the Public Use Agreement shall be recorded against the Property. Construction of the dog park shall be completed substantially in conformance with the Project Approvals and all other applicable state and local building codes, development standards, and ordinances prior to City sign off of the building

permit allowing occupancy of any residential unit in the Project. The Public Use Agreement may be amended from time to time by mutual agreement of the City and the Owner, and any amendment to the Public Use Agreement shall automatically be deemed to be incorporated into this Agreement without any further requirement to amend this Agreement.

7.2 Sales Tax Guarantee.

(a) For the Term of this Agreement, and commencing two (2) years after occupancy is allowed in the final office or residential building, Owner agrees to pay to the City the positive difference, if any, obtained by subtracting: (i) the sales tax revenues the City actually received from the entire Property (including sales tax generated by office space tenants) for the previous fiscal year (measured from July 1 to June 30) from: (ii) the amount of Eighty-Three Thousand Seven Hundred Dollars ($83,700) (the "**Sales Tax Guarantee**").

(b) Commencing one year after the Effective Date, the amount of the Sales Tax Guarantee shall be increased once every twelve months based on the annual percentage increase in the Consumer Price Index, All Items (CPI-U), San Francisco-Oakland-San Jose, on June 30 of each year.

(c) In the first year that the Project is subject to the Sales Tax Guarantee, Owner shall pay to the City the positive difference, if any, obtained by subtracting: (i) the sales tax revenues the City actually received from the Property for the previous fiscal year (measured from July 1 to June 30) from: (ii) the amount of the Sales Tax Guarantee prorated for the period in which occupancy was approved. (As an example, if occupancy is approved on October 1, 2019, then no Sales Tax Guarantee would be due from October 1, 2019 to October 1, 2021, and the first calculation of the Sales Tax Guarantee would occur for the period from October 1, 2021 to June 30, 2022. The sales tax actually received from the Property from July 1, 2021 to June 30, 2022 would be subtracted from the Sales Tax Guarantee prorated over a nine month period rather than a twelve month period to determine any amount owed to the City.)

7.3 Marketing to Incubator/Accelerator/Co-Working Tenants. For the Term of this Agreement, Owner shall make a good faith effort to implement the plan shown in Exhibit D attached hereto (the "**Incubator Marketing Plan**") and market the office space within the Project to incubator, accelerator, and co-working tenants. Notwithstanding this provision, Owner shall have no obligation to implement the Incubator Marketing Plan if all of the office space in the Project is leased to a single tenant, nor shall Owner have any obligation to implement the Marketing Plan during periods when the office space in the buildings is ninety-five percent (95%) leased for at least one year in the future.

7.4 Affordable Housing. Concurrently with the recordation of this Agreement, Owner and City shall execute and record a Below Market Rate (BMR) Housing Agreement in the form attached as Exhibit E ("**BMR Housing Agreement**"), which shall provide, among other things, for: (a) the provision of a total of twenty (20)

affordable units in the Project, fourteen (14) to be occupied exclusively by, and rented to, households of low income and six (6) to be occupied exclusively by, and rented to, households of moderate income ("**Affordable Units**"), as further described in the BMR Housing Agreement; (b) a concurrent term for all Affordable Units of fifty-five (55) years from the date of City sign off of the final building permit allowing occupancy of all planned residential space in the Project; and (c) subordination permitted only as provided in Section 405 of the BMR Agreement. Owner further acknowledges, under Civil Code Sections 1954.52(b) and 1954.53(a)(2), that it has agreed to limit rents in the Affordable Units in consideration for the City's agreements to enter into a Development Agreement for the Project and for the City's approval of this Agreement and provision of the Public Benefit Bonus, as described in the BMR Housing Agreement. Owner hereby agrees that any Affordable Units provided pursuant to this Agreement are not subject to Civil Code Section 1954.52(a) or any other provision of the Costa-Hawkins Act inconsistent with controls on rents, and further agrees that any limitations on rents imposed on the Affordable Units are in conformance with the Costa-Hawkins Act.

8. Indemnity. Owner shall indemnify, defend and hold harmless City, and its elective and appointive boards, commissions, officers, agents, contractors, and employees (collectively, "**City Indemnified Parties**") from any and all claims, causes of action, damages, costs or expenses (including reasonable attorneys' fees) arising out of or in connection with, or caused on account of, the development and occupancy of the Project, any Approval with respect thereto, or claims for injury or death to persons, or damage to property, as a result of the operations of Owner or its employees, agents, contractors, representatives or tenants with respect to the Project (collectively, "**Owner Claims**"); provided, however, that Owner shall have no liability under this Section 8 for Owner Claims arising from the gross negligence or willful misconduct of any City Indemnified Party, or for Claims arising from, or that are alleged to arise from, the repair or maintenance by the City of any improvements that have been offered for dedication by Owner and accepted by the City.

9. Periodic Review for Compliance.

9.1 Annual Review. The City shall, at least every twelve (12) months during the Term of this Agreement, review the extent of Owner's good faith compliance with the terms of this Agreement pursuant to Government Code § 65865.1 and Resolution No. 4159. Notice of such annual review shall be provided by the City's Community Development Director to Owner not less than thirty (30) days prior to the date of the hearing by the Planning Commission on Owner's good faith compliance with this Agreement and shall to the extent required by law include the statement that any review may result in amendment or termination of this Agreement. Owner shall demonstrate good faith compliance with this Agreement. At the conclusion of the review, the Planning Commission shall determine on the basis of substantial evidence whether the Owner has complied in good faith with the terms and conditions of this Agreement. The decision of the Planning Commission may be appealed to the City Council within ten (10) days of its decision. A finding by the Planning Commission or City Council, as applicable, of good faith compliance with the terms of this Agreement shall conclusively determine the issue up to and including the date of such review.

Bayfront, Landings, and Real Social Good are jointly and severally responsible for all obligations of Owner under this Agreement; and a failure by any one of them to comply in good faith with any obligations of Owner under this Agreement shall constitute a Default of Owner.

9.2 Non-Compliance. If the Planning Commission (if its finding is not appealed) or City Council finds that Owner has not complied in good faith with the terms and conditions of this Agreement, the City shall provide written notice to Owner describing: (a) such failure and that such failure constitutes a Default; (b) the actions, if any, required by Owner to cure such Default; and (c) the time period within which such Default must be cured. If the Default can be cured, Owner shall have a minimum of thirty (30) days after the date of such notice to cure such Default, or in the event that such Default cannot be cured within such thirty (30) day period, if Owner shall commence within such thirty (30) day time period the actions necessary to cure such Default and shall be diligently proceeding to complete such actions necessary to cure such Default, Owner shall have such additional time period as may be required by Owner within which to cure such Default.

9.3 Failure to Cure Default. If Owner fails to cure a Default within the time periods set forth above, the City Council may amend or terminate this Agreement as provided below.

9.4 Proceeding Upon Amendment or Termination. If, upon a finding under Section 9.2 of this Agreement and the expiration of the cure period specified in such Section 9.2 without the Owner having cured a Default, the City determines to proceed with amendment or termination of this Agreement, the City shall give written notice to Owner of its intention so to do. The notice shall be given at least thirty (30) days before the scheduled hearing and shall contain:

(a) The time and place of the hearing;

(b) A statement that the City proposes to terminate or to amend this Agreement; and

(c) Such other information as is reasonably necessary to inform Owner of the nature of the proceeding.

9.5 Hearings on Amendment or Termination. At the time and place set for the hearing on amendment or termination, Owner shall be given an opportunity to be heard, and Owner shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. If the City Council finds, based upon substantial evidence, that Owner has not complied in good faith with the terms or conditions of this Agreement, the City Council may terminate this Agreement or, with Owner's agreement to amend rather than terminate, amend this Agreement and impose such conditions as are reasonably necessary to protect the interests of the City. Bayfront, Landings, and Real Social Good are jointly and severally responsible for all obligations of Owner under this Agreement; and a failure by any one of them to comply substantially and in good

faith with any obligations of Owner under this Agreement shall constitute a Default of Owner. The decision of the City Council shall be final, subject to judicial review pursuant to Section 1094.5 of the California Code of Civil Procedure.

9.6 Effect on Transferees. If Owner has transferred a partial interest in the Property to another party so that title to the Property is held by Owner and additional parties or different parties, the City shall conduct one annual review applicable to all parties with a partial interest in the Property and the entirety of the Property. If the City Council terminates or amends this Agreement based upon any such annual review and the determination that any party with a partial interest in the Property has not complied in good faith with the terms and conditions of this Agreement, such action shall be effective as to all parties with a partial interest in the Property and to the entirety of the Property.

10. Permitted Delays; Subsequent Laws.

10.1 Extension of Times of Performance. In addition to any specific provisions of this Agreement, the performance by any Party of its obligations under this Agreement shall not be deemed to be in Default, and the time for performance of such obligation shall be extended; where delays or failures to perform are due to war, insurrection, strikes, lockouts, riots, floods, earthquakes, fire, casualties, acts of God, acts of the public enemy, epidemics, quarantine restrictions, freight embargoes, restrictions imposed by governmental or quasi-governmental entities other than the City, unusually severe weather, acts of another Party, acts or the failure to act of any public or governmental agency or entity (except that acts or the failure to act of the City shall not excuse the City's performance) or any other causes beyond the reasonable control, or without the fault, of the Party claiming an extension of time to perform. An extension of time for any such cause shall only be for the period of the enforced delay, which period shall commence to run from the time of the commencement of the cause of the delay. If a delay occurs, the Party asserting the delay shall use reasonable efforts to notify promptly the other Parties of the delay. If, however, notice by the Party claiming such extension is sent to the other Party more than thirty (30) days after the commencement of the cause of the delay, the period shall commence to run as of only thirty (30) days prior to the giving of such notice. The time period for performance under this Agreement may also be extended in writing by the joint agreement of the City and Owner. Litigation attacking the validity of the EIR, the Project Approvals and/or the Project shall also be deemed to create an excusable delay under this Section 10.1, but only to the extent such litigation causes a delay and the Party asserting the delay complies with the notice and other provisions regarding delay set forth hereinabove. Notwithstanding this Section 10.1, in no event shall the Term of this Agreement as set forth in Section 2.2 or the time limits set forth in Section 3.6 be extended by any such delay without approval of the City Council and the mutual written agreement of the City and Owner.

10.2 Superseded by Subsequent Laws. If any Law made or enacted after the date of this Agreement prevents or precludes compliance with one or more provisions of this Agreement, then the provisions of this Agreement shall, to the extent

feasible, be modified or suspended as may be necessary to comply with such new Law. Immediately after enactment of any such new Law, the Parties shall meet and confer reasonably and in good faith to determine the feasibility of any such modification or suspension based on the effect such modification or suspension would have on the purposes and intent of this Agreement. If such modification or suspension is infeasible in Owner's reasonable business judgment, then Owner shall have the right to terminate this Agreement by written notice to the City. Owner shall also have the right to challenge the new Law preventing compliance with the terms of this Agreement, and in the event such challenge is successful, this Agreement shall remain unmodified and in full force and effect. Notwithstanding the preceding, nothing herein shall permit the City to enact Laws that conflict with the terms of this Agreement.

11. Termination.

11.1 City's Right to Terminate. The City shall have the right to terminate this Agreement only under the following circumstances:

The City Council has determined that Owner is not in good faith compliance with the terms of this Agreement, and this Default remains uncured, all as set forth in Section 9 of this Agreement.

11.2 Owner's Right to Terminate. Owner shall have the right to terminate this Agreement only if both of the following occur:

(a) In the notice to the City terminating this Agreement, Owner either (i) requests City in writing to rescind the Project Approvals, including the Public Benefit Bonus; or (ii) City has approved alternative public benefits in consideration for the Public Benefit Bonus; and

(b) One of the following has occurred:

(1) Owner has determined that the City is in Default, has given the City notice of such Default and the City has not cured such Default within thirty (30) days following receipt of such notice, or if the Default cannot reasonably be cured within such thirty (30) day period, the City has not commenced to cure such Default within thirty (30) days following receipt of such notice and is not diligently proceeding to cure such Default; or

(2) Owner is unable to complete the Project because of supersedure by a subsequent Law or court action, as set forth in Sections 10.2 and 16 of this Agreement; or

(3) Owner determines in its business judgment that it does not desire to proceed with the construction of the Project.

11.3 Mutual Agreement. This Agreement may be terminated upon the mutual written agreement of the Parties.

11.4 Effect of Termination. If this Agreement is terminated pursuant to this Section 11, such termination shall not affect any condition or obligation due to the City from Owner and arising prior to the date of termination.

11.5 Recordation of Termination. In the event of a termination, the City and Owner agree to cooperate with each other in executing and acknowledging a Memorandum of Termination to record in the Official Records of San Mateo County within thirty (30) days following the effective date of such termination.

12. Remedies.

12.1 No Damages. City and Owner acknowledge that the purpose of this Agreement is to carry out the Parties' objectives as set forth in the recitals. City and Owner agree that to determine a sum of money which would adequately compensate either Party for choices they have made which would be foreclosed should the Property not be developed as contemplated by this Agreement is not possible and that damages would not be an adequate remedy. Therefore, City and Owner agree that in no event shall a Party, or its boards, commissions, officers, agents, or employees, be liable in damages for an Default under this Agreement. This exclusion on damages shall not preclude actions by a Party to enforce payments of monies or fees due or the performance of obligations requiring the expenditures of money under the terms of this Agreement.

12.2 Remedies Cumulative. In the event of a breach of this Agreement, the only remedies available to the non-breaching Party shall be: (a) suit for specific performance to remedy a specific breach; (b) suits for declaratory or injunctive relief; (c) suit for mandamus under Code of Civil Procedure Section 1085, or special writ; and (d) termination or cancellation of this Agreement. While Owner is in Default under this Agreement, City shall not be obligated to issue any permit or grant any Approval until Owner cures the Default. All of these remedies shall be cumulative and not exclusive of one another, and the exercise of any one or more of these remedies shall not constitute a waiver or election with respect to any other available remedy.

12.3 Parties' Agreement. In connection with the foregoing provisions, each Party acknowledges, warrants and represents that it has been fully informed with respect to, and represented by counsel of such Party's choice in connection with, the rights and remedies of such Party hereunder and the waivers herein contained, and after such advice and consultation has presently and actually intended, with full knowledge of such Party's rights and remedies otherwise available at law or in equity, to waive and relinquish such rights and remedies to the extent specified herein, and to rely to the extent herein specified solely on the remedies provided for herein with respect to any breach of this Agreement by the other Party. The provisions of this Section 12 shall survive and remain in effect following the expiration of the Term or termination or cancellation of this Agreement.

13. Waiver. Failure by a Party to insist upon the strict performance of any of the provisions of this Agreement by the other Party, irrespective of the length of time for which such failure continues, shall not constitute a waiver of such Party's right to demand strict compliance by such other Party in the future. No waiver by a Party of a Default shall be effective or binding upon such Party unless made in writing by such Party, and no such waiver shall be implied from any omission by a Party to take any action with respect to such Default. No express written waiver of any Default shall affect any other Default, or cover any other period of time, other than any Default and/or period of time specified in such express waiver.

14. Attorneys' Fees. If a Party brings an action or proceeding (including, without limitation, any cross-complaint, counterclaim, or third-party claim) against another Party by reason of a Default, or otherwise to enforce rights or obligations arising out of this Agreement, the prevailing Party in such action or proceeding shall be entitled to recover from the other Party its costs and expenses of such action or proceeding, including reasonable attorneys' fees and costs, and costs of such action or proceeding, which shall be payable whether such action or proceeding is prosecuted to judgment. "**Prevailing Party**" within the meaning of this Section 14 shall include, without limitation, a Party who dismisses an action for recovery hereunder in exchange for payment of the sums allegedly due, performance of the covenants allegedly breached, or consideration substantially equal to the relief sought in the action.

15. Limitations on Actions. The City and Owner hereby renounce the existence of any third party beneficiary of this Agreement and agree that nothing contained herein shall be construed as giving any other person or entity third party beneficiary status. If any action or proceeding is instituted by any third party challenging the validity of any provisions of this Agreement, or any action or decision taken or made hereunder, the Parties shall cooperate in defending such action or proceeding.

16. Owner's Right of Termination; Indemnity. If any court action or proceeding is brought by any third party to challenge the EIR, the Project Approvals and/or the Project, or any portion thereof, and without regard to whether Owner is a party to or real party in interest in such action or proceeding, or this Agreement is the subject of a referendum petition submitted to the City, then Owner shall have the right to terminate this Agreement upon thirty (30) days' notice in writing to City, given at any time during the pendency of such action, proceeding, or referendum, or within ninety (90) days after the final determination therein (including any appeals), irrespective of the nature of such final determination, provided that, either: (a) in the notice to the City, Owner requests City in writing to rescind the Project Approvals, including the Public Benefit Bonus; or (b) City has approved alternative public benefits in consideration for the Public Benefit Bonus. If Owner elects not to terminate this Agreement, any such action, proceeding, or referendum shall constitute a permitted delay under Section 10.1 of this Agreement. Owner shall pay the City's cost and expense, including attorneys' fees and staff time incurred by the City in defending any such action or participating in the defense of such action, including any court action or proceeding involving a referendum petition regarding this Agreement, and shall indemnify the City from any award of attorneys' fees awarded to the party challenging this Agreement, the Project Approvals or any

other permit or Approval or attorneys' fees awarded to a third party related to a referendum petition. The defense and indemnity provisions of this Section 16 shall survive Owner's election to terminate this Agreement. Notwithstanding anything to the contrary herein, Owner shall retain the right to terminate this Agreement pursuant to this Section 16 even after: (a) it has vacated the Property; and (b) its other rights and obligations under this Agreement have terminated.

17. Estoppel Certificate. Any Party may, at any time, and from time to time, deliver written notice to the other Party requesting such other Party certify in writing, to the knowledge of the certifying Party: (a) that this Agreement is in full force and effect and a binding obligation of the Parties; (b) that this Agreement has not been amended or modified either orally or in writing, and if so amended, identifying the amendments; (c) that the requesting Party is not in Default in the performance of its obligations under this Agreement, or if the requesting Party is in Default, the nature and amount of any such Defaults; (d) that the requesting Party has been found to be in compliance with this Agreement, and the date of the last determination of such compliance; and (e) as to such other matters concerning this Agreement as the requesting Party shall reasonably request. A Party receiving a request hereunder shall execute and return such certificate within thirty (30) days following the receipt thereof. The City Manager shall have the right to execute any certificate requested by Owner hereunder. The City acknowledges that a certificate may be relied upon by transferees and Mortgagees.

18. Mortgagee Protection; Certain Rights of Cure.

18.1 Mortgagee Protection. This Agreement shall be superior and senior to any lien placed upon the Property, or any portion thereof, after the date of recordation of this Agreement in the San Mateo County, California Official Records, including the lien of any Mortgage. Notwithstanding the foregoing, no breach hereof shall defeat, render invalid, diminish or impair the lien of any Mortgage, and subject to Section 18 of this Agreement, all of the terms and conditions contained in this Agreement shall be binding upon and effective against any person (including any Mortgagee) who acquires title to the Property, or any portion thereof, by foreclosure, trustee's sale, deed in lieu of foreclosure or otherwise, and the benefits hereof will inure to the benefit of such party.

18.2 Mortgagee Not Obligated. Notwithstanding the provisions of Section 18.1 above, no Mortgagee or other purchaser in foreclosure or grantee under a deed in lieu of foreclosure, and no transferee of such Mortgagee, purchaser or grantee shall: (a) have any obligation or duty under this Agreement to construct, or to complete the construction of, improvements, to guarantee such construction or completion or to perform any other monetary or nonmonetary obligations of Owner under this Agreement; and (b) be liable for any Default of Owner under this Agreement; provided, however, that a Mortgagee or any such purchaser, grantee or transferee shall not be entitled to use the Property in the manner permitted by this Agreement and the Project Approvals unless it complies with the terms and provisions of this Agreement applicable to Owner.

18.3 Notice of Default to Mortgagee; Right of Mortgagee to Cure. If the City receives notice from a Mortgagee requesting a copy of any notice of Default given Owner hereunder and specifying the address for service thereof, then City shall deliver to such Mortgagee, concurrently with service thereon to Owner, any notice of a Default or determination of noncompliance given to Owner. Each Mortgagee shall have the right (but not the obligation) for a period of ninety (90) days after the receipt of such notice from City to cure or remedy, or to commence to cure or remedy, the Default claimed or the areas of noncompliance set forth in the City's notice. If the Default or such noncompliance is of a nature which can only be remedied or cured by such Mortgagee upon obtaining possession of the Property, or any portion thereof, such Mortgagee may seek to obtain possession with diligence and continuity through a receiver, by foreclosure or otherwise, and may thereafter remedy or cure the Default or noncompliance within ninety (90) days after obtaining possession of the Property or such portion thereof. If any such Default or noncompliance cannot, with reasonable diligence, be remedied or cured within the applicable ninety (90) day period, then such Mortgagee shall have such additional time as may be reasonably necessary to remedy or cure such Default or noncompliance if such Mortgagee commences a cure during the applicable ninety (90) day period, and thereafter diligently pursues such cure to completion.

19. Assignment, Transfer, Financing.

19.1 Owner's Right to Assign. Subject to the terms of this Agreement, Owner shall have the right to transfer, sell and/or assign Owner's rights and obligations under this Agreement in conjunction with the transfer, sale or assignment of all or a partial interest in the Property. If the transferred interest consists of less than Owner's entire Property, or less than Owner's entire title to or interest in the Property, Owner shall have the right to transfer, sell, and/or assign to the transferee only those of Owner's rights and obligations under this Agreement that are allocable or attributable to the transferred property. Any transferee shall assume in writing the obligations of Owner under this Agreement and the Project Approvals relating to the transferred property and arising or accruing from and after the effective date of such transfer, sale or assignment. Owner shall notify City within ten (10) days of any such transfer, sale, or assignment.

19.2 Financing. Notwithstanding Section 19.1 of this Agreement, Mortgages, sales and lease-backs and/or other forms of conveyance required for any reasonable method of financing requiring a security arrangement with respect to the development of the Property are permitted without the need for the lender to assume in writing the obligations of Owner under this Agreement and the Project Approvals. Further, no foreclosure, conveyance in lieu of foreclosure or other conveyance or transfer in satisfaction of indebtedness made in connection with any such financing shall require any further consent of the City, regardless of when such conveyance is made, and no such transferee will be required to assume any obligations of Owner under this Agreement.

19.3 Release upon Transfer of Property. Upon Owner's sale, transfer and/or assignment of all of Owner's rights and obligations under this Agreement in

accordance with this Section 19, Owner shall be released from Owner's obligations pursuant to this Agreement which arise or accrue subsequent to the effective date of the transfer, sale and/or assignment, provided that Owner has provided notice to the City as required by Section 19.1.

20. Covenants Run With the Land. All of the provisions, agreements, rights, powers, standards, terms, covenants and obligations contained in this Agreement shall constitute covenants that shall run with the land comprising the Property, and the burdens and benefits of this Agreement shall be binding upon, and shall insure to the benefit of, each of the Parties and their respective heirs, successors, assignees, devisees, administrators, representatives and lessees, except as otherwise expressly provided in this Agreement.

21. Amendment.

21.1 Amendment or Cancellation. Except as otherwise provided in this Agreement, this Agreement may be cancelled, modified or amended only by mutual consent of the Parties in writing, and then only in the manner provided for in Government Code Section 65868 and Article 7 of Resolution No. 4159. Any amendment to this Agreement which does not relate to the Term of this Agreement, the Vested Elements or the Conditions relating to the Project shall require the giving of notice pursuant to Government Code Section 65867, as specified by Section 65868 thereof, but shall not require a public hearing before the Parties may make such amendment.

21.2 Recordation. Any amendment, termination or cancellation of this Agreement shall be recorded by the City Clerk not later than ten (10) days after the effective date thereof or of the action effecting such amendment, termination or cancellation; provided, however, a failure of the City Clerk to record such amendment, termination or cancellation shall not affect the validity of such matter.

22. Notices. Any notice shall be in writing and given by delivering the notice in person or by sending the notice by registered or certified mail, express mail, return receipt requested, with postage prepaid, or by overnight courier to the Party's mailing address. The respective mailing addresses of the Parties are, until changed as hereinafter provided, the following:

City: City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025
Attention: City Manager

With a copy to: City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025
Attention: City Attorney

Owner: Landings Investments, LLC
Bayfront Investments, LLC
Real Social Good Investments. LLC
c/o Greenheart Land Company LLC
621 High Street
Palo Alto, CA 94301

With a copy to: Greenheart Land Company
P.O. Box 7775 #45700
San Francisco, CA 94120-7775

Arent Fox LLP
52 Second Street, 21st Floor
San Francisco, CA 94105-3470
Attention: Steve Atkinson

A Party may change its mailing address at any time by giving to the other Party ten (10) days' notice of such change in the manner provided for in this Section 22. All notices under this Agreement shall be deemed given, received, made or communicated on the date personal delivery is effected, or if mailed, on the delivery date or attempted delivery date shown on the return receipt.

23. Miscellaneous.

23.1 Negation of Partnership. The Parties specifically acknowledge that the Project is a private development, that no Party is acting as the agent of the other in any respect hereunder and that each Party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. None of the terms or provisions of this Agreement shall be deemed to create a partnership between or among the Parties in the businesses of Owner, the affairs of the City, or otherwise, nor shall it cause them to be considered joint venturers or members of any joint enterprise.

23.2 Consents. Unless otherwise provided herein, whenever approval, consent or satisfaction (herein collectively referred to as an "approval") is required of a Party pursuant to this Agreement, such approval shall not be unreasonably withheld or delayed. If a Party shall not approve, the reasons therefor shall be stated in reasonable detail in writing. The approval by a Party to or of any act or request by the other Party shall not be deemed to waive or render unnecessary approval to or of any similar or subsequent acts or requests.

23.3 Approvals Independent. All Approvals which may be granted pursuant to this Agreement, and all Approvals or other land use approvals which have been or may be issued or granted by the City with respect to the Property, constitute independent actions and approvals by the City. If any provisions of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, or if the City terminates

this Agreement for any reason, such invalidity, unenforceability or termination of this Agreement or any part hereof shall not affect the validity or effectiveness of any Approvals or other land use approvals.

23.4 Severability. Invalidation of any of the provisions contained in this Agreement, or of the application thereof to any person, by judgment or court order, shall in no way affect any of the other provisions hereof or the application thereof to any other person or circumstance and the same shall remain in full force and effect, unless enforcement of this Agreement as so invalidated would be unreasonable or grossly inequitable under all the circumstances or would frustrate the purposes of this Agreement. Notwithstanding the preceding, this Section 23.4 is subject to the terms of Section 10.2.

23.5 Exhibits. The Exhibits referred to herein are deemed incorporated into this Agreement in their entirety.

23.6 Entire Agreement. This written Agreement and the Project Approvals contain all the representations and the entire agreement between the Parties with respect to the subject matter hereof. Except as otherwise specified in this Agreement and the Project Approvals, any prior correspondence, memoranda, agreements, warranties or representations are superseded in total by this Agreement.

23.7 Construction of Agreement. The provisions of this Agreement shall be construed as a whole according to their common meaning and not strictly for or against any Party in order to achieve the objectives and purpose of the Parties. The captions preceding the text of each Section and Subsection are included only for convenience of reference and shall be disregarded in the construction and interpretation of this Agreement. Wherever required by the context, the singular shall include the plural and vice versa, and the masculine gender shall include the feminine or neuter genders, or vice versa. All references to "person" shall include, without limitation, any and all corporations, partnerships, limited liability companies or other legal entities.

23.8 Further Assurances; Covenant to Sign Documents. Each Party covenants, on behalf of itself and its successors, heirs and assigns, to take all actions and do all things, and to execute, with acknowledgment or affidavit if required, any and all documents and writings that may be necessary or proper to achieve the purposes and objectives of this Agreement.

23.9 Governing Law. This Agreement, and the rights and obligations of the Parties, shall be governed by and interpreted in accordance with the laws of the State of California. Venue shall be San Mateo County Superior Court.

23.10 Construction. This Agreement has been reviewed and revised by legal counsel for Owner and City, and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement.

23.11 Time. Time is of the essence of this Agreement and of each and every term and condition hereof. In particular, City agrees to act in a timely fashion in accepting, processing, checking and approving all maps, documents, plans, permit applications and any other matters requiring City's review or approval relating to the Project or Property.

24. Counterparts. This Agreement may be executed in any number of counterparts, each of which so executed shall be deemed an original, but all of which when taken together shall constitute but one Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first above written.

CITY:

CITY OF MENLO PARK, a municipal corporation of the State of California

By: _____
Kirsten Keith, Mayor

Date: _____

ATTEST:

_____
Pamela Aguilar, City Clerk

Date: _____

APPROVED AS TO FORM:

By: _____
City Attorney

Date: _____

OWNER:

BAYFRONT INVESTMENTS, LLC, a California limited liability company

By: _____
Scott W. Hassan, Managing Member

Date: _____

LANDINGS INVESTMENTS, LLC, a California limited liability company

By: _____
Scott W. Hassan, Managing Member

Date: _____

REAL SOCIAL GOOD INVESTMENTS LLC, a California limited liability company

By: _____
Scott W. Hassan, Managing Member

Date: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF SAN MATEO)

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____

Name: _____
Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF SAN MATEO)

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

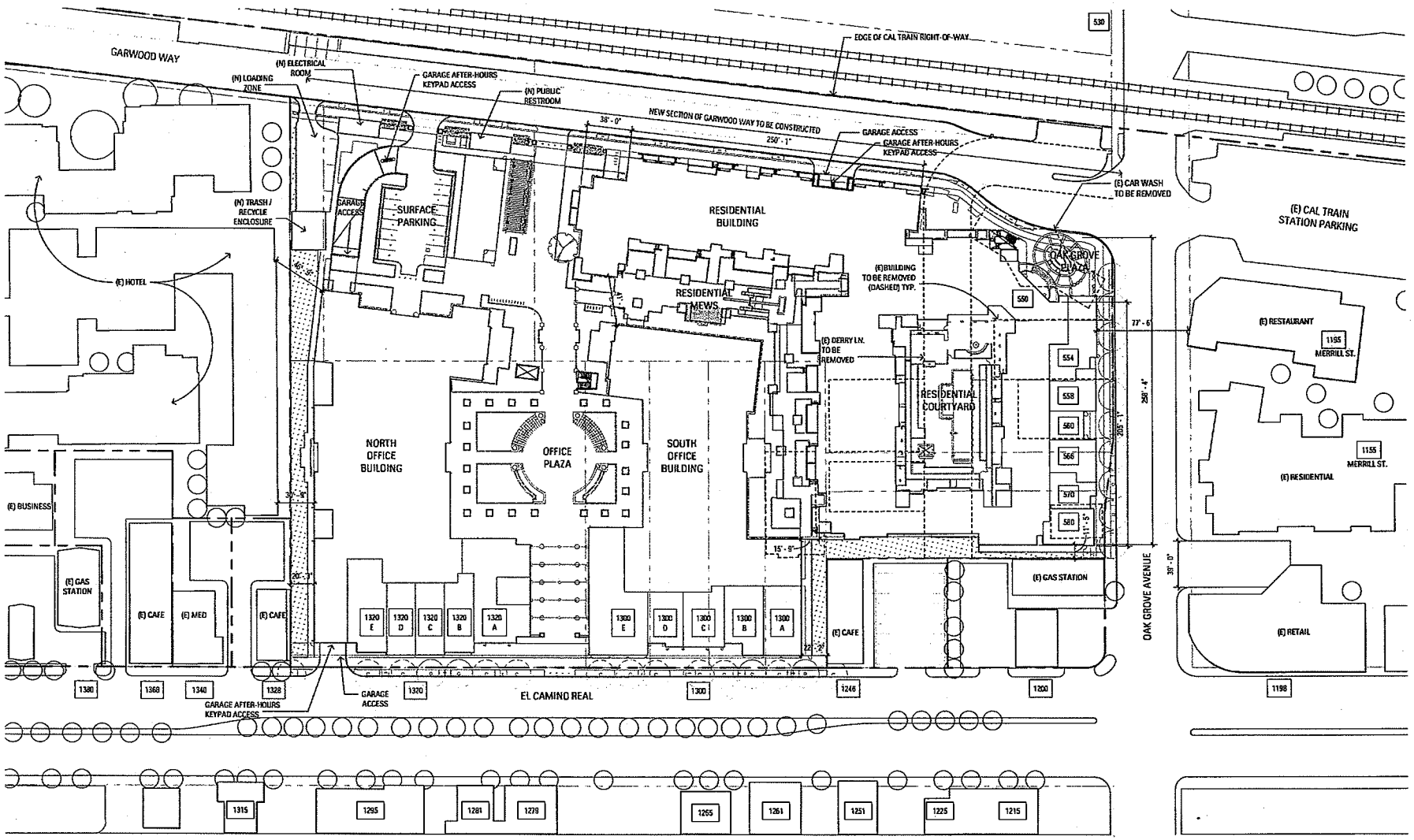
WITNESS my hand and official seal.

_____

Name: _____
Notary Public

EXHIBIT A

SITE PLAN OF PROPERTY



STATION 1300

1300 EL CAMINO REAL

Area Plan - 1300 El Camino Real

BAR architects
901 Battery Street, Suite 300 | San Francisco, CA 94111 415 293 5700 | www.bararch.com

12060 | 12/1/2016

SCALE: 1" = 40'-0"

TRUE NORTH

PLAN NORTH

A1.1

EXHIBIT B

LEGAL DESCRIPTION OF PROPERTY

Real property in the City of Menlo Park, County of San Mateo, State of California, described as follows:

EXHIBIT B

LEGAL DESCRIPTION OF PROPERTY

Real property in the City of Menlo Park, County of San Mateo, State of California, described as follows:

Property Owned by Landings Investments, LLC

PORTION OF LOT 186, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, ON SEPTEMBER 14, 1863, IN BOOK "C" OF MAPS, AT PAGE 6, AND COPIED INTO BOOK 2 OF MAPS, AT PAGE 40, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF EL CAMINO REAL, FORMERLY KNOWN AS THE COUNTY ROAD, DISTANT THEREON 243 FEET, 10 INCHES NORTHWESTERLY FROM ITS INTERSECTION WITH THE NORTHWESTERLY LINE OF OAK GROVE AVENUE; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE OF EL CAMINO REAL, 50 FEET; THENCE AT RIGHT ANGLES NORTHEASTERLY, 257 FEET, 7-1/2 INCHES TO THE LANDS, NOW OR FORMERLY, OF MARTIN KUCK; THENCE AT RIGHT ANGLES SOUTHEASTERLY, ALONG SAID KUCK'S LAND, 50 FEET; THENCE AT RIGHT ANGLES SOUTHWESTERLY, 257 FEET 7-1/2 INCHES, MORE OR LESS, TO THE POINT OF BEGINNING.

Property Owned by Bayfront Investments, LLC

PARCEL ONE:

LOTS 1, 2, 3 AND 4, AS DESIGNATED ON THAT CERTAIN MAP ENTITLED, "MAP OF THE SUBDIVISION OF PART OF THE O'KEEFE TRACT AT MENLO PARK, SAN MATEO COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON JULY 30, 1887 IN BOOK 6 OF MISCELLANEOUS RECORDS AT PAGE 197; AND COPIED INTO BOOK "C" OF MAPS AT PAGE 29; AND PORTIONS OF LOTS 184 AND 185 AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PLAT OF LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO ON SEPTEMBER 14, 1863, IN BOOK "C" OF MAPS AT PAGE 6 AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, BEING MORE PARTICULARLY DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY LINE OF EL CAMINO REAL WITH THE DIVIDING LINE BETWEEN LOTS 4 AND 5 OF SAID ABOVE MENTIONED O'KEEFE TRACT; AND RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG SAID NORTHEASTERLY LINE OF EL CAMINO REAL, SOUTH 58° 30' EAST 251.60 FEET; MORE OR LESS, TO THE SOUTHEASTERLY LINE OF LANDS CONVEYED TO MENLO PARK SCHOOL DISTRICT BY DEED DATED SEPTEMBER 19, 1924 AND RECORDED OCTOBER 10, 1924, IN BOOK 136 OF OFFICIAL RECORDS OF

SAN MATEO COUNTY AT PAGE 241; THENCE AT RIGHT ANGLES NORTHEASTERLY AND ALONG SAID SOUTHEASTERLY LINE 257 FEET 7 1/2 INCHES TO THE SOUTHWESTERLY LINE OF THE LANDS FORMERLY OF KUCK (NOW DERRY); THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF 43 FEET TO THE MOST WESTERLY CORNER THEREOF; THENCE CONTINUING NORTHWESTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF EL CAMINO REAL, 208.60 FEET, MORE OR LESS, TO THE NORTHEASTERLY PROLONGATION OF THE DIVIDING LINE BETWEEN LOTS 4 AND 5 OF SAID O'KEEFE TRACT; THENCE SOUTHWESTERLY ALONG SAID PROLONGATION AND CONTINUING ALONG SAID DIVIDING LINE BETWEEN SAID LOTS 4 AND 5 FOR A DISTANCE OF 257 FEET 7 1/2 INCHES, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL TWO:

PORTIONS OF LOTS 184 AND 185 AS DESIGNATED ON THAT CERTAIN MAP ENTITLED "PLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY ON SEPTEMBER 14, 1836 IN BOOK "C" OF MAPS AT PAGE 6 AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERLY LINE OF THE 40 FOOT RIGHT OF WAY AS DESCRIBED IN GRANT FROM MENLO PARK SCHOOL DISTRICT TO CITY AND COUNTY OF SAN FRANCISCO, A MUNICIPAL CORPORATION, DATED FEBRUARY 19, 1938 AND RECORDED AUGUST 6, 1938 IN BOOK 798 OF OFFICIAL RECORDS OF SAN MATEO COUNTY AT PAGE 337 WITH THE SOUTHEASTERLY LINE OF THAT CERTAIN 1.92 ACRE TRACT DESCRIBED IN DEED FROM MICHAEL O'KEEFE TO THE MENLO PARK SCHOOL DISTRICT DATED JULY 28, 1892 AND RECORDED DECEMBER 31, 1892 IN BOOK 61 OF DEEDS AT PAGE 523; THENCE FROM SAID POINT OF BEGINNING SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID 1.92 ACRE TRACT FOR A DISTANCE OF 191 FEET, MORE OR LESS, TO AN ANGLE POINT IN THE DIVIDING LINE BETWEEN SAID SCHOOL LANDS AND LANDS FORMERLY OF KUCK (NOW DERRY); THENCE NORTHWESTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF EL CAMINO REAL, 180 FEET; THENCE NORTHEASTERLY AND PARALLEL WITH THE FIRST ABOVE DESCRIBED COURSE (BEING THE DIVIDING LINE BETWEEN THE LANDS OF DERRY AND SAID SCHOOL PROPERTY) FOR A DISTANCE OF 212 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID 40 FOOT RIGHT OF WAY; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE OF 181.19 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

A PORTION OF LOTS 185 AND 186, AS DESIGNATED ON THAT CERTAIN MAP ENTITLED "PLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON SEPTEMBER 14, 1863, IN BOOK "C" OF MAPS AT PAGE 6 AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF EL CAMINO REAL, FORMERLY KNOWN AS COUNTY ROAD, DISTANT THEREON 393 FEET 10 INCHES NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF OAK GROVE AVENUE;

THENCE NORTHWESTERLY, ALONG SAID LINE OF EL CAMINO REAL, 50 FEET 10 INCHES TO THE SOUTHEASTERLY LINE OF LAND CONVEYED BY DEED FROM HELEN M. RUSSELL, ET VIR, TO MENLO PARK SCHOOL DISTRICT, DATED SEPTEMBER 19, 1924 AND RECORDED OCTOBER 10, 1924 IN BOOK 136 OF OFFICIAL RECORDS AT PAGE 241, RECORDS OF SAN MATEO COUNTY, CALIFORNIA; THENCE AT RIGHT ANGLES NORTHEASTERLY, ALONG SAID LINE OF LAND SO CONVEYED TO MENLO PARK SCHOOL DISTRICT, 257 FEET 7 1/2 INCHES TO THE SOUTHWESTERLY LINE OF LANDS OF KUCK; THENCE AT RIGHT ANGLES SOUTHEASTERLY ALONG SAID LINE OF LAND OF KUCK, 50 FEET 10 INCHES; THENCE AT RIGHT ANGLES, SOUTHWESTERLY 257 FEET 7 1/2 INCHES TO THE POINT OF BEGINNING.

PARCEL FOUR:

A PORTION OF LOT 186, AS DESIGNATED ON THAT CERTAIN MAP ENTITLED, "PLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON SEPTEMBER 14, 1863 IN BOOK "C" OF MAPS AT PAGE 6 AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF EL CAMINO REAL, FORMERLY KNOWN AS COUNTY ROAD, DISTANT THEREON 343 FEET 10 INCHES NORTHWESTERLY FROM ITS INTERSECTION WITH THE NORTHWESTERLY LINE OF OAK GROVE AVENUE; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE OF EL CAMINO REAL, 50 FEET TO THE SOUTHEASTERLY LINE OF LANDS CONVEYED TO A.B. SCHIRMER AND WIFE, BY DEED DATED AND RECORDED MAY 4, 1939 IN BOOK 842 OF OFFICIAL RECORDS AT PAGE 125, RECORDS OF SAN MATEO COUNTY, CALIFORNIA; THENCE AT A RIGHT ANGLES NORTHEASTERLY, ALONG SAID SOUTHEASTERLY LINE, 257 FEET 7 1/2 INCHES TO THE LANDS, NOW OR FORMERLY OF MARTIN KUCK; THENCE AT RIGHT ANGLES SOUTHEASTERLY, ALONG SAID KUCK'S LAND, 50 FEET AND THENCE AT RIGHT ANGLES, SOUTHWESTERLY 257 FEET 7 1/2 INCHES TO THE POINT OF BEGINNING.

PARCEL FIVE:

PORTION OF LOT 186, AS DESIGNATED ON THAT CERTAIN MAP ENTITLED, "PLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO, SAN MATEO COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON SEPTEMBER 14, 1863 IN BOOK "C" OF LANDS AT PAGE 6 AND COPIED IN BOOK 2 OF MAPS AT PAGE 40, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE COUNTY ROAD LEADING FROM SAN FRANCISCO TO SAN JOSE 293 FEET 10 INCHES WESTERLY FROM THE JUNCTION OF OAK GROVE AVENUE WITH THE SAID COUNTY ROAD; THENCE RUNNING NORTHWESTERLY ALONG THE NORTHERLY SIDE OF SAID COUNTY ROAD, 50 FEET; THENCE NORTHEASTERLY AT RIGHT ANGLES, 257 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES, ALONG THE LINE KNOWN AS THE D. & M. KUCKS LAND, 50 FEET; THENCE SOUTHWESTERLY AT RIGHT ANGLES, 257 FEET, MORE OR LESS, TO THE COUNTY ROAD AND PLACE OF BEGINNING. SAID LAND BEING SITUATE AT MENLO PARK,

COUNTY OF SAN MATEO, STATE OF CALIFORNIA, AND BEING A PART OF THE BRICELAND TRACT.

PARCEL SIX:

BEGINNING AT THE MOST NORTHERLY CORNER OF THE LANDS DESCRIBED AS PARCEL ONE IN THAT CERTAIN DEED FROM SHEPARD CADILLAC-PONTIAC CO. TO SHEPARD INVESTMENT COMPANY, RECORDED FEBRUARY 14, 1968, BOOK 5431 OFFICIAL RECORDS, PAGE 315; THENCE FROM SAID POINT OF BEGINNING, ALONG THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF SAID LAST MENTIONED LANDS NORTHEASTERLY TO THE SOUTHWESTERLY BOUNDARY LINE OF THE LANDS CONVEYED TO THE CITY OF MENLO PARK BY DEED RECORDED FEBRUARY 28, 1966, BOOK 5118, OFFICIAL RECORDS, PAGE 247; THENCE ALONG SAID LAST MENTIONED SOUTHWESTERLY BOUNDARY LINE SOUTH 51° 58' EAST 30 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF THE LANDS DESCRIBED AS PARCEL TWO IN THE ABOVE MENTIONED DEED TO SHEPARD INVESTMENT COMPANY; THENCE ALONG SAID LAST MENTIONED NORTHWESTERLY LINE SOUTHWESTERLY 212 FEET, MORE OR LESS, TO THE NORTHEASTERLY LINE OF THE LANDS DESCRIBED AS PARCEL ONE IN SAID LAST MENTIONED DEED; THENCE ALONG SAID LAST MENTIONED NORTHEASTERLY LINE, NORTHWESTERLY 28.60 FEET, MORE OR LESS TO THE POINT OF BEGINNING, AND BEING A PORTION OF PARCEL TWO TO THE PARCEL MAP FILED MARCH 26, 1970, BOOK 9 OF PARCEL MAPS, PAGE 42, SAN MATEO COUNTY RECORDS.

NOTE: PARCELS THREE, FOUR AND FIVE ABOVE INCLUDE THE LAND SHOWN AS PARCEL A IN THE PARCEL MAP FILED NOVEMBER 4, 1968, BOOK 6 OF PARCEL MAPS, PAGE 40, SAN MATEO COUNTY RECORDS.

APN: 061-430-450 (Affects Parcel One through Five); 061-430-420 (Affects Parcel Six)

JPN: 061-43-430-40A; 061-43-430-41A and 061-43-430-42A

Property Owned by Real Social Good Investments, LLC

PARCEL ONE:

A PORTION OF LOTS 186 AND 187 AS SHOWN ON THAT CERTAIN MAP ENTITLED "PLAT OF THE LANDS OF MENLO PARK VILLA ASSOCIATION, SOUTHERN PORTION OF PULGAS RANCHO – SAN MATEO COUNTY" FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY OF OCTOBER 14, 1863, IN BOOK "C" OF ORIGINAL MAPS AT PAGE 6 AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, DESCRIBED VIZ:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF OAK GROVE AVENUE DISTANT THEREON 92 FEET NORTHEASTERLY FROM THE NORTHEASTERLY LINE OF EL CAMINO REAL, FORMERLY KNOWN AS COUNTY ROAD; THENCE NORTHEASTERLY ALONG SAID LINE OF OAK GROVE AVENUE, 56 FEET, 6 INCHES, MORE OR LESS, TO A POINT ON SAID LINE OF OAK GROVE AVENUE, 148 FEET, 6 INCHES, NORTHEAST OF SAID EL CAMINO REAL, FORMERLY KNOWN AS COUNTY ROAD, SAID POINT BEING THE MOST SOUTHERLY CORNER OF PROPERTY CONVEYED BY DEED FROM BERNARD GORMAN TO WILLIAM CASEY, DATED MARCH 7, 1874, AND RECORDED MARCH 7, 1874 IN BOOK 22 OF DEEDS AT PAGE 388; THENCE AT RIGHT ANGLES NORTHWESTERLY AND ALONG THE SOUTHWESTERLY BOUNDARY OF PROPERTY SO CONVEYED TO

CASEY, 243 FEET, 10 INCHES; THENCE AT RIGHT ANGLES SOUTHWESTERLY 56 FEET, 6 INCHES, MORE OR LESS, TO A LINE 92 FEET NORTHEASTERLY FROM THE NORTHEASTERLY LINE OF SAID EL CAMINO REAL, FORMERLY COUNTY ROAD; THENCE AT RIGHT ANGLES SOUTHEASTERLY ALONG SAID LINE, 243 FEET, 10 INCHES TO THE POINT OF BEGINNING.

PARCEL TWO:

A PORTION OF LOTS NUMBERED 186 AND 187 AS SHOWN ON THAT CERTAIN MAP ENTITLED "PLAT OF LANDS OF THE MENLO PARK VILLA ASSOCIATION SOUTHERN PORTION OF PULGAS RANCHO – SAN MATEO COUNTY" FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY ON SEPTEMBER 14, 1863, IN BOOK "C" OF ORIGINAL MAPS AT PAGE 6, AND COPIED INTO BOOK 2 OF MAPS AT PAGE 40, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF OAK GROVE AVENUE DISTANT THEREON 148 FEET, 6 INCHES, FROM THE NORTHEASTERLY LINE OF EL CAMINO REAL, FORMERLY CALLED COUNTY ROAD; SAID POINT OF BEGINNING BEING THE MOST EASTERLY CORNER OF PROPERTY CONVEYED TO EDWARD J. DERRY AND WIFE BY DEED RECORDED NOVEMBER 20, 1942; THENCE RUNNING NORTHWESTERLY AT RIGHT ANGLES TO SAID LINE OF OAK GROVE AVENUE AND ALONG THE NORTHEASTERLY LINE OF SAID PROPERTY CONVEYED TO DERRY 245 FEET, 5 INCHES; THENCE RUNNING AT RIGHT ANGLES NORTHEASTERLY 32 FEET, 6 INCHES TO THE SOUTHWESTERLY LINE OF LANDS NOW OR FORMERLY OWNED BY BERTHA KNEK ET AL; THENCE RUNNING AT RIGHT ANGLES SOUTHEASTERLY AND ALONG SAID LINE OF LANDS OF KNEK 243 FEET, 5 INCHES TO SAID NORTHWESTERLY LINE OF OAK GROVE AVENUE; THENCE RUNNING SOUTHWESTERLY AND ALONG SAID LINE OF OAK GROVE AVENUE TO THE POINT OF BEGINNING.

PARCEL THREE:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWESTERLY LINE OF OAK GROVE AVENUE, AS SAME APPEARS ON THE MAP ENTITLED "FLAT OF THE LANDS OF THE MENLO PARK VILLA ASSOCIATION", FILED IN THE OFFICE OF THE RECORDER OF SAN MATEO COUNTY ON SEPTEMBER 14, 1863 IN BOOK "C" OF MAPS AT PAGE 6 AND A COPY ENTERED IN BOOK 2 OF MAPS AT PAGE 40, WITH THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY; RUNNING THENCE NORTHWESTERLY, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 491.98 FEET, MORE OR LESS, TO THE MOST EASTERLY CORNER OF THE LANDS OF THE MENLO PARK ELEMENTARY SCHOOL DISTRICT; THENCE ALONG THE SOUTHEASTERLY LINE OF LAST MENTIONED PROPERTY, IN A SOUTHWESTERLY DIRECTION, A DISTANCE OF 251 FEET 5-1/2 INCHES TO A POINT THEREON, WHICH IS 257 FEET 7-1/2 INCHES NORTHEASTERLY, MEASURED AT A RIGHT ANGLE, FROM THE NORTHEASTERLY LINE OF EL CAMINO REAL; THENCE SOUTHEASTERLY PARALLEL WITH SAID LINE OF EL CAMINO REAL, A DISTANCE OF 243 FEET 10 INCHES, TO A POINT WHICH IS DISTANT 243 FEET 10 INCHES NORTHWESTERLY, MEASURED AT A RIGHT ANGLE, FROM THE NORTHEASTERLY LINE OF OAK GROVE AVENUE; THENCE SOUTHWESTERLY, PARALLEL WITH SAID LINE OF OAK GROVE AVENUE, A DISTANCE OF 75.62 FEET, MORE OR LESS, TO THE MOST NORTHERLY CORNER OF THE LANDS

NOW OR FORMERLY OF CASEY; THENCE SOUTHEASTERLY, ALONG THE NORTHEASTERLY LINE OF SAID LANDS OF CASEY, A DISTANCE OF 243 FEET 10 INCHES TO THE NORTHEASTERLY LINE OF OAK GROVE AVENUE AND THENCE NORTHEASTERLY, ALONG SAID LINE, 272.33 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM: PARCEL 2, AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "PARCEL MAP BEING A PORTION OF LOT 187, MENLO PARK VILLA ASSOCIATION", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA, ON MAY 28, 1968 IN BOOK 5 OF PARCEL MAPS AT PAGE 32.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF MENLO PARK PURSUANT TO DEED RECORDED AUGUST 24, 1987, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF OAK GROVE AVENUE WITH THE NORTHEASTERLY LINE OF THE LANDS CONVEYED TO GENERAL PETROLEUM CORPORATION OF CALIFORNIA, A CORPORATION BY DEED RECORDED MARCH 15, 1940 IN VOLUME 883 AT PAGE 345, OFFICIAL RECORDS OF SAN MATEO COUNTY; THENCE ALONG SAID NORTHEASTERLY LINE, N. 58° 11' 00" W., 8.00 FEET; THENCE N. 31° 49' 00" E., 38.00 FEET; THENCE N. 39° 10' 09" E., 62.51 FEET TO THE MOST SOUTHERLY CORNER OF PARCEL 3 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED MAY 23, 1968 IN VOLUME 5 OF PARCEL MAPS AT PAGE 32 IN THE OFFICE OF THE RECORDER OF SAN MATEO COUNTY, SAID CORNER BEING ON THE NORTHWESTERLY LINE OF OAK GROVE AVENUE; THENCE ALONG LAST SAID LINE S. 31° 49' 00" W., 100.00 FEET TO THE POINT OF COMMENCEMENT.

PARCEL FOUR:

PARCEL 2, AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "PARCEL MAP BEING A PORTION OF LOT 187, MENLO PARK VILLA ASSOCIATION", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA, ON MAY 28, 1968 IN BOOK 5 OF PARCEL MAPS AT PAGE 32.

APN: 061-430-200 (Affects A PORTION OF PARCEL THREE);
061-430-210 (Affects A PORTION OF PARCEL THREE);
061-430-220 (Affects PORTIONS OF PARCELS ONE AND TWO);
061-430-230 (Affects A PORTION OF PARCEL ONE);
061-430-310 (Affects PARCEL FOUR);
061-430-320 (Affects A PORTION OF PARCEL THREE);
061-430-380 (Affects A PORTION OF PARCEL THREE) and

061-430-460 (Affects PORTION OF PARCELS ONE, TWO AND THREE)

JPN No's:

061-043-430-20A; 061-043-430-21A; 061-043-430-22A; 061-043-430-23A; 061-043-430-31A; 061-043-430-32A; 061-043-430-38A and 061-043-430-04A

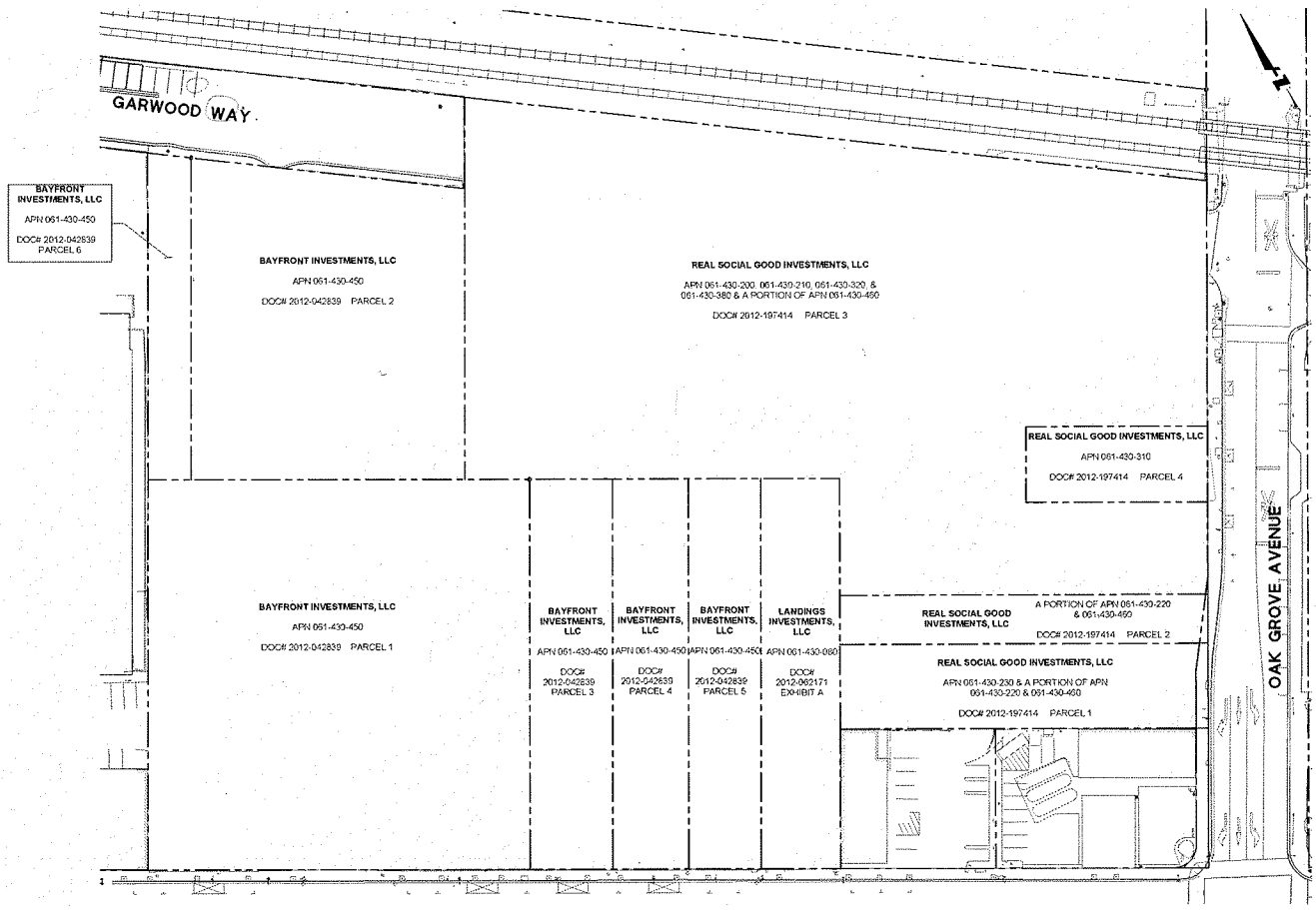

GARWOOD WAY
BAYFRONT INVESTMENTS, LLC
APN 061-430-450
DOC# 2012-042839 PARCEL 6
BAYFRONT INVESTMENTS, LLC
APN 061-430-450
DOC# 2012-042839 PARCEL 2
REAL SOCIAL GOOD INVESTMENTS, LLC
APN 061-430-200, 061-430-210, 061-430-320, & 061-430-380 & A PORTION OF APN 061-430-460
DOC# 2012-197414 PARCEL 3
REAL SOCIAL GOOD INVESTMENTS, LLC
APN 061-430-310
DOC# 2012-197414 PARCEL 4
BAYFRONT INVESTMENTS, LLC
APN 061-430-450
DOC# 2012-042839 PARCEL 1
BAYFRONT INVESTMENTS, LLC
APN 061-430-450
DOC# 2012-042839 PARCEL 3
BAYFRONT INVESTMENTS, LLC
APN 061-430-450
DOC# 2012-042839 PARCEL 4
BAYFRONT INVESTMENTS, LLC
APN 061-430-450
DOC# 2012-042839 PARCEL 5
LANDINGS INVESTMENTS, LLC
APN 061-430-060
DOC# 2012-062171 EXHIBIT A
REAL SOCIAL GOOD INVESTMENTS, LLC
A PORTION OF APN 061-430-220 & 061-430-460
DOC# 2012-197414 PARCEL 2
REAL SOCIAL GOOD INVESTMENTS, LLC
APN 061-430-230 & A PORTION OF APN 061-430-220 & 061-430-460
DOC# 2012-197414 PARCEL 1
OAK GROVE AVENUE
EL CAMINO REAL

EXHIBIT C

PUBLIC USE AGREEMENT

This document is recorded for the benefit of the City of Menlo Park and is entitled to be recorded free of charge in accordance with Sections 6103 and 27383 of the Government Code.

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:
City of Menlo Park
Attn: City Clerk
701 Laurel Street
Menlo Park, CA 94025

Space above this line for Recorder's Use Only

PUBLIC USE AGREEMENT

STATION 1300 PROJECT

(1258 - 1300 EL CAMINO REAL, 550 – 580 OAK GROVE AVENUE, AND 540 – 570 DERRY LANE, MENLO PARK, CA)

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Exhibit A: Legal Description
Exhibit B: Site Plan of Project Showing Dog Park

PUBLIC USE AGREEMENT

THIS PUBLIC USE AGREEMENT (the "**Agreement**") is made and entered into on the _____ day of _____, 2017, by and between the **CITY OF MENLO PARK,** a California municipal corporation ("**City**"), and **REAL SOCIAL GOOD INVESTMENTS, LLC,** a California limited liability company ("**Owner**") (individually a "**Party**" and collectively the "**Parties**"), with reference to the following facts:

RECITALS

A. Owner is the fee owner of those certain parcels of real property collectively and commonly known as Station 1300 in the City of Menlo Park, California ("**Property**") as more particularly described in Exhibit A attached hereto.

B. The Parties have entered into a Development Agreement ("**Development Agreement**"), effective _____ and recorded on _____ in the Official Records of San Mateo County as Instrument No. _____, to facilitate development of the Property subject to certain terms and conditions. Owner intends to demolish all existing structures on the Property and to construct the Project on the Property, as defined in the Development Agreement (the "**Project**"). All capitalized terms not otherwise defined in this Agreement have the meaning ascribed to them in the Development Agreement.

C. As a material consideration for the long term assurances, vested rights, and other City obligations provided by the Development Agreement and as a material inducement to City to enter into the Development Agreement and to receive a public benefit bonus consisting of: (1) a height increase from 38 feet to 48 feet; and (2) an increase in floor area ratio from 1.1 to 1.5, thus allowing the construction of an additional 112,108 sq. ft. of office and residential space (the "**Public Benefit Bonus**"), Owner offered and agreed to provide certain public benefits to the City as specified in the Development Agreement.

D. Section 7.1 of the Development Agreement specifies that the Project will incorporate a fenced "**Dog Park**" as shown on Exhibit B attached hereto that shall be open to the public consistent with this Agreement. Through this Agreement, the Parties desire to memorialize the terms under which the Owner will make the Dog Park available for public use.

NOW, THEREFORE, with reference to the foregoing recitals and in consideration of the mutual promises, obligations and covenants herein contained, City and Owner agree as follows:

AGREEMENT

The introductory paragraph and the Recitals are hereby incorporated into this Agreement as if hereinafter fully and completely rewritten.

ARTICLE I
CONSTRUCTION OF DOG PARK

Construction of the Dog Park shall be completed substantially in conformance with the Project Approvals and all other applicable state and local building codes, development standards, and ordinances prior to City sign off of the building permit allowing occupancy of any residential unit in the Project.

ARTICLE II
PUBLIC USE OF DOG PARK

2.1 Public Use of Dog Park.

2.1.1 The Owner hereby agrees to permit members of the public to utilize the Dog Park and to enter the Property for that purpose seven days a week from 8:00 am to 8:00 pm. No charge shall be made for such use.

2.1.2 Members of the public utilizing the Dog Park shall comply with all applicable federal, state, county and local laws, rules, and regulations and all reasonable rules and regulations for use of the Dog Park adopted by the Owner in consultation with the City under Section 2.1.3 below.

2.1.3 At least ninety (90) days prior to the public's first use of the Dog Park, the Parties shall meet and confer to approve written, detailed rules and regulations for use of the Dog Park by the public. If City and Owner do not agree on the rules and regulations for use of the Dog Park, the Owner shall have the final authority to adopt reasonable rules and regulations, so long as those rules and regulations do not discriminate between members of the public, and residents or tenants of the Project.

2.2 Maintenance.

Owner shall be responsible for the maintenance, repair and replacement, at its sole cost, of the facilities comprising the Project, including the Dog Park, which Owner shall keep in a good, safe and usable condition, in good repair, and in compliance with all applicable federal, state, county, and local ordinances. Members of the public may be required to remove litter and other objects brought onto the Property and to place dog feces in approved receptacles. Owner may also require members of the public to reimburse Owner for the actual cost of repairing damage done to the Dog Park caused by use of the Property, excluding damage attributed to ordinary wear and tear.

ARTICLE III
AMENDMENT OR TERMINATION OF AGREEMENT

3.1 Amendment or Termination.

The Parties may mutually agree to amend or terminate this Agreement in whole or in part. As provided in Section 7.1 of the Development Agreement, any amendment to this Agreement shall automatically be deemed to be incorporated into the Development Agreement. This Agreement shall survive the termination or cancellation of the Development Agreement.

3.2 Requirement for a Writing; Amendments.

No amendment to or termination of this Agreement or any provision hereof shall be effective for any purpose unless specifically set forth in a writing that refers expressly to this Agreement and is signed by duly authorized representatives of the Parties. Where this Agreement requires an approval or consent of the City, such approval may be given on behalf of the City by the City Manager or his or her designee. The City Manager or his or her designee is hereby authorized to take such actions as may be necessary or appropriate to implement this Agreement, including without limitation the execution of such documents

or agreements as may be contemplated by this Agreement and approval of amendments which do not substantially change the uses or restrictions hereunder, or substantially add to the costs of the City.

ARTICLE IV
DEFAULT AND REMEDIES

4.1 Default.

A Party's violation of any material term of this Agreement or failure by any Party to perform any material obligation of this Agreement shall constitute a default ("**Default**"), if the violation continues for a period of thirty (30) days after written notice thereof to the defaulting Party without the defaulting Party curing such breach, or if such breach cannot reasonably be cured within such thirty (30) day period, commencing the cure of such breach within such thirty (30) day period and thereafter diligently proceeding to cure such breach within ninety (90) days, unless a longer period is granted by the City. A Default under this Agreement shall be a Default under the Development Agreement.

4.2 Remedies for Default; Notice and Procedure.

The remedies for Default under this Agreement shall be limited to those contained in Section 12 of the Development Agreement.

4.3 No Waiver.

Any failures or delays by a Party in asserting any of its rights and remedies as to any Default shall not operate as a waiver of any Default or of any such rights or remedies. Delays by a Party in asserting any of its rights and remedies, irrespective of the length of the delay, shall not deprive the Party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert, or enforce any such rights or remedies, nor constitute a waiver of such Party's right to demand strict compliance by such other Party in the future. No waiver by a Party of a Default shall be effective or binding upon such Party unless made in writing by such Party, and no such waiver shall be implied from any omission by a Party to take any action with respect to such Default.

ARTICLE V
ESTOPPEL CERTIFICATE

Either Party may, at any time, and from time to time, deliver written notice to the other Party requesting such Party to certify in writing that, to the knowledge of the certifying Party: (a) this Agreement is in full force and effect and is a binding obligation of the Parties; (b) this Agreement has not been amended or modified or, if so amended or modified, identifying the amendments or modifications; and (c) the requesting Party is not in Default in the performance of its obligations under this Agreement, or if in Default, to describe the nature of any Defaults. The Party receiving a request under this Article V shall execute and return the certificate within thirty (30) days following receipt of the request. The City Manager shall be authorized to execute any certificate requested by Owner.

ARTICLE VI
AGREEMENT RUNNING WITH THE LAND

The City and Owner hereby declare their express intent that the covenants and restrictions set forth in this Agreement shall apply to and bind Owner and its heirs, executors, administrators, successors, transferees, and assignees having or acquiring any right, title or interest in or to any part of the Property and shall run with and burden the Property. Until all or portions of the Property are expressly released from the burdens of this Agreement, each and every contract, deed or other instrument hereafter executed covering or conveying the Property or any portion thereof shall be held conclusively to have been executed, delivered, and accepted subject to such covenants and restrictions, regardless of whether such covenants or restrictions are set forth in such contract, deed or other instrument. In the event of foreclosure or transfer by deed-in-lieu of all or any portion of the Property, title to all or any portion of the Property shall be taken subject to this Agreement. Owner acknowledges that compliance with this Agreement is a land use requirement and a requirement of the Development Agreement, and that no event of foreclosure or trustee's sale may remove these requirements from the Property. Whenever the term "Owner" is used in this Agreement, such term shall include any other permitted successors and assigns as herein provided.

ARTICLE VII
NOTICES

Any notice requirement set forth herein shall be deemed to be satisfied three (3) days after mailing of the notice first-class United States certified mail, postage prepaid, or by personal delivery, addressed to the appropriate Party as follows:

Owner:

Real Social Good Investments, LLC
621 High Street
Palo Alto, CA 94301
Attention: Robert M. Burke

With a copy to:

Greenheart Land Company
P.O. Box 7775 #45700
San Francisco, CA 94120-7775

Arent Fox LLP
55 2nd Street, 21st Floor
San Francisco, CA 94105
Attention: Steve Atkinson

City:

City of Menlo Park
701 Laurel Street
Menlo Park, California 94025-3483
Attention: City Manager

With a copy to:

City of Menlo Park

701 Laurel Street
Menlo Park, California 94025-3483
Attention: City Attorney

Such addresses may be changed by notice to the other Party given in the same manner as provided above.

ARTICLE VIII
MISCELLANEOUS

8.1 Partial Invalidity.

If any provision of this Agreement shall be declared invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions hereof shall not in any way be affected or impaired.

8.2 Applicable Law/Venue.

This Agreement and other instruments given pursuant hereto shall be construed in accordance with and be governed by the laws of the State of California. Any references herein to particular statutes or regulations shall be deemed to refer to successor statutes or regulations, or amendments thereto. The venue for any action shall be the County of San Mateo.

8.3 Further Assurances.

Each Party covenants, on behalf of itself and its successors, heirs, and assigns, to take all actions and do all things, and to execute, with acknowledgment or affidavit if required, any and all documents and writings that may be necessary or proper to achieve the purposes and objectives of this Agreement.

8.4 Nondiscrimination.

Owner covenants by and for itself and any successors in interest that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, ancestry, or national origin in the use of the Dog Park in furtherance of this Agreement. The foregoing covenant shall run with the land.

8.5 Headings.

Section headings in this Agreement are for convenience only and are not intended to be used in interpreting or construing the terms, covenants, or conditions of this Agreement.

8.6 Agreement is Entire Understanding.

This Agreement is executed in one original, which constitutes the entire understanding and agreement of the Parties with respect to the subject matter hereof. Except as otherwise specified in this Agreement, any prior correspondence, memoranda, agreements, warranties, or representations are superseded in total by this Agreement.

8.7 Interpretation.

Each Party to this Agreement has had an opportunity to review the Agreement, confer with legal counsel regarding the meaning of the Agreement, and negotiate revisions to the Agreement. Accordingly, neither Party shall rely upon Civil Code Section 1654 in order to interpret any uncertainty in the meaning of the Agreement.

8.8 Intended Beneficiaries.

The City is the intended beneficiary of this Agreement, and shall have the sole and exclusive power to enforce this Agreement. It is intended that the City may enforce this Agreement in order to qualify the Project for the Public Benefit Bonus, and to implement the provisions of the Development Agreement. No other person or persons, other than the City and the Owner and their assigns and successors, shall have any right of action hereon.

8.9 Recordation of Termination.

Upon termination of this Agreement, a written statement acknowledging such termination shall be executed by Owner and City and shall be recorded by City in the Official Records of San Mateo County, California.

8.10 Signature Pages; Execution in Counterparts.

For convenience, the signatures of the Parties to this Agreement may be executed and acknowledged on separate pages in counterparts which, when attached to this Agreement, shall constitute this as one complete Agreement.

IN WITNESS HEREOF, the Parties have executed this Agreement as of the Effective Date.

CITY:

CITY OF MENLO PARK,
a municipal corporation

By: _____
Alex D. McIntyre, City Manager

Dated: _____

OWNER:

REAL SOCIAL GOOD INVESTMENTS, LLC

By: _____

Name: _____

Its: _____

Dated: _____

ATTEST:

By: _____
_____, City Clerk

Dated: _____

APPROVED AS TO FORM:

By: _____
City Attorney

Dated: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF _____)

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
Name: _____
Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF _____)

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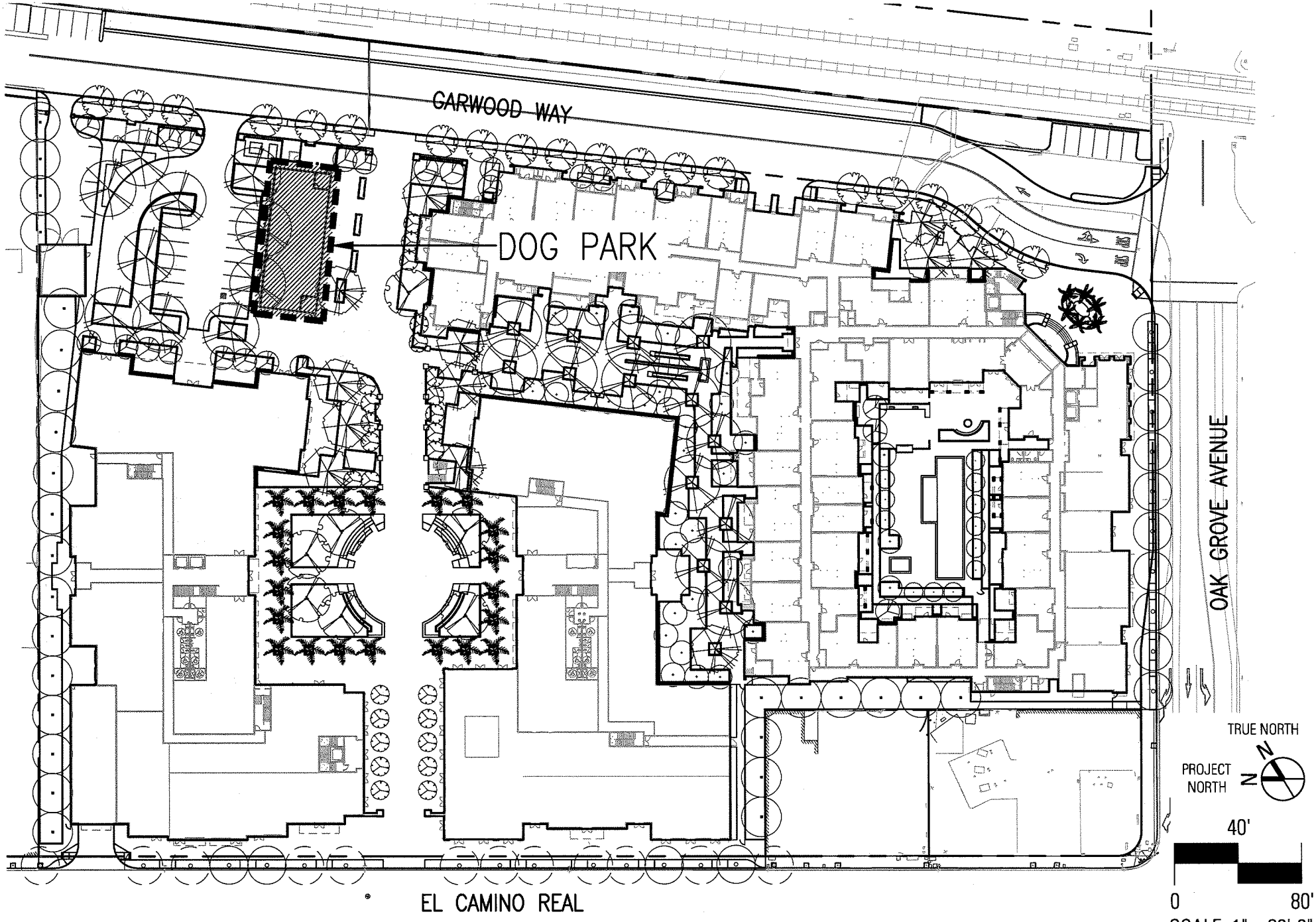
_____
Name: _____
Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

EXHIBIT B

SITE PLAN OF PROJECT SHOWING DOG PARK



STATION 1300 | 1300 EL CAMINO REAL | DOG PARK

12/01/2016

JETT LANDSCAPE ARCHITECTURE + DESIGN
CRLA #3335 · 2 Theatre Square #218 · Orinda CA · 94563
925.254.5422 · www.jett.land

EXHIBIT D

INCUBATOR MARKETING PLAN

Station 1300
Incubator/Co-working Office Strategic Marketing Plan

Goal:

Attract early stage companies into Station 1300 to help these companies grow within Menlo Park.

Development Attributes:

Station 1300 development incorporates a complete Live/Work/Play environment by combing state of the art flexible office environment with on-site apartments and retail space for restaurants and other necessary uses. Station 1300 will create a true 24/7 work environment that appeals to small growth companies.

Offices—The two approximately 100,000 SF office buildings have the flexibility to have tenants ranging from 3,000 SF to 100,000 SF. The dimensions of building are ideal for an open office format and co-working environment that appeals to small growing companies that need flexibility.

Outdoor Space—The ½ acre Plaza between the two buildings creates the perfect environment for an outdoor work environment for companies that prefer to give their employees the ability to work outside in the Menlo Park moderate climate. In addition, there is an amphitheater in the Plaza that is ideal for company meetings, outside speakers as well as company events.

Location—With Caltrain about 1,000 feet away, a SamTrans bus stop on the El Camino, a Marguerite – Stanford Shuttle stop, secure bike storage with 8 showers and changing rooms along with Zip Car spaces; Station 1300 is in the ideal location to accommodate company employees who prefer to commute via public transit or by walking/biking.

General Marketing Strategy:

Greenheart will engage a commercial real estate company to market all of the office space. That company will be directed to create a focused marketing program to identify early stage companies as well as incubator type entities. In addition, Greenheart will market directly within its incubator network (e.g. Boot-Up World in Menlo Park located in a Greenheart owned building). The strategy will be comprised of the elements described below.

Marketing & Awareness Strategy:

Identify Target Companies—Create a dynamic database of small growing companies located in the MV to Redwood City area. This would entail the following:

1. T*rack Venture Capital Company Funding*—Focus on Angel Investors and early VC interactions by using industry contacts and our Investor contacts

2. *Contact Small Incubator & Co-working spaces*—Contact those who provide incubator/co-working space throughout the Bay Area to make known the expansion potential at Station 1300.

3. *Stanford University*—With the close proximity of Stanford University, Station 1300 would be a logical location to house emerging companies ready to move off campus.

Create and Implement Social Media Outreach Program—Social media is important tool used by early growth companies, its founders and employees in their everyday life. Most of these companies use social media for their own marketing of products or services.

Develop Highly Focused Marketing Materials—Besides its intrinsic attributes, Station 1300 is proximate to the infrastructure required by startups (e.g., Venture Capital firms, IP attorneys, and engineers). Marketing materials directed at the early stage high growth company sector will be used in both social media (as outlined above) as well as in more traditional marketing methods.

Strategic Marketing to Real Estate Leasing Agents—A vast majority of workspace leases are done by commercial real estate agents. Even in early stage companies, the founder or venture capital company has a relationship with a real estate agent who locates and negotiates the lease for the workspace. These agents are significant source of lease deals, especially in a company's second or third move up work location. Greenheart's agents will market the work space to these agents to be sure they know and understand the features and advantages to locating their early stage high growth client at this location.

Action Items:

Within 3 months after issuance of a building permit for any office building, Greenheart shall provide the following to the City for review and reasonable approval by the Community Development Director and Housing and Economic Development Manager within 30 calendar days after submission:

1. Confirmation that Greenheart has engaged a commercial real estate company to market the incubator portion of the office space

2. Initial Target Companies list

3. Social Media Outreach Program

4. Highly Focused Marketing Materials

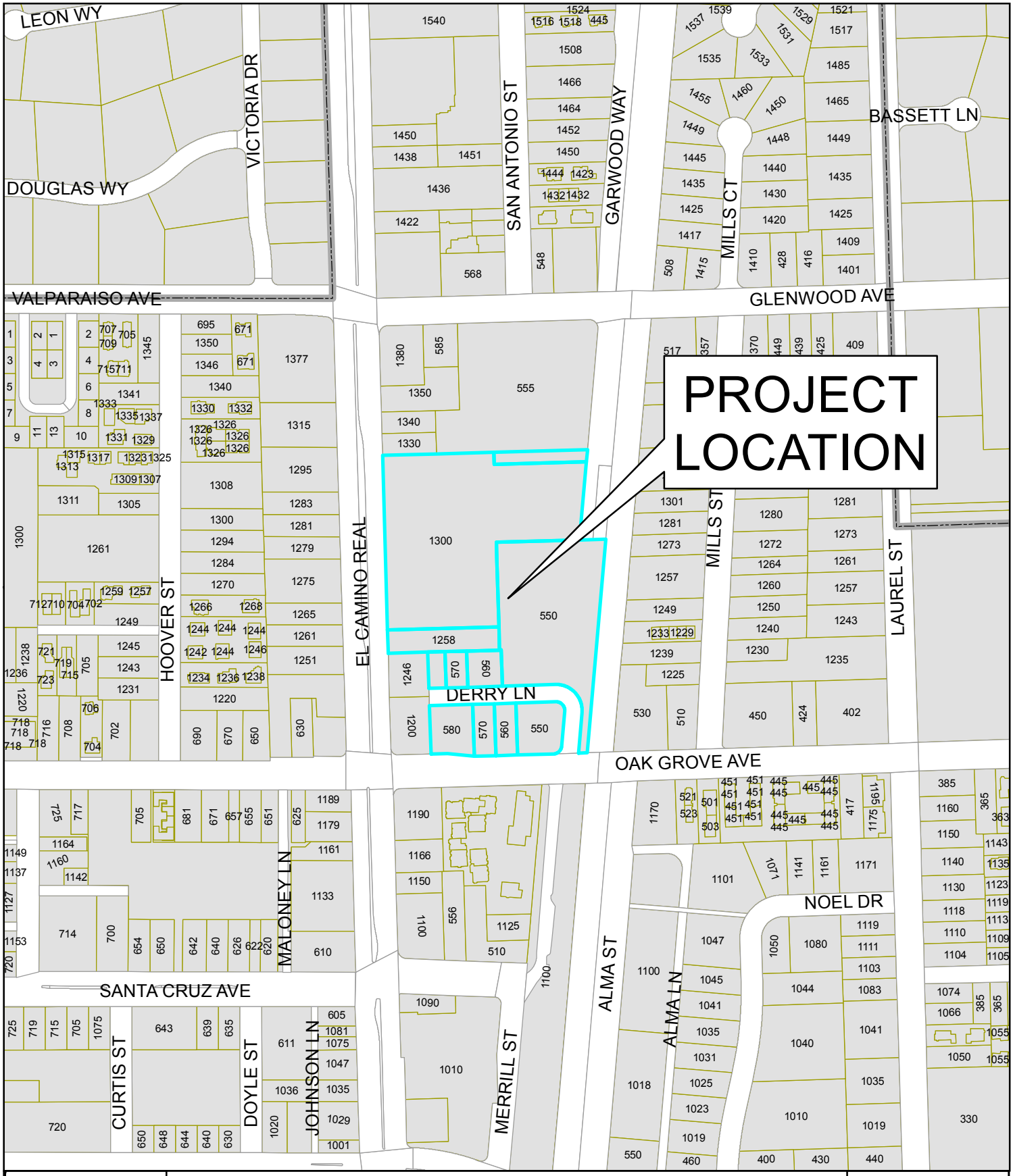
Owner shall provide quarterly reports to the Housing and Economic Development manager regarding current incubator marketing efforts and tenants, unless the office space is ninety-five percent leased one year in the future.

EXHIBIT E

BMR HOUSING AGREEMENT

Note: BMR Agreement is included separately as part of Attachment F of the 1/24/2017 City Council staff report. These pages are not duplicated here, but BMR Agreement will be part of signed/recorded DA, if it is adopted by the City Council.

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CITY OF MENLO PARK

LOCATION MAP
STATION 1300

DRAWN: THR CHECKED: THR DATE: 12/12/16 SCALE: 1" = 300' SHEET: 1

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CITY OF MENLO PARK

REGULAR MEETING MINUTES - DRAFT
Date: 12/12/2016
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Katherine Strehl called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes, Drew Combs (Vice Chair), Larry Kahle, John Onken, Henry Riggs (arrived at 7:03 p.m.), Katherine Strehl (Chair)
Absent: Susan Goodhue
Staff: Thomas Rogers, Principal Planner, Arnold Mammarella, Contract Planner, Barbara Kautz, City Attorney's Office (Goldfarb and Lipman LLP), Margaret Netto, Contract Planner, Kristiann Choy, Transportation Engineer

C. Reports and Announcements

Principal Planner Rogers said the City Council at its December 6, 2016 meeting adopted the ordinances for the ConnectMenlo (General Plan Update) to be effective in 30 days pending any litigation. He said at the same meeting the Council adopted revised Building Codes, received a report on the Below Market Rate Housing fund and other fees, and heard a proposal from the Housing and Economic Department to require 12-month leases as an option for certain residential rental properties in Menlo Park. (Commissioner Riggs joined Commission at dais.)

D. Public Comment

There was none.

E. Consent Calendar

E1. Approval of minutes from the November 14, 2016 Planning Commission meeting. (Attachment)

ACTION: Motion and second (John Onken/Strehl) to approve the minutes of November 14, 2016 as presented; passes 6-0-1 with Commissioner Susan Goodhue not in attendance.

F. Public Hearing

F1. Consider Recommendations to the City Council on the 1300 El Camino Real Project ("Station 1300"), including the following actions: (Staff Report #16-103-PC)

1. Final Environmental Impact Report (EIR) to analyze the potential environmental impacts of the proposed project, along with an associated Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;

2. Architectural Control Review for compliance with Specific Plan standards and guidelines, including determination of a Public Benefit Bonus to exceed the Base level FAR (Floor Area Ratio) and height standards, for a mixed-use development consisting of non-medical office, residential, and community-serving uses on a 6.4-acre site, with a total of approximately 220,000 square feet of non-residential uses and 183 dwelling units;
3. Use Permit for outdoor seating associated with full/limited service restaurants;
4. Tentative Map to merge existing parcels and create one private parcel (with a four-unit commercial condominium) and two public right-of-way parcels; dedicate a new public street extension of Garwood Way; abandon Derry Lane and a portion of the existing Garwood Way right-of-way; and abandon/dedicate public access and public utility easements;
5. Below Market Rate (BMR) Housing Agreement for compliance with the City's Below Market Rate Housing Program;
6. Heritage Tree Removal Permits to remove 59 heritage trees; and
7. Development Agreement for the project sponsor to secure vested rights, and for the City to secure public benefits, including a $2.1 million cash contribution, additional affordable housing units, a publicly-accessible dog park, and a sales tax guarantee.

Staff Comment: Principal Planner Rogers noted the large size of the color and materials boards and their location. He referred to page 16 under the sales tax heading of the draft development agreement section that called out 18,600 square feet of community serving uses. He said that should state "between 18,600 and 29,000 square feet." He reported numerous correspondences received either directly by the Planning Commission or by him that were then forwarded to the Planning Commission. He said all correspondence received before 5 p.m. today was collected and printed out for the Commission and public. He said the draft CEQA resolution had some non-substantive revisions.

Attorney Barbara Kautz, Goldfarb and Lipman, LLP, said although the Commission did not need to take action on the findings of the environmental impact report (EIR), it was the intent that the findings be as complete as possible for the Commission's review. She said this was the first infill development EIR the City has done and there were additional findings required that were not typically in EIR findings. She said the added findings were already in the record in the checklist for Infill EIR or in the EIR itself but the findings needed to be expanded somewhat to explain the conclusions in the environmental checklist.

Principal Planner Rogers said he had made copies of the revised draft CEQA resolution for the Commission and copies were also being printed for the public.

Environmental Consultants Presentation:
Ms. Kirsten Chapman, ICF, said they prepared the Infill EIR for the project. She introduced Erin Efner, ICF, and Mark Spencer, W-Trans, transportation consultant for ICF. She said the City of Menlo Park was the lead agency and ICF was the lead consultant in the preparation of the Infill EIR. She said as shown on a map the proposed 6.4-acre project site contained seven existing buildings having approximately 22,000 square feet, which fronted on Derry Lane, Oak Grove Avenue and El Camino Real. She said the project site was within the area of the Downtown Specific Plan (Specific Plan) and the EIR for the Specific Plan was certified in June 2012. She said additionally sections were analyzed under various past CEQA documents including the Derry Lane Mixed Use Project EIR that was certified in 2006, for which she noted approvals were no longer valid. She noted also the 1300 El Camino Real Sand Hill Project EIR was certified in 2012. She

said this proposal was different from the Sand Hill proposal and the current environmental analysis looked at the whole current project proposal and did not rely on previous approvals.

Ms. Chapman said Greenheart Land Company was proposing to redevelop the site into a mixed-use development. She said existing structures would be demolished and 420,000 square feet of mixed-use facilities constructed. She said the project would include three mixed-use buildings up to four stories in height, a parking lot and underground parking with 1,000 parking spaces, linked landscaping, and a privately-owned, publicly accessible park. She said that the uses would total approximately 200,000 square feet of non-medical office space in two buildings, approximately 200,000 square feet of residential space equal to approximately up to 220 living units and up to approximately 30,000 square feet of community-serving space throughout the proposed buildings.

Ms. Chapman said that the project met the design standards of the Specific Plan, was proximate to transit, would use renewable energy, and was within a low vehicle travel area made it eligible for streamlining of the CEQA process for infill projects per SB226. She said although not required under SB226 the City elected to study project alternatives. She reviewed the mitigations that would reduce significant impacts to less than significant: impacts on bicycle and pedestrian facilities, exposure of sensitive receptors to adverse health risks, routine hazardous materials use and accidental release of hazardous materials. She said the Infill EIR also identified impacts that would remain significant and unavoidable and those included transportation impacts.

Application Presentation: Mr. Steve Pierce, Greenheart Land Company, introduced the architectural team of David Israel, BAR Architects, and Bruce Jett, Landscape Architect. He reviewed their four-year plus efforts on the project and the associated public hearings as well as the goals and intent of the development. He said this was a public benefit project under the Specific Plan's bonus density program. He said the project had inherent public benefits such as 180 new housing units next to transit, substantial revenues for a number of entities, underground parking, and retail. He said the public benefit proposed was $2.1 million contribution to the downtown amenity fund and the provision of 20 below market rate (BMR) units. He said they were also guaranteeing $84,000 a year in sales tax revenue and providing a dog park. He said they have a focused marketing program for incubator type space, startup or other new companies. He said they would have a robust transportation demand management (TDM) program and sustainability program. He said they would add to the City's bicycle infrastructure.

A video about the proposed project was shown.

Mr. David Israel, BAR Architects, said many changes had been made to the project since the video was created. He said one of the benefits of almost four acres of underground parking was having more open space. He said the parking had two access points from El Camino Real and two access points from Garwood. He said designated retail parking would have elevators and stairs to access the retail uses from the garage. He said the two three-story office buildings would face El Camino Real and provide a civic edge to the project. He said Oak Grove Plaza would be directly accessed by people arriving by train for retail, restaurants and other amenities. He said the Grand Promenade from El Camino Real led to the Central Courtyard. He said the Courtyard was approximately 120 by 170 square feet. He said one change between this current plan and the video was that the open arcades were now closed. He said this brought the retail facades closer to the street edge and would give the shops added presence along the street. He said Garwood Park had been proposed as bocce courts originally. He said based on public input it was now intended as a dog park. He noted that 100% of the residential units were designed to be adaptable for persons with disabilities.

Mr. Bruce Jett, Jett Landscape Architecture and Design, referred to Garwood Plaza as a place for Menlo Park residents to gather. He said there would be a fountain surrounded by palm trees creating an urban oasis where people could linger noting outdoor seating or could easily access the retail uses. He said along Oak Grove Avenue there were street trees, bicycle parking, benches, and trash receptacles creating a human scale. He said there was another four-foot width between the buildings and the eight-foot sidewalk for use by restaurants and retail. He said a key objective of the Central Plaza was to draw people into the space from El Camino Real. He said to that end they had pulled water features forward of the planters. He said they allowed for space for seating around the perimeter of the plaza and integrated the amphitheater into it. He said the scale was such that when empty it would not feel empty and could accommodate a large number of people that might gather for a small event. He said Garwood Park would be a dog park with other amenities such as picnic tables, water fountains for dogs and people, and a public restroom. He said the mews was intended at a smaller scale as separation and screening creating a garden setting with focalized features such as a lap pool, fitness room, and clubhouse noting seating and a fire pit, pavilion with seating, kitchens, fireplace and TV screen.

Commissioner Riggs said interest in varied paving shades was expressed and asked if they were amenable. Mr. Jett said they were proposing varied concrete pavers with different colors, shapes and patterns for sidewalk and over the podium.

Commissioner Onken asked if Garwood Way would be a dedicated City street and who was constructing it. Principal Planner Rogers said the applicant would do the construction and it would be dedicated to the City as a city street. Commissioner Onken asked about the seven parking spaces in the corner. Principal Planner Rogers said those would be time restricted spaces to incentivize use of the project property but would not be restricted to subject project use only.

Public Hearing:

- Harry Bims, Menlo Park resident, said he was on the Chamber of Commerce Board and that Fran Dehn, their CEO, submitted a letter expressing the Chamber's support of the project. He said he was reiterating that support noting his long time advocacy of mixed use for this property.

- Patrick Pelegri-O'Day, lifetime Menlo Park resident, said he currently worked with Greenbelt Alliance, and was representing their development endorsement team. He said the organization since 1980 has provided independent support or opposition for infill development projects. He said their team was proud to endorse the proposed Station 1300 project. He said a project like this gave him hope that he could afford to live in the area with the career path he chose and have the urban-like amenities he desired.

- Mike Moran said he was born and raised in Menlo Park and had raised two sons here. He said it was time for this project and time to bring in more retail, restaurants, sales tax, transit-oriented housing, new ideas, community, and commerce to Menlo Park and end the blight.

- Marc Bryman, Menlo Park, said he was happy this project might happen for the community noting it had been a methodical and thorough process. He said he hoped the Commission would strongly recommend the project to City Council.

- Skip Hilton said he concurred with all the previous speakers. He said he was a 22-year Menlo Park resident and was not representing any other group. He said he would like to see change

and growth in Menlo Park. He noted he participated in the Specific Plan development and this project completely fulfilled the objectives of that Plan.

- Vince Bressler said he was on the Commission when this project came forward and this proposal was not much different. He said his first reaction was it was a nice project. He said his second reaction was concern with traffic impacts for four streets near train tracks for ingress and egress at Garwood. He said that area by the train tracks was a major bottleneck already. He said he had not heard anything about the project's ability to integrate with grade separation options proposed for rail crossing. He said the Commission could not support the project because it did not solve the train track crossing.

- John Mueller said he agreed with everyone except the last speaker. He said three important things about this project were 1) changing an eyesore; 2) supporting existing services with people and energy; and 3) adding services that his family and others were currently availing themselves of in Palo Alto and Redwood City.

- David Wright said he and his family have lived in Menlo Park for five years and in addition to the favorable aspects of the project mentioned such as affordable housing, new restaurants, retail, and vibrancy, that office employees would avail themselves of downtown amenities.

- Scott Marshall, Menlo Park resident, and member of the Environmental Quality Commission and Heritage Tree subcommittee, said their Commission was asked to approve the removal of 59 heritage trees for the project. He said they did approve with recommendations to try to save some of the native heritage trees. He said 50 of the heritage trees were exotics and had grown quickly in the middle of the parcel. He said along the back of Garwood however there was a Valley oak, Coast live oak, and in the bioswale area near the parking lot was a healthy, native Coast redwood with five trunks and a good cluster. He said these trees would provide a buffer for the neighborhood behind as the project trees grew. He said it was a nice project and hoped for possibility of keeping some of the native heritage trees.

Chair Strehl closed the public hearing.

Commission Comment: Chair Strehl said the Commission at its last meeting heard a staff report regarding options for grade separations including the Oak Grove Avenue crossing. She asked if the applicants had spoken to the consultant preparing that report as to whether the project could accommodate future grade separations.

Mr. Pierce said they met with staff and discussed the options. He said Option A would not impact the project. He said Options B and C would require that Oak Grove Avenue be half submerged. He said they looked at the preliminary drawings for that in terms of road grade changes and how those might impact the project. He said visually and spatially there was no problem. He said if Oak Grove Avenue dropped down for Options B or C it would also bring down Merrill Street and Garwood, so they would still basically have the ability to go from Oak Grove Avenue into the project or out of the project. He said likewise under Option C, Glenwood Avenue would be dropped down, but Garwood would rise back up. He said that would keep the back of their project at grade, so there was no huge conflict. He said for the retailers on Oak Grove Avenue this option would not be optimal as there would be less visibility from cars driving by of their stores. He said if the $300 million option came to the fore, they would want to be involved with that as the plans they had seen thus far made it difficult to get from the train station as a pedestrian to their development, so modifications would be needed for pedestrian access. He said nothing their development was doing would

preclude or make more expensive changing the grade and building a retaining wall. Chair Strehl asked if he was saying that a grade separation at both Glenwood and Oak Grove Avenues would allow access at Garwood. Mr. Pierce said that was correct as preliminary plans showed Garwood dropping to the level of Oak Grove Avenue so the turning movements would exist. He said where it came back up at full grade it was at a location that would still work for them relative to the entrances to their garage.

Commissioner John Onken asked if Mr. Israel could highlight the main changes in this proposal from the previous proposal. Mr. Israel said the change to the commercial office buildings was to enclose the arcades as community serving retail spaces. He said that did not affect the form or mass of the building. Commissioner Onken said in the EIR they were given ranges of the residential/office/retail/community areas from 18,000 to 36,000 square feet. He confirmed with Mr. Israel that the current data sheet was concise and was what the Commission was being asked to recommend approval. Mr. Israel said the only remaining range was for the retail/commercial use which had a minimum to be maintained while providing for larger retail spaces.

Commissioner Andrew Barnes asked what determined whether they went for the minimum amount or maximum amount of community serving retail space. Mr. Pierce said it was in response to marketplace forces. He said on Oak Grove Avenue this was physically fixed. He said on El Camino Real that it would depend upon the tenants they get and how deep a space they might want. He said the 18,600 square feet was a minimum level commitment, but if they got tenants who wanted greater and deeper space they wanted the capacity to provide that. Commissioner Barnes asked what types of businesses would want greater and deeper space. Mr. Pierce said restaurants or a health or fitness studio. He said planning for the space would take place during the marketing phase.

Mr. Pierce described some of the expected uses for the Central Plaza in reply to a question from Commissioner Barnes.

Commissioner Larry Kahle asked how the public places would be secured at night. Mr. Pierce said they would maintain security and do maintenance for all of their facilities noting the dog park and public restroom.

Replying to Chair Strehl, Mr. Pierce said that security would be maintained for the dog park so it was not used for overnight camping and that the dog park was for residents of the development and the general community.

Replying to Commissioner Barnes' question about parking, Mr. Pierce described time limit parking for community-serving businesses, office parking and dedicated residential parking. He said they did a shared parking analysis as there was overlap and they did not need all the parking in the additive sense. He said potentially for weekend special events downtown that office and community-serving parking spaces could be available.

Commissioner Barnes asked about the focus on incubator/startup types of businesses. Mr. Pierce said this arose in their conversations with the City's negotiating team. He said that team had a desire to have focused outreach and marketing to those particular uses.

Chair Strehl confirmed with Mr. Pierce that office and residential tenants would pay a parking fee. He said rates had not been determined; he said the intent was to de-incentivize the use of cars. Chair Strehl noted a letter of concern that startup companies might be 24 hour operations. Mr.

Pierce said the development was intended to have normal business hours and reiterated that the push for incubator companies came from the City Council members on the negotiations team with the idea to try to create spaces where companies might be fostered to grow in Menlo Park. He said it was not their intent to turn this into an area that was very dense on employees.

Commissioner Drew Combs asked if the City Council had a reference of an actual business model they wanted to see replicated. Mr. Pierce said it was presented as a concept. He said their guarantee was that they would approach those particular business operators and would engage brokers for specific uses. He said the direction from the Council was not to ignore those users and reach out to them. He said although it was a unique requirement it was easily satisfied by being very proactive in terms of contacting the operators of such businesses. Commissioner Combs asked about the 10-year development agreement and whether the provision of BMR units and the dog park would cease after 10 years. Mr. Pierce said the BMR requirement for 20 units was a standard 55-year BMR agreement. He said the other obligations would expire in 10 years. Ms. Kautz said the dog park would run with the land and would go beyond the term of the agreement. Commissioner Combs said they had received letters that most of the office population was based upon a 300 square foot per employee estimate while a company like Facebook did something much smaller than that, and asked why. Mr. Pierce said that some tech operators have a much more open landscape format with more employees per square foot as opposed to some professional businesses that prefer to use the space much more office density, which lowers the density of employees. He said he thought they would end up with a mix of tech and professional services businesses but most of their inquiries had been from professional service businesses. Commissioner Combs asked about the reason for a four-unit commercial condo. Mr. Pierce said there would be one for each office building. He said the third would be the entire residential building and the fourth would be the common areas including the plazas and garage. He said the reason was to allow for flexibility so that if at some point in the future the development was sold that it could be sold that way. He said the three elements that could be sold would be the three buildings with each having a proportionate ownership in the common area. He said they had no intent to sell the development.

Chair Strehl said they were paying $2.1 million for public benefit. She said the transportation impact fee was the same amount and asked if those were separate payments. Mr. Pierce said that was correct. Chair Strehl confirmed with the applicant that the project would not have a trip cap but would have a very proactive TDM program.

Replying to Commissioner Kahle, Mr. Pierce said a rough range estimate of the number of employees present at any given time was 700 to 900. He said that the open arcades counted as floor area, and since those wrapped around the restaurant space and would be good dining areas they decided to capture that. He said also it became redundant area for circulation particularly since there were such deep sidewalks. Commissioner Kahle asked about the archway leading into the plaza noting a GoFundMe to recreate three Menlo Park arches. Mr. Pierce said they had not given that any thought. He said they could look if there was a place on the site for those. Commissioner Kahle noted the heritage tree removal and due to the Hetch Hetchy the need to raise Garwood up. Mr. Pierce said one of the most difficult issues with the trees was the space between the extended Garwood and the railroad right-of-way, which was about eight foot. He said that was required as bio-swale meaning they had to put special soils there. He said they were also required to put a 24-inch diameter storm drain into the bio-swale. He said with boring and a bit of overcut there would be about a three-foot diameter hole right under those trees which would be devastating to them. He said raising the street they would build a retaining wall along the railroad right-of-way to retain the bio-swale soils. He said within the narrow area of these trees there would

be a three-foot hole, soil removed and replaced with bio-swale soil mix, and two retaining walls constructed, which do a great deal of violence to the area. He said they hired an arborist to advise them on their plan. He said the City hired an arborist who recommended retaining two trees. He said one was right where the future sidewalk would be and not possible to save. He said the other was a palm that could be relocated. He said regarding the multi-trunk redwood tree that it was a seven-foot wide tree in an eight-foot size zone. Commissioner Kahle said looking at the civil engineering drawings he tended to agree that the trees along Garwood were difficult to save. He said he thought the redwood tree at the carwash area was an exception. Mr. Pierce said the foundation would be about 10-feet away from that tree and that would impact all the root structure. He said also where the tree was located a six to eight foot well would be required around the three foot diameter tree to allow for its growth. He said the edge of the tree was now at the edge of the sidewalk and the well would eat into the sidewalk about four feet. He said given the configuration of the road that was not desirable.

Commissioner Kahle asked if there was any way to tie workforce housing to people who work in Menlo Park such as teachers and fire district staff. Ms. Kautz said there were issues with requiring that. She said a state law said that as a condition of an application you could not give preference based on occupation and income. She said that made it difficult to make those requirements with any planning application. She said there were also laws regarding disparate impact but as a condition of a planning application you could not condition to discriminate against anyone based on income or occupation, although you could prefer agricultural employees. She said the City gave preference to people who worked or lived in Menlo Park for BMR housing.

Commissioner Barnes asked if there was a sunset clause for the sales tax payment. Ms. Kautz said it ran with the 10-year term of the development agreement which was when it would expire. Commissioner Barnes asked about relocating the Canary palm tree. Mr. Pierce said it would be relocated offsite.

Commissioner Henry Riggs said the Commission received a comment letter regarding the valuation of the parking in the development agreement. Principal Planner Rogers said with the Planning Commission and City Council's reviews of the public benefit proposal earlier in 2016, the City provided a fiscal analysis by an independent consultant BAE whose work was overseen by the City. He said that analysis looked at what the public benefit valuation. He said in the analysis presentation it was clear that development has moving elements and the analysis was the best snapshot in time based on those parameters. He said as the project moved forward some parking was reduced which might create savings for the developer but there were other factors that had changed, likely to the detriment of the developer's profit line, including pending interest rate changes, construction cost increases, and the cost of the land being vacant. He said the City Council through the development agreement set the terms and had reviewed and approved the term sheet for the project.

Commissioner Riggs said renderings had notes that some of this was no longer current. Mr. Pierce said there were no major changes to the form, shape, style of the buildings and changes related to landscape treatment and awnings. He said there was a great deal of signage shown on the renderings and their signage plan had yet to go through the City. He said the more substantive change was to the grand entry into the residential building area by changing that into a grand lobby that could also become an amenity area. Replying to Commissioner Riggs, Mr. Pierce said they were open to staff suggestions about materials and elements. He said regarding colors they were in total concurrence. Commissioner Riggs asked about the bronze metal window frames on the materials board and the brown framed windows in the renderings in the video. Mr. Israel said part

of that was in response to staff to comply with standards of the Specific Plan for changes in materials, color and fenestration from building to building. He said it was a purposeful response to use dark brown on the windows of one of the buildings and dark red brown on the other to contrast color and fenestration. He said they intended to do everything they could to give the building a feel of integrity and quality. He said they wanted the architecture to be referential but not replicate traditional architecture. Commissioner Riggs said the arch that contained the 1300 seemed light in contrast to the architecture and asked if they were considering other versions of the arch. Mr. Israel said they were happy to look at that with staff. He said the genesis of the arch form was tied to the notion of the rail history and location and cast iron trestle found around rail stations. He said regarding the enclosure of the main arch into the central area that there were indoor halls interrupted by outdoor spaces that residents would need to access for various reasons. Commissioner Riggs asked about the finishes on the open air stairs. Mr. Israel said staff had indicated that was something they would like to work with them closely on to make sure the colors were appropriate to the style. He said they agree with that collaboration and expected either a transparent opaque stain complementary to the buildings' color and not some completely inconsistent stylistic approach. Commissioner Riggs asked if there would be decorative elements or if they would be simple exit stairs.

Mr. Israel said the open air stairs would have stylistically consistent, probably articulated, solid wall with some more traditional cap elements. He said the residential would have direct access from the streets to the stoops with a wall that connected to the street. He said they had not gotten as far as the stair steps but it would be architecturally consistent. He said the stairs were significant light wells that would draw people up from the parking garage to the plaza and retail and allow people to exit graciously.

Commissioner Riggs asked about the idea of changing parking along Oak Grove Avenue to free up space for a bicycle lane. Mr. Pierce said that the City intended to expand the width of Oak Grove Avenue at that location and initial plans were to widen the street and include the bikeways specified in the Specific Plan. He said their plan was to have parking on both sides of Oak Grove Avenue as there currently was and to have five-foot bikeways with two-and-a-half buffer with 11-foot drive lanes. He said at either the Bicycle or Transportation Commission hearings the thought came up to not widen the street and remove the parking from the Station 1300 side of the street and keep the parking on the other side of the street as well as the bikeways at the same dimensions as he previously mentioned. He said their preference was to keep the parking in part because of the retail. He said the safety concern was with vehicles crossing bike paths to park. Commissioner Riggs confirmed the applicant's proposal was to retain parking on both sides of the street.

Chair Strehl asked about construction staging and whether they were proposing to have construction vehicles travel down Oak Grove Avenue to Middlefield Road. She said one of the concerns expressed to her was construction traffic down Oak Grove Avenue past schools such as Nativity School and on Encinal Avenue going by Encinal School. Mr. Bob Burke, Greenheart Land Company, said the City has street identified routes for truck traffic. Principal Planner Rogers said sheet A8.02 showed flows around the site with a copy of the City's truck route map on the right. He said the unlimited truck routes were the freeways, Bayfront Expressway and El Camino Real. He said there were limited truck routes down Santa Cruz Avenue, Ravenswood Avenue and part of Middlefield and Willow Roads. He said on Attachment C11 there were conditions for the applicant to submit plans for building permit for construction parking management, construction staging and storing, as well as traffic control.

Commissioner Kahle said there appeared to be copper gutters and flashing. He said the City of Palo Alto had banned its use due to water contamination. Principal Planner Rogers said he would have to get back to him as to his knowledge the City of Menlo Park had not banned its use.

Commissioner Onken said that more than due diligence had been given to this project. He said he appreciated that the architect had gone from a fairly Santa Barbara style to a more collegiate, Stanford style. He said he thought the open arcades were critical and suggested whether they could get some of the permeability-feel back with some portion of that on the front. He said it was important to understand how the signage program would work on this project. He said he hoped it would take its opportunity to say high class and restrained. He said with the question of what would happen with raising and lowering railroad crossings that if Options B or C were done that the corner would still work but would not be the same as proposed. He said as they go over this process that if there was clarity about the railroad crossing that Greenheart should have flexibility to manipulate the corner accordingly. He said initially he was going to complain about removal of the heritage trees along Garwood but he understood the issues. He said he would depend on the arborist regarding the redwood and oak trees. He said the public benefit being offered was appropriate, and he could support the project.

Commissioner Kahle said he agreed with Commissioner Onken about the signage program and the public benefit. He said he also preferred the open arcades providing more of a Stanford quad feel. He said at the last meeting they had considered this project he had been concerned with the plaza and it potentially feeling empty. He said the applicant had done a good job of enhancing the areas with water features and other amenities. He said he was a little concerned about the security of the site at night. He asked if there was any support to keep the one redwood tree. He said it was a suggestion about the archway and he agreed with Commissioner Riggs that the arch seemed light given the size and entryway. He said he fully supported the project.

Commissioner Riggs said he had a long list of things he found commendable about the project. He said he had some questions for staff. He said the Downtown Specific Plan had established a bike route that included Garwood Way. He said in the plans it was shown as a Class 3 bike route. He asked if it was at all feasible to move it up to a Class 2. Principal Planner Rogers said the Class 3 bike route was consistent with what was in the Specific Plan. He said to accomplish Class 2 was likely possible with removal of parking on one side of the street. He said that request if supported by the majority of the Commission could be looked at in more detail during the period between tonight's hearing and when the project went before the City Council for approval. Commissioner Riggs said he was not completely opposed to using a Class 3 bike lane. He asked regarding the Oak Grove Avenue curb relocation he had discussed with the applicant whether staff was amenable should the Commission support that. He said it was very significant to have parking in front for retail. Principal Planner Rogers said the Transportation Commission's recommendation was brought forward but staff believed the designs that were the applicant's preferred scenario of moving the curb, retaining the parking on both sides, and adding a bike lane and buffer met modern standards for bicycle lanes. He said there was not a clear regulatory or safety reason to not permit that. He said the Transportation Commission's concern was that even with a buffer for bicycles from opening car doors that cars would be passing through bike lanes to park.

Commissioner Riggs said he supported staff's conclusions about the proposed heritage tree removals. He said he found the public benefit of $2.1 million, 20 BMR units, and a dog park appropriate and sufficient for the bonus density level. He said the architecture and landscape architecture were commendable and he appreciated the references to historical and not actual historical features. He said the open space, dog park and public restroom were desirable. He noted

the underground parking was highly desirable and would serve the community well. He said the applicant brought forth a very attractive project meeting all of the requirements of the Specific Plan. He said he thought the retail uses would be charming and enhance downtown.

Commissioner Barnes said he supported the project and preferred the mix of residential and commercial rather than just being residential. He said the public benefit was adequate and the environmental review was very well done. He said with the corridor that he did not think the central courtyard would be attractive to the public but would be more for the residents. He said if they truly wanted that to be a public space they would need to make it more inviting. Commissioner Riggs confirmed with Commissioner Barnes that he was referring to the 1300 arch.

Chair Strehl said she concurred with other Commissioners that the project adhered to the Specific Plan and would be a great addition to the community.

Commissioner Combs moved that the Planning Commission make a recommendation that the City Council take the appropriate actions for approval of 1300 El Camino Real project, Station 1300, as outlined in Attachment A of the staff report. Chair Strehl seconded the motion.

Commissioner Riggs asked if the makers of the motion and second would support recommendation to allow the applicant to move the Oak Grove Avenue curb to the plan line so they might have the row of parking in addition to the bike lane on either side. Commissioners Combs and Strehl accepted Commissioner Riggs' proposed amendment.

Commissioner Riggs asked in deference to Commissioners Onken and Kahle if the Commission wanted to suggest to staff that the archway to the residential or Commissioner Barnes' idea to work with the archway to the retail space be reviewed for enhancement. Chair Strehl said from her perspective that keeping the entry to the residential closed off to the public was appropriate. Commissioner Riggs said he thought Commissioner Onken was asking for more depth at the top of the stairs or something implying an entry even if it was not.

Commissioner Onken said they were looking at the rendering in question and not the stairs. He said on either side of the arch on El Camino Real there had been the beginnings of arcades that had been removed in the latest plan. He said those had given a more permeable feel to the entry and thought it would be good to get more openness there. He said this was an appropriate opportunity to prescribe particular architectural moves noting the architect and developer thus far have seemed responsive to concerns. He said he was happy to see things move forward without prescribing any architectural moves.

ACTION: Motion and second (Combs/Strehl) to make a recommendation that the City Council take the appropriate actions for approval of 1300 El Camino Real project, Station 1300, as outlined in Attachment A of the staff report with one modification to recommend approval of the applicant's proposal for the Oak Grove Avenue configuration; passes 6-0-1 with Commissioner Goodhue not in attendance:

<u>Environmental Review</u>

1. Adopt a Resolution of the City Council of the City of Menlo Park Adopting Findings Required by the California Environmental Quality Act, Including a Statement of Overriding Considerations, Adopting a Mitigation Monitoring and Reporting Program, and Certifying the Final Infill Environmental Impact Report for the 1300 El Camino Real Project, Located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment B)

Architectural Control, Use Permit, and Tentative Map

2. Adopt a Resolution of the City Council of the City of Menlo Park Approving Findings and Conditions for the Architectural Control, Use Permit, and Tentative Map for the 1300 El Camino Real Project located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment C).

Heritage Tree Removal Permits

3. Adopt a Resolution of the City Council of the City of Menlo Park Approving the Heritage Tree Removal Permits for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment D)

Below Market Rate (BMR) Housing Agreement

4. Adopt a Resolution Approving a Below Market Rate Housing Agreement with Real Social Good Investments, LLC for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment E)

Development Agreement

5. Introduce an Ordinance of the City Council of the City of Menlo Park Approving the Development Agreement with Real Social Good Investments, LLC for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment F)

G. Informational Items

G1. Future Planning Commission Meeting Schedule

- Regular Meeting: January 9, 2017
- Regular Meeting: January 23, 2017
- Regular Meeting: February 6, 2017
- Regular Meeting: February 27, 2017

H. Adjournment

Chair Strehl adjourned the meeting at 9:57 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

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PERSPECTIVE VIEW: OFFICE AND RETAIL AT EL CAMINO REAL



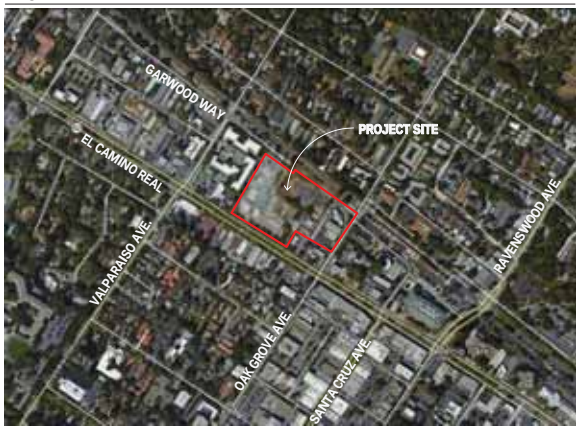
PERSPECTIVE VIEW: RESIDENTIAL ENTRY AT OAK GROVE & GARWOOD



PERSPECTIVE VIEW: PUBLIC PLAZA AT MIXED USE OFFICE AND RETAIL



VICINITY MAP



ZONING KEY



PROJECT TEAM

LANDSCAPE ARCHITECT:
JETT LANDSCAPE + DESIGN
BRUCE JETT
2 THEATRE SQUARE
ORINDA, CA 94563
925.4254.5422

CIVIL ENGINEER:
BKF ENGINEERS
TOM MORSE
150 CALIFORNIA ST. #650
SAN FRANCISCO, CA 94111
415.930.7900

STRUCTURAL ENGINEER:
HOHBACH-LEWIN INC
KEVIN MORTON
545 SANSOME ST. #850
SAN FRANCISCO, CA 94111
415.318.8520

SUSTAINABILITY CONSULTANT
INTEGRAL GROUP INC
STET SANBORN
427 13TH STREET
OAKLAND, CA 94612
510.663.2070

MEP ENGINEER:
TAYLOR ENGINEERING LLC
STEVEN TAYLOR
1080 MARINA PARKWAY #501
ALAMEDA, CA 94501
510.263.1540

STATION 1300

DEVELOPMENT PERMIT APPLICATION AT ECR NE-R ZONING DISTRICT

PROJECT DESCRIPTION:
ONE FOUR-STORY MULTI-FAMILY RESIDENTIAL BUILDING AND TWO THREE-STORY OFFICE BUILDINGS, ALL WITH NEIGHBORHOOD SERVING RETAIL. BUILDINGS SHARE AMENITIES, OPEN SPACES, AND ARE LOCATED OVER A TWO-LEVEL SUBTERRANEAN PARKING GARAGE.

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Grand total: 106

STATION 1300 | 1300 EL CAMINO REAL

Cover Sheet

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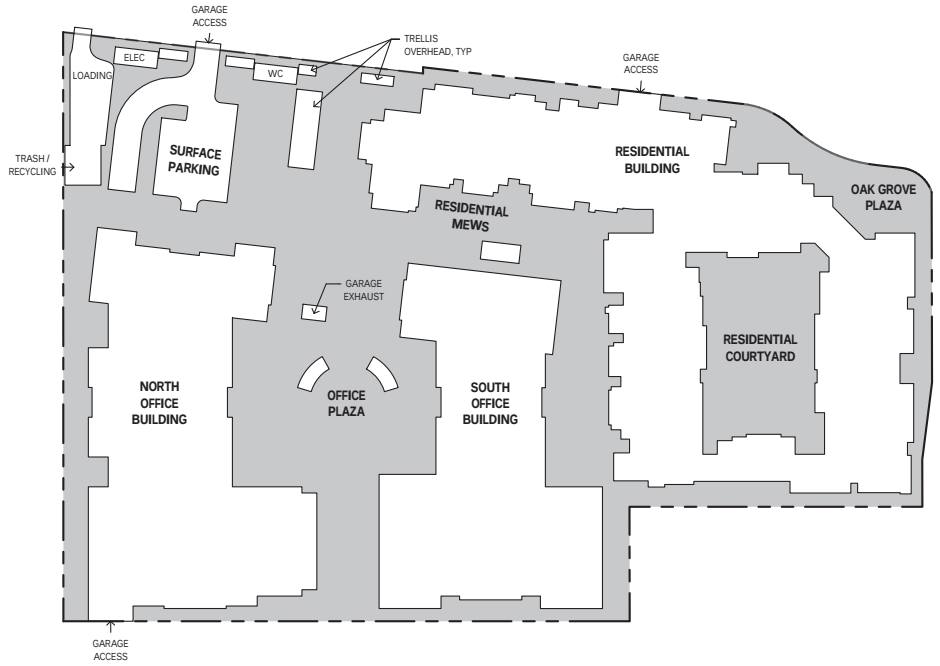
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SITE ANALYSIS

ONE FOUR-STORY MULTI-FAMILY RESIDENTIAL BUILDING AND TWO THREE-STORY OFFICE BUILDINGS, ALL WITH NEIGHBORHOOD SERVING RETAIL. BUILDINGS SHARE AMENITIES, OPEN SPACES, AND ARE LOCATED OVER A TWO-LEVEL SUBTERRANEAN PARKING GARAGE.



1 / A0.1 **Site Open Space, Building Coverage**
1" = 50'-0"

Site Open Space SF		
Project Site Area	100%	278,812
Open Space Required	20%	55,762
Open Space Provided	44%	122,874
Building Coverage	54%	155,938

Site Open Space is defined per Zoning Ordinance 16.04.500: "Open Space" means that portion of the building site open, unobstructed and unoccupied from ground upward: including walkways, landscaping, uncovered patios and uncovered recreation facilities.

Residential

	Included Floor Area (sf)		Excluded Floor Area (sf)					Total Building (sf)
	Residential	Semi Enclosed Decks	Mechanical	Trash / Recycle	In Unit Shafts	Total Residential	Community Serving Uses	
L5	184	0	0	0	0	184	0	184
L4	43,770	2345	440	224	400	43,770	0	43,770
L3	53,888	1,365	610	224	500	53,888	0	53,888
L2	54,048	1,723	610	226	500	54,048	0	54,048
L1	47,141	891	583	1,034	350	47,141	7,257	54,398
Subtotal	199,031	6,324	2,243	1,708	1,750	**199,031**	7,257	**206,288**

Unit Mix / Unit Count

	1 BDR	2 BDR	3 BDR	Total Level
L4	22	18	2	42
L3	28	21	2	51
L2	26	23	2	51
L1	22	15	2	39
Total	98	77	8	**183**
%	54%	42%	4%	100%

Office

	Included Floor Area (sf)		Excluded Floor Area (sf)				Total Building (sf)
	N Office	S Office	Mechanical	Shafts	Total Office	Community Serving Uses	
L4	62	62	0	0	124	0	124
L3	37,932	30,060	305	305	67,992	0	67,992
L2	39,436	33,784	305	305	73,220	0	73,220
L1	30,689	28,464	291	291	59,153	11,343	70,496
Subtotal	108,119	92,370	901	901	**200,489**	11,343	**211,832**

Garage

	Excluded Floor Area (sf)				Total Garage (sf)
	Parking	Mechanical	Trash / Recycle	Shafts	
B1	221,413	6,726	1,120	702	221,413
B2	156,079	675	0	0	156,079
Subtotal	377,492	7,401	1,120	702	**377,492**

***Mechanical Exclusion (sf)**

Allowed	
3% FAR	12,583
1% FAR	4,194
T Allowed Exclusion	**16,777**

Proposed	
3% Exclusion	
IDF, MPOE, Electrical Room	6,191
Storage Room	2,330
Total	8,521
1% Exclusion	
Central Plant, Fan Room	3,163

Total mechanical area is less than 3% FAR, so all mechanical area is excluded from gross square footage calculation. 16.04.325 C1

Total mechanical area (central plant) is less than 1% FAR, so all mechanical area is excluded from gross square footage calculation. 16.04.325 C2

Remaining 3% exclusion reserved for future tenant storage
12,583SF - 8,521SF = 4,062SF

Total Floor Area Permitted (sf)

Site Area	278,812
FAR	1.5
Max Allowed Floor Area	418,218
Max Allowed Office @ 50%	209,109

Open Space

Common OS Required	183units x 100sf	5,100
Common OS Proposed		31,150

CMP compliance standards requires 100sf of Open Space per Unit.
Note: Altough not required we are providing additional Private Open Space at residential balconies, patios and stoops. See plans for more information.

Summary

	Res.	Office	CSU	Total (sf)
Proposed (sf)	199,031	**200,489**	18,600	**418,120**
Max Allowed	NA	209,109	NA	418,218
Max Less Proposed		8,620.00		98.00

STATION 1300 | 1300 EL CAMINO REAL

Project Data

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PLAN NORTH

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CODE ANALYSIS

USE AND OCCUPANCY

Garage / Podium:	2 levels subteranean parking, acessed via ECR and Garwood Way	S-2
North Office Building:	3 stories of office with community serving uses on level 1 at ECR	B, M
South Office Building:	3 stories of office with community serving uses on level 1 at ECR	B,M
Residential Building:	4 stories of res. with community serving uses on level 1 at Oak Grove	R-2, M

The 2013 California Building Code is the governing code for all buildings listed above.

FIRE SPRINKLER SYSTEM

The Garage, North Office Building, South Office Building and Residential Building are all proposed to be sprinklered with an NFPA 13 automatic sprinkler system.

CONSTRUCTION TYPE

Allowable building heights and areas limitations per occupancy and construction type per CBC Table 503 as follows:

Garage / Podium:	S-2 occupancy / IA construction	= Unlimited basic allowable height; Unlimited basic allowable area
North Office:	B occupancy / IIIB construction	= 55 feet and 3 stories, 19,000 sf per story; 57,000 sf per building
South Office:	B occupancy / IIIB construction	= 55 feet and 3 stories, 19,000 sf per story; 57,000 sf per building
Residential:	R-2 occupancy / VA construction	= 50 feet and 3 stories, 12,000 sf per story; 36,000 sf per building

*Fire sprinklers are provided to allow story increase modification per CBC Section 504.2.

ACTUAL HEIGHTS AND AREAS

The North and South Office buildings are three stories in height. The residential building is three stories with a partial fourth story. Areas are measured to the exterior face of framing of exterior walls, including exterior areas within the horizontal projections of floors and roofs above.

	Height	Stories	Area
North Office Building	48'	3	**114,292 sf total**
Office (B)			109,710 sf
Mercantile (M)			4,582 sf
South Office Building	48'	3	**98,277 sf total**
Office (B)			91,632 sf
Mercantile (M)			6,645 sf
Residential Building	48'	4	**204,134 sf total**
Residential (R-2)			98,277 sf
Mercantile (M)			7,434 sf

Note: Where we exceed basic allowable areas in the residential building, we utilize Section 506 Building Area Modifications permitted to be increased due to fontage and automatic sprinkler system protection.

Allowable area = Tabular area + Frontage increase + Sprinkler increase
Aa = At+ [(At)(If)/100] + [(At)(Is)/100]

Aa = 12,000 + (12,000 x 0) + (12,000 x 2)
Aa = 36,000 sf which is > than each story area.
Allowable Building Area = 72,000 SF
Total Building Area = 21,903 SF which is less than 72,000

FIRE RESISTANT CONSTRUCTION OF MAJOR BUILDING ELEMENTS

Office Buildings **Type IIIB** Construction:

Primary Structural Frame	0
Exterior Bearing Wall	2-hr
Interior Bearing Wall	0
Non Bearing Exterior Walls and Partitions	B: 1-hr if < 30', 0-hr if > 30'; M: 2-hr if < 5', 1-hr if 5-30'; 0-hr if > 30'
Non Bearing Interior Walls and Partitions	0
Floor Construct. & Assoc. Secondary Members	0
Roof Construct. & Assoc. Secondary Members	0

Residential Building **Type VA** Construction:

Primary Structural Frame	1-hr
Exterior Bearing Wall	1-hr
Interior Bearing Wall	1-hr
Non Bearing Exterior Walls and Partitions	M: 2-hr, 1-hr if 5-30' to PL; R2: 1-hr<30' to PL
Non Bearing Interior Walls and Partitions	0
Floor Construct. & Assoc. Secondary Members	1-hr
Roof Construct. & Assoc. Secondary Members	1-hr

Garage/Podium **Type IA** Construction:

Primary Structural Frame	3-hr
Exterior Bearing Wall	3-hr
Interior Bearing Wall	3-hr (2-hr where supporting roof only)
Non Bearing Exterior Walls and Partitions	n/a
Non Bearing Interior Walls and Partitions	0
Floor Construct. & Assoc. Secondary Members	2-hr
Roof Construct. & Assoc. Secondary Members	1 1/2-hr

FIRE RESISTANCE RATING OF FIRE PARTITIONS

In the residential building, we use 3 fire partitions in order for the building to meet basic allowable heights and areas. Each compartment of the building will act/function as a separate building. In the case of a fire, the Fire Partitions between building compartments will be rated 2-hour. Each building compartment will have no less than two exits, including a horizontal exit.

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STATION 1300 | 1300 EL CAMINO REAL

Perspective Rendering - ECR Office View

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Perspective Rendering - Office Plaza View

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STATION 1300

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Perspective Rendering - Residential Entry Oak Grove

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4 A0.7 **RESIDENTIAL BUILDING AT GARWOOD**
1/16" = 1'-0"



2 A0.7 **RESIDENTIAL BUILDING AT OAK GROVE**
1/16" = 1'-0"



3 A0.7 **RESIDENTIAL ENTRY AT GARWOOD / OAK GROVE**
1/16" = 1'-0"



1 A0.7 **NORTH & SOUTH OFFICE BUILDINGS AT ECR**
1/16" = 1'-0"

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Exterior Renderings at Public R.O.W.

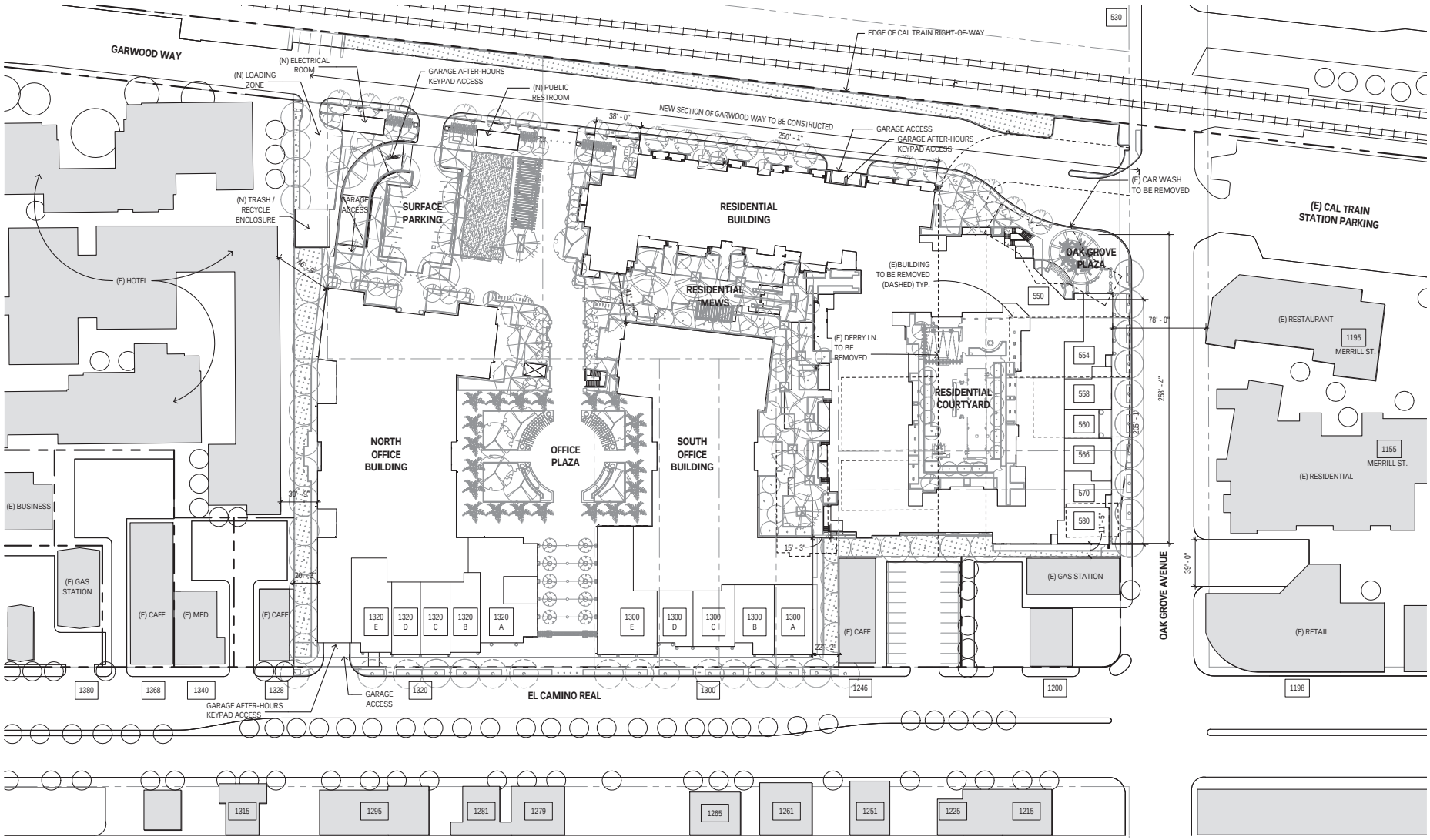
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Area Plan - 1300 El Camino Real

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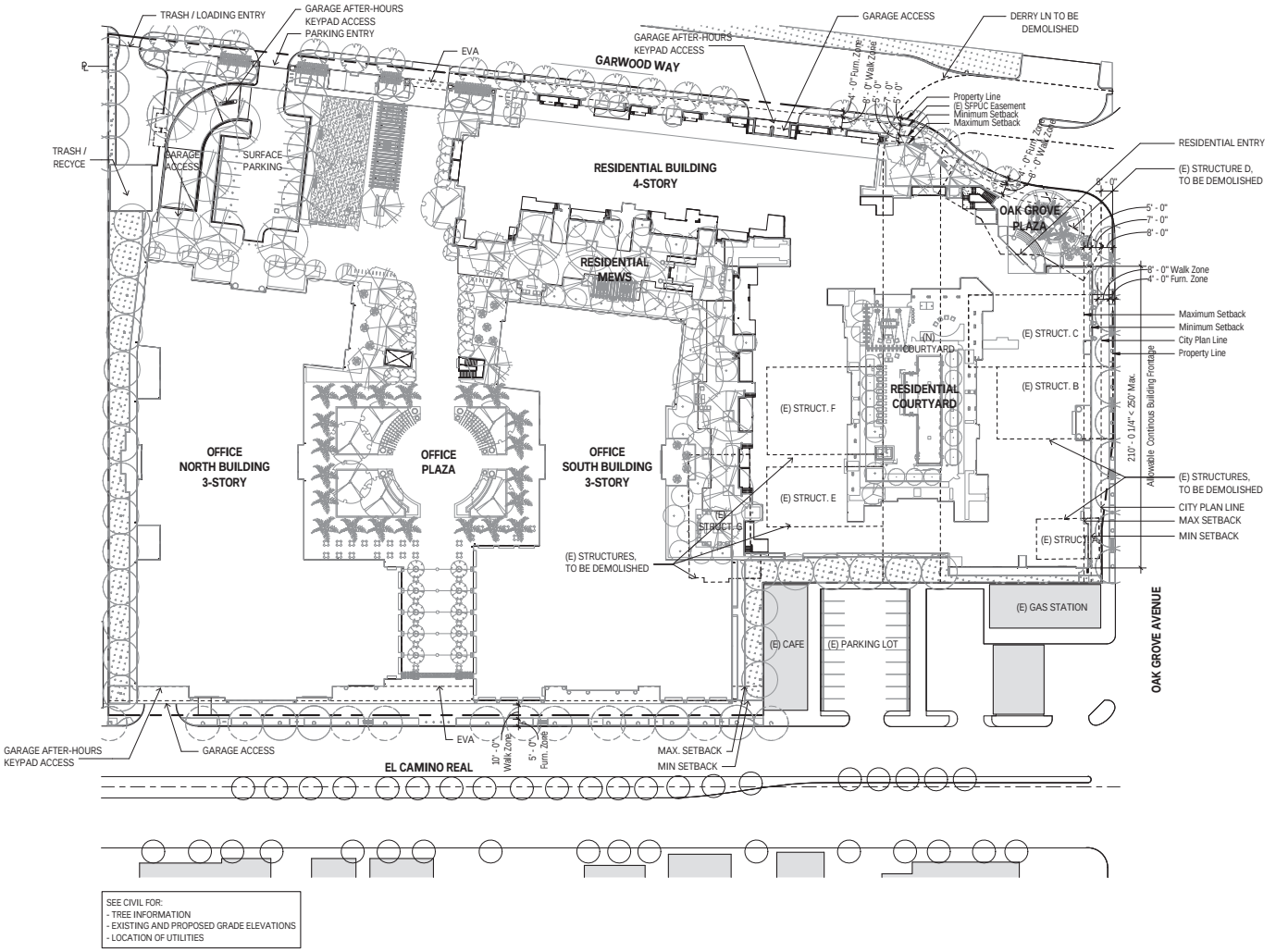
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Site Plan - 1300 El Camino Real

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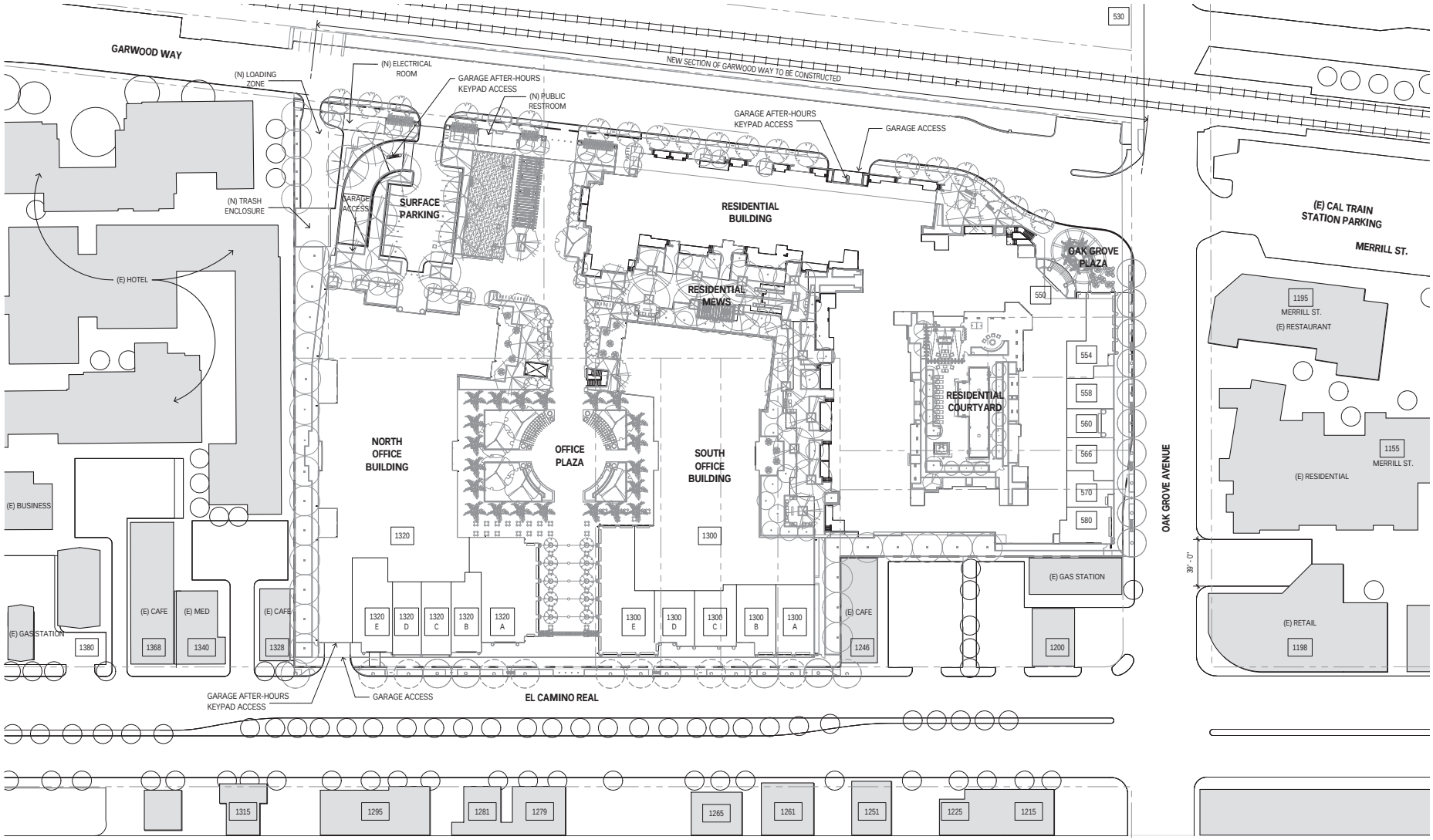
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Address Plan - Station 1300

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LEVEL B1 total area = 229,961 SF

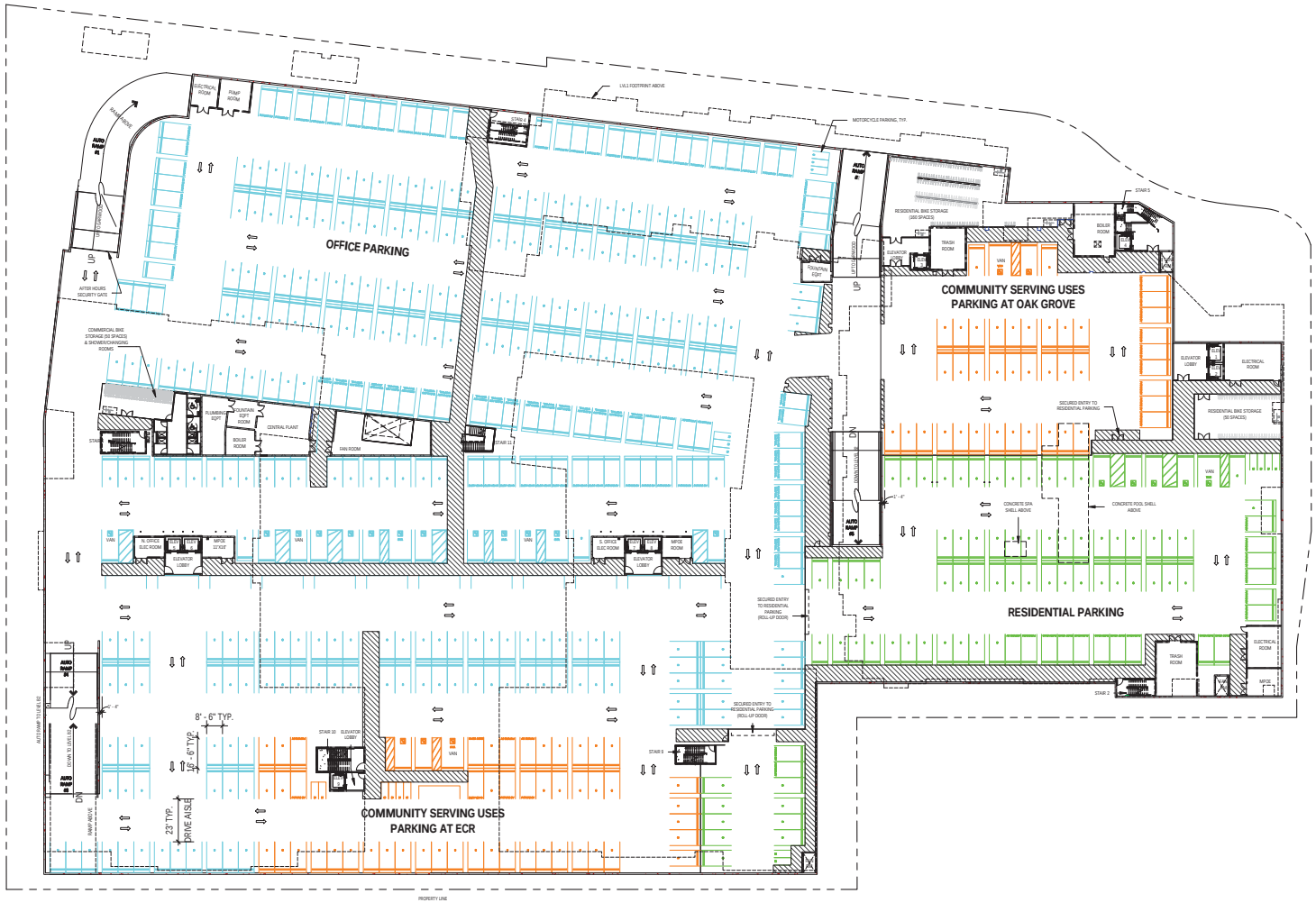
Vehicle Parking						
	Level 1	Lvl B1	Lvl B2	TOTAL	ADA Standard Spaces	ADA Van Spaces
Residential Spaces	0	92	137	229 229/183=1.25/DU	2% (229) = 5	1 for every 8 ADA = 1
Retail (CSU) Spaces At Oak Grove	0	43	0	43	26 to 50 = 2	1 for every 6 ADA = 1
Retail (CSU) Spaces At El Camino Real	0	57	0	57	51 to 75 = 3	1 for every 6 ADA = 1
Office Spaces	0	359	286	645	2% (645) = 13	1 for every 6 ADA = 3
Office Visitor Spaces & Loading	17	0	0	17	1 to 25 = 1	1 for every 6 ADA = 1
	17	551	423	991		

Per Menlo Park El Camino Real and Downtown Specific Plan Chapter F Table F2 and CBC Chapter 11A and 11B.

Per Shared Parking Study, 21 retail (CSU) spaces are reserved for retail employees and 79 retail (CSU) spaces are reserved for retail patrons.

Bike Parking Spaces							
		# of Units or SQFT Area	Long Term Required	Long Term Provided	Short Term Required	Short Term Provided
RESIDENTIAL	Multi-Family Dwelling Limit w/o Private Garage for EA Limit	183	1 Space per Unit	210 (at level B1)	1 Space for every 10 Units	22 *
OFFICE	Office	195,277 sf	1 Space for every 5,000 sf	52 (at level B1)	1 Space for every 20,000 sf	18 *
PUBLIC	Community Serving Uses, Retail & Restaurant	28,000 sf	1 Space for every 12,000 sf	4 *	1 Space for every 2,000 sf	14 * required 28 * provided
TOTAL				266		78

(*) Bike Parking Spaces on Grade/Podium at various locations



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Parking Floor Plan - Level B1

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SCALE: 1" = 30'-0"

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LEVEL B1 total area = 156,754 SF

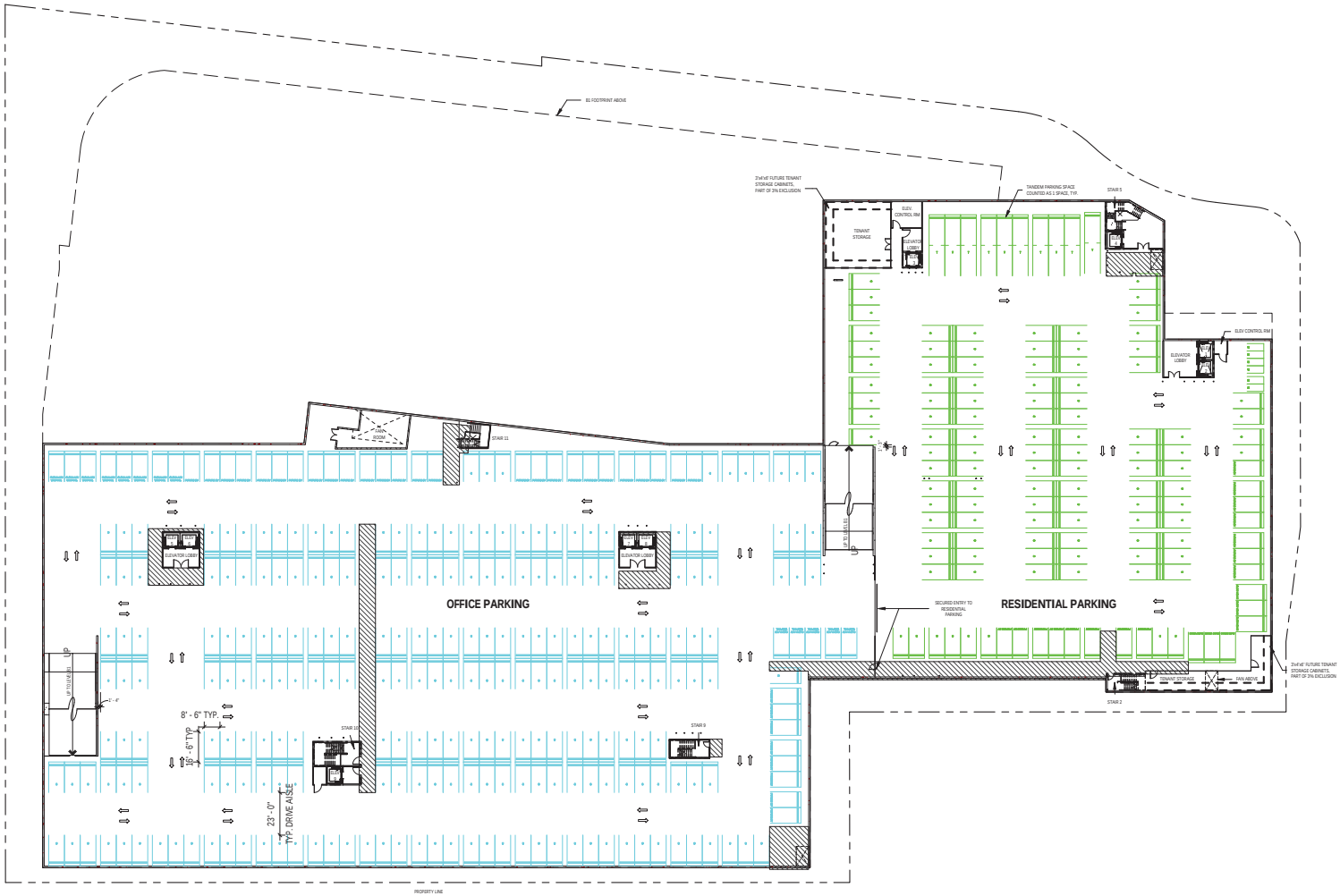
Vehicle Parking						
	Level 1	Lvl B1	Lvl B2	TOTAL	ADA Standard Spaces	ADA Van Spaces
Residential Spaces	0	92	137	229 229/183=1.25/DU	2% (229) = 5	1 for every 8 ADA = 1
Retail (CSU) Spaces At Oak Grove	0	43	0	43	26 to 50 = 2	1 for every 6 ADA = 1
Retail (CSU) Spaces At El Camino Real	0	57	0	57	51 to 75 = 3	1 for every 6 ADA = 1
Office Spaces	0	359	286	645	2% (645) = 13	1 for every 6 ADA = 3
Office Visitor Spaces & Loading	17	0	0	17	1 to 25 = 1	1 for every 6 ADA = 1
	17	551	423	991		

Per Menlo Park El Camino Real and Downtown Specific Plan Chapter F Table F2 and CBC Chapter 11A and 11B.

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		# of Units or SQFT Area	Long Term Required	Long Term Provided	Short Term Required	Short Term Provided
RESIDENTIAL	Multi-Family Dwelling Limit w/o Private Garage for EA Limit	183	1 Space per Unit	210 (at level B1)	1 Space for every 10 Units	22 *
OFFICE	Office	195,277 sf	1 Space for every 5,000 sf	52 (at level B1)	1 Space for every 20,000 sf	18 *
PUBLIC	Community Serving Uses, Retail & Restaurant	28,000 sf	1 Space for every 12,000 sf	4 *	1 Space for every 2,000 sf	14 * required 26 * provided
TOTAL				266		78

(*) Bike Parking Spaces on Grade/Podium at various locations



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Parking Floor Plan - Level B2

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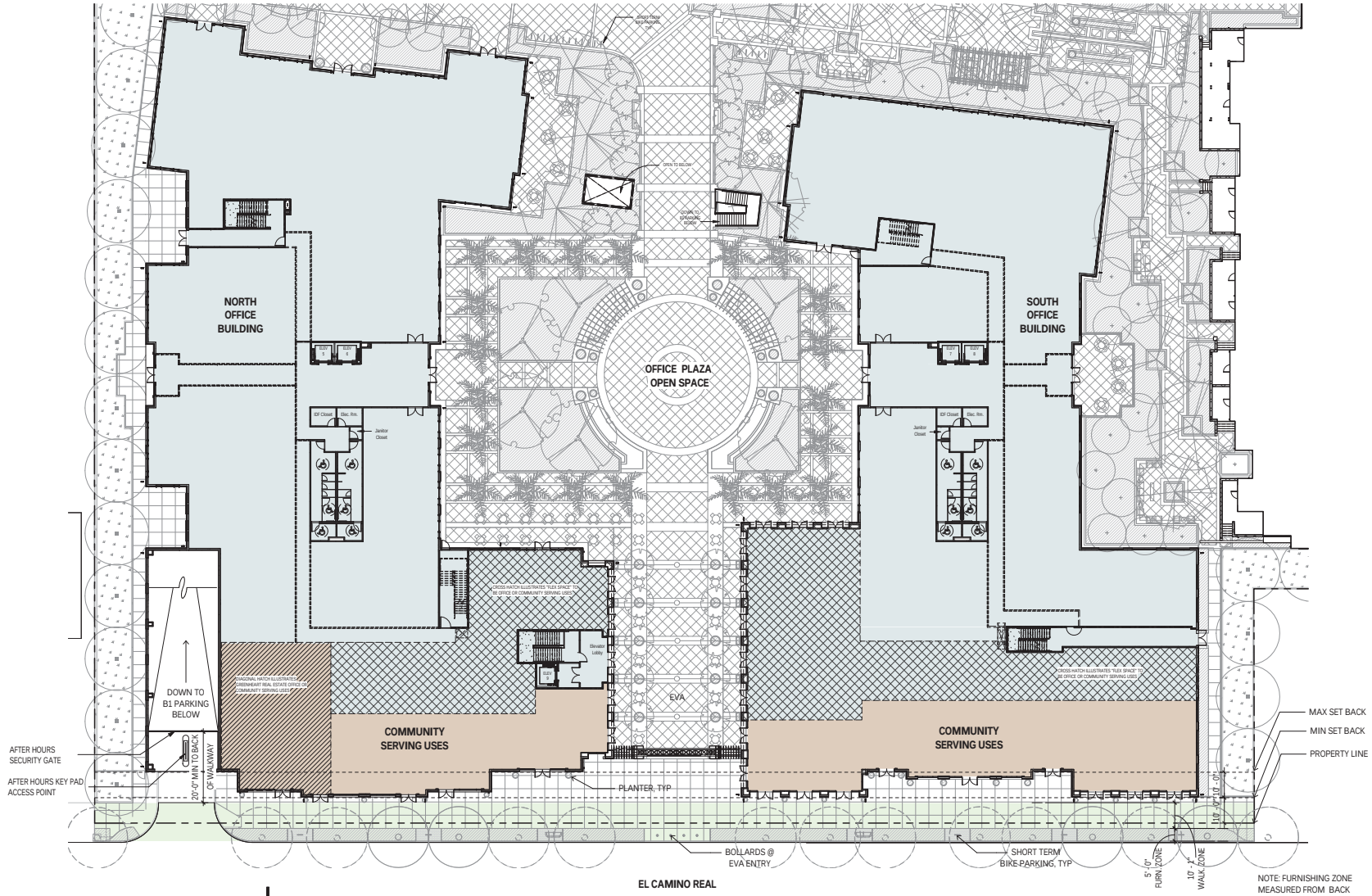
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Office Floor Plan - Ground Floor

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Office Floor Plan - Level 2

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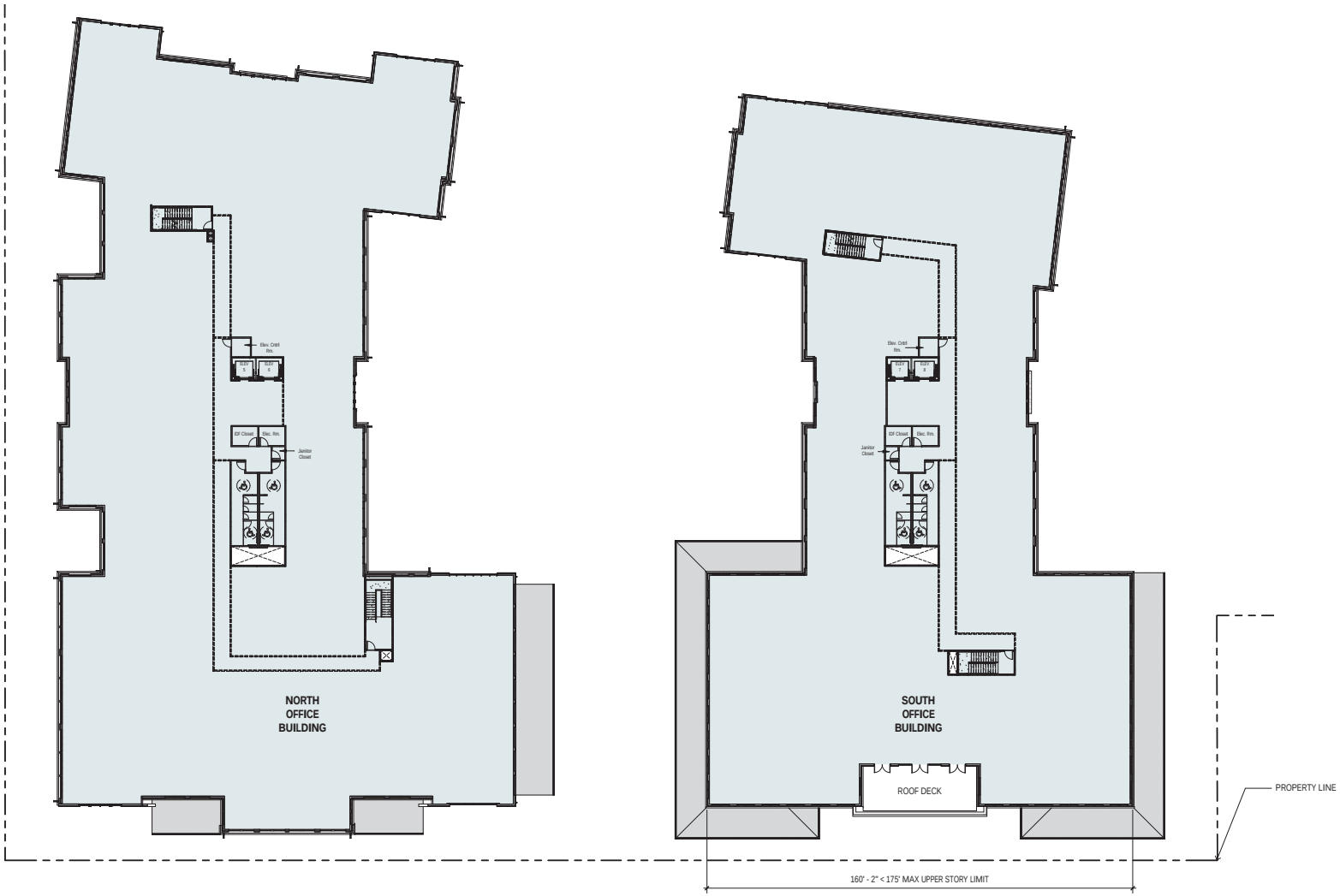
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Office Floor Plan - Level 3

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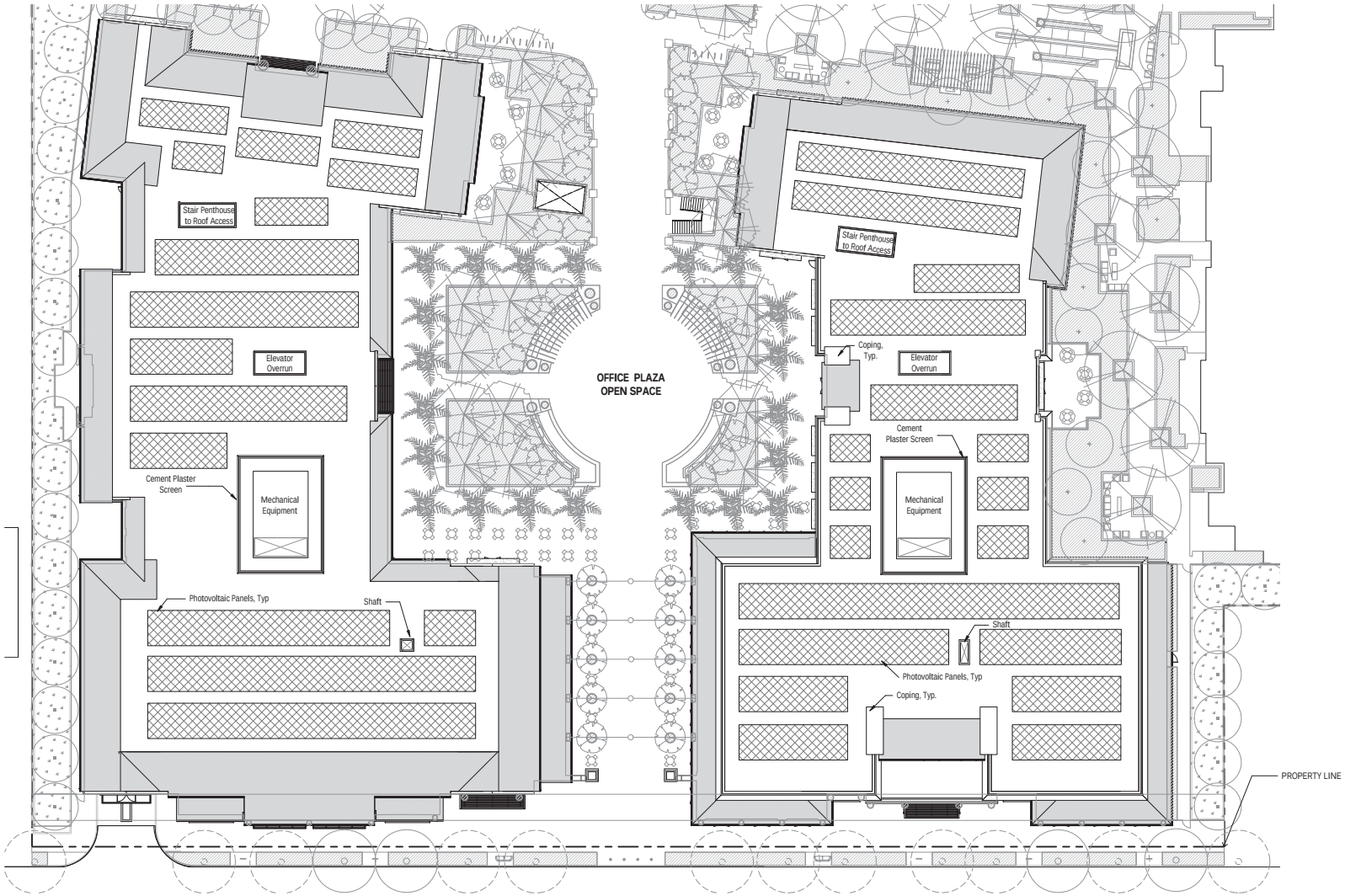
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Office Floor Plan - Roof Plan

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	Approximate Unit Dimensions Depth x Width	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	Unit Count Subtotal
1 Bedroom LARGE / 1 Bath						
1A	30' x 22'	9	9	9	9	36
1B	32' x 25'	9	10	10	7	35
1E + study	33' x 38'	1				1
Total 1 Bedroom Units		19	19	19	16	72
1 Bedroom SMALL / 1 Bath						
1C	33' x 17.5'	4	5	5	4	20
1D	25' x 27'	3	3	3	3	12
Total 1 Bedroom Units		7	8	8	7	32
2 Bedrooms / 2 Baths						
2A	30' x 35'	9	10	10	6	35
2B	34' x 38.5'	1	3	3	3	10
2C	30' x 50'	2	3	3	3	11
2D	33' x 49'	2	2	2	1	7
2E	36' x 34'		1	1	1	3
2F	43' x 30'		1	1		2
2G	31' x 56.5'	1	1	1	1	4
2H	31' x 47.5'	1	1	1	1	4
Total 2 Bedroom Units		15	22	22	16	77
3 Bedrooms / 2 Baths						
3A	32' x 58'	2	2	2	2	8
Total 3 Bedroom Units		2	2	2	2	8
Total Number of Units		39	51	51	42	183

Small one bedrooms have a bedroom or bed alcove that receives borrowed light from an adjacent room/space in the unit while a large one bedroom unit consists of a bedroom with direct access to an exterior window. We have included unit variations with the plans, dimensioned and annotated.

STATION 1300 | 1300 EL CAMINO REAL

Residential Floor Plan - Level 1

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	Approximate Unit Dimensions Depth x Width	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	Unit Count Subtotal
1 Bedroom LARGE / 1 Bath						
1A	30' x 22'	9	9	9	9	36
1B	32' x 25'	9	10	10	7	35
1E + study	33' x 38'	1				1
Total 1 Bedroom Units		19	19	19	16	72
1 Bedroom SMALL / 1 Bath						
1C	33' x 17.5'	4	5	5	4	20
1D	25' x 27'	3	3	3	3	12
Total 1 Bedroom Units		7	8	8	7	32
2 Bedrooms / 2 Baths						
2A	30' x 35'	9	10	10	6	35
2B	34' x 38.5'	1	3	3	3	10
2C	30' x 50'	2	3	3	3	11
2D	33' x 49'	2	2	2	1	7
2E	36' x 24'		1	1	1	3
2F	43' x 30'		1	1		2
2G	31' x 56.5'	1	1	1	1	4
2H	31' x 47.5'	1	1	1	1	4
Total 2 Bedroom Units		15	22	22	16	77
3 Bedrooms / 2 Baths						
3A	32' x 58'	2	2	2	2	8
Total 3 Bedroom Units		2	2	2	2	8
Total Number of Units		39	51	51	42	183

Small one bedrooms have a bedroom or bed alcove that receives borrowed light from an adjacent room/space in the unit while a large one bedroom unit consists of a bedroom with direct access to an exterior window. We have included unit variations with the plans, dimensioned and annotated.

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Residential Floor Plan - Level 2

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	Approximate Unit Dimensions Depth x Width	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	Unit Count Subtotal
1 Bedroom LARGE / 1 Bath						
1A	30' x 22'	9	9	9	6	33
1B	32' x 25'	9	10	10	7	35
1E + study	33' x 38'	1				1
Total 1 Bedroom Units		15	16	16	13	66
1 Bedroom SMALL / 1 Bath						
1C	33' x 17.5'	4	6	6	4	20
1D	25' x 27'	3	3	3	3	12
Total 1 Bedroom Units		7	9	9	7	32
2 Bedrooms / 2 Baths						
2A	30' x 35'	8	10	10	6	34
2B	34' x 38.5'	1	3	3	3	10
2C	30' x 50'	2	3	3	3	11
2D	33' x 49'	2	2	2	1	7
2E	36' x 24'		1	1	1	3
2F	43' x 30'		1	1		2
2G	31' x 56.5'	1	1	1	1	4
2H	31' x 47.5'	1	1	1	1	4
Total 2 Bedroom Units		15	22	22	16	77
3 Bedrooms / 2 Baths						
3A	32' x 58'	2	2	2	2	8
Total 3 Bedroom Units		2	2	2	2	8
Total Number of Units		39	51	51	42	183

Small one bedrooms have a bedroom or bed alcove that receives borrowed light from an adjacent room/space in the unit while a large one bedroom unit consists of a bedroom with direct access to an exterior window. We have included unit variations with the plans, dimensioned and annotated.

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Residential Floor Plan - Level 3

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	Approximate Unit Dimensions Depth x Width	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	Unit Count Subtotal
1 Bedroom LARGE / 1 Bath						
1A	30' x 22'	9	9	9	9	36
1B	32' x 25'	9	10	10	7	35
1E + study	33' x 38'	1				1
Total 1 Bedroom Units		19	19	19	16	72
1 Bedroom SMALL / 1 Bath						
1C	33' x 17.5'	4	5	5	4	20
1D	25' x 27'	3	3	3	3	12
Total 1 Bedroom Units		7	8	8	7	30
2 Bedrooms / 2 Baths						
2A	30' x 35'	9	10	10	6	35
2B	34' x 38.5'	1	3	3	3	10
2C	30' x 50'	2	3	3	3	11
2D	33' x 49'	2	2	2	1	7
2E	36' x 34'		1	1	1	3
2F	43' x 30'		1	1		2
2G	31' x 56.5'	1	1	1	1	4
2H	31' x 47.5'	1	1	1	1	4
Total 2 Bedroom Units		15	22	22	16	77
3 Bedrooms / 2 Baths						
3A	32' x 58'	2	2	2	2	8
Total 3 Bedroom Units		2	2	2	2	8
Total Number of Units		39	51	51	42	183

Small one bedrooms have a bedroom or bed alcove that receives borrowed light from an adjacent room/space in the unit while a large one bedroom unit consists of a bedroom with direct access to an exterior window. We have included unit variations with the plans, dimensioned and annotated.

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Residential Floor Plan - Level 4

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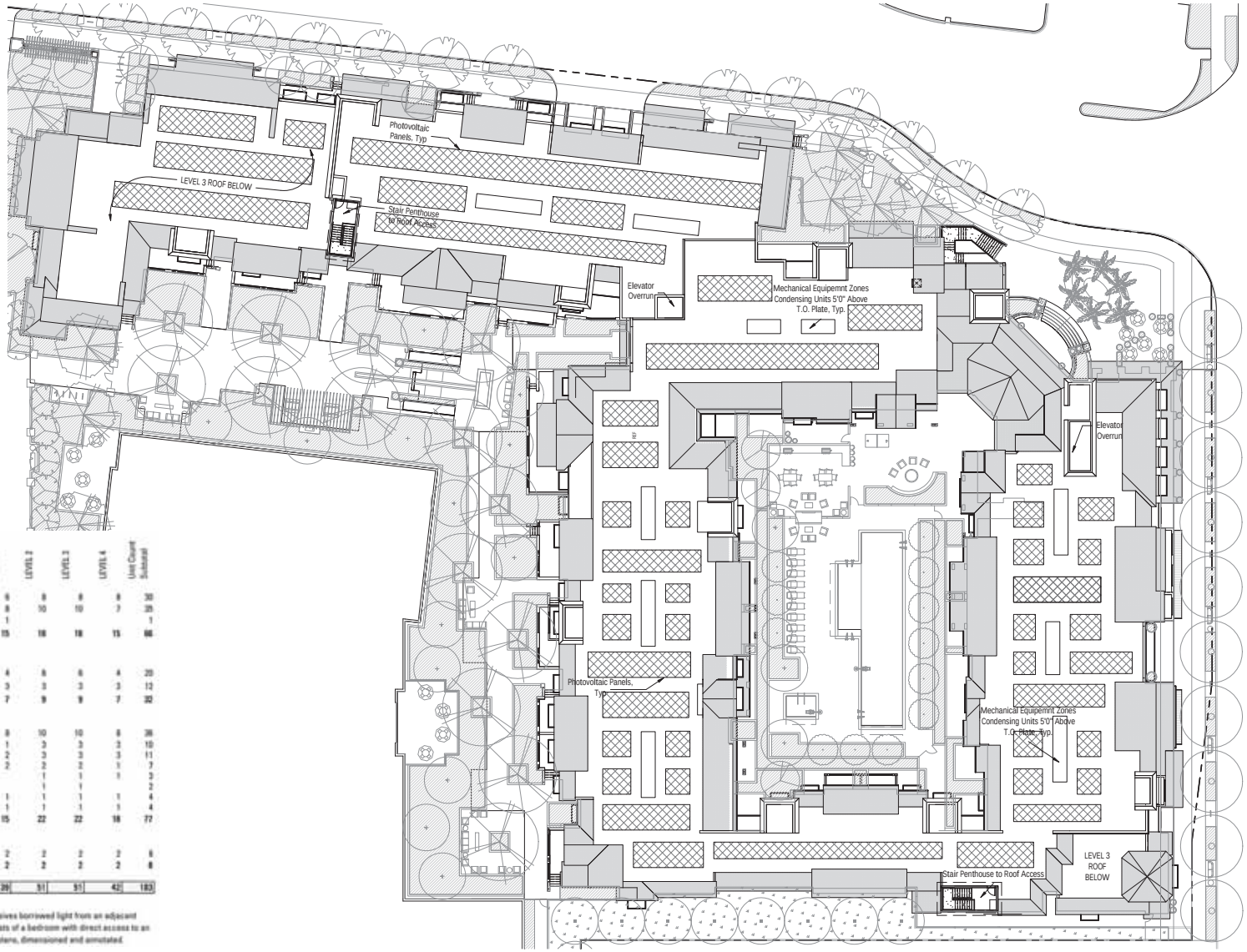
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	Approximate Unit Dimensions Depth x Width	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	Unit Count Subtotal
1 Bedroom LARGE / 1 Bath						
1A	30' x 22'	6	8	8	8	30
1B	32' x 25'	8	10	10	7	35
1E + study	33' x 38'	1				1
Total 1 Bedroom Units		15	18	18	15	66
1 Bedroom SMALL / 1 Bath						
1C	33' x 17.5'	4	6	6	4	20
1D	25' x 27'	3	3	3	3	12
Total 1 Bedroom Units		7	9	9	7	32
2 Bedrooms / 2 Baths						
2A	30' x 35'	8	10	10	8	36
2B	34' x 38.5'	1	3	3	3	10
2C	30' x 50'	2	3	3	3	11
2D	33' x 49'	2	2	2	1	7
2E	36' x 34'		1	1	1	3
2F	43' x 30'		1	1		2
2G	31' x 56.5'	1	1	1	1	4
2H	31' x 47.5'	1	1	1	1	4
Total 2 Bedroom Units		15	22	22	18	77
3 Bedrooms / 2 Baths						
3A	32' x 56'	2	2	2	2	8
Total 3 Bedroom Units		2	2	2	2	8
Total Number of Units		39	51	51	42	183

Small one bedrooms have a bedroom or bed alcove that receives borrowed light from an adjacent room/space in the unit while a large one bedroom unit consists of a bedroom with direct access to an exterior window. We have included unit variations with the plans, dimensioned and annotated.

STATION 1300

1300 EL CAMINO REAL

Residential Floor Plan - Roof Level

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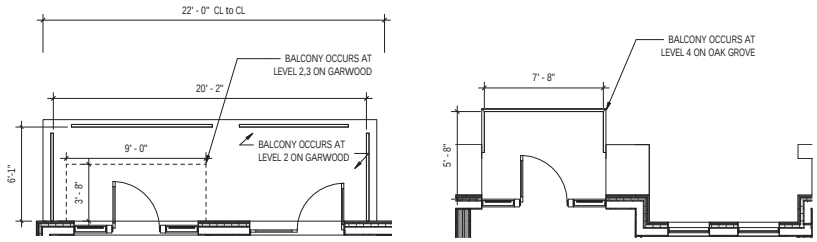
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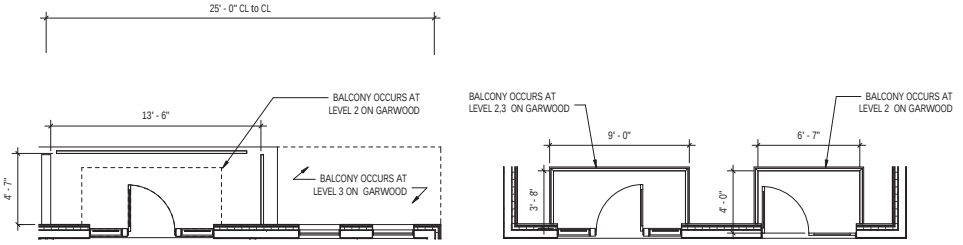
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0 20 60
SCALE: 1" = 20'-0"

TRUE NORTH
PLAN NORTH

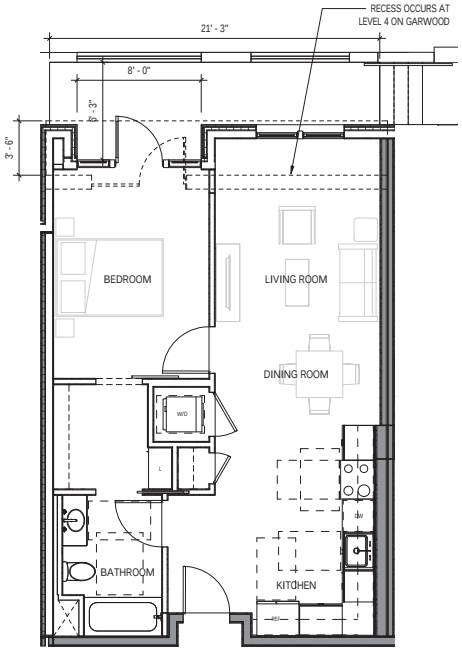
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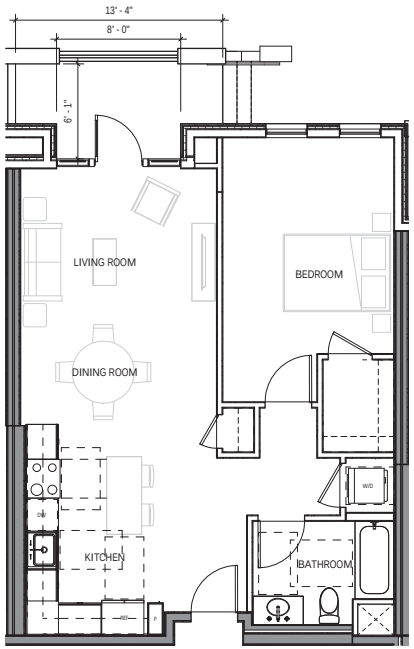




1A ADITTIONAL VARIATIONS



1B ADITTIONAL VARIATIONS



1A LARGE
630 SF GROSS
1 BEDROOM, 1 BATHROOM
30 INSTANCES

1B LARGE
745 SF GROSS
1 BEDROOM, 1 BATHROOM
35 INSTANCES

Station 1300

1300 El Camino Real

Enlarged Unit Plans - 1 Bedroom Large, Typical

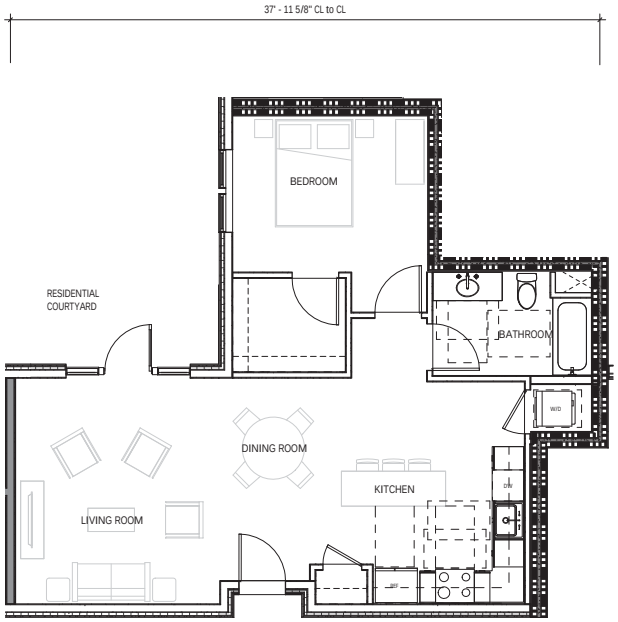
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1E LARGE
832 SF GROSS
1 BEDROOM, 1 BATHROOM
1 INSTANCES

Station 1300

1300 El Camino Real

Enlarged Unit Plans - 1 Bedroom Large, Typical

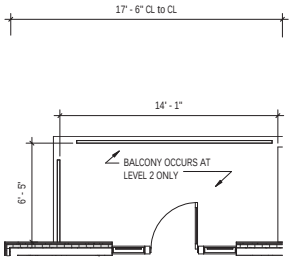
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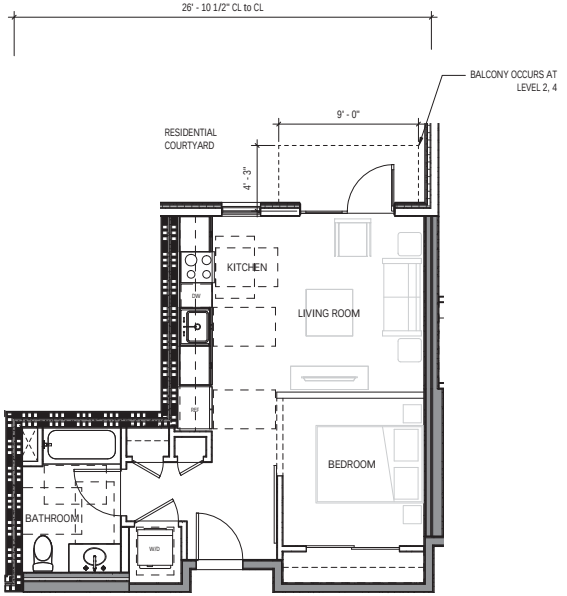
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1C ADITTIONAL VARIATIONS





1C SMALL
555 SF GROSS
1 BEDROOM, 1 BATHROOM
20 INSTANCES

1D SMALL
520 SF GROSS
1 BEDROOM, 1 BATHROOM
12 INSTANCES

Station 1300 | 1300 El Camino Real

Enlarged Unit Plans - 1 Bedroom Small, Typical

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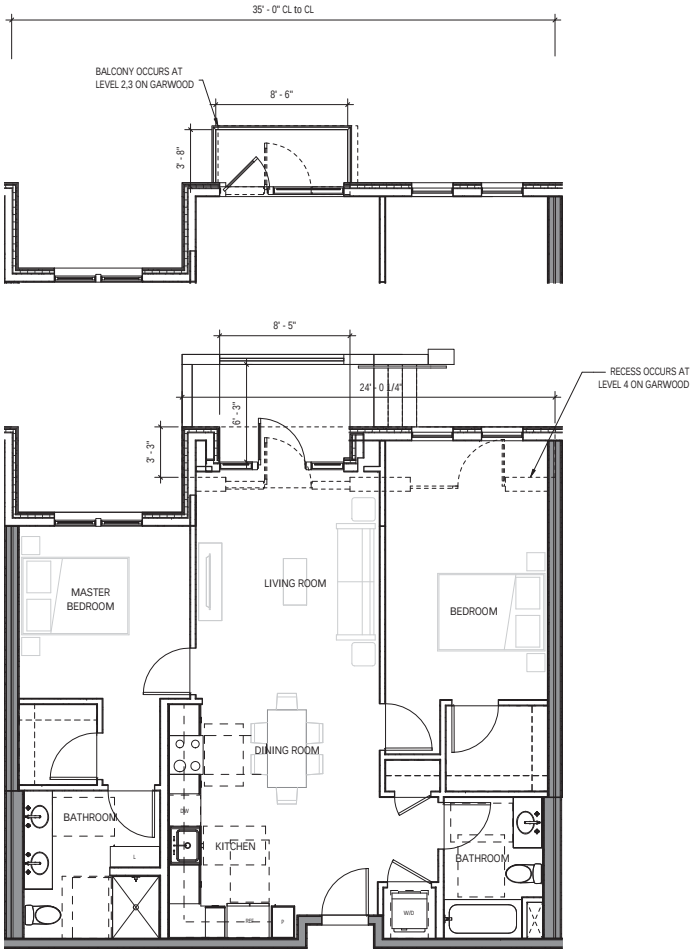
TRUE NORTH
PLAN NORTH

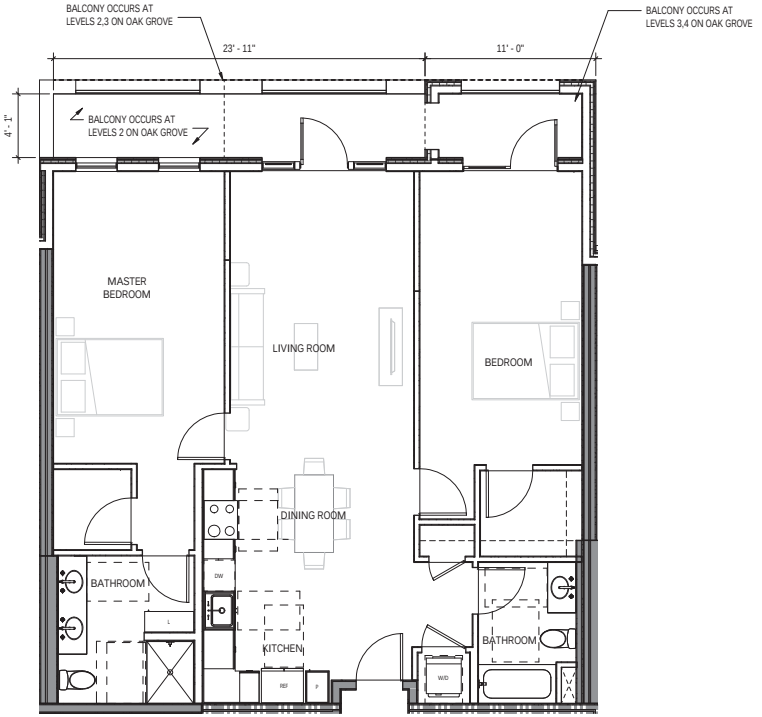
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2A ADITTIONAL VARIATIONS





2A
987 SF GROSS
2 BEDROOM, 2 BATHROOM
36 INSTANCES

2A VARIATION

Station 1300 | 1300 El Camino Real

Enlarged Unit Plans - 2 Bedroom, Typical

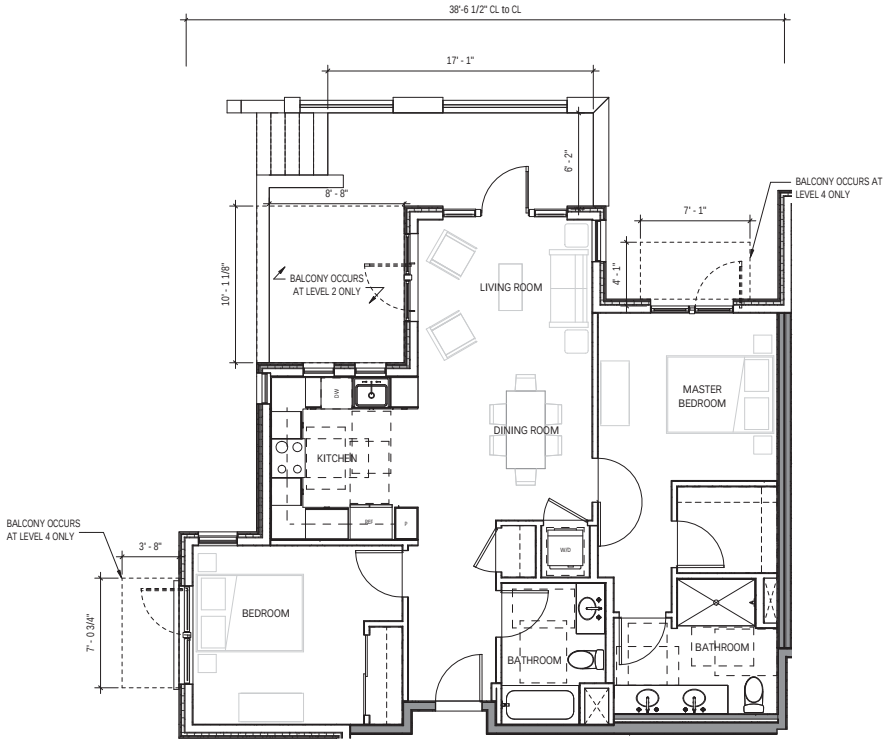
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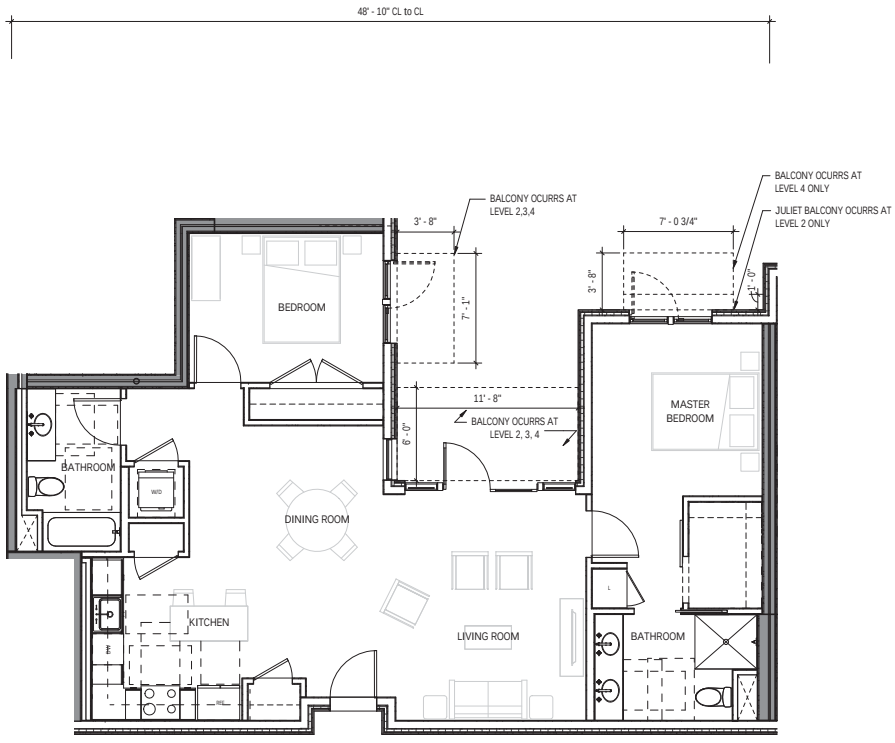
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2B
986 SF GROSS
2 BEDROOM, 2 BATHROOM
10 INSTANCES



2C
1,110 SF GROSS
2 BEDROOM, 2 BATHROOM
11 INSTANCES

Station 1300 | 1300 El Camino Real

Enlarged Unit Plans - 2 Bedroom, Typical

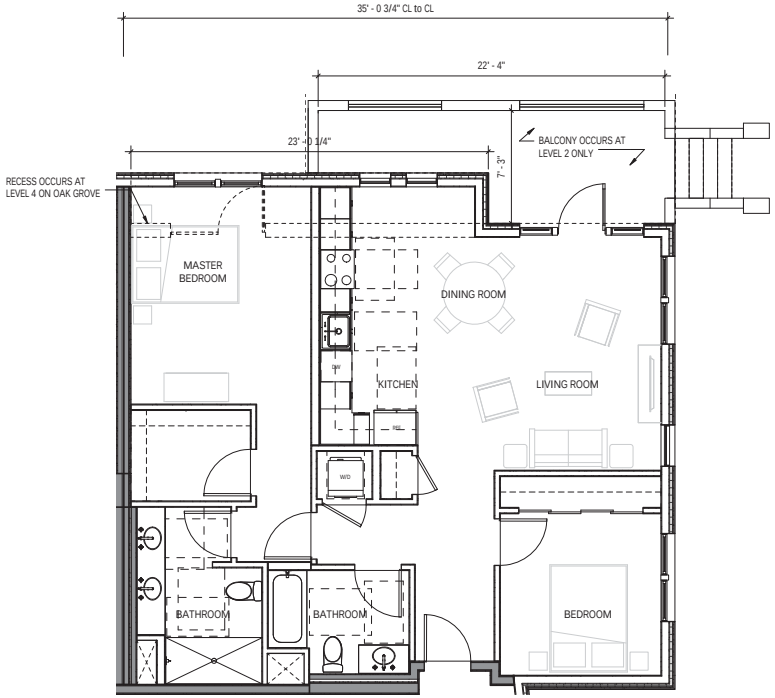
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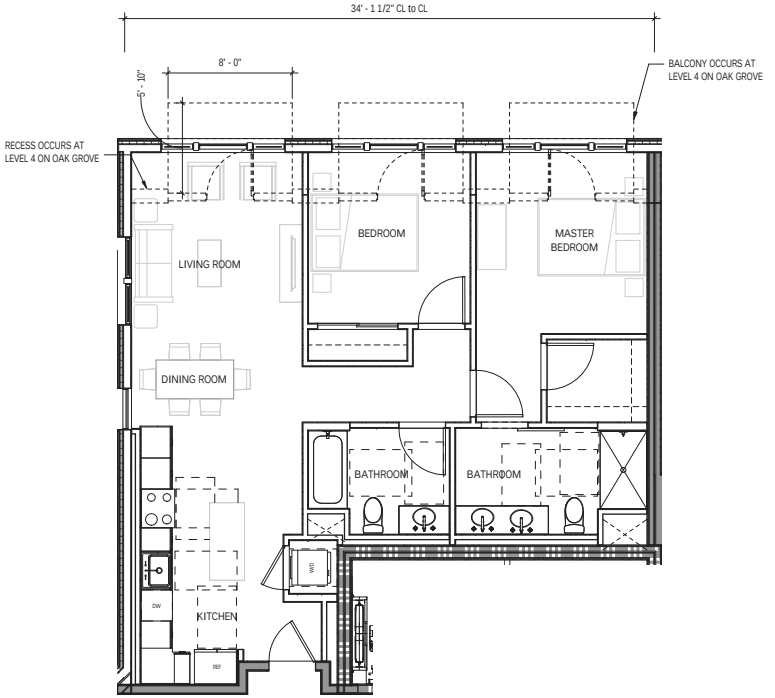
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2D
1,095 SF GROSS
2 BEDROOM, 2 BATHROOM
7 INSTANCES

2E
1,016 SF GROSS
2 BEDROOM, 2 BATHROOM
3 INSTANCES

Station 1300

1300 El Camino Real

Enlarged Unit Plans - 2 Bedroom, Typical

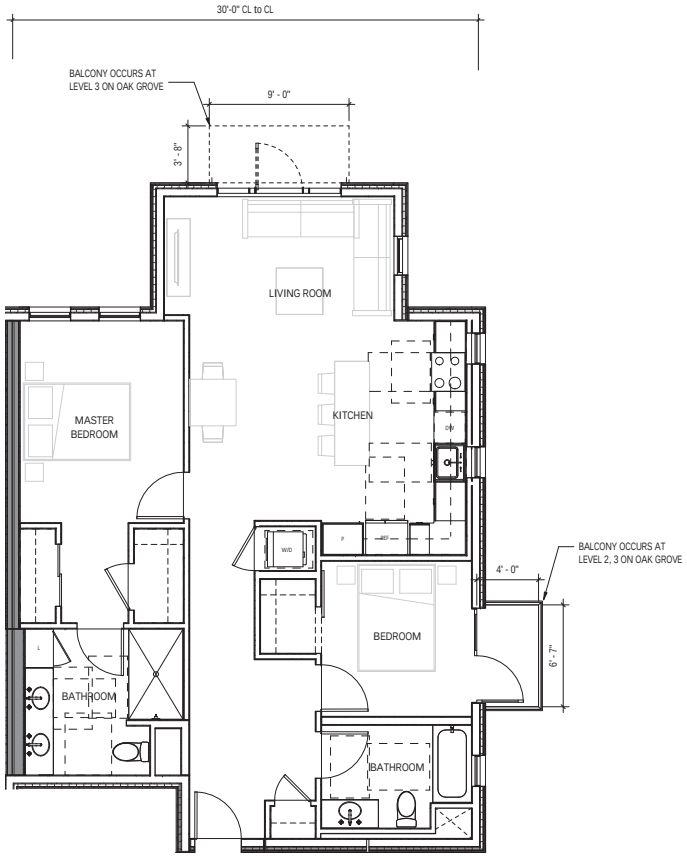
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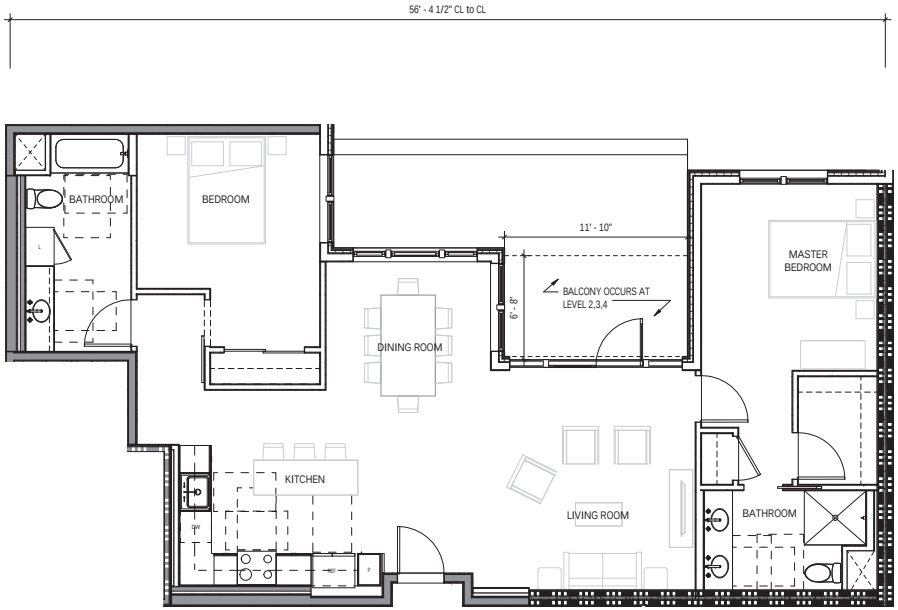
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2F
1,095 SF GROSS
2 BEDROOM, 2 BATHROOM
2 INSTANCES

2G
1,285 SF GROSS
2 BEDROOM, 2 BATHROOM
4 INSTANCES

Station 1300 | 1300 El Camino Real

Enlarged Unit Plans - 2 Bedroom, Typical

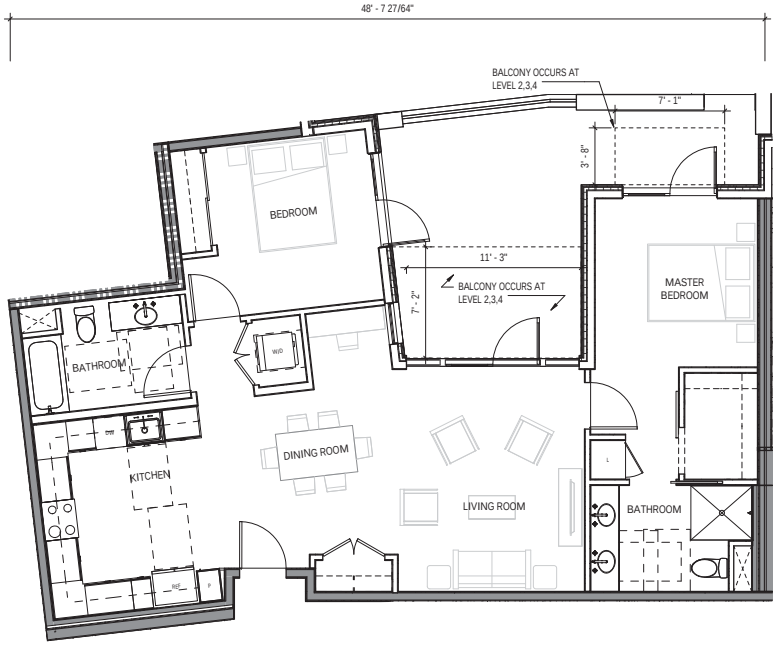
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2H
1,085 SF GROSS
2 BEDROOM, 2 BATHROOM
4 INSTANCES

Station 1300 | 1300 El Camino Real

Enlarged Unit Plans - 2 Bedroom, Typical

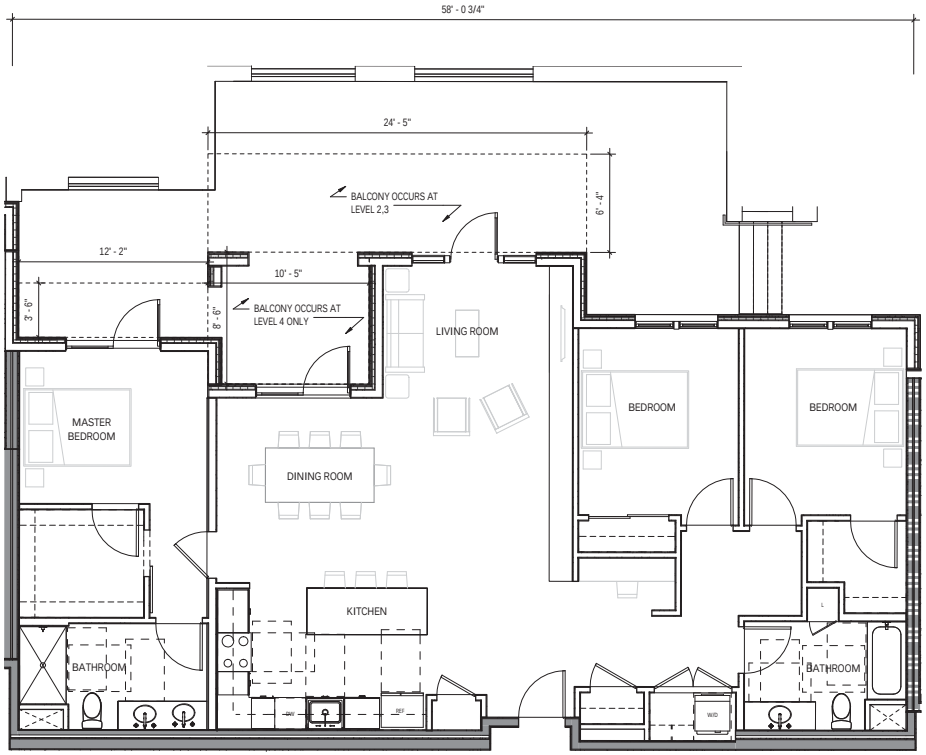
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3A
1,555 SF GROSS
3 BEDROOM, 2 BATHROOM
8 INSTANCES

Station 1300 | 1300 El Camino Real

Enlarged Unit Plans - 3 Bedroom, Typical

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	BUILDING	PROGRAM	AREA INCLUDED	AREA EXLCUDED	NOTES
		Basement 2			
	Garage	Tenant Storage		2,330	16.04.325 (C) (1) 3%
	Garage	Central Plant, Fan Room		675	16.04.325 (C) (2) 1%
	Garage	Parking Related Circulation		153,749	16.04.325 (C) (3)
				156,754	**Total GSF Level B2**
		Basement 1			
	North Office	IDF, MPOE, Electrical Room		4,238	16.04.325 (C) (1) 3%
	North Office	Central Plant, Fan Room		2,488	16.04.325 (C) (2) 1%
	South Office	Parking Related Circulation		221,413	16.04.325 (C) (3)
	Residential	Shafts		702	16.04.325 (C) (5)
	Residential	Trash/Recycle		1,120	16.04.325 (C) (6)
				229,961	**Total GSF Level B1**
		Level 1			
A	North Office	Community Serving Uses	**5,766**		
B	North Office	Commercial / Office	**26,638**		
B.1	North Office	Flexible Space	**4,051**		
C	South Office	Community Serving Uses	**5,577**		
D	South Office	Commercial / Office	**22,115**		
D.1	South Office	Flexible Space	**6,349**		
E	Residential	Community Serving Uses	**7,257**		
	Residential	Private Open Space		5,653	16.04.325 (C) (4)
F	Residential	Residential Units	47,141		
	Residential	Shafts (in unit)		350	16.04.325 (C) (5)
	Project	IDF, MPOE, Electrical Room		635	16.04.325 (C) (1) 3%
	Project	Shafts		530	16.04.325 (C) (5)
	Project	Trash / Recycle		1,034	16.04.325 (C) (6)
	Site	Parking Related Circulation		4,990	16.04.325 (C) (3)
G	Site	Public Bathroom	163		
H	Site	Electrical Room / Generators	364		
			59,153		Total Lvl 1 Office
			47,141		Total Lvl 1 Residential
			18,600		Total Lvl 1 CSU
			527		Total Lvl 1 Site
			125,421	**13,192**	**Total GSF Level 1**
		Level 2			
I	North Office	Commercial / Office	39,436		
J	South Office	Commercial / Office	33,784		
	Residential	Private Open Space		1,696	
K	Residential	Residential Units	54,048		
	Residential	shafts (in unit)		500	16.04.325 (C) (5)
	Project	IDF, MPOE, Electrical Room		549	16.04.325 (C) (1) 3%
	Project	Shafts		671	16.04.325 (C) (5)
	Project	Trash / Recycle		226	16.04.325 (C) (6)
			73,220		Total Lvl 2 Office
			54,048		Total Lvl 2 Residential
			127,268	**3,642**	**Total GSF Level 2**

*IDF, MPOE, Electrical Rooms are part of the 3% exception per 16.04.325 (C) and specifically have no windows or skylights and unconditioned air.

*Remaining 3% exclusion reserved for future tenant storage 12,583SF - 8,521SF = 4,062SF

	BUILDING	PROGRAM	AREA INCLUDED	AREA EXLCUDED	NOTES
		Level 3			
L	North Office	Commercial / Office	37,932		
M	South Office	Commercial / Office	30,060		
	Residential	Private Open Space		163	
N	Residential	Residential Units	53,888		
	Residential	shafts (in unit)		500	16.04.325 (C) (5)
	Project	IDF, MPOE, Electrical Room		549	16.04.325 (C) (1) 3%
	Project	Shafts		671	16.04.325 (C) (5)
	Project	Trash / Recycle		224	16.04.325 (C) (6)
			67,992		Total Lvl 3 Office
			53,888		Total Lvl 3 Residential
			121,880	**2,107**	**Total GSF Level 3**
		Level 4			
O	North Office	Commercial / Office	62		
P	South Office	Commercial / Office	62		
	Residential	Private Open Space		373	
Q	Residential	Residential Units	43,770		
	Residential	shafts (in unit)		400	16.04.325 (C) (5)
	Project	IDF, MPOE, Electrical Room		220	16.04.325 (C) (1) 3%
	Project	Shafts		220	16.04.325 (C) (5)
	Project	Trash / Recycle		224	16.04.325 (C) (6)
			124		Total Lvl 4 Office
			43,770		Total Lvl 4 Residential
			43,894	**1,437**	**Total GSF Level 4**
		Level 5			
R	Residential	Residential Units	184		
			184		Total Lvl 5 Residential
			184		**Total GSF Level 5**
		GFA			
		Max. Allowed 418,218	**418,120**		**Gross SF Total**
		Max. Allowed 209,109	**200,489**		Office GFA
			48%		% Office GFA
			199,031		Residential GFA
			18,600		CSU GFA
		Max. Allowed 4,204		**3,163**	16.04.325 (C) (2) 1%
		Max. Allowed 12,612		**6,191**	16.04.325 (C) (1) 3%
		Remanining 3% Exclusion		**6,353**	Reserved for future Tenant Storage
		Open Space			
S	Office Plaza, Oak Grove Plaza	Public Open Space	91,724		
T	Residential	Common Open Space	31,150		
U	Residential	Private Open Space	7,885		
V	Project	Trash / Recycle	1,034		16.04.325 (C) (6)
			131,793		**Total Open Space**

*If the 2,500SF of Retail Office is used as Office, then proposed Office 2,500SF + 200,489 SF = 202,989 SF still < the Max Allowed, 209,109

STATION 1300 | 1300 EL CAMINO REAL

Area Chart

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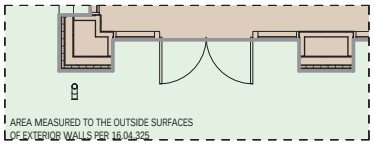
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Area Calculations

			Level 1		
A	North Office	Community Serving Uses	1,706		
B	North Office	Commercial / Office	21,618		
B.1	North Office	Flexible Space	4,051		
C	South Office	Community Serving Uses	5,377		
D	South Office	Commercial / Office	21,115		
D.1	South Office	Flexible Space	4,330		
E	Residential	Community Serving Uses	7,257		
	Residential	Private Open Space		3,053	16.04.325 (C) (4)
F	Residential	Residential Units	47,141		
	Residential	Shafts (in unit)		733	16.04.325 (C) (5)
	Project	IDF, MPOE, Electrical Room		695	16.04.325 (C) (1) 5%
	Project	Shafts		334	16.04.325 (C) (3)
	Project	Trash / Recycle		1,134	16.04.325 (C) (6)
	Site	Parking Related Circulation		4,950	16.04.325 (C) (3)
G	Site	Public Bathroom	165		
H	Site	Electrical Room / Generators	716		
			59,153		Total Lot 1 Office
			47,141		Total Lot 1 Residential
			18,409		Total Lot 1 CSU
			517		Total Lot 1 Site
			125,421	13,192	Total GSF Level 1

Areas

- Community Serving Uses
- Covered Porch/Balcony
- IDF, Electrical Room
- Office
- Parking Related Circulation
- Residential
- Shaft
- Site Buildings
- Trash/Recycle
- Residential - Private Open Space
- Residential - Common Open Space
- Open Space



NOTES:
1. ALL MECHANICAL AREA EXEMPT PER (ie. shafts) SEC. 16.04.325 (C) (1) and (2).
SEE A0.0 FOR MORE INFORMATION. *IDF, MPOE, ELECTRICAL ROOMS ARE PART OF THIS EXCEPTION AND SPECIFICALLY HAVE NO WINDOWS OR SKYLIGHTS AND UNCONDITIONED AIR.
2. CIRCULATION TO GARAGE EXEMPT PER SEC. 16.04.325 (C)(3)
3. TRASH AND RECYCLING, EXEMPT PER SEC. 16.04.325 (C)(6)
4. EXEMPT AREAS INCLUDE UNCOVERED PORCHES AND JULIET BALCONIES PER SEC. 16.04.325 (C)(1); OPEN, COVERED PORCHES WITH COLUMNS LESS THAN 12" WIDE AND OPEN CIRCULATION WITH COLUMNS LESS THAN 12" WIDE PER SEC. 16.04.325 (C)(4)
5. REMAINING 3% EXCLUSSION RESERVED FOR FUTURE TENANT STORAGE
12,583SF - 8,521SF = 4,062SF



GENERAL LEVEL 1 NOTE:

EXACT LAYOUT OF COMMUNITY SERVING USES, FLEX SPACE, AND REAL ESTATE OFFICE SUBJECT TO CHANGE

STATION 1300 | 1300 EL CAMINO REAL

Level 1 Area Diagram

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12060 | 1/10/2017

16' 64' 128'
0 32' 96'
SCALE: 1/32" = 1'-0"

TRUE NORTH
PLAN NORTH

A3.01

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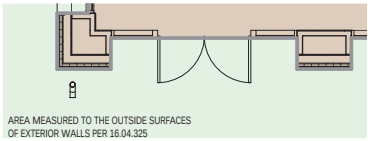
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Area Calculations

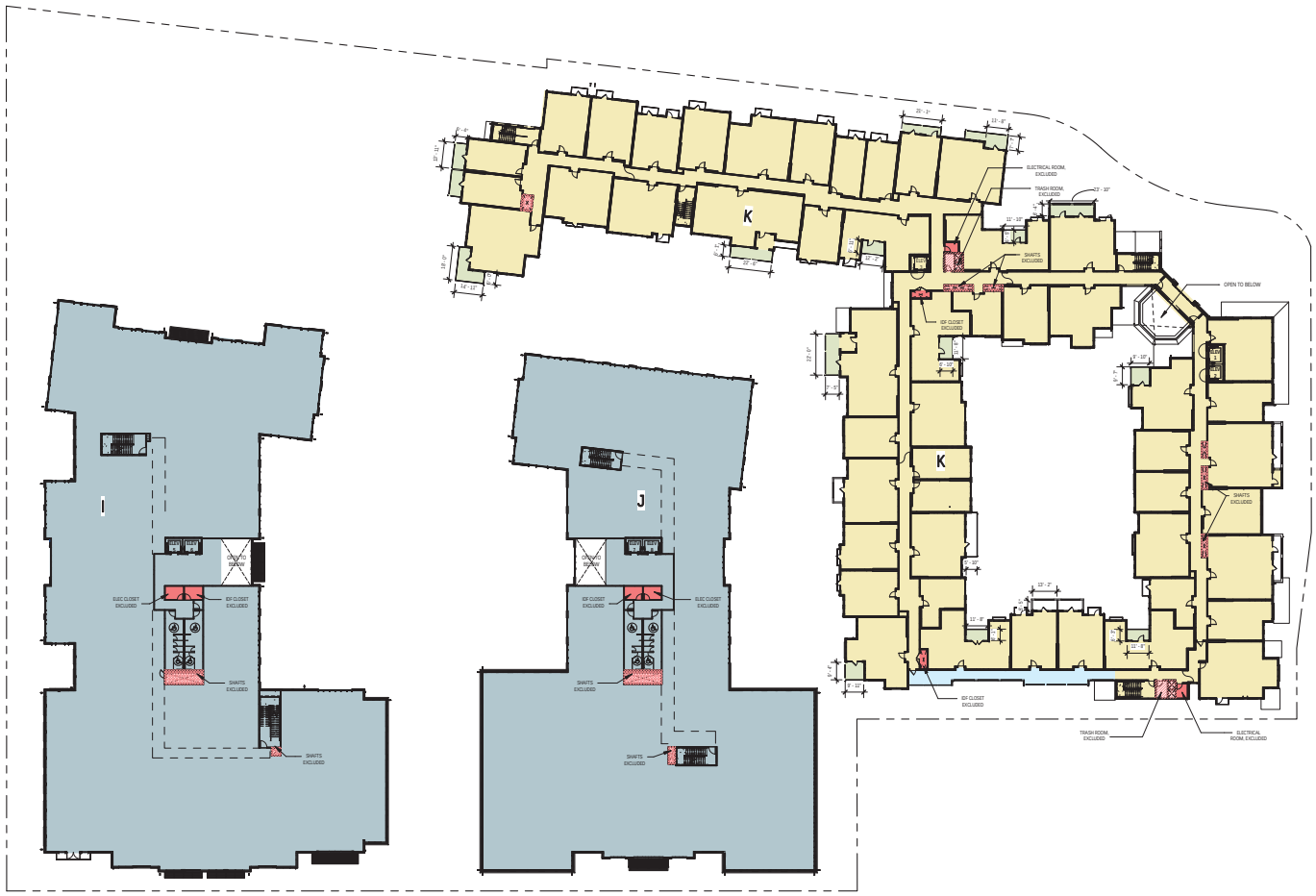
			Level 2		
I	North Office	Commercial / Office	35,430		
J	South Office	Commercial / Office	32,788		
	Residential	Private Open Space		1,690	
K	Residential	Residential Units	54,048		
	Residential	shafts (in unit)		-500	16.04.325 [C] (5)
	Project	IDF, MPOE, Electrical Room		546	16.04.325 [C] (1) 3%
	Project	Shafts		471	16.04.325 [C] (5)
	Project	Trash / Recycle		226	16.04.325 [C] (6)
			73,220		Total Lot 2 Office
			54,048		Total Lot 2 Residential
			127,268	2,642	Total GSF Level 2

Areas

- Covered Porch/Balcony
- IDF, Electrical Room
- Office
- Residential
- Shaft
- Trash/Recycle
- Residential - Private Open Space



NOTES:
1. ALL MECHANICAL AREA EXEMPT PER (ie. shafts) SEC. 16.04.325 (C) (1) and (2).
SEE A0.0 FOR MORE INFORMATION. *IDF, MPOE, ELECTRICAL ROOMS ARE PART OF THIS EXCEPTION AND SPECIFICALLY HAVE NO WINDOWS OR SKYLIGHTS AND UNCONDITIONED AIR.
2. CIRCULATION TO GARAGE EXEMPT PER SEC. 16.04.325 (C)(3)
3. TRASH AND RECYCLING, EXEMPT PER SEC. 16.04.325 (C)(6)
4. EXEMPT AREAS INCLUDE UNCOVERED PORCHES AND JULIET BALCONIES PER SEC. 16.04.325 (C)(1); OPEN, COVERED PORCHES WITH COLUMNS LESS THAN 12" WIDE AND OPEN CIRCULATION WITH COLUMNS LESS THAN 12" WIDE PER SEC. 16.04.325 (C)(4)
5. REMAINING 3% EXCLUSSION RESERVED FOR FUTURE TENANT STORAGE
12,583SF - 8,521SF = 4,062SF



STATION 1300 | 1300 EL CAMINO REAL

Level 2 Area Diagram

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16' 0 32' 64' 96' 128'
SCALE: 1/32" = 1'-0"

TRUE NORTH
PLAN NORTH

A3.02

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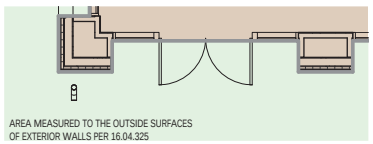
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Area Calculations

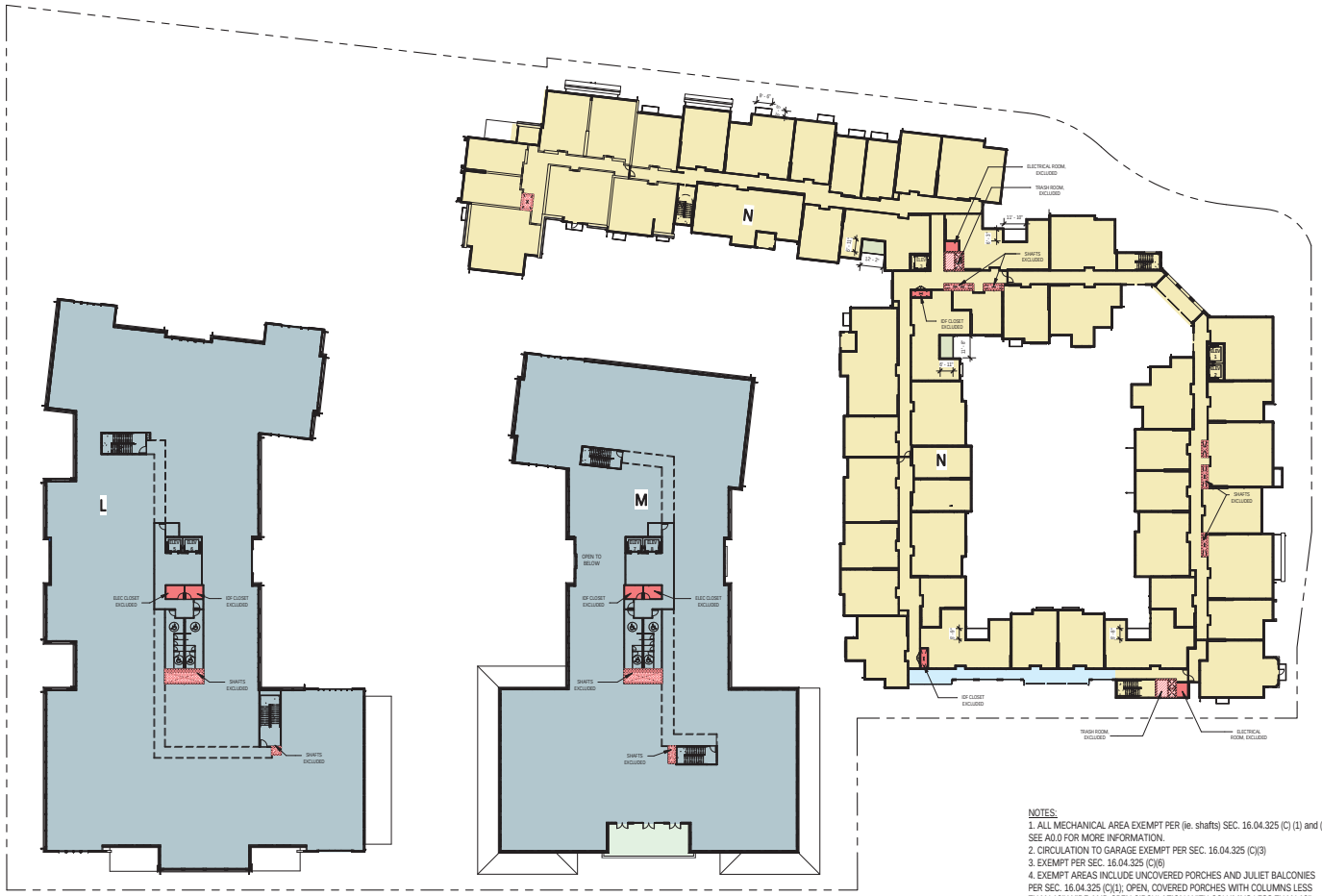
			Level 3			
L	North Office	Commercial / Office	37,912			
M	South Office	Commercial / Office	30,000			
	Residential	Private Open Space		183		
N	Residential	Residential Units	11,886			
	Residential	shafts (in unit)			-500	16.04.325 (C) (5)
	Project	IDF, MPOE, Electrical Room			586	16.04.325 (C) (1) 3%
	Project	Shafts			471	16.04.325 (C) (1)
	Project	Trash / Recycle			224	16.04.325 (C) (6)
			67,912			Total Lvl 3 Office
			11,886			Total Lvl 3 Residential
			121,881	1,187		Total GSF Level 3

Areas

- Covered Porch/Balcony
- IDF, Electrical Room
- Office
- Residential
- Shaft
- Trash/Recycle
- Residential - Private Open Space
- Open Space



NOTES:
1. ALL MECHANICAL AREA EXEMPT PER (ie. shafts) SEC. 16.04.325 (C) (1) and (2). SEE A0.0 FOR MORE INFORMATION. *IDF, MPOE, ELECTRICAL ROOMS ARE PART OF THIS EXCEPTION AND SPECIFICALLY HAVE NO WINDOWS OR SKYLIGHTS AND UNCONDITIONED AIR.
2. CIRCULATION TO GARAGE EXEMPT PER SEC. 16.04.325 (C)(3)
3. TRASH AND RECYCLING, EXEMPT PER SEC. 16.04.325 (C)(6)
4. EXEMPT AREAS INCLUDE UNCOVERED PORCHES AND JULIET BALCONIES PER SEC. 16.04.325 (C)(1); OPEN, COVERED PORCHES WITH COLUMNS LESS THAN 12" WIDE AND OPEN CIRCULATION WITH COLUMNS LESS THAN 12" WIDE PER SEC. 16.04.325 (C)(4)
5. REMAINING 3% EXCLUSSION RESERVED FOR FUTURE TENANT STORAGE
12,583SF - 8,521SF = 4,062SF



NOTES:
1. ALL MECHANICAL AREA EXEMPT PER (ie. shafts) SEC. 16.04.325 (C) (1) and (2). SEE A0.0 FOR MORE INFORMATION.
2. CIRCULATION TO GARAGE EXEMPT PER SEC. 16.04.325 (C)(3)
3. EXEMPT PER SEC. 16.04.325 (C)(6)
4. EXEMPT AREAS INCLUDE UNCOVERED PORCHES AND JULIET BALCONIES PER SEC. 16.04.325 (C)(1); OPEN, COVERED PORCHES WITH COLUMNS LESS THAN 12" WIDE AND OPEN CIRCULATION WITH COLUMNS LESS THAN 12" WIDE PER SEC. 16.04.325 (C)(4)

STATION 1300 | 1300 EL CAMINO REAL

Level 3 Area Diagram

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16' 64' 128'
0 32' 96'
SCALE: 1/32" = 1'-0"

TRUE NORTH
PLAN NORTH

A3.03

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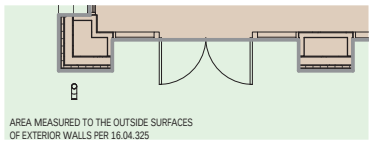
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Area Calculations

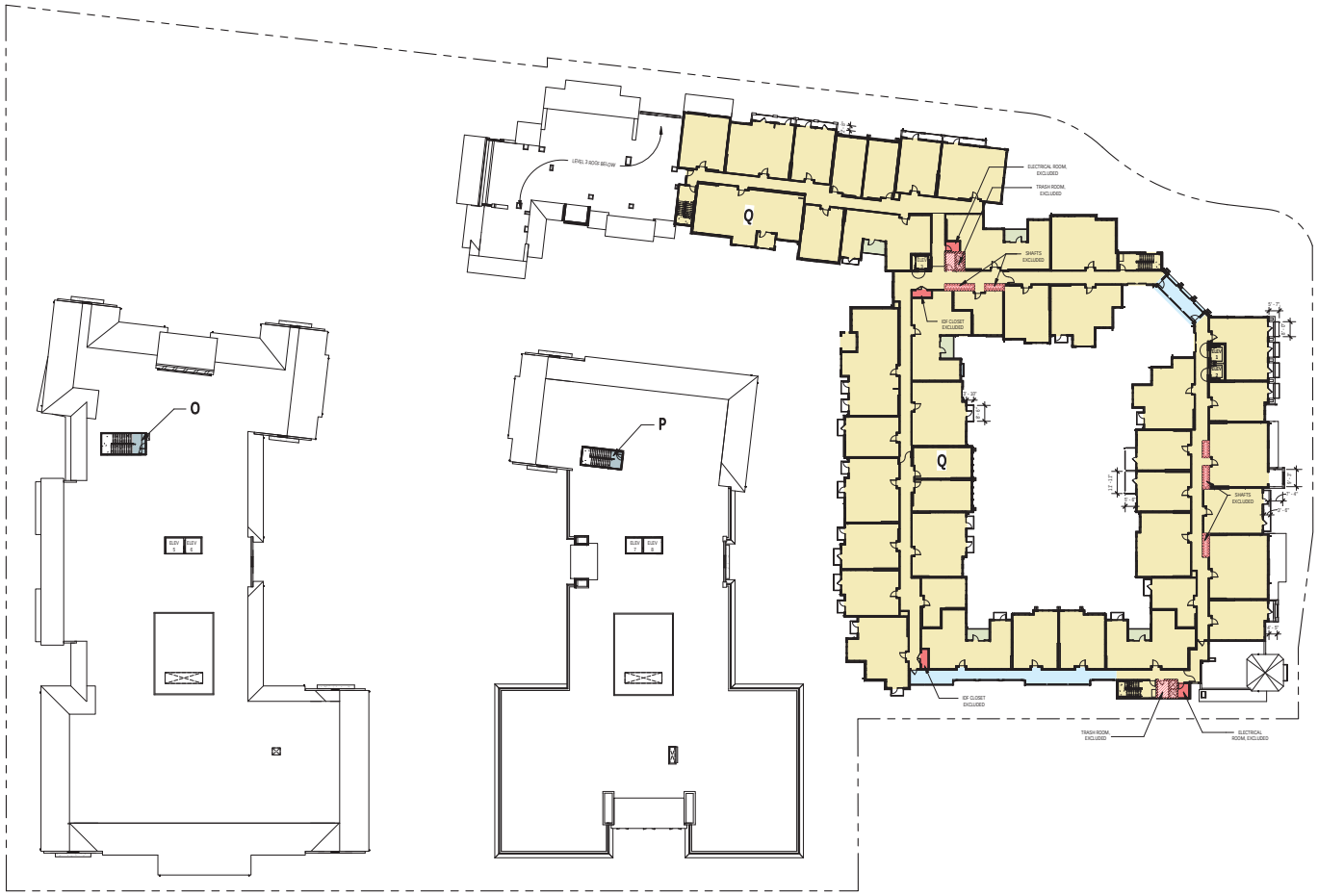
			Level 4		
O	North Office	Commercial / Office	62		
P	South Office	Commercial / Office	62		
	Residential	Private Open Space		373	
Q	Residential	Residential Units	43,770		
	Residential	shafts (in unit)		-400	16.04.325 (C) (5)
	Project	IDF, MPOE, Electrical Room		239	16.04.325 (C) (1) 3%
	Project	Shafts		239	16.04.325 (C) (5)
	Project	Trash / Recycle		224	16.04.325 (C) (6)
			124		Total Lvl 4 Office
			43,770		Total Lvl 4 Residential
			43,894	637	Total GSF Level 4

Areas

- Covered Porch/Balcony
- IDF, Electrical Room
- Office
- Residential
- Shaft
- Trash/Recycle
- Residential - Private Open Space



NOTES:
1. ALL MECHANICAL AREA EXEMPT PER (ie. shafts) SEC. 16.04.325 (C) (1) and (2).
SEE A0.0 FOR MORE INFORMATION. *IDF, MPOE, ELECTRICAL ROOMS ARE PART OF THIS EXCEPTION AND SPECIFICALLY HAVE NO WINDOWS OR SKYLIGHTS AND UNCONDITIONED AIR.
2. CIRCULATION TO GARAGE EXEMPT PER SEC. 16.04.325 (C)(3)
3. TRASH AND RECYCLING, EXEMPT PER SEC. 16.04.325 (C)(6)
4. EXEMPT AREAS INCLUDE UNCOVERED PORCHES AND JULIET BALCONIES PER SEC. 16.04.325 (C)(1); OPEN, COVERED PORCHES WITH COLUMNS LESS THAN 12" WIDE AND OPEN CIRCULATION WITH COLUMNS LESS THAN 12" WIDE PER SEC. 16.04.325 (C)(4)
5. REMAINING 3% EXCLUSSION RESERVED FOR FUTURE TENANT STORAGE
12,583SF - 8,521SF = 4,062SF



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Level 4 Area Diagram

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16' 64' 128'
0 32' 96'
SCALE: 1/32" = 1'-0"

TRUE NORTH
PLAN NORTH

A3.04

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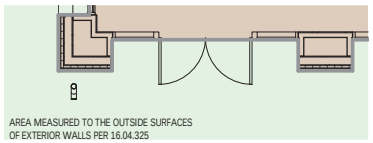
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Area Calculations

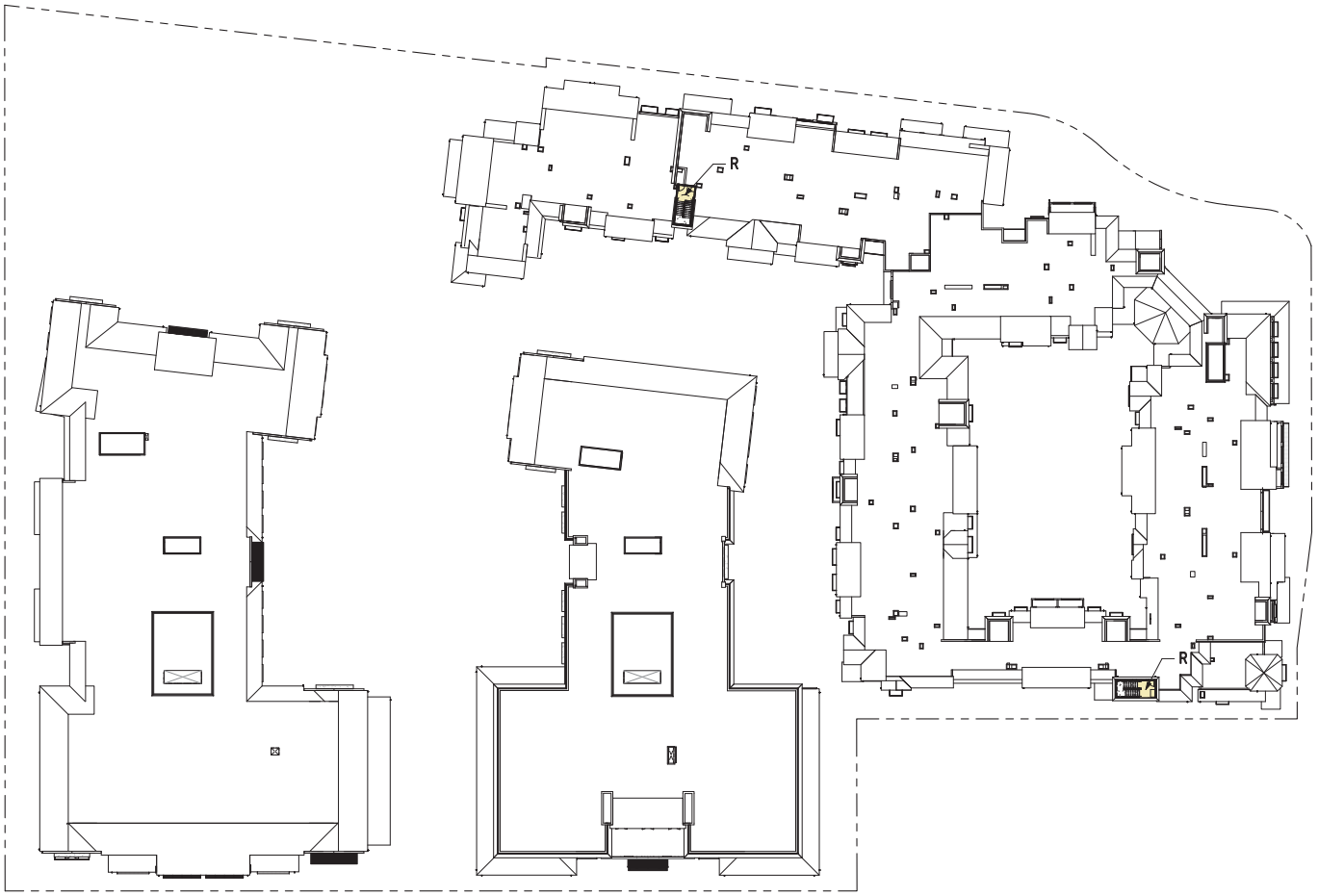
		Level 5		
R	Residential	Residential Units	134	
			134	Total Lvl 5 Residential
			134	Total GSF Level 5

Areas

Residential



NOTES:
1. ALL MECHANICAL AREA EXEMPT PER (ie. shafts) SEC. 16.04.325 (C) (1) and (2).
SEE A0.0 FOR MORE INFORMATION. *IDF, MPOE, ELECTRICAL ROOMS ARE PART OF THIS EXCEPTION AND SPECIFICALLY HAVE NO WINDOWS OR SKYLIGHTS AND UNCONDITIONED AIR.
2. CIRCULATION TO GARAGE EXEMPT PER SEC. 16.04.325 (C)(3)
3. TRASH AND RECYCLING, EXEMPT PER SEC. 16.04.325 (C)(6)
4. EXEMPT AREAS INCLUDE UNCOVERED PORCHES AND JULIET BALCONIES PER SEC. 16.04.325 (C)(1); OPEN, COVERED PORCHES WITH COLUMNS LESS THAN 12" WIDE AND OPEN CIRCULATION WITH COLUMNS LESS THAN 12" WIDE PER SEC. 16.04.325 (C)(4)
5. REMAINING 3% EXCLUSSION RESERVED FOR FUTURE TENANT STORAGE
12,583SF - 8,521SF = 4,062SF



STATION 1300

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Level 5 Area Diagram

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16' 64' 128'
0 32' 96'
SCALE: 1/32" = 1'-0"

TRUE NORTH
PLAN NORTH

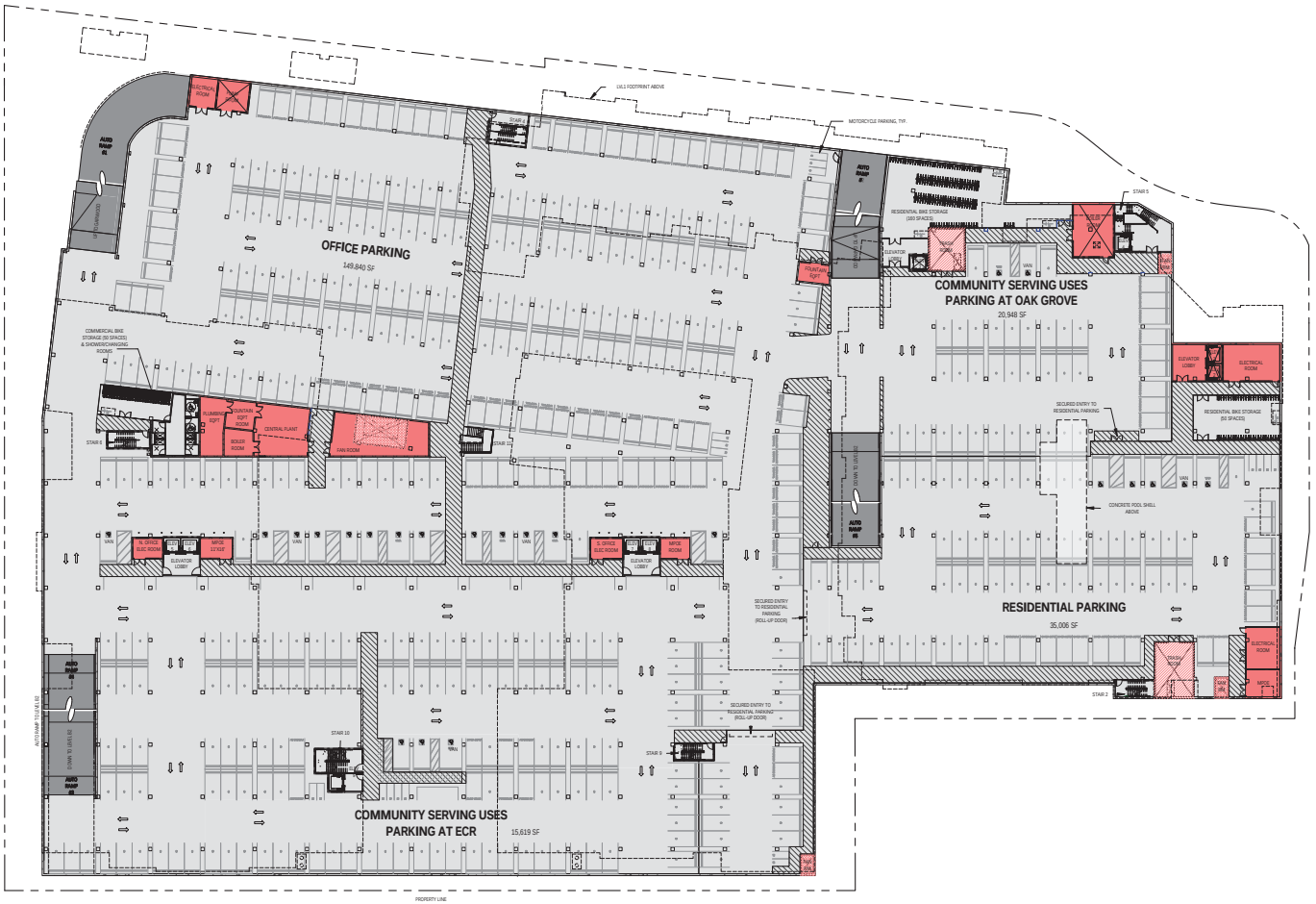
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Area Calculations

Basement 1			
North Office	IDF, MPOE, Electrical Room	9,238	16.04.325 (C) (1) 3%
North Office	Central Plant, Fan Room	2,484	16.04.325 (C) (3) 1%
South Office	Parking Related Circulation	271,411	16.04.325 (C) (3)
Residential	Shafts	750	16.04.325 (C) (5)
Residential	Trash/Recycle	1,138	16.04.325 (C) (6)
		229,961	Total GSF Level B1



Areas

- Parking Related Circulation
- Shaft
- Trash/Recycle
- Mechanical

NOTES:
1. ALL MECHANICAL AREA EXEMPT PER (ie. shafts) SEC. 16.04.325 (C) (1) and (2). SEE A0.0 FOR MORE INFORMATION. *IDF, MPOE, ELECTRICAL ROOMS ARE PART OF THIS EXCEPTION AND SPECIFICALLY HAVE NO WINDOWS OR SKYLIGHTS AND CONDITION AIR.
2. CIRCULATION TO GARAGE EXEMPT PER SEC. 16.04.325 (C)(3)
3. TRASH AND RECYCLING, EXEMPT PER SEC. 16.04.325 (C)(6)
4. EXEMPT AREAS INCLUDE UNCOVERED PORCHES AND JULIET BALCONIES PER SEC. 16.04.325 (C)(1); OPEN, COVERED PORCHES WITH COLUMNS LESS THAN 12" WIDE AND OPEN CIRCULATION WITH COLUMNS LESS THAN 12" WIDE PER SEC. 16.04.325 (C)(4)
5. REMAINING 3% EXCLUSSION RESERVED FOR FUTURE TENANT STORAGE
12,583SF - 8,521SF = 4,062SF

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Parking Level B1 Area Diagram

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16' 64' 128'
0 32' 96'
SCALE: 1/32" = 1'-0"

TRUE NORTH
PLAN NORTH

A3.B1

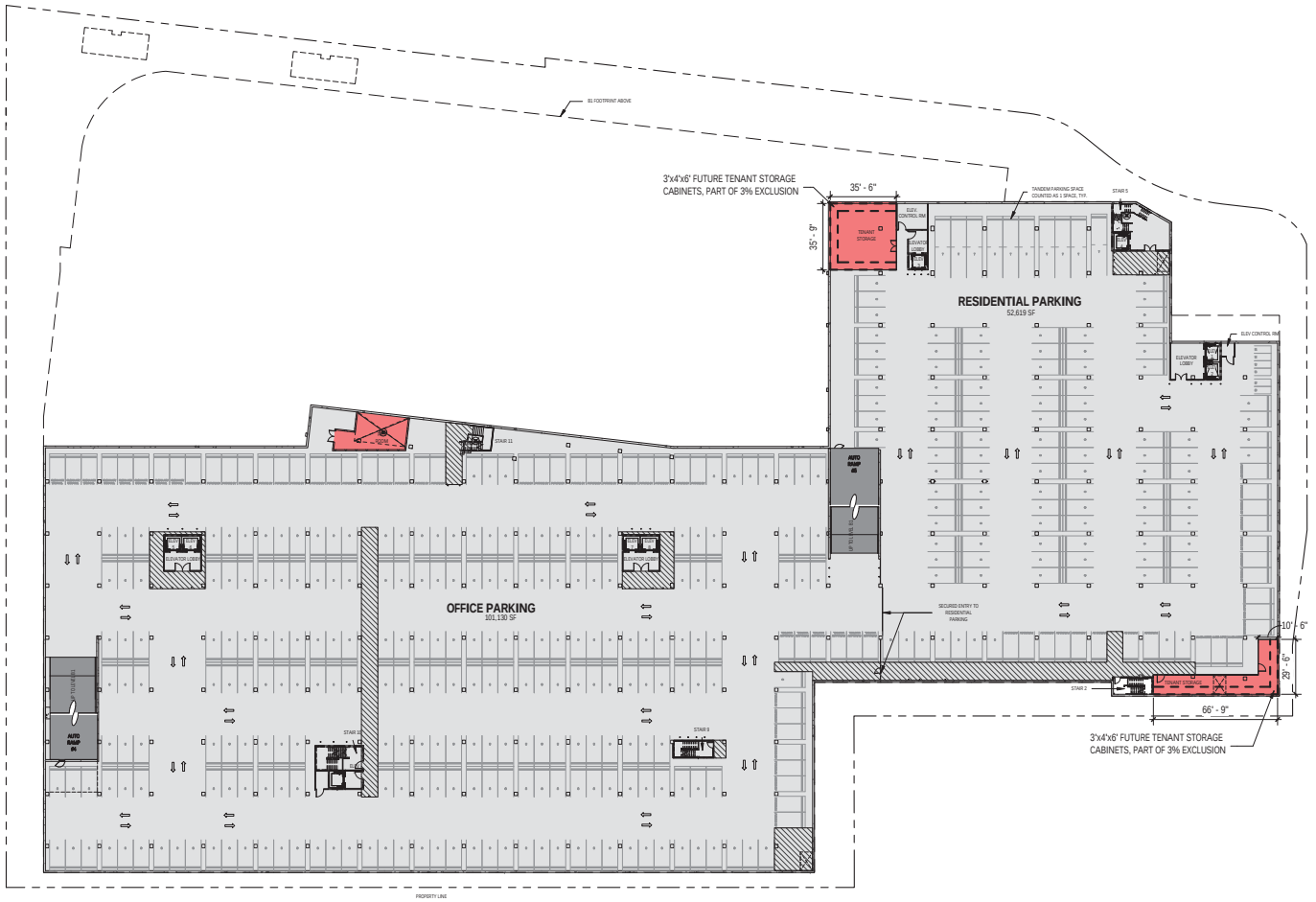
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Area Calculations

Basement 2			
Garage	Tenant Storage	2,938	16.04.325 (C) (1) 3%
Garage	Central Plant, Fan Room	4,976	16.04.325 (C) (2) 5%
Garage	Parking Related Circulation	153,749	16.04.325 (C) (3)
		156,714	Total GSF Level B2

Areas

- Parking Related Circulation
- Mechanical
- Tenant Storage



NOTES:
1. ALL MECHANICAL AREA EXEMPT PER (ie. shafts) SEC. 16.04.325 (C) (1) and (2). SEE A0.0 FOR MORE INFORMATION. *IDF, MPOE, ELECTRICAL ROOMS ARE PART OF THIS EXCEPTION AND SPECIFICALLY HAVE NO WINDOWS OR SKYLIGHTS AND UNCONDITION AIR.
2. CIRCULATION TO GARAGE EXEMPT PER SEC. 16.04.325 (C)(3)
3. TRASH AND RECYCLING, EXEMPT PER SEC. 16.04.325 (C)(6)
4. EXEMPT AREAS INCLUDE UNCOVERED PORCHES AND JULIET BALCONIES PER SEC. 16.04.325 (C)(1); OPEN, COVERED PORCHES WITH COLUMNS LESS THAN 12" WIDE AND OPEN CIRCULATION WITH COLUMNS LESS THAN 12" WIDE PER SEC. 16.04.325 (C)(4)
5. REMAINING 3% EXCLUSSION RESERVED FOR FUTURE TENANT STORAGE
12,583SF - 8,521SF = 4,062SF

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Parking Level B2 Area Diagram

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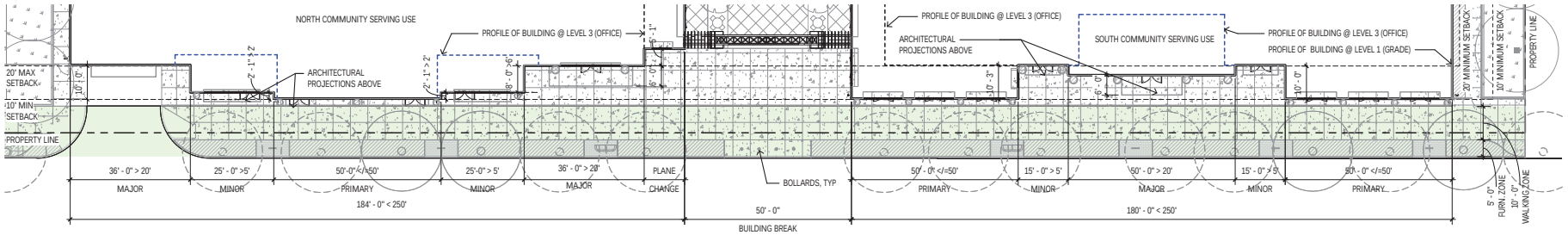
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SCALE: 1/32" = 1'-0"

TRUE NORTH
PLAN NORTH

A3.B2

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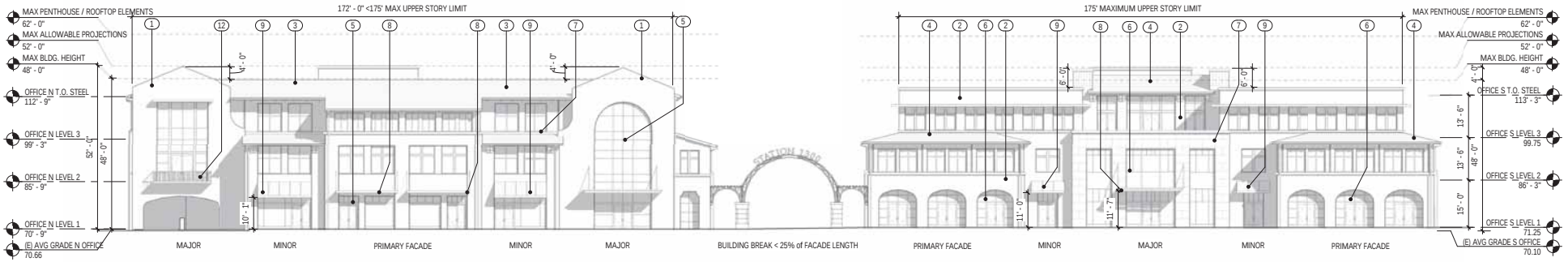
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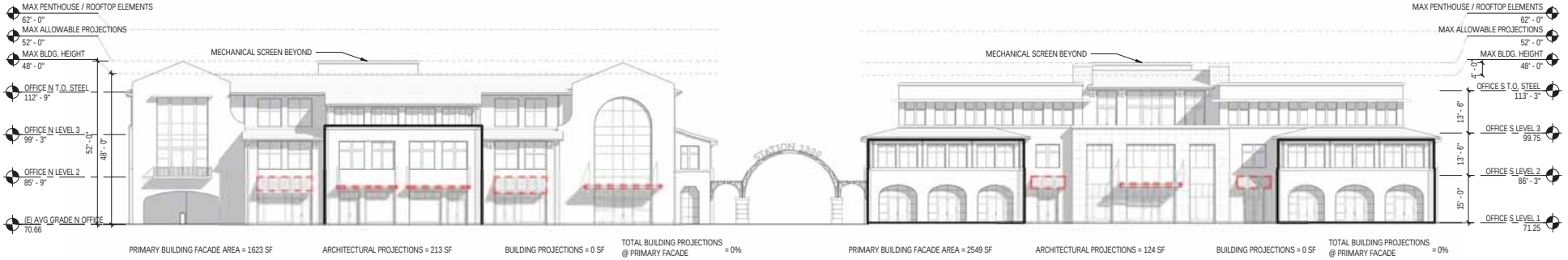


2 A4.01 **PARTIAL FLOOR PLAN - OFFICE LEVEL 1 @ ECR**
1/16" = 1'-0"

50'-0" (TOTAL LENGTH OF BUILDING BREAKS @ ECR) = 0.14 = 14%
364'-0" (TOTAL PRIMARY FACADE LENGTH @ ECR)

Note: FURNISHING ZONE MEASURED FROM BACK OF CURB





1 A4.01 **EXTERIOR ELEVATION - OFFICE -WEST PROJECTIONS DIAGRAM**
1/16" = 1'-0"

Color and Materials Key

1. Cement Plaster, Santa Barbara Mission Finish, Integral Color: Sandstone
2. Cement Plaster, Santa Barbara Mission Finish, Integral Color: Suffolk
3. Clay Tile Roof, US Tile by Boral, El Camino Blend
4. Clay Tile Roof, US Tile by Boral, Malorca
5. Aluminum Storefront System, Powder-Coated Burnt Red
6. Aluminum Storefront System, Powder-Coated Bronze
7. Cast Stone (stone-clad column, ledgers, and/or coping), NVCS 70W, Gray
8. Metal and Glass Canopy, Gun Metal Gray
9. Fabric (Canvas) Awning, color TBD
10. Thin Set Stone Tile Facade
11. Metal Sign and Structure, Bronze
12. Metal Guardrail and Railing, painted color: dark gray, green or brown
13. Composite Windows, color: brown, bronze, ebony, burnt red, blue or green
14. Wood Columns 6"x6"
15. Painted GFRC to match adjacent Cement Plaster

STATION 1300 | 1300 EL CAMINO REAL

Specific Plan Standards Compliance Diagram - ECR

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8' 32' 64'
0 16' 48'
SCALE: 1/16" = 1'-0"

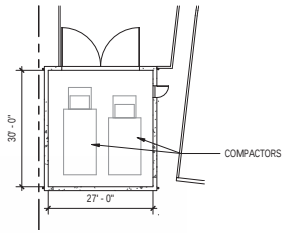
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GENERAL ELEVATION NOTES

1. WINDOW SILL HEIGHTS @ 3'-0" ABOVE FINISH FLOOR U.O.N. (NOT INCLUDING FULL-HEIGHT WINDOW WALL SYSTEMS)
2. TILE ROOF SLOPES @ 5:12 U.O.N.
3. PER THE MP ECR & DOWNTOWN SPECIFIC PLAN, VERTICAL PROJECTIONS (IE. PARAPETS & BALCONY RAILINGS) MAY EXTEND 4'-0" BEYOND THE MAX. BUILDING HEIGHT.
4. SEE SHEET A8.33 FOR TYPICAL OPENING DETAILS



7 A4.02 **Trash / Recycling Enclosure - Plan**
1/16" = 1'-0"



6 A4.02 **Trash / Recycling Enclosure - East Elevation**
1/16" = 1'-0"



5 A4.02 **Trash / Recycling Enclosure N Elevation**
1/16" = 1'-0"



4 A4.02 **North Office - L. Side North Elevation**
1/16" = 1'-0"



3 A4.02 **North Office - R. Side Plaza South Elevation**
1/16" = 1'-0"



2 A4.02 **North Office - Rear East Elevation**
1/16" = 1'-0"



1 A4.02 **North Office - Front West Elevation**
1/16" = 1'-0"

STATION 1300 | 1300 EL CAMINO REAL

Exterior Elevations - North Office Building

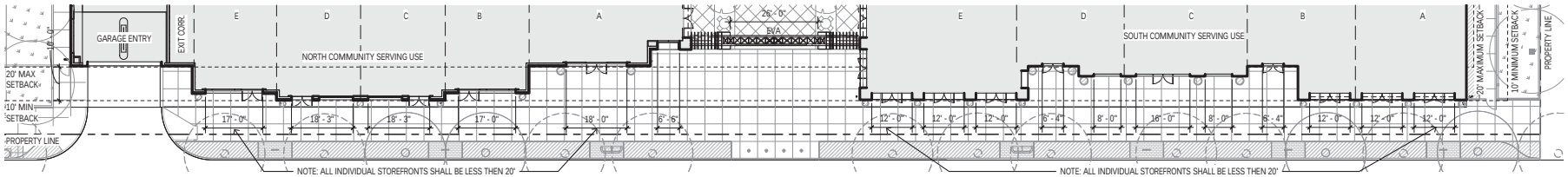
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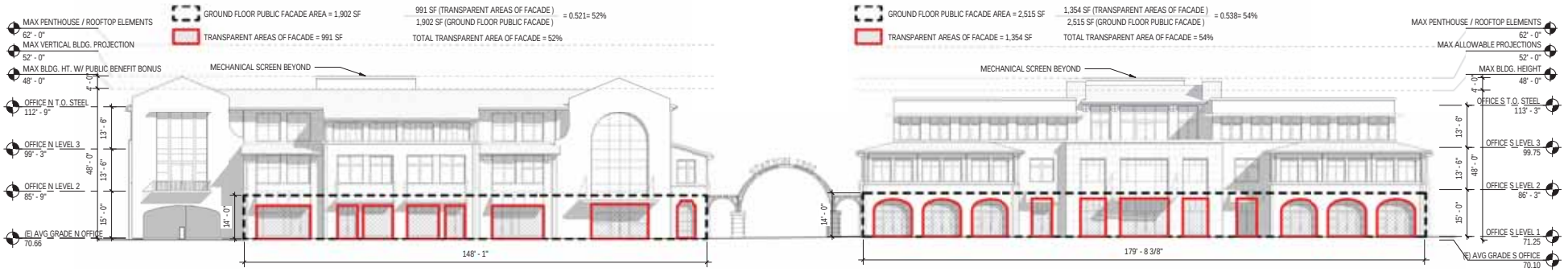
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SCALE: 1/16" = 1'-0"

A4.02

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2 A4.02A **PARTIAL FLOOR PLAN - OFFICE LEVEL 1 @ ECR GROUND FLOOR**
1/16" = 1'-0"



1 A4.02A **EXTERIOR ELEVATION - OFFICE -WEST TRANSPARENCY DIAGRAM**
1/16" = 1'-0"

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STATION 1300 | 1300 EL CAMINO REAL

Commercial Frontage and Ground Floor Transparency

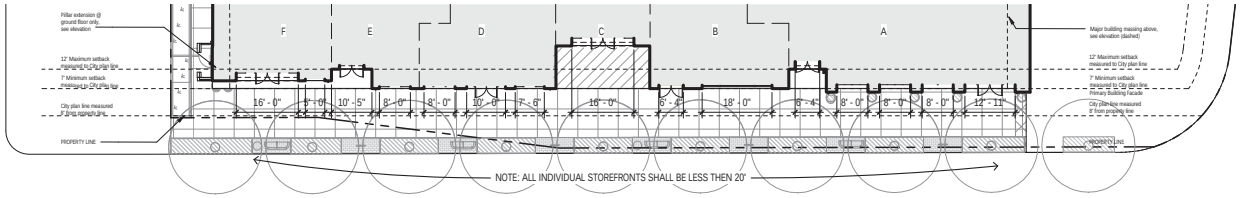
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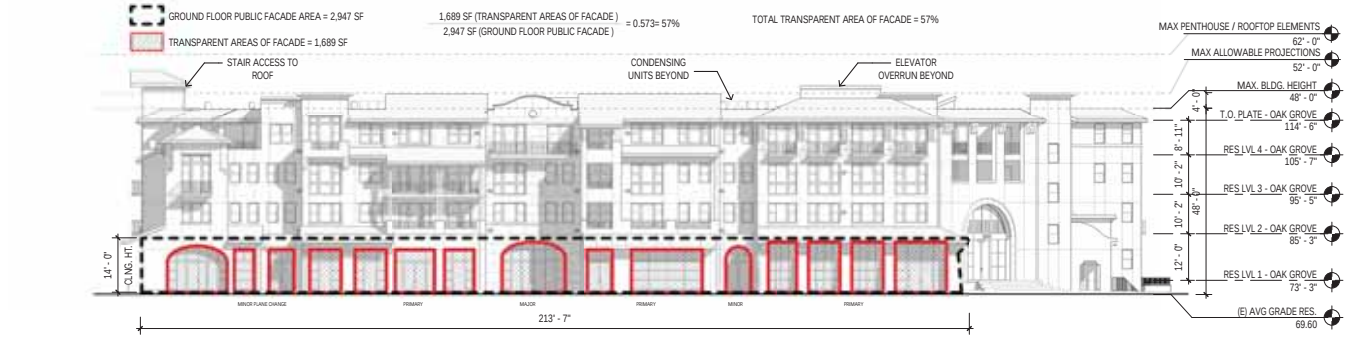
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0 16' 48'
SCALE: 1/16" = 1'-0"

A4.02A

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2 A4.02B **PARTIAL FLOOR PLAN - RESIDENTIAL LEVEL 1 @ OAK GROVE GROUND FLOOR**
1/16" = 1'-0"



1 A4.02B **EXTERIOR ELEVATION - RESIDENTIAL @ OAK GROVE - GROUND FLOOR TRANSPARENCY**
1/16" = 1'-0"

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STATION 1300 | 1300 EL CAMINO REAL

Commercial Frontage and Ground Floor Transparency

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0 16' 48'
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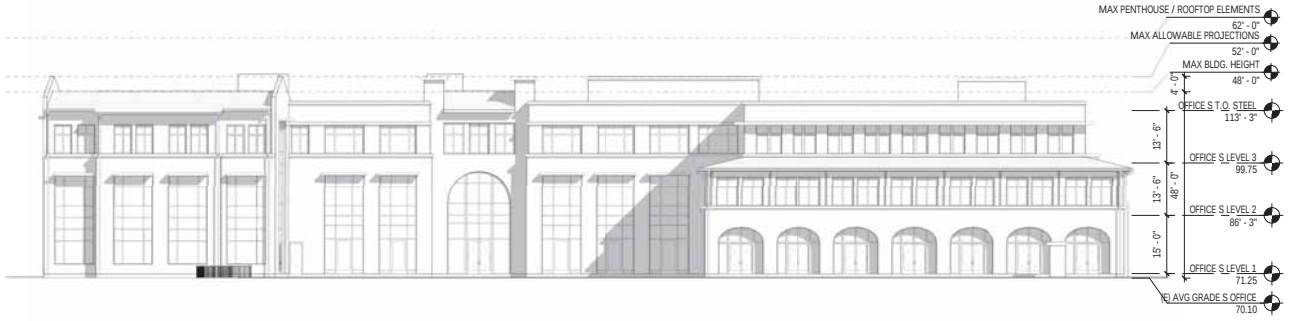
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GENERAL ELEVATION NOTES

1. WINDOW SILL HEIGHTS @ 3'-0" ABOVE FINISH FLOOR U.O.N. (NOT INCLUDING FULL-HEIGHT WINDOW WALL SYSTEMS)
2. TILE ROOF SLOPES @ 5:12 U.O.N.
3. PER THE MP ECR & DOWNTOWN SPECIFIC PLAN, VERTICAL PROJECTIONS (IE. PARAPETS & BALCONY RAILINGS) MAY EXTEND 4'-0" BEYOND THE MAX. BUILDING HEIGHT.
3. SEE SHEET A8.33 FOR TYPICAL OPENING DETAILS



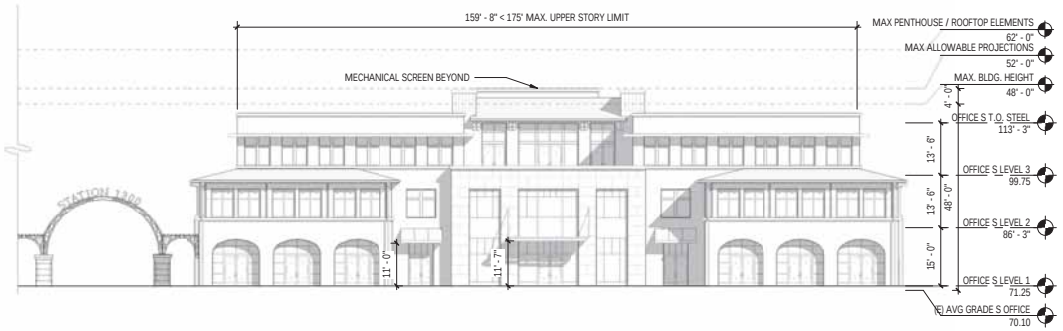
4 A4.03 **South Office - R. Side South Elevation**
1/16" = 1'-0"



3 A4.03 **South Office - L. Side Plaza North Elevation**
1/16" = 1'-0"



2 A4.03 **South Office - Rear East Elevation**
1/16" = 1'-0"



1 A4.03 **South Office - Front West Elevation**
1/16" = 1'-0"

STATION 1300 | 1300 EL CAMINO REAL

Exterior Elevations - South Office Building

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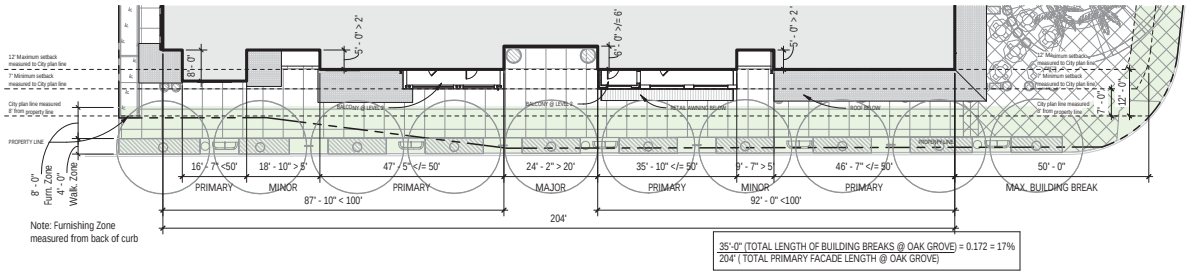
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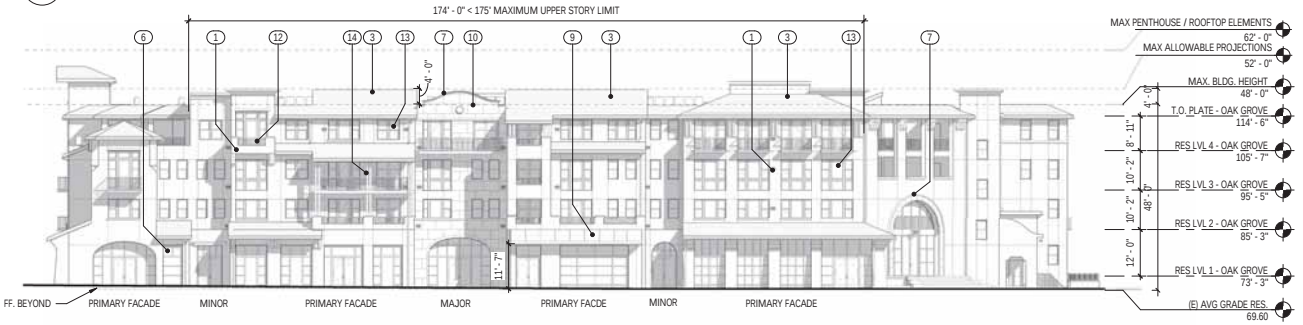
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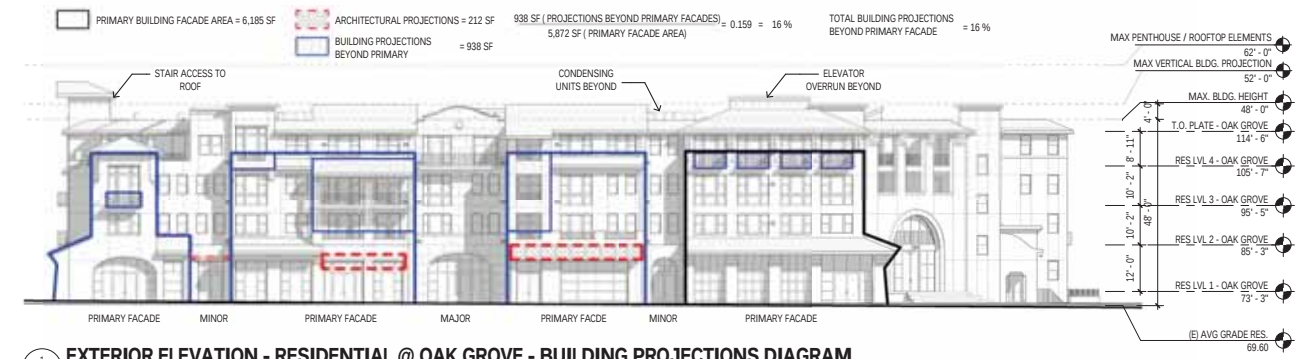
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3 A4.04 **PARTIAL FLOOR PLAN - RESIDENTIAL LEVEL 2 @ OAK GROVE**
1/16" = 1'-0"



2 A4.04 **EXTERIOR ELEVATION - RESIDENTIAL @ OAK GROVE**
1/16" = 1'-0"



1 A4.04 **EXTERIOR ELEVATION - RESIDENTIAL @ OAK GROVE - BUILDING PROJECTIONS DIAGRAM**
1/16" = 1'-0"

Color and Materials Key

1. Cement Plaster, Santa Barbara Mission Finish, Integral Color: Sandstone
2. Cement Plaster, Santa Barbara Mission Finish, Integral Color: Suffolk
3. Clay Tile Roof, US Tile by Boral, El Camino Blend
4. Clay Tile Roof, US Tile by Boral, Malorca
5. Aluminum Storefront System, Powder-Coated Burnt Red
6. Aluminum Storefront System, Powder-Coated Bronze
7. Cast Stone (stone-clad column, ledgers, and/or coping), NVCS 70W, Gray
8. Metal and Glass Canopy, Gun Metal Gray
9. Fabric (Canvas) Awning, color TBD
10. Thin Set Stone Tile Facade
11. Metal Sign and Structure, Bronze
12. Metal Guardrail and Railing, painted: dark gray, green or brown
13. Composite Windows, color: brown, bronze, ebony, burnt red, blue or green
14. Wood Columns 6"x6"
15. Painted GFRC to match adjacent Cement Plaster

STATION 1300 | 1300 EL CAMINO REAL **Specific Plan Standards Compliance Diagram - Oak Grove**

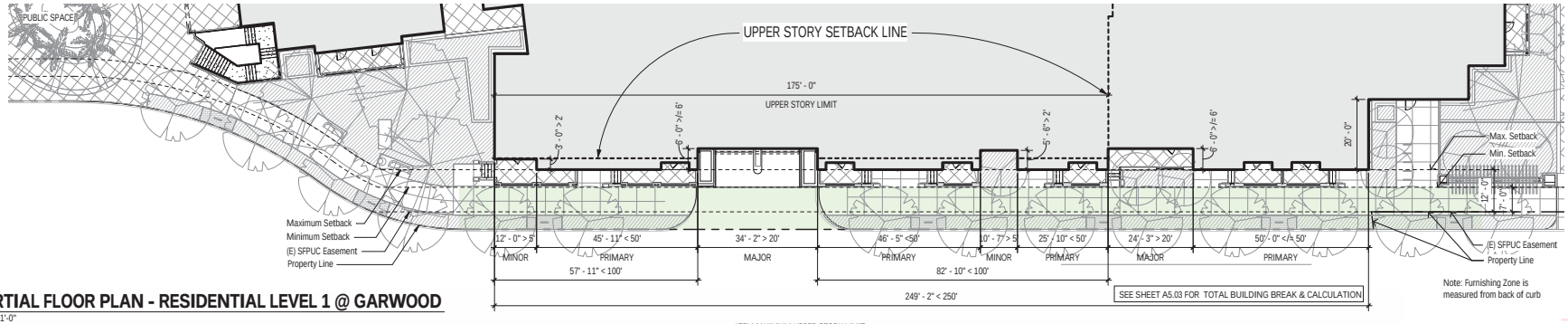
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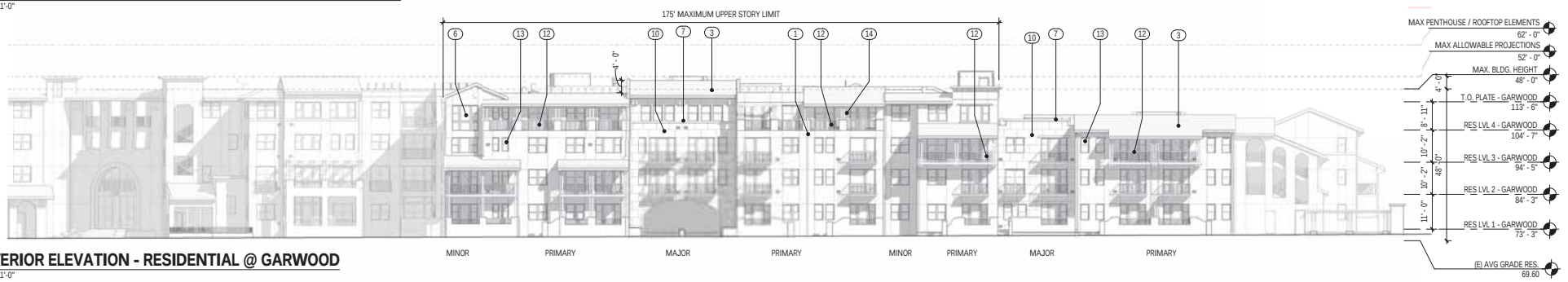
8' 32' 64'
0 16' 48'
SCALE: 1/16" = 1'-0"

A4.04

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3 A4.05 **PARTIAL FLOOR PLAN - RESIDENTIAL LEVEL 1 @ GARWOOD**
1/16" = 1'-0"



2 A4.05 **EXTERIOR ELEVATION - RESIDENTIAL @ GARWOOD**
1/16" = 1'-0"



1 A4.05 **EXTERIOR ELEVATION - RESIDENTIAL @ GARWOOD - BUILDING PROJECTIONS**
1/16" = 1'-0"

Color and Materials Key

1. Cement Plaster, Santa Barbara Mission Finish, Integral Color: Sandstone
2. Cement Plaster, Santa Barbara Mission Finish, Integral Color: Suffolk
3. Clay Tile Roof, US Tile by Boral, El Camino Blend
4. Clay Tile Roof, US Tile by Boral, Malorca
5. Aluminum Storefront System, Powder-Coated Burnt Red
6. Aluminum Storefront System, Powder-Coated Bronze
7. Cast Stone (stone-clad column, ledgers, and/or coping), NVCS 70W, Gray
8. Metal and Glass Canopy, Gun Metal Gray
9. Fabric (Canvas) Awning, color TBD
10. Thin Set Stone Tile Facade
11. Metal Sign and Structure, Bronze
12. Metal Guardrail and Railing, painted color: dark gray, green or brown
13. Composite Windows, color: brown, bronze, ebony, burnt red, blue or green
14. Wood Columns 6"x6"
15. Painted GFRC to match adjacent Cement Plaster

STATION 1300 | 1300 EL CAMINO REAL **Specific Plan Standards Compliance Diagram - Garwood**

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8' 32' 64'
0 16' 48'
SCALE: 1/16" = 1'-0"

A4.05

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GENERAL ELEVATION NOTES

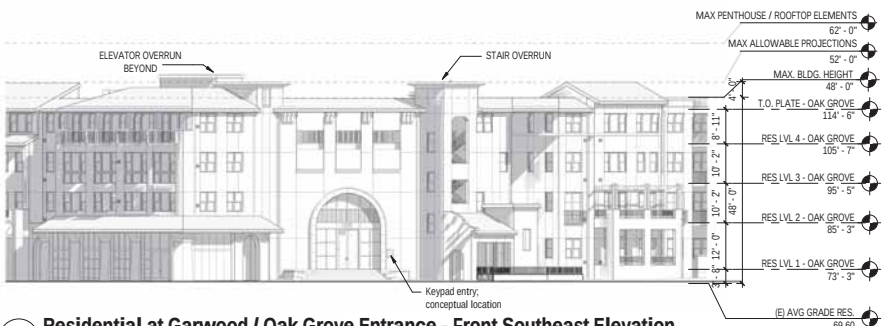
1. WINDOW SILL HEIGHTS @ 3'-0" ABOVE FINISH FLOOR U.O.N. (NOT INCLUDING FULL-HEIGHT WINDOW WALL SYSTEMS)
2. TILE ROOF SLOPES @ 5:12 U.O.N.
3. PER THE MP ECR & DOWNTOWN SPECIFIC PLAN, VERTICAL PROJECTIONS (IE. PARAPETS & BALCONY RAILINGS) MAY EXTEND 4'-0" BEYOND THE MAX. BUILDING HEIGHT.
3. SEE SHEET A8.33 FOR TYPICAL OPENING DETAILS
4. ALL RAILING HEIGHTS = EL. + 42" A.F.F.



4 A4.06 **Residential at Oak Grove - Left Side West Elevation**
1/16" = 1'-0"



3 A4.06 **Residential at Oak Grove - Front South Elevation**
1/16" = 1'-0"



2 A4.06 **Residential at Garwood / Oak Grove Entrance - Front Southeast Elevation**
1/16" = 1'-0"



1 A4.06 **Residential at Garwood - Front East Elevation**
1/16" = 1'-0"

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Exterior Elevations - Residential at Public R.O.W.s

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8' 32' 64'
0 16' 48'
SCALE: 1/16" = 1'-0"

A4.06

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GENERAL ELEVATION NOTES

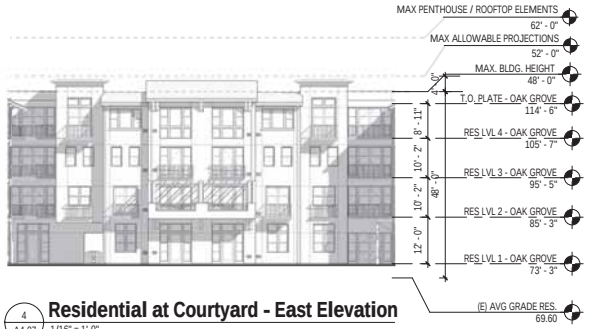
1. WINDOW SILL HEIGHTS @ 3'-0" ABOVE FINISH FLOOR U.O.N. (NOT INCLUDING FULL-HEIGHT WINDOW WALL SYSTEMS)
2. TILE ROOF SLOPES @ 5:12 U.O.N.
3. PER THE MP ECR & DOWNTOWN SPECIFIC PLAN, VERTICAL PROJECTIONS (IE. PARAPETS & BALCONY RAILINGS) MAY EXTEND 4'-0" BEYOND THE MAX. BUILDING HEIGHT.
3. SEE SHEET A8.33 FOR TYPICAL OPENING DETAILS
4. ALL RAILING HEIGHTS = EL. + 42" A.F.F.



3 A4.07 **Residential at Courtyard - West Elevation**
1/16" = 1'-0"



2 A4.07 **Residential at Courtyard - South Elevation**
1/16" = 1'-0"



4 A4.07 **Residential at Courtyard - East Elevation**
1/16" = 1'-0"



1 A4.07 **Residential at Courtyard - North Elevation**
1/16" = 1'-0"

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Exterior Elevations - Residential at Courtyard

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8' 32' 64'
0 16' 48'
SCALE: 1/16" = 1'-0"

A4.07

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GENERAL ELEVATION NOTES

1. WINDOW SILL HEIGHTS @ 3'-0" ABOVE FINISH FLOOR U.O.N. (NOT INCLUDING FULL-HEIGHT WINDOW WALL SYSTEMS)
2. TILE ROOF SLOPES @ 5:12 U.O.N.
3. PER THE MP ECR & DOWNTOWN SPECIFIC PLAN, VERTICAL PROJECTIONS (IE. PARAPETS & BALCONY RAILINGS) MAY EXTEND 4'-0" BEYOND THE MAX. BUILDING HEIGHT.
3. SEE SHEET A8.33 FOR TYPICAL OPENING DETAILS



3 A4.08 **Residential East Building Exterior Elevation North**
1/16" = 1'-0"



2 A4.08 **Residential at Garwood - Rear West Elevation**
1/16" = 1'-0"



1 A4.08 **Residential at Oak Grove - Rear North Elevation**
1/16" = 1'-0"

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Exterior Elevations - Residential Rear

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8' 32' 64'
0 16' 48'
SCALE: 1/16" = 1'-0"

A4.08

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8 A4.10 **(E) Structure D - Rear Southwest Elevation**
1/8" = 1'-0"



7 A4.10 **(E) Structure D - Front Northeast Elevation**
1/8" = 1'-0"



6 A4.10 **(E) Struct. B - L. Side West Elevation**
1/8" = 1'-0"
(E) STRUCT. C - R. SIDE EAST ELEVATION SIMILAR



5 A4.10 **(E) Structures B, C & D - Rear North Elevations**
1/8" = 1'-0"



4 A4.10 **(E) Structures B & C - Front South Elevations**
1/8" = 1'-0"



3 A4.10 **(E) Struct. A - Rear North Elevation**
1/8" = 1'-0"



2 A4.10 **(E) Struct. A - R. Side East Elevation**
1/8" = 1'-0"
(E) STRUCT. A - L. SIDE WEST ELEVATION SIMILAR



1 A4.10 **(E) Struct. A - Front South Elevation**
1/8" = 1'-0"

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Existing Exterior Building Elevations (Oak Grove Ave.)

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6 A4.11 **(E) Struct. F - R. Side East Elevation**
1/8" = 1'-0"
(E) STRUCT. F - L. SIDE WEST ELEVATION SIMILAR



5 A4.11 **(E) Struct. F - Front South Elevation**
1/8" = 1'-0"



4 A4.11 **(E) Struct. E - R. Side East Elevation**
1/8" = 1'-0"
(E) STRUCT. E - L. SIDE WEST ELEVATION SIMILAR



3 A4.11 **(E) Struct. E - Front South Elevation**
1/8" = 1'-0"



2 A4.11 **(E) Struct. G - R. Side South Elevation**
1/8" = 1'-0"
(E) STRUCT. G - L. SIDE NORTH ELEVATION SIMILAR



1 A4.11 **(E) Struct. G - Front West Elevation**
1/8" = 1'-0"

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Existing Exterior Building Elevations (ECR & Derry Ln.)

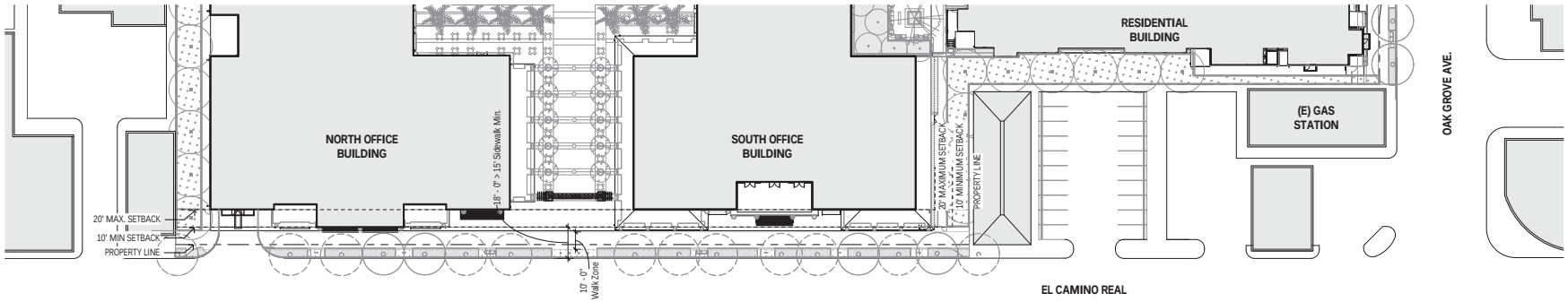
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A4.11

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2 A5.01 **STREETSCAPE PLAN - EL CAMINO REAL - UPPER STORY**
1/32" = 1'-0"



1 A5.01 **STREETSCAPE ELEVATION - EL CAMINO REAL**
1/32" = 1'-0"

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STATION 1300 | 1300 EL CAMINO REAL

Streetscape at El Camino Real

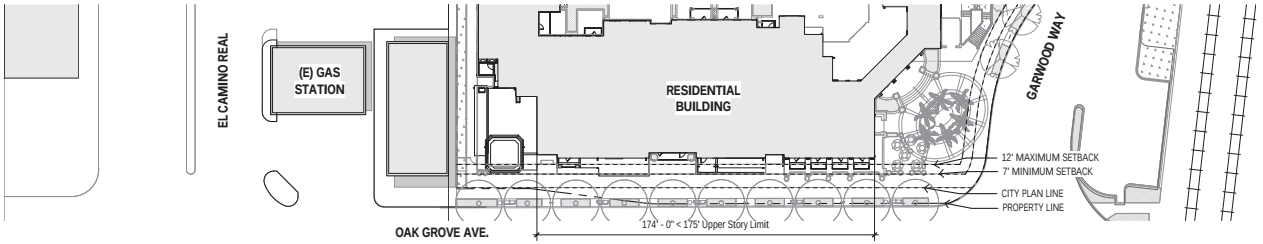
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TRUE NORTH
PLAN NORTH

A5.01

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2 A5.02 **STREETSCAPE PLAN - OAK GROVE - LEVEL 4**
1/32" = 1'-0"



1 A5.02 **STREETSCAPE ELEVATION - OAK GROVE**
1/32" = 1'-0"

1/9/2017 6:32:18 PM C:\REVIT\Station 1300_Garage - A_MSmith.rvt

STATION 1300 | 1300 EL CAMINO REAL

Streetscape at Oak Grove

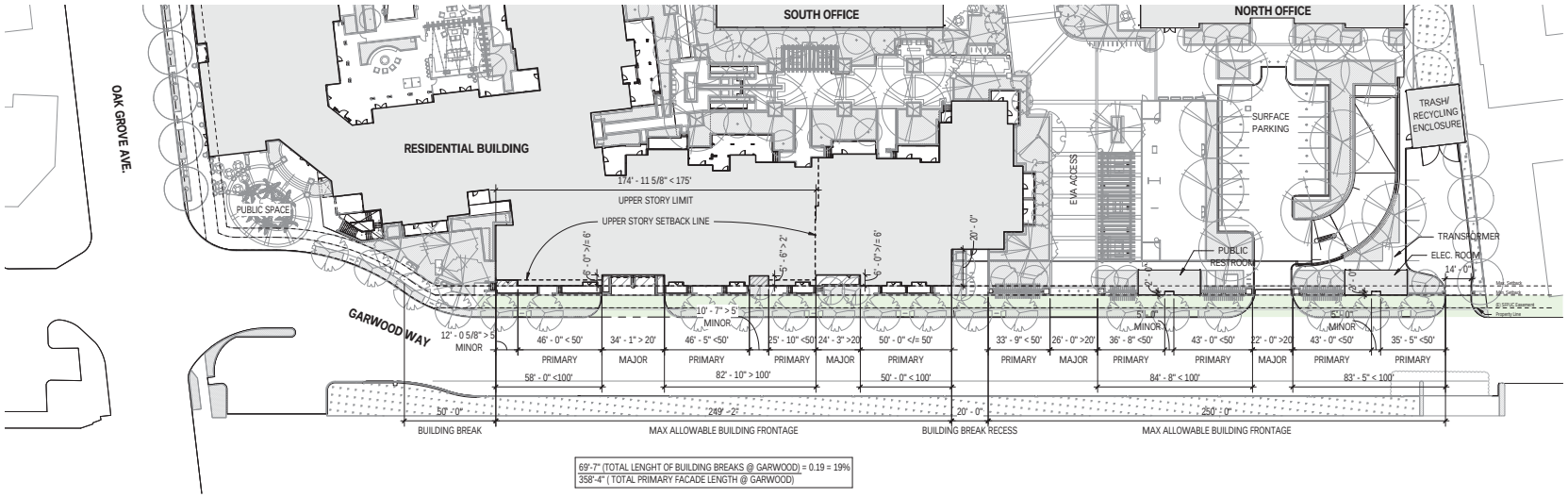
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16' 64' 128'
0 32' 96'
SCALE: 1/32" = 1'-0"

A5.02

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2 / A5.03 **PARTIAL FLOOR PLAN - RESIDENTIAL LEVEL 1 @ GARWOOD**
1/32" = 1'-0"



1 / A5.03 **STREETSCAPE ELEVATION - GARWOOD**
1/32" = 1'-0"

STATION 1300 | 1300 EL CAMINO REAL

Streetscape at Garwood

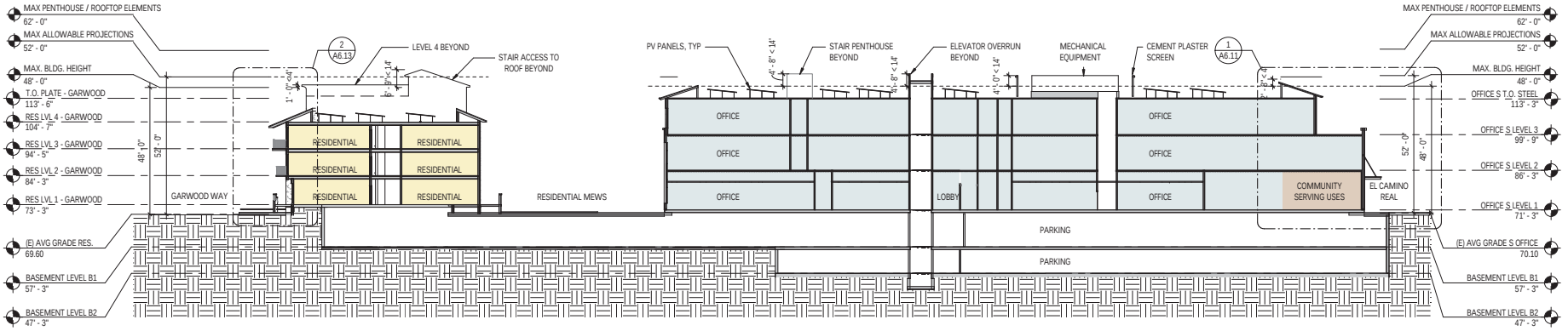
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16' 64' 128'
0 32' 96'
SCALE: 1/32" = 1'-0"

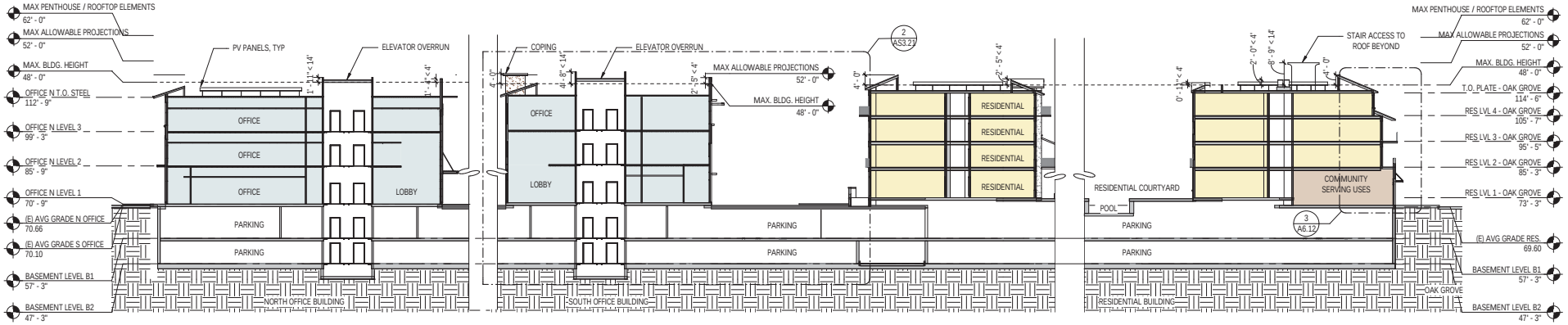
A5.03

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2 East-West building section facing South

2 A6.01 1" = 20'-0"



1 North-South building section facing East

1 A6.01 1" = 20'-0"

STATION 1300

1300 EL CAMINO REAL

Building Cross Sections

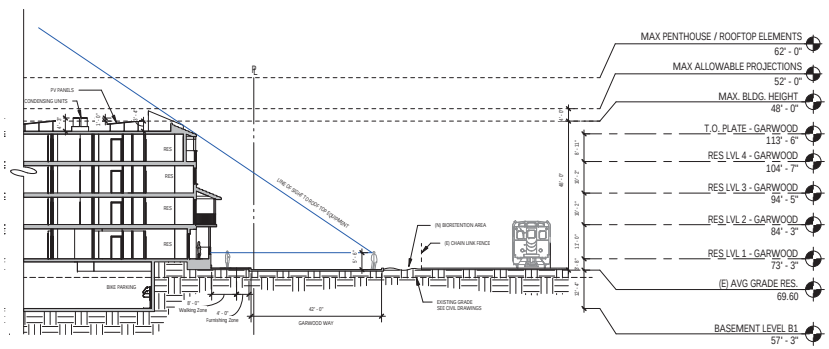
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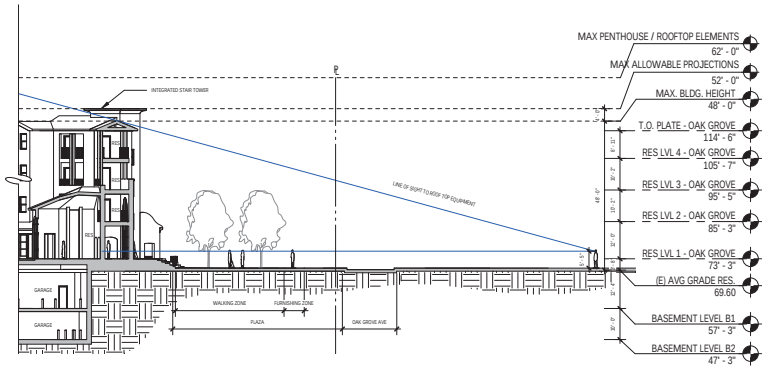
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0 20 60
SCALE: 1" = 20'-0"

A6.01

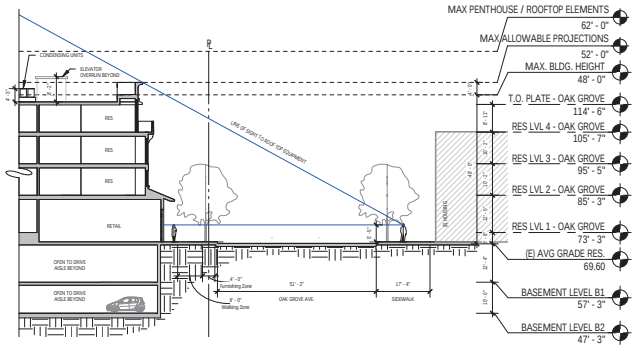
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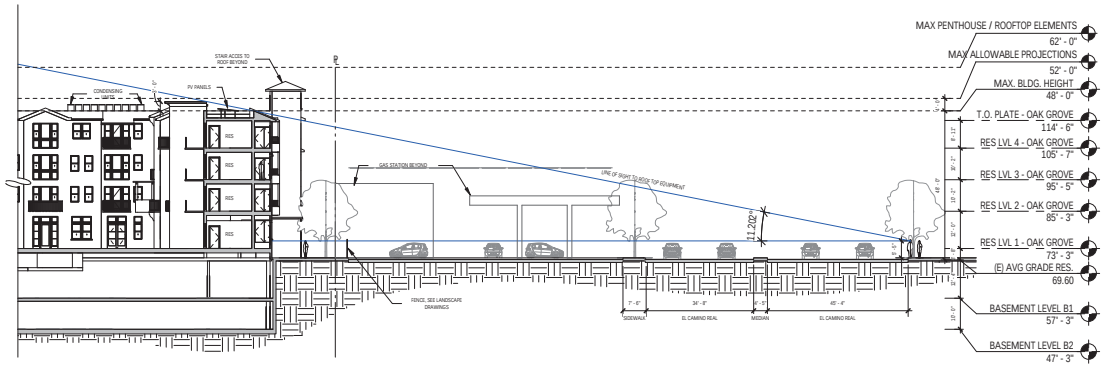
4 A6.01.1 **SITE SECTION D - RESIDENTIAL AT GARWOOD**
1" = 20'-0"



3 A6.01.1 **SITE SECTION C - RESIDENTIAL AT OAK GROVE AND GARWOOD WAY**
1" = 20'-0"



2 A6.01.1 **SITE SECTION B - RESIDENTIAL AT OAK GROVE**
1" = 20'-0"



1 A6.01.1 **SITE SECTION A - RESIDENTIAL AT ECR**
1" = 20'-0"

STATION 1300

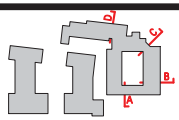
1300 EL CAMINO REAL

Site Sections

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SCALE: 1" = 20'-0"



A6.01.1

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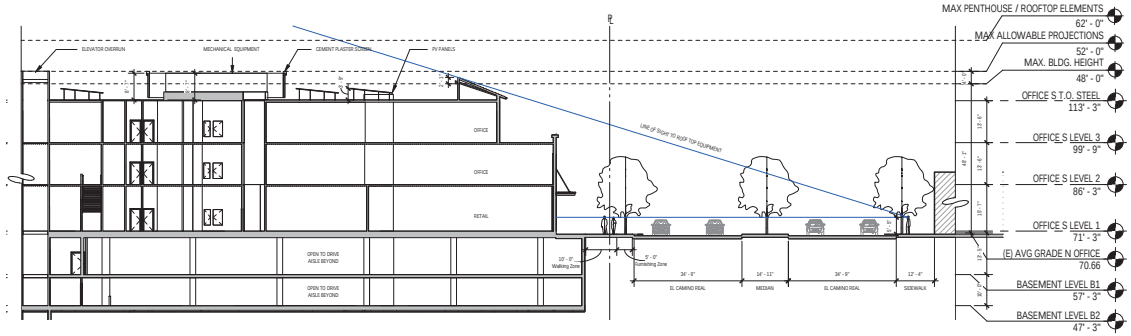
5. Perspective (oblique) view from El Camino Real, south of Oak Grove Ave. Cement Plaster Screen (in red) to conceal rooftop mechanical air handling unit.



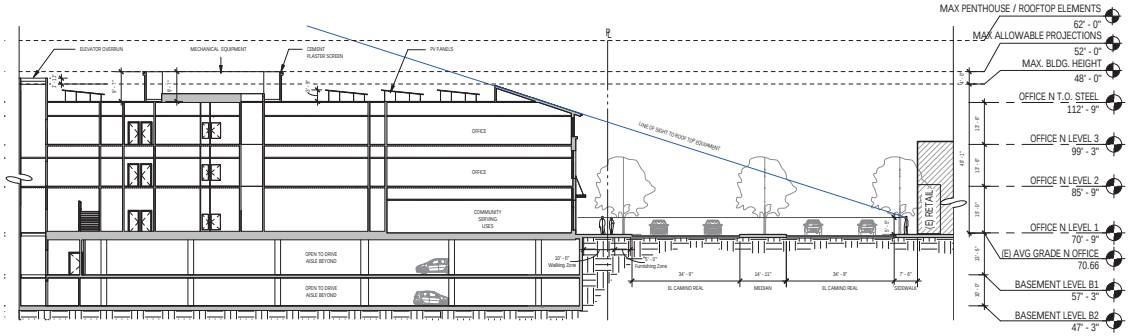
4. Perspective (oblique) view from North Office Building Plaza Entry looking toward South Office Building Entry. Cement Plaster Screen (in red) to conceal rooftop mechanical air handling unit.



3. Perspective (oblique) view from North Office Building surface parking lot looking toward South Office Building Entry. Cement Plaster Screen (in red) to conceal rooftop mechanical air handling unit.



2 A6.01.2 **SITE SECTION F - SOUTH OFFICE BUILDING**
1" = 20'-0"



1 A6.01.2 **SITE SECTION E - NORTH OFFICE BUILDING**
1" = 20'-0"

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STATION 1300 | 1300 EL CAMINO REAL

Site Sections

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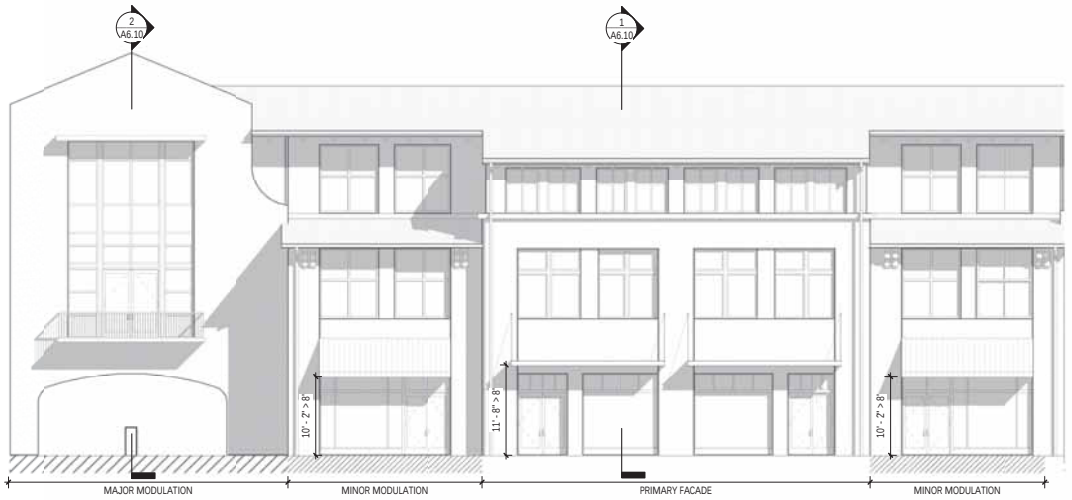
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0 20 60
SCALE: 1" = 20'-0"

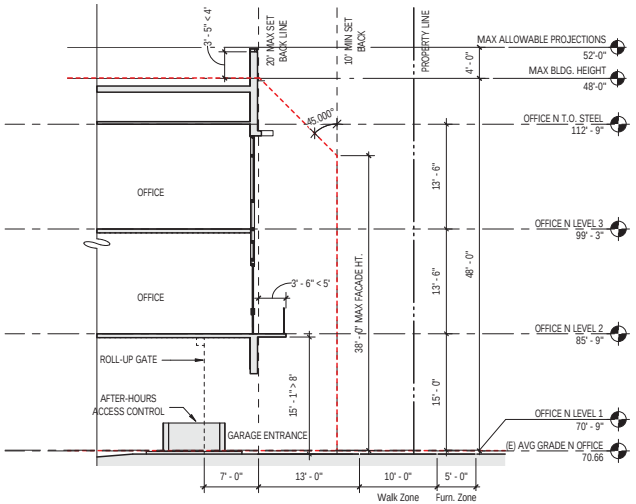
E1 E2

A6.01.2

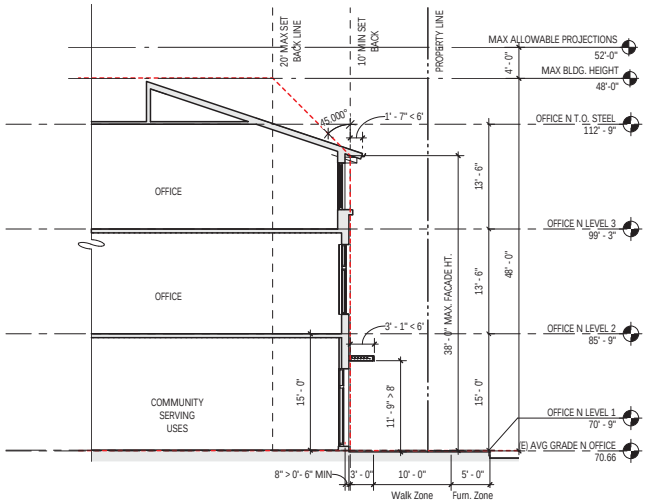
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3 A6.10 **PARTIAL ELEVATION - N BUILDING - WEST**
1/8" = 1'-0"



2 A6.10 **OFFICE SECTION - N. BUILDING - EAST/WEST SECTION 1**
1/8" = 1'-0"



1 A6.10 **OFFICE SECTION - N. BUILDING - EAST/WEST SECTION 2**
1/8" = 1'-0"

STATION 1300

1300 EL CAMINO REAL

Building Sections - Office - North Building - ECR

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

A6.10

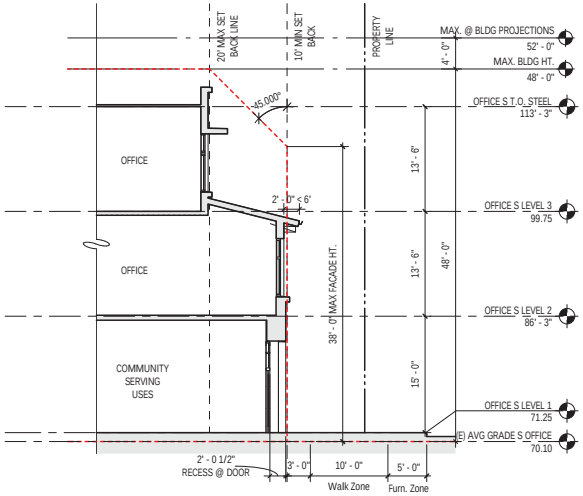
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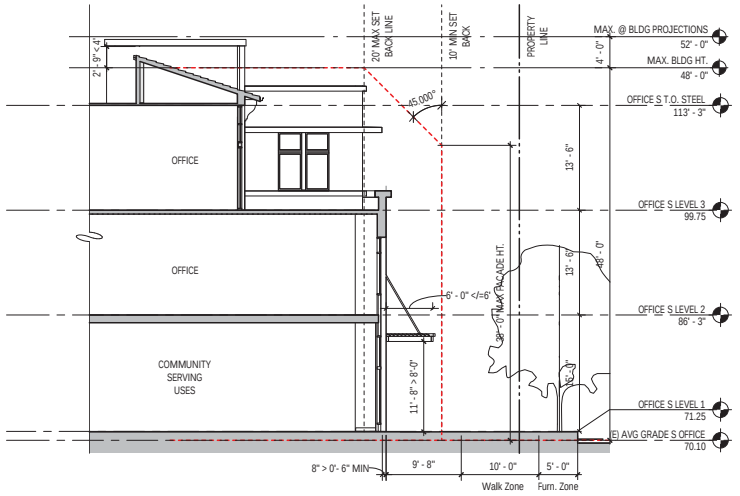
PARTIAL ELEVATION - SOUTH BUILDING -WEST

3 A6.11 1/8" = 1'-0"



2 A6.11 1/8" = 1'-0"

OFFICE SECTION - S. BUILDING - EAST/WEST SECTION 2



1 A6.11 1/8" = 1'-0"

OFFICE SECTION - S.BUILDING - EAST/WEST SECTION 1

STATION 1300 | 1300 EL CAMINO REAL

Building Sections - Office - South Building -ECR

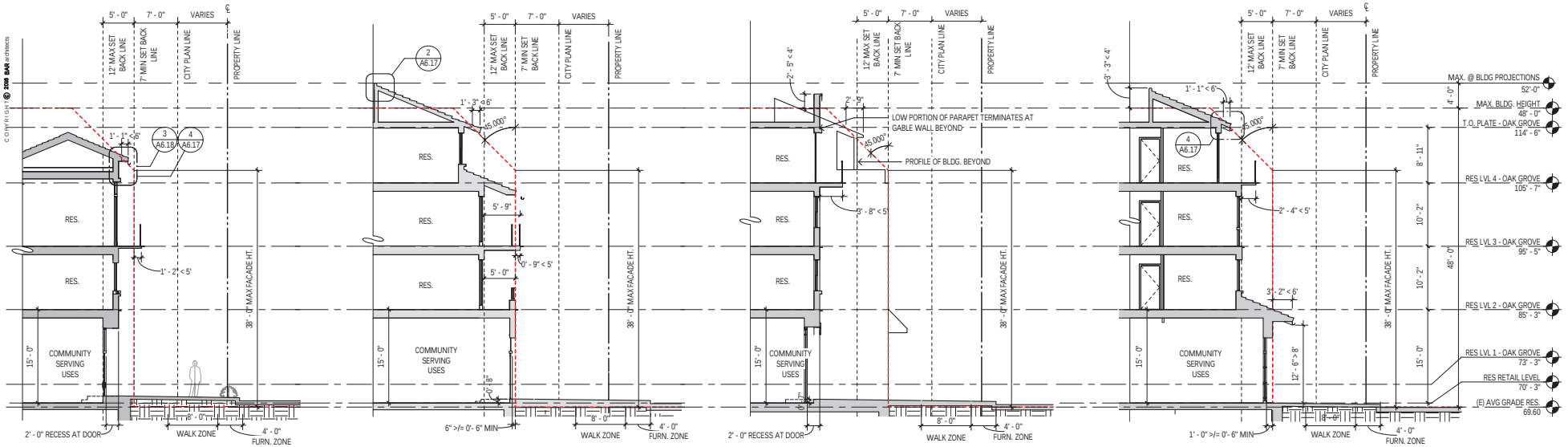
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0 4' 8' 16' 24' 32'
SCALE: 1/8" = 1'-0"

A6.11

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5 A6.12 **RESIDENTIAL SECTION - OAK GROVE - N/S 5** 1/8" = 1'-0"

4 A6.12 **RESIDENTIAL SECTION - OAK GROVE - N/S 4** 1/8" = 1'-0"

3 A6.12 **RESIDENTIAL SECTION - OAK GROVE - N/S 3** 1/8" = 1'-0"

2 A6.12 **RESIDENTIAL SECTION - OAK GROVE - N/S 2** 1/8" = 1'-0"



STATION 1300 | 1300 EL CAMINO REAL

Building Sections - Residential - Oak Grove

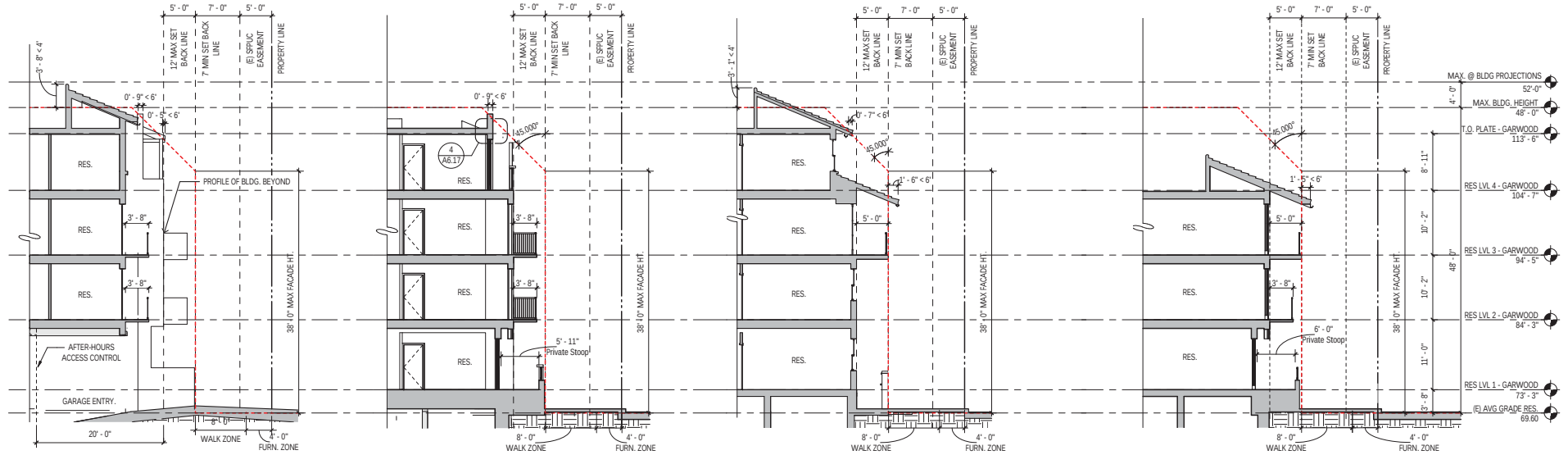
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SCALE: 1/8" = 1'-0"

A6.12

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5 A6.13 **RESIDENTIAL SECTION - GARWOOD - E/W 5**
1/8" = 1'-0"

4 A6.13 **RESIDENTIAL SECTION - GARWOOD - E/W 4**
1/8" = 1'-0"

3 A6.13 **RESIDENTIAL SECTION - GARWOOD - E/W 3**
1/8" = 1'-0"

2 A6.13 **RESIDENTIAL SECTION - GARWOOD - E/W 2**
1/8" = 1'-0"



1 A6.13 **PARTIAL ELEVATION - RESIDENTIAL - EAST**
1/8" = 1'-0"

STATION 1300

1300 EL CAMINO REAL

Building Sections - South Residential @ Garwood

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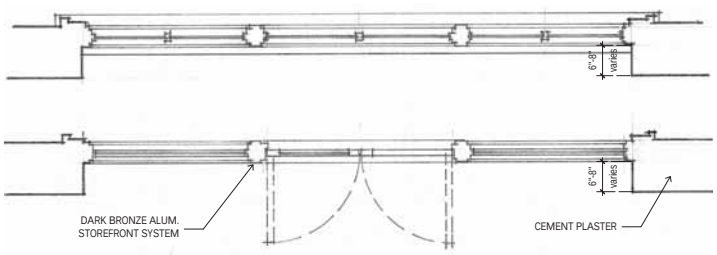
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A6.13

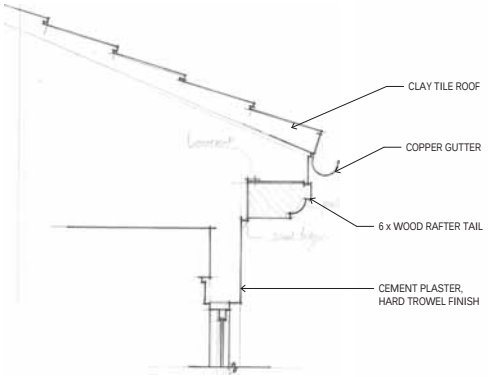
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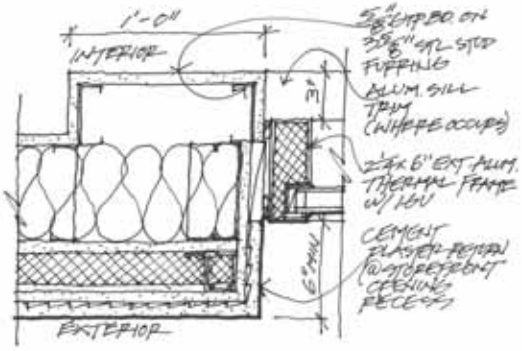
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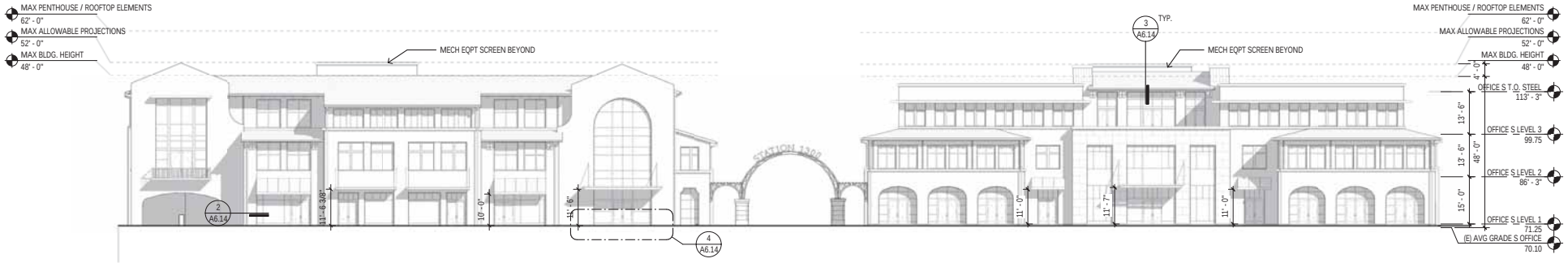
4 A6.14 **Main Entry Plan Detail**
1/2" = 1'-0"



3 A6.14 **Typical Eave w Rafter Tail**
1/2" = 1'-0"



2 A6.14 **JAMB DETAIL AT STOREFRONT RECESS**
3" = 1'-0"



1 A6.14 **EXTERIOR ELEVATION - OFFICE -WEST**
1/16" = 1'-0"

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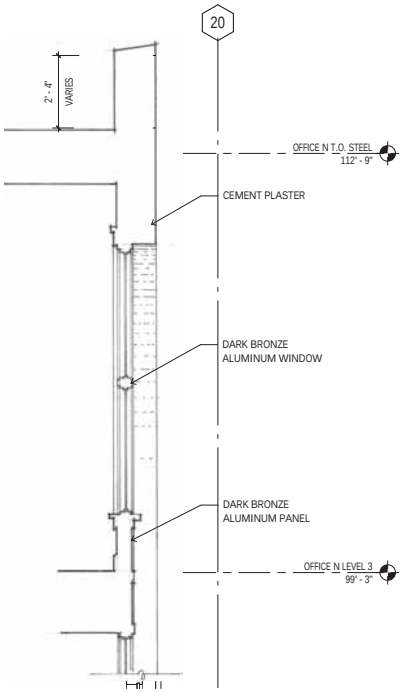
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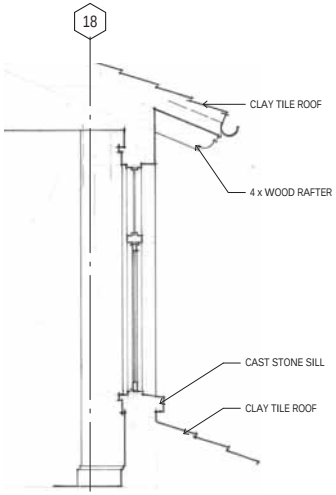
SCALE: 1/2" = 1'-0"

A6.14

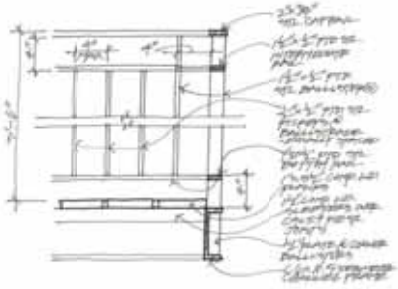
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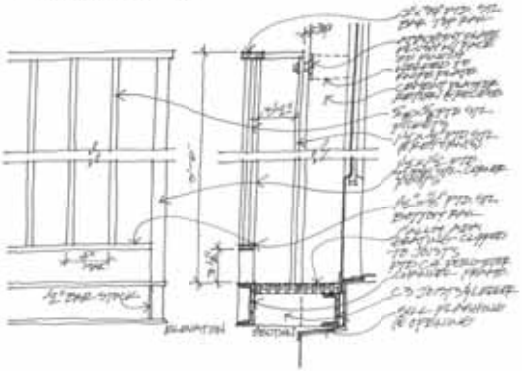
3 A6.15 **Fenestration Detail @ Gable End**
1/2" = 1'-0"



2 A6.15 **Window and Eave Detail**
1/2" = 1'-0"



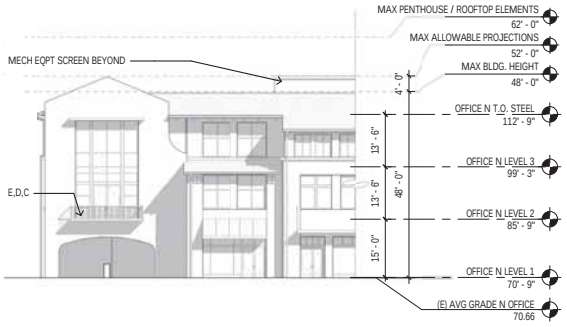
E Detail at Balcony Rail



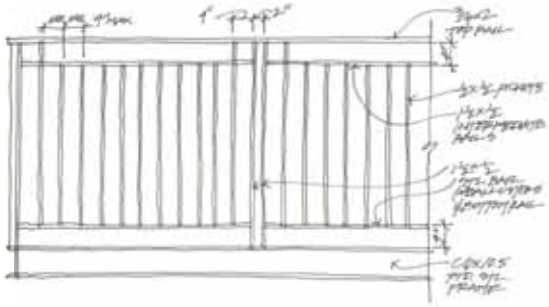
D Detail at Juliet Balcony



1 A6.15 **PARTIAL EXTERIOR ELEVATION - OFFICE SOUTH**
1/16" = 1'-0"



4 A6.15 **PARTIAL EXTERIOR ELEVATION - OFFICE -WEST**
1/16" = 1'-0"



C Elevation at Balcony Rail

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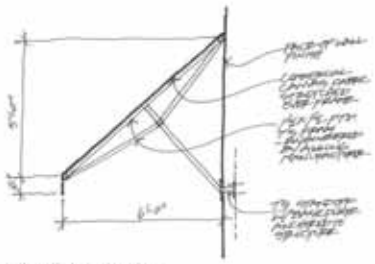
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1' 4' 8'
0 2' 6'
SCALE: 1/2" = 1'-0"

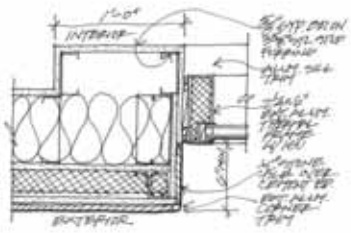
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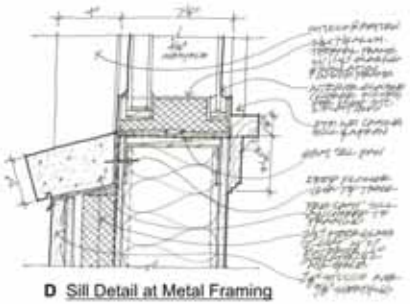
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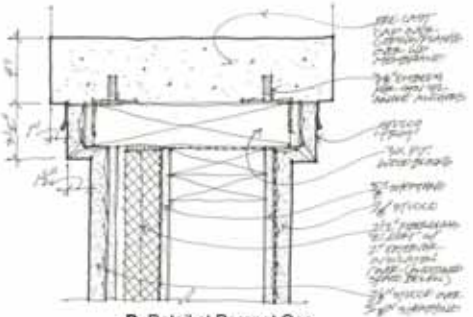
H Detail at Fabric Awning



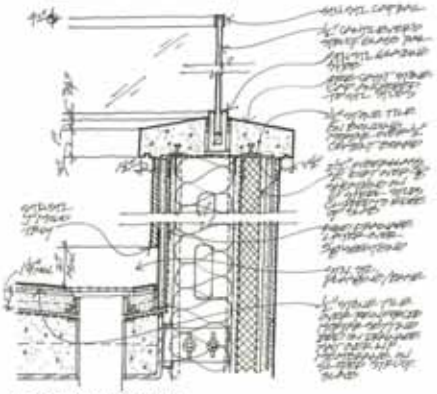
F Jamb Detail at Stone Tile Cladding



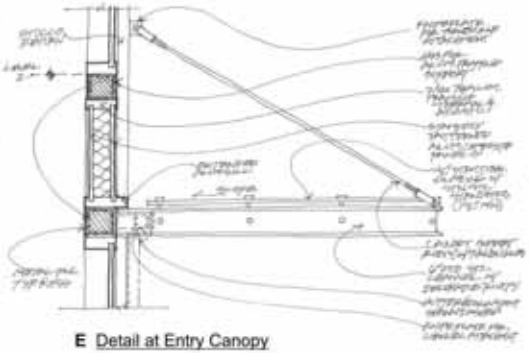
D Sill Detail at Metal Framing



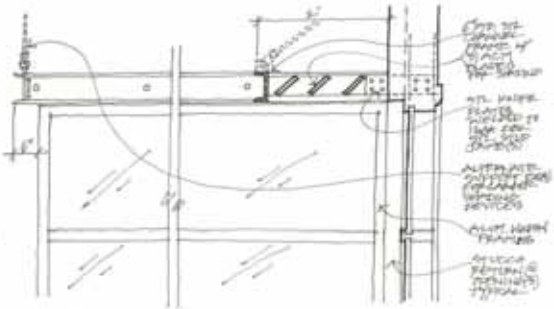
B Detail at Parapet Cap



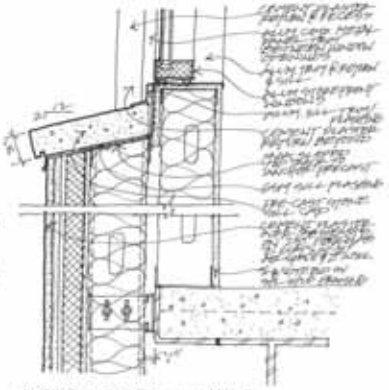
G Detail at Deck Rail



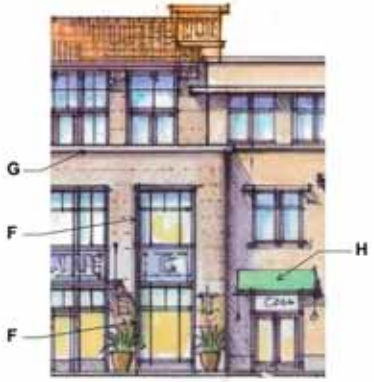
E Detail at Entry Canopy



C Detail at Exterior Shade



A Sill Detail at Recessed Wall









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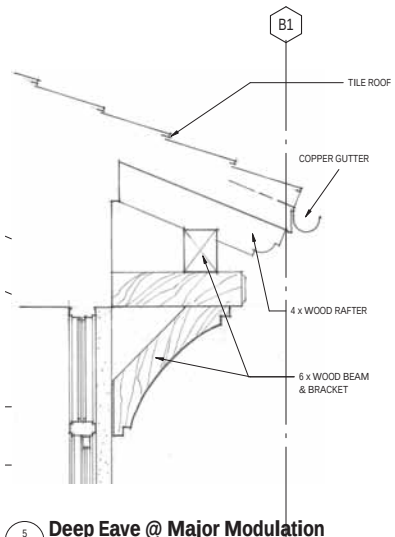
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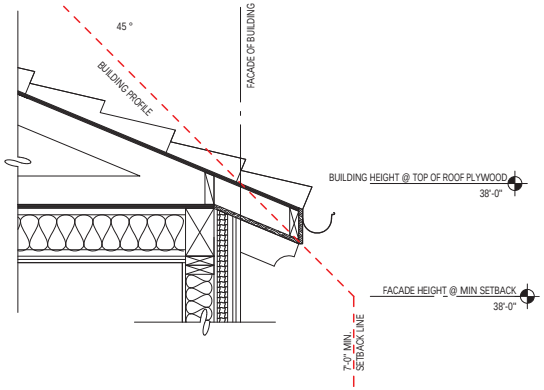
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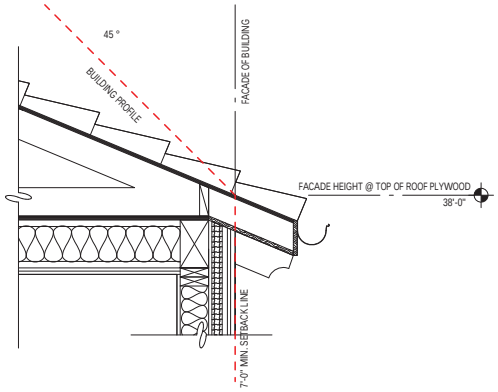
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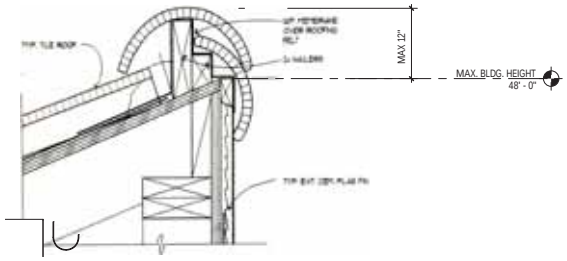
5 A6.17 **Deep Eave @ Major Modulation**
1" = 1'-0"



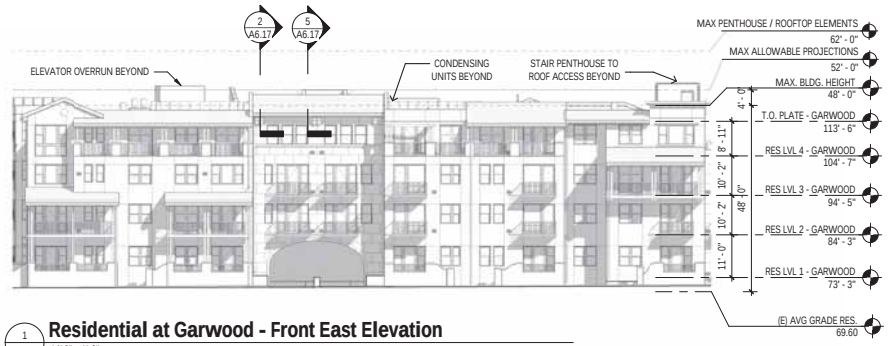
4 A6.17 **Bullding Height Measurement Detail @ 45 Degree Building Profile, Typ**
1" = 1'-0"



3 A6.17 **Bulding Height Measurement Detail @ Min Setback Line, Typ**
1" = 1'-0"



2 A6.17 **Deep Eave @ Major Modulation**
1" = 1'-0"



1 A6.17 **Residential at Garwood - Front East Elevation**
1/16" = 1'-0"

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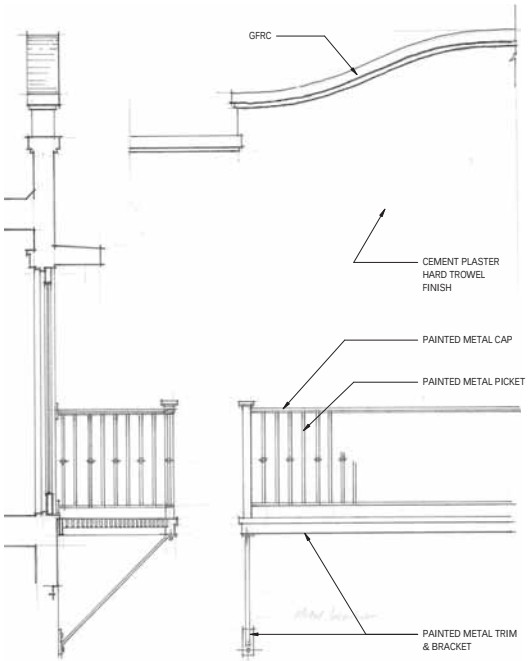
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1' 4' 8'
0 2' 6'
SCALE: 1/2" = 1'-0"

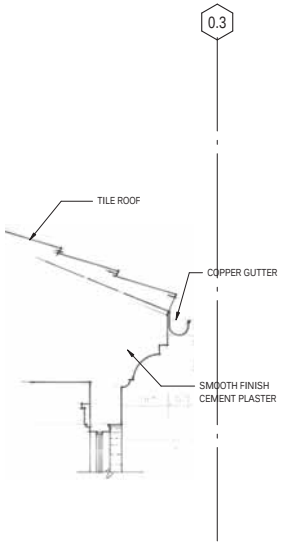
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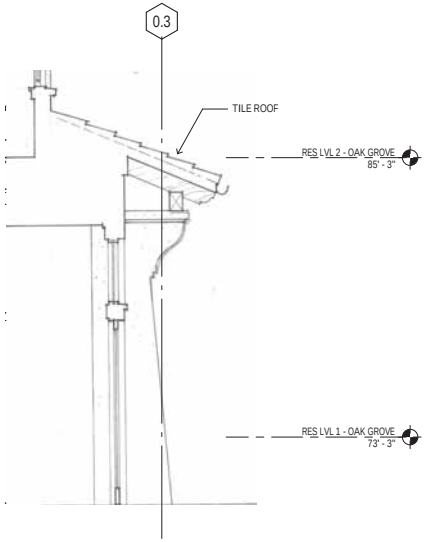
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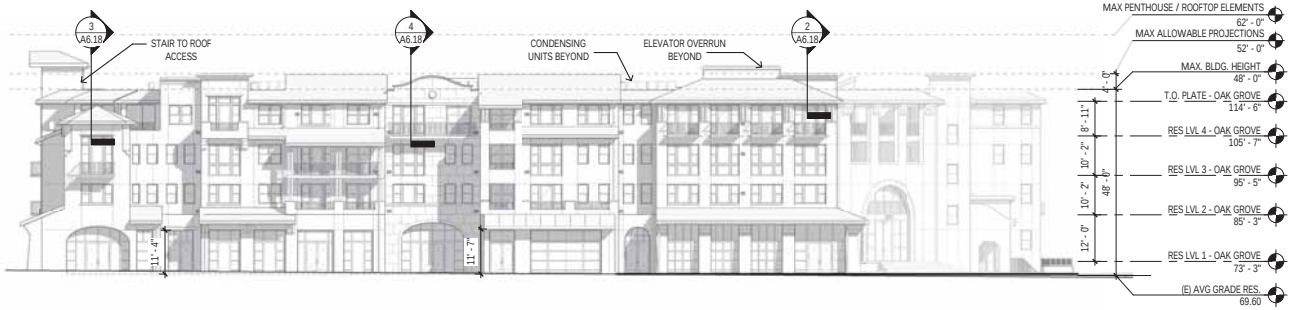
4 A6.18 **Decorative Gable & Shallow Balcony Detail**
1/2" = 1'-0"



3 A6.18 **Shallow Eave @ Tower Element**
1" = 1'-0"



2 A6.18 **Battered Pier Detail @ Retail**
3/8" = 1'-0"



1 A6.18 **Residential at Oak Grove - Front South Elevation**
1/16" = 1'-0"

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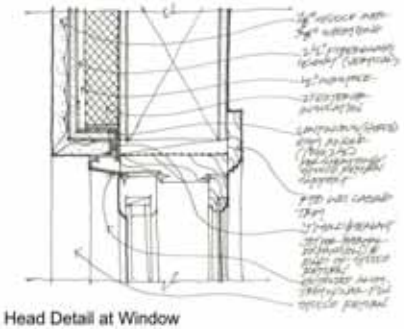
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SCALE: 1/2" = 1'-0"

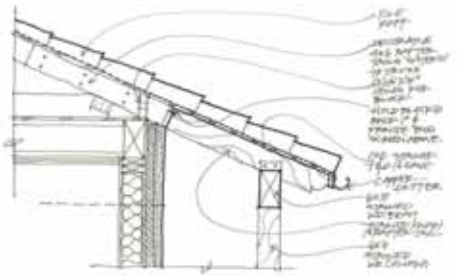
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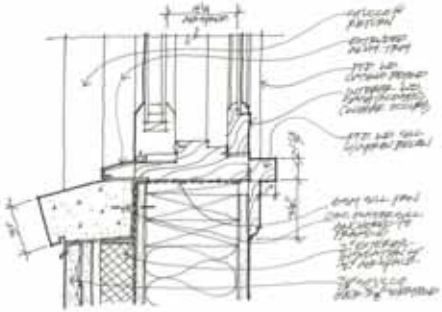
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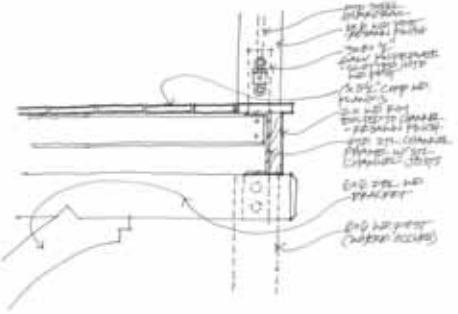
H Head Detail at Window



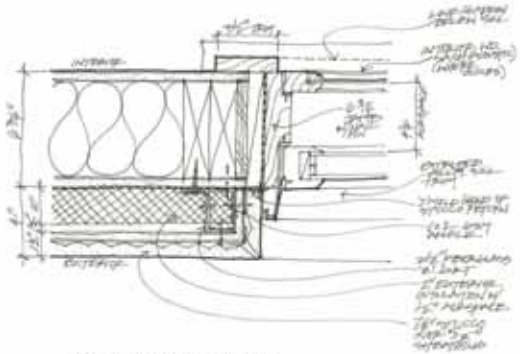
B Detail at Eave



G Sill Detail at Window



A Detail at Balcony



F Jamb Detail at Window



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1. Cement Plaster

Hard Trowel Santa Barbara Mission Finish

Integral Color: X-86 Sandstone

Manufacturer: La Habra



2. Cement Plaster

Hard Trowel Santa Barbara Mission Finish

Integral Color: X-81584 Suffolk

Manufacturer: La Habra



3. Clay Tile Roof

El Camino Blend

Manufacturer: US Tile by Boral or Sim.



4. Clay Tile Roof

Malorca

Manufacturer: US Tile by Boral or Sim.



5. Aluminum Storefront System

Glass: Clear Vision
Aluminum: Powder Coat Burnt Red

Manufacturer: EFCO,
Oldcastle BuildingEnvelope or Sim.



6. Aluminum Storefront System

Glass: Clear Vision
Aluminum: Powder Coat Burnt Bronze

Manufacturer: EFCO,
Oldcastle BuildingEnvelope, or Sim.



7. Cast Stone
(stone-clad column, ledgers, and/or coping)

70W Medium Etch Finish

Manufacturer: Napa Valley Cast Stone or Sim.



8. Metal and Glass Canopy

Gun Metal Gray

Manufacturer:TBD



9. Fabric (Canvas) Awning

Color: TBD

Manufacturer:TBD



10. Thin Set Stone Tile Facade

Plaza Buff, Brushed Finish

Manufacturer: Peninsula Building Materials, Co. or Sim.



11. Metal Sign and Structure

Bronze

Manufacturer:TBD



12. Metal Guardrail and Railing

Color: dark gray, green or brown

Manufacturer:TBD



13. Composite Windows (Residential Building)

Color: brown, bronze, ebony, burnt red, blue, or green (not white/ beige)

Manufacturer: Alpin, All Weather, Marvin, VPI



14. Wooden Posts at Balconies and Trellises

Color: brown, bronze, burnt red, (not white/ beige)

All wooden posts/columns to be 6"x 6"

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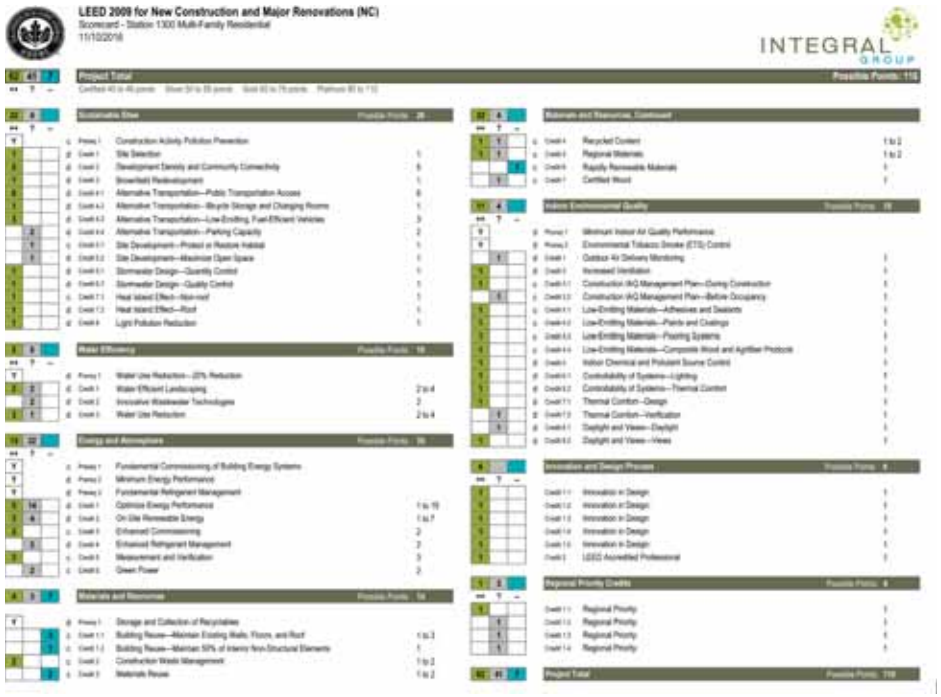
Color and Materials Board

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LEED 2009 for New Construction and Major Renovations (NC)

Scorecard - Station 1300 Multi-Family Residential

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LEED 2009 for Core and Shell Development (CS)

Scorecard - Station 1300 Offices

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STATION 1300

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LEED Checklist

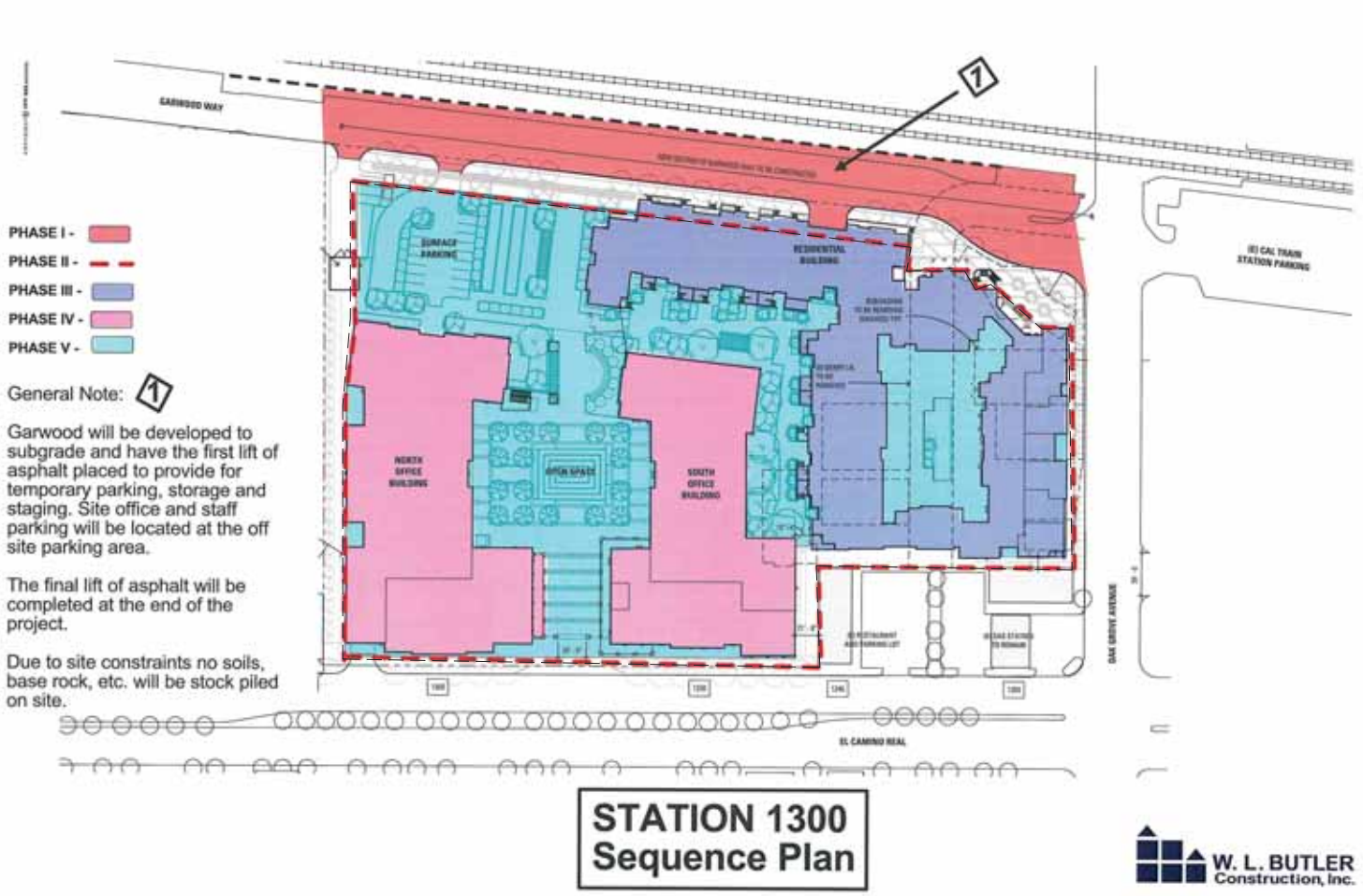
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Construction Phasing Plan

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Slope back @ 1:1

Shoring

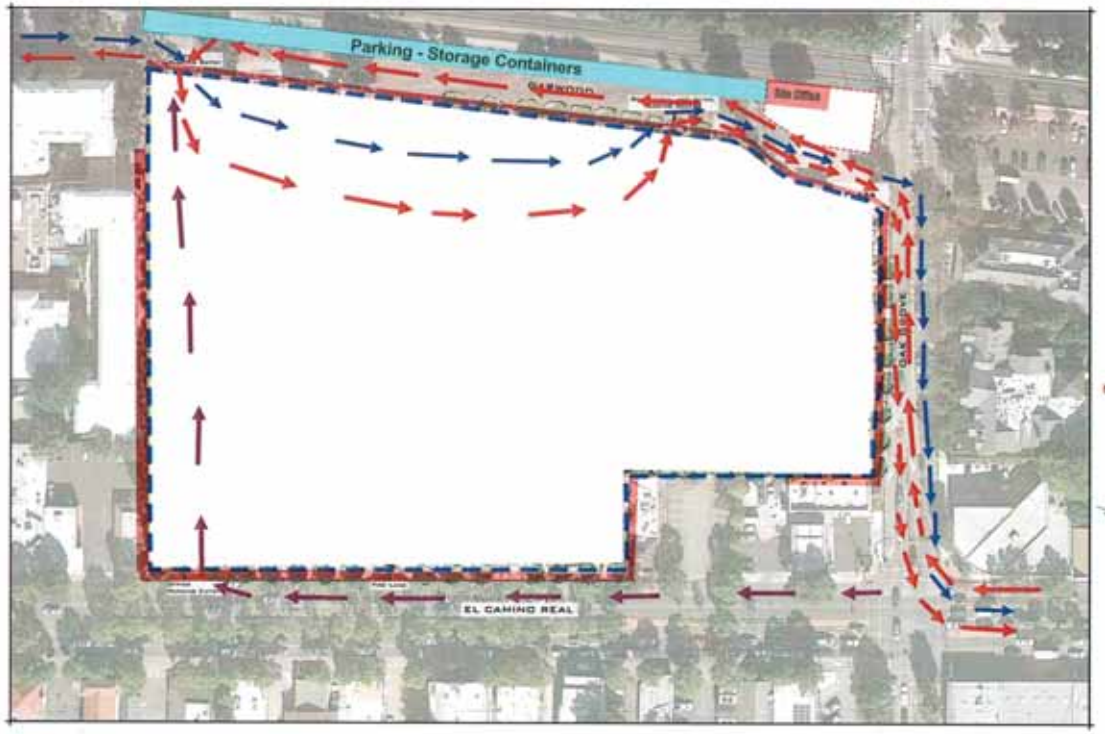
Oak Grove Truck Route

Alternate ECR Truck Route

Glenwood Truck Route

Note:
1) All staging of materials will be inside of building foot print

2) Storage containers



W. L. BUTLER Construction, Inc.



1300 EL CAMINO REAL MIXED-USE
Menlo Park, California

April 14, 2015

Site Plan at Ground Level

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Construction Traffic Routing

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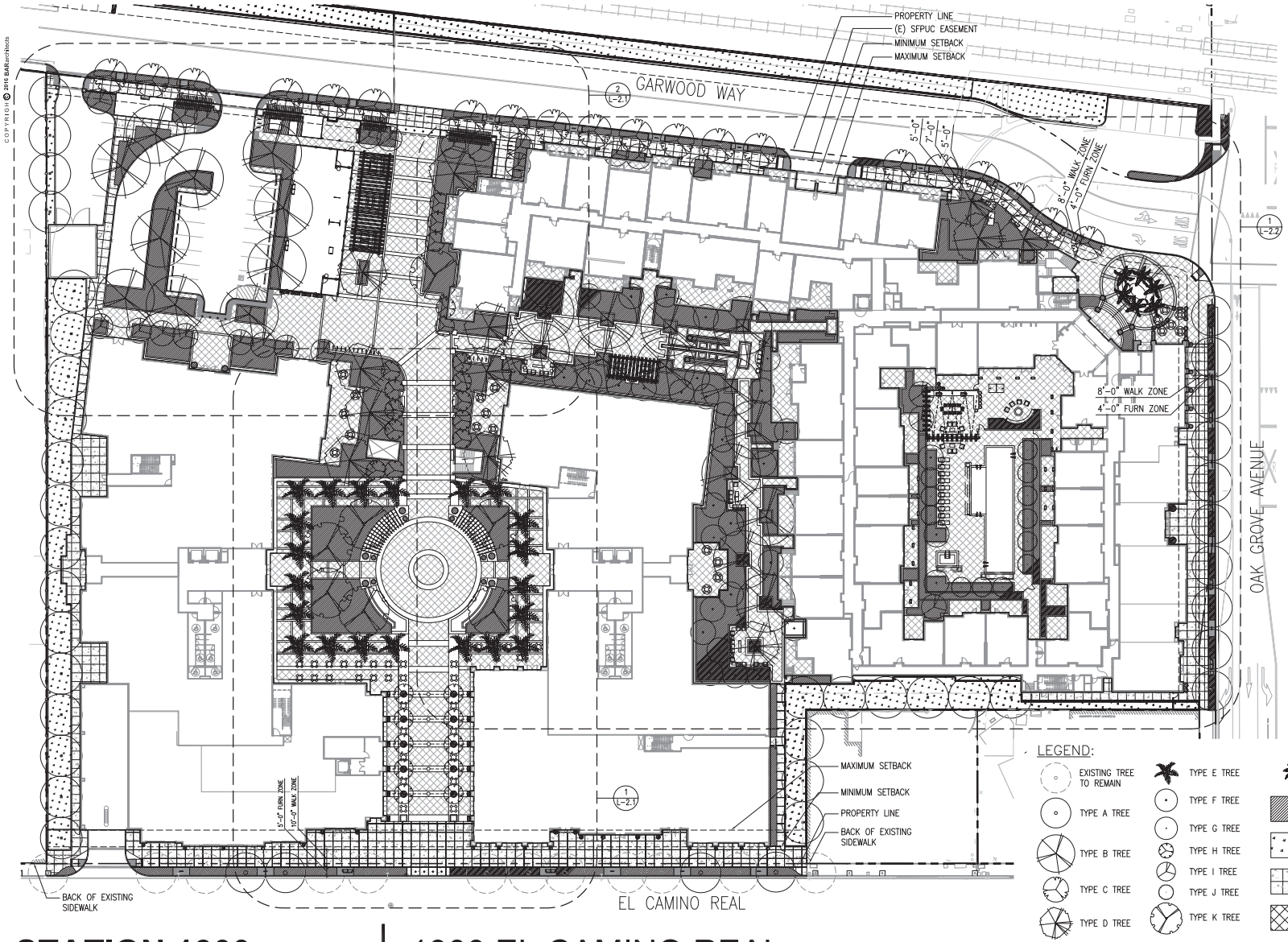
Construction Fencing/Barricade Plan

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NOTES:

SEE SHEETS L-2.1 AND L-2.2 FOR LANDSCAPE ENLARGEMENTS PLANS.

SEE SHEET L-3.0 FOR PROPOSED TREE PALETTE AND DESIGNATED HERITAGE TREE REPLACEMENTS.

SEE SHEET L-4.0 FOR TREE REMOVAL PLAN.

SEE SHEET L-5.0 FOR ARBOR & UTILITY SCREENING DETAILS.

SEE SHEET L-6.0 FOR OUTDOOR SEATING PLAN.

IRRIGATION DESIGN INTENT:

AS THIS PROJECT IS CREATING MORE THAN 500 SQUARE FEET OF IRRIGATED LANDSCAPING, IT IS SUBJECT TO THE CITY'S WATER EFFICIENT LANDSCAPE ORDINANCE (MUNICIPAL CODE 12.44). THE IRRIGATION SYSTEM SHALL COMPLY WITH THE CITY'S MUNICIPAL CODE CHAPTER 12.44 "WATER-EFFICIENT LANDSCAPING" AND THE STATE OF CALIFORNIA'S 2015 MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MWELO). THE MAXIMUM APPLIED WATER ALLOWANCE (MAWA) CALCULATIONS WILL BE FACTORED USING THE EVAPOTRANSPIRATION ADJUSTMENT FACTOR OF 0.45.

THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE THE MINIMUM AMOUNT OF WATER NECESSARY TO SUSTAIN GOOD PLANT HEALTH. IRRIGATION SYSTEM IS TO BE A FULLY AUTOMATIC, WEATHER-BASED SYSTEM USING LOW FLOW DRIP AND BUBBLER DISTRIBUTION. ALL SELECTED COMPONENTS SHALL BE PERMANENT, COMMERCIAL GRADE, SELECTED FOR DURABILITY, VANDAL RESISTANCE AND MINIMUM MAINTENANCE REQUIREMENT. THE SYSTEM SHALL INCLUDE A MASTER CONTROL VALVE AND FLOW SENSING CAPABILITY WHICH WILL SHUT DOWN ALL OR PART OF THE SYSTEM IF LEAKS ARE DETECTED.

THE IRRIGATION SYSTEM SHALL BE DESIGNED FOR FUTURE CONNECTION TO RECYCLED WATER.

PLANTING DESIGN INTENT:

THE PLANTING DESIGN SHALL UTILIZE A VARIETY OF PLANTS TO CREATE LAYERS OF COLOR AND TEXTURE TO COMPLIMENT THE ARCHITECTURE. TREE LOCATIONS HAVE BEEN DESIGNED FOR MAXIMUM AESTHETIC EFFECTS AND PASSIVE SOLAR BENEFITS, CREATING SUMMER SHADE AND WINTER SUN EXPOSURE.

PLANT SPECIES SHALL BE SELECTED BASED ON LOCAL CLIMATE SUITABILITY, DISEASE AND PEST RESISTANCE, AND WATER USE AS LISTED IN THE STATE OF CALIFORNIA'S MODEL WATER EFFICIENT LANDSCAPE ORDINANCE PLANT LIST, WUCOLS IV. THE PLANTING DESIGN SHALL NOT INCLUDE TURF/LAWN AND SHALL UTILIZE PRIMARILY LOW WATER USE, REGIONAL NATIVE PLANT SPECIES. NO PLANTS CONSIDERED INVASIVE IN THE REGION AS LISTED BY THE CAL-IPC SHALL BE USED. THE PLANTING DESIGN SHALL ALLOW FOR THE PLANTS TO REACH THEIR NATURAL, FULL-GROWN SIZE TO ELIMINATE THE NEED FOR EXCESSIVE PRUNING OR HEDGING. PLANTS SHALL BE GROUPED IN HYDROZONES BASED ON WATER USE AND EXPOSURE.

VEGETATED BIORETENTION TREATMENT AREAS SHALL BE PLANTED WITH WATER CONSERVING GRASS SPECIES, SHRUBS AND TREES THAT ARE ADAPTED TO THE SPECIAL CONDITIONS.

LEGEND:

- EXISTING TREE TO REMAIN
- TYPE A TREE
- TYPE B TREE
- TYPE C TREE
- TYPE D TREE
- TYPE E TREE
- TYPE F TREE
- TYPE G TREE
- TYPE H TREE
- TYPE I TREE
- TYPE J TREE
- TYPE K TREE
- TYPE L TREE
- PLANTING AREA
- BIOTREATMENT AREA, SCD
- SIDEWALK PAVING
- PAVED AREAS, REFER TO SHEETS L-7.1 AND L-7.2 FOR MORE INFORMATION
- CONCRETE PAVERS AT STREET TREES
- SITE FURNITURE, TYP

ABBREVIATIONS:

TYP	TYPICAL
SAD	SEE ARCHITECTURE DRAWINGS
SCD	SEE CIVIL DRAWINGS
EVA	EMERGENCY VEHICLE ACCESS
FURN	FURNISHINGS

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Landscape Site Plan

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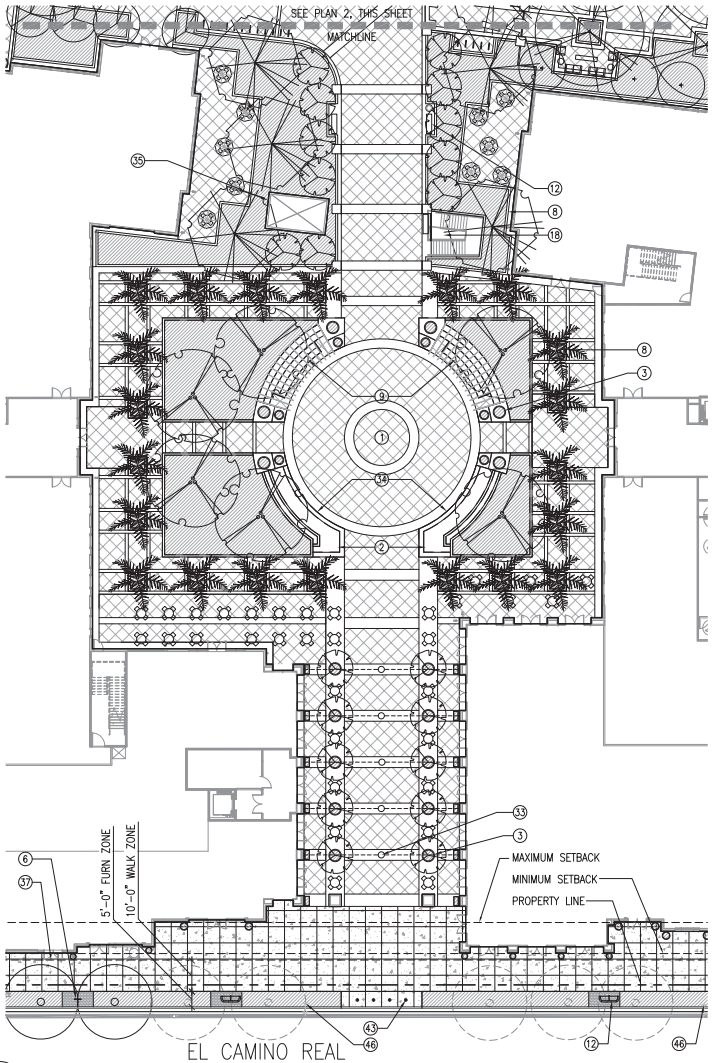
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TRUE NORTH / PROJECT NORTH

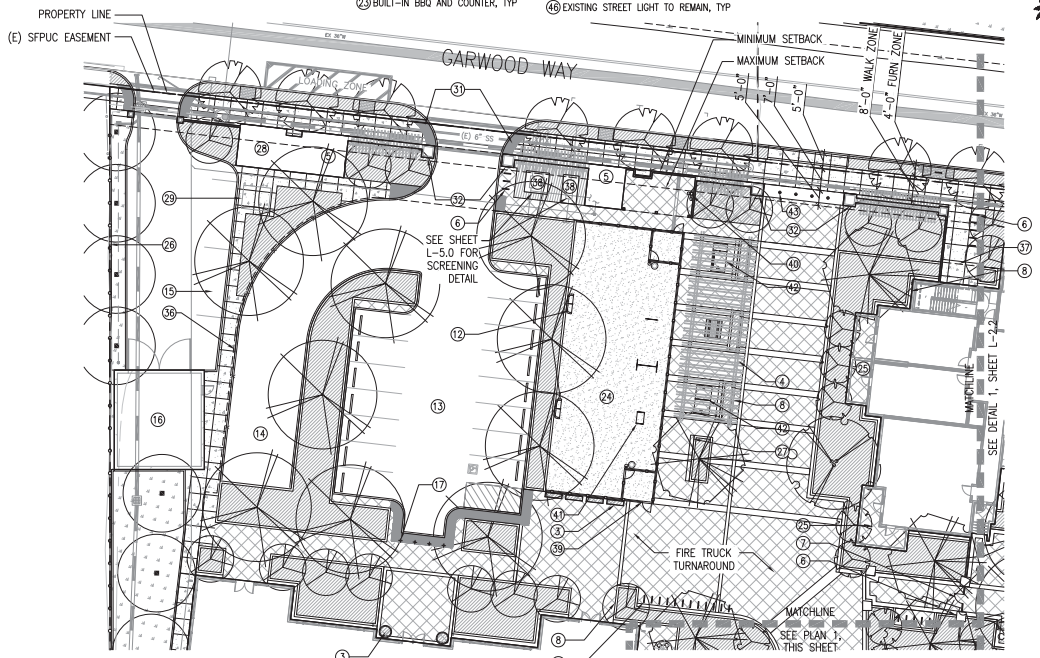
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1 ENLARGEMENT PLAN
SCALE: 1"=20'-0"



2 ENLARGEMENT PLAN
SCALE: 1"=20'-0"

LEGEND:

1. PLAZA
2. RECIRCULATING WATER FEATURE, TYP
3. PLANTER POTS, TYP
4. ARBOR STRUCTURE, TYP SEE SHEET L-5.0
5. PARK AMENITY BUILDING
6. BICYCLE RACK, TYP
7. GATE
8. RAISED PLANTER, TYP
9. STEPPED AMPHITHEATER WITH OVERHEAD SHADE STRUCTURE, SEE SHEET L-5.0
12. BENCH, TYP
13. SURFACE PARKING, SCD
14. RAMP TO GARAGE
15. DELIVERY AND SERVICE PARKING
16. TRASH ENCLOSURE
17. REMOVABLE BOLLARD, TYP
18. GARAGE ACCESS AND LIGHTWELL
19. LAP POOL WITH AUTOMATIC COVER
20. SPA WITH AUTOMATIC COVER
21. 5' HT. POOL ENCLOSURE AND GATE, TYP
22. OUTDOOR FIRE FEATURE, TYP
23. BUILT-IN BBQ AND COUNTER, TYP
24. SYNTHETIC TURF DOG PARK
25. PRIVATE RESIDENTIAL PATIO, TYP
26. 6' HT. METAL FENCE
27. BUILT-IN BENCH, TYP
28. ELECTRICAL ROOM
29. TRANSFORMER, TYP, SCD
30. STAIRS WITH HANDRAILS, TYP
31. CURB RAMP, TYP, SCD
32. GARWOOD FRONTAGE TRELLIS, SAD
33. CATENARY LIGHT, TYP
34. SEAT WALL, TYP
35. VENT SHAFT WITH LANDSCAPE SCREENING
36. 42" HT. METAL GUARDRAIL
37. EDGE OF PODIUM, TYP
38. BACKFLOW PREVENTER WITH LANDSCAPE SCREENING, SEE SHEET L-5.0
39. 4' HT. METAL DOG PARK ENCLOSURE & GATES, TYP
40. HUMAN AND PET DRINKING FOUNTAIN
41. DOG AGILITY TOYS, TYP
42. OUTDOOR GAME TABLE, TYP
43. FOLD-DOWN BOLLARD AT EVA ENTRANCE, TYP
44. ADA ACCESSIBLE OUTDOOR SHOWER
45. OPEN-AIR PAVILION, SEE NOTE ON SHEET L-2.2
46. EXISTING STREET LIGHT TO REMAIN, TYP

PLANTING AREA
BIOTREATMENT AREA, SCD
SIDEWALK PAVING
PAVED AREAS, REFER TO SHEETS L-7.1 AND L-7.2 FOR MORE INFORMATION
CONCRETE PAVERS AT STREET TREES
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TYPE H TREE
TYPE I TREE
TYPE J TREE
TYPE K TREE
TYPE L TREE

STATION 1300 | 1300 EL CAMINO REAL

Landscape Enlargement Plan

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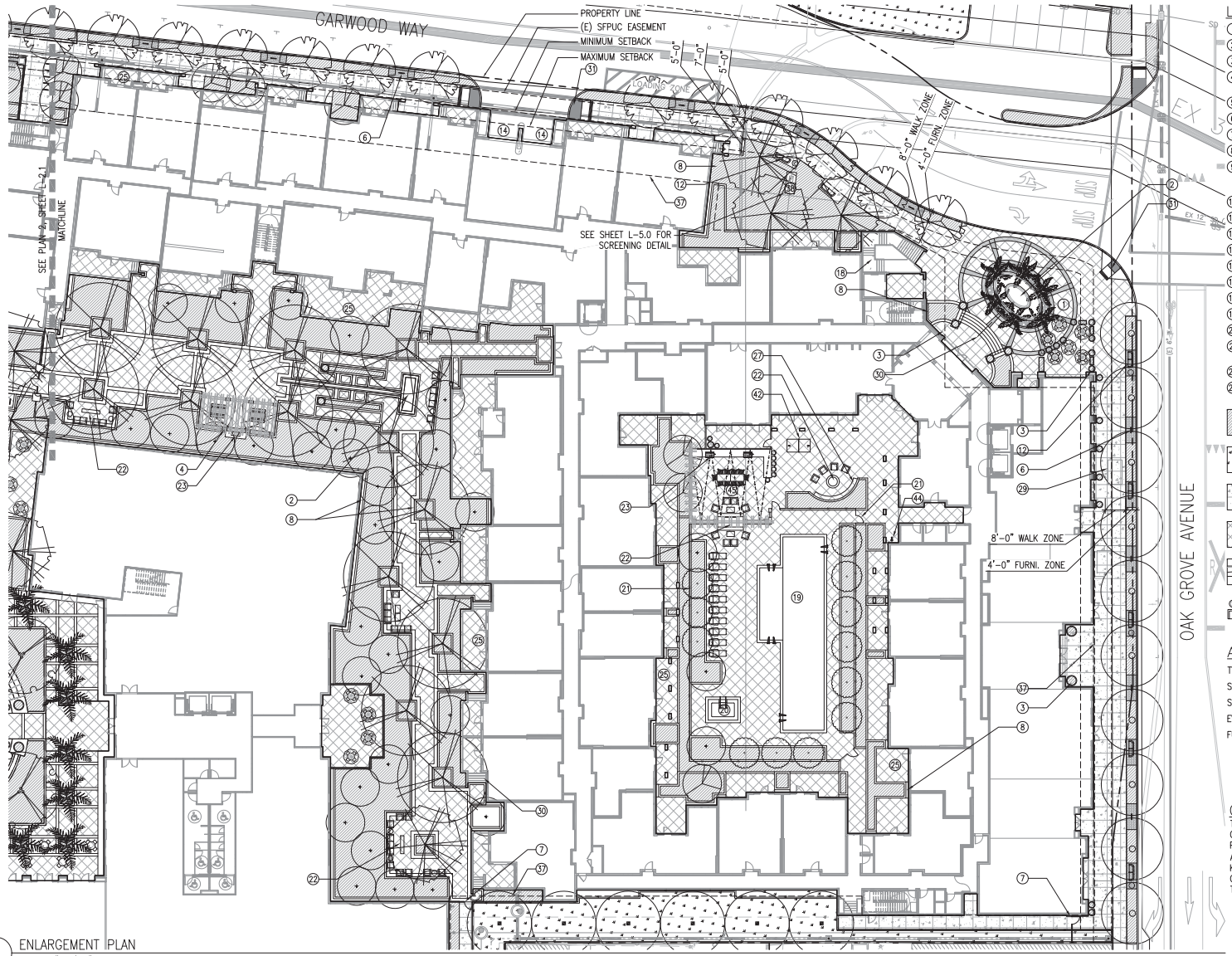
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10 40 80'
0 20 60
SCALE: 1" = 20'-0"

TRUE NORTH
PROJECT NORTH

L-2.1

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1 ENLARGEMENT PLAN
SCALE: 1"=20'-0"

LEGEND:

1. PLAZA
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19. LAP POOL WITH AUTOMATIC COVER
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23. BUILT-IN BBQ AND COUNTER, TYP
24. SYNTHETIC TURF DOG PARK
25. PRIVATE RESIDENTIAL PATIO, TYP
26. 6' HT. METAL FENCE
27. BUILT-IN BENCH, TYP
28. ELECTRICAL ROOM
29. TRANSFORMER, TYP, SCD
30. STAIRS WITH HANDRAILS, TYP
31. CURB RAMP, TYP, SCD
32. GARWOOD FRONTAGE TRELLIS, SAD
33. CATENARY LIGHT, TYP
34. SEAT WALL, TYP
35. VENT SHAFT WITH LANDSCAPE SCREENING
36. 42" HT. METAL GUARDRAIL
37. EDGE OF PODIUM, TYP
38. BACKFLOW PREVENTER WITH LANDSCAPE SCREENING, SEE SHEET L-5.0
39. 4' HT. METAL DOG PARK ENCLOSURE & GATES, TYP
40. HUMAN AND PET DRINKING FOUNTAIN
41. DOG AGILITY TOYS, TYP
42. OUTDOOR GAME TABLE, TYP
43. FOLD-DOWN BOLLARD AT EVA ENTRANCE, TYP
44. ADA ACCESSIBLE OUTDOOR SHOWER
45. OPEN-AIR PAVILION, SEE NOTE ON SHEET L-2.2
46. EXISTING STREET LIGHT TO REMAIN, TYP

PLANTING AREA
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OPEN-AIR PAVILION NOTE:
THE CLUBHOUSE DECK DESIGN INCORPORATES A THREE-SIDED OPEN-ROOFED GARDEN STRUCTURE FOR OUTDOOR USE. THE STRUCTURE IS INTEGRATED INTO THE POOL ENCLOSURE ON ONE SIDE, WILL PROVIDE SCREENING OF PRIVATE PATIOS ON ANOTHER, AND CREATE AN "OUTDOOR ROOM" WITH FESTOON LIGHTING, OUTDOOR KITCHEN, DINING, TV, FIREPLACE AND LOUNGING AMENITIES. THE STRUCTURE WILL COMPLEMENT THE BUILDING ARCHITECTURE WITH A FREE-STANDING ARBOR CAPPING TWO OF THE THREE 7 FOOT HIGH WALLS FOR A MAXIMUM HEIGHT OF 12 FEET.

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Landscape Enlargement Plan

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SCALE: 1" = 20'-0"

TRUE NORTH
PROJECT NORTH

L-2.2

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*TYPE A TREE
QTY: 14

BOTANICAL NAME: PLATANUS X HISPANICA
COMMON NAME: LONDON PLANE TREE
DECIDUOUS
REGULAR WATER USE
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 50'H X 40'W
NOTE: SPECIES TO MATCH EXISTING ADJACENT STREET TREES



*TYPE B TREE
QTY: 23

OPTION A
BOTANICAL NAME: ACER MACROPHYLLUM
COMMON NAME: BIG LEAF MAPLE
CALIFORNIA NATIVE
DECIDUOUS
WATER USE: MEDIUM
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 50'H X 30'W



OPTION B
BOTANICAL NAME: QUERCUS KELLOGGII
COMMON NAME: BLACK OAK
CALIFORNIA NATIVE
DECIDUOUS
WATER USE: LOW
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 50'H X 30'W



*TYPE C TREE
QTY: 20

BOTANICAL NAME: QUERCUS ROBUR 'PYRAMICH'
COMMON NAME: SKYMASTER OAK
DECIDUOUS
WATER USE: MEDIUM
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 50'H X 25'W



*TYPE D TREE
QTY: 12

BOTANICAL NAME: QUERCUS AGRIFOLIA
COMMON NAME: LIVE OAK
CALIFORNIA NATIVE
EVERGREEN
WATER USE: VERY LOW
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 40'H X 30'W



TYPE E TREE
QTY: 21

BOTANICAL NAME: PHOENIX DACTYLIFERA
COMMON NAME: DATE PALM
EVERGREEN
WATER USE: LOW
INSTALLATION SIZE: 16' BTF
MATURE SIZE: 80'H X 20'W



TYPE F TREE
QTY: 33

OPTION A
BOTANICAL NAME: PODOCARPUS GRACILIOR
COMMON NAME: FERN PINE
EVERGREEN
WATER USE: MEDIUM
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 40'H X 15'W



OPTION B
BOTANICAL NAME: PHYLLOSTACHYS VIVAX
COMMON NAME: BAMBOO
EVERGREEN
WATER USE: LOW
INSTALLATION SIZE: 15 GALLON
MATURE SIZE: 50'H



TYPE G TREE
QTY: 15

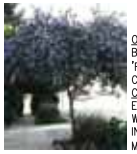
OPTION A
BOTANICAL NAME: AGONIS FLEXUOSA
COMMON NAME: PEPPERMINT TREE
EVERGREEN
WATER USE: LOW
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 35'H X 25'W



OPTION B
BOTANICAL NAME: LYONOTHAMNUS FLORIBUNDUS
COMMON NAME: CATALINA IRONWOOD
CALIFORNIA NATIVE
EVERGREEN
WATER USE: LOW
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 35'H X 25'W



TYPE H TREE
QTY: 26



OPTION A
BOTANICAL NAME: CEANOTHUS 'RAY HARTMAN'
COMMON NAME: CALIFORNIA LILAC
CALIFORNIA NATIVE
EVERGREEN
WATER USE: LOW
INSTALLATION SIZE: 15 GALLON
MATURE SIZE: 12'H X 15'W



OPTION B
BOTANICAL NAME: CERCIS OCCIDENTALIS
COMMON NAME: WESTERN REDBUD
CALIFORNIA NATIVE
EVERGREEN
WATER USE: VERY LOW
INSTALLATION SIZE: 15 GALLON
MATURE SIZE: 15'H X 15'W



*TYPE I TREE
QTY: 23



OPTION A
BOTANICAL NAME: ACER RUBRUM 'ARMSTRONG GOLD'
COMMON NAME: RED MAPLE
DECIDUOUS
WATER USE: MEDIUM
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 50'H X 15'W



OPTION B
BOTANICAL NAME: GINKGO BILOBA 'PRINCETON SENTRY'
COMMON NAME: MAIDENHAIR TREE
DECIDUOUS
WATER USE: MEDIUM
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 50'H X 15'W



TYPE J TREE
QTY: 12



BOTANICAL NAME: LAGERSTROEMIA 'NATCHEZ'
COMMON NAME: FLOWERING WHITE CRAPE MYRTLE
DECIDUOUS
WATER USE: LOW
INSTALLATION SIZE: 24" BOX
MATURE SIZE: 25'H X 12'W



*TYPE K TREE
QTY: 7



BOTANICAL NAME: QUERCUS AGRIFOLIA
COMMON NAME: SPECIMEN LIVE OAK
CALIFORNIA NATIVE
EVERGREEN
WATER USE: VERY LOW
INSTALLATION SIZE: 48" BOX
MATURE SIZE: 40'H X 30'W



TYPE L TREE
QTY: 6



BOTANICAL NAME: WASHINGTONIA ROBUSTA
COMMON NAME: MEXICAN FAN PALM
EVERGREEN
WATER USE: LOW
INSTALLATION SIZE: 20' BTF
MATURE SIZE: 100'H X 10'W

TREE REPLACEMENT:
THE TOTAL HERITAGE TREES REMOVAL: 59
REQUIRED REPLACEMENT TREES (2:1 RATIO): 118
TOTAL PROPOSED TREES: 212
*DESIGNATED HERITAGE REPLACEMENT TREE: 99 PROVIDED (7-48" BOX SPECIMENS, 92-24" BOX, 15 GALLON MINIMUM, 40' MIN. MATURE HEIGHT)

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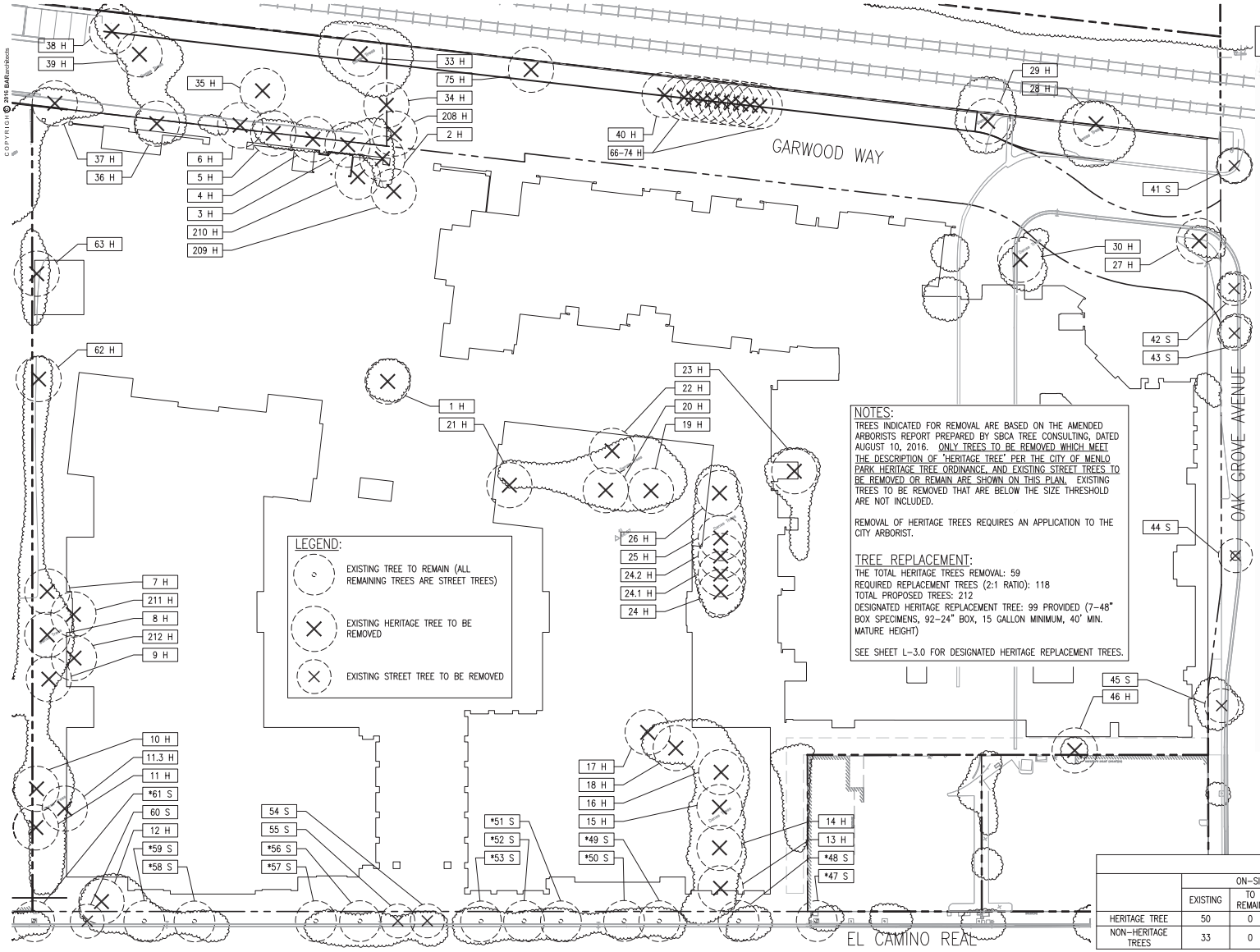
Proposed Tree Palette

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TREE CHART

(HERITAGE TREES AND STREET TO BE REMOVED & *STREET TREES TO REMAIN)

TREE	HERITAGE OR STREET	SPECIES	COMMON NAME	DBH	HEALTH	PROPOSED REMOVAL	NOTES
1	H	Sequoia sempervirens	Coast Redwood	28	F	Y	Off-color, Signs of stress, Botryosphaeria
2	H	Ailanthus altissima	Chinese Tree of Heaven	16 @ base	F	Y	Multi
3	H	Ailanthus altissima	Chinese Tree of Heaven	18 @ base	F	Y	Multi
4	H	Ailanthus altissima	Chinese Tree of Heaven	14 @ base	F	Y	Multi, Clump of 4 stems
5	H	Ailanthus altissima	Chinese Tree of Heaven	15 @ base	F	Y	Multi, Clump of 3 stems
6	H	Ailanthus altissima	Chinese Tree of Heaven	18 @ base	F	Y	Multi, Clump of 3 stems
7	H	Ailanthus altissima	Chinese Tree of Heaven	30 @ base	F	Y	Multi, ER
8	H	Ailanthus altissima	Chinese Tree of Heaven	28 @ base	F	Y	Multi
9	H	Ailanthus altissima	Chinese Tree of Heaven	40 @ base	F	Y	Multi
10	H	Acacia melanoxylon	Blackwood Acacia	14	G	Y	CDEB
11	H	Cupressus sempervirens	Italian Cypress	15 @ base	F	Y	CD, 2nd in a line of 7 cypress
11.3	H	Cupressus sempervirens	Italian Cypress	15.2	G	Y	Heritage Tree
12	H	Sequoia sempervirens	Coast Redwood HIGH RISK TREE - RECUMBENT/LEANING	54	F - S	Y	Significant top dieback, Dead CD top, 2'7" (rotting) wound on side facing street, Sli lean to street
13	H	Jacaranda mimosifolia	Jacaranda	17 @ base	G	Y	Multi
14	H	Jacaranda mimosifolia	Jacaranda	18 @ base	G	Y	ER, Multi
15	H	Jacaranda mimosifolia	Jacaranda	15 @ base	G	Y	Multi, PP
16	H	Jacaranda mimosifolia	Jacaranda	15	G	Y	CD
17	H	Ailanthus altissima	Chinese Tree of Heaven	32 @ base	F	Y	Multi, CDEB, ER
18	H	Ailanthus altissima	Chinese Tree of Heaven	22 @ base	F	Y	Multi, Basal damage, Metal in tree
19	H	Ailanthus altissima	Chinese Tree of Heaven	26 @ base	F	Y	Multi, Clump of 6 stems, CDEB
20	H	Ailanthus altissima	Chinese Tree of Heaven	30 @ base	F	Y	Multi
21	H	Quercus agrifolia	Coast Live Oak	30 @ base	F	Y	Multi, ER
22	H	Ailanthus altissima	Chinese Tree of Heaven	40 @ base	G	Y	Multi, multi, ER, ER branch breakout
23	H	Ailanthus altissima	Chinese Tree of Heaven	72 @ base	F-G	Y	Multi, Clump of 9 stems, ER
24	H	Afrocarpus gracilior	African Fern Pine	15	G	Y	CD
24.1	H	Ailanthus altissima	Chinese Tree of Heaven	10.4 base	G	Y	Heritage Tree
24.2	H	Ailanthus altissima	Chinese Tree of Heaven	16.5 base	G	Y	Heritage Tree
25	H	Afrocarpus gracilior	African Fern Pine	15 @ base	F	Y	CDEB
26	H	Afrocarpus gracilior	African Fern Pine	15 @ base	G	Y	CDEB
27	H	Ailanthus altissima	Chinese Tree of Heaven	17 @ base	F	Y	CDEB, PP, HI
28	H	Quercus agrifolia	Coast Live Oak	13	F	Y	PP, Wound at base, 3' from curb
29	H	Sequoia sempervirens	Coast Redwood	10.5 @ base	F	Y	Multi, Off-color, Signs of stress, 20' from
30	H	Sequoia sempervirens	Coast Redwood	32.5 @ base	G	Y	Hardscape displacement
33	H	Quercus agrifolia	Coast Live Oak	40.5	G	Y	Off-site, 12' from property line, CD, Trun rotted out on north side
34	H	Robinia pseudoacacia	Black Locust	30 @ base	F	Y	On property line, Clump of 2 stems, Gro a fence
35	H	Ailanthus altissima	Chinese Tree of Heaven	24 @ base	F	Y	Multi, On property line, Clump of 10 ste 5' from street
36	H	Phoenix canariensis	Canary Island Date Palm	30" of Clear Trunk, 35.5'	G	Y	Off-site, 4' from street
37	H	Quercus lobata	Valley Oak	32	F	Y	Off-site, 7' from property line, 3' from cu Previous 4'6.5, Large (rotting) pruning wo PP
38	H	Quercus agrifolia	Coast Live Oak	30	G	Y	Large breakouts, Pruning wounds, Sean light
39	H	Quercus lobata	Valley Oak	23.5	P	Y	8' from curb
40	H	Ailanthus altissima	Chinese Tree of Heaven	20 @ base	F	Y	Multi, Part of a large 70' long stand
41	S	Platanus x hispanica	London Plane Tree	12.5			Street tree, Pruning wounds, ID, Previou headed
42	S	Platanus x hispanica	London Plane Tree	12.5			Street tree, Pruning wounds, ID, Previou headed
43	S	Platanus x hispanica	London Plane Tree	12.5	F	Y	Street tree, ID, Previously headed
44	S	Quercus agrifolia	Coast Live Oak	5	F	Y	Good push of new growth
45	S	Washingtonia robusta	Mexican Fan Palm	7' of Clear	G	Y	Close to building, Volunteer?
45	S	Pyrus kawakamii	Evergreen Pear	13	G	Y	Large pruning wounds, CD
*47	S	Platanus x hispanica	London Plane Tree	13	F-G	N	Street tree, Lean, CD
*48	S	Platanus x hispanica	London Plane Tree	13	F-G	N	Lean
*49	S	Platanus x hispanica	London Plane Tree	9	F-G	N	Lean
*50	S	Platanus x hispanica	London Plane Tree	13.5	F-G	N	CD, Touching metal grate
*51	S	Platanus x hispanica	London Plane Tree	13	G	N	CD, Touching metal grate
*52	S	Platanus x hispanica	London Plane Tree	30.5	G	N	CD, Touching metal grate
*53	S	Platanus x hispanica	London Plane Tree	13.5	G	N	CD, Touching metal grate
54	S	Platanus x hispanica	London Plane Tree	10	F-G	Y	Large pruning wounds, CD, touching me grate
55	S	Platanus x hispanica	London Plane Tree	10	F-G	Y	No grate
*56	S	Platanus x hispanica	London Plane Tree	8.5	F-G	N	
*57	S	Platanus x hispanica	London Plane Tree	10	F-G	N	Touching metal grate
*58	S	Platanus x hispanica	London Plane Tree	13	G	N	Lean
*59	S	Platanus x hispanica	London Plane Tree	10	G	N	
60	S						Smaller than others, likely shaded by adjacent redwood
61	S	Platanus x hispanica	London Plane Tree	6	F	Y	
*61	S	Platanus x hispanica	London Plane Tree	7.5	F	N	
62	H	Ailanthus altissima	Chinese Tree of Heaven	50 @ base	G	Y	CDEB, Multi
63	H	Quercus agrifolia	Coast Live Oak	30.5 @ base	G	Y	3 stems
66	H	Ailanthus altissima	Chinese Tree of Heaven	34.5 @ base	G	Y	Multi, Part of a large 70' long stand
67	H	Ailanthus altissima	Chinese Tree of Heaven	28 @ base	G	Y	Multi, Part of a large 70' long stand
68	H	Ailanthus altissima	Chinese Tree of Heaven	30 @ base	G	Y	Multi, Part of a large 70' long stand
69	H	Ailanthus altissima	Chinese Tree of Heaven	18 @ base	G	Y	Multi, Part of a large 70' long stand
70	H	Ailanthus altissima	Chinese Tree of Heaven	35 @ base	G	Y	Multi, Part of a large 70' long stand
71	H	Ailanthus altissima	Chinese Tree of Heaven	16 @ base	G	Y	Multi, Part of a large 70' long stand
72	H	Ailanthus altissima	Chinese Tree of Heaven	15 @ base	G	Y	Multi, Part of a large 70' long stand
73	H	Ailanthus altissima	Chinese Tree of Heaven	28 @ base	G	Y	Multi, Part of a large 70' long stand
74	H	Ailanthus altissima	Chinese Tree of Heaven	30 @ base	G	Y	Multi, Part of a large 70' long stand
75	H	Ailanthus altissima	Chinese Tree of Heaven	22 @ base	G	Y	Multi, Pruning left larger stumps
206	H	Ailanthus altissima	Chinese Tree of Heaven	18 @ base	G	Y	Multi
208	H	Ailanthus altissima	Chinese Tree of Heaven	17 @ base	G	Y	Multi
210	H	Ailanthus altissima	Chinese Tree of Heaven	16 @ base	G	Y	Multi
211	H	Ailanthus altissima	Chinese Tree of Heaven	40 @ base	G	Y	Multi
212	H	Ailanthus altissima	Chinese Tree of Heaven	22 @ base	G	Y	Multi

TREE REMOVAL SUMMARY

	ON-SITE			CITY ROW			TOTAL		
	EXISTING	TO REMAIN	TO BE REMOVED	EXISTING	TO REMAIN	TO BE REMOVED	EXISTING	TO REMAIN	TO BE REMOVED
HERITAGE TREE	50	0	50	9	0	9	59	0	59
NON-HERITAGE TREES	33	0	33	56	*12	44	89	*12	77
							148	*12	136

STATION 1300 | 1300 EL CAMINO REAL

Tree Removal Plan

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12060 | 01/10/2017

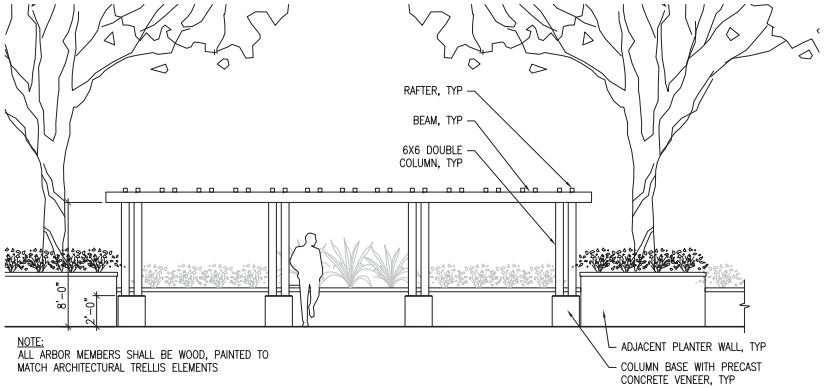
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TRUE NORTH / PROJECT NORTH

L-4.0

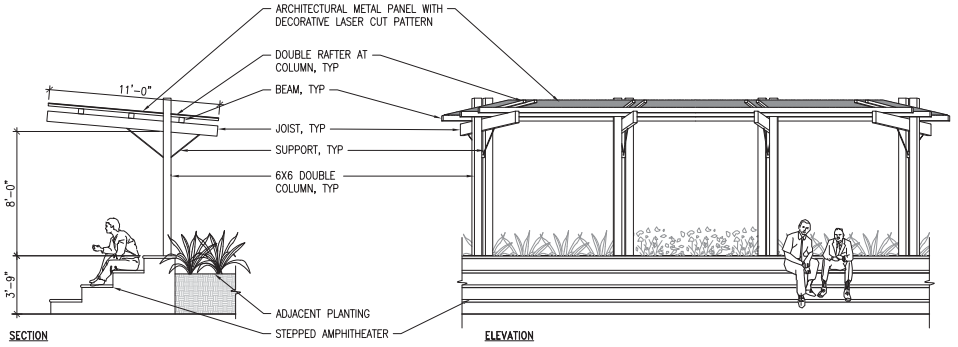
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NOTE:
ALL ARBOR MEMBERS SHALL BE WOOD, PAINTED TO MATCH ARCHITECTURAL TRELLIS ELEMENTS

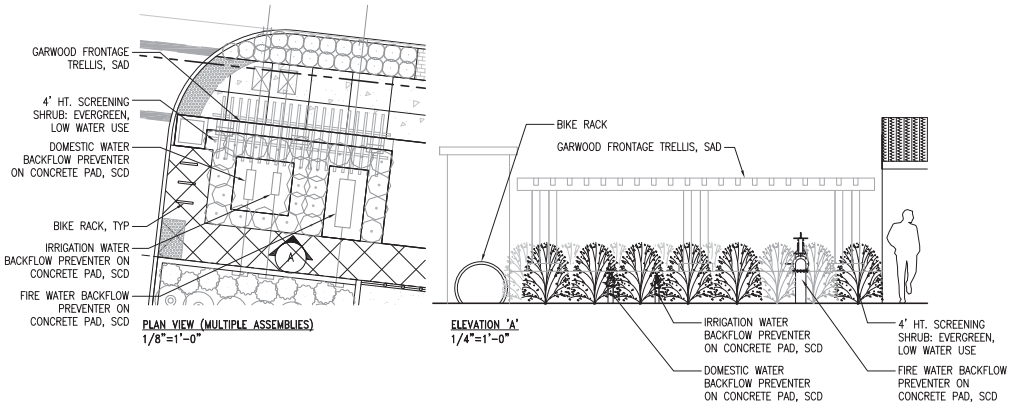
TYPICAL ARBOR

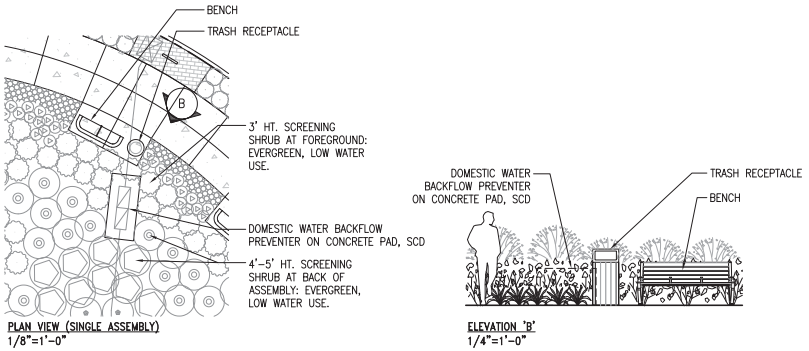


NOTE:
ALL ARBOR MEMBERS SHALL BE WOOD, PAINTED TO MATCH ARCHITECTURAL TRELLIS ELEMENTS.
ARCHITECTURAL METAL PANEL SHALL BE POWDERCOATED, COLOR TO COMPLEMENT ARCHITECTURE.

AMPHITHEATER ARBOR

1 ARBOR/SHADE STRUCTURE CONCEPTUAL DESIGN
SCALE: 1/4"=1'-0"





2 BACKFLOW SCREENING
SCALE: AS SHOWN

NOTE: NO THORNY OR PRICKLY PLANT MATERIAL SHALL BE USED TO SCREEN ASSEMBLIES AS IT WOULD IMPEDE ACCESS FOR MAINTENANCE AND EMERGENCIES. A HORIZONTAL CLEARANCE OF 12" FOR IRRIGATION AND DOMESTIC WATER, AND 24" FOR FIRE BACKFLOW SHALL BE MAINTAINED.

STATION 1300 | 1300 EL CAMINO REAL

Preliminary Landscape Details

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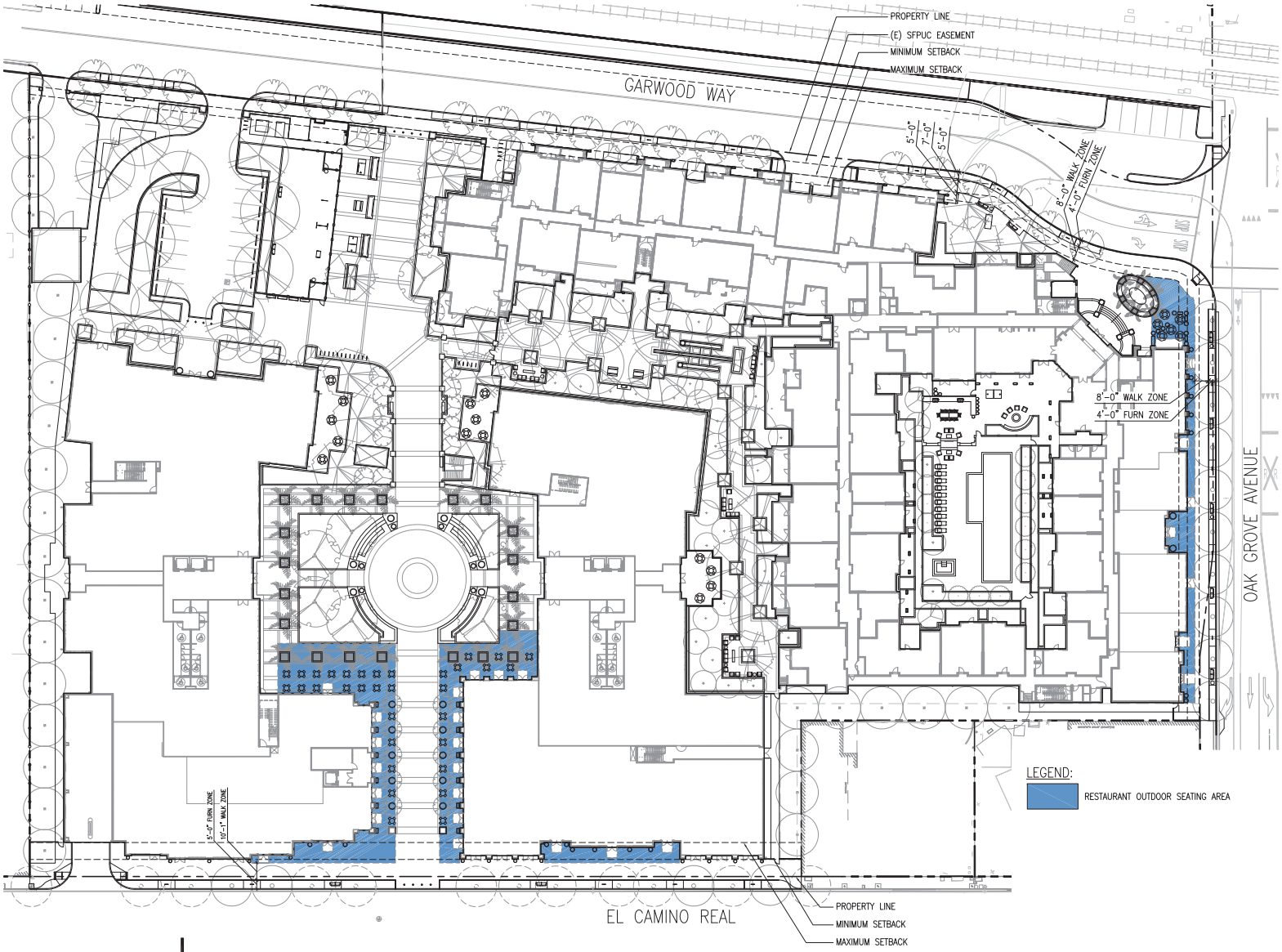
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SCALE: 1" = 40'-0"

TRUE NORTH
PROJECT NORTH

L-5.0

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Outdoor Seating Plan

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1 PAVERS: 3X12 90-DEGREE DOUBLE HERRINGBONE FIELD WITH 3X12 SOLDIER COURSE BANDING



5 PAVERS: 6X6 AND 6X12 PINWHEEL FIELD WITH 3X12 SOLDIER COURSE BANDING



SCORED PREMIUM FINISH CONCRETE



SCORED PREMIUM FINISH CONCRETE WITH METAL JOINTS IN SELECTED LOCATIONS



6 PAVERS: 6X6 AND 6X12 PINWHEEL FIELD WITH 12X12 SOLDIER COURSE BANDING

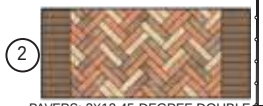


24X24 PORCELAIN PAVER - QUARZITI 2.0 IN MOUNTAIN



12X48 PORCELAIN PAVER - SIGNATURE IN HAVANA

STANDARD CONCRETE SIDEWALK, TYP



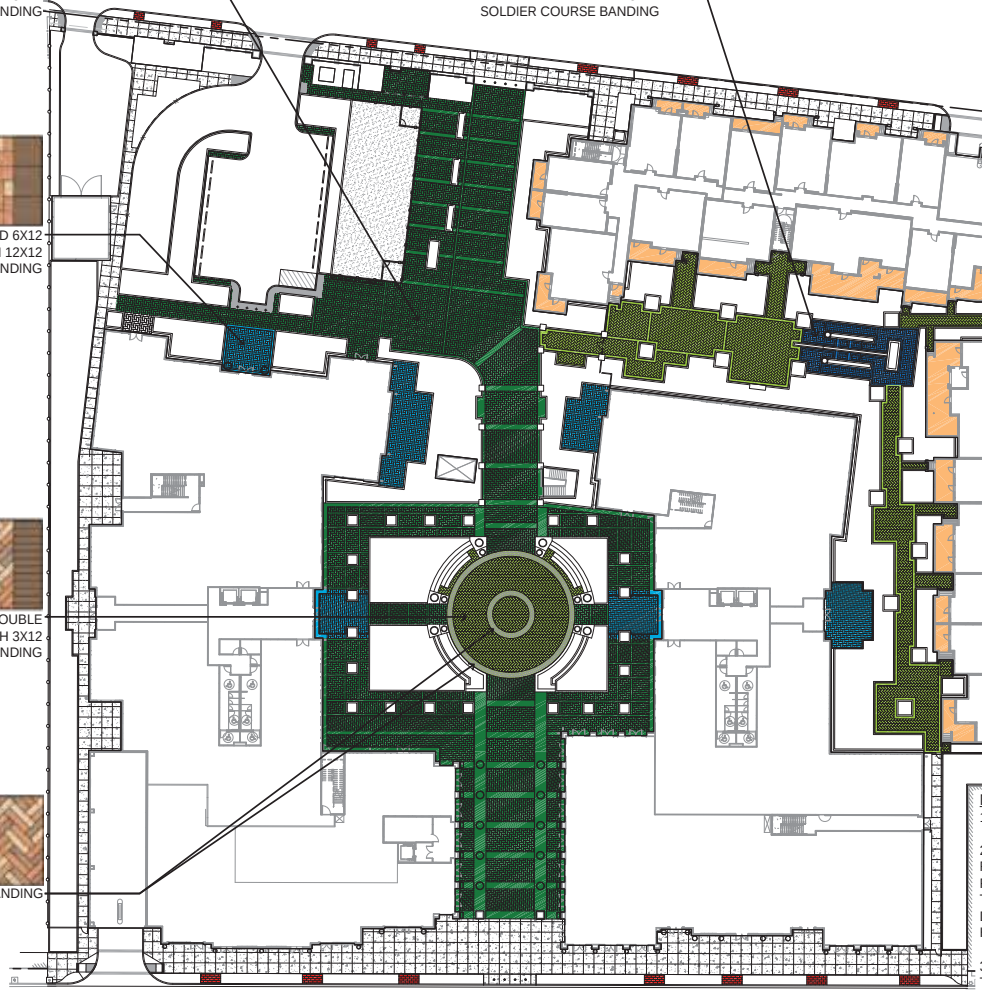
2 PAVERS: 3X12 45-DEGREE DOUBLE HERRINGBONE FIELD WITH 3X12 SOLDIER COURSE BANDING



4 PAVERS: 6X6 & 6X12 COURSED RUNNING BOND



3 PAVERS: 12X12 PAVER RADIAL BANDING



NOTES:

1. REFER TO SHEET L-7.2 FOR PRELIMINARY PAVER COLOR PALETTE OPTIONS.

2. A MAJORITY OF THE PAVING MATERIAL WITHIN THE PROJECT SITE WILL BE CONCRETE UNIT PAVERS. VEHICULAR RATED PAVERS WILL BE USED WITHIN THE EVA LANE. MULTIPLE WARM-TONED COLORS WILL CREATE INTERESTING FIELDS AND CONTRASTING BANDS. CONTEMPORARY PAVER SIZES WILL BE USED TO MODERNIZE AND REFRESH MORE TRADITIONAL PATTERNS CONGRUENT WITH THE SPANISH REVIVAL ARCHITECTURAL STYLE. CONTRASTING BANDS WILL DEFINE OUTDOOR SPACES. FIELD PATTERNS WILL BE SELECTED TO UNIFY THE SITE AND ALLOW OPPORTUNITIES TO HIGHLIGHT SPECIAL OR SIGNIFICANT NODES WITH THE USE OF MORE ELABORATE PATTERNS.

3. THE COLOR PALETTES AND PAVING PATTERNS DEPICTED ARE OF THE TYPE AND STYLE THAT ARE CONTEMPLATED. THESE ARE SUBJECT TO THE AVAILABILITY OF MATERIALS AT THE TIME OF CONSTRUCTION AND TO CHANGES RESULTING FROM FURTHER DESIGN DEVELOPMENT.

STATION 1300 | 1300 EL CAMINO REAL

Preliminary Site Paving Diagram

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SCALE: 1" = 30'-0"

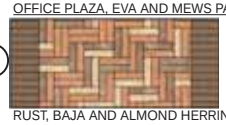
TRUE NORTH / PROJECT NORTH

L-7.1

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OPTION A:

OFFICE PLAZA, EVA AND MEWS PAVING:

1 

2 

RUST, BAJA AND ALMOND HERRINGBONE FIELDS WITH TRUFFLE BANDING

OFFICE PLAZA CENTER BANDING

3 

TRUFFLE BANDING

FURNISHINGS ZONE

4 

BAJA FIELD

MEWS RUNNEL

5 

RUST AND TRUFFLE FIELD WITH TRUFFLE BANDING

OFFICE ENTRIES

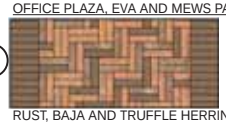
6 

RUST AND ALMOND FIELD WITH TRUFFLE BANDING



OPTION B:

OFFICE PLAZA, EVA AND MEWS PAVING:

1 

2 

RUST, BAJA AND TRUFFLE HERRINGBONE FIELDS WITH TRUFFLE BANDING

OFFICE PLAZA CENTER BANDING

3 

TRUFFLE BANDING

FURNISHINGS ZONE

4 

BAJA FIELD

MEWS RUNNEL

5 

RUST AND TRUFFLE FIELD WITH TRUFFLE BANDING

OFFICE ENTRIES

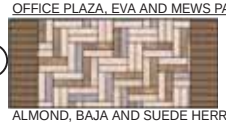
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RUST AND ALMOND FIELD WITH TRUFFLE BANDING



OPTION C:

OFFICE PLAZA, EVA AND MEWS PAVING:

1 

2 

ALMOND, BAJA AND SUEDE HERRINGBONE FIELDS WITH TRUFFLE BANDING

OFFICE PLAZA CENTER BANDING

3 

TRUFFLE BANDING

FURNISHINGS ZONE

4 

BAJA FIELD

MEWS RUNNEL

5 

BAJA AND TRUFFLE FIELD WITH TRUFFLE BANDING

OFFICE ENTRIES

6 

BAJA AND ALMOND FIELD WITH TRUFFLE BANDING



NOTE:

1. THE COLOR PALETTES AND PAVING PATTERNS DEPICTED ARE OF THE TYPE AND STYLE THAT ARE CONTEMPLATED. THESE ARE SUBJECT TO THE AVAILABILITY OF MATERIALS AT THE TIME OF CONSTRUCTION AND TO CHANGES RESULTING FROM FURTHER DESIGN DEVELOPMENT.

STATION 1300 | 1300 EL CAMINO REAL

Preliminary Paver Color Palette Options

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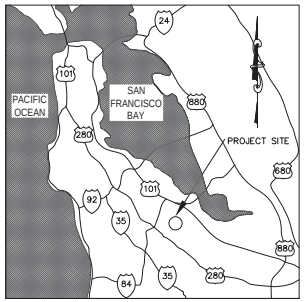
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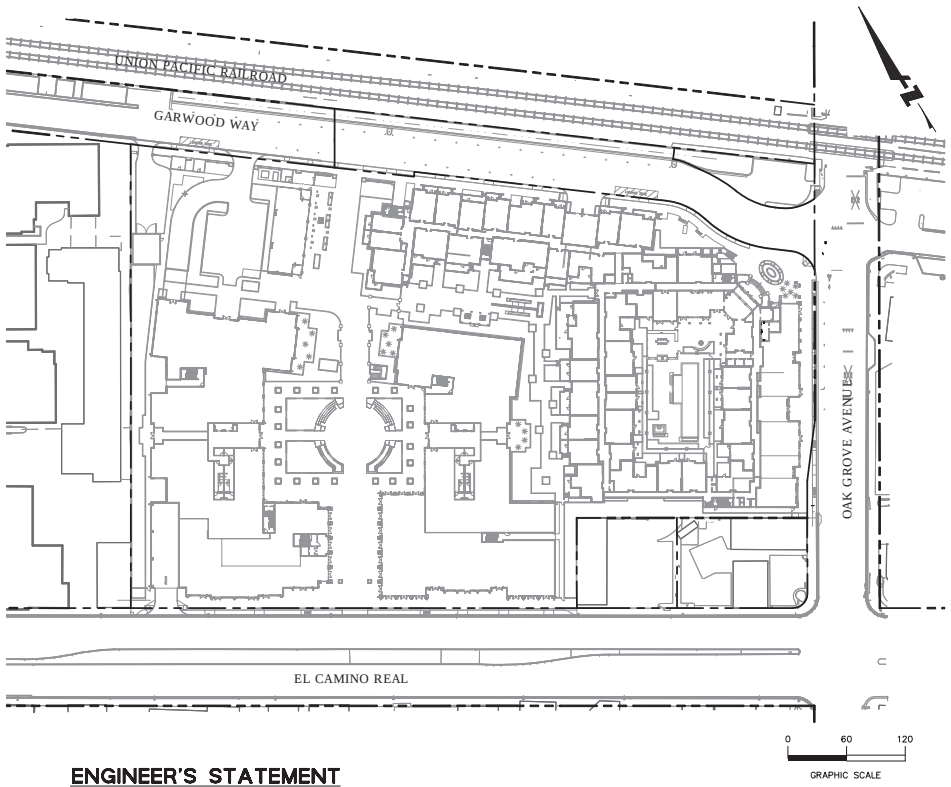
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TENTATIVE MAP
FOR CONDOMINIUM PURPOSES
STATION 1300
1300 EL CAMINO REAL, MENLO PARK, CA



VICINITY MAP
N.T.S.





LOCATION MAP
N.T.S.

SHEET INDEX

SHEET NO.	DESCRIPTION
TM-1	TITLE SHEET
TM-2	NOTES, LEGEND, & ABBREVIATIONS
TM-3	EXISTING CONDITIONS PLAN
TM-3.1	AVERAGE EXISTING GRADE DIAGRAM
TM-4	EXISTING PARCELIZATION PLAN
TM-4.1	PROPOSED PARCELIZATION PLAN
TM-5	LOT AREA EXHIBIT #1
TM-5.1	LOT AREA EXHIBIT #2
TM-5.2	LOT AREA EXHIBIT #3
TM-5.3	LOT AREA EXHIBIT #4
TM-6	HORIZONTAL CONTROL AND SITE PLAN
TM-6.1	OAK GROVE AVENUE LANE ALTERNATIVES
TM-7	PRELIMINARY GRADING PLAN
TM-8	PRELIMINARY UTILITY PLAN
TM-8.1	UTILITY PLAN EXTENSION
TM-9	PRELIMINARY STORMWATER CONTROL PLAN
TM-10	PRELIMINARY EROSION CONTROL PLAN AND DETAILS
TM-11	BEST MANAGEMENT PRACTICES
TM-12	FIRE ACCESS PLAN
TM-13	FIRE ACCESS SECTIONS
TM-14	VEHICULAR CIRCULATION PLAN
TM-14.1	TIME RESTRICTION PLAN
TM-15	DETAILS
TM-16	DETAILS
TM-17	TYPICAL CROSS SECTIONS
TM-18	TYPICAL CROSS SECTIONS

PROJECT DESCRIPTION

MIXED USE DEVELOPMENT OF EXISTING LOTS AT 1300 EL CAMINO REAL WITH EXISTING VACANT LOT, OFFICE BUILDING AND AUTOMOTIVE SERVICE ZONING. PROPOSED PROJECT TO INCLUDE OFFICE, RETAIL AND RESIDENTIAL COMPONENTS.

PROJECT DATA

OWNER:	GREENHEART LAND COMPANY 621 HIGH STREET PALO ALTO, CA 94301 PHONE: (650) 681-9334 CONTACT: BOB BURKE
ARCHITECT:	BAR ARCHITECTS 901 BATTERY ST, SUITE 300 SAN FRANCISCO, CA 94111 PHONE: (415) 293-5700 CONTACT: STEPHEN HEGEDUS
LANDSCAPE ARCHITECT:	JETT LANDSCAPE ARCHITECTURE 2 THEATER SQUARE, SUITE 218 ORINDA, CA 94563 PHONE: (925) 254-5422 CONTACT: BRUCE JETT
ENGINEER/SURVEYOR:	BKF ENGINEERS 255 SHORELINE DRIVE, SUITE 200 REDWOOD CITY, CA 94065 PHONE: (650) 482-6300 CONTACT: TOM MORSE
ASSESSOR PARCEL NO:	061-430-080, 061-430-200, 061-430-210, 061-430-220, 061-430-230, 061-430-310, 061-430-320, 061-430-380, 061-430-420, 061-430-450, 061-430-460
EXISTING ZONING:	AUTO SALES/OFFICE BUILDING/VACANT LAND
PROPOSED LAND USE:	COMMERCIAL/RESIDENTIAL/OFFICE
LAND AREA:	7.12 ACRES
UTILITY INFORMATION	
STORMWATER:	CITY OF MENLO PARK CITY HALL, 701 LAUREL ST. MENLO PARK, CA 94025 (650) 330-6610
SANITARY SEWER:	WESTBAY SANITARY DISTRICT 500 LAUREL ST. MENLO PARK, CA 94025 (650) 321-0384
WATER:	CALIFORNIA WATER SERVICE 3351 EL CAMINO REAL, SUITE 190 ATHERTON, CA 94027-3844 (650) 367-6800
POWER AND GAS:	PACIFIC GAS & ELECTRIC 275 INDUSTRIAL ROAD SAN CARLOS, CA 94070 (650) 598-7492
TELECOMMUNICATIONS:	COMCAST CABLE 3760 HAVEN AVE. MENLO PARK, CA 94025 (650) 259-7031 AT&T 870 N. MCCARTHY BOULEVARD RM. 110 MILPITAS, CA 95035 (408) 635-8881
FIRE PROTECTION:	MENLO PARK FIRE PROTECTION DISTRICT 170 MIDDLEFIELD ROAD MENLO PARK, CA 94025 (650) 688-8400

811 Know what's below. Call before you dig.

GENERAL NOTES

1. FEMA DESIGNATED FLOOD ZONE: THE FEDERAL EMERGENCY MANAGEMENT AGENCY HAS NOT IDENTIFIED ANY SPECIAL FLOOD HAZARD AREAS WITHIN THE PROJECT AREA.
2. UTILITIES: UNDERGROUND UTILITIES PLOTTED HEREON WERE PLOTTED FROM A COMBINATION OF FIELD SURVEY, OBSERVED SURFACE EVIDENCE (CONDITIONS PERMITTING) AND RECORD INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES, AND ARE NOT INTENDED TO REPRESENT THEIR ACTUAL LOCATIONS. THEREFORE ALL UTILITIES MUST BE VERIFIED WITH RESPECT TO SIZE, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. NO RESPONSIBILITY IS ASSUMED BY THE ENGINEER FOR THE LOCATION AND CAPACITY OF SAID UTILITIES.
3. SOURCE OF TOPOGRAPHY: EXISTING TOPOGRAPHY SHOWN IS BASED ON AN AERIAL SURVEY COMPLETED ON FEBRUARY 5, 2014 BY TERRA TECH AND A FIELD SURVEY COMPLETED ON MARCH 14, 2014 BY BKF ENGINEERS.
4. TENTATIVE FINAL MAP: THIS TENTATIVE FINAL MAP IS BEING FILED IN ACCORDANCE WITH CHAPTER 3, ARTICLE 2, SECTION 66452 AND CHAPTER 4.5 OF THE SUBDIVISION MAP ACT.

ENGINEER'S STATEMENT

THIS TENTATIVE MAP SUBMITTAL HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION.

THOMAS R. MORSE
VICE PRESIDENT
P.E. 49457 EXP 09/30/2018
BKF ENGINEERS

DATE

REGISTERED PROFESSIONAL ENGINEER THOMAS R. MORSE No. 49457 EXP. 09/30/18 CIVIL STATE OF CALIFORNIA

BKF
ENGINEERS | SURVEYORS | PLANNERS
255 SHORELINE DRIVE, SUITE 200
REDWOOD CITY, CA 94065
650/482-6300
650/482-6399 (FAX)

TENTATIVE MAP
STATION 1300
1300 EL CAMINO REAL MENLO PARK, CA

DRAWN BY JNC
CHECKED BY JNC/TRM
PROJECT NO 20160100

DATE	ISSUE
03/29/16	TENTATIVE MAP
08/11/16	PLAN CHECK
11/10/16	PLAN CHECK
12/1/16	PLAN CHECK
01/10/17	PLAN CHECK

REGISTERED PROFESSIONAL ENGINEER THOMAS R. MORSE No. 49457 EXP. 09/30/18 CIVIL STATE OF CALIFORNIA

TITLE SHEET

SCALE: AS SHOWN

TM-1

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STORM DRAIN NOTES:

1. PRIVATE STORM DRAIN LINES SHALL BE INSTALLED WITH THE FOLLOWING MINIMUM REQUIREMENTS:

PIPE DIAMETER (IN)	PIPE MATERIAL	PIPE COVER (FT)	SLURRY ENCASEMENT REQUIRED?
4 TO 10	PVC SDR 35	1.00 TO 2.99	YES – TRAFFIC AREAS ONLY
4 TO 10	PVC SDR 35	3.00+	NO
12+	HDPE	1.00 TO 2.99	YES – TRAFFIC AREAS ONLY
12+	HDPE	3.00+	NO

2. 4 INCH TO 10 INCH DIAMETER STORM DRAIN PIPE SHALL BE POLYVINYL CHLORIDE (PVC) SDR 35 WHITE PIPE AND SHALL CONFORM TO THE REQUIREMENTS OF ASTM DESIGNATION D3034-73 WITH GLUED JOINTS. ALL DIRECTION CHANGES SHALL BE MADE WITH WYE CONNECTIONS, 22.5° ELBOWS, 45° ELBOWS, OR LONG SWEEP ELBOWS. 90° ELBOWS AND TEE'S ARE PROHIBITED.
3. 12 INCH AND LARGER DIAMTER STORM DRAIN PIPE SHALL BE DUAL-WALLED ANNULAR CORRUGATED HIGH DENSITY POLYETHYLENE (HDPE) PIPE AND SHALL CONFORM TO THE REQUIREMENTS OF ASTM DESIGNATION F2648 WITH GASKETED BELL AND SPIGOT JOINTS.
4. WHERE STORM DRAIN PIPES ARE INSTALLED IN TRAFFIC RATED AREAS WITH LESS THAN 3.00 FEET OF COVER, PIPE TRENCH AND COVER SHALL BE ENCASED IN A MINIMUM 12 INCH WIDE 2-SACK SLURRY MIX, EXTENDING THE FIRST 12 INCHES OF COVER ABOVE THE PIPE.
5.
6. STORM DRAIN LINES WITH LESS THAN 12" OF COVER IN TRAFFIC AREAS SHALL BE CAPPED WITH STEEL REINFORCED CONCRETE.
7. USE DETECTABLE METALIZED WARNING TAPE APPROXIMATELY 6" BELOW THE SURFACE. TAPE SHALL BE A BRIGHT COLOR AND IMPRINTED WITH "CAUTION-STORM DRAIN LINE BELOW", CALPICO TYPE 2 OR EQUAL.
8. PAINT THE TOP OF THE CURBS ADJACENT TO EACH CATCH BASIN INSTALLED UNDER THIS WORK OR ADJACENT TO THIS SITE WITH THE WORDS "NO DUMPING", WORDING TO BE BLUE 4" HIGH LETTERS ON A PAINTED WHITE BACKGROUND.
9. ALL AREA DRAINS AND CATCH BASINS GRATES WITHIN PEDESTRIAN ACCESSIBLE AREAS SHALL MEET ADA REQUIREMENTS.
10. ALL TRENCHES SHALL BE BACK FILLED PER THE SPECIFICATIONS WITH APPROPRIATE TESTS BY THE GEOTECHNICAL ENGINEER TO VERIFY COMPACTION VALUES.
11. FOR GRAVITY FLOW SYSTEMS CONTRACTOR SHALL VERIFY (POTHOLE IF NECESSARY) SIZE, MATERIAL, LOCATION AND DEPTH OF ALL SYSTEMS THAT ARE TO BE CONNECTED TO OR CROSSED PRIOR TO THE TRENCHING OR INSTALLATION OF ANY GRAVITY FLOW SYSTEM.
12. COMPLETE SYSTEMS: ALL UTILITY SYSTEMS ARE DELINEATED IN A SCHEMATIC MANNER ON THESE PLANS. CONTRACTOR IS TO PROVIDE ALL FITTINGS, ACCESSORIES, AND WORK NECESSARY TO COMPLETE THE UTILITY SYSTEM SO THAT IT IS FULLY FUNCTIONING FOR THE PURPOSE INTENDED.
13. ALL DOWN SPOUTS SHALL BE CONNECTED TO THE STORM DRAIN SYSTEM WITH 4" PVC SDR 35 PIPE OR EQUIVALENT. SEE ARCHITECTURAL PLANS FOR EXACT LOCATION OF THE DOWN SPOUTS.

WATER SYSTEM NOTES:

1. MAINTAIN WATER LINES 10' AWAY FROM SANITARY SEWER LINES.
2. WHERE WATER LINES HAVE TO CROSS SANITARY SEWER LINES, DO SO AT A 90 DEGREE ANGLE AND WATER LINES SHALL BE MINIMUM OF 12" ABOVE TOP OF SANITARY SEWER LINES.
3. WATER LINES ARE SHOWN SCHEMATICALLY, CONTRACTOR SHALL IDENTIFY EACH ANGLE AND/OR BEND THAT MAY BE REQUIRED TO ACCOMPLISH THE INTENDED DESIGN.
4. USE DETECTABLE METALIZED WARNING TAPE APPROXIMATELY 6" BELOW THE SURFACE. TAPE SHALL BE A BRIGHT COLOR AND IMPRINTED WITH "CAUTION-WATER LINE BELOW", CALPICO TYPE 2 OR EQUAL.
5. ALL WATER SERVICE CONNECTIONS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OR APPLICABLE WATER DISTRICT STANDARDS.
6. PUBLIC AND PRIVATE WATER MAIN AND WATER SERVICE LINE 2½" THROUGH 12-INCH SHALL BE POLYVINYL CHLORIDE (PVC) AND SHALL MEET AWWA C900, RATED FOR 200 PSI CLASS PIPE WITH EPOXY COATED DUCTILE IRON FITTINGS AND FUSION EPOXY COATED GATE VALVES. ALL JOINTS SHALL BE FACTORY MANUFACTURED WITH BELL AND SPIGOT ENDS AND RUBBER GASKETS. NONMETALLIC WATER LINES TO HAVE TRACER WIRE INSTALLED PER CITY STANDARDS OR APPLICABLE WATER DISTRICT STANDARDS.
7. CONNECTIONS TO THE EXISTING WATER MAIN SHALL BE APPROVED BY THE CITY. THE CONTRACTOR SHALL PAY THE ACTUAL COSTS OF CONSTRUCTION. THE CONTRACTOR SHALL PERFORM ALL EXCAVATION, PREPARE THE SITE, FURNISH ALL MATERIALS, INSTALL TAPPING TEE, VALVE AND ALL THRUST BLOCKS, BACKFILL, RESTORE THE SURFACE, AND CLEAN UP. THE CITY WILL PROVIDE THE CLIENT WITH A LIST OF APPROVED CONTRACTORS FOR MAKING WET TAPS. NONMETALLIC WATER LINES SHALL HAVE TRACER WIRES INSTALLED.
8. ALL WATER LINES 2" OR SMALLER SHALL BE TYPE K COPPER WITH SILVER BRAZED JOINTS. CONTRACTOR TO VERIFY PRESSURES FROM EXISTING LINES ARE ADEQUATE TO SERVICE BUILDINGS AS SPECIFIED BY THE PLUMBING PLANS.
9. ALL WATER LINES SHALL BE INSTALLED WITH 36" MINIMUM COVER.
10. ALL WATER VALVES SHALL BE PER CITY STANDARD OR APPLICABLE WATER DISTRICT STANDARDS.
11. ALL TEMPORARY AND/OR PERMANENT AIR-RELEASE AND BLOW-OFF VALVES SHALL BE PER CITY STANDARD AND AS DIRECTED BY THE CITY ENGINEER.
12. CONCRETE THRUST BLOCKS SHALL BE INSTALLED AT ALL TEES, CROSSES, BENDS (HORIZONTAL AND VERTICAL), AT SIZE CHANGES AND AT FIRE HYDRANTS PER CITY STANDARD, AWWA C600, SECTION 3.8 UNLESS NOTED OTHERWISE.
13. MECHANICALLY RESTRAINED JOINTS SHALL BE INSTALLED AT VERTICAL BENDS IN ACCORDANCE WITH CITY STANDARDS AND AS APPROVED BY THE CITY ENGINEER.
14. ALL WATER VALVES SHALL BE CLUSTERED, UNLESS OTHERWISE DIRECTED BY THE CITY ENGINEER.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COLLECTING AND DELIVERING WATER SAMPLES FOR ANALYSIS TO A CITY APPROVED LAB.
16. ALL ON AND OFF-SITE LANDSCAPE IRRIGATION SYSTEMS SHALL BE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECTURAL PLANS AND SPECIFICATIONS AND SHALL BE CONNECTED TO THE EXISTING AND/OR NEW WATER SYSTEM AND METERED ACCORDINGLY.
17. INSTALL CITY APPROVED PRESSURE REGULATOR AND REDUCED BACKFLOW PREVENTOR ON WATER LINE AT ENTRANCE TO BUILDING. REFERENCE PLUMBING PLANS FOR MORE DETAIL.

SANITARY SEWER NOTES:

1. USE DETECTABLE METALIZED WARNING TAPE APPROXIMATELY 6" BELOW THE SURFACE. TAPE SHALL BE A BRIGHT COLOR AND IMPRINTED WITH "CAUTION-SANITARY SEWER LINE BELOW", CALPICO TYPE 2 OR EQUAL.
2. ALL SEWER WORK SHALL BE IN CONFORMANCE WITH THE CITY OR APPROPRIATE SANITARY SEWER DISTRICT.
3. PRIVATE SANITARY SEWER MAIN AND SERVICE LINE 4-INCH THROUGH 8-INCH SHALL BE POLYVINYL CHLORIDE (PVC) SDR 26 GREEN SEWER PIPE AND SHALL CONFORM TO THE REQUIREMENTS OF ASTM DESIGNATION D 3034-73 WITH GLUED JOINTS. ALL DIRECTION CHANGES SHALL BE MADE WITH WYE CONNECTIONS, 22.5° ELBOWS or 45° ELBOWS. 90° ELBOWS AND TEE's ARE PROHIBITED.
4. ALL LATERALS SHALL HAVE A CLEANOUT AT FACE OF BUILDING AND AS SHOWN ON PLANS PER THE CITY STANDARD OR APPROPRIATE SANITARY SEWER DISTRICT.

GRADING NOTES:

ANY WORK IN THE PUBLIC RIGHT-OF-WAY MUST BE DONE PER CITY STANDARDS BY A LICENSED CONTRACTOR WITH REQUIRED PERMITS FROM APPROPRIATE AGENCIES.

C3 REGULATION NOTES:

AS THIS PROJECT REPLACES 10,000 SF OR MORE OF IMPERVIOUS SURFACE, IT IS A C3 REGULATED PROJECT. STORMWATER TREATMENT WILL BE PROVIDED BY THE BIORETENTION AREAS ON THE NORTH, WEST AND SOUTHERN SIDES OF THE DEVELOPEMENT.

HORIZONTAL CONTROL NOTES:

1. CONTRACTOR SHALL LAYOUT THE CONTROL FOR THE SITE AS SPECIFIED ON SHEET TM-5. CONTRACTOR SHALL CLEARLY SET AND MARK EACH OF THE CONTROL POINTS, PROTECTING THE POINTS THROUGHOUT CONSTRUCTION.
2. ALL DIMENSIONS ON THE PLANS ARE IN FEET OR DECIMALS THEREOF UNLESS SPECIFICALLY CALLED OUT AS FEET AND INCHES.
3. ALL BUILDINGS, DRIVEWAYS AND PARKING LOTS ARE TO BE PARALLEL AND RIGHT ANGLES TO THE BASIS OF BEARINGS AND THE NORTH PROMENADE CONTROL LINE, UNLESS IDENTIFIED OR CLEARLY SHOWN AS A DIFFERENT ANGLE.
4. ALL RETURN RADII AND CURB DATA ARE TO FACE OF CURB, UNLESS OTHERWISE SHOWN OR INDICATED.

MENLO PARK FIRE PREVENTION DISTRICT NOTES:

1. FIRE APPARATUS ROADWAYS, INCLUDING PUBLIC AND PRIVATE STREETS AND IN SOME CASES DRIVEWAYS USED FOR VEHICLE ACCESS, SHALL BE CAPABLE OF SUPPORTING THE IMPOSED WEIGHT OF A 75,000 POUND (34,050 KG) FIRE APPARATUS AND SHALL BE PROVIDED WITH AN ALL WEATHER DRIVING SURFACE. ONLY PAVED OR CONCRETE SURFACES ARE CONSIDERED TO BE ALL WEATHER DRIVING SURFACES. CFC 2013, APPENDIX D.
2. ALL CURBING LOCATED ALONG GARWOOD WAY, OAK GROVE AVE., AND THE AREA OF EL CAMINO REAL FRONTING THE OFFICES THAT HAS NOT BEEN ASSIGNED AS ONSITE PARKING SHALL BE DESIGNATED AS "NO PARKING FIRE LANE." ALL FIRE LANES TO COMPLY WITH MPFD STANDARD FOR "DESIGNATION AND MARKING OF FIRE LANE."
3. FIRE APPARATUS ROADWAYS, INCLUDING PUBLIC OR PRIVATE STREETS OR ROADS USED OR VEHICLE ACCESS SHALL BE INSTALLED AND IN SERVICE PRIOR TO CONSTRUCTION. FIRE PROTECTION WATER SERVING ALL HYDRANTS SHALL BE PROVIDED AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE. PRIOR TO COMBUSTIBLE MATERIAL ARRIVING ON THE SITE, CONTACT THE MENLO PARK FIRE PROTECTION DISTRICT TO SCHEDULE AN INSPECTION OF ROADWAYS AND FIRE HYDRANTS. CFC 2013.
4. FOR BUILDINGS 30 FEET AND OVER IN HEIGHT ABOVE NATURAL GRADE, THE REQUIRED FIRE APPARATUS ACCESS ROADWAY SHALL BE A MINIMUM OF 26 FEET IN WIDTH, AND SHALL BE POSITIONED PARALLEL TO AT LEAST ONE ENTIRE SIDE OF THE BUILDING, AND THE FIRE LANE SHALL BE LOCATED WITHIN A MINIMUM OF 15 FEET AND A MAXIMUM OF 30 FEET FROM THE BUILDING. CFC 2013, APPENDIX D105. FIRE DISTRICT STAGING AREAS TO BE LOCATED ALONG OAK GROVE AVE., GARWOOD WAY FOR THE RESIDENTIAL BUILDING, THROUGH THE PROPOSED EVA THAT IS TO SEGREGATE THE TWO OFFICE BUILDINGS, AND EL CAMINO REAL FRONTING THE OFFICE BUILDINGS.
5. TRAFFIC OPTICOM SIGNAL PREEMPTION SYSTEM REQUIRED FOR ALL TRAFFIC INTERSECTIONS CONTROLLED WITH A TRAFFIC SIGNAL. AN ENCROACHMENT PERMIT WOULD ACCOMPANY THESE INSTALLATIONS.
6. APPLICANT TO PROVIDE FIRE FLOW INFORMATION THROUGH A SEPARATE ENGINEERED PLAN SHOWING HOW WATER SUPPLY IS TO BE ACHIEVED. THIS DOCUMENT SHALL BE SUBMITTED TO MENLO PARK FIRE PROTECTION DISTRICT FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF GRADING AND BUILDING PERMITS. CFC 2013, SEC. 507.5.1 APPENDIX B SECTION 105.2 & TABLE 105.1.
7. PUBLIC FIRE HYDRANTS ARE REQUIRED AT 300 FOOT SPACING. ALL FIRE HYDRANTS SHALL BE WET BARREL STANDARD STEAMER TYPE WITH 1-4½" AND 2-2½" OUTLETS. MPFPD CFC SEC. 507.5.1 APPENDIX C.
8. FIRE HYDRANTS AND FIRE APPLIANCES (FIRE DEPARTMENT CONNECTIONS AND POST INDICATOR VALVES) SHALL BE CLEARLY ACCESSIBLE AND FREE FROM OBSTRUCTION.
9. AN APPROVED COMBINATION FIRE SPRINKLER/STANDPIPE SYSTEM SHALL BE INSTALLED THROUGHOUT EACH STRUCTURE. SYSTEMS IN NEW OFFICE BUILDINGS SHALL INCLUDE A SAFETY FACTOR IN THE PIPING SYSTEM, AND PLUGGED BRANCH LINE PIPING ALLOWING FOR FUTURE MODIFICATIONS. IN NEW OFFICE/RETAIL/PARKING BUILDINGS SHELL THE SPRINKLER SYSTEMS SHALL BE DESIGNED TO 18 GPM/3,000 SQUARE FEET OF COVERAGE AREA. IN MULTI FAMILY BUILDING AREA THE AUTOMATIC FIRE SPRINKLER SYSTEM SHALL BE DESIGNED TO 15 GPM/1,500 SQUARE FEET OF COVERAGE AREA. FIRE SPRINKLER SYSTEMS TO COMPLY WITH NFPA 13 2013 EDITION AND MENLO PARK FIRE PROTECTION DISTRICT STANDARDS.
10. AN APPROVED (MANUAL AND AUTOMATIC) FIRE ALARM SYSTEM IS REQUIRED. FIRE ALARM SYSTEMS SHALL BE U.L. CERTIFICATED, CERTIFICATE OF COMPLETION AND OTHER DOCUMENTS LISTED THE NATIONAL FIRE ALARM CODE SHALL BE PROVIDED FOR ALL NEW FIRE ALARM SYSTEM INSTALLATIONS.
11. A WET CHEMICAL EXTINGUISHER SHALL BE PROVIDED FOR PROTECTION OF ALL COMMERCIAL COOKING EQUIPMENT AND THE TYPE I HOOD EXHAUST SYSTEM IN CONJUNCTION WITH UL 300 (WET) PRE-ENGINEERED SYSTEMS AND SHALL BE INSTALLED WITHIN 30 FEET OF COMMERCIAL FOOD HEAT-PROCESSING EQUIPMENT, AS MEASURED ALONG AN UNOBSTRUCTED PATH OF TRAVEL. AUTOMATIC FIRE EXTINGUISHING SYSTEMS PROTECTING COMMERCIAL COOKING EQUIPMENT SHALL BE INTERCONNECTED TO THE FUEL AND ELECTRICAL SUPPLY FOR THE COOKING OPERATION, AND ARRANGED TO AUTOMATICALLY SHUT OFF ALL GAS AND ELECTRIC EQUIPMENT UNDER THE HOOD WHEN THE SYSTEM IS ACTUATED. SHUTOFF VALVES OR SWITCHES SHALL BE OF A TYPE THAT REQUIRE MANUAL OPERATION TO RESET. AUTOMATIC FIRE EXTINGUISHING SYSTEMS SHALL BE CONNECTED TO THE FIRE ALARM SYSTEM AND ZONED ACCORDINGLY. DEEP FAT FRYER REQUIRES A TYPE K EXTINGUISHER.
12. APPROVED NUMBERS OR ADDRESSES SHALL BE PLACED ON ALL NEW AND EXISTING BUILDINGS IN SUCH A POSITION AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. SAID NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. INDIVIDUAL SUITE NUMBERS SHALL BE PERMANENTLY POSTED IN THE MAIN ENTRANCE DOORS OF TENANT SPACES. IF REAR OUTSIDE DOORS TO TENANT SPACES ARE INSTALLED, THEY SHALL INCLUDE THE INSTALLATION OF NUMERICAL ADDRESS NUMBERS CORRESPONDING TO FRONT ADDRESSING. NUMBERS ON NEW OCCUPANCIES SHALL COMPLY WITH THE FOLLOWING:
    - STRUCTURES UP TO 50 FEET IN HEIGHT SHALL HAVE ADDRESSES WITH A MIN. 1 INCH STROKE WIDE BY MIN. 8 INCHES HIGH.
    - STRUCTURES OVER 50 FEET IN HEIGHT SHALL HAVE ADDRESSES WITH A MIN. 2.5 INCH STROKE WIDE BY MIN. 12 INCHES HIGH.
13. WHEN REQUIRED BY THE FIRE CODE OFFICIAL, ALL NEW BUILDINGS SHALL HAVE APPROVED RADIO COVERAGE FOR EMERGENCY RESPONDERS WITHIN THE BUILDING BASED UPON THE EXISTING COVERAGE LEVELS OF THE PUBLIC SAFETY COMMUNICATION SYSTEMS WITHIN MPFD AT THE EXTERIOR OF THE BUILDING. THIS SECTION SHALL NOT REQUIRE IMPROVEMENTS OF THE EXISTING PUBLIC SAFETY COMMUNICATION SYSTEMS.
    EXCEPTIONS:
    - WHERE APPROVED BY THE BUILDING OFFICIAL & FIRE CODE OFFICIAL, A WIRED COMMUNICATION SYSTEM IN ACCORDANCE WITH SECTION 907.2.13.2 SHALL BE PERMITTED TO BE INSTALLED AND MAINTAINED IN LIEU OF AN APPROVED RADIO COVERAGE SYSTEM.
    - WHERE IT IS TO BE DETERMINED BY THE FIRE CODE OFFICIAL THAT THE RADIO COVERAGE SYSTEM IS NOT NEEDED.
    - IN FACILITIES WHERE EMERGENCY RESPONDER RADIO COVERAGE IS REQUIRED AND SUCH SYSTEMS, COMPONENT OR EQUIPMENT REQUIRED COULD HAVE A NEGATIVE IMPACT ON THE NORMAL OPERATIONS OF THAT FACILITY, THE FIRE CODE OFFICIAL SHALL HAVE THE AUTHORITY TO ACCEPT AN AUTOMATICALLY ACTIVATED EMERGENCY RESPONDER RADIO COVERAGE SYSTEM.
14. MPFD REQUIRES A CONSTRUCTION PERMIT FOR THE INSTALLATION OR MODIFICATION OF AN EMERGENCY RESPONDER RADIO COVERAGE SYSTEM AS PROVISIONED IN CFC SECTION 105.7.5.
15. ELEVATORS SHALL CONFORM TO THE PROVISIONS LISTED IN SECTION 607 OF THE CBC 2013. AT LEAST ONE ELEVATOR SHALL BE OF A SIZE THAT WILL ACCOMMODATE ONE GURNEY (MAX 24 INCHES BY 84 INCHES [610 MM BY 2134 MM]) AND THREE ATTENDANTS.
16. A MINIMUM 2A 10BC RATED FIRE EXTINGUISHER SHALL BE LOCATED AT OR NEAR EXITS AND SHALL BE PLACED SO THAT THE TRAVEL DISTANCE TO A FIRE EXTINGUISHER SHALL NOT EXCEED 75 FEET. VERIFY WITH FIRE INSPECTOR AT TIME OF ROUGH INSPECTION TO ASSIST WITH PLACEMENT OF EXTINGUISHER(S).
17. EXIT SIGNS, EMERGENCY LIGHTING, ADDRESS POSTING, FIRE LANE, MARKING, FIRE EXTINGUISHERS AND KNOX BOX LOCATION TO BE FIELD VERIFIED BY FIRE INSPECTOR.
18. MEANS OF EGRESS COMPONENTS TO INCLUDE EXIT PATHWAY THROUGHOUT USE, EXIT STAIRWELLS, EXIT ENCLOSURE PROVIDING ACCESS TO EXIT DOORS, DOOR HARDWARE, EXIT SIGNS, EXIT ILLUMINATION AND EMERGENCY LIGHTING SHALL COMPLY TO CFC/CBC CHAPTER TEN.

TIEBACK NOTES:

1. TIEBACKS ARE PROPOSED WITHIN THE OAK GROVE AVENUE RIGHT-OF-WAY AND ALONG THE EDGE CONDITION AT JASON'S CAFE AND THE CHEVRON GAS STATION.
2. THE DEVELOPER SHALL ENTER INTO A TIEBACK AGREEMENT WITH THE CITY OBLIGATING FUTURE OWNERS TO REMOVE TIEBACKS OR REPAIR DAMAGES TO THE PUBLIC RIGHT-OF-WAY AND BEAR ALL ASSOCIATED COSTS. THE AGREEMENT WILL BE RECORDED AGAINST THE PROPERTY.
3. FOR TIEBACKS ENCROACHING PRIVATE PROPERTY, THE DEVELOPER SHALL PROVIDE A NOTARIZED AGREEMENT BETWEEN THE DEVELOPER AND THE ADJACENT PROPERTY TITLE OWNER AGREEING TO THE PROPOSED ENCROACHMENT.
4. TIEBACKS WITHIN EL CAMINO REAL WILL REQUIRE REVIEW AND APPROVAL OF CALTRANS.
5. THE DEVELOPER SHALL APPLY FOR AN ENCROACHMENT PERMIT TO INSTALL TIEBACKS IN THE CITY RIGHT-OF-WAY.
6. PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITIES, THE SANITARY SEWER AND STORM LINES ADJACENT TO THE PROPERTY SHALL BE TV'D AND A CD PROVIDED TO THE CITY FOR REVIEW. UPON COMPLETION OF THE PROJECT AND PRIOR TO ISSUANCE OF BUILDING FINAL INSPECTION, THE UTILITY LINES SHALL BE TV'D AGAIN AND A CD PROVIDED TO THE CITY FOR REVIEW. THE CONTRACTOR SHALL BE LIABLE FOR ANY DAMAGES CAUSED TO EXISTING UTILITIES DUE TO TIEBACK AND SHORING EXCAVATION.
7. INSTALL REFERENCE ELEVATION BENCHMARKS TO MONITOR GROUND MOVEMENT IN THE VICINITY OF THE SHORING SYSTEM. BENCHMARKS SHALL BE INSTALLED AT THE ROADWAY CENTERLINE. THE BENCHMARKS SHALL BE SURVEYED BY A LICENSED SURVEYOR AND TIED TO AN EXISTING CITY MONUMENT OR BENCHMARK. THE BENCHMARKS SHALL BE MONITORED FOR HORIZONTAL AND VERTICAL DISPLACEMENT ONCE PER WEEK FOR THE DURATION OF THE SHORING PROJECT.
8. UPON COMPLETION OF THE BASEMENT WALLS AND WHEN TIEBACKS ARE NO LONGER NECESSARY FOR SHORING, THE TIEBACKS SHALL BE CUT TO REMOVE ANY TENSION.

LEGEND:

EXISTING	PROPOSED	
6" SS	6"SS	SANITARY SEWER
10" SD	10" SD	SOLID STORM DRAIN
4" SBD	4" SBD	PERFORATED SUB DRAIN
FM	2"FM	FORCE MAIN
10" FW	10"FW	FIRE SERVICE
2" W	2"W	DOMESTIC WATER SERVICE
IRR	2"IRR	IRRIGATION SERVICE
G	G	NATURAL GAS
T	T	TELEPHONE
TV	TV	TV/CABLE TV
E	E	ELECTRIC
JT	JT	JOINT TRENCH
O/H	O/H	OVERHEAD WIRES
X	X	FENCE
○	○	CLEAN OUT TO GRADE
◉	◉	FOUND MONUMENT
⋈	⋈	DOUBLE DETECTOR CHECK VALVE
○	○	POST INDICATOR VALVE
⋈	⋈	VALVE
⊠	⊠	METER BOX
☼	☼	STREET LIGHT
•	•	DRAIN
▤	▣	CATCH BASIN
♙	♙	FIRE HYDRANT
♙	♙	FIRE DEPARTMENT CONNECTION
◈	◈	BENCHMARK
◯	◉	MANHOLE
○	○	SIGN
	⇨	SPLASH BLOCK
	2 / C5.1	DETAIL NUMBER / SHEET LOCATION
	~	OVERLAND RELEASE PATH

ABBREVIATIONS:

AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
AD	AREA DRAIN
ATD	ATRIUM DRAIN
B1	BASEMENT LEVEL 1
B2	BASEMENT LEVEL 2
BFPD	BACK FLOW PREVENTION DEVICE
BSTD	BRICKSLOT TRENCH DRAIN
BTA	BIORETENTION AREA
BW	BOTTOM OF WALL ELEVATION
CB	CATCH BASIN
CL/℄	CENTER LINE
CS	CRAWL SPACE ELEVATION
CIP	CAST IRON PIPE
CONC	CONCRETE
DD	DECK DRAIN
DDCV	DOUBLE DETECTOR CHECK VALVE
DIP	DUCTILE IRON PIPE
DS	ROOF DOWN SPOUT
DW	DOMESTIC WATER LINE
DWL	DRYWELL CATCH BASIN
DWY	DRIVEWAY
(E)	EXISTING
EG	EXISTING GRADE
ELEC	ELECTRICAL
EM	ELECTRICAL METER
EP	EDGE OF PAVEMENT
EX	EXISTING
FC	FACE OF CURB ELEVATION
FDC	FIRE DEPARTMENT CONNECTION
FF	FINISHED FLOOR ELEVATION
FG	FINISHED GROUND ELEVATION
FL	FLOW LINE
FM	FORCE MAIN LINE
FS	FINISHED SURFACE ELEVATION FINISHED
FP	PAVEMENT ELEVATION
FW	FIRE WATER LINE
FZ	FURNISHING ZONE
GB	GRADE BREAK
GM	GAS METER
GR	GRATE ELEVATION
GV	GATE VALVE
HP	HIGH POINT
INV	INVERT ELEVATION
JT	JOINT TRENCH
JP	JOINT POLE
LD	LANDSCAPE DRAIN
LF	LINEAR FEET
LP	LOW POINT
LS	LANDSCAPE
(N)	NEW
PAE	PUBLIC ACCESS EASEMENT
PIV	POST INDICATOR VALVE
ℙ	PROPERTY LINE
PKG	PARKING
POC	POINT OF CONNECTION
RET	RETAINING WALL
RIM	RIM ELEVATION
S	SLOPE
SAP	SEE ARCHITECTURAL PLANS
SBD	STORM SUB DRAIN
SBDCO	STORM SUB DRAIN CLEANOUT
SD	STORM DRAIN
SDCO	STORM DRAIN CLEANOUT
SGR	SEE GEOTECHNICAL REPORT
SFPUC	SAN FRANCISCO PUBLIC UTILITIES COMMISSION
SICB	SIDE INLET CATCH BASIN
SLP	SEE LANDSCAPE PLANS
SPP	SEE PLUMBING PLANS
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
SSP	SEE STRUCTURAL PLANS
SW	CITY STANDARD SIDEWALK
TW	TOP OF WALL ELEVATION
TYP	TYPICAL
USD	UNDERSLAB DRAIN
VD	PIPE VERTICAL DROP
W	DOMESTIC WATER LINE
WM	WATER METER

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STATION 1300
1300 EL CAMINO REAL MENLO PARK, CA

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PROJECT NO 20160100

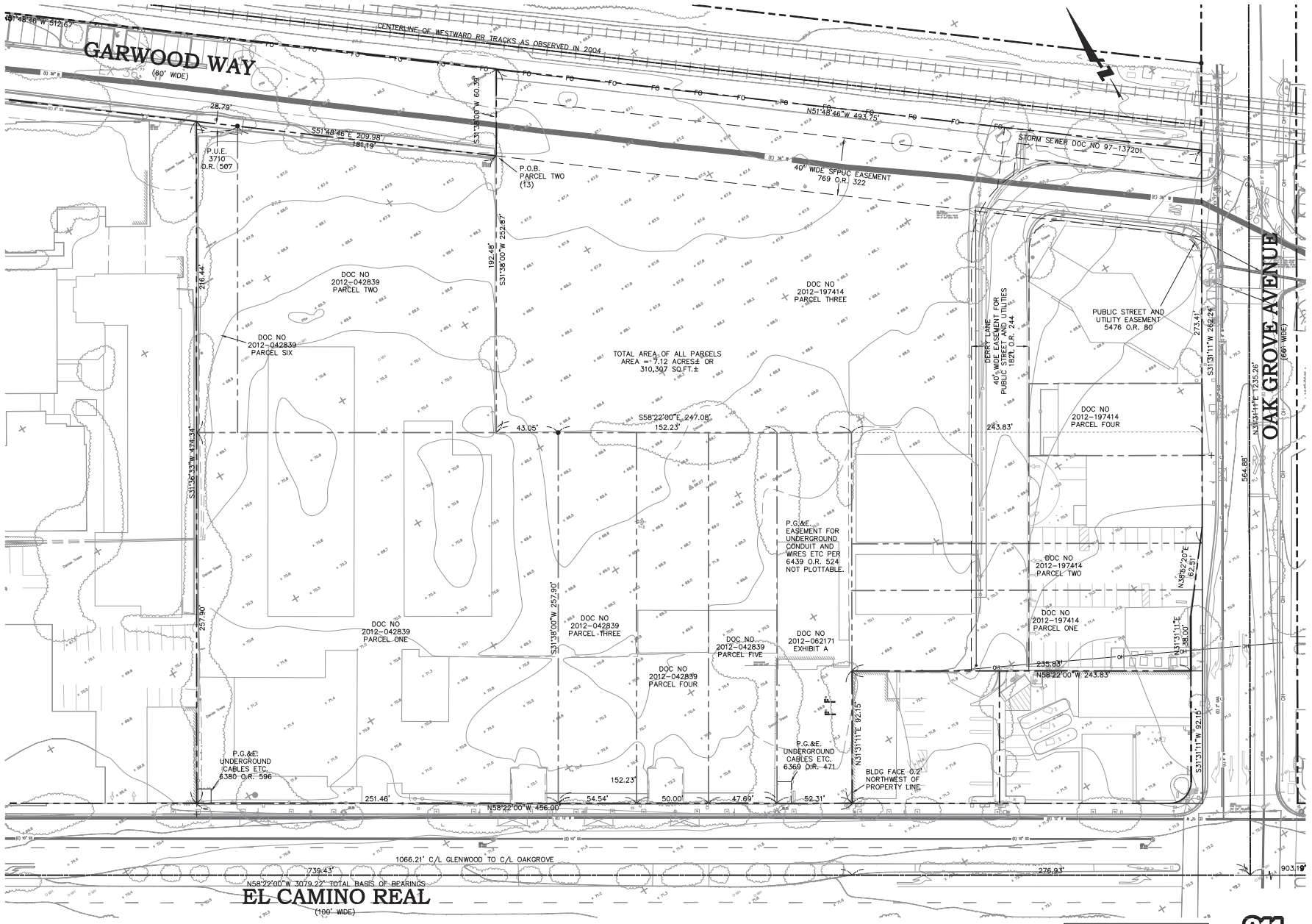
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No. 49457
EXP. 09/30/18
CIVIL
STATE OF CALIFORNIA

NOTES, LEGEND, & ABBREVIATIONS

SCALE: AS SHOWN

TM-2



BASIS OF BEARING:

THE BEARING NORTH 58°22'00" WEST OF THE CENTER LINE OF EL CAMINO REAL AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 18, 1988 IN BOOK 61 OF PARCEL MAPS AT PAGES 13 THROUGH 15 WAS USED AS THE BASIS OF ALL BEARINGS SHOWN ON THIS MAP.

DATUM

PROJECT DATUM: NAVD 88

BENCHMARK STATEMENT:

CITY OF MENLO PARK BENCHMARK UU110

BRASS DISK SET IN BUILDING FOUNDATION, STAMPED "UU110," AT THE NORTHEAST CORNER OF THE INTERSECTION OF EL CAMINO REAL AND SANTA CRUZ AVENUE.

ELEVATION: 73.85 FEET (NAVD 88)

EXISTING CONDITIONS:

1. EXISTING TOPOGRAPHIC SURVEY SHOWN IS BASED ON AN AERIAL SURVEY COMPLETED ON FEBRUARY 5, 2014 BY TERRA TECH AND A FIELD SURVEY COMPLETED ON MARCH 14, 2014 BY BKF ENGINEERS. GRADES ENCOUNTERED ON-SITE MAY VARY FROM THOSE SHOWN. CONTRACTOR SHALL REVIEW THE PLANS AND CONDUCT FIELD INVESTIGATIONS AS REQUIRED TO VERIFY EXISTING CONDITIONS AT THE PROJECT SITE.
2. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.

0 30 60
GRAPHIC SCALE

SEE SHEETS TM-1 AND TM-2 FOR NOTES AND LEGENDS

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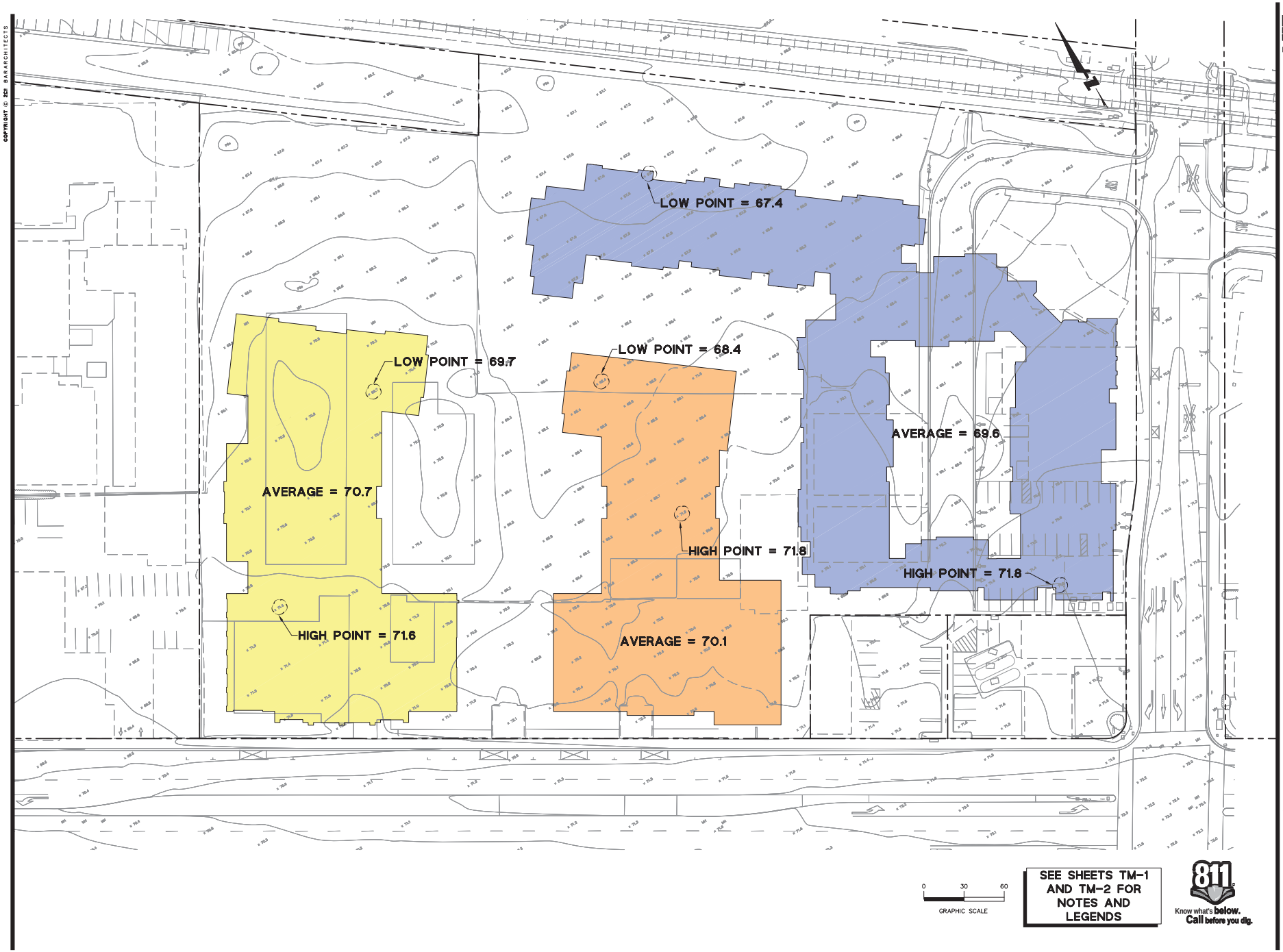
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EXISTING CONDITIONS PLAN

SCALE: AS SHOWN

TM-3



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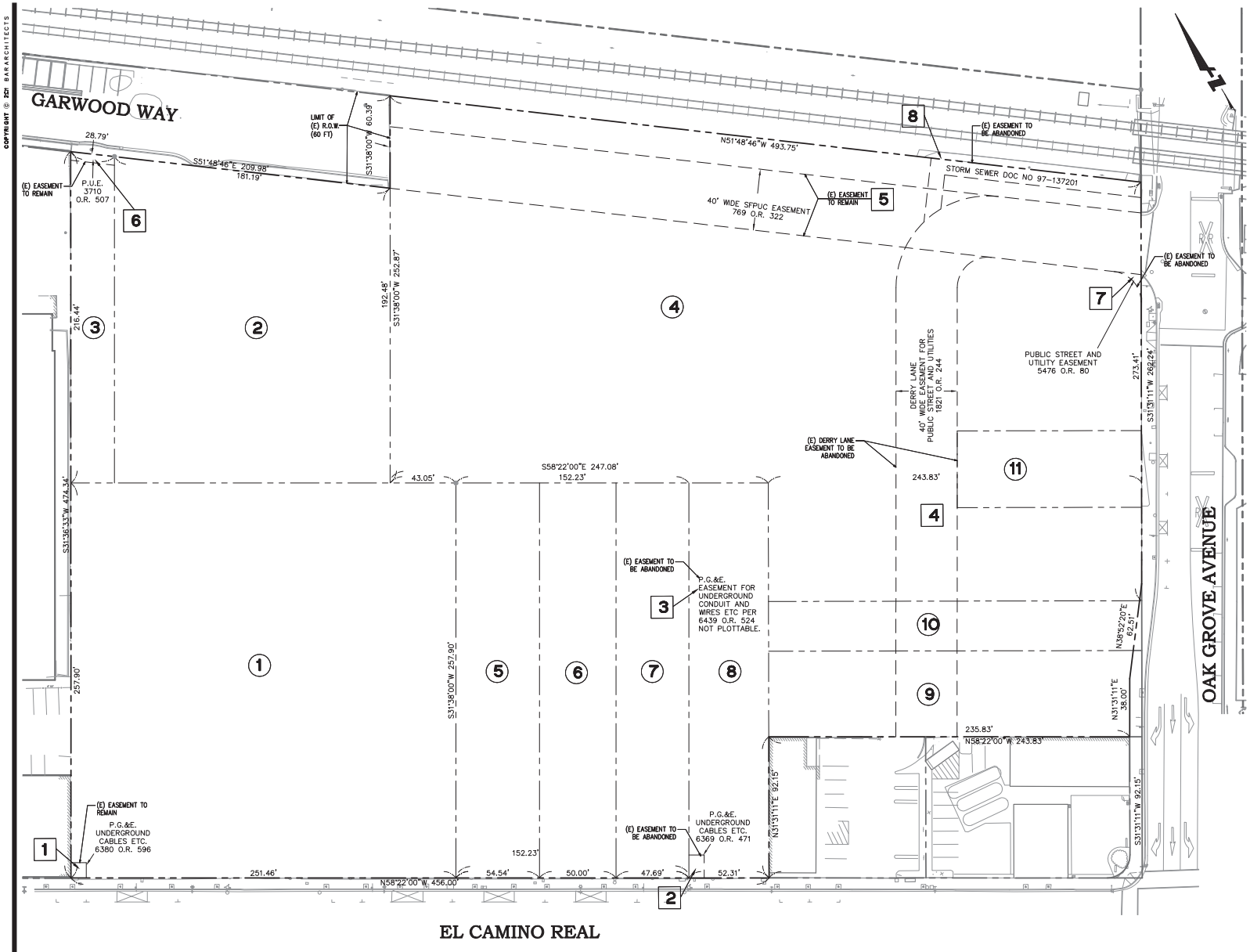
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AVERAGE EXISTING GRADE DIAGRAM

SCALE: AS SHOWN

TM-3.1



EXISTING CONDITION

EXISTING PRIVATE PARCELS:

1	DOC# 2012-042839 PARCEL 1	64,864 SF
2	DOC# 2012-042839 PARCEL 2	36,508 SF
3	DOC# 2012-042839 PARCEL 6	6,134 SF
4	DOC# 2012-197414 PARCEL 3	123,023 SF
5	DOC# 2012-042839 PARCEL 3	14,066 SF
6	DOC# 2012-042839 PARCEL 4	12,895 SF
7	DOC# 2012-042839 PARCEL 5	12,298 SF
8	DOC# 2012-062171 EXHIBIT A	13,426 SF
9	DOC# 2012-197414 PARCEL 1	13,251 SF
10	DOC# 2012-197414 PARCEL 2	7,810 SF
11	DOC# 2012-197414 PARCEL 4	6,032 SF
	TOTAL	310,307 SF

EXISTING EASEMENTS:

1	PG&E EASEMENT	100 SF
2	PG&E EASEMENT	150 SF
3	PG&E EASEMENT	N/A
4	DERRY LANE EASEMENT	18,270 SF
5	SFPUC EASEMENT	19,753 SF
6	PUBLIC UTILITY EASEMENT	163 SF
7	PUBLIC UTILITY EASEMENT	65 SF
8	PUBLIC STORM SEWER EASEMENT	1,652 SF
	TOTAL	40,153 SF

0 30 60

GRAPHIC SCALE

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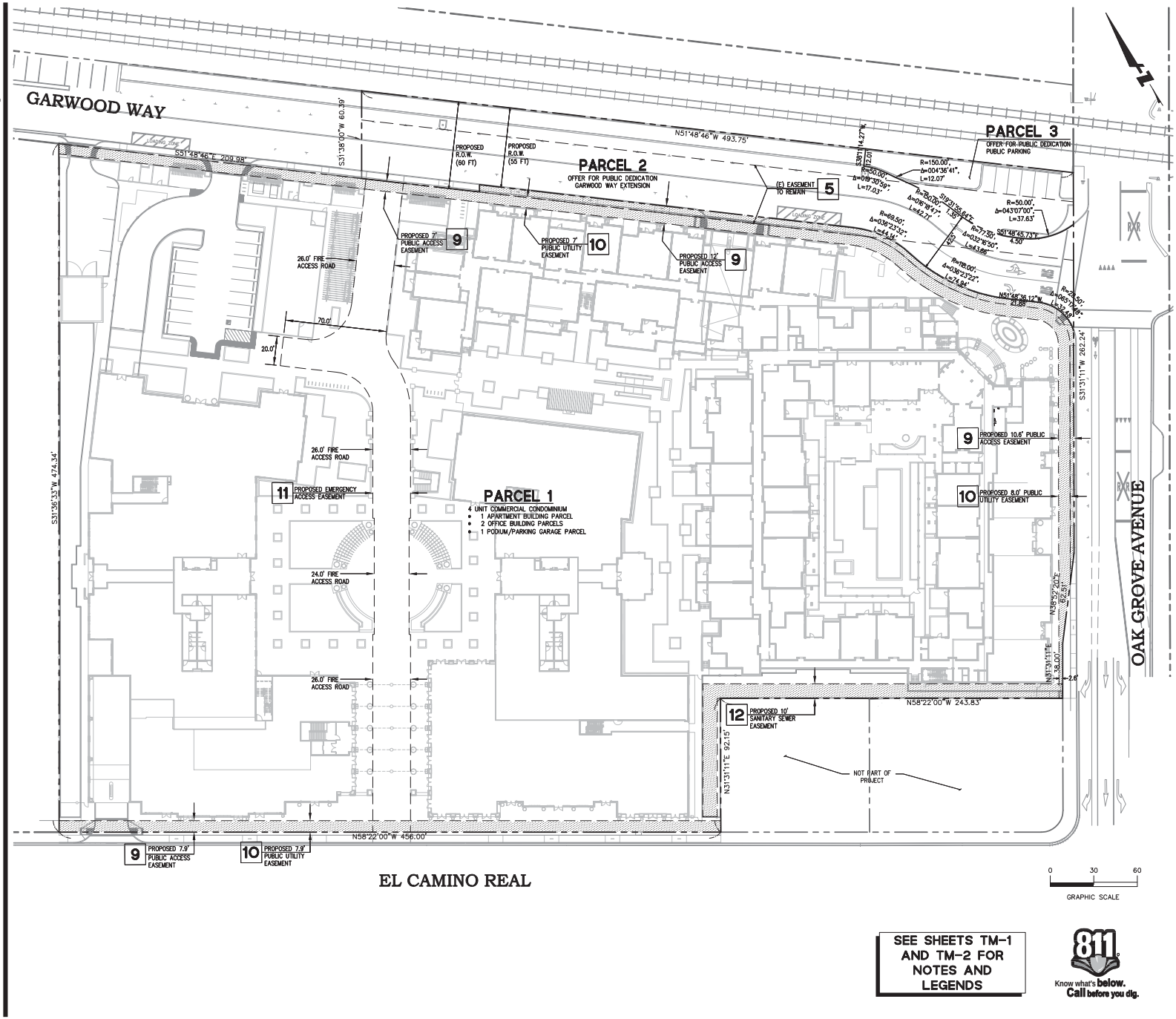
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EXISTING PARCELIZATION PLAN

SCALE: AS SHOWN

TM-4



PROPOSED CONDITION

PROPOSED PRIVATE PARCEL (PARCEL 1):	
MERGED PARCEL	278,812 SF
TOTAL	278,812 SF
PARCELS DEDICATED AS PUBLIC ROW:	
PARCEL 2	26,455 SF
PARCEL 3	5,040 SF
TOTAL	31,495 SF
PROPOSED EASEMENTS:	
9 PUBLIC ACCESS EASEMENT	12,865 SF
10 PUBLIC UTILITY EASEMENT	10,452 SF
11 EMERGENCY ACCESS EASEMENT	12,796 SF
12 SANITARY SEWER EASEMENT	3,269 SF
TOTAL	39,382 SF
EXISTING EASEMENTS TO REMAIN:	
5 SFPUC EASEMENT	19,753 SF
TOTAL	19,753 SF

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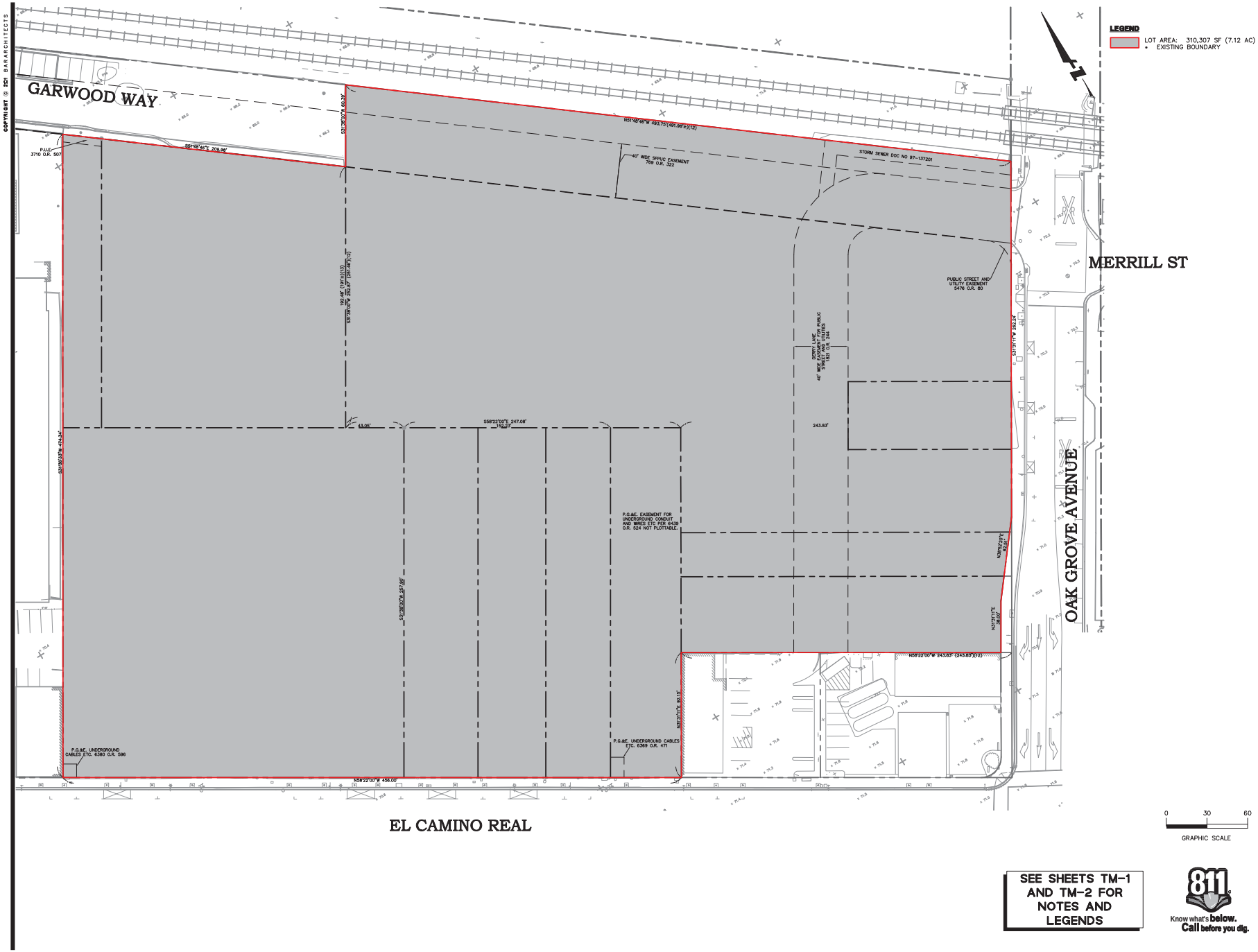
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PROPOSED PARCELIZATION PLAN

SCALE: AS SHOWN

TM-4.1



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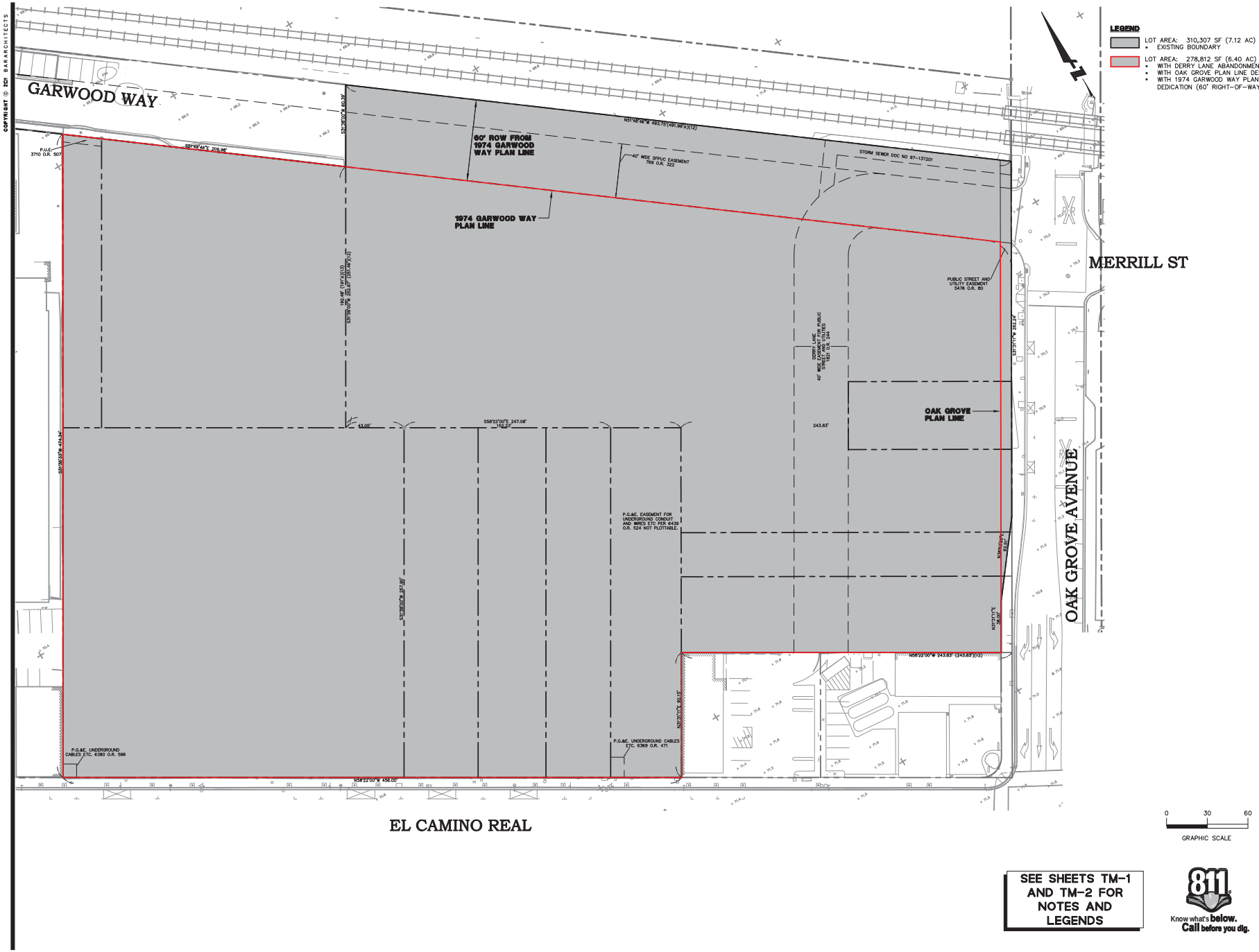
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LOT AREA EXHIBIT #1

SCALE: AS SHOWN

TM-5



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TENTATIVE MAP
STATION 1300
1300 EL CAMINO REAL MENLO PARK, CA

DRAWN BY JNC
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PROJECT NO 20160100

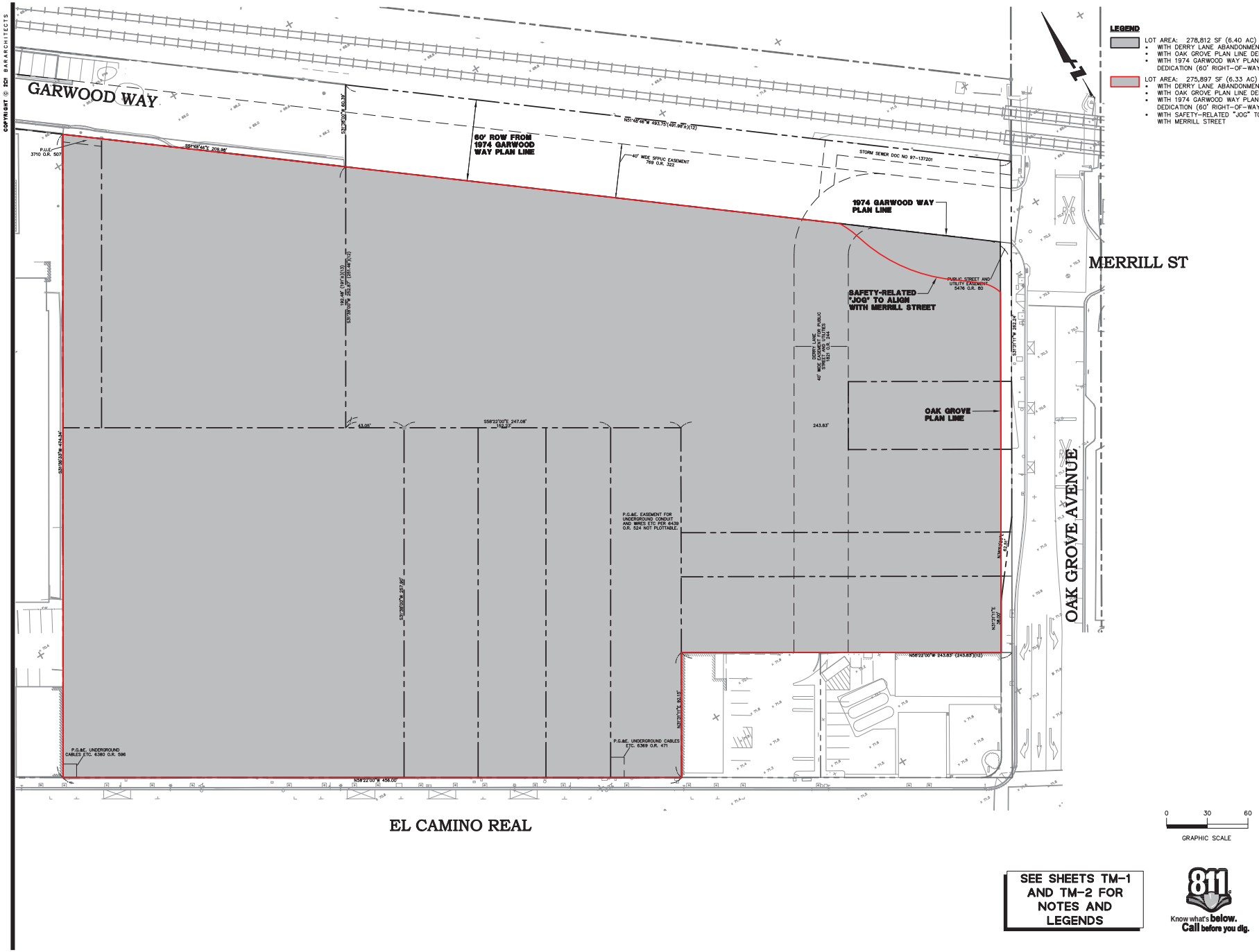
DATE	ISSUE
03/29/16	TENTATIVE MAP
08/11/16	PLAN CHECK
11/10/16	PLAN CHECK
12/1/16	PLAN CHECK
01/10/17	PLAN CHECK

REGISTERED PROFESSIONAL ENGINEER
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No. 49457
EXP. 09/30/18
CIVIL
STATE OF CALIFORNIA

LOT AREA EXHIBIT #2

SCALE: AS SHOWN

TM-5.1



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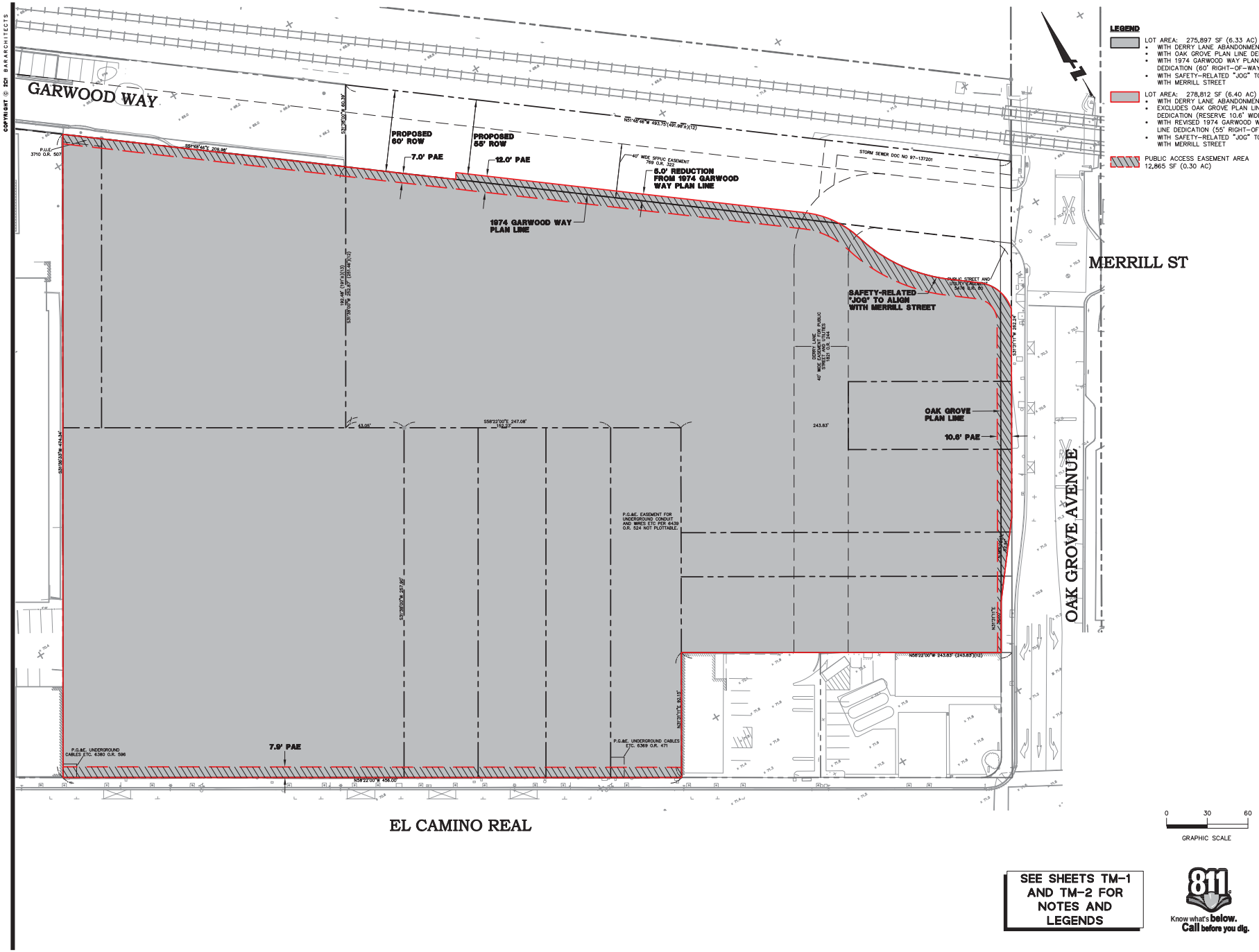
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11/10/16	PLAN CHECK
12/1/16	PLAN CHECK
01/10/17	PLAN CHECK

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LOT AREA EXHIBIT #3

SCALE: AS SHOWN

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SEE SHEETS TM-1 AND TM-2 FOR NOTES AND LEGENDS

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08/11/16	PLAN CHECK
11/10/16	PLAN CHECK
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01/10/17	PLAN CHECK

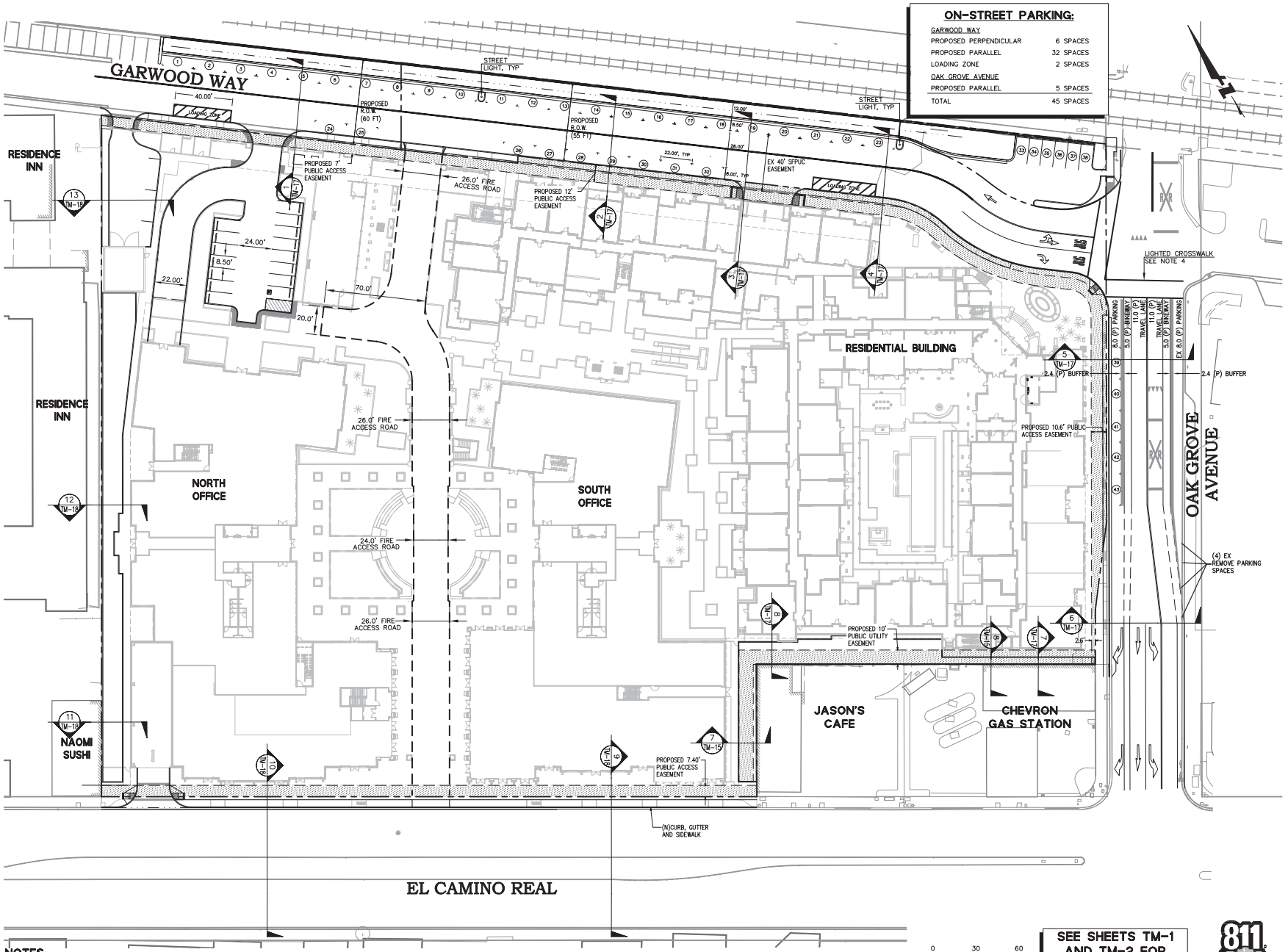
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LOT AREA EXHIBIT #4

SCALE: AS SHOWN

TM-5.3

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ON-STREET PARKING:

GARWOOD WAY	
PROPOSED PERPENDICULAR	6 SPACES
PROPOSED PARALLEL	32 SPACES
LOADING ZONE	2 SPACES
OAK GROVE AVENUE	
PROPOSED PARALLEL	5 SPACES
TOTAL	45 SPACES

NOTES:

1. THE CITY OF MENLO PARK IS DEVELOPING A TRIAL BIKE IMPROVEMENTS PROJECT ALONG OAK GROVE AVENUE THAT IS EXPECTED TO BE IMPLEMENTED IN SPRING 2017 AND TO BE IN PLACE FOR A YEAR. THE BIKE LANES ON OAK GROVE AVENUE WILL NEED TO BE MAINTAINED DURING THE TRIAL PERIOD.
2. COMPLETE REDEVELOPMENT OF THE SITE WILL REQUIRE RECONSTRUCTION OF FRONTAGE IMPROVEMENTS ON EL CAMINO REAL, OAK GROVE AVENUE, AND GARWOOD WAY. FRONTAGE IMPROVEMENTS ON STREETS TO BE CONSTRUCTED USING MENLO PARK STANDARD DETAILS AND TO THE SATISFACTION OF THE CITY ENGINEER.
3. PROJECT IS RESPONSIBLE FOR 3" GRIND AND OVERLAY AND AC OVERLAY ALONG OAK GROVE AVENUE (CURB TO CURB) EXTENDING FROM THE RAILROAD RIGHT-OF-WAY TO EL CAMINO REAL.
4. REPLACE LIGHTED CROSSWALK AT OAK GROVE AVENUE & GARWOOD WAY INTERSECTION TO MATCH EXISTING CROSSWALK LIGHTING CONDITION.

0 30 60
GRAPHIC SCALE

SEE SHEETS TM-1 AND TM-2 FOR NOTES AND LEGENDS

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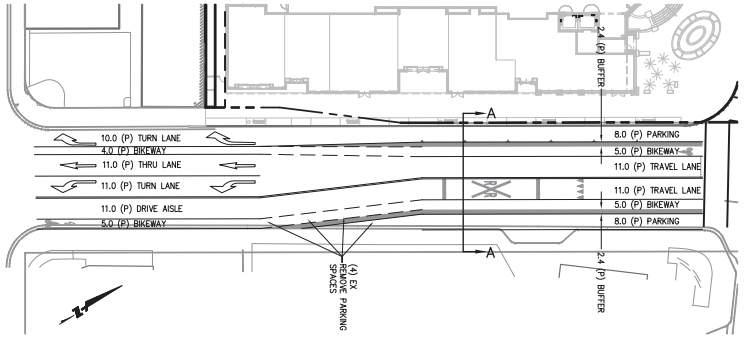
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HORIZONTAL CONTROL AND SITE PLAN

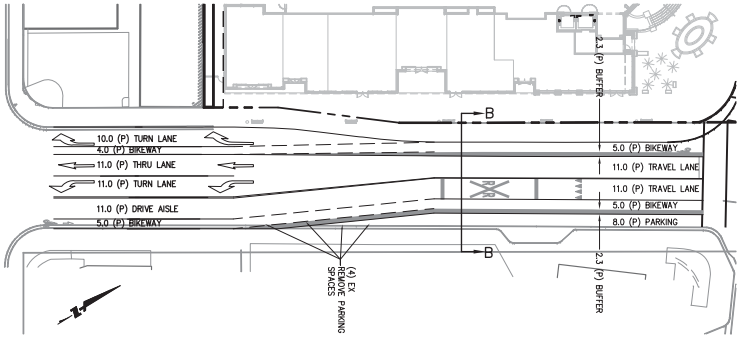
SCALE: AS SHOWN

TM-6

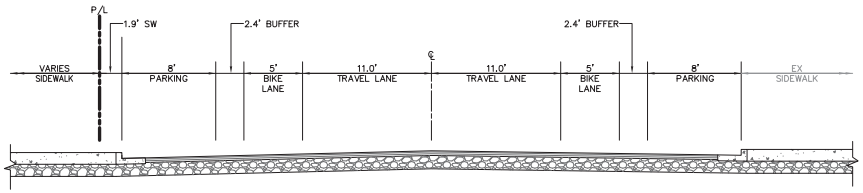
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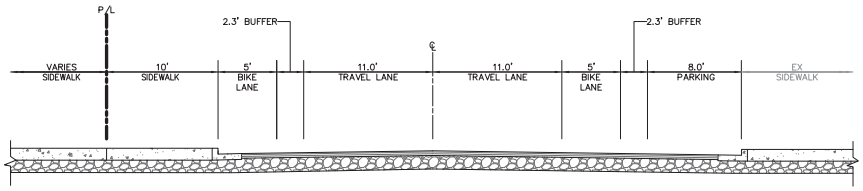
PLAN VIEW – PROJECT PROPOSAL
SCALE: 1"=30'



PLAN VIEW – ALTERNATIVE PROPOSAL
SCALE: 1"=30'



CROSS SECTION A-A
SCALE: 1"=5'



CROSS SECTION B-B
SCALE: 1"=5'

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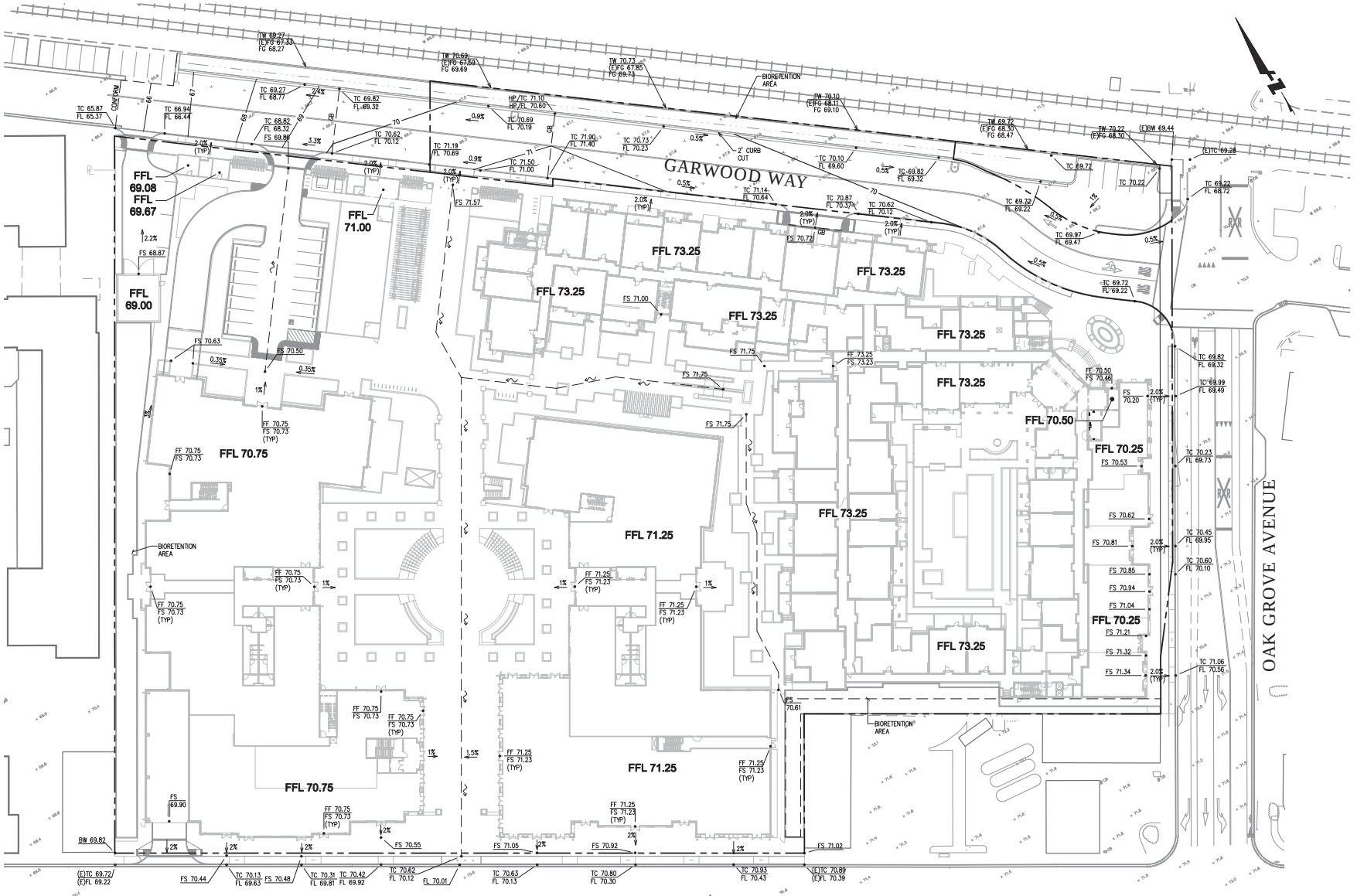
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11/10/16	PLAN CHECK
12/1/16	PLAN CHECK
01/10/17	PLAN CHECK

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CIVIL
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OAK GROVE AVENUE
LANE CONFIGURATIONS

SCALE: AS SHOWN

TM-6.1



PUD EARTHWORK QUANTITIES:

BUILDINGS	CUT	195,000 C.Y.
	FILL	0 C.Y.
PAVEMENT	CUT	0 C.Y.
	FILL	2,700 C.Y.
	BALANCE	192,300 C.Y. (EXPORT)

EARTHWORK QUANTITIES SHOWN ARE FOR PLANNING PURPOSES ONLY. CONTRACTOR SHALL PERFORM THEIR OWN EARTHWORK QUANTITY CALCULATION, AND USE THEIR CALCULATION FOR BIDDING AND COST ESTIMATING PURPOSES.

NOTES:

1. DRAINAGE WITHIN THE PODIUM FOOTPRINT WILL BE COLLECTED BY DRAINS AT THE TOP OF SLAB ELEVATION. PODIUM DRAINS WILL BE LOCATED WITHIN THE COLUMN GRIDS AND THE PODIUM SLAB WILL BE SLOPED AT 2% MINIMUM TOWARDS THE DRAIN. THE FINISHED SURFACE WILL CONSIST OF GRAVEL–SET PAVERS GRADED TO BE RELATIVELY FLAT THAT WILL ALLOW SURFACE FLOW TO PERCOLATE TO THE PODIUM DRAINS.
2. DRAINAGE OUTSIDE THE PODIUM FOOTPRINT WILL EITHER SHEET FLOW TO ADJACENT BIOTREATMENT AREAS OR TO THE FRONTING STREETS. STREET FRONTAGES WILL BE SLOPED TO PROVIDE A 2% MINIMUM SLOPE AWAY FROM THE BUILDINGS.

0 30 60
GRAPHIC SCALE

SEE SHEETS TM-1 AND TM-2 FOR NOTES AND LEGENDS

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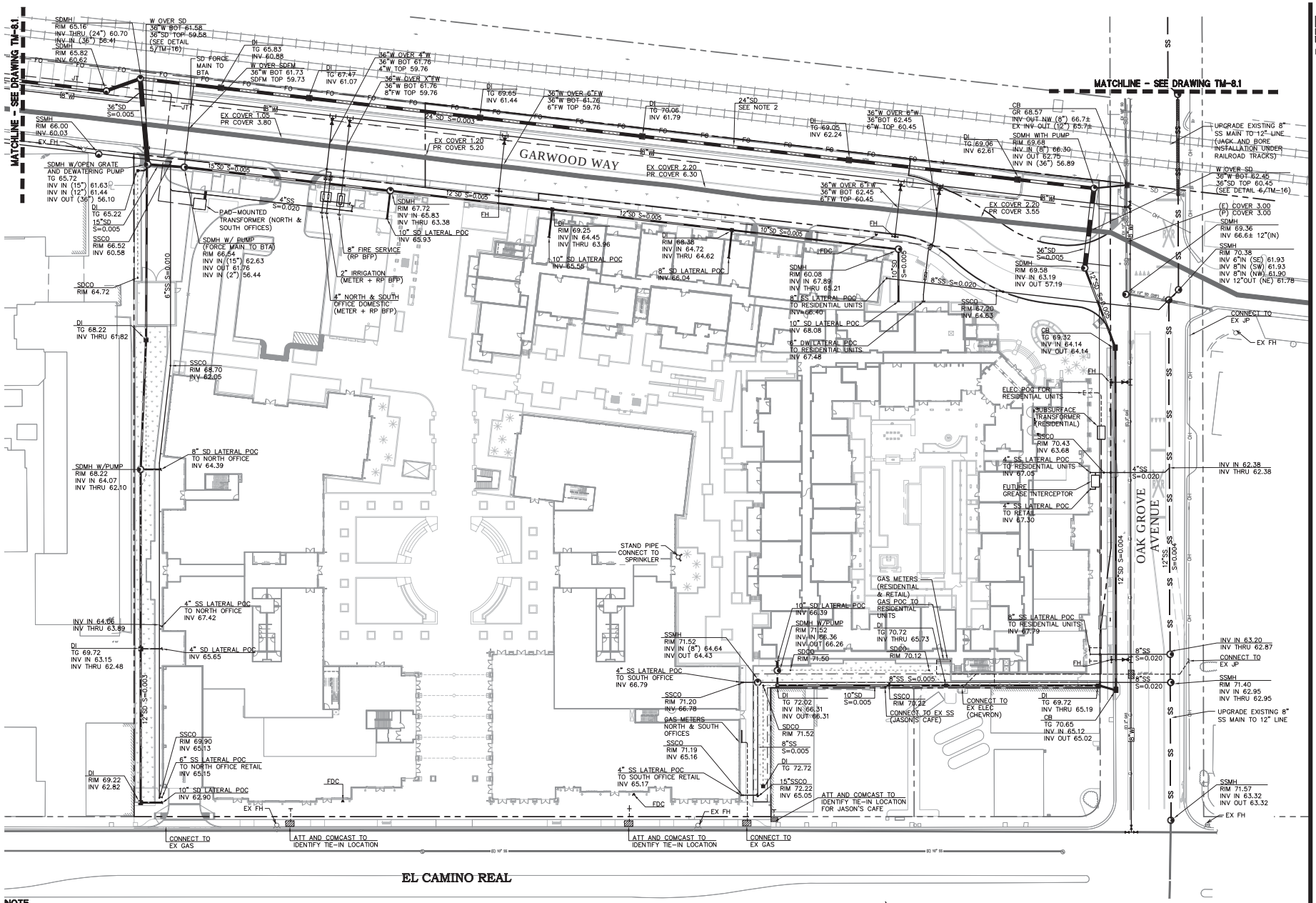
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PRELIMINARY
GRADING PLAN

SCALE: AS SHOWN

TM-7



NOTE

1. THERE ARE EXISTING UTILITIES WITHIN DERRY LANE CURRENTLY SERVING JASON'S CAFE AND CHEVRON THAT WILL NEED TO REMAIN UNTIL THE NEW SERVICES ARE CONSTRUCTED BEHIND JASON'S CAFE AND CHEVRON. THESE NEW SERVICES INCLUDE SEWER AND TELECOMMUNICATIONS FOR JASON'S CAFE AND ELECTRICAL FOR CHEVRON. SINCE THE FINAL MAP WILL VACATE THE DERRY LANE EASEMENT AND CREATE THE NEW PUE BEHIND JASON'S CAFE AND CHEVRON, THERE WILL BE A PERIOD OF TIME WHERE THE EXISTING UTILITIES WITHIN DERRY LAND ARE NOT WITHIN AN EASEMENT. A TEMPORARY PRIVATE UTILITY EASEMENT BETWEEN THE DEVELOPER AND THE APPROPRIATE UTILITY AGENCIES WILL BE CREATED OVER THE EXISTING DERRY LANE EASEMENT LIMITS TO ALLOW PUBLIC, SEWER, TELECOMMUNICATIONS, AND ELECTRICAL SERVICES TO REMAIN IN PLACE WHILE THE NEW SERVICES ARE BEING CONSTRUCTED.
2. STORM DRAIN SYSTEM PARALLEL TO GARWOOD WAY TO BE OWNED BY THE CITY OF MENLO PARK AND MAINTAINED BY THE DEVELOPMENT.

0 30 60
GRAPHIC SCALE

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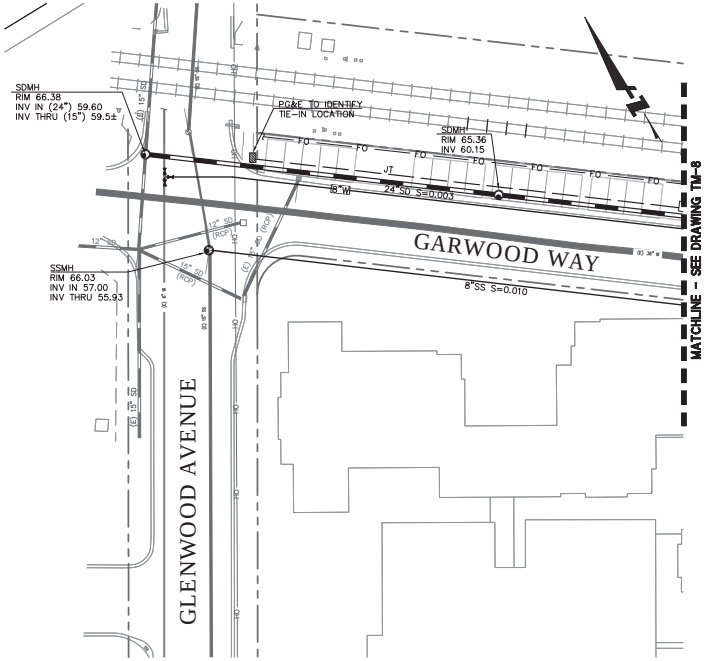
REGISTERED PROFESSIONAL ENGINEER THOMAS R. MORSE No. 49457 EXP. 09/30/18 CIVIL STATE OF CALIFORNIA

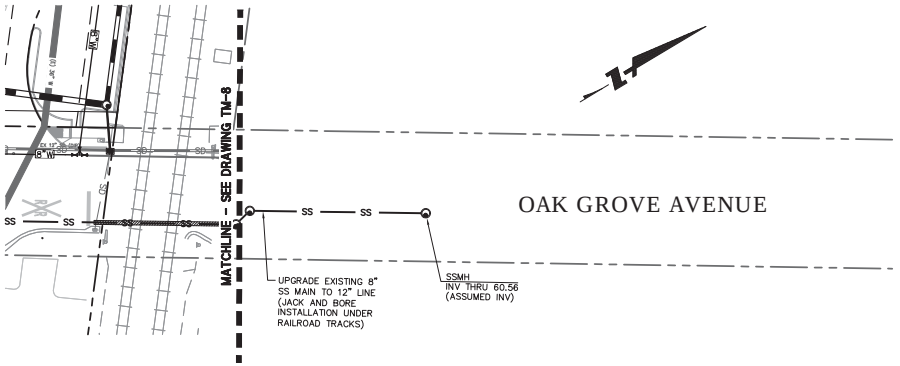
PRELIMINARY UTILITY PLAN

SCALE: AS SHOWN

TM-8

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NOTE

1. REFER TO TM-8 FOR UTILITY NOTES.

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GRAPHIC SCALE

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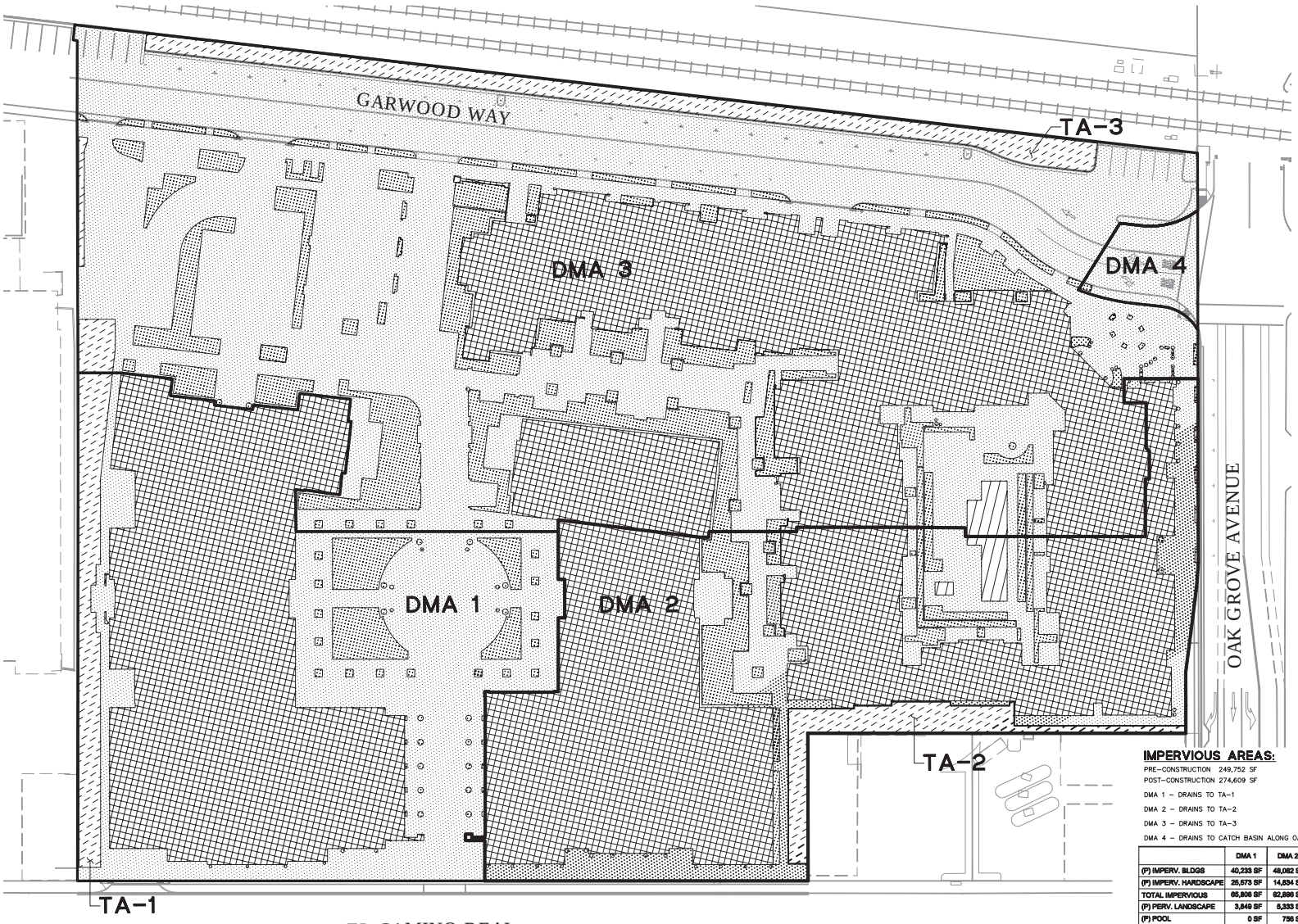
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PRELIMINARY UTILITY PLAN

SCALE: AS SHOWN

TM-8.1

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HATCH LEGEND:

- TREATMENT AREA
- BUILDING
- HARDSCAPE
- LANDSCAPE
- POOL

IMPERVIOUS AREAS:

PRE-CONSTRUCTION 249,752 SF
POST-CONSTRUCTION 274,609 SF

DMA 1 – DRAINS TO TA-1
DMA 2 – DRAINS TO TA-2
DMA 3 – DRAINS TO TA-3
DMA 4 – DRAINS TO CATCH BASIN ALONG OAK GROVE AVE

	DMA 1	DMA 2	DMA 3	DMA 4	TOTAL AREA
(P) IMPERV. BLDGS	40,233 SF	48,082 SF	50,017 SF	0 SF	138,312 SF
(P) IMPERV. HARDSCAPE	25,573 SF	14,634 SF	92,464 SF	3,231 SF	136,062 SF
TOTAL IMPERVIOUS	65,806 SF	62,696 SF	142,481 SF	3,231 SF	274,414 SF
(P) PERV. LANDSCAPE	3,849 SF	5,333 SF	21,744 SF	27 SF	30,953 SF
(P) POOL	0 SF	756 SF	787 SF	0 SF	1,543 SF
(P) BIO RETENTION SOIL	4,244 SF	3,806 SF	7,600 SF	0 SF	15,650 SF
(P) BIO RETENTION % OF IMPERVIOUS	6.4%	6.4%	5.5%	0.0%	5.8%
TOTAL AREA	73,899 SF	72,791 SF	172,812 SF	3,258 SF	322,780 SF
DETENTION REQUIRED	-202 CF	-341 CF	1044 CF	-1 CF	
DETENTION PROVIDED	2,142 CF	3,783 CF	1,903 CF	0 CF	

0 30 60
GRAPHIC SCALE

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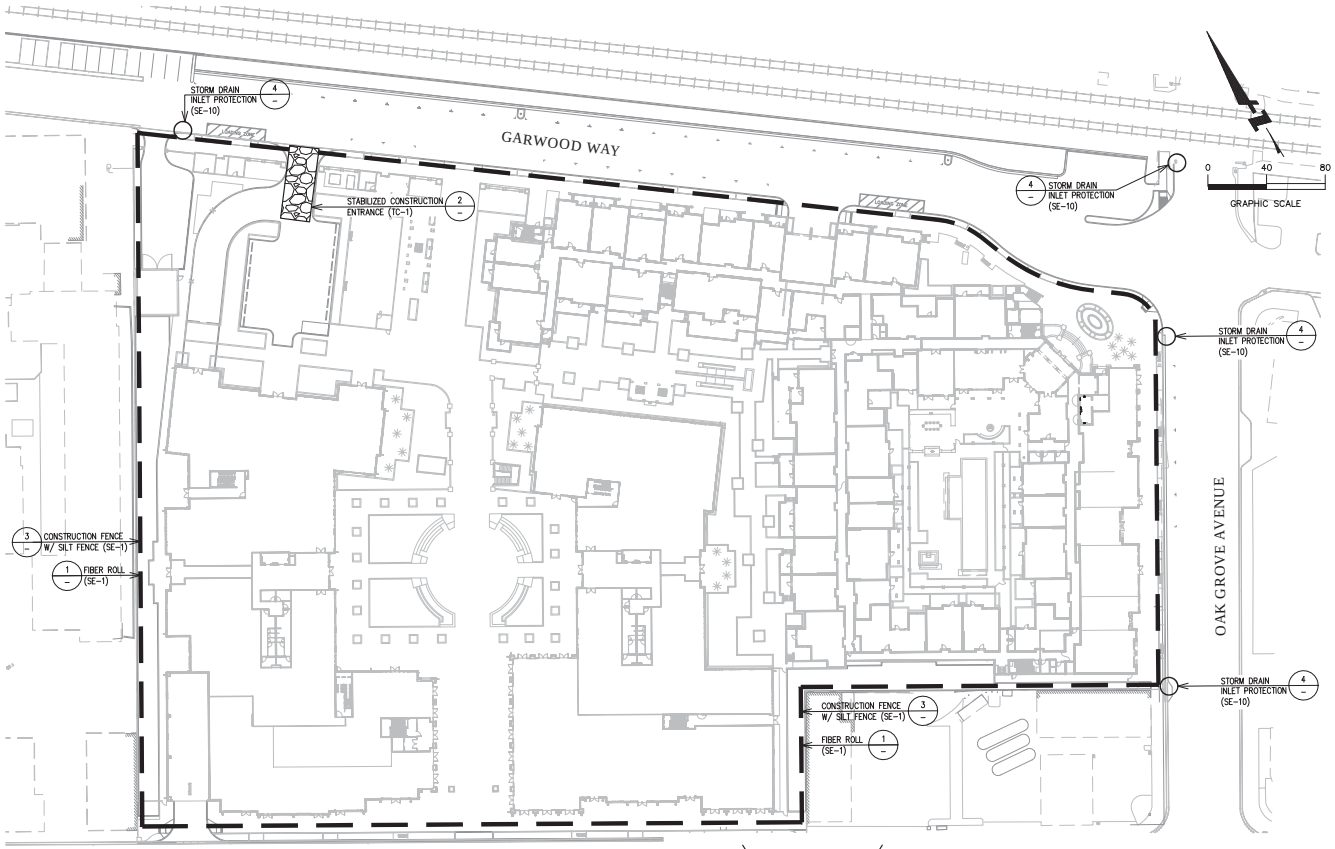
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PRELIMINARY
STORMWATER CONTROL PLAN

SCALE: AS SHOWN

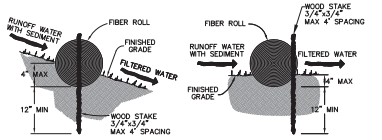
TM-9

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GENERAL NOTES:

1. EROSION CONTROL MEASURES MUST BE IN PLACE, AT A MINIMUM, FOR THE LENGTH OF THE RAINING SEASON (OCTOBER 1 – APRIL 30).



ENTRENCHMENT DETAIL IN SLOPE AREA

ENTRENCHMENT DETAIL IN FLAT AREA

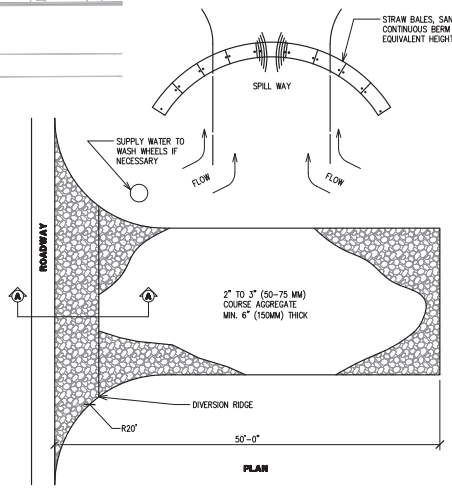
NOTES:

1. FIBER ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE ROLL IN A TRENCH, 3" TO 4" DEEP, DUG ON CONTOUR.
2. ADJACENT ROLLS SHALL TIGHTLY ABUT.
3. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND FIBER ROLL.

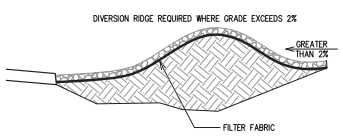
1 FIBER ROLL

SCALE : NO SCALE

FIBER ROLL – 001 – MASTR



PLAN



SECTION A-A

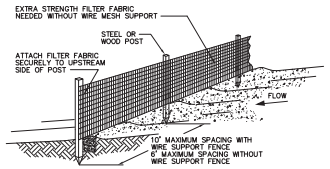
NOTES:

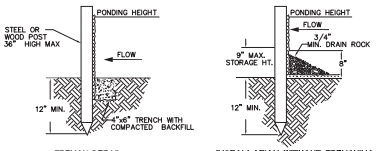
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT OF WAYS. THIS MAY REQUIRED TOP DRESSING, REPAIR AND / OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT OF WAY.
3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ONTO AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

2 TEMPORARY GRAVEL CONSTRUCTION ENTRANCE

SCALE: NO SCALE

CONST ENT GVM – 001 – MASTR





TRENCH DETAIL

INSTALLATION WITHOUT TRENCHING

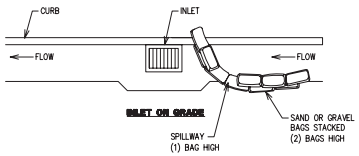
NOTES:

1. SILT FENCE SHALL BE PLACED ON SLOPE TO MAXIMIZE PONDING EFFICIENCY.
2. INSPECT AND REPAIR FENCE AFTER EACH STORM EVEN AND REMOVE SEDIMENT WHEN NECESSARY. 9" MAXIMUM RECOMMENDED STORAGE HEIGHT.
3. REMOVED SEDIMENT SHALL BE DEPOSITED IN AN AREA THAT WILL NOT CONTRIBUTE TO SEDIMENT OFF-SITE AND CAN PERMANENTLY STABILIZED.

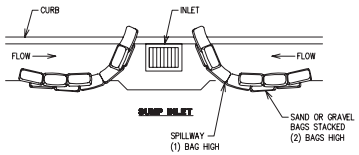
3 SILT FENCE

SCALE : NO SCALE

SILT FENCE – 001 – MASTR



INLET ON GRADE



SUMP INLET

NOTES:

1. CONSTRUCT ON GENTLY SLOPING STREETS.
2. LEAVE ROOM UPSTREAM OF BARRIER FOR WATER TO POND AND SEDIMENT TO SETTLE.
3. PLACE SEVERAL LAYERS OF BAGS, OVERLAPPING THEM AND PACKING THEM TIGHTLY.
4. LEAVE GAP OF ONE BAG ON THE TOP ROW TO SERVE AS SPILLWAY. FLOW FROM A SEVERE (10 YEAR) STORM SHOULD NOT OVERTOP THE CURB.
5. REFER TO CASQA STORMWATER BEST MANAGEMENT PRACTICES (BMP) HANDBOOK FOR ADDITIONAL DESIGN AND MAINTENANCE RECOMMENDATIONS.

4 INLET PROTECTION (SE-10)

SCALE : NO SCALE

GRAVEL BAG BERM – 001 – MASTR

SEE SHEETS TM-1 AND TM-2 FOR NOTES AND LEGENDS

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No. 49457
EXP. 09/30/18
CIVIL
STATE OF CALIFORNIA

PRELIMINARY EROSION CONTROL PLAN AND DETAILS

SCALE: AS SHOWN

TM-10

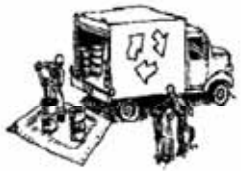
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SAN MATEO COUNTYWIDE
Water Pollution Prevention Program
Clean Water. Healthy Community.

Construction Best Management Practices (BMPs)

Construction projects are required to implement the stormwater best management practices (BMP) on this page, as they apply to your project, all year long.

Materials & Waste Management



Non-Hazardous Materials

- ❑ Berm and cover stockpiles of sand, dirt or other construction material with tarps when rain is forecast or if not actively being used within 14 days.
- ❑ Use (but don't overuse) reclamed water for dust control.

Hazardous Materials

- ❑ Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state and federal regulations.
- ❑ Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecast.
- ❑ Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- ❑ Arrange for appropriate disposal of all hazardous wastes.

Waste Management

- ❑ Cover waste disposal containers securely with tarps at the end of every work day and during wet weather.
- ❑ Check waste disposal containers frequently for leaks and to make sure they are not overfilled. Never hose down a dumpster on the construction site.
- ❑ Clean or replace portable toilets, and inspect them frequently for leaks and spills.
- ❑ Dispose of all wastes and debris properly. Recycle materials and wastes that can be recycled (such as asphalt, concrete, aggregate base materials, wood, gyp board, pipe, etc.)
- ❑ Dispose of liquid residues from paints, thinners, solvents, glues, and cleaning fluids as hazardous waste.

Construction Entrances and Perimeter

- ❑ Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off site.
- ❑ Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking. Never hose down streets to clean up tracking.

Equipment Management & Spill Control



Maintenance and Parking

- ❑ Designate an area, fitted with appropriate BMPs, for vehicle and equipment parking and storage.
- ❑ Perform major maintenance, repair jobs, and vehicle and equipment washing off site.
- ❑ If refueling or vehicle maintenance must be done onsite, work in a bermed area away from storm drains and over a drip pan or drop cloths big enough to collect fluids. Recycle or dispose of fluids as hazardous waste.
- ❑ If vehicle or equipment cleaning must be done onsite, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or surface waters.
- ❑ Do not clean vehicle or equipment onsite using soaps, solvents, degreasers, or steam cleaning equipment.

Spill Prevention and Control

- ❑ Keep spill cleanup materials (e.g., rags, absorbents and cat litter) available at the construction site at all times.
- ❑ Inspect vehicles and equipment frequently for and repair leaks promptly. Use drip pans to catch leaks until repairs are made.
- ❑ Clean up spills or leaks immediately and dispose of cleanup materials properly.
- ❑ Do not hose down surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags).
- ❑ Sweep up spilled dry materials immediately. Do not try to wash them away with water, or bury them.
- ❑ Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
- ❑ Report significant spills immediately. You are required by law to report all significant releases of hazardous materials, including oil. To report a spill: 1) Dial 911 or your local emergency response number, 2) Call the Governor's Office of Emergency Services Warning Center, (800) 852-7550 (24 hours).

Earthmoving



- ❑ Schedule grading and excavation work during dry weather.
- ❑ *Stabilize all disturbed areas, install and* maintain temporary erosion controls (such as erosion control fabric or bonded fiber matrix) until vegetation is established.
- ❑ Remove existing vegetation only when absolutely necessary, and seed or plant vegetation for erosion control on slopes or where construction is not immediately planned.
- ❑ Prevent sediment from migrating offsite and protect storm drain inlets, gutters, ditches, and drainage courses by installing and maintaining appropriate BMPs, such as fiber rolls, silt fences, sediment basins, gravel bags, berms, etc.
- ❑ Keep excavated soil on site and transfer it to dump trucks on site, not in the streets.

Contaminated Soils

- ❑ If any of the following conditions are observed, test for contamination and contact the Regional Water Quality Control Board:
  - Unusual soil conditions, discoloration, or odor.
  - Abandoned underground tanks.
  - Abandoned wells.
  - Buried barrels, debris, or trash.

Paving/Asphalt Work



- ❑ Avoid paving and seal coating in wet weather or when rain is forecast, to prevent materials that have not cured from contacting stormwater runoff.
- ❑ Cover storm drain inlets and manholes when applying seal coat, tack coat, slurry seal, fog seal, etc.
- ❑ Collect and recycle or appropriately dispose of excess abrasive gravel or sand. Do NOT sweep or wash it into gutters.
- ❑ Do not use water to wash down fresh asphalt concrete pavement.

Sawcutting & Asphalt/Concrete Removal

- ❑ Protect nearby storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or gravel bags to keep slurry out of the storm drain system.
- ❑ Shovel, absorb, or vacuum saw-cut slurry and dispose of all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- ❑ If saw-cut slurry enters a catch basin, clean it up immediately.

Concrete, Grout & Mortar Application



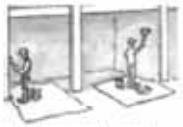
- ❑ Store concrete, grout, and mortar away from storm drains or waterways, and on pallets under cover to protect them from rain, runoff, and wind.
- ❑ Wash out concrete equipment/trucks offsite or in a designated washout area, where the water will flow into a temporary waste pit, and in a manner that will prevent leaching into the underlying soil or onto surrounding areas. Let concrete harden and dispose of as garbage.
- ❑ When washing exposed aggregate, prevent washwater from entering storm drains. Block any inlets and vacuum gutters, hose washwater onto dirt areas, or drain onto a bermed surface to be pumped and disposed of properly.

Landscaping



- ❑ Protect stockpiled landscaping materials from wind and rain by storing them under tarps all year-round.
- ❑ Stack bagged material on pallets and under cover.
- ❑ Discontinue application of any erodible landscape material within 2 days before a forecast rain event or during wet weather.

Painting & Paint Removal



Painting Cleanup and Removal

- ❑ Never clean brushes or rinse paint containers into a street, gutter, storm drain, or stream.
- ❑ For water-based paints, paint out brushes to the extent possible, and rinse into a drain that goes to the sanitary sewer. Never pour paint down a storm drain.
- ❑ For oil-based paints, paint out brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of excess liquids as hazardous waste.
- ❑ Paint chips and dust from non-hazardous dry stripping and sand blasting may be *swept up or collected in plastic drop* cloths and disposed of as trash.
- ❑ Chemical paint stripping residue and chips and dust from marine paints or paints containing lead, mercury, or tributyltin must be disposed of as hazardous waste. Lead based paint removal requires a state-certified contractor.

Dewatering



- ❑ Discharges of groundwater or captured runoff from dewatering operations must be properly managed and disposed. When possible send dewatering discharge to landscaped area or sanitary sewer. If discharging to the sanitary sewer call your local wastewater treatment plant.
- ❑ Divert run-on water from offsite away from all disturbed areas.
- ❑ When dewatering, notify and obtain approval from the local municipality before discharging water to a street gutter or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- ❑ In areas of known or suspected contamination, call your local agency to determine whether the ground water must be tested. Pumped groundwater may need to be collected and hauled off site for treatment and proper disposal.

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

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PROJECT NO 20160100

DATE	ISSUE
03/29/16	TENTATIVE MAP
08/11/16	PLAN CHECK
11/10/16	PLAN CHECK
12/1/16	PLAN CHECK
01/10/17	PLAN CHECK

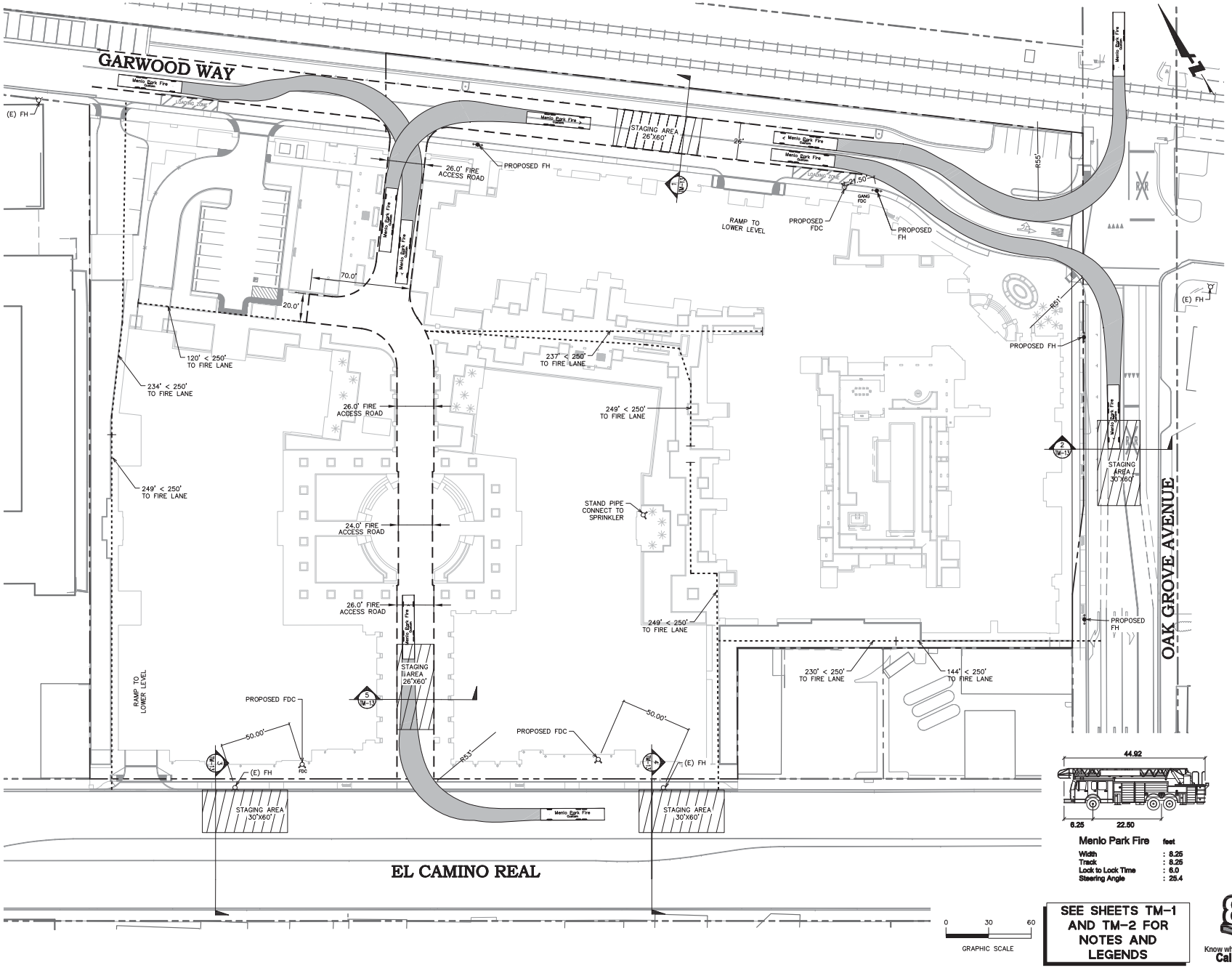
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BEST MANAGEMENT PRACTICES

SCALE: AS SHOWN

TM-11

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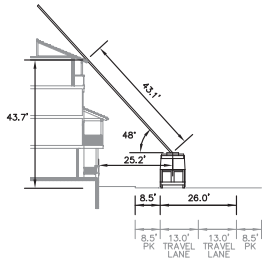
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FIRE ACCESS PLAN

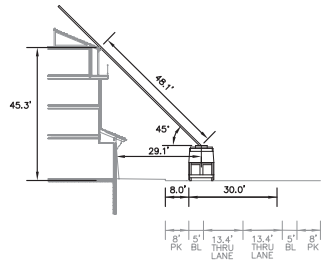
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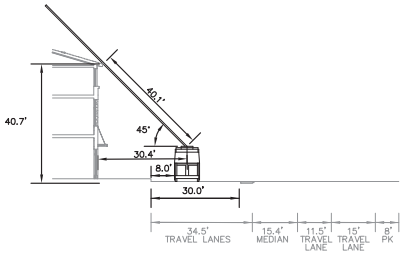
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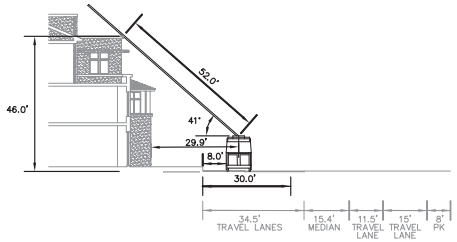
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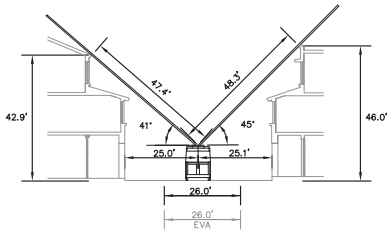
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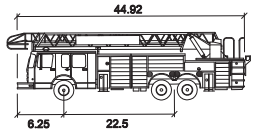
3 EL CAMINO REAL FIRE STAGING SCALE: NTS



4 EL CAMINO REAL FIRE STAGING SCALE: NTS



5 EVA FIRE STAGING SCALE: NTS



Fire Truck - Menlo Park	feet
Width	8.25
Track	8.25
Lock to Lock Time	6.0
Steering Angle	25.4

SEE SHEETS TM-1 AND TM-2 FOR NOTES AND LEGENDS

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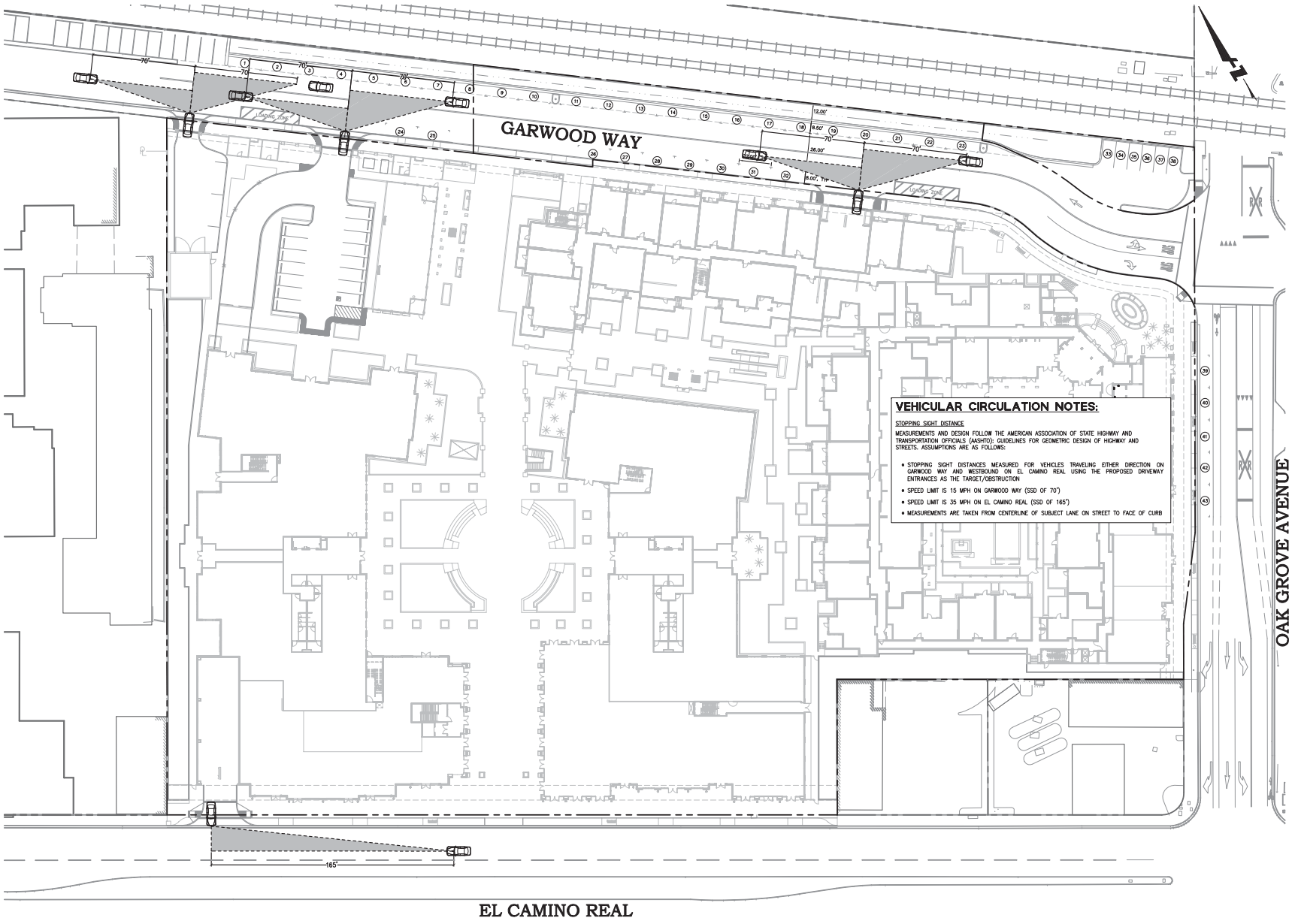
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FIRE ACCESS SECTIONS

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GRAPHIC SCALE

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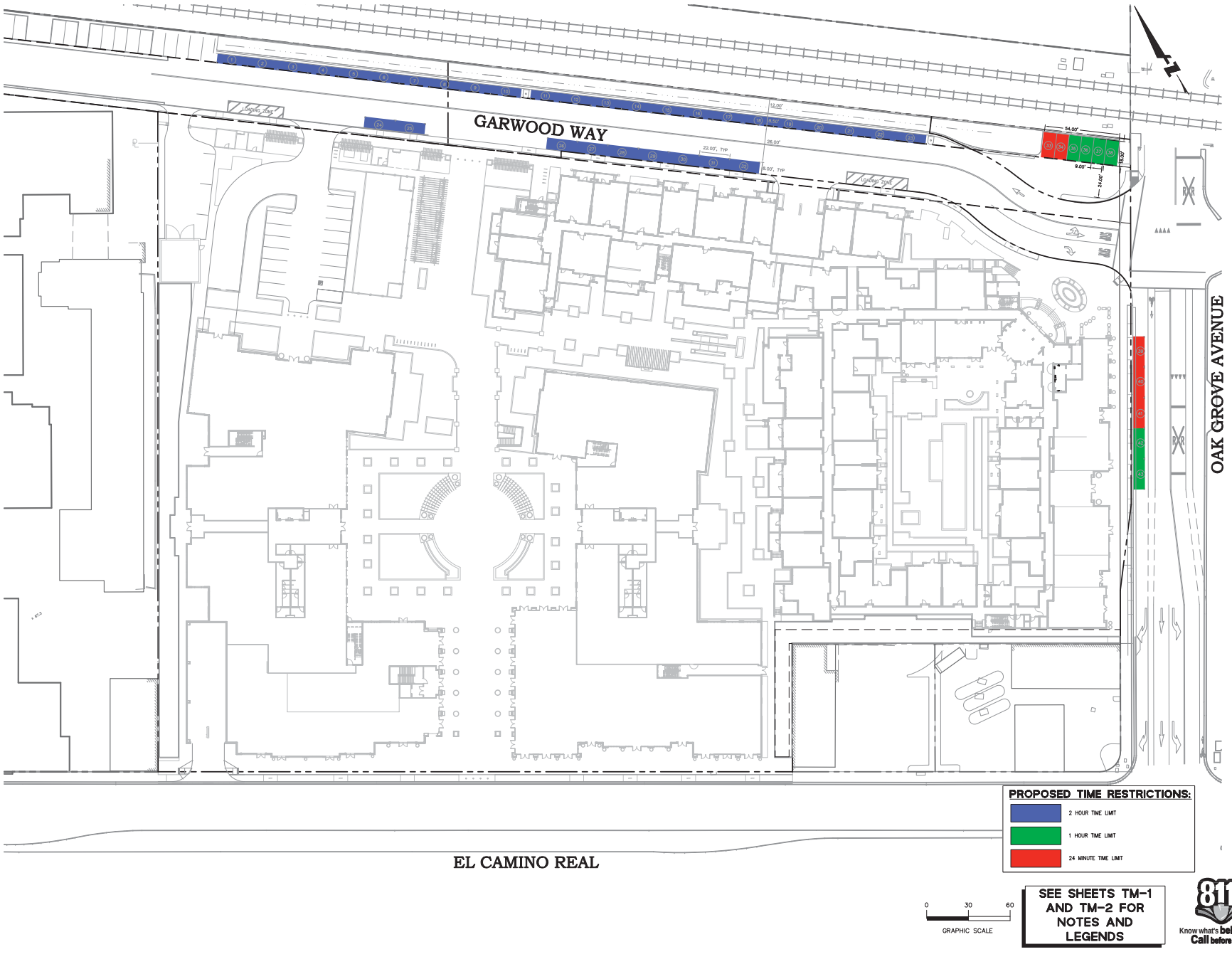
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VEHICULAR CIRCULATION PLAN

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TM-14

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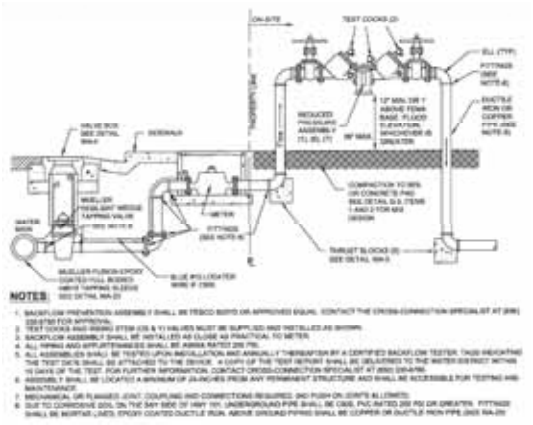
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TIME RESTRICTION PLAN

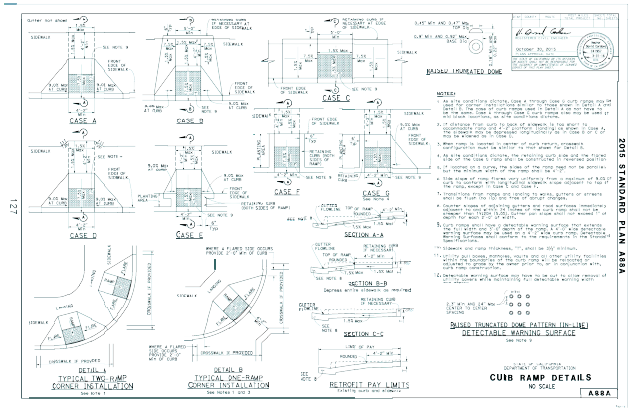
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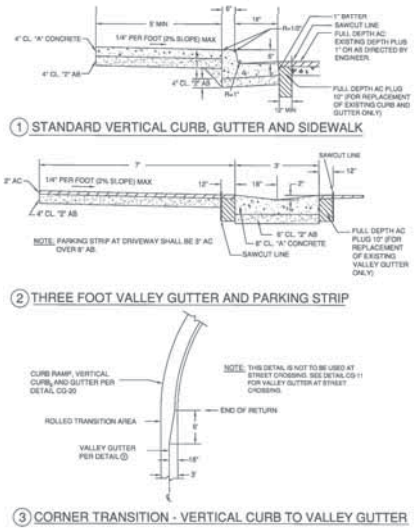
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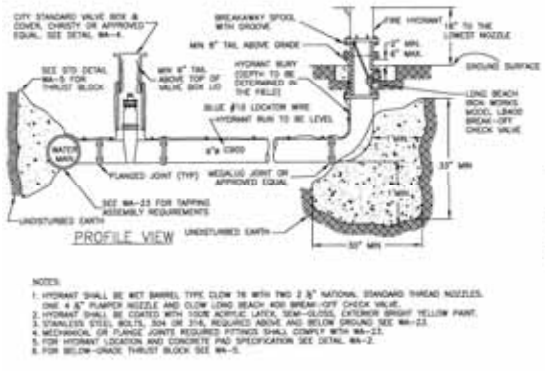
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CITY OF MENLO PARK STANDARD DETAILS BFD-008-MASTR



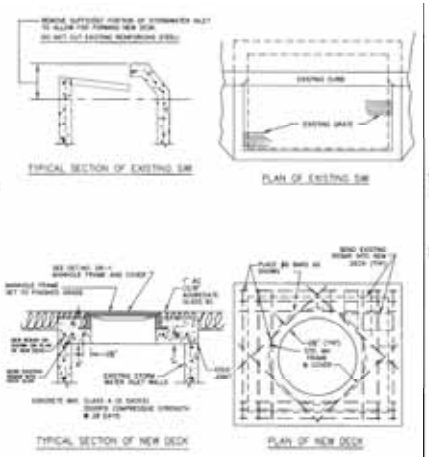
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CALTRANS STANDARD DETAILS CR-008-MASTR



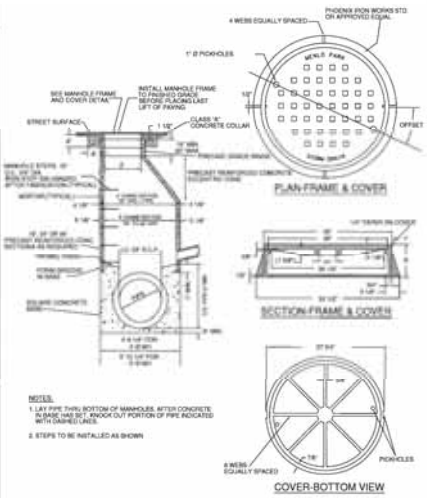
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CITY OF MENLO PARK STANDARD DETAILS CGS-008-MASTR



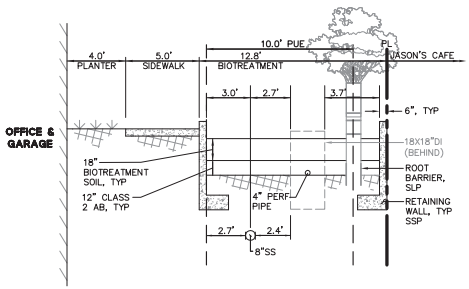
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CITY OF MENLO PARK STANDARD DETAILS FH-008-MASTR



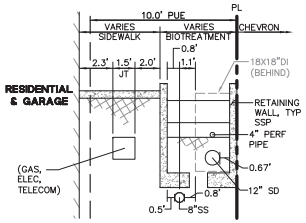
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CITY OF MENLO PARK STANDARD DETAILS CI-008-MASTR



6 **STORMDRAIN MANHOLE** SCALE: N.T.S.
CITY OF MENLO PARK STANDARD DETAILS SDMH-008-MASTR



7 **UTILITY CORRIDOR TYPICAL SECTIONS** SCALE: N.T.S.
JASON'S CAFE



8 **UTILITY CORRIDOR TYPICAL SECTIONS** SCALE: N.T.S.
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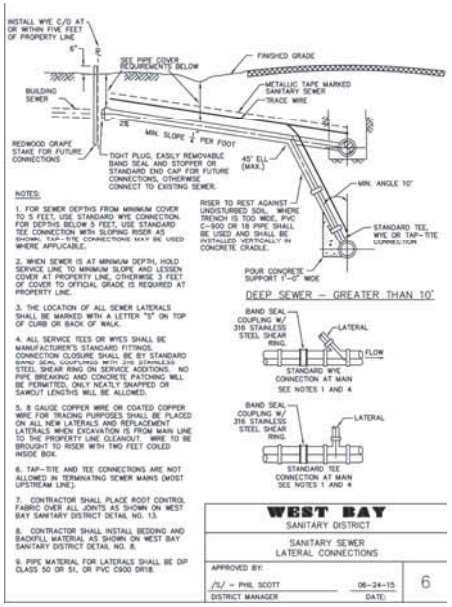
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No. 49457
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DETAILS

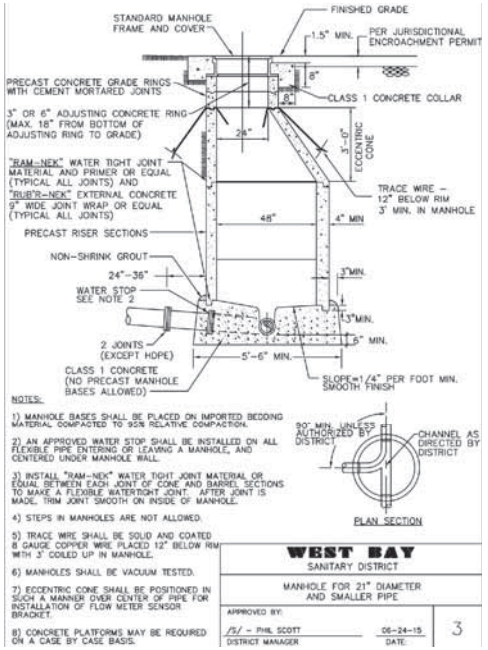
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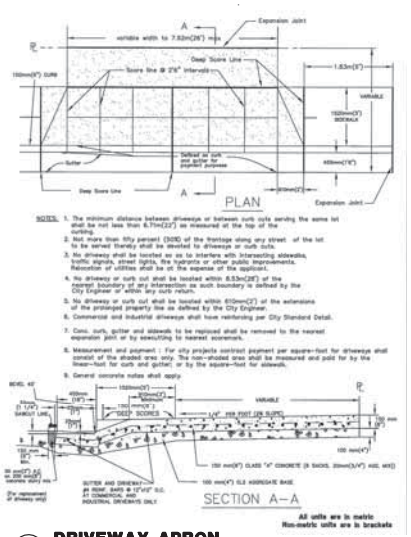
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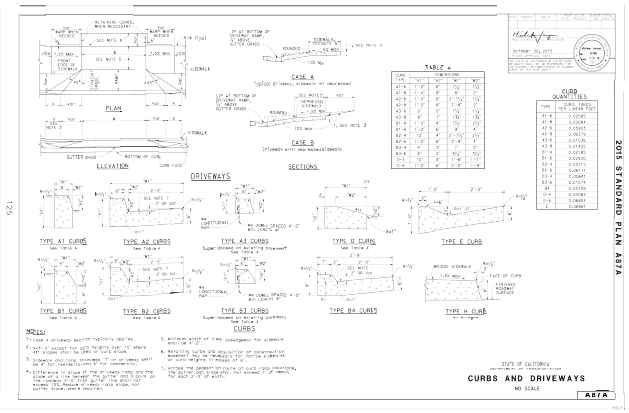
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CITY OF MENLO PARK STANDARD DETAILS SS-008-*MSTR



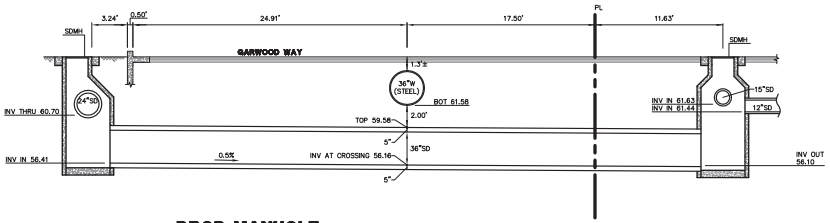
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CITY OF MENLO PARK STANDARD DETAILS SSMH-009-*MSTR



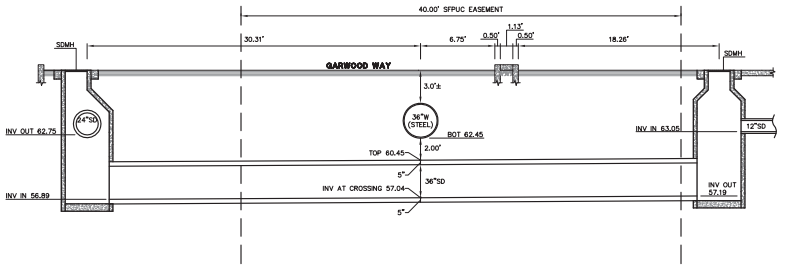
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CITY OF MENLO PARK STANDARD DETAILS DWY-009-*MSTR



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CALTRANS STANDARD DETAILS SS-008-*MSTR



5 **DROP MANHOLE** SCALE: N.T.S.
GARWOOD WAY



6 **DROP MANHOLE** SCALE: N.T.S.
GARWOOD WAY & OAK GROVE INTERSECTION

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12/1/16	PLAN CHECK
01/10/17	PLAN CHECK

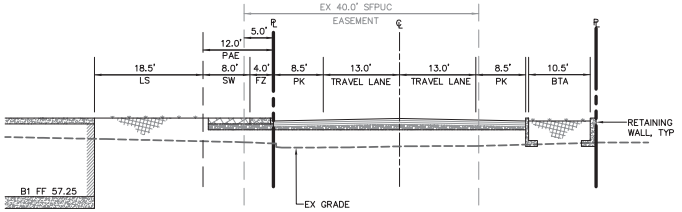
REGISTERED PROFESSIONAL ENGINEER
THOMAS R. MORSE
No. 49457
EXP. 09/30/18
CIVIL
STATE OF CALIFORNIA

DETAILS

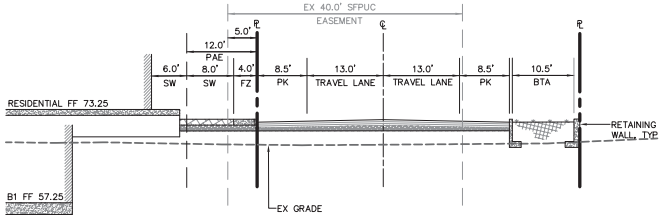
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TM-16

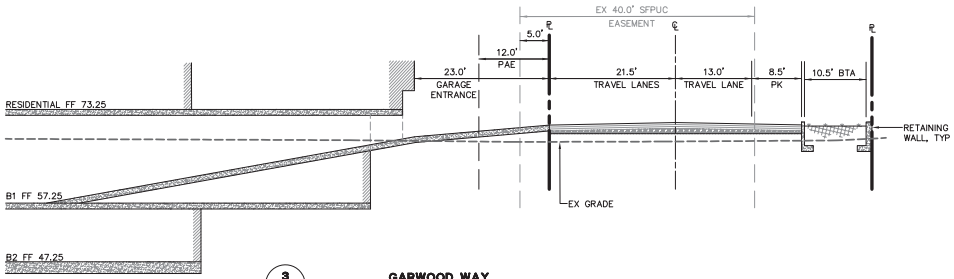
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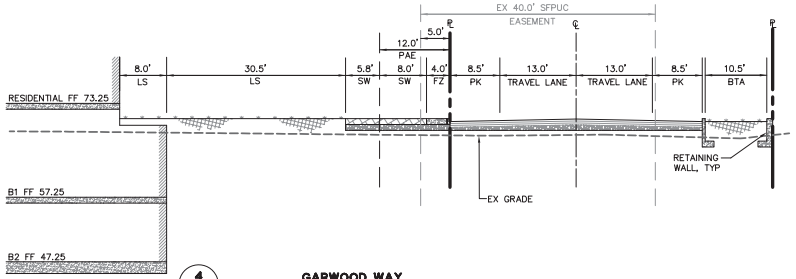
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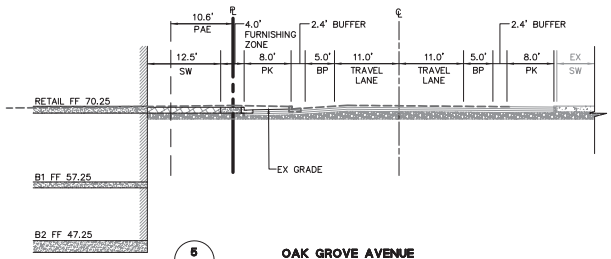
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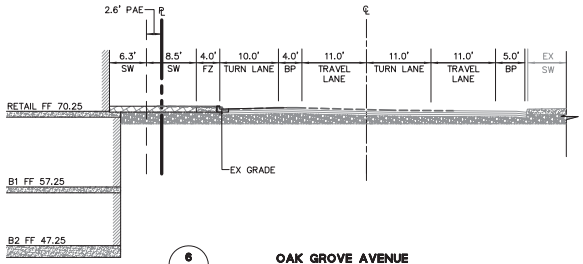
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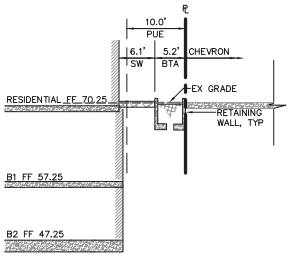
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SCALE: 1"=10'



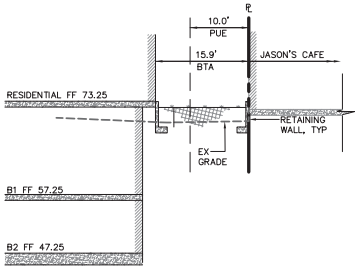
5 OAK GROVE AVENUE
SCALE: 1"=10'



6 OAK GROVE AVENUE
SCALE: 1"=10'



7 CHEVRON GAS STATION
SCALE: 1"=10'



8 JASON'S CAFE
SCALE: 1"=10'

BkF
ENGINEERS | SURVEYORS | PLANNERS
255 SHORELINE DRIVE, SUITE 200
REDWOOD CITY, CA 94065
650/482-6300
650/482-6399 (FAX)

TENTATIVE MAP
STATION 1300
1300 EL CAMINO REAL MENLO PARK, CA

DRAWN BY JNC
CHECKED BY JNC/TRM
PROJECT NO 20160100

DATE	ISSUE
03/29/16	TENTATIVE MAP
08/11/16	PLAN CHECK
11/10/16	PLAN CHECK
12/1/16	PLAN CHECK
01/10/17	PLAN CHECK

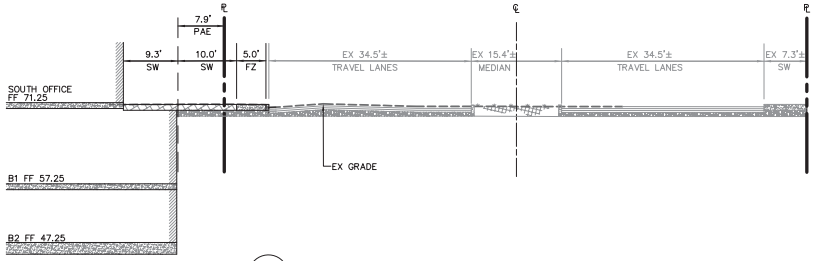
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THOMAS R. MORSE
No. 49457
EXP. 09/30/18
CIVIL
STATE OF CALIFORNIA

TYPICAL CROSS SECTIONS

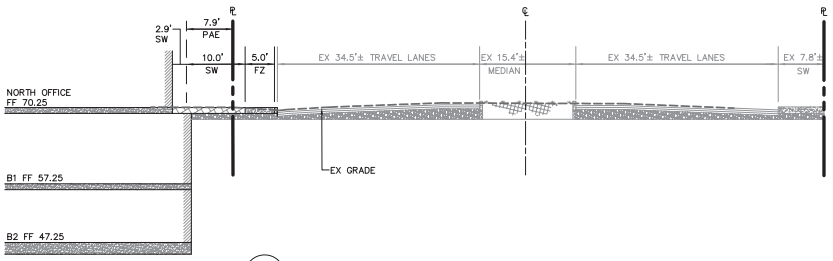
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TM-17

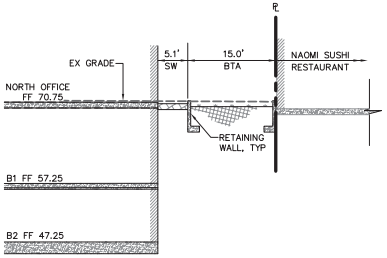
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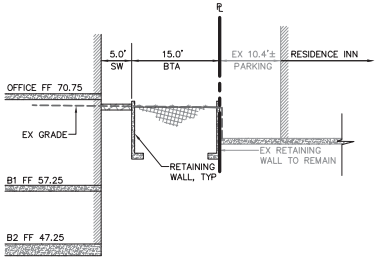
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SCALE: 1"=10'



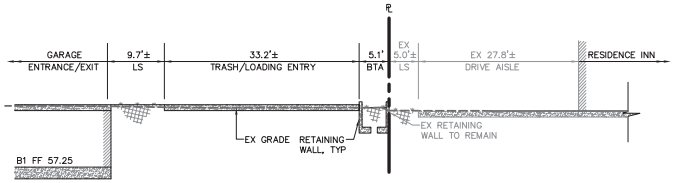
10 **EL CAMINO REAL**
SCALE: 1"=10'



11 **NAOMI SUSHI RESTAURANT**
SCALE: 1"=10'



12 **RESIDENCE INN**
SCALE: 1"=10'



13 **RESIDENCE INN**
SCALE: 1"=10'

BkF
ENGINEERS / SURVEYORS / PLANNERS
255 SHORELINE DRIVE, SUITE 200
REDWOOD CITY, CA 94065
650/482-6300
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TENTATIVE MAP
STATION 1300
1300 EL CAMINO REAL MENLO PARK, CA

DRAWN BY JNC
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REGISTERED PROFESSIONAL ENGINEER
THOMAS R. MORSE
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EXP. 09/30/18
CIVIL
STATE OF CALIFORNIA

TYPICAL CROSS SECTIONS

SCALE: AS SHOWN

TM-18

Project Description
Station 1300

Introduction

Several principles underpin Greenheart Land Company's design of Station 1300. Primary was to create a community resource: a place where people eat, shop, recreate, meet friends or just hang out. This necessitates uses and spaces that will draw people in and a setting that will cause them to linger. In addition, we sought to honor the community by adhering to the provisions of the Downtown Specific Plan and to use its Vision Goals as a guiding principle. Further, it was our intent to do so in an environmentally responsible manner.

What has emerged is a transit oriented, mixed-use development at the 1300 El Camino Real/Derry site that will include community serving, residential, and office uses, as well as plazas and open spaces. Most parking will be underground, and site access and egress will be via three points on two public streets.

Station 1300 will invite public use and take full advantage of its proximity to the Caltrain station. The goal is to create centers of activity that will serve the community, residents, and daytime users. Station 1300 will have the daytime population (office users) and evening population (residents) needed to invigorate the downtown and on-site retail areas.

The design of the buildings will draw from the Spanish Eclectic style as interpreted by Pedro de Lemos at Allied Arts and Ramona Street and as reinterpreted at the well-regarded 1600 El Camino Real office building in Menlo Park.

Station 1300 will be a public benefit development with a floor area ratio (FAR) of 150%. The maximum building height will be 48 ft. with façade heights not exceeding 38 ft. (For reference, the heights of the building elements at the condominiums at Merrill and Oak Grove, across the street from the Station 1300 apartments, are 42 ft. to 46 ft.) The development will conform to all the design standards and regulations set forth in the Specific Plan. The numerical parameters of Station 1300 are presented in the accompanying Fact Sheet.

We will implement traffic demand management (TDM) programs to urge residents and office workers out of their cars. Further, we seek to achieve LEED platinum, the top environmental rating, for the office buildings and LEED gold for the residential building.

Circulation and Parking

Garwood will be extended to connect Glenwood and Oak Grove and will be aligned with Merrill at Oak Grove to facilitate through traffic. This extension of Garwood will provide the missing link between Encinal and Ravenswood and thereby improve access to downtown and the Caltrain station for bicyclists and pedestrians. In addition, new bike routes will be installed on Oak Grove and Garwood.

Parking will primarily be underground with two access points on Garwood and one on El Camino Real (ECR). This will allow distribution of vehicle access and egress between ECR, Glenwood, and Oak Grove, with the use of ECR optional. Of the approximately 991 parking spaces, 17 will be on the surface for visitor convenience. The amount of underground parking required was determined by a shared parking study that recognizes that residents and office workers use parking at different times of the day.

The garage will be user friendly. It will feature open-air staircases to the plazas and pedestrian walkways. In addition, there will be extensive bicycle storage areas with bike repair stations and showers.

Plazas and Open Space

Underground parking allows the site to be opened-up to create plazas, gathering places, and other open spaces that will comprise nearly half the site area.

Garwood/Oak Grove Plaza: This will be a high activity area where outdoor café dining and pedestrian access to underground retail parking come together with the large archway entrance to the residential lobby/leasing office that anchors the Garwood/Oak Grove corner. The plaza will face the Caltrain station and bring additional activity to the station area.

Central Plaza: The two "C" shaped buildings embrace a half-acre plaza for public and tenant use. It will serve the tenants, the public, and the businesses facing the plaza. Areas have been provided for outdoor restaurant dining as well as for relaxation and gatherings. The plaza will feature fountains, seating areas, and decorative pavers within a landscaped milieu.

Although the uses of the plaza have not been programmed in detail, it is envisioned that it will be available on a reservation basis to tenants for private gatherings. Public access could be limited at such times. Use by the public for special events will be considered on a case-by-case basis. The plaza is expected to be open for use during normal business hours including those of adjacent restaurants.

Garwood Park: This park will soften the Garwood edge of the office buildings. It is designed for active use and, like the Garwood/Oak Grove plaza, open to the public. It will include a dog play area bounded by a four-foot high fence with a double gate entry system at two locations. It will have a synthetic turf surface that will be designed and maintained pursuant to industry standards. The park will also have tables and benches under a shade trellis along with a drinking fountain and dog water dish nozzle. The park will include a single unisex bathroom. Both the park and the bathroom will be open to public from 8 AM to dusk.

Other Open Spaces: The commercial and residential structures will be separated by broad landscaped areas that will provide not only a visual buffer, but a retreat for quiet relaxation. In addition, the residential building will encircle a private courtyard with a pool, outdoor kitchen, and other areas for resident use. These are described further below.

Community Serving Uses

Community Serving Uses include the following categories of uses as defined in the Specific Plan, Section H, and permitted in the ECR NE-R zone (where the proposed development is located).

D. Banks and other financial institutions
E. Business services
G. Eating and drinking establishments
J. Offices, business and professional (limited to a single real estate office of no more than 2,500 SF)
L. Personal improvement services
M. Personal services
N. Retail sales

Community Serving uses at Station 1300 will be a minimum of 18,600 sf to a maximum of 29,000 sf and located in the following areas:

- Ground floor of residential building on Oak Grove: about 7,250 sf
- Ground floor of office buildings on ECR: minimum of about 11,350 sf to maximum of about 21,750 sf

It is Greenheart's goal to have one or more restaurants on ECR that will flow into the Central Plaza dining area. Oak Grove is seen as a possible location for specialty foods and a casual restaurant at the Oak Grove Plaza.

Residences

There will be about 183 rental units. Of these, there will be 20 below market rate (BMR) units. Fourteen of the BMR units will be at the City's defined low income level (as per BMR Guidelines) while the other six BMR units will be designated as "workforce" housing. The latter units would be leased at rents affordable for persons at 100 percent of median income, with eligibility to include persons up to moderate (120 percent of median) income. (The types of units are specified in the Development Agreement.)

The market rate rental units will provide housing that is much more affordable than condos or other "for sale" housing in Menlo. The target market for the Residences at Station 1300 is young-professionals, a demographic that is currently under

represented in Menlo Park. The apartments are also expected to appeal to downsizers who desire to walk to restaurants, shopping and transit.

The Residences at Station 1300 will have a mix of one-bedroom (54%), two-bedroom (42%), and three-bedroom (4%) units. The design and scale of the apartments (average size 893 sf.) and the amenities will cater to young professionals. With an average unit size is less that 900 SF, there is very limited appeal to families with children. Our experience and market data show that there will be very few school aged children in these units.

The Oak Grove wing of the residential building will encircle a highly landscaped residents only courtyard that will include a 25-yard lap pool and an outdoor kitchen, and areas for lounging and entertaining. The indoor common amenity area and leasing office are adjacent. In addition, most residents will have private decks or patios.

Offices

Two high-quality Class A+ three story office buildings are designed to accommodate both tech users who prefer an open office layout and professional office users who prefer private perimeter offices. The buildings will also meet the needs of large as well as small tenants. In accordance with the terms of the Development Agreement, special efforts will be made to market space to incubator/accelerator/co-working entities. Depending on the amount of community serving uses, the office use will total between about 190,100 and 200,500 SF.

On the public street facing facades, the third floor will be set back and feature decks. The ground floor office spaces will be built to enable direct connections onto the plaza to facilitate the indoor/outdoor experience, as well as active use of the plaza for gatherings and events.

Traffic Demand Management (TDM)

The Greenheart TDM programs provide disincentives to driving (such as fees for parking) as well as incentives to use alternatives to single occupancy auto commuting. These will include such measures as free Caltrain Go-Passes to all office tenants and residents (which permits 24/7 free Caltrain access), on-site zip cars, showers and secure parking for bicyclists, and so forth.

Sustainability

The office buildings have a goal of LEED Platinum certification and the residential building will have LEED Gold certification. The rooftops of each building will have the maximum number of photovoltaic solar panels practical.

Station 1300
Summary Fact Sheet
January, 2017

Residential Unit Type	%	Number
1 bdrm & 1bath	53.6%	98
2 bdrm & 2 bath	42.1%	77
3 bdrm & 2 bath	4.4%	8
Total	**100%**	**183**

Buildings		Size (SF)	Size (SF)
Residential			
Apartments		199,031	N/A
Ground Floor Community Serving		7,250	N/A
Total		206,281	N/A
Commercial			
Office (Max to Min)		200,500	190,100
Community Serving Uses	(Min to Max)	11,350	21,750
Total		211,850	211,850

Parking		Spaces
Community Serving		100
Office		662
Residential		229
Total		991
	Underground	974
	Surface	17

Parking requirements calculated using ULI Shared Parking analysis & metrics

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Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet
Station 1300 – January 24 (Plans dated 1/10/17)

Section	Standard or Guideline	Requirement	Evaluation
E.3.1 Development Intensity			
E.3.1.01	Standard	Business and Professional office (inclusive of medical and dental office) shall not exceed one half of the base FAR or public benefit bonus FAR, whichever is applicable.	**Complies**: Real Estate "Leasing Office" sq. footage counts toward project office area. Refer to Area Summary on A0.1. Total FAR Allowed/Proposed = 420,404/419,429 Total Office FAR Allowed/Proposed= 210,203/203,772
E.3.1.02	Standard	Medical and Dental office shall not exceed one third of the base FAR or public benefit bonus FAR, whichever is applicable.	**Complies:** No Medical or Dental proposed.
E.3.2 Height			
E.3.2.01	Standard	Roof-mounted mechanical equipment, solar panels, and similar equipment may exceed the maximum building height, but shall be screened from view from publicly-accessible spaces.	**Complies:** Refer to line-of-sight diagrams on sheet A6.01a. Views taken from prominent public locations on Garwood Way, the adjacent train station, Oak Grove Ave. and El Camino Real. Roof top projections and building profile geometry are dimensioned in aforementioned views. Cement plaster screening walls around office building mechanical equipment do not exceed 4 feet above 48-foot maximum height as dimensioned on site section A6.01.1 and A6.01.2.
E.3.2.02	Standard	Vertical building projections such as parapets and balcony railings may extend up to 4 feet beyond the maximum façade height or the maximum building height, and shall be integrated into the design of the building.	**Complies:** Refer to sections and elevations on sheets A6.10, A6.11, A6.12, and A6.13. Detail 3 on A6.12 and 5 on A6.13 show building profile lines beyond to illustrate the way in which the building profile line interacts with the parapet. Additionally, see developed, dimensioned details of parapet and eaves on sheet A6.16 and A6.17. Tower elements at entry meet 52' maximum height for parapets and similar vertical projections.
E.3.2.03	Standard	Rooftop elements that may need to exceed the maximum building height due to their function, such as stair and elevator towers, shall not exceed 14 feet beyond the maximum building height. Such rooftop elements shall be integrated into the design of the building.	**Complies:** Refer to dimensioned sections on sheets A6.01 and A6.01a. Rooftop elements, including stair and elevator towers on this project do not exceed 8'-10' (less than the 14' maximum allowable) beyond the maximum building height. Also, residential elevator tower set back from façade per A6.12 and minimally visible.
E.3.3 Setbacks and Projections within Setbacks			
E.3.3.01	Standard	Front setback areas shall be developed with sidewalks, plazas, and/or landscaping as appropriate.	**Complies:** Refer to A4.01, A4.04, A4.05 and Landscape Plans.
E.3.3.02	Standard	Parking shall not be permitted in front setback areas.	**Complies:** Most parking is underground, and the small rear parking lot is not within the Garwood Way front setback.

Section	Standard or Guideline	Requirement	Evaluation
E.3.3.03	Standard	In areas where no or a minimal setback is required, limited setback for store or lobby entry recesses shall not exceed a maximum of 4-foot depth and a maximum of 6-foot width.	**Not Applicable:** ECR NE-R is not a no/minimal setback zone.
E.3.3.04	Standard	In areas where no or a minimal setback is required, building projections, such as balconies, bay windows and dormer windows, shall not project beyond a maximum of 3 feet from the building face into the sidewalk clear walking zone, public right-of-way or public spaces, provided they have a minimum 8-foot vertical clearance above the sidewalk clear walking zone, public right-of-way or public space.	**Not Applicable:** ECR NE-R is not a no/minimal setback zone.
E.3.3.05	Standard	In areas where setbacks are required, building projections, such as balconies, bay windows and dormer windows, at or above the second habitable floor shall not project beyond a maximum of 5 feet from the building face into the setback area.	**Complies:** Refer to building sections on A6.10, A6.11, A6.12 and A6.13. Dimensions and labels are included on building sections. Balcony and awning projects at or above the second floor project 3'-0" – 5'-0" from building face into setback area.
E.3.3.06	Standard	The total area of all building projections shall not exceed 35% of the primary building façade area. Primary building façade is the façade built at the property or setback line.	**Complies:** Refer to sheets A4.01, A4.04 and A4.05 for diagrams and calculations outlining building projections do not exceed 35% of the primary building façade.
E.3.3.07	Standard	Architectural projections like canopies, awnings and signage shall not project beyond a maximum of 6 feet horizontally from the building face at the property line or at the minimum setback line. There shall be a minimum of 8-foot vertical clearance above the sidewalk, public right-of-way or public space.	**Complies:** Refer to building sections on A6.10, A6.11, A6.12 and A6.13.In addition to dimensions on these sheets, refer to sheets A4.01, A4.04 and A4.05 with diagrams and calculations.
E.3.3.08	Standard	No development activities may take place within the San Francisquito Creek bed, below the creek bank, or in the riparian corridor.	**Not Applicable:** Project site is not near the San Francisquito Creek.
E.3.4 Massing and Modulation			
E.3.4.1 Building Breaks			
E.3.4.1.01	Standard	The total of all building breaks shall not exceed 25 percent of the primary façade plane in a development.	**Complies:** Refer to sheets A.4.01, A4.04, A4.05 and A5.03, drawing number 3 and 2 for building break calculations as they relate to modulations and primary facades. Building breaks do not exceed 25% of primary façades.
E.3.4.1.02	Standard	Building breaks shall be located at ground level and extend the entire building height.	**Complies:** Refer to sheet A4.01. The central break on El Camino Real does include an arch/sign element, but staff believes the transparency and decorative nature of this feature comply with the building break requirement.

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.1.03	Standard	In all districts except the ECR-SE zoning district, recesses that function as building breaks shall have minimum dimensions of 20 feet in width and depth and a maximum dimension of 50 feet in width. For the ECR-SE zoning district, recesses that function as building breaks shall have a minimum dimension of 60 feet in width and 40 feet in depth.	**Complies:** Refer to sheets A4.01 and A5.03
E.3.4.1.04	Standard	Building breaks shall be accompanied with a major change in fenestration pattern, material and color to have a distinct treatment for each volume.	**Complies:** Refer to sheet A4.01, A4.04 and A4.05. At ECR, the two buildings are composed of major changes in fenestration, material and color. The north office building consists of a light, off-white cement plaster finish, arched windows with burnt red metal trim, and squared-articulation of ground floor retail facades/entrances. In contrast, the south office building consists of a warm, beige cement plaster finish, a cast-stone central bay, 90-degree window profiles with a dark bronze metal trim finish and a pattern of arcades and rounded window profiles at ground floor retail facades / entrances. The north office building central bay windows are articulated as separate punched openings on level 1 and 2, while the south office building central bay windows are detailed to suggest a series of double height windows. At the residential building, building breaks occur at the corner of Oak Grove Ave. and Garwood Way. This corner of the development is a public plaza and residential entry sequence oriented toward the train station. Fenestration, material and color respond to the deep setback and public interface here by differentiating themselves from the flanking building wings. Specifically, a grand glazed, double-height arched entrance portal provides a distinct feature. Directly above, a double-height open breezeway serves as upper story circulation. It allows a unique glimpse through the building and out to the sky and courtyard beyond.
E.3.4.1.05	Standard	In all districts except the ECR-SE zoning district, building breaks shall be required as shown in Table E3.	**Complies:** Refer to sheet A4.01, A4.04, A4.05.

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.1.06	Standard	In the ECR-SE zoning district, and consistent with Table E4 the building breaks shall: • Comply with Figure E9; • Be a minimum of 60 feet in width, except where noted on Figure E9; • Be a minimum of 120 feet in width at Middle Avenue; • Align with intersecting streets, except for the area between Roble Avenue and Middle Avenue; • Be provided at least every 350 feet in the area between Roble Avenue and Middle Avenue; where properties under different ownership coincide with this measurement, the standard side setbacks (10 to 25 feet) shall be applied, resulting in an effective break of between 20 to 50 feet. • Extend through the entire building height and depth at Live Oak Avenue, Roble Avenue, Middle Avenue, Partridge Avenue and Harvard Avenue; and • Include two publicly-accessible building breaks at Middle Avenue and Roble Avenue.	**Not Applicable:** Project is not in the ECR SE zoning district.
E.3.4.1.07	Standard	In the ECR-SE zoning district, the Middle Avenue break shall include vehicular access; publicly-accessible open space with seating, landscaping and shade; retail and restaurant uses activating the open space; and a pedestrian/bicycle connection to Alma Street and Burgess Park. The Roble Avenue break shall include publicly-accessible open space with seating, landscaping and shade.	**Not Applicable:** Project is not in the ECR SE zoning district.
E.3.4.1.08	Guideline	In the ECR-SE zoning district, the breaks at Live Oak, Roble, Middle, Partridge and Harvard Avenues may provide vehicular access.	**Not Applicable:** Project is not in the ECR SE zoning district.
E.3.4.2 Façade Modulation and Treatment			
E.3.4.2.01	Standard	Building façades facing public rights-of-way or public open spaces shall not exceed 50 feet in length without a minor building façade modulation. At a minimum of every 50' façade length, the **minor vertical façade modulation** shall be a minimum 2 feet deep by 5 feet wide recess or a minimum 2 foot setback of the building plane from the primary building façade.	**Complies**: Refer to A4.01, A4.04, A4.05, A4.06, and A5.03. The Garwood Way frontage includes building elements that provide a defined street edge and presence and screen the surface parking lot, while also welcoming the public into the park area.

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.2.02	Standard	Building façades facing public rights-of-way or public open spaces shall not exceed 100 feet in length without a major building modulation. At a minimum of every 100 feet of façade length, a **major vertical façade modulation** shall be a minimum of 6 feet deep by 20 feet wide recess or a minimum of 6 feet setback of building plane from primary building façade for the full height of the building. This standard applies to all districts except ECR NE-L and ECR SW since those two districts are required to provide a building break at every 100 feet.	**Complies**: Refer to A4.01, A4.04 and A4.05 and documentation on sheets A4.06 and A5.03.
E.3.4.2.03	Standard	In addition, the major building façade modulation shall be accompanied with a 4-foot minimum height modulation and a major change in fenestration pattern, material and/or color.	**Complies:** Refer to plans and documentation (color and material key notes) on sheets A4.01, A4.04, A4.05 and A5.03. The major modulation on the south office building on ECR (the middle bay) is a stone-clad bay with large windows articulated to appear as double height openings. Similarly, the major modulation at Oak Grove is designed as a stone-clad modulation for the full height of the building modulation.
E.3.4.2.04	Guideline	Minor façade modulation may be accompanied with a change in fenestration pattern, and/or material, and/or color, and/or height.	**Complies:** Refer to A4.01, A4.04 and A4.05. Minor façade modulations are accompanied by changes in height, roofing articulation/geometry and material, and color of adjacent building facades. At the office buildings, the minor modulations are accompanied with unique door protection treatment (awnings), window sizes, and roof profiles.
E.3.4.2.05	Guideline	Buildings should consider sun shading mechanisms, like overhangs, *bris soleils* and clerestory lighting, as façade articulation strategies.	**Complies:** Buildings utilize overhangs, awnings, trellis structures, and clerestory lighting as façade articulation strategies. Refer to elevations with color and material call-outs on sheets A4.01, A4.04 and A4.05 for awnings, canopies and clerestories. Per architect, all ground floor retail spaces are designed with tall storefront glazing and provide an upper portion of operable clerestory windows.
E.3.4.3 Building Profile			
E.3.4.3.01	Standard	The 45-degree building profile shall be set at the minimum setback line to allow for flexibility and variation in building façade height within a district.	**Complies**: Refer to building sections on A6.10, A6.11, A6.12 and A6.13 and plans and sections on sheets A4.05 and A6.13. The minimum and maximum setbacks on Garwood Way are being measured from an existing SFPUC easement.

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.3.02	Standard	Horizontal building and architectural projections, like balconies, bay windows, dormer windows, canopies, awnings, and signage, beyond the 45-degree building profile shall comply with the standards for Building Setbacks & Projection within Setbacks (E.3.3.04 to E.3.3.07) and shall be integrated into the design of the building.	**Complies:** Refer to detailed sections (including building profiles beyond) on sheets A6.14, A6.15 and A6.16 as well as details on A6.18. The 45 degree angle intersects the roof sheathing and complies with a horizontal projection allowance of 4'-0". Projections have been integrated into the building design.
E.3.4.3.03	Standard	Vertical building projections like parapets and balcony railings shall not extend 4 feet beyond the 45-degree building profile and shall be integrated into the design of the building.	**Complies:** Refer to detailed sections (including building profiles beyond) on sheets A6.14, A6.15 and A6.16 as well as details on A6.18. The 45 degree angle intersects the roof sheathing and complies with a horizontal projection allowance of 4'-0". Projections have been integrated into the building design.
E.3.4.3.04	Standard	Rooftop elements that may need to extend beyond the 45-degree building profile due to their function, such as stair and elevator towers, shall be integrated into the design of the building.	**Complies:** Refer to A6.01 and A6.01.1, which illustrate elevator overruns and stair penthouses as subtle extensions of building massing.
E.3.4.4 Upper Story Façade Length			
E.3.4.4.01	Standard	Building stories above the 38-foot façade height shall have a maximum allowable façade length of 175 feet along a public right-of-way or public open space.	**Generally Complies:** Dimensions and labels are shown on the Office floor plan level 3, sheet A2.C03 for the South Office Building, and on Specific Plan Standards Compliance Diagram on sheet A4.01. See exterior elevations at public right of ways, sheet A4.06 for Garwood Way and Oak Grove Avenue, For the Oak Grove/Garwood corner, there is some ambiguity since the Specific Plan does not clearly address such configurations. The plan configuration treats the corner like another facade element that does not face either street directly and therefore could be considered a separate facade. Staff believes this is a reasonable interpretation.
E.3.5 Ground Floor Treatment, Entry and Commercial Frontage			
Ground Floor Treatment			
E.3.5.01	Standard	The retail or commercial ground floor shall be a minimum 15-foot floor-to-floor height to allow natural light into the space**.**	**Complies**: Refer to building sections on A6.01.
E.3.5.02	Standard	Ground floor commercial buildings shall have a minimum of 50% transparency (i.e., clear-glass windows) for retail uses, office uses and lobbies to enhance the visual experience from the sidewalk and street. Heavily tinted or mirrored glass shall not be permitted.	**Complies:** Refer to diagrams for all street-facing commercial frontages on sheets A4.02a and A4.02b. The ground floor transparency is 52% at the north office commercial space, 54% at the south office commercial space, and 57% at the Oak Grove Ave. commercial space.

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.03	Guideline	Buildings should orient ground-floor retail uses, entries and direct-access residential units to the street.	**Complies**: Refer to elevations on A4.01, A4.04 and A4.05. The residential units on Garwood Way are oriented to the street by way of a direct entry connection, a raised stoop, or deck, facing the street. All ground floor retail spaces at Oak Grove Ave. and ECR provide direct access and storefront windows to the adjacent sidewalks and streets.
E.3.5.04	Guideline	Buildings should activate the street by providing visually interesting and active uses, such as retail and personal service uses, in ground floors that face the street. If office and residential uses are provided, they should be enhanced with landscaping and interesting building design and materials.	**Complies:** Refer to elevations on A4.01, A4.04, A4.05, and Landscape Plans. The large commercial storefronts are designed to activate the street by opening up and spilling activity out onto the adjacent sidewalk, including with outdoor seating at potential restaurants, market stalls, large, folding doors to encourage a more porous blending of inside and out. Large potted plantings and trees are sprinkled throughout the ground floor commercial frontage for further visual interest and variety.
E.3.5.05	Guideline	For buildings where ground floor retail, commercial or residential uses are not desired or viable, other project-related uses, such as a community room, fitness center, daycare facility or sales center, should be located at the ground floor to activate the street.	**Not Applicable:** All ground-floor uses are retail, commercial, or residential.
E.3.5.06	Guideline	Blank walls at ground floor are discouraged and should be minimized. When unavoidable, continuous lengths of blank wall at the street should use other appropriate measures such as landscaping or artistic intervention, such as murals.	**Complies**: Refer to elevations and renderings. Blank walls are minimized and occur only in areas screened by landscape and trellis structures. The few areas of blank walls at the ground floor do not face any public streets or public right of way.
E.3.5.07	Guideline	Residential units located at ground level should have their floors elevated a minimum of 2 feet to a maximum of 4 feet above the finished grade sidewalk for better transition and privacy, provided that accessibility codes are met.	**Complies:** Residential decks, or stoops, are provided at +2'-3' above sidewalk grade depending on location. Refer to elevation 1 on A4.06.
E.3.5.08	Guideline	Architectural projections like canopies and awnings should be integrated with the ground floor and overall building design to break up building mass, to add visual interest to the building and provide shelter and shade.	**Complies:** Refer to building elevations. All ground floor commercial spaces incorporate architectural projections including canopies and awnings. They add visual interest, break up the building massing, provide shelter and per CALGreen are a required measure for door protection to avoid water intrusion. On the upper stories, clay tile roof eaves and wood trellis structures provide visual interest, breaks in building massing, and shade/shelter in the language of colonial, mission-style architecture.
Building Entries			

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.09	Standard	Building entries shall be oriented to a public street or other public space. For larger residential buildings with shared entries, the main entry shall be through prominent entry lobbies or central courtyards facing the street. From the street, these entries and courtyards provide additional visual interest, orientation and a sense of invitation.	**Complies:** Refer to building elevations, first floor plans and perspectives. The north and south office building entrances are oriented to the main public plaza in the development, although the arched central entry provides a clear path from ECR. The community-serving spaces at both office buildings are oriented directly toward ECR. The main residential entrance is oriented toward the public plaza and intersection of Oak Grove Ave. and Garwood Way, directly across from the Caltrain Station. The commercial entries on Oak Grove Avenue are oriented directly toward the street.
E.3.5.10	Guideline	Entries should be prominent and visually distinctive from the rest of the façade with creative use of scale, materials, glazing, projecting or recessed forms, architectural details, color, and/or awnings.	**Complies:** Refer to elevations on A4.01, A4.04 and A4.05 and perspective renderings.
E.3.5.11	Guideline	Multiple entries at street level are encouraged where appropriate.	**Complies:** Refer to A4.01, A4.04 and A4.05.
E.3.5.12	Guideline	Ground floor residential units are encouraged to have their entrance from the street.	**Complies:** Refer to A4.05.
E.3.5.13	Guideline	Stoops and entry steps from the street are encouraged for individual unit entries when compliant with applicable accessibility codes. Stoops associated with landscaping create inviting, usable and visually attractive transitions from private spaces to the street.	**Complies:** Refer to A4.05.
E.3.5.14	Guideline	Building entries are allowed to be recessed from the primary building façade.	**Complies:** Refer to floor plans, A6.15, and A6.16. Glazing at building entries would be recessed from the adjacent façade. Some building entries also have canopies.
Commercial Frontage			
E.3.5.15	Standard	Commercial windows/storefronts shall be recessed from the primary building façade a minimum of 6 inches	**Complies:** Refer to detail 3/A6.14 for the 6-inch recess at commercial storefront windows at the office buildings. Refer to enlarged sections on sheets A6.10, A6.11 and A6.12 for enlarged sections as ECR and Oak Grove Avenue façades showing recesses of 6 to 12 inches depending on location.
E.3.5.16	Standard	Retail frontage, whether ground floor or upper floor, shall have a minimum 50% of the façade area transparent with clear vision glass, not heavily tinted or highly mirrored glass.	**Complies:** Refer to sheets A4.02a and A4.02b for Commercial Frontage and Ground Floor Transparency at storefronts. Clear vision glass makes up 52% of north office building retail frontage on ECR, 54% of south office building retail frontage on ECR, and 57% of residential building retail frontage on Oak Grove Ave. Also refer to glass samples.

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.17	Guideline	Storefront design should be consistent with the building's overall design and contribute to establishing a well-defined ground floor for the façade along streets.	**Complies:** Refer to elevations on A4.01, A4.04 as well as A6.12 and A6.16. Storefront glazing would be subdivided in varied patterns depending on location on façade that reference other windows on the structure. Wide and narrow mulled sections of glazing, or muntin bars, are suggested by the drawings as well as wide stiles and rails at some store entry doors.
E.3.5.18	Guideline	The distinction between individual storefronts, entire building façades and adjacent properties should be maintained.	**Complies:** There is a flexible framework for multiple tenants or a singular tenant at all scales.
E.3.5.19	Guideline	Storefront elements such as windows, entrances and signage should provide clarity and lend interest to the façade.	**Complies**: Refer to elevations and perspective drawings.
E.3.5.20	Guideline	Individual storefronts should have clearly defined bays. These bays should be no greater than 20 feet in length. Architectural elements, such as piers, recesses and projections help articulate bays.	**Complies:** Refer to sheets A4.02a and A4.02b for Commercial Frontage and Ground Floor Transparency at storefronts. Storefront glass bays average 18'-0" in length.
E.3.5.21	Guideline	All individual retail uses should have direct access from the public sidewalk. For larger retail tenants, entries should occur at lengths at a maximum at every 50 feet, consistent with the typical lot size in downtown.	**Complies:** Refer to elevations on A4.01 and A6.12.
E.3.5.22	Guideline	Recessed doorways for retail uses should be a minimum of two feet in depth. Recessed doorways provide cover or shade, help identify the location of store entrances, provide a clear area for out-swinging doors and offer the opportunity for interesting paving patterns, signage and displays.	**Complies:** Most if not all building entries either protected by awnings or recesses, as specified.
E.3.5.23	Guideline	Storefronts should remain un-shuttered at night and provide clear views of interior spaces lit from within. If storefronts must be shuttered for security reasons, the shutters should be located on the inside of the store windows and allow for maximum visibility of the interior.	**TBD:** To be verified with future building permits and enforced as needed on a complaint basis.
E.3.5.24	Guideline	Storefronts should not be completely obscured with display cases that prevent customers and pedestrians from seeing inside.	**TBD:** To be verified with future building permits and enforced as needed on a complaint basis.
E.3.5.25	Guideline	Signage should not be attached to storefront windows.	**TBD:** To be verified with future building/signage permits and enforced as needed on a complaint basis.
E.3.6 Open Space			

Section	Standard or Guideline	Requirement	Evaluation
E.3.6.01	Standard	Residential developments or Mixed Use developments with residential use shall have a minimum of 100 square feet of open space per unit created as common open space or a minimum of 80 square feet of open space per unit created as private open space, where private open space shall have a minimum dimension of 6 feet by 6 feet. In case of a mix of private and common open space, such common open space shall be provided at a ratio equal to 1.25 square feet for each one square foot of private open space that is not provided.	**Complies:** Refer to the (colored) Site Area Diagram on A3.01 and the open space calculations on the Project Data Sheet A0.1. The project provides a mix of private and common open space, with said common open space provided at a ratio of 1.25 square feet to each one square foot of private open space not provided. Common open space required for this project = 183 units x 100sf = 18,300sf. Common. open space proposed = 14,982 sf (18,300-14,982) x 1.25 = 4,148sf Open space mix required = 19,130sf Open space mix proposed = 25,240sf 25,240sf > 19,130sf The area chart on sheet A3.00 indicates residential common open space as 31,235 square feet and residential private open space as 7,885 square feet. Per count 51 units would have private open space.
E.3.6.02	Standard	Residential open space (whether in common or private areas) and accessible open space above parking podiums up to 16 feet high shall count towards the minimum open space requirement for the development.	**Complies:** Residential open spaces are within 3 feet of ground level.
E.3.6.03	Guideline	Private and/or common open spaces are encouraged in all developments as part of building modulation and articulation to enhance building façade.	**Complies:** Refer to E3.6.01 for open space calculations, landscape site plan and elevations. Private open spaces help articulate building modulations in the form of stoops, or decks, and patios on level 1 and balconies (larger than 6'x6') at levels 2, 3 and 4. Common open spaces facilitate the building articulation at the mews, or commons, between residential and office buildings.
E.3.6.04	Guideline	Private development should provide accessible and usable common open space for building occupants and/or the general public.	**Complies:** Refer to Area and Site Plans on A1.1 and A1.2. All common, private, and public open space is accessible per the 2013 California Building Code and ADA. The project proposes over 90,000 sf of usable open space, including Oak Grove Plaza, Office Plaza, and a Games Court/Plaza along Garwood. These spaces are intended for the general public as well as residents and tenants of the project.

Section	Standard or Guideline	Requirement	Evaluation
E.3.6.05	Guideline	For residential developments, private open space should be designed as an extension of the indoor living area, providing an area that is usable and has some degree of privacy.	**Generally Complies:** The private space at residential units includes balconies (larger than 6'x6'), decks, courtyard patios, and stoops, or front porches. They are extensions of the indoor living areas (occur on the same level) and are screened from neighboring tenants and the public via plantings, distance and grade separation. Refer to plans and elevations for specific locations. Patios and stoops at building exterior walls appear to be at least 2 feet above grade with partially solid guard walls to facilitate privacy. Ground level units at the main residential courtyard appear to be at the same level as the courtyard.
E.3.6.06	Guideline	Landscaping in setback areas should define and enhance pedestrian and open space areas. It should provide visual interest to streets and sidewalks, particularly where building façades are long.	**Complies:** Refer to landscape plans for all landscaping in the setback areas. Landscape in setback areas includes a variety of raised and recessed planters, potted plantings, diverse species and sizes of trees and outdoor furniture, including partial height walls, fountains, benches and other forms of seating.
E.3.6.07	Guideline	Landscaping of private open spaces should be attractive, durable and drought-resistant.	**Complies**: Refer to landscape drawings for drought tolerant species and durable material choices. The proposed tree palette indicates about half the proposed trees would require low or very low water usage and about half medium water usage. Shrubs and ground coverings are not indicated. Compliance with the standard WELO will be enforced with the building permits.
E.3.7 Parking, Service and Utilities			
General Parking and Service Access			
E.3.7.01	Guideline	The location, number and width of parking and service entrances should be limited to minimize breaks in building design, sidewalk curb cuts and potential conflicts with streetscape elements.	**Complies:** Refer to Site Plan, A1.2, which shows curb cuts for parking and trash/loading at the far north edge of the property on Garwood Way and curb cuts to the parking garage at the building wall on Garwood Way and the north edge of the property at El Camino Real. Curb cuts, width of parking entrances and associated building breaks have been designed as shared entrances to reduce overall quantity and are designed as two-way (entrance and exit points) with code-minimum clearances.

Section	Standard or Guideline	Requirement	Evaluation
E.3.7.02	Guideline	In order to minimize curb cuts, shared entrances for both retail and residential use are encouraged. In shared entrance conditions, secure access for residential parking should be provided.	**Complies:** Refer to Area Plan on A1.1 and to garage access points on Site Plan A1.2 and Garage level plans on sheets A2.B1 and A2.B2. Curb cuts are minimized through the use of shared garage and site access. Curb cuts on ECR and Garwood Way are shared among residential, office and community serving uses (retail). For security purposes, the uses are separated below grade. Additionally, the on-grade parking lot shares a curb cut with a third garage access point due to overall parking capacity.
E.3.7.03	Guideline	When feasible, service access and loading docks should be located on secondary streets or alleys and to the rear of the building.	**Complies:** Refer to Area Plan on A1.1. Refer to street elevation and plan of site loading zone and trash/recycling area on sheet A5.03. The service access and loading (parking spaces only, in lieu of loading docks) are located at the northeast corner of the site, accessible via a secondary access point off Garwood Way. The trellis, accessory building, and landscaping help to screen this area from the public way.
E.3.7.04	Guideline	The size and pattern of loading dock entrances and doors should be integrated with the overall building design.	**Not Applicable:** No loading dock proposed
E.3.7.05	Guideline	Loading docks should be screened from public ways and adjacent properties to the greatest extent possible. In particular, buildings that directly adjoin residential properties should limit the potential for loading-related impacts, such as noise. Where possible, loading docks should be internal to the building envelope and equipped with closable doors. For all locations, loading areas should be kept clean.	**Not Applicable:** No loading dock proposed
E.3.7.06	Guideline	Surface parking should be visually attractive, address security and safety concerns, retain existing mature trees and incorporate canopy trees for shade. See Section D.5 for more compete guidelines regarding landscaping in parking areas.	**Complies:** Refer to street elevation and plan of grade level parking lot on sheet A5.03. The parking lot has been designed with mature shade trees around its perimeter. In general it is quite compact double loaded parking aisle with 16 total parking spaces. Parking is screened from Garwood Way using landscaping (trees) and trellis structure. It is well lit for after-hours security and in plain view and close proximity of office building windows.
Utilities			
E.3.7.07	Guideline	All utilities in conjunction with new residential and commercial development should be placed underground.	**Complies:** Refer to Civil drawings.

Section	Standard or Guideline	Requirement	Evaluation
E.3.7.08	Guideline	Above ground meters, boxes and other utility equipment should be screened from public view through use of landscaping or by integrating into the overall building design.	**Complies**: Refer to civil engineering Utilities drawing sheet TM-8 which includes a landscape architecture underlay. Area Plan A1.1 and Landscape Site Plan L-1.0 also call out equipment and illustrate screening components. Specifically, the pad-mounted transformer on grade near the loading area accessed via Garwood Way is screened by the small accessory building and trellis structure holding the street edge. Gas and electric meters on grade are integrated into the building design; they are designed into niches at the office and residential buildings and hidden from the public way. Those meters and backflow preventers that must face the public way are screened by tall plantings.
Parking Garages			
E.3.7.09	Standard	To promote the use of bicycles, secure bicycle parking shall be provided at the street level of public parking garages. Bicycle parking is also discussed in more detail in Section F.5 “Bicycle Storage Standards and Guidelines.”	**Not Applicable:** Project is a private development, not a public parking garage.
E.3.7.10	Guideline	Parking garages on downtown parking plazas should avoid monolithic massing by employing change in façade rhythm, materials and/or color.	**Not Applicable:** Project is a private development, not a public parking garage.
E.3.7.11	Guideline	To minimize or eliminate their visibility and impact from the street and other significant public spaces, parking garages should be underground, wrapped by other uses (i.e. parking podium within a development) and/or screened from view through architectural and/or landscape treatment.	**Complies:** Parking garage is underground.
E.3.7.12	Guideline	Whether free-standing or incorporated into overall building design, garage façades should be designed with a modulated system of vertical openings and pilasters, with design attention to an overall building façade that fits comfortably and compatibly into the pattern, articulation, scale and massing of surrounding building character.	**Complie**s: Garage facades are limited to well integrated arched entries at the first floor of the building façade and set at major building modulations. See A4.01 and A4.06.
E.3.7.13	Guideline	Shared parking is encouraged where feasible to minimize space needs, and it is effectively codified through the plan’s off-street parking standards and allowance for shared parking studies.	**Complies:** Project has submitted a shared parking study, and has incorporated some sharing.
E.3.7.14	Guideline	A parking garage roof should be approached as a usable surface and an opportunity for sustainable strategies, such as installment of a green roof, solar panels or other measures that minimize the heat island effect.	**Complies:** The parking garage roof provides landscaped open space at plaza and mew spaces.
E.3.8 Sustainable Practices			
Overall Standards			

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.01	Standard	Unless the Specific Plan area is explicitly exempted, all citywide sustainability codes or requirements shall apply.	**Complies:** All citywide sustainability codes/requirements apply to this project.
Overall Guidelines			
E.3.8.02	Guideline	Because green building standards are constantly evolving, the requirements in this section should be reviewed and updated on a regular basis of at least every two years.	**Not Applicable:** This guideline applies to the City in its review of the Specific Plan.
Leadership in Energy and Environmental Design (LEED) Standards			

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.03	Standard	Development shall achieve LEED certification, at Silver level or higher, or a LEED Silver equivalent standard for the project types listed below. For LEED certification, the applicable standards include LEED New Construction; LEED Core and Shell; LEED New Homes; LEED Schools; and LEED Commercial Interiors. Attainment shall be achieved through LEED certification or through a City-approved outside auditor for those projects pursing a LEED equivalent standard. The requirements, process and applicable fees for an outside auditor program shall be established by the City and shall be reviewed and updated on a regular basis. LEED certification or equivalent standard, at a Silver lever or higher, shall be required for: • Newly constructed residential buildings of Group R (single-family, duplex and multi-family); • Newly constructed commercial buildings of Group B (occupancies including among others office, professional and service type transactions) and Group M (occupancies including among others display or sale of merchandise such as department stores, retail stores, wholesale stores, markets and sales rooms) that are 5,000 gross square feet or more; • New first-time build-outs of commercial interiors that are 20,000 gross square feet or more in buildings of Group B and M occupancies; and • Major alterations that are 20,000 gross square feet or more in existing buildings of Group B, M and R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed. All residential and/or mixed use developments of sufficient size to require LEED certification or equivalent standard under the Specific Plan shall install one dedicated electric vehicle/plug-in hybrid electric vehicle recharging station for every 20 residential parking spaces provided. Per the Climate Action Plan the complying applicant could receive incentives, such as streamlined permit processing, fee discounts, or design templates.	**Complies:** Office and Residential are shown as LEED Gold per scorecards provided by the Integral Group dated 11/10/16. Certification to at least LEED Silver will be required as part of project approvals.
Leadership in Energy and Environmental Design (LEED) Guidelines			

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.04	Guideline	The development of larger projects allows for more comprehensive sustainability planning and design, such as efficiency in water use, stormwater management, renewable energy sources and carbon reduction features. A larger development project is defined as one with two or more buildings on a lot one acre or larger in size. Such development projects should have sustainability requirements and GHG reduction targets that address neighborhood planning, in addition to the sustainability requirements for individual buildings (See Standard E.3.8.03 above). These should include being certified or equivalently verified at a LEED-ND (neighborhood development), Silver level or higher, and mandating a phased reduction of GHG emissions over a period of time as prescribed in the 2030 Challenge. The sustainable guidelines listed below are also relevant to the project area. They relate to but do not replace LEED certification or equivalent standard rating requirements.	**Complies:** Project has submitted LEED-ND documentation that it would meet relevant feasible requirements. Certification optional, per guideline.
Building Design Guidelines			
E.3.8.05	Guideline	Buildings should incorporate narrow floor plates to allow natural light deeper into the interior.	**Complies:** Floorplates are narrower than a typical commercial office building in the area. Given the high window head-heights, the effective daylit zone extends approximately 30' into the space extending the daylight zone into more than half of the commercial office buildings. Core and service spaces have been located within the middle of the floorplates, allowing more occupiable area to be in the daylit zone.
E.3.8.06	Guideline	Buildings should reduce use of daytime artificial lighting through design elements, such as bigger wall openings, light shelves, clerestory lighting, skylights, and translucent wall materials.	**Complies:** Per guideline E.3.8.05, the effective daylit zone extends approximately 30' into the space, and extends the daylight zone into more than half of the commercial office buildings. Clerestory windows are provided at all community serving uses (retail) spaces and large storefront / window walls at each office building. Additionally, there is a generous percentage of glazing at residential units. Daylight sensors will be installed for use with all artificial lighting in all buildings.

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.07	Guideline	Buildings should allow for flexibility to regulate the amount of direct sunlight into the interiors. Louvered wall openings or shading devices like *bris soleils* help control solar gain and check overheating. *Bris soleils*, which are permanent sun-shading elements, extend from the sun-facing façade of a building, in the form of horizontal or vertical projections depending on sun orientation, to cut out the sun's direct rays, help protect windows from excessive solar light and heat and reduce glare within.	**Tentatively Complies:** The project is investigating the use of high-performance spectrally selective glazing, which dramatically reduces solar heat gain, while maximizing visible light transmittance and providing clear views of nature without excessive tinting. Interior roller shades can provide additional solar control without disrupting the façade design language.
E.3.8.08	Guideline	Where appropriate, buildings should incorporate arcades, trellis and appropriate tree planting to screen and mitigate south and west sun exposure during summer. This guideline would not apply to downtown, the station area and the west side of El Camino Real where buildings have a narrower setback and street trees provide shade.	**Complies**: South and west-facing facades incorporate recessed windows, canopies, trellises, and appropriate plantings to screen and mitigate sun exposure. See elevations on A4.02, A4.03, A4.05, A4.06 and planting plans on landscape drawings.
E.3.8.09	Guideline	Operable windows are encouraged in new buildings for natural ventilation.	**Tentatively Complies:** Operable windows are confirmed at the residential building. Applicant is in discussion with MEP and sustainability engineers regarding operable windows at the net zero energy office buildings.
E.3.8.10	Guideline	To maximize use of solar energy, buildings should consider integrating photovoltaic panels on roofs.	**Complies:** See roof plans showing solar panels.
E.3.8.11	Guideline	Inclusion of recycling centers in kitchen facilities of commercial and residential buildings shall be encouraged. The minimum size of recycling centers in commercial buildings should be 20 cubic feet (48 inches wide x 30 inches deep x 24 inches high) to provide for garbage and recyclable materials.	**Tentatively Complies:** A Recycling center will be provided in the communal kitchen at the Clubhouse/Lounge amenity space on level 1 of the residential building. Residential levels 1-4 include two waste and recycling rooms with accessible chutes. Additionally, two trash and recycling centers are located at the termination of the chutes on level B1. All restaurants and café tenants at Oak Grove and ECR community serving uses will be required to provide recycling centers per the Retail Food Code and California Health and Safety Code.
Stormwater and Wastewater Management Guidelines			
E.3.8.12	Guideline	Buildings should incorporate intensive or extensive green roofs in their design. Green roofs harvest rain water that can be recycled for plant irrigation or for some domestic uses. Green roofs are also effective in cutting-back on the cooling load of the air-conditioning system of the building and reducing the heat island effect from the roof surface.	**Does Not Comply:** Roof area will be needed for PV array per Guideline E3.8.10. Increased roof insulation will be used to mitigate excessive heat gain through the roof. Stormwater will be managed on site; see civil drawings.

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.13	Guideline	Projects should use porous material on driveways and parking lots to minimize stormwater run-off from paved surfaces.	**Generally Complies:** Complies given limitations of project being built over parking structure. Additionally, the landscape design incorporates a substantial amount of planting material on the podium in the form of raised and flush planters. See civil drawings for stormwater strategies and landscape drawings for planting coverage.
Landscaping Guidelines			
E.3.8.14	Guideline	Planting plans should support passive heating and cooling of buildings and outdoor spaces.	**Complies:** Landscape provided in significant amounts on plazas, courtyards and streetscapes. Plant species and locations have been designed for maximum aesthetic effects as well as for passive solar benefits, creating summer cooling and shade, and promoting sun exposure in the winter months. See Landscape Sheet L-1.0 for overall landscape site plan and Sheet L3.0 for proposed tree palette.
E.3.8.15	Guideline	Regional native and drought resistant plant species are encouraged as planting material.	**Complies:** Plant list shows native and drought resistant planting for many chosen plants. The planting design does not include turf/lawn, and instead utilizes primarily low water use, and regional native plant species. Plant species shall be selected based on local climate suitability, disease and pest resistance, and water use as listed in the State of California's Model Water Efficient Landscape Ordinance plant list, WUCOLS IV. See Planting Design Intent statement on Sheet L-1.0 for additional notes.
E.3.8.16	Guideline	Provision of efficient irrigation system is recommended, consistent with the City's Municipal Code Chapter 12.44 "Water-Efficient Landscaping".	**Complies:** See note on L01.0. The irrigation system shall comply with the City's Municipal Code Chapter 12.44 "Water-Efficient Landscaping" and the State of California's 2015 Model Water Efficient Landscape Ordinance (MWELO). The irrigation system shall be designed to provide the minimum amount of water necessary to sustain good plant health. The irrigation system is to be a fully automatic, weather-based system using low flow drip and bubbler distribution. All selected components shall be permanent, commercial grade, selected for durability, vandal resistance and minimum maintenance requirement. See Irrigation Design Intent statement on Sheet L-1.0 for additional notes.
Lighting Standards			

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.17	Standard	Exterior lighting fixtures shall use fixtures with low cut-off angles, appropriately positioned, to minimize glare into dwelling units and light pollution into the night sky.	**Complies:** See fixtures with low cut-off angles with minimal wall mounted sconces, etc. shown on Conceptual Lighting Presentation plans. Energy efficient site lighting will comply with the 2013 California Energy Code, Cal Green, and the Dark Skies Initiative requirements for backlight, uplight and glare (BUG).
E.3.8.18	Standard	Lighting in parking garages shall be screened and controlled so as not to disturb surrounding properties, but shall ensure adequate public security.	**Complies**: Parking underground.
Lighting Guidelines			
E.3.8.19	Guideline	Energy-efficient and color-balanced outdoor lighting, at the lowest lighting levels possible, are encouraged to provide for safe pedestrian and auto circulation.	**Tentatively Complies:** Energy efficient site lighting designed to direct users to the parking garage will comply with the 2013 California Energy Code (including egress path min. lighting levels), Cal Green, and the Dark Skies Initiative requirements for backlight, uplight and glare (BUG).
E.3.8.20	Guideline	Improvements should use ENERGY STAR-qualified fixtures to reduce a building's energy consumption.	**Tentatively Complies:** Sustainable initiatives are currently being developed, and may be verified through building permits.
E.3.8.21	Guideline	Installation of high-efficiency lighting systems with advanced lighting control, including motion sensors tied to dimmable lighting controls or lighting controlled by timers set to turn off at the earliest practicable hour, are recommended.	**Tentatively Complies:** Sustainable initiatives are currently being developed, and may be verified through building permits.
Green Building Material Guidelines			
E.3.8.22	Guideline	The reuse and recycle of construction and demolition materials is recommended. The use of demolition materials as a base course for a parking lot keeps materials out of landfills and reduces costs.	**Tentatively Complies:** Sustainable initiatives are currently being developed, and may be verified through building permits.
E.3.8.23	Guideline	The use of products with identifiable recycled content, including post-industrial content with a preference for post-consumer content, are encouraged.	**Tentatively Complies:** Sustainable initiatives are currently being developed, and may be verified through building permits.
E.3.8.24	Guideline	Building materials, components, and systems found locally or regionally should be used, thereby saving energy and resources in transportation.	**Tentatively Complies:** Sustainable initiatives are currently being developed, and may be verified through building permits.
E.3.8.25	Guideline	A design with adequate space to facilitate recycling collection and to incorporate a solid waste management program, preventing waste generation, is recommended.	**Complies:** Plans suggest adequate areas would be available to accommodate these functions.
E.3.8.26	Guideline	The use of material from renewable sources is encouraged.	**Tentatively Complies:** Sustainable initiatives are currently being developed, and may be verified through building permits.

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Station 1300

Site - Conceptual Lighting Presentation

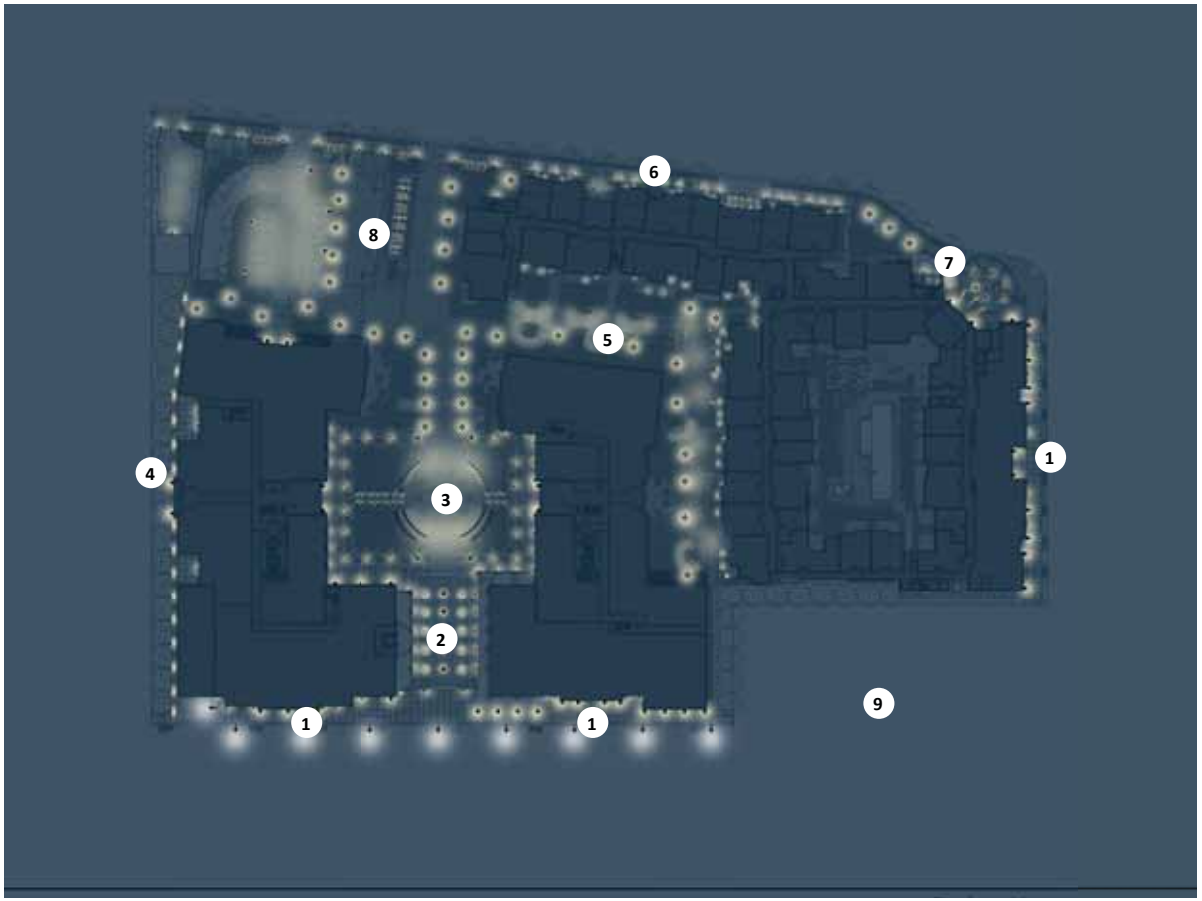
new york | san francisco | los angeles | boston | miami | denver
300 Brannan Street, Suite 212, San Francisco, CA 94107 | 415 348 8273 tel | www.HLBlighting.com

Site - Conceptual Lighting Presentation

Site Plan- Lighting Layout

Legend

1. Storefront
2. Promenade
3. Office Plaza
4. North Office Building Frontage
5. Residential Mews
6. Garwood Way Residential Frontage
7. Oak Grove Plaza
8. Rear Entrance & Parking



Site - Conceptual Lighting Presentation

1 - STOREFRONT



A Decorative wall-mount luminaire for general lighting

B Minimal wall-mount sconce



A



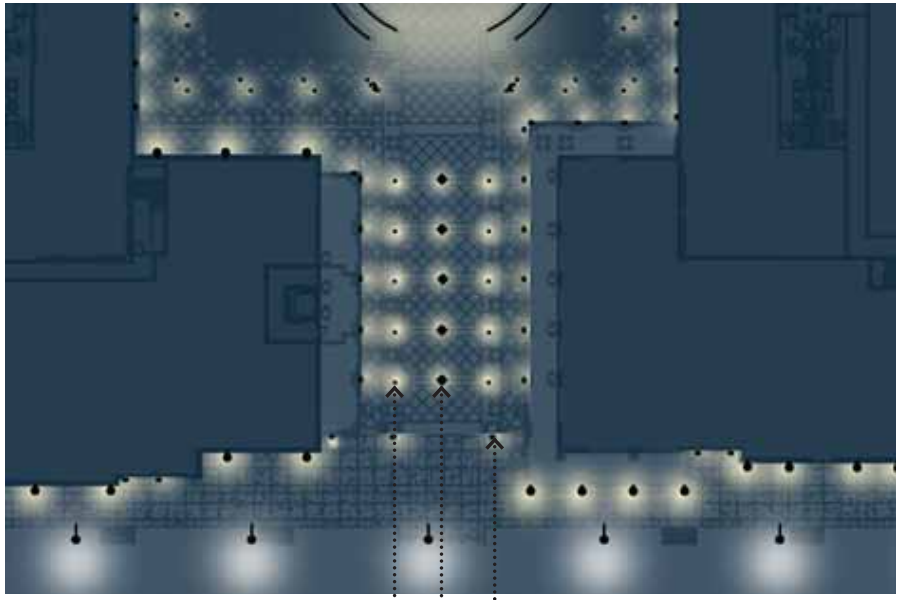
B





Site - Conceptual Lighting Presentation

2 - PROMENADE





A





B





A Minimal wall-mount sconce

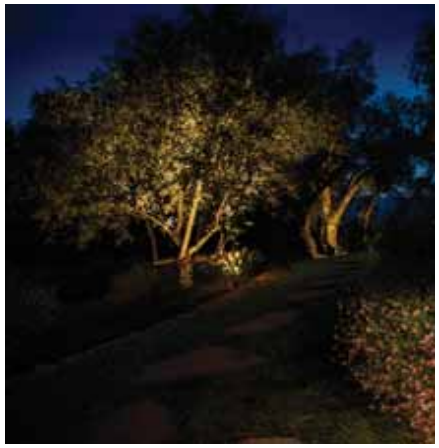
B Catenary systems suspended in the center of the Promenade entrance

C Low -wattage uplights subtly accent the surrounding trees and are in compliance with CalGreen light pollution regulations





C



Site - Conceptual Lighting Presentation

3 - OFFICE PLAZA



A

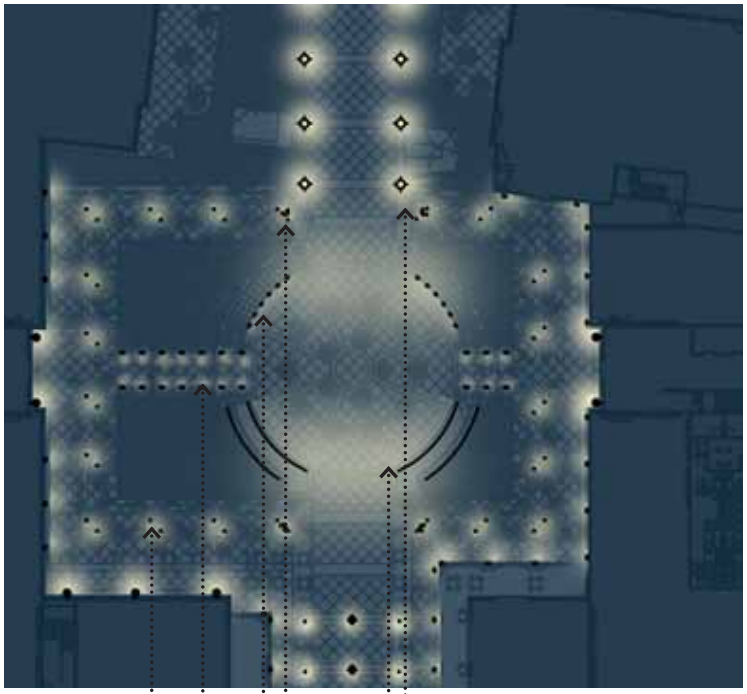




E



B



Minimal uplights to subtly accent the surrounding trees and provide vertical illumination are in compliance with CalGreen light pollution regulations — A

Steplights along the planter wall for general illumination — B

Adjustable accent lights surface-mounted on the trellis for general illumination — C

Pole-mounted area lights for general illumination — D

Strip lighting surface-mounted under the bench for accent — E

Tree mounted downlights for general illumination of plaza. — F



D



D





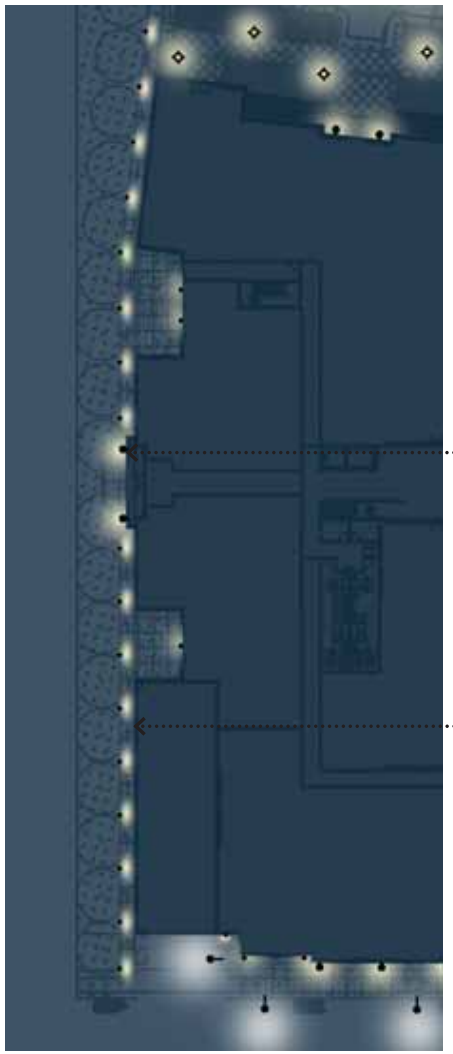




C

Site - Conceptual Lighting Presentation

4 - NORTH OFFICE BUILDING FRONTAGE



A Decorative wall-mount luminaire for general lighting

B Pedestrian scave bollard for general illumination of path



A



B





Site - Conceptual Lighting Presentation

5 - RESIDENTIAL MEWS



Pole-mounted area lights for general illumination (A)

Suspended Downlights in trees to light pathways (B)



A



A



B

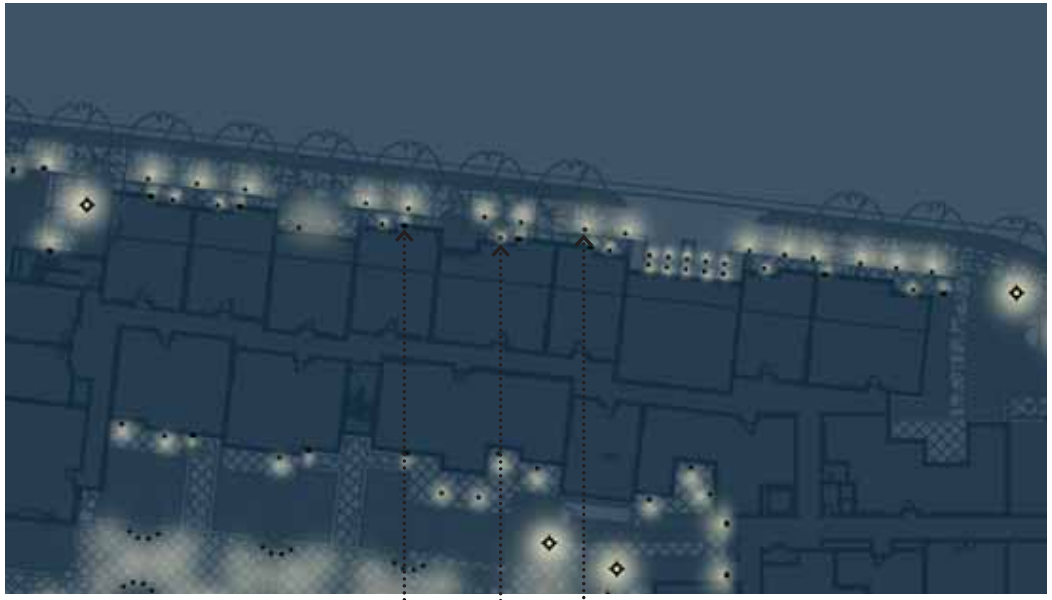






Site - Conceptual Lighting Presentation

6 - GARWOOD WAY RESIDENTIAL FRONTAGE



A -Large steplight mounted in wall for sidewalk illumination

B -Adjustable accent light above door

C -Small steplight in Entry at stairs











Site - Conceptual Lighting Presentation

7 - OAK GROVE PLAZA



A Minimal uplights to subtly accent the surrounding trees and provide vertical illumination are in compliance with CalGreen light pollution regulations

B Illuminated handrail lighting

C Decorative wall-mount luminaire for general lighting- material of the wall

D Minimal wall-mount sconce that blends in with the material of the wall



A



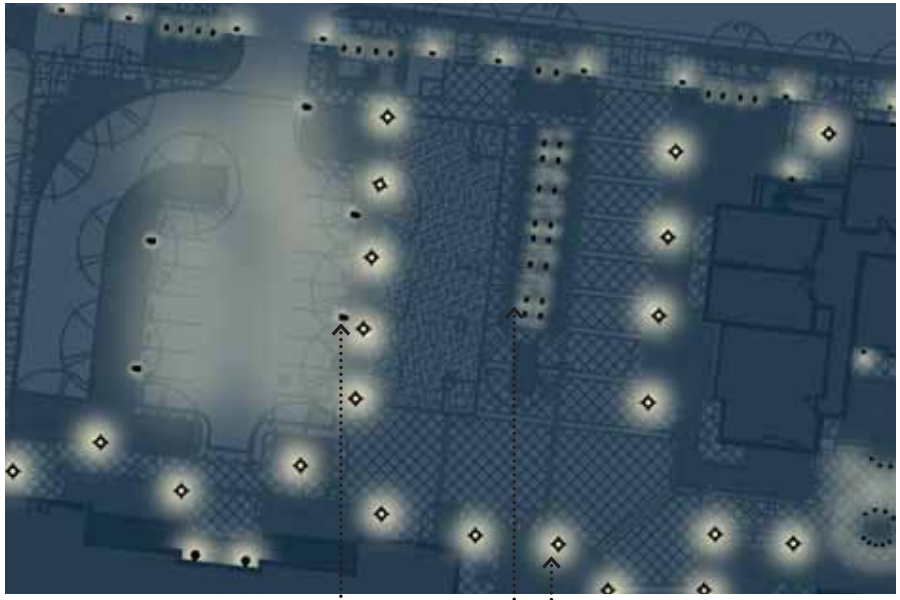
B



C D

Site - Conceptual Lighting Presentation

8 - REAR ENTRANCE & PARKING









A Pole-mounted area lights for general illumination

B Adjustable accent lights surface-mounted on the trellis for general illumination

C Pole-mounted area lights for general illumination









SBCA TREE CONSULTING
Steve Batchelder, Consulting Arborist
1534 Rose Street, Crockett, CA 94525
WC ISA Certified Arborist #228
CUFC Certified Urban Forester #134
Calif. Contractor Lic. (C-27) 533675
Phone (510) 787-3075, Fax (510) 787-3065
E-mail: steve@sbcatree.com

Date: Amendment 5- August 10, 2016

To: Bob Burke, Greenheart Land Company
Box 22263321
621 High Street
Palo Alto, CA 94301

Subject: Tree Survey

Location: 1300 El Camino Real & Derry, Menlo Park

Scope: Survey includes all Heritage Trees on or directly adjacent to parcels at 1300 El Camino Real and Derry Lane and includes all adjacent City Street Trees which may or may not be of Heritage size. ***Tree tagging numbering system is from 1-100 and 201-212. Trees added by Fugiitrees Consulting are numbered with decimals.***

Introduction

Arborist submitted initial tree survey report on 11-7-13. We returned to the site two additional times to survey all adjacent street trees and any additional trees that may have attained "Heritage" status. Two Canary Island Date Palms *(Phoenix canariensis)* have since been removed subsequent to the 11-7-13 survey.

Amendment 4 included additional 38 trees surveyed by Fugiitrees, three of which are Heritage. Amendment 5 includes 5 additional City street trees to be removed.

Appendices are as follows.

- *Appendix 1 – Tree Survey Data*
- *Appendix 2 – Tree Location Map*
- *Appendix 3 – Tree Protection Guidelines*

City of Menlo Park Ordinance, Chapter 13.24

A permit is required to remove or heavily prune trees of heritage size. Any development related work performed within an area 10 times the diameter of a Heritage Tree requires the submittal of tree protection plan.

Heritage Trees are defined as:

- An oak tree *(Quercus)* which is native to California and has a trunk with a circumference of 31.4 inches (diameter of 10 inches) or more, measured 54 inches above natural grade.
- All trees other than oaks which have a trunk with a circumference of 47.1 inches (diameter of 15 inches), measured 54 inches above natural grade.
- Trees with more than one trunk shall be measured at the point where the trunks divide. Heritage trees must be greater than 12 feet tall.

Summary

- Arborist survey identifies one-hundred forty-eight (148) trees located on the parcels or immediately adjacent. Two palms that were previously surveyed in 2013 have since been removed. All trees located within the parcels designated for development are proposed for removal.
- Eighteen (18) tree species were identified.
- Fifty-nine (59) trees are of Heritage size.
- Sixty-five (65) City Street Trees were identified. Many are seedling Coast Live Oaks *(Quercus agrifolia)* located along Garwood Way.
- The most numerous species was the Chinese Tree of Heaven *(Ailanthus altissima)* with forty-eight (48) specimens identified. Most of the *Ailanthus* trees are multi-stemmed with numerous root sprouts. Flagging tape marks the surveyed Heritage specimens which are located in large stands.
- The Coast Live Oak was the second most numerous species identified, with thirty-four (34) specimens. Flagging tape marks the smaller specimens identified as Street Trees along Garwood Way.
- Coast Redwood #12 *(Sequoia sempervirens)* is a large tree, almost dead, and is not considered to be structurally sound. It would be best to remove this tree as soon as it is possible due to the potential "target" should it fail.
- One-hundred thirty-eight (138) trees are proposed for removal. These include forty-seven (47) trees within the parcels and fifty-three (53) City Street Trees.

Survey Procedure

Trees Tagged – Each tree was tagged with a metal number tag corresponding with the number used on the tree location map. Aluminum tags were attached to trees with an aluminum nail; a wire was used for the smaller seedling oaks. Tree tagging numbering is from #1-100 and #201-212. Fugiitrees Consulting surveyed an additional 38 trees, and utilized numbers with decimal points (e.g. 5.1. 5.2).

Data Recorded – Arborists recorded data on tree species, diameter (DBH[1]), tree crown spread, structural safety condition, tree health. Notes were recorded to provide commentary on general conditions.

Measuring *Ailanthus* Suckers –As per directions from City Arborist, "If *Ailanthus* have stand-alone stems of the same tree in a clonal type of clumping, the measurements can be taken individually (not a combined measurement). If the stems are visibly joined at grade, the measurement is taken at the base of the union."

City Street Trees –There is no minimum diameter for Street Trees. All street trees received metal number tags as well. The City right of way at on Oak Grove Ave is 11' from edge of gutter. The right of way on Derry Ln. is 4'. All trees located on Garwood Way are considered have street tree status.

- 65 Identified City street trees include the following:
  - 41 Trees on Garwood Way (#33-39, #64, #65, and #76-100, #201-207)
  - 5 Trees on Oak Grove (#41-45)
  - 4 Trees on Derry Lane (#27, 30, 30.1 and 30.2)
  - 15 London Plane trees in sidewalk along El Camino Real (#47-61)

Table 1 – The table below provides a breakdown of numbers of each of 18 tree species surveyed.

Species	Common Name	Total Amount	Heritage Tree	Street Tree	Proposed Removals	Comments
Acacia melanoxylon	Blackwood Acacia	3	1	2	3	
Acer palmatum	Japanese Maple	2	0	0	2	
Afrocarpus gracilior	African Fern Pine	7	3	0	7	5 w Poor structures
Ailanthus altissima	Chinese Tree of Heaven	48	35	6	48	Naturalized, Most trees are spreading through root sucker growth.
Cupressus sempervirens	Italian Cypress	9	2	0	9	2nd in a line of 7 cypress; Only this one cypress has reached Heritage size
Jacaranda mimosifolia	Jacaranda	4	4	0	4	Healthy, 3 are multi-stemmed
Malus sp.	Apple	1	0	1	1	
Phoenix canariensis	Canary Island Date Palm	1	1	1	1	2 have been cut down since initial survey
Platanus x hispanica	London Plane Tree	18	0	18	8	3 trees on Oak Grove are in poor condition; 15 along El Camino Real are nice trees
Prunus caroliniana	Carolina Laurel Cherry	10	0	0	10	

[1] DBH is tree diameter measured at 54 inches above soil grade.

Species	Common Name	Total Amount	Heritage Tree	Street Tree	Proposed Removals	Comments
Pyrus kawakamii	Evergreen Pear	1	0	1	1	
Quercus agrifolia	Coast Live Oak	34	5	31	34	2 large specimens, A number of seedlings on Garwood
Quercus ilex	Holly Oak	1	0	0	1	
Quercus lobata	Valley Oak	2	2	2	2	Health mitigation required
Quercus rubra	Red Oak	1	0	1	1	
Robinia pseudoacacia	Black Locust	1	1	1	1	Growing in fence
Sequoia sempervirens	Coast Redwood	4	4	1	4	#12 is hazardous; all others are in good condition
Washingtonia robusta	Mexican Fan Palm	1	1	0	1	Volunteer
	Totals	**148**	**59**	**65**	**138**	

End Report

Appendices are as follows.

- *Appendix 1 – Tree Survey Data*
- *Appendix 2 – Tree Location Map*
- *Appendix 3 – Tree Protection Guidelines*

Report Submitted By:

Steve Batchelder, Consulting Arborist
ISA Certified Arborist WE 228A
CaUFC Certified Urban Forester #138
Calif. Contractor Lic. (C-27) 533675

1300 El Camino Real and Derry Lane Heritage Tree Survey

COLUMN HEADING DESCRIPTIONS

Tag# - Indicates the number tag attached to tree
Species - Scientific name
Common Name - Vernacular name
DBH - Diameter measured in inches at 4.5 feet above soil grade; For multiple stemmed trees, measurements were taken at the point where the trunks divide; For palms, measurements are made from the tree base to the point where fonds emanate
Spread- In feet
Structure- Tree Structural Safety: E is Excellent, G is Good, F is Fair, P is Poor, H is Hazardous
Health -Tree Health: E is Excellent, G is Good, F is Fair, P is Poor, D is Dead or Dying
City Street Tree - Y is Yes, N is No
Heritage Tree - Y is Yes, N is No
Proposed Removal - Y is Yes, N is No
Notes - See below

ABBREVIATIONS AND DEFINITIONS

Notes	**Embedded Bark (EB) - AKA Included Bark, this is a structural defect where bark is included between the branch attachment so that the wood cannot join. Such defects have a higher propensity for failure.** **Codominant (CD) - A situation where a tree has two or more stems which are of equal diameter and relative amounts of leaf area. Trees with codominant primary scaffolding stems are inherently weaker than stems, which are of unequal diameter and size.** **Codominant w/ Embedded Bark (CDEB) - When bark is embedded between codominant stems, failure potential is very high and pruning to mitigate the defect is recommended.** **Poor Pruning (PP)- Past pruning practices considered unacceptable according to ANSI A300 Best Management Practices, Tree Pruning** **Headed (H) - Generally considered poor pruning practice which removes the central leader and the internode.**

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
1	*Sequoia sempervirens*	Coast Redwood	28	25	G	F	N	Y	Y	Off color, Signs of stress, Botryosphaeria?
2	*Ailanthus altissima*	Chinese Tree of Heaven	28 @ base	36	F - P	F	N	Y	Y	Multi
3	*Ailanthus altissima*	Chinese Tree of Heaven	24 @ base	30	F - P	F	N	Y	Y	Multi

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
4	*Ailanthus altissima*	Chinese Tree of Heaven	24 @ base	15	F - P	F	N	Y	Y	Multi, Clump of 4 stems
5	*Ailanthus altissima*	Chinese Tree of Heaven	15 @ base	20	F-P	F	N	Y	Y	Multi, Clump of 3 stems
6	*Ailanthus altissima*	Chinese Tree of Heaven	18 @ base	30	F - P	F	N	Y	Y	Multi, Clump of 3 stems
7	*Ailanthus altissima*	Chinese Tree of Heaven	30 @ base	45	P	F	N	Y	Y	Multi, EB
8	*Ailanthus altissima*	Chinese Tree of Heaven	28 @ base	35	P	F	N	Y	Y	Multi
9	*Ailanthus altissima*	Chinese Tree of Heaven	40 @ base	30	F-P	F	N	Y	Y	Multi
10	*Acacia melanoxylon*	Blackwood Acacia	24	35	P	G	N	Y	Y	CDEB
11	*Cupressus sempervirens*	Italian Cypress	15 @ base	10	F	F	N	Y	Y	CD, 2nd in a line of 7 cypress
12	*Sequoia sempervirens*	Coast Redwood	54	40	P - H	P - D	N	Y	Y	Significant tip dieback, Dead CD top, 27" x 10' (rotting) wound on side facing street, Slight lean to street
13	*Jacaranda mimosifolia*	Jacaranda	27 @ base	25	F	G	N	Y	Y	Multi
14	*Jacaranda mimosifolia*	Jacaranda	28 @ base	30	P	G	N	Y	Y	EB, Multi
15	*Jacaranda mimosifolia*	Jacaranda	26 @ base	25	F	G	N	Y	Y	Multi, PP
16	*Jacaranda mimosifolia*	Jacaranda	15	25	F	G	N	Y	Y	CD
17	*Ailanthus altissima*	Chinese Tree of Heaven	32 @ base	40	P	F	N	Y	Y	Multi, CDEB, EB
18	*Ailanthus altissima*	Chinese Tree of Heaven	22 @ base	35	F-P	F	N	Y	Y	Multi, Basal damage, Metal in tree
19	*Ailanthus altissima*	Chinese Tree of Heaven	20 @ base	20	P	F	N	Y	Y	Multi, Clump of 6 stems, CDEB

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
20	*Ailanthus altissima*	Chinese Tree of Heaven	30 @ base	30	P	F	N	Y	Y	Multi
21	*Quercus agrifolia*	Coast Live Oak	20 @ base	20	P	F	N	Y	Y	Multi, EB
22	*Ailanthus altissima*	Chinese Tree of Heaven	48 @ base	70	P	G	N	Y	Y	Multi, multi, EB, EB branch breakout
23	*Ailanthus altissima*	Chinese Tree of Heaven	72 @ base	50	P	F-G	N	Y	Y	Multi, Clump of 9 stems, EB
24	*Afrocarpus gracilior*	African Fern Pine	15	25	G	G	N	Y	Y	CD
25	*Afrocarpus gracilior*	African Fern Pine	15 @ base	20	P	F	N	Y	Y	CDEB
26	*Afrocarpus gracilior*	African Fern Pine	15 @ base	15	P	G	N	Y	Y	CDEB
27	*Ailanthus altissima*	Chinese Tree of Heaven	17 @ base	20	P	F	Y	Y	Y	CDEB, PP, H
28	*Quercus agrifolia*	Coast Live Oak	23	50	F	F	N	Y	Y	PP, Wound at base, 20' from curb
29	*Sequoia sempervirens*	Coast Redwood	103 @ base	50	F	F	N	Y	Y	Multi, Off color, Signs of stress, 20' from curb
30	*Sequoia sempervirens*	Coast Redwood	32.5 @ base	30	G	G	Y	Y	Y	Hardscape displacement
31	*Phoenix canariensis*	Canary Island Date Palm								Gone
32	*Phoenix canariensis*	Canary Island Date Palm								Gone
33	*Quercus agrifolia*	Coast Live Oak	40.5	60	P	G	Y	Y	Y	Off site, 13' from property line, CD, Trunk rotted out on north side
34	*Robinia pseudoacacia*	Black Locust	30 @ base	25	P	F	Y	Y	Y	On property line, Clump of 7 stems, Growing in fence
35	*Ailanthus altissima*	Chinese Tree of Heaven	24 @ base	40	P	F	Y	Y	Y	Multi, On property line, Clump of 10 stems, 5' from street
36	*Phoenix canariensis*	Canary Island Date Palm	20' of Clear Trunk	n/a	G	G	Y	Y	Y	Off site , 4' from street

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
37	*Quercus lobata*	Valley Oak	32	65	F	F	Y	Y	Y	Off site, 7' from property line, 2' from curb, Previous #53, Large (rotting) pruning wound, PP
38	*Quercus agrifolia*	Coast Live Oak	10	20	F	G	Y	Y	Y	Large breakouts, Pruning wounds, Lean for light
39	*Quercus lobata*	Valley Oak	23.5	40	F	P	Y	Y	Y	8' from curb
40	*Ailanthus altissima*	Chinese Tree of Heaven	20 @ base	20	F	F	N	Y	Y	Multi, Part of a large 70' long stand
41	*Platanus x hispanica*	London Plane Tree	12.5	20	P	P	Y	N	Y	Street tree, Pruning wounds, ID, Previously headed
42	*Platanus x hispanica*	London Plane Tree	12.5	30	P	F	Y	N	Y	Street tree, Pruning wounds, ID, Previously headed
43	*Platanus x hispanica*	London Plane Tree	12.5	30	P	F	Y	N	Y	Street tree, ID, Previously headed
44	*Quercus agrifolia*	Coast Live Oak	1	5	F	F	Y	N	Y	Good push of new growth
45	*Pyrus kawakamii*	Evergreen Pear	13	30	F	G	Y	N	Y	Large pruning wounds, CD
46	*Washingtonia robusta*	Mexican Fan Palm	7' of Clear Trunk	15	G	G	N	Y	Y	Close to building, Volunteer?
47	*Platanus x hispanica*	London Plane Tree	11	25	F	F-G	Y	N	N	Street tree, Lean, CD
48	*Platanus x hispanica*	London Plane Tree	11	25	G	F-G	Y	N	N	Lean
49	*Platanus x hispanica*	London Plane Tree	9	25	G	F-G	Y	N	N	Lean
50	*Platanus x hispanica*	London Plane Tree	11.5	30	G	F-G	Y	N	N	CD, Touching metal grate
51	*Platanus x hispanica*	London Plane Tree	11	30	G	G	Y	N	N	CD, Touching metal grate
52	*Platanus x hispanica*	London Plane Tree	10.5	30	G	G	Y	N	N	CD, Touching metal grate
53	*Platanus x hispanica*	London Plane Tree	11.5	30	G	G	Y	N	Y	CD, Touching metal grate

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
54	*Platanus x hispanica*	London Plane Tree	10	30	G	F-G	Y	N	Y	Large pruning wounds, CD, touching metal grate
55	*Platanus x hispanica*	London Plane Tree	10	30	G	F-G	Y	N	Y	No grate
56	*Platanus x hispanica*	London Plane Tree	8.5	30	G	F-G	Y	N	Y	
57	*Platanus x hispanica*	London Plane Tree	10	30	G	F-G	Y	N	N	Touching metal grate
58	*Platanus x hispanica*	London Plane Tree	11	30	G	G	Y	N	N	Lean
59	*Platanus x hispanica*	London Plane Tree	10	30	G	G	Y	N	N	
60	*Platanus x hispanica*	London Plane Tree	6	20	G	F	Y	N	Y	Smaller than others, likely shaded by adjacent redwood
61	*Platanus x hispanica*	London Plane Tree	7.5	20	G	F	Y	N	N	
62	*Ailanthus altissima*	Chinese Tree of Heaven	18 @ base	45	P	G	N	Y	Y	CDEB, Multi
63	*Quercus agrifolia*	Coast Live Oak	10.5 @ base	20	F-P	G	N	Y	Y	3 stems
64	*Acacia melanoxylon*	Blackwood Acacia	12.5	25	F	G	Y	N	Y	Lean, Trunk damage, 2-3' from curb
65	*Acacia melanoxylon*	Blackwood Acacia	8.5	25	G	G	Y	N	Y	Slight lean, 5' from end of pavement
66	*Ailanthus altissima*	Chinese Tree of Heaven	34.5 @ base	20	P	G	N	Y	Y	Multi, Part of a large 70' long stand
67	*Ailanthus altissima*	Chinese Tree of Heaven	21 @ base	15	P	G	N	Y	Y	Multi, Part of a large 70' long stand
68	*Ailanthus altissima*	Chinese Tree of Heaven	20 @ base	20	P	G	N	Y	Y	Multi, Part of a large 70' long stand
69	*Ailanthus altissima*	Chinese Tree of Heaven	18 @ base	25	P	G	N	Y	Y	Multi, Part of a large 70' long stand
70	*Ailanthus altissima*	Chinese Tree of Heaven	19 @ base	20	P	G	N	Y	Y	Multi, Part of a large 70' long stand
71	*Ailanthus altissima*	Chinese Tree of Heaven	16 @ base	25	P	G	N	Y	Y	Multi, Part of a large 70' long stand

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
72	*Ailanthus altissima*	Chinese Tree of Heaven	15 @ base	25	P	G	N	Y	Y	Multi, Part of a large 70' long stand
73	*Ailanthus altissima*	Chinese Tree of Heaven	21 @ base	20	P	G	N	Y	Y	Multi, Part of a large 70' long stand
74	*Ailanthus altissima*	Chinese Tree of Heaven	16 @ base	15	P	G	N	Y	Y	Multi, Part of a large 70' long stand
75	*Ailanthus altissima*	Chinese Tree of Heaven	22 @ base	20	P	G	N	Y	Y	Multi, Pruning left larger stumps
76	*Quercus agrifolia*	Coast Live Oak	1 3/4	5	G	G	Y	N	Y	Diameter taken below first branching
77	*Quercus agrifolia*	Coast Live Oak	1	5	G	F	Y	N	Y	Diameter taken below first branching
78	*Quercus agrifolia*	Coast Live Oak	3 3/4	10	G	G	Y	N	Y	Diameter taken below first branching
79	*Quercus agrifolia*	Coast Live Oak	4	10	F	G	Y	N	Y	CD
80	*Quercus agrifolia*	Coast Live Oak	4.5	20	F	G	Y	N	Y	Pruning wounds
81	*Quercus agrifolia*	Coast Live Oak	6	25	F	G	Y	N	Y	Large pruning wounds, CD
82	*Malus sp.*	Apple	3	5	G	G	Y	N	Y	
83	*Quercus agrifolia*	Coast Live Oak	3	10	G	G	Y	N	Y	Diameter taken below first branching. CD
84	*Quercus agrifolia*	Coast Live Oak	3	20	F	G	Y	N	Y	Diameter taken below first branching
85	*Quercus agrifolia*	Coast Live Oak	1	5	G	G	Y	N	Y	Diameter taken below first branching
86	*Quercus agrifolia*	Coast Live Oak	5 3/4	20	G	G	Y	N	Y	Diameter taken below first branching
87	*Quercus agrifolia*	Coast Live Oak	0.5	3	G	G	Y	N	Y	Diameter taken below first branching
88	*Quercus agrifolia*	Coast Live Oak	1	3	G	G	Y	N	Y	Diameter taken below first branching
89	*Quercus agrifolia*	Coast Live Oak	3/4	3	G	G	Y	N	Y	Diameter taken below first branching

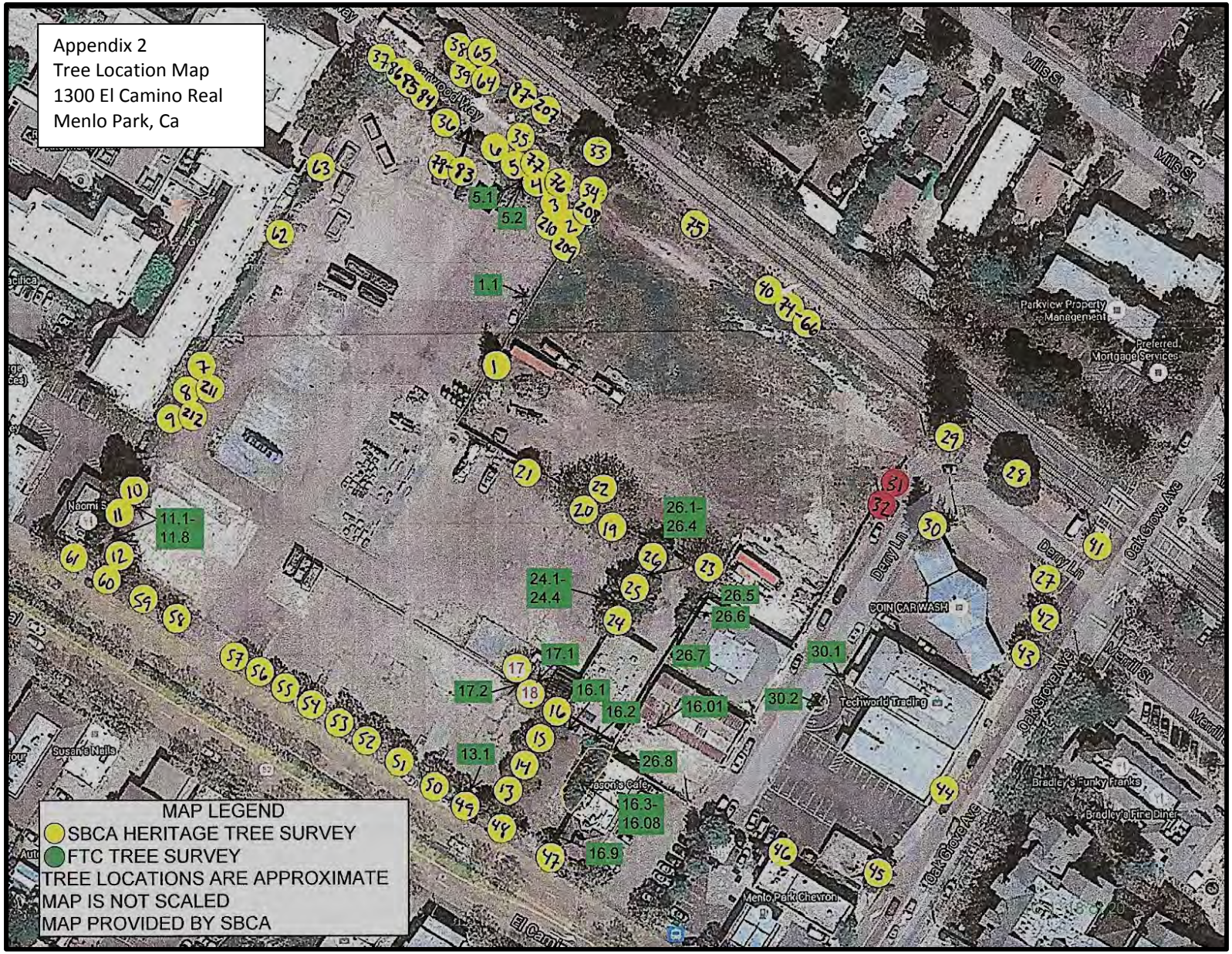
Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
90	*Quercus agrifolia*	Coast Live Oak	0.5	3	G	G	Y	N	Y	Diameter taken below first branching
91	*Quercus agrifolia*	Coast Live Oak	1.5	3	G	G	Y	N	Y	Diameter taken below first branching
92	*Quercus agrifolia*	Coast Live Oak	1	3	G	G	Y	N	Y	Diameter taken below first branching
93	*Quercus agrifolia*	Coast Live Oak	3.5	15	G	G	Y	N	Y	Diameter taken below first branching
94	*Quercus agrifolia*	Coast Live Oak	2	15	G	G	Y	N	Y	Diameter taken below first branching
95	*Quercus agrifolia*	Coast Live Oak	0.5	5	G	G	Y	N	Y	Diameter taken below first branching
96	*Quercus agrifolia*	Coast Live Oak	1.5	5	G	G	Y	N	Y	Diameter taken below first branching
97	*Quercus agrifolia*	Coast Live Oak	1.5	10	G	G	Y	N	Y	Diameter taken below first branching
98	*Ailanthus altissima*	Chinese Tree of Heaven	4	20	G	F	Y	N	Y	
99	*Ailanthus altissima*	Chinese Tree of Heaven	3.5	20	F	F	Y	N	Y	
100	*Ailanthus altissima*	Chinese Tree of Heaven	7.5	25	G	P	Y	N	Y	
201	*Quercus agrifolia*	Coast Live Oak	1.5	5	G	G	Y	N	Y	Diameter taken below first branching
202	*Quercus agrifolia*	Coast Live Oak	1	5	G	G	Y	N	Y	Diameter taken below first branching
203	*Quercus agrifolia*	Coast Live Oak	1.5	5	G	G	Y	N	Y	Diameter taken below first branching
204	*Quercus agrifolia*	Coast Live Oak	2.5	10	G	G	Y	N	Y	Diameter taken below first branching
205	*Quercus agrifolia*	Coast Live Oak	2	5	G	G	Y	N	Y	Diameter taken below first branching
206	*Quercus agrifolia*	Coast Live Oak	2.5	5	G	G	Y	N	Y	Diameter taken below first branching
207	*Quercus agrifolia*	Coast Live Oak	1	5	G	G	Y	N	Y	Diameter taken below first branching

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
208	*Ailanthus altissima*	Chinese Tree of Heaven	18 @ base	20	P	G	N	Y	Y	Multi
209	*Ailanthus altissima*	Chinese Tree of Heaven	15 @ base	20	P	G	N	Y	Y	Multi
210	*Ailanthus altissima*	Chinese Tree of Heaven	16 @ base	25	P	G	N	Y	Y	Multi
211	*Ailanthus altissima*	Chinese Tree of Heaven	40 @ base	25	P	G	N	Y	Y	Multi
212	*Ailanthus altissima*	Chinese Tree of Heaven	22 @ base	25	P	G	N	Y	Y	Multi
1.1	*Ailanthus altissima*	Chinese Tree of Heaven	13 @ base	14	F-G	G	N	N	Y	
5.1	*Ailanthus altissima*	Chinese Tree of Heaven	5.8	30	P	G	N	N	Y	
5.2	*Ailanthus altissima*	Chinese Tree of Heaven	9.8	30	P	G	N	N	Y	
11.1	*Cupressus sempervirens*	Italian Cypress	9.5 @ base	Shared Canopy 25 feet long	F	F	N	N	Y	
11.2	*Cupressus sempervirens*	Italian Cypress	11	Shared Canopy 25 feet long	F	G	N	N	Y	
11.3	*Cupressus sempervirens*	Italian Cypress	15.2	Shared Canopy 25 feet long	F	G	N	Y	Y	Heritage tree
11.4	*Cupressus sempervirens*	Italian Cypress	7	Shared Canopy 25 feet long	F	G	N	N	Y	
11.5	*Cupressus sempervirens*	Italian Cypress	11.7	Shared Canopy 25 feet long	F	G	N	N	Y	
11.6	*Cupressus sempervirens*	Italian Cypress	11.8	Shared Canopy 25 feet long	F	G	N	N	Y	

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
11.7	*Cupressus sempervirens*	Italian Cypress	13	Shared Canopy 25 feet long	F	G	N	N	Y	
11.8	*Cupressus sempervirens*	Italian Cypress	~6 stake	8	P	G	N	N	Y	
13.1	*Quercus ilex*	Holly Oak	8.5	10	F	G	N	N	Y	Possible tree to relocate
16.01	*Ailanthus altissima*	Chinese Tree of Heaven	6.5	16	F	F	N	N	Y	
16.1	*Acer palmatum*	Japanese Maple	9.8 @ base	10	P	G	N	N	Y	
16.2	*Acer palmatum*	Japanese Maple	9.5 @ base	14	P	G	N	N	Y	
16.3	*Prunus caroliniana*	Carolina Laurel Cherry	10 @ base	Shared Canopy 25 feet long	F	G	N	N	Y	
16.4	*Prunus caroliniana*	Carolina Laurel Cherry	11.5 @ base	Shared Canopy 25 feet long	P	G	N	N	Y	
16.5	*Prunus caroliniana*	Carolina Laurel Cherry	8 @ base	Shared Canopy 25 feet long	P	G	N	N	Y	
16.6	*Prunus caroliniana*	Carolina Laurel Cherry	7.5 @ base	Shared Canopy 25 feet long	P	G	N	N	Y	
16.7	*Prunus caroliniana*	Carolina Laurel Cherry	9.5 @ base	Shared Canopy 25 feet long	P	G	N	N	Y	

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
16.8	*Prunus caroliniana*	Carolina Laurel Cherry	7.7 @ base	Shared Canopy 25 feet long	P	G	N	N	Y	
16.9	*Prunus caroliniana*	Carolina Laurel Cherry	7.3 @ base	8	P	F	N	N	Y	
17.1	*Ailanthus altissima*	Chinese Tree of Heaven	9.5	30	P	F	N	N	Y	
17.2	*Ailanthus altissima*	Chinese Tree of Heaven	6.4	18	P	G	N	N	Y	
24.1	*Ailanthus altissima*	Chinese Tree of Heaven	18.4	15	P	G	N	Y	Y	
24.2	*Ailanthus altissima*	Chinese Tree of Heaven	16.5	20	P	G	N	Y	Y	
24.3	*Ailanthus altissima*	Chinese Tree of Heaven	7.3	18	P	G	N	N	Y	
24.4	*Ailanthus altissima*	Chinese Tree of Heaven	8	20	P	G	N	N	Y	
26.1	*Afrocarpus gracilior*	African Fern Pine	11.2 @ base	28	P	F	N	N	Y	
26.2	*Afrocarpus gracilior*	African Fern Pine	9.7	15	P	F	N	N	Y	
26.3	*Afrocarpus gracilior*	African Fern Pine	13.6	15	P	F	N	N	Y	
26.4	*Afrocarpus gracilior*	African Fern Pine	14 @ base	12	F	G	N	N	Y	
26.5	*Prunus caroliniana*	Carolina Laurel Cherry	6.4 @ base	5	P	F	N	N	Y	
26.5	*Prunus caroliniana*	Carolina Laurel Cherry	8.8 @ base	8	P	F	N	N	Y	
26.7	*Ailanthus altissima*	Chinese Tree of Heaven	6 @ base	10	P	G	N	N	Y	
26.8	*Prunus caroliniana*	Carolina Laurel Cherry	6.5 @ base	1.5	P	P	N	N	Y	
30.1	*Ailanthus altissima*	Chinese Tree of Heaven	7.5 @ base	8	F	G	Y	N	Y	

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Heritage Tree?	Proposed Removal	Notes
30.2	*Quercus rubra*	Red Oak	2.5	7	F	G	Y	N	Y	



SBCA Tree Consulting
1534 Rose St. Crockett, CA 94525

Phone (510) 787-3075
Fax (510) 787-3065

Tree Preservation Guidelines

The project site is at 1300 El Camino Real in Menlo Park, CA. The guidelines pertain to the protection of all trees designated as City of Menlo Park Street Trees. None of the trees located within the proposed development site will be retained. Tree protection entails observation of the City Guidelines provided below as well as all procedures and treatments noted in this report.

Prior to the beginning of work activities, project arborist will meet with contractor to review rules for construction activities and to inspect and approve tree protection measures. No activities, demolition or otherwise are to begin until tree protection measures have been inspected and approved of

CITY OF MENLO PARK TREE PROTECTION SPECIFICATIONS

1. A 6" layer of coarse mulch or woodchips is to be placed beneath the dripline of the protected trees. Mulch is to be kept 12" from the trunk.

2. A protective barrier of 6' chain link fencing shall be installed around the dripline of protected tree(s). The fencing can be moved within the dripline if authorized by the Project Arborist or City Arborist but not closer than 2' from the trunk of any tree. Fence posts shall be 1.5" in diameter and are to be driven 2' into the ground. The distance between posts shall not be more than 10'. This enclosed area is the Tree Protection Zone (TPZ).

3. Movable barriers of chain link fencing secured to cement blocks can be substituted for "fixed" fencing if the Project Arborist and City Arborist agree that the fencing will have to be moved to accommodate certain phases of construction. The builder may not move the fence without authorization form the Project Arborist or City Arborist.

4. Where the City Arborist or Project Arborist has determined that tree protection fencing will interfere with the safety of work crews, Tree Wrap may be used as an alternative form of tree protection. Wooden slats at least one inch thick are to be bound securely, edge to edge, around the trunk. A single layer or more of orange plastic construction fencing is to be wrapped and secured around the outside of the wooden slats. Major scaffold limbs may require protection as determined by the City Arborist or Project Arborist. Straw waddle may also be used as a trunk wrap by coiling the waddle around the trunk up to a minimum height of six feet from grade. A single layer or more of orange plastic construction fencing is to be wrapped and secured around the straw waddle.

5. ***Avoid the following conditions.***

DO NOT:
a. Allow run off of spillage of damaging materials into the area below any tree canopy.
b. Store materials, stockpile soil, or park or drive vehicles within the TPZ.
c. Cut, break, skin, or bruise roots, branches, or trunks without first obtaining authorization from the City Arborist.
d. Allow fires under and adjacent to trees.
e. Discharge exhaust into foliage.
f. Secure cable, chain, or rope to trees or shrubs.
g. Trench, dig, or otherwise excavate within the dripline or TPZ of the tree(s) without first obtaining authorization from the City Arborist.

h. Apply soil sterilants under pavement near existing trees.

6. Only excavation by hand or compressed air shall be allowed within the dripline of trees. Machine trenching shall not be allowed.

7. Avoid injury to tree roots. When a ditching machine, which is being used outside of the dripline of trees, encounters roots smaller than 2", the wall of the trench adjacent to the trees shall be hand trimmed, making clear, clean cuts through the roots. All damaged, torn and cut roots shall be given a clean cut to remove ragged edges, which promote decay. Trenches shall be filled within 24 hours, but where this is not possible, the side of the trench adjacent to the trees shall be kept shaded with four layers of dampened, untreated burlap, wetted as frequently as necessary to keep the burlap wet. Roots 2" or larger, when encountered, shall be reported immediately to the Project Arborist, who will decide whether the Contractor may cut the root as mentioned above or shall excavate by hand or with compressed air under the root. Root is to be protected with dampened burlap.

8. Route pipes outside of the area that is 10 times the diameter of a protected tree to avoid conflict with roots.

9. Where it is not possible to reroute pipes or trenches, the contractor shall bore beneath the dripline of the tree. The boring shall take place not less than 3' below the surface of the soil in order to avoid encountering "feeder" roots.

10. Trees that have been identified in the arborist's report as being in poor health and/or posing a health or safety risk, may be removed or pruned by more than one-third, subject to approval of the required permit by the Planning Division. Pruning of existing limbs and roots shall only occur under the direction of a Certified Arborist.

11. Any damage due to construction activities shall be reported.

SUMMARY OF POTENTIAL IMPACTS AND MITIGATION

1. Pre-Construction Meeting to Review Tree Protection – No activities are to commence until after the meeting and inspection of tree protection is conducted.

2. Early Investigation and Health Mitigation – Most critical area for investigation is along El Camino Real, just behind the sidewalk. The presence of Plane Tree roots of over one-inch in diameter will require root pruning prior to the use of excavation equipment. Project arborist must be present at the time the concrete pavement behind the sidewalk is removed to inspect for root presence.

3. Root Protection Zone (RPZ) – The RPZ is initially set at a distance equal to one radial foot for every one inch is tree diameter (DBH). Tree protection fencing is generally placed at the limit of the RPZ. The RPZ of many of the City Street Trees planted along El Camino extends beyond the sidewalk and into the project site. Project arborist is to be present to supervise activities that encroach into the RPZ.

4. Trunk and Scaffold Protections – Whenever the RPZ is encroached upon by equipment, trees must be armored against any potential mechanical injury.

5. Necessary Root Pruning – Any necessary root pruning must be supervised or undertaken by project arborist. Root pruning occurs only after roots have been exposed by either hand, air or water excavation.

6. Soil Protection – When possible, existing concrete paving is to remain in place to provide soil protection during construction activities. Exposed soil areas that are located within the designated RPZ must be protected from compaction using wood chip mulch and trenching plates of 1 1/8 inch plywood. Mitigation will be prescribed for areas of soil compaction identified by project arborist.

EARLY INVESTIGATION

The information gained from site analysis is utilized in the guidelines for root and soil protection.

Soil Profile Examination – The soil profile examination determines soil texture, compaction and moisture. Soil compaction is mitigated through the use of a water jet or possibly and air spade to improve soil gas exchange.

Root Investigation – Root presence, depth, size and amount are determined in critical areas. This information is vital to the understanding of the level of soil protection and the level of root loss that will likely occur.

PRE-CONSTRUCTION ACTIVITIES

These activities should be undertaken prior to initiation of construction activity. In addition to modifications to the project design to reduce tree impacts, all steps that improve the health of trees prior to construction will greatly improve the chance of survival.

Designate Tree Root Protection Zone (RPZ) –The tree Root Protection Zone designates an area surrounding a tree or grouping of trees that is to be fenced off from all access until designated by a certified arborist. The RPZ is commonly defined as one (1) foot radial distance for every one (1) inch in tree diameter (DBH). Initial RPZ for all trees are provided in the survey data in Table 1.

The City Street Trees on El Camino, all London Plane, have an RPZ as much as 13 feet that extends into the project site. All will require root protection when the existing pavement is removed.

Tree Root Protection Zone Fencing – Fencing must be inspected and approved prior to the beginning of any demolition of grading activities. Tree protection fencing shall be 6' tall chain link type, secured to the existing concrete pavement if not yet removed. After pavement removal, steel posts driven two-feet into the ground at a spacing of 10 feet to support the tree protection fencing. Fencing shall have signage in place stating: "Tree Protection Area - Do Not Enter". It is understood that there will be encroachment into the RPZ. When moved, tree fencing is installed in the new location in the same manner.

Trunk and Scaffold Protection – All trunk and scaffold protection measures are subject to prior inspection and approval by project arborist. Whenever construction activity must occur inside the tree protection zone, the base of the tree and the first eight-feet of the trunk must be protected. Protection is generally provided by wrapping the trunk up to the first branch with 10 wraps of orange plastic

construction fencing or use of straw waddles wrapped around the tree. Additional protection can be provided by either straw bales or use of vertical 2x4 boards strapped to the tree. Arborist may require any or all of the trunk protection measures depending upon the situation. Arborist approval will be required for acceptance of the measures used.

Root Pruning – Root pruning is best conducted in the late fall and in advance of construction activities. Root pruning is preceded by careful hand, air or water excavation to first expose the roots. Root pruning is conducted by arborist using sharp tools. Severed roots are immediately sprayed with a sugar solution (6 oz. granulated sugar per gallon of water) and covered with either burlap or soil. Pruning both the canopy and roots at the same time should be avoided if possible.

Soil Protection – Soil areas inside of the designated RPZ that are not fenced must be protected. Standard protection entails 6 inches of wood chips covered with ¾ inch plywood. If equipment is to be used, first place 12 inches of wood chip mulch on the soil surface. Place either trenching places or 1 1/8 inch plywood connected with metal straps on the wood chips. Soil protections must remain in place until the completion of construction activities.

Supplemental Irrigation – Arborist will designate supplemental irrigation based upon the monitoring of soil moisture conditions during construction. Supplemental irrigation will be applied prior to the application of mulch and thereafter as per arborist direction.

Mulching – Use of four to six inches of organic mulch (wood chips are best) on soil surface will reduce soil compaction and evaporative soil moisture loss. Recommended material is wood chips generated from tree trimming. Fresh redwood, incense cedar and walnut chips are not acceptable, nor is palm generated mulch.

TREE PROTECTION DURING CONSTRUCTION

The level of arborist monitoring of the project can be quite variable, depending upon the degree of encroachment into root systems and the early levels of contractor compliance with the tree protection guidelines. In this situation, all trees to be protected are located outside of the construction site. It is true that the roots of the London Plane trees on El Camino Real do extend into the project site.

Pre-Construction Meeting – It is important that construction crew understands the tree protection requirements. All personnel working on site are to be provided an orientation to tree preservation measures and rules by the arborist assigned to monitor tree preservation. All tree protection measures must be in place and approved by project at this time. Confirmation of compliance will be sent to City Arborist.

Observe Fenced RPZ – This area is off limits to all personnel, equipment, materials storage, or any other activities. Fencing may be relocated only under arborist supervision.

Demolition Activities – If possible, the existing City sidewalk should remain in place for the duration of construction activities. All demolition activities include removal of pavement or structures are considered to be part of the construction project. The same restrictions on the use of equipment and encroachment into the designated root protection zone apply to all such activities. Project arborist must supervise all activities where encroachment into the RPZ occurs.

WORK ACTIVITIES OCCURING WITHIN THE DESIGNATED RPZ

Due to the relatively tight space, it appears that many activities will occur inside of the designated 36 foot RPZ. Under such circumstances the following protections are required.

Arborist Supervision – An arborist shall monitor trees throughout all phases of development to ensure tree protection measures are in place. Retain above mentioned protection measures until after final inspection.

Root Protection – Areas where roots cannot be fenced require protection from contaminants and compaction. The effects of foot traffic can be mitigated through the use of six (6) inches of wood chip mulch and ¾ inch plywood placed on top.

When equipment is to be used inside of the designated RPZ, soil must be covered with 12 inches of wood chips and two layers of ¾ inch plywood or one layer of 1 1/8 inch plywood or metal trench plates.

Soil Moisture Monitoring and Control – Water stress is detrimental to tree health, particularly during the spring. Supplemental irrigation is required whenever tree roots are uncovered or severed due to trenching or grading. Open trenches with exposed roots require minimum two layers of damp burlap or other acceptable covering at all times. An arborist will determine the amount of supplemental watering required based upon soil moisture investigation and weather conditions.

Required Method of Excavation Within Critical Root Zone – Carefully hand excavation or ***tunneling*** shall be the accepted method for installing underground utilities. All soil excavation within the TPZ shall be done with either supersonic air tools, pressurized water, or hand tools prior to any root pruning.

Sidewalk Replacement – If the City sidewalk is replaced, it is best for root protection to wait until the project is near completion. Project arborist must be present to monitor activities. It is recommended that base material under the concrete pavement be “clean crushed rock”[1]. This has been shown to reduce the potential for future root related pavement displacement.

POST CONSTRUCTION MITIGATION

All valuable trees which have been impacted in any manner (root loss, soil moisture changes, or necessary pruning) will require mitigation to offset the adverse impact and maintain the level of vigor in the tree prior to being impacted impact. Trees that were not vigorous prior to construction will require extra care.

Monitoring Tree Health – Regular visual inspection of trees will aid in assessing where further mitigation is required. Tree decline should be recorded and referenced against pre-construction health assessment. Leaf and stem insects and fungal pathogens are a sign of poor tree health (low energy reserves).

Monitoring of Soil Moisture – It is important that significant changes in soil moisture levels within tree root zones be identified early, prior to visible evidence of tree decline. Moisture should be monitored

[1] "Comparison of Method to Reduce Sidewalk Damage from Tree Roots" by E. Thomas Smiley

by visual inspection using a soil probe or through the use of tensiometers placed at key locations. Supplemental irrigation is best provided during middle and late spring. In cases where trees have suffered root loss, supplemental irrigation will be required for a number of years in the area where roots were severed.

Mitigation of Soil Compaction – The level and depth of soil compaction must be assessed and mitigated as necessary. Mitigation of soil compaction in areas where roots are present must minimize root loss. Tools most suitable to mitigate soil compaction are the water jet or air spade.

Continued Mulching – If the area behind the sidewalk on El Camino is not paved, it would be best to mulch the exposed soil area. Mulch is extremely beneficial in creating a healthy root environment. A regular program of mulch application is recommended to help retain soil moisture, provide a source of nutrients, and help control weeds. The continued use of good quality compost as a mulch is beneficial as a source of nutrition.

Fertilization – Prior to fertilization, soil analysis and possibly leaf tissue analysis must be undertaken. Trees should be fertilized only when the nutritional limitations have been identified. Leaf tissue analysis is another excellent tool for this determination. Excessive nitrogen fertilization is known to draw sucking insects (aphid, scale, etc.) to the plants and provide nutrition to fungal pathogens in the soil.

Pest Management Program – Healthy trees do not generally have serious pest problems. Stressed trees are attractive hosts to pathogens, which can contribute to decline and eventual death. Pest management is prescribed when monitoring indicates a need and tree health is in decline.

End

SBCA Tree Consulting
1534 Rose St. Crockett, CA 94525
steve@sbcatree.com
Phone (510) 787-3075
Fax (510) 787-3065
www.sbcatree.com

Fujiitrees CONSULTING
ART · SCIENCE · CRAFT

Walt Fujii, RCA®
Consulting Arborist
415.699.6269
24701 Broadmore Ave
Hayward, CA 94544
walt@fujiitrees.com
fujiitrees.com

ASCA Registered Consulting Arborist® No.402
ISA Certified Arborist No.WE2257A
ISA-TRAQ Tree Risk Assessment Qualification
CA DPR Qualified Applicator Certificate No.82521

ASCA AMERICAN SOCIETY of CONSULTING ARBORISTS

June 2, 2016

Mr. Christian Bonner
City Arborist
The City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Station 1300 at 1300 El Camino Real
Contract Arborist Project Review
1300 El Camino Real and Derry Lane Heritage Tree Survey

Dear Mr. Bonner:

The Planning Division for the City of Menlo Park is studying a submittal to develop certain parcels collectively known as 1300 El Camino Real. The project is entitled Station 1300. Fujiitrees Consulting (FTC) was retained to complete a project review of the Tree Survey submitted by the applicant.

Background

Pursuant to Chapter 13.24 – Heritage Trees of the Menlo Park Municipal Ordinance certain trees are regulated by the City. As used in this chapter "heritage tree" (verbatim) means:

1. A tree or group of trees of historical significance, special character or community benefit, specifically designated by resolution of the city council;

2. An oak tree (Quercus) which is native to California and has a trunk with a circumference of 31.4 inches (diameter of 10 ten inches) or more, measured at fifty –four (54) inches above natural grade. Trees with more than one trunk shall be measured at the point where the trunks divide, with the exception of trees that are under twelve (12) feet in height, which will be exempt from this section.

3. All trees other than oaks which have a trunk with a circumference of 47.1 inches (diameter of fifteen (15 inches) or more, measured fifty –four (54) inches above natural grade. Trees with more than one trunk shall be measured at the point where the trunks divide, with the exception of trees that are under twelve (12) feet in height which will be exempt from this section. (Ord. 928 s 1(part), 2004)

In addition, all development projects are to submit a land survey that complies with Boundary and Topographical Survey Requirements for the City of Menlo Park. This includes "Locations of existing trees greater than six inches in diameter with the diameter at standard height (54 inches), species, drip line and graphical representation of the trunk size;".

FTC was informed that trees greater than six in trunk diameter at the height of 54 inches are to be included in all required tree inventories conducted for development projects.

The proposed development plans for the Station 1300 project will impact existing Heritage trees, making the development plans subject to the Heritage Tree Ordinance.

Assignment

Specifically, the following items were to be addressed by FTC:

1. Visually verify the tree species and size recorded by the Project Arborist.
2. Make note of any significant tree suitable for preservation.
3. Make recommendations to the Planning Department to either approve or deny the Heritage Tree Removal Application.
4. The Planning Division for the City of Menlo Park requested FTC to prepare a tree summary matrix. Table 1 – Tree Summary was completed using a template provided by the Planning Division.

   For purposes of clarity, Table 1 – The Tree Summary was presented in three parts; Project Arborist, SBCA Heritage Tree Survey, FTC Tree Survey and lastly both tables combined into one table.

Note: This peer review would be equivalent to the work typically conducted by the City Arborist for development projects.

Summary of Findings

Site Conditions

On May 16, 2016 FTC visited the project site of Station 1300 located at 1300 El Camino Real in the City of Menlo Park, California. Existing site trees were observed to be in a general state of disrepair with little attention given to acceptable pruning practices.

Of particular concern was tree 12, a coast redwood which overhangs the sidewalk and a portion of El Camino Real. This redwood exhibits significant branch dieback with a slight trunk lean toward the roadway.

Mature City Street Trees were observed to be well maintained but were not remarkable in structure or in health. A number of younger, smaller street trees, mainly coast live oaks were located by SBCA within the Right of Way of Garwood Way.

Project Arborist Heritage Tree Survey

The Heritage Tree Survey and Tree Location Map completed by SBCA Tree Consulting was the subject of this FTC review.

Refer to Appendix 1, Heritage Tree Survey by SBCA for 110 inventoried trees.

According to the scope described in the SBCA Arborist Report, the tree survey includes all Heritage trees on or directly adjacent to parcels at 1300 El Camino Real and Derry Lane and all adjacent City Street Trees. FTC encountered five trees that were not included in the SBCA tree survey:

- Heritage tree 11.3 Italian cypress *(Cupressus sempervirens)* 15.2 inches in trunk diameter
- Heritage tree 24.1 Chinese tree of heaven (*Ailanthus altissima*) 18.4 inches at base
- Heritage tree 24.1 Chinese tree of heaven (*Ailanthus altissima*) 18.4 inches at base
- City Street Tree 30.1 Chinese tree of heaven *(Ailanthus altissima)* 7.5 inches at base
- City Street Tree 30.2 red oak *(Quercus rubra)* 2.5 inches in trunk diameter

Additionally, two palms were inventoried per industry standards but not per MPMC 13.24. (See Background) The palms were:

- Heritage tree 36 Canary Island date palm *(Phoenix canariensis)* 30.3 inches in trunk diameter
- Heritage tree 46 Mexican fan palm *(Washingtonia robusta)* 18.5 inches in trunk diameter

FTC contacted the City Arborist, Christian Bonner, for the minimum trunk diameter size that was to be inventoried. According to the City Arborist, all single stem trees greater than six inches in trunk diameter at 54 inches above grade and all multi stem trees greater than six inches in diameter just below the attached stems are to be inventoried.

It was decided that FTC should inventory those trees greater than six inches in trunk diameter in addition to any overlooked trees. Refer to Appendix 2, Supplemental Heritage Tree Survey by FTC for 38 inventoried trees.

Appendix 3 is an updated Tree Location Map prepared by SBCA and updated by FTC. Trees are approximately located and the map is not scaled.

Impacts to Heritage City Street Trees and City Street Trees

A magnifying glass was necessary to discern features on the provided sheet TM-3 Topographic Boundary Survey. With that said, all inventoried trees that were not identified as City Street Trees appeared to be located on the subject property.

According to sheet TM-7, Preliminary Grading Plan and sheet TM-8, Preliminary Utility Plan the proposed limits of disturbance will include:

- The demolition of Derry Lane (removal of Heritage City Street Trees 27, 30 and City Street Trees 30.1 and 30.2)

- The improvement and extension of Garwood Way to Oak Grove Avenue (removal of Heritage City Street Trees 33-39, 64, 65, 76–100, 201–207)

- Sidewalk and utility improvements of Oak Grove Avenue (removal of City Street Trees 41-45)

- The installation of a bioretention area following the adjacent property lines of two existing businesses, Menlo Park Chevron and Jason's Café

- Sidewalk and utility improvements of El Camino Real (removal of City Street Tree 60) It should be noted that sheet L-1.0, Landscape Site Plan shows 14 unnumbered City Street Trees to be preserved when the actual count less City Street Tree 60 would be 13.

Impacts to Existing On-Site Trees

According to sheet TM-7, Preliminary Grading Plan and sheet TM-8, Preliminary Utility Plan, all existing Heritage trees and Non-Heritage trees within the limits of disturbance will require removal for purposes of construction.

In terms of trees whose size, condition and location may warrant preservation, two trees were identified:

Tree 13.1	holly oak	(Quercus ilex)	8.5 inches DBH
Tree 36	Canary Island palm	(Phoenix canariensis)	30.3 inches DBH

Conclusions

Risk Posed by Tree 12

The location by a major roadway and the compromised structure of tree 12, a coast redwood, makes it a tree of great concern that should not be ignored.

SBCA Heritage Tree Survey

Species identification and size were observed to be accurately recorded using the Heritage Ordinance as the guide.

Based on the information provided to FTC, those trees identified as City Street Trees in the SBCA tree survey were observed to be correctly categorized. Refer to Table 1.

SBCA assessments of structure and health for both private trees and City Street Trees were consistent with the overall findings of FTC.

Significant Trees for Preservation

It is the opinion of FTC that tree 13.1 – holly oak and tree 36 – Canary Island pine should be considered for preservation. The Project Arborist should provide recommendations for the feasibility of preserving one or both trees.

Recommendation for the Tree Removal Application

It is the opinion of FTC to accept the SBCA report with the amended tree survey.

It is the opinion of FTC to approve the Station 1300 Heritage Tree Removal Application.

Recommendations

1. FTC strongly recommends that the Applicant authorize the Project Arborist to take appropriate action to mitigate the risk presented by tree 12.

2. Accept Heritage Tree Removal Permit Application No. HTR2016-0072 per MPMC section 13.24.040 Permits;

    a. Item 1. The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services;

    b. Item 2. The necessity to remove the tree or trees in order to construct proposed improvements to the property;

    c. Item 4. The long-term value of the species under consideration, particularly lifespan and growth rate;

3. The applicant should apply for a Street Tree Removal Permit to be in compliance with MPMC Section 13.20.060.

4. Two trees should be considered for possible preservation: tree 13.1 – holly oak and tree 36 – Canary Island pine. The Project Arborist should provide recommendations for the feasibility of preserving one or both trees.

This concludes the FTC review of the 1300 El Camino Real and Derry Lane Heritage Tree Survey.

Kindly contact me with your questions.

Respectfully,

Walter Fujii, RCA®
Contract City Arborist

Attachments:
Table 1 – Tree Summary
Appendix 1 – SBCA 1300 El Camino and Derry Lane Heritage Tree Survey
Appendix 2 – FTC Supplemental Tree Survey
Appendix 3 – Updated Tree Location Map
Certificate of Performance
Terms and Conditions

Tree Summary

(Template provided by the Planning Division)

SBCA Tree Survey

	On-site			On other parcels [1]			City ROW			**Total**		
	Existing	To Remain	To Be Removed	Existing	To Remain	To Be Removed	Existing	To Remain	To Be Removed	**Existing**	**To Remain**	**To Be Removed**
Heritage Trees	47	0	47	0	0	0	9	0	9	**56**	**0**	**56**
Non-Heritage Trees	0	0	0	0	0	0	54	15	39	**54**	**15**	**39**

FTC Supplemental Survey

	On-site			On other parcels [1]			City ROW			**Total**		
	Existing	To Remain	To Be Removed	Existing	To Remain	To Be Removed	Existing	To Remain	To Be Removed	**Existing**	**To Remain**	**To Be Removed**
Heritage Trees	3	0	3	0	0	0	0	0	0	**3**	**0**	**3**
Non-Heritage Trees	33	0	33	0	0	0	2	0	2	**35**	**0**	**35**

Combined Surveys

	On-site			On other parcels [1]			City ROW			**Total**		
	Existing	To Remain	To Be Removed	Existing	To Remain	To Be Removed	Existing	To Remain	To Be Removed	**Existing**	**To Remain**	**To Be Removed**
Heritage Trees	50	0	50	0	0	0	9	0	9	**59**	**0**	**59**
Non-Heritage Trees	33	0	33	0	0	0	56	15	41	**89**	**15**	**74**

1/ Per sheet TM-3 Topographic Boundary Survey, all inventoried trees that were not identified as City Street Trees were located on the subject property.

1300 El Camino Real and Derry Lane Heritage Tree Survey

COLUMN HEADING DESCRIPTIONS

Tag# - Indicates the number tag attached to tree
Species - Scientific name
Common Name - Vernacular name
DBH - Diameter measured in inches at 4.5 feet above soil grade; For multiple stemmed trees, measurements were taken at the point where the trunks divide; For palms, measurements are made from the tree base to the point where fronds emanate
Spread- In feet
Structure- Tree Structural Safety: E is Excellent, G is Good, F is Fair, P is Poor, H is Hazardous
Health -Tree Health: E is Excellent, G is Good, F is Fair, P is Poor, D is Dead or Dying
City Street Tree - Y is Yes, N is No
Proposed Removal - Y is Yes, N is No
Notes - See below

ABBREVIATIONS AND DEFINITIONS

Notes	**Embedded Bark (EB) - AKA Included Bark, this is a structural defect where bark is included between the branch attachment so that the wood cannot join. Such defects have a higher propensity for failure.** **Codominant (CD) - A situation where a tree has two or more stems which are of equal diameter and relative amounts of leaf area. Trees with codominant primary scaffolding stems are inherently weaker than stems, which are of unequal diameter and size.** **Codominant w/ Embedded Bark (CDEB) - When bark is embedded between codominant stems, failure potential is very high and pruning to mitigate the defect is recommended.** **Poor Pruning (PP)- Past pruning practices considered unacceptable according to ANSI A300 Best Management Practices, Tree Pruning** **Headed (H) - Generally considered poor pruning practice which removes the central leader and the internode.**

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Proposed Removal	Notes
1	*Sequoia sempervirens*	Coast Redwood	28	25	G	F	N	Y	Off color, Signs of stress, Botryosphaeria?
2	*Ailanthus altissima*	Chinese Tree of Heaven	28 @ base	36	F - P	F	N	Y	Multi
3	*Ailanthus altissima*	Chinese Tree of Heaven	24 @ base	30	F - P	F	N	Y	Multi
4	*Ailanthus altissima*	Chinese Tree of Heaven	24 @ base	15	F - P	F	N	Y	Multi, Clump of 4 stems
5	*Ailanthus altissima*	Chinese Tree of Heaven	15 @ base	20	F-P	F	N	Y	Multi, Clump of 3 stems

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Proposed Removal	Notes
6	*Ailanthus altissima*	Chinese Tree of Heaven	18 @ base	30	F - P	F	N	Y	Multi, Clump of 3 stems
7	*Ailanthus altissima*	Chinese Tree of Heaven	30 @ base	45	P	F	N	Y	Multi, EB
8	*Ailanthus altissima*	Chinese Tree of Heaven	28 @ base	35	P	F	N	Y	Multi
9	*Ailanthus altissima*	Chinese Tree of Heaven	40 @ base	30	F-P	F	N	Y	Multi
10	*Acacia melanoxylon*	Blackwood Acacia	24	35	P	G	N	Y	CDEB
11	*Cupressus sempervirens*	Italian Cypress	15 @ base	10	F	F	N	Y	CD, 2nd in a line of 7 cypress
12	*Sequoia sempervirens*	Coast Redwood HIGH RISK TREE - REQUIRES MITIGATION	54	40	P - H	P - D	N	Y	Significant tip dieback, Dead CD top, 27" x 10' (rotting) wound on side facing street, Slight lean to street
13	*Jacaranda mimosifolia*	Jacaranda	27 @ base	25	F	G	N	Y	Multi
14	*Jacaranda mimosifolia*	Jacaranda	28 @ base	30	P	G	N	Y	EB, Multi
15	*Jacaranda mimosifolia*	Jacaranda	26 @ base	25	F	G	N	Y	Multi, PP
16	*Jacaranda mimosifolia*	Jacaranda	15	25	F	G	N	Y	CD
17	*Ailanthus altissima*	Chinese Tree of Heaven	32 @ base	40	P	F	N	Y	Multi, CDEB, EB
18	*Ailanthus altissima*	Chinese Tree of Heaven	22 @ base	35	F-P	F	N	Y	Multi, Basal damage, Metal in tree
19	*Ailanthus altissima*	Chinese Tree of Heaven	20 @ base	20	P	F	N	Y	Multi, Clump of 6 stems, CDEB
20	*Ailanthus altissima*	Chinese Tree of Heaven	30 @ base	30	P	F	N	Y	Multi
21	*Quercus agrifolia*	Coast Live Oak	20 @ base	20	P	F	N	Y	Multi, EB
22	*Ailanthus altissima*	Chinese Tree of Heaven	48 @ base	70	P	G	N	Y	Multi, multi, EB, EB branch breakout

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Proposed Removal	Notes
23	*Ailanthus altissima*	Chinese Tree of Heaven	72 @ base	50	P	F-G	N	Y	Multi, Clump of 9 stems, EB
24	*Afrocarpus gracilior*	African Fern Pine	15	25	G	G	N	Y	CD
25	*Afrocarpus gracilior*	African Fern Pine	15 @ base	20	P	F	N	Y	CDEB
26	*Afrocarpus gracilior*	African Fern Pine	15 @ base	15	P	G	N	Y	CDEB
27	*Ailanthus altissima*	Chinese Tree of Heaven	17 @ base	20	P	F	Y	Y	CDEB, PP, H
28	*Quercus agrifolia*	Coast Live Oak	23	50	F	F	N	Y	PP, Wound at base, 20' from curb
29	*Sequoia sempervirens*	Coast Redwood	103 @ base	50	F	F	N	Y	Multi, Off color, Signs of stress, 20' from curb
30	*Sequoia sempervirens*	Coast Redwood	32.5 @ base	30	G	G	Y	Y	Hardscape displacement
31	*Phoenix canariensis*	Canary Island Date Palm							Gone
32	*Phoenix canariensis*	Canary Island Date Palm							Gone
33	*Quercus agrifolia*	Coast Live Oak	40.5	60	P	G	Y	Y	Off site, 13' from property line, CD, Trunk rotted out on north side
34	*Robinia pseudoacacia*	Black Locust	30 @ base	25	P	F	Y	Y	On property line, Clump of 7 stems, Growing in fence
35	*Ailanthus altissima*	Chinese Tree of Heaven	24 @ base	40	P	F	Y	Y	Multi, On property line, Clump of 10 stems, 5' from street
36	*Phoenix canariensis*	Canary Island Date Palm	20' of Clear Trunk	n/a	G	G	Y	Y	Off site , 4' from street
37	*Quercus lobata*	Valley Oak	32	65	F	F	Y	Y	Off site, 7' from property line, 2' from curb, Previous #53, Large (rotting) pruning wound, PP
38	*Quercus agrifolia*	Coast Live Oak	10	20	F	G	Y	Y	Large breakouts, Pruning wounds, Lean for light
39	*Quercus lobata*	Valley Oak	23.5	40	F	P	Y	Y	8' from curb

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Proposed Removal	Notes
40	*Ailanthus altissima*	Chinese Tree of Heaven	20 @ base	20	F	F	N	Y	Multi, Part of a large 70' long stand
41	*Platanus x hispanica*	London Plane Tree	12.5	20	P	P	Y	Y	Street tree, Pruning wounds, ID, Previously headed
42	*Platanus x hispanica*	London Plane Tree	12.5	30	P	F	Y	Y	Street tree, Pruning wounds, ID, Previously headed
43	*Platanus x hispanica*	London Plane Tree	12.5	30	P	F	Y	Y	Street tree, ID, Previously headed
44	*Quercus agrifolia*	Coast Live Oak	1	5	F	F	Y	Y	Good push of new growth
45	*Pyrus kawakamii*	Evergreen Pear	13	30	F	G	Y	N	Large pruning wounds, CD
46	*Washingtonia robusta*	Mexican Fan Palm	7' of Clear Trunk	15	G	G	N	Y	Close to building, Volunteer?
47	*Platanus x hispanica*	London Plane Tree	11	25	F	F-G	Y	N	Street tree, Lean, CD
48	*Platanus x hispanica*	London Plane Tree	11	25	G	F-G	Y	N	Lean
49	*Platanus x hispanica*	London Plane Tree	9	25	G	F-G	Y	N	Lean
50	*Platanus x hispanica*	London Plane Tree	11.5	30	G	F-G	Y	N	CD, Touching metal grate
51	*Platanus x hispanica*	London Plane Tree	11	30	G	G	Y	N	CD, Touching metal grate
52	*Platanus x hispanica*	London Plane Tree	10.5	30	G	G	Y	N	CD, Touching metal grate
53	*Platanus x hispanica*	London Plane Tree	11.5	30	G	G	Y	N	CD, Touching metal grate
54	*Platanus x hispanica*	London Plane Tree	10	30	G	F-G	Y	N	Large pruning wounds, CD, touching metal grate
55	*Platanus x hispanica*	London Plane Tree	10	30	G	F-G	Y	N	No grate
56	*Platanus x hispanica*	London Plane Tree	8.5	30	G	F-G	Y	N	
57	*Platanus x hispanica*	London Plane Tree	10	30	G	F-G	Y	N	Touching metal grate
58	*Platanus x hispanica*	London Plane Tree	11	30	G	G	Y	N	Lean
59	*Platanus x hispanica*	London Plane Tree	10	30	G	G	Y	N	

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Proposed Removal	Notes
60	*Platanus x hispanica*	London Plane Tree	6	20	G	F	Y	Y	Smaller than others, likely shaded by adjacent redwood
61	*Platanus x hispanica*	London Plane Tree	7.5	20	G	F	Y	N	
62	*Ailanthus altissima*	Chinese Tree of Heaven	18 @ base	45	P	G	N	Y	CDEB, Multi
63	*Quercus agrifolia*	Coast Live Oak	10.5 @ base	20	F-P	G	N	Y	3 stems
64	*Acacia melanoxylon*	Blackwood Acacia	12.5	25	F	G	Y	Y	Lean, Trunk damage, 2-3' from curb
65	*Acacia melanoxylon*	Blackwood Acacia	8.5	25	G	G	Y	Y	Slight lean, 5' from end of pavement
66	*Ailanthus altissima*	Chinese Tree of Heaven	34.5 @ base	20	P	G	N	Y	Multi, Part of a large 70' long stand
67	*Ailanthus altissima*	Chinese Tree of Heaven	21 @ base	15	P	G	N	Y	Multi, Part of a large 70' long stand
68	*Ailanthus altissima*	Chinese Tree of Heaven	20 @ base	20	P	G	N	Y	Multi, Part of a large 70' long stand
69	*Ailanthus altissima*	Chinese Tree of Heaven	18 @ base	25	P	G	N	Y	Multi, Part of a large 70' long stand
70	*Ailanthus altissima*	Chinese Tree of Heaven	19 @ base	20	P	G	N	Y	Multi, Part of a large 70' long stand
71	*Ailanthus altissima*	Chinese Tree of Heaven	16 @ base	25	P	G	N	Y	Multi, Part of a large 70' long stand
72	*Ailanthus altissima*	Chinese Tree of Heaven	15 @ base	25	P	G	N	Y	Multi, Part of a large 70' long stand
73	*Ailanthus altissima*	Chinese Tree of Heaven	21 @ base	20	P	G	N	Y	Multi, Part of a large 70' long stand
74	*Ailanthus altissima*	Chinese Tree of Heaven	16 @ base	15	P	G	N	Y	Multi, Part of a large 70' long stand
75	*Ailanthus altissima*	Chinese Tree of Heaven	22 @ base	20	P	G	N	Y	Multi, Pruning left larger stumps
76	*Quercus agrifolia*	Coast Live Oak	1 3/4	5	G	G	Y	Y	Diameter taken below first branching
77	*Quercus agrifolia*	Coast Live Oak	1	5	G	F	Y	Y	Diameter taken below first branching
78	*Quercus agrifolia*	Coast Live Oak	3 3/4	10	G	G	Y	Y	Diameter taken below first branching

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Proposed Removal	Notes
79	*Quercus agrifolia*	Coast Live Oak	4	10	F	G	Y	Y	CD
80	*Quercus agrifolia*	Coast Live Oak	4.5	20	F	G	Y	Y	Pruning wounds
81	*Quercus agrifolia*	Coast Live Oak	6	25	F	G	Y	Y	Large pruning wounds, CD
82	*Malus sp.*	Apple	3	5	G	G	Y	Y	
83	*Quercus agrifolia*	Coast Live Oak	3	10	G	G	Y	Y	Diameter taken below first branching. CD
84	*Quercus agrifolia*	Coast Live Oak	3	20	F	G	Y	Y	Diameter taken below first branching
85	*Quercus agrifolia*	Coast Live Oak	1	5	G	G	Y	Y	Diameter taken below first branching
86	*Quercus agrifolia*	Coast Live Oak	5 3/4	20	G	G	Y	Y	Diameter taken below first branching
87	*Quercus agrifolia*	Coast Live Oak	0.5	3	G	G	Y	Y	Diameter taken below first branching
88	*Quercus agrifolia*	Coast Live Oak	1	3	G	G	Y	Y	Diameter taken below first branching
89	*Quercus agrifolia*	Coast Live Oak	3/4	3	G	G	Y	Y	Diameter taken below first branching
90	*Quercus agrifolia*	Coast Live Oak	0.5	3	G	G	Y	Y	Diameter taken below first branching
91	*Quercus agrifolia*	Coast Live Oak	1.5	3	G	G	Y	Y	Diameter taken below first branching
92	*Quercus agrifolia*	Coast Live Oak	1	3	G	G	Y	Y	Diameter taken below first branching
93	*Quercus agrifolia*	Coast Live Oak	3.5	15	G	G	Y	Y	Diameter taken below first branching
94	*Quercus agrifolia*	Coast Live Oak	2	15	G	G	Y	Y	Diameter taken below first branching
95	*Quercus agrifolia*	Coast Live Oak	0.5	5	G	G	Y	Y	Diameter taken below first branching
96	*Quercus agrifolia*	Coast Live Oak	1.5	5	G	G	Y	Y	Diameter taken below first branching
97	*Quercus agrifolia*	Coast Live Oak	1.5	10	G	G	Y	Y	Diameter taken below first branching

Tag #	Species	Common Name	DBH	Spread	Structure	Health	City Street Tree	Proposed Removal	Notes
98	*Ailanthus altissima*	Chinese Tree of Heaven	4	20	G	F	Y	Y	
99	*Ailanthus altissima*	Chinese Tree of Heaven	3.5	20	F	F	Y	Y	
100	*Ailanthus altissima*	Chinese Tree of Heaven	7.5	25	G	P	Y	Y	
201	*Quercus agrifolia*	Coast Live Oak	1.5	5	G	G	Y	Y	Diameter taken below first branching
202	*Quercus agrifolia*	Coast Live Oak	1	5	G	G	Y	Y	Diameter taken below first branching
203	*Quercus agrifolia*	Coast Live Oak	1.5	5	G	G	Y	Y	Diameter taken below first branching
204	*Quercus agrifolia*	Coast Live Oak	2.5	10	G	G	Y	Y	Diameter taken below first branching
205	*Quercus agrifolia*	Coast Live Oak	2	5	G	G	Y	Y	Diameter taken below first branching
206	*Quercus agrifolia*	Coast Live Oak	2.5	5	G	G	Y	Y	Diameter taken below first branching
207	*Quercus agrifolia*	Coast Live Oak	1	5	G	G	Y	Y	Diameter taken below first branching
208	*Ailanthus altissima*	Chinese Tree of Heaven	18 @ base	20	P	G	N	Y	Multi
209	*Ailanthus altissima*	Chinese Tree of Heaven	15 @ base	20	P	G	N	Y	Multi
210	*Ailanthus altissima*	Chinese Tree of Heaven	16 @ base	25	P	G	N	Y	Multi
211	*Ailanthus altissima*	Chinese Tree of Heaven	40 @ base	25	P	G	N	Y	Multi
212	*Ailanthus altissima*	Chinese Tree of Heaven	22 @ base	25	P	G	N	Y	Multi

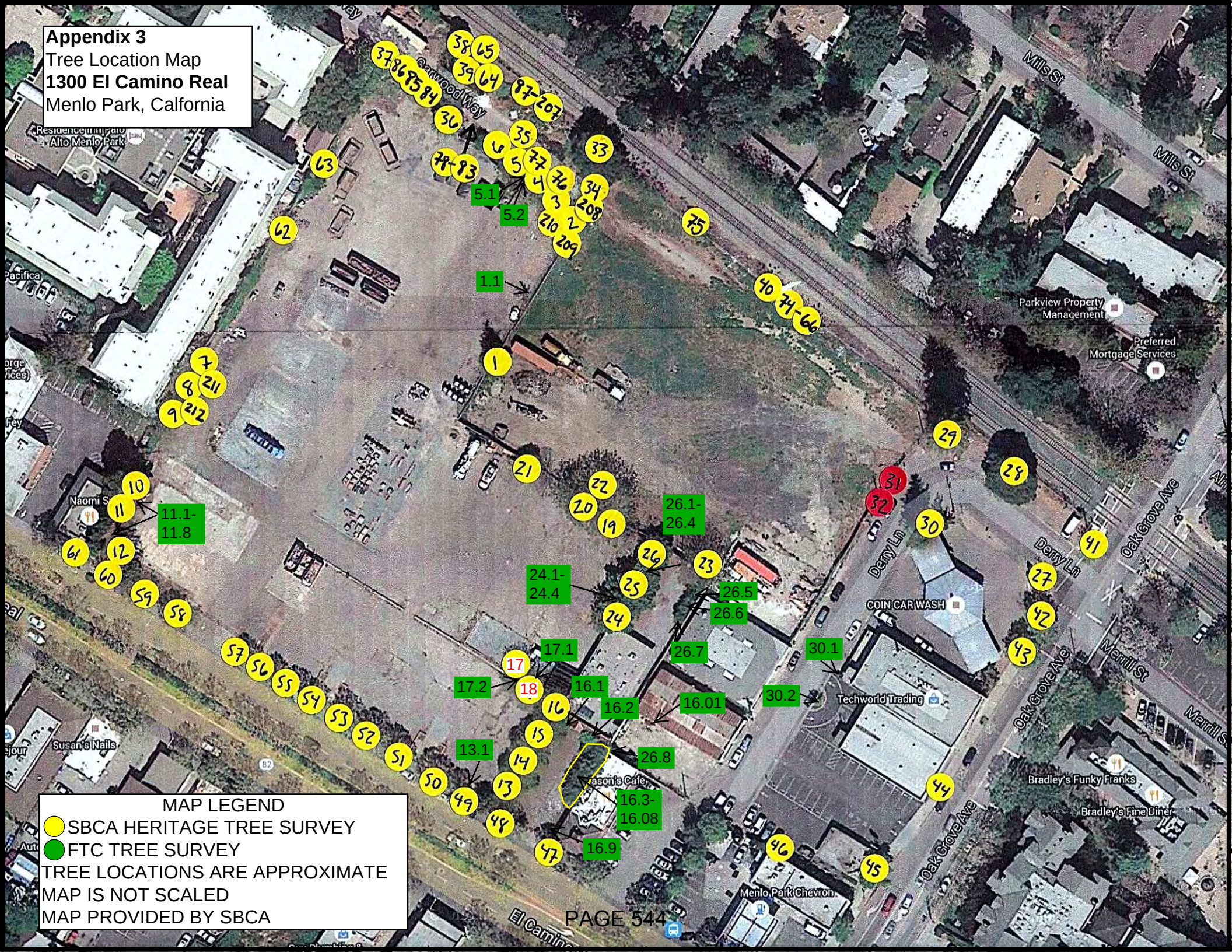
FTC Tree Survey

Tag #	Species	Common Name	DBH	Approximate Spread in Feet	Structure	Health	City Street Tree	[1] Proposed Removal	Notes
1.1	Ailanthus altissima	Chinese Tree of Heaven	13 base	14	F-G	G	N	Y	
5.1	Ailanthus altissima	Chinese Tree of Heaven	5.8	30	P	G	N	Y	
5.2	Ailanthus altissima	Chinese Tree of Heaven	9.8	30	P	G	N	Y	
11.1	Cupressus sempervirens	Italian cypress	9.5 base	Shared Canopy 25 feet long	F	F	N	Y	
11.2	Cupressus sempervirens	Italian cypress	11	Shared Canopy 25 feet long	F	G	N	Y	
11.3	Cupressus sempervirens	Italian cypress	15.2	Shared Canopy 25 feet long	F	G	N	Y	Heritage Tree
11.4	Cupressus sempervirens	Italian cypress	7	Shared Canopy 25 feet long	F	G	N	Y	
11.5	Cupressus sempervirens	Italian cypress	11.7	Shared Canopy 25 feet long	F	G	N	Y	
11.6	Cupressus sempervirens	Italian cypress	11.8	Shared Canopy 25 feet long	F	G	N	Y	
11.7	Cupressus sempervirens	Italian cypress	13	Shared Canopy 25 feet long	F	G	N	Y	
11.8	Cupressus sempervirens	Italian cypress	~6 stake	8	P	G	N	Y	
13.1	Quercus ilex	holly oak	8.5	10	F	G	N	Y	Possible tree to relocate.
16.01	Ailanthus altissima	Chinese Tree of Heaven	6.5	16	F	F	N	Y	
16.1	Acer palmatum	Japanese maple	9.8 base	10	P	G	N	Y	
16.2	Acer palmatum	Japanese maple	9.5 base	14	P	G	N	Y	

Tag #	Species	Common Name	DBH	Approximate Spread in Feet	Structure	Health	City Street Tree	[1] Proposed Removal	Notes
16.3	Prunus caroliniana	Carolina laurel cherry	10 base	Shared Canopy 45 feet long	F	G	N	Y	
16.4	Prunus caroliniana	Carolina laurel cherry	11.5 base	Shared Canopy 45 feet long	P	G	N	Y	
16.5	Prunus caroliniana	Carolina laurel cherry	8 base	Shared Canopy 45 feet long	P	G	N	Y	
16.6	Prunus caroliniana	Carolina laurel cherry	7.5 base	Shared Canopy 45 feet long	P	G	N	Y	
16.7	Prunus caroliniana	Carolina laurel cherry	9.5 base	Shared Canopy 45 feet long	P	G	N	Y	
16.8	Prunus caroliniana	Carolina laurel cherry	7.7 base	Shared Canopy 45 feet long	P	G	N	Y	
16.9	Prunus caroliniana	Carolina laurel cherry	7.3 base	8	P	F	N	Y	
17.1	Ailanthus altissima	Chinese Tree of Heaven	9.5	30	P	F	N	Y	
17.2	Ailanthus altissima	Chinese Tree of Heaven	6.4	18	P	G	N	Y	
24.1	Ailanthus altissima	Chinese Tree of Heaven	18.4 base	15	VP	G	N	Y	Heritage Tree
24.2	Ailanthus altissima	Chinese Tree of Heaven	16.5 base	20	VP	G	N	Y	Heritage Tree
24.3	Ailanthus altissima	Chinese Tree of Heaven	7.3	18	VP	G	N	Y	
24.4	Ailanthus altissima	Chinese Tree of Heaven	8	20	VP	G	N	Y	
26.1	Afrocarpus altissima	fern pine	11.2 base	28	P	F	N	Y	
26.2	Afrocarpus altissima	fern pine	9.7	15	VP	F	N	Y	
26.3	Afrocarpus altissima	fern pine	13.6 base	15	P	F	N	Y	
26.4	Afrocarpus altissima	fern pine	14 base	12	F	G	N	Y	

Tag #	Species	Common Name	DBH	Approximate Spread in Feet	Structure	Health	City Street Tree	[1] Proposed Removal	Notes
26.5	Prunus caroliniana	Carolina laurel cherry	6.4 base	5	P	F	N	Y	
26.6	Prunus caroliniana	Carolina laurel cherry	8.8 base	8	P	F	N	Y	
26.7	Ailanthus altissima	Chinese Tree of Heaven	6 base	10	VP	G	N	Y	
26.8	Prunus caroliniana	Carolina laurel cherry	6.5 base	1.5	VP	VP	N	Y	
30.1	Ailanthus altissima	Chinese Tree of Heaven	7.5 base	8	F	G	Y	Y	City Street Tree
30.2	Quercus rubra	red oak	2.5	7	F	G	Y	Y	City Street Tree

1/ Y - Considered to be proposed for removal unless determined otherwise by the Project Arborist or Owner.


Appendix 3
Tree Location Map
1300 El Camino Real
Menlo Park, Calfornia
MAP LEGEND
SBCA HERITAGE TREE SURVEY
FTC TREE SURVEY
TREE LOCATIONS ARE APPROXIMATE
MAP IS NOT SCALED
MAP PROVIDED BY SBCA
Carlwood Way
Mills St
Derry Ln
Oak Grove Ave
Merrill St
El Camino
Naomi S
Susan's Nails
Techworld Trading
COIN CAR WASH
Parkview Property Management
Preferred Mortgage Services
Bradley's Funky Franks
Bradley's Fine Diner
Menlo Park Chevron
Residence in Palo Alto Menlo Park
Pacifica
Fey
5.1
5.2
1.1
11.1-11.8
26.1-26.4
24.1-24.4
26.5
26.6
26.7
17.1
17.2
16.1
16.2
16.01
26.8
16.3-16.08
16.9
13.1
30.1
30.2

Certification of Performance

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

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

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

That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment the attainment of stipulated results or the occurrence of any subsequent events;

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

I further certify that I am a Registered Consulting Arborist® by the American Society of Consulting Arborists (ASCA) and a Certified Arborist by the International Society of Arboriculture (ISA).

Disclosure Statement

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

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

Trees can be managed but they cannot be controlled.
To live near trees is to accept some degree of risk.

Signed: Date: 6/02/2016

Walter Fujii, RCA®

Fujiitrees Consulting
TERMS AND CONDITIONS

The following terms and conditions apply to all oral and written reports and correspondence pertaining to the consultations, inspections and activities of Fujiitrees Consulting hereinafter referred to as "Consultant".

1. Any legal description provided to the Consultant is assumed to be correct. No responsibility is assumed for matters legal in character nor is any opinion rendered as to the quality of any title.

2. It is assumed that any property referred to in any report or in conjunction with any services performed by the Consultant, is not in violation of any applicable codes, ordinances, statutes, or other governmental regulations, and that any titles and ownership to any property are assumed to be good and marketable. Any existing liens and encumbrances have been disregarded.

3. Possession of this report or a copy thereof does not imply any right of publication or use for any purpose, without the express permission of the Consultant and the Client to whom the report was issued. Loss, removal or alteration of any part of a report invalidates the entire appraisal/evaluation.

4. The scope of any report or other correspondence is limited to the trees and conditions specifically mentioned in those reports and correspondence. The Consultant assumes no liability for the failure of trees or parts of trees, either inspected or otherwise. The Consultant assumes no responsibility to report on the condition of any tree or landscape feature not specifically requested by the named client.

5. No tree described in this report was climbed, unless otherwise stated. The Consultant cannot take responsibility for any defects, which could only have been discovered by climbing. A full root crown examination (RCX), consisting of excavating the soil around the tree to uncover the root crown and major buttress roots was not performed unless otherwise stated. We cannot take responsibility for any root defects, which could only have been discovered by such an inspection.

6. The Consultant shall not be required to provide further documentation, give testimony, be deposed, or attend court by reason of this appraisal/report unless subsequent contractual arrangements are made, including payment of additional fees for such services as described by the consultant or in the fee schedules or contract.

7. The Consultant offers no guarantees or warrantees, either expressed or implied, as to the suitability of the information contained in the reports for any purpose. It remains the responsibility of the client to determine applicability to his/her particular case.

8. Any report and the values, observations, and recommendations expressed therein represent the professional opinion of the Consultant, and the fee for services is in no manner contingent upon the reporting of a specified value nor upon any particular finding to be reported.

9. Any photographs, diagrams, graphs, sketches, or other graphic material included in any report, being intended solely as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys, unless otherwise noted in the report. Any reproductions of graphs material or the work produce of any other persons is intended solely for the purpose of clarification and ease of reference. Inclusion of said information does not constitute a representation by the Consultant as to the sufficiency or accuracy of that information.

10. Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

11. Payment terms are net payable upon receipt of invoice. All balances due beyond 30 days of invoice date will be charged a service fee of 1.5 percent per month (18.0% APR). All checks returned for insufficient funds or any other reason will be subject to a $25.00 service fee. Advance payment of fees may be required in some cases.

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November 7, 2016

Mr. Thomas Rogers
City of Menlo Park
701 Laurel Street,
Menlo Park, CA 94025

Re: Reassessment of Nine Trees

Dear Mr. Rogers,

Greenheart submitted an arborist report in support of its application to remove trees on the site of the proposed Station 1300. The City engaged an independent arborist, Walt Fujii, to verify the work of the Greenheart arborist, Steve Batchelder. Mr. Fujii recommended that two tree be considered for relocation or preservation. After further analysis the City agreed that one, a canary palm, should be relocated off site, and that the other, a holly oak, did not warrant relocation.

Subsequently, Greenheart's application to remove trees at the Station 1300 site was considered at the October 12, 1016 EQC meeting. At this meeting a member of the public requested that the removal of nine trees be reconsidered. Each of these trees was mapped to identify the precise location (see Exhibit A) and reanalyzed by Steve Batchelder, arborist, and David Cox, tree mover. The results are presented in Exhibit B.

In summary, each tree has a locational conflict with proposed improvements and therefore cannot be preserved in its present location. Relocation of the trees for transplanting elsewhere is not recommended because none of the trees are quality specimens by virtue of health and structure. (See Exhbit C.) Many of the trees have additional characteristics that make relocation infeasible: large size, species with a low relocation success rate, or located too close to the Caltrain rails.

Respectfully,

Steve Batchelder
DocuSigned by:
Steve Batchelder 10/2016
F4AB6FCBFE484D4...

Steve Pierce

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Exhibit A

TREE #38
EX 10"
COAST LIVE
OAK

TREE #39
EX 23.5"
VALLEY OAK

±2' HIGH
RETAINING WALL

TREE #33
EX 40.5"
COAST
LIVE OAK

BIOTREATMENT
AREA

40' SFPUC
EASEMENT

TREE #37
EX 32"
VALLEY OAK

GARWOOD WAY

LOADING ZONE

EX 36"W

GARAGE
LIMIT, TYP

TREE #63
EX 10.5"
COAST
LIVE OAK

GRAPHIC SCALE
0 20 40

BKF
255 SHORELINE DRIVE, STE 200
REDWOOD CITY, CA 94065
650/482-6300
650/482-6399 (FAX)
ENGINEERS / SURVEYORS / PLANNERS

STATION 1300
1300 EL CAMINO REAL
EXISTING TREE SURVEY
SAN MATEO COUNTY
CALIFORNIA
MENLO PARK

No.	Revisions

Date 9/21/2016
Scale 1"=20'
Design JMT
Drawn JMT
Approved JHC
Job No 2016100

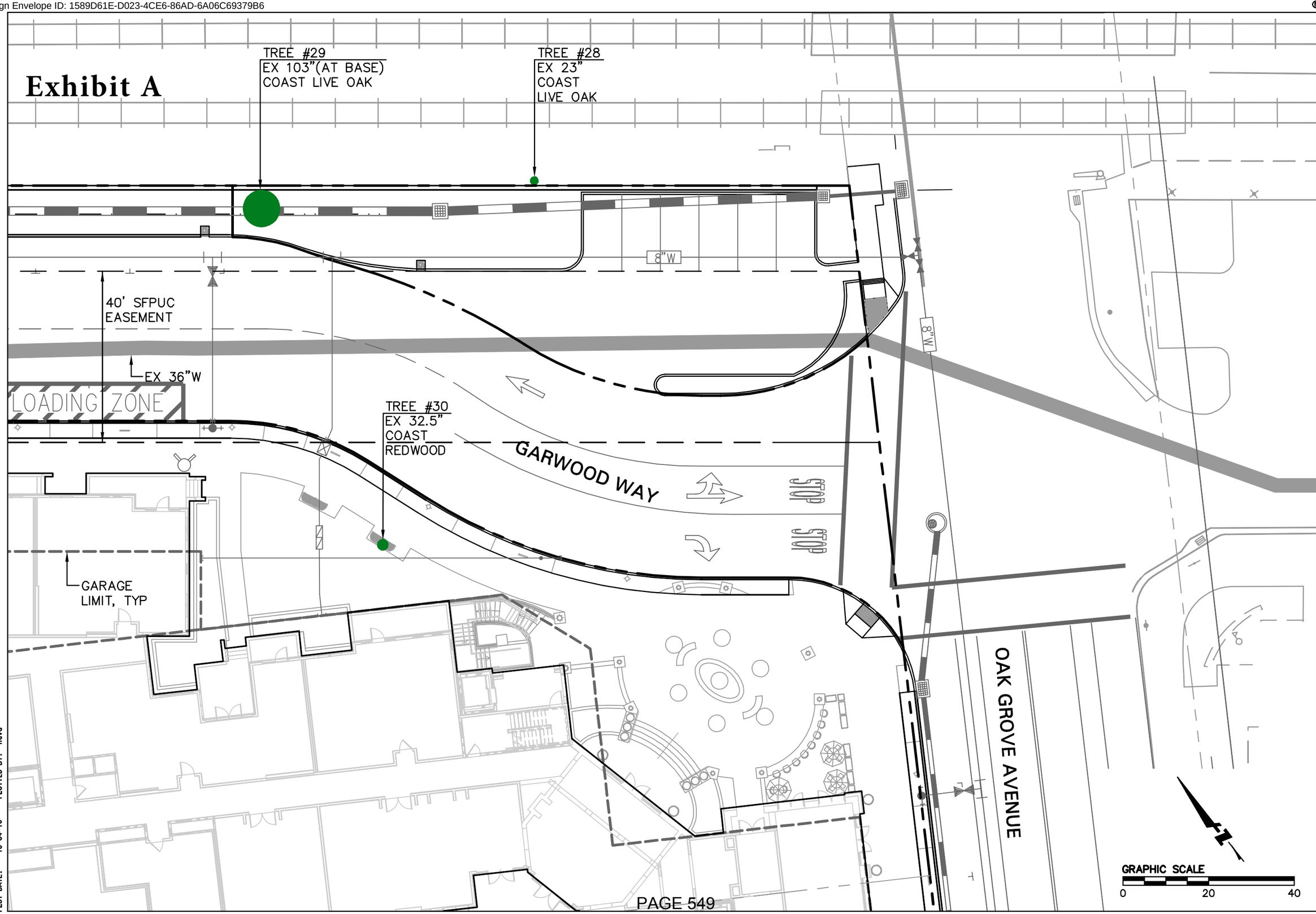
Sheet Number:
1 of 3

DRAWING NAME: K:\2016\160100_Station_1300_Menlo_Park\ENG\EXHIBITS\Tree Survey\16_0921 Tree Exhibit.dwg
PLOT DATE: 10-04-16 PLOTTED BY: nava

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Exhibit A



255 SHORELINE DRIVE, STE 200
REDWOOD CITY, CA 94065
650/482-6300
650/482-6399 (FAX)

BKF
ENGINEERS / SURVEYORS / PLANNERS

STATION 1300
1300 EL CAMINO REAL
EXISTING TREE SURVEY
SAN MATEO COUNTY
CALIFORNIA
MENLO PARK

No.	Revisions

Date 9/21/2016
Scale 1"=20'
Design JMT
Drawn JMT
Approved JNC
Job No 20160100

Sheet Number:
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Exhibit A

8"W

GARWOOD WAY

40' SFPUC EASEMENT

EX 36"W

LOADING ZONE

GARAGE LIMIT, TYP

RESIDENTIAL BUILDING

NORTH OFFICE BUILDING

SOUTH OFFICE BUILDING

TREE #21
EX 20"
COAST
LIVE OAK

DN

GRAPHIC SCALE
0 30 60

255 SHORELINE DRIVE, STE 200
REDWOOD CITY, CA 94065
650/482-6300
650/482-6399 (FAX)

BKF ENGINEERS / SURVEYORS / PLANNERS

STATION 1300
1300 EL CAMINO REAL
EXISTING TREE SURVEY
SAN MATEO COUNTY
CALIFORNIA
MENLO PARK

Revisions	No.
Date 9/21/2016	
Scale 1"=30'	
Design JMT	
Drawn JMT	
Approved JNC	
Job No 20160100	

Sheet Number:
3 OF 3

DRAWING NAME: K:\2016\160100_Station_1300_Menlo_Park\ENG\EXHIBITS\Tree Survey\16_0921 Tree Exhibit.dwg
PLOT DATE: 10-04-16
PLOTTED BY: nava

DocuSign Envelope ID: 1589D61E-D023-4CE6-86AD-6A06C69379B6

Exhibit B

Assessment of Tree for Relocation or Preservation in Place

Refer to Exhibit A for tree locations and Exhibit C for arborist comments.

Tree #21
Description: 20" Multi-stemmed Coast Live Oak, poor structure, fair health
Location: Conflict with underground garages
Relocation: Poor Specimen, not worthy of transplant
Preservation: Not possible due to location conflicts
Conclusion: Remove tree

Tree #28
Description: 23" Coast Live Oak, fair health and structure
Location:

- On Caltrain property line
- In conflict with future property line retaining wall (a)
- In conflict with future 24" storm drain (b)
- In conflict with bio-swale (c)
- In conflict with Caltrain electrification and is slated for removal by Caltrain

Relocation: Not feasible. It would require an 18 ft box and much of the root structure is in the Caltrail ROW and would require excavation unacceptably close to the rails.
Preservation: To be removed for Caltrain electrification.
Conclusion: Remove tree

Tree #29
Description: 103" Redwood as measured at base of multi-trunk tree, fair health, off color, signs of stress.
Location:

- On Caltrain property line
- In conflict with future property line retaining wall (a)
- In conflict with 24" storm drain (b)
- In conflict with bio-swale (c)

Relocation: Too large to relocate
Preservation: Not possible due to location conflicts including proximity to rail line
Conclusion: Remove tree

Tree #30
Description: 32" Redwood, good health and structure
Location: At back of future Garwood sidewalk
Relocation:

- Extremely expensive to relocate because of size.
- Most (80% to 90%) of roots would be lost during relocation and survival problematic.
- Not of sufficient quality to warrant expense.

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Preservation:

An 8 ft to 10 ft diameter clear zone would be required to allow growth at base. This would diminish the sidewalk walk zone by 4ft to 5ft.

- Garage excavation would be about 10 ft from, tree and seriously compromise root structure.
- Redwoods are not drought tolerant, require extensive water and consequently are not a preferred species for preservation.

Conclusion: Remove tree

Tree #33
Description: 40" Coast Live Oak, poor structural condition, trunk rotted out on north side
Location:

- In 12 ft space between future Garwood and Caltrain ROW
- In conflict with future property line retaining wall (a)
- In conflict with 24" storm drain (b)
- In conflict with bio-swale (c)

Relocation:

- Poor specimen, not worthy of transplant
- It is infeasible to excavate extensively in the Caltrain ROW

Preservation: Not possible due to locations conflicts
Conclusion: Remove tree

Tree #37
Description: 32" Valley Oak, fair health and structure, large rotting pruning wound
Location:

- In future driveway of recycling area
- On axis of future sidewalk

Relocation: Poor specimen, not worthy of transplanting
Preservation: Not possible due to location conflicts
Conclusion: Remove tree

Tree #38
Description: 10" Coast Live Oak, good health, fair structure, large breakouts, leaning, pruning wounds
Location: In the proposed Garwood roadway
Relocation: Poor specimen not suitable for transplanting
Preservation: Not possible due to location conflicts
Conclusion: Remove tree

Tree #39
Description: 24" Valley Oak, poor health, fair structure
Location: In the proposed Garwood roadway
Relocation: Poor specimen not suitable for transplanting

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Preservation: Not possible due to location conflicts
Conclusion: Remove tree

Tree #63
Description: 10" Coast Live Oak, three stems, good health, poor to fair structure
Location: In footprint of recycle building
Relocation: Poor specimen not suitable for transplanting
Preservation: Not possible due to location conflicts
Conclusion: Remove tree

Notes
(a) The SFPUC requires that the grade of the future Garwood Way be about 2 ft above the existing grade. This will require that a retaining walk be built on the Caltrain property line. The construction of this wall will impact the roots of the trees near the Caltrain ROW (i.e., Trees #28, #29, and #33). Further, the grade around the trees will need to be raised 2 ft, which is problematic for the tree health.

(b) A 24" diameter storm drain will be constructed at a shallow depth between Oak Grove and Glenwood. This pipe will be located directly under a or near to the trunks of the three cited trees above, and its construction will have a significant impact on the primary roots of each tree. Due to SFPUC restrictions the pipe cannot be located in the Garwood ROW.

(c) The entire area between Garwood Way and the Caltrain ROW is required for bio-swale. If the bio-swale is reduced to preserve the root zone, there would be insufficient bio-swale to meet requirements. Further, it is recommended by San Mate County that oaks not be located in bio-swales.

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Steve,

Wanted to provide a few comments regarding the suggestion to relocate or retain any of the 9 trees.

Basic Arborist Conclusions –None of the trees are worthy of retention or relocation within the current design of the project. In all cases, it is recommended that the resources be dedicated to planting new trees in a manner that provides a suitable root environment that will assure the trees remain vigorous and healthy for a long and useful life expectancy.

Relocation of Existing Trees Not Recommended – Replacing trees with a healthy specimens will assure that trees thrive in future years. It is better to invest resources in the preparation of an optimum planting site than attempting to relocate a large tree of marginal value with a diminished chance for long term survival.

Redwoods Not Suitable for Future – Another drought, comparable to the four years of minimal rainfall California recently experienced, will contribute to an additional demise of urban trees that require higher moisture. Oaks are a preferable species to the redwood.

Cost of Retention – Retaining existing trees will again prove to be expensive. Reductions in the soil volume due to project design will cause tree decline. With an existing tree, soil mitigation measures are more difficult and often insufficient. In all cases, it is recommended that a new specimen tree be planted. It is preferable to have young vigorous trees than to be stuck with an old struggling trees that are slowly dying.

New Planting of Suitable Species in Well Prepared Planting Sites – In all cases, it would be best that replacement species be suitable for projected future weather conditions. It is most critical that the soil volume needs of the tree species are met. The greater investment put into the planting site, the greater the returns will be. These include faster and more vigorous growth, less pest and disease problems, greater longevity and an absence of root-hardscape conflicts later on. Such planting sites can offer a good trade-off for the proposed tree removals.

Prior Survey Data

Tag #	Species	DBH	Spread	Structure	Health	City Street Tree?	Heritage Tree?	Comments
21	*Quercus agrifolia*	20 @ base	20	P	F	N	Y	Multi, EB
28	*Quercus agrifolia*	23	50	F	F	N	Y	PP, Wound at base, 20' from curb
Tag #	**Species**	**DBH**	**Spread**	**Structure**	**Health**	**City Street Tree?**	**Heritage Tree?**	**Comments**

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29	*Sequoia sempervirens*	103 @ base	50	F	F	N	Y	Multi, Off color, Signs of stress, 20' from curb
30	*Sequoia sempervirens*	32.5 @ base	30	G	G	Y	Y	Hardscape displacement
33	*Quercus agrifolia*	40.5	60	P	G	Y	Y	Off site, 13' from property line, CD, Trunk rotted out on north side
37	*Quercus lobata*	32	65	F	F	Y	Y	Off site, 7' from property line, 2' from curb, Previous #53, Large (rotting) pruning wound, PP
38	Quercus agrifolia	10	20	F	G	Y	Y	Large breakouts, Pruning wounds, Lean for light
39	*Quercus lobata*	23.5	40	F	P	Y	Y	8' from curb
63	*Quercus agrifolia*	10.5 @ base	20	F-P	G	N	Y	3 stems

SBCA Tree Consulting
1534 Rose St. Crockett, CA 94525
steve@sbcatree.com

Phone (510) 787-3075
Fax (510) 787-3065
www.sbcatree.com

GREENHEART
LAND COMPANY

November 21, 2016

Mr. Thomas Rogers,
Planning Department
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Station 1300 Trees #29, #30 and #33

Dear Mr. Rogers,

Each of the subject trees and the impediments to preserving or relocating was described in the letter to you dated November 7, 2016. Additional information about trees #29, #30, and #33 was requested in your email of November 15 and is provided herein.

Tree #29

Description: The 8 ft. diameter, four trunk, redwood is located in the proposed 11 ft. wide bio-swale area adjacent to the Caltrain right of way (ROW) and will be impacted by a proposed storm drain, retaining walls, and a grade increase. See Exhibit A.

Construction Impacts:

1. 24 in. Diameter Storm Drain (SD)

   Issue: The proposed SD will be located approximately 2 ft. 6 in. directly beneath the tree. Even with boring there will be a significant loss of critical root structure.

   Possible Mitigation: The SD is located in the bio-swale to accommodate any overflow via surface drains. The SD cannot be located outside the swale because (1) the SFPUC will not permit any utility in its easement (see Exhibit A) and (2) a water line is located in the 5 ft. area between the SFPUC easement and the bio-swale and by state law the water line and the SD must be separated by at least 4 ft. The location of

the water line and SD cannot be flip-flopped because the SD surface inlets must be located in the bio-swale and this would violate the 4 ft. standard.

2. Retaining Walls and Bio-Swale:

   Issue: The SFPUC requires the grade over the Hetch Hetchy water line be increase by about 2 ft. In addition, to meet city and state requirements a bio-swale is being installed in the area between Garwood and the Caltrain ROW. To accommodate this and the bio-swale, retaining walls would be installed on each side of the bio-swale. With an 8 ft. tree in the 11 ft. bio-swale there is insufficient clearance to construct these walls. In fact, there is no clearance on the north side because the tree is located on the Caltrain property line and could not be built without removing a portion of the trunk of the tree and if the tree survived it would eventually grow to compromise the wall. In addition, the grade of the bio-swale will be about 2 ft. above the existing grade. Raising the grade around the tree will be detrimental to its health.

   Possible Mitigation: The only way to mitigate these issues is to eliminate the bio-swale and to construct a three sided tree well open on Caltrain property line. This would entail building retaining walls perpendicular to the main axis of the bio-swale. If built far enough from the tree to prevent significant root damage it would (1) reduce the amount of bio-swale and there is no excess bio-swale area to give up and (2) create a 2 ft. depression at the curb edge that would be a safety hazard. The retaining wall on the Garwood side could be located at the edge of the SFPUC easement about 7 ft. from the tree. Even at this location about 40% of the roots would be removed.

Conclusion: Preservation of this tree is not feasible because of the extensive and unavoidable impacts on the root structure by the construction of the retaining walls and the 24 in. SD. In addition, the required amount of bio-swale area could not be achieved by eliminating it from around this tree.

Tree #30

Description: This 32 in. diameter redwood would be located at the edge of the proposed sidewalk on the extended Garwood and about 9 ft. from the basement/foundation excavation. See Exhibit B.

Construction Impacts

1. Foundation Basement Wall:

   Issue: The foundation wall for the apartments will extend about 30 ft. below grade. The proximity would necessitate the removal of a significant portion of the root system and jeopardize survival.

Possible Mitigation: It is not practical to relocate the foundation that supports the four story structure above.

2. Root Flair

Issue: Steve Batchelder, certified arborist, has recommended that there be a clear area (no paving) of 8 ft. to 10 ft. in diameter around the tree. This would encroach about 3 ft. to 4 ft. into the walk zone of the sidewalk.

Possible Mitigation: (1) The walk zone could be reduced but then it would not comply with the Downtown Specific plan required width. (2) The required width of the walk zone could be maintained if it were located in the 4ft furnishing zone. The elimination of the furnishing zone also would not comply with the Specific Plan. (3) Garwood could be realigned. The transition curves between Garwood and Merrill would become tighter. In addition, this would entail adjusting the property line and balancing the lot sizes and the resultant ripple effects have not yet been fully identified. The tentative map would also need to be resubmitted.

Conclusion: Even if the open area issue could be resolved, the loss of all the tree roots on one side of the tree and the level of construction in the root protection zone make saving this tree and achieving long-term health infeasible.

Tree #33

Description: This 40 in. diameter coast live oak is located in the proposed bio-swale and faces many of the same issues at Tree #29. Refer to Exhibit C.

Construction Impacts

1. 25 in. Diameter Storm Drain: Refer to comments under Tree #29

2. Retaining Wall and Bio-Swale:

Issues: The bio-swale retaining walls will pose the same issues described under Tree #29 even though Tree #33 is not located on the Caltrain property line and there is more clearance from the trunk.

Possible Mitigation: Refer to comments under Tree #29

Conclusion: Refer to comments under Tree #29

In sum there are significant obstacles to preserving these three trees. Even if extraordinary measures are taken long term survival is unlikely.

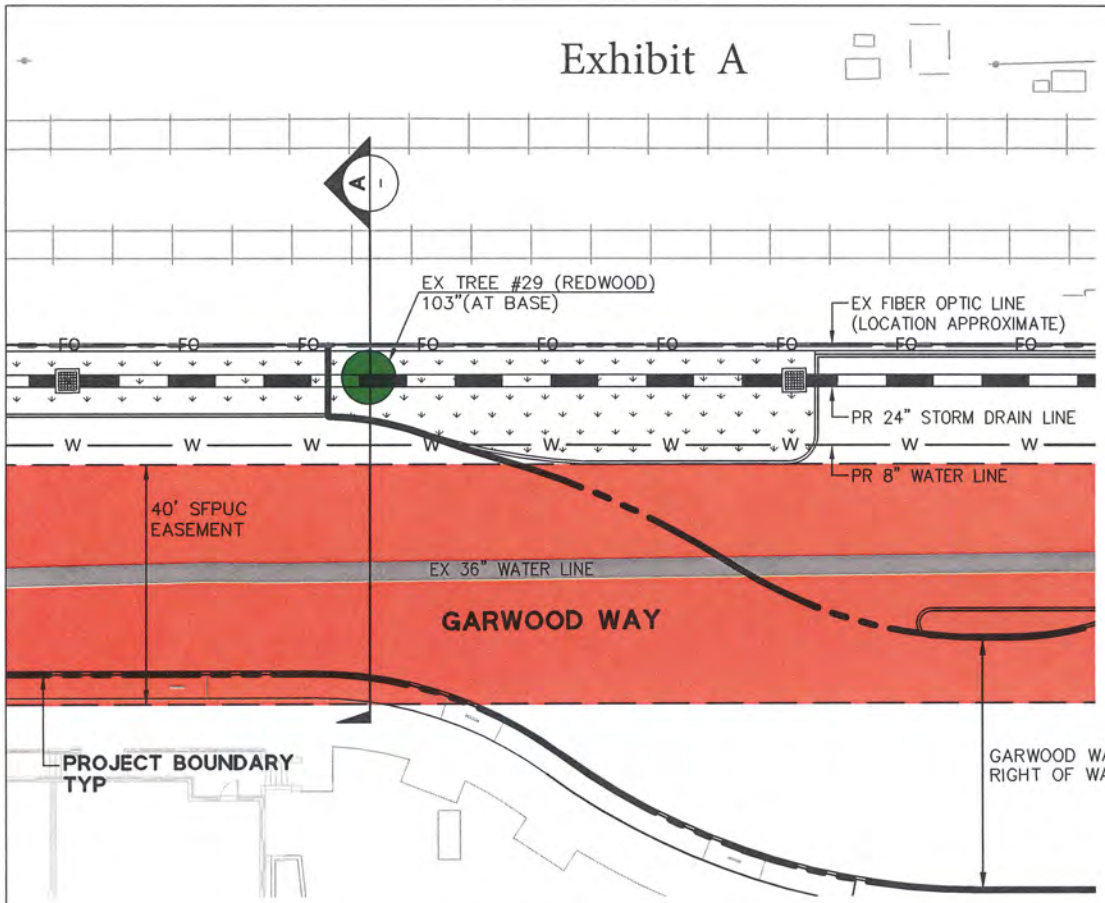
Respectfully,



Steve Pierce

©BKF Engineers

Exhibit A



STATION 1300



TREE #29

LEGEND

SFPUC EASEMENT (NO BUILD ZONE FOR UTILITIES)

FLOW-THROUGH PLANTER

GRAPHIC SCALE

0 20 40

BKF ENGINEERS / SURVEYORS / PLANNERS
255 SHORELINE DRIVE, STE 200
REDWOOD CITY, CA 94065
650/482-6300
650/482-6399 (FAX)

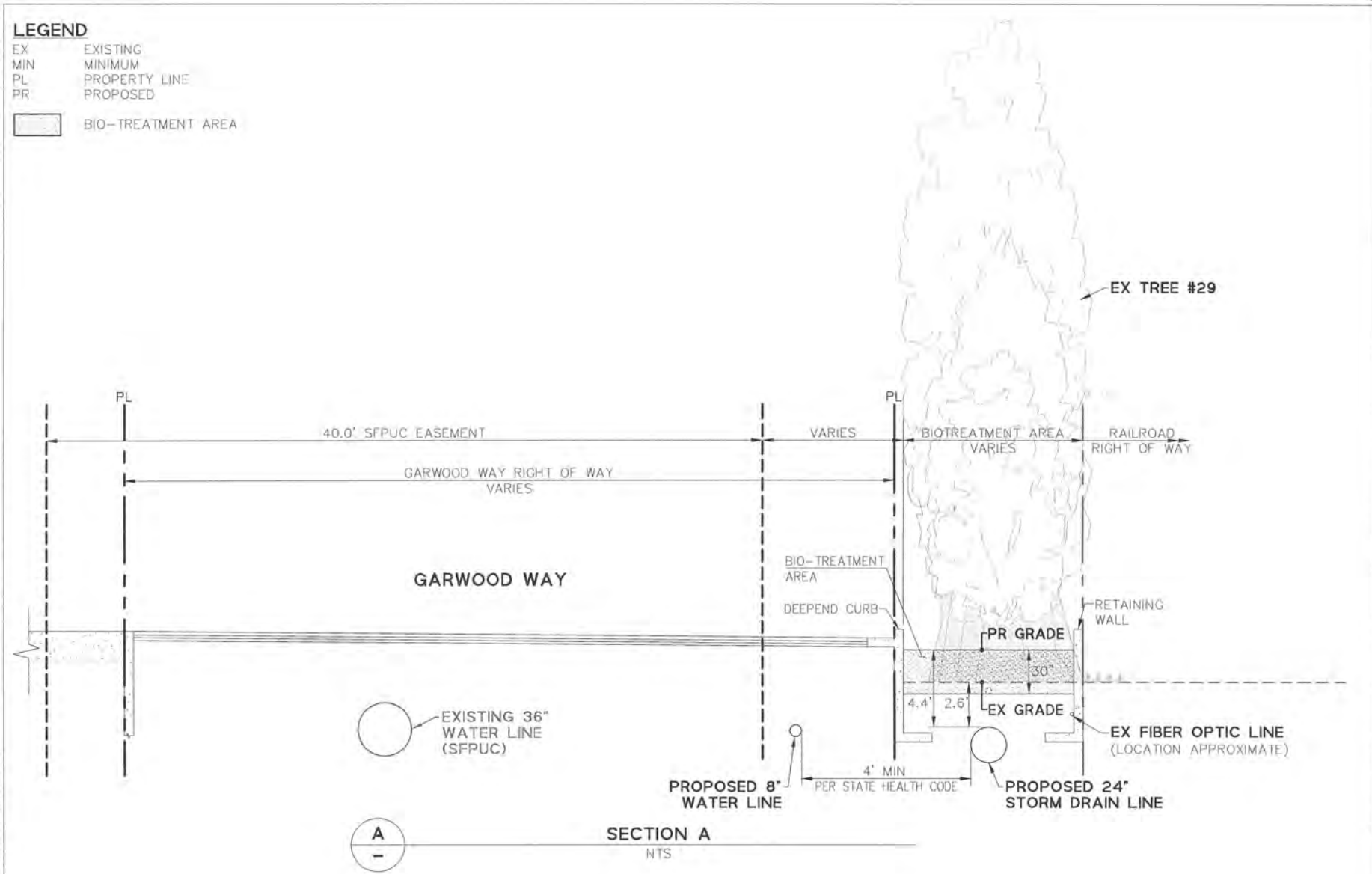
STATION 1300
1300 EL CAMINO REAL
EXAMINATION OF TREE #29 - PLAN
SAN MATEO COUNTY
CALIFORNIA
MENLO PARK

Date: 11/7/2016
Scale: 1"=20'
Design: JMT
Drawn: JMT
Approved: JMC
Job No. 20160

Sheet Number:
1 of 2

DRAWING NAME: K:\2016\160100_Station_1300_Menlo_Park\DWG\EXHIBITS\Tree Survey\18_1118 Tree Exhibit_29.dwg
PLOT DATE: 11-17-16
PLOTTED BY: gute

©BKF Engineers



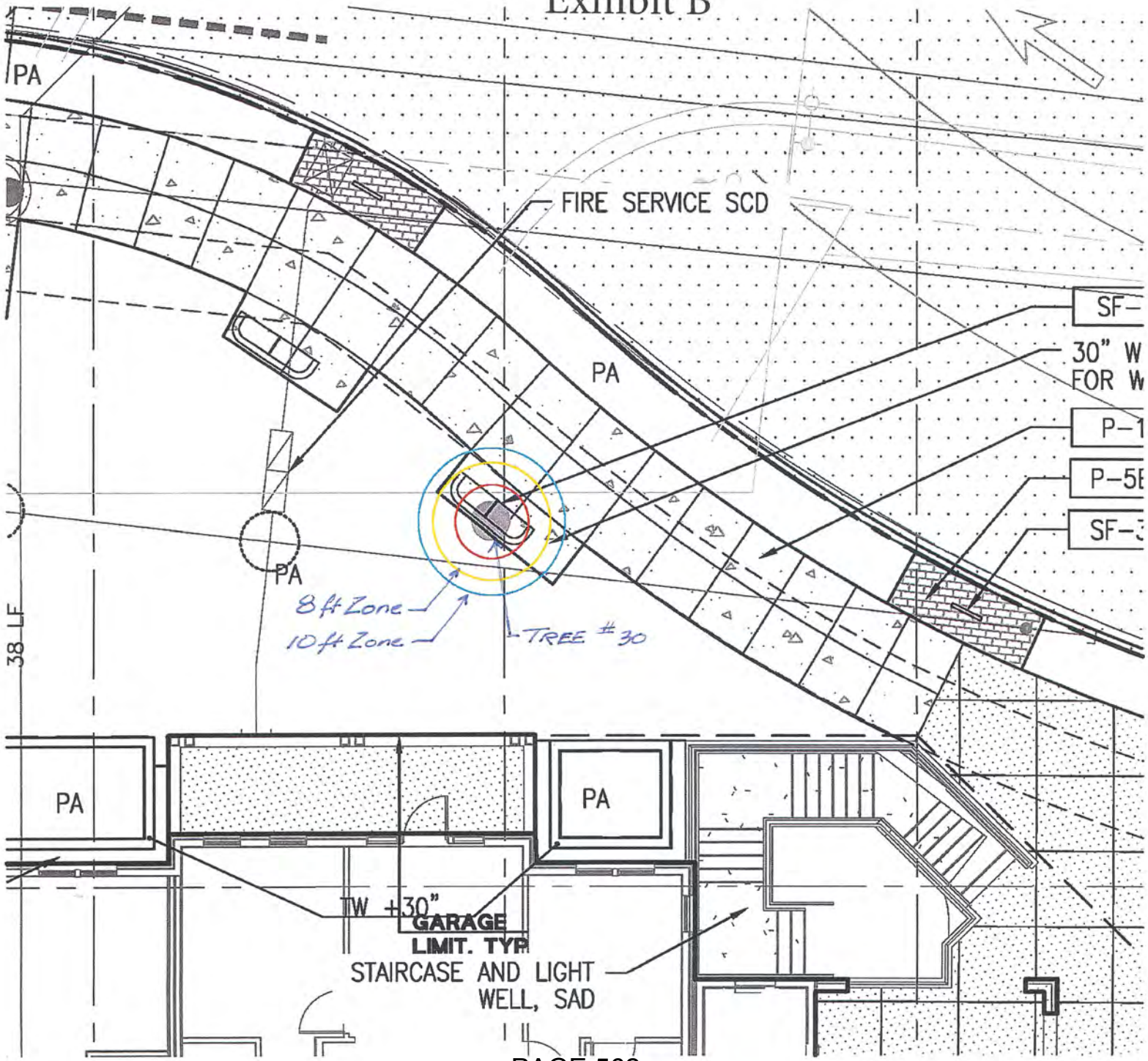
BKF ENGINEERS | SURVEYORS | PLANNERS
255 SHORELINE DRIVE, STE 200
REDWOOD CITY, CA 94065
650/482-6300 (PH)
650/482-6399 (FAX)

STATION 1300
1300 EL CAMINO REAL
EXAMINATION OF TREE #29 - PROFILE
SAN MATEO COUNTY
CALIFORNIA
MENLO PARK

Sheet Number:
2 OF 2

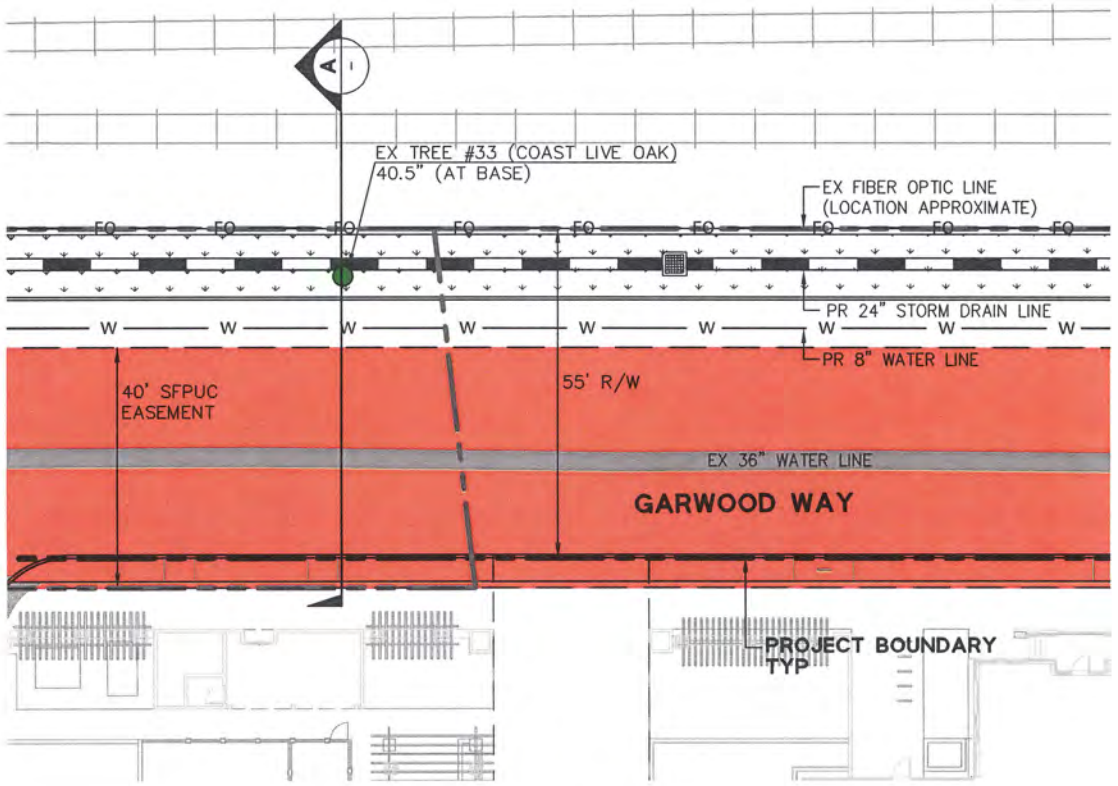
DRAWING NAME: K:\2016\160100_Stat\ion_1300_Menlo_Park\ENG\EXHIBITS\Tree Survey\16_1121 Tree Exhibit_29.dwg
PLOT DATE: 11-21-16
PLOTTED BY: Aurk

Exhibit B


PA
FIRE SERVICE SCD
SF-
30" W
FOR W
P-1
P-5E
SF-3
PA
PA
8 ft Zone
10 ft Zone
TREE #30
38 LF
PA
PA
TW +30"
GARAGE
LIMIT. TYP
STAIRCASE AND LIGHT
WELL, SAD

©BKF Engineers

Exhibit C



STATION 1300

LEGEND

SFPUC EASEMENT (NO BUILD ZONE FOR UTILITIES)

FLOW-THROUGH PLANTER

GRAPHIC SCALE

0 20 40

BKF ENGINEERS / SURVEYORS / PLANNERS
255 SHORELINE DRIVE, STE 200
REDWOOD CITY, CA 94065
650/482-6300
650/482-6399 (FAX)

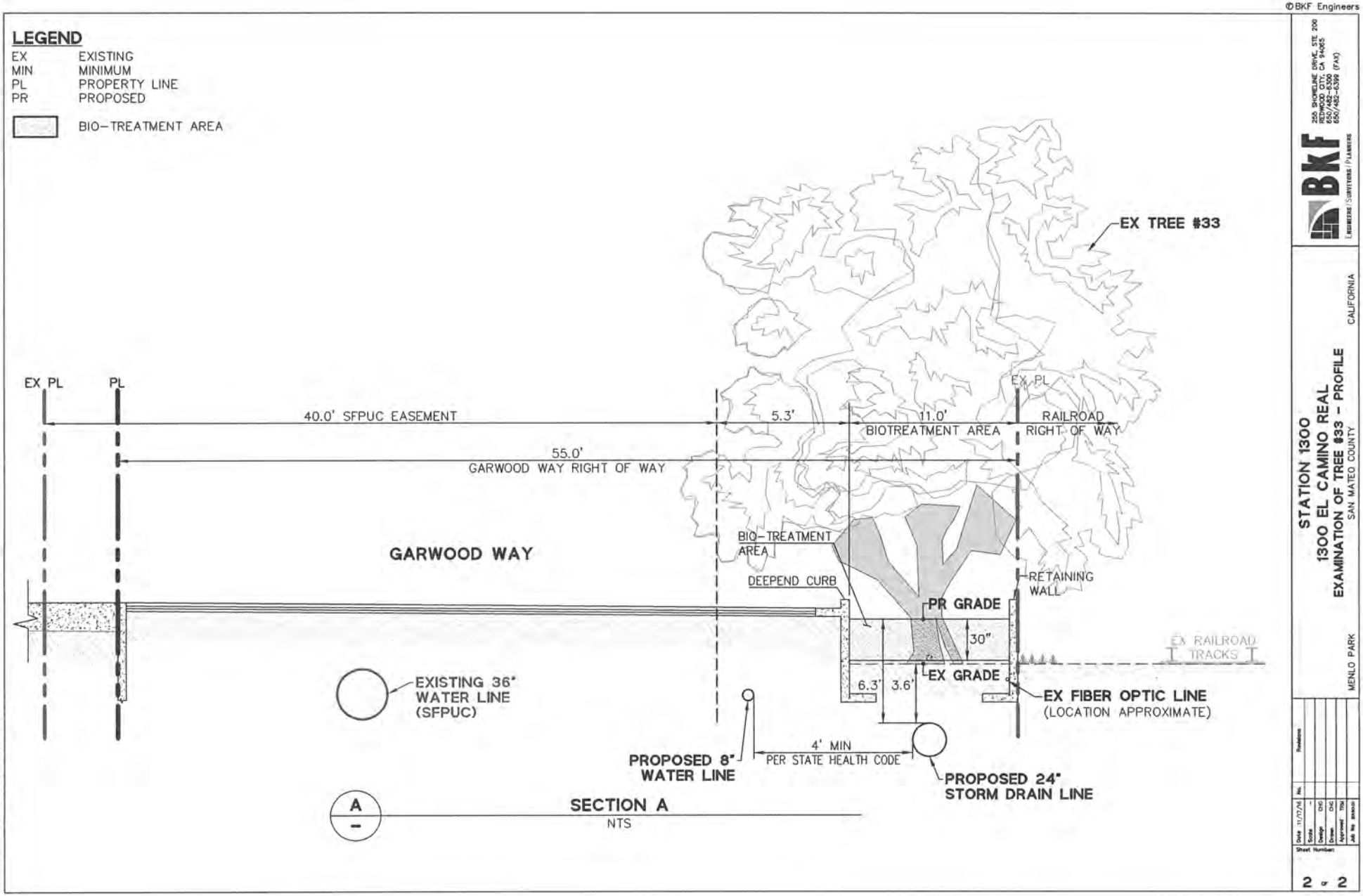
STATION 1300
1300 EL CAMINO REAL
EXAMINATION OF TREE #33 - PLAN
SAN MATEO COUNTY
CALIFORNIA
MENLO PARK

Date: 1/7/2016
Scale: 1"=20'
Design: AJT
Drawn: AJT
Approved: JHC
Job No: 20150000

Sheet Number:
1 of 2

DRAWING NAME: K:\2015\150100_Station_1300_Menlo_Park\DWG\EXHIBITS\Tree Survey\16_1116 Tree Exhibit_33.dwg
PLOT DATE: 11/18/16 PLOTTED BY: gale

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BKF
ENGINEERS / SURVEYORS / PLANNERS
255 SHORELINE DRIVE, SITE 200
REDWOOD CITY, CA 94065
650/482-6300
650/482-6399 (FAX)

STATION 1300
1300 EL CAMINO REAL
EXAMINATION OF TREE #33 - PROFILE
SAN MATEO COUNTY
CALIFORNIA
MENLO PARK

Date 11/17/16 | No. | Revisions
Scale –
Design CHC
Drawn CHC
Approved TSM
Job No. 20160

Sheet Number
2 of 2

DRAWING NAME: K:\2016\160100_Stations\300_Menlo_Park\DWG\EXHIBITS\Tree Survey\16_1121 Tree Exhibit_33.dwg
PLOT DATE: 11-21-16 PLOTTED BY: Kurk

Rogers, Thomas H

From: bobpenhomes@aol.com
Sent: Friday, December 09, 2016 2:11 AM
To: _Planning Commission; Choy, Kristiann M
Subject: 1300 El Camino Real project

To the Menlo Park, planning commission,

It is my understanding you are reviewing the 1300 El Camino project on Monday, December, 12th, 2016

Are you aware if (Construction Trucks) and "Additional commercial traffic" (such as smaller trucks and other smaller commercial vehicles" generated by the 1300 El Camino project will be using Glenwood Ave. in Atherton.

Glenwood has a strict weight limit allowed for commercial vehicles.

It appears in your package there is a call out for a "Glenwood Traffic Route". While not clearly shown on the map, Does this refer to Glenwood traffic in Menlo Park only?

Are there measures being taken to keep this traffic off Glenwood in the portion from Laurel to Middlefield and the reverse from Middlefield to Laurel as they pertain to the Town of Atherton.

If Glenwood in Atherton is to expect project traffic, did you communicate w/ the Town of Atherton, if so what was their response?

Respectfully,

Bob Williams
125 Glenwood ave.
Atherton

Rogers, Thomas H

From: Rachele Trigueros <RTrigueros@bayareacouncil.org>
Sent: Friday, December 09, 2016 9:20 AM
To: _Planning Commission
Subject: ** Bay Area Council Endorsement Station 1300
Attachments: 1300-EndorsementLetter 12.9.16.pdf

Importance: Low

Good morning,

Please see the Bay Area Council's support letter for Greenheart Land Company's Station 1300 project to be heard at the December 12th Planning Commission meeting. Thank you.

Best,
Rachele

Rachele Trigueros | Policy Manager | **BAYAREA** COUNCIL
353 Sacramento Street, 10th Floor | San Francisco, CA 94111
Direct: 415-946-8782 | Cell: 925-586-6729 | rtrigueros@bayareacouncil.org

December 9, 2016

SENT VIA EMAIL

Menlo Park Planning Commission
701 Laurel St.
Menlo Park, CA 94025

Dear Planning Commission,

The Bay Area Council endorses Station 1300.

Station 1300 was well received by our Housing Committee. As a mixed-use and transit- oriented development, station 1300 represents much of what Bay Area Council members look for in development projects. Station 1300's size, design, proximity to public transportation, traffic reduction priorities, and environmental sustainability all contribute to the Council's support of this project.

The Housing Committee feels that Station 1300 is the type of dense, transit-oriented, infill housing that the Bay Area should be promoting and building if we are going to preserve the health of our economy and environment.

The shortage of housing at all levels of affordability has become a major threat to the economy of the Bay Area. Our regions employers are finding it increasingly difficult to attract and keep top talent in the Bay Area because the high cost of housing here. This housing problem and the associated problems of sprawl, congestion, and environmental pollution are going to get much worse unless more projects like Station 1300 are approved and built.

We urge you to support Greenheart Land Company's Station 1300, a well-designed and well-situated project that will provide much needed housing for many generations in Menlo Park.

Sincerely,



Matt Regan
Senior Vice President, Public Policy
Bay Area Council

Rogers, Thomas H

From: Fran Dehn <fran@menloparkchamber.com>
Sent: Friday, December 09, 2016 3:30 PM
To: Katherine Strehl
Cc: Rogers, Thomas H
Subject: RE: 1300 ECR/Station1300 Project
Attachments: Chamber Letter to PC Dec. 2016.pdf

Katherine,

Unfortunately I am unable to personally attend the Planning Commission Meeting on Monday, December 12th as the Commission reviews the 1300 El Camino Real Project "Station 1300". Attached please find a letter of endorsement from the Chamber of Commerce. We hope that through review of the project the Planning Commission will in turn send a recommendation of approval to the Council.

Please distribute to fellow commissioners on our behalf.

With regards,
Fran

Fran Dehn
President / CEO
1100 Merrill St, Menlo Park, CA
T (650) 325-2818 | F (650) 325-0920
fran@menloparkchamber.com | menloparkchamber.com

09 December 2016

Attn: Katherine Strehl, Chair
Menlo Park Planning Commission
City of Menlo Park
701 Laurel Street
Menlo Park, CA

Re: 1300 El Camino Real Project (*Station1300 Project)*

The Menlo Park Chamber of Commerce enthusiastically supports the *Station1300* Project. The proposed development addresses the goal of the ECR/Downtown Specific Plan with a desirable mixed-use project and public space improvements. *Station1300* will increase vibrancy and activity in our downtown, which will in turn assist our merchants to better serve the community. The architectural design greatly complements the city and the proposed project will replace the now vacant and underutilized parcels that discourage shoppers and other potential businesses.

In our interactions with local retailers, restaurant and small business owners, we hear how they need more "foot traffic" downtown. As our traditional brick and mortar businesses face strong challenges from online competition, it's becoming critical for their success to have an abundant number of customers and visitors. The addition of *Station1300* will certainly help address these issues and provide new patrons for all local businesses.

We urge you to approve *Station1300* and we look forward to a more robust downtown Menlo Park.

Sincerely,

Fran Dehn
President/CEO, Menlo Park Chamber of Commerce

CC:
Planning Commissioners, City of Menlo Park
Thomas Rogers, Principal Planner, City of Menlo Park

Rogers, Thomas H

From: Joel Devalcourt <jdevalcourt@greenbelt.org>
Sent: Friday, December 09, 2016 4:07 PM
To: Rogers, Thomas H
Subject: Greenbelt Alliance Endorsement of Station 1300
Attachments: GA Endorsement_Station 1300_Menlo Park_9Dec2016.pdf

Dear Mr. Rogers,
Please accept Greenbelt Alliance's endorsement of the Station 1300 project by Greenheart Land Company, which will be going to the City of Menlo Park Planning Commission on Monday, December 12.

Feel free to ask any questions you may have about our endorsement.

Thank you,
Joel Devalcourt

--
Joel Devalcourt
Regional Representative, East Bay

Greenbelt Alliance
1601 North Main Street, Suite 105 | Walnut Creek, CA 94596
510.306.4203 (cell) | 925-932-7776 (office)
jdevalcourt@greenbelt.org

greenbelt.org | Facebook | Twitter

Read five ways local governments can help farms and ranches in HomeGrown.

GREENBELT ALLIANCE

San Francisco Office
312 Sutter Street, Suite 510
San Francisco, CA 94108
(415) 543-6771

December 9, 2016

Thomas Rogers
Principal Planner
City of Menlo Park
701 Laurel St.
Menlo Park, CA 94025
throgers@menlopark.org



RE: Endorsement of Station 1300

Dear Mr. Rogers:

For over 50 years, Greenbelt Alliance has been the champion of the places that make the Bay Area special. We defend natural and agricultural landscapes from sprawl development and help create great cities and neighborhoods to make the Bay Area an even better place to live. Since the 1980s, we have provided an independent validation of outstanding infill development to help ensure that the right development happens in the right place. Our endorsements have helped improve more than 140 neighborhoods around the region.

Greenbelt Alliance is pleased to endorse the proposed Station 1300 project by Greenheart Land Company. As one of the largest infill development opportunities in Downtown Menlo Park, this plan for 183 new homes—and a variety of amenities immediately adjacent to Menlo Park's Caltrain station—has many laudable features. It will provide a walkable and vibrant community for residents across the income spectrum, support the local economy, relieve development pressure on the region's open spaces, and offer a host of other environmental and quality of life benefits.

We also encourage the City of Menlo Park to continue to improve its local policies to encourage sustainable, equitable development. In particular, we recommend that the city reduce burdensome and costly parking requirements and examine its policies to promote affordable homes to help ensure more residents across the income spectrum can live close to where they work.

In closing, Station 1300 is another smart step in Menlo Park to ensure homes and vibrant communities near transit. We hope that its approval will inspire communities around the Bay Area to redouble their efforts to grow smartly.

Sincerely,

Joel Devalcourt
Regional Representative
jdevalcourt@greenbelt.org

Rogers, Thomas H

From: Sarah Sieloff <sarah.sieloff@cclr.org>
Sent: Friday, December 09, 2016 4:48 PM
To: _Planning Commission
Subject: Letter in support of Station 1300
Attachments: CCLR support for Station 1300_12_9_16.pdf

Hello,

Please find attached a letter in support of Station 1300 from the Center for Creative Land Recycling. We are submitting this letter in support of the project's upcoming Planning Commission hearing.

Thank you very much,

--

Sarah Sieloff
Center for Creative Land Recycling
Reclaim. Connect. Transform.
Executive Director | sarah.sieloff@cclr.org | 415-398-1080, x110
200 Frank Ogawa Plaza, 5th Floor, Oakland, CA 94612



Connect with us!

CENTER FOR CREATIVE LAND RECYCLING

RECLAIM. CONNECT. TRANSFORM.

December 9, 2016

Honorable Mayor Catherine Carlton and Members of City Council
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

RE: Greenheart Land Company's Station 1300 Project

Dear Mayor Carlton and Members of City Council:

On behalf of the Center for Creative Land Recycling ("CCLR"), the national's oldest and only national nonprofit dedicated to providing cities with an alternative to sprawl and land use tools to protect human and environmental health. I am writing to express our support for Greenheart Land Company's Station 1300 Project.

CCLR's mission is to enable communities to develop sustainably and equitably by restoring underutilized properties to productive use. Our particular expertise is in cleaning up and redeveloping environmentally-distressed properties, sometimes referred to as "brownfields." We accomplish this work through training and technical assistance for communities working to turn around vacant or contaminated properties.

Greenheart's commitment to infill and to investing in an existing neighborhood, in line with existing city plans, is completely consistent with our mission. Station 1300's thoughtful approach to energy conservation, commitment to encouraging alternatives to single-occupancy vehicle use, and outreach to the community are all laudable. In addition, by providing additional housing with an affordable component, their project addresses one of the key problems in the regional housing crisis: that of supply in the right location.

Feel free to contact me with any questions at sarah.sieloff@cclr.org or 415.398.1080.

Sincerely,

Sarah Sieloff

Sarah Sieloff, Executive Director
Center for Creative Land Recycling

Rogers, Thomas H

From: Glen Rojas <glenrojas650@gmail.com>
Sent: Saturday, December 10, 2016 5:08 PM
To: _Planning Commission
Cc: Fran Dehn
Subject: Station 1300 Project

Planning Commission

I am encouraging the Planning Commission to approve the Station 1300 Project that is coming before the Commission on Monday December 12. I was fully involved with the Downtown Specific Plan as the City Manager during the process and can attest to the comprehensive review that took place. Throughout the 4-year review process community involvement was unprecedented.

Station 1300 is the product of that process which will provide a high quality development on property that has been an eye sore for many years. The project provides a diversity of uses including affordable housing which meets a significant need for our community, along with providing public benefits that will enhance the quality of life in Menlo Park.

I am a board member of the Chamber of Commerce which has endorsed Station 1300.

Glen Rojas

Rogers, Thomas H

From: Clem Molony <clemolony@msn.com>
Sent: Sunday, December 11, 2016 11:47 AM
To: Rogers, Thomas H
Subject: Support for Station 1300: for Planning Commission
Attachments: Station1300 Planning Commission Molony 12-11-16.doc

Dear Thomas,

Attached find input for the Planning Commission. I will be out of town.

Clem Molony

To: Thomas Rogers 12/11/16
City of Menlo Park Planning

From: Clem Molony, Willows neighborhood home-owner

Sub: **Support for "Station 1300" Project Proposal**

Dear Planning Commissioners,

I strongly support the Station 1300 mixed-use development proposal.

It is a welcome modernization for downtown, and a definite positive for our wonderful city. It brings new housing units, a beautiful design, two moderate-size office buildings, and is right across the street from the Caltrain station.

The addition of 180+ housing units adjacent to a Caltrain station is a transit-oriented bonus for the Bay Area. Adding these new apartments will also help to ease the pressure on rent increases in Menlo Park and adjacent cities.

Greenheart's balanced design matches the goals of our Downtown Plan. There will be courtyards and plazas, community serving uses, a dog park, bicycle improvements, retail stores, and all with an attractive Spanish Revival architecture. Other benefits include the underground garage (with 900+ parking spaces) whose public spaces will benefit all of downtown, a 47% open-space ratio, the $2.1 million payment to the city's Public Amenity Fund, and 20 BMR housing units.

Given the project's Caltrain adjacency, and Greenheart's aggressive program of "transportation demand management" for the tenants and residents, the impacts on traffic and transportation will be much less than would be expected from such a project anywhere else in the city. Regarding the high-tech tenants in today's modern offices, a huge proportion use transit. A recent study showed that almost 30% of Palo Alto's office workers ride Caltrain to their jobs. Transit-oriented development is the solution for our future on the Peninsula.

I am glad that Greenheart took a cooperative approach as they adjusted their plans over the past two years. They have worked with city staff and public input continually, to adjust and improve their design in excellent ways. Station 1300 is going to be a real enhancement for downtown Menlo Park.

Rogers, Thomas H

From: nikkisokol@gmail.com
Sent: Sunday, December 11, 2016 11:53 PM
To: _Planning Commission
Subject: Letter of support for Station1300

Dear Planning Commission Members:

I write to express my strong support for the proposed Station1300 project.

First, I believe that the project will bring some much needed vibrancy to downtown and the kinds of modern dining options that our residents desire and deserve.

Second, the architectural design is beautiful and high quality. It will be a building that we can be proud of and that will add to, rather than detract from, the aesthetics of our town. I cannot wait for it to be built so that the current blight and eyesore will be gone. The green building features are impressive and an added benefit.

Finally, the buildings strike a good balance between office and retail. This balance, together with the transit-oriented location, will minimize the traffic impact to an acceptable level.

I urge the Planning Commission to approve this project so that it can move on for City Council approval forthwith. It has already taken much too long for Menlo Park to get the benefit of such a beautiful and well planned project.

Thank you for your consideration.

Sincerely,

Nikki Stitt Sokol
Gordon Ave.
Menlo Park

Rogers, Thomas H

From: Michael Levinson <michael@mdlevinson.com>
Sent: Sunday, December 11, 2016 11:13 PM
To: _Planning Commission
Subject: in strong support of Greenheart

I am going to try to make tomorrow's meeting, but in case I get stuck home with the kids I wanted to write in with my strong support for the Greenheart project, and my hope that the PC will approve it tomorrow.

I am a homeowner and resident of Allied Arts. I believe:

- We are in housing crisis and Greenheart provides 200 badly needed rental units, including 20 affordable units for teachers, police, etc.
- Greenheart will be a boon to the vibrancy of downtown, with not only new restaurants and retail, but badly needed foot traffic both during the day (workers!) and at night (renters!)
- Greenheart is as environmentally friendly as a big new project can get, being close to Caltrain and with state of the art energy efficiency
- The public benefits are significant

I urge the council to approve this project. The Greenheart developers have gone out of their way to adhere to the letter and spirit of the general plan and desires of our community. I can't wait to see them break ground.

Michael Levinson
Allied Arts

Rogers, Thomas H

From: Matthew Quevedo <mquevedo@svlg.org>
Sent: Monday, December 12, 2016 10:49 AM
To: _Planning Commission; Aguilar, Pamela I
Cc: PlanningDept
Subject: Letter in Support of Station 1300 - Planning Commission Meeting - 12/12
Attachments: Letter from SVLG to SC Planning Commission- Station 1300.pdf

Good Morning Planning Commission and City Clerk,

I am submitting the attached letter on behalf of Carl Guardino and the Silicon Valley Leadership Group. The letter attached is in support of the Station 1300 project.

Please reach out to me if you have any questions.

Best,
--
Matthew Quevedo
Senior Associate
Housing, Transportation & Community Engagement
Silicon Valley Leadership Group
(408)772-2171
mquevedo@svlg.org

http://www.svlg.org/

SILICON VALLEY LEADERSHIP GROUP

2001 Gateway Place, Suite 101E
San Jose, California 95110
(408)501-7864 svlg.org
CARL GUARDINO
President & CEO

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SVB Financial Group
KEN KANNAPPAN, Vice Chair
Plantronics
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HELEN BURT
Pacific Gas & Electric
DAVID CUSH
Virgin America
CHRISTOPHER DAWES
Lucile Packard Children's Hospital
KEN DRAZAN
Johnson& Johnson
MICHAEL ENGH, S.J.
Santa Clara University
TOM FALLON
Infinera Corporation
BRANT FISH
Chevron Corporation
HANK FORE
Comcast
KEN GOLDMAN
Yahoo!
RAQUEL GONZALEZ
Bank of America
DOUG GRAHAM
Lockheed Martin Space Systems
LAURA GUIO
IBM
JAMES GUTIERREZ
Insikt
MARK HAWKINS
Salesforce
JEFFREY M. JOHNSON
San Francisco Chronicle
AARIF KHAKOO
Amgen
GARY LAUER
eHealth
ENRIQUE LORES
HP
MATT MAHAN
Brigade
TARKAN MANER
Nexenta
KEN MCNEELY
AT&T
STEPHEN MILLIGAN
Western Digital Corporation
KEVIN MURAI
Synnex
JES PEDERSON
Webcor
KIM POLESE
ClearStreet
MO QAYOUMI
San Jose State University
STEVEN ROSSI
Bay Area News Group
TOMI RYBA
El Camino Hospital
ALAN SALZMAN
VantagePoint Capital Partners
RON SEGE
Echelon Corporation
ROSEMARY TURNER
UPS
RICK WALLACE
KLA-Tencor
KEN XIE
Fortinet
JED YORK
San Francisco 49ers
Established in 1978 by
DAVID PACKARD

December 12, 2016

Chair Katherine Strehl and Commissioners
Planning Commission
City of Menlo Park
701 Laurel St.
Menlo Park, CA 94025

RE: Station 1300 (Item. F1 –Staff Report #16-103-PC)

Dear Chair Strehl and Commissioners,

On behalf of the Silicon Valley Leadership Group, I am writing to express our support for Greenheart Land Company and the proposed Station 1300, a mixed-use project in downtown Menlo Park.

The Silicon Valley Leadership Group, founded in 1978 by David Packard of Hewlett-Packard, represents nearly 400 of Silicon Valley's most respected employers on issues, programs and campaigns that affect the economic health and quality of life in Silicon Valley, including energy, transportation, education, housing, health care, tax policies, economic vitality and the environment. Leadership Group members collectively provide nearly one of every three private sector jobs in Silicon Valley and have more than $6 trillion in annual revenue.

On an annual basis, the Silicon Valley Leadership Group surveys its member companies at the CEO level to find out which issues are most important to a healthy economy in Silicon Valley. Each year, housing affordability and attainability is selected as the top impediment. The cause of our housing crunch is clear. Demand consistently outpaces supply. For that reason, the Leadership Group seeks out and supports quality housing proposals that can help alleviate our persistent housing crisis by bringing more homes to the market.

Greenheart Land Company's proposed 183 units, 10% of which are below market rate units, will provide much needed affordability and density to downtown Menlo Park. In line with thoughtful planning practices, Station 1300 will also provide residents Caltrain Go passes, electric bicycles and on-site retail. Conveniently, Station 1300 will place retail near the Caltrain station to make it more accessible to commuters. This project follows the guidelines outlined by the Downtown Specific Plan and we hope to see more transit oriented projects like this in Menlo Park.

We hope you will approve this project and we thank you for considering our support for Station 1300.

Sincerely,



Carl Guardino
President and CEO
Silicon Valley Leadership Group

Rogers, Thomas H

From: Patti L Fry <pattilfry@gmail.com>
Sent: Monday, December 12, 2016 11:34 AM
To: _Planning Commission
Cc: _CCIN
Subject: Greenheart 1300 El Camino Real comments

Planning Commissioners:

You have a big responsibility on behalf of the community - especially during the busy holiday season when few of us residents can participate actively in project reviews - to conduct due diligence on the proposed Greenheart project and its EIR and to make recommendations to the City Council about its negative impacts and potential benefits. I am eager to see this blighted site cleaned up (the developer has ignored multiple requests to do that, by the way), and developed. However, I have the following concerns.

THE PROJECT IS NOT DEFINED - it is one thing for the EIR to have studied a range of potential uses, but it is another thing for the project to remain poorly defined. It is now at the stage when you are asked to consider paint colors and use permit for outdoor seating for restaurants but it is not clearly that restaurants really are proposed. As worded, the project's community serving uses could be a bank, real estate office, or business services - each of which has very different vibrancy and usefulness to the public than stores and restaurants. The developer wants you to consider a real estate office, presumably for the housing buildings, as "community serving". It would only benefit the landlord, the realtor and the tenants, not the greater community; it is office space.
The developer wants you to evaluate the project and its benefits even though there is no specific amount of office or community serving space; those are still being presented to you as ranges that have a difference equivalent to a half acre of space. There is not a specific project in front of you yet.
** You should recommend that the "Community serving uses" be specified clearly - both in type and amount of space - before recommending approval of Statement of Overriding Considerations instead of agreeing that the currently vague benefits outweigh the negative impacts.
** You also should recommend consideration of a Use Permit ONLY when specific restaurant uses are proposed, not now when there is no proposal for a clear type, size or location of any restaurants.

THE PROJECT DOES NOT SUPPORT THE SPECIFIC PLAN - The Specific Plan (E-4) states "The El Camino Real Mixed Use/Residential designation emphasizes residential use in close proximity (approximately 1/2 mile) to the station area and downtown, in order to support area businesses, transit use and overall downtown vibrancy. This designation also allows for a variety of retail, office and public and semipublic uses." This project is not really "mixed use residential"; it is "mixed use office".
Proposed at the bonus level in THE zoning district of the Specific Plan that has "Residential" in its title it is proposed to include nearly 100% of the office allowed but only 57% of the housing units allowed. Translated to how many individuals or families could have a new home: the site only proposes 183 units but could provide 322 sorely needed housing units. It could provide 139 more!
** Recommend either that the project be approved as a Base level project with the maximum Base level housing of 206 units OR at the Public Benefit Bonus level size with the maximum housing in order to support the Specific Plan's vision of this area being primarily residential.

THE PROJECT'S BENEFITS ARE INSUFFICIENT - In addition to the lost opportunity to provide more housing, the project adds significant new traffic, deemed adverse and unavoidable, that would further congest the most congested part of El Camino Real. Those estimates are likely to be understated considerably because

the EIR assumes an unrealistic amount of space per office worker (300 SF whereas national office estimates are 1/2 of that). As described in the staff report, the offices are targeted at tech incubators, which often house quadruple the number of workers that were analyzed in the EIR. The negative impacts could be far worse than described

The $2.1 million payment is too low. It is approximately 1/3 of the extra profit described in the flawed BAE Financial Impact Analysis. I use the term "flawed" because it assumed 86 more underground parking spaces at a cost of $3,655,000 that would not be required if only 1,000 parking spaces are provided, and it does not assume ANY revenue for the parking that the developer stated in council chambers would be charged to tenants. With the reduced underground parking costs, the profit at the Bonus level would be at least $10 million, not counting the initial and ongoing revenue from charging for parking spaces.
** You should recommend a public benefit bonus payment of at least $5 million as shared benefit for the bonus size and its considerable negative impacts.

THE PROJECT SHOULD HAVE A TRIP CAP - Because the "effectiveness of the TDM program cannot be reliably predicted" (FEIR B12), and the amount of traffic could be quadruple the amount estimated in the FEIR if the offices have a similar worker space allocation as the new Spaces tech incubator business near Facebook, there should be a trip cap with penalties if it is exceeded. After all, this is in the heart of our town and is next to transit.
** You should recommend that the required mitigation measures and the Development Agreement include a specific trips limit that allows no more trips than the net impact during peak hours and daily that was assumed in the Final EIR.

PROJECT and DEVELOPMENT AGREEMENT APPROVALS WOULD BE PREMATURE - the implications of grade separation on this project's transportation circulation could be profound if Oak Grove and/or Glenwood are lowered, which would occur in the proposed grade separation alternatives. Not only would motor vehicle traffic flows be affected, bike movements would also be affected, and intersections either blocked or complicated.

Additionally, the City has not conducted nexus studies in order to determine appropriate impact fees for housing impacts or for transportation improvements. For reference FEIR (3-33) states "the City has not adopted a valid nexus study that allows for the collection of a housing impact fee" The Lisa Wise Consulting Inc firm pointed out in 2014 the lack of a mechanism for the City to fund public improvements in the Specific Plan area.
**You should recommend that the City put the horses before the cart, and adopt nexus studies and impact fees to address impacts of projects like this one that would worsen the housing shortage, worsen traffic congestion, and not pay their fair share of needed public improvements.

I heartily encourage appropriate development on this site. That should be a residential-intensive project that improves, not worsens, Menlo Park's abysmal jobs/housing ratio. That should also be a project that is truly transit-oriented, rather than significantly worsening traffic in the most congested part of our downtown area. Approvals of any project should be based on a well-defined, not ambiguously described, project. It is time for this developer to be clear about its intentions rather than continue to be vague. You need to demand that specificity as part of your due diligence.

Sincerely,
Patti Fry
Menlo Park resident and former Planning Commissioner

Rogers, Thomas H

From: J. B. <jlbutler@hotmail.com>
Sent: Monday, December 12, 2016 11:46 AM
To: _Planning Commission
Subject: Station 1300

Honored members of the Planning Commission,

Station 1300 is an amazing project that will complement the beautiful downtown area in Menlo Park. Even better it will replace a blighted eyesore that I and many others are tired of looking at each time we pass by. Station 1300 has an emphasis on open space and sustainable design. The list of benefits it brings is amazing.

But all things, especially the economy, moves in cycles. I believe that these benefits and the investment in this project are only made possible by the current vibrant economy. If we do not support this project and move it forward now then I am very concerned that the project may not make sense later on when the economic cycles shifts in the other direction. We all remember the downturn a few years back when many building projects were shuttered. Some of them still have not restarted. We will lose all of the tax dollars, affordable units, open space, the list goes on.

While the cycle is still with us and we can get a project that looks this amazing and contributes to the vibrancy of downtown lets do it. I for one do not want to be looking at a vacant weed covered lot for the next 10 years.

Thank you,

Joel Butler

Rogers, Thomas H

From: Jamie D'Alessandro <jamie@windyhillpv.com>
Sent: Monday, December 12, 2016 11:51 AM
To: _Planning Commission
Subject: Support of Station 1300 Project

Dear Planning Commissioners,

I am writing as a longtime Menlo Park resident to express support for Greenheart's Station 1300 project. I feel strongly that the PC should make a positive recommendation to the city council on this project.

The site has sat blighted for far too long and Greenheart has engaged in a multi year process that included a comprehensive EIR review, extensive community engagement and countless meetings with the community and city staff. The development exemplifies some of the best of infill, adaptive re-use development principles. It provides essentially an equal amount of housing square footage to office square footage which will help lessen the traffic impact. Discreetly and adequately parking the project underground allows for the extensive public spaces available to the broader public which can help enable the project to be dynamic, day and night. All of this is provided within walking distance to downtown and Cal Train.

The project offers significant benefits to the city and the community. Bike lane improvements, public plazas and affordable housing onsite are just a few. Greenheart has also shown a commitment to sustainability given their ensured LEED Gold level and a target Platinum level as well as their extensive initiatives to encourage non-auto/alternative transportation. They have also offered a signifiant financial contribution to the city's downtown fund and guaranteed a level of sales tax revenue. This is in addition to the +-$5 million of annual property tax revenue that the city will benefit from.

Most importantly, this project will inject some much needed vitality into our downtown. The daytime office population will help restaurants do better lunch business and boutiques to expand their client base while the apartment residents will do the same in the later afternoon/evening hours. This is the right project in the right location.

Jamie D'Alessandro
jamie@windyhillpv.com
Cell 650-248-5099

10 year Menlo Park resident
Menlo Park Atherton Education Foundation Board Member

Rogers, Thomas H

From: Emma Shlaes <emma@bikesiliconvalley.org>
Sent: Monday, December 12, 2016 1:42 PM
To: _Planning Commission
Subject: SVBC support letter Station 1300
Attachments: 161212 MP Station 1300.pdf

Please see attached letter in support of the bike facilities and accommodation around Station 1300.

--
Emma Shlaes
Policy Manager
Silicon Valley Bicycle Coalition
96 N. Third Street, Suite 375
PO Box 1927
San Jose, CA 95109
Office: 408-287-7259 Ext. 228
Cell: 650-703-1191
http://bikesiliconvalley.org

SILICON VALLEY BICYCLE COALITION

96 N. Third Street
Suite 375
PO Box 1927
San Jose, CA 95109

Tel 408.287.7259
Fax 408.213.7559

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SVBC is a 501(c)(3)
non-profit organization.
EIN 77-0338658

http://bikesiliconvalley.org

December 12, 2016

Menlo Park Planning Commission

Re: Station 1300 in Menlo Park

Dear Members of the Planning Commission,

I'm writing as the Executive Director and President of Silicon Valley Bicycle Coalition, a membership-based non-profit with the mission to create a healthy community, environment, and economy through bicycling for people who live, work, and play in San Mateo and Santa Clara Counties. We would like to express our support for Station 1300 in Menlo Park in terms of bicycle access and accommodations.

The location of Station 1300 is ideal for people to access by bike. Its position next to the Menlo Park Caltrain station, close to downtown and shopping centers, and near existing bicycle infrastructure makes Station 1300 a great option for people biking to work and shopping. The addition of Class II bike lanes on Oak Grove Avenue (some buffered), through the Oak Grove University Crane Bike Improvement project, and a Class III bike route on an extended Garwood Avenue will help complete the bike network surrounding this development. In particular, the future pilot buffered bike lanes on El Camino Real will provide a great regional connection for those working and living at Station 1300.

It is great that Station 1300 will be exceeding Menlo Park's bike parking requirements with both long-term employee/resident and short-term visitor bike parking options. We are particularly excited for the in-unit bike hooks, which will provide a safe and secure option for residents to store their bikes.

Other amenities such as showers and changing areas on each level of the office building and bike repair stations with tools in the Residential and Office long-term bike storage areas will help to further create a bicycle friendly environment for residents, employees, and visitors.

Thank you for the opportunity to comment.

Sincerely,

Shiloh Ballard
President and Executive Director

Rogers, Thomas H

From: Diane Bailey <diane@menlospark.org>
Sent: Monday, December 12, 2016 3:34 PM
To: _Planning Commission
Subject: Environmental Measures of 1300 El Camino - TODs contribute to a thriving downtown

Dear Planning Commissioners,
As you discuss the 1300 El Camino Project at your meeting tonight, there are a number of noteworthy environmental measures to be aware of that make this project stand out on its sustainability. These include:

- Large Solar Installation - almost 1 MW
- Aiming for LEED Platinum
- Efficient System/central plant heating & cooling
- A solid list of TDMs including Caltrain Go-Passes, zip car / car share spaces, bike amenities.

It is also our understanding that the underground parking will not be free, which is an important step to promote alternatives to driving, and manage parking availability and convenience.

Menlo Spark does not endorse specific projects, but we hope to see transit oriented developments (TODs) move forward in Menlo Park as a critical pathway towards a healthy, vibrant downtown.

Warm regards,
Diane

Diane Bailey | Executive Director

MENLO SPARK

diane@menlospark.org | 650-281-7073

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Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 8:28 AM
To: Rogers, Thomas H
Subject: FW: Station 1300

Arlinda Heineck
Community Development Director
650-330-6715

From: Ben Paul/USA [mailto:Ben.Paul@cushwake.com]
Sent: Thursday, January 12, 2017 8:23 PM
To: _CCIN
Subject: Station 1300

Myself and my wife and four kids have lived in Menlo Park for 14 years. We are very hopeful that Station 1300 receives all of the necessary approvals at the upcoming city council meeting. This is truly smart development that the peninsula needs to see more of.

We strongly encourage you to vote yes for this project.

Regards,

Ben and Laura Paul
1720 Oak Avenue
Menlo Park, CA 94025

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Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 8:28 AM
To: Rogers, Thomas H
Subject: FW: Station 1300 - Menlo Park

Arlinda Heineck
Community Development Director
650-330-6715

From: Sam Wright/USA [mailto:Sam.Wright@cushwake.com]
Sent: Friday, January 13, 2017 10:32 AM
To: _CCIN
Cc: valerie bellofatto
Subject: Station 1300 - Menlo Park

Dear Mayor Keith and Members of the Menlo Park City Council –

As a Menlo Park homeowner and resident since 1987, I strongly support the approval of the "Station 1300" project. This is a well-designed development that will bring great benefits to downtown Menlo Park. We've all been preaching the benefits of transit oriented development for years, and now it's time to make this a reality.

I recommend your approval of this project on January 24th.

Thank you.

Sam Wright, J.D., LEED GA
Senior Director | Cushman & Wakefield

California Licensed Real Estate Broker # 01061071
California Licensed Attorney at Law #115327 (Inactive Status)

1950 University Avenue, Suite 220, East Palo Alto, CA 94303
Direct 650.320.0253 **C**ell 650.575.3556 Main 650.852.1200 Fax 650.856.1098

sam.wright@cushwake.com

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Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 8:27 AM
To: Rogers, Thomas H
Subject: FW: Greenheart Project
Attachments: Howard Crittenden (hcrit3@gmail.com).vcf

Arlinda Heineck
Community Development Director
650-330-6715

From: Howard Crittenden [mailto:hcrit3@gmail.com]
Sent: Friday, January 13, 2017 10:58 AM
To: _CCIN
Subject: FW: Greenheart Project

Honorable Menlo Park Council Members,
I support the Greenheart Development.
I encourage you to follow through and approve their plan, as submitted, and making Menlo Park one of the friendliest, convenient places in the Bay Area to live in and enjoy.

Howard Crittenden
117 Heather Dr.
Atherton, CA 94027
650-321-7343
hcrit3@gmail.com

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 8:27 AM
To: Rogers, Thomas H
Subject: FW: Station 1300 Development - Can't wait!

Arlinda Heineck
Community Development Director
650-330-6715

From: Winters, Matt [mailto:mwinters@newmarkccarey.com]
Sent: Friday, January 13, 2017 12:48 PM
To: _CCIN
Subject: Station 1300 Development - Can't wait!

Dear Planning Commission,

I am writing you today to express my excitement for the Station 1300 development in Menlo Park.

I have paid attention to the design plans & changes the developers have made & the latest set of renderings / plans look amazing. I can't wait to bring my family to visit the different small retailers & to hang out in the large plaza… Menlo Park needs more of this. I also am excited about the office / apartment component that will bring more people to the downtown areas, which I think will dramatically help all the local retailers in the area. I know my family can't wait to see this project get off the ground & it should be a wonderful addition to our community.

Thanks again for listening

Matt

The Winters Family
542 Bay Road, Menlo Park

Matt Winters
Executive Managing Director
CA RE License #01405284

Newmark Cornish & Carey
245 Lytton Avenue, Suite 150
Palo Alto, CA 94301

D 650.688.8490 F 650.321.0719
C 650.248.7797
mwinters@newmarkccarey.com Profile
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Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 8:26 AM
To: Rogers, Thomas H
Subject: FW: Station 1300 Approval

Arlinda Heineck
Community Development Director
650-330-6715

-----Original Message-----
From: Douglas A Scott [mailto:scott9039@sbcglobal.net]
Sent: Saturday, January 14, 2017 10:18 AM
To: _CCIN
Subject: Station 1300 Approval

I will be out of town on Jan 24 when this will be on the council's agenda.

I urge you to pass this plan as now presented. As a interested citizen, I have attended Station 1300 open houses and have personally talked with the various consultants involved in this project.

This project will definitely benefit the city and its citizens with due consideration for the impacts which it may have.

It's time to move forward.

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 8:23 AM
To: Rogers, Thomas H
Subject: FW: Station 1300

Arlinda Heineck
Community Development Director
650-330-6715

-----Original Message-----
From: michael demoss [mailto:lawreview@icloud.com]
Sent: Monday, January 16, 2017 4:15 PM
To: _CCIN
Subject: Station 1300

I strongly support station 1300. I am a commercial real estate attorney. This project will improve the tax base, increase sales tax revenue and provide access to valuable services. It also sends a message to entrepreneurs that Menlo Park welcomes new businesses. I look forward to this project meeting with city approval.
Michael C. DeMoss
Menlo Park resident

Sent from my iPhone

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 8:22 AM
To: Rogers, Thomas H
Subject: FW: Station 1300

Arlinda Heineck
Community Development Director
650-330-6715

-----Original Message-----
From: Jeff Berkes [mailto:jsberkes007@yahoo.com]
Sent: Monday, January 16, 2017 6:17 PM
To: _CCIN
Subject: Station 1300

Menlo Park Council Members,

I am in strong support of Station 1300 and hope that you all vote in favor of the project when it comes in front of Council on January 24th. My family and I have lived in Menlo Park for 13 years and currently live on Johnson Street, walking distance from Station 1300. One of the primary reasons we selected Menlo Park (and specifically the reason we chose to move to Johnson Street six years ago) when we relocated from the Washington DC area was the ability to have a small downtown with amenities and services within walking distance. In DC, whether in Georgetown, Woodley Park, or Chevy Chase Village, we lived within easy walking distance of retail stores, movie theaters, doctors offices, grocery stores, public transportation, etc. Through this experience we learned the importance and benefits of having the ability to be able to walk, rather than get in a car to drive, when we wanted to go out to dinner, run errands, or even commute to work. From many perspectives, most notably quality of life and environmental sensitivity, having a well-developed, walkable downtown is beneficial and possibly even essential. This is what attracted us to Menlo Park, and I view Station 1300 as an important enhancement to our downtown, especially because it will add much-needed, quality rental housing and public spaces.

Furthermore, we all live in an amazing, dynamic area with demand drivers such as Sand Hill Road's venture capital concentration, Stanford University, and more recently, Facebook. Long-term, these institutions and many others will create demand for jobs and housing in our community. It is incumbent on Menlo Park, and all the towns and cities on the Peninsula, to take full advantage of the land surrounding Caltrain stations by developing this land densely to best accommodate this growth. Failing to do this and opposing projects such as Station 1300 will not stop job and housing growth - it will simply push it to the edges of the Bay Area creating more traffic and pollution and lowering the quality of life for all of us.

The development of Station 1300 as proposed is smart, sustainable land use and the best way to accommodate growth long-term and on a regional basis. Station 1300 will add office workers to drive demand at Menlo Park restaurants and businesses during the day; residential to provide a high-quality, lower cost alternative to buying a home in Menlo Park; and commercial and public spaces to enhance the street level commercial district. Many of the Station 1300 office workers and residents can use Caltrain, cutting traffic and emissions, and a blighted site will be put to good use.

My thanks to City Staff for all of the hard work they have put in to get Station 1300 to this point, and I hope you all vote "yes" on January 24th.

Jeff Berkes
1303 Johnson Street
Menlo Park, CA 94025
650-269-6838

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 8:22 AM
To: Rogers, Thomas H
Subject: FW: Station 1300

Arlinda Heineck
Community Development Director
650-330-6715

-----Original Message-----
From: Mark Flegel [mailto:markflegel@aol.com]
Sent: Monday, January 16, 2017 11:12 PM
To: _CCIN
Cc: Cherie Burke
Subject: Station 1300

Dear Menlo Park City Council members:

The time for Station 1300 to being construction is now! I support this development as a most positive improvement to El Camino. Please also support this worthy project with your unanimous approval. It is a win/win for our community.

Sincerely,
Mark Flegel

Sent from my iPhone

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 10:02 AM
To: Rogers, Thomas H
Subject: FW: Menlo Park/Station 1300

Arlinda Heineck
Community Development Director
650-330-6715

From: Donna Chandra [mailto:donnachandra@gmail.com]
Sent: Tuesday, January 17, 2017 9:27 AM
To: _CCIN
Subject: Menlo Park/Station 1300

Dear mayor and council members:

As long-time residents and homeowners in the area, we write to urge that you approve the Station 1300 project.

The empty car lots on El Camino have long been an eyesore. This new project of stores, shops, restaurants, a public plaza, and dog park would be a great addition to our sleepy downtown!!!! And the new office workers and residents will be new customers for our existing downtown merchants. An overall win.

After so many years of reviews and public meetings, please vote to approve Station 1300 so construction can soon begin. Thank you.

Donna and Anurag Chandra

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 10:02 AM
To: Rogers, Thomas H
Subject: FW: 1300 El Camino project

Arlinda Heineck
Community Development Director
650-330-6715

From: Marc Bryman [mailto:mbryman@apr.com]
Sent: Tuesday, January 17, 2017 9:56 AM
To: _CCIN
Subject: 1300 El Camino project

Dearest mayor and councilmembers-

After over 10 years of planning and due diligence and the recently unanimous approval by the planning commission, I hope you will vote to approve the project and allow the city to move forward with the downtown vibrancy we so desperately need.

It is most certainly in the best interest of our wonderful municipality and citizenry and the time has come.

Best,

Marc

Real Estate Advisors
Marc Bryman
APR Menlo Park
(650) 646-1150 Mobile
www.MHBadvisors.com
BRE # 0190697

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Tuesday, January 17, 2017 6:29 PM
To: Rogers, Thomas H
Subject: FW: Station 1300 support

Arlinda Heineck
Community Development Director
650-330-6715

From: Richard Draeger [mailto:radraeger@draegers.com]
Sent: Tuesday, January 17, 2017 1:24 PM
To: _CCIN
Subject: Station 1300 support

Honorable Mayor and Council Members,

Draeger's Super Markets would like to voice it's support for the Station 1300 project. We view this project as within the intended goals of the Specific Plan that was approved by the Planning Commission and the City Council several years ago. Further, we believe that this project will bring renewed vitality to El Camino Real specifically and downtown Menlo Park overall. As we are all aware, this stretch of El Camino has been in need of redevelopment for such a long time that it must rank as one of the most drawn out approval processes in the entire Bay Area. I believe that it is for these reasons that it was recently approved by the Planning Commission.

We are particularly in favor of the residential component given its proximity to our transportation corridor. This project is much needed and much overdue.

Thank you for your consideration.

Truly yours,

Richard A. Draeger

90 YEARS Draeger's

Celebrating Family and Food Since 1925

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Wednesday, January 18, 2017 12:00 PM
To: Rogers, Thomas H
Subject: FW: Station 1300

Arlinda Heineck
Community Development Director
650-330-6715

-----Original Message-----
From: Mary Gilles [mailto:mgilles@apr.com]
Sent: Wednesday, January 18, 2017 10:33 AM
To: _CCIN
Subject: Station 1300

Dear Honorably City Council,

As a 28 year resident of Menlo Park, I beseech you to approve this elegant project. The embarrassment of El Camino in a wealthy community such as Menlo Park should no longer be tolerated. I believe it has been at least a decade since the last car dealer closed its doors along this stretch of valuable land.

We have suffered lost revenues and this eyesore longer than reasonable. It is time for our leaders to give the green light to this project. When homes are selling for over $7M in Menlo Park, it is just unfathomable that most of our downtown and El Camino looks like a worn out 1950's Hollywood set for a depressing John Steinbeck story. Every other town up and down the peninsula has taken mighty steps to upgrade their buildings and offerings. Menlo Park remains an anomaly.

Station 1300 will at least give us one end of El Camino that we can be proud to experience.

Sincerely,
Mary

Mary Gilles
Realtor, Alain Pinel Realtors

BRE# 01789710

650.814.0858
MGILLES@APR.COM
MaryGillesRealEstate.com

Alain Pinel Realtors
1550 El Camino Real, Suite 100
MENLO PARK, CA 94025

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Wednesday, January 18, 2017 3:13 PM
To: Rogers, Thomas H
Subject: FW: Letter

Arlinda Heineck
Community Development Director
650-330-6715

From: John Conway [mailto:jconway@menlochevron.com]
Sent: Wednesday, January 18, 2017 12:38 PM
To: _CCIN
Cc: Steve Pierce (spierce@greenheart.bz)
Subject: Letter

Menlo Park City Council,

I support the Greenhart Project. This project will be a big asset.
I wish them all the success for their new endeavor.

John Conway

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Wednesday, January 18, 2017 6:40 PM
To: Rogers, Thomas H
Subject: FW: Greenheart 1300 Station

Arlinda Heineck
Community Development Director
650-330-6715

-----Original Message-----
From: Glen Rojas [mailto:glenrojas650@gmail.com]
Sent: Wednesday, January 18, 2017 5:34 PM
To: _CCIN
Cc: Fran Dehn
Subject: Greenheart 1300 Station

Mayor and Members of the City Council

A vibrant downtown that provides a diversity of services with quality restaurants and other amenities that generate visitors and patrons to these services is a high priority for many Menlo Park residents. The adoption of the Downtown Specific Plan in June 2012 provided the foundation for this transformation to take place. Numerous meetings with 100's of residents and business owners attending took place over a four year period. It was clear in these meetings that residents and business owners wanted positive change that would improve the vibrancy of our already quaint downtown.

The Greenheart 1300 Station project provides an excellent start to the redevelopment of the downtown area but more specifically to the El Camino Real corridor that has become an eye sore for so many years. Station 1300 provides a balance of office space that will generate patrons to the downtown, housing close to the train station, additional retail services, open space and plazas and bike lanes to compliment the City Council's goal of making our city more bike friendly. Traffic is always a concern as it should be. But, Station 1300 actually generates less traffic trips than what was projected in the EIR overall for this site location. Yes we will see increased traffic based on the condition of the site today but more importantly we will see more pedestrian traffic to our downtown! Residents from the housing component will be able to easily walk or ride a bike (up Oak Grove) to the downtown without ever having to take their vehicle out of the garage.

The architecture being proposed and approved by the Planning Commission will do the area proud. The articulation, colors and open spaces will be a real improvement to the El Camino Real corridor and to the downtown entry areas.

As a Menlo Park Chamber of Commerce board member (representing the Rotary Club of Menlo Park) I would highly encourage the City Council to approve this project after carefully reviewing the benefits and value it brings to our city.

Sincerely,

Glen Rojas
Chamber of Commerce Board Member
Former Menlo Park City Manager

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Thursday, January 19, 2017 9:32 AM
To: Rogers, Thomas H
Subject: Fw: Support for Station 1300 Greenheart project

From: Clem Molony <clemolony@msn.com>
Sent: Thursday, January 19, 2017 9:23 AM
To: _CCIN
Subject: Support for Station 1300 Greenheart project

Dear Council members,

I strongly support the Station 1300 project.

It brings new housing units, a beautiful design, two moderate-size office buildings, and is right across the street from the Caltrain station.

The addition of 180+ housing units adjacent to the Caltrain station is a transit-oriented home-run. Adding these new apartments will also help to ease the pressure on rent increases in Menlo Park and adjacent cities.

Greenheart's balanced design matches the goals of our Downtown Plan. There will be courtyards and plazas, community serving uses, a dog park, bicycle improvements, retail stores, and all with an attractive Spanish Revival architecture. Other benefits include the underground garage (with 900+ parking spaces) whose public spaces will benefit all of downtown, a 47% open-space ratio, the $2.1 million payment to the city's Public Amenity Fund, and 20 BMR housing units.

Given the project's Caltrain adjacency, and Greenheart's aggressive program of "transportation demand management" for the tenants and residents, the impacts on traffic and transportation will be much less than would be expected from such a project anywhere else in the city.

Thank you for all the work you do to improve and modernize our wonderful city.

Clem Molony
Willows home-owner

Rogers, Thomas H

From: Heineck, Arlinda A
Sent: Thursday, January 19, 2017 11:01 AM
To: Rogers, Thomas H
Subject: FW: Excited about Station 1300

Arlinda Heineck
Community Development Director
650-330-6715

From: Brian Roberts [mailto:bproberts24@gmail.com]
Sent: Thursday, January 19, 2017 10:24 AM
To: _CCIN
Subject: Excited about Station 1300

Dear City Council-

As a 15 year resident of Menlo Park and professional services business owner in Menlo Park, I am excited to see the plans for the Station 1300 project. I'm particularly encouraged by the desire to increase the diversity of the retail and food options in/around downtown Menlo Park. I look forward to an opportunity to both entertain my business clients and my family at that location.

Thanks,
Brian Roberts - The Roberts Family
Founder, Nelson Roberts Investment Advisors, LLC

Memo

Date:	January 18, 2016
To:	Thomas Rogers, Principal Planner, City of Menlo Park
From:	ICF
Project/Subject:	**Station 1300 Project Modifications**

The EIR described the Station 1300 project as consisting of 202 residential units, 188,900 sf of general office and 29,000 sf of retail uses. In the final project application, dwelling units would decrease by 19 units, office uses would increase by 13,998 sf, and community-serving uses would decrease by 10,400 sf. The overall project footprint would not change as a result of this modified land use mix.

Land Use	EIR Project Description	Final Project Application
Residential	202	183
Office	188,900	202,898
Community-Serving Use	29,000	18,600

Because the project footprint would not change, potentially affected environmental impacts would be those that are population-based such as transportation, air quality, noise, etc. Impacts that are created by the footprint of the project, such as hazards and hazardous materials, would not be affected by these project modifications.

Nevertheless, this minor change to the project would not affect the conclusions reached in the EIR. Specifically, the EIR traffic consultant found that the revised project would result in an overall reduction of daily trips and almost the exactly same number of peak hour trips as analyzed in the EIR as indicated in the table on the next page. The minor difference would not alter the EIR findings in any way.

Because the trip generation would not be meaningfully affected, the noise levels resulting from an increase in automobiles in the area would also not increase beyond the levels disclosed in the EIR. The air quality impacts discussed in the EIR were not related to operation of the project site but rather focused on construction activities, which would not change as a result of these project modifications. Thus, the conclusions in the air quality section would remain the same.

Finally, since the project modifications would remain within the parameters of what was evaluated in the El Camino Real / Downtown Specific Plan EIR, all of the conclusions in the Infill Environmental Checklist prepared for this project also remain unchanged.

	Daily Trips	AM Total	AM In	AM Out	PM Total	PM In	PM Out
Final Project Application	3,407	385	283	102	401	126	275
EIR Project Description	3,740	38	283	101	401	126	275
Net Difference. Application vs. EIR	-333	+1	0	+1	0	0	0
Source: W-Trans, 2016.							

STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-024-CC**

Regular Business: **Review and consider adopting a resolution affirming Menlo Park's commitment to a diverse, supportive, inclusive and protective community; review and consider introducing an ordinance adding Chapter 2.58, National Registry Participation Prohibited, to the Menlo Park Municipal Code; and review and consider alternatives**

Recommendation

Staff recommends that the City Council consider the following:

1. Adopting a resolution affirming Menlo Park's commitment to a diverse, supportive, inclusive and protective community.
2. Introducing an ordinance adding Chapter 2.58, National Registry Participation Prohibited, to the Menlo Park Municipal Code to prohibit the use of City funds and/or resources for providing information to a national database used to identify individuals solely based on their religious beliefs, race and/or nation of descent.
3. Consider alternatives including directing staff to prepare an ordinance establishing the City as a "sanctuary city" or a resolution to become a "welcoming city."

Policy Issues

Consider whether the City of Menlo Park should adopt a resolution(s) and/or an ordinance(s) that sets forth policies and/or rules that provide additional protections around diversity, and more specifically immigration status.

Background

Immigration enforcement is a federal responsibility. State and local governments have discretion in determining the extent of their cooperation with the federal government on immigration and enforcement.

California Government Code Section 7282.5 provides that law enforcement officials have discretion to cooperate with federal immigration officials by detaining an individual only on the basis of an immigration hold after that individual becomes eligible for release from custody only if the continued detention of the individual on the basis of the immigration hold would not violate any federal, state or local law or any local policy and only under specific circumstances including:

1. The individual has been convicted of a serious or violent felony;
2. The individual has been convicted of a felony punishable by imprisonment in state prison;
3. The individual has been convicted of a misdemeanor within the past five years that is punishable either as a misdemeanor or felony or has been convicted of a listed felony;
4. The individual is a current registrant on the California Sex and Arson Registry;

5. The individual is arrested and taken before a magistrate on a charge involving a serious or violent felony; or
6. The individual has been convicted of a federal crime that meets the definition of an aggravated felony. If none of above listed conditions are present, law enforcement officials shall not detain the individual based on an immigration hold after the individual becomes eligible for release from custody.

In addition to the State law, the City of Menlo Park Police Department has several relevant policies in place relative to anti-discrimination, immigration and enforcement. Policy 402 provides guidance and establishes appropriate controls to ensure that City employees do not engage in racial or bias based profiling or violate any related laws while serving the community. Racial or bias based profiling is defined as an inappropriate reliance on such factors as race, ethnicity, national origin, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group as a factor in deciding whether to take law enforcement action or to provide service. Racial or bias based profiling is strictly prohibited. Policy 422 provides direction to officers when considering a physical arrest or detention of anyone who is not a citizen of the United States. Such individuals shall be arrested only under the following circumstances: (a) there is a valid warrant issued for the person's arrest; (b) there is probably cause to believe that person has violated a federal criminal law, a state law or a local ordinance; or (c) undocumented entry is committed in the officer's presence. Officers shall not stop or detain a person solely for determining immigration status. Policy 428 provides that immigration status alone is generally not a matter for police action. Department of Homeland Security's Immigration and Customs Enforcement (ICE) has primary jurisdiction for enforcement of the provisions of the law dealing with illegal entry. Whenever an officer has a reason to believe that any person arrested for any listed offense or any other felony may not be a citizen and the individual is not going to be booked into county jail, the arresting officer shall cause ICE to be notified for consideration of an immigration hold. If an officer suspects that a victim or witness is an undocumented immigrant, the officer need not report the person to ICE unless circumstances indicate such reporting is reasonably necessary. These policies are generally intended to prohibit racial or bias based profiling and inappropriate detention of individuals based only on immigration status.

In the past three years, the Menlo Park Police Department has arrested only two subjects on an ICE warrant. In both instances, the suspects were stopped or detained for some other violation and when run through warrant databases it was discovered they were wanted by the federal government for immigration violations.

Analysis

Considering current events, there has been a focus on "sanctuary cities" and polices that cities can adopt relative to diversity, and more specifically immigration status. Two specific action items are presented for the Council's consideration.

First, is a resolution affirming the City's commitment to a diverse, supportive, inclusive and protective community. The City of Palo Alto adopted a similar resolution in December 2016. While this is not an ordinance and does not establish specific actions or prohibitions, it does affirmatively declare the City's position with respect to diversity.

The second item presented for Council action is an ordinance proposed by Councilmember Mueller which would prohibit the use of City funds and/or resources for providing information to a national database used to identify individuals solely based on their religious beliefs, race and/or nation of descent. The ordinance would incorporate the specific prohibitions and enforcement into Chapter 2.58, National Registry Participation Prohibited, of Title 2, Administration and Personnel, of the Menlo Park Municipal Code. The

City Attorney's office has been unable to find another city which has adopted an ordinance with this specific language. However, for example, the City of San Francisco adopted as part of its sanctuary city ordinance language prohibiting the use of City funds or resources to assist the enforcement of Federal immigration law or to gather or disseminate information regarding the immigration status of individuals or other personal information. As this is an ordinance, it will require a second reading and will not become effective until 30 days thereafter. This proposed ordinance has been reviewed by the City Attorney's office and the Police Department and neither has any legal or operational concerns regarding the proposed ordinance.

Options

In addition to the two above described items, there are two other options the Council could direct staff to consider and bring back to the Council for action at a later date.

First is a sanctuary city ordinance. Attached is an example very recently received from a Menlo Park resident. Simply stated a sanctuary city is a city in which police officers and other city officials, in the course of duty, do not take documented status into account when they encounter individuals. Documented status is not a factor in interactions or provision of city services or access to city facilities. Immigration status is a federal and not a local issue. The federal government is responsible for enforcing civil immigration laws and local cooperation and assistance in such enforcement efforts is voluntary. Being a sanctuary city does not mean that undocumented residents are permitted to break the law without ramification. An individual violating the law would be cited or arrested as the violation dictates, but during an interaction with the city the individual, would not be required to provide proof of residency. It is unclear if electing to be officially designated a sanctuary city would impact any federal funding. Further careful review by the Police Department and City Attorney's office is necessary prior to further Council consideration of a sanctuary city ordinance.

Second would be a resolution to become a "welcoming city", which is an action being considered by the City of Redwood City. A welcoming city is one that joins Welcoming America and that plans to and commits to building a welcoming community. Some information regarding becoming a welcoming city is attached hereto, but more research would need to be done prior to further Council consideration or action.

Impact on City Resources

The resolution affirming the City's commitment to a diverse, supportive, inclusive and protective community has no impact on City resources. The ordinance adding Chapter 2.58, National Registry Participation Prohibited, to the Menlo Park Municipal Code prohibits the use of City funds for certain purposes. Additional City resources would be necessary to review the other options described in this report.

Environmental Review

This subject is not deemed a project under the California Environmental Quality Act.

Public Notice

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

Attachments

A. Resolution of the City Council of the City of Menlo Park Affirming Menlo Park's Commitment to a Diverse, Supportive, Inclusive, and Protective Community
B. Ordinance of the City Council of the City of Menlo Park Adding a New Chapter 2.58 [National Registry Participation Prohibited] to Title 2 [Administration And Personnel] of the Menlo Park Municipal Code
C. Sample Sanctuary City Ordinance
D. Welcoming Cities & Counties

Report prepared by:
City Attorney's Office

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AFFIRMING MENLO PARK'S COMMITMENT TO A DIVERSE, SUPPORTIVE, INCLUSIVE, AND PROTECTIVE COMMUNITY

WHEREAS, Menlo Park values a community characterized by diversity, multiculturalism, and unity, embodied in our national motto, *E Pluribus Unum* (from many, one); and; and

WHEREAS, Menlo Park's community spirit is one of protection and support, with many individuals active as volunteers in preparing for and responding to emergencies both natural and man-made, and ensuring the physical and emotional needs of all are considered and met wherever possible; and

WHEREAS, Each person is naturally and legally entitled to live a life unmolested by harassment, discrimination, persecution, or assault, whether perpetrated by individuals, groups, businesses, or government; and

WHEREAS, There exists significant and growing concern in our community based upon recent national and regional incidents of hate crimes, discrimination, sexual harassment, and assault, and fear of a trend toward more of these crimes in the future; and

WHEREAS, There also exists considerable concern in our community of risks to marginalized communities of persecution, deportation, denial of constitutional and human rights, and relaxation of national laws protecting people from discrimination, harassment, and assault; and

WHEREAS, Menlo Park values all members of our community of all religions, ancestries, and ethnicities as well as people of any disability, gender, sexual orientation, or gender identity.

NOW, THEREFORE BE IT RESOLVED, that the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore do hereby affirm the City's commitment to a diverse, supportive, inclusive and protective community and further resolve that:

1. The City of Menlo Park rejects bigotry in all its forms, including but not limited to Islamophobia, anti-Semitism, racism, nativism, misogyny, and homophobia.
2. The City of Menlo Park does not tolerate discrimination, hate crimes, harassment, or assault.
3. The City of Menlo Park will oppose any attempts to undermine the safety, security, and rights of our members of our community.

4. The City of Menlo Park recognizes values, and will proactively work to ensure the rights and privileges of everyone in Menlo Park, regardless of religion, ancestry, country of birth, immigration status, disability, gender, sexual orientation, or gender identity.
5. The City of Menlo Park will promote actual safety, a sense of security, and equal protection of constitutional and human rights, leading by example through equitable treatment of all by City officials and departments.

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the 24th day of January, 2017, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 24th day of January, 2017.

_____

Pamela Aguilar, CMC
City Clerk

ORDINANCE NUMBER

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ADDING A NEW CHAPTER 2.58 [NATIONAL REGISTRY PARTICIPATION PROHIBITED] TO TITLE 2 [ADMINISTRATION AND PERSONNEL] OF THE MENLO PARK MUNICIPAL CODE

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. FINDINGS AND DETERMINATIONS.

A. Immigration enforcement is a federal responsibility. State and local governments have discretion in determining the extent of their cooperation with the federal government on immigration and enforcement.

B. There exists considerable concern in Menlo Park of risks to marginalized communities of persecution, deportation, denial of constitutional and human rights, and relaxation of national laws protecting people from discrimination, harassment, and assault.

C. Menlo Park values all members of our community of all religions, ancestries, and ethnicities as well as people of any disability, gender, sexual orientation, or gender identity.

SECTION 2. ADDITION OF CODE. Chapter 2.58 [National Registry Participation Prohibited] is hereby added to Title 2 [Administration & Personnel] is hereby added as follows:

Chapter: 2.58 NATIONAL REGISTRY PARTICIPATION PROHIBITED

2.58.010 Use of City Funds Prohibited
2.58.020 Clerk of the City to Transmit Copies; Informing City Employees
2.58.030 Enforcement
2.58.040 City Undertaking Limited to Promotion of General Welfare

2.58.0010 Use of City Funds Prohibited

No department, agency, commission, officer or employee of the City of Menlo Park, including any employee of the Menlo Park Police Department, shall use any City funds and or resources to assist any government agency:

(a) in compelling a United States citizen living in the City of Menlo Park to identify their religious belief, and/or race, and/or nation of descent for the purpose of providing information to a national registry or database used to identify individuals solely on the basis of their religious beliefs, and/or race, and/or nation of descent;

(b) in any investigation, dissemination, and/or the gathering of information regarding the religious beliefs, and/or race, and/or nation of descent of any United States citizen in the City of Menlo Park, for the purpose of providing information to a national registry or database used solely to identify individuals on the basis of their religious beliefs, and/or race, and/or nation of descent; or

(c) with any detention, relocation, or internment of United States citizens in the City of Menlo Park based upon their religious beliefs, and/or race, and/or nation of descent.

Nothing in this section prohibits employees of the City of Menlo Park from disseminating, and/or the gathering information relating to any United States citizen in the City of Menlo Park in compliance with any State statute, regulation or court decision.

2.58.020 Clerk of the City to Transmit Copies; Informing City Employees

The Clerk of the City of Menlo Park shall send copies of this Chapter, including any future amendments thereto that may be made, to every department, agency and commission of the City of Menlo Park.

2.58.030 Enforcement

The Menlo Park City Council shall review the compliance of the City departments, agencies, commissions and employees with the mandates of this ordinance in particular instances in which there is question of noncompliance or when a complaint alleging noncompliance has been lodged.

2.58.040 City Undertaking Limited to Promotion of General Welfare

In undertaking the adoption and enforcement of this Chapter, the City is assuming an undertaking only to promote the general welfare. This Chapter is not intended to create any new rights for breach of which the City is liable in money damages to any person who claims that such breach proximately caused injury. This section shall not be construed to limit or proscribe any other existing rights or remedies possessed by such person.

SECTION 3. SEVERABILITY. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

SECTION 5. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 90 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posted in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the 24th day of January, 2017.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the __ day of February, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____
Mayor

ATTEST:

_____
Pamela Aguilar, City Clerk

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Menlo Park Administrative Code Chapter <#>: Immigration Status

Sec. <#>.1. City of Refuge.

Sec. <#>.2. Use of City Funds Prohibited.

Sec. <#>.2-1. Chapter Provisions Inapplicable to Persons Convicted of Certain Crimes.

Sec. <#>.3. Clerk of Board to Transmit Copies of This Chapter; Informing City Employees.

Sec. <#>.4. Enforcement.

Sec. <#>.5. City Undertaking Limited to Promotion of General Welfare.

Sec. <#>.6. Severability.

SEC. <#>.1. CITY REFUGE.

It is hereby affirmed that the City of Menlo park is a City of Refuge.

SEC. <#>.2. USE OF CITY FUNDS PROHIBITED.

No department, agency, commission, officer or employee of the City of Menlo Park shall use any City funds or resources to assist in the enforcement of federal immigration law or to gather or disseminate information regarding the immigration status of individuals in the City of Menlo Park unless such assistance is required by federal or State statute, regulation or court decision. The prohibition set forth in this Chapter shall include, but shall not be limited to:

(a) Assisting or cooperating, in one's official capacity, with any Immigration and Naturalization Service (INS) investigation, detention, or arrest procedures, public or clandestine, relating to alleged violations of the civil provisions of the federal immigration law.

(b) Assisting or cooperating, in one's official capacity, with any investigation, surveillance or gathering of information conducted by foreign governments, except for cooperation related to an alleged violation of City and County, State or federal criminal laws.

(c) Requesting information about, or disseminating information regarding, the immigration status of any individual, or conditioning the provision of services or benefits by the City of Menlo Park upon immigration status, except as required by federal or State statute or regulation, City public assistance criteria, or court decision.

(d) Including on any application, questionnaire or interview form used in relation to benefits, services or opportunities provided by the City of Menlo Park any question regarding immigration status other than those required by federal or State statute, regulation or court decision. Any such questions existing or being used by the City at the time this Chapter is adopted shall be deleted within sixty days of the adoption of this Chapter.

SEC. <#>.2-1. CHAPTER PROVISIONS INAPPLICABLE TO PERSONS CONVICTED OF CERTAIN CRIMES.

Nothing in this Chapter shall prohibit, or be construed as prohibiting, a law enforcement officer from identifying and reporting any person pursuant to State or federal law or regulation who is in custody after being booked for the alleged commission of a felony and is suspected of violating the civil provisions of the immigration laws. In addition,

nothing in this Chapter shall preclude any City department, agency, commission, officer or employee from (a) reporting information to the INS regarding an individual who has been booked at any city jail facility, and who has previously been convicted of a felony committed in violation of the laws of the State of California, which is still considered a felony under State law; (b) cooperating with an INS request for information regarding an individual who has been convicted of a felony committed in violation of the laws of the State of California, which is still considered a felony under state law; or (c) reporting information as required by federal or state statute, regulation or court decision, regarding an individual who has been convicted of a felony committed in violation of the laws of the State of California, which is still considered a felony under state law. For purposes of this Section, an individual has been "convicted" of a felony when: (a) there has been a conviction by a court of competent jurisdiction; and (b) all direct appeal rights have been exhausted or waived; or (c) the appeal period has lapsed.

However, no officer, employee or law enforcement agency of the City of Menlo Park shall stop, question, arrest or detain any individual solely because of the individual's national origin or immigration status. In addition, in deciding whether to report an individual to the INS under the circumstances described in this Section, an officer, employee or law enforcement agency of the City of Menlo Park shall not discriminate among individuals on the basis of their ability to speak English or perceived or actual national origin.

This Section shall not apply in cases where an individual is arrested and/or convicted for failing to obey a lawful order of a police officer during a public assembly or for failing to disperse after a police officer has declared an assembly to be unlawful and has ordered dispersal.

Nothing herein shall be construed or implemented so as to discourage any person, regardless of immigration status, from reporting criminal activity to law enforcement agencies.

SEC. <#>.3. CITY CLERK TO TRANSMIT COPIES OF THIS CHAPTER; INFORMING CITY EMPLOYEES.

The City Clerk shall send copies of this Chapter, including any future amendments thereto that may be made, to every department, agency and commission of the City of Menlo Park, to California's United States Senators, and to the California Congressional delegation, the Commissioner of the INS, the United States Attorney General, and the Secretary of State and the President of the United States. Each appointing officer of the City of Menlo Park shall inform all employees under her or his jurisdiction of the prohibitions in this ordinance, the duty of all of her or his employees to comply with the prohibitions in this ordinance, and that employees who fail to comply with the prohibitions of the ordinance shall be subject to appropriate disciplinary action. Each city employee shall be given a written directive with instructions for implementing the provisions of this Chapter.

SEC. <#>.4. ENFORCEMENT.

The Human Rights Commission shall review the compliance of the City departments, agencies, commissions and employees with the mandates of this ordinance in particular instances in which there is question of noncompliance or when a complaint alleging noncompliance has been lodged.

SEC. <#>.5. CITY UNDERTAKING LIMITED TO PROMOTION OF GENERAL WELFARE.

In undertaking the adoption and enforcement of this Chapter, the City is assuming an undertaking only to promote the general welfare. This Chapter is not intended to create any new rights for breach of which the City is liable in money

damages to any person who claims that such breach proximately caused injury. This section shall not be construed to limit or proscribe any other existing rights or remedies possessed by such person.

SEC. <#>.6. SEVERABILITY.

If any part of this ordinance, or the application thereof, is held to be invalid, the remainder of this ordinance shall not be affected thereby, and this ordinance shall otherwise continue in full force and effect. To this end, the provisions of this ordinance, and each of them, are severable.

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ATTACHMENT D

WELCOMING CITIES & COUNTIES

Our member municipality program offers learning exchanges on national and international levels. Through your membership, you'll have access to government leaders across the nation who are creating immigrant-friendly, welcoming communities. We invite you share ideas and goals and help us make our country a more prosperous and welcoming place.

WHAT IS A WELCOMING CITY OR COUNTY?

A Welcoming City or County is one that joins Welcoming America and that:

- **Plans**: All relevant sectors, such as government, business, non-profit, and others, work together to create a welcoming community climate that supports long-term integration.
- **Commits**: Municipalities commit to institutionalize strategies ensuring the ongoing inclusion and long-term economic and social integration of newcomers.
- **Builds Community**: Newcomers and long-time residents find common ground and shared leadership.
- **Communicates**: Messages of unity and shared values permeate the community through the media, through the voices of leaders, and among residents.
- **Sustains**: Policies and practices are considered to ensure interactions between new and long-time residents remain positive ones and the community's economic vitality remains strong.

SEE OUR CURRENT MEMBERS

WHO SUPPORTS WELCOMING COMMUNITIES?

Our growing network benefits from broad community support from a range of mainstream partners. Represented among the organizations that are collaborating with Welcoming Cities and Counties at the local level are faith, civic and corporate partners, as well as broad bi-partisan support. These include:

- Numerous corporate partners and economic development agencies, as well as local financial institutions, Main Street entrepreneurs, and larger employers.
- Civic partners, ranging from local YMCAs to universities and educational partners.
- Public sector partners, including not only mayors, county executives, governors, and other local and state elected officials, but police chiefs, school board members, and many others, across the political spectrum.
- Local philanthropic partners, from the United Way to community foundations.
- Partners across multiple faiths.

Together, this broad range of welcoming communities and ambassadors are building prosperous futures and stronger communities. We see this reflected in simple things, like more parents participating in PTAs and more entrepreneurs opening businesses on Main Street.

MEMBER BENEFITS

- Hear from government leaders who are making the most of diversity, by creating "immigrant-friendly" welcoming plans
- Learn how large and small communities respond to demographic change and support long-term immigrant integration in a way

that speaks to and benefits all members of the community

- Access new tools and resources to advance welcoming resolutions, initiatives, and strategies
- Receive support and recognition
- Participate in national and transatlantic learning exchanges that highlight promising practices from globally competitive cities

TOOLKITS

- Stronger Together Toolkit
- More toolkits and guides

COMMITMENT FORM

All new Welcoming Cities and Counties cohort members must sign and return a commitment form.

WELCOMING PROCLAMATIONS AND RESOLUTIONS

Whether a community wishes to issue a proclamation or resolution as a symbolic act or more formally, to become a recognized Welcoming City or County and Member, we ask that you please reach out to Welcoming America before doing so, so that we can best coordinate with you around proactive communications, as well as to avoid potential pitfalls that can come with public declarations. Read more guidance and see examples.

CONTACT US

Contact Isha Lee to learn more or to join.

SIGN UP FOR UPDATES

Enter Email

SUBSCRIBE

JOIN US

NEWSLETTER SIGN UP

Email Address

SUBSCRIBE

STAY CONNECTED

WELCOMING AMERICA
Phone: (404) 631-6593

CONTACT US

PRIVACY POLICY

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STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-004-CC**

Regular Business: **Appoint City Council representatives and alternates to various regional agencies, to City Council subcommittees, and as liaisons to City Council advisory bodies; Provide direction regarding open seats to be voted on at the January 27, 2017 City Selection meeting**

Recommendation

Staff recommends that the City Council appoint representatives and alternates to various regional agencies, liaisons to each of the City's commissions and advisory bodies and members to each City Council subcommittee.

Policy Issues

The proposed action conforms to the current practice of annually updating the City Council's appointments to various local and regional agencies, boards, Council-appointed commissions, and City Council subcommittees. Attachment A is a full roster of all current City Council assignments for 2016.

Background

Regional Assignments

Each year, after the reorganization of the City Council, the City Council appoints its members to represent the City on the boards or committees of outside regional agencies. A list of those agencies, including a brief description of each agency's purpose and respective meeting schedule, is provided as Attachment B.

Mayor Assignments

Certain agencies and regional or local (sub)committees require the Mayor of each member city to serve as its respective representative and/or voting delegate, and the Mayor Pro Tem may serve as the alternate.

Those agencies are the following:

- Association of Bay Area Governments (ABAG) - Mayor serves as representative
- League of California Cities (LCC) – Mayor serves as voting delegate at the Annual Conference and for the Peninsula Division
- Council of Cities City Selection Committee – Mayor serves as representative and voting delegate
- Menlo Park School District Subcommittee – Mayor and Mayor Pro Tem have historically been assigned to this committee
- Menlo Park Chamber of Commerce – Mayor typically serves as representative

Commission Liaisons

Members of the Council are assigned to serve in a liaison capacity with one or more city commissions. The purpose of the liaison assignment is to facilitate communication between the City Council and the advisory body. The liaison also helps to increase the Council's familiarity with the membership, programs and issues of the advisory body. In fulfilling their liaison assignment, members may elect to attend commission meetings periodically to observe the activities of the advisory body or simply maintain communication with the commission chair on a regular basis. The list of city commissions and their meeting schedules are provided as Attachment C.

City Council Subcommittees

The City Council has established subcommittees which assist in researching and preparing policy alternatives and implications for the City Council's deliberation.

These subcommittees are as follows:

- Community Grant Funding
- Emergency Operations (Disaster Preparedness)
- Menlo Park Fire District
- Economic Development
- Stanford Parcel Negotiation
- Facebook Community Fund
- Rail Committee
- Willow/101 (liaise with Caltrans; formed February 2016)
- Ravenswood Educational Equity (formed August 2016)
- Bayfront Express Extension (formed November 2016)

The City Council may wish to add to or delete from the existing list of subcommittees, depending on workload and relevancy.

Ad Hoc Committees/Groups

Ad hoc bodies are created by Council for a specific purpose. The Council currently has one Ad Hoc body, the SRI Development Agreement Committee.

Attachment D is a worksheet for the City Council to utilize to track the assignments as they are made.

Impact on City Resources

There is no impact on City resources associated with this action outside of any associated membership dues, meeting related expenses, and/or staff assistance required and budgeted.

Environmental Review

The proposed action does not require environmental review.

Public Notice

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

Attachments

A. Complete list of 2016/current City Council assignments
B. Roster of regional agencies with information and meeting schedules
C. Roster of City Commissions/Committees and meeting schedules
D. 2017 assignment worksheet

Report prepared by:
Pamela Aguilar, City Clerk

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2016 CITY COUNCIL ASSIGNMENTS

MAYOR ASSIGNMENTS	Primary	Alternate	Notes
Association of Bay Area Governments (ABAG)	Rich Cline	Kirsten Keith	Spring Assembly is 4/21/16 - RC cannot go so KK will go in his place
League of California Cities (LCC)	Rich Cline	Kirsten Keith	https://www.cacities.org/Top/About/Board-of-Directors.aspx
League of California Cities (Peninsula Division)	Rich Cline	Kirsten Keith	
Council of Cities City Selection Committee	Rich Cline	Kirsten Keith	as needed (typically in December)
Menlo Park School District Subcommittee	Rich Cline	Kirsten Keith	
Menlo Park Chamber of Commerce / City Liaison Position	Rich Cline	Kirsten Keith	
Facebook Development Agreement Negotiation	Rich Cline	Kirsten Keith	

REGIONAL ASSIGNMENTS	Primary	Alternate	Notes
Airport Community Roundtable	Peter Ohtaki	Ray Mueller	2/3/16, 4/6/16, 5/1/16, 8/3/16
Caltrain Modernization Local Policy Maker Group (LPMG) - *same as rail s*	Rich Cline	Kirsten Keith	2/25/16, 4/28/16, 6/23/16, 8/25/16, 10/27/16, 11/17/16, 12/15/16
City/County Association of Governments of San Mateo County (C/CAG)	Catherine Carlton	Ray Mueller	CCAG Legislative Committee Calendar: 1/14/16, 2/11/16, 3/10/16, 4/14/16, 5
County of Santa Clara Community Resources Group (CRG) for Stanford	Peter Ohtaki	Kirsten Keith	Meets annually in April/May - next meeting is 3/10/16, confirmed 4/7, 6/9 or 9/
Emergency Services Council (San Mateo County JPA)	Catherine Carlton	Peter Ohtaki	Meets quarterly
Facebook Community Fund	Ray Mueller	N/A	Meet in June, 2 year terms. Ray Mueller's term is Apr-2015 ends Apr-2017
Grand Boulevard Task Force	Kirsten Keith	Peter Ohtaki	Quarterly 3/30, 6/29, 9/28, 12/14
2020 Peninsula Gateway Corridor Study Policy Committee	Catherine Carlton	Ray Mueller	
San Francisquito Creek Joint Powers Authority	Kirsten Keith	Catherine Carlton	1/28, 2/25, 3/24, 4/28, 5/26, 6/23, 7/28, 8/25, 9/22, 10/27 ,11/17, 12/15
South Bayside Waste Management Authority (SBWMA) Joint Powers Aut	Ray Mueller	Catherine Carlton	1/28, 2/25, 3/24, 4/28, 5/26, 6/23, 7/28, No August, 9/22, 10/27, 11/17*, No D
Peninsula Clean Energy (PCE) Community Choice Energy in San Mateo	Catherine Carlton	Rich Cline	1st mtg 3/24/16, 3/31/16,

COMMISSION LIAISONS	Member 1	Member 2 *(when applicable)*	Notes
Bicycle Commission	Kirsten Keith		
Environmental Quality Commission	Ray Mueller		
Finance and Audit Committee (2 members)	Rich Cline	Peter Ohtaki	Rich's term expires 2016
General Plan Advisory Committee (2 members)	Peter Ohtaki	Ray Mueller	
Housing Commission	Peter Ohtaki		
Library Commission	Ray Mueller		
Parks and Recreation Commission	Catherine Carlton		
Planning Commission	Catherine Carlton		
Transportation Commission	Ray Mueller		
Sister City and Friendship Committee	Catherine Carlton	Peter Ohtaki	Subcommitee was formed 2014; Committee was approved in November 2015 and members were appointed in April 2016

CITY COUNCIL SUBCOMMITTEES	Member 1	Member 2	Notes
Community Grant Funding	Catherine Carlton	Ray Mueller	
Emergency Operations (Disaster Preparedness)	Catherine Carlton	Peter Ohtaki	
Menlo Park Fire District	Catherine Carlton	Peter Ohtaki	
Rail Committee	Rich Cline	Kirsten Keith	
Economic Development	Kirsten Keith	Ray Mueller	
Stanford Parcel Negotiation	Rich Cline	Kirsten Keith	
Willow/101 (liaise with Caltrans)	Rich Cline	Kirsten Keith	Formed February 2016
Ravenswood Educational Equity	Ray Mueller	Catherine Carlton	Formed August 2016
Station 1300	Catherine Carlton	Peter Ohtaki	Formed
Bayfront Express Extension	Ray Mueller	Kirsten Keith	Formed November 2016

AD HOC COMMITTEES	Member 1	Member 2	Notes
SRI Development Agreement	Catherine Carlton	Kirsten Keith	

OTHERS			Notes
League of CA Cities Policy Committee			2016 Schedule (1/21&22, 4/7&8, 6/2&3)
Environmental Quality - Peninsula Divison appointment	Catherine Carlton		
Housing, Community & Economic Development - Peninsula Division ap	Peter Ohtaki		
Public Safety - Caucus appt	Catherine Carlton		
Revenue & Taxation - Peninsula Division appt	Kirsten Keith		

Approved at the City Council meeting on 12/15/15

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2016 CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES
(Approved on December 15, 2015)

Name: **Airport Community Roundtable**

Description: Eighteen cities, the operator of San Francisco International Airport (SFO) the City and County of San Francisco and the County of San Mateo comprise the Roundtable, a voluntary public forum established in 1981 for the discussion and implementation of noise mitigation strategies at SFO.

Current Representative and Alternate
Peter Ohtaki, Representative
Ray Mueller, Alternate

Frequency of meetings
First Wednesday of February, May, September and November at 7:00 p.m.

Membership Cost: $1,500
Website: www.sforoundtable.org

Name: **Association of Bay Area Governments (ABAG)**

Description: The Association of Bay Area Governments is comprised of the 100 cities in the nine counties and is one of the more than 560 regional planning agencies across the nation working in areas such as land use, housing, environmental quality and economic development.

Current Representative and Alternate (Usually the Mayor)
Rich Cline, Representative

Frequency of meetings
Generally, the General Assembly meets twice a year, usually in April and October.

Membership Cost: $5,014
Website: www.abag.ca.gov

Name: **City/County Association of Governments**

Description: C/CAG works on issues that affect the quality of life in general; transportation, air quality, storm water runoff, airport/land use compatibility planning, hazardous waste, solid waste and recycling. C/CAG operates as a Joint Powers Authority and has membership that includes each of the 20 cities and the County in San Mateo County.

Current Representative and Alternate
Catherine Carlton, Representative
Ray Mueller, Alternate

Frequency of meetings
Monthly

Membership Cost: $0
Website: http://ccag.ca.gov/

Name: **Caltrain Modernization Local Policy Group**

Description: The Caltrain Modernization Program will electrify and upgrade the performance, operating efficiency, capacity, safety and reliability of Caltrain's commuter rail service. The Caltrain Modernization Program is scheduled to be operational by 2019.

Current Representative and Alternate
Rich Cline, Representative
Kirsten Keith, Alternate

Frequency of meetings
Monthly

Membership Cost: $0
Website: http://www.caltrain.com/projectsplans/CaltrainModernization.html

Name: **County of Santa Clara Community Resources Group for Stanford University**

Description: The Stanford University Community Resource Group (CRG) is composed of 8-12 members. This group serves as a mechanism for information exchange and perspectives on Stanford development issues. Members are appointed by the County Planning Director in consultation with the District 5 Supervisor.

Current Representative and Alternate
Peter Ohtaki, Representative
Kirsten Keith, Alternate

Frequency of meetings
March, June, September and December

Membership Cost: $0

Name: **Emergency Services Council (San Mateo County Joint Powers Authority)**

Description: Oversees the emergency planning, training and exercises in the various cities and reviews and recommends policies, programs and plans for adoption.

Current Representative and Alternate
Catherine Carlton, Representative
Peter Ohtaki, Alternate

Frequency of meetings
Meets on a quarterly basis on Thursdays from 5:00 – 7:00 p.m.

Membership Cost: $0

Name: **Facebook Community Fund**

Description: Philanthropic Ventures Foundation, a 501(c)(3) public charity, was founded in 1991 to try new approaches to creative grant making and to maximize the impact of the philanthropic dollar. We are proud of our 23 years of responsiveness to the community and our contributions to the philanthropic sector.

Current Representative and Alternate
Ray Mueller (term ends April 2017)

Frequency of meetings: As scheduled
Website: http://www.venturesfoundation.org/programs/community-initiatives/facebook

Name: **Grand Boulevard Task Force**

Description: The Grand Boulevard is a collaboration of 29 cities, counties, local and regional agencies united to improve the performance, safety and aesthetics of El Camino Real. Starting at the northern Daly City city limit (Where it is names Mission Street) and ending near the Diridon Caltrain Station in central San Jose (Where it is named The Alameda), the initiative brings together for the first time all of the agencies having responsibility for the condition, use and performance of the street.

Current Representative and Alternate
Kirsten Keith, Representative
Peter Ohtaki, Alternate

Frequency of meetings
Quarterly

Membership Cost: $0
Website: http://grandboulevard.net/

Name: **League of California Cities (Peninsula Division)**

Description: Comprised of the 36 San Francisco to Gilroy, division members work together through the League to identify priorities on issues that impact on the quality of life in our communities, our region and our state.

Current Representative and Alternate (Usually the Mayor)
Rich Cline, Representative
Kirsten Keith, Alternate

Frequency of meetings
The Peninsula Division holds four (4) meetings a year, with an occasional special meeting as warranted. Division dinners are open to all division members.

Membership Cost: $100
Website: http://www.cacities.org/index.jsp

Name: **Menlo Park Chamber of Commerce / City Liaison Position**

Description: The purpose of the Menlo Park Chamber of Commerce is to create an atmosphere in which business prospers and the community thrives.

Current Representative and Alternate
Rich Cline, Representative
Kirsten Keith, Alternate

Frequency of meetings
Third Thursday of the month from 7:30 – 9:30 a.m. The exceptions are the July and November meetings – July is the last Thursday and November is a planning session meeting on a Friday from 8:00 a.m. – 5:00 p.m.

Membership Cost: $1,843
Website: menloparkchamber.com

Name: **Peninsula Clean Energy (PCE)**

Description: Peninsula Clean Energy, or PCE, is San Mateo County's official electricity provider. Peninsula Clean Energy offers lower rates and the added benefit of two electricity options, each with a different percentage of sustainable energy. Our ECOplus rates are 5% below PG&E's, so with PCE, you're getting cleaner energy at lower rates.

Current Representatives
Catherine Carlton, Representative
Rich Cline, Alternate

Frequency of meetings
Fourth Thursday of the month at 6:30 p.m. at the County Office of Education building in Redwood City

Membership Cost: $0
Website: http://www.peninsulacleanenergy.com/

Name: **2020 Peninsula Gateway Corridor Study Policy Committee**

Description: The City/County Association of Governments (C/CAG), together with the Santa Clara Valley Transportation Authority (VTA), and the San Mateo County Transportation Authority (SMCTA), are sponsoring a study to identify potential roadway-related solutions that can reduce traffic congestion in the study area.

Current Representative and Alternate
Catherine Carlton, Representative
Ray Mueller, Alternate

Frequency of meetings
TBD

Membership Cost: $0

Name: **San Francisquito Creek Joint Powers Authority (JPA)**

Description: The San Francisquito Creek JPA is an agency empowered to protect and maintain the 14-mile San Francisquito Creek and its 45 square-mile watershed and address concerns regarding flooding and environmental preservation.

Current Representative and Alternate
Kirsten Keith, Representative
Catherine Carlton, Alternate

Frequency of meetings
Fourth Thursday of each month at 6:00 p.m. in the Menlo Park Council Chambers.

Membership Cost: $98,664
Website: http://sfcjpa.org/

Name: **San Mateo Council of Cities**

Description: The San Mateo County elected officials meet once a month to discuss issues of interest and usually a speaker is part of the program.

Current Representative and Alternate (Bylaws require the Mayor to be the voting member however, all Councilmembers are welcome to attend)
Rich Cline, Representative

Frequency of meetings
Last Friday of the month at various cities determined at the beginning of each year

Membership Cost: $0

Name: **South Bayside Waste Management Authority Joint Powers Authority**

Description: RethinkWaste is a joint powers authority of twelve public agencies in San Mateo County, California and is a leader in the delivery of innovative waste reduction and recycling programs. Together we can rethink waste in ways that are simple, smart and green!

Current Representative and Alternate
Ray Mueller, Representative
Catherine Carlton, Alternate

Frequency of meetings
Fourth Thursday of every month at the San Carlos Library conference room

Membership Cost:

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2016 City Council Liaisons to the City's Advisory Bodies

(Approved at the 12/15/2015 Council Meeting)

Bicycle Commission – Kirsten Keith
Meeting schedule: Meetings are the 2nd Monday of every month at 7:00 p.m. in the City Council Conference Room (Fish Bowl)

Environmental Quality Commission – Ray Mueller
Meeting schedule: Meetings are the 4th Wednesdays of every month at 6:30 p.m. in City Council Conference Room (Fish Bowl)

Finance and Audit Committee – Rich Cline and Peter Ohtaki
The Council Members are considered members of the Committee and not liaisons.
Meeting schedule: Quarterly and as needed

Housing Commission – Peter Ohtaki
Meeting schedule: Quarterly at 5:30 p.m. in the City Council Conference Room and as needed

Library Commission – Ray Mueller
Meeting schedule: Meets the 2nd Monday of every month at 6:30 p.m. in the Menlo Park Library, lower level conference room, 800 Alma Street (on the corner of Alma and Ravenswood)

Parks and Recreation Commission – Rich Cline
Meeting schedule: Meetings are held the 4th Wednesday of every month at 6:30 p.m. at the Arrillaga Family Recreation Center. Note: This meeting is held quarterly at the Onetta Harris Community Center.

Planning Commission – Catherine Carlton
Meeting schedule: The Planning Commission's regular meetings are scheduled twice a month on Mondays at 7:00 p.m. in the Council Chambers. The Planning Commission Study Meetings are scheduled as needed and can be added to a regular meeting date or on an additional Monday.

Sister City and Friendship Committee – Catherine Carlton and Peter Ohtaki
The Council Members are considered members of the Committee and not liaisons.
Meeting schedule: Quarterly at 3:30 p.m. in the City Council Conference Room

Transportation Commission – Ray Mueller
Meeting schedule: Meetings are held the 2nd Wednesday of every month at 7:00 p.m. in the Council Chambers

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	CURRENT		Keith		Ohtaki		Cline		Mueller		Carlton	
	Primary	Alternate	P	A	P	A	P	A	P	A	P	A
MAYOR ASSIGNMENTS												
Association of Bay Area Governments (ABAG)	Rich Cline	Kirsten Keith	1			1						
League of California Cities (LCC)	Rich Cline	Kirsten Keith	1			1						
League of California Cities (Peninsula Division; City Selection)	Rich Cline	Kirsten Keith	1			1						
Council of Cities City Selection Committee	Rich Cline	Kirsten Keith	1			1						
Menlo Park School District Subcommittee	Rich Cline	Kirsten Keith	1			1						
Menlo Park Chamber of Commerce / City Liaison Position	Rich Cline	Kirsten Keith	1			1						
REGIONAL ASSIGNMENTS												
Please select a primary and an alternate												
Airport Community Roundtable	Peter Ohtaki	Ray Mueller										
Caltrain Modernization Local Policy Group - move to rail subcommittee	Rich Cline	Kirsten Keith										
City/County Association of Governments of San Mateo County (C/CAG)	Catherine Carlton	Ray Mueller										
County of Santa Clara Community Resources Group for Stanford University	Peter Ohtaki	Kirsten Keith										
Dumbarton Rail Policy Committee	Kirsten Keith	Rich Cline										
Emergency Services Council (San Mateo County JPA)	Catherine Carlton	Peter Ohtaki										
Facebook Community Fund	Ray Mueller	N/A										
Grand Boulevard Task Force	Kirsten Keith	Peter Ohtaki										
League of California Cities (Peninsula Division)	Catherine Carlton	Kirsten Keith										
2020 Peninsula Gateway Corridor Study Policy Committee	Catherine Carlton	Ray Mueller										
San Francisquito Creek Joint Powers Authority	Kirsten Keith	Catherine Carlton										
South Bayside Waste Management Authority Joint Powers Authority	Ray Mueller	Catherine Carlton										
Peninsula Clean Energy (PCE) Community Choice Energy	Catherine Carlton	Rich Cline										
COMMISSION LIASIONS												
Please select one member - no alternate required												
Bicycle Commission	Kirsten Keith											
Environmental Quality Commission	Ray Mueller											
Finance and Audit Committee	Rich Cline	Peter Ohtaki										
General Plan Advisory Committee	Ray Mueller	Peter Ohtaki										
Housing Commission	Peter Ohtaki											
Library Commission	Ray Mueller											

Parks and Recreation Commission	Catherine Carlton											
Planning Commission	Catherine Carlton											
Transportation Commission	Ray Mueller											
Sister City Committee	Catherine Carlton	Peter Ohtaki										
CITY COUNCIL SUBCOMMITTEES												
Please select two members												
Community Grant Funding	Catherine Carlton	Ray Mueller										
Emergency Operations (Disaster Preparedness)	Catherine Carlton	Peter Ohtaki										
Rail Committee	Rich Cline	Kirsten Keith										
Menlo Park Fire District	Catherine Carlton	Peter Ohtaki										
Economic Development	Kirsten Keith	Ray Mueller										
Stanford Parcel Negotiation	Rich Cline	Kirsten Keith										
Willow/101 (liaise with Caltrans	Rich Cline	Kirsten Keith										
Ravenswood Educational Equity	Ray Mueller	Catherine Carlton										
Station 1300	Catherine Carlton	Peter Ohtaki										
Bayfront Express Extension	Ray Mueller	Kirsten Keith										
AD HOC COMMITTEES												
Please select two members												
SRI Development Agreement	Kirsten Keith	Catherine Carlton										
Subtotal of each Councilmembers Primary and Alternate appointments			6	0	0	6	0	0	0	0	0	0
Total appointments for each City Councilmember:			**6**		**6**		**0**		**0**		**0**	
			Keith		**Ohtaki**		**Cline**		**Mueller**		**Carlton**	

STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-023-CC**

Informational Item: **Update on 2016 City Council goals and City Council 2017 work plan preparation**

Recommendation
This is an informational item and does not require City Council action.

Policy Issues
It has been the City Council's policies to annually create and adopt Council goals and the Staff work plan.

Background
The City Council adopts its goals and work plan at the beginning of the calendar year. These items are typically not funded until the adoption of the budget later in June. On an annual basis, City Council is provided with an update on the work plan items from the previous year. Many of the items listed in the work plan for 2016 status reflect either "Completed", "Ongoing" or have been reassigned to "Baseline".

The City Council will hold a special public meeting at 1 PM on Friday, January 27, 2017, at the Arrillaga Family Recreation Center to discuss, identify and refine the goals for 2017. The adoption of the goals will be used to help craft the FY 2017-18 budget. While the Council adopts its goals early in the year, typically they are not funded until the adoption of the budget in June for the subsequent 12 months.

Analysis
The City Council identified multiple goals for 2016. The adopted work plan identified resources and funding necessary for each of the items. The specific status update for each goal is included in the attached table. The Council work plan for 2016 included 72 items, some of which include multiple sub-components. The resources to work toward and complete many of these items were not funded until the budget adoption in June of 2016. Staff has also been working on a significant number of Council approved Capital Improvement Plan (CIP) projects. Some of the CIP projects overlap with the work plan items approved by the Council. A list of work plan items, CIP projects and other projects within the City are included as a Draft City Council work plan in Attachment A. The list has been grouped into themes to help categorize the items.

The themes are as follow:

- Improving Menlo Park's multimodal transportation system to more efficiently move people and goods through Menlo Park
- Responding to the development needs of private residential and commercial property owners
- Realizing Menlo Park's vision of environmental leadership and sustainability
- Maintaining and enhancing Menlo Park's municipal infrastructure and facilities

- Attracting thoughtful and innovative private investment to Menlo Park
- Furthering efficiency in City service delivery models
- Providing high-quality resident enrichment, recreation, discovery and public safety services

This process is building toward preparation of the budget for fiscal year 2017-18. The budget is developed based on principles and guidelines approved by the City Council. The Council work plan discussion will consider the current work plan/project list included as Attachment A. The fact that many current projects have an ongoing nature to them is important for Council to consider as the Council looks at staff capacity and prioritization.

In an effort to help guide the work plan discussion, the following process is recommended for Council to consider:

- Staff overview of the prior year
- Report on City's current financial condition
- Review of Council Working Agreements
- Consideration of FY 2017-18 Budget Principles and Budget Guidelines
- Review the 2016 work plan
- Consider new initiatives/projects
- Evaluate interest among the Councilmembers in the new initiatives/projects
- Assess relative importance of any new ideas/projects, which the Council desires to purse in place of current work plan items
- Determine the impact/reprioritization of other work plan items

Depending on the outcome of the work plan discussion by Council, the Budget Principles and Budget Guidelines, Council Working Agreements and Work Plan would be brought back to Council for adoption, likely at the February 7, 2017 Council meeting.

Public Notice

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

Attachments

A. Status update of Council Goals and Work Plan for 2016-17

Report prepared by:
Alicia Nightengale-Sofos, Senior Management Analyst

Responding to the development needs of private residential and commercial property owners				
Number	**Source**	**Description**	**Lead Department**	**Update**
Extremely Important				
✓	WP	Complete the General Plan Update	Community Development	The General Plan and Zoning Ordinance Updates were completed with Council final action on December 6, 2016. The new General Plan and O (Office), LS (Life Sciences) and RMU (Residential Mixed Use) zoning became effective on January 6, 2017.
2 **BASELINE**	WP	Process complex development projects	Community Development	All projects previously listed as in construction are now complete with the exception of Anton Menlo, which has an extended construction period. All projects identified as undergoing building permit review have been issued permits and are under construction, with one project being completed. Of the projects identified as being in the land use entitlement process, nine have completed the land use entitlements. Eight major projects remain at various stages of the land use entitlement process.
Very Important				
3 **ON-GOING**	WP	Implement Downtown/El Camino Real Specific Plan biennial review	Community Development	City Council review is complete. Staff has developed a two-phase implementation plan and has contracted with a consultant to modify the text and graphics of the Specific Plan. Phase 1 work is expected to be reviewed by the Planning Commission and City Council in early 2017. Work on Phase 2 will follow.

Realizing Menlo Park's vision of environmental leadership and sustainability				
Number	**Source**	**Description**	**Lead Department**	**Update**
Important				

4 **ON-GOING**	CIP	Community Zero Waste Policy Draft	City Manager's Office	R3, Cascadia, and Ruth Abbe and Associates were selected as the consultants for this project. Community workshops were held on November 2nd at the Arrillaga Recreation Center and on December 5, 2016 at the Onetta Harris Senior Center. At these workshops, attendees were presented with information on the project, its goals and the initiatives that could be considered for the Zero Waste Plan. Attendees provided feedback and were also encouraged to fill out an online survey. Staff also met with the consultants to review the draft rate model, which is still in progress. Next Step: The consultants are scheduled to provide an in-person update and presentation to the Environmental Quality Commission (EQC) in February.
✓	CIP WP	Install EV charging stations as part of the Climate Action Plan	City Manager's Office	Four chargers were installed at two locations in summer 2016. Locations include the Civic Center parking lot and a downtown parking plaza. Next Step: Staff will return to City Council in the future if consideration of charging fees is required.
6 **ON-GOING**	WP	Update the Heritage Tree ordinance	City Manager's Office	Environmental staff provided the EQC with an update on the Request for Proposals (RFP) at the November 30th EQC meeting, The commissioners were pleased to see the project moving forward. Next Step(s): The Request for Proposals (RFP) was released on January 5, 2017 with a closing date of February 21, 2017. Staff is expected to select a consultant on March 7th.

Attracting thoughtful and innovative private investment to Menlo Park				
Number	**Source**	**Description**	**Lead Department**	**Update**
Extremely Important				
7 **BASELINE**	WP	Implement Housing Element programs	City Manager's Office Community Development	Work on the programs is planned over the term of the Housing Element (2015-2023). Four programs were identified for 2015. One program has been completed (revisions to secondary dwelling unit ordinance) and others are in process (overnight parking restrictions in the R-4-S zoning district, 21 Elements Nexus Study and Modifications to BMR Program). Staff is researching answers to previously submitted questions. This is comprised of baseline, on-going, and new projects.
Very Important				
✓	WP	Expand downtown outdoor seating program	City Manager's Office	Santa Cruz Street Café are currently under construction. Construction will be completed by end of January.
Important				
9 **BASELINE**	WP	Implement the Economic Development Plan	City Manager's Office	Ongoing
✓	CIP WP	Implement Downtown/El Camino Real Specific Plan streetscape (paseo, parklets)	City Manager's Office Public Works	A new paseo location was piloted on Curtis Street this summer. Staff is reviewing the feedback received.

Providing high-quality resident enrichment, recreation, discovery and public safety services				
Number	**Source**	**Description**	**Lead Department**	**Update**
Extremely Important				
11 **ON-GOING**	WP	Create a community disaster preparedness partnership (MenloReady) with residents, businesses and schools utilizing the existing agreement with the Menlo Park Fire Protection District	Police	Continue to work with the fire district to address disaster preparedness and have completed the Local Hazard Mitigation Plan Annex (required for eligibility for State and Federal disaster relief funds) which was approved by City Council for Aug. 30. The plan will be in operation for five years.
12 **ON-GOING**	WP	Complete the Belle Haven Pool facility analysis for year-round operations	Community Services	In process; final report expected in Spring 2017.
Very Important				
✓	WP	Complete the Belle Haven Action Plan Phase III implementation	Community Services	Completed
14 **ON-GOING**	WP	Enhance Community special events	Community Services	Plan for deploying shared Community Services/Library position is being finalized.
15 **BASELINE**	WP	Maintain City Council-approved cost recovery levels in all Community Services programs	Community Services	All programs at approved cost recovery level
16 **ON-GOING**	CIP	Undertake a community process to rank potential projects for Measure T funding	Community Services	Now called Parks and Recreation Master Plan Update. RFQ to be distributed in February, 2017.
17 **ON-GOING**	WP	Develop a Bedwell Bayfront Park operations / maintenance plan to enhance use, improve access and determine a sustainable funding source for ongoing maintenance	Community Services	Interviews with Consultants week of Jan. 9, contract expected to go to Council February 7.
Important				
✓	WP	Develop an implementation plan for the Sister City program	City Manager's Office	The Sister City Committee has met and is developing its work plan.

Maintaining and enhancing Menlo Park's municipal infrastructure and facilities				
Number	**Source**	**Description**	**Lead Department**	**Update**
Extremely Important				
✓	CIP	Complete Belle Haven Youth Center playground replacement	Community Services Public Works	Complete.
20 **ON-GOING**	CIP WP	Install bicycle and pedestrian improvements on Chilco Street	Public Works	Ongoing; Phase 1 and Phase 2 improvements complete. Phase 3 is in design.
21 **BASELINE**	CIP	Maintain citywide sidewalk repair program	Public Works	Ongoing; FY 2016-17 saw cutting is complete and repair work is beginning
22 **BASELINE**	CIP	Maintain citywide street resurfacing program	Public Works	Ongoing; submitted updated pavement management report to MTC in April. Presently developing streets for 2017 Street Resurfacing Project
23 **ON-GOING**	CIP WP	Improve Haven Avenue streetscape (bike lanes, complete sidewalk gaps, new pedestrian bridge over Atherton Channel) (grant funded)	Public Works	In design; completed review by Bicycle and Transportation commissions and City Council approved on-street parking removal. Completed environmental clearance and design. Submitted encroachment permit application to Caltrans. No parking signs in the City right of way have been installed.
✓	CIP	Adopt Urban Water Management Plan update	Public Works	Complete; City Council approved May 24.
25 **ON-GOING**	CIP WP	Complete sidewalks on Santa Cruz Avenue	Public Works	Construction contract was awarded and construction will begin upon completion of Cal Water's water main upgrade project.
26 **ON-GOING**	CIP WP	Develop a water master plan	Public Works	Study is 60 percent complete
27 **ON-GOING**		a. Add an additional emergency water well		Ongoing; City Council approved the environmental document June 7. The City has selected the firm to drill the well with construction targeted to start in February.
28 **ON-GOING**		b. Develop a recycled water program		Ongoing as part of the water system master plan
✓		c. Enter into an agreement with West Bay Sanitary District for the Sharon Heights Recycled Water Project		Complete; City Council approved May 3.

Very Important				
30 **ON-GOING**	CIP	Repair and Upgrade the Bedwell Bayfront Park leachate collection system	Public Works	Project moved to 2017-18 following completion of Park Master Plan in 2016-17
31 **ON-GOING**	CIP	Install Library landscaping	Public Works	Ongoing; design is underway. New bike racks and table installed.
32 **ON-GOING**	CIP	Replace Police radio infrastructure	Public Works	Ongoing; Planning Commission completed review in June. Project went out to bid and no bids were received. Project was rebid and City Council awarded the contract on Dec. 6, 2016. Contract documents have been fully executed and scheduling of project has begun.
33 **ON-GOING**	CIP WP	Address downtown parking garage (prioritize location, develop design concepts, consider Oak Grove bike lanes)	Public Works	Study session held May 24. Staff to return with scope of work for a sources sought (solicitation of interest) for certain parking plazas downtown. Oak Grove Bike Lanes has been added as a separate project. On December 6, 2016, City Council approved the design and awarded consultant contract for the Oak Grove University Crane Bicycle Improvement Concept plan.
34 **ON-GOING**	CIP	Enter into an agreement with Redwood City and the Salt Pond Restoration Project for the Bayfront Canal Bypass Project	Public Works	On hold; City Council received a status report May 24.
35 **ON-GOING**	CIP	Design Pope/Chaucer bridge improvements	Public Works	Ongoing; the SFCJPA issued a Notice of Preparation for the EIR for the Upstream of 101 Project. Scoping meeting held January 18, 2007.
Important				
36 **ON-GOING**	CIP	Construct restroom at Jack Lyle Park	Public Works	Ongoing; met with Peninsula Volunteers and Rosener House regarding specific location. Held a public outreach meeting on Dec. 15. Plans are currently being prepared.
37 **ON-GOING**	CIP	Replace Library interior wall fabric	Public Works	Project moved to 2017-18 following the completion of the Library Strategic Plan and Space Needs Study (#42).
38 **ON-GOING**	CIP	Replace Nealon Park sports field sod and irrigation system	Public Works	City Council held a study session May 24. Focus now is on the installation of a booster pump to enhance the pressure of the irrigation system.

39 **BASELINE**	CIP	Address Nealon Park dog park	Public Works	City Council held a study session May 24. Focus now is on increasing the maintenance of the sports field to address any issues associated with the shared use with the dog park.
40 **ON-GOING**	CIP	Replace Willow Oaks dog park and install restroom	Public Works	Ongoing; Council awarded consultant contract on November 29. Community outreach targeted for February 2017.
41 **ON-GOING**	CIP	Initiate Downtown utility undergrounding	Public Works	On hold; this will be coordinated with downtown parking structures (#33)
42 **ON-GOING**	CIP	Complete library space needs study	Public Works	Ongoing; City Council approved the consultant contract Aug. 30 and the study is being prepared.

Furthering efficiency in city service delivery models				
Number	**Source**	**Description**	**Lead Department**	**Update**
Extremely Important				
✓	WP	Complete the classification and compensation study and work with labor units to address the study's findings	Administrative Services	Complete
✓	CIP WP	Complete the information technology master plan and:	Administrative Services	Complete
45 **ON-GOING**		a. Implement key best practices		Ongoing
46 **ON-GOING**		b. Launch a selection process for replacement of mission critical systems including an enterprise resource planning (ERP) business management system for the city including administrative and land development operations		On hold pending City Council direction regarding the IT Master Plan recommendations. This item will continue into 2017.
47 **ON-GOING**		c. Identify and implement interim upgrades to existing business systems as a bridge to their replacement		Alarm billing and online parking permits systems are complete. Ongoing: electronic timecard implementation is underway, testing scheduled to begin in January; interim online access to building permit applications implementation is underway; upgrades to the financial reporting system underway. This item will continue into 2017.
48 **ON-GOING**	WP	Complete a fee study for solid waste services	Administrative Services City Manager's Office	Consultant is currently working with staff on the study. This item will continue into 2017.

49 **ON-GOING**	CIP WP	Complete administration building space planning	Public Works	Ongoing; under construction. Phases 1 and 2 complete. Phase 3 is under construction. Completion of remaining phases targeted for Summer 2017.
Very Important				
50 **ON-GOING**	WP	Complete an updated cost allocation plan, user fee study for non-utility operations, and cost recovery models for non-development related services	Administrative Services	Consultant selected and work is scheduled to begin in late January. This item will continue into 2017.
	WP	Implement recommendations from the department operational reviews:	Community Services Library	
51 **BASELINE**		Develop and implement strategic plans for the Library and Community Services departments		Both plans were completed and are being implemented.
52 **ON-GOING**		Revise and update departmental policies and procedures in the Library and Community Services departments		Community Services policy updates complete. Library policy updates are ongoing.
53 **ON-GOING**		Develop and improve cooperative relationships with community stakeholders (school districts, community groups, etc.)		Ongoing

Important				
54 **ON-GOING**	WP	Analysis and prioritization of alternative service delivery model goals, what outcome is desired (financial, service changes, etc.) and what metrics determine success	City Manager's Office	Ongoing
55 **ON-GOING**	WP	Assess current staffing levels in the Administrative Services department, realign existing resources, and add resources where necessary to support the organization's current and future needs for technology, financial and human resources support	Administrative Services	Ongoing; successfully completed recruitment for two management analysts (Human Resources and Finance), two additional analyst vacancies remain (Human Resources and Information Technology)
56 **ON-GOING**	WP	Improve community communications	City Manager's Office	Ongoing; informational item presented to the City Council on Oct. 11.
57 **ON-GOING**	WP	Initiate organizational study for development services utilizing industry best practices	City Manager's Office Community Development Public Works	Developing a scope of work for the study
58 **ON-GOING**	WP	Initiate organizational study for Public Works maintenance services	City Manager's Office Public Works	Developing a scope of work for the study

Improving Menlo Park's multimodal transportation system to move people and goods through Menlo Park more efficiently				
Number	**Source**	**Description**	**Lead Department**	**Update**
Extremely Important				
59 **ON-GOING**	WP	Develop and implement transit improvements (study transit options including enhancements to existing shuttles and transportation management associations, install new shuttle stop signs and amenities)	Public Works	Ongoing; were awarded funds from SMCTA and C/CAG for expanded shuttle service in 2016-17. Next steps are to finalize service enhancements and publicize route changes, expected in early 2017.
60 **ON-GOING**	CIP WP	Study and prioritize Willow Road transportation improvement options	Public Works	Ongoing; conducted City Council study session Aug. 23 about desired improvements and Willow Road curb extensions on Oct. 25. Next step is to return to the Transportation Commission for review in early 2017.
61 **ON-GOING**	CIP WP	Work with Caltrans and regional funding partners to design and begin construction on 101/Willow Road interchange	Public Works	Ongoing; design completed. Secured remaining funds to advance to construction. Caltrans in process of award construction contract. Coordinating with PG&E on gas and electric utility relocations.
✓	CIP WP	Construct Citywide Bicycle and Pedestrian Visibility Project (add green colored pavement to existing high-use corridors at conflict points and downtown bike racks) (grant funded)	Public Works	Completed
✓	CIP WP	Construct Menlo Park-Atherton Bike/Pedestrian Improvements Project (Valparaiso Avenue Safe Routes to School project) (grant funded)	Public Works	Completed
✓	CIP WP	Construct Menlo Park-East Palo Alto Connectivity Project (add Class III bike routes and sharrows to connecting streets and fill sidewalk gaps on O'Connor Street and Menalto Avenue) (grant funded)	Public Works	Completed
65 **ON-GOING**	CIP WP	Prepare Project Study Report for Ravenswood Avenue/Caltrain grade separation Project (grant funded)	Public Works	Ongoing; awarded consultant contract in March 2016. Held the first community workshop May 2 and second workshop Oct. 4. Commission presentations held in Nov./Dec. 2016. Next step is to incorporate feedback into preliminary engineering work and present information to the City Council in February.

66 **ON-GOING**	CIP WP	Explore Dumbarton Rail Corridor activation / reuse	Public Works	Ongoing; the City is coordinating through the SamTrans-led Dumbarton Corridor Study. The first community workshop held in Menlo Park May 12 and the second workshop was held in Redwood City Sept. 14. A presentation to the City Council occurred Nov. 15. The final study is expected to be released in April-May 2017.
67 **ON-GOING**		Install bus shelters at the Senior Center and on Willow Road between U.S. 101 and Bayfront Expressway	Public Works	Ongoing; Provided update to the City Council on Oct. 25. Council authorized the City Manager to enter into agreements with SamTrans for the installation of bus shelters. In process of negotiating agreement with SamTrans. Concrete pad for shelter at Market Place Park was poured in December 2016.
Very Important				
68 **ON-GOING**	CIP WP	Coordinate with regional agencies on High Speed Rail project, including environmental review	Public Works	Ongoing; the High Speed Rail Authority initiated environmental review in May 2016. The City prepared a comment letter on the Notice of Preparation in June 2016.
69 **ON-GOING**	CIP WP	Begin design and implement El Camino Real Corridor Study	Public Works	Ongoing; City Council acted May 3 to advance design and construction of east-west crossings and further evaluation of Alternative 2. North-south corridor improvements on hold pending further City Council direction.
✓	CIP	Design and construct Sand Hill Road signal modification project	Public Works	Majority of construction is complete.
✓		Establish a crosswalk policy	Public Works	Complete; City Council approved the policy Sept. 13.
Important				
72 **ON-GOING**	CIP WP	Work with Caltrain to complete Peninsula Corridor Electrification Project design review	Public Works	Ongoing; City Council authorized the City Manager to sign a reimbursement agreement May 24.

STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-020-CC**

Informational Item: **General Plan Implementation Update**

Recommendation

Staff recommends that the City Council review the information provided in this report. With the City Council's 2017 goal setting session scheduled on January 27, 2017, this information item provides a preview of several key implementation programs from the General Plan that the Council will be considering, among other key City projects, for prioritization. This is an information item only and no action is needed.

Policy Issues

The Council establishes goals yearly and any policy issues that may arise from implementation of a goal or program will be considered at that time.

Background

On November 29, and December 6, 2016, the City Council completed actions to approve the ConnectMenlo General Plan Land Use and Circulation Elements. This was a multi-year, comprehensive process that represents a vision for a live/work/play environment in the former M-2 Area while maintaining the character and values that the City has embraced. The General Plan serves as the City's comprehensive and long range guide to land use and infrastructure development in the City. The Land Use and Circulation Elements, along with the Housing Element which was adopted in 2014, provide the key policy framework to guide the City's physical development. While the adoption of the General Plan was a major accomplishment for the City, the work is not done. The plan is dynamic; the Elements contain a number of goals, policies and programs that implement the City's vision.

The General Plan includes an ambitious list of actions and it is not feasible to fund or engage in every program at once. The City Council will be conducting its goal setting session on January 27, 2017 for the 2017 calendar year and the 2017-18 budget. This staff report is intended to provide the Council with a broad overview of the number, scope and complexity of key implementation programs from the Land Use, Circulation and Housing Elements. While several programs may overlap in topic areas (i.e., housing), which could achieve efficiencies in implementation of several programs, multiple projects in one topic area could also impact staffing resources and delay the timing of other projects. These are just a few factors for consideration during the goal setting session.

Analysis

The Land Use, Circulation and Housing Elements each contain a number of implementation programs. A program is an action carried out pursuant to a policy to achieve a specific goal. Attachments A, B and C each include a table with all of the programs from the Land Use, Circulation and Housing Elements, respectively. The table provides the name, description and the status of the program.

Land Use Element

Concurrent with the processing of the General Plan Update, the Council also directed staff to update the M-2 Area Zoning. The creation of the Office (O), Life Sciences (LS), and Residential Mixed Use (R-MU) zoning districts, which incorporated new provisions for community amenities, affordable housing, green and sustainable building regulations, transportation demand management, and public paseos and open space, not only cemented the live/work/play concept, but they also supported a number of Land Use Element policies and fulfilled several Land Use implementation programs.

While ConnectMenlo primarily focused on changes to the M-2 Area, the Land Use Element is a citywide document. The topic of housing, primarily affordable housing, was a central theme throughout the General Plan process. Land Use Element Program LU-2.C is a wide-ranging housing program to address residential development, including, but not limited to the topics of affordable housing and displacement. Because the program is very broad, staff recommends it should be considered in conjunction with the more detailed programs identified in the Housing Element. The City Council's recent housing study session on January 10, 2017 and guidance to staff on a variety of different housing strategies may also help inform the Council's housing priorities.

Prior to ConnectMenlo, the interest in housing was generally focused on the single-family residential design and review process. The Land Use Element continues to identify single-family residential review (LU-2.C) as a program. Attachment A provides a full list of programs and the table below highlights key programs for consideration this year. Each of these programs by itself could be a major undertaking, requiring both staff and potentially consultant resources and coordination and outreach with other entities. The Council will be able to further explore and discuss its preferences and tradeoffs during its goal setting session.

Table 1: Land Use Element Programs

Program Number	Name of Program	Description
LU-1-D	Infill Development Streamlined Review	Establish Zoning Ordinance provisions to streamline review of infill development through "uniformly applicable development policies or standards" (per CEQA Guidelines Section 15183.3) that reduce potential adverse environmental effects, such as: regulations governing grading, construction activities, storm water runoff treatment and containment, hazardous materials, and greenhouse gas emissions; and impact fees for public improvements, including safety and law enforcement services, parks and open space, and transit, bicycle, and pedestrian infrastructure
LU-2.B	Single-Family Residential Development	Update the Zoning Ordinance requirements for single-family residential developments to create a more predictable and expeditious process while providing a method for encouraging high-quality design in new and expanded residences.
LU-2.C	Address Residential Development	Identify, understand and implement best practices, including but not limited to funding mechanisms, affordable housing policies and strategies, anti-displacement policies, and local housing implementation strategies within a regional setting, to address residential displacement from non-residential development.

LU-4.A	Fiscal Impact Analysis	Establish Zoning Ordinance requirements for mixed-use, commercial, and industrial development proposals of a certain minimum scale to include analysis of potential fiscal impact on the City, school districts, and special districts, and establish guidelines for preparation of fiscal analyses.
LU-4.D	Sign Requirements	Update the Municipal Code requirements and design guidelines for off-site and on-site signage in compliance with Federal and State laws while providing a method for encouraging high-quality design in advertising for Menlo Park businesses.
LU-6.A	San Francisquito Creek Setbacks	Establish Municipal Code requirements for minimum setbacks for new structures or impervious surfaces within a specified distance of the top of the San Francisquito Creek bank.
LU-6.E	Don Edwards National Wildlife Refuge	Consider the most appropriate zoning designation for the Don Edwards San Francisco National Wildlife Refuge to achieve the preservation and protection of wildlife habitat and ecological values associated with the marshlands and former salt ponds bordering the San Francisco Bay.

Circulation Element

The Circulation Element includes a number of forthcoming transportation-related programs, including those to encourage multi-modal transportation, provide opportunities for active transportation to encourage health and wellness, minimize cut-through traffic on residential streets, and consider changes to the transportation impact metrics the City uses to evaluate development proposals. High priority transportation-related programs are the development of a Transportation Master Plan and updates to the Transportation Impact Fee (TIF). A Transportation Master Plan would provide a bridge between the policy framework adopted within the Circulation Element and project-level efforts to modify the transportation network within Menlo Park. Broadly, it provides the ability to identify appropriate projects to enhance the transportation network, conduct community engagement to ensure such projects meet the communities' goals and values, and prioritize projects based on need for implementation. The Transportation Master Plan, when completed, would provide a detailed vision and implementation strategy for both improvements to be implemented locally and for local contributions towards regional improvements.

Since the adoption of the Circulation Element, staff has begun developing a Request for Qualifications (RFQ) to select a consultant team to assist with the preparation of the Transportation Master Plan. The RFQ is expected to be released in late January 2017, and a consultant team selected by April 2017. A detailed schedule and scope of work will be prepared and brought forward for the Council to consider with the consultant team contract award; however, the following tasks are expected to be included:

1. Collect Data &Review Background Documents
2. Conduct Community Engagement
3. Analyze Existing and Future (2040) Conditions
4. Identify Multi-modal Transportation Projects
5. Evaluate Cost/Benefits of Transportation Projects
6. Prepare Prioritized Project Rankings and Draft Master Plan
7. Adopt Final Transportation Master Plan
8. Prepare and Adopt Impact Fee Program Update

Following consultant contract award, the development of the Master Plan is expected to take approximately 12 months (early 2018). This will be followed by preparation of an updated TIF program, with completion expected in approximately 18 months (mid-2018).

Funding for this program was provided in the 2016-17 operating budget with $250,000 from the General Fund.

Housing Element

The Housing Element, which was adopted in 2014 for the planning period 2015-2023, includes policies that encourage a variety of housing choices, support mixed-use developments, especially in proximity to transit and services, promote the distribution of higher density housing throughout the City, and implement the City's Below Market Rate (BMR) housing program. Each year, the City prepares an annual report on the status and progress of implementing the Housing Element programs. The annual report for 2016 will be reviewed by the Housing Commission and Planning Commission before the report is presented to the Council in March. The report is due to the State by April 1 of each year for the preceding calendar year.

In anticipation of the Council's goal setting session, staff has highlighted key programs that should be considered for prioritization. The Housing Element includes 11 programs that were to be considered during the General Plan Update process. A few of the programs were directly related to the work of the General Plan and were implemented concurrently while other programs were considered more appropriate to be implemented at a future date, given the topic or geographic focus. Below is a table that identifies the Housing Element programs that were to be considered as part of the General Plan Update and the status of the program.

Table 2: Housing Element Programs

Program Number	Housing Element Program	Status
H2.C	Amend the Zoning Ordinance to Protect Existing Housing	
H3.G	Develop Incentives for Special Needs Housing	
H4.A	Modify R-2 Zoning to Maximize Unit Potential	
H4.I	Create Multi-Family Residential Mixed Use Design Guidelines	Completed with the General Plan and M-2 Area Zoning Adoption
H4.J	Consider Surplus City Land for Housing	
H4.L	Coordinate with School Districts to Link Housing with School District Planning Activities	Completed with the General Plan and M-2 Area Zoning Adoption
H4.M	Review of Subdivision Ordinance	

H4.N	Create Opportunities for Mixed Use Development	Completed with the General Plan and M-2 Area Zoning Adoption
H4.O	Review Transportation Impact Analysis Guidelines	
H4.S	Explore Creation of a Transportation Management Association	
H4.T	Explore Pedestrian and Bicycle Improvements (coordination with Redwood City)	

In addition, several other programs were targeted for the 2016 timeframe and have not yet been implemented: H1.G (Adopt an Anti-Discrimination Ordinance) and H2.A (Adopt Ordinance for "At Risk" Units). While these were not explicitly discussed as part of the Council's study session on housing, they can be considered tools as part of the ongoing housing dialogue and the Council's priorities for addressing housing needs.

Impact on City Resources

As part of the Council's goal setting session, the Council will take into consideration whether an item is budgeted or not. Prioritized programs will be reviewed through the annual budget and CIP process.

Environmental Review

This information item is not subject to the California Environmental Quality Act. Individual programs may be subject to environmental review at a future time.

Public Notice

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

Attachments

Attachment A: Land Use Element Program Table
Attachment B: Circulation Element Program Table
Attachment C: Housing Element Program Table

Report prepared by:
Deanna Chow, Principal Planner

Nikki Nagaya, Assistant Public Works Director

Report reviewed by:
Arlinda Heineck, Community Development Director

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Program Number	Name of Program	Program Description	Status of Project Implementation
ORDERLY DEVELOPMENT			
LU-1.A	Zoning Ordinance Consistency	Update the Zoning Ordinance as needed to maintain consistency with the General Plan.	Completed; ongoing as needed
LU-1.B	Capital Improvement Program	Annually review progress implementing General Plan policies, and update the Capital Improvement Program to reflect the latest City and community priorities embodied in the General Plan, including for physical projects related to transportation, water supply, drainage, and other community-serving facilities and infrastructure.	Annually
LU-1.C	Land Use Element Review	Conduct an in-depth review of the General Plan Land Use Element two (2) years after its adoption and thereafter as directed by the City Council.	2018
LU-1-D	Infill Development Streamlined Review	Establish Zoning Ordinance provisions to streamline review of infill development through “uniformly applicable development policies or standards” (per CEQA Guidelines Section 15183.3) that reduce potential adverse environmental effects, such as: regulations governing grading, construction activities, storm water runoff treatment and containment, hazardous materials, and greenhouse gas emissions; and impact fees for public improvements, including safety and law enforcement services, parks and open space, and transit, bicycle, and pedestrian infrastructure.	Consider in 2017
LU-1.E	School District Partnership	Meet regularly with the school districts to aid in identifying opportunities for partnership with the City in promoting excellence in education and recreation at all schools serving Menlo Park residents.	Ongoing
LU-1.F	Assessment Districts and Impact Fees	Pursue the creation of assessment districts and/or the adoption of development impact fees to address infrastructure and service needs in the community.	Ongoing as needed

Program Number	Name of Program	Program Description	Status of Project Implementation
NEIGHBORHOOD PRESERVATION			
LU-2.A	Property Maintenance Compliance	Work with property owners to understand City codes and to ensure that buildings, yards, landscaping, and trees are well maintained, and that property is free of litter, in prompt compliance with City codes.	Ongoing as needed
LU-2.B	Single-Family Residential Development	Update the Zoning Ordinance requirements for single-family residential developments to create a more predictable and expeditious process while providing a method for encouraging high-quality design in new and expanded residences.	5-year CIP; consider in 2017
LU-2.C	Address Residential Development	Identify, understand and implement best practices, including but not limited to funding mechanisms, affordable housing policies and strategies, anti-displacement policies, and local housing implementation strategies within a regional setting, to address residential displacement from non-residential development.	Consider in 2017 with Housing Element Program Implementation
NEIGHBORHOOD-SERVING USES			
LU-3.A	Commercial Zoning Provisions	Review, and update as necessary, Zoning Ordinance provisions related to neighborhood-serving commercial uses, in part to ensure that an appropriate and attractive mix of uses can be provided.	Completed; ongoing as needed
BUSINESS DEVELOPMENT			
LU-4.A	Fiscal Impact Analysis	Establish Zoning Ordinance requirements for mixed-use, commercial, and industrial development proposals of a certain minimum scale to include analysis of potential fiscal impact on the City, school districts, and special districts, and establish guidelines for preparation of fiscal analyses.	Consider in 2017
LU-4.B	Economic Development Plan	Update the strategic policies in the City's Economic Development plan periodically as needed to reflect changing economic conditions or objectives in Menlo Park and/or to promote land use activities desired by the community, including small businesses and neighborhood-serving retail.	Ongoing as needed

Program Number	Name of Program	Program Description	Status of Project Implementation
LU-4.C	Community Amenities Requirements	Establish Zoning Ordinance requirements for new mixed-use, commercial, and industrial development to support and contribute to programs that benefit the community and City, including public or private education, transit, transportation infrastructure, public safety facilities, sustainability, neighborhood-serving amenities, child care, housing for all income levels, job training, parks and meaningful employment for Menlo Park youth and adults (e.g., first source hiring). The list of specific benefits may be modified over time to reflect changes in community priorities and desired amenities.	Completed; ongoing as needed
LU-4.D	Sign Requirements	Update the Municipal Code requirements and design guidelines for off-site and on-site signage in compliance with Federal and State laws while providing a method for encouraging high-quality design in advertising for Menlo Park businesses.	Consider in 2017
OPEN SPACE			
LU-6.A	San Francisquito Creek Setbacks	Establish Municipal Code requirements for minimum setbacks for new structures or impervious surfaces within a specified distance of the top of the San Francisquito Creek bank.	Consider in 2017
LU-6.B	Open Space Requirements and Standards	Review, and update as necessary, Zoning Ordinance requirements for provision of open space in all multiple dwelling, mixed-use and nonresidential development of a certain minimum scale that encourages active and passive uses and human presence during daytime and appropriate nighttime hours.	Completed; ongoing as needed

Program Number	Name of Program	Program Description	Status of Project Implementation
LU-6.C	Space for Food Production	Establish Zoning Ordinance requirements for new residential developments over a certain minimum scale to include space that can be used to grow food, and to establish a process through which a neighborhood can propose a site as a community garden.	Future Program
LU-6.D	Design for Birds	Require new buildings to employ façade, window, and lighting design features that make them visible to birds as physical barriers and eliminate conditions that create confusing reflections to birds.	Completed; ongoing as needed
LU-6.E	Don Edwards National Wildlife Refuge	Consider the most appropriate zoning designation for the Don Edwards San Francisco National Wildlife Refuge to achieve the preservation and protection of wildlife habitat and ecological values associated with the marshlands and former salt ponds bordering the San Francisco Bay.	Consider in 2017 as part of planning for Bayfront Bedwell Park
SUSTAINABLE SERVICES			
LU-7A	Green Building Operation and Maintenance	Employ green building and operation and maintenance best practices, including increased energy efficiency, use of renewable energy and reclaimed water, and install drought-tolerant landscaping for all projects.	Completed for Bayfront Area; ongoing as needed
LU-7.B	Groundwater Wells	Monitor pumping from existing and new wells to identify and prevent potential ground subsidence, salinity intrusion into shallow aquifers (particularly in the Bayfront Area), and contamination of deeper aquifers.	Future Program
LU-7.C	Sustainability Criteria	Establish sustainability criteria and metrics for resource use and conservation and monitor performance of projects of a certain minimum size.	Completed for Bayfront Area; ongoing as needed

Program Number	Name of Program	Program Description	Status of Project Implementation
LU-7.D	Performance Standards	Establish performance standards in the Zoning Ordinance that requires new development to employ environmentally friendly technology and design to conserve energy and water, and minimize the generation of indoor and outdoor pollutants.	Completed for Bayfront Area; ongoing as needed
LU-7.E	Greenhouse Gas Emissions	Develop a Greenhouse Gas (GHG) standard for development projects that would help reduce communitywide GHG emissions to meet City and Statewide reduction goals.	Future Program
LU-7.F	Adaptation Plan	Work with emergency service providers to develop an adaptation plan, including funding mechanisms, to help prepare the community for potential adverse impacts related to climate change, such as sea level rise, extreme weather events, wildfire, and threats to ecosystem and species health.	Future Program
LU-7.G	SAFER Bay Process	Coordinate with the SAFER Bay process to ensure that the Menlo Park community's objectives for sea level rise/flood protection, ecosystem enhancement, and recreational trails are adequately taken into consideration.	Underway
LU-7.H	Sea Level Rise	Establish requirements based on State Sea Level Rise Policy Guidance for development projects of a certain minimum scale potentially affected by sea level rise to ensure protection of occupants and property from flooding and other potential effects.	Completed for Bayfront Area; ongoing as needed
LU-7.I	Green Infrastructure Plan	Develop a Green Infrastructure Plan that focuses on implementing City-wide projects that mitigate flooding and improve storm water quality.	Underway

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CIRCULATION ELEMENT

Program Number	Name of Program	Program Description	Status of Project Implementation
SAFE TRANSPORTATION SYSTEM			
CIRC-1.A	Pedestrian and Bicyclist Safety	Include pedestrian and bicyclist safety in the design of streets, intersections, and traffic control devices.	Ongoing
CIRC-1.B	Safe Routes to Schools	Work with schools and neighboring jurisdictions to develop, implement and periodically update Safe Routes to School programs. Schools that have not completed a Safe Routes to Schools plan should be prioritized before previously completed plans are updated.	Ongoing
CIRC-1.C	Capital Improvement Program	Annually review progress implementing General Plan policies, and update the Capital Improvement Program to reflect the latest City and community priorities embodied in the General Plan, including for physical projects related to transportation.	Ongoing
CIRC-1-D	Travel Pattern Data	Bi-annually update data regarding travel patterns for all modes to measure circulation system efficiency (e.g., vehicle miles traveled per capita, traffic volumes) and safety (e.g., collision rates) standards. Coordinate with Caltrans to monitor and/or collect data on state routes within Menlo Park.	Consider in 2017
CIRC-1.E	Coordination with Emergency Services	Coordinate and consult with the Menlo Park Fire Protection District in establishing circulation standards to assure the provision of high quality fire protection and emergency medical services within the City.	Ongoing

Program Number	Name of Program	Program Description	Status of Project Implementation
COMPLETE STREETS			
CIRC-2.A	Manage Neighborhood Traffic	Following the adoption of a street classification system with target design speeds, establish design guidelines for each street classification. Periodically review streets for adherence to these guidelines, with priority given to preserve the quality of life in Menlo Park's residential neighborhoods and areas with community requests. Utilize a consensus-oriented process of engagement to develop an appropriate set of modifications when needed to meet the street classification guidelines.	Future Program
CIRC-2.B	NACTO Design Guidelines	Adopt the National Association of City Transportation Officials (NACTO) Urban Street Design Guide and Urban Bikeway Design Guide as supplements to the California Manual for Uniform Traffic Control Devices to enhance safety for users of all travel modes and improve aesthetics.	Consider in 2017
CIRC-2.C	Transportation Master Plan	Prepare a citywide Transportation Master Plan that includes roadway system improvements and combines and updates the existing Bicycle Plan, includes provisions for overcoming barriers and identifying safe multi-modal routes to key destinations in the City, and replaces the existing Sidewalk Master Plan with a section that identifies areas in Menlo Park where the community and neighborhood have expressed a desire for sidewalk improvements. Update the Transportation Master Plan at least every five years, or as necessary.	Underway
CIRC-2.D	Pedestrian and Bicycle Facility Maintenance	Remove debris on roadways and pedestrian/bike facilities, monitor intersection sight clearance, and repair pavement along all roadways and sidewalks; prioritize improvements along bicycle routes and at pedestrian crossing locations.	Consider in 2017

Program Number	Name of Program	Program Description	Status of Project Implementation
CIRC-2.E	Bikeway System Planning	Review the citywide bikeway system pursuant to the Transportation Master Plan (following completion; until such time the Comprehensive Bicycle Development Plan and El Camino Real/Downtown Specific Plan represent the City's proposed bicycle network), and other recent planning efforts every five years and update as necessary.	Future Program
CIRC-2.F	Bicycle Improvement Funding	Pursue funding for improvements identified in the Transportation Master Plan (following completion; until such time, the Comprehensive Bicycle Development Plan and El Camino Real/Downtown Specific Plan represent the City's proposed bicycle network).	Future Program
CIRC-2.G	Zoning Requirements for Bicycle Storage	Establish Zoning Ordinance requirements for new development to provide secure bicycle and convenient storage and/or bike-sharing facilities.	Completed work in the M-2 Area as part of General Plan Area; future program as needed
CIRC-2.H	Zoning Requirements for Paseos	Establish Zoning Ordinance requirements for new development to include public easements for paseos.	Completed
CIRC-2.I	Bike Sharing Program	Work with local and regional organizations to develop and implement a citywide bike sharing program.	Consider in 2017

Program Number	Name of Program	Program Description	Status of Project Implementation
CIRC-2.J	Multi-modal Stormwater Management	Identify funding opportunities for stormwater management that can be used to support implementation of multimodal improvements to Menlo Park's streets.	Consider in 2017
CIRC-2.K	Zoning Ordinance Requirements	Establish Zoning Ordinance requirements for all new development to incorporate safe and attractive pedestrian and bicycle facilities, including continuous shaded sidewalks, pedestrian lighting, and other amenities.	Completed work in the M-2 Area as part of General Plan Area; future program as needed
CIRC-2.L	Transportation Impact Analysis Guidelines	Review and update the City's Transportation Impact Analysis (TIA) Guidelines, as needed. Consider factors such as preserving residential quality of life, appropriate accounting for mixed land uses, use of multiple transportation modes, and induced travel demand.	Future Program
CIRC-2.M	Transportation Management Program	Establish goals and metrics for the City's Transportation Management Program, and annually assess progress toward meeting those objectives.	Underway
CIRC-2.N	Transportation Design Details	Develop a signage and pavement marking inventory. Prepare and periodically update design details for transportation improvements.	Consider in 2017
CIRC-2.O	Traffic Signal Timing	Periodically adjust traffic signal timing to support efficient and safe travel for all modes and emergency vehicles, including in conjunction with Caltrans on its rights-of-way.	Ongoing

Program Number	Name of Program	Program Description	Status of Project Implementation
CIRC-2.P	Plan Lines	Review all "plan lines" indicating where City-owned rights-of-way exist but have not been constructed to determine whether those alignments should be maintained, modified, or abandoned, and identify locations where additional right-of-way is needed to accommodate roadway or bicycle/pedestrian improvements.	Consider in 2017
CIRC-2.Q	Caltrans	Collaborate with Caltrans to achieve and maintain travel efficiency along Caltrans rights-of-way in Menlo Park consistent with the San Mateo County Congestion Management Plan.	Ongoing
CIRC-2.R	Caltrans Relinquishment	Investigate the potential for relinquishment by Caltrans of State Route 114 (the portion of Willow Road between Bayfront Expressway and US 101 near Bay Road).	Future Program
SUSTAINABLE TRANSPORTATION			
CIRC-3.A	Transportation Impact Metrics	Supplement Vehicle Miles Traveled (VMT) and greenhouse gas emissions per service population (or other efficiency metric)metrics with Level of Service (LOS) in the transportation impact review process, and utilize LOS for identification of potential operational improvements, such as traffic signal upgrades and coordination, as part of the Transportation Master Plan.	Future Program
CIRC-3.B	Emergency Response Coordination	Equip all new traffic signals with pre-emptive traffic signal devices for emergency services. Existing traffic signals	Ongoing

Program Number	Name of Program	Program Description	Status of Project Implementation
		without existing pre-emptive devices will be upgraded as major signal modifications are completed.	
HEALTH AND WELLNESS			
CIRC-4.A	Partnerships	Explore partnerships with private and public organizations (e.g., the County of San Mateo Health Department) to fund incentive programs and events that encourage multimodal transportation.	Future Program
TRANSIT			
CIRC-5.A	Long-Term Transit Planning	Work with appropriate agencies to agree on long-term peninsula transit service that reflects Menlo Park's desires and is not disruptive to the city.	Ongoing
LU-5.B	SamTrans	Work with SamTrans to provide appropriate community-serving transit service and coordination of schedules and services with other transit agencies.	Ongoing
TRANSPORTATION DEMAND MANAGEMENT			
CIRC-6.A	Transportation Demand Management Guidelines	Update the City's Transportation Demand Management Guidelines to require new non-residential, mixed use and multi-family residential development to provide facilities and programs that ensure a majority of associated travel can occur by walking, bicycling, and/or transit, and that include vehicle trip reduction reporting goals, requirements, and monitoring and enforcement mechanisms.	Consider in 2017
CIRC-6.B	Transportation Management Association	Participate in the formation of a Transportation Management Association (TMA) to assist local residents, employees, students, and other community members in identifying and	Consider in 2017

Program Number	Name of Program	Program Description	Status of Project Implementation
		taking advantage of travel options between employment centers and rail connections, downtown, and nearby cities. Require new, large commercial and residential development to participate in the TMA. Establish goals for the TMA, such as those for mode share, vehicle trips, or VMT by geographic areas in the City. Collaborate or partner with adjacent cities' TMAs to ensure regional consistency.	
CIRC-6.C	Transportation Impact Fee	Require new and expanded development to pay a transportation impact fee, and update the fee periodically to ensure that development is paying its fair share of circulation system improvement costs for all modes of transportation.	Underway
CIRC-6.D	Peninsula Traffic Congestion Relief Alliance	Consider joining the Peninsula Traffic Congestion Relief Alliance ("commute.org") to assist local employers with increasing biking and walking, transit, carpool, and vanpool and shuttle use for their employees.	Consider in 2017
CIRC-6.E	Employer Programs	Work with local employers to develop programs that encourage walking, bicycling, and transit use.	Ongoing
CIRC-6.F	Trip Reduction Goals	Maintain an adopted vehicle trip reduction goal in the Zoning Ordinance to encourage transportation demand management programs and reduce vehicle traffic and update the goal with major changes in transit service, every five years, or as needed.	Completed
PARKING			
CIRC-7.A	Parking Requirements	Periodically evaluate and update parking requirements, including bicycle and electric vehicle spaces. Update the	Consider in 2017

Program Number	Name of Program	Program Description	Status of Project Implementation
		Parking Stall and Driveway Design Guidelines. Consider the effect on demand due to various contextual conditions such as parking pricing, transportation demand management strategies, transit accessibility, walkability and bikeability.	
CIRC-7.B	Parking In-Lieu Fees	Explore adoption of a parking in-lieu fee to fund a variety of tools that provide additional parking, improve access to parking, or reduce parking demand.	Future Program

Housing Element Programs

Program Description	Housing Programs Progress Report		
Name of Program	**Objective**	**Timeframe in H.E.**	**Status of Program Implementation**
H1.A Establish City Staff Work Priorities for Implementing Housing Element Programs	Establish staff priorities for implementing Housing Element Programs	Annually	Annually as part of City Council goal setting and Housing Element Annual Review
H1.B Review the Housing Element Annually	Review and monitor Housing Element implementation; conduct public review with the Housing Commission, Planning Commission and City Council, and submit Annual Report to HCD	Annually	Ongoing
H1.C Publicize Fair Housing Laws and Respond to Discrimination Complaints	Obtain and distribute materials (see Program 1H.D)	Ongoing	Ongoing
H1.D Provide Information on Housing Programs	Obtain and distribute materials at public locations; conduct staff training	Annually	Ongoing
H1.E Undertake Community Outreach When Implementing Housing Element Programs	Conduct community outreach and distribute materials (see Programs H1.C and 1H.D)	Consistent with program timelines	Ongoing
H1.F Work with the San Mateo County Department of Housing	Coordinate with County efforts to maintain and support affordable housing	Ongoing	Ongoing
H1.G Adopt an Anti-Discrimination Ordinance	Undertake Municipal Code amendment and ensure effective implementation of anti-discrimination policies and enforcement as needed	2016	Consider in 2017
H1.H Utilize the City's Below Market Rate (BMR) Housing Fund	Accumulate and distribute funds for housing affordable to extremely low, very low, low and moderate income households	Ongoing	Ongoing
H1.I Work with Non-Profits on Housing	Maintain a working relationship with non-profit housing sponsors	Ongoing	Ongoing
H1.J Update the Housing Element	Assure consistency with SB375 and Housing Element law	2023	Completed in 2014.
H1.K Address Rent Conflicts	Resolve rent conflicts as they arise	Ongoing	Ongoing

Program Description	Housing Programs Progress Report		
Name of Program	**Objective**	**Timeframe in H.E.**	**Status of Program Implementation**
H1.L Update Priority Procedures for Providing Water Service to Affordable Housing Developments	Comply with Government Code Section 65589.7	2015 and 2020 (as part of Urban Water Management Plan updates)	Completed in 2014.
H1.M Lobby for Changes to State Housing Element Requirements	Work with other San Mateo County jurisdictions and lobby for modifications to Housing Element law (coordinate with Program H1.B)	Ongoing	Ongoing as needed
H2.A Adopt Ordinance for “At Risk” Units	Protect existing affordable housing	2016	Consider in 2017
H2.B Promote Energy Efficient/Renewable Programs	50 or more homes and businesses participating in a program	Establish policy and programs by 2017; Participation rate by 2022	Establishment of standards for the Bayfront Area completed with General Plan Update in 2016; ongoing as needed
H2.C Amend the Zoning Ordinance to Protect Existing Housing	Protect existing rental housing as part of infill implementation and other Zoning Ordinance changes	Consider as part of the City’s General Plan Update (2014-2017)	Consider in 2017
H2.D Assist in Implementing Housing Rehabilitation Programs	Apply to the County for CDBG funds to provide loans to rehabilitate very low and low income housing (20 loans from 2015-2023)	2015-2023	The County has temporarily stopped administering the CDBG rehabilitation loan program, except in emergency situations.
H3.A Zone for Emergency Shelter for the Homeless	Amend the Zoning Ordinance	2014; concurrent with RHNA 5 Housing Element Update	Completed in 2014
H3.B Zone for Transitional and Supportive Housing	Amend the Zoning Ordinance	2014; concurrent with RHNA 5 Housing Element Update	Completed in 2014
H3.C Adopt Procedures for Reasonable Accommodation	Amend the Zoning Ordinance and/or modify administrative procedures; create public handout	2014; concurrent with RHNA 5 Housing Element Update	Completed in 2014

Program Description	Housing Programs Progress Report		
Name of Program	**Objective**	**Timeframe in H.E.**	**Status of Program Implementation**
H3.D Encourage Rental Housing Assistance Programs	Provide assistance at current Section 8 funding levels to assist 220 extremely low and very low-income households per year (assumes continued funding of program)	2015-2023	Ongoing
H3.E Investigate Possible Multi-Jurisdictional Emergency Shelter	Coordinate in the construction of homeless facility (if determined feasible)	Longer term program as the opportunity arises	Future Program
H3.F Assist in Providing Housing for Persons Living with Disabilities	Provide housing and services for disabled persons	Ongoing	Ongoing
H3.G Develop Incentives for Special Needs Housing	Amend the Zoning Ordinance to provide opportunities for housing and adequate support services for seniors and people living with disabilities	Consider as part of the City's General Plan Update (2014-2017)	Consider in 2017
H3.H Continue Support for Countywide Homeless Programs	Support housing and services for the homeless and at-risk persons and families	Ongoing	Ongoing
H3.I Work with the Department of Veterans Affairs on Homeless Issues	Coordination in addressing the needs of the homeless	2014; ongoing thereafter	Ongoing
H4.A Modify R-2 Zoning to Maximize Unit Potential	Amend the Zoning Ordinance to minimize underutilization of R-2 development potential	Consider as part of the City's General Plan Update (2014-2017)	Consider in 2017
H4.B Implement Inclusionary Housing Regulations	Implement requirements to assist in providing housing affordable to extremely low, very low, low and moderate income households in Menlo Park	Ongoing	Consider in 2017
H4.C Modify BMR Guidelines	Amend the Zoning Ordinance to require affordable units in market rate developments	2015	Consider in 2017
H4.D Update the BMR Fee Nexus Study	Update to fees consistent with the nexus of potential impacts on affordable housing need	2015	Consider in 2017

Program Description	Housing Programs Progress Report		
Name of Program	**Objective**	**Timeframe in H.E.**	**Status of Program Implementation**
H4.E Modify Second Dwelling Unit Development Standards and Permit Process	Amend the Zoning Ordinance to reduce the minimum lot size to create greater opportunities for new second units to be built. Achieve Housing Element target for new second units (40 new secondary dwelling units between 2015-2023, with 5 per year) — 18 very low, 18 low and 4 moderate income second units.	2014; ongoing thereafter	Completed; ongoing as needed
H4.F Establish a Process and Standards to Allow the Conversion of Accessory Buildings and Structures to a Secondary Dwelling Unit	Adopt procedures and requirements to allow conversion of accessory structures and buildings (15 new secondary dwelling units — 6 very low income, 6 low income and 3 moderate income units)	2014; review the effectiveness of the ordinance in 2015	Completed and extended through 2019; 2017 State Law to supersede
H4.G Implement First-Time Homebuyer Program	Provide referrals	2015-2023	Ongoing
H4.H Work with Non-Profits and Property Owners on Housing Opportunity Sites	Identify incentives and procedures to facilitate development of housing affordable to extremely low, very low, low and moderate income households on higher density housing sites	Ongoing	Ongoing
H4.I Create Multi-Family and Residential Mixed Use Design Guidelines	Adopt design guidelines for multi-family and mixed use housing developments	Consider as part of the City's General Plan Update (2014-2017)	Completed for Bayfront Area in 2016.
H4.J Consider Surplus City-Owned Land for Housing	Identify opportunities for housing as they arise	Consider as part of the City's General Plan Update (2014-2017)	Consider in 2017
H4.K Work with the Fire District	Undertake local amendments to the State Fire Code and approve City Council Resolution ratifying the Fire District's local amendments	2014 (in progress)	Review in erly 2017
H4.L Coordinate with School Districts to Link Housing with School District Planning Activities	Coordinate and consider school districts long-range planning, resources and capacity in planning for housing	Ongoing with Housing Element program implementation. Consider as part of the City's General Plan Update (2014-2017)	Coordinated with Districts as part of the General Plan Update process. Zoned property owned by Sequoia Union High School District to PF (Public Facilities) in recognition of its use as a future school site in the Bayfront Area.

Program Description	Housing Programs Progress Report		
Name of Program	**Objective**	**Timeframe in H.E.**	**Status of Program Implementation**
H4.M Review the Subdivision Ordinance	Modify the Subdivision Ordinance as needed	Consider as part of the City's General Plan Update (2014-2017)	Consider in 2017
H4.N Create Opportunities for Mixed Use Development	Conduct study and establish regulations to allow housing in commercial zones	Consider as part of the City's General Plan Update (2014-2017)	Completed update of C-2-B zoning district to allow mixed residential/commercial developments as part of the General Plan and M-2 Area Zoning Update in 2016.
H4.O Review Transportation Impact Analysis Guidelines	Modify Transportation Impact Analysis (TIA) guidelines	Consider as part of the City's General Plan Update (2014-2017)	Future Program
H4.P Update Parking Stall and Driveway Design Guidelines	Modify Parking Stall and Driveway Design Guidelines	2014	Consider in 2017
H4.Q Achieve Long-Term Viability of Affordable Housing	Establish project management and other ongoing project coordination needs	As developments are proposed and ongoing thereafter	Ongoing
H4.R Modify Overnight Parking Requirements to include the R-4-S Zoning District	Modify Section 11.24.050 [Night Parking Prohibited] of the Municipal Code as needed	2014	Completed in 2015.
H4.S Explore Creation of a Transportation Management Association	Explore creation of a Transportation Management Association	Consider as part of the City's General Plan Update (2014-2017)	Consider in 2017
H4.T Explore Pedestrian and Bicycle Improvements	Coordinate with Redwood City on potential pedestrian and bicycle improvements	Consider as part of the City's General Plan Update (2014-2017)	Consider in 2017

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STAFF REPORT

City Council
Meeting Date: **1/24/2017**
Staff Report Number: **17-022-CC**

Informational Item: **Informational update on potential for the City of Menlo Park to join Commute.org**

Recommendation

This is an informational item and does not require Council action.

Policy Issues

This Project is consistent with General Plan Circulation Element Implementation Program CIRC-6.D: Consider joining Commute.org. This project is not currently on the Council's Work Plan.

Background

In 2000, 18 member agencies (17 cities and San Mateo County) formed a joint powers agency (JPA) to form the Peninsula Traffic Congestion Relief Alliance ("Alliance") as San Mateo County's Transportation Demand Management agency. The only cities in San Mateo County that are not members are Menlo Park, Portola Valley, and Woodside. The Alliance was subsequently renamed as Commute.org, but the agency serves the same purpose as the Alliance. Transportation Demand Management (TDM) is a set of strategies, policies and programs that work to reduce the demand for motor vehicle travel. Commute.org's programs generally include commuter support services, incentive programs, first- and last-mile commuter shuttles, developing partnerships with public agencies and private groups.

Commute.org is governed by a Board of Directors, including an elected official from each of the 18 member agencies. The Board has five scheduled public meetings each year. Two committees comprised of member-agency staff advise the Board, including Supervisory Committee and the Finance Committee. The Supervisory Committee meets monthly and the Finance Committee meets five times per year.

The City of Menlo Park has a Transportation Demand Management program led by staff, which was established in the early 1990s. At the time the Commute.org JPA was formed in 2000, the City opted not to join. City staff currently works with Commute.org to share information on programs and best practices and to plan and organize regional events (such as Bike to Work Day). As the General Plan Circulation Element was prepared, discussion was raised regarding Menlo Park's desire to become a member of the JPA and implementation program CIRC-6.D was identified for future consideration. Staff was requested to bring this report forward in advance of the Council's development of the 2017 Goals and Work Plan for consideration.

Analysis

Staff researched whether joining Commute.org could result in one-time or ongoing impacts to City resources, including funding, staff time, and potential program changes. Each of these topic areas are detailed below.

Funding
Commute.org receives funding from the City/County Association of Governments of San Mateo County (C/CAG), the San Mateo County Transportation Authority (TA), the Bay Area Air Quality Management District (BAAQMD) and the Metropolitan Transportation Commission (MTC). Additionally, Commute.org works with employers in the county to provide a portion of the funding for the shuttle program. Staff has confirmed with staff at C/CAG and Commute.org that membership with Commute.org would not have a direct financial cost or result in any funds the City currently receives being diverted to Commute.org.

Staff Time
As described above, two staff-appointed advisory committees support the Board of Directors. While participation by each member agency in the advisory committees is not required, Board members may nominate staff to serve on each board. If the City were to join Commute.org and request staff participate in the advisory committees, this would represent a new effort under the City's TDM Program that could take time away from other efforts. It is estimated that a committee assignment could require up to approximately 8 hours of staff time per month.

Potential Program Implications
The primary potential area of overlap for City and Commute.org programs is the shuttle program. Currently, the City manages four shuttle routes: two commuter routes on Marsh Road and Willow Road, one Mid-day community shuttle route, and one door-to-door service that runs three days per week ("Shoppers Shuttle"). These shuttles are contracted through the Peninsula Joint Powers Board (JPB), or Caltrain. Commute.org's shuttles operating in other areas of San Mateo County are also contracted through the JPB; as a funding partner, all shuttles in the County, including Menlo Park's, are branded with the Commute.org logo. In preliminary discussions with Commute.org staff, the City would maintain the management of the Mid-day and Shoppers shuttles. Commute.org would be interested in the potential to transition the commuter routes to Commute.org for management, which would require the City to release control of the routes, schedules and local issues on a day-to-day basis. Additionally, the City would no longer have direct control over the future provision of these services if funds were limited or not available in future cycles. The City's current program is funded through fiscal year 2017-18. Transitioning management of the commuter routes would reduce staff demands needed to manage this program, freeing time for other efforts such as establishing a Transportation Management Association or other related programs. The shuttle program implications would need further research by staff and discussion and direction by the Council if it is desired to consider joining Commute.org in 2017.

Other programs, such as employer outreach and support, have minimal overlap, or the City's membership in Commute.org would likely be enhanced the ability to coordinate on incentive programs.

If the Council would like to consider this further it would be appropriate to prioritize this work effort as part of the 2017 Goals and Work Plan process.

Attachments
None

Report prepared by:
Nicole H. Nagaya, Assistant Public Works Director