

115 El Camino Real

<b>LOCATION:</b> 115 El Camino Real	<b>PROJECT NUMBER:</b> PLN2018-00008	<b>APPLICANT/OWNER:</b> Ranjeet Pancholy
<b>REQUEST:</b> Request for architectural control and a major subdivision to demolish an existing two-story hotel and construct a new mixed-use development consisting of two commercial condominiums for retail, personal service or non-medical office uses, totaling approximately 1,485 square feet, on the first floor and four residential condominiums on the second and third floors in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The Planning Commission will serve as a recommending body and the City Council will be the final decision making body and take action on the proposed project at a future meeting date.		
<b>DECISION ENTITY:</b> City Council	<b>DATE:</b> August 20, 2019	<b>ACTION:</b> Approval
<b>VOTE:</b> 5-0 (Carlton, Combs, Mueller, Nash, Taylor, in favor)		
<p><b>ACTION:</b></p> <ol style="list-style-type: none"> <li>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:             <ol style="list-style-type: none"> <li>a. A checklist has been prepared detailing that no new effects could occur and no new mitigation measures would be required (Attachment J of the July 29, 2019 Planning Commission staff report).</li> <li>b. Relevant mitigation measures have been incorporated into the project through the Mitigation Monitoring and Reporting Program (Attachment K of the July 29, 2019 Planning Commission staff report), which is approved as part of this finding.</li> <li>c. Upon completion of project improvements, the Specific Plan Maximum Allowable Development will be adjusted by 4 residential units and -7,421.7 square feet of non-residential uses, accounting for the project's net share of the Plan's overall projected development and associated impacts.</li> </ol> </li> <li>2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:             <ol style="list-style-type: none"> <li>a. The general appearance of the structure is in keeping with the character of the neighborhood in that the design's modern appearance would fit well with adjacent structures that vary in style and scale. The proposed exterior materials and finishes would be high quality in nature and would reinforce the neighborhood compatibility.</li> <li>b. The development will not be detrimental to the harmonious and orderly growth of the City. The construction and ongoing occupation of the site would proceed in accordance with all applicable City requirements and procedures, as verified in these conditions of approval.</li> <li>c. The development will not impair the desirability of investment or occupation in the neighborhood. The project would meet all relevant development standards of the El Camino Real/Downtown Specific Plan and project land uses would represent a balanced project.</li> <li>d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.</li> <li>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 H of the July 29, 2019 Planning Commission staff report).</li> </ol> </li> <li>3. Make findings that the proposed major subdivision is technically correct and in compliance with all applicable State regulations, City General Plan, Zoning and Subdivision Ordinances, and the State Subdivision Map Act.</li> </ol>		

4. Approve the architectural control and tentative subdivision map subject to the following **standard** conditions:
- a. Development of the project shall be substantially in conformance with the plans prepared by Levy Art and Architecture, consisting of 49 sheets, dated received July 24, 2019, reviewed and recommended for approval by the Planning Commission on July 29, 2019 and approved by the City Council on August 20, 2019, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Minor modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be approved by the Community Development Director or designee, based on the determination that the proposed modification is consistent with other building and design elements of the approved Architectural Control and will not have an adverse impact on the character and aesthetics of the site. The Director may refer any request for revisions to the plans to the Planning Commission for architectural control approval. A public meeting could be called regarding such changes if deemed necessary by the Planning Commission.
  - c. Major modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be allowed subject to obtaining an architectural control permit from the Planning Commission, based on the determination that the proposed modification is compatible with the other building and design elements of the approved Architectural Control and will not have an adverse impact on the character and aesthetics of the site.
  - d. Major revisions to the development plan which involve material changes, or expansion or intensification of development require public meetings by the Planning Commission and City Council.
  - e. Prior to approval of the Final Map or building permit issuance, whichever comes first, the Applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - f. Prior to building permit issuance, the Applicant shall comply with all Sanitary District, California Water Company, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - g. Prior to Final Map approval or building permit issuance, whichever comes first, 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.
  - h. Prior to Final Map approval or building permit issuance, whichever comes first, 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.
  - i. Prior to building permit issuance, the Applicant shall submit plans for construction parking management, construction staging, material storage and Traffic Control Handling Plan to be

reviewed and approved by the City. The applicant shall secure adequate parking for any and all construction trades.

- j. Heritage and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

5. Approve the architectural control and tentative subdivision map 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 K of the July 29, 2019 Planning Commission staff report). 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. Prior to Final Map approval, Applicant shall submit Covenants, Conditions and Restrictions (CC&Rs) to the City for review and approval. The CC&Rs shall provide for the maintenance of all infrastructure and utilities within the Project site or constructed to serve the Project. This shall include, but not be limited to, the private open spaces, shared parking spaces, common walkways, common landscaping, and the stormwater drainage and sewer collection systems. Prior to approval of the CC&Rs, shared parking issues shall be resolved to ensure sufficient parking for the commercial units pursuant to Specific Plan standards, subject to review and approval of the Transportation and Planning Divisions.
- d. The parking garage gates shall remain open between the hours of 7:00 a.m. and 7:00 p.m., in order to limit the potential for vehicles blocking the sidewalk while waiting for the gate to open. The Transportation Manager may adjust these times if requested in the future, provided that the applicant demonstrates that pedestrian safety will not be compromised.
- e. Dedication of Public Access Easements will be required prior to final occupancy as part of the Final Map or separate instrument to accommodate 12-foot wide sidewalks along the El Camino Real and Harvard Avenue frontages.
- f. Prior to issuance of a 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 \$1,467.87 (\$1.13 x 1,299 net new square feet).
- g. Simultaneous with the submittal of complete building permit application, the applicant shall submit revised plans that include a calculation of the building areas excluded from GFA (gross floor area) and that adhere to the maximum building height and screening requirements of the Specific Plan.
- h. Engineering-specific conditions, subject to review and approval of the Engineering Division except as otherwise noted:

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- i. Within two years from the date of approval of the tentative map, the Applicant shall submit a Final Map for City Council approval.
- ii. Applicant shall adhere to the Subdivision Map Act and Chapter 15 of the City's Municipal Code.
- iii. Prior to Final Map approval or building permit issuance, whichever comes first, 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.
- iv. The project is required for construction of public improvements along El Camino Real (ECR), to be designed and constructed to the satisfaction of the Engineering Division and Caltrans. The City will evaluate the condition of asphalt paving on ECR, following construction and prior to final occupancy of buildings. If necessary, the City and or Caltrans may require a grind and overlay of damaged pavement along the project frontage. All existing striping, markings, and legends shall be replaced in kind, or as approved by the City and Caltrans. Replacement of curb/gutter, sidewalk and 3-inch grind/overlay from curb to curb is required along Harvard Avenue and Alto Lane. The limit of grind and overlay will be determined at the time of improvement plans review and approval.
- v. Prior to Final Map approval or building permit issuance, whichever comes first, Applicant shall submit a Grading and Drainage Plan for review and approval. 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.
- vi. 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 much 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.
- vii. Prior to building permit issuance, Applicant shall submit a street tree preservation plan, detailing the location of and methods for all tree protection measures.
- viii. Prior to Final Map approval or building permit issuance, whichever comes first, Applicant shall pay all Public Works fees including the Building Construction Impact Fee and the Recreation In-lieu Fee. Refer to current City of Menlo Park Master Fee Schedule.

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- ix. During the design phase of the construction drawings, all potential utility conflicts shall be potholed with actual depths recorded on the improvement plans submitted for City review and approval.
- x. Prior to Final Map approval or building permit issuance, whichever comes first, 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.
- xi. Prior to Final Map approval or building permit issuance, whichever comes first, Applicant shall submit plans for street light design per City standards, at locations approved by the City. All street lights along the project frontages shall be painted Mesa Brown and upgraded with LED fixtures compliant with PG&E standards.
- xii. Prior to Final Map approval, the Applicant shall enter into a Subdivision Improvement Agreement and provide a performance bond for the completion of the off-site improvements as shown on the approved project improvement plans. The Applicant shall obtain an encroachment permit, from the appropriate reviewing jurisdiction, prior to commencing any work within the right-of-way or public easements.
- xiii. All agreements shall run with the land and shall be recorded with the San Mateo County Recorder's Office prior to building permit final inspection.
- xiv. Street trees shall be from the City-approved street tree species or to the satisfaction of City Arborist. Irrigation within public right of way shall comply with City Standard Details LS-1 through LS-19.
- xv. Prior to Final Map approval or building permit issuance, whichever comes first, Applicant shall provide documentation indicating the amount of irrigated landscaping. If the project proposes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44).
- xvi. All public right-of-way improvements, including frontage improvements and the dedication of easements and public right-of-way, shall be completed to the satisfaction of the Engineering Division prior to building permit as-built final inspection.
- xvii. Prior to final inspection, the Applicant shall submit a landscape audit report.
- xviii. 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.
- xix. As part of a building permit submittal, the applicant shall submit plans for an all-electric building, subject to the review and approval of Building and Planning Divisions.

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- i. Transportation-specific conditions, subject to review and approval of the Transportation Division except as otherwise noted:
  - i. The City has adopted a Supplemental Transportation Impact Fee for the infrastructure required as part of the El Camino Real / Downtown Specific Plan. The fee is calculated at \$398.95 per PM peak hour vehicle trip. The proposed project is estimated to generate seven net new PM peak hour trips, so the fee would be \$2,792.65. Payment is due before a building permit is issued and the supplemental TIF will be updated annually on July 1st.