



COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: September 27, 2005
Staff Report #: 05-153

Agenda Item #: E1

PUBLIC HEARING: Consideration of Rezoning from C-4 to C-4-X, a Conditional Development Permit to Demolish an Existing Safeway Grocery Store and Construct a New Safeway Grocery Store and Additional Retail and Service Space, a Categorical Exemption of a Left Turn Pocket on El Camino Real along the Project Frontage, and Authorization of the City Manager to Execute an Acknowledgement of Termination of an Access Easement Upon Demolition of the Existing Building at 525 and 625 El Camino Real.

RECOMMENDATION

Staff recommends that the City Council concur with the recommendation of the Planning Commission and approve the following at 525 El Camino Real subject to the findings and actions contained in Attachment B:

- Rezoning from C-4 (General Commercial, Applicable to El Camino Real) to C-4-X (General Commercial, Applicable to El Camino Real, Conditional Development);
- Conditional Development Permit (CDP) to demolish an existing Safeway grocery store of approximately 85,662 square feet and construct a new Safeway grocery store of approximately 65,017 square feet and 11,500 square feet of additional retail and service space at 525 and 625 El Camino Real.
- Deem the proposed left turn pocket on El Camino Real between Middle Avenue and Roble Avenue exempt from the California Environmental Quality Act.

In addition, staff recommends that the City Council authorize the City Manager to execute an acknowledgement terminating an access easement upon demolition of the existing building located at 525 and 625 El Camino Real.

BACKGROUND

City Council Study Session

The City Council reviewed this proposal at a study session on May 10, 2005. The staff report for the study session is available for review at the Community Development offices. Individual Council members asked questions and provided comments related to landscaping, public art, El Camino Real access, bicycle circulation and parking, uses

and building materials. Safeway further refined the project plans in an attempt to address issues raised by the Council.

Planning Commission Review

The Planning Commission reviewed the applicant's proposal at its August 29, 2005 meeting. The staff report for this meeting is included as Attachment E. The draft excerpts of the minutes from this meeting are being prepared and will be distributed separately prior to the September 27, 2005 City Council meeting. The Commission voted unanimously to recommend that the City Council approve the proposed rezoning and CDP with modifications that would give the applicant more flexibility in meeting the transportation demand management requirement, the option to not follow through with the construction of the left turn pocket, and the need to submit a sidewalk plan for El Camino Real along the property frontage. The Commission did not render a recommendation on a condition related to the rear exit of the Masonic Temple building located at 651 Roble Avenue due to a lack of information.

ANALYSIS

The project site at 525 El Camino Real is located in the C-4 (General Commercial, Applicable to El Camino Real) zoning district, and is approximately 251,515 square feet (5.77 acres) in area. The site is currently developed with a single commercial building of approximately 85,662 square feet, which equates to a floor area ratio (FAR) of 34.1 percent. The proposal is for a 65,017-square-foot Safeway store and an attached 11,500-square-foot ancillary structure with retail lease spaces resulting in a project total of 76,517 square feet and a FAR of 30.4 percent.

The proposed project complies with all applicable Zoning Ordinance requirements except for the following: parking, building height and signage. The applicant is requesting exceptions to these three requirements through the conditional development permit process, which necessitates rezoning the property. The conditional development permit allows exceptions, but also establishes the precise development and use regulations for the property.

Project plans and a detailed discussion of the proposal are contained in the staff report prepared for the Planning Commission meeting of August 29, 2005 (Attachment F). Since the Planning Commission meeting, the applicant has made minor modifications to the plan to address issues raised by the Planning Commission and to better address storm water management issues on the site. The revised plans, included as Attachment A, include the following modifications:

- The parking lot landscaping now includes vegetated swales in order to treat storm water on-site before having it enter the public storm drain system.
- More detail has been provided regarding the existing and proposed sidewalk conditions along El Camino Real.
- The proposed tenant signage has been better defined to indicate individual, internally illuminated channel letters.

Since the Planning Commission meeting, staff has worked with the applicant to try to address concerns related to the fact that the proposed development would occur on two properties with separate ownership interests and the presence of an exit from the Masonic Lodge building, located at 651 Roble Avenue, onto the Safeway property. In regard to the dual ownership issue in which the building is located on one parcel and a portion of the parking is located on a separate parcel, the City Attorney and the applicant's attorney agreed on alternative wording in the Conditional Development Permit that would better protect the interests of all parties involved. In regard to the Masonic Temple exiting issue, staff is recommending an alternative condition of approval to address the exiting issue. As of the printing of this staff report, Safeway had not yet expressed support for the condition. Staff will continue trying to work with Safeway to address this issue prior to the City Council meeting.

The attached Conditional Development Permit (Attachment C) highlights all of the changes made to the draft Conditional Development Permit since staff issued the first draft for the August 29, 2005 Planning Commission meeting.

Staff has received one written communication on this project since the Planning Commission meeting. The email correspondence is from David Levin, who resides on University Drive near Middle Avenue, and is included as Attachment H. Mr. Levin does not support the project.

Staff recommends approval of the project based on the unanimous vote of the Commission and comments made by the Commission in favor of the proposal.

Left Turn Pocket

In addition to the reconstruction of the site, the applicant is proposing to install a left turn pocket for traffic traveling north on El Camino Real to enter the Safeway site directly as shown on the project plans. The left turn pocket can be accommodated with the existing right-of-way. Staff supports the left turn pocket due to the relief that it provides to the intersection of El Camino Real and Middle Avenue. The applicant needs to pursue the necessary approvals from Caltrans prior to constructing the improvements. To date, Caltrans has expressed support of the proposal.

Access Easement

In 1961 the property owner was required to grant an easement for pedestrian and vehicle access across the "L-shaped" property to Middle Avenue as part of the City's approval to construct the building that currently exists at the site. The location of the easement is identified on sheet 3 of the plan set. The easement includes a clause that states the easement will terminate upon demolition of the existing building. The existing easement is inconsistent with the proposed project and will have to be removed from title. Since Safeway intends to build the project in phases and will not be demolishing the building at one time, the easement will remain in place under the portion of the building remaining until phase 2. Upon demolition of the remainder of the existing building in phase 2, Safeway will record a document terminating the easement, a draft of which is included as Attachment E. Since the City is a party to the easement, the City will need to acknowledge the termination of the easement. Staff is recommending

that the City Council authorize the City Manager to execute the document terminating the easement. The document terminating the easement will be subject to review and approval by the City Attorney.

IMPACT ON CITY RESOURCES

There is no direct impact on City resources associated with the action recommended in this staff report. Staff time spent on the development review of this project is fully recoverable through fees charged to the applicant.

POLICY ISSUES

The recommended action is consistent with existing City policies.

ENVIRONMENTAL REVIEW

The proposed redevelopment of the site is exempt from the California Environmental Quality Act (CEQA) under Class 2 as replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. The proposed left turn pocket on El Camino Real is exempt from CEQA under Class 1 as a minor alteration to an existing roadway. These conclusions regarding the exemptions are reinforced by the preparation of a Traffic Study (available for review at the City offices) that studied the redevelopment of the site and the project with and without the left turn pocket. The traffic study also analyzed the Transportation Demand Management program proposed by the applicant which includes such items as providing bicycle racks, offering subsidies to employees that use transit or bike/walk to work, creating a commuter assistance center, conducting employee surveys of transit use, and providing on-site banking. The traffic study concluded that the redevelopment of the site would not result in significant impact to any nearby intersections or roadway segments according to the City's Transportation Impact Analysis Guidelines and Transportation Demand Management Guidelines. The creation of the left turn pocket to allow northbound traffic to enter the site directly from El Camino Real without turning left on Middle Avenue and then right into the site improves the level of service at the intersection of El Camino Real and Middle Avenue, but is not required as a mitigation measure.

Justin Murphy
Development Services Manager
Report Author

Arlinda Heineck
Community Development Director

PUBLIC NOTICE: Public notification consisted of publishing a legal notice in the local newspaper and notification by mail of owners and residents within a 300-foot radius of the subject property and in an expanded area that included properties roughly bounded by El Camino Real on the east, Live Oak Avenue on the north, University Drive on the west and Partridge Avenue on the south for both the Planning Commission and City Council meetings.

ATTACHMENTS

- A. Revised Project Plans, dated received September 21, 2005
- B. Draft Findings and Actions for Approval, September 27, 2005
- C. Draft Conditional Development Permit, September 27, 2005
- D. Draft Ordinance, rezoning property at 525 and 625 El Camino Real from C-4 (General Commercial, Applicable to El Camino Real) to C-4-X (General Commercial, Applicable to El Camino Real, Conditional Development)
- E. Draft Termination of Easement Agreement prepared by the Applicant, dated September 22, 2005
- F. Planning Commission Staff Report for the meeting of August 29, 2005
- G. Draft Excerpts of the Minutes from the Planning Commission meeting of August 29, 2005 (to be distributed separately prior to the September 27, 2005 City Council meeting)
- H. Email in opposition to the project from David Levin, dated September 13, 2005

ATTACHMENT B

DRAFT FINDINGS AND ACTIONS FOR APPROVAL 525 and 625 El Camino Real

September 27, 2005

1. Adopt a finding that the redevelopment of the site is categorically exempt under Class 2 of the current State CEQA Guidelines.
2. Adopt a finding that the creation of a left turn pocket on El Camino Real is categorically exempt under Class 1 of the current State CEQA Guidelines.
3. Make a finding that the proposed rezoning from C-4 (General Commercial, Applicable to El Camino Real) to C-4-X (General Commercial, Applicable to El Camino Real, Conditional Development) is consistent with the existing General Plan land use designation of El Camino Real Professional/Retail Commercial for the property.
4. Make a finding that the proposed conditional development will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed development, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
5. Make a finding that the conditional development permit allows for a proposal that minimizes adverse impacts on neighboring properties and allows a community resource to remain open during construction. Furthermore, the proposed development conforms to all of the development regulations of the underlying C-4 (General Commercial, Applicable to El Camino Real) zoning district except for parking, building height, and signs.
6. Introduce Ordinance No. _____, rezoning the property from C-4 (General Commercial, Applicable to El Camino Real) to C-4-X (General Commercial, Applicable to El Camino Real, Conditional Development).
7. Approve the Conditional Development Permit for the construction of a 65,017-square-foot grocery store and 11,500 square feet of service retail at 525 and 625 El Camino Real subject to the requirements of the Conditional Development Permit.
8. Authorize the City Manager to execute an acknowledgement of termination of an access easement upon demolition of the building.

ATTACHMENT C

DRAFT CONDITIONAL DEVELOPMENT PERMIT

525 and 625 El Camino Real CONDITIONAL DEVELOPMENT PERMIT

I. GENERAL INFORMATION:

- A. Applicant: Safeway, Inc. (“Ground Lessee”)
- B. Nature of Project: Rezoning the project site, construction of a 65,017-square-foot main structure (anchor store) and a semi-attached 11,500-square-foot building (retail building) for a total of 77,248 square feet, with related site improvements including driveways and landscaping.
- C. Property Location: 525 and 625 El Camino Real
- D. Assessor's Parcel Number: 071-332-130 and 071-332-110
- E. Area of Property: 251,343 square feet
- F. Present Zoning: C-4 (General Commercial, Applicable to El Camino Real District)
- G. Proposed Zoning: C-4-X (General Commercial, Applicable to El Camino Real - X Conditional Development District)

II. DEVELOPMENT STANDARDS:

- A. Floor Area Ratio (FAR) shall not exceed **35 percent** of the project site.
- B. Lot coverage shall not exceed **33 percent** of the lot area.
- C. Minimum landscaping shall be **10 percent** of the lot area.
- D. The maximum amount of pavement shall not exceed **57 percent** of the lot area.
- E. Building height shall not exceed **30 feet** from the average natural grade, except for architectural features which shall not exceed **40 feet**.
- F. Building setbacks and parking shall be in accordance with the approved plans.

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

III. USES

The project site includes a 65,017-square-foot main structure (anchor store) and a semi-attached 11,500-square-foot building (retail building) that will contain one or more tenant lease spaces.

A. Anchor store

Permitted uses for the anchor store operating 24 hours per day shall be those uses generally associated with the operation of a grocery store and shall include:

- Grocery store;
- Bakery;
- Coffee/~~Juice~~ bar;
- Delicatessen;
- Pharmacy;
- Sale of beer, wine and distilled spirits;
- Banking;
- Outdoor sales as represented on the project plans; and
- Outdoor seating as represented on the project plans.

Administratively permitted uses for the anchor store:

- Outdoor sales; and
- Outdoor seating.

B. Retail building

Permitted uses for the retail building operating during the hours of 6 a.m. and 11 p.m. shall include:

- Retail stores;
- Food service establishments occupying not more than 5,000 square feet in aggregate;
- Personal services;
- Financial establishments; and
- Office uses limited to those serving the general public, such as travel agencies, real estate offices, and insurance offices occupying not more than 5,000 square feet in aggregate.

Administratively permitted uses for the retail building:

- Outdoor sales; and
- Outdoor seating.

IV. SIGNS

- A. The Conditional Development Permit establishes a master sign program for the site with a maximum allowed sign area of 475 square feet. All signage must be located entirely within the project site and be consistent with the approved master sign program as represented in the project plans.

V. TERMS OF THE PERMIT

- A. The Conditional Development Permit shall expire **two years** from the date of approval if the applicant does not submit a complete building permit application within that time.
- B. A public hearing by the Planning Commission and City Council would be required prior to issuance of a permit for revisions to the development plan which involve changes in land use, expansion or intensification of development or a relaxation in the standards of development. Staff may approve revisions to the approved plans that would not affect the safety or privacy of neighboring properties or have potential negative environmental impacts. Staff may refer any request for revisions to the plans to the Planning Commission for architectural control approval. A public hearing could be called regarding such changes if deemed necessary by the Planning Commission.
- C. This permit may be amended by a majority vote of the City Council. Application for amendment shall be made by at least one of the property owners or "Ground Lessee", in writing, to the Planning Commission. The Planning Commission shall then forward its recommendation to the City Council for action.
- D. ~~This permit will terminate at the expiration (October 31, 2058) or earlier termination of the ground lease between Safeway and Christensen Fund, as lessor, unless Safeway acquires fee title to the parcel, or said ground lease is extended or renewed, in which event the permit will be extended for the term of the extended or renewed ground lease. At the expiration (October 31, 2058) or earlier termination of the "Sub-Ground Lease and Ground Lease" between Safeway Inc. as "Tenant" and The Christensen Fund as "Landlord" this permit will terminate and all buildings on both parcels that are the subject of this permit shall be removed or modified so that the development on each parcel complies with all development regulations for the C-4 El Camino Real Zoning District, unless (i) a single owner acquires fee title to both parcels that are the subject of this permit and said parcels are merged into one parcel, (ii) the Sub-Ground Lease and Ground Lease is extended, renewed or replaced with a single ground lessee for both parcels that are the subject of this permit, or (iii) the then property owners of the two parcels record a new covenant agreeing that both parcels are bound by and restricted in accordance with the terms and provisions of this permit and that any new development of any parcel is limited by the development on both parcels. If one of those conditions is~~

satisfied, this permit will be extended for so long as both parcels are subject to control by a single entity or party, or the owners of the two parcels agree that both parcels are bound by and restricted in accordance with the terms and provisions of this permit.

- E. The Community Development Director shall review any complaints received by the City regarding the new Safeway development. The Community Development Director or his/her designee shall work with Safeway and the neighbors to try to resolve such complaints, when possible. The Community Development Director shall have the discretion to bring complaints to the Planning Commission for review.

VI. STANDARD CONDITIONS:

- A. Development of the project shall be substantially in conformance with the following plans submitted by SGPA Architecture and Planning, dated received by the Planning Division on ~~August 22, 2005~~ September 21, 2005, consisting of ~~23-24~~ plan sheets and ~~recommended for approval to the City Council by the Planning Commission on August 29, 2005~~ approved by the City Council on September 27, 2005, except as modified by the conditions contained herein:
- B. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- C. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the new construction.
- D. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. All utilities shall be placed underground. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- E. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The plans shall be prepared by a Civil Engineer registered in California and shall be included in the project plans submitted for building permit applications. The Grading and Drainage Plan shall be approved prior to issuance of a building permit.
- F. The applicant is required to enter into a "Stormwater Treatment Measures Operation and Maintenance (O & M) Agreement" with the City. With the

executed agreement, the ~~property owners are~~ "Ground Lessee" is responsible for the operation and maintenance of stormwater treatment measures for the project. The applicant is required to provide access permission to the extent allowable by law for representatives of the City, local vector control district, and Regional Water Quality Control Board staff strictly for the purpose of O & M verification for the specific stormwater treatment system for the project.

- G. The applicant shall comply with the Best Management Practices (BMP) requirements in order to ensure project compliance with the National Pollutant Discharge Elimination System (NPDES) permit. The applicant will adhere to City standards for the collection and disposal of on-site water run-off and for the protection of storm water quality during construction. The project will be subject to the review and approval of the Engineering Division.
- H. Prior to building permit issuance, the applicant shall submit a plan for construction safety fences around the site for review and approval of the Building Division. The fences shall be installed according to the plan prior to commencing construction.
- I. Prior to grading or building permit issuance, the applicant shall submit a plan for the control of dust for the duration of the project. The plan shall list specific measures, including but not limited to routine watering of the site. The plan shall also specifically address how dust would be controlled during weekends and other off-work periods. Finally, the plan shall include a contact name and phone number to receive and address any complaints. This plan shall be submitted for the review and approval of the Planning Division.
- J. Prior to building permit issuance, the applicant shall submit a detailed landscape and irrigation plan for review and approval of the Planning Division and Department of Public Works. The plan shall comply with the Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Landscape shall be installed prior to final building inspection.
- K. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance. Prior to building permit issuance, the applicant shall implement the tree protection plan and technique recommendations in the Arborist Report for all applicable heritage trees.
- L. Prior to building permit issuance, the applicant shall comply with the requirements of Chapter 12.48 (Salvaging and Recycling of Construction and Demolition Debris) of the City of Menlo Park Municipal Code.

VI. PROJECT SPECIFIC CONDITIONS:

- M. Any deviation from the approved construction phasing plan and related construction related policies contained in the approved plans shall be subject to review and approval of the Building Division. The applicant must notify the adjacent property owners of the proposed changes at the time of application to the Building Division.
- N. Prior to building permit issuance, the applicant shall submit a letter prepared by an acoustical consultant confirming that the project plans comply with the following recommendations of Wilson, Ihrig & Associates, Inc., contained in the "Noise Control Recommendations" section of the report dated August 6, 2004 for the review and approval of the Building Division:
- **Landscape:** A wall of minimum height 2 feet should be provided along the edge of the parking lot adjacent to El Camino Real to maintain the existing noise reduction currently afforded by the hedge now located there. Alternately, a dense hedge may be provided as now exists in the planting area, so that the height of the hedge is a minimum of two feet above the El Camino Real crowns.
 - **Rooftop AC Units:** The AC units that would be located on the roofs of the proposed commercial shops should be selected so that their octave band power levels are comparable to or less than the sound power levels assumed in Table 3 [of subject report]. Sound power levels for specific roof-top equipment should be reviewed by an acoustical engineer prior to selection.
 - **Submittals:** Submittals of mechanical equipment specifications, including octave band sound power levels, should be reviewed prior to purchasing and installation to check consistency with predictions.
- O. All materials and colors shall be as depicted in the approved plans and colors and materials board. The applicant shall take special care to maintain the lower four feet of all building walls and surfaces that are subject to wear and tear of customers and shopping carts. The applicant shall maintain these areas at all times and take any ongoing means necessary to ensure the attractiveness of the elevations.
- P. Prior to building permit issuance, the applicant shall submit detailed plans for the provision of on-site recycling and garbage receptacles throughout the project site for review and approval of Planning Division and the Environmental Program Coordinator. The appearance of any recycling facilities not contained within the structures shall be compatible with the architecture of the building.
- Q. Prior to building permit issuance, the applicant shall submit plans for implementing the 20/20 recycling programs for review and approval of the Planning Division and the Environmental Program Coordinator.

- R. ~~Prior to building permit issuance, the applicant shall submit documentation demonstrating that deed restriction has been recorded with the County of San Mateo against both properties indicating that each property is subject to the terms and conditions of the Conditional Development Permit. Prior to building permit issuance, the applicant shall record a Covenant with the San Mateo County Recorder's office, in form and substance approved by the City Attorney, restricting the development of both parcels in accordance with the terms and provisions of this Conditional Development Permit, and agreeing to remove or modify the buildings located on the two parcels so that the development on each individual parcel complies with all development regulations for the C-4 El Camino zoning District upon the expiration of the Sub-Ground Lease and Ground Lease unless one of the conditions of Condition V. D. of this permit allow the extension of the permit.~~
- S. ~~Prior to building permit issuance, the applicant shall submit a plan to address building code compliance issues related to the rear exit of the building at 651 Roble Avenue (Masonic Temple) for review and approval of the Building Division. The plan for resolving the code compliance issues shall be implemented prior to occupancy of the Safeway store. Prior to building permit issuance, the applicant shall cause the stairs and the access door at the rear of the Masonic Lodge located at 651 Roble Avenue to be removed/relocated so that it is not exiting onto the 525 and 625 El Camino Real property, or the applicant shall provide a plan for safe emergency exiting from the Masonic Lodge building as it presently exists, subject to the review and approval of the Building Division.~~
- T. Prior to occupancy of the new Safeway store, the applicant shall implement Transportation Demand Management Measures subject to review and approval of the Transportation Division. The Transportation Demand Management Measures shall include, ~~but not be limited to~~ measures such as providing bicycle racks, offering subsidies to employees that use transit or bike/walk to work, creating a commuter assistance center, conducting employee surveys of transit use, and providing on-site banking for a total trip reduction of 60 trips.
- U. The applicant shall ~~obtain~~ apply for all necessary approvals of Caltrans and applicable transit agencies for modifications in the public right-of-way along El Camino Real, including the relocation of bus stops. If the applicant is unable to obtain approval of the left turn pocket in a timely fashion with a reasonable set of conditions of approval from Caltrans, with reasonableness determined the applicant in consultation with the Public Works Director, the applicant may choose to not pursue the construction of the left turn pocket.
- V. Prior to building permit issuance, the applicant shall submit a sidewalk plan for the El Camino Real frontage subject to review and approval of the

Engineering and Planning Divisions. The plan shall identify areas for all anticipated obstacles and shall maintain a paved walking lane of a minimum of four feet.

Recommended for Approval by the
Menlo Park Planning Commission on
August 29, 2005

Approved by the
Menlo Park City Council on
_____, 2005

Arlinda Heineck, Community
Development Director

Silvia M. Vonderlinden, City Clerk

v:\staffrpt\cc\2005\092705 - 525 el camino - attach c - cdp.doc

ATTACHMENT D

DRAFT
9/27/05

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF MENLO PARK REZONING PROPERTY LOCATED AT 525 AND 625 EL CAMINO REAL

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

SECTION 1. The zoning map of the City of Menlo Park is hereby amended such that certain real property located at 525 El Camino Real (APN 071-332-130) and 625 El Camino Real (APN 071-332-110) and more particularly described in Exhibit "A" is rezoned from C-4 (General Commercial, Applicable to El Camino Real District) to C-4-X (General Commercial, Applicable to El Camino Real - X Conditional Development District).

SECTION 2. This ordinance shall be published once, within fifteen (15) days of its passage and adoption, in the Menlo-Atherton Recorder (Menlo Park's Almanac), a newspaper of general circulation, circulated in the City of Menlo Park and printed and published nearest the City of Menlo Park, and shall take effect thirty (30) days after its passage and adoption.

INTRODUCED on the ____ day of ____, 2005.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ____ day of ____, 2005, by the following vote:

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

APPROVED:

Mickie Winkler
Mayor, City of Menlo Park

ATTEST:

Silvia M. Vonderlinden, City Clerk



PLANNING COMMISSION STAFF REPORT

FOR THE PLANNING COMMISSION
MEETING OF AUGUST 29, 2005
AGENDA ITEM C5

LOCATION:	525 El Camino Real 625 El Camino Real	APPLICANT:	Safeway Inc.
EXISTING USE:	Grocery Store	PROPERTY OWNERS:	Christensen Fund and James T. Kearney and Morey Trust
PROPOSED USE:	Grocery Store and Retail Services	APPLICATION:	Rezoning and Conditional Development Permit
EXISTING ZONING:	C-4 (General Commercial, Applicable to El Camino Real)		
PROPOSED ZONING:	C-4-X (General Commercial, Applicable to El Camino Real – Conditional Development)		

PROPOSAL

Safeway, Inc. is proposing to demolish its existing 85,662-square-foot store and construct a new store of approximately 65,017 square feet and 11,500 square feet of additional retail and service space for a project total of 76,517 square feet at 525 El Camino Real. The proposed project would be built in phases, with Safeway operating during construction. The proposed project includes a request for rezoning the site from C-4 (General Commercial Applicable to El Camino Real District) to C-4-X (General Commercial Applicable to El Camino Real - Conditional Development District) and a Conditional Development Permit (CDP) to establish the use, development and sign regulations for the property. In addition to the reconstruction of the site, the applicant is proposing to install a left turn pocket for traffic traveling north on El Camino Real to enter the Safeway site directly.

BACKGROUND

The proposed design of the new Safeway store has been evolving since 1998 when Safeway began developing conceptual design options. In 2001 Safeway and the neighborhood began working collaboratively on a design proposal that would be acceptable to the neighborhood and feasible for Safeway. In developing the currently proposed plan, Safeway presented five alternative site plans to the neighborhood. Four included construction of a new store and one involved the remodeling of the existing store. The neighbors reviewed the alternatives applying the following agreed upon criteria.

- The loading dock would be away from residential areas.
- A building wall would help to isolate residential areas from sound generated by the store and by El Camino Real.
- Previous solutions to problems generated by store operations would be permanently “designed-in.”
- The store would be up-to-date including new environmental controls and interior mechanical equipment.
- Circulation for both cars and pedestrians would be improved.
- Landscaping and appearance would be improved.
- The parking lot would have two-way aisles with 90-degree parking.

The site plan that is currently under consideration represents the preferred design and results in a building wall for the residents of Kenwood Drive and Roble Avenue to provide protection from sound and light impacts associated with the proposed uses. The angle of the proposed building, circulation and parking would serve to partially reduce parking and traffic noise and to partially reduce traffic on Middle Avenue. The neighbors discussed various architectural styles and decided that an architectural style reminiscent of the Allied Arts Guild structures would be appropriate.

The Planning Commission reviewed the proposal at a May 20, 2002 study meeting. The staff report prepared for the Planning Commission study meeting is available for review at the Community Development offices. The Commission expressed appreciation for the cooperative efforts of Safeway representatives and the surrounding neighbors on the development of the proposal. The Commission expressed general support for the proposal to construct a new building on the site, but commented on several issues including:

- The possibility of providing for employee parking in a below grade garage;
- Analyzing access and traffic issues specific to Middle Avenue;
- Mitigating noise from mechanical equipment;
- Providing a detailed construction plan and schedule;
- Providing more trees and landscaping on the site;
- Identification of the types of retail tenants that would be allowed to occupy the site; and

- The need for careful attention to design details of the building and perimeter walls.

Safeway and the neighbors continued to work together to further refine details of the proposal including details of building and sound walls, the process for easements to be recorded between Safeway and adjacent property owners, location of mechanical equipment, construction phasing plans and disruption avoidance techniques.

In January 2004, Safeway made a formal submittal including revised plans that incorporated responses to many issues raised by the Commission. The submittal also incorporated further comment derived by working with the neighborhood. Attachment F includes a detailed project description from Safeway, a summary of neighborhood working group activities, and suggested conditions of approval.

The City Council considered this proposal at a study session on May 10, 2005. The staff report for the study session is available for review at the Community Development offices. Individual Council members asked questions and provided comments related to landscaping, public art, El Camino Real access, bicycle circulation and parking, uses and building materials. Safeway further refined the project plans in an attempt to address issues raised by the Council.

ANALYSIS

The project site at 525 El Camino Real is located in the C-4 (General Commercial, Applicable to El Camino Real) zoning district, and is approximately 251,515 square feet (5.77 acres) in area. The site is currently developed with a single commercial building of approximately 85,662 square feet, which equates to a floor area ratio (FAR) of 34.1 percent. The proposal is for a 65,017-square-foot Safeway store and an attached 11,500-square-foot ancillary structure with retail lease spaces resulting in a project total of 76,517 square feet and a FAR of 30.4 percent. A comparison of the proposed project, existing development and Zoning Ordinance requirements is included as Attachment E.

The proposed project complies with all applicable Zoning Ordinance requirements except for the following: parking, building height and signage. The applicant is requesting exceptions to these three requirements through the conditional development permit process, which necessitates rezoning the property. The conditional development permit allows exceptions, but also establishes the precise development and use regulations for the property.

Proposed Uses

The proposed project includes requests to continue certain aspects of Safeway's operation and expand others as follows:

- provide banking (new), a café (new), and a pharmacy (existing) inside the store;

- continue to sell alcoholic beverages, deli foods and other take-out foods;
- provide outdoor seating (new) and outdoor sales (existing) in front of the store; and
- continue to operate 24 hours a day.

The proposed retail building would generally include the list of permitted uses in the C-4 El Camino Real zoning district, but would include limitations to the uses to ensure the uses possess retail-like characteristics and do not generate parking demands in excess of those included in the proposed project. The recommended list of uses include the following:

- Retail stores;
- Food service establishments occupying not more than 5,000 square feet in aggregate;
- Personal services;
- Financial establishments; and
- Office uses limited to those serving the general public, such as travel agencies, real estate offices, and insurance offices occupying not more than 5,000 square feet in aggregate.

The precise list of permitted and administratively permitted uses for the site are included in the attached draft Conditional Development Permit (Attachment C).

Parking

Currently there are 395 on-site parking spaces in total with 152 parking spaces located in the partially submerged garage and 243 surface parking spaces. The C-4 zoning designation for this property requires a parking ratio of six parking spaces per 1,000 square feet of gross floor area or 513 parking spaces for the existing building. Therefore, the existing property is nonconforming in regard to parking with a ratio of 4.61 parking spaces per 1,000 square feet of gross floor area. Despite the shortfall of required parking spaces staff is unaware of actual parking shortages at this site either under the existing conditions or when the building was fully occupied.

As part of the proposed project Safeway is requesting a reduction in the number of required on-site parking spaces. At a ratio of six spaces per 1,000 square feet of gross floor area, the parking requirement would be 459 spaces. The proposed project would provide a total of 379 parking spaces, or 4.95 spaces per 1,000 square feet of gross floor area. Six of the 379 parking spaces would not be paved, but would be placed in landscape reserve in case the spaces are needed in the future. In considering the site layout, Safeway attempted to provide five parking spaces per 1,000 square feet of gross floor area to meet a neighborhood desire for parking and to meet the newly adopted City guideline for retail uses. Staff believes the proposed parking is sufficient for the proposed uses on the site.

Building Height

The height of the existing building is 31 feet. The maximum allowed in the C-4 El Camino Real zoning district is 30 feet. The majority of the proposed project would comply with the maximum height limit of 30 feet. For example, the proposed parapet wall along the rear property line is 28 feet in height. The proposed project includes five architectural features that exceed the 30-foot height limit. Two tower elements at either end of the retail building reach a maximum height of 31.6 feet. Two gable end features of the Safeway store reach a maximum height of 35 feet and one tower element of the Safeway store reaches a height of 38.4 feet. Staff believes that these features enhance the overall aesthetic of the site and do not have adverse impacts on surrounding properties.

Signs

The applicant is also requesting approval of a master sign program to provide approximately 473 square feet of sign area. The master sign program request also includes use of the color red associated with the corporate colors of Safeway, but does not cover signs that may be proposed for the retail tenant spaces. The proposal includes the removal of all existing signage, including the pole sign along El Camino Real and the installation of new signage for Safeway and the individual tenant spaces. The new signage for Safeway includes two monument signs along the El Camino Real frontage and wall signs on the building. The potential locations of the individual tenant spaces have been identified, but each individual sign request would need to be submitted through the normal administrative sign review process.

Noise

Existing and potential noise impacts were of special concern to the neighbors. The applicant conducted an acoustical study that is available for review at the City offices. The applicant has designed the project in a way that should minimize noise impacts on adjacent properties. The recommended conditions of approval in the conditional development permit require adherence to the recommendations contained in the acoustical report.

Trees

In developing the project plans, the applicant consulted an arborist in order to design a building that attempted to minimize impacts to heritage trees around the perimeter of the property. (The arborist report is available for review in the City offices). A total of four heritage Coast live oaks, two located along each interior property line will be pruned, but preserved. The project does necessitate the removal of all of the trees in the parking lot and in front of the building, including 38 Evergreen pears, six Japanese Maples, and five Chinese elms. The Chinese elm trees are of heritage size with the trees ranging in diameter between 16 and 20 inches. Staff has reviewed the requested removals and recommends removal subject to Planning Commission and City Council

review of the proposed development project. The removals of the heritage and non-heritage trees allow for improved parking and circulation. The proposed planting plan primarily includes London plane and Red maple trees plus Queen palms as accent trees at the corner of El Camino Real and Middle Avenue.

Left Turn Pocket

In addition to the reconstruction of the site, the applicant is proposing to install a left turn pocket for traffic traveling north on El Camino Real to enter the Safeway site directly as shown on the project plans. The left turn pocket can be accommodated with the existing right-of-way. Staff supports the left turn pocket due to the relief that it provides to the intersection of El Camino Real and Middle Avenue. The applicant needs to pursue the necessary approvals from Caltrans prior to constructing the improvements. To date, Caltrans has expressed support of the proposal.

Conditions of Approval

The Conditional Development Permit (Attachment C) outlines the conditions of approval for the project. The conditions include standard conditions plus project specific conditions. In addition to the City imposed conditions of approval, Safeway and the neighborhood have agreed to a set of conditions outlined in the last page of Attachment F. Staff believes that these are items best left as an agreement between Safeway and the neighbors. Staff is willing to assist in ensuring that these agreement items are implemented.

ENVIRONMENTAL REVIEW

The proposed redevelopment of the site is exempt from the California Environmental Quality Act (CEQA) under Class 2 as replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. The proposed left turn pocket on El Camino Real is exempt from CEQA under Class 1 as a minor alteration to an existing roadway. These conclusions regarding the exemptions are reinforced by the preparation of a Traffic Study (available for review at the City offices) that studied the redevelopment of the site and the project with and without the left turn pocket. The traffic study also analyzed the Transportation Demand Management program proposed by the applicant which includes such items as providing bicycle racks, offering subsidies to employees that use transit or bike/walk to work, creating a commuter assistance center, conducting employee surveys of transit use, and providing on-site banking. The traffic study concluded that the redevelopment of the site would not result in significant impact to any nearby intersections or roadway segments according to the City's Transportation Impact Analysis Guidelines and Transportation Demand Management Guidelines. The creation of the left turn pocket to allow northbound traffic to enter the site directly from El Camino Real without turning left on Middle Avenue and then right into the site improves the level of service at the intersection of El Camino Real and Middle Avenue, but is not required as a mitigation measure.

RECOMMENDATION

Recommend to the City Council:

1. Adopt a finding that the redevelopment of the site is categorically exempt under Class 2 of the current State CEQA Guidelines.
2. Adopt a finding that the creation of a left turn pocket on El Camino Real is categorically exempt under Class 1 of the current State CEQA Guidelines.
3. Make a finding that the proposed rezoning from C-4 (General Commercial, Applicable to El Camino Real) to C-4-X (General Commercial, Applicable to El Camino Real, Conditional Development) is consistent with the existing General Plan land use designation of El Camino Real Professional/Retail Commercial for the property.
4. Make a finding that the proposed conditional development will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed development, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
5. Make a finding that the conditional development permit allows for a proposal that minimizes adverse impacts on neighboring properties and allows a community resource to remain open during construction. Furthermore, the proposed development conforms to all of the development regulations of the underlying C-4 (General Commercial, Applicable to El Camino Real) zoning district except for parking, building height, and signs.
6. Introduce Ordinance No. _____, rezoning the property from C-4 (General Commercial, Applicable to El Camino Real) to C-4-X (General Commercial, Applicable to El Camino Real, Conditional Development).
7. Approve the Conditional Development Permit for the construction of a 65,017-square-foot grocery store and 11,500 square feet of service retail at 525 and 625 El Camino Real subject to the requirements of the Conditional Development Permit.

Justin Murphy
Development Services Manager
Report Author

Arlinda Heineck
Community Development Director

PUBLIC NOTIFICATION

Public notification consisted of publishing a legal notice in the local newspaper and notification by mail of owners and residents within a 300-foot radius of the subject property and an expanded area that included properties roughly bounded by El Camino Real on the east, Live Oak Avenue on the north, University Drive on the west and Partridge Avenue on the south. Planning Commission action will be in the form of a recommendation to the City Council.

ATTACHMENTS

- A. Location Map
- B. Project Plans
- C. Draft Conditional Development Permit, August 29, 2005
- D. Draft Rezoning Ordinance No._____ to rezone property at 525 and 625 El Camino Real from C-4 (General Commercial, Applicable to El Camino Real) to C-4-X (General Commercial, Applicable to El Camino Real, Conditional Development)
- E. Data Table
- F. Documentation submitted by Safeway, dated received August 22, 2005
 - Project Description
 - Working Group Summary
 - Proposed Conditions of Approval
- G. Letter from the Chamber of Commerce, dated May 10, 2005

EXHIBITS TO BE PROVIDED AT MEETING

1. Model
2. Color and Material Board

DOCUMENTS AVAILABLE FOR REVIEW AT THE CITY OFFICES

1. Planning Commission Study Session Staff Report, dated May 20, 2002
2. City Council Study Session Staff Report, dated May 10, 2005
3. Arborist Report prepared by McClenahan Consulting, LLC, dated July 29, 2003
4. Noise Impact Analysis prepared by Wilson, Ihrig & Associates, Inc., dated August 6, 2004
5. Traffic Study prepared by Hexagon Transportation Consultants, Inc., dated May 10, 2005

Note: Attached are reduced versions of maps and diagrams submitted by the applicant. The accuracy of the information in these drawings is the responsibility of the applicant, and verification of the accuracy by City Staff is not always possible. The original full-scale maps and drawings are available for public viewing at the Community Development Department.

v:\staff\pt\pc\2005\082905 - 525 el camino - safeway.doc

ATTACHMENT C

DRAFT CONDITIONAL DEVELOPMENT PERMIT

525 and 625 El Camino Real CONDITIONAL DEVELOPMENT PERMIT

I. GENERAL INFORMATION:

- A. Applicant: Safeway, Inc.
- B. Nature of Project: Rezoning the project site, construction of a 65,017-square-foot main structure (anchor store) and a semi-attached 11,500-square-foot building (retail building) for a total of 77,248 square feet, with related site improvements including driveways and landscaping.
- C. Property Location: 525 and 625 El Camino Real
- D. Assessor's Parcel Number: 071-332-130 and 071-332-110
- E. Area of Property: 251,343 square feet
- F. Present Zoning: C-4 (General Commercial, Applicable to El Camino Real District)
- G. Proposed Zoning: C-4-X (General Commercial, Applicable to El Camino Real - X Conditional Development District)

II. DEVELOPMENT STANDARDS:

- A. Floor Area Ratio (FAR) shall not exceed **35 percent** of the project site.
- B. Lot coverage shall not exceed **33 percent** of the lot area.
- C. Minimum landscaping shall be **10 percent** of the lot area.
- D. The maximum amount of pavement shall not exceed **57 percent** of the lot area.
- E. Building height shall not exceed **30 feet** from the average natural grade, except for architectural features which shall not exceed **40 feet**.
- F. Building setbacks and parking shall be in accordance with the approved plans.

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

III. USES

The project site includes a 65,017-square-foot main structure (anchor store) and a semi-attached 11,500-square-foot building (retail building) that will contain one or more tenant lease spaces.

A. Anchor store

Permitted uses for the anchor store operating 24 hours per day shall be those uses generally associated with the operation of a grocery store and shall include:

- Grocery store;
- Bakery;
- Coffee bar;
- Delicatessen;
- Pharmacy;
- Sale of beer, wine and distilled spirits;
- Banking;
- Outdoor sales as represented on the project plans; and
- Outdoor seating as represented on the project plans.

Administratively permitted uses for the anchor store:

- Outdoor sales; and
- Outdoor seating.

B. Retail building

Permitted uses for the retail building operating during the hours of 6 a.m. and 11 p.m. shall include:

- Retail stores;
- Food service establishments occupying not more than 5,000 square feet in aggregate;
- Personal services;
- Financial establishments; and
- Office uses limited to those serving the general public, such as travel agencies, real estate offices, and insurance offices occupying not more than 5,000 square feet in aggregate.

Administratively permitted uses for the retail building:

- Outdoor sales; and
- Outdoor seating.

IV. SIGNS

- A. The Conditional Development Permit establishes a master sign program for the site with a maximum allowed sign area of 475 square feet. All signage must be located entirely within the project site and be consistent with the approved master sign program as represented in the project plans.

V. TERMS OF THE PERMIT

- A. The Conditional Development Permit shall expire **two years** from the date of approval if the applicant does not submit a complete building permit application within that time.
- B. A public hearing by the Planning Commission and City Council would be required prior to issuance of a permit for revisions to the development plan which involve changes in land use, expansion or intensification of development or a relaxation in the standards of development. Staff may approve revisions to the approved plans that would not affect the safety or privacy of neighboring properties or have potential negative environmental impacts. Staff may refer any request for revisions to the plans to the Planning Commission for architectural control approval. A public hearing could be called regarding such changes if deemed necessary by the Planning Commission.
- C. This permit may be amended by a majority vote of the City Council. Application for amendment shall be made by at least one of the property owners, in writing, to the Planning Commission. The Planning Commission shall then forward its recommendation to the City Council for action.
- D. This permit will terminate at the expiration (October 31, 2058) or earlier termination of the ground lease between Safeway and Christensen Fund, as lessor, unless Safeway acquires fee title to the parcel, or said ground lease is extended or renewed, in which event the permit will be extended for the term of the extended or renewed ground lease.
- E. The Community Development Director shall review any complaints received by the City regarding the new Safeway development. The Community Development Director or his/her designee shall work with Safeway and the neighbors to try to resolve such complaints, when possible. The Community Development Director shall have the discretion to bring complaints to the Planning Commission for review.

V. STANDARD CONDITIONS:

- A. Development of the project shall be substantially in conformance with the following plans submitted by SGPA Architecture and Planning, dated received by the Planning Division on August 22, 2005, consisting of 23 plan sheets and recommended for approval to the City Council by the Planning Commission on August 29, 2005 except as modified by the conditions contained herein:
- B. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- C. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the new construction.
- D. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. All utilities shall be placed underground. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- E. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The plans shall be prepared by a Civil Engineer registered in California and shall be included in the project plans submitted for building permit applications. The Grading and Drainage Plan shall be approved prior to issuance of a building permit.
- F. The applicant is required to enter into a "Stormwater Treatment Measures Operation and Maintenance (O & M) Agreement" with the City. With the executed agreement, the property owners are responsible for the operation and maintenance of stormwater treatment measures for the project. The applicant is required to provide access permission to the extent allowable by law for representatives of the City, local vector control district, and Regional Water Quality Control Board staff strictly for the purpose of O & M verification for the specific stormwater treatment system for the project.

- G. The applicant shall comply with the Best Management Practices (BMP) requirements in order to ensure project compliance with the National Pollutant Discharge Elimination System (NPDES) permit. The applicant will adhere to City standards for the collection and disposal of on-site water run-off and for the protection of storm water quality during construction. The project will be subject to the review and approval of the Engineering Division.
- H. Prior to building permit issuance, the applicant shall submit a plan for construction safety fences around the site for review and approval of the Building Division. The fences shall be installed according to the plan prior to commencing construction.
- I. Prior to grading or building permit issuance, the applicant shall submit a plan for the control of dust for the duration of the project. The plan shall list specific measures, including but not limited to routine watering of the site. The plan shall also specifically address how dust would be controlled during weekends and other off-work periods. Finally, the plan shall include a contact name and phone number to receive and address any complaints. This plan shall be submitted for the review and approval of the Planning Division.
- J. Prior to building permit issuance, the applicant shall submit a detailed landscape and irrigation plan for review and approval of the Planning Division and Department of Public Works. The plan shall comply with the Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Landscape shall be installed prior to final building inspection.
- K. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance. Prior to building permit issuance, the applicant shall implement the tree protection plan and technique recommendations in the Arborist Report for all applicable heritage trees.
- L. Prior to building permit issuance, the applicant shall comply with the requirements of Chapter 12.48 (Salvaging and Recycling of Construction and Demolition Debris) of the City of Menlo Park Municipal Code.

VI. PROJECT SPECIFIC CONDITIONS:

- M. Any deviation from the approved construction phasing plan and related construction related policies contained in the approved plans shall be subject to review and approval of the Building Division. The applicant must notify the adjacent property owners of the proposed changes at the time of application to the Building Division.
- N. Prior to building permit issuance, the applicant shall submit a letter prepared by an acoustical consultant confirming that the project plans

comply with the following recommendations of Wilson, Ihrig & Associates, Inc., contained in the "Noise Control Recommendations" section of the report dated August 6, 2004 for the review and approval of the Building Division:

- **Landscape:** A wall of minimum height 2 feet should be provided along the edge of the parking lot adjacent to El Camino Real to maintain the existing noise reduction currently afforded by the hedge now located there. Alternately, a dense hedge may be provided as now exists in the planting area, so that the height of the hedge is a minimum of two feet above the El Camino Real crowns.
 - **Roof-top AC Units:** The AC units that would be located on the roofs of the proposed commercial shops should be selected so that their octave band power levels are comparable to or less than the sound power levels assumed in Table 3 [of subject report]. Sound power levels for specific roof-top equipment should be reviewed by an acoustical engineer prior to selection.
 - **Submittals:** Submittals of mechanical equipment specifications, including octave band sound power levels, should be reviewed prior to purchasing and installation to check consistency with predictions.
- O. All materials and colors shall be as depicted in the approved plans and colors and materials board. The applicant shall take special care to maintain the lower four feet of all building walls and surfaces that are subject to wear and tear of customers and shopping carts. The applicant shall maintain these areas at all times and take any ongoing means necessary to ensure the attractiveness of the elevations.
- P. Prior to building permit issuance, the applicant shall submit detailed plans for the provision of on-site recycling and garbage receptacles throughout the project site for review and approval of Planning Division and the Environmental Program Coordinator. The appearance of any recycling facilities not contained within the structures shall be compatible with the architecture of the building.
- Q. Prior to building permit issuance, the applicant shall submit plans for implementing the 20/20 recycling programs for review and approval of the Planning Division and the Environmental Program Coordinator.

- R. Prior to building permit issuance, the applicant shall submit documentation demonstrating that deed restriction has been recorded with the County of San Mateo against both properties indicating that each property is subject to the terms and conditions of the Conditional Development Permit.
- S. Prior to building permit issuance, the applicant shall submit a plan to address building code compliance issues related to the rear exit of the building at 651 Roble Avenue (Masonic Temple) for review and approval of the Building Division. The plan for resolving the code compliance issues shall be implemented prior to occupancy of the Safeway store.
- T. Prior to occupancy of the new Safeway store, the applicant shall implement Transportation Demand Management Measures subject to review and approval of the Transportation Division. The Transportation Demand Management Measures shall include, but not be limited to providing bicycle racks, offering subsidies to employees that use transit or bike/walk to work, creating a commuter assistance center, conducting employee surveys of transit use, and providing on-site banking.
- U. The applicant shall obtain all necessary approvals of Caltrans and applicable transit agencies for modifications in the public right-of-way along El Camino Real, including the relocation of bus stops.

Recommended for Approval by the
Menlo Park Planning Commission on
_____, 2005

Approved by the
Menlo Park City Council on
_____, 2005

Arlinda Heineck, Community
Development Director

Silvia Vonderlinden, City Clerk

v:\staff\prpt\pc\2005\082905 - 525 el camino - attach c - cdp.doc

ATTACHMENT D

DRAFT
8/29/05

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF MENLO PARK REZONING PROPERTY LOCATED AT 525 AND 625 EL CAMINO REAL

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

SECTION 1. The zoning map of the City of Menlo Park is hereby amended such that certain real property located at 525 El Camino Real (APN 071-332-130) and 625 El Camino Real (APN 071-332-110) and more particularly described in Exhibit "A" is rezoned from C-4 (General Commercial, Applicable to El Camino Real District) to C-4-X (General Commercial, Applicable to El Camino Real - X Conditional Development District).

SECTION 2. This ordinance shall be published once, within fifteen (15) days of its passage and adoption, in the Menlo-Atherton Recorder (Menlo Park's Almanac), a newspaper of general circulation, circulated in the City of Menlo Park and printed and published nearest the City of Menlo Park, and shall take effect thirty (30) days after its passage and adoption.

INTRODUCED on the ____ day of ____, 2005.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ____ day of ____, 2005, by the following vote:

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

APPROVED:

Mickie Winkler
Mayor, City of Menlo Park

ATTEST:

Silvia M. Vonderlinden, City Clerk

ATTACHMENT E

DATA TABLE

525 and 625 El Camino Real

	PROPOSED PROJECT	EXISTING DEVELOPMENT	ZONING ORDINANCE
Lot area ⁽¹⁾	251,515 sf	251,515 sf	10,000 sf min.
Lot width	586 ft.	586 ft.	75 ft. min.
Lot depth	427 ft.	427 ft.	125 ft. min.
Setbacks ⁽²⁾			
Front	74 ft.	270 ft.	0 ft. min.
Rear	5 ft.	0 ft.	0 ft. min.
Side (left)	5 ft.	20 ft.	0 ft. min.
Side (right)	10 ft.	2 ft.	0 ft. min.
FAR (Floor Area Ratio)	30.4 %	34.1 %	55% to 75%
Square footage by use			
Grocery store	65,017 sf	85,662 sf	N/A
Retail/services	11,500 sf	0 sf	N/A
Total	76,517 sf	85,662 sf	N/A
Building coverage	32.5 %	34.1 %	N/A
Paving	57.0 %	60.7 %	N/A
Landscape	10.5 %	8.0 %	10 % min.
Building height	38.4 ft.	31 ft.	30 ft. max.
Parking			
Paved	373	395	N/A
Landscape reserve	6	0	N/A
Total	379	395	459
Ratio	4.95 spaces per 1,000 gross square feet	4.61 spaces per 1,000 gross square feet	6 ⁽³⁾ spaces per 1,000 gross square feet

(1) The site is legally two separate parcels under the control of Safeway.

(2) The legal front of the entire site is technically Middle Avenue, but setback are referenced with El Camino Real as the front.

(3) The parking guideline for retail uses is 5 spaces per 1,000 gross square feet.