

TO: PARKS AND RECREATION COMMISSION

FROM: GARRETT SAULS

DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT

DATE: FEBRUARY 28, 2023

**SUBJECT: PARK IMPROVEMENT ORDINANCE FOR 2850 W. BAYSHORE
DEVELOPMENT SEWER LINE CONNECTION IN GREER PARK**

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission (PRC) recommend that City Council adopt a Park Improvement Ordinance ([Attachment A](#)) at Greer Park for the sewer line connection associated with the 2850 W. Bayshore Road development project.

BACKGROUND

On June 20, 2022, the City Council approved a Major Architectural Review and Vesting Tentative Map application at 2850 West Bayshore Road to replace the existing 30,000+ square foot office building with a 48-unit townhome project proposed by SummerHill Homes. The proposal included modifications to the property to build the 48-unit project, modification to landscaping abutting the shared property line between 2800 and 2850 West Bayshore Road and Greer Park, and modification of the sewer line within the existing easement shared by both Bayshore Road properties that runs through Greer Park.

DISCUSSION

Through discussions with the applicant during the Final Map application, the applicant noted significant work would need to be done to modify the existing sewer line which runs through Greer Park. A Final Map application is a follow-up subdivision application to the Tentative Map subdivision application intended to record division of land for the purposes of selling, or conveying, them separately from each other. In this instance, the property itself is not being split, but new condominium parcels are being created on site for 48 new units that will be built on 2850 West Bayshore Road. This will allow the developer to sell each of the units separately. Attachments [B](#) and [C](#) show the existing easement which runs through Greer Park Field 3 (highlighted in blue) and the work associated with installing the new sewer line via trenching or boring. Staff noted that both designs would cause serious impacts to the ability to use the fields for baseball and soccer. In addition, due to changes in the building code since the easement was established, a manhole would need to be introduced at the bend in the sewer line and every 500 feet. Based on the existing layout, placing a manhole in Field 3 would permanently impact it such that it could no longer be used for the City's typical recreation programs.

The applicant has proposed to realign the sewer easement and line for both West Bayshore properties as shown in [Attachment D](#) (highlighted in blue). Realigning the easement to the edge of Field 3 will eliminate the need to install a new manhole in the middle of the Field 3. Realigning the easement will also help to limit the area of impact from future modifications to the sewer line

should any regular or emergency maintenance need to occur. The easement process is separate from whether this Park Improvement Ordinance is granted, and its issuance will require the owners of 2800 W. Bayshore and 2850 W. Bayshore to vacate their existing sewer easement.

The alternative easement alignment allows the construction activity associated with the sewer connection to occur outside the field of play for Field 3. The alternative easement doesn't require the removal of any park trees. The project construction work will be contained within the shaded area in [Attachment E](#). The sewer line will be installed in sections; each day the applicant's utility contractor will dig a section of trench, install a section of sewer pipe and then backfill the trench. At the end of each work day the trench will be closed, avoiding the need for overnight construction security fencing that would damage the field. During construction activities, the utility contractor will use flaggers, cones and caution tape as needed to keep park users away from the construction area.

Equipment and materials for the installation of the sewer line will be stored at 2850 W. Bayshore and brought to the park each day as needed. The utility contractor will access Greer Park from the property at 2850 W. Bayshore, entering through the fence at the rear of the property. There are some weeds and volunteer shrubs along the fence line (approximately 15') that will be removed to allow access (See [Attachment F](#) for photographs.) SummerHill will replace the shrubs with native species (species to be provided by Parks staff). To install the section of the sewer line that crosses the dog park, the utility contractor needs to temporarily remove two sections of the fence that encloses the dog park. The sections of fence will be replaced after the sewer line has been installed. The dog park will be closed for approximately two to three days.

SummerHill indicated that there would be approximately two weeks of construction activity in the park. In addition to the two weeks of construction, there would also be six to eight weeks of closure of the impacted area for decompaction, seeding, and reestablishing the turf. These areas are outside the field of play for the Greer Park athletic fields.

There are soccer and Little League baseball activities permitted for use on Greer Field 3 through May 22, 2023. The soccer activity is for weekend use of the field. The construction activity will not impact the soccer use of Field 3. Little League baseball activity is on weekdays in the afternoon. The construction activity will not impact Little League baseball use of Field 3.

The contractor will restore all areas of Greer Park that are impacted by the project to the same or better condition as prior to the project:

- The dog park (surfacing and fencing)
- All park pathways
- All turf areas (decompaction, seeding, fertilization details to be provided by the City to SummerHill)
- Replanting at the point of entry between the 2850 W. Bayshore property and the park

TIMELINE

- March 2023—New easement to City Council for approval

- March 6, 2023 –Park Improvement Ordinance (PIO) to City Council
- March 20, 2023--Second reading of the PIO
- April 20, 2023—PIO becomes effective, and construction may begin (assuming all other requirements met)

NOT YET ADOPTED

ORDINANCE NO. _____

Ordinance of the Council of the City of Palo Alto Approving and
Adopting a Plan for Sewer Line Replacement at Greer Park

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

SECTION 1. Findings and Improvements. The City Council finds and declares that:

- (a) Article VIII of the Charter of the City of Palo Alto and section 22.08.005 of the Palo Alto Municipal Code require that, before any substantial building, construction, reconstruction or development is commenced or approved, upon or with respect to any land held by the City for park purposes, the Council shall first cause to be prepared and by ordinance approve and adopt a plan therefor.
- (b) Greer Park (the “Park”) is dedicated to park purposes. (See Municipal Code section 22.08.010)
- (c) The City intends to authorize a sewer replacement that runs underneath Greer Park as part of the private development project at 2850 W. Bayshore Road.
- (d) The developer of 2850 W. Bayshore will be responsible for the plan of construction below.
- (e) The plan of construction shall comprise as follows:
 - (1) Install a new sewer line in the location specified in Exhibit A.
 - (2) Shrubs along the fence line between the W. Bayshore parcels and Greer Park will be removed and replaced with native species.
 - (3) Sections of the dog park fence will be temporarily removed and replaced.
 - (4) Turf affected by the construction will be replaced.
 - (5) Park pathways will be replaced or rehabilitated.
- (f) This plan is an alternative to replacing the existing sewer line which runs under Field 3 in Greer Park in an existing easement. Replacing the existing sewer line in its existing configuration would create more impacts to Field 3, both during construction and after construction is over, including the need for a ground-level manhole cover in Field 3. This alternative eliminates the manhole cover altogether and reduces construction impacts to existing users of Field 3.
- (g) The City Council desires to approve the plan of improvements described above.

SECTION 2. The City Council hereby approves the plan of improvements in the Park described in this ordinance.

NOT YET ADOPTED

SECTION 3. This ordinance serves only to satisfy the requirement in PAMC section 22.08.005 (Ordinance required for substantial building, construction, etc.) and its related provision in Article VIII (Parks) of the City Charter. This ordinance does not itself create, substitute for, or waive any requirement to secure an easement, land use approval, building permit, encroachment permit, or any other land use entitlement or permit.

SECTION 4. The City Council has found this project exempt under the Class 32 categorical exemption under CEQA on June 20, 2022.

SECTION 5. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Director of Community Services

NOT YET ADOPTED

Exhibit A
(see next page)

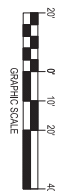
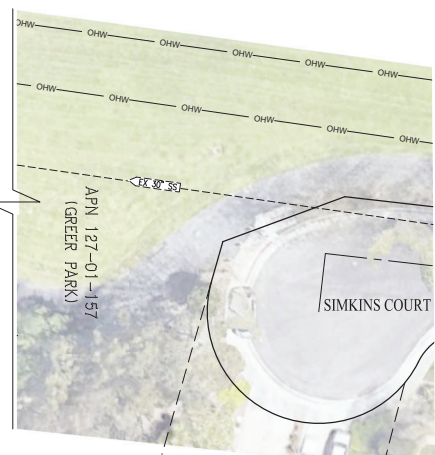
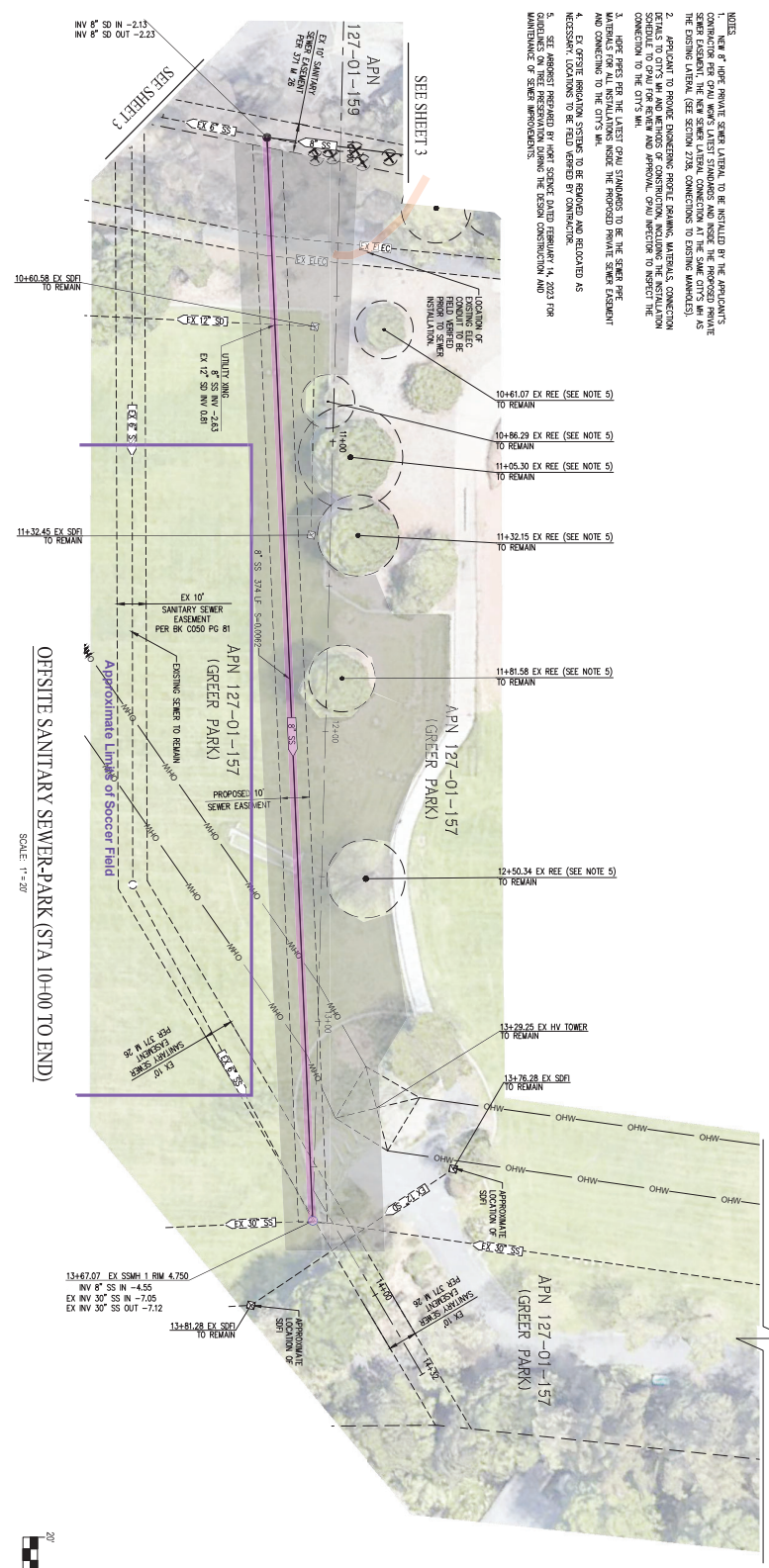


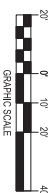
Trench + work zone (Approximate)
(trench 5' wide, shored)

Access Routes (Approximate)
(See notes below)

NOTES:
> Work area around each pit. No equipment within 10' of shored wall per OSHA.
> Work area roughly a 50' wide zone to allow for truck/crane/loader traffic to and from the work zone. Can be adjusted to protect trees.

- NOTES:
1. IF HOPE PRIVATE SEWER LATERAL TO BE INSTALLED BY THE APPLICANT'S CONTRACTOR PER CITY WORK'S LATEST STANDARDS AND INSIDE THE PROPOSED PRIVATE SEWER EASEMENT, THE NEW SEWER LATERAL CONNECTION AT THE SAME CITY'S MAP TO THE EXISTING SANITARY SEWER MAIN SHALL BE INSTALLED AS SHOWN.
 2. APPROXIMATE TO LOCATE EXISTING PRIVATE SEWER MAINS, UTILITIES CONSULTATION DETAILS TO CITY'S MAP AND METHODS OF CONSTRUCTION INCLUDING THE INSTALLATION SCHEDULE TO CITY FOR REVIEW AND APPROVAL. CITY INJECTOR TO INSPECT THE CONNECTION TO THE CITY'S MAIN.
 3. HOPE PERFORM THE LATEST GRADE STANDARDS TO BE THE SEWER PIPE AND MANHOLE. THE PROPOSED PRIVATE SEWER EASEMENT AND THE PROPOSED PRIVATE SEWER EASEMENT AND CONNECTING TO THE CITY'S MAIN.
 4. EX EXISTING RIGATION SYSTEMS TO BE REMOVED AND RELOCATED AS NECESSARY. LOCATIONS TO BE FIELD VERIFIED BY CONTRACTOR.
 5. SET ASHORE PREPARED BY HOPE (DATE LATED FEBRUARY 14, 2023) FOR MAINTENANCE OF SEWER IMPROVEMENTS.





- NOTES:
- > Work area around each pit. No equipment within 10' of shored wall per OSHA.
- > Excavator needed to hold pipe for fusion at bore pit, loaders to deliver pipe sticks, and casing material, trucks to deliver boring equipment, trucks to disperse bore and receiving pit spoils throughout easement area.
- > Semi truck access to bore pits, crane lift drilling into bore pit.
- > Semi truck access to bore pits to deliver shoring (heavy steel).
- > Excavator needed at bore pits to hold pipe sections for fusing (track walk from onsite).
- > Adler tank needed at bore pits to accept boring sludge (semi truck delivery and exit.)
- > If the existing paved paths aren't strong enough to bear the weight of the equipment (semi trucks), a temporary construction route would be required.

