

## Planning & Transportation Commission Staff Report (ID # 6704)

Report Type:	Action Items	Meeting Date: 4/27/2016
Summary Title:	1700 Embarcadero Road (Mercedes)	
Title:	PUBLIC HEARING: Approval of a Site a the existing approximately 18,000 square a new approximately 62,000 square fe dealership. The application includes D requests to allow deviation from th Embarcadero Road and Bayshore Roa apply the Automobile Dealership (AD) a Assessment: An Initial Study and Mitiga prepared. Zoning District: CS (D) Service Review Combining District.	nd Design Review to demolish are feet building and construct eet building for an automobile resign Enhancement Exception the 10 feet build-to-line from d. There is also a request to zoning overlay. Environmental ated Negative Declaration was ce Commercial and Site Design

From: Sheldon Ah Sing, Contract Planner

Lead Department: Planning and Community Environment

## Recommendation

Forward a recommendation to the City Council to:

- 1. Adopt the attached Initial Study/Mitigated Negative Declaration
- 2. Adopt an ordinance adding the Automobile Dealership (AD) combining district to the subject property
- 3. Approve an application for a Site and Design Review for the construction of a new automobile dealership, based on findings and conditions contained in the Attachment A.

## **Executive Summary**

The applicant, Fletcher Jones, representing Mercedes Benz, proposes to demolish the former 17,942 square foot single-story Ming's Restaurant building and construct a three-story 61,510 square foot automobile dealership with roof deck parking and detached car wash facility. The property is within the Site and Design Review (D) combining district and adjacent to the Baylands (within Baylands Master Plan), which requires heightened review due to the sensitive environment.

City of Palo Alto Planning & Community Environment 250 Hamilton Avenue Palo Alto, CA 94301 (650) 329-3221 Site and Design Review is necessary and the applicant also requests a zoning change for the addition of the Automobile Dealership Combining District (AD) because the existing zoning designation does not permit automobile sales. These requests require the PTC to provide a recommendation to the City Council. To implement the project in accordance with the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and circulated on April 22 for 20 days, which also requires a recommendation from the PTC to the City Council.

Following PTC review, the Architectural Review Board (ARB) will review the proposed project and requested Design Enhancement Exception (DEE) to deviate from the "build-to-line" requirement for the Embarcadero Road setback. The ARB's recommendation along with the PTC's recommendation will be forwarded to the City Council for final consideration of the project requests.

#### Background

The site was zoned Planned Community until the Council approved a rezoning of the site to the CS(D) zone in 2009, and later granted a time extension for the development entitlement in 2013 in conjunction with a hotel project. The hotel project entitlement has since expired but new development on the site must now meet the development standards of the CS (D) zoning district.

The subject application was previously presented to the Architectural Review Board.<sup>1</sup> The Board expressed concern about the height of the elevator overrun, the massing of the building, and the integration of the project with the Baylands. Since then, the applicant has eliminated the elevator overrun, modified the landscaping and the color and material scheme to better integrate into the Baylands setting. A photo simulation of the proposed building viewed from the Baylands is included in the packet. The ARB will review these design modifications latter in May.

#### Site Location

The project site (site) consists of a single parcel (2.54 acres/110,642 square feet) located on the southeast corner of Embarcadero Road and East Bayshore Road (see location map, Attachment

https://www.youtube.com/watch?v=Qp1FdZWSoLs&start=3395&width=420&height=315 08/27/15 Meeting Packet: https://www.cityofpaloalto.org/civicax/filebank/documents/48697 11/19/15: Formal Hearing video:

https://www.youtube.com/watch?v=Yhjqvxpb2dQ&start=314&width=420&height=315

11/19/15: Meeting Packet: <u>https://www.cityofpaloalto.org/civicax/filebank/documents/49848</u> 02/18/16: Formal Hearing video:

https://www.youtube.com/watch?v=irlrqB5akW0&start=3979&width=420&height=315 02/18/16: Meeting Packet: https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=51101

<sup>&</sup>lt;sup>1</sup> 05/07/15: Study Session video:

https://www.youtube.com/watch?v=6KAKgKC7Po4&start=108&width=420&height=315 08/27/15: Preliminary Review video:

C). The site is zoned CS(D): Commercial Service (CS) with a Site and Design Review (D) combining district. The site's Comprehensive Plan Land Use designation is Service Commercial. The site is included within the City's Baylands Master Plan (Privately Owned Lands) and the City's Comprehensive Plan identifies the site within the "East Bayshore Employment Center". See Attachment F for photographs of the site and surroundings.

The site is developed with a single-story commercial building with 17,942 square feet (sf) of floor area built in 1968, formerly the Ming's Restaurant. The site also includes a large surface parking lot to serve the restaurant. The site also includes an approximate 80'-0" wide easement to accommodate overhead high voltage electric transmission lines parallel to East Bayshore Road, and a sub-surface storm drain line. Surface improvements such as landscaping, driveways and parking, are allowed within the easement.

#### Comprehensive Plan Designation

#### Service Commercial Designation

The Service Commercial land use designation allows facilities providing citywide and regional services and relying on customers arriving by car. Typical uses include auto services and dealerships, motels, lumberyards, appliance stores, and restaurants, and the designation allows for non-residential floor area ratios up to 0.4:1.

#### East Bayshore Employment District

Palo Alto's four Employment Districts represent a development pattern not found in other parts of the City. The Districts are characterized by large one- and two-story buildings separated by large parking lots and landscaped areas. They are accessed primarily by automobile and are typically self-contained, with limited connections to other parts of the City. Meeting daily needs such as child care, errands, and even eating usually requires a trip by car. As redevelopment occurs, design changes should shift these areas away from complete reliance on automobiles and promote pedestrian and bicycle connections to the rest of the City.

#### Zoning Designation

#### CS Service Commercial

The CS Service Commercial district is intended to create and maintain areas accommodating citywide and regional services that may be inappropriate in neighborhood or pedestrianoriented shopping areas, and which generally require automotive access for customer convenience, servicing of vehicles or equipment, loading or unloading, or parking of commercial service vehicles.

#### Site and Design Review (D) Combining District

The Site and Design Review (D) combining district is intended to provide a process for review and approval of development in environmentally and ecologically sensitive areas, including established community areas which may be sensitive to negative aesthetic factors, excessive noise, increased traffic or other disruptions, in order to assure that use and development will be harmonious with other uses in the general vicinity, will be compatible with environmental and ecological objectives, and will be in accord with the Palo Alto Comprehensive Plan.

#### **Baylands Master Plan**

Stewardship of the Baylands is a high priority for Palo Alto and decisions that affect the Baylands are given much attention. The Master Plan has been updated several times, most recently in 2007, and has evolved to its current state. The site is within the Baylands Master Plan and referred to under the "Private Lands" sub-area. The Baylands Master Plan advocates unification of the Baylands; in addition to the following two policies that are specific to the Privately Owned Lands, activities in this area must also comply with policies stated in the "Overall", "Flood Control", and "Access & Circulation" chapters as well as policies stated for the surrounding areas. The site is visible from the Baylands bicycle/pedestrian trail to the southwest of the site. The two specific policies related to "Private Lands", include:

- 1. Be sure any future development is consistent with the Comprehensive Plan and continues to receive extensive design review utilizing the Site and Design Review Process and the Site Assessment and Design Guidelines Palo Alto Nature Preserve.
- 2. Provide screen planting along the southerly urbanized edge of the property facing the former ITT property.

The subject application is seeking the appropriate entitlements as required by the Baylands Master Plan. The subject property is located near, but not adjacent to the former ITT property.

#### Surrounding Sites

Properties to the north of the site (across Embarcadero Road)—include (Merrill Corporation) offices. To the south (professional offices) and west (across East Bayshore Road—medical offices), the sites are zoned Research, Office and Limited Manufacturing (ROLM) District. Planned Community District (PC-4846) is the Audi automobile dealership to the east; the dealership was recently expanded with the addition of a new showroom. The Audi property owner has expressed interest in developing a multi-story, parking and service building behind the existing building; however, no application has been filed to date.

#### Project Description

The applicant proposes to demolish the existing restaurant building and site improvements and construct a three-story automobile dealership with roof deck parking and detached car wash facility (for automobile service or sales patrons). The building would integrate sales and administrative offices, customer parking, vehicle merchandise storage, and vehicle service/repair areas on multiple floors. On-site improvements would include customer parking, vehicle merchandise display, solid waste/recycling facilities and landscaping. During the course of the project evaluation, notable revisions to the project have included the removal of the "Baylands inspired" landscape theme at the intersection corner, the elimination of the detached freestanding canopy adjacent to the car wash, and the elimination of the elevator access to the roof deck because access would be provided via a vehicular ramp from the third floor.

#### Automobile Dealership Overlay

The applicant proposes to rezone the site to include the Automobile Dealership (AD) overlay. The AD combining district is intended to modify the regulations of the service commercial (CS) and general manufacturing (GM or GM[B]) districts to create and maintain areas accommodating automobile dealerships primarily engaged in new and used automobile sales and service on a citywide and regional basis. Such uses generally require special parking, access, and outdoor display provisions for customer convenience, servicing of vehicles or equipment, loading or unloading, or parking of commercial service vehicles.

The Automobile Dealership combining district allows additional Floor Area Ratio (FAR) exclusively for showroom purposes (0.2:1) for a total FAR of 0.6:1 for the site, where the CS zone allows FAR of only 0.4:1. The inclusion of the AD combining district would be necessary to implement the applicant's proposed project.

#### Floor Area Ratio and Parking

Table 1 includes a summary of the floors, expressed as square footage by use and floor area that counts towards gross floor area (GFA), to calculate the site's Floor Area Ratio (FAR) as set forth in the Palo Alto Municipal Code (PAMC). According to PAMC Section 18.04.030 (65)(B)(i), parking facilities accessory to a permitted or conditionally permitted use are excluded from GFA calculations within the CS zone, which includes covered drive aisles for customer service parking and valet parking as well as some interior space dedicated to customer parking.

Floor	Areas	Square Footage	Total (Square feet)
Ground	Showroom	17,724	
Floor	Offices, Shafts &		
	Car Wash	11,555	29,279
2 <sup>nd</sup> Floor	Showroom, offices & Shafts	7,254	7,254
	Customer parking (service)	Not Applicable	0
3 <sup>rd</sup> Floor	Vehicle Service/Repair &	24,387	24,387
	Shafts		0
	Customer parking	Not Applicable	
Roof	Elevator shafts	589	589
	Customer parking	Not Applicable	0
Total			61,510

## Table 1 Proposed Project Summary

The applicant proposes an overall FAR of 0.56:1 (0.6:1 permitted on sites with an Automobile Dealership combining district [proposing 0.4:1 for the dealership and 0.16:1 for the showroom bonus]). Site coverage proposed is 25.5 percent, whereas within the CS zone, there is no maximum site coverage standard. On the ground level, the project includes a car wash facility, landscaping, a surface parking facility to support 43 customer parking spaces, vehicle display area, and provision of solid waste and recycling enclosures. Additional parking facilities would

be available within the building; however, customers' vehicles would be parked via a valet service. Customer parking spaces are exempted from gross floor area inclusions. New car inventory parking spaces would be provided both on-site and off-site (the details of the inventory parking for off-site have not been finalized).

The PAMC Section 18.52.040 (c) Table 1, state that one (1) automobile space per 400 square feet of sales, service and office administration area, and one (1) such space per 500 square feet of exterior sales or display area, excluding automobile storage (not on display) shall be required for automobile dealerships. In addition, according to PAMC Section 18.52.040 (c) Table 3, requires that Automobile uses between 30,000 and 69,999 square feet require two loading spaces. Table 2 summarizes the parking spaces required and provided for the project, as depicted on the architectural drawings (Attachment I).

Floor	Use	Parking Required	Parking Provided
Site (not located	Outdoor vehicle display	2,551/500 SF = 5	43 spaces
in building)		spaces	
Ground Floor	Showroom, sales and	23,814/400 SF = 60	0
	offices	spaces	
	Car wash	2,027/350 SF = 6	
		spaces	
2 <sup>nd</sup> Floor	Showroom, offices/other	4,606/400 SF = 12	66 spaces
	areas	spaces	
	Customer parking		
3 <sup>rd</sup> Floor	Vehicle service/repair	17,729/350 SF = 51	30 spaces
		spaces	
	Other spaces	2,055/400 = 5 spaces	
Roof	Inventory	0	0
Total		139 spaces	139 spaces

## Table 2 Parking Summary

The buildings would be sited to provide a 46'-8" front setback (Embarcadero Road), a 60'-0" rear setback to the primary building (and five feet for the detached vehicle wash building), a 56'-0" interior side setback, and an 80'-0" street side setback (East Bayshore Road) accommodating the utility easement (to be retained for PG&E lines and tower, and other utilities as noted earlier in this report). The height of the building would not exceed 50'-0" and the elevator equipment within a shaft would not exceed 55'-0".

The project also includes site lighting. The focus of the lighting would be along Bayshore Road and to a lesser extent Embarcadero Road. No rooftop lighting would extend beyond the parapet.

At the corner of the property (Embarcadero Road and Bayshore Road), the applicant proposes simple drought-tolerant landscaping and bicyclist amenities to meet the City's bike parking requirement of one (1) bike parking space per 10 employees. This includes a decomposed granite loop, bicycle repair/air/water station, bollards, and seating benches.

#### <u>Signage</u>

The project includes a combination of freestanding and wall signs situated throughout the site and on the building. The table below summarizes the types of signs, quantities and sign area. Sheet PR00.19 of the project plans illustrates the location of each sign.

Туре	Quantity	SF per sign	Location	
Freestanding	2	21.25	Bayshore and	
			Embarcadero frontages	
Wall "Star logo"	3	38.6	North and West elevations	
Wall "MB of Palo Alto"	2	100	North and West elevations	
Wall "Service"	2	20	West elevation	

Table 3 Sign Summary

Standards for signs are contained within PAMC Chapter 16.20. The proposed freestanding signs are consistent with PAMC Section 16.20.120. Standards for wall signs are contained within PAMC Section 16.20.130. There is no specified limit to the number of wall signs on any one building façade, however, the cumulative area may not exceed the limits prescribed within the Chapter.

Table 4			
Sign Area by Elevation			
Elevation	Sign Area Allowed (SF)	Sign Area Proposed (SF)	
North	158	138.6	
West	203	178.6	

#### Project Design

The project uses a variety of materials such as corrugated metal, metal paneling, smooth stucco and glass. The color scheme includes muted grays with dark trim. A second floor balcony is provided as an outdoor amenity for employees, which includes plantings at the perimeter of the balcony. The perimeter of the site includes trees that provide a visual buffer from the adjacent roadways and properties.

Trees

According to the project's Arborist report (Attachment E), twenty-seven trees (on site and adjacent to property) are proposed for removal because of conflicts with construction of the project or are not suitable for retention because of health. Proposed for planting on site are 44 trees, primarily located along the north (Embarcadero Road) and east property lines. Thirty-six trees are proposed for preservation during construction, most are located along Bayshore Road. Off-site trees along the south property line are to be protected during construction.

## Summary of Land Use Actions and PTC Purview

Based on the project description, the project needs a series of entitlements. In accordance with the recently passed Annual Planning Code update, since some of the entitlements require City Council approval, all final entitlements will be acted on by the City Council, rather than the Planning Director. Below is a summary of the requested entitlements and the process to complete those requests:

- Site and Design Review (PAMC 18.30(G)) and context-based findings (PAMC Section 18.13.060 (b)), which begins with review and recommendation of an environmental document and the development project by the Planning and Transportation Commission (PTC), ARB followed by Council action.
- Major Design Review(with findings set forth in Palo Alto Municipal Code [PAMC] Section 18.76.020) with recommendation by the ARB followed by Council action;
- A Zone Change (PAMC Section 18.90.030) for the addition of the Automobile Dealership Combining (AD) District, to allow the use and the additional FAR and other development standards for automobile dealerships for the site reviewed and recommended by the PTC and final action by Council action; and
- A Design Enhancement Exception (DEE), as set forth in PAMC Section 18.76.050, for the proposed deviation from the "build-to-line" (percentage of building along the front setback) requirement within the CS district; this regulation is currently awaiting modifications pending scheduling before Council, to eliminate the build-to line requirement on CS zoned sites not located on El Camino Real. This ARB will make a recommendation and the Council will take final action.

The PTC has purview over the Site and Design Review and the Zone change. The PTC should also review and comment on the draft MND when making its recommendations to Council.

#### Setbacks

The applicant requests deviation from the "build to" requirement, which would otherwise result in a minimum 10'-0" setback. The applicant proposes a 46'-8" setback along Embarcadero Road and an 80'-0" setback along Bayshore Road.

In summary, the request cites having an undesirable impact of the building mass appearing to encroach on the street; the proposal would provide a more efficient internal circulation; and

while there is adequate fire protection from the street, the proposed internal driveway would allow for better access.

#### **Commission Purview**

#### Site and Design Review

The Site and Design Review process is intended to ensure development in environmentally and ecologically sensitive areas will be harmonious with other uses in the general vicinity, compatible with environmental and ecological objectives, and in accord with the Palo Alto Comprehensive Plan. The project site is located within the Baylands and while the site is designated as "private lands" it is adjacent to and visible from the recreational areas and trail.

The Planning and Transportation Commission's purview is to recommend approval and/or such changes as it may deem necessary to accomplish key objectives are set forth in PAMC 18.30(G).060, 'Action by Commission'. Recommendation of approval or changes to the project should relate to these objectives:

- a) To ensure construction and operation of the use in a manner that will be orderly, harmonious, and compatible with existing or potential uses of adjoining or nearby sites.
- b) To ensure the desirability of investment, or the conduct of business, research, or educational activities, or other authorized occupations, in the same or adjacent areas.
- c) To ensure that sound principles of environmental design and ecological balance shall be observed.
- d) To ensure that the use will be in accord with the Palo Alto Comprehensive Plan.

Draft findings and conditions of approval are provided in Attachment A.

#### **Summary of Key Issues**

#### Aesthetics & Compatibility

A key consideration for development within the Baylands Master Plan area is compatibility with surrounding and ensuring the project is harmonious with the nearby open space areas. The project site is within the "private lands" area of the plan, however, is visible from the Baylands recreation area and trail. Therefore compliance with the applicable policies within the Baylands Master Plan would address this consideration.

#### **Baylands Site Assessment and Design Guidelines**

The Site Assessment and Design Guidelines, Palo Alto Baylands Nature Preserve, developed in 2005, are intended to be used when designing or reviewing projects located in any part of the Baylands—including projects on privately-owned land. Conformance with these Guidelines will help to ensure compatibility with the special aesthetic qualities and environmental conditions unique to the Baylands.

#### **Baylands General Design Principals**

The following design principles are suggested to reflect and preserve the Baylands' unique landscape character and have been used to review this application.

- Use only muted, natural colors. Choose materials and finishes that will weather without degrading: The proposed building would be clad in metal panels and cement plaster system with natural and light grey and "sandy hook grey" (Baylands standard) trim. Glass would be high performance, insulated, low-e glazing.
- Preserve the horizon line with low and horizontal elements: The building would be 50'-0" in height for the parapets and 55'-0" in height for elevator shafts (Within the requirements of the PAMC). The building's mass is articulated, includes fenestration and floors that are horizontally oriented, with the exception of the elevator shaft, which has a vertical orientation.
- *Mount fences, enclosures, and identity signs low to the ground:* The project includes details on wall signs, and freestanding signs that are consistent with the PAMC requirements. Signs located within the elevations of the buildings and freestanding signs are low profile.
- *Reduce the size and mounting heights of regulatory signs:* The project's freestanding signs are consistent with PAMC Section 16.20.120 and are below 5'-0" in height.
- *Design for practicality:* The proposed dealership with a building that includes integrated sales, service and inventory is efficient and innovative.

#### Views from Embarcadero Road Scenic Corridor

The project does provide a 46'-8" setback along Embarcadero Road, which pushes the mass of the building way from Embarcadero Road. Additional screening is formed by existing street trees and new trees to be planted at the interior of the project. Also drawing attention away from the building is the tall PG&E high voltage electric transmission tower located at the intersection corner of the property.

#### Views from Baylands Preserve

Views of the building from the Baylands Nature Preserve would be continue to be interrupted by existing trees and new plantings will also screen the building. The design of the building will meet the design principles outlined in the Baylands. Attachment F includes a photograph from the Baylands Nature Preserve and photo-simulation with proposed building.

#### Tree Protection

An arborist report (Attachment E) describes the condition of each tree in the project area. Each tree is numbered and recommendations are provided for tree's protection during construction, and to ensure its long-term health. A total of 63 trees were surveyed to determine species, size and condition.

There are no Protected Trees onsite. The project includes the removal of twenty-seven trees (due to the trees' condition and location). One of the trees is a street tree and is nearly dead

according to the report. Tree protection fencing will be used for areas where retention of trees is necessary.

#### **Lighting**

Lighting is also a consideration because of the adjacency to the Baylands and typically automobile dealerships use more intense exterior lighting than other uses. As with the adjacent Audi dealership, a condition of approval will ensure that lighting is less intense after 10PM. In addition, the project has designed lighting on the roof deck to be low profile.

#### **Policy Implications**

The proposed project is consistent with the Baylands policies and Comprehensive Plan policies, as set forth in the attached draft findings.

#### **Next Steps**

Upon recommendation by the PTC, the project would be forwarded to the City Council for consideration along with the ARB's recommendation.

#### **Environmental Review**

An Initial Study and draft Mitigated Negative Declaration (MND) have been prepared for the project and the 20 day public review and comment period began on April 22 and ends on May 12.

The PTC is requested to review and comment on the Initial Study/MND and review and adjust, if necessary, the Site and Design Review findings and conditions of approval attached to this report and forward a recommendation to the City Council.

The Mitigated Negative Declaration indicates that with implementation of the project there could be potential significant environmental impacts to Biological resources and Transportation systems.

Regarding biological resources the project may impact sensitive habitats with its site lighting and during construction for nesting birds onsite by the removal of trees. Mitigation measures are proposed to reduce these impacts to less than significant through surveys for nesting birds and avoidance; and reduction of light sources after 10pm.

Regarding transportation, the project may impact the level of service at the Embarcadero/East Bayshore intersection. A mitigation is proposed to reduce this impact to less than significant by reconfiguring the lanes and providing a change in the traffic signal timing. See Attachment H for the Initial Study/Mitigated Negative Declaration.

- Attachment A: 1700 Embarcadero Site & Design Draft Findings and Conditions (DOCX)
- Attachment B: Ordinance (DOCX)
- Attachment C: Project Location Map (PDF)
- Attachment D: MB Palo Alto\_Revised Application Narrative(PDF)
- Attachment E: Skender Construction Amended Arborist Report (PDF)
- Attachment F: Site Photographs (PDF)
- Attachment G: Zoning Compliance (DOCX)
- Attachment H: Draft Initial Study and Mitigated Negative Declaration (PDF)
- Attachment I: Architectural Plans (PDF)

## Site and Design Review Findings

1. The use will be constructed and operated in a manner that will be orderly, harmonious, and compatible with existing or potential uses of adjoining or nearby sites. The project is located within the vicinity of other developed property. The maximum FAR of the surrounding sites is generally 0.4:1, however, automobile dealerships are allowed to have a slightly higher FAR whether through a PC designation or AD combining district designation. The project will have a slightly larger building in part because the zoning allows for it and that the site and building are designed to be an efficient operation. The project is consistent with the Baylands Master Plan Site assessment design guidelines in that the project is designed with muted colors consistent with the Baylands and includes a horizontal design. The site is obscured from view with existing vegetation from the Baylands.

2. The project is consistent with the goal of ensuring the desirability of investment, or the conduct of business, research, or educational activities, or other authorized occupations, in the same or adjacent areas. The project would maintain desirability of investment in the same and adjacent areas, in that the proposed design, size and use of the site are consistent with the existing automobile dealerships and similar to other office and medical office uses in the vicinity. The construction of all improvements would be governed by the regulations of the current Zoning Ordinance, the Uniform Building Code, and other applicable codes to assure safety and a high quality of development.

3. Sound principles of environmental design and ecological balance are observed in the project. The project has been designed to enhance the boundaries of the site and protect off-site trees that provide screening from the Baylands area. Conditions of approval have been incorporated into the project and would be implemented to minimize impacts on biological resources, and protected trees. The design of the building is consistent with the Site Assessment Guidelines for the Baylands.

4. The use will be in accord with the Palo Alto Comprehensive Plan. The project proposal complies with the policies of the Land Use and Community Design element of the Comprehensive Plan, including:

Policy L-5: *Maintain the scale and character of the City. Avoid land uses that are overwhelming and unacceptable due to their size and scale.* The project is an automobile dealership, which is automobile serving use. It is not expected that there be a lot of pedestrian activity associated with the use. As such it is typical to have a building surrounded by parking and vehicle circulation. Landscaping will provide visual screening from the adjacent roadways. The AD combining district allows for more intensity (additional FAR of 0.2:1) over the existing 0.4:1 FAR, so it is expected that the project will be slightly larger than surrounding uses other than the other two automobile dealerships.

Policy L-42: Encourage Employment Districts to develop in a way that encourages transit, pedestrian and bicycle travel and reduces the number of auto trips for daily errands. As proposed, the project exceeds the number of required bicycle parking spaces. The project also proposes a bicycle amenity area catering to those visiting the Baylands area.

Policy L-43: *Provide sidewalks, pedestrian paths, and connections to the citywide bikeway system within Employment Districts.* Pursue opportunities to build sidewalks and paths in renovation and expansion projects. The project proposes a bicycle amenity area that complements the City's bicycle transportation network.

Policy L-46: *Maintain the East Bayshore and San Antonio Road/Bayshore Corridor areas as diverse business and light industrial districts.* The project is an automobile dealership, which is consistent with the Commercial Service types of intensity and uses. The AD combining district allows for further intensification for automobile dealerships.

Policy L-48: *Promote high quality, creative design and site planning that is compatible with surrounding development and public spaces.* The proposed building would be clad in metal panels and cement plaster system with natural grey and "sandy hook grey" (Baylands Standard) trim. Glass would be high performance, insulated, low-e glazing. The proposed dealership with an integrated sales, service and inventory building is efficient and innovative.

Policy L-50: *Encourage high quality signage that is attractive, appropriate for the location and balances visibility needs with aesthetic needs.* The proposed signs are appropriate for the use and scale of the building and site.

## Conditions of Approval.

## **Planning Division**

1. SUBSTANTIAL CONFORMANCE. The plans submitted for a Building Permit shall be in substantial conformance with plans last revised on April 13, 2016, except as modified to incorporate the following conditions of approval and any additional conditions placed on the project by the Planning Commission or City Council.

2. CONDITIONS OF APPROVAL. The following conditions of approval shall be printed on the sheets of the plan set submitted with the Building Permit application.

3. BUILDING MATERIALS AND COLOR SCHEME. The approved building materials and color scheme shall be shown on the building permit drawings for all buildings, structures, and other features.

4. NOISE PRODUCING EQUIPMENT. All noise producing equipment shall be fully enclosed to reduce noise levels and shall not exceed the allowances specified in Section 9.10 Noise of the Palo Alto Municipal Code.

5. PROJECT ARBORIST. The property owner shall retain a certified arborist to ensure the project conforms to all Planning and Urban Forestry conditions related to landscaping/trees, as shown in the approved plan set.

6. TREE PROTECTION FENCING. Tree protection fencing shall be required to protect trees that are to remain during construction.

7. PLANNING FINAL INSPECTION. A Planning Division Final inspection will be required to determine substantial compliance with the approved plans prior to the scheduling of a Building Division final Any revisions during the building process must be approved by Planning, including but not limited to; materials, fenestration and hard surface locations. Contact your Project Planner. 8. LANDSCAPING PLAN. A landscaping plan shall be included with the plans submitted for the building permit. The plan shall include species type, size and quantities to be planted. The irrigation plan shall be included showing any mechanical irrigation systems.

9. LANDSCAPE MAINTENANCE. All landscape material shall be well maintained and replaced if necessary, to the satisfaction of the Urban Forester and Director of Planning.

10. GREEN BUILDING PROGRAM. Upon submittal of an application for a building permit, the project is required to comply with the City's Green Building Ordinance.

11. MITIGATION MEASURE (BIOLOGICAL). BIO-1 Exterior Lighting. All exterior lighting shall be shielded, directed downward, and designed to minimize light spillage beyond the property line. All exterior lighting shall also be reduced to security level lighting between the hours of 10:00 PM and 7:00 AM. Any proposal to change these specifications or hours must be accompanied by biological resources reports, to the satisfaction of the City of Palo Alto.

12. MITIGATION MEASURE (BIOLOGICAL). BIO-2 Nesting Bird Protection. To avoid disturbance of nesting and special-status birds, activities related to the project, including, but not limited to, tree removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (typically February through August in the project region). If construction must begin within the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 3 days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted within the Project Boundary, including a 300foot buffer (500-foot for raptors), on foot, and within inaccessible areas (i.e., private lands) afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in the area. If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

13. MITIGATION MEASURE (TRANSPORTATION). T-1 East Bayshore Road and Embarcadero Road. The project applicant shall construct the following improvements and enter into a reimbursement agreement with the City for payment less their fair share of the improvement costs:

- Revise the eastbound leg on Embarcadero Road to include two left-turn pockets, a through lane, and a shared through/right-turn lane. This improvement shall also include changing the east-west phasing from split phase timing to protected left turn phasing.
- Restripe the northbound approach to have one left turn lane and one shared leftthrough-right lane. This would likely require modifying the median island and relocating the signal equipment on the west leg of the intersection.

14. INDEMNITY: To the extent permitted by law, the Applicant shall indemnify and hold harmless the City, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City for its actual attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.

15. IMPACT FEES. Prior to issuance of a building permit, a payment of Development Impact Fees shall be made.

16. NINETY (90)-DAY PROTEST PERIOD: California Government Code Section 66020 provides that a project applicant who desires to protest the fees, dedications, reservations, or other exactions imposed on a development project must initiate the protest at the time the development project is approved or conditionally approved or within ninety (90) days after the date that fees, dedications, reservations or exactions are imposed on the Project. Additionally, procedural requirements for protesting these development fees, dedications, reservations and exactions are set forth in Government Code Section 66020. IF YOU FAIL TO INITIATE A PROTEST WITHIN THE 90-DAY PERIOD OR FOLLOW THE PROTEST PROCEDURES DESCRIBED IN GOVERNMENT CODE SECTION 66020, YOU WILL BE BARRED FROM CHALLENGING THE VALIDITY OR REASONABLENESS OF THE FEES, DEDICATIONS, RESERVATIONS, AND EXACTIONS.

If these requirements constitute fees, **taxes**, **assessments**, dedications, reservations, or other exactions as specified in Government Code Sections 66020(a) **or 66021**, this is to provide notification that, as of the date of this notice, the 90-day period has begun in which you may protest these requirements.

## **Public Works Engineering**

17. As discussed with the project Civil Engineer, two direct connections to the City's storm drain line are acceptable. Revise the plans to eliminate connection 796. Also provide manholes at all the bends (796, 813, 797)

18. As describe on the response letter this project will require approximately 4 months of dewatering. See attached Notice to Owners/Applicants planning to Dewater and Construction basements in Palo Alto. Please review this letter, City Council adopted these requirements on February 1, 2016, there will be additional dewatering requirements for the applicants to submit with the Building Permit application. Applicant shall be ready to submit the dewatering plan with all of the items on this letter addressed.

19. C3 REQUIREMENTS: As of January 1, 2016, projects still under the Planning Entitlements phase are required to provide the third party certification prior to Planning entitlement approval. Once the proposed bio-retention areas are revised to be outside of the easement and not over the City's storm drain line. Provide the stamped and signed C3 certification data forms and plans.

20. EXISTING EASEMENTS: Provide a copy of the approvals from entities who benefit from the-onsite easements to verify that the work within these easement would be permitted.

21. Provide the following note on the Site Plan and Structural plans to indicate, "The proposed project is a Substantial Improvement and shall comply with Palo Alto Municipal Code Chapter 16.52 Flood Hazard Regulations and FEMA's requirements."

22. FLOOD ZONE: Add a note on the plans shall indicate that the Assessor's Parcel 008-03-065 is located within FEMA's Special Flood Hazard Area Zone AE where the base flood

elevation (BFE) was determined to be 10.5 as shown on the FIRM Panel Number 06085C0030H dated May 18, 2009.

23. FLOOD ZONE CONSTRUCTION MATERIALS AND METHODS: Add a note on the Structural, Architectural and Mechanical plans to indicate that all new construction and substantial improved structures shall be constructed with flood-resistant materials and utility equipment shall be resistant to flood damage as specified in FEMA's technical bulletins and Palo Alto Municipal Code Section 16.52.130. b

24. FLOOD ZONE CERTIFICATION: An Elevation Certification shall be provided for all structure(s) and shall be prepared by a registered professional engineer or surveyor, and verified by a community official to be properly elevated. Such certification and verification shall be provided to the floodplain administrator based on PAMC section 16.52.130, and shall be prepared at 3 stages of construction: with the construction documents, during construction, and prior to building permit final. The elevation certificate prepared based on the existing structure and the proposed construction, shall be scanned and attached with the building permit construction documents. Certificates shall be prepared on the NAVD

25. The "Survey Requirements for Construction in the Special Flood Hazard Area" shall be added to the plan set. A pdf copy of the documents titled *Plan Insert for Elevation Certification Requirements)* is available on the City's website <a href="http://www.cityofpaloalto.org/gov/depts/pwd/forms\_and\_permits.asp">http://www.cityofpaloalto.org/gov/depts/pwd/forms\_and\_permits.asp</a> under Flood Zone Issues.

26. FLOOD ZONE VENTS: All new construction and substantially improved structures, with fully enclosed areas below the lowest floor are useable solely for the parking of vehicles, building access or storage, and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. This requirement shall comply with the guidelines set on FEMA's technical bulletins, including but not limited to TB1-08, TB6-93 and TB7-93. See PAMC 16.52.130.c.3 for minimum criteria. Plot and label the vent openings on the structural details. There must be at least two openings for each enclosed area with 1 sq in of opening for each 1 sq ft of enclosed area. These openings must be placed no more than 12 inches above lowest adjacent grade. Provide on the drawings the following:

- a. a schedule showing the areas enclosed;
- b. the area of each opening;
- c. the number of openings required;
- d. a detail showing the location of the vent relative to adjacent grade;
- e. and the location of the openings on the foundation plan.

These should also be incorporated into the <u>structural drawings</u>, since flood openings in the foundation affect the structural engineer's design. Guidelines for flood openings can be found in FEMA Technical Bulletin 1-08, "Openings in Foundation Walls."

27. DEMOLITION PLAN: Place the following note adjacent to an affected tree on the Site Plan and Demolition Plan: "Excavation activities associated with the proposed scope of work shall occur no closer than 10-feet from the existing street tree, or as approved by the Urban Forestry Division contact 650-496-5953. Any changes shall be approved by the same".

28. GRADING PERMIT: The site plan must include a table that shows the earthwork (cut and fill) volumes. If the total is more than 100 cubic yards, a grading permit will be

required. An application and plans including Rough Grading and Shoring Plans are submitted to Public Works separately from the building permit plan set. The application and guidelines are available on our Public Works website. http://www.cityofpaloalto.org/gov/depts/pwd/forms\_and\_permits.asp

29. ROUGH GRADING: provide a Rough Grading Plan for the work proposed as part of the Grading and Excavation Permit application. The Rough Grading Plans shall including the following: pad elevation, elevator pit elevation, ground monitoring wells, limits of over excavation, stockpile area of material, overall earthwork volumes (cut and fill), temporary shoring for any existing facilities, ramps for access, crane locations (if any), tree protection measures, etc.

30. LOGISTICS PLAN: The applicant and contractor shall prepare a construction logistics plan for the work associated with the Excavation and Grading permit. Plan shall be submitted to Public Works Engineering and shall address all impacts to the City's right-of-way, including, but not limited to: pedestrian control, traffic control, truck routes, material deliveries, contractor's parking, on-site staging and storage areas, concrete pours, crane lifts, work hours, noise control, dust control, storm water pollution prevention, contractor's contact. The plan shall be prepared and submitted along the Grading and Excavation Permit. It shall include notes as indicated on the approved Truck Route Map for construction traffic to and from the site. Plan shall also indicate if the bus stop will need to be relocated.

31. SHORING PLAN: Provide a shoring plan for the existing utilities (if needed), to clearly indicate how the new structures will be constructed while protecting the existing utilities. If tiebacks are proposed they shall not extend onto adjacent private property, existing easements or into the City's right-of-way without having first obtained written permission from the private property owners and/or an encroachment permit from Public Works. Plot and label the tree protection measures on the shoring plans.

32. GEOTECHNICAL REPORT: Shall clearly identify the highest projected groundwater level to be encountered will be \_\_\_\_\_ feet below existing grade.

DEWATERING: Basement excavation may require dewatering during 33. construction. Public Works only allows groundwater drawdown well dewatering. Open pit groundwater dewatering is not allowed. Dewatering is only allowed from April through October due to inadequate capacity in our storm drain system. The geotechnical report for this site must list the highest anticipated groundwater level. We recommend that a piezometer be installed in the soil boring. The contractor shall determine the depth to groundwater immediately prior to excavation by using a piezometer or by drilling an exploratory hole if the deepest excavation will be within 3 feet of the highest anticipated groundwater level. If groundwater is found within 2 feet of the deepest excavation, a drawdown well dewatering system must be used, or alternatively, the contractor can excavate for the basement and hope not to hit groundwater, but if he does, he must immediately stop all work and install a drawdown well system before he continues to excavate. Based on the determined groundwater depth and season the contractor may be required to dewater the site or stop all grading and excavation work. In addition Public Works may require that all groundwater be tested for contaminants prior to initial discharge and at intervals during dewatering. If testing is required, the contractor must retain an independent testing firm to test the discharge water for contaminants Public Works specifies and submit the results to Public Works.

Public Works reviews and approves dewatering plans as part of a Street Work Permit. The applicant can include a dewatering plan in the building permit plan set in order to obtain approval of the plan during the building permit review, but the contractor will still be required to obtain a street work

permit prior to dewatering. Alternatively, the applicant must include the above dewatering requirements in a note on the site plan. The street work permit to dewater must be obtained in <u>June</u> to allow ample to time to dewater and complete the dewatering phase by October 31<sup>st</sup>. Please note that due to proximity to the bay this site may need to obtain the dewatering permit and commence dewatering in July to meet the October 31<sup>st</sup> deadline. Public Works has a sample dewatering plan sheet and dewatering guidelines available on our website. <u>http://www.cityofpaloalto.org/gov/depts/pwd/forms\_and\_permits.asp</u>

34. WATER FILLING STATION: Due to the California drought, applicant shall install a water station for the non-potable reuse of the dewatering water. This water station shall be constructed within private property, next to the right-of-way, (typically, behind the sidewalk). The station shall be accessible 24 hours a day for the filling of water carrying vehicles (i.e. street sweepers, etc.). The water station may also be used for onsite dust control. Before a discharge permit can be issued, the water supply station shall be installed, ready for operational and inspected by Public Works. The groundwater will also need to be tested for contaminants and chemical properties for the non-potable use. The discharge permit cannot be issued until the test results are received. Additional information regarding the station will be made available on the City's website under Public Works.

35. GROUNDWATER USE PLAN: A Groundwater Use Plan (GWUP) shall be submitted for review for any project which requires dewatering. The GWUP, a narrative that shall be included in or accompany the Dewatering Plan, must demonstrate the highest beneficial use practicable of the pumped groundwater. The GWUP shall also state that all onsite, non-potable water needs such as dust control shall be met by using the pumped groundwater. Delays in submitting the GWUP can result in delays in the issuance of your discharge permit as Public Works requires sufficient review time which shall be expected by the applicant.

36. See attached Notice to Owners/Applicants planning to Dewater and Construction basements in Palo Alto. Please review this letter, City Council adopted these requirements on February 1, 2016, there will be additional dewatering requirements for the applicants to submit with the Building Permit application.

37. GRADING AND DRAINAGE PLAN: The plan set must include a grading & drainage plan prepared by a licensed professional that includes existing and proposed spot elevations, earthwork volumes, finished floor elevations, pad elevation, area drain and bubbler locations, drainage flow arrows to demonstrate proper drainage of the site. See Palo Alto Municipal Code Section 16.28 and *Grading & Drainage Guidelines for Residential Development* form for guidelines. http://www.cityofpaloalto.org/civicax/filebank/documents/2717

38. The Grading and Drainage Plan sheet GR03.00 is difficult to read, please use another CTB file when printing or modify the pen light weights to make this sheet more legible. As described on previous comment letter, it's difficult to determine if any retaining wall are required along the project perimeter or to calculate the drive aisle slopes needed to raise the structure above the BFE. Note that the proposed parking slopes may exceed the allowed slope.

39. As shown on the plans applicant shall relocate the City's existing 21-inch RCP storm drain line away for the proposed building foundations. The conceptual utility plan is to place a new 21-inch storm drain line in the drive aisle. The proposed storm drain line shall be design to drain by gravity and shall include manholes at the bends. The site drainage shall not be directly connected to the City's line. No building structures shall be located over the new storm drain line and City easements. As part of the building permit application, applicant shall submit a schedule that includes the storm drain line replacement.

Prior to building permit final, applicant shall record a new easement for the new storm drain line. The portion of the City's existing line that is near the new building foundation shall be removed completely.

40. UTILITES AND BIO-RETENTION AREAS: Due to maintenance and inspection requirements associated with the bioretention areas, utilities that are not associated with the bio-retention design, shall not be installed within the bio-retention areas. It's not clear if there are any existing or proposed utilities within the bio-rentention areas. Plot and label any existing lines to determine if these lines should be relocated or relocate the treatment areas if necessary. Identify any lines to be relocated.

STORM WATER TREATMENT: This project shall comply with the storm 41. water regulations contained in provision C.3 of the NPDES municipal storm water discharge permit issued by the San Francisco Bay Regional Water Quality Control Board (and incorporated into Palo Alto Municipal Code Chapter 16.11). These regulations apply to land development projects that create or replace 10,000 square feet or more of impervious surface, and restaurants, retail gasoline outlets, auto service facilities, and uncovered parking lots that create and/or replace 5,000 square feet or more of impervious surface. In order to address the potential permanent impacts of the project on storm water quality, the applicant shall incorporate into the project a set of permanent site design measures, source controls, and treatment controls that serve to protect storm water quality, subject to the approval of the Public Works Department. The applicant shall identify, size, design and incorporate permanent storm water pollution prevention measures (preferably landscape-based treatment controls such as bioswales, filter strips, and permeable pavement rather than mechanical devices that require long-term maintenance) to treat the runoff from a "water quality storm" specified in PAMC Chapter 16.11 prior to discharge to the municipal storm drain system. Effective February 10, 2011, regulated projects, must contract with a qualified third-party reviewer during the building permit review process to certify that the proposed permanent storm water pollution prevention measures comply with the requirements of Palo Alto Municipal Code Chapter 16.11. The certification form, 2 copies of approved storm water treatment plan, and a description of Maintenance Task and Schedule must be received by the City from the third-party reviewer prior to approval of the building permit by the Public Works department. Within 45 days of the installation of the required storm water treatment measures and prior to the issuance of an occupancy permit for the building, thirdparty reviewer shall also submit to the City a certification for approval

If pumps are required, plot and label where the pumps will be located, storm water runoff from pumped system shall daylight onto onsite landscaped areas and be allowed to infiltrate and flow by gravity to the public storm drain line. Storm water runoff that is pumped shall not be directly piped into the public storm drain line.

42. Bioretention swales shall be designed to use the full swale length for treatment, place the bubbler (outlet) and catch basin (inlet) at the ends of the swale.

43. Applicant shall be aware that the project may trigger water line and meter upgrades or relocation, if upgrades or relocation are required, the building permit plan set shall plot and label utility changes. If a backflow preventer is required, it shall be located within private property and plotted on the plans. Similarly if a transformer upgrade or a grease interceptor is required it shall also be located within the private property. Plot and label these on the Utility plan.

44. The following note shall be shown on the plans adjacent to the area on the *Site* 

Plan:

"Any construction within the city right-of-way must have an approved *Permit for Construction in the Public Street* prior to commencement of this work. THE PERFORMANCE OF THIS WORK IS NOT AUTHORIZED BY THE BUILDING PERMIT ISSUANCE BUT SHOWN ON THE BUILDING PERMIT FOR INFORMATION ONLY."

45. SIDEWALK, CURB & GUTTER: As part of this project, the applicant shall replace those portions of the existing sidewalks, curbs, gutters or driveway approaches in the public right-of-way along the frontage(s) of the property. Contact Public Works' inspector at 650-496-6929 to arrange a site visit so that the inspector can discuss the extent of replacement work along the public road. The site plan submitted with the building permit plan set must show the extent of the replacement work. At minimum the curb and gutter and sidewalk along the project frontage shall be shown to be replaced.

46. PAVEMENT: East Bayshore is scheduled to be resurfaced in 2015. Any cutting into the pavement will trigger additional pavement requirements. Add the following note to the Site Plan adjacent to the public right-of-way: "Applicant and contractor will be responsible for resurfacing portions of Embarcadero Road and East Bayshore based the roadway surface condition after project completion and limits of trench work. At a minimum pavement resurfacing of the full width of the street along the project frontage may be required." Plot and label the area to be resurfaced as hatched on the site plan.

47. Provide the following note on the Site Plan and Grading and Drainage Plan: "Contractor shall not stage, store, or stockpile any material or equipment within the public road rightof-way." Construction phasing shall be coordinate to keep materials and equipment onsite or within private property.

48. IMPERVIOUS SURFACE AREA: The project will be creating or replacing 500 square feet or more of impervious surface. Accordingly, the applicant shall provide calculations of the existing and proposed impervious surface areas with the building permit application. The *Impervious Area Worksheet for Land Developments* form and instructions are available at the Development Center or on our website. To determine the impervious surface area that is being disturbed, provide the quantity on the site plan.

49. STORMWATER POLLUTION PREVENTION – The plan set shall include the "Pollution Prevention – It's Part of the Plan" An electronic copy of this plan is available on the City's website. <u>http://www.cityofpaloalto.org/civicax/filebank/documents/2732</u>

## PRIOR TO BUILDING PERMIT FINAL

50. STORM DRAIN EASEMENT: The new easement shall be recorded and the existing easement shall be abandoned.

51. STORMWATER MAINTENANCE AGREEMENT: The applicant shall designate a party to maintain the control measures for the life of the improvements and must enter into a maintenance agreement with the City to guarantee the ongoing maintenance of the permanent C.3 storm water discharge compliance measures. The maintenance agreement shall be executed prior to the first building occupancy sign-off. The City will inspect the treatment measures yearly and charge

an inspection fee. There is currently a \$381 (FY 2015) C.3 plan check fee that will be collected upon submittal for a grading or building permit.

#### **Utilities Electrical Engineering**

52. Industrial and large commercial customers must allow sufficient lead-time for Electric Utility Engineering and Operations (typically 8-12 weeks after advance engineering fees have been paid) to design and construct the electric service requested.

53. A completed Utility Service Application and a full set of plans must be included with all applications involving electrical work. The Application must be included with the preliminary submittal.

54. The applicant shall submit a request to disconnect all existing utility services and/or meters including a signed affidavit of vacancy, on the form provided by the Building Inspection Division. Utilities will be disconnected or removed within 10 working days after receipt of request. The demolition permit will be issued after all utility services and/or meters have been disconnected and removed.

55. All utility meters, lines, transformers, backflow preventers, and any other required equipment shall be shown on the landscape and irrigation plans and shall show that no conflict will occur between the utilities and landscape materials. In addition, all aboveground equipment shall be screened in a manner that is consistent with the building design and setback requirements.

56. Contractors and developers shall obtain permit from the Department of Public Works before digging in the street right-of-way. This includes sidewalks, driveways and planter strips.

57. At least 48 hours prior to starting any excavation, the customer must call Underground Service Alert (USA) at 1-800-227-2600 to have existing underground utilities located and marked. The areas to be checked for underground facility marking shall be delineated with white paint. All USA markings shall be removed by the customer or contractor when construction is complete.

58. The customer is responsible for installing all on-site substructures (conduits, boxes and pads) required for the electric service. No more than 270 degrees of bends are allowed in a secondary conduit run. All conduits must be sized according to California Electric Code requirements and no 1/2 – inch size conduits are permitted. All off-site substructure work will be constructed by the City at the customer's expense. Where mutually agreed upon by the City and the Applicant, all or part of the off-site substructure work may be constructed by the Applicant.

59. All primary electric conduits shall be concrete encased with the top of the encasement at the depth of 30 inches. No more than 180 degrees of bends are allowed in a primary conduit run. Conduit runs over 500 feet in length require additional pull boxes.

60. All new underground conduits and substructures shall be installed per City standards and shall be inspected by the Electrical Underground Inspector before backfilling.

61. For services larger than 1600 amps, a transition cabinet as the interconnection point between the utility's padmount transformer and the customer's main switchgear may be required.

See City of Palo Alto Utilities Standard Drawing SR-XF-E-1020. The cabinet design drawings must be submitted to the Electric Utility Engineering Division for review and approval.

62. For underground services, no more than four (4) 750 MCM conductors per phase can be connected to the transformer secondary terminals; otherwise, bus duct or x-flex cable must be used for connections to padmount transformers. If customer installs a bus duct directly between the transformer secondary terminals and the main switchgear, the installation of a transition cabinet will not be required.

63. The customer is responsible for installing all underground electric service conductors, bus duct, transition cabinets, and other required equipment. The installation shall meet the California Electric Code and the City Standards.

64. Meter and switchboard requirements shall be in accordance with Electric Utility Service Equipment Requirements Committee (EUSERC) drawings accepted by Utility and CPA standards for meter installations.

65. Shop/factory drawings for switchboards (400A and greater) and associated hardware must be submitted for review and approval prior to installing the switchgear to:

Ibrahim Peek Assistant Electrical Engineer Utilities Engineering (Electrical) 1007 Elwell Court Palo Alto, CA 94303

66. For 400A switchboards only, catalog cut sheets may be substituted in place of factory drawings.

67. All new underground electric services shall be inspected and approved by both the Building Inspection Division and the Electrical Underground Inspector before energizing.

68. The customer shall provide as-built drawings showing the location of all switchboards, conduits (number and size), conductors (number and size), splice boxes, vaults and switch/transformer pads.

69. The follow must be completed before Utilities will make the connection to the utility system and energize the service:

• All fees must be paid.

• All required inspections have been completed and approved by both the Building Inspection Division and the Electrical Underground Inspector.

- All Special Facilities contracts or other agreements need to be signed by the City and applicant.
- Easement documents must be completed.

## <u>Urban Forestry</u>

#### **DISCRETIONARY CONDITIONS**

70. Reserved.

## PRIOR TO DEMOLITION, BUILDING OR GRADING PERMIT ISSUANCE

## 71. BUILDING PERMIT SUBMITTAL- PROJECT ARBORIST

CERTIFICATION LETTER. Prior to submittal for staff review, attach a <u>Project Arborist Certification</u> <u>Letter</u> that he/she has; (a) reviewed the entire building permit plan set submittal and, (b)\* verified all his/her updated TPR mitigation measures and changes <u>are incorporated in the plan</u> set, (c) affirm that ongoing Contractor/Project Arborist site monitoring inspections and reporting have been <u>arranged with</u> <u>the contractor or owner</u> (see Sheet T-1) and, (d) understands that design revisions (site or plan changes) within a TPZ will be routed to Project Arborist/Contractor for review <u>prior to approval</u> from City.

\* (b above) other information. The <u>Building Permit submittal set shall be accompanied</u> by the project site arborist's certification letter that the plans have incorporated said design changes and are consistent with City Tree Technical Manual Standards, Regulations and information:

- a. Provide a project arborist's <u>Updated Tree Protection Report</u> (TPR) <u>with building permit</u> <u>level mitigation measures</u>, (e.g., resolve grading proximity issues with Public tree #2 and neighbor trees #3 and 5; exact TPZ scaled in feet). Provide plan revision directions to minimize root cutting conflicts that are obvious in the civil, basement, sidewalk improvement sheets. See TPR below.
- b. Palo Alto <u>Tree Technical Manual</u> Construction Standards, Section 2.00 and PAMC 8.10.080.

72. PLAN SET REQUIREMENTS. The final Plans submitted for building permit shall include the following information and notes on relevant plan sheets:

- a. SHEET T-1, BUILDING PERMIT. The building permit plan set will include the City's fullsized, Sheet T-1 (Tree Protection-it's Part of the Plan!), available on the Development Center website at <a href="http://www.cityofpaloalto.org/civicax/filebank/documents/31783">http://www.cityofpaloalto.org/civicax/filebank/documents/31783</a>. The Applicant shall complete and sign the Tree Disclosure Statement and recognize the Project Arborist Tree Activity Inspection Schedule. Monthly reporting to Urban Forestry/Contractor is mandatory. (Insp. #1: applies to all projects; with tree preservation report: Insp. #1-7 applies)
- b. The Tree Preservation Report (TPR). All sheets of the Applicant's construction level TPR approved by the City for full implementation by Contractor, Arbor Resources final report shall be printed on numbered Sheet T-1 (T-2, T-3, etc) and added to the sheet index.
- c. Plans to show protective tree fencing. The Plan Set (esp. site, demolition, grading & drainage, foundation, irrigation, tree disposition, utility sheets, etc.) must delineate/show the correct configuration of Type I, Type II or Type III fencing around each Regulated Tree, using a bold dashed line enclosing the Tree Protection Zone (Standard Dwg. #605, Sheet T-1; City Tree Technical Manual, Section 6.35-Site Plans); or by using the Project Arborist's unique diagram for each Tree Protection Zone enclosure.

73. SITE PLAN REQUIREMENTS: In addition to showing TPZ fencing, add the following Notes on the specified Plan Sheets.

- a. <u>Note #1</u>. Apply to the site plan stating, "All tree protection and inspection schedule measures, design recommendations, watering and construction scheduling shall be implemented in full by owner and contractor, as stated on Sheet T-1, in the Tree Protection Report and the approved plans".
- b. <u>Note #2</u>. All civil plans, grading plans, irrigation plans, site plans and utility plans and relevant sheets shall add a note applying to the trees to be protected, including neighboring trees stating: "*Regulated Tree--before working in this area contact the Project Site Arborist at 650-321-0202";*
- c. <u>Note #3.</u> Utility (sanitary sewer/gas/water/backflow/electric/storm drain) plan sheets shall include the following note: "Utility trenching shall not occur within the TPZ of the protected tree. Contractor shall be responsible for ensuring that no trenching occurs within the TPZ of the protected tree by contractors, City crews or final landscape workers. See sheet T-1 for instructions."
- d. <u>Note #4.</u> "Basement or foundation plan. Soils Report and Excavation for basement construction within the TPZ of a protected tree shall specify a vertical cut (stitch piers may be necessary) in order to avoid over-excavating into the tree root zone. Any variance from this procedure requires Urban Forestry approval, please call (650) 496-5953."
- e. <u>Note #5.</u> "Pruning Restrictions. No pruning or clearance cutting of branches is permitted on City trees. Contractor shall obtain a Public Tree Permit from Urban Forestry (650-496-5953) for any work on Public Trees"

74. TREE REMOVAL—PROTECTED & RIGHT-OF-WAY TREES. Existing trees (Publicly-owned or Protected) to be removed, as shown accurately located on all site plans, require approval by the <u>Urban Forestry Tree Care Permit</u> prior to issuance of any building, demolition or grading permit. Must also be referenced in the required Street Work Permit from Public Works Engineering.

- a. <u>Add plan note</u> for each tree to be removed, "Tree Removal. Contractor shall obtain a completed Urban Forestry Tree Care Permit # \_\_\_\_\_ (contractor to complete) separate from the Building or Street Work Permit. Permit notice hanger and conditions apply. Contact (650-496-5953)."
- b. Copy the approval. The completed Tree Care Permit shall be printed on Sheet T-2, or specific approval communication from staff clearly copied directly on the relevant plan sheet. The same Form is used for public or private Protected tree removal requests available from the Urban Forestry webpage: http://www.cityofpaloalto.org/gov/depts/pwd/trees/default.asp

75. NEW RIGHT-OF-WAY TREES--PLAN REQUIREMENTS. New trees shall be shown on all relevant plans: site, utility, irrigation, landscape, etc. in a location 10' clear radius from any (new or existing) underground utility or curb cut (see Note #4 above).

- a. Add note on the Planting Plan that states, "Tree Planting. Prior to in-ground installation, Urban Forestry inspection/approval is required for tree stock, planting conditions and irrigation adequacy. Contact (650-496-5953)."
- b. Landscape Plans shall state the Urban Forestry approved species, size and include relevant Standard Planting Dwg. #603, #603a or #604 (reference which), and shall note the tree pit dug at least twice the diameter of the root ball.

- c. Landscape plan shall include planting preparation details for trees specifying digging the soil to at least 30-inches deep, backfilled with a quality topsoil and dressing with 2-inches of wood or bark mulch on top of the root ball keeping clear of the trunk by 1-inch.
- d. Add note on the Planting & Irrigation Plan that states, "Irrigation and tree planting in the right-of-way requires a street work permit per CPA Public Works standards."
- e. Automatic irrigation shall be provided for each tree. Standard Dwg. #513 shall be included on the irrigation plans and show two bubbler heads mounted on flexible tubing placed at the edge of the root ball. Bubblers mounted inside an aeration tube are prohibited. The tree irrigation system shall be connected to a separate valve from other shrubbery and ground cover, pursuant to the City's Landscape Water Efficiency Standards.

76. NEW TREES—SOIL VOLUME. Unless otherwise approved, new right-ofway trees each new tree shall be provided with 800 cubic feet of rootable soil area, utilizing Standard Dwg. #604/513. Rootable soil shall mean compaction less than 90% over the area, not including sidewalk base areas except when mitigated. Sidewalk or asphalt base underlayment [in lieu of compacted base rock] shall use an *Alternative Base Material* method such as structural grid (Silva Cell). Design and manufacturer details shall be added to relevant civil and landscape sheets. Each parking lot tree in small islands and all public trees shall be provided adequate rootable soil commensurate to mature tree size. Note: this expectation requires coordination with the engineer, arborist and landscape architect.

- a. <u>Minimum soil volume</u> for <u>tree size</u> growth performance (in cubic feet): Large: 1,200 cu.ft. Medium: 800 cu.ft. Small: 400 cu.ft.
- b. <u>Landscape Plan.</u> When qualifying for parking area shade ordinance compliance (PAMC 18.40.130) trees shall be labeled (as S, M or L).
- c. <u>Engineered Soil Mix (ESM).</u> When approved, Engineered Soil Mix base material shall be utilized in specified areas, such as a sidewalk base or channeling to a landscape area, to achieve expected shade tree rooting potential and maximum service life of the sidewalk, curb, parking surfaces and compacted areas. Plans and Civil Drawings shall use CPA Public Works Engineering ESM Specifications, Section 30 and Standard Dwg. #603a. Designated areas will be <u>identified by cross-hatch or other symbol</u>, and specify a minimum of 24" depth. The technology may be counted toward any credits awarded for LEED or Sustainable Sites certification ratings.

## 77. LANDSCAPE PLANS

- a. Include all changes recommended from civil engineer, architect and staff, including planting specifications if called for by the project arborist,
- b. Provide a detailed landscape and irrigation plan encompassing on-and off-site plantable areas out to the curb as approved by the Architectural Review Board. A Landscape Water Use statement, water use calculations and a statement of design intent shall be submitted for the project. A licensed landscape architect and qualified irrigation consultant will prepare these plans, to include:
  - i. All existing trees identified both to be retained and removed including street trees.
  - ii. Complete plant list indicating tree and plant species, quantity, size, and locations.

- iii. Irrigation schedule and plan.
- iv. Fence locations.
- v. Lighting plan with photometric data.
- vi. Landscape Plan shall ensure the backflow device is adequately obscured with the appropriate screening to minimize visibility (planted shrubbery is preferred, painted dark green, decorative boulder covering acceptable; wire cages are discouraged).
- vii. All new trees planted within the public right-of-way shall be installed per Public Works (PW) Standard Planting Diagram #603 or 604 (include on plans), and shall have a tree pit dug at least twice the diameter of the root ball.
- viii. Landscape plan shall include planting preparation details for trees specifying digging the soil to at least 30-inches deep, backfilled with a quality topsoil and dressing with 2-inches of wood or bark mulch on top of the root ball keeping clear of the trunk by 1-inch.
- ix. Automatic irrigation shall be provided to all trees. For trees, Standard Dwg. #513 shall be included on the irrigation plans and show two bubbler heads mounted on flexible tubing placed at the edge of the root ball. Bubblers shall not be mounted inside an aeration tube. The tree irrigation system shall be connected to a separate valve from other shrubbery and ground cover, pursuant to the City's Landscape Water Efficiency Standards. Irrigation in the right-of-way requires a street work permit per CPA Public Works standards.
- c. Add Planting notes to include the following mandatory criteria:
  - *i. Prior to any planting, all plantable areas shall be tilled to 12" depth, and all construction rubble and stones over 1" or larger shall be removed from the site.*
  - *ii.* A turf-free zone around trees 36" diameter (18" radius) required for best tree performance.
- d. Add note: "Mandatory Landscape Architect (LA) Inspections and Verification to the City. The LA shall verify the performance measurements are achieved with a letter of verification to City Planning staff, in addition to owner's representative for the following:
  - *i.* All the above landscape plan and tree requirements are in the Building Permit set of plans.
  - *ii. Percolation & drainage checks have been performed and are acceptable.*
  - *iii.* Fine grading inspection of all plantable areas has been personally inspected for tilling depth, rubble removal, soil test amendments are mixed and irrigation trenching will not cut through any tree roots.
  - iv. Tree and Shrub Planting Specifications, including delivered stock, meets Standards in the CPA Tree Technical Manual, Section 3.30-3.50. Girdling roots and previously topped trees are subject to rejection.

#### DURING CONSTRUCTION

78. TREE PROTECTION VERIFICATION. Prior to any site work a written verification from the contractor that the required protective fencing is in place shall be submitted to the Urban Forestry Section (derek.sproat@cityofpaloalto.org). The fencing shall contain required warning sign and remain in place until final inspection of the project.

79. EXCAVATION RESTRICTIONS APPLY (TTM, Sec. 2.20 C & D). Any approved grading, digging or trenching beneath a tree canopy shall be performed using 'air-spade'

method as a preference, with manual hand shovel as a backup. For utility trenching, including sewer line, roots exposed with diameter of 1.5 inches and greater shall remain intact and not be damaged. If directional boring method is used to tunnel beneath roots, then Table 2-1, Trenching and Tunneling Distance, shall be printed on the final plans to be implemented by Contractor.

80. PLAN CHANGES. Revisions and/or **changes to plans before or during construction** shall be reviewed and responded to by the (a) project site arborist, Skender Construction, Bay Area Tree Specialists Richard Smith, 408-836-9147, or (b) landscape architect with written letter of acceptance before submitting the revision to the Building Department for review by Planning, PW or Urban Forestry.

81. TREE PROTECTION COMPLIANCE. The owner and contractor shall implement all protection and inspection schedule measures, design recommendations and construction scheduling as stated in the TPR & Sheet T-1, and is subject to code compliance action pursuant to PAMC 8.10.080. The required protective fencing shall remain in place until final landscaping and inspection of the project. Project arborist approval must be obtained and documented in the monthly activity report sent to the City. The mandatory Contractor and Arborist Monthly Tree Activity Report shall be sent monthly to the City (<u>pwps@cityofpaloalto.org</u>) beginning with the initial verification approval, using the template in the Tree Technical Manual, Addendum 11.

82. TREE PROTECTION. Tree protection fencing is not required for this minor project. However, the owner and contractor shall, as needed, protect and preserve all trees to remain on the site, subject to code compliance action pursuant to PAMC 8.10.080 and Construction Requirements of the City Tree Technical Manual, Section 2.00.

83. TREE DAMAGE. Tree Damage, Injury Mitigation and Inspections apply to Contractor. Reporting, injury mitigation measures and arborist inspection schedule (1-5) apply pursuant to TTM, Section 2.20-2.30. Contractor shall be responsible for the repair or replacement of any publicly owned or protected trees that are damaged during the course of construction, pursuant to Title 8 of the Palo Alto Municipal Code, and city Tree Technical Manual, Section 2.25.

84. GENERAL. The following general tree preservation measures apply to all trees to be retained: No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.

## PRIOR TO OCCUPANCY

85. URBAN FORESTRY DIGITAL FILE & INSPECTION. The applicant or architect shall provide a digital file of the landscape plan, including <u>new off-site trees</u> in the publicly owned right-of-way. A <u>USB Flash Drive</u>, with CAD or other files that show species, size and exact scaled location of each tree on public property, shall be delivered to Urban Forestry at a tree and landscape inspection scheduled by Urban Forestry (650-496-5953).

86. LANDSCAPE CERTIFICATION LETTER. The Planning Department shall be in receipt of a verification letter that the Landscape Architect has inspected all trees, shrubs, planting and irrigation and that they are installed and functioning as specified in the approved plans.

87. PROJECT ARBORIST CERTIFICATION LETTER. Prior to written request for temporary or final occupancy, the contractor shall provide to the Planning Department and property

owner a final inspection letter by the Project Arborist. The inspection shall evaluate the success or needs of Regulated tree protection, including new landscape trees, as indicated on the approved plans. The written acceptance of successful tree preservation shall include a photograph record and/or recommendations for the health, welfare, mitigation remedies for injuries (if any). The final report may be used to navigate any outstanding issues, concerns or security guarantee return process, when applicable.

88. PLANNING INSPECTION. Prior to final sign off, contractor or owner shall contact the city planner (650-329-2441) to inspect and verify Special Conditions relating to the conditions for structures, fixtures, colors and site plan accessories.

## POST CONSTRUCTION

89. MAINTENANCE. All landscape and trees shall be maintained, watered, fertilized, and pruned according to Best Management Practices-Pruning (ANSI A300-2008 or current version) and the City <u>Tree Technical Manual</u>, Section 5.00. Any vegetation that dies shall be replaced or failed automatic irrigation repaired by the current property owner within 30 days of discovery.

#### **Utilities Water-Gas-Wastewater Engineering**

## PRIOR TO ISSUANCE OF DEMOLITION PERMIT

90. Prior to demolition, the applicant shall submit the existing water/wastewater fixture unit loads (and building as-built plans to verify the existing loads) to determine the capacity fee credit for the existing load. If the applicant does not submit loads and plans they may not receive credit for the existing water/wastewater fixtures.

91. The applicant shall submit a request to disconnect all utility services and/or meters including a signed affidavit of vacancy. Utilities will be disconnected or removed within 10 working days after receipt of request. The demolition permit will be issued by the building inspection division after all utility services and/or meters have been disconnected and removed.

#### FOR BUILDING PERMIT

92. The applicant shall submit a completed water-gas-wastewater service connection application - load sheet for City of Palo Alto Utilities. The applicant must provide all the information requested for utility service demands (water in fixture units/g.p.m., gas in b.t.u.p.h, and sewer in fixture units/g.p.d.). The applicant shall provide the existing (prior) loads, the new loads, and the combined/total loads (the new loads plus any existing loads to remain).

93. The applicant shall submit improvement plans for utility construction. The plans must show the size and location of all underground utilities within the development and the public right of way including meters, backflow preventers, fire service requirements, sewer mains, sewer cleanouts, sewer lift stations and any other required utilities.

94. The applicant must show on the site plan the existence of any auxiliary water supply, (i.e. water well, gray water, recycled water, rain catchment, water storage tank, etc).

95. The applicant shall be responsible for installing and upgrading the existing utility mains and/or services as necessary to handle anticipated peak loads. This responsibility includes all costs associated with the design and construction for the installation/upgrade of the utility mains

and/or services.

96. The applicant's engineer shall submit flow calculations and system capacity study showing that the on-site and off-site water and sanitary sewer mains and services will provide the domestic, irrigation, fire flows, and wastewater capacity needed to service the development and adjacent properties during anticipated peak flow demands. Field testing may be required to determined current flows and water pressures on existing water main. Calculations must be signed and stamped by a registered civil engineer. The applicant is required to perform, at his/her expense, a flow monitoring study of the existing sewer main to determine the remaining capacity. The report must include existing peak flows or depth of flow based on a minimum monitoring period of seven continuous days or as determined by the senior wastewater engineer. The study shall meet the requirements and the approval of the WGW engineering section. No downstream overloading of existing sewer main will be permitted.

97. An approved reduced pressure principle assembly (RPPA backflow preventer device) is required for all existing and new water connections from Palo Alto Utilities to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive. The RPPA shall be installed on the owner's property and directly behind the water meter within 5 feet of the property line. RPPA's for domestic service shall be lead free. **Show the location of the RPPA on the plans**.

98. An approved reduced pressure detector assembly is required for the existing or new water connection for the fire system to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive (a double detector assembly may be allowed for existing fire sprinkler systems upon the CPAU's approval). reduced pressure detector assemblies shall be installed on the owner's property adjacent to the property line, within 5' of the property line. **Show the location of the reduced pressure detector assembly on the plans**.

99. All backflow preventer devices shall be approved by the WGW engineering division. Inspection by the utilities cross connection inspector is required for the supply pipe between the meter and the assembly.

100. Existing wastewater laterals that are not plastic (ABS, PVC, or PE) shall be replaced at the applicant's expense.

101. Existing water services that are not a currently standard material shall be replaced at the applicant's expense.

102. The applicant shall pay the capacity fees and connection fees associated with new utility service/s or added demand on existing services. The approved relocation of services, meters, hydrants, or other facilities will be performed at the cost of the person/entity requesting the relocation.

103. Each unit or place of business shall have its own water and gas meter shown on the plans. Each parcel shall have its own water service, gas service and sewer lateral connection shown on the plans.

104. A separate water meter and backflow preventer is required to irrigate the approved landscape plan. Show the location of the irrigation meter on the plans. This meter shall be designated as an irrigation account an no other water service will be billed on the account. The irrigation and landscape plans submitted with the application for a grading or building permit shall

conform to the City of Palo Alto water efficiency standards.

105. A new water service line installation for domestic usage is required. For service connections of 4-inch through 8-inch sizes, the applicant's contractor must provide and install a concrete vault with meter reading lid covers for water meter and other required control equipment in accordance with the utilities standard detail. Show the location of the new water service and meter on the plans.

106. A new water service line installation for irrigation usage is required. Show the location of the new water service and meter on the plans.

107. A new water service line installation for fire system usage is required. Show the location of the new water service on the plans. The applicant shall provide to the engineering department a copy of the plans for fire system including all fire department's requirements.

108. A new gas service line installation is required. Show the new gas meter location on the plans. The gas meter location must conform with utilities standard details.

109. A new sewer lateral installation per lot is required. Show the location of the new sewer lateral on the plans.

110. Where public mains are installed in private streets/PUEs for condominium and town home projects the CC&Rs and final map shall include the statement: "*Public Utility Easements: If the City's reasonable use of the Public Utility Easements, which are shown as P.U.E on the Map, results in any damage to the Common Area, then it shall be the responsibility of the Association, and not of the City, to Restore the affected portion(s) of the Common Area. This Section may not be amended without the prior written consent of the City".* 

111. All existing water and wastewater services that will not be reused shall be abandoned at the main per WGW utilities procedures.

112. Utility vaults, transformers, utility cabinets, concrete bases, or other structures cannot be placed over existing water, gas or wastewater mains/services. Maintain 1' horizontal clear separation from the vault/cabinet/concrete base to existing utilities as found in the field. If there is a conflict with existing utilities, Cabinets/vaults/bases shall be relocated from the plan location as needed to meet field conditions. Trees may not be planted within 10 feet of existing water, gas or wastewater mains/services or meters. New water, gas or wastewater services/meters may not be installed within 10' or existing trees. Maintain 10' between new trees and new water, gas and wastewater services/mains/meters.

113. To install new gas service by directional boring, the applicant is required to have a sewer cleanout at the front of the building. This cleanout is required so the sewer lateral can be videoed for verification of no damage after the gas service is installed by directional boring.

114. All utility installations shall be in accordance with the City of Palo Alto utility standards for water, gas & wastewater.

#### Public Art

115. If the applicant chooses to pay in-lieu of commissioning art on site, the funds must be paid prior to the issuance of a building permit.

116. If the applicant chooses to commission art on site, then they must complete both initial and final reviews and receive approval from the Public Art Commission prior to the issuance of a permit.

#### **Building Department**

117. Plans shall include an analysis of the occupancies separations.

118. Plans shall include an analysis of the exit (egress) system.

119. Plans shall include the location(s) of the accessible path(s) that include the public right-of-way.

120. All parking areas shall include accessible parking spaces as required by 2013 CBC 11B.

## **<u>Fire Department</u>**

121. Install a NFPA 13 fire sprinkler, NFPA 14 standpipe, NFPA 24 underground fire service and NFPA 72 fire alarm system under separate permit.

122. Install two (2) on-site fire hydrants. Install one (1) public fire hydrant on Embarcadero Road.

123. This facility shall meet the requirements of the 2013 CA Fire Code section 510 RE: Emergency Responders Radio System.

124. Fire Department access roadways shall meet the requirements of the 2013 CA Fire Code Section 503 and Appendix D including section D105.

## **Green Building**

#### Local Energy Reach Code for Non-Residential Projects

The following conditions apply to the project:

125. **The project includes new construction and therefore triggers the Local Energy Efficiency Reach Code.** For all new non-residential construction: The performance approach specified within the 2013 California Energy Code shall be used to demonstrate that the TDV Energy of the proposed building is at least 15% less than the TDV Energy of the Standard Design. (Ord. 5326 § 1 (part), 2015)

#### **Green Building Requirements for Non-Residential Projects**

The following conditions apply to the project:

126. **The project is a new nonresidential construction project greater than 1,000 square feet** and therefore must comply with California Green Building Standards Code Mandatory plus Tier 2 requirements, as applicable to the scope of work. PAMC 16.14.080 (Ord. 5324 § 1 (part), 2015). The project applicant shall indicate the requirements on the Permit Plans. The submittal requirements are outlined here:

www.cityofpaloalto.org/gov/depts/ds/green\_building/default.asp.

127. **The project is a new building over 10,000 square feet** and therefore must meet the commissioning requirements outlined in the California Building Code section 5.410.2 for Planning Approval. The project team shall re-submit the Owner's Project Requirements (OPR) in accordance with section 5.410.2.1 with an updated Basis of Design (BOD) in accordance with 5.410.2.2 that reflects the design elements finalized between Planning Approval and Permit Submittal. The project shall also submit a Commissioning Plan in accordance with 5.410.2.3 and the GB-3 and GB-4 requirements listed on the green building section of the Development Services webpage.

128. **The project is a nonresidential projects exceeding \$100,000 valuation** and therefore must acquire an Energy STAR Portfolio Manager Rating and submit the rating to the City of Palo Alto once the project has been occupied after 12 months. PAMC 16.14.380 (Ord. 5324 § 1 (part), 2015). The Energy Star Project Profile shall be submitted to the Building Department prior to permit issuance. Submittal info can be found at:

https://www.cityofpaloalto.org/gov/depts/utl/business/benchmarking\_your\_building.asp.

129. **EMERGENCY DROUGHT REGULATIONS: The project is a nonresidential new construction project with a landscape of any size included in the project scope** and therefore must comply with Potable water reduction Tier 2 in accordance with the Emergency Drought Regulations effective June 1st, 2015. Documentation is required to demonstrate that the Estimated Total Water Use (ETWU) falls within a Maximum Applied Water Allowance (MAWA) using the ET adjustment factor (ETAF) of 0.55 for landscaped areas. Special Landscape Areas (SLA) will be given an allowance of 0.45. The resulting ETAF for SLA shall be 1.0. (PAMC 16.14 (Ord. 5324 § 1 (part), 2015) and the Emergency Drought Regulations link below:

# http://www.documents.dgs.ca.gov/bsc/2015TriCycle/BSC-Meetings/Emergency-Regs/HCDEF-01-15-ET-Pt11.pdf

130. The project applicant shall update sheet L-6 to reflect the landscape calculations and information above on the Permit Plans.

131. **The project includes a new or altered irrigation system** and therefore must be designed and installed to prevent water waste due to overspray, low head drainage, or other conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. PA 16.14.300 (Ord. 5324 § 1 (part), 2015).

132. **The project includes a new or altered irrigation system** and therefore the irrigation must be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance. Total annual applied water shall be less than or equal to maximum applied water allowance (MAWA) as calculated per the potable water use reduction tier. PAMC 16.14.310 (Ord. 5324 § 1 (part), 2015). ). The project applicant shall indicate the requirements on the Permit Plans.

133. The project is outside the boundaries of the recycled water project area and is greater than 1,000 square feet and therefore must install recycled water infrastructure for irrigation systems. PAMC 16.14.230 (Ord. 5324 § 1 (part), 2015). The project applicant shall indicate the requirements on the Permit Plans. 134. The project is either new construction or a rehabilitated landscape and is greater than 1,000 square feet and therefore must install a dedicated irrigation meter related to the recycled water infrastructure. PAMC 16.14.230 (Ord. 5324 § 1 (part), 2015). The project applicant shall indicate the requirements on the Permit Plans.

135. The project is a nonresidential new construction or renovation project and has a value exceeding \$25,000 and therefore must meet Enhanced Construction Waste Reduction Tier 2. PAMC 16.14.240 (Ord. 5324 § 1 (part), 2015). The project shall use the Green Halo System to document the requirements.

136. **The project includes non-residential demolition** and therefore must meet the Enhanced Construction Waste Reduction - Tier 2. PAMC 16.14.270 (Ord. 5324 § 1 (part), 2015). The project shall use the Green Halo System to document the requirements.

137. **The project is a new non-residential structure** and therefore must comply with the City of Palo Alto Electric Vehicle Charging Ordinance 5324. The project shall provide Conduit Only, EVSE-Ready Outlet, or EVSE Installed for at least 25% of parking spaces, among which at least 5% (and no fewer than one) shall be EVSE Installed. The requirements shall be applied separately to accessible parking spaces. See Ordinance 5324 for EVSE definitions, minimum circuit capacity, and design detail requirements. PAMC 16.14.380 (Ord. 5263 § 1 (part), 2013)

See <u>https://www.cityofpaloalto.org/civicax/filebank/documents/43818</u> for additional details.

138. The project has indicated the locations of the EVSE infrastructure on sheet A0.3. The following are required at Post-Construction after 12 months of occupancy.

139. **The project is a nonresidential projects exceeding \$100,000 valuation** and therefore must acquire an Energy STAR Portfolio Manager Rating and submit the rating to the City of Palo Alto once the project has been occupied after 12 months. PAMC 16.14.250 (Ord. 5324 § 1 (part), 2015). Submittal info can be found at:

https://www.cityofpaloalto.org/gov/depts/utl/business/benchmarking\_your\_building.asp.

The following are **optional to the project team**:

Optional Zero Net Energy Design Review:

140. **OPTIONAL: The project is a new construction or remodel of a commercial project** and therefore may elect to engage the City of Palo Alto consultant, BASE Energy Inc, free of charge. BASE will assist the project in targeting Zero Net Energy and exceeding the Title 24 Energy Code. Rebates may be available via working with Base. For more information, visit cityofpaloalto.org/commercial program or call 650.329.2241. The applicant may also contact Ricardo Sfeir at BASE Energy at <u>rsfeir@baseco.com</u> to schedule a project kick-off.

Utilities Incentives & Rebates

141. **OPTIONAL:** The project may be eligible for several rebates offered through the City of Palo Alto Utilities Department. These rebates are most successfully obtained when planned into the project early in design. For the incentives available for the project, please see the information provided on the Utilities website:

http://www.cityofpaloalto.org/gov/depts/utl/business/rebates/default.asp

Bird-Friendly Building Design

#### 142. <u>OPTIONAL: The project contains a glazed façade that covers a large</u> <u>area.</u> The project should consider bird-safe glazing treatment that typically includes fritting, netting, permanent stencils, frosted glass, exterior screens, and physical grids placed on the exterior of glazing or UV patterns visible to birds. In some cases, bird-friendly treatment is invisible to humans. Vertical elements of the window patterns should be at least 1/4 inch wide at a minimum spacing of 4 inches, or have horizontal elements at least 1/8 inch wide at a maximum spacing of 2 inches. The applicant should reference the San Francisco Guidelines for Bird-Safe Buildings: <u>http://www.sf-planning.org/index.aspx?page=2506</u>.

#### NOT YET APPROVED

Ordinance No.

Ordinance of the Council of the City of Palo Alto Amending Section 18.08.040 (Zoning Map and District Boundaries) of the Palo Alto Municipal Code to change the classification of certain property on 1700 Embarcadero Road from CS (D) to CS (D)(AD)

The Council of the City of Palo Alto does ORDAIN as follows:

#### SECTION 1.

- A. The Planning and Transportation Commission, after duly noticed hearing held April 27, 2016, has recommended that section 18.08.040 (the Zoning Map) of the Palo Alto Municipal Code be amended as hereinafter set forth; and
- B. The City Council, after due consideration of this recommendation, finds that the proposed amendment is in the public interest and will promote the public health, safety and welfare.

SECTION 2. Section 18.08.040 (Zoning Map and District Boundary) is hereby amended by changing the zoning of 1700 Embarcadero (the "subject property"), from "Commercial Service Site and Design Review Combining District" to "Commercial Service Site and Design Review and Automobile Dealership Combining District". The subject property is shown on the map labeled 'Exhibit A' attached hereto and incorporated herein by reference.

<u>SECTION 3.</u> If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

<u>SECTION 4.</u> The Council finds that the adoption of this ordinance is covered under the provisions of the California Environmental Quality Act pursuant to CEQA Guideline section 15070, Decision to Prepare a Negative or Mitigated Negative Declaration and 15074, Consideration and Adoption of a Negative Declaration or Mitigated Negative Declaration. The City Council finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis. The Planning & Community Environment Department is the custodian of the records.
<u>SECTION 5</u>. This ordinance shall be effective on the thirty-first date after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

NOT PARTICIPATING:

ATTEST:

City Clerk

APPROVED AS TO FORM:

Senior Asst. City Attorney

Mayor

APPROVED:

City Manager

Director of Planning & Community Environment

## Exhibit A



## ATTACHMENT C



jcutler, 2009-10-29 11:04:35 JC - Area Map (\\cc-maps\gis\$\gis\admin\Personal\Planning.mdb)

This document is a graphic representation only of best available sources The City of Palo Alto assumes no responsibility for any errors. ©1989 to 2009 City of Palo Alto

## ATTACHMENT D

Application Narrative: Mercedes-Benz of Palo Alto

Scope of Work, Existing and Proposed Use:

The proposal for the Mercedes-Benz of Palo Alto is located on the corner of East Bayshore Road and Embarcadero Road on the 2.54 Acre site formerly operated as Ming's Chinese Restaurant. The new business will be a retail sales and repair service operation with ancillary carwash for internal business use. The current project is undergoing a rezoning process for automotive use, which would align this corner with adjacent properties and businesses on Embarcadero. The proximity to the Freeway and neighboring commercial office buildings makes this area accessible to the public while not impacting nearby residential zones. The adjacent businesses on Embarcadero consist of two automotive use dealerships, representing Honda Motors and a new designed building for Audi.

#### Overall Design Concept Statement:

Mercedes-Benz in Palo Alto is conceived as a unique building utilizing a compact footprint, which employs vertical transportation elements and internal ramps for vehicular movement through the multi-floor structure to minimize the site's surface parking and congestion of vehicle storage on the surface lot. The design of the building is more consistent with a multi-storied corporate office building in massing and scale compared to a typical traditional automotive dealership typology of large connected single-story volumes.

#### Site Design Intent

The site is bound on two sides by Embarcadero Road and East Bayshore Road. These streetscapes each have an existing mature tree line that will provide immediate sense of a mature site development. Creating an entrance to the Baylands area along the Embarcadero and Bayshore streetscapes, the site introduces trees for increased shading, a Baylands-inspired landscape (including native plantings), and public amenities (bench seating, bike repair and water station). Site design takes cues from the adjacent Byers Eye Institute property with mixtures of berms, ornamental grasses, granite pathways, and low concrete landscape walls. Further, the site will incorporate a Public Art component.

Functionality of the site has been taken into consideration by maximizing the allowable FAR to facilitate a vertical dealership model which does not require acres of impervious surface lots and multiple buildings as a traditional typology. Primary access to the site is planned from Bayshore Road in order to mitigate congestion on the more heavily trafficked Embarcadero thoroughfare.

Mercedes-Benz Autohaus Design principles:

The Mercedes-Benz Autohaus global design corporate image has its aesthetic and architectural roots in the modern and technical/industrial detailing. It is a design which celebrated technology of emerging building materials and industrial processes in Europe during the industrial revolution. Today's application of these principles manifest through corporate identity elements such as:

- Exposed steel expressed both in the interior and exterior and the use of metal and glass to exhibit the car as a showpiece inside an articulated modern environment.
- The open plan concept, with expansive glass and high performance envelopes generally are composed of massing and light versus ornamentation.
- The use CI elements such as the distinctive MB columns and exposed steel beam and roof edge with complementing color pallets in poured concrete, silver, grey and limited black accents are intended to promote clean sharp forms, which have variations in contrast and accentuate the volumes of the buildings.

#### Application Narrative: Mercedes-Benz of Palo Alto

Through the Sketch Study session and initial ARB meeting, the application of these principles has been modified to align more closely with the horizontal articulations and volume changes consistent with the Baylands design attributes, as executed in the Byers Eye Institute and other adjacent buildings. Further, the building's materiality incorporates both Mercedes-Benz Autohaus Design and Baylands Design Guideline color tones.

#### **Building Massing:**

The building's mass is articulated in distinct ways to create quality environments for both customers and employees by optimizing daylighting and natural ventilation through the use of expansive glazing on all building sides and the inclusion of exterior patio spaces. Building mass has been broken down as to provide more distinct architectural elements and maintain the horizontal nature of the Baylands design nature. Per discussions in the Sketch session and preliminary ARB meeting, each building elevation is treated with architectural features and façade treatment that relate and express the internal functions and orientation. The objective of the building design is to maximize passive design opportunities while employing rigorous systems design to insure the performance metrics meet and/or exceed code.

#### Building Performance and Materiality:

The sustainable impact of the building is of great importance. Insulated walls with metal panel and finish plaster, high efficiency glass with protective bird coatings, insulation of mechanical heating and cooling, as well as passive ventilation strategies, are used to maximize the building's energy performance. Sensitivity to light pollution from the building envelope and the site lighting design are targeted to achieve highest code standards. Development of natural lighting strategies, as well as the outdoor space, have been designed to optimize orientation and wind in service of promoting a healthy environment for all customers and staff throughout the building.

The building's proposed material palette draws from both the Mercedes-Benz Autohaus Design, utilizing silver and black materials, and the Baylands Design Guidelines, utilizing Sandy Hook Grey material.

The independent structure adjacent to the primary building is the carwash structure. Its design aligns with the architectural tone of the primary building on all four sides and employs the industry's most effective recycled water recapture system.

#### Construction Methodology:

Mercedes-Benz of Palo Alto has an elevated finished floor slab on a series of piers to establish the required height above sea level per FEMA standards. This elevated floor design allows the site to be naturally drained to BMP surface treatment located around the perimeter of the site. The primary structural system will be a steel frame building with metal stud and insulated wall cladding system on all sides. The exterior skin is composed of both aluminum metal panel rain screen systems and high performance plaster with a continuous insulated skin condition. All glass is a low e coated high performance glass with bird film to achieve extremely high R values and to mitigate excessive mechanical loads and equipment, resulting in lower energy consumption.

The Carwash structure is designed as a slab on grade beams and piers with drainage mitigation per the City requiring openings at the base course of block for water to pass though in case of flooding. The construction is structural block with steel framed roof deck and exterior cladding matching the building in metal panel and high performance plaster. The structure has overhead doors on both ends.

#### Application Narrative: Mercedes-Benz of Palo Alto

#### Relationship of Site and Existing Context

The building's relationship to the site, while different than the current single story Ming's restaurant, will align with the existing context in several ways:

- With regards to materiality, the exterior appearance will have similar technical feel of the new Audi Design being completed on adjacent site.
- Per the Bayland's Guidelines for Private Lands, the project utilizes the listed color, Sandy Hook Grey, as a significant portion of façade color.
- The color also has some commonality utilizing silver with MB also incorporating dark grey/concrete and Sandy Hook grey.
- The use of Glass and Metal skin as well as smooth plaster finishes.
- With respect to the massing and height, the new MB Palo Alto store has a more commercial office massing consistent with the adjacent Byers Eye Institute building.
- In addition, all building sides and fenestration have a horizontally proportional design.
- The site takes advantage of existing mature trees on the street, which is taking cues from the Byers Eye Institute, the streetscape will employ similar berms and native landscape species.
- The rear portions of the building facing the Baylands Nature Preserve are heavily screened by trees and the windows are minimized to reduce illumination.
- All rooftop lighting is minimized with limited poles and integrated lighting in concealed wall locations to meet the minimum foot candle requirements.

BAY AREA TREE SPECIALISTS

## SKENDER CONSTRUCTION

## Arborist Report

Richard Smith, WE-8745A 8/3/2015

Bay Area Tree Specialists 541 W. Capitol Expwy #287 San Jose, CA 95136 Office: 408-836-9147 Fax: 408-728-7598 bayareatreespecialists@gmail.com

P&TC packet page 47 of 74

## Contents

BACKGROUND
ASSIGNMENT
LIMITS OF THE ASSIGNMENT
PURPOSE AND USE OF THIS REPORT
STRUCTURAL EVALUATION
GOOGLE EARTH SITE MAP – TREE INVENTORY4
TREE INVENTORY
TREES TO BE PRESERVED DURRING CONSTRUCTION
OBSERVATION: TREES TO BE PRESERVED DURRING CONSTRUCTION
CONCLUSION: TREES TO BE PRESERVED DURRING CONSTRUCTION
TREE PROTECTION FENCING
ROOT AND CANOPY PRUNING
CRITICAL ROOT ZONE
TREES TO BE REMOVED
OBSERVATION: TREES TO BE REMOVED
CONCLUSION: TREES TO BE REMOVED
TREE REMOVAL DUE TO CONSTRUCTION FOOTPRINT
OBSERVATION: TREES TO BE REMOVED DUE TO CONSTRUCTION
CONCLUSION: TREES TO BE REMOVED DUE TO CONSTRUCTION
APPENDIX A – T-1 FORM
APPENDIX B – DISCLOSURE STATEMENT, STREET TREE, TPZ SIGN

#### BACKGROUND

I, Richard Smith, Certified Arborist No. WE-8745A was called out to perform a tree inventory, tree tagging, assessment, tree protection plan for trees being retained during construction and recommendation for trees that need to be removed.

#### ASSIGNMENT

- Inventory
- Tree Tagging
- Assessment
- TPZ Plan
- Recommendations

## LIMITS OF THE ASSIGNMENT

No aerial inspection, trenching or resistance drilling was performed.

No Biological tests were performed.

Only a visual inspection from the ground was performed.

## PURPOSE AND USE OF THIS REPORT

The purpose of this report is to provide inventory of trees, tree tagging, assessment, TPZ plan and recommendations. Use of this report is solely for the owners and City of Palo Alto planning department.

## STRUCTURAL EVALUATION

When performing the structural evaluation, I focused on areas (Adapted from Smikey, Fraedrich and Hendrickson 2007):

- Canopy
- Main stem
- Root Collar
- Soil environment

The trees canopy were inspected for the following structural defects that may contribute to failure: dead branches, previous failures, topping or head cuts, broken branches, co dominant stems, and live crown ratio. I looked for symptoms of decay such as wounds, cavities, cracks, fungal conks, bleeding and loose bark on both the stem and root collar, which indicate structural defects.



## GOOGLE EARTH SITE MAP – TREE INVENTORY

## TREE INVENTORY

WP	Tree Type	Diame	Height	Crown	Live Crown	Overall	Comment	TPZ	CR	Recommendation	Street Tree
ŧ		ter		Spread	Ratio	Condition			Z		Heritage Tree
1	Chinese Elm <i>Ulmus parvifolia</i>	13.5"	20'	23'	40%	Fair	Dieback in crown	x	х	Preserve, irrigate regularly	
2	Chinese Elm	8.5"	18'	20'	40%	Good		x	х	Preserve, irrigate regularly	
3	Chinese Elm	10"	18'	21'	40%	Good		х	х	Preserve, irrigate regularly	
	Ulmus parvifolia										
4	Chinese Elm <i>Ulmus parvifolia</i>	10"	19'	19'	40%	Good		x	х	Preserve, irrigate regularly	
5	Chinese Elm	11"	19'	18'	40%	Good		x	х	Preserve irrigate regularly	
6	Chinese Elm	9.5"	18'	19'	40%	Good		x	х	Preserve irrigate regularly	
		0.5"	40'	40'	400/	Orad				Desserve invigente de sultante	
1	Ulmus parvifolia	9.5	10	19	40%	Good		X	x	Preserve, imgate regularly	
8	Chinese Elm <i>Ulmus parvifolia</i>	8.5"	16'	17'	40%	Good		x	x	Preserve, irrigate regularly	
9	Chinese Elm Ulmus parvifolia	11"	18'	20'	40%	Good		x	х	Preserve, irrigate regularly	
10	Chinese Elm	17"	22'	24'	50%	Good		х	х	Preserve, irrigate regularly	
	Ulmus parvifolia					_					
11	Privot <i>Ligustrum</i>	7.5″	10'	7'	10%	Poor	Tree is 90% dead			Not suitable for retention	Street Tree
12	Chinese Elm Ulmus parvifolia	23.5"	26'	33'	60%	Good		x	x	Preserve, irrigate regularly	
13	Cherry Prunus Avium	5"	9'	6'	5%	Poor	Tree is 90% dead			Not suitable for retention	
14	Japanese Maple	18"	11'	10'	50%	Good				Remove, in construction footprint	
15	Crape Myrtle	6"	11'	7'	60%	Good				Remove, in construction footprint	
16	Chinese Elm	13"	25'	29'	50%	Good	Tree is in need of irrigation and ground cover			Remove, in construction footprint	
	Ulmus parvifolia										
17	Purple Plum Prunus cerasifer	4.5"	8'	5'	50%	Good				Remove, in construction footprint	
18	Chinese Pistache Pistacia chinensis	12"	19'	16'	50%	Good	Tree is in need of watering			Remove, in construction footprint	
										-	
19	Crape Myrtle Lagerstroemia	4.5"	20'	5'	40%	Good				Remove, in construction footprint	
20	Chinese Elm Ulmus parvifolia	8.5"	14'	14'	50%	Poor	Canopy is asymmetrical due to overcrowding, broken top			Not suitable for retention	
21	Chinese Elm	6.5"	14'	14'	50%	Fair	Canopy is sparse	x	х	Preserve, irrigate regularly	
22	Chinese Elm	9.5"	16'	23'	50%	Good				Remove, in construction footprint	
	Ultrius parvirolla							1		l	

## Skender Construction 1700 Embarcadero Palo Alto, CA 94306

23	Chinese Elm <i>Ulmus parvifolia</i>	5.5"	14'	9,	50%	Fair				Remove, in construction footprint	
24	Chinese Elm Ulmus parvifolia	6"	15'	9'	40%	Fair				Remove, in construction footprint	
25	Chinese Elm Ulmus parvifolia	6"	13'	5'	15%	Poor	85% dead, Chlorate			Not suitable for retention	
26	Chinese Elm Ulmus parvifolia	9"	15'	16'	30%	Fair	Canopy is sparse			Remove, in construction footprint	
27	Chinese Elm <i>Ulmus parvifolia</i>	9.5"	14'	19"	30%	Fair				Remove, in construction footprint	
28	Chinese Elm <i>Ulmus parvifolia</i>	8.5"	16'	14'	30%	Fair				Remove, in construction footprint	
29	Chinese Elm <i>Ulmus parvifolia</i>	5.5"	14'	12'	85%	Good		×	x	Preserve, irrigate regularly	
30	Chinese Elm <i>Ulmus parvifolia</i>	9"	17'	22'	90%	Good		×	x	Preserve, irrigate regularly	
31	Chinese Elm <i>Ulmus parvifolia</i>	8"	22'	23'	90%	Good		×	x	Preserve, irrigate regularly	
32	Chinese Elm <i>Ulmus parvifolia</i>	7.5"	18'	22'		Poor	Poor structure due to limb loss dieback			Not suitable for retention	
33	Chinese Elm <i>Ulmus parvifolia</i>	6"	14'	11'	60%	Good		×	х	Preserve, irrigate regularly	
34	Chinese Elm Ulmus parvifolia	7.5"	13'	14'	90%	Good		x	х	Preserve, irrigate regularly	
35	Mugo Pine Pinus mugo	4.5"	5'	6'	90%	Poor	Structurally topped			Not suitable for retention	
36	Aleppo Pine Pinus halepensis	17"	12'	14'	20%	Poor	Tree lost large stem. Tree trunk growing along ground			Not suitable for retention	
37	Loquat <i>Eriobotrya japonica</i>	21"	15'	15'	50%	Good		x	х	Preserve, irrigate regularly	
38	Privot <i>Ligustrum</i>	5.5"	10'	5'	10%	Poor	Tree is diseased with decay along entire stem			Not suitable for retention	
39	Cherry Prunus Avium	6"	10'	5'	10%	Poor	Dying canopy			Not suitable for retention	
40	Privot Ligustrum	18"	24'	28'	50%	Fair	Canopy is asymmetrical	x	x	Preserve, irrigate regularly	Street Tree
41	Japanese Maple Acer palmatum	9"	10'	7'	0%	Poor	Tree is dead due to drought stress			Not suitable for retention	
42	Chinese Pistache Pistacia chinensis	20"	30'	35'	60%	Good				Remove, in construction footprint	
43	Chinese Pistache Pistacia chinensis	12.5"	22'	19'	60%	Good				Remove, in construction footprint	
44	Crape Myrtle Lagerstroemia	4"	14'	6'	60%	Good				Remove, in construction footprint	
45	Crape Myrtle Lagerstroemia	4"	14'	6'	60%	Good				Remove, in construction footprint	
46	Crape Myrtle Lagerstroemia	4"	13'	16'	60%	Good				Remove, in construction footprint	
47	Crape Myrtle Lagerstroemia	4.5"	15'	6'	60%	Good				Remove, in construction footprint	
48	Crape Myrtle Lagerstroemia	5.5"	17'	7'	70%	Good				Remove, in construction footprint	

## Skender Construction 1700 Embarcadero Palo Alto, CA 94306

49	Crape Myrtle Lagerstroemia	4"	17'	7'	60%	Good				Remove, in construction footprint
50	Crape Myrtle Lagerstroemia	4"	17'	6'	60%	Good				Remove, in construction footprint
51	Purple Plum Prunus cerasifer	4"	12'	9'	90%	Good				Remove, in construction footprint
52	Loquat Eriobotrya japonica	8"	13'	12'	70%	Good				Remove, in construction footprint
53	Iron Bark Eucalyptus Eucalyptus sideroxylon	14"	40'	22'	40%	Good	South East side of property, tree over hangs this property	x	x	Preserve
54	Iron Bark Eucalyptus Eucalyptus sideroxylon	18"	48'	38'	40%	Good	South East side of property, tree over hangs this property	x	x	Preserve
55	Iron Bark Eucalyptus Eucalyptus sideroxylon	13"	59'	18'	40%	Good	South East side of property, tree over hangs this property	х	x	Preserve
56	Iron Bark Eucalyptus Eucalyptus sideroxylon	14"	51'	22'	40%	Good	South East side of property, tree over hangs this property	x	x	Preserve
57	Iron Bark Eucalyptus Eucalyptus sideroxylon	15'	52'	30'	40%	Good	South East side of property, tree over hangs this property	x	x	Preserve
58	Iron Bark Eucalyptus Eucalyptus sideroxylon	17"	58'	34'	40%	Good	South East side of property, tree over hangs this property	x	х	Preserve
59	Iron Bark Eucalyptus Eucalyptus sideroxylon	13"	60'	27'	40%	Good	South East side of property, tree over hangs this property	x	x	Preserve
60	Blue gum Eucalyptus Eucalyptus globulus	14"	61'	38'	40%	Poor	South East side of property, tree over hangs this property. Tree is in decline with dieback in the crown	x	x	Preserve
61	Iron Bark Eucalyptus Eucalyptus sideroxylon	14"	63'	32'	40%	Good	South East side of property, tree over hangs this property	х	x	Preserve
62	Blue gum Eucalyptus Eucalyptus globulus	15"	40'	18'	40%	Good	South East side of property, tree over hangs this property	x	x	Preserve
63	Blue gum Eucalyptus Eucalyptus globulus	18"	46'	20'	40%	Good	South East side of property, tree over hangs this property	x	x	Preserve

## TREES TO BE PRESERVED DURRING CONSTRUCTION

WP#	Тгее Туре	Diame ter	Height	Crown Spread	Live Crown Ratio	Overall Condition	Comment	TPZ	CRZ	Recommendation	Street Tree Heritage Tree
1	Chinese Elm Ulmus parvifolia	13.5"	20'	23'	40%	Fair	Dieback in crown	х	х	Preserve, irrigate regularly	
2	Chinese Elm Ulmus parvifolia	8.5"	18'	20'	40%	Good		х	х	Preserve, irrigate regularly	
3	Chinese Elm Ulmus parvifolia	10"	18'	21'	40%	Good		х	х	Preserve, irrigate regularly	
4	Chinese Elm Ulmus parvifolia	10"	19'	19'	40%	Good		х	х	Preserve, irrigate regularly	
5	Chinese Elm Ulmus parvifolia	11"	19'	18'	40%	Good		х	х	Preserve irrigate regularly	
6	Chinese Elm Ulmus parvifolia	9.5"	18'	19'	40%	Good		x	х	Preserve irrigate regularly	
7	Chinese Elm Ulmus parvifolia	9.5"	18'	19'	40%	Good		x	х	Preserve, irrigate regularly	
8	Chinese Elm Ulmus parvifolia	8.5"	16'	17'	40%	Good		x	х	Preserve, irrigate regularly	
9	Chinese Elm Ulmus parvifolia	11"	18'	20'	40%	Good		х	х	Preserve, irrigate regularly	
10	Chinese Elm Ulmus parvifolia	17"	22'	24'	50%	Good		x	х	Preserve, irrigate regularly	
12	Chinese Elm Ulmus parvifolia	23.5"	26'	33'	60%	Good		х	х	Preserve, irrigate regularly	
21	Chinese Elm Ulmus parvifolia	6.5"	14'	14'	50%	Fair	Canopy is sparse	х	х	Preserve, irrigate regularly	
29	Chinese Elm Ulmus parvifolia	5.5"	14'	12'	85%	Good		х	х	Preserve, irrigate regularly	
30	Chinese Elm Ulmus parvifolia	9"	17'	22'	90%	Good		х	х	Preserve, irrigate regularly	
31	Chinese Elm Ulmus parvifolia	8"	22'	23'	90%	Good		х	х	Preserve, irrigate regularly	
33	Chinese Elm Ulmus parvifolia	6"	14'	11'	60%	Good		х	х	Preserve, irrigate regularly	
34	Chinese Elm Ulmus parvifolia	7.5"	13'	14'	90%	Good		х	х	Preserve, irrigate regularly	
37	Loquat Eriobotrya japonica	21"	15'	15'	50%	Good		x	x	Preserve, irrigate regularly	
40	Privot Ligustrum	18"	24'	28'	50%	Fair	Canopy is asymmetrical	х	х	Preserve, irrigate regularly	
53	Iron Bark Eucalyptus Eucalyptus sideroxylon	14"	40'	22'	40%	Good	South East side of property, tree over hangs this property	х	x	Preserve	
54	Iron Bark Eucalyptus Eucalyptus sideroxylon	18"	48'	38'	40%	Good	South East side of property, tree over bangs this property	х	x	Preserve	
55	Iron Bark Eucalyptus Eucalyptus sideroxylon	13"	59'	18'	40%	Good	South East side of property, tree over	x	х	Preserve	
56	Iron Bark Eucalyptus Eucalyptus sideroxylon	14"	51'	22'	40%	Good	South East side of property, tree over hangs this property	x	x	Preserve	
57	Iron Bark Eucalyptus Eucalyptus sideroxylon	15'	52'	30'	40%	Good	South East side of property, tree over hangs this property	х	x	Preserve	
58	Iron Bark Eucalyptus Eucalyptus sideroxylon	17"	58'	34'	40%	Good	South East side of property, tree over hangs this property	х	x	Preserve	
59	Iron Bark Eucalyptus Eucalyptus sideroxylon	13"	60'	27'	40%	Good	South East side of property, tree over bangs this property	х	x	Preserve	
60	Blue gum Eucalyptus Eucalyptus globulus	14"	61'	38'	40%	Poor	South East side of property, tree over hangs this property. Tree is in decline with dieback in the crown	х	x	Preserve	
61	Iron Bark Eucalyptus Eucalyptus sideroxylon	14"	63'	32'	40%	Good	South East side of property, tree over hangs this property	х	x	Preserve	
62	Blue gum Eucalyptus Eucalyptus globulus	15"	40'	18'	40%	Good	South East side of property, tree over hangs this property	x	x	Preserve	

## Skender Construction 1700 Embarcadero Palo Alto, CA 94306

63     Blue gum Eucalyptus Eucalyptus globulus     18"     46'     20'     40%     Good     South East side of property, tree over hangs this property     x     x     Preserve	
--	--

#### **OBSERVATION: TREES TO BE PRESERVED DURRING CONSTRUCTION**

36 trees are listed above to be preserved during construction period. The trees being preserved have an overall health and structure rating of fair to good. This rating is based on Tree Care Industry Association, 2012 as defined below.

Good - Trees with good health, structural stability and longevity

Fair – Trees with fair health and/or structural defects that may be mitigated through treatment. These trees require more intense management and monitoring, and may have shorter life spans than those in the good category.

Poor – Trees in poor health with significant structural defects that cannot be mitigated and will continue to decline regardless of treatment. The species or individual may possess characteristics that are incompatible or undesirable in landscape settings or unsuited for the intended use of the site.

## **CONCLUSION: TREES TO BE PRESERVED DURRING CONSTRUCTION**

From my observation I found all 36 trees to be suitable for retention. Trees need to be irrigated regularly throughout the course of the construction project. Construction impact is undetermined at this time due to lack of construction footprint. General recommendations are given below.

Trees shall have Tree Protection Zones installed per city code. Please refer to appendix A for T-1 form. Details on how to install Type 1 Tree Protection Zone will be explained on this form.

Project Arborist is required to submit a Monthly Tree Activity Report to the City of Palo Alto Arborist each month. Please refer to appendix A for Monthly Tree Activity Report Form.

## TREE PROTECTION FENCING

1. Six-foot high chain link fencing mounted on eight-foot tall, 2-inch diameter galvanized posts, driven 24 inches into the ground and spaced no more than 10 feet apart.

2. Posted with signs saying "TREE PROTECTION FENCE - DO NOT MOVE OR REMOVE WITHOUT APPROVAL FROM CITY ARBORIST 650-496-5953". Please refer to Appendix C for sign details.

3. The City requires that tree protection fencing be installed before any equipment comes on site and inspected by the City Arborist before issuance of permits.

4. Tree protection fencing is required to remain in place throughout construction.

## **ROOT AND CANOPY PRUNING**

Pruning Recommendation:

All pruning shall be supervised by a Certified Arborist.

Pruning of limbs that extend into the adjacent property shall be performed using the 1/3 rule "Any branch part cut shall be cut off back to the closest lateral limb from the same branch that is at least 1/3 or larger than the branch part being removed". Any branch removed shall use that 1/3 cut method to ensure that there is no tearing of the cambium tissue.

No root pruning shall occur within the critical root zone without prior written permission by the project Arborist.

Any root pruning shall be supervised by a Certified Arborist.

The site Arborist shall be called to inspect the root pruning prior to the trench being backfilled to inspect for proper pruning of the roots. "All root pruning shall be performed using clean pruning cuts, with no chopping or jagged cuts".

## **CRITICAL ROOT ZONE**

CRZ is the area of soil around the trunk of the tree where roots are located that provide stability and uptake of water and nutrients required for tree survival. The CRZ is the minimum distance from the trunk that trenching or root cutting cannot occur. The CRZ is defined by the trunk diameter as a distance of **three times the DBH** in feet, and preferably five times. (Smiley, Fraedrich and Hendrickson, 2007)

WP ŧ	Tree Type	Diamet er	Height	Crown Spread	Live Crown Ratio	Overall Condition	Comment	TPZ	CRZ	Recommendation	Street Tree Heritage Tree
11	Privot Ligustrum	7.5"	10'	7'	10%	Poor	Tree is 90% dead			Not suitable for retention	Street Tree
13	Cherry Prunus Avium	5"	9'	6'	5%	Poor	Tree is 90% dead			Not suitable for retention	
20	Chinese Elm <i>Ulmus parvifolia</i>	8.5"	14'	14'	50%	Poor	Canopy is asymmetrical due to overcrowding, broken top			Not suitable for retention	
25	Chinese Elm Ulmus parvifolia	6"	13'	5'	15%	Poor	85% dead, Chlorate			Not suitable for retention	
32	Chinese Elm <i>Ulmus parvifolia</i>	7.5"	18'	22'		Poor	Poor structure due to limb loss dieback			Not suitable for retention	
35	Mugo Pine Pinus mugo	4.5"	5'	6'	90%	Poor	Structurally topped			Not suitable for retention	
36	Aleppo Pine Pinus halepensis	17"	12'	14'	20%	Poor	Tree lost large stem. Tree trunk growing along ground			Not suitable for retention	
38	Privot Ligustrum	5.5"	10'	5'	10%	Poor	Tree is diseased with decay along entire stem			Not suitable for retention	Street Tree
39	Cherry Prunus Avium	6"	10'	5'	10%	Poor	Dying canopy			Not suitable for retention	
41	Japanese Maple Acer palmatum	9"	10'	7'	0%	Poor	Tree is dead due to drought stress			Not suitable for retention	

## TREES TO BE REMOVED

## **OBSERVATION: TREES TO BE REMOVED**

10 trees are not suitable for retention due to overall poor health and structure. Tree numbers 11, 13, 25, 36, 38, 39 and 41 all have less than 20% live crown ratio. Many of these trees are dying and/or dead. Tree number 11 and 38 are street trees. Tree number 20 has a broken top and is asymmetrical due to overcrowding. Tree number 35 has been topped and is structurally unsound.

## **CONCLUSION: TREES TO BE REMOVED**

No pruning and/or treatment will help these trees return to a healthy and safe condition. Recommendation is for complete removal and replacement per city ordinance.

#### TREE REMOVAL DUE TO CONSTRUCTION FOOTPRINT

14	Japanese Maple Acer palmatum	18"	11'	10'	50%	Good					
15	Crape Myrtle Lagerstroemia	6"	11'	7'	60%	Good					
16	Chinese Elm Ulmus parvifolia	13"	25'	29'	50%	Good	Tree is in need of irrigation and ground cover				
17	Purple Plum Prunus cerasifer	4.5"	8'	5'	50%	Good					
18	Chinese Pistache Pistacia chinensis	12"	19'	16'	50%	Good	Tree is in need of watering				
19	Crape Myrtle Lagerstroemia	4.5"	20'	5'	40%	Good					
42	Chinese Pistache Pistacia chinensis	20"	30'	35'	60%	Good					
43	Chinese Pistache Pistacia chinensis	12.5"	22'	19'	60%	Good					
44	Crape Myrtle Lagerstroemia	4"	14'	6'	60%	Good					
45	Crape Myrtle Lagerstroemia	4"	14'	6'	60%	Good					
46	Crape Myrtle Lagerstroemia	4"	13'	16'	60%	Good					
47	Crape Myrtle Lagerstroemia	4.5"	15'	6'	60%	Good					
48	Crape Myrtle Lagerstroemia	5.5"	17'	7'	70%	Good					
49	Crape Myrtle Lagerstroemia	4"	17'	7'	60%	Good					
50	Crape Myrtle Lagerstroemia	4"	17'	6'	60%	Good					
51	Purple Plum Prunus cerasifer	4"	12'	9'	90%	Good					
52	Loquat Eriobotrya japonica	8"	13'	12'	70%	Good					
22	Chinese Elm Ulmus parvifolia	9.5"	16'	23'	50%	Good		х	х	Preserve, irrigate regularly	
23	Chinese Elm Ulmus parvifolia	5.5"	14'	9'	50%	Fair		x	x	Preserve, irrigate regularly	
24	Chinese Elm Ulmus parvifolia	6"	15'	9'	40%	Fair		х	х	Preserve, irrigate regularly	
26	Chinese Elm Ulmus parvifolia	9"	15'	16'	30%	Fair	Canopy is sparse			Remove, in construction footprint	
27	Chinese Elm Ulmus parvifolia	9.5"	14'	19"	30%	Fair				Remove, in construction footprint	
28	Chinese Elm <i>Ulmus parvifolia</i>	8.5"	16'	14'	30%	Fair				Remove, in construction footprint	

## **OBSERVATION: TREES TO BE REMOVED DUE TO CONSTRUCTION**

All 17 trees listed above are within the construction footprint.

.

## CONCLUSION: TREES TO BE REMOVED DUE TO CONSTRUCTION

Due to trees being in the construction footprint, these trees are not suitable for retention. Recommendation is for complete removal and replacement per city ordinance.

## **APPENDIX A – T-1 FORM**



## **APPENDIX B – DISCLOSURE STATEMENT, STREET TREE, TPZ SIGN**

Pla	CITY OF PAL nning Division, 250 Hamilton Palo Alto, CA (650) 32 http://www.cityofpale
Palo Alto Municipal Code, Chapter 8.10.040, requires disclosure and protection of certain tree property, and that they be shown on submitted and approved site plans. A completed <i>tree dis</i> all permit applications that include exterior work, all demolition or grading permit applications,	es located on private and pul closure statement must acco or other development activit
PROPERTY ADDRESS: 1700 Embarcadero Palo Alto, C	04
Are there Regulated trees on or adjacent to the property? (YES) NO (If no, p	roceed to Section 4)
[Sections 1- 4 MUST be completed by the applicant. Please circle and/or check where a	pplicable.1
1. Where are the trees? Check those that apply (Plans must be submitted chewing all the	
図 On the property 図 On adjacent property overhanging the project site 図 In the City planter strip or right-of-way easement within 30' of property line (Street	s over 4" diameter)
*Street trees <b>require special protection by a fenced enclosure</b> , per the attached instructions. Prior to an authorized Street Tree Protection Verification form. Contact Public Works Operations at (650) 496-5 fencing (see attached Detail #605) required for all street trees.	receiving any permit, you must 1953 for inspection of type I, II
2. Are there any Protected <sup>1</sup> or Designated <sup>1</sup> Trees? <b>VES</b> (Check where applicable) <b>NO</b> <b>S</b> Protected Tree (s) <b>D</b> Designated Tree (s) <b>S</b> On or overhanging the property	
3. Is there activity or grading within the dripline? (radius 10 times the trunk diameter) of these t	
If Yes, a Tree Preservation Report must be prepared by an ISA certified arborist and submitted for the	rees? YES NO
Attach this report to Sheet T-1,: Tree Protection, its Part of the Plan!", per Site Plan Requirements	review (see TTM, Section 6.2.
Attach this report to Sheet T-1,:Tree Protection, its Part of the Plan!", per Site Plan Requirements. 4. Are the Site Plan Requirements** completed? YES NO	review (see TTM, Section 6.2.
Attach this report to Sheet T-1,:Tree Protection, its Part of the Plan!", per Site Plan Requirements. 4. Are the Site Plan Requirements** completed? <b>VES NO</b> **Plans. Protection of Regulated trees during development require the following: (1) Plans must show th dripline: (2) Plans must denote, as a bold dashed line, a fenced enclosure area out to the dripline, per She http://www.cityofpaloalto.org/trees/forms.htm_(See also TTM <sup>2</sup> , Section 2.15 for area to be fenced)	review (see TTM, Section 6.2. he measured trunk diameter and tet T-1 and Detail #605 -
Attach this report to Sheet T-1,:Tree Protection, its Part of the Plan!", per Site Plan Requirements. 4. Are the Site Plan Requirements** completed? <b>VES NO</b> **Plans. Protection of Regulated trees during development require the following: (1) Plans must show th dripline: (2) Plans must denote, as a bold dashed line, a fenced enclosure area out to the dripline, per She http://www.cityofpaloalto.org/trees/forms.htm_(See also TTM <sup>2</sup> , Section 2.15 for area to be fenced) I, the undersigned, agree to the conditions of this disclosure. I understand that knowingly of 8.10.040, which can lead to criminal and/or civil legal action.	review (see TTM, Section 6.2. he measured trunk diameter and ret T-1 and Detail #605 - por negligently providing false Palo Alto Municipal Code Sec
Attach this report to Sheet T-1,:Tree Protection, its Part of the Plan!", per Site Plan Requirements. 4. Are the Site Plan Requirements** completed?  **Plans. Protection of Regulated trees during development require the following: (1) Plans must show th dripline; (2) Plans must denote, as a bold dashed line, a fenced enclosure area out to the dripline, per She http://www.cityofpaloalto.org/trees/forms.htm_(See also TTM <sup>2</sup> , Section 2.15 for area to be fenced) I, the undersigned, agree to the conditions of this disclosure. I understand that knowingly of 8.10.040, which can lead to criminal and/or civil legal action. Signature: Print: Print:	review (see TTM, Section 6.2. the measured trunk diameter and tert T-1 and Detail #605 - or negligently providing false Palo Alto Municipal Code Sec Date:
Attach this report to Sheet T-1,:Tree Protection, its Part of the Plan!", per Site Plan Requirements.  4. Are the Site Plan Requirements** completed?  **Plans. Protection of Regulated trees during development require the following: (1) Plans must show th dripline; (2) Plans must denote, as a bold dashed line, a fenced enclosure area out to the dripline, per She http://www.cityofpaloalto.org/trees/forms.htm_(See also TTM, Section 2.15 for area to be fenced)  I, the undersigned, agree to the conditions of this disclosure. I understand that knowingly of 8.10.040, which can lead to criminal and/or civil legal action.  Signature:  (Prop. Owner or Agent)  Print:  FOR STAFF USE:	review (see TTM, Section 6.2. the measured trunk diameter and the T-1 and Detail #605 - or negligently providing false Palo Alto Municipal Code Sec Date:
Attach this report to Sheet T-1,:Tree Protection, its Part of the Plan!", per Site Plan Requirements.  4. Are the Site Plan Requirements** completed?  **Plans. Protection of Regulated trees during development require the following: (1) Plans must show th dripline: (2) Plans must denote, as a bold dashed line, a fenced enclosure area out to the dripline, per She http://www.cityofpaloalto.org/trees/forms.htm (See also TTM <sup>2</sup> , Section 2.15 for area to be fenced)  I, the undersigned, agree to the conditions of this disclosure. I understand that knowingly of 8.10.040, which can lead to criminal and/or civil legal action.  Signature: (Prop. Owner or Agent)  Protective Fencing Sections 5-6 must be completed by staff for the issuance of any development permit (demolitik	review (see TTM, Section 6.2. te measured trunk diameter and tet T-1 and Detail #605 - or negligently providing false Palo Alto Municipal Code Sec Date:
Attach this report to Sheet T-1,:Tree Protection, its Part of the Plan!", per Site Plan Requirements.  4. Are the Site Plan Requirements** completed?  **Plans. Protection of Regulated trees during development require the following: (1) Plans must show the dripline; (2) Plans must denote, as a bold dashed line, a fenced enclosure area out to the dripline, per She http://www.cityofpaloalto.org/trees/forms.htm_(See also TTM, Section 2.15 for area to be fenced)  I, the undersigned, agree to the conditions of this disclosure. I understand that knowingly of 8.10.040, which can lead to criminal and/or civil legal action.  Signature: Print: Print: Print: Print: Print: OR STAFF USE:  Protected Trees. The specified tree fencing is in place. A written statement is attached verifying is orrectly in place around protected and/or designated trees. (N/A if there are no protected trees, check here [])	review (see TTM, Section 6.2. the measured trunk diameter and tet T-1 and Detail #605 - or negligently providing false Palo Alto Municipal Code Sec Date: on, grading or building permit ng that YES NO
Attach this report to Sheet T-1,:Tree Protection, its Part of the Plan!", per Site Plan Requirements.         4. Are the Site Plan Requirements** completed?         YES       NO         ***Plans. Protection of Regulated trees during development require the following: (1) Plans must show the dripline; (2) Plans must denote, as a bold dashed line, a fenced enclosure area out to the dripline, per She http://www.cityofpaloalto.org/trees/forms.htm_(See also TTM, Section 2.15 for area to be fenced)         I, the undersigned, agree to the conditions of this disclosure. I understand that knowingly of misleading information in response to this disclosure requirement constitutes a violation of the 8.10.040, which can lead to criminal and/or civil legal action.         Signature:	review (see TTM, Section 6.2. the measured trunk diameter and tet T-1 and Detail #605 - for negligently providing false Palo Alto Municipal Code Sec Date: Don, grading or building permit ng that YES NO YES NO
Attach this report to Sheet T-1,:Tree Protection, its Part of the Plan!", per Site Plan Requirements.         4. Are the Site Plan Requirements** completed?       NO         **Plans. Protection of Regulated trees during development require the following: (1) Plans must show the dripline; (2) Plans must denote, as a bold dashed line, a fenced enclosure area out to the dripline, per She http://www.cityofpaloalto.org/trees/forms.htm_(See also TTM, Section 2.15 for area to be fenced)         I, the undersigned, agree to the conditions of this disclosure. I understand that knowingly or misleading information in response to this disclosure requirement constitutes a violation of the 8.10.040, which can lead to criminal and/or civil legal action.         Signature:	review (see TTM, Section 6.2. the measured trunk diameter and tet T-1 and Detail #605 - for negligently providing false Palo Alto Municipal Code Sec Date: Dn, grading or building permit ng that YES NO YES NO h are 11.5" in diameter or larger, C signated by City Council; and c)
Attach this report to Sheet T-1,:Tree Protection, its Part of the Plan!", per Site Plan Requirements.  4. Are the Site Plan Requirements** completed?  **Plans. Protection of Regulated trees during development require the following: (1) Plans must show th dripline; (2) Plans must denote, as a bold dashed line, a fenced enclosure area out to the dripline, per She http://www.cityofpaloalto.org/trees/forms.htm_(See also TTM <sup>2</sup> , Section 2.15 for area to be fenced)  I, the undersigned, agree to the conditions of this disclosure. I understand that knowingly of 8.10.040, which can lead to criminal and/or civil legal action.  Signature: Print: Print: Print: (Prop. Owner or Agent)  Protective Fencing Sections 5-6 must be completed by staff for the issuance of any development permit (demolifue 5. Protected Trees. The specified tree fencing is in place. A written statement is attached verifyin protective fencing is correctly in place around protected and/or designated trees. (N/A if there are no protected trees, check here □)  6. Street Trees. A signed Public Works Street Tree Protection Verification form is attached. (N/A if there are no street trees, check here □).  Frequence Trees - a Street trees - trees on public property: b) Protected trees - Coast Live Oaks or Valley Oaks whic Redwoods which are 18" in diameter or larger, when measured 54" above natural grade; and Heritage trees are trees de Designated Trees - commercial or non-residential property trees, which are part of an approved landscape plan. Palo Alto Tree Technical Manual (TTM) contains instructions for all requirements on this form, available at www.city	review (see TTM, Section 6.2. the measured trunk diameter and tet T-1 and Detail #605 - or negligently providing false Palo Alto Municipal Code Sec Date: on, grading or building permit ng that YES NO YES NO YES NO th are 11.5" in diameter or larger, C signated by City Council; and c)



#### City of Palo Alto Tree Department Public Works Operations PO Box 10250 Palo Alto, CA 94303 650/496-5953 FAX: 650/852-9289 treeprotection@CityofPaloAlto.org

## Verification of Street Tree Protection

Applicant Instructions: Complete upper portion of this form. Mail or FAX this form along with signed Tree Disclosure Statement to Public Works Dept. Public Works Tree Staff will inspect and notify applicant.

APPLICATION DATE:	
ADDRESS/LOCATION OF STREET TREES TO BE PROTECTED:	
APPLICANT'S NAME:	
APPLICANT'S ADDRESS:	
APPLICANT'S TELEPHONE & FAX NUMBERS:	
This section to be filled out by City Trace C	N- #

This section to be filled out by City Tree Staff

1. The Street Trees at the above address(es) are adequately protected. The type of protection used is:	YES NO* *					
Inspected by:						
Date of Inspection:						
2. The Street Trees at the above address are <u>NOT</u> adequately						

 protected. The following

 modifications are required:

 Indicate how the required

 modifications were communicated

 to the applicant.

Subsequent Inspection

Street trees at above address were found	YES NO*			
to be adequately protected.	* If NO, indicate in "Notes" below the disposition of case.			
Inpsected by:				
Date of Inspection:				

**Notes:** List City street trees by species, site, condition and type of tree protection installed. Also note if pictures were taken. Use back of sheet if necessary.

Return approved sheet to Applicant for demolition or building permit issuance. S:PWD/OPS/Tree/DS/St.TreeProtect

5/1706

# permission is subject to a \$500 fine This fencing shall not be removed **Tree Protection Zone Removal withou** without City Arborist approva WARNINGper day\* (650-496-5953)

\*Palo Alto Municipal Code Section 8.10.110

## ATTACHMENT F

#### SITE PHOTOGRAPHS



On Site Looking North



On Site Looking Northeast



Existing Building



Looking North from Site



Looking Northwest from Site



Looking Northwest from Site



Looking at Site from South



Looking at Site from Baylands Trail (Southeast)



Byers Institute (2452 Watson Ct.) Example of Baylands Inspired Theme



Photo simulation of project using Southeast trail picture.

#### ATTACHMENT G Project's Conformance with Zoning Code Regulations 1700 Embarcadero Road / File No. 15PLN-00394

Table 1: CONFORMANCE WITH CHAPTER 18.16 & 18.30(F) (CS DISTRICT & AD COMBINING DISTRICT)				
Regulation	Required	Proposed	Conformance	
Minimum Building Setbacks				
Front Setback	0-10 ft to create an 8-12 ft effective sidewalk	40 feet	Project Conforms with DEE approval	
Interior Side Yard	None	56 ft	Project Conforms	
Street Side Setback	None	80 ft	Project Conforms	
Rear Setback	None	50 ft to main building 5 ft to car wash building	Project Conforms	
Floor Area Ratio (max)	66,384 s.f. (0.6:1) 0.4:1 (44,256 sf) 0.2:1 (22,123 sf) bonus	0.56:1 (61,510 sf) 0.39:1 (43,786 sf) 0.16:1 (17,724 sf)	Project Conforms	
Lot Coverage	None	28,213 s.f. (25.5%)	Project Conforms	
Building Height	50 feet	50 ft	Project Conforms	

Table 2: CONFORMANCE WITH CHAPTER 18.52         (Off-Street Parking and Loading Requirements)					
Parking Spaces	Required	Proposed	Conformance		
Customer/Employee	Vehicle outdoor display: 1:500 s.f. (2,551/500 = 5) Showroom/Sales: 1:400 sf (30,475/400 = 76) Car Wash/Service Repair: 1:350 sf (19,756/350 = 56) 139 spaces*	Surface: 43 2 <sup>nd</sup> Floor: 66 3 <sup>rd</sup> Floor: 30 Total: 139	Project Conforms		
Bicycles	1: 10 employees 7 spaces	8 spaces	Project Conforms		

\*Rounding
## Attachment H

## Initial Study and Mitigated Negative Declaration

This document is available for viewing online at:

http://upload.rinconconsultants.com/getfile.cfm?hashcode=146117973157712EF4481&filename=Public %20Review%20Draft%201700%20Embarcadero%20IS%2DMND1%2Epdf

Hard copies of IS/MND is available at City Hall, 5<sup>th</sup> Floor, Planning and Community Environment Department.

## Attachment I

## Architectural Drawings

Hard copies of the architectural drawings were provided to the Commission and are available for viewing at City Hall, 5<sup>th</sup> Floor, Planning and Community Environment Department.

The plans may also be viewed temporarily at the following website:

http://jmp.sh/u0loT57