



PUBLIC HEARING

Agenda Item # 3

AGENDA REPORT SUMMARY

Meeting Date: October 26, 2021

Subject: Design Review (D20-0008) for parking lot modifications and installation of carport structure at 374 Second Street

Prepared by: Steve Golden, Senior Planner

Reviewed by: Jon Biggs, Community Development Director

Approved by: Gabriel Engeland, City Manager

Attachment(s):

1. Resolution No. 2021-53
2. Planning Commission Meeting Minutes, September 2, 2021
3. Planning Commission Agenda Report September 2, 2021
4. Complete Streets Commission Agenda Report September 29, 2021
5. Recorded Development Agreement
6. Recorded Deed Restriction
7. Conditions of Approval (Application No. 08-D-06, approved May 11, 2010)
8. Design Plans

Initiated by:

Ryan Martini, The David and Lucile Packard Foundation

Previous Council Consideration:

None

Fiscal Impact:

There is no negative fiscal impact to the City for this project.

Environmental Review:

This design review application is categorically exempt from environmental review pursuant to Section 15301 (Class 1), Existing Facilities and 15303 New Construction or Conversion of Small Structures (Class 3) of the California Environmental Quality Act (CEQA) Guidelines, as amended, and none of the circumstances listed in CEQA Guidelines Section 15300.2 applies. Class 1 categorical exemptions consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, etc. involving negligible or no expansion of existing or former use. Class 3 categorical exemptions consists of construction and location of limited numbers of new, small facilities or structures and the installation of small new equipment and facilities in small structures, which lists accessory (appurtenant) structures including garages and carports. The applicant requests to modify the existing surface parking lot to include carports and an additional 28 parking spaces. The proposed

Reviewed By:

City Manager

GE

City Attorney

JH

Finance Director

JE



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changes to the existing parking lot do not expand the use of the building (Packard Foundation) that it is associated with, and the proposed carports are specifically listed as a Class 3 categorical exemption.

Policy Question(s) for Council Consideration:

- Does the modification of the existing parking lot and proposed carport structure satisfy the design review findings pursuant to Section 14.78.060 of the Municipal Code?

Summary:

- The project includes a design review application to modify the layout, circulation pattern, landscaping, and other improvements that will increase the number of parking spaces from 58 to 86 stalls.
- Subsequent to the design review approval and prior to issuance of building permits, a lot line adjustment would be approved administratively to merge the existing lots
- The Planning Commission reviewed the application on September 2, 2021, and the Complete Streets Commission reviewed the application on September 29, 2021.

Staff Recommendation:

Approve Resolution No. 2021-53 approving design review application D20-0008 subject to the recommended findings and conditions.

Purpose

To review and consider a request for design review approval to allow for the modification of an existing parking lot and the construction of a carport structure.

Background

This is a request for design review approval for modifications to the existing parking lots at 374 Second Street which is associated with the David and Lucile Packard Foundation Building (Packard Foundation) at 343 Second Street. The existing parking lot area consists of five separate lots, three of which are surface parking lots with a total of 58 parking spaces that are accessed from Second Street and the public alley, and two of which are currently vacant with landscaping. The applicant proposes to merge the lots together and use the merged lot as one larger parking area consisting of a two-way drive aisle with access from Second Street only that will accommodate 86 parking stalls. A carport structure is proposed that will cover 32 parking spaces in the interior portion of the lot, and a photovoltaic system will be mounted to the top of the carport structure. Forty-one electric vehicle parking spaces are proposed. New landscaping, lighting, and other surface improvements associated with the parking lot area are proposed.

The Planning Commission held public hearings on August 5, 2021, and September 2, 2021, to consider the design review approval request. The Commission voted unanimously to recommend



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design review approval. The Planning Commission meeting minutes and agenda report are included as Attachments 2 and 3. Typically the Complete Streets Commission reviews applications prior to the Planning Commission public hearings and their recommendations are incorporated into the Planning Commission recommendation; however, in this case the Complete Streets Commission reviewed the project on September 29, 2021, after the Planning Commission meeting. The CSC members provided feedback, but the Commission did not make a formal recommendation by motion. Further discussion is included below.

Discussion/Analysis

The project proposes construction of a new structure/building; therefore, pursuant to Section 14.78.020 of the Municipal Code, it requires City Council approval. To approve the project, the City Council must make the findings in Section 14.78.060 of the Municipal Code, which may be summarized as follows:

- The project meets the goals, policies and objectives of the General Plan and complies with any Zoning Code design criteria for the CD District;
- The project has architectural integrity and an appropriate relationship with other structures in the immediate area in terms of height, bulk and design;
- The horizontal and vertical building mass is articulated to relate to the human scale; it has variation and depth of building elevations to avoid large blank walls.
- The exterior materials that convey high quality, integrity, permanence and durability; materials are used effectively to define building elements and to reduce the perceived appearance of height, bulk and mass; and materials are harmonious with other structures in the immediate area;
- The landscaping is generous and inviting, the landscape and hardscape complements the building and is well integrated with the building architecture and surrounding streetscape, and the landscape includes substantial street tree canopy;
- Any signage is appropriately designed to complement the building architecture;
- Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing; and
- Service, trash and utility areas are screened from public view, or are enclosed in structures that are consistent with the building architecture in materials and detailing.

The design review findings are typically associated with the construction of a new building or major modification of an existing building; however, the proposed project is more ancillary to the existing Packard Foundation building, so the design review findings should be applied accordingly and/or recognize the previous development associated with the Packard Foundation building.

The Applicant proposes to merge the five existing lot together and use the merged lot as one larger parking area consisting of a two-way drive aisle with two driveways accessing the reconfigured



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parking lot from Second Street. The reconfigured parking area replaces the 58 existing parking spaces that currently exist across three of the lots and will incorporate the other two vacant parcels. The new parking lot reconfiguration is designed to be a more conventional parking lot with a total of 86 ninety-degree parking spaces that replaces the angled parking stalls and includes new accessible parking that replaces existing accessible parking that are noncompliant with current building code requirements. The applicant proposes electric vehicle (EV) charging for 41 parking spaces. The new parking lot design will improve overall circulation efficiency for the parking lots as well as the public street and alley by reducing the need to enter/exit the public right-of-way to access other portions of parking lot areas. Also, the reconfigured design will eliminate curb cuts which should result in improved pedestrian and bicyclist experience and safety by eliminating potential vehicle pedestrian/bicyclist conflicts.

A carport structure, which includes a photovoltaic system array mounted to the roof, is proposed to be constructed to cover the interior 32 parking stalls. The structure is proposed to be metal construction with the support posts in the center of the structure with a sloping roof structure that projects over the full depth of the interior parking spaces. The structure is well within the required setbacks and the proposed height is under the maximum height for buildings in the CD Zoning District.

Other improvements include the installation of 41 electric vehicle parking spaces with charging kiosks, new fencing, storm drainage/retention facilities, landscaping, and trees. A total of 22 trees including one off-site (Chinese pistache street tree) and 21 on-site trees are proposed to be removed. Of the 21 on-site trees proposed to be removed, five would be considered “protected” trees under Chapter 11.08 Tree Protection Regulations because they are greater than 48 inches in circumference. It should be noted that some of the trees including the protected trees are considered to be in declining health as detailed in the arborist report included in the Planning Commission agenda report that details the conditions of all of the trees. The applicant proposes to provide 13 small canopy replacement trees and two medium canopy replacement trees including one off-site Chinese pistache street tree on Second Street. The smaller canopy trees are proposed so that the tree at full maturity doesn’t block solar access to the photovoltaic panels attached on top of the carport structure. In addition, the applicant has worked on an agreement with GreenTown Los Altos that represents the commitment of the Packard Foundation to coordinate with GreenTown to provide 27 large canopy off-site replacement trees. GreenTown intends to plant trees that will be a minimum of 15 gallons and will strive to plant trees closest to the downtown area. GreenTown already has agreements and a working relationship with the City to facilitate tree planting and maintenance activities.

The Planning Commission considered this application at their August 5, 2021 and September 2, 2021 meetings and recommended City Council approval of this project pursuant to findings and subject to conditions of approval, as set forth in the draft resolution (see Attachment 1). The Planning Commission did not provide a specific recommendation regarding the landscape



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treatment options proposed along the south property line as shown on Sheet L1.01A with tall upright shrubs or Sheet L1.01B with small canopy trees.

The Complete Streets Commission (CSC) held a public meeting on September 29, 2021, to review the multi-modal transportation components of this project pursuant to Section 14.78.090 of the Municipal Code. As described in the CSC and PC agenda reports, when the Packard Foundation office building at 343 Second Street was approved, the City entered into a Development Agreement (Attachment 5) and a subsequent Deed Restriction (Attachment 6) that established the implementation of an Alternative Transportation Management Program (ATMP). The ATMP was recognized as a tool to reduce the parking demand of the Packard Foundation office building since the building was approved with the number of parking spaces below the standard required. The recorded deed restriction requires the ATMP to continue into perpetuity and the Packard Foundation has updated the City on its current ATMP activities (see Attachment 4). Staff reviewed the deed restriction language with the City Attorney and concluded that monitoring was to occur for a five-year period and be terminated after five years if the ATMP was determined by the City to be effective during which time the Packard Foundation would reserve an additional parcel for supplemental parking should the ATMP not succeed in reducing parking demand. Parking monitoring started in 2013 and on July 11, 2018, in a letter to the Packard Foundation and pursuant to the deed restriction language, the City discontinued the parking monitoring requirement. As noted in previous Commission reports, the existing deed restriction will ensure the ATMP continues in perpetuity; however, the City Attorney recommends that a release be executed by the Foundation at this time to affirm their obligation to continue with the ATMP but release them against “a reserve parking parcel” per the deed restriction which staff has also included as a proposed condition of approval (see Condition #32 in Attachment 1).

Additional background information is contained in both the Planning Commission and Complete Streets Commission agenda reports. Staff has included the recorded deed restriction, development agreement, and agenda report and resolution from the original Packard Foundation approval in this agenda report. Staff notes that typically when a design review approval is granted with conditions, once the construction of the project is completed or other required actions are performed (e.g. recording documents, etc), then those conditions are considered satisfied.

Options

- 1) Approve the design review permit to allow the modification of the existing parking lot and construction of the carport structure as recommended by the Planning Commission and staff

Advantages: The parking lot would increase the overall number of parking spaces available to the Packard Foundation, the number of EV parking spaces, and



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would provide for covered parking that supports the installation of a new photovoltaic system to off-set energy demand.

Disadvantages: The modification of the parking lot would remove some mature trees, but would be off-set by tree replacement planting on-site and off-site.

2) Deny the design review permit to allow the modification of the parking lot and installation of the carport structure.

Advantages: Maintains the existing parking lot as is.

Disadvantages: Rejects approval of ancillary structures that could be used to install photovoltaic systems to off-set energy demands and new EV parking spaces, maintains less efficient on-site circulation pattern and related surrounding public streets, and maintains conflicts at the parking lot driveway entrances with pedestrians and bicyclists.

Recommendation

The staff recommends Option 1.

RESOLUTION NO. 2021-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS APPROVING A DESIGN REVIEW FOR A RECONFIGURED PARKING LOT AND CARPORT STRUCTURE AT THE DAVID AND LUCILE PACKARD FOUNDATION BUILDING AT 374 SECOND STREET AND MAKING FINDINGS OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

WHEREAS, the City of Los Altos received a Design Review application (D20-0008) from the David and Lucile Packard Foundation to reconfigure the existing surface parking lots to provide 86 parking spaces and construct a carport structure covering approximately 5,610 square feet at 374 Second Street; and

WHEREAS, the design review application is categorically exempt from environmental review pursuant to Section 15301 (Class 1), Existing Facilities and 15303 New Construction or Conversion of Small Structures (Class 3) of the California Environmental Quality Act (CEQA) Guidelines, and none of the circumstances listed in CEQA Guidelines Section 15300.2 applies. Class 1 categorical exemptions consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, etc. involving negligible or no expansion of existing or former use. Class 3 categorical exemptions consists of construction and location of limited numbers of new, small facilities or structures and the installation of small new equipment and facilities in small structures, which lists accessory (appurtenant) structures including garages and carports. The applicant requests to modify the existing surface parking lot to include carports and an additional 28 parking spaces. The proposed changes to the existing parking lot do not expand the use of the building (Packard Foundation) that it is associated with, and the proposed carports are specifically listed as a Class 3 categorical exemption.

WHEREAS, the Planning Commission held a duly noticed public hearing on the design review application on August 5, 2021 and September 2, 2021, at which all public comment was considered, and voted to recommend approval to the City Council; and

WHEREAS, the City Council held a duly noticed public meeting on the design review application on October 26, 2021 at which all public comment was duly considered; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council’s decision was made are located in the Office of City Clerk.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves Design Review (D20-0008) subject to the findings and conditions attached hereto as “Exhibit A” and incorporated herein by this reference.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the ____ day of _____, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Neysa Fligor, MAYOR

Attest:

Andrea Chelemengos, CMC, CITY CLERK

EXHIBIT A

FINDINGS

1. DESIGN REVIEW FINDINGS. With regard to Design Review Application D20-0008, the City Council finds, in accordance with Section 14.78.060 of the Los Altos Municipal Code, as follows:
 - a. The project meets the goals, policies and objectives of the General Plan and complies with any Zoning Code design criteria for the CD District in that the proposed project is ancillary to the existing Packard Foundation building that was previously approved and the proposed design complies with zoning district standards as described in the agenda report;
 - b. The project has architectural integrity and an appropriate relationship with other structures in the immediate area in terms of height, bulk and design in that the carport structure is limited to one story and has an interior location on the site;
 - c. The existing Packard Foundation building combined with the proposed carport have horizontal and vertical building mass that is articulated to relate to the human scale; it has variation and depth of building elevations to avoid large blank walls;
 - d. The metal exterior material of the carport structure convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements and the one-story structure reduce the perceived appearance of height, bulk and mass, and are harmonious with other structures in the immediate area;
 - e. The existing landscaping of the Packard Building is generous and inviting, and the proposed landscaping and hardscape of the modified parking lot compliments the building and is well integrated with the building architecture. The existing streetscape will be retained and the existing landscape includes retaining substantial street tree canopy and the project will replace a street tree proposed to be removed;
 - f. Signage is designed to complement the building architecture in terms of style, materials, colors and proportions; however, since no new signage is proposed, this finding does not apply;
 - g. Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing; however, since no new mechanical equipment is proposed, this finding does not apply; and
 - h. Service, trash and utility areas are screened from public view, or are enclosed in structures that are consistent with the building architecture in materials and detailing; however, since no new service, trash, and utility area proposed, this finding does not apply.

CONDITIONS

GENERAL

1. **Expiration**

The Design Review Approval will expire on October 26, 2023 (24-months from approval date) unless prior to the date of expiration, a building permit is issued, or an extension is granted pursuant to Section 14.78.080 of the Zoning Code.

1. **Approved Plans**

The design review approval is based upon the plans and materials received on August 23, 2021 except as modified by these conditions and as specified below.

2. **Tree Protection**

The building plans shall incorporate the tree protection plan included in the arborist report by Urban Tree Management (dated May 17, 2021). All tree protection measures shall be carried out by the contractor in coordination with the consulting arborist. Documentation by letter(s) or reports from the consulting arborist shall be submitted prior to final inspection that demonstrates the tree protection plan was implemented by the contractor and consulting arborist.

3. **Tree Removal and Replacement Mitigation**

The trees shown to be removed on the site plan are approved per Section 11.08.070 of the Municipal Code. Replacement trees shall be provided as shown on the approved landscape plans and shall be a minimum 15 gallon or 24-inch box container size. In addition, the applicant shall provide documentation from GreenTown Los Altos that the Packard Foundation completed its commitment to contribute towards the planting of 27 trees off-site trees (Category II type trees or larger) per the City's Street Tree Planting List. GreenTown Los Altos should acknowledge the contribution will only go towards the planting of trees, the type of trees that the contribution paid for, and the time frame for when the trees will be planted.

4. **Indemnification**

The applicant agrees to indemnify, defend, protect and hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal Court, challenging any of the City's action with respect to the conditional use permit, design review, and variance.

5. **Encroachment Permit**

An encroachment permit and/or an excavation permit shall be obtained prior to any work done within the public right-of-way and it shall be in accordance with plans to be approved by the City Engineer.

6. **Public Utilities**

The applicant shall contact electric, gas, communication, and water utility companies regarding the installation of new utility services to the site.

7. **Americans with Disabilities Act**

All improvements shall comply with Americans with Disabilities Act (ADA).

8. Municipal Regional Stormwater Permit

The project shall be in compliance with the City of Los Altos Municipal Regional Stormwater (MRP) NPDES Permit No. CA S612008, Order No. R2-2015-0049 dated November 19, 2015.

9. Transportation Permit

A Transportation Permit, per the requirements specified in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the construction site. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.

INCLUDED WITH THE BUILDING PERMIT APPLICATION

10. Green Building Standards

The applicant shall provide verification that the project will comply with the City's Green Building Standards (Section 12.26 of the Municipal Code) from a qualified green building professional.

11. Tree Protection Note

On the grading plan and/or the site plan, all tree protection fencing shall be shown, and the following note shall be added: "All tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground."

12. Property Address

The applicant shall provide an address signage plan as required by the Building Official.

13. Water Efficient Landscape Plan

The application shall provide a landscape documentation package prepared by a licensed landscape professional showing how the project complies with the City's Water Efficient Landscape Regulations.

14. Pollution Prevention

The improvement plans shall include the "Blueprint for a Clean Bay" plan sheet in all plan submittals.

15. Storm Water Management Plan

The Applicant shall submit a Storm Water Management Plan (SWMP) in compliance with the MRP. The SWMP shall be reviewed and approved by a City approved third party consultant at the Applicant's expense. The recommendations from the SWMP shall be shown on the building plans.

16. Public Utility Dedication

The applicant shall dedicate public utility easements as required by the utility companies to serve the site.

PRIOR TO ISSUANCE OF BUILDING PERMIT

17. Final Lot Line Adjustment Application and Recordation

Plats and legal descriptions of the lot line adjustment shall be submitted for review by the City Land Surveyor. Applicant shall provide a sufficient fee retainer to cover the cost of the map review by the City. The lot line adjustment shall be recorded prior to issuance of the building permit. The recordation for a two-foot wide public access easement along the public alley as offered and shown in the approved plans shall be recorded by separate

instrument. Conforming copies of the above documents shall be provided to the City of Los Altos to demonstrate recording in the Official Records of Santa Clara County.

18. Payment of Fees

The applicant shall pay all applicable fees, including but not limited to map check fee plus deposit as required by the City of Los Altos Municipal Code.

19. Storm Water Filtration Systems

The Applicant shall insure the design of all storm water treatment systems and devices are without standing water to avoid mosquito/insect infestation. The applicant shall install equal size of rain garden that is proposed to be replaced by the new driveway. The new location of rain garden shall be approved by Engineering Service Department.

20. Cost Estimate and Performance Bonds

The applicant shall submit a cost estimate for the improvements in the public right-of-way and shall submit a 100 percent performance bond or cash deposit (to be held until acceptance of improvements) and a 50 percent labor and material bond (to be held 6 months after acceptance of improvements) for the work in the public right-of-way.

21. Grading and Drainage Plan

The Applicant shall submit on-site grading and drainage plans that include drain swale, drain inlets, drip lines of major trees, elevations at property lines, all trees and screening to be saved for approval by City Engineer. No grading or building pads are allowed within two-thirds of the drip line of trees unless recommended by a certified arborist and authorized by the Planning Division.

22. Tree Protection

Tree protection fencing shall be installed around the dripline(s), or as required by the project arborist, of trees the trees to remain as shown on the site plan. Tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.

23. Construction Management Plan

The Applicant shall submit a construction management plan for review and approval by the Community Development Director and the City Engineer. The construction management plan shall address any construction activities affecting the public right-of-way, including but not limited to excavation, traffic control, truck routing, pedestrian protection, material storage, earth retention and construction vehicle parking. The plan shall provide specific details with regard to how construction vehicle parking will be managed to minimize impacts on nearby property owners, residences, and businesses. A Transportation Permit, per the requirements in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the site. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.

PRIOR TO FINAL BUILDING PERMIT INSPECTION

24. Public Alleyway

The Applicant shall improve the entire width of the alleyway along the rear of the project with the treatment approved by the City Engineer.

25. Green Building Verification

The applicant shall submit verification that the structure was built in compliance with the California Green Building Standards pursuant to Section 12.26 of the Municipal Code (if required).

26. Tree Protection and Mitigation Verification

The applicant shall provide a letter or reports from the consulting arborist that documents that tree protection measures were implemented throughout the project consistent with Condition #2 and a letter from GreenTown Los Altos consistent with Condition #3.

27. Public Infrastructure Repairs

The Applicant shall repair any damaged right-of-way infrastructure and otherwise displaced curb, gutter and/or sidewalks and City's storm drain inlet shall be removed and replaced as directed by the City Engineer or his designee. The Applicant is responsible to resurface (grind and overlay) half of the street along the frontage of Second Street if determined to be damaged during construction, as directed by the City Engineer or his designee.

28. Maintenance Bond

A one-year, ten-percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way.

29. SWMP Certification

The Applicant shall have a final inspection and certification done and submitted by the Engineer who designed the SWMP to ensure that the treatments were installed per design. The Applicant shall submit a maintenance agreement to City for review and approval for the stormwater treatment methods installed in accordance with the SWMP. Once approved, City shall record the agreement.

30. Landscape and Irrigation Installation

All on- and off-site landscaping and irrigation shall be installed and approved by the Community Development Director and the City Engineer. Provide a landscape WELO Certificate of Completion, signed by the project's landscape professional and property owner, verifying that the trees, landscaping and irrigation were installed per the approved landscape documentation package.

31. Label Catch Basin Inlets

The Applicant shall label all new or existing public and private catch basin inlets which are on or directly adjacent to the site with the "NO DUMPING - FLOWS TO ADOBE CREEK" logo as required by the City.

32. Release Obligations for ATMP Monitoring

The applicant shall record a document in a form approved by the City Attorney affirming the property owner's obligations under the Development Agreement recorded in the Official Records of Santa Clara County on September 29, 2010 as Document No. 20893608 and Deed Restriction recorded in the Official Records of Santa Clara County on September 29, 2010 as Document No. 20893609. These obligations include the obligation to comply with an Alternative Transportation Demand Management Program (ATMP), except that the recorded document will release the applicant from the obligation to monitor the effectiveness of the ATMP and the additional reserve parking area, as described in the development agreement and deed restriction.

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF LOS ALTOS, HELD ON THURSDAY, SEPTEMBER 2, 2021 BEGINNING AT 7:00 P.M. HELD VIA VIDEO/TELECONFERENCE PER EXECUTIVE ORDER N-29-20

Per California Executive Order N-29-20, the Commission will meet via teleconference only. Members of the Public may call (650) 242-4929 to participate in the conference call (Meeting ID: 147 709 1741 or via the web at <https://tinyurl.com/43kk2wwe>) Members of the Public may only comment during times allotted for public comments. Public testimony will be taken at the direction of the Commission Chair and members of the public may only comment during times allotted for public comments. Members of the public are also encouraged to submit written testimony prior to the meeting at PlanningCommission@losaltosca.gov or Planning@losaltosca.gov. Emails received prior to the meeting will be included in the public record.

ESTABLISH QUORUM

PRESENT: Vice-Chair Doran, Commissioners Ahi, Marek (arrived after item No. 1) Mensinger, Roche and Steinle

ABSENT: Chair Bodner

STAFF: Community Development Director Biggs, Planning Services Manager Persicone and Senior Planner Golden

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

ITEMS FOR CONSIDERATION/ACTION

CONSENT CALENDAR

1. **Planning Commission Minutes**
Approve minutes of the regular meeting of August 5, 2021.

Action: Upon motion by Commissioner Steinle, seconded by Commissioner Roche, the Commission approved the minutes from the August 5, 2021, meeting as written.

The motion was approved (5-0) by the following vote:

AYES: Ahi, Doran, Mensinger, Roche and Steinle

NOES: None

ABSENT: Bodner and Marek

PUBLIC HEARING

2. **D20-0008 - Packard Foundation – 374 Second Street**
The project proposes to merge and reconfigure the existing parking lot areas. The project proposes to create two-way drive aisles accessible from Second Street and eliminate the existing ingress/egress to the public alley. A carport structure with photovoltaic panels is proposed to cover a portion of the parking stalls. *Project Planner: Golden.* This item was continued from the August 5, 2021 PC meeting.

Vice-Chair Doran noted she was not at the last meeting for the item on August 5, 2021, but she did review the video tape and the agenda report from that meeting.

Senior Planner Golden presented the staff report recommending approval of design review application D20-0008 to the City Council per the findings and conditions in the Resolution – Attachment A. He noted the letter received from Green Town Los Altos committing to planting 27 off-site trees, larger specimens in downtown locations, 15-gallon trees for planting that are a manageable size, they will plant November through March, and 11-15 trees will be planted on site. He also noted five public correspondences received.

Commissioner Questions to Staff

Commissioner Mensinger questioned what was approved in 2010, asked if extra parking spaces are needed, and what the square footage of the existing canopy on Whitney is.

Commissioner Roche asked a question about the original approval for the building, landscaping, and open space.

Senior Planner Golden said there is no restriction in the deed recorded from the 2010 approval on the development of the parking lot and noted the ATMP Alternative Transportation Mitigation Plan is still in effect.

Craig Neyman, Vice President and Chief Financial Officer for the Packard Foundation provided the presentation. He stated they have the need for the parking spaces for five reasons: 1) to address the original project's constraints; 2) the proposed plan is consistent with the ATMP already in place; 3) the level of hybrid work on average in the office may decrease, noting there is a relative increase on the number of days staff is spending in the office; 4) the existing parking lot is not in compliance with current code requirements for ADA compatibility and the new configuration will be; and 5) solar enabled EV charging will bring down the carbon footprint for the facility.

Vice-Chair Doran noted that Commissioner Marek had joined the meeting.

Commissioner Questions to Applicant

Commissioner Steinle asked the applicant the following: is this parking lot dedicated to the Packard Foundation employees and business guests; were the two parcels acquired after the project approval in 2010; the San Antonio Road lot/area buffer period of five years is over and the deed restriction for the overflow parking should be removed on that lot; if the development agreement allowed for the project to provide fewer parking spaces than required; the City's goal in reaching the agreement was to keep employees from parking in City lots or on the street; will fewer spaces still be provided than required in the zoning code with this new plan; and will the parking spaces be assigned or first come first serve.

Craig Neyman confirmed the above information and stated that the parking spaces will not be assigned at this point and would be first come first serve and encouraged use of electric vehicles but maintaining both types of parking on the site.

Commissioner Steinle asked about the angle of tilt on the solar arrays.

Community Development Director Biggs noted that the City Attorney conveyed that the solar arrays themselves are not subject to discretionary review because there are state laws in place that protect

the installation of these. The Commission's review is limited to that of design review for a carport structure.

Commissioner Steinle asked if there was any new information or recommendations from the project arborist.

Craig Neyman stated that the arborist has not changed his recommendations on the trees and they are just trying to save some of the trees recommended for removal by the arborist.

Vice-Chair Doran opened the meeting up for public comment.

Public Comment

Gary Hedden of Green Town Los Altos noted tree planting efforts, supports the project, and is happy to help with the tree mitigation.

Resident Roberta Phillips stated her concerns with trees being removed, said that there is no good reason to tear down trees for more concrete and asphalt, does not buy the stated reasons for parking spaces needs, and is concerned with the tree trimming done by the Packard Foundation on Second Street.

Resident Jon Baer stated he was on the Planning Commission when the original project was approved, said the Packard Foundation owned all the lots at the time of project approval, but that should be verified by staff, and he is sorely disappointed in the hypocrisy of the Foundation in taking down trees for parking and not keeping open space for their employees and the community.

The public comment period was closed for Commissioner discussion.

Community Development Director Biggs noted that Commissioner Marek had joined the meeting and asked him to confirm that he had reviewed the video from the previous meeting and the agenda report since he was not in attendance for the August 5, 2021, meeting on the item.

Commissioner Marek confirmed he had and was ready to participate in tonight's meeting.

PC Discussion/Comments

Vice-Chair Doran:

- Sees the parking as a benefit to the community;
- Commended the applicant for the efforts to minimize the need for parking with the project and landscaping the alley;
- Said it is visually pleasing and the applicant has made every effort to address the Commission's concerns; and
- Gave her support.

Commissioner Ahi:

- In favor of the project and should recommend approval to the City Council;
- Remove tree No. 10 since the arborist notes it is dead at the top and recommended removal; and
- The trees noted for removal are small and not in good condition/shape.

Commissioner Roche:

- Noted the modifications made by the applicant addressing his previous concerns about trees and appreciated the addition of more landscaping;
- The applicant has done a good job of addressing the parking lot changes with revisions; and
- Supports the project and changes that were made.

Commissioner Mensinger:

- Agreed and echoed Commissioner Roche's comments; and
- Would like the trees and green space to stay but supports the project.

Commissioner Marek:

- Supports the project and agrees with the other Commissioners;
- Will add a lot of positive attributes with solar and more parking spaces;
- The applicant has done their best to consider the issues that were raised; and
- Asked about the accountability for the trees to be planted by Green Town Los Altos.

Community Development Director Biggs said the required tree planting will be recorded in the resolution that is approved by City Council and signed by the mayor and those conditions remains on the property. If compliance is not met, the City has options to make sure conditions are being complied with.

Commissioner Steinle:

- New parking is an improvement;
- Too many EV chargers;
- Structure is monolithic and can it be broken up into finger islands as suggested;
- Not in favor of keeping trees for sake of keeping trees;
- Could landscaping be rethought to a strategic/decorative use to be considered;
- The parking recaptures some of the spirit of the current setup;
- Is encouraged by the second letter received from Green Town Los Altos; and
- He is in favor of moving the project forward to City Council for approval.

Vice-Chair Doran asked about the damage to the parking lot fences and the repair and maintenance of the landscaping and to look at options for undergrounding the utility poles as more development takes place in the area.

Community Development Director Biggs said the City could help facilitate discussion between the developer of the First Street project and the Packard Foundation for repairs of the fences and mentioned the City does not have the funds available to do a full undergrounding of the power lines.

Senior Planner Golden noted the alternative layouts that were submitted by the applicant and that the Commission should recommend a specific plan moving forward to the City Council. He then provided those options for the Commission to consider.

Action: Upon motion by Commissioner Ahi, seconded by Vice-Chair Doran, the Commission recommended approval of design review application D20-0008 to the City Council per the findings and conditions in the Resolution – Attachment A and in favor of either Option A or B.

The motion was approved (6-0) by the following vote:
AYES: Ahi, Doran, Marek, Mensinger, Roche and Steinle
NOES: None
ABSENT: Bodner

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Ahi reported on the August 24, 2021, City Council meeting regarding the Objective Standards and asked Community Development Director Biggs to elaborate.

Community Development Director Biggs stated that the City Council introduced an ordinance with modifications to the draft that will lead to a set of Objective Standards for Multi-Family and Mixed-Use buildings here in Los Altos. The item is going back to City Council on September 14, 2021, with recommendation to adopt the ordinance that would become effective 30 days later. He stated the City Council also asked that the Commission do some more review of items in the Objective Standards and develop a recommendation.

POTENTIAL FUTURE AGENDA ITEMS

Community Development Director Biggs gave an overview of future agenda items and let the Commission know that the September 16, 2021 Planning Commission meeting has been cancelled due to a holiday.

ADJOURNMENT

Vice-Chair Doran adjourned the meeting at 8:13 P.M.

Jon Biggs
Community Development Director



PLANNING COMMISSION AGENDA REPORT

Meeting Date: September 2, 2021

Subject: Design Review (D20-0008) for proposed carport and parking lot modifications at 374 Second Street (Packard Foundation) (Continued From August 5, 2021))

Prepared by: Steve Golden, Senior Planner

Initiated by: Ryan Martini, The David and Lucile Packard Foundation

Attachments:

- A. Draft Resolution
- B. August 5, 2021 Planning Commission Agenda Report
- C. Applicant Letter Summarizing Revisions
- D. GreenTown Los Altos Letter of Intent (August 18, 2021)
- E. Public Correspondences
- F. Revised Design Plans

Recommendation:

Recommend to the City Council approval of the Design Review application (D20-0008).

Environmental Review:

The design review application is categorically exempt from environmental review pursuant to Section 15301 (Class 1), Existing Facilities and 15303 New Construction or Conversion of Small Structures (Class 3) of the California Environmental Quality Act (CEQA) Guidelines, as amended, and none of the circumstances listed in CEQA Guidelines Section 15300.2 applies. Class 1 categorical exemptions consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, etc. involving negligible or no expansion of existing or former use. Class 3 categorical exemptions consists of construction and location of limited numbers of new, small facilities or structures and the installation of small new equipment and facilities in small structures, which lists accessory (appurtenant) structures including garages and carports. The applicant requests to modify the existing surface parking lot to include carports and an additional 28 parking spaces. The proposed changes to the existing parking lot do not expand the use of the building (Packard Foundation) that it is associated with, and the proposed carports are specifically listed as a Class 3 categorical exemption.

Project Description:

This is a request for a design review for modifications to the existing parking lots at 374 Second Street which is associated with the David and Lucile Packard Foundation Building (Packard Foundation) at 343 Second Street. The existing parking lot area consists of five separate lots, three of which are surface parking lots with a total of 58 parking spaces that are accessed from Second Street and the public alley, and two of which are currently vacant with landscaping. The applicant proposes to merge

all of the lots together¹ and to use the merged lot as one larger parking area consisting of a two-way drive aisle with access from Second Street only that will accommodate 86 parking stalls. A carport structure is proposed that will cover 32 parking spaces in the interior portion of the lot, and a photovoltaic system will be mounted to the top of the carport structure. Forty-one electric vehicle parking spaces are proposed. New landscaping, lighting, and other surface improvements associated with the parking lot area are proposed.

Background

This item was introduced at the August 5, 2021 Planning Commission meeting (see agenda report in Attachment B). After presentation by staff and the applicant and answering questions posed by the Commission, the Commission accepted public comments, discussed the proposed project, and unanimously voted with four members present to continue this item to the September 2, 2021 Planning Commission meeting. In the decision to continue this item, the Commission provided direction to the applicant to address concerns or other items for consideration as follows:

- Provide renderings (and more detailed elevation) plans for the carport structure;
- Provide a color sample (palette) for the carport structure;
- Enhance the tree planting on-site. Provide more buffer to the residential units being constructed between First Street and public alley; and
- Enhance the tree replacement agreement/plan with Greentown Los Altos

Discussion/Analysis

Following the August 5, 2021 Commission meeting, staff met with the Applicant to discuss the Commission's direction and to provide further recommendations and opportunities in addressing the Commission's comments. The Applicant has submitted revised design plans (Attachment F) and also provided an updated Letter of Intent from GreenTown Los Altos (Attachment D) to address tree replacement concerns. The revised design plans include the following (also summarized in a letter submitted by the Applicant in Attachment C:

- Revised the parking lot design including parking space layouts and landscaping to preserve three additional existing trees (Trees #9, 10, 20);
- Revised the landscaping and site plan to include six additional trees (small canopy deciduous trees) planted along the southwest boundary (public alley), one additional large canopy tree at the Second Street entrance area, and tall upright screening shrubs along the southeast of the parking lot (Sheet L1.01A). An alternative plan (L1.01B) would include four additional trees along the southeast boundary (removing the tall upright screening shrubs);
- Included EV chargers for all 32 interior spaces under the carport structure for a total of 41 EV charging spaces; and
- Added more detailed rendering and elevation plans (Sheets C.5's) in color (dark brown to match Packard Foundation Building)

¹ A lot line adjustment application has been submitted and is subject to an administrative review which is being reviewed concurrently with this application.

The proposed tree replacement now includes a total of 11 small canopy trees (13 if the alternative site plan is approved) and two medium canopy trees (one off-site along Second Street). The alternative layout that includes the additional four trees along the southeast boundary of the parking lot revises the landscape area and curb abutting the parking spaces and creates a slight “notch” into eight adjacent parking spaces to accommodate the tree planting. Section 14.74.200 of the Zoning Code requires a minimum parking space dimension of nine feet wide and 18 feet in depth; therefore, the eight parking spaces do not comply with the minimum dimensions, however, Section 14.74.200.D of the Zoning Code allows a space to overhang into the landscape area and reduce the length up to two feet if approved by the Planning Commission and/or City Council. Also, because an alternative parking requirement was originally approved with the Packard Foundation building (see August 5, 2021 agenda report for further discussion), these parking spaces would be deemed excess parking and do not need to comply with the minimum requirements. However, if the alternative layout is approved, staff recommends that these parking spaces be marked as compact since the depth is slightly less than what the standard requires.

The applicant has also submitted an updated Letter of Intent from GreenTown Los Altos which specifies and clarifies the commitment of the Packard Foundation to coordinate with GreenTown to provide off-site replacement trees. The letter specifies the tree types (large canopy trees) and sample species that GreenTown intends to be planted, that the trees will be a minimum of 15 gallons, and GreenTown will strive to plant trees closest to the downtown area. The time of the year that they will be targeting is November thru March as the trees will take root better in the rainy season. Staff would recommend a specific timeframe for the trees to be planted in so there is surety that the condition has been met.

Public Notification

Since this meeting was continued to a date certain meeting, a new public notice mailer was not required; however, a new meeting notice was posted on the billboard public sign on the property.

Public Correspondence

All public correspondences including correspondences received by staff since the August 5, 2021 agenda report was published and up to the publication of this report are included in Attachment E.

Attachment A

RESOLUTION NO. 2021-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS APPROVING A DESIGN REVIEW FOR A RECONFIGURED PARKING LOT AND CARPORT STRUCTURE AT THE DAVID AND LUCILE PACKARD FOUNDATION BUILDING AT 374 SECOND STREET AND MAKING FINDINGS OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

WHEREAS, the City of Los Altos received a Design Review application (D20-0008) from the David and Lucile Packard Foundation to reconfigure the existing surface parking lots to provide 86 parking spaces and construct a carport structure covering approximately 5,610 square feet at 374 Second Street; and

WHEREAS, the design review application is categorically exempt from environmental review pursuant to Section 15301 (Class 1), Existing Facilities and 15303 New Construction or Conversion of Small Structures (Class 3) of the California Environmental Quality Act (CEQA) Guidelines, and none of the circumstances listed in CEQA Guidelines Section 15300.2 applies. Class 1 categorical exemptions consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, etc. involving negligible or no expansion of existing or former use. Class 3 categorical exemptions consists of construction and location of limited numbers of new, small facilities or structures and the installation of small new equipment and facilities in small structures, which lists accessory (appurtenant) structures including garages and carports. The applicant requests to modify the existing surface parking lot to include carports and an additional 28 parking spaces. The proposed changes to the existing parking lot do not expand the use of the building (Packard Foundation) that it is associated with, and the proposed carports are specifically listed as a Class 3 categorical exemption.

WHEREAS, the Planning Commission held a duly noticed public hearing on the design review application on August 5, 2021 and September 2, 2021, at which all public comment was considered, and voted to recommend approval to the City Council; and

WHEREAS, the City Council held a duly noticed public meeting on the design review application on _____, 2021 at which all public comment was duly considered; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council’s decision was made are located in the Office of City Clerk.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves Design Review (D20-0008) subject to the findings and conditions attached hereto as “Exhibit A” and incorporated herein by this reference.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the ____ day of _____, 2021 by the following vote:

Attachment A

AYES:
NOES:
ABSENT:
ABSTAIN:

Neysa Fligor, MAYOR

Attest:

Andrea Chelemengos, CMC, CITY CLERK

Attachment A

EXHIBIT A

FINDINGS

1. DESIGN REVIEW FINDINGS. With regard to Design Review Application D20-0008, the City Council finds, in accordance with Section 14.78.060 of the Los Altos Municipal Code, as follows:
 - a. The project meets the goals, policies and objectives of the General Plan and complies with any Zoning Code design criteria for the CD District in that the proposed project is ancillary to the existing Packard Foundation building that was previously approved and the proposed design complies with zoning district standards as described in the agenda report;
 - b. The project has architectural integrity and an appropriate relationship with other structures in the immediate area in terms of height, bulk and design in that the carport structure is limited to one story and has an interior location on the site;
 - c. The existing Packard Foundation building combined with the proposed carport have horizontal and vertical building mass that is articulated to relate to the human scale; it has variation and depth of building elevations to avoid large blank walls;
 - d. The metal exterior material of the carport structure convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements and the one-story structure reduce the perceived appearance of height, bulk and mass, and are harmonious with other structures in the immediate area;
 - e. The existing landscaping of the Packard Building is generous and inviting, and the proposed landscaping and hardscape of the modified parking lot compliments the building and is well integrated with the building architecture. The existing streetscape will be retained and the existing landscape includes retaining substantial street tree canopy and the project will replace a street tree proposed to be removed;
 - f. Signage is designed to complement the building architecture in terms of style, materials, colors and proportions; however, since no new signage is proposed, this finding does not apply;
 - g. Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing; however, since no new mechanical equipment is proposed, this finding does not apply; and
 - h. Service, trash and utility areas are screened from public view, or are enclosed in structures that are consistent with the building architecture in materials and detailing; however, since no new service, trash, and utility area proposed, this finding does not apply.

Attachment A

CONDITIONS

GENERAL

1. **Expiration**

The Design Review Approval will expire on _____ (24-months from approval date) unless prior to the date of expiration, a building permit is issued, or an extension is granted pursuant to Section 14.78.080 of the Zoning Code.

1. **Approved Plans**

The design review approval is based upon the plans and materials received on August 23, 2021 except as modified by these conditions and as specified below.

2. **Tree Protection**

The building plans shall incorporate the tree protection plan included in the arborist report by Urban Tree Management (dated May 17, 2021). All tree protection measures shall be carried out by the contractor in coordination with the consulting arborist. Documentation by letter(s) or reports from the consulting arborist shall be submitted prior to final inspection that demonstrates the tree protection plan was implemented by the contractor and consulting arborist.

3. **Tree Removal and Replacement Mitigation**

The trees shown to be removed on the site plan are approved per Section 11.08.070 of the Municipal Code. Replacement trees shall be provided as shown on the approved landscape plans and shall be a minimum 15 gallon or 24-inch box container size. In addition, the applicant shall provide documentation from GreenTown Los Altos that the Packard Foundation completed its commitment to contribute towards the planting of 27 trees off-site trees (Category II type trees or larger) per the City's Street Tree Planting List. GreenTown Los Altos should acknowledge the contribution will only go towards the planting of trees, the type of trees that the contribution paid for, and the time frame for when the trees will be planted.

4. **Indemnification**

The applicant agrees to indemnify, defend, protect and hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal Court, challenging any of the City's action with respect to the conditional use permit, design review, and variance.

5. **Encroachment Permit**

An encroachment permit and/or an excavation permit shall be obtained prior to any work done within the public right-of-way and it shall be in accordance with plans to be approved by the City Engineer.

6. **Public Utilities**

The applicant shall contact electric, gas, communication, and water utility companies regarding the installation of new utility services to the site.

7. **Americans with Disabilities Act**

All improvements shall comply with Americans with Disabilities Act (ADA).

Attachment A

8. **Municipal Regional Stormwater Permit**

The project shall be in compliance with the City of Los Altos Municipal Regional Stormwater (MRP) NPDES Permit No. CA S612008, Order No. R2-2015-0049 dated November 19, 2015.

9. **Transportation Permit**

A Transportation Permit, per the requirements specified in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the construction site. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.

INCLUDED WITH THE BUILDING PERMIT APPLICATION

10. **Green Building Standards**

The applicant shall provide verification that the project will comply with the City's Green Building Standards (Section 12.26 of the Municipal Code) from a qualified green building professional.

11. **Tree Protection Note**

On the grading plan and/or the site plan, all tree protection fencing shall be shown, and the following note shall be added: "All tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground."

12. **Property Address**

The applicant shall provide an address signage plan as required by the Building Official.

13. **Water Efficient Landscape Plan**

The application shall provide a landscape documentation package prepared by a licensed landscape professional showing how the project complies with the City's Water Efficient Landscape Regulations.

14. **Pollution Prevention**

The improvement plans shall include the "Blueprint for a Clean Bay" plan sheet in all plan submittals.

15. **Storm Water Management Plan**

The Applicant shall submit a Storm Water Management Plan (SWMP) in compliance with the MRP. The SWMP shall be reviewed and approved by a City approved third party consultant at the Applicant's expense. The recommendations from the SWMP shall be shown on the building plans.

16. **Public Utility Dedication**

The applicant shall dedicate public utility easements as required by the utility companies to serve the site.

PRIOR TO ISSUANCE OF BUILDING PERMIT

17. **Final Lot Line Adjustment Application and Recordation**

Plats and legal descriptions of the lot line adjustment shall be submitted for review by the City Land Surveyor. Applicant shall provide a sufficient fee retainer to cover the cost of the map review by the City. The lot line adjustment shall be recorded prior to issuance of the building permit. The recordation for a two-foot wide public access easement along the public alley as offered and shown in the approved plans shall be recorded by separate

Attachment A

instrument. Conforming copies of the above documents shall be provided to the City of Los Altos to demonstrate recording in the Official Records of Santa Clara County.

18. **Payment of Fees**

The applicant shall pay all applicable fees, including but not limited to map check fee plus deposit as required by the City of Los Altos Municipal Code.

19. **Storm Water Filtration Systems**

The Applicant shall insure the design of all storm water treatment systems and devices are without standing water to avoid mosquito/insect infestation. The applicant shall install equal size of rain garden that is proposed to be replaced by the new driveway. The new location of rain garden shall be approved by Engineering Service Department.

20. **Cost Estimate and Performance Bonds**

The applicant shall submit a cost estimate for the improvements in the public right-of-way and shall submit a 100 percent performance bond or cash deposit (to be held until acceptance of improvements) and a 50 percent labor and material bond (to be held 6 months after acceptance of improvements) for the work in the public right-of-way.

21. **Grading and Drainage Plan**

The Applicant shall submit on-site grading and drainage plans that include drain swale, drain inlets, drip lines of major trees, elevations at property lines, all trees and screening to be saved for approval by City Engineer. No grading or building pads are allowed within two-thirds of the drip line of trees unless recommended by a certified arborist and authorized by the Planning Division.

22. **Tree Protection**

Tree protection fencing shall be installed around the dripline(s), or as required by the project arborist, of trees the trees to remain as shown on the site plan. Tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.

23. **Construction Management Plan**

The Applicant shall submit a construction management plan for review and approval by the Community Development Director and the City Engineer. The construction management plan shall address any construction activities affecting the public right-of-way, including but not limited to excavation, traffic control, truck routing, pedestrian protection, material storage, earth retention and construction vehicle parking. The plan shall provide specific details with regard to how construction vehicle parking will be managed to minimize impacts on nearby property owners, residences, and businesses. A Transportation Permit, per the requirements in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the site. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.

PRIOR TO FINAL BUILDING PERMIT INSPECTION

24. **Public Alleyway**

The Applicant shall improve the entire width of the alleyway along the rear of the project with the treatment approved by the City Engineer.

Attachment A

25. **Green Building Verification**

The applicant shall submit verification that the structure was built in compliance with the California Green Building Standards pursuant to Section 12.26 of the Municipal Code (if required).

26. **Tree Protection and Mitigation Verification**

The applicant shall provide a letter or reports from the consulting arborist that documents that tree protection measures were implemented throughout the project consistent with Condition #2 and a letter from GreenTown Los Altos consistent with Condition #3.

27. **Public Infrastructure Repairs**

The Applicant shall repair any damaged right-of-way infrastructure and otherwise displaced curb, gutter and/or sidewalks and City's storm drain inlet shall be removed and replaced as directed by the City Engineer or his designee. The Applicant is responsible to resurface (grind and overlay) half of the street along the frontage of Second Street if determined to be damaged during construction, as directed by the City Engineer or his designee.

28. **Maintenance Bond**

A one-year, ten-percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way.

29. **SWMP Certification**

The Applicant shall have a final inspection and certification done and submitted by the Engineer who designed the SWMP to ensure that the treatments were installed per design. The Applicant shall submit a maintenance agreement to City for review and approval for the stormwater treatment methods installed in accordance with the SWMP. Once approved, City shall record the agreement.

30. **Landscape and Irrigation Installation**

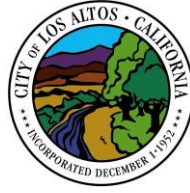
All on- and off-site landscaping and irrigation shall be installed and approved by the Community Development Director and the City Engineer. Provide a landscape WELO Certificate of Completion, signed by the project's landscape professional and property owner, verifying that the trees, landscaping and irrigation were installed per the approved landscape documentation package.

31. **Label Catch Basin Inlets**

The Applicant shall label all new or existing public and private catch basin inlets which are on or directly adjacent to the site with the "NO DUMPING - FLOWS TO ADOBE CREEK" logo as required by the City.

32. **Release Obligations for ATMP Monitoring**

The applicant shall record a document in a form approved by the City Attorney affirming the property owner's obligations under the Development Agreement recorded in the Official Records of Santa Clara County on September 29, 2010 as Document No. 20893608 and Deed Restriction recorded in the Official Records of Santa Clara County on September 29, 2010 as Document No. 20893609. These obligations include the obligation to comply with an Alternative Transportation Demand Management Program (ATMP), except that the recorded document will release the applicant from the obligation to monitor the effectiveness of the ATMP, as described in the development agreement and deed restriction.



PLANNING COMMISSION AGENDA REPORT

Meeting Date: August 5, 2021

Subject: Design Review (D20-0008) for proposed carport and parking lot modifications at 374 Second Street (Packard Foundation)

Prepared by: Steve Golden, Senior Planner

Initiated by: Ryan Martini, The David and Lucile Packard Foundation

Attachments:

- A. Draft Resolution
- B. Vicinity Map and Public Notification Map
- C. Arborist Report
- D. GreenTown Los Altos Agreement Letter
- E. Design Plans

Recommendation:

Recommend to the City Council approval of the Design Review application (D20-0008).

Environmental Review:

The design review application is categorically exempt from environmental review pursuant to Section 15301 (Class 1), Existing Facilities and 15303 New Construction or Conversion of Small Structures (Class 3) of the California Environmental Quality Act (CEQA) Guidelines, as amended, and none of the circumstances listed in CEQA Guidelines Section 15300.2 applies. Class 1 categorical exemptions consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, etc. involving negligible or no expansion of existing or former use. Class 3 categorical exemptions consists of construction and location of limited numbers of new, small facilities or structures and the installation of small new equipment and facilities in small structures, which lists accessory (appurtenant) structures including garages and carports. The applicant requests to modify the existing surface parking lot to include carports and an additional 28 parking spaces. The proposed changes to the existing parking lot do not expand the use of the building (Packard Foundation) that it is associated with, and the proposed carports are specifically listed as a Class 3 categorical exemption.

Project Description:

This is a request for a design review for modifications to the existing parking lots at 374 Second Street which is associated with the David and Lucile Packard Foundation Building (Packard Foundation) at 343 Second Street. The existing parking lot area consists of five separate lots, three of which are surface parking lots with a total of 58 parking spaces that are accessed from Second Street and the public alley, and two of which are currently vacant with landscaping. The applicant proposes to merge

all of the lots together¹ and to use the merged lot as one larger parking area consisting of a two-way drive aisle with access from Second Street only that will accommodate 86 parking stalls. Carport structures are proposed that will cover 32 parking spaces in the interior portion of the lot, and a photovoltaic system will be mounted to the top of the carport structures. Seven electric vehicle parking spaces are proposed. New landscaping and other surface improvements associated with the parking lot area proposed. The following tables summarizes the project's technical details:

GENERAL PLAN DESIGNATION: Downtown Commercial
ZONING: Commercial Downtown District (CD)
PARCEL SIZE: 35,508 square feet (0.82 acres) [merged lots]

	Existing	Proposed	Allowed/Required
FLOOR AREA:	-	-	-
LOT COVERAGE:	-	5,610 sq ft (15.8%) ²	-
SETBACKS³:			
Front	-	51.5 feet	2 feet
Rear	-	51.5 feet	10
Left side	-	53.0 feet	0 feet
Right side	-	53.0 feet	0 feet
HEIGHT:	-	14.33 feet	30 feet
PARKING SPACES:	58 spaces	86 spaces	NA

Background

Site Description and Surrounding Uses

The existing surface parking lot area is located on an 35,508 square foot site which consists of five separate lots between Second Street and the public alley in a Commercial Downtown Zoning District. Three of the five lots have paved surface parking and other associated parking lot features including landscaping. Each of the three lots include one, one-way drive aisle (differing in direction) between Second Street and the public alley and has angled oriented parking depending upon the direction of the drive aisle. The two remaining lots are vacant and separate two of the paved lot areas. The parking lot areas served the previous building that existed to the current Packard Foundation building at 343 Second Street and has continued to serve as parking for the newer building. The two vacant lots previously had one-story structures that were demolished when the new Packard Foundation building was constructed and are now landscaped with no-mow grasses and the trees that existed on those sites. Further information regarding the trees is discussed below. The parking lot area is bounded by

¹ A lot line adjustment application has been submitted and is subject to an administrative review which is being reviewed concurrently with this application.

² Measured to the outside of the covered carport area.

³ Setbacks are typically measured from the exterior wall or vertical support, but in this case the setbacks were measured to the edge of carport's roof structure since the posts are positioned in the center and the roof structure is vertically supported by the horizontal beams.

the Packard Foundation building to the east, the public alley and existing buildings fronting First Street to the west, a commercial office building to the north, and a surface parking lot (serving another property) to the south.

Site History

When Packard Building was approved in 2010, the proposed site provided 67 parking spaces (including the 58 parking spaces in the lots fronting Second Street) whereas 152 parking spaces would have been required to comply with the standard parking ratio for office buildings in the Zoning Code based on the size of the building. In lieu of providing the required parking, the City agreed to an Alternative Transportation Management Program (ATMP) to off-set the demand for the parking. The ATMP which was memorialized in a recorded Development Agreement and Deed Restriction recorded on the property required that the Packard Foundation commit to strategies to reduce single occupancy vehicles (SOVs) including providing shuttling from Cal Train and VTA stations, providing Cal Train and VTA passes, Eco and Go passes, car pooling, emergency ride home guarantees, telecommuting, biking incentives, and other strategies and incentives as developed overtime to reduce SOVs. The Packard Foundation was required to submit monitoring reports to the City for review for a five year period and if determined that the ATMP was achieving its objective, the City could then eliminate the requirement to continue the monitoring thereafter, but the ATMP would need to continue in perpetuity or until the building itself is demolished. The Packard Foundation provided ATMP monitoring reports that was conducted by Hexagon Transportation Consultants, Inc for at least a five-year period and in 2018, the City sent a letter to the Packard Foundation that discontinued the requirement for providing the continued ATMP monitoring; however, as stated above the ATMP should continue in perpetuity. The applicant acknowledges that the ATMP is still continuing, and City staff will work to record the proper documentation releasing the Packard Foundation from further monitoring requirements, but will not release the requirement for the ATMP to continue into perpetuity.

Discussion/Analysis

Design Review for Proposed Parking Lot Reconfiguration

The project proposes construction of a new structure/building; therefore, pursuant to Section 14.78.020 requires City Council approval. In order to approve the project, the City Council must make positive design review findings as outlined in Section 14.78.060 of the Municipal Code. The design review findings are summarized as follows:

- The project meets the goals, policies and objectives of the General Plan and complies with any Zoning Code design criteria for the CD District;
- The project has architectural integrity and an appropriate relationship with other structures in the immediate area in terms of height, bulk and design;
- The horizontal and vertical building mass is articulated to relate to the human scale; it has variation and depth of building elevations to avoid large blank walls.
- The exterior materials that convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements and reduce the perceived appearance of height, bulk and mass, and are harmonious with other structures in the immediate area;

- The landscaping is generous and inviting, the landscape and hardscape complements the building and is well integrated with the building architecture and surrounding streetscape, and the landscape includes substantial street tree canopy;
- Any signage is appropriately designed to complement the building architecture;
- Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing; and
- Service, trash and utility areas are screened from public view, or are enclosed in structures that are consistent with the building architecture in materials and detailing.

The design review findings are typically associated with the construction of a new building or major modification of existing buildings; however, the proposed project is more ancillary to the existing Packard Foundation building, so the design review findings should be applied accordingly and/or recognize the previous development associated with the Packard Foundation building.

The Applicant proposes to merge the five existing lot together and use the merged lot as one larger parking area consisting of a two-way drive aisle with two driveways accessing the reconfigured parking lot from Second Street. The reconfigured parking area replaces the 58 existing parking spaces that currently exist across three of the lots and will incorporate the other two vacant parcels. The new parking lot reconfiguration is designed to be a more conventional parking lot design with a total of 86 parking spaces designed as 90-degree parking stalls which replaces the angled parking stalls that currently exists. The new parking lot design will improve overall circulation efficiency for the parking lots as well as the public street and alley by reducing the need to enter/exit the public right-of-way to access other portions of parking lot areas. Also, the reconfigured design will eliminate curb cuts which should result in improved pedestrian experience and safety by eliminating potential vehicle/pedestrian conflicts.

As stated previously, a lot line adjustment or parcel map is required in order to merge the lots together so that the proposed carport structure does not extend beyond property lines. A lot line adjustment application is being processed concurrently with the design review application and can be approved subsequent to City Council approval of the design review. Consistent with other recent development along the public alley between First and Second Streets, the City is requesting the property owner provide a dedication for right-of-way or a public access easement to increase the width of the alley by two feet. A public access easement is proposed which is included in the civil plans (see Attachment E) and will be conditioned to be recorded concurrently with the lot line adjustment.

With regards to compliance with the Commercial Downtown (CD) Zoning District, the proposed parking lot is in compliance with the yard and landscaping requirements per Sections 14.44.060, 14.44.070, 14.44.080 and 14.44.090 of the Zoning Code by meeting or exceeding the requirements. The proposed parking lot provides the following: a seven-foot front landscaped area (where only five feet is required); a five-foot rear landscaped area, as required; and a three-foot landscaped area on each side area (where no specific landscaping is required); and 5,258 square feet (17.5% of the parking lot area) of landscaping (where only 10% landscaping is required). In addition, shrouded lighting for the parking lot is proposed as required by Section 14.44.050.C.

A carport structure, which includes a photovoltaic system array mounted to the roof is proposed to be constructed to cover the interior 32 parking stalls. The structure is proposed to be metal

construction with the support posts in the center of the structure with a sloping roof structure that projects over the full depth of the interior parking spaces. The structure is well within the required setbacks (see table above) and the proposed height of 14.33 feet is under the maximum height for buildings in the CD Zoning District.

Other improvements include the installation of seven electric vehicle parking spaces with charging kiosks, new fencing, storm drainage/retention facilities, landscaping, and trees which is discussed in more detail below.

Staff recommends the Planning Commission recommend City Council approval of this project subject to the conditions and positive design review findings contained in the draft resolution (see Attachment A).

Tree Preservation and Mitigation

The project area includes a total of 35 trees (28 on-site and seven off-site trees in the public right-of-way fronting on Second Street). Sheet C1.1 of the design plans (see Attachment E) shows the location and information table of the existing trees. The majority of species includes Chinese pistache, Tristania, Coast live oaks, and Japanese maples. More details regarding the condition of the trees can be found in the arborist report (see Attachment C). The seven trees in the public right-of-way and nine of the trees on-site would be considered protected trees under Chapter 11.08 Tree Protection Regulations because they are greater than 48 inches in circumference. The project proposes to remove a total of 25 trees, including 24 trees on-site (seven protected trees) and one tree in the public right-of-way. Of the 24 on-site trees, the arborist notes that three of the trees would be recommended for removal, regardless of improvements, because of the condition of the trees. All of the preserved trees are located along the landscape boundary of the parking lot area. Of the four on-site trees being preserved, two are protected trees (over 48 inches in circumference). The project proposes to plant seven new trees on-site and one tree in the public right-of-way along Second Street, for a total of 18 trees.

Section 11.08.090 of the Tree Protection Ordinance provides criteria for which requests for tree removal are determined and based on these criteria, staff would consider “the necessity to remove the tree for economic or other enjoyment of the property” as justification for tree removal. The property is located in the downtown area of Los Altos which is considered the most urban area of the city and preserving all of these trees could be financially infeasible in order to further development of these parcels.

This section of the ordinance also provides criteria for which replacement tree planting may be warranted which may consist of one or more replacement trees. There is a net loss of 17 trees on-site, which includes seven protected trees being removed. Since the site is physically constrained to provide additional replacement tree plantings, the applicant has requested to provide replacement trees off-site and/or at other public facilities. City staff recommended that the Packard Foundation inquire with GreenTown Los Altos to facilitate off-site planting in public facilities since the City of Los Altos already has reached agreement and is coordinating with GreenTown on other tree planting activities throughout the City. The Packard Foundation independently reached out to GreenTown and has reached agreement to support the planting of 27 trees in Los Altos (see Attachment D). A condition of approval has been included to confirm that a contribution is provided to GreenTown

Subject: Design Review (D20-0008) at 374 Second St (Packard Foundation)

for planting of 27 trees consistent with the agreement letter prior to the final inspection of the building permit for the parking lot improvements/carport structure.

Public Notification

For this meeting a billboard size public notice sign was posted on the property and notices were mailed to the property owners within 1,000 feet of the site. The application's public notification map is included in Attachment B.

Public Correspondence

No public correspondences were received by the City at the time of this report publication.

Attachment A

RESOLUTION NO. 2021-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS APPROVING A DESIGN REVIEW FOR A RECONFIGURED PARKING LOT AND CARPORT STRUCTURE AT THE DAVID AND LUCILE PACKARD FOUNDATION BUILDING AT 374 SECOND STREET AND MAKING FINDINGS OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

WHEREAS, the City of Los Altos received a Design Review application (D20-0008) from the David and Lucile Packard Foundation to reconfigure the existing surface parking lots to provide 86 parking spaces and construct a carport structure covering approximately 5,610 square feet at 374 Second Street; and

WHEREAS, the design review application is categorically exempt from environmental review pursuant to Section 15301 (Class 1), Existing Facilities and 15303 New Construction or Conversion of Small Structures (Class 3) of the California Environmental Quality Act (CEQA) Guidelines, and none of the circumstances listed in CEQA Guidelines Section 15300.2 applies. Class 1 categorical exemptions consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, etc. involving negligible or no expansion of existing or former use. Class 3 categorical exemptions consists of construction and location of limited numbers of new, small facilities or structures and the installation of small new equipment and facilities in small structures, which lists accessory (appurtenant) structures including garages and carports. The applicant requests to modify the existing surface parking lot to include carports and an additional 28 parking spaces. The proposed changes to the existing parking lot do not expand the use of the building (Packard Foundation) that it is associated with, and the proposed carports are specifically listed as a Class 3 categorical exemption.

WHEREAS, the Planning Commission held a duly noticed public hearing on the design review application on August 5, 2021, at which all public comment was considered, and voted to recommend approval to the City Council; and

WHEREAS, the City Council held a duly noticed public meeting on the design review application on _____, 2021 at which all public comment was duly considered; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council’s decision was made are located in the Office of City Clerk.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves Design Review (D20-0008) subject to the findings and conditions attached hereto as “Exhibit A” and incorporated herein by this reference.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the ____ day of _____, 2021 by the following vote:

Attachment A

AYES:
NOES:
ABSENT:
ABSTAIN:

Neysa Fligor, MAYOR

Attest:

Andrea Chelemengos, CMC, CITY CLERK

Attachment A

EXHIBIT A

FINDINGS

1. DESIGN REVIEW FINDINGS. With regard to Design Review Application D20-0008, the City Council finds, in accordance with Section 14.78.060 of the Los Altos Municipal Code, as follows:
 - a. The project meets the goals, policies and objectives of the General Plan and complies with any Zoning Code design criteria for the CD District in that the proposed project is ancillary to the existing Packard Foundation building that was previously approved and the proposed design complies with zoning district standards as described in the agenda report;
 - b. The project has architectural integrity and an appropriate relationship with other structures in the immediate area in terms of height, bulk and design in that the carport structure is limited to one story and has an interior location on the site;
 - c. The existing Packard Foundation building combined with the proposed carport have horizontal and vertical building mass that is articulated to relate to the human scale; it has variation and depth of building elevations to avoid large blank walls;
 - d. The metal exterior material of the carport structure convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements and the one-story structure reduce the perceived appearance of height, bulk and mass, and are harmonious with other structures in the immediate area;
 - e. The existing landscaping of the Packard Building is generous and inviting, and the proposed landscaping and hardscape of the modified parking lot compliments the building and is well integrated with the building architecture. The existing streetscape will be retained and the existing landscape includes retaining substantial street tree canopy and the project will replace a street tree proposed to be removed;
 - f. Signage is designed to complement the building architecture in terms of style, materials, colors and proportions; however, since no new signage is proposed, this finding does not apply;
 - g. Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing; however, since no new mechanical equipment is proposed, this finding does not apply; and
 - h. Service, trash and utility areas are screened from public view, or are enclosed in structures that are consistent with the building architecture in materials and detailing; however, since no new service, trash, and utility area proposed, this finding does not apply.

Attachment A

CONDITIONS

GENERAL

1. **Expiration**

The Design Review Approval will expire on _____ (24-months from approval date) unless prior to the date of expiration, a building permit is issued, or an extension is granted pursuant to Section 14.78.080 of the Zoning Code.

1. **Approved Plans**

The design review approval is based upon the plans and materials received on June 23, 2021, except as modified by these conditions and as specified below.

2. **Tree Protection**

The building plans shall incorporate the tree protection plan included in the arborist report by Urban Tree Management (dated May 17, 2021). All tree protection measures shall be carried out by the contractor in coordination with the consulting arborist. Documentation by letter(s) or reports from the consulting arborist shall be submitted prior to final inspection that demonstrates the tree protection plan was implemented by the contractor and consulting arborist.

3. **Tree Removal and Replacement Mitigation**

The trees shown to be removed on the site plan are approved per Section 11.08.070 of the Municipal Code. Replacement trees shall be provided as shown on the approved landscape plans and shall be a minimum 15 gallon or 24-inch box container size. In addition, the applicant shall provide documentation from GreenTown Los Altos that the Packard Foundation completed its commitment to contribute towards the planting of 27 trees off-site trees (Category II type trees or larger) per the City's Street Tree Planting List. GreenTown Los Altos should acknowledge the contribution will only go towards the planting of trees, the type of trees that the contribution paid for, and the time frame for when the trees will be planted.

4. **Indemnification**

The applicant agrees to indemnify, defend, protect and hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal Court, challenging any of the City's action with respect to the conditional use permit, design review, and variance.

5. **Encroachment Permit**

An encroachment permit and/or an excavation permit shall be obtained prior to any work done within the public right-of-way and it shall be in accordance with plans to be approved by the City Engineer.

6. **Public Utilities**

The applicant shall contact electric, gas, communication and water utility companies regarding the installation of new utility services to the site.

7. **Americans with Disabilities Act**

All improvements shall comply with Americans with Disabilities Act (ADA).

8. **Municipal Regional Stormwater Permit**

Attachment A

The project shall be in compliance with the City of Los Altos Municipal Regional Stormwater (MRP) NPDES Permit No. CA S612008, Order No. R2-2015-0049 dated November 19, 2015.

9. **Transportation Permit**

A Transportation Permit, per the requirements specified in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the construction site. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.

INCLUDED WITH THE BUILDING PERMIT APPLICATION

10. **Green Building Standards**

The applicant shall provide verification that the project will comply with the City's Green Building Standards (Section 12.26 of the Municipal Code) from a qualified green building professional.

11. **Tree Protection Note**

On the grading plan and/or the site plan, all tree protection fencing shall be shown, and the following note shall be added: "All tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground."

12. **Property Address**

The applicant shall provide an address signage plan as required by the Building Official.

13. **Water Efficient Landscape Plan**

The application shall provide a landscape documentation package prepared by a licensed landscape professional showing how the project complies with the City's Water Efficient Landscape Regulations.

14. **Pollution Prevention**

The improvement plans shall include the "Blueprint for a Clean Bay" plan sheet in all plan submittals.

15. **Storm Water Management Plan**

The Applicant shall submit a Storm Water Management Plan (SWMP) in compliance with the MRP. The SWMP shall be reviewed and approved by a City approved third party consultant at the Applicant's expense. The recommendations from the SWMP shall be shown on the building plans.

16. **Public Utility Dedication**

The applicant shall dedicate public utility easements as required by the utility companies to serve the site.

PRIOR TO ISSUANCE OF BUILDING PERMIT

17. **Final Lot Line Adjustment Application and Recordation**

Plats and legal descriptions of the lot line adjustment shall be submitted for review by the City Land Surveyor. Applicant shall provide a sufficient fee retainer to cover the cost of the map review by the City. The lot line adjustment shall be recorded prior to issuance of the building permit. The recordation for a two-foot wide public access easement along the public alley as offered and shown in the approved plans shall be recorded by separate instrument. Conforming copies of the above documents shall be provided to the City of Los Altos to demonstrate recording in the Official Records of Santa Clara County.

Attachment A

18. **Payment of Fees**

The applicant shall pay all applicable fees, including but not limited to map check fee plus deposit as required by the City of Los Altos Municipal Code.

19. **Storm Water Filtration Systems**

The Applicant shall insure the design of all storm water treatment systems and devices are without standing water to avoid mosquito/insect infestation. The applicant shall install equal size of rain garden that is proposed to be replaced by the new driveway. The new location of rain garden shall be approved by Engineering Service Department.

20. **Cost Estimate and Performance Bonds**

The applicant shall submit a cost estimate for the improvements in the public right-of-way and shall submit a 100 percent performance bond or cash deposit (to be held until acceptance of improvements) and a 50 percent labor and material bond (to be held 6 months after acceptance of improvements) for the work in the public right-of-way.

21. **Grading and Drainage Plan**

The Applicant shall submit on-site grading and drainage plans that include drain swale, drain inlets, drip lines of major trees, elevations at property lines, all trees and screening to be saved for approval by City Engineer. No grading or building pads are allowed within two-thirds of the drip line of trees unless recommended by a certified arborist and authorized by the Planning Division.

22. **Tree Protection**

Tree protection fencing shall be installed around the dripline(s), or as required by the project arborist, of trees the trees to remain as shown on the site plan. Tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.

23. **Construction Management Plan**

The Applicant shall submit a construction management plan for review and approval by the Community Development Director and the City Engineer. The construction management plan shall address any construction activities affecting the public right-of-way, including but not limited to excavation, traffic control, truck routing, pedestrian protection, material storage, earth retention and construction vehicle parking. The plan shall provide specific details with regard to how construction vehicle parking will be managed to minimize impacts on nearby property owners, residences, and businesses. A Transportation Permit, per the requirements in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the site. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.

PRIOR TO FINAL BUILDING PERMIT INSPECTION

24. **Public Alleyway**

The Applicant shall improve the entire width of the alleyway along the rear of the project with the treatment approved by the City Engineer.

25. **Green Building Verification**

The applicant shall submit verification that the structure was built in compliance with the California Green Building Standards pursuant to Section 12.26 of the Municipal Code (if required).

Attachment A

26. **Tree Protection and Mitigation Verification**

The applicant shall provide a letter or reports from the consulting arborist that documents that tree protection measures were implemented throughout the project consistent with Condition #2 and a letter from GreenTown Los Altos consistent with Condition #3.

27. **Public Infrastructure Repairs**

The Applicant shall repair any damaged right-of-way infrastructure and otherwise displaced curb, gutter and/or sidewalks and City's storm drain inlet shall be removed and replaced as directed by the City Engineer or his designee. The Applicant is responsible to resurface (grind and overlay) half of the street along the frontage of Second Street if determined to be damaged during construction, as directed by the City Engineer or his designee.

28. **Maintenance Bond**

A one-year, ten-percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way.

29. **SWMP Certification**

The Applicant shall have a final inspection and certification done and submitted by the Engineer who designed the SWMP to ensure that the treatments were installed per design. The Applicant shall submit a maintenance agreement to City for review and approval for the stormwater treatment methods installed in accordance with the SWMP. Once approved, City shall record the agreement.

30. **Landscape and Irrigation Installation**

All on- and off-site landscaping and irrigation shall be installed and approved by the Community Development Director and the City Engineer. Provide a landscape WELO Certificate of Completion, signed by the project's landscape professional and property owner, verifying that the trees, landscaping and irrigation were installed per the approved landscape documentation package.

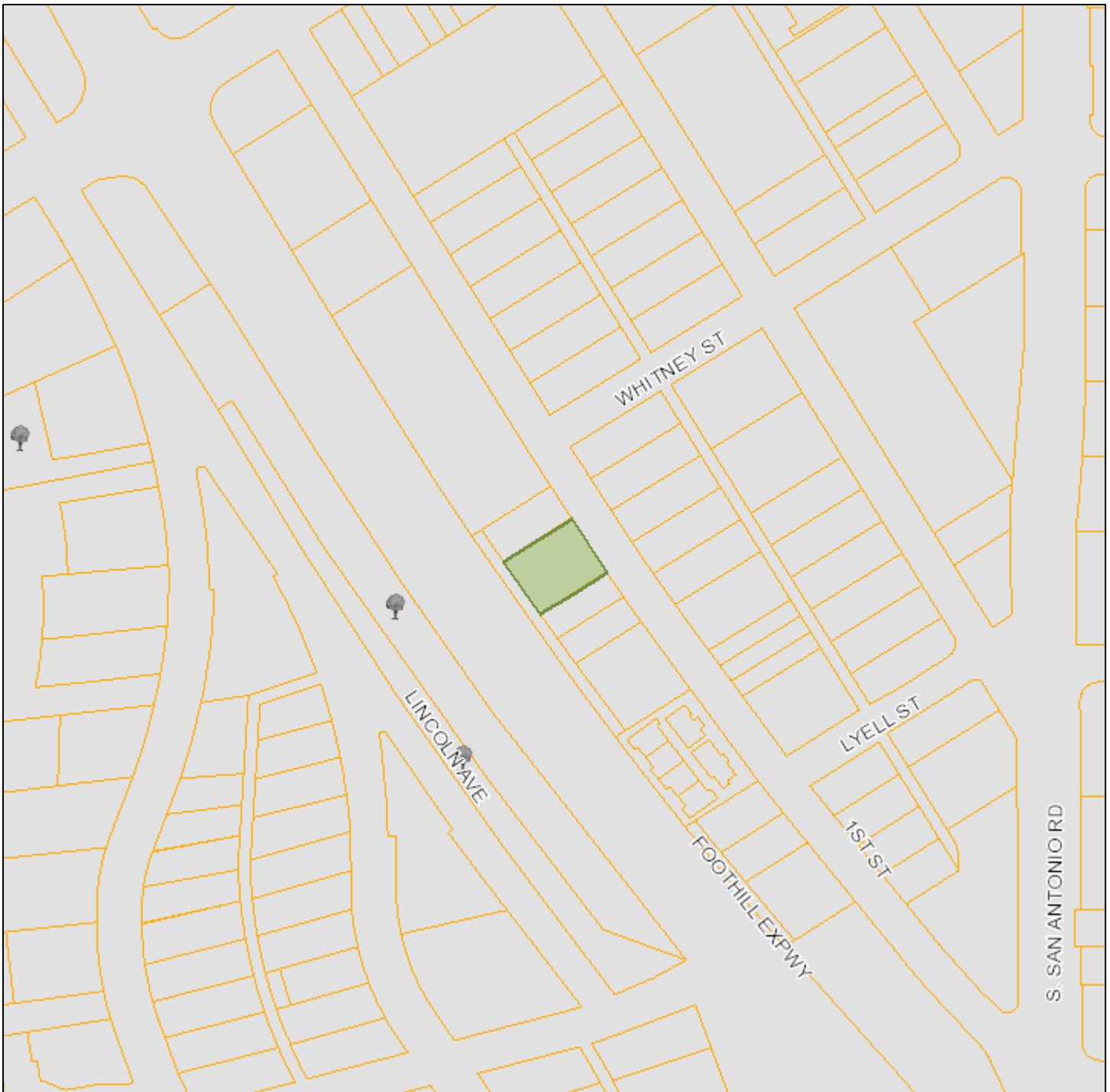
31. **Label Catch Basin Inlets**

The Applicant shall label all new or existing public and private catch basin inlets which are on or directly adjacent to the site with the "NO DUMPING - FLOWS TO ADOBE CREEK" logo as required by the City.

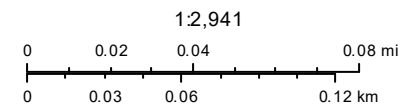
32. **Release Obligations for ATMP Monitoring**







The applicant shall record a document in a form approved by the City Attorney affirming the property owner's obligations under the Development Agreement recorded in the Official Records of Santa Clara County on September 29, 2010 as Document No. 20893608 and Deed Restriction recorded in the Official Records of Santa Clara County on September 29, 2010 as Document No. 20893609. These obligations include the obligation to comply with an Alternative Transportation Demand Management Program (ATMP), except that the recorded document will release the applicant from the obligation to monitor the effectiveness of the ATMP, as described in the development agreement and deed restriction.

Vicinity Map ATTACHMENT B



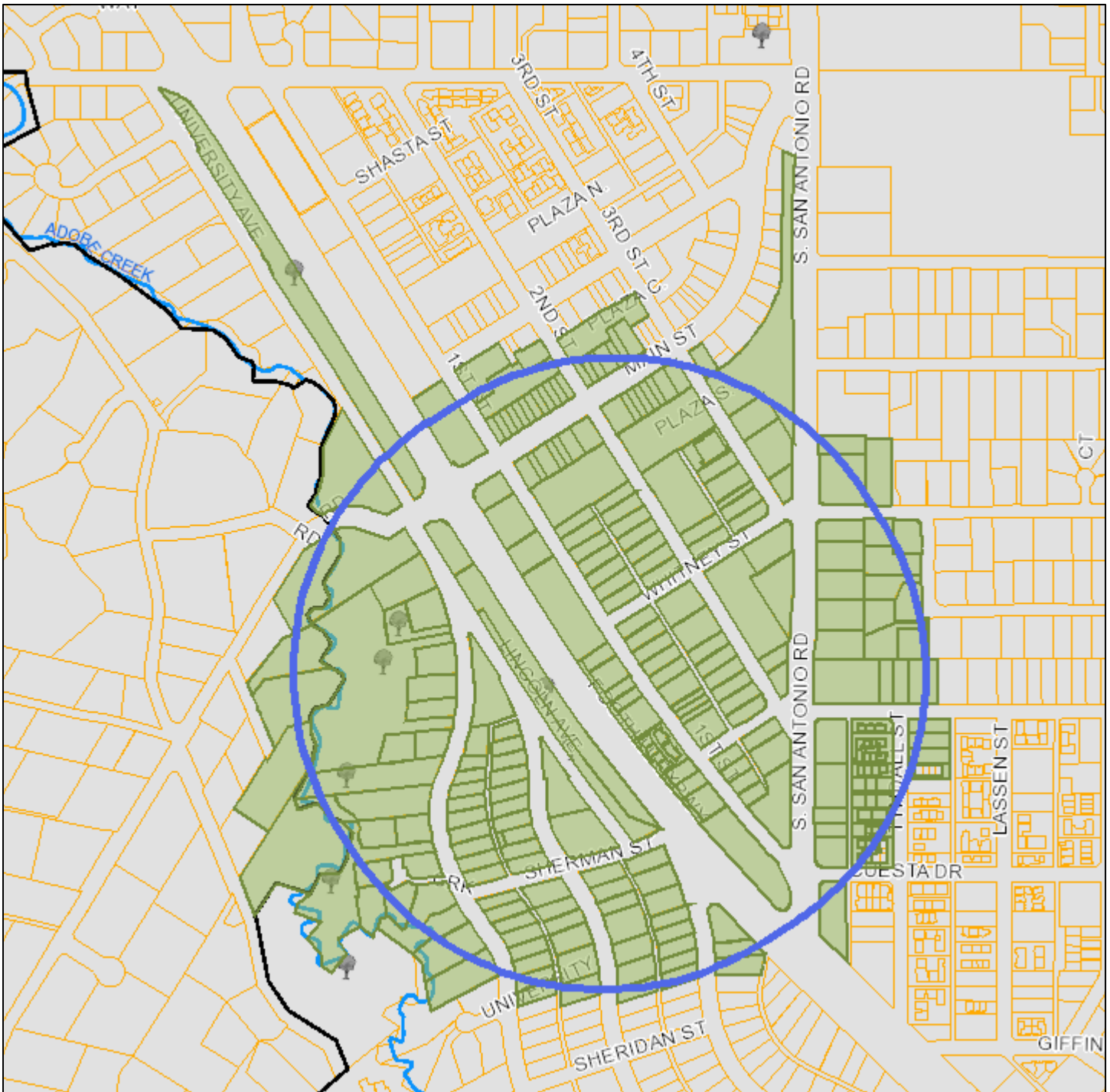
Print Date: December 14, 2020



-  Schools
-  Park and Recreation Areas
-  City Limit
-  Waterways
-  TaxParcel
-  Situs Label
- Road Names

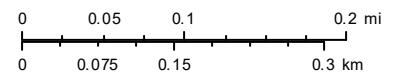
The information on this map was derived from the City of Los Altos' GIS. The City of Los Altos does not guarantee data provided is free of errors, omissions, or the positional accuracy, and it should be verified.










Notification Map



Print Date: December 14, 2020

1:7,494



-  Schools
-  Park and Recreation Areas
-  City Limit
-  Waterways
-  TaxParcel
-  Situs Label
-  TaxParcel
-  Road Names
-  Waterways

The information on this map was derived from the City of Los Altos' GIS. The City of Los Altos does not guarantee data provided is free of errors, omissions, or the positional accuracy, and it should be verified.



5/17/2021

Packard Foundation
374 Second Street
Los Altos, CA 94022

Re: Tree Survey

To Whom It May Concern:

Assignment

It was my assignment to inspect all the trees in the parking area, tag and catalogue them and provide a Tree Survey.

Summary

There are thirty-five trees in the parking area, including seven along the street, which I assume belong to the City of Los Altos. There is a new solar panel installation and remodel planned for this parking lot. To accomplish this, trees #2, #9- #18, #20, #22 - #29, and #31 - #35, which totals twenty-five trees, need to be removed. Of these,



#9 (is over-mature, out of its natural range in habitat, and will not last much longer), #10 (has a dead top), #16 (which has a trunk infection), and #20 is crowding # 21, and therefore I recommend removing #20. I believe all the trees are Protected by the City due to it being a commercial property.

Discussion

All the trees surveyed were examined and then rated based on their individual health and structure according to the table following. For example, a tree may be rated “good” under the health column for excellent/vigorous appearance and growth, while the same tree may be rated “fair/poor” in the structure column if structural mitigation is needed. More complete descriptions of how health and structure are rated can be found under the “Methods” section of this report.

<u>Rating</u>	<u>Health</u>	<u>Structure</u>
Good	excellent/vigorous	flawless
Fair/good	no significant health concerns	very stable
Fair	showing initial or temporary disease, pests or lack of vitality. measures should be taken to improve health and appearance.	routine maintenance needed such as pruning or end weight reduction as tree grows
Fair/poor	in decline, significant health issues	significant structural weakness(es), mitigation needed, mitigation may or may not preserve the tree
Poor	dead or near dead	hazard

Methods

The trunks of the trees are measured using an arborist’s diameter tape at 48” above soil grade. In cases where the main trunk divides below 48”, the tree is measured (per the City of Los Altos) at the point where the trunks divide. In these cases, the height of that measurement is given in the note’s column on the attached data sheet. The canopy height and spread are estimated using visual references only.

The condition of each tree is assessed by visual observation only from a standing position without climbing or using aerial equipment. No invasive equipment is used. Consequently, it is possible that individual tree(s) may have internal (or underground) health problems or structural defects, which are not detectable by visual inspection. In cases where it is thought further investigation is warranted, a “full tree risk assessment” is recommended. This assessment may be inclusive of drilling or using sonar equipment to detect internal decay and include climbing or the use of aerial equipment to assess higher portions of the tree.

The health of an individual tree is rated based on leaf color and size, canopy density, new shoot growth and the absence or presence of pests or disease.

Individual tree structure is rated based on the growth pattern of the tree (including whether it is leaning); the presence or absence of poor limb attachments (such as co-dominant leaders); the length and weight of limbs and the extent and location of apparent decay. For each tree, a structural rating of fair or above indicates that the structure can be maintained with routine pruning such as removing dead branches and reducing end weight as the tree grows. A fair/poor rating indicates that the tree has significant structural weaknesses and corrective action is warranted. The notes section for that tree will then recommend a strategy/technique to improve the structure or mitigate structural stresses. A poor structural rating indicates that the tree or portions of the tree are likely to fail and that there is little that can constructively be done about the problem other than removal of the tree or large portions of the tree. Very large trees that are rated Fair/Poor for structure AND that are near structures or in an area frequently traveled by cars or people, receive an additional ****CONSIDER REMOVAL**** notation under recommendations. This is included because structural mitigation techniques do not guarantee against structural failure, especially in very large trees. Property owners may or may not choose to remove this type of tree but should be aware that if a very large tree experiences a major structural failure, the danger to nearby people or property is significant.

Local Regulations Governing Trees

Protected Trees

1. Any tree that is 48-inches (four feet) or greater in circumference when measured at 48-inches above the ground.
2. Any tree designated by the Historical Commission as a Heritage Tree or any tree under official consideration for a Heritage Tree designation. (All Canary Island Palm trees on Rinconada Court are designated as Heritage Trees.)
3. Any tree which was required to be either saved or planted in conjunction with a development review approval (i.e. new two-story house).
4. Any tree located within a public right-of-way.
5. Any tree, regardless of size, located on property zoned other than single-family (R1).

The Trees

Tree #1 is a Chinese Pistache on the street (*Pistacia chinensis*) with a 7.5" trunk diameter that is 16' tall and wide. This tree is in Good Health and has a Fair Structure.

Tree #2 is a Chinese Pistache on the street (*Pistacia chinensis*) with a 7" trunk diameter that is 14' tall and wide. This tree is in Good Health and has a Fair Structure.

Tree #3 is a Chinese Pistache on the street (*Pistacia chinensis*) with a 7.25" trunk diameter that is 15' tall and wide. This tree is in Good Health and has a Fair Structure.

Tree #4 is a Chinese Pistache on the street (*Pistacia chinensis*) with a 14.25" trunk diameter that is 22' tall and 25' wide. This tree is in Good Health and has a Fair Structure.

Tree #5 is a Chinese Pistache on the street (*Pistacia chinensis*) with a 7" trunk diameter that is 14' tall and wide. This tree is in Good Health and has a Fair Structure.

Tree #6 is a Chinese Pistache on the street (*Pistacia chinensis*) with a 4.5" trunk diameter that is 12' tall and wide. This tree is in Good Health and has a Fair Structure.

Tree #7 is a Chinese Pistache on the street (*Pistacia chinensis*) with a 6" trunk diameter that is 13' tall and wide. This tree is in Good Health and has a Fair Structure.

Tree #8 is a Tristania (*Tristaniopsis laurina*) with an 8" trunk diameter that is 25' tall and 16' wide. This tree has Good Health and Structure.

Tree #9 is an Incense Cedar (*Calocedrus decurrens*) with a 24" trunk diameter that is 35' tall and 16' wide. This tree has Fair – Poor Health and Structure. This tree prefers to be at 4000' elevation and is over-mature at this altitude and will continue to do nothing but decline. I recommend it be removed.

Tree #10 is a Redwood (*Sequoia sempervirens*) with a 29" trunk diameter that is 40' tall and 25' wide. Tree Health and Structure are Fair – Poor. Top of tree is dead. I recommend removal.

Tree #11 is a Coast Live Oak (*Quercus agrifolia*) with a 22" trunk diameter that is 25' tall and wide. Tree Health is Fair – Good and Tree Structure is Fair.

Tree #12 is a Tristania (*Tristaniopsis laurina*) with an 8.5" trunk diameter that is 20' tall and wide. This tree has Fair Health and Structure.

Tree #13 is a Tristania (*Tristaniopsis laurina*) with a 7" trunk diameter that is 20' tall and 11' wide. This tree has Fair Health and Structure.

Tree #14 is a Tristania (*Tristaniopsis laurina*) with a 9" trunk diameter that is 20' tall and 14' wide. This tree has Fair Health and Structure.

Tree #15 is a Coast Live Oak (*Quercus agrifolia*) with a 15" trunk diameter that is 30' tall and 25' wide. Tree Health is Fair – Good and Tree Structure is Fair.

Tree #16 is a Coast Live Oak (*Quercus agrifolia*) with a 23.5" trunk diameter that is 28' tall and 25' wide. Tree Health and Structure are Fair – Poor due to a trunk infection and codominant leaders, which are prone to failure.

Tree #17 is a Coast Live Oak (*Quercus agrifolia*) with a 14.5" trunk diameter that is 30' tall and 20' wide. Tree Health and Structure are Fair – Poor due to a trunk infection and codominant leaders, which are prone to failure. I recommend removal of this tree.

Tree #18 is a Coast Live Oak (*Quercus agrifolia*) with a 14.5" trunk diameter that is 25' tall and 20' wide. Tree Health and Structure are Fair.

Tree #19 is a Coast Live Oak (*Quercus agrifolia*) with a 15" trunk diameter that is 25' tall and 20' wide. Tree Health and Structure are Fair.

Tree #20 is a Coast Live Oak (*Quercus agrifolia*) with a 23" trunk diameter that is 30' tall and wide. Tree Health is Fair – Poor and Structure is Fair. Recommended for removal to alleviate crowding.

Tree #21 is a Coast Live Oak (*Quercus agrifolia*) with an 11" trunk diameter that is 18' tall and 20' wide. Tree Health is Good and Structure is Fair. Trees #16 – 21 are too crowded.

Tree #22 is a Tristania (*Tristaniopsis laurina*) with an 11" trunk diameter that is 25' tall and 20' wide. Tree Health is Fair – Good and Tree Structure is Fair – Poor due to codominant stems.

Tree #23 is a Tristania (*Tristaniopsis laurina*) with a 6.5" trunk diameter that is 18' tall and 12' wide. This tree has Fair Health and Structure.

Tree #24 is a Tristania (*Tristaniopsis laurina*) with a 9" trunk diameter that is 25' tall and 14' wide. Tree Health is Good and Tree Structure is Fair.

Tree #25 is a Tristania (*Tristaniopsis laurina*) with a 10.5" trunk diameter that is 25' tall and 10' wide. Tree Health is Good and Tree Structure is Fair.

Tree #26 is a Tristania (*Tristaniopsis laurina*) with a 3" trunk diameter that is 12' tall and 6' wide. This tree has Fair Health and Structure.

Tree #27 is a Tristania (*Tristaniopsis laurina*) with an 10" trunk diameter that is 18' tall and wide wide. Tree Health is Good and Tree Structure is Poor due to a codominant limb failure.

Tree #28 is a Tristania (*Tristaniopsis laurina*) with a 5" trunk diameter that is 18' tall and 6' wide. Tree Health is Good and Tree Structure is Fair.

Tree #29 is a Tristania (*Tristaniopsis laurina*) with a 9" trunk diameter that is 18' tall and 12' wide. Tree Health is Good and Tree Structure is Fair.

Tree #30 is a Carob (*Ceratonia siliqua*) with a 25" trunk diameter that is 28' tall and 34' wide. This tree has Fair Health and Structure.

Tree #31 is a Japanese Maple (*Acer palmatum*) with a 6" trunk diameter that is 12' tall and wide. Tree Health and Structure are Fair.

Tree #32 is a Japanese Maple (*Acer palmatum*) with a 5" trunk diameter that is 12' tall and wide. Tree Health and Structure are Fair.

Tree #33 is a Japanese Maple (*Acer palmatum*) with a 6" trunk diameter that is 10' tall and wide. Tree Health and Structure are Fair.

Tree #34 is a Japanese Maple (*Acer palmatum*) with 4"/4"/4" trunk diameters that is 9' tall and wide. Tree Health and Structure are Fair.

Tree #35 is a Tristania (*Tristaniopsis laurina*) with a 10.5" trunk diameter that is 28' tall and 20' wide. Tree Health and Structure are Fair.

Risks to Trees by Construction

Besides the above-mentioned health and structure-related issues, the trees at this site could be at risk of damage by construction or construction procedures that are common to most construction sites. These procedures may include the dumping or the stockpiling of materials over root systems; the trenching across the root zones for utilities or for landscape irrigation; or the routing of construction traffic across the root system resulting in soil compaction and root dieback. It is therefore essential that Tree Protection Fencing be used as per the Civil Engineer's drawings. In constructing underground utilities, it is essential that the location of trenches be done outside the drip lines of trees except where approved by the Arborist.

General Tree Protection Plan

Protective fencing is required to be provided during the construction period to protect trees to be preserved. This fencing must protect a sufficient portion of the root zone to be effective. Fencing is recommended to be located 8 to 10 X the diameter at breast height (DBH) in all directions from the tree. DBH for each tree is shown in the attached data table. The minimum recommendation for tree protection fencing location is 6 X the DBH, where a larger distance is not possible. There are areas where we will amend this distance based upon tree condition and proposed construction. In my experience, the protective fencing must:

- a. Consist of chain link fencing and having a minimum height of 6 feet.

- b. Be mounted on steel posts driven approximately 2 feet into the soil.
- c. Fencing posts must be located a maximum of 10 feet on center.
- d. Protective fencing must be installed prior to the arrival of materials, vehicles, or equipment.
- e. Protective fencing must not be moved, even temporarily, and must remain in place until all construction is completed, unless approved by a certified arborist.
- f. Tree Protection Signage shall be mounted to all individual tree protection fences.

Based on the existing development and the condition and location of trees present on site, the following is recommended:

1. The Project Arborist is Michael Young (650) 321-0202. A Project Arborist should supervise any excavation activities within the tree protection zone of these trees.
2. Any roots exposed during construction activities that are larger than 2 inches in diameter should not be cut or damaged until the project Arborist has an opportunity to assess the impact that removing these roots could have on the trees.
3. The area under the drip line of trees should be thoroughly irrigated to a soil depth of 18" every 3-4 weeks during the dry months.
4. Mulch should cover all bare soils within the tree protection fencing. This material must be 6-8 inches in depth after spreading, which must be done by hand. Course wood chips are preferred because they are organic and degrade naturally over time.
5. Loose soil and mulch must not be allowed to slide down slope to cover the root zones or the root collars of protected trees.
6. There must be no grading, trenching, or surface scraping inside the driplines of protected trees, unless specifically approved by a Certified Arborist. For trenching, this means:
 - a. Trenches for any underground utilities (gas, electricity, water, phone, TV cable, etc.) must be located outside the driplines of protected trees, unless approved by a Certified Arborist. Alternative methods of installation may be suggested.
 - b. Landscape irrigation trenches must be located a minimum distance of 10 times the trunk diameter from the trunks of protected trees unless otherwise noted and approved by the Arborist.
7. Materials must not be stored, stockpiled, dumped, or buried inside the driplines of protected trees.
8. Excavated soil must not be piled or dumped, even temporarily, inside the driplines of protected trees.
9. Landscape materials (cobbles, decorative bark, stones, fencing, etc.) must not be installed directly in contact with the bark of trees because of the risk of serious disease infection.
10. Landscape irrigation systems must be designed to avoid water striking the trunks of trees, especially oak trees.

11. Any pruning must be done by a Company with an Arborist Certified by the ISA (International Society of Arboriculture) and according to ISA, Western Chapter Standards, 1998.
12. Any plants that are planted inside the driplines of oak trees must be of species that are compatible with the environmental and cultural requirements of oaks trees. A publication detailing plants compatible with California native oaks can be obtained from The California Oak Foundation's 1991 publication "Compatible Plants Under & Around Oaks" details plants compatible with California native oaks and is currently available online at: <http://californiaoaks.org/wp-content/uploads/2016/04/CompatiblePlantsUnderAroundOaks.pdf>

+ + + + +

I certify that the information contained in this report is correct to the best of my knowledge and that this report was prepared in good faith. Please call me if you have questions or if I can be of further assistance.

Respectfully,



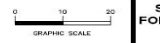
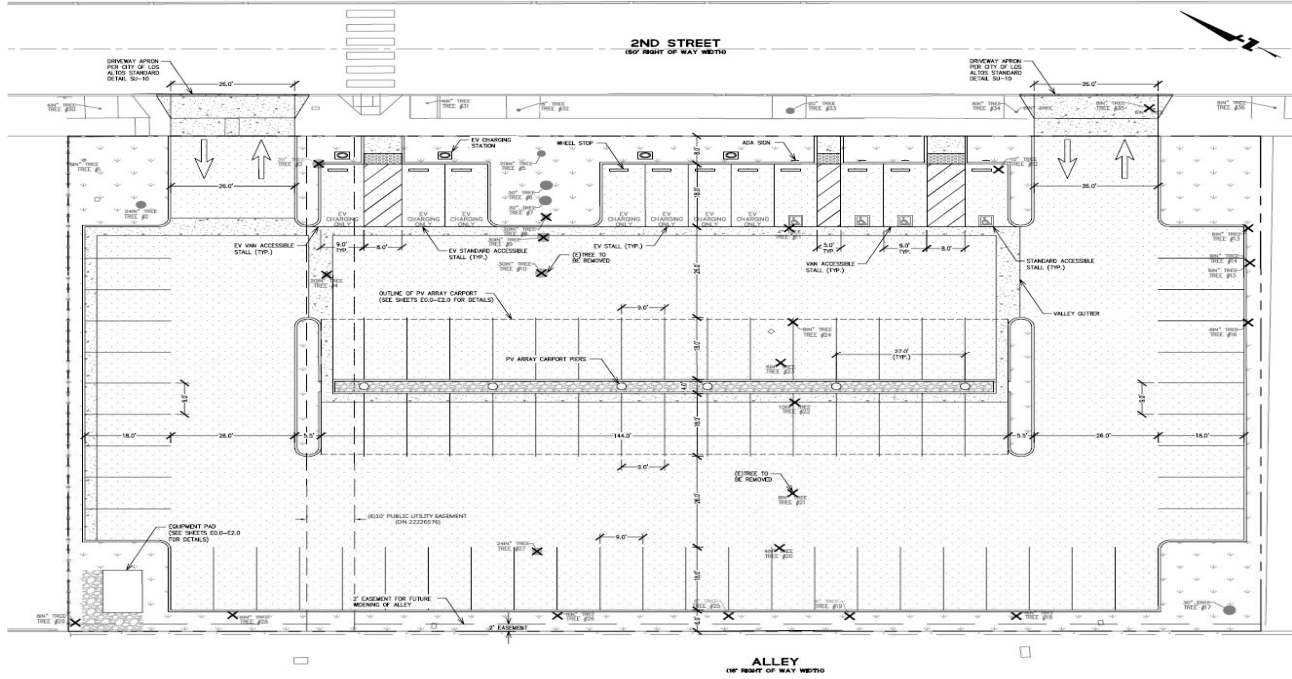
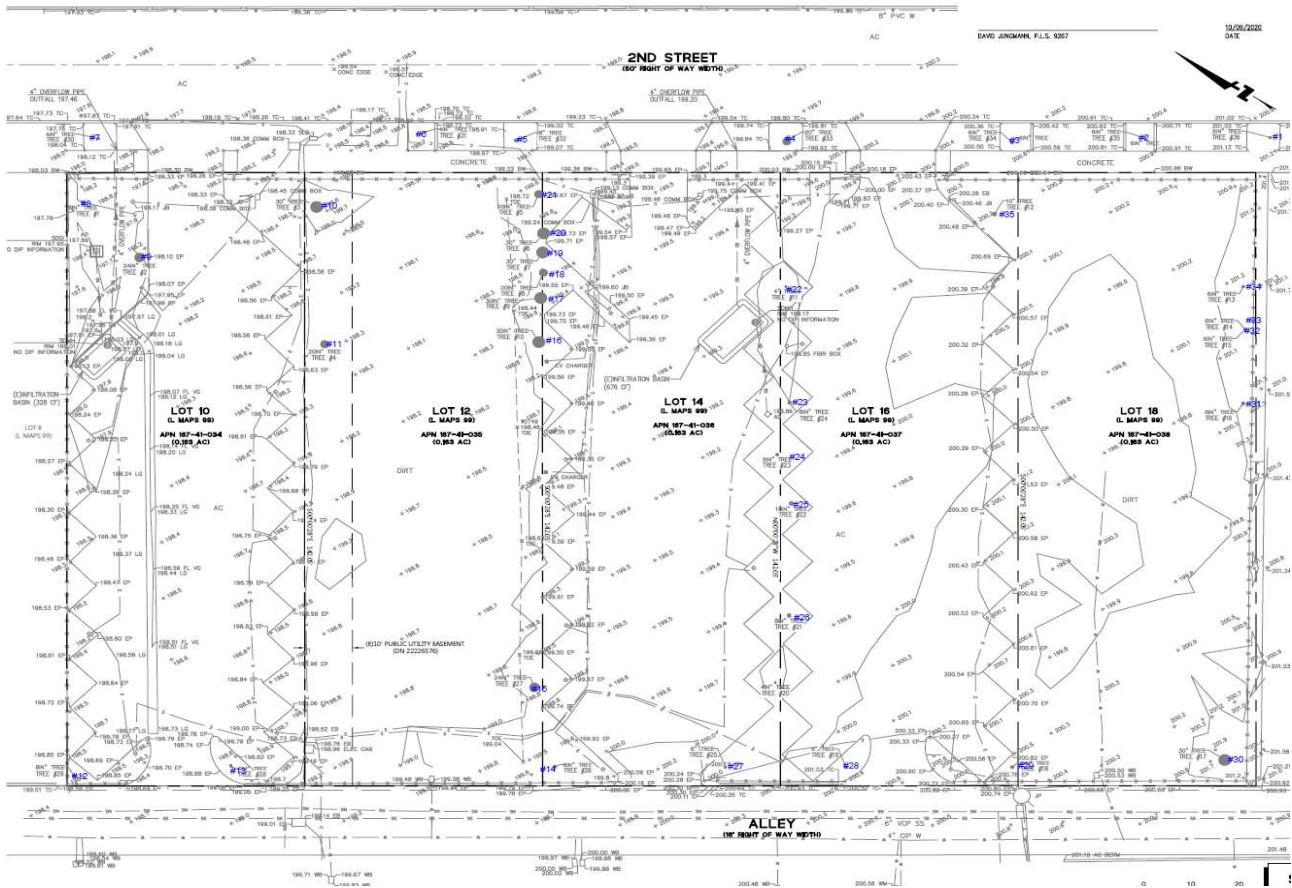
Michael P. Young

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

DAVID JUNGWALD P.L.S. 0267

12/09/2022
DATE





P.O. Box 539
Los Altos, CA 94023-0539
www.GreenTownLosAltos.org

June 17, 2021

Ryan Martini
Facilities Manager
The David and Lucile Packard Foundation
343 Second Street, Los Altos, CA 94022

Dear Ryan,

This letter confirms that the Packard Foundation has agreed to partner with GreenTown Los Altos to support the planting of 27 trees in Los Altos. This agreement aims to mitigate the loss of 18 trees related to the Foundation's parking lot project.

We look forward to working with you on this project.

Warm regards,

A handwritten signature in black ink, appearing to be "Kris Jensen", with a long horizontal line extending to the right.

Kris Jensen
Executive Director
kris@greentownlosaltos.org



REDWOOD CITY OFFICE | 650.482.6300

REVISIONS SUMMARY

Date: 08/25/2021 **BKF Job Number:** 20191214-10
Deliver To: **Steve Golden** **Application Number:** D20-0008/
Senior Planner LLA20-002
City of Los Altos
Community Development Department
One North San Antonio Road
Los Altos, CA 94022
Subject: **Packard Foundation Parking Lot (374 Second Street)**

Attachments:

- Revised Drawing Set – 08/23/2021
 - Revised Green Town Letter – 08/18/2021
-

This memo is intended to accompany revised design drawings and provides a summary of design revisions to the Packard Foundation Parking Lot project, based on feedback provided by Los Altos Planning Commission during public hearing on August 05, 2021.

1. *Commissioners requested that the design team work to adjust the site plan to enhance tree planting/screening on the project site. Particular attention given to screening from the south and west (alley) sides of the project site, whether through increased tree count, incorporating planter fingers, or other measures.*

Site Plan Revisions:

- a. The site plan is revised to more efficiently layout proposed parking along Second Street side, allowing preservation of (3) existing significant trees (Trees #9, #10, #20) which were previously to be removed. A replacement small canopy deciduous is no longer proposed in proximity to Tree #9. Enlarged planting area allows for one additional large canopy deciduous tree to be planted near the southern entrance.
- b. The proposed new tree count along the alley side of the project has been increased from (5) to (11) new small canopy deciduous trees.
- c. The proposed planting along the south side has been revised to continuous band of tall upright screening shrub.

The overall impact to the site plan vs our August 5th plans is zero change in parking stall count, and a net increase of (9) trees onsite. The site plan has also been updated to show (32) EV stalls proposed under the canopy. Revisions to parking and tree counts can be found on C2.1. Revised planting plan can be found on sheet L1.01. Renderings of the south and alley planting areas are also included on sheet C5.3.

Alternative Site Plan Revisions:

- d. Sheets C2.2 and L1.01B show an alternative curb layout and planting along the south side of the parking lot. In lieu of straight curb, wheel stops and tall screening shrub, this alternative plan proposes diamond bump outs in the curb face that provides planter space for additional (4) small canopy deciduous trees. This plan would require Planning Commission and City Council to make an exception to the parking stall depths in accordance with 14.74.200 of Municipal Code.
2. *Commissioners requested the design drawings include additional detail regarding the canopy structure. What will it look like, materials and color palette to be used in the construction.*

Additional Design Detail:

- a. Additional site renderings have been added to the drawing set, showing the solar canopy structure from different perspectives as well as additional angled views of the proposed parking lot. Rendered images of the site and canopy are on sheets C5.2 and C5.3.
 - b. Architectural front and side elevations for the canopy have been included with notes on dimensions, finishes and colors. It is the intent that the canopy matches the color palette utilized on the existing Packard Foundation exterior metal elements (dark brown finish) and utilizes similar geometric shapes (tapered beam, rectangular tubing). Specific color ID numbers were unavailable, but the design team will work with City staff during building permit stage to ensure an adequate match. Examples of finishes and geometry from the existing Foundation buildings and similar structures are included for reference. Please see sheets C5.1 and C5.4.
3. *Commissioners requested more detail to be provided in the replacement tree agreement with GreenTown Los Altos, regarding the size and type of trees to be planted, location and timing.*

Letter Revisions: An updated Letter of Intention is provided from GreenTown which better defines those items requested above regarding tree type, box size and planting schedule.

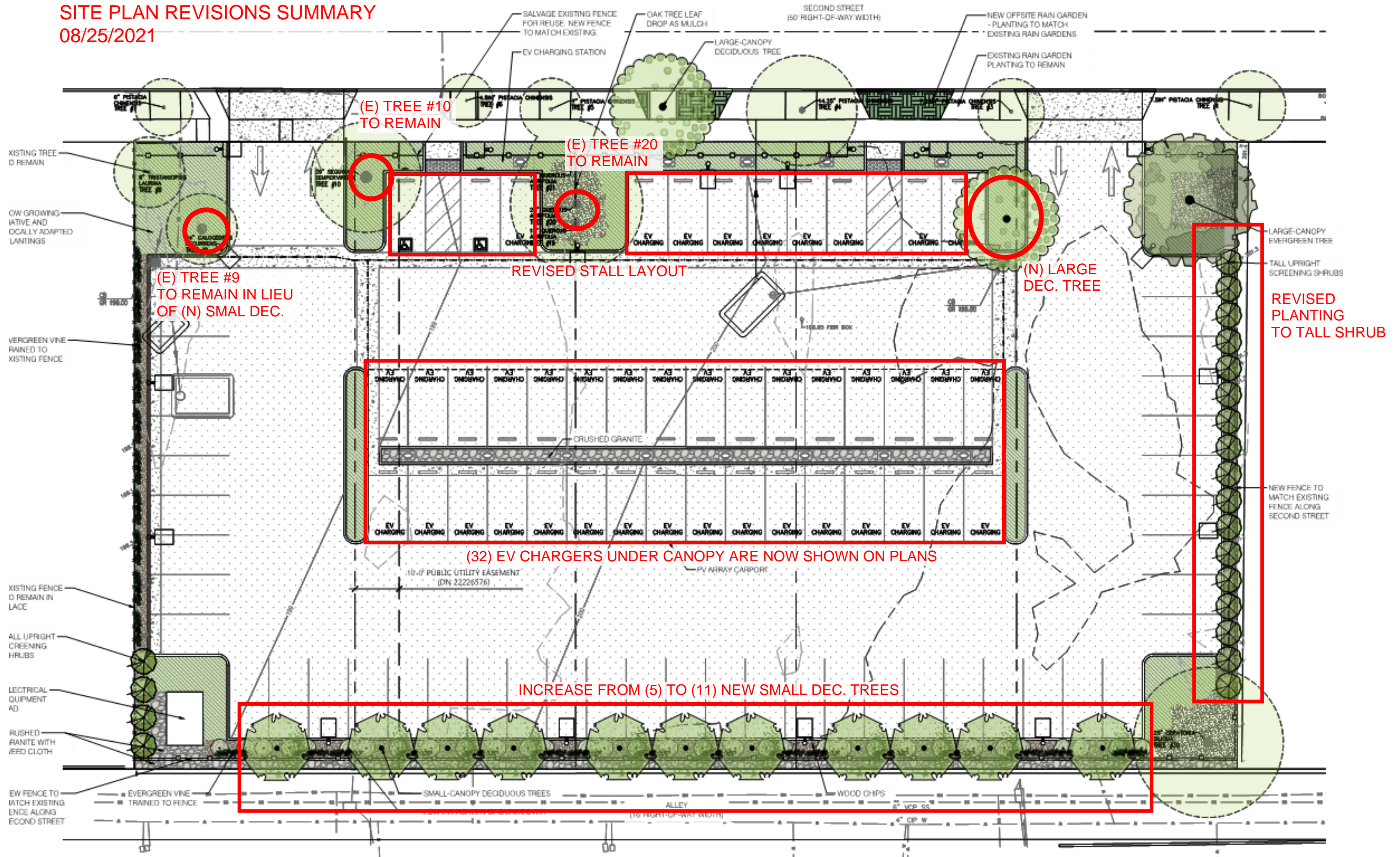
Please refer to the attached Site Plan Markup highlighting areas of changes. Feel free to contact me with any questions or comments.

Thank you kindly,



Dale Leda, PE
Project Manager
(650) 482-6457
dleda@bkf.com

SITE PLAN REVISIONS SUMMARY
08/25/2021



(E) TREE #10
TO REMAIN

(E) TREE #20
TO REMAIN

(E) TREE #9
TO REMAIN IN LIEU
OF (N) SMALL DEC.

REVISED STALL LAYOUT

(N) LARGE
DEC. TREE

REVISED
PLANTING
TO TALL SHRUB

(32) EV CHARGERS UNDER CANOPY ARE NOW SHOWN ON PLANS

INCREASE FROM (5) TO (11) NEW SMALL DEC. TREES



P.O. Box 539
Los Altos, CA 94023-0539
www.GreenTownLosAltos.org

August 18, 2021

Ryan Martini
Facilities Manager
The David and Lucile Packard Foundation
343 Second Street, Los Altos, CA 94022

Re: Letter of Intention

Dear Ryan,

GreenTown Los Altos has an active tree planting campaign in Los Altos, and we support the Packard Foundation in their effort to get more trees planted to mitigate the loss of trees with the new parking lot configuration. Losing any tree is regrettable, but we will replace the trees lost and in time they will more than replace the lost canopy.

Specifically, we will do the following:

1. We will plant 27 trees to replace the 18 that will be lost in the proposal presented August 5.
2. We will plant large native tree species such as Coast Live Oak and Valley Oak whenever possible.
3. We will also consider Deodar Cedar, Canary Island Pine, Fern Pine, Cork Oak, Silver Linden, Chinese Elm, Island Oak, Chinese Pistache and Persian Ironwood. These are all medium to large trees that will do well here.
4. We use volunteers from the community and the local schools to help us plant, and to help us spread the message about the value of planting trees.
5. We plant trees in 15-gallon containers as this size can easily be planted by volunteers. This size tree also survives the planting well.
6. If volunteers are not available, we will hire workers from the Day Worker Center.
7. We will target the downtown for the tree planting, extending to nearby adjacent areas as needed.
8. We will plant the trees starting in November, or as soon as it rains, and continue until March.

9. We have a good track record. We have planted over 200 trees in the past two planting seasons and have a 98% success rate. We will replace trees if necessary.

Warm regards,

A handwritten signature in black ink, appearing to be 'Kris Jensen', with a long horizontal line extending to the right.

Kris Jensen

Executive Director

kris@greentownlosaltos.org

Steve Golden

From: Jon Baer [REDACTED]
Sent: Saturday, July 31, 2021 1:11 PM
To: Planning Services; Los Altos Planning Commission
Subject: agenda item # 2 packard foundation

I do not support the project as proposed. While I do appreciate the applicant's desire to add solar panels and change the traffic flow, it should NOT be at the expense of the trees on site. Removing trees and planting 27 elsewhere, while politically correct, does not mitigate the removal of trees from that portion of the town.

Of course the elephant in the room is why the applicant wants to add 28 more spaces (and the resulting asphalt) when it, at least in theory, doesn't need those spots. Just as a reminder the Foundation refused to build an underground parking garage at the time of the initial construction as it deemed it was bad for the environment. How is adding more asphalt and removing trees and greenery from that portion of town any better?

Steve Golden

From: Bill Hough <[REDACTED]>
Sent: Tuesday, August 3, 2021 3:33 PM
To: Los Altos Planning Commission
Cc: Andrea Chelemengos
Subject: public comment regarding item 2 on August 5 agenda

I oppose this project, since it will needlessly remove mature trees and destroy land that should be converted into a small public park into just another unattractive parking lot.

The currently vacant space on the west side of 2nd Street could be improved at minimal expense into two attractive parks, something seriously lacking in downtown. Is it really necessary for the Packard Foundation to add an additional 28 parking spaces? In this time of COVID, it has become obvious that most white collar work can be performed from home, which should reduce the demand for parking downtown. Lets encourage more working from home going forward.

Vote "no" on this proposal.

Bill Hough
Los Altos

Steve Golden

From: Jon Biggs
Sent: Tuesday, August 3, 2021 6:02 PM
To: Steve Golden; Guido Persicone
Subject: FW: planning commission meeting Aug 5 agenda item 5

FYI

From: Couture, Terri <[REDACTED]>
Sent: Tuesday, August 3, 2021 5:25 PM
To: Planning Services <planning@losaltosca.gov>; planningcommission@losaltoca.gov
Cc: Jon Biggs <jbiggs@losaltosca.gov>
Subject: planning commission meeting Aug 5 agenda item 5

Dear Commission members

1. the bill board notices were placed on 2nd street under the trees, and on the alleyway. Both barely visible and hardly suffice for adequate public notice
2. page 3 exhibit A - the proposed landscaping is a meager replacement compared to the existing at least some 20+ year old trees, some that are now heritage trees. Also the trees should have been managed better per the conditions of original approval.
3. The current trees on the west side of the Hewlett Packard building on 2nd street (across from the subject site) have been vertically pruned from trunk to top, which will be deadly to those trees. Not what HP had agreed to do when this project was approved.
4. There should be a parking study, as there is no data in this report that suggests there is such a need for increased parking
5. When this new building was approved in 2010, one of the conditions for approval was that there was required maintenance of the rain garden and treatment centers. These will be paved over? The so called vacant parcels in the 2021 subject report should call these parcels rain garden & treatment centers complete with cisterns. What is the plan for the current cisterns? Why in the world would you want to remove valuable open space?
6. there are many more items that need to be studied before this project is considered.

what do you want to be your legacy?

Joni Mitchell -"You don't know what you got til its gone. They paved over paradise and put up a parking lot"

Sincerely,

Terri Couture

Wire Fraud is Real. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions. Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.



DATE: September 29, 2021

AGENDA ITEM # 3

A G E N D A R E P O R T

TO: Complete Streets Commission

FROM: Steve Golden, Senior Planner

SUBJECT: Design Review (D20-0008) for proposed carport and parking lot modifications at 374 Second Street (Packard Foundation)

RECOMMENDATION:

Recommend to the City Council approval of the Design Review application (D20-0008).

ATTACHMENTS

- A. Packard Foundation Trip Generation Analysis (Hexagon Transportation Consultants, 2008)
- B. Packard Foundation Letter Dated September 22, 2021 (Current ATMP Practices)
- C. Design Plans

PROJECT DESCRIPTION

This is a request for a design review for modifications to the existing parking lots at 374 Second Street which is associated with the David and Lucile Packard Foundation Building (Packard Foundation) at 343 Second Street. The existing parking lot area consists of five separate lots, three of which are surface parking lots with a total of 58 parking spaces that are accessed from Second Street and the public alley, and two of which are currently vacant with landscaping. The applicant proposes to merge all of the lots together¹ and to use the merged lot as one larger parking area consisting of a two-way drive aisle with access from Second Street only that will accommodate 86 parking stalls. Carport structures are proposed that will cover 32 parking spaces in the interior portion of the lot. Forty-one electric vehicle parking spaces are proposed. New landscaping, tree replacement, lighting, and other surface improvements associated with the parking lot area are proposed.

BACKGROUND

Site Description

The existing surface parking lot area is located on an 35,508 square foot site which consists of five separate lots between Second Street and the public alley in a Commercial Downtown Zoning District. Three of the five lots have paved surface parking and other associated parking lot features including landscaping. Each of the three lots include one, one-way drive aisle (differing in direction) between Second Street and the public alley and has angled oriented parking depending upon the direction of the one-way drive aisle. The two remaining lots are vacant and separate two

¹ A lot line adjustment application has been submitted and is subject to an administrative review which is being reviewed concurrently with this application.

of the paved lot areas. The parking lot areas have been in existence in their general current configuration to serve the building that existed prior to the current Packard Foundation building at 343 Second Street and has continued to serve as parking for the newer building. Some minor improvements to the parking area have been completed overtime, but the accessible parking spaces do not comply with current standards.

Site History

When the Packard Building at 343 Second Street was approved in 2010, it was considered an in-fill project that qualified for a Categorical Exemption from the California Environmental Quality Act (CEQA). The project reduced the net building area by approximately 16,000 square feet and was found to reduce approximately 450 fewer daily vehicle trips over the existing development it replaced² (see Attachment A). The existing development had approximately 112 on-site parking spaces (plus the 58 across the street at the subject site). The proposed redeveloped site provided 67 parking spaces (including the 58 parking spaces in the lots fronting Second Street) whereas 152 parking spaces would have been required to comply with the standard parking ratio for office buildings in the Zoning Code based on the size of the building.² In lieu of providing the required parking, the City agreed to an Alternative Transportation Management Program (ATMP) to offset the demand for the parking. The ATMP which was memorialized in a recorded Development Agreement and Deed Restriction recorded on the property required the Packard Foundation to commit to strategies to reduce single occupancy vehicles (SOVs) including providing shuttling from CalTrain and VTA stations, providing CalTrain and VTA passes, Eco and Go passes, carpooling, emergency ride home guarantees, telecommuting, biking incentives, and other strategies and incentives as developed overtime to reduce SOVs. The Packard Foundation was required to submit monitoring reports to the City for review for a five year period and if determined that the ATMP was achieving its objective, the City could then eliminate the requirement to continue the monitoring thereafter, but the ATMP would need to continue in perpetuity or until the building itself is demolished. The Packard Foundation provided ATMP monitoring reports conducted by Hexagon Transportation Consultants, Inc for at least a five-year period and in 2018, the City sent a letter to the Packard Foundation that discontinued the requirement for providing continued ATMP monitoring; however, as stated above and per the Development Agreement, the ATMP will continue in perpetuity.

Complete Streets Commission Roles and Responsibilities

This design review application was determined to require City Council approval pursuant to Zoning Code Section 14.78.020 Requirement for Design Review. Under Section 14.78.090 of the Zoning Code, an application for City Council design review, shall be subject to a multimodal transportation review and recommendation to the Planning Commission and City Council. Typically, the Complete Street Commission's (CSC) review of the project occurs prior to the Planning Commission (PC); however, in this case, the Planning Commission has already reviewed the project and at their September 2, 2021, the PC recommended City Council approval of the project.

² Per the Planning Commission staff report dated April 15, 2010, which is part of the administrative record.

DISCUSSION/ANALYSIS

The Applicant proposes to merge the five existing lots together and use the merged lot as one larger parking area consisting of a two-way drive aisle with two entrances accessing the reconfigured parking lot from Second Street. The reconfigured parking area replaces the 58 existing parking spaces that currently exist across three of the lots and will incorporate the other two vacant parcels. The new parking lot reconfiguration is designed to have 90-degree parking stalls that is a more conventional design with a total of 86 parking spaces replacing the angled parking stalls that currently exists. Two parking stalls will be accessible, one of which will be van accessible consistent with current Building Code. A carport structure, which includes a photovoltaic system array mounted to the roof is proposed to be constructed to cover the interior 32 parking stalls. The additional energy from the new PV system will off-set power for the 41 electric vehicle parking spaces proposed, whereas five stalls are required to be EV stalls per the California Green Building Code requirements.

Circulation Efficiency

The new parking lot design will improve overall internal circulation efficiency for the parking lot itself since it replaces the one-way drive aisles with two-way drive aisles. It improves circulation efficiency of Second Street by eliminating vehicles entering, exiting, and reentering to and from public right-of-way to access other portions of parking lot areas as the current configuration requires. Redirecting traffic away from the narrow public alley and requiring ingress and egress into the parking lot from Second Street will also improve circulation efficiency for vehicular traffic for the buildings fronting on First Street, but with driveways and parking areas only accessible from the public alley with no other vehicle access alternative.

Public Right-of-Way Improvements

Consistent with other recent developments along the public alley between First and Second Streets, the City is requesting the property owner provide a dedication for right-of-way or a public access easement to increase the width of the alley by two feet. A public access easement is proposed which is included in the civil plans (see Attachment C) and will be conditioned to be recorded concurrently with the lot line adjustment to merge the lots. As mentioned above, the project will be eliminating vehicle access to the public alley and reducing the curb cuts on Second Street. The project will be required to replace the public sidewalk, curb and gutters and the plans propose to replace the street tree removed on Second Street with a new replacement tree.

Pedestrian Improvements

As mentioned above, the reconfigured design will eliminate curb cuts resulting in an improved pedestrian experience and improving safety by eliminating potential vehicle/pedestrian conflicts at the parking lot entrances at Second Street. A midblock crosswalk with yield signs and pavement treatment previously installed by the Packard Foundation exists on Second Street adjacent to the parking lot and no changes are proposed to modify the crosswalk.

Public Transit

The closet public transit is VTA bus route 40 which provides service between Foothill College in Los Altos Hills and the Mountain View Transit Center via North Bayshore. The closest bus stop is a bus shelter located on South San Antonio at the corner of Second Street.

Bicycle Facilities and Parking

The nearest bicycle facility is the Class II lane on South San Antonio Road adjacent to the Packard Foundation building. According to a letter submitted by the Applicant (Attachment B), the Packard Foundation facilities includes exterior racks to accommodate 24 bicycles at 343 Second Street which is considered Class II parking and a rack installed inside the garage at the building at 300 Second St also owned by the Packard Foundation (on the diagonal corner from 343 Second Street) that accommodates 14 bicycles which is considered Class I parking. Shower and locker room facilities are located at both facilities.

Continued Alternative Transportation Management Program (ATMP)

As described above, the existing recorded Development Agreement and Deed Restriction requires the Packard Foundation to implement its Alternative Transportation Management Program (ATMP) consisting of many activities to reduce single occupancy vehicles. The program was monitored for at least five years as required by the Agreement and determined to be effective at reducing vehicle trips. The Agreement states the ATMP shall continue in perpetuity or until the building is demolished. The Packard Foundation has submitted a letter outlining its recent ATMP activities (Attachment A) and acknowledges the continuance of the ATMP. The existing development agreement and deed restriction was reviewed by the City Attorney's office and they recommended that new documents should be recorded (i.e. deed restriction) releasing the Packard Foundation from further monitoring requirements, but will require the ATMP to continue into perpetuity and in agreement with the Packard Foundation. This was included as a condition of approval in the draft approval resolution that was reviewed and approved by the Planning Commission to be completed commensurate with the parking lot improvements.

ENVIRONMENTAL REVIEW

The design review application is categorically exempt from environmental review pursuant to Section 15301 (Class 1), Existing Facilities and 15303 New Construction or Conversion of Small Structures (Class 3) of the California Environmental Quality Act (CEQA) Guidelines, as amended, and none of the circumstances listed in CEQA Guidelines Section 15300.2 applies. Class 1 categorical exemptions consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, etc. involving negligible or no expansion of existing or former use. Class 3 categorical exemptions consists of construction and location of limited numbers of new, small facilities or structures and the installation of small new equipment and facilities in small structures, which lists accessory (appurtenant) structures including garages and carports. The applicant requests to modify the existing surface parking lot to include carports and an additional 28 parking spaces. The proposed changes to the existing parking lot do not expand the use of the building (Packard Foundation) that it is associated with, and the proposed carports are specifically listed as a Class 3 categorical exemption.

STAFF RECOMMENDATION

Recommend to the City Council approval of the Design Review application (D20-0008).

ATTACHMENT A

HEXAGON TRANSPORTATION CONSULTANTS, INC.

MEMORANDUM

TO: Mr. Tom Lodge, Rhodes Dahl LLC

FROM: Brian Jackson

DATE: June 24, 2008

SUBJECT: ***Trip Generation Analysis for the Proposed 343 Second Street Office Development in Downtown Los Altos, California***

Hexagon Transportation Consultants, Inc. has completed a trip generation analysis for the proposed 343 Second Street office development project in downtown Los Altos, California. The project site is located in the southeast quadrant of Second Street and Whitney Street. The project as proposed would consist of replacing 61,900 square feet (s.f.) of existing office/commercial uses with an approximately 44,200 s.f. office building. The adjacent gas station would remain. All parking for the project would be provided via surface lots located on Second Street and Whitney Street.

The magnitude of traffic added to the roadway system by a particular development is estimated by multiplying the applicable trip generation rates to the size of the development. The standard trip generation rates are published in the Institute of Transportation Engineers (ITE) manual entitled *Trip Generation, seventh edition, 2003*. The ITE trip generation rates for a single tenant office building were applied to the proposed office project. The project receives credit for the trips generated by the existing office/commercial uses that would be replaced. Since the site currently is approximately 50 percent occupied, the ITE rates were used to estimate the site's existing potential trip generation. The project is allowed to receive credit for all of the existing uses, including the vacant space, since the existing uses can be reoccupied at any time if the office project is not constructed.

Based on the ITE trip rates, the proposed office would generate 730 gross daily vehicle trips, with 96 gross trips occurring during the AM peak hour and 105 gross trips occurring during the PM peak hour. When compared to the trip generation of the existing uses on the site at full occupancy, the project would result in 457 fewer daily vehicle trips, with 8 more AM peak hour trips and 25 fewer PM peak hour trips. Table 1 shows the estimated trip generation for the proposed and existing uses.

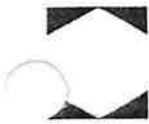
Since the proposed 343 Second Street office development project would generate fewer trips overall than the existing uses on the site, it is our professional opinion and the opinion of James Walgren of the City of Los Altos that the proposed project does not warrant preparation of a Traffic Impact Analysis (TIA).

Table 1
Trip Generation Estimates

Land Use	ITE Category	Size (SF)	Daily			AM Peak Hour			PM Peak Hour								
			Rate ¹	Trips		Rate ¹	% In	% Out	Total	In	Out	Rate ¹	% In	% Out	Total	In	Out
<u>Proposed Use</u> Single Tenant Office	715	44,200	16.52	730		2.18	89%	11%	96	85	11	2.37	15%	85%	105	16	89
<u>Existing Uses</u> General Office Occupied	710	22,400	11.01	247		1.55	88%	12%	35	31	4	1.49	17%	83%	34	6	28
Shopping Center Occupied	820	9,800	42.94	421		1.03	61%	39%	10	6	4	3.75	48%	52%	37	18	19
General Office Vacant	710	23,700	11.01	261		1.55	88%	12%	37	32	5	1.49	17%	83%	36	6	30
Shopping Center Vacant	820	6,000	42.94	258		1.03	61%	39%	6	4	2	3.75	48%	52%	23	11	12
Existing Use Totals:		61,900		1,187					88	73	15				130	41	89
Net Project Trips:				-457					8	12	-4				-25	-25	0

Notes:

¹ Source: ITE Trip Generation, 7th Edition, 2003. Fitted curve equations used for proposed office use; average rates used for existing office and shopping center uses.



MEMORANDUM

TO: Mr. Tom Lodge, Rhodes Dahl LLC

FROM: Brian Jackson

DATE: September 29, 2008

SUBJECT: *Unsignalized Intersection Analysis for the Proposed Packard Foundation Office Development located at 343 Second Street in Downtown Los Altos, California*

Hexagon Transportation Consultants, Inc. has completed an unsignalized intersection level of service (LOS) analysis and operations analysis for the proposed conversion of the Second Street and Whitney Street intersection from two-way stop-controlled to 4-way stop-controlled. The intersection is located in downtown Los Altos, California. Currently, only Whitney Street is stop-controlled. The planned conversion would occur in conjunction with the 44,200 square-foot Packard Foundation office building development project, located in the southeast quadrant of Second Street and Whitney Street.

Intersection Level of Service Analysis

Levels of service for the Second Street and Whitney Street intersection were calculated using TRAFFIX software, which is based on the 2000 *Highway Capacity Manual (HCM)* methodology. The correlation between average delay and level of service for unsignalized intersections is shown below in Table 1.

Table 1
Unsignalized Intersection Level of Service Definitions Based on Delay

Level of Service	Description of Operations	Average Delay Per Vehicle (Sec.)
A	Little or no traffic delay	10.0 or less
B	Short traffic delays	10.1 to 15.0
C	Average traffic delays	15.1 to 25.0
D	Long traffic delays	25.1 to 35.0
E	Very long traffic delays	35.1 to 50.0
F	Extreme traffic delays	Greater than 50.0

Source: Transportation Research Board, 2000 *Highway Capacity Manual* (Washington, D.C., 2000) p17-2.

The results of the unsignalized intersection level of service analysis show that the Second Street and Whitney Street intersection currently operates and would continue to operate at LOS B or better during the AM and

PM peak hours. While the intersection would operate at LOS B during both the AM and PM peak hours under project conditions with no changes to the intersection, adding stop signs to the Second Street legs would actually improve the level of service at the intersection to LOS A during both peak hours of traffic. Table 2 shows the results of the unsignalized intersection level of service analysis. The detailed level of service calculation sheets are included in Appendix A.

Table 2
Unsignalized Intersection Levels of Service

Intersection	Peak Hour	Project Conditions							
		Existing		Background		2-Way Stop		4-Way Stop	
		Avg. Delay/a/	LOS	Avg. Delay/a/	LOS	Avg. Delay/a/	LOS	Avg. Delay/a/	LOS
Second St & Whitney St	AM	9.7	A	9.7	A	10.1	B	7.6	A
	PM	10.5	B	10.7	B	10.9	B	8.1	A

Notes:

/a/ The average delay shown corresponds to the worst-movement delay at the intersection.

Signal Warrant

In addition to the level of service analysis, the unsignalized intersection also was evaluated using the *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD) Peak Hour Volume Warrant in order to determine if there would be justification for installing a traffic signal based on peak hour traffic volumes. The volume warrant makes no evaluation of intersection level of service, but simply provides an indication whether vehicular peak hour traffic volumes are, or would be, sufficient to justify installation of a traffic signal. Intersections that meet the peak hour warrant are subject to further analysis (i.e., additional warrants) before determining that a traffic signal is necessary and appropriate. The analysis revealed that the peak hour volume warrant would not be satisfied at the unsignalized intersection based on estimated AM and PM traffic volumes under project conditions. The signal warrant worksheet is included in Appendix B.

Vehicle Queuing Analysis

An operations analysis also was conducted based on vehicle queuing at the unsignalized intersection for all four stop-controlled approaches. Vehicle queues were estimated using a Poisson probability distribution, which estimates the probability of “n” vehicles for a vehicle movement using the following formula:

$$P(x=n) = \frac{\lambda^n e^{-\lambda}}{n!}$$

Where:

P (x=n) = probability of “n” vehicles in queue per lane

n = number of vehicles in the queue per lane

λ = Average number of vehicles in the queue per lane (vehicles per hour per lane/signal cycles per hour)

The basis of the analysis is as follows: (1) the Poisson probability distribution is used to estimate the 95th percentile maximum number of queued vehicles for a particular approach; (2) the estimated maximum number of vehicles in the queue is translated into a queue length, assuming 25 feet per vehicle; and (3) the estimated maximum queue length is compared to the existing or planned available vehicle storage. The queue estimates and a tabulated summary of the findings for the AM and PM peak hours are provided in Table 3.

**Table 3
 Queuing Analysis for 4-Way Stop-Controlled Second St and Whitney St**

Approach ¹	Northbound	Southbound	Eastbound	Westbound
AM Peak Hour				
Cycle/Delay ² (sec)	7.3	7.6	7.5	7.3
Volume ³ (vphpl)	56	84	54	39
Avg. Queue (veh./ln.)	0.1	0.2	0.1	0.1
Avg. Queue ⁴ (ft./ln)	3	4	3	2
95th % Queue (veh./ln.)	1	1	1	1
95th % Queue (ft./ln)	25	25	25	25
PM Peak Hour				
Cycle/Delay ² (sec)	7.4	8.1	7.6	7.9
Volume ³ (vphpl)	29	144	54	113
Avg. Queue (veh./ln.)	0.1	0.3	0.1	0.2
Avg. Queue ⁴ (ft./ln)	1	8	3	6
95th % Queue (veh./ln.)	1	1	1	1
95th % Queue (ft./ln)	25	25	25	25

¹ Lane configuration for each approach consists of a shared left/thru/right.

² Vehicle queue calculations based on cycle length for signalized intersections and vehicle delay for unsignalized intersections.

³ Traffic volumes shown are peak hour volumes under project conditions.

⁴ Assumes 25 feet per vehicle queued.

The analysis indicated that the estimated maximum vehicle queues for all four approaches during the AM and PM peak hours of traffic would be only 1 vehicle in length. The lack of vehicle queuing is directly related to the low peak hour traffic volumes that currently occur and would continue to occur at this intersection. Therefore, it can be concluded that adding stop signs to the Second Street legs of the intersection would not result in any queuing problems and would have little effect on vehicle flow along Second Street through the intersection. Converting the intersection to a four-way stop-controlled intersection also would create a safer environment for pedestrians crossing the street between the new Packard Foundation office building and the surface parking areas on Second Street located directly across from the office building.

Conclusions

The results of the unsignalized intersection analysis show that the Second Street and Whitney Street intersection would operate at LOS A during both the AM and PM peak hours under project conditions with the 4-way stop conversion. The results also show that the peak hour volume warrant would not be satisfied, and that adding stop signs to the Second Street legs of the intersection would not result in any queuing problems.

The David and Lucile Packard Foundation

September 22, 2021

Steve Golden
Senior Planner
City of Los Altos
1 North San Antonio Road
Los Altos, CA 94022

Dear Steve,

In concert with our parking proposal, you had requested that we provide you with an update on our practices under the Alternative Transportation Management Plan (ATMP) related to our building on 343 Second Street. Since our offices are currently closed, we correspondingly suspended the ATMP practices as there are very few persons in our offices. However, up until the time of our closure, we had met our obligations under the ATMP through the following dimensions:

1. Shuttle service to Caltrain stations

Until our presence at our offices was suspended due to the pandemic, the Packard Foundation employees were offered free shuttle service between the Los Altos offices and the Mountain View or San Antonio Caltrain stations. The Packard Foundation had a contract with CLS Global Transportation, a private bus operator, to provide service during business days. Four shuttle runs were made in the morning and four during the evening commute period, at approximately 30 minute intervals. Access to the service was limited to Packard employees and guests. Ridership had averaged 3 to 10 per day, and ~20 employees used the service on a regular basis.

2. Caltrain GO Pass and VTA Eco Pass Clipper Card

The Packard Foundation purchases GO Passes for all employees and VTA Eco Passes for all employees who request it. These passes are good for unlimited travel on Caltrain (GO Pass) or VTA buses and light rail (Eco Pass Clipper Card).

3. Guaranteed ride home

For those employees who commute to work using public transit, carpool, foot or bicycle, the Packard Foundation has implemented a program to provide transportation by taxi, Zipcar, or rental car in the event of an emergency or change in work schedule.

4. Lyft-to-Work

For those employees whose commute prevents them from taking advantage of our regularly scheduled shuttle service, we had provided \$260/month of Lyft credits that could be utilized between our Los Altos offices and either of the Mountain View or San Antonio Caltrain stations.

5. Secure bicycle parking

The Packard Foundation provides 3 bicycle parking racks capable of securing a minimum of 24 bicycles at building 343, and one long-term bicycle parking rack capable of securing 14 bicycles at building 300. Shower/locker room facilities are available at both Foundation offices. We do not offer any incentive to use bikes, although we did plan events during “Bike to Work” month to encourage riding a bike.

6. Encourage carpooling/ride sharing

The Packard Foundation had provided periodic resources designed to encourage employees to offer or explore ride sharing opportunities with other Foundation employees or temporary workers.

7. East Bay commuter shuttle

The Packard Foundation had engaged Enterprise to lease a shuttle for employees who commute together from the East Bay. This lease allowed a small group of employees to share their commute together. Consistent with the closure of our offices, this service has been suspended.

8. Provide car-sharing vehicles

The Packard Foundation had maintained a contract with Zipcar to locate a car at each of the two Los Altos buildings and to provide a revenue guarantee per month for each car. Due to limited use by Foundation staff and members of the community, this initiative was suspended. However, the Packard Foundation will cover the annual membership fee for Zipcar for all employees who wish to utilize these services for business purposes.

9. Telecommuting

Prior to the pandemic, the Packard Foundation had provided employees the option of telecommuting one day per week, or up to two days with their manager’s approval. This option was significantly utilized.

10. Off-site parking

We arranged for off-site parking, with a shuttle for transportation to and from the Foundation offices, when we schedule meetings that require significantly more guest parking than we can provide onsite. This off-site parking requirement for peak building usage is one reason which motivates our current proposal for additional parking.

11. ATMP monitoring plan

While only extant for the first five years of the building’s operation, under Exhibit E of the agreement, the Foundation was obliged to perform a parking audit to ensure that staff’s cars did not park in public parking or in nearby neighborhoods within 500 feet of the facility. As acknowledged in the City’s July 11, 2018, these parking audits “clearly demonstrate that the parking program approved when The David and Lucille [sic] Packard Foundation building was entitled is working well” and removed that audit obligation consistent with the broader terms of the agreement. Should the Foundation’s ATMP efforts not have been successful, the City would have required that the Foundation provide additional parking spaces at 350 South San Antonio or at other sites.

Furthermore, I would like to suggest that our current parking proposal would also meet with terms of the ATMP for reasons which include the following:

12. The ATMP contemplated additional parking

In the second paragraph of Exhibit D, the ATMP specifically enumerates a variety of “potential future strategies” which may include “provision of added parking spaces”. Therefore, the additional parking currently proposed is literally consistent with the terms of the ATMP to which the City and Foundation agreed.

13. The Primary Goal of the ATMP

In the third paragraph of Exhibit D, the ATMP itself states: “The primary goal of the ATMP is to reduce the Owner’s carbon footprint without impacting available public parking in the surrounding neighborhoods”. Our proposed parking project, and in particular the solar-assisted EV charging it enables, is contemplated to do exactly that: “reduce the Owner’s carbon footprint without impacting available public parking”.

We trust the above is responsive to your query.

Sincerely,

A handwritten signature in cursive script that reads "Craig Neyman".

Craig Neyman
Vice President & CFO

CONFORMED COPY: This document has
not been compared with the original.
SANTA CLARA COUNTY CLERK-RECORDER

This document is recorded for the benefit of
the City of Los Altos, and is entitled to be
recorded free of charge in accordance with
Section 6103 of the California Government
Code. WHEN RECORDED MAIL TO:
OFFICE OF THE CITY CLERK
City of Los Altos
One North San Antonio Road
Los Altos, California, 94022



(ABOVE SPACE FOR RECORDER'S USE)

DEVELOPMENT AGREEMENT

BETWEEN

THE CITY OF LOS ALTOS,
a California municipal corporation

AND

THE DAVID AND LUCILE PACKARD FOUNDATION,
a California nonprofit public benefit corporation

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("**Agreement**") is entered into as of the 14th day of September, 2010 ("**Effective Date**") by and between THE CITY OF LOS ALTOS ("**City**"), a California municipal corporation, and THE DAVID AND LUCILE PACKARD FOUNDATION ("**Foundation**"), a California nonprofit public benefit corporation.

THE PARTIES ENTER THIS AGREEMENT on the basis of the following facts, understandings and intentions:

A. Sections 65864 through 65869.5 of the California Government Code (the "**Development Agreement Statute**") authorize the City to establish procedures to enter binding development agreements with persons having legal or equitable interests in real property located within the City for development of the property.

B. On August 12, 2008, the City Council ("**City Council**") of the City approved Resolution No. 2008-39, establishing the authority and procedure for enactment of development agreements pursuant to the Development Agreement Statute.

C. Owner is the legal owner of the real property ("**Office Building Property**") governed by this Agreement, comprising an approximately 2.19-acre site located near the intersection of Second Street and Whitney Street in the City of Los Altos, California, which is further described in Exhibit A attached hereto and incorporated by this reference. Owner is also the legal owner of four (4) parcels of real property (referred to as Assessor's Parcel Numbers 167-41-034, 167-41-036, 167-41-037, 167-40-033) also governed by this Agreement that currently provide sixty-seven (67) surface parking spaces for the Office Building Property and are further described in Exhibit B attached hereto and incorporated by this reference ("**Dedicated**

Parking Property”). Owner is also the legal owner of additional real property also governed by this Agreement, further described in Exhibit C attached hereto and incorporated by this reference (**“Parking Reservation Property”**). Owner proposes to build and occupy a new headquarters office facility (**“Building”**) on the Office Building Property, consistent with the policies and regulations expressed in the Los Altos General Plan (**“General Plan”**). The approved development plan (**“Development Plan”**) for Owner’s proposed new Building and other improvements on the Property consists of (i) the terms of this Agreement, (ii) the terms of the managed employee vehicular parking program (**“Parking Plan”**) inclusive of the “ATMP” and the so-called “Monitoring Plan”, as each of those terms is defined and set forth in the form of Deed Restriction and Agreement which was concurrently approved with this Agreement at the hearing thereon, is contemplated to be recorded concurrently herewith, and is incorporated herein by this reference (**“Deed Restriction”**), and (iii) the design review application 08-D-06 recommended to the City Council for approval by the Architectural and Site Review Committee on February 3, 2010, and incorporated by this reference.

D. Owner has requested this Agreement in order to adapt and vest the land use policies and regulations established in the General Plan, the Los Altos Municipal Code (**“Municipal Code”**), and the Development Plan, current as of the Effective Date hereof. This Agreement authorizes Owner to build and occupy its proposed new Building (**“Project”**), subject to other City land use decisions consistent with the terms hereof.

E. City and Owner acknowledge that construction of the Building is a large-scale undertaking involving major investments by Owner, demonstrating new architectural and commercial construction technologies intended to provide substantial energy savings, reduced carbon consumption, and reduced employee automobile use. Certainty that the Building can be

developed and used in accordance with the terms hereof will benefit Owner, City and the public in general, by demonstrating the feasibility of the Building's innovative "LEED Platinum" design, construction and reduced energy consumption technologies.

F. City proposes to enter this Agreement for the reasons enumerated in the Development Agreement Statute, and (i) to eliminate uncertainty in the development of large-scale projects within the City, such as the Building; (ii) to meet the goals and objectives of the Los Altos General Plan; and (iii) to construct a modern, highly-efficient office building which demonstrates the latest in energy-saving design and construction methods, and employee vehicle trip reduction methods, at a downtown location well served by regional thoroughfares and convenient to pedestrian retail activity.

G. City's willingness to enter this Agreement is a material inducement to Owner to build and occupy the Building within the City of Los Altos, and Owner proposes to enter this Agreement in order to obtain assurance from City that the Building may be constructed and occupied pursuant to the Development Plan.

H. On April 15, 2010, City's Planning Commission held a duly noticed public hearing on the application for this Agreement, and (i) determined that consideration of this Agreement, application 10-DA-01, complies with the California Environmental Quality Act ("CEQA") based on a recommendation to the City Council to approve an environmental negative declaration; (ii) determined that this Agreement is consistent with the General Plan; and (iii) recommended that the City Council enact this Agreement and design review application 08-D-06.

I. On May 11, 2010, the City Council held a duly noticed public hearing on this Agreement, determined that implementation of this Agreement complies with CEQA and

approved the environmental negative declaration, and further found the project and this Agreement to be consistent with the General Plan, and approved applications 08-D-06 and 10-DA-01.

J. On August 24, 2010, the City Council held a duly noticed public hearing on this Agreement, found this Agreement to be consistent with the General Plan, and introduced Ordinance No. 10-355, approving this Agreement.

K. On September 14, 2010, the City Council adopted Ordinance No. 10-355, enacting this Agreement.

NOW, THEREFORE, pursuant to the authority contained in the Development Agreement Statute and Resolution No. 2008-39, and in consideration of the mutual covenants and promises of the parties, the parties agree as follows:

1. Development Of The Property.

1.1 Development Plan. Owner shall have the vested right and obligation to develop the Office Building Property in accordance with the provisions of this Agreement and the Development Plan. The use of the Office Building Property, the density and intensity of use, the Parking Plan, and the height, size, design and construction methods of the proposed Building shall be as provided in the General Plan, the Municipal Code and the Development Plan, as the terms thereof may be modified by this Agreement; provided, however, that construction and occupancy of the Building will be subject to other discretionary and ministerial decisions by City which will govern issuance of building and grading permits, among other things. Nothing contained herein shall restrict City's discretion to approve or conditionally approve amended Building features proposed by Owner. This Agreement shall be effective on the Effective Date. As used in this Agreement for timing purposes, however, the term "**Occupancy Date**" shall

mean and refer to the date that the City grants formal occupancy approvals for the Building upon its completion, *e.g.*, an “occupancy permit.”

1.2 Right to Construct and Occupy Improvements. Subject to the provisions of this Agreement, City hereby grants to Owner the present vested right to construct and occupy the Building and associated improvements in accordance with the policies and regulations set forth in this Agreement and the General Plan and Municipal Code in effect as of the Effective Date. No future modifications of the General Plan, Municipal Code, ordinances, policies or regulations which purport to (i) limit the development density, design, or Parking Plan; or (ii) impose new fees, exactions or moratoria upon development, occupancy or use of the Building, shall apply to the Project. Nothing herein, however, shall preclude City from adopting any future General Plan amendments or other land use regulations or amendments.

1.3 Successor Occupants. The development rights conferred hereby are justified in part by Owner’s unique philanthropic business operation, its unusually low employee counts and vehicular parking demand, its innovative demonstration of the feasibility of commercial-scale “LEED Platinum” construction methods, and its successful Alternative Transportation Management Program (as described in more detail in the Deed Restriction). Owner proposes to occupy the Building exclusively for administrative office uses. Owner shall provide City with ninety (90) days’ advance notice of Owner’s intention to allow any portion the Building to be occupied by a different party or a different use. All Building occupants shall strictly comply with the Deed Restriction (and the Owner’s Parking Plan as it may be in effect at that time), or shall implement and comply with an alternative method of providing adequate vehicular parking facilities for the Building satisfactory to the City. For purposes of satisfying this provision, vehicular parking facilities for the Building must be at least as successful as the ATMP

implemented by predecessor occupants and the Owner's then current ATMP, and vehicular parking facilities must be provided at the levels set forth in the Parking Plan.

2. Effect of Agreement.

2.1 Supersedure by Subsequent State or Federal Laws or Regulations. If state or federal laws or regulations enacted after the Effective Date are inconsistent with the provisions of this Agreement, this Agreement shall be deemed modified or superseded to the extent necessary to comply with the new state or federal laws or regulations.

2.2 Future Exercise of Discretion by City. This Agreement shall not be construed to limit the authority or obligation of City to hold public hearings, or to conduct all analyses required by CEQA, City ordinances or any other applicable federal, state or local law or regulation.

3. Term. The term ("**Term**") of this Agreement shall commence on the Effective Date, thirty (30) days after enactment of this Agreement and, unless extended or terminated by mutual agreement as provided herein, shall govern the development of the Building on the Office Building Property, and shall automatically expire upon the first to occur of the tenth (10th) anniversary of the Effective Date, or demolition of the Building. (The recorded restrictions set forth in the Deed Restriction shall, however, be perpetual unless the Building itself is demolished in its entirety in which case the Deed Restriction shall also terminate in accordance with its terms.)

4. Development Fees, Assessments, Exactions, and Dedications. All Citywide fees, assessments, dedication formulae and taxes payable in connection with the development, buildout, occupancy and use of the Building pursuant to this Agreement shall be those applicable at the time of issuance of building permits for the Building. No new fee, assessment, exaction or

required dedication policy, not in effect on the Effective Date, shall be imposed on the Building, unless it is imposed uniformly on all similar types of development in the City. This Agreement does not preclude imposition of new or increased fees or taxes on the Building subsequent to the Effective Date, provided that the fees or taxes shall be imposed or increased on a Citywide basis.

5. Cooperation in Implementation. City shall cooperate with Owner in a reasonable and expeditious manner, in compliance with the deadlines mandated by applicable statutes or ordinances, to complete all steps necessary for implementation of this Agreement and construction of the Building in accordance herewith, in particular in processing and checking all building permit plans and specifications and other plans relating to construction and occupancy of the Building. It is the parties' express intent to cooperate with one another and to diligently work to construct and occupy the Building in accordance with the terms hereof.

6. Periodic Review.

6.1 Annual Review. City Manager (or his or her designee) and Owner shall review all actions taken pursuant to the terms of this Agreement once annually, within sixty (60) days before the anniversary of the Effective Date, during each year of the Term unless the City Manager (or his or her designee) and Owner agree to conduct the review at another time.

6.2 Owner's Submittal. Within ninety (90) days before each anniversary of the Effective Date, Owner shall submit a letter ("**Compliance Letter**") to the City Manager (or his or her designee) describing Owner's compliance with the terms of this Agreement during the preceding year. The Compliance Letter shall include a statement that the Compliance Letter is submitted to City pursuant to the requirements of Government Code Section 65865.1. The Compliance letter is in addition to (and not in substitution for) any requirement of the Parking Plan itself.

6.3 City's Findings. Within sixty (60) days after receipt of the Compliance Letter, the City Manager (or his or her designee) shall determine whether, for the year under review, Owner has demonstrated good faith substantial compliance with the terms of this Agreement. Owner's failure to timely submit a Compliance Letter shall not affect the terms or continuing binding effect of this Agreement. If the City Manager (or his or her designee) finds and determines that Owner has complied substantially with the terms of this Agreement, or does not determine otherwise within sixty (60) days after delivery of the Compliance Letter, the annual review shall be deemed concluded and this Agreement shall remain in full force and effect. Upon a determination of compliance, the City Manager (or his or her designee) shall issue at Owner's request a recordable certificate confirming Owner's compliance through the year(s) under review. Owner may record the certificate with the Santa Clara County Recorder's Office. If the City Manager (or his or her designee) initially determines the Compliance Letter to be inadequate in any respect, he or she shall provide written notice to that effect to Owner. If after a duly noticed public hearing thereon the City Council finds and determines, on the basis of substantial evidence, that Owner has not complied substantially in good faith with the terms of this Agreement for the year under review, the City Council shall give written notice thereof to Owner specifying the non-compliance. If Owner fails to cure the non-compliance before the next anniversary of the Effective Date, the City Council, in its discretion following a public hearing on the matter, may (a) grant additional time for Owner's compliance, (b) modify this Agreement to the extent necessary to remedy or mitigate the non-compliance, or (c) terminate this Agreement. Except as affected by the terms hereof, the terms of the Development Agreement Statute shall govern the compliance review process to be followed by City. During any such

review, Owner shall bear the burden of proof to demonstrate good faith compliance with the terms of this Agreement.

7. Default and Remedies.

7.1 Default. Failure by either party to perform any material term or provision of this Agreement shall constitute a default hereunder, provided that the party alleging the default shall have given the other party advance written notice thereof and sixty (60) days within which to cure the default. Written notice shall specify in detail the nature of the obligation to be performed by the party receiving notice.

7.2 Remedies. It is acknowledged by the parties that City would not have entered into this Agreement if City were to be liable in damages under, or with respect to, this Agreement or the application thereof. City shall not be liable in damages to Owner, or to any assignee, transferee or any other person, and Owner covenants not to sue for or claim damages. Owner's sole and exclusive remedy in the event of City's default shall be the remedy of specific performance. Upon Owner's material default, City shall be entitled to initiate legal proceedings to specifically enforce this Agreement or to terminate it. City may terminate this Agreement due to default without legal action.

7.3 Default by Owner/Withholding of Building Permit. City may, at its discretion, refuse to issue a building permit for any structure within Owner's property, if Owner has materially failed and refused to complete any requirement applicable to the building permit. In addition, where City has determined that Owner is in default as described above, City may also refuse to issue any permit or entitlement for any structure or property located within the Project, and/or take any enforcement action authorized by the applicable provisions of the General Plan

and the Municipal Code. These remedies shall be in addition to any other remedies provided for by this Agreement.

8. Agreement to Amend or Terminate. City and Owner by mutual agreement may terminate or amend the terms of this Agreement, and the amendment or termination shall be accomplished in the manner provided under California law for the adoption of development agreements.

9. Mortgagee Protection; Certain Rights of Cure.

9.1 Mortgagee Protection. This Agreement shall be superior and senior to all liens placed upon the Property and/or the Parking Reservation Property or portion thereof after the date on which a memorandum of this Agreement is recorded, including the lien of any deed of trust or mortgage ("**Mortgage**"). Notwithstanding the foregoing, no breach hereof shall defeat, render invalid, diminish or impair the lien of any Mortgage made in good faith and for value, but all of the terms and conditions contained in this Agreement shall be binding upon and effective against all persons and entities, including all deed of trust beneficiaries or mortgagees ("**Mortgagees**") who acquire title to the Property, the Dedicated Parking Property, and/or the Parking Reservation Property or any portion thereof by foreclosure, trustee's sale, deed in lieu of foreclosure or otherwise.

9.2 Mortgagee Not Obligated. No foreclosing Mortgagee shall have any obligation or duty under this Agreement to construct, complete the construction of, or occupy any improvements described in this Agreement, or to pay for or guarantee construction or completion thereof. City, upon receipt of a written request from a foreclosing Mortgagee, shall permit all Mortgagees to succeed to the rights and obligations of Owner under this Agreement, provided that all defaults by Owner hereunder that are reasonably susceptible of being cured are cured by

the Mortgagee as soon as is reasonably possible. The foreclosing Mortgagee thereafter shall comply with all of the provisions of this Agreement.

10. Assignability.

10.1 Right to Assign. Owner may assign its rights to construct and occupy the Building and associated improvements pursuant to this Agreement without the consent of the City. Owner may assign or convey its rights to occupy all or part of the Building pursuant to this Agreement without consent of the City, provided that each successor occupant shall comply with the terms hereof. A copy of this Agreement shall be recorded by City in the Santa Clara County Recorder's Office, within ten (10) days following after execution hereof by both parties.

10.2 Covenants Run With The Land. During the Term of this Agreement, all of the provisions, agreements, rights, powers, standards, terms, covenants and obligations contained in this Agreement shall be binding unconditionally upon the parties and their respective heirs, successors (by merger, consolidation or otherwise) and assigns, devisees, administrators, representatives, lessees and all other persons or entities acquiring the Property, the Dedicated Parking Property, and/or the Parking Reservation Property, any lot, parcel or any portion thereof, and any interest therein, whether by sale, operation of law or other manner, and they shall inure to the benefit of the parties and their respective successors. (The tenure of the Deed Restriction shall be governed by its own terms.)

11. General.

11.1 Construction of Agreement. The language in this Agreement in all cases shall be construed as a whole and in accordance with its fair meaning. The captions of the paragraphs and subparagraphs of this Agreement are for convenience only and shall not be considered or referred to in resolving questions of construction. This Agreement shall be governed by the laws

of the State of California and all actions concerning this Agreement shall be brought in the Superior Court of the County of Santa Clara.

11.2 No Waiver. No delay or omission by the City in exercising any right or power accruing upon the noncompliance or failure by Owner under to comply with the provisions of this Agreement shall be construed as a waiver thereof. A waiver by City of any of the covenants or conditions to be performed by Owner or City shall not be construed as a waiver of any succeeding breach of the same or other covenants and conditions.

11.3 Agreement is Entire Agreement. This Agreement and all Exhibits attached hereto or incorporated herein comprise the sole and entire Agreement between the parties concerning the Property. The parties acknowledge and agree that they have not made any representation with respect to the subject matter of this Agreement or any representations inducing the execution and delivery, except representations set forth herein, and each party acknowledges that it has relied on its own judgment in entering this Agreement. The parties further acknowledge that all statements or representations that heretofore may have been made by either of them to the other are void and of no effect, and that neither of them has relied thereon in its dealings with the other.

11.4 Estoppel Certificate. Any party from time to time may deliver written notice to the other party requesting written certification that, to the knowledge of the certifying party: (i) this Agreement is in full force and effect and constitutes a binding obligation of the parties; (ii) this Agreement has not been amended or modified either orally or in writing, or, if it has been amended or modified, specifying the nature of the amendments or modifications; and, (iii) the requesting party is not in default in the performance of its obligations under this Agreement, or if in default, describing therein the nature and monetary amount, if any, of the default. A party

receiving a request shall execute and return the certificate within thirty (30) days after receipt thereof. The City's City Manager (or his or her designee) shall have the right to execute the certificates requested by Owner. At the request of Owner, the certificates provided by City establishing the status of this Agreement with respect to any lot or parcel shall be in recordable form, and Owner shall have the right to record the certificate for the affected portion of the Property at its cost.

11.5 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but the counterparts together shall constitute only one Agreement.

11.6 Severability. Each provision of this Agreement which shall be adjudged to be invalid, void or illegal shall in no way affect, impair or invalidate any other provisions hereof, and the other provisions shall remain in full force and effect.

11.7 Time of Essence. Time is of the essence in the performance of every covenant and obligation to be performed by the parties hereunder.

11.8 Indemnification. Owner hereby releases and agree to protect, defend, hold harmless and indemnify City, its City Council, its officers, employees, agents and assigns from and against all claims, injury, liability, loss, cost and expense or damage, however same may be caused, including all costs and reasonable attorney's fees in providing the defense to any claim arising from the performance of this Agreement by Owner, its agents, subcontractors and/or assigns except to the extent that such claims, injury, liability, loss, cost and expense or damage, are caused by the negligence or willful misconduct of City, or a breach of this Agreement by the City. This provision is intended to be broadly construed and extends to, among other things, any challenge to the validity of this Agreement or anything related to its passage.

12. Notice. Except as otherwise expressly provided herein, all notices and demands pursuant to this Agreement shall be delivered by a commercially reasonable method. Notices shall be addressed as appears below for the respective parties; provided, however, that either party may change its address for purposes of this Section by giving written notice thereof to the other party:

City: City Manager
The City of Los Altos
One North San Antonio Road
Los Altos, California 94022

Owner: General Counsel
The David and Lucile Packard Foundation
300 Second Street
Los Altos, California 94022

The provisions of this Section shall be deemed directive only and shall not detract from the validity of any notice given in a manner which would be legally effective in the absence of this Section.

13. Owner Employees Are Not City Employees.

Owner shall manage their employees subject to the requirements of the law. All persons employed or utilized by Owner in connection with this Agreement are employees or contractors of Owner and shall not be considered employees of City in any respect. Owner is responsible for obtaining statutory workers' compensation coverage, if any is required, for its employees, if any.

14. Project as a Private Undertaking.

It is specifically understood and agreed that the Project is a private development. No partnership, joint venture or other association of any kind between City and Owner is formed by this Agreement.

15. Payment to City. Owner shall pay to the City the sum of \$3,400,000. On the Occupancy Date, Owner shall either make a single payment of \$3,400,000 concurrently with and

as a condition to the issuance of the occupancy approvals for the Building to be constructed on the Office Building Property or, in the alternative, the Owner may elect in writing to make three equal, annual installment payments of \$1,133,333, the initial payment to be made on the Occupancy Date itself, and the remaining payments to be made on the next following two (2) anniversaries thereof. If Owner elects to make deferred payments, the unpaid principal balance shall bear interest at an interest rate equal to the average earnings rate of the City's investment portfolio, including liquid Local Government Investment Fund (LAIF) balances and security positions. The City's good faith determination of such rate shall be conclusive.

16. Attorneys' Fees and Costs.

If City or Owner initiates any action at law or in equity to enforce or interpret the terms and conditions of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs in addition to any other relief to which it may otherwise be entitled. In addition to the foregoing award of attorneys' fees to the prevailing party, the prevailing party in any lawsuit shall be entitled to its attorneys' fees incurred in any post judgment proceedings to collect or enforce the judgment. This provision is separate and several and shall survive the merger of this Agreement into any judgment on this Agreement. If any person or entity not a party to this Agreement initiates an action at law or in equity to challenge the validity of any provision of this Agreement or the Project Approvals, the parties shall cooperate in defending such action. Owner shall bear its own costs of defense as a real party in interest in any such action, and shall reimburse City for all reasonable court costs and attorneys' fees expended by City in defense of any such action or other proceeding.

17. Amendments.

No alterations or changes to the terms of this Agreement shall be valid unless made in writing and signed by each of the parties, and completed in compliance with the procedures listed in the Government Code for Development Agreement Amendments.

18. No Third Party Beneficiary.

This Agreement shall not be construed or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any claim or right of action hereunder for any cause whatsoever.

19. Authority to Execute.

The person or persons executing this Agreement on behalf of each of the parties warrant and represent that they have the authority to execute this Agreement on behalf of those parties and represent that they have the authority to bind said parties to the performance of its obligations in this Agreement.

IN WITNESS WHEREOF, City and Owner have caused this Agreement to be executed in one (1) or more copies as of the day and year first above written.


"CITY"

THE CITY OF LOS ALTOS,
a California municipal corporation

By: 

Mayor
"OWNER"

THE DAVID AND LUCILE PACKARD
FOUNDATION,
a California nonprofit public benefit corporation

By: 

Title: President and CEO

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

STATE OF CALIFORNIA
COUNTY OF SANTA CLARA } ss.

On SEPT. 23, 2010, before me, MILLIE BLAKE, Notary Public, personally appeared CAROL S. LARSON who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/~~she~~/~~they~~ executed the same in ~~his~~/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/~~her~~/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

WITNESS my hand and official seal.

Signature Millie Blake

My commission expires JULY 20, 2013

Commission No. 1858568



Exhibit A

[Attach Legal Description of Office Building Property]

LEGAL DESCRIPTION

Real property in the City of Los Altos, County of Santa Clara, State of California, described as follows:

PARCEL ONE:

ALL OF LOTS 1, 3 AND 5, BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99.

PARCEL TWO:

ALL OF LOTS 7, 9 AND 11, IN BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99.

PARCEL THREE:

PORTION OF LOTS 2 AND 4, IN BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS RECORDED OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99, SANTA CLARA COUNTY RECORDS, WHICH PORTION IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF WHITNEY STREET 50.00 FEET IN WIDTH, SAID POINT BEING THE MOST NORTHERLY CORNER OF LOT 2, IN BLOCK 9, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF BEGINNING SOUTH 57° 57' WEST ALONG THE SOUTHEASTERLY LINE OF WHITNEY STREET, A DISTANCE OF 142.00 FEET TO THE TRUE POINT OF BEGINNING; SAID POINT OF BEGINNING BEING THE MOST WESTERLY CORNER OF SAID LOT 2; THENCE SOUTH 32° 03' EAST ALONG THE SOUTHWESTERLY LINE OF SAID LOTS 2 AND 4 A DISTANCE OF 100.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 4; THENCE NORTH 57° 57' EAST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 4 FOR A DISTANCE OF 18.74 FEET; THENCE NORTH 32° 03' WEST ALONG A LINE PARALLEL WITH SAID SOUTHWESTERLY LINE OF LOTS 2 AND 4 A DISTANCE OF 100.00 FEET TO THE POINT ON THE SOUTHEASTERLY LINE OF WHITNEY STREET; THENCE SOUTH 57° 57' WEST ALONG SAID SOUTHEASTERLY LINE OF WHITNEY STREET A DISTANCE OF 18.74 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL FOUR:

PORTION OF LOTS 2 AND 4, IN BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS RECORDED OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99, SANTA CLARA COUNTY RECORDS, WHICH PORTION IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF WHITNEY STREET 50 FEET IN WIDTH, SAID POINT BEING THE MOST NORTHERLY CORNER OF LOT 2 IN BLOCK 9, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF BEGINNING SOUTH 57° 57' WEST ALONG THE SOUTHEASTERLY LINE OF WHITNEY STREET, A DISTANCE OF 150 FEET TO THE TRUE POINT OF BEGINNING; SAID POINT OF BEGINNING BEING IN THE CENTERLINE OF AN ALLEY 16 FEET

IN WIDTH, AS SHOWN ON THE MAP ABOVE REFERRED TO; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID ALLEY AND PARALLEL WITH THE SOUTHWESTERLY LINE OF LOTS 2 AND 4 IN SAID BLOCK 9, 100 FEET TO A POINT IN THE SOUTHWESTERLY PROLONGATION ON THE SOUTHEASTERLY LINE OF SAID LOT 4; THENCE NORTHEASTERLY ALONG SAID PROLONGED LINE 8 FEET TO THE MOST WESTERLY CORNER OF LOT 6; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF LOTS 2 AND 4 OF BLOCK 9, 100 FEET TO THE SOUTHEAST LINE OF WHITNEY STREET AND THENCE SOUTHWESTERLY ALONG SAID SOUTHEAST LINE OF WHITNEY STREET TO THE POINT OF BEGINNING.

PARCEL FIVE:

PORTION OF LOTS 1, 3, 5, 7, 9 AND 11, IN BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS RECORDED OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99, SANTA CLARA COUNTY RECORDS, WHICH PORTION IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF WHITNEY STREET 50 FEET IN WIDTH, SAID POINT BEING THE MOST NORTHERLY CORNER OF LOT 2 IN BLOCK 9, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF BEGINNING SOUTH 57° 57' WEST ALONG THE SOUTHEASTERLY LINE OF WHITNEY STREET A DISTANCE OF 150 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING IN THE CENTERLINE OF AN ALLEY 16 FEET IN WIDTH (NOW ABANDONED) AS SHOWN ON THE MAP ABOVE REFERRED TO; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID ALLEY AND PARALLEL WITH THE NORTHEASTERLY LINE OF LOTS 1, 3, 5, 7, 9 AND 11 IN BLOCK 9, 300 FEET, MORE OR LESS TO A POINT IN THE NORTHEASTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF SAID LOT 11; THENCE SOUTHWESTERLY ALONG SAID PROLONGED LINE 8 FEET TO THE MOST EASTERLY CORNER OF SAID LOT 11; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF LOTS 1, 3, 5, 7, 9 AND 11 IN SAID BLOCK 9, 300 FEET MORE OR LESS, TO THE SOUTHEASTERLY LINE OF WHITNEY STREET; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE OF WHITNEY STREET 8 FEET TO THE TRUE POINT OF BEGINNING, BEING A PORTION OF THE 16 FOOT WIDE ALLEY (NOW ABANDONED) THROUGH BLOCK 9 AS SHOWN UPON THE MAP ABOVE REFERRED TO.

PARCEL SIX:

PERPETUAL, NON-EXCLUSIVE EASEMENT AND RIGHT-OF-WAY FOR THE USE OF GRANTOR, GRANTEE AND THEIR RESPECTIVE EMPLOYEES, AGENTS, TENANTS AND SUCTOBMER FOR PEDESTRIAN AND VEHICULAR PASSAGE TO PROVIDE EGRESS TO WHITNEY STREET AND INGRESS AND EGRESS TO AND FROM SAN ANTONIO ROAD AND THE ALTOS CENTER SHOPPING COMPLEX OWNED BY GRANTOR, AND TO AND FROM SAN ANTONIO ROAD AND THE PROPERTY CONVEYED TO GRANTEE, PARCEL ONE, ABOVE DESCRIBED, AND TO PROVIDE EGRESS TO WHITNEY STREET FROM SAID PROPERTY OF GRANTEE, AND TO MAINTAIN, REPAIR, MOVE, RELOCATE AND TO ESTABLISH CONNECTIONS AND TAKE-OFF LINES AND COUPLINGS WITH ALL EXISTING SEWER LINES, WATER LINES, GAS MAINS, TELEPHONE WIRES, CONDUITS AND EQUIPMENT AND EXISTING UNDERGROUND POWER LINES LYING IN OR UNDER THE WESTERLY FOUR FEET OF PARCEL ONE, AND ANY ADDITIONAL UNDERGROUND MAINS, WIRES, SEWERS, PIPES, AND CONDUITS FOR PUBLIC UTILITY SERVICES WHICH MAY BE INSTALL PURSUANT TO EXISTING EASEMENT RIGHTS, OVER AND ACROSS THE PARCEL OF REAL PROPERTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF LOT 6, BLOCK 9, MAP NO. 1, TOWN OF LOS ALTOS, A MAP OF WHICH IS FILED IN BOOK "L" OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS; THENCE SOUTH 57°58'05" WEST ALONG AN EXTENSION OF THE NORTHWESTERLY

LINE OF SAID LOT 6 A DISTANCE OF 4.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 57° 58' 05" WEST ALONG SAID LINE 4.00 FEET TO THE CENTERLINE OF AN ALLEY (NOW ABANDONED) AS SAID ALLEY IS SHOWN ON THE MAP ABOVE REFERRED TO; THENCE SOUTH 32° 02' 25" EAST ALONG SAID CENTER LINE 197.22 FEET; THENCE NORTH 57° 57' 35" EAST 20.17 FEET TO A POINT IN THE WESTERLY LINE OF SAN ANTONIO ROAD; THENCE ALONG SAID WESTERLY LINE NORTHERLY ON A CURVE TO THE LEFT, HAVING A TANGENT AT SAID POINT WHICH BEARS NORTH 4° 39' 47" EAST AND HAVING A RADIUS OF 853.56 FEET, THROUGH A CENTRAL ANGLE OF 1° 59' 03" FOR AN ARC LENGTH OF 29.56 FEET; THENCE SOUTH 57° 57' 35" WEST 13.43 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 90° FOR AN ARC LENGTH OF 31.42 FEET TO A LINE PARALLEL WITH AND 4.00 FEET DISTANT SOUTHWESTERLY AS MEASURED AT RIGHT ANGLES TO THE SOUTHWESTERLY LINE OF LOTS 10, 8 AND 6 OF SAID BLOCK 9; THENCE NORTH 32° 02' 25" WEST 153.22 FEET TO THE TRUE POINT OF BEGINNING, AS RESERVED IN DEED FROM ALTOS CENTER INCORPORATED, A CORPORATION, TO SAN FRANCISCO FEDERAL SAVINGS AND LOAN ASSOCIATION, RECORDED MARCH 5, 1971 IN BOOK 9244, PAGE 437, SERIES NO. 3964805, OFFICIAL RECORDS.

PARCEL SEVEN:

PERPETUAL, NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF GRANTOR AND ITS TENANTS AND CUSTOMERS AND THE CUSTOMERS OF GRANTOR'S TENANTS IN THE ALTOS CENTER SHOPPING COMPLEX DURING THE DAY TIME AND EVENING HOURS THAT TENANTS IN THE ALTOS CENTER SHOPPING COMPLEX ARE OPEN FOR BUSINESS PURPOSE OF PARKING PRIVATE PASSENGER AUTOMOBILES OVER AND UPON THE PARCEL OF LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF LOT 6, BLOCK 9, MAP NO. 1, TOWN OF LOS ALTOS, A MAP OF WHICH IS FILED IN BOOK "L" OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS; THENCE SOUTH 57° 58' 05" WEST ALONG AN EXTENSION OF THE NORTHWESTERLY LINE OF SAID LOT 6 A DISTANCE OF 4.00 FEET; THENCE SOUTH 32° 02' 25" EAST 2.22 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 32° 02' 25" EAST 66.00 FEET; THENCE NORTH 57° 58' 05" EAST 31.00 FEET; THENCE NORTH 32° 02' 25" WEST 66.00 FEET; THENCE SOUTH 57° 58' 05" WEST 31.00 FEET TO THE TRUE POINT OF BEGINNING, AS RESERVED IN DEED FROM ALTOS CENTER INCORPORATED, A CORPORATION, TO SAN FRANCISCO FEDERAL SAVINGS AND LOAN ASSOCIATION, RECORDED MARCH 5, 1971 IN BOOK 9244 OF OFFICIAL RECORDS, PAGE 437.

PARCEL EIGHT:

AN EASEMENT FOR THE BENEFIT OF GRANTEE, TO MAINTAIN, REPAIR AND PAINT THE EXISTING ALTOS CENTER SIGN, UPON THE PARCEL OF REAL PROPERTY NEXT HEREINAFTER DESCRIBED, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EASEMENT SITE FOR THE PURPOSES HEREINBEFORE SPECIFIED UPON THAT CERTAIN PARCEL OF REAL PROPERTY IN THE CITY OF LOS ALTOS, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A STRIP OF LAND TWO (2.00) FEET IN WIDTH, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF LOT 6, BLOCK 9, MAP NO. 1, TOWN OF LOS ALTOS, A MAP OF WHICH IS FILED IN BOOK "L" OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS; THENCE SOUTH SOUTH 57° 58' 05" WEST ALONG AN EXTENSION OF THE NORTHWESTERLY LINE OF SAID LOT 6 A DISTANCE OF 8.00 FEET TO THE CENTER LINE OF AN ALLEY (NOW ABANDONED), AS SAID ALLEY IS SHOWN ON THE MAP ABOVE REFERRED TO;

THENCE SOUTH 32° 02' 25" EAST ALONG SAID CENTER LINE 197.53 FEET; THENCE SOUTH 82° 18' 30" EAST 3.50 FEET TO THE TRUE POINT OF BEGINNING OF SAID CENTER LINE DESCRIPTION; THENCE SOUTH 82° 18' 30" EAST TO A POINT IN THE WEST LINE OF SAN ANTONIO ROAD AND THE TERMINUS OF SAID CENTER LINE DESCRIPTION, AS GRANTED IN INSTRUMENT EXECUTED BY SAN FRANCISCO SAVINGS AND LOAN ASSOCIATION, A FEDERAL SAVINGS AND LOAN ASSOCIATION, GRANTOR, TO ALTOS CENTER, INCORPORATED, A CORPORATION, GRANTEE, RECORDED JUNE 18, 1971 IN BOOK 9380, PAGE 542. SERIES NO. 4030639, OFFICIAL RECORDS, AND RE-RECORDED JULY 13, 1971 IN BOOK 9415, PAGE 405, SERIES NO. 4047512, OFFICIAL RECORDS.

APN: 167-40-074

LEGAL DESCRIPTION

Real property in the Town of Los Altos, County of Santa Clara, State of California, described as follows:

ALL OF LOT 12, IN BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99.

TOGETHER WITH ALL THAT PORTION OF THE SOUTHWESTERLY 8 FEET OF THE ALLEY WHICH WAS ABANDONED BY RESOLUTION NO. 68-65 OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AND RECORDED AUGUST 20, 1968 IN BOOK 8235, PAGE 282, OFFICIAL RECORDS, AND LYING SOUTHEASTERLY OF THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF LOT 12, AS SHOWN ON THE MAP ENTITLED, "MAP NO. 1 OF THE TOWN OF LOS ALTOS," FILED OCTOBER 25, 1907 IN BOOK L OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO THE CITY OF LOS ALTOS BY GRANT DEED RECORDED AUGUST 11, 1981, BOOK G267, PAGE 387, INSTRUMENT NO. 7135348, OFFICIAL RECORDS.

APN: 167-40-070

Exhibit B

[Attach Legal Description of Dedicated Parking Property]

LEGAL DESCRIPTION

Real property in the City of Los Altos, County of Santa Clara, State of California, described as follows:

LOT 10, BLOCK 11, AS SHOWN ON MAP NO. 1 OF THE TOWN OF LOS ALTOS, FILED OCTOBER 25, 1907 IN BOOK L OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS.

APN: 167-41-034

LEGAL DESCRIPTION

Real property in the City of Los Altos, County of Santa Clara, State of California, described as follows:

ALL OF LOT 14, IN BLOCK 11, AS SHOWN ON THAT CERTAIN MAP ENTITLED, " MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99.

APN: 167-41-036

LEGAL DESCRIPTION

Real property in the City of Los Altos, County of Santa Clara, State of California, described as follows:

LOT 16, BLOCK 11, AS SHOWN ON MAP NO. 1 OF THE TOWN OF LOS ALTOS, FILED OCTOBER 25, 1907 IN BOOK L OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS.

APN: 167-41-037

LEGAL DESCRIPTION

REAL PROPERTY in the City of Los Altos, County of Santa Clara, State of California, described as follows:

Lot 29 in Block 8, so designated and delineated on the Map No. 1 of the Town of Los Altos recorded October 25, 1907 in Book "L" of Maps, page 99, Santa Clara County Records.

APN: 167-40-033

ARB: 167-40-33

Exhibit C

[Attach Legal Description of Parking Reservation Property]

LEGAL DESCRIPTION

Real property in the Town of Los Altos, County of Santa Clara, State of California, described as follows:

PARCEL ONE:

ALL OF LOTS 6 AND 8, AND A PORTION OF LOT 10, IN BLOCK 9, AND A PORTION OF AN ALLEY (NOW ABANDONED) IN SAID BLOCK 9, AS SHOWN UPON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON OCTOBER 25, 1907 IN BOOK L OF MAPS, AT PAGE 99, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 6 OF SAID BLOCK 9; THENCE TRUE SOUTH ALONG THE EASTERLY LINE OF LOTS 6, 8 AND 10 OF SAID BLOCK 9, A DISTANCE OF 165.01 FEET TO THE MOST NORTHERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED IN THE DEED TO THE CITY OF LOS ALTOS, A MUNICIPAL CORPORATION, RECORDED FEBRUARY 26, 1968 IN BOOK 8035 OF OFFICIAL RECORDS, PAGE 128, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL OF LAND, BEING ON A TANGENT CURVE TO THE RIGHT, WITH A RADIUS OF 853.56 FEET, THROUGH A CENTRAL ANGLE OF 6° 52' 20", FOR AN ARC LENGTH OF 102.38 FEET TO THE CENTER LINE OF AN ALLEY (NOW ABANDONED) IN SAID BLOCK 9 ABOVE REFERRED TO; THENCE NORTH 32° 02' 25" WEST ALONG SAID CENTER LINE 223.22 FEET TO A POINT IN THE SOUTHWESTERLY EXTENSION OF THE NORTHWESTERLY LINE OF SAID LOT 6 IN BLOCK 9; THENCE NORTH 57° 58' 05" EAST ALONG SAID SOUTHWESTERLY EXTENSION AND ALONG THE NORTHWESTERLY LINE OF SAID LOT 6 IN BLOCK 9 A DISTANCE OF 146.92 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND THAT WOULD PASS BY OPERATION OF LAW BY THE CONVEYANCE TO THE CITY OF LOS ALTOS, RECORDED FEBRUARY 26, 1968 IN BOOK 8035 OF OFFICIAL RECORDS, PAGE 128.

PARCEL TWO:

A PERMANENT NON-EXCLUSIVE EASEMENT AND RIGHT OF WAY FOR PEDESTRIAN AND VEHICULAR PASSAGE AND FOR INGRESS AND EGRESS, AND TO MAINTAIN, REPAIR, MOVE, RELOCATE, AND TO ESTABLISH CONNECTIONS AND TAKE-OFF LINES AND COUPLINGS WITH ALL EXISTING SEWER LINES, WATER LINES, GAS MAINS, TELEPHONE WIRES, CONDUITS, AND EQUIPMENT AND EXISTING UNDERGROUND POWER LINES NOW LYING IN OR UNDER THE REAL PROPERTY HEREINAFTER DESCRIBED AND ANY ADDITIONAL UNDERGROUND MAINS, WIRES, SEWERS, PIPES AND CONDUITS FOR PUBLIC UTILITY SERVICES WHICH MAY BE INSTALLED PURSUANT TO EXISTING EASEMENT RIGHTS OVER, ALONG, AND ACROSS THE SERVICENT TENEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF LOT 6, BLOCK 9, MAP NO. 1. TOWN OF LOS ALTOS, A MAP OF WHICH WAS FILED IN BOOK "L" OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS SOUTH 57° 58' 05" WEST ALONG AN EXTENSION OF THE NORTHWESTERLY LINE OF LOT 6 OF SAID BLOCK 9 FOR A DISTANCE OF 4.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 32° 02' 25" WEST 100.00 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF WHITNEY STREET; THENCE ALONG THE SOUTHEASTERLY LINE SOUTH 57° 58' 05" WEST 12.00 FEET; THENCE ALONG THE NORTHEASTERLY LINES OF LOTS 1, 3, 5, 7, 9 AND 11 OF SAID BLOCK 9, SOUTH 32° 02' 25" EAST 297.22 FEET; THENCE NORTH 57° 57' 35" EAST 8.00 FEET TO THE CENTER OF AN ALLEY (NOW ABANDONED), AS SAID ALLEY

IS SHOWN UPON THE MAP ABOVE REFERRED TO; THENCE NORTH 32° 02' 25" WEST ALONG SAID CENTER LINE 197.22 FEET TO AN EXTENSION SOUTHWESTERLY OF THE NORTHWESTERLY LINE OF LOT 6 OF SAID BLOCK 9; THENCE NORTH 57° 58' 05" EAST ALONG SAID EXTENSION 4.00 FEET TO THE TRUE POINT OF BEGINNING.

APN: 167-40-067

This document is recorded for the benefit of the City of Los Altos, and is entitled to be recorded free of charge in accordance with Section 6103 of the California Government Code. WHEN RECORDED MAIL TO:

OFFICE OF THE CITY CLERK

City of Los Altos
One North San Antonio Road
Los Altos, California, 94022

CONFORMED COPY: This document has not been compared with the original.
SANTA CLARA COUNTY CLERK-RECORDER

Doc#: 20893609
9/29/2010 2:07 PM

(ABOVE SPACE FOR RECORDER'S USE)

DEED RESTRICTION AND AGREEMENT

THIS DEED RESTRICTION AND AGREEMENT ("**Deed Restriction**") is made as of September 14, 2010, by **The David and Lucile Packard Foundation**, a California nonprofit public benefit corporation ("**Owner**") and the **City of Los Altos** ("**City**") with reference to the following facts and objectives:

RECITALS

WHEREAS, Owner is the record owner of fee simple title to that certain real property located in the City of Los Altos, County of Santa Clara, State of California, commonly known as 343 Second Street, as more particularly described on Exhibit A attached hereto and incorporated herein by this reference ("**Office Building Property**");

WHEREAS, Owner is also the record owner of fee simple title to that certain real property located in the City of Los Altos, County of Santa Clara, State of California, which is used to provide 67 surface automobile parking spaces for the use and benefit of the Office Building Property, is referred to as Assessor's Parcel Numbers 167-41-034, 167-41-036, 167-41-037, 167-40-033, and is more particularly described on Exhibit B attached hereto and incorporated herein by this reference ("**Dedicated Parking Property**")

WHEREAS, Owner is also the record owner of fee simple title to that certain real property located in the City of Los Altos, County of Santa Clara, State of California, located at and commonly known as 350 South San Antonio Road, Los Altos, California, and as more particularly described on Exhibit C attached hereto and incorporated herein by this reference ("**Parking Reservation Property**");

WHEREAS, for convenience, the Office Building Property, the Dedicated Parking Property, and the Parking Reservation Property are sometimes collectively referred to herein as the “**Owner’s Property**”;

WHEREAS, Owner has agreed with the City of Los Altos, a California municipal corporation (“**City**”), by means of a statutory development agreement, dated as of September 14, 2010 (“**Development Agreement**”), enacted, executed by the parties and recorded upon the title to Owner’s Property pursuant to Government Code Sections 65864, et seq., to implement parking mitigation measures associated with a new building on the property by agreeing to at all times (continue to) comply with a previously adopted Alternative Transportation Management Plan (“**ATMP**”) that is referenced in the Development Agreement and is described below. Pursuant to the Development Agreement, the Owner contemplates constructing and occupying a new headquarters office facility (“**Building**”) on the Office Building Property;

WHEREAS, Owner and City have agreed that the terms of the ATMP and the associated Monitoring Program shall bind owner and all successor owners and occupants of Owner’s Property.

WHEREAS, Owner proposes to record this Deed Restriction against the Owner’s Property in furtherance of and in accordance with the requirements and purposes of the Development Agreement.

NOW, THEREFORE, Owner hereby declares and City and Owner agree as follows:

1. Deed Restriction; Compliance with ATMP; Supplemental Parking Requirement. The David and Lucile Packard Foundation Alternative Transportation Management Plan (“**ATMP Program**”) shall (notwithstanding that the term of the Development Agreement may have expired) continue to be operated in perpetuity (and in a manner providing adequate mitigation of potential offsite parking impacts) unless and until (i) the Owner provides up to 85 actual additional parking spaces for the exclusive use of the Building on the Office Building Property (for a total of 152 in conjunction with the existing parking located at the Dedicated Parking Property), in a manner that is approved by the City in the City’s sole good faith judgment, or (ii) until the Building itself is demolished in its entirety. The use and occupancy of the Owner’s Property shall at all times be subject to and in compliance with the terms and obligations of the ATMP, as memorialized in the attached Exhibit D below. Full compliance with the ATMP (and the successful mitigation of the offsite parking impacts contemplated therein) constitutes a condition subsequent to the modification of the City’s otherwise generally applicable parking requirements. For that reason, failure to comply with the ATMP shall require the Owner (and the Office Building Property) to comply in all respects with the City’s generally applicable parking requirements applicable to the Building and the Office Building Property. If the City determines that the ATMP is not successful in the City’s good faith judgment, with reference to the requirements and intent of the ATMP, City

may require Owner to provide up to 85 supplemental parking spaces to service the Office Building Property. The date of issuance of occupancy approvals by the City for the occupancy of the Building is referred to herein as the “**Occupancy Date**”. During the first five (5) years after the Occupancy Date, City may require that such supplemental parking spaces be located upon the Parking Reservation Property, or such other suitable property utilizable for such purposes pursuant to Exhibit D and Exhibit E attached hereto, and the City’s applicable codes and regulations, in which event, Owner shall promptly design and construct such facilities with all due diligence (not to require the payment of overtime or similar extraordinary expenses). If Owner continues to fail to comply with the requirement to provide such supplemental parking, City may take enforcement action consistent with the City Municipal Code and applicable ordinances. At the expiration of the five (5) year period following the Occupancy Date, if the City has determined that the ATMP is satisfactorily accomplishing the goals established herein, a recordable certificate evidencing termination of the Deed Restriction shall be recorded by the City serving so as to release the Parking Reservation Property from the restrictions of this Deed Restriction. The release of the Parking Reservation Property from the affect of these recorded restrictions shall not, however, limit, reduce, modify or excuse the performance of Owner under this Agreement in any way.

2. Modification; Termination. This Deed Restriction may not be modified or terminated without City’s prior written consent. Any instrument purporting to modify or terminate this Deed Restriction shall be recorded in the Official Records of Santa Clara County, California.
3. Monitoring. Owner’s compliance with the ATMP Program (and as a consequence its success in mitigating adverse offsite parking impacts) shall be independently monitored throughout each year in accordance with the monitoring plan attached hereto as Exhibit E and incorporated by this reference (“**Monitoring Program**”). The City’s sole interest in the ATMP Program is that the owners’ and tenant’s employees and visitors do not park in the surrounding community’s streets, neighborhoods, and other nearby parking facilities (“**Neighboring Areas**”). The express intent of the Parking Plan and this Deed Restriction is to prevent the development of the Building and the use of the Office Building Property from causing an impact upon such Neighboring Areas. City shall use its sole good faith judgment in assessing the success of the ATMP Program in meeting these goals.
4. Application to Parking Reservation Property. Owner shall make no use of the Parking Reservation Property that is inconsistent with its use for supplemental parking for a minimum of five (5) years beyond date of occupancy of Owner’s Building on the Office Building Property. The five (5) year period is intended to ensure that this property is available for provision of additional parking should the City determine during that period of time, based upon the monitoring program, and in the City’s sole good faith judgment, that employees and visitors to the Office Building Property are parking in the surrounding public parking facilities, in which event the City may require the provision of additional parking spaces (up to a total of 85 additional spaces for a total of up to 152 spaces in conjunction with the existing 67 spaces currently provided by the Dedicated Parking Property). The ATMP Program shall be monitored for a period of at least five (5)

years. If the ATMP Program has proven to be successful in City's judgment, this reserve-site parking garage requirement would expire (although the requirement to comply with the ATMP and its goals shall continue unabated). The Parking Reservation Property shall be landscaped for the five-year restriction period in a manner approved by the City.

5. California Law. This Deed Restriction shall be construed in accordance with the laws of the state of California.
6. Captions. The captions and headings used in this Deed Restriction are for convenience only and therefore do not constitute a part of this Deed Restriction and do not amplify or limit the meaning of the provisions of this Deed Restriction.
7. Severability. Any provision of this Deed Restriction adjudicated by a court of competent jurisdiction to be invalid or unenforceable for any reason shall be ineffective to the extent that such prohibition or invalidity shall not invalidate or otherwise render invalid or unenforceable any remaining provisions of this Deed Restriction.
8. City's Rights; Attorneys Fees. City shall have the right, but not the obligation, to enforce the provisions described herein. If City or Owner initiates any action at law or in equity to enforce or interpret the terms and conditions of this Deed Restriction and Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs in addition to any other relief to which it may otherwise be entitled. In addition to the foregoing award of attorneys' fees to the prevailing party, the prevailing party in any lawsuit shall be entitled to its attorneys' fees incurred in any post judgment proceedings to collect or enforce the judgment. This provision is separate and several and shall survive the merger of this Agreement into any judgment on this Agreement.
9. Runs with the Land; Successors and Assigns. The terms and conditions of this Deed Restriction shall run with and bind the Owner's Property and shall inure to the benefit of and shall be binding upon Owner and Owner's successors and assigns, and all subsequent owners of all or any portion of the Owner's Property, together with their grantees, successors, heirs, executors, administrators, designees and assigns, until such time as the Building may be demolished in its entirety. This Deed Restriction shall be recorded in the Official Records of Santa Clara County, California.

IN WITNESS WHEREOF, this Deed Restriction and Agreement has been executed by Owner and City as of the day and year first above written.

"CITY"

THE CITY OF LOS ALTOS,
a California municipal corporation

By: 

Mayor

"OWNER"

THE DAVID AND LUCILE PACKARD
FOUNDATION,

a California nonprofit public benefit corporation

By: Carol S. Larson

Name: Carol S. Larson

Title: President and CEO

ATTEST:

Susan Kitchers

City Clerk

APPROVED AS TO FORM:

Joseph A. Morell
City Attorney
Notary Public - Calif.
Santa Clara County
My Comm. Expires Jul 20, 2013

Michelle Blaine
Signature

Commission No. 1828281
My Commission Expires Jul 20, 2013

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA }

ss.

On SEPT. 23, 2016, before me, MILLIE BLAKE, Notary Public, personally appeared CAROL S. LARSON who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in ~~his~~/~~her~~/~~their~~ authorized capacity~~(ies)~~, and that by ~~his~~/~~her~~/~~their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

WITNESS my hand and official seal.

Signature Millie Blake

My commission expires JULY 20, 2013

Commission No. 1858568



Exhibit A

[Attach Legal Description of Office Building Property]

LEGAL DESCRIPTION

Real property in the City of Los Altos, County of Santa Clara, State of California, described as follows:

PARCEL ONE:

ALL OF LOTS 1, 3 AND 5, BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99.

PARCEL TWO:

ALL OF LOTS 7, 9 AND 11, IN BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99.

PARCEL THREE:

PORTION OF LOTS 2 AND 4, IN BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS RECORDED OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99, SANTA CLARA COUNTY RECORDS, WHICH PORTION IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF WHITNEY STREET 50.00 FEET IN WIDTH, SAID POINT BEING THE MOST NORTHERLY CORNER OF LOT 2, IN BLOCK 9, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF BEGINNING SOUTH 57° 57' WEST ALONG THE SOUTHEASTERLY LINE OF WHITNEY STREET, A DISTANCE OF 142.00 FEET TO THE TRUE POINT OF BEGINNING; SAID POINT OF BEGINNING BEING THE MOST WESTERLY CORNER OF SAID LOT 2; THENCE SOUTH 32° 03' EAST ALONG THE SOUTHWESTERLY LINE OF SAID LOTS 2 AND 4 A DISTANCE OF 100.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 4; THENCE NORTH 57° 57' EAST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 4 FOR A DISTANCE OF 18.74 FEET; THENCE NORTH 32° 03' WEST ALONG A LINE PARALLEL WITH SAID SOUTHWESTERLY LINE OF LOTS 2 AND 4 A DISTANCE OF 100.00 FEET TO THE POINT ON THE SOUTHEASTERLY LINE OF WHITNEY STREET; THENCE SOUTH 57° 57' WEST ALONG SAID SOUTHEASTERLY LINE OF WHITNEY STREET A DISTANCE OF 18.74 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL FOUR:

PORTION OF LOTS 2 AND 4, IN BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS RECORDED OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99, SANTA CLARA COUNTY RECORDS, WHICH PORTION IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF WHITNEY STREET 50 FEET IN WIDTH, SAID POINT BEING THE MOST NORTHERLY CORNER OF LOT 2 IN BLOCK 9, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF BEGINNING SOUTH 57° 57' WEST ALONG THE SOUTHEASTERLY LINE OF WHITNEY STREET, A DISTANCE OF 150 FEET TO THE TRUE POINT OF BEGINNING; SAID POINT OF BEGINNING BEING IN THE CENTERLINE OF AN ALLEY 16 FEET

IN WIDTH, AS SHOWN ON THE MAP ABOVE REFERRED TO; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID ALLEY AND PARALLEL WITH THE SOUTHWESTERLY LINE OF LOTS 2 AND 4 IN SAID BLOCK 9, 100 FEET TO A POINT IN THE SOUTHWESTERLY PROLONGATION ON THE SOUTHEASTERLY LINE OF SAID LOT 4; THENCE NORTHEASTERLY ALONG SAID PROLONGED LINE 8 FEET TO THE MOST WESTERLY CORNER OF LOT 6; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF LOTS 2 AND 4 OF BLOCK 9, 100 FEET TO THE SOUTHEAST LINE OF WHITNEY STREET AND THENCE SOUTHWESTERLY ALONG SAID SOUTHEAST LINE OF WHITNEY STREET TO THE POINT OF BEGINNING.

PARCEL FIVE:

PORTION OF LOTS 1, 3, 5, 7, 9 AND 11, IN BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS RECORDED OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99, SANTA CLARA COUNTY RECORDS, WHICH PORTION IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF WHITNEY STREET 50 FEET IN WIDTH, SAID POINT BEING THE MOST NORTHERLY CORNER OF LOT 2 IN BLOCK 9, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF BEGINNING SOUTH 57° 57' WEST ALONG THE SOUTHEASTERLY LINE OF WHITNEY STREET A DISTANCE OF 150 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING IN THE CENTERLINE OF AN ALLEY 16 FEET IN WIDTH (NOW ABANDONED) AS SHOWN ON THE MAP ABOVE REFERRED TO; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID ALLEY AND PARALLEL WITH THE NORTHEASTERLY LINE OF LOTS 1, 3, 5, 7, 9 AND 11 IN BLOCK 9, 300 FEET, MORE OR LESS TO A POINT IN THE NORTHEASTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF SAID LOT 11; THENCE SOUTHWESTERLY ALONG SAID PROLONGED LINE 8 FEET TO THE MOST EASTERLY CORNER OF SAID LOT 11; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF LOTS 1, 3, 5, 7, 9 AND 11 IN SAID BLOCK 9, 300 FEET MORE OR LESS, TO THE SOUTHEASTERLY LINE OF WHITNEY STREET; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE OF WHITNEY STREET 8 FEET TO THE TRUE POINT OF BEGINNING, BEING A PORTION OF THE 16 FOOT WIDE ALLEY (NOW ABANDONED) THROUGH BLOCK 9 AS SHOWN UPON THE MAP ABOVE REFERRED TO.

PARCEL SIX:

PERPETUAL, NON-EXCLUSIVE EASEMENT AND RIGHT-OF-WAY FOR THE USE OF GRANTOR, GRANTEE AND THEIR RESPECTIVE EMPLOYEES, AGENTS, TENANTS AND SUCTOBMER FOR PEDESTRIAN AND VEHICULAR PASSAGE TO PROVIDE EGRESS TO WHITNEY STREET AND INGRESS AND EGRESS TO AND FROM SAN ANTONIO ROAD AND THE ALTOS CENTER SHOPPING COMPLEX OWNED BY GRANTOR, AND TO AND FROM SAN ANTONIO ROAD AND THE PROPERTY CONVEYED TO GRANTEE, PARCEL ONE, ABOVE DESCRIBED, AND TO PROVIDE EGRESS TO WHITNEY STREET FROM SAID PROPERTY OF GRANTEE, AND TO MAINTAIN, REPAIR, MOVE, RELOCATE AND TO ESTABLISH CONNECTIONS AND TAKE-OFF LINES AND COUPLINGS WITH ALL EXISTING SEWER LINES, WATER LINES, GAS MAINS, TELEPHONE WIRES, CONDUITS AND EQUIPMENT AND EXISTING UNDERGROUND POWER LINES LYING IN OR UNDER THE WESTERLY FOUR FEET OF PARCEL ONE, AND ANY ADDITIONAL UNDERGROUND MAINS, WIRES, SEWERS, PIPES, AND CONDUITS FOR PUBLIC UTILITY SERVICES WHICH MAY BE INSTALL PURSUANT TO EXISTING EASEMENT RIGHTS, OVER AND ACROSS THE PARCEL OF REAL PROPERTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF LOT 6, BLOCK 9, MAP NO. 1, TOWN OF LOS ALTOS, A MAP OF WHICH IS FILED IN BOOK "L" OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS; THENCE SOUTH 57°58'05" WEST ALONG AN EXTENSION OF THE NORTHWESTERLY

LINE OF SAID LOT 6 A DISTANCE OF 4.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 57° 58' 05" WEST ALONG SAID LINE 4.00 FEET TO THE CENTERLINE OF AN ALLEY (NOW ABANDONED) AS SAID ALLEY IS SHOWN ON THE MAP ABOVE REFERRED TO; THENCE SOUTH 32° 02' 25" EAST ALONG SAID CENTER LINE 197.22 FEET; THENCE NORTH 57° 57' 35" EAST 20.17 FEET TO A POINT IN THE WESTERLY LINE OF SAN ANTONIO ROAD; THENCE ALONG SAID WESTERLY LINE NORTHERLY ON A CURVE TO THE LEFT, HAVING A TANGENT AT SAID POINT WHICH BEARS NORTH 4° 39' 47" EAST AND HAVING A RADIUS OF 853.56 FEET, THROUGH A CENTRAL ANGLE OF 1° 59' 03" FOR AN ARC LENGTH OF 29.56 FEET; THENCE SOUTH 57° 57' 35" WEST 13.43 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 90° FOR AN ARC LENGTH OF 31.42 FEET TO A LINE PARALLEL WITH AND 4.00 FEET DISTANT SOUTHWESTERLY AS MEASURED AT RIGHT ANGLES TO THE SOUTHWESTERLY LINE OF LOTS 10, 8 AND 6 OF SAID BLOCK 9; THENCE NORTH 32° 02' 25" WEST 153.22 FEET TO THE TRUE POINT OF BEGINNING, AS RESERVED IN DEED FROM ALTOS CENTER INCORPORATED, A CORPORATION, TO SAN FRANCISCO FEDERAL SAVINGS AND LOAN ASSOCIATION, RECORDED MARCH 5, 1971 IN BOOK 9244, PAGE 437, SERIES NO. 3964805, OFFICIAL RECORDS.

PARCEL SEVEN:

PERPETUAL, NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF GRANTOR AND ITS TENANTS AND CUSTOMERS AND THE CUSTOMERS OF GRANTOR'S TENANTS IN THE ALTOS CENTER SHOPPING COMPLEX DURING THE DAY TIME AND EVENING HOURS THAT TENANTS IN THE ALTOS CENTER SHOPPING COMPLEX ARE OPEN FOR BUSINESS PURPOSE OF PARKING PRIVATE PASSENGER AUTOMOBILES OVER AND UPON THE PARCEL OF LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF LOT 6, BLOCK 9, MAP NO. 1, TOWN OF LOS ALTOS, A MAP OF WHICH IS FILED IN BOOK "L" OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS; THENCE SOUTH 57° 58' 05" WEST ALONG AN EXTENSION OF THE NORTHWESTERLY LINE OF SAID LOT 6 A DISTANCE OF 4.00 FEET; THENCE SOUTH 32° 02' 25" EAST 2.22 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 32° 02' 25" EAST 66.00 FEET; THENCE NORTH 57° 58' 05" EAST 31.00 FEET; THENCE NORTH 32° 02' 25" WEST 66.00 FEET; THENCE SOUTH 57° 58' 05" WEST 31.00 FEET TO THE TRUE POINT OF BEGINNING, AS RESERVED IN DEED FROM ALTOS CENTER INCORPORATED, A CORPORATION, TO SAN FRANCISCO FEDERAL SAVINGS AND LOAN ASSOCIATION, RECORDED MARCH 5, 1971 IN BOOK 9244 OF OFFICIAL RECORDS, PAGE 437.

PARCEL EIGHT:

AN EASEMENT FOR THE BENEFIT OF GRANTEE, TO MAINTAIN, REPAIR AND PAINT THE EXISTING ALTOS CENTER SIGN, UPON THE PARCEL OF REAL PROPERTY NEXT HEREINAFTER DESCRIBED, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EASEMENT SITE FOR THE PURPOSES HEREINBEFORE SPECIFIED UPON THAT CERTAIN PARCEL OF REAL PROPERTY IN THE CITY OF LOS ALTOS, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A STRIP OF LAND TWO (2.00) FEET IN WIDTH, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF LOT 6, BLOCK 9, MAP NO. 1, TOWN OF LOS ALTOS, A MAP OF WHICH IS FILED IN BOOK "L" OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS; THENCE SOUTH SOUTH 57° 58' 05" WEST ALONG AN EXTENSION OF THE NORTHWESTERLY LINE OF SAID LOT 6 A DISTANCE OF 8.00 FEET TO THE CENTER LINE OF AN ALLEY (NOW ABANDONED), AS SAID ALLEY IS SHOWN ON THE MAP ABOVE REFERRED TO;

THENCE SOUTH 32° 02' 25" EAST ALONG SAID CENTER LINE 197.53 FEET; THENCE SOUTH 82° 18' 30" EAST 3.50 FEET TO THE TRUE POINT OF BEGINNING OF SAID CENTER LINE DESCRIPTION; THENCE SOUTH 82° 18' 30" EAST TO A POINT IN THE WEST LINE OF SAN ANTONIO ROAD AND THE TERMINUS OF SAID CENTER LINE DESCRIPTION, AS GRANTED IN INSTRUMENT EXECUTED BY SAN FRANCISCO SAVINGS AND LOAN ASSOCIATION, A FEDERAL SAVINGS AND LOAN ASSOCIATION, GRANTOR, TO ALTOS CENTER, INCORPORATED, A CORPORATION, GRANTEE, RECORDED JUNE 18, 1971 IN BOOK 9380, PAGE 542. SERIES NO. 4030639, OFFICIAL RECORDS, AND RE-RECORDED JULY 13, 1971 IN BOOK 9415, PAGE 405, SERIES NO. 4047512, OFFICIAL RECORDS.

APN: 167-40-074

LEGAL DESCRIPTION

Real property in the Town of Los Altos, County of Santa Clara, State of California,
described as follows:

ALL OF LOT 12, IN BLOCK 9, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99.

TOGETHER WITH ALL THAT PORTION OF THE SOUTHWESTERLY 8 FEET OF THE ALLEY WHICH WAS ABANDONED BY RESOLUTION NO. 68-65 OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AND RECORDED AUGUST 20, 1968 IN BOOK 8235, PAGE 282, OFFICIAL RECORDS, AND LYING SOUTHEASTERLY OF THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF LOT 12, AS SHOWN ON THE MAP ENTITLED, "MAP NO. 1 OF THE TOWN OF LOS ALTOS," FILED OCTOBER 25, 1907 IN BOOK L OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO THE CITY OF LOS ALTOS BY GRANT DEED RECORDED AUGUST 11, 1981, BOOK G267, PAGE 387, INSTRUMENT NO. 7135348, OFFICIAL RECORDS.

APN: 167-40-070

Exhibit B

[Attach Legal Description of Dedicated Parking Property]

LEGAL DESCRIPTION

Real property in the City of Los Altos, County of Santa Clara, State of California, described as follows:

LOT 10, BLOCK 11, AS SHOWN ON MAP NO. 1 OF THE TOWN OF LOS ALTOS, FILED OCTOBER 25, 1907 IN BOOK L OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS.

APN: 167-41-034

LEGAL DESCRIPTION

Real property in the City of Los Altos, County of Santa Clara, State of California, described as follows:

ALL OF LOT 14, IN BLOCK 11, AS SHOWN ON THAT CERTAIN MAP ENTITLED, " MAP NO. 1 OF THE TOWN OF LOS ALTOS," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON OCTOBER 25, 1907, IN BOOK L OF MAPS PAGE(S) 99.

APN: 167-41-036

LEGAL DESCRIPTION

Real property in the City of Los Altos, County of Santa Clara, State of California, described as follows:

LOT 16, BLOCK 11, AS SHOWN ON MAP NO. 1 OF THE TOWN OF LOS ALTOS, FILED OCTOBER 25, 1907 IN BOOK L OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS.

APN: 167-41-037

LEGAL DESCRIPTION

REAL PROPERTY in the City of Los Altos, County of Santa Clara, State of California, described as follows:

Lot 29 in Block 8, so designated and delineated on the Map No. 1 of the Town of Los Altos recorded October 25, 1907 in Book "L" of Maps, page 99, Santa Clara County Records.

APN: 167-40-033

ARB: 167-40-33

Exhibit C

[Attach Legal Description of Parking Reservation Property]

LEGAL DESCRIPTION

Real property in the Town of Los Altos, County of Santa Clara, State of California, described as follows:

PARCEL ONE:

ALL OF LOTS 6 AND 8, AND A PORTION OF LOT 10, IN BLOCK 9, AND A PORTION OF AN ALLEY (NOW ABANDONED) IN SAID BLOCK 9, AS SHOWN UPON THAT CERTAIN MAP ENTITLED "MAP NO. 1 OF THE TOWN OF LOS ALTOS", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON OCTOBER 25, 1907 IN BOOK L OF MAPS, AT PAGE 99, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 6 OF SAID BLOCK 9; THENCE TRUE SOUTH ALONG THE EASTERLY LINE OF LOTS 6, 8 AND 10 OF SAID BLOCK 9, A DISTANCE OF 165.01 FEET TO THE MOST NORTHERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED IN THE DEED TO THE CITY OF LOS ALTOS, A MUNICIPAL CORPORATION, RECORDED FEBRUARY 26, 1968 IN BOOK 8035 OF OFFICIAL RECORDS, PAGE 128, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL OF LAND, BEING ON A TANGENT CURVE TO THE RIGHT, WITH A RADIUS OF 853.56 FEET, THROUGH A CENTRAL ANGLE OF 6° 52' 20", FOR AN ARC LENGTH OF 102.38 FEET TO THE CENTER LINE OF AN ALLEY (NOW ABANDONED) IN SAID BLOCK 9 ABOVE REFERRED TO; THENCE NORTH 32° 02' 25" WEST ALONG SAID CENTER LINE 223.22 FEET TO A POINT IN THE SOUTHWESTERLY EXTENSION OF THE NORTHWESTERLY LINE OF SAID LOT 6 IN BLOCK 9; THENCE NORTH 57° 58' 05" EAST ALONG SAID SOUTHWESTERLY EXTENSION AND ALONG THE NORTHWESTERLY LINE OF SAID LOT 6 IN BLOCK 9 A DISTANCE OF 146.92 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND THAT WOULD PASS BY OPERATION OF LAW BY THE CONVEYANCE TO THE CITY OF LOS ALTOS, RECORDED FEBRUARY 26, 1968 IN BOOK 8035 OF OFFICIAL RECORDS, PAGE 128.

PARCEL TWO:

A PERMANENT NON-EXCLUSIVE EASEMENT AND RIGHT OF WAY FOR PEDESTRIAN AND VEHICULAR PASSAGE AND FOR INGRESS AND EGRESS, AND TO MAINTAIN, REPAIR, MOVE, RELOCATE, AND TO ESTABLISH CONNECTIONS AND TAKE-OFF LINES AND COUPLINGS WITH ALL EXISTING SEWER LINES, WATER LINES, GAS MAINS, TELEPHONE WIRES, CONDUITS, AND EQUIPMENT AND EXISTING UNDERGROUND POWER LINES NOW LYING IN OR UNDER THE REAL PROPERTY HEREINAFTER DESCRIBED AND ANY ADDITIONAL UNDERGROUND MAINS, WIRES, SEWERS, PIPES AND CONDUITS FOR PUBLIC UTILITY SERVICES WHICH MAY BE INSTALLED PURSUANT TO EXISTING EASEMENT RIGHTS OVER, ALONG, AND ACROSS THE SERVIENT TENEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF LOT 6, BLOCK 9, MAP NO. 1. TOWN OF LOS ALTOS, A MAP OF WHICH WAS FILED IN BOOK "L" OF MAPS, PAGE 99, SANTA CLARA COUNTY RECORDS SOUTH 57° 58' 05" WEST ALONG AN EXTENSION OF THE NORTHWESTERLY LINE OF LOT 6 OF SAID BLOCK 9 FOR A DISTANCE OF 4.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 32° 02' 25" WEST 100.00 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF WHITNEY STREET; THENCE ALONG THE SOUTHEASTERLY LINE SOUTH 57° 58' 05" WEST 12.00 FEET; THENCE ALONG THE NORTHEASTERLY LINES OF LOTS 1, 3, 5, 7, 9 AND 11 OF SAID BLOCK 9, SOUTH 32° 02' 25" EAST 297.22 FEET; THENCE NORTH 57° 57' 35" EAST 8.00 FEET TO THE CENTER OF AN ALLEY (NOW ABANDONED), AS SAID ALLEY

IS SHOWN UPON THE MAP ABOVE REFERRED TO; THENCE NORTH 32° 02' 25" WEST ALONG SAID CENTER LINE 197.22 FEET TO AN EXTENSION SOUTHWESTERLY OF THE NORTHWESTERLY LINE OF LOT 6 OF SAID BLOCK 9; THENCE NORTH 57° 58' 05" EAST ALONG SAID EXTENSION 4.00 FEET TO THE TRUE POINT OF BEGINNING.

APN: 167-40-067

Exhibit D

ALTERNATIVE TRANSPORTATION MANAGEMENT PLAN

The David and Lucile Packard Foundation (“**Owner**”) is committed to providing alternatives to commuting to work in single occupancy vehicles (“**SOV**”). In 2007, the Owner developed an Alternative Transportation Demand Management Plan (“**ATMP**”) with the express goal of reducing single car commuting, thereby reducing carbon output. The Owner successfully implemented a number of measures between 2007 and 2010 to facilitate this change in transportation choices and, as a result, Owner staff’s SOV commuting has decreased significantly. By January 2010, 21% of all staff onsite at peak hours had arrived by alternative means.

Strategies employed to encourage alternates to SOV commuting include providing shuttling from Cal Train and VTA stations, providing Cal Train and VTA passes, Eco and Go passes, car pooling, emergency ride home guarantees, telecommuting, biking, walking, providing ride-share sites and an onsite car-share program. Potential future strategies may, as necessary, include intensive communications campaigns, provision of remote lots and shuttling, provision of added parking spaces, rewards for not driving alone, and charging for parking. Other strategies may be developed over time as ATMP’s around the region and the country become more sophisticated and are adopted into the Owner’s ATMP.

The Owner’s ATMP shall be deployed to ensure that no employee of the Owner arrives at the Office Building Property site and cannot find a parking space in a Owner-provided parking facility. The primary goal of the ATMP is to reduce the Owner’s carbon footprint without impacting available public parking in the surrounding neighborhoods. Therefore the ATMP shall always be managed so as to balance parking demand with Owner-provided parking supply. The Dedicated Parking Property already supplies 67 parking spaces.

This ATMP requires that any employee parking demand beyond the 67-provided spaces shall be reduced to no more than 67 through deployment of the ATMP. The Owner shall be solely responsible for managing their ATMP to accomplish the goals and outcomes agreed upon in the Development Agreement.

A monitoring program shall be implemented by the City to ensure that the City and the Owner have timely information on whether the Owner is in compliance. The measure of compliance is that employees are not parking in public spaces in the surrounding neighborhoods. Failure to balance parking demand with parking supply shall then result in the Owner having to provide added parking spaces. See attached Exhibit E.

Visitor and guest parking shall be managed by the Owner according to the same goals as for employees. Visitors and guests, almost all of whose visits are prearranged, will be directed to park in a Owner provided parking facility, or directed to a satellite parking lot and shuttled, if

necessary, to the Office Building Property site. This is consistent with the current Owner operational plan for managing visitors and guests at its "Taaffe House" convening center in Los Altos Hills. Monitoring of guest and visitor parking shall be provided per the City's Monitoring Program. See attached Exhibit E.

The Owner shall continue its ATMP in perpetuity or until the building itself is demolished in its entirety.

The ATMP is a requirement of the Development Agreement between the City of Los Altos and The David and Lucile Packard Foundation and shall be binding up all successor owners, tenants, or other occupants of the Office Building Property.

Exhibit E

ATMP MONITORING PROGRAM

The David and Lucile Packard Foundation (“**Owner**”) is committed to encouraging its employees to utilize alternatives to commuting in single occupancy vehicles. The current ATMP has successfully implemented a number of measures to facilitate a change in transportation choices. [See Exhibit D above for more details concerning The David and Lucile Packard Foundation ATMP.]

The primary goal of the ATMP is to reduce the Owner’s carbon footprint without impacting available public parking in the surrounding neighborhoods. In order to ensure that employees are not parking outside of Owner-provided parking areas, a rigorous monitoring and reporting system, summarized herein, will be implemented.

All employees at the 343 Second Street facility (e.g. the “**Office Building Property**”) will be required to provide the license plate numbers for the vehicles they may drive to work. They will be informed as to where they should park and where they should not. The only acceptable parking for employees shall be Owner-provided parking areas. An independent third party will be retained, at the Owner’s expense, to survey public parking areas located within 500 feet of the 343 Second Street building during normal business hours. If a Owner employee vehicle is identified in any of these areas, and assuming that the employee is not engaged in doing business with a merchant or service provider, the employee will be notified and required to immediately move his/her vehicle to an Owner-provided parking area. In addition, the Owner shall take appropriate actions, as necessary, to ensure compliance with its ATMP by all employees.

The Owner and the City shall collaborate in identifying and selecting an independent third party monitoring entity. That entity shall work with the City and the Owner to propose the most up-to-date methodology to attain the ATMP’s goal of preventing impacts upon parking areas within 500 feet of the 343 Second Street building during normal business hours through monitoring and reporting. The City shall have final approval of the methodology of the Monitoring Program. The Owner shall reimburse the City for reasonable costs of the Monitoring Program in a manner acceptable to the City.

Monitoring shall be conducted quarterly without prior notice to the Owner. Results will be reported to the City and the Owner. The City, at its discretion, may choose to reduce the frequency of monitoring after such time as the ATMP has been shown to consistently meet the goals and objectives of the ATMP.

After the first year, or earlier if warranted, and each year thereafter, the Owner shall meet with the City Manager to review the effectiveness of the ATMP and its effect on public parking within the 500 foot target radius of the Office Building Property. Modifications may be made by the City or the Owner as approved by the City, if warranted, to improve the efficacy of the ATMP. If the City determines, in the exercise of its good faith judgment that the ATMP has

failed to eliminate the adverse parking impacts, the Office Building Property and all of its improvements shall be subject to the City's generally applicable parking requirements.

After five years of monitoring, the City and the Owner shall review the overall effectiveness of the ATMP. If Owner employees have been consistently parking only in Owner-provided parking areas, and they are not negatively affecting the surrounding public parking supply, the City may, in its good faith judgment, eliminate the requirement for monitoring in further years.

The 350 South San Antonio property set aside shall extinguish after five years, provided that ATMP is found to be successful as of that time.

If, after monitoring for one year, the City determines that the overall effectiveness of the ATMP is not meeting its goals, the City shall inform the Owner of such noncompliance, including the number of parking spaces needed in order to become compliant, and direct the Owner to cure its noncompliance within six months through more effective deployment of its ATMP. If, after the six month grace period, the Owner is still found to be noncompliant, the City shall require the Owner to immediately move to provide additional parking spaces within a 500 foot radius sufficient to become compliant, up to a maximum of 85 spaces. Additional parking spaces may be provided at the 350 South San Antonio property (e.g. the "**Parking Reservation Property**") which has been set aside for this purpose or at other sites as the Owner may legally provide for such purpose and which are acceptable to the City. Added parking spaces shall be provided in as timely a manner as possible.

A determination of noncompliance shall include provisions for reasonable occasional situations such as employees on personal or Owner business needing to access a local business within the 500 foot target area for a limited period of time to drop off or pick up items and other similar situations unrelated to the direct use of the Owner's Property itself.

Guests and visitors to the Owner will be encouraged to use alternative transportation means to access the Office Building Property. Should they choose to drive to the site, they shall be required to park in Owner-provided parking areas and avoid using public parking spaces within a 500 foot radius. Since almost all visitors and guests have prearranged their visit to the site, they will be provided with a Owner-provided parking space to use. If sufficient spaces are not, or will not be, available, the Owner will arrange for remote parking and shuttling, as it does currently with visitors and guests to its "Taaffe House" convening center in Los Altos Hills. The Monitoring Program shall include methodologies for monitoring guests and visitors similar to the employee monitoring plan, using license plates or equally effective methods acceptable to the City. The Owner shall cooperate with the City in obtaining information required to ensure effective monitoring results.



Community Development Department

One North San Antonio Road
Los Altos, California 94022-3087

June 28, 2010

Linda Rhodes
RhodesDahl
9 Cordes Street
Charleston, SC 29401

SECTION I

At its May 11, 2010 meeting the City Council approved Design Review and Development Agreement applications 08-D-06 and 10-DA-01 for an office building and off-site parking.

Project Address: 343 Second Street

SECTION II

The applications were:

- Approved.** Prior to submittal for Building permits, applicant shall submit to the Planning Division five (5) sets of complete construction plans incorporating these Conditions of Approval into the title page. Please call the project planner to make an appointment to review and approve the plans prior to submittal to the Building Department.
- Denied.**
- Continued to:**
- Conditions:** See Attachment
- Other agency comments:** Santa Clara County Fire Department
- Enclosures:** Commercial Submittal Requirements for a Building Permit, and Commercial Plan Check Application

Copies to:

Carol S. Larson, President and CEO
The David and Lucile Packard Foundation
300 Second Street
Los Altos, Ca 94022

City of Los Altos
Building Division
Engineering Division

David Kornfield, AICP
Planning Services Manager



CONDITIONS

08-D-06 & 10-DA-01—343 Second Street

GENERAL

1. The project approval is based on the plans received April 8, 2010 and as amended by these conditions.
2. The project shall comply with the Urban Runoff Pollution Prevention Program regulations in place at the time of construction. The improvement plans shall include the "Blueprint for a Clean Bay" plan sheet as page 2 in all plan submittals.
3. The applicant shall resubmit the current Storm Water Pollution Prevention Plan (SWPPP) to the City Engineer before July 1, 2010 to comply with new permit requirements.
4. The recommendations from the Storm Water Management Plan (SWMP) shall be shown on the building plans.
5. Improvements shall comply with Americans with Disabilities Act (ADA) requirements.
6. The property owner shall maintain the Rain Garden Detention and Treatment Areas along Second Street including the plantings and the constructed elements as shown on the Grading and Drainage Plan (Page C3.0).
7. Any proposed sewer lateral connections shall be approved by the City Engineer.
8. The terms of the Development Agreement shall be negotiated between the applicant and the City Manager in a form approved by the City Attorney consistent with Resolution No. 2008-39 setting forth the fees and procedures for development agreements.
9. The applicant agrees to hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal Court, challenging the City's action with respect to the applicant's project.

PRIOR TO SUBMITTAL FOR A BUILDING PERMIT

10. The Development Agreement shall be reviewed and approved by the City Council at a public hearing in a form approved by the City Attorney.

11. The landscape plan shall be revised to include the property at 350 S. San Antonio Road as required by the Community Development Director. Such plan shall be compatible with the Streetscape Improvement Plan for San Antonio Road and shall provide for future parking on the site as required by the Community Development Director.

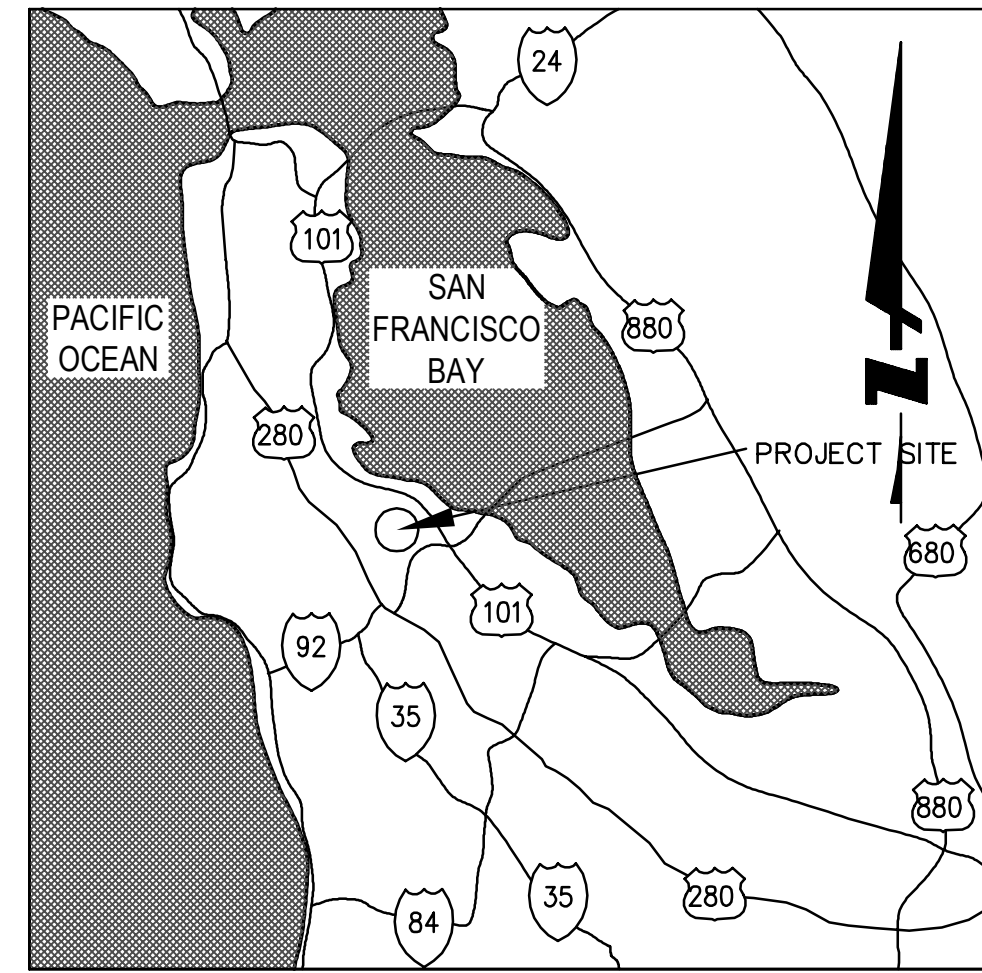
PRIOR TO ISSUANCE OF BUILDING PERMIT

12. The property owner shall record a Development Agreement as approved by the City Council and in a form approved by the City Attorney.
13. The off-site parking lots shall be maintained as required parking for the project unless otherwise approved by the City Council. Such properties shall have a deed restriction recorded in a form approved by the City Attorney.
14. The applicant shall record a lot merger or lot line adjustment to combine the lots where the new building will be located so the new building does not cross property lines. Plats and legal descriptions of the Lot Merger shall be submitted for review by the City Land Surveyor. Applicant shall provide a sufficient fee retainer to cover the cost of the Lot Merger application.
15. For the underground stormwater cisterns, the applicant shall obtain concurrence of the design from Santa Clara County Vector Control.
16. The applicant shall submit on-site grading and drainage plans that include (i.e. drain swales, drain inlets, rough pad elevations, building envelopes, drip line of major trees, elevations at property lines, all trees) for approval by City staff. No grading or building pads are allowed within two-thirds of the drip line of trees unless authorized by a certified arborist and the Planning Department. All newly constructed or remodeled loading docks shall be covered, protected from water run-on, and drain to the sanitary sewer through an approved fail-safe valve and approved treatment.
17. The applicant shall submit plan and profiles of the proposed utilities and existing utilities. The applicant shall verify that the City system is adequately sized to handle the proposed flow.
18. The recommendations from the Storm Water Management Plan (SWMP) shall be shown on the building plans. The SWMP must be reviewed and approved by a third party consultant at the applicant's expense prior to approval by the Engineering Division.
19. All work within the public right-of-way shall be done in accordance with plans to be approved by the City Engineer.
20. The applicant shall submit a cost estimate for review for work in the public right-of-way and shall submit a 100 percent cash deposit (to be held until acceptance of improvements) in an amount as approved by the City Engineer.
21. The applicant shall contact Mission Trail Waste Systems and submit a solid waste disposal plan indicating the type and size of containers proposed and the frequency of pick-up service subject to the approval of the Engineering Department. The applicant shall submit evidence that Mission Trail Waste System has reviewed and approved the size and location of the proposed enclosure for recyclables. The enclosure shall be roofed to prevent rainwater from mixing with the enclosure's contents and then draining out and into the storm drain or sewer system. The enclosure's pad shall be designed to not drain outward, and the grade surrounding the enclosure designed to not drain into the enclosure.

PRIOR TO OCCUPANCY

22. The applicant shall repair the Lyell Street/Whitney Street alleyway as directed by the City Engineer.
23. A one-year, ten percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way.
24. The applicant shall label all new or existing public and private catch basin inlets which are on or directly adjacent to the site with the “NO DUMPING-FLOWS TO BAY.”
25. The applicant shall construct an at-grade, mid-block crosswalk opposite the parking lots on Second Street. The mid-block crosswalk design shall use the special paving as shown in the Streetscape Improvement Plan for San Antonio Road and have appropriate sight-distance, markings and signage for pedestrian safety as required by the City Engineer.
26. The applicant shall remove and replace any broken, cracked, or damaged sidewalk (and/or curb and gutter) and remove any abandoned driveway approaches as directed by the City Engineer. The applicant shall also provide improvements (sidewalk, curb and gutter, landscaping, street) along the frontage of the property (on San Antonio Road, Second Street and Whitney Street). These improvements shall be in accordance to City standards and with the plans to be approved by the City Engineer.
27. Flashing yellow lights are desired at the San Antonio Road crosswalk at the intersection of San Antonio Road and Whitney Street/Lyell Street.
28. The applicant shall submit a recorded maintenance agreement for the storm water treatment methods including the rain garden system in accordance with the Storm Water Management Plan.
29. The applicant shall underground the overhead utilities along the northeast frontage of the project along the public and private alley as shown on the project’s Site Utility Plan (Page C4.0).
30. All on-site and off-site landscaping shall be implemented in accordance with the approved plans as required by the Community Development Department.

Date	Revisions	No.
08/23/2021	Scale AS SHOWN	
	Design DJP	
	Drawn DJP	
	Approved D.J.L.	
	Job No. 20191214-10	



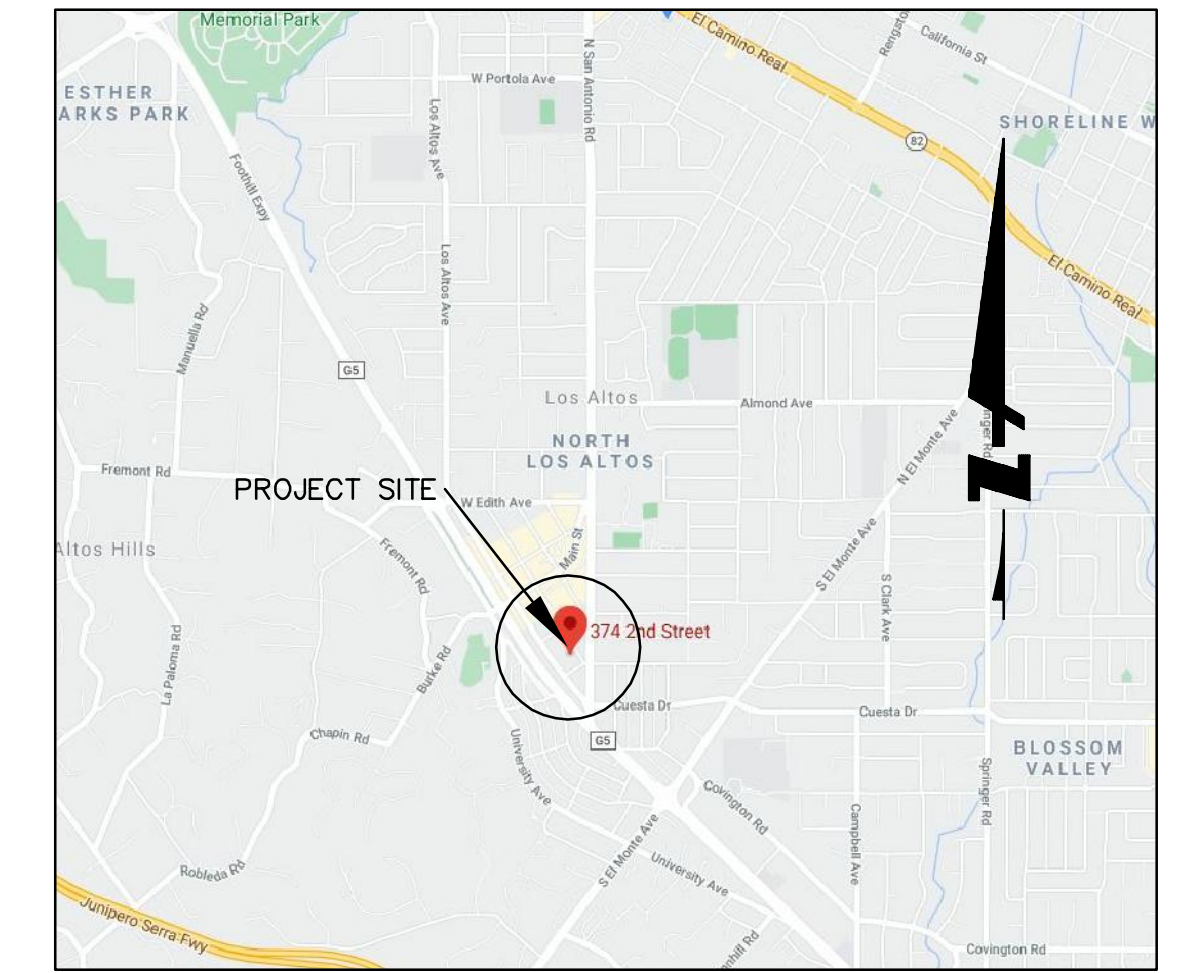
VICINITY MAP
N.T.S.

PACKARD FOUNDATION PARKING LOT

374 SECOND STREET

LOS ALTOS, CA

APN: 167-41-034, -035, -036, -037, -038



LOCATION MAP
N.T.S.

ABBREVIATIONS:

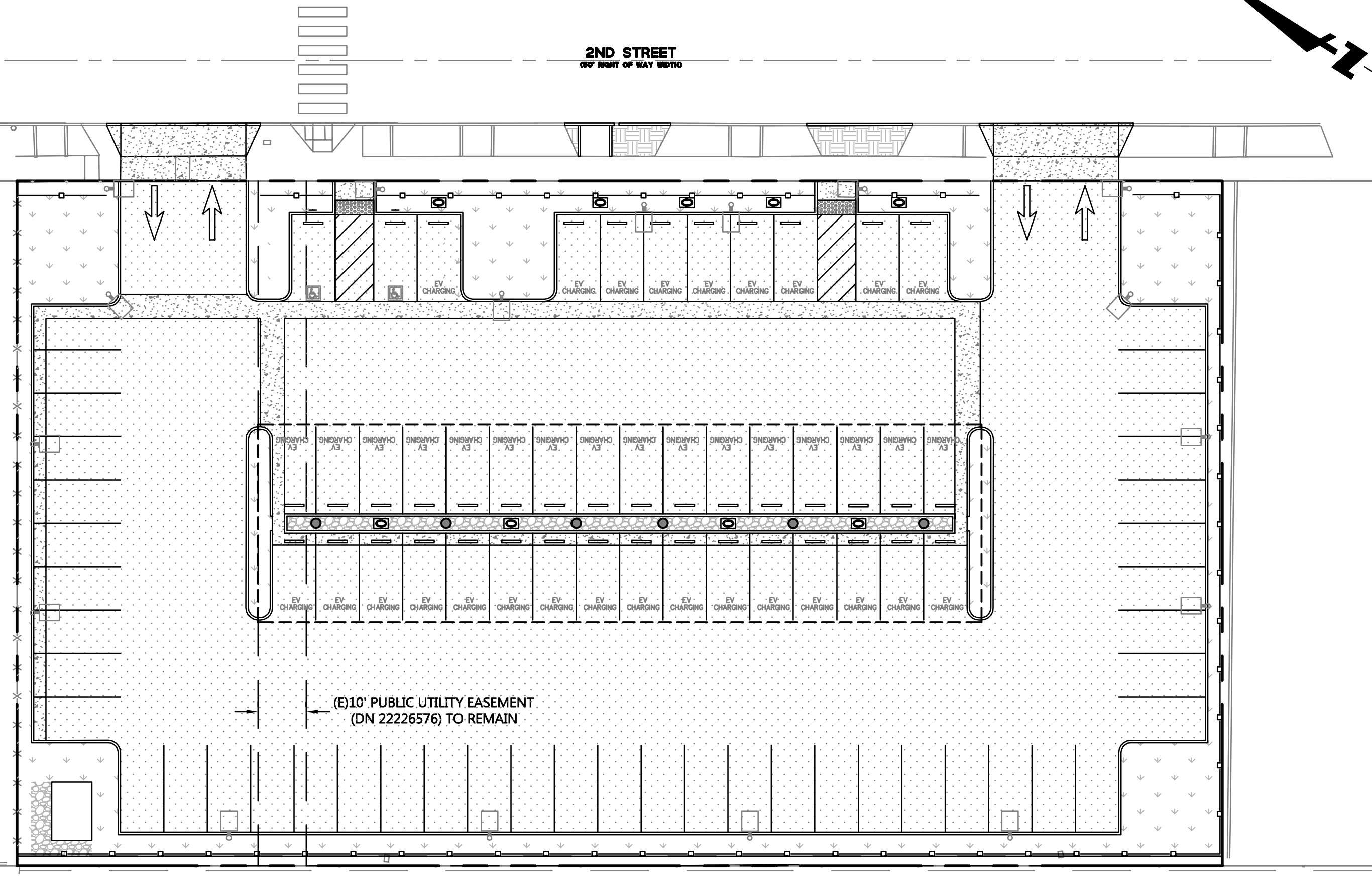
AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
AD	AREA DRAIN
ATD	ATRIUM DRAIN
BFPD	BACK FLOW PREVENTION DEVICE
BSTD	BRICKSLOT TRENCH DRAIN
BW	BOTTOM OF WALL ELEVATION
CB	CATCH BASIN
COA	CONDITIONS OF APPROVAL
CL	CENTER LINE
CS	CRAWL SPACE ELEVATION
CIP	CAST IRON PIPE
CONC	CONCRETE
DD	DECK DRAIN
DDCV	DOUBLE DETECTOR CHECK VALVE
DIP	DUCTILE IRON PIPE
DS	ROOF DOWN SPOUT
DW	DOMESTIC WATER LINE
DWL	DRYWELL CATCH BASIN
DWY	DRIVEWAY
(E)	EXISTING
EG	EXISTING GRADE
ELEC	ELECTRICAL
EM	ELECTRICAL METER
EP	EDGE OF PAVEMENT
FC	FACE OF CURB ELEVATION
FDC	FIRE DEPARTMENT CONNECTION
FF	FINISHED FLOOR ELEVATION
FG	FINISHED GROUND ELEVATION
FL	FLOW LINE ELEVATION
FM	FORCE MAIN LINE
FS	FINISHED SURFACE ELEVATION
FP	FINISHED PAVEMENT ELEVATION
FW	FIRE WATER LINE
GB	GRADE BREAK
GM	GAS METER
GR	GRATE ELEVATION
GV	GATE VALVE
HP	HIGH POINT
INV	INVERT ELEVATION
JT	JOINT TRENCH
JP	JOINT POLE
LD	LANDSCAPE DRAIN
LF	LINEAR FEET
LP	LOW POINT
(N)	NEW
PIV	POST INDICATOR VALVE
PKG	PARKING
RET	RETAINING WALL
RIM	RIM ELEVATION
S	SLOPE
SAP	SEE ARCHITECTURAL PLANS
SBD	STORM SUB DRAIN
SBDCCO	STORM SUB DRAIN CLEANOUT
SD	STORM DRAIN
SDCO	STORM DRAIN CLEANOUT
SGR	SEE GEOTECHNICAL REPORT
SIGB	SIDE INLET CATCH BASIN
SIP	SEE LANDSCAPE PLANS
SPP	SEE PLUMBING PLANS
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
SSP	SEE STRUCTURAL PLANS
TW	TOP OF WALL ELEVATION
TYP	TYPICAL
USD	UNDERSLAB DRAIN
VD	PIPE VERTICAL DROP
W	WATER METER
WM	WATER METER

SHEET INDEX

CIVIL	
SHEET NO.	DESCRIPTION
CO.0	TITLE SHEET
C1.1	EXISTING CONDITIONS
C2.0	LOT LINE ADJUSTMENT PLAN
C2.1	SITE PLAN
C2.2	ALTERNATIVE SITE PLAN
C3.1	GRADING AND DRAINAGE PLAN
C3.2	CONSTRUCTION MANAGEMENT PLAN
C3.3	CONSTRUCTION BMP SHEET
C4.1	STORMWATER CONTROL PLAN
C5.1	CARPORT ELEVATIONS
C5.2	SITE RENDERINGS
C5.3	SITE RENDERINGS
C5.4	CARPORT MATERIAL BOARD
LANDSCAPE	
SHEET NO.	DESCRIPTION
L1.00	MATERIALS PLAN
L1.01A	PLANTING PLAN
L1.01B	ADD ALTERNATE - PLANTING PLAN
L1.02	PLANT OPTIONS & CHARACTER IMAGES
ELECTRICAL	
SHEET NO.	DESCRIPTION
E1.0	ELECTRICAL SITE PLAN
LIGHTING	
SHEET NO.	DESCRIPTION
LD-1	LIGHTING DESIGN PLAN
LD-2	LIGHTING DESIGN NOTES

PROJECT INFORMATION:

- PROJECT PARCELS:
167-41-034 7,101.7 SF (0.163 ACRES)
167-41-035 7,101.7 SF (0.163 ACRES)
167-41-036 7,101.7 SF (0.163 ACRES)
167-41-037 7,101.7 SF (0.163 ACRES)
167-41-038 7,101.7 SF (0.163 ACRES)
TOTAL AREA: 35,508 SF (0.815 ACRES)
- ZONING: CD - COMMERCIAL DOWNTOWN
- GENERAL PLAN LAND USE: DOWNTOWN COMMERCIAL
- CARPORT STRUCTURE LOT COVERAGE 6,150 SF (0.14 AC)
MAX LENGTH: 41 FT
MAX WIDTH: 150 FT
MAX HEIGHT: 16 FT



PROJECT DESCRIPTION:

THE PROJECT PROPOSES TO EXPAND AND RECONFIGURE EXISTING PARKING FACILITIES SERVING THE DAVID AND LUCILE PACKARD FOUNDATION LOCATED AT 343 2ND STREET. THREE (3) PARCELS WITH EXISTING ONE WAY PARKING LOTS AND (2) ADJACENT UNDEVELOPED PARCELS WOULD BE MERGED. EXISTING FACILITIES ARE PROPOSED TO BE DEMOLISHED AND/OR SALVAGED AND PARKING IS TO BE RECONFIGURED FOR TWO-WAY CIRCULATION ONTO 2ND STREET. EXISTING ACCESS TO/FROM THE ALLEY WOULD BE REMOVED AND A COMBINATION OF NEW AND EXISTING FENCING WOULD ENCLOSE THE PARKING LOT. AS PART OF IMPROVEMENTS, ACCESSIBLE AND EV CHARGING STALLS WOULD BE CONSOLIDATED AND PEDESTRIAN ACCESS TO 2ND STREET FRONTAGE WOULD BE IMPROVED AND BROUGHT UP TO CURRENT ACCESSIBILITY STANDARDS: A MAXIMUM 16 FT TALL, 6,150 SF CANOPY STRUCTURE IS PROPOSED FOR PHOTOVOLTAIC PANELS. ADDITIONAL SITE AMENITIES WOULD INCLUDE NEW LANDSCAPING, TREES, LIGHTING, AND DRAINAGE IMPROVEMENTS TO COMPLY WITH C.3 STORMWATER REQUIREMENTS.

ENGINEER'S STATEMENT

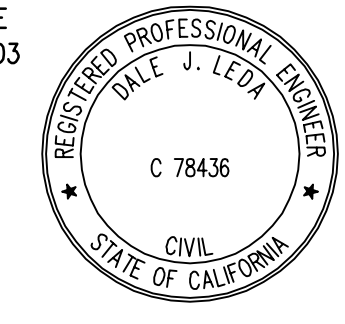
THIS SITE IMPROVEMENT PLAN SUBMITTAL HAS BEEN PREPARED UNDER MY DIRECTION.

BRIAN K. SCOTT
PRINCIPLE
P.E. #61034
BKF ENGINEERS



ENGINEER OF WORK

I HEREBY DECLARE THAT I AM THE CIVIL ENGINEER OF WORK FOR THIS PROJECT AND THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THIS PROJECT AS DEFINED IN SECTION 6703 OF THE STATE OF CALIFORNIA, BUSINESS PROFESSIONAL CODES, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.



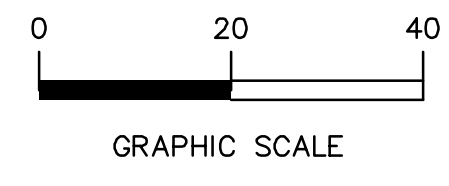
DALE LEDA
PROJECT MANAGER
P.E. #78436
BKF ENGINEERS

PROJECT DESIGN TEAM:

- OWNER: DAVID AND LUCILE PACKARD FOUNDATION
343 2ND STREET
LOS ALTOS, CA, 94022
CONTACT: RYAN MARTINI
(650) 917-7162
- ARBORIST: URBAN TREE MANAGEMENT
P.O. BOX 971 LOS GATOS, CA 95031
CONTACT: MICHAEL YOUNG
(650) 321-0202
- CIVIL: BKF ENGINEERS
255 SHORELINE DR, SUITE 200
REDWOOD CITY, CA 94065
CONTACT: DALE LEDA
(650) 482-6300
- ELECTRICAL: POWERFLEX
392 1ST STREET
LOS ALTOS, CA 94022
CONTACT: CALE SKAGEN
(253) 720-3720
- LANDSCAPE ARCHITECT: JONI L JANECKI & ASSOCIATES INC
515 SWIFT STREET
SANTA CRUZ, CA 95060
CONTACT: JONI L JANECKI
(253) 720-3720
- LIGHTING: BENYA BURNETT CONSULTANCY
501 FILMORE COURT
DAVIS, CA 95616
CONTACT: BENYA BURNETT
(503) 519-9631

PRIOR TO FINAL OCCUPANCY COA:

- PUBLIC ALLEYWAY - THE APPLICANT SHALL IMPROVE THE ENTIRE WIDTH OF THE ALLEYWAY ALONG THE REAR OF THE PROJECT WITH THE TREATMENT APPROVED BY THE CITY ENGINEER
- PUBLIC INFRASTRUCTURE REPAIRS - THE APPLICANT SHALL REPAIR ANY DAMAGED RIGHT-OF-WAY INFRASTRUCTURES AND OTHERWISE DISPLACED CURB, GUTTER AND/OR SIDEWALKS AND CITY'S STORM DRAIN INLET SHALL BE REMOVED AND REPLACED AS DIRECTED BY THE CITY ENGINEER OR HIS DESIGNEE. THE APPLICANT IS RESPONSIBLE TO RESURFACE (GRIND AND OVERLAY) HALF OF THE STREET ALONG THE FRONTAGE OF SECOND STREET IF DETERMINED TO BE DAMAGED DURING CONSTRUCTION, AS DIRECTED BY THE CITY ENGINEER OR HIS DESIGNEE.
- MAINTENANCE BOND - A ONE-YEAR, TEN-PERCENT MAINTENANCE BOND SHALL BE SUBMITTED UPON ACCEPTANCE OF IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY.
- SWMP CERTIFICATION - THE APPLICANT SHALL HAVE A FINAL INSPECTION AND CERTIFICATION DONE AND SUBMITTED BY THE ENGINEER WHO DESIGNED THE SWMP TO ENSURE THAT THE TREATMENTS WERE INSTALLED PER DESIGN. THE APPLICANT SHALL SUBMIT A MAINTENANCE AGREEMENT TO CITY FOR REVIEW AND APPROVAL FOR THE STORMWATER TREATMENT METHODS INSTALLED IN ACCORDANCE WITH THE SWMP. ONCE APPROVED, CITY SHALL RECORD THE AGREEMENT.
- LANDSCAPE AND IRRIGATION INSTALLATION - ALL ON- AND OFF-SITE LANDSCAPING AND IRRIGATION SHALL BE INSTALLED AND APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND THE CITY ENGINEER
- LABEL CATCH BASIN INLETS - THE APPLICANT SHALL LABEL ALL NEW OR EXISTING PUBLIC AND PRIVATE CATCH BASIN INLETS WHICH ARE ON OR DIRECTLY ADJACENT TO THE SITE WITH THE NO DUMPING - FLOWS TO ADOBE CREEK LOGO AS REQUIRED BY THE CITY.



SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT.

DAVID JUNGSMANN, P.L.S. 9267

EXISTING CONDITIONS:

EXISTING TOPOGRAPHIC SURVEY PERFORMED BY BKF ENGINEERS ON OCTOBER 9, 2020 (JOB #20191214). GRADES ENCOUNTERED ON-SITE MAY VARY FROM THOSE SHOWN. CONTRACTOR SHALL REVIEW THE PLANS AND CONDUCT FIELD INVESTIGATIONS AS REQUIRED TO VERIFY EXISTING CONDITIONS AT THE PROJECT SITE.

EXISTING PARKING LOT STALL STRIPING HAS BEEN SHOWN APPROXIMATELY PER THE CITY'S REQUEST FOR REVIEW PURPOSES.

BASIS OF BEARINGS

THE ASSUMED BEARING OF SOUTH 89°59'32" WEST OF THE CENTERLINE OF 2ND STREET, AS SHOWN HEREON, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY.

BENCHMARK STATEMENT

THE ELEVATIONS SHOWN ON THIS SURVEY ARE ASSUMED. BKF POINT NO. 116, A CUT CROSS ON THE NORTHERLY SIDE OF 2ND STREET, AS SHOWN HEREON, WAS TAKEN AS THE SITE BENCHMARK FOR THIS SURVEY.

BKF POINT NO. 116 ELEVATION = 199.61'

UTILITY STATEMENT

UTILITIES SHOWN ON THIS SURVEY ARE BASED UPON SURFACE OBSERVATIONS. NO WARRANTIES ARE EXPRESSED OR IMPLIED CONCERNING THE EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL, OR PUBLIC OWNED. CONTRACTOR(S) SHALL VERIFY ALL UTILITIES PRIOR TO ANY AND ALL CONSTRUCTION ACTIVITIES.

RECORD REFERENCES

- (R1) MAP NO. 1 OF THE TOWN OF LOS ALTOS, FILED FOR RECORD ON OCTOBER 25, 1907 IN BOOK L OF MAPS AT PAGE 99, OFFICIAL RECORDS OF SANTA CLARA COUNTY.
- (R2) LANDS OF FONTANA PARCEL MAP, FILED FOR RECORD ON FEBRUARY 14, 1980 IN BOOK 458 OF MAPS AT PAGES 51 THROUGH 52, OFFICIAL RECORDS OF SANTA CLARA COUNTY.

SURVEYOR'S NOTE

RECORD DISTANCES IN PARENTHESES ARE PER (R1) UNLESS OTHERWISE NOTED.

PARKING STALL COUNT

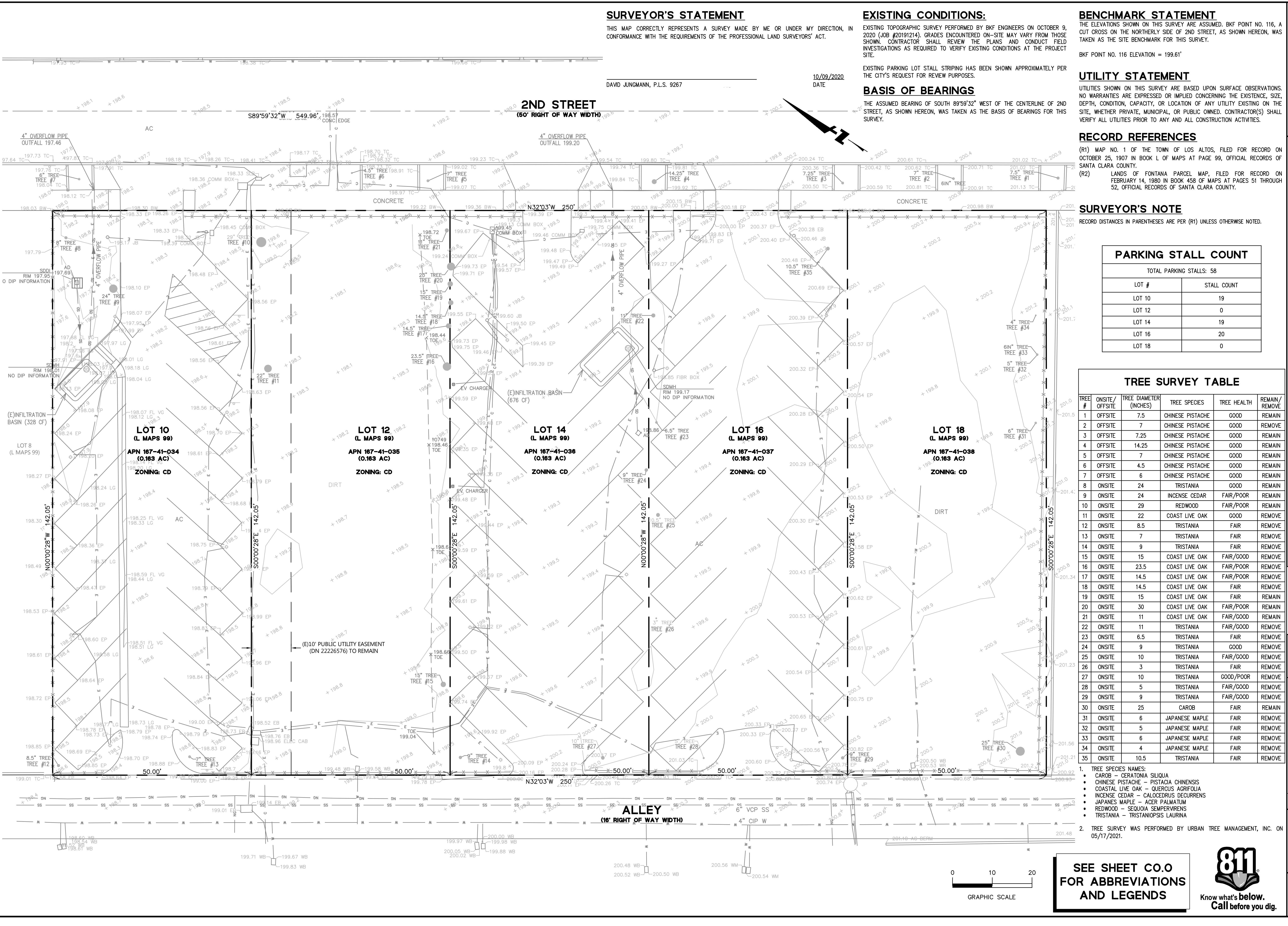
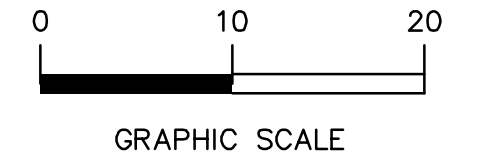
TOTAL PARKING STALLS: 58	
LOT #	STALL COUNT
LOT 10	19
LOT 12	0
LOT 14	19
LOT 16	20
LOT 18	0

TREE SURVEY TABLE

TREE #	ONSITE/OFFSITE	TREE DIAMETER (INCHES)	TREE SPECIES	TREE HEALTH	REMAIN/REMOVE
1	OFFSITE	7.5	CHINESE PISTACHE	GOOD	REMAIN
2	OFFSITE	7	CHINESE PISTACHE	GOOD	REMOVE
3	OFFSITE	7.25	CHINESE PISTACHE	GOOD	REMAIN
4	OFFSITE	14.25	CHINESE PISTACHE	GOOD	REMAIN
5	OFFSITE	7	CHINESE PISTACHE	GOOD	REMAIN
6	OFFSITE	4.5	CHINESE PISTACHE	GOOD	REMAIN
7	OFFSITE	6	CHINESE PISTACHE	GOOD	REMAIN
8	ONSITE	24	TRISTANIA	GOOD	REMAIN
9	ONSITE	24	INCENSE CEDAR	FAIR/POOR	REMAIN
10	ONSITE	29	REDWOOD	FAIR/POOR	REMAIN
11	ONSITE	22	COAST LIVE OAK	GOOD	REMOVE
12	ONSITE	8.5	TRISTANIA	FAIR	REMOVE
13	ONSITE	7	TRISTANIA	FAIR	REMOVE
14	ONSITE	9	TRISTANIA	FAIR	REMOVE
15	ONSITE	15	COAST LIVE OAK	FAIR/GOOD	REMOVE
16	ONSITE	23.5	COAST LIVE OAK	FAIR/POOR	REMOVE
17	ONSITE	14.5	COAST LIVE OAK	FAIR/POOR	REMOVE
18	ONSITE	14.5	COAST LIVE OAK	FAIR	REMOVE
19	ONSITE	15	COAST LIVE OAK	FAIR	REMAIN
20	ONSITE	30	COAST LIVE OAK	FAIR/POOR	REMAIN
21	ONSITE	11	COAST LIVE OAK	FAIR/GOOD	REMAIN
22	ONSITE	11	TRISTANIA	FAIR/GOOD	REMOVE
23	ONSITE	6.5	TRISTANIA	FAIR	REMOVE
24	ONSITE	9	TRISTANIA	GOOD	REMOVE
25	ONSITE	10	TRISTANIA	FAIR/GOOD	REMOVE
26	ONSITE	3	TRISTANIA	FAIR	REMOVE
27	ONSITE	10	TRISTANIA	GOOD/POOR	REMOVE
28	ONSITE	5	TRISTANIA	FAIR/GOOD	REMOVE
29	ONSITE	9	TRISTANIA	FAIR/GOOD	REMOVE
30	ONSITE	25	CAROB	FAIR	REMAIN
31	ONSITE	6	JAPANESE MAPLE	FAIR	REMOVE
32	ONSITE	5	JAPANESE MAPLE	FAIR	REMOVE
33	ONSITE	6	JAPANESE MAPLE	FAIR	REMOVE
34	ONSITE	4	JAPANESE MAPLE	FAIR	REMOVE
35	ONSITE	10.5	TRISTANIA	FAIR	REMOVE

- TREE SPECIES NAMES:
 - CAROB - CERATONIA SILIQUA
 - CHINESE PISTACHE - PISTACIA CHINENSIS
 - COASTAL LIVE OAK - QUERCUS AGRIFOLIA
 - INCENSE CEDAR - CALOCEDRUS DECURRENS
 - JAPANESE MAPLE - ACER PALMATUM
 - REDWOOD - SEQUOIA SEMPERVIRENS
 - TRISTANIA - TRISTANOPSIS LAURINA
- TREE SURVEY WAS PERFORMED BY URBAN TREE MANAGEMENT, INC. ON 05/17/2021.

SEE SHEET C0.0 FOR ABBREVIATIONS AND LEGENDS



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PLOT DATE: 08-21-21
PLOTTED BY: polt



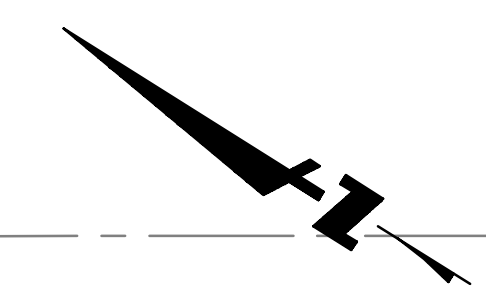
Date	08/23/2021
Scale	1" = 10'
Design	DJP
Drawn	DJP
Approved	D.J.L.
Job No.	20191214-10
Drawing Number:	C2.0

LOT MERGER / EASEMENT NOTES:

- PROJECT PROPOSES TO MERGE APNS: 167-41-034, 167-41-035, 167-41-036, 167-41-037 AND 167-41-038 INTO A SINGLE PARCEL.
- EXISTING PUBLIC UTILITY EASEMENT (DN 22226576) TO REMAIN.

MERGING LOTS RECORDATION:

- SUBMIT FINAL LOT LINE ADJUSTMENT APPLICATION - PLATS AND LEGAL DESCRIPTIONS OF THE LOT LINE ADJUSTMENT MAP SHALL BE SUBMITTED FOR REVIEW BY THE CITY LAND SURVEYOR. APPLICANT SHALL PROVIDE A SUFFICIENT FEE RETAINER TO COVER THE COST OF THE MAP REVIEW BY THE CITY.

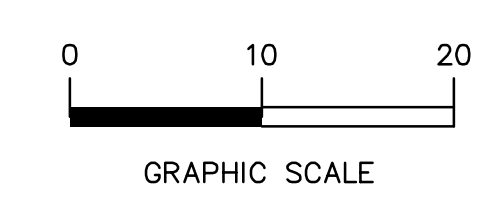


2ND STREET
(60' RIGHT OF WAY WIDTH)

N32°03'W 250'

MERGED LOT
(35,508 SF)
ZONING: CD

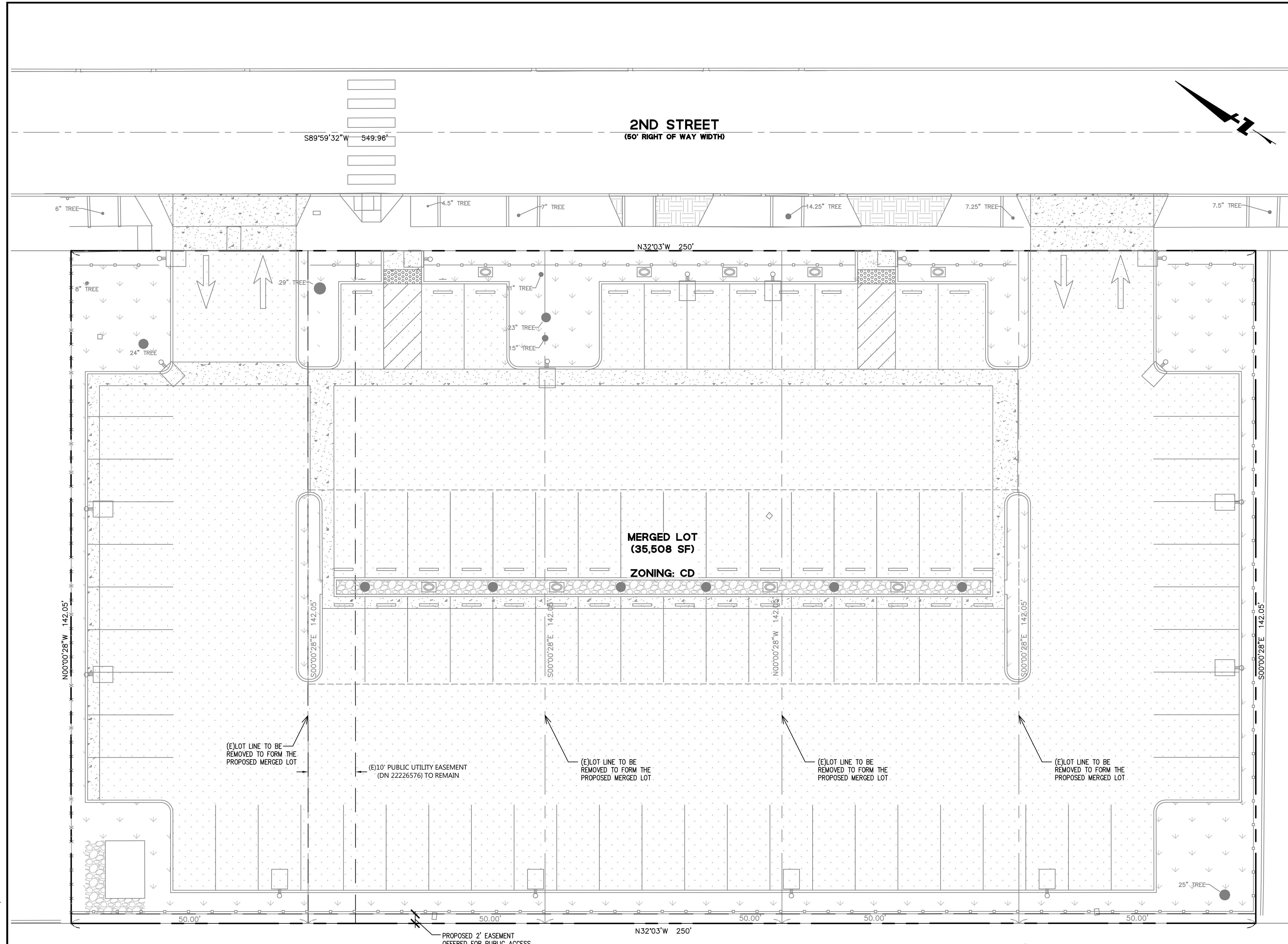
ALLEY
(18' RIGHT OF WAY WIDTH)



SEE SHEET C0.0
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AND LEGENDS



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Date	Revisions	No.
08/23/2021	Scale 1" = 10'	1
	Design DJP	
	Drawn DJP	
	Approved D.J.L.	
	Job No. 20191214-10	

PARKING STALL COUNT

TOTAL PARKING STALLS: 86		
TYPE OF STALL	REQUIRED	PROVIDED
STANDARD	-	43
ACCESSIBLE ¹	2	2
EV ^{2,3}	5	39
EV ACCESSIBLE ^{2,3}	2	2

¹ FOR 26-50 TOTAL STANDARD PARKING STALLS, 2 STALLS ARE REQUIRED TO BE ACCESSIBLE STALLS WITH 1 OF THE 2 STALLS BEING VAN ACCESSIBLE PER THE 2019 CALIFORNIA BUILDING CODE.
² FOR 76-100 TOTAL PARKING STALLS, 5 STALLS ARE REQUIRED TO BE EV STALLS PER THE 2019 CALGREEN REQUIREMENTS.
³ FOR 26-50 TOTAL EV STALLS PROVIDED, 2 STALLS ARE REQUIRED TO BE ACCESSIBLE STALLS WITH 1 OF THE 2 STALLS BEING VAN ACCESSIBLE. 1 STALL IS ALSO REQUIRED TO BE AN AMBULATORY STALL PER THE 2019 CALIFORNIA BUILDING CODE.

TREE COUNT

	ONSITE	OFFSITE
(E) TREES	28	7
(E) TREES REMOVED	21	1
(N) TREES ¹	13	1
TOTAL	20	7

¹ SEE LANDSCAPE PLANS FOR NEW TREES AND PLANTING PLAN.

HATCH LEGEND:

[Hatch Pattern]	AC PARKING LOT PAVING
[Hatch Pattern]	CONCRETE WALKWAY, GUTTER AND DRIVEWAY APRON
[Hatch Pattern]	CRUSHED GRANITE PER LANDSCAPE PLANS
[Hatch Pattern]	LANDSCAPE AREA PER LANDSCAPE PLANS
[Hatch Pattern]	OFFSITE RAIN GARDEN TO MATCH EXISTING STREET RAIN GARDENS

ARBORIST NOTES:

- REFER TO TREE SURVEY PERFORMED BY URBAN TREE MANAGEMENT, INC. ON 05/17/2021 FOR TREE SURVEY INFORMATION AND TREE PROTECTION RECOMMENDATIONS.
- ALL WORK ONSITE SHALL BE IN CONFORMANCE WITH THE PROJECT TREE SURVEY REPORT REGARDING PROTECTION OF EXISTING TREES TO REMAIN.

LANDSCAPE REQUIREMENTS:

MINIMUM LANDSCAPE REQUIREMENTS PER LOS ALTOS HILLS MUNICIPAL CODE SECTION 14.44 FOR CD COMMERCIAL DOWNTOWN DISTRICT:

LANDSCAPE BUFFER:	FRONT	REAR	SIDE
	MINIMUM REQUIRED	5.0 FT	2.0 FT
PROPOSED	6.5 FT	4.5 FT	3.0 FT

INTERIOR LANDSCAPING FOR PARKING AREA < 15,000 SF:	MINIMUM REQUIRED	725 SF (5% X 14,500 SF PARKING AREA)
	PROPOSED	5,258 SF (36% OF PARKING AREA)

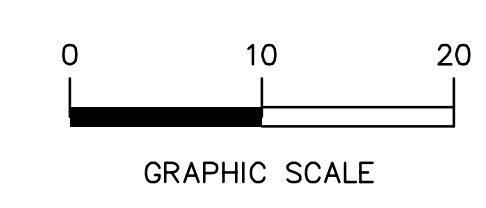
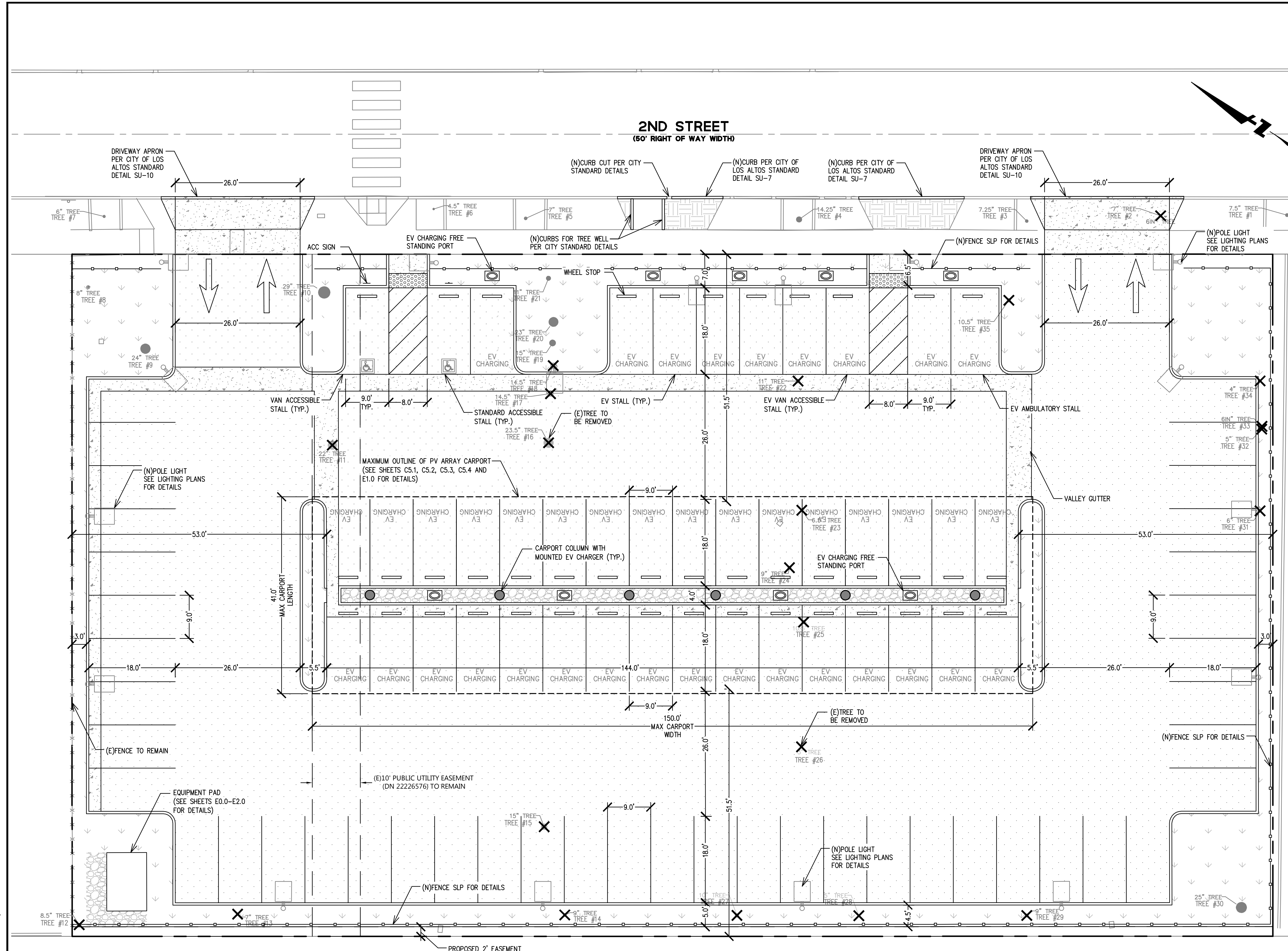
LOT COVERAGE AND SETBACKS:

MINIMUM STRUCTURE SETBACK REQUIREMENTS PER LOS ALTOS HILLS MUNICIPAL CODE SECTION 14.44 FOR CD COMMERCIAL DOWNTOWN DISTRICT:

STRUCTURE SETBACKS:	FRONT	REAR	SIDE
	MINIMUM REQUIRED	2.0 FT	10.0 FT
PROPOSED	51.5 FT	51.5 FT	53.0 FT

LOT COVERAGE:	CARPORT STRUCTURE
	MAXIMUM COVERAGE
	6,150 SF

*MAXIMUM CANOPY WIDTH = 150 FT, LENGTH = 41 FT, AND HEIGHT = 16 FT. FINAL CANOPY STRUCTURE MAY BE REDUCED DEPENDING ON FINAL DESIGN. PROPOSED REVISIONS SHALL MEET MINIMUM SETBACK REQUIREMENTS AS INDICATED ABOVE.



SEE SHEET C0.0
FOR ABBREVIATIONS
AND LEGENDS



Date	Revisions	No.
08/23/2021	Scale 1" = 10'	
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	Approved D.J.L.	
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PARKING STALL COUNT

TOTAL PARKING STALLS: 86		
TYPE OF STALL	REQUIRED	PROVIDED
STANDARD	-	43
ACCESSIBLE ¹	2	2
EV ^{2,3}	5	39
EV ACCESSIBLE ^{2,3}	2	2

¹ FOR 26-50 TOTAL STANDARD PARKING STALLS, 2 STALLS ARE REQUIRED TO BE ACCESSIBLE STALLS WITH 1 OF THE 2 STALLS BEING VAN ACCESSIBLE PER THE 2019 CALIFORNIA BUILDING CODE.
² FOR 76-100 TOTAL PARKING STALLS, 5 STALLS ARE REQUIRED TO BE EV STALLS PER THE 2019 CALIFORNIA BUILDING CODE.
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TREE COUNT

	ONSITE	OFFSITE
(E) TREES	28	7
(E) TREES REMOVED	21	1
(N) TREES ¹	17	1
TOTAL	24	7

¹ SEE LANDSCAPE PLANS FOR NEW TREES AND PLANTING PLAN.

HATCH LEGEND:

- AC PARKING LOT PAVING
- CONCRETE WALKWAY, GUTTER AND DRIVEWAY APRON
- CRUSHED GRANITE PER LANDSCAPE PLANS
- LANDSCAPE AREA PER LANDSCAPE PLANS
- OFFSITE RAIN GARDEN TO MATCH EXISTING STREET RAIN GARDENS

ARBORIST NOTES:

- REFER TO TREE SURVEY PERFORMED BY URBAN TREE MANAGEMENT, INC. ON 05/17/2021 FOR TREE SURVEY INFORMATION AND TREE PROTECTION RECOMMENDATIONS.
- ALL WORK ON SITE SHALL BE IN CONFORMANCE WITH THE PROJECT TREE SURVEY REPORT REGARDING PROTECTION OF EXISTING TREES TO REMAIN.

LANDSCAPE REQUIREMENTS:

MINIMUM LANDSCAPE REQUIREMENTS PER LOS ALTOS HILLS MUNICIPAL CODE SECTION 14.44 FOR CD COMMERCIAL DOWNTOWN DISTRICT:

- LANDSCAPE BUFFER:**

FRONT	REAR	SIDE
MINIMUM REQUIRED	5.0 FT	2.0 FT
PROPOSED	6.5 FT	4.5 FT
- INTERIOR LANDSCAPING FOR PARKING AREA < 15,000 SF:**

MINIMUM REQUIRED	725 SF (5% X 14,500 SF PARKING AREA)
PROPOSED	5,258 SF (36% OF PARKING AREA)

LOT COVERAGE AND SETBACKS:

MINIMUM STRUCTURE SETBACK REQUIREMENTS PER LOS ALTOS HILLS MUNICIPAL CODE SECTION 14.44 FOR CD COMMERCIAL DOWNTOWN DISTRICT:

- STRUCTURE SETBACKS:**

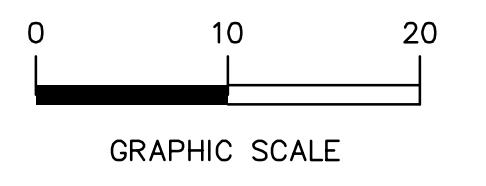
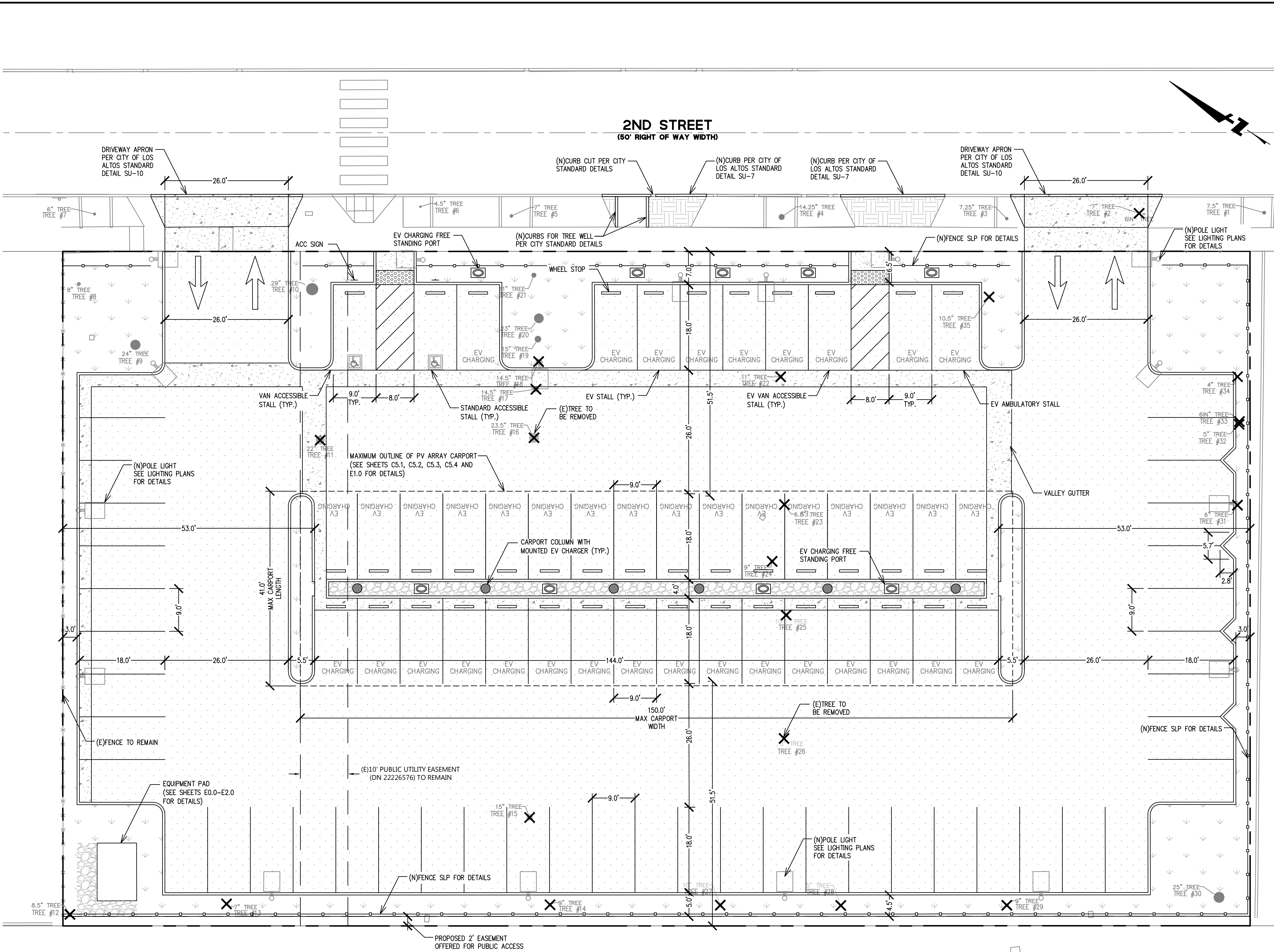
FRONT	REAR	SIDE
MINIMUM REQUIRED	2.0 FT	10.0 FT
PROPOSED	51.5 FT	51.5 FT
- LOT COVERAGE:**

CARPORIT STRUCTURE
MAXIMUM COVERAGE
6,150 SF

*MAXIMUM CANOPY WIDTH = 150 FT, LENGTH = 41 FT, AND HEIGHT = 16 FT. FINAL CANOPY STRUCTURE MAY BE REDUCED DEPENDING ON FINAL DESIGN. PROPOSED REVISIONS SHALL MEET MINIMUM SETBACK REQUIREMENTS AS INDICATED ABOVE.

2ND STREET
(60' RIGHT OF WAY WIDTH)

ALLEY
(18' RIGHT OF WAY WIDTH)



SEE SHEET C0.0
FOR ABBREVIATIONS
AND LEGENDS



C2.2
OF

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PLOT DATE: 08-21-21 PLOTTED BY: polt

Date	Revisions
08/23/2021	No.
	Design: DJP
	Drawn: DJP
	Approved: D.J.L.
	Job No. 20191214-10
	Drawing Number:

GRADING NOTES:

- ALL PAVED AREAS ARE TO SLOPE A MINIMUM OF 1% AND MAXIMUM OF 8% ACCESSIBLE STALLS AND LOADING ZONES ARE TO SLOPE AT A MAXIMUM OF 2% IN ALL DIRECTIONS. ACCESSIBLE PATHWAYS ARE TO SLOPE AT A MAXIMUM OF 5% IN THE DIRECTION OF TRAVEL, AND THE SLOPE CROSSWAYS TO THE DIRECTION OF TRAVEL SHALL BE AT A MAXIMUM OF 2%. ANY AREAS ON THE SITE NOT CONFORMING TO THESE BASIC RULES DUE TO EXISTING CONDITIONS OR DISCREPANCIES IN THE DOCUMENTS ARE TO BE REPORTED TO THE PROJECT MANAGER PRIOR TO PROCEEDING WITH PLACEMENT OF ROCK BASE, FORMWORK FOR CURBS AND/OR FLATWORK.
- CONTRACTOR SHALL DETERMINE EARTHWORK QUANTITIES BASED ON THE TOPOGRAPHIC SURVEY, THE GEOTECHNICAL INVESTIGATION AND THE PROPOSED SURFACE THICKNESS AND BASE THE BID ACCORDINGLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONFIRM IF A SEPARATE DEMOLITION CONTRACT HAS BEEN ISSUED TO TAKE THE SITE FROM THE WAY IT IS AT THE TIME OF THE BID TO THE CONDITIONS DESCRIBED IN THESE DOCUMENTS. ANY DIFFERENCES BETWEEN THE STATE IN WHICH THE SITE IS DELIVERED TO THE CONTRACTOR AND THESE DOCUMENTS SHOULD BE NOTED TO THE ENGINEER/ARCHITECT.
- DO NOT ADJUST GRADES ON THIS PLAN WITHOUT PRIOR WRITTEN APPROVAL OF THE ENGINEER/ARCHITECT.

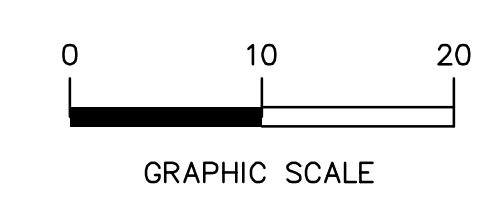
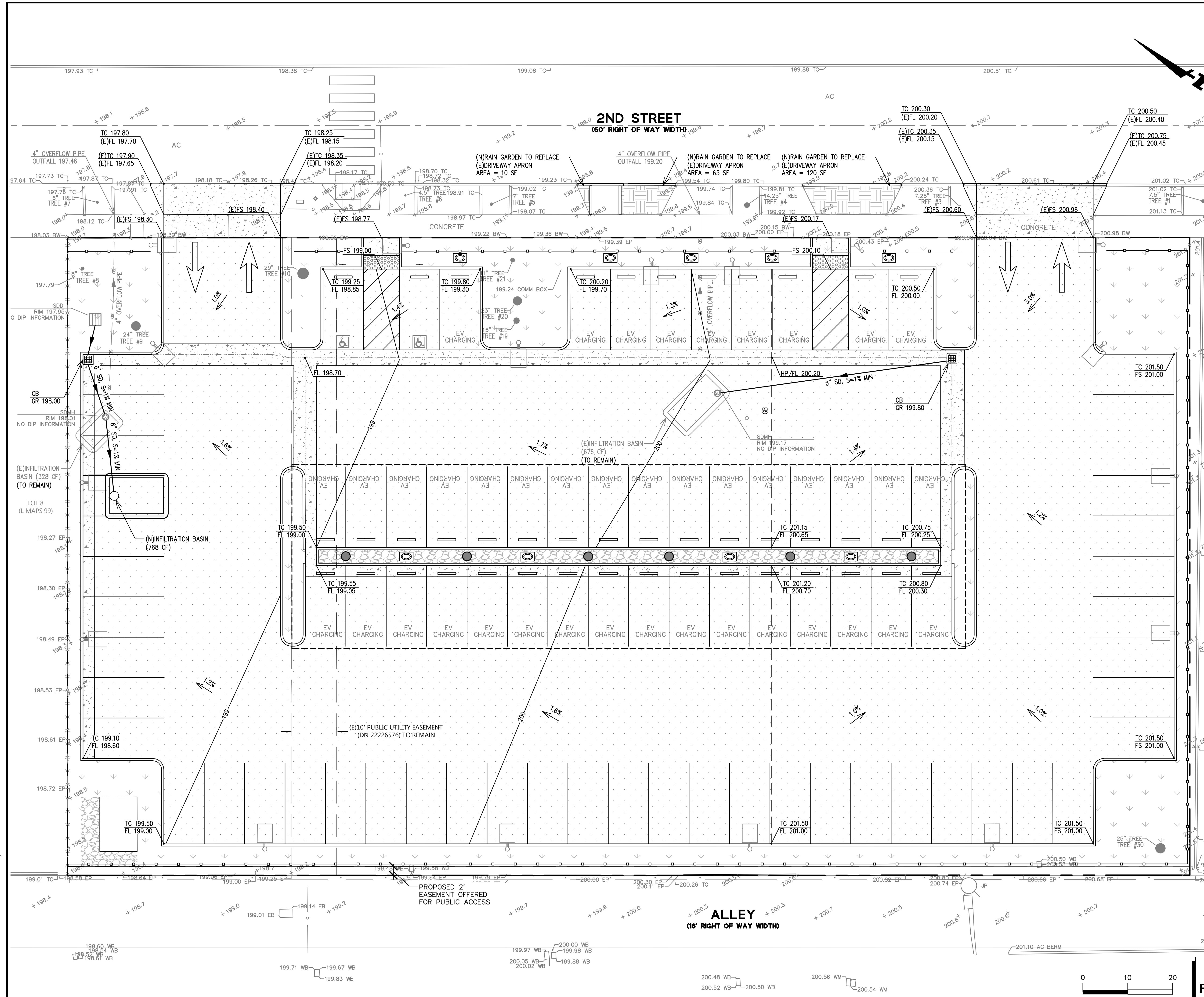
STORM DRAIN NOTES:

- PRIVATE STORM DRAIN LINES SHALL BE INSTALLED WITH THE FOLLOWING MINIMUM REQUIREMENTS:

PIPE DIAMETER	PIPE MATERIAL	PIPE COVER	SLURRY ENCASEMENT REQUIRED?
4" TO 10"	PVC SDR 35	1.00' TO 2.99'	YES - TRAFFIC AREAS ONLY
4" TO 10"	PVC SDR 35	3.00'+	NO
	HDPE	1.00' TO 2.99'	YES - TRAFFIC AREAS ONLY
	HDPE	3.00'+	NO
- 4 INCH TO 10 INCH DIAMETER STORM DRAIN PIPE SHALL BE POLYVINYL CHLORIDE (PVC) SDR 35 WHITE PIPE AND SHALL CONFORM TO THE REQUIREMENTS OF ASTM DESIGNATION D3034-73 WITH GLUED JOINTS. ALL DIRECTION CHANGES SHALL BE MADE WITH WYE CONNECTIONS, 22.5° ELBOWS, 45° ELBOWS, OR LONG SWEEP ELBOWS. 90° ELBOWS AND TEE'S ARE PROHIBITED.
- 12 INCH AND LARGER DIAMETER STORM DRAIN PIPE SHALL BE DUAL-WALLED ANNULAR CORRUGATED HIGH DENSITY POLYETHYLENE (HDPE) PIPE AND SHALL CONFORM TO THE REQUIREMENTS OF ASTM DESIGNATION F2648 WITH GASKETED BELL AND SPIGOT JOINTS.
- WHERE STORM DRAIN PIPES ARE INSTALLED IN TRAFFIC RATED AREAS WITH LESS THAN 3.00 FEET OF COVER, PIPE TRENCH AND COVER SHALL BE ENCASED IN A MINIMUM 12 INCH WIDE 2-SACK SLURRY MIX, EXTENDING THE FIRST 12 INCHES OF COVER ABOVE THE PIPE.
- STORM DRAIN LINES WITH LESS THAN 12" OF COVER IN TRAFFIC AREAS SHALL BE CAPPED WITH STEEL REINFORCED CONCRETE.
- USE DETECTABLE METALIZED WARNING TAPE APPROXIMATELY 6" BELOW THE SURFACE. TAPE SHALL BE A BRIGHT COLOR AND IMPRINTED WITH "CAUTION-STORM DRAIN LINE BELOW", CALIFICO TYPE 2 OR EQUAL.
- PAINT THE TOP OF THE CURBS ADJACENT TO EACH CATCH BASIN INSTALLED UNDER THIS WORK OR ADJACENT TO THIS SITE WITH THE WORDS "NO DUMPING" ACCORDING TO BE BLUE 4" HIGH LETTERS ON A PAINTED WHITE BACKGROUND.
- ALL AREA DRAINS AND CATCH BASIN GRATES WITHIN PEDESTRIAN ACCESSIBLE AREAS SHALL MEET ADA REQUIREMENTS.
- FOR GRAVITY FLOW SYSTEMS CONTRACTOR SHALL VERIFY (POTHOLE IF NECESSARY) SIZE, MATERIAL, LOCATION AND DEPTH OF ALL SYSTEMS THAT ARE TO BE CONNECTED TO OR CROSSED PRIOR TO THE TRENCHING OR INSTALLATION OF ANY GRAVITY FLOW SYSTEM.
- COMPLETE SYSTEMS: ALL UTILITY SYSTEMS ARE DELINEATED IN A SCHEMATIC MANNER ON THESE PLANS. CONTRACTOR IS TO PROVIDE ALL FITTINGS, ACCESSORIES, AND WORK NECESSARY TO COMPLETE THE UTILITY SYSTEM SO THAT IT IS FULLY FUNCTIONING FOR THE PURPOSE INTENDED.

ENGINEERING DIVISION NOTES (COA):

- ENCROACHMENT PERMIT - AN ENCROACHMENT PERMIT, AND/OR AN EXCAVATION PERMIT SHALL BE OBTAINED PRIOR TO ANY WORK DONE WITHIN THE PUBLIC RIGHT-OF-WAY AND IT SHALL BE IN ACCORDANCE WITH PLANS TO BE APPROVED BY THE CITY ENGINEER.
- PUBLIC UTILITIES - THE APPLICANT SHALL CONTACT ELECTRIC, GAS, COMMUNICATION AND WATER UTILITY COMPANIES REGARDING THE INSTALLATION OF NEW UTILITY SERVICES TO THE SITE.
- MUNICIPAL REGIONAL STORMWATER PERMIT - THE PROJECT SHALL COMPLY WITH CITY OF LOS ALTOS MUNICIPAL REGIONAL STORMWATER (MRP)NPDES PERMIT NO. CA S612008, ORDER NO. R2-2015-0049 DATED NOVEMBER 19, 2015.
- MUNICIPAL REGIONAL STORMWATER PERMIT C.3.B. REGULATED PROJECTS - THE PROJECT FALLS UNDER REGULATED PROJECTS CATEGORY AS DESCRIBED IN THE CITY OF LOS ALTOS MUNICIPAL REGIONAL STORMWATER (MRP)NPDES PERMIT NO. CA S612008, ORDER NO. R2-2015-0049 DATED NOVEMBER 19, 2015, SECTION C.3.B. AND SHALL COMPLY WITH ALL REQUIREMENTS LISTED IN ABOVE LISTED CATEGORY.
- AMERICANS WITH DISABILITIES ACT - ALL IMPROVEMENTS SHALL COMPLY WITH AMERICANS WITH DISABILITIES ACT (ADA).
- TRANSPORTATION PERMIT - A TRANSPORTATION PERMIT, PER THE REQUIREMENTS SPECIFIED IN CALIFORNIA VEHICLE CODE DIVISION 15, IS REQUIRED BEFORE ANY LARGE EQUIPMENT, MATERIALS OR SOIL IS TRANSPORTED OR HAULLED TO OR FROM THE CONSTRUCTION SITE. APPLICANT SHALL PAY THE APPLICABLE FEES BEFORE THE TRANSPORTATION PERMIT CAN BE ISSUED BY THE TRAFFIC ENGINEER.
- POLLUTION PREVENTION - THE IMPROVEMENT PLANS SHALL INCLUDE THE BLUEPRINT FOR A CLEAN BAY PLAN SHEET IN ALL PLAN SUBMITTALS.
- STORM WATER MANAGEMENT PLAN - THE APPLICANT SHALL SUBMIT A STORM WATER MANAGEMENT PLAN (SWMP) IN COMPLIANCE WITH THE MRP. THE SWMP SHALL BE REVIEWED AND APPROVED BY A CITY APPROVED THIRD PARTY CONSULTANT AT THE APPLICANT'S EXPENSE. THE RECOMMENDATIONS FROM THE STORM WATER MANAGEMENT PLAN (SWMP) SHALL BE SHOWN ON THE BUILDING PLANS.



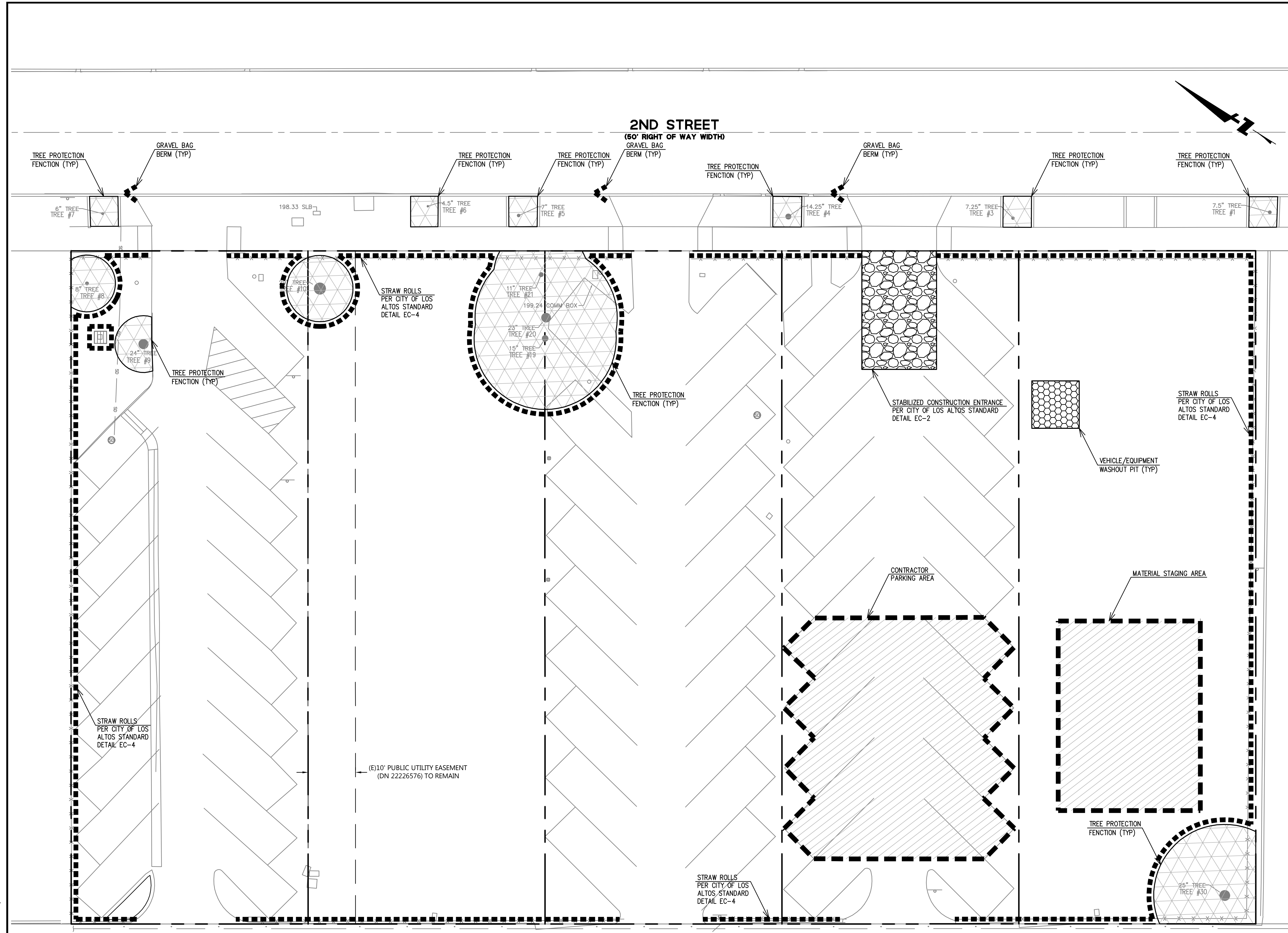
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Date	Revisions	No.
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Design DJP		
Drawn DJP		
Approved D.J.L.		
Job No. 20191214-10		



HAUL ROUTE:

- CONTRACTOR SHALL UTILIZE THE FOLLOWING HAUL ROUTE FOR IMPORTING/EXPORTING SPOILS AND OTHER CONSTRUCTION MATERIALS:
- SOUTHEAST ON 2ND STREET TOWARD LVELL STREET.
 - LEFT ONTO LVELL STREET TOWARD S SAN ANTONIO ROAD.
 - RIGHT ONTO S SAN ANTONIO ROAD TOWARD FOOTHILL EXPRESSWAY.
 - LEFT ONTO FOOTHILL EXPRESSWAY TOWARD S EL MONTE AVENUE.
 - RIGHT ONTO S EL MONTE AVENUE TOWARD HIGHWAY 280.
 - MERGE ONTO HIGHWAY 280.

EROSION AND SEDIMENTATION CONTROL NOTES:

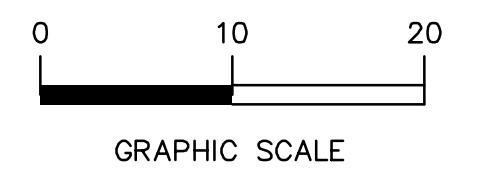
1. CONTRACTOR SHALL ASSUME THE CONCEPTS ON THE EROSION CONTROL PLAN, IF PROVIDED, ARE SCHEMATIC MINIMUM REQUIREMENTS, THE FULL EXTENT OF WHICH ARE TO BE DETERMINED BY THE CONTRACTOR. CONTRACTOR IS RESPONSIBLE FOR THE EXACT DESIGN AND EXTENT OF THE EROSION CONTROL SYSTEM SO THAT IT WORKS WITH THE CONTRACTOR'S INTENDED USE AND MANAGEMENT OF THE CONSTRUCTION-SITE.
2. ALL EROSION CONTROL FACILITIES SHALL BE INSPECTED BY THE CONTRACTOR AND REPAIRED, AS REQUIRED, AT THE CONCLUSION OF EACH WORKING DAY. THE CONTRACTOR SHALL INSPECT THE EROSION CONTROL FACILITIES AND MAKE NECESSARY REPAIRS PRIOR TO ANTICIPATED STORMS AND AT REASONABLE INTERVALS DURING STORMS OF EXTENDED DURATION. REPAIRS TO DAMAGED FACILITIES SHALL BE MADE IMMEDIATELY UPON DISCOVERY.
3. AS SOON AS PRACTICAL FOLLOWING EACH STORM, THE CONTRACTOR SHALL REMOVE ANY ACCUMULATION OF SILT OR DEBRIS FROM THE EROSION CONTROL SEDIMENT BASINS AND SHALL CLEAR THE OUTLET PIPES OF ANY BLOCKAGE.
4. STOCKPILED MATERIAL SHALL BE COVERED WITH VISQUEEN OR A TARPULIN UNTIL THE MATERIAL IS REMOVED FROM THE SITE. ANY REMAINING BARE SOIL THAT EXISTS AFTER THE STOCKPILE HAS BEEN REMOVED SHALL BE COVERED UNTIL A NATURAL GROUND COVER IS ESTABLISHED OR IT MAY BE SEEDED OR PLANTED TO PROVIDE GROUND COVER.
5. PRIOR TO THE COMMENCEMENT OF ANY CLEARING, GRADING, OR EXCAVATION, THE CONTRACTOR SHALL VERIFY THAT THE CLIENT HAS SUBMITTED TO THE STATE WATER RESOURCES CONTROL BOARD A NOTICE OF INTENT (NOI) FOR COVERAGE UNDER THE STATE CONSTRUCTION STORM WATER GENERAL PERMIT, IF REQUIRED BY THE STATE. THE CONTRACTOR SHALL MAINTAIN A COPY OF THE NOI ON THE CONSTRUCTION-SITE.
6. NECESSARY MATERIALS SHALL BE AVAILABLE ON-SITE AND STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
7. PROTECT ADJACENT PROPERTIES AND UNDISTURBED AREAS FROM CONSTRUCTION IMPACTS USING VEGETATIVE BUFFER STRIPS, SEDIMENT BARRIERS OR FILTERS, DIKES, MULCHING OR OTHER MEASURES AS APPROPRIATE.
8. CONTRACTOR SHALL MAINTAIN ADJACENT STREETS IN A NEAT, CLEAN, DUST FREE AND SANITARY CONDITION AT ALL TIMES AND TO THE SATISFACTION OF THE CITY/TOWN INSPECTOR. THE ADJACENT STREET SHALL BE KEPT CLEAN OF DEBRIS, WITH DUST AND OTHER NUISANCE BEING CONTROLLED AT ALL TIMES. DEVELOPER SHALL BE RESPONSIBLE FOR ANY CLEAN UP ON ADJACENT STREETS AFFECTED BY THEIR CONSTRUCTION. METHOD OF STREET CLEANING SHALL BE BY DRY SWEEPING OF ALL PAVED AREAS. NO STOCKPILING OF BUILDING MATERIALS WITHIN THE CITY/TOWN'S RIGHT-OF-WAY IS PERMITTED.
9. ALL EROSION CONTROL MATERIALS SHALL BE FURNISHED AND INSTALLED BY CONTRACTOR UNLESS OTHERWISE NOTED.
10. PROTECT DOWN SLOPE DRAINAGE COURSES, STREAMS AND STORM DRAINS WITH ROCK FILLED SAND BAGS, TEMPORARY DRAINAGE SWALES, SILT FENCES, EARTH BERMS, STORM DRAIN INLET FILTERS AND/OR STRAW BALES USED ONLY IN CONJUNCTION WITH PROPERLY INSTALLED SILT FENCES.

PERMANENT EROSION/SEDIMENT CONTROL NOTES:

1. CONTRACTOR SHALL PROVIDE POST-CONSTRUCTION PERMANENT EROSION/SEDIMENT CONTROL THROUGHOUT THE SITE IN THE FORM OF FINISH LANDSCAPING.
2. PERMANENT EROSION CONTROLS SHOULD CONSIST OF VEGETATION OR OTHER MEANS OF STABILIZING ALL DISTURBED AREAS OF THE SITE. SUITABLE EROSION CONTROLS INCLUDE TURF, SHRUBS, ESTABLISHED HYDROSEEDING, MULCH, BARK, AND OTHER GROUNDCOVERS.
3. ALL DISTURBED GROUND SURFACES SHALL BE STABILIZED UPON COMPLETION OF CONSTRUCTION ACTIVITIES.
4. FINAL LANDSCAPING PLAN TO BE DEVELOPED IN COORDINATION WITH THE PROJECT ARCHITECT AND TO BE CONSISTENT WITH EXISTING LANDSCAPING AND TREES TO REMAIN.
5. LANDSCAPING PROPOSED SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CALIFORNIA MODEL WATER EFFICIENT LANDSCAPE ORDINANCE.
6. DISTURBED AREAS OF THE SITE SHOULD BE STABILIZED DURING THE RAINY SEASON USING STRAW MULCH (EC-6) OR WOOD MULCHING (EC-8).
7. PERMANENT EROSION CONTROL SHALL BE PROVIDED BY LANDSCAPING SUCH AS SHRUBS, SOD OR MULCH. LANDSCAPE DESIGN MAY BE SUBJECT TO CHANGE.

ADDITIONAL CONTRACTOR PARKING:

- ADDITIONAL CONTRACTOR PARKING SHALL BE PROVIDED AT THE FOUNDATION'S EXISTING SURFACE PARKING LOT LOCATED AT 300 2ND STREET.



SEE SHEET CO.0 FOR ABBREVIATIONS AND LEGENDS



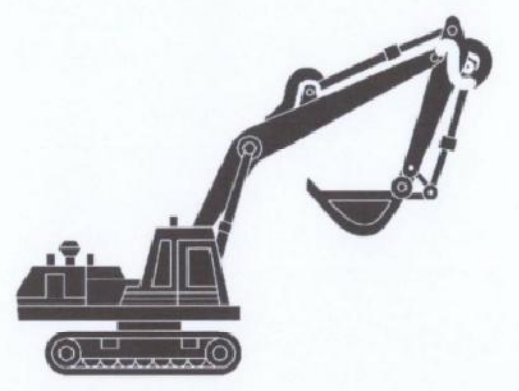
C3.2
OF

DRAWING NAME: K:\2019\191214_Packard_Parking_Expansion\ENG\posheets.dwg
 PLOT DATE: 08-21-21 PLOTTED BY: polt

Date	08/23/2021	Scale	AS SHOWN	Design	DJP	Drawn	DJP	Approved	D.J.L.	Job No.	20191214-10
Revisions		No.									

Heavy Equipment Operation

Best Management Practices for the Construction Industry



- Doing The Job Right**
- Site Planning and Preventive Vehicle Maintenance**
- Maintain all vehicles and heavy equipment. Inspect frequently for and repair leaks.
 - Perform major maintenance, repair jobs, and vehicle and equipment washing off site where cleanup is easier.
 - If you must drain and replace motor oil, radiator coolant, or other fluids on site, use drip pans or drop cloths to catch drips and spills. Collect all spent fluids, store in separate containers, and properly dispose as hazardous waste (recycle whenever possible).
 - Do not use diesel oil to lubricate equipment parts, or clean equipment. Use only water for any onsite cleaning.
 - Cover exposed fifth wheel hitches and other oily or greasy equipment during rain events.

Storm water Pollution from Heavy Equipment on Construction Sites

Poorly maintained vehicles and heavy equipment that leak fuel, oil, antifreeze or other fluids on the construction site are common sources of storm drain pollution. Prevent spills and leaks by isolating equipment from runoff channels, and by watching for leaks and other maintenance problems. Remove construction equipment from the site as soon as possible.

- Best Management Practices for the**
- Vehicle and equipment operators
 - Site supervisors
 - General contractors
 - Home builders
 - Developers

Roadwork and Paving

Best Management Practices for the Construction Industry



- Doing The Job Right**
- General Business Practices**
- Develop and implement erosion/sediment control plans for roadway embankments.
 - Schedule excavation and grading work during dry weather.
 - Check for and repair leaking equipment.
 - Perform major equipment repairs at designated areas in your maintenance yard, where cleanup is easier. Avoid performing equipment repairs at construction sites.
 - When refueling or when vehicle/equipment maintenance must be done on site, designate a location away from storm drains and creeks.
 - Do not use diesel oil to lubricate equipment parts or clean equipment.
 - Recycle used oil, concrete, broken asphalt, etc. whenever possible, or dispose of properly.

Storm Drain Pollution from Roadwork

Road paving, surfacing, and pavement removal happen right in the street, where there are numerous opportunities for asphalt, saw-cut slurry, or excavated material to illegally enter storm drains. Extra planning is required to store and dispose of materials properly and guard against pollution of storm drains, creeks, and the Bay.

- Best Management Practices for the**
- Road crews
 - Driveway/sidewalk/parking lot construction crews
 - Seal coat contractors
 - Operators of grading equipment, paving machines, dump trucks, concrete mixers
 - Construction inspectors
 - General contractors
 - Home builders
 - Developers

Fresh Concrete and Mortar Application

Best Management Practices for the Construction Industry



- Doing The Job Right**
- General Business Practices**
- Wash out concrete mixers only in designated wash-out areas in your yard, away from storm drains and waterways, where the water will flow into a temporary waste pit in a dirt area. Let water percolate through soil and dispose of settled, hardened concrete as garbage. Whenever possible, recycle washout by pumping back into mixers for reuse.
 - Wash out chutes onto dirt areas at site that do not flow to creeks or drains.
 - Always store both dry and wet materials under cover, protected from rainfall and runoff and away from storm drains or waterways. Protect dry materials from wind.
 - Secure bags of cement after they are open. Be sure to keep wind-blown cement powder away from streets, gutters, storm drains, rainfall, and runoff.
 - Do not use diesel fuel as a lubricant on concrete forms, tools, or trailers.

Storm Drain Pollution from Fresh Concrete and Mortar Applications

Fresh concrete and cement-related mortars that wash into lakes, streams, or estuaries are toxic to fish and the aquatic environment. Disposing of these materials in the storm drains or creeks can block storm drains, cause serious problems, and is prohibited by law.

- Best Management Practices for the**
- Masons and bricklayers
 - Sidewalk construction crews
 - Patio construction workers
 - Construction inspectors
 - General contractors
 - Home builders
 - Developers
 - Concrete delivery/pumping workers

- During Construction**
- Don't mix up more fresh concrete or cement than you will use in a two-hour period.
 - Set up and operate small mixers on tarps or heavy plastic drop cloths.
 - When cleaning up after driveway or sidewalk construction, wash fines onto dirt areas, not down the driveway or into the street or storm drain.
 - Protect applications of fresh concrete and mortar from rainfall and runoff until the material has dried.
 - Wash down exposed aggregate concrete only when the wash water can (1) flow onto a dirt area, (2) drain onto a bermed surface from which it can be pumped and disposed of properly, or (3) be vacuumed from a catchment created by blocking a storm drain inlet. If necessary, divert runoff with temporary berms. Make sure runoff does not reach gutters or storm drains.
 - When breaking up pavement, be sure to pick up all the pieces and dispose of properly. Recycle large chunks of broken concrete at a landfill.
 - Never bury waste material. Dispose of small amounts of excess dry concrete, grout, and mortar in the trash.
 - Never dispose of washout into the storm drains, drainage ditches, or streams.

Preventing Pollution: It's Up to Us

In the Santa Clara Valley, storm drains transport water directly to local creeks and San Francisco Bay without treatment. Storm water pollution is a serious problem for wildlife dependent on our waterways and for the people who live near polluted streams or bay lands. Some common sources of this pollution include spilled oil, fuel, and fluids from vehicles and heavy equipment; construction debris; sediment created by erosion; landscaping runoff containing pesticides or weed killers; and materials such as used motor oil, antifreeze, and paint products that people pour or spill into a street or storm drain.

Thirteen valley municipalities have joined together with Santa Clara County and the Santa Clara Valley Water District to educate local residents and businesses and fight storm water pollution. To comply with this program, contractors most comply with the practices described in this drawing sheet.

- Spill Response Agencies**
- DIAL 9-1-1
- State Office of Emergency Services Warning Center (24 hours): 800-852-7550
- Santa Clara County Environmental Health Services: (408) 299-6930

- Local Pollution Control Agencies**
- County of Santa Clara Pollution Prevention Program: (408) 441-1195
- County of Santa Clara Integrated Waste Management Program: (408) 441-1198
- County of Santa Clara District Attorney Environmental Crimes Hotline: (408) 299-TIPS
- Santa Clara County Recycling Hotline: 1-800-533-8414
- Santa Clara Valley Water District: (408) 265-2600
- Santa Clara Valley Water District Pollution Hotline: 1-888-510-5151
- Regional Water Quality Control Board San Francisco Bay Region: (510) 622-2300
- Palo Alto Regional Water Quality Control Plant: (650) 329-2598
- Serving East Palo Alto Sanitary District, Los Altos, Los Altos Hills, Mountain View, Palo Alto, Stanford
- City of Los Altos**
- Building Department: (650) 947-2752
- Engineering Department: (650) 947-2780

Landscaping, Gardening, and Pool Maintenance

Best Management Practices for the Construction Industry



- Doing The Right Job**
- General Business Practices**
- Protect stockpiles and landscaping materials from wind and rain by storing them under tarps or secured plastic sheeting.
 - Store pesticides, fertilizers, and other chemicals indoors or in a shed or storage cabinet.
 - Schedule grading and excavation projects during dry weather.
 - Use temporary check dams or ditches to divert runoff away from storm drains.
 - Protect storm drains with sandbags or other sediment controls.
 - Re-vegetation is an excellent form of erosion control for any site.

Storm Drain Pollution from Landscaping and Swimming Pool Maintenance

Many landscaping activities expose soils and increase the likelihood that earth and garden chemicals will run off into the storm drains during irrigation or when it rains. Swimming pool water containing chlorine and copper-based algaecides should never be discharged to storm drains. These chemicals are toxic to aquatic life.

- Best Management Practices for the**
- Landscapers
 - Gardeners
 - Swimming pool/spa service and repair workers
 - General contractors
 - Home builders
 - Developers
 - Homeowners

Painting and Application of Solvents and Adhesives

Best Management Practices for the Construction Industry



- Doing The Job Right**
- Handling Paint Products**
- Keep all liquid paint products and wastes away from the gutter, street, and storm drains. Liquid residues from paints, thinners, solvents, glues, and cleaning fluids are hazardous wastes and must be disposed of at a hazardous waste collection facility (contact your local stormwater program listed on the back of this brochure).
 - When thoroughly dry, empty paint cans, used brushes, rags, and drop cloths may be disposed of as garbage in a sanitary landfill. Empty, dry paint cans also may be recycled as metal.
 - Wash water from painted buildings constructed before 1978 can contain high amounts of lead, even if paint chips are not present. Before you begin stripping paint or cleaning pre-1978 building exteriors with water under high pressure, test paint for lead by taking paint scrapings to a local laboratory. See Yellow Pages for a state-certified laboratory.
 - If there is loose paint on the building, or if the paint tests positive for lead, block storm drains. Check with the wastewater treatment plant to determine whether you may discharge water to the sanitary sewer, or if you must send it offsite for disposal as hazardous waste.

Storm Drain Pollution from Paints, Solvents, and Adhesives

All paints, solvents, and adhesives contain chemicals that are harmful to wildlife in local creeks, San Francisco Bay, and the Pacific Ocean. Toxic chemicals may come from liquid or solid products or from cleaning fluids or rags. Paint material and wastes, adhesives and cleaning fluids should be recycled when possible, or disposed of properly to prevent these materials from flowing into storm drains and watercourses.

- Best Management Practices for the**
- Homeowners
 - Painters
 - Painter/hangers
 - Plasterers
 - Graphic artists
 - Dry wall crews
 - Floor covering installers
 - General contractors
 - Home builders
 - Developers



Los Altos Municipal Code Requirements

Los Altos Municipal Code Chapter 10.08.390 Non-storm water discharges

A. Unlawful discharge. It shall be unlawful to discharge any domestic waste or industrial waste into storm drains, gutters, creeks, or San Francisco Bay. Unlawful discharges to storm drains shall include, but not be limited to, discharge from toilets, sinks, industrial processes, cooling systems, boilers, fabric cleaning, equipment cleaning, vehicle cleaning, construction activities, including, but not limited to, painting, paving, concrete placement, saw cutting and grading, swimming pools, spas, and fountains, unless specifically permitted by a discharge permit or unless exempted pursuant to guidelines published by the superintendent.

B. Threatened discharges. It shall be unlawful to cause hazardous materials, domestic waste, or industrial waste to be deposited in such a manner or location as to constitute a threatened discharge into storm drains, gutters, creeks or San Francisco Bay. A "threatened discharge" is a condition creating a substantial probability of harm, when the probability and potential extent of harm make it reasonably necessary to take immediate action to prevent, reduce or mitigate damages to persons, property or natural resources. Domestic or industrial wastes that are no longer contained in a pipe, tank or other container are considered to be threatened discharges unless they are actively being cleaned up.

- Los Altos Municipal Code Section 10.08.430 Requirements for construction operations.**
- A. A spill response plan for hazardous waste, hazardous materials and uncontained construction materials shall be prepared and available at the construction sites for all projects where the proposed construction site is equal to or greater than one acre of disturbed soil and for any other projects for which the city engineer determines it is necessary to protect surface waters. Preparation of the plan shall be in accordance with guidelines published by the city engineer.
- B. A storm water pollution prevention plan shall be prepared and available at the construction sites for all projects greater than one acre of disturbed soil and for any other projects for which the city engineer determines that a storm water management plan is necessary to protect surface waters. Preparation of the plan shall be in accordance with guidelines published by the city engineer.
- C. Prior approval shall be obtained from the city engineer or designee to discharge water pumped from construction sites to the storm drain. The city engineer or designee may require gravity settling and filtration upon a determination that either or both would improve the water quality of the discharge. Contaminated groundwater or water that exceeds state or federal requirements for discharge to navigable waters may not be discharged to the storm drain. Such water may be discharged to the sewer, provided that the requirements of Section 10.08.240 are met and the approval of the superintendent is obtained prior to discharge.
- D. No cleanup of construction debris from the streets shall result in the discharge of water to the storm drain system; nor shall any construction debris be deposited or allowed to be deposited in the storm drain system. (Prior code § 5-5-643)
- Criminal and judicial penalties can be assessed for non-compliance.**

General Construction And Site Supervision

Best Management Practices For Construction



- Doing The Job Right**
- General Principals**
- Keep an orderly site and ensure good housekeeping practices are used.
 - Maintain equipment properly.
 - Cover materials when they are not in use.
 - Keep materials away from streets, storm drains and drainage channels.
 - Ensure dust control water doesn't leave site or discharge to storm drains.
- Advance Planning To Prevent Pollution**
- Schedule excavation and grading activities for dry weather periods. To reduce soil erosion, plant temporary vegetation or place other erosion controls before rain begins. Use the Erosion and Sediment Control Manual, available from the Regional Water Quality Control Board, as a reference.
 - Control the amount of runoff crossing your site (especially during excavation) by using berms or temporary or permanent drainage ditches to divert water flow around the site. Reduce storm water runoff velocities by constructing temporary check dams or berms where appropriate.
 - Train your employees and subcontractors. Make these best management practices available to everyone who works on the construction site. Inform subcontractors about the storm water requirements and their own responsibilities.

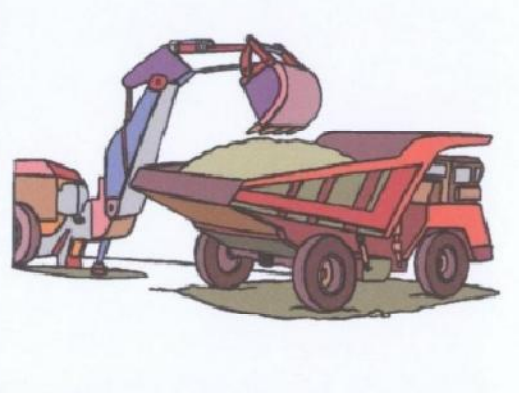
Storm Drain Pollution from Construction Activities

Construction sites are common sources of storm water pollution. Materials and wastes that blow or wash into a storm drain, gutter, or street have a direct impact on local creeks and the Bay. As a contractor, or site supervisor, owner or operator of a site, you may be responsible for any environmental damage caused by your subcontractors or employees.

- Best Management Practices for the**
- General contractors
 - Site supervisors
 - Inspectors
 - Home builders
 - Developers

Earth-Moving And Dewatering Activities

Best Management Practices for the Construction Industry



- Doing The Job Right**
- General Business Practices**
- Schedule excavation and grading work during dry weather.
 - Perform major equipment repairs away from the job site.
 - When refueling or vehicle/equipment maintenance must be done on site, designate a location away from storm drains.
 - Do not use diesel oil to lubricate equipment parts, or clean equipment.
- Practices During Construction**
- Remove existing vegetation only when absolutely necessary. Plant temporary vegetation for erosion control on slopes or where construction is not immediately planned.
 - Protect down slope drainage courses, streams, and storm drains with wattles, or temporary drainage swales. Use check dams or ditches to divert runoff around excavations. Refer to the Regional Water Quality Control Board's Erosion and Sediment Control Field Manual for proper erosion and sediment control measures.

Storm Drain Pollution from Earth-Moving Activities and Dewatering

Soil excavation and grading operations loosen large amounts of soil that can flow or blow into storm drains when handled improperly. Sediments in runoff can clog storm drains, smother aquatic life, and destroy habitats in creeks and the Bay. Effective erosion control practices reduce the amount of runoff crossing a site and slow the flow with check dams or roughened ground surfaces.

Storm Drain Pollution from Earth-Moving Activities and Dewatering

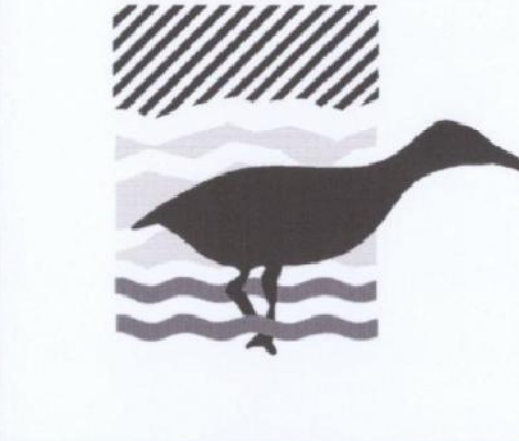
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- Best Management Practices for the**
- Bulldozer, back hoe, and grading machine operators
 - Dump truck drivers
 - Site supervisors
 - General contractors
 - Home builders
 - Developers

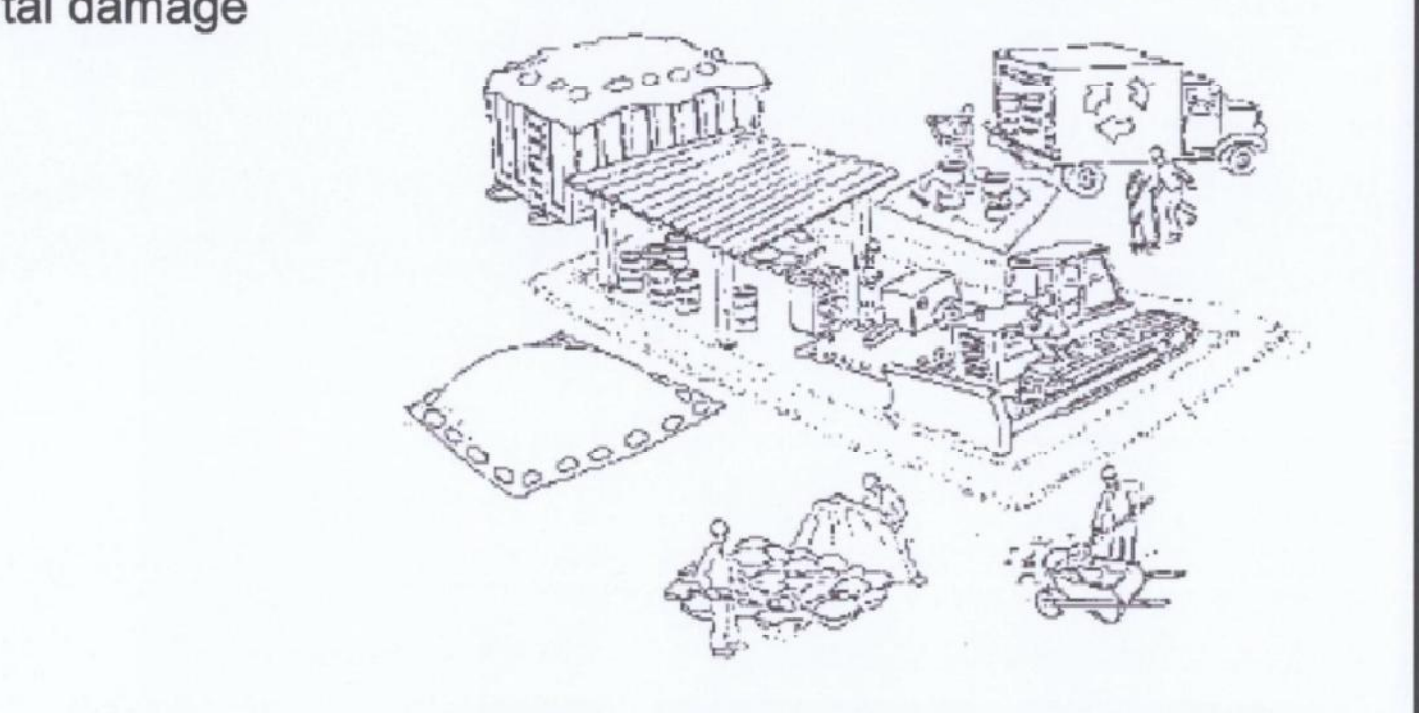
Blueprint for a Clean Bay

Remember: The property owner and the contractor share ultimate responsibility for the activities that occur on a construction site. You may be held responsible for any environmental damage caused by your subcontractors or employees.

Best Management Practices for the Construction Industry

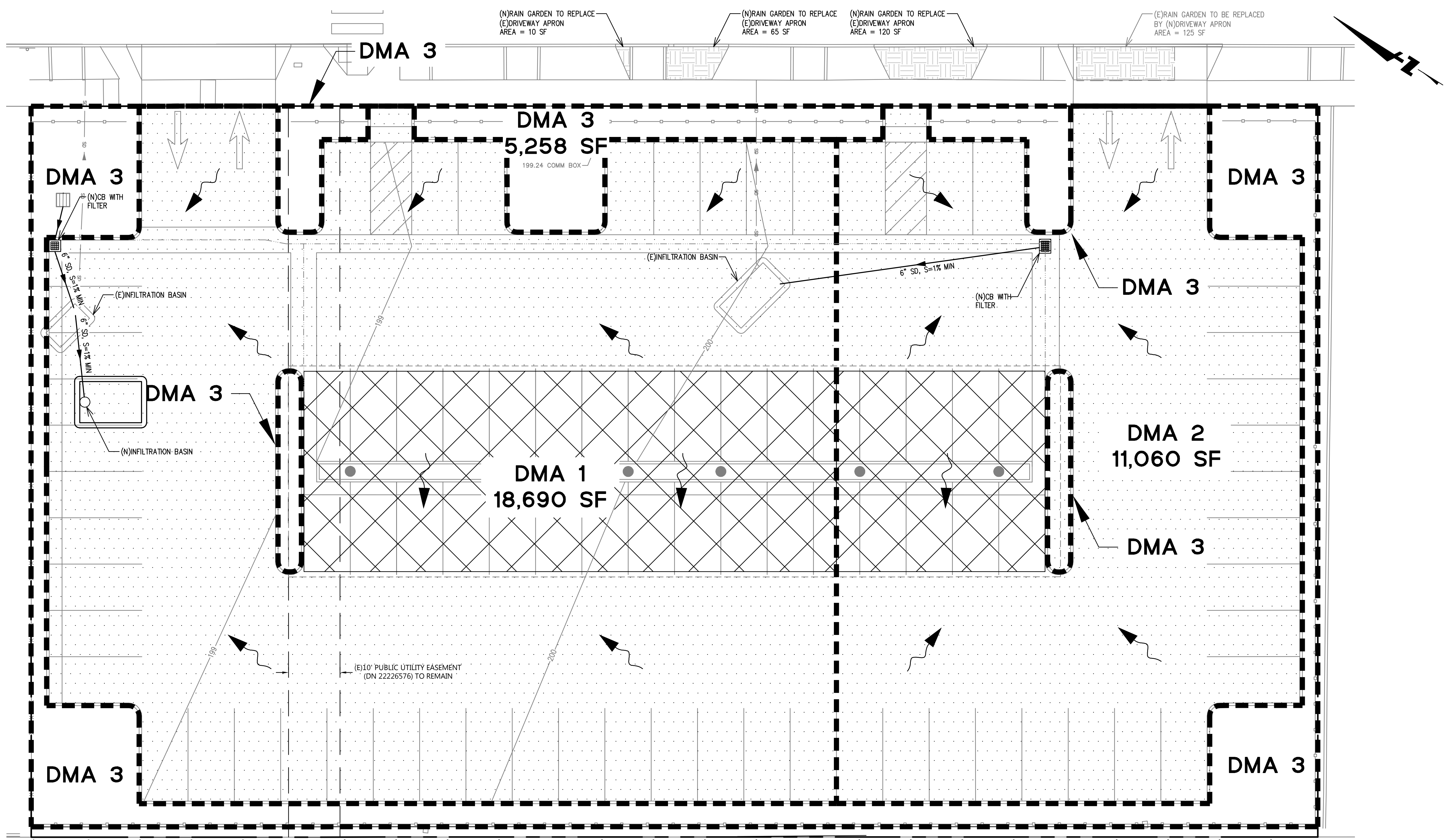


Santa Clara Urban Runoff Pollution Prevention Program



DESIGNED BY: LARRY LIND	APPROVED BY: 	CITY OF LOS ALTOS R.C.E.	DATE: OCTOBER, 2003
DRAWN BY: VICTOR CHEN	CITY ENGINEER	48056	SCALE: N.T.S.
CHECKED BY: JIM GUSTAFSON	SHEET	OF	SHEETS
DRAWING NO.:			

Date	08/23/2021
Scale	1" = 10'
Design	DJP
Drawn	DJP
Approved	D.J.L.
Job No.	20191214-10
Drawing Number:	C4.1

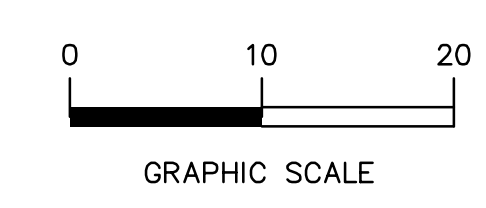


LEGEND

	(P) PERVIOUS LANDSCAPE
	(P) IMPERVIOUS HARDSCAPE
	(P) IMPERVIOUS SOLAR STRUCTURE

	DMA 1	DMA 2	DMA 3 ¹	TOTAL
TOTAL AREA	18,865 SQ FT	11,080 SQ FT	5,063 SQ FT	35,008 SQ FT
(P) PERVIOUS AREA				
PERVIOUS LANDSCAPE	0 SQ FT	0 SQ FT	5,258 SQ FT	5,258 SQ FT
TOTAL:	0 SQ FT	0 SQ FT	5,258 SQ FT	5,258 SQ FT
(P) IMPERVIOUS AREA				
HARDSCAPE:	14,660 SQ FT	9,480 SQ FT	0 SQ FT	24,140 SQ FT
BUILDINGS:	4,030 SQ FT	1,580 SQ FT	0 SQ FT	5,610 SQ FT
TOTAL:	18,690 SQ FT	11,060 SQ FT	0 SQ FT	29,750 SQ FT
REQUIRED LID TREATMENT VOLUME ²	1,002 CU FT	592 CU FT	0 SQ FT	1,594 CU FT
PROVIDED LID TREATMENT VOLUME	1,096 CU FT	676 CU FT	0 SQ FT	1,772 CU FT

¹ DMA 3 IS SELF-TREATING AND BYPASSES ONSITE STORM DRAIN SYSTEM
² REQUIRED LID TREATMENT VOLUME IS SIZED PER THE SCVURPPP C3 HANDBOOK VOLUME-BASED SIZING CRITERIA



SEE SHEET C0.0
FOR ABBREVIATIONS
AND LEGENDS



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PLOT DATE: 08-21-21 PLOTTED BY: polt



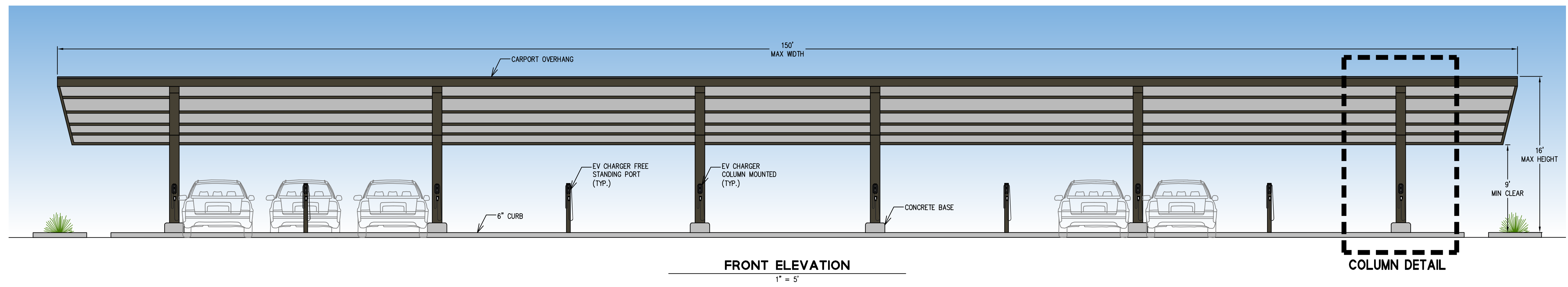
255 SHORELINE DRIVE
SUITE 200
REDWOOD CITY, CA 94065
(650) 482-6300
www.bkf.com

CALIFORNIA

CARPORT ELEVATIONS
PACKARD FOUNDATION PARKING LOT
374 SECOND STREET
SANTA CLARA COUNTY
LOS ALTOS

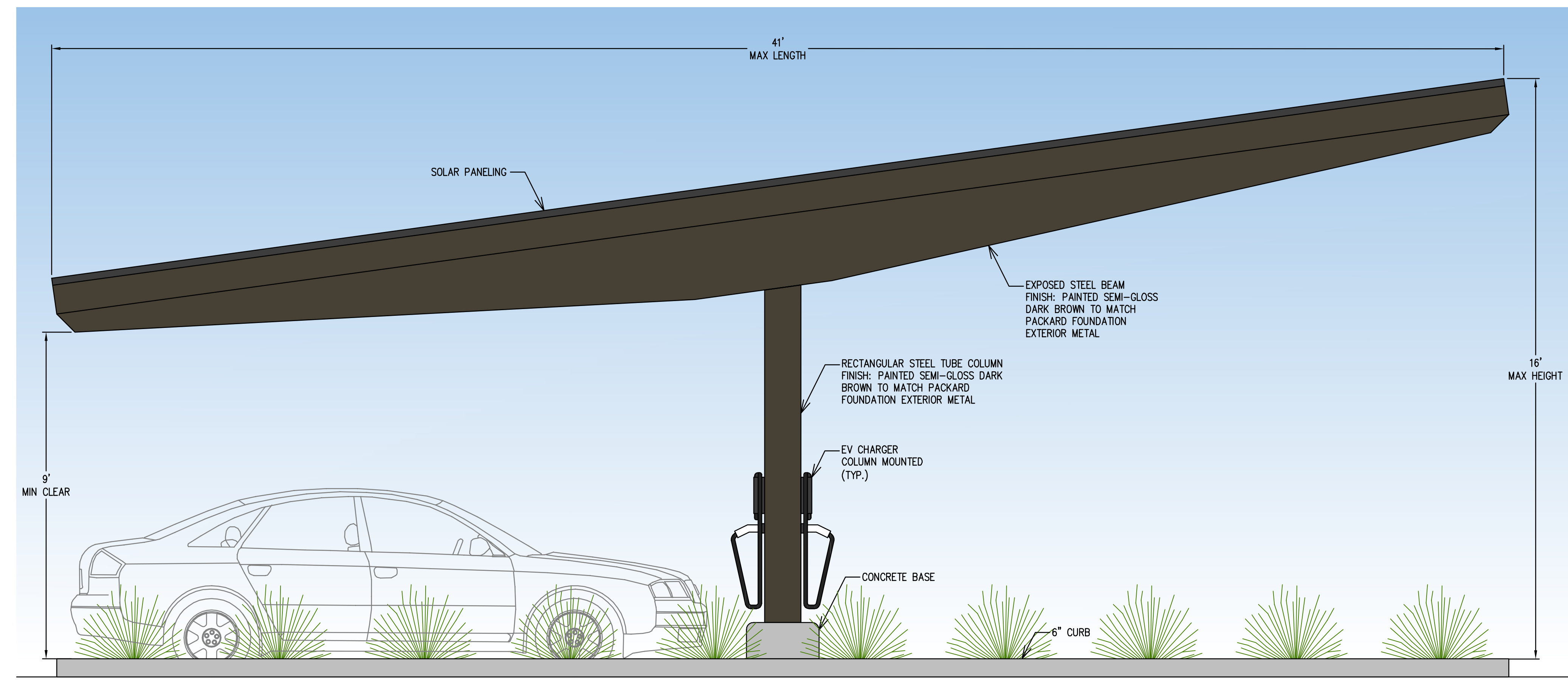


Date	Revisions	No.	Date
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	Design DJP		
	Drawn DJP		
	Approved D.J.L.		
	Job No. 20191214-10		

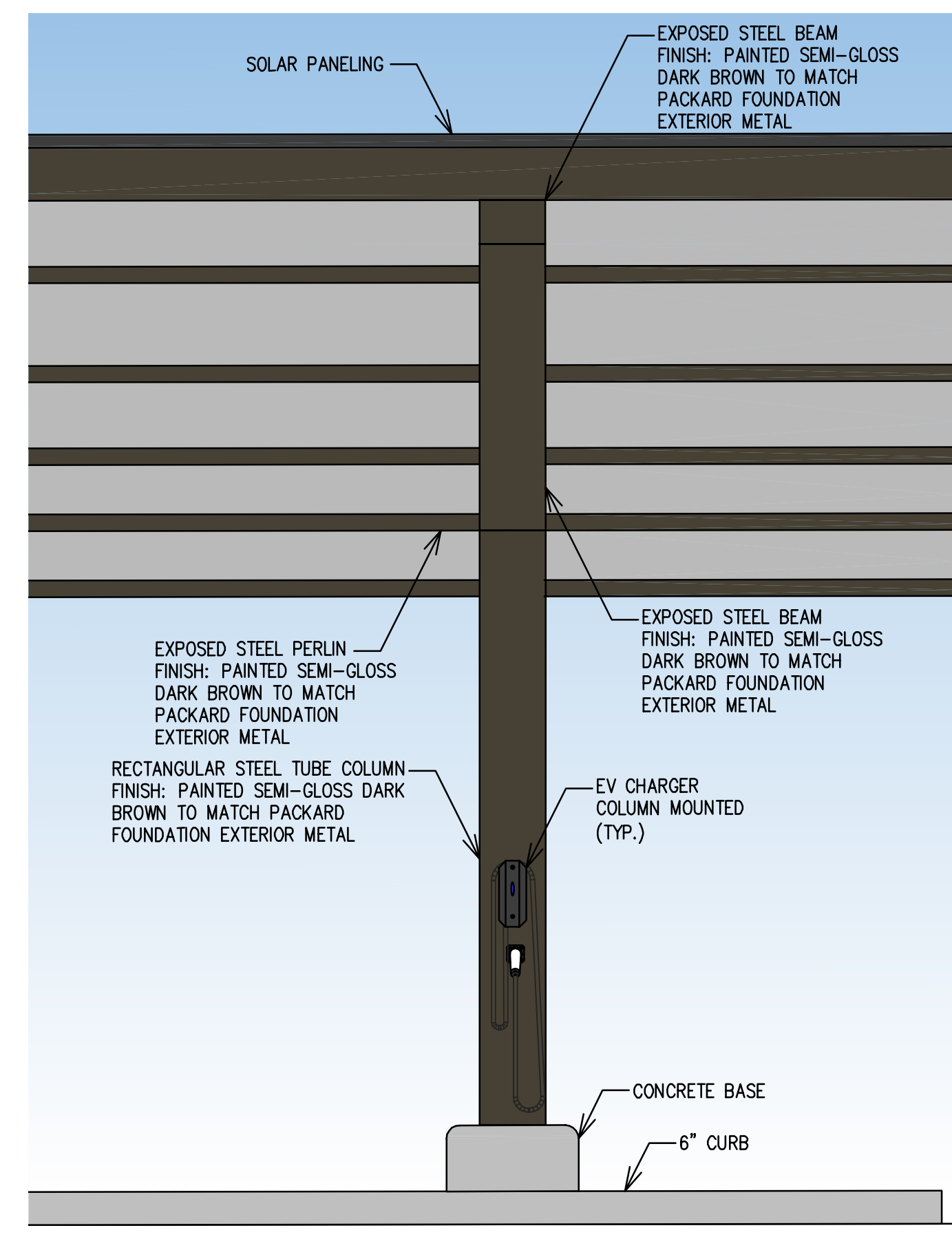


FRONT ELEVATION
1" = 5'

COLUMN DETAIL



SIDE ELEVATION
1/2" = 1'



CARPORT COLUMN
1/2" = 1'

SEE SHEET C0.0
FOR ABBREVIATIONS
AND LEGENDS



C5.1
OF

DRAWING NAME: K:\2019\191214_Packard_Parking_Expansion\ENG\posheets.dwg
PLOT DATE: 08-23-21 PLOTTED BY: polt

No.	Revisions	Date



VIEW FROM SOUTH CORNER



VIEW FROM WEST CORNER



VIEW FROM 2ND STREET (EAST)



VIEW FROM 2ND STREET (NORTH)

DRAWING NAME: K:\2019\191214_Packard_Parking_Expansion\ENG\posheets.dwg
PLOT DATE: 08-23-21 PLOTTED BY: polt

Date	No.	Revisions
08/23/2021		
Scale	NO SCALE	
Design	DJP	
Drawn	DJP	
Approved	D.J.L.	
Job No.	20191214-10	



VIEW OF PARKING STALLS ALONG 2ND STREET FRONTAGE



VIEW BELOW SOLAR CANOPY



VIEW OF VEGETATION SCREENING ALONG SOUTH PROPERTY LINE



VIEW OF BACK ALLEY

DRAWING NAME: K:\2019\191214_Packard_Parking_Expansion\ENG\posheets.dwg
PLOT DATE: 08-23-21 PLOTTED BY: polt



255 SHORELINE DRIVE
SUITE 200
REDWOOD CITY, CA 94065
(650) 482-6300
www.bkf.com

CALIFORNIA

CARPORT MATERIAL BOARD
PACKARD FOUNDATION PARKING LOT
374 SECOND STREET

SANTA CLARA COUNTY
LOS ALTOS



Date	08/23/2021
Scale	NO SCALE
Design	DUP
Drawn	DUP
Approved	D.J.L.
Job No.	20191214-10
Revisions	
No.	

Drawing Number:
C5.4
OF



EV CHARGER COLUMN MOUNTED



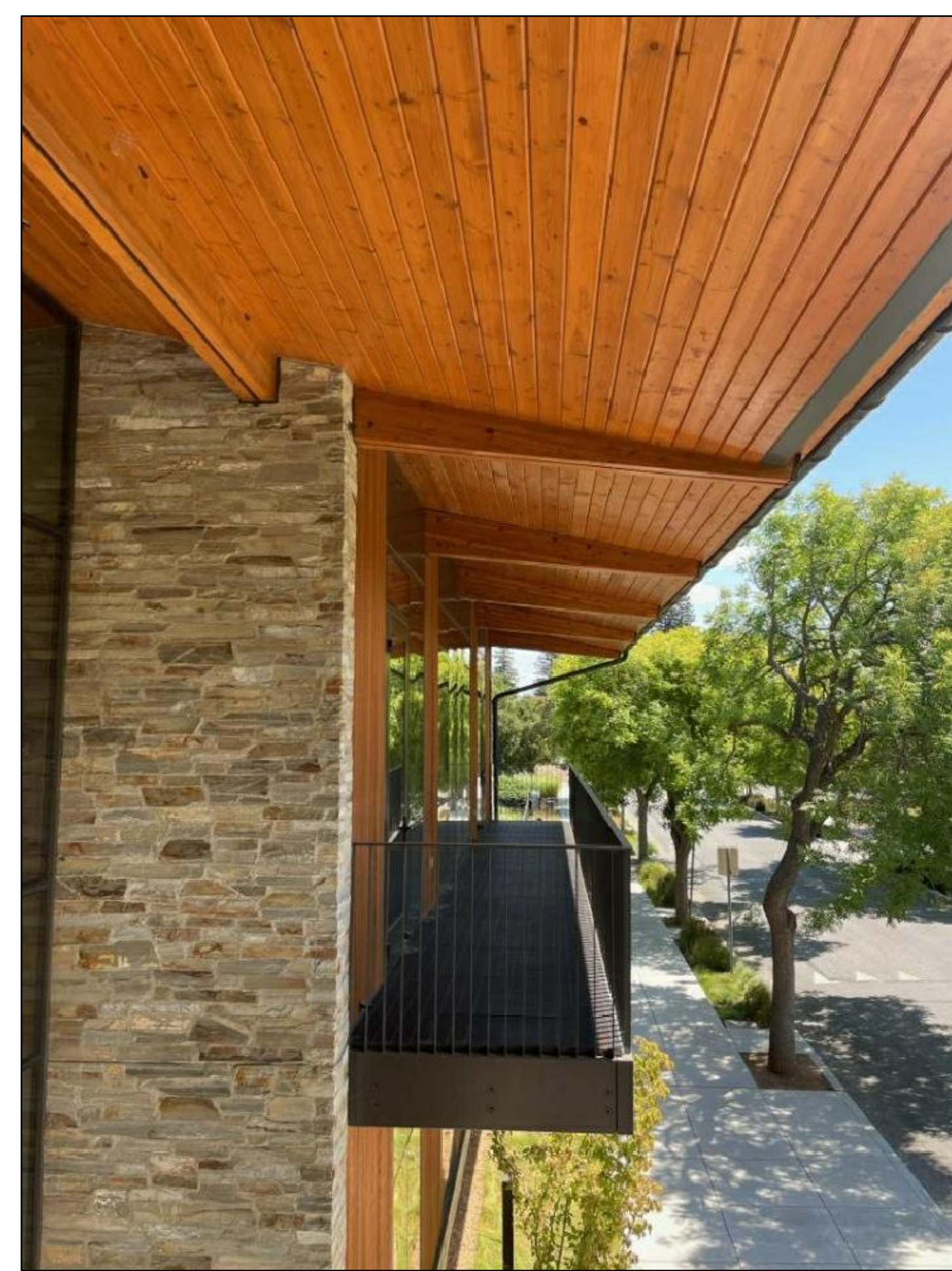
EV CHARGER FREE STANDING PORT



SHALLOW PITCH ROOF WITH FLUSH MOUNTED PV PANELS



EXISTING PACKARD FOUNDATION OFFICE
AT 343 2ND STREET: DARK BROWN EXTERIOR
METAL FINISH



EXISTING PACKARD FOUNDATION OFFICE
AT 343 2ND STREET: TAPERED CANTILEVER BEAM

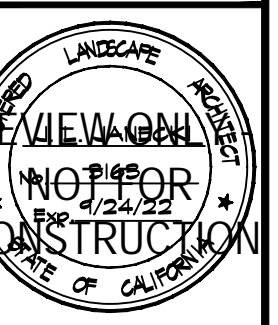


EXISTING PACKARD FOUNDATION PARKING LOT
AT 323 2ND STREET: EXPOSED CANOPY FRAMING

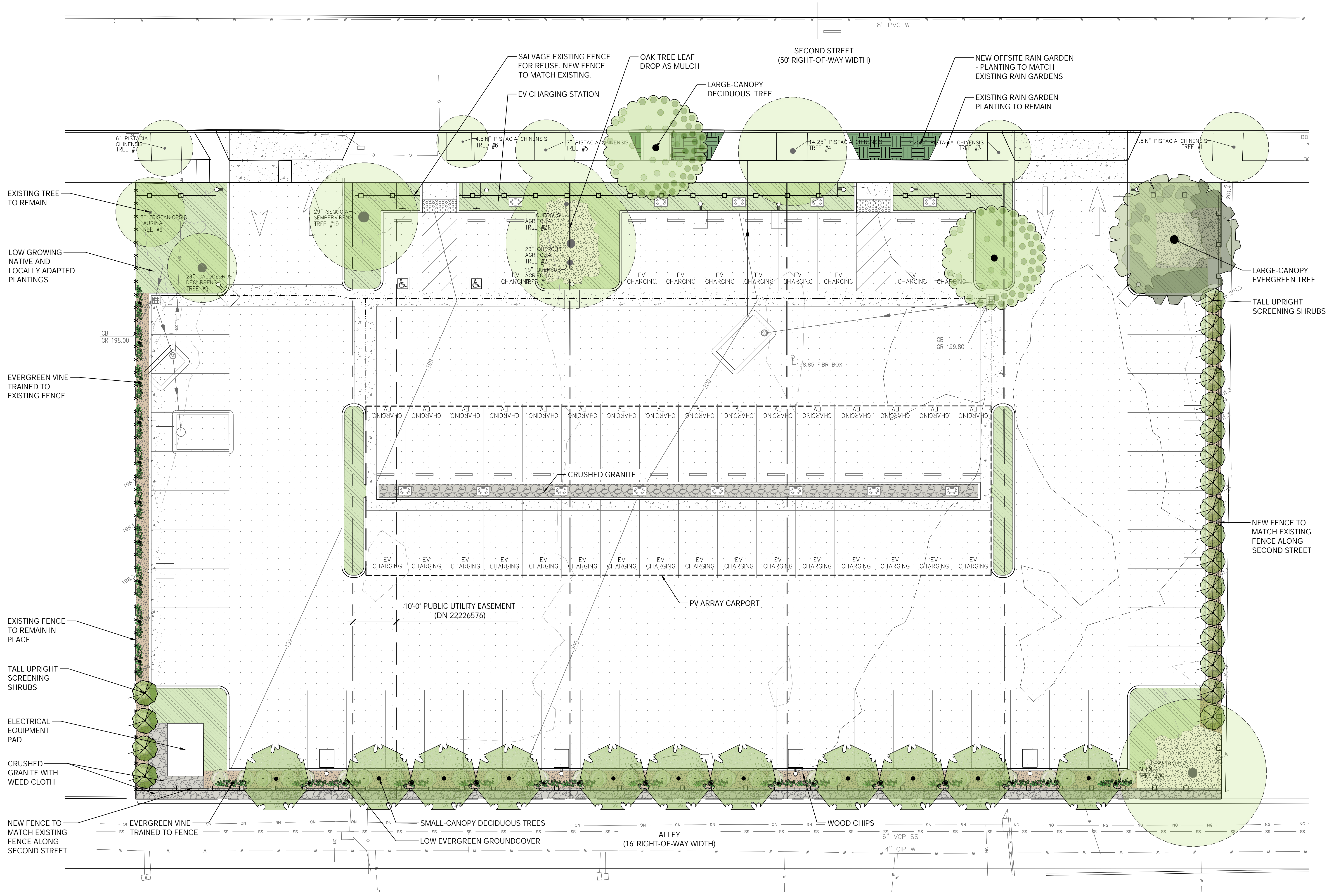


EXISTING PACKARD FOUNDATION PARKING LOT
AT 323 2ND STREET: RECTANGULAR STEEL TUBE
COLUMN

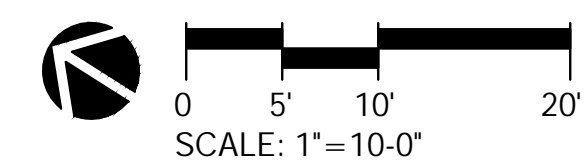
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PLOT DATE: 08-23-21 PLOTTED BY: polt



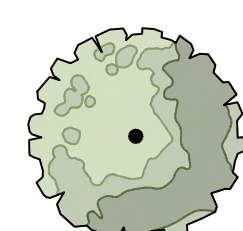
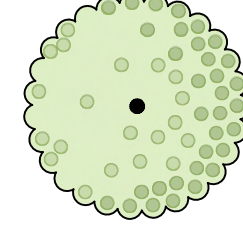
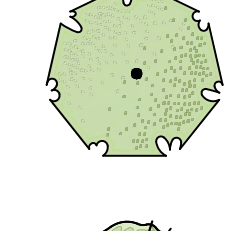
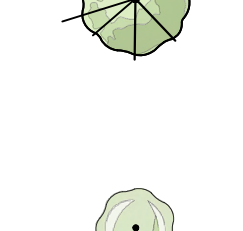
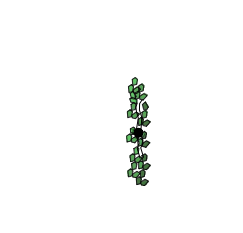
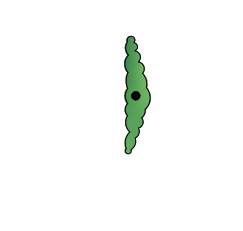
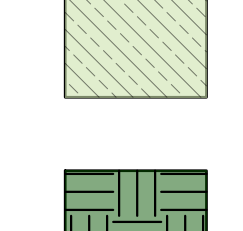
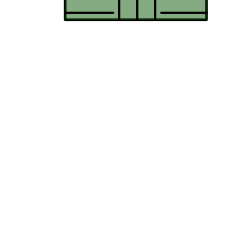

Date	Revisions	No.
08/23/2021	Scale AS NOTED	
	Design OW/IJ	
	Drawn MW/ND	
	Approved IJ	
	Job No 20-270	



NOTE:
1. REFER TO PLANT OPTIONS LIST AND CHARACTER IMAGES ON SHEET L1.02.



PLANT OPTIONS

-  **LARGE-CANOPY EVERGREEN TREE**
 QUERCUS AGRIFOLIA (COAST LIVE OAK)
-  **LARGE-CANOPY DECIDUOUS TREE**
 PISTACIA CHINENSIS (CHINESE PISTACHE)
-  **SMALL-CANOPY DECIDUOUS TREES**
 CERCIS CANADENSIS 'ACE OF HEARTS' (ACE OF HEARTS REDBUD)
 ACER PALMATUM (JAPANESE MAPLE)
-  **TALL UPRIGHT SCREENING SHRUBS**
 PITTOSPORUM TENUIFOLIUM (TAWHIWHI)
 PRUNUS CAROLINIANA 'COMPACTA' (COMPACT CAROLINA LAUREL CHERRY)
 RHAMNUS CALIFORNICA 'LEATHERLEAF' (CALIFORNIA COFFEEBERRY)
-  **LOW EVERGREEN GROUND COVER**
 ARCTOSTAPHYLOS 'EMERALD CARPET' (EMERALD CARPET MANZANITA)
-  **EVERGREEN VINE TRAINED TO FENCE**
 JASMINUM POLYANTHUM (PINK JASMINE)
 TRACHELOSPERMUM JASMINOIDES (STAR JASMINE)
 VITIS CALIFORNICA 'ROGER'S RED' (CALIFORNIA WILD GRAPE)
-  **EVERGREEN FLOWERING ESPALIER**
 GREWIA OCCIDENTALIS (LAVENDER STARFLOWER)
 TECOMARIA CAPENSIS (CAPE HONEYSUCKLE)
-  **LOW GROWING NATIVE AND LOCALLY ADAPTED PLANTINGS**
 CAREX PANSA (SANDDUNE SEDGE)
 HEUCHERA MAXIMA (ISLAND ALUM ROOT)
 RIBES VIBURNIFOLIUM (EVERGREEN CURRANT)
-  **RAIN GARDEN PLANTING MIX**
 HEUCHERA MAXIMA (ISLAND ALUM ROOT) - 35%
 IRIS DOUGLASIANA (DOUGLAS IRIS) - 15%
 RIBES SANGUINEUM (RED FLOWERING CURRANT) - 50%



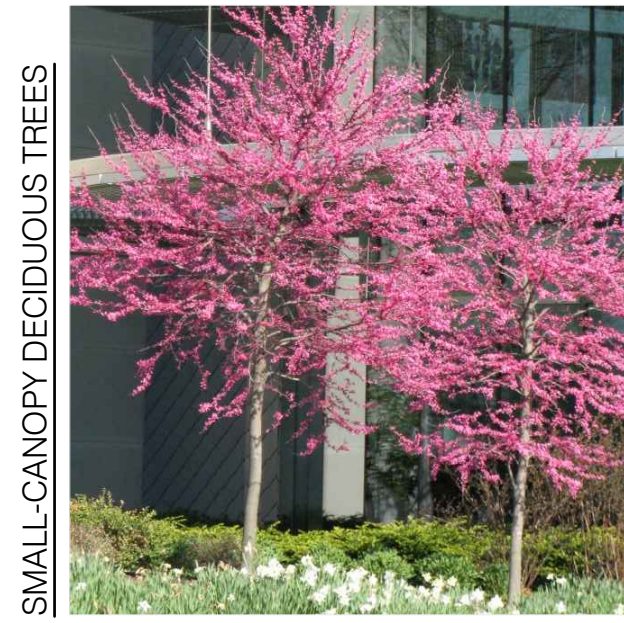















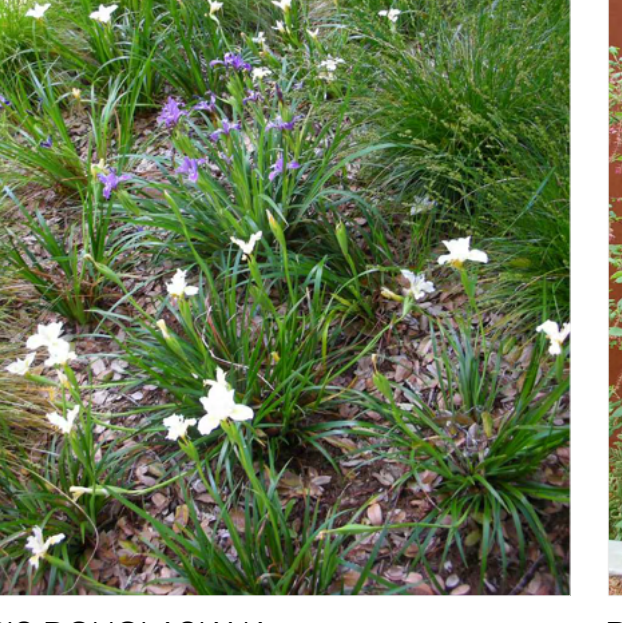
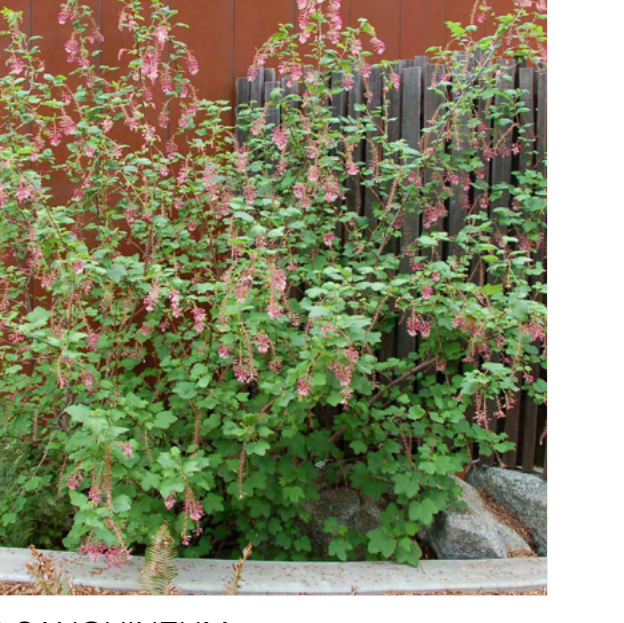
DESIGN NARRATIVE

THE DESIGN INTENTION IS TO ENHANCE THE EDGES OF THE PARKING LOT WITH PLANTS THAT ARE ADAPTED TO THE LOCAL CLIMATE AND COMPATIBLE WITH THE NEIGHBORHOOD CONTEXT AND LANDSCAPE. THE PLANT SUGGESTIONS INCLUDE PLANTS THAT ARE BENEFICIAL TO BEES, BUTTERFLIES AND BIRDS, ARE VISUALLY INTERESTING, AND PROVIDE A FUNCTION SUCH AS VISUAL SCREENING.

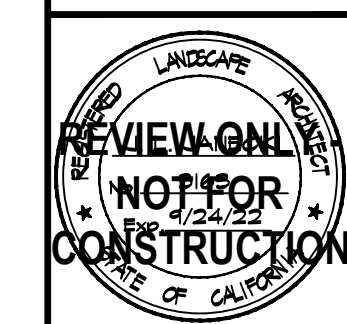
WATER EFFICIENT LANDSCAPING NOTE

THE LANDSCAPE WILL COMPLY WITH THE WATER EFFICIENT LANDSCAPE ORDINANCE PURSUANT TO CHAPTER 12.36 OF THE MUNICIPAL CODE. THE LANDSCAPE PACKAGE WILL SHOW THE SPECIFIC PLANT SPECIES, PLANT LOCATIONS, AND CONTAINER SIZES AS WELL AS AN IRRIGATION PLAN WITH HYDROZONES, MAXIMUM APPLIED WATER ALLOWANCE, AND ESTIMATED TOTAL WATER USE. THE PLANTING AREAS WILL BE IRRIGATED WITH LOW-FLOW MATCHED-PRECIPITATION-RATE EMITTERS AND OPERATED BY A WATER-CONSERVING AUTOMATIC CONTROLLER.

CHARACTER IMAGES

LARGE-CANOPY EVERGREEN TREE			SMALL-CANOPY DECIDUOUS TREES				MATERIALS IMAGES	
	QUERCUS AGRIFOLIA (COAST LIVE OAK)	PISTACIA CHINENSIS (CHINESE PISTACHE)			CERCIS CANADENSIS 'ACE OF HEARTS' (ACE OF HEARTS REDBUD)	ACER PALMATUM (JAPANESE MAPLE)		STREET VIEW - METAL PICKET FENCE
TALL UPRIGHT SCREENING SHRUBS				LOW EVERGREEN GROUND COVER				
	PITTOSPORUM TENUIFOLIUM (TAWHIWHI)	PRUNUS CAROLINIANA 'COMPACTA' (COMPACT CAROLINA LAUREL CHERRY)	RHAMNUS CALIFORNICA 'LEATHERLEAF' (CALIFORNIA COFFEEBERRY)			ARCTOSTAPHYLOS 'EMERALD CARPET' (EMERALD CARPET MANZANITA)		
EVERGREEN VINE TRAINED TO FENCE				EVERGREEN FLOWERING ESPALIER				
	JASMINUM POLYANTHUM (PINK JASMINE)	TRACHELOSPERMUM JASMINOIDES (STAR JASMINE)	VITIS CALIFORNICA 'ROGER'S RED' (CALIFORNIA WILD GRAPE)			GREWIA OCCIDENTALIS (LAVENDER STARFLOWER)	TECOMARIA CAPENSIS (CAPE HONEYSUCKLE)	
LOW GROWING NATIVE/LOCALLY ADAPTED				RAIN GARDEN PLANTING MIX				
	CAREX PANSA (SANDDUNE SEDGE)	HEUCHERA MAXIMA (ISLAND ALUM ROOT)	RIBES VIBURNIFOLIUM (EVERGREEN CURRANT)			HEUCHERA MAXIMA (ISLAND ALUM ROOT)	IRIS DOUGLASIANA (DOUGLAS IRIS)	RIBES SANGUINEUM (RED FLOWERING CURRANT)

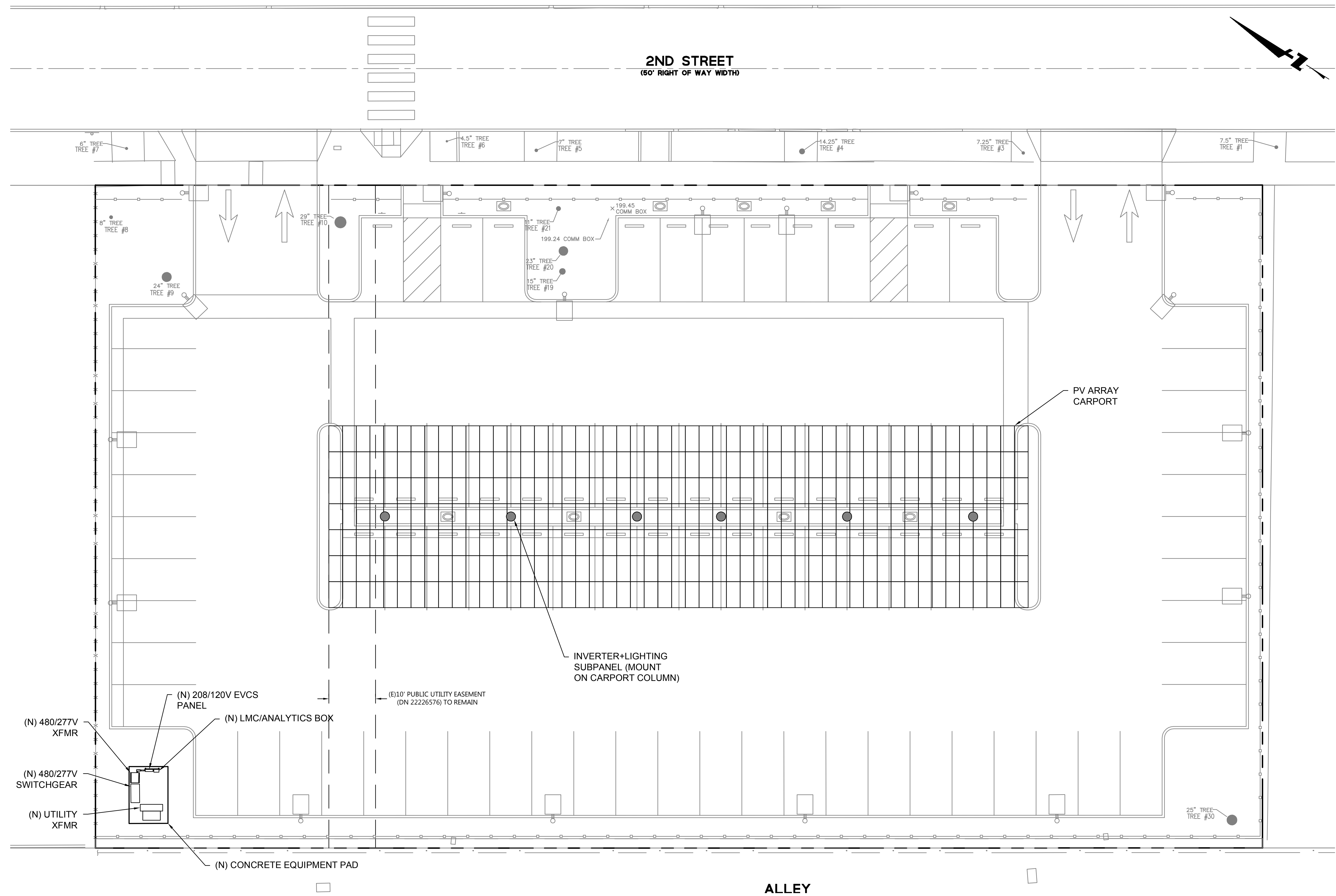
PLANT OPTIONS & CHARACTER IMAGES
 PACKARD FOUNDATION PARKING LOT
 374 SECOND STREET
 SANTA CLARA COUNTY
 LOS ALTOS
 CALIFORNIA



No.	Revisions	Date	By

T:\PROJECTS\20-270\PF Staff Parking Lot Renovation\Drawings\PF Staff Parking Lot Renovation - Planting.dwg, 11.02 PLANT LIST & PHOTOS, 8/23/2021 12:28:28 PM, AutoCAD PDF (Smallest File).pc3, ARCH full bleed D (24.00 x 36.00 inches), 1:1

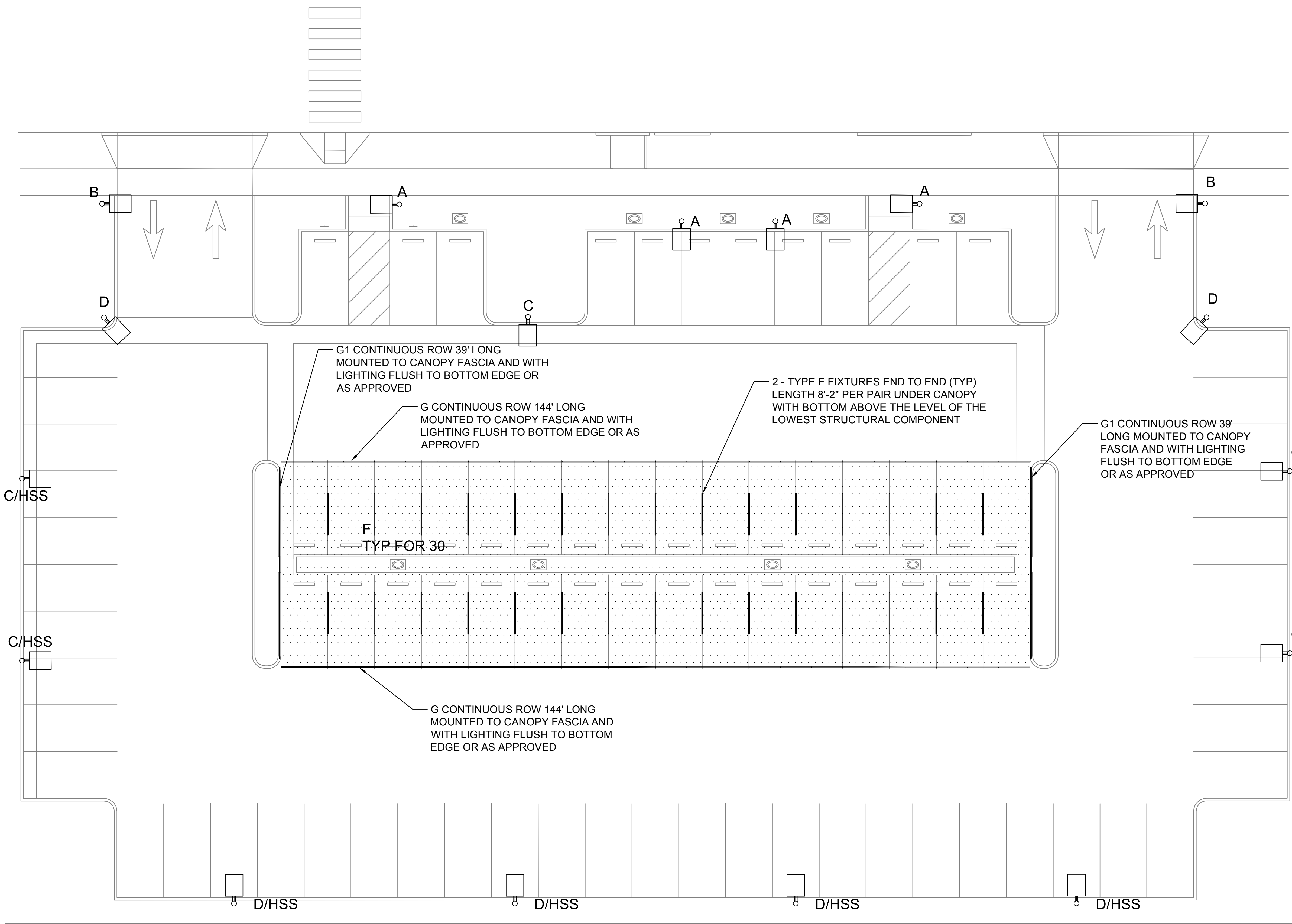
SITE LAYOUT - PV CARPORT



1 SITE PLAN
 Scale: 1"=10'-0"

DRAWING NAME: K:\2019\191214_Packard_Parking_Expansion\ENG\posheets_powerflex.dwg
 PLOT DATE: 08-19-21 PLOTTED BY: polt

Date	Revisions	No.	Date
08/23/2021			
Scale 1" = 10'			
Design: DJP			
Drawn: DJP			
Approved: DJL			
Job No: 20191214-10			



LIGHTING FIXTURES

TYPE	DESCRIPTION	DESCRIPTION
A	NOM. 8' POLE WITH LIGMAN VK-900001-T3W40 LUMINAIRE	TYPE 3 WIDE DISTR. 2700K NOTE 1
B	NOM. 8' POLE WITH LIGMAN VK-900001-T4W40 LUMINAIRE	TYPE 4 FWD THROW 2700K NOTE 1
C	NOM. 16' POLE WITH LIGMAN VK-90001-T2-W40 LUMINAIRE	TYPE 2 WIDE DISTR. 2700K NOTE 1, 4
D	NOM. 16' POLE WITH LIGMAN VK-90001-T4W40 LUMINAIRE	TYPE 4 FWD THROW 2700K NOTE 1, 4
F	LED LINEAR ADONIS TC-WHITE-HYDRA-HD10-W9-927 4'	STRIP DOWNLIGHT WET LABEL (30 8' ASSEMBLIES) NOTE 3, 5
G	LED LINEAR ADONIS TC-WHITE-HYDRA-HD10-W9-927 6'	STRIP DOWNLIGHT WET LABEL IN 2 ROWS OF 144' NOTE 2, 3, 5
G1	AS TYPE G	IN 2 ROWS OF 39' NOTE 2, 3, 5

- NOTES**
- POLES AND LUMINAIRES TO MATCH STYLE AND COLOR OF EXISTING
 - TYPES G AND G1 LUMINAIRES FIELD MEASURE BEFORE ORDERING.
 - SUBMIT INSTALLATION DETAILS FOR REVIEW AND APPROVAL.
 - HSS INDICATES HOUSE SIDE SHIELD ADDED TO LUMINAIRES
 - REMOTE DRIVER(S) IN OUTDOOR ENCLOSURES AND LOW VOLTAGE WIRING TO LUMINAIRES

LIGHTING CONTROLS

PROVIDE SEPARATE ON-OFF AND 0-10 VOLT DIMMING CONTROL FOR FOUR (4) LIGHTING CIRCUITS, 16A MAXIMUM 120 OR 277 VAC. TO INCLUDE A LUTRON QSN-4T16S IN A WEATHERTIGHT SECURED CABINET. THE FOUR LIGHTING CIRCUITS SHALL BE :

- POLE LIGHTS TYPES A AND B ONLY
- POLE LIGHTS TYPES C AND D ONLY
- FIXTURES TYPES F ONLY
- FIXTURES TYPES G AND G1 ONLY

PROVIDE (6) OUTDOOR PIR SENSORS LOCATED AS FOLLOWS:
 *ONE ON EACH OF 3 TYPE A LUMINAIRES
 *THREE LOCATED UNDER THE CANOPY

SENSORS TO BE WIRED TO THE QSN INCLUDING POWER AND SIGNAL WIRING PER LUTRON.

PROVIDE SIGNAL WIRING TO HEADQUARTERS BUILDING QUANTUM CONTROL SYSTEM. PROGRAM THE QSN AND ITS FUNCTIONS AS REQUIRED BY TITLE 24 PART 6 SECTIONS 130 AND 140 AND AS DIRECTED BY THE FACILITIES MANAGER FOR THE FOUNDATION.

GENERAL

STRUCTURAL AND CIVIL ENGINEERING TO DETERMINE POLE BASES AND FOUNDATIONS AND ATTACHMENT OF LIGHTING TO OVERHEAD STRUCTURE.

WIRING DESIGN, TITLE 24 LIGHTING ENERGY CALCULATIONS AND TITLE 24 CALGREEN COMPLIANCE DOCUMENTS BY ELECTRICAL ENGINEER.

SUBMIT FINAL PLANS AND ALL PROJECT DATA AND SHOP DRAWINGS FOR REVIEW AND APPROVAL.

LIGHTING DESIGN NARRATIVE

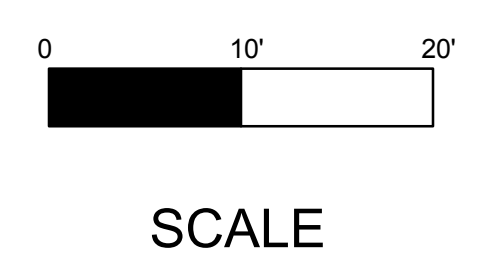
THE DESIGN PROPOSES FOUR TYPES OF LIGHT.

- PEDESTRIAN SCALE (8' TALL) POLE LIGHTS TO ILLUMINATE DRIVEWAY ENTRANCES AND CROSSWALK/PEDESTRIAN ENTRANCES.
- PARKING LOT SCALE (16' TALL) POLE LIGHTS FOR GENERAL ILLUMINATION OF THE OPEN AREAS OF THE PARKING LOT AND DRIVE AISLES.
- LINEAR LIGHTING ALONG THE OUTSIDE EDGE OF THE PHOTOVOLTAIC CANOPY TO ILLUMINATE THE DRIVE AISLE ALL AROUND THE CANOPY
- LINEAR LIGHTING UNDER THE CANOPY.

ALL LIGHTING IS FULLY SHIELDED AND DOWNWARD ONLY. THE COLOR TEMPERATURE OF ALL LIGHTING IS WARM (2700K). LIGHTING IS DIMMED AND WILL PROGRAMMED TO LOW LEVEL AFTER NORMAL BUSINESS HOURS, AND TURNED OFF AFTER CURFEW (NOMINALLY 10 PM). THE LIGHTING COMPLIES WITH TITLE 24 PART 6 (ENERGY EFFICIENCY AND LIGHTING CONTROLS) AND TITLE 24 PART 11 (OFF SITE IMPACTS AND LIGHT TRESPASS MITIGATION).

PERIMETER POLE LIGHTS ARE ADDITIONALLY EQUIPPED WITH HOUSE SIDE (BACK) SHIELDS TO PREVENT LIGHT TRESPASS ONTO ADJACENT PROPERTIES.

IN GENERAL, THE PROPOSED LIGHTING WILL NOT AFFECT ADJOINING PROPERTIES. SOME LIGHT WILL PURPOSELY ILLUMINATE THE ROADWAY CURB AREA AT CROSSWALKS AND DRIVEWAY ENTRANCES TO IMPROVE SAFETY, BUT WILL HAVE NO EFFECT ON ADJOINING PROPERTIES.



CALIFORNIA
 SANTA CLARA COUNTY
PACKARD FOUNDATION PARKING LOT
374 SECOND STREET
 LOS ALTOS

Date	Issued and Revisions	No.
08/23/2021	FOR OWNER REVIEW AND ENGINEERING	
08/23/2021	AS NOTED	
	DESIGN	BENYA
	DRAWN	BENYA
	APPROVED	XX

Drawing Number:
LD-1

