



SPECIAL AND REGULAR MEETING AGENDA

Date: 5/22/2018
Time: 6:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

According to City Council policy, all regular meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.

6:00 p.m. Closed Session (City Hall - “Downtown” Conference Room, 1st Floor)

Public Comment on these items will be taken before adjourning to Closed Session.

- CL1.** Closed session conference with legal counsel pursuant to Government Code section 54956.9(d)(1) regarding existing litigation: 1 case
Case Name: Talavera v. City of Menlo Park; Case Number: RG17869108

Attendees: City Manager Alex McIntyre, City Attorney Bill McClure, Special Counsel for Employment Actions Suzanne Solomon, Administrative Services Director Nick Pegueros, Human Resources Manager Lenka Diaz

7:00 p.m. Regular Session

- A. Call to Order**
- B. Roll Call**
- C. Pledge of Allegiance**
- D. Report from Closed Session**
- E. Presentations and Proclamations**
 - E1. Proclamation recognizing “Public Works Week” (May 20–26, 2018)
 - E2. Presentation by “Get Us Moving” San Mateo County regarding transportation
- F. Public Comment**

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

G. Commissioner Reports

G1. Environmental Quality Commission quarterly update

H. Consent Calendar

H1. Accept the City Council meeting minutes for April 16, 2018 ([Attachment](#))

H2. Approve amendments to greenhouse gas reduction strategies in the 2015 Climate Action Plan ([Staff Report #18-116-CC](#))

H3. Adopt Resolution No. 6347 preliminary approval of the engineer's report for the Menlo Park Landscaping Assessment District and Resolution No. and 6348, intention to order the levy and collection of assessments for the Landscaping Assessment District for fiscal year 2018-19 ([Staff Report #18-106-CC](#))

H4. Authorize the Mayor to sign letters requesting coordination with neighboring cities pursuing grade separation and approve changes to the City's rail policy ([Staff Report #18-111-CC](#))

H5. Authorize the Mayor to sign a letter of intent to join Commute.org ([Staff Report #18-109-CC](#))

H6. Accept the Water System Master Plan ([Staff Report #18-108-CC](#))

H7. Authorize the City Manager to amend an agreement with W-Trans for the Transportation Master Plan and Transportation Impact Fee Program and appropriate \$241,000 from the undesignated fund balance of the General Fund ([Staff Report #18-114-CC](#))

H8. Approve a specific location of the Menlo Gates Project at the corner of Alma Street and Ravenswood Avenue near the Library and authorize the City Manager to enter into any applicable agreements with the Menlo Park Historical Association to execute the project ([Staff Report #18-115-CC](#))

H9. Award a construction contract to Suarez & Munoz Construction, Inc. for the Jack Lyle Park Restroom Project in the amount of \$496,465, approve a contingency in the amount of \$75,000; and appropriate \$140,000 from undesignated fund balance ([Staff Report #18-110-CC](#))

H10. Award of a construction contract for the 2018 Street Preventive Maintenance Project to Graham Contractors, Inc., in the amount of \$819,490; approve a construction contingency in the amount of \$123,000; and appropriate \$300,000 from undesignated fund balance ([Staff Report #18-112-CC](#))

I. Public Hearing

I1. Consider the Planning Commission's recommendation to approve Environmental Impact Report addendum, Specific Plan And Zoning Ordinance amendment, architectural control, use permit, and Below Market Rate Housing agreement for the Guild Theater Renovation Project at 949 El Camino Real ([Staff Report #18-113-CC](#))

J. Regular Business

J1. Approve next steps for library system improvements ([Staff Report #18-085-CC](#))

K. Informational Items

K1. Update on the South Bay Salt Pond Restoration Project – Ravenswood Ponds and construction impacts to Bedwell Bayfront Park ([Staff Report #18-107-CC](#))

L. **City Manager's Report**

M. **Councilmember Reports**

N. **Adjournment**

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

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

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available for inspection at the City Clerk's Office, 701 Laurel St., Menlo Park, CA 94025 during regular business hours. Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 5/17/2018)

THIS PAGE INTENTIONALLY LEFT BLANK



SPECIAL MEETING MINUTES – DRAFT

Date: 4/16/2018

Time: 4:00 pm

**City Hall – “Downtown” Conference Room, 1st Floor
701 Laurel St., Menlo Park, CA 94025**

A. Call to Order

B. Roll Call

Present: Carlton, Cline, Ohtaki, Mueller, Keith

Staff: City Attorney Bill McClure, City Clerk Judi A. Herren

Applicants: Drew Combs, Isabelle Guis, Larry Kahle, Camille Kennedy

C. Public Comment

No public comments.

D. Special Business

D1. Interviews of Planning Commission applicants

(Note: No action will be taken at this meeting. Appointments are scheduled for the April 24, 2018, City Council meeting.)

The City Council interviewed four applicants for two open vacancies on the Planning Commission.

E. Adjournment

Mayor Ohtaki adjourned the meeting at 5:32 p.m.

Judi A. Herren, City Clerk.

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council

Meeting Date: 5/22/2018
Staff Report Number: 18-116-CC

Consent Calendar: Approve amendments to greenhouse gas reduction strategies in the 2015 Climate Action Plan

Recommendation

It is recommended that the City Council amend 2018 to 2020 greenhouse gas reduction strategies in the 2015 Climate Action Plan (Attachment A).

Policy Issues

The City's Climate Action Plan (CAP) was approved by City Council in 2009 and updated in 2015. The City Council adopted a greenhouse gas (GHG) reduction target of 27 percent by 2020 from 2005 levels, and as reinforced in the General Plan, the City aims to be a leader in efforts to address climate change (Resolution No. 6359).

Background

The CAP was approved by City Council in 2009 and updated in 2015. It remains a guiding document for all city policies, programs and projects. The CAP's main purpose is to identify strategies that will reduce local GHG emissions and serves as a "living document" that allows for frequent updates and adjustments on an as-needed basis to best achieve community GHG reductions.

Upon reviewing and discussing the CAP in February, March and April 2018, the Environmental Quality Commission (EQC) voted to support two new GHG reduction strategies between 2018 and 2020:

1. Extend the green design standards from the ConnectMenlo neighborhood to the El Camino Real/Downtown Specific Plan by exceeding or creating similar standards. The EQC spoke at the April 12, 2018, City Council meeting regarding the biennial review of the El Camino Real/Downtown Specific plan and recommended integrating the ConnectMenlo green design requirements (Attachment B.) At the time, there was general City Council consensus to support this initiative.
2. Undertake an electric vehicle charging infrastructure (EVCI) policy and program options analysis that would ultimately lead to a community EVCI master plan (Attachment C.)

The last formal CAP and GHG inventory update was provided in 2015. A more robust update and GHG inventory is anticipated to begin in or near 2020, and would involve significant community engagement. The main purpose of these amendments is to include the EQC's proposed new strategies for 2018 to 2020 to best achieve GHG reductions over the next two years.

There has been progress made on existing GHG reduction strategies in the CAP since 2015, such as the adoption of a Community Zero Waste Plan, renewable energy installations, renewable power purchases, installation of electric vehicle charging stations, and inclusion of green design standards in the General

Plan. These and other completed strategies are included in the amended 2015 CAP (Attachment A).

In addition, there are current city priorities and ongoing implementation of past CAP strategies that are also highlighted in the amended 2018 to 2020 strategies. Amending the 2015 CAP requires City Council approval.

Analysis

Proposed New CAP strategies for 2018-2020

There are two new strategies being proposed by the EQC:

1. Incorporating green design standards from the ConnectMenlo area to the El Camino Real/Downtown Specific Plan; and
2. Undertaking an EVCI options analysis to develop and implement a community EVCI master plan.

In addition to these, a number of city priority projects and programs are currently being developed/implemented over the next two years that directly intersect with the CAP, and include:

- Development of a Transportation Master Plan
- Development of a Transportation Management Association
- Development of the Parks and Recreation Facilities Master Plan
- Development of Facebook Willow Village
- Implementation of the City's Environmental Preferable Purchasing Policy
- Implementation of the green design standards in the ConnectMenlo neighborhood
- Implementation of the Community Zero Waste Plan
- General Plan update review
- Consideration of a downtown parking garage
- GHG inventory update

Most of these projects are in response to the implementation of the General Plan and the 2018 City Council work plan. They are being included in the amended 2015 CAP (Attachment A) to highlight and ensure alignment with the goals of the CAP. Below describes the rationale for amending the existing strategies with the two new proposed strategies from the EQC.

Incorporating green design standards in the El Camino Real/Downtown Specific Plan

On November 26, 2016, the City adopted an updated General Plan, outlining a roadmap for the City's vision to create a live/work/play environment. The General Plan outlined nine Guiding Principles that describe the kind of place that community members want Menlo Park to be. Sustainability is highlighted throughout the Guiding Principles and is a component of many of the Land Use and Circulation Elements outlined within. In particular, the City Council adopted three new zoning districts in the ConnectMenlo neighborhood, which included green design standards that focus on GHG reduction, such as requiring new development to:

- Achieve U.S Green Building Council Certification at a Leadership in Energy and Environmental Design (LEED) Silver or Gold level
- Source energy from renewable sources
- Implement zero waste practices

Since each new development has the potential to increase the City's community GHG emissions, it is imperative that new growth considerations include strategies for GHG reductions. Otherwise, it becomes more difficult, costly and time consuming to achieve the City Council adopted GHG reduction target of 27

percent by 2020. For example, according to the U.S. Green Building Council (USGBC), buildings constructed or renovated in accordance to the LEED certification requirements have been shown to use 25percent less energy than traditionally constructed buildings, which translate into reduced GHG emissions.

By requiring similar green design standards for growth in the downtown area, Menlo Park can potentially create a net neutral effect on the City's GHG emissions. In fact, preliminary data up to 2015 shows that Menlo Park's GHG emissions have declined 22percent from 2005 even though the community has experienced significant growth during that time, such as the first Facebook campus. This is extremely favorable news, and is well aligned with meeting the City Council's goal to reduce emissions 27 percent by 2020.

The decline in GHG emissions with significant development growth can be attributed to a mixture of private, local, and state initiatives that require energy efficient infrastructure, renewable energy generation, reductions in driving alone behavior through alternative transportation methods (carpooling, transit, bicycling, walking, etc.), increases in electric vehicle purchases, and waste reduction/recycling practices.

This information demonstrates that local GHG reduction policies related to new development will make an impact in keeping the community on track to reaching or exceeding the 27 percent reduction target by 2020. Creating similar ConnectMenlo green design standards in other areas of the community where additional growth is being considered, such as the downtown neighborhood, will be key to maintaining the current downward trend in GHG emissions for Menlo Park. In addition, it creates consistent standards across the community, making implementation easier.

EVCI options analysis and plan

California is the largest market in the U.S. for zero emissions vehicles. From 2016 to 2017, the California electric vehicle market grew 29 percent, reaching approximately 96,000 new electric vehicle registrations. Over the last six years alone, the zero-emissions vehicle market has grown from 25,000 to 350,000 vehicles, according to the International Council on Clean Transportation (ICCT), an independent nonprofit organization.

With over 25 million automobiles registered in the State of California, Governor Brown signed Executive Order B-48-18 in 2018, which requires 5 million (20percent) zero-emissions vehicles on roads by 2030 in an effort to reduce GHG emissions from transportation. The continued push to increase the number of electric vehicle purchases provides a clear picture for local government to compliment these efforts by providing a comprehensive electric vehicle charging station infrastructure, and Menlo Park is primed for such a transition.

According to the ICCT, Menlo Park ranks sixth in new plug-in electric vehicle shares in California. This is a notable ranking considering Menlo Park's small population size. Palo Alto is ranked No. 1 with double the population of Menlo Park. Analysis by the ICCT indicates that Menlo Park's electric vehicle market is expanding beyond the early adopters, and predicts the City will continue to see new electric market vehicle share growth.

However, there is uncertainty as to whether there is enough charging infrastructure to increase electric vehicle purchasing, and whether a potential electric vehicle buyer will invest in purchasing the required equipment to charge their vehicle. A number of studies and research conducted by the ICCT and the federal government have shown that a major barrier to electric vehicle purchases is lack of infrastructure, and cities that experience greater purchases have more comprehensive charging infrastructures.

The City Council has already taken policy steps to increasing infrastructure by requiring a minimum number of electric vehicle charging stations and readiness spaces for new development in the ConnectMenlo

neighborhood, and is currently considering increasing the standards and extending this policy citywide.

This new strategy would be a continuation of this effort that would evaluate the entire city’s infrastructure needs and gaps. In addition, it would propose policy and program options to consider for a master plan that would better prepare the community for the market transition and accelerate electric vehicle purchases in Menlo Park. This could include looking at ways to transition existing commercial and residential properties for EV infrastructure, identifying more public spaces for charging stations, and developing programs that reduce costs for residents and business to install electric vehicle infrastructure.

This strategy has the potential to significantly reduce transportation GHG emissions. This is not only because electric vehicles do not produce tailpipe GHG emissions, but also because Menlo Park residents and businesses are provided power through Peninsula Clean Energy (not PG&E), which uses at minimum of 50percent renewable electricity. Furthermore, Peninsula Clean Energy has committed to delivering 100percent renewable power to all their customers by 2025. This means that all vehicles charged in Menlo Park will eventually be powered from clean renewable energy sources that do not emit GHG emissions.

CAP strategies moved to beyond 2020

Due to staff capacity and City Council priorities, a number of strategies in the 2015 CAP are being recommended to be considered after 2020, and are outlined in Table 1 below. These will be evaluated further when a more robust update of the CAP is undertaken with community engagement, which is anticipated to begin in or near 2020.

Table 1: 2015 CAP Strategies moved to beyond 2020	
Strategy	Reasoning
Bike sharing program	Bike and car sharing programs may not need government intervention or support as the private market for these offerings has increased since the last formal CAP update in 2015 (e.g., Lyft, Uber, Bay Area Bike Share, GoBike, etc.).
Car sharing program	See bike share reasoning above.
Reinvigorate social marketing program to increase biking, public transit and walking in the community	Currently working on more timely and effective GHG reduction strategies, such as the development of a Transportation Master Plan and Transportation Management Association.
Encourage local food production through social marketing, education and community garden programs	Insufficient staff capacity to support this effort at this time, and prioritizing staff resources to work on the EQC’s proposed new strategies.
Consider large-scale renewable energy generation within Menlo Park	Insufficient staff capacity to support this effort at this time, and prioritizing staff resources to work on the EQC’s proposed new strategies.
Consider fuel switching strategies to move residential and commercial energy from natural gas and other fuels to renewable electricity portfolio	Insufficient staff capacity to support this effort at this time, and prioritizing staff resources to work on the EQC’s proposed new strategies.

<p>Consider developing an energy efficient/renewable energy plan for commercial and residential sector to reinvigorate energy upgrades to existing buildings</p>	<p>May not gain the greatest GHG reductions compared to the new proposed GHG reduction strategies by the EQC given that a majority of residential and commercial customers in Menlo Park receive their energy from Peninsula Clean Energy, which provides, at minimum, 50 percent clean renewable power.</p>
<p>Consider consumption-based engagement program to reduce GHG impacts of plug load, food, and consumer goods purchased in Menlo Park</p>	<p>Further analysis necessary to benchmark smaller GHG impacts included in this strategy, and unlikely to see significant reductions compared to the EQC's proposed GHG reduction strategies for 2018 to 2020.</p>
<p>Urban Forest Master Plan</p>	<p>Heritage Tree Ordinance update is a 2017 and 2018 City Council work plan item, and will be worked first given staff capacity before the Urban Forest Master Plan.</p>

2015 CAP strategies removed

Only one strategy is recommended to be removed, which is to replace all remaining non-LED streetlights with LED fixtures. The City's transition to 100percent renewable energy from Peninsula Clean Energy means that all City streetlights are powered by clean renewable electricity. No GHG reductions would be realized from this strategy at this point.

However, 100percent renewable electricity comes at a slightly higher price of one cent more per kilowatt-hour than the 50percent renewable power alternative. The City could seek to reduce the overall costs associated with sourcing 100percent renewable energy for streetlights by replacing streetlights with LEDs when replacements are needed, but it would not impact community GHG reductions significantly. Peninsula Clean Energy has also committed to continuing to reduce the costs for providing renewable power.

Risks

Although preliminary GHG emission inventory data indicates that the City has reduced overall GHG emissions, there is always a risk that the City may not reach its target of 27percent GHG by 2020. External factors can affect GHG emissions, such as development growth and Peninsula Clean Energy's continued ability to source clean renewable power. For example, hydroelectric power is typically the largest renewable source of energy in California, and the ability to deliver this clean source of power can be greatly reduced through drought conditions that are regularly experienced in California. This highlights the critical importance of local initiatives and GHG reducing infrastructure in mitigating this risk to meet or exceed Menlo Park's GHG reduction goal.

In addition, there is a risk that regional, state, and federal initiatives can supersede or duplicate local GHG strategies, creating an inefficient use of city resources. For example, the California Building Code often includes updates that requires new buildings to reduce GHG emissions. This risk is mitigated by continued monitoring of regional, state, and federal initiatives to ensure that local government resources complement and support these larger efforts rather than duplicating their efforts. Evaluating the CAP strategies on a regular basis also assists in ensuring that timely projects and priorities are addressed for efficient use of city resources.

Alternatives

1. Provide staff with a different direction on which strategies to pursue.
2. Decide not to move forward with the recommended amended strategies and determine next-steps after a formal CAP update has been conducted.

Impact on City Resources

The proposed new strategies in the 2015 CAP would require dedicated staff from other departments (primarily Transportation and Planning) in addition to staff from the Sustainability Office. A formal update to the CAP will likely be delayed to after 2020 due to obligations to complete the proposed new CAP strategies if approved by City Council.

The biennial review of the El Camino Real/Downtown Specific Plan is in the top six priorities for the City Council to review in 2018, and is planned to have enough resources to complete. Funding has been allocated to support both the electric vehicle charging infrastructure policy and program analysis and master plan.

No additional appropriations are requested at this time to complete the proposed strategies.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

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. Amendments to the 2015 CAP redlined
- B. EQC Downtown Specific Plan letter
- C. EQC electric vehicle infrastructure letter

Report prepared by:
Alexandria E. Skoch, Senior Sustainability Specialist

Report reviewed by:
Rebecca Lucky, Sustainability Manager



October 2015

Climate Action Plan Update and Status



Table of Contents

Introduction.....2
 Background.....2
 Menlo Park City Council Actions4
 Figure 1 – Previous Menlo Park Climate Action Plan Milestones4
Community-Wide Greenhouse Gas Inventory Results Between 2005 and 2013.....6
 Figure 2 – Community-Wide Greenhouse Gas Emission Inventory 2005-2013.....6
 Figure 3 –2013 Menlo Park Community-Wide Greenhouse Gas Emissions by Source7
Recommendations for Greenhouse Gas Reduction Strategies between 2015 and 20208
 Figure 4 – Menlo Park Five Year Community GHG Reduction Strategies 2018-2020.....9
Status of on-Projects Strategies Approved by Council from 2014 Update12
Recommended Next Steps of GHG Emission Reduction Strategies18
 Appendix A – Previous Menlo Park Climate Action Planning City Council Reports19
 Appendix B - City of Menlo Park Municipal Operations GHG Emissions20

Introduction

Background

For approximately 1,000 years before the Industrial Revolution, the amount of greenhouse gases (GHGs) emissions in the atmosphere remained relatively constant. During the 20th century, however, scientists observed a rapid change in the climate change GHG emissions that are attributable to human activities, such as use of fossil fuels to power vehicles and buildings, and disposing of waste in landfills that release greenhouse gases GHG emissions. However, during the 20th century, scientists observed a rapid change in climate due to increased GHGs in the atmosphere that were found to be directly linked to an increase in anthropogenic, or human-caused, activities. Actions such as the use of fossil fuels to power vehicles and buildings and disposing of waste in landfills release GHGs that change - and will continue to change Earth's temperature.

The Intergovernmental Panel on Climate Change (IPCC) has identified four (4) major GHGs GHG emissions—water vapor, carbon dioxide (CO₂), methane (CH₄), and ozone (O₃)—that have been scientifically proven to be the likely cause of an increase in the average global average temperatures observed within the 20th and 21st centuries. CO₂, in particular, is one of the most prevalent commonly emitted GHGs emissions resulting from human activities y. According to the IPCC, the amount of CO₂ has increased by more than 35 percent since preindustrial times and has increased at an average rate of 1.4 parts per million (ppm) per year since 1960, mainly due to combustion of fossil fuels and deforestation. According to the IPCC, specific concentrations of CO₂ have increased by 40% since preindustrial times, primarily from fossil fuel emissions and land use changes.

Climate-change impacts are affected accompanied by varying degrees of uncertainty. However, according to the IPCC's Fifth Assessment Report has determined that the warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades of millennia. The atmosphere and oceans have warmed, the amount of snow and ice have diminished, sea level has risen globally, and the concentrations of GHGs have increased, all due to human activity. Additionally, the IPCC's Fifth Assessment Report projects, under different climate change scenarios, that global surface temperature change at the end of the 21st century is likely to exceed 1.5 degrees Celsius (°C) or 2.7 degrees Fahrenheit (°F).

IPCC's 2007 Fourth Assessment Report projects that the global mean temperature increase from 1990 to 2100, under different climate change scenarios, will range from 1.4 to 5.8 degrees Celsius (°C) (2.5 to 10.4 degrees Fahrenheit (°F)). In the past, gradual changes in the earth's temperature changed the distribution of species, availability of water, etc. In California, potential impacts resulting from climate change include, but are not limited to are:

- Decreasing Sierra Nevada snow pack, affecting adequate water supplies
- **More prevalent infectious diseases and illnesses directly affecting human health**
- Declined productivity in agriculture due to irregular blooms and harvest and increased pests and pathogens
- Accelerated sea level rise, impacting **beaches, marine ecosystems,** and infrastructure
- Increased and more severe wildfire **and flood** seasons
- **Detrimental effects on California's largest industries, including agriculture, wine, tourism, skiing, fishing, and forestry**
- Altered timing for **wildlife** migrations and loss of species, impacting **the** food chain and **other vital** ecosystems
- Poor air quality made worse due to more severe heat waves **and higher concentrations of air pollution**
- Reduction in available renewable hydropower
- Increasing threats from pests and pathogens from warmer weather
- **Increase in extreme weather causing flooding, mudslides, and destruction to infrastructure**

With this understanding, Many local, state, and federal governments around the world **have and continue to take** action to reduce global GHG emissions. The purpose of **the City of** Menlo Park's Climate Action Plan is to provide strategies that reduce local ~~greenhouse gas~~ (GHG) emissions and assist Menlo Park ~~to meet in meeting~~ or **exceeding** the emissions reduction targets **of 27% by 2020 from 2005 levels.** ~~of AB 32 (California's Global Warming Solutions Act of 2006). AB 32 sets a goal for the state to reduce greenhouse gas GHG emissions to 1990 levels by 2020, and 80% below 1990 levels by 2050. In April 2015, the Governor of California issued an executive order to establish a GHG reduction target of 40% below 1990 levels by 2030.~~

The City of Menlo Park's first Climate Action Plan was approved by the City Council in 2009 and the Council stated that ~~the Climate Action Plan~~ **it** was intended to be a 'living document' to be updated periodically as current strategies are implemented and as new emissions reduction strategies and technologies emerge ~~that effectively reduce emissions.~~ On an annual basis, the Council reviews and approves a report on **the City of** Menlo Park's **current implementation strategies and future plans.** ~~moving forward and implementation status. Greenhouse Gas Inventory trend and five (5) year Climate Action Plan strategies and implementation status.~~ **Additionally** **In addition,** the City's Environmental Quality Commission meets monthly to discuss a variety of climate action planning-related topics, and the City's **environmental sustainability** staff **continually** provides leadership in completing climate action planning projects, along with other compliance and regulatory duties. Since its approval, the Climate Action Plan **has garnered support** from a number of Menlo Park's non-profit **and for-profit organizations.** ~~efforts as well.~~

Menlo Park City Council Actions

The City of Menlo Park has taken a number of actions in recent years to address climate change. To provide context and facilitate retrieval of that history, Figure 1 below provides an overview of the City of Menlo Park's climate action planning to-date. For a more detailed description of the milestones see "Strategies Approved by City Council" section below. Appendix A provides a history of the Climate Action Planning reports which have been presented to the City Council.

Figure 1 – Previous Menlo Park Climate Action Plan Milestones

Year	Milestone
2005	Green Ribbon Panel – 100+ participants
2005	First Community Greenhouse Gas (GHG) Inventory Completed
2008	Approval to develop a Climate Action Plan
2009	1st Climate Action Plan drafted and approved
2009	Included height and density limit adjustments to promote active and public transportation in the El Camino Real/Downtown Specific Plan
2011	Climate Action Plan update
2012	Adoption of Polystyrene Food Ware Ordinance, which applies to all food vendors in the city and prohibits food vendors, including restaurants, delis, cafes, markets, fast-food establishments, vendors at fairs, and food trucks from dispensing prepared food in polystyrene containers labeled at No. 6.
2013	Climate Action Plan update
2013	City Council adopts a 27% GHG reduction goal from 2005 levels by 2020
2013	Adoption of reusable bag ordinance, which prohibits distribution of plastic bags and mandates a minimum charge of 25 cents per recycled paper bag or reusable bag provided at retail and grocery checkout. The ordinance applies to all retail stores in the City, and retailers may keep all revenue earned from bag sales.
2014	Climate Action Plan update
2014	Adoption of Environmental Preferable Purchasing Policy
2015	Variable frequency drive systems installed in Burgess Pool and Belle Haven Pool. An annual GHG reduction of 38 tons is estimated.
2015	New chillers and variable frequency drive system installed at City Hall/Administration Building and Library. Estimated GHG reduction is 121 tons, based on data collected on energy use and the efficiency rates generated by the system that was installed.
2015	New energy monitoring system installed at City Hall/Administration Building and Library with an estimated annual GHG reduction of 120 lbs. based on data collected on energy use in each building and the efficiency rates generated system that was installed.
2015	Solar photovoltaic installations completed at the Arrillaga Family Gymnastics Center, Civic Center parking lot (solar carport), Arrillaga Family Gymnasium, Onetta Harris Community Center, and City Corporation Yard. The solar installations offset approximately 80% of current PG&E energy use at these facilities, they will save over \$461,000 in energy costs over the course of the 20-year power purchase agreements, and they reduce 419 tons of GHG emissions from municipal operations. In addition, the City received over \$71,000 worth of energy rebates from PG&E's California Solar Incentive rebate program. The GHG emissions saved from the clean energy produced is

Commented [LRL1]: Annual or over 20 years?

	equivalent to removing approximately 80 vehicles from the road annually.
2015	City teamed up with local nonprofits Menlo Spark, Facebook, and GRID Alternatives to provide free solar panels to 10 residential properties in Belle Haven
2015	Climate Action Plan update
2016	City Council approves of Caltrain "Go Pass", which provides City staff annual unlimited-rides on Caltrain.
2016	Four public electric vehicle charging stations installed: Two at the Civic Center and two at Downtown Parking Plaza 2.
2016	In October 2016, Phase 1 of transitioning to renewable energy was completed and all municipal accounts, small- and medium-sized businesses, and 20% of residential accounts were enrolled in Peninsula Clean Energy's (PEC) "ECO100", which is 100% renewable electricity.
2017	Phase 2 of transitioning all Menlo Park energy customers to Peninsula Clean Energy completed in April 2017, providing at least 50% renewable energy. The transition also offered residents access to upgrade to ECO100.
2017	Adopted three new zoning districts for the Bayfront (M-2 Area)/ConnectMenlo that include transportation demand management and green and sustainable building requirements.
2017	Adoption of a resolution reaffirming the City of Menlo Park's commitment in combating climate change and supporting the Paris Agreement.
2017	Adoption of resolution for a vision of 100% renewable energy powering Menlo Park community by 2030 to meet GHG emissions reduction target of 27% by 2020 from 2005 levels.
2017	Adoption of a Community Zero Waste Plan, which established a goal to reduce landfilled materials to 3.1 pounds per person per day and achieve at least 73% diversion of franchised waste from landfill disposal by 2035.

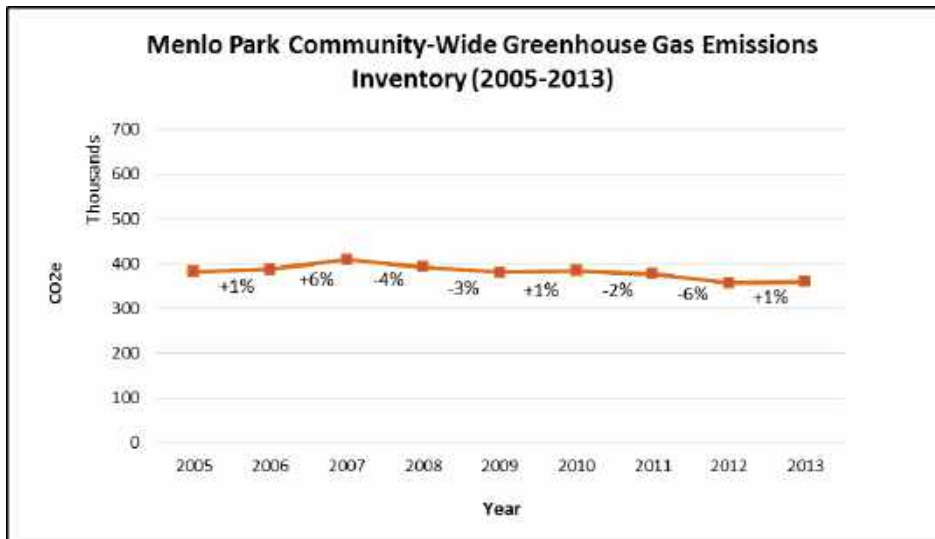
Commented [LRL2]: Where is this data coming from. I thought we did all customers in one go?

Commented [LRL3]: Something is off here?

Community-Wide Greenhouse Gas Inventory Results Between 2005 and 2013

Using ICLEI's (Local Governments for Sustainability) updated Clean Air and Climate Protection (CACP) Software, the City of Menlo Park was able to complete greenhouse gas (GHG) inventories between 2005 and 2013 using inventory current inventory using the most current available data for from 2013. GHG emissions were measured from building energy usage, solid waste sent to the landfill, estimated fuel consumption, and methane produced from a closed landfill (Bedwell Bayfront Park) in Menlo Park.¹ Figure 2 shows the annual trend in community-wide greenhouse gas GHG emissions from all sources combined, while Figure 3 shows Menlo Park's inventory for 2013 broken down by source.

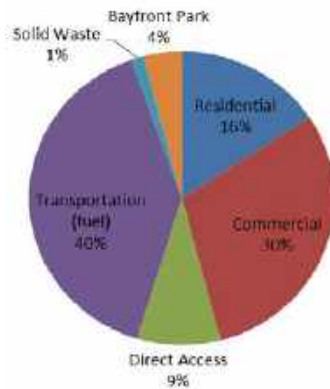
Figure 2 – Community-Wide Greenhouse Gas Emission Inventory 2005-2013



For reference, GHG emissions can also be expressed as carbon dioxide equivalents (CO₂e). The trends show GHG emissions going up or down slightly each year, based on factors such as the PG&E energy emissions factors, economic growth or decline. The general trend has been a flat line or no growth in GHG emissions, which is generally positive as it shows that local, state, and federal initiatives appear to be working even though there has been some development growth.

¹ Energy data obtained from PG&E. Transportation calculated using total gasoline sales data provided by the City of Menlo Park's Finance Department with an assumption that 95% of sales are fuel sales, and applying the average cost per gallon of gasoline in California from the California Energy Almanac produced by the California Energy Commission. Solid Waste Data obtained for CalRecycle, and Bayfront Park data was provided by Fortistar, the contracted operator of the landfill. *Final CO₂e count being verified by staff; direct access figures are under review as of 7/15/15.

Figure 3 –2013 Menlo Park Community-Wide Greenhouse Gas Emissions by Source



In 2013, the City of Menlo Park's community-wide emissions totaled 360,427 tons of CO₂e. Appendix B shows the GHG emissions attributed directly to City of Menlo Park operations, which ~~are~~ were a small portion of ~~Menlo Park's~~ the City's overall GHG emissions.

Emissions from electricity and natural gas use in the residential sector totaled 16%, followed by commercial customers at 30%, and Direct Access energy users at 9%. Emissions from transportation (fuel purchases) totaled 40%, followed by the closed Bayfront Park landfill at 4% and solid waste at 1%.

When compared to the City of Menlo Park's 2012 community-wide inventory (356,521 tons) there ~~was~~ is a 1% increase in emissions. This one percent increase ~~can~~ was be attributed to the following community trends:

- Increase in energy consumption in both the residential and commercial sectors. For example, there was a 3.4% increase in residential energy use and 5.5% increase in commercial energy use from 2012-2013.
- Increase in development projects occurring in the City of Menlo Park, which can be seen in the differences in finalized building permits for new construction that went from 78 building permits in 2012 to 117 in 2013, a 50% increase over 2012.
- In 2012, the former Sun Microsystems corporate campus was not occupied by Facebook as remodeling was occurring at the site. In 2013, Facebook moved 6,500 employees to the former Sun Microsystems campus. Facebook has submitted plans for campus expansion which will roughly triple its current size by 2020. Rebuilding and infill new construction in the residential and commercial sector are expected to result in continued rise in energy demand in the City of Menlo Park for several years to come.

- PG&E emission factors slightly increased from 0.4440 lbs. CO₂/kWh to 0.4990 lbs. CO₂/kWh between 2012 and 2013.

The current trend will not meet State AB 32 goals to reduce emissions to 1990 levels by 2020 and 80% below 1990 levels by 2050, unless ~~more~~ significant local policies and programs are implemented to achieve this statewide goal. The next section provides an overview of ~~proposed~~ strategies ~~that can help push Menlo Park towards achieving GHG emissions reduction goals.~~ ~~that Menlo Park will review and potentially implement over the next five years.~~

Recommendations for Greenhouse Gas Reduction Strategies between 2015 and 2020

The following list of measures in Figure 4 are recommended community and municipal strategies to aid in meeting ~~the City of Menlo Park's~~ GHG emissions reduction targets, ~~to align with the ConnectMenlo Guiding Principles/General Plan, and to adapt to changing State regulations.~~ Additional measures may be needed at the international, national, statewide, and local level in order to fully reach ~~the City's Menlo Park's~~ climate action goals.

Figure 4 – Menlo Park Five Year Community GHG Reduction Strategies 2018-2020

<p>Fiscal Year 2015-16</p> <ul style="list-style-type: none"> Completed installation of solar PV photovoltaic panels on four City buildings Completed installation of four Electric Vehicle (EV) charging stations at City public parking locations Incorporated CAP strategies and GHG emission reductions into General Plan update Completed energy efficient upgrades and renewable energy installation at city facilities. Considered Community Choice Energy (CCE) options to gain additional renewable power in Menlo Park's portfolio. Consider Provided City staff with a Caltrain "Go Pass", which provides employees with a free unlimited-ride pass on Caltrain between all zones, seven days a way week program to increase Caltrain ridership by downtown employees Completed evaluation of methane capture and treatment at Bedwell Bayfront Park (Closed Landfill) <p>Fiscal Year 2016-17</p> <ul style="list-style-type: none"> Incorporated Zero Net Energy concepts and LEED Silver and Gold requirements into Planning requirements and Building Codes to increase efficiency in new buildings in the ConnectMenlo neighborhood. Implemented Energy Star ratings requirement, or other performance tracking methodology, into Planning requirements for new buildings in the ConnectMenlo neighborhood. Consider developing an energy efficient/renewable energy plan for commercial and residential sector to re-invigorate energy upgrades for existing buildings <i>MOVED TO BEYOND 2020</i> Re-invigorate a social marketing program to increase biking, public transit, and walking in the community <i>MOVED TO BEYOND 2020</i> Implement CCE, if selected as an option <i>COMPLETED THROUGH PENINSULA CLEAN ENERGY</i> <p>Fiscal Year 2017-18</p> <ul style="list-style-type: none"> Support Transportation Commission's car-sharing program <i>MOVED TO BEYOND 2020</i> Support Bicycle Commission's bike-sharing program <i>MOVED TO BEYOND 2020</i> Consider program to increase Caltrain ridership by downtown employees <i>TO BE EVALUATED THROUGH A TRANSPORTATION MANAGEMENT ASSOCIATION</i> Consider extending and increasing ConnectMenlo electric vehicle charging station requirements to other areas of the community Adopt Community Zero Waste Plan Encourage local food production through social marketing, education, and community garden programs <i>MOVED TO BEYOND 2020</i> Consider large scale renewable energy generation within Menlo Park (such as solar farm on a portion of open space, or large number of solar roof-top installations) <i>MOVED TO BEYOND 2020</i> <p>Fiscal Year 2018-19</p> <ul style="list-style-type: none"> Electric Vehicle Charging Policy Options and Gap Analysis (EQC Recommendation) Integrate green design standards similar to ConnectMenlo in the Downtown Specific Plan Update (EQC Recommendation) Revisit Revise and update the City's Environmental Preferable Purchasing Program Policy (EPP) to consider require new City buildings, facilities, purchases, and vehicles to meet certain minimum environmental attributes Revise 2004 City Street Tree Master Plan with the support of the City Arborist to increase urban tree canopy <i>MOVED TO BEYOND 2020</i> Consider fuel switching strategies to move residential and commercial energy from natural gas and other fuels to renewable electricity portfolio <i>MOVED TO BEYOND 2020</i>
--

- ~~Consider consumption-based community engagement program to reduce GHG impacts of plug load, food and consumer goods purchased in Menlo Park~~ *MOVED TO BEYOND 2020*
- Develop a Transportation Master Plan to reduce congestion and greenhouse gas emissions
- Development of a Transportation Management Association to reduce driving alone behavior and encourage sustainable forms of transportation (transit, carpool, bicycling, walking, etc.)
- Development of standard operating procedures for implementing the green and sustainable building requirements in the ConnectMenlo area
- Incorporating greenhouse gas reduction and zero waste strategies in the Parks and Recreation Facilities Master Plan
- Community Zero Waste Plan Implementation:
 - Implementation of Zero Waste requirements for ConnectMenlo
 - Modify city owned drinking fountains to support refillable water bottles (full hydration stations)
 - Update the Solid Waste Ordinance and Construction and Demolition Ordinance

Fiscal Year 2019-20

- ~~Consider replacement of all remaining City non-LED street lights with LED fixtures~~ *REMOVED*
- ~~Consider height and density limit adjustments to promote active and public transportation~~ *COMPLETED*
- Consider **additional** resiliency strategies for protecting Menlo Park land in the projected Sea Level Rise (SLR) zone
- Robust Climate Action Plan update community engagement program to craft Menlo Park's strategy looking forward to 2040 (*depending upon staff capacity and city priorities*)
- Implementation of Community Zero Waste Plan:
 - Create Zero Waste Policy for events held within the City
 - Implement zero waste strategies within City facilities

~~**For All Years 2015-2020:**~~

- ~~Continue implementation of City EPP, residential and commercial water, waste and energy efficiency programs~~ *MOVED TO BEYOND 2020*

Beyond 2020 Strategies to Consider

- Consider fuel switching strategies to move residential and commercial energy from natural gas and other fuels to renewable electricity portfolio
- Consider consumption-based community engagement program to reduce GHG impacts of plug load, food, and consumer goods purchased in Menlo Park
- Create and execute a community-wide initiative to convert all City residents to 100% renewable energy (PCE's ECO100)
- Complete a ~~Urban Forest Master Plan~~ *2004 City Street Tree Master Plan* with the support of the City Arborist and the Environmental Quality Commission to increase urban tree canopy
- Continue implementation of City EPP, residential and commercial water, waste and energy efficiency programs
- Consider large scale renewable energy generation within Menlo Park (such as solar farm on a portion of open space, or large number of solar roof-top installations)
- Encourage local food production through social marketing, education, and community garden programs
- Develop bike sharing program
- Develop car sharing program
- Consider developing an energy efficient/renewable energy plan for commercial and residential sector to re-invigorate energy upgrades for existing buildings
- Re-invigorate a social marketing program to increase biking, public transit, and walking in the community

The above Figure 4 is a recommended timeline only, and it does not capture all of the work that has been done relating to the Climate Action Plan. Still, new policies and programs related to GHG reductions may require a comprehensive cost-benefit analysis. Nearly all policies and programs would require City Council approval prior to implementation. In addition, the five year strategy also reflects what can be accomplished with current staff resources

Status of ~~on-Projects~~ **Strategies** Approved by Council from ~~2014~~ Update

In April 2014, Council approved of a five-year CAP strategy. The following is the status of projects previously discussed. The projects are listed roughly in the order in which they were originally planned to be implemented. The progress highlights the varied speed in which projects can move forward within the context of the larger City effort.

Below is a list of projects with corresponding status update for each of them. The Climate Action Plan will continue to evolve and adapt to the needs of the community and its residents, and the projects outlined below are a testament to its continued success.

Planned Implementation FY 2011-12 **Projects**

<p>Participated in Energy Upgrade California</p>	<p>In April 2015, the City of Menlo Park, San Mateo County, and Bay Area Regional Energy Network (BayREN) cosponsored a homeowner energy efficiency workshop at the Belle Haven neighborhood center. The workshop was attended by 30 residents. The City continues to conduct outreach regarding energy efficiency opportunities for both residents and businesses, through bill inserts, Facebook, Twitter and NextDoor social media campaigns. The State Energy Watch program provides up to \$4,500 in rebates to homeowners and \$750 per unit to multi-family dwelling owners that complete energy efficient upgrades. City Council approved a rebate program in 2011 that provided partial payment to residents for completing a home energy audit, and full rebate if any recommended energy efficient upgrades are made. According to San Mateo County Energy Watch reports, Menlo Park had the third highest participation rate in the program for the county behind San Mateo and San Bruno.</p>
<p>Status Current, On-Going, with Program Changes Completed 2011-2017</p>	<p>Approximately 25 projects were completed in Menlo Park. The City maintains a small fund for energy audit rebates; however, the nearby non-profit agency that offered audits to residents has experienced program changes which have resulted in a reduced number of requests for the funds.</p>

<p>Establish Climate Action Plan GHG Emissions Greenhouse Gas Reduction Target</p>	<p>A GHG emissions reduction target of 27% by 2020 from 2005 level was adopted by Council in March 2013.</p>
<p>Status Completed in 2013</p>	

Mandatory Commercial Recycling Ordinance	State-wide mandatory commercial recycling was enacted in 2013 via AB 341 and State-wide mandatory commercial organics recovery was enacted in 2014 via AB 1826, thus removing the perceived need for local ordinances. The South Bay Waste Management Authority (also referred to as SBWMA or RethinkWaste) is taking the lead in publicizing and implementing these laws on behalf of its member agencies, including Menlo Park.
Status Removed	

Energy Performance Contracting and Solar Power Purchase Agreements	<p>Environmental Programs Worked with San Mateo County Energy Watch to provide a free energy audit of the City's administration building, and an Energy Management System (EMS) was recommended. The City Council appropriated over \$1M in the Capital Improvement Program (CIP) for FY 2014-15, and FY 2015-16 for the energy efficiency projects at City facilities, these included variable frequency drives, Energy Monitoring Systems (EMS), and new chillers, which are estimated to save 578 tons of CO2e. On October 6, 2015 the City Council accepted the chillers and variable frequency drives as completed by the contractor. The EMS implementation is underway, thus the project is halfway completed relative to its budget.</p> <p>In 2013, Council also approved participating in the regional renewable energy procurement project (R-REP) to install solar on four city facilities (Arrillaga Gymnasium, Arrillaga Gymnastics Center, Onetta Harris Center, and Corporation Yard). Construction of the solar power facilities is complete as of FY2015-16. underway and is expected to be completed in November 2015.</p> <ul style="list-style-type: none"> • The combined solar system sizes equal 390.4 kW • The annual solar output is estimated to be 580,889 kWh • Over the course of the 20 year Power Purchase Agreement (PPA), the City is expected to save over \$461,000 in energy costs (when compared to PG&E), with minimal capital outlay by the City • The installations are estimated to reduce the City's Municipal GHG emissions by 419 metric tons annually, which is equivalent to removing eighty-eight 88 passenger cars from the road every year.
Status Nearing Completion Completed in 2016-17	

Adopt Environmental Purchasing Policy for City Operations	Implementation and reporting on the results of the policy are still in progress. The City established an Environmental Purchasing Policy (EPP) working group consisting of members from all departments that helped craft the policy, which was adopted in 2014. The committee has not met since adoption due to other city priorities and limited staff resources. Reporting is expected to begin in FY 2015-16.
Status Completed in 2014, being updated (2018)	

Improve Methane Capture at Bedwell Bayfront Park	Delays are due to expected changes in methane production due to the age of the landfill and unexpected changes in regulatory standards for operating the closed landfill. A consultant was hired to study this issue in FY 2013-14 and a revised plan is expected in 2016.
Status In Progress Completed in 2016	

Phase II Sustainable Building Standards Development	Green and sustainable building requirements were adopted as part of the updated Bayfront (M-2) land use designations in the ConnectMenlo Land Use Element. The green and sustainable building requirements include waste management and diversion, water and energy efficiency, bird-friendly design, hazard mitigation/sea level topics for new construction.
Status Completed FY2016-17	

Planned Implementation FY 2012-13 Projects

Expand Green Business Certification Program	San Mateo County revived the program using a one-year Climate Fellow staff person in FY 2014-15. Menlo Park businesses were certified. City staff helped to publicize the program and the businesses in 2015. Follow up is needed to ensure the County continues the program on an on-going continual basis.
Status Implemented in FY 2014-15, On-Going	

Maximize Recycling and Composting at all City facilities to a 75% measured diversion rate	Staff has provided outreach to City employees on how to properly use the City programs. to City staff, Reporting and follow up are pending additional staff time availability.
Status Current In Progress, On-Going	

Consider Adopting Zero Waste Policy	This project is currently planned for the FY2016-17 CIP and would need to coincide with possible Collection Franchise negotiations. City Council adopted a community-wide zero waste plan. It is currently being implemented.
Status Moved to FY2016-17 Adopted in FY 2017-18, On-Going	

Implement Civic Green Building Policy for New City facilities or major renovations	Due to limited staff resources, this project is on hold until the Environmental Purchasing Policy is fully implemented. In 2014 the City's Environmental Purchasing Policy was adopted, additional staff time is needed to complete department level follow up, training and reporting. Environmental staff is planning to assist the City Hall remodeling team in choosing green building materials whenever possible. If the project qualifies, the City may certify the project under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) O+M (Operations and Management) framework.
Status On Hold, and may be addressed through environmental purchasing policy update	

Planned Implementation FY 2012-13 Projects

Car Sharing and Public Transportation Marketing	These projects were de-emphasized in the CAP to reflect the Transportation and Bicycle Commissions as main drivers of these projects, and reduce duplication of effort.
Status Hold	
Social Marketing Program for Alternative Transportation	City staff and volunteers implemented a social media campaign for active transportation in 2014 via the transportation division's Facebook and Twitter accounts.
Status Hold	Bicycle infrastructure improvements and campaigns to promote active transportation and commute alternatives to single occupancy vehicles were completed by the Bicycle and Transportation commissions and staff in 2014 and continues to do so to-date.

Planned Implementation FY 2014-15 Projects

<p>Consider Electric Vehicle Charging Stations</p>	<p>In 2014 the City won a grant, as part of a regional effort, for EV chargers. Appropriate accessible parking locations for the chargers have been were identified and the City is working on estimates for the costs to run ran</p>
<p>Status In Progress Completed in FY 2016-17</p>	<p>electrical conduit and enhanced electrical service to the selected locations. Although the The cost of the chargers and the installation of the chargers are were covered by the grant, and the City will need to contribute d approximately \$30,000 to provide the conduit and electrical service upgrades required. and a small number of parking spaces will be lost as a result of accessibility requirements. Two Electric vehicle charging stations were installed at the Civic Center and two in the downtown Parking Plaza 2 in 2016.</p>

<p>Variable Frequency Drive Systems Installation</p>	<p>In 2015, funds amounting to \$64,272 were used to install variable frequency drive systems at Burgess Park and Belle Haven Park pools. An annual carbon dioxide equivalent reduction of 38 tons is estimated.</p>
<p>Status Completed FY 2014-15</p>	

FY 2015-16 Projects

<p>Capital Improvement Plan</p>	<p>In the 2015-16 City Council approved \$100,000 annually in the Capital Improvement Plan (CIP) for Climate Action Plan activities (Staff Report #15-083).</p>
<p>Status Implemented, On Going</p>	

<p>Energy Monitoring Systems</p>	<p>Approved \$375,000 in funding was used to purchase and install new energy monitoring systems at City Hall/Administration Building and Library with an estimated annual carbon dioxide equivalent reduction of 120 lbs. based on data collected on energy use in each building and the efficiency rates generated system that was installed.</p>
<p>Status Completed FY 2015-16</p>	

Chiller and Variable Frequency Drive Systems Installation	Approved \$606,160 in funding to purchase and install new chillers and variable frequency drive systems at City Hall/Administration Building and Library. Estimated annual carbon dioxide equivalent (CO ₂ e) reduction is 121 tons, based on data collected on energy use and the efficiency rates generated by the system that was installed.
Status	
Completed FY 2015-16	

Solar Photovoltaic Installations	Four Power Purchase Agreements (PPA) with Cupertino Electric as part of the Regional Renewable Energy Procurement Project (R-REP) with Alameda County to install solar PV systems on municipal buildings (rooftop and solar carport) were agreed upon. In 2015, solar panels were installed on the Arrillaga Family Gymnasium, Arrillaga Family Gymnastics Center, City Corporation Yard, and Onetta Harris Community Center. The estimated annual CO ₂ e reduction is 419 tons.
Status	
Completed FY 2015-16	

Free Solar Power Panels	In 2015, the City of Menlo Park teamed up with Facebook, Menlo Spark and GRID Alternatives to provide free solar panels to 10 residences in Belle Haven.
Status	
Completed in FY 2015-16	

Caltrain "Go Pass"	In 2016, City Council approved of Caltrain "Go Pass", a pass which provides City staff annual unlimited-rides on Caltrain between all zones, seven days a week.
Status	
Completed in FY 2015-16	

Recommended Next Steps of GHG Emission Reduction Strategies

This annual update and status report is intended to complete a high level analysis of the City's current GHG emissions and ~~five-year~~ reduction strategies, and identify new strategies for consideration over the next five years.

For FY 2015-16 the City Council Approved \$100,000 ~~annually~~ in the Capital Improvement Plan (CIP) for Climate Action Plan activities. These funds ~~will be~~ **are** used to pursue the strategies listed in Figure ~~\$~~ 4.

The next recommended steps include:

- City Council review the community and municipal GHG inventories for 2013 (above, accomplished ~~at this meeting~~)-
- Staff to continue to consider and implement strategies identified in the report through the annual Capital Improvement Plan and/or city budget process.
- **Environmental Quality Commission** ~~ECC~~ to advise staff and City Council regarding updates to the General Plan, which will facilitate GHG reductions in the near and long term.
- Staff to track statewide changes, such as Governor's Executive Orders, which impact the City's Climate Action Planning.

Appendix A – Previous Menlo Park Climate Action Planning City Council Reports

Council Report	Date	Action
07-075	5/1/2007	Adoption of a resolution appropriating \$35,000 from the General Fund Reserve for consultant and staff costs to conduct a Greenhouse Gas Emissions Inventory and authorizing the City Manager to enter into a contract for \$24,100 with ICLEI – Local Governments for Sustainability to conduct the inventory, and adoption of a resolution endorsing the U.S. Mayors Climate Protection Agreement, as modified. (Staff Report #07-075)
08-031	3/4/2008	Receipt of updates to the Menlo Park Greenhouse Gas Emissions Inventory Analysis; approval of a resolution authorizing the City Manager to execute a grant agreement in the amount of \$25,000 with the Bay Area Air Quality Management District for developing a Climate Action Plan and to execute a contract in the amount of \$30,600 with ICLEI-Local Governments for Sustainability to develop a Climate Action Plan; and appointment of a Council Member to the Core Team for planning. (Staff Report #08-031)
08-039	3/25/2008	Consideration of purchasing offset credit for Greenhouse Gas Emissions from City operations through the PG&E Climate Smart Program (Staff Report #08-039)
08-040	3/25/2008	Core Team for drafting the Climate Action Plan (Staff Report #08-040)
08-048	4/22/2008	Adopt the Climate Action Assessment Plan Report and authorize use of remaining funds from the Green@Home contract with Acterra to provide additional energy efficiency incentives that would increase Menlo Park’s participation in the regional Energy Upgrade California Program (Staff report #11-128)
13-051	4/2/2013	Provide direction on the Climate Action Plan Update and Status Report, new measuring methodology for transportation greenhouse gas emissions, and a community greenhouse reduction target, and provide direction on funding in order to achieve target. (Staff report #13-051)
14-113	06/17/2014	Receive annual community greenhouse gas inventory information and approve updated five year Climate Action Plan strategy (Staff report #14-113)
14-115	06/17/2014	Approve a resolution authorizing the City Manager to execute an agreement with the Bay Area Climate Collaborative, ABM, and ChargePoint to install four electric vehicle charging stations in Menlo Park with grant funds from the California Energy Commission (Staff report #14-115)
14-178	10/07/2014	Approve a resolution making findings necessary to authorize an energy services contract for Power Purchase Agreements (PPA) at the Arrillaga Gymnasium, Arrillaga Gymnastics Center, Onetta Harris Center, and City Corporation Yard; authorize the City Attorney to finalize the agreement and authorize the City Manager to execute the agreement; and amend the existing consulting contract with Optony, Inc. to include construction management services (Staff report #14-178)

15-156	10/20/2015	Receipt of updates to the Menlo Park Climate Action Plan and Status Report (Staff report #15-156)
17-147	6/20/2017	Approve a resolution reaffirming the City's commitment to combat climate change and expressing support for the Paris Agreement (Staff report #17-147)
17-167	07/18/2017	Adopt a resolution for a vision of 100 percent renewable energy powering the Menlo Park community by 2030 (Staff report #17-167)

Appendix B - City of Menlo Park Municipal Operations GHG Emissions

The City of Menlo Park conducted the following Municipal GHG Inventory in 2009, which showed an increase in GHG of 594 tons due to expansion of City infrastructure/facilities and changes in emissions factors. The 2009 Municipal Inventory has not been officially updated; however, the City has tracked information reflecting the municipal energy saving projects conducted with the support of PG&E. The projects, which were completed in 2010 through 2013, provide a GHG emissions reduction ~~savings~~ of 100 tons (a number of additional projects were conducted; however, they were not counted in this calculation, because the year of completion has not been established).

In addition, the City Council has approved the following municipal energy-efficiency related projects, which are in progress, and are expected to save an additional amount of more than 578 tons of GHG:

October 2014:

- Project: Approved \$64,272 in funding to install variable frequency drive systems at the Burgess Park and Belle Haven Park pools.

Estimated annual CO2e reduction: 38 tons Status: ~~in progress~~ **Completed FY 2014-15**

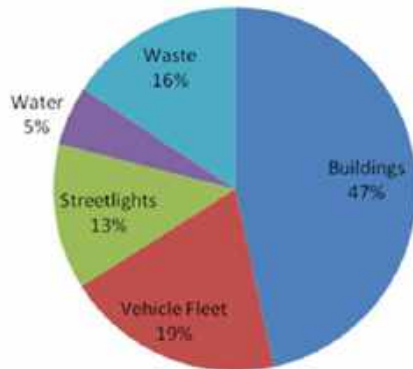
- Project: Approved four Power Purchase Agreements (PPA) with Cupertino Electric as part of the Regional Renewable Energy Procurement Project (R-REP) with Alameda County to install solar PV systems on municipal buildings (rooftop and solar carport). Solar will be installed on the Arrillaga Family Gymnasium, Arrillaga Family Gymnastics Center, City Corporation Yard, and Onetta Harris Community Center.

Estimated annual CO2e reduction: 419 tons Status: **Completed** ~~in~~ November 2015.

April 2015 (For the City's Administrative Building and Library):

- Project: Approved \$375,000 in funding to purchase a new Energy Monitoring System
Estimated annual CO2e reduction: 120 lbs. Status: ~~in progress~~ **Completed FY 2015-16**
- Project: Approved \$606,160 in funding to purchase new chillers and variable frequency drives.
Estimated annual CO2e reduction: 121 tons Status: Completed October 6, 2015

**Municipal Operations Greenhouse Gas Emissions Inventory 2009 By Source
(2,889 tons CO₂e)**



Emissions from the City are embedded within the community-wide totals. Government operations are therefore a subset of total community emissions. In the year 2009, the City of Menlo Park's municipal operations generated 2,889 tons of CO₂e, which constitutes 0.004% of the community's total greenhouse gas emissions. This is a 25% increase compared to 2005 total emissions (2,305 tons).

Electricity and natural gas use in the City's buildings contributed to 47%, the vehicle fleet contributed 19% of this total, and the remainder of CO₂e came from streetlights, waste, and the electricity for pumping water and storm water.

Municipal Buildings - Electricity and natural gas use in the City's buildings contributed to 47% of CO₂e from municipal operations. This is up 14% compared to City buildings contributing 33% of CO₂e toward municipal operations in 2005. This increase can be attributed to a number of reasons, including but not limited to: ~~to a couple reasons~~; PG&E's greenhouse gas CO₂ emission rates for electricity increased from KWh x (0.489 lbs/kWh / 2,204.6 lbs/metric ton) in 2005 to KWh x (0.641 lbs/kWh / 2,204.6 lbs/metric ton) in 2009. The increase in emissions rates means that each kWh consumed in 2009 contributed approximately 31.1% more CO₂ than in 2005. Another reason for the increase in fuel and electricity consumption from municipal buildings is the construction of new buildings from 2005-2009.

Vehicle Fleet - In 2009, Menlo Park's municipal vehicle fleet ~~was is~~ responsible for the second largest share of overall municipal emissions at 19%. Compared to 2005's 28.4%, this is a 9.4% reduction. Menlo Park's vehicle fleet consists of analyzing the fuel consumed by City vehicles and equipment, such as police vehicles, and the tractors used for landscaping.

Streetlights - The energy consumed by the City's street lights accounted for 13% of municipal operations greenhouse gas emissions in 2009. This analysis included the energy consumed by streetlights, traffic signals, park lighting, decorative lights, and parking lot lights. Compared to 2005's 11.9%, this is a 1.1% increase. This increase can be attributed to the addition of more streetlights, including signal cameras added throughout the City in 2008.

Water/Sewage - The emissions resulting from the energy used to pump water and waste water remained the same at 5% in 2005 and 2009. This analysis excludes pumping and treatment of wastewater that is carried out by the West Bay Sanitary District (WBSD), East Palo Alto Sanitary District (EPASD), and the South Bayside System Authority (SBSA).

Waste - In 2009, the relative contribution of landfilled waste from municipal operations to greenhouse gas emissions is 16%. Compared to landfilled waste contributing 20.8% to municipal operations in 2005, there is a 4.8% decrease. This decrease can be attributed to the reduction of solid waste sent to the landfill from year to year.

THIS PAGE INTENTIONALLY LEFT BLANK

April 2018

Re: Recommendation to incorporate Green Design Standards in the Downtown Specific Plan

Dear Mayor and Councilmembers,

The Environmental Quality Commission is pleased that the City Council may be considering amendments to the Downtown/El Camino Real Specific Plan this year through the Biennial Review process. This creates an important opportunity to incorporate the goals and policies adopted as part of the 2016 General Plan Update that focused on the M2/Bayfront area.

As development continues in downtown Menlo Park, it is paramount that the same environmental standards enacted in M2/Bayfront area are applied to new projects in Downtown/El Camino Real district.

Updating the Downtown Specific Plan Green Design Standards is an important step to ensure equity across all of Menlo Park. It also shows continued commitment to meet Climate Action Plan goals.

The General Plan's nine Guiding Principles "describe the kind of place that community members want Menlo Park to be." The ninth Guiding Principle applies to environmental sustainability, which is:

"Menlo Park is a leader in efforts to address climate change, adapt to sea-level rise, protect natural and built resources, conserve energy, manage water, utilize renewable energy, and promote green building."

See <https://www.menlopark.org/DocumentCenter/View/15014>, page I-9.

The recently adopted zoning regulations for Menlo Park's ConnectMenlo area codify these principles into an exemplary set of environmental standards that highlight Menlo Park's leadership.

We recommend Council consider all aspects of the M2 green building standards when updating the Downtown Specific Plan, and particularly the following:

1. While the state of California is on track to usher in zero net energy (ZNE) homes by 2020 and commercial buildings by 2030, Menlo Park has implemented a novel approach that enables zero carbon buildings before the state ZNE standards kick in. The new zoning standards in the ConnectMenlo area now require new developments to use **100 percent renewable energy**, which guides a gradual transition to fossil-fuel-free buildings. The policy has flexible options built in to ease the transition, such as purchasing renewable energy from multiple providers, installing solar or other renewables within the City of Menlo Park, or purchasing renewable energy credits equal to the energy demand of the project each year. This is a remarkable step to address the growing carbon emissions from natural gas uses, which account for more than twice the GHG emissions of electricity in Menlo Park.
2. The new zoning in the ConnectMenlo area also requires new development projects to complete an on-site renewable energy feasibility study and install at least 30 percent of the maximum renewables feasible on-site. This will likely lead to significant financial savings from building

utility bills. It also provides flexibility for developers who prefer to focus on rooftop gardens and shade trees.

We advise that other similar green design standards be analyzed and evaluated for consideration if the Downtown Specific Plan is amended. We appreciate your attention to this issue, and welcome the chance to discuss further and answer any questions you may have.

Sincerely

A handwritten signature in cursive script that reads "Janelle London".

Janelle London

Chair, Environmental Quality Commission

May 1, 2018

Re: EQC Recommendation to amend Climate Action Plan to focus on Electric Vehicle Charging Infrastructure and Downtown Specific Plan Update

Dear Mayor and Councilmembers,

The Environmental Quality Commission (EQC) greatly appreciates City Council's interest in planning for a clean vehicle future. Transportation accounts for the majority of Menlo Park's greenhouse gas emissions, with passenger vehicles making up the bulk of the problem. Especially given that Peninsula Clean Energy is serving our residents with electricity from 50% to 100% renewable sources, electrifying our transportation as we move to 100% clean electricity is one of the most impactful things we can do to meet the city's Climate Action Plan greenhouse gas emission reduction goals.

Already about 16% of new vehicle purchases in Menlo Park are electric vehicles (EVs).¹ This is one of the highest rates of EV adoption in the country. Our city is the perfect testing ground for accelerating the transition away from gasoline toward a clean car era. Multiple studies have indicated that **a critical component of increasing EV adoption is ensuring sufficient private and public electric vehicle charging infrastructure (EVCI).**

Menlo Park is off to a good start: EV charging is already present at many private homes, some workplaces, and some public locations. However, given the high rate of EV adoption, our city should plan for the future in a thoughtful, data-driven fashion.

Accordingly, the EQC makes the following recommendations/requests authority to take on the following regarding Electric Vehicle Charging Infrastructure (EVCI) in Menlo Park.

1. Conduct an EVCI policy and programs analysis, including evidence collection, a gap analysis, and menu of options and recommendations to consider for an EVCI Master Plan.
2. Create a task force of key community stakeholders and engage the community in a development of a proposed EVCI Master Plan.
3. Deliver a proposal for the EVCI Master Plan by July 2020.

We recognize that this effort will involve significant time and resources. Accordingly, we propose amending the Climate Action Plan (CAP) to list only this and the recommendation to update the Downtown Specific Plan green design standards to at least the level of the M2 green design standards (see EQC letter dated April 2018 and attached to this letter) as the EQC's major initiatives for the next several years. This will involve removing the existing CAP action items; however, we believe these two initiatives will be more impactful on emissions reduction than the items currently listed.

Your consideration of this proposal is much appreciated, and we welcome any questions or thoughts you may have.

Sincerely,

Janelle London

Janelle London, Chair, Environmental Quality Commission

¹ Update: California's Electric Vehicle Market. ICCT, May 2017.

https://www.theicct.org/sites/default/files/publications/CA-cities-EV-update_ICCT_Briefing_30052017_vF.pdf, page 5

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council Meeting Date: 5/22/2018
Staff Report Number: 18-106-CC

Consent Calendar: Adopt Resolution No. 6347 preliminary approval of the engineer's report for the Menlo Park Landscaping Assessment District and Resolution No. and 6348, intention to order the levy and collection of assessments for the Landscaping Assessment District for fiscal year 2018-19

Recommendation

Staff recommends that the City Council:

1. Adopt Resolution No. 6347, the preliminary approval of the engineer's report for the Landscaping Assessment District for fiscal year 2018-19, which proposes an increase to the tree assessment by 10 percent, which amounts to \$6.71 per single family equivalent per year and an increase to the sidewalk assessment by 20 percent, which amounts to \$6.03 per single family equivalent per year (Attachment A);
2. Adopt Resolution No. 6438, the intention to order the levy and collection of assessments for the Landscaping Assessment District for fiscal year 2018-19 pursuant to the Landscaping and Lighting Act of 1972 (Attachment B); and
3. Set the date for the public hearing for June 19, 2018.

Policy Issues

If the City Council does not order the levy and collection of assessments, the impact on City resources would be \$910,676 (the total amount of the proposed tree and sidewalk assessments).

Background

The Landscaping Assessment District provides funding for the maintenance of street trees, street sweeping and sidewalk repairs due to street tree root damage throughout the city.

Tree maintenance

Between 1960 and 1982, the city had a three-person tree crew to care for city parks, medians and street trees. At that time, the tree crew trimmed street trees as requested by residents. There was no specific long-term plan in place to address tree maintenance. As the street trees grew, it took considerably more effort per tree to provide proper care and the city did not have the resources to keep up with the required maintenance needs.

The voters approved Measure N in 1982 as an advisory measure to the City Council regarding formation of the City Landscaping Assessment District. The Landscaping Assessment District was formalized in 1983 to provide proper street-tree maintenance. Programmatic changes have occurred over the past 35 years to address new regulations and maintain the existing tree canopy. Proper care of the tree canopy continues to be identified as a priority by property owners, the Environmental Quality Commission and the City Council.

In 1998, the city expressed concern regarding the declining health of the trees, of which 80 percent were classified as mature trees. Due to the lack of City resources to maintain older trees, there was a growing concern that most of the street trees would fail around the same time. Consequently, the city moved forward in adopting proactive measures to minimize the risk of failure by replacing mature unhealthy trees with younger healthier trees.

In 1998, the city went through a Proposition 218 ballot measure which was approved by voters. The approval of the ballot measure resulted in an increased assessment and reduction of the tree trimming/evaluation schedule to once every five years from once every seven years. In addition, the city implemented a reforestation program with a portion of the Landscaping Assessment District funds in fiscal year 2008-09.

Street sweeping

Street sweeping is performed throughout the city to remove debris for aesthetic, bicycle and pedestrian safety, and health reasons, as well as compliance with stormwater regulations to improve water quality. Street sweeping work has been performed by contract services since 1992.

City tree-damaged sidewalk repair

As trees mature, their extensive network of roots inevitably break through the sidewalk resulting in uplift. Without a proactive saw cutting and/or sidewalk removal and replacement program, the sidewalks will continue to deteriorate and become tripping hazards and more costly to repair over time.

Before 1990, property owners and the city split the cost of repairing damaged sidewalks by city street trees. Each year the city entered into individual agreements with approximately 200 property owners to conduct these repairs. The annual cost was a financial burden to some residents on fixed incomes and burdensome for the city to administer; therefore, the city established an assessment for sidewalk repair in 1990 to make the program more cost-effective and efficient to operate.

Analysis

Each fiscal year, the City Council must direct the preparation of an engineer's report, budgets and proposed assessments before the assessments can be levied. The engineer's report establishes the foundation and justification for the continued collection of the landscape assessments for fiscal year 2018-19. On February 13, 2018, the City Council adopted a resolution no. 6425 describing the improvements and directing the preparation of an engineer's report for the Landscaping Assessment District for fiscal year 2018-19. In developing the engineer's report, staff and the consultant reviewed the existing budget and operating needs to maintain street trees and sidewalk repair requirements at the current level of service. The report describes in detail the incorporation of the proposed budget and the method used for apportioning the total assessment among properties within the Landscaping Assessment District. This method involves identifying the benefit received by each property in relation to a Single Family Equivalent (SFE). The proposed budgets and findings from the engineer's report are described below.

Tree maintenance assessment

Staff has contracted with West Coast Arborists since 2004 to perform tree grid trimming, planting and removal, and emergency services as necessary. The grid trimming, which consists of the majority of work performed by West Coast Arborists, involves the pruning of a set number of trees on an annual basis. Currently, the city performs tree grid pruning on a five year cycle. The grid pruning strategy is common practice within municipal arboriculture, as it becomes cost effective to maintain the trees on a regular basis. When pruning is deferred for longer periods, fast growing trees can become prone to limb failure and hazards, requiring more expensive measures in the long run.

On September 10, 2014, the city approved a new five year contract with West Coast Arborists for the tree maintenance. Under the contract terms, compensation for the work is based on prevailing wages determined by the State’s Department of Industrial Relations (DIR). However, in August 2015, DIR created a new laborer classification for tree maintenance work and issued a prevailing wage determination. The new prevailing wages resulted in a 52 percent to 105 percent increase in wages for West Coast Arborists. For fiscal year 2016-17, to offset the new state requirements, West Coast Arborists requested a 31 percent price adjustment to the unit costs for the tasks included in the 2014 contract. City Council authorized the city manager to amend the existing contract with West Coast Arborists and adjust the rates by 31 percent. For fiscal year 2017-18, West Coast Arborists agreed to keep the same rates as fiscal year 2016-17. For fiscal year 2018-19, West Coast Arborists has requested a 3.6 percent rate increase.

The Tree Maintenance Program expenditures include the contract for grid tree pruning services, debris removal (includes street sweeping), general operating expenses, vehicle and equipment maintenance and the salaries and benefits associated with the staff time required to manage the program and work on street trees. Additional tree care required due to the drought, increasing prevailing wage costs associated with the tree pruning contract, and a recent request to increase the street sweeping contract rates have resulted in higher expenditures projected for fiscal year 2018-19.

The street sweeping contractor, Contract Sweeping Services Inc. has recently notified staff of its intent to increase rates by 37 percent for fiscal year 2018-19 due to drastic increases in equipment prices, operations and employee retention. As result of this, staff released a request for proposals in April and will open proposals June 1, 2018. Staff has contacted other agencies and the proposed increase is comparable to what other agencies are currently paying for street sweeping services. In anticipation in receiving proposals similar in price, staff requested a \$43,000 budget increase for fiscal year 2018-19. Currently, San Mateo County Measure M funds pay for these services; however, with the increase in rates, it is necessary to utilize the landscape assessment to partially fund street sweeping contract services.

As shown in Table 1, the estimated expenses are greater than the revenue. However, a fund balance of approximately \$236,065 is projected to be carried over from fiscal year 2017-18. The fund balance is primarily the result of vacancies in the tree program in past years.

Table 1: Tree maintenance assessments Proposed fiscal year 2018-19 budget	
Projected beginning fund balance	\$236,065.00
Estimated revenues:	
Tree assessment revenue	\$663,498.59
General fund contribution	\$251,529.53
Measure M funds	\$143,000.00
Total	\$1,294,093.22
Estimated expenses	
Street tree maintenance	\$752,273.00
Debris removal (including street sweeping services)	\$268,601.56
Administration and County assessment fees	\$135,500.00
Total	\$1,156,374.53
Projected ending fund balance	\$137,718.66

Table 2 below summarizes the proposed rates for parcels with and without street trees. The assessment for properties without street trees, but in close proximity to parcels with street trees, is 50 percent of the tree assessment due to the direct benefit of the nearby trees.

Table 2: Annual tree assessment rates Proposed fiscal year 2018-19 (10 percent increase)		
Property type	Properties with trees	Properties without trees
Single family	\$73.82 per parcel	\$36.91 per parcel
R-2 zone, in use as single family	\$73.82 per parcel	\$36.91 per parcel
Condominium/townhouse	\$66.44 per unit \$332.19 max. per project	\$33.22 per unit \$166.10 max per project
Other multifamily	\$59.06 per unit \$295.28 max per project	\$29.53 per unit \$147.64 max. per project
Commercial	\$73.82 per 1/5 acre \$369.10 max. per project	\$36.91 per 14/5 acre \$184.55 max. per project
Industrial	\$73.82 per 1/5 acre \$369.10 max. per project	\$36.91 per 14/5 acre \$184.55 max. per project
Parks, educational	\$73.82 per parcel	\$36.91 per parcel
Miscellaneous, other	\$0.00 per parcel	0.00 per parcel

Sidewalk assessment

The sidewalk repair program includes sidewalk, curb, gutter and parking strip repair and replacement due to damage cause by street trees. In fiscal year 2017-18, the program has a \$400,000 budget. The program is broken into two separate contracts, one for sidewalk saw cutting (\$100,000) and the other for sidewalk replacement (\$300,000). Under the saw cutting program, the city retains a contractor to address minor tripping hazards, which are fixed by performing horizontal saw cuts rather than removing the entire sidewalk section. Since the city adopted this approach, it has reduced the need for complete concrete removal, which has resulted in significant cost savings over the years.

For the sidewalk replacement program, the City Council awarded a multiyear contract to Golden Bay Construction November 11, 2015. However, the annual sidewalk replacement needs exceed the budget of \$400,000 and a back log of requests has occurred. To address the sidewalk replacement needs that are backlogged and perform additional work that staff receives annually, a budget increase from \$400,000 to \$500,000 per year is needed. As part of the city’s fiscal year 2018-19 Capital Improvement Program budget, staff has proposed this increase. Staff is recommending a 20 percent increase to the sidewalk repair assessment to continue addressing the program backlog in fiscal year 2018-19. It is expected that the backlog would be completed in approximately five years at this funding level. At this assessment level in the future, it is expected that the fund would be able to pay for the annual calls staff receive on tripping hazards once the backlog is completed.

Table 3: Sidewalk, curb, gutter, parking strip assessment rates Proposed fiscal year 2018-19 (20 percent increase)			
Parcels with trees	Assessment rate	Parcels without trees	Assessment rate
Sidewalks, curbs, gutters	\$36.16 (per parcel)	Parcels with or without improvements	\$11.93 (per parcel)

Parking strips and gutters	\$36.16 (per parcel)	Miscellaneous, other	\$0.00 (per parcel)
Curbs and/ or gutters only	\$24.23 (per parcel)		
No improvements	\$11.93 per parcel)		
Miscellaneous, other	\$0.00 (per parcel)		

Table 4: Sidewalk assessments Proposed fiscal year 2018-19 budget	
Projected beginning fund balance	\$58,031.00
Estimated revenues:	
Sidewalk assessment revenue	\$247,177.10
General fund contribution	\$250,000.00
Total	\$552,208.10
Estimated expenses:	
Sidewalk, curb, gutter parking strip repair/replacement	\$500,000.00
Projected ending fund balance	\$52,208.10

Assessment

The assessments are subject to an annual adjustment based on the Engineering News Record Construction Cost Index (CCI) for the San Francisco Bay Area. The maximum authorized assessment rate for fiscal year 2018-19, based on current and accumulated unused CCI increases reserved from prior years, are \$110.82 per SFE benefit unit for tree maintenance and \$49.48 per SFE benefit unit for sidewalk maintenance. These increases would be legally permissible without additional ballot proceedings. The estimated budget in the engineer’s report proposes assessments for fiscal year 2018-19 to be levied at a rate below the allowable maximum described above: \$73.82 per SFE for tree maintenance and \$36.16 per SFE for sidewalk maintenance. The sidewalk assessment has only increased once in fiscal year 2017-18 since it was formed in 1990 and the tree assessment has been increasing over the last five years. The comparison assessments for single family properties with City trees and sidewalks levied in fiscal year 2017-18 and the proposed rates for fiscal year 2018-19 are shown below:

Table 5: Assessment (annual, per SFE) Fiscal year 2018-19					
Assessment	Fiscal year 2017-18 rate	Percent increase	Fiscal year 2018-19 rate	Amount increase	Maximum allowable assessment
Tree assessment	\$67.11	10 percent	\$73.82	\$6.71	\$110.82
Sidewalk assessment	\$30.13	20 percent	\$36.16	\$6.03	\$49.48

While the ongoing cost of maintenance of trees and sidewalks has significantly increased, since the inception of the Landscaping Assessment District, the city has tried to minimize rate increases. Incremental rate increases combined with monies allocated from the general fund ensures the maintenance program remains proactive while maintaining a balanced funding approach.

If the City Council approves the attached resolutions, staff will publish a legal notice of the assessment public hearing at least 10 days before the hearing, which is tentatively scheduled for June 19, 2018. Once the assessments are confirmed and approved, the levies will be submitted to the County Controller for inclusion onto the property tax roll for fiscal year 2018-19.

Approval of engineer's report

SCI Consulting Group has completed the preliminary engineer's report (Attachment C) for the Landscaping Assessment District, which includes the Landscaping Assessment District's proposed fiscal year 2018-19 budget. The budget covers tree maintenance, the city's street sweeping program, and the sidewalk repair program. The report describes in detail the method used for apportioning the total assessment among properties within the Landscaping Assessment District. This method involves identifying the benefit received by each property in relation to a single family residence.

Impact on City Resources

Funding for the entire tree maintenance, street sweeping and sidewalk repair programs under the Landscaping Assessment District come from a variety of sources, including the carry-over of unspent funds from prior years, annual tax assessment revenues, and contributions from the general fund. If the City Council does not order the rate increase, levy and collection of assessments, the impact on City resources would be \$910,676 (the total amount of the proposed tree and sidewalk assessments).

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours before the meeting.

Attachments

- A. Resolution No. 6437, preliminary approval of the engineer's report
- B. Resolution No. 6438, intention to order the levy and collection of assessments
- C. Engineer's report dated May 2018

Report prepared by:
Eren Romero, Business Manager

Reviewed by:
Justin Murphy, Public Works Director

RESOLUTION NO. 6437**RESOLUTION OF PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT
FOR THE CITY OF MENLO PARK LANDSCAPING DISTRICT FOR FISCAL
YEAR 2018-19**

WHEREAS, on the 13th day of February, 2018, the Menlo Park City Council did adopt Resolution No. 6425, describing improvements and directing preparation of the Engineer's Report for the City of Menlo Park Landscaping District (District) for Fiscal Year 2018-19, pursuant to provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, in said City and did refer the proposed improvements to SCI Consulting Group and did therein direct SCI Consulting Group to prepare and file with the Clerk of said City a report, in writing, all as therein more particularly described, under and in accordance with Section 22565, *et. seq.*, of the Streets and Highways Code and Article XIID of the California Constitution; and

WHEREAS, said SCI Consulting Group prepared and filed with the City Clerk of said City a report in writing as called for in Resolution No. 6425 and under and pursuant to said Article and Act, which report has been presented to this Council for consideration; and

WHEREAS, said Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that neither said report, nor any part thereof, should be modified in any respect.

NOW, THEREFORE, BE IT RESOLVED THAT IT IS HEREBY FOUND, DETERMINED, and ORDERED, as follow:

1. That the plans and specifications for the existing improvements and the proposed new improvements to be made within the District contained in said report, be, and they are hereby, preliminarily approved;
2. That the Engineer's estimate of the itemized and total costs and expenses of said improvements, maintenance, and servicing thereof, and of the incidental expenses in connection therewith, contained in said report be, and each of them is hereby, preliminarily approved;
3. That the diagram (Exhibit A) showing the exterior boundaries of the District referred to and described in said Resolution No. 6425 and the lines and dimensions of each lot or parcel of land within said District as such lot or parcel of land is shown on the County Assessor's maps for the fiscal year to which the report applies, each of which lot or parcel of land has been given a separate number upon said diagram, as contained in said report be, and it is hereby, preliminarily approved;
4. That the proposed continued assessment of the total amount of the estimated costs and expenses of the proposed improvements upon the several lots or parcels of land in said District in proportion to the estimated benefits to be received by such lots or parcels, respectively, from said improvements including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto, as contained in said report be, and they are hereby, preliminarily approved; and

5. That said report shall stand as the Engineer's Report for the purpose of all subsequent proceedings to be had pursuant to said Resolution No. 6425.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-second of May, 2018, by the following votes:

AYES:

NOES:

ABSENT:

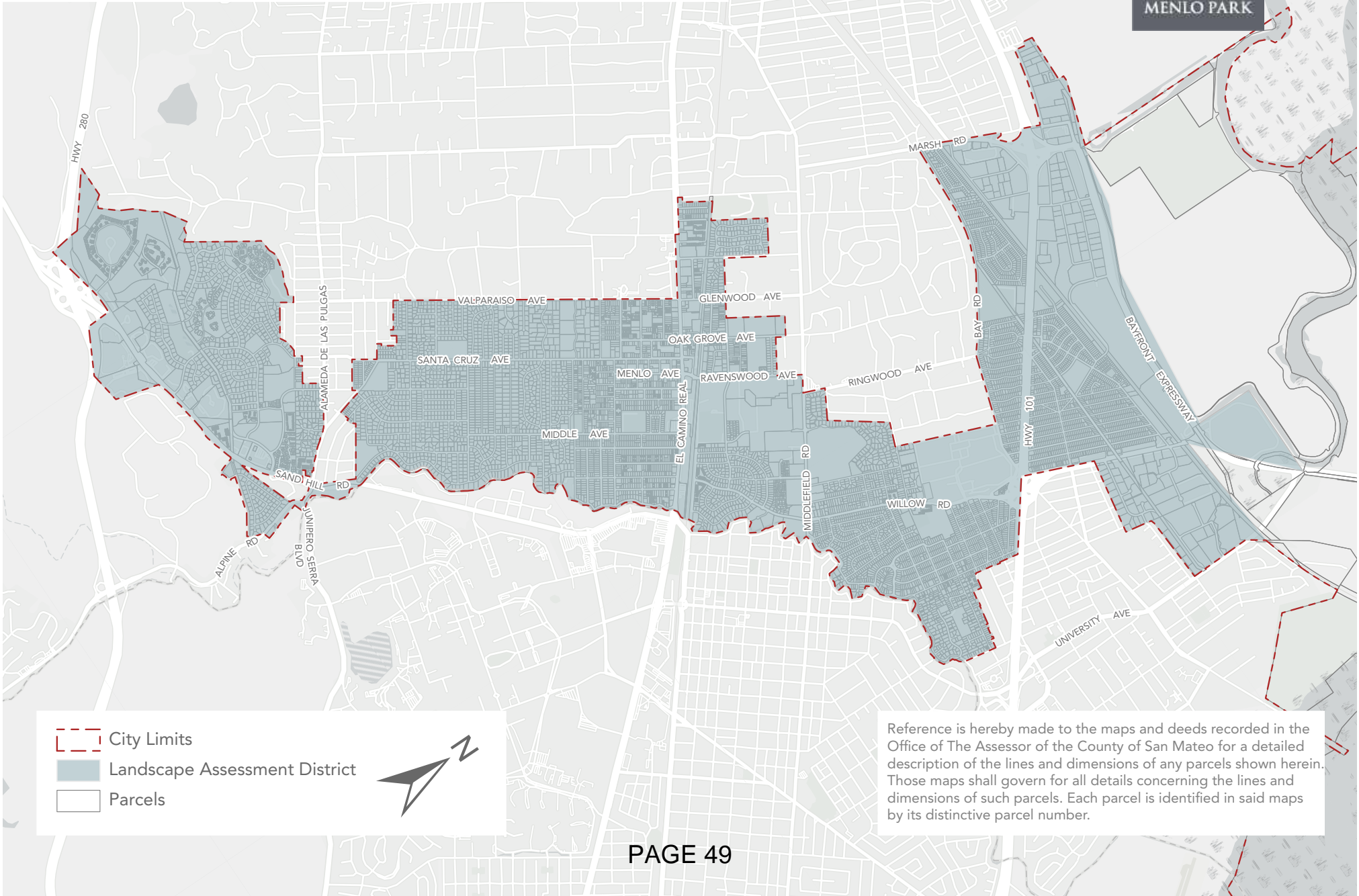
ABSTAIN:




IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second of May, 2018.

Judi A. Herren, City Clerk



Landscape Assessment District



-  City Limits
-  Landscape Assessment District
-  Parcels



Reference is hereby made to the maps and deeds recorded in the Office of The Assessor of the County of San Mateo for a detailed description of the lines and dimensions of any parcels shown herein. Those maps shall govern for all details concerning the lines and dimensions of such parcels. Each parcel is identified in said maps by its distinctive parcel number.

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. 6438**RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO ORDER THE CONTINUATION AND COLLECTION OF ASSESSMENTS FOR THE CITY OF MENLO PARK LANDSCAPING DISTRICT FOR FISCAL YEAR 2018-19 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972**

WHEREAS, pursuant to Resolution No. 6425 describing improvements and directing the preparation of the Engineer's Report for Fiscal Year 2018-19 for the City of Menlo Park Landscaping District, adopted on February 13, 2018, by the City Council of Menlo Park; and

WHEREAS pursuant to provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, SCI Consulting Group for said City has prepared and filed with the City Clerk of this City the written report called for under and in accordance with Section 22565, *et. seq.*, of the Streets and Highways Code and Article XIID of the California Constitution; and

WHEREAS, by said Resolution No. 6425, which said report has been submitted and preliminarily approved by this Council in accordance with said Article and Act.

NOW, THEREFORE, BE IT RESOLVED, THAT IT IS HEREBY FOUND, DETERMINED, and ORDERED, as follows:

1. In its opinion, the public interest and convenience require, and it is the intention of this Council, to order the continuation and collection of assessments for Fiscal Year 2018-19 pursuant to the provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, more particularly described in Exhibit A hereto attached and by reference incorporated herein;
2. The cost and expense of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon the assessment district designated as "City of Menlo Park Landscaping District" (District) the exterior boundaries of which District are the composite and consolidated area as more particularly described on a map thereof on file in the office of the Clerk of said City, to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in the District and the general location of said District;
3. Said Engineer's Report prepared by SCI Consulting Group, preliminarily approved by this Council, and on file with the Clerk of this City, is hereby referred to for a full and detailed description of the improvements, the boundaries of the assessment district and the proposed assessments upon assessable lots and parcels of land within the District;
4. The authorized maximum assessment rates for the District include an annual adjustment by an amount equal to the annual change in the Engineering News Record Index, not to exceed 3.00 percent per year, plus any uncaptured excesses. Assessment rates for the tree portion of the assessments are proposed to increase during Fiscal Year 2018-19 by 10.00%. Including the authorized annual adjustment, the maximum authorized assessment rate for street tree maintenance for Fiscal Year 2018-19 is \$110.82 per single family equivalent benefit unit, and the assessment rate per single family equivalent benefit unit for

Fiscal Year 2018-19 is \$73.82 which is less than the maximum authorized rate. Assessment rates for the sidewalk repairs portion of the assessments are proposed to increase during Fiscal Year 2018-19 by 20.00%. Including the authorized annual adjustment, the maximum authorized assessment rate for sidewalk maintenance for Fiscal Year 2018-19 is \$49.48 per single family equivalent benefit unit, and the assessment rate per single family equivalent benefit unit for Fiscal Year 2018-19 is \$36.13, which is less than the maximum authorized rate;

5. Notice is hereby given that Tuesday, the 19th day of June, 2018, at the hour of 7:00 o'clock p.m., or as soon thereafter as the matter may be heard, in the regular meeting place of said Council, Council Chambers, Civic Center, 701 Laurel Street, Menlo Park, California, be, and the same are hereby appointed and fixed as the time and place for a Public Hearing by this Council on the question of the continuation and collection of the proposed assessment for the construction or installation of said improvements, including the maintenance and servicing, or both, thereof, and when and where it will consider all oral statements and all written protests made or filed by any interested person at or before the conclusion of said hearing, against said improvements, the boundaries of the assessment district and any zone therein, the proposed diagram or the proposed assessment, to the Engineer's estimate of the cost thereof, and when and where it will consider and finally act upon the Engineer's Report;
6. The Clerk of said City is hereby directed to give notice of said Public Hearing by causing a copy of this resolution to be published once in *The Daily News*, a newspaper circulated in said City, and by conspicuously posting a copy thereof upon the official bulletin board customarily used by the City for the posting of notices, said posting and publication to be had and completed at least ten (10) days prior to the date of public hearing specified herein; and
7. The Office of the Public Works Director of said City is hereby designated as the office to answer inquiries regarding any protest proceedings to be had herein, and may be contacted during regular office hours at the Civic Center, 701 Laurel Street, Menlo Park, California, 94025, or by calling (650) 330-6740.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-second day of May, 2018, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second of May, 2018.

Judi A. Herren, City Clerk

Exhibit A

City of Menlo Park Landscaping District

Maintaining and servicing of street trees, including the cost of repair, removal or replacement of all or any part thereof, providing for the life, growth, health, and beauty of landscaping, including cultivation, trimming, spraying, fertilizing, or treating for disease or injury, the removal of trimmings, rubbish, debris, and other solid waste, and water for the irrigation thereof, and the installation or construction, including the maintenance and servicing thereof, of curbs, gutters, sidewalks, and parking strips.

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF MENLO PARK
LANDSCAPING ASSESSMENT DISTRICT

ENGINEER'S REPORT

FISCAL YEAR 2018-19

MAY, 2018

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND
ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:
SCI Consulting Group
4745 MANGELS BLVD.
FAIRFIELD, CALIFORNIA 94534
PHONE 707.430.4300
FAX 707.430.4319
WWW.SCI-CG.COM

CITY OF MENLO PARK

MENLO PARK CITY COUNCIL

Mayor Peter I. Ohtaki
Mayor Pro Tem Ray Mueller
Council Member Catherine Carlton
Council Member Richard Cline
Council Member Kirsten Keith

CITY MANAGER

Alex D. McIntyre

PUBLIC WORKS DIRECTOR

Justin Murphy

CITY CLERK

Judi Herren

CITY ATTORNEY

Bill McClure

ENGINEER OF WORK

SCI Consulting Group
Lead Assessment Engineer, John Bliss, M.Eng., P.E.

TABLE OF CONTENTS

INTRODUCTION 1

 ASSESSMENT BACKGROUND..... 1

 LEGAL ANALYSIS 3

PLANS & SPECIFICATIONS 6

METHOD OF ASSESSMENT 7

 DISCUSSION OF BENEFIT 7

 BENEFIT FACTORS..... 8

 GENERAL VS. SPECIAL BENEFIT 10

 METHOD OF ASSESSMENT 11

 ASSESSMENT APPORTIONMENT - STREET TREES 12

 ASSESSMENT APPORTIONMENT - SIDEWALK PROGRAM 13

 ASSESSMENT APPORTIONMENT - OTHER PROPERTIES 14

 APPEALS AND INTERPRETATION 14

ASSESSMENT 16

ASSESSMENT DIAGRAM..... 21

 APPENDIX A – ASSESSMENT ROLL, FY 2018-19..... 23

LIST OF FIGURES

FIGURE 1 – RESIDENTIAL ASSESSMENT FACTORS..... 12

FIGURE 2 – TREE MAINTENANCE ASSESSMENTS..... 15

FIGURE 3 – SIDEWALK, CURB, GUTTER, PARKING STRIP ASSESSMENTS..... 15

FIGURE 4 – SUMMARY COST ESTIMATE 16

FIGURE 5 – ENGINEER’S COST ESTIMATE, FISCAL YEAR 2018-19..... 19

INTRODUCTION

ASSESSMENT BACKGROUND

Between 1960 and 1982, the City of Menlo Park had one three-person crew to care for approximately 9,000 City trees. As the trees grew, it took considerably more time per tree to provide proper care. Consequently one tree crew was unable to perform the necessary work to maintain all of the street trees in proper condition. The Landscape Assessment District was originally formed in 1983 for the purpose of levying annual special assessments in order to properly maintain street trees in the City of Menlo Park. Currently, there are approximately 11,000 street trees that are maintained by the assessments.

Prior to 1990, property owners and the City would split the cost of repairing sidewalks damaged by City trees. The City would annually enter into an agreement with approximately 200 individual property owners. The one-time cost was a financial burden to some residents on fixed incomes. In order to make the program more cost-effective and less of a financial burden for property owners, an assessment for repair of sidewalks/parking strips due to City street-tree related damages was established in 1990.

The increased cost of the necessary work made the assessment amounts levied in Fiscal Year 1997-98 insufficient for adequately maintaining the City's street trees, curbs, gutters and sidewalks. An increase in the assessments was required to provide funding for continued tree maintenance and sidewalk repairs. However, with the passage of Proposition 218 on November 6, 1996, assessments can only be raised after the City conducts an assessment ballot proceeding and the ballots submitted in opposition to the assessments do not exceed the ballots in favor of the assessments. (Each ballot is weighted by the amount of assessment for the property it represents.)

ASSESSMENT PROCESS

In 1998, the City conducted an assessment ballot proceeding for increased tree maintenance and sidewalk repair assessments pursuant to the requirements of Article XIID of the California Constitution (Proposition 218) and the Landscaping and Lighting Act of 1972. The proposed tree maintenance assessments for fiscal year 1998-99 were \$64.28 per single family equivalent unit and the proposed sidewalk repair assessments were \$28.70 per single family equivalent. The proposed maximum assessments also included an annual assessment cost escalator tied to the annual change in the Engineering News Record Construction Cost Index for the San Francisco Bay Area ("ENR Index"). These proposed assessments were supported by 73% of assessment ballots received from property owners (with each ballot weighted by the amount of assessments it represented). Therefore, on June 16, 1998 by its Resolution Number 4840-D, the City Council levied the new assessments.

ENGINEER'S REPORT AND CONTINUATION OF ASSESSMENTS

In each subsequent year for which the assessments will be continued, the City Council must direct the preparation of an Engineer's Report, budgets and proposed assessments for the

upcoming fiscal year. After the Engineer's Report is completed, the City Council may preliminarily approve the Engineer's Report and proposed assessments and establish the date for a public hearing on the continuation of the assessments. This Report was prepared pursuant to the direction of the Council.

The maximum authorized assessment rate, as increased each year by the change in the ENR Index, is the maximum assessment rate that can be levied in the given fiscal year without approval from property owners in another assessment ballot proceeding. In fiscal year 1998-99, the assessments were levied at the maximum rate for that fiscal year. Since this first fiscal year after the ballot proceeding, the assessments for tree maintenance have been levied below the maximum authorized rate, and the assessment rate for sidewalk repairs has not been increased above the original rate.

From December 2016 to December 2017, the ENR Index increased 3.49 percent. The maximum amount assessments can be increased annually is the ENR Index plus any uncaptured excess reserved from prior years, to a maximum increase to the ENR not to exceed 3%.

Based on accumulated excess reserves from prior years, the maximum authorized rates for fiscal year 2018-19 are \$110.82 for trees and \$49.48 for sidewalks without another ballot proceeding. (No additional ballot proceeding is required because the maximum authorized assessment rates, including the annual adjustments in these rates, were approved in the 1998 ballot proceeding. The actual rate levied in any given fiscal year can be revised up, with an annual maximum increase of 3%, or down, by any amount that does not cause the actual rates levied to exceed the maximum authorized assessment rates.)

The City reduced the assessment rate for tree maintenance in fiscal year 2000-01 and increased the assessment rate in fiscal years 2002-03, 2005-06 through 2009-10, 2014-15, and 2016-17 through 2017-18. In other fiscal years it was not necessary to increase the rate, due to sufficient reserve funds carried forward from prior fiscal years, combined with general benefit contributions. For fiscal year 2018-19 the proposed assessments for tree maintenance are proposed to increase 10.0% from fiscal year 2017-18, and the assessments for sidewalk maintenance are proposed to increase 20.0% (which includes some uncaptured excess reserved from prior years) from fiscal year 2017-18. The proposed rates are \$73.82 per Single Family Equivalent (SFE) for tree maintenance and \$36.16 per SFE for sidewalk maintenance. The comparison of actual rates levied in fiscal year 2017-18 and the proposed rates for fiscal year 2018-19 are shown below.

Sidewalk Maintenance

FY 2017-18 Rate	ENR Increase Applied	FY 2018-19 Rate	Increase
\$30.13	20.0%	\$36.16	\$6.03

Tree Maintenance

FY 2017-18 Rate	ENR Increase Applied	FY 2018-19 Rate	Increase
\$67.11	10.0%	\$73.82	\$6.71

If the Council approves this Engineer's Report and the continuation of the assessments by resolution, a notice of assessment levies must be published in a local newspaper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is used for this notice.

Following the minimum 10 day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the proposed continuation of the assessments. This hearing is currently scheduled for June 19, 2018. At this hearing, the Council will consider approval of a resolution confirming the continuation of the assessments for fiscal year 2018-19. If so confirmed and approved, the assessments will be submitted to the County Controller for inclusion on the property tax roll for Fiscal Year 2018-19.

LEGAL ANALYSIS

PROPOSITION 218

This assessment is consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIII C and XIII D of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including a property-owner balloting, for the formation and continuation of assessments, and these requirements are satisfied by the process used to establish this assessment.

The original assessment existed prior to the passage of Proposition 218. Although the original assessment is also consistent with Proposition 218, the California judiciary has generally referred to pre-Proposition 218 assessments as "grandfathered assessments" and held them to a lower standard than post Proposition 218 assessments.

SILICON VALLEY TAXPAYERS ASSOCIATION, INC. v SANTA CLARA COUNTY OPEN SPACE AUTHORITY

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA vs. SCCOSA"). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special, not general, benefit
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the assessment district

DAHMS V. DOWNTOWN POMONA PROPERTY

On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the Court upheld an assessment that was 100% special benefit (i.e., 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

BONANDER V. TOWN OF TIBURON

On December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

BEUTZ V. COUNTY OF RIVERSIDE

On May 26, 2010 the 4th District Court of Appeal issued a decision on the Steven Beutz v. County of Riverside ("Beutz") appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO

On September 22, 2011, the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in *Beutz*, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

COMPLIANCE WITH CURRENT LAW

This Engineer's Report is consistent with the requirements of Article XIIC and XIID of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the Assessment District; and the Improvements provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer's Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in the Assessment District and the general

benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

PLANS & SPECIFICATIONS

Following is a description of the Services that are provided for the benefit of property in the Assessment District. Prior to the residential development in Menlo Park, the Level of Service on these improvements was effectively zero. The formula below describes the relationship between the final level of improvements, the baseline level of service (pre-development) had the assessment not been instituted, and the enhanced level of improvements funded by the assessment.

Final Level of Service	=	Baseline Level of Service (≈zero, pre-development)	+	Enhanced Level of Service
-----------------------------------	---	---	---	--------------------------------------

The City of Menlo Park maintains street trees, sidewalks, curbs, gutters, and parking strips throughout the City.

The proposed improvements to be undertaken by the City of Menlo Park and financed by the levy of the annual assessment provide special benefit to Assessor Parcels within the District as defined in the Method of Assessment herein. The said improvements consist of maintaining, trimming, disease treatment, and replacement of street trees; street sweeping to remove debris; and the repair and replacement of damaged sidewalks, curbs, gutters, and parking strips damaged by street trees throughout the City of Menlo Park.

METHOD OF ASSESSMENT

This section of the Engineer's Report includes an explanation of the benefits to be derived from the maintenance, repair, and replacement of street trees, sidewalks, curbs, gutters, and parking strips throughout the City, and the methodology used to apportion the total assessment to properties within the Landscaping Assessment District.

The Landscaping Assessment District consists of all Assessor Parcels within the boundaries of the City of Menlo Park as defined by the County of San Mateo tax code areas. The method used for apportioning the assessment is based upon the proportional special benefits to be derived by the properties in the Landscaping Assessment District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the improvements and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

DISCUSSION OF BENEFIT

In summary, the assessments can only be levied based on the special benefit to properties. This benefit is received by property over and above any general benefits and such benefit is not based on any one property owner's use of the amenities or a property owner's specific demographic status. With reference to the requirements for assessment, Section 22573 of the Landscaping and Lighting Act of 1972 states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Article XIII D, Section 4 of the California Constitution has confirmed that assessments must be based on the special benefit to property:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the installation, maintenance and servicing of landscaping and lighting improvements to be provided with the assessment proceeds. These categories of special benefit are derived from the statutes passed by the California Legislature and other studies which describe the types of special benefit received by property from maintenance and improvements such as those within by the District. These types of special benefit are summarized as follows:

- A. PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT.
- B. ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT.
- C. IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT.
- D. ENHANCED ENVIRONMENT BECAUSE OF THE VIGOROUS STREET TREE PROGRAM FOR OWNERS OF PROPERTY IN THE LANDSCAPING ASSESSMENT DISTRICT.
- E. INCREASED SAFETY AGAINST TRIPPING AND OTHER HAZARDS CAUSED BY CRACKED OR DAMAGED SIDEWALKS, CURBS AND GUTTERS.
- F. ENHANCED DESIRABILITY OF THE PROPERTY.
- G. REDUCED LIABILITY FOR LANDSCAPE MAINTENANCE.

In this case, the recent the SVTA v. SCCOSA decision provides enhanced clarity to the definitions of special benefits to properties in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The SVTA v. SCCOSA decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The SVTA v. SCCOSA decision also provides specific guidance that landscaping improvements are a direct advantage and special benefit to property that is proximate to landscaping that is improved by an assessment:

The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).

Proximity, improved access and views, in addition to the other special benefits listed above further strengthen the basis of these assessments.

BENEFIT FACTORS

The special benefits from the Improvements are further detailed below:

PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT

Only the specific properties within close proximity to the Improvements are included in the Assessment District. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

In absence of the assessments, the Improvements would not be provided and the landscaping areas in the Assessment District would be degraded due to insufficient funding for maintenance, upkeep and repair. Therefore, the assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits, but when combined with the unique proximity and access enjoyed by parcels in the Assessment District, they provide a direct advantage and special benefit to property in the Assessment District.

ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT

Since the parcels in the Assessment District are nearly the only parcels that enjoy close access to the Improvements, they directly benefit from the unique close access to improved landscaping areas that are provided by the Assessments. This is a direct advantage and special benefit to property in the Assessment District.

IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT

The City, by maintaining these landscaped areas, provides improved views to properties in the Assessment District. The properties in the Assessment District enjoy close and unique proximity, access and views of the Improvements; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District. The Landscaping Assessment District provides funding to maintain and protect these public resources and facilities of the City. For example, the assessments provide funding to trim and maintain the street trees to maintain them in a healthy condition. This benefits properties by maintaining and improving the public resources in the community.

In order to allocate the proposed assessments, the Engineer begins by identifying the types of special benefit arising from the maintenance, repair, and replacement of the aforementioned facilities and that would be provided to property within the District. These types of special benefit are as follows:

ENHANCED ENVIRONMENT BECAUSE OF THE VIGOROUS STREET TREE PROGRAM FOR OWNERS OF PROPERTY IN THE LANDSCAPING ASSESSMENT DISTRICT.

Residential properties benefit from the enhanced environment provided by a vigorous program to install and maintain the street trees at a level beyond that followed by other cities throughout the County. The increased use of street trees provides an atmosphere of beauty beyond the norm. The improvements to the trees will be available to residents and guests of properties within the District.

Non-residential properties also will benefit from these improvements in many ways. The use of street trees softens the environment making it more pleasant for employees during commute time and at breaks from their work. These improvements, therefore, enhance an employer's ability to attract and keep quality employees. The benefits to employers ultimately flow to the property because better employees improve the employment prospects

for companies and enhanced economic conditions benefit the property by making it more valuable.

INCREASED SAFETY AGAINST TRIPPING AND OTHER HAZARDS CAUSED BY CRACKED OR DAMAGED SIDEWALKS, CURBS AND GUTTERS.

An aggressive inspection program identifies hazardous conditions in sidewalks, curbs and gutters caused by street trees and allows for these conditions to be repaired on a timely basis. Timely repair of hazardous conditions greatly improves the overall safety of the environment, thereby providing for safer use of property.

ENHANCED DESIRABILITY OF THE PROPERTY

The assessments will provide funding to improve the City's street tree program, raising the quality to a more desired level, and to ensure that the sidewalks, curbs, and gutters remain operable, safe, clean and well maintained. Such improved and well-maintained facilities enhance the overall desirability of property. This is a benefit to residential, commercial and industrial properties.

REDUCED LIABILITY FOR LANDSCAPE MAINTENANCE

The assessments will reduce the liability for landscape maintenance to street trees and other improvements. This is a benefit to residential, commercial and industrial properties.

GENERAL VS. SPECIAL BENEFIT

Article XIII D of the Constitution specifies that only special benefits are assessable and that the City must separate the general benefits from the special benefits conferred on any parcel. The complete analysis of special benefits and their allocation are found elsewhere in this report. For the Landscaping Assessment District, the City has identified a general benefit and has separated it from the special assessments.

The City's maintenance of street trees and sidewalk facilities provides a general benefit to the community and to the general public to some degree. The measure of this general benefit is the enhancement of the environment and safety provided to the greater public at large. This general benefit can be measured by the proportionate amount of time that the City's sidewalks and street trees are used and enjoyed by the greater public at large¹. It is reasonable to assume that approximately 1/4 or 25% of the usage and enjoyment of the improvements is by the greater public. Therefore, approximately 25% of the benefits conferred by the improvements are general in nature.

¹. The greater public at large is generally defined as those who are not residents, property owners, customers or employees within the City, and residents who do not live in close proximity to the improvements.

The City's total budget for maintenance and improvement of its trees and sidewalk facilities is \$1,676,375. Of this total budget amount, the City will contribute \$250,000 from sources other than the assessments for sidewalk repair and \$251,530 for street tree maintenance. These contributions by the City, as well as \$143,000 in funds from Measure M, total \$644,530, equating to approximately 38.9% of the total budget for maintenance and more than offset the cost of the general benefits resulting from the improvements.

In the 2009 Dahms case, the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided within the assessment district. It is also important to note that the improvements and services funded by the assessments in Pomona are similar to the improvements and services funded by the Assessments described in this Engineer's Report and the Court found these improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer's Report fund improvements and services directly provided within the Assessment District and every benefiting property in the Assessment District enjoys proximity and access to the Improvements. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Assessments. However, in this Report, the general benefit is more conservatively estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

METHOD OF ASSESSMENT

The second step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a single family home, or, in other words, on the basis of Single Family Equivalents (SFE). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. For the purposes of this Engineer's Report, all properties are designated a SFE value, which is each property's relative benefit in relation to a single family home on one parcel. The "benchmark" property is the single family detached dwelling which is one Single Family Equivalent, or one SFE.

As stated previously, the special benefits derived from the assessments are conferred on property and are not based on a specific property owner's use of the improvements, on a specific property owner's occupancy of property, or the property owner's demographic status such as age or number of dependents. However, it is ultimately people who enjoy the special benefits described above, use and enjoy the City's trees and sidewalks, and control property values by placing a value on the special benefits to be provided by the improvements. In other words, the benefits derived to property are related the average number of people who could potentially live on, work at or otherwise could use a property, not how the property is currently used by the present owner. Therefore, the number of people who could or potentially live on, work at or otherwise use a property is an indicator of the relative level of benefit received by the property.

ASSESSMENT APPORTIONMENT - STREET TREES

PROPERTIES WITH STREET TREES

All improved residential properties that represent a single residential dwelling unit and have a street tree on or fronting the property are assigned 1.0 SFE. All single-family houses with tree(s) and those units in R-2 zones that are being used as single family dwellings (with trees) are included in this category.

Properties with more than one residential unit are designated as multi-family residential properties. These properties benefit from the improvements in proportion to the number of dwelling units that occupy each property and the relative number of people who reside in multi-family residential units compared to the average number of people who reside in a single-family home. The population density factors for the County of San Mateo from the 1990 US Census (the most recent data available when the Assessment was established) are depicted below. The SFE factors for condominium, townhouse, and multi-family parcels, as derived from relative dwelling unit population density, are also shown below.

FIGURE 1 – RESIDENTIAL ASSESSMENT FACTORS

<i>Property Type</i>	<i>Total Population</i>	<i>Occupied Households</i>	<i>Persons per Household</i>	<i>SFE Factor*</i>
Single Family Residential	412,685	140,248	2.94	1.0
Condominium/Townhouse	54,284	19,331	2.81	0.9
Multi-Family Residential	158,004	65,981	2.39	0.8

Source: 1990 Census, San Mateo County

The SFE factor for condominium, townhouse, and multi-family parcels is based on the ratio of average persons per household for the property type versus the average persons per household for a single family residential home. Multi-family units are assessed at 0.80 per unit up to a maximum of 4.0 SFE per parcel (maximum of 5 units multiplied by 0.80). Condominium and townhouse parcels are assessed at 0.90 per unit, up to a maximum of 4.5 SFEs per development (maximum of 5 units multiplied by 0.90).

SFE values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single-family residential property and the average commercial/industrial property. The average size of a parcel for a single-family home in the District is approximately 0.18 acres, and such single-family property has an SFE value of 1.0. Using the equivalence of benefit on a land area basis, improved commercial and industrial parcels of approximately 0.20 acres or less would also receive an SFE benefit factor of 1.0. Commercial and industrial parcels in excess of a fifth of an acre in size are assigned 1.0 SFE per 0.20 acre or portion thereof, and the maximum benefit factor for any commercial/industrial parcel is 5.0 SFE.

Vacant parcels are also benefited from the street tree improvement and maintenance program. An example of a benefit is enhancement of the visual appeal that will accrue to a

vacant parcel from the presence or proximity of the community's street trees based on its future potential use. Undeveloped property also benefits from the installation and maintenance of street trees, because if the property is developed during the year, the street trees will be available to the developed property. The relative benefit to vacant property is determined to be generally equal to the benefit to a single-family home property. Therefore, vacant property with street tree(s) are assessed 1 SFE.

PROPERTIES WITHOUT STREET TREES

The special benefit factors conferred on property can be defined by the benefits conferred to properties with and without street trees. The types of benefits conferred to all property in the community include protection of views, screening, and resource values and enhanced desirability of the property. A higher level of special benefits is conferred directly on parcels with street trees because these parcels obtain additional benefits from well-maintained, healthy trees fronting the property. The types of special benefits that are increased for properties with street trees include enhanced levels of safety, desirability, unique proximity, access and views of resources and facilities from healthy trees on the property. Therefore, individual properties without street trees but in close proximity to parcels with street trees receive a direct benefit from the street trees and should pay 50% of the rate for a similar property with street trees. Such properties are assigned an SFE benefit factor that is 50% of that for a similar property with street trees.

ASSESSMENT APPORTIONMENT - SIDEWALK PROGRAM

The benefits to property for sidewalks, curbs, gutters and parking strips are closely related to a parcel's proximity to these improvements and the parcel's proximity to street trees. Street trees are the most common cause of sidewalk problems. Therefore, the highest benefit from the proposed sidewalk improvements is to properties with street trees and sidewalks, curbs and gutters, or street trees and parking strips and gutters, because without the maintenance work, these improvements would degrade more quickly, which would affect the parcel's appearance and safety. It is estimated that 1/3 of the special benefits are conferred to property with street trees and sidewalks or parking strips. Another 1/3 of the special benefits are conferred to property with street trees and curbs and gutters. Special benefit factors are also conferred on property without street trees or adjoining sidewalk, curb, gutter and/or parking strip improvements that are in close proximity to these types of improvements. It is estimated that the remaining 1/3 of the special benefit factors from the Sidewalk Program are conferred to these parcels that are in close proximity to the improvements but that do not have improvements directly adjacent to their property.

Consequently, properties with street trees and sidewalks or parking strips and curbs and gutters or valley gutters are assigned a benefit factor of 1 SFE. Properties with street trees, curbs and gutters are assigned a benefit factor of 0.67 SFE. If there are street trees but no improvements along the frontage of a parcel, or no street trees on a parcel, its benefit is 1/3 or 0.33 SFE.

ASSESSMENT APPORTIONMENT - OTHER PROPERTIES

Improved, publicly owned parcels that are used for residential, commercial or industrial purposes are assessed at the rates specified previously. Other improved public property; institutional property and properties used for educational purposes, typically generate employees on a less consistent basis than other non-residential parcels. Moreover, many of these parcels provide some degree of on-site amenities that serve to offset some of the benefits from the District. Therefore, these parcels, with or without street trees, receive minimal benefit and are assessed an SFE factor of 1 for street tree assessments and an SFE factor of 1 for sidewalks, curbs and gutter assessments.

All properties that are specially benefited have been assessed. Agricultural parcels without living units, public right-of-way parcels, well, reservoir or other water rights parcels, unimproved open space parcels, watershed parcels and common area parcels generally provide recreational, open space and/or scenic benefits to the community. As such, they tend to provide similar benefits as provided by the improvements in the District. Any benefits they would receive from the landscaping maintenance are generally offset by the equivalent benefits they provide. Moreover, these parcels typically do not generate employees, residents or customers. Such parcels are, therefore, not specially benefited and are not assessed.

APPEALS AND INTERPRETATION

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the Public Works Director of the City of Menlo Park or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the Public Works Director or his or her designee will promptly review the appeal and any information provided by the property owner. If the Public Works Director or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County of San Mateo for collection, the Public Works Director or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the Public Works Director or his or her designee shall be referred to the City Council of the City of Menlo Park and the decision of the City Council of the City of Menlo Park shall be final.

FIGURE 2 – TREE MAINTENANCE ASSESSMENTS

<i>Property Type</i>	<i>2018-19 Assessment Rates</i>	
Parcels with Trees		
Single Family	\$73.82	(per Parcel)
R-2 Zone, in use as single family	\$73.82	(per Parcel)
Condominium/Townhouse	\$66.44	(per Unit, \$332.19 max. per Project)
Other Multi-family	\$59.06	(per Unit, \$295.28 max. per Project)
Commercial	\$73.82	(per 1/5 acre, \$369.10 max. per Project)
Industrial	\$73.82	(per 1/5 acre, \$369.10 max. per Project)
Parks, Educational	\$73.82	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)
Parcels without Trees		
Single Family	\$36.91	(per Parcel)
R-2 Zone, in use as single family	\$36.91	(per Parcel)
Condominium/Townhouse	\$33.22	(per Unit, \$166.1 max. per Project)
Other Multi-family	\$29.53	(per Unit, \$147.64 max. per Project)
Commercial	\$36.91	(per 1/5 acre, \$184.55 max.)
Industrial	\$36.91	(per 1/5 acre, \$184.55 max.)
Parks, Educational	\$36.91	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)

FIGURE 3 – SIDEWALK, CURB, GUTTER, PARKING STRIP ASSESSMENTS

<i>Property Type</i>	<i>2018-19 Assessment Rates</i>	
Parcels with Trees		
Sidewalks, curbs, gutters	\$36.16	(per Parcel)
Parking strips and gutters	\$36.16	(per Parcel)
Curbs and/or gutters only	\$24.23	(per Parcel)
No improvements	\$11.93	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)
Parcels without Trees		
Parcels with or without improvements	\$11.93	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)

Note: All total combined tree and sidewalk assessment amounts are rounded to the lower even penny.

ASSESSMENT

WHEREAS, on January 23, 2018 the City Council of the City of Menlo Park, County of San Mateo, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution (collectively "the Act"), adopted its Resolution Initiating Proceedings for the Levy of Assessments within the Landscaping Assessment District;

WHEREAS, said Resolution directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the assessment district and an assessment of the estimated costs of the improvements upon all assessable parcels within the assessment district, to which Resolution and the description of said proposed improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the City Council of said City of Menlo Park, hereby make the following assessment to cover the portion of the estimated cost of said improvements, and the costs and expenses incidental thereto to be paid by the assessment district.

The amount to be paid for said improvements and the expense incidental thereto, to be paid by the Landscaping Assessment District for the fiscal year 2018-19 is generally as follows:

FIGURE 4 – SUMMARY COST ESTIMATE

	<i>F. Y. 2018-19 Budget</i>
Street Tree Program	\$752,273
Street Sweeping	\$268,602
Sidewalk Program	\$500,000
Incidental Expenses	\$135,500
TOTAL BUDGET	\$1,656,375
Plus:	
Projected Fund Balance	\$192,927
Less:	
City Contribution for General Benefits	(\$644,530)
Contribution from Carry-Over Fund Balances	(\$294,096)
NET AMOUNT TO ASSESSMENTS	\$910,676

As required by the Act, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Landscaping Assessment District. The distinctive number of each parcel or lot of land in the said Landscaping Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

And I do hereby assess and apportion said net amount of the cost and expenses of said improvements, including the costs and expenses incidental thereto, upon the parcels and lots of land within said Landscaping Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessment is made upon the parcels or lots of land within the Landscaping Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said improvements.

The assessment is subject to an annual adjustment tied to the Engineering News Record (ENR) Construction Cost Index for the San Francisco Bay Area, with a maximum annual adjustment not to exceed 3%. Any change in the ENR in excess of 3% shall be cumulatively reserved as the "Unused ENR" and shall be used to increase the maximum authorized assessment rate in years in which the ENR is less than 3%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment was levied adjusted annually by the minimum of 1) 3% or 2) the change in the ENR plus any Unused ENR as described above. The initial, maximum assessment rate balloted and established in Fiscal Year 1998-99 was \$64.28 per single family equivalent benefit unit for tree maintenance, and \$28.70 per single family equivalent benefit unit for sidewalk maintenance.

Based on the preceding annual adjustments, the maximum assessment rate for Fiscal Year 2017-18 was \$107.59 for tree maintenance and \$48.04 for Sidewalk maintenance. The change in the ENR from December 2016 to December 2017 was 3.49%. Therefore, the maximum authorized assessment rate for Fiscal Year 2018-19 has been increased from \$107.59 to \$110.82 per single family equivalent benefit unit for tree maintenance, and from \$48.04 to \$49.48 per single family equivalent benefit unit for sidewalk maintenance. However, the estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2018-19 at the rate of \$73.82 per single family equivalent benefit unit for tree maintenance, which is less than the maximum authorized assessment rate and is a 10.0% increase over the rate assessed in the previous fiscal year. The proposed assessment rate for fiscal year 2018-19 for sidewalk maintenance is \$36.16 per single family equivalent benefit unit, which is also less than the maximum authorized assessment rate and is a 20.0% increase over the rate assessed in the previous fiscal year.

Property owners in the Assessment District, in an assessment ballot proceeding, approved the initial fiscal year benefit assessment for special benefits to their property including the

ENR adjustment schedule. As a result, the assessment may continue to be levied annually and may be adjusted by up to the maximum annual ENR adjustment without any additional assessment ballot proceeding. In the event that in future years the assessments are levied at a rate less than the maximum authorized assessment rate, the assessment rate in a subsequent year may be increased up to the maximum authorized assessment rate without any additional assessment ballot proceeding.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of San Mateo for the fiscal year 2018-19. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2018-19 for each parcel or lot of land within the said Landscaping Assessment District.

May 17, 2018

Engineer of Work



By _____
John W. Bliss, License No. C52091



FIGURE 5 – ENGINEER’S COST ESTIMATE, FISCAL YEAR 2018-19

**2018-19
CITY OF MENLO PARK LANDSCAPING ASSESSMENT DISTRICT
ENGINEER’S COST ESTIMATE**

A. Tree Maintenance		
Salaries & Benefits	\$398,673.00	
Operating Expense	\$28,600.00	
Fixed Assets & Capital Outlay	\$4,500.00	
Vehicle & Equipment Maintenance	\$15,000.00	
Professional Services (Tree Spraying, Tree Trimming, Misc.)	\$305,500.00	
Subtotal - Tree Maintenance		<u>\$752,273.00</u>
B. Debris Removal		
Salaries & Benefits	\$75,701.56	
Operating Expense	\$6,900.00	
Street Sweeping Contract	\$186,000.00	
Subtotal - Debris Removal		<u>\$268,601.56</u>
C. Sidewalk, Curb, Gutter, Parking Strip Repair/Replacement		
Construction Costs	\$500,000.00	
Design & Inspection	\$0.00	
Subtotal - S/W,C,G, & PS Repair/Replace		<u>\$500,000.00</u>
Subtotal Tree/Debris/Reforestation/Sidewalk		<u>\$1,520,874.56</u>
D. Incidentals		
Indirect Costs & Administration	\$120,500.00	
County Collection Fees	\$15,000.00	
Subtotal - Incidentals		<u>\$135,500.00</u>
Total Cost		<u>\$1,656,374.56</u>

Engineer's Cost Estimate, Fiscal Year 2018-19 (continued)

Projected Fund Balance	\$192,926.66
Tree Maintenance Ending Fund Balance	(\$236,065.00)
Less General Fund Contribution	(\$251,529.53)
Measure M	(\$143,000.00)
Sidewalk Fund Ending Balance	(\$58,031.00)
Less General Fund CIP Contribution to Sidewalk Fund	(\$250,000.00)
Net to Assessment	\$910,675.69

Revenue

Single Family Equivalent Benefit Units - Trees	8,988.06									
Single Family Equivalent Benefit Units - Sidewalks	6,835.65									
	<table border="0"> <tr> <td></td> <td align="center"><u>2018/19</u></td> <td align="center"><u>2017/18</u></td> </tr> <tr> <td>Assessment Rate for Tree Fund/ SFE</td> <td align="center">\$73.82</td> <td align="center">\$67.11</td> </tr> <tr> <td>Assessment Rate for Sidewalk Fund/ SFE</td> <td align="center">\$36.16</td> <td align="center">\$30.13</td> </tr> </table>		<u>2018/19</u>	<u>2017/18</u>	Assessment Rate for Tree Fund/ SFE	\$73.82	\$67.11	Assessment Rate for Sidewalk Fund/ SFE	\$36.16	\$30.13
	<u>2018/19</u>	<u>2017/18</u>								
Assessment Rate for Tree Fund/ SFE	\$73.82	\$67.11								
Assessment Rate for Sidewalk Fund/ SFE	\$36.16	\$30.13								
Revenue for Tree Fund	\$663,498.59									
Revenue for Sidewalk Fund	\$247,177.10									
Total Revenue *	\$910,675.69									

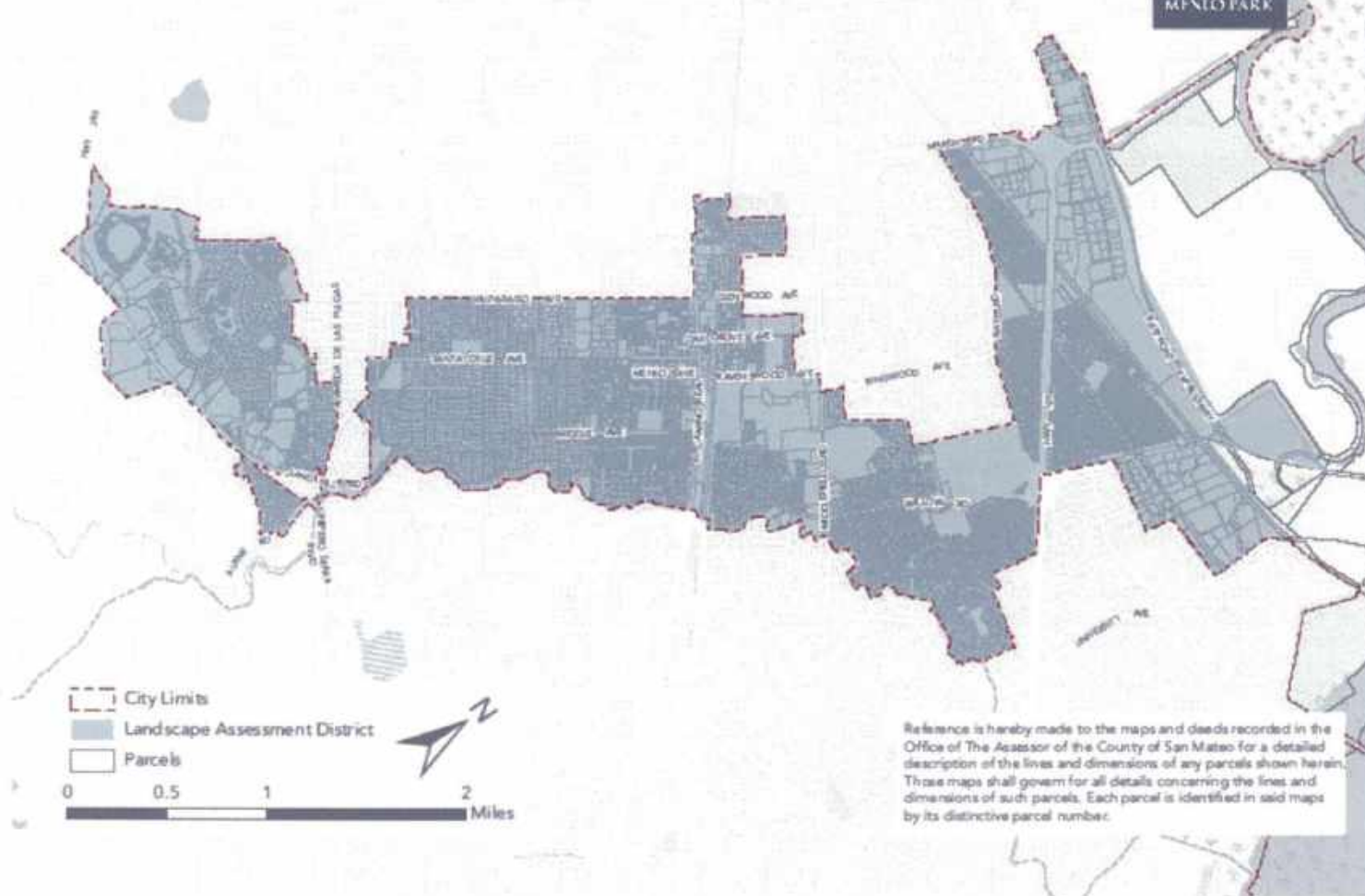
* Total revenue is slightly less than SFEs times the assessment rate because all combined assessments are rounded down to the even penny.

ASSESSMENT DIAGRAM

The Landscaping Assessment District includes all properties within the boundaries of the City of Menlo Park.

The boundaries of the Landscaping Assessment District are displayed on the following Assessment Diagram.

Landscape Assessment District



APPENDIX A – ASSESSMENT ROLL, FY 2018-19

Reference is hereby made to the Assessment Roll in and for the assessment proceedings on file in the office of the City Clerk of the City of Menlo Park, as the Assessment Roll is too voluminous to be bound with this Engineer's Report.

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council

Meeting Date:

5/22/2018

Staff Report Number:

18-111-CC

Consent Calendar:

Authorize the Mayor to sign letters requesting coordination with neighboring cities pursuing grade separation and approve changes to the City's rail policy

Recommendation

Staff recommends that the City Council authorize the Mayor to sign letters requesting coordination with neighboring cities pursuing grade separations (Attachment A) and approve changes to the City's rail policy (Attachment B.)

Policy Issues

The City Council must approve changes to the adopted rail policy. These changes were brought forward based on the request from the City Council during the consideration of the Ravenswood Railroad Crossing project.

The Ravenswood project is included in the 2018 City Council's work plan. The project is consistent with the City Council rail policy and with the 2016 General Plan goals to increase mobility options to reduce traffic congestion and greenhouse gas emissions; increase safety; improve Menlo Park's overall health, wellness, and quality of life through transportation enhancements; support local and regional transit that is efficient, frequent, convenient and safe; provide a range of transportation choices for the Menlo Park community; and to promote the safe use of bicycles as a commute alternative and for recreation.

Background

On October 10, 2017, staff presented to City Council a summary of the project to date and made a recommendation that the City Council identify a Ravenswood Avenue railroad crossing project preferred alternative to finalize the project study report and complete the 15 percent design plans to be eligible for future grant opportunities. The City Council continued the item and requested staff to return with the additional information, including the following:

1. Coordinate with the Atherton City Council on rail elevation;
2. Coordinate with City of Palo Alto on current study efforts, with specific interest in financing study;
3. Report back with remaining San Mateo County Transportation Authority (SMCTA) Measure A grade separation grant funds available;
4. Coordinate with City's legal counsel on developing a policy concerning passing tracks;
5. Report back with peak hour gate downtime.

On May 8, 2018, the City Council received the additional information requested in October and provided direction to move forward with the project:

- Move forward with alternative A which provides for an underpass crossing at Ravenswood Avenue and

- keeps Oak Grove, Glenwood and Encinal Avenues open to all modes of traffic as existing
- Appropriate \$31,000 from the undesignated fund balance to complete the project
- Authorize the city manager to amend the agreement with AECOM Technical Services, Inc.

Additionally, City Council provided general direction to staff to bring back the following additional items at a future meeting:

- Letters to Redwood City, Atherton, Palo Alto, Mountain View and Sunnyvale to request consideration of a multicity trench or tunnel
- Letter to Caltrain to request a bicycle/pedestrian path adjacent to the rail within Caltrain right-of-way
- Additional scope of work and appropriation request to prepare (1) a financial assessment of a trench/tunnel; (2) a conceptual design, noise, tree, and visual impact assessment of a fully elevated alternative

The following section summarizes the status of these requests and next steps for the project.

Analysis

Ravenswood Railroad Crossing project next steps

Following direction of the City Council May 8, 2018, to identify alternative A (Ravenswood underpass; other at-grade crossings at Oak Grove, Glenwood and Encinal Avenues remain) as the preferred alternative, staff will continue working with the consultant team to complete the project study report and 15 percent design plans. As summarized below, staff anticipates this work to be completed in August 2018, which would conclude this first planning phase of the project.

Table 1: Key project milestones	
Preferred alternative selection by City Council	May 8, 2018
Project completion (e.g., 15 percent design, project report)	August 2018
Staff to begin applying for environmental/design funding	Upon project completion

Future phases would include engineering design, environmental clearance and construction.

Letters to neighboring cities to request consideration of a multicity trench or tunnel

The City Council requested staff prepare letters to the Cities of Redwood City, Atherton, Palo Alto, Mountain View and Sunnyvale to request consideration of a multicity trench or tunnel as part of each cities' ongoing consideration of grade separations. Staff prepared a draft template letter (Attachment A) that, if approved, would be customized for each city to be signed by the Mayor.

Letter to Caltrain to request consideration of a pedestrian and bicycle path along the rail right of way

The City Council also requested staff prepare a letter to Caltrain requesting consideration of a pedestrian and bicycle path along the rail right of way (Attachment C).

Rail policy

As described May 8, 2018, staff coordinated with the City's legal counsel regarding the current City Council rail policy, and recommended the City Council position summary be updated to reflect the city's view of current proposals from the Caltrain electrification project and the High Speed Rail Authority. Staff and legal counsel's recommended edits shown in marked up format (Attachment B), and summarized as follows:

- Emphasizes the city's highest priority to grade separate Ravenswood Avenue
- Removes reference to items that have already been constructed and/or fully funded, such as positive train control and electrification
- Adds reference to city opposition to elevated three track system, in addition to elevated four track system
- Updates of grammar and verbiage for clarity
- If approved, a clean version will be created and updated on the city's website (Attachment E.)

Trench/tunnel and fully elevated options analyses

The City Council also requested that staff return with a scope of work and consultant contract amendment to prepare additional analyses for two additional alternatives: a trench/tunnel and a fully elevated option. The requested trench/tunnel analysis focused on the financial feasibility of the alternative, similar to the "Funding for Palo Alto Grade Separation and Crossing Improvements" White Paper (Attachment D) prepared by the City of Palo Alto in November 2017 as part of its grade separation project, Connecting Palo Alto. The cost estimates provided for a citywide trench/tunnel within Palo Alto alone were between \$2B and \$4.8B. The White Paper explored funding mechanisms for such a project, such as local measures (bonds, parcel taxes, add-on sales taxes, etc.); value capture sources (Enhanced Infrastructure Financing or Mello-Roos Community Facilities Districts); and regional, state and federal sources (Santa Clara County Measure B, State Section 190 or Senate Bill 1 Congested Corridors programs; or the High Speed Rail Authority).

In order to prepare a funding analysis, high-level conceptual plans would also need to be prepared, similar to the "Rail Trenching-Tunneling White Paper" released by the City of Palo Alto in February 2018 as part of its grade separation project. The document prepared conceptual alignments and construction needs such as property acquisition, temporary shoofly rail tracks and staging needs and helped inform the Funding White Paper discussed above. Staff anticipates that studies similar to both documents would need to be prepared to respond to the City Council's questions and direction provided May 8, 2018.

The fully elevated alternative analysis requested by the City Council was to prepare conceptual design options, and evaluate tree, noise/vibration, and aesthetic impacts of a fully elevated option as compared to the previously evaluated alternatives presented in October 2017 and May 2018. In addition, staff intends to include community engagement as part of this additional work, including one community workshop and presentations to the Rail Subcommittee, Planning Commission and Complete Streets Commissions for recommendations on the studies prior to returning to the City Council for direction similar to the review process for alternatives A, B and C. Further, since the May 8, 2018, meeting, staff has received two additional requests for considerations to be evaluated for a fully elevated alternative, including consideration of various grade assumptions for the railroad; two alternatives for Encinal Avenue – with or without a grade separation; and more detailed level of analysis of the fully elevated alternative, as well as Alternatives A and C for comparison purposes. Staff will consider these items as part of the scope of work development and report back to the City Council on items that are recommended for inclusion in the study.

Staff intends to work with the consultant team to prepare a draft scope of work for these studies, fee estimate and schedule and return to the City Council for approval in July or August 2018.

Impact on City Resources

No additional financial resources are requested at this time, but as described above, staff will return with a request for an appropriation and consultant contract amendment to complete the additional work for the trench/tunnel and fully elevated options. While the work to date was funded primarily with a grant from the San Mateo County Transportation Authority, future work would need to be funded by the city.

The additional studies requested will result in additional demands on staff time for this project. Currently, the Middle Avenue Pedestrian/Bicycle Crossing Project has been on hold while the Ravenswood project was completed due to ongoing staff vacancies in the Transportation Division. The Middle Avenue Crossing Project has committed funding from Stanford University if the city performs the project on schedule as agreed on in the Middle Plaza (500 El Camino Real) development agreement. As such, staff intends to take the following prioritization approach when developing the scope, fee and schedule for the additional work on the Ravenswood project unless directed otherwise by the City Council:

1. Complete the Ravenswood project study report and design plans to fulfill terms of the SMCTA grant agreement
2. Re-initiate planning and community engagement work on the Middle Crossing project immediately following (the project's second community workshop would be tentatively targeted for fall 2018; followed by Complete Streets Commission recommendation and City Council selection of a preferred alternative in early 2019)
3. Prepare additional analyses for trench/tunnel and fully elevated alternatives with tentative community workshop in spring 2019, Commission review and return to City Council in mid-2019

Environmental Review

The results of this phase of the Project will identify required environmental reviews and studies required to advance the project. Environmental reviews and studies will be completed as part of the next phase of work.

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. Template letter to neighboring cities - consideration of a multicity trench or tunnel
- B. Revised City Council rail policy
- C. Draft letter to Caltrain - consideration of a pedestrian and bicycle path
- D. Funding for Palo Alto Grade Separation and Crossing Improvements White Paper – hyperlink: <https://www.cityofpaloalto.org/civicax/filebank/documents/64628>
- E. menlopark.org/ravenswood

Report prepared by:

Nicole H. Nagaya, Assistant Public Works Director



May 22, 2018

[name], Mayor
City of [city name]
[address]

RE: Interest in Collaborating on a Multi-City Rail Trench/Tunnel

Dear Mayor [name],

On behalf of the City of Menlo Park, I write this letter indicating the City's interest in considering a railroad trench/tunnel alternative for the Caltrain corridor.

The City Council recently identified a preferred alternative for grade separating Ravenswood Avenue. However, as part of the Council's deliberations on grade separation alternatives, the City continues to be interested in exploring options for placing the railroad in a trench or tunnel. The Council has requested that staff prepare conceptual designs and a financing analysis for a trench/tunnel, similar to the work prepared as part of the *Connecting Palo Alto* project.

Further, the City is reaching out to neighboring cities and other mid-peninsula cities that are considering grade separations of the Caltrain line to explore collaboration opportunities on a trench/tunnel. Similar letters are being sent to the Cities of Redwood City, Atherton, Palo Alto, Mountain View and Sunnyvale. Menlo Park understands that [City name] is currently [project status, e.g., considering grade separation alternatives] at [locations]. If the City of [name] has interest in pursuing a collaborative effort for a multi-city trench/tunnel, we would like to schedule a meeting to discuss potential areas of collaboration.

For more information or any questions, please contact Angela Obeso, Senior Transportation Engineer at 650-330-6770.

Sincerely,

Peter I. Ohtaki
Mayor

THIS PAGE INTENTIONALLY LEFT BLANK

City of Menlo Park**City Council Rail Subcommittee
Mission Statement**

The City Council Rail Subcommittee will advocate for ways to reduce the negative impacts and enhance the benefits of Rail in Menlo Park. The Subcommittee will ensure all voices are heard and that thoughtful ideas are generated and alternatives vetted. It will collaborate with other local and regional jurisdictions in support of regional consensus of matters of common interest related to Rail. Additionally, the subcommittee will support City Council planning efforts and decision making on Rail-related issues with information, research and other expertise.

City of Menlo Park Statement of Principles for Rail

The City of Menlo Park City Council Rail Subcommittee works to protect and enhance the character of Menlo Park and the community's economic vitality while supporting the conditions needed to maximize the local benefits and the long-term potential of rail.

- The character of Menlo Park includes:
 - Our connected, walkable, bikeable, safe and accessible neighborhoods, parks, commercial areas and civic center
 - Our vision and specific plan for the downtown and El Camino Real including improved east-west mobility for all modes of travel

- The community's economic vitality includes:
 - The continued success of our small and large businesses
 - The maintenance of our property values
 - Rail agencies responsibly mitigating impacts of rail, including but not limited to, HSR, Caltrain, and freight

- The conditions needed to maximize the long-term potential of the City's rail corridor include:
 - Improvements to east/west connectivity; rail unifies rather than divides
 - Improvements to local transit
 - The negative physical and social impacts of rail are minimized and the positive impacts are enhanced by using context sensitive design solutions
 - Consider all reasonable alternatives including those discussed previously by Menlo Park

Implied "decision criteria" from these principles might include:

- Does the alternative protect or enhance connectivity to additional modes of travel/ accessibility to city locations?
- Does the alternative protect or enhance walk-ability?
- Does the alternative protect or enhance bike-ability?
- Does the alternative protect or enhance the economic vitality of businesses?
- Does the alternative protect or enhance property values?
- Does the alternative align with/support the El Camino Real/ Downtown Specific Plan?
- Does the alternative protect or enhance local transit opportunities?
- Does the alternative enhance the level of transit service?

City of Menlo Park Council Position Summary

The following bullet points clarify the Council's position on high speed rail on the Caltrain corridor through Menlo Park.

- The City opposes any exemption or elimination of any part of the CEQA review for the High Speed Rail Project environmental review process;
- The high speed rail within Menlo Park should be in a two-track envelope system, and stay within the existing Caltrain right-of-way (with very minor exceptions such as for Caltrain electrification equipment, and in very limited locations);
- No Environmental Impact Report should go forward which increases the rail corridor to greater than two tracks in Menlo Park;
- The City approves of the currently approved blended system but opposes passing tracks located in Menlo Park;
- The City is interested in quiet zones for the rail corridor in Menlo Park;
- The City intends to pursue a grade separation project with a focus on the Ravenswood Avenue crossing that can be constructed independent of the blended system, High Speed Rail and any passing track scenario; and
- Our strategy is to work cooperatively with the blended system planning efforts while preventing an at-grade or elevated 3 or 4 track system through Menlo Park.

THIS PAGE INTENTIONALLY LEFT BLANK



May 22, 2018

Jeannie Bruins, Chair
Peninsula Joint Powers Board
1250 San Carlos Avenue
San Carlos CA 94070

RE: Consideration of a Pedestrian/Bicycle Pathway along the Caltrain corridor

Dear Chair Bruins,

On behalf of the City of Menlo Park, I write this letter indicating the City's interest ongoing collaborations with Caltrain to improve regional and local circulation options. Since initiating a work effort to pursue grade separations of Caltrain in 2014, the City Council recently identified a preferred alternative for grade separating Ravenswood Avenue. However, as part of the Council's deliberations on grade separation alternatives, the City Council expressed interest in exploring the possibility of a pedestrian and bicycle pathway along the Caltrain right-of-way. Such a pathway would provide a separated path of travel for residents, commuters and travelers through the heart of the San Francisco Peninsula.

We understand that there are many competing needs for the rail right-of-way, and that electrification of the Caltrain corridor could further complicate the exploration of this proposal. Through ongoing efforts to envision the future of Caltrain through the preparation of the agency's Business Plan, the City requests that Caltrain consider the opportunities and constraints for a potential pathway. We look forward to continuing to be involved in the Business Plan through the outreach efforts to the Local Policy Maker Group (LPMG).

For more information or any questions, please contact Angela Obeso, Senior Transportation Engineer at 650-330-6770.

Sincerely,

Peter I. Ohtaki
Mayor

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council Meeting Date: 5/22/2018
Staff Report Number: 18-109-CC

Consent Calendar: Authorize the Mayor to sign a letter of intent to join Commute.org

Recommendation

Staff recommends the City Council authorize the Mayor to sign a letter to request the City of Menlo Park join Commute.org.

Policy Issues

This project is consistent with General Plan Circulation Element Implementation Program CIRC-6.D: Consider joining Commute.org.

Background

In 2000, 18 member agencies (17 cities and San Mateo County) formed a joint powers authority to establish the Peninsula Traffic Congestion Relief Alliance (“Alliance”) as San Mateo County’s Transportation Demand Management agency. The only cities in San Mateo County that are not members are Menlo Park, Portola Valley and Woodside. The Alliance was subsequently renamed as Commute.org, but the agency serves the same purpose as the Alliance. Transportation Demand Management is a set of strategies, policies and programs that work to reduce the demand for motor vehicle travel. Commute.org programs generally include commuter support services, incentive programs, first- and last-mile commuter shuttles, developing partnerships with public agencies and private groups.

Commute.org is governed by a board of directors, including an elected official from each of the 18 member agencies. The Board has five scheduled public meetings each year. Two committees comprised of member-agency staff advise the Board, including Supervisory Committee and the Finance Committee. The Supervisory Committee meets monthly and the Finance Committee meets five times per year.

The City of Menlo Park has a Transportation Demand Management program led by staff, which was established in the early 1990s. At the time the Commute.org joint powers authority was formed in 2000, the City opted not to join. City staff currently works with Commute.org to share information on programs and best practices and to plan and organize regional events (such as Bike to Work Day). As the ConnectMenlo General Plan Circulation Element was prepared, discussion was raised regarding Menlo Park’s desire to become a member of the joint powers authority and implementation program CIRC-6.D was identified for future consideration.

On January 24, 2017, staff brought forward an informational item to provide background information on Commute.org.

In April 2018, Commute.org notified the City that Portola Valley initiated a request to join Commute.org. Portola Valley's request would initiate opening the joint powers authority membership by member agencies for consideration, which can be a lengthy process. As such, Commute.org requested the City of Menlo Park consider a request to join concurrently with the Town of Portola Valley. The city's analysis of the request and recommendations are summarized below.

Analysis

Staff researched whether joining Commute.org could result in one-time or ongoing impacts to City resources, including funding, City Council and staff time, and potential program changes. Each of these topic areas are detailed below.

Funding

Commute.org receives funding from the City/County Association of Governments of San Mateo County (C/CAG), the San Mateo County Transportation Authority, the Bay Area Air Quality Management District and the Metropolitan Transportation Commission. Additionally, Commute.org works with employers in the county to provide a portion of the funding for the shuttle program. Staff has confirmed with staff at C/CAG and Commute.org that membership with Commute.org would not have a direct financial cost or result in any funds the city currently receives being diverted to Commute.org.

City Council and staff time

If the City Council opts to initiate joining Commute.org and membership is approved, staff would return to City Council to appoint a City Councilmember (and an alternate) to participate on the Commute.org board of directors.

As described above, two staff-appointed advisory committees support the board of directors. While participation by each member agency in the advisory committees is not required, Board members may nominate staff to serve on each board. If the city were to join Commute.org and request staff participate in the advisory committees, this would represent a new effort under the City's Transportation Demand Management Program that could take time away from other efforts. It is estimated that a committee assignment could require up to approximately eight hours of staff time per month.

Potential program implications

The primary potential area of overlap for city and Commute.org programs is the shuttle program. Currently, the city manages four shuttle routes: two commuter routes on Marsh Road and Willow Road, one Crosstown (formerly "Mid-day") community shuttle route, and one door-to-door service that runs three days per week ("Shoppers Shuttle"). These shuttles are contracted through the Peninsula Joint Powers Board, or Caltrain. Commute.org shuttles operating in other areas of San Mateo County are also contracted through the Joint Powers Board ; as a funding partner, all shuttles in the County, including Menlo Park's, are branded with the Commute.org logo.

In preliminary discussions with Commute.org staff, the city anticipates to maintain the management of the Crosstown and Shoppers shuttles. Commute.org would be interested in the potential to transition the commuter routes to Commute.org for management, which would require the City to release control of the routes, schedules and local issues on a day-to-day basis. Additionally, the city would no longer have direct control over the future provision of these services if funds were limited or not available in future cycles. The city's current program is funded through fiscal year 2017-18, and staff is awaiting notification of grant awards for future fiscal year services.

However, transitioning management of the commuter routes would reduce staff demands needed to

manage this program, freeing time for other efforts such as establishing a Transportation Management Association, Safe Routes to School programs or other related programs. If the City Council opts to initiate joining Commute.org and membership is approved, staff would return to City Council to finalize the oversight of the shuttle program before any changes being implemented.

For other programs, such as employer outreach and support, the city's membership in Commute.org would likely enhance the ability to coordinate on incentive programs.

Next Steps

Staff recommends the City Council initiate membership in Commute.org. To initiate the process, the city must send a letter of intent (Attachment A) requesting membership to the Joint Powers Authority. The Town of Portola Valley approved a letter of intent April 11, 2018. Once the letter is received, Commute.org will put the item on their Board's agenda to initiate the joint powers authority amendment process. The joint powers authority structure requires the majority of current member agencies approve an amended joint powers authority agreement including the new members(s) via City Council resolution. The city would also need to approve the amended joint powers authority agreement at a future meeting. Commute.org is hopeful that the Town of Woodside may also initiate a request for membership.

Impact on City Resources

No financial resources are requested for this potential action. As discussed above, joining Commute.org could have a short-term impact on staff resources. However, discussions about sharing oversight and management responsibilities for a portion of the city's shuttle program could reduce staff needs in the future.

Environmental Review

Approving a letter of intent to join Commute.org is exempt from the California Environmental Quality Act under section 15320, Changes in Organization of Local Agencies.

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. Draft letter of intent to join Commute.org

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

THIS PAGE INTENTIONALLY LEFT BLANK



May 22, 2018

Jeffrey Gee, Board Chair
John Ford, Executive Director
Commute.org
400 Oyster Point Blvd, Suite 409
South San Francisco, CA 94080

RE: Interest in Joining Peninsula Traffic Congestion Relief Alliance Joint Powers Authority

Dear Chair Gee and Mr. Ford,

On behalf of the City of Menlo Park, I write this letter indicating the City's interest in joining the Peninsula Traffic Congestion Relief Alliance (a.k.a., Commute.org) Joint Powers Authority.

The City Council recognizes the current challenges of traffic congestion and commuting to our residents and employees who work in the City. The City Council would like to join the Joint Powers Authority to have a place at the table with the alliance of 18 member agencies, both to better understand these challenges and how we might contribute to effective solutions in the future.

The City of Menlo Park has a long-standing commitment to reducing greenhouse gas emissions and taking action to reduce our impact on the environment. Commute.org's goals are consistent with the City's ConnectMenlo General Plan Circulation Element and Climate Action Plan goals and policies, to identify, develop, and encourage strategies to provide residents and commuters options to travel to, within and throughout San Mateo County.

We understand that there are no financial obligations or contributions required to join the Joint Powers Authority and that the City Council must appoint one elected official as a Board member and alternate to attend the five regularly scheduled meetings per year. The City Council looks forward to the Board approving our request to join the Peninsula Traffic Congestion Relief Alliance Joint Powers Authority and will agenzize the Resolution to approve the amended Joint Powers Authority agreement, once it is available.

Sincerely,

Peter Ohtaki
Mayor

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council

Meeting Date: 5/22/2018
Staff Report Number: 18-108-CC

Consent Calendar: Accept the Water System Master Plan

Recommendation

Staff recommends that the City Council accept the Water System Master Plan.

Policy Issues

In May 2015, the City Council identified the development of the Water System Master Plan as a priority project and was included in the work plan, including subsequent years. The development of the Water System Master Plan is consistent with the Menlo Park Municipal Water's (MPMW) goals and primary mission, "the preservation of the public welfare, health, peace and safety of the City of Menlo Park and its inhabitants" (Ordinance 222, 1952).

Background

MPMW provides water to approximately 16,000 customers through 4,200 service connections. The remainder of the city receives water from the California Water Company, the O'Connor Tract Cooperative Water Company, and the Palo Alto Park Mutual Water Company. The water service area includes the upper zone, which covers the Sharon Heights area, and the lower and high pressure zones, which include areas extending from east of El Camino Real to the San Francisco Bay (Attachment A). All of the water provided in the service area is purchased from the San Francisco Public Utilities Commission.

In 2015, staff began working on a Water System Master Plan (Attachment B) to develop a capital improvement program and long-term maintenance and operational recommendations for the water system. Throughout this process, staff kept the City Council updated on the progress made on a number of tasks. The summary presented below provides an overview of the staff reports, their content and City Council actions.

- March 15, 2016 – Staff provided an update on the recycled water/water reuse alternatives assessment by the consultant, which focused on quantifying the recycled water demand in the MPMW service area, assessed the opportunities for purchasing recycled water from the cities of Redwood City and Palo Alto and evaluated graywater use (Attachment C).
- March 14, 2017 – This update focused on the findings from the consultant's comprehensive analysis of MPMW current operations, services and organizational structure. This analysis assessed the staffing level needs required for the provision of safe and efficient services and the implementation of operational and preventive maintenance standards established by the American Water Works Association (Attachment D).
- March 28, 2017 – The staffing assessment findings were presented to the City Council during this time.

This update also included a history of the water system (Attachment E.)

- May 2, 2017 – Per the City Council’s direction, staff explored opportunities for outsourcing some of the functions currently done in-house by water staff (Attachment F.)
- January 23, 2018 – Staff provided an update on the draft capital improvement plan, based on the recommendations from the consultant to the City Council (Attachment G.)
- April 17, 2018 – Staff made a presentation to the City Council on the capital improvement plan findings during this time. The City Council provided feedback on the proposed funding strategy and staffing recommendations (Attachment H.)

The remainder of this report provides a summary of the Water System Master Plan scope of work, its findings, and the City Council feedback regarding the funding strategy for the water capital improvement plan and water staffing levels that was received during the April 17 presentation.

Analysis

The scope of work for the Water System Master Plan focused on an update of the water system evaluation conducted in 2000 and the development of a capital improvement program and long-term maintenance and operational recommendations for the next 25 years. The work also consisted of a number of other tasks, including an inventory and evaluation of the water system, a comprehensive analysis of MPMW current operations, water system condition assessment and a recycled water/water reuse study. A summary of the tasks follows below:

System inventory and mapping

The consultant completed an inventory of MPMW water distribution system, acquired global positioning data on all the valves and water meters, and updated the existing geographic information system maps.

System evaluation

Based on the updated system conditions, the consultant developed a hydraulic model, updated the seismic vulnerability assessment, completed a system wide condition analysis, and provided a vulnerability and risk assessment of the water distribution system.

Advanced metering infrastructure

Currently, water meter readings are manual. The consultant evaluated technological advances in the water distribution industry and provided recommendations for the implementation of smart water meters and an advanced communications network.

Operations and maintenance

In order to optimize the operational efficiency and reliability of the water distribution system, the consultant evaluated water quality requirements, monitoring and control deficiencies, as well as emergency preparedness planning.

Water reuse alternatives

As part of this task, the consultant identified water reuse alternatives MPMW could implement to reduce potable water demand. In particular, the consultant identified the effectiveness of graywater systems and explored options for the purchase of recycled water from the cities of Redwood City and Palo Alto. With an additional source of water, potable water demand could be offset with recycled water for uses allowed by the State (e.g., irrigation, cooling and toilet/urinal flushing), allowing MPMW to meet potable water demand during drought conditions and supply shortfalls. In addition, West Bay Sanitary District is in the process of

developing a recycled water treatment facility at the Sharon Heights Golf & Country Club, which is located in MPMW service area. This project will help reduce the demand for potable water used for irrigating the golf course and also supply recycled water to SLAC National Accelerator Laboratory.

Capital and maintenance improvement recommendations

The Water System Master Plan evaluated the water system based on existing and future water demand conditions, fire flow capacity, pipe age and material, emergency supply, seismic vulnerability and water quality. From this assessment, the consultant developed recommendations for several improvement projects to be implemented by 2040, associated costs and categorized them based on priority. The projects were categorized by improvement type, which focused on capacity, reliability, rehabilitation, and replacement and other, such as recommended studies and programs. The proposed Capital Improvement Plan is significant, with a total capital cost for \$90.31 million. A summary of the preliminary costs is presented in the table below:

Table 1: Summary of capital improvement costs by priority and improvement type (draft)				
Improvement type	Very high	High	Medium	Priority total
Capacity	-	\$4.49M	\$18.49M	\$22.98M
Reliability	\$10.80M	\$7.83M	\$0.25M	\$18.88M
Rehabilitation and replacement	\$42.15M	\$0M	\$0M	\$42.15M
Other	\$0.26M	\$4.52M	\$1.52M	\$6.30M
Total	\$53.21M	\$16.84M	\$20.26M	\$90.31M

MPMW has used the pay-as-you-go model (adjusting rates as necessary to make capital improvements on a cash basis) to fund capital improvements. However, the significance of the recommended improvements require the evaluation of other models, such as debt financing (revenue bonds which amortize the cost of improvements over 20 to 30 years). Following the City Council’s feedback April 17, staff will evaluate options and develop a funding strategy. Staff will also explore grant opportunities for water infrastructure projects as well as cost-sharing opportunities with private developers.

Staffing levels

As part of this task, the consultant conducted a comprehensive analysis of MPMW current operations, service offerings and organizational structure and assessed the staffing levels required to provide safe and efficient services. During the time of the assessment in 2016-17, the system was maintained and operated by a Water System Supervisor (the position was vacant during this time), a Water quality specialist and a Water System Operator II. The consultant’s findings indicate that MPMW is understaffed in operations, compared to American Water Works Association guidelines and comparable cities.

State law requires that operators responsible for maintaining and operating a water system hold certifications from the State Water Resources Control Board. Current permanent staff holds the required certifications from the State Water Resources Control Board for the operation of a D3 water system. To properly maintain the system based on American Water Works Association recommended practices, the consultant’s recommendation is for 4 additional full-time certified operators, for a total water operations staff of seven. As part of the fiscal year 2017-18 budget, the City Council approved two additional positions that were filled earlier this year. City Council also provided feedback that two additional positions to be included as part of the fiscal year 2018-19 budget.



Impact on City Resources

Acceptance of the Water System Master Plan does not have a direct impact on the City's resources. However, the implementation of the recommended projects will require an evaluation of water rates and funding options.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment. An environmental review will be conducted on an individual basis as the water capital improvement projects are designed.

Public Notice

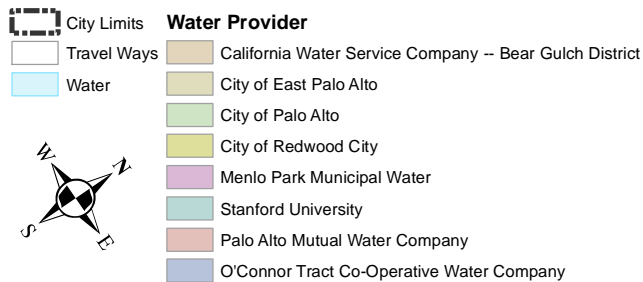
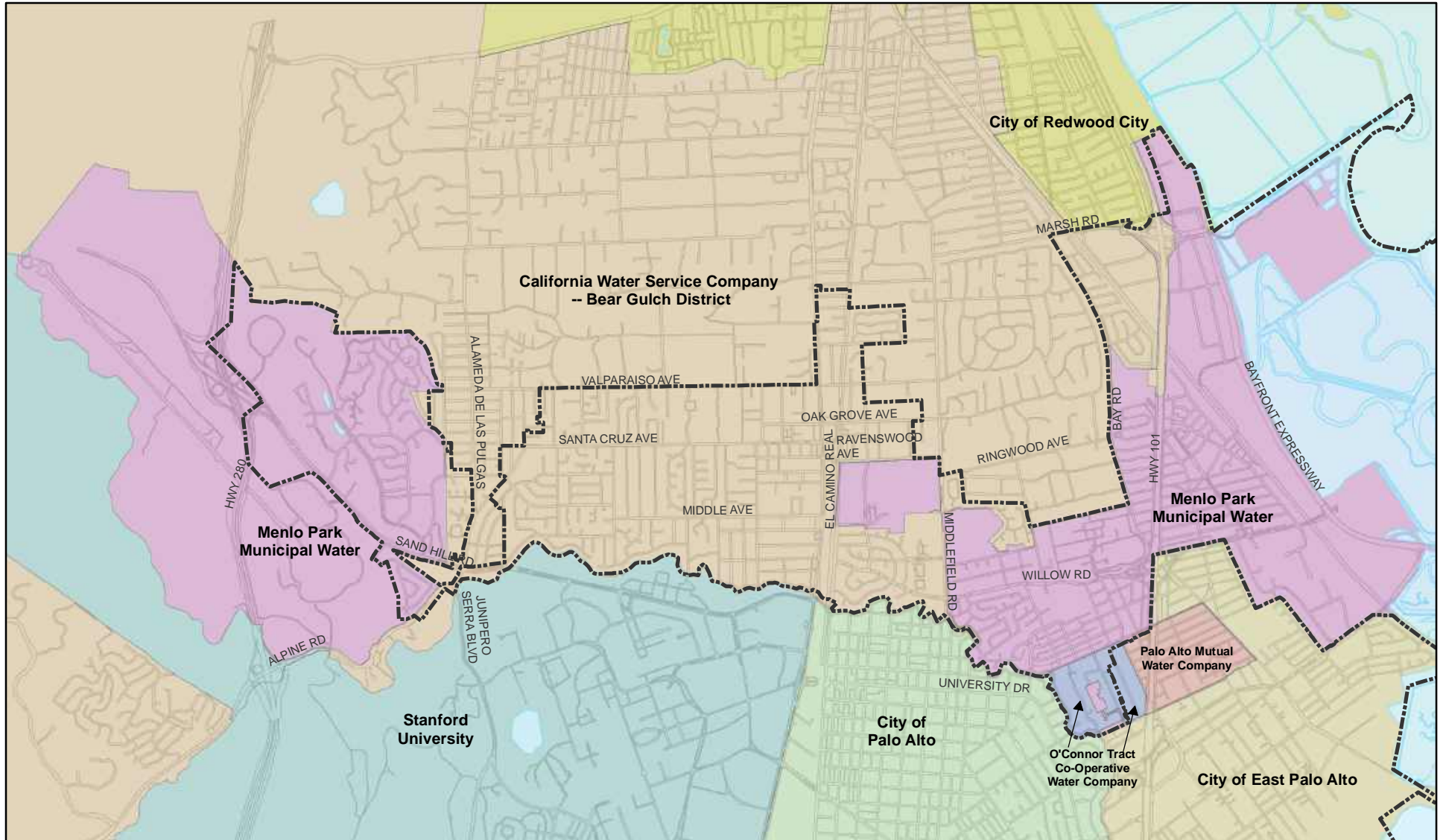
Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

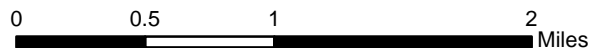
- A. MPMW Service Area, 2018
- B. Water System Master Plan – hyperlink:
<https://www.menlopark.org/137/Water-projects>
- C. Staff report - 16-050-CC - hyperlink:
<https://www.menlopark.org/DocumentCenter/View/9864/K2---WSMP-Recycled-Water-Update>
- D. Staff report - 17-056-CC - hyperlink:
<https://www.menlopark.org/DocumentCenter/View/13142/J1---Update-WSMP>
- E. Staff report – 17-067-CC - hyperlink:
<https://www.menlopark.org/DocumentCenter/View/13236/G2---WSMP-Staffing>
- F. Staff report – 17-102-CC - hyperlink:
<https://www.menlopark.org/DocumentCenter/View/14283/H2---WSMP-Update-Staffing>
- G. Staff report - 18-021-CC - hyperlink:
<https://www.menlopark.org/DocumentCenter/View/16520/H1---Water-System-Master-Plan>
- H. Staff report - 18-021-CC - hyperlink:
<https://www.menlopark.org/DocumentCenter/View/16520/H1---Water-System-Master-Plan>

Report prepared by:
Azalea Mitch, City Engineer

Reviewed by:
Justin Murphy, Public Works Director



Water Providers Within and Surrounding Menlo Park



THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council
Meeting Date: 5/22/2018
Staff Report Number: 18-114-CC

Consent Calendar: **Authorize the City Manager to amend an agreement with W-Trans for the Transportation Master Plan and Transportation Impact Fee Program and appropriate \$241,000 from the undesignated fund balance of the General Fund**

Recommendation

Staff recommends that the City Council authorize the City Manager to amend an agreement with W-Trans for the Transportation Master Plan and Transportation Impact Fee Program and appropriate \$241,000 from the undesignated fund balance of the general fund.

Policy Issues

The development of a Transportation Master Plan is included as one of the top six priority projects in the City Council's adopted 2018 Work Plan and is also one of the highest priority implementation programs in the 2016 General Plan Circulation Element.

Background

The Transportation Master Plan and Transportation Impact Fee Program is the highest priority program following the adoption of the ConnectMenlo General Plan Land Use and Circulation Elements in November 2016.

On March 27, 2018, staff provided an informational update on the status of the plan after which the City Council asked that staff bring the item back as a regular business item.

On April 24, 2018, staff presented an update on the master plan, and the City Council provided direction to add four additional Oversight and Outreach Committee meetings, two Complete Street Commission meetings, and one community meeting as a contingency item. In addition, the City Council directed staff to continue to study two improvement options for Bayfront Expressway. The first option was to use the existing shoulders for peak period bus lanes, and the second option was to convert Bayfront Expressway to a freeway and include managed lanes (e.g., carpool lanes that allow single occupant vehicles to pay a fee to use). The freeway option for Bayfront Expressway would not be a continuous elevated freeway, but it would include elevated interchanges/grade separations at key locations and modify the access at other locations. The City Council also expressed their desire to keep Dumbarton Rail in the discussions.

On May 9, 2018, staff presented an update to the Complete Streets Commission, which was the first of two presentations planned. The project scope, progress and next steps were reviewed and the Commission provided feedback about the goals and prioritization criteria, confirming that safety is a high priority, and involving other stakeholders such as the Fire District early in the process.

Analysis

After the City Council meeting April 24, 2018, staff worked with the W-Trans consultant team to prepare an amendment to the scope of work to address the Council’s requests and concerns. The requested tasks and appropriation would include the following:

- Four additional Oversight & Outreach Committee meetings
- Two additional Complete Street Commission meetings (1 staff led, 1 consultant led)
- One community workshop (contingency)
- Additional analyses (and contingency) to respond to questions on the Bayfront and Willow alternatives
- Preparation of graphics for the Bayfront alternatives in response to ongoing questions about the concepts

Based on feedback provided from the City Council, the Committee and directly from residents, staff has identified the need for additional resources to prepare conceptual graphics and highlevel analyses to help the community visualize the modifications and their potential benefits and/or impacts. Staff has worked with W-Trans to incorporate tasks to better address these concerns in the next phase of the project. Staff is requesting the analysis tasks be approved as needed, under the contingency budget requested while the consultant team continues to coordinate with the team that prepared the Dumbarton Corridor Transportation Study to ensure work is not duplicated for the City’s Transportation Master Plan. More details regarding the scope of services amendment request are included in Attachment A.

Next steps and schedule

The additional meetings are currently being scheduled to occur in May and through the summer 2018. The next Committee meeting scheduled for May 30, 2018, will be similar to the May 9, 2018, Commission meeting and focus on clarifying the Master Plan’s goals and purpose. The following three Committee meetings are expected to focus on the recommendations proposed within three specific areas of the city, starting with the south area, then the central area, and finally, the north area. Staff is in the process of polling Committee members for their availability, but the meetings are expected to occur during the summer months.

Below is a revised project schedule:

Table 1: Revised project schedule	
Task	Schedule
Complete Streets Commission #1: Review City Council-adopted scope, goals, prioritization criteria	May 9, 2018
City Council review of revised scope of work	May 22, 2018
OOO #3: Review City Council-adopted scope, goals, prioritization criteria and role of OOC	May 30, 2018
Release Citywide improvement recommendations	Tentatively late June ¹
OOO #4, 5, 6: Review recommendations for north, central and south areas of City	June–August 2018
Complete Streets Commission #2:	July or August 2018
Review bicycle and pedestrian network recommendations	Fall 2018
Release draft Master Plan	Early 2019

OOO #7: Review draft Master Plan	Spring 2019
Complete Streets Commission review and recommendation to the City Council on the draft Master Plan	Spring 2019
City Council review and adoption of Master Plan	Summer 2019
Develop Fee Program update (including OOO #8)	Summer/ Fall 2019
1 At least one week before the scheduled OOO #4	

Impact on City Resources

The scope of work for the Transportation Master Plan and Traffic Impact Fee update was approved in May 2017 with a budget of \$400,000 including a contingency of \$60,000. Staff is requesting an appropriation of \$241,000 from the undesignated fund balance of the General Fund to complete this Project bringing to the total project budget to \$641,000. The original contingency of \$60,000 will remain with an additional contingency budget of \$70,000 set aside for additional analysis, community engagement, and a potential third community meeting following preparation of the Draft Master Plan as requested by City Council.

Environmental Review

The City Council’s authorization to amend the agreement for the Transportation Master Plan and Transportation Impact Fee Program is not a project under the California Environmental Quality Act Guidelines. Future project actions will comply with environmental review requirements under the California Environmental Quality Act.

Public Notice

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

Attachments

- A. W-Trans Transportation master plan scope of work

Report prepared by:
 Kristiann Choy, Senior Transportation Engineer

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

THIS PAGE INTENTIONALLY LEFT BLANK

TASK 5 Initials Strategies and Recommendations

Additional Work under Current Contract

Strategies and Recommendations Working Paper. Previously, responses to additional rounds of comments were completed under this task that went beyond the original hours and budget allocated to this task.

Safe Routes to School Chapter. Alta assessed Safe Routes to School programs conducted to date in Menlo Park and make recommendations for expanding education and encouragement programming. Alta documented each school's involvement with SRTS programs and identified partnerships and funding necessary to complete school site assessments.

Additional Requested Work

Bicycle Master Plan. Alta will complete an additional round of revisions to the Bicycle Master Plan based on one set of internally consistent comments. Each recommendation will include a description, illustration, example image, information on typical use, design features, and information on materials and maintenance.

Pedestrian Master Plan. Alta will complete an additional round of revisions to the Pedestrian Master Plan based on one set of internally consistent comments. Alta will produce a set of pedestrian guidelines (toolbox) for recommendations in the plan. Each recommendation will include a description, illustration, example image, information on typical use, design features, and information on materials and maintenance.

Bayfront Expressway Analysis. Additional analysis will be completed for the long-term Bayfront Expressway alternative, which is the Option 1 alternative from the Dumbarton Rail Corridor Study. The Synchro (SimTraffic) software package will be used to determine the change in performance measures (queueing and travel time) for intersections along Bayfront Expressway and Willow Road. Kittelson and Associates, Inc. (KAI) will use and expand as needed modeling information from the Dumbarton Transportation Corridor Study (DTCS) for the study's "Option 1" to provide traffic volume information for intersections along Bayfront Expressway and Willow Road to W-Trans.

W-Trans has requested model outputs for the following scenarios, including turning movement counts at intersections along Willow Road and Bayfront Expressway, and at the new Bayfront Expressway ramp intersections:

1. Dumbarton Rail service with NO changes to Bayfront Expressway: would use parameters as defined in the most recent DTCS
2. Bayfront improvements as described in "Option 1" of the DTCS plus Dumbarton Rail

Modeling Tasks

i. Coordination with Dumbarton Team

KAI & W-Trans will attend a meeting to coordinate with the Dumbarton team (HDR and Fehr & Peers) to fine tune the model parameters for the Dumbarton rail and express buses, and the preliminary interchange concepts for the grade separations. KAI would reflect this in the model runs in Task ii.

ii. Bayfront Model runs

Based on the coordination task with the Dumbarton team (HDR and Fehr & Peers), KAI will use the existing model for the DTCS Option 1 to run the following 2040 scenarios:

1. Dumbarton Rail service with NO changes to Bayfront Expressway: would use parameters as defined in the most recent DTCS
2. Bayfront improvements as described in "Option 1" of the DTCS plus Dumbarton Rail

The model runs will be used to extract a.m. and p.m. peak 1-hour intersection and link volumes at up to 25 intersections and interchange termini along Bayfront Expressway and along Willow Road. KAI will conduct incremental adjustments of intersections volumes based on the growth from the 2016 model to the 2040 model, per NCHRP-255. All counts will be provided by W-Trans.

The outputs will include:

- Peak hour Intersection turn volumes at all study intersections (for scoping KAI assumes up to 25 intersections) KAI will conduct incremental adjustments based on the growth from the 2016 model to the 2040 model, per NCHRP-255. All counts will be provided by W-Trans.
- Peak hour travel time and peak hour (or peak period) person throughput (i.e., person-trips – drive-alone, 2-person, 3+ person and transit) through the Bayfront Corridor under options 1 and 2.
- Changes in traffic volumes and speeds on nearby links under options 1 and 2.

KAI will provide the results in Excel and PDF formats.

iii. Optional Modeling Task

KAI will use the latest version of the C/CAG-VTA travel model and produce outputs for 2040 should there be a need to update any assumptions that were made in the modeling work completed for the Dumbarton Transportation Corridor Study "Option 1", such as changes in land use.

Civil Engineering Tasks

BKF will provide input on Engineering Feasibility of Grade Separation vs. Rail Options (Bayfront Expy). We assume this includes review of existing studies, rough annotations of existing exhibits, and e-mail documentation of findings and suggestions. BKF does not expect to be providing new and refined exhibits or formal report documentation.

BKF will provide review on additional right-of-way/civil/water-related constraints related to the recommendations (other than Bayfront). BKF assumes this includes review of existing studies, rough annotations of existing exhibits, and e-mail documentation of findings and suggestions. BKF does not expect to be providing new and refined exhibits or formal report documentation.

Strategies and Recommendations Working Paper. Additional Recommendations and Strategies materials will be prepared for use in the additional OOC meetings discussed under Task 9.

- Three (3) sets of recommendation maps by geographic location
- Three (3) sets of recommendations in a legible tabular format
- Response to two (2) additional rounds of comments from City staff and other stakeholders.

TASK 6.1 - Online Survey/Open House #2

Compared to the contracted scope of work, there are several additional work items being requested.

- **Site design:** This remains the same between the current contract and this contract amendment as W-Trans and EnviroIssues do not anticipate changes to the design or how the site is structured. We will gain the same efficiencies to site design that were originally anticipated between OOH #1 and OOH #2. (OOH is [Online Open House](#))
- **Content:** EnviroIssues' assumption in the original scope/budget was that they would be loading content developed by others on the team for both OOHs. Since, for OOH #1 (under Task 3), EnviroIssues ended up spending significant time reworking the content and simplifying it for the public audience. EnviroIssues anticipates a similar level of additional effort will be required for OOH #2.
- **Survey:** EnviroIssues originally assumed the survey for OOH #2 would be very simple, essentially a handful of questions on one page of the OOH. Based on conversations about how the draft TMP will be organized and the desired feedback from OOH #2, this task will be more robust and could require multiple surveys on different types of recommendations or geographic areas of the city. Additional effort is assumed to develop the survey and build it within Survey Gizmo.
- **Summary:** An expanded summary will accompany the expanded survey. The current contract included a summary that was essentially an export of data from Survey Gizmo. However, similar to the summary that EnviroIssues provided for OOH #1, they expect additional organization, formatting and high-level analysis will now be required. (EnviroIssues did not increase the budget for the full comment analysis under this task, but that can be provided as an optional task.)

EnviroIssues will set up a second online survey and open house, similar to that developed in Task 3, to solicit feedback from the public on various options and strategies. The online tool and survey will be set up and launched prior to the in-person open house. Additional work by EnviroIssues will include:

- Prepare an outline and concept for review and approval in advance of fully developing the content.
- Develop the content based on technical information provided by W-Trans, and previously-prepared public materials as relevant.
- Provide limited graphic design support for new or updated graphics as needed.
- Provide a way to allow the public to prioritize projects via Social Pinpoint
- Summarize the results from the online engagement in a short report.

The deliverables for this task will now be more complex/robust, including the addition of the actual content.

Assumptions

- The format will be consistent with online tool prepared under Task 3, with new content for up to 5 pages.
- The comment report will provide site analytics and exported survey responses. The report will not include an analysis and summary of open-ended responses.

Optional Task: Prioritization Tool

EnviroIssues will design a customized tool that can be integrated into the online open house platform. The tool will allow the public to prioritize evaluation criteria and see how these result in changes to how projects are ranked. Existing platforms such as Social Pinpoint do not allow for customized integration within the online open house platform.

TASK 6.2 Community Open House

Additional services include Dyett & Bhatia developing materials for the open house, including a FAQ document, outreach materials, boards, and handouts, based on content provided by W-Trans. Dyett & Bhatia will also provide staff to assist in facilitating the open house.

Alta will support W-Trans and City of Menlo Park staff by attending one (1) community open house. Alta will also support these meetings with standalone collateral for Active Transportation elements of the TMP.

Optional Task: Second Community Open House

W-Trans and team members can prepare and lead a second community open house if requested.

TASK 9 Meetings

W-Trans will lead, support, and prepare materials for the following additional meetings:

- Up to four (4) additional OOC meetings, including pre-meeting with the OOC Co-Chairs if needed
- One (1) Complete Streets Commission meeting
- Up to two (2) additional coordination meetings with City staff and other consultants, including one (1) meeting on the Dumbarton Corridor Rail Study and Bayfront Expressway

D&B will attend and design materials for three Outreach and Oversight Committee (OOC) meetings. Materials may include outreach materials (such as a flyer or postcard), and display boards.

Alta will support W-Trans and City of Menlo Park staff by attending three (3) Outreach and Oversight Committee meetings, one (1) Community Workshop, and one (1) Complete Streets Commission Meeting. Alta will also support these meetings with standalone collateral for Active Transportation elements of the TMP.

EnvirolIssues will review and simplify content for a series of frequently-asked questions (FAQ) to describe the TMP's purpose, goals, and process; this will also include the role of project stakeholders and the public in the TMP development.

EnvirolIssues will support up to three Oversight and Outreach Committee meetings. Tasks include:

- Preparing meeting plans to identify materials, staffing, equipment needs, logistics tasks, agenda and format.
- Traveling to and participating in meetings.
- Reviewing materials and presentations for clarity to public audience.

EnvirolIssues will support one (1) Community Open House. Tasks include:

- Preparing meeting plan to identify materials, staffing, equipment needs, logistics tasks, agenda and format.
- Traveling to, setting up, facilitating and cleaning up open house.
- Reviewing materials and presentation for clarify to public audience.

Menlo Park staff will prepare the technical content for the FAQs document. EnvirolIssues will review and revise to ensure the document is appropriate for a public audience. EnvirolIssues' role in materials development is primarily to review and provide comments; limited graphic design support is available if needed.



STAFF REPORT

City Council
Meeting Date: 5/22/2018
Staff Report Number: 18-115-CC

Consent Calendar: **Approve a specific location of the Menlo Gates Project at the corner of Alma Street and Ravenswood Avenue near the Library and authorize the City Manager to enter into any applicable agreements with the Menlo Park Historical Association to execute the project**

Recommendation

Staff recommends that the City Council approve a specific location of the Menlo Gates Project at the corner of Alma Street and Ravenswood Avenue near the Library and authorize the city manager to enter into any applicable agreements with the Menlo Park Historical Association to execute the project.

Policy Issues

City Council requested that a specific location of the Menlo Gates Project be presented for final approval.

Background

At their meeting on October 25, 2016, the City Council approved the general location for the installation of the Menlo Gates Project on the Burgess Campus along Ravenswood Avenue and waived permit processing fees for this project which were estimated at \$3,500.

At their meeting of March 13, 2018, the City Council approved an appropriation of a contribution not to exceed \$73,000 to the Menlo Gates project comprised of a \$43,000 matching gift to the Menlo Park Historical Association and a \$30,000 budget for city incurred costs. In addition, the City Council formed an ad hoc subcommittee of Mayor Ohtaki and City Councilmember Carlton to work with the Menlo Park Historical Association to identify a specific location for the project.

Analysis

The City Council subcommittee considered various options and suggested that the location for the Menlo Gates should be near the intersection of Ravenswood Avenue and Alma Street on the Burgess Campus near the Library. The Menlo Park Historical Association is supportive of this new location. City staff staked the placement of the four posts that comprise the Menlo Gates as shown in the Attachment A. The primary archway of the Menlo Gates would be over the concrete pathway. The City Council subcommittee is reporting back to the full City Council for final action on this specific location.

The Menlo Gates project will be managed and constructed by the Menlo Park Historical Association with limited project management by City staff. Nevertheless, the city attorney identified the need for a simple agreement between the city and the Menlo Park Historical Association to memorialize items for the project

such as contractual arrangements, ownership, progress payments, etc. Staff is recommending that the City Council delegate authority to the city manager to enter into such an agreement and any other agreements necessary to execute the project.

Impact on City Resources

Sufficient funds are available in the city's amended budget for the city's share of this project.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

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. Photo of the location of the Menlo Gates Project at the corner of Ravenswood Avenue and Alma Street

Report prepared by:
Justin Murphy, Public Works Director



THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council

Meeting Date:

5/22/2018

Staff Report Number:

18-110-CC

Consent Calendar:

Award a construction contract to Suarez & Munoz Construction, Inc. for the Jack Lyle Park Restroom Project in the amount of \$496,465, approve a contingency in the amount of \$75,000; and appropriate \$140,000 from undesignated fund balance

Recommendation

Staff recommends that the City Council award a construction contract to Suarez & Munoz Construction, Inc. for the Jack Lyle Park Restroom Project in the amount of \$496,465, approve a contingency in the amount of \$75,000; and appropriate \$140,000 from undesignated fund balance.

Policy Issues

The project is consistent with the City Council goal of maintaining and enhancing the city's municipal infrastructure and facilities and is included in the City Council's 2018 Workplan.

Background

Jack W. Lyle Park, located on Middle Avenue and Fremont Street, is highly utilized by the public and approved field user groups, such as the American Youth Soccer Organization, Alpine Strikers Soccer and Grizzlies lacrosse sports teams. Jack W. Lyle Park sees approximately 50 park users per day on weekdays and 400 per day on weekends, and currently lacks permanent public restroom facilities. During times of heavy usage, the field user groups have needed to rent portable toilet facilities to accommodate their children and family's needs.

Following a community outreach process led by the Community Services Department, the plans for the development of a permanent public restroom facility were finalized and issued for bid by the Public Works Department. The restroom will be located next to Rosener House and will serve the community and the many field user groups. The restroom facility will include family friendly amenities and water efficient fixtures. The work will also include the installation of new electrical, water, and sanitary utilities to serve the facility.

Analysis

Bids for this project were opened April 24, 2018, with the following results.

Contractor	Bid amount	Variance amount	Over/under percent
Engineer's estimate	\$37,000	-	-
Suarez & Munoz Construction, Inc.	\$496,486	\$123,465	34 percent

The sole bid submitted by Suarez & Munoz Construction, Inc., is 34 percent above the engineer's estimate. Staff questioned contractors attending the prebid meeting, and those who downloaded the project plans and specifications to gain an understanding for the reasons as to why no other bids were received. Based on these discussions, contractors indicated that they were busy with other work or determined that other contractors had more experience in performing the project work. The higher costs also reflect the unanticipated amount of effort by the contractor to transfer the pre-fabricated restroom from the street over the park grass mound, and to restore the playground area after being damaged by the contractor's lifting equipment used to place the pre-fabricated restroom in its final location.

Upon extensive evaluation by staff, the bid is considered reasonable for the work involved in the project. Staff considered rebidding the project, but there is no guarantee that the City would receive a lower bid due to the seasonal work demand and the extensive job-site placement requirements. Rebidding would also delay installing a permanent restroom until after the fall sport season and prolong the impact to the park users, especially the approved field users groups. Staff has checked the background and references of Suarez & Munoz Construction, Inc., and is satisfied with its past performance.

Impact on City Resources

Staff is requesting an appropriation of \$140,000 from the undesignated fund balance of the general fund to complete this project.

Environmental Review

The project is categorically exempt under class one of the current State of California Environmental Quality Act Statute and Guidelines, which allows minor alterations and repair of existing facilities.

Public Notice

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

Attachments

There are no attachments.

Report prepared by:
Ken Salvail, Senior Civil Engineer

Reviewed by:
Azalea Mitch, City Engineer



STAFF REPORT

City Council

Meeting Date:

5/22/2018

Staff Report Number:

18-112-CC

Consent Calendar:

Award of a construction contract for the 2018 Street Preventive Maintenance Project to Graham Contractors, Inc., in the amount of \$819,490; approve a construction contingency in the amount of \$123,000; and appropriate \$300,000 from undesignated fund balance

Recommendation

Staff recommends that City Council award a construction contract for the 2018 Street Preventive Maintenance Project to Graham Contractors, Inc. in the amount of \$819,490; approve a construction contingency in the amount of \$123,000; and appropriate \$300,000 from undesignated fund balance.

Policy Issues

This project is consistent with the city's goal of maintaining and enhancing the city's municipal infrastructure and facilities, extending the life and improving the city's roadway network as well as maintaining a safe infrastructure.

Background

The City is responsible for maintaining approximately 96 miles of streets. To analyze and identify street sections within the city's network that are most in need of maintenance and rehabilitation, the city uses a Pavement Management Program that is approved by the Metropolitan Transportation Commission. As part of this process, Metropolitan Transportation Commission consultants inspect and assess the condition of the city's streets every two years and recommends specific street sections for preventive maintenance and resurfacing/reconstruction. For 2018, 51 street sections (Attachment A) were found to be in a condition requiring the application of a preventive maintenance seal coat. The application of a thin layer of sealing material is a cost effective method used to extend the service life of streets that are in good condition and is applied before a street begins to exhibit signs of failure (e.g., extensive cracking and potholes). Streets that show signs of failure and deterioration receive a different type of treatment, and are either resurfaced with an asphalt overlay or reconstructed. Because of the nature of the work between streets that require preventive maintenance and resurfacing/reconstruction, the city issues separate contracts for each.

The 51 street sections included on the list for preventive maintenance this year will receive spot repairs followed by a slurry seal coat treatment. Nine of these street sections were included in the project contract documents as add alternates. The intent is to consider these additional segments depending on the bid results and available funding. These street sections are located in the San Francisco Public Utilities Commission right of way along Ivy Avenue.

Analysis

Bids for this project were opened May 8, 2018, with the following results.

Table 1: Bid results					
Contractor	Base bid	Base bid variance	Base bid	Add alternate	Total bid
Engineer's estimate	\$537,350	-	-	\$184,750	\$722,100
Graham Contractors, Inc.	\$633,090	\$95,740	18 percent	\$186,400	\$819,490
VSS International	\$656,790	\$119,440	22 percent	\$154,329	\$811,119
Telfer Pavement Technologies, LLC	\$691,555	\$154,205	29 percent	\$201,600	\$893,155
Intermountain Slurry Seal, Inc.	\$698,999	\$161,649	30 percent	\$183,000	\$881,999

In accordance with the project contract documents, the basis for award of the construction contract shall be based on the low base bid, which was submitted by Graham Contractors, Inc., for the 42 street sections. The low base bid is 18 percent above the engineer's estimate. Staff surveyed contractors and studied recent bid results in surrounding jurisdictions to understand potential reasons for the higher bids. Based on these discussions, the higher bid reflects a combination of the increase in material costs, seasonal work demand increases and labor resource shortages, and higher prices for pavement spot repair and replacement of damaged curb and gutter. Staff considered rebidding the project, but there is no guarantee that the city would receive a lower bid due to the seasonal work demand and the continued upward construction cost trends. Rebidding would also result in the delay of the street preventive maintenance program.

Upon extensive evaluation by staff, the low base bid is considered reasonable for the work involved in the project and the current construction climate. To maximize the benefit to the community, staff is recommending the inclusion of the nine street sections in the add alternates, which would increase the number of streets that receive preventive maintenance this year. Staff has also verified the background and references of Graham Contractors, Inc., and is satisfied with its past performance.

To move forward with the award and the recommended scope of work, however, additional funding is required to cover the increase in costs resulting from the higher than expected bid and to include all of the street sections listed as add alternates, which is approximately \$300,000. Including the scope of work and a 15 percent contingency, the total construction cost is \$942,414.

Impact on City Resources

Staff is requesting an appropriation of \$300,000 from the undesignated fund balance of the general fund to cover the increase in costs resulting from the higher than expected bid and to include a total of 51 street sections in the preventive maintenance effort for this year. If funds are not appropriated, staff would reduce the number of streets included in the contract that were planned to receive treatment. This would result in the further deterioration of the city's streets.

Environmental Review

The Project is categorically exempt under class 1 of the current State of California Environmental Quality Act Statute and Guidelines, which allows minor alterations and repair of existing facilities.

Public Notice

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

Attachments

A. 2018 Street Preventive Maintenance Project – list of project streets

Report prepared by:
Ken Salvail, Senior Civil Engineer

Report reviewed by:
Azalea Mitch, City Engineer

THIS PAGE INTENTIONALLY LEFT BLANK

2018 Street Preventive Maintenance Project – List of Project Streets

Table 1: Base bid list of streets			
Item	Street name	Begin cross street	End cross street
1	Alder Pl	Seminary Dr	End of Place
2	Almanor Av	Hamilton Av	Terminal St
3	Atkinson Ln	Santa Cruz Av	Atkinson Ln (end)
4	Barton Pl	Barton Wy	End of Place
5	Barton Wy	Concord Dr	Gilbert Av
6	Bay Laurel Dr	Olive St	Amber Wy
7	Brady Pl	Seminary Dr	End of Place
8	Concord Dr	Woodland Av	Marmona Dr
9	Cornell Rd	Creek Rd	Cambridge Av
10	Eastcreek Dr	Alma St	Willow Rd
11	Elmwood Pl	Hanna Wy	End of Place
12	Garwood Wy	Encinal Av	420' S of Encinal Av
13	Ginger St	Hamilton Av	Sandlewood St
14	Gloria Cir	Seminary Dr	End of Circle
15	Hanna Wy	Seminary Dr	End of Way
16	Haven Av	Pave change (bend)	Haven Ct
17	Haven Ct	Haven Av	End of Court
18	Hazel St	Hamilton Av	Sandlewood St
19	Henderson Av	Bay Rd	Van Buren Rd
20	Hollyburne Av	Pierce Rd	Newbridge St
21	Linfield Dr	Waverly St	Middlefield Rd
22	Market Pl	Alpine Av	Del Norte Av
23	Marmona Ct	Marmona Dr	End of Court
24	Modoc Av	Hamilton Av	Terminal St
25	Oakdell Dr	Olive St	Lemon Av
26	Oakland Av	Bay Rd	Van Buren Rd
27	Pepperwood Ct	Seminary Dr	End of Court
28	Popy Av	Evergreen St	Magnolia St
29	Princeton Rd	Creek Dr	College Av
30	Riordan Pl	Hanna Wy	End of Place

2018 Street Preventive Maintenance Project – List of Project Streets

31	Riordan Pl	Coleman Wy	Riordan Pl
32	Robin Wy	Marmona Dr	Lexington Dr
33	Sandlewood St	57' E of Chilco Av	145' E of Ginger St
34	Santa Monica Av	Coleman Wy	San Luis Dr
35	Saxon Wy	Windsor Dr	End of Way
36	Seminary Dr	Middlefield Rd	Alder Pl
37	Seminary Dr	Alder Pl	Monica Av
38	Sonoma Pl	Sonoma Av	Van Buren Rd
39	Stone Pine Ln	El Camino Real	200' NE of El Camino Real
40	Tioga Dr	Lassen Dr	Trinity Dr
41	Van Buren Rd	50' E of Sonoma Av	Menlo Oaks
42	Werth Av	Windsor Dr	Arbor Rd

Table 2: Add alternate "A" bib list of street			
Item	Street name	Begin cross street	End cross street
1	Alpine Av	Market Pl	Pierce Rd
2	Almanor Av	Ivy Dr	Hamilton Av
3	Carlton Av	Ivy Dr	Hamilton Av
4	Ivy Dr	Almanor Av	Market Pl
5	Ivy Dr	Henderson Av	Sevier Av
6	Modoc Av	Ivy Dr	Hamilton Av
7	Pierce Rd	Market Pl	Del Norte Av
8	Ringwood Av	Pierce Rd	Market Pl
9	Windermere Av	Ivy Dr	Hamilton Av



STAFF REPORT

City Council
Meeting Date: 5/22/2018
Staff Report Number: 18-113-CC

Public Hearing: Consider the Planning Commission's recommendation to approve Environmental Impact Report addendum, Specific Plan And Zoning Ordinance amendment, architectural control, use permit, and Below Market Rate Housing agreement for the Guild Theater Renovation Project at 949 El Camino Real

Recommendation

The Planning Commission and staff recommend that the City Council make the necessary findings and take actions for approval of the Guild Theater Renovation Project at 949 El Camino Real (Attachment A.) The specific entitlements and environmental review components are as follows:

1. An addendum to the Specific Plan Program Environmental Impact Report (Program EIR) to analyze the potential environmental impacts of the proposed Specific Plan and Zoning Ordinance amendments;
2. A Specific Plan and Zoning Ordinance amendment to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the El Camino Real South-West (ECR SW) sub-district of the El Camino Real/Downtown Specific Plan (SP-ECR/D) zoning district at a total bonus level floor area ratio (FAR) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments;
3. Architectural control for compliance with Specific Plan standards and guidelines for a commercial development consisting of a live entertainment venue on an approximately 4,752-square foot site;
4. A use permit to allow small scale commercial recreation and a bar; and,
5. Below Market Rate (BMR) Housing agreement for compliance with the City's BMR Housing Program.

Policy Issues

The proposed project requires the City Council to consider the merits of the project, including project consistency with the El Camino Real/Downtown Specific Plan. The City Council will need to consider Specific Plan and Zoning Ordinance amendment, architectural control and use permit findings. Further, a resolution regarding the BMR Housing Agreement for the project will need to be considered. The policy issues summarized here are discussed in greater detail throughout the staff report.

Background

Site location and uses

The project site consists of an approximately 4,752-square foot parcel situated on the west side of El Camino Real, between Menlo Avenue and Live Oak Avenue, at 949 El Camino Real. The project site is within the El Camino Real/Downtown Specific Plan's (Specific Plan) ECR SW district and has a land use designation of El Camino Real mixed-use residential.

Neighborhood context

Using El Camino Real in a north to south orientation, the surrounding parcels are also in SP-ECR/D zoning district and are developed with retail uses to the north and south. A parking lot, which is not part of the subject property, is located to the west (rear) of the property, and the parcel to the east of the subject parcel, across El Camino Real, is development with office uses. A location map is included as Attachment F.

Previous project review

On February 13, 2018, the City Council held a study session on the proposal, after previously identifying the project as a top City Council Work Plan priority. Given the priority status placed on the project and the applicant's expedited timeline to purchase the property, the February 13 study session served as the initial public study session referenced on page E17 of the Specific Plan. The City Council members were unanimous in their support of the project, and directed Staff to prepare the necessary Specific Plan and Zoning Ordinance amendments and work with the applicant to better define the proposed public benefit. Several members of the public spoke at the study session and all expressed support for the project.

On April 23, 2018, the Planning Commission voted unanimously (6-0, with Commissioner Goodhue absent) to recommend approval of the addendum to the Final EIR, architectural control, the use permit request, and the BMR Housing Agreement. The motion included a request for a parking plan to accommodate the approximately 20 employees, a deed restriction or condition to prevent the property from being sold to or operated by a for profit entity, encouragement for programming to represent a wide audience and include community groups from all areas of the City, and clarity on the utilization rate of the events for community groups. The motion also included support of modified condition 5(a)(iv), to allow live entertainment events Monday through Thursday 7 p.m. to 11 p.m.

Approximately 10 people spoke in support of the project. The property owner on either side of the Guild raised some concerns, mainly about construction staging, parking and the lack of the applicant's direct outreach. The owners of Menlo Flooring and Octopus Japanese Restaurant also spoke with concerns about construction and parking impacts. The minutes of the meeting are included as Attachment L and the Planning Commission staff report is included as Attachment M. The applicant indicates he has conducted additional outreach since the Planning Commission, alleviating many of the concerns of the neighboring property owners. The owner of Octopus Japanese Restaurant has also submitted an email indicating he spoke with the applicant, which has lessened his concerns regarding the project (Attachment N.)

Since the Planning Commission hearing, condition 5(a)(iv) has been updated to allow the facility to operate daily during the hours of 7 p.m. to 11 p.m., with adequate time for set up and close by staff before and after those hours, with the limitation that only one live entertainment or other event daily occur during the identified evening hours. Any event held outside of the identified evening hours on any day of the week would not be permitted to exceed the current theater capacity of 266 persons.

To address the Planning Commission's concerns regarding the availability of the venue for community events as opposed to Guild or corporate events, Condition 5(a)(v) has been amended to require annual informational reporting to the Planning Commission, including information on the community groups that have taken advantage of the public benefit and the costs involved. Staff has also worked with the applicant to further define the public benefit and the cost to community groups utilizing the benefit, resulting in additional updates to condition 5(a)(v), as further discussed under the public benefit section of this report.

Along with the refinement of condition of approval 5(a)(iii), recommended condition of approval 5(a)(vii), requiring a deed restriction or other recordable document restricting ownership and operation to a nonprofit public benefit corporation, has also been added. The applicant has provided documentation that the

proposed refuse enclosure is not located over an easement, so the previous condition 5(a)(vii), which required this documentation to be submitted, has been removed.

Recommended condition of approval 5(b)(i) has also been modified to require the applicant to prepare a parking plan for employees, and condition of approval 5(b)(iii) has been added to require Guild staff to manage orderly loading and unloading of vehicles, as further discussed under the parking and circulation section of this report.

Analysis

Project description

The applicant (Peninsula Arts Guild or P.A.G.) is proposing to renovate the existing Guild Theatre cinema facility into a live entertainment venue. Through the construction and addition of a finished basement and a new second floor, the building floor area would increase from approximately 4,172 square feet to approximately 10,854 square feet, resulting in a FAR of approximately 2.3. The ECR SW district currently permits a base level FAR of 1.1 and bonus level FAR of 1.5. The proposed Specific Plan amendments would allow a bonus level FAR up to 2.5 for a feature building north of Live Oak Avenue, in the ECR SW sub-district that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains the existing walls or rebuilds new walls in substantially the same location and configuration, and that has highly visible and memorable features that have historic or cultural value. This amendment to the permitted FAR would limit the above grade FAR to 1.5, and the basement square footage to within the footprint of the existing building, but not over the property lines, and not accessible to the public (back of house uses only, such as storage and mechanical spaces). The amendment would also limit the additional square footage beyond that in existence at the time the El Camino Real/Downtown Specific Plan was approved, to a maximum of 10,000 additional square feet.

The first floor would contain a lobby, a main viewing and seating area, bar, stage and restrooms. The facility's second floor would also provide viewing areas, a small bar, office and a vestibule. The basement would not be open to the public and would be utilized primarily as performer gathering and dressing room space as well as a warming kitchen, storage and mechanical rooms.

The majority of the live entertainment events are expected to occur on weekend (Friday, Saturday and Sunday) evenings with live performances lasting within a 7 p.m. to 11 p.m. window and for a typical event length of two hours. The venue would employ approximately 20 people in a mix of full-time and contractor positions. The facility would include the on-site sale of alcohol.

The applicant is proposing a public benefit consisting of offering use of the facility to the community at a discounted price, as further discussed in the public benefit section of this report.

Design and site layout

Building materials

The exterior finish is proposed to be cement plaster, painted in a blue/purple color. A new aluminum and glass storefront is proposed, including windows above the marquee. A 7-foot metal roof screen is proposed on the roof to screen mechanical equipment.

The following discussion highlights and expands on topics addressed in the Standards and Guidelines Project Compliance work sheet (Attachment J.)

Setbacks

The existing theater building is located slightly beyond the existing front property line, within the Caltrans right-of-way. It is also located slightly over the property line along the right (north) side. Parcels located north of Live Oak Avenue, in the ECR SW sub-district are required to have a minimum 5-foot front setback, a 10-foot rear setback, and a 5-foot interior side setback for upper floors with no required interior side setback for the ground floor. The proposed second story addition to the existing theater building would be set at, or very close to, the front, rear and right-side setbacks, and at the alley on the left side. The proposed amendments to the Specific Plan would allow a feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains the existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features that have historic or cultural value to retain existing setbacks not to exceed property lines.

In areas where no or a minimal setback is required, limited setback for store or lobby entry recesses may not exceed a maximum of 4-foot depth and a maximum of 6-foot width. The recess at the proposed renovated entrance would be 2.8 feet deep by 17.2 feet wide. The proposed amendments to the Specific Plan would allow the City Council to allow a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or that has historic or cultural value to exceed these maximums.

First floor height and transparency

Standard E.3.5.01 of the Specific Plan currently requires commercial ground floors to have a minimum 15-foot floor-to-floor height. Although the lobby along El Camino Real would be two stories, the first floor beyond the lobby would have a 13-foot floor-to-floor height. The proposed amendments to the Specific Plan would allow the City Council to reduce the minimum floor-to-floor height for a commercial or retail ground floor for a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, proposes to substantially retain existing walls or rebuild new walls in substantially the same location and configuration; and has highly visible and memorable features or that has historic or cultural value.

Standard E.3.5.02 currently requires ground floor commercial buildings to have a minimum of 50 percent transparency (e.g, clear glass) to enhance the visual experience. The applicant indicates the proposed renovation would result in approximately 40 percent transparency. However, this calculation includes display case areas, which would not generally count toward transparency. The proposed amendments to the Specific Plan would allow the City Council to reduce the minimum transparency for a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration and has highly visible and memorable features or that has historic or cultural value. Further, the applicant has indicated that this is an appropriate modification given the use as an evening live entertainment venue.

Open space

Approximately 12 percent of the parcel is paved, while the remainder is covered with the existing structure. This paved area consists of the area in front of the entrance as well as the alley, but does not meet the definition of open space in the Specific Plan. With the proposed front entrance and addition of a refuse enclosure in the alley, the paved area would be slightly reduced. The Specific Plan amendments would include an update to the current requirement of 20 percent open space for parcels located north of Live Oak Avenue in the ECR SW sub-district, to allow the City Council to approve a feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and

configuration, and has highly visible and memorable features or has historic or cultural value to reduce the required percentage of open space.

Trash and recycling

A proposed trash enclosure would be located along in the alley to the left of the building. The plans have been submitted to the City's refuse collector, Recology, for review. The proposed trash enclosure would be located in the alley where it would be farthest from El Camino Real. The sides of the enclosure would consist of steel channels with mesh infill in between, and the cover would consist of steel decking.

Signage

Specific Plan Standard E.3.3.07 limits the projections of architectural projections like canopies, awnings, and signage to 6 feet horizontally from the building face at the property line or at the minimum setback line. This standard also sets a minimum standard of 8-foot vertical clearance above the sidewalk or public space. The applicant indicates the existing marquee has more than 11 feet of vertical clearance above the sidewalk; however, it appears it may project more than 6 feet horizontally from the building face at the property line. The applicant indicates the existing Guild sign would be refurbished and installed on the renovated building. The proposed amendments would allow these standards to be modified if existing signage to be retained on a feature building in the area north of Live Oak Avenue is determined by the City Council to be highly visible and memorable and have historic or cultural value.

Parking and circulation

CHS Consulting Group performed a parking evaluation (Attachment K) for the project site, proposed use as the existing theater has no parking, and no parking is proposed as part of the renovation. The report evaluated the subject site, including its location approximately 1,000 feet south of the Menlo Park Caltrain Station, which is about a five-minute walk. The report demonstrated that a significant supply of parking is available within a quarter-mile of the theater, which is utilized by theater patrons and which would continue to be used by patrons to access the proposed project. Additionally, most events would take place Friday and weekend evening, with some occurring on weekday evenings after the p.m. peak commute period. Peak theater parking activity in the evenings would coincide with the lowest parking occupancy periods by time of day in the Downtown area, thereby avoiding the at-capacity parking. Any daytime use that does not exceed the current capacity of the existing theater would not increase parking demand beyond existing conditions. The applicant is also proposing measures to encourage transit use and ride share options to further limit potential parking issues.

To address events exceeding the current theater capacity and occurring Monday through Thursday evenings, CHS Consulting Group reviewed recent Downtown parking demand data collected by the City as part of a studied extension of its Downtown pilot Parking Program in 2015. A review of the data collected on a peak Tuesday evening in November 2015, which is a representative sample of Monday-Thursday evening demand, revealed that beginning at 5 p.m., Downtown off-street public lot spaces were observed at 72 percent occupied, and Downtown on-street spaces were observed at 71 percent occupied. Both off-street and on-street spaces showed a downward trend all afternoon compared to the observed midday (12 – 2 p.m.) that showed the highest parking demand for Downtown off- and on-street spaces during the day. Given the downward trend, occupancy would be lower later in the evening.

The 2018 Guild Theatre parking evaluation showed, worst case, Friday after 6 p.m. that percent demand for Downtown parking spaces were at 60 percent off-street (public lots) and 78 percent on-street. Although the Tuesday evening observation showed higher overall public lot parking demand than the comparable Friday observation, meaning fewer available public lot spaces, both evenings the public lots would be able to accommodate the expected maximum parking demand of 271 vehicles for a maximum 550-guest Guild evening event.

In response to the Planning Commission's recommendation, condition 5(b)(i) has been amended to require the applicant to provide a parking program for full time employees and written instruction for contract employees to park in the public parking plazas to the satisfaction of the public works director.

Concerns expressed by members of the public included parking for community events outside of the studied hours, a possible start time for events of 8 p.m. rather than 9 p.m., Transportation Network Company (TNC, e.g., Uber/Lyft) vehicles, future bicycle lanes along El Camino Real requiring the removal of the loading zone, and tour buses parking in front of the facility.

Based on the technical assessment of City staff, given that the project would be subject to a condition that would prevent it from hosting community events larger than the existing theater capacity (266 seats) before 7 p.m., no additional impacts would occur for community events outside the evening hours. Additionally, the parking evaluation assessed Downtown-parking conditions on a typical Friday and Saturday after 6 p.m., which showed ample public parking supply for the project's weekend evening events. As a result, a slightly altered start times of 8 p.m. (with doors opening at 7 p.m.) rather than 9 p.m. would not materially affect the completed analysis.

CHS parking evaluation assumed a worst-case scenario of 10 percent TNC vehicles out of the total patrons for those traveling more than a quarter-mile from the theater. Based on recent observations in a more highly populated area such as San Francisco where up to 15 percent of trips are made by TNC, 10 percent is considered a reasonable conservative assumption of maximum projected TNC usage in Menlo Park. Further, recent field observations of TNC use in San Francisco found intervals of approximately 1.1 minutes per vehicle. In the unlikely event of TNC vehicles arriving at a greater rate and lining up on El Camino Real, the applicant has noted Guild event staff would assist guests by managing orderly TNC passenger loading/unloading to ensure that such vehicle backups are minimized to the greatest extent possible.

CHS's parking evaluation identifies two future El Camino Real bike lane alternatives studied by the city (alternative 2, buffered bike lane and alternative 3, separated bike lane), which would remove the curbside passenger loading zone parking spaces in front of the theater. The city has selected alternative 2, buffered bike lanes, but opted to pursue implementation of other bike projects (e.g., on Oak Grove Avenue) while adjacent cities explore options for El Camino Real. The applicant is aware that the loading zone may need to be relocated in the future. Future coordination to address the relocation would need to occur jointly with other businesses on this block of El Camino that would also be affected. Staff suggests Live Oak Avenue for a loading zone as an alternative.

It should be noted that tour buses would only park within the loading zone in front of the project before and after a show until all guest loading and unloading is complete. During a performance, the buses would be parked off-site until needed. Condition 5(b)(ii) has also been modified so the applicant would be required to notify the city of the off-site location(s) where tour buses are parked. With respect to ADA access/parking, the applicant notes employees would assist with loading/unloading at the curb frontage as needed. Condition 5(b)(iii), which would require Guild event staff to assist guests with loading and unloading at the curb frontage and manage orderly loading and unloading of TNC and other vehicles to minimize any potential vehicle backups, has also been added since the Planning Commission hearing.

Below Market Rate (BMR) housing

The applicant is required to comply with Chapter 16.96 of City's Municipal Code, ("BMR Ordinance"), and with the BMR Housing Program Guidelines adopted by the City Council to implement the BMR Ordinance ("BMR Guidelines"), as the commercial portion of the project would exceed 10,000 square feet in gross floor area. The city may allow such a BMR requirement to be met in a number of ways, including on-site provision of a unit, off-site provision of a unit, or payment of an in-lieu fee.

The proposed project would have a BMR requirement of 0.17 BMR units or an in-lieu fee payment of approximately \$61,017.18. The proposed project does not include a residential component, although the zoning designation for the subject site does allow residential uses. However, the existing Guild Theatre cinema facility and its proposed renovation into a live entertainment venue on a small infill site does not allow for the development of residential units on-site. Therefore, the applicant is proposing to satisfy the project’s BMR obligations through the payment of in-lieu fees. On April 11, 2018, the Housing Commission unanimously recommended that the Planning Commission and City Council approve the proposed BMR proposal for the payment of in lieu fees, which would be adjusted to the in-lieu fees current at the time of building permit issuance. The Planning Commission asked that staff consider whether the project could be exempted from the BMR obligation. Upon review of the BMR Ordinance and BMR Guidelines, there is currently nothing that would allow the City to exempt a project from compliance.

Public benefit

The applicant is proposing a public benefit consisting of offering use of the facility to the community at a discounted price. As a result of the Planning Commission’s input on the public benefit, staff has worked with the applicant to refine condition of approval 5(a)(v) so that the facility would be made available for up to two discounted events per month or up to 24 events per year for nonprofit organizations based in the City of Menlo Park, local school districts and other public agencies. The discounted rate would be 50 percent of the cost to host an event and the facility would provide full, half-day and hourly rental-discounted rates. It is currently anticipated that it will cost \$2,000 to operate a community event and the discounted rate would be \$1,000 or \$24,000 in total annual public benefit. Because this is a new facility, it is not possible to determine a maximum discount rate at this time. To address the concern about cost for community events, the condition requires the owner to provide annual informational reporting to the Planning Commission identifying the community organizations that have taken advantage of the public benefit, the cost to host each event, the cost charged to each community organization, and a calculation of the total annual public benefit value.

Specific plan maximum allowable development

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

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

These totals are intended to reflect likely development throughout the Specific Plan area, in excess of certain development projects that were already in the pipeline at the point the Program EIR was commenced (subject to those projects receiving their own independent approvals). As noted in the Specific Plan, development in excess of these thresholds will require amending the Specific Plan and conducting additional environmental review. The proposed project does not propose development in excess of Specific Plan thresholds. Uses that were active on the project site at the commencement of the environmental review are deducted from the project’s share of the maximum allowable development.

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 1: Specific plan maximum allowable development		
	Dwelling units	Commercial Square Footage
Existing	0	4,200

Proposed	0	10,854
Net Change	0	6,682
Percent of maximum allowable development	0 percent	1.4 percent
Percent of maximum allowable development remaining if project is approved	28.58 percent	17.85 percent

Correspondence

Numerous emails of support were sent to the Planning Commission before their hearing and to City Council before and after the Planning Commission hearing. While almost all emails were in support of the project, some expressed concerns regarding parking, circulation and construction, and one email cited concerns that the review of the project has been rushed. All emails sent to City Council can be viewed online (Attachment N) and sorted by criteria including date and subject. The owner of Octopus Japanese Restaurant has also submitted an email indicating he spoke with the applicant, which has lessened his concerns regarding the project.

Conclusion

Staff believes that the proposed renovation of the existing Guild Theatre cinema facility into a live entertainment venue would add vibrancy and be a positive addition to the downtown area. The Planning Commission recommended approval of the development of this use at the public benefit bonus level, as well as the Specific Plan and Zoning Ordinance amendments, to allow among other things additional gross floor area. The architectural approach would utilize quality materials and detailing and would enhance development along the El Camino Real corridor. The proposed live entertainment and on-site consumption of alcoholic beverages are compatible with the proposed use and would not adversely impact surrounding properties. The BMR Agreement would address the project’s BMR obligations. Staff recommends that the City Council approve the project per the actions listed in Attachment A.

Impact on City Resources

The project sponsor is required to pay planning, building and public works permit fees, based on the City’s Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project. In addition, the proposed development would be subject to payment of the El Camino Real/Downtown Specific Plan Preparation Fee. These required fees were established to account for projects’ proportionate obligations.

Environmental Review

The Specific Plan process included detailed review of projected environmental impacts through a Program 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 Specific Plan approvals in June 2012.

The Program 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 Program 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 Program 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. To adopt the Program EIR, the City Council adopted 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 Program EIR and the CEQA Guidelines, a program EIR provides the initial framework for review of discrete projects. Projects are required to be analyzed with regard to whether they would have impacts not examined in the Program EIR through a conformance checklist. The conformance checklist for the proposed project, which analyzes the project in relation to each environmental category in appropriate detail, is included as Attachment B, as part of the addendum to the Program EIR. As detailed in the conformance checklist and the addendum, 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 I. Full compliance with the MMRP would be ensured through condition 5 (a)(i). No new impacts have been identified and no new mitigation measures are required for the proposed project. The MMRP also includes two completed mitigation measures related to cultural and historic resources. These studies are attached to the addendum.

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. Recommended actions
- B. Resolution No. 6439 adopting EIR addendum
- C. Ordinance No. 1046 approving amendments to the Specific Plan
- D. Resolution No. 6440 approving the findings and conditions for architectural control and a use permit
- E. Resolution No. 6441 approving the BMR agreement
- F. Location Map
- G. Project Plans
- H. Project description letter and public benefit proposal
- I. Mitigation Monitoring and Reporting Program
- J. Standards and Guidelines Project Compliance work sheet
- K. CHS Consulting Group, Guild Theatre Project parking technical memorandum
- L. Planning Commission Minutes – April 23, 2018
- M. Planning Commission staff report – April 23, 2018
- N. <http://ccin.menlopark.org/>

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.

Report prepared by:
Corinna Sandmeier, Senior Planner

Report reviewed by:
Mark Muenzer, Community Development Director
Leigh Prince, Assistant City Attorney

**Attachment A
Recommended Actions
949 El Camino Real**

Environmental Review

1. Adopt a Resolution of the City Council of the City of Menlo Park adopting the EIR Addendum.

Amendment to the Specific Plan

2. Adopt an Ordinance of the City Council of the City of Menlo Park Approving an Amendment to the El Camino Real/Downtown Specific Plan.

Architectural Control and Use Permit

3. Adopt a Resolution of the City Council of the City of Menlo Park Approving Findings and Conditions for the Architectural Control and a Use Permit to allow small-scale recreation and a bar for 949 El Camino Real.

Below Market Rate (BMR) Housing Agreement

4. Adopt a Resolution Approving a Below Market Rate Housing Agreement with the Peninsula Arts Guild for 949 El Camino Real Project.

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. 6439

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
ADOPTING AN ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT
REPORT FOR THE EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN**

WHEREAS, the City of Menlo Park ("City") adopted the El Camino Real/Downtown Specific Plan ("Specific Plan") and certified the Environmental Impact Report ("EIR") in 2012; and

WHEREAS, the City Council held a Study Session on February thirteenth, 2018 on the proposed Guild Theatre renovation project and Specific Plan amendments; and

WHEREAS, at the conclusion of the Study Session, the City Council directed staff to prepare amendments to allow the renovation of the existing Guild Theatre into a live performance facility with community benefits at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50 with the remainder below grade and inaccessible to the public; and

WHEREAS, an Addendum to the certified EIR for the Specific Plan was prepared in compliance with the California Environmental Quality Act ("CEQA"); and

WHEREAS, on April twenty-third, 2018, the Planning Commission held a duly noticed public hearing on the proposed project at which all interested persons had the opportunity to appear and comment and the Planning Commission voted to recommend approval of the Specific Plan amendments to the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on May twenty-second, 2018 to review the proposed project, including the Specific Plan Amendment, at which all interested persons had the opportunity appear and comment and voted to approve the proposed project; and

WHEREAS, adoption of the Specific Plan has complied with the provisions of Government Code Section 65453.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City Menlo Park as follows:

1. The City Council of the City of Menlo Park hereby approves and adopts the Addendum to the certified EIR for the Specific Plan attached hereto as Exhibit A.

I, Judi A. Herren City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-second day of May, 2018, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of May, 2018.

Judi A. Herren, City Clerk

Addendum to El Camino Real/Downtown Specific Plan Final Environmental Impact Report

Lead Agency: City of Menlo Park

Telephone: (650) 330- 6726

Contact Person: Corinna Sandmeier, Senior Planner

Project Title: El Camino Real/Downtown Specific Plan

Project Location: City of Menlo Park, San Mateo County

El Camino Real/Downtown Specific Plan

The City of Menlo Park (City) developed the El Camino Real/Downtown Specific Plan (Specific Plan) to establish a framework for private and public improvements in the Specific Plan area. 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 El Camino Real.” The Specific Plan includes objectives, policies, development standards, and design guidelines intended to guide new private development and public space and transportation improvements in the Specific Plan area.

Specific Plan Program Environmental Impact Report

On June 5, 2012, the City Council certified the Menlo Park El Camino Real and Downtown Specific Plan Program Environmental Impact (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.

Proposed Project

Peninsula Guild Arts (P.A.G.) has submitted an application to revitalize the existing Guild Theatre located at 949 El Camino Real in the Specific Plan area. The proposed project includes substantial retention of the existing walls, or the rebuilding of new walls in substantially the same location and configuration, and retention of the existing setbacks and the highly visible and memorable “Guild” sign, as well as the construction of a

basement and second floor/mezzanine area that would increase the floor area by approximately 6,682 square feet for a total floor area of approximately 10,854 square feet. The first floor would contain an entry lobby, main viewing or seating area, bar, stage, box office, and restrooms. The basement would not be accessible to the public but would be reserved for the green room and dressing rooms, as well as a warming kitchen, storage and mechanical rooms. The second floor would provide additional viewing areas, a small bar, office and vestibule. The maximum building height is 34 feet to the top of the roof screen.

The proposed project would operate daily, with the majority of events on weekend (Friday, Saturday and Sunday) evenings with live performances lasting within a 7 pm to 11 pm time frame and for a typical event length of two hours. The venue would employ approximately 20 people in a mix of full time and contractor positions. The facility would include the on-site sale of alcohol.

As a public benefit, P.A.G. is proposing the facility to be available at a reduced rental rate for up to 24 additional community events per year that may include events such as the following: City special events (i.e. wine walk, concert series), movie showings and festivals, local school events such as plays and concerts, Kepler's author talks and events, as well as other non-profit events.

To account for the proposed project, the Specific Plan needs to be revised in accordance with the El Camino Real/Downtown Specific Plan City Council-Directed Changes (Amendment), attached hereto as Attachment A and incorporated herein by this reference. The Planning Commission will review these amendments to the Specific Plan and make a recommendation to the City Council, which can adopt the amendment by resolution.

Potential Environmental Impacts

This is the first addendum to the Program EIR prepared by the City. To assess any potential environmental issues as a result of the Amendment, the City conducted the following studies: (1) City of Menlo Park – Guild Theatre Project Parking Technical Memorandum; (2) Archaeological Review - Guild Theatre Renovations; (3) Historical and Architectural Evaluation – The Guild Theater; and (4) El Camino Real/Downtown Specific Plan Program EIR – Conformance Checklist. None of these studies, which are attached hereto as Attachment B raise any new environmental issues.

The proposed project requires only minor modifications to the Specific Plan to allow an additional approximately 6,682 square feet in floor area, much of which would be located below grade in an area inaccessible to the public. The Amendment does not propose to allow any additional above grade floor area than was previously analyzed by the Program EIR and is limited to one sub-area of the Specific Plan (El Camino Real South-West in the area north of Live Oak Avenue). Additionally, the Amendment will not increase the maximum allowable development capacity under the Specific Plan. Thus, the Program EIR examined essentially the same project that is now being considered by the City. As

a result, the Amendment would have no new impacts or more severe impacts than previously discussed and analyzed in the adopted EIR.

Findings: The changes are considered minor, and no new or more severe impacts have been identified beyond those examined in the previously adopted Program EIR. CEQA Guidelines Section 15162 provides that no subsequent document is needed unless the City determined on the basis of factual evidence that one of the following has occurred:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

There have been no substantial changes in the project or its circumstances since adoption of the Program EIR. Similarly, there is no substantial new information that could not have been known when the Program EIR was adopted. Therefore, there are no grounds for the City to undertake a subsequent EIR. An addendum is the appropriate documentation for these changes because the changes are not substantial changes and do not require major revisions to the adopted Program EIR (CEQA Guidelines Section 15164). Further, an addendum does not need to be circulated for public review. This addendum will be considered by the City in conjunction with the Program EIR when taking action on the project.

**949 El Camino Real
El Camino Real/Downtown Specific Plan Program EIR – Conformance Checklist**

Introduction

The City of Menlo Park (City) has developed the El 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 El Camino Real.” The Specific Plan includes objectives, policies, development standards, and design guidelines intended to guide new private development and public space and transportation improvements in the Specific Plan area. The Plan builds upon the El 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.

Peninsula Guild Arts (P.A.G.) has submitted an application to revitalize the existing theatre which includes construction of a basement and second floor/mezzanine area. The Project would increase the floor area by approximately 6,682 square feet. The project site consists of one parcel (Assessor’s Parcel Number 071-288-057) at 949 El Camino Real, which is currently occupied by the Guild Theater. The Project would revitalize the existing theatre through structural and tenant 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 on the west side of El Camino Real between Ravenswood to the north and Live Oak Avenue to the south which is part of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The site is bounded by commercial uses and surface parking lot to the west of the site. The 4,752-square foot project site is currently occupied by the Guild Theater facing El Camino Real. The project site is relatively flat rectangular shaped parcel.

Project

The Project would revitalize the existing theatre to convert it to a performance based venue which includes construction of a basement and second floor/mezzanine area. The Project would increase the floor area by approximately 6,682 square feet for a total of approximately 10,854 square feet. The first floor would contain an entry lobby, main viewing or seating area, bar, stage, box office, and restrooms. The basement would be reserved for the green room and dressing rooms, as well as storage and mechanical rooms. The second floor would provide additional viewing areas, a small bar, office and vestibule. The maximum building height is 34 feet to the top of the roof screen.

The Project would operate 1-3 events per week, usually on the weekend (Friday, Saturday and Sunday) evenings with live performances lasting within a 7 pm to 11 pm time frame and for a typical event length of two hours. The venue would employ 20 people in a mix of full time and contractor positions. The facility would include the on-site sale of alcohol.

As a public benefit, the Applicant is proposing the facility to be available for community uses that may include the following: City special events (i.e. wine walk, concert series), movie showings and festivals, local school events such as plays and concerts, Kepler's author talks and events, as well as church events.

The Project requires a Specific Plan amendment to allow a Floor Area Ratio up to 250%, Architectural Review and Use Permit to allow small scale commercial recreation and a bar from the Planning Commission and City Council.

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 revitalization of an existing theatre through the construction and addition of a basement and a new second floor. The Project would increase the intensity of the use given the larger capacity of the proposed facility and the limited use of the current theater which is often not at capacity. The proposed capacity ranges from 150-200 (cinema/seated events) to 500 for live events. The existing theater has a capacity of 266. Given that the large majority of events, estimated up to 150 annually, would take place on weekend evenings the impact on local traffic should be minimized.

There is no existing parking on-site, given that the proposed use would be on Friday and weekend evenings, there would be ample public parking near the site. The site is also within walking distance to the Caltrain station. A Parking Analysis by CHS Consulting Group was prepared for the Project which noted that there is ample parking available to Guild patrons within ¼-mile distance to the site. In addition, CHS conducted a field review of walking routes to and from the observed parking areas, consisting of both on-street and public off-street lots. The field review revealed that the theater is currently connected to a continuous network of sidewalks that lead to the public parking areas which is expected to be used by patrons and bounded by Oak Grove Avenue, El Camino Real, Menlo Avenue, and Crane Street. The Parking Analysis includes parking demand management strategies that the Project Sponsor can implement to manage and potentially reduce venue generated parking demand.

The proposed live entertainment use would add to the vibrancy of El Camino Real, a Phase I Vision Plan Goal of the Specific Plan. The Guild Theater site is located within the El Camino Real Mixed-Use Residential District (ECR South West). The district encourages uses in close proximity to the train station area while also allowing for a variety of commercial uses and permits building heights ranging typically 2-4 stories, with some building heights only permitted through the provision of public benefits.

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 addition to an existing theatre for live entertainment purposes. 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. The Project meets the design standards and guidelines as noted in the El Camino Real/Downtown Specific Plan by maintaining the recessed store front and activating the street by promoting live entertainment. The maximum height of the Project would be 34' to the top of the mechanical screen which is allowable under the Specific Plan. No trees are proposed to be removed. 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.

AIR-1: 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 a new second story to an existing theatre. The Project would be well below the 277,000 square feet of commercial development 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.

AIR-2: 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.

AIR-3: 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.

AIR-4: The Program EIR concluded that the Specific Plan would not have a substantial adverse effect pertaining to Particulate Matter (PM_{2.5}). 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. No trees are proposed to be removed.

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 Measure CUL-4 through notations on plan sheets and ongoing on-site monitoring. Mitigation Measure CUL-3 would be required, as the Project would excavate one level beyond previously disturbed soil. CUL-3 would require all construction forepersons and field

supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in teaching non-specialist to ensure they can recognize fossil material and will follow proper notification procedures in the event any are uncovered during construction.

In compliance with Mitigation Measure CUL-1, a Historic Resource Evaluation was prepared by Urban Programmers, dated June 23, 2014 for the Project. Based on the review, the theater building is not significant to the history or architectural heritage of the City of Menlo Park. Under the criteria of the California Register of Historical Resources, the property is not a significant historical resource due to the extensive alterations, remodeling and change in size of the building. Therefore, the Project site does not have historical or historic potential for inclusion on the National Register of Historic Places or the California Registrar of Historical Resources.

In compliance with Mitigation Measure CUL-2a, an Archeological Resource Evaluation was prepared by Basin Research Associates, dated March 29, 2018 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 4.7 miles southwest of the property. Although this is the case, the Project is 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.

The Project site is relatively flat which reduces the potential for erosion and loss of topsoil during construction activities. Once covered by an impermeable surface such as asphalt or a new structure and new landscaping, the potential for erosion would be reduced substantially. No new impacts have been identified and no new mitigation measures are required.

Greenhouse Gas Emissions

Impacts would be the same as the Specific Plan.

GHG-1: 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 Management 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 and because the City’s CAL Green Amendments have since been adopted and are applied to all projects, including this Project.

GHG-2: The Program EIR determined that the Specific Plan could conflict with AB 32 and its Climate Change Scoping Plan by 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.

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 regard 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 an addition to an existing commercial building and improvements and as such implementation of Mitigation Measures HAZ-1 and HAZ-3 would be required. Project operations would result in a commercial live entertainment use development. The Project would not handle, store, or transport hazardous materials in quantities that would be required to be regulated.

Due to the age of the building, building materials may contain asbestos or lead based paint. Prior to demolition/construction of the building an asbestos and lead based paint survey would be conducted by a qualified licensed professional and disposed of appropriately. The demolition of building walls containing asbestos would require retaining contractors who are licensed to conduct asbestos abatement work and notify the BAAQMD.

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 of dirt.

The Grading and Drainage (G&D) Permit requirements specify that the construction must demonstrate that the sediment laden-water 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.

LU-1: The Program EIR determined that the Specific Plan would not divide an established community. The Project would involve an addition to the existing commercial building and 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 Project would increase the

floor area by approximately 6,682 square feet. The Project would revitalize the existing theatre through structural and tenant improvements 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 new impacts.

LU-2: 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 a proposed live entertainment use that meets the intent of the Specific Plan, and would be consistent with the General Plan. No mitigation is required for this impact, which is less than significant.

LU-3: 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. There are no existing onsite parking spaces but there is an existing City parking lot to the rear. The applicant asserts the present use provides no-onsite parking and that given the primarily weekend evening use of the theater, that there is ample parking available in public parking areas near the site. The site is within walking distance to Caltrain station and the applicant plans to promote the use of ride share options to further limit private vehicle transportation options.

A Parking Analysis by CHS Consulting Group was prepared for the Project which noted that there is ample parking available to Guild patrons within ¼-mile distance to the site. In addition, CHS conducted a field review of walking routes to and from the observed parking areas, consisting of both on-street and public off-street lots. The field review revealed that the theater is currently connected to a continuous network of sidewalks that lead to the public parking which is expected to be used by patrons and bounded by Oak Grove Avenue, El Camino Real, Menlo Avenue, and Crane Street.

The Project is consistent with the primary goal of the Downtown Specific Plan's Parking Management Plan, which is to use the existing downtown parking supply to the fullest extent possible, promoting a "Park Once and Walk" strategy in which visitors to downtown can park once and visit multiple designations. The Project would schedule events that enable patrons to utilize widely available downtown parking capacity during Friday and weekend evenings, after parking limit enforcement has ended, enabling patrons to visit the Guild Theater as well as other downtown businesses without needing to move their car if they choose.

No mitigation is required for this impact, which is less than significant.

LU-4: 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.

NOI-1: 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).

NOI-2: 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. As discussed in the Specific Plan EIR, noise increases of less than 1 dBA are not perceptible; a 3 dBA change is barely perceptible to humans and does not cause adverse response. Therefore, the changes in noise level due to increased roadway traffic would not increase in substantial noise level increases that may impact sensitive receptors in the area.

NOI-3: The Program EIR determined that the Specific Plan could include the introduction of sensitive receptors (i.e., new residences) to a noise environment with noise levels in excess of standards considered acceptable under the City of Menlo Park Municipal Code (i.e., near the Caltrain tracks), as well as the introduction of sensitive receptors to substantial levels of ground borne vibration from the Caltrain tracks. The Project proposes live entertainment use and is not adjacent to the Caltrain tracks. Therefore, no detailed acoustical assessments for residential units constructed within

the Specific Plan area to ensure that Title 24 interior noise level standards (Mitigation Measures NOI-3) would be required.

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.

POP-1: 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 includes construction of a second story addition and basement to an existing theatre and is subject to Planning Commission architectural review and City Council approval. No mitigation is required for this impact, which is less than significant.

POP-2: 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 Project includes construction of a second story addition and basement to an existing theatre. 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 quantity of workers from outside the City or County would not be expected to relocate permanently

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.

POP-3: 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 building additions meet all relevant service requirements. MPFPD have completed an 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. 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 Burgess Park, Fremont Park, and Nealon Park. Additional public facilities, such as the library and recreational facilities at the Civic Center complex are located next to Burgess Park. 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 proposed 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 commercial development 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

As noted previously, the proposal is revitalization of an existing theatre through the construction and addition of a basement and a new second floor. The Project would

increase the intensity of the use given the larger capacity of the proposed facility and the limited use of the current theater which is often not at capacity. The proposed capacity ranges from 150-200 (cinema/seated events) to 500 for live events. The existing theater has a capacity of 266. Given that the large majority of events, estimated up to 150 annually, would take place on weekend evenings the impact on local traffic should be minimized.

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.

TR-1 and TR-7: 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.

TR-2 and TR-8: 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 Mitigation Monitoring and Reporting Program (MMRP) to implement Mitigation Measure TR-2, requiring submittal and City approval of a Transportation Demand Management (TDM) program prior to Project occupancy. The goal of the TDM plan is to identify trip reduction methods to be implemented in order to reduce the number of AM and PM peak single occupant vehicle (SOV) trips that are generated by the project site. 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. The Parking Analysis concluded there is ample parking supply in Downtown Menlo Park that is expected to accommodate the largest estimated demand generated by the Project. However, if necessary there are several strategies that the Project Sponsor can implement to manage and potentially reduce venue generated parking demand Downtown. These strategies consist of providing a venue website for transportation alternatives, providing curbside passenger loading and unloading, offer patrons incentives such as discounts on transportation network company (TNC) rides (e.g. Lyft or Uber) or food discounts for riding Caltrain to the venue, or future collaboration with Caltrain in terms of train use programs and the potential to lease Caltrain parking for theater use during late evening as might be needed in the event of a future downtown parking capacity issue.

TR-3, TR-4, TR-5, and TR-6: 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. There is no existing parking on-site, given that the proposed use would be during the evenings on the weekend, there would be

ample public parking near the site. The site is also within walking distance to the Caltrain station.

As noted above, a Parking Analysis by CHS Consulting Group was prepared for the Project which noted that there is ample parking available to Guild patrons within ¼-mile distance to the site. In addition, CHS conducted a field review of walking routes to and from the observed parking areas, consisting of both on-street and public off-street lots. The field review revealed that the theater is currently connected to a continuous network of sidewalks that lead to the public parking which is expected to be used by patrons and bounded by Oak Grove Avenue, El Camino Real, Menlo Avenue, and Crane Street.

The Project is consistent with the primary goal of the Downtown Specific Plan's Parking Management Plan, which is to use the existing downtown parking supply to the fullest extent possible, promoting a "Park Once and Walk" strategy in which visitors to downtown can park once and visit multiple designations. The Project would schedule events that enable patrons to utilize widely available downtown parking capacity during Friday and weekend evenings, after parking limit enforcement has ended, enabling patrons to visit the Guild Theater as well as other downtown businesses without needing to move their car if they choose.

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 for the Project.

References

1. Cultural Resource Evaluation prepared by Basin Research Associates dated March 29, 2018.
2. Historic Resource Evaluation prepared by Urban Programmers, dated June 23, 2014.
3. Plans prepared by the CAW Architects dated February 2018.
4. Parking Memorandum prepared by CHS Consulting Group dated April 4, 2018.
5. Staff site visit March 14, 2018.

**Historical and Architectural Evaluation
The Guild Theater
949 El Camino Real
Menlo Park, San Mateo County, California**



Prepared At the Request of:

Howard B. Crittenden III
117 Heather Drive
Atherton, CA 94027

Prepared by:

Bonnie Bamberg
Urban Programmers
10710 Ridgeview Ave.
San Jose, CA 95127
408-254-7171
bbamberg@usa.net

Date:

June 23, 2014 Revised March 9, 2018

TABLE OF CONTENTS

		Page
	Title Page	1
	Table of Contents	2
1. 1.	Executive Summary	4
1. 2.	Report Preparation	4
2. 0.	Introduction	5
2. 1.	Historic Context- City of Menlo Park	5
2. 2.	History of 949 El Camino Real	8
3. 0	Description of the Improvements	12
3. 1.	General Setting	12
3. 2.	Buildings and Landscaping	12
4. 0.	Evaluation of Significance	23
4. 1.	Historical Context	23
4. 2.	Evaluation – California Register of Historical Resources	24
4.3	Evaluation – National Register of Historic Places	26
5. 0.	CEQA Review	28
6. 0.	Sources Consulted	29
6. 1.	Repositories	29
6. 2	Published and Unpublished Works	29

FIGURES, MAPS, AND PHOTOGRAPHS (inserted within the report)

Photographs - Existing Buildings

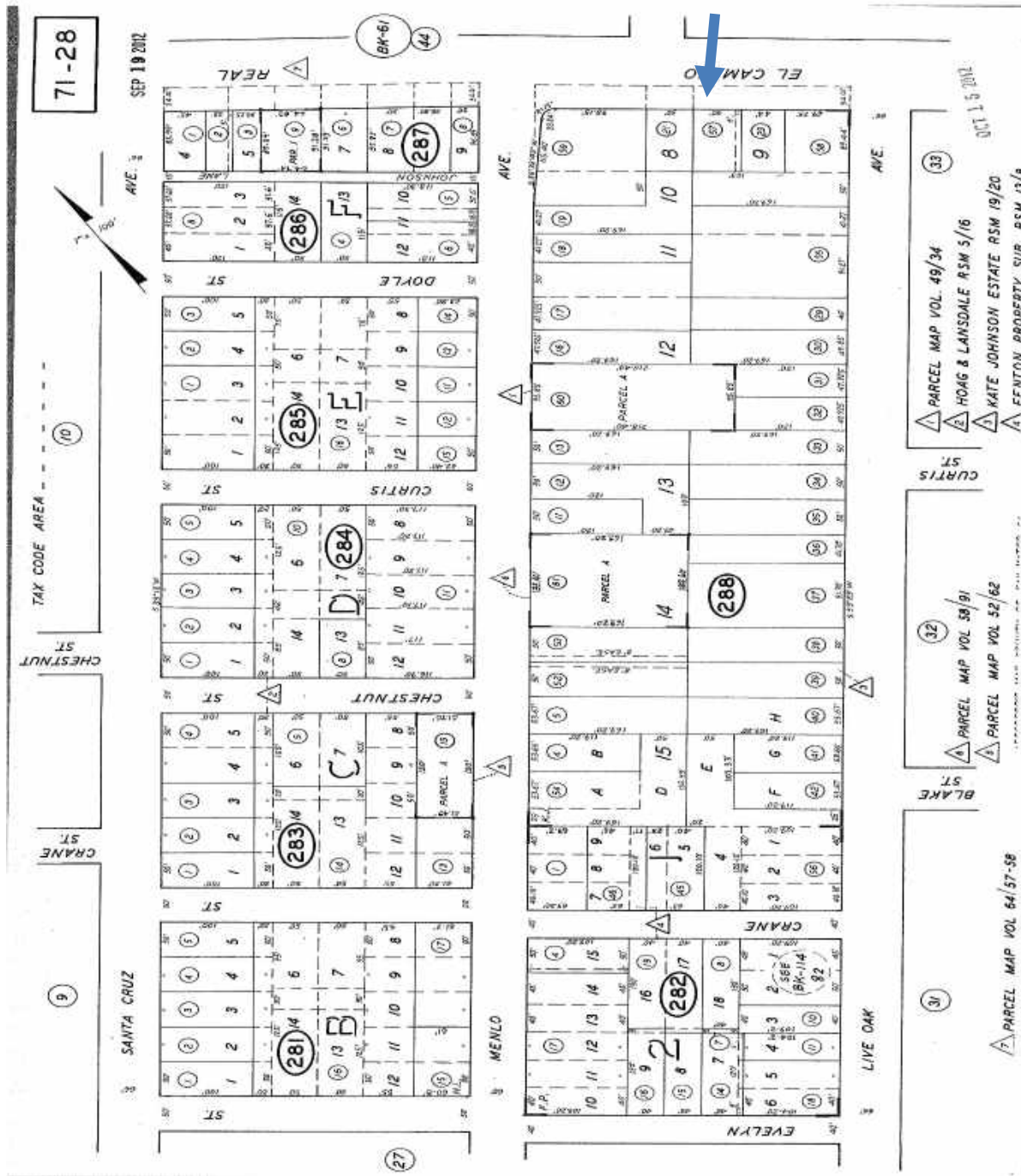


Figure 1 San Mateo County Assessor's Map APN 071-288-570
949 El Camino Real, Menlo Park CA

1. 1. EXECUTIVE SUMMARY

The City of Menlo Park has requested that the owners provide an analysis of the value of the architecture and historic associations of the Guild Theater located at 949 El Camino Real. The single-story building that fills the parcel is constructed with reinforced concrete. The building has operated as a theater since its construction in 1924, first as the Menlo Theater and later as the Guild Theater. Because the building is over 50 years old, it is necessary to evaluate the property to determine if it is significant to the history of Menlo Park, the State, or the Nation. This evaluation report is to provide information to the City that it may use when considering applications according to the CEQA Guidelines and historic preservation policies used by the City. The following report describes the research into the historic associations, architecture, and construction methods and materials of the property and buildings.

Research was conducted in the repositories of the Menlo Park Historical Association, San Mateo County Historical Museum, Redwood City Library, Environmental Design Library at University of California Berkeley, Green Library at Stanford University (Bay Area Architects' files), United States Census Records of San Mateo County, Building Permits, County Assessor's Records, Official Records of the County, and Bay Area architects files. Site visits, interviews, and photographs were also used in preparing the report and evaluation.

Based upon the research and site visit, we conclude that the building is not significant to the history or architectural heritage of the City of Menlo Park. Under the criteria of the California Register of Historical Resources, the property is not a significant historical resource due to the extensive alterations, remodeling and change in size of the building.

The theater has been one of the recreational and entertainment venues in Menlo Park since it was constructed. During this time it has reprogrammed the entertainment aspects of motion pictures, and the selections to be offered, to address different segments of the population's desire for movie types. For many years the clientele has come less from the immediate community and more attendance is from outside Menlo Park, and those who are seeking a specific genera of films. Thus the recreational association with the Menlo Park community is diminished.

The building has lost integrity. First was the widening of El Camino Real that took 30 feet of the original building and in the 1980s the interior was remodeled using architectural décor from other theaters. Other than the shell walls, little remains from the original building.

1. 2. REPORT PREPARATION

The report was prepared by Urban Programmers and compiled by Bonnie Bamburg. Ms. Bamburg has over 35 years of experience preparing historic surveys and evaluation reports for cities, counties, and the federal government. She has prepared numerous National Register Nominations for individual sites and historic districts. Additionally, she has advised owners and architects on compliance with the Secretary of the Interior's Standards for Rehabilitating Historic Buildings and has prepared Certifications for historic properties in several states. She is a lecturer in historic preservation, a former instructor in Historic Preservation at SJSU, and a former San Jose Historical Landmark Commissioner (1974-1980). Ms. Bamburg is an advisor to Preservation Action Council San Jose and a past board member of the Western Region of Preservation Technology and History San Jose. Others who are part of the firm include: Linda Larson-Boston, who received her BA in English and History at Santa Clara University., has 17 years of experience as a researcher and is a published author of local history. Her clients include architects, attorneys, and land owners. She is a former San Jose Historical Landmarks Commissioner, a member of the Institute for Historical Study, and has served on the Board of Directors for Preservation Action Council of San Jose. William Zavlaris, B.A., MUP, received his education in art and architectural history at University of California Berkeley and received his master's degree in Urban Planning, City Design, from San Jose State University. Mr. Zavlaris has 23 years of experience evaluating architecture for local historical surveys and National Register Nominations for both private clients and government agencies. Douglas A. Bright received his Masters in Historic Preservation from Savannah College of Art and Design in 2008. MBA Architects principal, Marvin Bamburg, AIA, has over 45 years of experience providing architectural services for historic preservation projects. MBA Architects review existing conditions for surveyed projects.

The preparation of the report followed standard methodology for research and site investigation. The information contained herein was derived from a combination of interviews conducted with people knowledgeable about certain aspects of the property or associations in history, city directories, historic maps, public records, and special collection materials at local repositories. The internet was used as a repository for research when applicable.

Research was conducted in the repositories of the San Mateo County Historical Museum, the Redwood City Library, the California Room of the Dr. Martin Luther King Jr. Main Library San Jose, the Environmental Design Library, University of California Berkeley, Green Library at Stanford University, United States Census, San Mateo County Building (permit files), and the County Assessor's Records and Official Records. Site visits and photographs were also crucial to preparing the report and evaluation.

2. 0. INTRODUCTION

The following report provides a brief historical background of the City of Menlo Park to contextualize the history of buildings constructed there in the mid-1920s.

2. 1. HISTORICAL CONTEXT-THE MENLO PARK AREA

Early Settlement Era 1776-1847

The first recorded inhabitants of the area now known as Menlo Park were the Coastanoan or Ohlone people. The first European discovery is attributed to Gaspar de Portola and the expedition of 1769, who passed through the area in search of the mouth of the Bay of San Francisco and returned to camp in close proximity to Menlo Park. The De Anza party of 1776 described the land as it established the San Francisco Presidio and Mission Dolores. In the 1830s English speaking settlers were attracted to the area for economic reasons, primarily for the abundance of timber and furs. Divisions of land began in the Spanish period. The largest land grant on the Peninsula was Rancho de las Pulgas, 35,240.35 acres was awarded by Governor Diego de Borica, to the former Commandant of the San Francisco Presidio, Jose Dario Arguello.¹ Land grants to individuals were more common during the Mexican Period (1822-1848), which began when Mexico seceded from Spain. In 1835, Mexican Governor Jose Castro granted Rancho de Las Pulgas, which included what is now Menlo Park, to Jose Dario Arguello's widow Maria Soledad Ortega de Arguello and the heirs of Louis Antonio Arguello, Dario's son.² This period of Mexican rule and the division of land into Ranchos or other privately owned parcels ended when California became a territory of the United States following the Treaty of Guadalupe Hidalgo in 1848. When admitted as a state in 1850, California had 27 counties; six years later, San Mateo County was formed during a second round of county divisions. In 1853 the land grant for Rancho de Las Pulgas was patented by the United States in the names of Maria de Soledad de Arguello($\frac{1}{2}$), heirs of Jose Ramon Arguello ($\frac{1}{4}$), Louis Antonio Arguello ($\frac{1}{10}$), and Attorney S. Mezes ($\frac{3}{20}$).³ Subdivisions of the land began soon after the patent. No physical evidence of the owners from this period exists on the property at 949 El Camino Real.

American Period 1848-1900

This period is known for the proliferation of lumbering, trading, and, eventually, agriculture. By 1852 stage coach service to and from San Francisco to the rest of the peninsula was fairly regular. San Mateo County's forested hills provided the natural resources for a developing lumber industry, which, in turn, contributed to residential and local economic growth. By 1855 there were several lumber mills flourishing in the hills to the west of the bay. Additionally, the Peninsula provided a scenic area with a comfortable climate and city access that attracted increasing numbers of residents to the area. The southern portion of the county was particularly

¹ The Daily Journal: San Mateo County Home Page, Arguellos and Rancho de Las Pulgas, August 4, 2008

² *ibid*

³ Report of the Surveyor-General of the State of California From August 1, 1884, to August 1, 1886

suited for farming. The subject property appears to have been part of larger agricultural lands prior to 1917.

During the first fifty years of California's statehood, the construction of the railroad in the 1860s is regarded as the most influential development for the San Francisco Bay Area. The railroad made practical a "commute" from San Francisco to the Peninsula and even San Jose. The train station and city south of Redwood City was named Menlo Park after the sign over entrance to the estate of brothers-in-law Dennis J. Oliver and D.C. McGlyn.⁴ Other significant developments to Menlo Park's history include former Governor of California and President of the Central Pacific Railroad Leland Stanford's purchase of land for his estate in 1876. It eventually grew to 8000 acres and is now home to Stanford University's campus. The large local interest Spring Valley Water Company, conceived elaborate plans to transport water from the Sierra Mountains into the Peninsula to be stored for use by the citizens of San Francisco. Although these projects had an indirect influence on Menlo Park, there is no evidence of the association with the subject parcel.

Agricultural Expansion and Incorporation Era 1901-1939

This era included WWI, prohibition, the Roaring Twenties, and the Great Depression. All of these, of course, affected Menlo Park. But the Lower Peninsula retained its wonderful climate and bucolic setting and continued to appeal to ever more San Franciscans looking for a summer home. The area also attracted farmers because it was ideal for row crops and orchards. The onset of WWI disrupted agricultural production in Menlo Park when Camp Fremont was established in 1917 on 25 acres of land south of Santa Cruz Avenue. The training center included buildings to house, support, train, and provide recreation for up to 27,000 soldiers. The complex even included a theater. Almost as quickly as it started, the camp closed in 1919, and most buildings were demolished by 1920. During the short time it was open businesses grew around the camp including stores and a bank. By U.S. Army and County decree, no alcohol, including that from local wineries, could be sold within 5 miles of the camp. After the camp closed the land became available for residential subdivision and commercial development—perfect timing for the growing population in the Bay Area. By the 1920s housing subdivisions began construction along El Camino and extending west. The Sanborn Insurance map of Menlo Park completed in 1925 shows commercial development was filling in the El Camino parcels, but many large, open spaces remained. When the City incorporated in 1927, its industry was primarily agricultural. At the time Allied Arts and Menlo Schools were also large employers. It was the year the Menlo Theater first opened.⁵ Toward the end of the period, in the 1930s, residential construction was the dominant local industry. Houses and commercial buildings displayed popular designs in the International, First, and Second Bay Region Traditions and Modern or Contemporary styles. However, the California Ranch style was by far the most popular design motif for homes because it was well adapted to the climate and terrain of Menlo Park. Commercial buildings tended to be bland, sometimes with a bit of stone veneer or large glass walls. Often what they lacked in architectural

⁴ City of Menlo Park, Early Days in Menlo Park, www.menlopark.org/homepage/history/html

⁵ R.L. Polk, Redwood City Directory Embracing, Atherton, Belmont, Menlo Park, San Carlos and Woodside.

flair was compensated for with colorful, moving neon signs. The subject of this study the Guild Theater was constructed during this period.

Suburbanization and Industrialization Era 1940-2000

After the end of WWII, the greater San Francisco Bay Area experienced a boom in population that lasted from 1946-1960 when most of the available land had been developed. The ever popular subdivisions for part time residents transitioned to cater to full time residents. The common residential architectural styles continued to include International, First, and Second Bay Region Traditions and Modern or Contemporary style, and primarily the California Ranch style. The agriculture was overtaken by subdivision industry. The industrial buildings East of El Camino Real trended toward manufacturing, but commercial endeavors remained the main business interests in the community. In this period the United States Geological Study selected Menlo Park for their offices and located on Middlefield Road not far from where Sunset Magazine was headquartered. Commercial development featured the straight lines of Mid-century architecture while the Period Revival styles of the 20s and 30s fell out of fashion. This is also the era of the Supermarket, chain retailers, and shopping centers, all of which developed close to El Camino Real- the artery between San Francisco and San Jose. This was also the period of local theaters. Every town on the Peninsula had at least one. Menlo Park, for a short time, had three, two of which, the Park and the Guild (formerly the Menlo) theaters, survived into the twenty-first century.

Brief History of the Early Motion Picture

The "Motion Picture Project" was research initiated at the Edison Laboratories in Menlo Park New Jersey. The work began in the early 1890s. By 1892 a Kinetoscope was using vertical feed film and the first motion picture "The Blacksmith Scene" was produced and publically exhibited. By 1894, the projection screens were introduced, along with censorship. From then on the industry grew quickly with due to technological advances and huge commercial appeal. During the Roaring Twenties, the film industry roared itself into sunny Hollywood. The booming Hollywood studios pushed technological envelopes. For example, in 1920, Lee De Forest added a sound track to the side of the film in 1920. The same year saw the debut of breakthrough films *Dr. Jekyll and Mr. Hyde* and *the Mark of Zorro*. The studios instituted a grandeur of production and the "star" system that would characterize the industry for decades. The studios produced tremendous films such as *The Ten Commandments* by Cecile B. DeMille and Warner Brother's distributed *The Marriage Circle*. The year 1925, saw the release of Charlie Chaplain's *The Gold Rush* (considered his finest film) and MGM's *Ben-Hur*. Disney was producing animation mixed with live action scenes in a series. Audiences were flocking to the theaters to see the latest films. These theaters, called "Movie Palaces" were located primarily located in large cities and were much grander than contemporary cinemas. They often featured full orchestras, could seat more than a thousand people, and were owned by the film studios themselves. By the end of the 1920s, studios were producing more films faster as technology and film quality improved. The 1927 release of *The Jazz Singer*, arguably the first musical movie, was shown with a synchronized

recorded sound-track using the Vitaphone system. From then on the days of silent films were numbered. In the San Francisco Bay Area, this gave theater owner/operators incentive to begin branching out from the Movie Palaces of San Francisco, Oakland, and San Jose to small theaters located in communities along major transit corridors. This trend started slowly and stopped during WWII to be rekindled in the late 1940s and '50s when virtually every community had at least one movie theater.

2. 2. HISTORY OF THE PROPERTY AT 949 EL CAMINO REAL, MENLO PARK

The guild theater has been a part of the Menlo Park community, in various forms, since 1924 when the Menlo Park Recorder reported the start of construction of the theater—the first building to be constructed on the parcel.⁶ In 1925 the Menlo Park Sanborn map lists “moving pictures” at the site.⁷ It was originally called the Menlo Theater. It still has only one screen. In its early years it played silent films accompanied by a live organist.⁸ It was originally owned and operated by Boyd Braden. The opening feature, on May 7, 1926, was “King of the Turf,” accompanied by organist Philip Zenovich. The building cost \$35,000 to build and an additional \$10,000 for the organ alone. This tremendous investment promised local entertainment and a boon for the local economy. In 1930 the census reports that population of Menlo Park as only 2254—a population so small that the theater could host every single citizen within 5 showings. But Braden’s large investment proved wise. He knew that the growing town needed some entertainment and he had faith—a faith that endeared him to the population of Menlo Park—that the town would continue to grow and prosper.⁹ The Menlo was the only theater in Menlo Park for over fifteen years. After the third theater was built in Menlo Park and named The Menlo, the old Menlo was renamed the Guild. In 1942, due to the widening of El Camino Real by two lanes, the theater was forced to remove 30 feet from its large lobby and construct a new front façade. Many other buildings on the west side of the highway were moved or demolished. With the advent of several theaters in the area, the Guild changed its format to sustain a different clientele offering different types of films.

The local paper described the theater on opening night as having a “Venetian Garden motif.” There was onyx work on the walls and trellises and “greenery” on the ceiling. The large lobby was apparently finished in “Egyptian mud.” The walls of the theater were painted with ornate, Venetian style murals.¹⁰ At that time the theater also housed a large, expensive organ for live accompaniment. The theater could reportedly seat 500. By Sept. 1, 1929 *The Film Daily* reported The Menlo, had upgraded its sound system with new technology, and was wired for “Movie-Phone” sound.¹¹ Presumably, the organ was removed and sold. According to the county assessor,

⁶ Sanborn Map Company 1891, deed 1923

⁷ Sanborn Map Company, 1925. *Menlo Park*. New York.

⁸ “Theatre to Open Tonight in Menlo Park,” *Palo Alto Times*, May 7 (continued 8), 1926.

⁹ *Ibid.*

¹⁰ Alan Sissenwein, “Can single-screen theaters like the Guild survive in the age of the multiplex?” *The Almanac*, May 2, 2001. www.almanacnews.com/morgue/2001/2001_05_02.guild.html.

¹¹ *The Film Daily*, September 1, 1929, pg 541, Onlinebooks.library.upenn.edu/webbing/serial?id=filmdaily.

the theater replaced its marquee, curtain, and seats in 1936.¹² In 1942, while the theater was owned by Bessie Niclson, El Camino Real was widened by two lanes on the west side of the road to accommodate more traffic due to population increase etc.¹³ Several of the buildings in surrounding blocks from the theater were demolished to make room for the expansion. The brick Duff & Doyle building was demolished, while many of the smaller buildings were moved. The Menlo was too big to feasibly move so, instead of demolishing it, the owners decided to simply remove almost thirty feet of the building, sell the property to the state, and rebuild a much simpler façade. The building went from 120 to 85 ft. long.¹⁴ In 1955 the sign was replaced.¹⁵ In 1989 the Guild and Park theaters were owned by West Side Valley Theaters and leased to Bel Mateo Theaters Inc., . December 2, 1980 the theater was sub-leased to a new management company Renaissance Rialto Inc.. It was this company, whose president was Allen Michaan, that undertook a major remodeling of the theater. The then 320 seat theater was remodeled with Art Deco lighting and trimmings.¹⁶ According to Allen Michaan, the striking gold wings and swirls framing the screen were salvaged from the Fox Theater in Richmond (stored in a warehouse and were next used in 1972 in the Rialto Theater in Berkeley) and added to the Guild Theater.¹⁷ Renaissance Rialto Inc., also added red fabric wall covers and art deco ceiling lights that were salvaged when the Uptown Theater in San Francisco closed. The late 1980s remodeling created an theater auditorium that is very different from its original appearance. Now, its interior is decorated in more standard fare for independent, low budget theaters. It's decorated in an art deco/art modern style typical for independent theaters in the bay area. The seats have been replaced with more modern style seats complete with cupholders. They were reportedly salvaged from Act 1 and 2 theaters in Berkeley.¹⁸ Now, the theater seats only 265. Landmark Theaters became the operator after Renaissance Rialto Inc. it specializes in independent and foreign film. Unfortunately

Landmark Theaters declared bankruptcy in the late 1990s. Since then, the operator has been Silver Cinema Acquisition Company. In 1998, West Side Valley Theaters sold the building to Howard Crittenden III, the current owner. Unfortunately, the original murals are gone and the walls are covered with fabric curtains. The roof was replaced in 1994 changing the profile.¹⁹ The building is in the same location and has a similar, though truncated, footprint, but few, if any, of the theater's original design elements or features remain. The Guild, unlike its Palo Alto cousin The Stanford, was neither built nor operated as a movie palace – a precious piece of art for the sake of art. It was meant to serve the more utilitarian needs of the community as its changing form reflects.

¹² William Henry, *The Country Almanac*

¹³ Jym Clandenin, "Then and now: El Camino Real moves west in Menlo Park," *InMenlo*, April 11, 2013, Inmenlo.com/2013/04/11/then-and-now-el-camino-real-moves-west-in-menlo-park/

¹⁴ William Henry, *The Country Almanac*

¹⁵ Building permit

¹⁶ "Menlo Park theaters Bought Out," *Peninsula Times Tribune*, December 1, 1989.

¹⁷ William Henry, *The Country Almanac*

¹⁸ Linda Hubbard Gulker, "Guild Theatre: Bringing movies to Menlo for 85 years," *InMenlo*, April 3, 2011, Inmenlo.com/2011/04/03/guild-theatre-bringing-movies-to-menlo-for-85-years/

¹⁹ Building permit

Urban Programmers

June 15, 2014

The Guild Theater managed to survive through the depression, economic booms, the age of multiplexes, multiple owners and management companies, and WWII. It did so by remaining responsive to the changing needs of movie goers. In August 1927, the theater was sold to A. Blanco. In October of that year, the *Film Daily* features a bit of advice from an F. Blanco in a column called "Exploit-O-Grams; Daily tips which mean dollars for showmen." To advertise for the film "The Fire brigade," Blanco says he posted two banners, one in front of the theater and the other across from the RR station. The lobby was transformed into an exhibit of firefighting instruments. The outreach included a short lecture on the film to local schoolchildren. Best of all, on opening night the local fire department band, which included ten musicians, performed in front of the theater.²⁰ At that time, the Menlo was not simply a business endeavor. The community rallied around it as an icon for fun and entertainment. Locals recall that in the 1930s and '40s on the weekends the Menlo would show Westerns and cartoons all day. Admission for the day cost ten cents. It was a popular weekly social event for many local kids.²¹ During the hard times of the 1930s, the theater strove to remain a part of local social life. To bring additional value to the admission prices, the theater reportedly raffled off turkeys to the audience members and even had an event called "Country Store" wherein the theater gave away dishes to female attendees.²²

In the early days, the Menlo faced competition from the nearby Stanford and Varsity theaters in Palo Alto as well as larger theaters and entertainments in San Francisco. The Guild tried to position itself as local entertainment. Menlo Park grew around its railroad station. Access to the city was imperative for its development. In 1927 the opening of the Dumbarton Bridge and, just a few years later, the Bayshore Highway offered even more access to the city. As a result, Menlo Park and its population grew steadily. In 1947 Al Lauice, then owner of the Menlo, opened and ran a second theater, the Park, just two blocks north on El Camino Real.²³ The Park was a 700-seat theater with movie selections that complemented those of the Guild. Soon after, a third theater was built in Menlo Park on Santa Cruz Avenue. It was called the Menlo and the old Menlo became the Guild. The Menlo closed in the early 1980s and The Park in 2002. As more theaters came to Menlo Park, the Guild had more competition, but also more support. At any given time at least several nearby theaters, including the Park, were operated by the same management company. This meant that the theaters could be run collaboratively rather than competitively. It also meant that the management companies had more influence over film distribution and therefore more bargaining power with film companies. Once the Park and the new Menlo were built and larger megaplexes predominated nearby cities, the Guild found a new niche as an art house theater. Its independent and foreign fare existed as an alternative to the newer megaplexes playing mainstream blockbusters. The theater is a vestige of an era of small, local

²⁰ *The Film Daily*, October 11, 1927, pg 866, [Onlinebooks.library.upenn.edu/webbing/serial?id=filmdaily](http://onlinebooks.library.upenn.edu/webbing/serial?id=filmdaily).

²¹ Alan Sissenwein, *the Almanac*.

²² Linda Hubbard Gulker, *InMenlo*.

²³ Bonnie Eslinger, "Park Theater in Menlo Park a step closer to demolition" *San Jose Mercury News*, September 6, 2013, www.mercurynews.com/peninsula/ci_24037394/this-time-it-may-be-curtains-park-theater

theaters. Now it has a stripped façade, minimal lobby, and a small, but dedicated clientele many of whom are not Menlo Park residents.

As it stands, the theater is, both literally and figuratively, a collection of pieces of other theaters it has outlived. The building and, more impressively, the business, has survived from the original development of El Camino, through the widening of El Camino Real, the population boom of the 1950s, and the proliferation of multi-screen theaters. It is remarkable. However, its survival is due to its adaptability, which has resulted in a theater dissimilar to the original in all but location.

3.0. DESCRIPTION OF THE IMPROVEMENTS

3.1. GENERAL SETTING

The immediate area is a long commercial stretch of El Camino Real. The building is constructed to the property line along El Camino. There is a five foot sidewalk in front of the building and a parking lane beyond that. Recently work has been started to landscape the street and sections of the sidewalk have been removed. Across El Camino Real, a divided boulevard, is the Menlo Park Office Center, a contemporary, low-rise complex that fills the block.

3.2. BUILDINGS AND LANDSCAPING - 949 EL CAMINO REAL

The parcel facing El Camino Real is part of lot 9 of the Kate Johnson Estate survey recorded in 1920 (APN 071-288-057). The building is a single-story, reinforced concrete building constructed in a rectangular form. It is 56 feet across the front and 86 feet in depth. The roof is flat with wood trusses. It appears that only the side and rear walls and part of the roof are original. The building fills the parcel. Directly in front of the entrance to the theater there is a pole traffic sign and a concrete aggregate trash can.

The front façade is not the original. When El Camino Real was widened on the west side in 1942, 30 feet of the building was removed, including the ticket booth and most of the lobby space. However, the façade created at that time has also been dramatically remodeled. The current façade is an amalgam of several iterations since 1944. The front wall is covered with a cementitious product that has a ridged surface. The material is applied in 6 horizontal bands that extend across the south half of the façade. Breaking the starkness of the wall, a horizontal band of 6 shadow boxes is on the south side display posters of upcoming motion pictures. A recessed element houses the entrance doors which have glass panels in the top half--covered on the inside. The rest of the doors and entry is flat and painted the bluish-purple color of the rest of the façade. The ticket window is North of the recess and in horizontal plane with the shadow boxes. This window extends around the corner onto the street façade, but the operable ticket window is within the recess. Above the entrance is the marquee. A projecting rounded marquee element appears in a 1944 photograph covering the entire façade but is now only on the north half of the building. The marquee has can lights that shine down onto the entrance area. Sitting on top of the marquee is a letter board on each side of a blade sign that extends above the building with the letters GUILD, each in its own box and spaced apart on each side so that they can be read from a

Urban Programmers
June 15, 2014

great distance. The letters are illuminated in front of an opaque background. The edges of the blade and the marque are also light bands in a yellow/gold color. Like the rest of the façade, this is not original to the theater. The blade sign that projects perpendicular from the building appears is directed to automobile traffic. It distinguishes the theater from the more subdued retail buildings fronting on El Camino. Likewise, the letter boards displaying the current or coming attractions are angled to be seen and read from the street as cars approach the building. The north side of the façade above the ticket window is a smooth cementitious board that is taller than that on the south and conceals the frame for the blade sign and mechanical equipment. This is yet another iteration of the façade. The roof has also been changed. It is originally shown in photographs as a pitched roof but is currently flat. What remains of the original building are the side and rear walls.

The interior has also been re-created and is not the original. Immediately notable is the very narrow lobby. It appears that when the building was shortened the lobby was more expendable than the prevailing seat count. This narrow space has a concession counter--really a window--on the north side and restrooms on the south. It is otherwise unadorned except for posters. The interior of the auditorium was originally decorated in frescos of a Venetian garden scene that extended to the ceiling. It is not known exactly when these were removed and the walls and ceiling repainted. Currently the interior auditorium is decorated with fabric on the side walls and a curtain in the front on the sides of the screen. This treatment was brought to the theater in the late 1980s, along with gracefully swooping gold painted plaster wings and medallions that adorn the walls and that were brought from other theaters. Art Deco ceiling lights and the chairs were also taken from other theaters and installed in the Guild. Behind the screen is a narrow area that is primarily home to large mechanical ducts. The projection booth is above the theater floor and accessed by a narrow stair. The space is spartan with storage for the marque letter board, old posters, and various pieces of equipment. The projection equipment is high quality and only a few years old. A fire suppressant system engages the flaps that cover the projection windows should there be a fire in the booth. The space is also used for the ice maker and a small office area.

In summary, the building does not retain architectural integrity of the original 1920s, or remodeled 1930s, 1940s or even 1950s. It has become a collection of parts, pieces, and décor from other buildings. Most of its current appearance occurred during the interior remodeling in 1989-90 when the operator was Renaissance Rialto Inc.,.

Photographs other than historic ones were taken in May 2014 using digital format.



Photograph 1—949 El Camino Real, Menlo Park
View: Front façade showing horizontal banding, marque and blade sign.
Camera pointing: West
Date: May 2014



Photograph 2 – 949 El Camino Real.

View: Front and north façades showing impact of the marque and blade sign. Camera pointing: Southwest

Date: May 2014



Photograph 3 – 949 El Camino Real. The Guild Theater
View: Interior showing lobby and concession counter
Camera pointing:
Date: May 2014



Photograph 4—949 El Camino Real- The Guild Theater
View: Interior of auditorium showing fabric covered walls, lights and art affects (waves, wings and scrolls) brought to the theater from other buildings
Date: May 2014



Photograph 5—949 El Camino Real- The Guild Theater

View: Interior of auditorium showing fabric covered walls, lights and art affects (waves, wings) brought to the theater from other buildings

View: looking toward the screen (stage) from the rear of the auditorium

Date: May 2014



Photograph 6—949 El Camino Real- The Guild Theater

View: Interior of auditorium showing fabric covered walls, lights and art effects (waves, wings) brought to the theater from other buildings

View: looking toward the south side from the rear of the auditorium

Date: May 2014



Photograph 7 – 949 El Camino Real- Guild Theater
View: Interior of the auditorium showing the ceiling of celotex and panels,

Date: May 2014



Photograph 8 – 949 El Camino Real- The Guild Theater

View: Interior- projection booth area of storage and mechanical. Emergency drop door in case of fire.

Camera pointing:

Date: May 2014



Photograph 9 – 949 El Camino Real- The Guild Theater
View: Interior- projection booth and projector.
Camera pointing:
Date: May 2014

4.0. EVALUATION OF HISTORICAL AND ARCHITECTURAL SIGNIFICANCE

For the purposes of this report, the property is evaluated according to the criteria of the California Register of Historical Resources.

4.1. HISTORICAL CONTEXT

The area of San Mateo County that became Menlo Park was developed in the mid-1800s through the turn of the century in response to the area's natural resources, which included lumber, fur, water, and agriculture. The area's profitable natural resources brought attention to the beauty of the area. It was an ideal location for a country home for those who were used to spending the foggy summer months in the San Francisco metropolitan area.

Subdivision of the land began shortly after San Mateo County was established. Within the first quarter of the new century, several tracts of land were subdivided for second or vacation homes. By the 1920s there were increasing numbers of permanent residents. The construction and sale of homes marked a changing era for Menlo Park. The period from 1901 -1939, the "Agricultural and Incorporation Era," was characterized by smaller agricultural tracts and the subdivision of land for homes. In the early half of the era, small orchards and vineyards were popular, but the land became more profitable as housing developments. Menlo Park became a suburban community with easy access to San Francisco and San Jose. During WWI, Camp Fremont occupied 25 acres along El Camino Real that was subdivided after the war. The land within the Kate Johnson Estate was divided for commercial properties along El Camino as well. After several commercial buildings were developed the Menlo Theater was constructed on the block between Santa Cruz Avenue and Menlo Avenue.

The Menlo (Guild) theater, built in 1924, is evaluated within the context of the Agricultural and Incorporation Era, 1901-1939. The primary theme is theater architecture; the secondary theme is community recreation.

Findings: The Kate Johnson Estate Subdivision, San Mateo County California, was part of a broad pattern of increased development in Menlo Park from the early 1920s to the beginning of WWII. The subject theater was developed as part of that trend. Constructed c. 1924 the theater was associated with the commercial development along El Camino Real. The subdivision of commercial properties was only a minor part of a large pattern of suburbanization and does not individually represent the pattern in a significant way. The owners and operators of the theater participated in and were part of the community's recreation as the population expanded. It does not appear any of the people associated with the theater during its period of significance 1924-1942 (the opening of the Menlo Theater until El Camino was widened removing 30 feet of the building) were otherwise influential or contributed to the growth and development of Menlo Park. The recreational aspect of the operations is not unique, as there were two other theaters in

Menlo Park and the surrounding area offers several choices for motion pictures that were attended by residents of Menlo Park.

4.2. EVALUATION - CALIFORNIA REGISTER OF HISTORICAL RESOURCES

The criteria for listing resources in the California Register of Historical Resources are consistent with those for listing resources in the National Register of Historic Places, but modified to include a range of historical resources which better reflect the history of California. The California Register lists 50 years as the age threshold for most historic resources. Properties that are not found eligible for the California Register of Historical Resources will not qualify for the National Register of Historic Places. Thus this property was only evaluated against the criteria of the California Register of Historical Resources.

In addition to the four criteria, the resource must retain enough of its historic character or appearance to be recognizable as a historic property and convey the reason for its significance.

Evaluation of Integrity: The resource has lost integrity, as defined by the seven aspects established by National Register of Historic Places, due to the multiple alterations that occurred over the past 50 years. The integrity of a resource is determined by seven aspects: Location, the place where the buildings were originally constructed; Design, the combination of elements that create the original form, plan, space, structure, and style of a property; Setting, the physical environment at the time the building was constructed; Materials, the physical elements that were combined during a particular period of time and in a particular pattern; Workmanship, the physical evidence of the crafts of a particular culture or people during any given period of history; Feeling, the expression of the aesthetic or historic sense of a particular period; and Association, the direct link between an important historic event or person and a historic property.

The aspect of the building's location on El Camino is considered to be intact. However, its design, materials, workmanship, setting and feeling were compromised by the alterations to the building. The removal of the original façade and widening of El Camino Real was the first major change. Eclectic pieces were gathered from older buildings, primarily the Rialto Theater in Berkeley. The Rialto was actually a warehouse for salvaged décor prior to its opening in 1972 as a theater. When the Rialto theater operation closed in 1989 some of its décor items were installed in the Guild Theater which completely transformed the building. The aspect of Association is not present due to the lack of historically important events or people associated with the theater.

Buildings that have lost integrity are not eligible for listing in the California Register of Historical Resources or the National Register of Historic Places.

Criterion 1: *It is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.*

The building does not meet the criterion for association with an event or person of historical importance. It is associated with the broad pattern of recreation and community motion picture theaters. However, this pattern is not supported by the existing building that has lost integrity of the original or even the Mid-century iteration. The c. 1989 remodeling does not convey the architecture of the previous theater. The property is not eligible under Criterion 1.

Criterion 2: *It is associated with the lives of persons important to local, California, or national history.*

The history of the property from 1926 does not indicate a direct and significant association with persons important to the history of Menlo Park, the State, or the Nation. The buildings are not eligible under Criterion 2.

Criterion 3: *It embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of a master, or possesses high artistic values.*

The building exhibits eclectic vernacular architecture. The theater is representative of vernacular Mid-century style that was popular in the mid-1950s and 1960s, but the assorted elements are not original to this building and as a composite do not create an artistic or outstanding example of the style. The building does not exhibit characteristics significant to local or state history. The property is not eligible for individual listing in the California Register of Historical Resources under Criterion 3.

Criterion 4: *It has yielded, or is likely to yield, information important to the prehistory or history of the local area, California, or the Nation.*

The soils were disturbed during the years of Camp Fremont and later with the construction of the theater and surrounding streets and buildings. It is unlikely that significant information important to prehistory or history would be found on the immediate site. The property does not satisfy Criterion 4.

Conclusion: The reinforced concrete building has lost integrity and is not eligible for listing in the California Register of Historical Resources. Further, the property does not exhibit associations to significant people or events, distinctive architecture of high artistic value, nor the work of a master architect. Therefore, considering these criteria, the property is not eligible for listing in the California Register of Historical Resources.

4.3 EVALUATION – NATIONAL REGISTER OF HISTORIC PLACES

NATIONAL REGISTER CRITERIA

The National Register of Historic Places has established standards for evaluating the significance of resources that are important in the heritage of the nation. Historic resources may be

Urban Programmers
June 15, 2014

considered important at the local level, state level or national level. To apply the standards the resource must be considered within significant historical contexts. The standards, age and integrity statements follow:

1. A property must be fifty years old or meet criteria for exceptionally fine design or exceptional historical association.
2. The resource must retain architectural and historical integrity.
3. The resources must meet at least one of the following criteria;

(a) **that are associated with events** that have made a significant contribution to the broad patterns of our history; or

The Guild Theater does not meet the criterion for association with an event or person of historical importance. It is associated with the broad pattern of recreation and community motion picture theaters. However, this pattern is not supported by the existing building that has lost integrity of the original or even the Mid-century iteration. The c. 1989 remodeling does not convey the architecture of the previous theater. The property is not eligible under Criterion a.

(b) **that are associated with the lives of persons** significant in our past; or

The history of the Guild Theater, from 1926 does not indicate a direct and significant association with persons important to the history of Menlo Park, the State, or the Nation. The building is not eligible under Criterion b.

(c) **that embody distinctive characteristics** of a type, period. Or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

As stated above, the Guild Theater building exhibits eclectic vernacular architecture. The theater is representative of vernacular Mid-century style that was popular in the mid-1950s and 1960s, but the assorted elements are not original to this building and as a composite do not create an artistic or outstanding example of the style. The building does not exhibit characteristics significant to local or state history. The property is not eligible for individual listing in the California Register of Historical Resources under Criterion c.

(d) **that have yielded, or may be likely to yield, information** important in prehistory or history.

The soils were disturbed during the years of Camp Fremont and later with the construction of the theater and surrounding streets and buildings. It is unlikely that significant information important to prehistory or history would be found on the immediate site. The property does not satisfy Criterion d.

When a resource is shown to meet one or more of the 4 criteria it is evaluated for integrity. The potential resource must retain most of the 7 aspects of integrity and be able to convey its significance to be considered a historic resource.

The seven aspects of integrity are as follows:

Location: The place where the historic property was constructed or where the historic event occurred. The building is located in the place where it was constructed and where it was in continuous use as a family home until members of the family passed away leaving it vacant.

Design: The combination of elements that create the form, plan, space, structure, and style of a property. The design includes the organization of space, interior and exterior that reflects the historic function of the home within the context of the Tudor Revival architectural style.

Setting: The setting is the physical environment of a historic property. The setting is defined as the “character” of the area surrounding a resource. The home at 20 El Cerrito is part of a functional and aesthetically pleasing plan of buildings, circulation, landscaping, parking. This plan communicates an eclectic and vernacular plan for the relationship between the building and landscape features, some natural as the oaks and others such as a defined vegetable and flower garden that support the residential use of the primary building.

Materials: The physical elements that were combined or deposited during a particular period of time and in a particular pattern of configuration to form a historic property. A building must retain the key exterior materials dating from the period of its historic significance. The house and garage (former barn) exhibit the original materials used in the construction of the turn of the century home.

Workmanship: Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of the artisans’ labor and skill in constructing or altering a building, structure, object or site. The workmanship evidenced in the original building, where it is unaltered by later additions, is of a greater skill and higher quality reflecting the original quality of the design, than is exhibited in the additions.

Feeling: The definition of a property's expression of the aesthetic or historic sense of a particular period of time. While the original design is observable in the center elements of the house, large additions have diminished the "feeling" of the Tudor Revival architectural style by their lack of supporting or sympathetic design and execution in materials that are without the appropriate definition of weight or structure.

Association: The direct link between an important historic event or person and a historic property. The residential property is associated with the expansion of residential property in the early years of San Mateo.

The Guild Theater does not qualify for nomination to the National Register of Historic Places, based upon the fact that it does not meet any of the 4 criteria and has lost integrity.

Compared to the criteria of each program level, City State and National, the Guild Theater is not considered a historic resource.

5.0. CEQA REVIEW

The California Environmental Quality Act (CEQA) is the principal statute mandating environmental assessment of projects in California, and as such is part of the Public Resources Code, sections 2100 et seq. The purpose of CEQA is to evaluate whether a proposed project may have an adverse impact on the environment and, if so, if that effect can be reduced or eliminated by pursuing an alternative course of action or through mitigations. CEQA requires the Lead Agency to determine if a project will have a significant impact on the state's historic resources. Historic Resources are defined as any resource eligible or listed in the California Register of Historical Resources, locally significant and have been designated by a local preservation ordinance, or that have been identified in a local historical resources inventory, may be eligible for listing in the California Register of Historical Resources, and are presumed eligible for purposes of CEQA unless a preponderance of evidence indicates otherwise, (PRC s. 5024.1.14 CCR S.4850). However, a resource does not need to have been identified previously to be considered significant under CEQA. Lead Agencies have the responsibility to evaluate potential resources against the California Register Criteria prior to making a finding as to a proposed project's impact to historical resources (PRC s 21084.1, 14CCR s 15064.5(3)).

Further, section 15064.5(b)(1) and (2) of the California Environmental Quality Act (CEQA) forbids the "demolition or the destruction, relocation, or alteration activities that would impair the significance of a historic resource that results in a substantial adverse change. Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired" (PRC s. 5020.1(q)).

When the Lead Agency determines that the proposed project does not include a historic resource, then demolition, relocation, alteration or destruction of a building (that is not eligible

for listing in the California Register of Historical Resources) does not constitute a significant adverse change under the CEQA Guidelines.

Finding: The reinforced concrete building identified as the Guild Theater located at 949 El Camino Real in Menlo Park does not meet the criteria for listing in the California Register of Historical Resources and is not a historic resource under CEQA.

6.0. SOURCES CONSULTED

6.1. REPOSITORIES USED INCLUDE:

College of San Mateo Library, College of San Mateo
San Mateo County Building and Planning Dept. Records, Redwood City
San Mateo County Official Records, Redwood City
San Mateo County Historical Society Archives, Redwood City
Stanford University, Green Library Archives
Menlo Park Historical Society (archives)
Menlo Park Building Permit records
University of California – Environmental Design Library

6.2. PUBLISHED AND UNPUBLISHED WORKS (periodicals are listed in the footnotes)

Coughey, John W., *CALIFORNIA*, Prentice Hall Inc. Englewood NY, 1953.

Polk, R.M., *San Francisco, Redwood City, and San Mateo County Directories*, published in San Francisco, 1926-1957.

Rifkind, C., *A Field Guide to American Architecture*, Times Mirror, New York 1980.

Urban Programmers
June 15, 2014

State of California, Office of Historic Preservation, *Instructions for Nominating Historical Resources to the California Register of Historical Resources*, 1997.

State of California, *California Register of Historical Resources* (data listing).

Stanger, Frank M., *South of San Francisco: The life Story of San Mateo County*, San Mateo County Historical Society, Times Printing, San Mateo, 1963.

Thomson & West, *1868 Historical Atlas of San Mateo County, California*.

United States Bureau of the Census, years 1890- 1940

United States Department of the Interior, National Register Bulletin, *How to Apply the National Register Criteria for Evaluation*, 1997.

Interview:

Howard Crittenden (owner of the Guild Theater): In person, telephone, and email interviews in April and May 2014 regarding sources and timeframes for architectural and decor elements brought to the property.

Alan Michaan (former president of Landmark Theaters): Email dated November 13 and 22, 2013 detailing the installation of décor items in the Guild Theater from other buildings including the Rialto Theater in Berkeley.



April 17, 2018



Mr. Drew Dunlevie
Peninsula Arts Guild
314 Lytton Avenue STE 200
Palo Alto, CA 94301

RE: Archaeological Review - Guild Theatre Renovations, 949 El Camino Real,
Menlo Park To Meet Mitigation Monitoring and Reporting Program, *El Camino
Real/Downtown Specific Plan*, City of Menlo Park, San Mateo County

Dear Mr. Dunlevie,

This *Archaeological Resources Assessment Report* (ARAR) of the proposed Guild Theatre renovations was undertaken to determine if significant archaeological resources are present or could be present within the proposed project site. The information obtained on the location, type and distribution of any resources may be used in determining future actions in accordance with the California Environmental Quality Act (CEQA) and the planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

The report provides the results of a California Historical Resources Information System, Northwest Information Center (CHRIS/NWIC) records search; reviews pertinent literature and archival information; presents a summary prehistoric and historic context; provides the results of the Native American Heritage Commission's (NAHC) review of the *Sacred Lands Inventory* and consultation with local Native Americans recommended by the NAHC; presents the results of an archaeological field inventory by a professional archaeologist qualified under the Standards of the Secretary of the Interior; and, provides management recommendations to guide future actions by the City of Menlo Park.

PROJECT LOCATION AND DESCRIPTION

The proposed project, located at The Guild Theatre - 949 El Camino Real, is within the Menlo Park *El Camino Real/Downtown Specific Plan* on the south side of El Camino Real mid-block between Menlo Avenue on the west and Live Oak Road Avenue on the east, City of Menlo Park (United States Geological Survey (hereafter USGS) Palo Alto, CA 1997, T 5 South R 3 West, unsectioned) [Figs. 1-3].

The project proposes to revitalize the existing cinema, a theater built in 1926, through comprehensive structural and tenant improvements to allow live entertainment. The

improvements include construction of a finished basement approximately 14 feet deep below El Camino Real within the building footprint and a second floor/mezzanine area (CAW Architects 2018). A proposed elevator pit will result in a slightly deeper excavation at the elevator shaft. The proposed project would increase the floor area on the approximately 4,800 square foot site to approximately 11,000 square feet.

CUL-2a MITIGATION MEASURE – CULTURAL RESOURCES:

Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park* requires:

Mitigation Measure CUL-2a: When specific projects are proposed that involve ground disturbing activity, a site-specific cultural resources study shall be performed by a qualified archaeologist or equivalent cultural resources professional that will include an updated records search, pedestrian survey of the project area, development of a historic context, sensitivity assessment for buried prehistoric and historic-period deposits, and preparation of a technical report that meets federal and state requirements. If historic or unique resources are identified and cannot be avoided, treatment plans will be developed in consultation with the City and Native American representatives to mitigate potential impacts to less than significant based on either the Secretary of the Interior's Standards described in Mitigation Measure CUL-1 (if the site is historic) or the provisions of Public Resources Code Section 21083.2 (if a unique archaeological site).

RESEARCH PROTOCOLS

A prehistoric and historic site record and literature search of the project and immediately adjacent area was completed by the CHRIS/NWIC (File No. 17-2200 dated 3/13/2018 by Neal). The search included consulting the *Historic Properties Directory for San Mateo County* [HPD] (CAL/OHP 2012a) and the *Archeological Determinations of Eligibility for San Mateo County* [ADOE] (CAL/OHP 2012b). In addition, reference material from the Bancroft Library, University of California at Berkeley, and Basin Research Associates was also consulted as well as *National Historic Landmarks* (NHL) and *National Register of Historic Places* (NRHP) listings in Menlo Park, San Mateo County (USNPS 2015/2017) and list of *California Historical Resources* (CAL/OHP 2018). Other sources consulted included: *California History Plan* (CAL/OHP 1973); *California Inventory of Historic Resources* (CAL/OHP 1976); *Five Views: An Ethnic Sites Survey for California* (CAL/OHP 1988); Menlo Park Historical Association files (MPHA 2016, 2017, 2018) and, other lists and maps (see References Cited and Consulted). In addition, various planning documents with cultural resources information for the general area were reviewed included SMA/DEM (1986); ESA (n.d., 2011, 2012); Perkins+Will (2012); The Planning Center/DC&E (2013); and, Menlo Park [City of] (2013).

The Native American Heritage Commission (NAHC) was contacted on March 8, 2018 in regard to resources listed on the Sacred Lands Inventory (Busby 2018a). The NAHC responded that their record search of the sacred lands file failed to indicate the presence of Native American cultural resources in the immediate project area (Lienert 2018). Letters were sent to five locally knowledgeable Native American individuals/organizations identified by the NAHC (Busby 2018b-f) (see *Individuals, Group and Agency Participation* section for details; Attachments).

Mr. Christopher Canzonieri (M.A.), an archaeologist meeting the Standards of the Secretary of the Interior, conducted a field review on March 8, 2018.

No other agencies, departments or local historical societies were contacted regarding landmarks, potential historic sites or structures.

BACKGROUND REVIEW

NATIVE AMERICAN

The aboriginal inhabitants of the region belonged to a group known as the Costanoan or Ohlone who occupied the central California coast as far east as the Diablo Range (Galvan 1967/1968). Tribelet boundaries and village locations are inexact due to incomplete historic records, and they remain a subject of anthropological contention and debate. Levy (1978:485, Fig. 1) places the project within the *Ramaytush* subdivision of the Ohlone which included much of present day San Mateo and San Francisco. Milliken places the *Puichon* tribelet in the study area between the lower San Francisquito Creek and lower Stevens Creek with the *Puichon* village of *Ssiputca* [sic] at the mouth of the lower San Francisquito Creek in the Palo Alto/East Palo Alto area. The other known *Puichon* village, *Capsup*, was situated in the Atherton, Menlo Park, North Fair Oaks area (see Milliken 1983:91-94, 139, Map 4; Milliken 1995:252; Brown 1973-1974:Footnote #78). The *Puichon* occupied the contemporary areas now known as Menlo Park, Palo Alto, and Mountain View (Milliken 1995:229, Map 5 and 252; Milliken 2006:27, Fig. 5).

No known Native American ethnographic settlements, trails, traditional or contemporary Native American use areas have been identified in or adjacent to the project (e.g., Kroeber 1925:465, Fig. 42; Levy 1978:485; Brown 1973-1974; Milliken v.d.; Elsasser 1986:Fig. 10).

HISTORIC PERIOD

The history of the San Francisco Bay Region can be divided into the Age of Exploration, the Spanish Period (1769-1821), the Mexican Period (1822-1848), and the American Period (1848-onward).

Spanish and Mexican Periods (1769-1848)

During the Spanish Period government policy in northwestern New Spain was directed at the founding of *presidios* (forts), missions, and *pueblos* (secular towns) with the land held by the Crown. The later Mexican Period policy stressed individual ownership of the land with grants of vast tracts of land to individuals (Beck and Haase 1974; Hart 1987).

Several early Spanish expeditions appear to have passed through the vicinity of the project area (Beck and Haase 1974:#17; Milliken 1995:33, Map 3; USNPS 1995). The first party to traverse the San Francisco Peninsula, Gaspar de Portolá and Father Juan Crespí traveled up the coast through what is now San Mateo County between October 23 and November 20, 1769 (Hoover et al. 1966:390; CAL/OHP 1973, 1976, 1990:219-221; SMa/DEM 1986). Fernando Javier Rivera y Moncada and Father Francisco Palou in 1774 and Bruno de Heceta and Palou in 1775 followed the Portola expedition route and continued through the general project area (Beck and Haase 1974:#17). The route of the 1776 Juan Bautista de Anza expedition on March 26, 1776 passed through the baylands from San Francisquito Creek north to San Mateo. A village of about 25

huts was encountered on the banks of San Francisquito Creek [*Ssiputca*]. They also noted the cross erected by Father Palou on "its bank last year" (Bolton 1930:IV:325-326; Hoover et al. 1966:391; Milliken 1983:94). Brown (1973-1974:18) places this village at present-day Middlefield Road. Continuing northward on March 26, 1776 Anza and Font appear to have visited the *Puichon* village of *Capsup* two miles north of San Francisquito Creek. Their route, as mapped by USNPS as The Juan Bautista de Anza National Historic Trail [1776]¹ places their northward route "more or less" along present-day El Camino Real/State Route 82 within the vicinity of the proposed project (USNPS 1995:Sheet 40; USNPS 1996:C-45).²

The City of Menlo Park is situated within the former *Rancho Los Cochintos*, or *Cachanigtac*, later known as *Rancho Las Pulgas* ("fleas"). *Pulgas* was claimed as a grant to Jose D. Arguello by Governor Diego de Borica in 1795 and by Governor Pablo Vicente Sola in 1820 or 1821. The formal grant was made to Luis Antonio Arguello, son of the Presidio Commandante by Governor Jose Castro on November 27, 1835. When patented to his second wife, Maria de la Soledad et al, on October 2, 1857, the *Rancho Pulgas* had expanded from the original 17,754 acres (4 square leagues) to about 35,240.47 acres bounded by San Mateo Creek on the north and San Francisquito Creek on the south.³ No Hispanic Period dwellings or other features appear to have been located in or near the project (Stevens 1856 [plat]; Hendry and Bowman 1940:1031-1039 and Map of San Mateo County; Hoover, et al. 1966:404-406; Fredericks 2008).

American Period

Beginning in the mid-19th century, most rancho and pueblo lands were subdivided as a result of population growth, the American takeover, and the confirmation of property titles. The initial population explosion on the Peninsula was associated with the Gold Rush (1848), followed later by the construction of the transcontinental railroad (1869), and various local railroads. Until about World War II, San Mateo County was dominated by a predominantly agricultural or rural land-use pattern (Hart 1987).

San Mateo County was created in 1856 from the southern part of San Francisco County and enlarged by annexing part of Santa Cruz County in 1868. Former ranchos underwent a transformation in concert with the expansion of transportation systems and growth associated with the City of San Francisco, and other towns in San Mateo County. Major transportation routes and systems in the study area include *El Camino Real*, former toll roads, the San Jose and San Francisco Railroad in 1863 (later Southern Pacific Railroad 1906-1907), the electric service in 1903 and the Bayshore Highway. The San Francisco earthquake and fire of 1906 and post-

-
1. The National Trails System Act (P.L. 90-543 (16 U.S.C. 1241 et. seq) as amended through P.L. 102-461, October 23, 1992 defines three types of national trails: National scenic trails, National recreation trails, and National historic trails. National historic trails are *extended trails which follow as closely as possible and practicable the original trails or routes of travel of national historical significance*. They are established to identify and protect a historic route, plus its historic remnants and artifacts, for public use and enjoyment (USNPS 1996:Appendix A).
 2. The alignment of El Camino Real/State Route 82 on which the project is located was surveyed in the early 1850s (Hoover et al. 1966:392).
 3. Including present-day towns/cities of San Mateo, Belmont, San Carlos, Redwood City, Atherton, and Menlo Park.

World War II settlement were responsible for notable growth spurts in the communities on the Peninsula (Hoover 1966:389; Fickewirth 1992:129; Hart 1987).

Railroad

The towns on the San Mateo Peninsula did not significantly develop until the railroad was constructed in 1861-1864. The San Francisco & San Jose Railroad (SF&SJRR) was the second railroad constructed in California. The railroad reached Redwood City at the end of September 1863 and began regular service between San Francisco and Mayfield (currently Palo Alto) on October 18, 1863 and to San Jose on January 18, 1864. The railroad was consolidated into the original Southern Pacific Railroad Company in March 1869 (purchased by the Central Pacific in 1870). The Caltrain commuter route, located to the east of the project follows this alignment.

City of Menlo Park

In 1854, two Irish immigrants, Dennis J. Oliver and D. C. McGlynn, purchased 1,700 acres and named their estate “Menlo” after Menlough in Galway County in Ireland. To mark their property between Valparaiso Avenue and San Francisquito Creek, they installed a massive arched gateway with a sign reading Menlo Park. The property was soon sold but the name endured.

In 1863, the SF&SJRR created a depot station named “Menlo Park.”⁴ The railroad was consolidated by the Southern Pacific Railroad in October 1870, and is now currently part of Caltrain. The SF&SJRR and the Southern Pacific provided transportation to country homes along the peninsula from San Francisco with tickets costing only \$2.50.

By the early 1870s, 12 buildings - a small service community – were clustered between the railroad station and El Camino Real along Oak Grove Avenue. They included a few general stores, livery stables, saloons, hotels, and blacksmith shops. Menlo Park initially incorporated 1874 with “. . . all of Menlo Park, Atherton [Fair Oaks], Ravenswood and East Palo Alto” with a focus on road repair. Menlo Park disincorporated after two years when the repairs were completed. By 1884, the population of Menlo Park was reportedly 250 and by 1890, was estimated at 400. Further growth in the study area resulted from Menlo Park’s proximity to Leland Stanford Junior Memorial University which opened in October 1891 and relied on the Menlo Park railroad station.

By 1894, the project was within blocks labeled “Town of Menlo.” World War I mobilization also affected Menlo Park with the creation of Camp Fremont, one of 14 new Army basic training facilities named after Captain John C. Fremont. The camp was designed to train an army division of 28,000 soldiers – the Eighth Division - with camp boundaries extending east to west from El Camino Real to Alameda de las Pulgas and north to south from Valparaiso Avenue to San Francisquito Creek. By the end of the summer in 1917, the tent city included a headquarters near intersection of the future El Camino Real and Roble Avenue.⁵ As a result of this military

4. Located at 1100 Merrill Avenue (e.g., SHL #955; CAL/OHP 2012a).

5. Alternatively the headquarters are now marked by a small park at the southwest corner of Santa Cruz Avenue and University Avenue (SMa/DEM 1986:5.9A, #7).

presence, the temporary population of Menlo Park increased from approximately 2,000/2,300 residents clustered around the Southern Pacific train station to almost 43,000. After the WWI Armistice was signed in 1918 and the closure of the base, the population of Menlo Park in 1919 declined to 2,300. The construction of a Veteran's Administration hospital as well as the opening of the original Dumbarton Bridge (1927) supported the town's reincorporation in 1927. The Bayshore Highway (U.S. 101) opened in 1931 and the widening of El Camino Real from two to four lanes between 1937-1940 also had an impact on Menlo Park, facilitating vehicular transportation to and through the city. World War II sparked more development in the area into the 1950-60s, which boosted the growth of the Silicon Valley in the 1970s. Currently, the suburban residential community of Menlo Park supports the expanding technological industry - home to Facebook, the Stanford Research Institute (present-day SRI International), and the United States Geological Survey among others (Bromfield 1894; Brown 1975; SMa/DEM 1986:5.9A, #7; Svanevik and Burgett 2000, 2009; ESA 2011:Section 4.4; The Planning Center/DC&E 2013; City of Menlo Park 2015; CampFremontCentennial n.d., 2016; Menlo Park Historical Association 2016).

Camp Fremont

The project is within the former United States Army Camp Fremont. The "Camp Fremont Site" is listed on the *California History Plan* CAL/OHP (1973:162) as an American Era post-1900 Military site and also on the *California Inventory of Historic Resources* (1976:262, 181) under the theme of military, named for John C. Fremont; and in the 1986 San Mateo County (SMa/DEM), General Plan Appendix B Historical And Archaeological Resources #7. The *California History Plan* lacks a specific location while the other listing the "Camp Fremont Site" on the corner of Santa Cruz Avenue and University Drive.

The approximately 25,000 acre, almost 15 square mile base was the largest military training facility in the western United States with 40,000 soldiers. In addition to a railroad spur track, the facilities included 1,124 temporary buildings and 50 structures. No wooden barracks were erected. Rows of canvas tents with wooden floors and side walls were occupied by six men in each. In addition a headquarters, warehouses, and nine service buildings run by charitable organizations were within the camp boundaries. Recreational facilities included volleyball courts and boxing rings, 50 acres of athletic fields complete with two baseball diamonds and two football fields (one with a 10,000 seat grandstand), a 1,000 seat theater, and camp library. In addition, 10,000 horses and mules were stabled in 150 buildings at a "remount depot east of the town near today's Bayshore Freeway" (U.S. Highway 101/State Highway 84).

The infrastructure included underground sewers and large wooden underground pipes that brought additional water from the nearby by James Clair Flood estate of Linden Towers to the main pipeline of the Bear Gulch Water Company.⁶ Practice maneuvers extended to portions of Woodside, Portola Valley and Spring Valley Water Company property.

After the camp closed in December 1918, the permanent structures were sold and moved off the property. Post-camp activities also involved sifting the camp soil resulting in a reported million

6. Supplying both Camp Fremont and Menlo Park at no cost throughout World War I (Gullard and Lund 2009:56). Wilcox (2013:6) refers to the Spring Valley Water Company.

pounds of lead left from artillery drills (Gullard and Lund 2009:50, 56, 200; Svanevik and Burgett 2009).

A 1917 map of Camp Fremont on file with the Stanford University Library system shows the project block as empty, between #2 Division Headquarters on the west and #3 [illegible] storehouses [?warehouses] on the east (Anonymous - Surveyor/Source Not Stated 1917 [map]). This map also shows Camp Fremont extended at about mid-point south of the Menlo Park portion of the camp across San Francisquito Creek to include mostly artillery related activities on Stanford University property. Svanevik and Burgett (2009) describe the firing ranges west of town as the largest in the nation. Wilcox (2013) provides more detailed information noting that Stanford trustees leased 6,200 acres excluding “only the immediate vicinity of campus buildings.” This leased area included a mock battlefield with gun ranges and underground passages.

Summary Historic Map Review

A ca. 1868 map of *440 Acres of Land at Menlo Park for sale*, Easton’s 1868 *Official Map of the County of San Mateo, California* as well as a 1870 *Map of The Original Menlo Park Tract* show the project within Menlo Park. At the time Menlo Park was confined to between Valparaiso Avenue on the west and San Francisquito Creek on the east. Neither Menlo Avenue nor Live Oak Avenue, the streets bracketing the proposed Guild Theatre project existed (Anonymous ca. 1868, 1870).

Cloud’s 1877 *Official Map of the County of San Mateo [County]* and Moore & DePue’s 1878 *Official Map of the County of San Mateo, California* suggest⁷ that a single block long Menlo Avenue on the west side of the project was extant, but not Live Oak Road on the east.

Neuman’s 1909 *Official Map of San Mateo Co. California* shows the project within the two block Blake Tract bounded by Menlo Avenue on the west and Live Oak Avenue on the east (not labeled).

The USGS topographic series provides minimal information about the proposed project block. The 1899 USGS topographic quadrangle map, surveyed in 1895, lacks a city grid and shows only a few streets and buildings in contrast to earlier maps. The subsequent 1953, 1961, 1973, 1991 and 1997 USGS topographic maps show the project within urban Menlo Park. In contrast, a US War Dept (1940) quadrangle map appears to show four structures within the project block.

INDIVIDUALS, GROUP AND AGENCY PARTICIPATION

The State of California Native American Heritage Commission (NAHC) was contacted for a review of the Sacred Lands Inventory (Busby 2018a). The NAHC record search returned negative results (Lienert 2018). Letters soliciting information were sent to the five Native Americans individuals/groups listed by the NAHC on March 29, 2018 (Busby 2018b-f) (see Attachments). Contacts included:

7. The grids are schematic

Tony Cerda, Chairperson, Costanoan Rumsen Carmel Tribe
 Irenne Zwierlein, Amah Mutsun Tribal Band of Mission San Juan Bautista, Woodside
 Rosemary Cambra, Chairperson, Muwekma Ohlone Indian Tribe, Milpitas
 Andrew Galvan, The Ohlone Indian Tribe, Mission San Jose (Fremont)
 Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Costanoan, Hollister

Basin Research Associates contacted the Native American individuals/groups by telephone and/or emails on April 9, 2018.

Messages could not be left or detailed messages on the project were left on voicemail for Rosemary Cambra and Tony Cerda.

Irenne Zwierlein and Andrew Galvan recommended cultural sensitivity training for the entire crew in areas with a potential for the discovery of prehistoric cultural materials and the retention of trained Native American monitors and archaeologists with experience in northern and central California archaeology in the event of a prehistoric discovery. Mr. Galvan also recommended the implementation of proper measures upon discovery (.e.g., contact the County Coroner and NAHC if Native American remains are exposed and follow recommendations).

Ann Marie Sayers could not be contacted. Per previous consultations, Ms. Sayers has recommended measures similar to those from Ms. Zwierlein and Mr. Galvan.

No other agencies, departments or local historical societies were contacted for this letter report.

FIELD REVIEW [Figs. 4-5]

Mr. Christopher Canzonieri (M.A.), an archaeologist meeting the Standards of the Secretary of the Interior, completed a field review on March 8, 2018 to check for indicators of potential surface and/or subsurface archaeological material. The property consists of theatre building fronting on El Camino Real with a concrete sidewalk in an urban area [Fig. 4]. No native ground surface was present for review either in the front of the theatre or at the rear of building adjacent to a paved parking area. A narrow strip of partially exposed soil with mature trees is located at the rear of the property along the west side [Fig. 5]. The exposed sediment was a brown clay.

No evidence of prehistoric or historically significant archaeological resources was observed.

FINDINGS

Archival research, a field inventory and Native American consultation were undertaken to identify potentially significant archaeological, Native American, or built environment resources listed or eligible for the National Register of Historic Places (NRHP) and/or California Register of Historical Resources (CRHR) within the proposed project.

RECORDS SEARCH RESULTS (CHRIS/NWIC File No. 17-2200)

- No archaeological resources were identified as a result of the records search and literature review of the project parcel or adjacent area.

- One archaeological resources report on file with the CHRIS/NWIC partially includes the project site. Kaptain (2012) reviewed the portion of El Camino Real/SR 82 in front of the theatre for the San Mateo County SMART Corridors Project, Segment III. No resources were noted.
- A historical and architectural evaluation of the Guild Theatre was completed by Urban Programmers in 2014 and revised 2018 (Bamburg 2014, 2018) (Note; not on file with CHRIS/NWIC). The building was determined not significant to the history or architectural heritage of the City of Menlo Park. Under the criteria of the California Register of Historical Resources, the property is not a significant historical resource due to the extensive alterations, remodeling and change in size of the building.
- No known local, NRHP or CRHR listed, determined eligible, or pending properties were identified in or adjacent to the parcel. The Menlo Theatre/Guild Theatre is listed on the Historic Properties Data (HPD) File for San Mateo County, Menlo Park as "6L" - Determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning. A recent review by Bamburg (2018) found that the theatre did not meet any of the criteria of either the NRHP or the CRHR and was therefore not a significant resource.

NATIVE AMERICAN RESOURCES

- No known prehistoric, ethnographic or contemporary Native American resources, including villages, sacred places, traditional or contemporary use areas, have been identified in or adjacent to the project.

HISPANIC ERA RESOURCES

- The Juan Bautista de Anza National Historic Trail [1776] as mapped by USNPS places their northward route "more or less" along present-day El Camino Real/State Route 82 within the vicinity of the project site. However, the proposed project will have no effect for the value which the resource is recognized.

AMERICAN ERA RESOURCES

- No recorded, reported and/or potential American Period archaeological sites have been in or adjacent to the proposed project.

LISTED HISTORIC PROPERTIES

- No listed local, state or federal historically or architecturally significant structures, landmarks or points of interest have been identified in or adjacent to the proposed project.

The project site is within a vacant area of the former Camp Fremont, a WWI United States Army training base. The project, while within the boundaries of former base, is not included within "Camp Fremont Site" listed in the 1973 *The California History Plan*, the 1976 *California Inventory of Historic Resources*, and 1986 San Mateo County General Plan listing of Historical and Archaeological Resources (Appendix B#7).

FIELD REVIEW

- No evidence of prehistoric or historic archaeological materials was noted during the field inventory.

ARCHAEOLOGICAL SENSITIVITY

- The research completed by BASIN suggests a low archaeological sensitivity for exposing subsurface prehistoric and significant historic archaeological materials during construction within or adjacent to the proposed project. This estimate of sensitivity is based on the low density of previously recorded and/or reported archaeological sites within the general project area, the lack of known Native American cultural resources including former village locations and other resources reported in the ethnographic or historical literature and the geoarchaeological results from a sediment core in the immediate vicinity of the project.

The review of a sediment core obtained for an archaeological study at the southeast corner of Menlo Avenue and El Camino Real (Location 71) for the *State Route 82 Signal Interconnect and Intersection Modification Project* (Byrd et al. 2012) suggests a low cultural sensitivity as no significant cultural material was present from the surface to a depth of 28 feet.

The stratigraphy exposed in this core consisted of asphalt and gravel fill (Ap) at the surface, underlain at 0.3 meters (one foot) by the historic-era surface of brown loam with subangular-blocky structure (A). This was underlain at 0.9 meters (three feet) by a transitional horizon of brown loam with massive structure (AC) underlain by alluvial parent material of light yellowish brown silt loam (Cox1) grading to channel gravels (C2) that extended to the base of the core at 8.5 meters (28 feet) (Byrd et al. 2012:56). No significant cultural materials were present.

In addition, prior historic surface and subsurface impacts within the parcel and adjacent areas have included excavation for subsurface infrastructure and the construction of the existing buildings resulting in the removal and or disturbance of any potential archaeological materials.

RECOMMENDATIONS

It is recommended, based on the review of pertinent records, maps and other documents, that the proposed project can proceed as planned in regard to prehistoric and historic archaeological resources. No subsurface testing for buried archaeological resources appears warranted due to the low sensitivity of the project site. Mitigation Measures CUL-2b and CUL-4 and their implementing requirements are mandated to mitigate any unexpected archaeological discoveries⁸ and/or the exposure of human remains during ground disturbing construction.

-
8. Significant prehistoric cultural resources may include:
 - a. Human bone - either isolated or intact burials.
 - b. Habitation (occupation or ceremonial structures as interpreted from rock rings/features, distinct ground depressions, differences in compaction (e.g., house floors).

Mitigation Measure CUL-2b: Should any archaeological artifacts be found during construction, all construction activities within 50 feet shall immediately halt and the City must be notified. A qualified archaeologist shall inspect the findings within 24 hours of the discovery. If the resource is determined to be a historical resource or unique resource, the archaeologist shall prepare a plan to identify, record, report, evaluate, and recover the resources as necessary, which shall be implemented by the developer. Construction within the area of the find shall not recommence until impacts on the historical or unique archaeological resource are mitigated as described in Mitigation Measure CUL-2a above. Additionally, Public Resources Code Section 5097.993 stipulates that a project sponsor must inform project personnel that collection of any Native American artifact is prohibited by law.

Mitigation Measure CUL-4: If human remains are discovered during construction, CEQA Guidelines 15064.5(e)(1) shall be followed, which is as follows:

- In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
 - 1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - a) The San Mateo County coroner must be contacted to determine that no investigation of the cause of death is required; and,
 - b) If the coroner determines the remains to be Native American:
 1. The coroner shall contact the Native American Heritage Commission within 24 hours;
 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American;

-
- c. Artifacts including chipped stone objects such as projectile points and bifaces; groundstone artifacts such as manos, metates, mortars, pestles, grinding stones, pitted hammerstones; and, shell and bone artifacts including ornaments and beads.
 - d. Various features and samples including hearths (fire-cracked rock; baked and vitrified clay), artifact caches, faunal and shellfish remains (which permit dietary reconstruction), distinctive changes in soil stratigraphy indicative of prehistoric activities.
 - e. Isolated artifacts

Historic cultural materials may include finds from the late 19th through early 20th centuries. Objects and features associated with the Historic Period can include.

- a. Structural remains or portions of foundations (bricks, cobbles/boulders, stacked field stone, postholes, etc.).
- b. Trash pits, privies, wells and associated artifacts.
- c. Isolated artifacts or isolated clusters of manufactured artifacts (e.g., glass bottles, metal cans, manufactured wood items, etc.).
- d. Human remains.

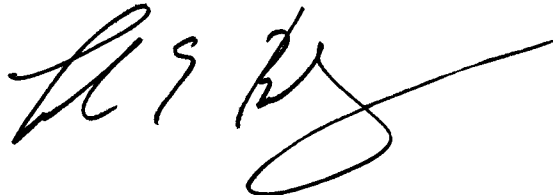
In addition, cultural materials including both artifacts and structures that can be attributed to Hispanic, Asian and other ethnic or racial groups are potentially significant. Such features or clusters of artifacts and samples include remains of structures, trash pits, and privies.

3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or,
- 2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - a) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the Commission.
 - b) The descendant identified fails to make a recommendation; or,
 - c) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

CLOSING REMARKS

Please don't hesitate to call to discuss our review of the project parcel.

Sincerely,
BASIN RESEARCH ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'C. I. Busby', with a long horizontal flourish extending to the right.

Colin I. Busby, Ph.D., RPA
Principal

CIB/d

REFERENCES CITED AND CONSULTED

Anonymous - Surveyor/Source Not Stated

- ca. 1868 *Special Sale Maurice Dore & Co., Real Estate Auctioneers. Proposed Offering at Public Auction 440 Acres of Land at Menlo Park in 35 large subdivisions from 8 to 40 acres each.* In Moore and DePue 1878/1974 Illustrated History of San Mateo County, California facsimile with Introduction by Gilbert Richards Publications, Woodside, p. xi.
- 1870 Map of The Original Menlo Park Tract. Detail in Moore and DePue 1878/1974 Illustrated History of San Mateo County, California facsimile Introduction by Gilbert Richards Publications, Woodside, p. vii [includes "To be sold at Auction by John Middleton & Son, May 9th, 1870"].
- 1917 Map. Camp Fremont, Palo Alto, Calif. [USGS Palo Alto base? with 18 areas numbered with legend, portions illegible]. The Stanford University Libraries, Map 544e.2. Web accessed 3/07/2018.

Bamburg, Bonnie (Urban Programmers)

- 2014 Historical and Architectural Evaluation - The Guild Theatre, 949 El Camino Real, Menlo Park, San Mateo County, California. On file, Basin Research Associates, San Leandro and City of San Mateo.
- 2019 *Revised* - Historical and Architectural Evaluation - The Guild Theatre, 949 El Camino Real, Menlo Park, San Mateo County, California. On file, Basin Research Associates, San Leandro and City of San Mateo.

Bean, Lowell John (compiler and editor)

- 1994 The Ohlone Past and Present: Native Americans of the San Francisco Bay Region. Ballena Press Anthropological Papers 42, Menlo Park.

Beck, W.A. and Y.D. Haase

- 1974 Historical Atlas of California (Third Printing). University of Oklahoma Press, Norman.

Bolton, Herbert Eugene (editor)

- 1930 Anza's California Expeditions. Volume IV: Font's Complete Diary of the Second Anza Expedition. University of California Press, Berkeley.

Brabb, E.E., F.A. Taylor and G.P. Miller with the cooperation of San Mateo County Planning Department, San Mateo County Historical Association and San Mateo County Historic-Resources Advisory Board

- 1982 Geologic, Scenic, and Historic Points of Interest in San Mateo County, California. Miscellaneous Investigations Series, Map I-1257-B. Scale 1:62,500. Department of the Interior, United States Geological Survey, n.p.

Bromfield, Davenport.

- 1894 *Official map of San Mateo County, California.* San Francisco: Schmidt Label & Lith. Co., San Francisco. Map. Retrieved from the Library of Congress, <https://www.loc.gov/item/2012592107/>. (Accessed March 07, 2018).

- Brown, A.K.
 ca. 1963 [Map.] The Peninsula in Mission Days under the Kingdom of Spain 1776-1822. [From a map by A.K. Brown.] In, South from San Francisco: San Mateo County, California: Its History and Heritage, page 21. San Mateo County Historical Association, Redwood City.
- 1973-1974 Indians of San Mateo County. *La Peninsula: Journal of the San Mateo County Historical Association* 17(4).
- 1975 Place Names of San Mateo County. San Mateo County Historical Association, College of San Mateo Campus, San Mateo.
- Busby, Colin I. (Basin Research Associates)
- 2018a Sacred Lands File & Native American Contacts List Request, Native American Heritage Commission, West Sacramento, CA. nahc@nahc.ca.gov. Regarding: Guild Theatre Renovation, 949 El Camino Real, City of Menlo Park, San Mateo County. Dated March 7, 2018.
- 2018b-f Letters to: Tony Cerda, Chairperson, Rumsen Carmel Tribe; Irenne Zwierlein, Amah Mutsun Tribal Band of Mission San Juan Bautista, Woodside; Rosemary Cambra, Chairperson, Muwekma Ohlone Indian Tribe of the SF Bay Area, Milpitas; Andrew Galvan, The Ohlone Indian Tribe, Mission San Jose; and, Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Costanoan, Hollister. Regarding: Guild Theatre Renovation, 949 El Camino Real, City of Menlo Park, San Mateo County. Dated March 29, 2018.
- Brian F. Byrd, John E. Berg, Philip Kaijankoski, Jack Meyer, Jeffrey Rosenthal, Jelmer W. Erkins, Anna Fritschi, Howard Spero, and Eric Wohlgemuth (FWARG)
- 2012 Archaeological Investigations for the State Route 82 Signal Interconnect and Intersection Modification Project, San Mateo County, California, 04-SMA-82 PM 0.0/15.9, EA 04-24992. MS on file, S-39104, CHRIS/NWIC, Sonoma State University, Rohnert Park.
- California (State of), Department of Parks and Recreation, Office of Historic Preservation (CAL/OHP)
- 1973 The California History Plan. Volume One - Comprehensive Preservation Program. Volume Two - Inventory of Historic Features.
- 1976 California Inventory of Historic Resources.
- 1988 Five Views: An Ethnic Sites Survey for California.
- 1990 California Historical Landmarks.
- 1992 California Points of Historical Interest.
- 2003 California Historical Resource Status Codes.
- 2012a [*Historic Properties Directory*] [HPD] Directory of Properties in the Historic Property Data file for Menlo Park, San Mateo County (includes *National Register of Historic Places* status codes, *California Historical Landmarks* and *California Points of Historical Interest* listings, etc.). Reviewed by the CHRIS/NWIC, Sonoma State University, Rohnert Park. Dated 4/05/2012 [most recent as of 3/13/18].

- 2012b *Archaeological Determinations of Eligibility* [ADOE] for San Mateo County. Reviewed by the CHRIS/NWIC, Sonoma State University, Rohnert Park [most recent available as of 3/13/18].
- 2018 California Historical Resources – San Mateo County [including National Register, State Landmark, California Register, and Point of Interest]. <<http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=41>> accessed 3/07/2018.
- CampFremontCentennial [*sic*]
- n.d. Buildings [YMCA Building, The Hostess House (YWCA)]. Web Accessed 3/07/2018
- 2016 Home. Camp Fremont. Last Updated 4/29/2016. Web Accessed 3/07/2018.
- Cloud, J.J. (compiler)
- 1877 Official Map of the County of San Mateo California Showing New Boundary Line and Delineating the Lines of Cities, Towns, Private Claims, Ranchos, Waterworks, and Railroads. Compiled by J.J. Cloud County Surv[eyo]r, S.M. Co. Drawn by Walter Montague Kerr. Reproductions of map available from San Mateo County Historical Association Museum, San Mateo.
- CAW Architects
- 2018 Renovation of the Guild Theatre, 949 El Camino Real, Menlo Park, CA 94025. Building Sections and Streetscape Plans, Project 18001, February 23, 2018. Copy on file, Basin Research Associates, San Leandro.
- Dietz, S.A.
- n.d. Historic Sites Master List for San Mateo County. MS on file, S-# not assigned, CHRIS/NWIC, Sonoma State University, Rohnert Park. Copy on file, Basin Research Associates, San Leandro.
- Easton, A.S.
- 1868 Official Map of the County of San Mateo, California. Including City and County of San Francisco with All New Additions of Cities, Towns, and Villas, Delineating the Lines of Ranchos, Private Claims, Water Works, Railroads, etc. etc. Carefully compiled from actual surveys and Published by A.S. Easton, County Surveyor, S.M.C. Britton and Rey, San Francisco.
- Elsasser, A.B.
- 1978 Development of Regional Prehistoric Cultures. In *California*, edited by R.F. Heizer, Volume 8. Handbook of North American Indians, W.G. Sturtevant, general editor, pp. 37-57. Smithsonian Institution, Washington, D.C.
- 1986 Review of the Prehistory of the Santa Clara Valley Region, California. Coyote Press Archives of California Prehistory 7. Coyote Press, Salinas.
- ESA
- n.d. Menlo Park El Camino Real/Downtown Specific Plan Mitigation Monitoring and Reporting Program. Web accessed.

- 2011 Draft Environmental Impact Report. Menlo Park El Camino Real/Downtown Specific Plan. Section 4.4 Cultural Resources.
- 2012 Final Environmental Impact Report. Menlo Park El Camino Real/Downtown Specific Plan. 2 Vols. April, certified June 5, 2012. Accessed at www.menlopark.org/DocumentCenter/View426.
- Fickewirth, Alvin A.
1992 California Railroads: An Encyclopedia of Cable Car, Common Carrier, Horsecar, Industrial Interurban, Logging, Monorail, Motor Road, Short Lines, Streetcar, Switching and Terminal Railroad in California (1851-1992). Golden West Books, San Marino.
- Fredericks, Darold
2008 "Rediscovering the Peninsula: The Arguellos and Rancho de las Pulgas." *The Daily Journal*. August 4, 2008. Accessed at: http://archives.smdailyjournal.com/article_preview.php?id=95950
- Galvan, P.M.
1967/1968 People of the West, the Ohlone Story. *Indian Historian* 1(2):9-13.
- Google Earth
2018 Vicinity Peninsula Arts Guild - Guild Theatre Renovations, 949 El Camino Real, City of Menlo Park, San Mateo. Web accessed
- Gullard, Pamela and Nancy Lund
2009 Under the Oaks: Two Hundred Years in Atherton. Scotwall Associates, San Francisco.
- Harrington, J.P.
1942 Cultural Element Distributions: XIX Central California Coast. *University of California Anthropological Records* 7(1).
- Hart, J.D.
1987 A Companion to California (revised and expanded). Oxford University Press, New York.
- Hendry, G.W. and J.N. Bowman
1940 The Spanish and Mexican Adobe and Other Buildings in the Nine San Francisco Bay Counties, 1776 to about 1850. MS on file, Bancroft Library, University of California, Berkeley.
- Hoover, M.B., H.E. Rensch and E.G. Rensch
1966 Historic Spots in California (Third edition). Revised by William N. Abeloe. Stanford University Press, Stanford.
- Hynding, A.
1982 From Frontier to Suburb, The Story of The San Mateo Peninsula. Star Publishing Company, Belmont.

Neal Kaptain (LSA Associates, Inc.)

- 2012 Historical Resources Compliance Report for the San Mateo County SMART Corridors Project, Segment III, Redwood City, Atherton, Menlo Park, East Palo Alto, and Palo Alto, San Mateo County & Santa Clara County, California; EA #4A9201; EFIS #0400001169, Caltrans District 4; SR 82 PM SM 0/4.8, SCL 24.1/26.4; SR 84 PM 24.6/28.7; US 101 PM 0.7/5.5; SR 109 PM 1.10/1.87; SR 114 PM 5.0/5.93. MS on file, S-39469, CHRIS/NWIC, Sonoma State University, Rohnert Park.

Kroeber, A.L.

- 1925 Handbook of the Indians of California. Bureau of American Ethnology Bulletin 78. Government Printing Office, Washington, D.C.

Landmark Theatres, Guild Theatre

- 2018 Google Search. Guild Theatre, Menlo Park [including "Built 1926", address 949 El Camino Real, Menlo Park, CA, etc.]. Web accessed 3/07/2018.

Lienert, Frank (Native American Heritage Commission)

- 2018 Letter Response: Guild Theatre Renovation, 949 El Camino Real, City of Menlo Park, San Mateo County. Dated March 21, 2018. On file, Basin Research Associates, San Leandro.

Levy, R.

- 1978 Costanoan. In *California*, edited by R.F. Heizer, Volume 8. Handbook of North American Indians, W.G. Sturtevant, general editor, pp. 485-497. Smithsonian Institution, Washington, D.C.

Menlo Park (City of)

- 2013 City of Menlo Park General Plan. Open Space/Conservation, Noise and Safety Elements. Adopted May 21, 2013.
- 2015 "History of Menlo Park." August 1, 2014. Accessed at: <http://menlopark.org/888/History-of-Menlo-Park>.

Menlo Park Historical Association (MPHA)

- 2016 Time Line. <https://sites.google.com/site/mphistoric/home/time-line>. Last updated 10/05/2016. Accessed 3/07/2018.
- 2017 Plaques. <https://sites.google.com/site/mphistorical/home/Plaques>. [List of 1-92 with 4 unnumbered -"Trinity Sch", "Nativity Sch", "St. Patrick's", "Nativity"]. Accessed 3/07/2018
- 2018 Historic Places. <https://sites.google.com/site/mphistorical/home/historical-places>. Web site accessed 3/07/2018.

Milliken, R.T.

- 1983 The Spatial Organization of Human Population on Central California's San Francisco Peninsula at the Spanish Arrival. Unpublished M.A. thesis,

Department of Inter-Disciplinary Studies, Sonoma State University, Rohnert Park.

- 1995 A Time of Little Choice: The Disintegration of Tribal Culture in the San Francisco Bay Area 1769-1810. Ballena Press Anthropological Papers No. 43.
- 1996 The Founding of Mission Dolores and the End of Tribal Life on the Northern San Francisco Peninsula. California Mission Studies Association, n.p.
- 2006 The Central California Ethnographic Community Distribution Model, Version 2.0, with Special Attention to the San Francisco Bay Area. Cultural Resources Inventory of Caltrans District 4 Rural Conventional Highways. MS on file, S-32596, CHRIS/NWIC, Sonoma State University, Rohnert Park.

Moore and DePue

- 1878/1974 Moore & DePue's Illustrated History of San Mateo County, California. Originally by G.T. Brown and Company, San Francisco. Reduced Facsimile with an introduction including supplementary maps. Gilbert Richards Publications, Woodside.
- 1878b Official Map of the County of San Mateo, California showing New Boundary Line and Delineating the Lines of Cities, Towns, Private Claims, Ranchos, Water Works and Railroads. In Moore and DePue 1878/1974 Illustrated History of San Mateo County, California facsimile Introduction by Gilbert Richards Publications, Woodside.

Moratto, Michael J.

- 1984 California Archaeology. Academic Press, New York.

Moratto, Michael J. and Balbir Singh

- 1971 Contributions to the Archaeology of San Mateo County. I: Introduction, Prior Archaeological Work in the San Francisco Bay Region. San Francisco State College Treganza Anthropology Museum Papers 8:1-8.

Nelson, Nels C.

- 1909 Shellmounds of the San Francisco Bay Region. University of California Publications in American Archaeology and Ethnology 7(4).
- ca. 1912 Map of San Francisco Bay Region showing Distribution of Shell Heaps and numbered to correspond with transcribed field notes [with Nelson Numbers]." Manuscript Map #35, University of California Archaeological Survey Files (As cited in Reports of the University of California Archaeological Survey 75:83.) [University of California Museum of Anthropology Manuscript Map, No. 13-1065].

Neal, Annette (CHRIS/NWIC Staff)

- 2018 Records Search. Guild Theater [945 El Camino Real, Menlo Park, San Mateo County]. CHRIS/NWIC File. No. 17-2200. Dated March 13, 2018. Copy on file, Basin Research Associates, San Leandro.

- Neuman, J.V.
1909 Official Map of San Mateo Co. California. Compiled and Drawn by J.V. Neuman, County Surveyor. Reproductions available from San Mateo County Historical Association Museum, San Mateo.
- Perkins+Will
2012 Menlo Park El Camino Real/Downtown Specific Plan, City of Menlo Park, California [including Figure B2 Site Character with landmarks]. July 12, 2012. Web accessed.
- Richards, Gilbert
1973 Crossroads: People and Events of the Redwood of San Mateo County. Gilbert Richards Publications, Woodside, California.
- The Planning Center/DC&E
2013 City of Menlo Park Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment [EA]. April 4, 2013. <http://www.menlopark.org/838/Environmental-Assessment-EA>.
- San Mateo County, Department of Environmental Management (**SMa/DEM**)
1986 General Plan. Part 5: Historical and Archaeological Resources. Background - Issues. Including Appendix B Historical and Archaeological Resources. As approved by the Board of Supervisors, November 18, 1986. [3/14/20005; <http://www.co.sanmateo.ca.us/planning/documents.html>].
- San Mateo County, Environmental Services Agency, Planning and Building Division (**SMaCo/ESA/PBD**)
1999 Historic Sites Master List for San Mateo County [to accompany oversize map]. H-1 through H-223 "O". On file, Basin Research Associates, San Leandro.
- Sowers, Janet M.
2005 Creek & Watershed Map of Palo Alto & Vicinity. The Oakland Museum of California, Oakland. 1:25,800.
- Stanger, F.M.
1963 South from San Francisco: San Mateo County, California: Its History and Heritage. San Mateo County Historical Association, San Mateo.
- Stevens, T.S.
1856 Plat of the *Pulgas Rancho* finally confirmed to Maria de la Soledad Ortega de Arguello et al. Surveyed under the Orders of the U.S. Surveyor General by T.S. Stevens Dep[uty] Sur[veyor]. November 1856. Containing 35240/42 acres. Approved December 19th 1856. Map on file, #148 California State Office, Bureau of Land Management, Sacramento.
- Svanevik, Michael and Shirley Burgett
2000 Menlo Park California: Beyond the Gate (second facsimile edition). Menlo Park Historical Association, Menlo Park, California.

- 2009 A City within a City [Camp Fremont, Menlo Park]. Gentry Magazine, October, pages 42-46. Web accessed 3/07/2018.

United States Department of the Interior, Geological Survey (**USGS**)

- 1899 Palo Alto, Calif. [Quadrangle]. Topographic map, 15 minute series (1895 surveyed).
- 1953 Palo Alto, Calif. [Quadrangle]. Topographic map, 7.5-minute series
- 1961a-b Palo Alto, Calif. [Quadrangle]. Topographic map, 7.5-minute and 15-minute series
- 1968 Palo Alto, Calif. [Quadrangle]. Topographic map, 7.5-minute series (1961 photorevised, 1968).
- 1973 Palo Alto, Calif. [Quadrangle]. Topographic map, 7.5-minute series (1961 photorevised, 1968 and 1973).
- 1991 Palo Alto, CA (Quadrangle). Topographic map, 7.5-minute series.
- 1997 Palo Alto, CA (Quadrangle). Topographic map, 7.5-minute series.
United States Geological Survey, Menlo Park

United States Department of the Interior, National Register of Historical Places, National Park Service (**USNPS**)

- 1995 Map Supplement for the Comprehensive Management and Use Plan Juan Bautista de Anza National Historic Trail Arizona California. Pacific Great Basin Support Office, National Park Service.
- 1996 Comprehensive Management and Use Plan Final Environmental Impact Statement. Juan Bautista de Anza National Historic Trail Arizona and California. U.S. Department of the Interior, National Park Service, Pacific West Field Area. MS on file, S-33545, CHRIS/NWIC, Sonoma State University, Rohnert Park.
- 2015/2017 National Register of Historic Places Program: Research – Data Downloads. Spreadsheets: www.NPS.gov/nr/research/data_downloads.htm NRHP list (to December 2017), Multiple Property Cover Documents (to July 2015); NHLs [National Historic Landmarks, and “Everything: National Register of Historic Places Properties: Listed/Removed/eligible (up to December 2017). Accessed 3/07/2018.

United States War Department, Corps of Engineers (**US War Dept**)

- 1940 Palo Alto, Calif. (Quadrangle). Topographic map, 15 minute series. Scale 1/62500 (photography 1940, surveyed 1938 and 1939).
- 1943 Palo Alto, Calif. (Quadrangle). Topographic map, 15 minute series. Scale 1/62500 (photography 1937 and 1940, topography 1949).
29th Engineer Reproduction Plant, Portland, Oregon.

Wilcox, Barbara

- 2013 “Fremont, The Flirt” Unearthing Stanford’s World War I Battleground. Sandstone & Tile Vol. 37(2):3-15, Stanford Historical Society.

Abbreviations

n.d. no date v.d. various dates N.P. no publisher noted
n.p. no place of publisher noted

CHRIS/NWIC, Sonoma State University, Rohnert Park is used for material on file at the California Historical Resources Information System, Northwest Information Center, Sonoma State University, Rohnert Park.

ATTACHMENTS

FIGURES

- Figure 1 General Project Location
- Figure 2 Guild Theater Project Location T5S R3W (USGS Palo Alto, CA 1997)
- Figure 3 Guild Theater Location (Google Earth 2018)
- Figure 4 View southeast towards theatre
- Figure 5 View northwest towards the rear of the theatre

CORRESPONDENCE

- LETTER Request to Native American Heritage Commission
- LETTER Native American Heritage Commission Response
- LETTERS Request to Native Americans Identified by Native American Heritage Commission
- MEMO Responses from Native Americans Identified by Native American Heritage Commission

INFORMATION CENTER SEARCH

- SEARCH [***NO CONFIDENTIAL INFORMATION***] - Records Search. Guild Theater, El Camino Real, Menlo Park, San Mateo County. CHRIS/NWIC File. No. 17-2200. Dated March 13, 2018.



Figure 1: General Project Location

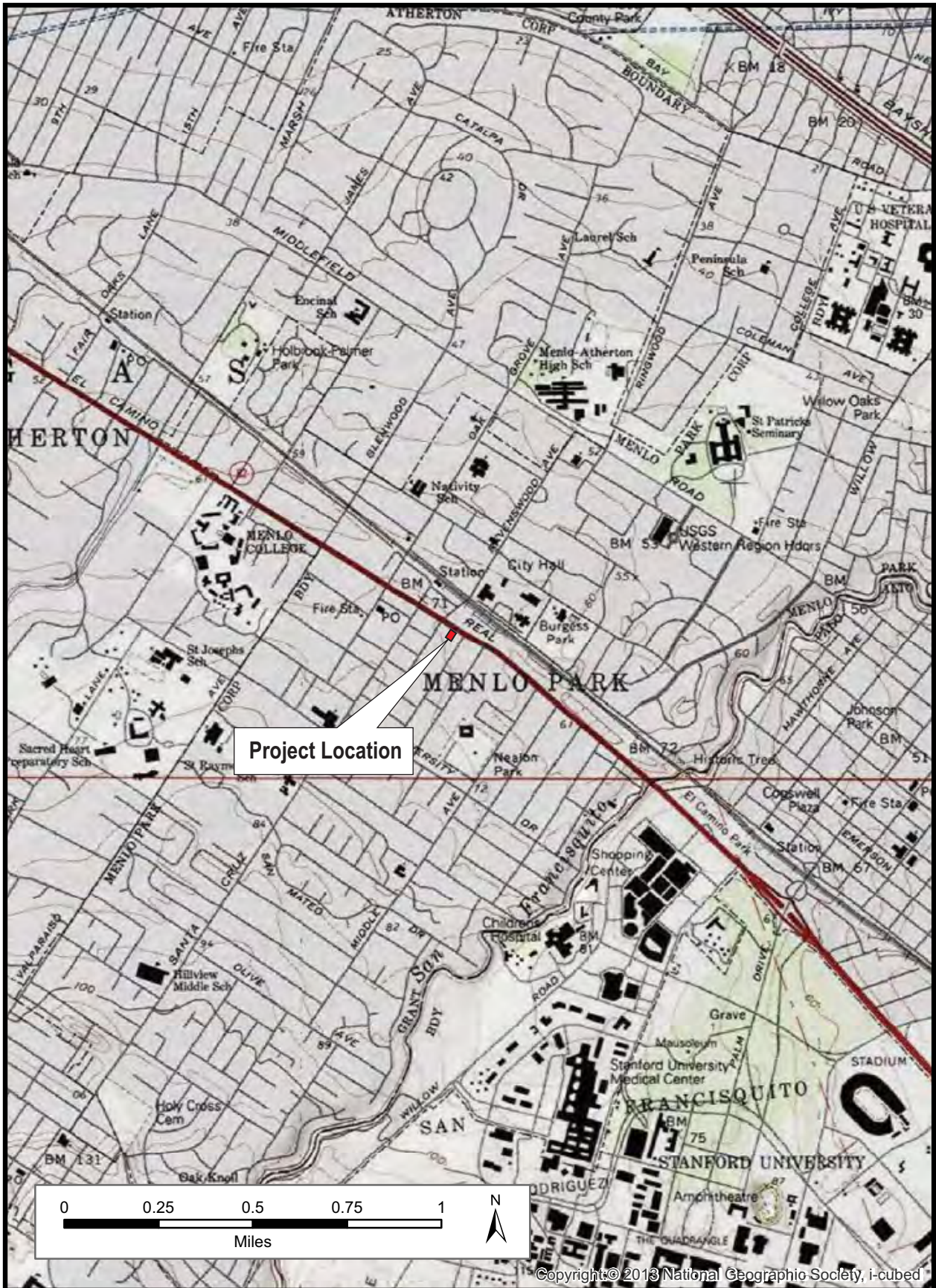


Figure 2: Guild Theatre Project Location T5S R3W (USGS Palo Alto, CA 1997)



Figure 3: Guild Theatre Location



Figure 4: View southeast towards theatre



Figure 5: View northwest towards the rear of the theatre

Sacred Lands File & Native American Contacts List Request
NATIVE AMERICAN HERITAGE COMMISSION

1556 Harbor Boulevard, STE 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-5471 – Fax
nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: Guild Theatre Renovation

County: San Mateo

USGS Quadrangle Name: USGS Palo Alto, CA 1997

Address: 949 El Camino Real, Menlo Park, CA 94025

Township: 5S, **Range:** 3 West, unsectioned

Company/Firm/Agency: Basin Research Associates

Contact Person: Colin I. Busby, PhD, RPA

Street Address: 1933 Davis Street, STE 210

City/Zip: San Leandro, CA 94577

Phone: (510) 430-8441 x202

Fax: (510) 430-8443

Email: basinres1@gmail.com

Project Description:

CEQA study for renovation of historic single screen theatre. Improvements include excavation under existing building for a basement for storage, dressing rooms, sound system, etc. Study to comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

03/07/18

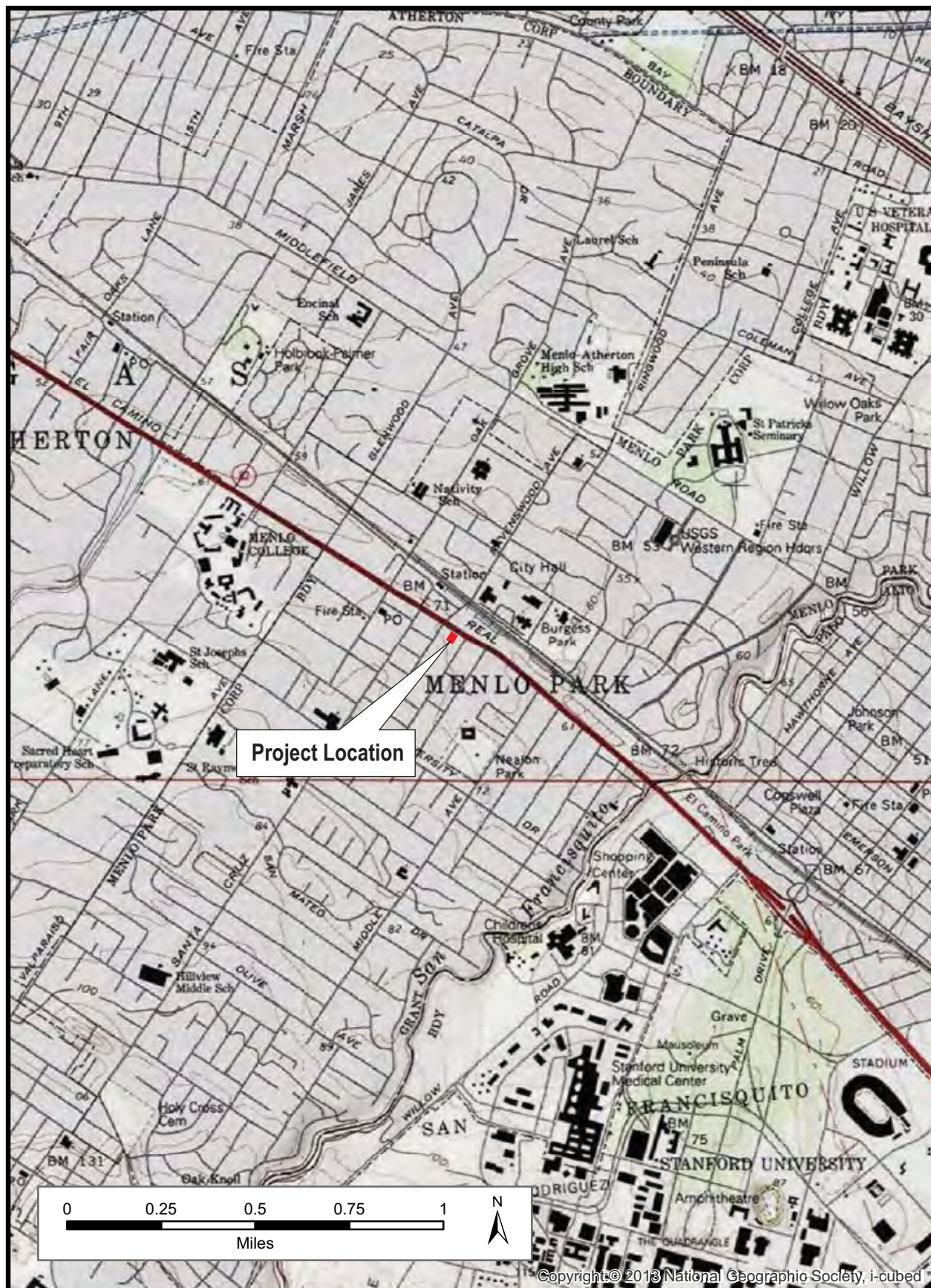
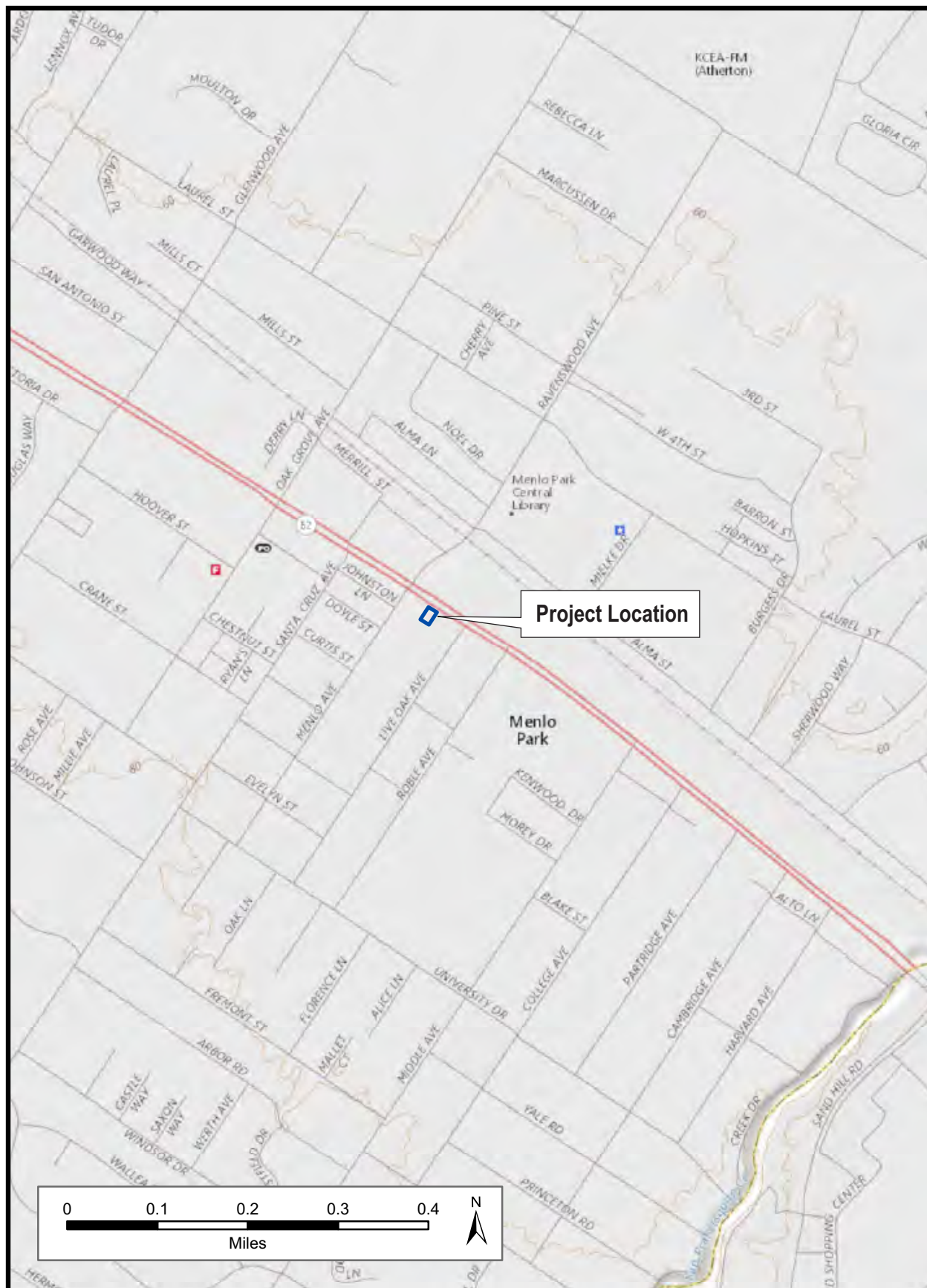
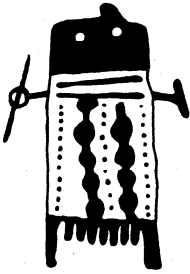


Figure 1: Guild Theater Project Location T5S R3W (USGS Palo Alto, CA 1997)



Guild Theater Project Project Location



March 29, 2018

BASIN
RESEARCH
ASSOCIATES

1933 DAVIS STREET
SUITE 210
SAN LEANDRO, CA 94577
VOICE (510) 430-8441
FAX (510) 430-8443

Mr. Tony Cerda, Chairperson
Coastanoan Rumsen Carmel Tribe
244 E. 1st Street
Pomona, CA 91766

RE: Request for Information - Guild Theatre Renovation, Menlo Park, San Mateo County

Dear Mr. Cerda,

The Native American Heritage Commission has provided your name as an individual who may have information regarding Native American resources within or adjacent to the proposed project located at 949 El Camino Real, Menlo Park (see enclosed map).

The project plans to renovate a historic single screen theatre. Proposed improvements include excavation under the existing building for a basement for storage, dressing rooms, sound system, etc. The study must comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

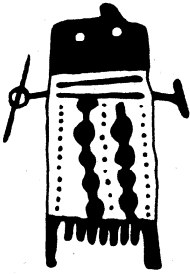
Any information provided will be used to determine if significant archaeological resources may be affected by the proposed project under the California Environmental Quality Act (CEQA).

If I can provide any further information, please don't hesitate to contact me (510 430-8441 x202) or Basinres1@gmail.com). Thanking you in advance for your timely review of our request.

BASIN RESEARCH ASSOCIATES, INC.

Colin I. Busby, Ph.D., RPA
Principal

CIB/dg
Attachments



March 29, 2018

BASIN
RESEARCH
ASSOCIATES

1933 DAVIS STREET
SUITE 210
SAN LEANDRO, CA 94577
VOICE (510) 430-8441
FAX (510) 430-8443

Ms. Irenne Zwierlein, Chairperson
Amah Mutsun Tribal Band of Mission San Juan Bautista
789 Canada Road
Woodside, CA 94062

RE: Request for Information - Guild Theatre Renovation, Menlo Park, San Mateo County

Dear Irenne,

The Native American Heritage Commission has provided your name as an individual who may have information regarding Native American resources within or adjacent to the proposed project located at 949 El Camino Real, Menlo Park (see enclosed map).

The project plans to renovate a historic single screen theatre. Proposed improvements include excavation under the existing building for a basement for storage, dressing rooms, sound system, etc. The study must comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

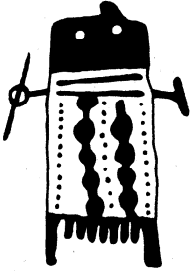
Any information provided will be used to determine if significant archaeological resources may be affected by the proposed project under the California Environmental Quality Act (CEQA).

If I can provide any further information, please don't hesitate to contact me (510 430-8441 x202) or Basinres1@gmail.com). Thanking you in advance for your timely review of our request.

BASIN RESEARCH ASSOCIATES, INC.

Colin I. Busby, Ph.D., RPA
Principal

CIB/dg
Attachments



March 29, 2018

BASIN
RESEARCH
ASSOCIATES

1933 DAVIS STREET
SUITE 210
SAN LEANDRO, CA 94577
VOICE (510) 430-8441
FAX (510) 430-8443

Ms. Rosemary Cambra, Chairperson
Muwekma Ohlone Indian Tribe of the SF Bay Area
P.O. Box 360791
Milpitas, CA 95036

RE: Request for Information - Guild Theatre Renovation, Menlo Park, San Mateo County

Dear Ms. Cambra,

The Native American Heritage Commission has provided your name as an individual who may have information regarding Native American resources within or adjacent to the proposed project located at 949 El Camino Real, Menlo Park (see enclosed map).

The project plans to renovate a historic single screen theatre. Proposed improvements include excavation under the existing building for a basement for storage, dressing rooms, sound system, etc. The study must comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

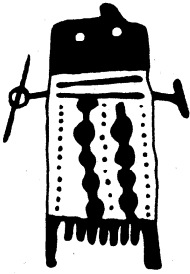
Any information provided will be used to determine if significant archaeological resources may be affected by the proposed project under the California Environmental Quality Act (CEQA).

If I can provide any further information, please don't hesitate to contact me (510 430-8441 x202) or Basinres1@gmail.com). Thanking you in advance for your timely review of our request.

BASIN RESEARCH ASSOCIATES, INC.

Colin I. Busby, Ph.D., RPA
Principal

CIB/dg
Attachments



March 29, 2018

BASIN
RESEARCH
ASSOCIATES

1933 DAVIS STREET
SUITE 210
SAN LEANDRO, CA 94577
VOICE (510) 430-8441
FAX (510) 430-8443

Mr. Andrew Galvan
The Ohlone Indian Tribe
P.O. Box 3152
Fremont, CA 94539

RE: Request for Information - Guild Theatre Renovation, Menlo Park, San Mateo County

Dear Andy,

The Native American Heritage Commission has provided your name as an individual who may have information regarding Native American resources within or adjacent to the proposed project located at 949 El Camino Real, Menlo Park (see enclosed map).

The project plans to renovate a historic single screen theatre. Proposed improvements include excavation under the existing building for a basement for storage, dressing rooms, sound system, etc. The study must comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

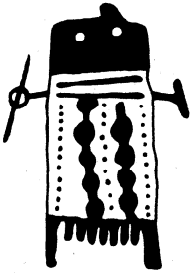
Any information provided will be used to determine if significant archaeological resources may be affected by the proposed project under the California Environmental Quality Act (CEQA).

If I can provide any further information, please don't hesitate to contact me (510 430-8441 x202) or Basinres1@gmail.com). Thanking you in advance for your timely review of our request.

BASIN RESEARCH ASSOCIATES, INC.

Colin I. Busby, Ph.D., RPA
Principal

CIB/dg
Attachments



March 29, 2018

BASIN
RESEARCH
ASSOCIATES

1933 DAVIS STREET
SUITE 210
SAN LEANDRO, CA 94577
VOICE (510) 430-8441
FAX (510) 430-8443

Ms. Irenne Zwierlein, Chairperson
Amah Mutsun Tribal Band of Mission San Juan Bautista
789 Canada Road
Woodside, CA 94062

RE: Request for Information - Guild Theatre Renovation, Menlo Park, San Mateo County

Dear Irenne,

The Native American Heritage Commission has provided your name as an individual who may have information regarding Native American resources within or adjacent to the proposed project located at 949 El Camino Real, Menlo Park (see enclosed map).

The project plans to renovate a historic single screen theatre. Proposed improvements include excavation under the existing building for a basement for storage, dressing rooms, sound system, etc. The study must comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

Any information provided will be used to determine if significant archaeological resources may be affected by the proposed project under the California Environmental Quality Act (CEQA).

If I can provide any further information, please don't hesitate to contact me (510 430-8441 x202) or Basinres1@gmail.com). Thanking you in advance for your timely review of our request.

BASIN RESEARCH ASSOCIATES, INC.

Colin I. Busby, Ph.D., RPA
Principal

CIB/dg
Attachments

Record of Native American Contacts
Guild Theater Renovation, San Mateo County

3/07/18 Letter to Native American Heritage Commission (NAHC), Sacramento.
Regarding: Request for Review of Sacred Lands Inventory for project.

3/21/18 Letter response by Frank Lienert, NAHC

3/29/18 Letters sent to all parties recommended by NAHC

Letters to Tony Cerda, Chairperson, Coastanoan Rumsen Carmel Tribe, Pomona; Irenne Zwierlein, Amah Mutsun Tribal Band of Mission San Juan Bautista, Woodside; Rosemary Cambra, Chairperson, Muwekma Ohlone Indian Tribe of the SF Bay Area, Milpitas; Andrew Galvan, The Ohlone Indian Tribe, Mission San Jose; and Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Costanoan, Hollister.

4/9/18 Telephone calls and/or emails made by Basin Research Associates (Christopher Canzonieri) in the afternoon to non-responding parties.

Tony Cerda – called at 9:36 AM; unable to leave a message

Irenne Zwierlein – called at 9:43 AM; Ms. Zwierlein recommended that all construction crew receive cultural sensitivity training in areas with the potential of prehistoric cultural materials and that any archaeologists on the project have experience with northern and central California archaeology. The retention of a qualified and trained Native American Monitor is recommended in the event of a discovery of Native American cultural materials.

Rosemary Cambra – called on 9:38 AM; unable to leave message.

Andrew Galvan – called at 9:44 AM. Mr. Galvan, The Ohlone Tribe, recommended that proper protocols be followed in the event of a discovery. He also recommended cultural sensitivity training in areas with the potential of prehistoric cultural materials for the construction crew. Additionally Mr. Galvan recommended that the project archaeologists have experience with northern and central California archaeology and that only a Native American monitor who can prove genealogical relationship to the Greater San Francisco Bay Area be used for monitoring.

Ann Marie Sayers – called at 9:39 AM; no answer. Per previous conversations with Ms. Sayers, she recommends that all construction crew members receive cultural sensitivity training in areas with the potential of prehistoric cultural materials and any archaeologists on the project have experience with northern and central California archaeology. The retention of a qualified and trained Native American Monitor is recommended in the event of a discovery of Native American cultural materials.



3/13/2018

NWIC File No.: 17-2200

Donna M. Garaventa
Basin Research Associates
1933 Davis Street, Suite 210
San Leandro, CA 94577

Re: Guild Theater

The Northwest Information Center received your record search request for the project area referenced above, located on the Palo Alto USGS 7.5' quad(s). The following reflects the results of the records search for the project area and a 300 ft. radius:

Resources within project area:	None listed
Resources within 300 ft. radius:	None listed
Reports within project area:	S-39469
Reports within 300 ft. radius:	S-25174, 39104
Other Reports within records search radius:	S-848, 7483, 9462, 9580, 9583, 15529, 18217, 30204, 32596, 33545, 33600. These reports are classified as Other Reports; reports with little or no field work or missing maps. The electronic maps do not depict study areas for these reports, however a list of these reports has been provided. In addition, you have not been charged any fees associated with these studies.

- Resource Database Printout (list):** enclosed not requested nothing listed
- Resource Database Printout (details):** enclosed not requested nothing listed
- Resource Digital Database Records:** enclosed not requested nothing listed
- Report Database Printout (list):** enclosed not requested nothing listed
- Report Database Printout (details):** enclosed not requested nothing listed
- Report Digital Database Records:** enclosed not requested nothing listed
- Resource Record Copies:** enclosed not requested nothing listed
- Report Copies:** (*As requested) enclosed not requested nothing listed
- OHP Historic Properties Directory:** enclosed not requested nothing listed

<u>Archaeological Determinations of Eligibility:</u>	<input type="checkbox"/> enclosed	<input type="checkbox"/> not requested	<input checked="" type="checkbox"/> nothing listed
<u>CA Inventory of Historic Resources (1976):</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Caltrans Bridge Survey:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Ethnographic Information:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Historical Literature:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Historical Maps:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Local Inventories:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>GLO and/or Rancho Plat Maps:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Shipwreck Inventory:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed

***Notes:**

Current versions of these resources are available on-line:

Caltrans Bridge Survey: <http://www.dot.ca.gov/hq/structur/strmaint/historic.htm>

Soil Survey: <http://www.nrcs.usda.gov/wps/portal/nrcs/surveylist/soils/survey/state/?stateId=CA>

Shipwreck Inventory: <http://www.slc.ca.gov/Info/Shipwrecks.html>

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the California Historical Resources Information System (CHRIS).

Sincerely,

Annette Neal

Researcher

ORDINANCE NO. 1046**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AMENDING THE EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN**

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

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The City of Menlo Park ("City") adopted the El Camino Real/Downtown Specific Plan ("Specific Plan") in 2012.
- B. The City Council held a duly noticed Study Session on February thirteenth, 2018 on the proposed Guild Theatre renovation project and Specific Plan amendments. At the conclusion of the Study Session, the City Council directed staff to prepare amendments to allow the renovation of the existing Guild Theatre into a live performance facility with community benefits at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50 with the remainder below grade and inaccessible to the public.
- C. On April twenty-third, 2018, the Planning Commission held a duly noticed public hearing on the proposed project, including the Specific Plan Amendment attached hereto as "Exhibit A" and incorporated herein by this reference ("Specific Plan Amendment"), at which all interested persons had the opportunity to appear and comment and the Planning Commission voted to recommend approval of the Specific Plan amendments to the City Council
- D. The City Council held a duly noticed public hearing on May twenty-second, 2018 to review the proposed project, including the Specific Plan Amendment, at which all interested persons had the opportunity appear and comment and voted to approve the proposed project; and
- E. Adoption of the Specific Plan has complied with the provisions of Government Code Section 65453.
- F. After due consideration of the proposed Specific Plan Amendment, public comments, the Planning Commission's recommendation, and the staff report, the City Council finds that the proposed addition is consistent with the General Plan and is appropriate.

SECTION 2. An addendum to the El Camino Real/Downtown Specific Plan Program Environmental Impact Report ("Program EIR") was prepared in compliance with the California Environmental Quality Act ("CEQA"). The addendum found the proposed project would not result in greater impacts than were identified for the Program EIR.

SECTION 3. The City Council of the City of Menlo Park hereby approves and adopts the Specific Plan Amendment attached hereto as Exhibit A.

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

SECTION 5. This ordinance shall take effect 30 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posted in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the twenty-second day of May, 2018.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Peter I. Ohtaki, Mayor

ATTEST:

Judi A. Herren, City Clerk

**El Camino Real/Downtown Specific Plan
City Council-Directed Changes
May 2018**

The following changes to the El Camino Real/Downtown Specific Plan are directed by the City Council. Additions are shown in underline and deletions are shown in ~~strikeout~~.

1. Development Intensity

- a. Figure E2, Development Intensity/Density, on page E14 is revised as follows:

ECR SW

El Camino Real South-West

1.10 (1.50/~~2.50~~*) FAR

25.0 (40.0) DU/Acre

* Refer to Table E11

- b. The row, El Camino Real South-West, the column, FAR, in Table E2, Development Standards by Zoning Districts, on page E15, is revised as follows:

1.10(1.50/2.50**)

** Refer to Table E11

2. E.3.3 Setbacks and Projections within Setbacks

- a. Standard E.3.3.03 on page E22 is revised as follows:

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, except that the City Council may allow a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or that has historic or cultural value to exceed these maximums.

- b. Standard E.3.3.07 on page E24 is revised as follows:

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. These standards may be modified if existing signage to be retained on a feature building

in the area north of Live Oak Avenue is determined by the City Council to be highly visible and memorable or have historic or cultural value.

- c. Standard E.3.5.01 on page E30 is revised as follows:

The retail or commercial ground floor shall be a minimum of 15-foot floor-to-floor height to allow natural light into the space, except that the City Council may reduce the minimum floor-to-floor height for a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration and has highly visible and memorable features or that has historic or cultural value.

- d. Standard E.3.5.02 on page E30 is revised as follows:

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, except that the City Council may reduce the minimum transparency for a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration and has highly visible and memorable features or that has historic or cultural value. Heavily tinted or mirrored glass shall not be permitted.

3. El Camino Real South-West (SW)

- a. The last paragraph on page E71 is revised as follows:

Table E11 provides the standards for the ECR SW District, including certain exceptions for the area north of Live Oak Avenue. Illustrations are provided to help demonstrate the standards and guidelines.

- b. Figure E32, Mixed Use Commercial Projects in El Camino Real South-West (ECR SW) District, on page E 72 is revised to add a footnote as follows:

A feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value, may upon City Council approval retain the existing setbacks not to exceed property lines (including for any upper floor or basement addition not to exceed 10,000 square feet), architectural projections and open space.

- c. Table E11, Development Standards for El Camino Real South-West (ECR SW) District, on page E74, is revised as follows:
- i. Development Intensity, Maximum FAR for all uses inclusive of Offices
Base: 1.10
Public Benefit Bonus: 1.50; except that the City Council may approve a feature building (refer to Section B.2, Figures B1 and B2) north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value with a total FAR not to exceed 2.50, including no more than 1.50 FAR above grade and all basement FAR must be within the footprint of the existing building, but not over the property lines, and not accessible to the public. The square footage of any such feature building may not increase more than 10,000 square feet beyond the square footage of the building in existence at the time the El Camino Real/Downtown Specific Plan.
 - ii. Setback, Front and Side facing a public ROW
Minimum 7 feet, except north of Live Oak Avenue where 5 feet is the minimum, or the City Council may allow a feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value to retain existing setbacks for all existing and new floors, not to exceed property lines.
 - iii. Setback, Interior Side
Minimum: 5 feet, except north of Live Oak Avenue where there is no minimum side setback for ground floor and 5 feet minimum is required only for upper floors, or the City Council may allow a feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value to retain existing setbacks for all existing and new floors, not to exceed property lines.
 - iv. Setback, Rear
Minimum: 20 feet, except north of Live Oak Avenue, where 10 feet is required, or the City Council may allow a feature building north of

Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value to retain existing setbacks for all existing and new floors, not to exceed property lines.

- v. Open Space, All Development
30% minimum, except for north of Live Oak Avenue which is 20% minimum, or the City Council may approve a feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value with a reduced open space requirement.

RESOLUTION NO. 6440

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
APPROVING FINDINGS AND CONDITIONS FOR ARCHITECTURAL
CONTROL, AND A USE PERMIT AT 949 EL CAMINO REAL**

WHEREAS, the City of Menlo Park ("City") has received an application from The Peninsula Arts Guild ("Applicant"), to renovate the existing Guild Theatre cinema facility into a live entertainment venue at 949 El Camino Real ("Project Site"), with a total floor area of approximately 10,854 square feet;

WHEREAS, the findings and conditions for Architectural Control, and a Use Permit would ensure that all City requirements are applied consistently and correctly as part of the project's implementation;

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

WHEREAS, an EIR Addendum was prepared for the project in accordance with the provisions of the California Environmental Quality Act ("CEQA") and the CEQA Guidelines; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on April twenty-third, 2018 whereat all persons interested therein might appear and be heard; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the findings and conditions for Architectural Control and a Use Permit; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on May twenty-second, 2018 whereat all persons interested therein might appear and be heard; and

WHEREAS, the City Council of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to approve the findings and conditions for Architectural Control and a Use Permit.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park hereby approves the findings and conditions for Architectural Control and Use Permit hereto as Exhibit A and incorporated herein by this reference.

I, Judi A. Herren City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-second day of May, 2018, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of May, 2018.

Judi A. Herren, City Clerk

949 El Camino Real – Attachment C: Exhibit A - Recommended Actions

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00xxx	APPLICANT: Peninsula Arts Guild	OWNER: Howard B. Crittenden III Trust
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: City Council	DATE: May 22, 2018	ACTION: TBD	
<p>VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)</p>			
<p>ACTION:</p> <ol style="list-style-type: none"> 1. 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"> 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. With the adoption of the Specific Plan and Zoning Ordinance Amendments, the development is consistent with the El Camino Real/Downtown Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet. 2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permit, that the proposed small scale commercial recreation and bar 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. Make findings that the adoption of the Specific Plan and Zoning Ordinance amendment would not exceed the development caps in the Specific Plan. 4. Approve the Specific Plan and Zoning Ordinance amendment, architectural control and use permit subject to the following standard conditions: <ol style="list-style-type: none"> a. Development of the project shall be substantially in conformance with the plans prepared by CAW Architects, consisting of 16 plan sheets, dated April 6, 2018, reviewed by the Planning Commission on April 23, 2018 and approved by the City Council on TBD, 2018, 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 			

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00xxx	APPLICANT: Peninsula Arts Guild	OWNER: Howard B. Crittenden III Trust
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: City Council	DATE: May 22, 2018	ACTION: TBD	
<p>VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)</p>			
<p>ACTION:</p> <p>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.</p> <ul style="list-style-type: none"> 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 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. f. 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. g. 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. h. 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. i. 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. j. Prior to building permit issuance, Applicant shall submit an Off-Site Improvements Plan for review and approval of the Engineering Division. The Off-Site Improvements Plan shall 			

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00xxx	APPLICANT: Peninsula Arts Guild	OWNER: Howard B. Crittenden III Trust
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: City Council	DATE: May 22, 2018	ACTION: TBD	
<p>VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)</p>			
<p>ACTION:</p> <p>include all improvements within public right-of-way including but not limited to stormwater, concrete, asphalt, landscaping, striping, electrical, water and sanitary sewer.</p> <ul style="list-style-type: none"> k. Prior to building permit issuance, 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. l. Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality, in accordance with the approved Stormwater Pollution Prevention Plan (SWPPP). BMP plan sheets are available electronically for inserting into Project plans. m. Prior to building permit issuance, Applicant shall submit a street tree preservation plan, detailing the location of and methods for all tree protection measures. n. Prior building permit issuance, Applicant shall pay all Public Works fees. Refer to City of Menlo Park Master Fee Schedule. <p>5. Approve the architectural control and use permit, and major subdivision subject to the following project-specific conditions:</p> <ul style="list-style-type: none"> a. Planning-specific conditions: <ul style="list-style-type: none"> i. The applicant shall address all Mitigation Monitoring and Reporting Program (MMRP) requirements as specified in the MMRP. Failure to meet these requirements may result in delays to the building permit issuance, stop work orders during construction, and/or fines. ii. 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 \$7,550.66 (\$1.13 x 6,682 net new square feet). iii. The owner and operator shall at all times be a non-profit public benefit organization. Prior to issuance of a building permit and upon any change in ownership, applicant shall provide evidence to the satisfaction of the City Attorney that the owner and the operator is a non-profit public benefit organization. 			

949 El Camino Real – Attachment C: Exhibit A - Recommended Actions

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00xxx	APPLICANT: Peninsula Arts Guild	OWNER: Howard B. Crittenden III Trust
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: City Council	DATE: May 22, 2018	ACTION: TBD	
VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)			
<p>ACTION:</p> <ul style="list-style-type: none"> iv. The facility may operate daily during the hours of 7pm to 11pm, with adequate time for set up and close by staff before and after those hours. The facility shall hold no more than one live entertainment or other event daily during the identified evening hours. It is anticipated that live entertainment events will be held more often on Friday through Sunday than during the week on Monday through Thursday. Any event held outside of the identified evening hours shall not exceed current theater capacity of 266 persons. v. The public benefit provided shall be as follows: The facility shall be made available for up to two discounted events per month or up to 24 events per year for community organizations. Additional use of the facility by community organizations is possible, but not at the discounted rate. The discounted rate shall be 50 percent of the cost (not the fair market rental rate) to host an event. It is anticipated that the public benefit value of the discounted rate will be \$24,000 per year. The facility shall provide full, half-day and hourly rental discounted rates. The facility is encouraged to have community organizations from all areas of the City of Menlo Park utilizing this public benefit. Community use will be scheduled by the owner/operator for available times when the facility is not otherwise in use. The discounted rate will be available to non-profit organizations based in the City of Menlo Park, local school districts and other public agencies. The owner shall provide annual informational reporting to the Planning Commission identifying the community organizations that have taken advantage of the public benefit, the cost to host each event, the cost charged to each community organization and a calculation of the total annual public benefit value. vi. All below grade square footage in the basement of the building shall be inaccessible to the general public and limited to uses such as a green room, dressing room, warming kitchen, storage room and mechanical room. vii. A deed restriction or other recordable document restricting ownership and operation of property to a non-profit public benefit corporation and referring to the other terms and provisions of this approval shall be recorded against the property in form and substance approved by the City Attorney prior to issuance of a building permit. <p>b. Transportation-specific conditions:</p> <ul style="list-style-type: none"> i. Prior to the issuance of an occupancy permit, the applicant shall provide a transportation demand management plan to the satisfaction of the Public Works 			

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00xxx	APPLICANT: Peninsula Arts Guild	OWNER: Howard B. Crittenden III Trust
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: City Council	DATE: May 22, 2018	ACTION: TBD	
<p>VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)</p>			
<p>ACTION:</p> <p>Director. The applicant shall also provide a parking program for full time employees and written instruction for contract employees to park in the Public Parking Plazas to the satisfaction of the Public Works Director.</p> <ul style="list-style-type: none"> ii. If off-site parking impacts occur, applicant shall work with the City to develop a neighborhood permit parking program. The applicant shall also notify the City of the off-site location(s) where tour buses are parked. iii. Guild event staff shall assist guests with loading and unloading at the curb frontage as needed and manage orderly loading and unloading by TNC (Transportation Network Company, such as Uber/Lyft) vehicles and others to ensure any such vehicle backups are minimized. <p>c. Engineering-specific conditions:</p> <ul style="list-style-type: none"> i. Prior to building permit issuance, the Applicant shall submit all applicable engineering plans for Engineering review and approval. The plans shall include, but is not limited to: <ul style="list-style-type: none"> 1. Existing Topography (NAVD 88') 2. Demolition Plan 3. Site Plan 4. Construction Parking Plan 5. Grading and Drainage Plan 6. Stormwater Control Plan 7. Utility Plan 8. Erosion Control Plan 9. Planting and Irrigation Plan 10. Off-site Improvement Plan 11. Construction Details 12. Joint Trench Plan ii. Any building overhangs or overhead signs in public right of way will require review and approval of City and Caltrans. iii. This project is replacing more than 2,500 square feet of impervious area, and as such will be required to implement at least one of the Site Design Measures identified on the Stormwater Requirements Checklist: http://www.menlopark.org/DocumentCenter/Home/View/1006 iv. Frontage Improvements: <ul style="list-style-type: none"> 1. Remove and replace all curb, gutter and sidewalk along the entire project frontage on ECR. 			

949 El Camino Real – Attachment C: Exhibit A - Recommended Actions

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00xxx	APPLICANT: Peninsula Arts Guild	OWNER: Howard B. Crittenden III Trust
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: City Council	DATE: May 22, 2018	ACTION: TBD	
VOTE: TBD (Carlton, Cline, Keith, Mueller, Ohtaki)			
<p>ACTION:</p> <ol style="list-style-type: none"> 2. Any frontage improvements which are damaged as a result of construction will be required to be replaced. 3. Utility connections to the site may have to be upgraded due to the site intensification. Coordinate with utility companies. 4. The City and Caltrans will evaluate the condition of asphalt paving on ECR, following construction and prior to final occupancy of buildings. If necessary, the City/Caltrans will 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. v. 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 and Caltrans. 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. vi. 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. vii. 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. viii. Caltrans encroachment permit for work along El Camino is required. This permit shall be secured prior to City of Menlo Park issuance of encroachment permit for public improvements. ix. The Applicant shall coordinate with California Water Company (to determine sufficiency of size of the existing service lateral and West Bay Sanitary Sewer District (650-321-0384). 			

RESOLUTION NO. 6441**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
APPROVING THE BELOW MARKET RATE HOUSING AGREEMENT
BETWEEN THE CITY OF MENLO PARK AND THE PENINSULA ARTS GUILD
FOR 949 EL CAMINO REAL**

WHEREAS, the City of Menlo Park ("City") has received an application from the Peninsula Arts Guild ("Applicant"), to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, on an approximately 0.1 acre at 949 El Camino Real ("Project Site"); and

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

WHEREAS, after notice having been lawfully given, a public meeting was scheduled and held before the Housing Commission of the City of Menlo Park on April eleventh, 2018 to review the initial draft BMR Agreement Term Sheet, for the payment of in-lieu fees, whereat all persons interested therein might appear and be heard; and

WHEREAS, the Housing Commission of the City of Menlo Park having fully reviewed, and considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend the Planning Commission and City Council of the City of Menlo Park to approve the BMR Agreement; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on April twenty-third, 2018 whereat all persons interested therein might appear and be heard; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the BMR Agreement; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on May twenty-second, 2018 whereat all persons interested therein might appear and be heard.

WHEREAS, on May twenty-second, 2018 the City Council of the City of Menlo Park has read and considered that certain BMR Agreement between the City and the Applicant that satisfies the requirement that Developer comply with Chapter 16.96 of the City's Municipal Code and with the Below Market Rate Housing Program Guidelines.

NOW, THEREFORE, the City Council of the City does RESOLVE as follows:

1. Public interest and convenience require the City to enter into the Agreement described above and incorporated herein as Exhibit A.
2. The City of Menlo Park hereby approves the Agreement and the City Manager is hereby authorized on behalf of the City to execute the Agreement.

Resolution No. 6441

Page 2

I, Judi A. Herren City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-second day of May, 2018, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of May, 2018.

Judi A. Herren, City Clerk

DRAFT BELOW MARKET RATE HOUSING IN LIEU FEE AGREEMENT

This Below Market Rate Housing In Lieu Fee Agreement (“Agreement”) is made as of this ___ day of _____, 2018 by and between the City of Menlo Park, a California municipality (“City”) and the Peninsula Arts Guild (“Applicant”), with respect to the following:

RECITALS

- A. Applicant owns property, located at that certain real property in the City of Menlo Park, County of San Mateo, State of California, consisting of approximately 0.1 acres, more particularly described as Assessor’s Parcel Number: 071-288-570 (“Property”), and commonly known as 949 El Camino Real, Menlo Park.
- B. The Property currently contains one commercial building encompassing approximately 4,172 square feet of gross floor area.
- C. Applicant is requesting Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a public bonus level FAR (floor area ratio) and other associated amendments. The project would also require architectural control approval to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar (“Project”).
- D. Applicant is required to comply with Chapter 16.96 of City’s Municipal Code (“BMR Ordinance”) and with the Below Market Rate Housing Program Guidelines (“Guidelines”) adopted by the City Council to implement the BMR Ordinance. In order to process its application, the BMR Ordinance requires Applicant to submit a Below Market Rate Housing 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, site constraints due to the existing Guild Theatre cinema facility and its proposed renovation into a live entertainment venue on a small infill site do not allow for the development of residential units on site. Applicant does not own any additional sites in the City that are available and feasible for construction of sufficient below market rate residential housing units to satisfy the requirements of the BMR Ordinance. Based on these facts, the City has found that development of such BMR units in

accordance with the requirements of the BMR Ordinance and Guidelines is not feasible.

- F. Applicant, therefore, is required to pay an in lieu fee as provided for in this Agreement. Applicant is willing to pay the in lieu 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. If Applicant elects to proceed with the Project, Applicant shall pay the in lieu fee as provided for in the BMR Ordinance and Guidelines. Notwithstanding the proceeding, nothing in this Agreement shall obligate Applicant to proceed with the Project. The applicable in lieu fee is that which is in effect on the date the payment is made. The in lieu fee will be calculated as set forth in the table below; however, the applicable fee for the Project will be based upon the amount of square footage within Group A and Group B at the time of payment. The estimated in lieu fee is provided below.

	Use Group	Fee/SF	Square Feet	Component Fees
Existing Buildings – Non-Office Areas	B- Non-Office Commercial/ Industrial	\$9.17	4,172	(\$38,257.24)
Proposed Building – Non-Office Areas	B- Non-Office Commercial/ Industrial	\$9.17	10,854	\$99,531.18
Total Estimated In Lieu Fee				\$61,273.94

2. If the Applicant elects to proceed with the Project, the Applicant shall pay the in lieu fee before the City issues a building permit for the Project. The in lieu fee 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 after Applicant’s payment of the in lieu fee, upon request by Applicant, City shall promptly refund the in lieu fee, without interest, in which case the building permit shall not be issued until payment of the in lieu 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, subject to the reasonable consent of the other party, and the assignment must be in writing.

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 prevailing party shall be entitled to recover all reasonable attorney's 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 and the venue for any action shall be the County of San Mateo.
6. The terms of this Agreement may not be modified or amended except by an instrument in writing executed by all 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 Applicant 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.

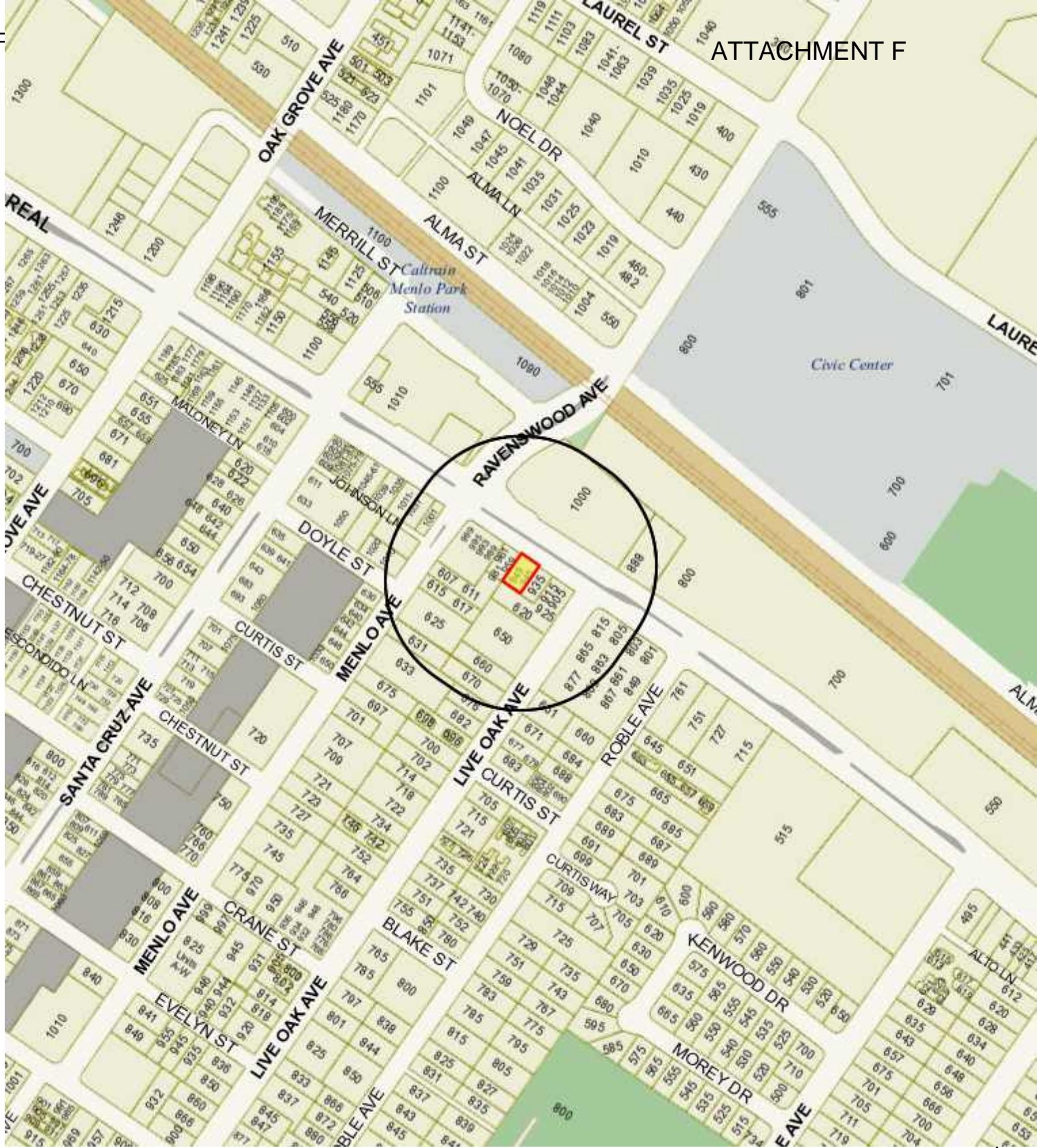
CITY OF MENLO PARK

Peninsula Arts Guild LLC

By: _____
City Manager

By: _____
Its:

THIS PAGE INTENTIONALLY LEFT BLANK



City of Menlo Park
 Location Map
 949 El Camino Real



THIS PAGE INTENTIONALLY LEFT BLANK

REGULATORY STANDARDS

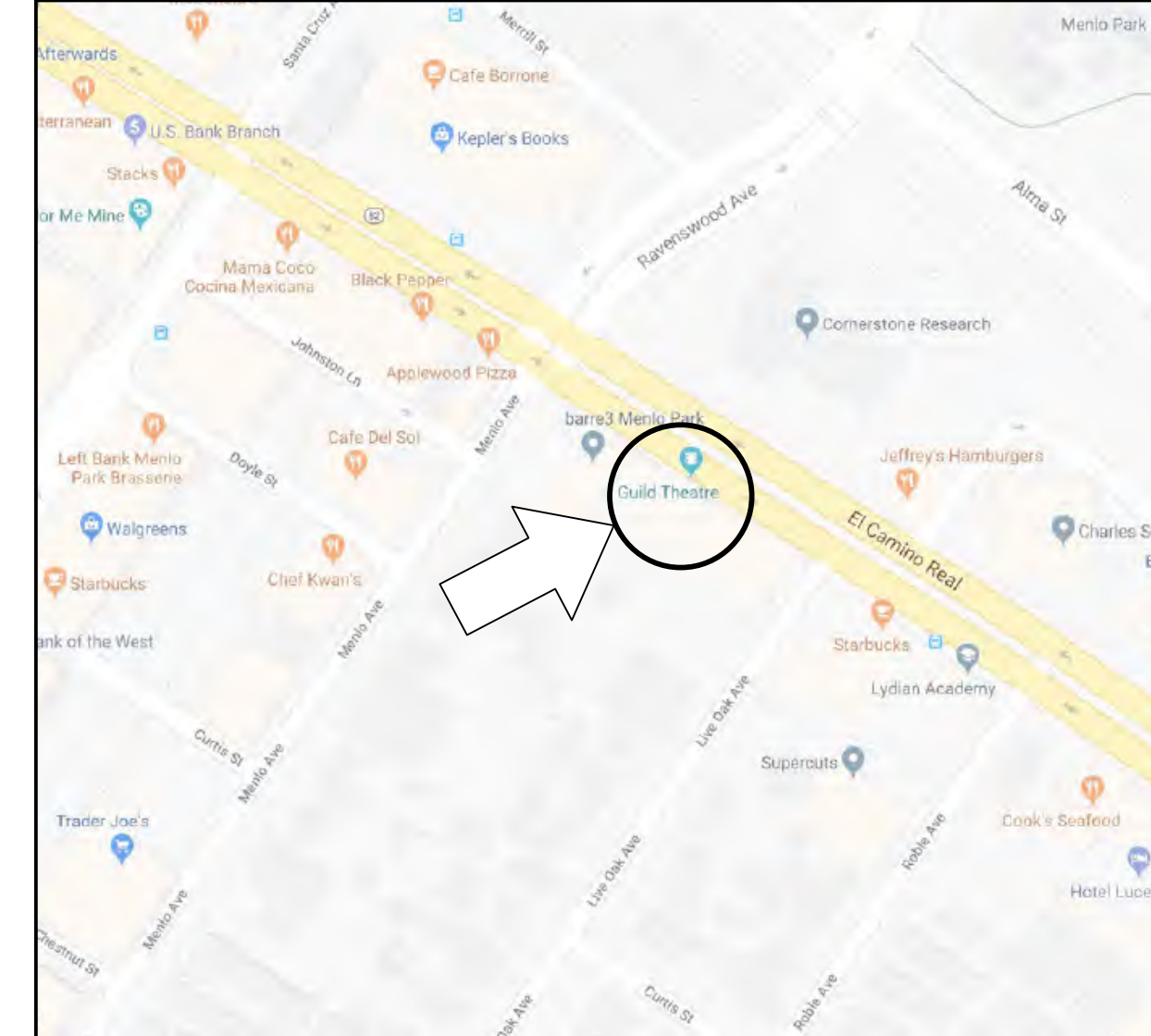
- 2016 CALIFORNIA ADMINISTRATIVE CODE, PART 1
- 2016 CALIFORNIA BUILDING CODE (CBC) PART 2
- 2016 CALIFORNIA ELECTRICAL CODE (CEC) PART 3
- 2016 CALIFORNIA MECHANICAL CODE (CMC) PART 4
- 2016 CALIFORNIA PLUMBING CODE (CPC) PART 5
- 2016 CALIFORNIA ENERGY CODE, PART 6
- 2016 CALIFORNIA HISTORICAL BUILDING CODE, PART 8
- 2016 CALIFORNIA FIRE CODE, PART 9
- 2016 CALIFORNIA EXISTING BUILDING CODE, PART 10
- 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE, PART II
- 2016 CALIFORNIA REFERENCE STANDARDS CODE, PART 12
- TITLE 8 C.C.R., CH. 4 SUB-CH. 6 CALIFORNIA ELEVATOR SAFETY ORDERS
- TITLE 19, C.C.R., PUBLIC SAFETY, SFM REGULATIONS

RENOVATION OF THE GUILD THEATRE

949 EL CAMINO REAL MENLO PARK, CA 94025

PLANNING RESUBMITTAL

VICINITY MAP



455 LAMBERT AVENUE PALO ALTO, CA 94306
WWW.CAWARCHITECTS.COM • 650.328.1818 • FAX: 650.328.1888

STAMP

CONSULTANTS

NFPA STANDARDS

- NFPA 13 – AUTOMATIC SPRINKLER SYSTEMS, 2016 EDITION (CA AMENDED)
- NFPA 24 – PRIVATE FIRE SERVICE MAINS, 2016 EDITION (CA AMENDED)
- NFPA 72 – NATIONAL FIRE ALARM AND SIGNALING CODE, 2016 EDITION (CA AMENDED)
- NFPA 80 – FIRE DOORS AND OTHER OPENING PROTECTIVES, 2016 EDITION (CA AMENDED)

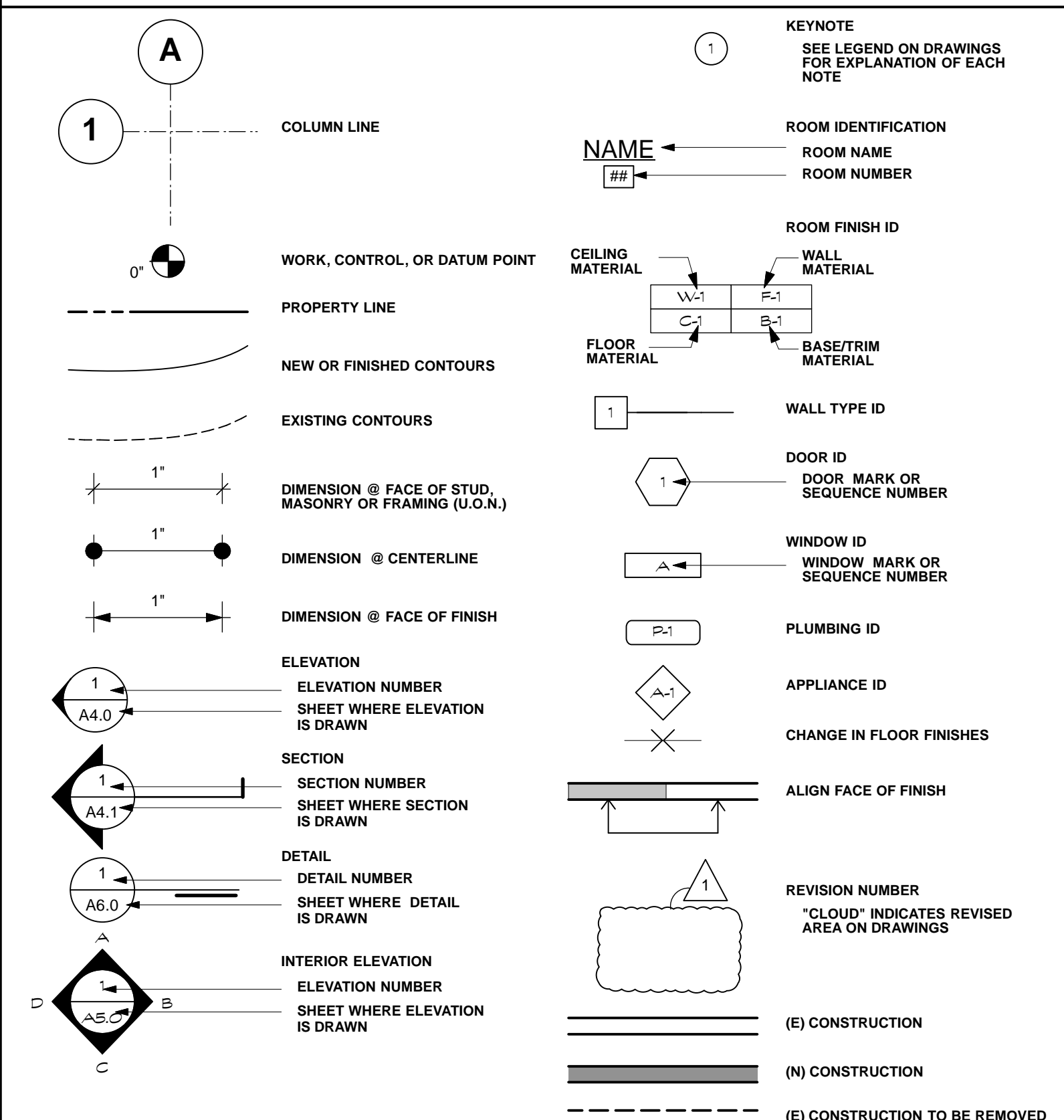
ABBREVIATIONS

AND @ DIAMETER OR ROUND	HT./HGT. HTR. H.W. HDWD.	HEIGHT HEATER HOT WATER HARDWOOD	S.A.S. S.C. SCHED. S.D.	SURFACED 4 SIDES SOLID CORE SCHEDULE SOAP DISPENSER or SMOKE DETECTOR
ACOUS. ADJ. A.F.F.	ACOUSTICAL ADJUSTABLE ABOVE FINISHED FLOOR	I.D. IN. or (") INSUL. INT.	SEL. SHT. SIM. SPEC. SQ. S.S.T. S.S.D. STD. STL. STOR. STRUCT./STRL.	SELECT SHEET SIMILAR SPECIFICATION(S) SQUARE STAINLESS STEEL SEE STRUCTURAL DRAWINGS STANDARD STEEL STORAGE STRUCTURAL SUSPEND
APPROX. ARCH.	APPROXIMATE ARCHITECTURAL	JAN. JST. KIT. LAV.	JANITOR JOIST KITCHEN LAVATORY	TOP AND BOTTOM TONGUE AND GROOVE TREAD TELEPHONE THRU TOP OF CURB TOP OF PAVEMENT TOP OF WALL TOILET PAPER HOLDER TOILET PAPER DISPENSER TV TYP.
BLDG. BLKG. BM.	BUILDING BLOCKING BEAM	JAN. JST. KIT. LAV.	JANITOR JOIST KITCHEN LAVATORY	UNDERWRITERS LABORATORIES UNLESS OTHERWISE NOTED
CAB. C.J.	CABINET CONTROL JOINT	LAM. LAV.	LAMINATE LAVATORY	VERT. V.I.F. V.G.
CLG. CLO. CLR.	CEILING CLOSET CLEAR	MAX. MECH. MEZZ.	MAXIMUM MECHANICAL MEZZANINE	WITH WITHOUT W.C. WOOD WATER HEATER WATERPROOF WELDED WIRE FABRIC
C.M.U. C.O. COL. CONC. C.T. C.W.	CONCRETE MASONRY UNIT CLEANOUT or CASED OPENING COLUMN CONCRETE COLLAR TIE COLD WATER	MFR. MIN. MISC. MTL./MET.	MANUFACTURER MINIMUM MISCELLANEOUS METAL	
DBL. DEPT. DET. D.F.	DOUBLE DEPARTMENT DETAIL DOUGLAS FIR or DRINKING FOUNTAIN DIAMETER	N. (N) or NEW N.I.C. NO. or # N.T.S.	NORTH NEW NOT IN CONTRACT NUMBER NOT TO SCALE	
DIA. DIM. DN.	DIAMETER DIMENSION DOWN	O.C. O.D. OPNG.	OVER ON CENTER OUTSIDE DIAMETER OPENING	
EA. E.J.	EACH EXPANSION JOINT	P.E.N. PERF.	PLYWOOD EDGE NAILING PERFORATED	
ELECT./JELEC. ENCL. E.O.S.	ELECTRICAL ENCLOSURE EDGE OF SLAB	P.D.F. PL. PLAM.	POWDER DRIVEN FASTENER PLATE OR PROPERTY LINE PLASTIC LAMINATE	
EQ. EQUIP/EQPT. EXST or (E)	EQUAL EQUIPMENT EXISTING	PLYWD. PREFAB. PTD. P.T.	PLYWOOD PREFABRICATED PAINTED PRESSURE TREATED	
FRT	FIRE RETARDANT TREATED	R. RAD. R.D. REF.	RISER RADIUS ROOF DRAIN REFERENCE	
GYP. BD./GYP. G.S.M.	GYPSON BOARD/GYPSON GALVANIZED SHEET METAL	REIN. REQ'D R.O. R.WD. R.W.L.	REINFORCE REQUIRED ROUGH OPENING REWOOD RAIN WATER LEADER	
H.B. H.C. HDWR./HDWE. H.M. HORIZ.	HOSE BIB HOLLOW CORE HARDWARE HOLLOW METAL HORIZONTAL			

GENERAL NOTES

- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURE AND FOR ALL SAFETY PROGRAMS AND PRECAUTIONS IN CONNECTION WITH THE PROJECT. NEITHER THE OWNER NOR THE ARCHITECT IS RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO FOLLOW PROPER SAFETY PROCEDURES.
- ALL CODES HAVING JURISDICTION ARE HEREBY MADE A PART OF THIS DOCUMENT AND ARE TO BE STRICTLY OBSERVED BY THE CONTRACTOR IN THE CONSTRUCTION OF THE PROJECT. IN THE EVENT OF CONFLICT BETWEEN THESE DOCUMENTS AND THE CODE, THE CODE SHALL PREVAIL. ANY CONFLICT OR DISCREPANCY SHALL IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
- ALL WORK, TO BE ACCEPTABLE, MUST BE IN COMPLIANCE WITH THESE DRAWINGS AND SPECIFICATIONS, AND MUST BE OF A QUALITY EQUAL OR BETTER THAN THE STANDARD OF THE TRADE. FINISHED WORK SHALL BE FIRM, WELL-ANCHORED, IN TRUE ALIGNMENT, PLUMB, LEVEL, WITH SMOOTH, CLEAN, UNIFORM APPEARANCE.
- CONTRACTOR SHALL AT ALL TIMES PROVIDE PROTECTION AGAINST WEATHER, RAIN, WINDSTORMS, OR HEAT SO AS TO MAINTAIN ALL WORK, MATERIALS, EQUIPMENT AND APPARATUS FREE FROM INJURY OR DAMAGE.
- CONTRACTOR SHALL VISIT THE SITE OF THE PROJECT, EXAMINE FOR HIMSELF/HERSELF THE NATURE OF THE EXISTING CONDITIONS AND ALL OTHER CONDITIONS RELEVANT TO THE SATISFACTORY COMPLETION OF THE PROJECT. SUBMISSION OF A BID FOR CONSTRUCTION SHALL BE CONSIDERED EVIDENCE OF SUCH EXAMINATION BY THE CONTRACTOR.
- CONTRACTOR SHALL REMOVE FROM SITE ALL EXISTING CONSTRUCTION AND IMPROVEMENTS NECESSARY FOR COMPLETION OF THE PROJECT, PROTECT FROM DAMAGE OR INJURY ALL EXISTING TREES, LANDSCAPING AND IMPROVEMENTS INDICATED BY THE ARCHITECT.
- ALL WORK SHALL CONFORM TO THE CONTRACT DOCUMENTS, WHICH INCLUDE THE PROJECT MANUAL WITH SPECIFICATIONS, THE ADDENDA AND MODIFICATIONS ISSUED BY THE ARCHITECT.
- ALL WORK NOTED "BY OTHERS" OR "N.I.C." SHALL BE PROVIDED BY THE OWNER UNDER SEPARATE CONTRACT. INCLUDE SCHEDULE REQUIREMENTS FOR THIS "OTHER" WORK IN CONSTRUCTION PROGRESS SCHEDULES AND COORDINATE AS REQUIRED TO ASSURE ORDERLY SEQUENCE OF INSTALLATION.
- DO NOT SCALE DRAWINGS
- COLUMN CENTER LINES (OR GRID LINES) ARE SHOWN FOR REFERENCE ONLY.
- IN CASE OF CONFLICT OR DISCREPANCIES IN CONTRACT DOCUMENTS, CONTRACTOR SHALL NOTIFY THE ARCHITECT IN WRITING PRIOR TO PROCEEDING.
- PRIOR TO BEGINNING WORK, CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ENSURE THAT ALL WORK IS BUILDABLE AS SHOWN. CONDITIONS THAT ARE NOT REFLECTIVE OF THAT WHICH IS SHOWN SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO COMMENCING CONSTRUCTION.
- "TYPICAL" OR "TYP." SHALL MEAN THAT THE CONDITION IS REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT, UNLESS OTHERWISE NOTED (U.O.N.). DETAILS ARE USUALLY KEYED AND NOTED "TYP." ONLY ONCE, WHEN THEY FIRST APPEAR.
- "ALIGN" SHALL MEAN TO ACCURATELY LOCATE FINISH FACES IN THE SAME PLANE
- "SIMILAR" OR "SIM." MEANS COMPARABLE CHARACTERISTICS FOR THE CONDITIONS NOTED. VERIFY DIMENSIONS AND ORIENTATION ON PLANS AND ELEVATIONS.
- FEATURES OF CONSTRUCTION NOT FULLY SHOWN SHALL BE OF THE SAME CHARACTER AS SHOWN FOR SIMILAR CONDITIONS.
- ALL DIMENSIONS MARKED "CLEAR" SHALL BE MAINTAINED AND SHALL ALLOW FOR THICKNESS OF ALL FINISHES.
- SEE "ABBREVIATIONS & SYMBOLS" ON THIS SHEET FOR GRAPHIC CONVENTIONS OF NEW VERSUS EXISTING CONSTRUCTION. IN ALL NOTES ON ALL DRAWINGS ALL WORK SHALL BE NEW WORK UNLESS SPECIFICALLY LABELED AS EXISTING (E).
- CONTRACTOR TO PROVIDE BLOCKING AND/OR BACKING PLATES AT ALL WALL HUNG OR WALL BRACED DEVICES.
- COORDINATE AND COOPERATE WITH OWNER REGARDING ACCESS ROUTE AND SCHEDULING OF MATERIAL DELIVERIES.
- COORDINATE ALL WORK OCCURRING IN OCCUPIED AREAS WITH OWNER. SCHEDULE WORK AS REQUIRED.
- SCHEDULE AND COORDINATE ACTIVITIES BY OWNER. ALL ACTIVITIES MUST BE ACCOMMODATED WITHIN THE CONTRACT TIME.
- ALL INFORMATION SHOWN ON THE DRAWINGS RELATIVE TO EXISTING CONDITIONS IS GIVEN WITH THE BEST PRESENT KNOWLEDGE. WHERE ACTUAL CONDITIONS CONFLICT WITH THE DRAWINGS, THEY SHALL BE REPORTED TO THE ARCHITECT IN WRITING, SO THE PROPER REVISIONS CAN BE MADE.

SYMBOLS



PROJECT SUMMARY

PROJECT LOCATION:	949 EL CAMINO REAL MENLO PARK, CA 94025
PROJECT DESCRIPTION:	RENOVATION TO (E) THEATRE BUILDING WITH ADDITION OF SECOND FLOOR AND BASEMENT. NEW EXTERIOR RENOVATION TO FACADE, RESTORATION OF MARQUEE SIGNAGE, AND ROOF. INTERIOR IMPROVEMENTS INCLUDE NEW STAGE AND LIGHTING, ACCESSIBLE RESTROOMS, SECOND FLOOR BALCONY, DRESSING ROOMS, ELEVATOR, STORAGE, AND BUILDING SUPPORT SPACES. ALSO INCLUDES NEW ACCESSIBILITY, MECHANICAL, ELECTRICAL, PLUMBING, FIRE ALARM, AND FIRE SPRINKLER IMPROVEMENTS.
LOT AREA:	4,751 SF
APN:	071-288-570
ZONE DISTRICT:	ECR MIXED USE / RESIDENTIAL
HISTORICAL DESIGNATION:	NONE
FLOOD ZONE:	X
HEIGHT ALLOWED:	30 FEET AT FACADES, 38 FEET MAX
OCCUPANCY TYPE:	A-1
CONSTRUCTION TYPE:	III- NO CHANGE
NUMBER OF STORIES:	TWO + BASEMENT
FIRE ALARM:	YES
FIRE SPRINKLER:	YES

INDEX

ARCHITECTURAL	
A0.00	COVER SHEET
A0.10	AREA PLAN
A0.20	SITE PLAN
A0.30	SITE LOGISTICS PLAN
A1.10	EXISTING FLOOR PLAN
A1.10D	DEMOLITION FLOOR PLAN
A2.00	BASEMENT PLAN
A2.10	FIRST FLOOR PLAN
A2.20	SECOND FLOOR PLAN
A2.30	ROOF PLAN
A2.40	SQUARE FOOTAGE CALCULATION PLANS
A4.10	EXTERIOR ELEVATIONS
A4.20	BUILDING SECTIONS & STREETSCAPE
A4.30	EXTERIOR RENDERINGS

SURVEY

SU1	LAND TITLE SURVEY
SU2	LAND TITLE SURVEY
SU3	LAND TITLE SURVEY

PROJECT DIRECTORY

Client/Owner	Name/Title	Email
Peninsula Arts Guild	Drew Dunlevie T: 650.862.7732	President dunlevie@gmail.com
Architect	Cody Anderson Wasney Architects 455 Lambert Avenue Palo Alto, CA 94041	Chris Wasney Mary Desing T: 650.328.1818
Structural Engineer	BKG Engineers 1155 Broadway Street Suite 205 Redwood City, CA 94063	Ryan Billante Principal ryan@bkgse.com

PROJECT NAME

RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE

COVER SHEET

PROJECT NO. 18001

DRAWN BY M. DESING

CHECKED BY M. DESING, C. WASNEY



SHEET

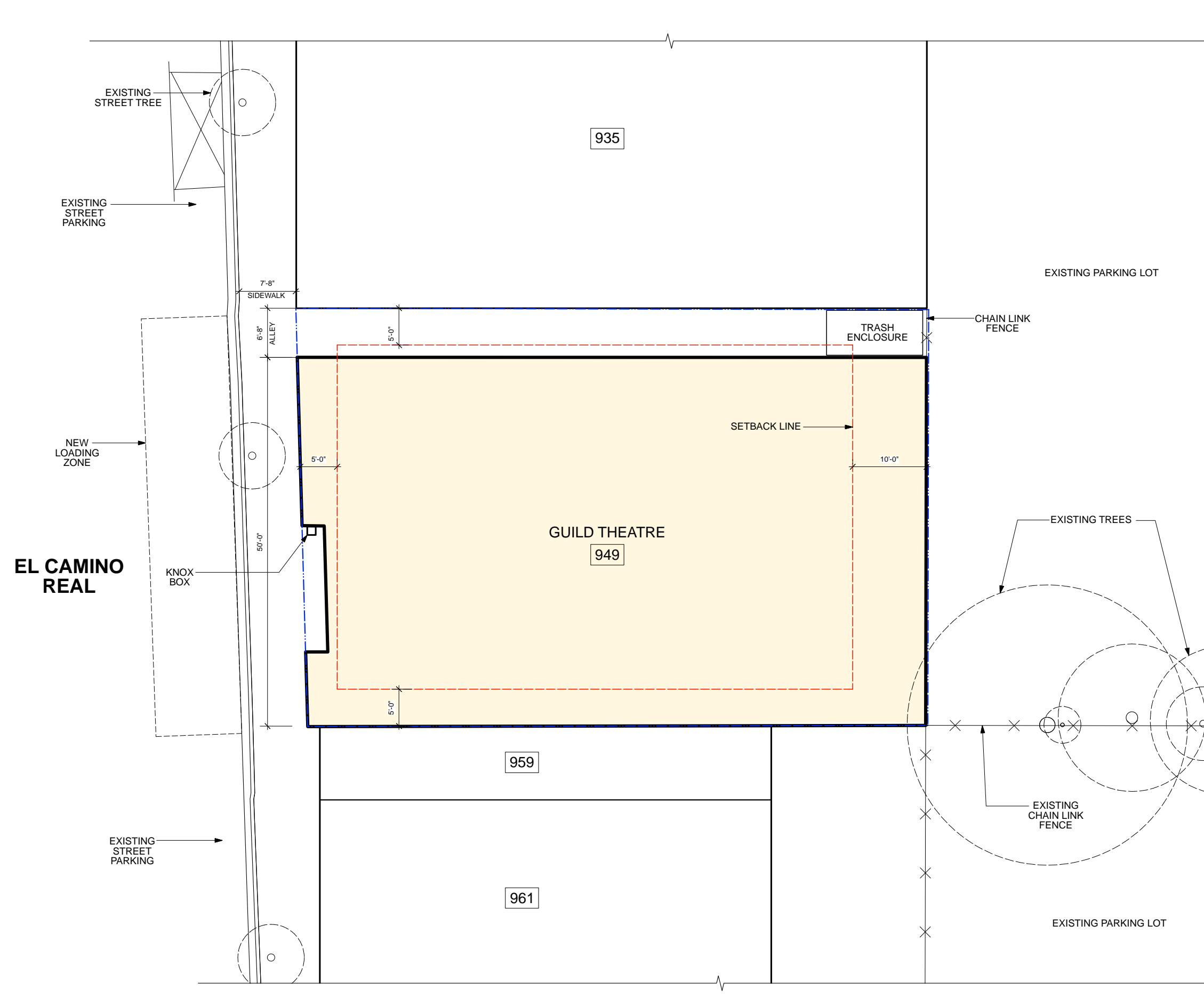
A0.00

GENERAL NOTES

1. THE CURB, GUTTER, AND SIDEWALK ALONG PROJECT FRONTAGE AT EL CAMINO REAL SHALL BE REMOVED AND REPLACED.
2. A CALTRANS ENCROACHMENT PERMIT SHALL BE OBTAINED PRIOR TO BUILDING PERMIT ISSUANCE.
3. ANY FRONTAGE IMPROVEMENTS THAT ARE DAMAGED DURING CONSTRUCTION SHALL BE REPLACED.
4. ARCHITECT/CONTRACTOR WILL COORDINATE WITH UTILITY COMPANIES TO UPGRADE CONNECTIONS AND SERVICE AS REQUIRED.
5. THE SANITARY SEWER SHALL HAVE A MINIMUM SLOPE OF 2% UNLESS OTHERWISE APPROVED BY THE BUILDING OFFICIAL.
6. ANY CONDENSATE WATER FROM AIR CONDITIONING EQUIPMENT WILL NOT BE RUN TO THE SANITARY SEWER OR STORM DRAIN SYSTEMS WITHOUT WEST BAY SANITARY DISTRICT APPROVAL.
7. ANY BUILDING OVERHANGS OR OVERHEAD SIGNS ALONG THE PUBLIC RIGHT OF WAY SHALL BE REVIEWED AND APPROVED BY THE CITY AND CALTRANS PRIOR TO INSTALLATION.

LEGEND

-  PROPERTY LINE
-  SETBACK LINE
-  FENCE LINE



SITE PLAN
SCALE: 1/8" = 1'-0"



455 LAMBERT AVENUE PALO ALTO, CA 94306
WWW.CAWARCHITECTS.COM • 650.328.9888 • FAX: 650.328.9889

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

PROJECT NAME
RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE
SITE PLAN

PROJECT NO. 18001
DRAWN BY M. DESING
CHECKED BY M. DESING, C. WASNEY

SHEET

A0.20



GUILD THEATRE - SITE LOGISTICS PLAN



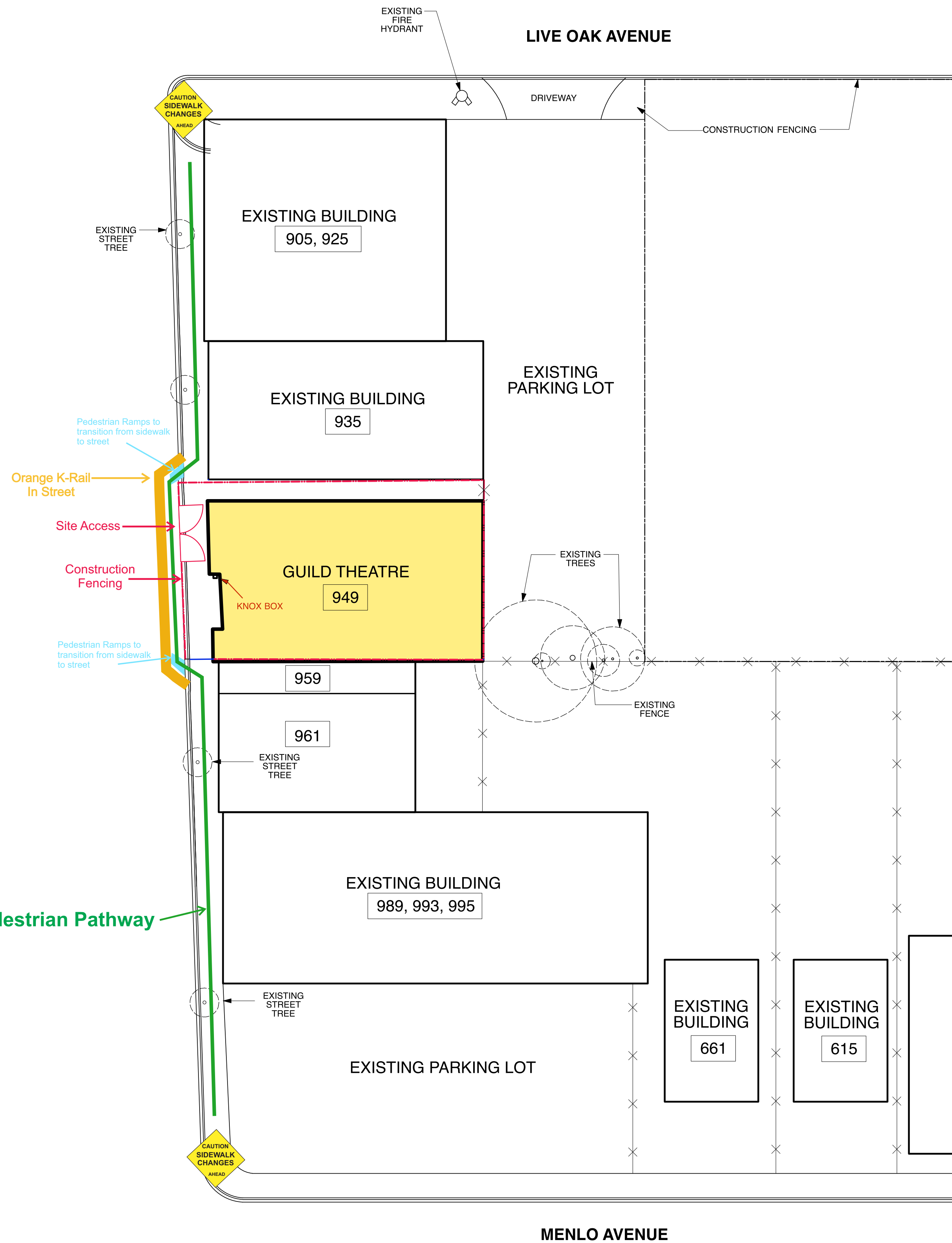
455 LAMBERT AVENUE PALO ALTO, CA 94306
WWW.CAWARCHITECTS.COM • 650.328.1818 • FAX: 650.328.1888

CONTRACT #07 BY CAW ARCHITECTS, INC.

GENERAL:

- This logistic plan will be implemented for the duration of the construction.
- Fence to be placed on sidewalk.
- Temporary construction barrier on El Camino Street consist of orange "K" rail. The temporary construction barrier will be placed at the street parking stalls.
- **City of Menlo Park Allowable Construction hours:** Monday - Friday from 8:00 am to 6:00 pm
- **Site Access Restrictions:** Personal protective equipment is required at all times. Protective equipment includes, hard hats, eye protection, proper foot protection and clothing.
- **Deliveries:** (materials, equipment, supplies, etc.) will be made during working hours.
- **Access** to the site will be through the access area on El Camino Street
- **Truck Routes:** All delivery trucks to follow the City of Menlo Park truck routes
- **Flagmen:** Flagman will be utilized during all site delivery activities.

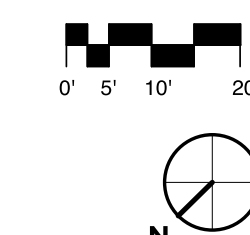
EL CAMINO REAL



City Sidewalk / Pedestrian Pathway

April 6, 2018

AREA PLAN
SCALE: 1" = 20'-0"



STAMP

CONSULTANTS

MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

PROJECT NAME
RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE
SITE LOGISTICS PLAN

PROJECT NO. 18001
DRAWN BY M. DESING
CHECKED BY M. DESING, C. WASNEY

SHEET

A0.30

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

PROJECT NAME

RENOVATION OF THE

GUILD THEATRE

949 EL CAMINO REAL

MENLO PARK, CA 94025

SHEET TITLE

EXISTING FIRST FLOOR PLAN

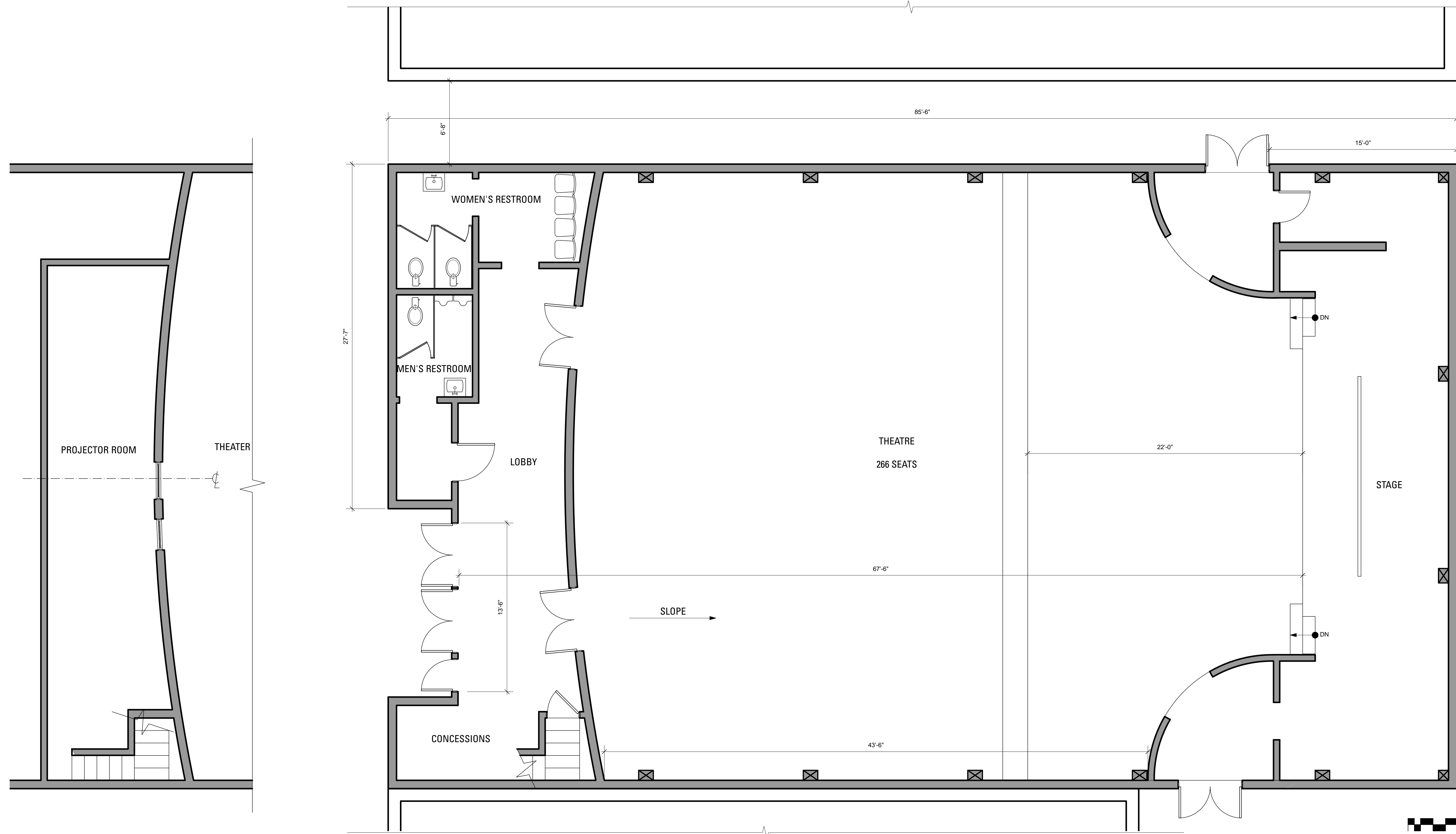
PROJECT NO. 18001

DRAWN BY M. DESING

CHECKED BY M. DESING, C. WASNEY

SHEET

A1.10



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

2

EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

1



STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

PROJECT NAME

RENOVATION OF THE

GUILD THEATRE

949 EL CAMINO REAL

MENLO PARK, CA 94025

SHEET TITLE

DEMOLITION FIRST FLOOR PLAN

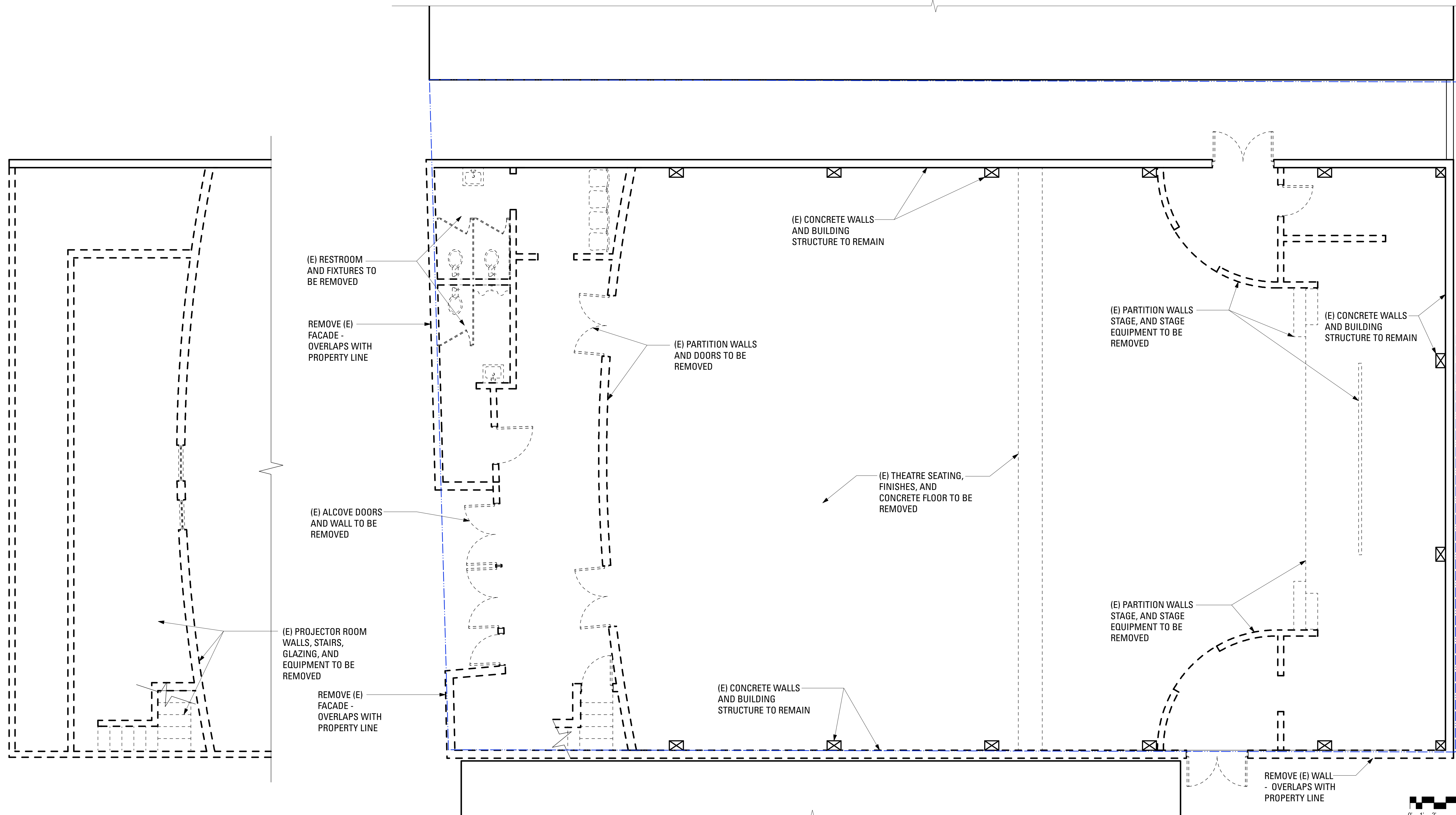
PROJECT NO. 18001

DRAWN BY M. DESING

CHECKED BY M. DESING, C. WASNEY

SHEET

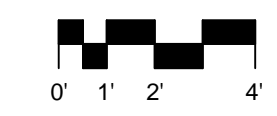
A1.10D



PROJECTOR ROOM DEMOLITION PLAN
SCALE: 1/4" = 1'-0"

2

DEMOLITION FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"






1



GENERAL NOTES

1. BUILDING TO BE EQUIPPED WITH FULL FIRE ALARM AND FIRE SPRINKLER SYSTEMS

LEGEND

-  PROPERTY LINE
-  EXISTING WALL
-  NEW WALL



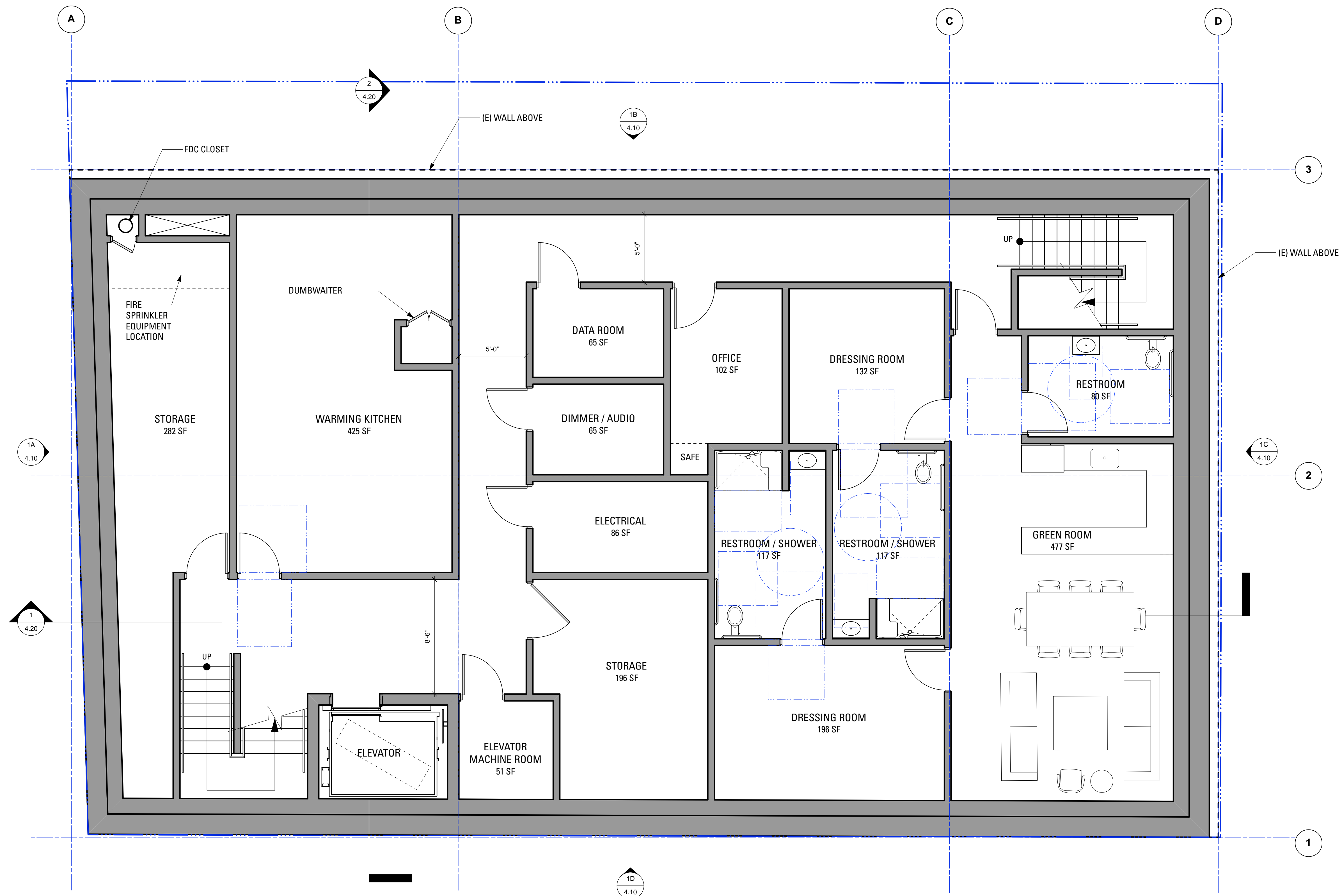
455 LAMBERT AVENUE PALO ALTO, CA 94306
WWW.CAWARCHITECTS.COM • 650.328.1818 • FAX: 650.328.1888

CONTRACT 2017 BY CAW ARCHITECTS, INC.

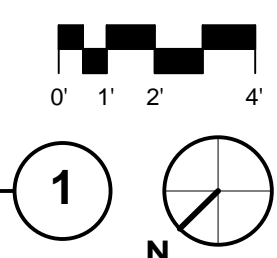
STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018



PROPOSED BASEMENT PLAN
SCALE: 1/4" = 1'-0"



PROJECT NAME
RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE
PROPOSED BASEMENT PLAN

PROJECT NO. 18001
DRAWN BY M. DESING
CHECKED BY M. DESING, C. WASNEY

SHEET

A2.00

STAMP

CONSULTANTS

MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

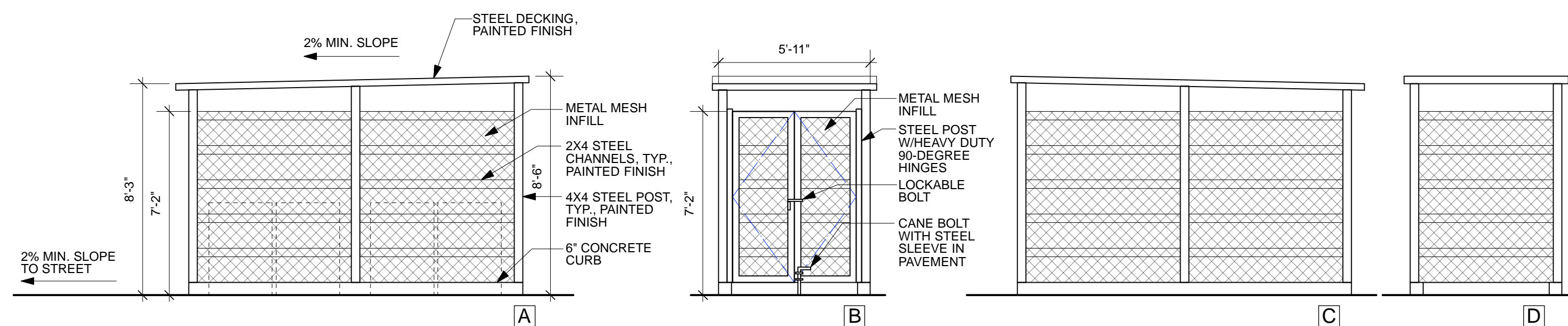
PROJECT NAME
RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE
PROPOSED FIRST FLOOR PLAN

PROJECT NO. 18001
DRAWN BY M. DESING
CHECKED BY M. DESING, C. WASNEY

SHEET

A2.10



TRASH ENCLOSURE ELEVATIONS

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

TRASH ENCLOSURE ROOF PLAN

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

TRASH ENCLOSURE PLAN

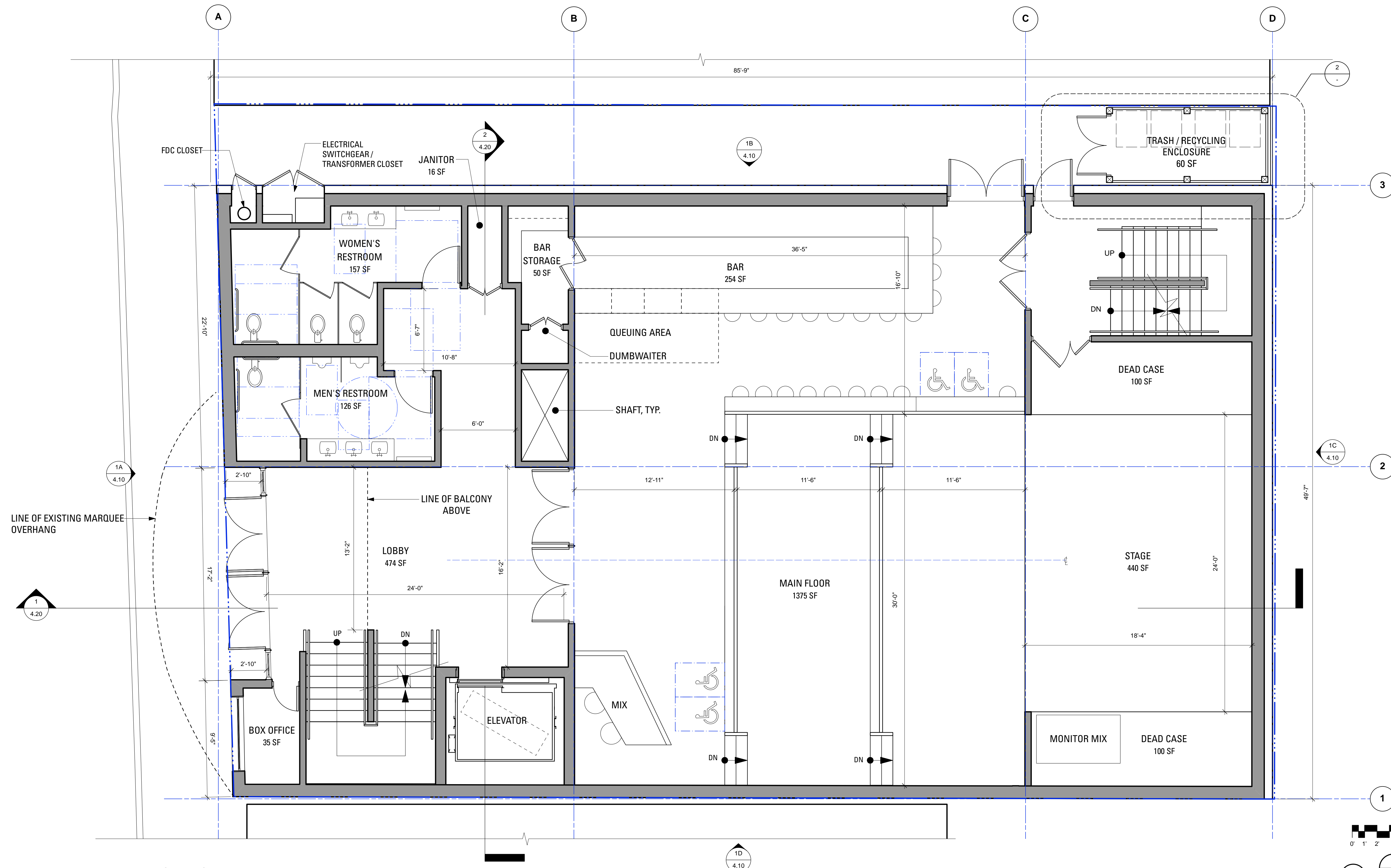
SCALE: 1/4" = 1'-0"

LEGEND

- PROPERTY LINE
- EXISTING WALL
- NEW WALL

GENERAL NOTES

- BUILDING TO BE EQUIPPED WITH FULL FIRE ALARM AND FIRE SPRINKLER SYSTEMS
- ELECTRICAL AND PG&E SERVICE SHALL BE UPGRADED AS REQUIRED






PROPOSED FIRST FLOOR PLAN

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

GENERAL NOTES

1. BUILDING TO BE EQUIPPED WITH FULL FIRE ALARM AND FIRE SPRINKLER SYSTEMS

LEGEND

-  PROPERTY LINE
-  EXISTING WALL
-  NEW WALL



455 LAMBERT AVENUE PALO ALTO, CA 94306
WWW.CAWARCHITECTS.COM • 650.328.1888 • FAX: 650.328.1888

CONSULTANT OF RECORD

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

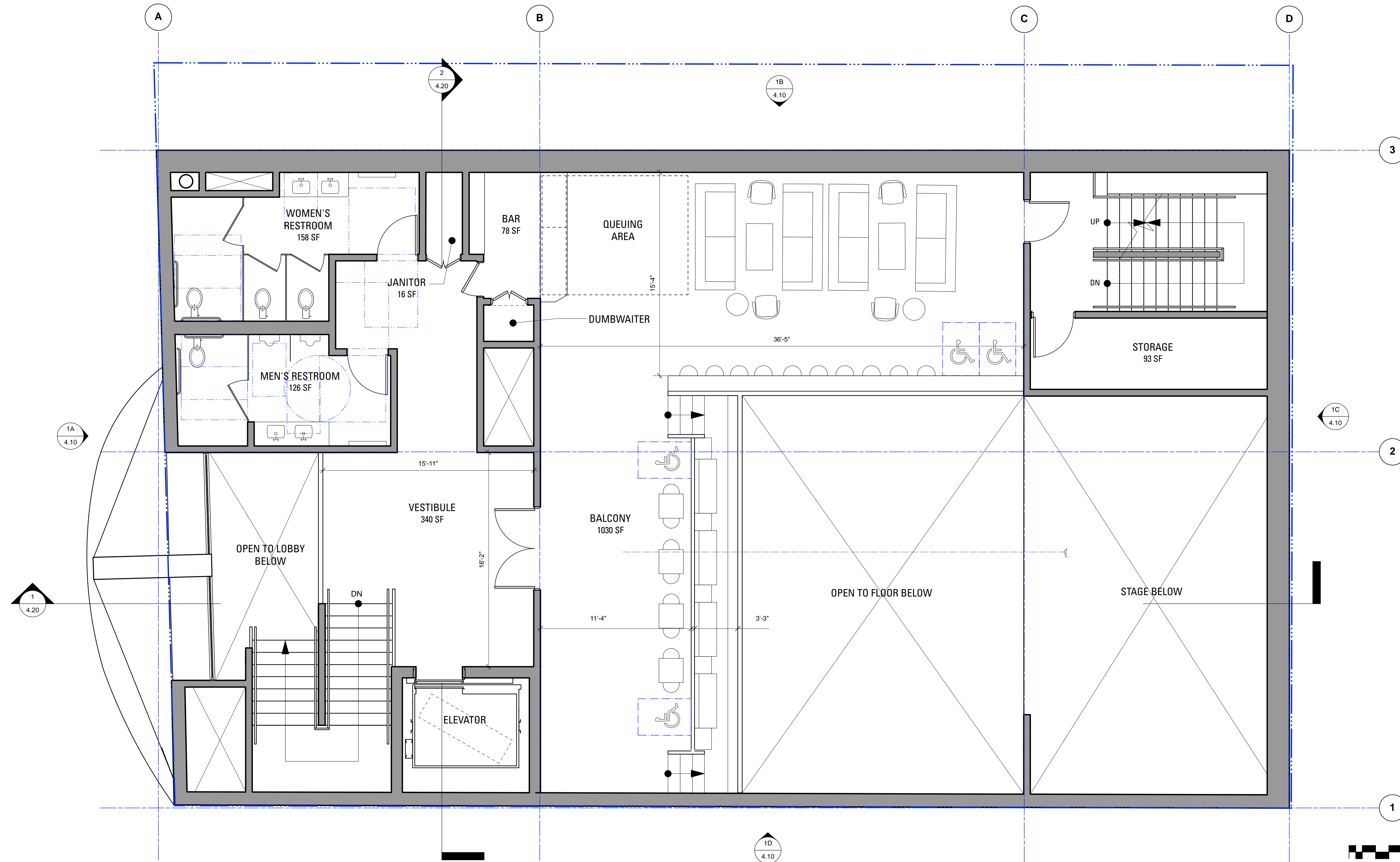
PROJECT NAME
 RENOVATION OF THE
GUILD THEATRE
 949 EL CAMINO REAL
 MENLO PARK, CA 94025

SHEET TITLE
**PROPOSED SECOND FLOOR
 PLAN**

PROJECT NO. 18001
 DRAWN BY M. DESING
 CHECKED BY M. DESING, C. WASNEY

SHEET

A2.20



PROPOSED SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"

GENERAL NOTES

1. BUILDING TO BE EQUIPPED WITH FULL FIRE ALARM AND FIRE SPRINKLER SYSTEMS.
2. HVAC EQUIPMENT SHALL NOT EXCEED THRESHOLD LEVELS NOTED IN MENLO PARK MUNICIPAL CODE SEC. 8.06: 50dB (NIGHTTIME), 60dB (DAYTIME).

LEGEND

- PROPERTY LINE
- EXISTING WALL
- NEW WALL



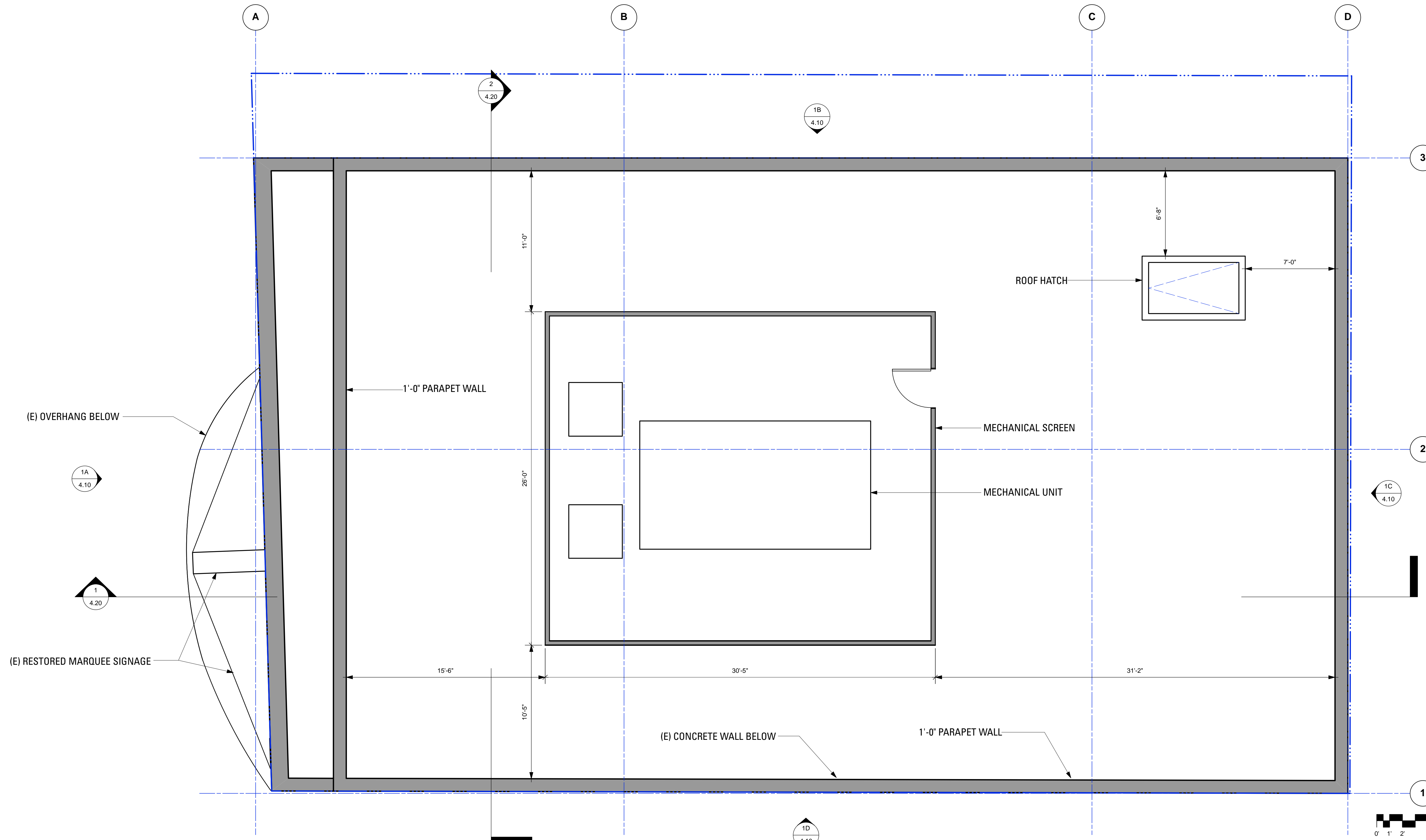
455 LAMBERT AVENUE PALO ALTO, CA 94306
WWW.CAWARCHITECTS.COM • 650.328.1818 • FAX: 650.328.1818

COPYRIGHT 2017 BY CAW ARCHITECTS, INC.

STAMP

CONSULTANTS

MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018



PROPOSED ROOF PLAN
SCALE: 1/4" = 1'-0"

PROJECT NAME

RENOVATION OF THE

GUILD THEATRE

949 EL CAMINO REAL

MENLO PARK, CA 94025

SHEET TITLE

PROPOSED ROOF PLAN

PROJECT NO. 18001

DRAWN BY M. DESING

CHECKED BY M. DESING, C. WASNEY

SHEET

A2.30

AREA CALCULATIONS

FIRST FLOOR

AREA	DIMENSIONS	SF
A	81'-4" X 49'-5"	4015 SF
B	3'-8" X 22'-0"	80 SF
C	3'-0" X 9'-8"	29 SF

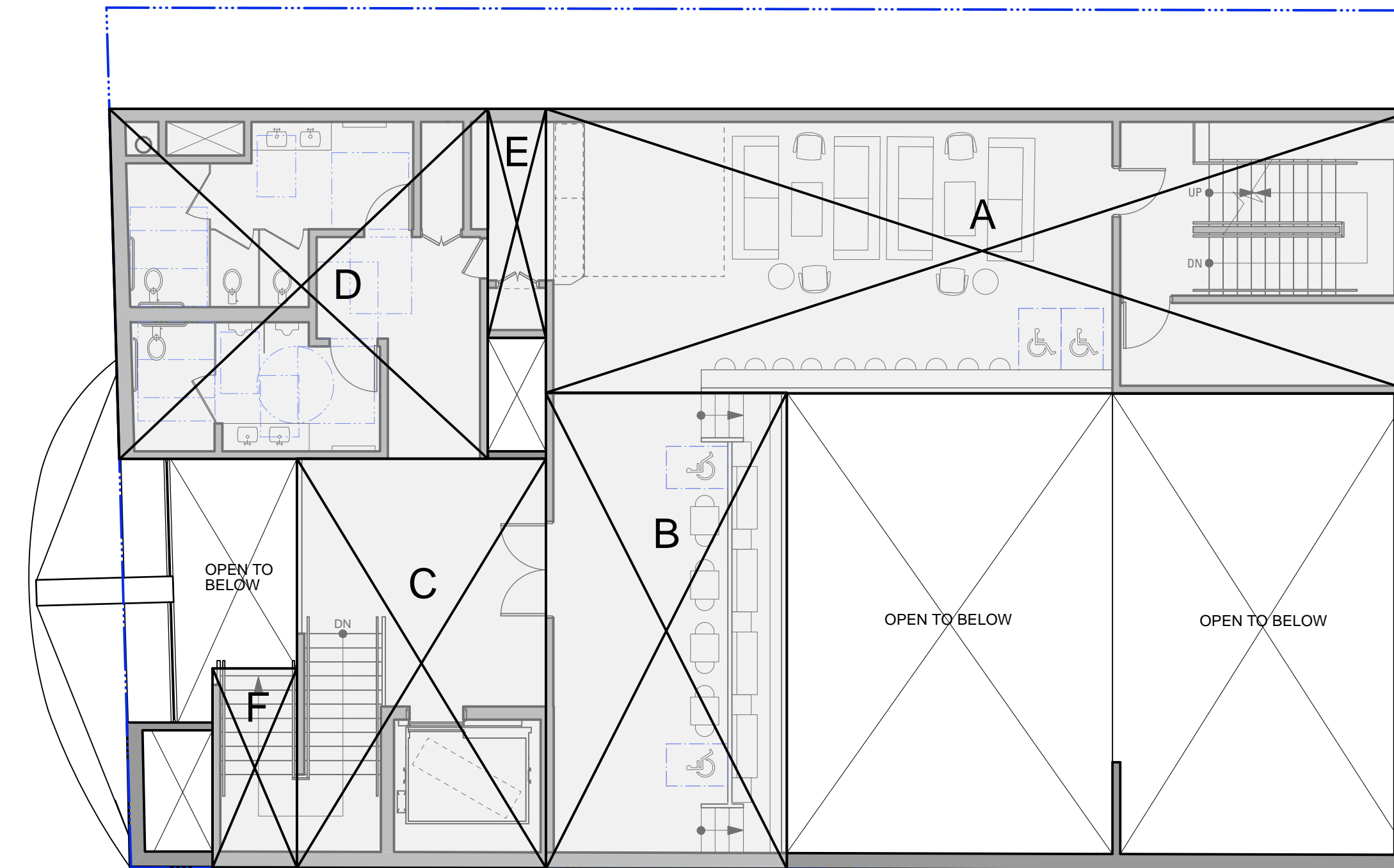
BASEMENT FLOOR

AREA	DIMENSIONS	SF
A	72'-9" X 48'-10"	3546 SF
B	11'-2" X 44'-0"	491 SF
C	5'-3" X 4'-8"	25 SF
D	6'-3" X 2'-8"	17 SF

SECOND FLOOR

AREA	DIMENSIONS	SF
A	56'-10" X 18'-6"	1053 SF
B	15'-8" X 31'-6"	485 SF
C	16'-2" X 26'-9"	432 SF
D	24'-6" X 22'-8"	554 SF
E	3'-9" X 14'-11"	56 SF
F	5'-6" X 13'-7"	71 SF

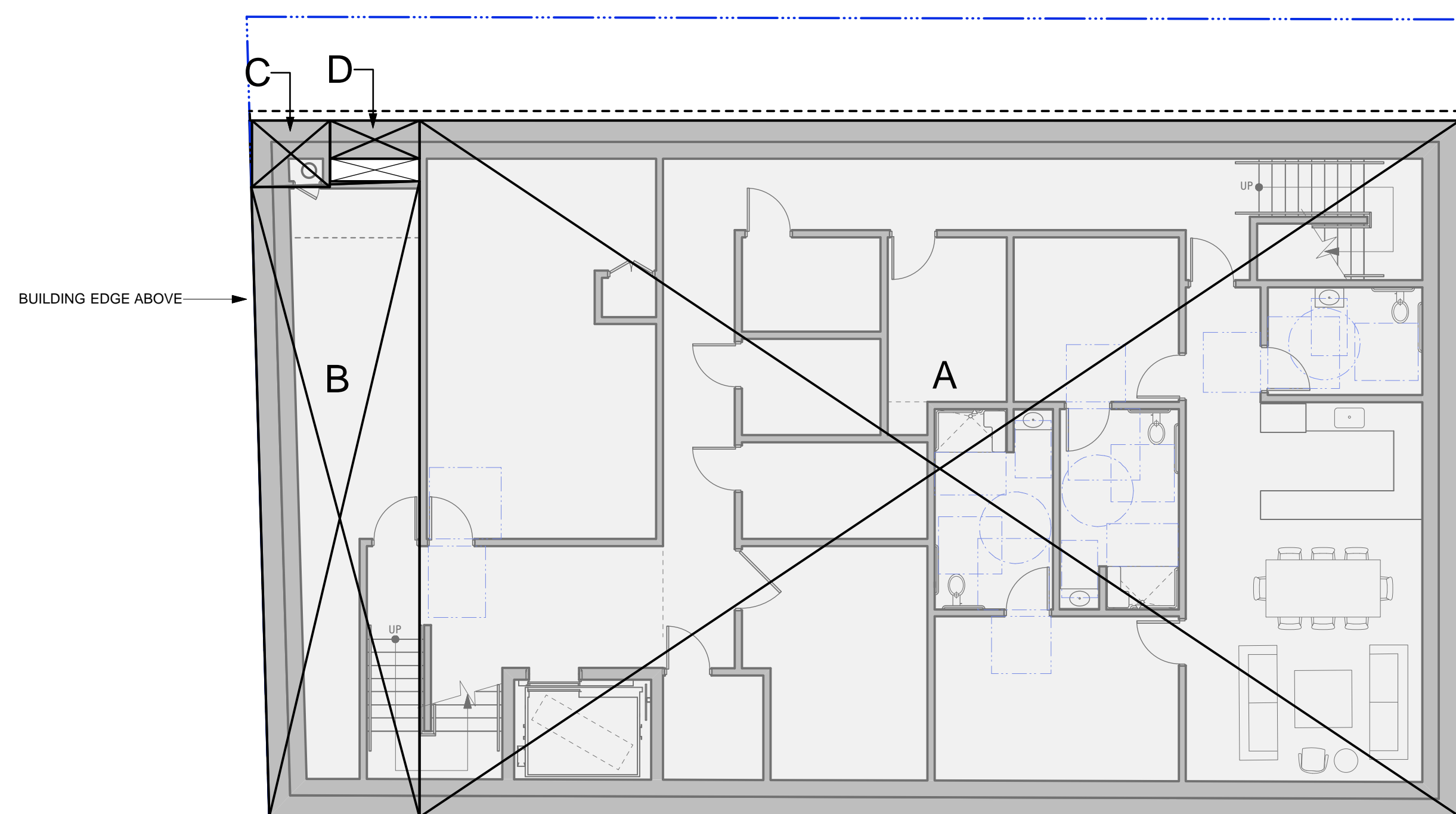
TOTAL BUILDING COVERAGE: 10,854 SF



SECOND FLOOR PLAN

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

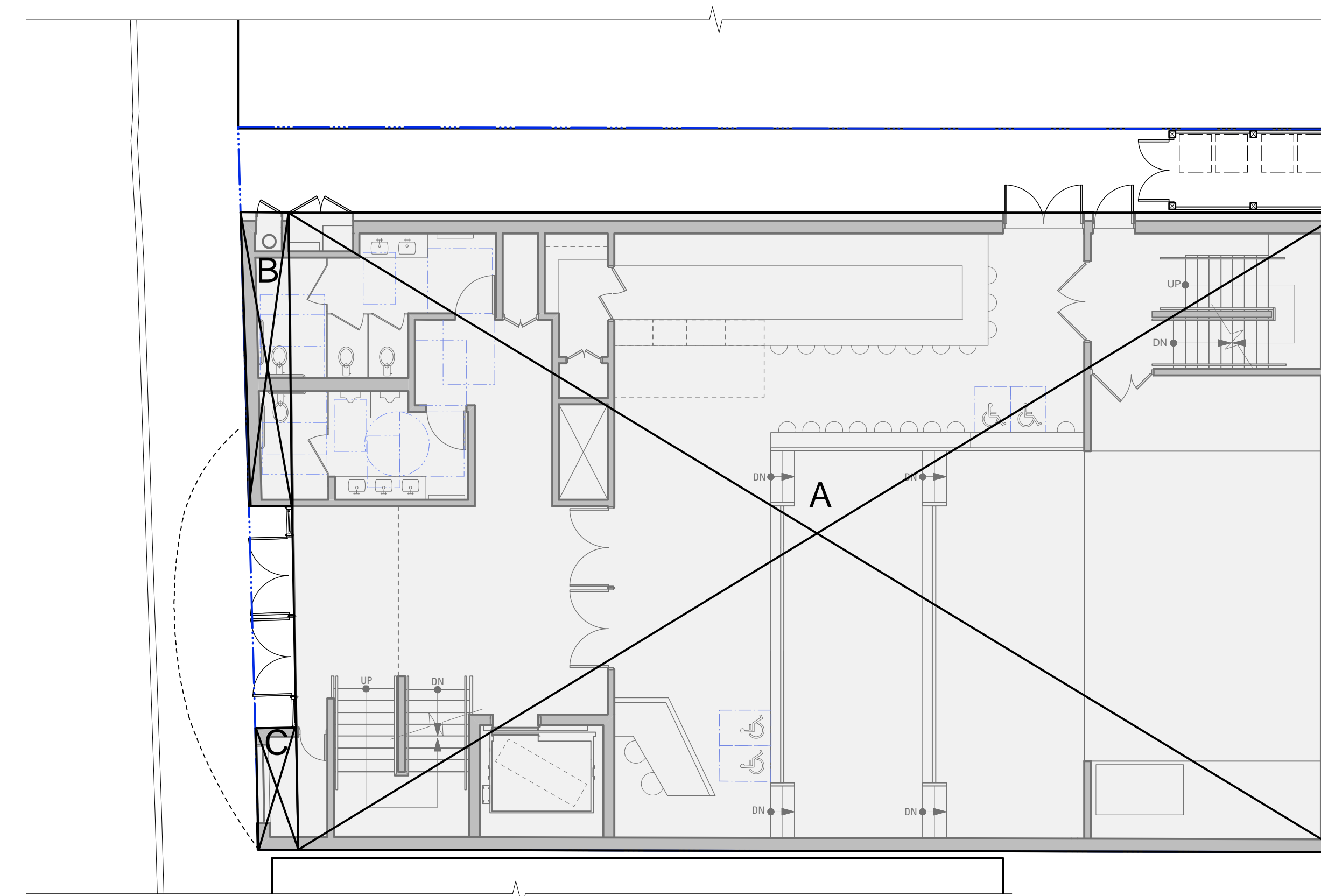
2



BASEMENT PLAN

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

3

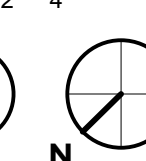


FIRST FLOOR PLAN

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

PAGE 257

1



STAMP

CONSULTANTS

△ MILESTONE DATE

PLANNING SUBMITTAL 02/23/2018

PLANNING RESUBMITTAL 04/06/2018

PROJECT NAME

RENOVATION OF THE

GUILD THEATRE

949 EL CAMINO REAL

MENLO PARK, CA 94025

SHEET TITLE

SQUARE FOOTAGE

CALCULATION PLANS

PROJECT NO. 18001

DRAWN BY M. DESING

CHECKED BY M. DESING, C. WASNEY

SHEET

A2.40

STAMP

CONSULTANTS



1D WEST ELEVATION



1C SOUTH ELEVATION



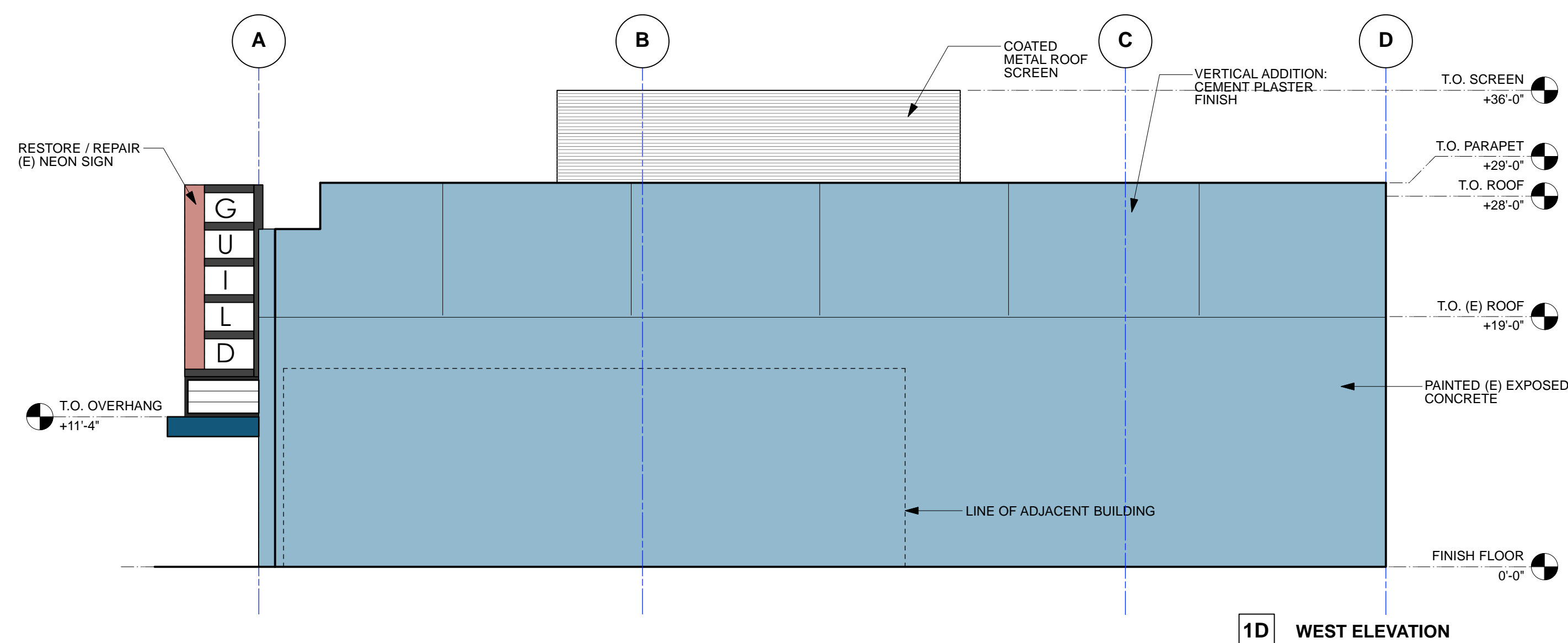
1B EAST ELEVATION



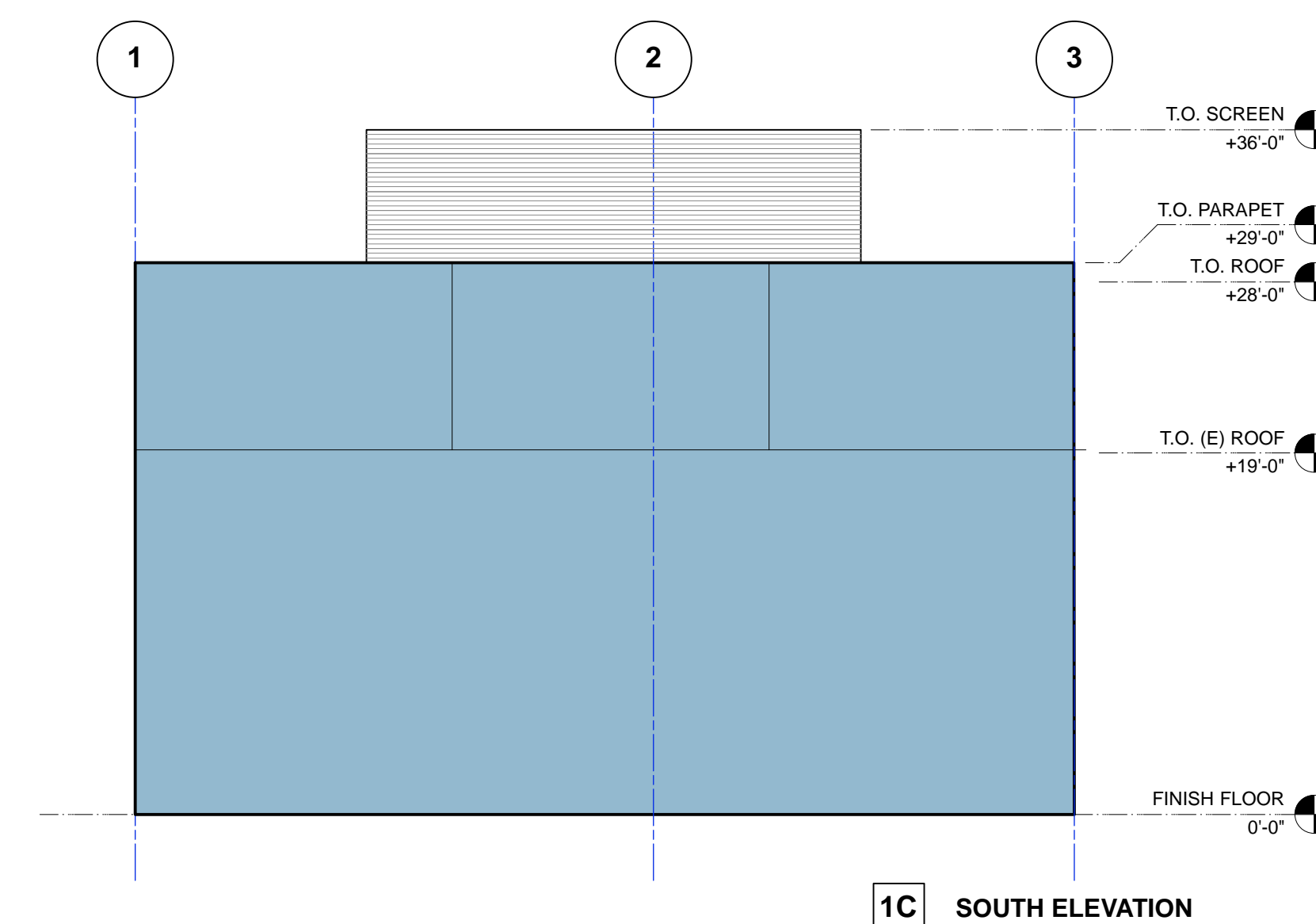
1A NORTH ELEVATION

EXISTING ELEVATION PHOTOS
SCALE: NTS

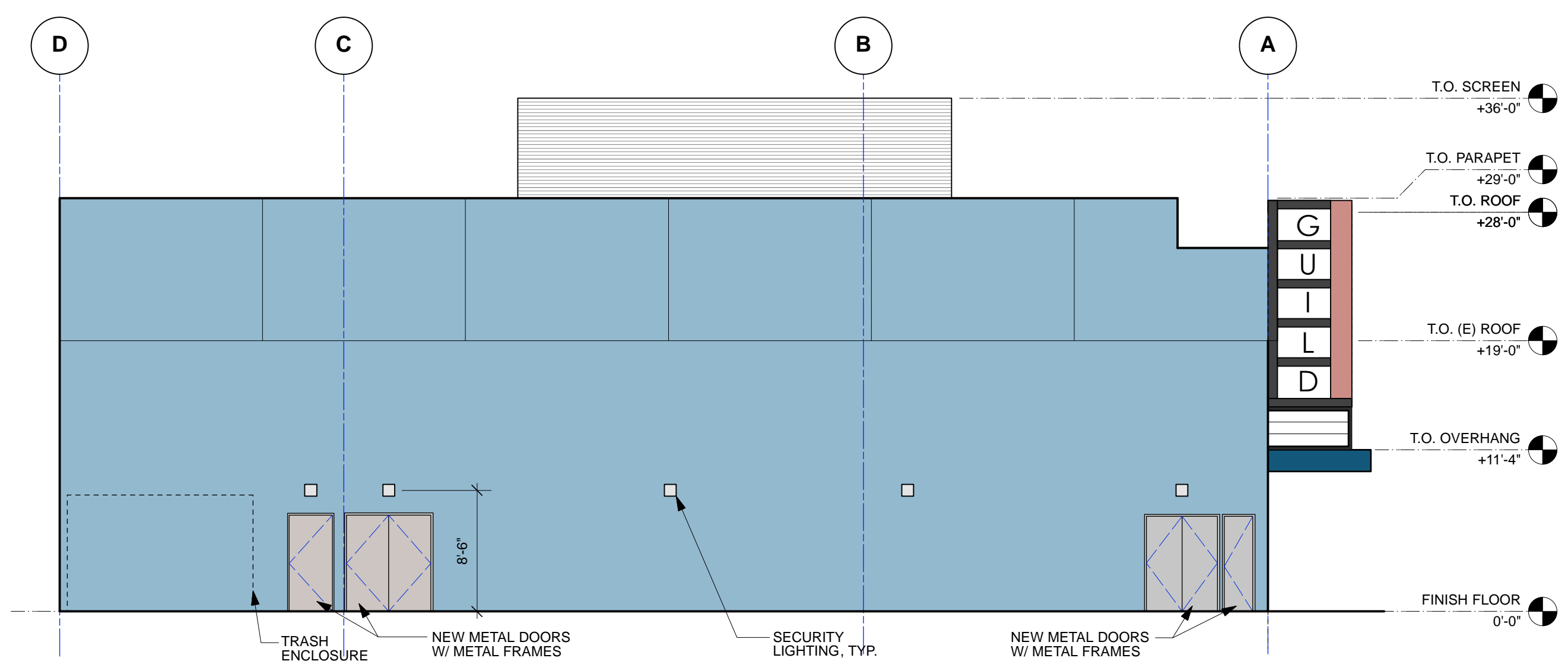
2



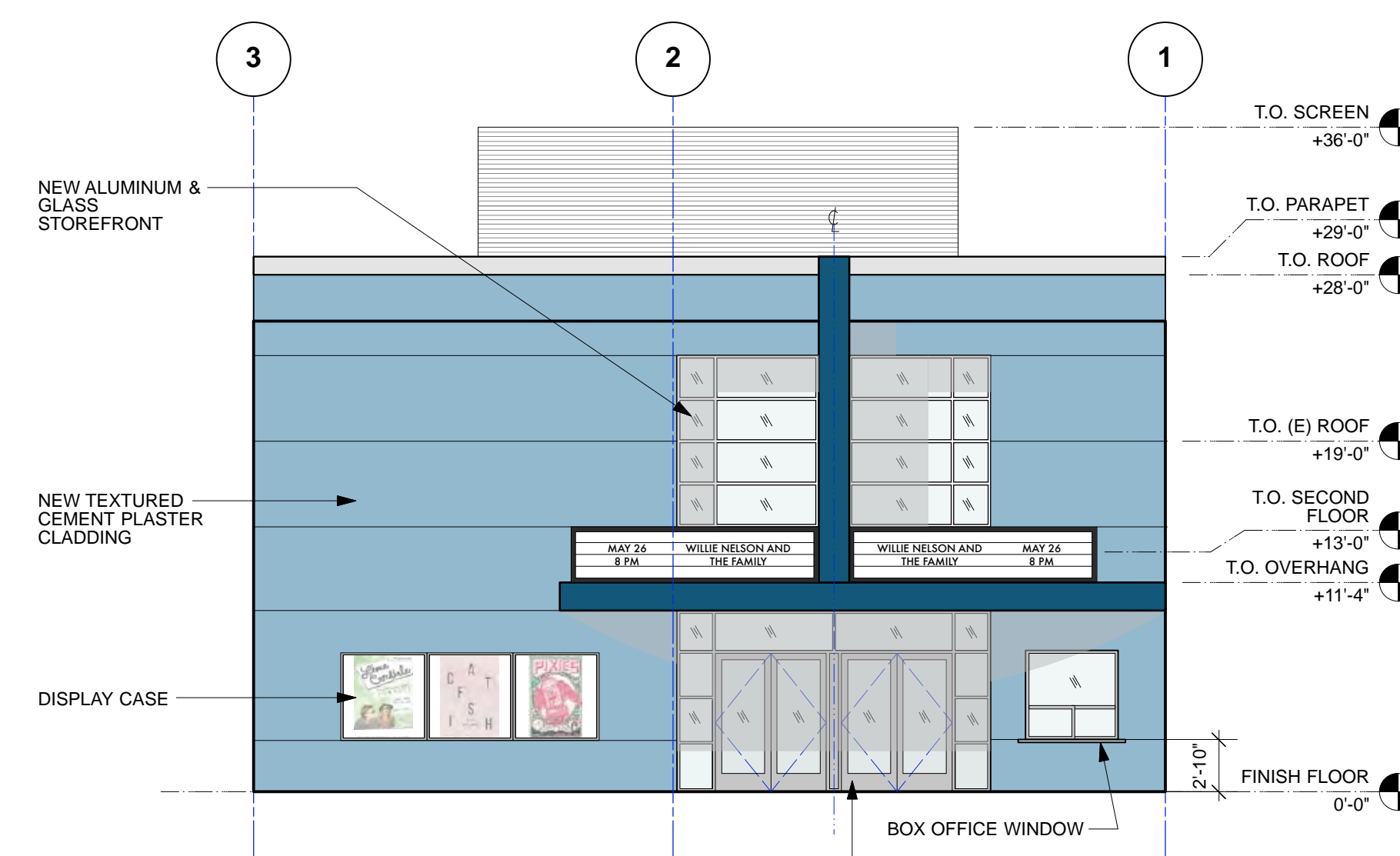
1D WEST ELEVATION



1C SOUTH ELEVATION

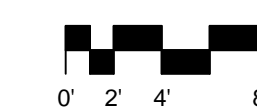


1B EAST ELEVATION



1A NORTH ELEVATION

EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"



1

PROJECT NAME

RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE

EXTERIOR ELEVATIONS

PROJECT NO. 18001

DRAWN BY M. DESING

CHECKED BY M. DESING, C. WASNEY

SHEET

A4.10

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

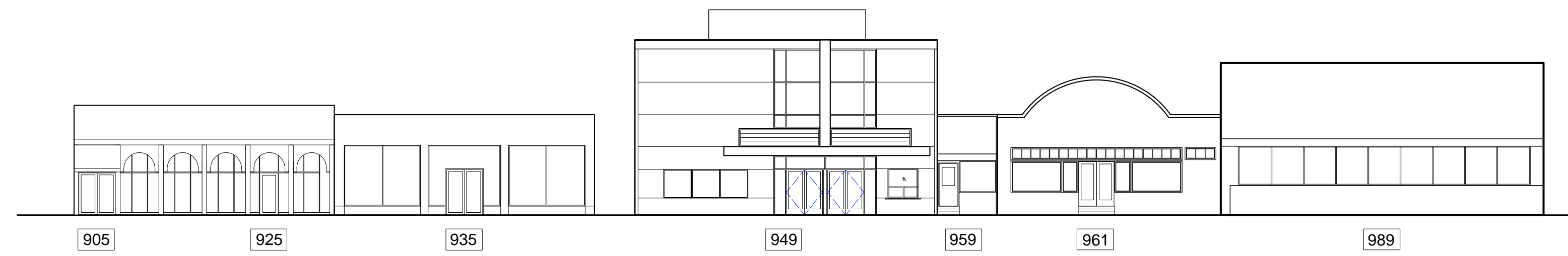
PROJECT NAME
RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE
**BUILDING SECTIONS &
STREETSCAPE**

PROJECT NO. 18001
DRAWN BY M. DESING
CHECKED BY M. DESING, C. WASNEY

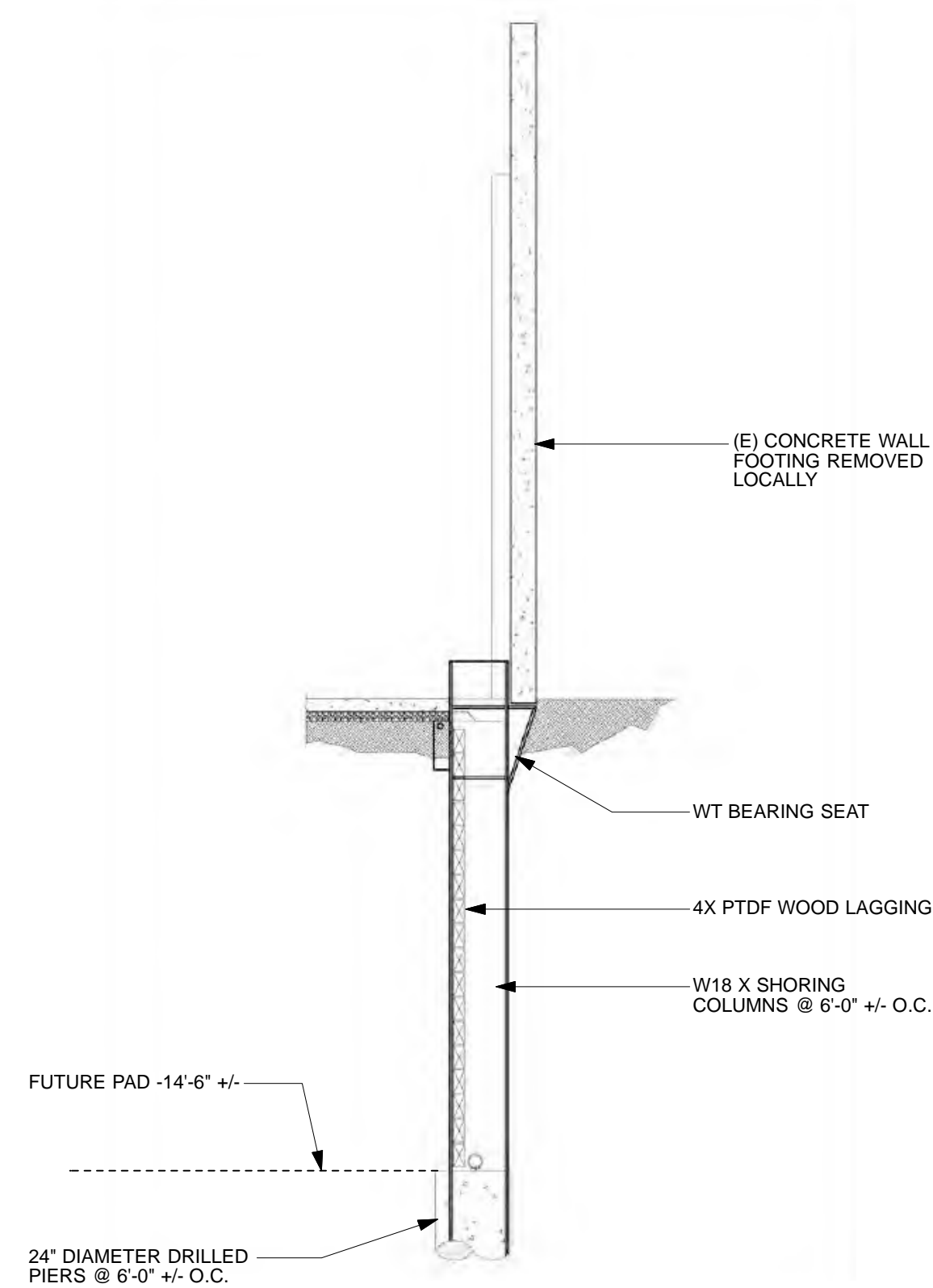
SHEET

A4.20



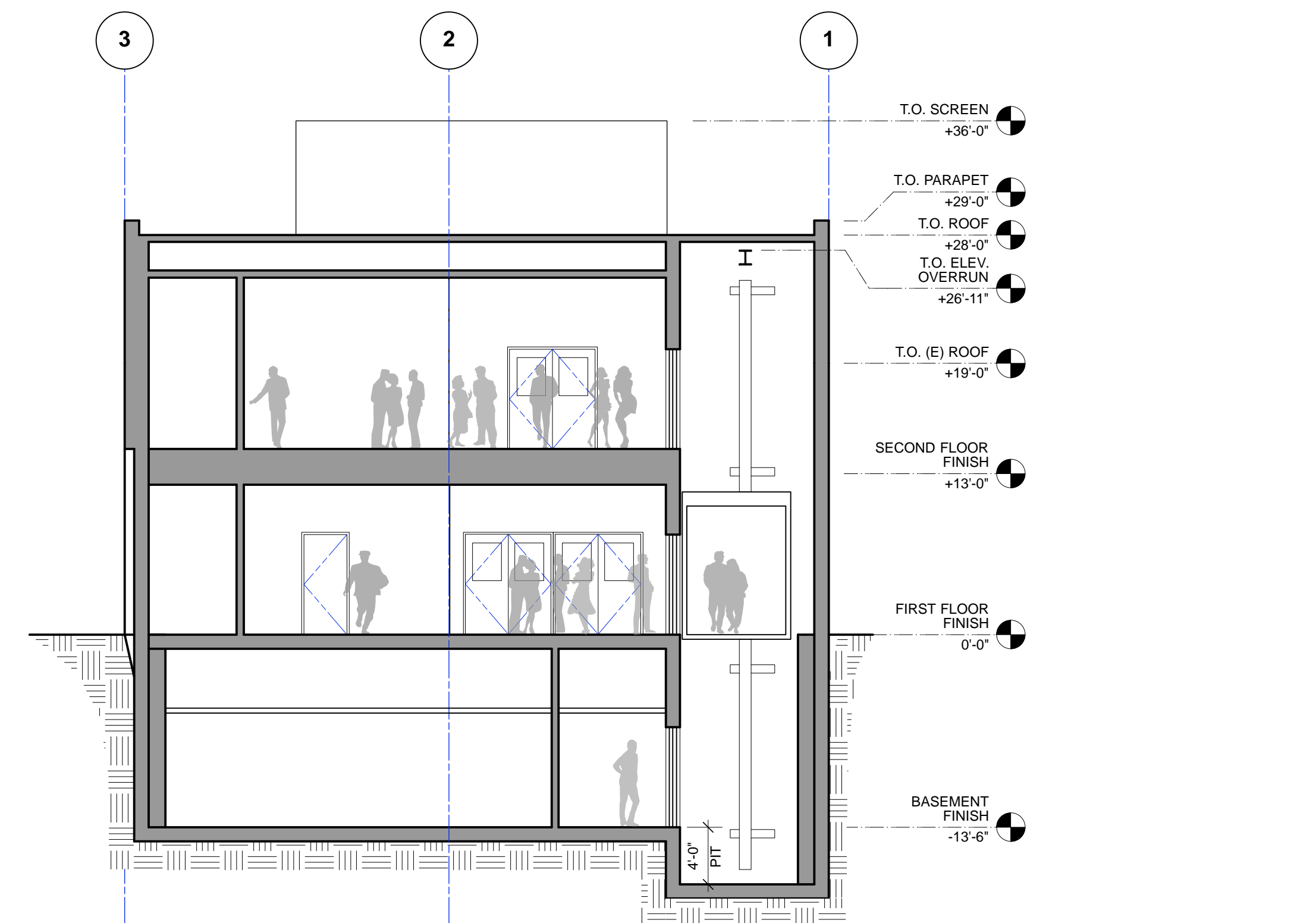
BUILDING STREETSCAPE
SCALE: 1/16" = 1'-0"

3



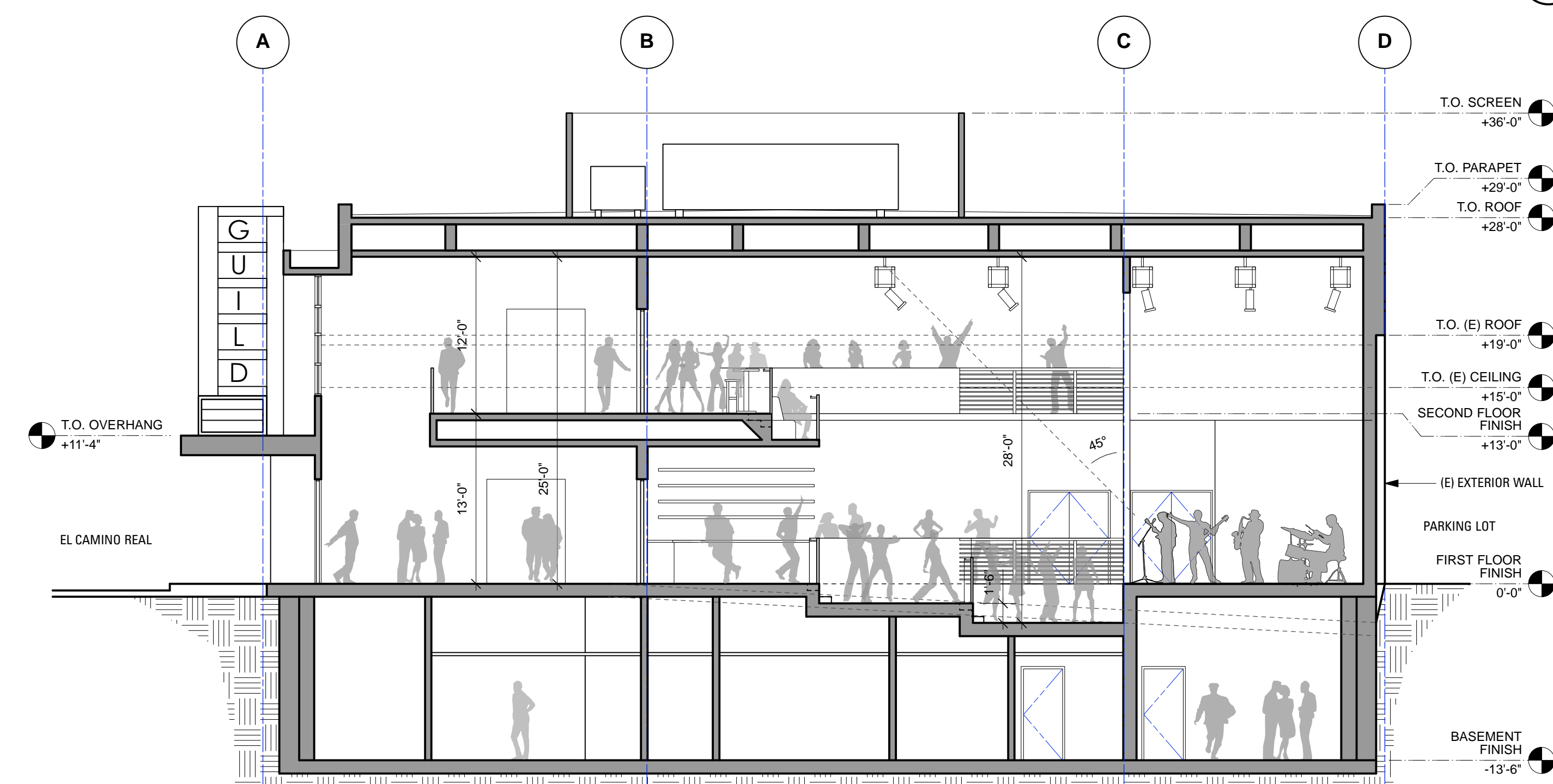
PROPOSED SHORING SECTION
SCALE: N.T.S.

4



BUILDING SECTION
SCALE: 1/8" = 1'-0"

2



BUILDING SECTION
SCALE: 1/8" = 1'-0"

1

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018



EXTERIOR RENDERINGS

1

PROJECT NAME

RENOVATION OF THE

GUILD THEATRE

949 EL CAMINO REAL

MENLO PARK, CA 94025

SHEET TITLE

EXTERIOR RENDERINGS

PROJECT NO. 18001

DRAWN BY M. DESING

CHECKED BY M. DESING, C. WASNEY

SHEET

A4.30

SURVEYOR'S NOTES

THIS SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE AREA OF THE SUBJECT PROPERTY, THE LOCATION AND TYPE OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTY.

EXCEPT AS SHOWN ON THIS SURVEY, THERE ARE NO VISIBLE OR RECORDED EASEMENTS OR RIGHTS-OF-WAY ACROSS THE SUBJECT PROPERTY OF WHICH THE UNDERSIGNED HAS BEEN ADVISED.

EXCEPT AS SHOWN ON THE SURVEY, THERE ARE NO ENCROACHMENTS ONTO ADJOINING PREMISES, STREETS, OR ALLEYS BY ANY BUILDING, STRUCTURES OR OTHER IMPROVEMENTS AT THE SUBJECT PROPERTY, AND NO ENCROACHMENTS ONTO THE SUBJECT PROPERTY BY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PREMISES.

THE LOCATION OF EACH EASEMENT, RIGHT-OF-WAY, SERVITUDE OR OTHER MATTER AFFECTING THE SUBJECT PROPERTY AND LISTED IN THE PRELIMINARY TITLE REPORT PREPARED BY LAWYERS TITLE COMPANY, ORDER NUMBER FLN-0061701663, DATED AS OF NOVEMBER 13, 2011 WITH RESPECT TO THE SUBJECT PROPERTY, HAS BEEN SHOWN ON THIS SURVEY, TOGETHER WITH APPROPRIATE RECORDING REFERENCES, TO THE EXTENT SUCH MATTERS CAN BE LOCATED. THE PROPERTY SHOWN ON THIS SURVEY IS THE SAME AS THE PROPERTY DESCRIBED IN THE TITLE REPORT.

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MENLO PARK, COUNTY OF SAN MATEO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL I:

PORTION OF LOT NUMBERED NINE (9), AS SHOWN ON THAT CERTAIN MAP ENTITLED "REFEREE'S PARTITION MAP OF PROPERTY AT MENLO - SAN MATEO COUNTY, CALIFORNIA, SHOWING THE DIVISION THEREOF AMONG THE RESPECTIVE OWNERS AS DIVIDED AND ALLOTTED BY THE REFEREE IN THE PARTITION SUIT ENTITLED "KATE JOHNSON ESTATE COMPANY, ET AL. VS. CLARA TURNBULL ET AL, SUPERIOR COURT OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA, ON FEBRUARY 26, 1907 IN BOOK 135 OF DEEDS AT PAGE 62, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF THE MAIN COUNTY ROAD DISTANT THEREON NORTHWESTERLY 119.3 FEET FROM THE INTERSECTION OF THE NORTHWESTERLY LINE OF LIVE OAK STREET WITH THE SOUTHWESTERLY LINE OF THE MAIN COUNTY ROAD, (LEADING FROM SAN FRANCISCO TO SAN JOSE) SAID POINT OF BEGINNING BEING THE NORTHEASTERLY CORNER OF THAT PARCEL OF LAND CONVEYED BY WILLIAM J. FENTON AND LOUITA DAY FENTON, HIS WIFE, TO JOHN LYNG BY DEED DATED JUNE 21, 1921 AND RECORDED JUNE 25, 1921 IN BOOK 16 OF OFFICIAL RECORDS AT PAGE 369; THENCE NORTH 58° 22' WEST ALONG SAID LINE OF THE COUNTY ROAD 50 FEET TO THE DIVIDING LINE BETWEEN LOTS 8 AND 9, AS SHOWN ON ABOVE MAP; THENCE SOUTH 33° 23' WEST 118.08 FEET ALONG THE DIVIDING LINE BETWEEN LOTS 8 AND 9, TO THE SOUTHWESTERLY LINE OF LOT 9; THENCE SOUTH 50° 37' EAST ALONG THE DIVIDING LINE BETWEEN LOTS 9 AND 10, 50 FEET MORE OR LESS, TO THE PROPERTY AS CONVEYED TO LYNG, THENCE NORTH 33° 23' ALONG THE NORTHERLY BOUNDARY OF THE PROPERTY AS CONVEYED TO LYNG 118.08 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED BY ROSE A. BROGGI, A SINGLE WOMAN, AMELIA E. MOREY, A WIDOW AND ANGELA C. BRADEN AND BOYD L. BRADEN, WIFE AND HUSBAND, TO STATE OF CALIFORNIA, BY DEED DATED JUNE 1, 1942 AND RECORDED AUGUST 3, 1942 IN BOOK 1024 OF OFFICIAL RECORDS AT PAGE 431, AND DESCRIBED AS:

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT DISTANT SOUTH 33° 38' WEST 16.01 FEET FROM ENGINEER'S STATION 565 PLUS 36.30 OF THE DEPARTMENT OF PUBLIC WORKS' SURVEY BETWEEN REDWOOD CITY AND SOUTHERN BOUNDARY ROAD IV-SM-2-B RDWC, ATN: MLP; THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT, SOUTH 33° 34'-1/2' WEST 34.02 FEET TO A LINE PARALLEL WITH AND DISTANT SOUTHWESTERLY 50.00 FEET AT RIGHT ANGLES FROM THE CENTER LINE OF SAID SURVEY; THENCE ALONG SAID PARALLEL LINE SOUTH 58° 11' EAST 50.15 FEET TO THE PROPERTY LINE COMMON TO THE LANDS NOW OR FORMERLY OWNED BY ANGELA C. BRADEN, ET AL. AND JOHN LYNG; THENCE ALONG SAID COMMON PROPERTY LINE NORTH 33° 38' EAST 34.02 FEET TO THE NORTHEASTERLY LINE OF SAID LOT, BEING THE SOUTHWESTERLY LINE OF EL CAMINO REAL (FORMERLY MAIN COUNTY ROAD); THENCE ALONG LAST SAID LINE NORTH 58° 11' WEST 50.15 FEET TO THE POINT OF COMMENCEMENT.

PARCEL II:

EASEMENT AND RIGHT-OF-WAY GRANTED BY DEED DATED NOVEMBER 30, 1942 EXECUTED BY WALTER G. PREDDY, ET UX TO ROSE A. BROGGI ET AL OF RECORD IN BOOK 1045 SAN MATEO COUNTY OFFICIAL RECORDS AT PAGE 453, WHICH EASEMENT IS OVER THE FOLLOWING DESCRIBED PROPERTY; PORTION OF LOT 10, AS DESIGNATED ON THE MAP ENTITLED "KATE JOHNSON ESTATE TRACT", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON FEBRUARY 26, 1907 IN BOOK 135 OF DEEDS AT PAGE 62 AND A COPY ENTERED IN BOOK 19 OF MAPS AT PAGE 20, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 10, WHICH SAID POINT IS DISTANT SOUTH 33° 23' WEST (ALONG THE NORTHWESTERLY LINE OF LIVE OAK AVENUE) 123.45 FEET AND NORTH 56° 37' WEST (ALONG THE NORTHEASTERLY LINE OF LOT 10) 114.2 FEET FROM THE POINT OF INTERSECTION OF THE NORTHWESTERLY LINE OF LIVE OAK AVENUE WITH THE SOUTHWESTERLY LINE OF THE MAIN COUNTY ROAD, AS SAID INTERSECTION IS SHOWN ON THE ABOVE MENTIONED MAP; THENCE NORTH 56° 37' WEST 55 FEET; THENCE SOUTH 13° 23' WEST 50 FEET; THENCE SOUTH 56° 37' EAST 55 FEET; THENCE NORTH 33° 23' EAST 50 FEET, TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION CONTINUED

PARCEL III:

THE NORTHWESTERLY 6 FEET, MEASURED AT RIGHT ANGLES SOUTHEASTERLY FROM THE NORTHWESTERLY LINE OF THE LAND DESCRIBED IN THE DEED FROM THE STATE OF CALIFORNIA TO MABEL E. KIMBAL, BESSIE K. NIELSEN AND EMIL T. NIELSEN, JR., DATED MAY 28, 1947 AND RECORDED JULY 18, 1947 IN BOOK 1367 OF OFFICIAL RECORDS OF SAN MATEO COUNTY AT PAGE 378 (78748-G), WHICH LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LOT 9, AS DESIGNATED ON THE MAP ENTITLED, "PARTITION MAP IN THE SUITE OF KATE JOHNSON ESTATE COMPANY ET AL VS. CLARA TURNBULL ET AL", FILED ON FEBRUARY 26, 1907 IN BOOK 135 OF DEEDS AT PAGE 45 AND FOLLOWING SAID MAP BEING ON PAGES 62 AND 63, SAN MATEO COUNTY RECORDS, SAID PORTION OF LOT 9 BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF THAT CERTAIN 0.039 OF AN ACRE TRACT OF LAND DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA RECORDED AUGUST 3, 1942 IN VOLUME 1024 AT PAGE 431, OFFICIAL RECORDS OF SAN MATEO COUNTY; THENCE FROM SAID POINT OF COMMENCEMENT ALONG A LINE PARALLEL WITH AND 50 FEET SOUTHWESTERLY, AT RIGHT ANGLES FROM THE CENTERLINE OF THE DEPARTMENT OF PUBLIC WORKS' SURVEY FOR THE STATE HIGHWAY BETWEEN REDWOOD CITY AND SOUTHERN BOUNDARY ROAD IV-SM-2-B, RDWC, ATN, MLP, SOUTH 58° 11' EAST 7.18 FEET AND TANGENT TO THE LAST MENTIONED COURSE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 11,950 FEET, THROUGH AN ANGLE OF 0° 12' 21.7", A DISTANCE OF 42.97 FEET TO THE SOUTHEASTERLY LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA RECORDED SEPTEMBER 1, 1942 IN VOLUME 1035 AT PAGE 149, OFFICIAL RECORDS OF SAN MATEO COUNTY; THENCE ALONG SAID SOUTHEASTERLY LINE SOUTH 33° 38' WEST 85.91 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT 9; THENCE ALONG SAID SOUTHWESTERLY LINE NORTH 56° 22' WEST 50.12 FEET TO THE NORTHWESTERLY LINE OF THE LAST MENTIONED TRACT OF LAND; THENCE ALONG SAID NORTHWESTERLY LINE NORTH 33° 38' EAST 85.98 FEET, MORE OR LESS, TO THE POINT OF COMMENCEMENT.

APN: 071-288-570

EXCEPTIONS

1. PROPERTY TAXES, INCLUDING ANY PERSONAL PROPERTY TAXES AND ANY ASSESSMENTS COLLECTED WITH TAXES ARE AS FOLLOWS:

CODE AREA: 08-001
TAX IDENTIFICATION NO.: 071 288 570
FISCAL YEAR: 2017-2018
1ST INSTALLMENT: \$5,838.14 PAID
2ND INSTALLMENT: \$5,838.14 OPEN
LAND: \$526,809.00
IMPROVEMENTS: \$324,185.00

PRIOR TO CLOSE OF ESCROW, PLEASE CONTACT THE TAX COLLECTOR'S OFFICE TO CONFIRM ALL AMOUNTS OWING, INCLUDING CURRENT FISCAL YEAR TAXES, SUPPLEMENTAL TAXES, ESCAPED ASSESSMENTS AND ANY DELINQUENCIES.

2. ANY LIENS OR OTHER ASSESSMENTS, BONDS, OR SPECIAL DISTRICT LIENS INCLUDING WITHOUT LIMITATION, COMMUNITY FACILITY DISTRICTS, THAT ARISE BY REASON OF ANY LOCAL CITY, MUNICIPAL OR COUNTY PROJECT OR SPECIAL DISTRICT.
3. THE LIEN OF SUPPLEMENTAL OR ESCAPED ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 75) OR PART 2, CHAPTER 3, ARTICLES 3 AND 4, RESPECTIVELY, OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF TITLE TO THE VESTEE NAMED IN SCHEDULE A OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION OCCURRING PRIOR TO DATE OF POLICY.

4. RIGHTS OF THE PUBLIC TO ANY PORTION OF THE LAND LYING WITHIN THE AREA COMMONLY KNOWN AS UNNAMED ALLEY.

AFFECTS: PARCEL THREE OF LEGAL HEREIN

5. ANY INVALIDITY OR DEFECT IN THE TITLE OF THE VESTEES IN THE EVENT THAT THE TRUST REFERRED TO HEREIN IS INVALID OR FAILS TO GRANT SUFFICIENT POWERS TO THE TRUSTEE(S) OR IN THE EVENT THERE IS A LACK OF COMPLIANCE WITH THE TERMS AND PROVISIONS OF THE TRUST INSTRUMENT.

IF TITLE IS TO BE INSURED IN THE TRUSTEE(S) OF A TRUST, (OR IF THEIR ACT IS TO BE INSURED), THIS COMPANY WILL REQUIRE A TRUST CERTIFICATION PURSUANT TO CALIFORNIA PROBATE CODE SECTION 18100.5.

THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED DOCUMENTATION.

6. THE COMPANY WILL REQUIRE THAT AN OWNER'S AFFIDAVIT BE COMPLETED BY THE PARTY(S) NAMED BELOW BEFORE THE ISSUANCE OF ANY POLICY OF TITLE INSURANCE.

PARTY(IES): HOWARD BALDWIN CRITTENDEN III, TRUSTEE OF THE CRITTENDEN REVOCABLE TRUST DATED MAY 5, 1999

THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED AFFIDAVIT.

7. ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS.

THE COMPANY WILL REQUIRE, FOR REVIEW, A FULL AND COMPLETE COPY OF ANY UNRECORDED AGREEMENT, CONTRACT, LICENSE AND/OR LEASE, TOGETHER WITH ALL

EXCEPTIONS CONTINUED

SUPPLEMENTS, ASSIGNMENTS AND AMENDMENTS THERETO, BEFORE ISSUING ANY POLICY OF TITLE INSURANCE WITHOUT EXCEPTING THIS ITEM FROM COVERAGE.

THE COMPANY RESERVES THE RIGHT TO EXCEPT ADDITIONAL ITEMS AND/OR MAKE ADDITIONAL REQUIREMENTS AFTER REVIEWING SAID DOCUMENTS.

8. ANY EASEMENTS NOT DISCLOSED BY THE PUBLIC RECORDS AS TO MATTERS AFFECTING TITLE TO REAL PROPERTY, WHETHER OR NOT SAID EASEMENTS ARE VISIBLE AND APPARENT.

9. MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION AND/OR BY A CORRECT ALTA/NSPS LAND TITLE SURVEY OF SAID LAND THAT IS SATISFACTORY TO THE COMPANY, AND/OR BY INQUIRY OF THE PARTIES IN POSSESSION THEREOF.

10. THE SEARCH DID NOT DISCLOSE ANY OPEN MORTGAGES OR DEEDS OF TRUST OF RECORD, THEREFORE THE COMPANY RESERVES THE RIGHT TO REQUIRE FURTHER EVIDENCE TO CONFIRM THAT THE PROPERTY IS UNENCUMBERED, AND FURTHER RESERVES THE RIGHT TO MAKE ADDITIONAL REQUIREMENTS OR ADD ADDITIONAL ITEMS OR EXCEPTIONS UPON RECEIPT OF THE REQUESTED EVIDENCE.

11. IF THE LAND IS LOCATED WITHIN THE AREA AFFECTED BY A GEOGRAPHIC TARGETING ORDER ISSUED BY FINCEN (CALIFORNIA COUNTIES OF LOS ANGELES, SAN DIEGO, SAN FRANCISCO, SANTA CLARA AND SAN MATEO), THE COMPANY MUST BE SUPPLIED WITH A COMPLETED ALTA INFORMATION COLLECTION FORM ("ICF").

NOTES

ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS.

UNDERGROUND UTILITY LOCATION IS BASED ON SURFACE EVIDENCE.

BUILDING FOOTPRINTS ARE SHOWN TO FINISHED MATERIAL (STUCCO/SIDING) AT GROUND LEVEL.

FINISH FLOOR ELEVATIONS ARE TAKEN AT DOOR THRESHOLD (EXTERIOR).

BENCHMARK

CITY OF MENLO PARK BM UJ110 BRASS DISC SET IN BUILDING FOUNDATION, STAMPED "UJ110" - AT THE NORTHWEST CORNER OF THE INTERSECTION OF EL CAMINO REAL AND SANTA CRUZ AVENUE ELEVATION = 73.85' (NAVD 88 DATUM)

SITE BENCHMARK

SURVEY CONTROL POINT MAG AND SHINER SET IN ASPHALT ELEVATION = 70.40' (NAVD 88 DATUM)

BASIS OF BEARINGS

THE BEARING OF NORTH 33°23'00" EAST ALONG THE RIGHT OF WAY OF LIVE OAK AVENUE AS SHOWN ON THAT PARCEL MAP FILED FOR RECORD IN BOOK 76 OF PARCEL MAPS AT PAGES 10-12, SAN MATEO COUNTY RECORDS, IS THE BASIS OF ALL BEARINGS SHOWN UPON THIS MAP.

OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS

2 ADDRESS(ES) OF THE SURVEYED PROPERTY IF DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR, OR OBSERVED WHILE CONDUCTING THE FIELDWORK.

949 EL CAMINO REAL, MENLO PARK, CALIFORNIA 94025

3 FLOOD ZONE CLASSIFICATION (WITH PROPER ANNOTATION BASED ON FEDERAL FLOOD INSURANCE RATE MAPS OR THE STATE OR LOCAL EQUIVALENT) DEPICTED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY.

SUBJECT PROPERTY IS LOCATED IN ZONE X (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

COMMUNITY NUMBER 060321, CITY OF MENLO PARK MAP NUMBER 060081C0308E MAP EFFECTIVE DATE: OCTOBER 16, 2012

4 GROSS LAND AREA (AND OTHER AREAS IF SPECIFIED BY THE CLIENT)

LAND AREAS SHOWN ON SHEET 2.

5 VERTICAL RELIEF WITH THE SOURCE OF INFORMATION (E.G. GROUND SURVEY OR AERIAL MAP), CONTOUR INTERVAL, DATUM, AND ORIGINATING BENCHMARK IDENTIFIED SHOWN ON SHEET 2.

6A IF SET FORTH IN A ZONING REPORT OR LETTER PROVIDED TO THE SURVEYOR BY THE CLIENT, LIST THE CURRENT ZONING CLASSIFICATION, SET BACK REQUIREMENTS, THE HEIGHT AND FLOOR SPACE AREA RESTRICTIONS AND PARKING REQUIREMENTS. IDENTIFY THE DATE AND SOURCE OF THE REPORT OR LETTER

SUBJECT PROPERTY IS IN ZONE - C4 (ECR) - GENERAL COMMERCIAL (EL CAMINO REAL) ZONE

SETBACKS

NONE SPECIFIED

MAXIMUM BUILDING HEIGHT - 30'

FLOOR SPACE AREA - 40%

NO ZONING REPORT PROVIDED

BASED ON CITY OF MENLO PARK ZONING CODE

(B) IF THE ZONING SETBACK REQUIREMENTS ARE SET FORTH IN A ZONING REPORT OR LETTER PROVIDED TO THE SURVEYOR BY THE CLIENT, AND IF THOSE REQUIREMENTS DO NOT REQUIRE AN INTERPRETATION BY THE SURVEYOR, GRAPHICALLY DEPICT THE BUILDING SETBACK REQUIREMENTS. IDENTIFY THE DATE AND SOURCE OF THE REPORT OR LETTER.

THERE ARE NO SETBACK REQUIREMENTS.

NO ZONING REPORT PROVIDED

BASED ON CITY OF MENLO PARK ZONING CODE

7 (A) EXTERIOR DIMENSIONS OF ALL BUILDINGS AS GROUND LEVEL.
(B) SQUARE FOOTAGE OF:
(1) EXTERIOR FOOTPRINT OF ALL BUILDINGS AT GROUND LEVEL
(C) MEASURED HEIGHT OF ALL BUILDINGS ABOVE GRADE AT A LOCATION SPECIFIED BY THE CLIENT. IF NO LOCATION IS SPECIFIED, THE POINT OF MEASUREMENT SHALL BE IDENTIFIED.

BUILDING DIMENSIONS, SQUARE FOOTAGE AND HEIGHTS SHOWN ON SHEET 2.

8 SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK (IN ADDITION TO THE IMPROVEMENTS AND FEATURES REQUIRED PURSUANT TO SECTION 5 OF THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS) (E.G. PARKING LOTS, BILLBOARDS, SIGNS, SWIMMING POOLS, LANDSCAPED AREA, SUBSTANTIAL AREAS OF REFUSE) SHOWN ON SHEET 2.

9 NUMBER AND TYPE (E.G. DISABLED, MOTORCYCLE, REGULAR AND OTHER MARKED SPECIALIZED TYPES) OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING AREAS, LOTS AND IN PARKING STRUCTURES. STRIPING OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING AREAS AND LOTS.

THERE ARE NO PARKING SPACES ON SURVEYED PROPERTY

10 (A) AS DESIGNATED BY THE CLIENT, A DETERMINATION OF THE RELATIONSHIP AND LOCATION OF CERTAIN DIVISION OR PARTY WALLS WITH RESPECT TO ADJOINING PROPERTIES (CLIENT TO OBTAIN NECESSARY PERMISSIONS)

THERE ARE NO PARTY WALLS ON THE SUBJECT PROPERTY

11 LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY:
• OBSERVED EVIDENCE COLLECTED PURSUANT TO SECTION 5.E.IV OF THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS.
• EVIDENCE FROM PLANS REQUESTED BY THE SURVEYOR AND OBTAINED FROM UTILITY COMPANIES, OR PROVIDED BY CLIENT (WITH REFERENCE AS TO THE SOURCES OF INFORMATION), AND
• MARKINGS REQUESTED BY THE SURVEYOR PURSUANT TO AN 811 UTILITY LOCATE OR SIMILAR REQUEST.

13 NAMES OF ADJOINING OWNERS ACCORDING TO CURRENT TAX RECORDS.
SHOWN ON SHEETS 2.

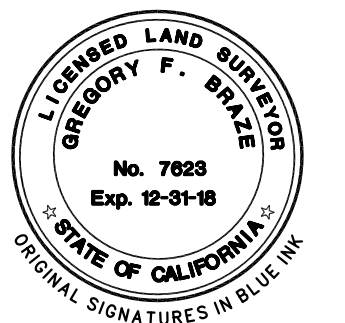
16 THERE IS NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

17 THERE ARE NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES, IF SUCH INFORMATION IS MADE AVAILABLE TO THE SURVEYOR BY THE CONTROLLING JURISDICTION. THERE IS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

18 IF THERE HAS BEEN A FIELD DELINEATION OF WETLANDS CONDUCTED BY A QUALIFIED SPECIALIST HIRED BY THE CLIENT, THE SURVEYOR SHALL LOCATE ANY DELINEATION MARKERS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK AND SHOW THEM ON THE FACE OF THE PLAT OR MAP. IF NO MARKERS WERE OBSERVED, THE SURVEYOR SHALL SO STATE.

NO WETLAND DELINEATION MARKERS WERE OBSERVED.

19 INCLUDE ANY PLOTTABLE OFFSITE (I.E. APPURTENANT) EASEMENTS OR SERVITUDES DISCLOSED IN DOCUMENTS PROVIDED TO OBTAINED BY THE SURVEYOR AS PART OF THE SURVEY PURSUANT TO SECTIONS 5 AND 6 (AND APPLICABLE SELECTED TABLE A ITEMS) (CLIENT TO OBTAIN NECESSARY PERMISSIONS SHOWN ON SHEET 2



LEA & BRAZE ENGINEERING, INC.
CIVIL ENGINEERS • LAND SURVEYORS
SACRAMENTO REGION
1500 JUDAS HWY WEST
ROSELAND, CALIFORNIA 94651
(P) (916) 966-1338
(F) (916) 966-1338
(F) (916) 966-1338
WWW.LEABRAZE.COM

949 EL CAMINO REAL
MENLO PARK
CALIFORNIA

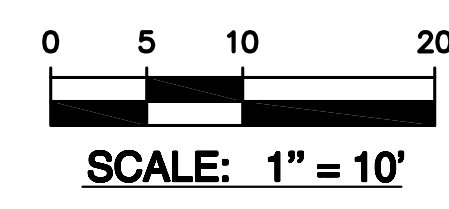
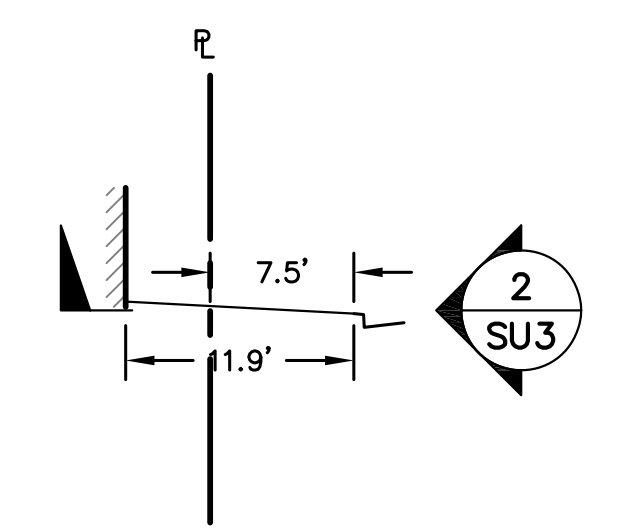
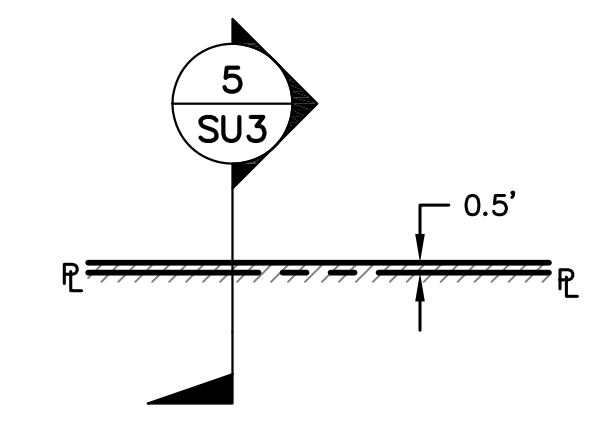
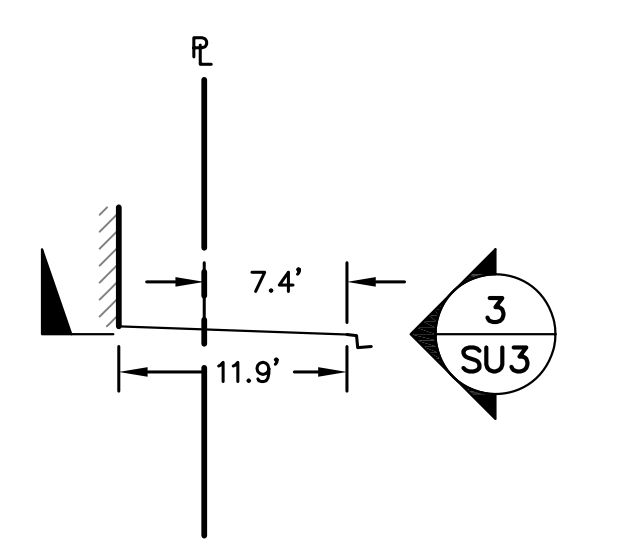
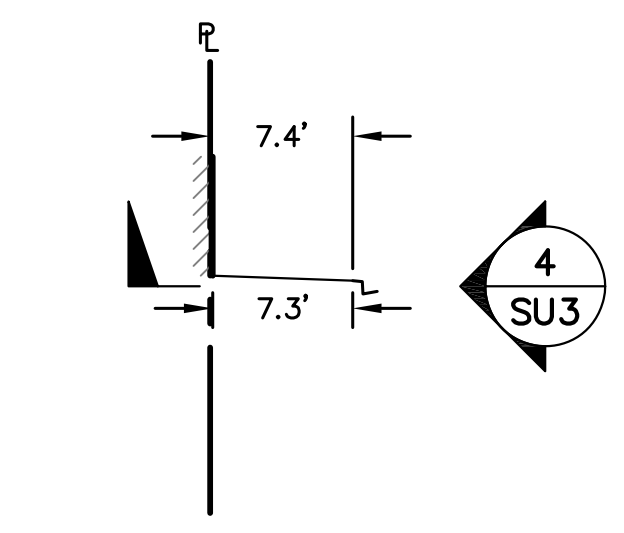
ALTA/NSPS LAND
TITLE SURVEY

CROSS SECTIONS	RM
04-03-18	
REVISIONS	BY
JOB NO:	2180100
DATE:	2-26-18
SCALE:	
FIELD BY:	EH
DRAWN BY:	DDR
SHEET NO:	

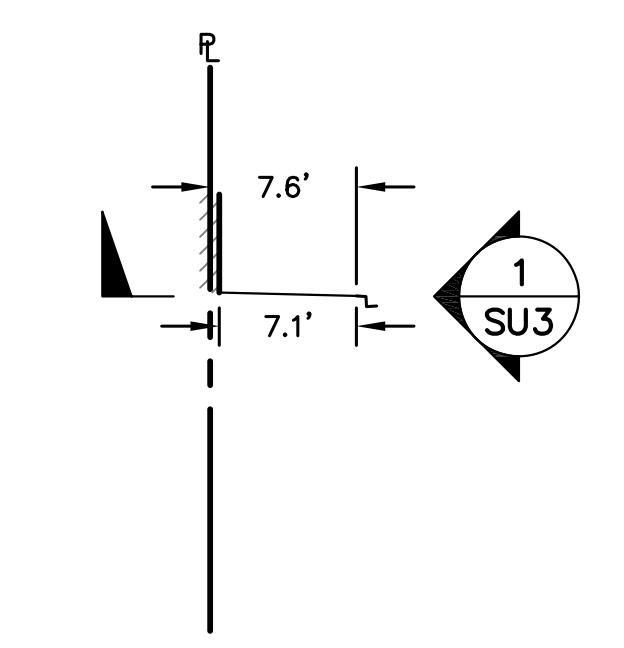


APN: 071-288-570

949 EL CAMINO REAL
MENLO PARK
CALIFORNIA



NO VERTICAL SCALE



LEA & BRAZE ENGINEERING, INC.
 CIVIL ENGINEERS • LAND SURVEYORS
 SACRAMENTO REGION
 3000 UNIVERSITY BLVD., SUITE # 300
 SACRAMENTO, CALIFORNIA 95821
 (P) (916) 966-1338 (F) (916) 966-1338
 WWW.LEA-BRAZE.COM

**949 EL CAMINO REAL
MENLO PARK
CALIFORNIA**

APN: 071-288-570

SAN MATEO COUNTY

**ALTA/NSPS LAND
TITLE SURVEY**

DATE:	2-26-18
SCALE:	1"=10'
FIELD BY:	EH
DRAWN BY:	DDR
SHEET NO:	



2 OF 3 SHEETS

THIS PAGE INTENTIONALLY LEFT BLANK

Guild Theatre
Project Description

Revised 5/15/2018

I. Introduction

The Peninsula Arts Guild (P.A.G.) is a nonprofit that was established by a small group of local business leaders to develop a first class, small-scale entertainment venue on the Peninsula. P.A.G. believes that Peninsula residents should not have to travel to San Francisco, Oakland, or San Jose to experience incredible music or cultural events. P.A.G. is reviewing a number of potential sites in the region, and is currently focused on the Guild as its first choice due to its accessibility and proximity to regional transit and local amenities.

P.A.G. is committed to providing the community with a unique venue that could serve as a catalyst to continued economic and cultural growth. P.A.G. envisions a vibrant future for the Guild as a local cultural and entertainment destination, with improved live entertainment options in an intimate setting. The proposed project would be consistent with the existing use, and would complement the existing retail and restaurant uses in the Downtown area.

II. Project Overview

The proposed project would revitalize the existing cinema through comprehensive structural and tenant improvements that are necessary for live entertainment venues. This includes construction of a basement and second floor/mezzanine area. The proposed project would increase the floor area on the approximately 4,800 square foot site to approximately 11,000 square feet.

The first floor would contain an entry lobby, main viewing or seating area, bar, stage, box office, and restrooms. The basement, which is essential to the venue's operations, would be inaccessible to the general public, and would include the green room and dressing rooms (which provide convenient access to the stage via stairs or an elevator). The green room is a key element of the project, for in order to attract top talent, a venue must provide an upscale green room for the performers to enjoy prior to and after their performances. The basement also includes a limited prep/no scratch cooking kitchen that could be used to prepare limited food options for purchase. In addition, the basement would house mechanical, fire-protection, electrical, audio-visual and production support equipment in technical spaces that must be on the same parcel as the venue itself. Further, the basement includes necessary storage space for the materials that would allow the venue to accommodate a variety of performance types. The second floor would provide additional viewing areas, restrooms, a small bar, vestibule, and storage.

The interior design may incorporate the existing art deco lights and gold fixtures; however, no other interior elements will be retained. The proposed project would also refurbish and retain the existing marquee.

A. Primary Use

The proposed project is primarily a multi-purpose entertainment venue for live events (concerts, speakers, comedians, etc.) and movies, including the on-site sale of alcohol. Although the venue may hold live events or movies during the hours of 7-11 p.m. any day of the week, it is anticipated that live events would occur more often on Friday through Sunday evenings. We believe that all of the proposed uses are consistent with existing use categories in the Downtown Specific Plan, such as (i) small-scale (commercial recreation), (ii) live entertainment, which is an element of a restaurant with live entertainment, (iii) bar, and (iv) cinema.

B. Community Use/Public Benefit

As a public benefit, the proposed project would be available for up to two community events per month at a discounted rate of 50% of the owners' costs. (Additional use by community organizations is possible, but not at the discounted rate.) Community events will be scheduled when the facility is not otherwise in use. Below are examples of possible community events that could utilize the venue:

- Kepler's Books author talks and events
- City-sanctioned special events (e.g., Wine Walk, Summer Concert Series)
- School events (plays, talent shows, charity auctions, concerts, etc.)
- Church events
- Ballet or dance groups
- Film screenings and festivals

In the event that the demand for discounted community use exceeds two events per month, P.A.G. will work with the City to develop a process to allocate the community use.

C. Hours of Operation

The proposed project would only open for scheduled events. For evening shows, doors would open around 7:00 p.m. or 8:00 p.m. for shows starting at 8:00 p.m. or 9:00 p.m. respectively. Events would last approximately 2 hours. In addition, community events and some other events could occur during non-evening hours (which would not exceed the current theater capacity).

D. Staffing

The following is a list of employees that would be necessary for a typical music event:

- Facilities Manager (1)
- Marketing Specialist (1)
- Lighting Specialist (1)
- Sound Specialist (1)
- Bartenders (3-7)
- Bar assistants (1-3)
- Photographer (1)
- Ticket vendors (1-2)
- Security (3-6)

Fewer employees would be required for movie events. Employees would be a mix of full-time and contractors.

E. Below Market Rate Housing

P.A.G is proposing that the project comply with the City's BMR requirements through payment of an in lieu fee. The Housing Commission has recommended approval of the proposal that the project pay an in lieu fee of approximately \$61,017.18, based on a 0.17 unit BMR requirement.

III. Parking & Traffic

The proposed project would increase the intensity of the existing use on select days; however, no significant parking or traffic impacts are anticipated. With respect to parking, the property does not currently provide on-site parking, and the proposed project would not provide any additional parking.

The proposed project benefits from a convenient, transit-oriented location (i.e., it is within walking distance of Caltrain), and is adjacent to substantial existing public parking facilities within the Downtown area. As most events would take place in the evening on weekends, or after rush hour on a weekday, there should be little competing demand for existing parking resources as a number of retail and office businesses would be closed for the day. Accordingly, for those patrons who would not walk or take public transportation to the venue, the parking demand would be satisfied by the ample existing street parking or the public parking lots.

Traffic impacts would similarly be insignificant. The existing cinema has a capacity of 266, and offers three to five shows a day, seven days a week. The proposed project would have a larger capacity of some 500 occupants for live events and some 150 - 200 occupants for seated events (e.g., movies), but would provide fewer events during the weekday when there is heavier traffic. As provided in the proposed conditions of approval, any daytime events would be limited to the facility's existing capacity. Thus, when compared with the existing use, the proposed project would result in fewer events during the peak period that could impact traffic. In addition, a significant number of patrons would frequent the retail

and restaurant establishments and walk to the venue, resulting in trip reductions due to trip capture. Further, the proposed project would maintain a robust Traffic Demand Management program to encourage patrons to reduce trips, such as by providing Caltrain passes or ride-sharing promotions.

Should the City identify off-site parking impacts, we will work with the City to develop alternative parking options.

IV. Neighbor Outreach

Prior to submitting the application, Drew Dunlevie, the proposed project's representative, conducted extensive outreach to Downtown area businesses, adjacent property owners, and potential stakeholders to gauge their support. For example, Drew personally met with numerous representatives of Downtown area businesses, including Ali Elsafy of Bistro Vida, Omar Piña of Mama Coco, and Praveen Madan, Jean Forstner, and Patrick Corman of Kepler's Books, as well as the Menlo Park Chamber of Commerce. As a result of those efforts, a number of businesses have indicated they enthusiastically support the proposed project.

With respect to the adjacent property owners, Drew met with Ben Tascian, owner of the properties located at 905 El Camino Real (Menlo Flooring and Design), 925 El Camino Real (Octopus Sushi), and the parking lot located behind the project site. Drew also had conversations with representatives of 961 El Camino Real (Menlo Clock Works) and 935 El Camino Real (Leather Leather). Within the vicinity of the proposed project, Drew met with Daniel Minkoff, developer of the property located at 650 and 660 Live Oak Ave., and has spoken with Matt Matteson, owner of the Cornerstone Building across El Camino Real from the project site.

Drew's outreach efforts were not limited to neighbors or Downtown businesses as he has personally met or corresponded with hundreds of area residents, the vast majority of whom reside in Menlo Park. This includes numerous meetings with Judy Adams, who has been a leading advocate to Save the Guild, and she is a proponent of the project. The effectiveness of this outreach effort is reflected in the many emails in support of the proposed project which were submitted to the City in advance of the City Council's study session on February 13, 2018, as well as the positive public comments provided by, among others, Fran Dehn, President/CEO of the Menlo Park Chamber of Commerce, and Judy Adams, during the study session.

In addition, a very large number of expressions of support for the project were submitted before the Planning Commission hearing, as well as at the hearing itself. Following that hearing, Drew has continued to meet with neighboring owners and business operators to explain the project and address any concerns.

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
AIR QUALITY				
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)				
<p><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.</p> <p><u>Basic Controls that Apply to All Construction Sites</u></p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 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. 	<p>Exposed surfaces shall be watered twice daily.</p> <p>Trucks carrying demolition debris shall be covered.</p> <p>Dirt carried from construction areas shall be cleaned daily.</p> <p>Speed limit on unpaved roads shall be 15 mph.</p> <p>Roadways, driveways, sidewalks and building pads shall be laid as soon as possible after grading.</p> <p>Idling times shall be minimized to 5 minutes or less; Signage posted at all access points.</p> <p>Construction equipment shall be properly tuned and maintained.</p>	<p>Measures shown on plans, construction documents and on-going during demolition, excavation and construction.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>PW/CDD</p>

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</p> <p><u>Additional Measures for Development Projects that Exceed Significance Criteria</u></p> <p>1. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>2. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>3. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.</p> <p>4. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>5. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.</p> <p>6. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.</p> <p>7. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.</p> <p>8. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.</p> <p>9. Minimizing the idling time of diesel powered construction equipment to two minutes.</p>	<p>Signage will be posted with the appropriate contact information regarding dust complaints.</p> <p>Water exposed surfaces to maintain minimum soil moisture of 12 percent.</p> <p>Halt excavation, grading and demolition when wind is over 20 mph.</p> <p>Install wind breaks on the windward side(s) of disturbed construction areas.</p> <p>Vegetative ground cover shall be planted in disturbed areas as soon as possible.</p> <p>Ground-disturbing construction activities shall not occur simultaneously.</p> <p>Trucks and equipment shall be washed before exiting the site. Cover site access roads.</p> <p>Erosion control measures shall be used.</p> <p>Idling time of diesel powered equipment will not exceed two minutes.</p>			

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>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.</p>	<p>Plan developed that demonstrates emissions from use of off-road equipment during construction will be reduced as specified.</p>			
<p>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).</p>	<p>Low VOC coatings shall be used.</p>			
<p>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.</p>	<p>Require Best Available Control Technology for all construction equipment, diesel trucks, and generators.</p>			
<p>13. Requiring all contractors use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy duty diesel engines.</p>	<p>Equipment shall meet standards for off-road heavy duty diesel engines.</p>			
<p><i>Impact AIR-2: Implementation of the Specific Plan would result in increased long-term emissions of criteria pollutants from increased vehicle traffic and on-site area sources that would contribute substantially to an air quality violation. (Significant)</i></p>				
<p>Mitigation Measure AIR-2: Mitigation Measure TR-2 of Section 4.13, Transportation, Circulation and Parking, identifies Transportation Demand Management (TDM) strategies to be implemented by individual project applicants, although the precise effectiveness of a TDM program cannot be guaranteed. As the transportation demand management strategies included in Mitigation Measure TR-2 represent the majority of available measures with which to reduce VMT, no further mitigation measures are available and this impact is considered to be significant and unavoidable.</p>	<p>See Mitigation Measure TR-2.</p>			

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
BIOLOGICAL RESOURCES				
Impact BIO-1: The Specific Plan could result in the take of special-status birds or their nests. (Potentially Significant)				
<p>Mitigation Measure BIO-1a: Pre-Construction Special-Status Avian Surveys. No more than two weeks in advance of any tree or shrub pruning, removal, or ground-disturbing activity that will commence during the breeding season (February 1 through August 31), a qualified wildlife biologist will conduct pre-construction surveys of all potential special-status bird nesting habitat in the vicinity of the planned activity. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered.</p> <p>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.</p> <p>If active nests of special-status birds are found during the surveys: implement Mitigation Measure BIO-1b.</p>	<p>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.</p>	<p>Prior to tree or shrub pruning or removal, any ground disturbing activity and/or issuance of demolition, grading or building permits.</p>	<p>Qualified wildlife biologist retained by project sponsor(s)</p>	<p>CDD</p>

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Mitigation Measure BIO-1b: Avoidance of active nests. If active nests of special-status birds or other birds are found during surveys, the results of the surveys would be discussed with the California Department of Fish and Game and avoidance procedures will be adopted, if necessary, on a case-by- case basis. In the event that a special-status bird or protected nest is found, construction would be stopped until either the bird leaves the area or avoidance measures are adopted. Avoidance measures can include construction buffer areas (up to several hundred feet in the case of raptors), relocation of birds, or seasonal avoidance. If buffers are created, a no disturbance zone will be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted will take into account factors such as the following:</p> <ol style="list-style-type: none"> 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. 	<p>If active nests are found during survey, the results will be discussed with the California Department of Fish and Game and avoidance procedures adopted.</p> <p>Halt construction if a special-status bird or protected nest is found until the bird leaves the area or avoidance measures are adopted.</p>	<p>Prior to tree or shrub pruning or removal, any ground-disturbing activities and/or issuance of demolition, grading or building permits.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>
<p>Impact BIO-3: Impacts to migratory or breeding special-status birds and other special-status species due to lighting conditions. (Potentially Significant)</p>				
<p>Mitigation Measure BIO-3a: Reduce building lighting from exterior sources.</p> <ol style="list-style-type: none"> 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; b. Installing motion-sensor lighting, or lighting controlled by timers set to turn off at the earliest practicable hour; c. Utilize minimum wattage fixtures to achieve required lighting levels; d. Comply with federal aviation safety regulations for large buildings by installing minimum intensity white strobe lighting with a three-second flash interval instead of continuous flood lighting, rotating lights, or red lighting e. Use cutoff shields on streetlight and external lights to prevent upwards lighting. 	<p>Reduce building lighting from exterior sources.</p>	<p>Prior to building permit issuance and ongoing.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Mitigation Measure BIO-3b: Reduce building lighting from interior sources.</p> <p>a. Dim lights in lobbies, perimeter circulation areas, and atria; b. Turn off all unnecessary lighting by 11pm thorough sunrise, especially during peak migration periods (mid-March to early June and late August through late October); c. Use gradual or staggered switching to progressively turn on building lights at sunrise. d. Utilize automatic controls (motion sensors, photosensors, etc.) to shut off lights in the evening when no one is present; e. Encourage the use of localized task lighting to reduce the need for more extensive overhead lighting; f. Schedule nightly maintenance to conclude by 11 p.m.; g. Educate building users about the dangers of night lighting to birds.</p>	<p>Reduce building lighting from interior sources.</p>	<p>Prior to building permit issuance and ongoing.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>
<p>Impact BIO-5: The Specific Plan could result in the take of special-status bat species. (Potentially Significant)</p>				
<p>Mitigation Measure BIO-5a: Preconstruction surveys. Potential direct and indirect disturbances to special-status bats will be identified by locating colonies and instituting protective measures prior to construction of any subsequent development project. No more than two weeks in advance of tree removal or structural alterations to buildings with closed areas such as attics, a qualified bat biologist (e.g., a biologist holding a California Department of Fish and Game collection permit and a Memorandum of Understanding with the California Department of Fish and Game allowing the biologist to handle and collect bats) shall conduct pre-construction surveys for potential bats in the vicinity of the planned activity. A qualified biologist will survey buildings and trees (over 12 inches in diameter at 4.5-foot height) scheduled for demolition to assess whether these structures are occupied by bats. No activities that would result in disturbance to active roosts will proceed prior to the completed surveys. If bats are discovered during construction, any and all construction activities that threaten individuals, roosts, or hibernacula will be stopped until surveys can be completed by a qualified bat biologist and proper mitigation measures implemented.</p> <p>If no active roosts present: no further action is warranted. If roosts or hibernacula are present: implement Mitigation Measures BIO-5b and 5c.</p>	<p>Retain a qualified bat biologist to conduct pre-construction survey for bats and potential roosting sites in vicinity of planned activity.</p> <p>Halt construction if bats are discovered during construction until surveys can be completed and proper mitigation measures implemented.</p>	<p>Prior to tree pruning or removal or issuance of demolition, grading or building permits.</p>	<p>Qualified bat biologist retained by project sponsor(s)</p>	<p>CDD</p>

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Mitigation Measure BIO-5b: Avoidance. If any active nursery or maternity roosts or hibernacula of special-status bats are located, the subsequent development project may be redesigned to avoid impacts. Demolition of that tree or structure will commence after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) or before maternity colonies forms the following year (i.e., prior to March 1). For hibernacula, any subsequent development project shall only commence after bats have left the hibernacula. No-disturbance buffer zones acceptable to the California Department of Fish and Game will be observed during the maternity roost season (March 1 through July 31) and during the winter for hibernacula (October 15 through February 15). Also, a no-disturbance buffer acceptable in size to the California Department of Fish and Game will be created around any roosts in the Project vicinity (roosts that will not be destroyed by the Project but are within the Plan area) during the breeding season (April 15 through August 15), and around hibernacula during winter (October 15 through February 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the “take” of individuals is prohibited.</p>	<p>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.</p>	<p>Prior to tree removal or pruning or issuance of demolition, grading or building permits</p>	<p>Qualified bat biologist retained by project sponsor(s)</p>	<p>CDD</p>

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Mitigation Measure BIO-5c: Safely evict non-breeding roosts. Non-breeding roosts of special-status bats shall be evicted under the direction of a qualified bat biologist. This will be done by opening the roosting area to allow airflow through the cavity. Demolition will then follow no sooner or later than the following day. There should not be less than one night between initial disturbance with airflow and demolition. This action should allow bats to leave during dark hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees with roosts that need to be removed should first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours. However, the “take” of individuals is prohibited.</p>	<p>A qualified bat biologist shall direct the eviction of non-breeding roosts.</p>	<p>Prior to tree removal or pruning or issuance of demolition, grading or building permits.</p>	<p>Qualified bat biologist retained by project sponsor(s)</p>	<p>CDD</p>
CULTURAL RESOURCES				
Impact CUL-1: The proposed Specific Plan could have a significant impact on historic architectural resources. (Potentially Significant)				
<p>Mitigation Measure CUL-1: Site Specific Evaluations and Treatment in Accordance with the Secretary of the Interior’s Standards:</p> <p>Site-Specific Evaluations: In order to adequately address the level of potential impacts for an individual project and thereby design appropriate mitigation measures, the City shall require project sponsors to complete site-specific evaluations at the time that individual projects are proposed at or adjacent to buildings that are at least 50 years old.</p>	<p>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.</p>	<p>Simultaneously with a project application submittal.</p>	<p>Qualified architectural historian retained by the Project sponsor(s).</p>	<p>CDD - Completed (a Historic Resource Evaluation was prepared by Urban Programmers, dated June 23, 2014)</p>

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>The project sponsor shall be required to complete a site-specific historic resources study performed by a qualified architectural historian meeting the Secretary of the Interior's Standards for Architecture or Architectural History. At a minimum, the evaluation shall consist of a records search, an intensive-level pedestrian field survey, an evaluation of significance using standard National Register Historic Preservation and California Register Historic Preservation evaluation criteria, and recordation of all identified historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms. The evaluation shall describe the historic context and setting, methods used in the investigation, results of the evaluation, and recommendations for management of identified resources. If federal or state funds are involved, certain agencies, such as the Federal Highway Administration and California Department of Transportation (Caltrans), have specific requirements for inventory areas and documentation format.</p>				

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Treatment in Accordance with the Secretary of the Interior's Standards. 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.</p>				
<p>Impact CUL-2: The proposed Specific Plan could impact currently unknown archaeological resources. (Potentially Significant)</p>				
<p>Mitigation Measure CUL-2a: When specific projects are proposed that involve ground disturbing activity, a site-specific cultural resources study shall be performed by a qualified archaeologist or equivalent cultural resources professional that will include an updated records search, pedestrian survey of the project area, development of a historic context, sensitivity assessment for buried prehistoric and historic-period deposits, and preparation of a technical report that meets federal and state requirements. If historic or unique resources are identified and cannot be avoided, treatment plans will be developed in consultation with the City and Native American representatives to mitigate potential impacts to less than significant based on either the Secretary of the Interior's Standards described in Mitigation Measure CUL-1 (if the site is historic) or the provisions of Public Resources Code Section 21083.2 (if a unique archaeological site).</p>	<p>A qualified archeologist shall complete a site-specific cultural resources study.</p> <p>If resources are identified and cannot be avoided, treatment plans will be developed to mitigate impacts to less than significant, as specified.</p>	<p>Simultaneously with a project application submittal.</p>	<p>Qualified archaeologist retained by the project sponsor(s).</p>	<p>CDD - Completed (an Archeological Resource Evaluation was prepared by Basin Research Associates, dated April 17, 2018)</p>

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Mitigation Measure CUL-2b: Should any archaeological artifacts be found during construction, all construction activities within 50 feet shall immediately halt and the City must be notified. A qualified archaeologist shall inspect the findings within 24 hours of the discovery. If the resource is determined to be a historical resource or unique resource, the archaeologist shall prepare a plan to identify, record, report, evaluate, and recover the resources as necessary, which shall be implemented by the developer. Construction within the area of the find shall not recommence until impacts on the historical or unique archaeological resource are mitigated as described in Mitigation Measure CUL-2a above. Additionally, Public Resources Code Section 5097.993 stipulates that a project sponsor must inform project personnel that collection of any Native American artifact is prohibited by law.</p>	<p>If any archaeological artifacts are discovered during demolition/construction, all ground disturbing activity within 50 feet shall be halted immediately, and the City of Menlo Park Community Development Department shall be notified within 24 hours.</p> <p>A qualified archaeologist shall inspect any archaeological artifacts found during construction and if determined to be a resource shall prepare a plan meeting the specified standards which shall be implemented by the project sponsor(s).</p>	<p>Ongoing during construction.</p>	<p>Qualified archaeologist retained by the project sponsor(s).</p>	<p>CDD</p>
<i>Impact CUL-3: The proposed Specific Plan may adversely affect unidentifiable paleontological resources. (Potentially Significant)</i>				
<p>Mitigation Measure CUL-3: Prior to the start of any subsurface excavations that would extend beyond previously disturbed soils, all construction forepersons and field supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in teaching non-specialists, to ensure they can recognize fossil materials and will follow proper notification procedures in the event any are uncovered during construction. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who will evaluate its significance. Training on paleontological resources will also be provided to all other construction workers, but may involve using a videotape of the initial training and/or written materials rather than in-person training by a paleontologist. If a fossil is determined to be significant and avoidance is not feasible, the paleontologist will develop and implement an excavation and salvage plan in accordance with SVP standards. (SVP, 1996)</p>	<p>A qualified paleontologist shall conduct training for all construction personnel and field supervisors.</p> <p>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.</p>	<p>Prior to issuance of grading or building permits that include subsurface excavations and ongoing through subsurface excavation.</p>	<p>Qualified archaeologist retained by the project sponsor(s).</p>	<p>CDD</p>

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
Impact CUL-4: Implementation of the Plan may cause disturbance of human remains including those interred outside of formal cemeteries. (Potentially Significant)				
<p>Mitigation Measure CUL-4: If human remains are discovered during construction, CEQA Guidelines 15064.5(e)(1) shall be followed, which is as follows:</p> <p>* 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:</p> <p>1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <p style="margin-left: 20px;">a) The San Mateo County coroner must be contacted to determine that no investigation of the cause of death is required; and</p> <p style="margin-left: 20px;">b) If the coroner determines the remains to be Native American:</p> <p style="margin-left: 40px;">1. The coroner shall contact the Native American Heritage Commission within 24 hours;</p> <p style="margin-left: 40px;">2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American;</p> <p style="margin-left: 40px;">3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or</p> <p>2) Where the following conditions occur, the landowner or his authorized representative shall reburial the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p>	<p>If human remains are discovered during any construction activities, all ground-disturbing activity within the site or any nearby area shall be halted immediately, and the County coroner must be contacted immediately and other specified procedures must be followed as applicable.</p>	<p>On-going during construction</p>	<p>Qualified archeologist retained by the project sponsor(s)</p>	<p>CDD</p>

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>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.</p> <p>b) The descendant identified fails to make a recommendation; or</p> <p>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.</p>				
HAZARDOUS MATERIALS				
<i>Impact HAZ-1: Disturbance and release of contaminated soil during demolition and construction phases of the project, or transportation of excavated material, or contaminated groundwater could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling. (Potentially Significant)</i>				
<p>Mitigation Measure HAZ-1: 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 development in the Plan area where previous hazardous materials releases have occurred shall require remediation and cleanup to levels established by the overseeing regulatory agency (San Mateo County Environmental Health (SMCEH), Regional Water Quality Control Board (RWQCB) or Department of Toxic Substances Control (DTSC) appropriate for the proposed new use of the site. All proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a licensed professional in accordance with Cal/OHSA regulations (contained in Title 8 of the California Code of Regulations) and approved by SMCEH prior to the commencement of groundbreaking.</p>	<p>Prepare a Phase I site assessment.</p> <p>If assessment shows potential for hazardous releases, then a Phase II site assessment shall be conducted.</p> <p>Remediation shall be conducted according to standards of overseeing regulatory agency where previous hazardous releases have occurred.</p> <p>Groundbreaking activities where there is identified or suspected contamination shall be conducted according to a site-specific health and safety plan.</p>	<p>Prior to issuance of any grading or building permit for sites with groundbreaking activity.</p>	<p>Qualified environmental consulting firm and licensed professionals hired by project sponsor(s)</p>	<p>CDD</p>

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
Impact HAZ-3: Hazardous materials used on any individual site during construction activities (i.e., fuels, lubricants, solvents) could be released to the environment through improper handling or storage. (Potentially Significant)				
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				
Impact NOI-1: Construction activities associated with implementation of the Specific Plan would result in substantial temporary or periodic increases in ambient noise levels in the Specific Plan area above levels existing without the Specific Plan and in excess of standards established in the local general plan or noise ordinance, or applicable				
Mitigation Measure NOI-1a: Construction contractors for subsequent development projects within the Specific Plan area shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, etc.) when within 400 feet of sensitive receptor locations. Prior to demolition, grading or building permit issuance, a construction noise control plan that identifies the best available noise control techniques to be implemented, shall be prepared by the construction contractor and submitted to the City for review and approval. The plan shall include, but not be limited to, the following noise control elements: * Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler shall achieve lower noise levels from the exhaust by approximately 10 dBA. External jackets on the tools themselves shall be used where feasible in order to achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible;	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

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>* 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</p> <p>* When construction occurs near residents, affected parties within 400 feet of the construction area shall be notified of the construction schedule prior to demolition, grading or building permit issuance. Notices sent to residents shall include a project hotline where residents would be able to call and issue complaints. A Project Construction Complaint and Enforcement Manager shall be designated to receive complaints and notify the appropriate City staff of such complaints. Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and day and evening contact numbers, both for the construction contractor and City representative(s), in the event of problems.</p>				
<p><i>Mitigation Measure NOI-1b: Noise Control</i> Measures for Pile Driving: Should pile-driving be necessary for a subsequently proposed development project, the project sponsor would require that the project contractor predrill holes (if feasible based on soils) for piles to the maximum feasible depth to minimize noise and vibration from pile driving. Should pile-driving be necessary for the proposed project, the project sponsor would require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring uses.</p>	<p>If pile-driving is necessary for project, predrill holes to minimize noise and vibration and limit activity to result in the least disturbance to neighboring uses.</p>	<p>Measures shown on plans, construction documents and specifications and ongoing during construction</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>
<p><i>Mitigation Measure NOI-1c:</i> The City shall condition approval of projects near receptors sensitive to construction noise, such as residences and schools, such that, in the event of a justified complaint regarding construction noise, the City would have the ability to require changes in the construction control noise plan to address complaints.</p>	<p>Condition projects such that if justified complaints from adjacent sensitive receptors are received, City may require changes in construction noise control plan.</p>	<p>Condition shown on plans, construction documents and specifications. When justified complaint received by City.</p>	<p>Project sponsor(s) and contractor(s) for revisions to construction noise control plan.</p>	<p>CDD</p>
TRANSPORTATION, CIRCULATION AND PARKING				
<i>Impact TR-1: Traffic from future development in the Plan area would adversely affect operation of area intersections. (Significant)</i>				

949 El Camino Real

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<i>Mitigation Measures TR-1a through TR-1d: (see EIR for details)</i>	Payment of fair share funding.	Prior to building permit issuance.	Project sponsor(s)	PW/CDD
<i>Impact TR-2: Traffic from future development in the Plan area would adversely affect operation of local roadway segments. (Significant)</i>				
<p><i>Mitigation Measure TR-2:</i> New developments within the Specific Plan area, regardless of the amount of new traffic they would generate, are required to have in-place a City-approved Transportation Demand Management (TDM) program prior to project occupancy to mitigate impacts on roadway segments and intersections. TDM programs could include the following measures for site users (taken from the C/CAG CMP), as applicable:</p> <ul style="list-style-type: none"> * Commute alternative information; * Bicycle storage facilities; * Showers and changing rooms; * Pedestrian and bicycle subsidies; * Operating dedicated shuttle service (or buying into a shuttle consortium); * Subsidizing transit tickets; * Preferential parking for carpoolers; * Provide child care services and convenience shopping within new developments; * Van pool programs; * Guaranteed ride home program for those who use alternative modes; * Parking cashout programs and discounts for persons who * Imposing charges for parking rather than providing free parking; * Providing shuttles for customers and visitors; and/or * Car share programs. 	Develop a Transportation Demand Management program.	Submit draft TDM program with building permit. City approval required before permit issuance. Implementation prior to project occupancy.	Project sponsor(s)	PW/CDD
<i>Impact TR-8: Cumulative development, along with development in the Plan area would adversely affect operation of local roadway segments. (Significant)</i>				
<i>Mitigation Measure TR-8: Implement TR-2 (TDM Program).</i>	See Mitigation Measure TR-2.			

Menlo Park El Camino Real/Downtown Specific Plan
 Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.1 Development Intensity			
E.3.1.01	Standard	Business and Professional office (inclusive of medical and dental office) shall not exceed one half of the base FAR or public benefit bonus FAR, whichever is applicable.	Complies: No Office proposed.
E.3.1.02	Standard	Medical and Dental office shall not exceed one third of the base FAR or public benefit bonus FAR, whichever is applicable.	Complies: No Medical or Dental proposed.
E.3.2 Height			
E.3.2.01	Standard	Roof-mounted mechanical equipment, solar panels, and similar equipment may exceed the maximum building height, but shall be screened from view from publicly-accessible spaces.	Tentatively Complies: Per sections A4.20 screen at height of equipment (36' above ground level) proposed. Equipment height not verified.
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: Per Sections parapets shown at 29'-0". Maximum façade height 30'-0"; maximum building height is 38'-0".
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: No such features. Roof hatch for roof access.
E.3.3 Setbacks and Projections within Setbacks			
E.3.3.01	Standard	Front setback areas shall be developed with sidewalks, plazas, and/or landscaping as appropriate.	N/A: Proposed amendments would not require front setback areas.
E.3.3.02	Standard	Parking shall not be permitted in front setback areas.	Complies: No Parking
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.	Complies: Building at 0' setback with 2'10" deep by 17' 2" wide recess at entry. Complies with SP amendment.
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: No such building projections proposed.
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.	N/A: No such building projections proposed.

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

Section	Standard or Guideline	Requirement	Evaluation
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.	N/A: No such building projections proposed.
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.	Will comply with SP amendments.
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
E.3.4 Massing and Modulation			
E.3.4.1 Building Breaks			
E.3.4.1.01	Standard	The total of all building breaks shall not exceed 25 percent of the primary façade plane in a development.	N/A
E.3.4.1.02	Standard	Building breaks shall be located at ground level and extend the entire building height.	N/A
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
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
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: Site in ECR SW district.

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.4.1.06	Standard	<p>In the ECR-SE zoning district, and consistent with Table E4 the building breaks shall:</p> <ul style="list-style-type: none"> • Comply with Figure E9; • Be a minimum of 60 feet in width, except where noted on Figure E9; • Be a minimum of 120 feet in width at Middle Avenue; • Align with intersecting streets, except for the area between Roble Avenue and Middle Avenue; • Be provided at least every 350 feet in the area between Roble Avenue and Middle Avenue; where properties under different ownership coincide with this measurement, the standard side setbacks (10 to 25 feet) shall be applied, resulting in an effective break of between 20 to 50 feet. • Extend through the entire building height and depth at Live Oak Avenue, Roble Avenue, Middle Avenue, Partridge Avenue and Harvard Avenue; and • Include two publicly-accessible building breaks at Middle Avenue and Roble Avenue. 	N/A: Site in ECR SW district.
E.3.4.1.07	Standard	<p>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.</p>	N/A: Site in ECR SW district.
E.3.4.1.08	Guideline	<p>In the ECR-SE zoning district, the breaks at Live Oak, Roble, Middle, Partridge and Harvard Avenues may provide vehicular access.</p>	N/A: Site in ECR SW district.
E.3.4.2 Façade Modulation and Treatment			
E.3.4.2.01	Standard	<p>Building façades facing public rights-of-way or public open spaces shall not exceed 50 feet in length without a minor building façade modulation. At a minimum of every 50' façade length, the minor vertical façade modulation shall be a minimum 2 feet deep by 5 feet wide recess or a minimum 2-foot setback of the building plane from the primary building façade.</p>	N/A: Façade is 50'-0" wide per plans.

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.4.2.02	Standard	Building façades facing public rights-of-way or public open spaces shall not exceed 100 feet in length without a major building modulation. At a minimum of every 100 feet of façade length, a major vertical façade modulation shall be a minimum of 6 feet deep by 20 feet wide recess or a minimum of 6 feet setback of building plane from primary building façade for the full height of the building. This standard applies to all districts except ECR NE-L and ECR SW since those two districts are required to provide a building break at every 100 feet.	N/A: Façade is 50'-0" wide per plans.
E.3.4.2.03	Standard	In addition, the major building façade modulation shall be accompanied with a 4-foot minimum height modulation and a major change in fenestration pattern, material and/or color.	N/A
E.3.4.2.04	Guideline	Minor façade modulation may be accompanied with a change in fenestration pattern, and/or material, and/or color, and/or height.	N/A
E.3.4.2.05	Guideline	Buildings should consider sun shading mechanisms, like overhangs, <i>bris soleils</i> and clerestory lighting, as façade articulation strategies.	Complies: Marquee.
E.3.4.3 Building Profile			
E.3.4.3.01	Standard	The 45-degree building profile shall be set at the minimum setback line to allow for flexibility and variation in building façade height within a district.	Complies: Building height does not exceed maximum façade height except for screening of mechanical equipment which is well back from front façade.
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.	N/A: No such building projections proposed.
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 parapets above maximum building profile.
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 stair or elevator towers.
E.3.4.4 Upper Story Façade Length			
E.3.4.4.01	Standard	Building stories above the 38-foot façade height shall have a maximum allowable façade length of 175 feet along a public right-of-way or public open space.	N/A
E.3.5 Ground Floor Treatment, Entry and Commercial Frontage			
Ground Floor Treatment			

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.5.01	Standard	The retail or commercial ground floor shall be a minimum 15-foot floor-to-floor height to allow natural light into the space.	Complies: The proposed height from the first to second floor is 13 feet; will comply with SP amendments.
E.3.5.02	Standard	Ground floor commercial buildings shall have a minimum of 50% transparency (i.e., clear-glass windows) for retail uses, office uses and lobbies to enhance the visual experience from the sidewalk and street. Heavily tinted or mirrored glass shall not be permitted.	Complies: Applicant indicates proposed 39.7% transparency (including display case areas.) Will comply with SP amendments.
E.3.5.03	Guideline	Buildings should orient ground-floor retail uses, entries and direct-access residential units to the street.	Complies: Entry to building at ECR sidewalk.
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: Theatre lobby.
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: Theatre lobby.
E.3.5.06	Guideline	Blank walls at ground floor are discouraged and should be minimized. When unavoidable, continuous lengths of blank wall at the street should use other appropriate measures such as landscaping or artistic intervention, such as murals.	Complies: Blank wall areas to sides of lobby entrance are mitigated with display cases and box office window.
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: Project does not include residential units.
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: The existing marquee is to remain and be restored.
Building Entries			
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: Building entry is oriented toward the street.

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
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: Building recess glazed and marquee above with zone of glazing behind the marquee proposed.
E.3.5.11	Guideline	Multiple entries at street level are encouraged where appropriate.	Complies: Multiple entries would not be appropriate for this use.
E.3.5.12	Guideline	Ground floor residential units are encouraged to have their entrance from the street.	N/A: Project does not include residential units.
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: Project does not include residential units.
E.3.5.14	Guideline	Building entries are allowed to be recessed from the primary building façade.	Complies: Building entry is recessed from the primary façade.
Commercial Frontage			
E.3.5.15	Standard	Commercial windows/storefronts shall be recessed from the primary building façade a minimum of 6 inches	Complies: Commercial glazing is limited to the lobby, which is shown recessed on the first floor plan 2' 10" from the adjacent walls.
E.3.5.16	Standard	Retail frontage, whether ground floor or upper floor, shall have a minimum 50% of the façade area transparent with clear vision glass, not heavily tinted or highly mirrored glass.	Complies: Will comply with SP Amendments
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
E.3.5.18	Guideline	The distinction between individual storefronts, entire building façades and adjacent properties should be maintained.	Complies
E.3.5.19	Guideline	Storefront elements such as windows, entrances and signage should provide clarity and lend interest to the façade.	Complies: The storefront at the entry provides clarity.
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
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: No retail.

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
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: No retail
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.	N/A
E.3.5.24	Guideline	Storefronts should not be completely obscured with display cases that prevent customers and pedestrians from seeing inside.	N/A
E.3.5.25	Guideline	Signage should not be attached to storefront windows.	N/A
E.3.6 Open 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: Project does not include residential units.
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: Project does not include residential units.
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.	N/A: Project does not include residential units.
E.3.6.04	Guideline	Private development should provide accessible and usable common open space for building occupants and/or the general public.	N/A: Existing development limits open space.
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: Project does not include residential units.

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

Section	Standard or Guideline	Requirement	Evaluation
E.3.6.06	Guideline	Landscaping in setback areas should define and enhance pedestrian and open space areas. It should provide visual interest to streets and sidewalks, particularly where building façades are long.	N/A
E.3.6.07	Guideline	Landscaping of private open spaces should be attractive, durable and drought-resistant.	N/A: Project does not include residential units.
E.3.7 Parking, Service and Utilities			
General Parking and Service Access			
E.3.7.01	Guideline	The location, number and width of parking and service entrances should be limited to minimize breaks in building design, sidewalk curb cuts and potential conflicts with streetscape elements.	Complies: There is a break in the existing façade at the alley that is used as service access and egress.
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.	N/A: No curb cuts proposed.
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: The waste and recycling enclosure is at the end of the alley.
E.3.7.04	Guideline	The size and pattern of loading dock entrances and doors should be integrated with the overall building design.	N/A: Project does not include loading docks.
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.	N/A: Project does not include loading docks.
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 complete guidelines regarding landscaping in parking areas.	N/A: Project does not include parking.
Utilities			
E.3.7.07	Guideline	All utilities in conjunction with new residential and commercial development should be placed underground.	Complies: Applicant indicates all utilities would be indoors.
E.3.7.08	Guideline	Above ground meters, boxes and other utility equipment should be screened from public view through use of landscaping or by integrating into the overall building design.	Complies: Applicant indicates all utilities would be indoors.
Parking Garages			

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

Section	Standard or Guideline	Requirement	Evaluation
E.3.7.09	Standard	To promote the use of bicycles, secure bicycle parking shall be provided at the street level of public parking garages. Bicycle parking is also discussed in more detail in Section F.5 “Bicycle Storage Standards and Guidelines.”	N/A: Project does not include parking.
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: Project does not include parking.
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.	N/A: Project does not include parking.
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: Project does not include parking.
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.	Note: The proposal discusses existing and future parking as being provided off-site.
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: Project does not include parking.
E.3.8 Sustainable Practices			
Overall Standards			
E.3.8.01	Standard	Unless the Specific Plan area is explicitly exempted, all citywide sustainability codes or requirements shall apply.	Complies: Will comply with sustainability requirements.
Overall Guidelines			
E.3.8.02	Guideline	Because green building standards are constantly evolving, the requirements in this section should be reviewed and updated on a regular basis of at least every two years.	Complies: Will comply with sustainability requirements.
Leadership in Energy and Environmental Design (LEED) Standards			

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<p>E.3.8.03</p>	<p>Standard</p>	<p>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 pursuing 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.</p> <p>LEED certification or equivalent standard, at a Silver level or higher, shall be required for:</p> <ul style="list-style-type: none"> • Newly constructed residential buildings of Group R (single-family, duplex and multi-family); • Newly constructed commercial buildings of Group B (occupancies including among others office, professional and service type transactions) and Group M (occupancies including among others display or sale of merchandise such as department stores, retail stores, wholesale stores, markets and sales rooms) that are 5,000 gross square feet or more; • New first-time build-outs of commercial interiors that are 20,000 gross square feet or more in buildings of Group B and M occupancies; and • Major alterations that are 20,000 gross square feet or more in existing buildings of Group B, M and R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed. <p>All residential and/or mixed use developments of sufficient size to require LEED certification or equivalent standard under the Specific Plan shall install one dedicated electric vehicle/plug-in hybrid electric vehicle recharging station for every 20 residential parking spaces provided. Per the Climate Action Plan the complying applicant could receive incentives, such as streamlined permit processing, fee discounts, or design templates.</p>	<p>N/A: Project is below threshold requiring LEED.</p>
------------------------	-----------------	---	---

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

Section	Standard or Guideline	Requirement	Evaluation
Leadership in Energy and Environmental Design (LEED) Guidelines			
E.3.8.04	Guideline	<p>The development of larger projects allows for more comprehensive sustainability planning and design, such as efficiency in water use, stormwater management, renewable energy sources and carbon reduction features. A larger development project is defined as one with two or more buildings on a lot one acre or larger in size. Such development projects should have sustainability requirements and GHG reduction targets that address neighborhood planning, in addition to the sustainability requirements for individual buildings (See Standard E.3.8.03 above). These should include being certified or equivalently verified at a LEED-ND (neighborhood development), Silver level or higher, and mandating a phased reduction of GHG emissions over a period of time as prescribed in the 2030 Challenge.</p> <p>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.</p>	N/A: Project is below threshold requiring LEED.
Building Design Guidelines			
E.3.8.05	Guideline	Buildings should incorporate narrow floor plates to allow natural light deeper into the interior.	N/A: Building use not related to this guideline.
E.3.8.06	Guideline	Buildings should reduce use of daytime artificial lighting through design elements, such as bigger wall openings, light shelves, clerestory lighting, skylights, and translucent wall materials.	Complies: Relative to lobby glazing two stories tall.
E.3.8.07	Guideline	Buildings should allow for flexibility to regulate the amount of direct sunlight into the interiors. Louvered wall openings or shading devices like <i>bris soleils</i> help control solar gain and check overheating. <i>Bris soleils</i> , 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.	Note: ECR façade is mostly north facing limiting the need for regulating direct sunlight.
E.3.8.08	Guideline	Where appropriate, buildings should incorporate arcades, trellis and appropriate tree planting to screen and mitigate south and west sun exposure during summer. This guideline would not apply to downtown , the station area and the west side of El Camino Real where buildings have a narrower setback and street trees provide shade.	N/A

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.8.09	Guideline	Operable windows are encouraged in new buildings for natural ventilation.	N/A
E.3.8.10	Guideline	To maximize use of solar energy, buildings should consider integrating photovoltaic panels on roofs.	The project will consider use of PVs.
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.	Trash enclosure shown on A2.10 indicates space for trash recycling, and compost.
Stormwater and Wastewater Management Guidelines			
E.3.8.12	Guideline	Buildings should incorporate intensive or extensive green roofs in their design. Green roofs harvest rainwater 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.	N/A
E.3.8.13	Guideline	Projects should use porous material on driveways and parking lots to minimize stormwater run-off from paved surfaces.	N/A
Landscaping Guidelines			
E.3.8.14	Guideline	Planting plans should support passive heating and cooling of buildings and outdoor spaces.	N/A
E.3.8.15	Guideline	Regional native and drought resistant plant species are encouraged as planting material.	N/A
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".	N/A
Lighting Standards			
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.	Will Comply
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.	N/A
Lighting Guidelines			
E.3.8.19	Guideline	Energy-efficient and color-balanced outdoor lighting, at the lowest lighting levels possible, are encouraged to provide for safe pedestrian and auto circulation.	TBD
E.3.8.20	Guideline	Improvements should use ENERGY STAR-qualified fixtures to reduce a building's energy consumption.	TBD

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
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.	TBD
Green Building Material Guidelines			
E.3.8.22	Guideline	The reuse and recycle of construction and demolition materials is recommended. The use of demolition materials as a base course for a parking lot keeps materials out of landfills and reduces costs.	Complies: The project will comply.
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: The project will comply as feasible.
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: The project will comply as feasible.
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: Enclosure provided on site within alley.
E.3.8.26	Guideline	The use of material from renewable sources is encouraged.	Tentatively Complies: The project will comply as feasible.

THIS PAGE INTENTIONALLY LEFT BLANK



220 Montgomery Street
Suite 346
San Francisco, CA 94104
(415) 392-9688 P
(415) 392-9788 F
www.chsconsulting.net

Technical Memorandum

Date: April 4, 2018
To: Nicole Nagaya, PE, and Mark Muenzer, City of Menlo Park
CC: Drew Dunlevie, Peninsula Arts Guild
David Whiteside, Whiteside Management
Matthew Stone, Arent Fox LLP
From: Andrew Kluter, PE, CHS Consulting Group
Re: **City of Menlo Park – Guild Theatre Project Parking Technical Memorandum - Draft**

1.0 Introduction & Summary

The purpose of this technical memorandum is to summarize the results of a parking evaluation of the subject project site located at 949 El Camino Real in the City of Menlo Park. The proposed project will renovate an existing 266-seat movie theatre (Guild Theatre) and convert it into a performance-based venue. The proposed project is located just southeast of the Ravenswood Avenue / Menlo Avenue intersection. The renovated theatre would have a total capacity for up to 500-550 spectators. Performances are expected to take place 2-3 days per week, typically on weekend nights with doors opening at 8:00 p.m. and a show start time at 9:00 p.m. Since the proposed project would not generate vehicle trips during the typical weekday commute peak period (generally defined as 4:00 p.m. to 6:00 p.m. on Mondays through Fridays), this memorandum focuses on expected project parking demand, the proposed project's potential effects on existing parking supply in the City's Downtown area, and potential approaches to reduce parking demand.

2.0 Project Description

The Guild Theatre, which currently operates as a cinema showing independent and foreign-language films, is located at 949 El Camino Real just southeast of the El Camino Real / Ravenswood Avenue / Menlo Avenue intersection and approximately 1,000 feet (1/5-mile) southeast of the Menlo Park Caltrain station. The building is located on an approximately 4,800-square foot site.

According to the Project Sponsor, the proposed project would convert the existing cinema into a live entertainment venue featuring concerts, films, and other community events. Building improvements necessary to complete this conversion include various building structural upgrades and construction of a basement and second floor/mezzanine area. The proposed project would increase the overall building floor area to approximately 11,000 square feet.

The first floor would contain an entry lobby, main viewing or seating area, bar, stage, box office, and restrooms. The basement would be reserved for the green room and dressing rooms for performers, as well as storage and mechanical rooms to provide space for materials that would allow the venue to accommodate a variety of performance types. The second floor would provide additional viewing areas, a small bar, office, and a vestibule.

In terms of events, the proposed project would continue to show movies, but the proposed improvements would allow the venue to host live events, including concerts, speakers, and comedians. At most, three movie or music

events would take place per week, with a typical week consisting of one or two events. The venue would only be open for scheduled events, which would typically take place on Friday, Saturday, and Sunday evenings. Occasional events may take place on a weeknight (Monday-Thursday). Venue doors for these shows would open typically at 8:00 p.m., with a show start time of 9:00 p.m.

In addition, the Project Sponsor, as a public benefit, would offer the theater for community events on an as-needed basis and in coordination with the City. Such community events would potentially include author talks and events sponsored by Kepler's Books; City-sponsored special events (Wine Walk, Summer Concert Series or others); movie festivals; local school events; and church events.

The Project Sponsor anticipates that up to 23 staff, including both full-time and part-time contractors, would be needed onsite for typical music events. Fewer employees are required for movie events.

Proposed Project Parking and Circulation

Presently, the Guild Theatre operates as a cinema, with a capacity of up to 266 seats. It is open seven days per week. As part of the proposed project, the renovated theatre would have a total capacity for up to 500-550 patrons. Currently, the building does not provide onsite or offsite parking, and the proposed project would not provide any additional parking supply.

The proposed project is situated 1,000 feet south of the Menlo Park Caltrain Station, which is approximately a five-minute walk. In addition, as will be shown later in this report, a significant supply of parking is available within a quarter-mile of the theater, which is utilized by theater patrons (and which patrons would continue to use to access the proposed project). As most events would take place in the evening on weekends, with some occurring after the weekday p.m. peak commute period, peak theater parking activity would coincide with the lowest parking occupancy periods by time of day in the Downtown area, thereby avoiding the at-capacity parking conditions experienced during typical weekday midday periods.¹

3.0 Anticipated Proposed Project Parking Demand in Downtown

For purposes of this parking analysis, CHS identified a comparable Bay Area theater site, the Sweetwater Music Hall in Downtown Mill Valley, which operates a substantially similar venue to the proposed project. Thus, the Sweetwater is representative of the general catchment area and expected mode share of arriving patrons and staff for the proposed project. Similar to the Guild Theatre, the Sweetwater is situated on a site without dedicated onsite parking. As a result, the Sweetwater relies on public parking lots and on-street parking spaces in Downtown Mill Valley to satisfy its parking demand.

With 10+ years' experience operating in Downtown Mill Valley, Sweetwater staff estimates that events attract patrons with trip origins of approximately 15 percent from local residents within a quarter-mile distance of the venue. Approximately 10 percent of the employees are estimated to arrive from within a 1/4-mile. Accordingly,

¹ City of Menlo Park. *Menlo Park Downtown Parking Study* (2010)

Sweetwater staff estimates an approximately 90/10 split in terms of patrons who arrive in autos compared with walking. Vehicle occupancy is estimated at approximately two persons per vehicle for events.²

In terms of parking, Sweetwater staff directs patrons and workers to use Downtown Mill Valley's on-street metered parking and public lots and to avoid parking in adjacent residential areas.³ Sweetwater staff has found its practices to be successful, given the parking time limits and regulations in the surround area.⁴ As the Sweetwater generally opens its doors at 7:00 p.m. or 8:00 p.m., concerts begin at times that are outside the prime parking enforcement hours.

The proposed project's events will similarly occur outside of Downtown Menlo Park's parking enforcement hours, which end at 6:00 p.m. As such, the preceding case study in Mill Valley provides a suitable comparison in terms of the parking environment in which the proposed project is situated.

It is anticipated that, similar to the Sweetwater, approximately ten percent of the proposed project's patrons would walk from local neighborhoods within 1/4- to 1/3-mile radius of the theater. This leaves approximately 495 guests that would arrive via auto. Assuming the same 2-person per vehicle occupancy, the proposed project would create a parking demand of approximately 248 vehicles. Additionally, up to 23 staff would be onsite for an event, which could generate up to 23 additional vehicles requiring parking. Thus, up to 271 vehicles may require parking in the Downtown area. This 271-vehicle estimate includes not only theatre patrons that would drive and park downtown solely for an event, but also those that visit restaurants and shops before or after shows. This estimate also excludes those patrons and staff that would arrive via a transportation network company (TNC) ride (e.g. Lyft or Uber). However, CHS has additionally included an analysis of expected TNC utilization of the passenger zone fronting the theater on southbound El Camino Real later in this report.

4.0 Current Parking Availability in Downtown Menlo Park

In order to establish a base condition of existing parking availability, CHS conducted a detailed field inventory and occupancy count of parking space supply within a quarter-mile of the Guild Theatre. The parking count took place between 6:00 p.m. and 8:00 p.m. on a Friday and Saturday evening (specifically Saturday, March 10 and Friday, March 16, 2018). These days and times of observation represent what would be considered typical peak parking periods specific to patrons and staff arriving for a venue show. The off-street public lots observed within a 1/4-mile were Lots 1, 2, 5, 6, 7, and 8.⁵ On-street locations within a 1/4-mile of the theater included:

- Chestnut Street from Oak Grove Avenue to Santa Cruz Avenue
- Crane Street from Santa Cruz Avenue to Menlo Avenue
- Doyle Street from Santa Cruz Avenue to Menlo Avenue

² CHS communication with Aaron Kayce of Sweetwater Music Hall, March 7, 2018.

³ Sweetwater Music Hall website frequently asked questions (<https://www.sweetwatermusicall.com/faqs/>), accessed online March 2018.

⁴ Parking in downtown Mill Valley is enforced between 9:00 a.m. and 6:00 p.m., except Sundays and holidays, allowing up to 4 hours of parking duration (with exceptions for residents). There are some 2-hour meter locations.

⁵ As designated from Menlo Park Downtown Parking Study (2010).

- Menlo Avenue between El Camino Real and Crane Street
- Oak Grove Avenue between El Camino Real and Chestnut Street
- Santa Cruz Avenue between El Camino Real and Crane Street

Figure 1 shows the locations of on- and off-street parking within the downtown area. **Table 1** shows the results of the two-day parking occupancy observations. **Appendix A** includes detailed observations of parking inventory and occupancy by lot and street segment for both days.

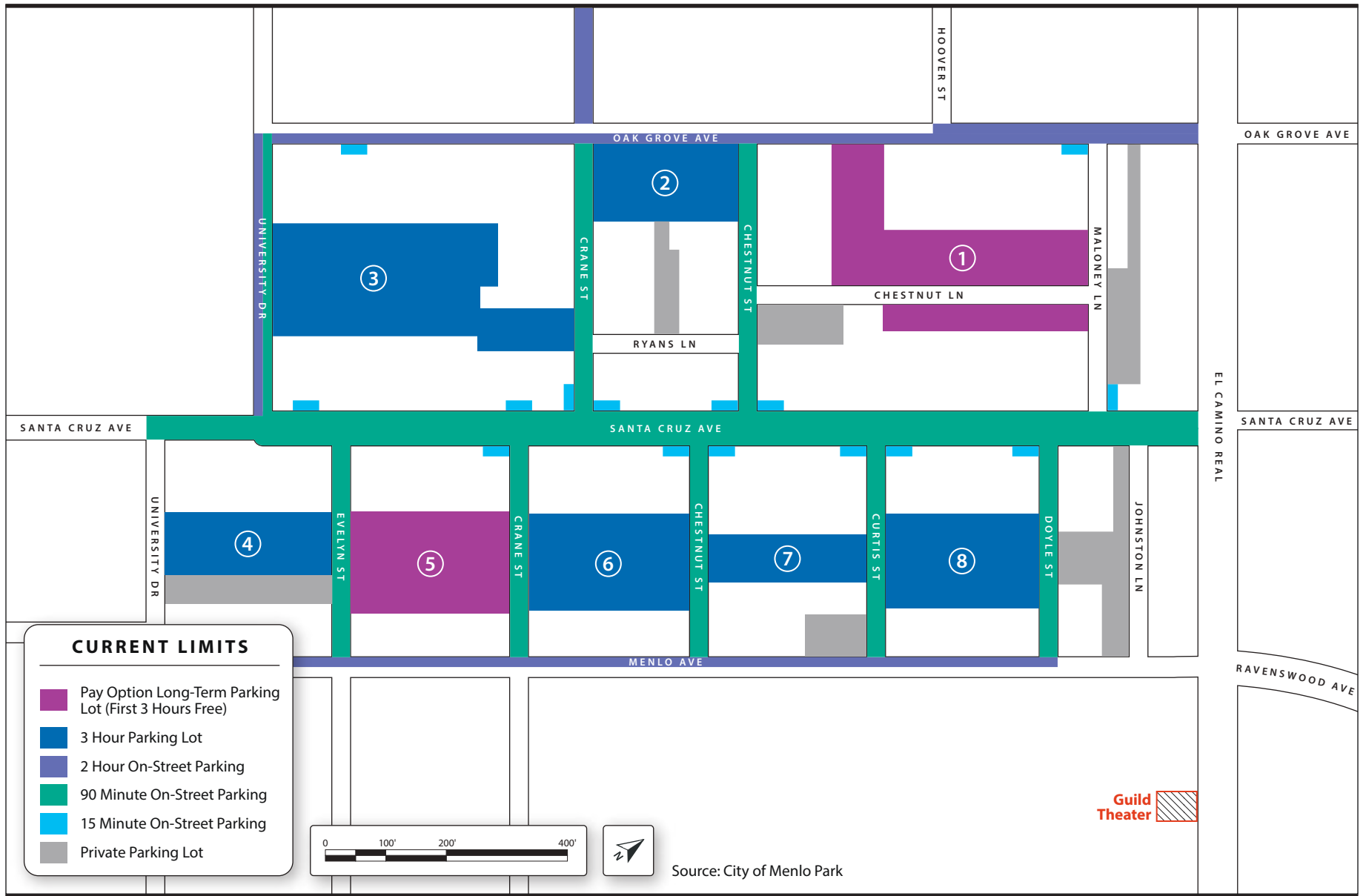
Table 1: Downtown Parking Inventory and Occupancy Within ¼-Mile of Guild Theatre

Parking Type	Total Supply	Saturday (3/10/2018)		Friday (3/16/2018)	
		Occupancy	Available	Occupancy	Available
Off-Street Lot	869	363	506	521	348
On-Street (Curbside)	192	142	50	149	43
Total	1,061	505	556	670	391

Source: CHS Consulting Group (2018)

1. Parking survey was conducted on Saturday, March 10, 2018 and Friday, March 16, 2018 between 6:00 and 8:00 p.m. both days.

As shown in **Table 1**, there is ample parking capacity available to Guild Theatre patrons within 1/4-mile distance of the proposed project. At minimum, on a Friday night (the highest occupancy evening of the two observed), at least 348 spaces are available in off-street lots and 43 are available in on-street curbside spaces, for a total of 391 available spaces. A closer look at the detailed Friday occupancy data (shown in **Appendix A**) revealed that Lots 7 and 8, the public lots closest to the site, were observed at- or near-capacity. However, there remains ample off-street parking in Lots 1, 5, and 6 (the next closest lots) totaling 111, 102, and 104 spaces, respectively, for a total of 317 spaces. Based on these field observations, the expected worst-case parking demand of 271 vehicles for a 550-patron event on a weekday or weekend evening would be satisfied by a minimum available supply of 391 spaces within a 1/4-mile of the Guild Theatre.



Menlo Park Guild Theater Transportation Impact Study

Figure 1
Downtown Public Parking Study Area

5.0 Project Consistency with Downtown Specific Plan and El Camino Real Corridor Study

CHS reviewed the proposed project for consistency with the circulation goals of the *Downtown Specific Plan* and *El Camino Real Corridor Study*. The project as proposed is consistent with the primary goal of the *Downtown Specific Plan's* Parking Management Plan, which is to use the existing downtown parking supply to the fullest extent possible, promoting a “Park Once and Walk” strategy in which visitors to downtown can park once and visit multiple destinations. The proposed project would schedule events that enable patrons to utilize widely available downtown parking capacity during Friday and weekend evenings, after parking time limit enforcement has ended, enabling patrons to visit the Guild Theatre as well as other downtown businesses without needing to move their cars if they choose.

The *El Camino Real Corridor Study* identified various alternatives for accommodating bicycle lanes on El Camino Real through the study area. The study further identified 5 curbside loading spaces in front of the Guild Theatre along southbound El Camino Real. These spaces would be removed if either the Buffered Bike Lane (Alternative 2) or Separated Bike Lane (Alternative 3) designs evaluated in the El Camino study were implemented.⁶ The El Camino corridor study also notes that Live Oak Avenue, approximately 300 feet southeast (a 1.5-minute walk) from the Guild Theatre frontage, is a potential area to relocate the passenger zone from El Camino Real. As the El Camino project advances in the future, it is recommended that the Project Sponsor work jointly with the City to evaluate and select a suitable alternative passenger loading zone near the theater in the event that Alternatives 2 or 3 are selected for future design and construction. This will ensure proposed project consistency with the multimodal goals of the *El Camino Real Corridor Study*, including in particular enhanced bicycle accommodation along this roadway.

6.0 Adequacy of Anticipated Walking Routes to the Project

CHS conducted a field review in March 2018 of walking routes to the theater from the observed downtown parking areas, consisting of both on-street and public off-street lots. The field review revealed that the theater is currently connected to a continuous network of sidewalks that lead to the public parking area expected to be used by patrons and bounded by Oak Grove Avenue, El Camino Real, Menlo Avenue, and Crane Street. Additionally, this walkability is further enhanced by short distances crossing roadways in downtown. Most downtown roadways consist of two travel lanes plus 1 or 2 parking lanes, which overall presents shorter crossing distances when compared to El Camino Real, with its generally wider roadway cross section. Given these conditions, the walking evaluation was limited to the surveyed public parking areas. By contrast, the Caltrain and neighborhood parking areas across El Camino Real from the theater are considered less desirable from a walkability perspective, given the physical barriers that include the wide roadway cross section of El Camino Real and the Caltrain tracks that separate the downtown from these neighborhoods. As such, these areas were excluded from the evaluation. Given the demonstrated availability of parking within the downtown area for venue patrons and staff, the continuity of walking paths to/from the theater, and shorter pedestrian crossing distances within downtown, there are no apparent deficiencies relative to walking facilities for theater patrons and staff, and as such no improvements relative to these facilities are recommended.

⁶ City of Menlo Park, *El Camino Real Corridor Study*, July 2015.

7.0 Proposed Curbside Loading Operation During Venue Post-Event Period

CHS further evaluated anticipated passenger loading demand at the theater curbside passenger zone along southbound El Camino Real. A post-event scenario in which 550 patrons depart a show at the theater was assumed for worst-case analysis purposes. Post-event passenger zone activity is considered worst-case as the accumulation of patrons leaving a show is generally more concentrated than before an event, where patron arrivals are generally more dispersed.

For purposes of this curbside analysis, 10 percent of the 271 vehicles (27 vehicles) estimated to be generated by a 550-patron event are assumed to be TNC vehicles providing service after the event. Although data specific to TNC mode shares to, from, and within Menlo Park are currently proprietary to TNCs, reasonable assumptions nonetheless can be made with regard to overall Bay Area curbside experience with these services. In San Francisco, which has generally high demand for TNC services within the Bay Area given its dense urban environment, it has been estimated that approximately 15 percent of all intracity trips are made by TNC service.⁷ For the Guild Theatre, which is situated in a less dense, suburban environment where private auto (non-TNC) use is generally higher than San Francisco, the 10 percent TNC assumption for patrons was made as it generally captures local trips greater than 1/4-mile that would use TNC services rather than driving a personal vehicle, walking, or bicycling.

The 27 vehicles estimated to provide TNC service after a theater show are expected to arrive uniformly over an approximate 30 minute period after a theater show ends, as patrons typically leave such venues in a distributed fashion over such a period, rather than all at the same time. Assuming this uniform arrival of TNC patrons over a 30-minute period, it is estimated that individual TNC vehicles picking up passengers would arrive at a rate of 1 vehicle every 1.1 minutes ($=30 \text{ minutes} / 27 \text{ vehicles}$).

Presently, there is a 70-foot curbside passenger loading zone on southbound El Camino Real fronting the theater that can accommodate up to three vehicles at any one time. Given that the passenger zone fronts the theater, based on City Code Section 11.08.030 (b)(2), this zone would be restricted to passenger loading zone use at all times except when the theater is closed. Therefore, the currently signed 3-minute time limit restriction for passenger loading and unloading would apply within this zone after the show has ended, given that the theater would remain open until all patrons, performers, and staff have left the building.

Observations of TNC vehicle curbside dwell times for pickup at the curb specific to theater patrons are limited. Dwell time is defined as the time a vehicle spends at the curb for passenger boarding or discharge, generally calculated by subtracting the curbside arrival time from the departure time. Nevertheless, insights on TNC dwell time can be found from recent CHS field observations of TNC services in an existing public, on-street passenger loading zone in San Francisco on 10th Street just south of Market Street, where 865 total TNC boardings and alightings of passengers were field observed over a 48-hour period in fall 2017. This passenger zone in the Civic Center area of San Francisco serves a variety of residential, office, and commercial retail uses. Based on this field

⁷ San Francisco County Transportation Authority, *TNCs Today, Final Report*, June 2017

data collection, CHS observed a median dwell time of approximately 40 seconds per TNC vehicle relative to both boarding and discharging passengers.⁸ It is reasonable to assume that TNC vehicles picking up departing patrons at Guild Theatre following an event would operate with similar median dwell times, given that in both the San Francisco and Guild Theatre cases, the TNC reservation process via smartphone allows passengers to enter vehicles with minimal delay, and TNC drivers in turn have preloaded smartphone directions to their passengers' destinations that allow them to pull from the curb efficiently. This efficiency is further highlighted based on additional, similar recent observations conducted curbside at San Francisco International Airport (SFO), where by contrast TNC vehicle dwell times for arriving and departing passengers range from one to two minutes.⁹ Generally, the longer dwell times at SFO are due to airport TNC passengers, who have longer loading and unloading times at the curb due to traveling with luggage.

Therefore, based on the collected TNC data and theatre TNC passenger estimates, an approximate 40-second dwell time / discharge rate for TNC vehicles at the curb would be faster than the arrival rate of TNC customers exiting the theater, i.e. 1 vehicle every 1.1 minutes. As such, it can be reasonably expected that during the post-event period, the three-space passenger zone would not fill up to the point of spillover onto the adjacent southbound travel lanes of El Camino Real. In order to discourage curbside TNC vehicles from dwelling curbside for longer than one minute picking up or discharging passengers, CHS recommends that the theater provide venue staff at the curbside pre- and post-event to help ensure efficient loading of TNC vehicles.

8.o Strategies to Manage Project Parking Demand in Downtown

The preceding analysis concluded that there is an ample parking supply in Downtown Menlo Park that is expected to accommodate the largest estimated demand (271 parked vehicles) generated by the proposed project based on a 550-patron event during weekday / weekend evenings. Nevertheless, if necessary, there are several management strategies that the Project Sponsor can implement to manage and potentially reduce venue-generated parking demand Downtown. CHS recommends the following parking demand management strategies to be implemented by the Project Sponsor during large (up to 550-patron) events on weekend evenings in Downtown Menlo Park:

- Provide communications to patrons in advance of events by describing alternatives to driving to the Project site and parking Downtown. Potential mechanisms to advise patrons on alternative travel modes can include, but not be limited to:
 - Venue website: provide transportation option information in a 'FAQ' or dedicated transportation page. This page would describe options to arrive to the site, including information regarding TNC ride services and carpool matching.

⁸ CHS Consulting Group, field observation of TNC activity at 8 Tenth Street passenger loading zone, San Francisco, October 31 and November 1, 2017

⁹ HNTB, *San Francisco International Airport 2016-17 Curbside Congestion Study, Draft Summary Report*, January 2018

- At venue, post current public transportation options, including Caltrain and SamTrans schedules and maps, to provide information that encourages patrons and staff to use alternative transportation to get to the venue.
- Pre-show email sent by theater management or by approved ticket vendor, describing travel alternatives to driving to downtown.
- Provide event staff for purposes of actively managing passenger loading and unloading along the El Camino Real curb side in front of the theater prior to and after events. Active management would consist of event staff assisting event patrons that are boarding and alighting vehicles curbside with the objective of ensuring that no vehicles dwell curbside for longer than one minute, consistent with expected curbside vehicle arrival rates of one vehicle every 1.1 minutes. Vehicles dwelling longer than one minute at the curbside would be directed to leave the passenger zone. By ensuring that vehicle dwell time at the curb would not exceed expected curbside vehicle arrival rates, staff would thereby ensure an orderly discharge and pickup of passengers with no greater than three vehicles in the passenger loading zone queued at any one time (given the existing 70-foot, three-space passenger zone), so that the potential for vehicle spillover into adjacent El Camino Real travel lanes would be minimized to the greatest extent possible.

The preceding parking analysis concluded that the current Downtown Menlo Park parking supply is expected to adequately absorb the demand generated by Guild Theatre events without creating any parking capacity issues. In the event of a future downtown parking capacity issue, the Project Sponsor could explore the possibility of implementing the following additional parking demand management strategies:

- Offer patron incentive to ride TNCs to events. The Guild Theatre could partner with TNCs by offering discounted rides to patrons. For example, the venue as a one-time incentive could purchase a block of discounted rides through the TNC services and in turn offer them to patrons via a discount code provided upon ticket purchase. This incentive would provide an option for patrons to get to downtown without needing to drive and find parking.
- In the event of an identified future parking shortage, provide Guild Theatre patrons and staff with a means to provide feedback on their parking experience. The primary format could be a written or web-based survey instrument to be administered following an event. The objective would be to determine whether patrons and staff experience any difficulties finding available parking prior to events or work shifts. Following the survey, the venue would provide a summary of this feedback to City staff that identifies any parking issues experienced by visitors and staff. If any issues are identified and/or persist over time, the venue would provide recommendations and action items to improve parking demand management through the above incentives or other means.
- Offer a patron incentive of discounted or comped food and beverage for riding Caltrain to the venue.



- Future collaboration with Caltrain in terms of train use programs and the potential to lease Caltrain parking for theater use during late evenings as might be needed in the event of a future downtown parking capacity issue.

CHS greatly appreciates this opportunity to provide this parking demand evaluation in the City of Menlo Park. Please contact me with any questions or comments on this study at (415) 579-9059. Thank you.

Appendix A - Parking Inventory and Occupancy within 1/4-mile of Guild Theatre

Guild Theater - Study Area Parking Occupancy Survey

Saturday, March 10, 2018 - 6-8PM and Friday, March 16, 2018 - 6-8PM

Public Parking Lot	Cross Streets	Supply	Saturday, March 10, 2018		Friday, March 16, 2018	
			Occupancy	Available	Occupancy	Available
Lot 8	Doyle Street	143	126	17	143	0
	Santa Cruz Avenue					
	Curtis Street					
	Menlo Avenue					
Lot 7	Curtis Street	96	54	42	89	7
	Santa Cruz Avenue					
	Chestnut Street					
	Menlo Avenue					
Lot 6	Chestnut Street	140	16	124	38	102
	Santa Cruz Avenue					
	Crane Street					
	Menlo Avenue					
Lot 1	El Camino Real	244	98	146	133	111
	Santa Cruz Avenue					
	Chestnut Street					
	Oak Grove Avenue					
Lot 2	Chestnut Street	91	38	53	67	24
	Ryans Lane					
	Oak Grove Avenue					
	Crane Street					
Lot 5	Crane Street	155	31	124	51	104
	Santa Cruz Avenue					
	Evelyn Street					
	Menlo Avenue					
Parking Lot Total		869	363	506	521	348

Appendix A - Parking Inventory and Occupancy within 1/4-mile of Guild Theatre

Guild Theater - Study Area Parking Occupancy Survey

Saturday, March 10, 2018 - 6-8PM and Friday, March 16, 2018 - 6-8PM

On-Street Location	Cross Streets	Supply	Saturday, March 10, 2018		Friday, March 16, 2018	
			Occupancy	Available	Occupancy	Available
Menlo Avenue - South	Crane Street	8	4	4	6	2
	Chestnut Street					
	Chestnut Street	9	6	3	6	3
	Curtis Street					
	Curtis Street					
Doyle Street	6	5	1	5	1	
Menlo Avenue - North	Crane Street	6	2	4	3	3
	Chestnut Street					
	Chestnut Street	7	4	3	6	1
	Curtis Street					
	Curtis Street					
Doyle Street	8	8	0	8	0	
Doyle Street - East	Santa Cruz Avenue	9	9	0	9	0
	Menlo Avenue					
Doyle Street - West	Santa Cruz Avenue	8	7	1	7	1
	Menlo Avenue					
Curtis Street - East	Santa Cruz Avenue	8	6	2	6	2
	Menlo Avenue					
Curtis Street - West	Santa Cruz Avenue	8	3	5	3	5
	Menlo Avenue					
Chestnut Street - East	Oak Grove Street	12	9	3	9	3
	Santa Cruz Avenue					
Chestnut Street - West	Oak Grove Street	13	13	0	11	2
	Santa Cruz Avenue					
Crane Street - East	Santa Cruz Avenue	8	2	6	7	1
	Menlo Avenue					
Crane Street - West	Santa Cruz Avenue	9	3	6	9	0
	Menlo Avenue					
Santa Cruz - South	Crane Street	8	8	0	6	2
	Chestnut Street					
	Chestnut Street	19	19	0	16	3
	Doyle Street					
	Doyle Street					
El Camino Real	4	4	0	4	0	
Santa Cruz - North	Crane Street	10	7	3	2	8
	Chestnut Street					
	Chestnut Street	17	16	1	16	1
	Doyle Street					
	Doyle Street					
El Camino Real	4	3	1	4	0	
Oak Grove Street - South	El Camino Real	11	4	7	6	5
	Chestnut Street					
On-Street Parking Total		192	142	50	149	43

Guild Theater - Study Area Parking Occupancy Survey

Parking Type	Supply	Saturday (3/10/2018)		Friday (3/16/2018)	
		Occupancy	Available	Occupancy	Available
Off-Street Parking	869	363	506	521	348
On-Street Parking	192	142	50	149	43
Total	1,061	505	556	670	391

Note: Parking surveys were conducted on Saturday, March 10, 2018 and Friday, March 16, 2018 between 6-8PM

THIS PAGE INTENTIONALLY LEFT BLANK



REGULAR MEETING MINUTES

Date: 4/23/2018
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Drew Combs called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes, Drew Combs (Chair), Larry Kahle (Vice Chair), John Onken, Henry Riggs, Katherine Strehl

Absent: Susan Goodhue

Staff: Deanna Chow, Principal Planner, William McClure, City Attorney, Matt Pruter, Associate Planner, Corinna Sandmeier, Senior Planner

C. Reports and Announcements

Principal Planner Deanna Chow thanked Chair Combs and Commissioner Kahle, expressing gratitude and appreciation for their service as Chair and Vice Chair in the Planning Commission, respectively. She also stated that Arlinda Heineck, Community Development Director who is retiring, and Jim Cogan, Housing and Economic Development Department Manager who is leaving the City, would both be receiving proclamations at the April 24 City Council meeting.

Commission Comment: Commission Strehl commented on a residence located on her street, valued at \$3.8 million, that was listed on an English short-term lodging website similar to Airbnb for \$750 per night. She expressed concern at this operation, and asked whether the City could allow any of these short-term rentals.

Principal Planner Chow stated that the City has no regulations that restrict short-term rentals of this nature. She noted that there were tenancy requirements, however, for secondary dwelling units.

D. Public Comment

- Matthew Zito, Chief Facility Officer, Sequoia Union High School District, stated that the School District had not yet received any communication from The Sobrato Organization. He said that the School District wants to look at The Sobrato Organization's plans, expressing concern that the new high school adjacent to the Sobrato project will be quite close. He also stated that the School District wants to collaborate with The Sobrato Organization in designing their open space together. Lastly, he expressed interest regarding the areas formerly zoned as M-2 (General Industrial District), particularly the areas that are now zoned R-MU (Residential Mixed

Use District), emphasizing the obstructions from the third floor deck at the new high school and the fact that 400 students will be attending.

Chair Combs said that he found it interesting that the School District is speaking at this time from the same perspective of concern that many local residents and stakeholders had conveyed when the School District was obtaining the permitting necessary for their new high school.

E. Consent Calendar

None

F. Public Hearing

- F1. Use Permit/Joseph R. Junkin/415 Pope Street:
Request for a use permit to demolish an existing one-story single-family residence with a detached garage and construct a new two-story single-family residence with a detached one-car garage on a substandard lot with respect to lot width in the R-1-U (Single Family Urban Residential) zoning district. ([Staff Report #18-037-PC](#))

Staff Comment: Associate Planner Matt Pruter said there were no additions to the staff report.

Applicant Presentation: Roger Kohler, the project architect, said that he and the property owner, Joe Junkin, talked with all neighbors and completed a number of revisions per their commentary. He said the improvements included adding trees along the side yard and bulk and massing improvements. He also stated that the main residence would be two stories in height, the existing garage would be demolished, and the materials would include horizontal boards and real wood siding. Mr. Junkin stated that his family needed additional space in their home.

Commissioner Larry Kahle commented on the fact that the base flood elevation (BFE) on site was 34.5 feet, yet the finished floor of the first floor was 36.9 feet in height, and asked why there was a nearly 2.5-foot difference. Mr. Kohler stated that they were avoiding pressure-treated wood, and that they had done work similar to this on many homes in the flood zone before. Commissioner Kahle then confirmed with Mr. Kohler that there would also be duct work below the first floor. Commissioner Kahle then asked whether the home's corner boards would be painted to match the siding or not. Mr. Kohler said that a different color would be used for the corner boards, noting that typical homes that his company had worked on in the area have been painted in a similar manner. Commissioner Kahle then suggested that they could consider matching the siding and not paint the corner boards differently.

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

Commission Comment: Commissioner Riggs asked the applicant about why they chose to use privet trees. Mr. Junkin said that they currently had healthy privets in the front yard that they found to be evergreen and hearty. He then described their height of 15 to 20 feet, their bushy form, and their ability to provide adequate screening as preferred qualities. He expressed their overall preference for this planting choice, and that their neighbor had also requested this choice as well. Commissioner Strehl suggested using podocarpus as it was a healthy plant and grew relatively fast and could be a hedge or tree.

Commissioner Kahle said it was a well designed project that would fit the neighborhood. He moved to approve as recommended in the staff report. Commissioner Riggs seconded the motion. He said he agreed with Commissioner Kahle to paint the corner boards the same color as the body of the house. He said it was only a suggestion and mentioned there were homes in the Willows that the applicant could look at to see how painting the corner boards the same as the house harmonized and allowed the trim they wanted to be highlighted such as eaves, rake, and window and door frames to stand out appropriately.

Commissioner Barnes said it would be a nice addition to Pope Street and the Willows. He said it was architecturally in keeping with the spirit of that street.

ACTION: Motion and second (Kahle/Riggs) to approve the use permit as recommended in the staff report; passes 6-0-1 with Commissioner Goodhue 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 Kohler Architects, consisting of 13 plan sheets, dated received April 9, 2018, and approved by the Planning Commission on April 23, 2018, 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 Kielty Arborist Services, LLC, dated received February 23, 2018.

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

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised project plans that indicate flood vents on both proposed structures to satisfy FEMA requirements (1 sq. in. for every 1 sq. ft. of enclosure below BFE). The revised project plans shall be subject to review and approval of the Planning Division and/or Engineering Division.

F2. Use Permit/James L. Chesler/24 Sunset Lane:

Request for a use permit to perform excavation within the required left side and rear setback to a depth greater than 12 inches for landscape modifications, including the construction of a new retaining wall, on a standard lot in the R-1-S (Single Family Suburban Residential District) zoning district. ([Staff Report #18-038-PC](#))

Staff Comment: Associate Planner Pruter said there were no additions to the staff report.

Questions of Staff: Commissioner Riggs confirmed with staff for the record that there were no building or architectural changes and the application was related to a site issue.

Applicant Presentation: Patrick Whisler, project landscape architect, introduced the property owner Jim Chesler. He said their application was for grading within a setback due to an upslope in the rear yard that was restricting the usable area for the family and recreation in the backyard. He said this work would open that space up a bit with a retaining wall system. He said to blend with the slope they used terracing with a smaller planter wall in front. He said the shaded area on Exhibit D3 showed the area of excavation within the setback. He said Exhibit D4 went through the sections of the wall that demonstrated the terracing. He said on Exhibit D5 they could see the intent for the final buildout to install a swimming pool and spa, which would be under a separate building permit.

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

Commission Comment: Commissioner Onken said the project was straightforward and he did not see any harm done by the retaining wall. He moved to approve as recommended in the staff report. Commissioner Barnes seconded the motion.

ACTION: Motion and second (Onken /Barnes) to approve the use permit as recommended in the staff report; passes 6-0-1 with Commissioner Goodhue 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 Michael Benison, consisting of eight plan sheets, dated received on April 6, 2018, and approved by the Planning Commission on April 23, 2018, except as modified by the conditions contained herein, 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 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.
 - f. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the recommendations in the arborist report by Kielty Arborist Services, LLC revised July 30, 2017.
- F3. Use Permit/Philippe and Sayeh Morali/1076 Santa Cruz Avenue:
Request for use permit to demolish an existing one-story, single-family residence to construct a new two-story home on a substandard lot with regard to lot width in the R-E (Residential Estate) zoning district. As part of the proposed development, two heritage-size redwoods, one heritage-size palm, and one heritage-size fig tree are proposed for removal. The project includes a six-foot-tall front fence that would meet the height and design standards for fences on residential properties fronting Santa Cruz Avenue. ([Staff Report #18-039-PC](#))

Staff Comment: Principal Planner Chow said staff had no additions to the written report.

Applicant Presentation: Dave Terpening, project architect, said they had brought a project to the Commission for this site in 2008 that was approved. He said due to financing and delays the project was never done. He said the proposed project was much the same as the project that had been approved in 2008.

Commissioner Strehl asked if the proposal was the same or not. Mr. Terpening said in 2008 the variance from the daylight plane was not approved but the building with adjustments was. He said this proposal was that building with the adjustments. Commissioner Strehl confirmed in 2008 that the applicant had requested removal of the heritage redwood trees, and asked what happened. Mr. Terpening said the tree removals were approved.

Commissioner Kahle said the lot was very deep and two redwood trees, #20 and #21, at the front were proposed for removal. He asked if they had considered moving the new structure further back and keeping the two redwoods as they seemed to be in fairly good condition. Mr. Terpening said they had not as they wanted to keep the backyard as it was and the site had numerous redwood trees on it. Commissioner Kahle confirmed with the applicant that the roof tiles were two-piece and the shutters were operable.

Chair Combs opened the public hearing.

Public Comment:

- Ashley McReynolds introduced her husband Zach McReynolds. She said they lived next door. She said their home was on Arbor Road and the neighbor's home was on Santa Cruz Avenue. She said the redwood trees in the front were very important to keep. She said the lot subdivision resulting in her parcel and the subject parcel left her lot with most of the backyard taken up with a retaining wall to maintain the redwoods. She said they were concerned with the effect of the drought on those trees. She said they were also concerned with the removal of heritage trees near the trees on her lot that there could be damage done. She said they already felt the trees were in a precarious state on Arbor Road and they wanted to log that as a concern. She said the distance between their home and the proposed home was very tight and they would like that carefully reviewed. She said they had significant privacy concerns. She said the subject lot was very large with a lot of space that broadened significantly in the rear yard and the project home was proposed on the narrower part of the lot. She said it appeared that her master bathroom window would be only 10 to 15 feet from one of the project windows with a direct view. She said the two wonderful homes should be able to sit together on these lots with privacy and the beauty of the neighborhood through the trees being retained.
- Zach McReynolds said they would like the Morali family to consider moving the house back on the lot rather than putting it within a foot exactly of the shadow of their home. He said once heritage trees were removed they could not be returned. He said they requested the Commission and applicants consider planting additional trees to replace the removed trees.

Chair Combs closed the public hearing.

Commission Comment: Commissioner Kahle said the proposed design was nice and would fit with the neighborhood. He said that an existing well shown on the site plan might be the hindrance to

moving the house back on the lot. He asked if there was support on the Commission to save the two redwood trees and move the structures back on the property some distance to make that work.

Chair Combs said the City Arborist had approved the request to remove three heritage trees as they were located in the path of construction. Principal Planner Chow referred to the staff report statement that the City Arborist had relayed that removal of the other three heritage trees, the palm and two redwoods, was not justified based on health, structure, or similar issues; however, the trees were in the path of construction, which the Heritage Tree Ordinance permits as a basis for removal. She said the tree removal permits would be issued if the Planning Commission approved the use permit.

Commissioner Onken said the fig tree was in the path of construction and its removal would not affect the neighborhood. He said the palm tree was within the footprint of the new home. He said the proposed project was tight to the front setback line maximizing the front yard. He said given the pressure on the trees and some of the concerns he would like to see the house shifted back five or 10 feet. He said that might allow one of the redwoods to be saved in the front. He said the proposed design was well planned and he liked the L-shape of it. He said overlooking of the neighbors was minimal as there was only a small bit of a second story with some small windows.

Commissioner Barnes said he did not think moving the house back would prejudice the overall enjoyment of the lot. He said he could support the house being set back more although he did not know what distance that should be and would wait to see if others supported 10 feet or what.

Commissioner Strehl said she agreed with the idea of moving the house back. She said she was curious to hear if the applicants would be willing to move the house back and potentially save one of the redwood trees.

Philippe Morali, property owner, said they designed the home with great thought to the neighbors including not having a view to others properties. He said one of the reasons they wanted to move into the area was the trees, and the oak tree was one of the reasons they loved this lot. He said they would like to protect as much as possible their backyard noting the lot was on a busy street. He said the house was designed to put enough space between the house and the street, and move all the living areas toward the back.

Commissioner Riggs asked if the design could still meet the owners' goals and move the house west enough to keep the two redwood trees. Recognized by the Chair, Mr. Terpening said it was feasible but he questioned the reasons for doing it. He said the site had a jungle of redwood trees at its corner and there were a number of redwoods both on the property and immediately adjacent. He said for the record that the arborist addressed all the trees on the lot and the trees just off the lot. He said the reason the home was positioned where it was relative to the side yard was to maintain a garden for the office/study on that side of the house and not just to provide distance from the active well. He said regarding privacy that the majority of the windows were oriented to the street or to the east and west, and not north and south, and where it abutted Arbor Road most of the building was single-story. He said the windows on that side of the house would look at the fence. He said if they pushed the house back it increased the driveway and had some implications. He said they could move the house back but he did not think it was needed. He said also it should be noted that they were replacing the heritage trees with additional heritage trees and additional trees that could go to heritage size as shown on the landscape plan.

Commissioner Riggs said the issue seemed to be the redwoods in front that were sort of an extension of the street canopy. He said the oak tree was in the street canopy and then seen from the street about 40 feet back you see redwood trees that helped define the street and neighborhood. He asked if the replacement trees would be in that line of sight and redwood trees. Mr. Terpening said the trees would be replaced on the fence in the rear yard. He noted his experience working in heavily wooded residential areas. He said the two dominant trees from the street were the valley oak in the middle and the Deodar cedar essentially in the front setback in the middle of the garage. He said there was a stand of redwoods abutting the corner of the property the majority of which were off the site. He said two redwoods being proposed for removal did not have a significant visual impact on Santa Cruz Avenue whereas the redwood in the corner being saved had more visual impact on Santa Cruz Avenue. Commissioner Riggs asked if the applicant was open to planting a redwood tree in the front yard. Mr. Terpening said certainly.

Commissioner Riggs said redwood trees grew fairly fast. He said the front of this property had two large and two potentially large trees. He said Deodar cedar seemed to never stop growing. He said he thought the oak tree was the more valuable species and would benefit from a break from other species. He asked the Commission to consider that a replacement redwood tree in the setback area would, in 15 years or so, continue the redwood theme along the street as a compromise to relocating the building. He said the architect had gone to some trouble to arrange windows and consider privacy to neighbors.

Commissioner Onken asked the applicant about the driveway as it seemed to create a very odd angle for a car to pull out onto Santa Cruz Avenue. He asked if they should be worried about safety. Mr. Terpening said they examined this with the civil engineer and landscape architect. He said there was enough room on the driveway because of the position of the gate and the distance between the gate and street to position a car so it was pretty close to 90° by the time the car was negotiating the exit. He said the curb cut was straight when it crossed the sidewalk. He said regarding the replacement of the redwood tree that he had looked at the plans and thought that one or two would best be planted to the right of the driveway in the triangular area as no trees were proposed there, it was a good distance from the oak and better than in the south area where there was a stand of redwoods.

Commissioner Kahle said moving the house back would help the relationship to adjacent structures and noted the distance between the back of the house and rear property line was 135 feet. He said regarding fronting a busy street that keeping two mature redwood trees would help screen visually and diminish noise. He asked staff if the Planning Commission should suggest a distance to move the house back and then have the Arborist review. Principal Planner Chow said the Planning Commission could provide a number. She said however since it was related to trees that it would be wise to get an updated arborist report to see what would be needed to protect the trees, if that was the direction of the Commission.

Commissioner Strehl noted that currently there were 13 heritage trees with four proposed for removal, leaving nine heritage sized trees of which some were redwood and one was a substantial oak tree. Recognized by the Chair, Mr. Terpening said there were 12 redwood trees on the property and additional ones just adjacent to the property line that straddled that line. He said they were also replacing four heritage sized trees and would have 28 trees in total on the lot.

Commissioner Strehl said she had asked about relocating the house but after Commissioner Riggs' comments and the willingness of the applicant to replace one of the heritage redwood trees

with a redwood tree in the front of the property that she could support the project as recommended in the staff report. She moved to approve the use permit as recommended in the staff report with the addition of a new redwood tree at the front of the property in the triangle next to the driveway. Commissioner Riggs said he would like to second the motion. He said he noticed that the screening trees on the left side of the property were proposed as fruit trees. He asked if those were intended to be evergreen fruit trees. Recognized by the Chair, Mr. Terpening said he did not know if they were intended for screening as there was a fence and hedge on that side already. He said they might screen by virtue of height. Commissioner Riggs said the landscape plan indicated they were for screening. Mr. Terpening said he would have the landscape architect label them as evergreen on the final plan or make a note of it now. He said in any case they were willing to plant evergreen type trees there.

Commissioner Riggs asked the maker of the motion if she wanted to include that. Commissioner Strehl accepted that addition to her motion. Commissioner Riggs said he would second the motion to approve that would include the addition of the redwood tree in the front and confirming the left side property line trees indicated for screening of the second story windows were evergreen.

Commissioner Kahle said he was about to make a motion to move the house back and would not support the motion made.

Chair Combs said he could support the motion but shared Commissioner Kahle's concern and belief that the house could be possibly pushed back. He said he did not know whatever dependencies would arise from doing that.

ACTION: Motion and second (Strehl /Riggs) to approve the use permit with modifications; failed 3-3-1 with Commissioners Combs, Riggs and Strehl supporting and Commissioners Barnes, Kahle, and Onken opposing, and Commissioner Goodhue absent.

Commissioner Kahle moved to approve the design of the home with the conditions in the staff report and moving the structure back approximately 10 feet to be verified by an arborist with the goal to maintain and preserve the two redwood trees in the front, and to verify that the screening trees on the left side property line were evergreen.

Commissioner Strehl asked if the applicant would have to return to the Commission and whether it was the City Arborist who would determine how far the house should be set back. Chair Combs said the City Attorney had indicated that was correct. Commissioner Strehl asked if it could be done by conformance memo. Chair Combs said that the Arborist would need to confirm the distance for preservation of the redwood trees. Commissioner Strehl asked what if the Arborist said the house had to be set back 15 or 20 feet to preserve those redwoods. She said that could result in other trees needing to be removed. Chair Combs asked if Commissioner Kahle wanted to put an upper limit on how far the house should be moved back to accommodate the trees, and default to the approval as outlined in the staff report. Commissioner Kahle said he would not as if the Arborist proposed something excessive the applicant had chance for recourse. Chair Combs said the applicant's recourse would be to come back to the Commission unless something was in the action to allow for an alternate outcome. Commissioner Kahle said the backyard was very deep and he saw no unintended consequences in moving the house back from the street.

Commissioner Barnes said he could support moving the house back as so many lots have the inability to work around heritage trees. He said he did not like creating delay for the project.

Principal Planner Chow said the Commission could approve with the recommendation to move the house back subject to receiving additional input from an updated arborist report from City Arborist and determine what that setback was. She said if that setback was something the applicant felt was a hardship the approval could have a condition that they could come back and have more discussion, but if they were fine with the requirement, the project could move forward to the building permit and the Commission would not need to see it again.

Commissioner Strehl said Commissioner Riggs had pointed out a heritage tree in the backyard that might need to be removed if the house was pushed back. She said the applicant had gone a long way in making concessions, planting an additional redwood tree to replace one of the redwood trees, and this project had been approved back in 2008. She said she presumed the same issues were before the Commission at that time. She said she did not think what the motion proposed was fair to the applicant. She said she was a great supporter of trees but the property would have 41 trees as proposed, many of which were heritage. Replying to Chair Combs, Commissioner Strehl said she could not support the motion as proposed.

Commissioner Riggs said they were really talking about heritage tree #21 as it appeared to be within the footprint of the garage. He said he had done an addition next to a very mature redwood tree where he added to the existing building and built a wall 18-inches from the tree. He said the foundations were to be bridging foundations if necessary. He said if the goal was to preserve that tree he would let the arborist's guidelines indicate how far back to move back the house. He suggested modifying the motion that rather than define 10 feet as the distance to move the house back to state move the house clear of the trunk with no major roots cut or interrupted by the foundation per arborist guidance.

Commissioner Kahle said he would remove the 10 foot distance and leave it to the Arborist. He said he was confident this could be handled at the staff level. Commissioner Onken seconded the motion. Chair Combs said the motion was to approve the use permit as recommended in the staff report with a condition that the structure be moved back to a distance determined by the City Arborist as a goal to preserving the redwood trees in the front of the lot and confirmation that the trees on the left side of the property were evergreen. Commissioner Strehl asked if an upper limit was being placed on the distance the house would need to be moved. Chair Combs said it was not. Chair Combs said if this motion was approved the applicant would have an approved project and the applicant would make some determination about what the arborist recommended and whether that was something he wanted to move forward with or not. He asked if the applicant did not want to move forward if he had the ability to appeal the Commission's decision to the City Council. Principal Planner Chow said the applicant could return for a reconsideration of the Planning Commission's decision, if the Commission wanted to build that into the motion. She said the applicant might not necessarily want to appeal as they might not have the information within the next 15 days needed for their appeal.

Commissioner Strehl asked if they could weigh in with the applicant. Recognized by the Chair, Mr. Terpening said he was not happy with having the project put in the hands of the City Arborist to make this design decision, and he did not want to bring the project to the Planning Commission again. He said the last time they brought this project to the Commission they had waited for almost four months to get there. He said to date an extensive amount of money had been spent with no building plans in sight, which he was stating for the record. He said he did not want an arbitrary decision made by the City Arborist about where the house should be placed. He mentioned his

years of experience and building homes within 18 inches of trees in Atherton, Woodside, and Portola Valley. He said they had a project arborist and he would want him to be involved in this decision making process. He said he wanted a decision on the distance for the house to be moved now. He said if the City Arborist said 40 feet the project would have to go back through the Commission review process, which he did not think was appropriate.

Principal Planner Chow said to clarify that staff would ask the applicant to have their arborist prepare an updated arborist report and the City Arborist would evaluate the recommendations in that document, and either agree with the recommendations made or work with the consulting arborist.

Commissioner Onken asked if the motion could be changed to move the house back eight feet, preserve tree #29, and grant the use permit. Principal Planner Chow said to confirm that the two heritage trees the Commissioner wanted to preserve were trees #20 and #21. She said tree #29 was non-heritage and asked if it was to be preserved. Commissioner Onken clarified that the house would be moved back eight feet, tree #21 would be preserved, and the trees on the left side would be confirmed as evergreen. Commissioner Riggs suggested that rather than guessing from the site plan what the distance was to recommend that the building be three feet clear of tree #21 at breast height. He said the conditions already included that an arborist approval was needed for any foundation within the dripline. Commissioner Kahle asked about the two-foot roof overhang. Commissioner Riggs asked if he thought it should be two or three feet clear of the roof overhang. Commissioner Kahle said that was why he pulled the distance from his motion as he was not an arborist and did not know what should be recommended. He said he did not think something egregious like 40 feet would be recommended. He said he understood the applicant's frustration and was also looking at the neighbor's frustration with the screening trees. Chair Combs confirmed with Commissioner Onken he could still support the motion as the maker of the second. He said although the motion would restrict the applicant it was the best alternative for the applicant getting an approved project this evening.

Recognized by the Chair, Mr. Morali expressed his concern with the proceedings as he had many professionals expend a great deal of effort to design the best house for all. He said he was sorry that tree #21 had to be removed under the current design. He said they would have more trees on their property after the house was built than there were presently. He said if a solution to address the Commission's concerns was to commit to more trees they would. He said he did not know if shifting the structure would impact their well, which was something they wanted to keep functional. He said he felt that the Commission was trying to redesign the house and that caused him great concern. He said to change the design now to preserve one tree without knowing what the implications were on the whole property made no sense.

Commissioner Onken said it was not just the tree. He said when he saw a house on this size of a lot come tight to the front 20-foot setback that was arbitrary in location and needed to fit into the context of the lot. He said he also thought the front driveway was compromised by having the house at the 20-foot setback. He said he would support having the house moved back.

Commissioner Kahle said he agreed with Commissioner Onken's comments. He said regarding the well that the current design had a fireplace next to it so moving the house back would help to protect the well. He said the design of the house was great and they were not redesigning it. He said the project was approved 10 years ago and the trees had grown since then. He said if he had designed the house he would have tried to keep as many of the screening trees as possible. He

said he did not think it an imposition to keep this tree.

Principal Planner Chow said the applicant was proposing to remove heritage trees #20 and #21. She asked if the motion was to preserve just tree #21 or #20 as well. Chair Combs said the intent was that the City Arborist makes a determination regarding how far the structure needed to go back on the lot to preserve heritage trees #20 and #21.

Commissioner Riggs said if the landscape architect had been faithful to tree size measurements that the two redwood trees were significantly smaller than the Deodar cedar located in front of them. He said he suspected the two redwoods based on how fast the species grows were probably not heritage size in 2008. He asked staff for the diameter of the cedar and of the redwoods #20 and #21. Principal Planner Chow said the diameter of tree #20 was 15 inches, #21 was 16 inches, and the cedar was 23 inches. Commissioner Riggs said the redwoods were not particularly big and it was possible that the applicant could replant and get close to existing size for new redwood plantings.

ACTION: Motion and second (Kahle/Onken) to approve the use permit with modifications; failed 3-3-1 with Commissioners Combs, Kahle, and Onken supporting and Commissioners Barnes, Riggs, and Strehl opposing, and Commissioner Goodhue absent.

Commissioner Strehl moved to continue the item until an arborist report was made on how far the house needed to be moved to protect at least tree #21 as tree #20 was only 15 inches in diameter. Commissioner Barnes seconded the motion.

ACTION: Motion and second (Strehl/Barnes) to continue the item for a report from the City Arborist on how far the house needed to be moved to protect tree #21; passed 6-0-1 with Commissioner Goodhue absent.

Chair Combs noted a number of speaker slips for the next item F4. He said that he would open for public comment after the applicant's presentation and before the Commission's questions and discussion with the applicant. He indicated he could again open for public comment period at its usual place after the Commission's questions and discussion with the applicant.

- F4. Specific Plan and Zoning Ordinance Amendments/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real:
Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. The project includes a request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project. ([Staff Report #18-040-PC](#))

Staff Comment: Senior Planner Corinna Sandmeier said this was the Guild Theater Project. She said on January 29, 2018 the project was identified as a top City Council work plan priority and on

February 13, 2018 the Council held a special study session on the project. She said on March 23, 2018, the Peninsula Arts Guild submitted the formal application and on April 11, 2018, the project went to the Housing Commission. She said the Housing Commission recommended approval of the applicant's proposal to pay the Below Market Rate Housing (BMR) in-lieu fee. She said the project was a Specific Plan and Zoning Ordinance Amendment, architectural control to construct a basement and second story at the existing Guild Theater, a use permit to allow small scale commercial recreation and a bar, a public benefit of allowing community events at the project site, and a BMR Housing in-lieu Agreement. She said condition 5.a.ii had a typo so the correct Specific Plan preparation fee for the project was \$7,519.02 and for condition 5.a.iv.the applicant would like to include Monday through Thursday live entertainment events. She said the latter condition would be modified to read: *No more than three live entertainment or movie events shall be held between Friday and Sunday during the hours of 7:00 p.m.to 11:00 p.m. with adequate time for setup and close by staff before and after those hours. Occasional live entertainment or movie events may be held on weeknights during those same evening hours. Any movie or community event held outside of those hours shall not exceed the current theater capacity of 266 persons.* She said the condition in the staff report said 277 persons but the correct current capacity was 266 persons. She said if the Commission would like staff to move forward with this proposed condition they would review the applicant's updated parking information prior to the City Council hearing. She said for condition 5.a.v there was an update: *Prior to building permit issuance, the applicant shall submit a fee schedule that sets the maximum reduced rate for community groups, subject to review and approval of the Planning Division and City Attorney.*

Senior Planner Sandmeier said correspondence was received after publication of the staff report and most of it was very supportive. She said one email expressed concerns with a preference to keep the theater as it was. She said two other emails had concerns about circulation

Ms. Sandmeier said the next steps would be a City Council hearing scheduled for May 22, 2018 and a second City Council hearing for the second reading of the ordinance scheduled for June 5, 2018.

Questions of Staff: Commissioner Onken asked about the revised condition language of no more than three performances between Friday and Sunday as that could be read as 12:01 Saturday morning to 11:59 Saturday night. Senior Planner Sandmeier said perhaps a better way to state it would be Friday to Sunday. She said as noted the applicant would like to expand that and staff was seeking Planning Commission input on that.

Applicant Presentation: Drew Dunlevie, Menlo Park, said the project needed to move forward quickly or it might derail and go somewhere else. He said they were the Peninsula Arts Guild, a nonprofit and their Board members were Pete Briger, Thomas Layton and him. He said they formed simply to find a place to build, reconstruct, refurbish, or to put together to bring great performances to the Peninsula. He said the Guild was local and it needed help. He said single-screen art house theaters were in trouble. He said they wanted to continue showing movies at the Guild but enhance it so it allowed many more people in Menlo Park to experience great, enriching, and entertaining things.

Chris Wasney, CAW Architects, Palo Alto, said his firm had deep expertise in existing buildings and performance spaces. He said essentially they would be building a ship in a bottle as the site was very constrained, and they had a lot to fit within it. He said the parking behind the building belonged to a different property. He said the lot had about a zero lot line on the northern edge and a six-foot alleyway, noting the latter was an important amenity as all the ingress and egress would

go through there. He said demolition would be substantial. He said originally they thought all exterior four walls would be kept but their survey illustrated that the front façade and the northern façade were several inches over the property lines. He said they would build a basement and increase the height by 10 feet.

Chair Combs opened the public hearing.

Public Comment:

- Ray Mueller, Vice Mayor of Menlo Park, said he was speaking as a resident. He said he knew about this project before it came forward. He said Council had known for years that the Guild was threatened. He said projects for the Guild had come forward and he had also worked with Judy Adams' group, *Save the Guild*. He said none of those projects brought applications to the City. He said that Mr. Dunlevie had talked to him about building an entertainment venue somewhere on the peninsula, and he had suggested Menlo Park to him. He said Mr. Dunlevie met with the property owner and came forward quickly with a project. He said the City had not put entertainment into the Specific Plan, thus the need for an amendment. He said one of the topics the Commission would consider was public benefit. He said it was a benefit and quality of life for residents to be able to go dancing with their friends and listen to live music. He said another issue for discussion was parking. He said the City had many lots downtown that were not used. He said if the parking directed toward this use was downtown, people visiting that venue would be parking downtown near restaurants. He said if there was enough demand they might charge for parking at night.
- Judy Adams, Menlo Park, said she fully supported the project. She said she looked at the proposal from the public benefit category and from the interest she had been representing in film. She said she was impressed with the proposal's efforts to accommodate balancing arts programming in addition to live entertainment, including film arts. She said from that viewpoint the groundwork had been conscientious and creative. She said the building design included a reconfigurable floor space with basement storage for theater quality seats, preserving the cinema capability as another public benefit. She said the proposed façade and Guild sign or reproduction of it respected the long history of film at the Guild. She said the consulting group's research on parking and circulation also addressed scheduling issues to mitigate impacts of a multi-use venue. She said the transformation of the Guild would allow it to become a base for Indie films and film festivals.
- Karli Cleary, Menlo Park, said she was a strong supporter of the Guild. She said as a pediatrician and mother she knew that theater and cultural activities were important for youth, and it would be great to have those opportunities closer to home. She said this project was not only concerts, movies and culture but would support education as a place for children and parents to convene. She said she strongly supported the project as a resident and professional in the community.
- Jean Forstner, Executive Director, Kepler's Literary Foundation, said they were the nonprofit partner of Kepler's Books, located in Menlo Park for 65 years. She said they produced about 200 literary events annually at Kepler's and in local schools. She said they did their large events in a variety of theaters up and down the peninsula. She said they sought to provide programming to meet everyone's needs in their community. She said they were excited about

the opportunity to have the Guild also producing high quality and great cultural programming in the community. She said having such a venue was a great public benefit.

- Skip Hilton, Menlo Park, said he was a live music fan. He said one of the goals of the Specific Plan was to open up development to all kinds of opportunity and make Menlo Park a more vibrant town. He said projects along El Camino Real would bring more residents and employees and it was important to have things in town for them to do and spend money. He said although the Guild's location was somewhat constrained it was a benefit toward a more walkable City. He said this project would provide public benefit in providing cultural activities and a venue for other programming locally. He said having music events on weeknights would bring well known artists usually booked for weekends to put on a wonderful intimate show in Menlo Park.
- Eugene Perez said he owned a business in Menlo Park and lived in Belmont. He said his business was two stores down from the Guild. He said construction on Live Oak had disrupted his business several times already. He said this would be a big project, and asked where they would house the construction equipment, noting how tight space was there. He said they already had other businesses using their parking and sometimes their clients could not park because of movies at the Guild. He said the project would be great for the community but there was limited parking in the area.
- Jeffrey Son, San Jose, said the Menlo Park Japanese restaurant he owned was right next to Menlo Flooring, and he was worried with people's access to their businesses especially with the roads being so tight. He said his was a new business competing with four to five other Japanese restaurants within a 5 to 10 minute drive from his. He said he was concerned that he would lose potential customers and business due to construction interruptions and inconvenience of access to the restaurant and parking lot.
- Mert Mehmet, Fremont, said he also owned Menlo Flooring. He said his concerns were with the logistics when construction started as there was not much space to work in and there would be a lot of construction. He said construction ongoing next to them currently had already impacted their business with construction blocking access to their parking lot.
- Mark Bryman, Menlo Park, said he was a vibrant downtown advocate. He said Menlo Park deserved a state of the art, arts and community events venue. He said the architect indicated a lot was being squeezed into a small space. He said he did not know if all that was needed. He said he thought they could have a bigger, better, and a higher use venue that would serve the community in more ways but would ask less in terms of exclusions of certain requirements and things. He said he did not think all the possibilities had been explored and he did not think they were talking about a two to five year delay to determine the best way to get a state of the arts facility in Menlo Park that represented all of Silicon Valley.
- Alex Delly, Menlo Park, said he was in favor of the Arts Guild project but as it was currently proposed it was probably not as beneficial as it could be as numerous concessions had to be made to move it forward. He said he and his wife owned the two properties on either side of the Guild Theater and to date no one had approached them to discuss the proposed project. He said there should be dialogue with the adjacent property owners and noted he was open to having a discussion that could lead to a very improved project and make it much more worthwhile.

- Naya Chatterjee, Menlo Park, said that a small music venue would be an opportunity for the community to come together collectively to enjoy music of all genres. She said music had the power to bring about social closeness and a more vital and stronger community. She said the project would be a strong asset to the community.
- Daniel Abrams, Menlo Park, said he wanted to express his enthusiasm for the new Guild. He said he was a music fan and the venue would encourage the community to come together in new ways around music. He said he thought as a prior acoustical engineer that technology for sound isolation had advanced so that would not be an issue.
- Fran Dehn, Chamber of Commerce, said the Chamber asked the Council at its goal setting meeting to prioritize this unique advancement opportunity by the Peninsula Arts Guild. She said the ramifications of it went beyond the realms of entertainment and community gatherings as the project would also provide benefits to complementary businesses within Menlo Park. She said obvious synergy was with food and beverage businesses but when completed the project would extend benefits to and complement other established businesses and approved and planned mixed-use projects such as Middle Plaza, Station 1300, and the Merrill Street Santa Cruz Avenue project. She said a priority of the El Camino Real / Downtown Specific Plan had an established vision goal to revitalize, enhance and provide opportunities for a vibrant downtown. She said Peninsula Arts Guild would develop, fund and deliver this project that would have a positive ripple effect to all the local businesses.
- Catherine Carlton, City Council member, said she ran for City Council because she was so passionate about making efforts to enliven the downtown. She said she was speaking to the Commission tonight not as a Council member but a mother with two children. She said she was a live music and movie fan, especially art house movies. She said she was coming to speak to the Commission as she was very concerned with the time aspect of the project for if they did not move quickly the project would dissolve. She said there were traffic and parking issues but they would work through them. She assured the business owners near the project site that their businesses would be stronger in the end.
- David Tuzman, Menlo Park, said his home was across the street from the project site. He said being a nonprofit it would keep prices low and make it accessible to diverse audiences. He said as a musician he saw it not only as an opportunity to consume entertainment but an opportunity for local performers and organizers, particularly youth-led and organized performances and would offer enrichment other than the typical academic excellence and structure path. He suggested partnering with existing booking agencies to understand the mechanics and get wedged into connections for acts that would draw a crowd.

Chair Combs closed the public hearing.

Commission Questions of the Applicant:

Commissioner Onken asked about the existing theater capacity. Senior Planner Sandmeier said existing capacity was 266 persons. Mr. Wasney said the capacity was dependent upon the use and for cinema would be considerably less than the upper capacity for standing room general admission show, which if really packed would be just below 500 persons, measuring five square feet per person. Replying to Commissioner Onken, Mr. Wasney said expected capacity for movies

was about 135 persons. Commissioner Onken noted concerns about construction impacts, that the lot in back was not owned by the Guild's property owner and the business was located on a state highway, and asked how they would construct the project. Mr. Wasney said they had submitted a construction logistics plan required for their application. He said they had not yet selected a contractor but one of the firms on the short list was Vance Brown Builders that was currently working in Menlo Park. He said they wished they owned the parking lot behind but did not and could see no opportunity to service the construction or theater from there. He said the project would need to be built from El Camino Real. He said they would keep the sidewalk open and would involve two fulltime flaggers to control both vehicular and pedestrian traffic. He said it would be a great challenge for a very experienced general contractor. He said they would only use companies used to working on large projects on constrained sites. He said he was very sensitive to the business owners who spoke. He said the construction would be inconvenient but it would end, and he thought their businesses would benefit from the vitality.

Commissioner Barnes asked about parking ratios for a venue with a spread of occupancy from 135 to almost 500 people. Senior Planner Sandmeier said the consultant who worked on the parking study was present.

Andrew Kluter , CHS Consulting Group, said they were the applicant's parking consultant. He confirmed that Commissioner Barnes wanted to know parking ratios for theaters. Commissioner Barnes asked if prescriptive parking ratios were used per 1,000 square feet or if it was based on the intensity of use. Mr. Kluter said in doing a parking generation study for these types of projects they went by the expected number of patrons and that there was no onsite parking provided. He said looking at it from an off street parking perspective it was usually governed by the number of seats.

Commissioner Barnes asked under the Specific Plan amendment whether parking ratios for this proposed use had been contemplated, and what the methodology was. Senior Planner Sandmeier said this was a use not described in the Specific Plan parking chart. She said the Transportation Manager in that case determined the required parking. She said in this case the Transportation Manager reviewed the consultant's study and approved it. Principal Planner Chow said for reference that page K4 of the staff report said the worst case parking demand expected would be 271 vehicles for a 550-patron event. Replying to Commissioner Barnes, City Attorney Bill McClure said the parking was usually based on seats as for example restaurants. He said it included the parking ratio, if parking was required onsite, or if allowed off site, what the availability of the offsite parking was and if it was adequate. Commissioner Barnes said parking for restaurants under the Specific Plan was based on 1,000 square feet of gross floor area. Counsel McClure said in designing a restaurant they started with per seat and then converted it to square footage so it was consistent. Commissioner Barnes said his interest was to be given applicable parking ratios for this proposed use.

Commissioner Kahle said he was excited about live music, plays and book readings but he was a big movie fan. He said he had gone to the Guild for over 30 years. He said it seemed that movies would not be regularly scheduled as they were currently. Mr. Dunlevie said it would not be analogous to a Landmark Theater that showed a single movie for weeks but there could be movies regularly scheduled noting there was flexibility. He said he met with Noah Callan, who ran the San Francisco Film Festival and SF Film, to learn about how exhibition distribution happened and how those costs worked. He noted major changes in distribution and availability to purchase movies at home upon release. He said rather than have one movie for weeks they might show the 10 Oscar

finalist movies. Commissioner Kahle asked if movies were one of the three events per week. Mr. Dunlevie said that they would hold two discounted events per month and everything else would be made as cheap as possible. He said movie night might be one of the three events per week. He said they would like to have the bulk of their events on weekends when people were generally freer. He said what the flexibility of the weekday events alluded to was the possibility of drawing a big act showing locally on the weekends and coming to this venue on the way to their next big show elsewhere. He said an artificial cap on their performance numbers unless there was a reason to do that did not make sense otherwise. He said they were proving there was no traffic problem as the events would always be in the evening and demonstrated parking was plentiful then. He said if Ms. Adams wanted to put on a film festival on a Tuesday they would want to work with the community to make it available. He said the way they were constructing the theater was to have great flexibility on what events were held or movies shown. Commissioner Kahle said personally he did not see the need for a cap. He said there was no projection booth shown. Mr. Wasney said it was mounted in the ceiling. Commissioner Kahle asked if the technology was equivalent to the quality film shown in movie theaters. Mr. Dunlevie said it was high quality. Commissioner Kahle asked if the screen size was comparable to the Guild's current screen size. Mr. Wasney said it was smaller as the stage was smaller. He said the proportion of the house would change. He said the screen and stage were smaller but the distance from the front of the stage to the back of the theater was considerably shorter than currently. He said the Shalett Collaborative System designers out of Berkeley would handle everything from the audiovisual and theater projection system.

Commissioner Kahle asked if the intent in taking the marquee down was to preserve it as much as possible or if it would be partially saved and rebuilt. Mr. Wasney said their intent and hope was to take it down and have the best neon expert in Oakland do its restoration. Commissioner Kahle asked if they had considered other materials than stucco for the front façade or something to break up the stucco. Mr. Wasney said they could study that once they got into design development. He said it was a concrete bunker and hadn't a lot of depth to add skins and rain screens and such. He said the basic massing, fenestration and proportions of the building were well thought out. Commissioner Kahle suggested they look at the one squarish window for the box office where currently there were two and consider wrapping it into the opening to help open it up some. Commissioner Kahle noted interior features like the gold wings and asked if thought had been given to using some of those features in the new design. Mr. Wasney said they had not gotten to the interior design noting it had an eclectic collection of things salvaged from all over that did not have historic value in the sense of a listed resource. He said however they were character defining features and they were open to looking at those for keeping. Commissioner Kahle asked about the expected time for construction to opening the venue, and construction staging. Mr. Wasney said the project completion would take 16 months and they did not have an offsite location for staging construction equipment yet.

Commissioner Riggs asked about the EIR process and potential for traffic study. City Attorney McClure said there was an Addendum to the Program EIR that was part of the package. He said a checklist was done with the conclusion that there was no potential significant impact that was not evaluated as part of the Program EIR and the mitigation measures in the Program EIR were sufficient to address the impacts of the project. He said the site was an existing 266 person capacity venue with an increase of 250 or so for the largest events and was off peak in terms of traffic. He said the City did not have a traffic peak from 7:00 to 10:00 p.m. any night let alone on a weekend night. He said essentially by definition there would not be a significant impact. He said normally the project would be exempt from environmental review as it was less than 10,000 square

feet of net new area. He said as it was not part of the Program EIR it was simpler to do an addendum than to make a finding of exemption due to the size of the project.

Commissioner Riggs said in addition to the event population it was posited the venue would have a staff of 23 persons. He asked how the 23 employees would be parked. City Attorney McClure said they believed the employee parking was accounted for in the parking study. Commissioner Riggs said in his experience staff and performers arrived at a venue one to two hours prior to the show and 5:00 p.m. was not an ideal time to find parking. He asked if that had been considered. City Attorney McClure said he did not know if that had been considered in terms of when the employees would report to work.

Commissioner Riggs asked what the nexus was for a BMR Housing requirement for an entertainment facility. City Attorney McClure said the City's BMR ordinance required that all net new square footage comply with it. Commissioner Riggs asked if the requirement could be waived by City Council or if the ordinance would have to be modified to allow that waiver. City Attorney McClure said he had not thought about that. He said the project would have employees and some of those might be lower income earners that could benefit from BMR housing. He said if the applicant requested an exemption and the Council wanted to do it that was something that could be reviewed.

Commissioner Riggs asked about the type of chairs for movie events. Mr. Dunlevie said those were not folding, card table chairs but cinema style chairs, which would be brought up with risers from the basement and set up.

Commissioner Riggs said the proposed design was handsome and simple but was not quite theater and fitting with the marquee. He said it appeared there was an opportunity to use something besides the natural matte appearance of stucco, such as terra cotta or metal panels applied in an interesting way as opposed to rectilinear. He said the project would not save the Guild but the City would get an art and entertainment venue the residents had wanted for a long time. He said with that clarity he supported moving forward with the project. He said a lot was being asked for to support the project. He said parking might be the most visible of that but also the City's code was to be modified in terms of construction from El Camino Real and that would be felt.

Commissioner Strehl said that it might be worthy of the City Council to take consideration of whether the BMR requirement was necessary. She asked if live events would be standing room only or if there would be any seats available. Mr. Dunlevie said there would be seats and that it depended on the show. He said if they were doing a jazz quintet show they might use cabaret seating that they could bring in. He said rock and roll shows would be standing room only. Commissioner Strehl asked how guests would be directed to park in parking lots not parked to capacity. She said parking lot 8 that physically was closest to the Guild was parked at capacity even after 7:00 p.m. Mr. Dunlevie said that they would communicate that through ticket exchange and website. He said they would be very clear about where one should park and where one should not park. He said they would work with employees on commute and parking solutions. Commissioner Strehl said neighboring business owners indicated they had not been communicated with about the project. She asked how they would communicate with them more thoroughly about the plans and how the impacts on their businesses would be mitigated. Mr. Dunlevie said one of the first people he met with was Ben Tashon, the owner of the end lot and the rear parking lot, and asked what he wanted them to do in terms of meeting with their tenants. He said Mark Bryman had contacted him a number of times at the behest of Mr. Delly. He said he had

conveyed they had a plan and were happy to talk with them about it, but they had not yet heard back from them.

Commissioner Strehl said she understood the necessity to move quickly and for all projects, and especially as witnessed tonight with residential development that it was incumbent upon the Commissioners to do it right but also facilitate projects move forward.

Chair Combs said as part of the public benefit they were offering a reduced rate for community events and staff was countering that it would be better if those events serving as public benefit should have a maximum daily rate. He asked the applicant to address why they thought their proposal was better than staff's proposal, and if there was middle ground between the two options. Mr. Dunlevie said they did not know exactly yet how much things were going to cost to run at the venue. He said he did not think the time based concept would not always map to the complexity of it. He said for example that they might do a movie event for two hours but the night before there was a standing room only event, so labor would be needed for the movie event setup. He said in addition to the two events discounted very month they would keep costs low as possible.

Replying to Commissioner Barnes, Mr. Dunlevie said Peninsula Arts Guild was a California corporation applying for 501.3c status. He said costs would need to be covered and any profit would go back into the business. Commissioner Barnes asked what entity would hold title to the property. Mr. Dunlevie said he believed that Peninsula Arts Guild would. Commissioner Barnes asked if they would have deed restrictions in return for the concessions made to keep the entitled facility from being sold. Mr. Dunlevie said he was out of his depth with that question. He said their motives were pretty pure. He asked whether he could follow up later on that after talking with attorneys.

Commissioner Barnes asked other than community events how many events and what type would they expect to host. Mr. Dunlevie said they thought a typical week would probably be one to three shows, noting they targeted weekends because those were more fun. He said what they were worried about that was changed today was the freedom to do events during the week. He said they needed the ability to be spry and if they could get a big name on a week night that was performing in the area on the weekend through their music connections that was best. Replying to Commissioner Barnes, Mr. Dunlevie said they were only contemplating doing events in the evening timeframe to not exacerbate parking or have traffic problems. Commissioner Barnes asked if they were willing to have that called out in the use permit that their venue would operate in the evening. Mr. Dunlevie agreed. Commissioner Barnes asked about community events in the day time and whether they would expect to staff those. He asked how parking would work for 250 people coming in at noontime on Tuesday. Mr. Dunlevie said he did not know and that it was up to the City to tell them what it wanted to do. Commissioner Barnes said it was important for the community to know what to expect so there were no surprises later on. He asked how they would differentiate between adult serving space and child appropriate space. Mr. Dunlevie said he did not see the problem but there were solutions. Mr. Wasney said the theater business was wonderful at transforming environments using things like pipe and drape. He said for a user group whether a community or school group that did not want to see the back bar and alcohol bottles that there could probably be an easily deployable system of pipe and drape to conceal. Commissioner Barnes asked about hygiene. Mr. Dunlevie said the venue would be cleaned well after events. Commissioner Barnes asked about feedback from the Menlo Park Fire District. Mr. Wasney said the building would be much better than currently as now it had one exit out the front door, one of the two other exits would put a person in the backyard of Clockworks with no exit which was illegal, and the other

went to the alleyway festooned with trash cans its length. He said the building had no current seismic integrity nor was it sprinklered. He said the building would be brought to current building code for seismic safety. He said for fire safety it would have a full sprinkler and alarm system. He said the gurney size elevators for means of egress worked fine. He said there were no fire access issues from the point of view of hose length as any fire could be fought from El Camino Real. He said they had a pending application with the Fire District and had not yet received comments. He said from his knowledge of the building code they had met all the fire safety requirements.

Commissioner Barnes noted that it did not take long for cars to get backed up on El Camino Real and asked if they would have car share, Lyft and Uber queue in front of the building. Mr. Dunlevie said if it became a problem they would address it with the companies. Commissioner Barnes asked about the five minute loading zone in front of the theater. Mr. Dunlevie said he thought the theater needed that. Commissioner Barnes asked about the caterer deliveries and the performers' vehicles arriving. Mr. Wasney said for a typical day at the Greek Theater or Fillmore Auditorium, the first persons to arrive would be those stocking food and beverage from about 10 a.m. to 1 p.m. He said the venue would have a house lighting and house sound system so the band would not need to bring heavy speakers, and would carry just their own state setup. He said artists typically arrived about 1 p.m. and there would be a designated load in time for them. He said most of the time acts that would play at this venue would be in a medium to large bus, and a small trailer. He said they could unload their instruments from the front or side stage door. He said the artists lived on the buses and this venue would have really nice amenities for them. He said the bus would then move offsite away from the Guild to park. He said by show time there was no more in and out of musical acts or concession support so the loading zone could be used potentially as a drop off area.

Replying to Commissioner Barnes, Mr. Dunlevie said that private events were likely where they would make their money so he would not want those prohibited. He said however they would do plenty of public events.

Short discussion ensued on commission meeting policy as to meeting length and commissioner availability. One commissioner indicated a need to leave by 11 p.m.

Commissioner Barnes said he was concerned it would become a private venue for corporate parties. Mr. Dunlevie said they wanted to bring bands for the public and do things for the community. He said they needed the freedom to do private events but they in no way saw that as what they would do all the time. Commissioner Barnes said what he noticed in the outreach and support response was nothing from residents past Middlefield Road or Belle Haven. He said an important component of the facility was access to get there. He said the modeling looked at quarter mile walking distance and most likely that would be people from El Camino Real or west Menlo Park. He said from the turnout it felt like this would be a venue for west Menlo Park. Mr. Dunlevie said that was unintentional and that once bands were booked those would spark interest anywhere in the City. Commissioner Barnes said he would want use of the venue for community event to be equitable across the City.

Commission Comments: Commissioner Onken said in the context of the Specific Plan that parking had saved this project. He said previous redevelopment proposals for this block of Menlo Park did not work because they could not be parked. He said in terms of how this project would be parked he would go along with the idea that it was going to work with existing parking in the City. He noted community events that would be held more appropriately at the library, Kepler's, or Menlo-Atherton Performing Center. He said this venue was somewhat self-selecting and would fill a void the City

had. He said he knew the architecture was being developed and he was very pleased with the upgrade. He said he supported the project.

Commissioner Kahle said this was a great project for Menlo Park that was sorely needed. He referred to the overwhelming support for the project from the emails received. He said the marquee was key to the project and he was pleased it would be preserved and made to work as much as possible. He said it was not really mentioned but there would be windows on either side of the marquee that would help focus on that. He noted comments earlier about the materials on the El Camino Real façade and for the box office. He suggested they might save the golden wings in the interior. He said the staff report posed a question about having a maximum daily rate and half-day rate versus 50%. He said it sounded like that could be explored and might be better than just a 50% cost. He said regarding the BMR in-lieu fee and the potential for waiving it that the staff report indicated it was about \$61,000, which he did not think was exorbitant for a \$10 million-plus project. He said if the City Council wanted to consider some reduction that was something he could see. He suggested the City and City Attorney consider what would happen if the property was sold after being entitled. He said regarding the age appropriateness of the venue that it sounded like it could be set up for groups not 21 years or older and partitioned for a drinking area and the bar closed off for younger age groups.

Replying to Commissioner Kahle, Principal Planner Chow said the Commission was requested to make a recommendation to the City Council. She said the project was scheduled for the City Council's review and action on May 22, 2018.

Commissioner Riggs commented it was unusual the Planning Commission would not do the architectural control approval for the project. Principal Planner Chow said there were architectural plans in the packet for the Commission's review. Commissioner Riggs said Commissioners had commented on the architecture and materials as presented, particularly the stucco. He said that it was quite right to raise the idea of a deed restriction. He said he could support the proposed amendments for this project but he thought the 20 some employees should be parked, either with annual parking permits or for the project to buy 20 spaces in the proposed parking structure. He said the latter was his preference. He said the bulk of the employee parking would be before the office buildings were empty or stores had closed and people had stopped shopping. He said it was a great project and he wanted to make sure the City could keep it moving.

Chair Combs said he was supportive of the project but noted the City was making a number of exceptions for it such as the parking for event goers and employees, the construction impact to neighboring businesses and properties, and an amendment for increased floor area ratio (FAR). He said that in return the public benefit might be nothing. He said the theory posed was there were community associations and organizations that would see value in having events there at whatever the rate was determined. He said if that was not true then the public benefit could be nothing or minimal. He said given the extraordinary exceptions being requested that this was an extraordinary project, and in that sense it deserved support. He said it, in and of itself, would provide a great benefit to the community. He said given the hour he would make a motion. He moved to accept the recommendations as outlined in the staff report regarding the Addendum to the Specific Plan Program EIR, the FAR increase, finding architectural control compliance, approve a use permit to allow a small scale recreation bar, and acceptance of the BMR Housing in-lieu Agreement in compliance with the City's BMR Housing Program. Commissioner Strehl said if Chair Combs agreed she would like Commissioner Riggs' recommendation that they include a requirement for a parking program for the employees. Chair Combs said he accepted that addition. Commissioner

Strehl said it might be good to recommend a deed restriction regarding the use. Chair Combs said perhaps the City Attorney could address although he thought that the use would run with the land and if the property sold the use would have to continue as approved. City Attorney McClure said with the City's conditional development permits they recorded a memorandum of the conditional development permit setting forth the conditions of approval. He said the entitlements would not be the same if it was for a for-profit organization and that it should not be able to be sold and used for a for-profit basis. He said they needed to tighten up that condition, and so recommending the direction to do that as part of the motion was appropriate. He said they would work with the applicant to tighten up some of the language on these items.

Commissioner Barnes said he would like to offer recommendations that the programming for community groups be representative of all geographies in the City for equal access to use the venue. Chair Combs said it was okay in theory but he did not know if it might be an unnecessary restriction. Commissioner Barnes said he was interested in the spirit of equal access to the facility. He said the staff report indicated there would be a meeting between staff and applicant about how that would be done. Chair Combs said he could support the idea that the applicant should strive to make sure that community organizations in all areas of the City were represented to be able to avail themselves of the public benefit. Commissioner Barnes asked if Chair Combs would consider requesting more clarity on how often the venue would be utilized for events and how many days would be available for community event use. Chair Combs said he could include that.

Commissioner Strehl said she was not sure what was meant. Commissioner Barnes said the applicant had given a range of how many times they would use the facility. He said it would be important for the City to know how many days the venue would be available for community events. Recognized by the Chair, Mr. Dunlevie said they needed to have flexibility as it was the events that would pay the bills. Commissioner Barnes said he thought there would be a long queue of people wanting to hold events there so he thought expectations should be clarified. Commissioner Strehl said she did not see how that could be done as the applicant did not know at this time what their programming would be. After discussion with the Chair, Commissioner Strehl said she could support a recommendation to the Council for the applicant to provide a forecast of range of availability of the venue for community events. Commissioner Riggs said if the agreement was to have the facility for community programming a certain number of days per year that was appreciated. He said he agreed that having the facility was the public benefit. He said he did not think the community program restrictions would be helpful.

Chair Combs said the motion was to recommend that the City Council make the necessary findings and take actions for approval of the Guild Theater Project with additional elements with clarity of linking the project's entitlement benefits to the property as to any future owners, an employee parking program, encouragement that the programming for community events represented a cross section of Menlo Park and organizations from across the City were able to avail themselves of those opportunities, and some clarity on programming and scheduling to forecast what dates might be available for community organizations. Principal Planner Chow said that staff had asked whether to allow the expansion of the live entertainment venue use outside of Friday, Saturday and Sunday and for the public benefit how the calculation would occur - whether it was on a daily rate in a limited set two per month or a standard rate that would apply.

Chair Combs said he understood the City was looking at one way to calculate that benefit. He said he tended to side with the applicant on the 50% discount rather than setting a daily rate for those organizations that would fall under the benefit. Commissioner Onken said if the entire project was defined as community benefit then the applicant every one or two years would report to City

Council on what they had been doing as community benefit. Chair Combs said the staff report said the public benefit for allowing the project bonus development was the two dates a month discounted for community events. He said he saw it as a reduction of the rate as indicated by the applicant of 50%. He said he also saw accepting the expansion of the dates outside of Friday, Saturday and Sunday. Commissioner Barnes said it was somewhat premature to stipulate 50% but suggested a sliding scale.

ACTION: Motion and second (Combs/Strehl) to make the following recommendations to the City Council; passes 6-0-1 with Commissioner Goodhue absent.

Environmental Review

1. Adopt a Resolution of the City Council of the City of Menlo Park adopting the EIR Addendum.

Amendment to the Specific Plan

2. Adopt a Resolution of the City Council of the City of Menlo Park Approving an Amendment to the El Camino Real/Downtown Specific Plan.

Architectural Control and Use Permit

3. Adopt a Resolution of the City Council of the City of Menlo Park Approving Findings and Conditions for the Architectural Control and a Use Permit to allow small-scale recreation and a bar for 949 El Camino Real.

Below Market Rate (BMR) Housing Agreement

4. Adopt a Resolution Approving a Below Market Rate Housing Agreement with the Peninsula Arts Guild for 949 El Camino Real Project.

The Planning Commission also recommended the following:

- Require the applicant to provide an employee parking program as structure by Council;
- That the City Attorney look at language of condition and method of memorializing such that the entitlements for this project were specific to a nonprofit California Corporation and could not be used by a for-profit organization should the property be sold;
- That the applicant strive to ensure that community organizations in all areas of the City were represented to be able to avail themselves of the public benefit to hold community events at the venue;
- For the applicant to provide a forecast of range of availability of the venue for community events;
- That fee for community event use of the venue be on a sliding scale; and
- Modification of Condition 5(a)(iv), subject to verification of the parking data by staff: No more than three live entertainment or movie events shall be held between Friday and Sunday during the hours of 7pm to 11pm, with adequate time for set up and close by staff before and after those hours. Occasional live entertainment or movie events may be held on weeknights during those same evening hours. Any movie or community event held outside of those hours shall not exceed current theater capacity of 266 persons."

G. Informational Items

G1. Future Planning Commission Meeting Schedule

- Regular Meeting: May 7, 2018

Principal Planner Chow said they had a number of single-family residential development projects for the May 7 meeting. She said also for discussion would be potential revision of the recently adopted R-M-U BMR requirements.

- Regular Meeting: May 14, 2018
- Regular Meeting: June 4, 2018

Commissioner Barnes asked staff to add a column on the Downtown Specific Plan calculations when projects came forward to show how close it was to the aggregate.

H. Adjournment

Chair Combs adjourned the meeting at 11:25 p.m.

Staff Liaison: Deanna Chow, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on May 14, 2018

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

Planning Commission

Meeting Date: 4/23/2018
Staff Report Number: 18-040-PC

Public Hearing: Environmental Impact Report Addendum, Specific Plan and Zoning Ordinance Amendment, Architectural Control, Use Permit, and Below Market Rate (BMR) Housing Agreement/Peninsula Arts Guild/949 El Camino Real

Recommendation

Staff recommends that the Planning Commission review and provide a recommendation that the City Council make the necessary findings and take actions for approval of the Guild theater renovation project at 949 El Camino Real, as outlined in Attachment A. The Planning Commission should provide recommendations to the City Council on the following entitlements and environmental review components of the proposed project:

1. An Addendum to the Specific Plan Program Environmental Impact Report (Program EIR) to analyze the potential environmental impacts of the proposed Specific Plan and Zoning Ordinance Amendments;
2. A Specific Plan and Zoning Ordinance Amendment to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments;
3. Architectural Control for compliance with Specific Plan standards and guidelines for a commercial development consisting of a live entertainment venue on an approximately 4,752-square foot site;
4. A Use Permit to allow small scale commercial recreation and a bar; and,
5. Below Market Rate (BMR) Housing Agreement for compliance with the City's Below Market Rate Housing Program.

Policy Issues

The proposed project requires the Planning Commission and City Council to consider the merits of the project, including project consistency with the El Camino Real/Downtown Specific Plan. The Planning Commission and Council will need to consider Specific Plan and Zoning Ordinance Amendment, Architectural Control and Use Permit findings. Further, a resolution regarding the BMR Housing Agreement for the project will need to be considered. The Planning Commission is a recommending body on these policy issues. The policy issues summarized here are discussed in greater detail throughout the staff report.

Background

Site location and uses

The project site consists of an approximately 4,752-square foot parcel situated on the west side of El Camino Real, between Menlo Avenue and Live Oak Avenue, at 949 El Camino Real. The project site is

within the El Camino Real/Downtown Specific Plan's (Specific Plan) El Camino Real South-West (ECR SW) district and has a land use designation of El Camino Real Mixed-Use Residential. The district encourages residential uses in close proximity to the train station area while also allowing for a variety of commercial uses and permits building heights ranging typically from 2-4 stories, with some building heights only permitted through the provision of public benefits. Uses permitted by right include cinemas, full/limited service restaurants, hotels, general personal services, general retail sales and food and beverage sales. Conditional uses permitted only through a use permit subject to Planning Commission review include small-scale commercial recreation, bars/lounges, restricted personal services and liquor stores. Finally, uses permitted administratively with the approval of the Community Development Director include restaurants with alcohol and/or outdoor seating and restaurants with live entertainment. The project site currently consists of a movie theater.

Neighborhood context

Using El Camino Real in a north to south orientation, the surrounding parcels are also in SP-ECR/D zoning district and are developed with retail uses to the north and south. A parking lot, which is not part of the subject property, is located to the west (rear) of the property, and the parcel to the east of the subject parcel, across El Camino Real, is development with office uses. A location map is included as Attachment F.

Previous project review

On February 13, 2018 the City Council held a study session on the proposal, after previously identifying the project as a top City Council Work Plan priority at their January 29, 2018 meeting. Given the priority status placed on the project and the applicant's expedited timeline to purchase the property, the February 13th study session served as the initial public study session referenced on page E17 of the Specific Plan. The City Council members were unanimous in their support of the project, and directed Staff to prepare the necessary Specific Plan and Zoning Ordinance amendments and work with the applicant to better define the proposed public benefit. Several members of the public spoke at the Study Session and all expressed support for the project.

Analysis

Project description

The applicant (Peninsula Arts Guild or P.A.G.) is proposing to renovate the existing Guild Theatre cinema facility into a live entertainment venue. Through the construction and addition of a finished basement and a new second floor, the building floor area would increase from approximately 4,200 square feet to approximately 10,854 square feet, resulting in a floor area ratio (FAR) of approximately 2.3. The ECR SW district currently permits a base level FAR of 1.1 and bonus level FAR of 1.5. The proposed Specific Plan amendments would allow a bonus level FAR up to 2.5 for a feature building north of Live Oak Avenue, in the ECR SW sub-district, that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains the existing walls or rebuilds new walls in substantially the same location and configuration, and that has highly visible and memorable features that have historic or cultural value. This amendment to the permitted FAR would limit the above grade FAR to 1.5, and the

basement square footage to within the footprint of the existing building, but not over the property lines, and not accessible to the public (back of house uses only, such as storage and mechanical spaces). The amendment would also limit the additional square footage beyond that in existence at the time the El Camino Real/Downtown Specific Plan was approved, to a maximum of 10,000 additional square feet.

The first floor would contain a lobby, a main viewing and seating area, bar, stage and restrooms. The facility's second floor would also provide viewing areas, a small bar, office and a vestibule. The basement would not be open to the public and would be utilized primarily as performer gathering and dressing room space as well as a warming kitchen, storage and mechanical rooms.

The facility is proposed to typically only be operated for one to three events per week, usually on weekend (Friday, Saturday and Sunday) evenings with live performances lasting within a 7pm to 11pm window and for a typical event length of two hours. The venue would employ approximately 20 people in a mix of full-time and contractor positions. The facility would include the on-site sale of alcohol.

As a public benefit, the Applicant is proposing the facility be available for community uses that may include the following: City special events, movie showings and festivals, local school events such as plays and concerts, author talks and events, as well as local church events. The applicant provided a letter, attached hereto as Attachment H, describing the proposed public benefit. The public benefit would be twice monthly discounted community events or up to 24 events per year at a 50 percent discount. The applicant has indicated that for an event which would cost PAG approximately \$2,000 to host, the community organization would only be charged \$1,000 or 50 percent of the cost and this could result in an approximately \$24,000 per year public benefit.

Design and Site Layout

Building Materials

The exterior finish is proposed to be cement plaster, painted in a blue/purple color. A new aluminum and glass storefront is proposed, including windows above the marquee. A 7-foot metal roof screen is proposed on the roof to screen mechanical equipment.

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

Setbacks

The existing theater building is located slightly beyond the existing front property line, within the Caltrans right-of-way. It is also located slightly over the property line along the right side. Parcels located north of Live Oak Avenue, the ECR SW sub-district are required to have a minimum 5-foot front setback, a 10-foot rear setback, and a 5-foot interior side setback for upper floors with no required interior side setback for the ground floor. The proposed second story addition to the existing theater building would be set at, or very close to, the front, rear, and right-side setbacks, and at the alley on the left side. The proposed amendments to the Specific Plan would allow a feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains the existing walls or rebuilds new walls in substantially the same location and configuration, and has

highly visible and memorable features that have historic or cultural value to retain existing setbacks not to exceed property lines.

In areas where no or a minimal setback is required, limited setback for store or lobby entry recesses may not exceed a maximum of 4-foot depth and a maximum of 6-foot width. The recess at the proposed renovated entrance would be 2.8 feet deep by 17.2 feet wide. The proposed amendments to the Specific Plan would allow the City Council to allow a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or that has historic or cultural value to exceed these maximums.

First Floor Height and Transparency

Standard E.3.5.01 of the Specific Plan currently requires commercial ground floors to have a minimum 15-foot floor-to-floor height. Although the lobby along El Camino Real would be two stories, the first floor beyond the lobby would have a 13-foot floor-to-floor height. The proposed amendments to the Specific Plan would allow the City Council to reduce the minimum floor-to-floor height for a commercial or retail ground floor for a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, proposes to substantially retain existing walls or rebuild new walls in substantially the same location and configuration; and has highly visible and memorable features or that has historic or cultural value.

Standard E.3.5.02 currently requires ground floor commercial buildings to have a minimum of 50 percent transparency (i.e. clear glass) to enhance the visual experience. The applicant indicates the proposed renovation would result in approximately 40 percent transparency. However, this calculation includes display case areas, which would not generally count towards transparency. The proposed amendments to the Specific Plan would allow the City Council to reduce the minimum transparency for a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration and has highly visible and memorable features or that has historic or cultural value.

Open Space

Approximately 12 percent of the parcel is paved, while the remainder is covered with the existing structure. This paved area consists of the area in front of the entrance as well as the alley, but does not meet the definition of open space in the Specific Plan. With the proposed front entrance and addition of a refuse enclosure in the alley, the paved area would be slightly reduced. The Specific Plan amendments would include an update to the current requirement of 20 percent open space for parcels located north of Live Oak Avenue in the ECR SW sub-district, to allow the City Council to approve a feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value to reduce the required percentage of open space.

Trash and Recycling

A proposed trash enclosure would be located along in the alley to the left of the building. The plans have been submitted to the City's refuse collector, Recology, for review. The proposed trash enclosure would be located in the alley where it would be farthest from El Camino Real. The sides of the enclosure would consist of steel channels with mesh infill in between, and the cover would consist of steel decking. It should be noted that the Title Report for the property appears to show an access easement over the alley. A recommended condition of approval has been included requiring this issue to be resolved prior to building permit issuance. If the easement does exist and cannot be vacated, the project would need to be revised to find a different location for a refuse enclosure.

Signage

Specific Plan Standard E.3.3.07 limits the projections of architectural projections like canopies, awnings, and signage to six feet horizontally from the building face at the property line or at the minimum setback line. This standard also sets a minimum standard of 8-foot vertical clearance above the sidewalk or public space. The applicant indicates the existing marquee has more than 11 feet of vertical clearance above the sidewalk; however, it appears it may project more than six feet horizontally from the building face at the property line. The proposed amendments would allow these standards to be modified if existing signage to be retained on a feature building in the area north of Live Oak Avenue is determined by the City Council to be highly visible and memorable and have historic or cultural value.

Parking and circulation

CHS Consulting Group performed a parking evaluation (Attachment K) for the project site and proposed use as the existing theater has no parking and no parking is proposed as part of the renovation. The report evaluated the subject site, including its location approximately 1,000 feet south of the Menlo Park Caltrain Station, which is about a five-minute walk. The report demonstrated that a significant supply of parking is available within a quarter-mile of the theater, which is utilized by theater patrons (and which patrons would continue to use to access the proposed project). Additionally, most events would take place in the evening on weekends, with some occurring after the weekday p.m. peak commute period and peak theater parking activity would coincide with the lowest parking occupancy periods by time of day in the Downtown area, thereby avoiding the at-capacity parking. Any daytime use that does not exceed the current capacity of the existing theater would not increase parking demand. The applicant is also proposing measures to encourage transit use and ride share options to further limit potential parking issues.

Below Market Rate (BMR) Housing

The applicant is required to comply with Chapter 16.96 of City's Municipal Code, ("BMR Ordinance"), and with the BMR Housing Program Guidelines adopted by the City Council to implement the BMR Ordinance ("BMR Guidelines"), as the commercial portion of the project would exceed 10,000 square feet in gross floor area. The City may allow such a BMR requirement to be met in a number of ways, including on-site provision of a unit, off-site provision of a unit, or payment of an in-lieu fee.

The proposed project would have a BMR requirement of 0.17 BMR units or an in-lieu fee payment of approximately \$61,017.18. The proposed project does not include a residential component, although the zoning designation for the subject site does allow residential uses. However, the existing Guild Theatre

cinema facility and its proposed renovation into a live entertainment venue on a small infill site does not allow for the development of residential units on site. Therefore, the applicant is proposing to satisfy the project's BMR obligations through the payment of in lieu fees. On April 11, 2018, the Housing Commission recommended that the Planning Commission and City Council approve the proposed BMR proposal for the payment of in lieu fees, which would be adjusted to the in-lieu fees current at the time of building permit issuance.

Public Benefit

The applicant is proposing a public benefit consisting of offering use of the facility to the community at a discounted price, as described in the applicant's project description letter (Attachment H). This proposal would allow the community to use the venue for up to two discounted-rate events each month, up to 24 community events per year. These events would include school plays/recitals, arts and community fairs, Kepler's Literary Foundation events, and similar nonprofit cultural events. Staff recommends a maximum daily and half-day rate be established for community group usage, rather than the applicant's proposal to make that rate 50% of the of the applicant's total cost to operate the facility.

The applicant and the City as a neutral party, would establish the content-neutral guidelines as to which types of organizations qualify for the discount, and how the discounted use opportunities would be allocated. The applicant would then be responsible to determine when and which community groups could use the facility based on those guidelines.

Correspondence

Numerous emails of support have been sent to the Planning Commission and City Council, with some contingent on regular cinema use. Staff has also received an email regarding parking concerns from the property owner directly across the street from the project site. This email, as well as the emails of support sent to the City Council are included as Attachment L.

Conclusion

Staff believes that the proposed renovation of the existing Guild Theatre cinema facility into a live entertainment venue would add vibrancy to the downtown area, and development of this use at the Public Benefit Bonus level, as well as the Specific Plan amendments, including additionally permitted gross floor area, is consistent with the feedback provided by the City Council from the study session. The architectural approach would utilize quality materials and detailing and would enhance development along the El Camino Real corridor. The proposed live entertainment, and on-site consumption of alcoholic beverages are compatible with the proposed use and would not adversely impact surrounding properties. The BMR Agreement would address the project's BMR obligations. Staff recommends that the Planning Commission recommend that the City Council approve the project per the actions listed in Attachment A.

Impact on City Resources

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

proposed development would be subject to payment of the El Camino Real/Downtown Specific Plan Preparation Fee. These required fees were established to account for projects' proportionate obligations.

Environmental Review

The Specific Plan process included detailed review of projected environmental impacts through a Program Environmental Impact Report (Program 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 Specific Plan approvals in June 2012.

The Program 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 Program 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 Program 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. To adopt the Program EIR, the City Council adopted 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 Program EIR and the CEQA Guidelines, a program EIR provides the initial framework for review of discrete projects. Projects are required to be analyzed with regard to whether they would have impacts not examined in the Program EIR through a conformance checklist. The conformance checklist for the proposed project, which analyzes the project in relation to each environmental category in appropriate detail, is included as Attachment B, as part of the Addendum to the Program EIR. As detailed in the conformance checklist and the Addendum, 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 I. Full compliance with the MMRP would be ensured through condition 5 (a)(i). No new impacts have been identified and no new mitigation measures are required for the proposed project. The MMRP also includes two completed mitigation measures related to cultural and historic resources. These studies are attached to the Addendum.

Specific Plan Maximum Allowable Development

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

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

These totals are intended to reflect likely development throughout the Specific Plan area, in excess of certain development projects that were already in the pipeline at the point the Program EIR was commenced (subject to those projects receiving their own independent approvals). As noted in the Specific Plan, development in excess of these thresholds will require amending the Specific Plan and conducting additional environmental review. The proposed project does not propose development in excess of Specific Plan thresholds. Uses that were active on the project site at the commencement of the environmental

review are deducted from the project's share of the Maximum Allowable Development.

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

	Dwelling Units	Commercial Square Footage
Existing	0	4,200
Proposed	0	10,854
Net Change	0	6,654
<i>% of Maximum Allowable Development</i>	<i>0%</i>	<i>1.4%</i>

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. Recommended Actions
- B. Draft Resolution Adopting EIR Addendum
- C. Draft Resolution Approving Amendments to the Specific Plan
- D. Draft Resolution Approving the Findings and Conditions for Architectural Control and a Use Permit
- E. Draft Resolution Approving the BMR Agreement
- F. Location Map
- G. Project Plans
- H. Project Description Letter and Public Benefit Proposal
- I. Mitigation Monitoring and Reporting Program
- J. Standards and Guidelines Project Compliance Worksheet
- K. CHS Consulting Group, Guild Theatre Project Parking Technical Memorandum
- L. Correspondence

Disclaimer

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

Exhibits to Be Provided at Meeting

- Color and Materials Boards

Report prepared by:
Corinna Sandmeier, Senior Planner

Report reviewed by:
Mark Muenzer, Community Development Director
Leigh Prince, Assistant City Attorney

**Attachment A
Recommended Actions
949 El Camino Real**

Environmental Review

1. Adopt a Resolution of the City Council of the City of Menlo Park adopting the EIR Addendum.

Amendment to the Specific Plan

2. Adopt a Resolution of the City Council of the City of Menlo Park Approving an Amendment to the El Camino Real/Downtown Specific Plan.

Architectural Control and Use Permit

3. Adopt a Resolution of the City Council of the City of Menlo Park Approving Findings and Conditions for the Architectural Control and a Use Permit to allow small-scale recreation and a bar for 949 El Camino Real.

Below Market Rate (BMR) Housing Agreement

4. Adopt a Resolution Approving a Below Market Rate Housing Agreement with the Peninsula Arts Guild for 949 El Camino Real Project.

DRAFT – April 23, 2018

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ADOPTING AN ADDENDUM TO THE CERTIFIED EIR FOR EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN

WHEREAS, the City of Menlo Park (“City”) adopted the El Camino Real/Downtown Specific Plan (“Specific Plan”) and certified the Environmental Impact Report (“EIR”) in 2012; and

WHEREAS, the City Council held a Study Session on February 13th, 2018 on the proposed Guild Theatre renovation project and Specific Plan amendments; and

WHEREAS, at the conclusion of the Study Session, the City Council directed staff to prepare amendments to allow the renovation of the existing Guild Theatre into a live performance facility with community benefits at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50 with the remainder below grade and inaccessible to the public; and

WHEREAS, an Addendum to the certified EIR for the Specific Plan was prepared in compliance with the California Environmental Quality Act (“CEQA”); and

WHEREAS, on April 23, 2018, the Planning Commission held a duly noticed public hearing on the proposed project at which all interested persons had the opportunity to appear and comment and the Planning Commission voted to recommend approval of the Specific Plan amendments to the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on May 22, 2018 to review the proposed project, including the Specific Plan Amendment, at which all interested persons had the opportunity appear and comment and voted to approve the proposed project; and

WHEREAS, adoption of the Specific Plan has complied with the provisions of Government Code Section 65453.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City Menlo Park as follows:

1. The City Council of the City of Menlo Park hereby approves and adopts the Addendum to the certified EIR for the Specific Plan attached hereto as Exhibit A.

I, _____, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the 22nd day of May, 2018, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 22nd day of May, 2018.

City Clerk

Addendum to El Camino Real/Downtown Specific Plan Final Environmental Impact Report

Lead Agency: City of Menlo Park

Telephone: (650) 330- 6726

Contact Person: Corinna Sandmeier, Senior Planner

Project Title: El Camino Real/Downtown Specific Plan

Project Location: City of Menlo Park, San Mateo County

El Camino Real/Downtown Specific Plan

The City of Menlo Park (City) developed the El Camino Real/Downtown Specific Plan (Specific Plan) to establish a framework for private and public improvements in the Specific Plan area. 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 El Camino Real.” The Specific Plan includes objectives, policies, development standards, and design guidelines intended to guide new private development and public space and transportation improvements in the Specific Plan area.

Specific Plan Program Environmental Impact Report

On June 5, 2012, the City Council certified the Menlo Park El Camino Real and Downtown Specific Plan Program Environmental Impact (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.

Proposed Project

Peninsula Guild Arts (PAG) has submitted an application to revitalize the existing Guild Theatre located at 949 El Camino Real in the Specific Plan area. The proposed project includes substantial retention of the existing walls, or the rebuilding of new walls in substantially the same location and configuration, and retention of the existing setbacks and the highly visible and memorable “Guild” sign, as well as the construction of a

basement and second floor/mezzanine area that would increase the floor area by approximately 6,200 square feet for a total floor area of approximately 11,000 square feet. The first floor would contain an entry lobby, main viewing or seating area, bar, stage, box office, and restrooms. The basement would not be accessible to the public but would be reserved for the green room and dressing rooms, as well as a warming kitchen, storage and mechanical rooms. The second floor would provide additional viewing areas, a small bar, office and vestibule. The maximum building height is 34 feet to the top of the roof screen.

The proposed project would operate an average of 1-3 events per week, usually on the weekend (Friday, Saturday and Sunday) evenings with live performances lasting within a 7 pm to 11 pm time frame and for a typical event length of two hours. The venue would be used for musical acts and employ approximately 20 people in a mix of full time and contractor positions. The facility would include the on-site sale of alcohol.

As a public benefit, PAG is proposing the facility to be available for additional community uses that may include the following: City special events (i.e. wine walk, concert series), movie showings and festivals, local school events such as plays and concerts, Kepler's author talks and events, as well as other non-profit events.

To account for the proposed project, the Specific Plan needs to be revised in accordance with the El Camino Real/Downtown Specific Plan City Council-Directed Changes (Amendment), attached hereto as Attachment A and incorporated herein by this reference. The Planning Commission will review these amendments to the Specific Plan and make a recommendation to the City Council, which can adopt the amendment by resolution.

Potential Environmental Impacts

This is the first addendum to the Program EIR prepared by the City. To assess any potential environmental issues as a result of the Amendment, the City conducted the following studies: (1) City of Menlo Park – Guild Theatre Project Parking Technical Memorandum; (2) Archaeological Review - Guild Theatre Renovations; (3) Historical and Architectural Evaluation – The Guild Theater; and (4) El Camino Real/Downtown Specific Plan Program EIR – Conformance Checklist. None of these studies, which are attached hereto as Attachment B raise any new environmental issues.

The proposed project requires only minor modifications to the Specific Plan to allow an additional approximately 6,200 square feet in floor area, much of which would be located below grade in an area inaccessible to the public. The Amendment does not propose to allow any additional above grade floor area than was previously analyzed by the Program EIR and is limited to one sub-area of the Specific Plan (El Camino Real South-West in the area north of Live Oak Avenue). Additionally, the Amendment will not increase the maximum allowable development capacity under the Specific Plan. Thus, the Program EIR examined essentially the same project that is now being considered by the City. As

a result, the Amendment would have no new impacts or more severe impacts than previously discussed and analyzed in the adopted EIR.

Findings: The changes are considered minor, and no new or more severe impacts have been identified beyond those examined in the previously adopted Program EIR. CEQA Guidelines Section 15162 provides that no subsequent document is needed unless the City determined on the basis of factual evidence that one of the following has occurred:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

There have been no substantial changes in the project or its circumstances since adoption of the Program EIR. Similarly, there is no substantial new information that could not have been known when the Program EIR was adopted. Therefore, there are no grounds for the City to undertake a subsequent EIR. An addendum is the appropriate documentation for these changes because the changes are not substantial changes and do not require major revisions to the adopted Program EIR (CEQA Guidelines Section 15164). Further, an addendum does not need to be circulated for public review. This addendum will be considered by the City in conjunction with the Program EIR when taking action on the project.

949 El Camino Real
El Camino Real/Downtown Specific Plan Program EIR – Conformance Checklist

Introduction

The City of Menlo Park (City) has developed the El 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 El Camino Real.” The Specific Plan includes objectives, policies, development standards, and design guidelines intended to guide new private development and public space and transportation improvements in the Specific Plan area. The Plan builds upon the El 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.

Peninsula Guild Arts (P.A.G.) has submitted an application to revitalize the existing theatre which includes construction of a basement and second floor/mezzanine area. The Project would increase the floor area by 6,200 square feet. The project site consists of one parcel (Assessor’s Parcel Number 071-288-057) at 949 El Camino Real, which is currently occupied by the Guild Theater. The Project would revitalize the existing theatre through structural and tenant 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 on the west side of El Camino Real between Ravenswood to the north and Live Oak Avenue to the south which is part of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The site is bounded by commercial uses and surface parking lot to the west of the site. The 4,844-square foot project site is currently occupied by the Guild Theater facing El Camino Real. The project site is relatively flat rectangular shaped parcel.

Project

The Project would revitalize the existing theatre to convert it to a performance based venue which includes construction of a basement and second floor/mezzanine area. The Project would increase the floor area by 6,654 square feet for a total of 10,854 square feet. The first floor would contain an entry lobby, main viewing or seating area, bar, stage, box office, and restrooms. The basement would be reserved for the green room and dressing rooms, as well as storage and mechanical rooms. The second floor would provide additional viewing areas, a small bar, office and vestibule. The maximum building height is 34 feet to the top of the roof screen.

The Project would operate 1-3 events per week, usually on the weekend (Friday, Saturday and Sunday) evenings with live performances lasting within a 7 pm to 11 pm time frame and for a typical event length of two hours. The venue would employ 20 people in a mix of full time and contractor positions. The facility would include the on-site sale of alcohol.

As a public benefit, the Applicant is proposing the facility to be available for community uses that may include the following: City special events (i.e. wine walk, concert series), movie showings and festivals, local school events such as plays and concerts, Kepler's author talks and events, as well as church events.

The Project requires a Specific Plan amendment to allow a Floor Area Ratio up to 250%, Architectural Review and Use Permit to allow small scale commercial recreation and a bar from the Planning Commission and City Council.

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 revitalization of an existing theatre through the construction and addition of a basement and a new second floor. The Project would increase the intensity of the use given the larger capacity of the proposed facility and the limited use of the current theater which is often not at capacity. The proposed capacity ranges from 150-200 (cinema/seated events) to 500 for live events. The existing theater has a capacity of 266. Given that the large majority of events, estimated up to 150 annually, would take place on weekend evenings the impact on local traffic should be minimized.

There is no existing parking on-site, given that the proposed use would be on Friday and weekend evenings, there would be ample public parking near the site. The site is also within walking distance to the Caltrain station. A Parking Analysis by CHS Consulting Group was prepared for the Project which noted that there is ample parking available to Guild patrons within ¼-mile distance to the site. In addition, CHS conducted a field review of walking routes to and from the observed parking areas, consisting of both on-street and public off-street lots. The field review revealed that the theater is currently connected to a continuous network of sidewalks that lead to the public parking areas which is expected to be used by patrons and bounded by Oak Grove Avenue, El Camino Real, Menlo Avenue, and Crane Street. The Parking Analysis includes parking demand management strategies that the Project Sponsor can implement to manage and potentially reduce venue generated parking demand.

The proposed live entertainment use would add to the vibrancy of El Camino Real, a Phase I Vision Plan Goal of the Specific Plan. The Guild Theater site is located within the El Camino Real Mixed-Use Residential District (ECR South West). The district encourages uses in close proximity to the train station area while also allowing for a variety of commercial uses and permits building heights ranging typically 2-4 stories, with some building heights only permitted through the provision of public benefits.

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 addition to an existing theatre for live entertainment purposes. 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. The Project meets the design standards and guidelines as noted in the El Camino Real/Downtown Specific Plan by maintaining the recessed store front and activating the street by promoting live entertainment. The maximum height of the Project would be 34' to the top of the mechanical screen which is allowable under the Specific Plan. No trees are proposed to be removed. 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.

AIR-1: 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 a new second story to an existing theatre. The Project would be well below the 277,000 square feet of commercial development 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.

AIR-2: 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.

AIR-3: 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.

AIR-4: The Program EIR concluded that the Specific Plan would not have a substantial adverse effect pertaining to Particulate Matter (PM_{2.5}). 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. No trees are proposed to be removed.

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 Measure CUL-4 through notations on plan sheets and ongoing on-site monitoring. Mitigation Measure CUL-3 would be required, as the Project would excavate one level beyond previously disturbed soil. CUL-3 would require all construction forepersons and field

supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in teaching non-specialist to ensure they can recognize fossil material and will follow proper notification procedures in the event any are uncovered during construction.

In compliance with Mitigation Measure CUL-1, a Historic Resource Evaluation was prepared by Urban Programmers, dated June 23, 2014 for the Project. Based on the review, the theater building is not significant to the history or architectural heritage of the City of Menlo Park. Under the criteria of the California Register of Historical Resources, the property is not a significant historical resource due to the extensive alterations, remodeling and change in size of the building. Therefore, the Project site does not have historical or historic potential for inclusion on the National Register of Historic Places or the California Registrar of Historical Resources.

In compliance with Mitigation Measure CUL-2a, an Archeological Resource Evaluation was prepared by Basin Research Associates, dated March 29, 2018 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 4.7 miles southwest of the property. Although this is the case, the Project is 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.

The Project site is relatively flat which reduces the potential for erosion and loss of topsoil during construction activities. Once covered by an impermeable surface such as asphalt or a new structure and new landscaping, the potential for erosion would be reduced substantially. No new impacts have been identified and no new mitigation measures are required.

Greenhouse Gas Emissions

Impacts would be the same as the Specific Plan.

GHG-1: 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 Management 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 and because the City’s CAL Green Amendments have since been adopted and are applied to all projects, including this Project.

GHG-2: The Program EIR determined that the Specific Plan could conflict with AB 32 and its Climate Change Scoping Plan by 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.

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 regard 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 an addition to an existing commercial building and improvements and as such implementation of Mitigation Measures HAZ-1 and HAZ-3 would be required. Project operations would result in a commercial live entertainment use development. The Project would not handle, store, or transport hazardous materials in quantities that would be required to be regulated.

Due to the age of the building, building materials may contain asbestos or lead based paint. Prior to demolition/construction of the building an asbestos and lead based paint survey would be conducted by a qualified licensed professional and disposed of appropriately. The demolition of building walls containing asbestos would require retaining contractors who are licensed to conduct asbestos abatement work and notify the BAAQMD.

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 of dirt.

The Grading and Drainage (G&D) Permit requirements specify that the construction must demonstrate that the sediment laden-water 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.

LU-1: The Program EIR determined that the Specific Plan would not divide an established community. The Project would involve an addition to the existing commercial building and 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 Project would increase the

floor area by approximately 6,654 square feet. The Project would revitalize the existing theatre through structural and tenant improvements 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 new impacts.

LU-2: 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 a proposed live entertainment use that meets the intent of the Specific Plan, and would be consistent with the General Plan. No mitigation is required for this impact, which is less than significant.

LU-3: 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. There are no existing onsite parking spaces but there is an existing City parking lot to the rear. The applicant asserts the present use provides no-onsite parking and that given the primarily weekend evening use of the theater, that there is ample parking available in public parking areas near the site. The site is within walking distance to Caltrain station and the applicant plans to promote the use of ride share options to further limit private vehicle transportation options.

A Parking Analysis by CHS Consulting Group was prepared for the Project which noted that there is ample parking available to Guild patrons within ¼-mile distance to the site. In addition, CHS conducted a field review of walking routes to and from the observed parking areas, consisting of both on-street and public off-street lots. The field review revealed that the theater is currently connected to a continuous network of sidewalks that lead to the public parking which is expected to be used by patrons and bounded by Oak Grove Avenue, El Camino Real, Menlo Avenue, and Crane Street.

The Project is consistent with the primary goal of the Downtown Specific Plan's Parking Management Plan, which is to use the existing downtown parking supply to the fullest extent possible, promoting a "Park Once and Walk" strategy in which visitors to downtown can park once and visit multiple designations. The Project would schedule events that enable patrons to utilize widely available downtown parking capacity during Friday and weekend evenings, after parking limit enforcement has ended, enabling patrons to visit the Guild Theater as well as other downtown businesses without needing to move their car if they choose.

No mitigation is required for this impact, which is less than significant.

LU-4: 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.

NOI-1: 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).

NOI-2: 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. As discussed in the Specific Plan EIR, noise increases of less than 1 dBA are not perceptible; a 3 dBA change is barely perceptible to humans and does not cause adverse response. Therefore, the changes in noise level due to increased roadway traffic would not increase in substantial noise level increases that may impact sensitive receptors in the area.

NOI-3: The Program EIR determined that the Specific Plan could include the introduction of sensitive receptors (i.e., new residences) to a noise environment with noise levels in excess of standards considered acceptable under the City of Menlo Park Municipal Code (i.e., near the Caltrain tracks), as well as the introduction of sensitive receptors to substantial levels of ground borne vibration from the Caltrain tracks. The Project proposes live entertainment use and is not adjacent to the Caltrain tracks. Therefore, no detailed acoustical assessments for residential units constructed within

the Specific Plan area to ensure that Title 24 interior noise level standards (Mitigation Measures NOI-3) would be required.

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.

POP-1: 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 includes construction of a second story addition and basement to an existing theatre and is subject to Planning Commission architectural review and City Council approval. No mitigation is required for this impact, which is less than significant.

POP-2: 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 Project includes construction of a second story addition and basement to an existing theatre. 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 quantity of workers from outside the City or County would not be expected to relocate permanently

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.

POP-3: 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 building additions meet all relevant service requirements. MPFPD have completed an 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. 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 Burgess Park, Fremont Park, and Nealon Park. Additional public facilities, such as the library and recreational facilities at the Civic Center complex are located next to Burgess Park. 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 proposed 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 commercial development 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

As noted previously, the proposal is revitalization of an existing theatre through the construction and addition of a basement and a new second floor. The Project would

increase the intensity of the use given the larger capacity of the proposed facility and the limited use of the current theater which is often not at capacity. The proposed capacity ranges from 150-200 (cinema/seated events) to 500 for live events. The existing theater has a capacity of 266. Given that the large majority of events, estimated up to 150 annually, would take place on weekend evenings the impact on local traffic should be minimized.

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.

TR-1 and TR-7: 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.

TR-2 and TR-8: 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 Mitigation Monitoring and Reporting Program (MMRP) to implement Mitigation Measure TR-2, requiring submittal and City approval of a Transportation Demand Management (TDM) program prior to Project occupancy. The goal of the TDM plan is to identify trip reduction methods to be implemented in order to reduce the number of AM and PM peak single occupant vehicle (SOV) trips that are generated by the project site. 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. The Parking Analysis concluded there is ample parking supply in Downtown Menlo Park that is expected to accommodate the largest estimated demand generated by the Project. However, if necessary there are several strategies that the Project Sponsor can implement to manage and potentially reduce venue generated parking demand Downtown. These strategies consist of providing a venue website for transportation alternatives, providing curbside passenger loading and unloading, offer patrons incentives such as discounts on transportation network company (TNC) rides (e.g. Lyft or Uber) or food discounts for riding Caltrain to the venue, or future collaboration with Caltrain in terms of train use programs and the potential to lease Caltrain parking for theater use during late evening as might be needed in the event of a future downtown parking capacity issue.

TR-3, TR-4, TR-5, and TR-6: 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. There is no existing parking on-site, given that the proposed use would be during the evenings on the weekend, there would be

ample public parking near the site. The site is also within walking distance to the Caltrain station.

As noted above, a Parking Analysis by CHS Consulting Group was prepared for the Project which noted that there is ample parking available to Guild patrons within ¼-mile distance to the site. In addition, CHS conducted a field review of walking routes to and from the observed parking areas, consisting of both on-street and public off-street lots. The field review revealed that the theater is currently connected to a continuous network of sidewalks that lead to the public parking which is expected to be used by patrons and bounded by Oak Grove Avenue, El Camino Real, Menlo Avenue, and Crane Street.

The Project is consistent with the primary goal of the Downtown Specific Plan's Parking Management Plan, which is to use the existing downtown parking supply to the fullest extent possible, promoting a "Park Once and Walk" strategy in which visitors to downtown can park once and visit multiple designations. The Project would schedule events that enable patrons to utilize widely available downtown parking capacity during Friday and weekend evenings, after parking limit enforcement has ended, enabling patrons to visit the Guild Theater as well as other downtown businesses without needing to move their car if they choose.

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 for the Project.

References

1. Cultural Resource Evaluation prepared by Basin Research Associates dated March 29, 2018.
2. Historic Resource Evaluation prepared by Urban Programmers, dated June 23, 2014.
3. Plans prepared by the CAW Architects dated February 2018.
4. Parking Memorandum prepared by CHS Consulting Group dated April 4, 2018.
5. Staff site visit March 14, 2018.

**Historical and Architectural Evaluation
The Guild Theater
949 El Camino Real
Menlo Park, San Mateo County, California**



Prepared At the Request of:

Howard B. Crittenden III
117 Heather Drive
Atherton, CA 94027

Prepared by:

Bonnie Bamberg
Urban Programmers
10710 Ridgeview Ave.
San Jose, CA 95127
408-254-7171
bbamberg@usa.net

Date:

June 23, 2014 Revised March 9, 2018

TABLE OF CONTENTS

		Page
	Title Page	1
	Table of Contents	2
1. 1.	Executive Summary	4
1. 2.	Report Preparation	4
2. 0.	Introduction	5
2. 1.	Historic Context- City of Menlo Park	5
2. 2.	History of 949 El Camino Real	8
3. 0	Description of the Improvements	12
3. 1.	General Setting	12
3. 2.	Buildings and Landscaping	12
4. 0.	Evaluation of Significance	23
4. 1.	Historical Context	23
4. 2.	Evaluation – California Register of Historical Resources	24
4.3	Evaluation – National Register of Historic Places	26
5. 0.	CEQA Review	28
6. 0.	Sources Consulted	29
6. 1.	Repositories	29
6. 2	Published and Unpublished Works	29

FIGURES, MAPS, AND PHOTOGRAPHS (inserted within the report)

Photographs - Existing Buildings

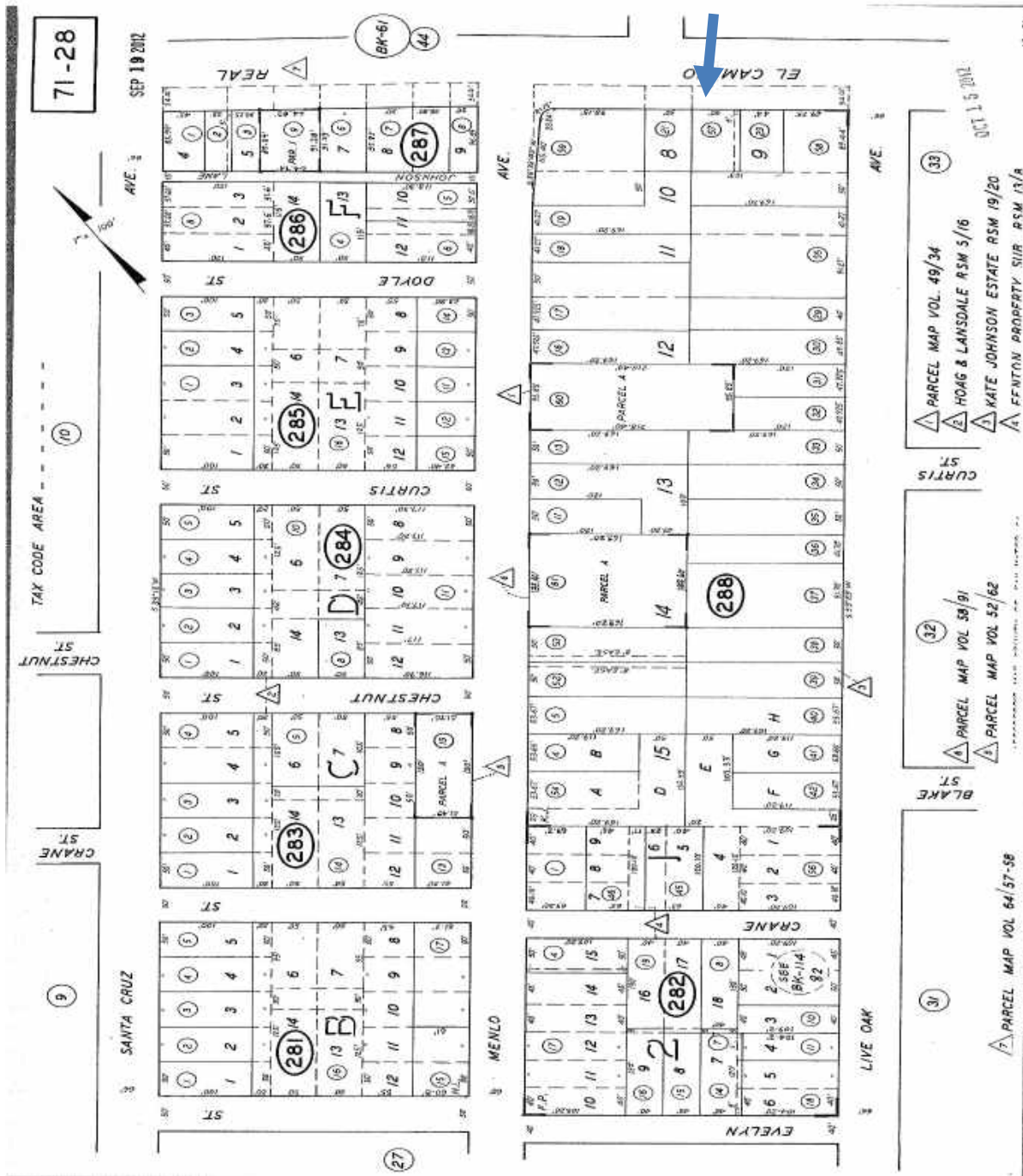


Figure 1 San Mateo County Assessor's Map APN 071-288-570
949 El Camino Real, Menlo Park CA

1. 1. EXECUTIVE SUMMARY

The City of Menlo Park has requested that the owners provide an analysis of the value of the architecture and historic associations of the Guild Theater located at 949 El Camino Real. The single-story building that fills the parcel is constructed with reinforced concrete. The building has operated as a theater since its construction in 1924, first as the Menlo Theater and later as the Guild Theater. Because the building is over 50 years old, it is necessary to evaluate the property to determine if it is significant to the history of Menlo Park, the State, or the Nation. This evaluation report is to provide information to the City that it may use when considering applications according to the CEQA Guidelines and historic preservation policies used by the City. The following report describes the research into the historic associations, architecture, and construction methods and materials of the property and buildings.

Research was conducted in the repositories of the Menlo Park Historical Association, San Mateo County Historical Museum, Redwood City Library, Environmental Design Library at University of California Berkeley, Green Library at Stanford University (Bay Area Architects' files), United States Census Records of San Mateo County, Building Permits, County Assessor's Records, Official Records of the County, and Bay Area architects files. Site visits, interviews, and photographs were also used in preparing the report and evaluation.

Based upon the research and site visit, we conclude that the building is not significant to the history or architectural heritage of the City of Menlo Park. Under the criteria of the California Register of Historical Resources, the property is not a significant historical resource due to the extensive alterations, remodeling and change in size of the building.

The theater has been one of the recreational and entertainment venues in Menlo Park since it was constructed. During this time it has reprogrammed the entertainment aspects of motion pictures, and the selections to be offered, to address different segments of the population's desire for movie types. For many years the clientele has come less from the immediate community and more attendance is from outside Menlo Park, and those who are seeking a specific genera of films. Thus the recreational association with the Menlo Park community is diminished.

The building has lost integrity. First was the widening of El Camino Real that took 30 feet of the original building and in the 1980s the interior was remodeled using architectural décor from other theaters. Other than the shell walls, little remains from the original building.

1. 2. REPORT PREPARATION

The report was prepared by Urban Programmers and compiled by Bonnie Bamburg. Ms. Bamburg has over 35 years of experience preparing historic surveys and evaluation reports for cities, counties, and the federal government. She has prepared numerous National Register Nominations for individual sites and historic districts. Additionally, she has advised owners and architects on compliance with the Secretary of the Interior's Standards for Rehabilitating Historic Buildings and has prepared Certifications for historic properties in several states. She is a lecturer in historic preservation, a former instructor in Historic Preservation at SJSU, and a former San Jose Historical Landmark Commissioner (1974-1980). Ms. Bamburg is an advisor to Preservation Action Council San Jose and a past board member of the Western Region of Preservation Technology and History San Jose. Others who are part of the firm include: Linda Larson-Boston, who received her BA in English and History at Santa Clara University., has 17 years of experience as a researcher and is a published author of local history. Her clients include architects, attorneys, and land owners. She is a former San Jose Historical Landmarks Commissioner, a member of the Institute for Historical Study, and has served on the Board of Directors for Preservation Action Council of San Jose. William Zavlaris, B.A., MUP, received his education in art and architectural history at University of California Berkeley and received his master's degree in Urban Planning, City Design, from San Jose State University. Mr. Zavlaris has 23 years of experience evaluating architecture for local historical surveys and National Register Nominations for both private clients and government agencies. Douglas A. Bright received his Masters in Historic Preservation from Savannah College of Art and Design in 2008. MBA Architects principal, Marvin Bamburg, AIA, has over 45 years of experience providing architectural services for historic preservation projects. MBA Architects review existing conditions for surveyed projects.

The preparation of the report followed standard methodology for research and site investigation. The information contained herein was derived from a combination of interviews conducted with people knowledgeable about certain aspects of the property or associations in history, city directories, historic maps, public records, and special collection materials at local repositories. The internet was used as a repository for research when applicable.

Research was conducted in the repositories of the San Mateo County Historical Museum, the Redwood City Library, the California Room of the Dr. Martin Luther King Jr. Main Library San Jose, the Environmental Design Library, University of California Berkeley, Green Library at Stanford University, United States Census, San Mateo County Building (permit files), and the County Assessor's Records and Official Records. Site visits and photographs were also crucial to preparing the report and evaluation.

2. 0. INTRODUCTION

The following report provides a brief historical background of the City of Menlo Park to contextualize the history of buildings constructed there in the mid-1920s.

2. 1. HISTORICAL CONTEXT-THE MENLO PARK AREA

Early Settlement Era 1776-1847

The first recorded inhabitants of the area now known as Menlo Park were the Coastanoan or Ohlone people. The first European discovery is attributed to Gaspar de Portola and the expedition of 1769, who passed through the area in search of the mouth of the Bay of San Francisco and returned to camp in close proximity to Menlo Park. The De Anza party of 1776 described the land as it established the San Francisco Presidio and Mission Dolores. In the 1830s English speaking settlers were attracted to the area for economic reasons, primarily for the abundance of timber and furs. Divisions of land began in the Spanish period. The largest land grant on the Peninsula was Rancho de las Pulgas, 35,240.35 acres was awarded by Governor Diego de Borica, to the former Commandant of the San Francisco Presidio, Jose Dario Arguello.¹ Land grants to individuals were more common during the Mexican Period (1822-1848), which began when Mexico seceded from Spain. In 1835, Mexican Governor Jose Castro granted Rancho de Las Pulgas, which included what is now Menlo Park, to Jose Dario Arguello's widow Maria Soledad Ortega de Arguello and the heirs of Louis Antonio Arguello, Dario's son.² This period of Mexican rule and the division of land into Ranchos or other privately owned parcels ended when California became a territory of the United States following the Treaty of Guadalupe Hidalgo in 1848. When admitted as a state in 1850, California had 27 counties; six years later, San Mateo County was formed during a second round of county divisions. In 1853 the land grant for Rancho de Las Pulgas was patented by the United States in the names of Maria de Soledad de Arguello($\frac{1}{2}$), heirs of Jose Ramon Arguello ($\frac{1}{4}$), Louis Antonio Arguello ($\frac{1}{10}$), and Attorney S. Mezes ($\frac{3}{20}$).³ Subdivisions of the land began soon after the patent. No physical evidence of the owners from this period exists on the property at 949 El Camino Real.

American Period 1848-1900

This period is known for the proliferation of lumbering, trading, and, eventually, agriculture. By 1852 stage coach service to and from San Francisco to the rest of the peninsula was fairly regular. San Mateo County's forested hills provided the natural resources for a developing lumber industry, which, in turn, contributed to residential and local economic growth. By 1855 there were several lumber mills flourishing in the hills to the west of the bay. Additionally, the Peninsula provided a scenic area with a comfortable climate and city access that attracted increasing numbers of residents to the area. The southern portion of the county was particularly

¹ The Daily Journal: San Mateo County Home Page, Arguellos and Rancho de Las Pulgas, August 4, 2008

² *ibid*

³ Report of the Surveyor -General of the State of California From August 1, 1884, to August 1, 1886

suited for farming. The subject property appears to have been part of larger agricultural lands prior to 1917.

During the first fifty years of California's statehood, the construction of the railroad in the 1860s is regarded as the most influential development for the San Francisco Bay Area. The railroad made practical a "commute" from San Francisco to the Peninsula and even San Jose. The train station and city south of Redwood City was named Menlo Park after the sign over entrance to the estate of brothers-in-law Dennis J. Oliver and D.C. McGlyn.⁴ Other significant developments to Menlo Park's history include former Governor of California and President of the Central Pacific Railroad Leland Stanford's purchase of land for his estate in 1876. It eventually grew to 8000 acres and is now home to Stanford University's campus. The large local interest Spring Valley Water Company, conceived elaborate plans to transport water from the Sierra Mountains into the Peninsula to be stored for use by the citizens of San Francisco. Although these projects had an indirect influence on Menlo Park, there is no evidence of the association with the subject parcel.

Agricultural Expansion and Incorporation Era 1901-1939

This era included WWI, prohibition, the Roaring Twenties, and the Great Depression. All of these, of course, affected Menlo Park. But the Lower Peninsula retained its wonderful climate and bucolic setting and continued to appeal to ever more San Franciscans looking for a summer home. The area also attracted farmers because it was ideal for row crops and orchards. The onset of WWI disrupted agricultural production in Menlo Park when Camp Fremont was established in 1917 on 25 acres of land south of Santa Cruz Avenue. The training center included buildings to house, support, train, and provide recreation for up to 27,000 soldiers. The complex even included a theater. Almost as quickly as it started, the camp closed in 1919, and most buildings were demolished by 1920. During the short time it was open businesses grew around the camp including stores and a bank. By U.S. Army and County decree, no alcohol, including that from local wineries, could be sold within 5 miles of the camp. After the camp closed the land became available for residential subdivision and commercial development—perfect timing for the growing population in the Bay Area. By the 1920s housing subdivisions began construction along El Camino and extending west. The Sanborn Insurance map of Menlo Park completed in 1925 shows commercial development was filling in the El Camino parcels, but many large, open spaces remained. When the City incorporated in 1927, its industry was primarily agricultural. At the time Allied Arts and Menlo Schools were also large employers. It was the year the Menlo Theater first opened.⁵ Toward the end of the period, in the 1930s, residential construction was the dominant local industry. Houses and commercial buildings displayed popular designs in the International, First, and Second Bay Region Traditions and Modern or Contemporary styles. However, the California Ranch style was by far the most popular design motif for homes because it was well adapted to the climate and terrain of Menlo Park. Commercial buildings tended to be bland, sometimes with a bit of stone veneer or large glass walls. Often what they lacked in architectural

⁴ City of Menlo Park, Early Days in Menlo Park, www.menlopark.org/homepage/history/html

⁵ R.L. Polk, Redwood City Directory Embracing, Atherton, Belmont, Menlo Park, San Carlos and Woodside.

flair was compensated for with colorful, moving neon signs. The subject of this study the Guild Theater was constructed during this period.

Suburbanization and Industrialization Era 1940-2000

After the end of WWII, the greater San Francisco Bay Area experienced a boom in population that lasted from 1946-1960 when most of the available land had been developed. The ever popular subdivisions for part time residents transitioned to cater to full time residents. The common residential architectural styles continued to include International, First, and Second Bay Region Traditions and Modern or Contemporary style, and primarily the California Ranch style. The agriculture was overtaken by subdivision industry. The industrial buildings East of El Camino Real trended toward manufacturing, but commercial endeavors remained the main business interests in the community. In this period the United States Geological Study selected Menlo Park for their offices and located on Middlefield Road not far from where Sunset Magazine was headquartered. Commercial development featured the straight lines of Mid-century architecture while the Period Revival styles of the 20s and 30s fell out of fashion. This is also the era of the Supermarket, chain retailers, and shopping centers, all of which developed close to El Camino Real- the artery between San Francisco and San Jose. This was also the period of local theaters. Every town on the Peninsula had at least one. Menlo Park, for a short time, had three, two of which, the Park and the Guild (formerly the Menlo) theaters, survived into the twenty-first century.

Brief History of the Early Motion Picture

The "Motion Picture Project" was research initiated at the Edison Laboratories in Menlo Park New Jersey. The work began in the early 1890s. By 1892 a Kinetoscope was using vertical feed film and the first motion picture "The Blacksmith Scene" was produced and publically exhibited. By 1894, the projection screens were introduced, along with censorship. From then on the industry grew quickly with due to technological advances and huge commercial appeal. During the Roaring Twenties, the film industry roared itself into sunny Hollywood. The booming Hollywood studios pushed technological envelopes. For example, in 1920, Lee De Forest added a sound track to the side of the film in 1920. The same year saw the debut of breakthrough films *Dr. Jekyll and Mr. Hyde* and *the Mark of Zorro*. The studios instituted a grandeur of production and the "star" system that would characterize the industry for decades. The studios produced tremendous films such as *The Ten Commandments* by Cecile B. DeMille and Warner Brother's distributed *The Marriage Circle*. The year 1925, saw the release of Charlie Chaplain's *The Gold Rush* (considered his finest film) and MGM's *Ben-Hur*. Disney was producing animation mixed with live action scenes in a series. Audiences were flocking to the theaters to see the latest films. These theaters, called "Movie Palaces" were located primarily located in large cities and were much grander than contemporary cinemas. They often featured full orchestras, could seat more than a thousand people, and were owned by the film studios themselves. By the end of the 1920s, studios were producing more films faster as technology and film quality improved. The 1927 release of *The Jazz Singer*, arguably the first musical movie, was shown with a synchronized

recorded sound-track using the Vitaphone system. From then on the days of silent films were numbered. In the San Francisco Bay Area, this gave theater owner/operators incentive to begin branching out from the Movie Palaces of San Francisco, Oakland, and San Jose to small theaters located in communities along major transit corridors. This trend started slowly and stopped during WWII to be rekindled in the late 1940s and '50s when virtually every community had at least one movie theater.

2. 2. HISTORY OF THE PROPERTY AT 949 EL CAMINO REAL, MENLO PARK

The guild theater has been a part of the Menlo Park community, in various forms, since 1924 when the Menlo Park Recorder reported the start of construction of the theater—the first building to be constructed on the parcel.⁶ In 1925 the Menlo Park Sanborn map lists “moving pictures” at the site.⁷ It was originally called the Menlo Theater. It still has only one screen. In its early years it played silent films accompanied by a live organist.⁸ It was originally owned and operated by Boyd Braden. The opening feature, on May 7, 1926, was “King of the Turf,” accompanied by organist Philip Zenovich. The building cost \$35,000 to build and an additional \$10,000 for the organ alone. This tremendous investment promised local entertainment and a boon for the local economy. In 1930 the census reports that population of Menlo Park as only 2254—a population so small that the theater could host every single citizen within 5 showings. But Braden’s large investment proved wise. He knew that the growing town needed some entertainment and he had faith—a faith that endeared him to the population of Menlo Park—that the town would continue to grow and prosper.⁹ The Menlo was the only theater in Menlo Park for over fifteen years. After the third theater was built in Menlo Park and named The Menlo, the old Menlo was renamed the Guild. In 1942, due to the widening of El Camino Real by two lanes, the theater was forced to remove 30 feet from its large lobby and construct a new front façade. Many other buildings on the west side of the highway were moved or demolished. With the advent of several theaters in the area, the Guild changed its format to sustain a different clientele offering different types of films.

The local paper described the theater on opening night as having a “Venetian Garden motif.” There was onyx work on the walls and trellises and “greenery” on the ceiling. The large lobby was apparently finished in “Egyptian mud.” The walls of the theater were painted with ornate, Venetian style murals.¹⁰ At that time the theater also housed a large, expensive organ for live accompaniment. The theater could reportedly seat 500. By Sept. 1, 1929 *The Film Daily* reported The Menlo, had upgraded its sound system with new technology, and was wired for “Movie-Phone” sound.¹¹ Presumably, the organ was removed and sold. According to the county assessor,

⁶ Sanborn Map Company 1891, deed 1923

⁷ Sanborn Map Company, 1925. *Menlo Park*. New York.

⁸ “Theatre to Open Tonight in Menlo Park,” *Palo Alto Times*, May 7 (continued 8), 1926.

⁹ *Ibid.*

¹⁰ Alan Sissenwein, “Can single-screen theaters like the Guild survive in the age of the multiplex?” *The Almanac*, May 2, 2001. www.almanacnews.com/morgue/2001/2001_05_02.guild.html.

¹¹ *The Film Daily*, September 1, 1929, pg 541, Onlinebooks.library.upenn.edu/webbing/serial?id=filmdaily.

the theater replaced its marquee, curtain, and seats in 1936.¹² In 1942, while the theater was owned by Bessie Niclson, El Camino Real was widened by two lanes on the west side of the road to accommodate more traffic due to population increase etc.¹³ Several of the buildings in surrounding blocks from the theater were demolished to make room for the expansion. The brick Duff & Doyle building was demolished, while many of the smaller buildings were moved. The Menlo was too big to feasibly move so, instead of demolishing it, the owners decided to simply remove almost thirty feet of the building, sell the property to the state, and rebuild a much simpler façade. The building went from 120 to 85 ft. long.¹⁴ In 1955 the sign was replaced.¹⁵ In 1989 the Guild and Park theaters were owned by West Side Valley Theaters and leased to Bel Mateo Theaters Inc., . December 2, 1980 the theater was sub-leased to a new management company Renaissance Rialto Inc.. It was this company, whose president was Allen Michaan, that undertook a major remodeling of the theater. The then 320 seat theater was remodeled with Art Deco lighting and trimmings.¹⁶ According to Allen Michaan, the striking gold wings and swirls framing the screen were salvaged from the Fox Theater in Richmond (stored in a warehouse and were next used in 1972 in the Rialto Theater in Berkeley) and added to the Guild Theater.¹⁷ Renaissance Rialto Inc., also added red fabric wall covers and art deco ceiling lights that were salvaged when the Uptown Theater in San Francisco closed. The late 1980s remodeling created an theater auditorium that is very different from its original appearance. Now, its interior is decorated in more standard fare for independent, low budget theaters. It's decorated in an art deco/art modern style typical for independent theaters in the bay area. The seats have been replaced with more modern style seats complete with cupholders. They were reportedly salvaged from Act 1 and 2 theaters in Berkeley.¹⁸ Now, the theater seats only 265. Landmark Theaters became the operator after Renaissance Rialto Inc. it specializes in independent and foreign film. Unfortunately Landmark Theaters declared bankruptcy in the late 1990s. Since then, the operator has been Silver Cinema Acquisition Company. In 1998, West Side Valley Theaters sold the building to Howard Crittenden III, the current owner. Unfortunately, the original murals are gone and the walls are covered with fabric curtains. The roof was replaced in 1994 changing the profile.¹⁹ The building is in the same location and has a similar, though truncated, footprint, but few, if any, of the theater's original design elements or features remain. The Guild, unlike its Palo Alto cousin The Stanford, was neither built nor operated as a movie palace – a precious piece of art for the sake of art. It was meant to serve the more utilitarian needs of the community as its changing form reflects.

¹² William Henry, *The Country Almanac*

¹³ Jym Clandenin, "Then and now: El Camino Real moves west in Menlo Park," *InMenlo*, April 11, 2013, Inmenlo.com/2013/04/11/then-and-now-el-camino-real-moves-west-in-menlo-park/

¹⁴ William Henry, *The Country Almanac*

¹⁵ Building permit

¹⁶ "Menlo Park theaters Bought Out," *Peninsula Times Tribune*, December 1, 1989.

¹⁷ William Henry, *The Country Almanac*

¹⁸ Linda Hubbard Gulker, "Guild Theatre: Bringing movies to Menlo for 85 years," *InMenlo*, April 3, 2011, Inmenlo.com/2011/04/03/guild-theatre-bringing-movies-to-menlo-for-85-years/

¹⁹ Building permit

The Guild Theater managed to survive through the depression, economic booms, the age of multiplexes, multiple owners and management companies, and WWII. It did so by remaining responsive to the changing needs of movie goers. In August 1927, the theater was sold to A. Blanco. In October of that year, the *Film Daily* features a bit of advice from an F. Blanco in a column called "Exploit-O-Grams; Daily tips which mean dollars for showmen." To advertise for the film "The Fire brigade," Blanco says he posted two banners, one in front of the theater and the other across from the RR station. The lobby was transformed into an exhibit of firefighting instruments. The outreach included a short lecture on the film to local schoolchildren. Best of all, on opening night the local fire department band, which included ten musicians, performed in front of the theater.²⁰ At that time, the Menlo was not simply a business endeavor. The community rallied around it as an icon for fun and entertainment. Locals recall that in the 1930s and '40s on the weekends the Menlo would show Westerns and cartoons all day. Admission for the day cost ten cents. It was a popular weekly social event for many local kids.²¹ During the hard times of the 1930s, the theater strove to remain a part of local social life. To bring additional value to the admission prices, the theater reportedly raffled off turkeys to the audience members and even had an event called "Country Store" wherein the theater gave away dishes to female attendees.²²

In the early days, the Menlo faced competition from the nearby Stanford and Varsity theaters in Palo Alto as well as larger theaters and entertainments in San Francisco. The Guild tried to position itself as local entertainment. Menlo Park grew around its railroad station. Access to the city was imperative for its development. In 1927 the opening of the Dumbarton Bridge and, just a few years later, the Bayshore Highway offered even more access to the city. As a result, Menlo Park and its population grew steadily. In 1947 Al Lauice, then owner of the Menlo, opened and ran a second theater, the Park, just two blocks north on El Camino Real.²³ The Park was a 700-seat theater with movie selections that complemented those of the Guild. Soon after, a third theater was built in Menlo Park on Santa Cruz Avenue. It was called the Menlo and the old Menlo became the Guild. The Menlo closed in the early 1980s and The Park in 2002. As more theaters came to Menlo Park, the Guild had more competition, but also more support. At any given time at least several nearby theaters, including the Park, were operated by the same management company. This meant that the theaters could be run collaboratively rather than competitively. It also meant that the management companies had more influence over film distribution and therefore more bargaining power with film companies. Once the Park and the new Menlo were built and larger megaplexes predominated nearby cities, the Guild found a new niche as an art house theater. Its independent and foreign fare existed as an alternative to the newer megaplexes playing mainstream blockbusters. The theater is a vestige of an era of small, local

²⁰ *The Film Daily*, October 11, 1927, pg 866, [Onlinebooks.library.upenn.edu/webbing/serial?id=filmdaily](http://onlinebooks.library.upenn.edu/webbing/serial?id=filmdaily).

²¹ Alan Sissenwein, *the Almanac*.

²² Linda Hubbard Gulker, *InMenlo*.

²³ Bonnie Eslinger, "Park Theater in Menlo Park a step closer to demolition" *San Jose Mercury News*, September 6, 2013, www.mercurynews.com/peninsula/ci_24037394/this-time-it-may-be-curtains-park-theater

theaters. Now it has a stripped façade, minimal lobby, and a small, but dedicated clientele many of whom are not Menlo Park residents.

As it stands, the theater is, both literally and figuratively, a collection of pieces of other theaters it has outlived. The building and, more impressively, the business, has survived from the original development of El Camino, through the widening of El Camino Real, the population boom of the 1950s, and the proliferation of multi-screen theaters. It is remarkable. However, its survival is due to its adaptability, which has resulted in a theater dissimilar to the original in all but location.

3.0. DESCRIPTION OF THE IMPROVEMENTS

3.1. GENERAL SETTING

The immediate area is a long commercial stretch of El Camino Real. The building is constructed to the property line along El Camino. There is a five foot sidewalk in front of the building and a parking lane beyond that. Recently work has been started to landscape the street and sections of the sidewalk have been removed. Across El Camino Real, a divided boulevard, is the Menlo Park Office Center, a contemporary, low-rise complex that fills the block.

3.2. BUILDINGS AND LANDSCAPING - 949 EL CAMINO REAL

The parcel facing El Camino Real is part of lot 9 of the Kate Johnson Estate survey recorded in 1920 (APN 071-288-057). The building is a single-story, reinforced concrete building constructed in a rectangular form. It is 56 feet across the front and 86 feet in depth. The roof is flat with wood trusses. It appears that only the side and rear walls and part of the roof are original. The building fills the parcel. Directly in front of the entrance to the theater there is a pole traffic sign and a concrete aggregate trash can.

The front façade is not the original. When El Camino Real was widened on the west side in 1942, 30 feet of the building was removed, including the ticket booth and most of the lobby space. However, the façade created at that time has also been dramatically remodeled. The current façade is an amalgam of several iterations since 1944. The front wall is covered with a cementitious product that has a ridged surface. The material is applied in 6 horizontal bands that extend across the south half of the façade. Breaking the starkness of the wall, a horizontal band of 6 shadow boxes is on the south side display posters of upcoming motion pictures. A recessed element houses the entrance doors which have glass panels in the top half--covered on the inside. The rest of the doors and entry is flat and painted the bluish-purple color of the rest of the façade. The ticket window is North of the recess and in horizontal plane with the shadow boxes. This window extends around the corner onto the street façade, but the operable ticket window is within the recess. Above the entrance is the marquee. A projecting rounded marquee element appears in a 1944 photograph covering the entire façade but is now only on the north half of the building. The marquee has can lights that shine down onto the entrance area. Sitting on top of the marquee is a letter board on each side of a blade sign that extends above the building with the letters GUILD, each in its own box and spaced apart on each side so that they can be read from a

great distance. The letters are illuminated in front of an opaque background. The edges of the blade and the marque are also light bands in a yellow/gold color. Like the rest of the façade, this is not original to the theater. The blade sign that projects perpendicular from the building appears is directed to automobile traffic. It distinguishes the theater from the more subdued retail buildings fronting on El Camino. Likewise, the letter boards displaying the current or coming attractions are angled to be seen and read from the street as cars approach the building. The north side of the façade above the ticket window is a smooth cementitious board that is taller than that on the south and conceals the frame for the blade sign and mechanical equipment. This is yet another iteration of the façade. The roof has also been changed. It is originally shown in photographs as a pitched roof but is currently flat. What remains of the original building are the side and rear walls.

The interior has also been re-created and is not the original. Immediately notable is the very narrow lobby. It appears that when the building was shortened the lobby was more expendable than the prevailing seat count. This narrow space has a concession counter--really a window--on the north side and restrooms on the south. It is otherwise unadorned except for posters. The interior of the auditorium was originally decorated in frescos of a Venetian garden scene that extended to the ceiling. It is not known exactly when these were removed and the walls and ceiling repainted. Currently the interior auditorium is decorated with fabric on the side walls and a curtain in the front on the sides of the screen. This treatment was brought to the theater in the late 1980s, along with gracefully swooping gold painted plaster wings and medallions that adorn the walls and that were brought from other theaters. Art Deco ceiling lights and the chairs were also taken from other theaters and installed in the Guild. Behind the screen is a narrow area that is primarily home to large mechanical ducts. The projection booth is above the theater floor and accessed by a narrow stair. The space is spartan with storage for the marque letter board, old posters, and various pieces of equipment. The projection equipment is high quality and only a few years old. A fire suppressant system engages the flaps that cover the projection windows should there be a fire in the booth. The space is also used for the ice maker and a small office area.

In summary, the building does not retain architectural integrity of the original 1920s, or remodeled 1930s, 1940s or even 1950s. It has become a collection of parts, pieces, and décor from other buildings. Most of its current appearance occurred during the interior remodeling in 1989-90 when the operator was Renaissance Rialto Inc.,.

Photographs other than historic ones were taken in May 2014 using digital format.



Photograph 1—949 El Camino Real, Menlo Park
View: Front façade showing horizontal banding, marque and blade sign.
Camera pointing: West
Date: May 2014



Photograph 2 – 949 El Camino Real.

View: Front and north façades showing impact of the marque and blade sign. Camera pointing: Southwest

Date: May 2014



Photograph 3 – 949 El Camino Real. The Guild Theater
View: Interior showing lobby and concession counter
Camera pointing:
Date: May 2014



Photograph 4—949 El Camino Real- The Guild Theater
View: Interior of auditorium showing fabric covered walls, lights and art affects (waves, wings and scrolls) brought to the theater from other buildings
Date: May 2014



Photograph 5—949 El Camino Real- The Guild Theater

View: Interior of auditorium showing fabric covered walls, lights and art affects (waves, wings) brought to the theater from other buildings

View: looking toward the screen (stage) from the rear of the auditorium

Date: May 2014



Photograph 6—949 El Camino Real- The Guild Theater

View: Interior of auditorium showing fabric covered walls, lights and art effects (waves, wings) brought to the theater from other buildings

View: looking toward the south side from the rear of the auditorium

Date: May 2014



Photograph 7 – 949 El Camino Real- Guild Theater
View: Interior of the auditorium showing the ceiling of celotex and panels,

Date: May 2014



Photograph 8 – 949 El Camino Real- The Guild Theater

View: Interior- projection booth area of storage and mechanical. Emergency drop door in case of fire.

Camera pointing:

Date: May 2014



Photograph 9 – 949 El Camino Real- The Guild Theater
View: Interior- projection booth and projector.
Camera pointing:
Date: May 2014

4.0. EVALUATION OF HISTORICAL AND ARCHITECTURAL SIGNIFICANCE

For the purposes of this report, the property is evaluated according to the criteria of the California Register of Historical Resources.

4.1. HISTORICAL CONTEXT

The area of San Mateo County that became Menlo Park was developed in the mid-1800s through the turn of the century in response to the area's natural resources, which included lumber, fur, water, and agriculture. The area's profitable natural resources brought attention to the beauty of the area. It was an ideal location for a country home for those who were used to spending the foggy summer months in the San Francisco metropolitan area.

Subdivision of the land began shortly after San Mateo County was established. Within the first quarter of the new century, several tracts of land were subdivided for second or vacation homes. By the 1920s there were increasing numbers of permanent residents. The construction and sale of homes marked a changing era for Menlo Park. The period from 1901 -1939, the "Agricultural and Incorporation Era," was characterized by smaller agricultural tracts and the subdivision of land for homes. In the early half of the era, small orchards and vineyards were popular, but the land became more profitable as housing developments. Menlo Park became a suburban community with easy access to San Francisco and San Jose. During WWI, Camp Fremont occupied 25 acres along El Camino Real that was subdivided after the war. The land within the Kate Johnson Estate was divided for commercial properties along El Camino as well. After several commercial buildings were developed the Menlo Theater was constructed on the block between Santa Cruz Avenue and Menlo Avenue.

The Menlo (Guild) theater, built in 1924, is evaluated within the context of the Agricultural and Incorporation Era, 1901-1939. The primary theme is theater architecture; the secondary theme is community recreation.

Findings: The Kate Johnson Estate Subdivision, San Mateo County California, was part of a broad pattern of increased development in Menlo Park from the early 1920s to the beginning of WWII. The subject theater was developed as part of that trend. Constructed c. 1924 the theater was associated with the commercial development along El Camino Real. The subdivision of commercial properties was only a minor part of a large pattern of suburbanization and does not individually represent the pattern in a significant way. The owners and operators of the theater participated in and were part of the community's recreation as the population expanded. It does not appear any of the people associated with the theater during its period of significance 1924-1942 (the opening of the Menlo Theater until El Camino was widened removing 30 feet of the building) were otherwise influential or contributed to the growth and development of Menlo Park. The recreational aspect of the operations is not unique, as there were two other theaters in

Menlo Park and the surrounding area offers several choices for motion pictures that were attended by residents of Menlo Park.

4.2. EVALUATION - CALIFORNIA REGISTER OF HISTORICAL RESOURCES

The criteria for listing resources in the California Register of Historical Resources are consistent with those for listing resources in the National Register of Historic Places, but modified to include a range of historical resources which better reflect the history of California. The California Register lists 50 years as the age threshold for most historic resources. Properties that are not found eligible for the California Register of Historical Resources will not qualify for the National Register of Historic Places. Thus this property was only evaluated against the criteria of the California Register of Historical Resources.

In addition to the four criteria, the resource must retain enough of its historic character or appearance to be recognizable as a historic property and convey the reason for its significance.

Evaluation of Integrity: The resource has lost integrity, as defined by the seven aspects established by National Register of Historic Places, due to the multiple alterations that occurred over the past 50 years. The integrity of a resource is determined by seven aspects: Location, the place where the buildings were originally constructed; Design, the combination of elements that create the original form, plan, space, structure, and style of a property; Setting, the physical environment at the time the building was constructed; Materials, the physical elements that were combined during a particular period of time and in a particular pattern; Workmanship, the physical evidence of the crafts of a particular culture or people during any given period of history; Feeling, the expression of the aesthetic or historic sense of a particular period; and Association, the direct link between an important historic event or person and a historic property.

The aspect of the building's location on El Camino is considered to be intact. However, its design, materials, workmanship, setting and feeling were compromised by the alterations to the building. The removal of the original façade and widening of El Camino Real was the first major change. Eclectic pieces were gathered from older buildings, primarily the Rialto Theater in Berkeley. The Rialto was actually a warehouse for salvaged décor prior to its opening in 1972 as a theater. When the Rialto theater operation closed in 1989 some of its décor items were installed in the Guild Theater which completely transformed the building. The aspect of Association is not present due to the lack of historically important events or people associated with the theater.

Buildings that have lost integrity are not eligible for listing in the California Register of Historical Resources or the National Register of Historic Places.

Criterion 1: *It is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.*

The building does not meet the criterion for association with an event or person of historical importance. It is associated with the broad pattern of recreation and community motion picture theaters. However, this pattern is not supported by the existing building that has lost integrity of the original or even the Mid-century iteration. The c. 1989 remodeling does not convey the architecture of the previous theater. The property is not eligible under Criterion 1.

Criterion 2: *It is associated with the lives of persons important to local, California, or national history.*

The history of the property from 1926 does not indicate a direct and significant association with persons important to the history of Menlo Park, the State, or the Nation. The buildings are not eligible under Criterion 2.

Criterion 3: *It embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of a master, or possesses high artistic values.*

The building exhibits eclectic vernacular architecture. The theater is representative of vernacular Mid-century style that was popular in the mid-1950s and 1960s, but the assorted elements are not original to this building and as a composite do not create an artistic or outstanding example of the style. The building does not exhibit characteristics significant to local or state history. The property is not eligible for individual listing in the California Register of Historical Resources under Criterion 3.

Criterion 4: *It has yielded, or is likely to yield, information important to the prehistory or history of the local area, California, or the Nation.*

The soils were disturbed during the years of Camp Fremont and later with the construction of the theater and surrounding streets and buildings. It is unlikely that significant information important to prehistory or history would be found on the immediate site. The property does not satisfy Criterion 4.

Conclusion: The reinforced concrete building has lost integrity and is not eligible for listing in the California Register of Historical Resources. Further, the property does not exhibit associations to significant people or events, distinctive architecture of high artistic value, nor the work of a master architect. Therefore, considering these criteria, the property is not eligible for listing in the California Register of Historical Resources.

4.3 EVALUATION – NATIONAL REGISTER OF HISTORIC PLACES

NATIONAL REGISTER CRITERIA

The National Register of Historic Places has established standards for evaluating the significance of resources that are important in the heritage of the nation. Historic resources may be

considered important at the local level, state level or national level. To apply the standards the resource must be considered within significant historical contexts. The standards, age and integrity statements follow:

1. A property must be fifty years old or meet criteria for exceptionally fine design or exceptional historical association.
2. The resource must retain architectural and historical integrity.
3. The resources must meet at least one of the following criteria;

(a) **that are associated with events** that have made a significant contribution to the broad patterns of our history; or

The Guild Theater does not meet the criterion for association with an event or person of historical importance. It is associated with the broad pattern of recreation and community motion picture theaters. However, this pattern is not supported by the existing building that has lost integrity of the original or even the Mid-century iteration. The c. 1989 remodeling does not convey the architecture of the previous theater. The property is not eligible under Criterion a.

(b) **that are associated with the lives of persons** significant in our past; or

The history of the Guild Theater, from 1926 does not indicate a direct and significant association with persons important to the history of Menlo Park, the State, or the Nation. The building is not eligible under Criterion b.

(c) **that embody distinctive characteristics** of a type, period. Or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

As stated above, the Guild Theater building exhibits eclectic vernacular architecture. The theater is representative of vernacular Mid-century style that was popular in the mid-1950s and 1960s, but the assorted elements are not original to this building and as a composite do not create an artistic or outstanding example of the style. The building does not exhibit characteristics significant to local or state history. The property is not eligible for individual listing in the California Register of Historical Resources under Criterion c.

(d) **that have yielded, or may be likely to yield, information** important in prehistory or history.

The soils were disturbed during the years of Camp Fremont and later with the construction of the theater and surrounding streets and buildings. It is unlikely that significant information important to prehistory or history would be found on the immediate site. The property does not satisfy Criterion d.

When a resource is shown to meet one or more of the 4 criteria it is evaluated for integrity. The potential resource must retain most of the 7 aspects of integrity and be able to convey its significance to be considered a historic resource.

The seven aspects of integrity are as follows:

Location: The place where the historic property was constructed or where the historic event occurred. The building is located in the place where it was constructed and where it was in continuous use as a family home until members of the family passed away leaving it vacant.

Design: The combination of elements that create the form, plan, space, structure, and style of a property. The design includes the organization of space, interior and exterior that reflects the historic function of the home within the context of the Tudor Revival architectural style.

Setting: The setting is the physical environment of a historic property. The setting is defined as the “character” of the area surrounding a resource. The home at 20 El Cerrito is part of a functional and aesthetically pleasing plan of buildings, circulation, landscaping, parking. This plan communicates an eclectic and vernacular plan for the relationship between the building and landscape features, some natural as the oaks and others such as a defined vegetable and flower garden that support the residential use of the primary building.

Materials: The physical elements that were combined or deposited during a particular period of time and in a particular pattern of configuration to form a historic property. A building must retain the key exterior materials dating from the period of its historic significance. The house and garage (former barn) exhibit the original materials used in the construction of the turn of the century home.

Workmanship: Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of the artisans’ labor and skill in constructing or altering a building, structure, object or site. The workmanship evidenced in the original building, where it is unaltered by later additions, is of a greater skill and higher quality reflecting the original quality of the design, than is exhibited in the additions.

Feeling: The definition of a property's expression of the aesthetic or historic sense of a particular period of time. While the original design is observable in the center elements of the house, large additions have diminished the "feeling" of the Tudor Revival architectural style by their lack of supporting or sympathetic design and execution in materials that are without the appropriate definition of weight or structure.

Association: The direct link between an important historic event or person and a historic property. The residential property is associated with the expansion of residential property in the early years of San Mateo.

The Guild Theater does not qualify for nomination to the National Register of Historic Places, based upon the fact that it does not meet any of the 4 criteria and has lost integrity.

Compared to the criteria of each program level, City State and National, the Guild Theater is not considered a historic resource.

5.0. CEQA REVIEW

The California Environmental Quality Act (CEQA) is the principal statute mandating environmental assessment of projects in California, and as such is part of the Public Resources Code, sections 2100 et seq. The purpose of CEQA is to evaluate whether a proposed project may have an adverse impact on the environment and, if so, if that effect can be reduced or eliminated by pursuing an alternative course of action or through mitigations. CEQA requires the Lead Agency to determine if a project will have a significant impact on the state's historic resources. Historic Resources are defined as any resource eligible or listed in the California Register of Historical Resources, locally significant and have been designated by a local preservation ordinance, or that have been identified in a local historical resources inventory, may be eligible for listing in the California Register of Historical Resources, and are presumed eligible for purposes of CEQA unless a preponderance of evidence indicates otherwise, (PRC s. 5024.1.14 CCR S.4850). However, a resource does not need to have been identified previously to be considered significant under CEQA. Lead Agencies have the responsibility to evaluate potential resources against the California Register Criteria prior to making a finding as to a proposed project's impact to historical resources (PRC s 21084.1, 14CCR s 15064.5(3)).

Further, section 15064.5(b)(1) and (2) of the California Environmental Quality Act (CEQA) forbids the "demolition or the destruction, relocation, or alteration activities that would impair the significance of a historic resource that results in a substantial adverse change. Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired" (PRC s. 5020.1(q)).

When the Lead Agency determines that the proposed project does not include a historic resource, then demolition, relocation, alteration or destruction of a building (that is not eligible

for listing in the California Register of Historical Resources) does not constitute a significant adverse change under the CEQA Guidelines.

Finding: The reinforced concrete building identified as the Guild Theater located at 949 El Camino Real in Menlo Park does not meet the criteria for listing in the California Register of Historical Resources and is not a historic resource under CEQA.

6.0. SOURCES CONSULTED

6.1. REPOSITORIES USED INCLUDE:

College of San Mateo Library, College of San Mateo
San Mateo County Building and Planning Dept. Records, Redwood City
San Mateo County Official Records, Redwood City
San Mateo County Historical Society Archives, Redwood City
Stanford University, Green Library Archives
Menlo Park Historical Society (archives)
Menlo Park Building Permit records
University of California – Environmental Design Library

6.2. PUBLISHED AND UNPUBLISHED WORKS (periodicals are listed in the footnotes)

Coughey, John W., *CALIFORNIA*, Prentice Hall Inc. Englewood NY, 1953.

Polk, R.M., *San Francisco, Redwood City, and San Mateo County Directories*, published in San Francisco, 1926-1957.

Rifkind, C., *A Field Guide to American Architecture*, Times Mirror, New York 1980.

State of California, Office of Historic Preservation, *Instructions for Nominating Historical Resources to the California Register of Historical Resources*, 1997.

State of California, *California Register of Historical Resources* (data listing).

Stanger, Frank M., *South of San Francisco: The life Story of San Mateo County*, San Mateo County Historical Society, Times Printing, San Mateo, 1963.

Thomson & West, *1868 Historical Atlas of San Mateo County, California*.

United States Bureau of the Census, years 1890- 1940

United States Department of the Interior, National Register Bulletin, *How to Apply the National Register Criteria for Evaluation*, 1997.

Interview:

Howard Crittenden (owner of the Guild Theater): In person, telephone, and email interviews in April and May 2014 regarding sources and timeframes for architectural and decor elements brought to the property.

Alan Michaan (former president of Landmark Theaters): Email dated November 13 and 22, 2013 detailing the installation of décor items in the Guild Theater from other buildings including the Rialto Theater in Berkeley.



April 17, 2018



Mr. Drew Dunlevie
Peninsula Arts Guild
314 Lytton Avenue STE 200
Palo Alto, CA 94301

RE: Archaeological Review - Guild Theatre Renovations, 949 El Camino Real,
Menlo Park To Meet Mitigation Monitoring and Reporting Program, *El Camino
Real/Downtown Specific Plan*, City of Menlo Park, San Mateo County

Dear Mr. Dunlevie,

This *Archaeological Resources Assessment Report* (ARAR) of the proposed Guild Theatre renovations was undertaken to determine if significant archaeological resources are present or could be present within the proposed project site. The information obtained on the location, type and distribution of any resources may be used in determining future actions in accordance with the California Environmental Quality Act (CEQA) and the planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

The report provides the results of a California Historical Resources Information System, Northwest Information Center (CHRIS/NWIC) records search; reviews pertinent literature and archival information; presents a summary prehistoric and historic context; provides the results of the Native American Heritage Commission's (NAHC) review of the *Sacred Lands Inventory* and consultation with local Native Americans recommended by the NAHC; presents the results of an archaeological field inventory by a professional archaeologist qualified under the Standards of the Secretary of the Interior; and, provides management recommendations to guide future actions by the City of Menlo Park.

PROJECT LOCATION AND DESCRIPTION

The proposed project, located at The Guild Theatre - 949 El Camino Real, is within the Menlo Park *El Camino Real/Downtown Specific Plan* on the south side of El Camino Real mid-block between Menlo Avenue on the west and Live Oak Road Avenue on the east, City of Menlo Park (United States Geological Survey (hereafter USGS) Palo Alto, CA 1997, T 5 South R 3 West, unsectioned) [Figs. 1-3].

The project proposes to revitalize the existing cinema, a theater built in 1926, through comprehensive structural and tenant improvements to allow live entertainment. The

improvements include construction of a finished basement approximately 14 feet deep below El Camino Real within the building footprint and a second floor/mezzanine area (CAW Architects 2018). A proposed elevator pit will result in a slightly deeper excavation at the elevator shaft. The proposed project would increase the floor area on the approximately 4,800 square foot site to approximately 11,000 square feet.

CUL-2a MITIGATION MEASURE – CULTURAL RESOURCES:

Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park* requires:

Mitigation Measure CUL-2a: When specific projects are proposed that involve ground disturbing activity, a site-specific cultural resources study shall be performed by a qualified archaeologist or equivalent cultural resources professional that will include an updated records search, pedestrian survey of the project area, development of a historic context, sensitivity assessment for buried prehistoric and historic-period deposits, and preparation of a technical report that meets federal and state requirements. If historic or unique resources are identified and cannot be avoided, treatment plans will be developed in consultation with the City and Native American representatives to mitigate potential impacts to less than significant based on either the Secretary of the Interior's Standards described in Mitigation Measure CUL-1 (if the site is historic) or the provisions of Public Resources Code Section 21083.2 (if a unique archaeological site).

RESEARCH PROTOCOLS

A prehistoric and historic site record and literature search of the project and immediately adjacent area was completed by the CHRIS/NWIC (File No. 17-2200 dated 3/13/2018 by Neal). The search included consulting the *Historic Properties Directory for San Mateo County* [HPD] (CAL/OHP 2012a) and the *Archeological Determinations of Eligibility for San Mateo County* [ADOE] (CAL/OHP 2012b). In addition, reference material from the Bancroft Library, University of California at Berkeley, and Basin Research Associates was also consulted as well as *National Historic Landmarks* (NHL) and *National Register of Historic Places* (NRHP) listings in Menlo Park, San Mateo County (USNPS 2015/2017) and list of *California Historical Resources* (CAL/OHP 2018). Other sources consulted included: *California History Plan* (CAL/OHP 1973); *California Inventory of Historic Resources* (CAL/OHP 1976); *Five Views: An Ethnic Sites Survey for California* (CAL/OHP 1988); Menlo Park Historical Association files (MPHA 2016, 2017, 2018) and, other lists and maps (see References Cited and Consulted). In addition, various planning documents with cultural resources information for the general area were reviewed included SMA/DEM (1986); ESA (n.d., 2011, 2012); Perkins+Will (2012); The Planning Center/DC&E (2013); and, Menlo Park [City of] (2013).

The Native American Heritage Commission (NAHC) was contacted on March 8, 2018 in regard to resources listed on the Sacred Lands Inventory (Busby 2018a). The NAHC responded that their record search of the sacred lands file failed to indicate the presence of Native American cultural resources in the immediate project area (Lienert 2018). Letters were sent to five locally knowledgeable Native American individuals/organizations identified by the NAHC (Busby 2018b-f) (see *Individuals, Group and Agency Participation* section for details; Attachments).

Mr. Christopher Canzonieri (M.A.), an archaeologist meeting the Standards of the Secretary of the Interior, conducted a field review on March 8, 2018.

No other agencies, departments or local historical societies were contacted regarding landmarks, potential historic sites or structures.

BACKGROUND REVIEW

NATIVE AMERICAN

The aboriginal inhabitants of the region belonged to a group known as the Costanoan or Ohlone who occupied the central California coast as far east as the Diablo Range (Galvan 1967/1968). Tribelet boundaries and village locations are inexact due to incomplete historic records, and they remain a subject of anthropological contention and debate. Levy (1978:485, Fig. 1) places the project within the *Ramaytush* subdivision of the Ohlone which included much of present day San Mateo and San Francisco. Milliken places the *Puichon* tribelet in the study area between the lower San Francisquito Creek and lower Stevens Creek with the *Puichon* village of *Ssiputca* [sic] at the mouth of the lower San Francisquito Creek in the Palo Alto/East Palo Alto area. The other known *Puichon* village, *Capsup*, was situated in the Atherton, Menlo Park, North Fair Oaks area (see Milliken 1983:91-94, 139, Map 4; Milliken 1995:252; Brown 1973-1974:Footnote #78). The *Puichon* occupied the contemporary areas now known as Menlo Park, Palo Alto, and Mountain View (Milliken 1995:229, Map 5 and 252; Milliken 2006:27, Fig. 5).

No known Native American ethnographic settlements, trails, traditional or contemporary Native American use areas have been identified in or adjacent to the project (e.g., Kroeber 1925:465, Fig. 42; Levy 1978:485; Brown 1973-1974; Milliken v.d.; Elsasser 1986:Fig. 10).

HISTORIC PERIOD

The history of the San Francisco Bay Region can be divided into the Age of Exploration, the Spanish Period (1769-1821), the Mexican Period (1822-1848), and the American Period (1848-onward).

Spanish and Mexican Periods (1769-1848)

During the Spanish Period government policy in northwestern New Spain was directed at the founding of *presidios* (forts), missions, and *pueblos* (secular towns) with the land held by the Crown. The later Mexican Period policy stressed individual ownership of the land with grants of vast tracts of land to individuals (Beck and Haase 1974; Hart 1987).

Several early Spanish expeditions appear to have passed through the vicinity of the project area (Beck and Haase 1974:#17; Milliken 1995:33, Map 3; USNPS 1995). The first party to traverse the San Francisco Peninsula, Gaspar de Portolá and Father Juan Crespí traveled up the coast through what is now San Mateo County between October 23 and November 20, 1769 (Hoover et al. 1966:390; CAL/OHP 1973, 1976, 1990:219-221; SMa/DEM 1986). Fernando Javier Rivera y Moncada and Father Francisco Palou in 1774 and Bruno de Heceta and Palou in 1775 followed the Portola expedition route and continued through the general project area (Beck and Haase 1974:#17). The route of the 1776 Juan Bautista de Anza expedition on March 26, 1776 passed through the baylands from San Francisquito Creek north to San Mateo. A village of about 25

huts was encountered on the banks of San Francisquito Creek [*Ssiputca*]. They also noted the cross erected by Father Palou on "its bank last year" (Bolton 1930:IV:325-326; Hoover et al. 1966:391; Milliken 1983:94). Brown (1973-1974:18) places this village at present-day Middlefield Road. Continuing northward on March 26, 1776 Anza and Font appear to have visited the *Puichon* village of *Capsup* two miles north of San Francisquito Creek. Their route, as mapped by USNPS as The Juan Bautista de Anza National Historic Trail [1776]¹ places their northward route "more or less" along present-day El Camino Real/State Route 82 within the vicinity of the proposed project (USNPS 1995:Sheet 40; USNPS 1996:C-45).²

The City of Menlo Park is situated within the former *Rancho Los Cochintos*, or *Cachanigtac*, later known as *Rancho Las Pulgas* ("fleas"). *Pulgas* was claimed as a grant to Jose D. Arguello by Governor Diego de Borica in 1795 and by Governor Pablo Vicente Sola in 1820 or 1821. The formal grant was made to Luis Antonio Arguello, son of the Presidio Commandante by Governor Jose Castro on November 27, 1835. When patented to his second wife, Maria de la Soledad et al, on October 2, 1857, the *Rancho Pulgas* had expanded from the original 17,754 acres (4 square leagues) to about 35,240.47 acres bounded by San Mateo Creek on the north and San Francisquito Creek on the south.³ No Hispanic Period dwellings or other features appear to have been located in or near the project (Stevens 1856 [plat]; Hendry and Bowman 1940:1031-1039 and Map of San Mateo County; Hoover, et al. 1966:404-406; Fredericks 2008).

American Period

Beginning in the mid-19th century, most rancho and pueblo lands were subdivided as a result of population growth, the American takeover, and the confirmation of property titles. The initial population explosion on the Peninsula was associated with the Gold Rush (1848), followed later by the construction of the transcontinental railroad (1869), and various local railroads. Until about World War II, San Mateo County was dominated by a predominantly agricultural or rural land-use pattern (Hart 1987).

San Mateo County was created in 1856 from the southern part of San Francisco County and enlarged by annexing part of Santa Cruz County in 1868. Former ranchos underwent a transformation in concert with the expansion of transportation systems and growth associated with the City of San Francisco, and other towns in San Mateo County. Major transportation routes and systems in the study area include *El Camino Real*, former toll roads, the San Jose and San Francisco Railroad in 1863 (later Southern Pacific Railroad 1906-1907), the electric service in 1903 and the Bayshore Highway. The San Francisco earthquake and fire of 1906 and post-

-
1. The National Trails System Act (P.L. 90-543 (16 U.S.C. 1241 et. seq) as amended through P.L. 102-461, October 23, 1992 defines three types of national trails: National scenic trails, National recreation trails, and National historic trails. National historic trails are *extended trails which follow as closely as possible and practicable the original trails or routes of travel of national historical significance*. They are established to identify and protect a historic route, plus its historic remnants and artifacts, for public use and enjoyment (USNPS 1996:Appendix A).
 2. The alignment of El Camino Real/State Route 82 on which the project is located was surveyed in the early 1850s (Hoover et al. 1966:392).
 3. Including present-day towns/cities of San Mateo, Belmont, San Carlos, Redwood City, Atherton, and Menlo Park.

World War II settlement were responsible for notable growth spurts in the communities on the Peninsula (Hoover 1966:389; Fickewirth 1992:129; Hart 1987).

Railroad

The towns on the San Mateo Peninsula did not significantly develop until the railroad was constructed in 1861-1864. The San Francisco & San Jose Railroad (SF&SJRR) was the second railroad constructed in California. The railroad reached Redwood City at the end of September 1863 and began regular service between San Francisco and Mayfield (currently Palo Alto) on October 18, 1863 and to San Jose on January 18, 1864. The railroad was consolidated into the original Southern Pacific Railroad Company in March 1869 (purchased by the Central Pacific in 1870). The Caltrain commuter route, located to the east of the project follows this alignment.

City of Menlo Park

In 1854, two Irish immigrants, Dennis J. Oliver and D. C. McGlynn, purchased 1,700 acres and named their estate “Menlo” after Menlough in Galway County in Ireland. To mark their property between Valparaiso Avenue and San Francisquito Creek, they installed a massive arched gateway with a sign reading Menlo Park. The property was soon sold but the name endured.

In 1863, the SF&SJRR created a depot station named “Menlo Park.”⁴ The railroad was consolidated by the Southern Pacific Railroad in October 1870, and is now currently part of Caltrain. The SF&SJRR and the Southern Pacific provided transportation to country homes along the peninsula from San Francisco with tickets costing only \$2.50.

By the early 1870s, 12 buildings - a small service community – were clustered between the railroad station and El Camino Real along Oak Grove Avenue. They included a few general stores, livery stables, saloons, hotels, and blacksmith shops. Menlo Park initially incorporated 1874 with “. . . all of Menlo Park, Atherton [Fair Oaks], Ravenswood and East Palo Alto” with a focus on road repair. Menlo Park disincorporated after two years when the repairs were completed. By 1884, the population of Menlo Park was reportedly 250 and by 1890, was estimated at 400. Further growth in the study area resulted from Menlo Park’s proximity to Leland Stanford Junior Memorial University which opened in October 1891 and relied on the Menlo Park railroad station.

By 1894, the project was within blocks labeled “Town of Menlo.” World War I mobilization also affected Menlo Park with the creation of Camp Fremont, one of 14 new Army basic training facilities named after Captain John C. Fremont. The camp was designed to train an army division of 28,000 soldiers – the Eighth Division - with camp boundaries extending east to west from El Camino Real to Alameda de las Pulgas and north to south from Valparaiso Avenue to San Francisquito Creek. By the end of the summer in 1917, the tent city included a headquarters near intersection of the future El Camino Real and Roble Avenue.⁵ As a result of this military

4. Located at 1100 Merrill Avenue (e.g., SHL #955; CAL/OHP 2012a).

5. Alternatively the headquarters are now marked by a small park at the southwest corner of Santa Cruz Avenue and University Avenue (SMa/DEM 1986:5.9A, #7).

presence, the temporary population of Menlo Park increased from approximately 2,000/2,300 residents clustered around the Southern Pacific train station to almost 43,000. After the WWI Armistice was signed in 1918 and the closure of the base, the population of Menlo Park in 1919 declined to 2,300. The construction of a Veteran's Administration hospital as well as the opening of the original Dumbarton Bridge (1927) supported the town's reincorporation in 1927. The Bayshore Highway (U.S. 101) opened in 1931 and the widening of El Camino Real from two to four lanes between 1937-1940 also had an impact on Menlo Park, facilitating vehicular transportation to and through the city. World War II sparked more development in the area into the 1950-60s, which boosted the growth of the Silicon Valley in the 1970s. Currently, the suburban residential community of Menlo Park supports the expanding technological industry - home to Facebook, the Stanford Research Institute (present-day SRI International), and the United States Geological Survey among others (Bromfield 1894; Brown 1975; SMa/DEM 1986:5.9A, #7; Svanevik and Burgett 2000, 2009; ESA 2011:Section 4.4; The Planning Center/DC&E 2013; City of Menlo Park 2015; CampFremontCentennial n.d., 2016; Menlo Park Historical Association 2016).

Camp Fremont

The project is within the former United States Army Camp Fremont. The "Camp Fremont Site" is listed on the *California History Plan* CAL/OHP (1973:162) as an American Era post-1900 Military site and also on the *California Inventory of Historic Resources* (1976:262, 181) under the theme of military, named for John C. Fremont; and in the 1986 San Mateo County (SMa/DEM), General Plan Appendix B Historical And Archaeological Resources #7. The *California History Plan* lacks a specific location while the other listing the "Camp Fremont Site" on the corner of Santa Cruz Avenue and University Drive.

The approximately 25,000 acre, almost 15 square mile base was the largest military training facility in the western United States with 40,000 soldiers. In addition to a railroad spur track, the facilities included 1,124 temporary buildings and 50 structures. No wooden barracks were erected. Rows of canvas tents with wooden floors and side walls were occupied by six men in each. In addition a headquarters, warehouses, and nine service buildings run by charitable organizations were within the camp boundaries. Recreational facilities included volleyball courts and boxing rings, 50 acres of athletic fields complete with two baseball diamonds and two football fields (one with a 10,000 seat grandstand), a 1,000 seat theater, and camp library. In addition, 10,000 horses and mules were stabled in 150 buildings at a "remount depot east of the town near today's Bayshore Freeway" (U.S. Highway 101/State Highway 84).

The infrastructure included underground sewers and large wooden underground pipes that brought additional water from the nearby by James Clair Flood estate of Linden Towers to the main pipeline of the Bear Gulch Water Company.⁶ Practice maneuvers extended to portions of Woodside, Portola Valley and Spring Valley Water Company property.

After the camp closed in December 1918, the permanent structures were sold and moved off the property. Post-camp activities also involved sifting the camp soil resulting in a reported million

6. Supplying both Camp Fremont and Menlo Park at no cost throughout World War I (Gullard and Lund 2009:56). Wilcox (2013:6) refers to the Spring Valley Water Company.

pounds of lead left from artillery drills (Gullard and Lund 2009:50, 56, 200; Svanevik and Burgett 2009).

A 1917 map of Camp Fremont on file with the Stanford University Library system shows the project block as empty, between #2 Division Headquarters on the west and #3 [illegible] storehouses [?warehouses] on the east (Anonymous - Surveyor/Source Not Stated 1917 [map]). This map also shows Camp Fremont extended at about mid-point south of the Menlo Park portion of the camp across San Francisquito Creek to include mostly artillery related activities on Stanford University property. Svanevik and Burgett (2009) describe the firing ranges west of town as the largest in the nation. Wilcox (2013) provides more detailed information noting that Stanford trustees leased 6,200 acres excluding “only the immediate vicinity of campus buildings.” This leased area included a mock battlefield with gun ranges and underground passages.

Summary Historic Map Review

A ca. 1868 map of *440 Acres of Land at Menlo Park for sale*, Easton’s 1868 *Official Map of the County of San Mateo, California* as well as a 1870 *Map of The Original Menlo Park Tract* show the project within Menlo Park. At the time Menlo Park was confined to between Valparaiso Avenue on the west and San Francisquito Creek on the east. Neither Menlo Avenue nor Live Oak Avenue, the streets bracketing the proposed Guild Theatre project existed (Anonymous ca. 1868, 1870).

Cloud’s 1877 *Official Map of the County of San Mateo [County]* and Moore & DePue’s 1878 *Official Map of the County of San Mateo, California* suggest⁷ that a single block long Menlo Avenue on the west side of the project was extant, but not Live Oak Road on the east.

Neuman’s 1909 *Official Map of San Mateo Co. California* shows the project within the two block Blake Tract bounded by Menlo Avenue on the west and Live Oak Avenue on the east (not labeled).

The USGS topographic series provides minimal information about the proposed project block. The 1899 USGS topographic quadrangle map, surveyed in 1895, lacks a city grid and shows only a few streets and buildings in contrast to earlier maps. The subsequent 1953, 1961, 1973, 1991 and 1997 USGS topographic maps show the project within urban Menlo Park. In contrast, a US War Dept (1940) quadrangle map appears to show four structures within the project block.

INDIVIDUALS, GROUP AND AGENCY PARTICIPATION

The State of California Native American Heritage Commission (NAHC) was contacted for a review of the Sacred Lands Inventory (Busby 2018a). The NAHC record search returned negative results (Lienert 2018). Letters soliciting information were sent to the five Native Americans individuals/groups listed by the NAHC on March 29, 2018 (Busby 2018b-f) (see Attachments). Contacts included:

7. The grids are schematic

Tony Cerda, Chairperson, Costanoan Rumsen Carmel Tribe
 Irene Zwierlein, Amah Mutsun Tribal Band of Mission San Juan Bautista, Woodside
 Rosemary Cambra, Chairperson, Muwekma Ohlone Indian Tribe, Milpitas
 Andrew Galvan, The Ohlone Indian Tribe, Mission San Jose (Fremont)
 Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Costanoan, Hollister

Basin Research Associates contacted the Native American individuals/groups by telephone and/or emails on April 9, 2018.

Messages could not be left or detailed messages on the project were left on voicemail for Rosemary Cambra and Tony Cerda.

Irene Zwierlein and Andrew Galvan recommended cultural sensitivity training for the entire crew in areas with a potential for the discovery of prehistoric cultural materials and the retention of trained Native American monitors and archaeologists with experience in northern and central California archaeology in the event of a prehistoric discovery. Mr. Galvan also recommended the implementation of proper measures upon discovery (.e.g., contact the County Coroner and NAHC if Native American remains are exposed and follow recommendations).

Ann Marie Sayers could not be contacted. Per previous consultations, Ms. Sayers has recommended measures similar to those from Ms. Zwierlein and Mr. Galvan.

No other agencies, departments or local historical societies were contacted for this letter report.

FIELD REVIEW [Figs. 4-5]

Mr. Christopher Canzonieri (M.A.), an archaeologist meeting the Standards of the Secretary of the Interior, completed a field review on March 8, 2018 to check for indicators of potential surface and/or subsurface archaeological material. The property consists of theatre building fronting on El Camino Real with a concrete sidewalk in an urban area [Fig. 4]. No native ground surface was present for review either in the front of the theatre or at the rear of building adjacent to a paved parking area. A narrow strip of partially exposed soil with mature trees is located at the rear of the property along the west side [Fig. 5]. The exposed sediment was a brown clay.

No evidence of prehistoric or historically significant archaeological resources was observed.

FINDINGS

Archival research, a field inventory and Native American consultation were undertaken to identify potentially significant archaeological, Native American, or built environment resources listed or eligible for the National Register of Historic Places (NRHP) and/or California Register of Historical Resources (CRHR) within the proposed project.

RECORDS SEARCH RESULTS (CHRIS/NWIC File No. 17-2200)

- No archaeological resources were identified as a result of the records search and literature review of the project parcel or adjacent area.

- One archaeological resources report on file with the CHRIS/NWIC partially includes the project site. Kaptain (2012) reviewed the portion of El Camino Real/SR 82 in front of the theatre for the San Mateo County SMART Corridors Project, Segment III. No resources were noted.
- A historical and architectural evaluation of the Guild Theatre was completed by Urban Programmers in 2014 and revised 2018 (Bamburg 2014, 2018) (Note; not on file with CHRIS/NWIC). The building was determined not significant to the history or architectural heritage of the City of Menlo Park. Under the criteria of the California Register of Historical Resources, the property is not a significant historical resource due to the extensive alterations, remodeling and change in size of the building.
- No known local, NRHP or CRHR listed, determined eligible, or pending properties were identified in or adjacent to the parcel. The Menlo Theatre/Guild Theatre is listed on the Historic Properties Data (HPD) File for San Mateo County, Menlo Park as "6L" - Determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning. A recent review by Bamburg (2018) found that the theatre did not meet any of the criteria of either the NRHP or the CRHR and was therefore not a significant resource.

NATIVE AMERICAN RESOURCES

- No known prehistoric, ethnographic or contemporary Native American resources, including villages, sacred places, traditional or contemporary use areas, have been identified in or adjacent to the project.

HISPANIC ERA RESOURCES

- The Juan Bautista de Anza National Historic Trail [1776] as mapped by USNPS places their northward route "more or less" along present-day El Camino Real/State Route 82 within the vicinity of the project site. However, the proposed project will have no effect for the value which the resource is recognized.

AMERICAN ERA RESOURCES

- No recorded, reported and/or potential American Period archaeological sites have been in or adjacent to the proposed project.

LISTED HISTORIC PROPERTIES

- No listed local, state or federal historically or architecturally significant structures, landmarks or points of interest have been identified in or adjacent to the proposed project.

The project site is within a vacant area of the former Camp Fremont, a WWI United States Army training base. The project, while within the boundaries of former base, is not included within "Camp Fremont Site" listed in the 1973 *The California History Plan*, the 1976 *California Inventory of Historic Resources*, and 1986 San Mateo County General Plan listing of Historical and Archaeological Resources (Appendix B#7).

FIELD REVIEW

- No evidence of prehistoric or historic archaeological materials was noted during the field inventory.

ARCHAEOLOGICAL SENSITIVITY

- The research completed by BASIN suggests a low archaeological sensitivity for exposing subsurface prehistoric and significant historic archaeological materials during construction within or adjacent to the proposed project. This estimate of sensitivity is based on the low density of previously recorded and/or reported archaeological sites within the general project area, the lack of known Native American cultural resources including former village locations and other resources reported in the ethnographic or historical literature and the geoarchaeological results from a sediment core in the immediate vicinity of the project.

The review of a sediment core obtained for an archaeological study at the southeast corner of Menlo Avenue and El Camino Real (Location 71) for the *State Route 82 Signal Interconnect and Intersection Modification Project* (Byrd et al. 2012) suggests a low cultural sensitivity as no significant cultural material was present from the surface to a depth of 28 feet.

The stratigraphy exposed in this core consisted of asphalt and gravel fill (Ap) at the surface, underlain at 0.3 meters (one foot) by the historic-era surface of brown loam with subangular-blocky structure (A). This was underlain at 0.9 meters (three feet) by a transitional horizon of brown loam with massive structure (AC) underlain by alluvial parent material of light yellowish brown silt loam (Cox1) grading to channel gravels (C2) that extended to the base of the core at 8.5 meters (28 feet) (Byrd et al. 2012:56). No significant cultural materials were present.

In addition, prior historic surface and subsurface impacts within the parcel and adjacent areas have included excavation for subsurface infrastructure and the construction of the existing buildings resulting in the removal and or disturbance of any potential archaeological materials.

RECOMMENDATIONS

It is recommended, based on the review of pertinent records, maps and other documents, that the proposed project can proceed as planned in regard to prehistoric and historic archaeological resources. No subsurface testing for buried archaeological resources appears warranted due to the low sensitivity of the project site. Mitigation Measures CUL-2b and CUL-4 and their implementing requirements are mandated to mitigate any unexpected archaeological discoveries⁸ and/or the exposure of human remains during ground disturbing construction.

-
8. Significant prehistoric cultural resources may include:
 - a. Human bone - either isolated or intact burials.
 - b. Habitation (occupation or ceremonial structures as interpreted from rock rings/features, distinct ground depressions, differences in compaction (e.g., house floors).

Mitigation Measure CUL-2b: Should any archaeological artifacts be found during construction, all construction activities within 50 feet shall immediately halt and the City must be notified. A qualified archaeologist shall inspect the findings within 24 hours of the discovery. If the resource is determined to be a historical resource or unique resource, the archaeologist shall prepare a plan to identify, record, report, evaluate, and recover the resources as necessary, which shall be implemented by the developer. Construction within the area of the find shall not recommence until impacts on the historical or unique archaeological resource are mitigated as described in Mitigation Measure CUL-2a above. Additionally, Public Resources Code Section 5097.993 stipulates that a project sponsor must inform project personnel that collection of any Native American artifact is prohibited by law.

Mitigation Measure CUL-4: If human remains are discovered during construction, CEQA Guidelines 15064.5(e)(1) shall be followed, which is as follows:

- In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
 - 1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - a) The San Mateo County coroner must be contacted to determine that no investigation of the cause of death is required; and,
 - b) If the coroner determines the remains to be Native American:
 1. The coroner shall contact the Native American Heritage Commission within 24 hours;
 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American;

-
- c. Artifacts including chipped stone objects such as projectile points and bifaces; groundstone artifacts such as manos, metates, mortars, pestles, grinding stones, pitted hammerstones; and, shell and bone artifacts including ornaments and beads.
 - d. Various features and samples including hearths (fire-cracked rock; baked and vitrified clay), artifact caches, faunal and shellfish remains (which permit dietary reconstruction), distinctive changes in soil stratigraphy indicative of prehistoric activities.
 - e. Isolated artifacts

Historic cultural materials may include finds from the late 19th through early 20th centuries. Objects and features associated with the Historic Period can include.

- a. Structural remains or portions of foundations (bricks, cobbles/boulders, stacked field stone, postholes, etc.).
- b. Trash pits, privies, wells and associated artifacts.
- c. Isolated artifacts or isolated clusters of manufactured artifacts (e.g., glass bottles, metal cans, manufactured wood items, etc.).
- d. Human remains.

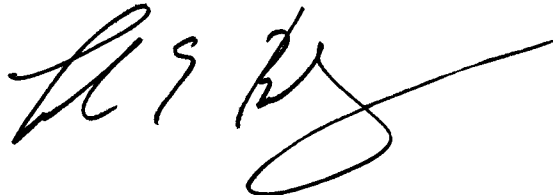
In addition, cultural materials including both artifacts and structures that can be attributed to Hispanic, Asian and other ethnic or racial groups are potentially significant. Such features or clusters of artifacts and samples include remains of structures, trash pits, and privies.

3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or,
- 2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - a) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the Commission.
 - b) The descendant identified fails to make a recommendation; or,
 - c) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

CLOSING REMARKS

Please don't hesitate to call to discuss our review of the project parcel.

Sincerely,
BASIN RESEARCH ASSOCIATES, INC.



Colin I. Busby, Ph.D., RPA
Principal

CIB/d

REFERENCES CITED AND CONSULTED

Anonymous - Surveyor/Source Not Stated

- ca. 1868 *Special Sale Maurice Dore & Co., Real Estate Auctioneers. Proposed Offering at Public Auction 440 Acres of Land at Menlo Park in 35 large subdivisions from 8 to 40 acres each.* In Moore and DePue 1878/1974 Illustrated History of San Mateo County, California facsimile with Introduction by Gilbert Richards Publications, Woodside, p. xi.
- 1870 Map of The Original Menlo Park Tract. Detail in Moore and DePue 1878/1974 Illustrated History of San Mateo County, California facsimile Introduction by Gilbert Richards Publications, Woodside, p. vii [includes "To be sold at Auction by John Middleton & Son, May 9th, 1870"].
- 1917 Map. Camp Fremont, Palo Alto, Calif. [USGS Palo Alto base? with 18 areas numbered with legend, portions illegible]. The Stanford University Libraries, Map 544e.2. Web accessed 3/07/2018.

Bamburg, Bonnie (Urban Programmers)

- 2014 Historical and Architectural Evaluation - The Guild Theatre, 949 El Camino Real, Menlo Park, San Mateo County, California. On file, Basin Research Associates, San Leandro and City of San Mateo.
- 2019 *Revised* - Historical and Architectural Evaluation - The Guild Theatre, 949 El Camino Real, Menlo Park, San Mateo County, California. On file, Basin Research Associates, San Leandro and City of San Mateo.

Bean, Lowell John (compiler and editor)

- 1994 The Ohlone Past and Present: Native Americans of the San Francisco Bay Region. Ballena Press Anthropological Papers 42, Menlo Park.

Beck, W.A. and Y.D. Haase

- 1974 Historical Atlas of California (Third Printing). University of Oklahoma Press, Norman.

Bolton, Herbert Eugene (editor)

- 1930 Anza's California Expeditions. Volume IV: Font's Complete Diary of the Second Anza Expedition. University of California Press, Berkeley.

Brabb, E.E., F.A. Taylor and G.P. Miller with the cooperation of San Mateo County Planning Department, San Mateo County Historical Association and San Mateo County Historic-Resources Advisory Board

- 1982 Geologic, Scenic, and Historic Points of Interest in San Mateo County, California. Miscellaneous Investigations Series, Map I-1257-B. Scale 1:62,500. Department of the Interior, United States Geological Survey, n.p.

Bromfield, Davenport.

- 1894 *Official map of San Mateo County, California.* San Francisco: Schmidt Label & Lith. Co., San Francisco. Map. Retrieved from the Library of Congress, <https://www.loc.gov/item/2012592107/>. (Accessed March 07, 2018).

- Brown, A.K.
 ca. 1963 [Map.] The Peninsula in Mission Days under the Kingdom of Spain 1776-1822. [From a map by A.K. Brown.] In, South from San Francisco: San Mateo County, California: Its History and Heritage, page 21. San Mateo County Historical Association, Redwood City.
- 1973-1974 Indians of San Mateo County. *La Peninsula: Journal of the San Mateo County Historical Association* 17(4).
- 1975 Place Names of San Mateo County. San Mateo County Historical Association, College of San Mateo Campus, San Mateo.
- Busby, Colin I. (Basin Research Associates)
- 2018a Sacred Lands File & Native American Contacts List Request, Native American Heritage Commission, West Sacramento, CA. nahc@nahc.ca.gov. Regarding: Guild Theatre Renovation, 949 El Camino Real, City of Menlo Park, San Mateo County. Dated March 7, 2018.
- 2018b-f Letters to: Tony Cerda, Chairperson, Rumsen Carmel Tribe; Irenne Zwierlein, Amah Mutsun Tribal Band of Mission San Juan Bautista, Woodside; Rosemary Cambra, Chairperson, Muwekma Ohlone Indian Tribe of the SF Bay Area, Milpitas; Andrew Galvan, The Ohlone Indian Tribe, Mission San Jose; and, Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Costanoan, Hollister. Regarding: Guild Theatre Renovation, 949 El Camino Real, City of Menlo Park, San Mateo County. Dated March 29, 2018.
- Brian F. Byrd, John E. Berg, Philip Kaijankoski, Jack Meyer, Jeffrey Rosenthal, Jelmer W. Erkins, Anna Fritschi, Howard Spero, and Eric Wohlgemuth (FWARG)
- 2012 Archaeological Investigations for the State Route 82 Signal Interconnect and Intersection Modification Project, San Mateo County, California, 04-SMA-82 PM 0.0/15.9, EA 04-24992. MS on file, S-39104, CHRIS/NWIC, Sonoma State University, Rohnert Park.
- California (State of), Department of Parks and Recreation, Office of Historic Preservation (CAL/OHP)
- 1973 The California History Plan. Volume One - Comprehensive Preservation Program. Volume Two - Inventory of Historic Features.
- 1976 California Inventory of Historic Resources.
- 1988 Five Views: An Ethnic Sites Survey for California.
- 1990 California Historical Landmarks.
- 1992 California Points of Historical Interest.
- 2003 California Historical Resource Status Codes.
- 2012a [*Historic Properties Directory*] [HPD] Directory of Properties in the Historic Property Data file for Menlo Park, San Mateo County (includes *National Register of Historic Places* status codes, *California Historical Landmarks* and *California Points of Historical Interest* listings, etc.). Reviewed by the CHRIS/NWIC, Sonoma State University, Rohnert Park. Dated 4/05/2012 [most recent as of 3/13/18].

- 2012b *Archaeological Determinations of Eligibility* [ADOE] for San Mateo County. Reviewed by the CHRIS/NWIC, Sonoma State University, Rohnert Park [most recent available as of 3/13/18].
- 2018 California Historical Resources – San Mateo County [including National Register, State Landmark, California Register, and Point of Interest]. <<http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=41>> accessed 3/07/2018.
- CampFremontCentennial [*sic*]
- n.d. Buildings [YMCA Building, The Hostess House (YWCA)]. Web Accessed 3/07/2018
- 2016 Home. Camp Fremont. Last Updated 4/29/2016. Web Accessed 3/07/2018.
- Cloud, J.J. (compiler)
- 1877 Official Map of the County of San Mateo California Showing New Boundary Line and Delineating the Lines of Cities, Towns, Private Claims, Ranchos, Waterworks, and Railroads. Compiled by J.J. Cloud County Surv[eyo]r, S.M. Co. Drawn by Walter Montague Kerr. Reproductions of map available from San Mateo County Historical Association Museum, San Mateo.
- CAW Architects
- 2018 Renovation of the Guild Theatre, 949 El Camino Real, Menlo Park, CA 94025. Building Sections and Streetscape Plans, Project 18001, February 23, 2018. Copy on file, Basin Research Associates, San Leandro.
- Dietz, S.A.
- n.d. Historic Sites Master List for San Mateo County. MS on file, S-# not assigned, CHRIS/NWIC, Sonoma State University, Rohnert Park. Copy on file, Basin Research Associates, San Leandro.
- Easton, A.S.
- 1868 Official Map of the County of San Mateo, California. Including City and County of San Francisco with All New Additions of Cities, Towns, and Villas, Delineating the Lines of Ranchos, Private Claims, Water Works, Railroads, etc. etc. Carefully compiled from actual surveys and Published by A.S. Easton, County Surveyor, S.M.C. Britton and Rey, San Francisco.
- Elsasser, A.B.
- 1978 Development of Regional Prehistoric Cultures. In *California*, edited by R.F. Heizer, Volume 8. Handbook of North American Indians, W.G. Sturtevant, general editor, pp. 37-57. Smithsonian Institution, Washington, D.C.
- 1986 Review of the Prehistory of the Santa Clara Valley Region, California. Coyote Press Archives of California Prehistory 7. Coyote Press, Salinas.
- ESA
- n.d. Menlo Park El Camino Real/Downtown Specific Plan Mitigation Monitoring and Reporting Program. Web accessed.

- 2011 Draft Environmental Impact Report. Menlo Park El Camino Real/Downtown Specific Plan. Section 4.4 Cultural Resources.
- 2012 Final Environmental Impact Report. Menlo Park El Camino Real/Downtown Specific Plan. 2 Vols. April, certified June 5, 2012. Accessed at www.menlopark.org/DocumentCenter/View426.
- Fickewirth, Alvin A.
1992 California Railroads: An Encyclopedia of Cable Car, Common Carrier, Horsecar, Industrial Interurban, Logging, Monorail, Motor Road, Short Lines, Streetcar, Switching and Terminal Railroad in California (1851-1992). Golden West Books, San Marino.
- Fredericks, Darold
2008 "Rediscovering the Peninsula: The Arguellos and Rancho de las Pulgas." *The Daily Journal*. August 4, 2008. Accessed at: http://archives.smdailyjournal.com/article_preview.php?id=95950
- Galvan, P.M.
1967/1968 People of the West, the Ohlone Story. *Indian Historian* 1(2):9-13.
- Google Earth
2018 Vicinity Peninsula Arts Guild - Guild Theatre Renovations, 949 El Camino Real, City of Menlo Park, San Mateo. Web accessed
- Gullard, Pamela and Nancy Lund
2009 Under the Oaks: Two Hundred Years in Atherton. Scotwall Associates, San Francisco.
- Harrington, J.P.
1942 Cultural Element Distributions: XIX Central California Coast. *University of California Anthropological Records* 7(1).
- Hart, J.D.
1987 A Companion to California (revised and expanded). Oxford University Press, New York.
- Hendry, G.W. and J.N. Bowman
1940 The Spanish and Mexican Adobe and Other Buildings in the Nine San Francisco Bay Counties, 1776 to about 1850. MS on file, Bancroft Library, University of California, Berkeley.
- Hoover, M.B., H.E. Rensch and E.G. Rensch
1966 Historic Spots in California (Third edition). Revised by William N. Abeloe. Stanford University Press, Stanford.
- Hynding, A.
1982 From Frontier to Suburb, The Story of The San Mateo Peninsula. Star Publishing Company, Belmont.

Neal Kaptain (LSA Associates, Inc.)

- 2012 Historical Resources Compliance Report for the San Mateo County SMART Corridors Project, Segment III, Redwood City, Atherton, Menlo Park, East Palo Alto, and Palo Alto, San Mateo County & Santa Clara County, California; EA #4A9201; EFIS #0400001169, Caltrans District 4; SR 82 PM SM 0/4.8, SCL 24.1/26.4; SR 84 PM 24.6/28.7; US 101 PM 0.7/5.5; SR 109 PM 1.10/1.87; SR 114 PM 5.0/5.93. MS on file, S-39469, CHRIS/NWIC, Sonoma State University, Rohnert Park.

Kroeber, A.L.

- 1925 Handbook of the Indians of California. Bureau of American Ethnology Bulletin 78. Government Printing Office, Washington, D.C.

Landmark Theatres, Guild Theatre

- 2018 Google Search. Guild Theatre, Menlo Park [including "Built 1926", address 949 El Camino Real, Menlo Park, CA, etc.]. Web accessed 3/07/2018.

Lienert, Frank (Native American Heritage Commission)

- 2018 Letter Response: Guild Theatre Renovation, 949 El Camino Real, City of Menlo Park, San Mateo County. Dated March 21, 2018. On file, Basin Research Associates, San Leandro.

Levy, R.

- 1978 Costanoan. In *California*, edited by R.F. Heizer, Volume 8. Handbook of North American Indians, W.G. Sturtevant, general editor, pp. 485-497. Smithsonian Institution, Washington, D.C.

Menlo Park (City of)

- 2013 City of Menlo Park General Plan. Open Space/Conservation, Noise and Safety Elements. Adopted May 21, 2013.
- 2015 "History of Menlo Park." August 1, 2014. Accessed at: <http://menlopark.org/888/History-of-Menlo-Park>.

Menlo Park Historical Association (MPHA)

- 2016 Time Line. <https://sites.google.com/site/mphistoric/home/time-line>. Last updated 10/05/2016. Accessed 3/07/2018.
- 2017 Plaques. <https://sites.google.com/site/mphistorical/home/Plaques>. [List of 1-92 with 4 unnumbered -"Trinity Sch", "Nativity Sch", "St. Patrick's", "Nativity"]. Accessed 3/07/2018
- 2018 Historic Places. <https://sites.google.com/site/mphistorical/home/historical-places>. Web site accessed 3/07/2018.

Milliken, R.T.

- 1983 The Spatial Organization of Human Population on Central California's San Francisco Peninsula at the Spanish Arrival. Unpublished M.A. thesis,

Department of Inter-Disciplinary Studies, Sonoma State University, Rohnert Park.

- 1995 A Time of Little Choice: The Disintegration of Tribal Culture in the San Francisco Bay Area 1769-1810. Ballena Press Anthropological Papers No. 43.
- 1996 The Founding of Mission Dolores and the End of Tribal Life on the Northern San Francisco Peninsula. California Mission Studies Association, n.p.
- 2006 The Central California Ethnographic Community Distribution Model, Version 2.0, with Special Attention to the San Francisco Bay Area. Cultural Resources Inventory of Caltrans District 4 Rural Conventional Highways. MS on file, S-32596, CHRIS/NWIC, Sonoma State University, Rohnert Park.

Moore and DePue

- 1878/1974 Moore & DePue's Illustrated History of San Mateo County, California. Originally by G.T. Brown and Company, San Francisco. Reduced Facsimile with an introduction including supplementary maps. Gilbert Richards Publications, Woodside.
- 1878b Official Map of the County of San Mateo, California showing New Boundary Line and Delineating the Lines of Cities, Towns, Private Claims, Ranchos, Water Works and Railroads. In Moore and DePue 1878/1974 Illustrated History of San Mateo County, California facsimile Introduction by Gilbert Richards Publications, Woodside.

Moratto, Michael J.

- 1984 California Archaeology. Academic Press, New York.

Moratto, Michael J. and Balbir Singh

- 1971 Contributions to the Archaeology of San Mateo County. I: Introduction, Prior Archaeological Work in the San Francisco Bay Region. San Francisco State College Treganza Anthropology Museum Papers 8:1-8.

Nelson, Nels C.

- 1909 Shellmounds of the San Francisco Bay Region. University of California Publications in American Archaeology and Ethnology 7(4).
- ca. 1912 Map of San Francisco Bay Region showing Distribution of Shell Heaps and numbered to correspond with transcribed field notes [with Nelson Numbers]." Manuscript Map #35, University of California Archaeological Survey Files (As cited in Reports of the University of California Archaeological Survey 75:83.) [University of California Museum of Anthropology Manuscript Map, No. 13-1065].

Neal, Annette (CHRIS/NWIC Staff)

- 2018 Records Search. Guild Theater [945 El Camino Real, Menlo Park, San Mateo County]. CHRIS/NWIC File. No. 17-2200. Dated March 13, 2018. Copy on file, Basin Research Associates, San Leandro.

- Neuman, J.V.
1909 Official Map of San Mateo Co. California. Compiled and Drawn by J.V. Neuman, County Surveyor. Reproductions available from San Mateo County Historical Association Museum, San Mateo.
- Perkins+Will
2012 Menlo Park El Camino Real/Downtown Specific Plan, City of Menlo Park, California [including Figure B2 Site Character with landmarks]. July 12, 2012. Web accessed.
- Richards, Gilbert
1973 Crossroads: People and Events of the Redwood of San Mateo County. Gilbert Richards Publications, Woodside, California.
- The Planning Center/DC&E
2013 City of Menlo Park Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment [EA]. April 4, 2013. <http://www.menlopark.org/838/Environmental-Assessment-EA>.
- San Mateo County, Department of Environmental Management (**SMa/DEM**)
1986 General Plan. Part 5: Historical and Archaeological Resources. Background - Issues. Including Appendix B Historical and Archaeological Resources. As approved by the Board of Supervisors, November 18, 1986. [3/14/20005; <http://www.co.sanmateo.ca.us/planning/documents.html>].
- San Mateo County, Environmental Services Agency, Planning and Building Division (**SMaCo/ESA/PBD**)
1999 Historic Sites Master List for San Mateo County [to accompany oversize map]. H-1 through H-223 "O". On file, Basin Research Associates, San Leandro.
- Sowers, Janet M.
2005 Creek & Watershed Map of Palo Alto & Vicinity. The Oakland Museum of California, Oakland. 1:25,800.
- Stanger, F.M.
1963 South from San Francisco: San Mateo County, California: Its History and Heritage. San Mateo County Historical Association, San Mateo.
- Stevens, T.S.
1856 Plat of the *Pulgas Rancho* finally confirmed to Maria de la Soledad Ortega de Arguello et al. Surveyed under the Orders of the U.S. Surveyor General by T.S. Stevens Dep[uty] Sur[veyor]. November 1856. Containing 35240/42 acres. Approved December 19th 1856. Map on file, #148 California State Office, Bureau of Land Management, Sacramento.
- Svanevik, Michael and Shirley Burgett
2000 Menlo Park California: Beyond the Gate (second facsimile edition). Menlo Park Historical Association, Menlo Park, California.

- 2009 A City within a City [Camp Fremont, Menlo Park]. Gentry Magazine, October, pages 42-46. Web accessed 3/07/2018.

United States Department of the Interior, Geological Survey (**USGS**)

- 1899 Palo Alto, Calif. [Quadrangle]. Topographic map, 15 minute series (1895 surveyed).
- 1953 Palo Alto, Calif. [Quadrangle]. Topographic map, 7.5-minute series
- 1961a-b Palo Alto, Calif. [Quadrangle]. Topographic map, 7.5-minute and 15-minute series
- 1968 Palo Alto, Calif. [Quadrangle]. Topographic map, 7.5-minute series (1961 photorevised, 1968).
- 1973 Palo Alto, Calif. [Quadrangle]. Topographic map, 7.5-minute series (1961 photorevised, 1968 and 1973).
- 1991 Palo Alto, CA (Quadrangle). Topographic map, 7.5-minute series.
- 1997 Palo Alto, CA (Quadrangle). Topographic map, 7.5-minute series.
United States Geological Survey, Menlo Park

United States Department of the Interior, National Register of Historical Places, National Park Service (**USNPS**)

- 1995 Map Supplement for the Comprehensive Management and Use Plan Juan Bautista de Anza National Historic Trail Arizona California. Pacific Great Basin Support Office, National Park Service.
- 1996 Comprehensive Management and Use Plan Final Environmental Impact Statement. Juan Bautista de Anza National Historic Trail Arizona and California. U.S. Department of the Interior, National Park Service, Pacific West Field Area. MS on file, S-33545, CHRIS/NWIC, Sonoma State University, Rohnert Park.
- 2015/2017 National Register of Historic Places Program: Research – Data Downloads. Spreadsheets: www.NPS.gov/nr/research/data_downloads.htm NRHP list (to December 2017), Multiple Property Cover Documents (to July 2015); NHLs [National Historic Landmarks, and “Everything: National Register of Historic Places Properties: Listed/Removed/eligible (up to December 2017). Accessed 3/07/2018.

United States War Department, Corps of Engineers (**US War Dept**)

- 1940 Palo Alto, Calif. (Quadrangle). Topographic map, 15 minute series. Scale 1/62500 (photography 1940, surveyed 1938 and 1939).
- 1943 Palo Alto, Calif. (Quadrangle). Topographic map, 15 minute series. Scale 1/62500 (photography 1937 and 1940, topography 1949).
29th Engineer Reproduction Plant, Portland, Oregon.

Wilcox, Barbara

- 2013 “Fremont, The Flirt” Unearthing Stanford’s World War I Battleground. Sandstone & Tile Vol. 37(2):3-15, Stanford Historical Society.

Abbreviations

n.d. no date v.d. various dates N.P. no publisher noted
n.p. no place of publisher noted

CHRIS/NWIC, Sonoma State University, Rohnert Park is used for material on file at the California Historical Resources Information System, Northwest Information Center, Sonoma State University, Rohnert Park.

ATTACHMENTS

FIGURES

- Figure 1 General Project Location
- Figure 2 Guild Theater Project Location T5S R3W (USGS Palo Alto, CA 1997)
- Figure 3 Guild Theater Location (Google Earth 2018)
- Figure 4 View southeast towards theatre
- Figure 5 View northwest towards the rear of the theatre

CORRESPONDENCE

- LETTER Request to Native American Heritage Commission
- LETTER Native American Heritage Commission Response
- LETTERS Request to Native Americans Identified by Native American Heritage Commission
- MEMO Responses from Native Americans Identified by Native American Heritage Commission

INFORMATION CENTER SEARCH

- SEARCH [***NO CONFIDENTIAL INFORMATION***] - Records Search. Guild Theater, El Camino Real, Menlo Park, San Mateo County. CHRIS/NWIC File. No. 17-2200. Dated March 13, 2018.



Figure 1: General Project Location

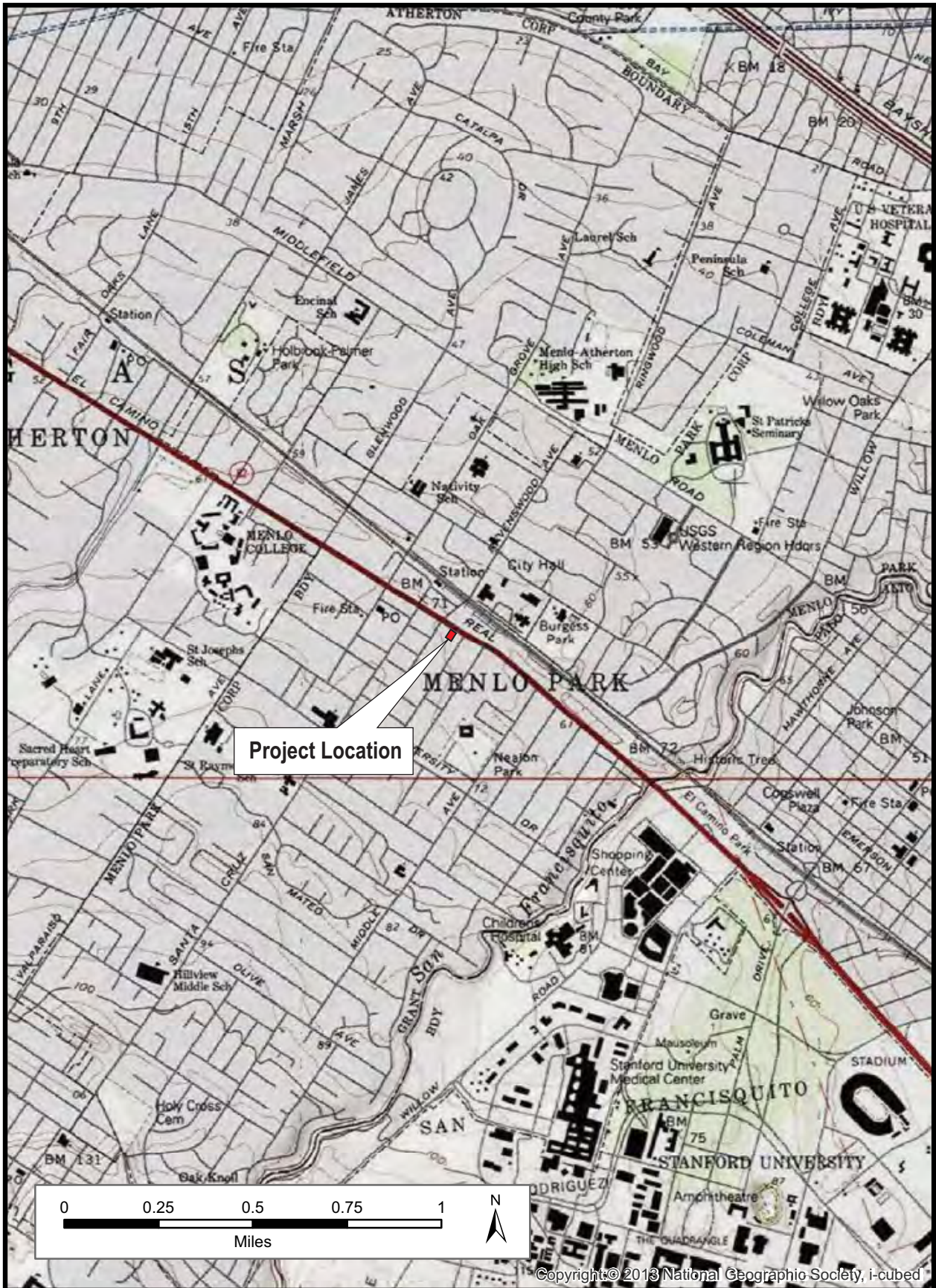


Figure 2: Guild Theatre Project Location T5S R3W (USGS Palo Alto, CA 1997)



Figure 3: Guild Theatre Location



Figure 4: View southeast towards theatre



Figure 5: View northwest towards the rear of the theatre

**Sacred Lands File & Native American Contacts List Request
NATIVE AMERICAN HERITAGE COMMISSION**

1556 Harbor Boulevard, STE 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-5471 – Fax
nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: Guild Theatre Renovation

County: San Mateo

USGS Quadrangle Name: USGS Palo Alto, CA 1997

Address: 949 El Camino Real, Menlo Park, CA 94025

Township: 5S, **Range:** 3 West, unsectioned

Company/Firm/Agency: Basin Research Associates

Contact Person: Colin I. Busby, PhD, RPA

Street Address: 1933 Davis Street, STE 210

City/Zip: San Leandro, CA 94577

Phone: (510) 430-8441 x202

Fax: (510) 430-8443

Email: basinres1@gmail.com

Project Description:

CEQA study for renovation of historic single screen theatre. Improvements include excavation under existing building for a basement for storage, dressing rooms, sound system, etc. Study to comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

03/07/18

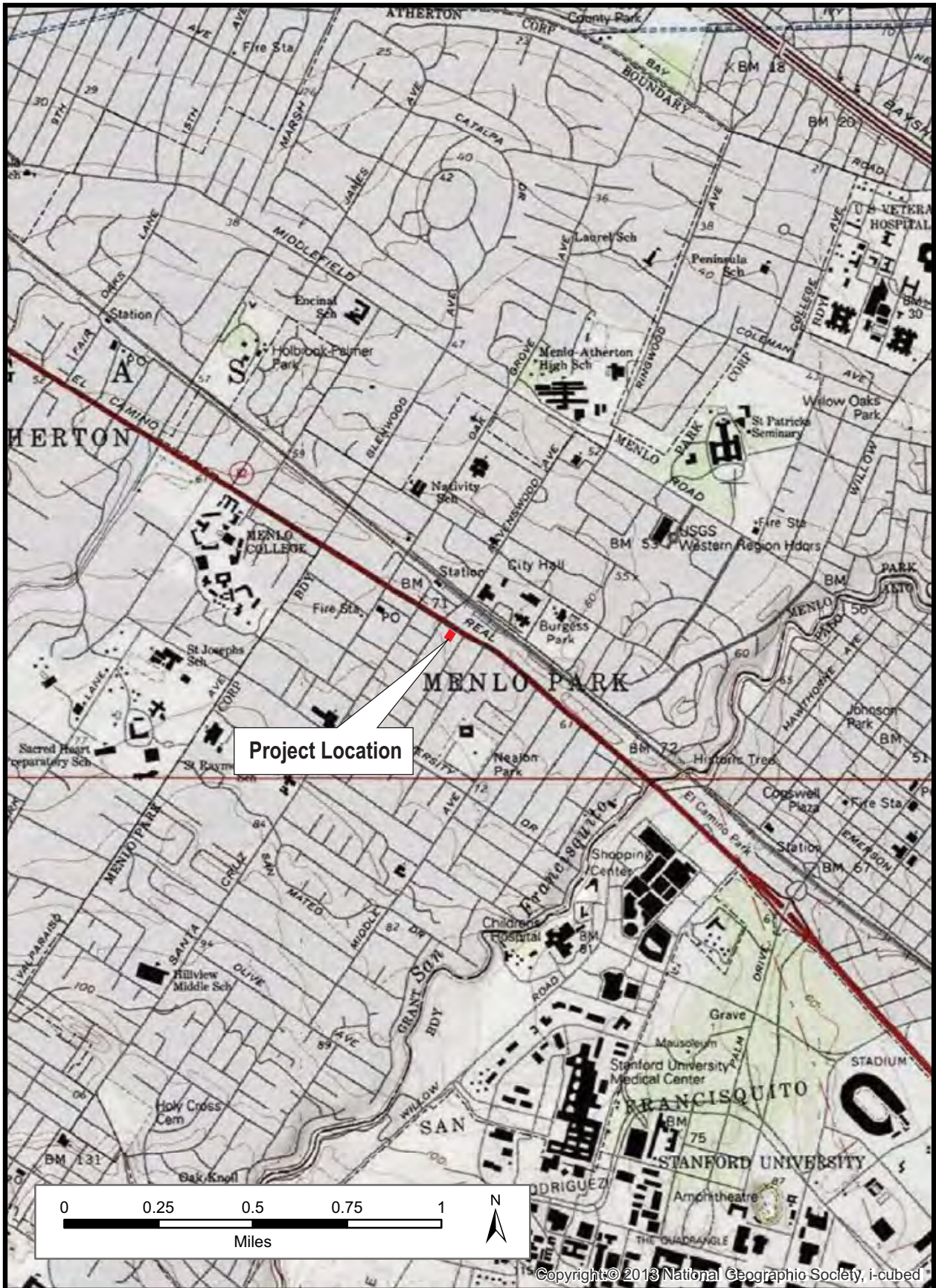
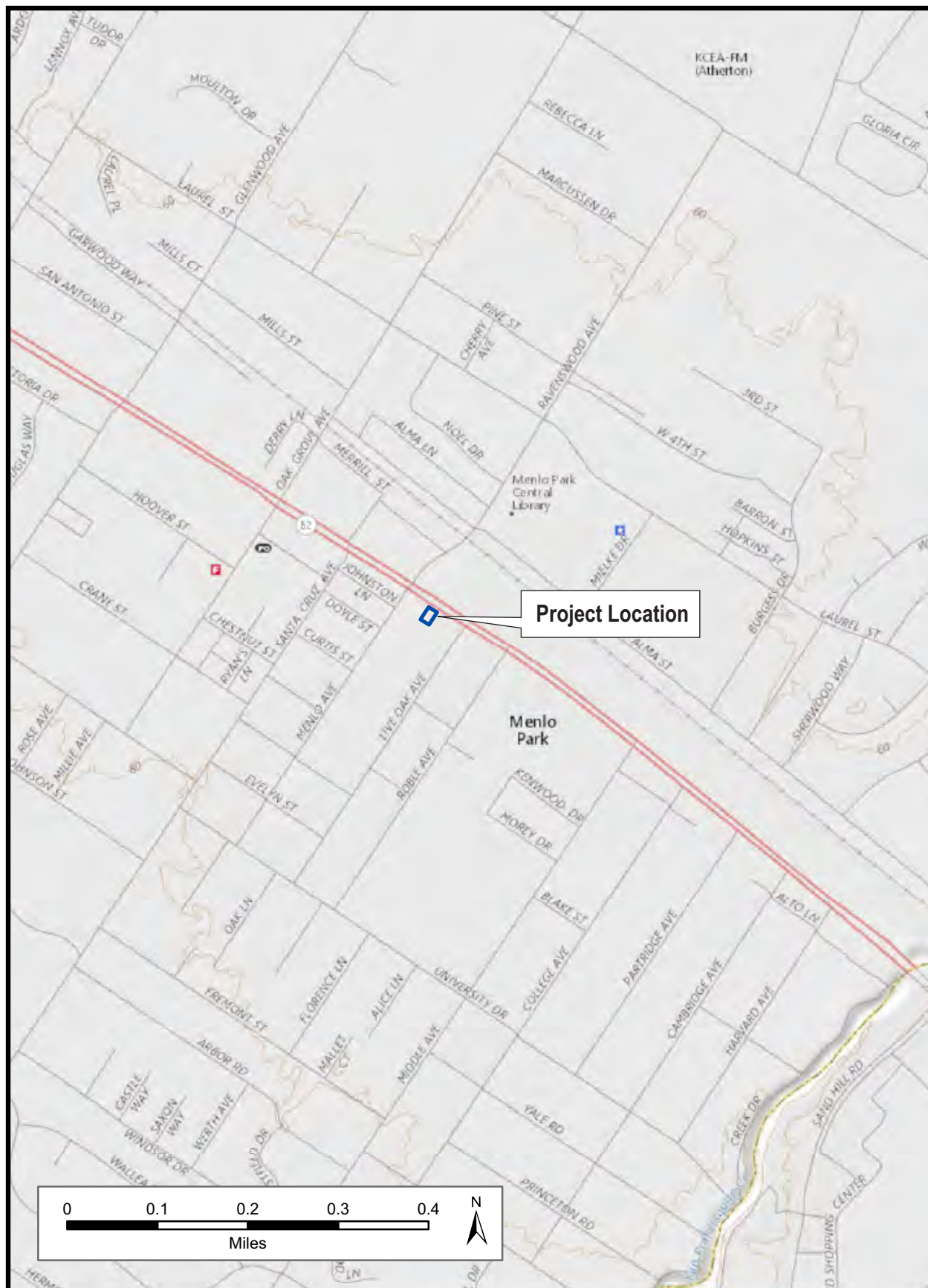
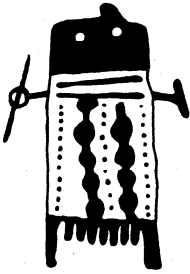


Figure 1: Guild Theater Project Location T5S R3W (USGS Palo Alto, CA 1997)



Guild Theater Project Project Location



March 29, 2018

BASIN
RESEARCH
ASSOCIATES

1933 DAVIS STREET
SUITE 210
SAN LEANDRO, CA 94577
VOICE (510) 430-8441
FAX (510) 430-8443

Mr. Tony Cerda, Chairperson
Coastanoan Rumsen Carmel Tribe
244 E. 1st Street
Pomona, CA 91766

RE: Request for Information - Guild Theatre Renovation, Menlo Park, San Mateo County

Dear Mr. Cerda,

The Native American Heritage Commission has provided your name as an individual who may have information regarding Native American resources within or adjacent to the proposed project located at 949 El Camino Real, Menlo Park (see enclosed map).

The project plans to renovate a historic single screen theatre. Proposed improvements include excavation under the existing building for a basement for storage, dressing rooms, sound system, etc. The study must comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

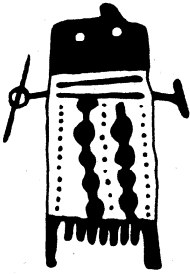
Any information provided will be used to determine if significant archaeological resources may be affected by the proposed project under the California Environmental Quality Act (CEQA).

If I can provide any further information, please don't hesitate to contact me (510 430-8441 x202) or Basinres1@gmail.com). Thanking you in advance for your timely review of our request.

BASIN RESEARCH ASSOCIATES, INC.

Colin I. Busby, Ph.D., RPA
Principal

CIB/dg
Attachments



March 29, 2018

BASIN
RESEARCH
ASSOCIATES

1933 DAVIS STREET
SUITE 210
SAN LEANDRO, CA 94577
VOICE (510) 430-8441
FAX (510) 430-8443

Ms. Irenne Zwierlein, Chairperson
Amah Mutsun Tribal Band of Mission San Juan Bautista
789 Canada Road
Woodside, CA 94062

RE: Request for Information - Guild Theatre Renovation, Menlo Park, San Mateo County

Dear Irenne,

The Native American Heritage Commission has provided your name as an individual who may have information regarding Native American resources within or adjacent to the proposed project located at 949 El Camino Real, Menlo Park (see enclosed map).

The project plans to renovate a historic single screen theatre. Proposed improvements include excavation under the existing building for a basement for storage, dressing rooms, sound system, etc. The study must comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

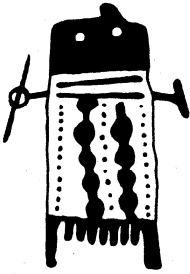
Any information provided will be used to determine if significant archaeological resources may be affected by the proposed project under the California Environmental Quality Act (CEQA).

If I can provide any further information, please don't hesitate to contact me (510 430-8441 x202) or Basinres1@gmail.com). Thanking you in advance for your timely review of our request.

BASIN RESEARCH ASSOCIATES, INC.

Colin I. Busby, Ph.D., RPA
Principal

CIB/dg
Attachments



March 29, 2018

BASIN
RESEARCH
ASSOCIATES

1933 DAVIS STREET
SUITE 210
SAN LEANDRO, CA 94577
VOICE (510) 430-8441
FAX (510) 430-8443

Ms. Rosemary Cambra, Chairperson
Muwekma Ohlone Indian Tribe of the SF Bay Area
P.O. Box 360791
Milpitas, CA 95036

RE: Request for Information - Guild Theatre Renovation, Menlo Park, San Mateo County

Dear Ms. Cambra,

The Native American Heritage Commission has provided your name as an individual who may have information regarding Native American resources within or adjacent to the proposed project located at 949 El Camino Real, Menlo Park (see enclosed map).

The project plans to renovate a historic single screen theatre. Proposed improvements include excavation under the existing building for a basement for storage, dressing rooms, sound system, etc. The study must comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

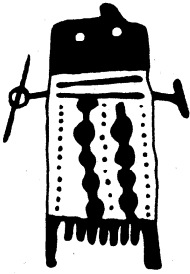
Any information provided will be used to determine if significant archaeological resources may be affected by the proposed project under the California Environmental Quality Act (CEQA).

If I can provide any further information, please don't hesitate to contact me (510 430-8441 x202) or Basinres1@gmail.com). Thanking you in advance for your timely review of our request.

BASIN RESEARCH ASSOCIATES, INC.

Colin I. Busby, Ph.D., RPA
Principal

CIB/dg
Attachments



March 29, 2018

BASIN
RESEARCH
ASSOCIATES

1933 DAVIS STREET
SUITE 210
SAN LEANDRO, CA 94577
VOICE (510) 430-8441
FAX (510) 430-8443

Mr. Andrew Galvan
The Ohlone Indian Tribe
P.O. Box 3152
Fremont, CA 94539

RE: Request for Information - Guild Theatre Renovation, Menlo Park, San Mateo County

Dear Andy,

The Native American Heritage Commission has provided your name as an individual who may have information regarding Native American resources within or adjacent to the proposed project located at 949 El Camino Real, Menlo Park (see enclosed map).

The project plans to renovate a historic single screen theatre. Proposed improvements include excavation under the existing building for a basement for storage, dressing rooms, sound system, etc. The study must comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

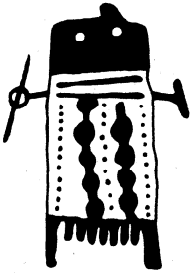
Any information provided will be used to determine if significant archaeological resources may be affected by the proposed project under the California Environmental Quality Act (CEQA).

If I can provide any further information, please don't hesitate to contact me (510 430-8441 x202) or Basinres1@gmail.com). Thanking you in advance for your timely review of our request.

BASIN RESEARCH ASSOCIATES, INC.

Colin I. Busby, Ph.D., RPA
Principal

CIB/dg
Attachments



March 29, 2018

BASIN
RESEARCH
ASSOCIATES

1933 DAVIS STREET
SUITE 210
SAN LEANDRO, CA 94577
VOICE (510) 430-8441
FAX (510) 430-8443

Ms. Irenne Zwierlein, Chairperson
Amah Mutsun Tribal Band of Mission San Juan Bautista
789 Canada Road
Woodside, CA 94062

RE: Request for Information - Guild Theatre Renovation, Menlo Park, San Mateo County

Dear Irenne,

The Native American Heritage Commission has provided your name as an individual who may have information regarding Native American resources within or adjacent to the proposed project located at 949 El Camino Real, Menlo Park (see enclosed map).

The project plans to renovate a historic single screen theatre. Proposed improvements include excavation under the existing building for a basement for storage, dressing rooms, sound system, etc. The study must comply with the approved planning requirements of Mitigation Measure CUL-2a of the *El Camino Real/Downtown Specific Plan, City of Menlo Park*.

Any information provided will be used to determine if significant archaeological resources may be affected by the proposed project under the California Environmental Quality Act (CEQA).

If I can provide any further information, please don't hesitate to contact me (510 430-8441 x202) or Basinres1@gmail.com). Thanking you in advance for your timely review of our request.

BASIN RESEARCH ASSOCIATES, INC.

Colin I. Busby, Ph.D., RPA
Principal

CIB/dg
Attachments

Record of Native American Contacts
Guild Theater Renovation, San Mateo County

3/07/18 Letter to Native American Heritage Commission (NAHC), Sacramento.
Regarding: Request for Review of Sacred Lands Inventory for project.

3/21/18 Letter response by Frank Lienert, NAHC

3/29/18 Letters sent to all parties recommended by NAHC

Letters to Tony Cerda, Chairperson, Coastanoan Rumsen Carmel Tribe, Pomona; Irenne Zwierlein, Amah Mutsun Tribal Band of Mission San Juan Bautista, Woodside; Rosemary Cambra, Chairperson, Muwekma Ohlone Indian Tribe of the SF Bay Area, Milpitas; Andrew Galvan, The Ohlone Indian Tribe, Mission San Jose; and Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Costanoan, Hollister.

4/9/18 Telephone calls and/or emails made by Basin Research Associates (Christopher Canzonieri) in the afternoon to non-responding parties.

Tony Cerda – called at 9:36 AM; unable to leave a message

Irenne Zwierlein – called at 9:43 AM; Ms. Zwierlein recommended that all construction crew receive cultural sensitivity training in areas with the potential of prehistoric cultural materials and that any archaeologists on the project have experience with northern and central California archaeology. The retention of a qualified and trained Native American Monitor is recommended in the event of a discovery of Native American cultural materials.

Rosemary Cambra – called on 9:38 AM; unable to leave message.

Andrew Galvan – called at 9:44 AM. Mr. Galvan, The Ohlone Tribe, recommended that proper protocols be followed in the event of a discovery. He also recommended cultural sensitivity training in areas with the potential of prehistoric cultural materials for the construction crew. Additionally Mr. Galvan recommended that the project archaeologists have experience with northern and central California archaeology and that only a Native American monitor who can prove genealogical relationship to the Greater San Francisco Bay Area be used for monitoring.

Ann Marie Sayers – called at 9:39 AM; no answer. Per previous conversations with Ms. Sayers, she recommends that all construction crew members receive cultural sensitivity training in areas with the potential of prehistoric cultural materials and any archaeologists on the project have experience with northern and central California archaeology. The retention of a qualified and trained Native American Monitor is recommended in the event of a discovery of Native American cultural materials.



3/13/2018

NWIC File No.: 17-2200

Donna M. Garaventa
Basin Research Associates
1933 Davis Street, Suite 210
San Leandro, CA 94577

Re: Guild Theater

The Northwest Information Center received your record search request for the project area referenced above, located on the Palo Alto USGS 7.5' quad(s). The following reflects the results of the records search for the project area and a 300 ft. radius:

Resources within project area:	None listed
Resources within 300 ft. radius:	None listed
Reports within project area:	S-39469
Reports within 300 ft. radius:	S-25174, 39104
Other Reports within records search radius:	S-848, 7483, 9462, 9580, 9583, 15529, 18217, 30204, 32596, 33545, 33600. These reports are classified as Other Reports; reports with little or no field work or missing maps. The electronic maps do not depict study areas for these reports, however a list of these reports has been provided. In addition, you have not been charged any fees associated with these studies.

- Resource Database Printout (list):** enclosed not requested nothing listed
- Resource Database Printout (details):** enclosed not requested nothing listed
- Resource Digital Database Records:** enclosed not requested nothing listed
- Report Database Printout (list):** enclosed not requested nothing listed
- Report Database Printout (details):** enclosed not requested nothing listed
- Report Digital Database Records:** enclosed not requested nothing listed
- Resource Record Copies:** enclosed not requested nothing listed
- Report Copies:** (*As requested) enclosed not requested nothing listed
- OHP Historic Properties Directory:** enclosed not requested nothing listed

<u>Archaeological Determinations of Eligibility:</u>	<input type="checkbox"/> enclosed	<input type="checkbox"/> not requested	<input checked="" type="checkbox"/> nothing listed
<u>CA Inventory of Historic Resources (1976):</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Caltrans Bridge Survey:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Ethnographic Information:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Historical Literature:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Historical Maps:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Local Inventories:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>GLO and/or Rancho Plat Maps:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed
<u>Shipwreck Inventory:</u>	<input type="checkbox"/> enclosed	<input checked="" type="checkbox"/> not requested	<input type="checkbox"/> nothing listed

***Notes:**

Current versions of these resources are available on-line:

Caltrans Bridge Survey: <http://www.dot.ca.gov/hq/structur/strmaint/historic.htm>

Soil Survey: <http://www.nrcs.usda.gov/wps/portal/nrcs/surveylist/soils/survey/state/?stateId=CA>

Shipwreck Inventory: <http://www.slc.ca.gov/Info/Shipwrecks.html>

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the California Historical Resources Information System (CHRIS).

Sincerely,

Annette Neal

Researcher

DRAFT – April 23, 2018

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MENLO PARK AMENDING THE EL CAMINO
REAL/DOWNTOWN SPECIFIC PLAN**

WHEREAS, the City of Menlo Park (“City”) adopted the El Camino Real/Downtown Specific Plan (“Specific Plan”) in 2012; and

WHEREAS, the City Council held a Study Session on February 13th, 2018 on the proposed Guild Theatre renovation project and Specific Plan amendments; and

WHEREAS, at the conclusion of the Study Session, the City Council directed staff to prepare amendments to allow the renovation of the existing Guild Theatre into a live performance facility with community benefits at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50 with the remainder below grade and inaccessible to the public; and

WHEREAS, an Addendum to the El Camino Real/Downtown Specific Plan Program Environmental Impact Report (“Program EIR”) was prepared in compliance with the California Environmental Quality Act (“CEQA”); and

WHEREAS, on April 23, 2018, the Planning Commission held a duly noticed public hearing on the proposed project, including the Specific Plan Amendment attached hereto as Exhibit A and incorporated herein by this reference (“Specific Plan Amendment”), at which all interested persons had the opportunity to appear and comment and the Planning Commission voted to recommend approval of the Specific Plan amendments to the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on May 22, 2018 to review the proposed project, including the Specific Plan Amendment, at which all interested persons had the opportunity appear and comment and voted to approve the proposed project; and

WHEREAS, adoption of the Specific Plan has complied with the provisions of Government Code Section 65453.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City Menlo Park as follows:

1. The City Council of the City of Menlo Park hereby approves and adopts the Specific Plan Amendment attached hereto as Exhibit A.
2. The Specific Plan Amendment is in the public interest and will advance the health, safety, and general welfare of the City of Menlo Park.
3. The Plan Amendment is consistent with the Menlo Park General Plan.

I, _____, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the 22nd day of May, 2018, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 22nd day of May, 2018.

City Clerk

**El Camino Real/Downtown Specific Plan
City Council-Directed Changes
April 2018**

The following changes to the El Camino Real/Downtown Specific Plan are directed by the City Council. Additions are shown in underline and deletions are shown in ~~strikeout~~.

1. Development Intensity

- a. Figure E2, Development Intensity/Density, on page E14 is revised as follows:

ECR SW

El Camino Real South-West

1.10 (1.50/2.50*) FAR

25.0 (40.0) DU/Acre

* Refer to Table E11

- b. The row, El Camino Real South-West, the column, FAR, in Table E2, Development Standards by Zoning Districts, on page E15, is revised as follows:

1.10(1.50/2.50**)

** Refer to Table E11

2. E.3.3 Setbacks and Projections within Setbacks

- a. Standard E.3.3.03 on page E22 is revised as follows:

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, except that the City Council may allow a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or that has historic or cultural value to exceed these maximums.

- b. Standard E.3.3.07 on page E24 is revised as follows:

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. These standards may be modified if existing signage to be retained on a feature building

in the area north of Live Oak Avenue is determined by the City Council to be highly visible and memorable or have historic or cultural value.

- c. Standard E.3.5.01 on page E30 is revised as follows:

The retail or commercial ground floor shall be a minimum of 15-foot floor-to-floor height to allow natural light into the space, except that the City Council may reduce the minimum floor-to-floor height for a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration and has highly visible and memorable features or that has historic or cultural value.

- d. Standard E.3.5.02 on page E30 is revised as follows:

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, except that the City Council may reduce the minimum transparency for a feature building in the area north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration and has highly visible and memorable features or that has historic or cultural value. Heavily tinted or mirrored glass shall not be permitted.

3. El Camino Real South-West (SW)

- a. The last paragraph on page E71 is revised as follows:

Table E11 provides the standards for the ECR SW District, including certain exceptions for the area north of Live Oak Avenue. Illustrations are provided to help demonstrate the standards and guidelines.

- b. Figure E32, Mixed Use Commercial Projects in El Camino Real South-West (ECR SW) District, on page E 72 is revised to add a footnote as follows:

A feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value, may upon City Council approval retain the existing setbacks not to exceed property lines (including for any upper floor or basement addition not to exceed 10,000 square feet), architectural projections and open space.

c. Table E11, Development Standards for El Camino Real South-West (ECR SW) District, on page E74, is revised as follows:

i. Development Intensity, Maximum FAR for all uses inclusive of Offices

Base: 1.10

Public Benefit Bonus: 1.50; except that the City Council may approve a feature building (refer to Section B.2, Figures B1 and B2) north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value with a total FAR not to exceed 2.50, including no more than 1.50 FAR above grade and all basement FAR must be within the footprint of the existing building, but not over the property lines, and not accessible to the public. The square footage of any such feature building may not increase more than 10,000 square feet beyond the square footage of the building in existence at the time the El Camino Real/Downtown Specific Plan.

ii. Setback, Front and Side facing a public ROW

Minimum 7 feet, except north of Live Oak Avenue where 5 feet is the minimum, or the City Council may allow a feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value to retain existing setbacks for all existing and new floors, not to exceed property lines.

iii. Setback, Interior Side

Minimum: 5 feet, except north of Live Oak Avenue where there is no minimum side setback for ground floor and 5 feet minimum is required only for upper floors, or the City Council may allow a feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value to retain existing setbacks for all existing and new floors, not to exceed property lines.

iv. Setback, Rear

Minimum: 20 feet, except north of Live Oak Avenue, where 10 feet is required, or the City Council may allow a feature building north of

Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value to retain existing setbacks for all existing and new floors, not to exceed property lines.

- v. Open Space, All Development
30% minimum, except for north of Live Oak Avenue which is 20% minimum, or the City Council may approve a feature building north of Live Oak Avenue that proposes a live entertainment/cinema use at the public benefit level that will increase vibrancy in the area, substantially retains existing walls or rebuilds new walls in substantially the same location and configuration, and has highly visible and memorable features or has historic or cultural value with a reduced open space requirement.

DRAFT – April 23, 2018

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING FINDINGS AND CONDITIONS FOR ARCHITECTURAL CONTROL, AND A USE PERMIT AT 949 EL CAMINO REAL

WHEREAS, the City of Menlo Park (“City”) has received an application from The Peninsula Arts Guild (“Applicant”), to renovate the existing Guild Theatre cinema facility into a live entertainment venue at 949 El Camino Real (“Project Site”), with a total floor area of approximately 10,921 square feet;

WHEREAS, the findings and conditions for Architectural Control, and a Use Permit would ensure that all City requirements are applied consistently and correctly as part of the project’s implementation;

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

WHEREAS, an EIR Addendum was prepared for the project in accordance with the provisions of the California Environmental Quality Act (“CEQA”) and the CEQA Guidelines; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on April 23, 2018 whereat all persons interested therein might appear and be heard; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the findings and conditions for Architectural Control and a Use Permit; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on May 22, 2018 whereat all persons interested therein might appear and be heard; and

WHEREAS, the City Council of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to approve the findings and conditions for Architectural Control and a Use Permit.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park hereby approves the findings and conditions for Architectural Control and Use Permit hereto as Exhibit A and incorporated herein by this reference.

I, _____, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-second day of May, 2018, by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this _____ day of May, 2018.

City Clerk

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00019	APPLICANT: Peninsula Arts Guild	OWNER:
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: Planning Commission	DATE: April 23, 2018	ACTION: TBD (Recommendation to City Council)	
<p>VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)</p>			
<p>ACTION:</p> <ol style="list-style-type: none"> 1. 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"> 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. With the adoption of the Specific Plan and Zoning Ordinance Amendments, the development is consistent with the El Camino Real/Downtown Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet. 2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permit, that the proposed small scale commercial recreation and bar 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. Make findings that the adoption of the Specific Plan and Zoning Ordinance amendment would not exceed the development caps in the Specific Plan. 4. Approve the Specific Plan and Zoning Ordinance amendment, architectural control and use permit subject to the following standard conditions: <ol style="list-style-type: none"> a. Development of the project shall be substantially in conformance with the plans prepared by CAW Architects, consisting of 17 plan sheets, dated April 18, 2018, reviewed by the Planning Commission on April 23, 2018 and approved by the City Council on TBD, 2018, except as modified by the conditions contained herein, subject to review and approval of the Planning Division. b. Minor modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be approved by the Community Development 			

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00019	APPLICANT: Peninsula Arts Guild	OWNER:
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: Planning Commission	DATE: April 23, 2018	ACTION: TBD (Recommendation to City Council)	
<p>VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)</p>			
<p>ACTION:</p> <p>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.</p> <ul style="list-style-type: none"> 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 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. f. 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. g. 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. h. 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. i. 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, 			

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00019	APPLICANT: Peninsula Arts Guild	OWNER:
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: Planning Commission	DATE: April 23, 2018	ACTION: TBD (Recommendation to City Council)	
VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)			
<p>ACTION:</p> <p>and Planning Divisions. The fences and erosion and sedimentation control measures shall be installed according to the approved plan prior to commencing construction.</p> <ul style="list-style-type: none"> j. Prior to building permit issuance, Applicant shall submit an Off-Site Improvements Plan for review and approval of the Engineering Division. The Off-Site Improvements Plan shall include all improvements within public right-of-way including but not limited to stormwater, concrete, asphalt, landscaping, striping, electrical, water and sanitary sewer. k. Prior to building permit issuance, 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. l. Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality, in accordance with the approved Stormwater Pollution Prevention Plan (SWPPP). BMP plan sheets are available electronically for inserting into Project plans. m. Prior to building permit issuance, Applicant shall submit a street tree preservation plan, detailing the location of and methods for all tree protection measures. n. Prior building permit issuance, Applicant shall pay all Public Works fees. Refer to City of Menlo Park Master Fee Schedule. <p>5. Approve the architectural control and use permit, and major subdivision subject to the following project-specific conditions:</p> <ul style="list-style-type: none"> a. Planning-specific conditions: <ul style="list-style-type: none"> i. The applicant shall address all Mitigation Monitoring and Reporting Program (MMRP) requirements as specified in the MMRP. Failure to meet these requirements may result in delays to the building permit issuance, stop work orders during construction, and/or fines. ii. Prior to issuance of building permit, the applicant shall submit the El Camino Real/Downtown Specific Plan Preparation Fee, which is established at 			

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00019	APPLICANT: Peninsula Arts Guild	OWNER:
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: Planning Commission	DATE: April 23, 2018	ACTION: TBD (Recommendation to City Council)	
VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)			
<p>ACTION:</p> <p>\$1.13/square foot for all net new development. For the subject proposal, the fee is estimated at \$462,655.90 (\$1.13 x 409,430 net new square feet).</p> <ul style="list-style-type: none"> iii. Prior to issuance of a building permit, applicant shall provide evidence to the satisfaction of the City Attorney that the operator is a non-profit public benefit organization. iv. No more than three live entertainment or movie events shall be held between Friday and Sunday during the hours of 7pm to 11pm, with adequate time for set up and close by staff before and after those hours. Any movie or community event held outside of those hours shall not exceed current theater capacity of 277 persons. v. The facility shall be made available for community events in accordance with the letter submitted by the applicant. vi. All below grade square footage in the basement of the building shall be inaccessible to the general public and limited to uses such as a green room, dressing room, warming kitchen, storage room and mechanical room. vii. Prior to issuance of a building permit, the Applicant show demonstrate that the refuse enclosure is not located over an easement, to the satisfaction of the Planning and Building divisions. <ul style="list-style-type: none"> b. Transportation-specific conditions: <ul style="list-style-type: none"> i. Prior to the issuance of an occupancy permit, the applicant shall provide a transportation demand management to the satisfaction of the City Transportation Manager. ii. If off-site parking impacts occur, applicant shall work with the City to develop a neighborhood permit parking program. c. Engineering-specific conditions: <ul style="list-style-type: none"> i. Prior to building permit issuance, the Applicant shall submit all applicable engineering plans for Engineering review and approval. The plans shall include, but is not limited to: <ol style="list-style-type: none"> 1. Existing Topography (NAVD 88') 2. Demolition Plan 			

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00019	APPLICANT: Peninsula Arts Guild	OWNER:
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: Planning Commission	DATE: April 23, 2018	ACTION: TBD (Recommendation to City Council)	
VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)			
<p>ACTION:</p> <ol style="list-style-type: none"> 3. Site Plan 4. Construction Parking Plan 5. Grading and Drainage Plan 6. Stormwater Control Plan 7. Utility Plan 8. Erosion Control Plan 9. Planting and Irrigation Plan 10. Off-site Improvement Plan 11. Construction Details 12. Joint Trench Plan <ol style="list-style-type: none"> ii. Any building overhangs or overhead signs in public right of way will require review and approval of City and Caltrans. iii. This project is replacing more than 2,500 square feet of impervious area, and as such will be required to implement at least one of the Site Design Measures identified on the Stormwater Requirements Checklist: http://www.menlopark.org/DocumentCenter/Home/View/1006 iv. Frontage Improvements: <ol style="list-style-type: none"> 1. Remove and replace all curb, gutter and sidewalk along the entire project frontage on ECR. 2. Any frontage improvements which are damaged as a result of construction will be required to be replaced. 3. Utility connections to the site may have to be upgraded due to the site intensification. Coordinate with utility companies. 4. The City and Caltrans will evaluate the condition of asphalt paving on ECR, following construction and prior to final occupancy of buildings. If necessary, the City/Caltrans will 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. v. 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 and Caltrans. The applicant shall secure adequate parking for any and all construction 			

LOCATION: 949 El Camino Real	PROJECT NUMBER: PLN2018-00019	APPLICANT: Peninsula Arts Guild	OWNER:
<p>REQUEST: Specific Plan and Zoning Ordinance Amendment/Architectural Control/Use Permit/Environmental Review/Peninsula Arts Guild/949 El Camino Real: Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a total bonus level FAR (floor area ratio) of 2.50, with a maximum above grade FAR of 1.50, and other associated amendments. A request for architectural control to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, at 949 El Camino Real. The proposed development would be at the Public Benefit Bonus level; the public benefit bonus would consist of allowing community events at the project site. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Housing In Lieu Fee Agreement for this project.</p>			
DECISION ENTITY: Planning Commission	DATE: April 23, 2018	ACTION: TBD (Recommendation to City Council)	
<p>VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)</p>			
<p>ACTION:</p> <ul style="list-style-type: none"> vi. trades. The plan shall include construction phasing and anticipated method of traffic handling for each phase. vi. 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. vii. 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. viii. Caltrans encroachment permit for work along El Camino is required. This permit shall be secured prior to City of Menlo Park issuance of encroachment permit for public improvements. ix. The Applicant shall coordinate with California Water Company (to determine sufficiency of size of the existing service lateral) and the West Bay Sanitary Sewer District (650-321-0384). 			

DRAFT – April 23, 2018

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING THE BELOW MARKET RATE HOUSING AGREEMENT BETWEEN THE CITY OF MENLO PARK AND THE PENINSULA ARTS GUILD FOR 949 EL CAMINO REAL

WHEREAS, the City of Menlo Park (“City”) has received an application from the Peninsula Arts Guild (“Applicant”), to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar, on an approximately 0.1 acre at 949 El Camino Real (“Project Site”); and

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

WHEREAS, after notice having been lawfully given, a public meeting was scheduled and held before the Housing Commission of the City of Menlo Park on April 11, 2018 to review the initial draft BMR Agreement Term Sheet, for the payment of in-lieu fees, whereat all persons interested therein might appear and be heard; and

WHEREAS, the Housing Commission of the City of Menlo Park having fully reviewed, and considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend the Planning Commission and City Council of the City of Menlo Park to approve the BMR Agreement; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on April 23, 2018 whereat all persons interested therein might appear and be heard; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the BMR Agreement; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on May 22, 2018 whereat all persons interested therein might appear and be heard.

WHEREAS, on May 22, 2018 the City Council of the City of Menlo Park has read and considered that certain BMR Agreement between the City and the Applicant that satisfies the requirement that Developer comply with Chapter 16.96 of the City’s Municipal Code and with the Below Market Rate Housing Program Guidelines.

NOW, THEREFORE, the City Council of the City does RESOLVE as follows:

1. Public interest and convenience require the City to enter into the Agreement described above and incorporated herein as Exhibit A.

2. The City of Menlo Park hereby approves the Agreement and the City Manager is hereby authorized on behalf of the City to execute the Agreement.

I, _____ City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the _____ day of _____, 2018, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ____ day of _____, 2018.

City Clerk

DRAFT BELOW MARKET RATE HOUSING IN LIEU FEE AGREEMENT

This Below Market Rate Housing In Lieu Fee Agreement (“Agreement”) is made as of this ___ day of _____, 2018 by and between the City of Menlo Park, a California municipality (“City”) and the Peninsula Arts Guild (“Applicant”), with respect to the following:

RECITALS

- A. Applicant owns property, located at that certain real property in the City of Menlo Park, County of San Mateo, State of California, consisting of approximately 0.1 acres, more particularly described as Assessor’s Parcel Number: 071-288-570 (“Property”), and commonly known as 949 El Camino Real, Menlo Park.
- B. The Property currently contains one commercial building encompassing approximately 4,200 square feet of gross floor area.
- C. Applicant is requesting Specific Plan and Zoning Ordinance Amendments to allow a live performance facility with community benefits, located in a feature building north of Live Oak Avenue in the ECR SW (El Camino Real South-West) sub-district of the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district at a public bonus level FAR (floor area ratio) and other associated amendments. The project would also require architectural control approval to construct a basement and a second story at an existing single-story commercial building and a use permit to allow small scale commercial recreation and a bar. (“Project”).
- D. Applicant is required to comply with Chapter 16.96 of City’s Municipal Code (“BMR Ordinance”) and with the Below Market Rate Housing Program Guidelines (“Guidelines”) adopted by the City Council to implement the BMR Ordinance. In order to process its application, the BMR Ordinance requires Applicant to submit a Below Market Rate Housing 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, site constraints due to the existing Guild Theatre cinema facility and its proposed renovation into a live entertainment venue on a small infill site do not allow for the development of residential units on site. Applicant does not own any additional sites in the City that are available and feasible for construction of sufficient below market rate residential housing units to satisfy the requirements of the BMR Ordinance. Based on these facts, the City has found that development of such BMR units in

accordance with the requirements of the BMR Ordinance and Guidelines is not feasible.

- F. Applicant, therefore, is required to pay an in lieu fee as provided for in this Agreement. Applicant is willing to pay the in lieu 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. If Applicant elects to proceed with the Project, Applicant shall pay the in lieu fee as provided for in the BMR Ordinance and Guidelines. Notwithstanding the proceeding, nothing in this Agreement shall obligate Applicant to proceed with the Project. The applicable in lieu fee is that which is in effect on the date the payment is made. The in lieu fee will be calculated as set forth in the table below; however, the applicable fee for the Project will be based upon the amount of square footage within Group A and Group B at the time of payment. The estimated in lieu fee is provided below.

	Use Group	Fee/SF	Square Feet	Component Fees
Existing Buildings – Non-Office Areas	B- Non-Office Commercial/ Industrial	\$9.17	4,200	(\$38,514.00)
Proposed Building – Non-Office Areas	B- Non-Office Commercial/ Industrial	\$9.17	10,854	\$99,531.18
Total Estimated In Lieu Fee				\$61,017.18

- 2. If the Applicant elects to proceed with the Project, the Applicant shall pay the in lieu fee before the City issues a building permit for the Project. The in lieu fee 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 after Applicant’s payment of the in lieu fee, upon request by Applicant, City shall promptly refund the in lieu fee, without interest, in which case the building permit shall not be issued until payment of the in lieu 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, subject to the reasonable consent of the other party, and the assignment must be in writing.

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 prevailing party shall be entitled to recover all reasonable attorney's 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 and the venue for any action shall be the County of San Mateo.
6. The terms of this Agreement may not be modified or amended except by an instrument in writing executed by all 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 Applicant 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.

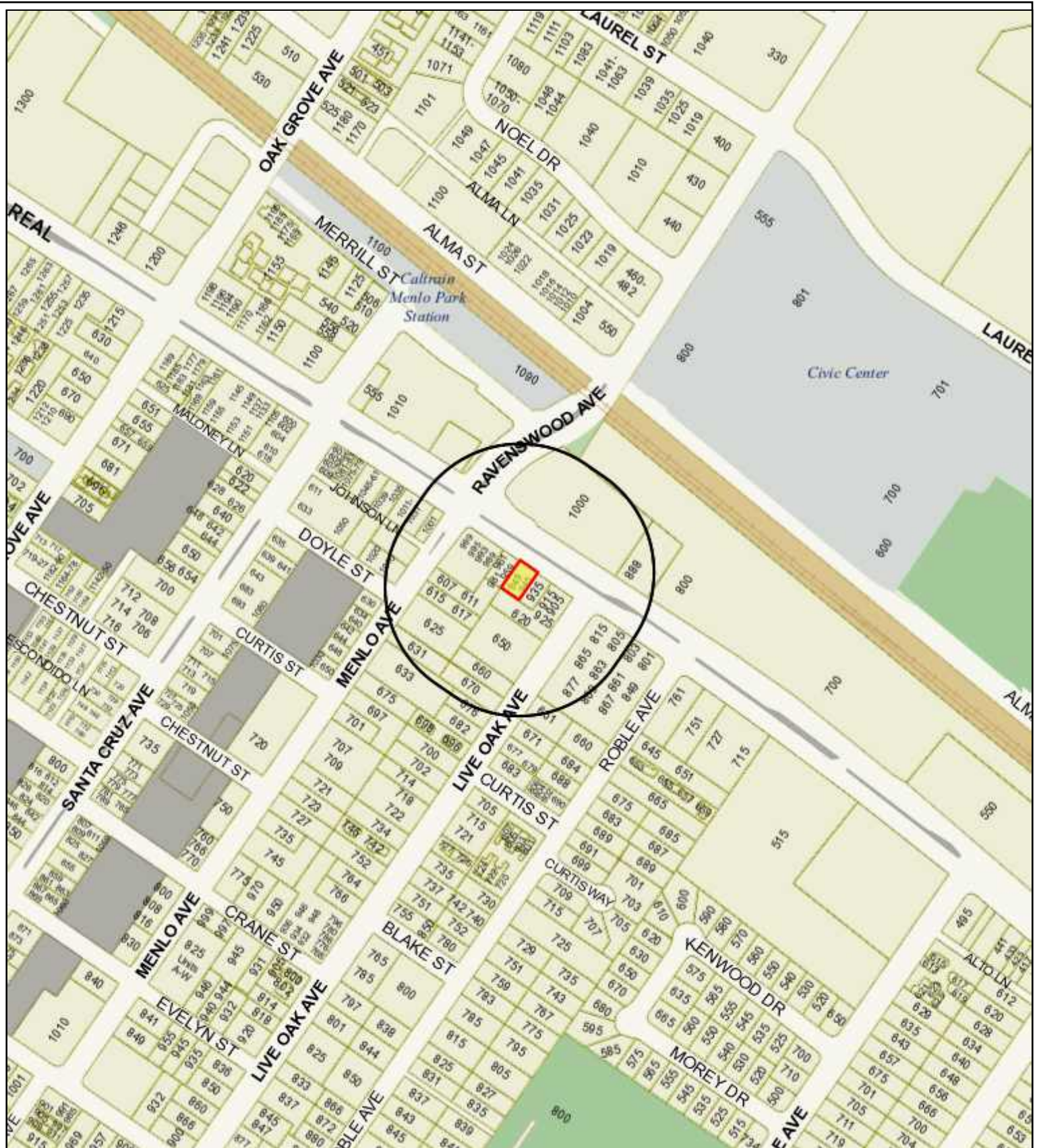
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

CITY OF MENLO PARK

Peninsula Arts Guild LLC

By: _____
City Manager

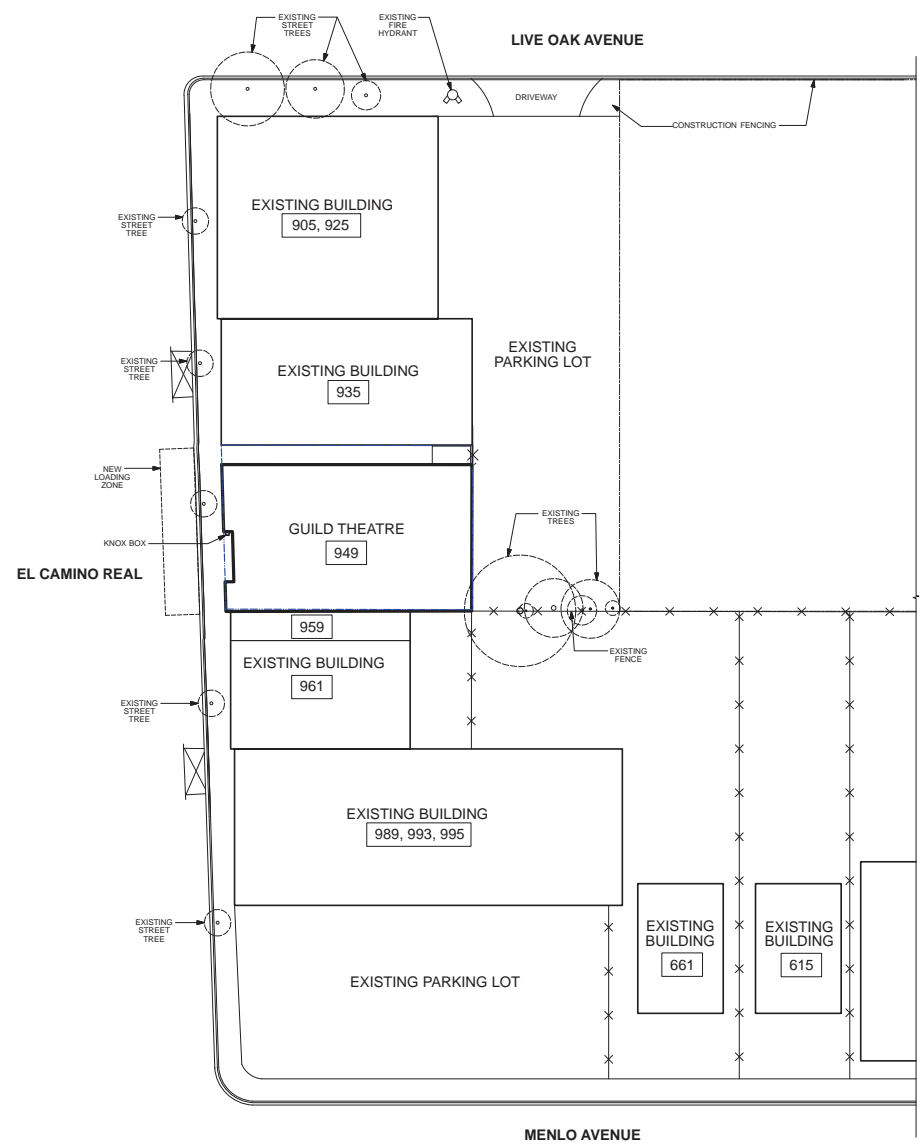
By: _____
Its:



City of Menlo Park
 Location Map
 949 El Camino Real



LEGEND
 - - - - - PROPERTY LINE
 X X X X X FENCE LINE



AREA PLAN
 SCALE: 1" = 20'-0"



STAMP

CONSULTANTS

△ MILESTONE DATE
 PLANNING SUBMITTAL 02/23/2018
 PLANNING RESUBMITTAL 04/06/2018

PROJECT NAME
 RENOVATION OF THE
GUILD THEATRE
 949 EL CAMINO REAL
 MENLO PARK, CA 94025

SHEET TITLE
AREA PLAN

PROJECT NO. 18001
 DRAWN BY M. DESING
 CHECKED BY M. DESING, C. WADSWAY

SHEET

A0.10

GENERAL NOTES

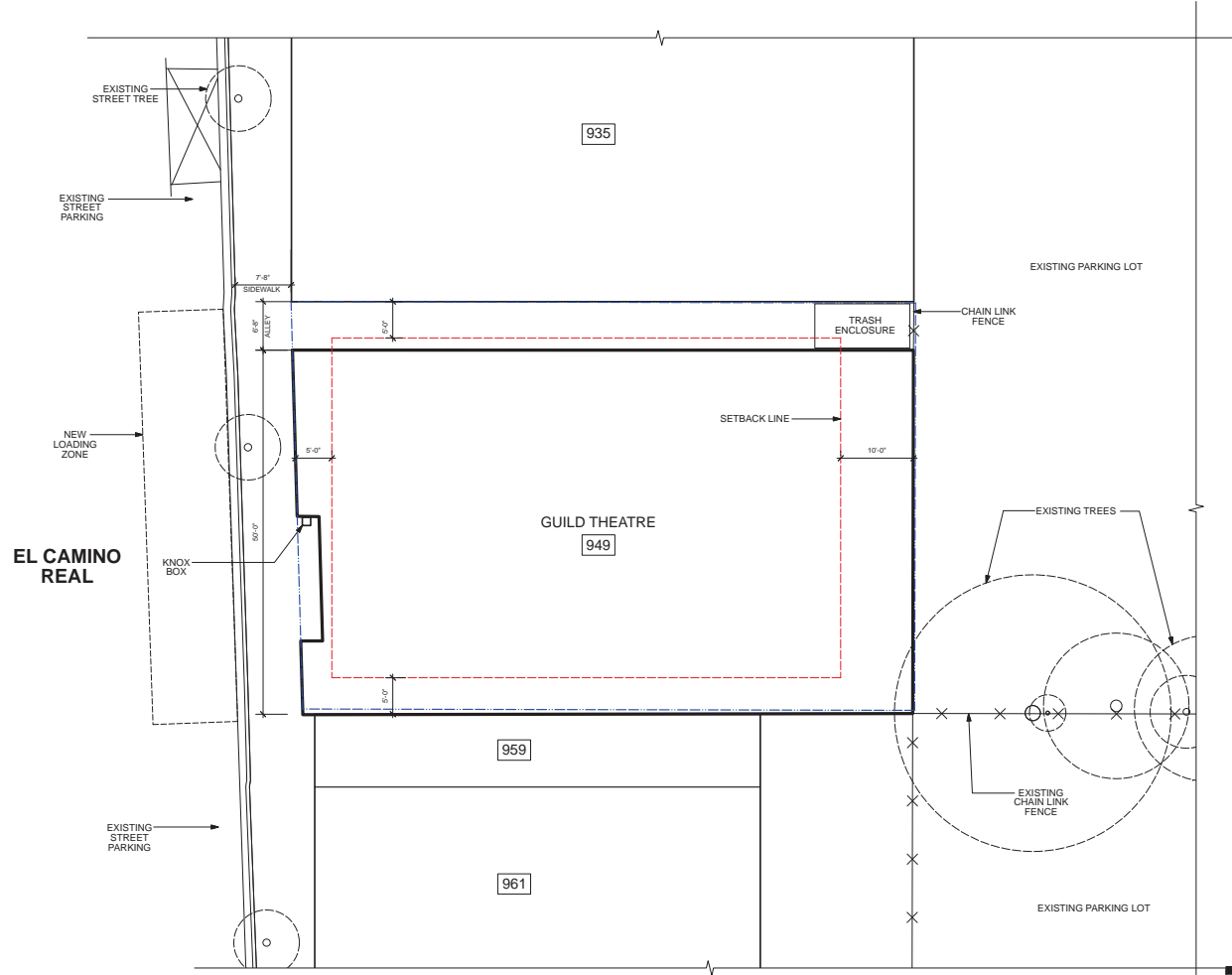
1. THE CURB, GUTTER, AND SIDEWALK ALONG PROJECT FRONTAGE AT EL CAMINO REAL SHALL BE REMOVED AND REPLACED.
2. A CALTRANS ENCROACHMENT PERMIT SHALL BE OBTAINED PRIOR TO BUILDING PERMIT ISSUANCE.
3. ANY FRONTAGE IMPROVEMENTS THAT ARE DAMAGED DURING CONSTRUCTION SHALL BE REPLACED.
4. ARCHITECT/CONTRACTOR WILL COORDINATE WITH UTILITY COMPANIES TO UPGRADE CONNECTIONS AND SERVICES AS REQUIRED.
5. THE SANITARY SEWER SHALL HAVE A MINIMUM SLOPE OF 2% UNLESS OTHERWISE APPROVED BY THE BUILDING OFFICIAL.
6. ANY CONDENSATE WATER FROM AIR CONDITIONING EQUIPMENT WILL NOT BE RUN TO THE SANITARY SEWER OR STORM DRAIN SYSTEMS WITHOUT WEST BAY SANITARY DISTRICT APPROVAL.
7. ANY BUILDING OVERHANGS OR OVERHEAD SIGNS ALONG THE PUBLIC RIGHT OF WAY SHALL BE REVIEWED AND APPROVED BY THE CITY AND CALTRANS PRIOR TO INSTALLATION.

LEGEND

- PROPERTY LINE
- - - - - SETBACK LINE
- X—X—X—X— FENCE LINE

SITE ANALYSIS

ZONING DISTRICT: ECR MIXED USE / RESIDENTIAL	
SITE SQUARE FOOTAGE:	4751 SF
EXISTING BUILDING FLOOR AREA:	4172 SF
FLOOR AREA RATIO ALLOWED:	1.5
PROPOSED:	2.2
PROPOSED AREA:	
FIRST FLOOR:	4153 SF
SECOND FLOOR:	2675 SF
BASEMENT:	4036 SF
TOTAL:	10,864 SF
LAND COVERED BY STRUCTURE:	87.8%
LANDSCAPING:	0%
PAVING:	12.2%
NEW PARKING SPACES:	0
NO CHANGE IN EXTERIOR GRADING	



SITE PLAN
SCALE: 1/8" = 1'-0"



485 LAMBERT AVENUE, PALO ALTO, CA 94306
415.954.1000

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

PROJECT NAME
RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE
SITE PLAN

PROJECT NO. 18001
DRAWN BY M. DESING
CHECKED BY M. DESING, C. WAGNEY

SHEET
A0.20





GUILD THEATRE - SITE LOGISTICS PLAN



483 LAWRENCE AVENUE SUITE A170, CA 94025
 (415) 351-1100
 www.cawarchitects.com

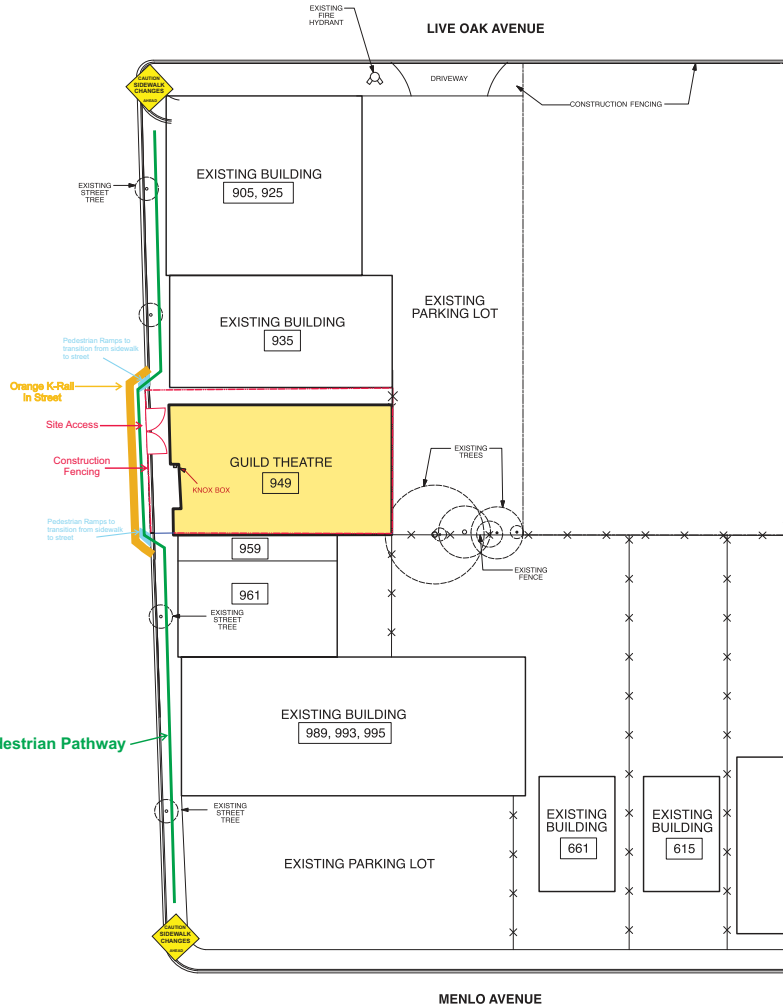
STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

- GENERAL:**
- This logistic plan will be implemented for the duration of the construction.
 - Fence to be placed on sidewalk.
 - Temporary construction barrier on El Camino Street consist of orange "K" rail. The temporary construction barrier will be placed at the street parking stalls.
 - City of Menlo Park Allowable Construction hours:** Monday - Friday from 8:00 am to 6:00 pm
 - Site Access Restrictions:** Personal protective equipment is required at all times. Protective equipment includes, hard hats, eye protection, proper foot protection and clothing.
 - Deliveries:** (materials, equipment, supplies, etc.) will be made during working hours.
 - Access** to the site will be through the access area on El Camino Street
 - Truck Routes:** All delivery trucks to follow the City of Menlo Park truck routes
 - Flagmen:** Flagman will be utilized during all site delivery activities.

EL CAMINO REAL



April 6, 2018



PROJECT NAME
 RENOVATION OF THE
GUILD THEATRE
 949 EL CAMINO REAL
 MENLO PARK, CA 94025

SHEET TITLE
SITE LOGISTICS PLAN

PROJECT NO. 18001
 DRAWN BY M. DESING
 CHECKED BY M. DESING, C. WADSWAY

SHEET

A0.30

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

PROJECT NAME

RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE

EXISTING FIRST FLOOR PLAN

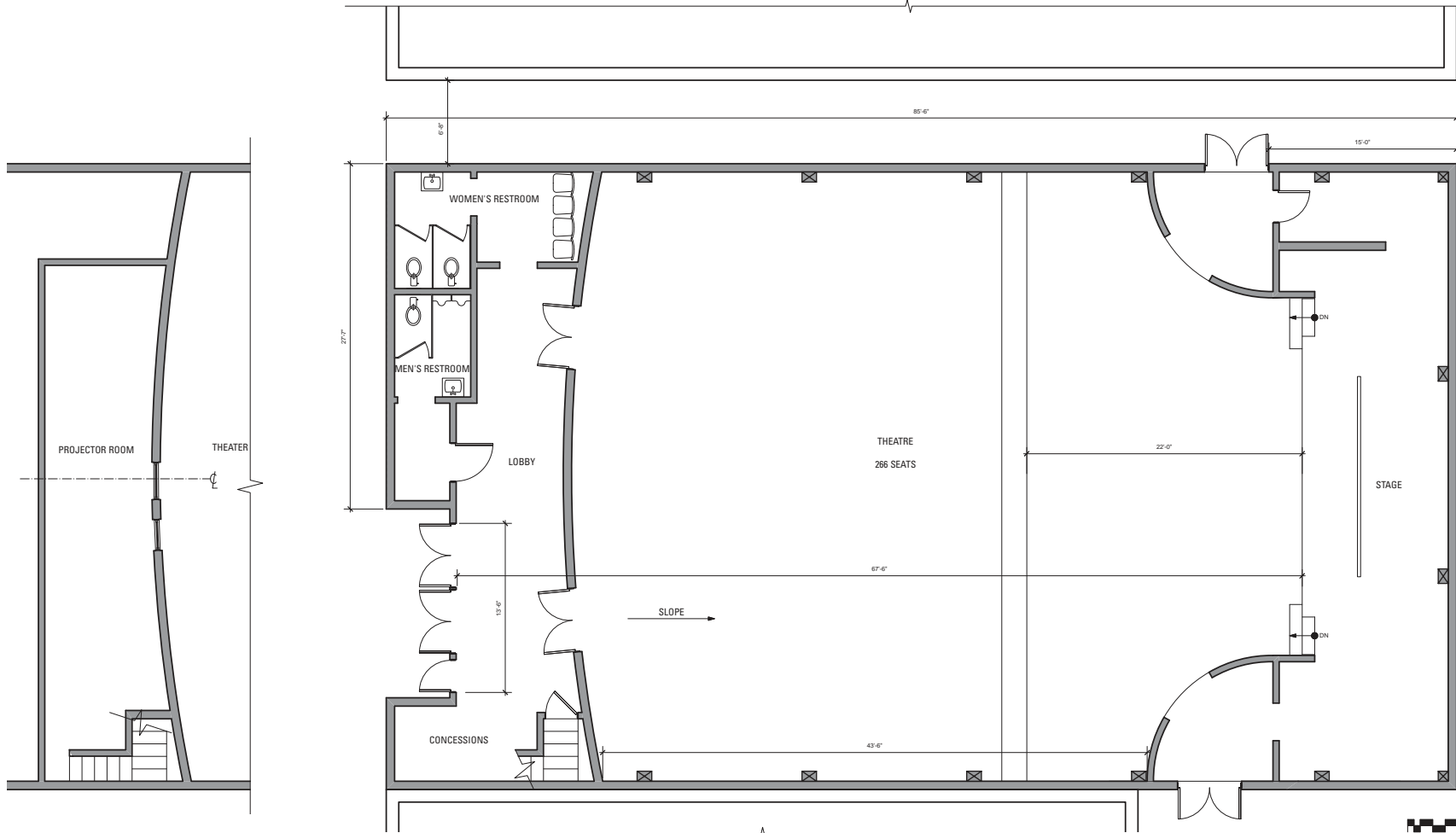
PROJECT NO. 18001

DRAWN BY M. DESING

CHECKED BY M. DESING, C. WADSWAY

SHEET

A1.10



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

2

EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

1



STAMP

CONSULTANTS

△ MILESTONE DATE

PLANNING SUBMITTAL 02/23/2018

PLANNING RESUBMITTAL 04/06/2018

PROJECT NAME

RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE

DEMOLITION FIRST FLOOR PLAN

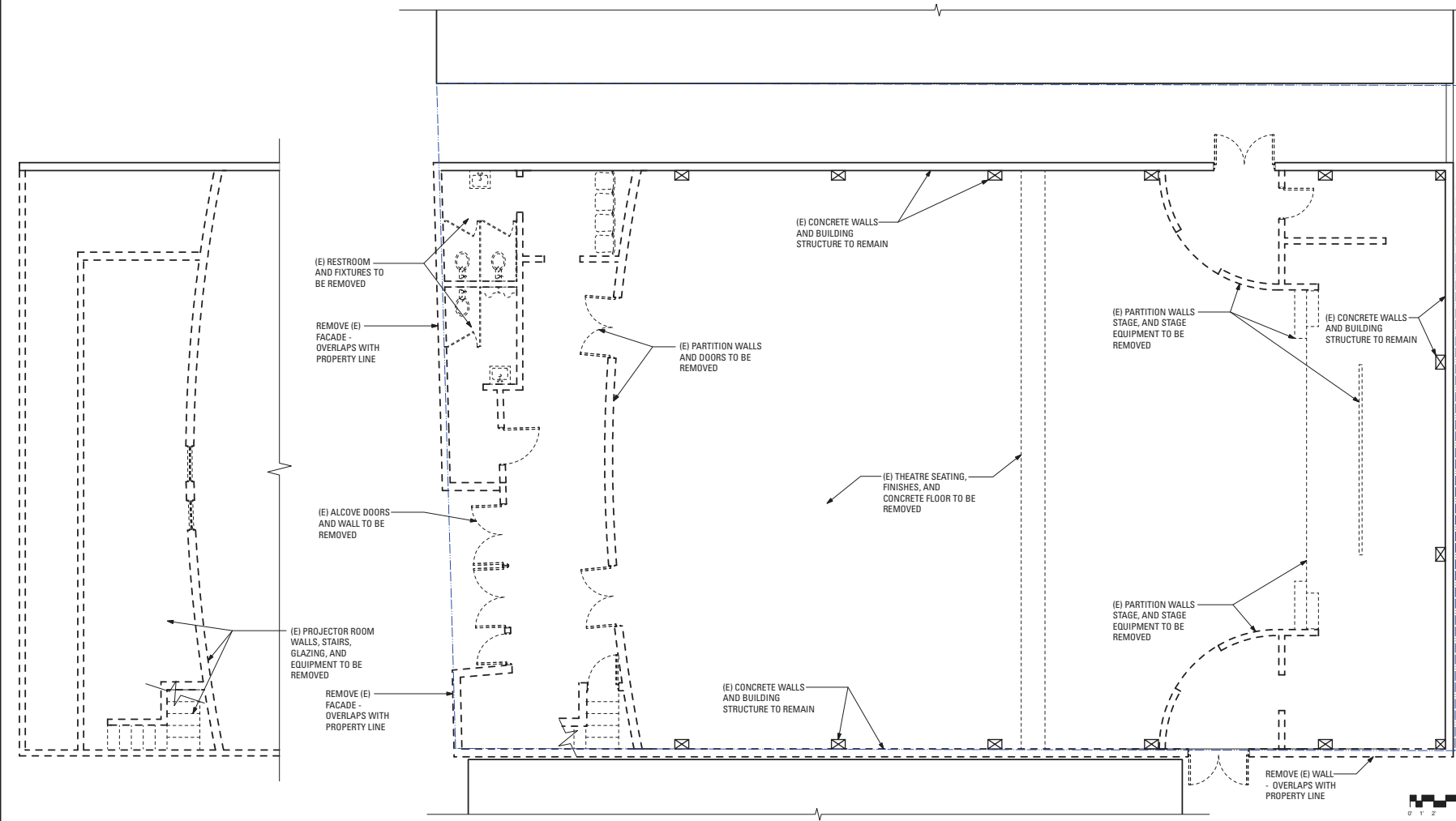
PROJECT NO. 18001

DRAWN BY M. DESING

CHECKED BY M. DESING, C. WAGNEY

SHEET

A1.10D



PROJECTOR ROOM DEMOLITION PLAN
SCALE 1/4" = 1'-0"

2 DEMOLITION FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"



GENERAL NOTES

1. BUILDING TO BE EQUIPPED WITH FULL FIRE ALARM AND FIRE SPRINKLER SYSTEMS

LEGEND

-  PROPERTY LINE
-  EXISTING WALL
-  NEW WALL

CAW
ARCHITECTS

485 LAMBERT AVENUE, PALO ALTO, CA 94306
415.964.1000

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

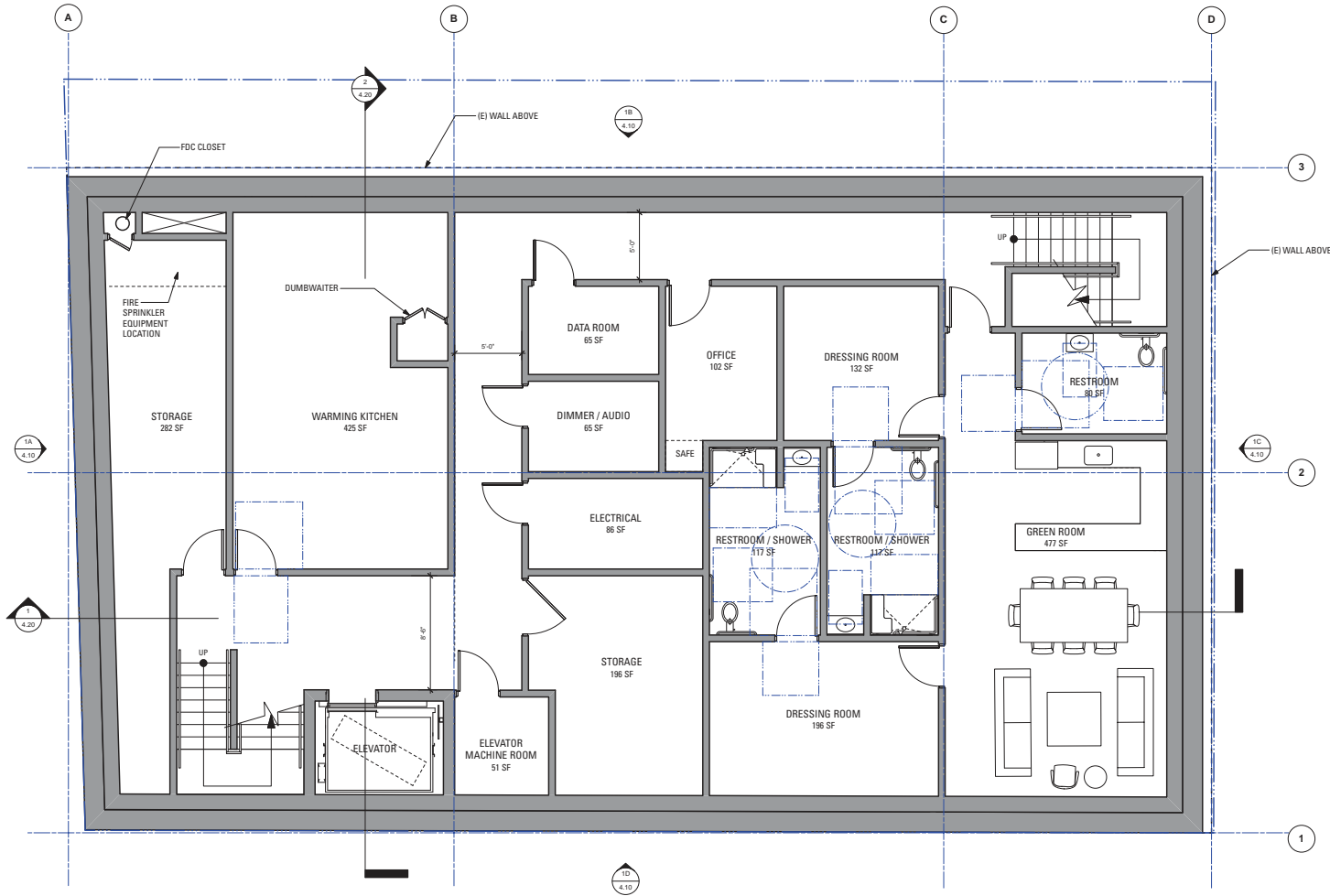
PROJECT NAME
RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE
PROPOSED BASEMENT PLAN

PROJECT NO. 18001
DRAWN BY M. DESING
CHECKED BY M. DESING, C. WAGNEY

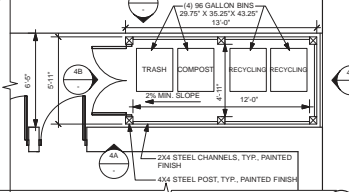
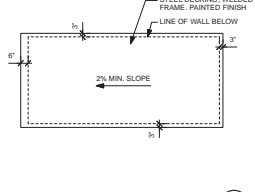
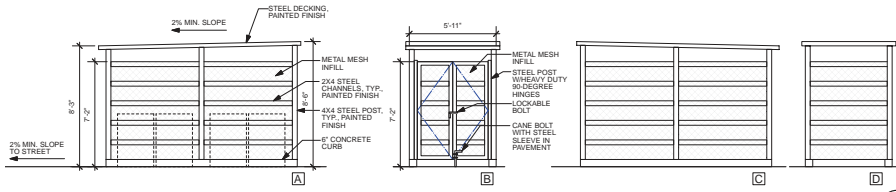
SHEET

A2.00



PROPOSED BASEMENT PLAN
SCALE: 1/4" = 1'-0"



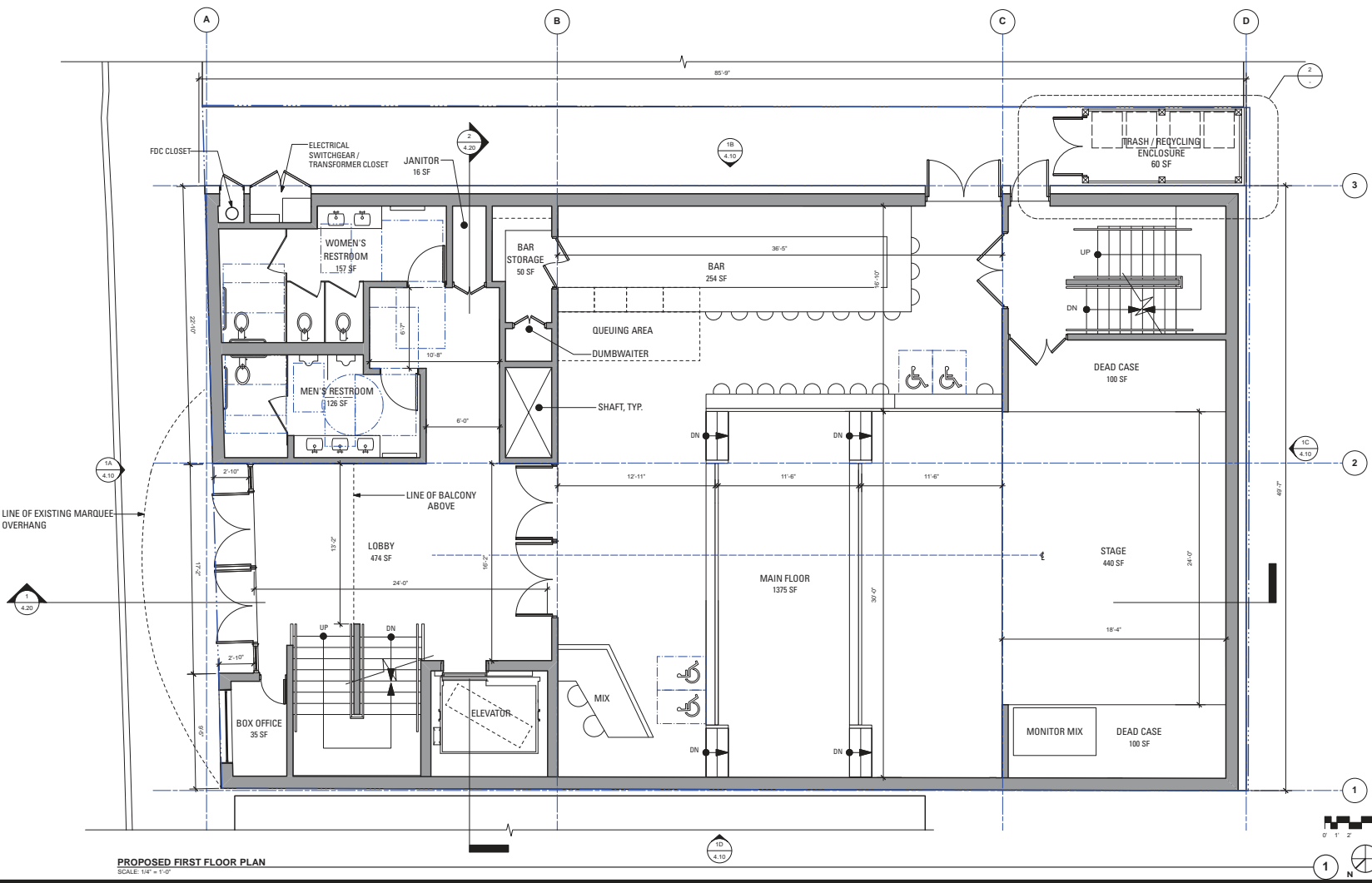


LEGEND

- PROPERTY LINE
- EXISTING WALL
- NEW WALL

GENERAL NOTES

- BUILDING TO BE EQUIPPED WITH FULL FIRE ALARM AND FIRE SPRINKLER SYSTEMS
- ELECTRICAL AND PG&E SERVICE SHALL BE UPGRADED AS REQUIRED



CAW ARCHITECTS
485 LAMBERT AVENUE, PALO ALTO, CA 94301
415.964.1100

STAMP

CONSULTANTS

MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

PROJECT NAME
RENOVATION OF THE GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE
PROPOSED FIRST FLOOR PLAN

PROJECT NO. 18001
DRAWN BY M. DESING
CHECKED BY M. DESING, C. WAGNEY

SHEET

A2.10

GENERAL NOTES

1. BUILDING TO BE EQUIPPED WITH FULL FIRE ALARM AND FIRE SPRINKLER SYSTEMS

LEGEND

-  PROPERTY LINE
-  EXISTING WALL
-  NEW WALL

CAW ARCHITECTS

485 LANBERT AVENUE PALO ALTO, CA 94301
415.964.1000

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

PROJECT NAME

RENOVATION OF THE

GUILD THEATRE

949 EL CAMINO REAL

MENLO PARK, CA 94025

SHEET TITLE

PROPOSED SECOND FLOOR

PLAN

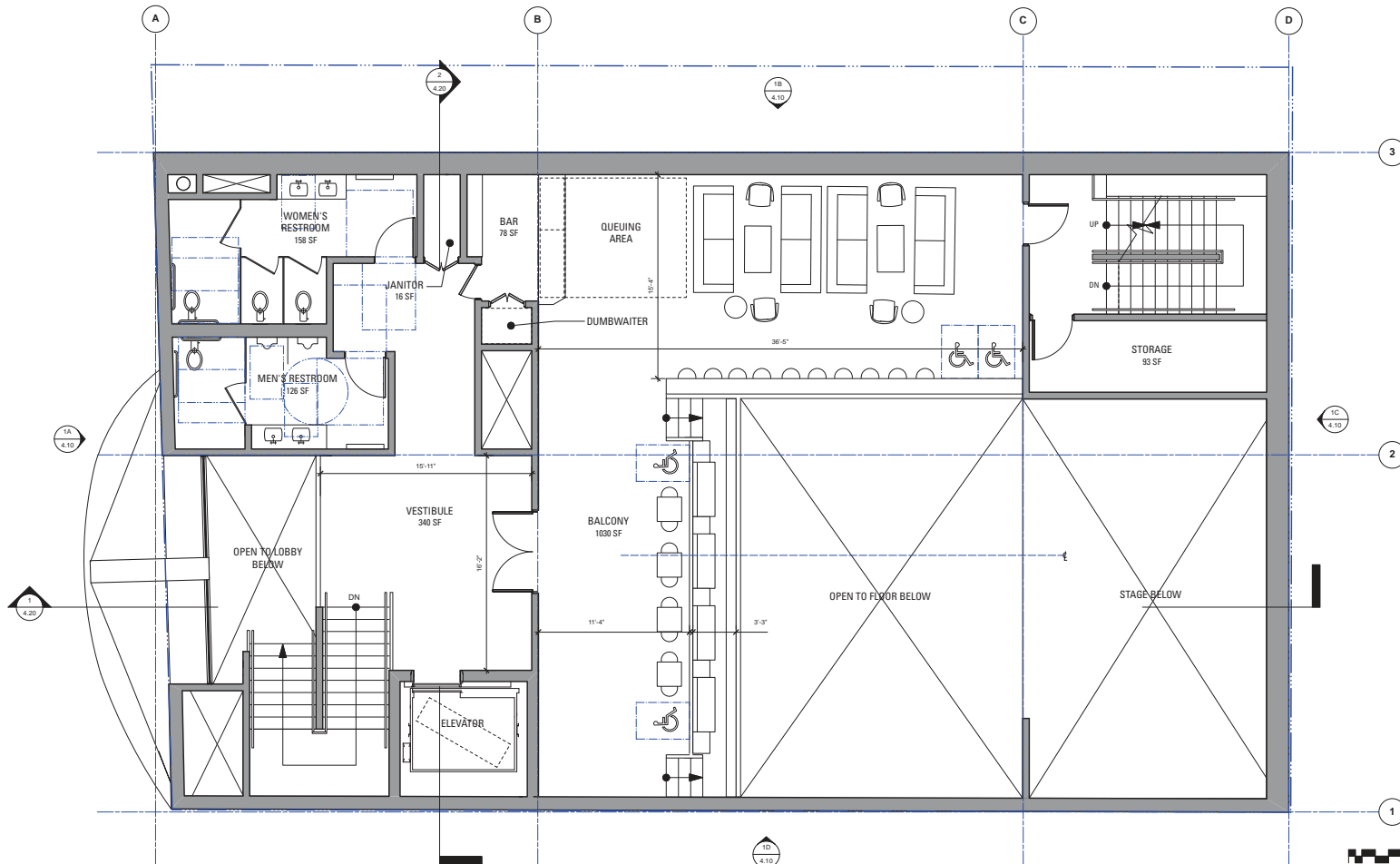
PROJECT NO. 18001

DRAWN BY M. DESING

CHECKED BY M. DESING, C. WAGNEY

SHEET

A2.20



PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

GENERAL NOTES

- 1. BUILDING TO BE EQUIPPED WITH FULL FIRE ALARM AND FIRE SPRINKLER SYSTEMS.
- 2. HVAC EQUIPMENT SHALL NOT EXCEED THRESHOLD LEVELS NOTED IN MENLO PARK MUNICIPAL CODE SEC. 8.06.505B (NIGHTTIME), 505B (DAYTIME).

LEGEND

-  PROPERTY LINE
-  EXISTING WALL
-  NEW WALL



485 LANBERT AVENUE PALO ALTO CA 94306
 650.962.1000
 www.cawarchitects.com

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

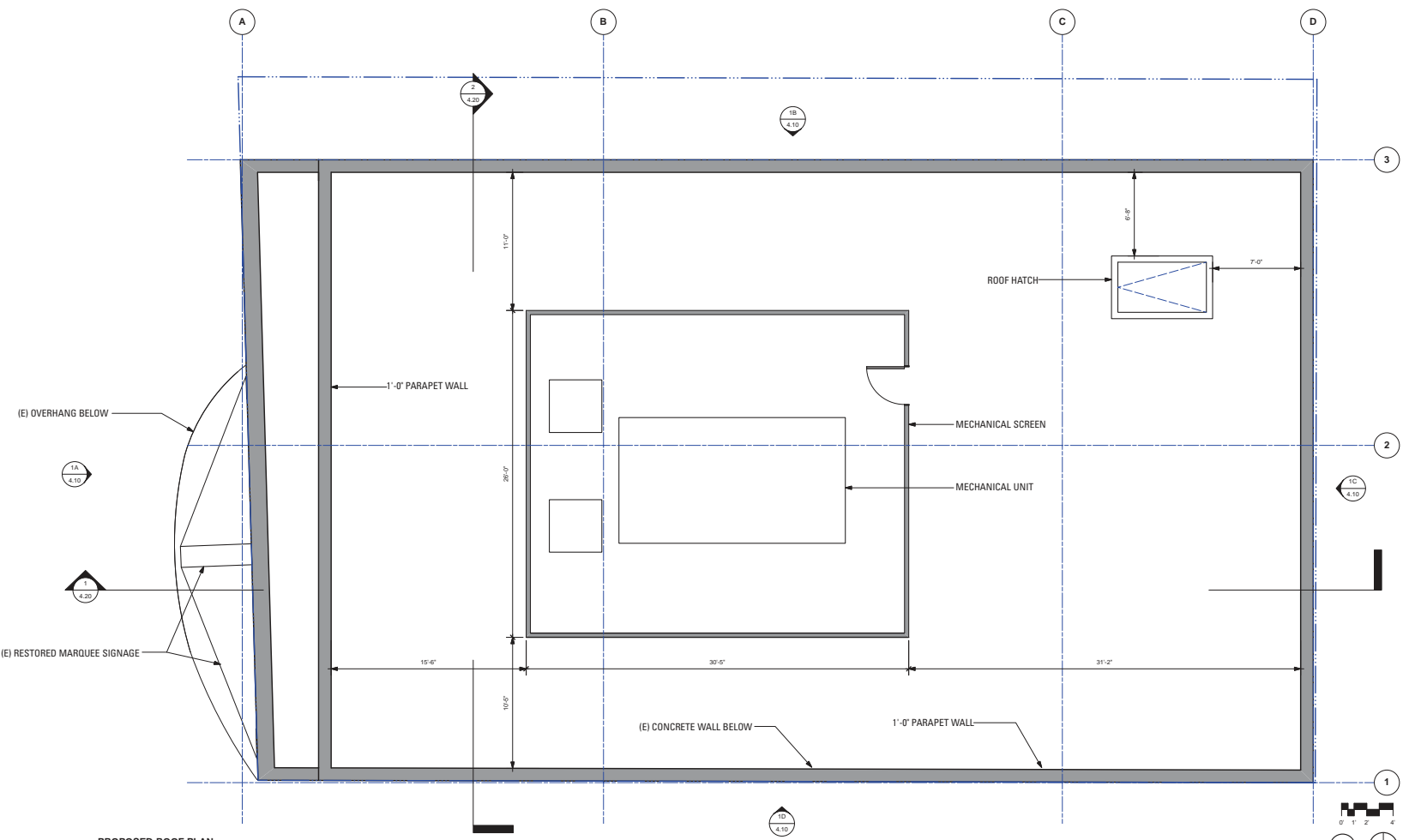
PROJECT NAME
 RENOVATION OF THE
GUILD THEATRE
 949 EL CAMINO REAL
 MENLO PARK, CA 94025

SHEET TITLE
PROPOSED ROOF PLAN

PROJECT NO. 18001
 DRAWN BY M. DESING
 CHECKED BY M. DESING, C. WADNEY

SHEET

A2.30



PROPOSED ROOF PLAN
 SCALE: 1/4" = 1'-0"

STAMP

CONSULTANTS

△ MILESTONE DATE
PLANNING SUBMITTAL 02/23/2018
PLANNING RESUBMITTAL 04/06/2018

PROJECT NAME
RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE
**SQUARE FOOTAGE
CALCULATION PLANS**

PROJECT NO. 18001
DRAWN BY M. DESING
CHECKED BY M. DESING, C. WAGNEY

SHEET

A2.40

AREA CALCULATIONS

FIRST FLOOR

AREA	DIMENSIONS	SF
A	87'-4" X 49'-5"	4315 SF
B	3'-8" X 22'-0"	80 SF
C	3'-0" X 9'-8"	29 SF

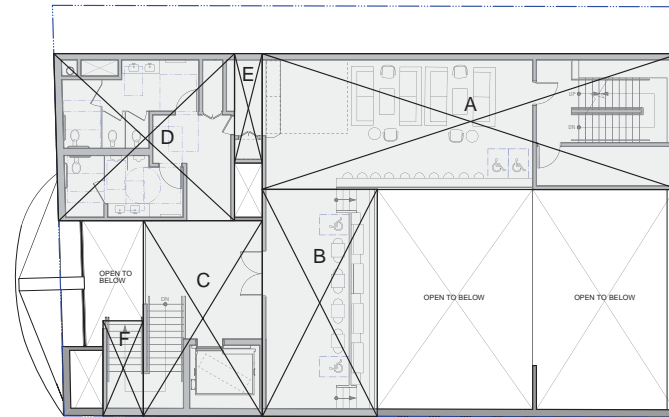
BASEMENT FLOOR

AREA	DIMENSIONS	SF
A	72'-0" X 48'-10"	3546 SF
B	11'-2" X 44'-0"	491 SF
C	5'-3" X 4'-8"	25 SF
D	6'-3" X 2'-8"	17 SF

TOTAL BUILDING COVERAGE: 10,864 SF

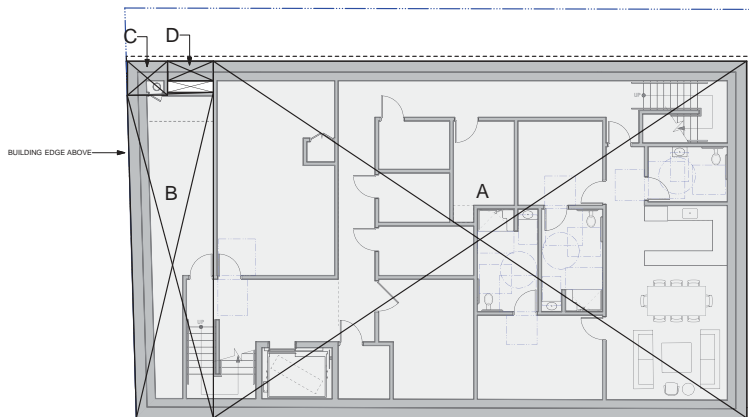
SECOND FLOOR

AREA	DIMENSIONS	SF
A	56'-10" X 18'-6"	1053 SF
B	15'-8" X 31'-6"	485 SF
C	16'-2" X 26'-9"	432 SF
D	24'-6" X 22'-8"	554 SF
E	3'-9" X 14'-11"	56 SF
F	5'-6" X 13'-7"	71 SF



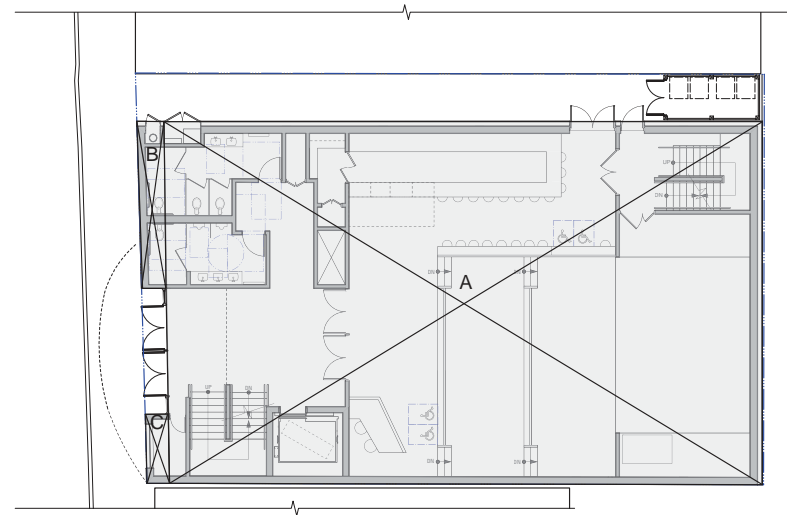
SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

2



BASEMENT PLAN
SCALE: 1/8" = 1'-0"

3



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

1



1D WEST ELEVATION



1C SOUTH ELEVATION



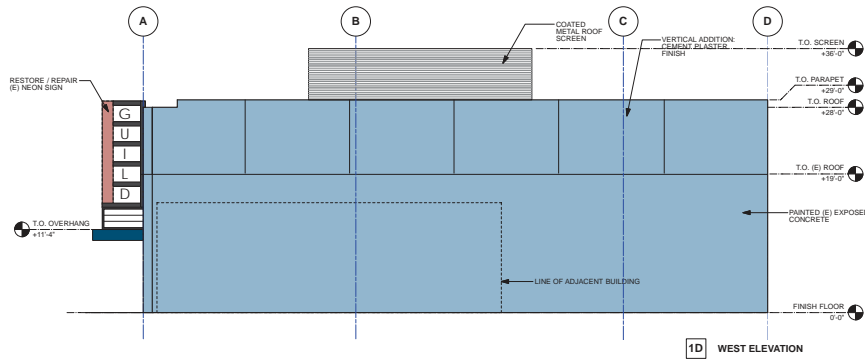
1B EAST ELEVATION



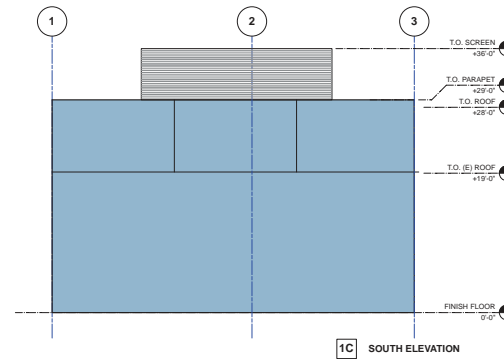
1A NORTH ELEVATION

EXISTING ELEVATION PHOTOS
SCALE: NTS

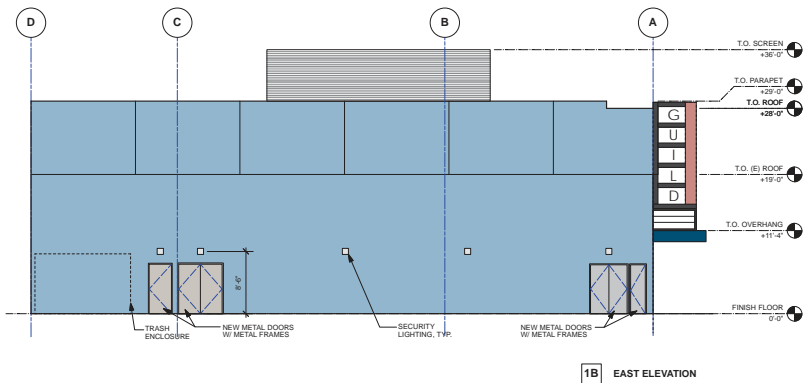
2



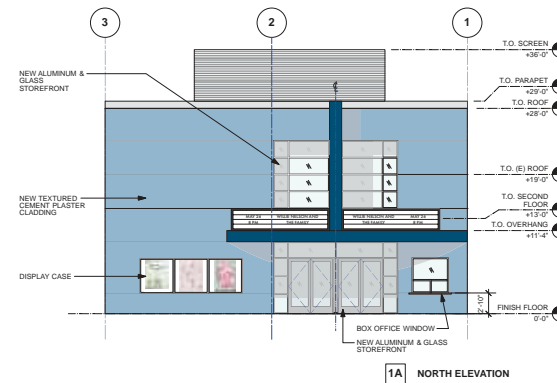
1D WEST ELEVATION



1C SOUTH ELEVATION



1B EAST ELEVATION



1A NORTH ELEVATION

EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"

1

CAW
ARCHITECTS

485 LAMBERT AVENUE, PALO ALTO, CA 94301
415.964.1000

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

PROJECT NAME
RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE
EXTERIOR ELEVATIONS

PROJECT NO. 18001
DRAWN BY M. DESING
CHECKED BY M. DESING, C. WASNEY

SHEET

A4.10

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018

PROJECT NAME

RENOVATION OF THE
GUILD THEATRE
949 EL CAMINO REAL
MENLO PARK, CA 94025

SHEET TITLE

**BUILDING SECTIONS &
STREETSCAPE**

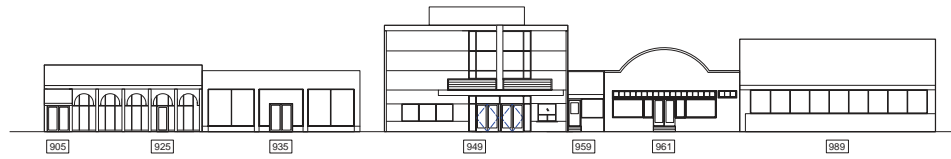
PROJECT NO. 18001

DRAWN BY M. DESING

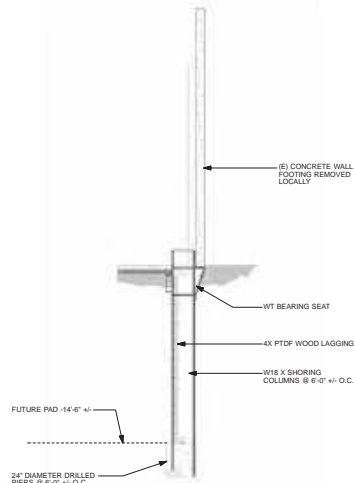
CHECKED BY M. DESING, C. WAGNEY

SHEET

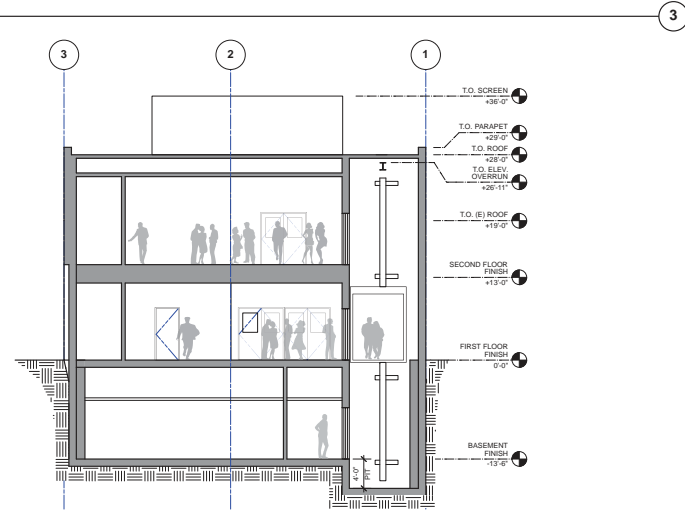
A4.20



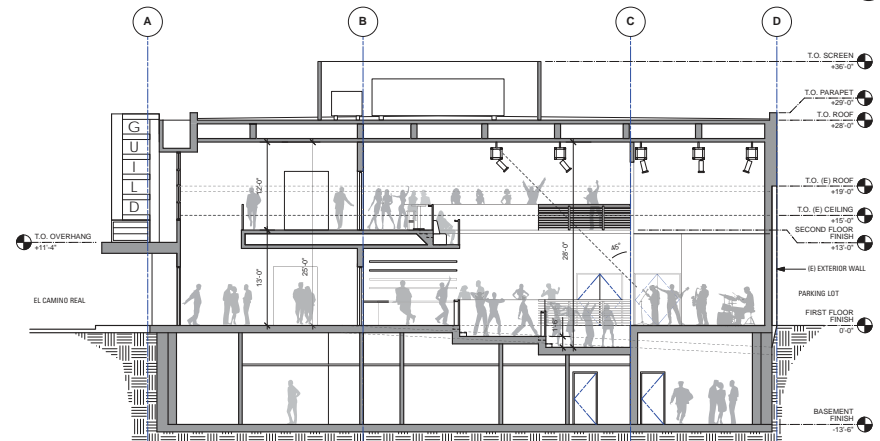
BUILDING STREETSCAPE
SCALE: 1/16" = 1'-0"



PROPOSED SHORING SECTION
SCALE: N.T.S.



BUILDING SECTION
SCALE: 1/8" = 1'-0"



BUILDING SECTION
SCALE: 1/8" = 1'-0"

STAMP

CONSULTANTS

△ MILESTONE	DATE
PLANNING SUBMITTAL	02/23/2018
PLANNING RESUBMITTAL	04/06/2018



EXTERIOR RENDERINGS

1

PROJECT NAME

RENOVATION OF THE

GUILD THEATRE

949 EL CAMINO REAL

MENLO PARK, CA 94025

SHEET TITLE

EXTERIOR RENDERINGS

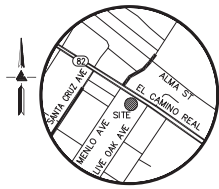
PROJECT NO. 18001

DRAWN BY M. DESING

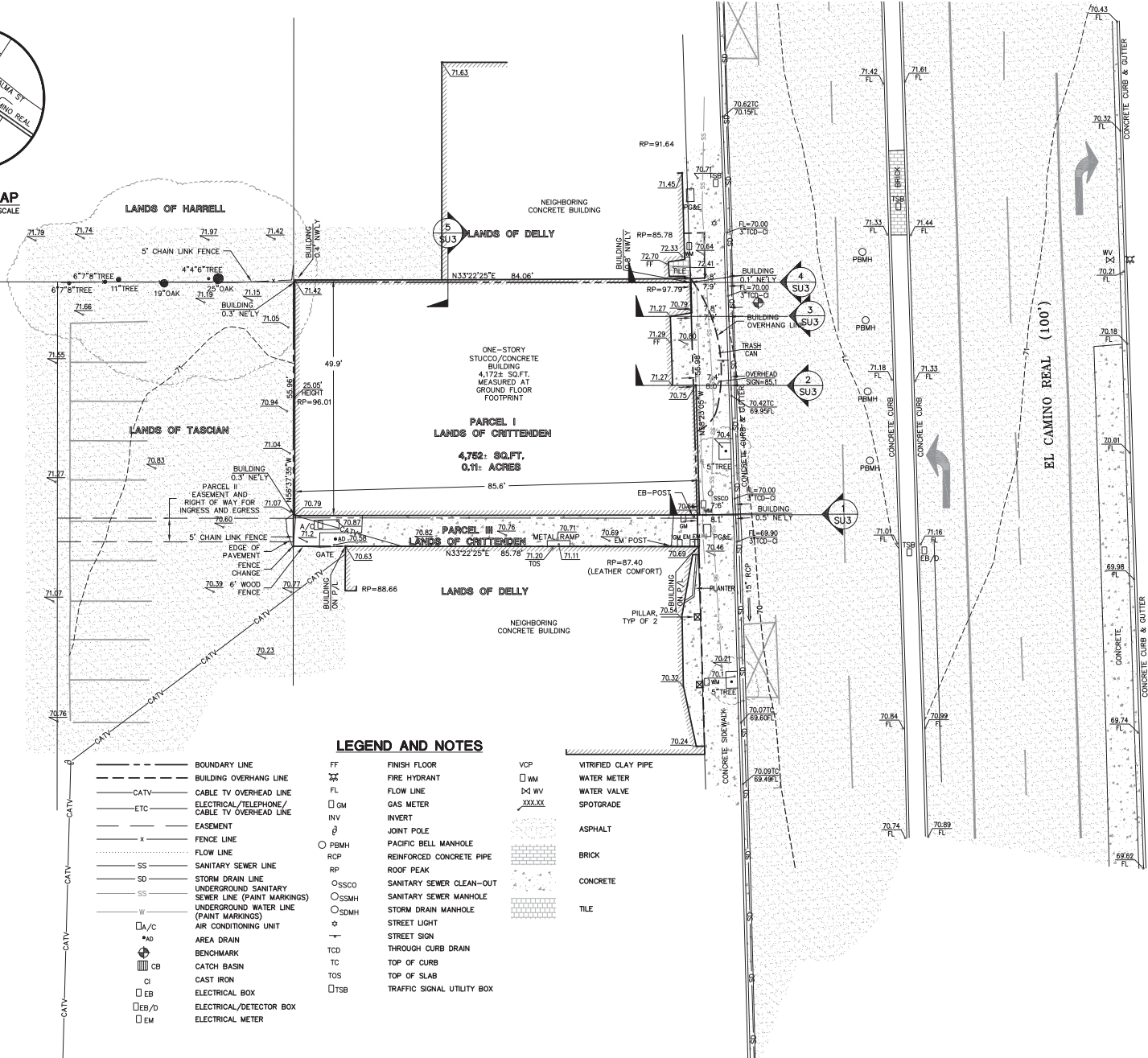
CHECKED BY M. DESING, C. WADNEY

SHEET

A4.30

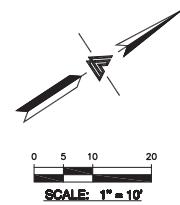


VICINITY MAP
NO SCALE



LEGEND AND NOTES

- | | | | | | |
|------|--|------|----------------------------|---------|---------------------|
| --- | BOUNDARY LINE | FF | FINISH FLOOR | VCP | VITRIFIED CLAY PIPE |
| --- | BUILDING OVERHANG LINE | FL | FIRE HYDRANT | WM | WATER METER |
| CATV | CABLE TV OVERHEAD LINE | FL | FLOW LINE | WV | WATER VALVE |
| --- | ETC | GM | GAS METER | XXX/XXX | SPOTGRADE |
| --- | EASEMENT | INV | INVERT | | ASPHALT |
| x | FENCE LINE | ⊕ | JOINT POLE | | BRICK |
| --- | FLOW LINE | ⊕ | PACIFIC BELL MANHOLE | | CONCRETE |
| SS | SANITARY SEWER LINE | RP | REINFORCED CONCRETE PIPE | | TILE |
| SD | STORM DRAIN LINE | SSCO | SANITARY SEWER CLEAN-OUT | | |
| SS | UNDERGROUND SANITARY SEWER LINE (PAINT MARKINGS) | SSMH | SANITARY SEWER MANHOLE | | |
| W | UNDERGROUND WATER LINE (PAINT MARKINGS) | SDMH | STORM DRAIN MANHOLE | | |
| A/C | AIR CONDITIONING UNIT | ⊕ | STREET LIGHT | | |
| Ad | AREA DRAIN | TC | THROUGH CURB DRAIN | | |
| ⊕ | BENCHMARK | TC | TOP OF CURB | | |
| CB | CATCH BASIN | TOS | TOP OF SLAB | | |
| CI | CAST IRON | TSB | TRAFFIC SIGNAL UTILITY BOX | | |
| EB | ELECTRICAL BOX | | | | |
| EB/D | ELECTRICAL/DETECTOR BOX | | | | |
| EM | ELECTRICAL METER | | | | |



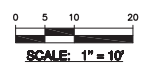
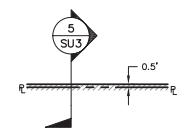
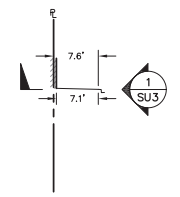
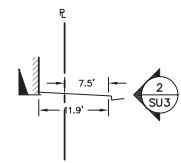
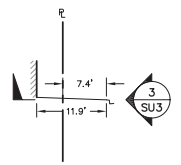
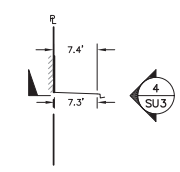
LEA & BRAZE ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 2400 WOODLAND AVENUE, SUITE 300
 ROSSVILLE, CA 95061
 HAYWARD, CALIFORNIA 94545
 (916) 797-7383
 (916) 887-3019
 WWW.LEABRAZE.COM

949 EL CAMINO REAL
 MENLO PARK
 CALIFORNIA

ALTA/NSPS LAND
 TITLE SURVEY

CROSS SECTIONS	RM
04-03-18	
REVISIONS	BY
JOB NO: 2180100	
DATE: 2-26-18	
SCALE: 1" = 10'	
FIELD BY: EH	
DRAWN BY: DDR	
SHEET NO:	

SUR
2 OF 3 SHEETS



NO VERTICAL SCALE



LEA & BRAZE ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 2077 DODD AVENUE SUITE 300
 ROSVILLE, CA 94561
 (916) 797-7283
 WWW.LEABRAZE.COM

949 EL CAMINO REAL
 MENLO PARK
 CALIFORNIA
 SAN MATEO COUNTY
 APR. 071-288-570

ALTA/NSPS LAND
 TITLE SURVEY

DATE	BY
REVISIONS	BY
CROSS SECTIONS	RM
04-03-18	
JOB NO:	2180100
DATE:	2-26-18
SCALE:	1"=10'
FIELD BY:	EH
DRAWN BY:	DDR
SHEET NO:	

SU3
 2 OF 3 SHEETS

April 17, 2018

Corinna Sandmeier
Associate Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: **Guild Theatre Public Benefit Proposal**

Dear Ms. Sandmeier:

As you know, the proposed Guild Theatre project would convert a faltering cinema into a modern entertainment venue capable of hosting live entertainment, while retaining the ability to show movies. The main attractions are anticipated to be live performance acts, such as musicians, comedians, and speakers; however, the venue would have the flexibility to host a wide range of events.

In order to attract exceptional performers and continue to serve as a cinema, additional floor area is necessary to construct a basement that will accommodate an upscale green room, event and cinema seating storage, and a warming kitchen, as well as a mezzanine level for additional spectator capacity. This additional floor area would exceed the base FAR of 1.10 that is permitted in the El Camino Real Southwest area of the El Camino Real and Downtown Specific Plan. As a result, the Project requires the maximum allowable FAR of 1.50 for the above-ground portion of the Project.¹

We understand that the FAR above 1.10 requires the provision of a public benefit. As a non-profit, the Peninsula Arts Guild ("PAG") believes our proposal to expend between \$15 and \$20 million in donated funds (which we will never seek to recoup) to convert and improve a dilapidated and underutilized cinema into a state-of-the-art live performance venue, while preserving the ability to honor the theatre's original mission of showing movies, itself constitutes a valuable public benefit. Simply put, it will likely be the only quality entertainment option in the City.

With respect to the existing cinema, the sole reason we designed a venue that can continue to show movies is to honor the Guild's legacy and accommodate the community's desires, for it is our understanding that without this Project, the existing cinema would go out of business, just as the Park Theatre did years ago. Therefore, the preservation of the cinema capability is an additional public benefit. Further, the existing Guild Theatre is an ideal location for this type of venue due to its proximity to Downtown restaurants and retail, as well as public transit and ample parking during the typical operating hours. Accordingly, this Project would further enliven the Downtown area by providing a much needed evening attraction without concomitant impacts to the community.

¹ The additional floor area required for the basement would be addressed through an amendment to the El Camino Real and Downtown Specific Plan.

To further justify the request for additional FAR, we are pleased to offer, as an additional public benefit, use of this state-of-the-art facility to the community at a significantly discounted price. The community may use the venue for up to two discounted-rate events each month. We anticipate these events could include, for example, school plays/recitals, arts and community fairs, Kepler's Literary Foundation events, and similar nonprofit cultural events. To determine which organizations may utilize the venue at the discounted price, we propose that the City, as a neutral party, establish the guidelines as to which types of organizations may qualify for the discount, and how to set priorities for allocating discounted use opportunities.

At this time, we can only estimate the costs to host an event based on comparable venues (of which there are few) and information provided by other venue operators.² To be clear, the costs to host an event will not be used to repay the estimated \$15 - \$20 million in capital costs. We believe a typical full day/night community event would cost PAG approximately \$2,000 per event/day, although the costs are expected to vary significantly based on such factors as the type of event, expected attendance, services needed, length of event, etc. In general, shorter events would be less costly for PAG to host; however, as these are only estimates, they could go up or down as we learn more about the attendant operating costs of the various types of events. Thus we reserve the right to adjust the costs. Still, to ensure that cost is not a barrier to entry for community organizations, PAG is dedicated to keeping costs as low as is practicable. To reiterate, PAG is a non-profit and, as such, have no profit seeking motive.

For the twice-monthly discounted events, we will provide a 50% discount from the total. For example, for an event which would cost PAG approximately \$2,000 to host, the community organization would only be charged \$1,000. Based on the estimated discount and our typical hosting costs, this could result in an approximately \$24,000 per year public benefit, which is a sizeable sum for a non-profit to provide.

Half-day rate and hourly rates would also be available. Based on the initial example, a discounted half-day event could cost approximately \$500 and the hourly rate could be approximately \$125. But as previously indicated, the specific rate for each event could be more or less depending on, among other things, the type of event, expected attendance, services needed, and length of event; so the cost for each event will have to be determined at a later date. Outside of hosting the 24 (two per month) discounted events, assuming the City has approved the additional uses contemplated, the venue will be available at PAG's cost (i.e., non-discounted rate) and no more for additional community events any time the venue is available.

With respect to scheduling, the venue would be available whenever PAG is not hosting or prospectively planning a programmed event or has been booked by another community event. In general, most of the PAG-programmed events would take place on Friday, Saturday, or Sunday, so the venue could be available for use Monday through Thursday. The venue might also be available to the community on Friday, Saturday, or Sunday, on a limited basis, with the understanding that PAG events always have priority.

We look forward to providing an additional venue that can host community events.

² For informational purposes, attached is a spreadsheet of regional venues that provides a snapshot of the costs to utilize those venues.

Please let me know if you have questions regarding any of the above.

With appreciation,

A handwritten signature in cursive script, appearing to read 'Drew', followed by a long horizontal flourish.

Drew Dunlevie
President
Peninsula Arts Guild

Venue	Venue Address	Capacity	Cost
Anglicao Hall @ Dominican University	50 Acacia Avenue, San Rafael, California 94901	500	\$1,900/day
All Saints Episcopal Church	555 Waverly Palo Alto	Parish Hall - 206 - Classrooms	\$75/Hour \$15/hour
Bayside Performing Arts Center	2025 Kehoe Avenue San Mateo, CA	600	\$765-\$1020 /3 Hours
California Theatre	345 S 1st St, San Jose, CA 95113	Total Seating -- 1122	\$1,800 (non-profit rate)
Center for the Performing Arts - San Jose	255 S Almaden Blvd, San Jose, CA 95113	Total Seating -- 2677	\$2,500 (non-profit rate)
City National Civic	135 W San Carlos St, San Jose, CA 95113	Total Seating -- 2850	\$4,950 (non-profit rate)
Computer History Museum	1401 North Shoreline Mountain View	Hahn Auditorium -- 400	\$5,300
		Grand Hall -- 400 Theatre	\$4,700
Cubberley Community Center	Cubberley Community Center 4000 Middlefield Road Palo Alto, CA 94303	315	\$714+tech - Fri-Sat-Sun \$587 + tech - Mon-Thurs
Fox Theatre	2223 Broadway Redwood City	1175	\$6K all inclusive (as of 2016)
Hillview Middle School	1100 Elder Ave Menlo Park, CA 94025	325 in bleachers 100 chairs on floor More if kids sitting on floor	\$120 venue \$64 Setup/cleanup Possible AV additional
Kepler's	1010 El Camino Real Menlo Park, CA 94025	300	Events smaller than 30 people: Free Events 31-75 people: \$100/4 hour rental Events 76-150 people: \$200/4 hour rental Events 151-300 people: \$400/4 hour rental
Los Altos HS Theatre	201 Almond Ave. Los Altos, CA 94022	384	

Lucie Stern Community Center	1305 Middlefield Avenue Palo Alto, Ca	Ballroom -- 300 Community Room -- 125 Fireside Room - 50	\$132-198/hour \$96-\$144/hour \$7-\$114/hour
MA Performing Arts Center	MA High School - Menlo Park	491	4 Hours ~ \$700 \$100 Theatre Mgr \$275 Custodian \$40/student tech \$50/microphone \$75 projector \$25 DVD \$50 laptop
Menlo College	Menlo College - Atherton		
Menlo Park City Council Chambers	701 Laurel Street Menlo Park	200+	Resident (per hour) - \$125.00 Non-Resident (per hour) - \$160.00 Local Non-profit (per hour) - \$125.00 Local Commercial (per hour) - \$190.00 Facility Attendant (per hour) - \$17.50 AV Service (per hour) - \$35.00 Cleaning Deposit - \$250.00
Menlo Park Library		50 downstairs 150 upstairs	Must be non-profit group - \$35 per hour
Mountain View Center for Performing Art	500 Castro Street Mountain View	MainStage (592-600 seats) SecondStage (152-206)	
Montgomery Theater (San Jose)	271 S Market St, San Jose, CA 95113	468 Seats (318 Orchestra; 150 Balcony)	\$500
Oshman Family JCC	3921 Fabian Way Palo Alto, CA 94303	Schultz Hall - 400 theatre (with chairs on floor) 300 Banquet	\$1,195.00 per event (3 Hours) \$315/hour+ \$250 AV person
Rewood City Library			

San Jose State University Hammer Theatre	101 Paseo De San Antonio, San Jose, CA 95113	516 seats + 16 WC - 157 balcony, 201 parterre, 158 orchestra	\$1,750 for mainstage performance + additional costs http://www.sjsu.edu/hammertheatre/rates/HTC%20Rate%20Sheet_Non-Profit_effective%2007-01-17%20-%20Lisa%20Laymon.pdf
San Mateo Performing Arts Center	600 N Delaware St, San Mateo, CA 94401	1540	Security deposit of \$1500 fully refundable on the final condition of the theatre. \$642/hr non profit Monday-Thursday \$729/hr non profit Friday-Sunday + custodial and theatre labor (Sound Tech: \$25/hour) 4 hour minimum performance charge
Santa Clara Convention Center	5001 Great America Parkway Santa Clara, CA	Theatre - 607 A-2 or A-3 Exhibit Hall - 635 A Exhibit Hall 2540 A-1 Exhibit Hall 1436 B Exhibit 2678 C+D Exhibit 4428	Theatre \$1760 + AV Exhibit Hall \$4000/day+AV+\$1/chair
Sequoia HS Carrington Hall	1201 Brewster Ave Redwood City CA 94062	300	
Smithwick Theatre Foothill College	Foothill College 12345 El Monte Road Los Altos Hills, CA 94022	941	4 Hours ~ \$1350 Rental: \$150/hour \$45/hour Theatre Manager \$50/hour Sound \$45/hour Light \$80/day Sound equipment \$200 cleaning fee For-Profit Rates - see notes

Sofia University Auditorium	1069 East Meadow Circle Palo Alto CA, 94303	420	\$600/4 hours \$1300/day
Spangenberg Theatre	Gunn High School 780 Arastradero Road Palo Alto, CA 94306	950	4 Hours ~ \$2200 Non-Profit Rental: \$325 per hour Technician (Lx, Snd, Stagehand, FOH) \$300 per day Custodial Services (extra-ordinary) \$ 300 per day
Steve Jobs Theater		1,000	
Villa Montalvo	Montalvo Arts Center PO Box 148 Saratoga, CA 95071-0158	300	
VPAC	The DeAnza Visual and Performing Arts Center, Cupertino, CA 95014	400 (40-feet wide by 35-foot deep auditorium stage)	\$360/hr. (Nonprofit rate) -- \$50 booking fee, \$296 custodial fee (both required); Final payment due 14 days PRIOR to show

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
AIR QUALITY				
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)				
<p><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.</p> <p><u>Basic Controls that Apply to All Construction Sites</u></p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 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. 	<p>Exposed surfaces shall be watered twice daily.</p> <p>Trucks carrying demolition debris shall be covered.</p> <p>Dirt carried from construction areas shall be cleaned daily.</p> <p>Speed limit on unpaved roads shall be 15 mph.</p> <p>Roadways, driveways, sidewalks and building pads shall be laid as soon as possible after grading.</p> <p>Idling times shall be minimized to 5 minutes or less; Signage posted at all access points.</p> <p>Construction equipment shall be properly tuned and maintained.</p>	<p>Measures shown on plans, construction documents and on-going during demolition, excavation and construction.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>PW/CDD</p>

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</p> <p><u>Additional Measures for Development Projects that Exceed Significance Criteria</u></p> <p>1. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>2. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>3. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.</p> <p>4. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>5. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.</p> <p>6. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.</p> <p>7. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.</p> <p>8. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.</p> <p>9. Minimizing the idling time of diesel powered construction equipment to two minutes.</p>	<p>Signage will be posted with the appropriate contact information regarding dust complaints.</p> <p>Water exposed surfaces to maintain minimum soil moisture of 12 percent.</p> <p>Halt excavation, grading and demolition when wind is over 20 mph.</p> <p>Install wind breaks on the windward side(s) of disturbed construction areas.</p> <p>Vegetative ground cover shall be planted in disturbed areas as soon as possible.</p> <p>Ground-disturbing construction activities shall not occur simultaneously.</p> <p>Trucks and equipment shall be washed before exiting the site. Cover site access roads.</p> <p>Erosion control measures shall be used.</p> <p>Idling time of diesel powered equipment will not exceed two minutes.</p>			

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>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.</p> <p>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).</p> <p>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.</p> <p>13. Requiring all contractors use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy duty diesel engines.</p>	<p>Plan developed that demonstrates emissions from use of off-road equipment during construction will be reduced as specified.</p> <p>Low VOC coatings shall be used.</p> <p>Require Best Available Control Technology for all construction equipment, diesel trucks, and generators.</p> <p>Equipment shall meet standards for off-road heavy duty diesel engines.</p>			
<i>Impact AIR-2: Implementation of the Specific Plan would result in increased long-term emissions of criteria pollutants from increased vehicle traffic and on-site area sources that would contribute substantially to an air quality violation. (Significant)</i>				
<p>Mitigation Measure AIR-2: Mitigation Measure TR-2 of Section 4.13, Transportation, Circulation and Parking, identifies Transportation Demand Management (TDM) strategies to be implemented by individual project applicants, although the precise effectiveness of a TDM program cannot be guaranteed. As the transportation demand management strategies included in Mitigation Measure TR-2 represent the majority of available measures with which to reduce VMT, no further mitigation measures are available and this impact is considered to be significant and unavoidable.</p>	<p>See Mitigation Measure TR-2.</p>			

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
BIOLOGICAL RESOURCES				
Impact BIO-1: The Specific Plan could result in the take of special-status birds or their nests. (Potentially Significant)				
<p>Mitigation Measure BIO-1a: Pre-Construction Special-Status Avian Surveys. No more than two weeks in advance of any tree or shrub pruning, removal, or ground-disturbing activity that will commence during the breeding season (February 1 through August 31), a qualified wildlife biologist will conduct pre-construction surveys of all potential special-status bird nesting habitat in the vicinity of the planned activity. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered.</p> <p>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.</p> <p>If active nests of special-status birds are found during the surveys: implement Mitigation Measure BIO-1b.</p>	<p>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.</p>	<p>Prior to tree or shrub pruning or removal, any ground disturbing activity and/or issuance of demolition, grading or building permits.</p>	<p>Qualified wildlife biologist retained by project sponsor(s)</p>	<p>CDD</p>

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Mitigation Measure BIO-1b: Avoidance of active nests. If active nests of special-status birds or other birds are found during surveys, the results of the surveys would be discussed with the California Department of Fish and Game and avoidance procedures will be adopted, if necessary, on a case-by- case basis. In the event that a special-status bird or protected nest is found, construction would be stopped until either the bird leaves the area or avoidance measures are adopted. Avoidance measures can include construction buffer areas (up to several hundred feet in the case of raptors), relocation of birds, or seasonal avoidance. If buffers are created, a no disturbance zone will be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted will take into account factors such as the following:</p> <ol style="list-style-type: none"> 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. 	<p>If active nests are found during survey, the results will be discussed with the California Department of Fish and Game and avoidance procedures adopted.</p> <p>Halt construction if a special-status bird or protected nest is found until the bird leaves the area or avoidance measures are adopted.</p>	<p>Prior to tree or shrub pruning or removal, any ground-disturbing activities and/or issuance of demolition, grading or building permits.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>
<p>Impact BIO-3: Impacts to migratory or breeding special-status birds and other special-status species due to lighting conditions. (Potentially Significant)</p>				
<p>Mitigation Measure BIO-3a: Reduce building lighting from exterior sources.</p> <ol style="list-style-type: none"> 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; b. Installing motion-sensor lighting, or lighting controlled by timers set to turn off at the earliest practicable hour; c. Utilize minimum wattage fixtures to achieve required lighting levels; d. Comply with federal aviation safety regulations for large buildings by installing minimum intensity white strobe lighting with a three-second flash interval instead of continuous flood lighting, rotating lights, or red lighting e. Use cutoff shields on streetlight and external lights to prevent upwards lighting. 	<p>Reduce building lighting from exterior sources.</p>	<p>Prior to building permit issuance and ongoing.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Mitigation Measure BIO-3b: Reduce building lighting from interior sources.</p> <p>a. Dim lights in lobbies, perimeter circulation areas, and atria;</p> <p>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);</p> <p>c. Use gradual or staggered switching to progressively turn on building lights at sunrise.</p> <p>d. Utilize automatic controls (motion sensors, photosensors, etc.) to shut off lights in the evening when no one is present;</p> <p>e. Encourage the use of localized task lighting to reduce the need for more extensive overhead lighting;</p> <p>f. Schedule nightly maintenance to conclude by 11 p.m.;</p> <p>g. Educate building users about the dangers of night lighting to birds.</p>	Reduce building lighting from interior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD
Impact BIO-5: The Specific Plan could result in the take of special-status bat species. (Potentially Significant)				
<p>Mitigation Measure BIO-5a: Preconstruction surveys. Potential direct and indirect disturbances to special-status bats will be identified by locating colonies and instituting protective measures prior to construction of any subsequent development project. No more than two weeks in advance of tree removal or structural alterations to buildings with closed areas such as attics, a qualified bat biologist (e.g., a biologist holding a California Department of Fish and Game collection permit and a Memorandum of Understanding with the California Department of Fish and Game allowing the biologist to handle and collect bats) shall conduct pre-construction surveys for potential bats in the vicinity of the planned activity. A qualified biologist will survey buildings and trees (over 12 inches in diameter at 4.5-foot height) scheduled for demolition to assess whether these structures are occupied by bats. No activities that would result in disturbance to active roosts will proceed prior to the completed surveys. If bats are discovered during construction, any and all construction activities that threaten individuals, roosts, or hibernacula will be stopped until surveys can be completed by a qualified bat biologist and proper mitigation measures implemented.</p> <p>If no active roosts present: no further action is warranted. If roosts or hibernacula are present: implement Mitigation Measures BIO-5b and 5c.</p>	<p>Retain a qualified bat biologist to conduct pre-construction survey for bats and potential roosting sites in vicinity of planned activity.</p> <p>Halt construction if bats are discovered during construction until surveys can be completed and proper mitigation measures implemented.</p>	Prior to tree pruning or removal or issuance of demolition, grading or building permits.	Qualified bat biologist retained by project sponsor(s)	CDD

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Mitigation Measure BIO-5b: Avoidance. If any active nursery or maternity roosts or hibernacula of special-status bats are located, the subsequent development project may be redesigned to avoid impacts. Demolition of that tree or structure will commence after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) or before maternity colonies forms the following year (i.e., prior to March 1). For hibernacula, any subsequent development project shall only commence after bats have left the hibernacula. No-disturbance buffer zones acceptable to the California Department of Fish and Game will be observed during the maternity roost season (March 1 through July 31) and during the winter for hibernacula (October 15 through February 15). Also, a no-disturbance buffer acceptable in size to the California Department of Fish and Game will be created around any roosts in the Project vicinity (roosts that will not be destroyed by the Project but are within the Plan area) during the breeding season (April 15 through August 15), and around hibernacula during winter (October 15 through February 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the "take" of individuals is prohibited.</p>	<p>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.</p>	<p>Prior to tree removal or pruning or issuance of demolition, grading or building permits</p>	<p>Qualified bat biologist retained by project sponsor(s)</p>	<p>CDD</p>

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Mitigation Measure BIO-5c: Safely evict non-breeding roosts. Non-breeding roosts of special-status bats shall be evicted under the direction of a qualified bat biologist. This will be done by opening the roosting area to allow airflow through the cavity. Demolition will then follow no sooner or later than the following day. There should not be less than one night between initial disturbance with airflow and demolition. This action should allow bats to leave during dark hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees with roosts that need to be removed should first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours. However, the “take” of individuals is prohibited.</p>	<p>A qualified bat biologist shall direct the eviction of non-breeding roosts.</p>	<p>Prior to tree removal or pruning or issuance of demolition, grading or building permits.</p>	<p>Qualified bat biologist retained by project sponsor(s)</p>	<p>CDD</p>
CULTURAL RESOURCES				
Impact CUL-1: The proposed Specific Plan could have a significant impact on historic architectural resources. (Potentially Significant)				
<p>Mitigation Measure CUL-1: Site Specific Evaluations and Treatment in Accordance with the Secretary of the Interior’s Standards:</p> <p>Site-Specific Evaluations: In order to adequately address the level of potential impacts for an individual project and thereby design appropriate mitigation measures, the City shall require project sponsors to complete site-specific evaluations at the time that individual projects are proposed at or adjacent to buildings that are at least 50 years old.</p>	<p>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.</p>	<p>Simultaneously with a project application submittal.</p>	<p>Qualified architectural historian retained by the Project sponsor(s).</p>	<p>CDD - Completed (a Historic Resource Evaluation was prepared by Urban Programmers, dated June 23, 2014)</p>

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>The project sponsor shall be required to complete a site-specific historic resources study performed by a qualified architectural historian meeting the Secretary of the Interior's Standards for Architecture or Architectural History. At a minimum, the evaluation shall consist of a records search, an intensive-level pedestrian field survey, an evaluation of significance using standard National Register Historic Preservation and California Register Historic Preservation evaluation criteria, and recordation of all identified historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms. The evaluation shall describe the historic context and setting, methods used in the investigation, results of the evaluation, and recommendations for management of identified resources. If federal or state funds are involved, certain agencies, such as the Federal Highway Administration and California Department of Transportation (Caltrans), have specific requirements for inventory areas and documentation format.</p>				

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Treatment in Accordance with the Secretary of the Interior's Standards. 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.</p>				
<p>Impact CUL-2: The proposed Specific Plan could impact currently unknown archaeological resources. (Potentially Significant)</p>				
<p>Mitigation Measure CUL-2a: When specific projects are proposed that involve ground disturbing activity, a site-specific cultural resources study shall be performed by a qualified archaeologist or equivalent cultural resources professional that will include an updated records search, pedestrian survey of the project area, development of a historic context, sensitivity assessment for buried prehistoric and historic-period deposits, and preparation of a technical report that meets federal and state requirements. If historic or unique resources are identified and cannot be avoided, treatment plans will be developed in consultation with the City and Native American representatives to mitigate potential impacts to less than significant based on either the Secretary of the Interior's Standards described in Mitigation Measure CUL-1 (if the site is historic) or the provisions of Public Resources Code Section 21083.2 (if a unique archaeological site).</p>	<p>A qualified archeologist shall complete a site-specific cultural resources study.</p> <p>If resources are identified and cannot be avoided, treatment plans will be developed to mitigate impacts to less than significant, as specified.</p>	<p>Simultaneously with a project application submittal.</p>	<p>Qualified archaeologist retained by the project sponsor(s).</p>	<p>CDD - Completed (an Archeological Resource Evaluation was prepared by Basin Research Associates, dated April 17, 2018)</p>

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>Mitigation Measure CUL-2b: Should any archaeological artifacts be found during construction, all construction activities within 50 feet shall immediately halt and the City must be notified. A qualified archaeologist shall inspect the findings within 24 hours of the discovery. If the resource is determined to be a historical resource or unique resource, the archaeologist shall prepare a plan to identify, record, report, evaluate, and recover the resources as necessary, which shall be implemented by the developer. Construction within the area of the find shall not recommence until impacts on the historical or unique archaeological resource are mitigated as described in Mitigation Measure CUL-2a above. Additionally, Public Resources Code Section 5097.993 stipulates that a project sponsor must inform project personnel that collection of any Native American artifact is prohibited by law.</p>	<p>If any archaeological artifacts are discovered during demolition/construction, all ground disturbing activity within 50 feet shall be halted immediately, and the City of Menlo Park Community Development Department shall be notified within 24 hours.</p> <p>A qualified archaeologist shall inspect any archaeological artifacts found during construction and if determined to be a resource shall prepare a plan meeting the specified standards which shall be implemented by the project sponsor(s).</p>	Ongoing during construction.	Qualified archaeologist retained by the project sponsor(s).	CDD
<i>Impact CUL-3: The proposed Specific Plan may adversely affect unidentifiable paleontological resources. (Potentially Significant)</i>				
<p>Mitigation Measure CUL-3: Prior to the start of any subsurface excavations that would extend beyond previously disturbed soils, all construction forepersons and field supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in teaching non-specialists, to ensure they can recognize fossil materials and will follow proper notification procedures in the event any are uncovered during construction. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who will evaluate its significance. Training on paleontological resources will also be provided to all other construction workers, but may involve using a videotape of the initial training and/or written materials rather than in-person training by a paleontologist. If a fossil is determined to be significant and avoidance is not feasible, the paleontologist will develop and implement an excavation and salvage plan in accordance with SVP standards. (SVP, 1996)</p>	<p>A qualified paleontologist shall conduct training for all construction personnel and field supervisors.</p> <p>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.</p>	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

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
Impact CUL-4: Implementation of the Plan may cause disturbance of human remains including those interred outside of formal cemeteries. (Potentially Significant)				
<p>Mitigation Measure CUL-4: If human remains are discovered during construction, CEQA Guidelines 15064.5(e)(1) shall be followed, which is as follows:</p> <p>* 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:</p> <p>1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <p>a) The San Mateo County coroner must be contacted to determine that no investigation of the cause of death is required; and</p> <p>b) If the coroner determines the remains to be Native American:</p> <ol style="list-style-type: none"> 1. The coroner shall contact the Native American Heritage Commission within 24 hours; 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American; 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or <p>2) Where the following conditions occur, the landowner or his authorized representative shall reburial the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p>	<p>If human remains are discovered during any construction activities, all ground-disturbing activity within the site or any nearby area shall be halted immediately, and the County coroner must be contacted immediately and other specified procedures must be followed as applicable.</p>	<p>On-going during construction</p>	<p>Qualified archeologist retained by the project sponsor(s)</p>	<p>CDD</p>

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>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.</p> <p>b) The descendant identified fails to make a recommendation; or</p> <p>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.</p>				
HAZARDOUS MATERIALS				
<i>Impact HAZ-1: Disturbance and release of contaminated soil during demolition and construction phases of the project, or transportation of excavated material, or contaminated groundwater could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling. (Potentially Significant)</i>				
<p>Mitigation Measure HAZ-1: 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 development in the Plan area where previous hazardous materials releases have occurred shall require remediation and cleanup to levels established by the overseeing regulatory agency (San Mateo County Environmental Health (SMCEH), Regional Water Quality Control Board (RWQCB) or Department of Toxic Substances Control (DTSC) appropriate for the proposed new use of the site. All proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a licensed professional in accordance with Cal/OHSA regulations (contained in Title 8 of the California Code of Regulations) and approved by SMCEH prior to the commencement of groundbreaking.</p>	<p>Prepare a Phase I site assessment.</p> <p>If assessment shows potential for hazardous releases, then a Phase II site assessment shall be conducted.</p> <p>Remediation shall be conducted according to standards of overseeing regulatory agency where previous hazardous releases have occurred.</p> <p>Groundbreaking activities where there is identified or suspected contamination shall be conducted according to a site-specific health and safety plan.</p>	<p>Prior to issuance of any grading or building permit for sites with groundbreaking activity.</p>	<p>Qualified environmental consulting firm and licensed professionals hired by project sponsor(s)</p>	<p>CDD</p>

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
Impact HAZ-3: Hazardous materials used on any individual site during construction activities (i.e., fuels, lubricants, solvents) could be released to the environment through improper handling or storage. (Potentially Significant)				
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				
Impact NOI-1: Construction activities associated with implementation of the Specific Plan would result in substantial temporary or periodic increases in ambient noise levels in the Specific Plan area above levels existing without the Specific Plan and in excess of standards established in the local general plan or noise ordinance, or applicable				
Mitigation Measure NOI-1a: Construction contractors for subsequent development projects within the Specific Plan area shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, etc.) when within 400 feet of sensitive receptor locations. Prior to demolition, grading or building permit issuance, a construction noise control plan that identifies the best available noise control techniques to be implemented, shall be prepared by the construction contractor and submitted to the City for review and approval. The plan shall include, but not be limited to, the following noise control elements: * Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler shall achieve lower noise levels from the exhaust by approximately 10 dBA. External jackets on the tools themselves shall be used where feasible in order to achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible;	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

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>* 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</p> <p>* When construction occurs near residents, affected parties within 400 feet of the construction area shall be notified of the construction schedule prior to demolition, grading or building permit issuance. Notices sent to residents shall include a project hotline where residents would be able to call and issue complaints. A Project Construction Complaint and Enforcement Manager shall be designated to receive complaints and notify the appropriate City staff of such complaints. Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and day and evening contact numbers, both for the construction contractor and City representative(s), in the event of problems.</p>				
<p><i>Mitigation Measure NOI-1b: Noise Control</i> Measures for Pile Driving: Should pile-driving be necessary for a subsequently proposed development project, the project sponsor would require that the project contractor predrill holes (if feasible based on soils) for piles to the maximum feasible depth to minimize noise and vibration from pile driving. Should pile-driving be necessary for the proposed project, the project sponsor would require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring uses.</p>	<p>If pile-driving is necessary for project, predrill holes to minimize noise and vibration and limit activity to result in the least disturbance to neighboring uses.</p>	<p>Measures shown on plans, construction documents and specifications and ongoing during construction</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>
<p><i>Mitigation Measure NOI-1c:</i> The City shall condition approval of projects near receptors sensitive to construction noise, such as residences and schools, such that, in the event of a justified complaint regarding construction noise, the City would have the ability to require changes in the construction control noise plan to address complaints.</p>	<p>Condition projects such that if justified complaints from adjacent sensitive receptors are received, City may require changes in construction noise control plan.</p>	<p>Condition shown on plans, construction documents and specifications. When justified complaint received by City.</p>	<p>Project sponsor(s) and contractor(s) for revisions to construction noise control plan.</p>	<p>CDD</p>
TRANSPORTATION, CIRCULATION AND PARKING				
Impact TR-1: Traffic from future development in the Plan area would adversely affect operation of area intersections. (Significant)				

El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<i>Mitigation Measures TR-1a through TR-1d: (see EIR for details)</i>	Payment of fair share funding.	Prior to building permit issuance.	Project sponsor(s)	PW/CDD
<i>Impact TR-2: Traffic from future development in the Plan area would adversely affect operation of local roadway segments. (Significant)</i>				
<p><i>Mitigation Measure TR-2:</i> New developments within the Specific Plan area, regardless of the amount of new traffic they would generate, are required to have in-place a City-approved Transportation Demand Management (TDM) program prior to project occupancy to mitigate impacts on roadway segments and intersections. TDM programs could include the following measures for site users (taken from the C/CAG CMP), as applicable:</p> <ul style="list-style-type: none"> * Commute alternative information; * Bicycle storage facilities; * Showers and changing rooms; * Pedestrian and bicycle subsidies; * Operating dedicated shuttle service (or buying into a shuttle consortium); * Subsidizing transit tickets; * Preferential parking for carpoolers; * Provide child care services and convenience shopping within new developments; * Van pool programs; * Guaranteed ride home program for those who use alternative modes; * Parking cashout programs and discounts for persons who * Imposing charges for parking rather than providing free parking; * Providing shuttles for customers and visitors; and/or * Car share programs. 	Develop a Transportation Demand Management program.	Submit draft TDM program with building permit. City approval required before permit issuance. Implementation prior to project occupancy.	Project sponsor(s)	PW/CDD
<i>Impact TR-8: Cumulative development, along with development in the Plan area would adversely affect operation of local roadway segments. (Significant)</i>				
<i>Mitigation Measure TR-8: Implement TR-2 (TDM Program).</i>	See Mitigation Measure TR-2.			

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.1 Development Intensity			
E.3.1.01	Standard	Business and Professional office (inclusive of medical and dental office) shall not exceed one half of the base FAR or public benefit bonus FAR, whichever is applicable.	Complies: No Office proposed.
E.3.1.02	Standard	Medical and Dental office shall not exceed one third of the base FAR or public benefit bonus FAR, whichever is applicable.	Complies: No Medical or Dental proposed.
E.3.2 Height			
E.3.2.01	Standard	Roof-mounted mechanical equipment, solar panels, and similar equipment may exceed the maximum building height, but shall be screened from view from publicly-accessible spaces.	Tentatively Complies: Per sections A4.20 screen at height of equipment (36' above ground level) proposed. Equipment height not verified.
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: Per Sections parapets shown at 29'-0". Maximum façade height 30'-0"; maximum building height is 38'-0".
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: No such features. Roof hatch for roof access.
E.3.3 Setbacks and Projections within Setbacks			
E.3.3.01	Standard	Front setback areas shall be developed with sidewalks, plazas, and/or landscaping as appropriate.	N/A: Proposed amendments would not require front setback areas.
E.3.3.02	Standard	Parking shall not be permitted in front setback areas.	Complies: No Parking
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.	Complies: Building at 0' setback with 2'10" deep by 17' 2" wide recess at entry. Complies with SP amendment.
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 – No such building projections proposed.
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.	N/A – No such building projections proposed.

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

Section	Standard or Guideline	Requirement	Evaluation
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.	N/A – No such building projections proposed.
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.	Will comply with SP amendments.
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
E.3.4 Massing and Modulation			
E.3.4.1 Building Breaks			
E.3.4.1.01	Standard	The total of all building breaks shall not exceed 25 percent of the primary façade plane in a development.	N/A
E.3.4.1.02	Standard	Building breaks shall be located at ground level and extend the entire building height.	N/A
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
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
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 – Site in ECR SW district.

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.4.1.06	Standard	<p>In the ECR-SE zoning district, and consistent with Table E4 the building breaks shall:</p> <ul style="list-style-type: none"> • Comply with Figure E9; • Be a minimum of 60 feet in width, except where noted on Figure E9; • Be a minimum of 120 feet in width at Middle Avenue; • Align with intersecting streets, except for the area between Roble Avenue and Middle Avenue; • Be provided at least every 350 feet in the area between Roble Avenue and Middle Avenue; where properties under different ownership coincide with this measurement, the standard side setbacks (10 to 25 feet) shall be applied, resulting in an effective break of between 20 to 50 feet. • Extend through the entire building height and depth at Live Oak Avenue, Roble Avenue, Middle Avenue, Partridge Avenue and Harvard Avenue; and • Include two publicly-accessible building breaks at Middle Avenue and Roble Avenue. 	N/A – Site in ECR SW district.
E.3.4.1.07	Standard	<p>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.</p>	N/A – Site in ECR SW district.
E.3.4.1.08	Guideline	<p>In the ECR-SE zoning district, the breaks at Live Oak, Roble, Middle, Partridge and Harvard Avenues may provide vehicular access.</p>	N/A – Site in ECR SW district.
E.3.4.2 Façade Modulation and Treatment			
E.3.4.2.01	Standard	<p>Building façades facing public rights-of-way or public open spaces shall not exceed 50 feet in length without a minor building façade modulation. At a minimum of every 50' façade length, the minor vertical façade modulation shall be a minimum 2 feet deep by 5 feet wide recess or a minimum 2-foot setback of the building plane from the primary building façade.</p>	N/A - Façade is 50'-0" wide per plans.

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.4.2.02	Standard	Building façades facing public rights-of-way or public open spaces shall not exceed 100 feet in length without a major building modulation. At a minimum of every 100 feet of façade length, a major vertical façade modulation shall be a minimum of 6 feet deep by 20 feet wide recess or a minimum of 6 feet setback of building plane from primary building façade for the full height of the building. This standard applies to all districts except ECR NE-L and ECR SW since those two districts are required to provide a building break at every 100 feet.	N/A: Façade is 50'-0" wide per plans.
E.3.4.2.03	Standard	In addition, the major building façade modulation shall be accompanied with a 4-foot minimum height modulation and a major change in fenestration pattern, material and/or color.	N/A
E.3.4.2.04	Guideline	Minor façade modulation may be accompanied with a change in fenestration pattern, and/or material, and/or color, and/or height.	N/A
E.3.4.2.05	Guideline	Buildings should consider sun shading mechanisms, like overhangs, <i>bris soleils</i> and clerestory lighting, as façade articulation strategies.	Complies: Marquee.
E.3.4.3 Building Profile			
E.3.4.3.01	Standard	The 45-degree building profile shall be set at the minimum setback line to allow for flexibility and variation in building façade height within a district.	Complies: Building height does not exceed maximum façade height except for screening of mechanical equipment which is well back from front façade.
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.	N/A – No such building projections proposed.
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 parapets above maximum building profile.
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 stair or elevator towers.
E.3.4.4 Upper Story Façade Length			
E.3.4.4.01	Standard	Building stories above the 38-foot façade height shall have a maximum allowable façade length of 175 feet along a public right-of-way or public open space.	N/A
E.3.5 Ground Floor Treatment, Entry and Commercial Frontage			
Ground Floor Treatment			

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.5.01	Standard	The retail or commercial ground floor shall be a minimum 15-foot floor-to-floor height to allow natural light into the space.	Complies: The proposed height from the first to second floor is 13 feet; will comply with SP amendments.
E.3.5.02	Standard	Ground floor commercial buildings shall have a minimum of 50% transparency (i.e., clear-glass windows) for retail uses, office uses and lobbies to enhance the visual experience from the sidewalk and street. Heavily tinted or mirrored glass shall not be permitted.	Complies: Applicant indicates proposed 39.7% transparency (including display case areas.) Will comply with SP amendments.
E.3.5.03	Guideline	Buildings should orient ground-floor retail uses, entries and direct-access residential units to the street.	Complies: Entry to building at ECR sidewalk.
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: Theatre lobby.
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: Theatre lobby.
E.3.5.06	Guideline	Blank walls at ground floor are discouraged and should be minimized. When unavoidable, continuous lengths of blank wall at the street should use other appropriate measures such as landscaping or artistic intervention, such as murals.	Complies: Blank wall areas to sides of lobby entrance are mitigated with display cases and box office window.
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
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: The existing marquee is to remain and be restored.
Building Entries			
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: Building entry is oriented toward the street.

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
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: Building recess glazed and marquee above with zone of glazing behind the marquee proposed.
E.3.5.11	Guideline	Multiple entries at street level are encouraged where appropriate.	Complies: Multiple entries would not be appropriate for this use.
E.3.5.12	Guideline	Ground floor residential units are encouraged to have their entrance from the street.	N/A
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
E.3.5.14	Guideline	Building entries are allowed to be recessed from the primary building façade.	Complies: Building entry is recessed from the primary façade.
Commercial Frontage			
E.3.5.15	Standard	Commercial windows/storefronts shall be recessed from the primary building façade a minimum of 6 inches	Complies: Commercial glazing is limited to the lobby, which is shown recessed on the first floor plan 2' 10" from the adjacent walls.
E.3.5.16	Standard	Retail frontage, whether ground floor or upper floor, shall have a minimum 50% of the façade area transparent with clear vision glass, not heavily tinted or highly mirrored glass.	Complies: Will comply with SP Amendments
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
E.3.5.18	Guideline	The distinction between individual storefronts, entire building façades and adjacent properties should be maintained.	Complies
E.3.5.19	Guideline	Storefront elements such as windows, entrances and signage should provide clarity and lend interest to the façade.	Complies: The storefront at the entry provides clarity.
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
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: No retail

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
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: No retail
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.	N/A
E.3.5.24	Guideline	Storefronts should not be completely obscured with display cases that prevent customers and pedestrians from seeing inside.	N/A
E.3.5.25	Guideline	Signage should not be attached to storefront windows.	N/A
E.3.6 Open 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: There is no residential 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
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.	N/A
E.3.6.04	Guideline	Private development should provide accessible and usable common open space for building occupants and/or the general public.	N/A
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

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.6.06	Guideline	Landscaping in setback areas should define and enhance pedestrian and open space areas. It should provide visual interest to streets and sidewalks, particularly where building façades are long.	N/A
E.3.6.07	Guideline	Landscaping of private open spaces should be attractive, durable and drought-resistant.	N/A
E.3.7 Parking, Service and Utilities			
General Parking and Service Access			
E.3.7.01	Guideline	The location, number and width of parking and service entrances should be limited to minimize breaks in building design, sidewalk curb cuts and potential conflicts with streetscape elements.	Complies: There is a break in the existing façade at the alley that is used as service access and egress.
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.	N/A
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: The waste and recycling enclosure is at the end of the alley.
E.3.7.04	Guideline	The size and pattern of loading dock entrances and doors should be integrated with the overall building design.	N/A
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.	N/A
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 complete guidelines regarding landscaping in parking areas.	N/A
Utilities			
E.3.7.07	Guideline	All utilities in conjunction with new residential and commercial development should be placed underground.	Complies: Applicant indicates all utilities would be indoors.
E.3.7.08	Guideline	Above ground meters, boxes and other utility equipment should be screened from public view through use of landscaping or by integrating into the overall building design.	Complies: Applicant indicates all utilities would be indoors.
Parking Garages			

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.7.09	Standard	To promote the use of bicycles, secure bicycle parking shall be provided at the street level of public parking garages. Bicycle parking is also discussed in more detail in Section F.5 “Bicycle Storage Standards and Guidelines.”	N/A
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
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.	N/A
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
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.	Note: The proposal discusses existing and future parking as being provided off-site.
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
E.3.8 Sustainable Practices			
Overall Standards			
E.3.8.01	Standard	Unless the Specific Plan area is explicitly exempted, all citywide sustainability codes or requirements shall apply.	Complies
Overall Guidelines			
E.3.8.02	Guideline	Because green building standards are constantly evolving, the requirements in this section should be reviewed and updated on a regular basis of at least every two years.	Complies
Leadership in Energy and Environmental Design (LEED) Standards			

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<p>E.3.8.03</p>	<p>Standard</p>	<p>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 pursuing 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.</p> <p>LEED certification or equivalent standard, at a Silver level or higher, shall be required for:</p> <ul style="list-style-type: none"> • Newly constructed residential buildings of Group R (single-family, duplex and multi-family); • Newly constructed commercial buildings of Group B (occupancies including among others office, professional and service type transactions) and Group M (occupancies including among others display or sale of merchandise such as department stores, retail stores, wholesale stores, markets and sales rooms) that are 5,000 gross square feet or more; • New first-time build-outs of commercial interiors that are 20,000 gross square feet or more in buildings of Group B and M occupancies; and • Major alterations that are 20,000 gross square feet or more in existing buildings of Group B, M and R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed. <p>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 permit incentives, such as streamlined permit processing, fee discounts, or design templates.</p>	<p>N/A</p>
------------------------	-----------------	--	-------------------

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

Section	Standard or Guideline	Requirement	Evaluation
Leadership in Energy and Environmental Design (LEED) Guidelines			
E.3.8.04	Guideline	<p>The development of larger projects allows for more comprehensive sustainability planning and design, such as efficiency in water use, stormwater management, renewable energy sources and carbon reduction features. A larger development project is defined as one with two or more buildings on a lot one acre or larger in size. Such development projects should have sustainability requirements and GHG reduction targets that address neighborhood planning, in addition to the sustainability requirements for individual buildings (See Standard E.3.8.03 above). These should include being certified or equivalently verified at a LEED-ND (neighborhood development), Silver level or higher, and mandating a phased reduction of GHG emissions over a period of time as prescribed in the 2030 Challenge.</p> <p>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.</p>	N/A
Building Design Guidelines			
E.3.8.05	Guideline	Buildings should incorporate narrow floor plates to allow natural light deeper into the interior.	N/A: Building use not related to this guideline.
E.3.8.06	Guideline	Buildings should reduce use of daytime artificial lighting through design elements, such as bigger wall openings, light shelves, clerestory lighting, skylights, and translucent wall materials.	Complies: Relative to lobby glazing two stories tall.
E.3.8.07	Guideline	Buildings should allow for flexibility to regulate the amount of direct sunlight into the interiors. Louvered wall openings or shading devices like <i>bris soleils</i> help control solar gain and check overheating. <i>Bris soleils</i> , 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.	Note: ECR façade is mostly north facing limiting the need for regulating direct sunlight.
E.3.8.08	Guideline	Where appropriate, buildings should incorporate arcades, trellis and appropriate tree planting to screen and mitigate south and west sun exposure during summer. This guideline would not apply to downtown , the station area and the west side of El Camino Real where buildings have a narrower setback and street trees provide shade.	N/A

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
E.3.8.09	Guideline	Operable windows are encouraged in new buildings for natural ventilation.	N/A
E.3.8.10	Guideline	To maximize use of solar energy, buildings should consider integrating photovoltaic panels on roofs.	The project will consider use of PVs.
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.	Trash enclosure shown on A2.10 indicates space for trash recycling, and compost.
Stormwater and Wastewater Management Guidelines			
E.3.8.12	Guideline	Buildings should incorporate intensive or extensive green roofs in their design. Green roofs harvest rainwater 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.	N/A
E.3.8.13	Guideline	Projects should use porous material on driveways and parking lots to minimize stormwater run-off from paved surfaces.	N/A
Landscaping Guidelines			
E.3.8.14	Guideline	Planting plans should support passive heating and cooling of buildings and outdoor spaces.	N/A
E.3.8.15	Guideline	Regional native and drought resistant plant species are encouraged as planting material.	N/A
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".	N/A
Lighting Standards			
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.	Will Comply
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.	N/A
Lighting Guidelines			
E.3.8.19	Guideline	Energy-efficient and color-balanced outdoor lighting, at the lowest lighting levels possible, are encouraged to provide for safe pedestrian and auto circulation.	TBD
E.3.8.20	Guideline	Improvements should use ENERGY STAR-qualified fixtures to reduce a building's energy consumption.	TBD

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: Project Compliance Worksheet —ECR SW District
Guild Theatre

<u>Section</u>	<u>Standard or Guideline</u>	<u>Requirement</u>	<u>Evaluation</u>
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.	TBD
Green Building Material Guidelines			
E.3.8.22	Guideline	The reuse and recycle of construction and demolition materials is recommended. The use of demolition materials as a base course for a parking lot keeps materials out of landfills and reduces costs.	The project will comply.
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.	The project will comply as feasible.
E.3.8.24	Guideline	Building materials, components, and systems found locally or regionally should be used, thereby saving energy and resources in transportation.	The project will comply as feasible.
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: Enclosure provided on site within alley.
E.3.8.26	Guideline	The use of material from renewable sources is encouraged.	The project will comply as feasible.



220 Montgomery Street
 Suite 346
 San Francisco, CA 94104
 (415) 392-9688 P
 (415) 392-9788 F
 www.chsconsulting.net

Technical Memorandum

Date: April 4, 2018
 To: Nicole Nagaya, PE, and Mark Muenzer, City of Menlo Park
 CC: Drew Dunlevie, Peninsula Arts Guild
 David Whiteside, Whiteside Management
 Matthew Stone, Arent Fox LLP
 From: Andrew Kluter, PE, CHS Consulting Group
 Re: **City of Menlo Park – Guild Theatre Project Parking Technical Memorandum - Draft**

1.0 Introduction & Summary

The purpose of this technical memorandum is to summarize the results of a parking evaluation of the subject project site located at 949 El Camino Real in the City of Menlo Park. The proposed project will renovate an existing 266-seat movie theatre (Guild Theatre) and convert it into a performance-based venue. The proposed project is located just southeast of the Ravenswood Avenue / Menlo Avenue intersection. The renovated theatre would have a total capacity for up to 500-550 spectators. Performances are expected to take place 2-3 days per week, typically on weekend nights with doors opening at 8:00 p.m. and a show start time at 9:00 p.m. Since the proposed project would not generate vehicle trips during the typical weekday commute peak period (generally defined as 4:00 p.m. to 6:00 p.m. on Mondays through Fridays), this memorandum focuses on expected project parking demand, the proposed project's potential effects on existing parking supply in the City's Downtown area, and potential approaches to reduce parking demand.

2.0 Project Description

The Guild Theatre, which currently operates as a cinema showing independent and foreign-language films, is located at 949 El Camino Real just southeast of the El Camino Real / Ravenswood Avenue / Menlo Avenue intersection and approximately 1,000 feet (1/5-mile) southeast of the Menlo Park Caltrain station. The building is located on an approximately 4,800-square foot site.

According to the Project Sponsor, the proposed project would convert the existing cinema into a live entertainment venue featuring concerts, films, and other community events. Building improvements necessary to complete this conversion include various building structural upgrades and construction of a basement and second floor/mezzanine area. The proposed project would increase the overall building floor area to approximately 11,000 square feet.

The first floor would contain an entry lobby, main viewing or seating area, bar, stage, box office, and restrooms. The basement would be reserved for the green room and dressing rooms for performers, as well as storage and mechanical rooms to provide space for materials that would allow the venue to accommodate a variety of performance types. The second floor would provide additional viewing areas, a small bar, office, and a vestibule.

In terms of events, the proposed project would continue to show movies, but the proposed improvements would allow the venue to host live events, including concerts, speakers, and comedians. At most, three movie or music

events would take place per week, with a typical week consisting of one or two events. The venue would only be open for scheduled events, which would typically take place on Friday, Saturday, and Sunday evenings. Occasional events may take place on a weeknight (Monday-Thursday). Venue doors for these shows would open typically at 8:00 p.m., with a show start time of 9:00 p.m.

In addition, the Project Sponsor, as a public benefit, would offer the theater for community events on an as-needed basis and in coordination with the City. Such community events would potentially include author talks and events sponsored by Kepler's Books; City-sponsored special events (Wine Walk, Summer Concert Series or others); movie festivals; local school events; and church events.

The Project Sponsor anticipates that up to 23 staff, including both full-time and part-time contractors, would be needed onsite for typical music events. Fewer employees are required for movie events.

Proposed Project Parking and Circulation

Presently, the Guild Theatre operates as a cinema, with a capacity of up to 266 seats. It is open seven days per week. As part of the proposed project, the renovated theatre would have a total capacity for up to 500-550 patrons. Currently, the building does not provide onsite or offsite parking, and the proposed project would not provide any additional parking supply.

The proposed project is situated 1,000 feet south of the Menlo Park Caltrain Station, which is approximately a five-minute walk. In addition, as will be shown later in this report, a significant supply of parking is available within a quarter-mile of the theater, which is utilized by theater patrons (and which patrons would continue to use to access the proposed project). As most events would take place in the evening on weekends, with some occurring after the weekday p.m. peak commute period, peak theater parking activity would coincide with the lowest parking occupancy periods by time of day in the Downtown area, thereby avoiding the at-capacity parking conditions experienced during typical weekday midday periods.¹

3.0 Anticipated Proposed Project Parking Demand in Downtown

For purposes of this parking analysis, CHS identified a comparable Bay Area theater site, the Sweetwater Music Hall in Downtown Mill Valley, which operates a substantially similar venue to the proposed project. Thus, the Sweetwater is representative of the general catchment area and expected mode share of arriving patrons and staff for the proposed project. Similar to the Guild Theatre, the Sweetwater is situated on a site without dedicated onsite parking. As a result, the Sweetwater relies on public parking lots and on-street parking spaces in Downtown Mill Valley to satisfy its parking demand.

With 10+ years' experience operating in Downtown Mill Valley, Sweetwater staff estimates that events attract patrons with trip origins of approximately 15 percent from local residents within a quarter-mile distance of the venue. Approximately 10 percent of the employees are estimated to arrive from within a 1/4-mile. Accordingly,

¹ City of Menlo Park. *Menlo Park Downtown Parking Study* (2010)

Sweetwater staff estimates an approximately 90/10 split in terms of patrons who arrive in autos compared with walking. Vehicle occupancy is estimated at approximately two persons per vehicle for events.²

In terms of parking, Sweetwater staff directs patrons and workers to use Downtown Mill Valley's on-street metered parking and public lots and to avoid parking in adjacent residential areas.³ Sweetwater staff has found its practices to be successful, given the parking time limits and regulations in the surround area.⁴ As the Sweetwater generally opens its doors at 7:00 p.m. or 8:00 p.m., concerts begin at times that are outside the prime parking enforcement hours.

The proposed project's events will similarly occur outside of Downtown Menlo Park's parking enforcement hours, which end at 6:00 p.m. As such, the preceding case study in Mill Valley provides a suitable comparison in terms of the parking environment in which the proposed project is situated.

It is anticipated that, similar to the Sweetwater, approximately ten percent of the proposed project's patrons would walk from local neighborhoods within 1/4- to 1/3-mile radius of the theater. This leaves approximately 495 guests that would arrive via auto. Assuming the same 2-person per vehicle occupancy, the proposed project would create a parking demand of approximately 248 vehicles. Additionally, up to 23 staff would be onsite for an event, which could generate up to 23 additional vehicles requiring parking. Thus, up to 271 vehicles may require parking in the Downtown area. This 271-vehicle estimate includes not only theatre patrons that would drive and park downtown solely for an event, but also those that visit restaurants and shops before or after shows. This estimate also excludes those patrons and staff that would arrive via a transportation network company (TNC) ride (e.g. Lyft or Uber). However, CHS has additionally included an analysis of expected TNC utilization of the passenger zone fronting the theater on southbound El Camino Real later in this report.

4.0 Current Parking Availability in Downtown Menlo Park

In order to establish a base condition of existing parking availability, CHS conducted a detailed field inventory and occupancy count of parking space supply within a quarter-mile of the Guild Theatre. The parking count took place between 6:00 p.m. and 8:00 p.m. on a Friday and Saturday evening (specifically Saturday, March 10 and Friday, March 16, 2018). These days and times of observation represent what would be considered typical peak parking periods specific to patrons and staff arriving for a venue show. The off-street public lots observed within a 1/4-mile were Lots 1, 2, 5, 6, 7, and 8.⁵ On-street locations within a 1/4-mile of the theater included:

- Chestnut Street from Oak Grove Avenue to Santa Cruz Avenue
- Crane Street from Santa Cruz Avenue to Menlo Avenue
- Doyle Street from Santa Cruz Avenue to Menlo Avenue

² CHS communication with Aaron Kayce of Sweetwater Music Hall, March 7, 2018.

³ Sweetwater Music Hall website frequently asked questions (<https://www.sweetwatermusicall.com/faqs/>), accessed online March 2018.

⁴ Parking in downtown Mill Valley is enforced between 9:00 a.m. and 6:00 p.m., except Sundays and holidays, allowing up to 4 hours of parking duration (with exceptions for residents). There are some 2-hour meter locations.

⁵ As designated from Menlo Park Downtown Parking Study (2010).

- Menlo Avenue between El Camino Real and Crane Street
- Oak Grove Avenue between El Camino Real and Chestnut Street
- Santa Cruz Avenue between El Camino Real and Crane Street

Figure 1 shows the locations of on- and off-street parking within the downtown area. **Table 1** shows the results of the two-day parking occupancy observations. **Appendix A** includes detailed observations of parking inventory and occupancy by lot and street segment for both days.

Table 1: Downtown Parking Inventory and Occupancy Within ¼-Mile of Guild Theatre

Parking Type	Total Supply	Saturday (3/10/2018)		Friday (3/16/2018)	
		Occupancy	Available	Occupancy	Available
Off-Street Lot	869	363	506	521	348
On-Street (Curbside)	192	142	50	149	43
Total	1,061	505	556	670	391

Source: CHS Consulting Group (2018)

1. Parking survey was conducted on Saturday, March 10, 2018 and Friday, March 16, 2018 between 6:00 and 8:00 p.m. both days.

As shown in **Table 1**, there is ample parking capacity available to Guild Theatre patrons within 1/4-mile distance of the proposed project. At minimum, on a Friday night (the highest occupancy evening of the two observed), at least 348 spaces are available in off-street lots and 43 are available in on-street curbside spaces, for a total of 391 available spaces. A closer look at the detailed Friday occupancy data (shown in **Appendix A**) revealed that Lots 7 and 8, the public lots closest to the site, were observed at- or near-capacity. However, there remains ample off-street parking in Lots 1, 5, and 6 (the next closest lots) totaling 111, 102, and 104 spaces, respectively, for a total of 317 spaces. Based on these field observations, the expected worst-case parking demand of 271 vehicles for a 550-patron event on a weekday or weekend evening would be satisfied by a minimum available supply of 391 spaces within a 1/4-mile of the Guild Theatre.



Menlo Park Guild Theater Transportation Impact Study

Figure 1
Downtown Public Parking Study Area

5.0 Project Consistency with Downtown Specific Plan and El Camino Real Corridor Study

CHS reviewed the proposed project for consistency with the circulation goals of the *Downtown Specific Plan* and *El Camino Real Corridor Study*. The project as proposed is consistent with the primary goal of the *Downtown Specific Plan's* Parking Management Plan, which is to use the existing downtown parking supply to the fullest extent possible, promoting a “Park Once and Walk” strategy in which visitors to downtown can park once and visit multiple destinations. The proposed project would schedule events that enable patrons to utilize widely available downtown parking capacity during Friday and weekend evenings, after parking time limit enforcement has ended, enabling patrons to visit the Guild Theatre as well as other downtown businesses without needing to move their cars if they choose.

The *El Camino Real Corridor Study* identified various alternatives for accommodating bicycle lanes on El Camino Real through the study area. The study further identified 5 curbside loading spaces in front of the Guild Theatre along southbound El Camino Real. These spaces would be removed if either the Buffered Bike Lane (Alternative 2) or Separated Bike Lane (Alternative 3) designs evaluated in the El Camino study were implemented.⁶ The El Camino corridor study also notes that Live Oak Avenue, approximately 300 feet southeast (a 1.5-minute walk) from the Guild Theatre frontage, is a potential area to relocate the passenger zone from El Camino Real. As the El Camino project advances in the future, it is recommended that the Project Sponsor work jointly with the City to evaluate and select a suitable alternative passenger loading zone near the theater in the event that Alternatives 2 or 3 are selected for future design and construction. This will ensure proposed project consistency with the multimodal goals of the *El Camino Real Corridor Study*, including in particular enhanced bicycle accommodation along this roadway.

6.0 Adequacy of Anticipated Walking Routes to the Project

CHS conducted a field review in March 2018 of walking routes to the theater from the observed downtown parking areas, consisting of both on-street and public off-street lots. The field review revealed that the theater is currently connected to a continuous network of sidewalks that lead to the public parking area expected to be used by patrons and bounded by Oak Grove Avenue, El Camino Real, Menlo Avenue, and Crane Street. Additionally, this walkability is further enhanced by short distances crossing roadways in downtown. Most downtown roadways consist of two travel lanes plus 1 or 2 parking lanes, which overall presents shorter crossing distances when compared to El Camino Real, with its generally wider roadway cross section. Given these conditions, the walking evaluation was limited to the surveyed public parking areas. By contrast, the Caltrain and neighborhood parking areas across El Camino Real from the theater are considered less desirable from a walkability perspective, given the physical barriers that include the wide roadway cross section of El Camino Real and the Caltrain tracks that separate the downtown from these neighborhoods. As such, these areas were excluded from the evaluation. Given the demonstrated availability of parking within the downtown area for venue patrons and staff, the continuity of walking paths to/from the theater, and shorter pedestrian crossing distances within downtown, there are no apparent deficiencies relative to walking facilities for theater patrons and staff, and as such no improvements relative to these facilities are recommended.

⁶ City of Menlo Park, *El Camino Real Corridor Study*, July 2015.

7.0 Proposed Curbside Loading Operation During Venue Post-Event Period

CHS further evaluated anticipated passenger loading demand at the theater curbside passenger zone along southbound El Camino Real. A post-event scenario in which 550 patrons depart a show at the theater was assumed for worst-case analysis purposes. Post-event passenger zone activity is considered worst-case as the accumulation of patrons leaving a show is generally more concentrated than before an event, where patron arrivals are generally more dispersed.

For purposes of this curbside analysis, 10 percent of the 271 vehicles (27 vehicles) estimated to be generated by a 550-patron event are assumed to be TNC vehicles providing service after the event. Although data specific to TNC mode shares to, from, and within Menlo Park are currently proprietary to TNCs, reasonable assumptions nonetheless can be made with regard to overall Bay Area curbside experience with these services. In San Francisco, which has generally high demand for TNC services within the Bay Area given its dense urban environment, it has been estimated that approximately 15 percent of all intracity trips are made by TNC service.⁷ For the Guild Theatre, which is situated in a less dense, suburban environment where private auto (non-TNC) use is generally higher than San Francisco, the 10 percent TNC assumption for patrons was made as it generally captures local trips greater than 1/4-mile that would use TNC services rather than driving a personal vehicle, walking, or bicycling.

The 27 vehicles estimated to provide TNC service after a theater show are expected to arrive uniformly over an approximate 30 minute period after a theater show ends, as patrons typically leave such venues in a distributed fashion over such a period, rather than all at the same time. Assuming this uniform arrival of TNC patrons over a 30-minute period, it is estimated that individual TNC vehicles picking up passengers would arrive at a rate of 1 vehicle every 1.1 minutes ($=30 \text{ minutes} / 27 \text{ vehicles}$).

Presently, there is a 70-foot curbside passenger loading zone on southbound El Camino Real fronting the theater that can accommodate up to three vehicles at any one time. Given that the passenger zone fronts the theater, based on City Code Section 11.08.030 (b)(2), this zone would be restricted to passenger loading zone use at all times except when the theater is closed. Therefore, the currently signed 3-minute time limit restriction for passenger loading and unloading would apply within this zone after the show has ended, given that the theater would remain open until all patrons, performers, and staff have left the building.

Observations of TNC vehicle curbside dwell times for pickup at the curb specific to theater patrons are limited. Dwell time is defined as the time a vehicle spends at the curb for passenger boarding or discharge, generally calculated by subtracting the curbside arrival time from the departure time. Nevertheless, insights on TNC dwell time can be found from recent CHS field observations of TNC services in an existing public, on-street passenger loading zone in San Francisco on 10th Street just south of Market Street, where 865 total TNC boardings and alightings of passengers were field observed over a 48-hour period in fall 2017. This passenger zone in the Civic Center area of San Francisco serves a variety of residential, office, and commercial retail uses. Based on this field

⁷ San Francisco County Transportation Authority, *TNCs Today, Final Report*, June 2017

data collection, CHS observed a median dwell time of approximately 40 seconds per TNC vehicle relative to both boarding and discharging passengers.⁸ It is reasonable to assume that TNC vehicles picking up departing patrons at Guild Theatre following an event would operate with similar median dwell times, given that in both the San Francisco and Guild Theatre cases, the TNC reservation process via smartphone allows passengers to enter vehicles with minimal delay, and TNC drivers in turn have preloaded smartphone directions to their passengers' destinations that allow them to pull from the curb efficiently. This efficiency is further highlighted based on additional, similar recent observations conducted curbside at San Francisco International Airport (SFO), where by contrast TNC vehicle dwell times for arriving and departing passengers range from one to two minutes.⁹ Generally, the longer dwell times at SFO are due to airport TNC passengers, who have longer loading and unloading times at the curb due to traveling with luggage.

Therefore, based on the collected TNC data and theatre TNC passenger estimates, an approximate 40-second dwell time / discharge rate for TNC vehicles at the curb would be faster than the arrival rate of TNC customers exiting the theater, i.e. 1 vehicle every 1.1 minutes. As such, it can be reasonably expected that during the post-event period, the three-space passenger zone would not fill up to the point of spillover onto the adjacent southbound travel lanes of El Camino Real. In order to discourage curbside TNC vehicles from dwelling curbside for longer than one minute picking up or discharging passengers, CHS recommends that the theater provide venue staff at the curbside pre- and post-event to help ensure efficient loading of TNC vehicles.

8.o Strategies to Manage Project Parking Demand in Downtown

The preceding analysis concluded that there is an ample parking supply in Downtown Menlo Park that is expected to accommodate the largest estimated demand (271 parked vehicles) generated by the proposed project based on a 550-patron event during weekday / weekend evenings. Nevertheless, if necessary, there are several management strategies that the Project Sponsor can implement to manage and potentially reduce venue-generated parking demand Downtown. CHS recommends the following parking demand management strategies to be implemented by the Project Sponsor during large (up to 550-patron) events on weekend evenings in Downtown Menlo Park:

- Provide communications to patrons in advance of events by describing alternatives to driving to the Project site and parking Downtown. Potential mechanisms to advise patrons on alternative travel modes can include, but not be limited to:
 - Venue website: provide transportation option information in a 'FAQ' or dedicated transportation page. This page would describe options to arrive to the site, including information regarding TNC ride services and carpool matching.

⁸ CHS Consulting Group, field observation of TNC activity at 8 Tenth Street passenger loading zone, San Francisco, October 31 and November 1, 2017

⁹ HNTB, *San Francisco International Airport 2016-17 Curbside Congestion Study, Draft Summary Report*, January 2018

- At venue, post current public transportation options, including Caltrain and SamTrans schedules and maps, to provide information that encourages patrons and staff to use alternative transportation to get to the venue.
- Pre-show email sent by theater management or by approved ticket vendor, describing travel alternatives to driving to downtown.
- Provide event staff for purposes of actively managing passenger loading and unloading along the El Camino Real curb side in front of the theater prior to and after events. Active management would consist of event staff assisting event patrons that are boarding and alighting vehicles curbside with the objective of ensuring that no vehicles dwell curbside for longer than one minute, consistent with expected curbside vehicle arrival rates of one vehicle every 1.1 minutes. Vehicles dwelling longer than one minute at the curbside would be directed to leave the passenger zone. By ensuring that vehicle dwell time at the curb would not exceed expected curbside vehicle arrival rates, staff would thereby ensure an orderly discharge and pickup of passengers with no greater than three vehicles in the passenger loading zone queued at any one time (given the existing 70-foot, three-space passenger zone), so that the potential for vehicle spillover into adjacent El Camino Real travel lanes would be minimized to the greatest extent possible.

The preceding parking analysis concluded that the current Downtown Menlo Park parking supply is expected to adequately absorb the demand generated by Guild Theatre events without creating any parking capacity issues. In the event of a future downtown parking capacity issue, the Project Sponsor could explore the possibility of implementing the following additional parking demand management strategies:

- Offer patron incentive to ride TNCs to events. The Guild Theatre could partner with TNCs by offering discounted rides to patrons. For example, the venue as a one-time incentive could purchase a block of discounted rides through the TNC services and in turn offer them to patrons via a discount code provided upon ticket purchase. This incentive would provide an option for patrons to get to downtown without needing to drive and find parking.
- In the event of an identified future parking shortage, provide Guild Theatre patrons and staff with a means to provide feedback on their parking experience. The primary format could be a written or web-based survey instrument to be administered following an event. The objective would be to determine whether patrons and staff experience any difficulties finding available parking prior to events or work shifts. Following the survey, the venue would provide a summary of this feedback to City staff that identifies any parking issues experienced by visitors and staff. If any issues are identified and/or persist over time, the venue would provide recommendations and action items to improve parking demand management through the above incentives or other means.
- Offer a patron incentive of discounted or comped food and beverage for riding Caltrain to the venue.



- Future collaboration with Caltrain in terms of train use programs and the potential to lease Caltrain parking for theater use during late evenings as might be needed in the event of a future downtown parking capacity issue.

CHS greatly appreciates this opportunity to provide this parking demand evaluation in the City of Menlo Park. Please contact me with any questions or comments on this study at (415) 579-9059. Thank you.

Appendix A - Parking Inventory and Occupancy within 1/4-mile of Guild Theatre

Guild Theater - Study Area Parking Occupancy Survey

Saturday, March 10, 2018 - 6-8PM and Friday, March 16, 2018 - 6-8PM

Public Parking Lot	Cross Streets	Supply	Saturday, March 10, 2018		Friday, March 16, 2018	
			Occupancy	Available	Occupancy	Available
Lot 8	Doyle Street	143	126	17	143	0
	Santa Cruz Avenue					
	Curtis Street					
	Menlo Avenue					
Lot 7	Curtis Street	96	54	42	89	7
	Santa Cruz Avenue					
	Chestnut Street					
	Menlo Avenue					
Lot 6	Chestnut Street	140	16	124	38	102
	Santa Cruz Avenue					
	Crane Street					
	Menlo Avenue					
Lot 1	El Camino Real	244	98	146	133	111
	Santa Cruz Avenue					
	Chestnut Street					
	Oak Grove Avenue					
Lot 2	Chestnut Street	91	38	53	67	24
	Ryans Lane					
	Oak Grove Avenue					
	Crane Street					
Lot 5	Crane Street	155	31	124	51	104
	Santa Cruz Avenue					
	Evelyn Street					
	Menlo Avenue					
Parking Lot Total		869	363	506	521	348

Appendix A - Parking Inventory and Occupancy within 1/4-mile of Guild Theatre

Guild Theater - Study Area Parking Occupancy Survey

Saturday, March 10, 2018 - 6-8PM and Friday, March 16, 2018 - 6-8PM

On-Street Location	Cross Streets	Supply	Saturday, March 10, 2018		Friday, March 16, 2018	
			Occupancy	Available	Occupancy	Available
Menlo Avenue - South	Crane Street	8	4	4	6	2
	Chestnut Street					
	Chestnut Street	9	6	3	6	3
	Curtis Street					
	Curtis Street					
Doyle Street	6	5	1	5	1	
Menlo Avenue - North	Crane Street	6	2	4	3	3
	Chestnut Street					
	Chestnut Street	7	4	3	6	1
	Curtis Street					
	Curtis Street					
Doyle Street	8	8	0	8	0	
Doyle Street - East	Santa Cruz Avenue	9	9	0	9	0
	Menlo Avenue					
Doyle Street - West	Santa Cruz Avenue	8	7	1	7	1
	Menlo Avenue					
Curtis Street - East	Santa Cruz Avenue	8	6	2	6	2
	Menlo Avenue					
Curtis Street - West	Santa Cruz Avenue	8	3	5	3	5
	Menlo Avenue					
Chestnut Street - East	Oak Grove Street	12	9	3	9	3
	Santa Cruz Avenue					
Chestnut Street - West	Oak Grove Street	13	13	0	11	2
	Santa Cruz Avenue					
Crane Street - East	Santa Cruz Avenue	8	2	6	7	1
	Menlo Avenue					
Crane Street - West	Santa Cruz Avenue	9	3	6	9	0
	Menlo Avenue					
Santa Cruz - South	Crane Street	8	8	0	6	2
	Chestnut Street					
	Chestnut Street	19	19	0	16	3
	Doyle Street					
	Doyle Street					
El Camino Real	4	4	0	4	0	
Santa Cruz - North	Crane Street	10	7	3	2	8
	Chestnut Street					
	Chestnut Street	17	16	1	16	1
	Doyle Street					
	Doyle Street					
El Camino Real	4	3	1	4	0	
Oak Grove Street - South	El Camino Real	11	4	7	6	5
	Chestnut Street					
On-Street Parking Total		192	142	50	149	43

Guild Theater - Study Area Parking Occupancy Survey

Parking Type	Supply	Saturday (3/10/2018)		Friday (3/16/2018)	
		Occupancy	Available	Occupancy	Available
Off-Street Parking	869	363	506	521	348
On-Street Parking	192	142	50	149	43
Total	1,061	505	556	670	391

Note: Parking surveys were conducted on Saturday, March 10, 2018 and Friday, March 16, 2018 between 6-8PM

From: David Wollenberg
To: [Sandmeier, Corinna D](#)
Subject: Peninsula Arts Guild
Date: Monday, April 9, 2018 2:34:52 PM

Corinna—we are the owner/manager of the property located directly across the street from the proposed live performance facility. We don't see any reference to parking in the proposal.

Please be advised that our parking lot is fully leased to our tenants and will not be available for use by any offsite activities. In fact, if we have to hire security to enforce this, we should be reimbursed for our expenses.

I will be out of the country on April 23 and will not be able to attend the meeting in person.

Thanks,

MENLO STATION DEVELOPMENT, LLC
By The Cortana Corporation
Manager

David Wollenberg

David A. Wollenberg
President
The Cortana Corporation
650-325-7600 x 101

From: Jane Benson
To: [CCIN](#)
Subject: theater/parkng garage and Peninsula Arts Guild proposals
Date: Sunday, April 15, 2018 8:48:13 PM

I write in support of both these proposals am especially eager to save the Guild in this new and creative way. We would certainly benefit from more cultural vibrancy in town and the parking needed to support it. Thank you.

Jane Benson
The Willows

From: Jennifer Still
To: [CCIN](#)
Subject: The New Guild
Date: Wednesday, April 18, 2018 8:07:46 AM

Dear members of the MP City Council,

I'm writing to voice my support for The New Guild. I'm very excited about the prospect of an arts venue in downtown Menlo Park and look forward to attending many events there. It's exactly what our community needs!

Jennifer Still
3128 Barney Ave, MP

Sent from my iPhone

From: Miriam Blatt
To: [_CCIN; Miriam Blatt](#)
Subject: support movie plan to replace Guild
Date: Sunday, April 15, 2018 4:55:33 PM

Not able to attend the meeting tomorrow, but writing with strong support of the plan to replace the Guild theatre with something that includes screening of arts and indie films. And support the parking garage.

Thanks,
Miriam Blatt
316 Central Ave
Menlo Park

From: Lisa Sweeney
To: [_CCIN](#)
Cc: [Drew Dunlevie](#)
Subject: Support for the New Guild
Date: Wednesday, April 18, 2018 3:23:16 PM

MP City Council -

Another vote of support from a Menlo Park resident on moving forward with the New Guild. We need a modern venue where the community can gather and to draw others from the Bay Area for unique cultural events. I envision this to be a special place for my high schoolers, as well as for the adults! If we had the choice of going to the revitalized Redwood City on weekends to catch a movie and have a bite or staying in our own, dear Menlo Park, MP would win every time! What fun to walk to the New Guild for a night out. Let's make it happen please.

Warm Regards,

Lisa Sweeney

From: Eilers, Wendy
To: [_CCIN](#)
Subject: Guild Theater - Replacement Project
Date: Monday, April 16, 2018 1:13:19 PM

Dear Members of the Menlo Park City Council:

I am writing to express my support of the proposed garage and theater project in Menlo Park (where the Guild Theater is currently located). I think this is an exciting as well as pragmatic project for Menlo Park, addressing the need for additional parking and providing a true “value add” to the city with a live entertainment venue that would include film screenings and festivals.

I urge your support, as well!

Respectfully,

Wendy Eilers
Menlo Park

From: William Brown
To: [CCIN](#)
Subject: Garage/Theater Project
Date: Sunday, April 15, 2018 7:37:03 AM

Dear Council Members

My name is William Brown, and a resident of Menlo Park for decades.

Please include my name in advocating keeping and advancing the proposals for the NEW GUILD and satellite screenings.

Sincerely

William Brown
347 Marmona drive
MP 94025

Sent from my iPhone

From: George Walker
To: [CCIN](#)
Subject: Fwd: To Guild movie theater supporters: important meeting this Monday to discuss film option adopted by city at same time as new Guild proposal
Date: Tuesday, April 17, 2018 9:23:51 AM

I support the options discussed here.

George Walker
Menlo Park

Sent from my iPad

Begin forwarded message:

From: Judy Adams <saveguildtheater@yahoo.com>
Date: April 14, 2018 at 8:54:27 PM PDT
Subject: To Guild movie theater supporters: important meeting this Monday to discuss film option adopted by city at same time as new Guild proposal

Dear Supporters of the Guild Theater petition:

There is an important Menlo Park City Council meeting THIS MONDAY, APR. April 16 at 6:30 AT THE CITY COUNCIL CHAMBERSto discuss in more detail one of the priority goals adopted by the City at the conclusion of its goals setting meeting on Feb. 13, which approved the replacement of the Guild theater with a live entertainment venue that would also include film screenings and film festivals. The meeting will be a public discussion of the construction of a downtown parking garage with a unique feature you may recall: including a 2-3 screen first - run (mainstream, not independent) movie theater on the ground level of the 2-storey below-ground garage. We need your support, as movie patrons, for this City project, as well as the Guild transformation that we're working so hard to assure that it includes screening of indie and arts films.

The parking garage is intended to address the existing - and future - parking shortage downtown, while absorbing the cars of theater patrons who will be able to shop and eat downtown before or after a film without congested street parking. It will also augment parking nearer the new Guild on adjacent surface lots. The new movie theater will add diversity to the downtown after the full-time Guild movie theater closes. But it will also complement the indie film screenings we are working with the buyers of the Guild, the Peninsula Arts Guild to include in their arts programming when the new Guild opens.

We are told by city council members that the movie theatre would be economically viable because the City would own the land and be the landlord.

We are exploring with the prestigious U.N. Association Film Festival (UNAFF), which has venues in Palo Alto, East Palo Alto, and Stanford, the possibility that they will include the Menlo-Atherton Performing Arts Center as a venue for their film festival in the near future. The exciting

combination of the UNAFF and the longstanding Windrider Film Festival at M-A PAC (once again this summer), a modest-sized first-run "mainstream" downtown movie theater, film screenings and smaller film festivals at the new Guild, and film options we are exploring with the Menlo Park main library, the Menlo Park Senior Center in Belle Haven, and the Little House senior/community center, will put Menlo Park "on the map" for an exciting variety of film options, in addition to the live entertainment at the new Guild.

The meeting is on Monday, 4/16/2018, at 6:30 pm in City Council Chambers, [701 Laurel St., Menlo Park, CA 94025](#). Please come with friends who support both indie and mainstream movies, and the pragmatic addition of a parking garage to the downtown, and speak of your support for this dynamic combination. If you or they can't come, please write an email in support of the garage/theater project to: city.council@menlopark.org.

Longtime Menlo Park and Peninsula cities' supporters of the Guild will be able to attend recent releases of their beloved indie/arts films at the new Guild (an estimated 120 seat theater when the live entertainment stage area and mezzanine are converted for film screenings), thought-provoking UNAFF documentaries and foreign films at smaller venues we're working on at the Main library and our two Menlo Park Senior Centers rather than driving to Redwood City's large multi-screen cinema or patronizing only Palo Alto's theaters, taking revenue and vitality from our downtown.

These two film venues will put Menlo Park on the map, combined with the other arts programming planned at the new Guild. Please show your support by speaking at the City Council this coming Monday or sending email to the city council. Urge your fellow film lovers to do the same. This is a critical time for film in Menlo Park. Write tonight on Sunday, or at the very latest, early Monday.

Judy Adams

From: Monte Hoskins
To: [_CCIN](#)
Subject: Guild Theater
Date: Sunday, April 15, 2018 12:30:37 PM

Gentlemen,

Since we are residents of Menlo Park there are three theaters available that show independent and foreign films. Even so, too often a highly rated film never gets shown locally, and we feel gipped when it wins an Oscar nomination. I strongly request that you replace the Guild with some form of movie theater that shows independent and foreign films. If it serves beer and wine that is even better, but that is another subject. We thank you for your efforts in this direction.

Monte Hoskins and Janet Goy
220 Walnut Street
Menlo Park



STAFF REPORT

City Council

Meeting Date:

5/22/2018

Staff Report Number:

18-085-CC

Regular Business:

Approve next steps for library system improvements

Recommendation

Staff recommends that City Council consider and approve the following items related to the Library Systems Improvements project:

1. Finalize the needs assessment for the Belle Haven Library branch
2. Approve the Laurel Street site for the new main library building which would include the addition of a large community room/City Council meeting room to the project and other components that the City Council believes should be included
3. Direct staff to work with architecture team to develop schematic designs for the Main Library
4. Direct staff to explore funding mechanisms for the system improvements project

Policy Issues

The Belle Haven Branch Library Improvements and the Main Library Improvements are part of the City Council's Work Plan approved February 6, 2018.

Background

At its July 18, 2017, meeting, the City Council approved receipt of a philanthropic offer from John Arrillaga to assist in the construction of a new state-of-the-art, 21st century Main Library to be located on the civic center campus. The offer consisted of construction costs for a new library on the Civic Center campus, less a City contribution of \$20 million. City Council directed staff to return August 22, 2017, with a more detailed work plan to advance the project. Staff presented next steps for a building to be constructed on the civic center campus. Residents and City Councilmembers expressed a preference for improvements to the library system as a whole, both the Belle Haven branch library and the civic center main library. A City Council subcommittee of City Councilmembers Keith and Cline was created to guide the library system improvement process.

The City Council approved steps to advance the system improvements project at their October 17, 2017, meeting. Progress to date includes:

- A Belle Haven Neighborhood Library Advisory Committee (BHNLAC) was formed and has been meeting to assist in the neighborhood library needs assessment currently underway in the Belle Haven neighborhood.
- The City Council approved \$140,000 for immediate physical improvements to the branch library, and the improvements were completed in January 2018.
- A Library Systems Improvement project page was added to the City's website to consolidate information on the library system improvements and provide a channel for community input.
- The City Council approved the creation of a Library System Improvements fund, seeded the fund with \$1

million and increased the city manager's contract authority for matters related to the library systems improvement project. The City Council also authorized a new position to manage the library project (which remains vacant).

- The City Council directed staff to work with the Library Subcommittee on a siting and uses evaluation for the Main Library. The City hosted three public siting and uses meetings to gather community feedback on the siting and possible uses of an improved main library building. That process is complete.
- The City hosted a South Bay libraries tour of the Los Gatos Library and Palo Alto Mitchell Park Library to provide the opportunity to see and hear information about the facility and programming uses at other modern local libraries.

Analysis

Belle Haven Branch Library improvements

City Council approved service and physical enhancements to the Belle Haven branch library at their October 17, 2017, meeting. Physical upgrades to the library (new carpeting and shelving, new furniture and interior paint, additional new books and DVDs for the collection) have been substantially completed. The City Council also approved the addition of 13 more open hours per week for the branch library and an additional 0.5 full time equivalent employee. The Belle Haven branch library closed for upgrades over the winter break and reopened with its new hours January 9, 2018.

The consultant conducting the Belle Haven neighborhood library needs assessment held design labs April 5–7, 2018, and continued to gather community input through April 28, 2018. The Belle Haven Neighborhood Library Advisory Committee was formed by City Council action and has met four times. The most recent meeting of the Committee was a May 15, 2018, study session with the needs assessment consultant. The consultant's final report is scheduled to be presented to the City Council and the community in June 2018.

Main Library improvements

Siting

On October 17, 2017, the City Council approved the northern area of the civic center campus as the general area for the site of a new main library. Working with Noll and Tam, the consulting project architects, staff narrowed the siting choices to two locations: the current location of the main library (referred to as the Alma site) and the parking lot area between the Menlo Children's Center and City Hall (referred to as the Laurel site). Maps of the two siting options are included as Attachments A and B.

Additional uses

The proximity of the Laurel site to the current City Council Chamber building, along with the age of the City Council Chamber building and community need for meeting space, led to the consideration of incorporating a large (4,000 square feet) multipurpose meeting space into the new library facility. Such a space would be configured for flexible purposes, and could be used for City Council meetings and for larger community and library events.

Separately, at the May 8, 2018, City Council meeting, City Council heard about the need for a new Emergency Operations Center (EOC) that could also potentially be incorporated into a new Main Library design.

The inclusion of affordable housing was also considered for the Main Library project at a City Council meeting in July 2017. The civic center campus, which is adjacent to the Caltrain station, could be considered an attractive area for an affordable housing development given that the cost of land is a major

barrier to most affordable housing developments.

Siting and uses meetings

Three siting and uses meetings were held at the Main Library (December 4, 2017, January 17, 2018, and February 15, 2018). Attendees at the siting and uses meetings participated in a dialogue process facilitated by staff, the project architects and from the Peninsula Conflict and Resolution Center (PCRC). Staff began by presenting these siting and usage options:

- Stand-alone new library at its current location (Alma site)
- Stand-alone new library at a location between the current child care building and City Hall (Laurel site)
- New library with a large public meeting room that could be used as a City Council Chambers – Alma site
- New library with a large public meeting room that could be used as a City Council Chambers – Laurel site
- New library with a meeting room and a housing component – Alma site
- New library with a meeting room and a housing component – Laurel site

The purpose of the siting and uses meetings was to share information with the community about siting options and possible shared uses for a facility, and to gather their feedback about the options and shared uses presented. Staff returned at the second and third meetings with material refined from the previous meetings and began the third meeting with a draft staff recommendation.

Participants at the first siting meeting generally felt that more information was needed before they could make an informed decision about a preferred site. Participants from the second siting meeting were overwhelmingly in favor of the Alma site, primarily citing concerns that a Laurel site project that included housing could displace the Menlo Children's Center and could increase traffic along Laurel Street, negatively affecting residents in the Burgess Classics development. Participants in the third siting meeting were divided between the two sites and divided between support for and resistance to inclusion of additional housing as part of the project.

Throughout the three meetings staff heard concerns from residents about parking, increased traffic, the effects on the child care center, the effects of a future railroad grade separation on a library project, process concerns, costs to operate a temporary library, voices for and against adding housing to the project, and voices for and against any new main library project.

No consensus emerged for any site or use over the course of the three meetings, although there were strongly expressed opinions on all of the issues listed above.

Notes from the three meetings as compiled by PCRC are attached as Attachments C, D and E, and staff and consultant presentations are available on the city website at menlopark.org/librarysystemimprovements.

The Library Commission discussed the siting options at their March 19 and April 16 meetings and voted not to make a recommendation.

Staff Recommendation

Staff is recommending the Laurel Street site with the addition of a large community room. The Laurel site is recommended because:

- Library services could continue at their current level in the existing facility during the construction of a new facility, saving \$2 million per year in estimated temporary facility costs. A temporary facility would only be able to offer dramatically reduced library services during that time.

- The Laurel alternative will not affect the Menlo Children's Center
- Incorporating a large community meeting space into the facility and removing the existing City Council Chamber building opens up the middle of the civic center campus for additional improvements to the park and provides additional meeting space for the community.
- Using the Laurel site preserves the Alma site for future uses or reuses.

Staff is not recommending adding a housing component to the library project. Siting and uses meeting participants and Library Commissioners were divided over the idea of including housing in the library project, with many speaking passionately for and others against the idea. The idea of the city adding more affordable housing, especially on the west side of U.S. Highway 101, was supported by most siting meeting participants, but questions were raised about adding private housing to a public space. There were additional questions and concerns over how many units would be added, what effect additional housing would have on traffic, what kind of units would be added (rental or ownership) and what size the units would be, how much mass the housing would add to the library project, and who would qualify for any housing that would be built.

These questions from the meeting participants suggested that a fuller discussion of housing on the civic center campus may be needed. Such a discussion with the necessary public input would extend the library project's timeline, and could extend it considerably. If the proposed library project were to include residential units, a conditional use permit and additional City approvals would be required. A mixed-use project may also require an amendment to the City's General Plan. A mixed-use project that included housing would require a full environmental review. These elements would extend the project's timeline.

Project costs

Any significant delays to the project will have cost implications. The City's needs assessment shows the need for the new, updated library. Costs for construction will escalate over time, requiring increased funds. TBD Consultants, using a marginal inflation rate compounded over time, estimate that starting a design process two years from now will increase costs by 11.8 percent, three years from now will increase costs by 17.4 percent, and six years from now by 30.8 percent. Predictions about cost escalations make assumptions about future rates of inflation as can be seen in Attachment F.

The staff recommended staff for the Laurel site, with the addition of a large community room, is estimated to cost \$58 million in 2019 (\$48 million at a cost of \$1000/square foot for a 48,000 square foot building, with two levels of underground parking at a cost of \$5 million per level). Mr. Arrillaga's donation in this scenario would be \$38 million.

Additional elements for a new modern Main Library could affect the ultimate cost including the incorporation of a new, modern EOC. Modern designs also could include green building standards (LEED Platinum or equivalent).

The benefit of using Mr. Arrillaga's donation to leverage the buying power of public dollars can be seen by examining the construction cost estimate escalation chart in Attachment G.

Next steps

The Belle Haven neighborhood library needs assessment is wrapping up and is scheduled to be presented to the community and the City Council in June 2018. The Belle Haven Neighborhood Library Advisory Committee has met four times and will continue to assist staff throughout the needs assessment process. Funds for a space needs assessment for the branch, the next step in the process toward a new branch library, will be requested in the Library's fiscal year 2018-19 budget.

The next steps for the Main Library portion of the system improvements are the approval of the siting and uses for the main library building, followed by initiating a schematic design process.

Below is an updated tentative project timeline for the Library System Improvements project for both the Main Library and Belle Haven Branch Library portions:

Belle Haven Branch Library

- Needs assessment: scheduled for completion June 2018
- Space needs study: July 2018 – March 2019
- Schematic designs/siting decisions/shared uses/facility review of OHCC: April 2019 – September 2019
- Funding
- Environmental Impact Report: October 2020 – October 2021
- Building permit issue: February 2022
- Construction: February 2022 – February 2024

Main Library

- City Council site location/use approval: May 2018
- Commence schematic design: June 2018
- Environmental review: November 2018
- Funding determined: November 2018
- City Council project approval: November 2019
- Building permit: March 2020
- Construction: March 2020 – March 2022

Additionally, staff will begin work with the Library Subcommittee to develop financial scenarios on how the pay the City's initial investment into the new facilities.

Recommended action

Staff recommends that City Council consider and approve the following items related to the Library Systems Improvements project:

1. Finalize the needs assessment for the Belle Have Library branch
2. Approve the Laurel Street site for the new main library building which would include the addition of a large community room/City Council meeting room to the project and other components that the City Council believes should be included
3. Direct staff to work with architecture team to develop schematic designs for the Main Library
4. Direct staff to explore funding mechanisms for the system improvements project

Impact on City Resources

The library is requesting funds for the Main Library building schematic design and funds for the Belle Haven branch library space needs study. These funds would draw from funds previously approved and allocated to the Library System Improvements fund.

Environmental Review

No environmental review is required at this time. An environmental review according to the California Environmental Quality Act (CEQA) will be necessary for the project if it moves forward.

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. Alma Street site map
- B. Laurel Street site map
- C. 1st Siting Meeting notes
- D. 2nd Siting Meeting notes
- E. 3rd Siting Meeting notes
- F. Escalation estimate assumptions
- G. Construction cost escalation estimates

Report prepared by:
Nick Szegda, Assistant Library Services Director

ATTACHMENT A SCHEME 1A AREAS



LIBRARY

2 FLOORS 44,000 SF

COMMUNITY HALL

1 FLOOR 4,000 SF

EXISTING CHILDCARE

1 FLOOR 8,000 SF

THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT B
SCHEME 2A AREAS



LIBRARY

2 FLOORS 44,000 SF

COMMUNITY HALL

1 FLOOR 4,000 SF

EXISTING CHILDCARE

1 FLOOR 8,000 SF

THIS PAGE INTENTIONALLY LEFT BLANK



Menlo Park Library Rebuilding Project Input Session

**Menlo Park Main Library
800 Alma Street, Menlo Park, CA
December 4, 2017**

Meeting Purpose: Community members learn about the proposed main library rebuilding project, the process to date, and give feedback about the location of the new library on the campus.

Objectives:

- Community members understand:
 - The background for this project
 - Pros and cons for various site options and potential additional uses for the building
- Community members give feedback on options

Meeting Agenda:

- Welcome
- Agenda Review and Group Agreements
- Overview of the Menlo Park Main Library Rebuilding Project
- Presentation on Site Options and Possible Housing
- Community Input
- Next Steps, Closing Remarks
- Evaluation and Close

Overview of the Main Library Rebuilding Project and Presentation: Susan Holmer introduced the project and the purpose of the meeting. Chris Noll and Ned Reifenstein of Noll & Tam Architects gave a presentation on the project, the two possible locations, and the possible addition of housing. Sean Kennedy and Maxine Skaggs Kennedy, housing architects, providing additional information about housing options at the library.

Following the presentations, community members had the opportunity to ask questions and provide comments.

Questions:

- Can the Gatehouse be used?
The architects have not looked at re-using the Gatehouse as it is historically important and too small for reuse as part of the library.
- What cost differences are there between the two sites?
At this point in the process, the two sites seem comparable in costs.



- How many housing units is the City thinking about?
The number of units depends on the configuration of the building forms on the site.
- Would housing add another story to the building?
The design team will consider adding a floor or two of housing as one strategy to preserve site for landscaping and open space.
- Does the Caltrain right of way or other constraints impact development on the current site?
The city confirmed on 12/18/17 that there are no Caltrain easements that effect the site.
- What will be the size of housing units – 1 BR?
The mix of unit sizes and types has not been determined.
- How would people qualify for housing?
This has not yet been determined.
- Where will parking for housing be?
A basement parking structure will be studied as part of the project.
- Would we address traffic flow if housing were added to the site?
Yes. Traffic flow would be studied and addressed as part of the development process.
- What are the parameters for looking at the whole site and project? Can we redesign Burgess Park?
The current study is looking at potential sites for the library and whether the proposed project will include other uses such as the Council Chambers, Childcare Center and Housing. Only the north end of the Civic Center will be studied.
- What are the zoning issues?
The project site is zoned P-F Public Facilities District - All public facilities used and operated for government purposes, such as a library, are permitted uses. If the proposed library project were to include residential units, than that would be a conditional use requiring a use permit and additional City approvals. A mixed-use project may also require an amendment to the City's General Plan.
- What are funding issues/constraints?



A private donor has pledged to build a new library on the Burgess campus if the City pays the initial \$20 million of the construction costs. City staff has determined that there could be up to an additional \$10 million in soft costs related to the construction, potentially bringing the City's contribution to \$30 million. The donor would pay any construction costs beyond the City's contribution. The City Council has not yet determined how the City's portion of the costs would be funded.

- Did proposed changes to the library come up before or after the donor?
The Library had been involved in the process of planning for three years before the offer of financial assistance was received from the donor.
- Can you design effective soundproofing?
Yes, acoustics will be an important consideration for any project proposed near the train line.
- What is the timeline and does housing impact the timeline?
Including housing in project has the potential to add time for design, approvals and funding.
- Can you build the library on the Laurel Street site without removing the City Council Chambers?
Technically, yes, but this is not one of the options under consideration.
- Is expansion of the Belle Haven library part of this process?
This siting process is specific to the library on the Burgess location. Planning for the Belle Haven Branch Library is now in the needs assessment stage.
- Does additional financing apply to the Belle Haven library?
The offer from the donor is for the main library only.
- What are the plans for Menlo Park Historical Association, which is currently in the library?
Space for the Historical Association has not been planned in the new main library.
- Why did we start with the Main Library instead of Belle Haven Library?
Planning for the Main Library, which includes the 1957 original library, has been in process for three years. The Belle Haven Branch Library is a newer facility completed in 1999.



- How much would housing add to the cost?
This has not yet been determined.
- Will a full-blown Environmental Impact Report be needed?
A full EIR review would likely be required if the project included residential units or greatly increased the square footage of an existing or relocated land use on the campus. A more limited environmental review may be possible if the existing library and other impacted campus uses remain at or near their present locations and do not substantially increase in square footage or have significant traffic or other related impacts. A final environmental review determination will be made after the preferred site location is selected and it is determined what land uses would be contained in the project.
- Would housing be one or two stories on top of library?
The design team will look at both options.
- Is there a restriction on number of housing units?
The design team is studying how many housing units will comfortably fit on the site.
- Would there be parking limits on housing?
This remains to be determined. There are many innovative approaches to providing housing in transit oriented areas.
- What are the next steps?
The design team is incorporating feedback from the first community meeting and will return with some concrete options in the second meeting.
- Where would the temporary library site be?
That remains to be determined. Options will be considered as the design process moves forward.
- Did you consider site near pedestrian crossing on SW side?
The design team is aware that a crossing at the SW corner is under consideration. Re-planning the south end of the civic center is not part of this project.

Comments:

- Concern about Ravenswood undercrossing and constraint on site



- Librarian office may have constraints on expansion.
- Consider basement for storage or something else, e.g., disaster preparedness
- Consider providing access to Laurel St.
- Coordinate grade separation with library construction
- Hard to make decisions about the library given all the changes, e.g. traffic patterns
- Support for housing, prefer Laurel site
- City should think more broadly about the entire site.
- Please consider traffic.
- Consider train noise and safety for potential housing.
- Important for the community to have the language to communicate with planners and architects.
- Think broadly about what library will look like in future.
- Concern that we're trying to do too much. Current entry and courtyard could be expanded, better use of basement.
- Interested in housing near transit.
- Consider connectedness of City/neighborhoods.
- Love the idea of a bigger meeting room at the library.
- Love the idea of affordable housing and teacher housing – housing on public land.
- Concern that housing becomes private and may be a separate issue.
- Housing could be rental housing, with rules. Would like to see > 30 units.
- Would like to see constraints on housing, e.g. for city employees or teachers.
- Housing problem is larger than City employees and teachers – need housing for all.



- Sunset Magazine as site for temporary library.
- Consider USGS for temporary library site.
- Consider ingress, egress, parking and traffic.
- Provide pedestrian/ bike access from grade separation.
- Need to understand traffic flow before picking a site.

Gauging Interest in the Two Sites and the Possibility of Housing:

At the end of the meeting, the City Manager's Office wanted to get a sense from the group of their preferences for the library site and their interest in housing on the site. While nearly half of all participants had left at this point, approximately 20 people remained. Multiple people in attendance expressed their concern with taking a straw poll at the end of the meeting when so many had left and the process was just starting off. A small number of people expressed a preference for the current site and a similar number expressed preference for the alternative site. The vast majority of people felt that there was not enough information about the potential sites or the library design for them to give a preference.

Regarding housing, the number of people who liked the idea of housing and the number who thought housing on the library site was not a good idea were approximately equal. A few people felt that there was not enough information to express a preference regarding housing.

Next Steps:

- Future meetings will be held on the following dates:
 - January 17, 2018
 - February 15, 2018
- The City will make notes available and send them out to participants.
- Schematic designs and information on housing will be presented at future meetings.

Siting Meeting 2 – Group 1 notes – January 17, 2018

Facilitator: Warren Note taker: Maxine

Reminder of group rules.

Initial reactions:

- great suggestion to renovate Council Chambers
 - Council chambers only used on Tuesdays – I like combining the uses
 - Was housing always a part of the project? (no – it was introduced during a Council meeting in July)
 - Was there an advocate for Belle Haven when Arrillaga made the gift? (A: Belle Haven facility not part of the Arrillaga grant)
 - Feels there was misinformation with the Belle Haven Needs Assessment
 - In favor of affordable housing – teacher from Belle Haven talked about homeless students and that many need to commute. A window of opportunity for affordable housing.
 - Affordable housing developer spoke on a great need for housing in both areas of Menlo Park. There are inequality issues and traffic issues that could be lessened if housing is developed. It's a great opportunity and even more housing could be added at the existing library site.
 - Concerns about how MCC would be affected. We don't know what is going to happen – all of the child care providers have wait lists. We need to enlarge our existing childcare.
 - We should think about what the best uses are for Burgess Park. We need open space too. Don't want to build piecemeal.
 - Town centers should be for all people, not just private owners of housing.
 - What's the impact to the bond measure if housing is added?
- (Facilitator: do you have a preference for one site over another? What else should the Council consider?)
- Private vs. public access – like in the parking garage.
 - The Arrillaga gift is just for the library.
 - In Palo Alto there's separation between private and public parking
 - Have people tried asking Arrillaga or other foundations regarding affordable housing?
 - As a parent at MCC would prefer the Alma site

- Also prefers Alma because it leaves the center of the park open.
- Likes the massing for transit better at the Alma site.
- As a parent – harder to have temporary facility for childcare than to have a temporary library.
- Prefer Alma site from the information I have now.
- Prefer Alma site because of impacts to childcare
- Keep in mind that there is no space proposed for the Historical Society

Menlo Park Library Rebuilding Project Community Input Meeting
January 17, 2018 Group 2 notes and questions

Group 2:

- Too much- Focus on library exp.
- Support housing- prefer laurel + focus on belle haven
- Odd space for housing- no disputation of MCC
- Prefer Alma with exception of loss of library on temp basis
 - 100% Belle Haven
- What is overall reason for (N) Library? (Library in 20 years?)
 - Prefer ALMA
 - Housing “stack” as separate structure makes sense
- With (N) library progressing need to accelerate Belle Haven
 - Housing on site is good
- Want to see affordable housing on Civic Center site
- Laurel site does not seem safe—too much here—already housing nearby
- In terms of library—priority on Belle Haven
- Affordable housing is important and should be a part of the city/ mixed use/ part of site
 - Like ALMA site
- Thinking too big/ expand/renovate
 - Look at council chambers
 - Housing on top of parking
- Alma +Housing
 - Excited about (N) Library of 21st Century
 - Belle Haven
- Belle Haven becomes temporary library for (N) library
- Multi function/teen/co-op space
- Where funding coming from and how it is used

Warren’s group

Questions:

- What happens to existing library site in option #2?
- Have you ever considered adding to existing library building vs. tearing it down and re-building in option 1?
- How would housing be managed? Who would be invited to rent the units?
- Does the anticipated temporary impact to child care ops’

- Where is the temporary childcare location?
- What happens to the MCC during construction?
- Cost for a temporary location?

- How else is the Belle Haven branch being modified to accommodate the community needs?
- If affordable housing does not happen as part of this project, is there likely to be a significant increase in West Menlo Park affordable housing in the near future?
- If we choose option 2A, can the old library space be converted into more affordable housing?
- Would the housing funded with public funds like tax credits?
- What is the estimated cost of the entire project or what is the estimated gift?
- Is the intention to identify and clearly lay out the associated impact in any public funding request?
- What decision is the council making? Site, budget, function?
- When is the estimated ground breaking for this?
- Would it make sense to have street-easier access and housing away from the street?
- Where will the money for building affordable housing units come from?
- Where is the SRI water easement + will it prohibit the underground parking?
- What does the city envision on the library site?
- What was Mr. Arrillaga's offer specifically?
- Is it tied to the Burgess center location?
- When do you anticipate breaking ground?
- What Is the rationale behind the option of a new council chamber? What problem are you trying to solve?
- Would the city reconsider providing an area for the Menlo Park Historical Association as they have been in the library during the last 46 years- housing 150 years of irreplaceable Menlo Park records?
- If community room and meeting rooms is the main concern then why the event rooms in gymnasium side are not utilized?
- So the "Community Hall" will replace the council chambers?
- Why do the chambers building have to come down?
- What is the purpose of "library" facilities in 2018? And for the next 30 years?
- What are libraries involving in to?
- What is the overlap of the library and general rec center rooms?
- If the library project is largely needed in order to gain large meeting room and also smaller classrooms, individual spaces, why not leave library as is and re-do city council center to accommodate those needs?
- Could you address current thinking around future re-use of current library site if site 2 is chosen? Would the library be demolished?
- What are estimated for traffic impacts with the sites with housing?
- Project timeline?
- How long does it take from start to finish?
- Impact on MCC timeline 1 year? Temp faculty?
- Can't the new library in Atherton as well as the one in Belle Haven suffice as a temp library?

- Why has the city decided to prioritize re-do or main library ahead of re-do of Belle Haven?
- Can you talk about the contingencies that Mr. Arrillaga put, and the reasons for them?
- Why weren't parents + MCC staff notified about the first site meeting that happened on Dec. 4th it directly impacts us?
- Is there an existing space at Burgess that can hold the temporary separations of the child-care center?
- What is the purpose of the large meeting space being proposed?
- What's the grade separation project?
- If city council chooses grade separation which climates turns onto Alma what impacts on traffic?
- If city has 20 million to match Mr. Arigalla's donation then why expanding/renovation is not a priority but affordable housing is?

Siting Meeting 2 – Group 3 notes – January 17 2018

Note taker – Chris

Participant comments

-Do we need to do this? What is the current use load at the existing site? Can't we leave it here? Why can't we use the City Council Chambers?

-Option 1 is better. Use the money for other City uses.

-Strange to get rid of the existing library. Your library is adequate. Could get by with what we have.

-Stunned by the cost. Understand the benefits, but it is a case of nice to have vs. need to have. Pushing the project because of the Arrillaga donation. Support at best lukewarm.

-People use audiobooks. Why do we need a new library?

-We are thinking of the money, not what the needs are. Consider the childcare and housing issues.

-This is a poor location for housing.

-In favor of housing for cops and firefighters.

-Housing takes away from the overall site.

-Questioning whole reason for a new library and the options presented. Should figure out other uses – why not use other resources more efficiently? We should really try to repurpose other facilities first.

-Strongly in favor of housing.

-What kind of housing would be included?

-When did the idea of housing come into play? (A: during public comment at meetings before Council in July)

-We need a lot more details about traffic flow before they could support

-Moving Childcare would be very disruptive

-Childcare is an important public service

-Who designed the online survey? (A: Godby and Associates). It was very biased.

-Concerned about the MCC program and how it might be affected by the siting. How kids would be dropped off is a big concern. Don't want to lose access to the outside for kids.

Overall strong group preference for the Alma site.

Concern about the survey being biased and unrepresentative of the true feelings of the community

Question the need for a project of this scale.

Do not want disruption of daycare.

Concern about the trees that might be affected

Questions about housing in a public area

Need for affordable housing in general

THIS PAGE INTENTIONALLY LEFT BLANK

Menlo Park Library Rebuilding Project Meeting #3
Menlo Park Main Library
800 Alma Street, Menlo Park, CA
February 15, 2018

Meeting Notes

Meeting Purpose: Community members learn about the proposed main library rebuilding project including the site options and considerations and give feedback/input.

Meeting Agenda:

- Welcome
- Agenda Review and Group Agreements
- Context and Overview of the Menlo Park Library Rebuilding Project
- Presentation on Site Options
- Clarifying Questions
- Community Feedback Input
- Next Steps/Closing Remarks
- Evaluation and Close

Context and Overview of the Menlo Park Library Rebuilding Project: Nick Szegda introduced project staff and gave a brief presentation on the overview of the project including a review of the previous community meetings. Nick also distributed a memorandum entitled Main Library Siting FAQs that addressed many of the questions staff have received about the library rebuilding project. Chris Noll of Noll & Tam Architects gave a presentation on the need for a new library, schematics of the two possible locations and some of the factors/considerations related to the site options.

Following the presentations, community members had the opportunity to ask clarifying questions.

The following questions were asked and answers were provided by Nick and project staff:

Q: Adding housing will be costly; concerned about funding. What are the additional costs for housing construction?

A: It's about the opportunity costs. Housing may push the project out in time and prevent it from moving forward.

Q: Will the child care facility be relocated/rebuilt?

A: No. The City got a lot of push back about impacting the child care facility.

Q: Is there a designated child care facility during reconstruction?

A: There are no plans for a temporary child care center because the impacts are only construction-related.

Q: Will there be a bond measure? Will the public be able to vote?

A: A bond measure is a possibility. Other ways of getting the funding are raising the utility users tax and loans. A bond measure would require a 2/3 vote. The utility users tax can be raised by the City Council to the voter-approved level.

Q: You are gathering input-- will it go to the City Council for final decision?

A: Yes, the City Council will make the decision.

Q: Will library services be improved?

A: We are constantly looking at improving library services. With the current library, there are some basic services that cannot be provided.

Q: Is there a ballpark cost for both sites? What is the difference in cost?

A: There are no ballpark cost estimates yet. The Laurel site is probably more expensive due to parking.

Q: Are we rebuilding the library to compete with other cities? Is there really a need?

A: Based on the needs assessment, the City believes there is a need to rebuild the library.

Q: What are the costs of funding this project.

A: We are not yet at the stage of developing detailed plans for the library and we don't have details about funding.

Q: Why is housing being taken out? Please clarify.

A: The staff recommendation will not include housing because of complications and costs.

City makes final decision. Is community input really being taken seriously? Community input is being skewed. Transparency of what is talked about in the small groups. How can you make decisions without cost information?

Q: What is the vision for front access at potential Alma site?

A: Location of entrance to Alma site would be at the park.

Q: Are there other ways to give input?

A: Yes—contact Nick Szegda.

Several comments were made during the Q&A session:

- The conclusion read out is different than the small group inputs from the last meeting. Need to clarify real view takeaways and conclusions.
- It seems as if all presentation assumes new library is a foregone conclusion vs. polling the public as to whether we think we need one.
- Who/how many present tonight participated in the public needs assessment? For them: how much repurposing brainstorming was done during the needs assessment or was the entire discussion focused on “what would you like if we were to start fresh and build new?”

- How much thought was taken into consideration and for “meeting space” in a library? Would like to see separate meeting space in a different building.

The following additional questions were received but there was not enough time for answers to be provided (some of these questions were received in writing):

- Could we repurpose the City Council chambers today to host the popular children’s story hour?
- Why does the City Council chambers need to be updated? What about it is insufficient?
- Is the current library safe? Concerned about safety of current library building

Community Feedback/Input: Community members broke into groups to provide feedback on the library options via the following two questions:

1. What are your reactions to what you heard, including the direction in which the City is leaning?
2. What site do you prefer and which factors/considerations are most important to you?

Three groups answered the questions and a fourth group asked additional questions of City staff—these are captured in the question section above. Responses from the three input groups are compiled and categorized below. The number of people who expressed a preference for a site is presented by group.

Q1: What are your reactions to what you heard, including the direction in which the City is leaning?

- New Library/Library Improvements
 - Some are resistant to change
 - It is important to modernize the library
 - Would like some sections of the library to be bigger
 - New library sounds amazing. Would be well used.
 - Would like to see flex space in the library
 - Changing nature of libraries; no areas in existing library for separate uses
 - New library should be like community center
 - Make sure that library services keep up with the new library
 - Good--more child story time, more meeting space
 - Community already has many opportunities for life long learning
 - Too many non-library uses added to library
 - Increase services/hours instead of facilities
 - Existing library can be remodeled and expanded; meeting space can be in a separate space/location
 - Can use Council Chamber for meeting, maker space, and library use
 - There should be no after hours construction

- Would love to see childcare center rolled into project. Parents will be concerned about construction impacts. They should get something out of this.
- Library Need/Costs & Funding
 - Concern with size and reason; i.e. donor money as driver of project
 - Question need and cost—need more transparency (2)
 - Concern about using City money--why not put City money toward renovation? Study other uses for what we have
 - Does not support use of money for this project
 - Need to know financial implications for unknown impacts. Need all costs before making decisions. Clarify #s and costs.
 - Too many unknowns on alternatives
 - With Laurel site, want to know cost of future housing so community knows all the factors
 - Not convinced cost of remodel is as high as a new library
 - Use donor \$\$ for renovated Council Chamber
- Housing
 - Affordable housing is needed in Menlo Park
 - Affordable housing is more important. (2)
 - Sad that affordable housing was taken off the table. Would like to consider housing again as phase 2. Concern about displaced people, homelessness.
 - Poor—no housing on site
 - Housing needs/solutions need to be discussed
 - Placement of housing is important
 - Impact on childcare facility
 - Put housing elsewhere--Nealon Park?
 - Keep housing separate from library project
 - Is Burgess Park suitable for housing?
 - Housing over parking on Laurel
- Process Comments
 - More feedback opportunities needed
 - Concerned that vital info from past and present meetings is not being captured and conveyed—reports are being skewed
 - City should do better advertising of meeting
 - Process is not taking into account comments from the community
 - Meeting discussion should focus on the key topic: if building a new library, focus on that.

Q2: What site do you prefer and which factors/considerations are most important to you?

- Preferences in Group 1:
 - Prefer Laurel site for the library; keep Alma site as an option for housing. (4)
 - Prefer library at Alma site if no housing. If housing is an option, prefer library at Laurel site with housing at Alma site (2)
- Preferences in Group 2:
 - Initially, 10 people preferred the Alma site in part because they were concerned about the impact to the childcare center. 2 people abstained.
 - 6 people agreed with the plan and need for a new library. 4 people would like to see further discussion of other possibilities
 - After understanding that the child care center would not be impacted, ultimately the preferences were expressed as 6 people for Alma and 6 people for Laurel.
- Preferences in Group 3:
 - Prefer Laurel (2)
 - Prefer Alma (2)
 - Prefer to see the existing library remodeled (3)
 - Abstained (2)
 - Like wide green space with Laurel
- Factors/considerations:
 - Prefer Laurel: like wide green space
 - Prefer Laurel: like housing and childcare together
 - Prefer Alma: need increased library services and facility. Like one parking level, less disturbance, fewer tree impacts. Alma is familiar site.
 - Prior meeting-Alma site preferred by each group
 - Prefer Alma: more green space, closer to train, keep library alone—no additional uses
 - Do not prefer Laurel site—too much parking needed. Trees impact minimal. Parking potentially more costly.
 - Concerned about Laurel and proximity to child care.
 - Concern with safety of child care next to Laurel site.
 - Concerned with Child care near Laurel and lack of sun at Laurel site.
 - Concern with future housing at Alma and impact for future of child care center
 - Alma-no housing could be built there
 - Laurel site: could result in more greenspace?
 - Laurel site: concerned about traffic on Laurel. Laurel will also be a mess with grade separation project on Alma.

Next Steps:

- Meeting notes will be compiled and made available to the public and participants

- City staff is planning to present its recommendations and input from the community to the City Council in March.



ESCALATION CALCULATIONS

- Estimates by TBD Consultants.

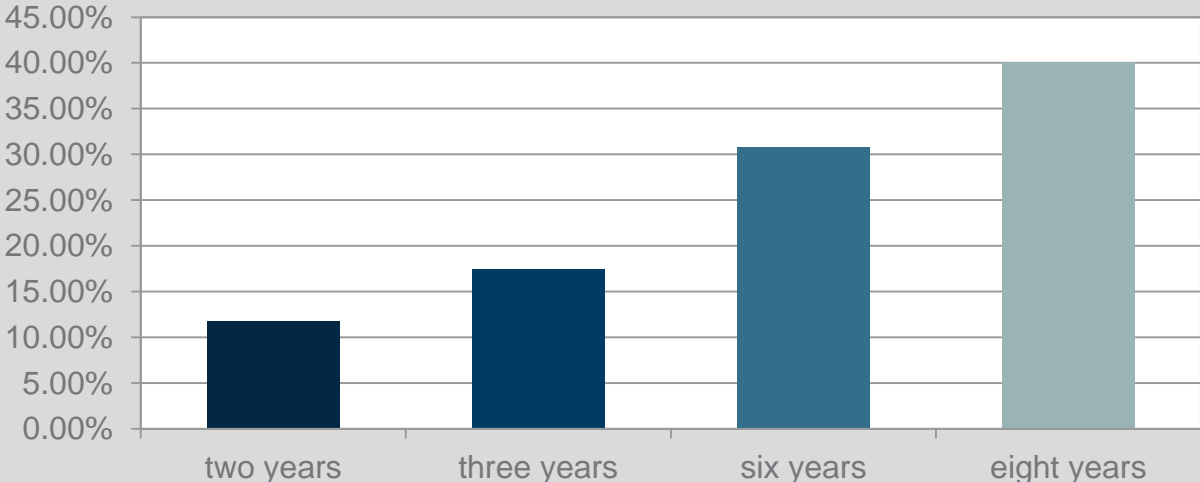
Year	Marginal Inflation Rate	Compounded Inflation Rate
1	6.0%	106.0%
2	5.5%	111.8%
3	4.0%	117.4%
4	3.5%	122.1%
5	3.5%	126.4%
6	3.5%	130.8%
7	3.5%	135.4%
8	3.5% PAGE 558	140.1%

THIS PAGE INTENTIONALLY LEFT BLANK



ESCALATING CONSTRUCTION COSTS

- Delaying construction start from current date results in an escalation of costs of an additional 11.8%, 17.4%, 30.8%, and 40.1% at two, three, six, and eight years



THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council

Meeting Date:

5/22/2018

Staff Report Number:

18-107-CC

Informational Item:

Update on the South Bay Salt Pond Restoration Project – Ravenswood Ponds and construction impacts to Bedwell Bayfront Park

Recommendation

This is an informational item and does not require City Council action.

Policy Issues

The City Council requested information regarding term limits for City Council seats.

Background

The South Bay Salt Pond Restoration Project consists of the restoration and enhancement of 15,100 acres of former salt ponds to wetland habitat, making it the largest tidal restoration project on the West Coast. The project focuses on the restoration of three (3) salt pond complexes, which include Eden Landing in the East Bay, the Alviso pond cluster extending from the City of Mountain View to the City of Fremont, and the Ravenswood pond cluster located in the City of Menlo Park. Acquired in 2003, approximately 9,600 acres of the salt ponds in the Ravenswood and Alviso complexes are owned and operated by the U.S. Fish and Wildlife Service, and the remaining 5,500 acres in the Eden Landing complex are owned and operated by the California Department of Fish and Game.

In 2009, California Department of Fish and Game, U.S. Fish and Wildlife Service, and the State Coastal Conservancy adopted a 50-year, multiphased approach to the restoration plan. The overall goal of the restoration effort includes the conversion of up to 90 percent of the salt ponds to tidal marsh, while retaining 10 percent as managed ponds. Construction of the phase 1 work began in 2008 and was completed in 2016. In the Ravenswood pond cluster, the phase 1 effort included the enhancement of 240 acres of salt ponds (pond SF-2) and the installation of interpretive displays and 0.7 miles of trails near the Dumbarton Bridge.

Planning of the phase 2 project began in 2010. The phase 2 Ravenswood proposal consists of a number of ponds (R3, R4, R5 and S5) that are located east of Bedwell Bayfront Park. The ponds are surrounded by levees, including the All-American Canal, and are bordered by State Route 84 to the south, Ravenswood Slough to the east, and Greco Island and the San Francisco Bay to the north. For the Ravenswood pond cluster, the phase 2 Draft Environmental Impact Statement / Environmental Impact Report issued in July 2015 evaluated four options which include the breaching of existing levees for the conversion of the salt ponds to tidal marsh, varying types of enhancements for habitat, the raising of existing levees to maintain or improve the existing level of flood protection, and the incorporation of trails and interpretive areas for public use. The city provided comments on the phase 2 Draft Environmental Impact Statement / Environmental Impact Report October 29, 2015. In April 2016, the Final Environmental Impact Statement / Environmental Impact Report was issued, which identified the preferred alternative (Attachment A) that consists of the

following:

- Breaching of the outer levee to open pond R4 to tidal flows
- Lowering of a section of the outer levee along pond R4 for spillover during high tides
- Partial removal of the levee between R5/S5
- Raising of the levees along R4 and R3
- Enhancement of ponds R5/S5 to shallow water areas
- Water control structures between ponds R3/S5, R5/R4, S5/Flood Slough, and R3/Ravenswood Slough
- Creation of habitat transition zones in pond R4
- New access from the Bay Trail (from State Route 84 near Chilco Street) to the park along ponds R3 and R4
- Gate and sign at the Bay Trail (from State Route 84 near Chilco Street) and the new access point to the pond complex

The design for the Phase 2 Project is currently underway. The preliminary design drawings will be used to secure the necessary permits for the work (expected to be complete in July 2018). Construction of the project is expected to last over two construction seasons. However, the U.S. Fish and Wildlife Service also has a current need for levee maintenance activities, which will be used to begin the levee work before the construction of the full restoration effort. The intent is for U.S. Fish and Wildlife Service to begin raising the levees as soon as material is available. The levee work is expected to begin this summer, and continue as the restoration work permits are complete.

Analysis

The Phase 2 Project meets the program's objectives by promoting the restoration of native habitat and supporting the diversity of species that depend on it. The alternative also improves public access as it incorporates a new path that would connect to the Bay Trail. However, the restoration effort must include measures that ensure the safety of visitors to the park that minimize the impact to the operations of the park, and that mitigate the traffic concerns. U.S. Fish and Wildlife Service and the State Coastal Conservancy staff are currently working on the necessary requirements to support the project. These include the following:

Public outreach plan

U.S. Fish and Wildlife Service and the State Coastal Conservancy are developing a public outreach plan that outlines the framework for ensuring that the public and interested stakeholders are informed about the project and the construction activities. The outreach measures include signage at the park with the project information, a project website, email blasts and the use of social media. The draft plan was presented to and reviewed by the Parks and Recreation Commission. Also, U.S. Fish and Wildlife Service and the State Coastal Conservancy has reached out to the Friends of Bedwell Bayfront Park group regarding the project.

Construction sequencing

As part of the preferred alternative, the levees between ponds R4/R3 and ponds R4/R5, along the All-American Canal will be raised. This aspect of the project will begin before the commencement of the full restoration effort (scheduled for June 2018) and will occur intermittently over the next two years. Staff is currently working with the U.S. Fish and Wildlife Service and the State Coastal Conservancy to determine the construction timeframe and identify the impact on park services.

Truck traffic and construction access

The restoration effort will require the import of material for the levees and habitat transitions zones that will

be created and is estimated to require a maximum of 25 trucks an hour during intermittent periods over the next two years. The U.S. Fish and Wildlife Service has an access easement to the park, which was acquired from Cargill, Inc. when the ponds were purchased. The easement will be used to route the trucks through the park to access the ponds. The Environmental Impact Statement / Environmental Impact Report notes that the truck traffic associated with the project is expected to cause delays for park visitors. Staff will work with the State Coastal Conservancy and U.S. Fish and Wildlife Service to ensure the safety of pedestrians, bicyclists and vehicles. The following will be evaluated:

Truck routes

Depending on the area of construction, staff will work with California State Coastal Conservancy and U.S. Fish and Wildlife Service to determine the best access routes through the Park. The truck traffic will be monitored and flagmen will be used by the contractor to route the trucks at all times. Truck routes to access the park are Marsh Road and Bayfront Expressway.

Park access

The project will involve the construction of a new water control structure between pond S5 and Flood Slough. The construction will impact the entrance to the park. Staff will work with the State Coastal Conservancy and U.S. Fish and Wildlife Service to mitigate the impact to the road. This may involve building the inlet in sections to maintain access to the park facilities. While closure to the park is not planned at this time, staff will evaluate the duration of the construction activities and the safety conditions to determine whether limited access may be required.

Hours and days of construction

Staff will evaluate the hours and workdays allowed (weekday/weekends) and determine the best approach to expedite the construction activities and minimize traffic impacts. Typical work hours are 8 a.m. to 5 p.m.

Staging areas

The Environmental Impact Statement / Environmental Impact Report indicates that potential staging areas for materials and construction equipment include the parking areas along the park and internal trails. Staff has requested clarification on the areas proposed to be used for staging. The location of the staging areas will be evaluated based on the truck activity required for the unloading and loading of materials and the impact to the access to the park and safety.

Traffic congestion

The truck traffic associated with the project is expected to add delays and create congestion, particularly at the U.S. 101 southbound off-ramp and Marsh Road. The Environmental Impact Statement / Environmental Impact Report notes the modification to the traffic signal in the morning hours as a mitigation measure. Staff will continue to work with U.S. Fish and Wildlife Service and the State Coastal Conservancy to assess the traffic congestion impacts through the construction activities.

Potential for park improvements

The construction of a new water control structure between pond S5 and Flood Slough will impact the access road to the park. As part of the roadway restoration effort, staff will evaluate the opportunity for any roadway improvements that can be made to improve the conditions for the safety of pedestrians and bicyclists.

Staff will continue to coordinate with the State Coastal Conservancy and U.S. Fish and Wildlife Service on the project and ensure that the construction activities do not pose safety concerns and minimize inconvenience to park users to the greatest extent practicable. It is important to note that while the project will create some temporary disruptions to the park, these will be short-term in nature. The benefits to the park, with respect to the restoration of the adjacent ponds and the creation of marsh and wildlife habitat, as

well as the addition of new trails and interpretive features, will be long-term.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

Public Notice

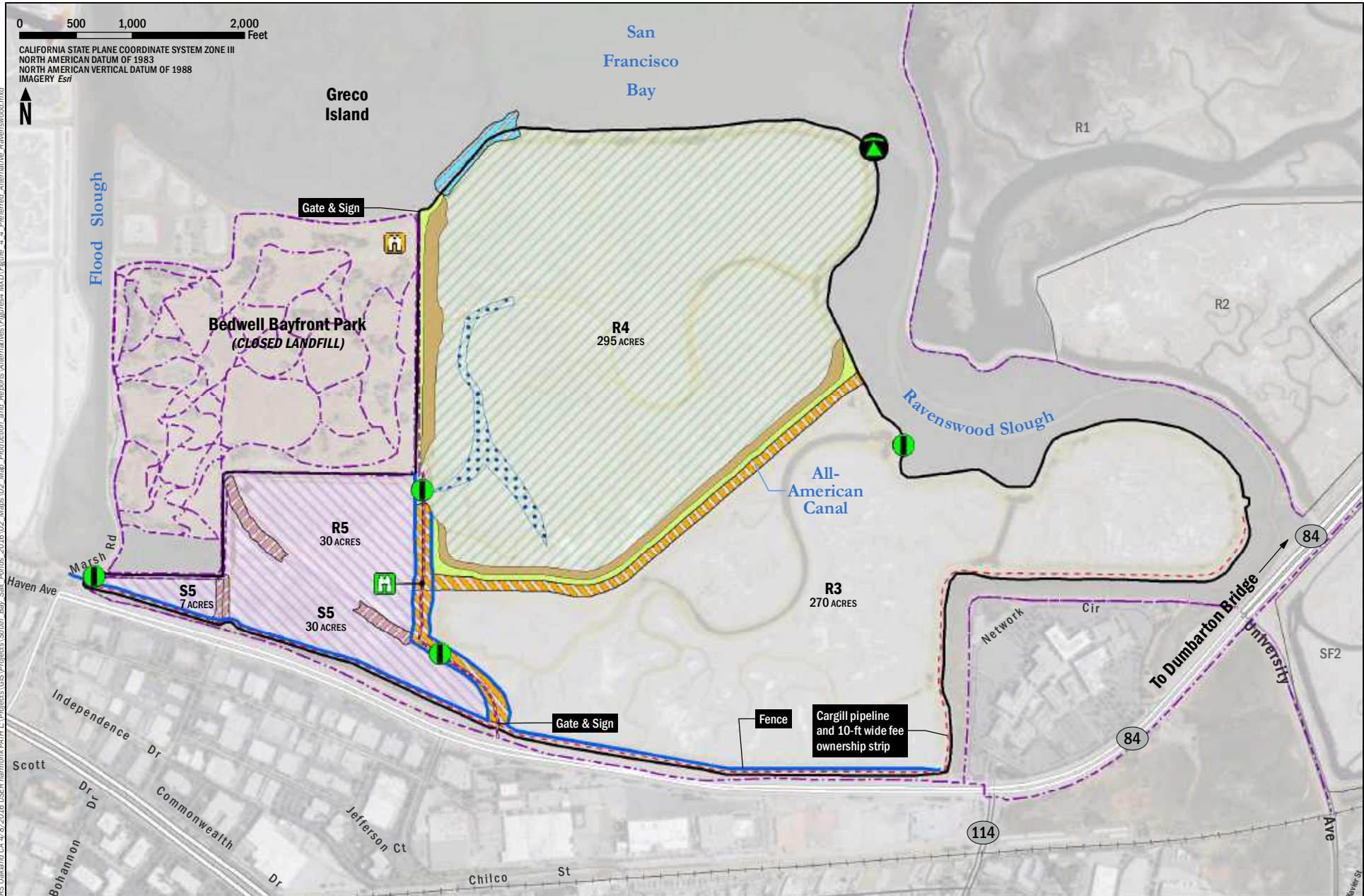
Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. Preferred alternative, Ravenswood ponds, figure

Report prepared by:
Azalea Mitch, City Engineer

Report reviewed by:
Justin Murphy, Public Works Director



LEGEND

Proposed breach	Viewing platform	Railroad	Cargill pipeline	Lowered levee	Pilot channel	Pond boundary	Transition Zone Habitat
Proposed water control structure	Existing viewing platform	Existing trail	Fence	Improved levee	Tidal marsh	High marsh habitat	Intertidal habitat
		Phase 2 trail		Removed levee	Managed pond		

*Pending property rights/easements

THIS PAGE INTENTIONALLY LEFT BLANK