



PUBLIC WORKS DEPARTMENT

Council Meeting Date: July 21, 2009
Staff Report #: 09-103

Agenda Item #: E1

PUBLIC HEARING: Consideration of (1) Resolution Adopting Findings for Certification of the Final Environmental Impact Report and a Statement of Overriding Considerations and Approving a Mitigation Monitoring and Reporting Program for the Burgess Gymnasium and Gymnastics Center Projects; (2) Resolution Abandoning Public Right of Way and Reserving a Public Utilities Easement along Mielke Drive and Abandoning Portions of Public Right of Way and Establishing a New Street Easement along Alma Street between Ravenswood Avenue and Burgess Drive; (3) Approval of a Heritage Tree Removal Permit and (4) Approval of Architectural Control for the Burgess Gymnasium Project.

RECOMMENDATION

Staff recommends that the City Council approve the following for the Burgess Gymnasium Project, subject to the findings and actions contained in Attachment A:

1. Adopt a resolution adopting Findings for Certification of the Final Environmental Impact Report including the Statement of Overriding Considerations and Statement of Certification and approving the Mitigation Monitoring and Reporting Program for the Burgess Gymnasium and Gymnastics Center Projects (Attachment B); and
2. Adopt a resolution abandoning public right of way and reserving a public utilities easement along Mielke Drive and abandoning portions of public right of way and establishing new street easement along Alma Street between Ravenswood Avenue and Burgess Drive (Attachment C); and
3. Approve the Heritage Tree Removal Permit; and
4. Approve the Architectural Control.

BACKGROUND

On March 6, 2007, following a series of public participation meetings, the Council approved the Burgess Gymnasium project as the next priority project for Measure T funding. The Council approved the contract for the programming study and design phase for the project on April 3, 2007.

Programming Study and Conceptual Design

During January 2008, four focus group meetings were conducted involving gymnasium and gymnastics center users, residents from the Linfield Oaks neighborhood, City staff and representatives from Field Paoli Architects and The Sports Management Group (Consultants). A special, well publicized community meeting was conducted to gather additional information. A total of 30 people attended the focus group and community meetings. The Consultants also completed an existing conditions assessment report (Assessment Report) for the facility in January 2008. Input from the focus groups and findings in the assessment report included:

Gymnasium

- Insufficient vertical and lateral clearance for players and general circulation
- Insufficient storage areas
- Inadequate locker and toilet room facilities
- Inefficient insulation

Gymnastics

- Insufficient clearances above and around all apparatus and floor mats
- Potentially dangerous foot traffic through training area
- Insufficient space for regulation gymnastics
- Inadequate lighting and light fixtures in conflict with equipment heights

General

- Inadequate ventilation
- Both facilities lack ADA compliance
- Drinking fountains, changing areas and observation areas are insufficient
- Poor daylighting with glare from overhead skylights
- Multi-level circulation, excess access points
- HVAC system insufficient

A Steering Committee comprising four City residents, Parks and Recreation Commissioners, staff from the Community Services and Public Works Departments, and the Consultants was formed to guide the process and to review project deliverables. The Steering Committee met five times between January and September 2008 to discuss the existing facilities, potential building sites, conceptual designs, project phasing and operating budgets for the new facilities.

The Steering Committee initially considered thirteen different design schemes, including renovation of the existing facility; combined gymnasium/gymnastics center options; and separate, stand-alone facilities at different locations on the campus. Schemes that would have involved construction of a new building near the tennis courts along Burgess Drive were ruled out due to a desire to preserve open space for outdoor activities such as volleyball and picnics. The potential impacts to residential properties in the Linfield Oaks neighborhood were also factored in when this location was eliminated from consideration. The mass and scale of a combined facility on Laurel Street and its impacts to the adjacent residential area were primary considerations in eliminating the combined gymnasium/gymnastics center option. The disruption to

current programming during construction and the anticipated costs of such a large facility also factored in to eliminating these options. No other suitable sites on the Civic Center campus were identified during the process.

Three schemes emerged as the best options. Those schemes were (1) new gymnasium behind the Recreation Center with renovation of the gymnastics center, (2) a new combined facility on the existing site, or (3) a new gymnasium at the existing site and a new gymnastics center behind the Recreation Center. A fourth scheme was added which would have involved construction of a new combined gymnasium, gymnastics center and recreation center at the site of the existing Recreation Center.

The Steering Committee's findings were presented to the Parks and Recreation Commission on March 12, 2008. The Commission decided to scale down the conceptual designs by reducing the size of the gym by 10 feet (from 84-foot, high school sized basketball courts to 74-foot courts¹), eliminating a multipurpose room from the gymnastics center, and reducing the amount of storage space provided. The revised concept drawings were presented to the Parks and Recreation Commission on April 16, 2008, in preparation for the Council's study session on the project scheduled for April 29, 2008.

On April 17, 2008, Mr. John Arrillaga met with City staff and presented with his offer to complete the design and construction of a larger gymnasium than the 74-foot court option being developed. The City would need to contribute \$5 million toward construction and to cover the costs associated with permits, preparation of the environmental document, and utility connections. Mr. Arrillaga's offer was presented to the Council during the study session as an additional design scheme. The Council expressed support for splitting the facilities between two sites, constructing the larger gym to accommodate larger court sizes, and incorporating green building features. The Council indicated that staff should proceed with conducting additional discussions with the donor and with developing a timeline for completion of the project as proposed under Mr. Arrillaga's offer and an outline of action steps needed to accomplish the project.

On May 21, 2008, the Parks and Recreation Commission voted to recommend the donor-funded gymnasium behind the Recreation Center and a new gymnastics center on the existing site as the preferred design scheme to the Council. This option was deemed to have the least impact on the neighborhood, the highest probability of being funded for construction, and would enable the City to continue current programming at both facilities during construction.

Staff returned to the Council on July 15, 2008, with additional information and a timeline for completing the approval process. The Council authorized the City Manager to enter into an agreement with LSA to complete the environmental document required for the project.

¹ The meeting minutes note that Menlo Park basketball leagues from 6th grade level and up play on 84' courts. Currently, 54 adult and 126 youth basketball teams (920 Menlo Park residents, 340 non-residents) use the Burgess Gym, in addition to 560 girls in youth volleyball leagues (300 Menlo Park residents, 260 non-residents).

Approval Process

Approval authority for the project is within the purview of the Council because this is a City-funded project. Completion of the environmental review includes an Initial Study to determine potential impacts, and a review process with the Planning Commission. That process includes an environmental scoping session, development of the draft environmental impact report (EIR), public review and comment period, a public hearing before the Planning Commission, response to comments, a recommendation from the Planning Commission, then final certification by the Council. The Initial Study determined that potentially significant environmental impacts were limited to traffic and parking, and so the EIR was focused on these potential impacts.

Planning Commission Review

On December 15, 2008, the Planning Commission held the scoping session for the focused EIR and a study session on the project. The Planning Commission asked questions about the project and received comments from one member of the public. As part of the EIR scoping session, the Planning Commission commented on the parking, traffic, alternative modes of transportation, project alternatives, and recreation programming as it related to traffic and parking. During the study session, the Planning Commission discussed the architectural design, materials, building size, green building features and the public process for the project. In addition to the input provided by the Commission, the public was granted a period of time to comment on the scope of the EIR. This period ended on January 5, 2009.

At the January 26, 2009, Planning Commission meeting, staff presented an information item on the project as a follow-up to questions raised during the December 15 study session. The presentation provided background information on the Parks and Recreation Commission's and City Council's decision-making processes on the specific proposal for the Burgess Gymnasium and Gymnastics Center project. Following the presentation by staff, the Commission asked questions and provided comments about the site layout, programming of the uses, parking adequacy, building architecture and funding related to the proposed project. The staff report for that meeting provides detailed project history and is included as Attachment E to this report.

The Draft Environmental Impact Report (Draft EIR) was published on April 9, 2009, with a forty-five (45) day public review and comment period. Staff received four comment letters from various local and state agencies and 18 comment letters from individuals during and immediately following the comment period. The commenters generally discussed traffic, parking, and green building design.

On May 4, 2009, the Planning Commission held a public hearing on the Draft EIR, at which time the members of the Commission provided comments and asked questions of staff and the City's consultants pertaining to the document. Comments from the Planning Commission and comments received during the public comment period of the public hearing were recorded for formal response and incorporation in the response to comments.

The response to comments document was released on June 18, 2009. This document, when combined with the Draft EIR, comprises the Final Environmental Impact Report

(Final EIR). The Final EIR was available for public review for a period of ten (10) days. During this time, any additional comments received from the public were collected by staff to provide to the Planning Commission.

The Planning Commission held a public hearing on architectural control, environmental review, right of way abandonment and heritage tree removal permitting for the project on June 29, 2009. Staff presented a summary of the project at the hearing and responded to questions and comments from both the Commission and the public. In addition, written comments received from the public on the FEIR were provided to the Planning Commission in written and summary form. The Planning Commission staff report and meeting minutes are included as Attachments F and G, respectively.

The Commission voted to recommend that the City Council approve the project by adopting findings for certification of the EIR including the Statement of Overriding Considerations and Statement of Certification and the Mitigation Monitoring and Reporting Program for the project; adopt a resolution abandoning portions of public rights of way on Mielke Drive and Alma Street; adopt findings and approve a heritage tree permit and approve architectural control for the project. The Planning Commission recommended modification of one of the proposed conditions of approval of the project, and made several additional recommendations for the Council's consideration. The Commission's recommendations are discussed under "Architectural Control" and "Additional Recommendations from Planning Commission" in the Analysis section below.

ANALYSIS

Certification of the Environmental Impact Report

In order to complete the EIR process and certify the document, CEQA requires the preparation of Findings for Certification, a Statement of Certification, and a Mitigation Monitoring and Reporting Program. The Findings for Certification address the potentially significant impacts identified in the Draft EIR and Initial Study describing the impact, the mitigation and the determination of significance. The Statement of Certification states that the City has met all procedural requirements of CEQA.

The Statement of Overriding Considerations is a specific finding that the project includes substantial public benefit that outweighs its significant adverse environmental impact and the Statement of Certification states that the City has met all procedural requirements of CEQA. Both are included in Attachment B, Appendix 1 as part of the Findings for Certification.

As identified in the EIR, the project would result in significant, unavoidable transportation impacts. The June 29, 2009 Planning Commission staff report (Attachment F) includes a detailed discussion of the environmental impacts. In order to approve the project with significant and unavoidable adverse environmental impacts, the City Council must adopt a Statement of Overriding Considerations. This is a specific finding that the project includes substantial public benefit that outweighs its significant adverse environmental impact. The Statement of Overriding Considerations is included in Attachment B, Appendix 1, as part of the Findings for Certification.

The Mitigation Monitoring and Reporting Program (MMRP), included as Attachment B, Appendix 2, establishes the details, timing for implementation, and monitoring requirements of all mitigation measures recommended in the Draft EIR and Initial Study. The Findings for Certification, including the Statement of Certification, and the Mitigation Monitoring and Reporting Program are included as Attachment B, Appendix 1 and 2, respectively.

Traffic and Parking Analysis

The traffic and parking analysis provided in the Final EIR shows that the civic center campus has sufficient parking for all of the existing and proposed uses on the site, including a future, expanded gymnastics center. The Planning Commission and staff received several comments from members of the public who expressed concerns about the adequacy of parking at the site of the new gymnasium, specifically in parking lot 6 located between the Recreation Center and the Library.

Although the analysis indicates that sufficient parking exists, staff acknowledged that users might experience some inconvenience in parking directly in front of the facility they are visiting during periods of peak demand, and felt it would be important to develop a plan to offset some of the impacts once the gymnasium has been constructed. These parking management strategies were presented to the Planning Commission in the form of a recommended condition of approval for the project, and are discussed further under "Architectural Control" below.

Right of Way Abandonment

The footprint of the proposed gymnasium extends to within approximately 8 feet from the travel way of Alma Street. A new five-foot sidewalk will be constructed between the gymnasium and the travel way. The building permit for the new gymnasium cannot be issued until the rights of way are formally abandoned.

The right of way for Alma Street was first shown on a subdivision map recorded in 1868. The mapped right of way is 100 feet wide between Ravenswood Avenue and Burgess Drive and currently envelopes portions of the existing skate park, basketball court, and two parking lots. In addition, Mielke Drive, which is shown on record maps as public right of way, was closed as a connector between Laurel Street and Alma Street in 2004 to facilitate development of the current Burgess Field and additional parking to serve the campus.

Alma Street and Burgess Drive are City-owned and currently function as public streets. However, formal documentation establishing these street areas as public streets has not been recorded. Underlying fee title to both Alma Street and Mielke Drive is held by the City, therefore, land ownership will revert back to the City upon finalization of the street abandonments. The recommended actions affirm and clarify Alma Street between Ravenswood Avenue and Burgess Drive and Burgess Drive between Laurel Street and Alma Street as public streets for public access and public utilities purposes. The process required to document the existing use of Alma Street and Mielke Drive involves:

- Abandoning Mielke Drive in its entirety, reserving a public utility easement for preservation and maintenance of existing facilities; and
- Abandoning a portion of Alma Street between Ravenswood Avenue and Burgess Drive, retaining a portion for public street purposes; and
- Affirming Burgess Drive between Laurel Street and Alma Street as a public street for public access and public utilities uses.

Graphical representations of the limits of each of these actions are included as exhibits to the resolution (Attachment H).

Notices of the proposed abandonment were mailed to all the utility agencies and affected jurisdictions inviting comment on the proposal. None of the utility companies or affected jurisdictions expressed any objections to the proposed abandonment.

On June 29, 2009, the Planning Commission adopted Resolution No. 2009-1 (Attachment I) determining that the abandonment of the Mielke Drive and a portion of the Alma Street rights of way is consistent with the General Plan.

Heritage Tree Removal Permit

Construction of the proposed gymnasium would require the removal of five trees including two heritage-sized evergreen elms and one heritage-sized bottlebrush. The evergreen elms are currently in very poor to fair condition, and the bottlebrush is in poor condition. The removed heritage trees would be required to be replaced at a two-to-one ratio.

The Planning Commission voted to adopt findings, as per Chapter 13.24 of the Municipal Code, regarding heritage tree removal and to recommend approval of the Heritage Tree Removal Permit for the project. Staff recommends that the City Council, consistent with the Planning Commission's recommendation, adopt the findings, as per Chapter 13.24 of the Municipal Code, regarding heritage tree removal and approve the Heritage Tree Removal Permit for the Project.

Should the Council elect to approve modifications to parking lot 6 as described below, staff recommends that the Heritage Tree permit findings and approval be expanded to include the heritage sized carob trees that would be in conflict with the necessary work.

Architectural Control

The Planning Commission approved the architectural control for the Burgess Gymnasium project subject to standard and project specific conditions (Attachment A). The Commission recommended modifications to one of the conditions proposed by staff to require various parking improvements and measures (described below) prior to occupancy of the gymnasium.

Staff provided the Planning Commission with a schematic plan of a modification to parking lot 6 that would add 13-15 parking spaces to the lot (Attachment J) in response to the concerns raised by members of the public. The plan requires a modification to the landscape area including the removal of several carob trees on the western edge of the

lot. There are currently seven carob trees in this area, six of which are heritage sized. The City Arborist recommends removal of all seven trees due to die back of the branches at the crown. Replacement planting could be accomplished following the reconfiguration work. It is estimated that the additional parking would cost the City \$70,000-\$90,000, which was not included in the project budget approved by the Council for FY 2009-10.

The project includes measures to improve parking throughout the Burgess campus including Lot 6. Several of these items are included as recommended conditions of approval in Attachment A. The conditions of approval specifically intended to address parking concerns are:

7.a. Prior to building permit issuance, a Transportation Demand Management (TDM) program shall be prepared. The TDM program shall be subject to review and approval by the Planning and Transportation Divisions and shall be implemented prior to occupancy. (MM TRANS 1-a)

7.m. Prior to occupancy of the gymnasium, the City shall implement the following parking improvement measures, subject to review and approval by the Planning and Transportation Divisions:

- **Parking Map.** A parking map depicting the parking lots on the campus shall be created and included in future Activity Guides for the campus, handed out to individuals and groups that use the facilities, added to the City's website, and included in the various kiosks throughout campus.
- **Parking Signage.** A parking signage plan shall be implemented. The signage will be developed as part of the project and placed at various locations throughout the campus with the intent of helping users better understand where parking is located on campus and distribute parking throughout the campus. (IM PRK-1)

7.n.² Prior to occupancy of the proposed gymnasium, the City shall ~~implement a Parking Management Plan. Parking improvements shall include designated employee parking areas, designated library parking, parking time restrictions, coordination of events throughout the campus, and the removal of~~ remove landscaping to add additional parking stalls in lot 6 as shown in Attachment J subject to approval of a Heritage Tree permit. Following occupancy of the gymnasium, the City shall implement a Parking Management Plan. The City will monitor the parking on campus by conducting two parking counts per year (one during the summer and one while school is in session) for a period of two years after the building is occupied. Additionally, the Transportation Division will keep a log of complaints regarding inadequate parking, and will evaluate whether the complaints are the result of a chronic parking shortage or an atypical incident due to multiple events simultaneously occurring on the campus. The

² Condition 7.n. is presented in this format to illustrate the difference between language recommended by the Planning Commission and the staff recommendation.

parking counts and complaint log will be used to better assess the parking conditions on campus and determine if improvements are necessary. As part of the architectural control review for the gymnastics center, staff shall further analyze the parking situation on the campus. (IM PRK-1)

In conjunction with the conditions of approval, staff plans to implement several other strategies to reduce parking concerns, including:

- Move City Vehicles from Lot 6 to other lots with lower utilization
- Coordinate large events on campus
- Enforcement of current time restrictions in Lot 6

Coordination of large scale events scheduled by the Community Services Department and the Library would assist with managing parking demand by reducing the potential for overlap of large scale events and will allow the Community Services Department to oversee the majority of activities on campus. However, coordination of daily facility uses is not recommended, as it is believed to provide limited benefit to the parking areas and will require significant additional staff time and coordination.

The Council may wish to consider restricting employee parking in this lot during the peak hours identified in the Final EIR. Relocating employee and city vehicles to less utilized lots would potentially make 10 to 20 additional spaces available for use by library, gymnasium and recreation center users. Employee parking restrictions would need to be carefully evaluated to ensure safety and accessibility needs continued to be addressed.

Additional Recommendations from Planning Commission

After formalizing their recommendations to the Council regarding the required project approvals, the Planning Commission voted on several additional recommendations. The recommendations that received majority support from the Planning Commission are listed below, followed by additional discussion.

1. Recommend that the City Council implement improvements to two intersections in conjunction with the project:

- 1) Left turn safety (potentially by adding a left turn arrow to the existing signal) from Laurel Street onto Ravenswood Avenue
- 2) Improve circulation (associated with the signal timing) for the left turn onto Ravenswood Avenue from Middlefield Road.

The EIR analyzed both of these intersections and determined that they were both significantly impacted by the project. The mitigation measures to improve the intersections to a less than significant level included constructing additional lanes to reduce the delay. More specifically the intersection of Laurel Street and Ravenswood Avenue would require an additional northbound left turn lane, which would require additional right-of-way and was not deemed feasible as part of the project. The intersection of Middlefield Road and Ravenswood Avenue would require either an additional northbound left lane or an exclusive southbound right turn lane. Both of these

improvements would require additional right-of-way and coordination with the Town of Atherton, thus they were not deemed feasible as part of this project.

Staff has also reviewed the intersection of Laurel Street and Ravenswood Avenue related to the safety of the northbound left turn. A review of the accident records at the intersection indicated that there were two accidents related to this movement from 2006 to the present. Based on this information, the northbound left turn would not be considered a significant safety concern. However, staff did review ways to improve the safety of this movement.

There are two ways to improve the safety. The first way would split the northbound and southbound movements, so that they did not occur at the same time. This approach is necessary because there is not a dedicated left turn lane in the southbound direction. This scenario would allow the northbound traffic to proceed without any conflicting movements from the southbound direction. This additional phase of the traffic signal would increase delay at the intersection due to the additional movements at the intersection. The increase delay can be significant because there is additional red time, yellow time, and pedestrian timing for each side of the intersection.

The second option includes the addition of a curb extension on the southbound side of the intersection to prevent through vehicles from using the bike lane and parking lane to go around southbound left turning vehicles. Vehicles that are waiting to turn left in the northbound direction are not expecting vehicles to go around the southbound left turning vehicles due to only one lane in the southbound direction. The curb extension would reduce the width available for the through drivers to go around the southbound left turning vehicles. The curb extension would likely remove at least one parking space on Laurel, could create drainage complications and could become an obstacle as it extends further into the roadway. The curb extension would still allow the bike lane to remain, which could allow some vehicles to go around the southbound left turning vehicles by using the bike lane.

Staff does not recommend additional improvements to the intersection of Laurel Street and Ravenswood. Based on staff's analysis of the intersection and the number of accidents, additional improvements would not be necessary and would create additional delay for motorists at the intersection.

Staff is currently in the process of improving the signal timing at Ravenswood Avenue and Middlefield Road. The City in conjunction with the Town of Atherton conducted a study to improve the traffic flow along Middlefield Road. As a result of the study the signal timing is being modified for improvements. These improvements will provide some benefit to Middlefield Road and staff is awaiting some additional signal control equipment for implementation. Also, future implementation of adaptive signal timing will provide further benefit to the Middlefield Road corridor and the intersection of Ravenswood Avenue and Middlefield Road.

The EIR includes a mitigation measure requiring a contribution of \$20,000 towards the cost of adaptive signal timing along Middlefield Road. Adaptive signal timing along the corridor will provide better traffic flow and reduced delay. Based on the right-of-way requirements and coordination with the Town of Atherton and the low number of vehicles generated by the project at this intersection, it is not recommended to implement further roadway improvements at this intersection as part of the project.

2. Recommend that the City Council direct the architect to add a second entrance to the building that would be oriented to either parking lot 3 or 5.

The gymnasium has been designed with its entry facing northwesterly (i.e. toward parking lot 6) and with standard exit doors on its southeasterly end facing the skate park. The project architect indicated that a second entry lobby could be added to the building's southeastern end. A second lobby would require additional lighting, HVAC, finishes and potentially staffing to operate, all at the City's cost.

The exit doors at the rear of the proposed gymnasium could be opened to facilitate access from the east (i.e. parking lot 5) during peak activity periods.

3. Recommend that the City Council direct the architect to maximize natural ventilation in the gymnasium.

The proposed gymnasium will include operable clerestory windows which can be opened during warm weather to allow hot air near the roof of the gymnasium to vent, promoting air circulation. Staff will continue to work with the architect to investigate additional means to maximize natural ventilation in the proposed gymnasium.

4. Recommend that the City Council consider requiring the project to complete the LEED certification process for the gymnasium.

As part of the planning department's submittal requirements, a preliminary LEED checklist has been submitted for the gymnasium that indicates the facility would be capable of achieving the LEED Silver level of certification under the current design (Attachment K). In order to complete the certification process, the City would need to engage a LEED consultant and provide additional fees to the building's design team in order to coordinate and submit the completed documentation to the U.S. Green Building Council. For a project of this scope, the architect has estimated that an additional \$50,000 to \$75,000 in consultant fees would be required, along with an increase in construction costs of 1 to 2 percent, for a total estimated cost of \$200,000 to \$230,000. The additional cost during the construction phase accounts for the additional contractor effort required to document materials and complete the construction phase LEED submittal requirements. LEED certification would be issued following the complete construction of the gymnasium.

Should the Council wish to pursue LEED certification for the gymnasium, staff recommends an increase to the City's project budget of \$250,000 to complete the additional work (\$230,000 plus \$20,000 in contingencies). If the Council does not wish to fund pursuing LEED certification, staff recommends that the design and construction of the facility continue to follow the guidelines set forth by the U.S. Green Building Council, consistent with the LEED Silver certification level.

5. Recommend that the City Council investigate the possibility of placing an underground parking level beneath the proposed gymnasium.

Staff has conducted a preliminary analysis of the feasibility of underground parking below the gymnasium. The preliminary cost estimate for design and construction is

estimated to exceed \$5 Million, not including modifications to the Recreation Center foundation, utility relocations and potential revisions to the FEIR that might be required. All costs associated with parking beneath the gymnasium, including ongoing operations and maintenance, would be borne by the City.

The parking analysis provided in the Final EIR shows that the campus has a surplus of parking available to users of the site's facilities. The Council may wish to defer consideration of a parking structure until the two year parking study proposed in the Mitigation Monitoring and Reporting Program has been completed and its results reported to the Council. Underground parking could also be considered as part of the future gymnastics center project if deemed necessary by the Council.

6. Recommend that the City Council consider relocating the skate park to provide additional parking near the proposed gymnasium.

The existing skate park was constructed in 2004 as part of the Burgess Park renovation project at a cost of \$527,000, funded by Measure T. The skate park is popular and heavily used by youth in the community. Staff estimates that it would cost approximately \$750,000 to demolish, permit and reconstruct the skate park today, and an additional \$200,000 required to construct a 50 stall parking lot with a drop-off area in its place.

The Council may wish to consider this recommendation in the future should the popularity or use of the skate park diminish or if complete reconstruction of the skate park is ever contemplated.

7. Recommend that the City Council direct the architect to investigate design modifications to minimize energy usage within the gymnasium within reasonable cost and design constraints.

When designing the facility, the architect's goal was to address the needs of gym users and staff, keep the proposed architectural style consistent with other Civic Center buildings, and achieve a high level of energy efficiency without sacrificing functionality of the building. An electrical consultant has not yet been selected to conduct an analysis of the building and design the electrical systems. Potential consultants will be made aware that energy efficiency will be an important aspect of the new facility and may be a factor in the consultant selection process.

Staff recommends that the City Council direct staff to continue to work with the architect to find reasonable ways to incorporate energy efficient design aspects into the plans for the new gymnasium.

IMPACT ON CITY RESOURCES

To date, the City has invested \$521,033 in the programming study, conceptual design, environmental review and Architectural Control for the project. Those costs have been paid from the \$1.25 Million approved by the Council in FY 2007-08 for the programming study and conceptual design. The Council also authorized a project budget of \$5.8 Million in FY 2009-10 for the City's \$5 million share of construction plus plan-check, building permit and inspection fees and utility connection fees.

The City currently has a verbal agreement with Mr. Arrillaga that he will further develop the plans, construct the gymnasium, and finance all but \$5 million of the architectural and construction costs. Mr. Arrillaga will select the construction contractor and take an active role in managing construction. Upon approval of the project, the City Council's next steps would include authorizing the City Manager to enter into an agreement with Mr. Arrillaga's contractor to formalize terms and conditions of payment for the City's portion of the work.

POLICY ISSUES

This recommendation does not represent any change to existing City Policy.

ENVIRONMENTAL REVIEW

The environmental review for the project was completed as discussed in the background and analysis of this report.

Kent Steffens
Director of Public Works

Lisa Ekers
Engineering Services Manager

Chip Taylor
Transportation Manager

PUBLIC NOTICE: Public notification consisted of publishing a legal notice in the local newspaper. In addition, notice of this meeting was mailed to all property owners and occupants within the area bounded by Middlefield Road, the City's limits along San Francisquito Creek, El Camino Real, Oak Grove Avenue, and Marcussen Drive.

The City has prepared a project page for the proposal, which is available at the following address: <http://www.menlopark.org/gym>. This page will provide up-to-date information about the project, allowing interested parties to stay informed of its progress. The page allows users to sign up for automatic email bulletins, notifying them when content is updated.

- ATTACHMENTS**
- A. [Draft Findings and Actions for Approval, Burgess Gymnasium Project](#)
 - B. [Resolution of the City Council of the City of Menlo Park, State of California Certifying the Final Environmental Impact Report \(EIR\), Adopting the Statement of Overriding Considerations,](#)

[and Adopting a Mitigation Monitoring and Reporting Program for the Burgess Gymnasium and Gymnastics Center Project.](#)

- C. [Resolution of the City Council of the City of Menlo Park to Abandon Public Rights of Way Known as Mielke Drive While Reserving a Public Utilities Easement, Abandon Portions of Public Rights of Way Known as Alma Street Between Ravenswood Avenue and Burgess Drive While Retaining a Portion for Public Street Purposes, and Affirmation of Burgess Drive as a Public Street.](#)
- D. [Public Meetings, Outreach and Community Engagement Summary](#)
- E. [January 26, 2009 Planning Commission Staff Report](#)
- F. [June 29, 2009 Planning Commission Staff Report](#)
- G. [June 29, 2009 Planning Commission Meeting Minutes](#)
- H. [Right of Way Exhibits](#)
- I. [Resolution No. 2009-1 – Resolution of the Planning Commission of the City of Menlo Park Determining that Abandoning Mielke Drive and a Portion of Public Right of Way along Alma Street is Consistent with the General Plan.](#)
- J. [Parking Lot 6 Parking Addition Exhibit](#)
- K. [LEED Registered Project Checklist](#)
- L. [Project Plans](#)
- M. [Resolution No. 5857 – Resolution of Intention of the City Council of the City of Menlo Park to Abandon Portions of Public Rights of Way Along Alma Street and Mielke Drive for Future Construction of the Burgess Gymnasium](#)