

JCPoetsch Advisors, Inc.
1028 Wilmington Way, Redwood City, CA 94062
phone (650) 207-4994 / e-mail jeffcp@earthlink.net

January 28, 2025

Ms. Elena Lee, Planning Director
City of East Palo Alto
1960 Tate Street
East Palo Alto, CA 94303

RE: Soil Stockpiling Temporary Use Permit
391 Demeter Street / 2555 Pulgas Avenue
APN - 063-050-020 / 063-121-200
Revision #1

Dear Ms. Lee,

Sycamore Real Estate Investment, LLC is seeking to renew and amend the soil stockpiling Temporary Use Permit 24-016 ("TUP") for 365 days. Soil Stockpiling was authorized pursuant to TUP 24-016 issued on February 20, 2025 (effective March 8, 2025) for a portion of the 391 Demeter Street site. The soil stockpiling was also subject to a "Soil Stockpiling Agreement" by and between the City of East Palo Alto, Sycamore Real Estate Investment, LLC and P. Kavanagh Construction. On December 23, 2025, that agreement was amended to expand soil stockpiling services to occur on a portion of the 2555 Pulgas Avenue site, and this TUP renewal seeks to incorporate the portion of 2555 Pulgas subject to this amendment. (See Exhibit 2)

Included with this submittal are:

Exhibit 1 - Universal Planning Application for the 391 Demeter Soil Stockpiling Expansion

1. Exhibit A - Location Map
2. Exhibit B - Ravenswood Specific Plan Zoning Map

Exhibit 2 - First Amendment to Soil Stockpiling Agreement

Exhibit 3 - East Palo Alto Waterfront Plan Set (BKF Engineers - 1/22/26)

Soil Sourcing - All soil that will be included in the stockpile area will be sourced, tested and imported in compliance with the requirements set forth in Sycamore's Risk Management Plan. The plan was reviewed and approved by the San Francisco Bay Regional Water Quality Control Board ("RWQCB"). Any activities for the 391 Demeter Soil Stockpiling Expansion will be under the review and oversight of the RWQCB.

Soil Stockpiling Potential Usage - The following projects are known to be seeking soil for anticipated fill requirements and other construction requirements:

1. San Francisquito Creek Joint Powers Authority SAFER Bay project for the segment in East Palo Alto south of Bay Road to the O'Conner Pump Station
2. Google Development Project in Mountain View
3. Treasure Island Development in San Francisco.
4. Candlestick Park Development in San Francisco

Please let me know if you have any questions comments or concerns. We look forward to the renewal and amendment of this TUP to facilitate soil stockpiling the 391 Demeter Soil Stockpiling Expansion.

Sincerely,

Jeff Poetsch

Jeff Poetsch
President, JCPoetsch Advisors, Inc.

Cc: Mia Bernardino – Sycamore Real Estate Investment LLC



Exhibit 1

**UNIVERSAL PLANNING APPLICATION
COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

1960 Tate Street, East Palo Alto, CA 94303
planning@cityofepa.org

(650) 853-3189
www.cityofepa.org/planning

PROJECT INFORMATION	
391 Demeter Street/ 2555 Pulgas	063-050-050 / 063-121-200
Project Address	Assessor's Parcel Number (APN)
Temporary stockpiling of 150k CY of soil for use in the future development of the EPA Waterfront Project	
Project Description	

APPLICANT INFORMATION	
Name	JCPoetsch Advisors, Inc.
	Address 1028 Wilmington Way
	Redwood City, CA 94062
Phone	650-207-4994
	Email jeffcp@earthlink.net

OWNER INFORMATION	
Name	Sycamore Real Estate Investment LLC
	Address 2555 Pulgas Avenue, Building A
	East Palo Alto, CA 94303
Phone	650-308-9572
	Email mia@emersoncollective.com

ARCHITECT/DESIGNER INFORMATION	
Name	Address
Phone	Email

ENGINEER INFORMATION	
Name	BKF Engineers
	Address 255 Shoreline Drive, Suite 200
	Redwood City, CA 94065
Phone	650-482-6462
	Email lyee@bkf.com

APPLICATION TYPE – PART 1 (check boxes that apply)		
	Administrative Design Review (Single story addition, new Single-family home, New guest house, medium projects with staff level approval , small projects)	Sign Permit
	Design Review with public hearing (medium project with public hearing , major project ,	Tree Removal Permit
X, TUP	Use Permit (Administrative, Conditional, Special, Temporary)	Variance
	Mitigated or Negative Declaration (CEQA)	CEQA-Environment Impact report (EIR)
	Subdivision – lot line adjustment or merger	Planned Development Permit
	Subdivision – Tentative Parcel Map (4 or fewer)	Other _____
	Subdivision – Tentative Tract Map (5 or more lots)	Final Map
	General Plan Amendment	Specific Plan Amendment
	Zone Designation Change	Zone Text Amendment
	Streamlined Review (SB35)	Preliminary Review (SB330)

FOR STAFF USE ONLY	
PERMIT NUMBER	DATE RECEIVED COMPLETE PACKET



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APPLICATION TYPE – PART 2 (check the box that applies, include sq. ft. under applicable category)

Residential*	Commercial	Industrial	Mixed-Use	Retail	Other / Special Project **
					X, 150,000 CY

*See Housing requirement on page-3 checklist
**Detail of Other / Special project, specify type of project (Additional information may be required, See Stormwater Management)

Gas Station	Automotive	Restaurant	Parking Lot (>5,000 sq. ft.)
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STORMWATER MANAGEMENT

1. Is combined area (existing + proposed) of impervious surface between 0-4,999 sq. ft.?	
Yes	X No
2. Is the combined area of uncovered parking lot, impervious surface 'equal to' or "greater than' 5,000 sq. ft. and less than 9,999 sq. ft.?	
Yes	X No
3. Is total proposed impervious surface is equal to or greater than 10,000 sq. ft.?	
Yes	X No
4. Does your project include uses such as gas station, automotive, restaurant, parking lot (over 5,000 sq. ft.)?	
Yes	X No

Additional information may be required if deemed necessary in the review process.

ADDITIONAL QUESTIONS

Does this Property currently have an Active Code Case?			
Yes Specify Code number:	X	No	Not Sure

Properties with active code cases will need to comply with all requirements set forth by Code Enforcement. This includes scheduling 30-day inspections.

Does this project qualify for streamlining per Senate Bill SB35 (SB35?)			
Yes Submit Checklist	X	No	

Please complete the [SB35 Eligibility Checklist](#) and review supplemental submittal requirements.

SERVICE AREA COMPLIANCE

Note: Approval by these agencies may be required prior to the issuance of planning and building permits.

SEWER: The undersigned shall contact the East Palo Alto Sanitary Sewer District (EPASD) at (650) 325-9021 ([epasd.com](#)) or the West Bay Sanitary District at (650) 321-0384 ([westbaysanitary.org](#)) to determine the service purveyor. Prior to connecting sewer lines, the undersigned will contact underground service alert at [www.usanorth811.org](#)

WATER: The undersigned shall contact Palo Alto Mutual Water Company at (650) 322-6903, the O'Conner Tract Cooperative Water Company at (650) 321-2723 or the American Water at (650) 322-2083 to comply with any submittal requirements. Prior to connecting water lines, the undersigned will contact underground service alert listed above.

FIRE: Upon building submittal, two(2) additional plan sets will be provided directly to the Menlo Park Fire Prevention District (MPFPD) [Menlo Fire Online Permit Center](#)

SCHOOL: The undersigned acknowledges that payment of school impact fees may be required and will be paid upon issuance of Building or Public Works permit. Contact the Sequoia High School District to verify the amount of school fees.

FLOOD INSURANCE RATE MAP: The undersigned certifies that the property ☐ is NOT ☒ is in the Special Flood Hazard Area, if known, per FEMA.

	Acknowledgement (initial)	JP
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AFFIDAVIT OF OWNERSHIP


I hereby guarantee, as authorized agent for the applicant, owner, and project sponsors, that they individually or jointly assume full responsibility for all costs incurred by the City in processing this application. By signing below, the property owner consents that all information is true and accurate and to the processing of the application by the applicant and authorizes the applicant to comply with the requirements places on the application by the City. A letter of authorization from the owner may be submitted in lieu of the property owner’s signature. Please sign this affidavit to acknowledge compliance with all requirements set forth.

	1/7/2026	Jeffrey Poetsch	1/7/2026
Property owner’s signature	Date	Applicant’s signature	Date

INDEMNIFICATION AGREEMENT

As part of the application, the applicant and/or property owner agree to defend, indemnify, and hold harmless the City of East Palo Alto, its agents, officers, council members, employees, boards, commissions and Commission from any and all claims, actions or proceedings brought against any of the foregoing individuals or entities, seeking to attack, set aside, void or annul any approval of the application or related decision, or the processing or adoption of any environmental documents or negative declarations which relate to the approval.

This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees, or expert witness fees that may be awarded to the prevailing party arising out of or in connection with the approval of the application or related decision, whether or not there is concurrent, passive or active negligence on the part of the City, its agents, officers, council members, employees, boards, commissions, and Council. If for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect. The City of East Palo Alto shall have the right to appear and defend its interest in any litigation arising from the approval of the application or any related decision through its City Attorney or outside counsel selected by the City Attorney. The applicant shall be required to reimburse the City for attorney’s fees incurred by the City in connection with the litigation. I have read and agree with all the above.

	1/7/2026	Jeffrey Poetsch	1/7/2026
Property owner’s signature	Date	Applicant’s signature	Date



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ARCHITECTURAL DRAWINGS COPYRIGHT STATEMENT

Under California State Government Code Section §65103.5 (State Law), official copies of architectural drawings submitted to the City of East Palo Alto Community and Economic Development Department (Department) may contain protected information under federal copyright law. State Law nevertheless allows the City of East Palo Alto to maintain official copies of architectural drawings. Such drawings may be subject to public inspection or review on the Department’s premises, the City’s planning agency. Copies, however, may be made for internal review, provided to various governing bodies, including the Planning Commission and City Council, or otherwise made public as part of a development application during a public hearing.

Except otherwise provided for under State Law, the City will ensure the drawings are made available to the public in a way that does not facilitate duplication, including that they are not to be copied or posted to the internet by the Department.

Pursuant to State Law, the City hereby requests that the undersigned provide a site plan or a massing diagram for posting online or for distribution to the public. If, however, such site plan and/or massing diagram is not submitted, permission is deemed granted to the Community Development and Economic Department to post online the architectural drawings without the restrictions that would otherwise apply.

BASED ON THE FOREGOING, THE UNDERSIGNED ATTESTS AS FOLLOWS:
I, the design professional, or owner of the copyright if different from the design professional, acknowledge that the City of East Palo Alto Community and Economic Development Department has formally requested a “site plan” and/or “massing diagram” to accompany this application for posting online or for distribution to the public. If I fail to submit a “site plan” or “massing diagram” for online posting or for distribution to the public, then permission is deemed granted to post online or to provide to the public (if requested) copies of the architectural drawings without the restrictions that would otherwise apply.

If the design professional, or owner of the copyright if different than the design professional, does not consent to the posting of only certain selected drawings, please draft a letter stating that authorization has not been granted to the City of East Palo Alto Community and Development Department to post those particular drawings, and provide any details that may help in locating the drawings in question.

Please include a physical or digital signature on the letter mailed to:
City of East Palo Alto Community and Economic Development Department
1960 Tate Street
East Palo Alto, CA 94303

Or by email to: planning@cityofepa.org

	1/7/2026	Jeffrey Poetsch	1/7/2026
Property owner's signature	Date	Applicant's signature	Date

EXHIBIT A
SITE LOCATION



EXHIBIT B

ZONING MAP

Figure 6-1. Land Use Zones Map

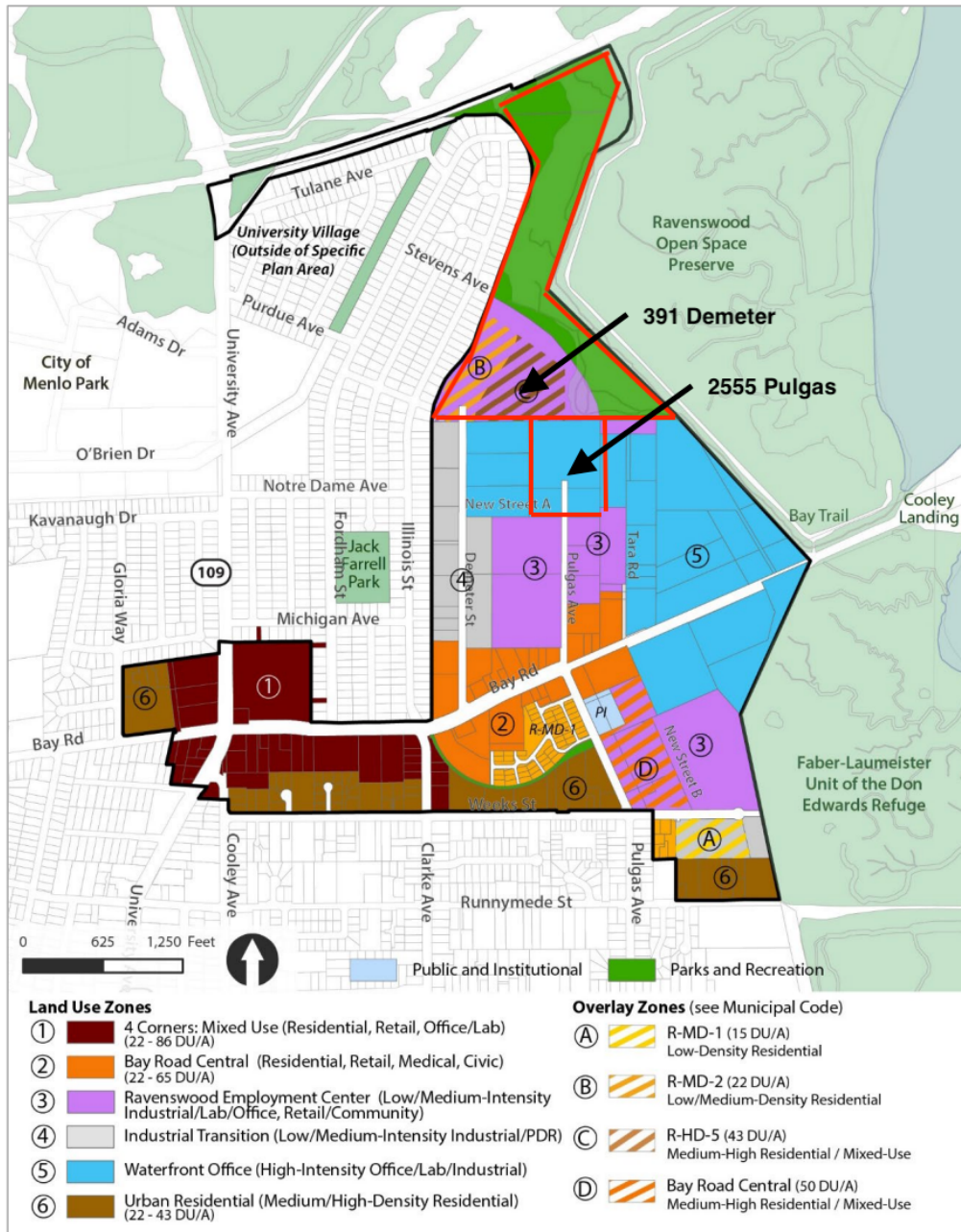


Exhibit 2

FIRST AMENDMENT TO SOIL STOCKPILING AGREEMENT

This FIRST AMENDMENT TO SOIL STOCKPILING AGREEMENT ("**Amendment**"), dated December 23, 2025 ("**Effective Date**"), is made by and among Sycamore Real Estate Investment LLC, a California limited liability company ("**Owner**"), P. Kavanagh Construction Co., a California corporation ("**Contractor**"), and The City of East Palo Alto, a California municipal corporation ("**City**").

Recitals

A. Owner, Contractor, and City are parties that certain Soil Stockpiling Agreement dated March 5, 2025 (the "**Original Agreement**"), memorializing the parties' agreement with respect to soil stockpiling at Owner's real property located at 391 Demeter Street, East Palo Alto, CA, APN No. 063-050-050 (the "**Original Site**");

B. The parties now desire to amend the Original Agreement, on the terms and conditions more particularly described below.

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereby agree as follows:

Agreement

1. **Incorporation of Definitions; Recitals.** Except as otherwise provided herein, the terms that are defined in the Original Agreement shall have the same meaning as indicated in this Amendment. The above Recitals are deemed true and correct and are incorporated herein.

2. **Expansion of Stockpiling Areas.** Owner and Contractor agree that, subject to Section 3 below, the soil stockpiling Services are hereby expanded to occur on certain portions of real property adjacent to the Original Site and located at 2555 Pulgas Avenue, East Palo Alto, CA 94303, APN No. 063-121-200, with the location and configuration of such real property shown on the site plan attached hereto as Exhibit A (the "**Expansion Area**").

3. **City Approvals; Condition to Effectiveness.** Contractor agrees and acknowledges that expansion of soil stockpiling Services to the Expansion Area is subject to issuance of all required permits and approvals by the City prior to any soil stockpiling activities on the Expansion Area, and shall be performed in accordance with all plans and specifications for such work approved by the City in connection with issuance of permits for such work. Contractor agrees to submit, at its sole cost, all applications and fees required for City permits and approvals for Contractor to conduct the Services at the Expansion Area; provided, that Owner agrees to cooperate with Contractor to the extent Owner's participation is necessary for such permits and approvals, at no cost to Owner other than Owner's reimbursement of Permit Costs under Section 1(c) of the Original Agreement. Contractor shall diligently pursue all such permits and approvals, and will deliver copies of the same to Owner prior to conducting any soil stockpiling Services at the Expansion Area.

4. **Successors and Assigns.** Subject to the limitations set forth in the Original Agreement, the rights and liabilities of the parties hereto will bind and inure to the benefit of their respective successors, assigns, executors, and administrators, as applicable.

5. **Ratification.** Except as expressly amended hereby, the terms and conditions of the Original Agreement remain unmodified and in full force and effect.

[Signatures on Following Page]

IN WITNESS WHEREOF, the parties hereto have signed this Amendment as of the Effective Date. The parties agree that each party may sign the Amendment using an electronic signature or handwritten ink signature and have caused their authorized representatives to sign below to indicate their acceptance of the terms and conditions of this Amendment.

OWNER:

Sycamore Real Estate Investment LLC, a California limited liability company

By: 

Name: Austin Stewart

Title: Authorized Signatory

CONTRACTOR:

P. Kavanagh Construction Co., a California corporation

By: 

Name: Shane Kavanagh

Title: VP

CITY:

City of East Palo Alto, a California municipal corporation

By: 

Name: Melvin E. Gaines

Title: City Manager

EXHIBIT A

Site Plan

