# **Planning Commission**



### **REGULAR MEETING AGENDA**

Date:6/24/2019Time:7:00 p.m.City Council Chambers701 Laurel St., Menlo Park, CA 94025

- A. Call To Order
- B. Roll Call

### C. Reports and Announcements

Under "Reports and Announcements," staff and Commission members may communicate general information of interest regarding matters within the jurisdiction of the Commission. No Commission discussion or action can occur on any of the presented items.

### D. Public Comment

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

### E. Consent Calendar

E1. Approval of minutes from the June 3, 2019, Planning Commission meeting. (Attachment)

### F. Regular Business

F1. New Real Property Conflict of Interest Regulation. (Attachment)

### G. Public Hearing

G1. Architectural Control, Variance, Sign Review and Below Market Rate (BMR) In-Lieu Fee Agreement/Sagar Patel/1704 EI Camino Real: Request for architectural control approval to demolish an existing hotel and construct a new 70room hotel consisting of three stories with below grade parking in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The project would incorporate an eight-foot tall fence along the majority of the site perimeter. The project includes a variance request to permit reduced floor-to-floor height on the first floor. In addition, the applicant is requesting sign review, including review of a shared monument sign located on 1706 El Camino Real, and approval of a Below Market Rate (BMR) In-Lieu Fee Agreement. The proposal also includes a request for a Public Benefit Bonus, with the benefit consisting of Transient Occupancy Tax (TOT) revenue. As part of the proposed project, five heritage trees are proposed for removal and 20 heritage tree replacements would be planted, in addition to six replacement trees that have already been planted, to provide a two-to-one replacement ratio for the five heritage trees proposed for removal and the eight heritage trees previously removed. (Staff Report #19-046-PC)

### G2 and H1 are associated items with a single staff report

G2. Environmental Impact Report (EIR) Scoping Session/SP Menlo LLC/111 Independence Drive: Request for a use permit, architectural control, environmental review and density bonus to redevelop the site with approximately 105 multi-family dwelling units and an approximately 712 square foot potential commercial space in one building with an above grade multi-story parking garage integrated into the proposed eight-story building, located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The project site currently contains an approximately 15,000 square foot single-story office building that would be demolished. The proposed residential building would contain approximately 95,056 square feet of gross floor area. The proposal includes a request for a use permit to modify certain R-MU design standards and a request for an increase in height, density, and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The proposal also includes a request to use the City's Below Market Rate (BMR) density bonus, including an increase in units, FAR, and height, in exchange for BMR units. (Staff Report #19-047-PC)

### H. Study Session

- H1. Study Session/SP Menlo LLC/111 Independence Drive:
  - Request for a use permit, architectural control, environmental review and density bonus to redevelop the site with approximately 105 multi-family dwelling units and an approximately 712 square foot potential commercial space in one building with an above grade multi-story parking garage integrated into the proposed eight-story building, located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The project site currently contains an approximately 15,000 square foot single-story office building that would be demolished. The proposed residential building would contain approximately 95,056 square feet of gross floor area. The proposal includes a request for a use permit to modify certain R-MU design standards and a request for an increase in height, density, and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The proposal also includes a request to use the City's Below Market Rate (BMR) density bonus, including an increase in units, FAR, and height, in exchange for BMR units. (Staff Report #19-047-PC)

# H2. Study Session/Andrew Morcos/110 Constitution Drive, 104 Constitution Drive, and 115 Independence Drive:

Request for a study session review for a future application for use permit, architectural control, environmental review, lot line adjustment, and lot merger to redevelop three sites with approximately 320 multi-family dwelling units, 33,100 square feet of office and 1,608 square feet of neighborhood benefit space split between two buildings with above grade two-story parking garages integrated into the proposed seven-story residential building and three-story commercial building, located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The project sites currently contain three single-story office buildings that would be demolished. The proposed residential building would contain approximately 311,341 square feet of gross floor area with a floor area ratio of 223 percent. The proposed commercial building would contain approximately 34,708 square feet of gross floor area with a floor area ratio of 25 percent. The proposal includes

a request for an increase in height, density, and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. (Staff Report #19-048-PC)

#### I. Informational Items

- 11. Future Planning Commission Meeting Schedule The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.
  - Regular Meeting: July 15, 2019
  - Regular Meeting: July 29, 2019
  - Regular Meeting: August 12, 2019

#### J. Adjournment

At every Regular Meeting of the Commission, in addition to the Public Comment period where the public shall have the right to address the Commission 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 Commission's consideration of the item.

At every Special Meeting of the Commission, 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 consideration of the item.

For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

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

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

Persons with disabilities, who require auxiliary aids or services in attending or participating in Commission meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 06/19/2019

# **Planning Commission**



**REGULAR MEETING MINUTES – DRAFT** 

Date: 6/3/2019 Time: 7:00 p.m. City Council Chambers 701 Laurel St., Menlo Park, CA 94025

### A. Call To Order

Chair Andrew Barnes called the meeting to order at 7:02 p.m.

### B. Roll Call

Present: Andrew Barnes (Chair), Chris DeCardy, Michael Doran, Katherine Strehl

Absent: Camille Kennedy, Henry Riggs (Vice Chair), Michele Tate

Staff: Fahteen Khan, Contract Assistant Planner; Ori Paz, Assistant Planner; Kyle Perata, Principal Planner; Tom Smith, Senior Planner

### C. Reports and Announcements

Principal Planner Kyle Perata said the City Council at its June 4, 2019 meeting would consider the proposed budget and the Capital Improvement Program for Fiscal Year 2019-2020.

### D. Public Comment

There was none.

### E. Consent Calendar

E1. Approval of minutes from the May 20, 2019, Planning Commission meeting. (Attachment)

Commissioner Chris DeCardy noted on pages 21 and 22 references to "shock clock," which should be referenced as "shot clock." Planner Perata said he would confirm all instances and do a global edit.

**ACTION:** Motion and second (Michael Doran/DeCardy) to approve the minutes from the May 20, 2019 Planning Commission meeting with the following modifications; passes 3-0 with Commissioner Katherine Strehl abstaining and Commissioners Camille Kennedy, Henry Riggs, and Michele Tate absent.

• Pages 18 through 22, replace "shock clock" with "shot clock" globally.

### F. Public Hearing

F1. Use Permit/Chris Dolan/119 Baywood Avenue: Request for a use permit to demolish an existing

single-family residence and a detached garage and construct a new two-story single-family residence with an attached front-loading one-car garage and adjacent uncovered space on a substandard lot with respect to lot area and width in the R-1-U (Single-Family Urban Residential) zoning district. Two heritage-size tree of heaven trees are proposed for removal. *Continued by the Planning Commission at the May 6, 2019 meeting*. (Staff Report #19-042-PC)

Staff Comment: Assistant Planner Ori Paz said staff received additional correspondence after the publication of the staff report, which had been forwarded to the Commission by email earlier in the day and were available for the public on the table in the back of the Council Chambers.

Applicant Presentation: Chris Dolan, project sponsor, said new modifications to the proposed project included an increase to the first floor porch parapet, creation of an architectural wing wall, addition of green wall on the garage, addition of an awning over the first floor patio door, modification of the landscape plan with the addition of a front yard courtyard, recess of the garage door further into the structure, changing the glass garage door to solid wood, and stepping the garage back some. He provided a visual timeline of the neighbor outreach they had done.

Chair Barnes opened the public hearing and closed it as there were no speakers.

Commission Comment: Commissioner Doran said the project was much improved since the Commission last saw it. He said he particularly liked that the garage was pushed back from the street.

Commissioner Strehl said the project was supportable and that she appreciated the work done to improve the project.

Commissioner DeCardy said he appreciated the work done on the project since the Commission last saw it.

Chair Barnes said the project was well done and supportable. He asked about the fence and its potential impact for visibility of the neighbor's driveway. Planner Paz said that the fence actually dropped in height noting fences in front setbacks were limited to four feet in height.

Chair Barnes said the design improvements were arduous but made the project much better for the neighborhood. He said for the record that there was no bias for the proposed modern architecture. He said it was more the siting of the garage and the layout as well as choices about what type of construction that were problematic. He moved to approve; Commissioner Strehl seconded the motion.

**ACTION:** Motion and second (Barnes/Strehl) to approve the project as recommended in Attachment A to the staff report; passes 4-0 with Commissioners Kennedy, Riggs, and Tate absent.

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

- 2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
- 3. Approve the use permit subject to the following *standard* conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Connect-homes, consisting of 14 plan sheets, dated received May 29, 2019 and approved by the Planning Commission on June 3, 2019, subject to review and approval by the Planning Division.
  - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
  - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
  - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
  - g. Heritage and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Kielty Arborist Services, LLC. on June 21, 2018. Revised April 24, 2019.
- 4. Approve the use permit subject to the following *project specific* conditions:
  - a. Prior to building permit issuance, the applicants shall provide an updated site plan and landscape plan identifying the species of the two proposed street trees at the front, subject to review and approval of the City Arborist.

F2. Use Permit/Flury Bryant Design Group/958 Hobart Street:

Request for a use permit for excavation within the required right side setback for a basement light well and rear setback for a mechanical automobile turntable, in association with a new one-story residence with a basement in the R-1-S (Single Family Suburban Residential) district. (Staff Report #19-043-PC)

Staff Comment: Contract Assistant Planner Fahteen Khan said staff had no additions to the written report.

Commissioner Strehl confirmed that the project was a residential home noting that its square footage was small.

Chair Barnes opened the public hearing and closed it as there were no speakers.

Commission Comment: Commissioner Strehl asked how many vehicles would be stored in the garage. Mr. Flury said the homeowner would store three vehicles.

**ACTION:** Motion and second (DeCardy/Doran) to approve the project as recommended in Attachment A to the staff report; passes 3-0 with Commissioner Strehl abstaining and Commissioners Kennedy, Riggs, and Tate absent.

- 1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
- 2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
- 3. Approve the use permit subject to the following *standard* conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Flury Bryant Design Group, Inc., consisting of 13 plan sheets, dated received May 22, 2019, subject to review and approval by the Planning Division.
  - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
- g. Heritage and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report by Wayne Tree Expert Company, Inc., dated February 12, 2019.
- F3. Use Permit/Sally and Barry Karlin/308 Arbor Road:

Request for a use permit to demolish an existing one-story residence and detached garage, and construct a new two-story residence with an attached garage and a basement on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district. One heritage sized Siberian elm tree is proposed to be removed as part of the project. (Staff Report #19-044-PC)

Staff Comment: Planning Technician Chris Turner said staff had no updates to the written report.

Questions of Staff: Replying to Commissioner DeCardy, Mr. Turner said the applicant would be responsible for the removal and replacement of the three trees in the public right of way. Commissioner DeCardy confirmed with Mr. Turner that the City Arborist would be the approving entity for the replacement tree type and planting location.

Applicant Presentation: Barry Karlin, project applicant, said he and his wife wanted to build a beautiful home in the Allied Arts area, noting they had previously lived there. He said their goal was to have a style and design that fit the area. He said they reached out to all of the neighbors and most were supportive.

Commissioner DeCardy noted the removal of a heritage elm tree to accommodate the light well and asked if they had looked at a design that would have preserved the heritage tree. Mr. Karlin said the tree in question was in very bad shape and the City Arborist recommended its removal. He said they would replace with a heritage tree near where the existing tree was. He said that also met that side neighbor's desire for a shade tree over their property.

Chair Barnes opened the public hearing and closed it as there were no speakers.

Commission Comment: Commissioner Strehl said the project seemed to maximize to the allowable

development on the property. She said she was concerned that the second story was not setback from the five-foot setback. She said the project seemed boxy and massive.

Recognized by the Chair, Jim Malikski, project architect, said the lot was very narrow with a buildable area of 40 feet. He noted that bedrooms 1 and 2 were setback and the second floor was designed so it did not line up with the first floor. He said it was sounder structurally to have the first and second floor walls line up or at least parts of it. He said they tried to solve the massing toward the front, so the home was not as big there. Commissioner Strehl said that the second story was stepped back for bedrooms 1 and 2 but that the house still looked big. Mr. Malikski said they lowered the plate height on the second floor from eight to seven feet and had dormer windows for interest on the side.

Chair Barnes noted the neighborhood outreach and response. He said he had no reason to disapprove the project. He moved to approve; Commissioner Doran seconded the motion.

**ACTION:** Motion and second (Barnes/Doran) to approve the project as recommended in Attachment A to the staff report; passes 3-1 with Commissioner Strehl opposing and Commissioners Kennedy, Riggs, and Tate absent.

- 1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
- 2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
- 3. Approve the use permit subject to the following *standard* conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by J Maliksi & Associates Architecture, consisting of 17 plan sheets, dated received May 13, 2019, and approved by the Planning Commission on June 3, 2019, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Mayne Tree Expert Company, Inc., dated January 21, 2019.

F4 and G1 are associated items with a single staff report

F4. Environmental Impact Report (EIR) Scoping Session/Rich Truempler/162-164 Jefferson Drive: Request for a conditional development permit amendment, architectural control, below market rate housing agreement, and environmental review to construct a new four-story office building, approximately 249,500 square feet in size, and a new four-story parking structure. The new office building and parking structure would be constructed on a parcel with two existing four-story office buildings, each of which is approximately 130,000 square feet in size. The property is located in the O-B (Office, Bonus) zoning district. The total existing and proposed office development on the parcel would be approximately 510,000 square feet of gross floor area with a total proposed floor area ratio (FAR) of 88 percent for the project site. The proposal includes a request for an increase in height and FAR under the bonus level development provisions in exchange for community amenities. (Staff Report #19-045-PC)

### Transcript prepared for item F4.

### G. Study Session

G1. Study Session/Rich Truempler/162-164 Jefferson Drive:

Request for a conditional development permit amendment, architectural control, below market rate housing agreement, and environmental review to construct a new four-story office building, approximately 249,500 square feet in size, and a new four-story parking structure. The new office building and parking structure would be constructed on a parcel with two existing four-story office buildings, each of which is approximately 130,000 square feet in size. The property is located in the O-B (Office, Bonus) zoning district. The total existing and proposed office development on the parcel would be approximately 510,000 square feet of gross floor area with a total proposed floor area ratio (FAR) of 88 percent for the project site. The proposal includes a request for an increase in height and FAR under the bonus level development provisions in exchange for community

amenities. (Staff Report #19-045-PC)

Staff Comment: Planner Smith said staff had two questions with one about the parking ratios and whether the Commission found either parking ratio alternative acceptable. He said regarding the bird-friendly guidelines waiver request the Commission was asked to weigh in on whether additional information or further clarification was needed to act upon that request when the project entitlements came forward.

Chair Barnes opened the public comment period and closed it as there were no speakers.

Commission Comment: Commissioner Strehl asked how many employees were anticipated in the new building. Mr. Truempler said it was one employee per 125 square feet. Planner Smith said he recalled the estimated employee count was in the Initial Study. Commissioner Strehl confirmed housing mitigations would come later after studies were done. She said the biggest concern was the infrastructure and the transportation infrastructure in particular that supported development in the ConnectMenlo area. She said with adding more employees and not sufficient housing that traffic became much more of a bottleneck. She said that not only impacted the residents of Belle Haven and East Palo Alto but other parts of Menlo Park significantly. She said she hoped the City could move forward with a more significant infrastructure plan to help alleviate the traffic and make investments that would help. Planner Smith said the employee count was one employee per 125 square feet, which equated to just under 2,000 employees.

Commissioner DeCardy said it would be helpful to know what the project would look like without the need for the bird-friendly guidelines waiver and the impacts to the applicant in terms of cost, design or some other area that made following those problematic. Mr. Truempler said it was cost and also the pleasantness of the employee spaces. He said typically ceramic gridding was done for bird-friendly glazing. He said if it was not required, they would like to avoid it, but they understood the need to study it. He said they asked for a waiver because according to the bird safe design guidelines their project was not near the area where birds would be affected.

Commissioner Strehl said she appreciated that the applicant had downsized the garage although it and the building were still significant in size. She said she supported a 2.5 parking space per 1,000 square feet ratio as opposed to the 3.0 space per 1,000 square feet as she thought that everything would be needed to eliminate vehicle trips in addition to infrastructure improvements.

Commissioner DeCardy asked about the parking space reduction and if they had looked at it in terms of mitigating the entire set of additional trips or parking through other shifts in the current TDM plan. Mr. Truempler said the EiR would study these things more specifically. He said as a developer they preferred the higher parking ratio and part of that related to the occupancy of the building. He said they would have to have a significant TDM plan just for the building to live at 3.0 parking spaces per 1,000 square feet with the anticipated employee count. He said they wanted their development to have an appropriate amount of parking and for cost benefit analysis they would prefer the 3.0 parking spaces per 1,000 square feet.

Chair Barnes said the current project proposal was well-conceptualized for the parcel in the size and locating of the building as well as the scale, massing and screening perspective of the parking garage. He said the proposed building would be homogenous with the existing two buildings that were also well designed. He said the 2.5 parking ratio per 1,000 square feet was better for the community in terms of reducing car trips. He said based on the anticipated employee count that a robust TDM program would be needed at that parking ratio. He said he did not like below ground parking in the Bayfront area and thought eliminating it and using the 2.5 parking ratio was the best idea.

Chair Barnes asked staff to explain the bird safety guidelines. Planner Smith said for this relatively new office zoning district there were bird-friendly guidelines for development. He said the guidelines had an exemption request that would allow for a waiver from those standards. He said as part of the Initial Study a biologist did a study of the proposed design of the building and determined the building would follow the majority of the guidelines except for not having more than 10% non-bird-friendly glass on the building. He said he thought the applicant's intent was to design the building in a way that was completely compatible with the other two buildings on the site that were constructed prior to these bird-friendly standards being in place. He said the first request by the applicant was to exceed the 10% non-bird-friendly glazing. He said the second request was regarding building corners as well as railings. He said the proposed building had balconies and the corners were transparent glass. He said the railings would have the fritting pattern that made it easier for birds to distinguish the glass. He said that was one of the things the biologist had mentioned would help birds to be able to distinguish the railings, but the corners of the building would be glass. He said the biologist indicated the vegetation on the site was low guality and not likely an area where large numbers of birds would be nesting, so it seemed the incidence of bird strikes would be relatively low for this building.

Chair Barnes asked if staff had a position on the waiver. Planner Smith noted that he was not qualified as a biologist. He said a professional biologist performed the study as part of ICF's review for the Initial Study. He said they peer reviewed the study and felt comfortable with it as well. He said staff would rely on the two professionals' opinions and concur with it unless the Commission had a different opinion or requested more information.

Chair Barnes said the project was the right one for ConnectMenlo. He said whether ConnectMenlo was right for Menlo Park was a different discussion that was being taken up by the City Council. He said he was inclined to go with the biologists' opinions regarding the bird-friendly guidelines waiver request.

Chair Barnes closed the study session hearing.

### H. Informational Items

- H1. Future Planning Commission Meeting Schedule
  - Regular Meeting: June 24, 2019

Principal Planner Perata said for the June 24 meeting, it appeared the 1704 El Camino Real hotel project would come back for the Commission for review as well as a study session and EIR scoping session for 111 Independence Drive, and a study session for the neighboring 115 Independence Drive project.

Replying to Commissioner Strehl, Planner Perata said the 201 El Camino Real project would tentatively be planned for one of the July meetings.

• Regular Meeting: July 15, 2019

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• Regular Meeting: July 29, 2019

### I. Adjournment

Chair Barnes adjourned the meeting at 8:52 p.m.

Staff Liaison: Kyle Perata, Principal Planner

Recording Secretary: Brenda Bennett

Page 1 CITY OF MENLO PARK PLANNING COMMISSION In re ) 162-164 JEFFERSON DRIVE ) ) ENVIRONMENTAL IMPACT REPORT SCOPING SESSION REPORTER'S TRANSCRIPT OF PROCEEDINGS MONDAY, JUNE 3, 2019 MENLO PARK CITY COUNCIL CHAMBERS Reported by: MARK I. BRICKMAN, CSR, RPR License No. 5527

Page 2 1 ATTENDEES 2 THE PLANNING COMMISSION: 3 Andrew Barnes - Chairperson Henry Riggs - Vice Chairperson (Absent) Katherine Strehl 4 Camille Kennedy (Absent) 5 Chris Decardy Michele Tate (Absent) Michael C. Doran 6 7 THE CITY STAFF: 8 Kyle Perata - Principal Planner Thomas Smith - Senior Planner 9 SUPPORT CONSULTANT: 10 Kirsten Chapman, Project Manager, ICF Consultants 11 PROJECT PRESENTERS: 12 Richard Truempler 13 Evan Sockalosky Nick Samuelson 14 15 ---000---16 17 BE IT REMEMBERED that, pursuant to Notice 18 of the Meeting, and on June 3, 2019, 7:37 PM at the Menlo 19 Park City Council Chambers, 701 Laurel Street, Menlo 20 Park, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a Planning 21 22 Commission meeting under the provisions of the City of 23 Menlo Park. 24 -----25

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Page 4 JUNE 3, 2019 1 7:37 PM 2 PROCEEDINGS ---000---3 CHAIRPERSON BARNES: We're progressing to F4. 4 Let me check in with staff. We're going to take F4 or 5 6 how should we start this? Hello, Tom. 7 MR. SMITH: Hi. CHAIRPERSON BARNES: Mr. Smith. 8 9 MR. SMITH: I'm here to give a brief recommendation here on in that the staff has on the 10 11 proceedings for public hearing, and I'll turn it over to 12 the applicant for presentation as well as our consultant 13 ICF. CHAIRPERSON BARNES: And I would introduce it 14 15 as public hearing agenda item F4. We'll take it from 16 there. 17 Great. So F4. This is Environmental Impact Report (EIR) Scoping Session for 162 to 164 Jefferson 18 19 Drive. 20 It's a request for a Conditional Development Permit Amendment, Architectural Control, Below Market 21 22 Rate Housing Agreement, and Environmental Review to 23 construct a new four-story office building, approximately 24 249,500 square feet in size, and a new four-story parking 25 structure.

Page 5 The new office building and parking structure 1 will be constructed on a parcel with two existing 2 four-story office buildings, each of which is 3 approximately 130,000 square feet in size. 4 The property is located in the O-B (Office, 5 Bonus) zoning district. The total existing and proposed 6 office development on the parcel would be approximately 7 510,000 square feet of gross floor area with a total 8 9 proposed Floor Area Ratio (FAR) of 88 percent for the project site. 10 11 The proposal includes a request for an increase 12 in height and FAR under the bonus level development 13 provisions in exchange for community amenities. Good evening. Mr. Smith. 14 15 MR. SMITH: Good evening, Planning Commissioners. 16 17 So this evening we have two hearings, and the first one is an Environmental Impact Report Scoping 18 19 Session, and that's at an opportunity for the public and 20 Commissioners to comment on the EIR topics that will be studied as part of the project going forward. 21 22 Second is a Study Session which gives public and Commission the opportunity to provide feedback on the 23 project plans, design, and two previous study sessions 24 were held for this project in 2018. 25

So there are just a couple of questions that 1 staff has about updates since the last time, but feel 2 free to comment on any aspect of the project if you have 3 questions as you like. 4 There are no actions scheduled for this 5 evening. Project entitlements will happen after the EIR 6 7 has been completed and then further developed for the 8 project. 9 So a recommended meeting format is laid out for you at the beginning of the staff report. I'll just run 10 11 through that quickly. 12 So first I would recommend that you hold the 13 EIR Scoping Session. First we'd have a presentation by the applicant to give the project's overview, followed by 14 15 a present organizes ICF, our EIR consultant who will be 16 working on this EIR for the project. 17 Following that, any Commissioner questions to 18 clarify, public comments and then returning back for a 19 Commissioner comments. 20 Finally close -- closing the Scoping Session Public Hearing and then opening the Study Session with 21 22 Commissioner questions, followed by public comments and 23 then Commissioner comments. 24 That's the recommended format. If -- if you 25 have any questions for staff at this time, I'm happy to

Page 7 answer them. Otherwise, I will turn it over to project 1 2 applicant to present. CHAIRPERSON BARNES: Great. Let the record 3 show that I'm in agreement with that progression agenda. 4 So would the applicant -- I'm sorry. Any 5 clarifying questions to staff with regards to how we're 6 7 going to walk through this? The EIR piece, the EIR scoping piece and then there's the Study Session. We'll 8 9 take them one after the other. Seeing no questions, good evening. Please step 10 11 forward. 12 MR. TRUEMPLER: Thank you. 13 Is there a clicker? How does that work? MR. SMITH: There's a clicker here. 14 15 MR. TRUEMPLER: All right. I'm happy to do the -- good evening, Planning Commissioners. First and 16 17 foremost, thank you for your time this evening. I'm 18 happy to be before you again. 19 I'm Richard Truempler, vice-president of the 20 Sobrato Organization, and also, I brought a principal architect, a landscape architect and the ecologist in an 21 22 effort to answer any questions that you may have. 23 I've prepared a short series of slides to take 24 you through the evolution of this project, when we 25 purchased the property, from where we first conceived it

Page 8 to where we've taken it today from input from Planning 1 Commission, and let's see if I can bring it up. 2 No. That's not working. Sorry about that. 3 So the first slide that we'll see of the M-2 or 4 what was formerly referred to as the M-2 area, and I 5 think as everyone is aware of, the site -- subject site 6 has two office buildings that are on it right now, each 7 about 130,000 square feet. 8 9 We developed the site in about 2014, and that was at a .5 FAR. And so when the Connect Menlo process 10 11 started and engaged with the City and we asked 12 specifically for that to apply to our site, as well, 13 because we got more development capacity and we felt it would be a good candidate, as well, just because it's an 14 15 infill site, and so we thought it would bring some balance to the development landscape and also bring 16 17 community benefits. 18 Can we go to the next slide? 19 So the next step I think as Tom talked about --20 and this is important just to try to clarify for everyone -- that this is the continuation of the 21 22 development process, and it isn't a hearing about 23 approval, but our next step here is to kickoff the 24 project EIR and then move on to the appraisal to establish what kind of money is available from community 25

Page 9 benefits, and then we'll be doing community outreach 1 about both the EIR and to the appropriate community 2 benefit package. 3 And then it will culminate in a series of 4 5 public hearings. So from where we started, we have reduced the 6 7 project scope after meeting with staff and the Planning 8 Commissioners. 9 We eliminated two floors from the office. We reduced the office square footage by 70,000 square feet 10 11 and then we also took a floor off the parking garage. Next slide. 12 13 So what that did is that enhanced our open area. It provided a neat opportunity by allowing us to 14 15 add a community park, and through some outreach, we also learned of our neighbor, which is the TIDE Academy, that 16 17 they needed to have community facilities or outdoor facilities to conduct state required PE classes and also 18 19 they had a parking issue, because parking was removed 20 from the street. They needed some additional parking for 21 their staff. 22 And so we've been working with them to make that work, and later on to landscape a park and we'll 23 talk about some other engagement and how we designed the 24 25 park to benefit the community need, but also the TIDE

1 Academy.

2 And then also important we improved the
3 architecture. So there's a couple of things that we've
4 done with that.

5 Number one, we reduced it by one floor. The 6 other is that we've added some articulation and we've 7 also helped come up with an architecture that we think 8 frames Kelly Park, and the architect will show you that, 9 and we hope to have some more input on -- there's a 10 screen there with some lighting, that what can be. We 11 want to work with the community and staff on it.

So here we won't dwell too much on this, but this is what our original concept was, which is to add two buildings, maximum FAR, and we brought this to 1.0 FAR, which was just over 300,000 square feet, and the comment was we really needed to have more publicly accessible open space.

And so what we ended up doing was we took the building that was along Jefferson and we consolidated it to a third building, and we increased that building by two stories. But since that time, we've reduced that, and now I want to talk about the current proposal.

And so before I do that, this is probably a good time actually for Evan, if you could get up and

Page 11 start talking about the proposal. 1 MR. SOCKALOSKY: Commissioners, Evan 2 Sockalosky, the architect. Thank you for your time. 3 As Rich mentioned, we've evolved from the two 4 buildings to a single building, and we've listened to our 5 comments, and we've progressed to our current proposal, 6 7 which is a four-story building. CHAIRPERSON BARNES: Can you move the 8 9 microphone closer? 10 MR. SOCKALOSKY: Which is a four-story 11 building at 249,500 square feet. We also added the 12 community park along Jefferson, which you can see, which 13 is the opening into our site. And with that, we were focused on connections 14 15 as are required, and so we have a sale connection that draws you into the site and we have kind of two arrival 16 17 points: One is the community park along Jefferson and we 18 also have some open space along the end of the garage. 19 We located that to give our project a stand-20 alone site that you can loop all the way around as a walkway as well as potential future connections to an 21 22 alternate transportation corridor along Menlo Park has 23 been envisioned. 24 And so we have points that you can connect to 25 and throughout our site and across Menlo Park.

1	As Rich mentioned, the community park is	
2	utilized by the high school, the parking. The 23 spaces	
3	that we've included are not part of our parking ratio,	
4	out rather dedicated to the high school during school	
5	hours and for community use during off hours.	
6	The evolution of the site also you can see in	
7	the architecture, our initial program with the six-story	
8	building, you can see the background as well as the	
9	taller garage, which is a pretty strong feature.	
10	Thanks to input, we reduced the density of the	
11	project, and you can see the building in the background	
12	is reduced, the height of the garage is reduced. Also	
13	stepped the architecture.	
14	You can see the concept we have now, which is a	
15	nice decorative screen that faces Kelly Park.	
16	Right now we're showing oak trees that kind of	
17	references Menlo Park, but we're open to input on that,	
18	creatively screening that garage and putting a nice front	
19	on Kelly Park.	
20	As far as the entry to the site, we felt the	
21	open space was important. It's also welcoming as you	
22	approach our site, so you can see the community park and	
23	the high school parking that we've included as you	
24	approach Jefferson, and you can see the four-story	
25	building in the background.	

As you approach, it was important to fully 1 2 develop this site. Our third building -- and this is a three-building campus, and this building finishes that 3 4 development. The architecture is complementary what is 5 there, so it fits within the concept itself and as well 6 7 as scale, by reducing the two stories that we did. It really ties it all together. 8 9 And the last thing that Rich mentioned. Right now we're showing occupancy as 2.5 per thousand, which is 10 11 a discussion point in our last Study Session. The other is a 3.0 per thousand. 12 13 We're asking to study both. The 3.0 is valid for our site, and generally speaking, increasing the 3.0, 14 15 we wouldn't increase the garage as Rich mentioned. We'd simply be going below grade to add our parking. 16 17 So from the exterior it would look the same. 18 We think that's important, that we don't increase the 19 scale of the garage. And next we'll have Nick do the landscape and 20 the park. 21 MR. SAMUELSON: Hi. I'm Nick Samuelson from 22 the Sobrato Partnership, the architect. So, you know, a 23 24 while ago we had a meeting with some members from the 25 school. I went over their goal, the needs they had for

this site and what we thought had been on here. So we talked about several programs and elements. One was to have a hard court surface, some grass area where they could do some type of games on it to outdoor classrooms, some storage and also the ability to have some kind of track.

7 So after that meeting, we came back and saw 8 what we could fit in there. We're showing a full size 9 basketball court and then the basketball court, so they 10 can set up half court games, too, for PE classes, and 11 there's some terrace seating areas and a paved area which 12 can be used for outdoor classrooms.

And the center of that paved area is potential for some restrooms and storage areas. They can store some of their supplies in there, and then they have the grass field, and we talked about the size of that.

We thought that was good for what they were going to be doing for their classes. And the active areas, we open up a fence to help keep balls from going into the street.

And also we were discussing circulation through the site with some important parts, too, so we're looking at it in connection over on the left side, the public sidewalk into the school and walkway.

25 We did have an iteration where there was a

Page 15 track that went around there, too. It was decided that 1 2 that conflicted with the sidewalk, so the goal was to use that as a track to run around the site. A walkway around 3 the entire site, too. 4 The plan is still in progress. We're 5 continuing discussing with them and on the site with. 6 MR. TRUEMPLER: So a few things. We can move 7 on to the next slide. 8 Being involved in the community over the last 9 several years, we are still studying the impact of 10 development. 11 This project will be one of the first projects 12 that will be permitted under those development 13 stipulations. The new development at the proposed level 14 will be assessing the community benefit. In additional 15 to addition impacts to the community as defined by the 16 EIR. 17 So this project would result in a public/ 18 private park which will be utilized by the immediate 19 school which provides State required PE classes, provide 20 parking for the school staff during school hours, provide 21 funding for affordable housing, help create traffic 22 23 improvements, and provide a community benefit to the Belle Haven, and enhance revenue to the City General 24 25 Fund.

Page 16 We understand the next steps will be the 1 2 commencement of the project EIR to help define what the impact of the mitigation project will be, commence bonus 3 value appraisal and then we'll be working with staff and 4 5 Belle Haven on an appropriate community benefits package. We appreciate your time this evening and we're 6 7 available to answer any questions that you may have. CHAIRPERSON BARNES: Thank you. 8 9 Any questions? Commissioner Doran. COMMISSIONER DORAN: I'd like to understand 10 11 the park ownership and use a little bit better. 12 Public/private park, you know, who owns it, who's 13 responsible for maintenance and will the school, you know, use be permitted, permit used by the school? 14 15 Please clarify those issues. 16 MR. TRUEMPLER: Sure. Not all of them are 17 worked out, but I can tell you what they're striving for and what the intent is. 18 19 And so the intent is a public park that we 20 would own and we would enter into a long-term agreement with the joint use of that park by the school. 21 22 Does that help? 23 COMMISSIONER DORAN: Yeah. Thank you. 24 CHAIRPERSON BARNES: Commissioner Strehl. 25 COMMISSIONER STREHL: Does that mean that

Page 17 you're responsible for the maintenance and --1 MR. TRUEMPLER: So I think that that's 2 something that we're going to be talking to the school 3 about a little bit. I think initially our thoughts is 4 that we find a way to prorate the maintenance of it so 5 that we would be responsible for the public maint --6 7 maintenance of it, but the specific school maintenance that they would be responsible for, be it a joint use 8 9 agreement, but we have to work the agreements out. 10 And it will be subject to City review, as well. 11 This is something that will be going on. 12 COMMISSIONER STREHL: And so I want to commend 13 you for working with the school, because when the school was there, they were informed that they couldn't park on 14 15 the street. 16 MR. TRUEMPLER: Mm-hmm. 17 COMMISSIONER STREHL: They had all kinds of restrictions on them. The fact that you stepped up to 18 19 provide parking during day hours of the school and the 20 park I think is really commendable. 21 So will the school be limited to the number of hours that they can use that parking area? 22 23 MR. TRUEMPLER: That -- so at least that's the 24 intent. The intent --25 COMMISSIONER STREHL: Okay.

Page 18 MR. TRUEMPLER: The idea is when school's out 1 2 when the park's not being used, the public can use the 3 park. COMMISSIONER STREHL: So it's a public park. 4 5 MR. TRUEMPLER: Yes. COMMISSIONER STREHL: Thank you. That's the 6 7 only questions I have. CHAIRPERSON BARNES: Great. Thank you. 8 9 Do I have any more questions? 10 So with that, we will progress to the EIR consultant. I'll hand it back to Mr. Smith. 11 MR. SMITH: So I will introduce Kirsten 12 13 Chapman from ICF who will be giving a brief presentation 14 about CEQA process and here's her presentation. 15 MS. CHAPMAN: Good evening, Commissioners and 16 members of the public. Thank you for coming tonight for 17 the Scoping Session for the Commonwealth Building 3 18 project. 19 My name is Kirsten Chapman and I work for the environmental consulting firm ICF. We will be preparing 20 the environmental review component of the project, and I 21 22 am project manager. 23 Should you have any questions after the 24 presentation, I will respond to them accordingly. 25 So my presentation will cover the scoping

1 process and the environmental review process. I will 2 also provide a very brief overview of the proposed project, but the applicant has already provided that, so 3 it will be quick, explain how the public comments on the 4 scope of the EIR and describe the next steps. 5 So our EIR team consists of the City of Menlo 6 Park as the lead agency, meaning that they have the 7 principal responsibility of carrying out the project. 8 ICF will be the lead EIR consultant, will --9 and will prepare all sections of the EIR with assistance 10 from Kittelson for the transportation component and Keyser 11 Marston & Associates for the housing needs assessment. 12 This is a very guick overview of the conditions 13 which will be considered the baseline in the EIR. The 14 Commonwealth Corporate Center, which is the project site, 15 includes the Commonwealth site and the Jefferson site. 16 The Commonwealth site includes two four-story 17 buildings which were constructed in 2015 and each 18 building is approximately 67 feet tall. 19 They are surrounded by certain parking 20 landscape accessories and paths and water features. 21 And the Jefferson site is currently occupied by 22 23 the surface parking lot with approximately 87 parking spots. 24 25 So the project sponsor will develop the

Page 20 Commonwealth site, replacing most of the existing surface 1 parking, and as shown in this diagram, the proposed 2 building 3 would be to the north of buildings 1 and 2. 3 The proposed building would have a maximum height 4 of 69 feet and then also construct the parking structure. 5 And then in addition to the building and the 6 parking structure, there will be on the Jefferson site a 7 community park that will be privately owned, but publicly 8 accessible, as we've just discussed. 9 The project site is within the Connect Menlo 10 Study Area. The Connect Menlo EIR was prepared as the 11 program EIR which applies to the EIR process for future 12 projects which incorporates by reference the analysis and 13 discussion of the program EIR. 14 By hearing from the Connect Menlo EIR, the 15 environmental analysis for the project relies on the 16 Connect Menlo EIR for the following: General background 17 insetting, overall growth-related issues, issues that 18 were evaluated in Connect Menlo for which there have been 19 no significant new information that will require further 20 analysis, assessment of cumulative impacts and mitigation 21 measures adopted and incorporated into the Connect Menlo 22 23 EIR. However, due to the 2017 City of East Palo Alto 24 25 versus City of Menlo Park Settlement Agreement, certain

topics are required to be fully analyzed in the project level EIR regardless of whether subsequent activities are found to be within the scope of the program EIR, and we'll discuss those in the next slide.

Just a quick overview of the CEQA process. This show -- this slide shows the general staff involved. As most of you know, the NOP was released along with the initial study, which we'll discuss next on May 24th. The NOP comment period ends on June 28th.

Following the scoping period, we will begin preparing the Focus Draft EIR. When the Draft EIR is released for public review, a public hearing will be held, similar to this one, to solicit comments on the adequacy of the EIR.

15 The Focus Final EIR will then be prepared to 16 address all the comments received during the Draft EIR 17 review period.

A hearing for the Final EIR will be held in front of the Planning Commission and City Council, and after the EIR is certified, that can then be approved, and following a project approval, a Notice of Determination will be issued. As I mentioned previously, an initial study was prepared to evaluate the potential environmental impacts

25 of the project and to determine what level of additional

Page 22 analysis is required. 1 The initial study was prepared to disclose the 2 relevant impacts and mitigation measures covered in the 3 Connect Menlo EIR. 4 The initial study also discussed whether the 5 project is within the parameters of the Connect Menlo 6 EIR. 7 Based on the checklist, the following projects 8 will be scoped out of the EIR and no longer -- they don't 9 need to be analyzed, and that's biological resources, 10 historic resources, geology and soils, hazards, land use, 11 mineral resources, public services and utilities, except 12 for water. 13 So due to the 2017 settlement agreement with 14 East Palo Alto and other potentially significant impacts 15 as a result of the project, the focused EIR will be 16 17 prepared. The EIR is a tool for identifying physical 18 impacts to the environment by using the analysis conducted 19 by our EIR team. 20 The EIR is also used to inform the public as 21 decision-makers about a project prior to project approval, 22 23 recommending ways to reduce impacts and to consider alternatives to lessen the environmental impact. 24 25 As shown here, air quality, cultural and tribal

Page 23 resources, greenhouse gas, noise, population and housing, 1 transportation, water supply will all be studied in the 2 focused EIR. 3 In addition, alternatives to the project will 4 be analyzed to reduce potentially identified impacts. 5 6 CEQA guidelines will also look at a no project 7 alternative, and that will be considered and will also comply with CEQA. 8 As discussed previously, we're currently in the 9 scoping phase of the project. This is the initial stage 10 11 of the EIR process. 12 The purpose of this scoping phase is to gather 13 input, identify key environmental issues, early identification of possible mitigation measures and to 14 15 consider possible project alternatives. 16 Although my presentation included an overview 17 of the project, I want to note that the intent of this portion of tonight's meeting as well as the entire 18 19 scoping phase that lasts until the end of June is not 20 going to give comments on the project itself or its 21 merits. 22 Instead the comments should be focused on the environmental capacity of the project. 23 24 You can submit comments on the scope of the EIR 25 via e-mail or letter to Tom Smith, Senior Planner with

Page 24 the City of Menlo Park. 1 You can also speak tonight and we will note 2 your comments and consider them during the preparation of 3 the Draft EIR. 4 All comments must be received by June 28th. 5 Note that the comment period has been extended beyond the 6 7 thirty-day typical review period due to the Memorial Day 8 holiday. 9 Thank you again for coming tonight and we will look forward to receiving your comments. 10 11 CHAIRPERSON BARNES: Thank you. 12 Are there any specific clarifying type 13 questions as it relates to the EIR scope? Commission 14 Decardy? 15 COMMISSIONER DECARDY: Ms. Chapman, thank you very much. That was really helpful. 16 17 I have a question about determination about what is in the table of less than significant impacts and 18 19 the table of topics to be addressed. 20 One of the items looks like comments for the request for waiver of regulations regarding the building 21 22 and the potential for birds to crash into it. 23 I wondered if -- how that's taken into 24 consideration and are birds in biological resources or what are birds under, I guess? 25

Page 25 MS. CHAPMAN: Yes. They're under biological 1 resources and a biological, by the Applicant's 2 consultant, and that is per mitigation measure that was 3 in the Connect Menlo EIR, and the biological resources 4 assessment is summarized in the initial study and it is 5 provided as an appendix to the initial study. 6 And the BRA did determine that the -- the 7 project as proposed would conflict with the -- is the 8 bird friendly guidelines. 9 However, a waiver will be submitted and that 10 would be part of the conditions of approval for the 11 project, I believe, going forward. 12 13 COMMISSIONER DECARDY: This may be for you or staff. So if I have this right, essentially this has 14 15 already been looked at and addressed by two different 16 experts? 17 MS. CHAPMAN: Correct. 18 COMMISSIONER DECARDY: But if it's asking for 19 a waiver, I quess my question is: Does this close off 20 the opportunity for the public to be able to have input into potentially have their voices heard about this issue 21 22 in a different way that was actually on table 2? 23 So my question is not so much questioning 24 whether or not these experts have rightly looked at the situation about the birds, but whether this -- because 25

Page 26 1 it's been addressed earlier as opposed to what might be 2 the consideration, that will have a different impact on the public ability later on in this process to be able to 3 have input, and again, I don't know if that's you or the 4 staff. 5 MS. CHAPMAN: I can say -- so this is the 6 public scoping period to comment on the EIR, but then 7 also to comment on the initial study. 8 This is addressed in the initial study and part 9 of the project is the waiver. 10 And so if you're submitting comments right now, 11 as you are, then yes, we will discuss those going forward 12 and address them accordingly in the EIR. 13 We're not closed for comments on the waiver. 14 15 COMMISSIONER DECARDY: I was trying to do my best to ask clarifying questions as opposed to make 16 17 comments, which I will do at some point. 18 I was trying to ask a clarifying question, but 19 I appreciate your comments on that. 20 CHAIRPERSON BARNES: We can always come back should you need more information. 21 22 Staff. 23 MR. SMITH: I think the only other thing that 24 we'll mention, in addition to what Kirsten said, is that there's a provision in the zoning ordinance that does 25

Page 27 permit further request for waivering and granting by the 1 2 Planning Commission. That is an avenue that is permitted. 3 4 CHAIRPERSON BARNES: Commissioner Decardy? COMMISSIONER DECARDY: A separate clarifying 5 question, I think. So the -- this EIR is meant to meet 6 7 the program EIR for Connect Menlo, which helps a lot, it looks like, to be able to clear stuff. It makes a lot of 8 9 sense to do it in that way. At -- at several points reading through this 10 11 document, there are essentially references to "no 12 significant new information since that program EIR was in 13 place," and I can either ask the question generally, like how do you determine what information is significant and 14 15 who determines what information is significant, or is it 16 a specific aspect of the project? 17 MS. CHAPMAN: I can address your first 18 question and then you can ask specific questions after 19 that. 20 So the EIR consultant, ICF, we determine with -- in coordination with the City what is considered 21 22 a significant change since the Connect Menlo EIR has been 23 released, and we definitely work close with the City in 24 determining that. 25 And I guess -- I guess specific questions will

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1 be addressed.

2 COMMISSIONER DECARDY: Maybe I'll just ask a
3 clarifying question and then we can come back for
4 comments.

5 So I'm interested in this specific instance in 6 energy use, specifically in the use of electricity versus 7 the use of natural gas.

8 And so my understanding the program EIR for 9 Connect Menlo relies on local government operations 10 Provision 1.1, which is a 2010 document from the State, 11 and that is what by reference is setting the parameters 12 for what the impacts of the emissions are from these 13 various energy sources.

And so my question is: If we're referencing 14 15 back to 2010, then I do have questions about significant 16 new information about total impacts of greenhouse gas 17 emissions and also the relative impacts of where electricity comes from given all of the new information 18 19 that we have since that time and how that issue -- so 20 first of all, do I have that right? The reference point 21 is back in 2010. MS. CHAPMAN: I don't have the document in 22 front of me, but if you're citing it, then yes. 23

25 protocol 1.1. I don't know if that's been updated since

COMMISSIONER DECARDY: It is local operations

Page 29 1 2010. For reasons I don't understand, the last time 2 that was in place in 2010. That raises a host of 3 questions for me about energy use and about significant 4 new information which at some point I would like to ask. 5 For a clarifying question, that's very helpful 6 7 for me right now. MS. CHAPMAN: Okay, yes. Also if you submit 8 specific questions in writing, then that would be good, 9 because I could take that back of our team and we could 10 11 address those specifically. 12 But we will be analyzing greenhouse gases in 13 the EIR, so we will take a closer look at those aspects. 14 CHAIRPERSON BARNES: Great. Thank you. 15 Seeing no other clarifying questions related to the EIR scope, I will move to -- so thank you. 16 17 I will move to open for public comment, and there's two public -- just the folks here tonight, 18 19 there's two opportunities for public comment. 20 One is this EIR piece of it, and the second part there is opportunity for public comment as it 21 22 relates to the proposal itself. 23 So the public comment I'm opening now is 24 specific to the EIR. 25 And I do have a public comment card from Pamela

Page 30 Jones, and this is the public comment you would like for 1 the EIR? 2 Perfect. Please come forward. You have three 3 minutes. Please state your name and your address. 4 MS. JONES: Good evening. Pamela Jones, 5 resident of Menlo Park, and thank you for letting me 6 speak, and I want to thank the staff for the new picture 7 boards that they have created. 8 They've updated them, so it was really helpful, 9 which is how I put together this sheet. It's not a 10 hundred percent accurate, and it goes along with how can 11 we do an EIR where we don't know where we are now? 12 And the other piece that I think is important 13 to understand is that there has been an update on the 14 CEQA guide -- guidelines, and that was in May of 2007. 15 So our Connect Menlo missed that. So our --16 our Connect Menlo is operating on very old information. 17 We also have never measured the air quality in 18 the closest residential area, and there's nothing in here 19 that talks about environmental justice, and environmental 20 justice is part of what is going on with FEMA today, 21 surprisingly, but it is a component that's recommended to 22 23 be included when we're doing environmental impact reports. 24 25 We also have not had any kind of housing study.

Page 31 So we can't compare a housing study now to something that 1 2 was never done. We do not know the impact of all the 3 development in the M-2 area at this time, and it is 4 significant. 5 And it's interesting that East Palo Alto gets 6 7 theirs, but we don't know what we're going to get in this area that's most affected by all of this development in 8 9 M-2, and that's the Belle Haven neighborhood. We know that we have been significantly 10 11 gentrified. People are living multiple families to a 12 house. 13 We have no information on that because no study has been done, and nothing has been done to protect the 14 15 residents from what has happened with all of the 16 development. 17 Moving forward with even trying to put an EIR together, what we don't have is traffic data. We don't 18 19 have traffic mitigation data, which is now getting to 20 implementing a traffic calming study. 21 So what I am concerned with is moving forward when we don't have all the information as to what's 22 23 happening now, and I'd like to strongly urge you to have a joint meeting with the City Council to look over all of 24 25 the things that we're trying to do with regards to

Page 32 Connect Menlo and what we want to do in the M-2 project. 1 I am not against construction, and, you know, 2 moving forward. I'm not against increasing the coffers 3 of the City of Menlo Park, because I live here, too. 4 So I want to see as much wealth come into our 5 community as everybody else does, but I do not want to 6 7 see it continue to be on the backs of the people. And the last thing that I want to say is I had 8 9 no idea that they had already opened up the comment period on this EIR project because I've never seen the 10 11 document. 12 It's never been publicized in a way in which 13 we, the most affected people, are going to be able to see that information, and I think all of you know me well 14 15 enough is that I really try and keep track of these 16 things. 17 I'm really looking for where's that piece of information so I can go through the document. 18 19 So with that, again, thank you. Like I said, it's not about construction. It's about everything as a 20 whole, and if you notice on here, this -- you can't even 21 22 get accurate data on who's in what building, how many 23 people are there. We don't know that. I came up with 18,000 people currently working 24 25 in the M-2 area and nobody says anything to the contrary.

Page 33 So I may be close to being right, and I can't even access 1 2 the information. So I hope that we will stop. I hope that you 3 will meet with the City Council and I hope that, you 4 know, all of you together can come up with something 5 that's really going to be healthy, environmentally 6 7 healthy and healthy for people in the City of Menlo Park. 8 Thank you. Thank you. 9 CHAIRPERSON BARNES: That is the only card that I have for public 10 11 comment. If anyone like to offer public comment, please fill out a card and come forward. 12 13 Seeing no one coming forward and having no other comment cards, I will close public comment for the 14 15 EIR portion of the scoping session. I will move into Commissioner comments as it 16 17 relates to the EIR scope, and I will close the public 18 hearing on the EIR. 19 Commissioner Strehl. 20 COMMISSIONER STREHL: I have a clarifying question for staff. 21 22 CHAIRPERSON BARNES: Please. 23 COMMISSIONER STREHL: Or is that something 24 that was prepared by Miss Jones? 25 It was prepared by Miss Jones, not MR. SMITH:

800-331-9029

Page 34 1 staff. 2 COMMISSIONER STREHL: Is that something that the staff can set and clarify so we have a better 3 understanding of what's going on in District 1? 4 MR. PERATA: Sure. So we are currently 5 working on a cable that shows our pending projects as a 6 7 whole in District 1 and clarifying information in this right now, the document that you have, accordingly, but 8 9 we can clarify as we go forward. 10 COMMISSIONER STREHL: Will you list the number 11 of employees that are existing and the number of 12 employees that are anticipated? There's the pending and 13 then there's the occupied at this point. MR. PERATA: Yeah. So estimates may be 14 15 available. Employment fluctuates. It's often difficult 16 to identify existing employment as being accurate by 17 building by building. We currently do have estimates, and I believe 18 19 it's part of Connect Menlo and projected employment, and 20 it's a snapshot in time because it fluctuates. It is difficult to clarify. I have access to 21 22 that information. It is coming specific, not necessarily 23 reported, to the City of Menlo Park. 24 COMMISSIONER STREHL: Thank you. 25 So we can clarify that information. It would

	Page 35
1	be useful as we move forward through this process to
2	understand what's going in this part of Menlo Park.
3	CHAIRPERSON BARNES: Commissioner Decardy.
4	COMMISSIONER DECARDY: I'll defer to either of
5	you if you want to go first. Otherwise, I have a whole
6	list of questions.
7	CHAIRPERSON BARNES: I'm sorry. I did not see
8	your light on.
9	COMMISSIONER DORAN: I would like to echo
10	Commissioner Strehl's concern about employment there and,
11	you know, provide my viewpoint that even, you know,
12	estimates are imprecise and uncertainty. See whatever
13	you can get on that.
14	CHAIRPERSON BARNES: Commissioner Decardy.
15	COMMISSIONER DECARDY: Thank you.
16	So I will go actually to the comment part and
17	give some of my clarifying questions. I do want to ask
18	questions about how this project is going forward and
19	will consider strongly those to make sure that.
20	Whether it's in table 1 or in table 2, it does
21	not diminish the opportunity for residents to be able to
22	raise questions in this project, whether mitigation is
23	going to be acceptable or not acceptable.
24	If you're asking for a waiver, almost by
25	definition, it should be meaningful. So that's one.

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	Tage 50
1	Building on the questions that I had about the
2	energy use, and this builds on my question, I guess I do
3	have a clarifying question about the alternatives, and
4	the way that they are being presented right now says that
5	you will develop project alternatives that will quote
6	minimize the effects of potentially significant
7	environmental impacts, can I ask how those are being
8	determined and at what levels those are being determined
9	and when those would come forward?
10	MS. CHAPMAN: So those will come forward in
11	the EIR. So we will do analysis of the topics that were
12	listed, for example, noise, transportation, greenhouse
13	gases, and if impacts are deemed to be significant and
14	unavoidable and cannot be mitigated to a less than
15	significant impact with mitigation measures, then we
16	consider alternatives to reduce those those
17	significant unavoidable impacts.
18	For example, in transportation oftentimes,
19	there are significant unavoidable transportation impacts
20	for increase in traffic, and so one of the ways that
21	this is just an example, but not necessarily used for
22	this project, but one of the ways in the past that we
23	have reduced those impacts is to reduce the size of the
24	project.
25	So there is an analysis done by our

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transportation consultant to determine how much would 1 2 be -- how much would need to be reduced in order to reduce the traffic impacts to less than significant. 3 So then we do an alternative analysis based on 4 the reduced project as opposed to what we see now. 5 COMMISSIONER DECARDY: Okay. Thank you. 6 That's helpful. 7 So to finish up, for the alternatives on the 8 greenhouse gases, it seems to me that an alternative is 9 actually all electric and not using natural gas at all in 10 the building project would make sense for consideration. 11 And daylighting, obviously. 12 So however that would be taken into 13 consideration, and given the extent of what we understand 14 the impact of natural gas relative to the various energy 15 options that are available here in San Mateo County. 16 Then on the parking question, I get the point 17 about mitigating the impact and unavoidable, but there is 18 I think another way to do that, which is to scope the 19 project with actually -- I get a little lost as to whether 20 you're using LOS or VMT on the measuring this, but it 21 seems to me that to have at least one of the alternatives 22 23 look at what would it need to look at where there will be no net gain in VMT or no net gain in parking for that 24 25 project and what pressures would that

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put on the transportation land management program. 1 We get at the same issue, and it raises the 2 question that's implied about employment, which is 3 concern about increase in -- in traffic coming into the 4 5 region. So one way to look at this is to essentially 6 7 say how do you figure out what that net is with coming traffic coming in, those 800 plus parking spaces are 8 9 right now and what it would look like at the increase. I really appreciate the work that's been done 10 11 to reduce the scope of the parking garage. I recognize 12 that the scope has been reduced by some dimension, which 13 means there has to be some cost/benefit analysis at play. It seems to me there should be some alternative 14 15 to look at net gain and those should be in the mix. And I would point out that -- Miss Jones' 16 17 comments. I think some of her comments are in what I believe you look at as cumulative impact, how you design 18 19 it over time, and to the negative environmental impact in 20 the community and air pollution, there is a -- in addition to air pollution in sort of the broader 21 22 community, air pollution problems are highly localized 23 and we've got the freeway that is right there. So it's interesting to me that there's a 24 25 conversation with school and outdoor recreation areas,

Page 39 which are in a park which is in close proximity to the 1 freeway without taking a look at what the air pollution 2 is there and locally healthy for students to be 3 4 exercising. Similar questions about Paseo which goes right 5 up against the freeway. Of course right across from 6 7 Dumbarton rail corridor is Kelly Park, which is a whole other question. 8 9 Nobody's ever looked at localized air pollution. It does seem to me that if there's actually 10 11 air pollution issues in association with park, the 12 community might want to know about that. So that would 13 be another. So those would be my pieces of comment into the 14 15 EIR for consideration, take a look at that in particular 16 and also the redevelopment alternatives going forward. 17 MS. CHAPMAN: Thank you. CHAIRPERSON: This is Commissioner comments on 18 19 the EIR scope. Are there any other additional 20 Commissioner comments? Seeing no other Commissioner comments, I will 21 close this portion of the public hearing specifically as 22 23 it relates to the EIR Scoping Session. 24 Thomas -- excuse me. Kyle or Tom, anything you want to add at this point before I close? 25

	Page 40				
1	MR. SMITH: No. I think that's sufficient				
2	information for us to work from.				
3	CHAIRPERSON BARNES: Fantastic. Okay. So				
4	that's the close of the EIR Scoping Session, and then				
5	from here, we will progress to the Project Proposal Study				
6	Session which transitions specifically about the project				
7	itself.				
8	(The record closed at 8:25 PM).				
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25	STATE OF CALIFORNIA )				

	Page 41				
1	COUNTY OF SAN FRANCISCO )				
2	I, the undersigned, hereby certify that the				
3	discussion in the foregoing meeting was taken at the				
4 5	time and place therein stated; that the foregoing is a				
6	full, true and complete record of said matter.				
7	I further certify that I am not of counsel or				
8	attorney for either or any of the parties in the				
9	foregoing meeting and caption named, or in any way				
10	interested in the outcome of the cause named in said				
11	action.				
12					
13	IN WITNESS WHEREOF, I have				
14	hereunto set my hand this				
15	day of,				
16	2019.				
17					
18	MARK I. BRICKMAN CSR 5527				
19					
20					
21 22					
22					
24					
25					

## MEMORANDUM

To:	Mayor and Members of the Menlo Park City Council and Boards and Commissions
CC:	Starla Jerome-Robinson, City Manager Nick Pegueros, Assistant City Manager Justin Murphy, Deputy City Manager Mark Muenzer, Director Community Development
From:	William McClure, City Attorney Cara Silver, Assistant City Attorney
Date:	May 13, 2019
Re:	New Real Property Conflict of Interest Regulation

The Fair Political Practices Commission (FPPC) recently updated the real property conflict of interest regulation. The new regulation went into effect on March 22, 2019 and applies to all public officials involved in the decision making process. The changes primarily affect ownership of real property interests and establish different criteria depending on whether the official's parcel ("Official's Parcel") is located within 500 feet, 500-1000 feet or 1000 feet or more of the property involved in the government decision.

This particular regulation has undergone several different changes in the past few years. Prior to 2015, Regulation 18702.2 contained a bright-line rule which presumed if the Official's Parcel was more than 500 feet from the property subject of the decision, the impact was not material unless there were specific circumstances indicating an effect on the property. In 2015, however, the FPPC eliminated the bright-line rule in favor of a more comprehensive analysis of all potential effects on real property interests. Under this approach, the official was required to conduct a comprehensive examination of all potential effects on the Official's Parcel, even when the parcel was a considerable distance from the property subject of the decision. Many criticized this approach as being overly complicated and subjective. The current amendments to Regulation 18702.2 restore the bright-line rule by allowing an official to participate in a decision if the Official's Parcel is a sufficient distance from the property subject to the decision. Most significantly, if the Official's Parcel is more than 1,000 feet from the property subject of the decision, the official would be allowed to participate in the decision unless there is clear and convincing evidence the decision will have a measurable impact on the Official's Parcel.

This memo summarizes the new regulation which is also attached for reference.

## **Background**

Under the Political Reform Act, public officials may not make, participate in making, or attempt to use their official positions to influence a governmental decision in which they know or have reason to know that they have a disqualifying interest. A public official has a disqualifying interest if the governmental decision at issue will have a reasonably foreseeable, material effect on the official's financial interests. (Government Code 87103; FPPC Regulation 18700(a).) To determine whether a financial interest is "material" depends on the type of financial interest involved. Recently, the FPPC amended the standard for determining whether a decision will have a *material* effect on a public official's interest in real property.

Interests in real property are divided into ownership and leasehold interests. The most significant change amends the materiality standard for decisions that affect ownership interests in real property.

## Summary of New Ownership Standard

The new regulation divides ownership interests into three separate categories: (1) governmental decisions involving property within 500 feet of the Official's Parcel; (2) decisions involving property within 500 to 1,000 feet of the Official's Parcel and (3) decisions involving property more than 1,000 feet from the Official's Parcel.

For decisions involving property within 500 feet of the Official's Parcel, there is now a presumption that the decision will have a material impact on the official's interest. This presumption can be rebutted by "clear and convincing evidence" that the decision will not have any measurable impact on the Official's Parcel.<sup>1</sup>

For decisions involving property located between 500 and 1,000 feet from the Official's Parcel, whether the decision creates a conflict now depends on a number of factors. Under the revised regulation, a decision will have a material impact on the Official's Parcel if it would change the parcel's development potential, income-producing potential, highest and best use, market value, or, if it would change the parcel's "character by substantially altering traffic levels, intensity of use, parking, view, privacy, noise levels, or air quality." (FPPC Regulation 18702.2 (a).)

Finally, there is now a presumption that a decision involving property 1,000 feet or more from the Official's Parcel will not have a material impact on the official's interest. Like the first category, this presumption can be rebutted with clear and convincing

<sup>&</sup>lt;sup>1</sup> The old regulation divided ownership interests into two categories. If the Official's Parcel was located within 500 feet of the property involved in the decision, the official could not participate in the decision unless they received a clearance letter from the FPPC. If the Official's Parcel was located more than 500 feet, the official was required to apply six criteria to determine whether the real property interest was material enough to warrant recusal. As some of the criteria were subjective, oftentimes the old regulation was difficult for officials to implement without legal guidance.

evidence that the decision would in fact have a substantial impact on the Official's Parcel.

# Other materiality factors governing ownership interests

The new regulation does not impact the other materiality factors relating to real property ownership interests. Thus, a local official would still meet the materiality standard if the decision directly involves property owned by the official in the following ways:

- Involves adoption or amendment of a development plan applicable to the parcel;
- Affects the parcel's zoning (other than a zoning decision applicable to all properties designated in that category);
- Imposes, repeals or modifies taxes, fees or assessments applicable to the parcel;
- Authorizes the sale, purchase, or lease of the parcel
- Involves the issuance, denial or revocation of a license, permit or other land use entitlement authorizing a specific use of or improvement to the parcel; or
- Involves construction of, or improvements to, streets, utilities or similar facilities and the parcel will receive new or improved services that provide a benefit or detriment disproportionate to other properties receiving the services

(FPPC Regulation 18702.2 (a).)

# Leasehold Standard

Leasehold interests in real property are analyzed differently than ownership interests. As a threshold matter, month-to-month leaseholds (or shorter) are not considered real property interests for purposes of the Political Reform Act.<sup>2</sup> (FPPC Regulation 18233.) For leasehold interests, the regulation does not contain a buffer rule. Instead, officials who lease property must apply several criteria to determine whether their particular leasehold interest is material relative to the government decision. The leasehold interest will be deemed material if any of the following criteria apply:

- 1. Changes the termination date of lease;
- 2. Increases or decreases the potential rental value of the property
- 3. Changes the official's actual or legally allowable use of the property
- 4. Impacts the officials' use and enjoyment of the property.

(FPPC Regulation 18702.2 (c).)

# Exceptions to Recusal

Like the old regulation, the new regulation specifies that an official's financial interest is not material (allowing the official to participate) under the following circumstances:

• The decision solely concerns repairs, replacements or maintenance of existing streets, water, sewer storm drainage or similar facilities;

<sup>&</sup>lt;sup>2</sup> An official who has a month-to-month tenancy may still be precluded from participating in a decision if the official or the official's immediate family members (i.e. spouse, domestic partner or dependent children) would receive a measurable gain or loss to their personal finances. (FPPC Regulation 18702.5.)

- The decision solely concerns the adoption or amendment of a general plan and the decision only relates to policy and further action is needed to implement such policy;
- The decision does not concern an identifiable parcel or development project; or
- The decision does not concern the agency's prior, concurrent, or subsequent action on a permit, license, zoning action or land use ordinance or specific plan.

# Public Generally Exception

In addition, officials who may have a conflict under either the ownership or leasehold rules, may be able to participate in the decision under the "public generally" exception. Under this exception, disqualification will not be required if the effect on the public official's financial interest is indistinguishable from the decision's effect on the financial interests of the public generally. (FPPC Regulation 18703.) In order to use this exception, the official must be able to demonstrate two core elements. First, the governmental decision must affect a "significant segment" of the public in the jurisdiction of the public agency.<sup>3</sup> Second, the governmental decision's effect on the significant segment.

## **Implementation**

To implement the new regulation, staff would create maps indicating both a 500 foot and a 1,000 foot radius around each parcel owned by a public official to help them identify when a public official might have a disqualifying conflict of interest.

As always, our office is available to discuss particular issues. The FPPC advice line is also available as a resource at 800-ASK-FPPC.

<sup>&</sup>lt;sup>3</sup> A significant segment of the public is "at least 25 percent of" any of the following:

<sup>•</sup> All businesses or non-profit entities within the official's jurisdiction;

<sup>•</sup> All real property, commercial real property, or residential real property within the official's jurisdiction; or

<sup>•</sup> All individuals within the official's jurisdiction. (Regulation 18703(b)).

1 Amend 2 Cal. Code Regs., Section 18702.2 to read:

2 § 18702.2. Materiality Standard: Financial Interest in Real Property. 3 (a) Except as provided in subdivision (c) below, the The reasonably foreseeable financial 4 effect of a governmental decision (listed below in (a)(1) through (a)(12)) on a parcel of real 5 property in which an official has a financial interest, other than a leasehold interest, is material 6 whenever the governmental decision: 7 (1) Involves the adoption of or amendment to a development plan or criteria applying to 8 general (except as provided below) or specific plan, and the parcel is located within the proposed 9 boundaries of the plan; 10 (2) Determines the parcel's zoning or rezoning, (other than a zoning decision applicable 11 to all properties designated in that category); annexation or de-annexation, or; inclusion in or 12 exclusion from any city, county, district, or other local government subdivision, or other 13 boundaries, other than elective district boundaries as determined by the California Citizen's 14 Redistricting Commission or any other agency where the governmental decision is to determine 15 boundaries for elective purposes; 16 (3) Would impose, repeal, or modify any taxes, fees, or assessments that apply to the 17 parcel; 18 (4) Authorizes the sale, purchase, or lease of the parcel; 19 (5) Involves the issuance, denial or revocation of a license, permit or other land use 20 entitlement authorizing a specific use of or improvement to the parcel or any variance that 21 changes the permitted use of, or restrictions placed on, that real the property. For purposes of this 22 paragraph, any financial effect resulting from a governmental decision regarding permits or licenses issued to the official's business entity when operating on the official's real property shall 23

18702.2 Amend

1 be conclusively analyzed under Regulation 18702.1, rather than this paragraph, without any 2 separate consideration for any material financial effects on the official's real property as a result 3 of the decision: 4 (6) Involves construction of, or improvements to, streets, water, sewer, storm drainage or 5 similar facilities, and the parcel in which the official has an interest will receive new or improved 6 services that provide a benefit or detriment disproportionate to other properties receiving the 7 services are distinguishable from improvements and services that are provided to or received by 8 other similarly situated properties in the official's jurisdiction or where the official will otherwise 9 receive a disproportionate benefit or detriment by the decision; 10 (7) Involves property located 500 feet or less from the property line of the parcel unless 11 there is clear and convincing evidence that the decision will not have any measurable impact on 12 the official's property; or 13 (8) Involves property located more than 500 feet but less than 1,000 feet from the 14 property line of the parcel, and the decision would change the parcel's: 15 (7) (A) Would change the development Development potential of the parcel of real 16 property; 17 (8) (B) Would change the income Income producing potential of the parcel of real 18 property. However, if the real property contains a business entity, including rental property, and 19 the nature of the business entity remains unchanged, the materiality standards under Regulation 20 18702.1 applicable to business entities would apply instead; 21 (9) (C) Would change the highest Highest and best use of the parcel of real property in which the official has a financial interest;

22

18702.2 Amend

1	(10) (D) Would change the character Character of the parcel of real property by					
2	substantially altering traffic levels, or intensity of use, including parking, of property surrounding					
3	the official's real property parcel, the view, privacy, noise levels, or air quality, including odors,					
4	or any other factors that would affect the market value of the real property parcel in which the					
5	official has a financial interest; or					
6	(11) Would consider any decision affecting real property value located within 500 feet of					
7	the property line of the official's real property, other than commercial property containing a					
8	business entity where the materiality standards are analyzed under Regulation 18702.1.					
9	Notwithstanding this prohibition, the Commission may provide written advice allowing an					
10	official to participate under these circumstances if the Commission determines that there are					
11	sufficient facts to indicate that there will be no reasonably foreseeable measurable impact on the					
12	official's property; or					
12 13	official's property; or (12) (E) Would cause a reasonably prudent person, using due care and consideration					
13	(12) (E) Would cause a reasonably prudent person, using due care and consideration					
13 14	(12) (E) Would cause a reasonably prudent person, using due care and consideration under the circumstances, to believe that the governmental decision was of such a nature that its					
13 14 15	(12) (E) Would cause a reasonably prudent person, using due care and consideration under the circumstances, to believe that the governmental decision was of such a nature that its reasonably foreseeable effect would influence the market <u>Market</u> value of the official's property.					
13 14 15 16	<ul> <li>(12) (E) Would cause a reasonably prudent person, using due care and consideration</li> <li>under the circumstances, to believe that the governmental decision was of such a nature that its</li> <li>reasonably foreseeable effect would influence the market Market value of the official's property.</li> <li>(b) The financial effect of a governmental decision on a parcel of real property in which</li> </ul>					
13 14 15 16 17	<ul> <li>(12) (E) Would cause a reasonably prudent person, using due care and consideration</li> <li>under the circumstances, to believe that the governmental decision was of such a nature that its</li> <li>reasonably foreseeable effect would influence the market Market value of the official's property.</li> <li>(b) The financial effect of a governmental decision on a parcel of real property in which</li> <li>an official has a financial interest involving property 1,000 feet or more from the property line of</li> </ul>					
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> </ol>	<ul> <li>(12) (E) Would cause a reasonably prudent person, using due care and consideration</li> <li>under the circumstances, to believe that the governmental decision was of such a nature that its</li> <li>reasonably foreseeable effect would influence the market Market value of the official's property.</li> <li>(b) The financial effect of a governmental decision on a parcel of real property in which</li> <li>an official has a financial interest involving property 1,000 feet or more from the property line of</li> <li>the official's property is presumed not to be material. This presumption may be rebutted with</li> </ul>					
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> </ol>	<ul> <li>(12) (E) Would cause a reasonably prudent person, using due care and consideration</li> <li>under the circumstances, to believe that the governmental decision was of such a nature that its</li> <li>reasonably foreseeable effect would influence the market Market value of the official's property.</li> <li>(b) The financial effect of a governmental decision on a parcel of real property in which</li> <li>an official has a financial interest involving property 1,000 feet or more from the property line of</li> <li>the official's property is presumed not to be material. This presumption may be rebutted with</li> <li>clear and convincing evidence the governmental decision would have a substantial effect on the</li> </ul>					

18702.2 Amend

1	a governmental official has a l	easehold interest as the	lessee of the property	is material <u>only if</u>
	0			

2 <u>the whenever</u> governmental decision will:

- 3 (1) Change the termination date of the lease;
- 4 (2) Increase or decrease the potential rental value of the property;
- 5 (3) Increase or decrease the rental value of the property, and the official has a right to
- 6 sublease the property;
- 7 (4) (3) Change the official's actual or legally allowable use of the real property; or
- 8 (5) (4) Impact the official's use and enjoyment of the real property.

9 (c) (d) Exceptions. The financial effect of a governmental decision on a parcel of real

- 10 property in which an official has a financial interest is not material if: Exceptions:
- (1) The decision solely concerns repairs, replacement or maintenance of existing streets,
  water, sewer, storm drainage or similar facilities.
- 13 (2) The decision solely concerns the adoption or amendment of a general plan and all of14 the following apply:
- (A) The decision only identifies planning objectives or is otherwise exclusively one of
  policy. A decision will not qualify under this subdivision if the decision is initiated by the public
  official, by a person that is a financial interest to the public official, or by a person representing
  either the public official or a financial interest to the public official.
- (B) The decision requires a further decision or decisions by the public official's agency
  before implementing the planning or policy objectives, such as permitting, licensing, rezoning, or
  the approval of or change to a zoning variance, land use ordinance, or specific plan or its
  equivalent.

18702.2 Amend

1 (C) The decision does not concern an identifiable parcel or parcels or development 2 project. A decision does not "concern an identifiable parcel or parcels" solely because, in the 3 proceeding before the agency in which the decision is made, the parcel or parcels are merely 4 included in an area depicted on a map or diagram offered in connection with the decision, 5 provided that the map or diagram depicts all parcels located within the agency's jurisdiction and 6 economic interests of the official are not singled out. 7 (D) The decision does not concern the agency's prior, concurrent, or subsequent approval 8 of, or change to, a permit, license, zoning designation, zoning variance, land use ordinance, or 9 specific plan or its equivalent. 10 (d) (e) Definitions. The definitions below apply to this regulation: 11 (1) A decision "solely concerns the adoption or amendment of a general plan" when the 12 decision, in the manner described in Sections 65301 and 65301.5, grants approval of, substitutes 13 for, or modifies any component of, a general plan, including elements, a statement of 14 development policies, maps, diagrams, and texts, or any other component setting forth 15 objectives, principles, standards, and plan proposals, as described in Sections 65302 and 65303. 16 (2) "General plan" means "general plan" as used in Sections 65300, et seq. 17 (3) "Specific plan" or its equivalent means a plan adopted by the jurisdiction to meet the 18 purposes described in Sections 65450, et seq. (4) Real property in which an official has a financial interest does not include any 19 20 common area as part of the official's ownership interest in a common interest development as 21 defined in the Davis-Stirling Common Interest Development Act (Civil Code Sections 4000 22 et seq.)

18702.2 Amend

- 1 Note: Authority cited: Section 83112, Government Code. Reference: Sections 87100, 87102.5,
- 2 87102.6, 87102.8 and 87103, Government Code.

# **Community Development**



#### STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

6/24/2019 19-046-PC

Choose an item.

Architectural Control, Variance, Sign Review and Below Market Rate (BMR) Agreement/Sagar Patel/1704 El Camino Real

#### Recommendation

Staff recommends that the Planning Commission approve a request for architectural control to demolish an existing hotel and construct a new 70-room hotel consisting of three stories with below grade parking in the SP-ECR/D (EI Camino Real/Downtown Specific Plan) zoning district. The project would incorporate an eight-foot tall fence along the majority of the site perimeter. The project includes a variance request to permit a reduced floor-to-floor height on the first floor. In addition, the applicant is requesting sign review, including review of a shared monument sign located on 1706 EI Camino Real, and approval of a Below Market Rate (BMR) In-Lieu Fee Agreement. The proposal also includes a request for a Public Benefit Bonus, with the benefit consisting of Transient Occupancy Tax (TOT) revenue. As part of the proposed project, five heritage trees are proposed for removal and 20 heritage tree replacements would be planted, in addition to six replacement trees that have already been planted, to provide a two-to-one replacement ratio for the five heritage trees proposed for removal and the eight heritage trees previously removed. The recommended actions are included as Attachment A.

#### **Policy Issues**

The proposed project requires the Planning Commission to consider the merits of the project, including project consistency with the El Camino Real/Downtown Specific Plan and the provisions for the Public Benefit Bonus requirements set forth in the Specific Plan. Each architectural control permit, variance, sign review, Public Benefit Bonus request, and BMR housing agreement is considered individually. The Planning Commission should consider whether the required findings can be made for the proposal.

At its June 11, 2019 meeting, the City Council discussed the possibility of directing the City Attorney to prepare an ordinance putting a moratorium on commercial development city-wide and all residential developments over 100 units in size in the Bayfront Area. The Council decided to not direct the City Attorney to prepare an ordinance placing a moratorium on development in the City. Instead, the City Council determined there is a need to review the ConnectMenIo General Plan and Zoning Ordinance Update and the Downtown Specific Plan to assess whether the documents reflect current community values, conditions and needs. While the City Council and its subcommittees review the City's land use planning documents to outline potential modifications, which may include but are not limited to, the allowed land uses, densities and intensities, and overall development caps, the City is obligated to continue to process development applications under the current adopted Zoning Ordinance, General Plan, and Specific Plan. If as a result of the subcommittee work the City Council adopts changes to the City's land use planning documents while this project is still in the pipeline, the proposed project could be required to make modifications to comply with those changes.

#### Background

#### Site location

The subject property is located at 1704 El Camino Real, between Buckthorn Way and Stone Pine Lane, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The property is primarily accessed via shared access easements over two separate parcels (1702 and 1706 El Camino Real), although a panhandle-like extension to Buckthorn Way also provides secondary service access. Using El Camino Real in a north to south orientation, adjacent parcels generally to the north and west of the subject site are also in the SP-ECR/D zoning district, and are developed with residential, office and personal service uses. The adjacent properties generally to the east and south of the subject site are zoned R-3 (Apartment) and developed with residential uses. The subject site is currently developed with the Red Cottage Inn, a 28-room hotel. A location map is included as Attachment B.

#### Analysis

### Previous Planning Commission review

On March 12, 2018, the Planning Commission held a study session on a proposal to demolish the existing hotel and construct a new 70-room, three-story hotel and an underground parking level. The Planning Commission reviewed a presentation from the applicant, asked questions of the applicant and staff, considered public comment, and made comments to inform future review of the project. Key direction included:

- Commissioners provided positive direction that the proposed hotel's inherent benefit of generating Transient Occupancy Tax (TOT) revenue for the City on an on-going basis was sufficient as a public benefit in exchange for allowing the floor area ratio (FAR) to be at the Public Benefit level.
- Commissioners noted appreciation for the applicant's work with neighboring property owners to move the hotel farther from the east property line and to change the architectural style from the originally-submitted modern farmhouse style to a Spanish Eclectic style preferred by neighbors.
- Commissioners were supportive of the proposed variance to reduce first floor height from the 15 feet that the Specific Plan requires for commercial projects, to 13 feet, in order to allow the structure to be less imposing and provide greater privacy to the surrounding residential properties.
- Commissioners provided direction that certain Specific Plan requirements including setbacks and modulations, normally required along the front elevation, would not apply in this case as the west elevation of the parcel is located over 130 feet from the El Camino Real right-of-way.
- Commissioners were supportive of staff suggested design revisions to increase the authenticity of the proposed Spanish Eclectic style.

The staff report and minutes for the March 12, 2018 study session are included as hyperlink Attachments C and D, respectively.

On October 8, 2018, the Planning Commission held a study session on a revised proposal to demolish the existing 28-room hotel and construct a new 68-room, three-story hotel with guest rooms located on the second and third floors, and parking located on the first floor. The applicant stated that increasing construction costs made the previously proposed underground parking garage financially infeasible. The building was proposed with a rectangular footprint with the second and third floor guest rooms arranged in a "U" shape around a north-facing spa deck and patio on the second floor. The applicant developed an alternative proposal to address concerns of neighboring property owners to the east shorty before the study session. While the main plan set showed a rear setback along the eastern property line of approximately 24 feet, five inches, the alternative proposal included a site layout where the proposed hotel would be shifted

west, resulting in a rear setback of slightly over 26 feet, seven inches on the first floor and slightly over 32 feet, seven inches on the second and third floors. The alternate proposal also re-orientated two, third story, formerly east-facing rooms towards the south, resulting in a larger roof deck, as well as a slightly lower building height in the southeast corner due to the elimination of a previously proposed mansard feature. Several members of the public spoke, many with concerns about the at-grade parking and the proximity of the proposed hotel to nearby residences.

The Planning Commission reviewed a presentation from the applicant, asked questions of the applicant and staff, considered public comment, and made comments to inform future review of the project. Key direction included:

- Commissioners indicated the alternate proposal should be the starting point for the applicant to work with the neighbors.
- The applicant agreed to make multiple bids for the construction of an underground garage available to the Planning Commission and interested neighbors.
- Commissioners indicated the applicant has made several compromises and the neighboring property owners should also make compromises so an agreement can be reached.
- Commissioners commented that the residences on Buckthorn Way appeared to be most impacted by the current and alternate designs.
- Commissioners indicated most of the design comments from the March study session have been incorporated, improving the overall design.

The staff report and minutes for the October 8, 2018 study session are included as hyperlink Attachments E and F, respectively.

## Project description

Since the October 8, 2018 study session the applicant has revised the project to a layout similar to the design reviewed at the March 12, 2018 study session, again including an underground parking garage and increased setbacks. The rear setback would be increased from the approximately 26 feet shown in the alternate plans presented at the October 8, 2018 study session, to 39 feet, five inches. The third floor rooms along the eastern property line would again be oriented away from the eastern property line and the design would include a slightly lower building height in the southeast corner compared to the March 2018 proposal. Additionally, the current proposal incorporates design refinements to the March 2018 proposal, including the reduction of the height of the entry tower to adhere to Specific Plan regulations and the elimination of a proposed porte-cochere, which did not combine well with the entry tower. In addition, the following design modifications were made, which were incorporated into both the design presented at the October 8, 2018 study session as well as the current design:

- The number of decorative railings at second floor windows have been reduced but ledges have been added under the remaining two railings to make them look more authentic.
- The 8:12 roof pitches have been revised to 4:12 to be more reflective of the architectural style and to adhere to height limits.
- The white stucco headers above the windows have now been removed, and recessed powder coated aluminum windows are now proposed.
- The stone wainscot material (tiles to simulate honed limestone) that did not match the architectural style have been removed and replaced with Terra cotta color tile along the base of the structure.
- In many locations where the upper floor projects out over lower floors, corbels have been added to

provide stylistically typical wall transitions.

The current proposal includes 70 hotel rooms in a 3-story hotel with an underground parking level, consistent with previous versions of the project proposal. The project would have guest rooms on all three levels, and the building entry and guest services, lobby, lounge, and dining would be located on the first floor at the west/EI Camino Real-facing side of the building. The building would have an L-shape footprint with a north-facing courtyard with a pool on the ground level. The rear portion of the building would step down to two stories facing the rear lot line, except for the stair tower at the northeast building corner, which would be a narrow three-story form.

The proposed site layout is designed with EI Camino Real as the primary access, with a driveway leading to the hotel's underground parking garage. A service and Fire District access driveway would take access from Buckthorn Way at the rear of the site. The proposal requires architectural control review by the Planning Commission, including consideration of a public benefit bonus for an increased Floor Area Ratio (FAR). The applicant is also requesting a variance to reduce the first floor height from the 15 feet that the Specific Plan requires for commercial projects, to 13 feet, in order to allow the structure to be less imposing and provide greater privacy to the surrounding residential properties. As part of the proposed project, five heritage trees are proposed for removal and 20 heritage tree replacements would be planted, in addition to six replacement trees that have already been planted, to provide a two-to-one replacement ratio for the five heritage trees proposed for removal and the eight heritage trees previously removed.

The proposed development would be developed at the Public Benefit Bonus level FAR, and would exceed the Base level density/intensity standards of 0.75 FAR in the ECR NE-L (EI Camino Real North-East – Low Density) sub-district. The October 2018 proposal had a slightly lower FAR than the current proposal as it included only 68 hotel rooms to accommodate parking on the first floor. The table below provides additional information.

Table 1: FAR Comparison					
Maximum Base Maximum Bonus FAR Level FAR		October 2018 Proposed FAR	Currently Proposed FAR		
0.75	1.1	1.05	1.1		

The proposed building would adhere to the ECR NE-L sub-district height maximums, which have an overall limit of 38 feet, and a façade height of 30 feet for all façades, except interior side facades, as measured at the minimum setback.

In response to neighbor's concerns, the applicant is proposing to add an 8-foot tall, solid, wood, fence around most of the parcel, as shown on Sheet A2 (site plan). A portion of the existing fence along the west property line, facing El Camino Real, would be reduced to 3 feet to met the Transportation Division's requirements for visibility. Along the eastern property line, a fence would be added on the southern side, while an existing 13-foot tall stucco wall and two buildings along the lot line would provide screening along the northern portion. The proposed fence may be approved as part of the architectural control request.

The applicant's project description letter is included as Attachment G and the project plans are included as Attachment H. A detailed review of the project's compliance with all Specific Plan standards and guidelines is included in the project's compliance worksheet (Attachment I).

#### Design and materials

The applicant initially submitted a proposal with a modern farmhouse style but revised the design after receiving input from neighboring property owners prior to the first study session. The currently proposed structure's architectural character would be Spanish Eclectic. Forms, rooflines, details, and materials would be reminiscent of early twentieth century California's Spanish Revival architecture. The potentially boxy hotel volume has been mitigated by the use of building segments that establish revival style forms and proportions. The roof form variations—hip, gable, and shed—would play off each other well and result in a balanced composition with strong focal points.

The strongest architectural feature would be the corner tower, which is shaped with chamfered corners, radius shaped transitions from the upper third of the tower to the lower two-thirds, and a modified octagon roof. The roof overhang features simulated wood corbels, while wall trim is used to manage the form's proportions. Another strong design feature would be the main portion of the west façade which is set under the gable roof and proportioned by projecting the façade's upper two floors out from the first floor supported by corbels. The roof corbels also work well with this façade by complementing the regularly spaced window openings. Additionally, the lower shed form at the left-front corner of the building and the third-floor hip roof at the third floor at the left side provide scale and form articulation from both the El Camino Real view and from buildings along Buckthorn Way. In this way both building corners at the front of the building would have form articulation that recognizes the building as a three-dimensional form instead of just a "designed" front façade with utility side facades. Along the side and rear wall planes, projecting forms supported by corbels and other roofline refinements such as the small hip roofs at stair and elevator towers and the vine covered upper level trellis lend architectural character and rhythm to these facades.

The main materials would be smooth texture stucco walls and 2-piece mission style clay tile roofing. The roofing would have a mix of terra cotta, red, and brown colored tiles to provide a more authentic look. Walls would be white in color except at the rear portion of the building (east façade), where a medium, putty grey color is proposed to reduce the impact of the structure to residential properties across the rear lot line.

An alternative color scheme for walls is provided within the plan set (Sheet A19) and the separate material board. The alternative would render the building in one color, instead of the combination of white and grey, but with an earthy sand to yellow/orange color stucco. The alternate color scheme board shows four different options. Alternate color #3, Glowing Apricot, would have the deepest/earthiest color of the four with a hint of orange. Color #2, Golden Lab, is lighter but still with a golden tint to the sand color. Colors #1, Key West Ivory, and #4, Birmingham Cream, would be more pale and sandy than the other colors, but would still have a hint of yellow and would calm the building relative to the proposed white color. All four alternative colors would allow one color for the whole building as well as create less contrast between terra cotta roof and wall tiles to the stucco walls.

Windows would be aluminum frames with a sepia brown frame color and near clear Solarban glazing. Windows would have exterior applied rectangular subdivisions to imply period fenestration. Windows would also be recessed four to six inches from the exterior wall to create a deep wall thickness impression. Overall, while window fenestration pattern could be fine-tuned to give a more enhanced sense of period architecture (e.g. adding an extra horizontal muntin to guest room windows), there would be sufficient patterning to mullions and muntins to maintain the architectural style.

Accent materials include Terra cotta tile along the base of walls, copper roof gutters and leader heads treated to accelerate the patina, and decorative iron railings.

Stylistic details such as the eave detail with a shaped cornice and half-round gutter, triple stacked ridge tiles

at hip ridges, recessed windows, large stucco clad corbels, occasional arched openings, decorative dark brown metal railings, and bronze color period exterior wall sconces suggest Spanish architectural precedents. The wall, window opening and roof profile details on Sheet A15.1 and the materials and color exhibit on Sheet A16 give impressions of some of these conditions. Of particular interest is the scale and shape of horizontal wall moldings/trim, corbels, and window sills.

Overall, the well composed combination of roof forms, strong focal points, use of deep set windows with dark brown color windows, white stucco with a smooth finish and clay tile roofing with a mix of tile colors along with the aforementioned accent materials and detailing would be reasonably cohesive in stylizing the building to meet Spanish Revival precedents, along with providing façade depth with shadow lines and a pleasing silhouette.

Staff believes the proposed white walls with the rear portion of the building (east façade) proposed in a medium, putty grey color, suits the design well. However, the Planning Commission may wish to consider if the alternative color scheme would soften the building forms or better relate the form and mass of the building to neighborhood conditions, and if so, which color alternative would be best suited for the architecture and neighborhood.

#### Variance

The applicant is requesting a variance to reduce first floor height from the 15 feet that the Specific Plan requires for commercial projects, to 13 feet, in order to allow the structure to be less imposing and provide greater privacy to the surrounding residential properties. The Zoning Ordinance provides for variances from development regulations when it has been found that, because of special circumstances applicable to the subject property, the standard regulations are found to deprive such property of privileges enjoyed by other nearby properties within the same zoning district. Any such variance is not to constitute a grant of special privilege, and must not compromise the public health, safety, and welfare. Five findings need to be made to approve the variance. Each finding is discussed below.

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

A hardship peculiar to the property and not created by any act of the current property owner exists. As noted earlier, the parcel is setback approximately 130 feet from El Camino Real and including a 15-foot first floor, floor to ceiling height would not add visual interest along the street but it could impact the privacy of neighboring properties by raising the height of the proposed hotel.

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

The proposed variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity, and the variance would not constitute a special privilege of the recipient not enjoyed by neighbors. In this case, the location of the parcel is unique, both due to its setback from El Camino Real and its location surrounding residential properties, and the variance would allow for a commercial development with reduced impacts to the neighboring, residential properties. While almost all other commercial properties within the Specific Plan are set along a public

street, leading to an expectation that they provide visual interest to pedestrians, the subject parcel is setback approximately 130 feet from El Camino Real. In addition, the reduction in first floor, floor-to-ceiling height would not be perceptible from El Camino Real.

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

The granting of the variance would not be materially detrimental to the public health, safety, or welfare, and would not impair an adequate supply of light and air to adjacent property. The requested variance would allow additional supply of light and air to adjacent properties by lowering the overall hotel of the proposed hotel. Except for the requested variance, the proposed hotel would conform to all other requirements of the ECR NE-L sub-district of the Specific Plan.

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

The conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification due to the unique location of this property and the layout of the site as a panhandle lot.

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

Although the parcel is located within the El Camino Real/Downtown Specific Plan, panhandle types of lots were not discussed during the Specific Plan process.

#### Parking and circulation

The proposed development includes 56 parking spaces with the possibility of a valet parking system accommodating an additional 14 cars, for a total of 70 cars. The Specific Plan specifies a parking rate of 1.25 spaces per guest room for a full-service hotel, although the Transportation Manager may approve a lower rate for a limited-service hotel. The Transportation Division has indicated the proposed parking rate is appropriate for the proposal as it is considered a limited-service hotel without a restaurant or a large conference space, and the proposed parking rate is consistent with the approval of the Hotel Lucent at 727 El Camino Real. (The applicant has indicated the dining space would only be used for breakfast provided to hotel guests.) The table below provides a comparison between the current proposal and what would be required of a full-service hotel in the Specific Plan.

Table 2: Comparison of Parking Rates						
Proposed and required parking spaces for currently proposed limited service hotel	Proposed and required parking ratio for currently proposed limited service hotel	Proposed parking rate with valet parking system	Proposed Parking ratio with valet parking system	Required parking spaces for a 70-room, full- service hotel	Required parking ratio for a 70-room full service hotel	
56 spaces	0.8 spaces per room	70 spaces	1 space per room	88 spaces	1.25 spaces per room	

Primary access would be through the easement/driveway connection to El Camino Real. Secondary service access would be along the rear lot line from Buckhorn Way. The Transportation and Engineering Divisions have indicated the proposed access is acceptable.

#### Trash and recycling enclosure

The trash and recycling enclosure is proposed to be located at the east property line, which may be approved as part of the architectural control for the project. Recology has approved of this location, and it complies with all Engineering Division requirements. The applicant states that the proposed location of the enclosure was selected to provide adequate fire truck access from Buckthorn Way and to minimize the view of the enclosure from neighboring properties.

#### Signage

A three-story tower form with the "Hampton Inn" sign would be located above the entry and also directly visible from El Camino Real. The applicant has indicated the existing monument sign on El Camino Real would be removed and replaced with a monument sign that would be shared with 1706 El Camino Real as it would be located on their property, adjacent to the access easement. Written permission from the property owner at 1706 El Camino Real was submitted, and sign review from the Planning Commission is required as the red color in the signs exceeds 25 percent of the total sign area. At the October 8, 2018 study session, the Planning Commission indicated the west property boundary facing El Camino Real is considered the frontage for the purposes of calculating the permitted sign area, meaning a 100 square feet of maximum sign area would be permitted. The two proposed signs total approximately 97.2 square feet of sign area. The applicant indicates the design of the signs, including the red lettering, was developed pursuant to brand size, color and location requirements for Hampton Inns. Staff believes the design of the signs is good quality, including individual lettering, and would be appropriate for the proposed Hampton Inn.

#### Trees and landscaping

There are currently 21 trees on or near the project site. The applicant's arborist report (Attachment J) includes detailed information on these trees.

All 13 trees currently on the project site would be removed, including five heritage trees. Table 3 includes information on the five heritage trees proposed for removal as well as the eight heritage trees that have already been removed. Of the previously removed eight heritage trees, six trees were multi-trunk, heritage Hollywood Junipers (trees #19-24), that were removed along the access drive to Buckthorn Drive, and have been replaced with six ever green trees along the access drive. These six trees were removed without

permits and the applicant indicated he did not know they were heritage size since they were multi-trunk trees. Two heritage trees (trees #11 and #12) have also been removed with heritage tree removal permits due to poor condition as a result of bark beetle infestation. In total, 20 heritage tree replacements would be planted through out the property, in addition to the six replacement trees that have already been planted along the access drive to Buckthorn Way, to provide a two-to-one replacement ratio for the five heritage trees proposed for removal and the eight heritage trees previously removed.

The heritage tree ordinance provides eight reasons why heritage trees may be removed. For the trees on the subject parcel, the reasons are poor condition (reason #1), the necessity to remove the tree to construct proposed improvements (reason #2) and a low long-term value of the species (reason #4), as described in Table 3.

Table 3: Heritage Trees Proposed for Removal						
Tree #	Species	Location	Status	City Arborist Evaluation and Reason for Removal		
1	Valley Oak	Front of hotel	Proposed for removal	Proposed construction (reason #2)		
2	Valley Oak	Mid-rear half of lot	Proposed for removal	Poor condition (reason #1)		
11	Monterey Pine	Along rear property line	Removed	Poor condition (reason #1)		
12	Monterey Pine	Along rear property line	Removed	Poor condition (reason #1)		
13	Monterey Pine	Along rear property line	Proposed for removal	Poor condition (reason #1)		
14	Monterey Pine	Along rear property line	Proposed for removal	Poor condition (reason #1)		
16	Glossy Pivet	Along rear property line	Proposed for removal	Low long-term value (reason #4)		
19	Hollywood Juniper	Access drive to Buckthorn	Removed	N/A (Removed without permit)		
20	Hollywood Juniper	Access drive to Buckthorn	Removed	N/A (Removed without permit)		
21	Hollywood Juniper	Access drive to Buckthorn	Removed	N/A (Removed without permit)		
22	Hollywood Juniper	Access drive to Buckthorn	Removed	N/A (Removed without permit)		
23	Hollywood Juniper	Access drive to Buckthorn	Removed	N/A (Removed without permit)		
24	Hollywood Juniper	Access drive to Buckthorn	Removed	N/A (Removed without permit)		

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New landscape would be provided around the edges of the site and at courtyards, patios, and walkways, including a new Valley Oak at the front of the property and olive and crape myrtle trees. Wood trellis structures and vines are also provided near the entry and on the upper floor at the rear of the structure.

To reduce impacts on neighboring properties significant evergreen screening landscape would include a dense line of six Fern Pine (podocarpus) trees along the rear lot line to screen the property from the adjacent residential development as well as six Marina Madrone and five Saratoga Laurel cherry trees along the north side lot line also to screen the building and pool area from the adjacent residential buildings and other landscape along the side yards and rear driveway.

## Below Market Rate (BMR) Housing Agreement

The proposed development would be subject to the City's BMR requirement. The City may allow such a BMR requirement to be met in a number of ways, including on-site provision of an affordable dwelling unit, off-site provision of an affordable dwelling unit, or payment of an in-lieu fee.

The proposed project would have a BMR requirement of 0.77 BMR units or an in-lieu fee payment of approximately \$282,575.29. The proposed project does not include a residential component, although the zoning designation for the subject site does allow residential uses. According to the applicant, the need to maximize allowable square footage for hotel uses for a financially viable hotel project on a relatively small infill site would limit the ability to develop residential units on site as part of the proposed project. In addition, the applicant indicates the Hampton Inn brand does not usually allow a development to be mixed use unless the site is in a high-density urban location and the two uses can be effectively separated. Therefore, the applicant is proposing to satisfy the project's BMR obligations through the payment of in lieu fees. On November 2, 2016, the Housing Commission unanimously recommended that the Planning Commission approve the proposed BMR proposal for the payment of in lieu fees, which would be adjusted to the in-lieu fees and project square footage current at the time of building permit issuance. The draft BMR agreement is included as Attachment K.

## **Public Benefit Bonus**

The Specific Plan establishes two tiers of development:

- **Base:** Intended to inherently address community goals, such as: encourage redevelopment of underutilized parcels, activate train station area and increase transit use, and enhance downtown vibrancy and retail sales. These standards were established through the iterative Community Workshop and Commission/Council review process, wherein precedent photographs, photomontages, sections, and sketches were evaluated for preferences, and simultaneously assessed for basic financial feasibility.
- **Public Benefit Bonus:** Absolute maximums subject to provision of negotiated public benefit, which can take the form of a Development Agreement. In particular, a public study session is required prior to a full application, and has to be informed by appropriate fiscal/economic analysis. The list of recommended public benefits was also expanded with public suggestions, and a process was established to review and revise the list over time.

The Public Benefit Bonus process, including background on how the structured negotiation process was selected relative to other procedural options, is described on Specific Plan pages E16-E17. Past Public Benefit Bonus approvals include the hotel conversion project at 555 Glenwood Avenue, the office project at 1010-1026 Alma Street, the Park James hotel at 1400 El Camino Real, and the mixed-use Station 1300 project with office, residential, and community-serving uses.

### Public benefit proposal

The applicant is proposing a hotel development, a use which has an inherent benefit of generating Transient Occupancy Tax (TOT) revenue for the City on an on-going basis. The Specific Plan lists "Hotel Facility" as one of several elements that could be considered as public benefits due to its higher tax revenue generation and potential for enhancing downtown vibrancy, although this list is not binding; each proposal needs to be reviewed on a case-by-case basis.

### Financial analysis

The Specific Plan requires that Public Benefit Bonus study sessions "incorporate appropriate fiscal/economic review (with work overseen by City staff), which should broadly quantify the benefits/costs of the bonus FAR/density/height and the proposed public benefit." The intent of this independent analysis is not to make a definitive determination of the value of the bonus development or the public benefit, or a recommendation whether the bonus should be granted. Rather, the analysis is intended to provide likely estimates and other information to inform the Planning Commission's discussion. The City has commissioned such an analysis by BAE Urban Economics (BAE), which is included as Attachment L.

For the value of the proposed Bonus project as proposed with 70 hotel rooms and underground parking, BAE prepared a detailed pro forma which examines typical revenues and costs for the Public Benefit Bonus proposal (Bonus Project). The applicant has indicated that a hotel development at the Base level is financially infeasible. BAE indicates their research supports the assumption that the application would experience significant challenges in achieving financial feasibility for a hotel project at the base level. The pro forma takes into account factors such as current construction costs, City fees, capitalization rates, and typical market hotel rates. However, as noted in the document, such factors can change, which may substantively affect the conclusions of the analysis. The analysis determined that the Bonus Project would result in an estimated profit of \$3.4 million for the applicant, and would generate an estimated \$680,500 annually in Transient Occupancy Tax (TOT) revenue to the City. Actual TOT revenue would be highly dependent upon room and occupancy rates. The yearly nature of TOT would mean that the City could receive the same revenue in five years (and every five years thereafter) that the applicant would receive in total project profit.

The TOT estimate does not account for the current TOT revenues at this site, partly because actual tax revenue for individual businesses cannot be reported due to confidentiality requirements and partly due to the fact that the uniqueness and age of the Red Cottage Inn make it difficult to estimate average room and occupancy rates. However, even if the current 28-room hotel generated TOT revenue on a per-room basis equal to the proposed Hampton Inn (which is unlikely due to the current building's age), the net new TOT revenue would be approximately \$390,000, which would still be a significant contribution to the City's general fund. In addition, it is not certain that the Red Cottage Inn would stay in operation if the current proposal is not approved; if this land use were to be converted to another type of use, the TOT revenue would drop to zero.

As previously noted, at the March 12, 2018 study session, the Planning Commission provided positive direction that the proposed hotel's inherent benefit of generating Transient Occupancy Tax (TOT) revenue for the City on an on-going basis was sufficient as a public benefit in exchange for allowing the floor area ratio (FAR) to be at the Public Benefit level, the Commission did not provide alternate direction to Staff at the October 8, 2018 study session.

## Correspondence

The applicant indicates he held four community meetings between December 2016 and September 2017, and made a number of changes to the proposal as a result of feedback received at the meetings. These

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changes included reducing the first floor height, relocating guestrooms from the third floor at the rear to the front of the hotel, and changing the architectural style from modern farmhouse to a Spanish style. After submittal of that design, staff received correspondence with more positive feedback and appreciation for the changes made. When the applicant further revised the design to remove the underground parking, staff received additional correspondence from neighboring property owners. The majority of this correspondence was from neighbors who no longer supported the proposal, mainly due to concerns about the height, proximity to residential properties, and the third floor guest rooms facing residences.

All correspondence received after the publication of the October 8, 2018 staff report is included as Attachment M. This correspondence includes further feedback on the proposal without underground parking as well as the current proposal with underground parking. Although the correspondence indicates a strong preference for the proposal with underground parking versus the previous proposal without underground parking, remaining concerns about the size of the proposed hotel, and privacy and other impacts to neighboring, residential properties remain. Additionally, neighbors have expressed concerns about the application of the public benefit bonus level that would allow a higher FAR. The current proposal does not include any east facing hotel rooms and the applicant has indicated the only access to the third floor balcony along the east elevation would be for employees performing maintenance. Concerns about potential impacts from runoff from landscaping and light pollution would be addressed through the conditions of approval, which require adherence to water efficient landscaping as well as mitigation measures that prohibit exterior lighting that shines upwards, as well as policies to reduce interior lighting. The current proposal also includes alternative colors that may address concerns from neighbors. Additionally, staff received emails from physicians at 1706 EI Camino Real, both before and after the October 8, 2018 study session, who raised concerns regarding traffic, especially as it relates to construction. The applicant has submitted preliminary construction phasing plans as part of the proposed plan set, which will be subject to additional review as the project goes forward.

### Conclusion

Staff believes the proposed structure's Spanish Eclectic architectural style is well designed. The potentially boxy hotel volume has been mitigated by the use of building segments that establish revival style forms and proportions. The roof form variations would result in a balanced composition with strong focal points. The proposed underground parking would have a positive impact on the overall character of the site development and the proposed eight-foot tall fence along the majority of the site perimeter would increase privacy. With the exception of the requested variance for the reduced first floor height, the proposal would adhere to the extensive standards and guidelines established by the Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet. Additionally, the reduced first floor height would enhance privacy. Although the red color in the proposed signs exceeds 25 percent, the signs are well designed, including the use of individual lettering, and would adhere to the Hampton Inn brand signage requirements. The BMR Agreement, requiring the payment of an in-lieu fee, would address the project's BMR obligations. The proposed Development at the Public Benefit Bonus level is consistent with the feedback provided by the Planning Commission at the study sessions and would provide the City with additional Transient Occupancy Tax (TOT) revenue. The heritage tree removals would be replaced at a two-to-one ratio, and new landscape would be provided around the edges of the site and at courtyards, patios, and walkways, including a new coast live oak at the front of the property. Staff recommends that the Planning Commission approve the proposed architectural control, variance, sign review and BMR agreement.

### Impact on City Resources

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

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sponsor is also required to bear the cost of the associated environmental review.

### **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.

The Specific Plan EIR identifies no impacts or less-than-significant impacts in the following categories: Aesthetic Resources; Geology and Soils; Hydrology and Water Quality; Land Use Planning and Policies; Population and Housing; and Public Services and Utilities. The EIR identifies potentially significant environmental effects that, with mitigation, would be less than significant in the following categories: Biological Resources; Cultural Resources; Hazards and Hazardous Materials. The EIR identifies potentially significant environmental effects that will remain significant and unavoidable in the following categories: Air Quality; Greenhouse Gases and Climate Change; Noise; and Transportation, Circulation and Parking. The Final EIR actions included adoption of a Statement of Overriding Considerations, which is a specific finding that the project includes substantial benefits that outweighs its significant, adverse environmental impact.

As specified in the Specific Plan EIR and the CEQA Guidelines, program EIRs provide the initial framework for review of discrete projects. In particular, projects of the scale of 1704 El Camino Real are required to be analyzed with regard to whether they would have impacts not examined in the Program EIR. This conformance checklist, which analyzes the project in relation to each environmental category in appropriate detail, is included as Attachment N. As detailed in the conformance checklist, the proposed project would not result in greater impacts than were identified for the Program EIR. Relevant mitigation measures have been applied and would be adopted as part of the Mitigation Monitoring and Reporting Program (MMRP). which is included as Attachment O. Full compliance with the MMRP would be ensured through condition 7(a). No new impacts have been identified and no new mitigation measures are required for the proposed project. Mitigations include construction-related best practices regarding air quality and noise, payment of transportation-impact-related fees (conditions 7(q) and 7(h)) and implementation of a Transportation Demand Management (TDM) program. The applicant has submitted an initial draft TDM plan, which would be revised concurrent with the submittal of the building permit. The MMRP also includes two completed mitigation measures related to cultural resources. Archeological resource evaluations and historical resources evaluations were performed by qualified professionals and determined that the proposed project would have no additional impacts. These studies are available for review upon request.

#### 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. As noted in the Plan, development in excess of these thresholds will require amending the Specific Plan and conducting additional environmental review.

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 4: Specific Plan Totals		
	Dwelling Units	Commercial Square Footage
Existing	0	10,766.18
Proposed	0	40,004.18
Net Change	0	29,228
% of Maximum Allowable Development	0	6.16%
Available Units & Commercial SF in SP if Project is Approved	191	47,152
Available Units & Commercial SF in SP if all Pending Projects in SP are Approved	171	30,521

## **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. Recommended Actions
- B. Location map
- C. Hyperlink: Planning Commission staff report, March 12, 2018https://www.menlopark.org/DocumentCenter/1704-EI-Camino-Real
- D. Hyperlink: Planning Commission Minutes, March 12, 2018 https://www.menlopark.org/AgendaCenter/ViewFile/Minutes
- E. Hyperlink: Planning Commission staff report, October 8, 2019 https://www.menlopark.org/DocumentCenter/1704-El-Camino-Real
- F. Hyperlink: Planning Commission Minutes, October 8, 2019 https://www.menlopark.org/AgendaCenter/ViewFile/Minutes
- G. Project Description Letter and Variance Request
- H. Project Plans
- I. Specific Plan Standards and Guidelines Compliance Worksheet
- J. Arborist Report
- K. BMR Agreement
- L. Analysis of Proposed Public Benefits for 1704 El Camino Real Project prepared by BAE Urban Economics, dated February 28, 2018
- M. Correspondence
- N. EIR Conformance Checklist
- O. Mitigation Monitoring and Reporting Program (MMRP)

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Report prepared by: Corinna Sandmeier, Senior Planner

Report reviewed by: Kyle Perata, Principal Planner THIS PAGE INTENTIONALLY LEFT BLANK

LOCATION: 1704 El	PROJECT NUMBER:	APPLICANT: Sagar	OWNER:
Camino Real	PLN2016-00085	Patel	Sagar Patel

## PROPOSAL:

Architectural Control, Variance, Sign Review and Below Market Rate (BMR) In-Lieu Fee Agreement/Sagar Patel/1704 El Camino Real:

Request for architectural control approval to demolish an existing hotel and construct a new 70-room hotel consisting of three stories with below grade parking in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The project includes a variance request to permit reduced floor-to-floor height on the first floor. In addition, the applicant is requesting sign review, including review of a shared monument sign located on 1706 El Camino Real, and approval of a Below Market Rate (BMR) In-Lieu Fee Agreement. The proposal also includes a request for a Public Benefit Bonus, with the benefit consisting of Transient Occupancy Tax (TOT) revenue. As part of the proposed project, five heritage trees are proposed for removal and 20 heritage tree replacements would be planted, in addition to six replacement trees that have already been planted, to provide a 2-1 replacement ratio for the five heritage trees proposed for removal and the eight heritage trees previously removed.

<b>DECISION ENTITY:</b> Planning Commission	DATE: June 24, 2019	ACTION: TBD

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

## ACTION:

- 1. Make findings with regard to the California Environmental Quality Act (CEQA) that the proposal is within the scope of the project covered by the El Camino Real/Downtown Specific Plan Program EIR, which was certified on June 5, 2012. Specifically, make findings that:
  - a. A checklist has been prepared detailing that no new effects could occur and no new mitigation measures would be required (Attachment N).
  - Relevant mitigation measures have been incorporated into the project through the Mitigation Monitoring and Reporting Program (Attachment O), which is approved as part of this finding.
  - c. Upon completion of project improvements, the Specific Plan Maximum Allowable Development will be adjusted by 29,228 square feet of non-residential uses, accounting for the project's net share of the Plan's overall projected development and associated impacts.
- 2. 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 structure is in keeping with the character of the neighborhood.
  - b. The development will not be detrimental to the harmonious and orderly growth of the City.
  - c. The development will not impair the desirability of investment or occupation in the neighborhood.
  - d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
  - e. The development is consistent with the El Camino Real/Downtown Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet (Attachment I).

- 3. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of the variance:
  - a. A hardship peculiar to the property and not created by any act of the current property owner exists. The parcel is setback approximately 130 feet from El Camino Real and including a 15-foot first floor, floor to ceiling height would not add visual interest along the street but it would impact neighboring properties by raising the height of the proposed hotel.
  - b. The proposed variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity, and the variance would not constitute a special privilege of the recipient not enjoyed by neighbors. In this case, the location of the parcel is unique, both due to its setback from El Camino Real and its location surrounding residential properties, and the variance allows for a commercial development with reduced impacts to the neighboring, residential properties.
  - c. The granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property. Except for the requested variance, the subdivision will conform to all other requirements of the Zoning Ordinance. The requested variance would allow additional supply of light and air to adjacent properties by lowering the overall hotel of the proposed hotel. Except for the requested variance, the proposed hotel would conform to all other requirements of the ECR NE-L sub-district of the Specific Plan.
  - d. The conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification. The conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification due to the unique location of this property.
  - e. The condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process. Although the parcel is located within the El Camino Real/Downtown Specific Plan, pan handle types of lots were not discussed during the Specific Plan process.
- 4. Make findings that the signs are appropriate and compatible with the business and signage in the general area and that the use of red in the signs greater than 25 percent of the sign area is appropriate based on the sign design and location.
- 5. Approve the Below Market Rate Housing Agreement (Attachment K) in accordance with the City's Below Market Rate Housing Program, subject to final review and approval by the City Attorney.
- 6. Approve the Architectural Control, Variance, and Sign Review subject to the following *standard* conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by RYS Architects, consisting of 50 plan sheets, dated received June 14, 2019 and approved by the Planning Commission on June 24, 2019, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, California Water Company and utility companies' regulations that are directly applicable to the project.

- d. Prior to building permit issuance, the Applicant shall submit a finalized version of the Stormwater Control Plan, which shall provide stormwater treatment for the entire project site pursuant to the latest regulations specified in the San Mateo County C.3 Technical Guidance Manual, subject to review and approval of the Engineering Division. The Stormwater Control Plan shall include a written report identifying existing and proposed project conditions, and all applicable source controls, and mitigation measures (i.e. bioretention areas, flow through planters, etc.) implemented to meet NPDES compliance.
- e. 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), subject to review and approval of the Engineering Division. BMP plan sheets are available electronically for inserting into Project plans.
- f. Prior to building permit issuance, the applicant shall submit a plan for: 1) construction safety fences around the periphery of the construction area, 2) dust control, 3) air pollution control, 4) erosion and sedimentation control, and 5) tree protection fencing. The plans shall be subject to review and approval by the Building, Engineering, and Planning Divisions prior to issuance of a building permit. The fences and erosion and sedimentation control measures shall be installed according to the approved plan prior to commencing construction.
- g. 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. The plan shall include construction phasing and anticipated method of traffic handling for each phase.
- h. Prior to building permit issuance, 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. The agreement shall be recorded and documentation shall be provided to the City prior to final inspection.
- i. Prior to building permit issuance, the applicant shall submit a Grading and Drainage Plan for review and approval by the Engineering Division. 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.
- j. Prior to building permit issuance, 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.

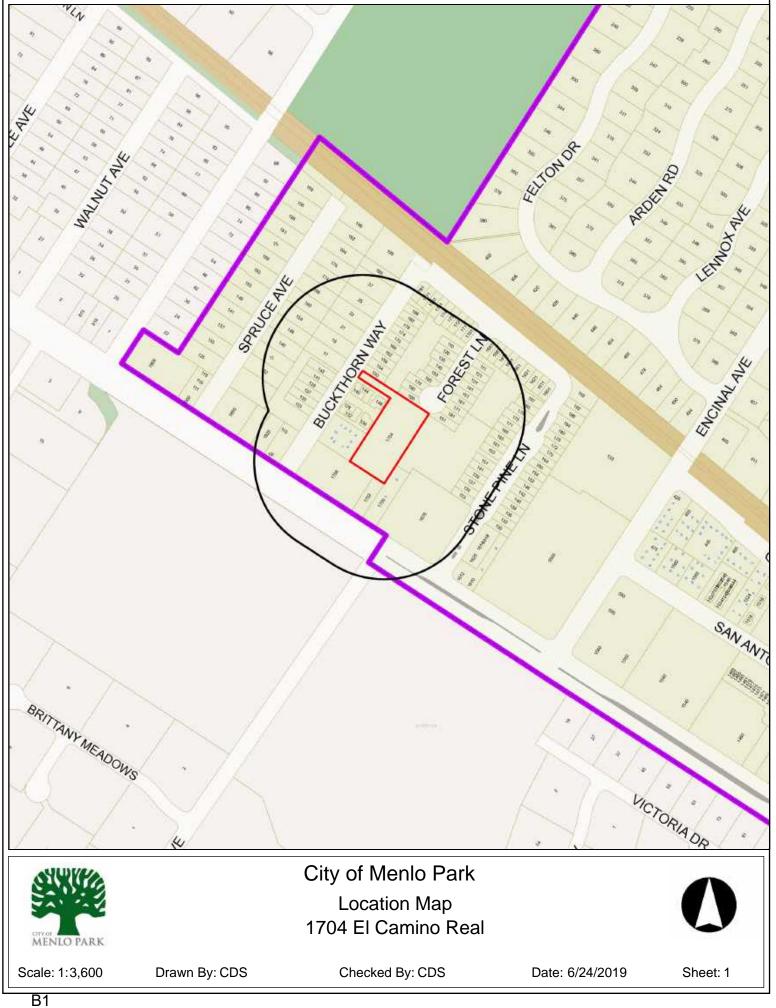
- k. Prior to building permit issuance, the Applicant shall submit joint trench drawings showing all applicable on-site lateral connections to overhead electric, fiber optic, and communication lines as undergrounded. The joint trench drawings shall be subject to review and approval of the Engineering Division.
- I. During the design phase of the construction drawings, all potential utility conflicts shall be potholed with actual depths and recorded on the improvement plans, submitted for Engineering Division review and approval.
- m. Prior to building permit issuance, 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.
- n. Prior to building permit issuance, 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.
- o. Prior to building permit issuance, the 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.
- p. If construction is not complete by the start of the wet season (October 1 through April 30), the applicant shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mulch onto public right-of-way; and covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions shall be submitted for review and approval of the Engineering Division prior to beginning construction.
- q. 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 Occupancy.
- r. Street trees and heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the recommendations of the arborist report prepared by Arbor Resources, dated revised March 13, 2019.
- s. Prior to building permit issuance, Applicant shall submit a heritage street tree preservation plan, detailing the location of and methods for all tree protection measures.
- t. Prior to building permit issuance, the applicant shall pay all Public Works fees. Refer to City of Menlo Park Master Fee Schedule.

- u. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a lighting plan, providing the location, architectural details and specifications for all exterior lighting subject to review and approval by the Planning Division.
- v. Simultaneous with the submittal of a complete building permit application, a design-level geotechnical investigation report shall be submitted to the Building Division for review and confirmation that the proposed development fully complies with the California Building Code. The report shall determine the project site's surface geotechnical conditions and address potential seismic hazards. The report shall identify building techniques appropriate to minimize seismic damage.
- w. Prior to building permit issuance, the Applicant shall submit a Geotechnical Report detailing on- and off-site soils conditions in preparation for the proposed tie-backs, subject to review and approval of the Building and Engineering Divisions.
- x. A complete building permit application will be required for any remediation work that requires a building permit. No remediation work that requires approval of a building permit shall be initiated until the applicant has received building permit approvals for that work. All building permit applications are subject to the review and approval of the Building Division.
- y. Prior to building permit issuance, all public right-of-way improvements, including frontage improvements, and the dedication of private easements, shall be completed to the satisfaction of the Engineering Division and recorded with the County of San Mateo prior to building permit final inspection.
- z. 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 indicates the Applicant's intent to comply with the San Mateo Countywide Stormwater Pollution Prevention Program, including a Storm Pollution Prevention Plan (SWPPP). The Applicant shall hire a state licensed Qualified Stormwater Developer (QSD) to prepare the NOI and SWPPP for the proposed grading and submit a finalized version of the documents to the Engineering Division.
- aa. Simultaneous with the submittal of a complete building permit application, the Applicant shall provide documentation indicating the amount of irrigated landscaping, subject to review and approval of the Engineering Division. The project is subject to the City' Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Submittal of a detailed landscape plan is required concurrently with the submittal of a complete building permit application. The landscaping shall be installed prior to final building inspection.
- bb. Prior to final inspection, the Applicant shall submit a landscape audit report to the Public Works Department.
- cc. All Agreements shall run with the land and shall be recorded with the San Mateo County Recorder's Office prior to final inspection, subject to review and approval of the Engineering Division.
- 7. Approve the Architectural Control, Variance, and Sign Review subject to the following *project-specific* conditions:
  - a. The applicant shall address all Mitigation Monitoring and Reporting Program (MMRP) requirements as specified in the MMRP (Attachment O). Failure to meet these requirements

may result in delays to the building permit issuance, stop work orders during construction, and/or fines.

- b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit an updated LEED Checklist, subject to review and approval of the Planning Division. The Checklist shall be prepared by a LEED Accredited Professional (LEED AP). The LEED AP 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 certification.
- c. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a full shoring plan subject to review and approval of the Planning and Building Divisions.
- d. 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.
- e. 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.
- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit an updated landscape plan showing the fence heights, materials, and locations consistent with Sheet A2 and the project description letter.
- g. Prior to issuance of 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 \$33,027.64 (\$1.13 x 29,228 net new square feet).
- h. The Transportation Impact Fee (TIF) is estimated to be \$80,818.08. This was calculated by multiplying \$1,924.24 by 42 net new hotel rooms. 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.
- i. The City has adopted a Supplemental Transportation Impact Fee for the infrastructure required as part of the EI Camino Real / Downtown Specific Plan. The fee is calculated at \$398.95 per PM peak hour vehicle trip. The proposed projects is subject to a Supplemental TIF of \$3,590.55 for a total 9 PM peak hour trips. Payment is due before a building permit is issued and the supplemental TIF will be updated annually on July 1st along with the TIF.

# ATTACHMENT B



# ATTACHMENT G

## Hampton Inn by Hilton

Developer: Sagar Patel 1704 El Camino Real

June 12, 2019

### **Project Description**

The applicant wishes to build a new 70-room, 3-story, nationally-branded hotel including an underground parking garage for 56 cars (74 if valet) to replace the existing Red Cottage Inn currently occupying this property. The project site is a "flag" lot located on the easterly side of El Camino Real but set back from it approximately 130 feet, with a portion of an intervening property acting as an ingress-egress easement for the applicant and his immediate neighbors - thus giving him some "frontage" along El Camino. The narrow sliver of this "L" shaped property fronts on Buckthorn Way on the north side.

The architectural design of the building will follow a Neo-Spanish style. It blends a design vocabulary that is reminiscent of the Spanish Colonial past – light-colored plaster, barrel-tiled roofs, exposed beams or rafters and occasional use of tile & wrought iron elements to accent openings. This is complemented with contemporary elements such as terra-cotta tile, aluminum storefront, metal roof screen & privacy screen. Some restraint in the use of these modern and traditional elements is desired by the applicant so as not to make it look "busy" due to the relatively small and enclosed nature of the site, and the repetitive & stacking nature of a hotel building. A touch of classical order is subtly introduced to the building mass in the use of accent-colored stone at the base, a somewhat un-adorned middle portion and a "capital" that is marked by a raised band in the upper quarter of the building mass & capped by articulation of the eaves & roof tile. The three-part division of the mass is subtly reinforced by varying the height of the windows, each of which are further detailed with either different divided lights, decorative iron work. The long portions of the building mass are relieved by cantilevered bays and occasional towers which also provided opportunities to vary the roof line. The proposed white color is in keeping with the architecture but is more muted to meet the neighbors halfway in their request to further "fade" the building from view. Although the applicant strongly prefers the white color, alternate color schemes are included.

The applicant is requesting a variance for a reduction of the height to the second-floor level. This addresses one of the critical concerns of the neighbors – the total overall height of the building. While it was determined that setting the second floor at the zoning district's requirement of 15 feet would still make the building height-compliant, the applicant, with the neighbors' support, wishes relief from this by lowering the second floor height to 13 feet. This not only addresses the building height but also provides opportunities to make the roofline more varied.

To further accommodate the neighbors' request to minimize the visual impact of the hotel's bulk, the applicant has removed guestrooms along the third floor of the east wing. A roof deck with a trellis for vine planting in lieu of guestrooms will face the east side. There will be no guest use of the deck, only hotel staff to maintain the roof and landscaping.

There are currently some heritage trees in the property – two valley oaks, four Monterey pines and a multi-trunked group of junipers. The westerly valley oak will be removed due to its proximity to the building within the front setback requirements. The more inwardly located oak will be removed to accommodate the building & an underground garage, and due to its advanced stage of decay. The four pines were found to be in moderate stage of decay, recommended to be removed by the arborist, will be removed. Since the onset of the project application, several of these trees have been removed or died. Landscape design will help mitigate the removal of these trees. In addition, several mature pines on the east side and some medium size oaks & redwoods on the neighboring properties will be part of a comprehensive tree protection plan.

As much as practicable, sustainable design features such as solar hot water panels, low VOC materials, high-efficiency HVAC equipment and water-efficient landscaping will be an integral part of this project. Daily hotel operations will also reflect the most up-to-date in sustainable practices as have become the norm in the hospitality industry. A LEED professional consultant is part of the design team and a prepared sustainability statement is attached to this document.

"Hampton Inn" is a brand logo of Hilton Corporation and is recognized worldwide. The brand has size, color and location requirements for monument signs and exterior building signs. The Hampton Inn exterior building letters are in red per the brand standards. The client is requesting a sign review due to the signage letters exceeding the 25% red color allowed by the city.

Hilton has approved this project at a preliminary stage, pending franchise negotiation with the applicant and additional information regarding city planning requirements that may affect hotel brand requirements.

Sagar Patel Owner & Applicant

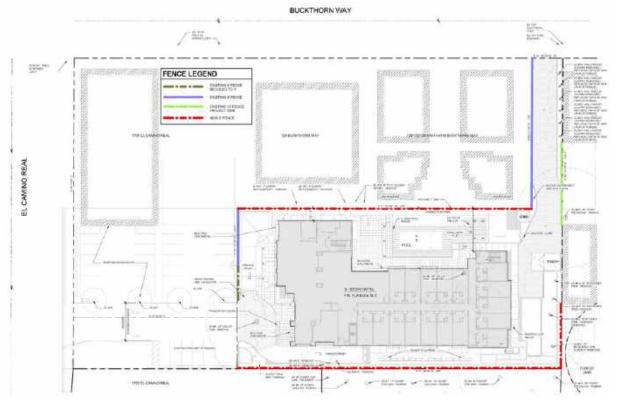
Jim Rato, Architect RYS Architects

Attachment: Response to some recent email comments from neighbors

Response to email comments from neighbors:

From the first day of this application, the project owner has been quite open to the suggestions of his neighbors. Being a former resident and still owning a property in the neighborhood, he has been sensitive to the comments made on the design of the proposed hotel. The present architecture & landscape design, size and setbacks have all been affected in one way or another by comments coming from the neighbors. The applicant, however, must balance the limitations imposed by the district's zoning, the needs of his neighbors and the necessity of making reasonable business decisions.

- 1. <u>Rooftop terrace</u>: what originally was occupied by 5 guestrooms at the southeast corner has been revised as a rooftop terrace. This helps bring down the building mass and minimizes the views of hotel guests from the third floor to the adjacent residential areas. Removal of these rooms offer no benefit to the applicant due to the insistence of neighbors that this terrace be off limits to guest use. He will absorb the loss of revenue and loss of a potentially pleasant gathering space but feel justified in asking the neighbors for a little return by letting a room be reinstated a room whose window is redirected to the south to preserve neighbor privacy and its easterly wall at 57' from the east property line. The neighbors' view of this building corner had already been minimized due to the larger than required setback (39' versus required 20'), the addition of a deck trellis with vine planting to block view of the roofline, the existing 15' high public sidewalk trees, the existing solid fence and the addition of two rows of new replacement heritage trees (36" box). These view obstructing elements will render the one reinstated guestroom virtually invisible.
- 2. <u>Fencing</u>: The applicant agrees to provide 8' high solid wood fence with no lattice work at the areas shown in the illustration below. There are some existing, already-high fence work that does not make sense to replace (solid plaster fences built by neighbors and 26' tall blank building walls).



- 3. <u>Drainage</u>: site drainage will comply with city requirements to direct surface water to areas within the site boundaries. Civil engineering drainage drawings already show this. The applicant will continue to accommodate the additional water to be drained coming from the easterly neighbors' existing 26' tall blank walls.
- 4. <u>Building Color</u>: the applicant believes that the proposed, slightly toned-down white color is in keeping with the architectural style. He strongly prefers to stay with this color. Alternate colors have been submitted.
- 5. <u>Lighting</u>: the site lighting has no pole-mounted lighting that will spill light onto adjacent properties, as is required by city lighting codes. Most of the fixtures in the open landscaped areas are either waist-high bollards or low, wall-imbedded path lighting. The fixtures shown in the lighting plan include utilitarian light fixtures that will be mounted in areas not seen by neighbors, such as in the garage. A minimum number of fixtures are shown enough to comply with life safety light level requirements and also to anticipate a fuller more mature landscaping that will partially obstruct the path lighting.
- 6. <u>Transformer</u>: the utility company of the area requires the project to draw power from Buckthorn Way. As required, transformers are to be as close as possible to the street and be readily accessible by a maintenance truck on the driveway. Fire department requirements doesn't allow other obstructions in that 25' wide driveway. As is already in the existing hotel, all utilities (electrical, water, sewer & storm, etc.) are routed via the 25' wide driveway off of Buckthorn. The proposed location is the safest and most compliant to the utility company & fire department requirements.
- 7. <u>Potential alley disturbance</u>: the applicant will work with the city and its waste removal provider for scheduling of recurring waste pickups. Hotel operations also requires noise-generating activities to happen during non-sleeping hours, as much as practicable.



## **Request for Variance**

PLN2016-00085 Hampton Inn Hotel 1704 El Camino Real

Request to allow the applicant to lower the ground floor height from 15 feet to 13 feet.

- 1. The project sits in a "flag" property where none of the property lines touches the El Camino Real right-of-way. The owner has an ingress-egress easement with his neighbors whose lots front on El Camino Real. The site is about 130 feet east of El Camino Real. Given this location, it seems the 15-foot second floor height requirement should qualify for a variance to be lowered to 13 feet. The home owner associations that surround the project have been working with the applicant to lower the building height even as the building complies with height limits. The various HOAs has stated that they would support a variance to lower this height requirement.
- 2. Making the ground floor height two feet lower that the required height is does not significantly reduce the perception of a highly visible transparent activated space due to the distance of building from the El Camino Real right-of-way. The distance of 2 feet at 130 feet away is not easily perceived, especially from viewers who are mostly driving. We do not believe that lowering the height will significantly put our neighbors fronting El Camino at a disadvantage.
- 3. Lowering the height will actually improve the structural stability of the building and improve the supply of light and air to all the adjacent properties.
- 4. Since the vast majority of properties within the same or similar zoning along El Camino actually abuts its right-of-way line this request for a variance is very specific to the unusual location of this site.
- 5. The unusual location of this "flag" property relative to the street for which the height requirement makes most sense is not specifically addressed in the zoning ordinance probably because of its rare occurrence.

Sagar Patel, owner & applicant Red Cottage Inn

Jim Rato, Architect **RYS Architects** 

## ATTACHMENT H

#### VICINTY MAP





HAMPTON INN BY HILTON MENLO PARK BY HAMPTON INN PROTOTYPE VERSION 7.0 DATED, DATED JANUARY 2014

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A13.1 D

A14.1 L

A15 A15.1

A16 A17

A18

A19

E1

F2

A14

A10.1

2017-TOPO TO

#### PROJECT DIRECTORY

LANDSCAPE: TOM HOLLOWAY KLA, INC. 151 NORTH NORLIN STREET

SONORA, CA 95370 (209)532-2856 tom@kla-ca.com

LIGHTING: JARED THEISS SILVERMAN & LIGHT 1201 PARK AVE, STE 100

ARBORIST:

TRAFFIC ENGINEER:

EMERYVILLE, CA 94608 (510) 655-1200

jared@silvermanlight.com

DAVID L. BABBY ARBOR RESOURCES PO BOX 25295 SAN MATEO, CA (650) 654-3351

(650)212-0837 FAX(650)212-3150

arborresources@comcast.net

FIC ENGINEER: RICHARD HOPPER RKH CIVIL AND TRANSPORTATION ENGINEERING 837 COLUMBA LANE FOSTER CITY, CA 94404

OWNER: SAGAR PATEL 1704 EL CAMINO REAL MENLO PARK, CA 94025 (408) 781-4877 sagarkp@yahoo.com

ARCHITECT: ROBERT SAUVAGEAU RYS ARCHITECTS, INC. 10 MONTEREY BLVD. SAN FRANCISCO, CA 94131 (415) 841-9090 bobs@rysarchitects.com

CIVIL: MICHAEL MORGAN HOHBACH-LEWIN, INC. 260 SHERIDAN AVENUE, SUITE 150 PALO ALTO, CA 94306 (650) 617-5930 mmorgan@hohbach-lewin.com

GEOTECHNICAL: TOM PORTER ROMIG ENGINEERS, INC. 1390 EL CAMINO REAL, 2ND FLOOR SAN CARLOS, CA 94070 (650) 591-5224

SUSTAINABILITY: HEALTHY BUILDING SCIENCE 28 2ND STREET, 3RD FLOOR SAN FRANCISCO, CA 94105 (415) 785-7986

# SITE ANALYSIS

A.P.N.:	060343790
ADDRESS:	1704 EL CAMINO REAL, MENLO PARK, CA 94027
EXISTING ZONE:	ECR-NE-L EL CAMINO REAL DOWNTOWN SPECIFIC PLAN
TYPES OF OCCUPANCY:	R-1 / B / A-2
PROPOSED OF USE:	VISITOR ACCOMODATION: SELECT-SERVICE HOTEL
NO. OF STORIES:	3 LEVELS ABOVE GRADE
PARKING PROVIDED:	56 VEHICLE SPACES

BUILDING AREA			ROOM MIX				
LEVEL	GROSS	FLOOR AREA	TYPE	LEVEL		TOTAL	
GARAGE	26,031.27 S.F.	1,409.12 S.F.		FIRST	SECOND	THIRD	
FIRST FLOOR	13,618.81 S.F.	13,346.98 S.F.	KING	2	5	4	11
SECOND FLOOR	13,923.90 S.F.	13,570.67 S.F.	ACC. KING	-	2	1	3
THIRD FLOOR	12,015.49 S.F.	11,677.41 S.F.	ACC. KING SUITE	-	-	-	-
TOTAL	65,589.47 S.F.	40,004.18 S.F.	DOUBLE QUEEN	15	22	19	56
FLOOR AREA RATIO:	FLOOR AREA RATIO: 40,004.18 S.F. / 36,410 S.F. = 1.099			-	-	-	-
			TOTAL	17	29	24	70
EXISTING	EXISTING SITE AREA :			PROPOSED SITE AREA :			
AREA	<u>S.F.</u>	PERCENTAGE	AREA		<u>S.F.</u>	PEF	RCENTAGE
BUILDING FOOTP	RINT: 8,384 S.F.	23.03%	BUILDING FOOTPRINT:		13,618.	81 S.F.	37.40%
DRIVEWAY: 12,796 S.F.		35.14%	DRIVEWAY: 7,861.33 S.F.		3 S.F.	21.59%	
OPEN SPACE: 15,230 S.F. 41.83%		OPEN SPACE:		14,929.	86 S.F.	41.01%	
TOTAL SITE AREA: 36,410 S.F. 100%		TOTAL SITE AREA: FLOOR AREA RATIO: TOTAL OPEN SPACE RA"		36,410. ,004.18 S.F. ,929.86 S.F.	/ 36,410 S.		

## DRAWING INDEX

COVER SHEET BUILDING CODE CALCULATIONS	L0.1	CONCEPTUAL LANDSCAPE PLAN - FIRST FLOOR / SITE
ALLOWABLE OPENING CALCULATIONS	L0.2	CONCEPTUAL LANDSCAPE PLAN - THIRD FLOOR
D TOPOGRAPHIC SURVEY PLAN AREA PLAN SITE FLAN SIGNAGE MASTER PLAN GARAGE PLAN FIRST FLOOR PLAN FIRST FLOOR PLAN HIRO FLOOR PLAN BUILDING AREA CALCULATIONS BUILDING AREA CALCULATIONS BUILDING AREA CALCULATIONS BUILDING ELEVATIONS EXISTING BUIDLING ELEVATIONS EXISTING BUIDLING ELEVATIONS	C1.0 C3.0 C4.0 C5.0 C7.0 E0.01 E0.02 E0.03 E0.04 E0.05 E1.00 E1.01	FLOOR COVER SHEET PRELIMINARY GRADING AND DRAINAGE PLAN PRELIMINARY UTILITY PLAN STROM WATER TREATMENT PLAN DETAILS LIGHTING - GENERAL NOTES, SYMBOLS, INDEX LIGHTING FORTURE SCHEDULE LIGHTING EQUIPMENT CUTSHEETS 1 LIGHTING EQUIPMENT CUTSHEETS 2 LIGHTING EQUIPMENT CUTSHEETS 3 GARAGE LIGHTING PLAN-BASKMENT LEVEL
RENDERED COLOR ELEVATIONS STREETSCAPE ELEVATION PHOTO SIMULATIONS	E1.02 E1.10	EXTERIOR & SITE LIGHTING PLAN - LEVEL 3 GARAGE PHOTOMETRIC PLAN - BASEMENT LEVEL
BUILDING SECTIONS LINE OF SIGHT DIAGRAMS	E1.11	EXTERIOR & SITE PHOTOMETRIC PLAN - LEVEL 1
WALL PROFILE DETAILS WALL PROFILE DETAILS COLORS AND MATERIAL BOARD	E1.12	EXTERIOR & SITE PHOTOMETRIC PLAN - LEVEL 3
UNIT PLANS & LEED CHECKLIST MASSING STUDIES	PH-1	CONSTRUCTION PHASING PLAN
ALTERNATE COLOR SCHEMES	м	11X17 MATL BOARD (PREVIOUSLY SUBMITTED)
FIRE ACCESS SITE PLAN FIRE ACCESS BUILDING SECTIONS		



COVER SHEET

1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027

PARKING

1.25 CAR PER ROOM

70 ROOMS X 1.25 = 88

PARKING PROVIDED 56 3 ACCESSIBLE SPACES 6 CLEAN AIR SPACES

9 EV SPACES PROVIDED OF WHICH 6 ARE EVSE SPACES

VALET SYSTEM ACCOMMODATES 70 CARS

1 BIKE SPACE PER 20 ROOMS

SHORT TERM BIKE PARKING PROVIDED 4

LONG TERM BIKE PARKING PROVIDED 4

SAGAR PATEL

70 ROOMS / 20 = (3.5) 4

PLANNING SUBMITTAL 04/19/2019 PROJECT NO: 151



**T1** 

## Allowable Area Calculations Dec 5, 2018

Based on CBC 2016 Project address: 1704 El Camino Real

Building Use:	Hotel, 3-story above grade, underground parking garage
Occupancies:	R-1, B, A2, U at above grade stories S2 at underground parking garage
Construction type:	Type V-A fully sprinklered
Sprinkler system:	CBC 903.3.1.1 NFPA 13

#### Allowable Area Calculations

#### Actual Occupancy Areas:

First Floor: B 3,943 sf (office, toilets, fitness, mechanical, electrical, trash enci) A2 2,493 sf (breakfast, lounge, lobby) R-1 7,312 sf (storage less than 10% counted as incidental)

Second Floor: R-1 13,922 sf (storage less than 10% counted as incidental)

Third Floor: R-1 12,009 sf (storage less than 10% counted as incidental)

Garage: S-2 26,031 sf (laundry/mechanical rooms less than 10% as incidental)

#### Requirements per CBC Tables:

	Table 504.3	Table 504.4	Table 506.2
Occupancy	Height	Stories	Allowable Area
R-1	50'	4	SM - 36,000
В	70'	4	SM - 54,000
A-2	50'	2	SM - 34,500
S-2	70'	5	S1 - 84,000

#### Per Section 506.2.4 Mixed Occupancies, Multiple Stories Each story to comply with section 508.1 for Separated Occupancies 508.4.

Section 508.4 Separated Occupancies: Sum of ratios of each occupancies area divided by allowable area of each occupancy shall not exceed 1.

Thus, Garage Floor: S-2 ratio = 26,031 / 84,000 = .31 < 1 **OK** 

 First Floor:
 B ratio = B actual area / B allowable area = 3,943 / 54,000 = .073

 A-2 ratio = A2 actual area / A2 allowable = 2,493 / 34,500 = .072
 R:1 ratio = 7,312 / 36,000 = .203

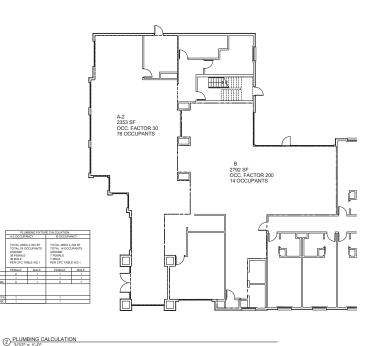
 Sum of ratio = .073 + .072 + .023 = .348 < 1 OK</td>
 OK

Second Floor: R-1 ratio = 13,922 / 36,000 = .387 < 1 OK

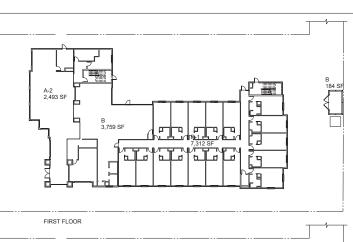
Third Floor: R-1 ratio = 12,009 / 36,000 = .33 < 1 OK

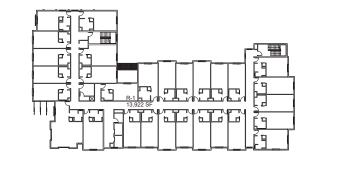
Per 506.2.4 aggregate sum of ratios must not exceed 3 Thus, Garage Fir ratio + 1<sup>st</sup> Fir ratio + 2<sup>nd</sup> Fir ratio + 3<sup>nd</sup> Fir ratio < 3 .31 + .348 + .387 + .33 = 1.375 < 3 OK

Provided, aggregate sum of ratios of A & R occupancies must not exceed 2 Thus, 1<sup>st</sup> Fir A & R + 2<sup>sd</sup> Fir A & R + 2<sup>sd</sup> Fir A & R ≤ 2 .072 + .203 + .387 + .33 = .992 < 2 OK



~







THIRD FLOOR



⇔

GARAGE FLOOR

⇐

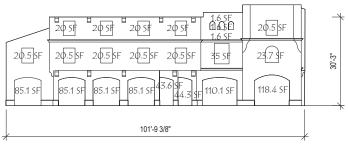
S-2

26,031 SF 4

**BVILDING CODE CALCULATIONS** 



1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

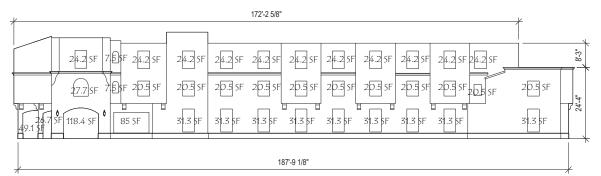


WEST WALL

TOTAL BUILDING WALL AREA 101' x 30' = 3,030 sf

TOTAL OPENING AREA 923 SF

PERCENT OPENING 923 / 3,030 = 30.5 %



south wall

TOTAL BUILDING WALL AREA 187' x 24' = 4,488 sf 172' x 8' = 1,376 5,350 + 1,316 = 5,864 SF

TOTAL OPENING AREA 1,069 SF

PERCENT OPENING 1,069 / 5,864 = 18.2 %

CALCULATIONS BASED ON CBC TABLE 705.8 SEPARATION DISTANCE: 10' TO 15' NON-PROTECED, SPRINKLERED BUILDING ALLOWED OPENING: 45%

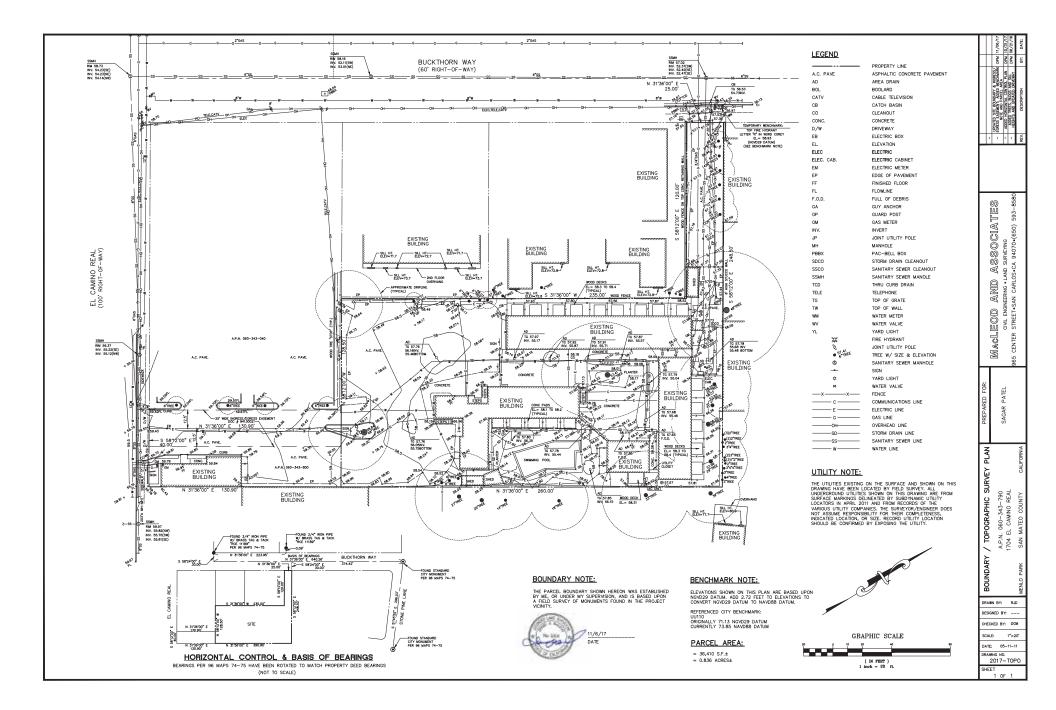
ALLOWABLE OPENING CALCULATIONS NOT TO SCALE

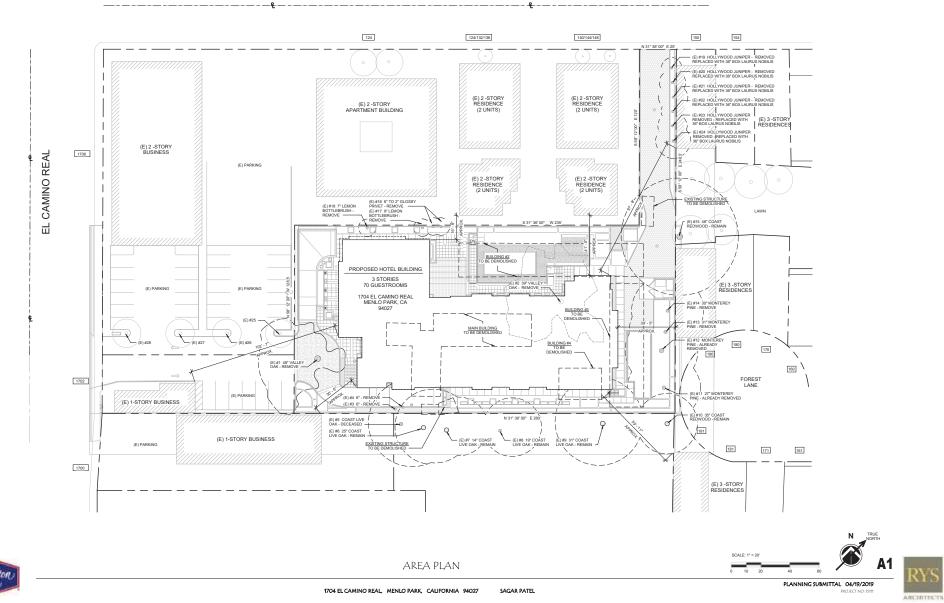


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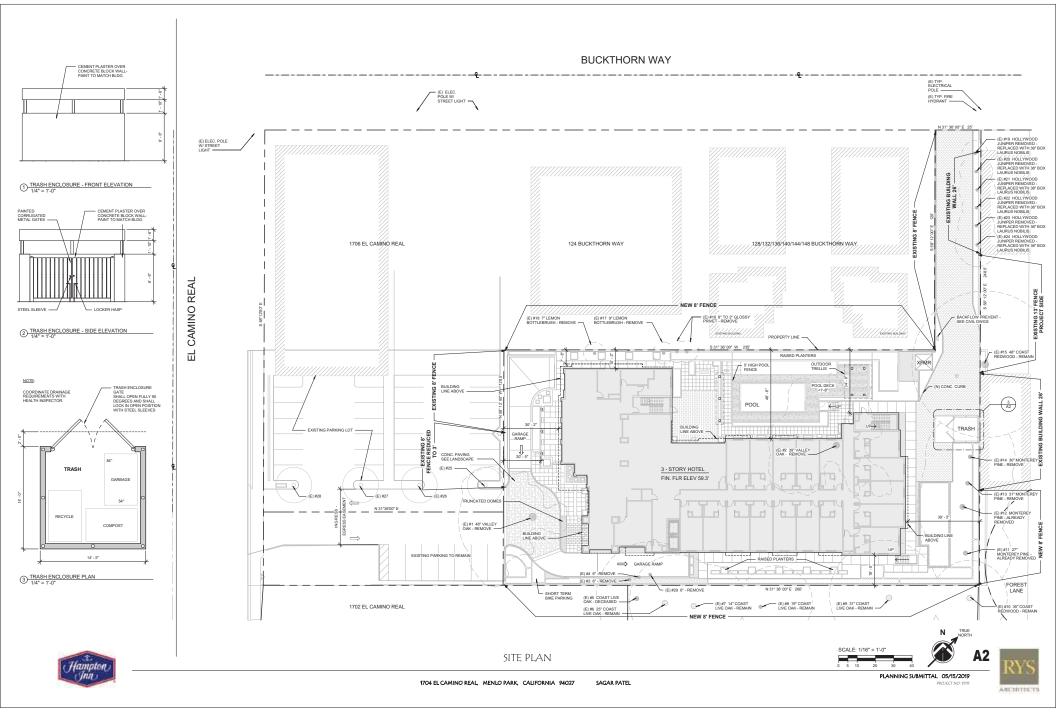
1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

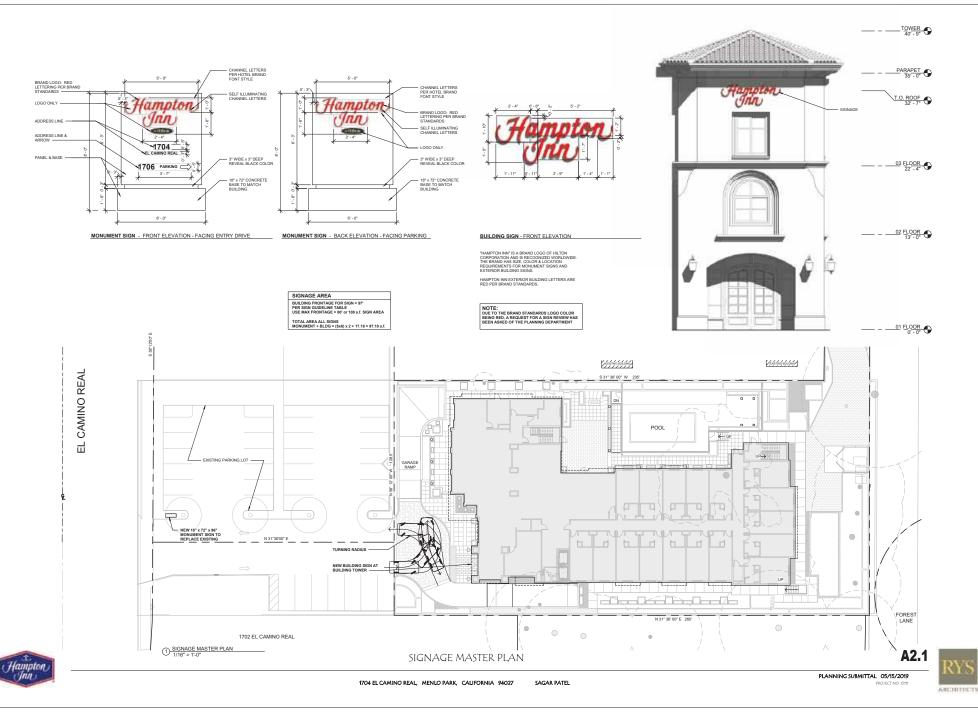
ALLOWABLE OPENING CALCULATIONS

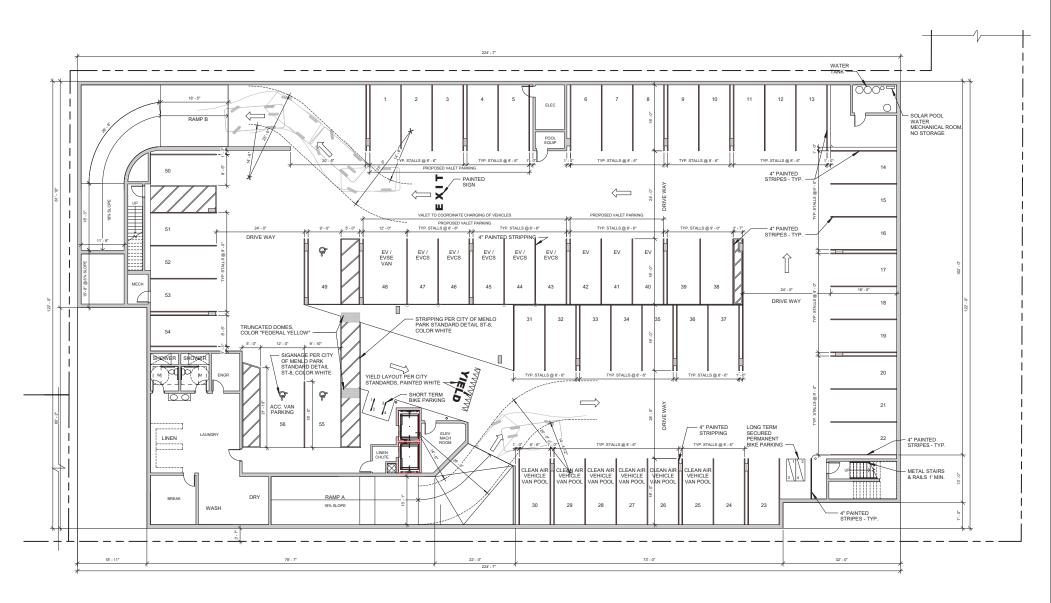




BUCKTHORN WAY





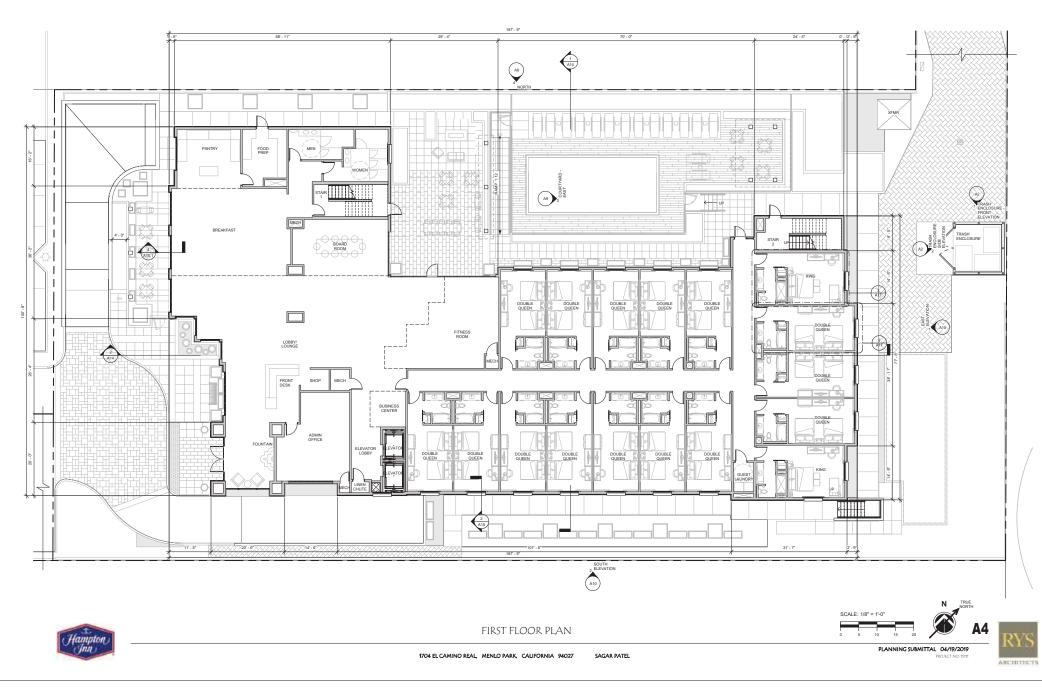


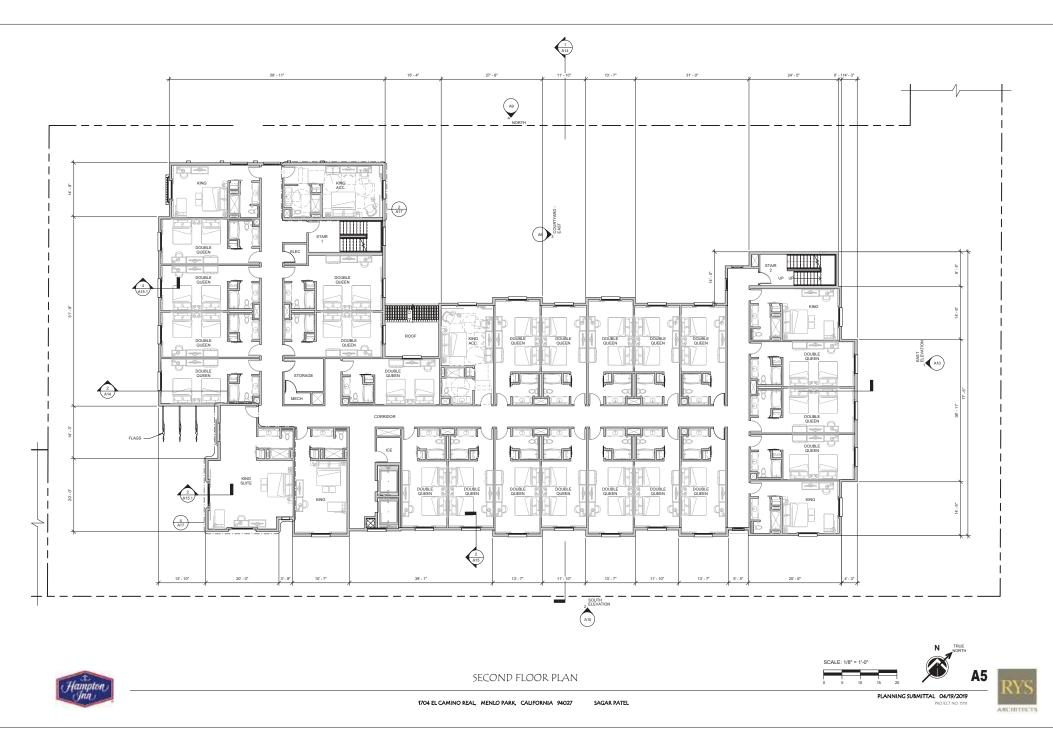
SCALE: 1/8" = 1'0" SCALE: 1/8" S

SAGAR PATEL

1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027

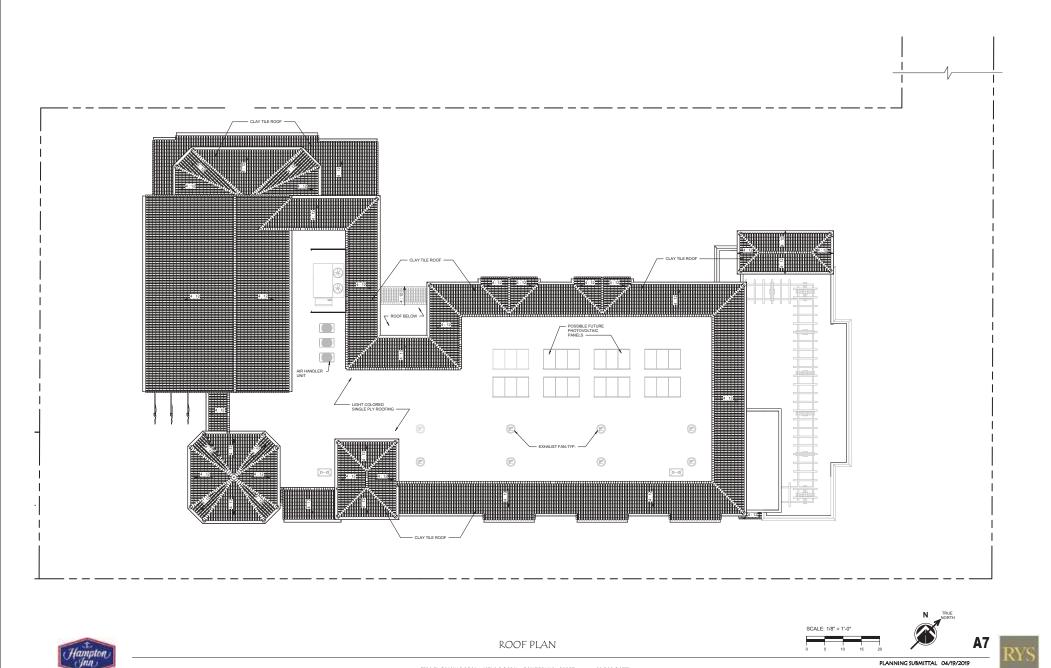
H8







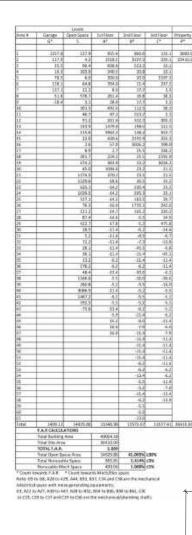


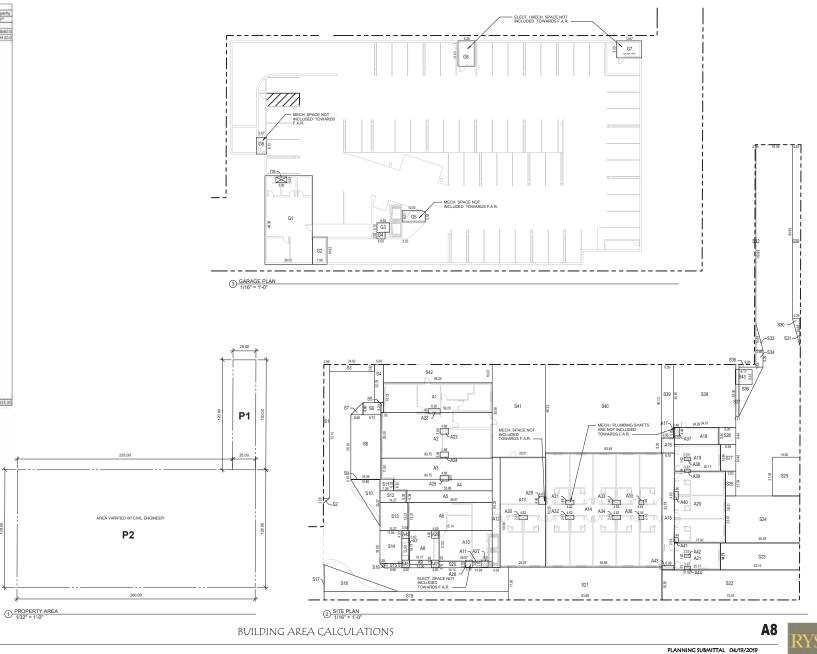


1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

PROJECT NO: 15111

AUCHDENES

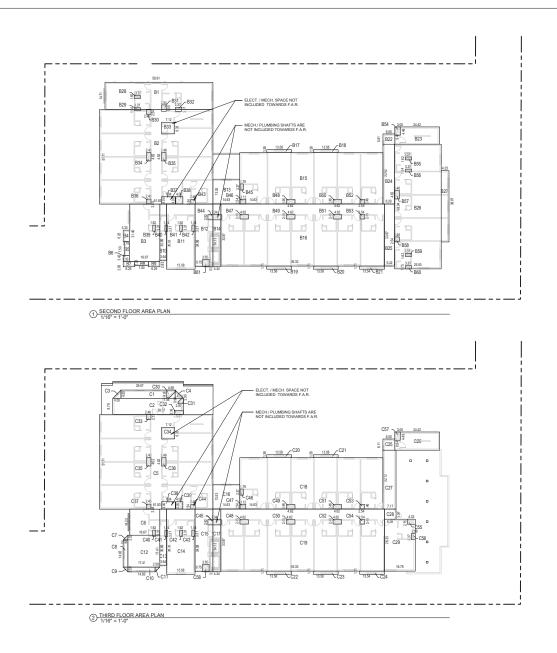






PROJECT NO: 1511

ABCHTHETS



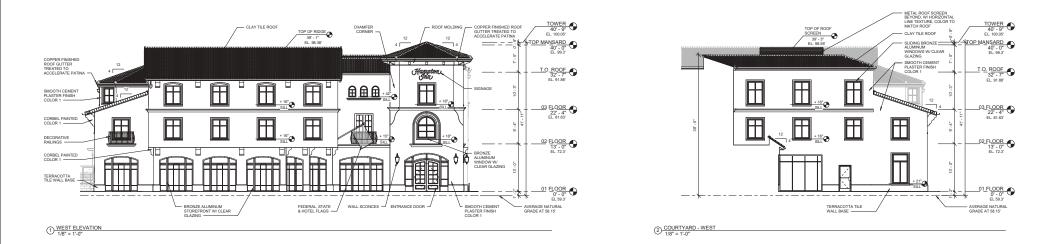


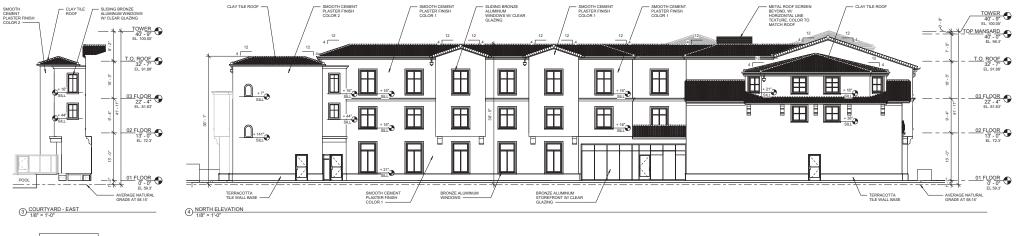
BVILDING AREA CALCULATIONS



ABCHTHETS

1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL







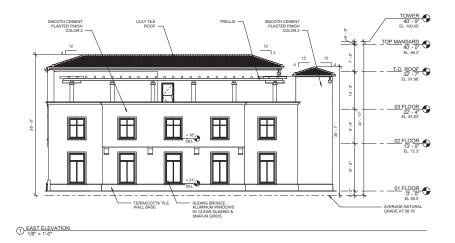


BUILDING ELEVATIONS

A9 PLANNING SUBMITTAL 04/19/2019 PROJECT NO: 1511

ABCHTHETS

1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL



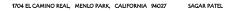




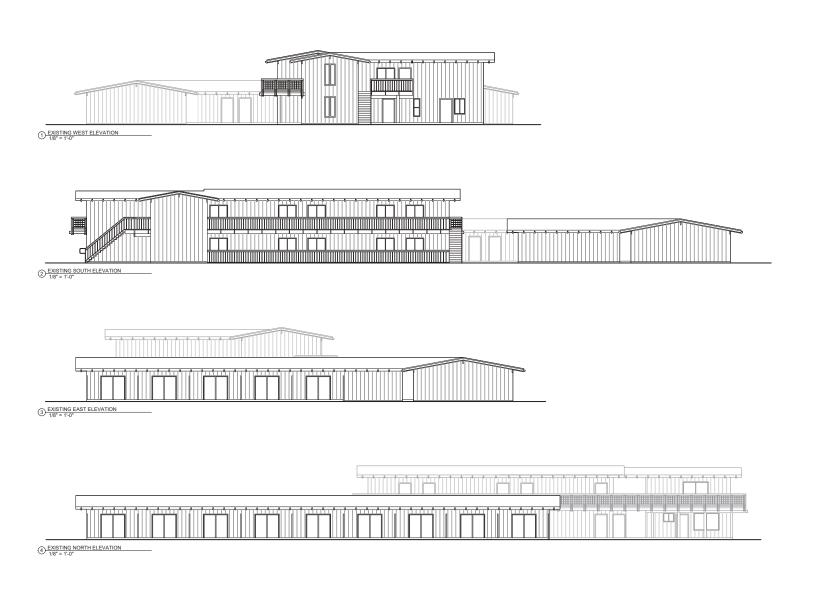


A10
PLANNING SUBMITTAL 04/19/2019
PROJECT NO. 15111

ABCHTHETS



H16





EXISTING BUIDLING ELEVATIONS



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1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

PLANNING SUBMITTAL 04/19/2019 PROJECT NO: 15111



WEST ELEVATION



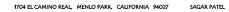
NORTH ELEVATION





A11
PLANNING SUBMITTAL 04/19/2019
PROJECT NO: 5511

ABCHTHETS





EAST ELEVATION



SOUTH ELEVATION



RENDERED COLOR ELEVATIONS



ABCHTHETS

1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

PLANNING SUBMITTAL 05/15/2019 PROJECT NO: 15111



1706 EL CAMINO REAL

1704 EL CAMINO REAL

1702 EL CAMINO REAL



A13

AUCHDENES

STREETSCAPE ELEVATION

1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

PLANNING SUBMITTAL 04/19/2019 PROJECT NO: 15111



EAST SIDE



SOUTH SIDE



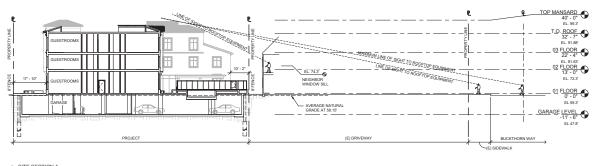


ABCHTHETS

PHOTO SIMULATIONS
T704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

PLANNING SUBMITTAL 04/19/2019 PROJECT NO: 15111





1/16" = 1'-0"



2 SITE SECTION B

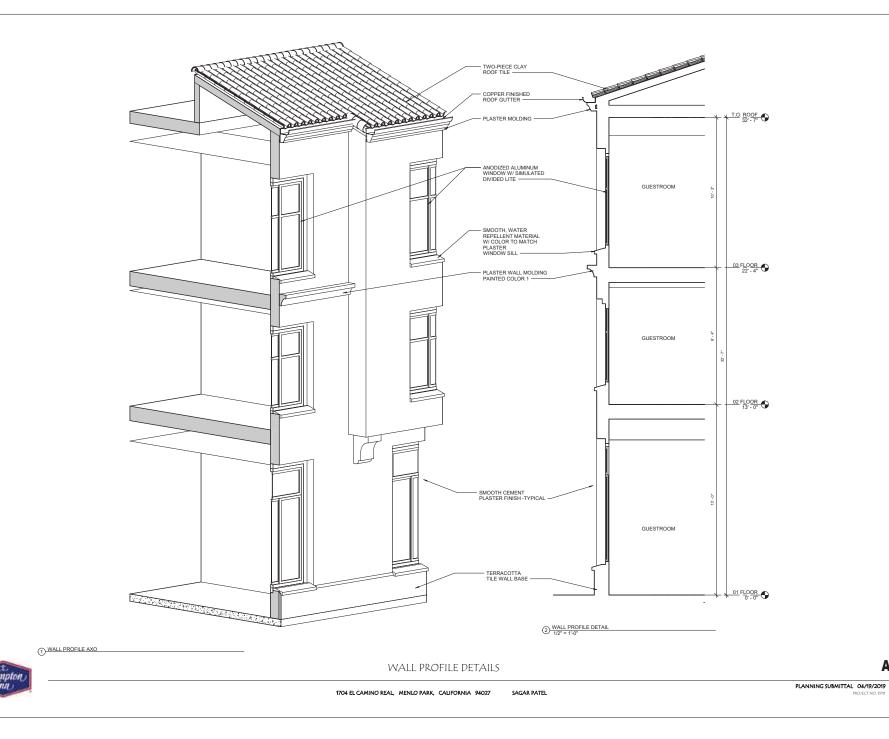


PLANNING SUBMITTAL 05/15/2019

PROJECT NO: 15111

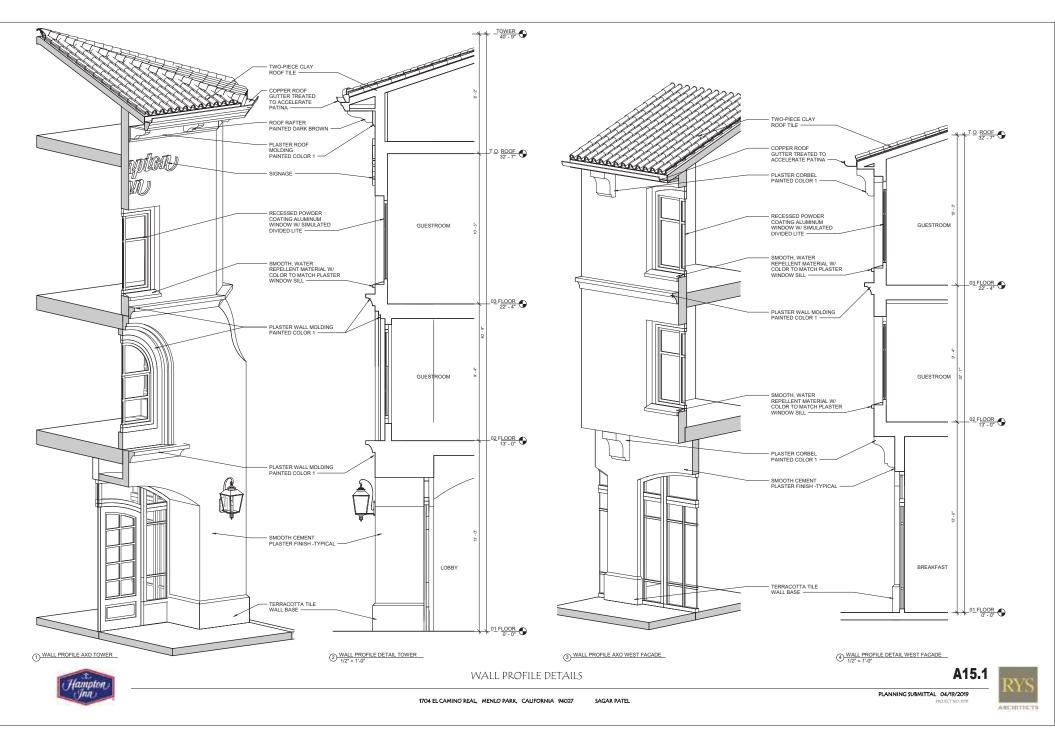


LINE OF SIGHT DIAGRAMS 1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL



A15

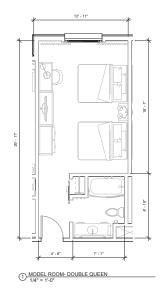
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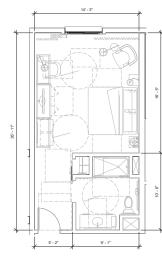


H26

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(Pade )	Increased Ventiliation	1
itam 1.7	Construction IAQ Management Flan-During Construction	1
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12 Mar. 1.2	Regional Priority: Specific Credit Regional Priority: Specific Credit	T.



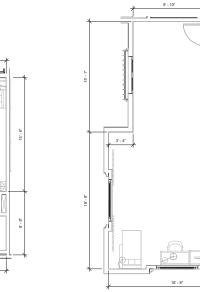
14' - 8"



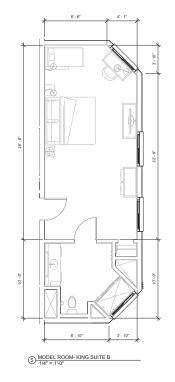
(2) MODEL ROOM- ACCESSIBLE DOUBLE QUEEN

10' - 0'

4' - 6"









UNIT PLANS & LEED CHECKLIST

PLANNING SUBMITTAL 04/19/2019 PROJECT NO. 1511

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



1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

10' - 0'

3 MODEL ROOM- KING

H27



AXONOMETRIC VIEW - SOUTH WEST



AXONOMETRIC VIEW - NORTH EAST



MASSING STUDIES



ABCHTHETS

PROJECT NO: 15111

BENJAMIN MOORE COLOR: KEY WEST IVORY 192 SMOOTH FINISH











RENDERED WEST ELEVATION - ALTERNATE COLOR 1 NOT TO SCALE

RENDERED SOUTH ELEVATION - ALTERNATE COLOR 1 NOT TO SCALE



RENDERED NORTH ELEVATION - ALTERNATE COLOR 1



NOT TO SCALE



ALTERNATE COLOR SCHEMES

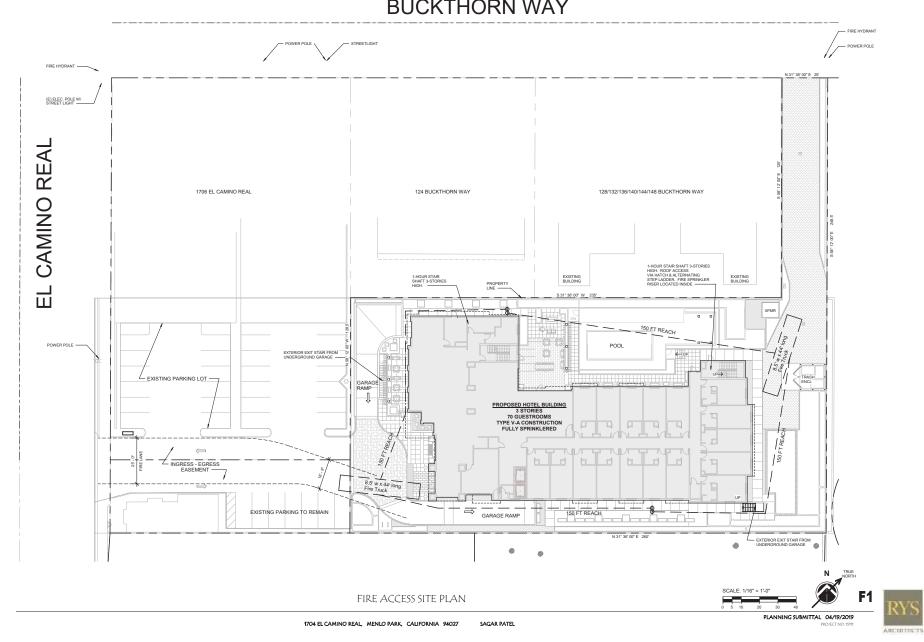


RENDERED EAST ELEVATION - ALTERNATE COLOR 1 NOT TO SCALE

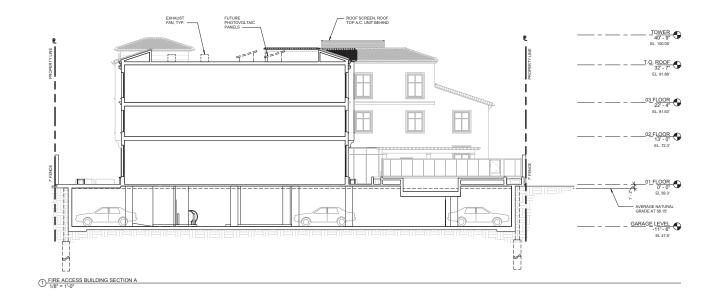


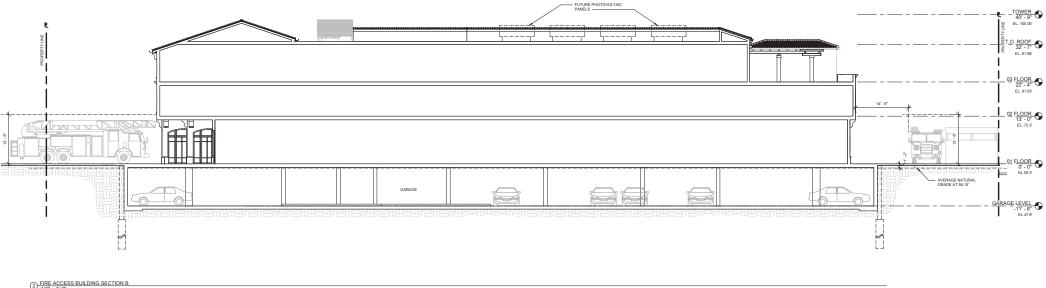
ABCHTHETS

1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL PLANNING SUBMITTAL 04/19/2019 PROJECT NO: 15111



**BUCKTHORN WAY** 









Enhanced Motor Court Paving - Pavers or similar stamped and colored concrete

#### Landscape Concept

The landscape design concept for the Hampton [nn and Suites is to provide an enjoyable and aesthetic space for the guests and employees that fits within the landscape character of the existing surrounding area. Plant material has been selected that performs well in the special conditions of Menio Park (Sunset Zone #15).

Low and medium water use hardy trees, shrubs and groundover are proposed for the plant publitie. The landscape (and associated irrigation) has been designed to be compliant with City of Merito Park Water Efficient Landscape Ordinance. (Current at time of submitties)



#### Irrigation

The entire site will be irrigated using a fully automatic system and designed to meet the Ghy-Nather Efficient Landscape Ordinance (VELO). The irrigation system will be low-excluse design unity bibliets or other primetins. The system will include invalves, quick couples, and gate valves. New irrigation control or will be interest fragmental. Interfor, care gated and will meet the NLC requerements of a Smart Credual Couples of the start of the NLC requerements of a Smart Credual Couple of the start of th



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#### Bay Friendly Landscape

The landscape and irrigation has been designed to comply with the Bay Friendly Landscape Design Guidelines, CalGreen code requirements, and Water Efficient Landscape Ordinance (WELO) requirements.

EL CAMINO REAL

#### Existing Trees

EXISTING THEES. There are a number of existing trees, including heritage trees, directly adjacent to the property that will be impacted by the proposed development. All work to be done for this project is to be in accordance with the design guidelines authed in the Arbitost Report prepared for the project (dated July 16, 2018). See also specific requirements outlined in the Arbitost Report for Tire Protection Zenes as the yappito te ach thec.

For Tree Replacement Table see Sheet L0.2

## Hampton Inn - Menlo Park, CA L0.1 - Conceptual Landscape Plan

**BUCKTHORN WAY** 

PLANNING

Existing fence on the northeast property line to remain



Proposed Replacement Trees



Shrubs	Euphorbia characias wullenii Heseraloe parvitora	Eupho Red Y	
Hadge Shrubs - 6 galon Low to medium height shrubs planted as hedge Bruxe microphils piporica Green Beauly Calutanon vimals 12 the John Myriss commis Compassion Myriss commiss Compassion of the surgest Life Oliv Rhaphidegis India White Enhanterss' Rhaphidegis India White Enhanterss' Rhaphidegis India White Enhanterss'	s stong building, Japanese Bowcod Dwarf Bottle Brush Dwarf Myttle Heavenhy Bamboo Dwarf Ofive India Hawthorn Yeoda Hawthorn Rosemary	<ul> <li>Kriptofa uvaria Lantana species</li> <li>Russelia oqusettromis</li> <li>Sirking greggi</li> <li>Yucca species</li> <li>Low Bowering accent flautins; -1, 2 and 6</li> <li>Provide year orund visual interest, and arease and as foreground in larger plant Dianhus revoluta</li> <li>Heamsculta species</li> </ul>	rea plantec
Upright Shrubs - 15 gallon Narrow upright evergreen shrubs to compliment	architecture	Hesperaloe parvillora Rosa 'Flower Carpet'	Red Y Flowe
Cupressus sempervirens 'Tiny Towers' Podicarpus henkeji Thuja occidentalis 'Emerald'	Dwarf Italian Cypress Long Leaf Yellow Wood American Arborvitae	Low growing groundcover - 1 gallon Groundcover that allows access Archtostaphylos uva-ural Cotoneaster dammer 'Lowfast'	Trailin Bearb
Vines		Juniperus conferta	Shore

### Vines

Vines - 1 and 5 gallon Climbing and clinging vines for screening and accent Bougainsites species Bo Climatis species Cli Clytostoma calistepicides Vin Flous pumia Cn cent Bougainvillea Clematis Violet Trumpet Vine Creeping Fig Jasmine Star Jasmine Ficus pumila Jasminum polyanthemum Trachelospermum jasminoi

		VVE		er use		ulations					
vers and Accent Plants	3	Landso	pe Plan. As v	we move the	ough the de	ided hydrozones ai sign process we a .O code requireme	nticipate min	or adju	stments/revisi		
ind 5 gallon ed for use in stormwater man		ETO fo	Menjo Park	42.8							
or accent planting throughout us gradius pecies	Blue Grama New Zealand Hair Sedge	<del>tistuitere</del> 1	Stormwater	Helium	Out faster 0.4	tee et imation Drip Emitter	.81	0.49	takene Ana 682 sf	1336.8	8,937.1
grostis acutiflora 'Karl Foerster' pergia dubia	Feather Reed Grass Pine Muhly	2	Shrubs	Medium	0.4	Drip Emitter	.81	0.49	1,314 sf	648.9	17,218.9
accent plants- 5 gallon		3	Shrubs	Low	0.3	Drip Emitter	.81	0.37	3,065 sf	1,135,2	30,123,3
nt of hedges for visual interest	and layering in larger	4	Containers	Medium	0.4	Drip Emitter	.81	0.49	108 sf	53.3	1,415,3
nthos 'Bush Baby'	Kangaroo Paw	5	Containers	Low	0.3	Drip Emitter	.81	0.37	252 sf	93.3	2,476.7
xia characias wullenii pe parvitlora a uvaria	Euphorbia Red Yucca Red-Hot Poker	TOTAL	um Applied Wi	ater Allowar	ice (MAWA)	) 60,171.2 galon/y	/ear		5,421 sf	60,171	.2 Galons
a species a equisetiformis reggii	Lantana Coral Fountain Autumn Sage		ted Total Wate		TWU)	64,733.2 galon/y	/ear				
pecies	Yuoca	Averag	e Irrigation Eff	ficiency		.81					
accent plants - 1, 2 and 5 gal ound visual interest and area foreground in larger planters.			is less than M equirements	IAWA, there	fore water u	isage as designed	exceeds				
s revoluta callis species ilos parviflora ower Carpef	Flax Lily Day Lily Red Yucca Flower Carpet Rose										
proundcover - 1 gallon											

# Bearberry Shore Juniper Asian Jasmine

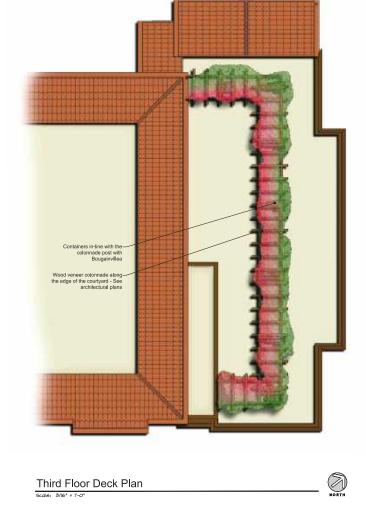
This pure represents the design style and theme of the I planting. These plans are preliminary and may change process. The final planting plan may not contain all of the sizes as shown. Additionally some new plant species in design. This plan does however indicate the quarity of of landscape development that will be carried throws ho however indicate the nt that will be carried

Final landscape design shall meet Manlo Park codes and requirements as well a Project Specific Conditions of Approval. Final design is subject to approval through the building germit moving access

Tree Replacem	nent / Mitigatior	n Table							
Removed Trees and Replacement Requirements									
Heritage Tree #	Replacement Species	Size	Qty						
#1 - Valley Oak	Podocarpus gracilior	36" Box	2						
#2 - Valley Oak	Podocarpus gracilior	36" Box	2						
#11 - Monterey Pine	Podocarpus gracilior	36" Box	2						
#12 - Monterey Pine	Arbutus 'Marina'	36" Box	2						
#13 - Monterey Pine	Arbutus 'Marina'	36" Box	2						
#14 - Monterey Pine	Arbutus 'Marina'	36" Box	2						
#16 - Glossy Privet	Laurus nobilis 'Saratoga'	36" Box	2						
#19 - Hollywood Juniper	Laurus nobilis "Saratoga"	36" Box	2						
#20 - Hollywood Juniper	Laurus nobilis 'Saratoga'	36" Box	2						
#21 - Hollywood Juniper	Laurus nobilis "Saratoga"	36" Box	2						
#22 - Hollywood Juniper	Laurus nobilis 'Saratoga'	36" Box	2						
#23 - Hollywood Juniper	Laurus nobilis 'Saratoga'	36" Box	1						
	Quercus agrifolia	36" Box	1						
#24 - Hollywood Juniper	Laurus nobilis 'Saratoga'	36" Box	2						

### Existing Trees

LASSING THEE calls and the set of the set of



Hampton Inn - Menlo Park, CA

LO.2 - Conceptual Landscape Plan

April 19, 2019 18-2052

#### GENERAL CIVIL NOTES

#### GENERAL

- 1. ALL PERMITS WILL BE SECURED BY THE OWNER AND IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH TH CONDITIONS AND REQUIREMENTS OF THE PERMITS.
- THE CONTRACTOR SHALL TAKE EFFECTIVE ACTION TO PREVENT THE FORMATION OF AN AIRBORNE DUST NUISANCE AND Shall be responsible for Damage resulting from their failure to do so. 3. THE CONTRACTOR SHALL PROVIDE ALL LIGHTS, SIGNS, BARRICADES, FLAGMEN OR OTHER DEVICES NECESSARY TO PROVIDE FOR SAFETY.
- 4. THE CONTRACTOR SHALL POST ENERGENCY TELEPHONE NUMBERS FOR THE POLICE, FIRE AMBULANCE, AND THOSE AGENCIES RESPONSIBLE FOR MAINTENANCE OF UTILITIES IN THE VICINITY OF THE JOB SITE.
- LENGTHS OF SANITARY SEVERS AND STORM DRAINS SPECIFIED ARE HORIZONTAL DISTANCES AS MEASURED FROM CENTERS OF STRUCTURES ROUNDED TO THE MEAREST FOOT.
- OF STREAMED AND ADDRESS TO ADDRESS ADD
- 7. CONTRACTOR TO VERIFY ALL EXISTING INVERT ELEVATIONS FOR STORM DRAIN AND SANITARY SEVER CONSTRUCTION PRIOR TO ANY WORK. ALL WORK FOR STORM DRAIN AND SANITARY SEVER INSTALLATION SINLL BEGIN AT THE DOWNSTEAM CONNECTOR MONT. INS WILL LADVOR ANY AND SANITARY SEVER INSTALLATION SINLE EGN AT THE DOWNSTEAM OF THE DURINE LINE. IF THE CONTRACTOR FAILS TO BEGIN AT THE DOWNSTEAM CONNECTORM PORT AND WORKS UPSTREAM, HE SINLL PROCED AT INS OWN LADVOR AND DE RESPONDED FOR ANY ADJUSTNERTS TO BEGIN AT THE DOWNSTEAM CONNECTORM PORT AND WORKS UPSTREAM, HE SINLL PROCED AT INS OWN RAN ON DE RESPONDED FOR ANY ADJUSTNERTS TO REMOVE THE SINCE AND WORKS UPSTREAM, HE SINLL PROCED AT INS OWN RAN ON DE RESPONDED FOR ANY ADJUSTNERTS TO REMOVE THE SINCE AND WORKS UPSTREAM, HE SINLL PROCED AT INS OWN RAN ON DE RESPONDED FOR ANY ADJUSTNERTS TO RESPOND TO ANY ADJUSTNE AND ADJUSTNESS AND RESPONDED FOR ANY ADJUSTNESS AND A
- 8. CONTINCTOR SHALL UNCOVER AND EXPOSE ALL EXISTING UTILITY AND SEVERE LINES WHERE THEY ARE CROSSED ABOVE OR BELOW BY THE NEW FACULTY BEING CONSTRUCTED IN ORDER TO VERIEY THE GROADE AND TO ASSURE THAT THERE IS SUPPORT CLARANCE, PRES SHALL NOT BE STRUM GROADE TRETORING COMMENDED UNTIL LL GROADER. HAVE TEEN VERIED FOR CLARANCE, IT HE CONTRACTOR FALLS TO FALLOW THE ADDRESS UNTIL LE SOLLY RESOMNSHIVE EET ANY EDTA MONG ON AUXIELIA (CANCED F MONGTANTION TO THE DESIGN ARE INCLESSARY.
- ALL EXISTING UTILITIES AND IMPROVEMENTS THAT BECOME DAMAGED DURING CONSTRUCTION SHALL BE COMPLETELY RESTORED TO THE SATISFACTION OF THE OWNER AT THE CONTRACTOR'S SOLE EXPENSE.
- 10. CONTRACTOR TO TAKE NECESSARY PRECAUTIONARY MEASURES TO PREVENT SOIL EROSION AND SEDINENTATION. EXISTING AND PROPOSED DRAINAGE STRUCTURES TO BE TEMPORARILY COVERED WITH FILTER FABRIC OR EQUAL UNTIL SURROUNDING PAYEMENT IS INSTALLED.
- 1. Are RECONTING OF UNLITES SHULL BE CORDUNATED WITH THE OWNER AND COMPLETED IN ACCORDANCE WITH MAY AND ALL RECOMPLETED OF THE OWNER, INCLUDION FERS, INCOMES, PERSING AND WORKING COMPUTINGS, TET HE OWNER SHULL PAY THE FEES, BONDS, AND FILE THE APPROPRIATE FERMING FOR ALL SUCH RELOCATION WORK, ALL ON- STEL UTILITY WORK IS THE RESYNDIGHTLY OF THE CONTRACTOR (MATTRIELS AND INSTILLATION).
- 12. If ARCHARCH.CORCAL MATERALS ARE UNCOVERED DURING GRADING. TEXCHAING OF OTHER EXCAVATION, FARTHMORE WITHIN 100 FEET OF THESE MATERIAL SHALL BE STOPPED UNTLA A PROFESSIONA, MARCHARCOQC STATINGE OF THE SOCIETY OF CLARIFORM ARCHARCOQC (SCA) AND/OR THE SOCIETY OF PROFESSIONA, MARCHARCOQC STAPPAOPHATE MITGATION MEASURES, IF THEY ARE DEEDED INCESSIONF.
- 13. THESE PLANS DO NOT SPECTY HOR RECOMMEND THE USE OR INSTALLATION OF ANY MATERIAL OR EQUIPABIT WHICH IS MORE FORM, OR WHICH CONTAINER ASSESSION FOR USE IN THE CONSTRUCTION OF THESE MEMOVIDENTS, ANY PARTY INSTALLIKO OR USING SUCH ATLESSION OF DEDIPARTY BAULT ES SOLET (FERSIONERE FOR ALL INNERS, DAMAES, DO LIAMILITES, OF AMT KIND, CLUSED BY THE USE OF SUCH WATERIALS, OR EQUIPART, MORENT, MORENT, MORENT, BAUCTER ASSESSION SUCH ALTERIALS, BERTE TO EXPERIMENT AND USE MATERIALS, OR EQUIPART, MORENT, MORENT MATERIALS ABATEMENT AND CONTROL.
- 14. THE CONTRACTOR SHALL MEET AND FOLLOW ALL (NPDES) NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM REQUIREMENTS IN EFFECT AT THE TIME OF CONSTRUCTION.
- 15. SHOULD IT APPEAR THAT THE WORK TO BE DONE OR ANY MATTER RELATIVE THERETO IS NOT SUFFICIENTLY DETAILED OR EXPLANABLE ON THESE PLANS, THE CONTRACTOR SHALL CONTACT THE ENSINEER FOR SUCH FURTHER EXPLANATIONS AS MAX BE DECESSARY.
- 16. CONTRACTOR SHALL ARRANGE, INSTALL, AND PAY FOR ANY TEMPORARY UTILITIES, INCLUDING BUT NOT LIMITED TO TELEPHONE, ELECTRIC, SEWER, WATER, ETC.. THE CONTRACTOR IS TO COORDINATE ANY SUCH UTILITY NEEDS WITH THE
- 17. ALL SITE AREAS SHALL BE GRADED AT 1% MINIMUM FOR DRAINAGE UNLESS OTHERWISE NOTED OR ALONG FLOWLINES OF CONCRETE LINED GUTTERS AND VALLEY GUTTERS.
- 18. ESTIMATED EARTHWORK QUANTITIES SHOWN ARE APPROXIMATE ONLY AND SHOWN FOR THE PURPOSES OF ESTIMATING GRADING PERMIT FEES, HOHBACH-LEWIN ASSUMES NO LABILITY FOR THE ACCURACY OF THESE QUANTITIES.
- 19. WHERE EXISTING STRUCTURES ARE TO REMAIN IN CONSTRUCTION ZONE AREA, CONTRACTOR SHALL ADJUST RINS OF THESE STRUCTURES, I.E. CATCH BASINS, VALVE BOXES, CLEAN OUTS, UTILITY BOXES, ETC. TO NEW FINISH GRADE.
- 20. CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT FOR NORTHERN CALIFORNIA AT LEAST 48 HOURS (2 WORKING DAY) PRIOR TO COMMENCEMENT OF CONSTRUCTION. (800) 227-2600.
- 21. The opcume witheral covering the state statemed and stocked to the statemed statule is reast to backtill lust luberscape functions and focus and the stocked with a stocket functions. To within 1° or Grades shown. Eccess streppings and excavated material shall be relayed from the site by the contractore.
- 22. ADJUSTMENTS TO PAD ELEVATIONS OR PARKING LOT GRADES TO ACHIEVE EARTHWORK BALANCE SHALL BE MADE ONLY WITH APPROVAL OF THE ENGINEER.

23. COMPACTION TO BE DETERMINED USING ASTM D1557-LATEST EDITION.

- 25. PROPOSED SPOT GRADES (ELEVATIONS) SHOWN HEREON ARE FINISHED PAVEMENT GRADES, NOT TOP OF CURB GRADES, UNLESS NOTED OTHERWISE.
- 26. THE CONTRACTOR SHALL VERIFY THE CONTENTS AND THICKNESS OF THE BUILDING SLAB SECTION (IE: CONCRETE, SAND, ROCK) WITH THE STRUCTURAL PLANS AND THE ELEVATIONS SHOWN HEREON PRIOR TO COMMENCEMENT OF GRADING.
- 27. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH APPLICABLE O.S.H.A. REGULATIONS.
- 18. CONSTRUCTION CONTINUENTS ADDRESS THAT IM ACCORDANCE WITH RESPANSIVE ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTINUENT RESOLUTION OF THE REQUEST DATA SHALL RESPANSIVE INT POR SHIT COMMENTIONS DURING THE CODERS OF CONSTRUCTION OF THE PRACET, INCLUMING SHALT OF ALL PERSONS AND PROPERTY, THAT THIS RECOMMENTED FOR ALL RE MUSE TO A SHALL PERSOLUTION, REVIEW SHALT THE OFFICIAL REVIEW OF THE ALL PERSON AND PROPERTY, THAT THIS RECOMMENTED FOR ALL RE MUSE TO A SHALL PERSOLUTION OF THE LIMETED TO ROMALL REVIEW OF REVIEW COMMENDATION RECOMMENTED FOR ALL REMULT TO REVIEW COMMENDATION OF THE LIMETED TO ROMALL REVIEW OF REVIEWS AND PROPERTY COMMENDATION OF THE SHALL REVIEWS AND PROPERTY, THAT THIS REVIEWS AND ALL LIMETITY, REVIEWS OF REVIEWS COMMENTED FOR ADDRESS AND PROPERTY COMMENDATION OF THE SHALL REVIEWS AND PROPERTY THAT THE REVIEWS AND ALL LIMETITY, REVIEWS OF REVIEWS COMMENT OF REVIEWS AND PROPERTY COMMENDATION OF THE SHALL REVIEWS AND PROPERTY THAT ANY AND ALL LIMETITY, REVIEWS OF THE SALL REVIEWS OF THE SHALL REVIEWS AND PROPERTY ADDRESS AND PROPERTY ADDRESS AND PROPERTY THAT ADDRESS AND PROPERTY ADDRESS ADDRESS ADDRESS AND PROPERTY ADDRESS ADDR

29. WHERE OFF-SITE DRIVEWAY APPROACHES ARE TO BE CONSTRUCTED THE ON-SITE DRIVEWAY SHALL NOT BE CONSTRUCTED UNITL THE OFF-SITE IMPROVEMENTS ARE INSTALLED. THE ON-SITE DRIVEWAY SHALL COMFORM TO THE COMPLETED OFF-SITE DRIVEWAY SHALL COMFORM TO THE COMPLETED OFF-SITE



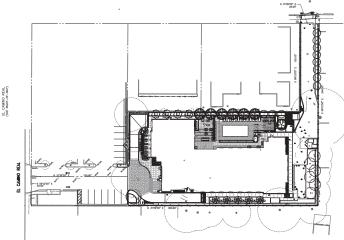
MENLO PARK, CALIFORNIA



FOR HAMPTON INN 1704 EL CAMINO REAL MENLO PARK, CA



BUCKTHORN WAY



#### GENERAL NOTES CONTINUATION

#### GRADING NOTES:

- UNDERRONNU UTILITY LOCATIONE SHOWN HERCON DIVERT TAKEN FROM ECOND DIAL. NO CUMMINETE IS MADE OB IMPRIED AS TO THE ACCUMENT SPACING SPACING TAKEN AND ECONOMISM TREE MADE OD COMPILM LOCATIONES CONTINCICIORS ARE CANTORNED TO CONIECTU LS.A. UNDERRONMOM AND TO LERCISE CITIENEE CARE MY CHEMING ALL LOCATIONE PROFIL TO COMMENDE EXXXANIONIS OR TO THER WORK WHICH MAY AFFECT THESE UTILITIES.
- 2. IRRIGATION LATERALS, PARKING LOT LIGHTING WIRING AND SIGNAL WIRING NOT SHOWN. VERIFY LOCATION BEFORE Commencing trenching. Replace or Repair immediately where brokem to provide uninterrupted service
- 3. ALL FINISH GRADES SHOWN ARE FINISH GRADE ELEVATIONS UNLESS WOTED OTHERWISE.

UTILITY NOTES:

- 1. THIS SURVEY IS NOT INTENDED TO REPRESENT THE EXACT LOCATIONS, SIZES OR EXTENT OF THE UTILITIES WITHIN THE INCL DECOMPASED IN THIS SUMPY. THEREORE, IT IS THE RESPONSIBILITY OF THE OWNER AND/OR CONTINUED TO VIETY THE LOCATIONS, SZE AND DETUNT OF ANY DESTING UTUILITS PROVID TO DESIGN OR CONSTINUEDING, CONTINUED TO ARE CALIFORDED TO CONTACT U.S.L. UNDERGROUPD AND TO EXERCISE EXTERISE CARE IN VERIFITING ALL LOCATIONS PROV TO COMMENDES EXEXAVATIONS OF OTHER WORK WHICH UNA AFFECT THESE UTUILES.
- 2. IRRIGATION LATERALS, PARKING LOT LIGHTING WIRING AND SIGNAL WIRING NOT SHOWN. VERIFY LOCATION BEFORE Commencing trenching. Replace or Repair Immediately where broken to provide Uninterrupted Service.
- UTILITY ABANDOMMENT/REMOVAL: DISCOMMECT AND CAP PAPES AND SERVICES TO REMAIN. REMOVE ALL PORTIONS OF ALL UTILITIES WITHIN NEW BUILDING FOOTPRINT AND DISPOSE OF OFF-SITE. OTHERWISE ABANDOM IN PLACE UNLESS MOTED OTHERWISE.
- 4. NOTIFY THE ENGINEER IMMEDIATELY OF ANY UTILITIES ENCOUNTERED THAT ARE NOT SHOWN ON THE DRAWINGS. PRESERVE AND REPAIR ANY UTILITIES THAT ARE DAMAGED AND THAT ARE TO REMAIN.
- CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL CROSSINGS OF NEW UTILITIES WITH EACH OTHER, AND WITH EXISTING UTILITIES. VERIFY EXISTING PIPE LOCATION AND INVERT PRIOR TO INSTALLING NEW UTILITIES. NOTIFY THE ENGINEER INMEDIATELY OF ANY DISCREMANCIES OR DEVINTORS.
- 6. PRIOR TO COMMECTING TO EXISTING UTILITIES FIELD VERIFY LOCATION 6. & INVERT OR DEPTH PRIOR TO INSTALLING NEW PIPE OR EQUIPMENT.
- 7. EACH BUILDING WATER SERVICE CONNECTION SHALL BE WITH VALVE AND VALVE BOX SET AT GRADE.
- 8. ALL BUILDING SEWER LATERALS SHALL BE WITH CLEANOUT TO GRADE.
- 9. ALL CATCH BASING WITHIN VEHICULAR AREAS SMALL BE TRAFFIC RATED FOR H20 VEHICULAR LOADS. FOR CATCH BASING IN WALKWAY AREAS, INCLUDING EXISTING CATCH BASINS, USE HEEL PROOF AND ADA GRATE.





AGGREGATE BASE ASPHALTIC CONCRETE AREA DRAIN

AT&T BACK OF CURB BACKFLOW PREVENTER BUILDING BOLLARD BACK OF WALK BOTTOM OF WALL COMPORTE ATAT

CONCRETE CLEANOUT TO GRADE

DRAIN INLET DOWN SPOUT ELECTRIC OR EAST EXISTING

EASEMENT GAS GRUE BREAK FINISHED FLOOR FINISHED GRUDE FLOWINE FENCE FINISHED SURFACE GROUND HWCH FONT HWCH FONT HWCH FONT LINEAR FEET LOW FONT LUG AT CUTTER LOW FONT HWCH FONT

OW CENTER OVERHEAD OF RECORD PACIFIC GAS & ELECTRIC PAVEMENT RELATIVE COMPACTION ROOF DRAIN RECYCLE WATER RAIMONG UTILITY OBJECT SOUTH STORMORAM STORMORAM SOUTHEAST SQUARE FEET SAN JOSE WATER COMPAN

SQUARE FEET SAN JOSE WARE COMPANY SANTARY SEWER SUTTARY SEWER SUTTWEST TREE TOP OF CURB TREVEL DRAM TOP, OF CURB TREVEL DRAM TOP, OF WALL TOPOF WALL UNDERFROMUND SERVICE ALERT VALUEY GUTTER WATE AUST AWIT

COVER SHEET PRELIMINARY GRADING AND DRAIMAGE PLAN PRELIMINARY UTILITY PLAN PRELIMINARY STORM WATER TREATMENT PLA DETAILS

WATER TREATMENT PLAN

WALLET GUTTER WATER/WEST/WITH WATER METER WATER VALVE

SHEET INDEX

TC TD TW TYP. USA VG

C1.0 C3.0

GEND		ARR	REVIATIONS
BOUNDARY LINES		AB AC AD AT	AGGREGATE BASE ASPHALTIC CONCE AREA DRAIN AT&T
	CENTER LINE	BC	BACK OF CURB
	EASEMENT LINE	BFP BLDG	BACKFLOW PREVEI BUILDING
	PROPERTY LINE	BOL	BOLLARD
	ADJACENT PROPERTY LINE	BOW	BACK OF WALK
		BW	BOTTOM OF WALL
MISCELLANEOUS LINES		C	CONCRETE CABLE TV
		CB	CATCH BASIN
	SIDEWALK	CONC	CONCRETE
	LIP OF GUTTER	COTG	CLEANOUT TO GRI DRAIN INLET
x x	FENCE-WIRE	DS	DOWN SPOUT
	BIORETENTION	E	ELECTRIC OR EAS
		EX.	EXISTING
	GARAGE OUTLINE	(E) ELEC	EXISTING
		ESMT	EASEMENT
		G	GAS
UTILITY LINES		GB	GRADE BREAK FINISHED FLOOR
FS FS	FIRE SERVICE	FG	FINISHED GRADE
G G	GAS LINE	FL	FLOWLINE
IRR	IRRIGATION LINE	FNC	FENCE
	STORM DRAIN	FS GRN	FINISHED SURFACI GROUND
		HP	HIGH POINT
ss	SANITARY SEWER	INV	INVERT
w w	WATER	JP LF	JOINT POLE
	PERFORATED PIPE	UP	LINEAR FEET LIP OF GUTTER
		ŪP.	LOW POINT
		u	LIGHT
		M N	MAPS
		NE	NORTHEAST
		WW	NORTHWEST
		OC OH	ON CENTER OVERHEAD
WARK:		OR	OF RECORD
ICLEOD AND ASSOCIATES, 6/21/16)		PGE	PACIFIC GAS & E
		PV RC	PAVEMENT RELATIVE COMPAC
OWN ON THIS PLAN ARE BASED UPON		RD	RELATIVE COMPAC
72 FEET TO ELEVATIONS TO CONVERT D88 DATUM.	NGVD29	RW	RECYCLED WATER
DOG DATOR.		RWL	RAINWATER LEADE
TY BENCHMARK:		RIM	RIM OF UTILITY O South
13 NGVD29 DATUM		SD	STORMDRAM
85 NAVD88 DATUM		SE	SOUTHEAST
		SF SJWC	SQUARE FEET SAN JOSE WATER
		SJWC	SAN JUSE WATER
ZONE NOTE:		SL.	STREET LIGHT
		SW	SOUTHWEST TREE
ROPERTY LIES ENTIRELY WITHIN FLOO	DZONE	T	IRLL

FLOOD ZONE NOTE:

#### ADA COMPLIANCE:

ALL NEW WORK SHALL CONFORM TO TITLE 24 OF THE CALIFORNIA ADMINISTRATIVE CODE AND THE AMERICANS WITH DISABILITIES ACT 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN, AND ANY LOCAL OR STATE AMENDMENTS THEREOF.

ALL NEW CURB RAMPS SHALL NOT EXCEED A SLOPE OF 1:12 (8.33%).

- MAXIMUM CROSS-SLOPE ON ANY SIDEWALK OR RAMP SHALL BE 2%. MAXIMUM SLOPE IN ANY DIRECTION WITHIN PARKING STALLS DESIGNATED AS ACCESSIBLE PARKING STALL SHALL BE 2%.

#### GEOTECHNICAL CRITERIA:

ALL WORK INCLUDING GRADING, TRENCHING, COMPACTION, AND SUBBASES SHALL FOLLOW THE RECOMMENDATIONS OF THE PROJECT GEOTECHNICAL REPORT.



HOHBACH-LEWIN, INC.

FURAL & CIVIL EN

HOHBACH-LEWIN #11084.31

PRO I NO

# VICINITY MAP LEG \_\_\_\_ \_\_\_ \_ \_ \_\_\_\_

### BENCHM

(SURVEY BY WA ELEVATIONS SHOT Datum. add 2.7 Datum to Navda

### REFERENCED CITY UU110 ORIGINALLY 71.13 NGVD29 DATUM CURRENTLY 73.85 NAVD88 DATUM

THE SUBJECT PROPERTY LIES ENTIRELY WITHIN FLOOD ZONE "X", AREA OF MINIMAL FLOOD HAZARD, BASED ON FLOOD JRANCE RATE MAP 06081C0304E, 10/16/2012.

- W WM WTR
- ALL NEW ENTRANCE WALKS TO THE BUILDINGS SHALL NOT EXCEED A SLOPE OF 1:20 (5X) LONGTUDINALLY UNLESS Ralings are provided in which case the slope shall not exceed 1:12 (8.33x). See architectural plans for Raling requirements.
- LANDINGS SHALL BE PROVIDED AT PRIMARY ENTRANCES TO BUILDINGS WITH A 2% MAXIMUM SLOPE THE LANDINGS SHALL HAVE A MAMMAUM WIDTH OF 60° AND A MINIMAM DEPTH OF 60° WHEN THE DOOR OPENS INTO THE BUILDING, AND 42° PLUS THE WIDTH OF THE DOOR WHEN THE DOOR OPENS ONTO THE LANDING.
- 5. RAMPS ARE DEFINED AS ANY WALKWAY BETWEEN SLOPES OF 1:20 (5%) AND 1:12 (8.33%), AND SHALL HAVE A MINIMUM WORM OF 4% "AND A MAXIMUM SLOPE" SHALL HAVE INTERMEDIATE (2% MIXIMUM SLOPE) LANDINGS HAVING A MINIMUM LENGTH IN THE DRECTOR OF 60". BOTTOM LANDINGS AT CHANGES IN RAMP DRECTOR SHALL HAVE A MINIMUM LENGTH IN THE DRECTOR OF 60".

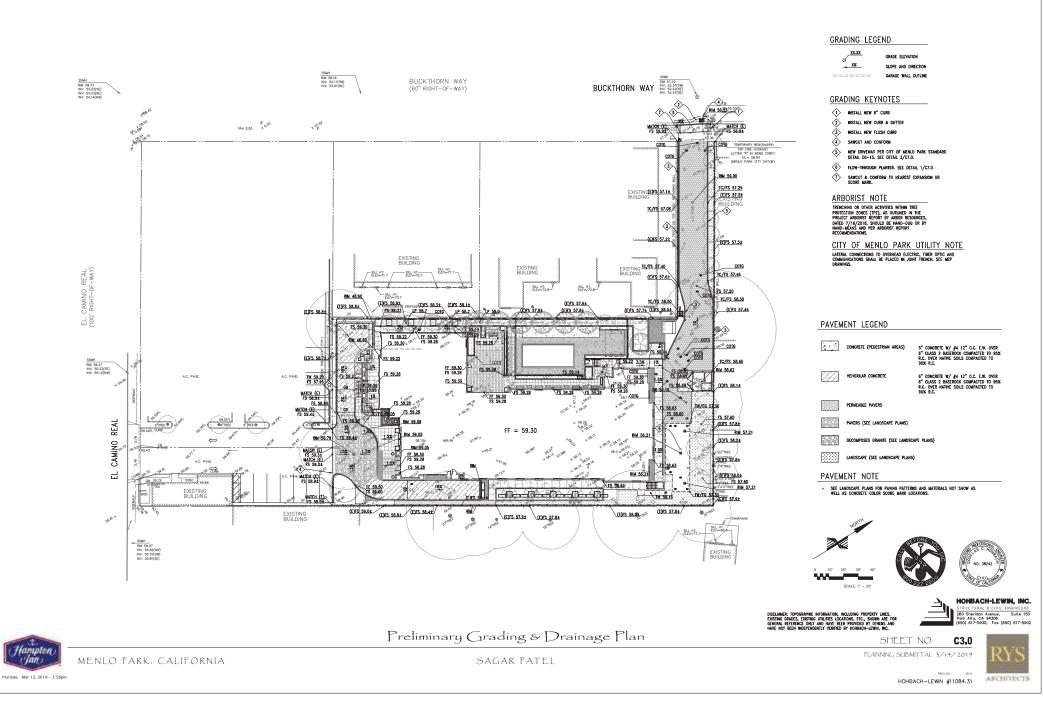
2. ALL ENGINEERED FILL SHALL HAVE A MINIMUM RELATIVE COMPACTION PER PROJECT GEOTECHNICAL REPORT.

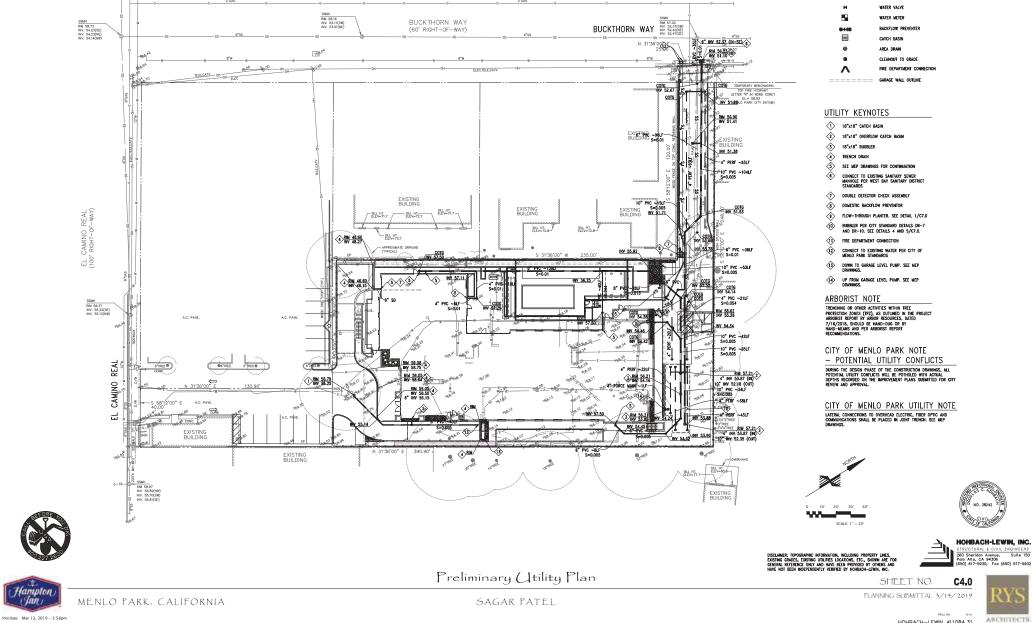
SHEET NO. C1.0 PLANNING SUBMITTAL 3/14/2019



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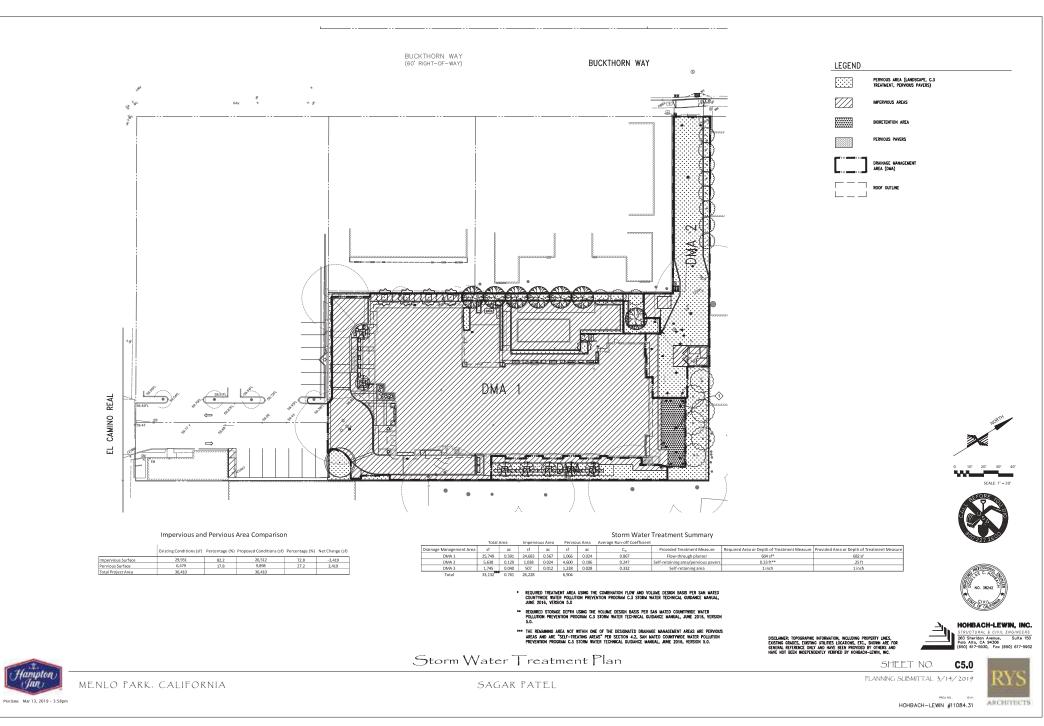


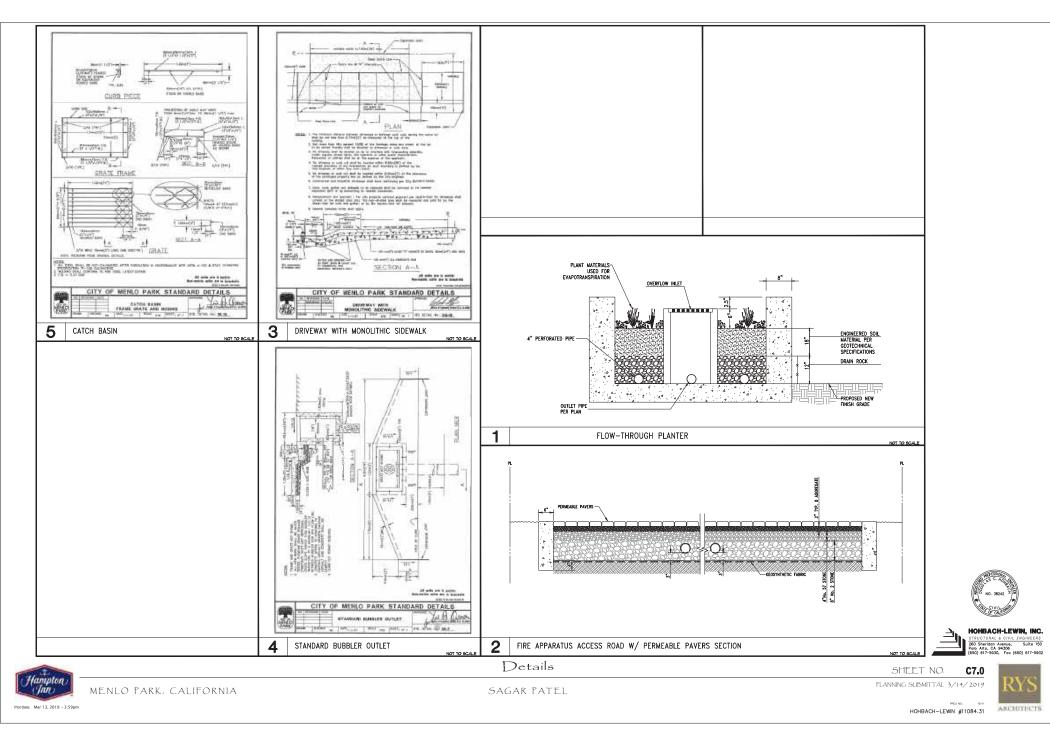
HOHBACH-LEWIN #11084.31

GINEERS Suite 150

UTILITY LEGEND

H36







SYMBOLS LIST, GENERAL NOTES, ABBREVIATIONS & DRAWING INDEX



ARCHUTSCT

~ ~	<b>TYPE</b>	DESCRIPTION	MANUF MODEL		-LANPS	QUITRUT	~	WATTAGE	WATTS FL	WQLTS~	APRLICATION
2\	E1 E2	NOT USED NOT, USED									
(	E3	NOT USED ADJUSTABLE LED FLOOD LIGHT. DIE-CAST ALUMINUM HOUSING. CLEAR TEMPERED GLASS LENS. OVAL BEAM SPREAD. 90° TILT, 300° ROTATION	ERCO "LIGHTSCAN"	34898.023 - 33974.000	3000°К	8100 LUMENS	0-10V DIMMABLE	96		120-277	MAIN TOWER HIGHLIGHT
2	E4	LED RECESSED STEP LIGHT. ASYMMETRIC FORWARD THROW DISTRIBUTION. DIE-CAST ALUMINUM HOUSING. CLEAR SAFETY GLASS LENS. AT GARAGE FAMPS, CENTERLINE OF FIXTURE TO BE MOUNTE 18'AF. A TPOOL, CENTERLINE OF FIXTURES TO BE MOUNTE 18'AF. A TPOOL, CENTERLINE OF FIXTURES TO BE MOUNTE 0'A' ABOVE TOP OF POOL DECK.	BEGA "24 061"	24 061-K3-**FINISH	3000°K	1183 LUMENS	0-10V DIMMABLE	21		120-277	GARAGE RAMP LIGHT, NORTH PO DECK LIGHT
	E5 ( E6 (	NOT USED PARKING GARAGE UPLIGHT, EXTRUDED ALUMINUM HOUSING AND HAT SINK, SAYMETRIC FORWARD HORVO USTRIBUTION. FRUTURES TO BE MOUNTED AT 7-0° AFF, EXCEPT FOR FIXTURES MOUNTED TO SANGE OF POOL, FRANE, FIXTURES MOUNTED TO SIDES OF POOL, FRANE, TO BE MOUNTED WITH BOTTOM OF FIXTURE ALISAINS WITH MOLEGRADE OF POOL FRAME.	ELLIPTIPAR "STYLE 172"	S172-5036-S-**FINISH-M-V0-0-30-ZX	3000°К	3812 LUMENS	0-10V DIMMABLE	56		120-277	PARKING GARAG
(	E7A	4 IN APERTURE LED DOWNLIGHT. WIDE BEAM ANGLE. DIE-CAST ALUMINUM HOUSING. CLEAR SAFETY GLASS LENS. ANODIZED ALUMINUM REFLECTOR.	BEGA "55 824"	55 824-K3-**FINISH	3000°K	933 LUMENS	0-10V DIMMABLE	11		120-277	DOWNLIGHTS AT MAIN ENTRY
2	E7B	SIMILAR TO TYPE E7A, BUT WITH ADJUSTABLE OPTICS AND A NARROW BEAM SPREAD. 30° TILT AND 360° ROTATION.	BEGA " 55 842"	55 842-K3-FINISH	3000°K	583 LUMENS	0-10V DIMMABLE	5.7		120-277	DOWNLIGHTS OVER BUBBLEF PLANTERS
	E8	EXTERIOR WRAP LUMINAIRE. 20 GAUGE CRS WITH STAINLESS STEEL EXTERIOR. FROSTED ACRYLIC LENS.	PARAMOUNT "STARDUSTER"	C2-1+L-4-7-S3-30K-120-277	3000°K	4800 LUMENS	0-10V DIMMABLE	40		120-277	TRASH ENCLOSU LEVEL 3 TRELLIS SOUTHEAST STAIR
	E9	LED BOLLARD WITH 180° DISTRIBUTION. DIE-CAST ALUMINUM HOUSING, MATTE BLACK OPTICAL CASTINGS.	SELUX INNULA	IBL-4-2Q90-30-**FINISH-277-DM	3000°K	1083 LUMENS	0-10V DIMMABLE	14		277	WALKING PATH
<u>۾</u>	E10	ADJUSTABLE ACCENT TREE FLOODLIGHT. MILLED ALUMINUM HOUSING. TEMPERED GLASS LENS. ADJUSTABLE COLOR TEMPERATURE VIA BLUETOOTH CONTROL.	BK LIGHTING "DENALI"	DE-LED-C20-WFL-**FINISH-12-11-B + PPII	3000°K	515 LUMENS		20	~~~~	120-277	FEATURE TREE UPLIGHT
- 4	E11		han				h		h	hanne	$\downarrow$
	E12	LED DECORATIVE CATENARY FIXTURES. FROSTED GLASS GLOBES SELF-HEALING JACKETED POWER CABLE. PROVIDE ALL ELEMENTS TO COMPRISE A COMPLETE SYSTEM.	TEGAN "EXTON"	GLOBE: EX5-K-PX-C-GEF-AL CABLE:EX-C-BLK	2700°K	205 LUMENS/ HEAD	0-10V DIMMABLE	5.3		120-277	STRING LIGHTIN
	E13	LINEAR LED PATH LIGHT - MID OUTPUT, WET LOCATION LISTED LED TAPE. ANGLED EXTRUDED ALLIMINUM HOUSING, FRYTURES TO BE MOUNTED CONTINUOUSLY END - TO-END WITH NO VISIBLE CAPS ALONG LENGTH OF FIXTURE RUN, PROVIDE NOTCH OR OVERHANG AT TOP OF PLANTER WHERE FIXTURES ANE INICIATED ON DRAWINGS TO CONCEAL FIXTURE LOCATIONS.	KELVIX "PERFORMANCE 200"	TAPE: PL3K-WR-24V HOUSING: CH006-2-FRR-CP-EC	3000°K	169 LUMENS / FT	0-10V DIMMABLE		1.9	120-277	WALKWAYS ADJACENT TO PO DECK
	E14A	ADJUSTABLE ACCENT FLOODLIGHT MOUNTED TO CANOPY TRELLIS STRUCTURE MILED ALUMINUM HOUSING. TEMPERED GLASS LENS. WIDE FLOOD OPTIC. ADJUSTABLE COLOR TEMPERATURE CONTROLLED VIA BLUETOOTH.	BK LIGHTING "DENALI"	DE-LED-C20-WFL-**FINISH-12-11-A + REMOTE DRIVER	3000°K	515 LUMENS	INTEGRATED DIMMING	20		120-277	POOL DECK LOUN CANOPY, LEVEL 3 DECK
	E14B	ADJUSTABLE ACCENT FLOODLIGHT MOUNTED BUILDING WALLS. MILLED ALUMINUM HOUSING. TEMPERED GLASS LENS. LINEAR SPREAD OPTIC. ADJUSTABLE COLOR TEMPERATURE CONTROLLED VIA BLUETOOTH.	BK LIGHTING "DENALI"	DE-LED-C20-WFL-**FINISH-13-A + REMOTE DRIVER	3000°K	515 LUMENS	INTEGRATED DIMMING	20		120-277	POOL DECK RAMP
$\sqrt{2}$	E15	LED DECORATIVE DOWNLIGHT FIXTURES. FROSTED AND CLEAR GLASS "GEMS". FIXTURES TO BE EITHER SURFACE MONOPOINT OF CATENARY MOUNTED.	TEGAN "EXTON"	GLOBE: EX5-K-PX-C-FCG-AL	3000°K	148 LUMENS	0-10V DIMMABLE	5.3		120-277	POOL DECK CANC
^	E16 E17	NOT USED LED LINEAR ASYMMETRIC HANDRAIL LIGHT. LED MODULE INTEGRATED INTO GRIP OF HANDRAIL, FROSTED LENS, NON-ILLUMINATED HANDRAIL HARDWARE TO BE COORIDNATED WITH ARCHITECT	COLE LIGHTING "LUXRAIL LR5"	LR5P-LED-AL/*-INT-FL-ASYM-DIM	3000°K	205 LUMENS/ FT	0-10V DIMMABLE		2.5	120-277	POOL DECK LIGHT
2	E18	NOT USED									
	E19	DECORATIVE WALL SCONCE. STAINLESS STEEL HOUSING. CLEAR GLASS LENS. PROVIDE WITH LED RETROFT LAMPS_MANUFACTURER TO PROVIDE WATTAGE RESTRICTION LABEL TO MATCH SELECTED LED RETROFT LAMP.	FEISS "COTSWALD LANE"	OL13701ANBZ-L1	2700°K	TBD	TELV DIMMABLE	120		120	EXTERIOR DECORATIVE SCONCES
	E20	LED BOLLARD WITH 180° DISTRIBUTION. EXTRUDED AND DIE-CAST ALUMINUM HOUSING.	GARDCO "BRM SERIES"	RM834-42-CWL-WW-180-UNV-**FINIS	н зооо°к	280 LUMENS	TIMECLOCK ON/OFF	22		120-277	EXTERIOR PATHWAYS, REAR ENTRY DRIVE
2	E21	LED RECESSED STEP LIGHT. ASYMMETRIC FORWARD THROW DISTRIBUTION. DIE-CAST ALUMINUM HOUSING. CLEAR SAFETY GLASS LENS. BOTTOM OF FIXTURE TO BE MOUNTED 11-6" ABOVE GRADE OR FINISHED FLOOR.	BEGA "33 053"	33 053-K3-**FINISH	3000°K	231 LUMENS	TIMECLOCK ON/OFF	6		120-277	WALKWAYS, EXTERIOR STAIRS
-	E22A	LED POLE ARM MOUNTED LANTERN STYLE AREA LIGHT. CAST ALUMINUM ALLOY HOUSING. LENSED BOTTOM. MCD.DED SILCOM REFRACTOR OPTIS. JES TYPE JOSTIBUITON WITH HOUSE SIDE SHELD TO MITIGATE BACKLIGHT. PROVIDE FATURE WITH 10 POLE PHOLOBE 27 ALL OCCARETE BASE ON WHICH POLE AND BASE HOUTDE 27 ALL OCCARETE BASE ON WHICH POLE AND BASE HEIGHT OF 72-0.	STERNBERG "SEVILLE"	1A-S840LEDH-1L-30-T4-MDL10 -CSA-SV1D-HSS-**ARM STYLE-**10 FOOT POLE-**INISH-**OPTIONS AS REQUIRED	3000°K	5976 LUMENS	TIMECLOCK ON/OFF	59		120-277	MOTOR COURT SOUTHWEST
	E22B	SIMILAR TO TYPE E22A, BUT WITH TYPE 2 DISTRIBUTION.	STERNBERG "SEVILLE"	1A-S640LEDH-1L-30-T2-MDL10 -CSA-SV1D-HSS-**ARM STYLE-**10 FOOT POLE-**FINISH-**OPTIONS AS REQUIRED	3000°K	5987 LUMENS	TIMECLOCK ON/OFF	59		120-277	MOTOR COURT GARAGE ENTRIES
	E22C	SIMILAR TO TYPE E22A, BUT WITHOUT A HOUSE-SIDE SHIELD, AND WITH A 12' POLE NOT MOUNTED TO A 2' CONCRETE BASE.	STERNBERG "SEVILLE"	1A-S640LEDH-1L-30-T2-MDL10 -CSA-SV1D-"ARM STYLE-"12 FOOT POLE-"FINISH-"OPTIONS AS REQUIRED	3000°K	6740 LUMENS	TIMECLOCK ON/OFF	59		120-277	MOTOR COURT BUILDING SIDE
(	E23	LED LINEAR ASYMMETRIC FORWARD THROW PATH DOWNLIGHT. PARABOLIC "VORTEX" REFLECTORS. DIE-CAST ALUMINIM MOUSING, CLEAR ANETY CLASS LINE, MOODIZE ALUMINIM REFLECTOR. FRUTIRES TO BE MOUNTED WITH ASYMMETRIC DISTRIBUTIOR FANOR AWAY FROM BUILDING, TO LINET PATH ADJACENT TO BUILDING WITHOUT LIGHTING VERTICAL SURFACE OF RUIDING.	BEGA "24 306"	24 306-K3-**FINISH	3000°K	1944 LUMENS	TIMECLOCK ON/OFF	19		120-277	EAST PATH



E 0.02 PLANNING SUBMITTAL 01/29/2019 PROJECT NO. 1511

1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

LIGHTING FIXTURE SCHEDULE

H40

TYPE E1	TYPE E2	ERCO Lightscan Roadlight TYPE E3		TYPE ES NOT USED
	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~			
And the second s		<image/>	<section-header><section-header></section-header></section-header>	No.         No.         Selux           No.         No.         TVPE E9           No.         No.         No.           No.         No.         No.
$ \begin{array}{c} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{i=1}^{n} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{j=1}^{n} \sum_{i=1}^{n} \sum_{i=1}^{n} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{i=1}^{n} \sum_{i=1}^{n$	udis.			

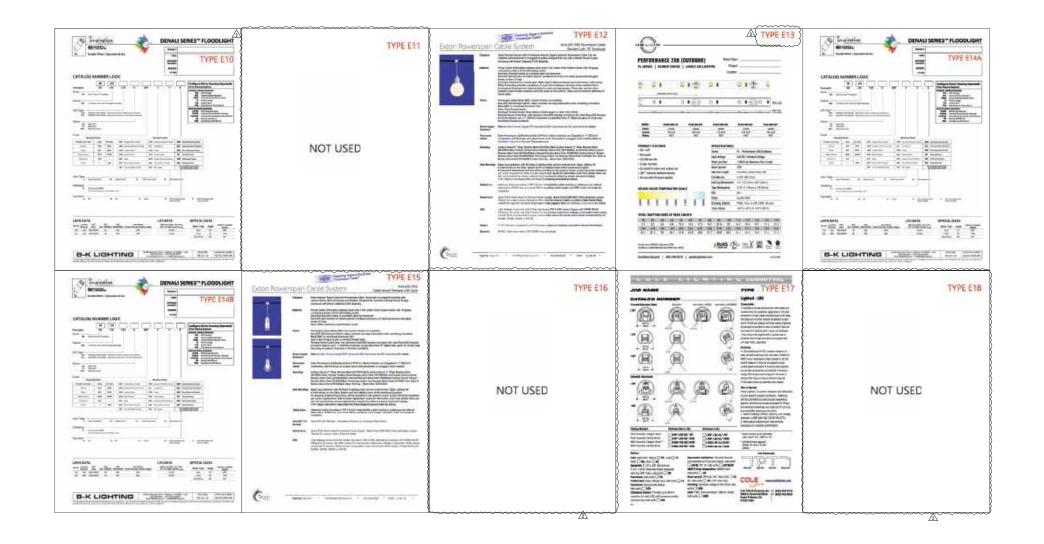


LIGHTING EQUIPMENT CUTSHEETS - PAGE 1 OF 3



1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

PLANNING SUBMITTAL 01/29/2019 PROJECT NO. 15111



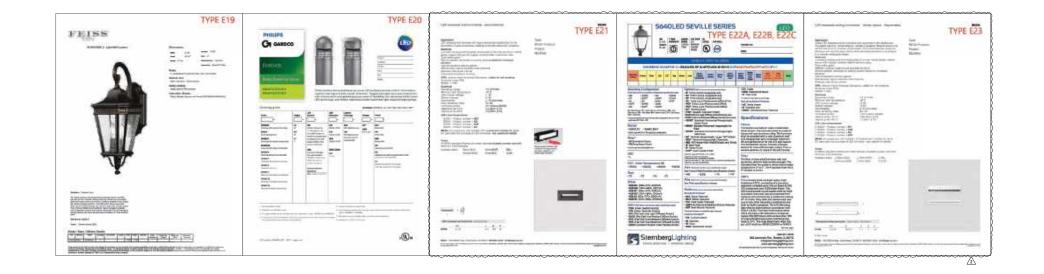
Hampton) (Jan)

LIGHTING EQUIPMENT CUTSHEETS – PAGE 2 OF 3

E0.04



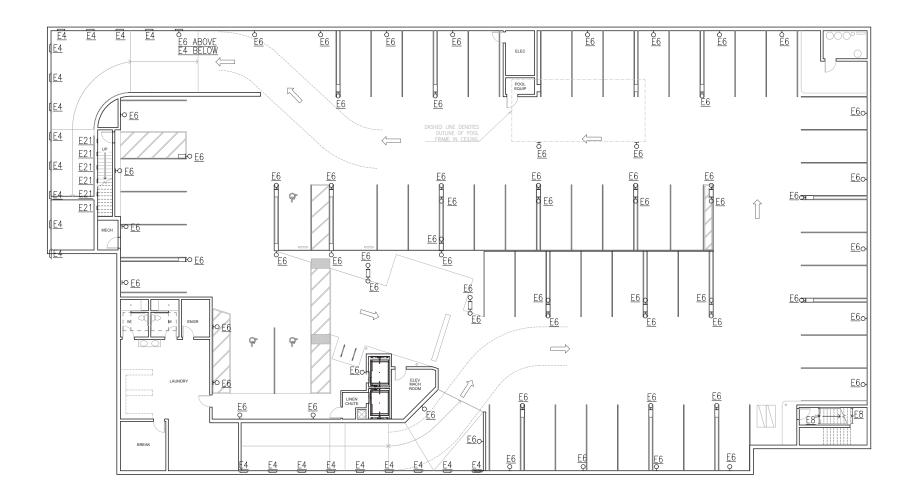
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LIGHTING EQUIPMENT CUTSHEETS - PAGE 3 OF 3





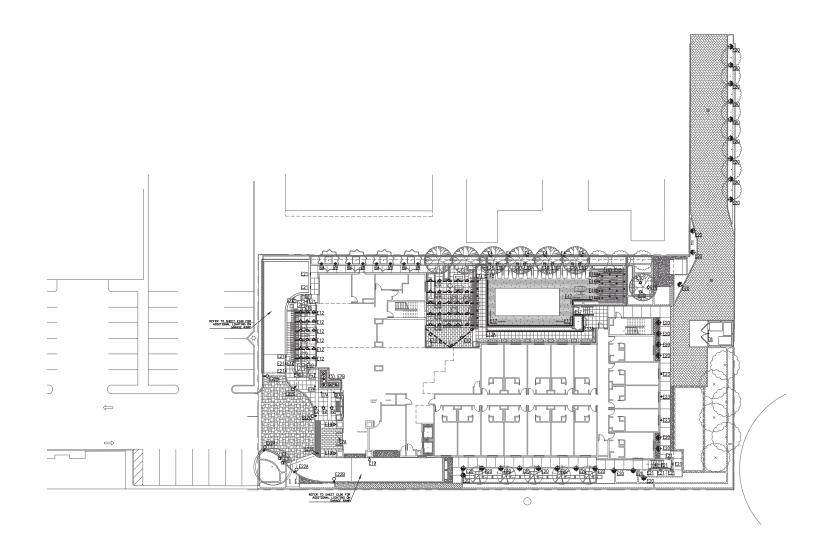


GARAGE LIGHTING PLAN - BASEMENT LEVEL



1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027

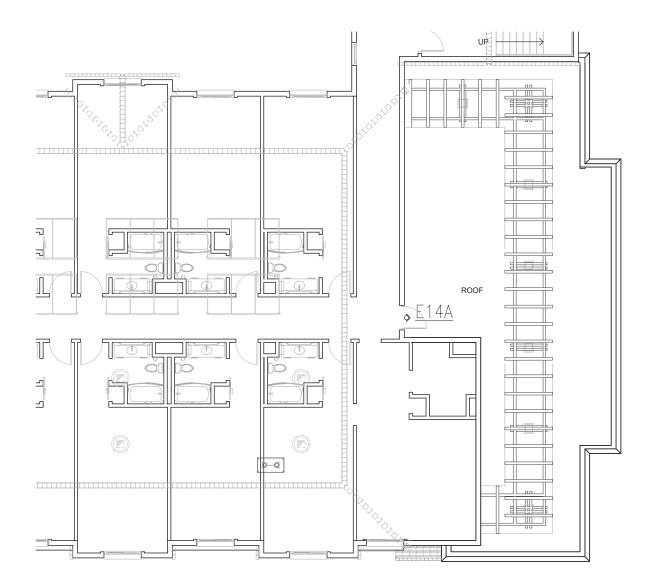
SAGAR PATEL





EXTERIOR AND SITE LIGHTING PLAN - LEVEL 1

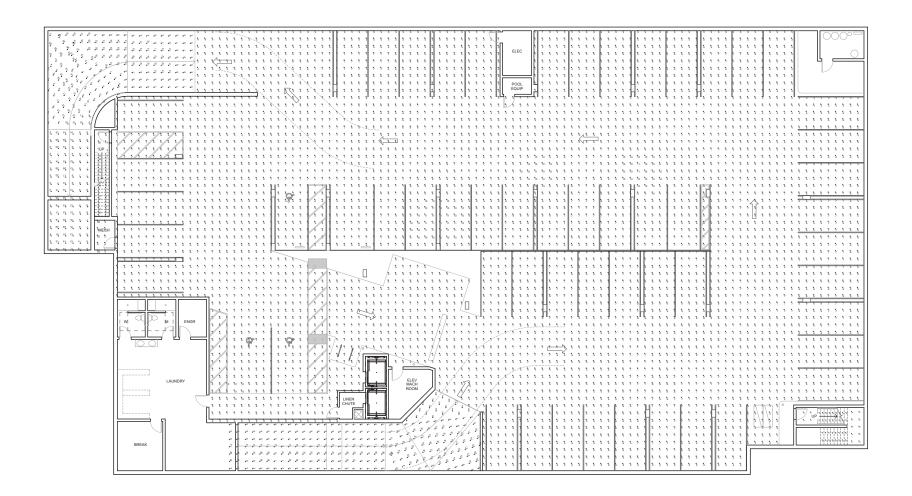
E1.01 PLANNING SUBMITTAL 01/29/2019 PROJECT NO. 1811





EXTERIOR AND SITE LIGHTING PLAN - LEVEL 3





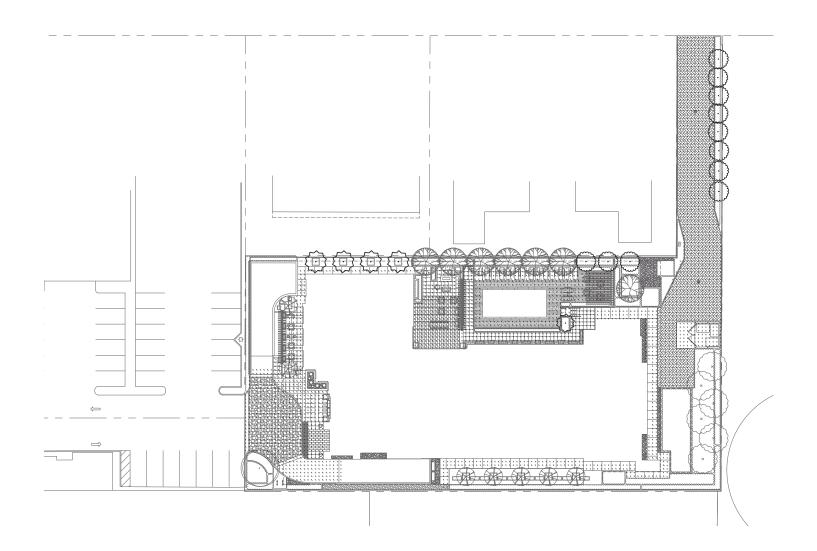


GARAGE PHOTOMETRIC PLAN - BASEMENT LEVEL



1704 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94027 SAGAR PATEL

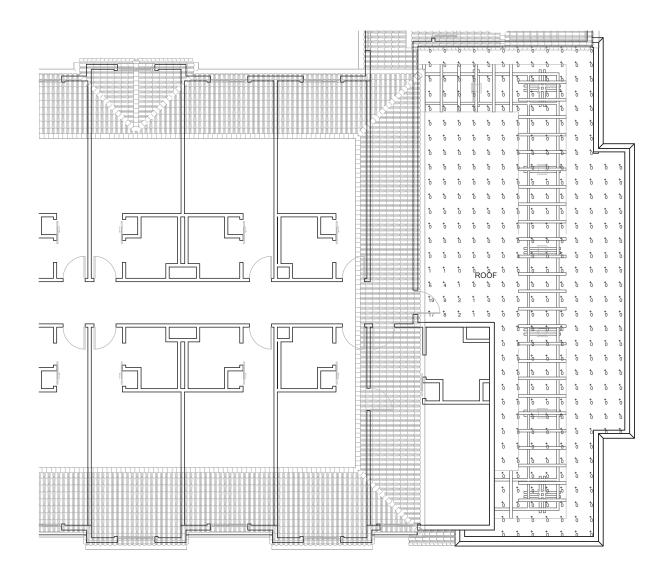
PLANNING SUBMITTAL 01/29/2019 PROJECT NO: 15111





EXTERIOR AND SITE PHOTOMETRIC PLAN - LEVEL 1

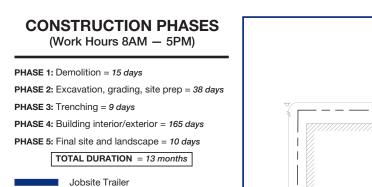






EXTERIOR AND SITE PHOTOMETRICPLAN - LEVEL 3





**TRUCK HAUL LOGISTICS** 

(Final plan submitted after contractor selection and dirt disposal site determined)

During off haul and concrete truck access - traffic control to be in place:

Flagman

• Temp lane closure during non-peak commute hours

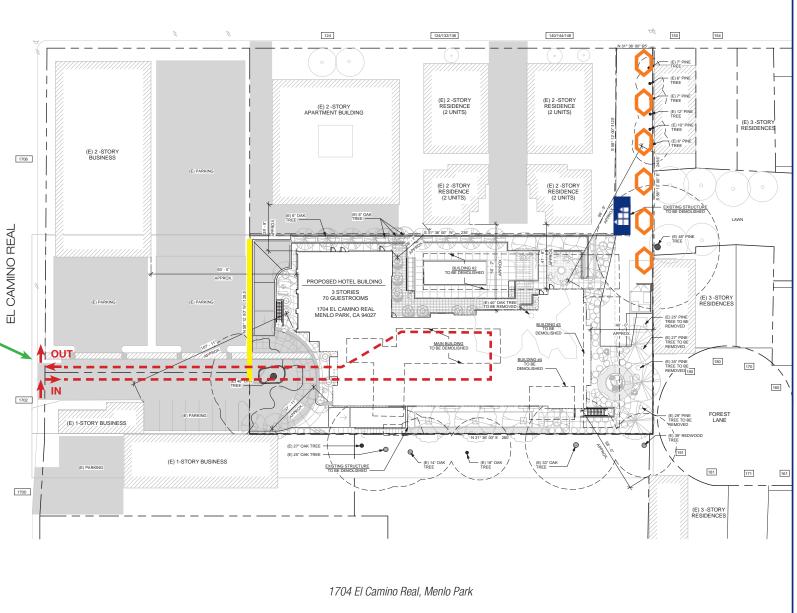
• Sidewalk temp closure during construction, excavation and concrete pours

Entrance and exit to be off El Camino Real (only access point off property)

- Import 383 CY asphalt and soils
- Export 10,000 CY soils
- Export 245 CY demo for recycle

## **CONSTRUCTION PARKING**





BUCKTHORN WAY

## PLN2016-00085 - 1704 El Camino Real – Hampton Inn hotel – June 2019

Section	Standard or	Requirement	Evaluation
	Guideline		
	lopment Intensi		
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.	N/A: Hotel Use
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.	N/A: Hotel Use
E.3.2 Heigl	ht		
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: Roof-mounted equipment are behind roof screen or parapet. Metal roof screen at +40'-5". See building section sheet A14, Roof Plan A7 & Line- of-Sight diagram A14.1. NOTE: All heights taken from average natural grade at 58.15'
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: Generally, parapets or top of mansards are at 38'-4". Mansard at main tower at façade with hip roof peaks at 41'-11"; Mansard at roof ridge at west side of building at 40'-3". See sheet A9.
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: Elevator tower hip roof peak is approximately 41-2". The northwest stairs are under the building flat roof. The northeast stairs are under a gable with the ridge at about 39'-11". Main tower roof peak is approximately 41'- 11". See sheet A9.
		tions within Setbacks	
E.3.3.01	Standard	Front setback areas shall be developed with sidewalks, plazas, and/or landscaping as appropriate.	Complies: An arrival/entry motor court with cobblestone style accent paving, specimen plantings including 36" box size Coast Live Oak & period light fixtures. Motor court walks leads to decorative gate & trellis which opens up to an outdoor patio servicing the breakfast room. Hotel entrance canopy is integrated under the main tower. See site plan, elevations, landscape drawings L0.1 and L0.2, and E0.05 (period light fixture).
E.3.3.02	Standard	Parking shall not be permitted in front setback areas.	Complies: All parking is located in an underground parking garage.
E.3.3.03	Standard	In areas where no or a minimal setback is required, limited setback for store or lobby entry recesses shall not exceed a maximum of 4-foot depth and a maximum of 6-foot width.	N/A: setbacks are required in the ECR NE-L sub-district.

## PLN2016-00085 - 1704 El Camino Real – Hampton Inn hotel – June 2019

Section	Standard or	Requirement	Evaluation
<b>E</b> 0 0 0 1	Guideline		
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.	N/A: setbacks are required in the ECR NE-L sub-district.
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: No balcony, bay window or similar projection extends into a minimal setback. Note: Most roof eaves are less than 12" beyond the exterior wall with exception of the 3 <sup>rd</sup> floor, northwest corner where city-requested embellished eave & corbel design has been added. That projection is about 3'-5" into the side setback.
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: There are no projections encroaching beyond the front façade setback lines.
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.	N/A: Project does not include canopies or awnings.
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.	N/A: Project location is not near San Francisquito Creek.
	ing and Modula	tion	
	Iding Breaks Standard	The total of all building breaks shall set	NA: DC provided direction that contain
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.	NA: PC provided direction that certain Specific Plan requirements including setbacks, building breaks and modulations, normally required along the front elevation, would not apply in this case as the west elevation of the parcel is located over 130 feet from the El Camino Real right-of-way.
E.3.4.1.02	Standard	Building breaks shall be located at ground level and extend the entire building height.	N/A: Building breaks not required for proposed development, please see evaluation for E.3.4.1.01.

Section	Standard or	Requirement	Evaluation
	<u>Guideline</u>		
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.	N/A: Building breaks not required for proposed development, please see evaluation for E.3.4.1.01.
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.	N/A: Building breaks not required for proposed development, please see evaluation for E.3.4.1.01.
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.	N/A: Building breaks not required for proposed development, please see evaluation for E.3.4.1.01.
E.3.4.1.06	Standard	<ul> <li>In the ECR-SE zoning district, and consistent with Table E4 the building breaks shall:</li> <li>Comply with Figure E9;</li> <li>Be a minimum of 60 feet in width, except where noted on Figure E9;</li> <li>Be a minimum of 120 feet in width at Middle Avenue;</li> <li>Align with intersecting streets, except for the area between Roble Avenue and Middle Avenue;</li> <li>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.</li> <li>Extend through the entire building height and depth at Live Oak Avenue, Roble Avenue, Middle Avenue, and Harvard Avenue; and</li> <li>Include two publicly-accessible building breaks at Middle Avenue and Roble Avenue.</li> </ul>	N/A: Project is located in the ECR NE-L 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.	N/A: Project is located in the ECR NE-L district.

Guideline         In the ECR-SE zoning district, the breaks at Live Oak, Roble, Middle, Partridge and Harvard Avenues may provide vehicular access.         N/A: Project is locate district.	d in the ECR NE-I
at Live Oak, Roble, Middle, Partridge and district. Harvard Avenues may provide vehicular access.	IN THE FUR NET
Harvard Avenues may provide vehicular access.	
access.	
EXA 2 Eacade Modulation and Treatment	
E.3.4.2 Façade Modulation and Treatment           E.3.4.2.01         Standard         Building façades facing public rights-of-         NA: PC provided dir	action that certain
way or public open spaces shall not Specific Plan require	
exceed 50 feet in length without a minor setbacks, building br	
building façade modulation. At a modulations, normal	
minimum of every 50' façade length, the the front elevation, w	
minor vertical façade modulation shall this case as the west	
be a minimum 2 feet deep by 5 feet wide parcel is located ove	
recess or a minimum 2-foot setback of El Camino Real right	
the building plane from the primary	
building façade.	
E.3.4.2.02 Standard Building façades facing public rights-of- NA: PC provided dir	
way or public open spaces shall not Specific Plan require	
exceed 100 feet in length without a major setbacks, building br	
building modulation. At a minimum of modulations, normal	
every 100 feet of façade length, a <b>major</b> the front elevation, w	
vertical façade modulation shall be a this case as the west minimum of 6 feet deep by 20 feet wide parcel is located over	
recess or a minimum of 6 feet setback of El Camino Real right building plane from primary building	-oi-way.
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.	
E.3.4.2.03 Standard In addition, the major building façade NA: PC provided dir	ection that certain
modulation shall be accompanied with a Specific Plan require	
4-foot minimum height modulation and a setbacks, building br	
major change in fenestration pattern, modulations, normal	
material and/or color. the front elevation, w	
this case as the west	
parcel is located ove	
El Camino Real right	-or-way.
E.3.4.2.04 Guideline Minor façade modulation may be NA: PC provided dir	ection that certain
accompanied with a change in Specific Plan require	
fenestration pattern, and/or material, setbacks, building br	
and/or color, and/or height. modulations, normal	
the front elevation, w	
this case as the west	
parcel is located ove	r 130 feet from the
El Camino Real right	-of-way.
E.3.4.2.05 Guideline Buildings should consider sun shading Complies: Windows	
mechanisms, like overhangs, <i>bris soleils</i> more back into the e	
and clerestory lighting, as façade few windows have de	
articulation strategies. as the entry, overhar bays and eaves with	
articulate the façade.	
trellis at the front fac	
sheets A9 thru A13.	

Section	Standard or	Requirement	Evaluation
	Guideline		
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.	Note: Applicable only at east elevation. See sheet A14.1 for diagram
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. All projections within the 45- degree profile. See sheet A14.1
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: No vertical building projections extend above 45-degree building profile line.
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: No roof-top elements extend above the building profile line.
E.3.4.4 Upp	ber Story Façade	e 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.	N/A
		ent, Entry and Commercial Frontage	
	or 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.	Note: Applicant is applying for a variance to second floor height in response to neighborhood group requests. Second floor is set at 13' high.
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.	N/A: This requirement was previously deemed not applicable for this project but there is extensive glazing on the first floor facing ECR.
E.3.5.03	Guideline	Buildings should orient ground-floor retail uses, entries and direct-access residential units to the street.	Complies: The entry is located at the base of the tower form, which will be directly visible from the street.
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: The building is not adjacent to ECR – it's over 130' away, but street facing/street visible areas of the project would include lobby, office & gathering room uses. Landscape design element would include colorful plantings, benches, special paving, and bicycle racks.

Section	Standard or Guideline	<u>Requirement</u>	Evaluation
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.	Complies: Most public type functions such as customer entry, gathering, breakfast room & lounge face the street.
E.3.5.06	Guideline	Blank walls at ground floor are discouraged and should be minimized. When unavoidable, continuous lengths of blank wall at the street should use other appropriate measures such as landscaping or artistic intervention, such as murals.	N/A: No blank walls.
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.	N/A: Hotel use.
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: Main entrance has been integrated under the main tower as a large, arched opening with recessed entry. Canopies and awnings would not be necessary/consistent with tower form.
Building E	ntries		
E.3.5.09	Standard	Building entries shall be oriented to a public street or other public space. For larger residential buildings with shared entries, the main entry shall be through prominent entry lobbies or central courtyards facing the street. From the street, these entries and courtyards provide additional visual interest, orientation and a sense of invitation.	Complies: The main entrance is oriented towards the El Camino side with the central lobby facing and visible from the street. The tower form is distinctive and marks the entry well even at the 130' distance from 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: The main entrance is at ground level under the well scaled and turret shaped tower with arched openings. Varied window opening shapes and period details and lighting enhance the entry form.
E.3.5.11	Guideline	Multiple entries at street level are encouraged where appropriate.	N/A: Hotel use.
E.3.5.12	Guideline	Ground floor residential units are encouraged to have their entrance from the street.	N/A: Hotel use.
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.	N/A: Hotel use.

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.14	Guideline	Building entries are allowed to be recessed from the primary building façade.	Complies: Entrance recessed under the arched opening of main tower.
	al Frontage		
E.3.5.15	Standard	Commercial windows/storefronts shall be recessed from the primary building façade a minimum of 6 inches	Tentatively Complies: Commercial windows/storefronts include first level windows on ECR facing building façade. Storefront system at façade is set back from exterior wall under arched openings, but dimension is not provided to verify 6-inch recess from face of stucco to face of window frame. Building permit plans should include dimension.
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.	N/A: No retail proposed. Note: Ground floor "public spaces" have floor to ceiling storefronts with clear glazing for approximately 50 percent of wall surface.
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: Storefront only on entry side at public & large group gathering type spaces. Storefront arched openings and fenestration pattern fit the Spanish style building architecture well.
E.3.5.18	Guideline	The distinction between individual storefronts, entire building façades and adjacent properties should be maintained.	Complies: Storefront fenestration fit well with building facades. Storefronts are repetitive and are only varied at entry, which would be consistent with the program that does not include retail uses.
E.3.5.19	Guideline	Storefront elements such as windows, entrances and signage should provide clarity and lend interest to the façade.	Complies. Storefronts have window division patterns consistent with the architecture and which add interest to the façade.
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: Storefront elements follow the strong nature of guestroom bays which are less than 20 feet. Arches & recesses are employed for articulation.
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.	N/A: hotel use.
E.3.5.22	Guideline	Recessed doorways for retail uses should be a minimum of two feet in depth. Recessed doorways provide cover or shade, help identify the location of store entrances, provide a clear area for out-swinging doors and offer the opportunity for interesting paving patterns, signage and displays.	N/A: hotel use.

Section	Standard or	Requirement	Evaluation
	Guideline		
E.3.5.23	Guideline	Storefronts should remain un-shuttered at night and provide clear views of interior spaces lit from within. If storefronts must be shuttered for security reasons, the shutters should be located on the inside of the store windows and allow for maximum visibility of the interior.	Complies: Per applicant: Lobby space are lit 24-hours daily but locked accessible by customer cardkey for security at late night hours, as required by hotel brand.
E.3.5.24	Guideline	Storefronts should not be completely obscured with display cases that prevent customers and pedestrians from seeing inside.	N/A: hotel use.
E.3.5.25	Guideline	Signage should not be attached to storefront windows.	Complies: Hotel brand signage at tower & monument sign at ECR driveway only.
E.3.6 Oper	n Space		
E.3.6.01	Standard	Residential developments or Mixed Use developments with residential use shall have a minimum of 100 square feet of open space per unit created as common open space or a minimum of 80 square feet of open space per unit created as private open space, where private open space shall have a minimum dimension of 6 feet by 6 feet. In case of a mix of private and common open space, such common open space shall be provided at a ratio equal to 1.25 square feet for each one square foot of private open space that is not provided.	N/A: hotel use.
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.	N/A: hotel use.
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: Public landscaped space provided near entry at motor court & drop-off are accessible by public. Adjacent outdoor dining area also at west façade. Private patios and pool area common space for guests also provided.
E.3.6.04	Guideline	Private development should provide accessible and usable common open space for building occupants and/or the general public.	Complies: See above item.
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.	N/A: hotel use.

Section	Standard or	<u>Requirement</u>	Evaluation
E.3.6.06	<u>Guideline</u> 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: Landscape design use combination of hardscape, planter boxes & low walls to complement the motor court, west outside patio & inner courtyard pool deck. (See L0.1 and L0.2)
E.3.6.07	Guideline	Landscaping of private open spaces should be attractive, durable and drought-resistant.	Complies: The plants selected will be low-to-medium water use. Trees from heritage replacement list using evergreen & deciduous types. The other category of plant species that occur on the plans comply with C-3 bio swale ordinance.
	ing, Service and		
	arking and Servi		
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: All parking is located in an underground parking garage with ramps set away from façade to minimize their visual impact.
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: No new curb cuts.
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: Trash service from alley/driveway off Buckthorn Way. Applicant indicates delivery vehicles will be limited to vans that will fit in the garage space. Deliveries would be scheduled during least busy hours.
E.3.7.04	Guideline	The size and pattern of loading dock entrances and doors should be integrated with the overall building design.	Complies: No above ground loading docks. See above item.
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.	Complies: No above ground loading docks. See above item.
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: No above grade parking proposed.
Utilities	Quidal		
E.3.7.07	Guideline	All utilities in conjunction with new residential and commercial development should be placed underground.	Complies: All new utilities will be designed as underground utilities.

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Section	<u>Standard or</u> Guideline	<u>Requirement</u>	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.	Tentatively Complies: Above ground utility boxes would be screened by landscaping and/or fences. Transformer located near rear setback line at side lot line per L0.1. Back flow device shown adjacent to transformer on C4.0. These locations have limited visibility to the public or neighboring property.
Parking Ga	rages		
E.3.7.09	Standard	To promote the use of bicycles, secure	Complies: Bicycle parking at motor
		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."	court & 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.	N/A: Not part of a parking plaza.
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 is located 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.	N/A: Parking located underground.
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.	N/A: Hotel use only.
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.	N/A: Hotel on top of agarage.
	inable Practice	S	
Overall Sta E.3.8.01	ndards Standard	Unless the Specific Plan area is explicitly	Tentatively Complies: LEED Silver
		exempted, all citywide sustainability codes or requirements shall apply.	required as condition of approval.
	idelines	1	1

<u>Section</u>	<u>Standard or</u> <u>Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>	
E.3.8.02	Guideline	Because green building standards are constantly evolving, the requirements in this section should be reviewed and updated on a regular basis of at least every two years.	Complies: City task.	
Leadership	Leadership in Energy and Environmental Design (LEED) Standards			

## Menlo Park El Camino Real/Downtown Specific Plan Standards and Guidelines: Project Compliance Worksheet

E 3 8 03	Standard	Development shall achieve LEED	Tentatively Complies: See E 3.01
E.3.8.03	Standard	<ul> <li>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.</li> <li>LEED certification or equivalent standard, at a Silver lever or higher, shall be required for:</li> <li>Newly constructed residential buildings of Group R (single-family, duplex and multi-family);</li> <li>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;</li> <li>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</li> <li>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.</li> </ul>	Tentatively Complies: See E.3.01. Future documentation required per conditions of approval.
		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	

Section	Standard or	Requirement	<b>Evaluation</b>
	<u>Guideline</u>		
		processing, fee discounts, or design templates.	
Leadership	in Energy and	Environmental Design (LEED) Guidelines	
E.3.8.04	Guideline	The development of larger projects	N/A: hotel use only.
		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.	
Building De	esign Guideline:		
E.3.8.05	Guideline	Buildings should incorporate narrow floor	Complies: Floor plate is as narrow as
		plates to allow natural light deeper into	can be fitted in a double-loaded hotel
		the interior.	corridor. Large floor-to-ceiling windows
			at front façade.
E.3.8.06	Guideline	Buildings should reduce use of daytime	Complies: Guest room windows, 4.5'
L.3.0.00	Ouldenne	artificial lighting through design elements,	wide by 6' tall, appear well suited to this
		such as bigger wall openings, light	objective. Storefront windows at
		shelves, clerestory lighting, skylights, and	common spaces are large.
		translucent wall materials.	
E.3.8.07	Guideline	Buildings should allow for flexibility to	Compliant: Pariod datails provent everly
E.3.0.07	Guideillie	regulate the amount of direct sunlight into	Complies: Period details prevent overly deep roof eaves for shading. Windows
		the interiors. Louvered wall openings or	are recessed back into exterior walls.
		shading devices like bris soleils help	Some cantilevered bays provided
		control solar gain and check overheating.	vertical & horizontal shading.
		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.	

<u>Section</u>	Standard or Guideline	<u>Requirement</u>	Evaluation
E.3.8.08	Guideline	Where appropriate, buildings should incorporate arcades, trellis and appropriate tree planting to screen and mitigate south and west sun exposure during summer. This guideline would not apply to downtown, the station area and the west side of EI Camino Real where buildings have a narrower setback and street trees provide shade.	Complies: Landscape Design incorporating these elements are shown in the landscape drawings. Trees are sufficiently large to provide shading.
E.3.8.09	Guideline	Operable windows are encouraged in new buildings for natural ventilation.	Complies: Operable sliding windows at guest rooms are building code dictated. Hotel HVAC system will have sensor to regulate HVAC when sliding glass windows are open.
E.3.8.10	Guideline	To maximize use of solar energy, buildings should consider integrating photovoltaic panels on roofs.	Complies: Partial solar system. Per Applicant: Due to small roof area, where much will be used for required HVAC units & other rooftop equipment, the remaining areas may only allow a very limited number of PV panels for hot water heating.
E.3.8.11	Guideline	Inclusion of recycling centers in kitchen facilities of commercial and residential buildings shall be encouraged. The minimum size of recycling centers in commercial buildings should be 20 cubic feet (48 inches wide x 30 inches deep x 24 inches high) to provide for garbage and recyclable materials.	Complies: Per Applicant: Hotel brand has internal recycling requirements plus trash enclosure can accommodate three 2-cu. yd. bins or more if smaller bins.
Stormwate	r and Wastewat	er 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.	TBD: The third-floor deck at the rear of the building has a trellis with vines that could provide some shading to the roof and help reduce heat island effect. Per Applicant: As design is developed, we will evaluate if enough roof area is available to integrate green roof elements.
E.3.8.13	Guideline	Projects should use porous material on driveways and parking lots to minimize stormwater run-off from paved surfaces.	Tentatively Complies: Paving material imagers are noted on L1.0 as "Pavers or similar stamped and colored concrete". Paving at the rear driveway, however, is noted as "Permeable paver surface" at the emergency access drive. Per Applicant: Turf block paving may be used in the emergency vehicle access way off Buckthorn Way.
	ng Guidelines		
E.3.8.14	Guideline	Planting plans should support passive heating and cooling of buildings and outdoor spaces.	Complies: Landscape Design incorporates evergreen & deciduous tree shading, including large, fast growing trees planted at 36 inch box size (Fern Pine, Marina Madrone, and Saratoga Laurel Cherry).

Section	Standard or Guideline	<u>Requirement</u>	Evaluation
E.3.8.15	Guideline	Regional native and drought resistant plant species are encouraged as planting material.	Complies: Regional native and/or drought resistant plant palette includes Coast Live Oak, Swan Hill Olive, and Marina Madrone.
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 landscape L0.2 drawing. The irrigation plan will comply with Ordinance 12.44 using drip irrigation and smart weather-based irrigation controller.
Lighting St	tandards	I	
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 lighting plans for specific fixture information.
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: Underground parking with hotel brand required lighting levels will not be seen beyond the garage area.
Lighting G			
E.3.8.19	Guideline	Energy-efficient and color-balanced outdoor lighting, at the lowest lighting levels possible, are encouraged to provide for safe pedestrian and auto circulation.	Complies: Bollard lighting, downlights at egress door soffits. Building up-lighting to accent building at entry side, with cutoff angles to prevent spill-over beyond building surfaces. See lighting plan.
E.3.8.20	Guideline	Improvements should use ENERGY STAR-qualified fixtures to reduce a building's energy consumption.	Tentatively Complies: Where practicable Energy Star equipment will be used as it relates to compliance with LEED/CalGreen code/Title-24 requirements.
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: These are part of the LEED/CalGreen code/Title-24 requirements.
	ding Material Gu	uidelines	
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: Per Applicant: Very limited use of new asphalt concrete for this project. Engineered soil may be required under garage foundation. To the extent possible, re-used or recycled material will be incorporated subject to soils engineer's review.

Section	Standard or Guideline	<u>Requirement</u>	Evaluation
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: Per Applicant: Will be used to comply with LEED requirements.
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: Per Applicant: Will be used to comply with LEED requirements. Preference will be given to local or regional sourced materials.
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: Per Applicant: Hotel brand & trash- hauling company recycling program. Trash enclosure space for additional re- cycling bins.
E.3.8.26	Guideline	The use of material from renewable sources is encouraged.	Tentatively Complies: Per Applicant: Will be used to comply with LEED requirements.



# ARBORIST REPORT

## HAMPTON INN 1704 EL CAMINO REAL MENLO PARK, CALIFORNIA (PLN2016-00085)

Submitted to:

Mr. Sagar Patel Red Cottage Inn & Suites 1704 El Camino Real Menlo Park, CA 94025

Prepared by:

David L. Babby Registered Consulting Arborist<sup>®</sup> #399 Board-Certified Master Arborist<sup>®</sup> #WE-4001B

> Initial: November 18, 2016 Revised: August 30, 2017 Revised: November 30, 2017 Revised: May 14, 2018 Revised: July 16, 2018 Revised: September 14, 2018 **Current: March 13, 2019**

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## **EXHIBITS**

<u>EXHIBIT</u>	TITLE
A	TREE INVENTORY TABLE (three sheets)
В	SITE MAP (one sheet)
С	PHOTOGRAPHS (seven sheets)
D	REPORT FOR TREE #2 (seven sheets)

## **1.0 INTRODUCTION**

A Hampton Inn hotel is planned for development at 1704 El Camino Real, Menlo Park, currently occupied by Red Cottage Inn & Suites. The property owner, Mr. Sagar Patel, has retained me to prepare this *Arborist Report* to consider the current project design, and specific tasks executed are as follows:

- Identify trees originating either on-site with a diameter of ≥6 inches at 54 inches above grade, or offsite and are defined as a "heritage tree"<sup>1</sup> pursuant to the Menlo Park Municipal Code. Four non-heritage trees located immediately adjacent to the pedestrian walkway proposed between the hotel and El Camino Real were also included. Site visits were performed on various dates in 2016, 2017 and 2018.
- Revisit the site on 3/8/19 to ascertain conditions of onsite trees and proposed heritage tree replacements.
- Review the most recent civil set, architectural and landscape plan sets, dated January 2019, to analyze and identify potential impacts.
- Measure each tree's trunk diameter in accordance with Section 13.24.020 of the Menlo Park Municipal Code; all diameters are rounded to the nearest inch.
- Ascertain each tree's condition and suitability for preservation.
- Document pertinent and observed health, structural and adjacent hardscape issues.
- Obtain photos (on 7/10/18 for #25 thru 28, and 11/7/16 and 10/19/17 for all others).
- Assign numbers in a sequential pattern to each inventoried tree, and show on a copy of a tree disposition plan (not dated or titled); see Exhibit B.
- Affix round metal tags with corresponding numbers to each onsite tree, or in the case of heritage offsite ones, on fencing<sup>2</sup> adjacent to their trunks.
- Provide protection measures to help mitigate or avoid impacts to trees being retained.
- Prepare a written report that presents the aforementioned information, and submit via email as a PDF document (updated from my prior 9/14/18 report).

<sup>&</sup>lt;sup>1</sup> A "heritage tree" for this project is defined as follows per Section 13.24.020 of the Menlo Park Municipal Code: any California native oak  $\geq 12'$  tall, and having a trunk diameter  $\geq 10"$  at 54" above grade; [2] any other tree  $\geq 12'$  tall, and having a trunk diameter  $\geq 15"$  at 54" above grade; and [3] any multi-trunk tree  $\geq 12'$  tall and having a trunk diameter  $\geq 10"$  (native oaks) or  $\geq 15"$  (all others) where trunks divide.

<sup>&</sup>lt;sup>2</sup> For offsite heritage trees, tags are affixed to fencing for all but #6 (due to a shed occupying space near its trunk). Also, tags are not attached to the four small offsite trees #25 thru 28.

## 2.0 TREE COUNT AND COMPOSITION

Twenty (20) trees of eight various species were inventoried for this report. They are sequentially numbered 1-4, 6-10, 13-18 and 25-29,<sup>3</sup> and the table below identifies their names, assigned numbers, counts and overall percentages.

NAME	TREE NUMBER(S)	COUNT	% OF TOTAL
Coast live oak	6 thru 9	4	20%
Coast redwood	10, 15	2	10%
European white birch	3 thru 5	3	15%
Glossy privet	16	1	5%
Jacaranda	25 thru 28	4	20%
Lemon bottlebrush	17, 18	2	10%
Monterey pine	13, 14	2	10%
Valley oak	1, 2	2	10%
	Total	20	100%

Specific information regarding each tree is presented within the table in Exhibit A. The trees' numbers and approximate locations can be viewed on the site map in Exhibit B, and photographs are presented in Exhibit C. Detailed information regarding valley oak #2 is provided within the report in Exhibit D (by Mr. Straun Edwards of Trees 360 Degrees).

<sup>&</sup>lt;sup>3</sup> The break in sequential numbering is due to the following: oak #5 fell over during a significant storm event; one mostly dead Monterey pine #12 was removed in 2018; and another reportedly dead Monterey pine #11 was recently removed (and on 11/30/17, I observed it was in decline and highly infested with bark beetles, both conditions presenting an imminent demise in the near future).

Eleven (11) trees are categorized as heritage pursuant to either the City of Menlo Park Municipal Code or staff; they include #1, 2, 6-10 and 13-16.

Ten (10) trees originate offsite and have roots and/or canopies exposed to potential impacts during site development; they include #6-10, 15 and 25-28; of these, #6-10 and 15 are defined as heritage trees, and #25-28 as non-heritage. Trees #6-10 originate from, and form a row along the neighboring southern property. Tree #15 originates from a neighboring eastern property, its trunk's base abutting or being inches from an adjacent wall. Trees #25 thru 28 are small Jacarandas within parking lot planters aligning the current entry and future pedestrian walkway between the hotel and El Camino Real.

Nine (9) previous trees inventoried for my initial prior report no longer exist; they were assigned and tagged as #5, 11, 12 and 19-24, and their locations are shown on the map in Exhibit B (in black). Information regarding each is presented below.

- Tree #5, coast live oak, originated offsite and reportedly fell during a significant storm event in February 2017 (photos are presented in Exhibit C).
- Tree #11, Monterey pine, reportedly died and was subsequently removed; my observations on 11/30/17 reveal it had already declined and was highly infested with bark beetles, both conditions warranting my recommendation for its removal regardless of future development (as its demise in the near future was imminent).
- Tree #12, also a Monterey pine, was nearly dead and its demise imminent; it required removal for safety reasons, and photos are provided in Exhibit C.
- Trees #19 thru 24, Hollywood junipers, aligned the drive aisle's east side, between Buckthorn Way and the site; they were formed by multiple trunks originating at grade, diameters ranging from 4 to 13 inches.

## **3.0 SUITABILITY FOR TREE PRESERVATION**

Each tree has been assigned either a "good," "moderate" or "low" suitability for preservation rating as a means to cumulatively measure its existing health (e.g. live crown ratio, vigor, shoot growth, foliage density and color, etc.); structural integrity (e.g. limb and trunk strength, taper, defects, root crown, etc.); anticipated life span; remaining life expectancy; prognosis; location; size; particular species; tolerance to construction impacts; growing space; and safety to property and persons within striking distance. Descriptions of these ratings are presented below; the good category is comprised of 1 tree (or 5%), the moderate category 13 (or 65%), and the low category 6 (or 30%).

### **<u>Good</u>**: Applies to #1.

This valley oak appears relatively healthy and structurally stable; has no apparent, significant health issues or structural defects; presents a good potential for contributing long-term to the site; and seemingly requires only periodic or regular care and monitoring to maintain its longevity and structural integrity. More detailed analysis could benefit in understanding the internal composition, such as the extent of internal decay where two large wounds are located above the trunk, and the presence of any harmful wood decaying organisms following a root collar clearance and examination.

## **Moderate**: Applies to #3, 4, 6-10, 14-17, 28 and 29.

These trees contribute to the site, but at levels less than those assigned a good suitability; might have health and/or structural issues which may or may not be reasonably addressed and properly mitigated; and frequent care is typically required for their remaining lifespan.

## **Low**: Applies to #2, 13, 18 and 25-27.

These trees have significantly weak structures, and are expected to worsen regardless of tree care measures employed (i.e. beyond likely recovery). As a general guideline, these trees are not suitable for incorporating into the future landscape, and removal at this time is the appropriate action regardless of future development.

## 4.0 REVIEW OF POTENTIAL IMPACTS

### 4.1 Tree Disposition Summary

Implementation of the proposed plans results in the following tree disposition:

- Remove (10 in total): #1-4, 13, 14, 16-18 and 29. Accounts for all onsite trees.
- Retain (10 in total): #6-10, 15 and 25-28. Accounts for all offsite trees.

More detailed discussion regarding the trees and their proposed disposition is presented in Sections 4.2 and 4.3. Note all directional references consider project north.

## 4.2 Remove

Tree #1 is the large valley oak situated at the property's front entry. Its removal is required for reasons such as grading and drainage; very close proximity to the garage wall; and its trunk being within the proposed motor court serving as the vehicle entry and exit, including for the underground garage.

Tree #2 is the large valley oak located within the existing hotel's courtyard, as well as the footprint of the future one. Detailed information regarding its structurally deficient and unsafe condition is described in the 2/14/16 report by Mr. Straun Edwards; see Exhibit D.

Trees #3, 4 and 29 are small birch at the front, southwest section of the existing hotel, and all three require removal to allow construction of the underground garage, hotel, and grading and drainage features.

Trees #13 and 14 are large and tall Monterey pines situated adjacent to another along the northern boundary, and require removal to accommodate hotel construction, excavation for the underground garage, site grading and installing drainage features (including a flow-thru planter). Both are infested by red turpentine bark beetles, and contain heavy limbs presenting a probable risk of breaking in the foreseeable future onto high value targets below. For all practical purposes, they have outgrown their location, and present a progressive risk to persons and property below. They also exhibit symptoms of declining (on 11/30/17), a condition ultimately leading to irreparable levels, such as occurred to the prior adjacent and removed pines #11 and 12.

Trees #16 thru 18 are ornamental trees aligning the existing parking lot's north side; #16 is a privet, and #17 and 18 are bottlebrush. Both are within or at the very edge of the future underground garage.

#### 4.3 Retain in Place

Further information regarding Tree Protection Zones (TPZs) for retained trees is specified within Section 5.1 of this report.

#### Oaks #6 thru 9

These four oaks are situated along the neighboring southern property, their trunks aligning and setback from the fence at the following respective distances: 8.5, 9.5, 9.5 and 4 feet (measured from the neighboring property, rounded to the nearest half-of-a-foot). Site grading is proposed up to the property line, which along these trees is roughly 1-foot inside (i.e. towards) the neighboring property from the existing fence.

Based on the trees' locations, sizes, rooting structures and growth habits, ground disturbance will occur a sufficient distance from #7 and 8, at a close distance to #6, and at a much greater distance to #9. Measures presented within the following paragraphs, as well as within the next section of this report, will help minimize impacts and promote the trees' survival and longevity.

<u>Oaks #6 and 7</u>. The new garage wall is planned at 11 and 12 feet from their trunks, respectively. To minimize root loss, shoring for the garage wall should be utilized and require ground disturbance<sup>4</sup> no farther the 24 inches beyond the garage wall, hence establishing the soil cut respectively at 9 and 10 feet their trunks. Additionally, the following should be performed beneath the trees' canopies before any mechanical grading occurs, and applicable to all impacted offsite trees: manually dig a 1-foot wide trench along the edge of shoring down to an 18-inch depth; cleanly severe all roots  $\geq$ 1-inch in diameter along the tree side; and apply water daily along the soil cut (light application to keep the exposed root ends moist but to not oversaturate the ground) for a period of time until the void is backfilled. An intensive watering program is also needed to help mitigate root loss and improve chances for tree survival beyond site development.

<sup>&</sup>lt;sup>4</sup> Ground disturbance shall mean and consider, but is not necessarily limited to, sub- and overexcavation; drilling; trenching for utilities, drainage, irrigation, and lighting; and compaction for constructing the new building/underground garage (and ensure this aligns with the structural and soil engineers' reports).

<u>Oak #8</u>. Confine all ground disturbance for shoring of the underground garage, to 24 inches from the garage wall where within 20 feet from its trunk. Also applicable beneath its canopy includes recommendations for trees #6 and 7 regarding hand-digging and root pruning prior to mechanical excavation.

<u>Oak #9</u>. The current proposal adheres to recommendations presented by me for developing near this tree. For the section of walk aligning the staircase (portion beyond the wall), overexcavation must not exceed 6 inches from its edge, and all work manually performed under supervision by the project arborist. Also, confining ground disturbance to within 24 inches from the garage wall will also minimize root loss, as reflected on the plans (including the storm drain). Also applicable beneath its canopy includes recommendations for trees #6 and 7 regarding hand-digging and root pruning prior to mechanical excavation.

<u>Pruning for #8 and 9</u>. Regarding potential impacts to canopies of #8 and 9, both require pruning to achieve both building and construction scaffolding clearance; my best estimation of total canopy lost is roughly 10-percent for #8 and 15-percent for #9. Provided the work is highly selective so all or most cuts focus along canopy edges versus at the trunks, executed by an experienced and licensed tree service, and performed under the direct supervision of an ISA certified arborist, the trees' existing shapes and structural forms will remain intact, and impacted at only minor or highly tolerable levels.

#### Redwood #10

This redwood is also located on the southern neighboring property, its trunk being approximately 5 feet from the property line, immediately adjacent to the southeast property corner. The nearest impact includes a flow-thru planter proposed 15 feet from its trunk; at this distance, and with the understanding the wall shall not require overexcavation, subexcavation, or compaction beyond the section of wall 25 feet from the trunk, impacts can be regarded as fairly tolerable. Opportunity to reduce the impact would include omitting a section of the flow-thru planter and associated storm drain lines for a 20-foot setback. Also applicable within the 25 feet from the trunk include hand-digging prior to excavation occurring for the section of flow-thru planter and walkway around staircase before mechanical excavation occurs.

#### Redwood #15

This large redwood originates from the neighboring eastern property, its trunk abutting or within inches from the property line, and its large roots grow into the site, forming large asphalt mounds and depressions. Exploratory digging below the tallest mound revealed small roots underlying the asphalt surface, and a large root 12 inches below ground (i.e. 12 inches beneath bottom of asphalt surface). Based on these observations, key guidelines for designing the future EVA are as follows: excavation and trenching required for base material, edging, forms, EVA surface, curb, storm drains, inlets, etc. do not exceed 6 inches below the soil high point where exploratory digging occurred (possibly a 4-inch max for the area), and roots encountered with diameters  $\geq 2$  inches shall be retained and not damaged (base material would simply be placed around any encountered root of this size).

Setbacks where the above guidelines apply include up to the proposed sewer and storm drain lines and 25 feet in all other directions from the trunk. Utilities and services not shown, such as routes for electrical, gas, telecommunications, irrigation, lighting, etc. also need conforming with the setbacks, and potentially installed in a joint trench, directionally-bored by at least 4 feet deep, and access pits established beyond the setbacks. Furthermore, direct compaction of the subgrade within the redwood's TPZ must be avoided; Tensar<sup>®</sup> Biaxial Geogrid placed on subgrade and utilizing CU-Structural Soil<sup>TM</sup> (licensed supplier is TMT Enterprises, San Jose) as base material should be prescribed; and maintaining the proposed permeable surface is also beneficial. Additionally, all work performed for the section of driveway within the setbacks must adhere to hand-digging recommendations for trees #6 and 7.

#### Jacaranda #25

The finger planter which surrounds this 7-inch diameter tree is planned for reduction. In doing so, however, the work would eliminate a severe portion of its root system, and thus, requiring its removal and replacement. Should the tree remain, I recommend the existing planter remain. If removed, a new tree could be installed (and perhaps with a stronger, more balanced structure and healthier condition).

### 4.4 Proposed New Trees

Conclusions reached from my review of the proposed heritage tree replacements, suitability of proposed locations, and potential impacts to neighboring trees are as follows:

- The single coast live oak proposed at the southwest corner of the site appears a suitable selection within the planter at the southwest corner of the site.
- The six fern pine trees proposed as screen trees along the eastern boundary, near the southeast property corner, present no conflict with neighboring heritage trees. This particular species can grow quite large, but does serve as an effective, dense screening element.
- The five olive trees proposed along the southern boundary are appropriate understory selections beneath the neighboring heritage trees (oaks), and are sufficiently setback to avoid any foreseeable conflicts with their roots.

## **5.0 TREE PROTECTION MEASURES**

Recommendations presented within this section serve as measures to help mitigate or avoid impacts to trees being retained, and all should be carefully followed throughout the demolition, grading, utility, construction and landscaping phases. They are subject to change upon reviewing any revised or updated project plans, and I (hereinafter, "project arborist") should be consulted in the event any cannot be feasibly implemented. Please note that, unless otherwise stated, all referenced distances from trunks are intended to be from their closest edge where they converge at the root crown.

## 5.1 Design Guidelines

- 1. A Tree Protection Zone (TPZ) is necessary to confine or restrict activities within certain distances from trunks, for the purpose of achieving a reasonable assurance of anchoring capacity and tree survival. Such activities include, but are not necessarily limited to, the following: trenching, soil scraping, compaction, mass and finish-grading, overexcavation, subexcavation, tilling, ripping, swales, bioswales, storm drains, dissipaters, equipment cleaning, stockpiling and dumping of materials, altering natural drainage patterns, and equipment and vehicle operation. In the event an impact encroaches slightly within a setback, it can be reviewed on a case-by-case basis by the project arborist to determine whether measures can sufficiently mitigate impacts to less-than-significant levels. Based on the proposed design and existing site/tree conditions, I recommend the following TPZs for each tree:
  - #6 thru 8: Up to 24 inches from the proposed underground garage wall, and beneath their canopies in all other directions.
  - #9: Up to 6 inches from the proposed walkway, 24 inches from the proposed underground garage wall, and 25 feet in all other directions.
  - #10: A distance of 15 to 20 feet or more from the trunk in all directions.
  - #15: Up to the proposed storm drain and sewer lines, and 25 feet from its trunk in all other directions.
  - #25 thru 28: The entire existing planters delineated by curbs.
- 2. All site-related plans should contain notes referring to this report for tree protection measures.

- 3. Items specified in Section 4.3 of this report shall be considered part of this section.
- 4. Modify arborist notes within the civil and landscape plans to reflect the date of this report (versus of the prior report). Also, tree #5 can be omitted from L0.1.
- 5. On a tree disposition or protection plan, add fencing or TPZ designations as defined within item #1 of this section.
- 6. Abandon all existing, unused lines or pipes within a TPZ, and any above-ground section should be cut off at existing soil grade (rather than being dug up and causing subsequent root damage); specify this provision on the demolition plan.
- 7. The demolition and grading design should consider retaining existing hardscape within a TPZ up until landscape construction, for the purpose of providing much greater access for staging, equipment, and vehicular and personnel access, space which would otherwise be confined should pavement be removed. To specify, a note would be added to the demolition and grading plans.
- 8. Design and route utilities, including electrical (see Section 4.3), irrigation, storm drains, dissipaters and swales beyond TPZs. Depending on proximity to tree trunks, directional boring by at least 4 feet below existing grade may be needed, or digging within a TPZ can be manually performed using shovels (no jackhammers, and roots ≥2 inches in diameter retained and not damaged during the process). Pipe bursting is also a possible alternative option to consider. All tentative routes should be reviewed with the project arborist beforehand, and any authorized digging within a TPZ shall only be performed under supervision by the project arborist. Where within a TPZ, shoring shall be utilized for the trenches to avoid cutting beyond trench walls.
- 9. The erosion control design should consider that any straw wattle or fiber rolls require a maximum vertical soil cut of 2 inches for their embedment, and are established as close to canopy edges as possible (and not against a tree trunk).
- 10. The permanent and temporary drainage design, including downspouts, should not require water being discharged towards a tree's trunk.

- 11. Show the future staging area and route(s) of access on the final site plan, striving to avoid TPZs (or if needed, reviewed with the project arborist).
- 12. Avoid specifying the use of herbicides within a TPZ; where used on site, they should be labeled for safe use near trees. Also, avoid liming within 50 feet of a tree's canopy.
- 13. Where within 10 feet from a TPZ, overexcavation shall be avoided, or at a minimum, confined 6 inches from back of curbs (and supervised by the project arborist).
- 14. Adhere to the following additional landscape guidelines:
  - Establish irrigation and lighting features (e.g. main line, lateral lines, valve boxes, wiring and controllers) so no trenching occurs within a TPZ. In the event this is not feasible, they may require being installed in a radial direction to, and terminate a specific distance from a tree's trunk (versus crossing past it). The routes and overall layout should be reviewed with the project arborist prior to any trenching or excavation occurring.
  - Design any new site fencing or fence posts to be at least 2 to 5 feet from a tree's trunk (depending on trunk size and growth pattern).
  - Avoid tilling, ripping and compaction within TPZs.
  - Establish any bender board or other edging material within TPZs to be on top of existing soil grade (such as by using vertical stakes).
  - Utilize a 3- to 4-inch layer of coarse wood chips or other high-quality mulch for new ground cover beneath canopies (gorilla hair, bark or rock, stone, gravel, black plastic or other synthetic ground cover should be avoided).

## 5.2 Before Demolition, Grading and Construction

15. Pruning shall only be performed under direction of the project arborist. The work shall be conducted in accordance with the most recent ANSI A300 standards, and by a California licensed tree-service contractor (D-49) that has an ISA certified arborist in a supervisory role, carries General Liability and Worker's Compensation insurance, and abides by ANSI Safety Operations.

- 16. Begin supplying water to all retained trees, applied where possible for roots to uptake, but not against trunks. The methodology, frequency and amounts shall be reviewed with the project arborist prior to application; various methodologies include flooding the ground, soaker hoses or deep-root injection.
- 17. Conduct a site meeting between the general contractor and project arborist several weeks or more prior to demolition for the purpose of reviewing tree fencing, routes of access, staging, necessary pruning, watering, drilling, limits of grading, building location, and protection measures presented in this report.
- 18. Install tree protection fencing prior to any demolition for the purpose of restricting access into *unpaved* sections of ground within a TPZ. Where existing pavement can remain within a TPZ, fencing is not needed (in effect, the pavement allows access beneath canopies while serving as a superior root zone buffer). Fencing should consist of 6-foot tall chain link mounted on roughly 2-inch diameter steel posts, which are driven into the ground, where needed, for vertical alignment. Fencing shall remain in place throughout site development, and will need to be installed, when needed, in various phases (e.g. demolition is phase 1, grading and construction phase 2). Note that prior to the City issuing a permit, they require a letter by the project arborist confirming fencing has been installed per this report.
- 19. The removal of asphalt within a TPZ will trigger any fencing layout to be immediately modified to capture the newly unpaved area.
- 20. Spread, and replenish as needed throughout the entire construction process, a 4- to 5inch layer of coarse wood chips (<sup>1</sup>/<sub>4</sub>- to <sup>3</sup>/<sub>4</sub>-inch in size) from a tree-service company over unpaved ground within TPZs. The source and type should be reviewed with, and consent provided by, the project arborist before spreading.
- 21. Fertilization may benefit a tree's health, vigor and appearance. If applied, however, soil samples should first be obtained to identify the pH levels and nutrient levels so a proper fertilization program can be established. I further recommend any fertilization is performed under the direction and supervision of a certified arborist, and in accordance with the most recent ANSI A300 Fertilization standards.

## 5.3 During Demolition, Grading and Construction

- 22. Take great care during demolition of existing pavement and other features to avoid damaging a tree's trunk, crown and roots within a TPZ.
- 23. Great care must be taken by equipment operators to position their equipment to avoid trunks and branches, including the scorching of foliage. Any tree damage or injury should be reported to the project arborist for review of treatment.
- 24. Construction of the new pedestrian walkway between the hotel and El Camino Real, including demolition of the pertinent section of parking lot, shall not require excavation or disturbance of ground within the planters containing trees #25 thru 28.
- 25. The drilling of piers to support the building above the parking lot shall not require the loss of large limbs or branches. As such, drilling locations shall be reviewed with the project arborist beforehand.
- 26. Construction scaffolding shall not extend into canopies, and where needed to accommodate this, narrowed in width (e.g. ≤5 feet wide), or avoided altogether and a manlift used.
- 27. Removing existing hardscape (including curbs and gutters) within a TPZ must be carefully performed to avoid excavating roots and soil during the process, and the removal of base material shall be performed under direction of the project arborist (and where necessary, shall remain in place and utilized as future base course).
- 28. Avoid disposing harmful products (such as cement, paint, chemicals, oil and gasoline) beneath canopies or anywhere on site that allows drainage within or near TPZs. Herbicides should not be used with a TPZ; where used on site, they should be labeled for safe use near trees. Liming shall not occur within 50 feet from a trunk.
- 29. Any authorized access, digging or trenching within designated-fenced areas shall be foot-traffic only and manually performed under supervision by the project arborist, and without the use of heavy equipment or tractors.

- 30. Avoid using the trees' trunks as winch supports for moving or lifting heavy loads.
- 31. Avoid damaging or cutting roots with diameters of  $\geq 2$  inches without prior assessment by the project arborist. Should roots of this size be encountered, within one hour of exposure, they should either be buried by soil or covered by burlap that remains continually moist until the root is covered by soil. If they are approved for cutting, cleanly severe at 90° to the angle of root growth against the cut line (using loppers or a sharp hand saw), and then immediately after, the cut end either buried with soil or covered by a plastic sandwich bag (and secured using a rubber band, removed just before backfilling). Roots encountered with diameters <2 inches and require removal can be cleanly severed at 90° to the direction of root growth.
- 32. Spoils created during digging shall not be piled or spread on unpaved ground within a TPZ. If essential, spoils can be temporarily piled on plywood or a tarp.
- 33. Dust accumulating on trunks and canopies during dry weather periods should be periodically washed away (e.g. every 3 to 4 months).
- 34. New irrigation and lighting features (e.g. main line, laterals, valve boxes, wiring and controllers) should be established so that no trenching occurs within a TPZ. In the event this is not feasible, the trenches may require being installed in a radial direction to a tree's trunk, and terminate a specific distance from a trunk (versus crossing past it). The use of a pneumatic air device (such as an Air-Spade<sup>®</sup>) may be needed to avoid root damage. Additionally, any Netafim tubing used should be placed on grade, and header lines installed as mentioned above. All routes within and near a TPZ shall be reviewed with the project arborist several weeks or months prior to installation.
- 35. Digging holes for fence posts within a TPZ should be manually performed using a post-hole digger or shovel, and in the event a root  $\geq 2$  inches in diameter is encountered during the process, the hole should be shifted over by 12 inches, or as needed to avoid the root(s) and the process repeated.

## 6.0 ASSUMPTIONS AND LIMITING CONDITIONS

- Information regarding the size of inventoried trees, condition of offsite trees and photographs were derived from my prior 9/14/18 report. The condition of onsite trees was ascertained on 3/8/19. All observations were obtained from the ground.
- My observations were performed visually without probing, coring, dissecting or excavating.
- The assignment pertains solely to trees listed in Exhibit A. I hold no opinion towards other trees on or surrounding the project area.
- I cannot provide a guarantee or warranty, expressed or implied, that deficiencies or problems of any trees or property in question may not arise in the future.
- No assurance can be offered that if all my recommendations and precautionary measures (verbal or in writing) are accepted and followed the desired results may be achieved.
- I cannot guarantee or be responsible for the accuracy of information provided by others.
- I assume no responsibility for the means and methods used by any person or company implementing the recommendations provided in this report.
- The information provided herein represents my opinion. Accordingly, my fee is in no way contingent upon the reporting of a specified finding, conclusion or value.
- Numbers shown on the site map in Exhibit B are intended to only roughly approximate a specific tree's location and shall not be considered surveyed points.
- This report is proprietary to me and may not be copied or reproduced in whole or part without prior written consent. It has been prepared for the sole and exclusive use of the parties to who submitted for the purpose of contracting services provided by David L. Babby.
- If any part of this report or copy thereof be lost or altered, the entire evaluation shall be invalid.

Prepared By:

L.M David L. Babby

Date: March 13, 2019

Registered Consulting Arborist<sup>®</sup> #399 Board-Certified Master Arborist<sup>®</sup> #WE-4001B CA Licensed Tree Service Contractor #796763 (C61/D49)



## **EXHIBIT A:**

## TREE INVENTORY TABLE

(three sheets)



## TREE INVENTORY TABLE

			SIZE		C	ONDITIO	N		
TREE/ TAG NO.	TREE NAME	Trunk Diameter (in.)	Tree Height (ft.)	Canopy Spread (ft.)	Health Condition (100%=Best, 0%=Worst)	Structural Integrity (100%=Best, 0%=Worst)	Overall Condition (Good/Fair/Poor/Dead)	Suitability for Preservation (Good/Moderate/Low)	Heritage Tree
1	Valley oak (Quercus lobata)	44	70	65	60%	40%	Fair	Good	Х

Comments: Crown is asymmetrical, the dominant and sinuous limb structure sweeping west and southwest. Within a very narrow, tear-drop shaped planter, and its trunk is surrounded by river rock up to 5' away, and beneath dripline beyond planter is predominantly pavement. Trunk's base is somewhat buried by the rock and soil. Trunk's base is lower than surrounding asphalt lot grade. Structure formed by a main trunk dividing into codominant leaders at 13' high, forming a seemingly stable attachment. Below this union is a large wound filled with foam, and a substantial amount of woundwood has developed around the perimeter. Above the union is another large wound, with a decaying wall and limited woundwood (and has a fruiting body growing on the wound's face).

	Valley oak								
2	(Quercus lobata)	39	70	80	30%	20%	Poor	Low	Х

Comments: To be removed. Unsafe condition detailed within the 2/14/16 report by Mr. Straun Edwards (provided in Exhibit D of this report).

	European white birch								
3	(Betula pendula)	7	35	15	70%	40%	Fair	Moderate	

Comments: Asymmetrical crown growing NW away from a prior oak on neighboring site.

I		European white birch								
	4	(Betula pendula)	6	40	10	50%	40%	Poor	Moderate	

Comments: Asymmetrical crown growing NW away from a prior oak on neighboring site. Soil is piled at trunk's base (between a boulder and trunk). Crowded conditions between #3 and 29.

	Coast live oak								
6	(Quercus agrifolia)	25	50	35	60%	40%	Fair	Moderate	Х

Comments: Offsite. Narrow form, and trunk has a slight lean towards project site. Structure bifurcates at 6' high, has a rangy form, and grows mostly vertical above property line. Trunk is 8.5' from fence.

Top is thinning.

	Coast live oak								
7	(Quercus agrifolia)	14	40	25	60%	60%	Fair	Moderate	Х

Comments: Offsite. Sinuous and narrow form, trunk grows entirely away from site. The top center, northernmost section is sparse. Trunk is 9.5' from fence.



## TREE INVENTORY TABLE

			SIZE		C	CONDITIO	N		
TREE/ TAG NO.	TREE NAME	Trunk Diameter (in.)	Tree Height (ft.)	Canopy Spread (ft.)	Health Condition (100%=Best, 0%=Worst)	Structural Integrity (100%=Best, 0%=Worst)	Overall Condition (Good/Fair/Poor/Dead)	Suitability for Preservation (Good/Moderate/Low)	Heritage Tree
	Coast live oak	10	25	25	(00)	700/	г :		V
8	(Quercus agrifolia)	19	35	35	60%	70%	Fair	Moderate	Х

Comments: Offsite. Structure comprised of three main leaders dividing as low at 5.5' high, two growing into project site. Sparse and asymmetrical canopy. Trunk is 9.5' from fence. Dominant surface root along opposite site of project.

	Coast live oak								
9	(Quercus agrifolia)	31	50	75	70%	20%	Poor	Moderate	Х

Comments: Offsite. Pronounced, severe lean towards SE. Trunk divides at 2' along trunk into one smaller lateral, which forms a weak union with the main stem. Trunk's base is 4' from fence. Browning canopy at the very top, south side, and some along north perimeter. Pole support beneath, and embedded into main stem 11' high. Broad canopy, branches nearing 3.5' above the ground.

	Coast redwood								
10	(Sequoia sempervirens)	35	120	35	40%	70%	Poor	Moderate	Х

Comments: Offsite. Sparse and thin canopy with deadwood. Trunk is 5.6' from fence.

	Monterey pine								
13	(Pinus radiata)	31	70	40	40%	30%	Poor	Low	X

Comments: Moderate level of infestation by bark beetles to 9' high. Excessive limb weight. Large lower 12-

13" diameter limb removed at trunk, and remaining canopy is narrow. Some dieback seemingly caused by pine pitch canker.

14	Monterey pine (Pinus radiata)	30	65	35	40%	50%	Poor	Moderate	Х	
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Comments: Moderate level of infestation by bark beetles (at trunk's base). High crown along side adjacent to neighboring building. Excessive limb weight. Has a 4" root surfacing north of trunk, and mounds are formed in asphalt up to existing storm drain inlet. Chlorotic foliage and low canopy. Has several large dead limbs. Asymmetrical canopy, weight of which is dominant over site.

	Coast redwood								
15	(Sequoia sempervirens)	~48	12	45	60%	70%	Fair	Moderate	Х

Comments: Offsite. Sparse and thin canopy. Lower trunk is not visible. Adjacent wall is pushed into site, likely from expansion of the root crown, and has created many vertical and horizontal cracks. Adjacent to existing building (at its corner). Limbs are elongated. Large mounds in asphalt, up to 20' from the wall.



## TREE INVENTORY TABLE

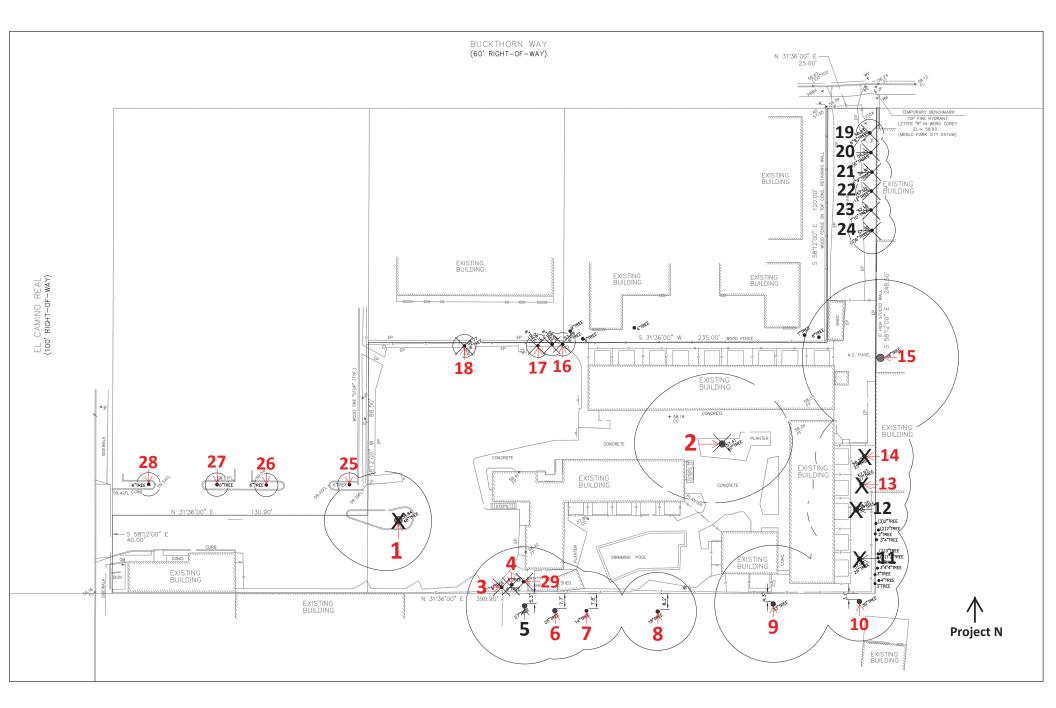
			SIZE		(	CONDITIO	N			
TREE/ TAG NO.	TREE NAME	Trunk Diameter (in.)	Tree Height (ft.)	Canopy Spread (ft.)	Health Condition (100%=Best, 0%=Worst)	Structural Integrity (100%=Best, 0%=Worst)	Overall Condition (Good/Fair/Poor/Dead)	Suitability for Preservation (Good/Moderate/Low)	Heritage Tree	
16	Glossy privet (Ligustrum lucidum)	8, 5, 5, 4, 2	30	25	60%	40%	Fair	Moderate	X*	
Comments: Multi-trunk with narrow, poor attachments. Some dieback along canopy's north side. *Assigned per the City's request.										
17	Lemon bottlebrush ( <i>Callistemon citrinus</i> )	9	15	20	60%	50%	Fair	Moderate		
Comments: Large limb cut from mid-trunk area sometime ago.										
18	Lemon bottlebrush ( <i>Callistemon citrinus</i> )	7	10	15	70%	30%	Fair	Low		
	Comments:	Has a pronou potentially pa				has along th	e opposite s	ide (indicatin	g the tree	
25	Jacaranda (Jacaranda mimosifolia)	7	20	25	40%	40%	Poor	Low		
	Comments:	Offsite. Orig fairly low can								
26	Jacaranda (Jacaranda mimosifolia)	6	15	20	30%	50%	Poor	Low		
•	Comments:	Offsite. Limb	os originate	along trunk	at 5.5' high.	Girdling ro	ot and has a	thin canopy.		
27	Jacaranda (Jacaranda mimosifolia )	5	10	15	40%	30%	Poor	Low		
<u> </u>	Comments:	Offsite. Leans	s SW, and h	as a slight n	nount oppos	ite lean. Lim	lbs originate	along trunk a	at 5.5' high.	
28	Jacaranda (Jacaranda mimosifolia)	5	15	15	80%	50%	Fair	Moderate		
	Comments:	Offsite. Limb	os originate	along trunk	at 5' high. 1	Healthy.				
29	European white birch (Betula pendula)	6	40	10	60%	40%	Fair	Moderate		

Comments: Growth sweeps away from adjacent birch #4 and trunk nears within 1' of building's eave.

# **EXHIBIT B:**

# SITE MAP

(one sheet)



# **EXHIBIT C:**

# **PHOTOGRAPHS**

(seven sheets)

# Photo Index

Page C-1: Tree #1

Page C-2: Tree #2

Page C-5: Trees #15 thru 18

Page C-3: Trees #3 thru 7, 29

Page C-4: Trees #8 and 9

Page C-7: Trees #25 thru 28

Page C-5: Trees #10 thru 15



Hampton Inn; 1704 El Camino Real, Menlo Park Mr. Sagar Patel, Property Owner

Page C-1



Hampton Inn; 1704 El Camino Real, Menlo Park Mr. Sagar Patel, Property Owner



Hampton Inn; 1704 El Camino Real, Menlo Park Mr. Sagar Patel, Property Owner



Hampton Inn; 1704 El Camino Real, Menlo Park Mr. Sagar Patel, Property Owner



Hampton Inn; 1704 El Camino Real, Menlo Park Mr. Sagar Patel, Property Owner

Page C-5



Hampton Inn; 1704 El Camino Real, Menlo Park Mr. Sagar Patel, Property Owner



# EXHIBIT D:

# **REPORT FOR TREE #2**

(seven sheets)



# VALLEY OAKS AT RED COTTAGE INN & SUITES

Location: 1704 El Camino Real Menlo Park, CA

> Straun Edwards Trees 360 Degrees Certified Arborist #WE5612-A Ph. (408) 898-0625

> > February 14, 2016

### ASSIGNMENT:

On Friday, February the 12th, 2016 I was asked to inspect two *Quercus lobata* (valley oak) trees. The trees are located at the Red Cottage Inn & Suites in Menlo Park, CA. The client has plans for construction and is therefore concerned about the condition of the trees. The purpose of my investigation is to assess and determine both the health and structural stability of the valley oaks.

### **OBSERVATIONS**:

### **Tree No. 1:** *Quercus lobata* (valley oak)

This tree is a large, mature specimen with a trunk diameter of 44in. (measured at breast height) with a canopy height and spread of approximately 75ft.x 55ft. It is centrally located in the driveway. Although fill soil in the driveway exists over the entire root area, the trunk of the tree appears to have stayed relatively dry. I attribute this to the tree location and the road which has allowed drainage away from the tree. There is no obvious basal decay evident. This tree has very good structure with a fairly symmetrical canopy, good health and vigor. All major branch unions appear sound with no major structural defects apparent at the branch unions. There are a few obvious, large hollows in the upper canopy which have previously been filled with expanding foam.

### Tree No. 2: *Quercus lobata* (valley oak)

The tree in questions is a large, mature *Quercus lobata* (valley oak) with a height and spread of approximately 80ft. x 110ft. and a trunk dbh of 42in. The tree is located in the center of the courtyard area and leans heavily to the west. It has good structure with well-developed main branch unions. This tree has been well maintained in the past, with weight reduction pruning and the installation of cable support systems on the largest of the lateral limbs. The trunk of the tree has been buried, approximately 20in. deep and the surrounding root area of the tree has also been compromised with fill soil and hardscape installed over the top. There is extensive decay in both the lower trunk and large supporting roots. Both *Armillaria sp.* and *Phytophthera sp.* appear to be present, with mycelial fans and bleeding from below the bark respectively (see photos A-D). The base and trunk of the tree, at original ground level, has approximately 4in. - 6in. thick of sound wood around the exterior. The interior area, where large

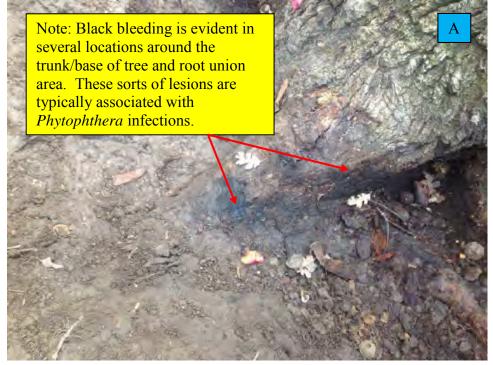
support roots would typically be attached, is hollow (see photos E-F). I used a hose to measure the depth of the cavity and was able to insert it approximately 2ft. into the cavity, horizontally and 9ft. vertically up into the hollow interior of the trunk (see photos G).

## **DISCUSSION & CONCLUSION:**

The valley oak listed as (Tree No. 1) appears to be a healthy and stable specimen with no obvious, large defects within the lower base/trunk area. This tree appears to have been well maintained. The second valley oak (Tree No. 2), I assume, that during the original construction many years ago, the tree had excess soil filled around its base. I also understand that a root crown inspection was conducted by Barry Coate and associates, approximately 6 years ago. In his report, he confirmed that the tree had been extensively buried for many years and *Armillaria mellea* (oak root rot fungus) was found in the lower root bowl. At that time, the area was excavated and the fungus treated. I also conducted a root crown excavation on Tree No. 2, which was a little deeper than the previous excavation by Mr. Coate, I noted extensive decay in the lower trunk and large supporting roots but also found extensive internal decay.

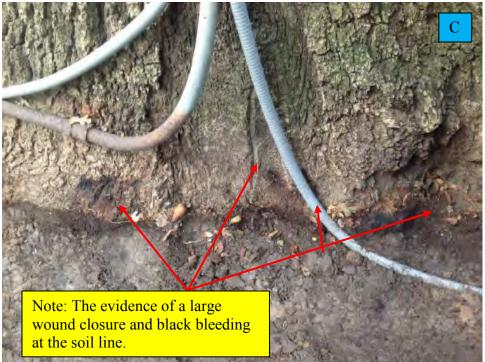
It was confirmed that both the below grade large supporting roots and the main lower trunk, continue to be infected with bacterial and fungal pathogens. After much consideration, given to the aesthetic value and cultural significance of this tree, I believe whole tree failure is a valid concern. Although the tree has a good branch structure and appears to be in good health above soil grade, due to the extent of the below grade degradation I have come to the conclusion that the tree is hazardous. It is my professional opinion that this tree has a high probability of failure due to the long term conditions it has been subjected to. Furthermore, the locations of the decay in the tree lead me to believe that this tree will inevitably fail, as a whole, from ground level. This would cause catastrophic damage with the primary target being the adjacent buildings and/or their inhabitants.

### Photo A was taken on the North side of the tree.



### Photo B was taken on the West side of tree.





## Photo C was taken on the South side of the tree.

### Photo D was taken on the North side of the tree.

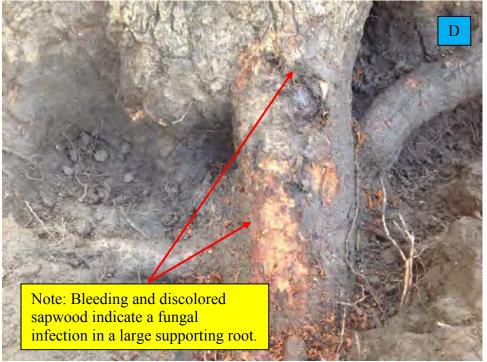




Photo E was taken from the West

P.O. Box 2280 • Saratoga, CA 95070-0280 • office 408.866.1010 • cell 408.898.0625 • www.trees360degrees.com

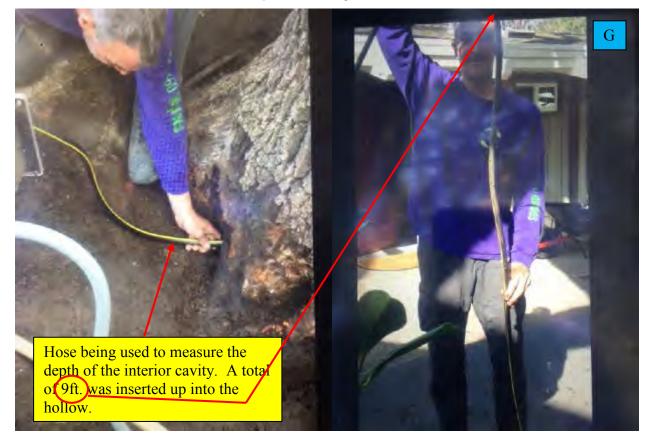


Photo G Hose used to measure depth of cavity.

Should you have any questions regarding the above information please do not hesitate to call me at (408) 898-0625.

Straun Edwards Trees 360 Degrees ISA Certified Arborist. # WE5612-A

## SAGAR PATEL (1704 EL CAMINO REAL) BELOW MARKET RATE HOUSING IN LIEU FEE AGREEMENT

This "Agreement" is made as of this \_\_\_\_\_\_ day of \_\_\_\_\_, 2019 by and between the City of Menlo Park, a California municipality ("City") and SAGAR PATEL, an individual, ("Developer"), with respect to the following:

## RECITALS

A. Developer owns certain real property in the City of Menlo Park, County of San Mateo, State of California, commonly known 1704 El Camino Real and consisting of approximately 0.8 acres (assessor's parcel number 060-034-379) (the "Property"). The Property is zoned SP-ECR/D (El Camino Real/Downtown Specific Plan) which allows for a maximum public benefit bonus level floor area ratio of 110 percent.

B. The Property currently contains a 28-room hotel. The existing gross floor area ("GFA") of all the buildings is 10,775.8 square feet.

C. Developer proposes to construct a 40,004.2 square foot commercial non-office building on the Property (the "Project"), by demolishing an existing 28-room hotel and constructing a new 70-room hotel consisting of three stories and an underground parking level. The net new square footage resulting from the project would be 29,228.40 square feet of gross floor area. Developer has applied to the City for architectural control, a variance request to permit reduced floor-to-floor height on the first floor, sign review, and a request for a public benefit bonus and intends to apply for a building permit to construct the Project.

D. Developer 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 ("Guidelines") as the project would exceed 10,000 square feet in gross floor area. The BMR ordinance requires the applicant to submit a below market rate housing proposal for review by the Housing Commission. The Housing Commission reviewed and approved the draft BMR in lieu fee Agreement term sheet on November 2, 2016. The BMR term sheet is used to prepare the BMR in lieu fee Agreement, which is subsequently reviewed and acted on by the Planning Commission along with the main project actions. In order to process its application, the BMR Ordinance requires Developer to submit a BMR in lieu fee Agreement. This Agreement is intended to satisfy that requirement. Approval of a below market rate housing Agreement is a condition precedent to the approval of the applications and the issuance of a building permit for the Project.

E. Residential use of the property is allowed by the applicable zoning regulations; however, residential use is not being pursued as part of the proposed project. Site constraints due to developing a financially viable hotel project on a 0.8-acre infill site limits opportunities to develop residential uses as part of the proposed project. The applicant does not own any sites in the city that are available and feasible for construction of sufficient below market rate units to satisfy the requirements of the BMR Ordinance, which in this case is 0.77 unit. Based on these facts, staff has found that development of such a unit onsite or off-site in accordance with the requirements of the BMR Ordinance and Guidelines is

not feasible.

F. City has determined not to require Developer to provide below market rate units and, under the terms of the BMR Ordinance and the Guidelines, Developer therefore is required to pay an in lieu fee as provided in this Agreement. Developer is willing to pay said fee on the terms set forth in this Agreement, which the City has found are consistent with the BMR Ordinance and Guidelines.

NOW, THEREFORE, the parties agree as follows:

1. Developer shall pay the applicable in lieu fee as provided in the BMR Ordinance and Guidelines. The applicable in lieu fee is that which is in effect on the date the payment is made. The method of calculating the fee for the Project consists of multiplying the gross floor area of the net new square footage resulting from the Project (29,228.4 square feet) times the fee for Group B uses, which include non-office uses. The current "Group B" use fee, which is subject to escalation each July 1, is \$9.66 per square foot. The total amount due is \$282,575.29 (based on the fee currently in effect, subject to escalation).

2. The fee shall be paid before issuance of a building permit for the project and may be paid at any time after approval of this Agreement by the Planning Commission. If for any reason, a building permit is not issued within a reasonable time of payment of the fee, upon request by Developer, City shall promptly refund the fee, without interest, in which case the building permit shall not be issued until payment of the fee is again made at the rate applicable at the time of payment.

3. This Agreement shall be binding on and inure to the benefit of the parties hereto and their successors and assigns. Each party may assign this Agreement without the consent of the other, provided the assignment is in writing. Execution of this Agreement by Developer shall satisfy the requirements set forth in the BMR Ordinance.

4. If any legal action is commenced to interpret or enforce this Agreement or to collect damages as a result of any breach of this Agreement, the party prevailing shall be entitled to recover all reasonable attorneys' fees and costs incurred in such action from the other party.

5. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

6. The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the parties hereto.

7. This Agreement supersedes any prior agreements, negotiations and communications, oral or written, and contains the entire agreement between the parties as to the subject matter hereof.

8. Any and all obligations or responsibilities of Developer under this Agreement shall terminate upon the payment of the required fee.

9. To the extent there is any conflict between the terms and provisions of the Guidelines and the terms and provisions of this Agreement, the terms and provisions of this Agreement shall prevail.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

CITY OF MENLO PARK:

Ву: \_\_\_\_\_

SAGAR PATEL

Starla Jerome-Robinson, City Manager

# ATTACHMENT L

# bae urban economics

## Memorandum

To: Corinna Sandmeier, City of Menlo Park

From: David Shiver, Stephanie Hagar, & Chelsea Guerrero, BAE Urban Economics

Date: February 28, 2018

Re: Analysis of Proposed Density Bonus for 1704 El Camino Real Project

## **Key Findings**

This memorandum presents the findings of a static pro forma analysis that BAE conducted to estimate the project profit from a proposed redevelopment of a 28-room hotel to construct a 70-room Hampton Inn at 1704 El Camino Real in Menlo Park. The proforma analysis compares the project profit of the proposed project, which is seeking a density bonus under the City's public benefit program for the El Camino Real/Downtown Specific Plan, to the potential project profit from an alternative project developed at the base level density for the site. The pro forma analysis uses information provided by the developer as well as BAE's own research of development costs and market conditions. Pro formas for the proposed project and a project that could be developed at the base level density are attached to this memorandum. Key findings include:

- Based on cost and income assumptions shown in the attached pro forma, the proposed project (developed at the public benefit level), would result in approximately \$3.4 million in profit to the developer. This figure is based on the estimated capitalized value of the completed project, less total development costs, and includes both a 10 percent baseline developer profit (\$2.2 million) and the remaining project profit after accounting for all development costs (\$1.2 million).
- The proposed project is feasible in part because the developer currently owns the project . site, and therefore has no land acquisition cost associated with the redevelopment of the property.
- The developer has indicated that a hotel project at the base level density would not be financially feasible. BAE research supports the assumption that the developer would experience significant challenges in achieving financial feasibility for a hotel project at the base level density. This analysis does not include analysis of a potential alternative project that would include a mix of uses (e.g., residential units, or a mix of office and residential uses) at the base level density that might result in a profitable development.

### San Francisco

2600 10<sup>th</sup> St., Suite 300 803 2<sup>nd</sup> St., Suite A Berkeley, CA 94710 510.547.9380

## Sacramento Davis, CA 95616 530.750.2195

Los Angeles 448 South Hill St., Suite 701 Los Angeles, CA 90013 213.471.2666 www.bae1.com

### Washington DC

1400 I St. NW, Suite 350 Washington, DC 20005 202.588.8945

New York City

215 Park Ave. S, 6th Floor New York, NY 10003 212.683.4486

- The development return shown in the pro forma is highly sensitive to changes in the assumptions used for the analysis. The results could change substantially based on differences in construction costs, hotel room rates, operating expenses, occupancy rates, or other factors.
- Once stabilized, the proposed project would generate an estimated \$680,500 per year in transient occupancy tax (TOT) to the City of Menlo Park in 2018 dollars. This figure is based on the average room rate (\$274 per night) and occupancy (81 percent) assumptions used for the financial analysis included in this memorandum. Higher room or occupancy rates would result in higher TOT revenues to the City, whereas lower room or occupancy rates would result in lower TOT revenues to the City.

# **Overview of the Analysis**

This memorandum presents the results of BAE's analysis, based on a development pro forma, to estimate the increase in value that could arise from a proposed public benefit bonus for a potential development project at 1704 El Camino Real in Menlo Park. The Project Applicant owns the property, which is the site of an existing 28-room hotel property (the Red Cottage Inn) and has proposed construction of a 70-room Hampton Inn hotel on the site.

The site is in a location eligible for a public benefit bonus pursuant to the El Camino Real/Downtown Specific Plan (Specific Plan), which establishes the formula for the additional built area that is allowed in return for public benefits acceptable to the City. The public benefit bonus program outlined in the Specific Plan anticipates that public benefits provided pursuant to the program can take the form of on-site improvements, offsite improvements, cash payment to the City for future use toward public benefits, or a mixture. As a hotel use, the proposed development would generate Transient Occupancy Tax (TOT) revenue for the City, which is an inherent public benefit.

# **Proposed Project**

The project site consists of an approximately 0.84 acre parcel located at 1704 El Camino Real, between Buckthorn Way and Stone Pine Lane, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The site is primarily accessed via shared access easements over two parcels (1702 and 1706 El Camino Real).

## Public Benefit Bonus Project

The developer's proposed project with the public benefit bonus under the Specific Plan (Project) would consist of a 70-room Hampton Inn hotel consisting of three stories and an underground parking garage. The ground floor would contain the hotel lobby, a breakfast area, a board room, a fitness room, back-of-house space, and guest rooms. The second and third floors would be developed entirely with guest rooms. The proposed project would contain

39,950 square feet, resulting in a FAR of 1.1, the maximum allowed at the Public Benefit Bonus level. The underground garage would provide 58 parking spaces.

As discussed in more detail below, the proposed project would generate TOT revenue for the City, which the City could potentially evaluate as a public benefit from the Project.

### **Base Zoning Project**

Although the developer has not prepared plans for a project that would conform to the existing base zoning (i.e. without the public benefit bonus), BAE evaluated a base level project for this analysis (Base Project). Under the base zoning, the maximum allowable square footage for the Project would total 27,299 square feet, at a FAR of 0.75. BAE conducted a high-level capacity study to identify a project typology that would conform to the base level density and estimated that the site could potentially accommodate a three-story building with 47 hotel rooms. Assuming that the Base Project would have the same parking ratio as the Public Benefit Bonus Project (0.83 spaces per room) this Base Project would require 39 spaces. Although this analysis did not include preparation of detailed drawings of a project that would be possible at the Base Level density, BAE estimates that the site could accommodate 47 hotel rooms in three floors along with 39 surface parking spaces. To the extent that development standards or other factors make surface parking infeasible for the Base Project, the construction costs for this scenario would be substantially higher than shown in this analysis.

Due to the small number of rooms that would be possible at the base level density, the Base Project would not meet the size requirements for a Hampton Inn and would be unlikely to meet the size requirements for another hotel brand. Therefore, the Base Project would consist of an independent hotel property. The pro forma assumptions for the Base Project generally reflect a lower-quality hotel property than the proposed project, with lower quality finishes that are more similar to an economy property.

# Methodology for the Financial Analysis

BAE used information provided by the Project Applicant and information from BAE's independent research to formulate proforma assumptions. BAE met with City staff and the Project Applicant to review the proposed site plan and development program and review assumptions regarding costs, rental rates, operating costs, and other factors. The developer provided a comprehensive package describing the project, with estimated construction costs as well as operating costs and revenues for the first year of operation. BAE also researched development costs, operating costs, and revenues for other comparable hotel properties to identify costs and revenues that would be typical a limited service hotel property. This included a review of published data on local market area capitalization rates and hotel construction cost figures as published by HVS and the R.S. Means Company square feet construction cost guides. BAE also obtained data on hotel room and occupancy rates for similar limited-service hotels in the local market from STR. In addition, BAE consulted with a

hotel development expert familiar with current hotel development and operating conditions to vet all key assumptions provided by the developer and BAE research, both for the proposed Public Benefit Project and the hypothetical Base Project.

This information was then used to prepare a project pro forma model for the proposed project. The pro forma consists of an Excel worksheet that shows assumptions for the development program, development costs, income, operating expenses, and financing costs. The worksheets show the calculation of project cost by category, an analysis of the revenue from the new development by component, and the resulting developer profit.

The model is set up to calculate project profit as a residual value. The calculation starts with the market value of the completed project at stabilization, and then deducts total development costs. The pro forma model is attached to this memorandum.

# **Key Assumptions**

The pro formas that are attached to this memorandum set forth all assumptions used in the analysis. Following is an overview of key assumptions:

BAE classified hard construction costs provided by the developer into the following categories: (1) site preparation costs for demolition of existing buildings, environmental remediation, grading, and other improvements, including hard surfaces and landscaping;
 (2) hard construction costs for the shell and core of the hotel portion of the building, including the rooms, corridors and circulation, lobby, back of house functions, and meeting and event space;
 (3) hard construction costs for underground parking; and (4) developer contributions toward furniture, fixtures, and equipment (FF&E).

To estimate hard construction costs in categories (1) through (3) above, BAE used the estimates provided by the developer via a contractor. Based on these figures, hard construction costs would average \$43 per site square foot for demolition and site improvements; \$201 per square foot for hotel rooms, corridors and circulation, lobby, back of house functions, and meeting and event space; and \$157 per square foot for underground parking. With the exception of the underground parking cost, the hard costs shown the pro forma are consistent with typical hotel development costs for similar properties in the region, as well as cost estimates from RS Means. The underground parking costs are higher than typical underground parking costs, but within a reasonable range given the inefficiencies associated with constructing a small underground parking lot. BAE used an estimate of \$16,000 per room for FF&E, based on data for limited service hotels provided by HVS. These assumptions result in a total hard construction costs of \$218,500 per room for the Public Benefit Bonus Project.

To estimate hard construction costs for the Base Zoning Project, BAE generally used the same assumptions as in the Bonus Level Project, with two key exceptions: 1) the costs for

surface parking are included in the site improvement costs that were provided by the developer, with no underground parking cost; 2) the cost of FF&E average \$14,000 per room, reflecting a lower quality of finishes that would be more similar to an economy hotel than the proposed limited service property. Overall, these assumptions result in total hard construction costs of \$169,300 per room for the Base Zoning Project.

- Soft costs were estimated at 20 percent of total hard costs, not including impact fees, developer profit, financing costs, or contingency. Soft costs totaled \$3.1 million for the Public Benefit Bonus Project and \$1.6 million for the Base Zoning Project.
- The pro forma analysis for the Public Benefit Bonus Project uses the average daily room rate (ADR) provided by the developer (\$274.40), plus the developer's estimate of other non-room revenues (\$1.36 per occupied room night), totaling \$276 in revenue per occupied room rate. This is higher than the ADR for existing properties as indicated by the STR data (\$205). However, compared to each of the existing properties included in the STR sample, the proposed Project will be in a superior location and/or of a higher quality, and therefore the developer's ADR estimate is within a reasonable range. BAE confirmed the reasonableness or the ADR assumption with a hotel industry expert.
- BAE assumed \$220 in revenue per occupied room night for the Base Project, which reflects input from a hotel industry expert that a project of a size that would be consistent with the Base Level Density would likely consist of a small, un-branded property more similar to an economy hotel.
- The pro forma analysis for the Public Benefit Bonus Project uses an 81 percent occupancy rate, which reflects the average occupancy trends over the past several years as indicated by STR data, and is lower than the occupancy rate provided by the developer (86 percent). BAE estimates that an 81 percent occupancy rate is consistent with stabilized operations, whereas the developer's occupancy rate estimate is for year one of operations, which could coincide with the current high point in the hotel market cycle.
- The pro forma for the Base Project uses a lower average occupancy rate of 77 percent, reflecting an assumption that occupancy rates will be lower because the Base Project will not be a branded property.
- BAE assumed that operating expenses for the Public Benefit Project will be equal to 65 percent of operating revenues. This assumption is higher than the operating expense ratio provided by the developer (43 percent), but consistent with operating expense ratios for similar limited-service hotels as reported by CBRE.<sup>1</sup>
- Based on consultation with a hotel industry expert, BAE assumed that operating expenses for the Base Project would be equal to 70 percent of room revenues, reflecting the lower overall room revenues.

<sup>&</sup>lt;sup>1</sup> CBRE Research (2017). Trends in the U.S. Hotel Industry, 2016.

- BAE estimated the City of Menlo Park Building Construction Street Impact Fee, Traffic Impact Fee, El Camino Real/Downtown Specific Plan Preparation Fee, and school district impact fees that would apply to each project. The City of Menlo Park provided calculations for the City's Supplemental Transportation Impact Fee and Below Market Rate Housing In-Lieu Fee. Water Capital Facilities Charges and Sewer Connection Fees were not calculated for either project due to the unavailability of the information needed to calculate these fees.
- BAE assumed a developer profit equal to ten percent of total development costs. This
  results in approximately \$2.2 million in profit to the developer under the Public Benefit
  Bonus Project. This figure is separate from the \$1.3 million in project profit that the
  Project would generate (\$25.0 million capitalized value less \$23.7 million in development
  costs, land cost, and developer profit) from the project. In other words, the \$1.3 million in
  excess profit from the project is net of a base ten percent profit to the developer, making
  the total potential profit approximately \$3.4 million. As demonstrated by the pro forma for
  the Base Zoning Project, a hotel project at the base level is infeasible.
- Financing assumptions are based on current market rates and BAE experience, and assume a construction loan interest rate of 6.0 percent, with two points for fees. The capitalization rate to value the finished project is eight percent.

# Sensitivity Analysis

The development returns shown in the pro forma are highly sensitive to changes in construction costs, hotel room rates, and occupancy rates. Although Silicon Valley currently has a strong hotel sector with some of the highest hotel room rates in the nation, hotels are generally considered risky investments relative to other types of real estate investments because occupancy and room rates are often highly affected by downturns in the economic cycle. BAE conducted a sensitivity analysis of a number of these risk factors to identify how changes could impact the pro forma findings. The results of this analysis are shown in the table below:

bensitivity Analysis for Potential 1104 El Camino Real Proj	
Scenario	Project Profit
BAE Estimate	\$1.2
Construction Hard Cost	
10% Higher Costs	\$0 (project is infeasible)
10% Lower Costs	\$3.4
Average Daily Room Rate (ADR)	
Decrease to \$240 per occupied room night	\$0 (project is infeasible)
Increase to \$300 per occupied room night	\$3.6
Occupancy Rate	
Decrease to 77%	\$0 (project is infeasible)
Increase to 86%	\$2.8

Sensitivity Analysis for Potential 1704 El Camino Real Project Profit (\$ millions)

Source: BAE, 2018.

The sensitivity analysis shows that the estimate of \$1.2 million in profit from the proposed project falls within a range of potential outcomes from a profit of zero, making the project infeasible, to \$3.6 million. As shown, the project would become infeasible as a result of a 10-percent increase in construction hard costs, a decrease in room rates to \$240 per occupied room night, or a decrease in the occupancy rate to 77 percent.

The sensitivity analysis evaluates the impact of a decrease in the ADR to \$240, which is the lower bound of the likely ADR range for the proposed Hampton Inn Project. The sensitivity analysis also evaluates the impact of room rates that are approximately 10 percent higher than those shown in the pro forma. Profit will increase if the proposed project achieves room rates that are higher than projected and will decrease if a future downturn in the economic cycle leads to a decrease in room rates.

To the extent that the occupancy rate for the proposed project differs from the occupancy rate shown in the pro forma, this difference will have a substantial impact on revenues and profit. BAE included a 77-percent occupancy scenario in the sensitivity analysis, which is consistent with the lowest annual occupancy rate between 2011 and 2017 among a sample of comparable hotels, as indicated by data from STR. As shown, the hotel would be infeasible if occupancy rates average 77 percent. If the occupancy rate averages 86 percent, which is consistent with the developer's projections for the first year of operations, the total project profit would total \$2.8 million.

# **Transient Occupancy Tax Analysis**

The City of Menlo Park collects TOT at a rate of 12 percent of room revenues from hotel stays of 30 days or less in Menlo Park hotels. Based on the average room and occupancy rates

shown in the attached pro forma, the proposed project would generate approximately \$680,500 per year in TOT revenue to the City in 2018 dollars.

The exact TOT generated by the project will fluctuate year-to-year depending on the extent to which room and occupancy rates differ from those shown in the pro forma. BAE prepared a sensitivity analysis to estimate hotel room revenues and resulting TOT receipts during low, moderate, and high revenue and occupancy years. For example, if room rates average \$240 per night and the average occupancy rate is 77 percent, the project will generate approximately \$566,600 per year in TOT revenues to the City. If room rates are 10 percent higher than the rates shown in the pro forma (or approximately \$300 per night) and the occupancy rate average \$6 percent, the project will generate approximately \$791,000 per year in TOT to the City.

Projected Annual TOT Revenue for the City of Menlo Park from Proposed Hotel Project at 1704 El Camino Real at Project Stabilization

Low Estimate	Moderate Estimate	High Estimate
\$566,597	\$680,468	\$791,028
\$240	\$274	\$300
77%	81%	86%
12%	12%	12%
70	70	70
	\$566,597 \$240 77% 12%	\$240 \$274 77% 81% 12% 12%

Sources: City of Menlo Park; STR; BAE, 2018.

# **Limiting Conditions**

The above analysis is based on cost and valuation factors along with hotel room rates provided by the potential developer, as well as research conducted by BAE during the first quarter of 2018. The project is in pre-development, and as design and development work proceeds, it is possible that changes in design, building code requirements, construction costs, market conditions, interest rates, or other factors may result in significant changes in costs, profits, and TOT revenues.

Development Program Assumptions		Cost and Income Assumptions	Development Costs			
Project Characteristics		Development Costs			Development Costs	Per R
Site		Hotel	Per Room	n Per SF	Building hard construction costs	\$114
Site area (acres)	0.84	Construction hard costs (a)	\$114,714	\$201	FF&E costs	\$16
Site area (sq. ft.)	36,398	FF&E	\$16,000	\$28.04	Underground parking costs	\$61
Off-site work area (sq. ft.)	5,275	Impact and connection fees (b)	\$7,138	3 \$12.51	Demolition and site prep costs	\$25
					Subtotal, Hard Costs	\$218
Building		Parking	Per Space	e Per SF		
Hotel rooms	70	Construction hard costs (a)	\$74,765	5 \$157	Soft costs (d)	\$43
Building gross sq. ft.	39,950				Impact and connection fees	\$7
		General Development Costs			Contingency Fee	\$13
Parking		Site prep cost, per site work area sq.	ft. (a)(c)	\$43.47	Developer Fee (f)	\$13
Below grade parking garage (sq. ft.)	27,629	Soft costs as % of hard costs (d)		20%	Construction financing - interest	\$8
Below grade parking spaces	58	Developer fee as % of hard and soft		5%	Construction financing - loan fees	\$3
Parking ratio (spaces per room)	0.83	Developer profit as % of total constru		10%	Subtotal, Soft Costs	\$89
		Contingency as % of hard and soft co	osts	5%		
Built Project FAR	1.10				Total Construction Costs	\$308
		<b>Operating Revenues and Expense</b>	<u>s</u>			
Notes:		Operating revenue (per occupied roo	m night) (e)	\$276	Developer Profit	\$30
(a) Construction costs provided by the developer		Expenses (as % of operating revenue				
were supported by contractor detail and were		Hotel occupancy rate	Total Development Costs (Excluding Land)			
reorganized by BAE for this proforma.					Cost per built sq. ft.	
(b) Includes the following FY 2017-18 i	impact fees:	Construction Financing			Cost per room	
Building Construction Road Impact Fe		Construction loan to cost ratio		65.0%		
Impact Fee, Supplemental Traffic Impa	act Fee, BMF	toan fee (points)		2%	Value Analysis	
Housing In-lieu fee, ECR/Downtown S		Interest rate		6%		
Preparation fee, Sequoia Union High S		Loan period (months) 18			Projected Income	Per R
District Impact Fee, Menlo Park City E	lementary	Drawdown factor		50%	Gross Hotel Revenues	\$81
School District Impact Fee. Excludes sewer		Total construction costs (excluding fi	nancing costs)	\$20,692,625	Less Operating Expenses	<u>(</u> \$52,
connection fees, water capital facilities					Net Operating Income (NOI)	\$28
storm drainage connection fees, pending City		Capitalization rate 8%				
calculations. Figures are net of existing hotel					Yield as % of Total Development Cost	
rooms to be demolished. Does not inc						
(c) Site prep costs include demolition,	underground	utilities, and landscaping costs. Overa	all site prep work	area includes	Development Feasibility	
off-site work area.					Capitalized Value	\$356
		ontingency fee, developer fee, and other line items in this proforma.			Less Development Costs	(\$338,
(e) Operating revenue (per occupied ro	- /				Less Land Cost	
		the costs of managing the development of a project; the developer			Project Profit	\$17,
fee does not represent profit.						
Source: BAE, 2018.						

Per Room

\$114,714

\$16,000 \$61,948

\$25,877

\$218,539

\$43,708

\$7,138

\$13,112

\$13,112

\$8,647

\$3,843

\$89,560

\$308,098

\$30,810

Per Room

\$81,528

\$28,535

\$356,685

<u>\$0</u>

(\$338,908)

\$17,777

(\$52,993)

Total

\$8,029,990 \$1,120,000

\$4,336,362

\$1,811,365

\$3,059,543

\$499,640

\$917,863

\$917,863

\$605,259

\$269,004

\$6,269,172

\$21,566,888

\$2,156,689

**\$23,723,577** \$593.83 \$338,908.25

Total

8.4%

<u>\$0</u>

\$5,706,965

(\$3,709,527)

\$1,997,438

\$24,967,970

\$1,244,393

(\$23,723,577)

\$15,297,716

### Pro Forma for Hampton Inn Hotel Development at 1704 El Camino Real, Menlo Park

Development Program Assumptions		Cost and Income Assumptions			Development Costs			
Project Characteristics		Development Costs			Development Costs	Per Room	Tota	
Site		Hotel	Per Room	Per SF	Building hard construction costs	\$116,745	\$5,487,020	
Site area (acres)	0.84	Construction hard costs (a)	\$116,745	\$201	FF&E costs	\$14,000	\$658,00	
Site area (sq. ft.)	36,398	FF&E	\$14,000	\$24.10	Demolition, site prep and surface parking costs	\$38,540	\$1,811,36	
Off-site work area (sq. ft.)	5,275	Impact and connection fees (b)	\$5,692	\$9.80	Subtotal, Hard Costs	\$169,285	\$7,956,39	
Building		General Development Costs			Soft costs (d)	\$33,857	\$1,591,27	
Hotel rooms	47	Site prep cost, per site work area sq. ft. (a	a)(c)	\$43.47	Impact and connection fees	\$5,692	\$267,53	
Building gross sq. ft.	27,299	Soft costs as % of hard costs (d)		20%	Contingency Fee	\$10,157	\$477,38	
		Developer fee as % of hard and soft cost	s	5%	Developer Fee (e)	\$10,157	\$477,38	
Parking		Developer profit as % of total construction costs		10%	Construction financing - interest	\$6,703	\$315,02	
Surface parking spaces	39	Contingency as % of hard and soft costs		5%	Construction financing - loan fees	\$2,979	\$140,01	
Parking ratio (spaces per room)	0.83				Subtotal, Soft Costs	\$69,545	\$3,268,60	
Puilt Project FAP	0.75	Operating Revenues and Expenses Operating revenue (per occupied room ni	(abt)	\$220	Total Construction Costs	¢020 020	644 224 00	
Built Project FAR	0.75	Expenses (as % of operating revenue)	igni)	\$220 70%	Total Construction Costs	\$238,830	\$11,224,99	
Notes:		Hotel occupancy rate		70% 77%	Developer Profit	\$23,883	\$1,122,50	
(a) Construction costs provided by	/ the							
developer were supported by cont	tractor	Construction Financing			Total Development Costs (Excluding Land)		\$12,347,49	
detail and were reorganized by BA	AE for this	Construction loan to cost ratio 65%		65%	Cost per built sq. ft.		\$452.3	
proforma.		Loan fee (points)		2%	% Cost per room		\$262,71	
(b) Includes the following FY 2017-18		Interest rate		6%				
impact fees: Building Construction Road		Loan period (months)		18	Value Analysis			
Impact Fee, Traffic Impact Fee,		Drawdown factor		50%				
Supplemental Traffic Impact Fee, BMR		Total construction costs (excluding finance	cing costs)	\$10,769,967	Projected Income	Per Room	Tota	
Housing In-lieu fee, ECR/Downtown Specific					Gross Hotel Revenues	\$61,831	\$2,906,05	
Plan Preparation fee, Sequoia Union High		Capitalization rate		8%	Less Operating Expenses	(\$43,282)	(\$2,034,240	
School District Impact Fee, Menlo Park City					Net Operating Income (NOI)	\$18,549	\$871,81	
		des sewer connection fees, water capital fa						
		ations. Figures are net of existing hotel roo n Menlo Park Fire Protection District.	ms to be demo	olished.	Yield as % of Total Development Cost		7.19	
		ound utilities, and landscaping costs. Over	all site prep w	ork area	Development Feasibility			
includes off-site work area.					Capitalized Value	\$231,866	\$10,897,71	
		osts, contingency fee, developer fee, and other line items in this			Less Development Costs	. ,	(\$12,347,498	
proforma.					Less Land Cost	(¢=0=,: 10) <u>\$0</u>	(¢ · <u>_</u> ,0 · · · , · 00	
<ul> <li>(e) The analysis assumes a developer fee to cover the costs of managing the development or developer fee does not represent profit.</li> </ul>			nt of a project;	; the	Project Profit		(\$1,449,785	

### Pro Forma for Baseline Hotel Development at 1704 El Camino Real, Menlo Park

Source: BAE, 2018.

From:	<u>S Liao</u>
То:	Planning Commission; CCIN
Subject:	PLANNING COMMISSION MEETING TO VOTE ON HAMPTON INN HOTEL
Date:	Wednesday, June 19, 2019 4:18:24 PM

Dear Commissioners -

I live on Buckthorn Way in the Buckthorn Park development. I'm writing to express the views of several residents in our HOA, along with Park Forest. We have studied Mr. Patel's proposal to build an expanded Hampton Inn since the fall of 2016. I've spoken at one meeting and relayed our concerns about noise, density, privacy, traffic and design and signed the petition along side the Park Forest residents.

We as neighbors have proactively campaigned, against size and design of the development, considering it will replace a large oak tree and lots of greenery with an unobtrusive business. We tried working with Mr. Patel, but received less consideration than our more populous neighboring HOA, but tried to work with them to reach a compromise. We shared our concerns and desire for underground parking, property line set backs, and a visual set back to the Forest Lane and Buckthorn sides of the hotel, in addition to tall trees that would shield the building from view. We were concerned about the unreasonableness of the Public Benefit Bonus for the Low Density NE area, in which we reside, and continue to strongly protest its application. Mr. Patel's change to his plans in 2018, moving the underground parking to the ground level, changing the setback, and increasing the bulk and the proposing blinding color of the building, etc., showed his total lack of concern about the issues we raised. I have spoken at a meeting, and continue to oppose that plan.

As some of my neighbors have mentioned and I would like to echo herein, we need to question the application of this Public Benefit Bonus for the Low Density NE area. The traffic congestion seems to have quadrupled, so that turning into and from El Camino or Middlefield takes several minutes, due to lack of stop lights or stop signs. A large hotel in this area would significantly exacerbate the situation. The city needs to revisit the circumstances for granting a right to high density in a low-density zoned district, especially since the hotel location is not on El Camino Real, but several hundred feet back from the road.

Furthermore, it is unclear that the Transit Occupancy Tax will be collected as expected and that will not resolve any of the traffic, noise, and size/decor issues that would result if this project is approved.

In addition, the large mature trees that are "diseased" or "dying" should be examined by a third party, before they are removed. Thank you in advance for considering my concerns.

Kind regards,

Suzan Liao

132 Buckthorn Way Menlo Park Dear Planning Commission,

I am writing in regards to the 1704 ECR project. As a resident of 171 Forest Lane in the Park Forest neighborhood, my wife have raised our two kids, ages 11 and 13, here since 2011. While I am generally very supportive of development in Menlo Park and, especially along ECR, I do not support having a large Hampton Inn sitting right in plain sight of our main living area. The proposed 1704 ECR project proposes to build a three story Hampton Inn on a flag lot that sits some 200 feet back from ECR via an access road. This is behind the local businesses along ECR and smack dab in the middle of three residential areas surrounding all sides of the proposed development. This area is designated "low-density" in the overall master development plan. The planning commission is being asked to approve a project that would allow a **public benefit bonus** that would **"increase" the size** of the building **by 30%** based solely on the rationale of getting an additional transient occupancy tax without any consideration of the negative effects on the surrounding neighbors and neighborhoods.

I ask you to please strongly consider the public benefit of such a project that puts a large Hampton Inn with transient occupants in the middle of a neighborhood with families and children. This does not create a sense of community and will have a negative public benefit to more than 80 homes in the surrounding area.

I also want to mention that the current site has two amazingly beautiful heritage oaks that have been claimed to be "dying" and, two more 100'+ tall pine trees that have been labelled beetleinfested that must be removed and replaced by this large structure. I think it is worth inspecting this decision further to make sure that an independent assessment was made, as the removal of these trees and replacing them with a three story Hampton Inn will change the entire landscape and western skyline of this unique property and neighborhood.

I'm certain if the negative impacts of the proposed development are considered there is no justification for a public benefit for such a project.

Thank you for your consideration of our views and opposition the public benefit bonus.

Kind regards, Eric Easom

171 Forest Lane Menlo Park, CA 94025 Planning Commission,

I am one of the many signatories on the Petition to remove the Public Benefit Bonus(PBB) from the 1704 ECR Development Project (aka Hampton Inn). I believe that the PBB for this project is entirely unwarranted. The stated public benefit is increased occupancy tax. While this will add to the city's coffers, it has no benefit for the surrounding neighborhood. There is no green space; no amenity; only unwanted mass in the middle of residential buildings.

I am a member of the public and the neighborhood. I live on Forest Lane and will be directly impacted by this massive proposed structure. I see only diminished light and increased refuse from this project. I don't see any benefit whatsoever. I am a constituent and voter, who hopes that you are listening to and working for me as much as for a developer who does not live in the neighborhood.

This project is inappropriate for its location. It is enclosed on three sides by residential structures. It is well set back from ECR and only has access via an easement. I don't believe that the either the city council or the residents intended this section of the Menlo Park Specific Plan to have incompatible, commercial structures in the midst of residential areas. This is not downtown.

The PBB revenue from this project is a pittance compared to the tax revenue generated by the Facebook, Stanford, etc. developments. Is it really worth upsetting a couple of hundred voters? How much is enough? I hope that is not what this is all about.

Please represent your constituents when you consider this project on June 24<sup>th</sup>. Please consider the negative impacts on the residential neighborhoods. Please deny the PBB for the 1704 ECR Development Project.

Thank you for considering my request,

David Forter 151 Forest Lane Menlo Park, CA 94025

From:	Scott Barnum
To:	Planning Commission
Cc:	ParkForestPlus@groups.io; CCIN
Subject:	1704 El Camino - Overhauling The Red Cottage Inn - Resident Feedback
Date:	Monday, June 17, 2019 9:41:32 AM

Members Of The Planning Commission:

I am a resident of the Park Forest neighborhood where the conversion of the Red Cottage to a Hampton Inn at 1704 El Camino is being proposed. This project is coming up for a hearing on June 24<sup>th</sup>. I am also a member of the Park Forest Plus group of residents from the area representing three Homeowner Associations along Stone Pine Lane, Forest Lane and Buckthorn as well as the independent residents of the neighborhood. Park Forest Plus has coalesced to deal with this commercial development project in our backyard. As you know, we have invited Planning Commission members to view our neighborhood (there are invites out to the two new members) and see first-hand how the hotel is situated within Park Forest and why nearly 80 people have signed a petition noting concern about the plans, the Public Benefit Bonus for hotel projects like this one and about commercial development generally within a low-density residential neighborhood.

In my view, commercial development in a residential neighborhood, *like ours*, should be mitigated. Additionally, the City should think long and hard when and how it uses the Public Benefit Bonus and about <u>eliminating the PPB altogether where there is no real benefit to the public</u>. As you can understand, it's about resident homeowners defending our property values, quality of life, privacy and mitigating noise, light, traffic et.al, to the maximum extent possible. If someone desires lots of noise, light, traffic and less privacy in a residence, they can move into a City or high-rise living in a downtown core. Proximity to downtown <u>without</u> most of the "stuff" that comes with a downtown is what I, and most of my neighbors, bought into in Park Forest. It is a unique neighborhood that is worth defending.

Personally, I doubt officials in charge of developing the City's ECR Downtown Specific Plan at the time understood where 1704 El Camino was actually situated, i.e., a couple of hundred yards back off of El Camino and embedded deeply within a neighborhood that has been historically zoned low-density residential. The property had an ECR address so it was included in the plan, likely without much thought. Please note. I don't think that all commercial development is evil. Nor is the developer of 1704 El Camino, Mr. Sagar. He's looking to improve his property and it's ROI. He has also been reasonable in dealing with our group/neighborhood. Indeed, he and his family used to live in our neighborhood and president of one of its HOA's. That said, the granting of the PBB is likely the lynchpin in making the project economically viable for the developer. You, the Council and the City attorney need to ask is collecting the extra hotel occupancy taxes that the additional hotel rooms provide, but which is already mandated by law, *a true public benefit* and worthy of granting a PBB as defined in the meaning and intent of the PPB statute? I and many others don't think so.

As this project specifically is reviewed and commercial development in general for the City is reevaluated, please give some real deliberation to the appropriateness and validity of the PPB grant in projects like the Hampton Inn, especially for projects situated in low-density neighborhoods like Park Forest throughout Menlo Park.

Cheers, Scott Barnum 137 Stone Pine Lane Menlo Park, CA 94025 <u>microbarny@msn.com</u> (650-224-5671 (m)

From:	John Dearborn
To:	Sandmeier, Corinna D
Cc:	Harlan Matles; Sarah Watson; Darren Phelan
Subject:	Re: 1704 ECR - Proposed Hampton Inn
Date:	Saturday, June 8, 2019 9:51:29 PM
Attachments:	emailDearAssoc Logo 4.16.18.pdf
	<u>ATT00001.htm</u>

Greetings,

I am an orthopaedic surgeon and my outpatient office occupies the ground floor of 1706 ECR. I have a joint replacement practice. We see patients M-F and some are quite elderly and frail. Access to our building is a critical issue. On occasion we have needed emergency vehicles in our parking lot to help. Given the traffic on ECR and the obstruction to our parking lot that a construction project might bring, I wonder if it makes sense to create an access point from Buckthorn. I am concerned that we could have a problem with one of our patients and not be able to manage it appropriately during a construction project. I am sure that the medical group upstairs shares my concern.

Please advise. I do not know the timing of your meeting on June 24th.

John T. Dearborn, MD

From:	<u>Ching-Yu Hu</u>
То:	<u>Sandmeier, Corinna D</u>
Cc:	<u>Wei Gu</u>
Subject:	Re: 1704 ECR - Proposed Hampton Inn
Date:	Saturday, June 8, 2019 10:40:17 AM
Attachments:	CMP Email Logo 100dpi 05d92d5b-e8e3-498f-93a6-d0da509bd60211111111.png

### Hi Corinna --

Thank you for sending this update. I will not be able to make the hearing due to work constraints but wanted to outline further thoughts below on my objection for your consideration. Is there a broader team that I can forward this email to?

1) this hampton inn tarnishes the menlo park atmosphere and is sandwiched on 3 sides with quiet, residential units. even though there is a parking garage, there will certainly be overflow and greater unnecessary traffic into the residential parking areas. i urge you to come take a look at the area to see how strange it would be to have a hampton inn here - all the stone pine 3 story units aren't even allowed to be rented due to HOA (just for this reason to be quaint, quiet, low traffic).

2) the marginal tax benefits of such a building do not outweigh the inconvenience and oddity of having a hampton inn in the heart of menlo park

3) there at least 4 hotels in a one mile radius that are underutilized, the demand for such a hotel will be minimal and there's a non-zero chance it won't be a profitable venture that will need to be redone in the future

4) i do not live alongside the border of the construction area but want to speak on behalf of all the units adjacent to them and voice my concerns that it will reduce their property value as well as serve as a nuisance for having a hotel nearby (noise, traffic, etc.)

5) if there is significant interest from the city to have a new hotel in this lot, why not find a developer of a high-end luxury hotel vs a third rate hotel chain? i'd venture there's a reason why there aren't ANY hampton inns along most of the peninsula - and are only in fremont/south mountain view/south san jose/milpitas. there isn't demand and i would not be surprised if most city planning commissioners denied proposals to do so for a variety of reasons.

Thanks for your consideration and review. Happy to discuss via phone/email as well if helpful.

CY

On Fri, Jun 7, 2019 at 12:33 PM Sandmeier, Corinna D <<u>cdsandmeier@menlopark.org</u>> wrote:

Hi All,

I wanted to let you know this project is scheduled for the June 24<sup>th</sup> Planning Commission hearing. Information on the project is available on the project webpage: <u>https://www.menlopark.org/1352/1704-El-Camino-Real</u>

# Please let me know if you have any questions.

Thanks,

Corinna



**Corinna D. Sandmeier** Senior Planner City Hall - 1st Floor 701 Laurel St. tel 650-330-6726 menlopark.org Hi Corinna,

In response to your request for a summary of neighborhood concerns and follow up to our meeting on May 7, 2019, I've asked for input from the Park Forest Plus group of homeowners. We all live adjacent to 1704 ECR (north, east and south) and have been following the developments of 1704 ECR since its initial proposal and inception. For 3 years now, we have collected input, studied plans, met with city staff and collaborated with the developer, Mr. Patel, about the impact of his proposed plans on our neighborhood and community. From the outset our efforts have been to work with, not against, him. We recognize some development will happen and we want that development to be in the interest of people who live here.

Here are the concerns that we see with current project design/plans (dated Apr 2019). I can't be sure that there aren't others. This is what I have at hand. Will you be sharing this with Planning Commissioners?

1. **The second floor roof top terrace:** There was agreement between the developer and neighbors to set back the third story and create a clean, not for public use, second story roof top terrace. Visually, this would break-up the mass of the rear view and be an attractive add to the view. However, the current plans show a hotel room has been added at the rear of the 2nd floor that juts out on this terrace. A trellis is planned there to add some decorative greenery, but it was never the intention to use this trellis to hide a building afterthought. This room addition takes away from the visual integrity of the design; it is unattractive and compromises what we agreed to. This architectural projection will be the first thing that anyone on Forest Lane sees. The room should be eliminated. There are alternative ways to get the extra room that the developer wants. (We believe this modification to the March 2018 plans was made because of a request from a 3rd party city designer who may not understand the follow-on consequences of the proposed change he suggested to the north side.)

2. **Fencing:** The fencing details are not laid out on the plans that we could see. Neighbors would like assurance that the fencing along each of the sides, including the access drive to the east, will be at least 8 feet in height and solid wood (no lattice). The Forest Lane fence line is getting additional attention from residents. There may be a request for a different treatment of the fence directly facing Forest Lane. 3. **Drainage:** Neighbors on all sides are concerned about potential drainage from the landscaping and irrigation being proposed, that will affect trees and landscaping on their properties,. Of particular concern are the oaks and redwood on the south side of the project, as well as the trees at the end of Forest Lane. We can't tell where the runoff water from 1704 ECR goes and want to make sure that the engineers consider the health of adjacent trees.

4. **Building Color:** The bright white color of the facade that faces north is of concern to neighbors on that side. They are glad to see the alternate choices that were submitted and prefer a warmer and more subdued shade. They are taking a closer look at the options.

5. **Lighting:** We couldn't accurately determine the specs of the lighting fixtures on the plan. We believe many to be bollards, which are low to the ground, but would like to know more about the spot lights and safety lights and what the impact is on the surrounding properties at night.

6. **Transformer:** The neighbors at Buckthorn Park are very concerned about the placement of the transformer so close to their homes. It is a potential hazard and they would like it located further away.

7. **Potential alley disturbance:** Neighbors on the north side and those bordering the alleyway would like assurances that the alley will not be used for deliveries to the hotel and that trash pickup will be no earlier than 8 am, given the very close proximity of the homes.

We appreciate the time and consideration your staff is giving this project because of the potential impacts on and legitimate concerns of the many residential neighbors that border 1704 ECR (e.g., property values, light/noise pollution, privacy, security and quality of life).

In light of the above, we would like to reiterate a more general and strategic concern of our neighborhood. If we were starting out today, we would likely oppose ANY project of this scope and commercial nature within a residential neighborhood. In the past 3 years, anxiety about the amount of development along ECR and the related traffic, congestion and noise has certainly increased. Our neighborhood, Park Forest, is a designated "low-density" zone and that should afford some protection against a large commercial structure, such as the one being proposed, that is situated not on ECR but several hundred feet off of ECR tucked in between residential buildings within a predominantly residential neighborhood. We believe the Public Benefit Bonus and FAR waivers should not apply in "low-density" zones. At least 80 people signed a petition to this effect. Unfortunately, there is no real Public Benefit being offered in this project that we

can see. The occupancy tax that a hotel collects is required by law and paid by the customers - not the owner. We believe that carefully specifying what is and is not allowed in a "low density" zone (including size/type of building and any PBB's/exemptions) is an important consideration for the Planning Commission and City Council to review going forward with its Master and Downtown Specific Plans.

If you or any of the Planning personnel have any questions regarding this, please contact me for further input.

Warmest regards,

Susan Neville

On behalf of Park Forest Plus

### 1704 El Camino Real - A Planning Misfire

To The Commissioners:

As you know, Menlo Park has been pursuing its Downtown Specific Plan along El Camino Real in an effort to enliven a land of barren ground and chainlink fences. Those laudable efforts have to date concentrated in the southern and middle sections of the city. Now comes the first big effort at the very northern edge of the city, and it's a perfect misfire, putting a large, unwelcome hotel in a low-density, residential section of the city.

Flying in the face of current practice in the El Camino planning area, Planning Staff seems to assume a special deal for the proposed Hampton Inn at 1704 El Camino Real that brings elements of a freeway-inn to a residential area (zoning ECR NE-L), including above-ground parking. While <u>all</u> other important projects along El Camino in Menlo Park's Downtown Specific Planning zone have been designed with underground parking, the Hampton Inn's plan is to squat atop its parking, which, by a loophole, doesn't count in computation of the Floor Area Ratio. At the same time, staff seem to be assuming award of a Public Benefit Bonus that allows a substantial increase in building size. These Public Benefit Bonuses are intended for projects that provide a special element for the public good, such as a plaza for public enjoyment.

Yet, there's no such plaza at the Hampton Inn. Instead, the project's purported special contribution is to pay the same 12% Transient Occupancy Tax that every other hotel in town pays. In return for sticking by the law, the project's developers are apparently to be rewarded an FAR up to 1.10—30% bulkier than the standard FAR in Menlo Park's Downtown Specific Plan. With the fatter FAR, there's simply more Hampton Inn, which at 38 feet will loom over neighboring houses that are less than two-thirds that height and cram far closer to those houses.

The originally-proposed Hampton Inn project had underground parking, and as of late last year there was a hardfought pact crafted with neighbors that had brought many improvements to the initial design. All seemed in balance until the developer, Sagar Patel, unilaterally walked away from that agreement this May, saying at the time that he couldn't afford the deal. The current design (as of drawings filed for October 8 study session) cut costs by an estimated \$4 million through elimination of under-ground parking. In addition, design details have been removed and the design's increased footprint means razor-thin clearances next to neighboring houses, clearances that had been widened by the earlier neighborhood pact.

It's impossible to fathom the Planning Staff's persistent assumption of a Public Benefit Bonus application to a design that violates standard parking practice in the downtown planning area. It's difficult to figure the public benefit from a plan that saves money for the developer and yet worsens the lot of the public. It's an astonishing turn of events that could be resolved by re-establishing the earlier agreement with the neighborhood that includes the underground parking. I urge that you, as commissioners, reverse the assumption of a Public Benefit Bonus and require re-establishment of underground parking plus other elements foreseen by the earlier neighborhood agreement.

Sincerely,

Frederick B Rose, Menlo Park Resident

From:	Healey, Panteha
To:	Planning Commission
Subject:	Hampton Inn Development
Date:	Wednesday, October 31, 2018 1:21:15 PM
Attachments:	image001.png
Importance:	High

To The City Council Persons and or Planning Commissioners,

I am a resident within the Park Forest Community and I have concerns regarding the potential Hampton Inn development at 1704 El Camino Real.

I'm not clear on why the City Planners have taken the step of granting a discretionary Public Benefit Bonus for this project, without taking into consideration the perpetual negative impacts of congestion, traffic, noise (air, light and sound) and a general lack of privacy that this new structure will represent to the Park Forest community, and I'd like to understand the reasoning here.

I feel strongly that a project of this magnitude, if approved, will permanently and negatively affect the desirability and economic viability of our neighborhood. Over 100 concerned residents will have to bear not only the long-term economic costs that are sure to affect our home values but also the more "personal" costs of this project that effect our quality of life. How is this fair? What is the tipping point to influence your decision, if 100 is not enough?

Surely there are more creative ways to get this project built the proper way (underground parking making the most sense). I urge you to reconsider the many costly, long-term impacts of this project on our neighborhood. Also, to not simply look to the "benefit" that both the developer (in cost savings) and City (via collecting more TOT) reap. The residents of Park Forest are the ones who will bear the greatest costs of your decisions.

### Best, Panteha Healey

Startup Business Development <u>Amazon Web Services</u> | San Francisco <u>panteha@amazon.com</u>



to Misguided Hampton Inn Proposal

Dear City of Menlo Park Leadership,

After two years of constructive communication, planning and collaboration with the hotel developer Sagar Patel, we of the Park Forest home community are now opposed to the revised plan (unveiled in May 2018) for redevelopment of the existing Red Cottage Inn. I'm writing to reiterate my opposition to the current plan because it does not include underground parking, and instead creates a hardship on our City, and on our Park Forest home community in particular, with increased noise, traffic congestion from the proximity and size of the new structure.

The City leaders have granted a discretionary Public Benefit Bonus for this project without taking into consideration the serious negative impacts of congestion, traffic, noise, lack of privacy and undesirable encroachment of this new, large commercial building on our residential community. Without the underground parking as part of the plan, the new building will be nearly double the size allowed for our low-density zoning. Further, this new hotel appears to violate Municipal Code Section 16.68.020 by diminishing the character of our neighborhood and negatively impacting the desirability of our Park Forest neighborhood which is directly adjacent.

We in the Park Forest community had supported the previous plan which was far more reasonable, and was designed to include underground parking. Simply put, without underground parking, this large commercial building will no longer include the setbacks from property lines that would make the new structure a favorable addition to the City that "fit" into our community.

We are asking the City leaders to consider the long-term impacts of their decisions so that we can preserve the character and quality of our neighborhood. I'm asking the Commissioners again to please take a longerterm view of their decisions and find a way to compel developer Sagar Patel to incorporate underground parking with reasonable setbacks and hotel size into his plans. I attended the City Planning Commission meeting on October 8, and it struck me that the Commissioners were bending over backwards to accommodate Mr. Patel's increasing costs. But it's not fair for the Commissioners to make the Park Forest residents bear those costs in terms our diminished quality of life.

Respectfully,

Carol Broadbent Buckthorn Way Menlo Park

### To: Menlo Park Planning Commissioners From: Fred Rose, Menlo Park Resident Date: October 22, 2018 Re: The Proposed Hampton Inn

This correspondence addresses the concept of "Public Benefit," more specifically, just how much Public Benefit does the proposed Hampton Inn project provide, and to whom? In doing so, we look at a number of factors, from the Transient Occupancy Tax (TOT), to the massed structure that would be permitted by a Bonus, and to the uncomfortably rapid development of hotel rooms. What follows demonstrates clearly that the Public Benefit Bonus is being erroneously applied to this project. Accordingly, the Planning Commission should immediately withdraw any grant of a "Public Benefit Bonus" from the planning process. \*

- 1) Let's start at the beginning: When the ECR/Downtown Specific Plan was first approved, the little Red Cottage Inn wasn't really a part of that ambitious vision to reshape the city. A close look at maps in the initial program shows the Red Cottage Inn, while technically backed into the Plan area, as an "existing building not included in opportunity sites." As a result of circumstances rather than planning, a change occurred around 2016. Now the Red Cottage Inn's proposed successor, a freeway-style Hampton Inn, is being considered among other things to enhance "downtown vibrancy."
- 2) Neighborhood involvement with the site started early: Beginning in 2016, the group that has since become Park Forest Plus undertook negotiations with the developer, Sagar Patel. (A detailed timeline of those talks is attached.) As has been widely noted, after negotiating for a year and a half, the neighborhood came to an agreement with Mr. Patel, a pact that was unilaterally abrogated by the developer this May. This agreement included underground parking, called for wider setbacks at property lines and other considerations. However, Mr. Patel has since said that construction costs had risen to the point where he was unable to put parking underground, as agreed to. From there, once underground parking shifted aboveground, the mass of the structure was drastically altered and increased, as we shall see shortly.
- 3) The purported Public Benefit: This "Public Benefit" being applied to the Hampton Inn is based solely on the TOT, estimated at \$680,500 annually. However, this gross figure overlooks the current contribution of the Red Cottage Inn, which is to be torn down. The Hampton Inn's net contribution to the public purse, after deducting the Red Cottage Inn's existing payments, is projected at \$390,000, or a slim 3.5% of the currently-budgeted \$11.2 million city-wide TOT. Note here that TOT is the second-largest revenue item in the city budget and by far the fastest-growing category. Such rapid growth strongly suggests Menlo Park's scant need for further, small contributions such as that of the Hampton Inn. The Inn's prospective contribution is not a "significant" public benefit (in Commission staff's words) but in fact a very small and costly one in terms of neighborhood integrity. On this basis alone, the Commission should strike the Public Benefit Bonus.

- 4) Good Planning?: In return for this small TOT contribution, the Hampton Inn project is being granted an extraordinary 40% increase in Floor Area Ratio (1.05 FAR) over the standard 0.75 FAR for projects in the ECR/Downtown Specific Plan. There's more. Since covered parking spaces are now above ground, the mass of the building has mushroomed. By city definition, covered parking spaces are not counted in an "official" FAR calculation. Thus, by this loophole, a large part of the structure is excluded from the Commission's math. Counting the aboveground (but-covered) parking pushes the bonus boost to an outrageous 78%. This commercial bulk is in sharp contrast to the surrounding leafy residential area of residential townhouses and park-like wooded area. For this alone, good planning and equity argue that the Planning Commission should immediately stop further consideration based on the Public Benefit Bonus planning assumptions.
- 5) Massing of the Hampton Inn: Without question massing has exploded with the elimination of under-ground parking. The building has pushed ever wider in a residential neighborhood never intended to be exposed to such commercial pressure under the initial ECR/Downtown Specific Plan. This is shocking—nowhere else in the ECR/Downtown Specific Plan is a large, new commercial building jammed up against a residential neighborhood as the Planning Commission now proposes. Suddenly, under a September 14 plan, a 40 foot-high combined wall and roof slope loomed over the much shorter 26-foot height of neighboring townhouses. This hotel face, with trash bins against the fence, was squeezed within just 24 feet 5 inches of its eastern boundary instead of the earlier-negotiated 38 feet of clearance. On the north side, cars will be parking within 5 feet of neighboring houses. To the south, clearance is currently planned at 10 feet. What was the first floor under the agreed-upon plan has become a parking level, moving the hotel's first floor to the second level, above the parking, in turn squashing the building's vertical flooring. One easily might ask the question: "What kind of planning is this?"
- 6) What's happened with construction costs?: Like everything else, they've grown—but not nearly to the extent put forth by the developer. In the core of this case, under-ground parking has gone from \$74,800 per space (cited in a March 2018 staff study) to \$80,000 a space, now declared by Mr. Patel. While an unfortunate increase for the developer, it's well short of the doubling that's sometimes spoken of.
- 7) There really is no precedent: The newly-opened Park James Hotel also used the TOT as the basis for its Public Benefit Bonus; while it's tempting to cite the newly-opened hotel as a precedent, the Park James is a completely different case study. The hotel is set far closer to the heart of the city, in a commercial area across from a gas station and next door to an office building. There is underground parking. Unlike the Hampton Inn, the Park James was approved without significant neighborhood opposition. In 2016, Planning Commission staff commissioned a study by BAE Urban Economics that estimated TOT of \$445,000 to \$756,000 annually, somewhat higher at the top end than the Hampton Inn's and with more room for revenue growth. City-wide TOT receipts at that time the Park James was approved were a lesser \$6.7 million, meaning that the Park James' contribution to city coffers promised 7.1% to 12.1% of the city's TOT take—more than twice the 3.5% that the Hampton Inn is now said to offer. Looking ahead, the boutique hotel will likely will have room rates considerably higher than the Hampton Inn. While staff termed the Park James contribution "substantial," it throttled that back in the Hampton Inn description to "significant."

- 8) In either case the TOT contribution presents a poor case for a Public Benefit Bonus: Paying one's taxes shouldn't be the basis for a Bonus. The Commission's two TOT mistakes don't make for good planning. Indeed, the defacto presumption that the Public Benefit allowance is also applicable for the Hampton Inn project has been more an exercise in expeditious permitting than sound planning. To avoid a second error, the Commission should remove the TOT as a basis for a bonus immediately.
- 9) More planning needed: The need for the Hampton Inn's 68 rooms is questionable in Menlo Park, where not only has the Park James Hotel recently opened but also the new 200-room Hotel Nia. In the works as well is another 200-room hotel in the Facebook development. In 2012, the ECR/Downtown Specific Plan forecast some 380 new hotel rooms over the next 30 to 40 years. That figure is already about to be exceeded in only seven years by projects already on the books. Too many hotels with too many rooms now threaten cannibalization of the city's eventually limited demand. What Menlo Park needs aren't more hotel rooms, but more common sense and good planning.
- 10) On the matter of neighborhood involvement: It has been disappointing to note that commission staff has put all mention of residential views at the bottom of its studies, suggesting callous disregard for public opinion in the Commission's decisions. Some Commissioners seem not to have studied the file thoroughly. In remarks at a public study session, on Oct. 8, 2018, I'm told that Commission Chair, Ms. Susan Goodhue, said of an issue before the Commission that it's no big deal. I'd strongly argue otherwise. The Commission clearly needs to improve its understanding of the interface between town planning and the political plane.

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\* I want to emphasize that these remarks are entirely my own. I do not speak in any official capacity for the neighborhood.

# PARK FOREST NEIGHBORHOOD'S TIMELINE OF ENGAGEMENT: 1704 ECR DEVELOPMENT

October 12, 2016	Petition letter opposing the development circulated to Park Forest and	
	surrounding communities, garnering widespread support. <i>Exhibit A</i>	
November 8, 2016	First meeting between Neighborhood representatives and Corinna	
	Sandmeier (Associate Planner, Menlo Park).	
December 5, 2016	Neighborhood meeting at Pacific Union. Sagar Patel (Developer) was	
	invited to answer residents' many concerns. 35 neighbors attended. Many	
	letters sent to City Planning following the meeting.	
December 14, 2016	Summary of issues raised at 12/5 meeting circulated to residents. <i>Exhibit B</i>	
February 4, 2017	First meeting of Neighborhood Committee (Susan Neville, Mike Brady,	
	Dave Forter, Margaret Race, Carol Diamond, Glenna Patton).	
February 6, 2017	Updated petition letter submitted to Corinna Sandmeier to reflect	
	additional signatures (final total of 80). <i>Exhibit C</i>	
March 13, 2017	Neighborhood Committee meeting (same participants as noted above).	
March 27, 2017	Neighborhood Committee pre-meeting for Sagar Patel meeting.	
April 3, 2017	First meeting with Sagar Patel (Developer) to view the site from 190 Forest	
	Lane (closest to 1704 ECR property) and discuss neighborhood concerns.	
	Verbal agreement from Sagar Patel to move 3 <sup>rd</sup> story rooms from rear-	
	facing side of hotel (facing Forest Lane).	
May 3, 2017	Second meeting with Sagar Patel to discuss additional modifications to the	
	plans. Initial agreements summarized in letter to Menlo Park. Exhibit D	
May 8, 2017	Susan Neville sends Sagar Patel a recap of the outstanding issues, as well	
	as a draft letter to neighbors summarizing Patel's agreed changes. Patel	
	had the opportunity to weigh in on letter prior to circulation.	
May 9, 2017	Updated letter on agreed changes by Sagar Patel circulated to	
	neighborhood residents. Exhibit E	
June 11, 2017	Sagar Patel sends renderings of new exterior design, which reflects a shift	
	to a "Mediterranean" look in line with other buildings along ECR, as	
	requested by Neighborhood Committee.	
July 28, 2017	Sagar Patel circulates updated renderings of the exterior design, reflecting	
	a shift to a "taupe" color to better blend into the surrounding nature, as	
	requested by Neighborhood Committee.	
September 19, 2017	Susan Neville submits a letter of support for the development on behalf of	
	the Neighborhood Committee, based on extended negotiations to reflect	
November 17, 2017	the issues raised by residents. <i>Exhibit F</i>	
November 17, 2017	Neighborhood Committee meets with Corinna Sandmeier to inform her of	
	agreements with Sagar Patel. She informs us that the City has issues with	
November 21, 2017	the design and a public Study Session will take place in January. Glenna Patton submits letter to Corinna Sandmeier on behalf of the	
November 21, 2017	Neighborhood Committee requesting that the new designs are previewed	
	with the Committee prior to the January Study Session.	
December 4, 2017	Sagar Patel provides preview of updated exterior design, which he	
December 4, 2017	characterizes as a "more authentic, classic Spanish design".	
	I characterizes as a more authentic, classic spanish design .	

February 26, 2018	Neighborhood receives notice of Menlo Park Planning Committee Study
1 Columy 20, 2010	Session, scheduled for March 12 <sup>th</sup> , at 7pm.
March 7, 2018	Neighborhood Committee meets to prep for Study Session, agrees to send
Waren 7, 2010	a letter to the City stating its formal position prior to the Study Session.
March 12, 2018	Susan Neville submits letter to Planning Commissioners saying the
(12pm)	Neighborhood's preference is for the development not to move forward
(Izbili)	but if it does, residents won't oppose it as long as our agreed changes are
	approved. <i>Exhibit G</i>
March 12, 2018	Neighborhood Committee attends Study Session, where the City requests
	a number of design changes to the hotel – none of which affect
(7pm)	agreements with the Neighborhood.
May 29, 2018	
Way 29, 2010	Sagar Patel sends Neighborhood Committee an email backtracking on all
	prior agreements due to moving parking from underground to street level
lupo E 2019	<ul> <li>(driven by "skyrocketing costs" of underground garage).</li> <li>Neighborhood Committee meets with Sagar Patel to review the new plans,</li> </ul>
June 5, 2018	confirming that no prior agreements have been honored (beyond design).
June 18, 2018	Susan Neville emails Sagar Patel the Neighborhood's opposition to the
Julie 10, 2010	plans and lays out its top requirements. Email forwarded to Corinna
August 19, 2019	Sandmeier to inform her of the Neighborhood's position. <i>Exhibit H</i>
August 18, 2018	Petition to declare neighborhood petition against the new plans is
Contombor 16 2019	launched via Change.org, securing 70 signatures (online and hard copy).
September 16, 2018	Neighborhood coffee event to update residents attended by 30 neighbors.
Contouch on 10, 2010	Neighborhood Committee is expanded due to residents' urgent concerns.
September 19, 2018	Neighborhood reps meet with Corinna Sandmeier to communicate
(4:30pm)	opposition to the City's process. Sandmeier indicates a Formal Review by
	the Planning Commission will be held October 8 <sup>th</sup> . Neighborhood requests
<u> </u>	a Study Session instead given the dramatic changes in the plans.
September 20, 2018	Sagar Patel informs Neighborhood that the request for a Study Session on
	October 8 <sup>th</sup> is accepted, replacing the previously planned Formal Review.
	Glenna Patton emails Corinna Sandmeier to acknowledge Study Session
C	and voice continued opposition by the residents.
September 24, 2018	Resident Eric Easom meets with Sagar Patel to discuss the Neighborhood's
	issues with the development. Patel indicates an openness to explore
<u> </u>	further changes – although the details appear to be fluid.
September 24-28,	Various residents submit letters of opposition to the City Planning
2018	Commissioners.
September 26, 2018	Neighborhood Committee meeting to discuss updates and further actions
<b>A</b> · · <b>I</b> · · · · · · · · · · · · · · · · · · ·	prior to the October 8 Study Session.
October 1, 2018	Neighborhood Committee submits to Planning Commission a formal letter
<b>.</b>	of opposition with changes required to gain residents' support. Exhibit I
October 8, 2018	Sagar Patel presents a further evolution of the plans at a Planning
	Commission Study Session attended by 25 neighbors, who oppose the
	plans and advocate for what was agreed prior to the March Study Session.

From:	<u>Herren, Judi A</u>
То:	Herren, Judi A
Cc:	Brady, Michael J.
Subject:	FW: the red cottagedeterioarion in the quality of project proposed
Date:	Wednesday, October 17, 2018 3:10:35 PM

Hello City Councilmembers, Planning Commission members and City Attorney Bill McClure,

Below is an email from Mr. Michael J. Brady, esq.

Thank you, Judi

Judi A. Herren City Clerk City Hall - 2nd Floor 701 Laurel St. tel 650-330-6621 menlopark.org -----Original Message-----From: Brady, Michael J. Sent: Wednesday, October 17, 2018 1:58 PM To: Brady, Michael J. Cc: Brady, Michael J. Subject: the red cottage--deterioarion in the quality of project proposed

Introduction: the new Red Cottage or Hampton Inn project has now been in the works for more than 3 years. Unfortunately, it has recently deteriorated materially and no longer deserves approval or the finding of a public benefit. The project needs to go back to the drawing boards in light of what has occurred.

This writer has lived in the Park Forest townhouses for more than 20 years and in the MP area for almost 50 years; I have also had a law practice in Redwoodd City for 50 years THE ORIGINAL IDEA:

The developer is Sagar Patel. More than 3 years ago, he proposed erecting a Hampton Inn at 1704 ECR. The original concept was a giant, massive, bulky "sqared off" buildiding painted grey, red, and white (like other Hapmpton Inns) and towering more than 40' high.

The Park Forest townhome residents (more than 100 townhomes) and others in the Buckthorn neighborhood strongly objected; this massive new commercial building INTRUDED INTO their purely residential neighborhood and was unsightly and depressed property values, not to mention loss of privacy and quietude.

An intensive period of negotiations commenced more than 2.5 years ago with Mr. Patel. Much time and effort was invested, and good faith was shown by both sides. An agreement was reached which called for the project to be less massive in scope and less intrusive, with important areas pushed back away from the townhomes and toward ECR. A complete underground parking garage was in the plans, and we agreed.

Several months ago this plan (the one we all agreed on) was put before a study session of the Planning Commission (PC); the main aspect that they wanted to see changed was the design-to make the project more in the "Santa Barbara" style.

#### THE FIRST NEGATIVE DEVELOPMENT:

But then things turned negative; Mr. Patel indicated that he could no longer afford an underground parking garage (parking was proposed to be surface only) and he abandoned the agreement that had been reached (he did suggest some modifications, but they have been unacceptable to the homeowners).

Another study session of the PC was held in early October of this year. No important substantive changes were proposed.

It is unfair to criticize the homeowners ; they spent more than two years in countless meetings whch DID RESULT

in an agreement with Mr. Patel. There is no reason to believe that that agreement would not have been accepted by the City. It is what the city likes to see (cooperation).

Rather, it was Mr. Patel, allegedly for economic reasons, who made a HUGE ALTERATION in the project, abandoning what has become sacred to Menlo Park, namely, underground parking for such projects. I ask the city to examine its files: is it not true that in recent years, underground parking has become the Bible for such projects and is essential to city planning? Witness Park James Hotel at Glenwood and ECR with its extensive and deep underground garage.

The abandonment of underground parking is therefore THE ESSENTIAL factor that has occurred with this project to make it DETERIORATE materially since its conception. The City seems to be ignoring this. Why should 1704 ECR be treated differently from other commercial ECR corridor developments? How is this considtent with the city's general planning processes?

#### THE EFFECT

City officials should now send this project back to the drawing boards. When the project was originally before a study session (more than a year ago), it DID HAVE underground parking; maybe (not certain at all given the legal requirements) at that time, a "public benefit bonus" would have been merited. But now!? Things have gone sour and important public concerns no longer are being pursued; no possible public benefit exists, and this enire issue needs to be explored in depth (it has not been analyzed thus far). Another surprising (and negative) development that has occurred is this: with the abandonment of the underground parking garage, the MASSIVENESS IN SCALE of the project has returned, with estimates that without the garage the building is approximately 28% larger in scope. The reduction in massiveness was the principal reason for the original homeowers' concern.

Maybe the developer needs to take a little less profit in order for the underground parking garage to continue; is this being explored? Maybe a different concept needs to be considered, for example: a more expensive "boutique" type hotel, withi more expensive per night rooms, but with fewer rooms and less massiveness in size, while still proviiind the developer with adequate financial return.

#### CONCUSION:

It would be premature and illegal to allow this project to proceed as currently proposed. The homeowners, as always, will entertain reasonable plans (and spent two years doing so with success), but we and the City are getting no where with the present project. Most projects improve with city input; not so with this one. It is time to take a hard look.

Michael J. Brady, esq 191 Forest Lane MP 94025

# To the City Planning Commissioners

I attended the Planning Commission's study session on October 8 on the Red Cottage Inn expansion. I have lived in Menlo Park since 1995. My first home was in West Menlo Park. I have been a resident and homeowner in the Park Forest community since 2014.

With all of the building under way in Menlo Park, especially along the El Camino Real corridor, has there been any tally of the number of structures that are incorporating underground parking? Is that decision (and approval and support by the City) to use underground parking guided by policies of the City of Menlo Park?

In other words, has the City Planning Commission undertaken, or even considered, anything akin to a "policy" that would require new commercial building projects to put parking underground? The benefits of such a policy would be enormous and long-lasting.

As a long-time resident, this idea is akin to adopting a policy regarding placing utilities underground — a forward-thinking plan that I'm guessing a majority of residents would love to find a way to make happen for the safety of every neighborhood.

Just as there are so many good reasons to place utilities underground, there are equally strong, and forward-thinking reasons to plan for parking underground for commercial projects. As you heard from the cooperative and collaborative presentations made by Park Forest residents at the October 8 meeting, none of us wants to force the developer of the Red Cottage Inn expansion, Mr. Patel, to bear an inappropriate burden, or to become the test case for an onerous city building policy. But I'm asking why the City of Menlo Park commissioners won't take a forwardthinking position in this immediate opportunity to get creative about how to incentivize and reward a plan for the Red Cottage Inn developers that includes underground parking, which will support our city values and quality of life for the Park Forest residents and our entire community.

With respect to the Red Cottage Inn expansion, say, ten years down the road, all of us — the 30,000+ residents of Menlo Park — will be grateful to our City leadership if they have the foresight to protect the quality, values, and privacy of our residents with support for underground parking. It's just smart.

Respectfully, Carol Broadbent **Dear Members of the Planning Commission** 

We would like to thank you for hearing the views of the Park Forest Neighborhood residents that attended the October 8, 2018 study session regarding the proposed 1704 El Camino Hampton Inn project. We represent a significant block of concerned Menlo Park citizens opposing the development consisting of over 100 affected homes, over 115 signed petitions submitted to the City Council opposing the project and 25 home owners that were present for the study session.

As stated in the meeting, we are not fundamentally opposed to development on the proposed site. We worked closely with Mr. Sagar Patel, the developer, for nearly 18 months in good faith, making many concessions, and agreed to a plan that was acceptable to all parties. In late May, a new set of plans were submitted to the commission that were massively different than the previously agreed-to plans. The building structure was substantially larger, solely due to the removal of the underground garage. A new parking garage was included as part of the first floor structure of the building, causing the size of the overall building to be substantially increased. This larger structure resulted in an overall building size that exceeds the base FAR allowed in the Downtown Specific Plan and requires a public benefit bonus exception. This is before even considering the additional expansion of the structure and FAR implications added by the first level parking. The developer has stated that underground parking needed to be eliminated as it is too expensive to make the project economically viable. We note that there is another new hotel, the Park James, that is smaller (61 rooms vs 68 rooms), that recently opened and includes underground parking and most other projects planned for the ECR corridor will also include underground parking.

We believe that returning to underground parking is the only way to reduce the size of the structure and create a win-win, not only for the neighbors in the greater Park Forest area (which there are approximately 100 homes and approximately 200 voters opposed to the current plan), but also the developer, hotel guests and the city. Underground parking is the optimal use of land and would enable a smaller structure to be built, and create a more park-like setting surrounding the hotel.

We propose that the developer return to the agreement we previously reached that results in a smaller building that is in line with the Downtown Specific Plan. If underground parking is not economically feasible our default position is that the building must be reduced in size to conform with the 0.75 FAR.

Some follow up items brought forth at the planning commission that we ask the planning committee and staff to respond to are as follows:

1. Conduct and make publically available a full public benefit bonus (PBB) impact analysis. This should not only consider the additional tax revenue the city would receive (TOT), but at a very minimum, an analysis of the negative impact on surrounding property values that accrue from

having such a large nearby structure that occupies a very small lot. The negative impacts of traffic, noise, congestion and a huge commercial intrusion in a residential setting have impacts beyond this neighborhood – they should also be considered. The PBB cannot be solely based on the rationale stated "that it brings in more money to the city". We believe the long term negative impacts of this development will offset the TOT gains. Note, the current plan proposed by the developer significantly exceeds the allowed FAR from the Downtown Specific Plan and is relying on a public benefit bonus to justify the deviation. It is our understanding that the study session should have incorporated the appropriate fiscal/economic review (with work overseen by City staff), which should broadly quantify the benefits/costs of the bonus FAR/density/height and the proposed public benefit. We have not seen this full analysis.

- 2. Provide a formal response as to the acceptance of the developer's proposed FAR calculation and why this does not include the first floor garage, which is part of the building structure. The current FAR, which already exceeds the base FAR that is allowed in the Downtown Specific Plan zoning without the public benefit bonus, does not include the first story parking garage. The purpose of the FAR is to ensure the size of the structure falls within a range that is reasonable to the surrounding developments. The FAR calculation is not an accurate reflection of the proportion of mass to site because FAR does not include ground floor parking located within the footprint of the building. A better calculation is to compare the total size of visual above ground mass between the March and current plans. This building is too large for the site.
- 3. Explore creative ways the city can incentivize the developer to make underground parking available (fewer spaces required in the modern age of Uber, etc).

We look forward to further discussions and coming to a reasonable resolution similar to the one we struck previously that is a win-win for all constituents.

Sincerely,

**Park Forest Plus** 

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Michael J. Brady; michael.brady@rmkb.com
Peter Carpenter; peterfcarpenter@me.com
Scott Barnum; microbarny@msn.com

CVEUR G.R. . . . . Diamme

Carol Boyden; boydenc@yahoo.com Margaret Race; mracemom@aol.com Dave Forter; davef@lcdsystems.com Eric Easom; hopepharma@hotmail.com Deborah Melmon; debmelmon@gmail.com Deborah Linda Sadunas; Isadunas@comcast.net

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Sadunas

From:	Carol X
To:	Sandmeier, Corinna D; Planning Commission; CCIN
Subject:	Redevelopment of 1704 El Camino Real
Date:	Monday, October 15, 2018 8:45:57 AM
Attachments:	Hampton Inn Study Session 101018.docx
	ATT00001.txt

Attached please find my comments and concerns about the October 8, 2018 Study Session regarding the redevelopment of 1704 El Camino Real.

Thank you, Carolyn Diamond 180 Forest Ln. Menlo Park, CA 94025 October 15, 2018

To: City of Menlo Park City Council Members, Planning Commissioners and Planning Staff

RE: Redevelopment of 1704 El Camino Real, Study Session on October 10, 2018

Since attending the above-mentioned Study Session, I have been trying to understand what the session accomplished. The Planning Commissioners listened to the project developer and to the public comments but they seemed to ignore basic facts.

- Commissioners seemed to dismiss the fact that after lengthy negotiations between neighbors and developer, complete with many compromises on both sides, an amicable agreement was reached and transparently supported by all parties. The fact that there was a good-faith agreement couldn't have been a surprise to any Commissioner on October 8<sup>th</sup>, because neighbors attended the March 2018 Study Session to show support for the plans.
- Commissioners did not acknowledge the fact that it was the developer who, without warning, reneged on this agreement and submitted radically new plans.
- Commissioners seemed to miss the significance that 25 residents made the effort to attend the Session, of the importance of a petition with over 115 signatures and of the fact that there must be valid concerns to inspire these Menlo Park residents to unite and vigorously oppose these new plans.
- Commissioners looked at the new version of the plans without significant comment about how massive the building is, how it dominates and intrudes in a residential area unlike other nearby commercial buildings and how lacking it is in architectural interest or detail.

Among the most revealing and frustrating parts of the Session were two statements. The first, released after the Session when the City's review comments said Commissioners advised neighbors to compromise because the developer has already compromised a lot. The second was at the end of the session when the chairperson reminded those in attendance that they had to compromise and had to understand you can never get all that you want. The attending residents understandably felt patronized by these remarks that ignored their extensive efforts and substantial compromises.

In short, this Study Session left me wondering if there is any value for residents to invest the time negotiating an agreement for the redevelopment of 1704 El Camino Real, when an agreement is so easily cast-out and summarily dismissed by the developer and most surprisingly, by the City Planning Commissioners.

Respectfully, Carolyn Diamond

From:	Susan Neville	
To:	Sandmeier, Corinna D; Planning Commission; CCIN	
Subject:	115 signatures to petition opposing 1704 ECR	
Date:	Monday, October 8, 2018 4:21:24 PM	
Attachments:	Change.org signatures - 1704 ECR - Sheet1 (5).pdf	

Hello Corinna,

Please see attached updated signatures to the petition opposing the current plans for 1704 ECR.

See you tonight,

Susan

Signatures for Change.Org	Petition opposing 1704 ECF	2	
NAME	Address	Zip	Date
115 TOTAL signatures as	of 10/8/18		
PAPER Signatures 33			
Theo Keet	138 Stone Pine	04025	9/16/18
Elza Keet	138 Stone Pine		9/16/18
	151 Stone Pine	94025	
Joann Carole English Michael Edwards	161 Stone Pine		9/10/18
Linda Edwards	153 Stone Pine	94025	
			9/28/18
Wm. Harper	1681 Stone Pine		
Kathleen Harper	1681 Stone Pine		9/28/18
Mark Cohen	1671 Stone Pine		10/3/18
Jackie Pelavin	1671 Stone Pine		10/3/18
Michael Edwards	153 Stone Pine		9/28/18
Linda Edwards	161 Stone Pine		9/28/18
Frederick Rose	130 Forest Lane		9/16/18
Anne Gregor	130 Forest Lane	94025	9/16/18
Wei Gu	1731 Stone Pine	94025	9/16/18
Eric Easom	171 Forest Lane	94025	9/16/18
Assaf Kramer	110 Forest Lane	94025	9/16/18
Jessica Kramer	110 Forest Lane	94025	9/16/18
Miki Coupal	181 Forest Lane	94025	9/16/18
Jack Liebau	182 Buckthorn	94025	9/16/18
Charlene Liebau	182 Buckthorn	94025	9/16/18
Mark Clayton	161 Forest	94025	9/16/18
Robert Flax	111 Forest Lane	94025	9/16/18
Susan Flax	111 Forest lane	94025	9/16/18
Jean Lee	1692 Stone Pine	94025	9/16/18
Pam Zink	1800 ECR - Zink Salor	94025	9/16/18
Kathy Engelmann	143 Buckthorn Way	94025	9/16/18
Linda Sadunas	144 Buckthorn Park	94025	9/16/18
CJ Nalie	3 Wood Lane	94025	
Ursula Feusi	184 Stone Pine	94025	
Diane Rosensweig	178 Buckthorn Way	94025	
Warren Chamberlain	Buckthorn Way	94025	
Panteha Healey	1701 Stone Pine Lane		

William Kamin	169 Stone Pine lane	94025	10/4/18
ONLINE: 82			
Carol Boyden	161 Forest Lane	94025	7/26/18
Susan Neville	160 Forest Lane	94025	7/27/18
David Forter	151 Forest Lane	94025	8/15/18
Beth Goldfaden	Oakland	94612	8/15/18
Stephanie Lettieri	1601 Stone Pine	94025	8/15/18
Paolo Scafetta	1601 Stone Pine	94025	8/15/18
Margaret Race	151 Forest Lane	94025	8/15/18
randy eyler	179 Stone Pine	94025	8/16/18
Barry Goldblatt	1631 Stone Pine	94025	8/17/18
Glenna Patton	190 Forest Lane	94025	8/18/18
Carolyn Diamond	180 Forest Lane	94025	8/18/18
Patrick Healey	1701 Stone Pine	94025	8/19/18
Victor Kliorin	170 Forest Lane	94025	8/19/18
Jane Carpenter	140 Stone Pine	94025	8/19/18
richard rosensweig	178 Buckthorn Way	94025	8/19/18
Renee Barnstone	1751 Stone Pine	94025	8/19/18
Diane Rosensweig	178 Buckthorn Way	94025	8/19/18
Owen Harper	1681 Stone Pine	94025	8/20/18
Anna G. Eshoo	120 Forest Lane	94025	8/21/18
Jennifer Bryson			8/21/18
Linda Golub	150 Forest Lane	94025	8/22/18
Hillary Easom	171 Forest Lane	94025	8/24/18
Cindy Berrios			9/1/18
Tabitha Cunningham			9/1/18
Tim Grlorme			9/4/18
Phil Weber			9/10/18
halls halls			9/12/18
Deborah Koelling	1611 Stone Pine	94025	9/14/18
Scott Barnum	Stone Pine	94025	9/15/18
Boya Yang	Palo Alto	94303	9/15/18
Deb Barnum	Stone Pine	94025	9/15/18
Kimberly Weber			9/15/18
Sophie Eam			9/15/18
Susan Lynch	121 Forest Lane	94025	9/25/18

Michael Lynch	121 Forest Lane	94025	9/25/18
Owen Payne		94025	9/27/18
Richard Trihy	152 Stone Pine Lane	94025	9/27/18
Karin Freuler	152 Stone Pine Lane	94025	9/27/18
Regina C Katzenberg		94025	9/27/18
Kelsey Fatebene			9/21/18
Hanging Liu	Buckthorn Park		9/20/18
Deborah Melmon	Buckthorn Park	94025	9/19/18
Liren Peng	Buckthorn Park	94025	9/22/18
Patti Andress	Menlo Park	94025	9/23/18
Scott Stanton	Menlo Park	94025	9/23/18
Anne Adams	Palo Alto		9/23/18
Jeanne Heise	Buckthorn Way	94025	9/29/18
Suzan Liao	Buckthorn Way	94025	9/29/18
Alicia Castillo Holly	Mills Court	94025	10/1/18
John Neville	160 Forest Lane	94025	10/1/18
Simonetta Holley	Mills Court	94025	10/1/18
Melissa berhow	Buckthorn Way	94025	10/2/18
GC Frank	1202 Cloud Ave	94025	10/2/18
Ted Choc	Stone Pine	94025	10/2/18
Melissa Karp	Stone Pine	94025	10/2/18
Kevin Purser	Menlo Park	94025	10/2/18
Jamie Purser	Menlo Park	94025	10/2/18
Helen Peters	Forest lane	94025	10/2/18
Detlev Kunz	Forest Lane	94025	10/2/18
Darshana Greenfield	Menlo Park	94025	10/3/18
David Barca	Menlo Park	94025	10/3/18
Elyse Barca	Menlo Park	94025	10/3/18
Nicole Ogrey	Menlo Park	94025	10/3/18
Jill Bollier	Redwood Citiy		10/3/18
Carol Marquez	Buckthorn Way	94025	10/3/18
Carla Shnier	139 Stone Pine	94025	10/4/18
Natalia Korsunova	170 Forest Lane	94025	10/4/18
Christian Melendez			10/4/18
Carol Broadbent	174 Buckthorn	94025	10/5/18
Jessica Kremer	Forest Lane	94025	10/5/18
Peter Carpenter	Forest Lane	94025	10/5/18
Pat Hagglof	Santa Cruz		10/6/18
Danielle Lynch			10/6/18

Desitny Rodriguez			10/7/18
Kelley Ramatici			10/7/18
Kym Steinberg	CA		10/7/18
jackie Sollivan			10/7/18
Krin Asselta			10/8/18
Lourdes Perez			10/8/18
Jayne Bursott			10/8/18
alison Wallendorf			10/8/18
Ching-Yu Hu	1731 Stone Pine	94025	10/8/18

From:	Carol Broadbent
To:	Planning Commission; CCIN
Subject:	opposition to Hampton Inn proposal
Date:	Friday, October 5, 2018 1:04:16 PM

I am a long-time resident and homeowner in Menlo Park. I have owned a home on Buckthorn Way for four years. Previously, I owned a home in West Menlo Park for 17 years.

As a current owner of a home on Buckthorn Way, I am concerned about the crowding, noise and overall negative impact of the planned Hampton Inn Hotel which is adjacent to the Park Forest homes on Stone Pine Lane, Forest Lane and Buckthorn Way.

The City Council and the Planning Commission need to partner with our existing community and neighborhood to force the hotel developer to preserve the character, privacy, safety and value of our homes. I have signed the petition that opposes the Hampton Inn development. I plan to attend the Planning Commission meeting on Monday at a 7 pm to voice my concerns and opposition. With all of the growth, including increased traffic, in Menlo Park, I hope the City Council and Planning Commission can take a serious, and longer-term view of the compromises that are within your power to make to accommodate our needs. The compromises that our community supports and that we have recommended to the City should be supported.

Sincerely,

Carol Broadbent 174 Buckthorn Way

From:	Susan Neville <scneville@gmail.com></scneville@gmail.com>
Sent:	Thursday, October 4, 2018 11:54 AM
То:	Sandmeier, Corinna D; _Planning Commission; _CCIN
Subject:	Petition opposing the plans for 1704 ECR
Attachments:	Change.org signatures - 1704 ECR - Sheet1.pdf

Hi Corinna,

Please see the link below to our Change.org petition opposing the current 1704 ECR plan. I believe you have been receiving notices when people sign. In addition to the online signatures people have also signed an identical paper petition. I've attached all those signatures. As of today, 10/4/18, 93 signatures have been collected opposing the plans that are slated for the study session on Oct 8.

We request that you share this petition and signatures with the planning commission for the Oct 8 study session.

Best, Susan Neville

https://tinyurl.com/yb7yko75

Our Neighborhood stands united in opposition to the recent changes proposed for the Hampton Inn development. We changed our formerly supportive position when the developer submitted new plans that shifted parking to ground level (from underground) which resulted in an overall increase to the project scale.

It has grown in size (3 floors, 67 rooms, 36.4K square feet) from what was previously proposed and is now positioned too close to nearby housing and has added back hotel rooms to the 3rd floor at the east elevation. Specifically, the developer's latest plans shift the building to only 21.7 feet from the Forest Lane boundary, and will have four hotel rooms overlooking homes on Forest Lane. View the plans <u>here.</u>

We call for the City of Menlo Park to require the developer to implement two changes to the plans:

• create a minimum 38' set-back from the Forest Lane boundary;

• replace all 3rd floor rooms facing Forest Lane with a full-length trellis, as well as 2ndstory landscaping

Signatures for Change.Org	Address	Zip	Date	 
			Date	
93 TOTAL signatures as o	f 10/4/18			
PAPER Signatures 31				
Theo Keet	138 Stone Pine	94025	9/16/18	
Elza Keet	138 Stone Pine	94025	9/16/18	
Joann Carole English	151 Stone Pine	94025	9/16/18	
Michael Edwards	161 Stone Pine	94025	9/28/18	
Linda Edwards	153 Stone Pine	94025	9/28/18	
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Kathleen Harper	1681 Stone Pine	94025	9/28/18	
Mark Cohen	1671 Stone Pine	94025	10/3/18	
Jackie Pelavin	1671 Stone Pine	94025	10/3/18	
Michael Edwards	153 Stone Pine	94025	9/28/18	
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Pam Zink	1800 ECR - Zink Salor	94025	9/16/18	
Kathy Engelmann	143 Buckthorn Way	94025	9/16/18	
Linda Sadunas	144 Buckthorn Park	94025	9/16/18	
CJ Nalie	3 Wood Lane	94025	10/3/18	
Ursula Feusi	184 Stone Pine	94025	10/3/18	
ONLINE: 62				
Carol Boyden	161 Forest Lane	94025	7/26/18	 5
Susan Neville	160 Forest Lane	94025	7/27/18	
David Forter	151 Forest Lane	94025	8/15/18	
Beth Goldfaden	Oakland	94612	8/15/18	
Stephanie Lettieri	1601 Stone Pine	94025	8/15/18	

		0.4005	0/15/10	
Paolo Scafetta	1601 Stone Pine	94025	8/15/18	
Margaret Race	151 Forest Lane	94025	8/15/18	
randy eyler	179 Stone Pine	94025	8/16/18	
Barry Goldblatt	1631 Stone Pine	94025	8/17/18	
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Tabitha Cunningham			9/1/18	
Tim Grlorme			9/4/18	
Phil Weber			9/10/18	
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Kimberly Weber			9/15/18	
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Susan Lynch	121 Forest Lane	94025	9/25/18	
Michael Lynch	121 Forest Lane	94025		
Owen Payne		94025		
Richard Trihy	152 Stone Pine Lane	94025		
Karin Freuler	152 Stone Pine Lane	94025		
Regina C Katzenberg		94025		
Deborah Melman	Buckthorn Way	94025		
Liren Peng	Buckthorn Way	94025	9/22/18	
Patti Andress	Menlo Park	94025		
Scott Stanton	Menlo Park	94025		
Jeanne Heise	Buckthorn Way		9/29/18	
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Alicia Castillo Holly	Mills Court	94025		
John Neville	160 Forest Lane	94025		
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GC Frank	1202 Cloud Ave	94025		
Ted Choc	Stone Pine	94025	10/2/18	

Melissa Karp	Stone Pine	94025	10/2/18	
Kevin Purser	Menlo Park	94025	10/2/18	
Jamie Purser	Menlo Park	94025	10/2/18	
Helen Peters	Forest lane	94025	10/2/18	
Detlev Kunz	Forest Lane	94025	10/2/18	
Darshana Greenfield	Menlo Park	94025	10/3/18	
David Barca	Menlo Park	94025	10/3/18	
Elyse Barca	Menlo Park	94025	10/3/18	
Nicole Ogrey	Menlo Park	94025	10/3/18	
Jill Bollier	Redwood Citiy		10/3/18	
Carol Marquez	Buckthorn Way	94025	10/3/18	

### 1704 El Camino Real Project El Camino Real/Downtown Specific Plan Program EIR – Conformance Checklist

### Introduction

The City of Menlo Park (City) has developed the EI Camino Real/Downtown Specific Plan (Specific Plan) to establish a framework for private and public improvements in the Specific Plan area over the coming decades. The Specific Plan addresses approximately 130 acres and focuses on the character and density of private infill development, the character and extent of enhanced public spaces, and circulation and connectivity improvements. The primary goal of the Specific Plan is to "enhance the community life, character and vitality through mixed use infill Projects sensitive to the small-town character of Menlo Park, an expanded public realm, and improved connections across EI Camino Real." The Specific Plan includes objectives, policies, development and public space and transportation improvements in the Specific Plan area. The Plan builds upon the EI Camino Real/Downtown Vision Plan that was unanimously accepted by the Menlo Park City Council on July 15, 2008.

On June 5, 2012, the City Council certified the Menlo Park El Camino Real and Downtown Specific Plan Program EIR (Program EIR). According to the Program EIR, the Specific Plan does not propose specific private developments, but establishes a maximum development capacity of 474,000 square feet of non-residential development (inclusive of retail, hotel, and commercial development), and 680 new residential units.

Sagar Patel has submitted an application for an approximately 40,004.2-square foot, three-story, 70-room hotel with one-level of underground parking. The Project site consists of one parcel (Assessor's Parcel Number 063-432-790) at 1704 El Camino Real, which is currently occupied by an existing hotel, Red Cottage Inn and Suites. The Project would demolish the existing hotel and site improvements. The property is part of the Specific Plan area, and as such may be covered by the Program EIR analysis. The intent of this Environmental Conformity Analysis is to determine: 1) whether the Project does or does not exceed the environmental impacts analyzed in the Program EIR, 2) whether new impacts have or have not been identified, and 3) whether new mitigation measures are or are not required.

### **Existing Condition**

The subject parcel is located at 1704 EI Camino Real, on the east side of EI Camino Real, on an interior parcel between Buckhorn Way on the west, Stone Pine Lane to the east near the termination of Forest Lane, which is part of the SP-ECR/D (EI Camino Real/Downtown Specific Plan) zoning district. The adjoining properties to the site include a small commercial mall to the southwest, apartments to the northeast, apartments and residential assisted living care to the northwest, apartments and small commercial sites to the south and southeast. The Project site is rectangular shaped

parcel, with a driveway extending to El Camino Real and an ally at the rear extending to Buckhorn Way. The approximately 0.84 acre (36,410 square feet) property is developed with the Red Cottage Inn and Suites, comprised of one 2-story building and two 1-story buildings with a swimming pool, parking lot, several storage sheds and landscaped area.

## Project

The Project includes the demolition of the existing site improvements including the swimming pool and the construction of an approximately 40,004.2-square foot, three-story, 70-room hotel with one-level of underground parking. The maximum building height is 41 feet, 11 inches at the main tower roof peak.

The ground level includes a vestibule front entrance to the hotel off of a circular driveway. The lobby, board room, fitness center and business center and dining area are all included on the ground level with some guest rooms. The second and third floors include guest rooms. A swimming pool is proposed on the northwest side of the hotel.

The Project includes one-level of below grade parking. The parking is accessed by a ramp down on the southern property line and a ramp up on the western corner of the site via the extended driveway from El Camino Real. Fifty-six below grade parking spaces are proposed. Laundry facilities are located in the below grade garage and the pool equipment room. Long term bike parking and stairs to access the first level are located in the southeast corner of the garage.

The trash and recycle area is located near the rear of the site. Trash and recycle containers are accessed via Buckhorn Way alley. Landscaping is proposed around the perimeter of the site. As part of the proposed project, five heritage trees are proposed for removal and 20 heritage tree replacements would be planted, in addition to six replacement trees that have already been planted, to provide a 2-1 replacement ratio for the five heritage trees proposed for removal and the eight heritage trees previously removed.

The Project requires architectural control approval, approval of a variance to permit reduced floor-to-floor height on the first floor, sign review, and approval of a Below Market Rate (BMR) In-Lieu Fee Agreement by the Planning Commission. The proposal also includes a Public Benefit Bonus to exceed the Base level development floor area ratio (FAR), which can be considered under the Specific Plan and would not entail any changes to the General Plan. The Specific Plan allows for a higher amount of FAR in exchange for public benefits. The Public benefit includes a Transient Occupancy Tax (TOT) revenue. The public benefit package would be reviewed by the Planning Commission. The proposed development and public benefit bonus proposal would not conflict with any applicable land use plans or policies.

## **Environmental Analysis**

As discussed in the introduction, this comparative analysis has been undertaken to analyze whether the Project would have any significant environmental impacts that are not addressed in the Program EIR. The comparative analysis discusses whether impacts are increased, decreased, or unchanged from the conclusions discussed in the Program EIR. The comparative analysis also addresses whether any changes to mitigation measures are required.

As noted previously, the proposal is a new hotel Project, demolishing the existing hotel and site improvements. Assuming full occupancy, the Project is estimated to generate 51 peak hour trips. Based on this level of vehicle traffic, a detailed traffic study is not required, as long as the land use assumptions on-site are consistent with those outlined in the Specific Plan. The Project is consistent with the Specific Plan land uses. The Project will be subject to the fair share contribution towards infrastructure required to mitigate transportation impacts as identified in the Downtown Specific Plan Final Environmental Impact Report.

## Aesthetic Resources

Impacts would be the same as the Specific Plan. The Program EIR concluded that the Project would not have a substantial adverse effect on a scenic view, vista, or designated state scenic highway, nor would the Project have significant impacts to the degradation of character/quality, light and glare, or shadows.

Implementation of the Project would result in the construction of a hotel development. Similar development concepts were evaluated under the Specific Plan EIR, and determined that changes to the visual character would not be substantially adverse, and the impact would be considered less than significant. The Project is subject to the Planning Commission architectural control review and approval, which includes public notice and ensures aesthetic compatibility. Therefore, the Project would not result in any impacts to the existing visual character of the site and its surroundings.

Similar development concepts were evaluated under the Specific Plan EIR, and determined that changes to light and glare would not be substantially adverse, and the impact would be less than significant. The Specific Plan includes regulatory standards for nighttime lighting and nighttime and daytime glare. Therefore, the Project would not result in any impacts associated with substantial light or glare.

As was the case with the Specific Plan, the Project would not have a substantial adverse effect on a scenic view or vista, a state scenic highway, character/quality, or light and glare impacts. Therefore, no new impacts have been identified and no new mitigation measures are required for the Project.

## Agriculture Resources

Impacts would be the same as the Specific Plan. The Program EIR concluded that no impacts would result with regard to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or any area zoned for agricultural use or forest land.

As was the case with the Program EIR, the Project would not result in any impacts to farmland, agricultural uses, or forest land. Therefore, no new impacts have been identified and no new mitigation measures are required for the Project.

# Air Quality

Impacts would be the same as the Specific Plan.

<u>AIR-1</u>: The Program EIR determined that emissions of criteria pollutants associated with construction would be significant, and established Mitigation Measures AIR-1a and AIR-1b to address such impacts. Mitigation Measure AIR-1a would be applied to this proposal. However, the Program EIR concluded that impacts could still be significant and unavoidable even with implementation of such mitigations. The Project would construct an approximately 40,004.2-square foot, three-story, 70-room hotel with one-level of underground parking and would not involve the type of large-scale construction activities that would create additional impacts. The Project would be well below the 554 guest room construction screening threshold adopted by the Bay Area Air Quality Management District. As a result, implementation of Mitigation Measure AIR-1b is not required for this Project.

<u>AIR-2</u>: The Program EIR determined that the Specific Plan would have long-term emissions of criteria pollutants from increased vehicle traffic and on-site area sources that would contribute to an air quality violation (due to being inconsistent with an element of the 2010 Clean Air Plan), and established Mitigation Measure AIR-2 requiring implementation of Mitigation Measure TR-2 regarding Transportation Demand Management (TDM) strategies to address this impact. However, the Program EIR noted that TDM effectiveness cannot be guaranteed, and concluded that the impact would be significant and unavoidable. The Project would be consistent with the Program EIR analysis, and as such would be required to implement Mitigation Measure AIR-2.

<u>AIR-3</u>: The Program EIR determined that the Specific Plan would increase levels of Toxic Air Contaminants (TACs) due to increased heavy duty truck traffic, but that the impacts would be less than significant. The Project would not generate an unusual amount of heavy truck traffic relative to other commercial developments due to the limited nature of the construction, and the Project's limited share of overall Specific Plan development would be accounted for through deduction of its totals from the Specific Plan Maximum Allowable Development. The health risks posed by Plan-generated traffic on El Camino Real would remain less than significant.

<u>AIR-4</u>: The Program EIR concluded that the Specific Plan would not have a substantial adverse effect pertaining to Particulate Matter (PM<sub>2.5</sub>). The Project is consistent with the assumptions of this analysis.

No new Air Quality impacts have been identified and no new mitigation measures are required for the Project.

## **Biological Resources**

Impacts would be the same as the Specific Plan. The Program EIR determined that less than significant impacts would result with regard to special status plant and wildlife species, sensitive natural communities, migratory birds, and jurisdictional waters and wetlands upon implementation of the recommended Mitigation Measures BIO-1a, BIO-1b, BIO-3a, BIO-3b, BIO-5a through BIO-5c, and BIO-6a. Mitigation Measures BIO-1a, BIO-1b, BIO-3a, BIO-3b, and BIO-5a through BIO-5c would apply to the Project, but BIO-6a would not (it is limited to Projects proposing development near San Francisquito Creek). The analysis also found that the Specific Plan would not conflict with local policies, ordinances, or plans. The Project site is fully developed and within a highly urbanized/landscaped area.

The Project site includes little wildlife habitat and essentially no habitat for plants other than the opportunity ruderal species adapted to the built environment or horticultural plants used in landscaping. The Project would not result in the take of candidate, sensitive, or special-status species.

As part of the proposed project, five heritage trees are proposed for removal and 20 heritage tree replacements would be planted, in addition to six replacement trees that have already been planted, to provide a 2-1 replacement ratio for the five heritage trees proposed for removal and the eight heritage trees previously removed. The Program EIR determined that no mitigation would be required with implementation of the Heritage Tree Ordinance Chapter 13.24 which requires a planting replacement at a 2:1 basis for commercial Projects. Additionally, the City of Menlo Park's Building Division provides "Tree Protection Specification" measures and procedures to further insure the protection of heritage trees during construction. Compliance with these existing code requirements, guidelines, and Tree Protection Specification measures and procedures, coupled with additional tree planting, would mitigate the impact of any loss of protected trees and would constitute consistency with local ordinances designed to protect existing tree resources. The impact would be less than significant.

With implementation of the Project, construction activities would occur on an existing developed site. Therefore, as with the Program EIR, the Project would result in less than significant impacts to biological resources and no new Mitigation Measures would be required. The Project would also not conflict with local policies, ordinances, or plans, similar to the Program EIR. No new impacts have been identified and no new mitigation measures are required for the Project.

# Cultural Resources

Impacts would be the same as the Specific Plan. The Program EIR determined that no significant impacts to a historic resource would result with implementation of Mitigation

Measure CUL-1. The analysis also concluded that the Specific Plan would result in less than significant impacts to archeological resources, paleontological resources, and burial sites with implementation of Mitigation Measures CUL-2a, CUL-2b, CUL-3, and CUL-4. With regard to the Project site, the physical conditions, as they relate to archeological resource, have not changed in the Specific Plan area since the preparation of the Specific Plan EIR. The Project would incorporate Mitigation Measures CUL-3 and CUL-4 through notations on plan sheets and ongoing on-site monitoring.

In compliance with Mitigation Measure CUL-1, a Historic Resource Evaluation was prepared by Archives and Architecture, LLC, dated July 2016 for the Project. The report concluded the Red Cottage Inn and Suites was found not to be historically significant, as the motel is not a distinctive architectural specimen, does not appear associated with any important personages, nor is a commercial site important in the historic development of Downtown Menlo Park.

In compliance with Mitigation Measure CUL-2a, an Archeological Resource Evaluation was prepared by Basin Research Associates, dated September 2, 2016 for the Project. The report concluded, the archival research revealed that there are no recorded cultural resources located within the study area. No traces of significant cultural materials, prehistoric or historic, were noted during the surface reconnaissance. In the event, however, that prehistoric traces are encountered, the Specific EIR requires protection activities if archaeological artifacts are found during construction.

No new impacts have been identified and no new mitigation measures are required.

# Geology and Soils

Impacts would be the same as the Specific Plan. The Program EIR found that no significant impacts pertaining to earthquake faults, seismic ground shaking, seismically induced hazards (e.g., liquefaction, lateral spreading, land sliding, settlement, and ground lurching), unstable geologic units, expansive soils, corrosive soils, landslides, and soil erosion would result. No Mitigation Measures are required.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone as designated by the California Geological Society, and no known active faults exist on the site. The nearest active fault to the Project area is the San Andreas fault which is located approximately seven miles southwest. Although this is the case, the Project is located in a seismically active area and, while unlikely, there is a possibility of future faulting and consequent secondary ground failure from unknown faults is considered to be low. Furthermore, the Project would comply with requirements set in the California Building Code (CBC) to withstand settlement and forces associated with the maximum credible earthquake. The CBC provides standards intended to permit structures to withstand seismic hazards. Therefore, the code sets standards for excavation, grading, construction earthwork, fill embankments, expansive soils, foundation investigations, liquefaction potential, and soil strength loss. A Geotechnical Investigation was prepared by Romig Engineers, INC, dated December 2013 for the Project. The report concluded

the site is suitable for the proposed hotel provided the recommendations in the report are followed during design and construction. No mitigation is required.

## Greenhouse Gas Emissions

Impacts would be the same as the Specific Plan.

<u>GHG-1</u>: The Program EIR determined that the Specific Plan would generate Greenhouse Gas (GHG) emissions, both directly and indirectly, that would have a significant impact on the environment. Specifically, the operational GHG using the Bay Area Air Quality District (BAAQMD) GHG Model, measured on a "GHG: service population" ratio, were determined to exceed the BAAQMD threshold. The Project's share of this development and associated GHG emissions and service population, would be accounted for through deduction of this total from the Specific Plan Maximum Allowable Development, and as such is consistent with the Program EIR analysis. The Program EIR established Mitigation Measure GHG-1, although it was determined that the impact would remain significant and unavoidable even with this mitigation. For the Project, implementation of Mitigation Measure GHG-1 is not necessary as the BAAQMD-identified GHG Mitigation Measures are primarily relevant to City-wide plans and policies.

<u>GHG-2</u>: The Program EIR determined that the Specific Plan could conflict with AB 32 and its Climate Change Scoping Plan by virtue of exceeding the per-capita threshold cited in GHG-1. Again, the Project's share of this development and associated GHG emissions and service population, would be accounted for through deduction of this total from the Specific Plan Maximum Allowable Development, and as such is consistent with the Program EIR analysis. The Program EIR established Mitigation Measure GHG-2a and GHG-2b, although it was determined that the impact would remain significant and unavoidable even with this mitigation. Mitigation Measure GHG-2 would apply to the project.

No new impacts have been identified and no new mitigation measures are required for the Project.

# Hazards and Hazardous Materials

Impacts would be the same as the Specific Plan. The Program EIR determined that a less than significant impact would result in regards to the handling, transport, use, or disposal of hazardous materials during construction operations. The analysis also concluded that the Project site is not included on a list of hazardous materials sites, is not within the vicinity of an airport or private airstrip, would not conflict with an emergency response plan, and would not be located in an area at risk for wildfires. The Specific Plan analysis determined that with implementation of Mitigation Measures HAZ-1 and HAZ-3, impacts related to short-term construction activities, and the potential handling of and accidental release of hazardous materials would be reduced to less than significant levels.

The Project would involve ground-disturbance and as such implementation of Mitigation Measures HAZ-1 and HAZ-3 would be required. Project operations would result in a new hotel. The Project would not handle, store, or transport hazardous materials in quantities that would be required to be regulated. Thus, Project operations would result in similar impacts as that analyzed for the Specific Plan. No new impacts have been identified and no new mitigation measures are required for the Project.

# Hydrology and Water Quality

Impacts would be the same as the Specific Plan. The Program EIR found that no significant impacts pertaining to construction-related impacts (i.e., water quality and drainage patterns due to erosion and sedimentation), or operational-related impacts to water quality, groundwater recharge, the alteration of drainage patterns, or flooding would result. The City of Menlo Park Engineering Division requires a Grading and Drainage Permit and preparation of a construction plan for any construction Project disturbing 500 square feet or more. The Grading and Drainage (G&D) Permit requirements specify that the construction must demonstrate that the sediment ladenwater shall not leave the site. Incorporation of these requirements would be expected to reduce the impact of erosion and sedimentation to a less-than-significant level. No Mitigation Measures are required.

## Land Use and Planning

Impacts would be the same as the Specific Plan.

<u>LU-1</u>: The Program EIR determined that the Specific Plan would not divide an established community. The Project would involve demolition of existing on-site improvements. The Specific Plan would allow for taller buildings, any new development would occur along the existing grid pattern and proposed heights and massing controls would result in buildings comparable with existing and proposed buildings found in the Plan area. The proposed development consists of a construction of an approximately 40,004.2-foot, three-story, 70-room hotel with one-level of underground parking and is subject to architectural review by the Planning Commission. The Project would not create a physical or visual barrier, therefore would not physically divide a community. There are no impacts.

<u>LU-2</u>: The Program EIR determined that the Specific Plan would not alter the type and intensity of land uses in a manner that would cause them to be substantially incompatible with surrounding land uses or neighborhood character. The Project is an infill hotel development at the Public Benefit Bonus level that meets the intent of the Specific Plan, and would be consistent with the General Plan. The Specific Plan allows for a higher FAR in exchange for public benefits. The public benefit package would be reviewed by the Planning Commission, and would have to achieve key standards as noted in the Specific Plan. No mitigation is required for this impact, which is less than significant.

<u>LU-3</u>: The Program EIR determined that the Specific Plan would not conflict with the City's General Plan, Zoning Ordinance, or other land use plans or policies adopted for the purpose of mitigating an environmental effect. The General Plan and Zoning Ordinance were amended concurrent with the Specific Plan adoption, and the Project would comply with all relevant regulations. No mitigation is required for this impact, which is less than significant.

<u>LU-4</u>: The Program EIR determined that the Specific Plan, in combination with other plans and Projects, would not result in cumulatively considerable impacts to land use. The Project, being a part of the Specific Plan area and accounted for as part of the Maximum Allowable Development, is consistent with this determination. No mitigation is required for this impact, which is less than significant.

No new impacts have been identified and no new mitigation measures are required for the Project.

## Mineral Resources

Impacts would be the same as the Specific Plan. The Program EIR noted that the Project site is not located within an area of known mineral resources, either of regional or local value.

As was the case with the Specific Plan, the Project would not result in the loss of availability of a known mineral resource or mineral resources recovery site. No new impacts have been identified and no new mitigation measures are required for the Project.

## Noise

Impacts would be the same as the Specific Plan.

<u>NOI-1</u>: The Program EIR determined that construction noise, in particular exterior sources such as jackhammering and pile driving, could result in a potentially significant impact, and established Mitigation Measures NOI-1a through NOI-1c to address such impacts. The physical conditions as they relate to noise levels have not changed substantially in the Specific Plan area since the preparation of the Specific Plan EIR. Therefore, construction noise impacts of the Project would be less than significant, and these mitigation measures would apply (with the exception of Mitigation Measure NOI-1b, which applies to pile driving activities, which wouldn't take place as part of the Project).

<u>NOI-2</u>: The Program EIR determined that impacts to ambient noise and traffic-related noise levels as a result of the Specific Plan would be less than significant. The Project's share of this development would be accounted for through deduction of this total from the Specific Plan Maximum Allowable Development.

<u>NOI-5</u>: The Program EIR determined that implementation of the Specific Plan, together with anticipated future development in the area in general, would result in a significant increase in noise levels in the area. The Program EIR established Mitigation Measure NOI-5 to require the City to use rubberized asphalt in future paving Projects within the Plan area if it determines that it will significantly reduce noise levels and is feasible given cost and durability, but determined that due to uncertainties regarding Caltrans approval and cost/feasibility factors, the cumulative impact of increased traffic noise on existing sensitive receptors is significant and unavoidable. The Project's share of this development would be accounted for through deduction of this total from the Specific Plan Maximum Allowable Development.

No new Noise impacts have been identified and no new mitigation measures are required for the Project.

## Population and Housing

Impacts would be similar from that analyzed in the Program EIR.

<u>POP-1</u>: The Program EIR determined that the implementation of the Specific Plan would not cause the displacement of existing residents to the extent that the construction of replacement facilities outside of the Plan area would be required. The Project site is an existing hotel and includes the construction of an approximately 40,004.2-square foot, three-story, 70-room hotel with one-level of underground parking construction. Therefore, no residents would be displaced. No mitigation is required for this impact, which is less than significant.

<u>POP-2</u>: The Program EIR determined that the implementation of the Specific Plan would not be expected to induce growth in excess of current Projections, either directly or indirectly. The Program EIR found that full build-out under the Specific Plan would result in 1,537 new residents, well within the Association of Bay Area Governments (ABAG) Projection of 5,400 new residents between 2010 and 2030 in Menlo Park and its sphere of influence. Additionally, the Program EIR projected the new job growth associated with the new retail, commercial and hotel development to be 1,357 new jobs. The ABAG projection for job growth within Menlo Park and its sphere of influence is an increase of 7,240 jobs between 2010 and 2030. The Program EIR further determines that based on the ratio of new residents to new jobs, the Specific Plan would result in a jobs-housing ratio of 1.56, below the projected overall ratio for Menlo Park and its sphere of influence of 1.70 in 2030 and below the existing ratio of 1.78.

The Project includes the construction of a construction of an approximately 40,004.2square foot, three-story, 70-room hotel with one-level of underground parking. Construction of the Project, including site preparation, would temporarily increase construction employment. Given the relatively common nature and scale of the construction associated with the Project, the demand for construction employment would likely be met within the existing and future labor market in the City and the County. The size of the construction workforce would vary during the different stages of construction, but a substantial quality of workers from outside the City or County would not be expected to relocate permanently.

<u>POP-3</u>: The Program EIR determined that implementation of the Specific Plan, in combination with other plans and projects would not result in cumulatively considerable impacts to population and housing. The EIR identified an additional 959 new residents and 4,126 new jobs as a result of other pending Projects. These combined with the projection for residents and jobs from the Specific Plan equate to 2,496 new residents and 5,483 new jobs, both within ABAG Projections for Menlo Park and its sphere of influence in 2030. The additional jobs associated with the Project would not be considered a substantial increase, would continue to be within all projections and impacts in this regard would be considered less than significant. Thus, no new impacts have been identified and no new mitigation measures are required for the Project.

No new Population and Housing impacts have been identified and no new mitigation measures are required for the Project.

# Public Services and Utilities

Impacts would be the same as the Specific Plan. The Program EIR concluded that less than significant impacts to public services, including fire protection, police protection, schools, parks, and other public facilities would result. In addition, the Program EIR concluded that the Project would result in less than significant impacts to utilities and service systems, including water services, wastewater services, and solid waste. No mitigation measures were required under the Program EIR for Public Services and Utilities impacts.

The Menlo Park Fire Protection District (MPFPD) currently serves the Project area. MPFPD review and approval of individual development plans is a standard part of the Project review process, ensuring that new buildings meet all relevant service requirements. MPFPD have completed initial Project review, and have tentatively approved the Project for compliance with applicable Fire Code regulations. The Project would not intensify development over what has previously been analyzed, nor modify building standards (height, setbacks, etc.) in a way that could affect the provision of emergency services by the MPFPD. The Project is requesting a front yard setback variance but would not affect emergency services. Therefore, the Project would not result in any impacts resulting in the need for new or physically altered fire facilities.

Public parks near the Project area include Hollbrook-Palmer Park and Cartan Athletic Fields. Additional public facilities, such as the Library and recreation buildings, are located next to Burgess Park, in the Civic Center. The Project would not intensify development over what has previously been analyzed, and existing public facilities would continue to be sufficient to serve the population of the Project area. Therefore, the Project would not result in the demand for new public parks or other public facilities.

The existing water, wastewater, electric, gas, and solid waste infrastructure is adequate to support the Project, as the number of hotel rooms would not exceed what was previously analyzed, which the current site was developed to support.

No new Public Services and Utilities impacts have been identified and no new mitigation measures are required for the Project.

## Transportation, Circulation and Parking

Assuming full occupancy, the Project is estimated to generate 51 peak hour trips. Based on this level of vehicle traffic, a detailed traffic study is not required, as the land use assumptions on site are consistent with those outlined in the Downtown Specific Plan. The Project is consistent with the Specific Plan land uses. The Project would be subject to the fair share contribution towards infrastructure required to mitigate transportation impacts.

The Project is consistent with the Specific Plan land uses. The Project would be subject to the fair share contribution towards infrastructure required to mitigate transportation impacts as identified in the Downtown Specific Plan Final Environmental Impact Report.

<u>TR-1 and TR-7</u>: The Program EIR concluded that the Specific Plan would result in significant and unavoidable traffic impacts related to operation of area intersections and local roadway segments, in both the short-term and cumulative scenarios, even after implementation of Mitigation Measures TR-1 and TR-7. The Project would pay required TIF (Transportation Impact Fee) and fair-share contributions as part of these mitigations.

<u>TR-2 and TR-8</u>: The Program EIR determined that the Specific Plan would adversely affect operation of certain local roadway segments, in both the near-term and cumulative scenarios. The Project's share of the overall Specific Plan development would be accounted for through deduction of this total from the Specific Plan Maximum Allowable Development, and as such is consistent with the Program EIR analysis.

In addition, the Project would be required through the MMRP to implement Mitigation Measure TR-2, requiring submittal and City approval of a Transportation Demand Management (TDM) program prior to Project occupancy. However, this mitigation (which is also implemented through Mitigation Measure AIR-2) cannot have its effectiveness guaranteed, as noted by the Program EIR, so the impact remains significant and unavoidable.

<u>TR-3, TR-4, TR-5, and TR-6</u>: The Program EIR determined that the Specific Plan would not result in impacts to freeway segment operations, transit ridership, pedestrian and bicycle safety, or parking in the downtown. The Project, using a parking rate supported by appropriate data and analysis, would be consistent with this analysis, and no new impacts or mitigation measures would be projected.

No new impacts have been identified and no new mitigation measures are required for the Project.

## Conclusion

As discussed, the Conformance Checklist is to confirm that 1) the Project does not exceed the environmental impacts analyzed in the Program EIR, 2) that no new impacts have been identified, and 3) no new mitigation measures are required. As detailed in the analysis presented above, the Project would not result in greater impacts than were identified for the Program EIR. No new impacts have been identified and no new mitigation measures are required and no new mitigation measures are required for the Program EIR.

## References

- 1. Arborist Report prepared by Arbor Resources dated revised March 13, 2019
- 2. Cultural Resource Evaluation prepared by Basin Research Associates dated September 2, 2016
- 3. Historic Resource Evaluation prepared by Archives and Architecture, LLC dated July 2016.
- 4. Phase I Environmental Site Assessment prepared by Romig Engineers, INC, dated August 2016
- 5. Geotechnical Investigation prepared by prepared by Romig Engineers, INC, dated December 2015.
- 6. Plans prepared by the RYS.
- 7. Staff site visit October 28, 2016.

# ATTACHMENT O

El Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 El Camino Real					
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party	
IMPACT PEING ADDRESSED: Impact AIP 1: Implementation a	AIR QUALITY	d long torm omissions	of aritaria pollutanta asa	popiotod with	
IMPACT BEING ADDRESSED: Impact AIR-1: Implementation of the Specific Plan would result in increased long-term emissions of criteria pollutants associated with construction activities that could contribute substantially to an air quality violation. (Significant)					
<i>Mitigation Measure AIR-1a</i> : During construction of individual projects under the Specific Plan, project applicants shall require the construction contractor(s) to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic dust control procedures required for construction sites. For projects for which construction emissions exceed one or more of the applicable BAAQMD thresholds, additional measures shall be required as indicated in the list following the Basic Controls.		Measures shown on plans, construction documents and on- going during demolition, excavation and construction.	Project sponsor(s) and contractor(s)	PW/CDD	
two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.	Exposed surfaces shall be watered twice daily. Trucks carrying demolition debris shall be covered. Dirt carried from construction areas shall be cleaned daily.				
<ul> <li>4. All vehicle speeds on unpaved roads shall be limited to 15 mph.</li> <li>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.</li> </ul>	Speed limit on unpaved roads shall be 15 mph. 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	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.				

EI Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 EI Camino Real				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
8. Post a publicly visible sign with the telephone number and	Signage will be posted with the appropriate			
person to contact at the Lead Agency regarding dust complaints.	contact information regarding dust			
This person shall respond and take corrective action within 48	complaints.			
hours. The BAAQMD's phone number shall also be visible to				
ensure compliance with applicable regulations.				
Additional Measures for Development Projects that Exceed				
Significance Criteria				
1. All exposed surfaces shall be watered at a frequency adequate	Water exposed surfaces to maintain			
to maintain minimum soil moisture of 12 percent. Moisture content	minimum soil moisture of 12 percent.			
can be verified by lab samples or moisture probe.				
2. All excavation, grading, and/or demolition activities shall be	Halt excavation, grading and demolition when			
suspended when average wind speeds exceed 20 mph.	wind is over 20 mph.			
3. Wind breaks (e.g., trees, fences) shall be installed on the	Install wind breaks on the windward side(s)			
windward side(s) of actively disturbed areas of construction. Wind	of disturbed construction areas.			
breaks should have at maximum 50 percent air porosity.				
4. Vegetative ground cover (e.g., fast-germinating native grass	Vegetative ground cover shall be planted in			
seed) shall be planted in disturbed areas as soon as possible and	disturbed areas as soon as possible.			
watered appropriately until vegetation is established.				
5. The simultaneous occurrence of excavation, grading, and	Ground-disturbing construction activities			
ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the	shall not occur simultaneously.			
amount of disturbed surfaces at any one time.				
<ol> <li>All trucks and equipment, including their tires, shall be washed</li> </ol>	Trucks and equipment shall be washed			
off prior to leaving the site.	before exiting the site.			
7. Site accesses to a distance of 100 feet from the paved road	Cover site access roads.			
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	Erosion control measures shall be used.			
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	Idling time of diesel powered equipment will			
equipment to two minutes.	not exceed two minutes.			

EI Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 EI Camino Real					
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party	
10. The project shall develop a plan demonstrating that the off- road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent nitrogen oxides reduction and 45 percent particulate matter reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.	Plan developed that demonstrates emissions from use of off-road equipment during construction will be reduced as specified.				
11. Use low volatile organic compound (VOC) (i.e., reactive organic gases) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).	Low VOC coatings shall be used.				
12. Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of nitrogen oxides and particulate matter.	Require Best Available Control Technology for all construction equipment, diesel trucks, and generators.				
<ol> <li>Requiring all contractors use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy duty diesel engines.</li> </ol>	Equipment shall meet standards for off-road heavy duty diesel engines.				
Impact AIR-2: Implementation of the Specific Plan would result that would contribute substantially to an air quality violation.		ria pollutants from incre	eased vehicle traffic and	on-site area sources	
<b>Mitigation Measure AIR-2:</b> 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.					
Impact AIR-5: Implementation of the Specific Plan 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. (Potentially Significant)					
-		Simultaneous with a	Project sponsor(s)	CDD	

El Camino Real/Down	town Mitigation Monitoring and Reporting F	Program - 1704 El Camin	o Real	
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
Reporting Program shall require that all developments that include sensitive receptors such as residential units that would be located	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.	building permit submittal		
Impact AIR-6: Implementation of the Specific Plan would locat may lead to considerable adverse health effects. (Potentially S		ated concentrations of I	PM <sub>2.5</sub> associated with ro	adway traffic which
<b>Mitigation Measure AIR-5</b> associated with Impact AIR-5 regarding DPM exposure would also reduce PM <sub>2.5</sub> exposure impacts along EI Camino Real and other high volume streets to a less than significant level.	See Mitigation Measure AIR-5.			
	BIOLOGICAL RESOURCES			
Impact BIO-1: The Specific Plan could result in the take of spe	cial-status birds or their nests. (Potentially	Significant)		

EI Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 EI Camino Real					
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party	
<b>Mitigation Measure BIO-1a:</b> 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.	A nesting bird survey shall be prepared if tree or shrub pruning, removal or ground- disturbing activity will commence between February 1 through August 31.	Prior to tree or shrub pruning or removal, any ground disturbing activity and/or issuance of demolition, grading or building permits.	Qualified wildlife biologist retained by project sponsor(s)	CDD	
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.					

El Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 El Camino Real					
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party	
<b>Mitigation Measure BIO-1b:</b> 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	Project sponsor(s) and contractor(s)	CDD	
Impact BIO-3: Impacts to migratory or breeding special-status					
<ul> <li>Mitigation Measure BIO-3a: Reduce building lighting from exterior sources.</li> <li>a. Minimize amount and visual impact of perimeter lighting and façade up-lighting and avoid uplighting of rooftop antennae and other tall equipment, as well as of any decorative features;</li> <li>b. Installing motion-sensor lighting, or lighting controlled by timers set to turn off at the earliest practicable hour;</li> <li>c. Utilize minimum wattage fixtures to achieve required lighting levels;</li> <li>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</li> <li>e. Use cutoff shields on streetlight and external lights to prevent upwards lighting.</li> </ul>	Reduce building lighting from exterior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD	
Mitigation Measure BIO-3b: Reduce building lighting from interior sources.	Reduce building lighting from interior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD	

El Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 El Camino Real				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<ul> <li>a. Dim lights in lobbies, perimeter circulation areas, and atria;</li> <li>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);</li> <li>c. Use gradual or staggered switching to progressively turn on building lights at sunrise.</li> </ul>				
<ul> <li>d. Utilize automatic controls (motion sensors, photosensors, etc.) to shut off lights in the evening when no one is present;</li> <li>e. Encourage the use of localized task lighting to reduce the need for more extensive overhead lighting;</li> <li>f. Schedule nightly maintenance to conclude by 11 p.m.;</li> <li>g. Educate building users about the dangers of night lighting to birds.</li> </ul>				
Impact BIO-5: The Specific Plan could result in the take of spe	cial-status bat species. (Potentially Signific	ant)		
<b>Mitigation Measure BIO-5a:</b> 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.	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
If no active roosts present: no further action is warranted.				
<i>If roosts or hibernacula are present:</i> implement Mitigation Measures BIO-5b and 5c.				

El Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 El Camino Real					
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party	
<b>Mitigation Measure BIO-5b:</b> 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	
<b>Mitigation Measure BIO-5c:</b> Safely evict non-breeding roosts. Non-breeding roosts of special-status bats shall be evicted under the direction of a qualified bat biologist. This will be done by opening the roosting area to allow airflow through the cavity. Demolition will then follow no sooner or later than the following day. There should not be less than one night between initial disturbance with airflow and demolition. This action should allow bats to leave during dark hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees with roosts that need to be removed should first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours. However, the "take" of individuals is prohibited.	A qualified bat biologist shall direct the eviction of non-breeding roosts.	Prior to tree removal or pruning or issuance of demolition, grading or building permits.	Qualified bat biologist retained by project sponsor(s)	CDD	
	CULTURAL RESOURCES			•	

El Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 El Camino Real				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
Mitigation Measure CUL-1: Site Specific Evaluations and Treatment in Accordance with the Secretary of the Interior's Standards:	A qualified architectural historian shall complete a site-specific historic resources study. For structures found to be historic, specify treating conforming to Secretary of the Interior's standards, as applicable.	Simultaneously with a project application submittal.	Qualified architectural historian retained by the Project sponsor(s).	CDD - STATUS
<b>Treatment in Accordance with the Secretary of the Interior's</b> <b>Standards.</b> Any future proposed project in the Plan Area that would affect previously recorded historic resources, or those identified as a result of site-specific surveys and evaluations, shall conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995). The Standards require the preservation of character defining features which convey a building's historical significance, and offers guidance about appropriate and compatible alterations to such structures.				

Mitigation Measure igation Measure CUL-2a: When specific projects are posed that involve ground disturbing activity, a site-specific	Action	Timing	In the second second second	
• • • •		inning	Implementing Party	Monitoring Party
include an updated records search, pedestrian survey of the ject area, development of a historic context, sensitivity	If resources are identified and cannot be avoided, treatment plans will be developed to mitigate impacts to less than significant, as specified.	project application submittal.	Qualified archaeologist retained by the project sponsor(s).	CDD - <b>STATUS</b> <b>COMPLETE</b> : Archeological Resource Evaluation prepared by Basin Research Associated, dated September 2, 2016
found during construction, all construction activities within 50 t shall immediately halt and the City must be notified. A alified archaeologist shall inspect the findings within 24 hours of discovery. If the resource is determined to be a historical ource or unique resource, the archaeologist shall prepare a n to identify, record, report, evaluate, and recover the ources as necessary, which shall be implemented by the veloper. Construction within the area of the find shall not ommence until impacts on the historical or unique haeological resource are mitigated as described in Mitigation asure CUL-2a above. Additionally, Public Resources Code	during demolition/construction, all ground disturbing activity within 50 feet shall be	Ongoing during construction.	Qualified archaeologist retained by the project sponsor(s).	CDD

El Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 El Camino Real				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
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)	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(s).	CDD
<ul> <li>Impact CUL-4: Implementation of the Plan may cause disturbation</li> <li>Mitigation Measure CUL-4: If human remains are discovered during construction, CEQA Guidelines 15064.5(e)(1) shall be followed, which is as follows:</li> <li>* 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: <ol> <li>There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: <ol> <li>The San Mateo County coroner must be contacted to determine that no investigation of the cause of death is required; and</li> <li>If the coroner determines the remains to be Native American:</li> </ol> </li> </ol></li></ul>	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	On-going during construction	Qualified archeologist retained by the project sponsor(s)	CDD

El Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 El Camino Real				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<ol> <li>The coroner shall contact the Native American Heritage Commission within 24 hours;</li> <li>The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American;</li> <li>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</li> <li>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.</li> <li>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.</li> <li>b) The descendant identified fails to make a recommendation; or</li> <li>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.</li> </ol>				
Impact GHG-2: The Specific Plan could conflict with applicable	GREENHOUSE GASES AND CLIMATE CH		r the Specific Plan adopte	d for the purpose of
reducing the emissions of GHGs. (Significant)	pians, policies of regulations of an agence		-	a for the purpose of
developments of sufficient size to require LEED certification under	Install one dedicated electric vehicle/plug-in hybrid electric vehicle recharging station for every 20 residential parking spaces	Simultaneous with project application submittal	Project sponsor(s)	CDD
	HAZARDOUS MATERIALS	• •		
Impact HAZ-1: Disturbance and release of contaminated soil d contaminated groundwater could expose construction workers Significant)	uring demolition and construction phases			

El Camino Real/Down	town Mitigation Monitoring and Reporting F	Program - 1704 El Camin	no Real	
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<b>Mitigation Measure HAZ-1:</b> Prior to issuance of any building permit for sites where ground breaking activities would occur, all proposed development sites shall have a Phase I site assessment performed by a qualified environmental consulting firm in accordance with the industry required standard known as ASTM E 1527-05. The City may waive the requirement for a Phase I site assessment for sites under current and recent regulatory oversight with respect to hazardous materials contamination. If the Phase I assessment shows the potential for hazardous releases, then Phase II site assessments or other appropriate analyses shall be conducted to determine the extent of the contamination and the process for remediation. All proposed	Prepare a Phase I site assessment. If assessment shows potential for hazardous releases, then a Phase II site assessment shall be conducted. Remediation shall be conducted according to standards of overseeing regulatory agency where previous hazardous releases have occurred. Groundbreaking activities where there is identified or suspected contamination shall be conducted according to a site-specific health and safety plan.	Prior to issuance of any grading or building permit for sites with groundbreaking activity.		CDD
Impact HAZ-3: Hazardous materials used on any individual sit improper handling or storage. (Potentially Significant)				nvironment through
Mitigation Measure HAZ-3: All development and redevelopment shall require the use of construction Best Management Practices (BMPs) to control handling of hazardous materials during construction to minimize the potential negative effects from accidental release to groundwater and soils. For projects that disturb less than one acre, a list of BMPs to be implemented shall be part of building specifications and approved of by the City Building Department prior to issuance of a building permit.	Implement best management practices to reduce the release of hazardous materials during construction.	Prior to building permit issuance for sites disturbing less than one acre and on-going during construction for all project sites	Project sponsor(s) and contractor(s)	CDD
	NOISE	1		

EI Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 EI Camino Real				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
Impact NOI-1: Construction activities associated with implement	-		-	
the Specific Plan area above levels existing without the Specific	ic Plan and in excess of standards establis	shed in the local general	•	e, or applicable
shall utilize the best available noise control techniques (e.g.,	A construction noise control plan shall be prepared and submitted to the City for review. Implement noise control techniques to reduce ambient noise levels.	Prior to demolition, grading or building permit issuance Measures shown on plans, construction documents and specification and ongoing through construction	Project sponsor(s) and contractor(s)	CDD
* 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				

El Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 El Camino Real				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
When construction occurs near residents, affected parties within				
00 feet of the construction area shall be notified of the				
onstruction schedule prior to demolition, grading or building				
ermit issuance. Notices sent to residents shall include a project				
otline where residents would be able to call and issue				
complaints. A Project Construction Complaint and Enforcement				
Anager shall be designated to receive complaints and notify the				
ppropriate City staff of such complaints. Signs shall be posted at				
he construction site that include permitted construction days and				
nours, 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.				
Mitigation Measure NOI-1c: The City shall condition approval of	Condition projects such that if justified	Condition shown on	Project sponsor(s) and	CDD
rojects near receptors sensitive to construction noise, such as	complaints from adjacent sensitive receptors	plans, construction	contractor(s) for	
esidences and schools, such that, in the event of a justified	are received, City may require changes in	documents and	revisions to construction	
complaint regarding construction noise, the City would have the	construction noise control plan.	specifications. When	noise	
bility to require changes in the construction control noise plan to		justified complaint	control plan.	
address complaints.		received by City.		
mpact NOI-4: The Specific Plan would expose sensitive reception of the second second second second second second		· · · · _ · _ · _ · _		
Mitigation Measure NOI-4: Prior to project approval for	A qualified acoustical engineer to complete a	Simultaneous with	Qualified acoustical	CDD
levelopment within 200 feet of the mainline track, a detailed	vibration design study.	submittal for a building	engineer retained by the	
vibration design study shall be completed by a qualified acoustical		permit	project sponsor(s)	
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				
echniques could include supporting the new building foundations				
on elastomer pads similar to bridge bearing pads.				
mpact TR-1: Traffic from future development in the Plan area	TRANSPORTATION, CIRCULATION AND P		.)	
Mitigation Measures TR-1a through TR-1d: (see EIR for details)		Prior to building permit		PW/CDD
· · · · · · · · · · · · · · · · · · ·	funding.	issuance.		
mpact TR-2: Traffic from future development in the Plan area				
Mitigation Measure TR-2: New developments within the Specific	Develop a Transportation Demand	Submit draft TDM	Project sponsor(s)	PW/CDD
Plan area, regardless of the amount of new traffic they would	Management program.	program with building		
penerate, are required to have in-place a City-approved		permit. City approval		
Transportation Demand Management (TDM) program prior to		required before permit		
project occupancy to mitigate impacts on roadway segments and		issuance.		
ntersections. TDM programs could include the following		Implementation prior to		
measures for site users (taken from the C/CAG CMP), as		project occupancy.		
applicable:				

El Camino Real/Downtown Mitigation Monitoring and Reporting Program - 1704 El Camino Real				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
* Commute alternative information;				
* Bicycle storage facilities;				
* Showers and changing rooms;				
<ul> <li>* Pedestrian and bicycle subsidies;</li> </ul>				
* 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;				
* 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 TR-7: Cumulative development, along with development	nt in the Plan area, would adversely affect	operation of local inters		
<b>o o o o o o o o o o</b>	Payment of fair share	Prior to building permit	Project sponsor(s)	PW/CDD
	funding.	issuance.		

# **Community Development**



## STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

6/24/2019 19-047-PC

Public Hearing and Study Session:

Public hearing for the environmental impact report (EIR) scoping session and study session to consider and provide feedback on a proposed new 105 unit residential building at 111 Independence Drive

## Recommendation

Staff recommends that the Planning Commission conduct the following items for the proposed project at 111 Independence Drive in the R-MU-B (Residential Mixed Use-Bonus) zoning district, described in more detail in the Background section of this report:

- EIR scoping session to receive public testimony and provide comments on the scope and content of a focused EIR for the project; and
- Study session to receive public comments and provide feedback on the proposed project, including the applicant's project refinements since the previous Planning Commission study session in July 2018.

The June 24<sup>th</sup> meeting will not include any project actions. The proposal will be subject to additional review and a recommendation at a future Planning Commission meeting. Staff recommends the following meeting procedure to effectively and efficiently move through the two items, allowing the public and the Planning Commission to focus comments on the specific project components.

## **EIR Scoping Session**

- Introduction by Staff
- Presentation by Applicant on Project Proposal
- Presentation by City's EIR Consultant
- Commissioner Questions on EIR scope
- Public Comments on EIR scope
- Commissioner Comments on EIR scope
- Close of Public Hearing

## **Project Proposal Study Session**

- Introduction by Staff
- Commissioner Questions on Project
- Public Comments on Project
- Commissioner Comments on Project

While applicants typically present on their project proposal during the study session portion of the meeting,

Staff Report #: 19-047-PC Page 2

staff believes that it would be beneficial for the Planning Commission and members of the public to receive the applicant's presentation during the EIR scoping session. Accordingly, staff recommends that the Planning Commission allow the applicant to present the overall project, followed by a presentation from the City's EIR consultant (LSA) outlining the California Environmental Quality Act (CEQA) process and the key findings from the Initial Study.

#### **Policy Issues**

EIR scoping sessions provide an opportunity for Planning Commissioners and the public to comment on specific topics that they believe should be addressed in the environmental analysis. Study sessions provide an opportunity for Planning Commissioners and the public to provide feedback on a project, with comments used to inform future review and consideration of the proposal. The EIR scoping session public hearing and study session should be considered as separate items.

The project is anticipated to require the following entitlements:

- 1. **Environmental Review** to analyze potential environmental impacts of the project through a focused EIR, pursuant to CEQA;
- 2. **Use Permit** for bonus-level development (which requires the provision of community amenities) and to modify design standards;
- 3. Architectural Control to review the design of the new building and associated site improvements;
- 4. Below Market Rate (BMR) Housing Agreement in accordance with the City's BMR Ordinance. The applicant is also proposing to utilize the density bonus per the BMR Housing Program.

In addition, a Fiscal Impact Analysis (FIA) will be prepared as well as an appraisal to identify the necessary value of the community amenity.

At its June 11, 2019 meeting, the City Council discussed the possibility of directing the City Attorney to prepare an ordinance putting a moratorium on commercial development city-wide and all residential developments over 100 units in size in the Bayfront Area. The Council decided to not direct the City Attorney to prepare an ordinance placing a moratorium on development in the City. Instead, the City Council determined there is a need to review the ConnectMenIo General Plan and Zoning Ordinance Update and the Downtown Specific Plan to assess whether the documents reflect current community values, conditions and needs. While the City Council and its subcommittees review the City's land use planning documents to outline potential modifications, which may include but are not limited to, the allowed land uses, densities and intensities, and overall development caps, the City is obligated to continue to process development applications under the current adopted Zoning Ordinance, General Plan, and Specific Plan. If as a result of the subcommittee work the City Council adopts changes to the City's land use planning documents while this project is still in the pipeline, the proposed project could be required to make modifications to comply with those changes.

## Background

#### Site location

The project site is a 0.924 acre parcel that currently contains an existing single-story office building, approximately 15,000 square feet in size. A small portion of the Independence Drive roadway is located within the existing property, and as part of the project approximately 88 square feet of the project site would be dedicated to the City. The property would have a net area of 0.922 acres (40,147 square feet) after dedication. The existing office building would be demolished as part of the redevelopment of the project site.

For purposes of this staff report, Highway US 101 is considered to have an east-west orientation, and all compass directions referenced will use this orientation. The project site is located north of US 101 and to the east of Marsh Road near the US 101 and Marsh Road interchange. The project site is located where Independence Drive curves from an east to west direction to a north to south direction across from the Marsh Road off-ramp, and the project site is bounded by Independence Drive to the south and west. The parcels to the north and east of the site are also located in the R-MU-B zoning district and currently are occupied by light manufacturing uses; however, the City has received a development application for these parcels which includes a 320 unit multi-family residential building and 34,708 square foot office building. Across Independence Drive, to the south of the site, is the Menlo Gateway Independence Site, containing an office building, hotel, and parking structure. The Menlo Gateway Constitution Site (currently under construction) is also located nearby, and will include office buildings and parking structures. Both Menlo Gateway sites are zoned M-3(X) (Commercial Business Park). A location map is included in Attachment A.

## **Project overview**

The applicant is proposing to demolish the existing office building and site improvements and construct a new eight-story multi-family apartment building with approximately 105 dwelling units and an approximately 712 square foot community serving commercial space. The applicant is proposing to develop the project utilizing the bonus level provisions for height, floor area ratio (FAR), and density. The R-MU-B zoning district regulations allow a development to seek an increase in FAR, density, and/or height subject to obtaining a use permit and providing one or more community amenities. The applicant is currently proposing that a total of 14 residential units (15 percent) be affordable to moderate and low income households. Additionally applicant is proposing to utilize the City's Below Market Rate Housing Program which allows the project one additional unit for each BMR onsite unit. The project would result in a higher density above 100 dwelling units per acre, increased gross floor area and height beyond what the zoning allows through the density bonus provision. The applicant's project description is included in Attachment B, and the project plans are included as Attachment C. Table 1 below compares the proposed project with the development regulations for bonus level development in the R-MU-B zoning district.

Table 1: Proposed Project				
	Proposed	Zoning Ordinance standards (Bonus Level Development)		
Residential dwelling units*	105 units	92 units		
Residential square footage*	95,056 s,f,	90,331 s.f.		
Residential FAR*	236.8 %	225 %		
Commercial square footage	712 s.f.	10,036.8 s.f.		
Commercial FAR	1.8 %	25 %		
Total square footage	95,768 s.f.	100,367.8 s.f.		
Height (maximum)**	85 ft.	95 ft.		
Height (average)***	63.46 ft.	62.5 ft.		

\*The City's Below Market Rate Housing Program allows increases to the density in exchange for providing BMR units onsite and an increase to the floor area by an amount that corresponds to the increase in allowable density.

\*\*Maximum height does not including parapets, mechanical equipment, and elevator towners.

\*\*\*The average height would be above the maximum average height but allowed through the density bonus provision of the City's Below Market Rate Housing Program.

The proposed building would be designed to respond to the curve in Independence Drive at the project site. The main lobby entrance, commercial space, and active ground floor spaces (fitness center, lobby, bike parking, and common areas) would be located along the curved façade of the building. The building would be oriented to a publicly accessible open space along Independence Drive, which is discussed later in the report. The parking garage entrance would be located towards the east end on the southern facing façade of the building along Independence Drive before the arc of the curve. The proposed building would include a curved element that generally parallels the Independence Drive curve for the first three levels and then a five story tower element that would be inverted, curving opposite of the lower levels. This curving design would generally respond to the Menlo Gateway office building across Independence Drive. The first three levels would also incorporate the above grade parking garage. At the third level, the step back to the tower element would allow for private and common open spaces to be located on the top of the podium level for the tenants.

The proposed project would meet the minimum interior side and rear setback requirement of 10 feet, with a 12 foot setback from the eastern property line and a 10 foot, four inch setback from the northern property line. In addition, along the northern property line would be a 27 foot setback for a portion of the building to provide the required emergency vehicle access (EVA) for the Menlo Park Fire Protection District. The setback along the curved portion of Independence Drive would vary but is generally greater than 20 feet, where the required setback range is from zero to up to a maximum of 25 feet.

#### **CEQA** review

In November 2016, the City Council approved an update to the Land Use and Circulation Elements of the General Plan and related zoning changes, commonly referred to as ConnectMenlo. Because the City's General Plan is a long-range planning document, an EIR analyzing ConnectMenlo was prepared as a program level EIR, pursuant to CEQA Guidelines Section 15168. The City of East Palo Alto challenged the City's certification of the program EIR. To settle the litigation, the parties entered into a settlement agreement that allows, pursuant to CEQA Guidelines Section 15152(d), for the environmental review for a later activity consistent with the program to be limited to effects that were not analyzed as significant in the prior EIR or are subject to substantial reduction or avoidance through project revisions, but requires certain projects, including those utilizing bonus level development, to conduct a focused EIR with regard to housing and transportation.

In accordance with CEQA Guidelines Section 15168(c), an initial study was prepared to evaluate the potential environmental impacts of the proposed project and determine what level of additional environmental review would be appropriate for the project EIR. The initial study discloses relevant impacts and mitigation measures covered in the ConnectMenIo EIR and discusses whether the project is within the parameters of the ConnectMenIo EIR.

Upon completion of the initial study, the City released a Notice of Preparation (NOP) (Attachment D) for the project on June 14, 2019, beginning a 30-day review and comment period ending on July 15, 2019. The members of the Planning Commission were provided a copy of the NOP and initial study, which are also located on the City website (https://www.menlopark.org/CEQA-documents). Additionally, hard copies are available at the Menlo Park Library Reference Desk (800 Alma Street), the Belle Haven Branch Library Reference Desk (413 Ivy Drive), and the Menlo Park Community Development Department (701 Laurel Street). Verbal comments received during the scoping session and written comments received during the NOP comment period on the scope of the environmental review will be considered while preparing the Draft EIR. NOP comments will not be responded to individually; however, all written comments on the NOP will be included in an appendix of the Draft EIR, and a summary of all comments received (both written and

verbal) on the NOP will be included in the body of the Draft EIR.

#### Analysis

## **EIR Scoping Session**

Based on the conclusions in the initial study, the following topics will <u>not</u> be discussed in the focused EIR because the project is not anticipated to result in significant environmental effects in these areas, or because the initial study found that these topic areas were adequately addressed through the program level EIR prepared for ConnectMenlo:

Table 2: Topics with Less than Significant Impacts			
Торіс	Summary of Analysis and Findings in Initial Study		
Aesthetics	The proposed project would result in the demolition of a single story office building and construction of a new eight story apartment building in a generally light industrial and commercial area of the City. The project site is located within a developed portion of the Bayfront Area and does not provide public views of the Bay, and because the proposed project would be subject to the City's existing architectural control process, this impact would be less than significant.		
Agriculture	The project site and vicinity are located within an urban area in the City of Menlo Park. There are no agricultural resources located on or near the project site. Therefore, development of the proposed project would not convert agricultural land to non-agricultural uses.		
Biological Resources	The project site is currently developed and does not include any sensitive habitat, nor is it located near any sensitive habitats, and therefore a project-specific baseline biological resources assessment pursuant to Mitigation Measure BIO-1 from the certified ConnectMenlo EIR was not required. In addition, the proposed project would be required to comply with the bird-safe design measures included in the building regulations for the Bayfront Area. Therefore, the proposed project would not result in direct or indirect adverse effects on special-status plant or wildlife species and this impact would be less than significant.		
Cultural Resources	The proposed project would not cause a substantial adverse change in the significance of a historical resource. The certified ConnectMenlo EIR determined that it is highly improbable that archaeological deposits associated with the historic period of Menlo Park and Native American prehistoric archeological sites exist on the locations identified for future development, because these locations are concentrated on sites either already developed, and/or in close proximity to existing development, where development will have a lesser impact on historical archeological resources. The certified ConnectMenlo EIR also determined that human remains associated with pre-contact archaeological deposits could exist within the City and could be encountered at the time potential future development occurs. The certified ConnectMenlo EIR identified Mitigation Measure CULT-2a and CULT-4 to ensure these impacts would be reduced to a less-than-significant level.		
Energy	The proposed project would be required to comply with the CALGreen Code, which includes provisions related to insulation and design aimed at minimizing energy consumption. In addition, the proposed project would implement Transportation Demand Management (TDM) measures and would help the area change from an auto-oriented corridor to a multi-modal oriented community, with related energy conservation resulting from the more efficient use of transportation, circulation, and infrastructure systems by locating a residential use within a jobs-rich area.		

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Geology and Soils	The soils at the project site are susceptible to liquefaction and seismically-induced settlement, but they are not susceptible to lateral spreading or landslides. As noted in the certified ConnectMenlo EIR, the proposed project's required compliance with the California Building Code would reduce the potential risks to people and structures as a result of liquefaction and seismically-induced settlement to a less-than-significant level.
Hazards and Hazardous Materials	The certified ConnectMenlo EIR determined that these types of land uses typically do not involve transport, use, or disposal of significant quantities of hazardous materials. Generally, small quantities of hazardous materials, such as paints, cleaning chemicals, and fertilizers would be used for routine maintenance and landscaping. Therefore a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials impacts related to operational use of hazardous materials would be less than significant.
Hydrology and Water Quality	Compliance with existing stormwater control regulations and implementation of site design measures, source control measures, and BMPs would reduce potential construction and operation phase impacts on water quality to a less-than-significant level.
Land Use and Planning	The proposed project would not physically divide an established community, and it would be designed to be consistent with ConnectMenIo, the R-MU-B zoning regulations, and other City goals and policies.
Mineral Resources	There are no known mineral resources in the vicinity of the site.
Public Services	The proposed project would be required to comply with State and City requirements and payment of impact fees. Therefore, this impact would be less than significant.
Recreation	The proposed project would be consistent with the type and intensity of development and population projections assumed for the project site in ConnectMenlo and would include private and public open space, the proposed project would not result in substantial or accelerated physical deterioration of recreational facilities, and this impact would be less than significant.
Tribal Cultural Resources	See "Cultural Resources" above.
Utilities and Service Systems	The proposed project would be consistent with the type and intensity of development and population projections assumed for the project site in ConnectMenIo. Therefore, there would be sufficient water supplies available to serve the proposed project and reasonably foreseeable future development during normal, single- and multiple-dry years, and this impact would be less than significant.

A more detailed analysis of the project impacts in the areas above is provided in the initial study. The focused EIR will analyze whether the project would have a significant environmental impact in the remaining topic areas:

Table 3: Topics to Be Included in the Focused EIR			
Торіс	Reasons for Inclusion in EIR		
Air Quality	The certified ConnectMenlo EIR found that future development would result in a substantial long-term increase in criteria air pollutants. The certified ConnectMenlo EIR identified Mitigation Measures AQ-2a, AQ-2b, and AQ-2b2, which require a technical assessment evaluating potential project operation- and construction phase-related air quality impacts and compliance with the Bay Area Air Quality Management District's (BAAQMD) basic control measures for reducing construction emissions. In addition, based on the proposed project's location in proximity to US 101, Marsh Road, and SR 84, and consistent with the requirements of Mitigation Measure AQ-3b from the certified ConnectMenlo EIR, a health risk assessment is required.		

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Greenhouse Gas (GHG) Emissions	Potential impacts from greenhouse gas emissions will be studied based on transportation related impacts identified for the project.
Noise	The certified ConnectMenlo EIR determined that transportation-related noise, including an increase in traffic level, would be less than significant with compliance with General Plan Policies N-1.6 and N-1.9 and Programs N-1.B and N-1.C. However, a traffic impact analysis (TIA) for the proposed project will be prepared, which could result in new or more severe impacts related to transportation, and therefore transportation-related noise, than was previously analyzed in the certified ConnectMenlo EIR.
Population and Housing	As a result of the 2017 settlement agreement between the City of East Palo Alto and the City of Menlo Park, a housing needs assessment will be prepared for the project and population and housing studied in the project EIR.
Transportation	The settlement agreement requires a project-specific TIA. The TIA would include an analysis of potential impacts at key study intersections and identification of project specific mitigation measures.

#### **Alternatives**

The EIR is required to evaluate a reasonable range of alternatives to the project that would achieve most of the basic objectives of the project, but would avoid or reduce the project's potentially significant environmental impacts. The City is currently considering analysis of the following alternatives, and is seeking input on these alternatives and any other alternative that should be evaluated as part of the EIR:

- CEQA-Required No Project Alternative (maintaining the existing building with no new construction); and
- Reduced Project Alternative that would minimize the effects of potentially significant environmental impacts.

#### Correspondence

As of the writing of this report, staff has not received any correspondence on the scope of the environmental impact report.

## Study Session

Staff is requesting the Planning Commission to review and provide individual Commissioner feedback on the project to the applicant and staff. The report identifies topic areas for the Planning Commission's consideration, which include the following:

- Community Amenity
- Parking Ratio
- Publicly Assessable Open Space

#### Planning Commission Review

On June 18, 2018, the Planning Commission held a study session for an initial version of the proposed project. The original proposal included a new approximately 87,499 square foot, eight-story multi-family apartment building with 94 dwelling units with a proposed floor area ratio (FAR) of 213 percent. The study session staff report and meeting minutes are included as links in Attachment E and F. The Commissioners commented primarily on the following project aspects:

• **Parking.** Some Commissioners questioned the proposed parking ratio of 1.41 spaces per unit for the site, which is near the upper limit of the parking ratio permitted for development in the R-MU-B zoning district. The applicant was encouraged to explore lowering the proposed parking ratio for the site.

- Below market rate units: Some Commissioners were supportive of the range of BMR unit sizes and that they should be spread throughout the building. Some Commissioners encouraged the applicant to support the full income range of BMR units as opposed to only the proposed moderate income level units.
- **Publicly accessible open space.** Some Commissioners had concerns with the usability of the public open space due to the lack of public facing services and building entrances along the primary building façade adjacent to the public open space.

Since the previous study session, the applicant has made modifications to the proposal, particularly as outlined below;

- Reduce the proposed parking ratio on the site to 1.1 spaces per unit.
- Increase in the total number of residential units to 105 units.
- Increase in the density, gross floor area, and height with implementation of the City's BMR Program.
- Add additional pedestrian entrances along the primary façade.
- Add a 712 square foot community serving commercial space with outdoor seating along the building frontage.
- Modify the BMR unit from 14 moderate income level units to seven moderate income and seven low income level units.

Details regarding pedestrian and vehicular circulation, green and sustainable building, and community amenities for the project are provided below, but remain substantially the same as described in the previous study session staff report. Details related to vehicle parking, open space, and design standards have been updated to discuss the proposed reduced parking.

## Parking and circulation

#### Vehicle parking and circulation

The R-MU-B zoning district requires a minimum of 1 space per unit and a maximum of 1.5 spaces per unit for residential uses and a minimum of 2.5 spaces and maximum of 3.3 spaces per 1,000 square foot for eating establishments. As previously mentioned, the proposed onsite parking has been reduced from the previous proposal. The following table compares proposed parking for the project presented at the June 2018 study session with the updated parking based on Planning Commission feedback from the study session, which would reduce parking on the site:

Table 4: Site Parking Options			
	Option 1 (June 2018 proposal)	Option 2 (June 2019 proposal)	
Number of parking levels	Three levels above grade	Three levels above grade	
Residential parking spaces	133 parking spaces	113	
Residential parking ratio	1.41 spaces per unit	1.1	
Commercial parking spaces	Not applicable	2	
Commercial parking ratio	Not applicable	2.5 spaces per 1,000 square feet	
Number of structured parking spaces	133 parking spaces	115 parking spaces	

Parking ratio for site	1.41 spaces per unit	1.1 spaces per unit
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Under both options, the parking structure would have three levels above grade and appear virtually identical to the plans presented at the study session. The parking structure would also comply with the R-MU-B district parking requirements under each scenario.

The site is accessible from Independence Drive by a driveway providing vehicular access to the proposed parking structure occupying the first three levels of the building. An emergency vehicle access area would be located on the northern side of the proposed building. Six of the proposed parking spaces would be provided as visitor parking spaces within the parking structure. The Zoning Ordinance requires parking within multi-family residential developments (unless parking is directly connected to a unit) to be unbundled from the unit.

#### Bicycle and pedestrian parking and circulation

As part of the proposed project, new sidewalks would be constructed along Independence Drive. Given the unique configuration of the existing parcel, a portion of the new sidewalk would be located on the project site and enabled through a public access easement (PAE). As stated previously in the report, the City is requesting that a small portion of the existing roadway over the property be dedicated; however, the new sidewalk adjacent to the roadway dedication would be on the project site with an easement to ensure public access. The application of a PAE for the sidewalk would allow the underlying lot area to be included in the lot size for purposes of calculating the density and intensity (along with all other development standards such as open space). The preliminary plans identify the general design and layout of the sidewalk and planting within the public ROW and PAE. The City will be working with the applicant team to determine the appropriate design standards for the sidewalk and plantings within the ROW through the entitlement process.

There would be 159 long-term bicycle parking spaces located in the ground level of above-grade parking structure and along the project's frontage, and 16 bicycle parking spaces for short-term parking located around the exterior of the proposed building. The project would meet the required 1.5 long-term bicycle parking spaces per unit with 10% additional short-term bicycle parking spaces for guests in the R-MU-B zoning district.

## **Open space**

The proposed project would be required to provide open space equivalent to 25 percent of the project site area, of which 25 percent shall be provided as publicly accessible open space. According to the Zoning Ordinance (Chapter 16.45.120(4)(A)), publicly accessible open space is defined as:

Publicly accessible open space consists of areas unobstructed by fully enclosed structures with a mixture of landscaping and hardscape that provides seating and places to rest, places for gathering, passive and/or active recreation, pedestrian circulation, or other similar use as determined by the planning commission. Publicly accessible open space types include, but are not limited to, paseos, plazas, forecourts and entryways, and outdoor dining areas. Publicly accessible open space must:

- (i) Contain site furnishings, art, or landscaping;
- (ii) Be on the ground floor or podium level;
- (iii) Be at least partially visible from a public right-of-way such as a street or paseo;
- (iv) Have a direct, accessible pedestrian connection to a public right-of-way or easement.

The applicant is proposing to utilize the area between Independence Drive and the main façade of the building and potentially the area along the rear and side property lines for the publicly accessible open space. These areas would be approximately 6,383 square feet (which exceeds the required 2,574 square feet for public open space). The publicly accessible open space along the main façade would be set back approximately 24 feet, eleven inches at the widest part, which allows for a substantial seating area with plantings. The calculation of open space does not include the sidewalk and plantings within the public ROW (nor the area within the PAE).

The open space along the rear and side property lines would be 10 and 12 feet wide, and feature a bocce court and dog run. However, it is not clear if the bocce court and dog run would be publicly accessible. If these amenities are not publicly accessible, they would not be included in the calculation of publicly accessible open space. However, the project would comply with the minimum publicly accessible open space. In general, the areas designed as public open space appear to meet the requirements identified above; specifically, the open space is at the ground level, visible from the public ROW, contains direct connections to the public ROW, and includes site furnishings and landscaping. As the applicant further develops the plan, staff will be working with the applicant to ensure compliance. The preliminary proposal appears to generally meet the intent of the publicly accessible open space requirement; however, with the submittal of a development application at 115 Independence Drive there is a potential opportunity to create an additional publicly accessible area along the east side of the building.

The applicant has identified, on the proposed open space diagrams in the project plans, that the open space adjacent to the project at 115 Independence Drive could be coordinated between the two properties and included as publicly accessible open space. Staff believes that the adjacent projects could work together to create a larger combined publicly accessible pedestrian path where the ConnectMenlo General Plan originally envisioned a future public right-of-way. With coordination between the two developments, the area along the east side of the building could be a path adjacent to the fire access lane at 115 Independence Drive and connect with the proposed residential amenities. Due to grading and the different proposed finished grade heights, staff is aware that there may be two levels but that a pedestrian path and public open space could be integrated at key points. Additional integration between the two properties would likely be necessary to create a defined publicly accessible pedestrian/bicycle pathway and potentially aggregate or modify the location of the resident amenities for each site. The Planning Commission should consider the criteria for the publicly accessible open space and provide feedback on the applicant's proposal with regard to the general functionality and usability of the publicly accessible open space. The Planning Commission may wish to discuss the potential coordination between the project site and the project at 115 Independence Drive to provide a publicly accessible pathway and associated open space between the two project sites.

The proposed project would meet the common and private open space requirements for tenants through a combination of balconies, private terraces, a common terrace above the garage, and an open air terrace on the eighth level. These amenities would be available to tenants and not the public. The common open space would be approximately 10,346 square feet, which appears to meet the open space requirements but will be confirmed by staff during the review process. In addition, the private open space for specific units would be included in the calculation of open space; however, the current application does not quantify the square footage of private open space. Therefore, the project would significantly exceed the open space requirement for the project once all open spaces are included in the calculation.

### **Community amenities**

The R-MU-B zoning district permits bonus level development, subject to the threshold requirement that any

affordable housing required pursuant to Chapter 16.96 shall be designed and constructed on-site as part of the project and the requirement that the project provide one or more community amenities equal to the community amenity value identified through the appraisal process. As part of the ConnectMenlo process, a list of community amenities was generated based on public input and adopted through a resolution of the City Council. Community amenities are intended to address identified community needs that result from the effect of the increased development intensity on the surrounding community. Project requirements (such as the publicly-accessible open space, and street improvements determined by the Public Works Director) do not count as community amenities. For the Commission's reference, the community amenities list is available as a link in Attachment E. In the R-MU zoning, the City Council included a preference that additional affordable housing units be provided as the community amenity; for example, additional housing such that twenty percent (20%) of the development is affordable (fifteen percent (15%) inclusionary plus five percent (5%) additional affordable).

An applicant requesting bonus level development must provide the City with a proposal indicating the specific amount of bonus development sought and the proposed community amenity to be provided in exchange. The value of the amenity to be provided must equal a minimum of 50 percent of the fair market value of the additional GFA of the bonus level development. The applicant must provide an appraisal performed in accordance with the City's appraisal instructions which will identify the community amenity value.

The applicant has incorporated a 712-square-foot community-serving commercial space (café/coffee shop) as the proposed community amenity to be provided in exchange for bonus level development. Although a coffee shop is not one of the specific listed amenities, community serving retail is identified as a category of community amenities. In order to accommodate the proposed coffee shop, one market rate dwelling unit was eliminated from the project. The community amenities list has been discussed by the City Council and modifications to the approved list may affect the project proposal's compliance. Further, community amenities from the adopted list are intended to be provided once (with the exception of additional BMR units) and this amenity, if considered community serving retail, may not be available at the time of the Planning Commission's review and action on the project entitlements. The Planning Commission may wish to provide input on following items related to the proposed community amenity.

- Is the proposed coffee shop use as a community amenity acceptable and does it serve the needs of the community;
- Should other community amenities such as additional affordable housing be considered;
- Should the square footage of the coffee shop be expanded to create a more usable space; and,
- Is the location of the coffee shop appropriate to serve the neighborhood?

However, even if the commercial space does not qualify as a community amenity, it may still be an important land use component for the proposed project considering the intent of ConnectMenlo was to create a live/work/play environment in the Bayfront Area. The Planning Commission may wish to provide input on whether the commercial space is an important component of the project regardless of whether the applicant receives credit for the space as a community amenity. Staff and the applicant will continue to work together through the process as the appraisal is performed, the project plans are refined, and the value of the proposed community amenity is assessed to determine the appropriate community amenity based on the required valuation. The applicant's proposal for community amenities will be subject to review by the Planning Commission through a later study session and/or in conjunction with the project entitlements.

#### Below market rate (BMR) ordinance

As noted above, projects in the R-MU-B zoning district are required to design and construct the required inclusionary affordable housing on-site as part of the project. The City's Below Market Rate Housing

Program requires 15 percent of the proposed dwelling units be set aside for low income households or an equivalent alternative. The applicant has provided a BMR proposal that includes 14 BMR units including seven low income units and seven moderate income level units (Attachment F). This is inconsistent with the City's inclusionary housing requirement that units be provided for low income households. Low income households are those earning 80 percent of the area median income and moderate income households are those earning up to 120 percent of the area median income. The City Council requested a feasibility analysis regarding the City's BMR requirements and will be reviewing that analysis when it is complete to determine if modifications should be made to the income level requirements, which may be applicable to the proposed project. Regardless, the BMR proposal for this project will need to be updated to meet the current BMR requirements, or any changes made to the requirements by the City Council, prior to Planning Commission action on the project.

### Design standards

In the R-MU-B zoning district, all new construction and building additions of 10,000 square feet of GFA or more must meet design standards subject to architectural control review. The design standards regulate the siting and placement of buildings, landscaping, parking, and other features in relation to the street; building mass, bulk, size, and vertical building planes; ground floor exterior facades of buildings; open space, including publicly accessible open space; development of paseos to enhance pedestrian and bicycle connections between parcels and public streets in the vicinity; building design, materials, screening, and rooflines; and site access and parking. As noted below, design requirements may be modified with a use permit. For any use permit requests, additional justification and documentation from the applicant regarding the basis for the requested exceptions will be required.

### Architectural style and materials

The design of the proposed multi-family residential building would have a contemporary architectural style, utilizing a predominately glass storefront along the majority of the curved façade. The facades would be predominately painted plaster in shades of blues, greys, and whites; however, material variation would be provided through the use of synthetic (phenolic) wood panels along the upper portion of the base of the building (below the tower element) along Independence Drive and through the vertical application of the synthetic wood panels on the southern portion of the tower element. The lower levels of the building would also contain board formed concrete, in addition to the plaster, at the base and around the first floor glass façade along the curved portion.

The proposed windows, including the glass storefront system would have vinyl mullions. The mullions would be bronze to accent the proposed color scheme for the building. Select residences would include private balconies which include a mix of glass railings and metal railings. The glass railings would be used on the apartments at the northwest corner of the building and apartments within the middle of the building. All other apartments that contain balconies would have metal railings that would also be bronze in color.

The proposed parking structure would be integrated into the building and would be generally located along the eastern portion of the site. The location of the garage would result in three-story plaster walls along a portion of the northern elevation and the entire eastern façade of the building. The plaster facades would be painted white. The garage would be partially open and the openings would be filled in with metal louvered panels for ventilation with bronze trim outline. As with the façade facing the street, this portion of the building would be 31 feet in height. At the study session the Commission generally felt that the garage treatment was acceptable; however, if the east side of the building becomes publicly accessible open space the Planning Commission may wish to consider if the facades should contain more material variation and or color variation to reduce the massing of the three story unbroken garage elements. Additionally, regardless of whether there is publicly accessible open space along this façade the Planning Commission may wish to

consider the proposed garage treatment relative to the proposed project at 115 Independence Drive and 104 Constitution Drive. While these portions of the building would not be visible from the public ROW, it would be visible from the publically accessible open space along the east property line.

### Minimum stepback and building projections

On public-street-facing facades, buildings in the R-MU zoning district are required to step back at least 10 feet for 75 percent of the building. This stepback is required once the building reaches 45 feet in height. The applicant has submitted documentation indicating a proposed stepback of 61 percent of the building through the offset of the tower element from the base and through the use of the curved element and staggered step backs along the northwestern portion of the tower from the base. The stepback proposed for the northwestern corner of the building would not meet the requirement. While the building facades would be set back more than 10 feet from the base of the building, the private balconies would extend to within 10 feet of the front façade of the lower levels. Building projections, including balconies, are permitted to encroach up to six feet into the required stepback. However, the balconies exceed this encroachment. Therefore, the proposed project does not fully comply with the stepback requirement and a use permit to modify/reduce the percentage of the building that would comply with the stepback is being requested. Preliminary review of the project proposal and feedback from the Planning Commission at the June 2018 study session appears to support the use permit for an exception to the stepback based on the overall design.

### Average height and roofline eave height variation

The maximum allowed average height for the project site is 62.5 feet; however, the applicant is requesting an increase in the allowable average through the City's Below Market Rate Housing Program. The proposed average height of the building would be approximately 63.46 feet. This relatively small increase in the average height would be necessary to accommodate the additional dwelling units proposed through the City's Below Market Rate Housing Program.

The R-MU-B zoning district also requires a four foot height variation at roofline to break visual monotony and create a visually interesting skyline. There appears to be a height variation at the eave to parapet at the south façade near the southwest façade where the eave meets the abutting parapet. At the northwest corner there also appears to be a one-story height variation at the corner deck railing to the roof above which is set back from the edge of the deck. Staff believes the project generally would meet the requirement; however, further documentation is required.

### Major and minor modulations

The design standards for the R-MU-B zoning district require major and minor modulations on street facing facades. For major modulations, the design must include a minimum of one recess of 15 feet wide by 10 feet deep per every 200 feet of facade length. For minor modulations, a minimum recess of five feet wide by five feet deep per 50 feet of facade length would be required. The applicant has designed the building to include visual interesting elements, such as the tower element, balconies, material variation, and other vertical elements on the building, but has not designed the building to meet the minor and major modulations requirement from the Zoning Ordinance and is requesting a use permit to modify this standard. Preliminary review of the project proposal and feedback from the Planning Commission at the June 2018 study session appears to support the use permit for an exception to the major and minor modulations based on the overall design.

#### Ground floor transparency and building entrances

The R-MU-B zoning district requires 30 percent of the ground floor façade (finished floor to ceiling) be provided as transparency such as clear-glass windows. The project would meet the ground floor

transparency requirement with 63 and 75 percent transparency where 30 percent is required.

One building entrance is required for each 100 feet of building length and at least one per building length with entrances at building corners satisfying the minimum requirement for each frontage. The applicant has proposed additional building entrances at key locations along the primary building façade would define a clear building entry at the street level and provide increased connectivity to the publicly accessible open space.

### Green and sustainable building

In the R-MU-B zoning district, projects are required to meet the following green and sustainable building regulations.

- Meet 100 percent of its energy demand through any combination of on-site energy generation, purchase of 100 percent renewable electricity, and/or purchase of certified renewable energy credits;
- Designed to meet LEED (Leadership in Energy and Environmental Design) Silver BD+C,
- Comply with the electric vehicle (EV) charger requirements adopted by the City Council in November 2018;
- Incorporate bird-friendly design in the placement of the building and the use of exterior glazing;
- Water use efficiency;
- Placement of new buildings 24 inches above the Federal Emergency Management Agency (FEMA) base flood elevation (BFE) to account for sea level rise; and,
- Waste management planning, would also apply to the project.

Details regarding how the proposed building would meet the green and sustainable building requirements will be provided as the project plans and materials are further developed.

### Planning Commission considerations

The following comments/questions are suggested by staff to guide the Commission's discussion, although Commissioners should feel free to explore other topics of interest.

- **Community Amenity.** Does the Planning Commission believe that the proposed community amenity which consists of a 712 square foot neighborhood serving café/coffee shop would be generally acceptable? Does it serve the needs of the community and is the proposed location appropriate? If so, should the square footage of the coffee shop be expanded to create a more usable space? Should other community amenities be considered such as additional affordable housing?
- **Parking Ratio.** Based on the reduced parking scenario provided by the applicant, is the scenario with the lower ratio of 1.1 spaces per unit acceptable?
- **Publicly Accessible Open Space.** Should the publicly accessible open space be extended to coordinate a pedestrian connection between 111 and 115 Independence Drive? Does the Planning Commission believe the general approach to the publicly accessible open space on the site is acceptable? Does the Commission have any comments or feedback for the applicant team on the preliminary design and location of the open spaces, considering the criteria outlined previously in the staff report?

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#### Correspondence

As of the writing of this report, staff has not received any correspondence regarding the project.

### Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project. The project sponsor is also required to fully cover the cost of work by consultants performing environmental review and additional analyses to evaluate potential impacts of the project.

#### **Environmental Review**

A focused EIR tiering from the ConnectMenlo program EIR will be prepared for the proposed project. On February 12, 2019, the City Council authorized the City Manager to enter into a contract with LSA to complete the environmental review and prepare an initial study and focused EIR for the proposed project. A focused EIR will be prepared only on the topics that warrant further analysis, including a transportation and housing analysis and other topics as described in the CEQA Review section earlier in this report. The Planning Commission would take final action on the project entitlements, including the certification of the focused EIR, after the completion of the 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. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

#### Attachments

- A. Location Map
- B. Description Letter
- C. Project Plans
- D. Notice of Preparation and Initial Study https://www.menlopark.org/CEQA-documents
- E. June 18, 2018 Planning Commission Staff Report; https://www.menlopark.org/DocumentCenter/111-Independence-Drive-Study-Session
- F. June 18, 2018 Planning Commission Minutes; https://www.menlopark.org/AgendaCenter/Minutes
- G. Community Amenities List; https://www.menlopark.org/DocumentCenter/6360\_Community-Amenities
- H. BMR Proposal

### 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.

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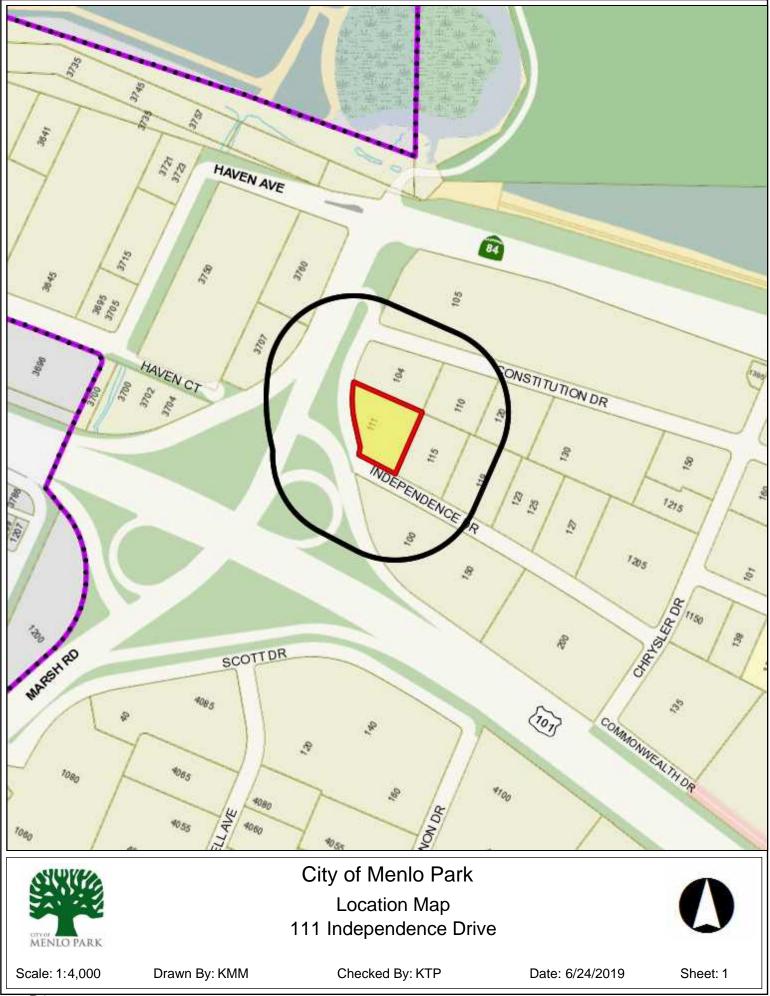
### Exhibits to Be Provided at Meeting

Colors and Materials Board

Report prepared by: Kaitie Meador, Senior Planner

Report reviewed by: Kyle Perata, Principal Planner

### ATTACHMENT A



### ATTACHMENT B

May 29, 2019

### City of Menlo Park Development Permit Application Project Description Letter 111 Independence Drive (APN: 055-236-120)

Dear Menlo Park Planning Commission,

We look forward to meeting with you again to discuss a very exciting housing project with a compelling aesthetic that is in harmony with the recent developments in the surrounding neighborhood. We have incorporated the feedback from the June 18, 2018 Planning Commission Study Session into the current iteration. The following are the highlights:

- Maintained the overall architecture based upon the Planning Commission's positive feedback.
- > Reduced the parking ratio from 1.4 to 1.1.
- > Provided a comprehensive BMR Proposal.
- > Added a Café as a Community Amenity.
- Revised the Publicly Accessible Open Space by eliminating the closed patio (and incorporating the new café).

The proposed project replaces an existing single story 15,000 square foot office building with a multi-family for rent development on 111 Independence Drive adjacent to Highway 101's Marsh Road overpass. The project replaces existing office stock and does not produce any new office, which is permitted by the RMU zoning, and as such, the entirety of the development reduces the jobs:housing imbalance.

The property consists of one parcel with approximately 40,235 square feet of land (.92 + acres) zoned as RMU in the Bayfront Area of Menlo Park. The project is best thought of as an infill project within the Menlo Gateway development, as the site is located directly between the completed Phase 1 Menlo Gateway office building and the Phase 2 Menlo Gateway office complex soon to be completed.

The project is located in a large and expanding jobs center within a 2-mile radius conducive to residents walking and biking to work. The project is also near transit (SamTrans routes 270 to Redwood City Caltrain).

The building is 8 stories with 105 rental dwelling units and 115 garaged parking stalls, for a parking ratio of 1.1 whereas a parking ratio of 1.5 is allowed, thereby reducing traffic and environmental impacts. The unit mix is approximately 28% studios, 64% 1-bedroom, and 9% 2-bedroom, minimizing any impacts on local schools.

The building includes the following amenities and common areas: Ground Level Plaza, 4th Floor Courtyard, Pool, Spa, 8<sup>th</sup> Floor Deck Terrace, Club Room, Fitness Center, Lounge, Dog Run, Dog Wash Area, Basketball Court, and Bocce Court.

The design reflects careful consideration to the new surroundings, and the uniqueness of the parcel and its location. To complement the adjacent high-rise office building with a convex curved façade, the project parti is a concave curvature to the façade. The design parti creates a dynamic visual interest between buildings and spaces, integrates the design with surrounding context and creates a unique architectural style. The base of the building is a convex curved façade lined with large storefronts, metal awnings and amenity space setback from Independence Drive via public open space.

The building is designed as three levels Type IA construction with five levels of Type IIIA construction above. For fire and height codes, the project is not considered a high-rise. Located in a flood plain, the ground floor amenities and habitable space have been raised 30 inches above grade. Garage and bicycle storage are not required by FEMA to be above flood plain and are designed at grade. The project is designed to be fully accessible as required by the California Building Code with Safe Harbor per the FHA Design Manual. The top floor Deck Terrace and adjacent Club Room are spaces that are 10% or less of the floor plate and sized to be under 49 occupants each.

Designed per Menlo Park's R-MU District planning codes, the project meets requirements for ground floor active use frontage, building height, building mass breaks and setbacks, and public open space, along with other code requirements.

This project is unique in the R-MU area as a housing project on a significantly smaller parcel than other projects that have or are likely to come forward. A smaller parcel development will add greatly to the overall character of the area by providing an alternative to future large-scale housing complexes.

The project provides a ground-floor café as a community amenity, which is one of the amenities from the Resolution 6360 Community Amenities List under the category of Community-Serving Retail, specifically "a range of dining options, from cafes to sit-down restaurants, serving residents and local employees." An appraisal performed by a licensed appraiser meeting the City of Menlo Park's qualification requirements was submitted to the City in April, 2019.

The project includes 14 Below Market Rate (BMR) units all onsite within the building, which equals 15.22% of 92 dwelling units, which is the total amount of units allowed by zoning prior to the application of Section 4.1.3 of the BMR Guidelines, which allows for an additional market rate unit above zoning per each BMR unit provided.

The BMR proposal is based upon careful consideration given to the feedback received at the June 2018 Planning Commission Study Session, and from insights gathered from the Housing Commission, Housing/Community Development Staff and Community Members over the last year. The following in a summary of some of the key components of the BMR program:

- > The BMR unit mix is fully consistent with the overall building unit mix.
- The BMR units are reasonably distributed throughout the building, both horizontally and vertically.
- An equivalent number of BMR units are provided at the low-income level as the moderate-income level (50% / 50% split), which greatly assists the City in meeting its moderate level or "Missing Middle" RHNA numbers, where it has severely underperformed over the last four years (less than 3%).

In order to implement the Section 4.1.3 units, we request that City make a development standard allowance for a slightly increased "average" building height (no increase in the maximum / actual building height is needed). Architecturally, this adjustment has been accomplished by extending one of the "tower" corners which is more systematical and aesthetically preferred. The following are additional justifications:

- > Project provides additional dwelling units for much-needed housing.
- > Project remains max building height compliant.
- > Project remains FAR compliant.
- > Building massing and setback from street is maintained for air and light exposure.

In addition to much-needed housing (both market rate and below market) and the community-serving café, the project also provides the following community benefits:

- > Publicly Accessible Open Space.
- > Street Improvements including Sidewalks, Lighting and Landscaping.
- Underground Power Lines.
- > Dedication of a portion of the property for public street use.

Given the severe ongoing housing crisis, we respectfully request that the Planning Commission make best efforts to streamline the project review process.

Sincerely,

Sateez Kadivar SP Menlo LLC 111 Independence Drive Menlo Park, CA 94025

## ATTACHMENT C



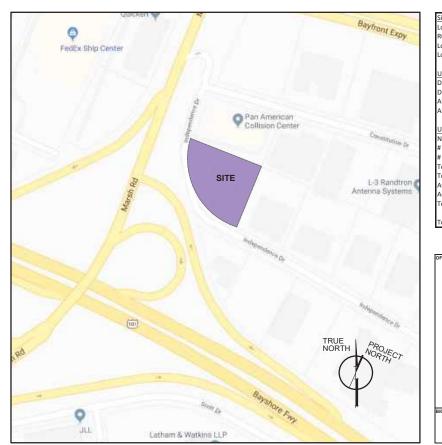
### PLANNING SUBMITTAL 5 111 INDEPENDENCE

MULTI-FAMILY DEVELOPMENT 105 DWELLING UNIT

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Site Information		BMR Guidelines Section 4.1.3 Provision:						
Lot Size (Sq Ft)	40,235	Section 4.1.3 of the BMR Guidelines provides that	Section 4.1.3 of the BMR Guidelines provides that, "for each BMR unit					
ROW Dedication (Sq Ft)	87.8	provided, a developer shall be permitted to build	one additional market					
Lot Post ROW Dedication (Sq Ft)	40,147.20	rate (bonus) unit. However, in no event shall the total number of u						
Lot Post ROW Dedication (Acre)	0.9217	0.9217 development be more than fifteen percent (15%) over the						
		otherwise allowed by zoning."						
Units & FAR Calculations Before Application of BMR Section 4.1.3								
Dwelling Units Allowed & Proposed	92							
Density (DU/Acre)	99.8207							
Allowable FAR Percentage (225% * 99.8207)	224.5965							
Allowable FAR	90,169							
Units & FAR Calculations After Application of BMR Section 4.1.3								
Number of above 92 units which are proposed as BMR (15.22%)	14							
# of additional market rate units allowed by Section 4.1.3	13							
# of additional market rate units proposed via Section 4.1.3	13							
Total number of units allowed (92+13)	105							
Total number of units proposed	105	Total FAR Sq Ft Provided in Project						
Avg Sq Ft of all DUs across entire building	698	Net Rentable Residential	73,333					
Additional FAR Sq Ft for Section 4.1.3 units (13 * 698)	9,074	Gross (Including Corridors, Excluding Decks)	16,071					
Total Allowable FAR Sq Ft (90,169 + 9,074)	99,243	Amenity (Including Leasing)	5,652					
		Total FAR Sq Ft	95,056					
Total FAR Sq Ft Provided in Project	95,056							

T PARKING - RE	SIDENTIAL													
CITY REQUIR	ED MINIMUM RE	ESIDENTIAL I	PARKING			ED MAXIMUM	RESIDENTIA	L PARKING	ING					
UNIT TYPE	PKG RATIO		PKG REQ'D		UNIT TYPE	PKG RATIO		PKG REQ'						
STUDIO	1	29	29		STUDIO	1.5	29		43.5					
1 BDRM	1	67	67		1 BDRM	1.5	67	100.5						
2 BDRM	1	9	9		2 BDRM	1.5	9	13.5	13.5					
3 BDRM	1	0	0		3 BDRM	1.5	0	(	0					
TOTAL		105	105		TOTAL		105	158	158					
TOTAL DEOU	IRED MINIMUM		105		TOTAL DEOL	IRED MAXIMU		454	158 TOTAL PROVIDED 115					
	ARKING RATIO		1.00			PARKING RATI			1.50 PARKING RATIO PROVIDED 1.10					
	ARKING RATIO		1.00		WAANVOW	ARKING RATI	0	1.50	1.50 PARKING RATIO PROVIDED 1.10	1				
PROVIDED RESIDENTIAL PARKING														
1.101102010					STANDARD	VAN ACCESS								
FLOOR	STANDARD	ACCESS	VAN ACCES	EV	GUEST	GUEST	TOTAL							
1st	30	0	2	2	5	1	40							
2nd	34	1	0	4	0	0	39							
3rd	35	1	0	a	0	0	36							
TOTAL	99	2	2	6	5	1	115							
RKING														
REQUIRED LONG TERM: 1.5 STALLS/DU = 1.5 * 105DU =					158 STALLS	3		PROVIDED CLASS I: (12) BIKE STACKERS (12 BIKES EACH) = 159 STALLS						
REQUIRED SHORT TERM: 10% OF CLASS I = 159STALLS * 10% =					16 STALLS			PROVIDED CLASS II: 16 CLASS II STALLS						

#### FLOOD PLANE NOTES

The project is built in compliance with the City's Flood Damage Prevention Ordinance, Chapter 12, Section 42.

All materials below DFE (12.0') shall be resistant to flood damage." (i.e., concrete).

The bottom elevation of all appliances and utilities (meters, transformers, etc) shall be at or above DFE.

Storm runoff resulting from the project's grading and drainage activities shall not encroach onto any neighboring lot. Runoff must be contained on-site.



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FAR, FLOOD NOTES & VICINITY MAP



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ONSTRUCT	ION TYPE:		TYPE IIIA OVE 5 WOOD OVER	R TYPE IA R 3 CONCRETE												
	NAME	DESCRIB	Unit Net Rental	ble									Unit	Percent	Rentable Area	
		DECONID	onitriotricina	B1	1ST	2ND	3RD	4TH	5TH	6TH	7TH	8TH	Total	of Total Units	by Type	
TUDIO	A1.1	STUDIO	539		0	0	0	1	1	1	1	1	5	5%	2,695	
	A1.2	STUDIO	577		0	0	0	1	1	1	1	1	5	5%	2,885	
	A2	STUDIO	524		0	0	0	1	1	1	1	1	5	5%	2,620	
	A4	STUDIO	554		0	0	1	0	0	0	0	0	1	1%	554	
	A5	STUDIO	585		0	0	0	1	1	1	1	1	5	5%	2,925	
	A6	STUDIO	618		0	0	1	0	0	0	0	0	1	1%	618	
	A7	STUDIO	567		0	0	1	0	0	0	0	0	1	1%	567	
	A8	STUDIO	606		0	0	1	0	0	0	0	0	1	1%	606	
	A9	STUDIO	576		0	0	1	0	0	0	0	0	1	1%	576	
	A10	STUDIO	605		0	0	1	0	0	0	0	0	1	1%	605	
	A11	STUDIO	455		0	0	2	0	0	0	0	0	2	2%	910	
	A17	STUDIO	696		0	0	1	0	0	0	0	0	1	1%	696	
STUDIO SUB-	TOTAL				0	0	5132	2225	2225	2225	2225	2225	29	28%	16,257	
BEDROOM	B1	1 BDRM/ 1 BATH	629		0	0	0	2	2	2	2	2	10	10%	6,290	
	B1.1	1 BDRM/ 1 BATH	647		0	0	0	1	1	1	1	1	5	5%	3,235	
	B1.3	1 BDRM/ 1 BATH	758		0	0	0	2	2	2	2	2	10	10%	7,580	
	B2	1 BDRM/ 1 BATH	810		0	0	0	1	1	1	1	1	5	5%	4,050	
	B3	1 BDRM/ 1 BATH	951		0	0	0	0	1	1	1	1	4	4%	3,804	
	B4	1 BDRM/ 1 BATH	761		0	0	0	1	1	1	1	1	5	5%	3,805	
	B5	1 BDRM/ 1 BATH	622		0	0	0	1	1	1	1	1	5	5%	3,110	
	B6	1 BDRM/ 1 BATH	809		0	0	1	0	0	0	0	0	1	1%	809	
	B7	1 BDRM/ 1 BATH	662		0	0	1	0	0	0	0	0	1	1%	662	
	B8	1 BDRM/ 1 BATH	680		0	0	0	1	1	1	1	1	5	5%	3,400	
	B9	1 BDRM/ 1 BATH	621		0	0	0	1	1	1	1	1	5	5%	3,105	
	B10	1 BDRM/ 1 BATH	734		0	0	0	1	1	1	1	1	5	5%	3,670	
	B11	1 BDRM/ 1 BATH	599		0	0	1	0	0	0	0	0	1	1%	599	
	B12	1 BDRM/ 1 BATH	600		0	0	1	0	0	0	0	0	1	1%	600	
	B13	1 BDRM/ 1 BATH	809		0	0	1	0	0	0	0	0	1	1%	809	
	B14	1 BDRM/ 1 BATH	947		0	0	1	0	0	0	0	0	1	1%	947	
	B15	1 BDRM/ 1 BATH	897		0	1	0	0	0	0	0	0	1	1%	897	
	B16	1 BDRM/ 1 BATH	601		0	1	0	0	0	0	0	0	1	1%	601	
BDRM SUB-	TOTAL				0	1498	4426	7649	8600	8600	8600	8600	67	64%	47,973	
BEDROOM	C1	2 BDRM/ 2 BATH	1167		0	0	0	1	1	1	1	0	4	4%	4,668	
	C2	2 BDRM/ 2 BATH	887		0	0	0	1	1	1	1	1	5	5%	4,435	
2 BDRM SUB-	TOTAL				0	0	0	2054	2054	2054	2054	887	9	9%	9,103	
OTAL UNITS	;	Avg SqFt	698		0	1498	9558	11928	12879	12879	12879	11712	105	100%	73,333	
let rentable re	esidential area	is measured center of demisin	g wall, ext face of	f stud of ext wall, ext	face of stud of	corridor wall, e	excl decks									PRC
let rentable F	Residential by	y floor (excl decks)			0	1,498	9,558	11,928	12,879	12,879	12,879	11,712			73,333	
Gross (Includ	ing Corridors	s, Excluding Decks)	<u>т</u>		1,510	832	2,545	2,881	1,938	1,938	1,938	2,489	r		16,071	
	uding Leasing		+ +		4,148			950	.,	.,	.,	554		+ +	5,652	
Retail			1 1		712	1	1			1				+ +	712	
	1					1		1	1	1	1	1		1	. 12	<u> </u>
Garage (Inlou	dina Bikes N	IEP, Trash Termination)			19,292	16,421	13,869								49,582	

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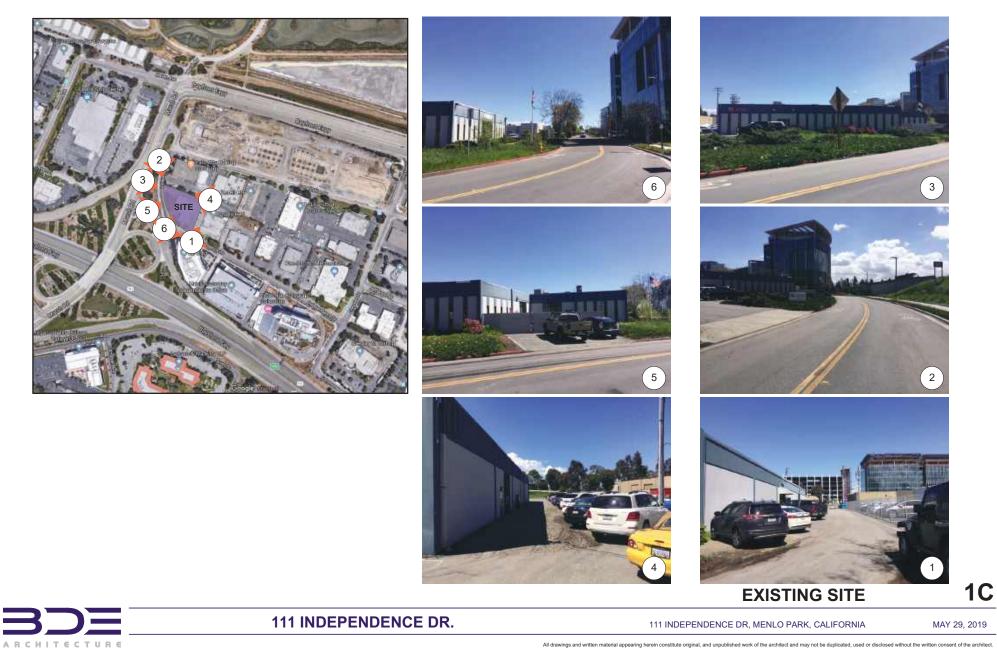
## **STATISTICS**

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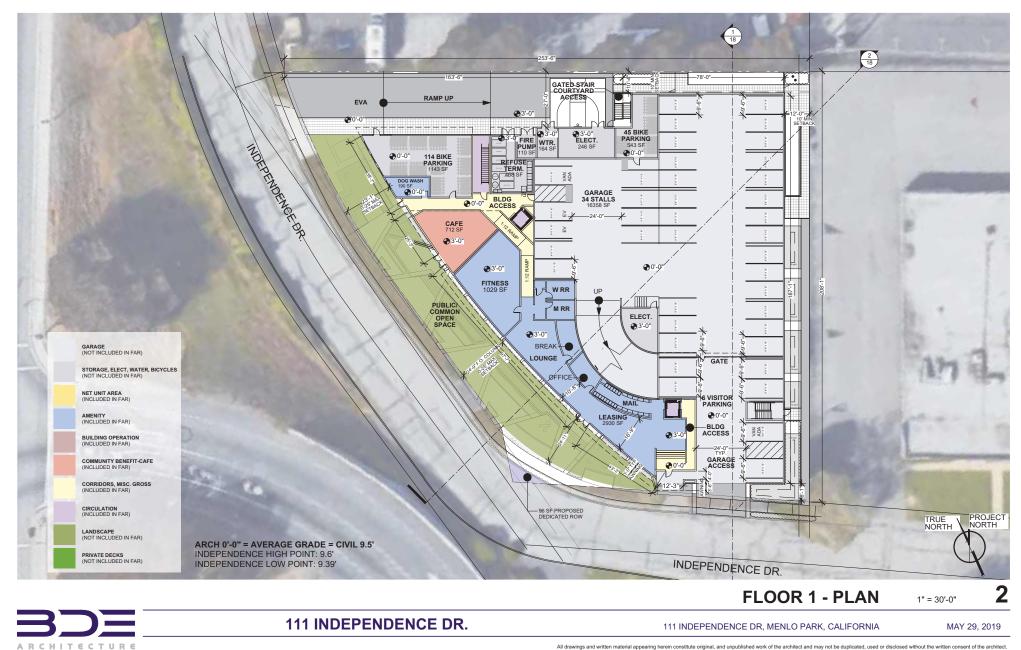
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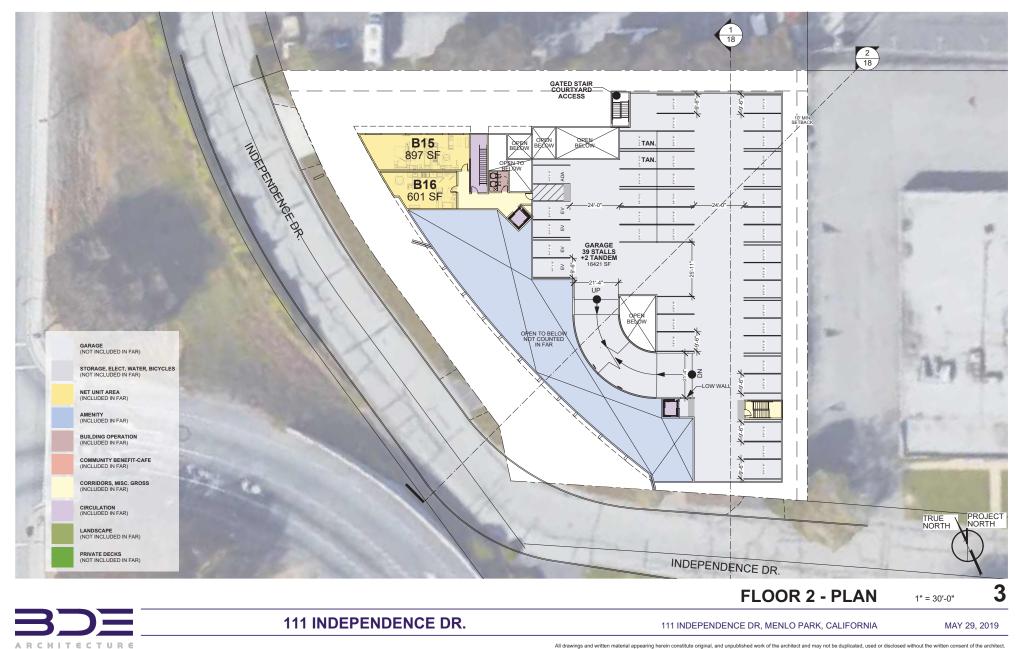
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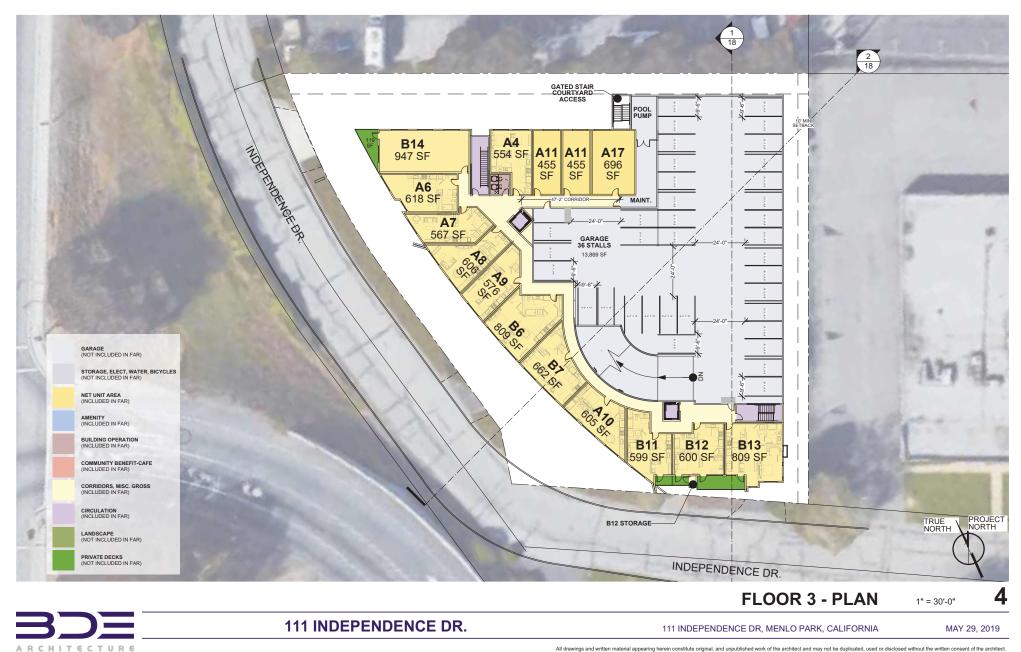
ARCHITECTURE



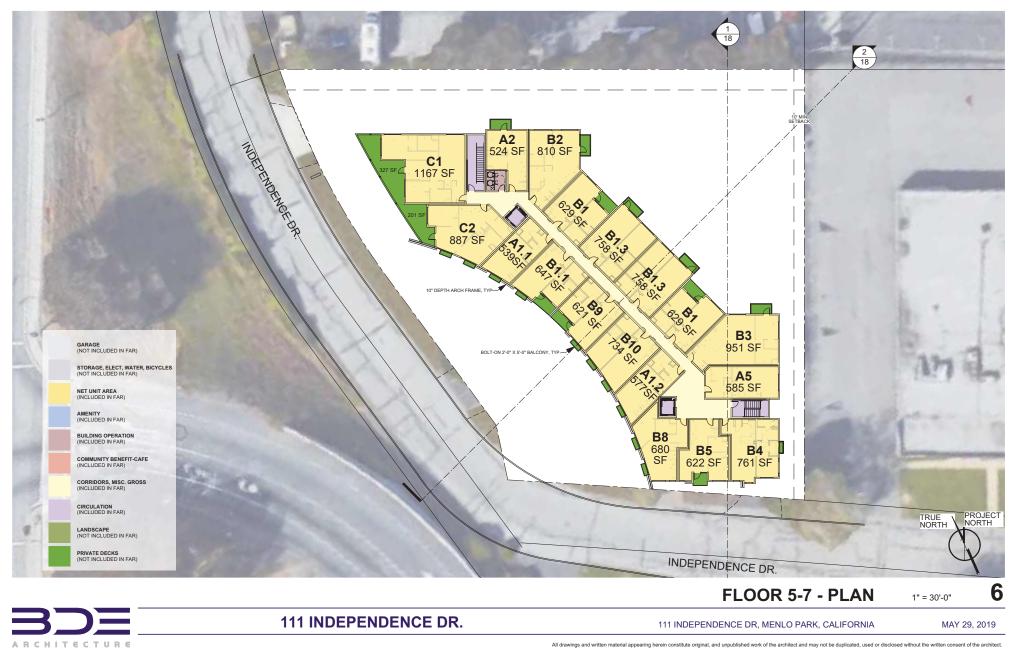


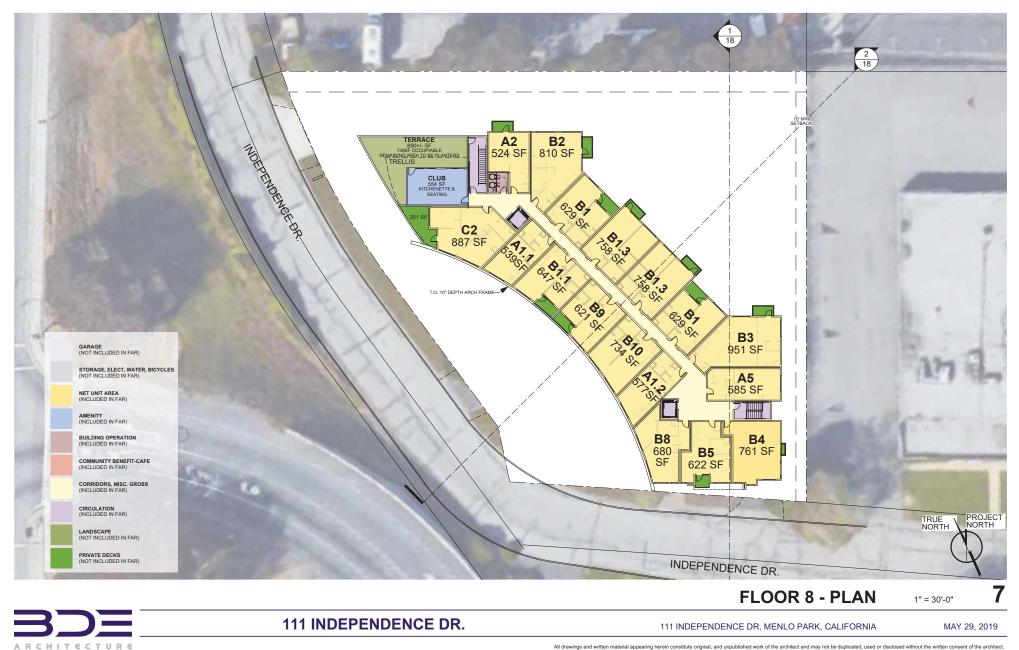


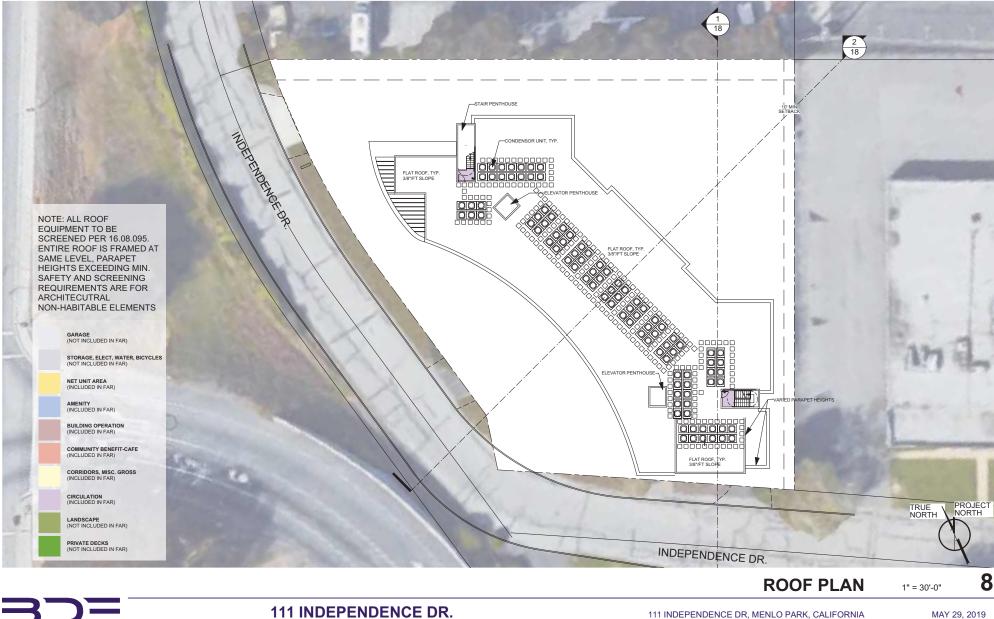






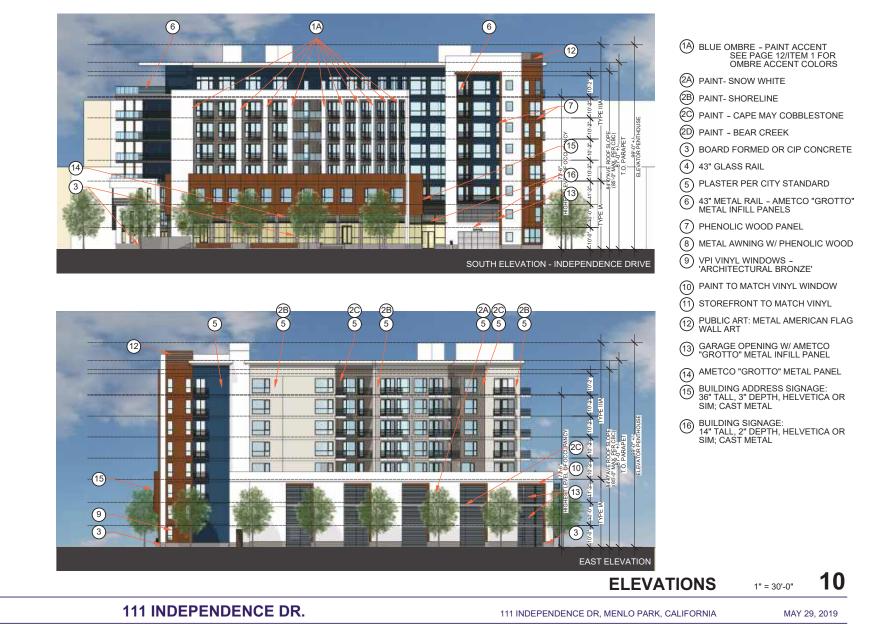














C13

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### OVERALL ELEVATION - INDEPENDENCE DRIVE 1" = 20'-0"

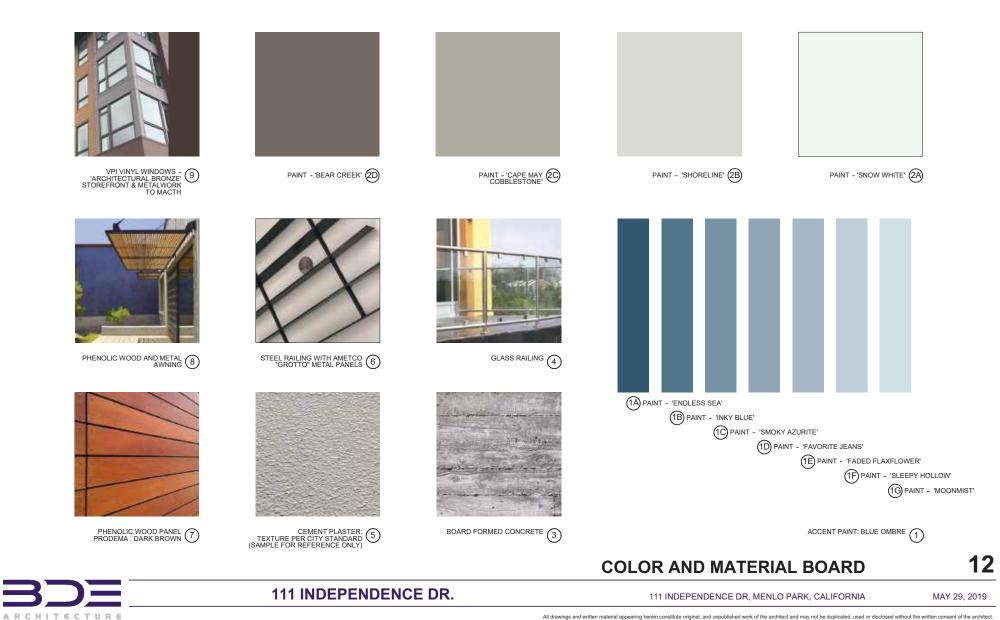
20'-0"

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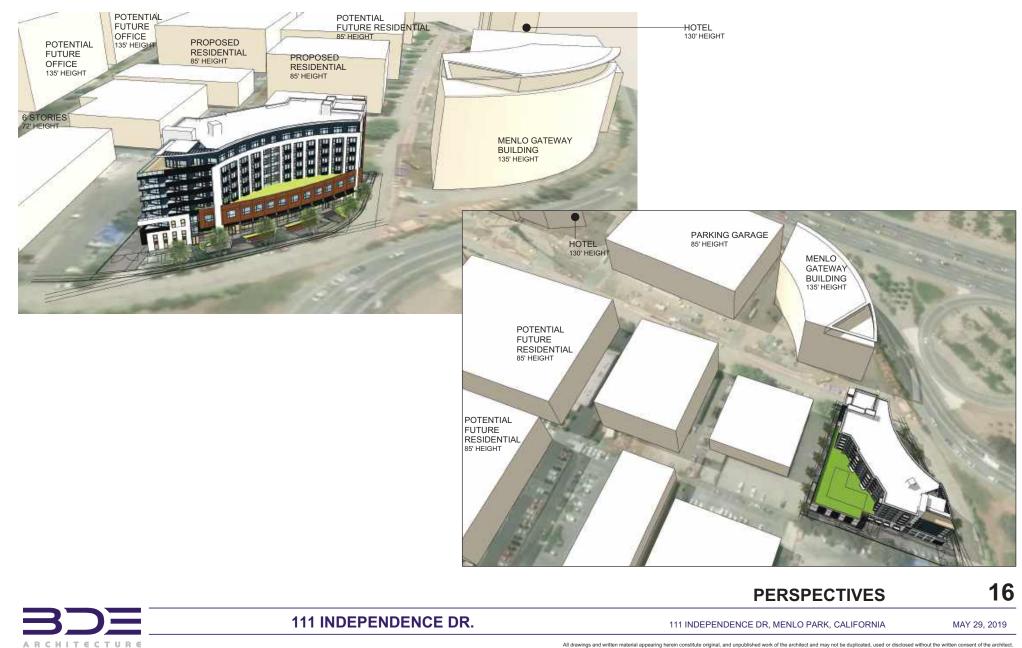


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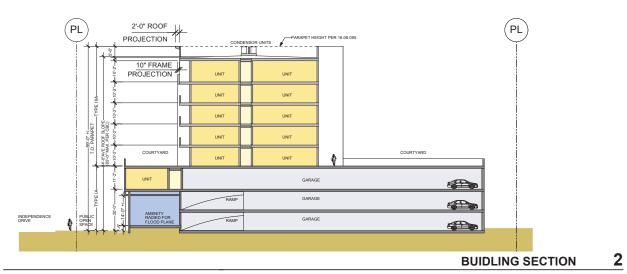


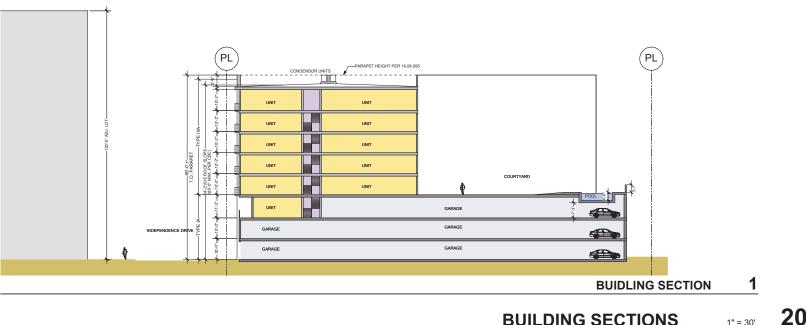
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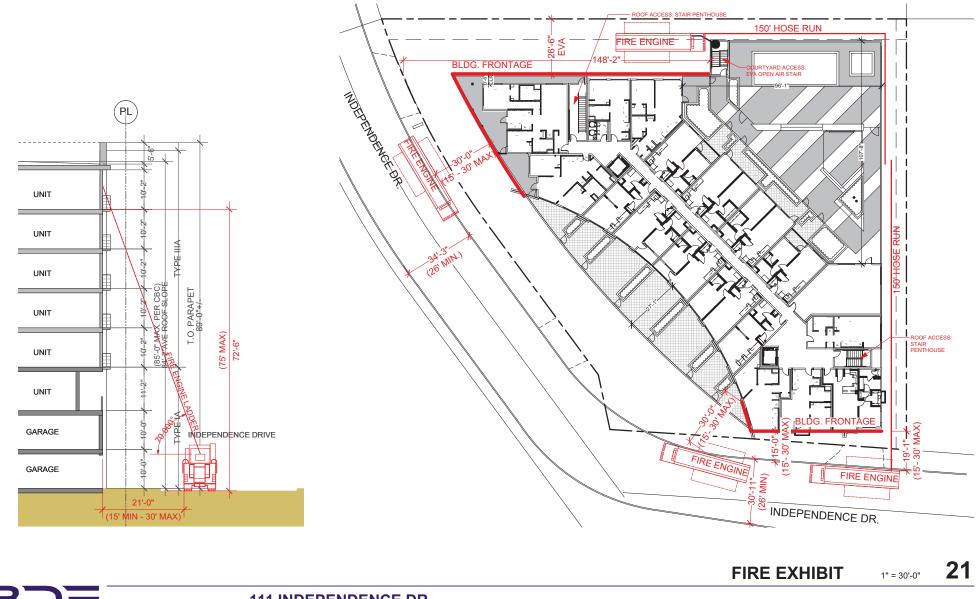


#### **BUILDING SECTIONS** 1" = 30'

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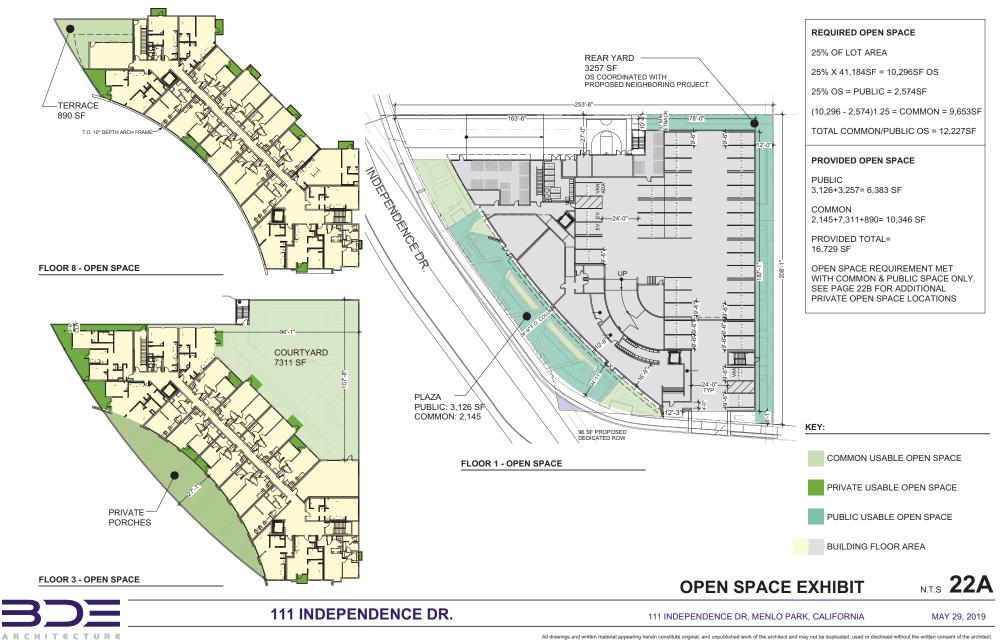


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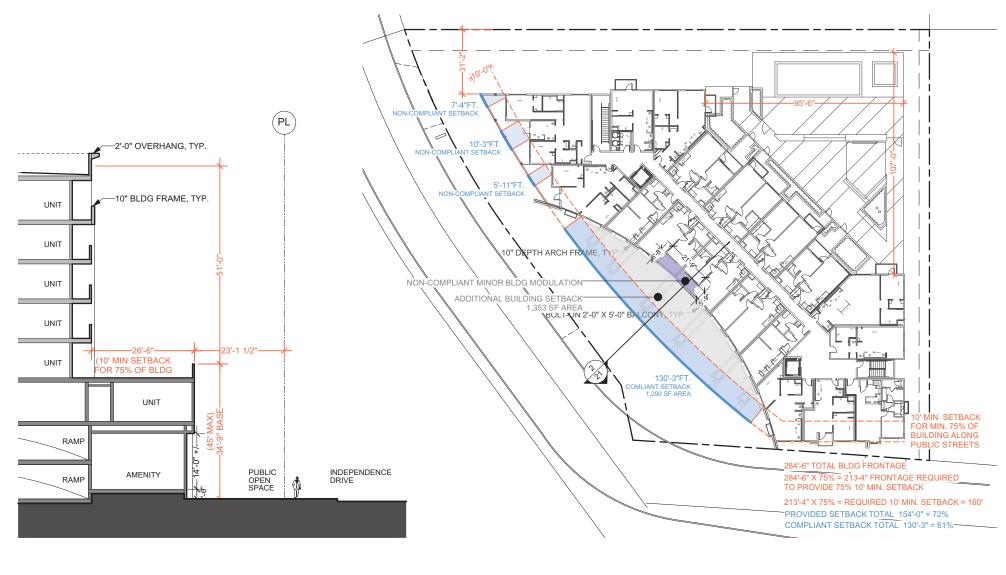




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MASS & SCALE EXHIBIT 1" = 30'-0" 23

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C27

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-	No.			
	В	EYOND		
				OCCUPANICY
		-	21'-0" NO LIMIT	
				NORTH ELEVATION

= 11'-1" FROM PL = 2,856 SF FACADE

= UNPROTECTED OPENING = 1,021 SF FACADE

1,021SF / 2,856SF = 35.7% UNPROTECTED OPENING

ALLOWED = 45% = COMPLIANT



= 12'-0" FROM PL = 8,637 SF FACADE

= UNPROTECTED OPENING = 2,302 SF FACADE

2,302SF / 8,637SF = 26.7% UNPROTECTED OPENING

ALLOWED = 45% = COMPLIANT



\* ROOF PENTHOUSE HEIGHTS ARE EXCLUDED \*\* HIGH PARAPETS DO NOT HAVE RAISED ROOFS

[(1,195SF \* 73') + (2,807SF \* 31') + [(13,257SF+1,069SF+126SF) \* 85'] + (7,311SF \* 31') ] / 25,833SF

(97,235 + 87,017 + 1,228,420 + 226,641) / 25,833

1,639,313 / 25833

AVERAGE BUILDING HEIGHT = 63.46'

ALLOWED AVERAGE BUILDING HEIGHT = 62.5' (R-MU-B ZONING)

# AVERAGE BUILDING HEIGHT & ALLOWABLE OPENING 1" = 30'-0" 24



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GROUND FLOOR TOTAL TRANSPARENT AREA: 2,370 SF = % TRANSPARENT = 63% TRANSPARENT GROUND FLOOR TOTAL SURFACE AREA: 3,747 SF





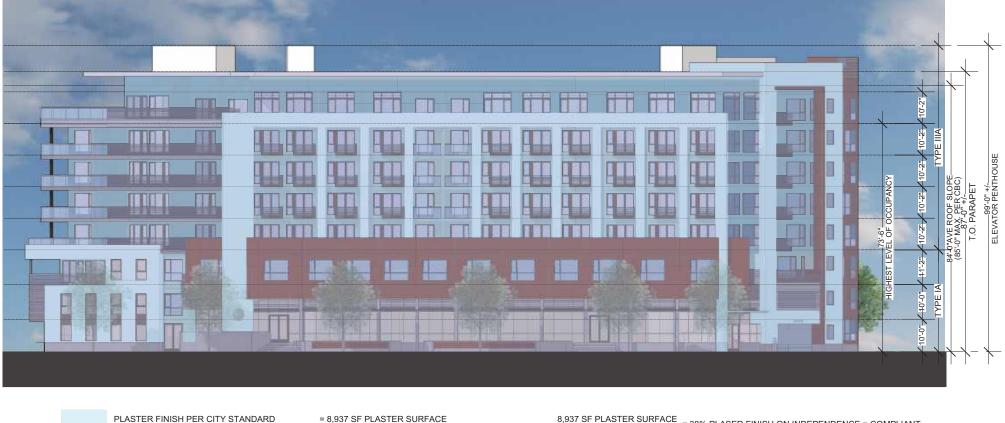
GROUND FLOOR TOTAL SURFACE AREA: 311 SF

#### 25 **GROUND FLOOR TRANSPARENCY** 1" = 30'-0"

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= 8,937 SF PLASTER SURFACE

 $\frac{8,937}{23,466}$  SF TOTAL SURFACE = 38% PLASER FINISH ON INDEPENDENCE = COMPLIANT

NON-PLASTER FINISH PER CITY STANDARD

= 14,529 SF NON-PLASTER SURFACE = 23,466 SF TOTAL SURFACE ON INDEPENDENCE

> **PLASTER EXHIBIT** 1" = 20'-0"

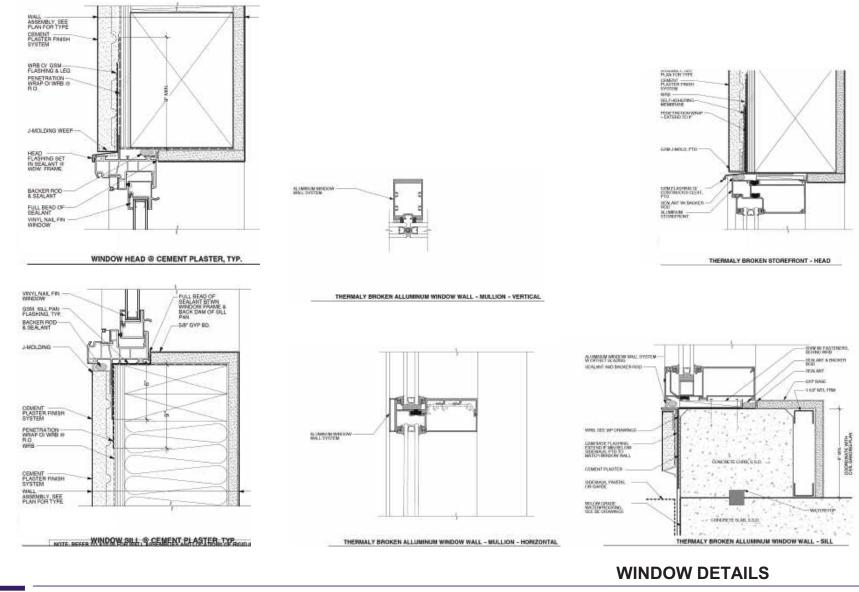
26

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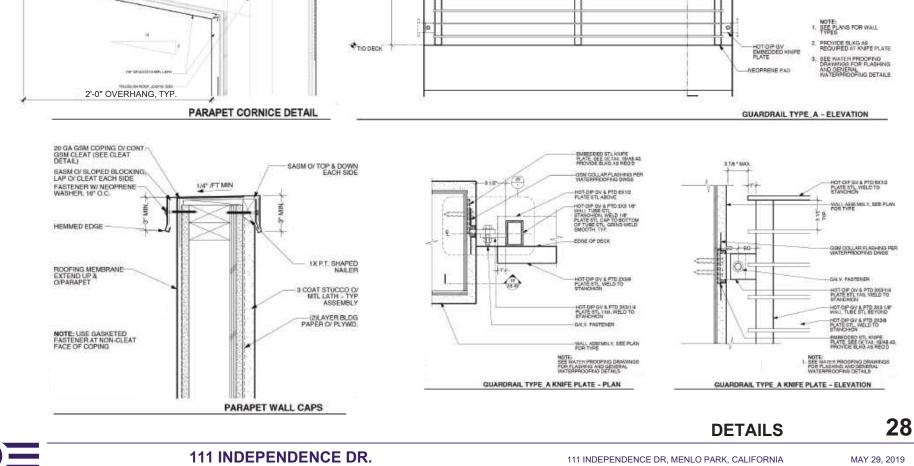




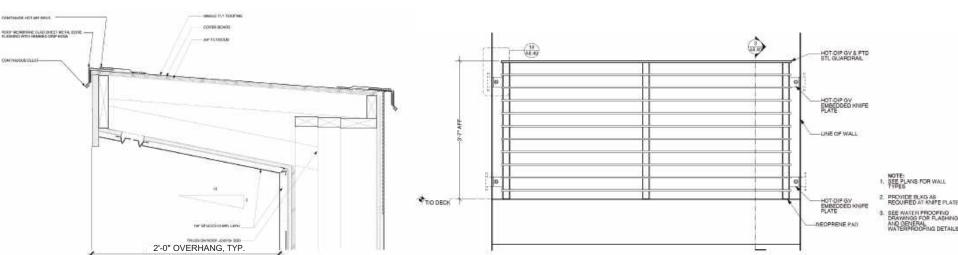
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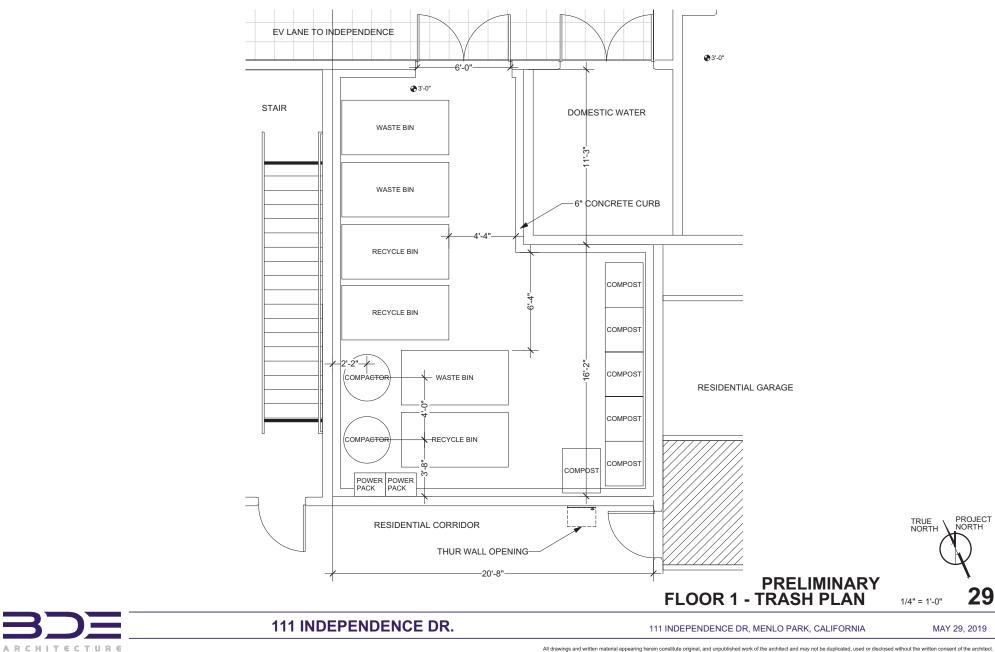
MAY 29, 2019

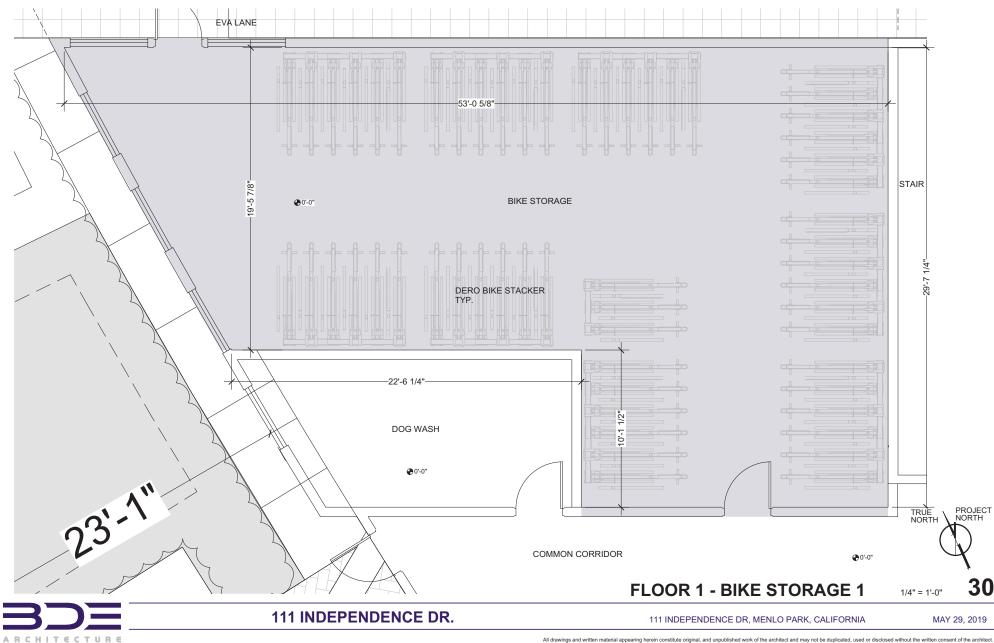


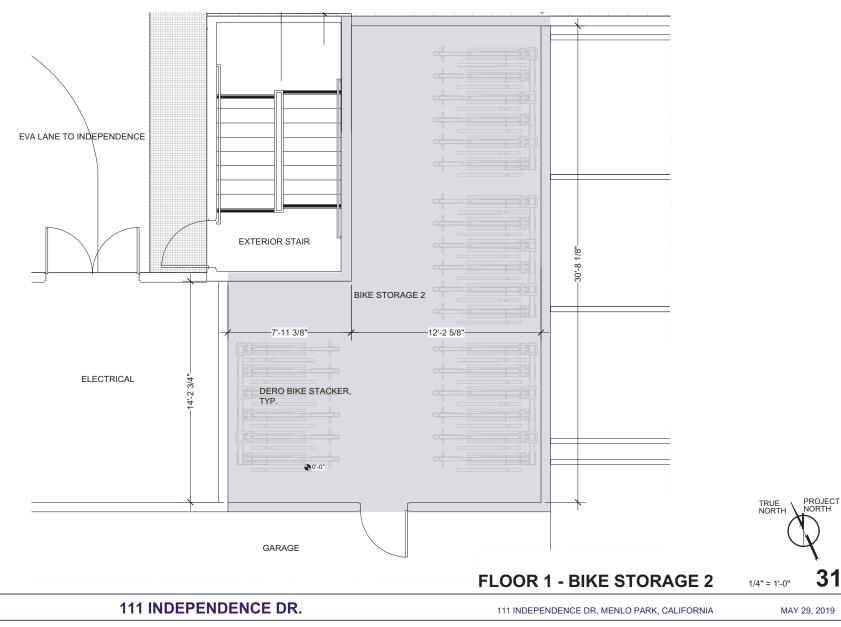
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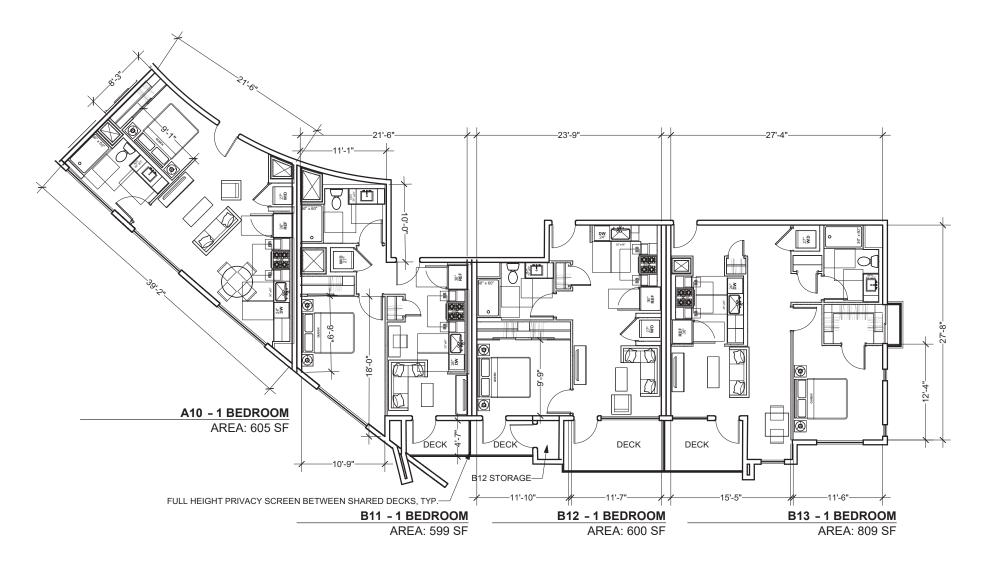






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### NET RENTABLE IS MEASURED FROM CENTERLINE OF WALL

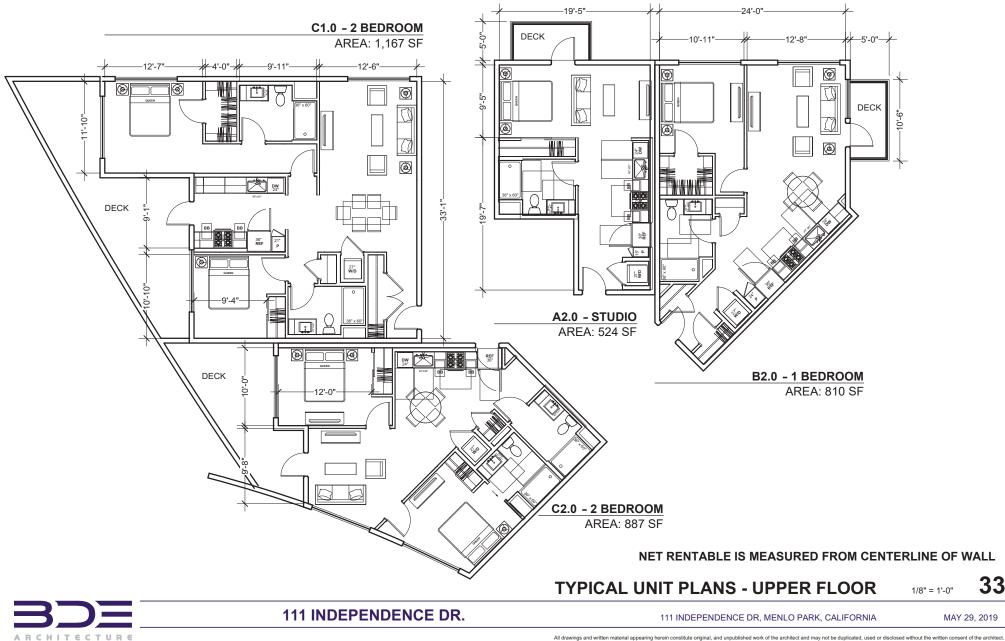
32

# TYPICAL UNIT PLANS - FLOOR 3 1/8" = 1'-0"

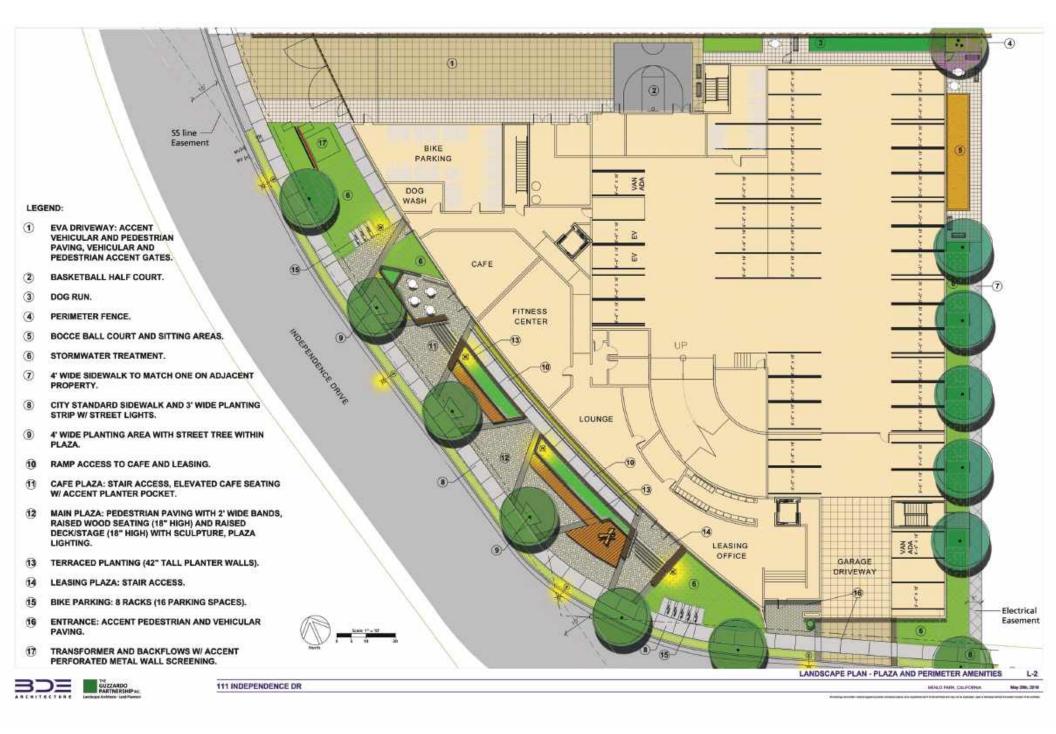
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111 INDEPENDENCE DR.









and and a	BOTACOL, NAME Acer polimativin "Americang" Acer polimativin "Beologood" Arbutus morine Olea suropeo Lyonotharmus Borihundus rovida pictures before final sele	CONVICE MANE Red Mople Japonese Mople Strawberry Tree Fruitiese Oilve Tree Catalies Imwared ection of specimen trees	CONMENTS Multi-trank Multi-trank Multi-trank	WUDOLS W L L L	gry
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\*\*NOTE: Plant quantities listed are approximate. The obeve plants have been selected as being representative of the event) planting design intent. This plant poletics is suggested for use, but does not preclude use of other opprogring beach material, experiported eventises of these, shrules and ground covers have been selected to complement the character of the project.

All planted areas are to be watered with an approved automatic underground inspation system. The system shall be designed to make efficient use of water through conservation tablingues, and be in compliance with the State and Water District's water conservation andiance. 0

The final construction documents will provide the contractor with an understanding of the design intent for the maintenance of the plotting area regarding care on grunning of the sits. The maintenance contractors shall turning all labor, equipment, materials and supervision required to properly maintain the landscapet deces in an attractive condition and as described in the project maintenance specifications.

### LEGEND:

- 1 PRIVATE PATIO
- 2 RAISED PLANER WALL W/ ACCENT PLANTING. ADDED SEAT AT CLUB ROOM PLAZA.
- 3 LOW FENCE W/ GATE.
- 4 DINING PLAZA: BAR AND BBQ COUNTERS, DINING TABLES UNDER ACCENT SHADE STRUCTURE;TV WALL; ACCENT PAVING W/ WOOD PAVING BANDS.
- 5 LOUNGE PLAZA: DOUBLE-SIDED FIREPLACE WALL, LOUNGE SEATING, ACCENT PLANTER POTS.
- 8 POOL DECK: POOL AND SPA AT BLDG EDGE W/ GLASS GUARDRAIL AND FENCE W/ ACCESS GATES, CHAISE LOUNGERS AND CABANAS, LOUNGE ARMCHAIRS AT FIREPLACE WALL.
- 7. TAPERED, RAISED PLANTER WALL (PATIO DIVIDER, 36' TALL) WITH SCREEN / BUFFER BAMBOO AND SHRUB PLANTING, MAINTENANCE GATE.



### LANDSCAPE PLAN - COURTYARD L-3



111 INDEPENDENCE DR

BETILD HMIR, CALIFORNIA May 390, 2019































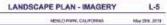
### 8TH FLOOR





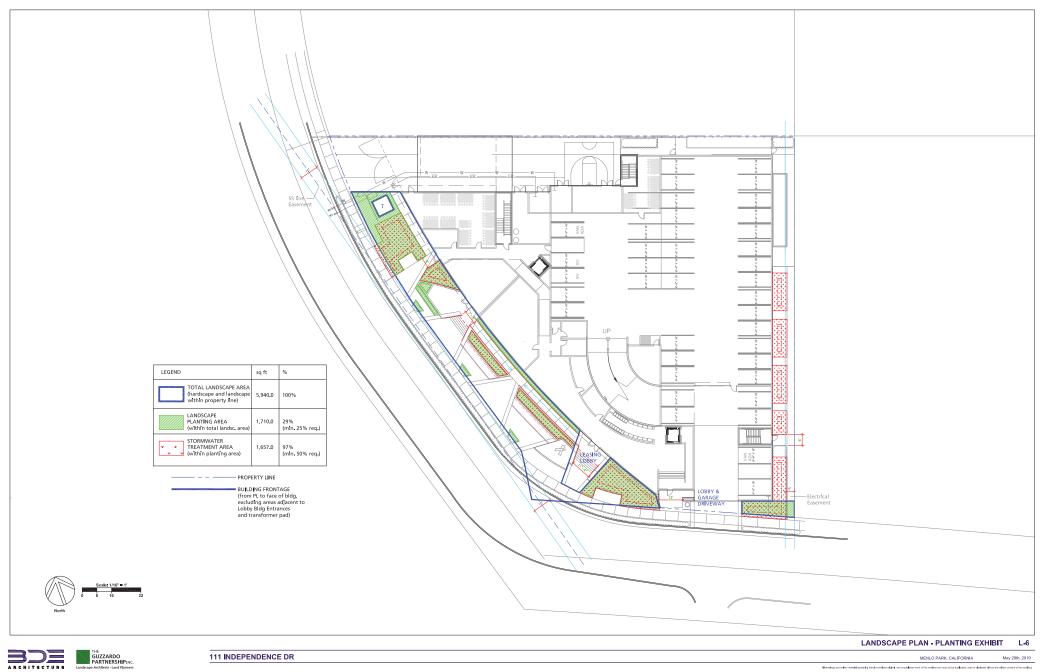






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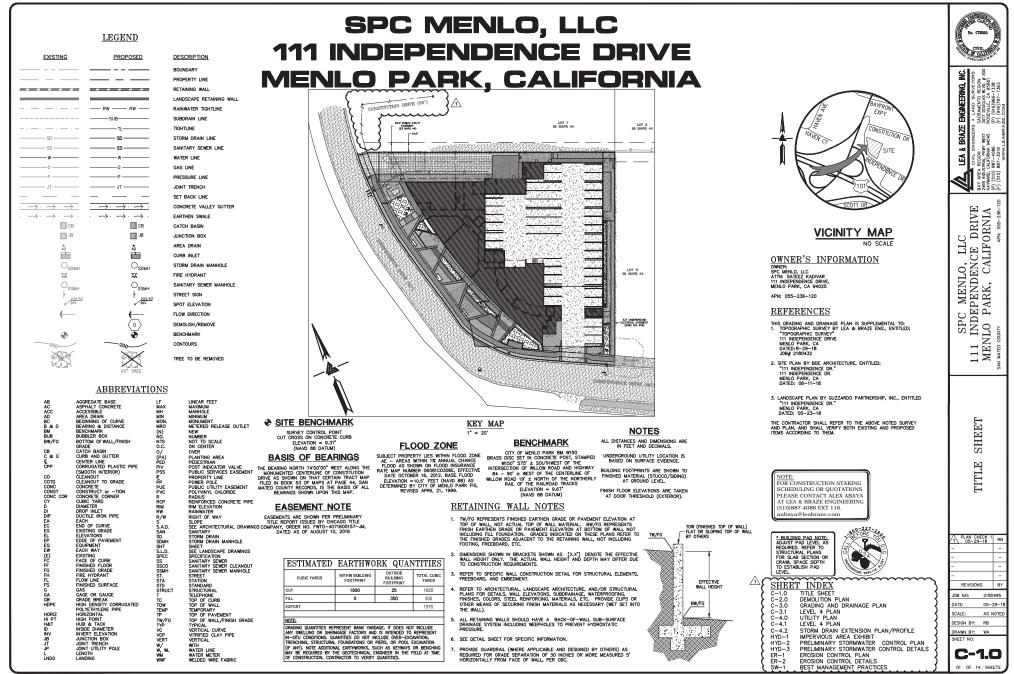


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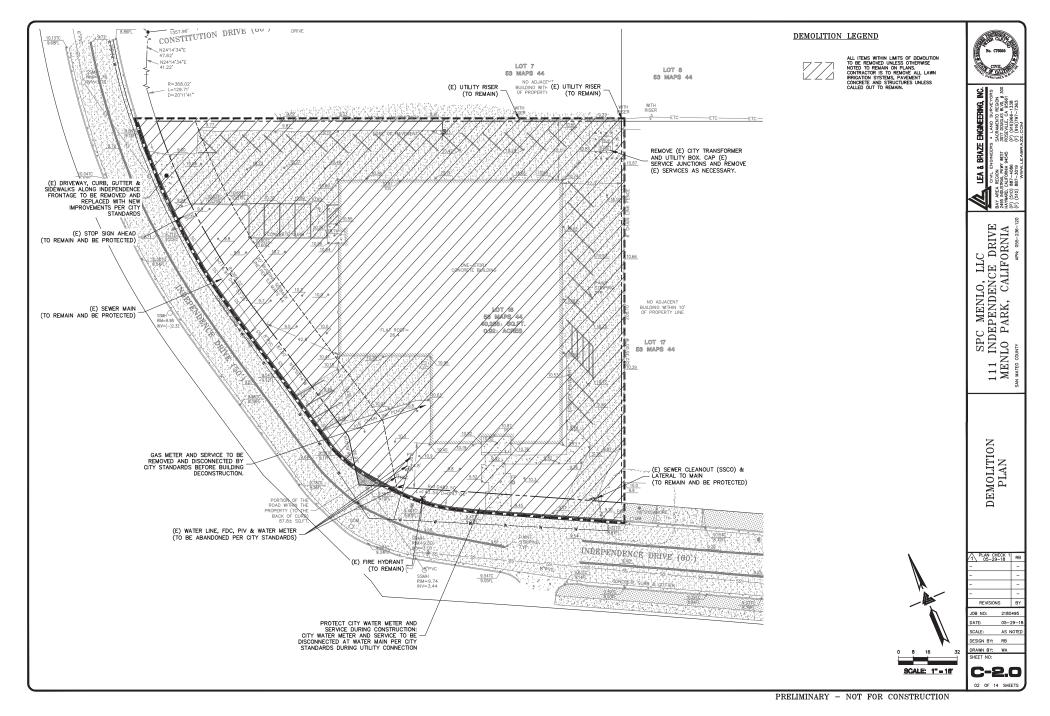
# ACCENT SCREEN AT UTILITIES Independence Drive MENLO PARK 05.24.2019

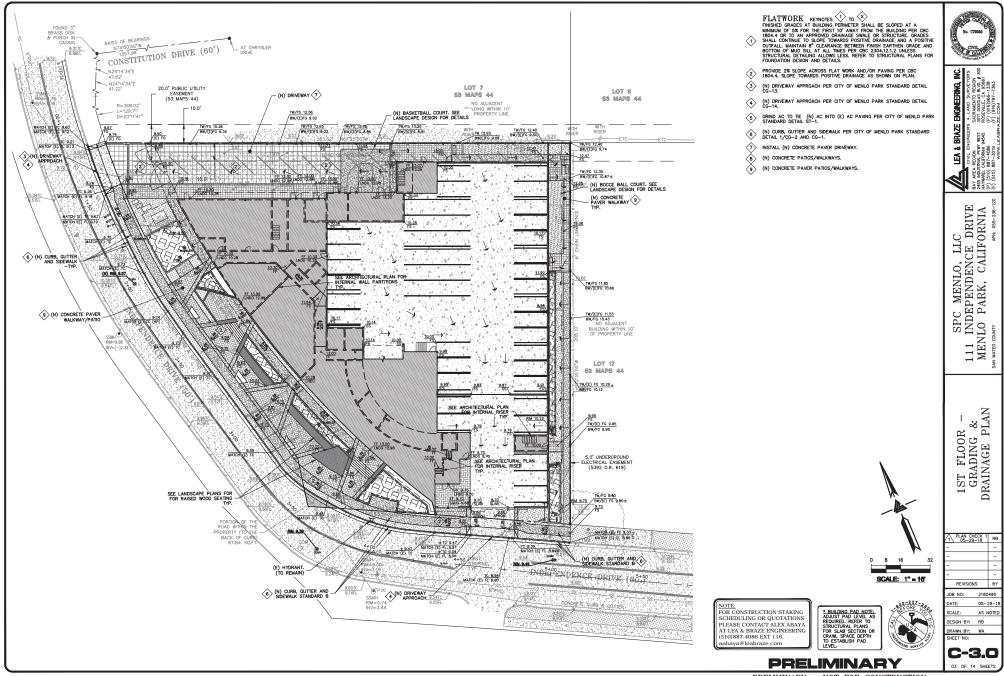




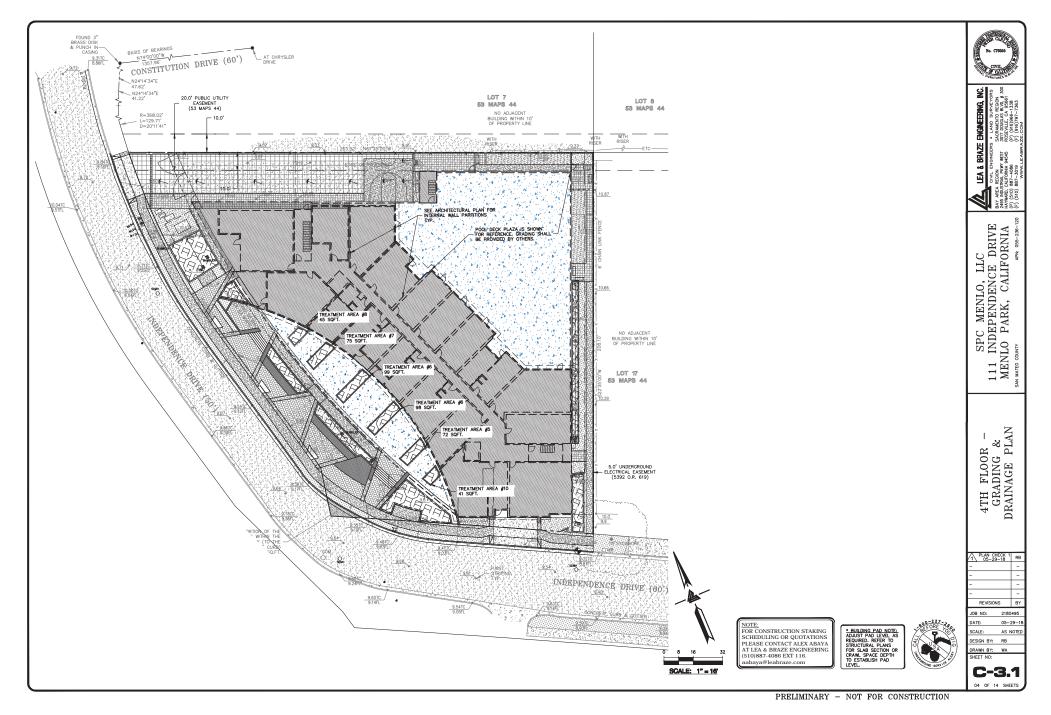


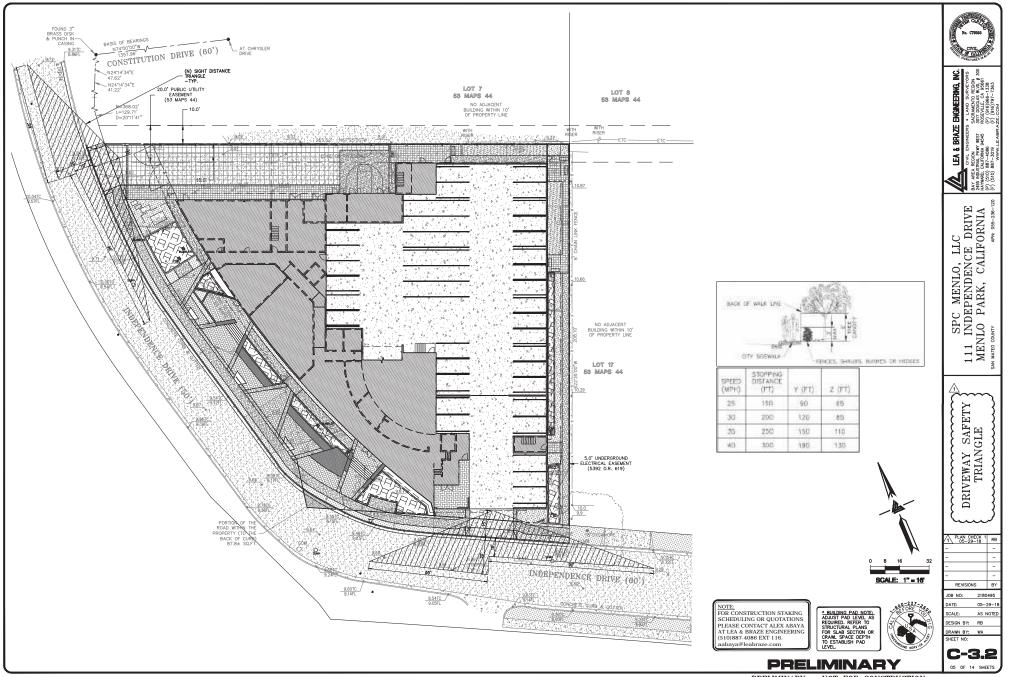
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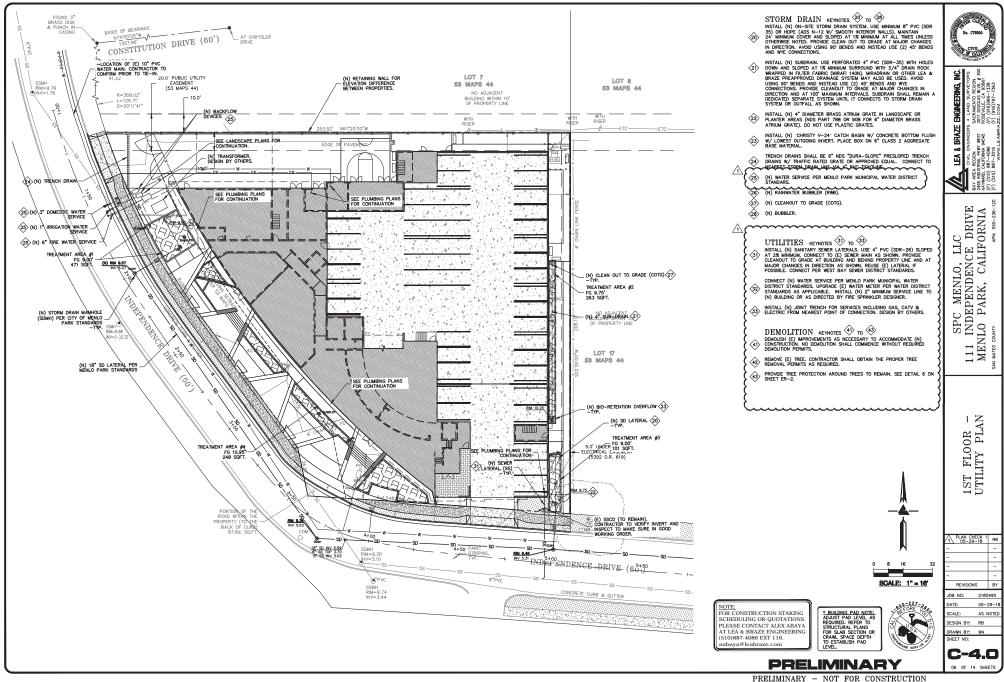


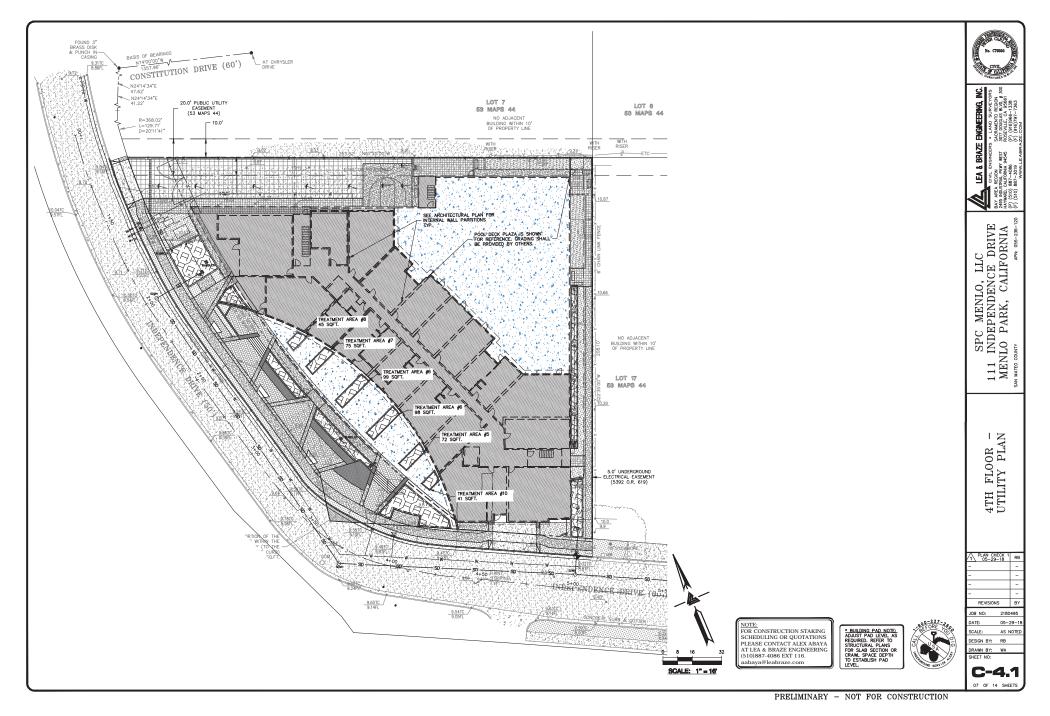
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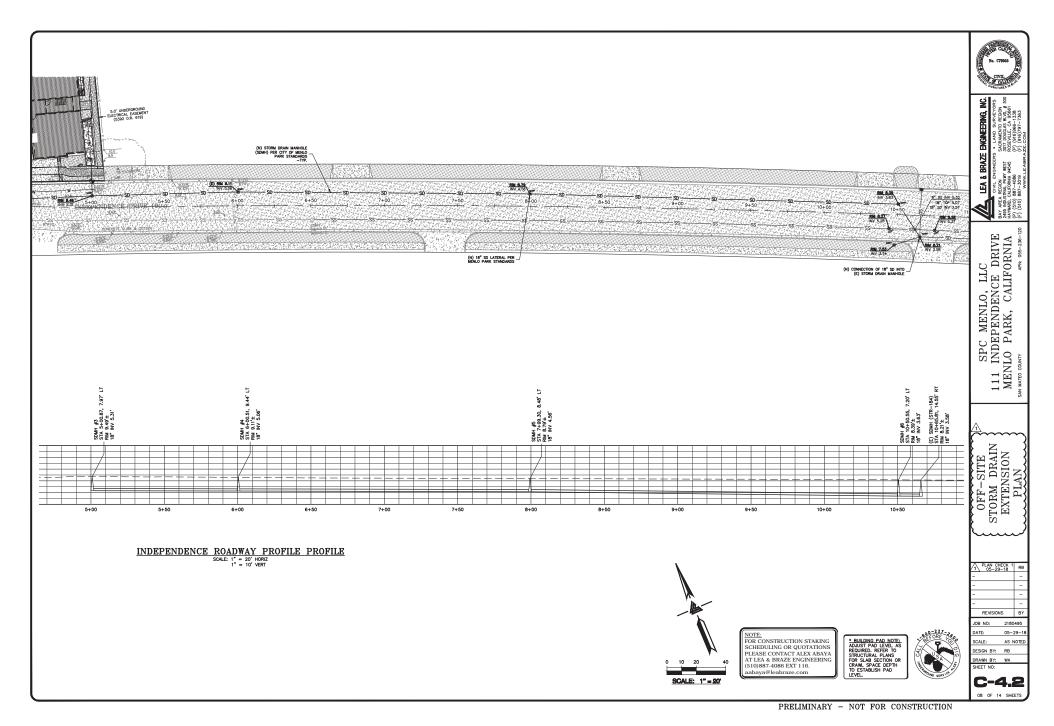


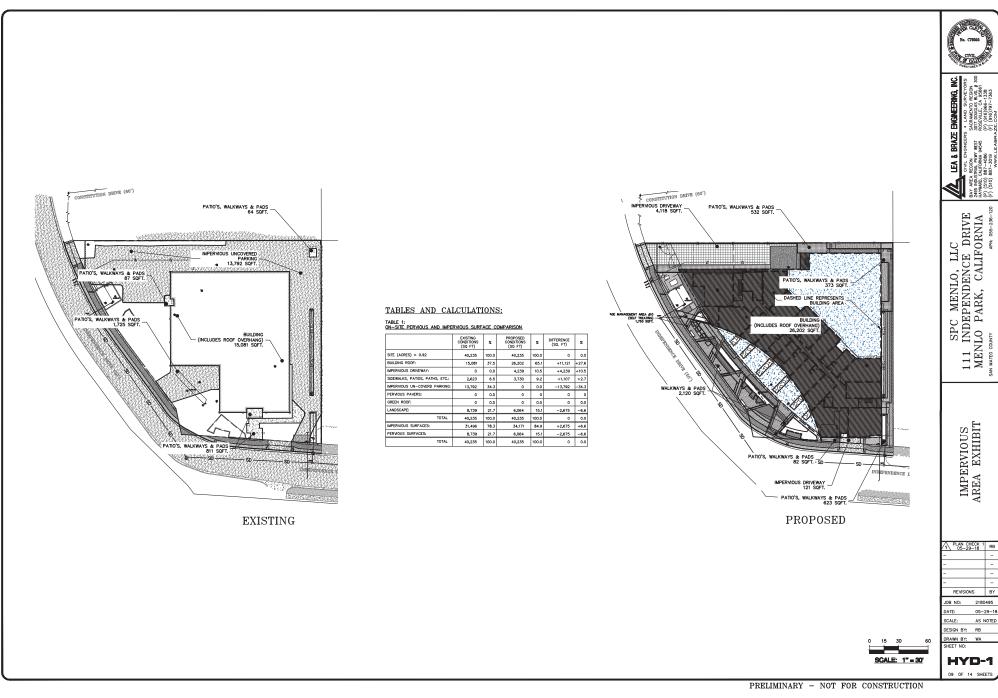


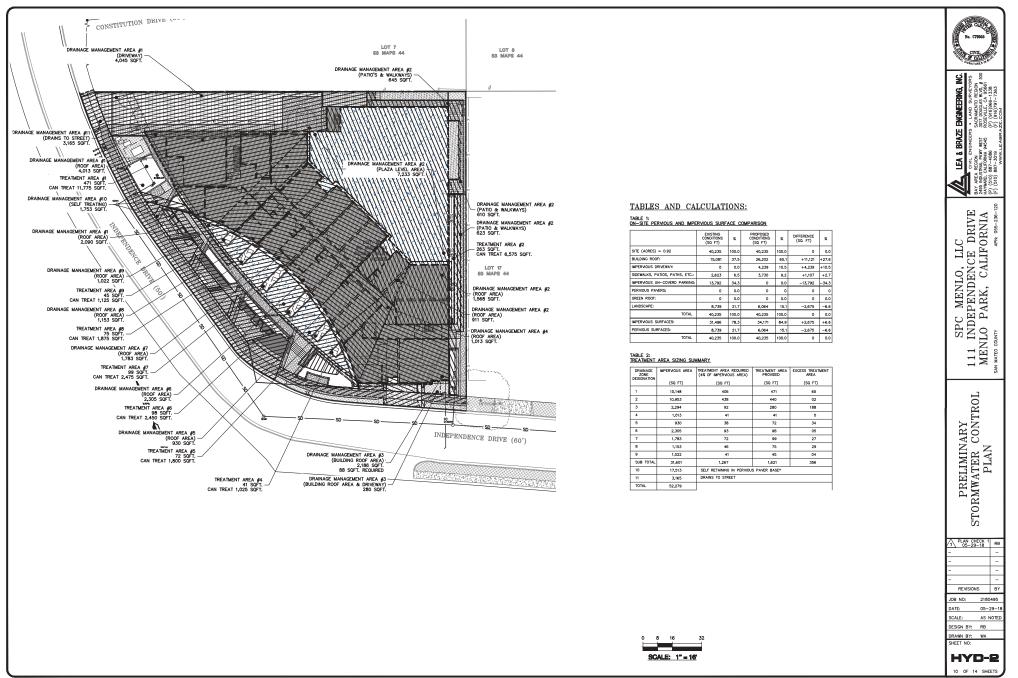
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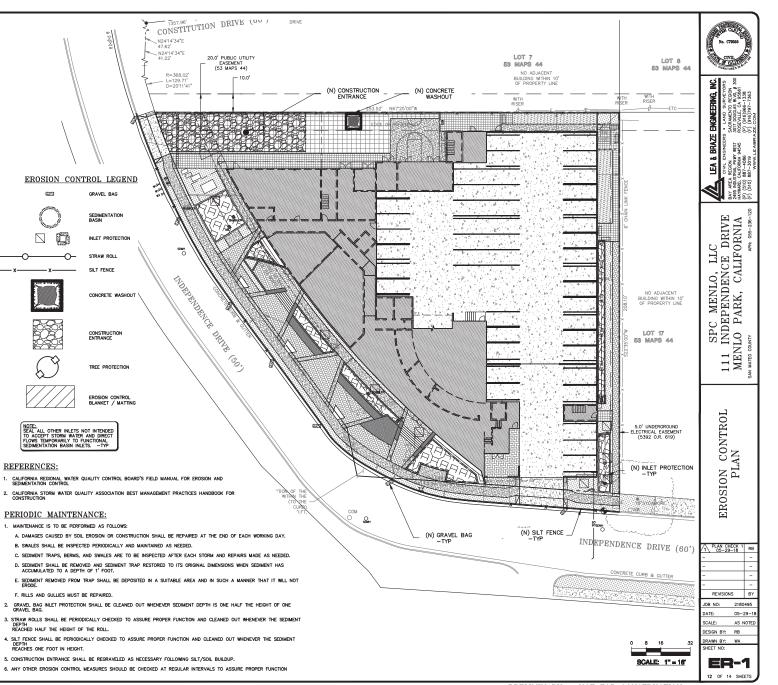


### PURPOSE:

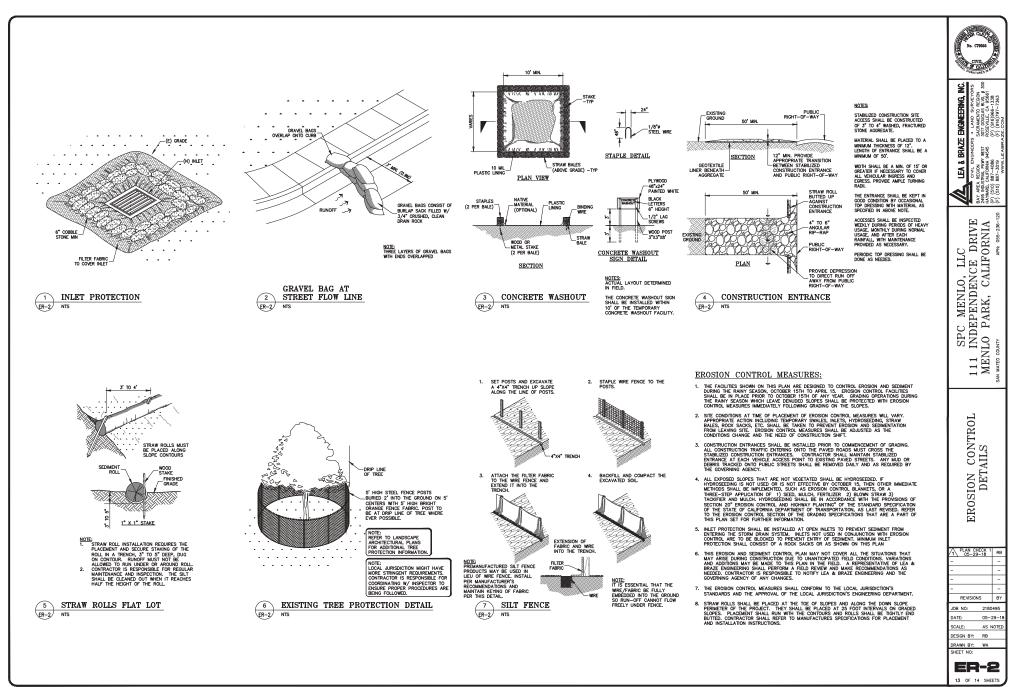
THE PURPOSE OF THIS PLAN IS TO STABILIZE THE SITE TO PREVENT EROSION OF GRADED AREAS AND TO PREVENT SEDMENTATION FROM LEAVING THE CONSTRUCTION AREA AND AFECTIONS OBJECONS SITES. AND ALTRALA, AREAS, PROLE FACILIZES OF ANY OTHER AREA SHOLD BE CONSIDERED THE INIMUM REQUIRISHENTS INCESSARY, SHOLD FIELD CONDITIONS DUCTATE ADDITIONAL INESSIRES, SUCH MEASTRES SHALL BE FER CALIFORNA REGIONAL WATER QUALITY CONTROL BOARD'S FIELD MANALE, FOR EROSION AND SEDMENTATION CONTROL, AND THE CALIFORNA STORM WATER QUALITY ASSOCRATION BEST MANAGEMENT PRACTICES HANDBOCK FOR CONSTRUCTION LEA & BRAZE ENGINEERING SHOLD BE FORTED IMMEDIATE IN SHOLD SOCIALIS

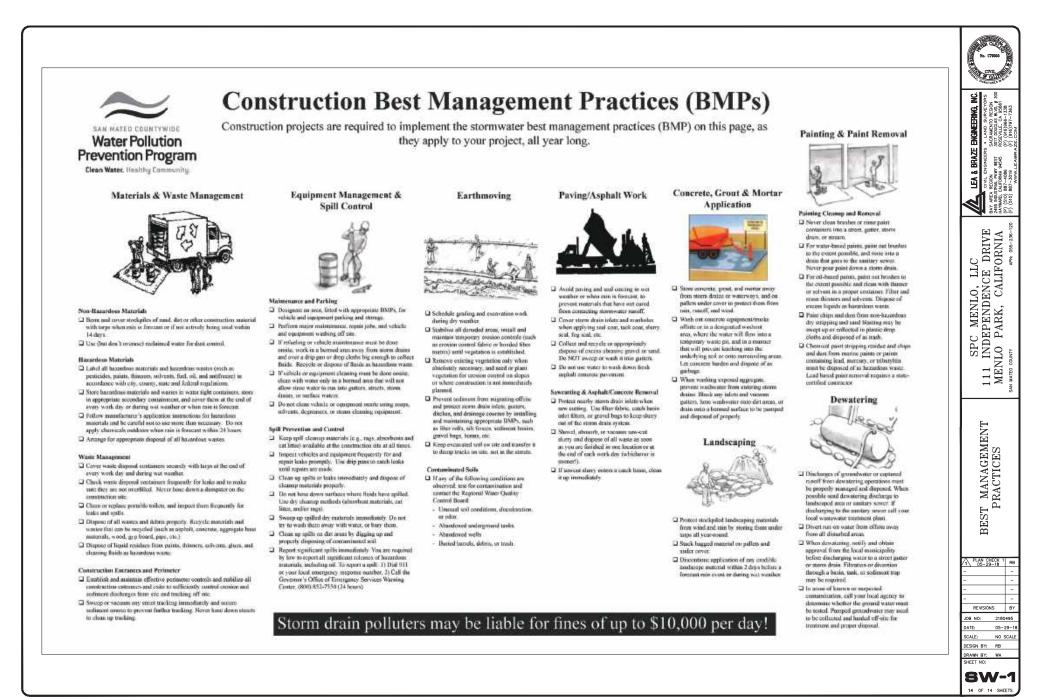
### EROSION CONTROL NOTES:

- IT SHALL BE THE OWNER'S/CONTRACTOR'S RESPONSIBILITY TO MAINTAIN CONTROL OF THE ENTIRE CONSTRUCTION OPERATION AND TO KEEP THE ENTIRE SITE IN COMPLIANCE WITH THIS EROSION CONTROL PLAN.
- THE INTENTION OF THIS PLAN IS FOR INTERIM EROSION AND SEDMENT CONTROL ONLY. ALL EROSION CONTROL MEASURES SHALL CONFORM TO CALFORMIA REGIONAL WATER QUALITY CONTROL BOARD'S FIELD MANULA FOR BERSION AND SEDMENTATION CONTROL. THE CALFORNIA STORM WATER QUALITY ASSOCIATION BEST MANAGEMENT PRACTICES HANGEGOR YOR CONSTRUCTION, AND THE LOCAL OVERNING AGENCY FOR THIS PROJECT.
- 3. OWNER/CONTRACTOR SHALL BE RESPONSIBLE FOR MONITORING EROSION AND SEDMENT CONTROL MEASURES PRIOR TO, DURING, AND AFTER STORM EVENTS, PERSON IN CHARGE OF MANTINING REGISION CONTROL MEASURES SHALD WITCH LCCAL WEATHER REPORTS AND ACT APPROPRIATELY TO MAKE SURE ALL NECESSARY MEASURES ARE IN PLACE.
- 4. SANITARY FACILITIES SHALL BE MAINTAINED ON THE SITE AT ALL TIMES.
- 5. DURING THE RAINY SEASON, ALL PAVED AREAS SHALL BE KEPT CLEAR OF EARTH MATERIAL AND DEBRIS. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDMENT-LADER RUNOFT TO ANY STORM DRAINAGE SYSTEM, INCLUDING EXISTING DRAINAGE SWALES AND WATERCOURSES.
- CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION AND WATER POLLUTION WILL BE MINIMIZED. COMPLIANCE WITH FEDERAL, STATE AND LOCAL LWS CONCERNING POLLUTION SHALL BE MAINTAINED AT ALL TIMES.
- 7. CONTRACTOR SHALL PROVIDE DUST CONTROL AS REQUIRED BY THE APPROPRIATE FEDERAL, STATE AND LOCAL AGENCY REQUIREMENTS.
- 8. ALL MATERIALS NECESSARY FOR THE APPROVED EROSION CONTROL MEASURES SHALL BE IN PLACE BY OCTOBER 15TH.
- 9. EROSION CONTROL SYSTEMS SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE RAINY SEASON, OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LONGER.
- 10. IN THE EVENT OF RAIN, ALL GRADING WORK IS TO CEASE IMMEDIATELY AND THE SITE IS TO BE SEALED IN ACCORDANCE WITH THE APPROVAL EROSION CONTROL MEASURES AND APPROVED EROSION CONTROL PLAN.
- 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL SYSTEMS AFTER EACH STORM.
- 12. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED BY LOCAL JURISDICTION'S ENGINEERING DEPARTMENT OR BUILDING OFFICIALS.
- 13. MEASURES SHALL BE TAKEN TO COLLECT OR CLEAN ANY ACCUMULATION OR DEPOSIT OF DIRT, MUD, SAND, ROCKS, GRAVEL OR DEBRIS ON THE SURFACE OF ANY STREET, ALELY OR PUBLIC PLACE OR IN ANY DEULC STORM DRAIN STSTEMS. THE REMOVAL OF AFORESAD SHALL BE DONE BY STREET SWEEPING OR HAND SWEEPING. WATER SHALL NOT BE USED TO WASH SEDMENTS INTO PUBLIC OR PROVIDE ORMAGE FACILITIES.
- 14. EROSION CONTROL MEASURES SHALL BE ON-SITE FROM SEPTEMBER 15TH THRU APRIL
- 15. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 1ST THROUGH APRIL 30TH, WHICHEVER IS GREATER.
- 16. PLANS SHALL BE DESIGNED TO MEET C3 REQUIREMENTS OF THE MUNICIPAL STORMWATER REGIONAL PERMIT("MRP") NPDES PERMIT CAS 612008.
- 17. THE CONTRACTOR TO NPDES (NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM) BEST MANAGEMENT PRACTICES (BMP) FOR SEDIMENTATION PREVENTION AND EROSION CONTROL TO PREVENT DELETERIOUS MATEMALS OR POLLUTANTS FROM ENTERING THE TOWN OR COUNTY STORM DRAIN SYSTEMS.
- 18. THE CONTRACTOR MUST INSTALL ALL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO THE INCEPTION OF ANY WORK ONSITE AND MAINTAIN THE MEASURES UNTIL THE COMPLETION OF ALL LANDSCHING.
- 19. THE CONTRACTOR SHALL MANTAN ADJACENT STREETS IN A NEAT, CLEAN DUST FREE AND SANTAN' CONDITION AT ALL THES AND TO THE SATES ACTION OF THE TOWN WITH DUST NO THERE NISSANCE EDING CONTROLLED AT ALL THESE. THE CONTRACTOR BE RESPONSIBLE FOR ANY CLEAN UP ON ADJACENT STREETS AFFECTED BY THE BY THEIR CONSTRUCTION, METHOD OF STREET CLEANING SHALL BE BY DRY SWEEPING OF ALL PAVED AREAS. NO STOCKPILING OF BUILDING MATERIALS WITHIN THE TOWN RIGHT-OF-WAY.
- 20. SCHILDTS AND OTHER MATERIALS SHALL NOT BE TRACKED FROM THE STEE BY VEHICLE TRAFFIC THE CONTRACTOR SHALL NOT BE TRACKED FROM THE OTHER VEHICLE TRAFFIC THE CONTRACTOR SHALL NOT ANY VEHICLE STEELED CONSTRUCTION THE CONSTRUCTION PROCESS SO AS TO NOT INHEIT SEXDILLTS FROM BEING DEPOSITED INTO THE PUBLIC RIGHT-OF-WAY UNTIL THE COMPLETION OF ALL LANSSCAPING.
- 21. THE CONTRACTOR SHALL PROTECT DOWN SLOPE DRAINAGE COURSES, STREAMS AND STORM DRAINS WITH ROCK FILLED SAND BAGS, TEMPORARY SWALES, SILT FENCES, AND EARTH PERMS IN CONJUNCTION OF ALL LANDSCAPING.
- 22. STOCKPILED MATERIALS SHALL BE COVERED WITH VISQUEEN OR A TARPAULIN UNTIL THE MATERIAL IS REMOVED FROM THE STE. ANY REMAINING BARE SOIL THAT EXIST AFTER THE STOCKPILE HAS BEEN REMOVED SHALL BE COVERED UNTIL A NATURAL GROUND COVER IS ESTABLISHED OF IT IS SEEDED OR PLANTED TO PROVIDE GROUND COVER PROF TO THE FALL RAINY SEASON.
- 23. EXCESS OR WASTE CONCRETE MUST NOT BE WASHED INTO THE PUBLIC RIGHT-OF-WAYOR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON SITE UNITL THEY CAN BE DISPOSED OF AS SOLID WASTE.
- 24. TRASH AND CONSTRUCTION RELATED SOLD WASTES MUST BE DEPOSITED INTO A COVERED RECEPTALE TO PREVENT CONTAMINATION AND DISPERSAL BY WIND FUELS, OLLS, SOLVENTS AND OTHER TONCE MATERIAS AUST BE STORED IN ACCORPANCE WITH THEIR USTING AND ARE NOT TO CONTAMINATE THE SOLL AND SUMPACE WARTERS, ALL APPROVED STORAGE CONTAMINATES ARE TO BE PROTECTIO FROM THE WARTERS, SALL MUST KOT BE WASHED INTO THE DAMAGE SYSTEM,
- 25. DUST CONTROL SHALL BE DONE BY WATERING AND AS OFTEN AS REQUIRED BY THE TOWN INSPECTOR.
- 26. SILT FENCE(S) AND/OR FIBER ROLL(S) SHALL BE INSTALLED PRIOR TO SEPTEMBER 15TH AND SHALL REMAIN IN PLACE UNTIL THE LANDSCAPING GROUND COVER IS INSTALLED. CONTRACTOR SHALL CONTINUOUSLY MONITOR THESE MEASURES, FOLLOWING AND DURING ALL RAIN EVENTS, TO PUBLIC OWNED FACILITES.



PRELIMINARY - NOT FOR CONSTRUCTION





# ATTACHMENT H

# Below Market Rate (BMR) Proposal 111 Independence Drive City of Menlo Park

May 29, 2019

Planning Commission Housing Commission Community Development Department City of Menlo Park 701 Laurel St. Menlo Park, CA 94025

SP Menlo LLC is pleased to provide this Below Market Rate (BMR) Proposal for the new apartment building proposed at 111 Independence Drive in Menlo Park. We are excited to play a role in addressing the ongoing housing crises and improve the jobs:housing balance through a housing-only project that replaces existing commercial stock, while not introducing any new office space despite such use being permitted in the Residential Mixed Use (RMU) district.

This proposal is based upon careful consideration given to the feedback provided at the June 2018 Planning Commission Study Session, and from insights gathered from the Housing Commission, Housing/Community Development Staff and Community Members over the last year.

### **Number of BMR Units**

SP Menlo proposes fourteen (14) Below Market Rate (BMR) units, which equals 15.22% of 92 dwelling units, which is the total amount of units allowed by zoning prior to the application of Section 4.1.3 of the BMR Guidelines.

Section 4.1.3 of the BMR Guidelines provides that, "for each BMR unit provided, a developer shall be permitted to build one additional market rate (bonus) unit. However, in no event shall the total number of units in a development be more than fifteen percent (15%) over the number otherwise allowed by zoning."

The table on the following page summarizes the calculations for the number of BMR and total units.

Number of units allowed by zoning before application of Section 4.1.3*:	92	
Number of above units which are proposed as BMR (15.22%):		
Number of additional market rate units allowed by Section 4.1.3**:		
Number of additional market rate units proposed via Section 4.1.3:		
Total number of units allowed (92+13):		
Total number of units proposed:	105	

(\*) Lot size is .92 acres (100 du/acre zoning).

4

(\*\*) 14 units would be allowed according to the first part of Section 4.1.3 of the BMR Guidelines (the 1:1 bonus). However, that number would exceed the limitation contained in the second part of Section 4.1.3 of the BMR Guidelines (cannot be greater than 15%). Therefore, the next lowest number of 13 is fully compliant (14.1%).

### **BMR Unit Mix**

SP Menlo proposes the following unit mix distribution for the 14 BMR units, which is consistent with the overall building unit mix distribution as illustrated in the table below:

- Studios:
- > 1-Bedrooms: 9
- > 2-Bedrooms: 1

	# of Units (Total)	% of Units (Total)	# of Units (BMR)	% of Units (BMR)
Studios*	29	27.6%	4	28.6%
1-Bedrooms*	67	63.8%	9	64.3%
2-Bedrooms**	9	8.6%	1	7.1%
Totals:	105	100%	14	100%

(\*) All studios and 1-bedrooms have 1 bathroom. (\*\*) All 2-bedrooms have 2 bathrooms.

# **BMR Unit Locations**

SP Menlo is proposing that all BMR units be onsite within the new apartment building and reasonably distributed throughout the building, both horizontally and vertically. SP Menlo proposes that the following units be designated as BMR at the outset:

- Floor 2: B16
- Floor 3: A11 (West), A17, B6, and B11
- > Floor 4: A2, B1 (Northwest), and B8
- Floor 5: C2 and B1 (Southeast)
- ➢ Floor 6: B10 and B5
- Floor 7: B2 and A5

Please see Exhibit A included herein for the above units in a plan view.

SP Menlo proposes a flexible "floating" unit location system to be part of the BMR Agreement, whereby after initial lease-up of the BMR units, market rate units can be converted to BMR units, and vice versa. This approach allows for future BMR tenants to remain in their units should they no longer qualify due to income increases. Without this system, such tenants would be forced to move to a different unit or out of the building.

### **BMR Income Levels**

SP Menlo proposes that the equivalent number of BMR units be allocated to the "moderate" income level as the "low" income level as defined in the Menlo Park BMR Guidelines, meaning 50% moderate income and 50% low income, which equates to 7 in each income category.

By including moderate income or "Missing Middle" housing units, this proposal greatly assists the City of Menlo Park in meeting its moderate-income Regional Housing Needs Assessment (RHNA) goals, where the City has been severely underperforming over the last four years as illustrated in the table below.

Income Level	RHNA Allocation by Income Level	Permits Issued (2015 - 2018)	Percentage		
Very Low	233	103	44.2%		
Low	129	37	28.7%		
Moderate	143	4	2.8%		

Source: City of Menlo Park 2018 Housing Element Annual Progress Report (APR).

We sincerely hope that you share in our enthusiasm for this proposal and recognize our concerted efforts to put our best foot forward.

Sincerely,

Sateez Kadivar SP Menlo LLC 111 Independence Drive Menlo Park, CA 94025

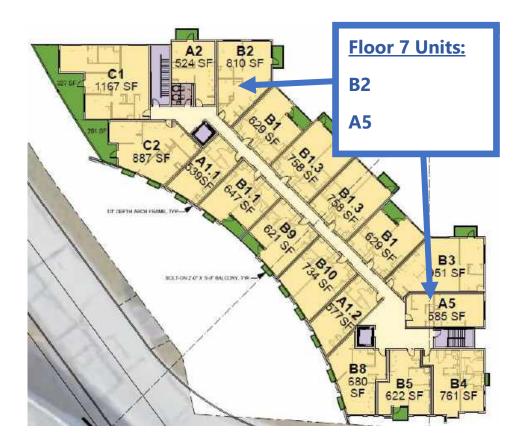
Attachment: Exhibit A – BMR Units in Plan View (beginning on following page)



### Exhibit A – BMR Units in Plan View 111 Independence Drive BMR Proposal







# **Community Development**



#### STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

6/24/2019 19-048-PC

Study Session:

Consider and provide feedback on a proposed mixed-use project with approximately 320 multifamily dwelling units, 33,100 square feet of office, and 1,608 square feet of commercial space at 115 Independence Drive and 104 and 110 Constitution Drive

#### Recommendation

Staff recommends that the Planning Commission review and provide feedback on a proposed project, tentatively named Menlo Portal, to redevelop three parcels with approximately 320 multi-family dwelling units, approximately 33,100 square feet of office, and approximately 1,608 square feet of commercial space on a 3.20-acre site. The three project parcels (project site) are addressed 115 Independence Drive and 104 and 110 Constitution Drive in the R-MU-B (Residential Mixed Use-Bonus) zoning district. The project is anticipated to ultimately require the following actions:

- 1. **Environmental Review** to analyze potential environmental impacts of the project through an Environmental Impact Report (EIR), pursuant to the California Environmental Quality Act (CEQA);
- 2. **Use Permit** for bonus-level development (which requires the provision of community amenities) and possibly to modify design standards;
- 3. **Architectural Control** to review the design of the proposed buildings and associated site improvements;
- 4. Lot Line Adjustment to reconfigure the existing parcels on the site;
- 5. Lot Merger to merge two lots to one; and
- 6. **Below Market Rate (BMR) Housing Agreement** to provide on-site BMR units in accordance with the City's BMR Ordinance for residential uses. Staff will be reviewing the BMR requirement for the commercial component but it is not anticipated to require BMR units or in-lieu fees since the project would result in a net decrease in commercial square footage.

Additional actions and entitlements may be required as the project plans are refined. No formal actions will be taken at this time. Staff is requesting the Planning Commission to review and provide individual Commissioner feedback on the project to the applicant and staff. The report identifies topic areas for the Planning Commission's consideration, which include the following:

- Publicly Accessible Open Space
- Neighborhood Commercial and Ancillary Space
- Office Use
- Architectural Design and Materials
- Setback and Building Modulations
- Floor Area Ratio
- Garage Screening

Staff Report #: 19-048-PC Page 2

- Density
- Overall Approach

More detail on the above list is included in the "Planning commission considerations" section of the report. The Planning Commission's discussion and comments are not limited to the above list.

#### **Policy Issues**

Study sessions provide an opportunity for Planning Commissioners and the public to provide preliminary feedback on a project, with comments used to inform future review and consideration of the proposal. Study sessions also allow City staff to pose specific questions to the Planning Commission regarding staff's interpretation and implementation of aspects of the Zoning Ordinance, General Plan, and related requirements.

At its June 11, 2019 meeting, the City Council discussed the possibility of directing the City Attorney to prepare an ordinance putting a moratorium on commercial development city-wide and all residential developments over 100 units in size in the Bayfront Area. The Council decided to not direct the City Attorney to prepare an ordinance placing a moratorium on development in the City. Instead, the City Council determined there is a need to review the ConnectMenIo General Plan and Zoning Ordinance Update and the Downtown Specific Plan to assess whether the documents reflect current community values, conditions and needs. While the City Council and its subcommittees review the City's land use planning documents to outline potential modifications, which may include but are not limited to, the allowed land uses, densities and intensities, and overall development caps, the City is obligated to continue to process development applications under the current adopted Zoning Ordinance, General Plan, and Specific Plan. If as a result of the subcommittee work the City Council adopts changes to the City's land use planning documents while this project is still in the pipeline, the proposed project could be required to make modifications to comply with those changes.

#### Background

#### Site location

The project site consists of three contiguous R-MU-B (Residential Mixed Use) zoned parcels with a total area of approximately 3.20 acres, and currently contains three single-story buildings with a mix of office and industrial uses with a combined square footage of approximately 64,829 square feet. The existing buildings would be demolished as part of the redevelopment of the project site.

For purposes of this staff report, Bayfront Expressway (California State Route 84) is considered to have an east-west orientation, and all compass directions referenced will use this orientation. The project site is located south of Bayfront Expressway and east of Marsh Road. The project site is bounded by Independence Drive to the east and south and Constitution Drive to the north. The parcels to the north and south of the site are located in the M3(X) (Commercial Business Park) district and contain the Menlo Gateway project, which was entitled in 2010 and the second phase (Constitution Drive site) is currently under construction. The parcel to the east of the project site is zoned R-MU-B and currently contains an office building but is part of an active development proposal for a 105 unit, eight-story apartment building. Parcels immediately adjacent to the west of the project site are zoned R-MU-B and contain a mix of office, light industrial, and R&D uses. A location map is provided as Attachment A.

#### Analysis

#### **Project description**

The applicant is proposing to demolish the existing buildings and site improvements across the entire project site and construct a seven-story residential building and three-story office building with the project attributes listed in the table below. The proposal includes a request for an increase in height, density, and FAR under the bonus level development allowance subject to obtaining a use permit or conditional development permit and providing one or more community amenities. The applicant's project description is included in Attachment B, and the project plans are included as Attachment C. Table 1 below provides a comparison between the existing and proposed development as it relates to the R-MU-B development regulations.

	Table 1: Proj	ect Data	
	Existing	Proposed	Zoning Ordinance standards (maximums)
Residential dwelling units	0	320 units	320 units
Residential square footage	0	311,341 s.f.	314,021 s.f.
Residential floor area ratio	0	223.1%	225 %
Commercial square footage	64,829 s.f	34,708 s.f.	34,891 s.f.
Commercial floor area ratio	46.5%	24.9 %	25 %
Total square footage	64,829 s.f.	346,049 s.f.	348,913 s.f.
Total floor area ratio	46.5%	248 %	250 %

The R-MU-B zoning district allows for mixture of land uses with the purpose to provide high density housing and encourage mixed use development. The commercial component of mixed use development projects is intended to provide a mixture of uses including neighborhood-serving retail and services that promote a live/work/play environment. Office is an allowed use in the R-MU district, but was not envisioned to be the primary non-residential component of a project. The proposed project includes an office building which would be approximately at the maximum nonresidential FAR (25 percent). The Planning Commission may wish to provide input on whether this building is acceptable as primarily an office considering that the R-MU-B district is intended for the nonresidential square footage to be a mix of uses that would serve the community.

The project site would merge two of the three parcels and maintain two legal parcels; however, the applicant is requesting that the proposed development be reviewed as if it is one parcel, which may be permitted through the use permit process. Therefore, the development regulations such as density, gross floor area (GFA), height (maximum and average height), parking and open space (publicly accessible and private) would be comprehensively evaluated across the entire project site rather than on a parcel-by-parcel basis.

#### Site layout

The proposed apartment building would be located on the existing 115 Independence and 110 Constitution Drive parcels, and would have frontages on both Independence and Constitution Drive. A central plaza, dog walk, and fire access lane would run north to south between the apartment building and the proposed residential development at 111 Independence Drive and the proposed commercial building at 104 Constitution Drive (which is part of the project site). A fire and service access lane would also run north to south along the eastern edge of the apartment building.

The apartment building would have seven stories containing approximately 320 dwelling units located above two levels of above-grade structured parking, lobbies, and ancillary spaces for tenants. To account for potential flooding and sea level rise (and comply with the City's Zoning Ordinance requirements), the main lobbies and resident ancillary spaces would be elevated approximately five feet above the existing grade of the street. Stairs and pedestrian ramps at the north and south of the building and along the central plaza are proposed to bring pedestrians from the sidewalk to the front doors of the lobbies on Constitution and Independence Drives. Driveways at the north and south of the building would provide access to the automated parking system within the building. Beginning at the second story, six levels of apartment units would wrap around the perimeter of the building surrounding a terrace with a pool and other private and communal open spaces for tenants located above the garage.

The proposed apartment building appears to comply with the minimum and maximum setbacks permitted at the street frontages. The majority of the street façade is located within the maximum 25 foot setback requirement, with the lobby entrances further set back which is allowed in the R-MU-B zoning district. The building would meet or exceed the minimum interior side setbacks of 10 feet.

To the west of the apartment building and across the central plaza, the commercial building would be located on the 104 Constitution Drive parcel. The three-story building would have frontages on Independence and Constitution Drives. The office space would be located above two levels of above-grade structured parking, lobbies, and commercial space intended to serve the neighborhood. Pedestrian access would be provided from the sidewalk on Independence Drive and a driveway on Construction Drive would provide access to the parking. The third floor would contain 33,100 square feet of office and a roof terrace would provide an outdoor ancillary space for the office tenants.

#### Floor Area Ratio (FAR) and Gross Floor Area (GFA)

In the R-MU-B zoning district, residential FAR at the bonus level has a maximum FAR of 90 percent at 30 dwelling units per acre and increases on an even gradient to 225 percent at 100 dwelling units per acre. The proposed project would include 320 dwelling units on a net lot area of 3.20 acres, yielding a density of 100 dwelling units per acre and a proposed FAR of approximately 223 percent (where 225 percent would be the maximum FAR). The proposed 320 units would be the maximum density permitted through the provisions of bonus level development (100 dwelling units per acre). Nonresidential FAR at the bonus level has a maximum FAR of 25% and the proposed office building would be 34,708 square feet (25 percent), the maximum permitted through the provisions of bonus level development.

The applicant has submitted preliminary gross floor area diagrams that identify the proposed total FAR. In general, the calculations appear to meet the requirements. One item of note is a cantilever on the office building that features columns greater than 12 inches in width. The definition of gross floor area indicates that covered porches and covered balconies provided that at least one end is open and unobstructed to the exterior except for columns or posts not more than twelve inches (12 inches) in width and walls or railings not more than forty-four inches (44 inches) in height do not count in FAR. Since the area under the cantilever and between the columns is not an accessible porch or balcony and only includes landscaping

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staff believes that this area does not count in the total FAR; however, the Planning Commission may wish to provide direction on staff's interpretation of the Zoning Ordinance. Staff believes that the other areas including the lobby entrances with columns greater than 12 inches would be included in the calculation of gross floor area and FAR. As the applicant further develops the plans, staff will be working with the applicant to ensure compliance.

#### <u>Height</u>

The applicant has submitted a preliminary analysis that documents compliance with the Zoning Ordinance height requirements. The proposed project heights are outlined in the table below. Staff is still reviewing the analysis but the propose heights appear to be in compliance with the requirements. The applicant's average height analysis averages the height of each specific portion of all the buildings using the portion of the footprint to weight that element of the building accordingly. As stated previously, compliance with the height requirements of the Zoning Ordinance may be calculated across multiple parcels and buildings within a single project site.

	Table 2: Building Heigh	t
	Proposed	Zoning Ordinance standards
Residential Height (Maximum)**	83 feet, four inches	95 feet*
Office Height (Maximum)**	40 feet, one inch	95 feet*
Height (Average)**	61.5 feet	62.5 feet*

\* The height limits include the 10 foot height increase allowed for properties within the FEMA flood zone.
 \*\* Maximum height and average height do not include roof-mounted equipment, utilities and, parapets used to screen mechanical equipment.

#### Lot line adjustment & lot merger

The site currently consists of three parcels addressed 115 Independence Drive, 110 Constitution Drive, and 104 Constitution Drive (which is a corner lot with frontages on Independence and Constitution Drive). The applicant is proposing a lot line adjustment and lot merger that would create two parcels on the site. The 115 Independence and 110 Constitution Drive parcels would be merged and the property line between 110 Constitution and 104 Constitution Drive would be shifted west. This lot line adjustment and lot merger would effectively locate the apartment building and office building on separate legal parcels.

#### Parking and circulation

#### Vehicular

The proposed project would include a total of 420 vehicular parking stalls distributed between the apartment and office building. The following table provides a more detailed overview of the proposed parking for the project:

	Table 3: Parking Requirem	ents
	Proposed	Zoning Ordinance standards
Residential parking stalls	324	min. 320 and max. 480
Residential parking ratio (spaces/dwelling unit)	1.02	min. 1 and max. 1.5 spaces per unit
Office parking stalls*	96	min. 70 and max. 105
Office parking ratio* (spaces/1,000 s.f of GFA)	2.77	min. 2 and max. of 3 spaces per 1,000 square feet
Total parking	420	min. 390 and max. 585

\* The applicant is also proposing a commercial space in the office building that has not been identified as a specific use. A parking ratio of 2.77 spaces per 1,000 square feet would comply with all other uses in the R-MU-B zoning district except research and development which has a lower maximum parking ratio.

The proposed office building would include 96 vehicular parking stalls incorporated into two above ground levels of parking at the base of the building and access to the parking garage would be located on Independence Drive. The proposed apartment building would also incorporate two above-ground levels of parking at the base of the building. The parking structure for the apartment building would be accessed from a ramp located at the north and south ends of the building's street frontage on Independence Drive and Constitution Drive. An automated parking system would be utilized within the apartment building garage to minimize the amount of space needed to park vehicles while meeting the parking requirements of the zoning district. Self-park spaces would be reserved for accessible parking, loading, guests, employees, and prospective tenants.

The Zoning Ordinance requires parking within multi-family residential developments to be unbundled from the price of a unit (unless parking is physically connected to one unit). Therefore, the proposed project would be required to unbundle the parking for the apartment units. The proposed parking provided would meet the zoning ordinance parking ratio. In addition, as required by the R-MU-B zoning regulations, the project would be required to submit a transportation demand management (TDM) plan demonstrating that the project would reduce associated vehicle trips by least 20 percent below standard generation rates for uses on the site.

#### Bicycle and pedestrian

The proposed project would include a total of 546 bicycle parking spaces. For residential uses the R-MU-B zoning district requires 1.5 long-term spaces per unit plus an additional 10 percent short-term spaces for guests. The apartment building would incorporate bicycle parking into a dedicated storage room on the first level of the building. The bicycle storage rooms would be accessible from Independence Drive. The apartment building would include the minimum required long-term bicycle parking spaces for tenants (480 spaces), as well as 48 short-term outdoor spaces divided between the building entrances to meet the 10 percent additional parking for guests. For the office building, long-term bicycle parking would be provided on the first level of the garage (6 spaces), and short-term bicycle parking spaces would be provided at the building entry (12 spaces). While not required by the zoning ordinance, the office building would also provide 10 motorcycle parking stalls in the parking garage that do not count towards the total required parking.

As part of the proposed project, it is anticipated that new sidewalks and other street improvements such as street trees and planting buffers would be provided along the project frontages on Constitution Drive and

Independence Drive, as required by the City's Public Works Department.

#### Open space

The proposed project would be required to provide open space equivalent to 25 percent of the project site area, of which 25 percent must be provided as publicly accessible open space. According to the Zoning Ordinance (Chapter 16.45.120(4)(A)):

Publicly accessible open space consists of areas unobstructed by fully enclosed structures with a mixture of landscaping and hardscape that provides seating and places to rest, places for gathering, passive and/or active recreation, pedestrian circulation, or other similar use as determined by the planning commission. Publicly accessible open space types include, but are not limited to, paseos, plazas, forecourts and entryways, and outdoor dining areas. Publicly accessible open space must:

- (i) Contain site furnishings, art, or landscaping;
- (ii) Be on the ground floor or podium level;
- (iii) Be at least partially visible from a public right-of-way such as a street or paseo;
- (iv) Have a direct, accessible pedestrian connection to a public right-of-way or easement.

The minimum open space required for the project would be 34,891 square feet, of which a minimum of 8,723 square feet must be publicly accessible and meet the requirements stated above. The applicant has submitted a preliminary analysis that documents compliance with the open space requirements. The applicant is proposing 53,675 square feet of open space for the development, of which 12,575 square feet would be publicly accessible. Staff is still reviewing the analysis to determine compliance.

#### Publicly accessible open space

The applicant is proposing to utilize the central plaza area between the office and residential buildings for publicly accessible open space. This area would be approximately 12,575 square feet (36 percent of the total open space requirement of 34,891 square feet) which exceeds the publicly accessible open space requirement of 25 percent. The space would be approximately 50 feet wide by 200 feet deep, which would accommodate planting and seating areas. The applicant has submitted preliminary plans that identify the conceptual design and layout of the publicly accessible open space. The open space is located at the ground level, visible from the public right-of-way, and contains direct connections to the public right-of-way. The open space includes site furnishings, bicycle parking, decorative paving, lighting, and landscaping. Currently it appears that the public sidewalk and street tree planters along the Constitution Drive frontage have been included in the publicly accessible open space calculations diagram. Areas in the public right-of-way cannot be counted toward the publicly accessible open space requirements for a project and would need to be removed from the diagram for future plan sets. As the applicant further develops the plan, staff will be working with the applicant to ensure compliance.

Staff believes that the publicly accessible open space could be extended south through the lot and provide a pedestrian connection through the site from Independence Drive to Constitution Drive. The setback area between 111 Independence Drive and the proposed residential building currently identifies this area as a fire access lane and dog walk which do not count as publicly accessible open space but could be used as a publicly accessible pedestrian path (as outlined in the applicant's project plans). The setback area on 111 Independence Drive includes additional landscaping and a bocce ball court. If these areas were coordinated together a publicly accessible pedestrian path could be provided where the ConnectMenIo General Plan originally envisioned a future public right-of-way. A vision of ConnectMenIo was to increase and enhance connectivity in the area through a series of paseos, new street connections, multi-modal transportation options, and installation of a sidewalk network. Additional integration between the two properties would

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likely be necessary to create a defined publicly accessible pedestrian/bicycle pathway, which could potentially aggregate or modify the location of the resident amenities for each site.

The Planning Commission should consider the proposed site layout and provide feedback on the applicant's proposal with regard to the general functionality and usability of the publicly accessible open space for the project. The Planning Commission may wish to also discuss the potential coordination between the project site and the project at 111 Independence Drive to provide a publicly accessible pathway and associated open space between the two project site and Constitution and Independence Drives.

#### Common and private open space

The proposed residential building would provide a mix of common and private open spaces for tenants. The apartment building would incorporate a combination of private balconies and terraces throughout each level of the building and common terraces on third and seventh levels of the building. Common open spaces in the apartment building would be available to tenants and guests, but would not be accessible to the public. The applicant's open space analysis indicates 8,093 square feet of private open space and 22,283 square feet of common open space would be provided for the apartment building, for a total of 30,376 square feet of private and common open space.

The office building would have a total of 14,812 square feet of common open space provided on the roof terrace for the office tenants. As the plans continue to develop, staff will be working with the applicant to ensure compliance with all open space requirements.

#### **Community amenities**

As mentioned in the previous section, the R-MU-B zoning district permits bonus level development, subject to the threshold requirement that any affordable housing required pursuant to Chapter 16.96 shall be designed and constructed on-site as part of the project and the requirement that the project provide one or more community amenities. As part of the ConnectMenlo process, a list of community amenities was generated based on public input and adopted through a resolution of the City Council. Community amenities are intended to address identified community needs that result from the effect of the increased development intensity on the surrounding community. Project requirements (such as the publicly-accessible open space and street improvements determined by the Public Works Director) do not count as community amenities. In the R-MU-B zoning district, the City Council included a preference that additional affordable housing units be provided as the community amenity; for example, additional housing such that twenty percent (20%) of the development is affordable (fifteen percent (15%) inclusionary plus five percent (5%) additional affordable).

An applicant requesting bonus level development must provide the City with a proposal indicating the specific amount of bonus development sought and the value of the amenity. The value of the amenity to be provided must equal 50 percent of the fair market value of the additional GFA of the bonus level development. The applicant must provide an appraisal performed by a licensed appraisal firm that sets a fair market value of the GFA and density of the bonus level of development. The City recently finalized appraisal instructions for bonus level developments, and staff and the applicant will continue to work through the appraisal process as the project plans are refined. The applicant's proposal for community amenities will be subject to review by the Planning Commission through a later study session, or in conjunction with the other project entitlements. For the Commission's reference, the appraisal instructions are available as a link as Attachment D.

The applicant has currently identified the neighborhood serving commercial space as the potential community amenity, but this would require further staff review. The neighborhood serving commercial space

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may not be considered a community amenity depending on the specific use proposed and because the same community amenity cannot be included for multiple projects and each amenity identified on the community amenities list can only be used once. However, even if the neighborhood serving commercial space does not qualify as a community amenity, it may still be an important land use component for the proposed mixed-use development. The Planning Commission may wish to provide input on whether the neighborhood serving commercial space is acceptable as a community amenity and if it is an important component of the project regardless of whether the applicant receives credit for the space as a community amenity.

#### Design standards

In the R-MU-B zoning district, all new construction and building additions of 10,000 square feet of GFA or more must meet design standards subject to architectural control review. The design standards regulate the following project components;

- Siting and placement of buildings;
- Building mass, bulk, and size;
- Building projections and vertical building planes;
- Ground floor exterior facades of buildings;
- Landscaping and open space, including publicly accessible open space, common open space and private open space;
- Building design, materials, screening, and height; and
- Site access and parking.

As noted below, design requirements may be modified with a use permit.

#### Architectural style and building design

The design of the proposed residential building would have a contemporary architectural style, incorporating both solid elements and glass storefront along the majority of the primary street façades. The façades would predominantly consist of pre-finished rainscreen panels (a cladding system of interlocking panels made of wood, metal, composite, or other materials attached over top of a waterproof barrier) and aluminum punched-opening windows. The lower levels of the building would also contain architecturally finished exposed concrete walls in addition to the storefront and rainscreen systems. The proposed windows, including the glass storefront system, would have aluminum frames and mullions. Select residences would include private balconies finished with a mix of glass and metal railings.

The residential building would be seven stories tall, including a two-story concrete podium base element and a five-story wood-framed structure above. Parking, residential amenities, the leasing area, and tenant bicycle storage would be incorporated on the first floor and surround the perimeter of the parking garage along Independence Drive, Constitution Drive, and the central plaza. As currently proposed, the site layout and building orientation would reduce the parking garage visibility from Independence Drive, Constitution Drive, and the central plaza. Residential units are proposed to be a mix of studios, junior onebedrooms, one-bedrooms, two-bedrooms, and three-bedroom units. The specific unit mix would be further refined prior to commencing the entitlement and environmental review for the proposed project.

The design of the proposed office building would also have a contemporary style. The building would be three stories tall with the first two levels consisting of parking. The first level would also contain a neighborhood serving commercial space which would be located at the corner of the building at Independence Drive and the central plaza. The exterior material of the first two levels of the building would

primarily consist of screening for the parking garage and would be visible from the public right-of-way and central plaza.

At this time, specific materials, finishes, and colors for the apartment and office buildings have not been determined. The Commission may wish to comment on preferences for colors and materials as part of this study session for the project.

#### Minimum stepback and building projections

On public-street-facing facades, buildings in the R-MU-B zoning district are required to step back at least 10 feet for 75 percent of the building on the upper stories above 45 feet in height. The applicant has submitted preliminary documentation of the step back requirement, however the proposed building does not appear to comply with the requirement. The stepback requirement is the horizontal distance a building's upper stories must be set back above the base height. While the proposed building facades are set back from the property line the upper portions of the façades are not stepped back from the base height. The plans would need to be revised to comply with the stepback requirement or the applicant would need to apply for a use permit to modify this requirement. Staff believes implementation of the stepback requirement could help reduce the building massing. The Planning Commission may wish to comment on whether the proposed treatment is acceptable, or if a stepback should be provided.

The office building is exempt from the stepback requirement since the total building height is lower than the base height of 45 feet.

#### Major and minor modulations

The design standards for the R-MU-B zoning district require major and minor modulations on street-and open space-facing facades. For major modulations, the design must include a minimum of one recess of 15 feet wide by 10 feet deep per every 200 feet of facade length from ground level to 45 feet in height. For minor modulations, a minimum recess of five feet wide by five feet deep per 50 feet of facade length is required from ground level to the top of the building. The intent of the required modulations is to provide visual variety, reduce large building volumes, and provide spaces for entryways.

For the residential building, the Independence Drive and central plaza elevations would be exempt from the major modulation requirements because these facades would be less than 200 feet in length. The proposed major modulation along the Constitution Drive street-facing frontage would be a recess of approximately 72 feet wide by 20 feet deep in the vicinity of the recessed entryway. Several minor modulations proposed along the Constitution Drive and open space-facing frontages would be single recesses spanning 53.5 feet to 61.5 feet in length and five to 10 feet in depth. Staff believes that these proposed recesses do not meet the intent of the minor modulation requirement and the design would need to be revised because it spans a large portion of the length of the building and does not change per each 50 feet of façade length. The Planning Commission may wish to comment whether the proposed minor modulation treatments are acceptable. The proposed minor modulations along the Independence Drive-facing façade appear to meet the intent of the Zoning Ordinance requirements.

For the office building, no major modulations would be required since the street-and open space-facing facades would be less than 200 feet in length. However, the Constitution Drive façade indicates a major modulation at the corner with the neighborhood serving commercial space, but the proposed modulation does not meet the 10 foot depth requirement and does not extend the full height of the building. For the required minor modulations, the building is proposing to use projecting elements such as the stair tower and building columns to meet the requirement. Building projections spaced no more than 50 feet apart with a minimum of 3-foot depth and 5-foot width may satisfy this requirement in lieu of a recess. Several of the

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proposed protections range from 49 feet to 21 feet and span a large portion of the length of the building. In addition, these elements do not extend to the full height of the building, as required by the design guidelines.

The Planning Commission may wish to comment whether the proposed major and minor modulation treatments are acceptable, or if the modulations should be revised in future submittals.

#### Ground floor exterior

The applicant has provided preliminary diagrams indicating compliance with the ground floor transparency requirement and building and garage entrance location and frequency requirements. Staff believes the project generally would meet the ground floor exterior requirements but would continue to work with the applicant to ensure compliance with the requirements. The office building would have a screen wall along the perimeter of the parking garage which is currently counted as transparency in the compliance diagrams but the portions of ground floor façades occupied with parking garages are not required to meet the transparency requirements. However, the parking garage screens limit the variation of the office building façade and do not break up the long expanses of wall associated with the parking garage. The Planning Commission may wish to consider whether additional commercial space or office or residential ancillary space should be located along the central plaza to increase the functional advantage of having windows and transparent storefront in the area, and to promote additional vibrancy and activity on the central plaza.

#### Summary

With regard to the overall project design/style and the application of R-MU-B zoning district standards, staff believes that the project would meet a majority of the design guidelines required in the Zoning Ordinance with the exception of the stepback and major and minor modulations. Staff believes that compliance with the requirements would help reduce the appearance of bulk and massing that the proposal currently exhibits. Staff will continue to evaluate the proposed project to ensure compliance as more detailed plans are prepared and any modifications are made. The Planning Commission may wish to provide additional feedback on the proposed building design and site layout before the project advances to the full submittal stage. The applicant's project description letter is included in Attachment B and describes the overall project proposal and design in more detail.

#### Green and sustainable building

In the R-MU-B zoning district, projects are required to meet the following green and sustainable building regulations.

- Meet 100 percent of its energy demand through any combination of on-site energy generation, purchase of 100 percent renewable electricity, and/or purchase of certified renewable energy credits;
- Design to meet LEED (Leadership in Energy and Environmental Design) Gold BD+C;
- Comply with the electric vehicle (EV) charger requirements adopted by the City Council in November 2018;
- Incorporate bird-friendly design in the placement of the building and the use of exterior glazing;
- Water use efficiency;
- Placement of new buildings 24 inches above the Federal Emergency Management Agency (FEMA) base flood elevation (BFE) to account for sea level rise; and
- Waste management planning.

Details regarding how the proposed building would meet the green and sustainable building requirements

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will be provided as the project plans and materials are further developed.

#### Planning Commission considerations

The following comments/questions are suggested by staff to guide the Commission's discussion, although Commissioners should feel free to explore other topics of interest. Some of the topics listed below were previously identified throughout the staff report.

- **Publicly Accessible Open Space**. Should the publicly accessible open space be coordinated with the adjacent project at 111 Independence Drive and extended to provide a pedestrian connection from Independence Drive to Constitution Drive? Does the Planning Commission believe the general approach to the publicly accessible open space on the site is acceptable? While the layout and design are preliminary, does the Commission have any comments or feedback for the applicant team on the preliminary design and location of the open spaces, considering the criteria outlined previously in the staff report?
- Neighborhood Commercial and Ancillary Space. Should the proposed neighborhood serving commercial space be incorporated as part of the project regardless of whether it can be used as a community amenity? Should additional neighborhood commercial and/or office or residential ancillary spaces be located adjacent to the paseo to promote additional active uses along the paseo?
- Office Use. Is the proposed office building, which would be approximately the maximum nonresidential FAR (25 percent), acceptable considering that the R-MU-B district intended for the nonresidential square footage to be a mix of uses that would serve the community?
- Architectural Design and Materials. Is the contemporary architectural design of the proposed residential building appropriate for a multi-family dwelling building? Does the Planning Commission believe the overall proposal meets the intent of the ordinance, contains a cohesive design, provides visual interest, and breaks up the massing?
- Setback and Building Modulations. Would the Commission consider a use permit request to modify the design standards for the stepback and/or major and minor modulations requirements?
- **Garage Screening.** Is the type and extent of the proposed parking garage screening for the office and residential building appropriate or does it require additional refinement to activate the office building facades?
- Floor Area Ratio. On the office building, can the area under the cantilever and between the columns where there is not an accessible porch or balcony and only contains landscaping be excluded from the calculation of FAR?
- **Density.** Is the proposed density appropriate for the site? The proposal would utilize the bonus level allowance for density, floor area ratio, and height in exchange for community amenities. Staff will be evaluating the project for the appropriate value of community amenities to be provided in exchange for the bonus level development. Does the Planning Commission believe that the proposed project is generally appropriate for the site?

• **Overall Approach.** Is the overall aesthetic approach for the project consistent with the Planning Commission's expectations for new development in the R-MU-B zoning district?

#### Correspondence

As of the writing of this report, staff has not received any correspondence regarding the project.

#### Impact on City Resources

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

#### **Environmental Review**

Study sessions do not require analysis under the California Environmental Quality Act (CEQA). With regard to the overall project review and action, the terms of the 2017 settlement agreement with the City of East Palo Alto require projects seeking bonus level development to complete an EIR. Subsequent to this study session, City staff will identify a consultant to complete the environmental review and prepare an initial study and EIR for the proposed project. Depending on the initial study, a focused EIR may be prepared only on the topics that warrant further analysis but would include a transportation and housing analysis at a minimum, per the terms of the settlement agreement. As currently proposed, the Planning Commission would take the final action on the project entitlements, including the EIR, after the completion of the environmental review and any revisions to the plans based on feedback from the Planning Commission and Planning staff.

#### **Public Notice**

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

#### Attachments

- A. Location Map
- B. Project Description Letter
- C. Project Plans
- D. Community Amenities List; https://www.menlopark.org/DocumentCenter/6360\_Community-Amenities

#### 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.

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## Exhibits to Be Provided at Meeting

None

Report prepared by: Kaitie Meador, Senior Planner

Report reviewed by: Kyle Perata, Principal Planner

### ATTACHMENT A **CITY OF MENLO PARK** LOCATION MAP MENLO PORTAL PROJECT Ν CITY MENLO PARK DRAWN: TAS CHECKED: KMM DATE: 06/24/19 SCALE: 1" = 300' SHEET: 1



May 20, 2019

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

#### Project Description Letter, Study Session 115 Independence Drive and 104 - 110 Constitution Drive

Dear Menlo Park Planning Commission:

We are excited to present this proposal that would deliver 320 new housing units to the Bayfront Area. We recently completed the 146-unit multifamily apartment project at 3645 Haven Avenue, and we look forward to working with you once again to help alleviate the housing and traffic crises in the area.

The proposed project, named "Menlo Portal," is located in the M-2 Area of Menlo Park, north of Highway US 101 and east of Marsh Road. The project site is across 3 contiguous parcels at 104 Constitution Dr., 110 Constitution Dr. and 115 Independence Dr. The project proposes demolishing the existing office/industrial buildings on the 3 parcels that total approximately 139,565 square feet.

The proposed project is located in the R-MU-B zoning district within the General Plan. The Plan seeks to develop a new live/work/play environment in the M-2 area, and we believe this proposed project would advance that vision. Furthermore, this project proposes to deliver maximum residential density by using the bonus level development provisions, which would bring much-needed new housing to the area.

The proposed project consists of 320 apartment units across a single new seven-story building and an approximately 34,706 square foot office building. The residential building includes 324 vehicle parking stalls through a combination of a mechanical stacker system and self-parking and the commercial office building provides 98 parking spaces on two levels, all of it self-parked. The residential building would include two levels of above-grade podium garage with five-levels of residential units above, and would include residential amenities, roof decks, and an outdoor courtyard on the podium level. Additionally, the project proposal incorporates a publicly accessible greenspace with anticipated seating and art between the residential and commercial office buildings from Constitution Drive to the north in order to improve pedestrian activity and accessibility throughout the area.

The timing of this project submittal has made it possible for our team to take advantage of initial feedback we received from Planning Commission on our Menlo Uptown project at 141 Jefferson Dr., 180 Constitution Dr. and 186 Constitution Dr. In particular, we have considered massing, open space, and initial space planning for a community amenity. The context of the site is between Menlo Gateway Phase I which is approximately 135 feet high in the south and Menlo Gateway Phase II Parking Structure 2 which is approximately 90 feet high and Menlo Gateway Phase II Office Building 2 which is approximately 134 feet high to the north. In addition, the proposed development at 111 Independence is 85 feet high. The courtyard of our multifamily building which is 33 feet high opens out to a pedestrian area below which runs adjacent to the proposed 42-foot high office building. The various built and proposed buildings in this area will provide a textured landscape appropriate for the context. Although we have not completed the value of amenity

process with the City which will drive the community benefit process, we've identified an area on the first floor of the commercial office building facing the publicly accessible open space labeled "neighborhood benefit" to be a placeholder for a potential community benefit. We intend to work closely with the City and Menlo Park residents to determine what community benefit could be offered through this project. We have consolidated the publicly accessible open space between the office and multifamily buildings and activated these spaces with public seating, creative landscaping and artwork which we're looking forward to working on with the community. The Menlo Park community will be integral in determining both the character of this publicly accessible open space and the ultimate community benefit.

We understand that new construction projects of this size are subject to architectural control review, and as a result the proposal as presented includes only preliminary design direction. We plan to work with Staff and Planning Commission to further refine the design of this project. Additionally, we plan to engage the community and our future neighbors in order to thoughtfully gather, consider, and incorporate feedback.

We anticipate that the project will ultimately require:

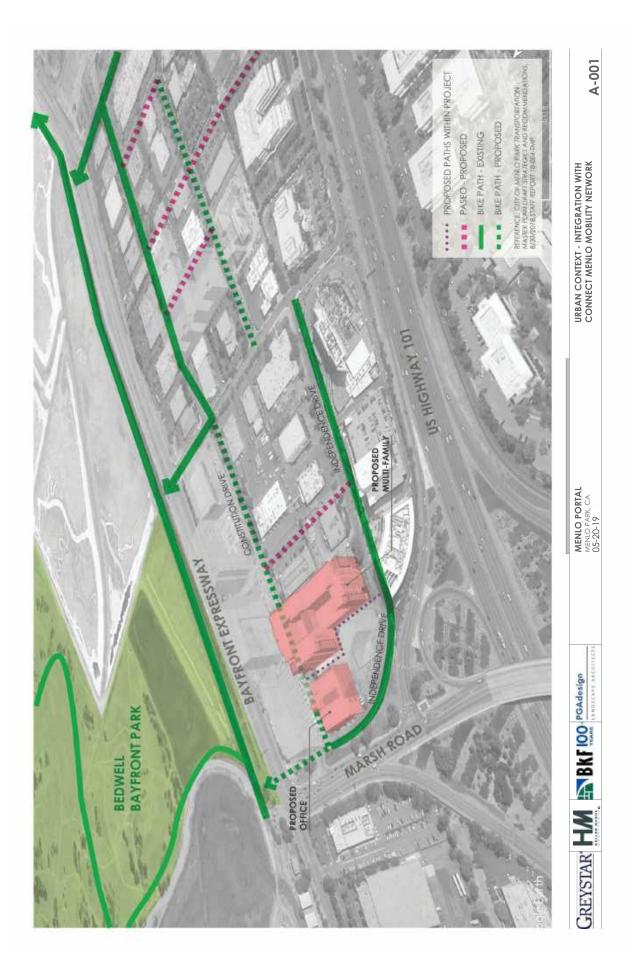
- Environmental review to analyze potential environmental and traffic impacts of the project
- <u>Use permit</u> for bonus level development
- Lot line adjustment and merger to change the boundaries of the existing lots
- <u>Architectural control</u> to review the future design of the project and site improvements
- <u>Below Market Rate (BMR) housing agreement</u> to provide on-site BMR units

We believe that the region is in dire need of more housing, especially as regional employers continue to grow rapidly and traffic worsens. A jobs/housing imbalance is expected to continue into the future, causing further strain on housing availability, increased rents, and traffic. We look forward to working with Planning Commission to deliver this new proposed housing project to Menlo Park.

Sincerely,

Andrew Morcos Sr. Development Director Greystar





PROJECT 104 CONST 115 INDEPI	PROJECT ADDRESSES 104 CONSTITUTION DRIVE 115 INDEPENDENCE DRIVE	PROJECT ADDRESSES 104 CONSTITUTION DRIVE 115 INDEPENDENCE DRIVE AND 110 CONSTITUTION DRIVE - MULTH-FAMILY R	ONSTITUTIO	N DRIVE - C	- Commercial ( MULTI-Family F	(PARCEL A SITE AREA 36,0575F) RESIDENTIAL (PARCEL B SITE AREA 103,5085F)	TE AREA 36, . (PARCEL B	057SF) SITE AREA 1	103,508SF)		ZONING SITE AF	5: R-MU-B Zo REA: 3.20 Acr	ning District es i.e., 139,	ZONING: R-MU-B Zoning District (Bonus level development) SITE AREA: 3.20 Acres i.e., 133,565 SF (Parcel A 36,0575F	development) il A 36,057SF	ZONING: R-MU-B Zoning District (Bonus level development) SITE AREA: 3.20 Acres i.e., 139,565 SF (Parcel A 36,0575F + Parcel B 103,508SF)	508SF)	
	~ (	PARCEL	PARCEL A - Office Building (SITE AREA: 36,057 SF)	ling (	1						COMME MAX. AI MAX. AI	COMMERCIAL FLOOR AREA SUMMARY: MAX. ALLOWED FAR % 25% of t MAX. ALLOWED FLOOR AREA (139,565	AREA SUI	<u>MMARY:</u> 25% of the Total Site Area (139,565 SF X 0.25)	al Site Area 0.25)	= 34,891.25 SF	SF	
	CONSTITUTA	In International	PA (SI	PARCEL B - Multi-Farmily Residential (SITE AREA: 103,508 SF)	-Family Reside 508 SF)		1	1			OFFICE GSF (Office Total E Includes "NEI	: GSF Fotal Built Area s "NEIGHBOR	a (Excludes Pa HOOD BENEI	OFFICE GSF (Office Total Built Area (Excludes Parking)) Includes "NEIGHBORHOOD BENEFIT" of 1,607.95 SF at Level 01	5 SF at Level	= 34,707.84 SF 01	÷SF	
-	1	INDEPENDENCE	0	0	1	1	-		1		FAR % I	FAR % PROVIDED	24.87%					
-		ANN I	0	1		0	0	0000	0		MULTI-I MAX. Al MAX. Al	MULTI-FAMILY FLOOR AREA SUMMARY. MAX. ALLOWED FAR % 225% of MAX. ALLOWED FLOOR AREA (139,565	20	MMARY: 225% of the Total Site Area (139,565 SF X 2.25)	otal Site Area 2.25)	= 314,021.25 SF	15 SF	
/		0	1	0	0	Note.	i	NORTH	PROJECT		MULTIF (Resider	MULTIFAMILY GSF (Residential Total Buil	t Area exclude	MULTIFAMILY GSF (Residential Total Built Area excludes Parking, Trash & Utility shafts)	sh & Utility sh	= 311,341.41 SF afts)	1 SF	
	1	1	•1	1		_1	Refer to "C" sheets		7		FAR % I	FAR % PROVIDED UNIT COUNT SUMM	223.08% ARY: 320 Units	6 ts on net lot are	ea of 3.20 acre	FAR % PROVIDED 223.08% UNIT COUNT SUMMARY: 320 Units on net lot area of 3.20 acres (100 dwelling units/acre)	units/acre)	
MULTI FAN	VILY HOUSING	MULTI FAMILY HOUSING (320 UNITS) AND OFFICE PROJECT JAREA SUMMARY	AND OFFICE	PROJECT - AF	REA SUMMAR	RY Area Schodulo /* //IZ_LINIT				TYDE APEAS MENI O DODTAL SCHEME AL APEA SLIMMADY		V SLIMMADV						
					<⊢									DECID				
LEVEL	OFFICE GSF (INCLUDED IN FAR)	OFFICE AMENITIES (INCLUDED ( IN FAR)	OFFICE COMMON AREA (INCLUDED IN FAR)	OFFICE UTILITIES (INCLUDED IN FAR)	OFFICE UTILITIES (NOT INCLUDED IN FAR)	OFFICE PARKING (NOT INCLUDED IN FAR)	OFFICE OPEN SPACE (NOT NCLUDED IN FAR)	OFFICE TOTAL BUILT AREA	RESID.	RESID. AMENITIES GSF	RESID. GSF	RESID UTILITIES (INCLUDED IN FAR)	RESID UTILTIES (NOT INCLUDED IN FAR)	OPEN OPEN SPACE (NOT INCLUDED IN FAR)	RESID PARKING GSF (NOT INCLUDED IN FAR)	RESID TOTAL BUILT AREA	TOTAL BLDG GSF	TOTAL FAR (OFFICE+ RESID)
Level R-Roof	00.0	0.00	0.00	0.00	00.00	00.00	0.00	0.00	00.0	00.00	1,978.62	00.00	00.00	0.00	00:0	1,978.62	1,978.62	1,978.62
Level R-07	0.00		0.00	0.00	0.00	0.00	0.00	0.00	38,370.77	837.42	7,669.88	535.22	780.17	6,327.82	0.00	47,413.30	54,521.28	47,413.30
Level K-06	0.00		0.00	0.00	0.00	0.00	0.00	0.00	44,067.74	1,587.38	7.047.08	535.23	86/./5	84.09	00.0	54,137.42	55,089.27 FF 000 07	54,137.42
Level R-04 Level R-04	00.0	361.85	1.210.49	0.00	00.0 00.02	00.0	10.723.39	1.572.34	44,007.74 42.602.77	353.17	7.338.08	560.35	838.29	84.09 84.09	0.00	50.854.37	53,009.27 64.143.38	52.426.71
Level R-03	25,661.35	628.00	638.54	00.0	66.08	00.00	0.00	26,927.89	39,725.40	3,268.92	7,250.95	546.22	832.77	23,712.04	00.0	50,791.48	102,330.26	77,719.37
Level R-02	0.00	0.00	1,507.57	249.60	66.08	21,273.61	0.00	1,757.16	22,609.82	1,823.67	7,419.91	289.10	530.88	84.09	40,043.33	32,142.50	95,897.66	33,899.67
Level R-01	0.00	1,607.95	1,915.39	927.11	400.56	20,184.61	4,088.70	4,450.44	0.00	8,855.92	6,934.63	4,095.75	1,108.59	8,486.56	52,837.50	19,886.30	111,443.27	24,336.75
Grand total	25,661.35	2,597.80	5,271.99	1,176.70	603.62	41,458.22	14,812.09	34,707.84	231,444.24	18,313.86	54,486.22	7,097.09	5,826.20	38,862.78	92,880.84	311,341.41	540,493.01	346,049.26
NOTES : 1. TOTAI 2. THE OA 3. TOTAI 4. TOTAI 5. TOTAI	. OFFICE ARE IFFICE AMENI . RESIDENTIA . BUILDING G: . FAR (OFFICE	TED : TOTAL OFFICE AREAS ARE SUM OF ALL OFFICE AREAS INCLUDED IN FAR. THE OFFICE AREAS ARE SUM OF ALL OFFICE BUILDING IS DESIGNATED TO BE A NEIGHBORHOOD BENEFIT (REFER TO LEVEL 01 FLOOR PLAN IN SHEET A-005) TOTAL BUILT AREAS ARE SUM OF ALL RESIDENTIAL AREAS INCLUDED IN FAR, TOTAL BUILDING GSF INCLUDE ALL AREAS (INCLUDED IN FAR SINCLUDED IN FAR) FOR OFFICE AND RESIDENTIAL BUILDINGS. TOTAL FAR (OFFICE + RESID) IS INCLUSIVE OF THE EXTERIOR WALLS	OF ALL OFFI LEVEL 01 IN <sup>-</sup> S. ARE SUM ( LL AREAS (IN INCLUSIVE OI	CE AREAS INC THE OFFICE B DF ALL RESID ICLUDED IN F/ F THE EXTERI	LUDED IN FA UILDING IS D ENTIAL AREA AR AND NOT I IOR WALLS	.R. ESIGNATED T S INCLUDED IN INCLUDED IN	O BE A NEIC IN FAR FAR) FOR O	SHBORHOOD FFICE AND F	) BENEFIT (F RESIDENTIAL	REFER TO LE'	VEL 01 FLOO	DR PLAN IN SI	НЕЕТ А-005).					
GREYSTAR'	TAR		BKFIC	BKF 100 PGAdesign	PGAdesign			MENLO PORTAL MENLO PARK, CA 05-20-19	RTAL CA				LOCATIO	LOCATION MAP & PROJECT DATA SUMMARY	COJECT DA	TA	-Α	A-002a

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Area Schedule (*-VIZ_UNIT TYPE AREAS - MENLO PORTAL	Z UNIT TYP	E AREAS	- MENLOF	PORIAL	SCHEIME A) - UNIT	IT SUMMARY				OPEN SPAL	OPEN SPACE SUMMARY BY LEVEL			
Level	STUDIO JR 1 BR	JR 1 BR	1 BR	2 BR	3 BR	# UNITS	Level	OFFICE PUBLIC OPEN SPACE	OFFICE COMMON OPEN SPACE		RESI PUBLIC REI OPEN SPACE OF	RESI COMMON OPEN SPACE	RESI PRIVATE OPEN SPACE	FE TOTAL E
Level R-07	∞	18	24	4	-	55								
Level R-06	7	18	25	80	2	60	Level R-07	0.00	00	0.00	0.00	4,555.17	1,772.65	65 6,327.82
Level R-05	7	18	25	∞	2	60	Level R-06	0.00	00	0.00	0.00	0.00	84.09	09 84.09
Level R-04	7	15	23	10	2	57	Level R-05	00.0	00	0.00	0.00	00.00	84.09	09 84.09
Level R-03	1	16	21	9	2	56	Level R-04	00.0		10,723.39	0.00	00.00	84.09	09 10,807.49
Level R-02	7	9	14	3	2	32	Level R-03	00.0	00	0.00	0.00	17,728.28	5,983.75	75 23,712.04
Grand total	47	91	132	39	11	320	Level R-02	0.00	00	0.00	0.00	0.00	84.09	84.09
							Level R-01	4,088.70	02	00.00	8,486.56	00.00	00.00	00 12,575.26
NET TAKGET TYP. UNIT SIZES	550				1300		Grand total	4,088.70		10,723.39 8	8,486.56	22,283.45	8,092.77	77 53,674.88
UNIT MIX	14.69%	28.44%	41.25% 12	12.19%	3.44%	100.00%	OPEN SPACE SUI	MMARY - PROJEC	OPEN SPACE SUMMARY - PROJECT SITE (Refer sheet A-014 for Zoning Compliance - Open Space Diagrams and Calculations)	st A-014 for Zc	ning Complian	ce - Open Space	Diagrams an	nd Calculations)
							MULTI-FAMILY H(	MULTI-FAMILY HOUSING & OFFICE PROJECT		TE AREA (Pan	cel A+Parcel E	() = 139,565 SF	(Refer to she	SITE AREA (Parcel A+Parcel B) = 139,565 SF (Refer to sheet C-004 for Parcel Information)
PARKING SUMMARY	×						CALCULATION FOR THE	OR THE	_	REQUIRED (%)	(9	REQUIRED (SF)		OPEN SPACE PROVIDED (SF)
							COMBINED PROJECT	Ĺ	OPEN SPACE	25% of Site Area	ea	34,891.25 SF	_	53,674.88 SF (i.e., 38.46% of Total Site Area)
OFFICE - PARKING REQUIREMENTS & PROVISIONS		IENTS & F	ROVISION						PUBLIC OPEN SPACE	25% of Min. Open Space	oen Space	8,722.81 SF		12,575.26 SF Central Plaza
Vehicular Parking	2-3 spaces/1000sf	s/1000sf			2.77 spaces/1000sf	st	OPEN SPACE SUI	MMARY - FOR IND	OPEN SPACE SUMMARY - FOR INDIVIDUAL PARCELS (A & B) - Refer to sheet C-004 for Parcel Information	(A & B) - Ref	er to sheet C-0	 04 for Parcel Info		(i.e., 36.04% of Req. Open space)
	(/U-1U5 spaces)	paces)			96 spaces		CALCULATION FOR	DR		REQUIRED (%)		REQUIRED (SF)	-	OPEN SPACE PROVIDED (SF)
Bike Parking	1 space p (80% Lon (20% Sho	1 space per 5000sf i.e., 7 spa (80% Long Term (6 spaces)) (20% Short Term (2 spaces))	1 space per 5000sf i.e., 7 spaces (80% Long Term (6 spaces)) (20% Short Term (2 spaces))		6 spaces in Level 1 Garage 12 spaces at office entry	1 Garage entry	OFFICE BUILDING OPEN SPACE		OPEN SPACE	25% of Site Area	69	9,014.25 SF		14,812.09 SF (i.e. 4,088.70 SF (Central Plaza in Parcel A)
Motorcycle Parking	Not required	red		11	10 provided in Levels	els 1 & 2	PARCEL A						+ 1	<ul> <li>+ 10,725.38 (Unice Common Kool terrace))</li> <li>(41.07% of Site Area)</li> </ul>
MULTIFAMILY - PARKING REQUIREMENTS & PROVISIONS	RKING REQUI	UIREMEN	TS & PRO	VISIONS	PROVIDED		(SITE AREA 36,0	36,057SF) PUBLI	PUBLIC OPEN SPACE	25% of Req. Open Space	pen Space	2,253.56 SF		4,088.70 SF (Central Plaza in Parcel A) (45.35% of Red. Open Space)
Vehicular Parking	1 space/unit	init		324	324 spaces	:	CALCULATION FOR	OR		REQUIRED (%)	()	REQUIRED (SF)		OPEN SPACE PROVIDED (SF)
Bike Parking	320 venic 1.5 long t Additional	320 venicular spaces 1.5 long term spaces/ unit Additional 10% short term	320 Venicular spaces 1.5 long term spaces/ unit Additional 10% short term spaces		(Parking Katio 1.02 spaces/ unit) 480 Long Term spaces in Level 1 barking garage	aces/ unit) s in Level 1	COPEN SPACE	<u> </u>	OPEN SPACE	25% of Site Area	ea	25,877.00 SF		38,862.78 SF (i.e. 8,486.56 SF (Central Plaza in Parcel B) + 22,283,45 SF(Resi. Common spaces) +
	(480 long	term and	(480 long term and 48 short term)		48 Short Term spaces at entries/ plaza	at entries/ plaza	PARCEL B	508CE)					8,0 (37	8,092.77 SF (Resi. Private Terraces)) (37.55% of Site Area)
AVERAGE BUILDING HEIGHT SUMMARY	3 HEIGHT S	UMMARY							PUBLIC OPEN SPACE	25% of Req. Open Space	pen Space	6,469.25 SF		8,486.56 SF (Central Plaza in Parcel B)
AVERAGE BUILDING HEIGHT = 61.5' ( < 62.5' Max. Height)	3 HEIGHT =	61.5' ( <	62.5' Max.	Height)						Docidontial Driv	unto Onon Sno	Decidential Drivets Once Corres Decisiond (80 CE/II Init)	- 11	(32.80% of Req. Open Space)
NOTE: BUILDING HEIGHTS ARE MEASURED FROM AVERAGE NATURAL GRADE. A-012 FOR I EVEI HEIGHTS RESIDENTIAL ROOF CORF AREA IS NOT INCLUIDED	IGHTS ARE	MEASUR	ED FROM.	AVERAGI	E NATURAL GRA A IS NOT INCI UI	DE. REFER DED IN THE	OPEN SPACE REQUIRED PER CHAPTER 16.45 R-MU RESIDENTIAL MIXED USE			Residential Pri Residential Pri Residential Pri	residential Private Open Space required Residential Private Open Space Provided Residential Private Open Space Not Provi	residential Private Open Space required (ou Residential Private Open Space Provided Residential Private Open Space Not Provided	SF/UNI() = 23 = 8 = 17	= 20,000.00 SF = 8,092.77 SF = 17,507.23 SF
BUILDING HEIGHT CALCULATIONS. THE RESIDENTIAL ROOF IS FOR MAINTENANCE ACCESS ONLY. ROOF HEIGHT CALCULATION DOES NOT INCLUDE PARAPET HEIGHTS.	ALCULATIC	DNS. THE	RESIDENT TION DOE	TIAL ROOI S NOT IN(	F IS FOR MAINTE CLUDE PARAPET	ENANCE I HEIGHTS.	DISTRICT 16.45.120 DESIGN STANDARDS (4) (C)	7	TOTAL RESIDENTIAL	Residential Co	mmon Open Si	bace Required to	ir Private Ope = 17 = 21	Residential Common Open Space Required for Private Open space SF not provided = 17,507 23 SF × 1.25 = 21,898,04 SF
REFER A-011 PLAN LEVEL R-ROOF FOR DETAILED CALCULATIONS	LEVEL R-RC	OF FOR I	DETAILED	CALCUL/	ATIONS					Residential Co	Residential Common Open Space Provided	bace Provided	= 22	= 22,283.45 SF (is > than 21,884.04 required)
GREYSTAR	N I		M SKF 100 PGAdesign	D PGA	PGAdesign		MENLO PORTAL MENLO PARK, CA D5-20-19	<b>ORTAL</b> RK, CA			PROJEC	PROJECT DATA SUMMARY	MARY	A-002
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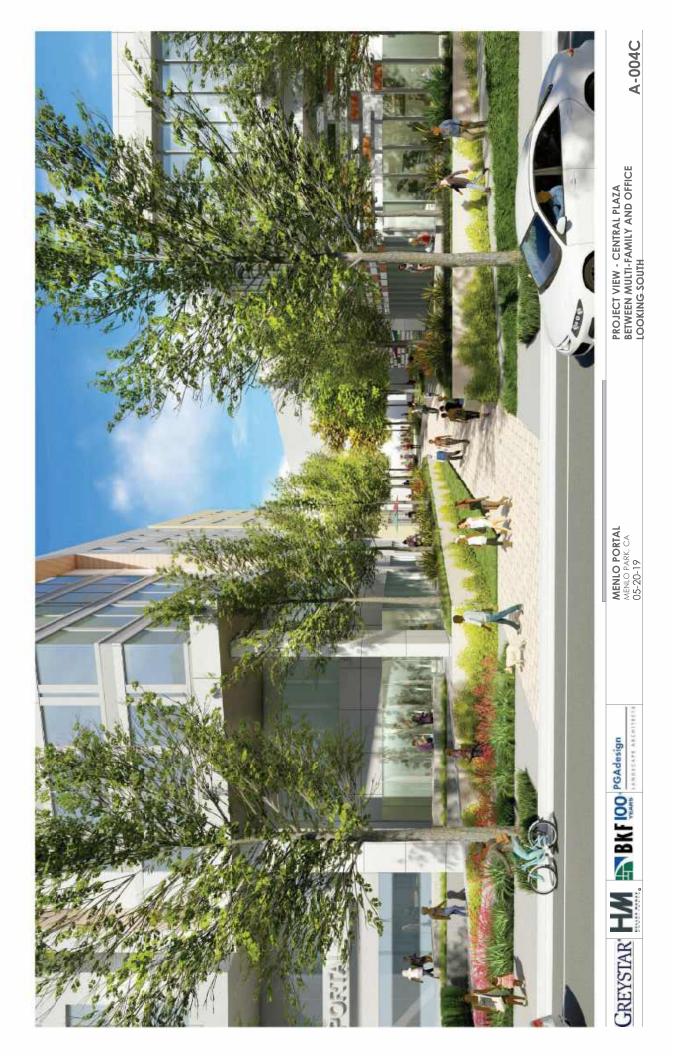
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A-003





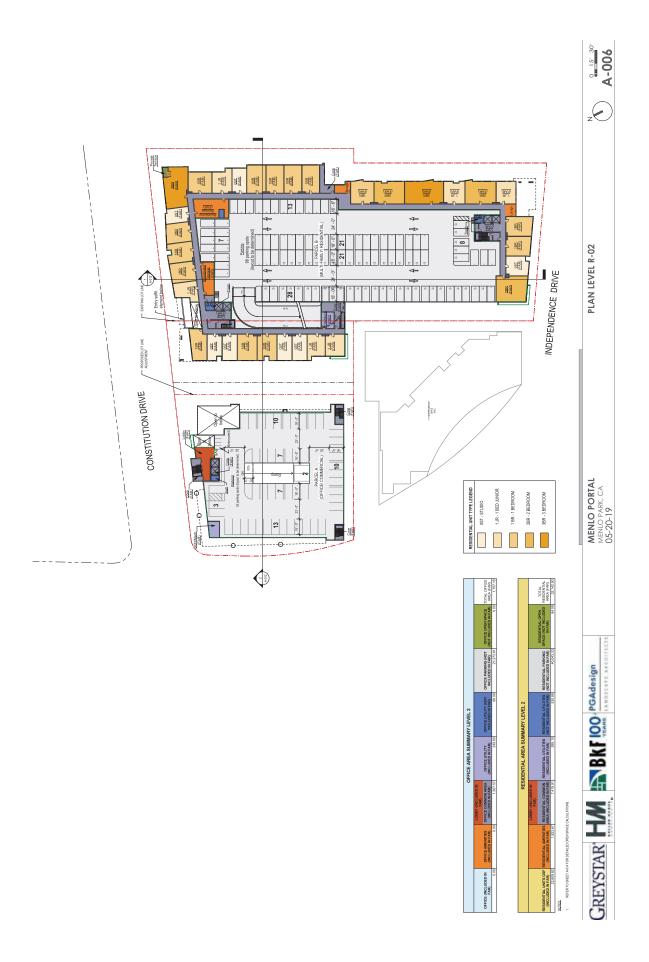


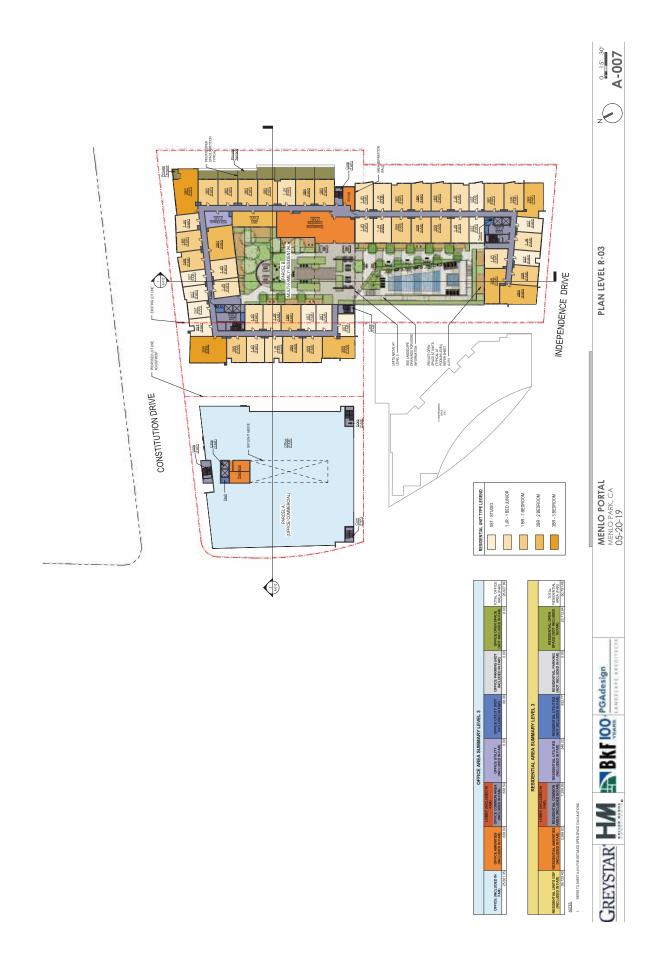






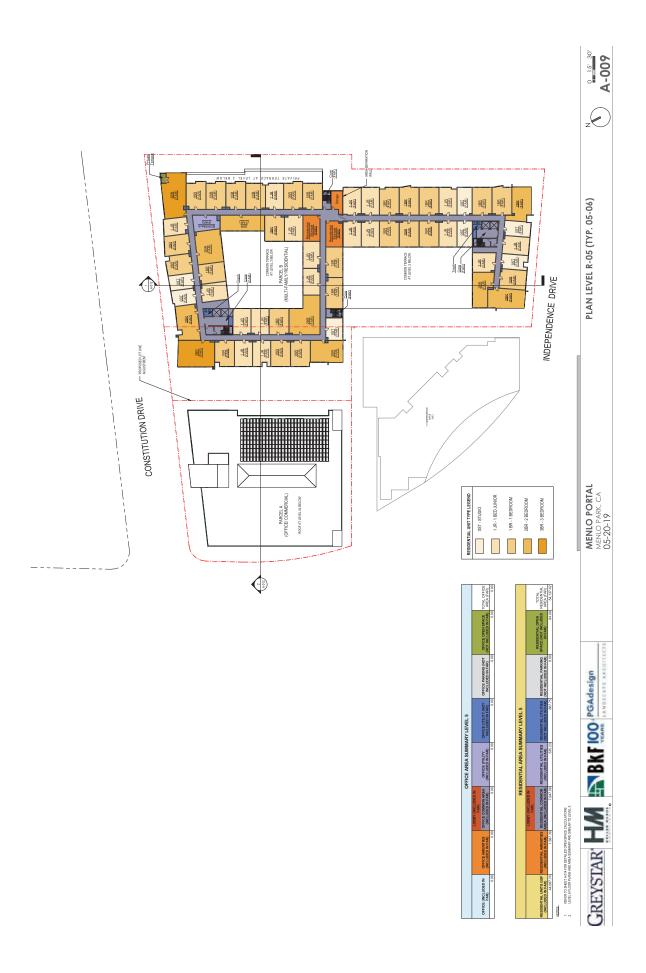


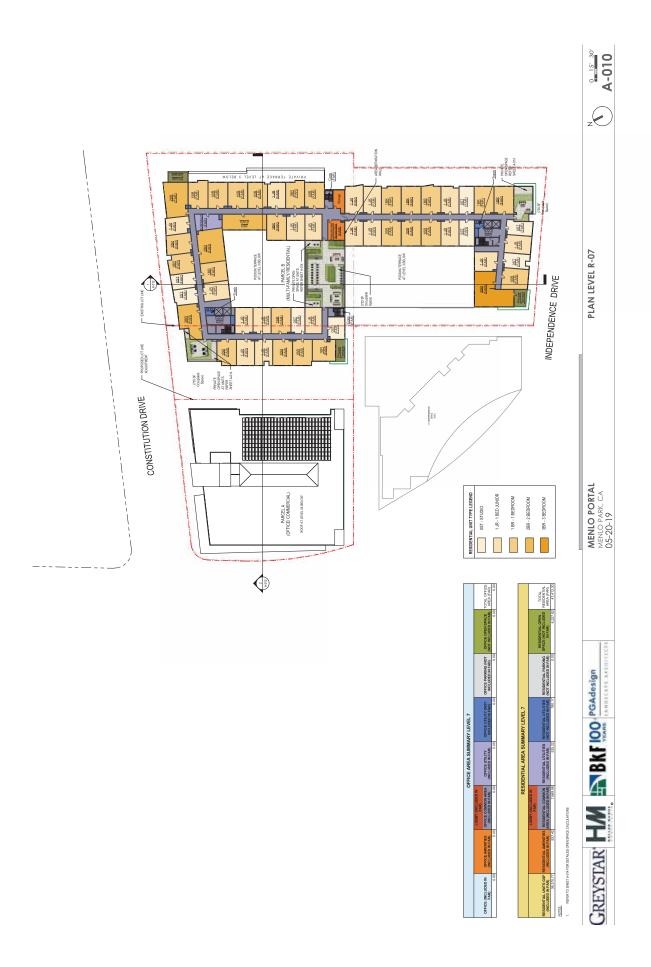


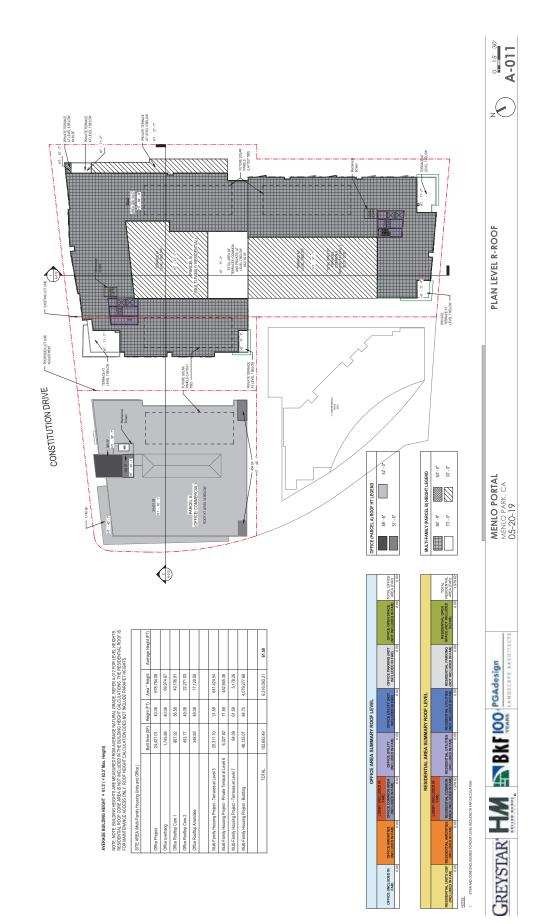


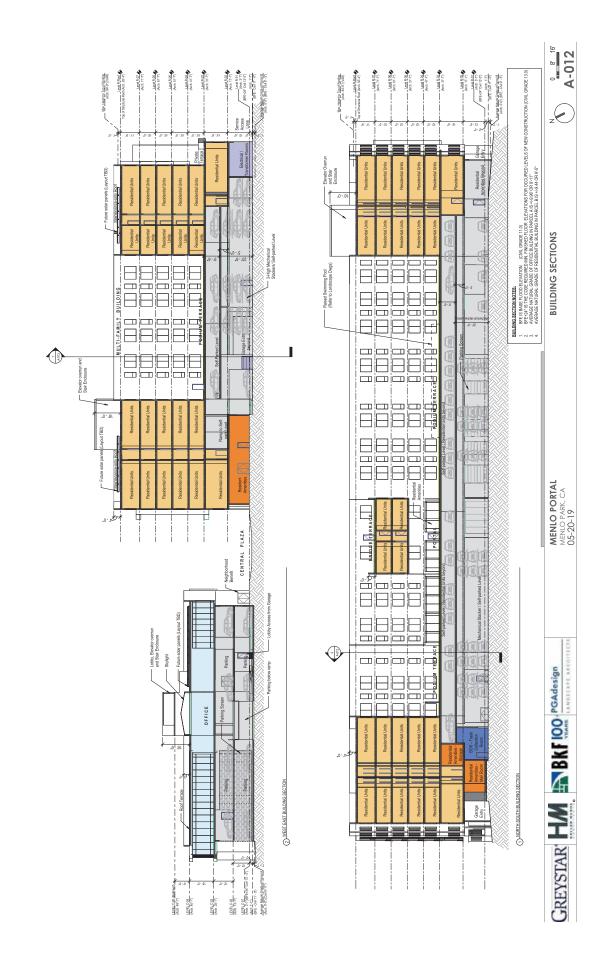
C14















Office Insipiration Image 3 - Porous & Dynamic Parking Screer



Office Insipiration Image 4 - Prominent Stair to Encourage Usage



Multifamily Insipiration Image 2 - Projecting Bays



Office Insipiration Image 5 - Expression of Office Use

MENLO PORTAL MENLO PARK, CA 05-20-19 GREYSTAR HM IN BKF 100 PGAdesign

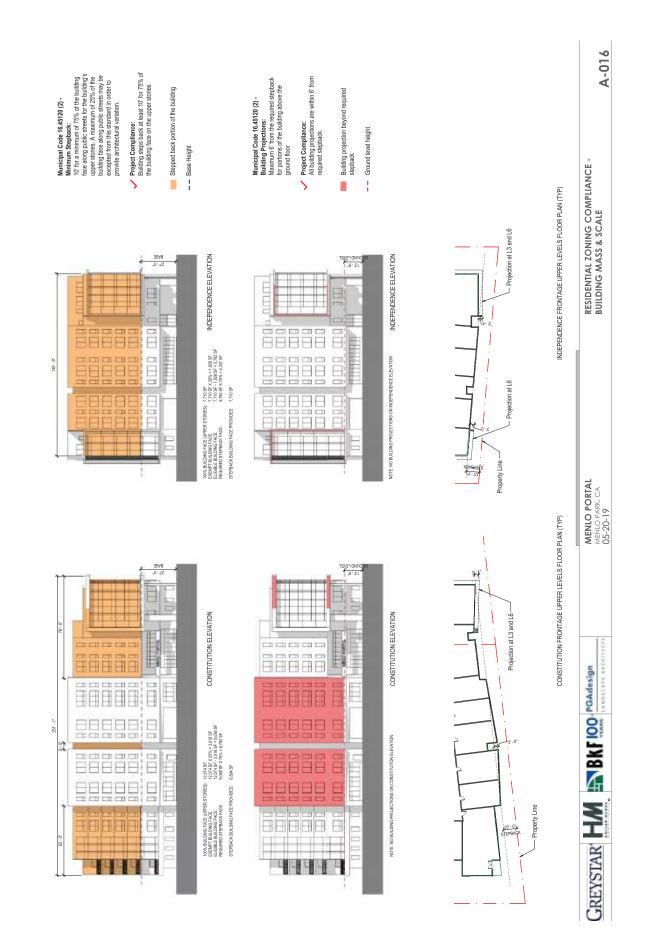
A-013

EXTERIOR DESIGN - INSPIRATIONS

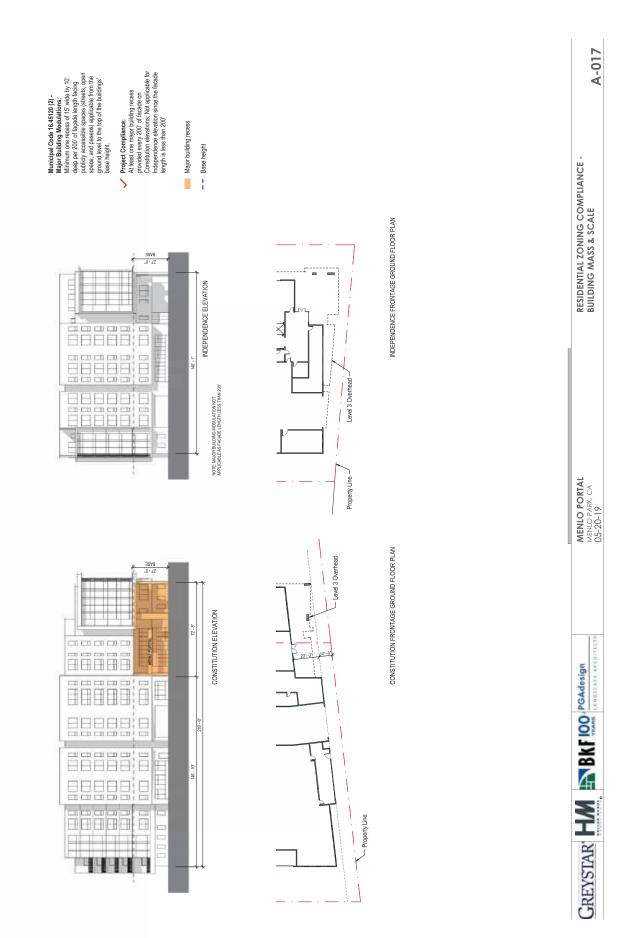




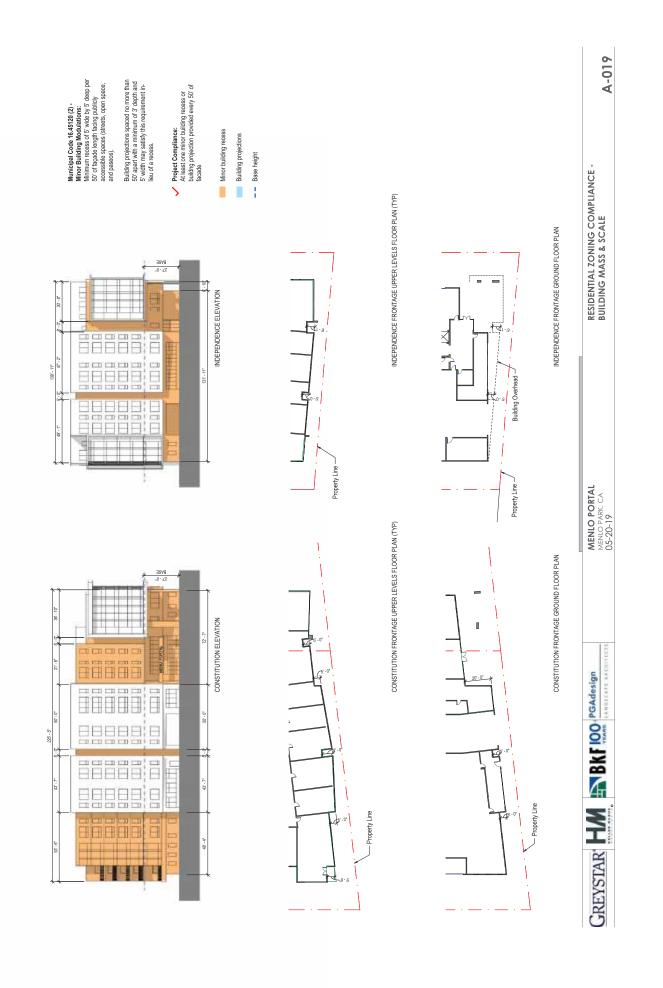
A-015
RESIDENTIAL ZONING COMPLIANCE - RELATIONSHIP TO THE STREET
MENLO PORTAL MENLO PARK, CA 05-20-19
GREYSTAR HM BKF 100 PGAdesign



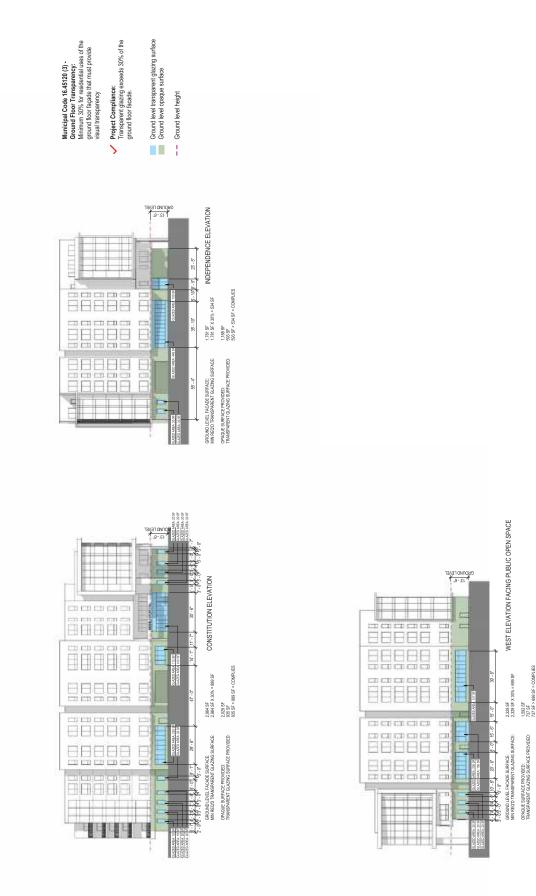
C23



Municipal Code 16.45120 (1): Magnetization Monadriano Magnetization Monadriano Magnetization Monadriano Magnetization Monadriano Magnetization Monadriano Magnetization Monadriano Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Magnetization Ma	RESIDENTIAL ZONING COMPLIANCE - BUILDING MASS & SCALE A-018
BROUD FLOOR FLUAN	MENLO PORTAL MENLO PARK, CA 05-20-19
The second secon	GREYSTAR HM SBKF100 PGAdesign



Municipal Code 16.45120 (2) - Minor Building Modulations: Minor Building Modulations: S0 of Taçade Iengh Teang Jublicy accessible strades (streets, open space, and paseos), and paseos), and paseos and more than S0 stratt with a minimum of 3 depth and S0 with may satisfy this requirement in- lieu of a recess.	Project Compliance: At least one mimor building recess or building projection provided every 50 of flacade Minor building recess Ballding projections Base heloint			A-020
Municipal Code 16 Minor Building Mo Stor of Eache Inputs Store States Input accessible spaces ( and pasevs). Building projections 50 apert with a mini- fieu of a recess.	Project Compliance:     At least one minor building projection providence in the providence of th			RESIDENTIAL ZONING COMPLIANCE - BUILDING MASS & SCALE
	LIC OPEN SPACE	LS FLOOR PLAN (TYP)	JOR PLAN	MENLO PORTAL MENLO PARK. CA 05-20-19
	west elevation fa	Proposed Adjusted tot Line WEST FRONTAGE UPPER LEVELS FLOOR PLAN (TYP)	Building Orethead	M BKF 100 PGAdesign



A-021
RESIDENTIAL ZONING COMPLIANCE - GROUND FLOOR EXTERIOR
MENLO PORTAL MENLO PARK, CA 05-20-19
GREYSTAR HM BKF 100 PGAdesign

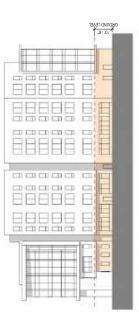
Part.	INDEPENDENCE ELEVATION
	CONSTITUTION ELEVATION

Municipal Code 16.45120 (3) -Minimum Ground Floor Height Along Street Frontage: 10<sup>-</sup> for residential uses

 Project Compliance: The ground level is 13'-6".

Ground level

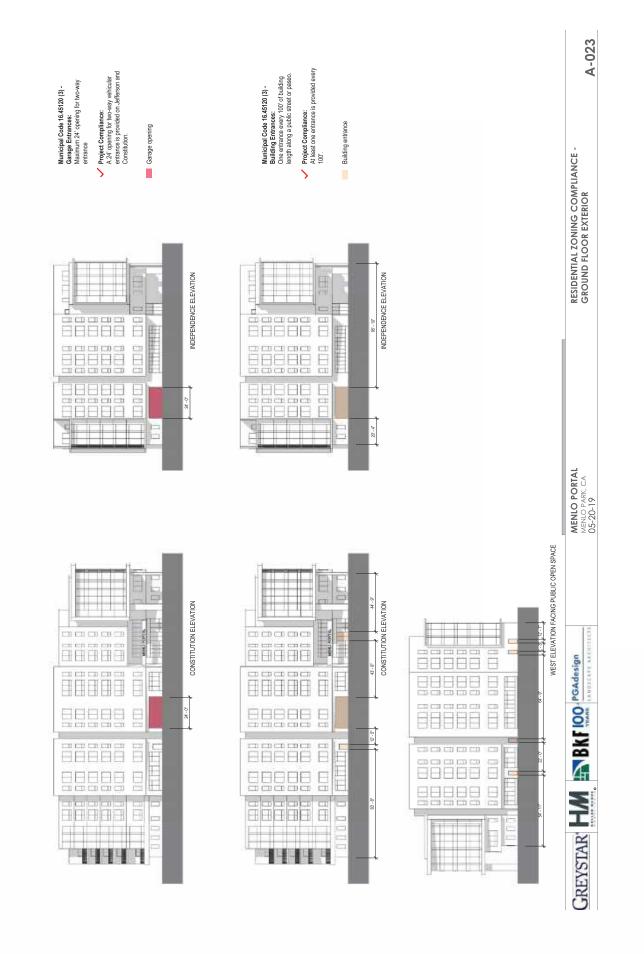
Ground level height

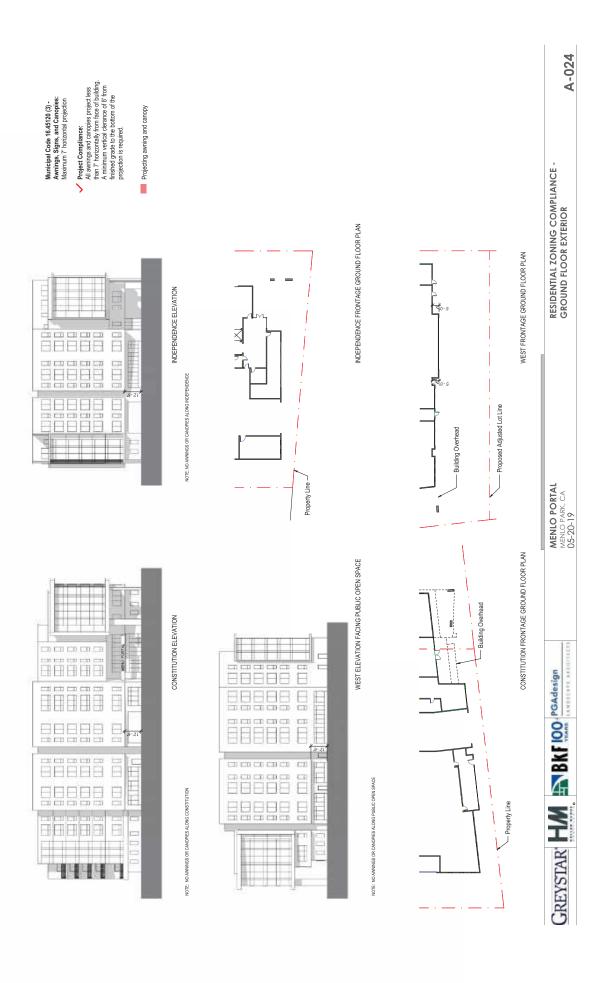




RESIDENTIAL ZONING COMPLIANCE - GROUND FLOOR EXTERIOR	
MENLO PORTAL MENLO PARK, CA 05-20-19	
GREYSTA	

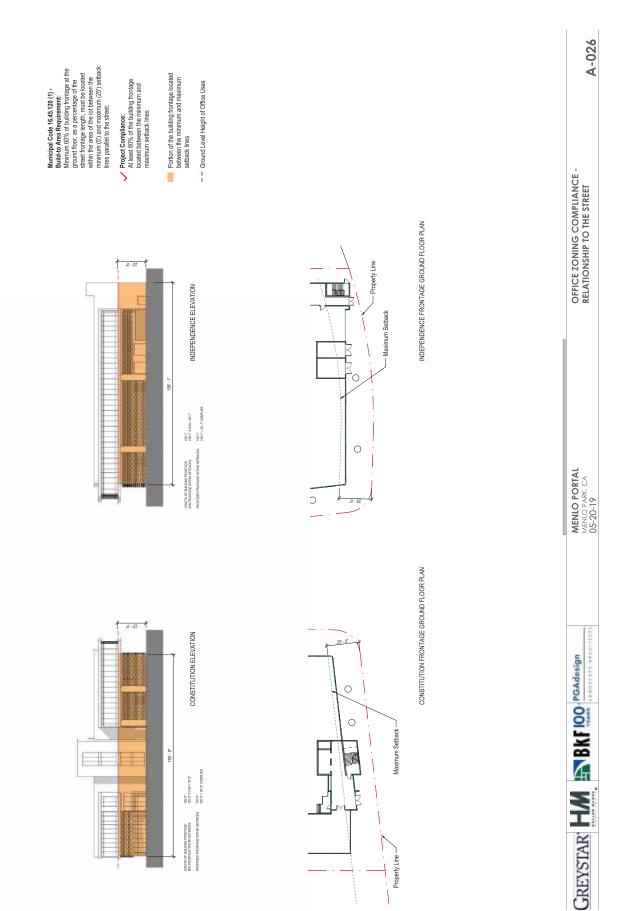
A-022

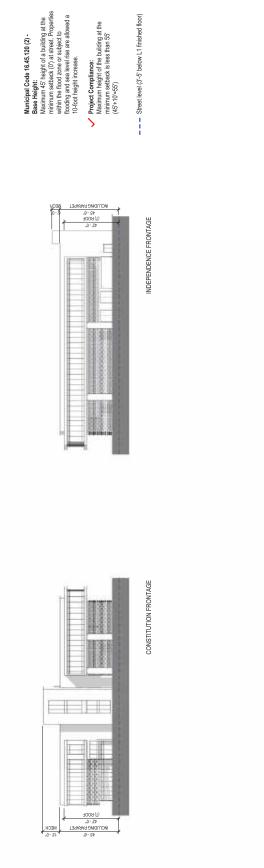




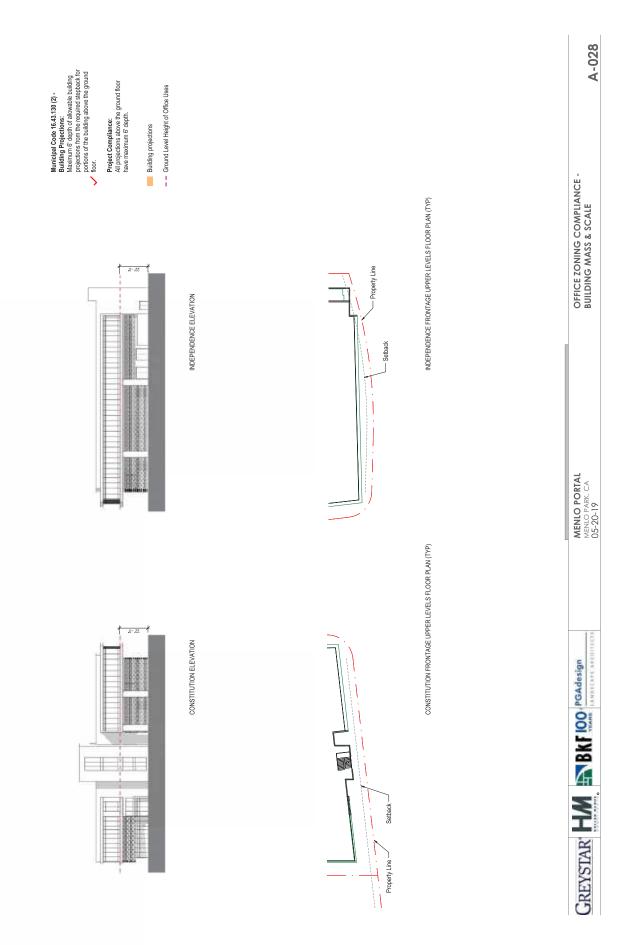
<ul> <li>Municipal Code 16.45120 (6) - Root Times and eaves adjacent to street- Root Times and eaves adjacent to street- dising brack shall way aross a building, including a tour-foot minimum height modulation to break visual monotory and create a visually intersting skyline as seen from public streets.</li> <li>Project Compliance: Root line varies acress the building, including a buu-foot minimum height modulation.</li> </ul>		
	INDEPENDENCE ELEVATION	
	CONSTITUTION ELEVATION	

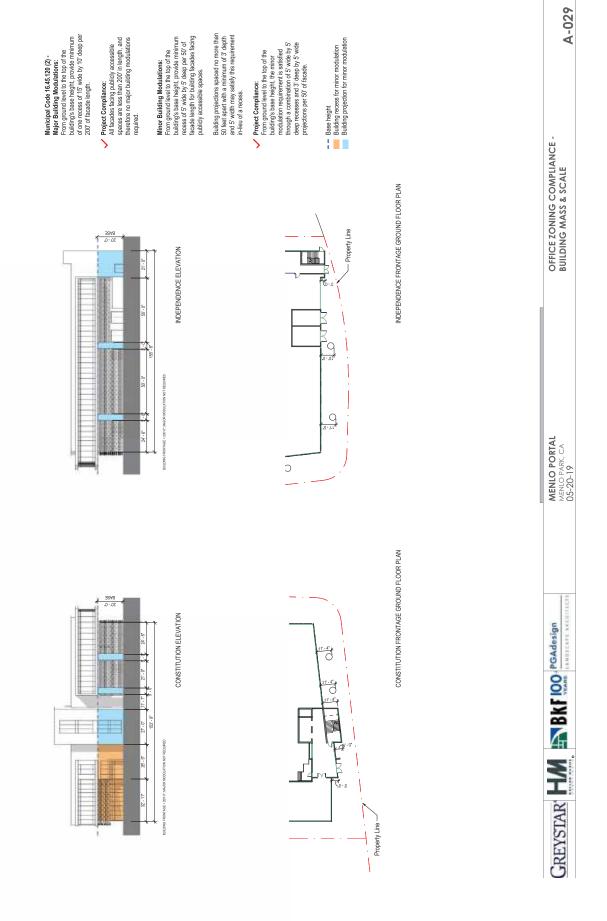
A-025
RESIDENTIAL ZONING COMPLIANCE - BUILDING DESIGN
MENLO PORTAL MENLO PARK, CA 05-20-19
GREYSTAR HM BKF 100 PEAdesign



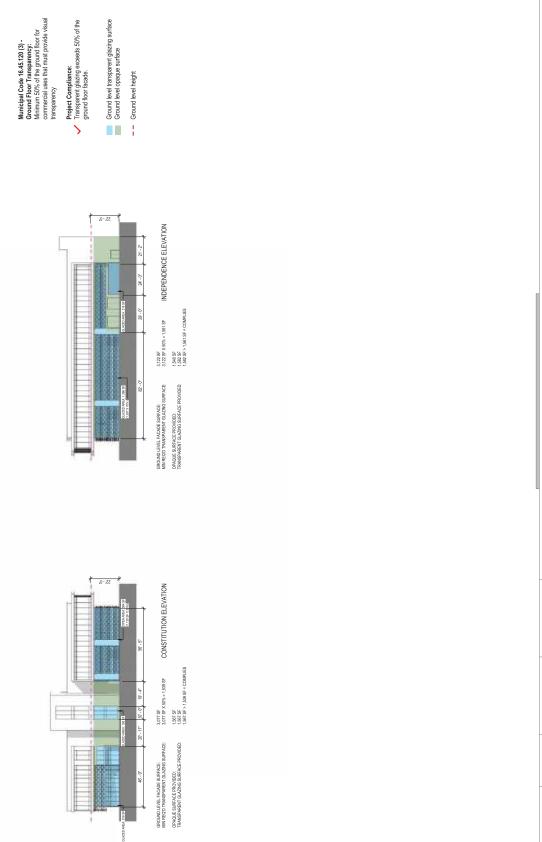


A-027
OFFICE ZONING COMPLIANCE - BUILDING MASS & SCALE
MENIC PORTAL MENIC PARK, CA 05-20-19
GREYSTAR HM BKF 1000 PGAdesign



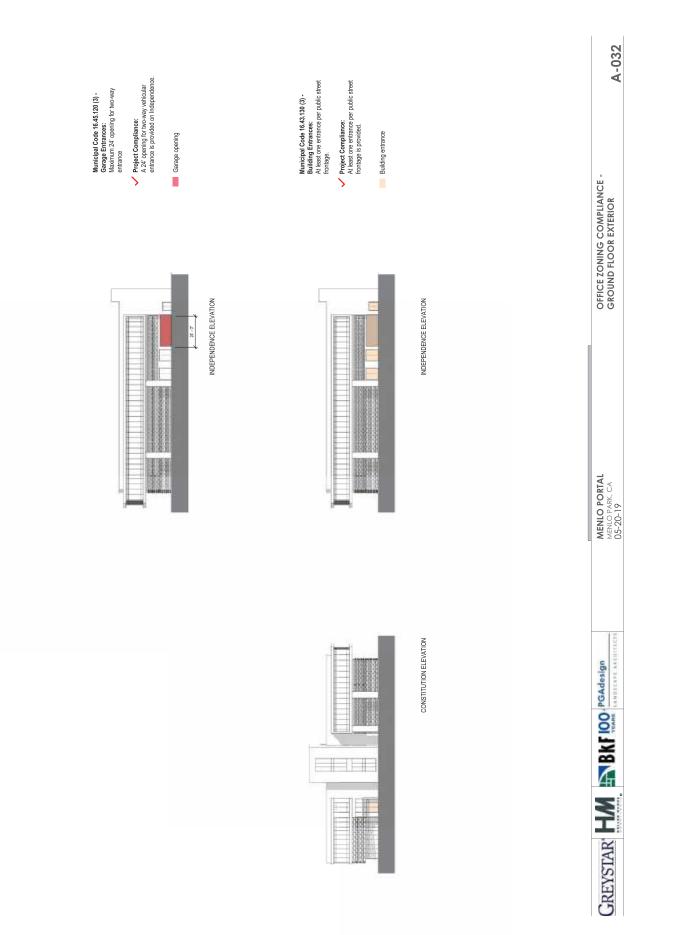


Municipal Code 16.45.120 (2) - Municipal Code 16.45.120 (2) - From ground level to the top of the building's base height, provide minimum of one recess of 15° wide by 10° deep per 200° of facade length.	<ul> <li>Project Compliance: All facede starting bloghicly accessible spaces are less than 200° in length, and therefore no major building modulations required.</li> </ul>	Minor Building Modulations: From ground level to the top of the building's base height, provide minimum recesses of 5 where 95 deep per 50 of facade length for building facades facing publicly accessible spaces.	Building projections spaced no more than 50 bet apart with a minimum of 3 depth and 5 within may satisfy this requirement in-lieu of a recess.	<ul> <li>Project Compliance: From pound level with the boy of the building's base height, the minor modulation requirement is satisfied through a comhinerion of 5 whee by 5 deep receases and 3 deep by 5 wide projections per 50 of facade.</li> </ul>	<ul> <li>Base height</li> <li>Building projection for minor modulation</li> </ul>		OFFICE ZONING COMPLIANCE - BUILDING MASS & SCALE
							MENLO PORTAL MENLO PARK, CA
		BALIDINE FRANKE - 202 C MUCH MOLINGIN OF FRANKE EAST ELEVATION FACING PUBLIC OPEN SPACE				EAST FRONTAGE GROUND FLOOR PLAN	GREYSTAR HM BKF 100 PGAdesign



OFFICE ZONING COMPLIANCE - GROUND FLOOR EXTERIOR
<b>MENLO PORTAL</b> MENLO PARK, CA 05-20-19
GREYSTAR HM BKF 100 PGAdesign

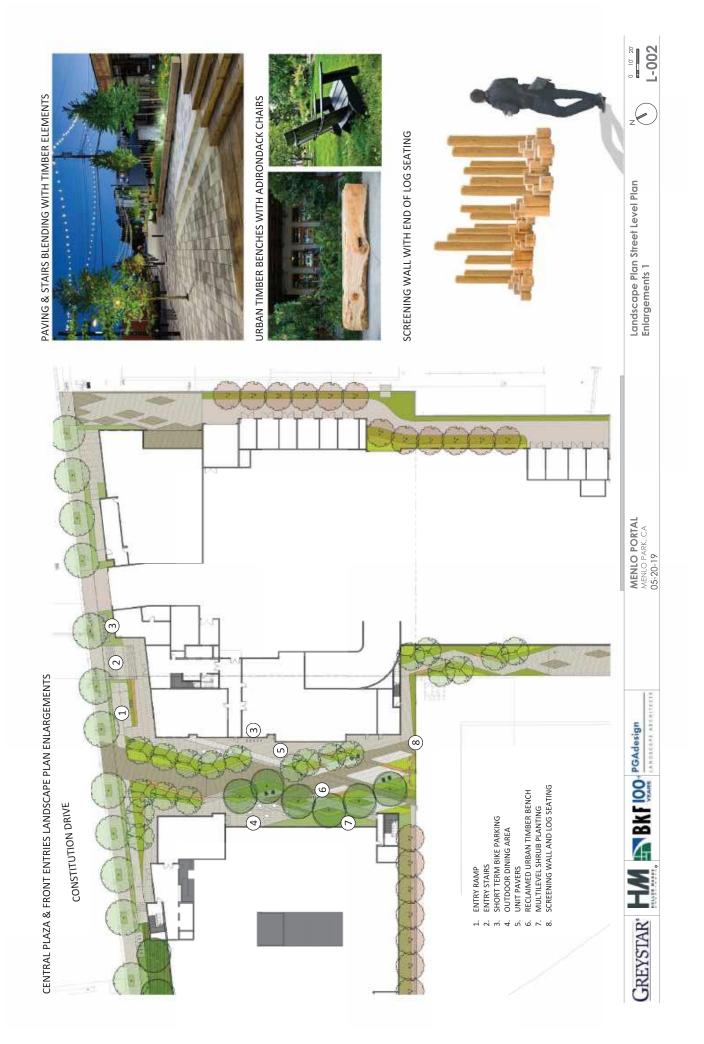
A-031



Municipal Code 16.45.120 (3) - Awnings. Signs. and Canoples: Maximum 7' horizontal projection: Project Compliance: All awning and canopigan less that 7' horizontally from face of bilding. A minum vertical derance of 8' from finished grade to the bottom of the projection is required.	
	2
CONSTITUTION ELEVATION	

<ul> <li>Municipal Code 16.45.120 (6G) -</li> <li>Roof Line:</li> <li>Roof Line:</li> <li>Roof infress and eaves adjacent to street- facing facates shall way across a building, including a tow-foot minimum neight includiation to best visually infresting skyline as seen from public streets.</li> <li>Project Compliance:</li> <li>Roof including of variance and streets.</li> </ul>		A-034
Municipal Co Roof Line: Roof Line: and facing facade building, include monolony and Roof line valit Roof line valit induding af to modulation to	Roof Ine	OFFICE ZONING COMPLIANCE - BUILDING DESIGN
5-3	INDEPENDENCE ELEVATION	OFFICE ZONI BUILDING DE
		MENLO PORTAL MENLO PARK, CA 05-20-19
	CONSTITUTION ELEVATION	GREYSTAR HM BKF100 PGAdesign
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0 10 <sup>20</sup>
Landscape Plan Street Level Plan Enlargements 2
MENLO PORTAL MENLO PARK, CA 05-20-19
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RESIDENTIAL COURTYARD LANDSCAPE PLAN - (LEVEL 3)



