

2019-007276

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Recorded in Official Records

County of San Mateo

Mark Church

Assessor-County Clerk-Recorder



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**RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:**

City of Menlo Park  
Attn: City Clerk  
701 Laurel Street  
Menlo Park, CA 94025

20p

NOTICE OF TERMS AND CONDITIONS OF AMENDMENT TO THE JEFFERSON PLACE PROJECT CONDITIONAL DEVELOPMENT PERMIT

NOTICE IS HEREBY GIVEN that the CITY OF MENLO PARK has issued an Amendment to the Jefferson Place Project Conditional Development Permit, dated September 24, 1996, for the property located at 180-200 Jefferson Drive (APN: 055-243-290) to the undersigned on certain terms and conditions as outlined in the Amendment to the Jefferson Place Project Conditional Development Permit, attached hereto as Exhibit 1 and made a part hereof, for the property shown in Exhibit B and more particularly described in Exhibit C of the Amendment to the Jefferson Place Project Conditional Development Permit attached hereto and made a part hereof.

Dated: January 11, 2019

Jefferson Place Associates, LLC

By: [Signature]  
Name: David Bihannoh  
Title: Representative

CERTIFICATE OF ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )

) ss:

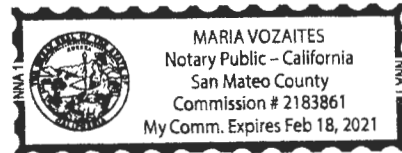
COUNTY OF SAN MATEO )

On January 11, 2019, before me, Maria Vozaites, Notary Public personally appeared David D. Bohannon II 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.

Signature Maria Vozaites



**Exhibit 1**

**Amendment to the Jefferson Place Project Conditional Development Permit  
180-200 Jefferson Drive  
Menlo Park, CA 94025**

AMENDMENT TO JEFFERSON PLACE PROJECT  
CONDITIONAL DEVELOPMENT PERMIT

Facebook Shuttle and Tram Stop Project  
180-200 Jefferson Drive  
(Buildings 24, 25, and 26)

1. GENERAL INFORMATION:

- 1.1. Applicant: Facebook, Inc. (and its successors and assigns)
- 1.2. Property Owner: Jefferson Place Associates, LLC (and its successors and assigns)
- 1.3. Nature of Project: An Amendment to the Jefferson Place Project Conditional Development Permit (Amendment) to enable the following modifications for the construction and operation of a new tram and shuttle stop:
- 1.3.1. Decrease the allowable parking ratio;
  - 1.3.2. Modify on-site circulation for vehicles, pedestrians, and bicyclists;
  - 1.3.3. Modify the site landscaping plan by reducing the required percentage of on-site landscaped area;
  - 1.3.4. Increase the amount of building coverage to allow the construction of new transit shelters and guard shacks;
  - 1.3.5. Remove heritage trees; and
  - 1.3.6. Construct related infrastructure for the tenant's proposed inter-campus tram and shuttle operations.

The requirements in this Amendment for the tram and shuttle stop are associated with an existing three building general office development known as the Jefferson Place Project (Buildings 24, 25, and 26). The conditions contained below are in addition to all of the requirements of the original Jefferson Place Project Conditional Development Permit (CDP), attached hereto as Exhibit A and incorporated herein by this reference. Except as otherwise set forth in this Amendment, all of the requirements of the CDP shall continue to apply to the Project Site. The proposed site circulation changes would include concurrent modifications to the adjacent property located at 220 Jefferson Drive. The comprehensive project includes both parcels. The requirements enumerated in this Amendment apply to the 180-200 Jefferson Drive parcel only. Separate conditions of approval are contained in the use permit and architectural control actions for the 220 Jefferson Drive parcel.

1.1. Property Information and Project Location (Project Site)

- 1.1.1. Address: 180-200 Jefferson Drive

- 1.1.2. Assessor's Parcel Number (APN): 055-243-290
- 1.1.3. Area of Property: 10.72 acres
- 1.1.4. Legal Description: Exhibit B
- 1.1.5. Plat of Property: Exhibit C
- 1.1.6. Current Zoning: O-B (Office-Bonus)
- 1.1.7. Previous Zoning: M-2(X) (General Industrial, Conditional Development)
- 1.1.8. Permitted Uses:
  - 1.1.8.1. Offices pursuant to the CDP.
  - 1.1.8.2. Transit hub and ancillary uses as part of Applicant's Transportation Demand Management (TDM) program, provided the Applicant maintains multiple campuses in the vicinity of the Project Site to facilitate the operation of a regional shuttle network and inter-campus trams to and from the Project Site.

## 2. PROJECT PLANS AND APPROVALS:

- 2.1. Development standards: Unless otherwise specified in this Amendment, the development standards applicable to the Project Site shall be in accordance with the CDP.
- 2.2. Project Plans: Development of the project shall be substantially in conformance with the plans prepared by Gensler, consisting of 55 plan sheets (dated October 10, 2018), the project description letter (dated October 16, 2018), the Chilco Campus Bus Stop Evaluation (dated October 10 2018), and the Chilco Campus Bus Stop Parking Summary (dated October 16, 2018), as recommended for approval by the Planning Commission on October 22, 2018 and adopted by Resolution 6466 by the City Council on November 13, 2018.
  - 2.2.1. Site improvements shall be installed and maintained in substantially in accordance with the approved plans, subject to review and approval by the Community Development Director and Public Works Director.
- 2.3. Landscaping and Heritage Trees: Landscaping shall be installed in accordance with the approved project plans (dated October 10, 2018), and approved by the City Council on November 13, 2018.
  - 2.3.1. Heritage tree replacement species and planting locations shall be reviewed and approved by the City Arborist and Planning Division prior to building permit issuance.
  - 2.3.2. The project shall include a minimum of 28 qualified heritage tree replacements in accordance with the required 2:1 replacement ratio for commercial properties, subject to review and approval by the City Arborist and Planning Division.

### 3. DEVELOPMENT STANDARDS:

3.1. Parking Stall Count: The Project Site shall contain a minimum of 577 parking spaces at a ratio of 2.8 spaces per 1,000 square feet of gross floor area (GFA), inclusive of the office buildings, guard shacks and related accessory buildings that do not increase the office GFA.

3.1.1. The on-site circulation and parking spaces shall be maintained in a manner that is substantially consistent with the Project Plans, including the locations of the tram and shuttle stops and the circulation for the transit vehicles for the Applicant.

3.2. Building Coverage: Maximum building coverage at the site shall be 17 percent, inclusive, but not limited to, transit shelters, guard shacks, trash enclosures, and the office buildings.

3.3. Floor Area Ratio: The maximum Floor Area Ratio (FAR) shall be 45 percent, per Section IV (Development Standards), of subsection A of the CDP. The project is permitted to increase the gross floor area for guard shacks and related accessory buildings provided the 45 percent FAR is maintained.

3.3.1. Future construction of any additional accessory structures and buildings, provided the structures and buildings comply with the 45 percent FAR maximum, may be permitted through the Architectural Control review process, enumerated in Chapter 16.68.020 (Architectural control).

3.3.2. Any increase in GFA for office uses, even if the proposed FAR is within the 45 percent maximum limit, would require a CDP Amendment.

#### 3.4. Setbacks:

3.4.1. Building setbacks shall be substantially in accordance with the approved plans.

3.4.2. Ancillary structures, such as bus canopies and shelters, security stations, and other structures, accessory in nature, shall be permitted to have a zero setback line, subject to review and approval by the Building Division, Engineering Division, and Planning Division for all applicable Zoning Ordinance, Building Code, and Municipal Code requirements. The locations of the structures shall be substantially in compliance with the locations identified in the approved Project Plans.

3.5. Height: The maximum height of the shuttle and tram stops shall be 11 feet, six inches in height. Guard shacks shall be limited to a maximum of 10 feet, six inches in height.

3.6. Landscaping: The minimum percentage of landscaping for the Project shall be at

least 34 percent of the Project Site, including plazas and pedestrian circulation, in accordance with the approved plans, and in compliance with Section IV (Development Standards), subsection A, of the CDP.

4. RECORDATION:

4.1. The Amendment shall be recorded in the Official Records of the County of San Mateo, State of California.

4.2. The Amendment shall be in full force and effect upon recordation. If this Amendment is no longer valid the original conditions of the CDP shall control and regulate the development standards and permitted uses at the Project Site.

5. CONDITIONS OF APPROVAL:

5.1. Prior to building permit issuance, the Applicant shall comply with all requirements of the Building Division, Engineering Division, Transportation Division, and Utilities Division that are directly applicable to the project.

5.2. Prior to commencing any work within the City's right-of-way, the Applicant shall obtain an encroachment permit from the Engineering Division.

5.3. Prior to building permit issuance, the Applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations (if any) that are directly applicable to the project.

5.4. Prior to building permit issuance, the Applicant shall submit plans for: 1) construction safety fences around the periphery of the construction area, 2) dust control, 3) air pollution control, 4) erosion and sedimentation control, and 5) construction vehicle parking, which may be included as part of the Grading and Drainage Plan. The plans shall be subject to review and approval by the Building, Engineering, and Planning Divisions. The safety fences and erosion and sedimentation control measures shall be installed according to the approved plan prior to commencing construction.

5.5. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a draft Stormwater Treatment Measures Operations and Maintenance Agreement ("O&M Agreement") which shall require the Applicant or the Property Owner to be responsible for the operation and maintenance of all applicable stormwater treatment measures for the project. The O&M Agreement shall be subject to review and approval by the Engineering Division and shall be recorded with the San Mateo County Recorder's Office prior to building permit final inspection.

5.6. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval by

the Engineering Division. The Grading and Drainage Plan shall be approved prior to issuance of a building permit.

5.7. Prior to building permit issuance, the Applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. 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 the exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

5.8. Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality, in accordance with the approved Stormwater Pollution Prevention Plan (SWPPP). BMP plan sheets are available electronically for inserting into Project Plans.

5.9. Prior to building permit issuance, the Applicant shall pay all Public Works fees as set forth in the City of Menlo Park Master Fee Schedule.

## 6. PROJECT SPECIFIC CONDITIONS OF APPROVAL

6.1. Since the proposed comprehensive project includes two legal parcels (APNs: 055-243-290 and 055-243-280), the building permits for each parcel shall be reviewed and issued concurrently. To the extent possible, each building permit should receive final inspections concurrently.

6.2. The Applicant shall implement a transportation demand management (TDM) program that applies to the Project Site and to 220 Jefferson Drive. The TDM program shall be in substantial conformance with the TDM program, dated October 16, 2018, by the Planning Division.

6.3. The Applicant shall use commercially reasonable efforts to prevent the parking of employee and visitor vehicles (whose occupants' final destination is the Project Site) or private shuttles in adjacent neighborhoods, including, but not limited to, the Belle Haven neighborhood, on other public streets in the City, and on public streets in the City of East Palo Alto to the satisfaction of the Public Works Director. The City reserves the right to require monitoring of neighborhood parking intrusions.

6.4. Upon completion of the comprehensive project and associated on-site circulation improvements, the Applicant shall modify the shuttle and tram operations to remove the left turns from the Project Site onto Chilco Street in the northbound direction until such a time as a signalized intersection is installed at the driveway to the Project Site at Chilco Street. Access for shuttles and trams to the Project Site shall be limited to right turns into the Project Site from Chilco Street until such time as a signalized intersection is installed.

6.5. Within six months after the date the Amendment is recorded, the Applicant shall



submit a feasibility study and warrant analysis to the Transportation Division evaluating the feasibility of installing a signalized intersection at Chilco Street and the driveway to the Project Site, subject to the satisfaction of the Public Works Director. If a signal is warranted, the Applicant shall design, construct or fund a signalized intersection.

- 6.6. The parking reduction on the Project Site allowed by the Amendment is valid so long as the Project Site, the adjacent site at 220 Jefferson Drive (APN: 055-243-280), and multiple other sites within the vicinity are occupied by the Applicant, a common tenant, or multiple tenants that utilize a common inter-campus shuttle and tram network. When such condition ceases to be satisfied, this Amendment shall terminate and the original terms of the CDP shall control.
- 6.7. When this Amendment is terminated, the owner shall cause the Project Site to return to compliance with the CDP in 180 days or submit an application for an amendment to revise the circulation on the Project Site, which may include removal of the shuttle and tram stops and associated site improvements and the installation of additional parking stalls to meet the original parking requirements set forth in the CDP.
- 6.8. Simultaneous with the submittal of a complete building permit application, the Applicant shall provide documentation of either abandonment or relocation of any easements within the footprint of each structure proposed as part of the project, or alternatively, provide documentation that the parties to any easements encumbering the footprint of a structure have granted permission to install the structure within the applicable easement area, subject to review and approval by the Planning and Engineering Divisions.
- 6.9. Prior to issuance of a building permit, the Applicant shall revise the civil plans to remove the bio-treatment areas and other storm water control facilities from any public utility easements. Alternatively, the applicant may provide documentation, in writing, from the easement holder of permission to install these features within the easement.
- 6.10. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit a separate encroachment permit application identifying the required frontage improvements along the Jefferson Drive frontage, per the requirements of Chapter 16.43.120 (Required street improvements). Public improvements along this frontage shall include, at a minimum, the installation of new electroliers and the replacement of any cracked or worn sidewalk, subject to review and approval of the Engineering Division. The encroachment permit shall be issued simultaneously with the building permit(s) for the Project.
- 6.11. In order to address certain overlaps in the storm drain facilities and C.3 treatment design as between the 180-200 Jefferson Drive parcel (APN 055-243-290) and the 220 Jefferson Drive parcel (APN: 055-243-280), the Applicant

shall, simultaneous with the submittal of a building permit application, submit a form of recordable springing easement agreement for infrastructure that crosses the property line between the two parcels, to become effective if the Property (or 220 Jefferson Drive) is transferred to a third party. This agreement shall be recorded prior to building permit issuance.

- 6.12. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit documentation of compliance with the City's Water Efficient Landscape Ordinance (WELO), subject to review and approval of the Engineering Division.
- 6.13. For so long as the two legal parcels (180-200 Jefferson Drive and 220 Jefferson Drive) remain in common ownership, easements for vehicular and pedestrian ingress and egress between the two parcels are not required. If the ownership changes, even if the occupant does not, the Applicant or Property Owner shall provide forms of easement agreements for such access to the Planning and Engineering Divisions prior to transfer of the property to new ownership for review and approval. Subsequent to the City's acceptance of the easements, the Applicant shall cause the easements to be recorded with the County of San Mateo Recorder's office upon transfer of the property. If the necessary easements are not timely recorded, Applicant shall submit an application for a further amendment to the CDP to provide an alternative means of ingress and egress between the two parcels without the easements. If no easements are recorded and an amendment application is not received by the Community Development Department, then this Amendment is no longer valid and the Project Site would be regulated by the CDP.
- 6.14. If it is determined by the Transportation Division that the new drive aisles to be installed as part of the project on-site create unforeseeable constraints for shuttle or tram circulation, modifications to the on-site circulations shall be required, subject to review and approval of the Transportation and Planning Divisions. Without prior authorization from the Transportation and Planning Divisions, Applicant may not allow shuttle and/or tram routes to exit the site onto Chilco Street, unless a signalized intersection on Chilco Street is provided. The Applicant or the City may request a reasonable evaluation of the existing on-site circulation, not more than once per year, if either party determines there are potential issues with the on-site circulation. Applicant shall also reserve the right, subject to the approval of the Planning Division which shall not be unreasonably withheld, conditioned, or delayed, to remove the structures associated with the new shuttle and tram stop and revert to the original site configuration and parking count requirement under the CDP.
- 6.15. If utilized, traffic control personnel assisting with vehicles entering and existing the Project Site from Jefferson Drive are not permitted to prioritize shuttles, trams, or vehicles entering or exiting the Project Site over the thru-traffic on Jefferson Drive.

- 6.16. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit a plan for any necessary on-street parking removal on Jefferson Drive within the vicinity of the entrance to the Project Site to improve site access for the shuttles and trams, subject to review and approval of the Transportation and Engineering Divisions.
- 6.17. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit a plan to monitor traffic flows along Chilco Street at the driveway to the Project Site and the frequency of pedestrian and bicycle crossings on Chilco Street between the Project Site and the Facebook West Campus (located at 300-309 Constitution Drive and 1 Facebook Way), for review and approval by the Transportation Division. Within six months of final inspection, Applicant shall submit a feasibility report with recommendations regarding potential ways to improve circulation (including any potential for reducing the frequency of pedestrian and bicycle crossings) based on the data collected through the monitoring plan. That report shall also incorporate the findings in the feasibility study required by Section 6.5 of this Amendment related to the potential signalization of the intersection at Chilco Street and the Project site driveway. Within 45 days of acceptance of the report by the Transportation Division, the Applicant and Transportation Division shall meet and confer regarding the report, and work in good faith to evaluate the feasibility and effectiveness of any improvements recommended in the report, and determine which recommended improvements, if any, should be implemented by Applicant. Applicant shall then implement those recommendations determined by Applicant and the City to be feasible and effective based on clear performance standards (if any), subject to a mutually agreed upon schedule, and provided that the Applicant shall not be required to complete any improvements that are disproportionate to its impact on Chilco or that have no nexus to the project and Applicant's use of the Property.
- 6.18. Property Owner or Applicant shall have the right to terminate this Amendment at any time by giving written notice to the City. If Property Owner or Applicant exercises its termination right, this Amendment shall terminate, the original terms of the CDP shall control, and the Property Owner or Applicant shall cause the Project Site to be in compliance with the CDP within 180 days of the date the Amendment is terminated.
- 6.19. Simultaneous with the submittal of a complete building permit application, the applicant shall revise the landscaping plan to specify that the required heritage tree replacements shall be a minimum one size larger than the currently required #15 size nursery container for heritage tree replacements, subject to review and approval of the City Arborist and Planning Division.

**JEFFERSON PLACE PROJECT  
CONDITIONAL DEVELOPMENT PERMIT**

September 24, 1996

I. STATEMENT OF PURPOSE:

The Conditional Development Zoning District, which provides the authority under which conditional development permits may be granted, was created to promote comprehensive planning of large parcels of land to protect the natural environment by allowing flexibility from the strict requirements of the zoning district with which it is combined; to encourage development of more usable open space; to promote creative design and to permit the application of innovative and desirable development techniques, consistent with the aesthetic and environmental character of the community.

II. GENERAL INFORMATION:

- A. Applicant: Bohannon Development Company
- B. Nature of Project: An office project consisting of three new 70,000 square feet buildings
- C. Property Location: 180-200 Jefferson Drive
- D. Assessor's Parcel Numbers: 055-243-160, 055-243-170, 055-243-200, & 055-243-220
- E. Area of Property: 10.72 acres
- F. Present Zoning: M-2 (General Industrial)
- G. Proposed Zoning: M-2-X (General Industrial - Conditional Development Permit)
- H. Permitted Uses: Offices

III. PROJECT PLANS AND APPROVALS:

The precise development plans shall be reviewed and approved by the Planning Commission and City Council prior to the recording of the final parcel map and issuance of building permits. The precise plans shall be comprised of the following:

- A. Site Plan: The site plan shall show all major dimensions and exact location of all proposed buildings and related improvements, e.g., walls, fences, plazas, driveways, public and private roads, utility company equipment, etc.
- B. Building: Elevation drawings shall show the proposed exterior elevations of the buildings, including all windows, doors, and roof pitches, exterior finishes, including material identification and color, the natural and proposed grade and the heights above the proposed grade for all floors and parapets.

III. PROJECT PLANS AND APPROVALS: (CONT'D.)

- C. Floor Plans: Floor plans shall include complete plans for all proposed structures, including overall building and individual room dimensions, room identification, and window and door locations.
- D. Landscape A conceptual landscaping plan shall show location of all plant material and all other landscaping materials (including paved areas). The plan shall also show all fences, walls, and exterior lighting fixtures.
- E. Parking Plan: The parking plan shall show all required parking and the dimensions of all spaces.
- F. Subdivision Map: The tentative parcel map shall be prepared in accordance with the City of Menlo Park Subdivision Ordinance and the State Subdivision Map Act.

IV. DEVELOPMENT STANDARDS:

- A. Building setbacks, coverage, Floor Area Ratio (FAR), paving and landscaping shall be in accordance with the precise development plans. Building coverage shall not exceed 15% of the building site, FAR shall not exceed 45% of the site, paved areas used for roads and parking shall not exceed 51% of the site; landscaped areas, including plazas, shall be at least 34% of the site.
- B. Building height shall not exceed 44.5 feet from the average natural grade, with exception of the roof-mounted mechanical equipment and associated screen.
- C. Parking and landscaping shall be installed and maintained according to the approved plans.
- D. All subdivision improvements shall be installed by the applicant to the approval of the City Engineer, as specified in the (future) tentative parcel map.

V. OTHER CONDITIONS:

- A. The applicant shall comply with all County, State, and Federal regulations that are directly applicable to the project.
- B. The applicant shall comply with all West Bay Sanitary District, Menlo Park Fire Protection District, and utility companies regulations that are directly applicable to the project.
- C. The applicant shall comply with all requirements of the Building, Engineering and Transportation Divisions that are directly applicable to the project.
- D. A utility plan showing the exact location of all meters, transformers, junction boxes, relay boxes, back-flow prevention devices, etc., that are being installed outside the building and provisions being made to screen such equipment from view, shall be submitted to and approved by Building Division staff prior to issuance of a building permit.

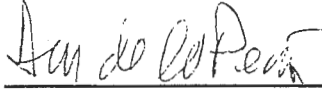
- E. The applicant shall submit a plan showing site improvement details, including but not limited to trash enclosures, bike racks and perimeter fencing, to the Planning Division for review and approval. At least one bike rack shall be located within 50 feet of the lobby of each building.
- F. The applicant shall submit a detailed landscape plan for review and approval by the Planning Commission and the Police Department prior to issuance of a building permit. The landscape plan shall meet the requirements of the Water Efficient Landscaping Ordinance and shall include the street tree planting along the frontages of the property on Jefferson Drive and Chilco Street.
- G. The applicant shall submit a detailed exterior lighting plan to the Planning Division and the Police Department for review and approval prior to issuance of a building permit. Hooded, downward-directed lights and low elevation standards shall be provided in order that there be no off-site glare.
- H. The applicant shall submit plans of all signs for review and approval of the Planning Division prior to installation.
- I. The applicant shall enter into a Below Market Rate (BMR) Agreement with the City of Menlo Park to mitigate housing impacts. The BMR Agreement shall include provisions for payment of a per building fee based on the difference between the gross floor area of a building minus 10,000 square feet times \$1.66 per square foot (adjusted annually based on the Consumer Price Index until paid). The payment(s) shall be made prior to final inspection of each building by the Building Division.
- J. The applicant shall pay a traffic mitigation fee to the City of Menlo Park in the amount of \$1.60 per square foot of gross floor area to contribute to programs for improving Citywide transportation including bicycle facilities, signal control, roadway improvements and other Transportation System Management (TSM) elements which the City may consider to mitigate cumulative traffic impacts. The traffic mitigation fee shall be payable prior to final inspection of tenant improvements of each building of the project by the Building Division.
- K. The project shall participate in the City's TSM program in accordance with the terms of the TSM Ordinance applicable to the project and shall comply with the applicable measures of the Recommended TSM Activities (Exhibit A). The applicant shall submit the TSM plan for review and approval of the Transportation Division prior to final inspection of tenant improvements of each building by the Building Division.
- L. The applicant shall modify the eastbound Chrysler Drive approach to include an exclusive left turn lane and a shared left and right turn lane to the satisfaction of the Transportation and Engineering Divisions prior to final inspection of the tenant improvements of the first building.
- M. The applicant shall extend the existing landscaped median island on Chilco Street to align with approximately the southerly end of the property frontage prior to final inspection of the tenant improvements of the first building. The applicant shall design the median with appropriate openings for vehicle access and in accordance with sight visibility design guidelines subject to review and approval of the Transportation and Engineering Divisions and the Menlo Park Fire Protection District.

- N. The applicant shall obtain the necessary permit(s) from Caltrans for any work done within its right-of-way.
- O. The applicant shall install sidewalks as identified in the Bohannon Park sidewalk network study. It is anticipated that sidewalks will be installed along Jefferson Drive and Chilco Street on the subject property. However, if the plan shows some lesser or different arrangement on the property, the plan shall be followed. Sidewalks required by the study shall be installed to the satisfaction of the Transportation and Engineering Divisions prior to final inspection of the tenant improvements of the first building by the Building Division.
- P. The applicant shall install City standard curb, gutter and driveway to close the abandoned Jefferson Court prior to final inspection of the first building.
- Q. The applicant shall overlay Jefferson Drive and Chilco Street pavement along the frontage of the property with two inch asphalt concrete and reinforcing fabric prior to final inspection of tenant improvements of the third building to the satisfaction of the Engineering Division.
- R. The applicant shall submit grading, storm drainage, and off-site improvement plans for review and approval by the Building and Engineering Divisions prior to issuance of a grading permit.
- S. The applicant shall pay a Storm Drainage Connection fee of \$0.24 per square foot of impervious surface area to the City of Menlo Park prior to issuance of a building permit.
- T. An erosion and sediment control plan shall be developed and implemented to the satisfaction of the Engineering Division prior to issuance of a grading permit, utilizing the following as necessary:
- Limiting grading activities to the dry months if feasible;
  - Temporary and permanent planting of exposed soil;
  - Temporary sediment basins and traps;
  - Temporary silt fence, earthen dikes or berms;
  - Storm drain inlet protection; and/or
  - Soil blankets or mats to cover soil stock piles.
- U. The applicant shall file a Notice of Intent (NOI) and submit a Storm Water Pollution Prevention Plan (SWPPP) to the State Regional Water Quality Control Board (SRWQCB) to obtain coverage under the State General Construction Activity National Pollution Discharge Elimination System (NPDES) Permit prior to commencement of construction activities. Copies of the project's NOI and SWPPP shall be submitted to the Engineering and Building Divisions prior to issuance of a grading permit.
- V. A geotechnical investigation for the project shall be submitted to the Engineering and Building Divisions with the application for a grading permit. The geotechnical investigation shall be reviewed by the City Geologist and the project shall comply with his/her recommendations.

- W. The applicant shall submit a Tentative Parcel Map to the Planning Commission for review and approval to remove interior property lines and increase the size of the site to at least 10.72 acres prior to issuance of building permits.
- X. The applicant shall place all utilities underground.
- Y. The applicant shall construct building pads above the potential flood elevation or construct appropriate protective walls around the building to mitigate potential flooding hazards.
- Z. If required by State or Federal regulations, or by the Building Division, construction safety fences shall be installed around the periphery of the construction area. A plan for safety fences necessary during construction shall be submitted to and approved by the Building Division staff prior to issuance of a building permit.
- AA. Dust problems during construction shall be controlled by requiring and enforcing measures such as the watering of the site with reclaimed water and/or the application of a dust palliative.
- BB. Construction access shall be limited to a maximum of two points at any one time. The point(s) shall be stabilized against vehicles tracking dirt and debris onto City streets. Construction areas and adjacent roadways shall be swept/washed of all mud, dust, construction materials and debris on a weekly basis, or more often if needed. In order to prevent unnecessary water use, washing construction areas would only be implemented if sweeping is not effective.
- CC. Stockpiles of soil, sand and debris and the materials in trucks used for hauling soil shall be covered to prevent them from being blown away by the wind.
- DD. Construction equipment shall be regulated to limit noise levels to 90 dBA at a distance of 50 feet from the source.
- EE. All engine driven construction vehicles, equipment, and pneumatic tools shall be required to use effective intake and exhaust mufflers in accordance with OSHA standards. The equipment shall be property adjusted and maintained.
- FF. This permit shall be binding upon the applicant and any subsequent owner of the property or portion thereof.
- GG. This permit may be amended by a majority vote of the City Council. Application for amendment shall be made by the property owner, in writing, to the Planning Commission. The Planning Commission shall then forward its recommendation to the City Council.

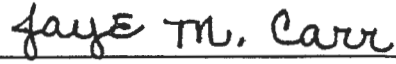


Recommended for Approval by the  
Menlo Park Planning Commission  
on September 16, 1996



Don de la Pena, Secretary

Approved by the  
Menlo Park City Council  
on September 24, 1996



Jaye M. Carr, City Clerk

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**EXHIBIT B  
LEGAL DESCRIPTION**

REAL PROPERTY IN THE CITY OF MENLO PARK, COUNTY OF SAN MATEO, STATE OF CALIFORNIA,  
DESCRIBED AS FOLLOWS:

PARCEL A AS SHOWN ON LOT LINE OF ADJUSTMENT OR PARCEL MERGER NO. 98-01, AS EVIDENCED BY DOCUMENT RECORDED JUNE 26, 1998 AS INSTRUMENT NO. 1998-98851 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHWESTERLY CORNER OF PARCEL C AS SHOWN ON THAT MAP ENTITLED "PARCEL MAP RESUBDIVISION OF PARCEL 1, BOHANNON INDUSTRIAL PARK" FILED IN THE OFFICE OF THE RECORDER OF THE SAN MATEO COUNTY, STATE OF CALIFORNIA, ON FEBRUARY 28, 1986, IN VOLUME 57 OF PARCEL MAPS, AT PAGE 14, SAID CORNER BEING ON THE SOUTHERLY RIGHT OF WAY OF JEFFERSON DRIVE;

THENCE FOLLOWING SAID RIGHT-OF WAY SOUTH  $67^{\circ} 17' 00''$  EAST, 562.20 FEET;

THENCE THROUGH A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 80.00 FEET, A CENTRAL ANGLE OF  $90^{\circ} 00' 00''$ , AND AN ARC LENGTH OF 125.66 FEET;

THENCE LEAVING SAID RIGHT-OF -WAY SOUTH  $22^{\circ} 43' 00''$  WEST, 42.82 FEET;

THENCE THROUGH A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 80.00 FEET, A CENTRAL ANGLE OF  $35^{\circ} 40' 32''$ , AND AN ARC LENGTH OF 49.81 FEET;

THENCE SOUTH  $12^{\circ} 57' 32''$  EAST, 165.59 FEET;

THENCE SOUTH  $67^{\circ} 17' 00''$  EAST, 305.66 FEET;

THENCE NORTH  $81^{\circ} 58' 35''$  EAST, 119.50 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF CHILCO STREET AS SHOWN ON THAT MAP ENTITLED "RECORD OF SURVEY OF A PORTION OF THE LANDS OF RAYCHEM CORPORATION" FILED IN THE OFFICE OF THE RECORDER OF THE SAN MATEO COUNTY, STATE OF CALIFORNIA ON JUNE 4, 1990 IN VOL. 12 AT PG 132;

THENCE FOLLOWING SAID RIGHT-OF-WAY SOUTHERLY THROUGH A CURVE TO THE LEFT, WITH A RADIAL OF NORTH  $81^{\circ} 58' 37''$  EAST, AND A RADIUS OF 395.02 FEET, A CENTRAL ANGLE OF  $81^{\circ} 54' 36''$ , AND AN ARC LENGTH OF 564.72 FEET;

THENCE LEAVING SAID RIGHT OF WAY SOUTH  $22^{\circ} 21' 10''$  WEST, 3.25 FEET;

THENCE SOUTH  $84^{\circ} 57' 30''$  WEST, 625.74 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF PARCEL B AS SHOWN ON "PARCEL MAP RESUBDIVISION OF PARCEL 1, BOHANNON INDUSTRIAL PARK" FILED IN THE OFFICE OF THE RECORDER OF THE SAN MATEO COUNTY, STATE OF CALIFORNIA, ON FEBRUARY 1986, IN VOLUME 57 OF PARCEL MAPS, AT PAGE 14;

THENCE FOLLOWING SAID BOUNDARY NORTHWESTERLY THROUGH A NON-TANGENT CURVE TO THE RIGHT WITH A RADIAL OF NORTH  $16^{\circ} 41' 30''$  EAST, A RADIUS OF 478.34 FEET, A CENTRAL ANGLE OF

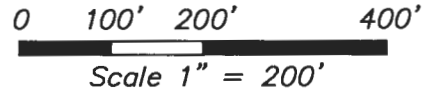
33° 48' 30", AND AN ARC LENGTH OF 282.25 FEET;

THENCE NORTH 39° 30' 00" WEST, 271.18 FEET;

THENCE THROUGH A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 478.34 FEET, A CENTRAL ANGLE OF 24° 17' 00", AND AN ARC LENGTH OF 202.73 FEET;

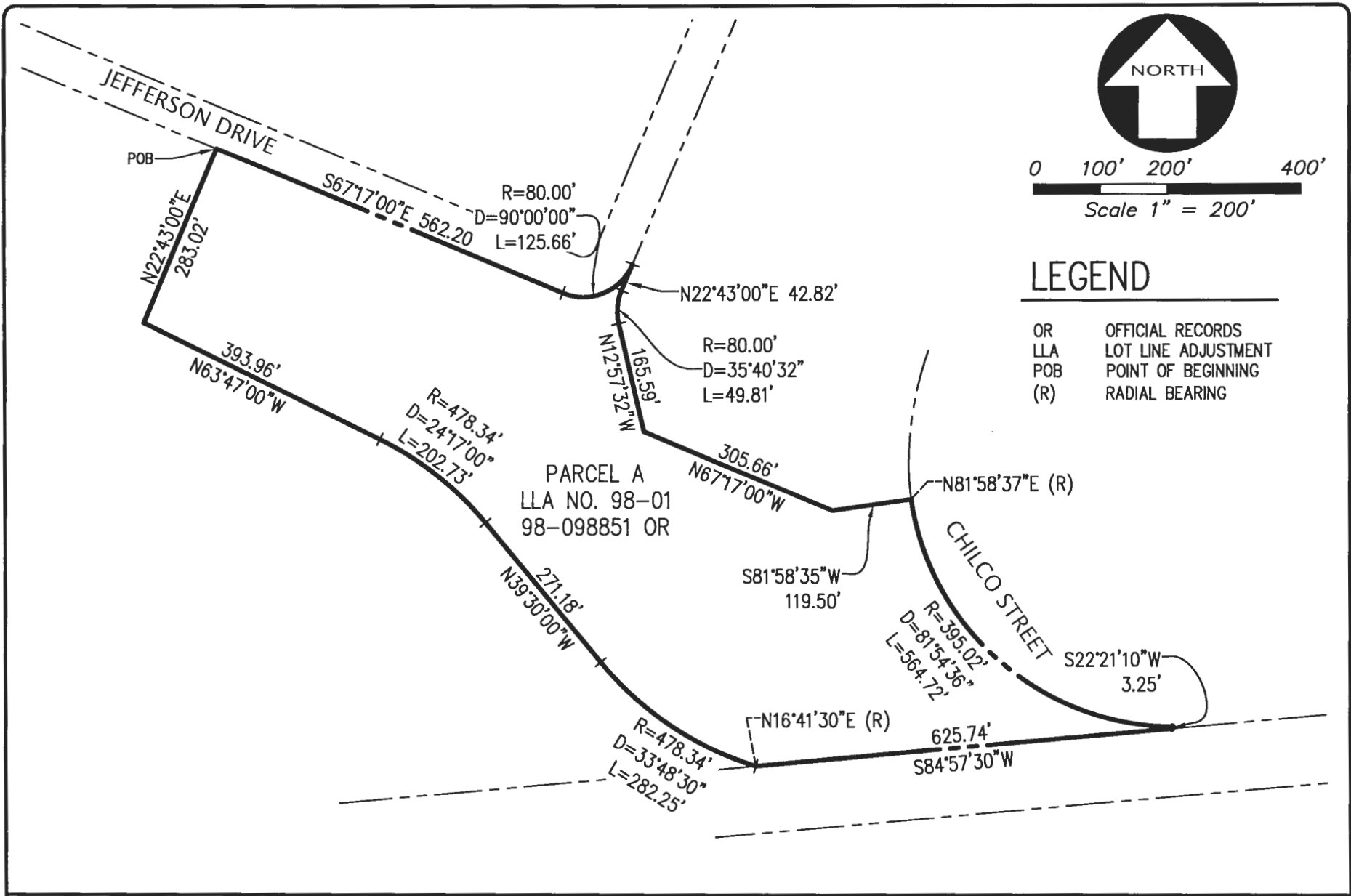
THENCE NORTH 63° 47' 00" WEST, 393.96 FEET;

THENCE NORTH 22° 43' 00" EAST, 283.02 FEET TO THE POINT OF BEGINNING.



### LEGEND

- OR OFFICIAL RECORDS
- LLA LOT LINE ADJUSTMENT
- POB POINT OF BEGINNING
- (R) RADIAL BEARING



PARCEL A  
LLA NO. 98-01  
98-098851 OR



**KIER & WRIGHT**  
CIVIL ENGINEERS & SURVEYORS, INC.  
2850 Collier Canyon Road Phone (925) 245-8788  
Livermore, California 94551 Fax (925) 245-8796  
www.kierwright.com

## EXHIBIT C PLAT TO ACCOMPANY LEGAL DESCRIPTION

MENLO PARK,

CALIFORNIA

DATE	NOV. 2018
SCALE	1" = 200'
BY	RJH
JOB NO.	A16713-4
SHEET	1 OF 1