



COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: November 28, 2006
Staff Report #: 06-217

Agenda Item #: D8

CONSENT CALENDAR: Waiver of the Reading and Adoption of an Ordinance Rezoning the Property Located at 75 Willow Road from C-1 (Professional and Administrative District, Restrictive) to R-3-X (Apartment – Conditional Development District).

RECOMMENDATION

Staff recommends that the City Council waive the full reading of and adopt an ordinance rezoning property located at 75 Willow Road from C-1 (Professional and Administrative District, Restrictive) to R-3-X (Apartment – Conditional Development District).

BACKGROUND

At the November 14, 2006 City Council meeting, the Council conducted a public hearing on the proposed project and voted 3-2 (with Council Members Fergusson and Cohen opposed) to introduce an ordinance rezoning property located at 75 Willow Road from C-1 (Professional and Administrative District, Restrictive) to R-3-X (Apartment – Conditional Development District). In addition, the City Council voted to approve the General Plan Amendment, Conditional Development Permit, Tentative Subdivision Map, Below Market Rate Agreement, Heritage Tree Permit, and the Environmental Impact Report for the demolition of an existing 40,000-square-foot office building and the construction of 33 single-family residential units, common open space areas, and a new private street on a 4.5-acre site.

In approving the project, the City Council also adopted several modifications and additions to the conditions of approval to address transportation and circulation improvements, the road width, tree screening, and benefits to the elementary school district. These modifications are described in more detail below. A revised Conditional Development Permit, which contains the conditions, is shown in underline and strikeout format in Attachment B.

With regard to the modified conditions of approval, the City Council indicated a desire to see adaptive signal timing at the intersection of Willow Road and Middlefield Road. However, absent a project at 8 Homewood Place and pending review of a project at 321 Middlefield Road, which would contribute financially to fund the improvement, the Council believed the applicant could financially participate to complete the adaptive

signal timing. The applicant would be contributing to other identified traffic improvement measures and condition 5.27 has been modified to reflect the additional item.

Second, the City Council, in an effort to balance staff's concern about a reduced width street in a portion of the ring road and the applicant's desire to preserve existing redwood trees in a proposed passive space area without modifying other aspects of the project, directed the applicant to work with staff to preserve the trees while maintaining a 20-foot travel lane by incorporating alternative materials adjacent to the trees that would not be detrimental to their health. If an alternative solution is not feasible, then a portion of the new private street may be reduced to an 18.5-foot travel width. Condition 5.15. has been revised to include this new language.

Lastly, the Council added three conditions (5.20, 5.21, 5.23) based on offerings from the applicant. To help address concern about privacy and minimize impacts during the construction process, the applicant is willing to maintain trees numbered 41, 42 and 43 (eucalyptus trees) until issuance of the building permit for houses on lots 18 and 19. Additionally, the applicant offered to provide tree screening or hedges along the adjacent neighbors' properties, if desired by the property owners along Waverley Street. To respond to concerns raised by members of the public regarding potential impacts to the school district, the applicant has offered to contribute \$100,000 to the Menlo Park City School District or the Menlo Park Atherton Education Foundation to fund operating costs.

ANALYSIS

Staff has prepared the final version of the ordinance rezoning the property for adoption (Attachment A). If the Council takes action to adopt the ordinance, it would become effective 30 days later or on December 28, 2006. Staff would note that the effective date falls during the week of the holiday furlough when the Administration Building will be closed.

IMPACT ON CITY RESOURCES

There is no direct impact on City resources associated with adoption of the ordinance amendment.

POLICY ISSUES

The recommended action is consistent with existing City practices and the previous actions and approvals of the Council related to the project.

ENVIRONMENTAL REVIEW

On November 14, 2006, the City Council adopted findings in accordance with the California Environmental Quality Act and certified the Environmental Impact Report prepared for the project.

Deanna Chow
Senior Planner
Report Author

Justin Murphy
Development Services Manager

PUBLIC NOTICE

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

ATTACHMENTS

- A. Ordinance rezoning property located at 75 Willow Road from C-1 (Professional and Administrative District, Restrictive) to R-3-X (Apartment – Conditional Development District)
- B. Revised Conditional Development Permit for 75 Willow Road, dated November 28, 2006

ATTACHMENT A

DRAFT
November 28, 2006

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF MENLO PARK, REZONING
PROPERTY LOCATED AT 75 WILLOW ROAD**

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The zoning map of the City of Menlo Park is hereby amended such that certain real property located at 75 Willow Road (062-422-130) and more particularly described in Exhibit "A" (map) and Exhibit "B" (legal description) is rezoned from C-1 (Administrative and Professional District, Restrictive) to R-3-X (Apartment – Conditional Development District).

SECTION 2. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the 14 day of November , 2006.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ____ day of _____, 2006, by the following vote:

AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:
ABSTAIN: Council Members:

APPROVED:

Nicholas P. Jellins
Mayor, City of Menlo Park

ATTEST:

Silvia M. Vonderlinden, City Clerk

DRAFT

CONDITIONAL DEVELOPMENT PERMIT

75 Willow Road

November 28, 2006

Redlined Conditions of Approval

*Showing Changes Incorporated at the October 23, 2006 Meeting in
Underline and ~~Strikeout~~ Format*

1. GENERAL INFORMATION:

1.1 Applicant: SummerHill Homes

1.2 Nature of Project: General Plan Amendment, Rezoning, Conditional Development Permit, Tentative Subdivision Map, and Heritage Tree Permit to allow for the construction of 33 single-family residential units, including five (5) Below Market Rate (BMR) units.

1.3 Property Location: 75 Willow Road

1.4 Assessor's Parcel Numbers: 062-422-130

1.5 Area of Property: 4.52 acres

1.6 Present Zoning: C-1 (Administrative and Professional District, Restrictive)

1.7 Proposed Zoning: R-3-X (Apartment - Conditional Development District)

2. DEVELOPMENT STANDARDS:

2.1 Floor Area Ratio (FAR) shall not exceed **36 percent** of the project site.

2.2 Lot coverage shall not exceed a **25 percent** of the project site.

2.3 Minimum landscaping shall be a minimum **50 percent** of the project site.

2.4 The maximum amount of pavement shall not exceed **25 percent** of the project site.

2.5 Building height shall not exceed **28.5 feet** from the finished grade (32 feet from existing grade).

2.6 Building setbacks and parking shall be in accordance with the approved plans.

2.7 The on-site circulation shall be installed according to the approved plans.

3. USES

3.1 Permitted uses in the R-3-X District: Single-family residences

3.2 Conditionally permitted uses in the R-3-X District: None

4. TERMS OF THE PERMIT

4.1 The Conditional Development Permit shall expire **one year** from the date of approval if the applicant does not submit a complete building permit application within that time. The Community Development Director may extend this date per Municipal Code Section 16.82.170.

4.2 Minor modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be approved by the Community Development Director or designee, based on the determination that the proposed modification is consistent with other building and design elements of the approved Conditional Development Permit and will not have an adverse impact on the character and aesthetics of the site. The Director may refer any request for revisions to the plans to the Planning Commission for architectural control approval. A public hearing could be called regarding such changes if deemed necessary by the Planning Commission.

4.3 Major modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be allowed subject to obtaining an architectural control permit from the Planning Commission, based on the determination that the proposed modification is compatible with the other building and design elements of the approved Conditional Development Permit and will not have an adverse impact on the character and aesthetics of the site. A public hearing could be called regarding such changes if deemed necessary by the Planning Commission.

4.4 Major revisions to the development plan which involve material changes in land use, expansion or intensification of development or a material relaxation in the standards of development set forth in Section 2 above constitute permit amendments that require public hearings by the Planning Commission and City Council.

4.5 Any application for amendment shall be made by at least one property owner, in writing, to the Planning Commission. The Planning Commission shall then forward its recommendation to the City Council for action.

5. PROJECT CONDITIONS:

- 5.1 Development of the project shall be substantially in conformance with the plans by Wilsey Ham and Dahlin Group, dated received by the Planning Division on October 18, 2006, consisting of 53 plan sheets, except as modified by the conditions contained herein.
- 5.2 Within one year from the date of approval of the tentative subdivision map, the applicant shall submit a Final Map for review and approval of the City Engineer. The subdivision map shall use a benchmark selected from the City of Menlo Park benchmark list as the project benchmark and the site benchmark.
- 5.3 Concurrent with Final Map submittal, the applicant shall submit covenants, conditions and restrictions (CC&Rs) for the approval of the City Engineer and the City Attorney. The Final Map and the CC&Rs shall be recorded concurrently. The CC&R's shall include language that:
 - 5.3.1. Prohibits all owners, tenants, and guests from parking any form of vehicle except in defined parking spaces.
 - 5.3.2. Prohibits parking on private streets overnight consistent with the Menlo Park Municipal Code Section 11.24.050.
 - 5.3.3. Requires that each homeowner maintain the garage to accommodate two vehicles.
 - 5.3.4. Requires the Homeowners Association to maintain the common landscaped areas within the subject site and in City's right-of-way along the entire property frontage.
- 5.4 Prior to Final Map approval, the applicant shall pay any applicable recreation fees (in lieu of dedication) per the direction of the City Engineer in compliance with Section 15.16.020 of the Subdivision Ordinance. The estimated value is \$1,056,000 (based on \$4 million value of acreage).
- 5.5 Prior to Final Map approval, the applicant shall submit improvement plans for all on-site and off-site improvements. The plans shall include details for utility systems, curbs, gutters, sidewalks, street lights, etc. The plans shall be subject to review and approval of the Public Works Department.
- 5.6 Concurrent with the improvement plan submittal, the applicant shall submit a Grading and Drainage Plan, including an Erosion and Sedimentation Control Plan, for review and approval of the City Engineer. The Grading and Drainage Plan shall be prepared based on the City's Grading and Drainage Plan Guidelines and Checklist and the Project Applicant Checklist for the National Pollution Discharge Elimination System (NPDES) Permit Requirements.

- 5.7 Prior to recordation of the Final Map, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- 5.8 Prior to recordation of the Final Map, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- 5.9 Prior to recordation of the Final Map, the existing structures shall be demolished after obtaining a demolition permit.
- 5.10 Prior to recordation of the Final Map, the applicant shall remove and replace all damaged, significantly worn, cracked, uplifted or depressed frontage improvements (e.g., curb, gutter, sidewalk) and install new improvements per City standards along the entire property frontage subject to the review and approval of the Engineering Division. The applicant shall obtain an encroachment permit prior to commencing any work within the right-of-way or public easements. If determined appropriate and subject to the approval of the Engineering Division, the applicant may enter into an agreement and provide a bond for the completion of the work prior to the recordation of the Final Map.
- 5.11 Prior to recordation of the Final Map, the applicant shall install new utilities to the point of service subject to review and approval of the City Engineer. All electric and communication lines servicing the project shall be placed underground. Each lot/unit shall have separate utility service connections. If determined appropriate and subject to the approval of the Engineering Division, the applicant may enter into an agreement and provide a bond for the completion of the work prior to the recordation of the Final Map.
- 5.12 Prior to grading permit issuance, the applicant shall submit a rough grading plan for review and approval of the Building and Engineering Divisions.
- 5.13 Concurrent with the submittal for a demolition permit and a rough grading permit, the applicant shall submit a plan for construction safety fences around the periphery of the construction area for review and approval of the Building Division. The fences shall be installed according to the plan prior to commencing construction.
- 5.14 Prior to grading permit issuance, the applicant shall pay the applicable Building Construction Street Impact Fee.
- 5.15 Concurrent with the building permit submittal for site improvements, the applicant shall work with staff and submit a revised plan and street section (B1 on Sheet C-7), showing a minimum ~~of a~~ 20-foot travel lane and a four-foot sidewalk, which could incorporate the use of alternative materials to maintain the existing trees in the area. If preservation of the trees is not deemed feasible with alternative construction measures, a portion of the street width may be reduced to 18.5 feet in order to preserve the existing redwood trees.

The plans, for the proposed new private street subject are subject to review and approval of the Transportation Division.

- 5.16 Prior to building permit issuance for the first house, the applicant may propose an alternative approach to meeting the BMR requirements. The alternative approach would include dedicated funds and/or expertise equal to or greater than the value of the on-site BMR units to assist in and help ensure the feasibility of the Habitat for Humanity project proposed on Terminal Avenue. An alternative BMR agreement is subject to review and recommendation by the Housing Commission and review and approval of the City Council and would be in-lieu of some or all on-site BMR units and, if approved, would supersede the BMR agreement, dated November 14, 2006.
- 5.17 Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- 5.18 Prior to demolition and building permit issuance, the applicant shall comply with the requirements of Chapter 12.48 (Salvaging and Recycling of Construction and Demolition Debris) of the City of Menlo Park Municipal Code.
- 5.19 Prior to building permit issuance for the first house, the applicant shall submit a detailed landscape plan, including the size, species, and location, and irrigation plan for review and approval of the Planning Division and the Public Works Department. The plan shall be revised to incorporate the preservation of tree #208 (18-inch deodar cedar). The landscaping plan shall comply with the Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Landscaping within the City right-of-way shall include City approved street plant materials. The landscaping for each house shall be installed prior to final building inspection of the subject house.
- 5.20 Concurrent with the submittal of a demolition permit, the applicant shall submit a tree preservation plan, which shall show the preservation of trees #41, 42, and 43 (eucalyptus trees) for review and approval of the Planning Division. These trees shall remain until building permit issuance for the houses on lots 18 and 19.
- 5.21 Concurrent with building permit submittal, the applicant shall provide evidence that all of the adjacent property owners along Waverley Street have been contacted and offered either tree screening or hedges on their properties. For those properties that desire screening, the applicant shall submit a supplemental plan showing the size, species and location of the proposed

landscaping subject to review and approval of the Planning Division. The applicant shall pay for and install the trees prior to final inspection.

5.205.22 Prior to building permit issuance, the applicant shall pay all applicable school impact fees associated with the project.

5.23 Prior to building permit issuance, the applicant shall contribute \$100,000 to the Menlo Park City School District or to the Menlo Park Atherton Education Foundation, which shall be determined by the District Board of Trustees.

5.215.24 Concurrent with the building permit submittal, the applicant shall provide a revised detailed drawing of the proposed two-rung split rail fence along Willow Road. A revised Willow Road streetscape shall also be submitted that shows the proposed fencing and homes in context with the adjacent Sunset building and existing split rail fencing subject to the review and approval of the Planning Division.

5.225.25 Prior to grading permit issuance, the project applicant shall implement Best Management Practices for water quality treatment on the project site, per the City of Menlo Park Grading and Drainage Plan Guidelines and checklist, subject to review and approval by the Engineering Division. Specific guidelines that would apply to the project site include (but would not be limited to) #1 (use of on-site infiltration as much as possible as a means of handling roof and site drainage); #4 (Design of the site drainage so the storm water will flow to on-site lawn or pervious landscaped areas, or detention/retention and filtration systems through vegetated/grassed swales or underground pipes), #5 (drainage from roof downspouts to on-site lawn or pervious landscaped areas, or detention/retention and filtration systems through vegetated/grassed swales), and #11 (use of on-site infiltration, vegetated swales or other comparable BMPs prior to discharge). BMPs shall include trash-collecting devices at storm drain inlets and regular maintenance of such devices. Prior to grading permit issuance the applicant shall also submit a grading and drainage plan, which includes BMPs subject to review and approval the City's Engineering Division. (MM 4.2)

5.235.26 Prior to building permit issuance, the applicant shall pay \$4,000 to the City to install signage to prohibit left turns and through movements from Alma Street during the AM peak period (similar to current operations during the PM peak period). The signage shall be installed prior to occupancy. The condition is only applicable if the improvement has not yet been funded by another project. (MM TRAF- 1a)

5.27 Prior to building permit issuance of the first house, the applicant shall pay fees as contributions to the following mitigations and/or improvements identified in the Linfield Middlefield Willow Area-wide Transportation Impact Analysis, performed by DKS Associates, dated March 2, 2006, or as subsequently directed by the City Council:

- Adaptive signal timing improvements at the intersections of Middlefield Road and Ringwood Avenue and Middlefield Road and Ravenswood Avenue: \$2,400.
- Adaptive signal timing improvements at the intersection of Willow Road and Middlefield Road, with reimbursement agreements as projects are developed at 110 Linfield Drive, 175 Linfield Drive, 321 Middlefield Road, and 8 Homewood Place: \$80,000.
- Installation of video detection devices at the intersections of Middlefield Road and Ringwood Avenue, Middlefield Road and Ravenswood Avenue, and Ravenswood Avenue and Laurel Street: \$44,000.
- Upgrades to the Caltrain station bike shelter: \$6,500. (MM TRAF-1c)

5.255.28 Concurrent with the demolition permit submittal, a soils report shall be prepared, detailing how expansive soils must be treated or replaced when forming the foundation support. The report shall also incorporate all the recommended measures set forth in the Preliminary Geotechnical Investigation prepared by Lowney Associates. These recommended measures include: site specific preparation and grading techniques, specific foundation design (footings, post tension slab, drilled cast in place concrete piers), concrete slab-on-grade floors, a capillary moisture barrier, and adherence to the UBC seismic design. If importation of off-site soils is required during construction, the project sponsor and its contractors shall avoid the use of expansive soils. The project sponsor's contractors shall keep soils moist at all times before and during construction by either covering exposed soil when construction is not active or regularly watering the exposed soil to maintain a consistent moisture level. The soils report shall be subject to review and approval by the Building Division. (MM 3.1)

5.265.29 Prior to demolition permit issuance, implement the following air quality control measures, subject to review and approval by the Building Division:

- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 miles per hour (mph).

- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.
- Encourage the implementation of the following optional measures:
- Install wheel washers for all existing, or wash off the tires or tracks of all trucks and equipment leaving the site.
- Install windbreaks, or plant trees/vegetative windbreaks at the windward side(s) of construction areas.
- Suspend excavation and grading activity when sustained winds exceed 25 mph.
- Limit the area subject to excavation, grading, and other construction activity at any one time. (MM 5.1)

5.275.30 No earlier than 14 days prior to the commencement of demolition activities, a survey shall be conducted by a qualified biologist to determine if active bat roosts are present on the project site. If no bats are observed, then no further action would be required and demolition can proceed. Should an active roost be identified, a determination shall be made regarding whether the roost is used as a night-roost, day-roost, or maternity-roost. Should a night-roost be identified, the roost structure shall be removed during daylight hours while the roost is not in use. Should an active day-roost be identified, roosting bats shall be evicted through the use of humane exclusionary devices. Prior to implementation, the proposed methods for bat exclusion shall be reviewed and approved by the Planning Division and California Department of Fish and Game. The roost shall not be removed until it has been confirmed by a qualified biologist that all bats have been successfully excluded. Should an active maternity-roost be identified (the breeding season of native bat species in California generally occurs from April 1 through August 31), the roost shall not be disturbed until the roost is vacated and juveniles have fledged, as determined by the biologist. (MM 7.1)

5.285.31 Prior to the commencement of grading, the applicant shall retain a qualified biologist (with selection to be approved by the City) to conduct nest surveys on the site prior to construction or site preparation activities occurring during the nesting/breeding season of native bird species (typically February through August). The survey area shall include all potential nesting habitat on the project site within 200 feet of the grading boundaries. If the 200-foot distance encompasses trees on adjacent properties, the biologist shall survey the trees using binoculars. The survey shall be conducted no more than 14 days prior to commencement of construction activities, and shall be subject to review and approval by the Planning Division. (MM 7.2) If active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code (which, together, apply to all native nesting birds) are present in the construction zone or within 200 feet of this area, temporary construction fencing shall be erected within the project site at a minimum of 100 feet around the nest site. This temporary buffer may be greater depending on the bird species and construction activity, as determined by the

biologist. Clearing and construction within the fenced area shall be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. (MM 7.3)

5.295.32 Prior to building permit issuance for the first house, the project applicant shall comply with the Menlo Park Heritage Tree Ordinance and the City's Heritage Tree Replacement procedures, and with the tree replacement ratios recommended by City staff. The final landscaping plans for the project shall reflect compliance with the ordinance and procedures, and the applicant shall demonstrate that the required number of trees have been planted prior to project occupancy. The final landscaping plans shall be subject to review and approval by the Planning Division. (MM 7.4)

5.305.33 The project applicant shall adhere to the tree protection and preservation plan included in the Tree Survey Report prepared by Walter Bemis, Consulting Arborist. The plan includes measures related to the tree protection zone (TPZ), pruning and brush clearance, fencing and signage, fertilization, pest and disease control, and tree health and maintenance (including root cutting). (MM 7.5)

5.315.34 Prior to grading permit issuance, the project applicant shall remove the wells on the project site and properly abandon them prior to or as part of site redevelopment. The wells shall be abandoned according to the requirements of the Department of Water Resources and San Mateo County Environmental Health Services Division, and subject to review and approval by the Building Division. (MM 9.1)

5.325.35 Prior to demolition permit issuance, the applicant shall survey the building for the presence of asbestos and lead-based paint. The survey shall be subject to review and approval by the Building Division. If asbestos is found, the applicant shall comply with Bay Area Air Quality Management District Regulation 11, Rule 2 (Hazardous Materials, Asbestos Demolition, Renovation, and Manufacturing) when demolishing the building. If lead-based paint is present, the applicant shall determine whether paint must be separated from the building materials (e.g., chemically or physically). The paint waste shall be evaluated independently from the building material to determine its proper management. According to the California Department of Toxic Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling), the material could be disposed of as construction debris (a non-hazardous waste). The appropriate landfill operator shall be contacted in advance or determine any specific requirement they may have regarding the disposal of lead-based paint materials. (MM 9.2)

5.335.36 Prior to demolition permit issuance, the project applicant shall incorporate noise reduction measures into project construction activities, subject to review and approval by the Planning and Building Divisions. These measures may include, but shall not be limited to, the use of mufflers and

other devices on equipment, locating stationary construction equipment away from sensitive receptors, shutting off idling equipment, notifying adjacent residences and businesses in advance of construction work, and installing temporary barriers around construction noise sources. (MM 10.1)

5.345.37 Concurrent with the demolition permit submittal, the project construction contractors shall submit a plan designating haul routes for all hauling-related trips to and from the project site during construction. The applicant shall submit a plan with the intent of minimizing noise impacts by keeping truck traffic away from sensitive receptors, subject to review and approval by the Planning and Transportation Divisions. (MM 10.2)

5.355.38 If archeological resources such as chipped stone or groundstone, historic debris, building foundations, or human bone or any other indicators of cultural resources are discovered during ground-disturbing activities, construction activities will halt and a qualified archeologist shall be consulted to assess the significance of the find. If any find is determined to be significant, representatives of the City, construction contractor, and the archaeologist shall meet to determine the appropriate course of action. In the event that human remains are discovered, an appropriate representative of the Native American groups and the County Coroner shall be notified and consulted, as required by state law. All cultural materials recovered as part of the monitoring program would be subject to scientific analysis, professional museum curation, and report prepared according to current professional standards. (MM 14.1)

Recommended for Approval by the
Menlo Park Planning Commission on
October 23, 2006

Approved by the
Menlo Park City Council on
November 14, 2006

Arlinda Heineck, Community
Development Director

Silvia M. Vonderlinden, City Clerk