



## Frank Petrilli

PARTNER

Frank is a trusted adviser to his clients on all matters related to entitlement strategy, land use and land use litigation, and compliance under the California Environmental Quality Act.



### Industries

Real Estate

### Education

University of California, Los Angeles,  
School of Law JD

University of California, Santa Cruz BA

### Offices

San Francisco

### Phone

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### Email

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He helps his clients obtain entitlements for complex and controversial developments, negotiate and draft agreements with local governments, and resolve problems at all stages in the development process from early planning through construction.

Frank takes a pragmatic approach to serving his clients. He focuses on identifying the key issues facing a project, and developing creative solutions to efficiently deliver on the outcomes that matter most. He also helps build entitlement teams from the ground up, while providing thoughtful, strategic advice based on his strong political instincts, technical expertise, and intuitive understanding of how local government works in practice.

Frank was named a “Northern California Rising Star” by *Super Lawyers Magazine* in 2016, 2017, and 2018 (awarded to top 2.5% of California attorneys under 40). The 2017 and 2018 editions of *Legal 500* also rank Frank as a Recommended Attorney, noting that clients describe Frank as “easy and enjoyable to work with,” and always able to “find solutions to difficult problems.”

Frank is currently focused on the San Francisco Bay Area region where he advises clients such as Facebook, Bohannon Development Company, Genzon, and Ensemble Investments.

## Client Work

### Tech Campuses & Office Projects

- Counseling Facebook on approvals for the continued expansion of its Menlo Park facilities, including the Willow Campus Master Plan which involves 1,500 housing units, a grocery store, and 1.75 million square feet of office uses.

- Obtained approvals for Facebook's new headquarters expansion in Menlo Park, including approximately 1 million square feet of office buildings designed by Frank Gehry and a 200-room hotel, which included negotiating several Community Benefits Agreements focusing on affordable housing and community economic development with various non-governmental organizations and the ACLU.
- Advised Bohannon Development Company on the re-entitlement, permitting, and related issues for the Menlo Gateway Project, an approximately million square foot mixed-use development in Menlo Park.
- Counseling Genzon Property Group on all aspects of the Burlingame Point office campus project in Burlingame, California, involving 767,000 square feet of office uses.
- Represented a global technology company in obtaining land use entitlements, CEQA approvals, and negotiating a development agreement for a new state-of-the-art office campus in Mountain View's North Bayshore Area.
- Successfully represented LinkedIn in 2015 in a "beauty contest" in Mountain View, in which the City Council awarded LinkedIn with the lion's share of available development rights in the North Bayshore area.

### **Mixed Use, Housing & Hospitality**

- Counseling Ensemble Investments in connection with a ground lease and development of a new high-end hotel on a complicated site in South San Francisco as part of the landmark Oyster Point redevelopment plan.
- Advising Cliff Bay Partners on land use and entitlement issues in connection with 83-unit high-end multi-family condominium project at 190 W. Cliff in the coastal zone in Santa Cruz, CA.
- Obtained entitlements and advised the developer on land use and CEQA issues for the rehabilitation of several historic buildings on a 65-acre site at Pier 70 in San Francisco.
- Successfully defended the use of a statutory exemption for a large multi-family residential project in a CEQA challenge alleging, among other matters, failure to prepare a Supplemental EIR, failure to follow CEQA's procedures, and failure to conduct new environmental analysis of impacts from greenhouse gas emissions and toxic air contaminants.
- Advising the private developers of several multi-family projects located in downtown Santa Cruz, CA.
- Represented developer on all land use issues and drafting of legislation in connection with a ballot initiative campaign to amend an area plan to allow higher-density housing.
- Represented developer in defending a specific plan and related entitlements for a development involving 5,000 residential units and 3,000,000 sq. ft. of office, retail and commercial space at the trial and appellate court levels.
- Represented statewide provider of senior housing in obtaining petition for writ of mandate setting aside a city hearing officer's decision finding multiple zoning violations.

### **Public Entity Work**

- Counseling the Los Altos School District in developing an innovative program in cooperation with the City of Mountain View to allow for the sale of transferrable development rights from a prospective school site to other developers in the community.
- Represented the University of California, San Francisco on a wide range of land use and CEQA matters, including long range planning, as well as the negotiation and documentation of real estate documents and environmental clearances for various projects in San Francisco.

- Prevented an attempt to halt construction of a \$320 million University of California, Berkeley project in litigation presenting complicated scope of relief and severability issues.
- Successfully defended a Supplemental EIR for a large-scale transit project against a challenge raising a number of issues under CEQA, including improper "pre-commitment" by the agency, procedural noncompliance, deferred mitigation, and failure to analyze numerous alleged environmental impacts.
- Successfully defended EIR in a consolidated proceeding presenting a litany of issues under CEQA and the Alquist-Priolo Earthquake Fault Zoning Act. Issues included allegedly inadequate project description, improper delegation, improper segmentation, inadequate analysis of biological, geological, cultural and other impacts and mitigation measures, and inadequate objectives, alternatives and statement of overriding considerations. Subsequently defeated a motion for nearly one million dollars in attorneys' fees.

## Previous Work

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Prior to joining Arent Fox, Frank was an associate in the San Francisco office of a global law firm.

## Publications, Presentations & Recognitions

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Frank is a *Legal 500* recommended and *Super Lawyers* top rated Land Use & Zoning attorney.

Frank is a media resource on land use and urban issues and has shared insights with publications such as *Fortune* and *Law360*. He was also featured in an exclusive interview with American Lawyer Media and GlobeSt.com in 2017, in which he shared his insights on land use, housing, and transportation challenges facing entitlement efforts for flagship tech company campuses in the Bay Area.

Frank's publications and presentations include:

- Media Source, "Calif. Real Estate Legislation Regulation To Watch In The 2nd Half Of 2019," *Law360* (July 3, 2019)
- Media Source, "Calif. Real Estate Legislation, Regulation To Watch In 2019," *Law360* (January 1, 2019)
- Contributing author, "Disruptive Transport: Driverless Cars, Transport Innovation and the Sustainable City of Tomorrow," *Routledge* (December 19, 2018)
- Guest Lecturer, "Land Use," Real Estate Transactions & Litigation Course, University of California, Berkeley School of Law (Fall 2018)
- Panelist, "Autonomous Vehicles and the City: A Symposium and Plans for Liveability," University of San Francisco School of Management (Fall 2017)
- Guest Lecturer, "Real Estate Litigation," University of California, Berkeley, School of Law (Fall 2017)
- Guest Lecturer, "Land Use Regulation," University of California, Berkeley, School of Law (Fall 2017)
- Guest Lecturer, "Land Use Regulation," University of California Hastings College of Law (Fall 2016)
- Update Author, "Subdivision Map Act Navigator" (2015)
- Update Author, "Land Use Litigation," California Land Use Practice (2012 CEB)

## **Professional Activities**

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- San Francisco Planning and Urban Research Association (SPUR)
- Bay Area Council
- Urban Land Institute

## **Life Beyond the Law**

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Frank lives in Oakland with his wife Leah Aripotch, an emerging Bay Area metal fabrication artist. In his free time, Frank plays guitar and is an amateur composer/producer of contemporary classical and experimental music.

## **Bar Admissions**

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California

## **Court Admissions**

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US Court of Appeals, 9th Circuit

US District Court, Northern District of California

US District Court, Eastern District of California