



CITY OF EAST PALO ALTO
PLANNING COMMISSION MEETING – 7 P.M.
MONDAY, MARCH 28, 2016
CITY HALL COUNCIL CHAMBERS AND COMMUNITY ROOM
2415 UNIVERSITY AVENUE, EAST PALO ALTO, CA 94303

PLANNING COMMISSION AGENDA

Chairperson: Alex Quezada

Vice Chairperson: Robert Sherrard

Commissioners: Robert Allen, Briana Carter, Archelle Funnié, Jorge Prado, Court Skinner

Staff: Daniel Berumen, Assistant Planner
Leticia Garcia, Planning Secretary
John D. Lê, Deputy City Attorney
Guido F. Persicone, Senior Planner

Notice of Availability of Public Records: All public records relating to an open session item which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to the majority of the advisory bodies will be available for public inspection at the Community and Economic Development Department, 1960 Tate Street, East Palo Alto, CA at the same time that the public records are distributed or made available to the advisory bodies. Such documents may also be available on the East Palo Alto website www.ci.east-paloalto.ca.us subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (650) 853-3189.



East Palo Alto City Council Chambers is ADA compliant. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

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1. CALL TO ORDER AND ROLL CALL
 2. APPROVAL OF THE AGENDA (Government Code §54957.7(a))
 3. COMMUNITY FORUM

Notice to the public: *Anyone wishing to address the Planning Commission on any matter for which another opportunity to speak is not provided on the Agenda, and which is within the Commission's purview, is requested to submit a completed Speaker Sheet to the Planning Commission Secretary. When your name is called, step to the podium and address the Commission. Each speaker is limited to two*

minutes. The Commission may take information, but may not take action on any item not on the agenda.

4. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS

Notice to the Public: Members of the public wishing to address the Planning Commission on the Consent Calendar Items are requested to submit a completed speaker sheet to the Planning Commission secretary. Each speaker is limited to two minutes. The Planning Commission Chair has the discretion to lengthen or shorten allotted times. There will be no separate discussion of Consent Calendar items as they are considered to be routine by the Planning Commission and will be adopted by one motion. If a member of the Planning Commission, staff, or public requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

5. APPROVAL OF THE CONSENT CALENDAR

Recommendation: Adopt the following items on consent:

- A) Approve March 14, 2016 Planning Commission minutes, as presented in the packet, as an accurate reflection of the meeting.
- B) Approve March 14, 2016 Planning Commission General Plan Study Session Meeting Notes, as presented in the packet, as an accurate reflection of the meeting.

6. PUBLIC HEARING

A) **Subject:** Design Review Application (DR 15-008)-Proposed New Two Story Single Family Home

Location: Blue Jay Court, Lot #4 (APN 063-253-550)

Owner/Application: Kevin O Connor/Pamela Chen

Recommendation: Adopt a resolution (1) approving Design Review Application DR 15-008, and 2) finding the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Infill) of the CEQA Guidelines.

Project Planner: Daniel Beruman, Assistant Planner, (650) 853-3151; dberuman@cityofepa.org

7. ADJOURNMENT

Upcoming Planning Commission Meetings

April 11, 2016	<ul style="list-style-type: none"> ✓ New CIP Projects ✓ Housing Element Annual Report
April 25, 2016	<ul style="list-style-type: none"> ✓ 2396 University-Parking Variance ✓ 680 Bell Street-Second Floor Addition ✓ Distribution of the General Plan EIR to the Planning

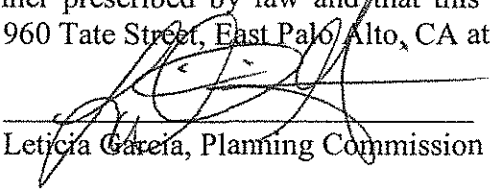
	Commission (No Formal Action)
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Notice: A challenge to the above items in court may raise only those issues which were raised at the public hearing described in this notice or in written correspondence to the City of East Palo Alto at, or prior to, the public hearing. For your comments to be fully considered, you must (1) attend the meeting, or (2) submit written comments to the Planning Division or (3) submit written comments to the Planning Commission before the Planning Commission takes action on the above item. The Americans with Disabilities Act (ADA) requires reasonable accommodation and access for the physically challenged. Those requesting such accommodation should contact the Planning Division office at (650) 853-3189 three days before the hearing date. Additionally, those wishing to include an electronic media presentation must furnish/provide their own equipment. For further information regarding these items, you may contact the City of East Palo Alto Planning Division at 1960 Tate Street, or call (650) 853-3189.

Nota: Una apelación ante la corte acerca de los asuntos arriba mencionados, únicamente pueden incluir asuntos que fueron discutidos en la audiencia pública, o que fueron comunicados por correspondencia escrita a la ciudad de East Palo Alto, durante, o antes de la audiencia pública. Por lo tanto, para que sus comentarios sean considerados usted debe de (1) asistir a la reunión y discutir el asunto que usted considere pertinente, (2) o someter comentarios por escritos a la División de Planeación, (3) o someter comentarios por escritos a la Comisión de Planeación antes de que la Comisión de Planeación tome acción en el asunto arriba mencionado. El Acta de Americanos Deshabilitados (ADA) requiere proveer acomodación y acceso razonables a individuos con dificultades físicas. Las personas que soliciten tal acomodaciones deben ponerse en contacto con la oficina de la División de Planeación al (650) 853-3185 tres días antes de la fecha de la audiencia. Además, éstos que deseen incluir medios electrónicos en la presentación, deben equipar/o proporcionar su propio equipo. Para obtener información adicional con respecto a los asuntos arriba mencionados, usted puede contactarse con la División de Planeación de la ciudad de East Palo Alto, en el 1960 de la Calle Tate, (1960 Tate St.) o llamar al: (650) 853-3185.

I, Leticia Garcia, Planning Commission Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Planning Commission, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 2415 University Avenue and 1960 Tate Street, East Palo Alto, CA at 5:00 p.m., Thursday, March 24, 2016.

Dated: March 24, 2016



Leticia Garcia, Planning Commission Secretary

Mission Statement

The City of East Palo Alto provides responsive, respectful, and efficient public services to enhance the quality of life and safety for its multi-cultural community.



**CITY OF EAST PALO ALTO
PLANNING COMMISSION**

**REGULAR MEETING
ACTION MINUTES**

**MONDAY, MARCH 14, 2016
DRAFT**

Chairperson: Alex Quezada
Vice Chairperson: Robert Sherrard
Commissioners: Robert Allen, Briana Carter, Archelle Funnié, Jorge Prado, Court Skinner
Staff Present: Brent A. Butler, AICP, CFM, Planning and Housing Manager
Daniel Berumen, Assistant Planner
Maziar Bozorginia, Senior Engineer
Sean Charpentier, Assistant City Manager
Leticia Garcia, Planning Commission Secretary
John D. Lê, Deputy City Attorney
Yeni Magaña, Assistant Planner
Guido F. Persicone, Senior Planner

Regular Meeting

1. GENERAL PLAN OPEN HOUSE (5:30PM-7PM)

The General Plan Open House adjourned at 7:00pm.

2. CALL TO ORDER AND ROLL CALL

The Planning Commission (PC) meeting was called to order at 7:07p.m. by Chair Quezada.

PRESENT: Allen, Carter, Funnie, Prado, Quezada, Skinner

ABSENT: Sherrard

3. APPROVAL OF THE AGENDA (Government Code §54957.7(a))

Action: Motion to approve the agenda. – Carter; Second – Allen. **Vote: 6-0.**
Motion approved.

4. COMMUNITY FORUM

There were no speakers for Community Forum.

5. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS.

There were no speakers for Public Comment Regarding Consent Calendar Items.

6. APPROVAL OF THE CONSENT CALENDAR

Recommendation: That the Planning Commission adopts the Consent Calendar indicated below.

A) February 22, 2016 Planning Commission minutes

Action: Motion that the Planning Commission adopts the Consent Calendar. – Allen; Second – Prado. **Vote: 6-0. Motion approved.**

7. STUDY SESSION

A) Subject: General Plan Study Session

Location: Citywide

Owner/Application: City of East Palo Alto

Recommendation: No formal action will be taken by the Planning Commission on March 14, 2016

Project Planner: Guido F. Persicone, Senior Planner, (650) 853-3195;
gpersicone@cityofepa.org.

Matt Raimi with Raimi and Associates and Senior Planner Persicone delivered the presentation.

The following individuals spoke on this item:

- Luda Ingnatorich
- William Webster
- David Tschang
- Laura Rubio
- Doroteo Garcia
- Luciano Banderas
- Sarah Lewis
- Bernardo Huerta
- Sharifa Wilson

Mr. Bob Gomez submitted a speaker form, but left the meeting before he was called to approach the podium.

No formal action from the Planning Commission was necessary at this meeting.

A short two minute break was taken before the Public Hearing.

8. PUBLIC HEARING

A) Subject: Architectural Supervision and Environmental Review of U.S. Highway 101 Bicycle and Pedestrian Overcrossing Project

Location: 1791 East Bayshore Road (063-511-580), East Palo Alto, CA 94303, Citywide

Owner/Application: City of East Palo Alto

Recommendation: Recommend approval of the Mitigated Negative Declaration; Mitigation Monitoring Program and the Architectural Supervision Permit for the construction of a nonmotorized overcrossing of U.S. Highway 101.

Project Planner: *Yeni Magaña, Assistant Planner*, (650) 853-3148;
ymagana@cityofepa.org

Assistant planner Magaña and Senior Engineer Bozorginia delivered the presentation.

Action: Motion to open the public hearing. – Skinner; Second – Prado. **Vote: 6-0.**
Motion approved.

The following individuals spoke on this item:

- Bernardo Huerta
- David Tschang

Action: Motion to close the public hearing. – Skinner; Second – Carter. **Vote: 6-0.**
Motion approved.

Action: Motion that the Planning Commission adopts by resolution the Mitigated Negative Declaration; Mitigation Monitoring Program and the Architectural Supervision Permit for the construction of a nonmotorized overcrossing of U.S. Highway 101 as modified. . – Skinner; Second – Prado. **Vote: 6-0. Motion approved.**

Before the adjournment of the Planning Commission meeting Assistant City Manager Sean Charpentier announced the departure of Planning and Housing Manager Brent Butler.

9. ADJOURNMENT

The Planning Commission of the City of East Palo Alto adjourned at 10:24p.m.

Minutes Recorded, Prepared and Respectfully Submitted by, Leticia Garcia, Planning Division Secretary.

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CITY OF EAST PALO ALTO
 Community Development and Economic Department
 Planning and Housing Division
 1960 Tate Street, East Palo Alto, CA 94303
 Tel. No. 650.853.3189, Fax. No. 650.853.3179

DATE: March 23, 2016
 TO: File
 FROM: Guido F. Persicone, Senior Planner
 SUBJECT: March 14, 2016 General Plan Study Session Meeting Notes

Commission Input	City Response
<p>Commission Quezada-Land Use-Policy 3.4 (No Net Loss) vs. Policy 2.13. These policies seemed contradictory. Please elaborate.</p> <p>3.4 No net loss in housing. Require no net loss in the number of residential units during reconstruction or renovation.</p> <p>2.13 Conversion of land to non-residential uses. In areas within or immediately adjacent to established commercial areas, allow for the conversion of residential land to non-residential uses, include mixed-use development, as means of expanding the tax base and achieving long-term fiscal stability. Housing removed for commercial uses must follow other City policies regarding replacement housing and displacement.</p>	<p>The City can cross reference 2.13 and 3.4 to reemphasize the need for no net loss of housing.</p>
<p>Commission Quezada-Why are specific numbers identified within this policy? What policy documents are changing to implement this policy?</p> <p>Chapter 4-Land Use-3.2 Balanced housing. Over time, establish a balance of market rate and affordable housing in East Palo Alto. To achieve this policy, encourage both market rate and affordable housing.</p>	<p>The Housing Element is the principle document that implements this policy. The Housing Element has the City's specific regional housing numbers. The next change of the Housing Element will occur in 2022, but the implementation of the Housing Element is reviewed by the Planning Commission and City Council on an annual basis.</p>
<p>Commissioner Skinner- The word "<i>students</i>" should be added to policy Goal ISF-6 so give young person's more access.</p> <p>Chapter 9-Infrastructure, Services and Facilities Goal ISF-6. Ensure safe and well maintained Telecommunications services. Intent: To provide citywide access to telecommunications services for residents and businesses, enabling successful business operations and community connections within East Palo Alto and with the rest of the world.</p>	<p>Noted.</p>
<p>Commissioner Skinner-All of the schools not just public should be identified within the document.</p> <p>Additionally, we are not preparing a education master</p>	<p>Noted.</p>

plan but we should identify the number of high school students, how many graduate and how many drop out- Table 9-1 (Public Schools within East Palo Alto)	
Commissioner Skinner-Parking is a major problem	Noted.
Commissioner Skinner-How often does document get updated?	Major legislation requires frequent changes; the Housing Element will be updated in 2022 and reviewed every year. The life of the overall plan does not have a fixed date, should be evaluated in 15 years.
Commissioner Carter-Chapter 5-Goal ED-2- Policy 2.5-Is this for retention of existing businesses or retention of new businesses? 2.5 Small business permitting assistance. Actively assist entrepreneurs and small business owners to navigate the City's permitting and licensing processes.	The policy is supposed to capture existing and new businesses but the largest problem we have is not having enough commercial space within the City.
Commissioner Quezada-The Housing Element references on page 333 " <i>the city has sufficient water and sewer to meet its RHNA need</i> " but the General Plan says the lack of water and sewer is a major constraint. Please explain	This is an inconsistency that will be addressed.
Commissioner Prado-Many existing fences are into the street and this limits handicap persons and limited access. 8.4 Fencing guidelines. Create design guidelines for ornamental fencing that reinforce a consistent aesthetic and enhance community character. Consider developing a fencing improvement program that aids residents in installing or upgrading fencing on their properties, especially along major arterials. 9.10 Streetscape. Enhance the pedestrian experience-through streetscape improvements that could include new street lighting, tree planting, and easement dedications to increase the size of the sidewalks and pedestrian amenities.	Removal of fences will occur during road improvements and through implementation of the new Development Code via the Fence Ordinance.
Commission Allen-Figure 4-4-The consultant has done a good job of showing the variety of land uses along Donohoe.	Noted
Commission Allen-Figure 4-6 (Gateway 101 District Land Use Designations) and Figure 4-7 (Potential Redevelopment Scenarios for Gateway Area. The word " <i>residential</i> " should be added to policy 11.1 and correctly spell "Donohoe" correctly. 11.1 Redevelop retail center. Allow the private sector to redevelop portions of the retail center with a high density mixed use development featuring office and retail uses.	Noted.
Commissioner Carter-Figure 4-8-why is the post office not designated? Why is it a mixed use project?	This is a part of the Four Corners project and it is identified within the General Plan and Specific Plan
Commissioner Carter-Can we add language that says can we restrict the upper floor for residential to be low	We cannot restrict a specific parcel to be low or moderate units, but we can say we encourage this via other policies

<p>or moderate housing?</p> <p>Chapter 4- 10.1 Mixed use residential. Encourage mixed use development with an emphasis on residential development on upper floors.</p> <p>3.5 Income-restricted affordable housing. Make land use and development decisions that expand the number and diversity of income-restricted affordable housing. Favor income-restricted affordable housing over new rent-controlled housing to ensure long-term benefits to housing affordability.</p>	<p>like Land Use Policy 3.5.</p>
<p>Commissioner Allen-Chapter 11- 1.6 Affordable housing location. Please explain this policy</p> <p>To the greatest extent feasible, ensure that income-restricted affordable housing is not concentrated in any single building or area but rather is spread throughout the Westside in a variety of building types and locations.</p>	<p>The goal is to have mixed income communities and subdivisions and not to concentrate affordable housing units.</p>
<p>Commissioner Allen-Chapter 11-3.6. Please explain this policy.</p> <p>3.6 Replacement of affordable housing stock. Incentivize and, to the extent permissible, require projects that propose to redevelop sites with existing units subject to registration under the Rent Stabilization Ordinances adopted by the voters on April 12, 1988 and June 8, 2010 (RSO units) or other income-restricted affordable housing units to include as part of the project the replacement of affordable housing units comparable to the existing units. Replacement housing shall be built in tandem with the market rate projects and shall be of the same quality and location.</p>	<p>The goal is to have a master plan for the replacement of RSO units and to provide greater protection for these units.</p>
<p>Commissioner Allen-Policy 3.11-</p> <p>Can this be changed to say <i>“provide temporary housing within East Palo Alto or within 10 miles.”</i></p> <p>Can the replacement housing be done faster than 18 months?</p> <p>3.11 Relocation plan. Prior to project approval, require development projects that are proposing increases in intensity or to demolish RSO units, to prepare, and the City approve, a “relocation plan” that accounts for all tenants displaced by new construction. The tenants shall have housing provided from the moment they are displaced until they are relocated into a replacement unit.</p>	<p>-The change related to temporary housing can be made -However, the replacement housing for 18 months is reasonable in light of different scenarios for permits.</p>

<p>The relocation plan must meet the following criteria:</p> <p>Provide temporary housing within 10 miles of the prior home.</p> <p>Replacement housing must be completed within one and a half years to minimize impacts to tenants.</p>	
<p>Commissioner Allen-Chapter 11-Policy 3.13</p> <p>3.13 Land use vision for the Westside. Require that any redevelopment on the Westside contribute to the following vision:</p> <ul style="list-style-type: none"> • Housing focus. Maintain a predominant residential focus for the majority of the Westside while allowing for the possibility of new non-residential uses. • New Main Street. Establish a new retail “main street” on the Westside south of University Avenue. The “main street” should provide opportunities for retail, commercial and service uses and also provide a neighborhood meeting and focal point for the community. To the extent feasible, locate the new “main street” adjacent to a public park or plaza in order to maximize the area as a neighborhood meeting location. 	<p>The City will clarify the “Main Street concept” to ensure that local retail serving needs are met.</p>
<p>Commissioner Allen-Policy 3.4-please explain this policy and provide a visual representation of this statement.</p> <p>3.4 Development process for increased intensities. Any proposed increases in allowed development intensity must comply with the following process, according to the project location</p>	<p>-The benefit of a master plan is it gives the City greater discretion in reviewing permits on a holistic manner for this portion of East Palo Alto.</p> <p>-The City can prepare a map that visually represents policy 3.4.</p>
<p>Commissioner Allen-projects should be required to provide additional parking on the Westside</p> <p>Goal W-8. An adequate and efficiently administered parking supply on the Westside Intent: To make efficient use of the Westside’s parking supply, provide sufficient parking supply, and reduce the demand for parking in order to create a convenient parking system for residents on the Westside.</p> <p>Policies:</p> <p>8.1 Parking for new development. Ensure an appropriate supply of parking for new development.</p>	<p>Noted.</p>
<p>Commissioner Quezada-Chapter 6-Page 6-2-Where did this number come from? Can you elaborate on the Dumbarton Rail information on page 6-4.</p> <p>Approximately 84% of this traffic is “cut-through”</p>	<p>-This came from the Four Corners Specific Plan and could potentially be higher.</p> <p>-We can look at the General Plan policies and add a policy that says we will encourage “regional transportation.”</p>

<p>traffic that neither originates nor ends in East Palo Alto. Willow Road carries similar amounts, representing, along with University Avenue, the City’s highest volume streets.</p>	
<p>Commissioner Quezada-Chapter 1-Policy 3.3-Can these protections be citywide? Commissioner Carter-Can Policy 3.3 be moved up? 3.3 Prerequisites for increases in intensity. Increases in development intensity over the currently allowed zoning intensity on the Westside must meet the criteria listed below. Specific information on each of the items shall be required as part of the development application process. The following are the prerequisites for increased development intensity:</p>	<p>-The language is intended to reflect existing property rights, but City staff will the General Plan, but in general new impact fees are only imposed on net new development. -All policies are created equal but policies can be reordered but they do follow a specific logic for the policies and goals.</p>
<p>Commissioner Carter-Chapter 11-Policy 6.3-This does not seem like a realistic goal because there is an apartment complex at this location 6.3 Other new parks and public space. Seek opportunities to provide other new pocket parks, plazas, tot lots, playground for children, recreation facilities, and other parks and public spaces throughout the Westside, including in the following locations:</p>	<p>The City cannot down zone a high density parcel to park space. So this is an aspiration language within the General Plan to encourage this type of land use on the Westside which has a real lack of parks.</p>



CITY OF EAST PALO ALTO
PLANNING AND HOUSING DIVISION
1960 TATE STREET CITY OF EAST PALO ALTO, CA 94303

Item: **6A**
Date: **03.28.2016**

Planning Commission Agenda Report

Date: March 28, 2016
To: Honorable Chair and Members of the Planning Commission
From: Daniel Berumen, Assistant Planner
Guido F. Persicone, Senior Planner, AICP
Subject: Design Review Application (DR15-008) – Proposed Single Family Home

Recommendation

Adopt a resolution (1) approving Design Review Application (DR 15-008) and (2) finding the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines.

Background

Owner/Applicant: Pamela Chen
Location/APN: Blue Jay Court Lot #4 / 063-253-550
General Plan Designation: Low/Medium Density Residential
Zoning/Uses: R-1-5000 / Single Family Residential
Environmental Review: Exempt pursuant to CEQA Guidelines Section 15332
Surrounding Zoning/ Uses: **North:** R1-5,000/Single Family Residential
South: R1-5,000/Single Family Residential
West: R1-5,000/Single Family Residential
East: R1-5,000/Single Family Residential
Flood Zone: Flood Zone X (determined to be outside the 500-year floodplain)

The Planning Commission is reviewing a new residential structure for design review approval at Blue Jay Court, Lot #4.

Additionally, the applicant has submitted a second unit application on the lot for which design review approval is sought. However, the second unit permit application is not currently before the Planning Commission. Rather, pursuant to section 6431 of the East Palo Alto Zoning Ordinance,¹

¹ East Palo Alto's Second Unit Ordinance, which requires approval of the second unit permit application by the Planning Director (and not the Planning Commission) comports with State law as articulated in Government Code Section 65852.2, which states second unit permits must be considered ministerially (without discretionary review or a hearing).

the Planning and Housing Director may consider the applicant's second unit only if the Design Review applications for the main dwellings, which are currently before the Planning Commission, are approved. Staff has sent a memorandum to this effect to the applicant. *See Attachment 1* (Second Unit Permit Memorandum).²

Analysis

Under provisions of Section 6541(a) of the East Palo Alto Zoning Ordinance, new home construction requires approval of the Planning Commission. Currently, the subject sites are vacant, and the property owner would like to construct one (1) new two-story home on a vacant lot located on Blue Jay Court. Therefore, staff analyzed the proposed projects with respect to design; including architectural detail, lot coverage, height, setback, floor area ratio, parking, and storm water requirements.

Design Review Standards

- 1) Lot Coverage. Blue Jay Court Lot# 4 is approximately 6,103 square feet. These lots are larger than the 5,000-foot minimum single family residential parcel size for a property in East Palo Alto.
- 2) Height. Pursuant to Section 6165 of the Zoning Ordinance, a house can have a maximum height of twenty-six (26) feet and the applicant is proposing the tallest peak being twenty-six feet.
- 3) Setbacks. The minimum side setback is three (3) feet from the side property line. The applicant is proposing at least a 3 foot setback on Blue Jay Court Lot# 4. Project approval is conditioned upon the provision of opaque windows to further reduce the potential privacy impacts to abutting property owners. The minimum rear yard setback is 10 feet, and the applicant is proposing rear yard setbacks of 10 feet. The front yard minimum setback is 10 feet, and the applicant is proposing front yard setbacks that are at least 41 feet.
- 4) Floor Area Ratio. The floor-area-ratio (FAR) of the proposed residential structure — (1) 3,286 square feet (53.8%) at Blue Jay Court Lot# 4— is below maximum FAR (55%).
- 5) Parking. The parking requirement for a 4-bedroom house is a minimum of (2) two covered spaces. The applicant has driveway space for up to (4) four cars and therefore meets the minimum parking standards for a single family home in terms of number of spaces and size. The project also complies with development standards, which requires the provision of one (1) parking space for each of the proposed second units. *See Attachment 1*.
- 6) Architectural Design. The buildings are substantially similar in design to those in the surrounding neighborhood, as set forth in the following pages.

² At this juncture, the applicant may not seek a second unit permit on the proposed second units because this unit is not technically located on a "site within a residential zoning district that already contains one legally created dwelling unit." As the second unit and main dwelling are proposed *concurrently* on a vacant lot, the status of the applicant's second unit permit applications are contingent upon the Planning Commission's approval of entitlements for the two proposed main dwellings. Staff believes that once the Design Review application is approved on the main dwelling, the proposed second unit will be effectively located on a site that "already contains one legally created dwelling unit." Staff will work with the applicant to finalize their second unit permit applications if and when entitlements are granted by the Planning Commission on the proposed main dwelling.

A summary of these facts relating to the City’s design standards are attached and summarized below in Table 1.

TABLE 1: DESIGN REVIEW		
	Blue Jay Court Lot# 4	Requirements
Lot Coverage	6,103 square feet (sf)	5,500 sf (min) for attached second units
Height	26 feet	26 feet (max)
Setbacks	3’ 0” yard (adjacent to lot# 5) 5’ 6” side yard (adjacent to lot# 3) 10 feet rear yard 41’ 7” feet front yard	3 feet side yard (min) 10 feet rear yard (min) 10 feet front yard (min)
Parking	4 vehicle spaces	3 vehicle spaces (min)
Architectural Design	Consistent	Consistent
Source: The design details are found in Sections 6118, 6410, 6164, and 6119 of the Zoning Ordinance, and the Residential Design Guidelines.		

Minimum Design Standards

Additionally, the project meets the eight (8) minimum design standards set forth in Section 6164.4 of the Zoning Ordinance.

Design Standard 1: All new residences or additions shall be designed to respect or complement the existing development pattern and massing as viewed from the street. *Plan sheets A4, A5, and A6 illustrate that the proposed setbacks for the second floor are increased to reduce the massing viewed from the street meeting the intent of Design Standard 1.*

Design Standard 2: Use of exterior materials shall be consistent with or compliment the use of exterior materials in the neighborhood: *Plan sheet A4 shows that the proposed exterior materials of painted wood and stucco are consistent with or compliment exterior materials used in this neighborhood.*

Design Standard 3: All second-story additions shall be designed as a series of segments as opposed to a single massive structure. If the architectural style warrants a large wall plane, the plans shall be articulated with bay window extensions, trellis features, recessed doors

or windows, or other architectural elements. *Plan sheet A4 documents that the plywood trim and bands shall be added to the proposed development plans to articulate the massing of the second floor addition in accordance with Design Standard 3.*

Design Standard 4: Second-story additions shall step back from the street and front of the house to reduce the mass of the structure. The use of eaves, dormers, intersecting hips or gables, or other roof features are encouraged to add visual interest and to break up the mass of the structure: *In accordance with Section 6164.1 of the Zoning Ordinance, the single family home has an additional two foot side yard setback to reduce the massing of the structure from the public right of way.*

Design Standard 5: Roof style and pitch shall be consistent with the style and pitch of the roofs in the vicinity: *The current style of roofing and 3:12 pitches of the single family home are consistent with those of other properties in the neighborhood in accordance with Design Standard 5.*

Design Standard 6: New residences and additions shall be designed to preserve privacy, light and air to adjoining properties to the extent feasible. Window and balcony placement shall be sensitive to the existing arrangement of windows and outdoor living space in adjoining properties: *All setbacks required under Section 6141 of the Zoning Ordinance, meet the minimum setbacks and opaque windows have been proposed for the second floor to reduce the impacts to abutting property owners. Additionally, the height of the proposed addition is below the maximum allowed in the R-1-5,000 zoning district and therefore will not negatively impact access to air or light for abutting property owners.*

Design Standard 7: The use of vegetation to screen or soften views of a new residence or addition may be required as a condition of approval: *A condition of approval is attached herein requiring that a more complete landscaping plan be submitted, reviewed, and approved by the Planning and Housing Manager prior to issuance of any building permit pursuant to the requested approval. See Exhibit A (Conditions of Approval #7) to Attachment 2 (Resolution).*

Design Standard 8: All additions to the existing single-family residences shall be architecturally consistent with the existing residence with respect to roof pitch and tie-in, exterior materials and colors. *This design standard is not applicable here as there are no “existing single-family residences” on the vacant lot, which is the proposed site for the new residential structure. Nonetheless, the homes shall be designed so that they appear to be part of existing homes in the surrounding neighborhood.*

General Plan Consistency

Based on an analysis of General Plan, Staff recommends the Planning Commission find that the project is consistent with the 1999 General Plan as it will promote a quality design of two new homes and infill development consistent with Land Use Element Policies 2.2 and 3.2.

Environmental

Staff recommends that the Planning Commission further find that the projects are categorically exempt pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

Attachment(s):

1. Resolution with Exhibit(s):
 - A. Conditions of Approval
 - B. Findings of Fact
 - C. Project Plans
2. Second Unit Permit Memorandum, dated March 11, 2016
3. Amended Blue Jay Court Subdivision Improvement Agreement, March 8, 2013

RESOLUTION NO. PC 2016-

**RESOLUTION OF THE EAST PALO ALTO PLANNING COMMISSION APPROVING
A DESIGN REVIEW APPLICATION (DR 15-008) FOR A NEW RESIDENTIAL
STRUCTURE TO BE CONSTRUCTED AT BLUE JAY COURT**

WHEREAS, Section 6541(a) of the East Palo Alto Zoning Ordinance provides that the Planning Commission shall review Design Review applications for “new single-family dwelling[s]”; and

WHEREAS, at a duly noticed public hearing on March 28, 2016, the Planning Commission reviewed the architectural plans to ensure consistency with City’s Design Review Standards, Minimum Design Standards, and General Plan.

NOW THEREFORE BE IT RESOLVED that the East Palo Alto Planning Commission:

1. Finds that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Infill Development) of the CEQA Guidelines;
2. Approves Design Review Application (DR 15-008) subject to the “Conditions of Approval” in Exhibit A, which is attached and incorporated by this reference, and based upon the “Findings” contained in Exhibit B, which is attached and incorporated by this reference;
3. Finds that the project as depicted in the plans contained in Exhibit C, which is attached and incorporated by this reference, is in conformance with the design review and minimum design standards in the East Palo Alto Zoning Ordinance; and
4. Finds that this project is consistent with the 1999 East Palo Alto General Plan and the General Plan map, objectives, goals, policies and implementation programs, as detailed in the staff report, the findings of which are hereby incorporated by this reference.

[SIGNATURES ARE ON THE FOLLOWING PAGE.]

PASSED AND APPROVED on this 28th day of March 2016 by the following vote:

**AYES:
NAES:
ABSTAIN:
ABSENT:**

ATTEST:

SIGNED:

Brent A. Butler, Planning Manager

Alex Quezada, Chairperson

APPROVED AS TO FORM:

John D. Lê, Deputy City Attorney

Exhibit A – Conditions of Approval

Approval Date: March 28, 2016

Expiration Date: March 28, 2017 (if not extended)

Planning and Housing

1. The project shall be constructed in substantial compliance with the drawings and application materials submitted as part of East Palo Alto planning application DR15-008, dated July 6, 2015.
2. This approval is valid for a period of one (1) year and will lapse on March 28, 2017 if the applicant has not secured building permits and started construction. If the applicant is unable to secure building permits before March 28, 2017 the applicant must submit an application for an extension at least thirty (30) days before expiration.
3. Minor modifications to the approved plans shall be subject to administrative approval of the Planning and Housing Manager. Major modifications shall be subject to review and approval by the Planning Commission.
4. Prior to the issuance of any building permits, the property owner or applicant shall acknowledge in writing all of the conditions of approval and must accept these conditions with full awareness of the responsibilities associated with each requirement. The conditions of approval shall be printed on the first page of the plan set.
5. The applicant shall submit plans showing potential solar panel installation locations or if found not to be feasible may obtain a waiver to install such panels from the Planning and Housing Manager.
6. The applicant shall hold agree to defend, indemnify, and harmless the City of East Palo Alto, its councilmembers (and any members of its subordinate boards, commissions, and committees), officers, agents, employees, contractors, sponsors, volunteers, and other representatives from any and all suits, claims, expenses, disputes, damages, remedies, losses, injuries, including property damage, bodily injury, or death, and any other compensable loss of any type caused by or arising out of activities authorized by these approvals. As to the City of East Palo Alto's right to indemnity, the applicant shall retain legal counsel approved by the City of East Palo Alto or indemnify (or both) the City of East Palo Alto for any and all costs incurred, including without limitation the costs of legal counsel and legal services.
7. Prior to the issuance of building permits, the applicant shall submit a landscaping plan for review and approval by the Planning and Housing Manager. The landscaping plan shall include the planting of at least two (2) trees on each lot in order to mitigate the increase in impervious surface and storm water runoff associated with the project or identify another mitigation measure identified within Appendix L of the San Mateo Countywide Water Pollution Prevention Program C.3 Technical Guidance manual.

8. Prior to the issuance of building permits the applicant shall: (a) record a deed restriction with the County Recorder demonstrating compliance with Ordinance No. 357 (Second Dwelling Units), and (b) pay any outstanding fees as set forth in the Amended Blue Jay Court Subdivision Improvement Agreement, dated March 8, 2013.
9. Prior to submittal of building permits a boundary survey shall be prepared by a licensed surveyor to determine the exact square footage and lot dimensions of the parcel. The property shall be staked and the final report from said land surveyor shall be submitted and independently reviewed by the Engineering Division to ensure compliance with industry standards.
10. Prior to the issuance of building permits the applicant shall revise sheet A4 and A5 of the submitted plans to ensure that opaque windows are installed for all windows for the proposed single family home. This shall be verified prior to final signoff by the Planning Division.

Building Division

11. All applications for residential new construction, remodels and additions submitted to the Building Division shall comply with the requirements specified in the current version of the California Title 24 Building Codes.
12. Construction documents shall be drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official.
13. All braced walls shall be identified on the construction documents and all pertinent information including, but not limited to, bracing methods, location and length of braced walls panels, foundation requirements of braced wall panels at the top and bottom shall be provided.
14. Five copies of the following plans (second story additions and new construction) shall be submitted with the minimum size of plans being 18X24:
 - Cover Sheet (project address, location map, scope of work, building type, occupancy classification, and flood zone, square footage of existing and proposed)
 - Site/Plot Plan (property lines, structures, distances between structures and setbacks to property lines)
 - Use Permit/Special Development Permit Conditions, Variance, or Subdivision approval (on plan sheets)
 - Floor Plan showing use of each new and existing room/area and proposed and existing walls (including for each unit of a multi-unit project)
 - Electrical Plan
 - Plumbing Plan
 - Mechanical Plan
 - Foundation Plan
 - Roof Framing Plan
 - Floor Framing Plan
 - Cross Sections

- Structural Details (foundation, floor, walls, ceiling/roof, stair, handrails)
- Landscaping and/or Irrigation Details (including reclaimed water system)
- Solar Plan
- Grading Plan Including all Utilities (sewer, water, gas, storm drain)
- Architectural Elevations (including trash enclosure details)
- Specifications
- Soils Report (only three copies needed)
- Storm Water Pollution Prevention Plan (when disturbing one acre or more of soil)
- Storm Water Management Plan (required when project adds or replaces 10,000 sq. ft. or more of impervious surface) with approval from certified third party

15.. Two copies of each of the following documents:

- Structural Calculations (originals)
- Energy Calculations (Title 24)
- Truss Calculations Floor/Roof (originals)

16. 2013 CBSC section 4.408.2 Construction waste management plan. Submit a construction waste management plan in conformance with Items a through e. The construction waste management plan shall be updated as necessary and shall be available during construction for examination by the enforcing agency.

- a. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project or salvage for future use or sale.
- b. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).
- c. Identify diversion facilities where the construction and demolition waste material will be taken.
- d. Identify construction methods employed to reduce the amount of construction and demolition waste generated.
- e. Specify that the amount of construction and demolition waste materials diverted shall be calculated by weight or volume, but not by both.

17. 2013 CBSC section 4.408.4 Waste stream reduction alternative. Projects that generate a total combined weight of construction and demolition waste disposed of in landfills, which do not exceed four (4) lbs./sq. ft. of the building area shall meet the minimum 50 percent construction waste reduction requirement in Section 4.408.1.

18. 2013 CBSC section 4.408.4.1 Waste stream reduction alternative. [HR] Projects that generate a total combined weight of construction and demolition waste disposed of in landfills, which do not exceed two (2) pounds per square foot of the building area, shall meet the minimum 50-percent construction waste reduction requirement in Section 4.408.1. 2013 CBSC section 4.408.5 Documentation. Documentation shall be provided to the enforcing agency which demonstrates compliance with Section 4.408.2, Items 1 through 5, Section 4.408.3 or Section 4.408.4

Menlo Park Fire Protection District

19. Install a NFPA 13-D fire sprinkler system under separate fire permit. Fire sprinkler system to comply with Menlo Park Fire Protection District Standards.
20. Install smoke detectors in each sleeping area and the area outside sleeping areas.
21. Install carbon monoxide detector outside sleeping areas. Smoke and carbon monoxide detectors to be inter-connected for alarm.
22. The applicant shall provide at least 4 inch tall with ½ inch stroke illuminated address numbers. The address shall be visible from the street and contrasting to its background.

National Pollutant Discharge Elimination System (“NPDES”) Requirement

26. Project Proponent shall pay NPDES fees prior to Building Permit being issued.
27. Each Project shall submit completed Impervious Surface Form, attached, which includes all Impervious Surface Area calculations prior to project building permit issuance. This form shall be updated with each submittal.
28. Project proponent shall ensure that additional solid waste service is provided for the granny unit, at a minimum an additional recycling bin, to ensure that on the date of solid waste pick-up service, lids for each bin is fully closed (not overflowing). In the event that overflowing bins are noted, applicant shall be required to have full trash service for the granny unit.
29. Project, if installing new landscaping, shall incorporate landscaping that minimizes irrigation and runoff, promotes surface infiltration, minimizes the use of pesticides and fertilizers, and incorporates other appropriate sustainable landscaping practices such as Bay-Friendly Landscaping and shall utilize efficient irrigation systems shall be used throughout all landscaped areas in accordance with the City’s Water Efficient Landscape Ordinance.
30. To improve water quality and provide flood protection, where possible, applicant shall direct runoff from sidewalks, walkways, and/or patios onto vegetated areas; directing runoff from driveways and/or uncovered parking lots onto vegetated areas; or constructing sidewalks, walkways, and/or patios with permeable surfaces. To achieve this, project shall minimize the use of impervious surfaces, maximize the use of permeable materials, and plant or protect interceptor trees, whenever possible. Applicant shall also consider disconnecting roof drains away from the building and direct the flow to landscaping with appropriate design per Building Department requirements.
31. Any fire sprinkler test water shall discharge to onsite vegetated areas, or, alternatively shall be discharged to the sanitary sewer system, subject to the local sanitary sewer agency’s authority and standards.

32. Any air conditioning condensate shall drain to landscaping, or alternatively may be connected to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.

Exhibit B – Findings of Fact

Section 6544 of the Zoning Ordinance states that the Planning Commission shall not grant design review approval unless it is able to make all of the following findings:

- Compatibility. The proposed structures will be compatible with the existing residential structures in the immediate neighborhood and within the same zoning district because:

The proposed residential structures employ exterior materials which are commonly used by other residential structures in the City as demonstrated on sheet A4 of the development plans. The size and setbacks of the proposed buildings would be consistent with other structures in the surrounding neighborhood.

- Perception of mass and bulk. The proposed structures, in relation to the site and the immediate neighborhood, have been designed to avoid perception of excessive mass or bulk because:

The proposed residential structures are not excessively large in size and have a proper set back to avoid the perception of excessive mass or bulk.

- Interference with light and air. The proposed structures will not unreasonably interfere with the light and air enjoyed by adjacent properties or the ability of adjacent properties to utilize solar energy because:

The proposed residential structures provide an adequate roof pitch and height to maintain unobstructed sunlight and air to adjacent properties.

Exhibit C - Project Plans

GENERAL NOTES

1. ALL CONSTRUCTION SHALL CONFORM TO 2015 CALIFORNIA BUILDING CODE AND EAST PALO ALTO SUILEN'S CODE REQUIREMENTS.
2. DESIGN AND PLACEMENT OF CONCRETE SHALL BE IN ACCORDANCE WITH THE AMERICAN CONCRETE INSTITUTE CODE ACI 318.
3. ALL CONDITIONS AND DIMENSIONS TO BE VERIFIED IN THE FIELD BY CONTRACTOR PRIOR TO COMMENCEMENT OF WORK.
4. CONTRACTOR SHALL PROVIDE ALL NECESSARY SHORING/PROTECTION DURING CONSTRUCTION.
5. CONCRETE: $F_c = 2500$ psi
SHOTCRETE $F_c = 4000$ PSL
6. REINFORCING STEEL TO BE ASTM 615, GRADE 65.
7. STRUCTURAL STEEL ASTM A392 Fy 50,200 psi & AISI, Fy=42,000 psi
8. LUMBER 2"x, #1 Fb = 1000 psi, Fv = 95 psi
9. LUMBER 2"x PARALLAM PSL: Fb = 2800 psi, Fv = 280 psi
10. CONSTRUCTION INSPECTION SHALL BE CARRIED OUT BY A REGISTERED ENGINEER AND A CITY BUILDING OFFICIAL.
11. ALL EXPOSED STEEL SHALL BE CORROSION PROTECTED WITH COAL TAR EPOXY
12. ALL LUMBER EXPOSED TO WEATHER SHALL BE PRESURE/PRESERVATIVE TREATED.
13. ALL HARDWARE IN CONTACT WITH PRESURE TREATED LUMBER SHALL BE HOT DIPPED ZINC COATED GALVANIZED OR STAINLESS STEEL.
14. ALL CUT P.T. LUMBER SHALL BE TREATED WITH COPPER GREEN OR EQUIVALENT.

PROJECT INFORMATION

OWNER: PAMELA CHEN
OCCUPANCY GROUP: R3
APNR: 06-251455
OCCUPANCY TYPE: TWO-FAMILY RESIDENTIAL
NO. OF UNITS: 2
CONSTRUCTION TYPE: V-B WOOD FRAME
MAIN UNIT: 2,627 SF
SECONDARY UNIT: 342,879 SF
2-CAR GARAGE: 483 SF
NUMBER OF OFF STREET PARKING: 3
LOT SIZE: 4908 SF / 0.114 ACRE
LOT COVERAGE: 2285 SF, 33.4%
FAR: 3730 SF
RESIDENTIAL DENSITY: LOW/MEDIUM DENSITY RESIDENTIAL (1 - 3 DU/AC)



LOCATION MAP
NYS

LEGEND

U.N.D.	UNLESS NOTED OTHERWISE
N.T.S.	NOT TO SCALE
C.B.	COLUMN BASE
F.C.C.	END COLUMN CAP
C.C.	COLUMN CAP
EG	EXISTING GRADE
BOE	BOTTOM OF EXCAVATION
PT	PRESSURE TREATED
SSD	SEE STRUCTURAL DRAWINGS

SYMBOLS	
SECTION DETAIL	1 SECTION DETAIL
	2 DRAWING WHERE SECTION DETAIL IS LOCATED OR DRAWING ON WHICH SECTION IS CUT
SECTION DETAIL	2 SECTION DETAIL LOCATED ON SAME DRAWING

SHEET INDEX

A1	GENERAL NOTES AND SITE PLAN
A2	FIRST FLOOR PLAN
A3	SECOND FLOOR PLAN
A4	ELEVATIONS
A5	ELEVATIONS
A6	SECTIONS
B1	GENERAL NOTES AND DETAILS
B2	FOUNDATION PLAN AND DETAILS
B3	SECOND FLOOR, OVER ROOF FRAMING PLANS AND DETAILS
B4	ROOF FRAMING PLANS AND DETAILS
C1	GRADING PLAN

SCOPE OF WORK

NEW TWO-FAMILY BUILDING. MAIN UNIT CONSISTS OF FOUR BEDROOMS, THREE AND A HALF BATHS, KITCHEN, DINING AND LIVING.
SECONDARY UNIT CONSISTS OF ONE BEDROOM, ONE BATH, KITCHEN AND LIVING.

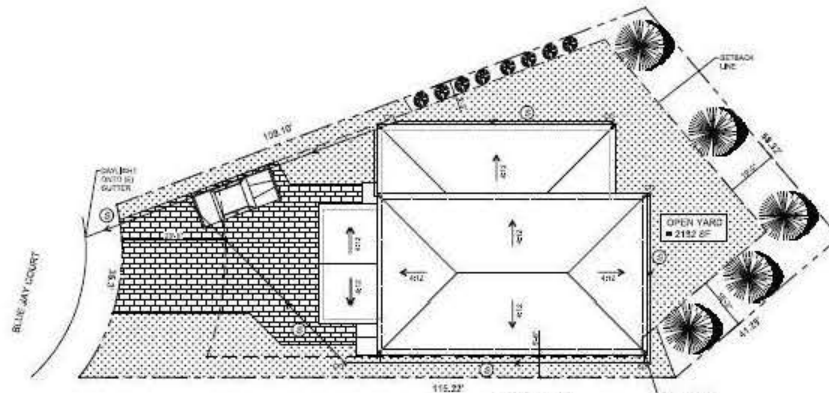
ELECTRICAL SYMBOL

125	RECEPTACLE TAMPER-RESISTANT
1	SINGLE POLE SWITCH (OR MOTION SENSOR)
3	THREE WAY SWITCH (OR MOTION SENSOR)
GF	GFI OUTLET
WHP	WEATHER PROTECTED GFI OUTLET, 8"4" MAX. ABOVE GRADE
220	OUTLET
SM	STANDARD SURFACE MOUNT FLOURESCENT LIGHT
SM	STANDARD SURFACE MOUNT LIGHT
R	RECESSED LIGHT (LED)
S	DIMMER SWITCH
E	EXHAUST FAN
SD	HARDWIRED SMOKE DETECTOR w/ BATTERY BACKUP
CM	HARDWIRED CARBON MONOXIDE DETECTOR w/ BATTERY BACKUP
M	MOTION SENSOR (SINGLE POLE SWITCH)
H	HIGH EFFICIENCY LUMINAIRE CONTAINS PIN-BASED SOCKET
PLC	EXTERIOR LIGHT FIXTURE WITH PHOTOCONTROL/MOTION SENSOR

NOTES

1. ALL RECEPTABLES AT FAMILY ROOMS, DINING ROOMS, LIVING ROOMS, BEDROOMS, CLOSETS, AND HALLWAYS SHALL BE PROTECTED BY ARC-FAULT CIRCUIT INTERRUPTER COMBINATION TYPE.
2. ESCAPE WINDOW SHALL HAVE MIN. NET CLEAR OPENING OF 57 SF, MIN. NET CLEAR OPENING HEIGHT OF 24", MIN. NET CLEAR OPENING WIDTH OF 20" WITH BOTTOM OF CLEAR OPENING NOT GREATER THAN 46" ABOVE FINISH FLOOR.
3. IN EXISTING KITCHEN REPLACE R-59 BATT INSULATION IN CEILING.

BLUE JAY COURT, LOT 4



SITE PLAN
1/8" = 1'-0"

MAX. LOT COVERAGE = 329 x 858 = 343 SF
MAX. FAR = 3.52 x 8304 = 3743 SF
BUILDING HEIGHT = 26'4" MAX. @ APEX (PITCHED ROOF REQUIRED)

LEGEND

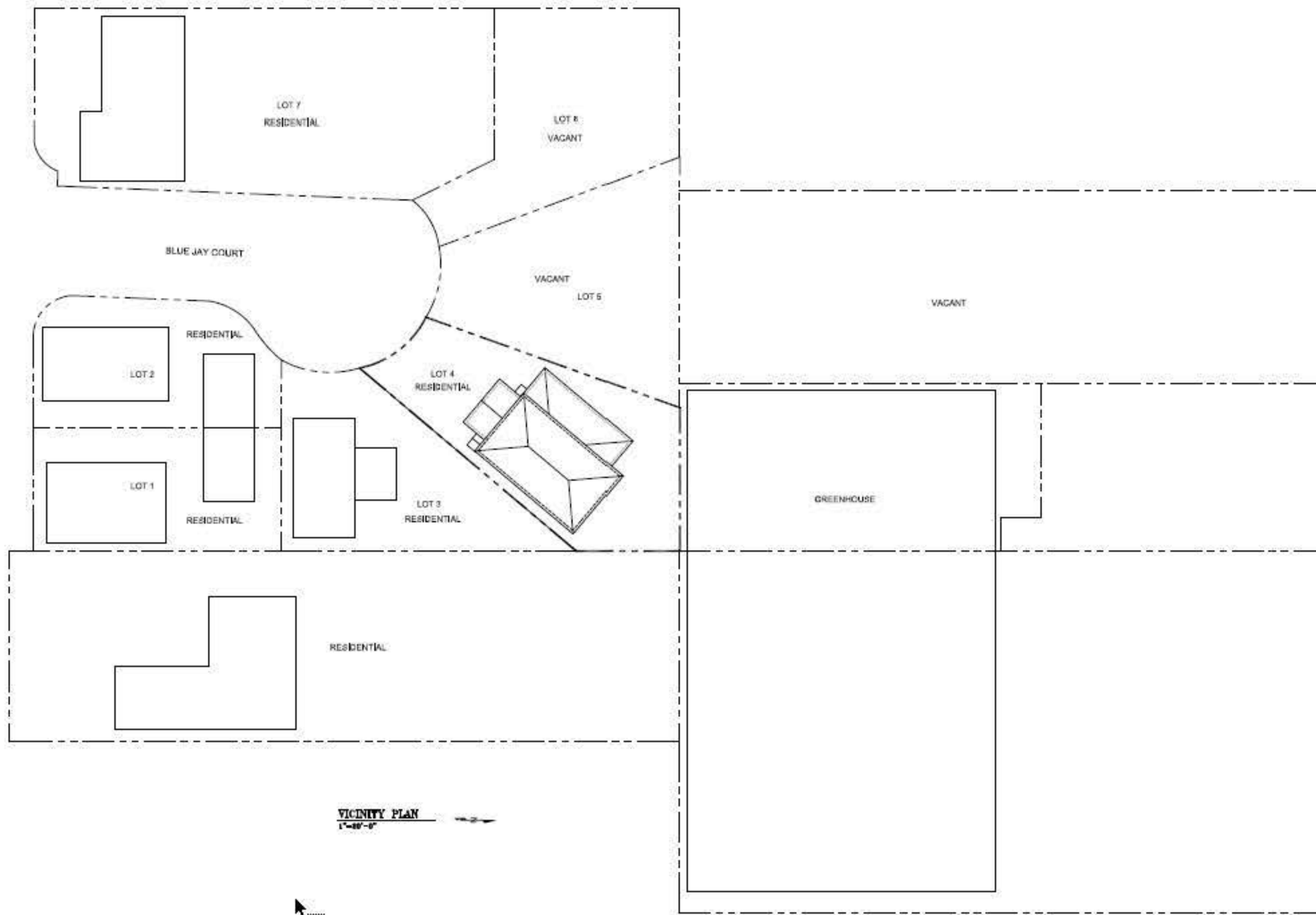
③ 42 8716 81 38 4FE

TREE LEGEND

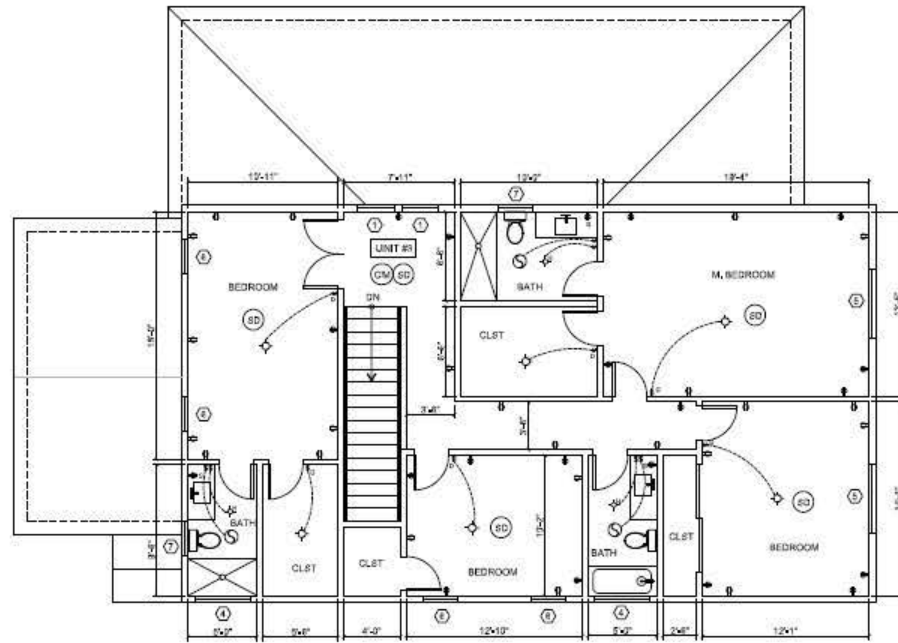
California Buckeye	CALIFORNIA BUCKEYE
African Sumac	AFRICAN SUMAC
Perovious Pavers	PERVIOUS PAVERS
Grass	GRASS



DESIGNED	DATE	BY	SCALE
K.O.C.	8/21/15	KEVIN O'CONNOR, INC.	1/8" = 1'-0"
CHECKED	DATE	BY	SCALE
K.O.C.	8/21/15	3401 LAWTON STREET SAN FRANCISCO, CA 94122	1/8" = 1'-0"
PROJECT NO.	TITLE	PROJECT NO.	TITLE
2014-01	NEW TWO-FAMILY RESIDENCE BLUE JAY COURT, LOT 4 EAST PALO ALTO, CA 94030	2014-01	A1



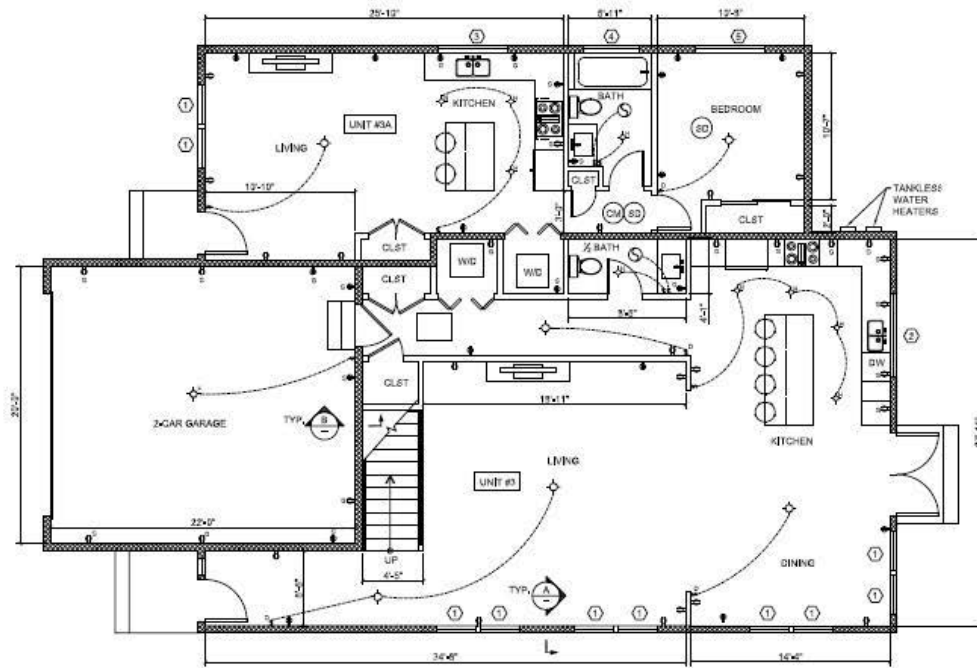
DESIGNED BY	DATE	PROJECT	NO.
K.O.C.	4/15/15	KEVIN O'CONNELL, INC.	104 15786-001
DRAWN BY		2491 LAYTON STREET	1601160490
K.P.	4/15/15	San Francisco CA 94122	WWW.KOENIGER.COM
CHECKED BY		TITLE	
K.O.C.	4/15/15	NEW TAXI FAMILY RESIDENCE	
		BLUE JAY COURT, LOT 4	
		EAST PALO ALTO, CA 94035	
PROJECT NO.	DRAWING NO.	REV.	
2314451	A1,1		



SECOND FLOOR PLAN
1/8"=1'-0"



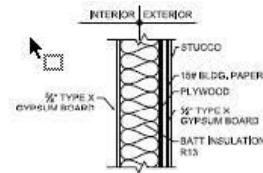
DESIGNED	DATE	KEVIN O'CONNOR, INC. 104 (415) 365-5442 3401 LAWTON STREET 1022 (415) 441-4492 SAN FRANCISCO, CA 94122 WWW.KOCONCORP.COM
K.O.C.	4/15/15	
DRAWN	DATE	TITLE NEW TWO FAMILY RESIDENCE BLUE JAY COURT, LOT# 4 EAST PALO ALTO, CA 94033
K.O.C.	4/15/15	
PROJECT NO.	2014-41	SCALE
		A2



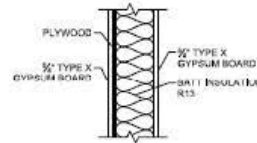
FIRST FLOOR PLAN
1/4"=1'-0"

WINDOW SCHEDULE

WINDOWS	CONSTRUCTION	TYPE
① 7'-10" x 5'-2"	WOOD	SLDR
② 4'-2" x 5'-2"	WOOD	SLDR
③ 5'-2" x 3'-0"	WOOD	SLDR
④ 4'-2" x 1'-8"	WOOD	SLDR
⑤ 5'-4" x 5'-0"	WOOD	SLDR
⑥ 7'-4" x 4'-0"	WOOD	CASEMENT
⑦ 2'-8" x 5'-2"	WOOD	SLDR



SECTION A
1"=1'-0"



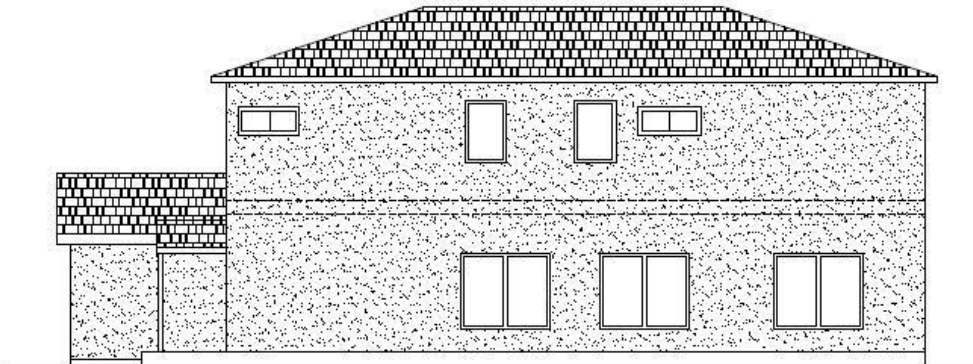
SECTION B
1"=1'-0"



DESIGNED BY	DATE	PROJECT NO.	PROJECT NAME
KJC	4/15/15	103-19636-001	NEW TWO-FAMILY RESIDENCE
CHECKED BY	DATE	PROJECT NO.	PROJECT NAME
KJC	4/15/15	103-19636-001	NEW TWO-FAMILY RESIDENCE
PROJECT NO.	DATE	PROJECT NAME	PROJECT NO.
2014-01	2014-01	NEW TWO-FAMILY RESIDENCE	103-19636-001



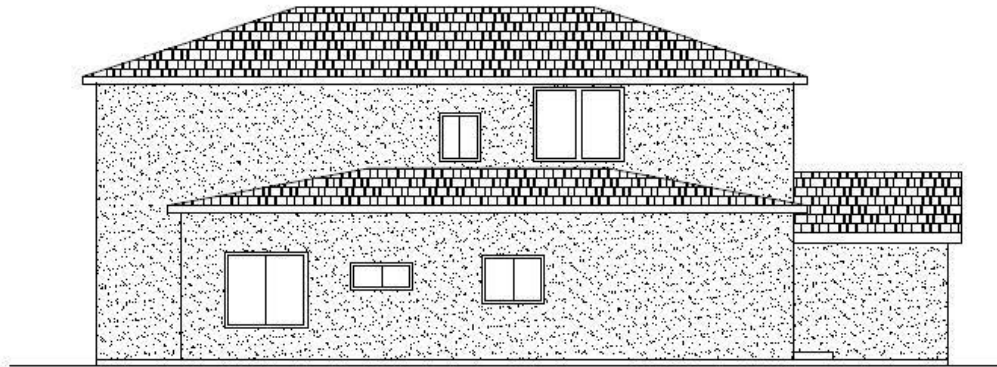
FRONT ELEVATION
1/4"=1'-0"



RIGHT ELEVATION
1/4"=1'-0"



DESIGNED K.O.C.	DATE 4/15/15	BY KEVIN O'CONNOR, INC.	105 CALIFORNIA
CHECKED K.P.	DATE 4/15/15	3401 LAWTON STREET	SAN FRANCISCO, CA 94122
OWNER K.O.C.	DATE 4/15/15	PROJECT NEW TWO FAMILY RESIDENCE BLUE JAY COURT, LOT 14 EAST PALO ALTO, CA 94033	
		PROJECT NO. 2014-01	ENGINEER A4



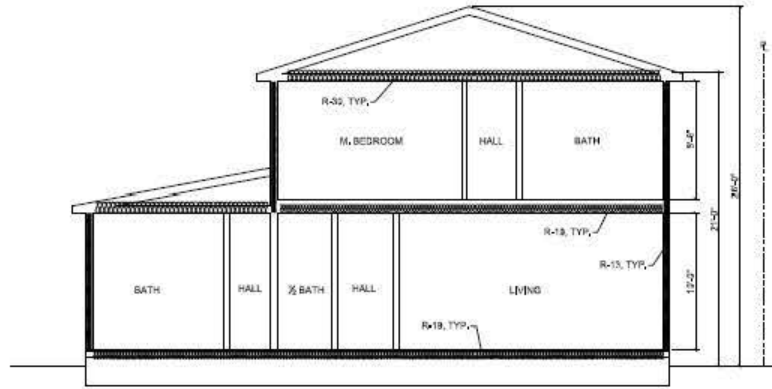
LEFT ELEVATION
1/8"=1'-0"



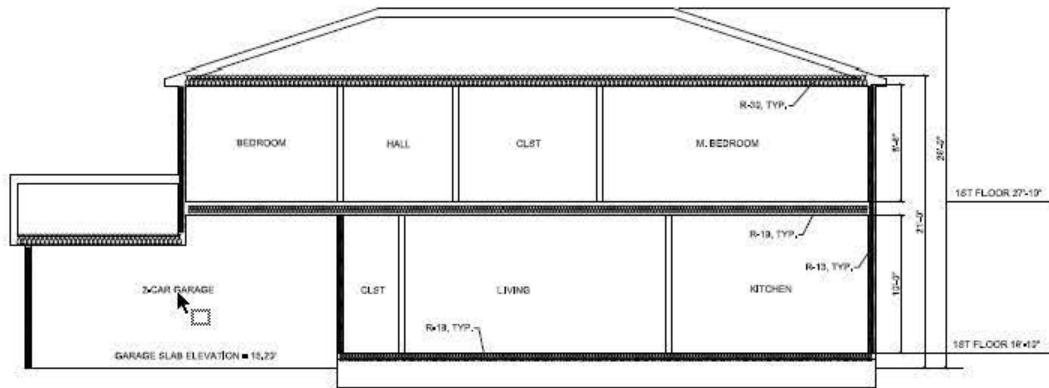
REAR ELEVATION
1/4"=1'-0"



DESIGNED BY	DATE	KEVIN O'CONNOR, INC. 3491 LAWTON STREET San Francisco, CA 94122 TEL: 415.266.5441 FAX: 415.468.4282 WWW.KOCONNORINC.COM	
K.O.C.	4/15/15		
DRAWN BY	DATE	TITLE NEW TWO FAMILY RESIDENCE BLUE JAY COURT, LOT# 4 EAST PALO ALTO, CA 94033	
K.P.	4/15/15		
PROJECT NO.	2014441	SCALE	A5



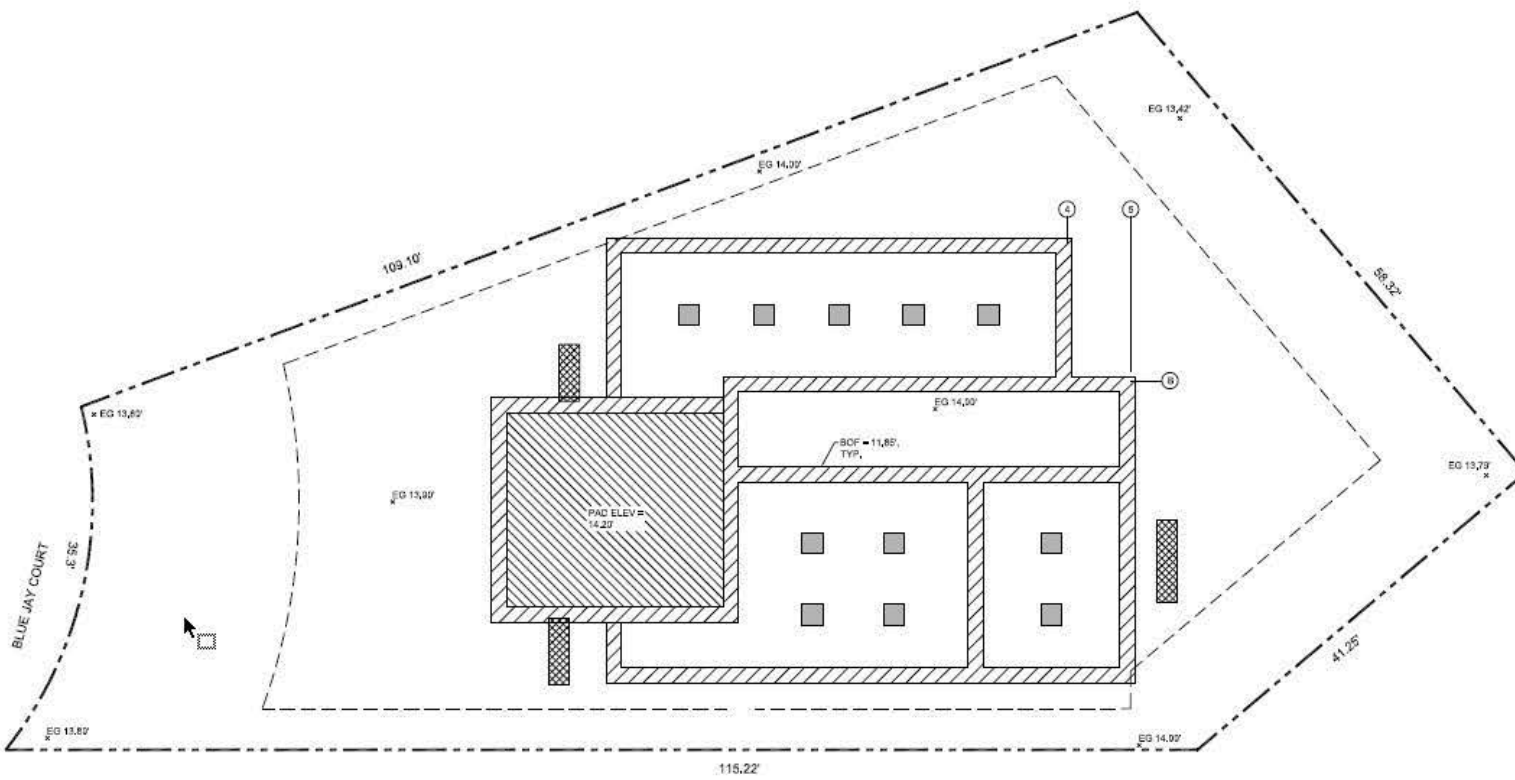
TRANSVERSE SECTION
1/4"=1'-0"



LONGITUDINAL SECTION
1/4"=1'-0"



DATE K.O.C.	3/15/18	KEVIN O'CONNOR, INC.	1014 14th Street
DATE K.O.C.	4/15/18	3401 LAWTON STREET	SAN FRANCISCO, CA 94122
DATE K.O.C.	4/15/18		
PROJECT K.O.C.	4/15/18	TITLE: NEW TWO FAMILY RESIDENCE BLUE JAY COURT, LOT# 4 EAST PALO ALTO, CA 94033	
		PROJECT NO.	2016441
		DATE	4/6



GRADING PLAN
3/16"=1'-0"

LEGEND:

- SPREAD FOOTING, AREA = 44 SF
- GRADE BEAM, AREA = 592.1 SF
- STAIR PADS, AREA = 39.8 SF
- GARAGE SLAB, AREA = 398 SF

TOTAL EXCAVATION = (592.1 SF) 2.95 ft = (44 x 0) (1.5 ft) + (39.8 x 0) (0.68 ft) = 41.4 cy
 TOTAL FILL = (0.2 SF) 368 ft = 4.4 cy
 NET OFF HAUL = 37 cy



DESIGNED K.O.C.	DATE 02/1/15	KEVIN O'CONNOR, INC. 3431 LAWTON STREET SAN FRANCISCO, CA 94122	TEL: 415.435.0401 WWW.KOCONOR.COM
DRAWN K.P.	DATE 02/1/15		
CHECKED K.O.C.	DATE 02/1/15	PROJECT NEW TWO FAMILY RESIDENCE BLUE JAY COURT, LOT 4 EAST PALO ALTO, CA 94033	
	PROJECT NO. 2314-51	DATE PLOTTED 02/1/15	REV. S4



CITY OF EAST PALO ALTO
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
1960 Tate Street, East Palo Alto, CA 94303
Tel. No. 650.853.3189, Fax. No. 650.853.3179

DATE: March 11, 2016

TO: Pamela Chen

FROM: Daniel Berumen, Assistant Planner

SUBJECT: Memorandum Regarding A Second Unit Permit Applications (Blue Jay Court Lot #4, East Palo Alto)

On July 6, 2015, you submitted a permit application related to the above-captioned addresses. This memorandum addresses the second unit permit application.

A permit is required for the construction of a second dwelling unit. *See* EPA Zoning Ordinance, § 6431. Ordinarily, second unit permits are sought for sites that already contain a main dwelling. *See* EPA Zoning Ordinance, § 6426 (Definition of a second unit) (second units must be “[l]ocated upon a site within a residential zoning district that already contains one legally created dwelling unit.”). Here, however, you are proposing the construction of a second unit *concurrently* with the construction of a main dwelling. Therefore, approval of the second unit permit application is contingent upon the Planning Commission’s approval of the entitlements for the proposed main dwelling and your compliance with the development standards for second units.

All proposed second units must comply “with the development standards set forth in Sections 6429 and 6430 of this chapter [Chapter 22.5] [and] requires approval by the planning director.” It is the opinion of Planning Division staff, as set forth below in Table 1, your project complies with many of these standards. Nonetheless, whether your second unit permit application will be approved is contingent upon (1) the Planning Commission’s approval of your design review applications (DR15-008) submitted for the construction of the main dwelling; and (2) full compliance with the building, health, and fire codes, which will be determined when you submit applications for building and fire permits. Once these conditions are met, staff will prepare a “final determination” on your second unit permit application.

Please be aware that failure to comply with the Conditions of Approval for the main dwellings could lead to revocation of any approvals for the proposed second units.

Please also note that this memorandum is **not** an approval of the second unit and a final determination will follow (if at all). Instead, this memorandum serves only to apprise you that final determination depends on you meeting certain conditions set forth above.

TABLE 1: Development Standards Compliance Checklist for Administrative Approval of Second Unit Permit		
	Blue Jay Court Lot #4	Development Standards
Density	Conforms with the density allowed in the General Plan Land Use Element	General Plan Land Use Element (1-8 du/ac)
Lot Size	6,103 square feet	5,500 square feet
Building Code	Applicant is required to submit application for Building and Fire permits subject to plan check approval	<u>2013 California Residential Code section 1.8.4.1 Permits</u> . A written construction permit shall be obtained from the enforcing agency prior to the erection, construction, reconstruction, installation, moving or alteration of any building or structure.
Parking	1	1
Sewer	Yes, served by sanitary sewer	Second unit must be served by the sanitary sewer.
Access	Driveway	Must have same driveway access as main dwelling.
Unit size	620 square feet	700 square feet (max)
Common Entrance	Unit has access to side and main entrance.	Must share common entrance with main dwelling or separate side entrance.

ATTACHMENT 1: Second Dwelling Unit Regulations

**AMENDED BLUE JAY COURT
SUBDIVISION IMPROVEMENT AGREEMENT**

THIS AGREEMENT, executed this 8th day of March, ~~2012~~²⁰¹³, is by and between the City of East Palo Alto, a municipal corporation of the State of California ("City"), and BJC Development Company, LLC, a California Limited Liability Company ("Developer").

RECITALS

- A. Developer has acquired certain subdivided lands within the City of East Palo Alto, as created by the Blue Jay Court Parcel Map, recorded on June 19, 1990 in Book 121 at Pages 58-59, in San Mateo County.
- B. A Subdivision Improvement Agreement was signed in 1990 in order to create six lots. In 2005, during the design review of Lots 1-3, a second Subdivision Improvement Agreement was signed by Maureen Wilson. Both agreements state they are binding on all future successors, heirs and applicants. The current project applicant, Mr. Stan Shore, operating as BJC Development Company, would like to develop the parcels in four separate phases. The purpose of this 2013 Amended Subdivision Improvement Agreement is to provide clarity, with regard to the specific requirements, fees and provisions applicable during the phasing of the development project.
- C. The project shall be phased as follows:Phase I-Lots 1-2.
Phase II-cul de sac into the subdivision will be constructed and maintained by the applicant for a period of two years, upon which time the City will accept the dedicated road.
Phase III-development of Lot 3
Phase IV-development of Lots 4-6.
- D. Said parcel map shows certain street dedications for public use.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions herein contained, and for other valuable consideration, the receipt of which is hereby acknowledged, the parties do hereby agree as follows:

- 1. Developer agrees to construct at its sole cost and expense within said tract, all those certain improvements shown on the Improvement Plans titled "**Plans for the Phase 1 (Lots 1-2) Improvement of Blue Jay Court and Runnymede Street Frontage Improvements**" consisting of a **Cover Sheet, Conditions of Approval, General Notes, Street Improvement Plan and Profile Sheet, Details Sheets, Erosion and**

Sediment Control Plan, and Joint Trench Composite and Gas Construction Drawings, (9) sheets prepared by JET Engineering, approved by the City Engineer and hereby made a part of this Agreement as is set forth at length, required by the conditions of approval for the Blue Jay Court Subdivision. (Phase 1 (Lots 1-2) Improvements)

2. Developer agrees to construct at its sole cost and expense within said tract, all those certain improvements shown on the Improvement Plans titled "**Plans for the Phase 2 (Cul De Sac) Improvement of Blue Jay Court and Runnymede Street Frontage Improvements**" consisting of a **Cover Sheet, Conditions of Approval, General Notes, Street Improvement Plan and Profile Sheet, Details Sheets, Erosion and Sediment Control Plan, and Joint Trench Composite and Gas Construction Drawings**, (9) sheets prepared by JET Engineering, approved by the City Engineer and hereby made a part of this Agreement as is set forth at length, required by the conditions of approval for the Blue Jay Court Subdivision. (Phase 2 Improvements)
3. No improvement work shall be undertaken by Developer until all plans and specifications have been submitted to the City Engineer and City Planning Manager and have been approved by them in writing nor shall any change be made in said plans and specifications or in the work of improvement to be done under them without the prior written approval of City.
4. Developer agrees that said improvements will be constructed under and subject to the inspection of and to the satisfaction of the City Engineer.
5. Developer agrees to construct the improvements in phases in accordance with the requirements set forth in the Phase 1 (Lot 1-2) and Phase 2 (Cul De Sac) "Improvement Plans and Specifications" referred to above and as further described below, all applicable ordinances, resolutions and orders of City enacted or adopted by the City Council as amended or revised as of the date of this Amended Subdivision Improvement Agreement, and governing statutes of the State of California or of the United States of America. Phasing of the project will be as follows:
 - a. Prior to occupancy of Blue Jay Court Subdivision Lots 1 and 2 (765 and 755 Runnymede Street, respectively) the work as shown on the plan entitled, "Phase 1 (Lots 1-2) Improvement of Blue Jay Court and Runnymede Street Frontage Improvements" shall be completed as required by the Tentative Map Conditions of Approval dated July 9, 2012 (Conditions of Approval), and to the satisfaction of the City Engineer.
 - b. Prior to completion and acceptance of the Phase 2 (Cul De Sac) Improvement of Blue Jay Court and Runnymede Street Frontage Improvements as required by the July 9, 2012 Conditions of Approval, the remediation of soils within Lots 3 – 6 and Blue Jay Court shall be completed to the satisfaction

of the State of California Regional Water Quality Control Board, San Francisco Bay Region (Water Board). Certification and Notice of Completion shall be provided prior to issuance of Grading and Encroachment Permits for the work.

- c. Prior to completion and acceptance of the Phase 2 (Cul De Sac) Improvement of Blue Jay Court and Runnymede Street Frontage Improvements, the developer shall hold and maintain the Blue Jay Court cul de sac right of way until such time as the maintenance agreement expires, upon which the City shall accept dedication. Upon acceptance by the City Engineer of the Phase 2 (Cul De Sac) improvements the applicant and future successors, and heirs to development site (Lots 1-6) understand that there shall be a moratorium on any road construction, beyond repair and restoration, that would damage the roadway surface.
- d. Prior to occupancy of Blue Jay Court Subdivision Lot 3 or any other remaining lots (e.g. Lots 4 – 6), the work as shown in the plans entitled, "Phase 2 (Cul De Sac) Improvement of Blue Jay Court and Runnymede Street Frontage Improvements" shall be completed and accepted to the satisfaction of the City Engineer. At the completion and acceptance of the Phase 1 (Lots 1-2) and Phase 2 (Cul De Sac) Improvement of Blue Jay Court and Runnymede Street Frontage Improvements, owners of Lots 1 – 6 shall be required to repair any latent defects after a period of one year from the date of the initial acceptance by the City Engineer. The City Engineer shall provide written notice of defects, and owners of Lots 1 – 6 shall be required to make said repairs prior to final acceptance of the improvements.
- e. Phase III (Lot 3) shall not commence until the Chief Building Official or his designee has determined that the homes on Lots 1 and 2 are habitable.
- f. Phase IV (Lots 4-6) shall not commence until Phase III (Lot 3) is complete and the Chief Building Official or his designee has determined that the homes on Lots 1-3 are habitable.
- g. City acknowledges that the 1990 and 2004 performance bonds are void and of no force or effect. Developer shall provide new security deposits for the performance of identified public improvements as required by the City. Prior to the execution of this Agreement, the Developer shall file and submit an initial security in the amount of 10% (\$20,000.00) of the total public improvements. The

remainder of the security amount (\$180,000.00) shall be submitted prior to the commencement of the Phase 2 (Cul De Sac) Improvements of Blue Jay Court and Runnymede Street Frontage Improvements.

6. All Phase 1 (Lots 1-2) Improvements shall be completed and ready for final inspection by the City Engineer within 12 months from issuance of a building permit. The Phase 2 (Cul De Sac) Improvements shall be completed and ready for final inspection by the City Engineer within 42 months of the date of execution of this Agreement and subject to the Certification and Notice of Completion by the Water Board for the soil remediation within 12 months of the date of issuance of building permits. If the Certification and Notice of Completion is not obtained within 12 months from the issuance of a building permit the completion date for the Phase 2 (Cul De Sac) Improvements shall toll and the Developer will have 18 months from the Certification and Notice of Completion Date to complete the Phase 2 (Cul De Sac) Improvements. If Developer shall fail to complete the work required by this within these timeframes City may, at its option, and after giving ten (10) days' written notice thereof to Developer, complete the same and recover the full cost and expense thereof from Developer by way of the security bond.
7. In the event that Developer fails to perform any obligation on its part to be performed hereunder, Developer agrees to pay all costs and expenses incurred by City in securing performance of such obligation, and if suit be brought by City to enforce this Agreement, Developer agrees to pay costs of suit and reasonable attorneys' fees to be fixed by the Court.
8. Developer agrees to pay all costs for labor or materials in connection with the work of improvement hereunder.
9. The amount of the performance security required under Paragraph 5g (\$200,000.00) may be reduced to 10% (\$20,000.00) and converted to a one year maintenance/warranty security for the dedicated public improvements once these improvements are completed and accepted by the City Council. Any defects in the improvements shall be corrected by the Developer at his expense prior to acceptance by the City Council. This maintenance/warranty security shall be released after the warranty inspection of the improvements.
10. Prior to execution of this Agreement, the Developer or licensed contractor shall provide City with a general liability insurance policy with endorsements showing the City as an additional insured which insures City, its officers, employees, agents and volunteers against liability for injuries to persons or property (with minimum coverage of \$500,000.00 for each person and \$1,000,000.00 for each occurrence and \$250,000.00 for property damage in each occurrence) in connection with work performed by, for or on behalf of Developer. The policy shall: (a) be issued by an insurance company authorized to transact business in the State of California; (b) be written on the Standard California Comprehensive

General Liability Policy Form which includes, but is not limited to, property damage and bodily injury; (c) be written on an occurrence basis; (d) require thirty (30) days' prior written notice to City of cancellation or coverage reduction; (e) provide that it is full primary coverage; (f) provide that City, its officers and employees shall not be precluded from claim against other insured parties thereunder; (g) be maintained in effect until final acceptance of Developer's improvements. If Developer or the licensed contractor does not comply with the provisions of this paragraph, City may (at its election and in addition to other legal remedies) take out the necessary insurance, and Developer shall immediately repay City the premium therefor.

11. Developer agrees that any general contractor engaged by the Developer for any work of improvement under this Agreement will have:

a. In full force and effect, a Worker's Compensation Insurance as shown by a Certificate of Worker's Compensation Insurance issued by an admitted Insurer. The Certificate shall state that there is in existence a valid policy of Worker's Compensation Insurance in a form approved by the California Insurance Commissioner. The certificate shall show the expiration date of the policy, that the full deposit premium on the policy has been paid and that the insurer will give City at least thirty (30) days' prior written notice of the cancellation or coverage reduction of the policy;

Or

b. In full force and effect, a Certificate of Consent to Self-Insure issued by the Director of Industrial Relations and certified by him to be current, together with a Declaration under penalty of perjury in a form satisfactory to the City Attorney that said Certificate is in full force and effect and that the Developer or its general contractor shall immediately notify the City in writing in the event of its cancellation or coverage reduction at any time prior to the completion of all work of improvement.

12. Developer agrees to indemnify and save harmless City, City Council, City Engineer or any other officer, employee or agent of City from any and all costs, expenses, claims, liabilities or damages, known or unknown, to persons or property heretofore or hereafter to the extent arising out of the negligence of Developer caused during the performance of work or other obligation to be performed in furtherance of this Agreement, including, but not limited to, all costs and attorneys' fees incurred in defending any claim arising as a result thereof.

13. Developer agrees to pay all costs and expenses incurred by City in connection with this Agreement (including, but not limited to: plan check of improvement plans, field inspections, inspection of street monuments, construction water, wet taps, testing and inspection of improvements) in accordance with the adopted fee schedule. Developer shall provide adequate deposits for this purpose with additional deposits as required by City as required by paragraph 5.
14. Plans and Permits: Developer must apply for and obtain all necessary permits from the City and other agencies as applicable for the construction of the improvements. City acknowledges that certain fees have already been paid or are not applicable (such as the Park In-Lieu Fee.). Upon the execution of this Agreement, Developer agrees to pay current related development fees to the City, the East Palo Alto Sanitary District, American Water, the Menlo Park Fire Protection District and other affected agencies, including, but not limited to:

Fee	Amount
Below Market Rate Fee	BMR fee-No more than \$6.00 per square foot of the gross floor area of the subdivision minus garage space. Half of the BMR fee shall be paid prior to building permits for Lots 1-3. The remainder of the fee shall be paid per lot for the square footage of Lots 4-6 minus the garage space. The remainder of the BMR fee for Lots 4-6 shall be paid prior to the issuance of building permits for each and every lot.
Street and Drainage Impact Fee	\$145 dollars per lineal foot of frontage for Lots 1-3.
Grading and Erosion Control Fee Phase I (Lots 1-2) and Phase II (Cul De Sac)	\$35.00 + 5% of grading and excavation cost
Water Impact Fee	\$2,163 per parcel plus a connection fee on the proposed water line.
Encroachment Permit Fee	\$50.00+ 8% of total construction cost for work in the public right of way (Runnymede Street).

The following fees have already been paid:

- a. School Impact Fee \$12,465

b.	Grading and Erosion Control Fee (bioremediation)	\$1,065.00
c.	Encroachment Fee (Lots 1-3)	\$18,646
d.	Storm Water Impact Fee	\$19,772.00
e.	Planning Division Design Review fees	\$10,305.00
f.	Plan Check Fee	\$8,204
g.	Drainage In Lieu Fee	\$19,772

It is understood by all interested parties that if a dispute arises between prospective fees and fees that have already been paid, the difference between the two shall be paid by the applicant and his successors to the project.

15. Upon completion of the Phase II cul de sac street improvements and prior to final inspection of the Lot 3, developer shall enter into and execute a maintenance agreement for the cul de sac street improvements. The developer agrees to maintain the cul de sac for a period of two years from the date the cul de sac street improvements have received final approval from the City Engineer.
16. Any easement or right-of-way necessary for the completion of any of the improvements required of Developer shall be acquired by Developer at its sole cost and expense. In the event that eminent domain proceedings are necessary for the acquisition of any easement or right-of-way, Developer agrees that it will pay all engineering fees and costs, legal fees and costs, and other incidental costs sustained by City in connection with said eminent domain proceedings and any condemnation award and damages (including all costs awarded in said eminent domain proceedings). Developer further agrees that prior to the institution of any eminent domain proceedings and upon ten (10) days' written notice from City, Developer will deposit such sums as are determined by City Council to be necessary to defray said fees, costs, awards, and damages.
17. Developer agrees that, upon ten (10) days' written notice from City, it will immediately remedy, restore, repair or replace, at its sole expense and to the satisfaction of City Engineer, all defects, damages or imperfections due to or arising from faulty materials or workmanship appearing within a period of not less than one (1) year after the date of initial final inspection of all said improvements. If Developer shall fail to remedy, restore, repair, or replace said defects, damages or imperfections as herein required, City may, at its option, do so and recover the full cost and expense thereof from Developer. This covenant shall be explicitly included within the obligation of the security bond referenced above.
18. This Agreement shall bind the heirs, administrators, executors,

successors, assigns and transferees of Developer. It is agreed and understood that the covenants in this Agreement shall run with the land and are for the benefit of the other lands in the City of East Palo Alto, and are made by Developer expressly, their heirs, administrators, executors, successors, assigns and transferees and to the City, its successors and assigns.

19. Notices:

- a. All notices which are required to be given, or which may be given, by either party to this agreement, shall be in writing and may be served by personal delivery or by mail. Notices shall be deemed to have been served when deposited in the United States mail, postage prepaid, registered or certified, addressed as follows, or to such other address as from time to time may be designated by either party by giving notice to the other party, as follows:

City

City of East Palo Alto
Attn: City Engineer
2415 University Ave
East Palo Alto, CA 94303

Owner – Developer

BJC Development Company
242 Kellog Ave.
Palo Alto, CA 94301

- b. If a notice given hereunder is served by mail, and within a given number of days after such service a right may be exercised or an act is to be done by the person receiving notice, the time within which such right may be exercised or act be done is extended five days if the place of address is within the State of California, ten days if the place of address is outside the State of California but within the United States of America, and twenty days if the place of address is outside the United States of America.
- c. Failure to receive or to acknowledge receipt for notice served by mail shall not invalidate the notice.

Nothing contained in this Agreement shall be construed to be a waiver, release or extension of any provision heretofore required by ordinance, resolution or order of the City Council of the City.

20. Time shall be of the essence of this Agreement. All covenants herein contained shall be deemed to be conditions. The singular shall include the plural; the masculine gender shall include the feminine and neuter genders.

21. Building Permits shall be obtained for all construction occurring and all

submitted plans and specifications with a Building Permit Application shall be designed in accordance with the following statement shall be reproduced on all plans submitted to the building division:

- a. All Public Improvements as described herein shall be completed in accordance with the City of East Palo Alto Ordinances and the current State of California adopted editions of the California Building Code, California Mechanical Code, California Plumbing Code and the California Electrical Code, and
- b. Public streets and homes shall be subject to the Menlo Park Fire Protection District approval to comply with the fire conditions and ordinance by the Menlo Park Fire Protection District.
- c. All National Pollutant Discharge Elimination System NPDES requirements shall be complied with by the applicant, their heirs, administrators, executors, successors, assigns and transferees and to the City, its successors and assigns.

22. This 2013 Subdivision Agreement shall supersede and replace Subdivision Agreement, dated May 25, 2006 as document #2006-078773. The City shall instruct the County Recorder to remove documents #2006-078773 from all six parcels.

IN WITNESS WHEREOF, the City of East Palo Alto has caused this Agreement to be executed pursuant to approval by the City Council of the City of East Palo Alto on the 8th day of March, 2013, and Developer has caused this Agreement to be executed the day and year first above written.

ATTEST:

By: 
City Clerk

CITY OF EAST PALO ALTO
A Municipal Corporation

By: 
, City Manager

APPROVED AS TO FORM:

DEVELOPER:

By: [Signature]
, City Attorney

By: [Signature]
, Owner

By: [Signature]
, City Engineer

A Notary Public must acknowledge all Developer/Owner signatures.

PLEASE SEE
NOTARY ATTACHMENT

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Santa Clara

On 20th Feb, 2013 before me, Ami m. Pandit, Notary Public
(Here insert name and title of the officer)

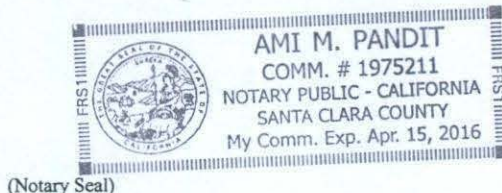
personally appeared Stan Shore

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 paragraph is true and correct.

WITNESS my hand and official seal.

AmPandit
 Signature of Notary Public



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Amended Blue Jay Court
(Title or description of attached document)

Subdivision Improvement Ags.
(Title or description of attached document continued)

Number of Pages 10 Document Date _____

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

Individual (s)
 Corporate Officer

(Title)

Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

- INSTRUCTIONS FOR COMPLETING THIS FORM**
- Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.*
- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
 - Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
 - The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
 - Print the name(s) of document signer(s) who personally appear at the time of notarization.
 - Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
 - The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
 - Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
 - Securely attach this document to the signed document

RESOLUTION NO. 4339

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO
APPROVING THE 2012 BLUE JAY COURT SUBDIVISION IMPROVEMENT
AGREEMENT (SIA #3)**

WHEREAS, on July 9, 2012, the East Palo Alto Planning Commission, at a duly noticed public hearing approved Design Review application DR 11-01 for garage structures with modified setbacks on Lots 1 (765 Runnymede) and Lots 2 (755 Runnymede) of the Blue Jay Court subdivision; and

WHEREAS, the applicant, Blue Jay Court Development Company, has requested to revise the subdivision improvement agreement; and

WHEREAS, the revised subdivision improvement agreement identifies fees that must be paid by the applicant to complete the development project, ensures current City codes and requirements are used in accordance with the East Palo Alto Municipal Code and provides for a phased development project in an orderly and harmonious fashion for the benefit of East Palo Alto residents;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO approves the Subdivision Improvement Agreement as contained in Exhibit A.

PASSED AND ADOPTED this 16th day of October 2012, by the following vote:

AYES: WOODS, ABRICA, MARTINEZ, ROMERO
NAES: EVANS
ABSENT: 0
ABSTAIN: 0

SIGNED:




Laura Martinez, Mayor

ATTEST:



Ronald L Davis, Interim City Clerk

PPROVED AS TO FORM:



Kathleen Kane, City Attorney