February 20, 2020

Mike Mowery, Kimley-Horn 4637 Chabot Drive Ste. 300 Pleasanton CA 94588

PALO Palo Alto, CA 94301 ALTO (650) 329-2441

Subject: 180 El Camino Real [19PLN-00110] Macy's Men's Redevelopment

Dear Mr. Mowery:

On December 5, 2019, the Architectural Review Board recommended approval of the application referenced above and as described below. The Director of Planning and Community Environment (Director) approved the project on February 20, 2020. The approval will become effective 14 days from the postmark date of this letter, unless an appeal is filed in accordance with Title 18 of the Palo Alto Municipal Code. The approval was based on the findings in Attachment A & B and is subject to the conditions of approval in Attachment C for the project. The project is described as follows:

Project Description: Request for Major Architectural Review to Allow the Demolition of the Existing 94,300 Square Foot Macy's Men's Located in the Stanford Shopping Center and Construction of a New Three-Story Stand Alone Retail Building, Approximately 43,500 Square Feet, Two Retail Buildings, Approximately 3,500 Square Feet Each and Construction of a pad for a future standalone retail building, Approximate 28,000 square feet. (Total square feet 78,500). A Variance is Also Requested to Allow for an Effective Sidewalk Along El Camino Real of Approximately 8 feet Within the Project Area Where 12 feet is Required by Code. Environmental Assessment: Exempt From the Provisions of the California Environmental Quality Act (CEQA) in Accordance With Guideline Section 15302 (Replacement or Reconstruction). Zoning District: CC (Community Commercial).

Unless an appeal is filed, this project approval shall be effective for two years from March 6, 2020, within which time construction of the project shall have commenced. Application for extension of this entitlement may be made prior to the expiration date. The time period for a project may be extended once for an additional year by the Director of Planning. In the event the building permit is not issued for the project and construction has not commenced within the time limits specified above, the Architectural Review approval shall expire and be of no further force or effect.

Should you have any questions regarding this ARB action, please do not hesitate to contact the Project Planner, Samuel Gutierrez, by email at samuel.gutierrez@cityofpaloalto.org or by phone at (650) 329-2225.

Sincerely,

Jodie Gerhardt, AICP

Manager of Current Planning

cc: Michael Bordoni, 415 Broadway 3rd floor MC 8873, Redwood City, CA 94063

Attachments: A: Variance Findings for Approval

B: Findings for Architectural Review Approval

C: Conditions of Approval

God Clot

VARIANCE FINDINGS

Variance approval is based on the findings indicated under PAMC Section 18.76.030(c) and is subject to the Conditions of Approval listed below:

1. Because of special circumstances applicable to the subject property, including (but not limited to) size, shape, topography, location, or surroundings, the strict application of the requirements and regulations prescribed in this title substantially deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district as the subject property.

The existing parking lot and sidewalk along El Camino Real has largely existed in their current conditions for years. The existing sidewalk along the project-specific area of El Camino Real also has a number of mature and healthy Oak trees that have enjoyed the benefit of having a large buffer from the El Camino Real roadway and the undersized 4-foot sidewalk, creating unique conditions not commonly found along El Camino Real. Current code regulations (PAMC 18.16.060(a)(8)) requires an effective 12-foot sidewalk width along the El Camino Real frontage. However, after further analysis via a certified arborist report, vetted by City Arborists, it has been determined that the existing mature Oak trees cannot tolerate additional excavation and pavement encroachment into their tree protection zones (TPZ) to achieve the required 12-foot sidewalk. As the Oak trees are long-standing features in the area and are protected by City ordinance (PAMC 8.10.020 & 8.1.050), Staff could not support the full application of a 12-foot sidewalk in this area.

An alternative sidewalk design has been proposed to increase the existing sidewalk width toward El Camino Real, consuming the existing narrow planter strip, avoiding any additional encroachments into the Oak trees' TPZ. This alternative would provide users with an effective 8-foot sidewalk. As noted above, the preservation of the existing mature oaks trees along El Camino Real precludes a code-compliant sidewalk width as achieving this code requirement would effectively remove several the oak trees which are protected by City regulations. The applicants' alternative design for El Camino Real sidewalk area, utilizing the existing location of the sidewalk and expanding the width only towards El Camino Real while leaving a narrow planting strip provides a 7.5-foot wide sidewalk while leaving a half foot buffer area between the back of walk and the curb. Staff supports the sidewalk widening proposal as pedestrians and bicyclists would benefit from a wider sidewalk on this portion of El Camino Real. As such, a variance is warranted in this situation to bring the sidewalk into greater compliance with current regulations while preserving the Oak trees.

2. The granting of the application shall not affect substantial compliance with the regulations or constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zoning district as the subject property.

As previously detailed, the existing conditions near the project area of the site are longestablished and were legally created with several Oak trees growing along El Camino Real. With exception to satisfying the required 12-foot sidewalk, granting of the application would not substantially affect compliance with PAMC nor constitute a grant of special privilege to the property owners. The existing sidewalk has served as the pedestrian right of way for pedestrians and bicyclists for several years and increasing the degree of compliance in terms of the sidewalk width with the proposed alternative would be more consistent with the current regulations than allowing the existing sidewalk to remain. Furthermore, the alternative sidewalk design requires the applicant to increase the existing sidewalk width in a manner that nearly doubles its width while preserving it the Oak trees that run parallel to the walk. This variance would not grant the applicant special privileges as they are improving the sidewalk to the greatest extent possible without creating an adverse impact on the existing Oak trees.

3. The granting of the application is consistent with the Palo Alto Comprehensive Plan and the purposes of the Zoning Ordinance.

The proposed sidewalk alternative design allows the developments' associated site improvement along El Camino Real to improve the existing legal nonconforming condition, and bring the site in greater compliance with the applicable development standards for the site. Additionally, the context-based design criteria required by the site's zoning district (CC) require new development to have compatibility with the existing contextual setting of the area, including existing trees, which as noted above are protect by City ordinance. The proposed sidewalk alternative is consistent with the contextual design requirement and several Comprehensive Plan policies such as Policy L-9.8 which seeks to recognize the many benefits of trees in the urban context and maintain a robust City tree canopy. Policy T-3.7 encourages pedestrian friendly design features such as sidewalks while Policy T-3.8 and T-3.9 both support providing shade on sidewalks and preserving the City tree canopy where feasible within the public right of way. Finally, Program T3.10.3 of the Comprehensive Plan required that there is a convenient pedestrian and bicycle connection between the Stanford Shopping Center and the Palo Alto Transit Center along with other primary destinations in the area. The proposed alternative would increase the sidewalk area allowing for a safer and more convenient pedestrian and bicycle travel, while maintaining the existing trees and their environment enhancing canopy. For these reasons, the application is consistent with the Palo Alto Comprehensive Plan and the purposes of the Zoning Ordinance.

4. The granting of the application will not be detrimental or injurious to property or improvements in the vicinity will not be detrimental to the public health, safety, general welfare, or convenience.

The proposed improvements to the existing property are compatible with the surrounding commercial zoning and context, and will not be detrimental to public health, safety, and general welfare and convenience.

ATTACHMENT B ARB FINDINGS FOR APPROVAL

180 El Camino Real, "Macys Mens" 19PLN-00110

The design and architecture of the proposed improvements, as conditioned, complies with the Findings for Architectural Review as required in Chapter 18.76 of the PAMC.

<u>Finding #1:</u> The design is consistent with applicable provisions of the Palo Alto Comprehensive Plan, Zoning Code, coordinated area plans (including compatibility requirements), and any relevant design guides.

The project would need to be found in conformance with the following Comprehensive Plan Goals and Policies.

Comp Plan Goals and Policies	How project adheres or does not adhere to Comp Plan
The Comprehensive Plan land use designation for the site is Regional Commercial.	The project continues the Regional Commercial land use.
Land Use and Community Design Element	
POLICY B-6.3: Work with appropriate stakeholders, leaseholders, and Stanford University to ensure that the Stanford Shopping Center is sustained as a distinctive, economically competitive and high quality regional shopping center. Policy L-1.11: Hold new development to the highest development standards, in order to maintain Palo Alto's livability and achieve the highest quality development with the least impacts.	This project will add to the exclusive mixture of tenant at the Stanford Shopping Center making it a distinctive regional shopping center. The projects proposed new buildings with designs that meet the approved standards for the Shopping Center by utilizing high quality materials, this project results in net loss of FAR for the site and is an infill development, resulting in a lower impact to the surrounding area.
Policy L-2.11: Encourage new development and redevelopment to incorporate greenery and natural features such as green rooftops, pocket parks, plazas and rain gardens.	The project incorporates new planter areas, green walls, and green rooftops along with new exterior seating areas.
Policy L-4.4: Ensure all Regional Centers and Multi-Neighborhood Centers provide centrally located gathering spaces that create	The project will enhance a portion of the Shopping Center through redevelopment which includes new outdoor seating areas, a

a sense of identity and encourage economic revitalization. Encourage public amenities such as benches, street trees, kiosks, restrooms and public art.

green roof top accessible to the public, and expanded walking path areas for pedestrians.

Policy L-4.9: Maintain Stanford Shopping Center as one of the Bay Area's premier regional shopping centers. Promote bicycle and pedestrian use and encourage any new development at the Center to occur through infill.

The project improves the northern portion of the of the shopping center with a new high-quality retail building and new landscaping, pedestrian and bicycle improvements, increasing the quality of the site. Additionally, the inset buildings have designs of high quality; one building features a green roof with a glass enclosed restaurant, a unique feature that will continue to promote the Stanford Shopping Center as a premier modern shopping center.

Program L4.9.1: While preserving adequate parking to meet demand, identify strategies to reuse surface parking lots.

Goal L-6: Well-designed Buildings that Create Coherent Development Patterns and Enhance City Streets and Public Spaces.

The project results in a net decrease of FAR. The project includes a requirement for a parking management plan for the site's employees to focus employee parking areas underutilized by patrons of the Shopping Center. The project includes an option for an elevated drive aisle between buildings EE and Restoration Hardware, which could be utilized for minor events.

Policy L-5: Maintain the scale and character of the City. Avoid land uses that are overwhelming and unacceptable due their size and scale.

The building and site design enhance the Stanford Shopping Centers open pedestrian environment and access to the site overall.

The proposed changes to the site with this project are consistent with the size and scale of the Shopping Center overall, as the site has several multi-story and single-story buildings throughout.

Policy T-1.16 Promote personal transportation vehicles an alternative to cars (e.g. bicycles, skateboards, roller blades) to get to work, school, shopping, recreational facilities and transit stops.

Policy T-1.19 Provide facilities that encourage and support bicycling and walking.

Program T3.10.3 Provide safe, convenient pedestrian, bicycle and transit connections

The project will add new bicycle facilities onsite bring the site into conformance in terms of short-term bicycle parking (public use) and further into conformance in terms of longterm bicycle parking (lockers). This is consistent with the goals of the 2012 Palo Alto Bicycle + Pedestrian Transportation Plan; it will improve the bicycle parking capacity of the site and incentivize the use of bicycles as a mode of transportation to the site. Furthermore, a bicycle occupancy study is being conducted to between the Stanford Shopping Center/Medical Center areas and housing along the Sand Hill Road/Quarry Road corridors to Palo Alto Transit Center, Downtown Palo Alto and other primary destinations.

Program T5.12.1 Work with employers, merchants, schools and community service providers, to identify ways to provide more bicycle parking, including e-bike parking with charging stations, near existing shops, services and places of employment.

properly locate new bicycle parking in locations throughout the Shopping Center where demand is highest. This will provide more convenience and capacity, as the Shopping Center is in an area of high employment given the proximity of the Medical Center and Stanford University.

The project would remain consistent with the zoning requirements and Master Façade and Sign program for the Stanford Shopping Center. The project will not increase the development area of the site regarding height, floor area ratio (net loss of FAR), and setbacks. Parking space numbers overall for the site will be reduced, but the parking count will remain code compliant with the required parking ratio of one space per 275 gross sf of floor area. Additionally, the project will bring the site into greater compliance regarding the loading spaces on site and the overall bicycle parking spaces provided on-site.

Finding #2: The project has a unified and coherent design, that:

- a. creates an internal sense of order and desirable environment for occupants, visitors, and the general community,
- preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,
- c. is consistent with the context-based design criteria of the applicable zone district,
- d. provides harmonious transitions in scale, mass and character to adjacent land uses and land use designations,
- e. enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

The project's new buildings and site improvements will enhance the pedestrian and tenant environment within the Stanford Shopping Center.

Pursuant to PAMC 18.16.090(b), the following context-based design considerations and findings are applicable to this project. These context-based design criteria are intended to provide additional standards to be used in the design and evaluation of development in a commercial district. The purposes are to encourage development in a commercial district that is responsive to its context and compatible with adjacent development, and to promote the establishment of pedestrian oriented design.

1. Pedestrian and Bicycle Environment

The design of new projects shall promote pedestrian walkability, a bicycle-friendly environment, and connectivity through design elements

2. Street Building Facades

Street facades shall be designed to provide a strong relationship with the sidewalk and the street (s), to create an environment that supports and encourages pedestrian activity through design elements

3. Massing and Setbacks

Buildings shall be designed to minimize massing and conform to proper setbacks

4. Low Density Residential Transitions

Where new projects are built abutting existing lower scale residential development, care shall be taken to respect the scale and privacy of neighboring properties

5. Project Open Space

Private and public open space shall be provided so that it is usable for the residents and visitors of the site

6. Parking Design

Parking shall be accommodated but shall not be allowed to overwhelm the character of the project or detract from the pedestrian environment

Project Consistency

The project will improve the conditions along the pedestrian walkway by rearranging the exterior seating areas for pedestrians, widening the walkway, and adding new bicycle racks for cyclists.

The project includes new planter boxes, wide pathways and sidewalks, new pedestrian seating, and new pedestrian scale lighting within the project area. These new features improve the pedestrian environment within the project area.

The proposed project will not significantly change the existing building massing as the project results in a net loss of FAR (minor in scale to the site FAR). The project will not significantly change the setbacks as the site has varied setback placement; the project does conform to the required setbacks of the site.

This finding does not apply.

The project provides new publicly accessible exterior seating areas and a unique, usable green roof.

The proposed project will change the existing circulation in the area within the project scope and includes a new building within an existing parking lot area. The building massing is not overwhelming as it includes one to three-story buildings. The pedestrian walkways around the effected parking lots and project area are wider (no smaller than 6.5 ft in width)

and include new planters and pedestrian seating areas to enhance the pedestrian environment of the site.

7. Large Multi-Acre Sites

Large sites (over one acre) shall be designed so that street, block, and building patterns are consistent with those of the surrounding neighborhood

This finding does not apply

8. Sustainability and Green Building Design

Project design and materials to achieve sustainability and green building design should be incorporated into the project

The project will utilize energy-efficient LED lighting and will comply with Green Building Energy codes for commercial businesses along with construction debris diversion rates.

<u>Finding #3</u>: The design is of high aesthetic quality, using high quality, integrated materials, and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

The project includes materials which are durable and have high-quality finishes. The new façade will consist of cast concrete, metal, treated wood, and porcelain tiles. The design will enhance the character of the site and update the existing conditions. The buildings will better fit with the greater Shopping Center, which has been significantly upgraded through tenant facade changes. This project will continue the modernization of the center's Sand Hill Road and El Camino Real frontages. The project will contribute to the unique mixture of textures and colors the Shopping Center tenant façades are known for.

<u>Finding #4</u>: The design is functional, allowing for ease and safety of pedestrian and bicycle traffic and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

The project will improve circulation for vehicle, bicycle, and pedestrian traffic and access to the project site. The modifications to the site include a new cut- through, elevated drive aisle to maintain access and circulation for cars while increasing circulation for pedestrians with the adjoining new pedestrian pathways. Furthermore, pedestrian walkway and sidewalk improvements are included along El Camino Real and Pistache Place. Lastly, the project includes bicycle parking that will feature new cargo bicycle spaces, which can better transport goods than standard bicycles to encouraging bicycles as an alternate transportation mode to the site.

<u>Finding #5</u>: The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent practical, regional indigenous drought-resistant plant material capable of providing desirable habitat that can be appropriately maintained.

A large portion of the existing trees will be preserved in addition to new trees and landscaped areas that consist of native or low to moderate water usage plants that are more easily managed and maintained. A majority of the proposed plant species will provide suitable habitats; they are flowering plants/trees which are suitable for wildlife.

<u>Finding #6</u>: The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

The project will utilize energy-efficient LED lighting and will comply with green building energy code requirements and the local construction debris diversion rates. Additionally, the proposed landscaping includes a significant amount of native or low to moderate water usage plants along with on-site water treatment (C3) that will reduce storm water runoff and allow water to enter the local aquafer.

ATTACHMENT C CONDITIONS OF APPROVAL

180 El Camino Real, "Macy's Men's" 19PLN-00110

PLANNING DIVISION

- 1. CONFORMANCE WITH PLANS: Construction and development shall conform to the approved plans entitled, "Macys Mens Redevelopment, Option 1" stamped as received by the City on November 8, 2019, on file with the Planning Department, 250 Hamilton Avenue, Palo Alto, California, except as modified by these conditions of approval.
- 2. BUILDING PERMIT: Apply for a building permit and meet any and all conditions of the Planning, Fire, Public Works, and Building Departments.
- 3. BUILDING PERMIT PLAN SET: A copy of this cover letter and conditions of approval shall be printed on the second page of the plans submitted for building permit. The building permits for this project must include the updated C5 plan sheet which was received by the City on February 4, 2020 that includes corrected C3 treatment data tables, on filed with the Planning Department, 250 Hamilton Avenue, Palo Alto, California.
- 4. ARB SUBCOMMITTEE: Prior to the issuance of building permits, the applicant shall return to the ARB subcommittee for approval of the following items, to the satisfaction of the Director of Planning and Community Environment:
 - a) The final location of all bicycle parking (including 70 new spaces) shall be in conformance with the revised occupancy study, to the satisfaction of the Chief Transportation Official, along with the final design for the cargo bicycle parking stalls.
 - b) To ensure a no net loss of canopy, the project is required to plant 249 trees throughout the site and/or make an in-lieu payment. Staff will work with the applicant to find suitable locations for these trees on site and adjacent to the site. The applicant will provide the ARB subcommittee with an updated tree map, showing the location of all "no net loss" trees to be planted and shall make an inlieu payment for any trees that are not able to be place on-site, per Condition #75.
- 5. PROJECT MODIFICATIONS: All modifications to the approved project shall be submitted for review and approval prior to construction. If during the Building Permit review and construction phase, the project is modified by the applicant, it is the responsibility of the applicant to contact the Planning Division/project planner directly to obtain approval of the project modification. It is the applicant's responsibility to highlight any proposed changes to the project and to bring it to the project planner's attention.

- 6. EMPLOYEE PARKING MANAGEMENT: All parking facility changes shall be in conformance with the approved plans. The applicant shall submit annual parking reports, with the first report due one year after occupancy of the new buildings within the scope of the project. The report to the City will include data involving the management of parking for employees of the site and is inclusive of vehicle, bicycle parking, and utilization of carpooling or transit programs. The information shall be submitted to the Office of Transportation and the Planning and Development Services Department on a yearly basis.
- 7. LANDSCAPE PLAN: Plantings shall be installed in accordance with the approved plan set and shall be permanently maintained and replaced as necessary.
- 8. PROJECT EXPIRATION: The project approval shall be valid for a period of two years from the original date of approval. Application for a one-year extension of this entitlement may be made prior to expiration. The extension request shall be done by submitting a written request directly to the Planning and Development Services Department.
- 9. SIGNAGE: The submitted plans only reference signage for the new buildings to show the relationship between the buildings design and possible new signage. This approval does not include an approval for signage. Signage will require a separate approval from the Planning and Development Services Department.
- 10. NOISE PRODUCING EQUIPMENT: All noise producing equipment shall be located outside of required setbacks, except they may project 6 feet into the required street side setbacks. In accordance with PAMC Section 9.10.030, No person shall produce, suffer or allow to be produced by any machine, animal or device, or any combination of same, on residential property, a noise level more than six dB above the local ambient at any point outside of the property plane.
 - a) In accordance with PAMC Section 9.12, no amplified music shall be used for producing sound in or upon any open area, to which the public has access, between the hours of 11:00pm and one hour after sunrise.
- 11. 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.
- 12. ESTIMATED IMPACT FEE: Given the proposed project results in a net loss of FAR, no additional impact fees are due.

- 13. REQUIRED PUBLIC ART. In conformance with PAMC 16.61, and to the satisfaction of the Public Art Commission, the property owner and/or applicant shall pay the in-lieu art fee equivalent to 1% of the estimated construction valuation, prior to obtaining a Building permit. The estimated total in-lieu fee for this portion of development is approximately \$91,200.
- 14. IMPACT FEE 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. This matter is subject to the California Code of Civil Procedures (CCP) Section 1094.5; the time by which judicial review must be sought is governed by CCP Section 1094.6.
- 15. 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, colors, parking, landscaping, and hard surface locations. Contact your Project Planner, Samuel Gutierrez at samuel.gutierrez@cityofpaloalto.org to schedule this inspection.

BUILDING DEPARTMENT

At time of building permit, please include the following information/clarifications shall be provided:

- 16. Green building compliance shall comply with the CALgreen code as amended by the City of Palo Alto and effective at time of building permit submittal, please complete the required CALGREEN +TIER2 CHECKLIST and explain how each green measure will be implemented for the project.
- 17. Accessible path of travel to all common areas, entrances, exits, restaurant, retail, and all public functions per Chapter 11B, CBC.
- 18. T24 Energy calculations for envelope, lighting, mechanical, and electrical shall be provided for each building.

- 19. County Health Department approval is required prior to issuance of building permit for restaurants.
- 20. Structural design shall comply with CBC, ASCE7-10, and other applicable codes based on materials specifications. New building and existing building shall have a seismic gap required.
- 21. Several proposed grease interceptors are shown on sheet C8. Design shall be reviewed at permit submittal and coordinated with Water Quality Division.
- 22. Mixed use and occupancy shall comply with section 508, CBC.
- 23. Bike parking counts shall meet CALgreen as amended by CPA.
- 24. Onsite pavement design shall meet the TI per soil report and PW standards.
- 25. Onsite storm drainage shall meet CPC, CBC, and PW standards.
- 26. Provide roof access by means of stair or ladder type.
- 27. Mechanical, Electrical, and Plumbing design shall comply with applicable codes. All onsite sanitary lines shall have a minimum 2% slope with adequate cleanouts and backflow valves at appropriate locations per CPC and PAMC.

FIRE DEPARTMENT

28. An additional fire hydrant is required on Pistache Place near ECR. The hydrant shall be shown on the building permit plan set. Final location to be determine during the building permit plan check review.

UTILITIES ELECTRICAL ENGINEERING

- 29. Electric utilities are in the footprint of the new Macy's building, therefore, some of the substructure must be completed prior to demolition of the Macy's building. 12kV duct bank shall be relocated, prior to occupancy at the latest.
- 30. Underground switch shall be relocated. Customer shall provide space 10'X10' space for the pad mount switch.
- 31. Existing underground transformer shall be relocated. Customer shall provide space 10'X10' for the pad mount transformer for the Macy's Building.
- 32. Customer shall provide 10'X10' for the pad mount transformer for the new Building.
- 33. Where needed, the applicant/property owner shall grant the City easements for maintenance of facilities, such as switch gear and transformers.
- 34. Location of new switch and new transformers must be approved by ARB.

- 35. The location of the customer's switchboard shall be shown on the layout drawing.
- 36. All substructure work to be completed by the applicant. Fiber conduits shall be relocated.
- 37. A complete Utility Electric Application must be submitted, and advanced engineering fee shall be paid.
- 38. Detailed comments shall be given only after field verification from City Crew on existing Utilities and advanced engineering fee is paid.

UTILITIES WASTE GAS WATER

- 39. Update plans per WGW site plan red-lines dated approved June 13, 2019.
- 40. The applicant shall submit a completed water-gas-wastewater service connection application loadsheet per unit 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 new total loads
- 41. 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.
- 42. The applicant shall submit improvement plans for utility construction. The plans must show the <u>size</u> 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. Plans for new wastewater lateral need to include new wastewater pipe profiles showing existing potentially conflicting utilities especially storm drain pipes electric and communication duct banks. Existing duct banks need to be daylighted by potholing to the bottom of the ductbank to verify cross section prior to plan approval and starting lateral installation. Plans for new storm drain mains and laterals need to include profiles showing existing potential conflicts with sewer, water and gas.
- 43. The applicant shall be responsible for 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.
- 44. The gas service, meters, and meter location must meet WGW standards and requirements
- 45. 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.

- 46. An approved reduced pressure detector assembly is required for the new water connection for the fire system to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive. 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.
- 47. 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.
- 48. 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.
- 49. All existing water and wastewater services that will not be reused shall be abandoned at the main per WGW utilities procedures.
- 50. 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.
- 51. All utility installations shall be in accordance with the City of Palo Alto current utility standards for water, gas & wastewater.

PUBLIC WORKS ENGINEERING

52. STORM WATER TREATMENT: This project shall comply with the storm 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 planning 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 planning approval 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, third-party reviewer shall also submit to the City a certification for approval that the project's permanent measures were constructed and installed in accordance to the approved permit drawings.

- Provision C3 Form (stamped/signed)
- Storm Water Treatment Design Certification (Stamped)
- 3rd Party review response letter (stamped/signed)
- Clearly label on project plans the trees designated for stormwater interceptor credits (both new and preserved existing).
- Updated C3 data form and 3rd party letter shall be submitted for Building permit set of plans
- 53. STORMDRAIN: Preliminary feedback for Storm Drain group via prelim application (additional comments may follow from Storm Drain group):
 - Relocate manholes to avoid proposed trees and shall be placed within one stall.
 Manhole shall not be aligned with the stall striping and for future utility clean-up, this will reduce the number of stalls affected. Manhole shall not be placed within tree root zone.
 - City specs specifies the use of HDPE pipe.
 - Provide inverts and top of manhole elevations.
 - Provide at minimum 10-foot separate between building/foundation edge and easement edge.
 - Plot and label a 15-foot wide easement for the proposed and existing storm drain line within private property. Pipe shall be centered on easement.
 - Plot and label the C3 treatment measures associated with this work to verify that no direct connection will be required. (not applicable on privately maintained streets)
 - Drainage from the proposed structure shall not be directly connected to main SD line.

Additional comments and review provided by Storm Drain group during Building permit review stage.

- 54. STREET TREES: The applicant may be required to replace existing and/or add new street trees in the public right-of-way along the property's frontage(s). Call the Public Works' arborist at 650-496-5953 to arrange a site visit so he can determine what street tree work, if any, will be required for this project. The site plan submitted with the building permit plan set must show the street tree work that the arborist has determined, including the tree species, size, location, staking and irrigation requirements, or include a note that Public Works' arborist has determined no street tree work is required. The plan must note that in order to do street tree work, the applicant must first obtain a *Permit for Street Tree Work in the Public Right-of-Way* from Public Works' arborist (650-496-5953).
- 55. GRADING PERMIT: Separate Excavation and Grading Permit will be required for grading activities on private property that fill, excavate, store or dispose of 100 cubic yards or more based on PAMC Section 16.28.060. Applicant shall prepare and submit an excavation and grading permit to Public Works separately from the building permit set. The permit application and instructions are available at the Development Center and on our website.

http://www.cityofpaloalto.org/gov/depts/pwd/forms and permits.asp

- 56. GRADING & 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, area drain and bubbler locations, drainage flow arrows to demonstrate proper drainage of the site. Adjacent grades must slope away from the house a minimum of 2% or 5% for 10-feet per 2013 CBC section 1804.3. Downspouts and splashblocks should be shown on this plan, as well as any site drainage features such as swales, area drains, bubblers, etc. Grading that increases drainage onto, or blocks existing drainage from neighboring properties, will not be allowed. Public Works generally does not allow rainwater to be collected and discharged into the street gutter, but encourages the developer to keep rainwater onsite as much as feasible by directing runoff to landscaped and other pervious areas of the site. http://www.cityofpaloalto.org/civicax/filebank/documents/2717
- 57. RETAIL SPACE: If any proposed food service is planned a grease trap will be required.
- 58. WORK IN THE RIGHT-OF-WAY: The plans must clearly indicate any work that is proposed in the public right-of-way, such as sidewalk replacement, driveway approach, or utility laterals. The plans must include notes that the work must be done per City standards and that the contractor performing this work must first obtain a Street Work Permit from Public Works at the Development Center. If a new driveway is in a different location than the existing driveway, then the sidewalk associated with the new driveway must be replaced with a thickened (6" thick instead of the standard 4" thick) section. Additionally, curb cuts and driveway approaches for abandoned driveways must be replaced with new curb, gutter and planter strip.

- 59. Provide the following note on the Site Plan and <u>adjacent</u> to the work within the Public road right-of-way. "Any construction within the city's public road right-of-way shall 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."
- 60. 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 right-of-way." Construction phasing shall be coordinate to keep materials and equipment onsite. This includes job site trailers, dumpsters, storage containers and portable restrooms
- 61. Provide following note on site plan and grading and drainage plan: "Contractor shall contact Public Works Engineering Inspectors to inspect and approve the storm drain system (pipes, area drains, inlets, bubblers, dry wells, etc.) associated with the project prior to backfill. Contractor shall schedule an inspection, at a minimum 48-hours in advance by calling (650)496-6929."
- 62. OFF-SITE IMPROVEMENTS: Sidewalk, curb & gutter replacement shall be required for both Sand Hill Road and El Camino Real frontage of project. Street resurfacing may also be required for the property frontage along East bound portion of Sand Hill Rd.
- 63. Any existing driveway to be abandoned shall be replaced with standard curb & gutter. This work must be included within a *Permit for Construction in the Public Street* from the Public Works Department. A note of this requirement shall be placed on the plans adjacent to the area on the *Site Plan*.
- 64. 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.
- 65. STORM WATER POLLUTION PREVENTION: The City's full-sized "Pollution Prevention It's Part of the Plan" sheet must be included in the plan set. Copies are available from Public Works on our website http://www.cityofpaloalto.org/civicax/filebank/documents/2732
- 66. LOGISTICS PLAN: The contractor must submit a logistics plan to the Public Works Department prior to commencing work that addresses 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, concrete pours, crane lifts, work hours, noise control, dust control, storm water pollution prevention, contractor's contact, noticing of affected businesses, and schedule of work. Include a copy in resubmittal. Guidelines are attached below:

http://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=2719

- 67. 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 Building permit approval. The City will inspect the treatment measures yearly and charge an inspection fee. There is a C.3 plan check fee that will be collected upon submittal for a grading or building permit.
- 68. Include a note on the civil set of plans that the project is subject to C.3 Storm Water Treatment along with 3rd party review.
- 69. Proposed storm drain items will require new easement and/or modifications of existing easements.
- 70. Coverage is required to be obtained under the State Construction General Permit for projects that disturb one acre or more.
- 71. CALTRANS: Caltrans review and approval of this project may be required. Caltrans right-of-way across El Camino Real extends from back-of-walk to back-of walk. The City has a maintenance agreement with Caltrans that requires the City to maintain the sidewalk and to issue Street Work and Encroachment Permits for work done on the sidewalks by private contractors. Caltrans has retained the right to review and permit new ingress/egress driveways off El Camino Real as well as the installation of Traffic Control devices as part of this project.
- 72. PUBLIC ACCESS EASEMENT: The property owner shall provide a public access easement for the additional feet of sidewalk between the property line and back of walk and/or building edge on the El Camino Real frontage. Alternatively, the property owner may dedicate the space to the city. The easement or dedication shall be shown on the Tentative and Final maps, or if the applicant chooses not to subdivide the property, show the future easement on plans submitted for a building permit and note that the easement must be recorded prior to building permit final. Additional area behind the property line needed to create a 12-foot wide sidewalk along El Camino Real. Plot and label the Public Access Easement along El Camino Real that provides the 12-foot wide sidewalk.

PUBLIC WORKS URBAN FORESTRY

The following conditions are required to be addressed prior to any future related permit application such as a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit, Encroachment Permit, etc. as further described below.

73. The applicant shall provide bio retention fabric-type detail at building permit phase. Please be advised that the type of fabric is determined by the water table level of the site.

- 74. 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 (pwps@cityofpaloalto.org) beginning with the initial verification approval, using the template in the Tree Technical Manual, Addendum 11.
- 75.NO NET LOSS OF URBAN CANOPY. In order to maintain the Urban Forest Master Plan goals, change cherry and aristocrat pears to native or drought-tolerant, climate adapted species of similar size and stature. Suggested species for the cherry trees include, but are not limited to, western redbud, smoke tree, fremontia, purple hop bush, toyon, or manzanita. Suggested species for the Aristocrat pears include, but are not limited to, Catalina ironwood, blue oak, silver linden, or skyrocket oak. Prior to submittal of building permit, City staff and the Applicant will determine locations for replacement trees on site and adjacent to the site (a portion of the 249 required). If required, compensation for the remaining replacement trees to be paid through in-lieu fees at \$650.00 per tree will be determined. When updated, these trees will satisfy the zero-net canopy loss goals put forth in the Master Plan.
- 76. 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 (pwps@cityofpaloalto.org) beginning with the initial verification approval, using the template in the Tree Technical Manual, Addendum 11.
- 77. PLAN CHANGES. Revisions and/or changes to plans before or during construction shall be reviewed and responded to by the (a) project site arborist, 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.
- 78. 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 Municipal Code, and Tree Technical Manual, Section 2.25.
- 79. 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.

- 80. TREE PROTECTION VERIFICATION. Prior to any site work verification from the contractor that the required protective fencing is in place shall be submitted to the Urban Forestry Section. The fencing shall contain required warning sign and remain in place until final inspection of the project.
- 81. 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.
- 82. 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 full-sized, Sheet T-1 (<u>Tree Protection-it's Part of the Plan!</u>), available on the Development Center website at http://www.cityofpaloalto.org/civicax/filebank/documents/31783. 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. <u>The Tree Preservation Report (TPR)</u>. All sheets of the Applicant's TPR approved by the City for full implementation by Contractor, shall be printed on numbered Sheet T-1 (T-2, T-3, etc) and added to the sheet index.
- c. <u>Plans to show protective tree fencing.</u> 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.

PUBLIC WORKS ZERO WASTE

PAMC 16.09.180(b)(10) Dumpsters for New and Remodeled Facilities

83. New commercial buildings and residential developments providing centralized solid waste collection, except for single-family and duplex residences, shall provide a covered area for a bin/dumpster. The area shall be adequately sized for all waste streams (garbage, recycling, and yard waste/compostables) and designed with grading or a berm system to prevent water run-on and runoff from the area.

- a) A recycling, compost, and garbage enclosure shall be required for the project.
- 84. PAMC 18.23.020 Refuse Disposal Area Requirements. The design of any new, substantially remodeled, or expanded building or other facility shall provide for proper storage, handling, and accessibility which will accommodate the solid waste and recyclable materials loading anticipated and which will allow for the efficient and safe collection.
 - a) All solid waste bins (dumpsters) must be located in a trash enclosure.
 - b) A trash enclosure must be included in the plans.
- 85. PAMC 16.09.075(q)(2) Covered Dumpsters, Recycling and Tallow Bin Areas additional requirements:
 - a) Trash enclosure must be covered.
 - b) Collection vehicle access (vertical clearance, street width and turnaround space) and street parking are common issues pertaining to new developments. Adequate space must be provided for vehicle access.
 - c) Weight limit for all drivable areas to be accessed by the solid waste vehicles (roads, driveways, pads) must be rated to 60,000 lbs. This includes areas where permeable pavement is used.
 - d) Carts and bins must be able to roll without obstacles or curbs to reach service areas "no jumping curbs"
 - e) Containers must be within 25 feet of service area or charges will apply.
 - f) All service areas must have a clearance height of 20' for bin service.
 - g) New enclosures should consider rubber bumpers to reduce wear-and-tear on walls.
 - h) Service must be provided for garbage, recycling, and compost
 - i) All service areas must have a clearance height of 20' for bin service.
 - j) Project plans must show the placement of recycling containers, for example, within the details of the solid waste enclosures. Enclosure and access should be designed for equal access to all three waste streams – garbage, recycling, and compostables.

PUBLIC WORKS WATERSHED PROTECTION

- 86. Stormwater treatment measures
 - o All Bay Area Municipal Regional Stormwater Permit requirements shall be followed.
 - o Refer to the Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Handbook (download here: http://scvurppp-w2k.com/c3 handbook.shtml) for details.
 - o For all C.3 features, vendor specifications regarding installation and maintenance should be followed and provided to city staff. Copies must be submitted to Pam Boyle Rodriguez at pamela.boylerodriguez@cityofpaloalto.org. Add this bullet as a note to the building plans.
 - o Staff from Stormwater Program (Watershed Protection Division) may be present during installation of stormwater treatment measures. Contact Pam Boyle Rodriguez, Stormwater Program Manager, at (650) 329-2421 before installation. Add this bullet as a note to building plans on Stormwater Treatment (C.3) Plan.

87. Bay-friendly Guidelines (rescapeca.org)

- O Do not use chemicals fertilizers, pesticides, herbicides or commercial soil amendment. Use Organic Materials Review Institute (OMRI) materials and compost. Refer to the Bay-Friendly Landscape Guidelines: http://www.stopwaste.org/resource/brochures/bay-friendly-landscape-guidelines-sustainable-practices-landscape-professional for guidance. Add this bullet as a note to the building plans.
- O Avoid compacting soil in areas that will be unpaved. Add this bullet as a note to the building plans.

88. Stormwater quality protection

- Temporary and permanent waste, compost and recycling containers shall be covered to prohibit fly-away trash and having rainwater enter the containers.
- O Drain downspouts to landscaping (outward from building as needed).

Drain HVAC fluids from roofs and other areas to landscaping

END CONDITIONS