CITY OF PALO ALTO

3 Architectural Review Board

Staff Report

Agenda Date: January 17, 2013

To: Architectural Review Board

From: Clare Campbell, Planner **Department: Planning and Community Environment**

Subject: **135 Hamilton Avenue [11PLN-00463]:** Request by Keenan Lovewell Ventures, on behalf of Hamilton and High LLC, for Architectural Review and Variance request for a new four-story 28,085 square foot mixed-use building on an existing vacant lot (approximately 19,960 square feet of commercial area, two residential units, and below grade garage). The Variance request is for a five-foot eleven-inch encroachment into the 7' Special Setback on Hamilton Avenue for a length of approximately 84 feet. Zone: CD-C(P). Environmental Assessment: A draft Negative Declaration has been prepared for the project in accordance with the California Environmental Quality Act (CEQA).

RECOMMENDATION

Staff recommends that the Architectural Review Board (ARB) recommend the Director of Planning and Community Environment conditionally approve the proposed project, based upon the required findings (Attachments A & B), and subject to the conditions of approval (Attachment C). This hearing is the second formal public hearing on the project. The ARB is allowed one additional continuance of the public hearing if needed to resolve remaining items, given that this is a major project.

BACKGROUND

Previous Review

On September 20, 2012, the ARB reviewed the proposed project and voted to continue its review and the public hearing, to allow the applicant to revise the project to address the comments made by the board (staff report included as Attachment D). On November 15, 2012, the applicant presented proposed revisions to the ARB in a Study Session format to gain feedback on the applicant's concepts for addressing the ARB's concerns. The session did not constitute the second, noticed public hearing. The primary comments raised by the ARB at the September meeting were:

1. Fourth floor open space patio details need to be developed and implemented now;
2. Balcony for smaller residential unit should be larger;
3. Trash area not suitable for restaurant use and is problematic for the residential access;
4. Building should have a stronger corner-anchor design;
5. Adjacent building context (primarily single-story structures) should be respected in the design of the new building;
6. Landscaping should be increased and details provided;
7. Pedestrian recessed areas should not include the frontage in front of garage entrance and alley gates;
8. Building design needs more differentiation: base-body-top concept;
9. Pedestrian experience needs enhancement; and
10. Details need to be shown for project elements.

During the Study Session, the ARB noted that:

a) The proposed planters and landscaping has improved (quality and quantity);
b) Building differentiation has improved;
c) Additional details are needed for the primary entrance;
d) Garage door design needs refinement to enhance appearance;
e) Ground floor bays need additional detail;
f) Access to the alley open space from within the building is desirable;
g) Trash access is still questionable for the residents;
h) Metal treatment for the random vertical elements is preferred;
i) The corner railing element on the fourth floor should remain; and
j) Street furniture should be considered to improve pedestrian amenities.

Project Description

The proposed project is a new four-story 28,085 square foot mixed-use building on an existing vacant lot. The building includes three floors of commercial use, approximately 19,960 square feet (sf), and two two-bedroom residential units (3,272 sf and 1,641 sf) on the top floor. The project also includes a full basement that provides 23 parking spaces, via mechanical lifts to achieve vertical tandem parking capacity, and an employee showering facility. The vertical tandem parking arrangement would require a Parking Adjustment to be approved by the Director pursuant to Palo Alto Municipal Code Section 18.52.080. The project includes a Variance request to allow the building to encroach five feet eleven-inches into the seven foot Special Setback on Hamilton Avenue for a length of approximately 84 feet. The proposed use for the commercial area is office. The primary pedestrian access to the building is located back on the High Street elevation, while the garage entrance is located on Hamilton Avenue. Additional information regarding the materials is provided in the plans (Attachment G, Sheet SK-11).

The standard for development of a mixed-use project in the CD-C zone district is limited to a maximum of 2:1 for the floor area ratio (limited to 1:1 for commercial and 1:1 for residential). As permitted by Palo Alto Municipal Code (PAMC) Section 18.18.060, this site is eligible to be developed up to a 3:1 floor area ratio (FAR) with the incorporation of Transfer of Development Rights (TDR's). The proposed project has a 2.84:1.0 FAR and requires 9,850 sf of TDR's to develop the commercial area in excess of the permitted 1:1 commercial FAR. The project has

been revised to address the majority of the ARB's comments previously listed. Additional project details are provided in the applicant's project description, Attachment E.

DISCUSSION

Zoning Compliance

A table indicating the project's conformance with the Development Standards of the Commercial Downtown with Pedestrian Combining District is provided as Attachment G. In the previous staff report (Attachment D), staff raised specific concern about the project's compliance with the open space and Pedestrian Shopping Combining District requirements. These issues are clarified below.

Open Space Requirements

Mixed-use development in the CD-C zone is required to provide 20% Landscape Open Space (1,982 sf) in addition to a minimum of 200 sf of usable open space per residential unit. "Usable" open space can be private or common, but must have a minimum dimension of six feet to be considered usable. The project applicant proposes that the following areas meet the open space requirements:

	Usable Open Space (400 sf required)	Landscape Open Space (1,982 sf required)
Balcony (145 sf)	145 sf	
Roof Patio (1,442 sf)	255 sf	1,187 sf
Alley		1,003 sf
Total	**400 sf**	**2,190 sf**

Staff requests ARB feedback on the appropriateness of including the ADA ramp in the alley as part of the Landscape Open Space Requirement. Staff is of the opinion that the ramp area (124 sf) should not be included in the area needed to meet minimum open space requirements; the project would still comply with the open space requirement by providing 2,066 sf. In addition, staff recommends that internal access be provided to the alley open space, perhaps through the ground floor stairwell landing, replacing the glazing with a door. This would make the exterior space more accessible to the tenants and encourage its use.

Pedestrian Shopping Combining District

As described in the previous staff report, the project has 200 feet of street frontage, and therefore is required to provide 300 sf of covered recessed area on the property for pedestrian use. The ARB did provide the comments that the areas in front of the garage driveway and alley gates should not be included in the calculations for the covered recessed areas. The applicant has provided an analysis of this (Attachment F) and has determined that the project provides 369 sf of covered recessed area; staff's calculation has determined that the covered recessed area (areas in front of the recessed windows and entry) is 183 sf, and the project provides an additional 367 sf of covered area along the street right of way with canopies that protrude over the city sidewalk. Staff requests feedback from the ARB on this component of the project; the intent of providing pedestrian shelter and interest is presented in the project, but it is not clear that the project's recessed areas are sufficient to meet the code requirement.

Circulation to Trash Area

Staff had previously noted that there appears to be a circulation issue with regard to access to the common trash area in the alley on the Hamilton Avenue side of the project and the ARB concurred with this. The plans do not show an interior access point to this area, which is only shown accessible by walking out along the street and going through the alley access gate. The applicant has not revised the plans or provided additional clarification on this issue.

Parking

The required parking for this project is 84 spaces, including four for the residential units and 80 for the commercial space. The project utilizes 5,000 sf of Transfer of Development Rights to build additional commercial area above 1:1, and per PAMC 18.18.080(g) the 5,000 square foot transferred floor area is exempt from providing parking spaces (equivalent to 20 spaces). The project is also utilizing the one-time 200 sf bonus (equivalent to one space) that does not need to be parked [PAMC 18.18.070(a)(1)]. The project includes 23 spaces on-site and the remaining 40 required parking spaces will need to be accounted for by one of the following measures: a) payment of in-lieu parking fees, b) approved off-site parking, c) approval by City Council of a code exception to accommodate those spaces, or d) some combination thereof. The City Council will be reviewing the requested parking exemptions for this project on January 28, 2013, and will make the final determination on how this project shall comply with the City's parking requirements.

As discussed in the previous staff report, a draft condition of approval requires the applicant to have prepared a Transportation Demand Management (TDM) program for review and approval by the Planning Director, prior to the issuance of a building permit, to further facilitate the use of alternative modes of transportation to alleviate parking demand.

Downtown Urban Design Guide

The project is in general conformance with the Downtown Urban Design Guide, as discussed in the previous staff report (Attachment D).

Context-Based Design Considerations and Findings

In addition to Zoning Compliance and Architectural Review approval findings, Context-Based Design Considerations and Findings found in PAMC Chapter 18.18 are applicable to projects in the downtown commercial zone district. In the previous staff report, staff raised concerns about the project's compliance with four specific findings relating to the pedestrian/bicycle environment, street building façade, massing and setbacks, and project open space. The project has been revised to better incorporate these design elements and is now in general conformance with the Context based Findings. All eight findings are addressed in Attachment B, Draft Context Based Design Findings.

Variance

The purpose of a variance is to provide for a site with special physical constraints, resulting from natural or built features, to be used in ways similar to other sites in the same vicinity and zoning district; and provide relief when strict application of the zoning regulations would subject development of a site to substantial hardships, constraints, or practical difficulties that do not normally arise on other sites in the same vicinity and zoning district.

The proposed building would encroach into the seven foot Special Setback that runs along Hamilton Avenue with the full length of the building and for all four floors; the proposed setback of the building along Hamilton, including the ground floor, is 13". With development of the proposed building, there would be a total of two structures on the 100 block of Hamilton, one of which is a protected historic building, built out to the property line. The project site is basically a square, 100' by 100' with two "indents" from the adjacent 525 Alma site that total 90 sf. The site also has two access easements, one running along each of the interior sides of the parcel. The easement adjacent to 115 Hamilton is five feet wide and 50' long, while the easement adjacent to 542 High is 10' wide and 95' long. As per the legal agreement with the property owner of 525 Alma, the two easements cannot be constructed upon, and eliminates 1,200 sf of surface area that can be developed.

Staff can support the proposed encroachment into the Special Setback via the Variance request, particularly on the upper floors. Staff desires for the project to improve upon the pedestrian orientation of the ground floor, particularly along Hamilton Avenue, such as a greater setback at the ground floor as an offset from the upper floors that would also better address the solar exposure on that side of the building. Staff is seeking ARB input as to the project's compliance with ARB and Context-Based Design findings, and the Downtown Urban Design Guidelines. The draft Variance findings are provided in Attachment A and would be reviewed and determined by the Director. As previously noted, the ARB does not have purview for review of the Variance.

TIMELINE

Action	**Date**
Application Received:	December 20 , 2011
Application Incomplete:	January 30, 2012
Resubmittal Received:	September 7, 2012
Application Complete:	September 10, 2012
First ARB Public Hearing:	September 20, 2012
Second ARB Public Hearing:	January 17, 2013
Action time limit: (180 days after application deemed complete)	March 9, 2013
Optional extension upon applicant's request: (90 days after action time limit date)	June 7, 2013

ENVIRONMENTAL REVIEW

A Negative Declaration (ND) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). The public comment period for the ND ran from August 31 through September 19, 2012; no comments were received.

ATTACHMENTS

Attachment A: Draft ARB and Variance Findings
Attachment B: Draft Context-Based Design Findings
Attachment C: Draft Conditions of Approval
Attachment D: ARB Staff Report, September 20, 2012
Attachment E: Project Description*

Attachment F: Area Counted Toward the Pedestrian Recessed Area*
Attachment G: Zoning Compliance Table
Attachment H: Development Plans (Board Members Only)*
* Prepared by Applicant; all other attachments prepared by Staff

COURTESY COPIES
Perry Palmer [perry.palmer@mindspring.com]
Jim Baer [jimbaer@paloaltolanduse.com]

Prepared By: Clare Campbell, Planner

Manager Review: Amy French, Chief Planning Official

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FINDINGS FOR APPROVAL
135 Hamilton Avenue / File No. 11PLN-00463

Architectural Review Findings (PAMC 8.76.020)

(1) *The design is consistent and compatible with applicable elements of the Palo Alto Comprehensive Plan.* This finding can be made in the affirmative in that the project incorporates quality design that recognizes the importance of the area as described in the Comprehensive Plan. The project is also consistent with The Palo Alto Comprehensive Plan policies related to business and economics. The Comprehensive Plan encourages owners to upgrade or replace existing commercial properties so that these commercial areas are more competitive and better serve the community. The proposed project is also consistent with the following Comprehensive Goals and Policies: Program L-11: Promote increased compatibility, interdependence, and support between commercial and mixed us centers and the surrounding residential neighborhoods; and Policy T-23: Encourage pedestrian friendly design features such as sidewalks, street trees, on street parking, public spaces, gardens, outdoor furniture, art and interesting architectural detail.

(2) *The design is compatible with the immediate environment of the site.* This finding can be made in the affirmative in that the existing environment is comprised of buildings of various heights, including 3-4 stories (parking garage and commercial buildings across High Street) and the proposed building, with its scale and massing and architectural style, fits within this context.

(3) *The design is appropriate to the function of the project.* This finding can be made in the affirmative in that the design of the new building is consistent with modern commercial and mixed-use buildings and creates an attractive building for the currently vacant lot.

(4) *In areas considered by the board as having a unified design character or historical character, the design is compatible with such character.* This finding can be made in the affirmative in that the project is generally consistent with the Downtown Urban Design Guide.

(5) *The design promotes harmonious transitions in scale and character in areas between different designated land uses.* This finding is not applicable to this project.

(6) *The design is compatible with approved improvements both on and off the site.* This finding can be made in the affirmative in that the project is compatible with the surrounding office and retail uses of the downtown commercial area.

(7) *The planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community.* This finding can be made in the affirmative in that the building amenities (open space, parking, entry, etc.) are accessible and attractive to users.

(8) *The amount and arrangement of open space are appropriate to the design and the function of the structures.* This finding can be made in the affirmative in that the project provides sufficient open space with the roof patio, balconies, and ground floor area, for the residents and tenants that is functional and desirable.

(9) *Sufficient ancillary functions are provided to support the main functions of the project and the same are compatible with the project's design concept.* This finding can be made in the affirmative in that the open space is compatible with the project's design.

(10) *Access to the property and circulation thereon are safe and convenient for pedestrians, cyclists and vehicles.* This finding can be made in the affirmative in that the building is easily approachable by all modes of transportation and the circulation is safe.

(11) *Natural features are appropriately preserved and integrated with the project.* This finding is not applicable to this project; there are no natural features to preserve.

(12) *The materials, textures, colors and details of construction and plant material are appropriate expression to the design and function.* This finding can be made in the affirmative, see Findings 2, 3, and 4 above.

(13) *The landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment.* This finding can be made in the affirmative in that the project includes a landscaped roof terrace and alley area, and provides planters along the front façades to enhance the building.

(14) *Plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which would tend to be drought-resistant to reduce consumption of water in its installation and maintenance.* This finding can be made in the affirmative in that the landscaping is relatively low maintenance and is not extensive, and are located within easy to maintain planters.

(15) *The project exhibits green building and sustainable design that is energy efficient, water conserving, durable and nontoxic, with high-quality spaces and high recycled content materials.* This finding can be made in the affirmative in that the project intends to utilize local/regional materials, certified wood products, and use of recycled slag and fly-ash concrete.

(16) *The design is consistent and compatible with the purpose of architectural review as set forth in subsection 18.76.020(a).* This finding can be made in the affirmative in that the project design promotes visual environments that are of high aesthetic quality and variety.

Variance (PAMC 18.76.030)
The project proposes to encroach into the seven foot Special Setback that runs along Hamilton Avenue with the full length of the building (84') and for all four floors(50'); the proposed setback of the building along Hamilton, including the ground floor, is 13".

(1) *Because of special circumstances applicable to the subject property, including (but not limited to) size, shape, topography, location, or surroundings, the strict application of the requirements and regulations prescribed in this title substantially deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district as the subject property. Special circumstances that are expressly excluded from consideration are (A) The personal circumstances of the property owner, and (B) Any changes in the size or shape of the subject property made by the property owner or his predecessors in interest while the property was subject to the same zoning designation.*

The parcel has several existing site constraints or unique conditions. The first unique condition is that it is the only private, undeveloped parcel of land within urban core of the Downtown. The second unique condition is that there are two access easements running along both interior sides of the parcel that are associated with the restaurant use at 525 Alma Street (i.e. Pampas). As part of the easement agreement, no construction can take place within that 1,200 square foot area. Finally, a special setback of seven feet runs along Hamilton Avenue (from Alma Street to Waverley Street, with the exception of the City Hall parcel), and developed parcels on Hamilton Avenue with existing nonconforming encroachments were able to redevelop those buildings using the existing footprint because of zoning rules allowing replacement of nonconforming structures.

Special setbacks, described in Palo Alto Municipal Code Chapter 20, Precise Plans and shown on the City's zoning map, were established at a time when the City was considering widening certain streets in Palo Alto. No further implementation of the former street widening plan has taken place to date. There are two other special setback streets in the downtown: Bryant Street (for five blocks) and Ramona Street (the side of the block opposite City Hall). There are no public easements existing or proposed in these locations, therefore no Encroachment Permit is required; however, a Variance is required for proposed encroachment of any new building or building addition into special setbacks where there was no previous building encroachment.

(2) The granting of the application shall not affect substantial compliance with the regulations or constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zoning district as the subject property.

Many of the developed parcels in the Downtown that are subject to Special Setbacks are legal non-complying in this regard, with the existing building encroaching into the setback. The proposed encroachment into the Special Setback would not be inconsistent with other development in the downtown area, including those specifically along Hamilton Avenue. Other than the requested exception, the project complies with all other City regulations. The granting of the exception is not considered a special privilege, but rather is based upon the unique circumstances of the parcel as explained above and shown on the project plans.

(3) The granting of the application is consistent with the Palo Alto Comprehensive Plan and the purposes of Title 18, Zoning.

The project is consistent with The Palo Alto Comprehensive Plan policies related to business and economics. The Comprehensive Plan encourages owners to develop commercial properties so that these commercial areas are competitive and better serve the community. The proposed project is also consistent with the following Comprehensive Goals and Policies: Program L-11: Promote increased compatibility, interdependence, and support between commercial and mixed us centers and the surrounding residential neighborhoods; and Policy T-23: Encourage pedestrian friendly design features such as sidewalks, street trees, on street parking, public spaces, gardens, outdoor furniture, art and interesting architectural detail. The proposed project does not conflict with the purposes of the Zoning Ordinance, nor with the promotion and protection of public health, safety, peace, morals, comfort, convenience, and general welfare.

(4) The granting of the application will not be detrimental or injurious to property or improvements in the vicinity, will not be detrimental to the public health, safety, general welfare, or convenience.

The proposed mixed-use project is compatible with the surrounding residential neighborhood and will be compliant with all the City's regulations (Planning, Building, Fire, etc.) and, therefore, will not be detrimental to public health, safety, and welfare.

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FINDINGS FOR APPROVAL

CONTEXT-BASED DESIGN CONSIDERATIONS AND FINDINGS

135 Hamilton Avenue / File # 11PLN-00463

Pursuant to PAMC 18.18.110(b), in addition to the findings for Architectural Review contained in PAMC 18.76.020(d), the following additional findings have been made in the affirmative:

(1) **Pedestrian and Bicycle Environment.** *The design of new projects shall promote pedestrian walkability, a bicycle friendly environment, and connectivity through design elements.* This finding can be made in the affirmative with regard to promoting pedestrian walkability. The project includes projecting canopy covers that provide a sheltered walkway for pedestrians. The project includes bike lockers in the garage and two bike racks on High Street to support the bicycle environment.

(2) **Street Building Facades.** *Street facades shall be designed to provide a strong relationship with the sidewalk and the street(s), to create an environment that supports and encourages pedestrian activity through design elements.* This finding can be made in the affirmative in that the facades include extensive glazing and recessed covered areas along the street frontages creating a strong connection to the sidewalk and street.

(3) **Massing and Setbacks.** *Buildings shall be designed to minimize massing and conform to proper setbacks.* This finding can be made in the affirmative, with the approval of the Variance for the front setback encroachment, in that the project has incorporated articulation that facilitates the appearance of reducing the mass of the building.

(4) **Low-Density Residential Transitions.** *Where new projects are built abutting existing lower scale residential development, care shall be taken to respect the scale and privacy of neighboring properties.* This finding does not apply.

(5) **Project Open Space.** *Private and public open space shall be provided so that it is usable for residents, visitors, and/or employees of the site.* This finding can be made in the affirmative in that the project provides sufficient open space with the roof patio, balconies, and ground floor area, for the residents and tenants that is functional and desirable.

(6) **Parking Design.** *Parking needs shall be accommodated but shall not be allowed to overwhelm the character of the project or detract from the pedestrian environment.* This finding does not apply. This finding can be made in the affirmative in that the project's parking is located within the below-grade garage and does not detract from the above grade development or conditions.

(7) **Large (Multi-Acre) Sites**. *Large sites (over one acre) shall be designed so that street, block, and building patterns are consistent with those of the surrounding neighborhood.* This finding does not apply.

(8) **Sustainability and Green Building Design**. *Project design and materials to achieve sustainability and green building design should be incorporated into the project.* This finding can be made in the affirmative in that the project intends to utilize local/regional materials, certified wood products, and use of recycled slag and fly-ash concrete.

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CONDITIONS OF APPROVAL
135 Hamilton Avenue / File No. 11PLN-00463

PLANNING & COMMUNITY ENVIRONMENT

Planning Division

1. The project shall be in substantial conformance with the approved plans and related documents received November 26, 2012, except as modified to incorporate these conditions of approval.

2. The Conditions of Approval document shall be printed on all plans submitted for building permits related to this project.

3. The Director of Planning and Community Environment approves a Parking Adjustment for the project to allow the proposed use of parking lifts, which exceeds the 40% tandem parking limitation to meet on-site parking requirements.

4. The proposed project requires 9,850 square feet of Transfer of Development Rights (TDR). Prior to building permit submittal, the applicant shall provide sufficient information so that the Director of Planning and Community Environment can issue written confirmation of the transfer, which identifies both the sender and receiver sites and the amount of TDRs which have been transferred. This confirmation shall be recorded in the office of the county recorder prior to the issuance of building permits and shall include the written consent or assignment by the owner(s) of the TDRs where such owner(s) are other than the applicant

5. The applicant shall comply with the parking requirements of the City's Zoning Code. Specifically, the applicant shall address the need to accommodate the 40 spaces otherwise proposed to be exempted under Section 18.52.060(c) ("1:1 FAR exemption"). Measures to comply may include: a) payment of in-lieu parking fees, b) approved off-site parking pursuant to Section 18.52.080(d), c) approval of underground parking pursuant to 18.52.070(d), d) approval by City Council of exception to 1:1 FAR exemption moratorium, or e) some combination thereof. The method of compliance shall be presented to the satisfaction of the Director of Planning prior to submittal for building permits.

6. Development Impact Fees, estimated at $650,971.08, shall be paid prior to the issuance of the project's building permit.

7. The applicant shall be required to submit a Transportation Demand Management plan to be approved by the Director of Planning and Community Environment prior to the issuance of building permits for the site. The plan shall include, at a minimum, passes or subsidies for all employees of the commercial space for using public transit, in addition to car sharing,

bike facilities, transportation information kiosks, and the designation of a transportation demand coordinator for the building.

8. All future signage for this site shall be submitted for Architectural Review.

9. The property owner shall enter into a formal maintenance agreement with the City, as approved by the Transportation Division, which designates the property owner as responsible for the regular maintenance and upkeep of the two non-standard bike racks placed within the city right of way.

10. The project approval shall be valid for a period of one year from the original date of approval. In the event a building permit(s), if applicable, is not secured for the project within the time limit specified above, the ARB approval shall expire and be of no further force or effect. Application for extension of this entitlement may be made prior to the one year expiration.

11. Government Code Section 66020 provides that project applicant who desires to protest the fees, dedications, reservations, or other exactions imposed on a development project must initiate the protest at the time the development project is approved or conditionally approved or within ninety (90) days after the date that fees, dedications, reservations or exactions are imposed on the project. Additionally, procedural requirements for protesting these development fees, dedications, reservations and exactions are set forth in Government Code Section 66020. IF YOU FAIL TO INITIATE A PROTEST WITHIN THE 90-DAY PERIOD OR TO FOLLOW THE PROTEST PROCEDURES DESCRIBED IN GOVERNMENT CODE SECTION 66020, YOU WILL BE BARRED FROM CHALLENGING THE VALIDITY OR REASONABLENESS OF THE FEES, DEDICATIONS, RESERVATIONS, AND EXACTIONS.

12. This matter is subject to the Code of Civil Procedures (CCP) Section 1094.5, and the time by which judicial review must be sought is governed by CCP Section 1094.6.

13. To the extent permitted by law, the Applicant shall indemnify and hold harmless the City, its City Council, its officers, employees and agents (the "indemnified parties")from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City its actual attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.

Public Works Engineering

14. SIDEWALK, CURB & GUTTER: The applicant must install all new sidewalk, curb, gutter, driveway approach and planter strip in the public right-of-way along the property frontage per Public Works standards and/or as instructed by the Public Works Inspector. Any unused driveway approach shall be removed and replaced with curb and gutter. The applicant shall

resurface the entire frontage of each street adjacent to the property per Public Works' direction out to the centerline of the street.

15. STREET TREES: The applicant may be required to replace existing and/or add new street trees in the public right-of-way along the property's frontages. Call the Public Works' arborist at 650-496-6905 to arrange a site visit so he can determine what street tree work, if any, will be required for this project. The site plan submitted with the building permit plan set must show the street tree work that the arborist has determined, including the tree species, size, location, staking and irrigation requirements, or include a note that Public Works' arborist has determined no street tree work is required.

16. GRADING & EXCAVATION PERMIT: An application for a grading & excavation permit must be submitted to Public Works when applying for a building permit. The plans must include a table providing the cubic yardage of dirt being cut and filled. The application and guidelines are available at the Development Center and on our website.

17. EXCAVATION SHORING: Shoring for the excavation, including tiebacks, must not extend onto adjacent private property or into the City right-of-way without having first obtained written permission from the private property owners and/or an Encroachment Permit from Public Works. Public Works will not allow any of the shoring system to remain in the public right-of-way after construction is complete except tiebacks.

18. DEWATERING: Basement excavations may require dewatering during construction. Public Works only allows groundwater drawdown well dewatering. Open pit groundwater dewatering is disallowed. **Dewatering is only allowed from April through October due to inadequate capacity in our storm drain system.** The geotechnical report for this site must list the highest anticipated groundwater level. We recommend a piezometer to be installed in the soil boring. The contractor must determine the depth to groundwater immediately prior to excavation by using the piezometer or by drilling an exploratory hole if the deepest excavation will be within 3 feet of the highest anticipated groundwater level. If groundwater is within 3 feet of the deepest excavation, a drawdown well dewatering system must be used, or alternatively, the contractor can excavate for the basement and hope not to hit groundwater, but if he does, he must immediately stop all work and install a drawdown well system before he continues to excavate. Public Works may require the water to be tested for contaminants prior to initial discharge and at intervals during dewatering. If testing is required, the contractor must retain an independent testing firm to test the discharge water for the contaminants Public Works specifies and submit the results to Public Works.

19. GRADING & DRAINAGE PLAN: The plan set must include a grading & drainage plan prepared by a licensed professional that includes existing and proposed spot elevations and drainage flow arrows to demonstrate proper drainage of the site. Adjacent grades must slope away from the buildings a minimum of 2%. Downspouts and splashblocks should be shown on this plan, as well as any site drainage features such as swales. Grading will not be allowed that increases drainage onto, or blocks existing drainage from, neighboring properties. Public Works generally does not allow rainwater to be collected and discharged

into the street gutter, but encourages the developer to keep rainwater onsite as much as feasible by directing runoff to landscaped and other pervious areas of the site.

20. STREET TREES: Show all existing street trees in the public right-of-way. Any removal, relocation or planting of street trees; or excavation, trenching or pavement within 10 feet of street trees must be approved by Public Works' arborist (phone: 650-496-5953). This approval shall appear on the plans. Show construction protection of the trees per City requirements.

21. WORK IN THE RIGHT-OF-WAY: The plans must clearly indicate any work that is proposed in the public right-of-way, such as sidewalk replacement, driveway approach, or utility laterals. The plans must include notes that the work must be done per City standards and that the contractor performing this work must first obtain a *Permit for Construction in the Public Street* ("street work permit") from Public Works at the Development Center. If a new driveway is in a different location than the existing driveway, then the sidewalk associated with the new driveway must be replaced with a thickened (6" thick instead of the standard 4" thick) section. Additionally, curb cuts for abandoned driveways must be replaced with new curb and gutter.

22. SIDEWALK ENCROACHMENT: Add a note to the site plan that says, "The contractor using the City sidewalk to work on an adjacent private building must do so in a manner that is safe for pedestrians using the sidewalk. Pedestrian protection must be provided per the 2010 California Building Code Chapter 33 requirements. If the height of construction is 8 feet or less, the contractor must place construction railings sufficient to direct pedestrians around construction areas. If the height of construction is more than 8 feet, the contractor must obtain an Encroachment Permit from Public Works at the Development Center in order to provide a barrier and covered walkway or to close the sidewalk." No storage of construction materials is permitted in the street or on the sidewalk.

23. LOGISTICS PLAN: Add a note to the site plan that says, "The contractor must submit a logistics plan to the Public Works Department prior to commencing work that addresses all impacts to the City's right-of-way, including, but not limited to: pedestrian control, traffic control, truck routes, material deliveries, contractor's parking, concrete pours, crane lifts, work hours, noise control, dust control, storm water pollution prevention, contractor's contact, noticing of affected businesses, and schedule of work. The plan will be attached to a street work permit.

24. "NO DUMPING" LOGO: The applicant is required to paint the "No Dumping/Flows to San Francisquito Creek" logo in blue color on a white background, adjacent to all storm drain inlets. Stencils of the logo are available from the Public Works Environmental Compliance Division, which may be contacted at (650) 329-2598. A deposit may be required to secure the return of the stencil. Include the instruction to paint the logos on the construction grading and drainage plan.

25. IMPERVIOUS SURFACE AREA: The project will be creating or replacing 500 square feet or more of impervious surface. Accordingly, the applicant shall provide calculations of the

existing and proposed impervious surface areas with the building permit application. The Impervious Area Worksheet for Land Developments form and instructions are available at the Development Center or on our website.

Fire

26. Install a NFPA 13 fire sprinkler, a NFPA 14 standpipe and a NFPA 72 fire alarm system.
27. Elevator car size to accommodate a 24' x 84' medical gurney w/ 2 attending personnel

Water - Gas - Wastewater Engineering

28. The applicant shall submit a completed water-gas-wastewater service connection application - load sheet for City of Palo Alto Utilities. The applicant must provide all the information requested for utility service demands (water in fixture units/g.p.m., gas in b.t.u.p.h, and sewer in fixture units/g.p.d.). The applicant shall provide the existing (prior) loads, the new loads, and the combined/total loads (the new loads plus any existing loads to remain).
29. The applicant shall submit improvement plans for utility construction. The plans must show the size and location of all underground utilities within the development and the public right of way including meters, backflow preventers, fire service requirements (6" maximum), sewer mains, sewer cleanouts, sewer lift stations and any other required utilities.

30. The applicant must show on the site plan the existence of any auxiliary water supply, (i.e. water well, gray water, recycled water, rain catchment, water storage tank, etc).

31. The applicant shall be responsible for installing and upgrading the existing utility mains and/or services as necessary to handle anticipated peak loads. This responsibility includes all costs associated with the design and construction for the installation/upgrade of the utility mains and/or services.

32. An approved reduced pressure principle assembly (RPPA backflow preventer device) is required for all existing and new water connections from Palo Alto Utilities to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive. The RPPA shall be installed on the owner's property and directly behind the water meter within 5 feet of the property line. RPPA's for domestic service shall be lead free. **Show the location of the RPPA on the plans.**

33. An approved reduced pressure detector assembly is required for the existing or new water connection for the fire system to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive (a double detector assembly may be allowed for existing fire sprinkler systems upon the CPAU's approval). Reduced pressure detector assemblies shall be installed on the owner's property adjacent to the property line, within 5' of the property line. **Show the location of the reduced pressure detector assembly on the plans.**

34. All backflow preventer devices shall be approved by the WGW engineering division. Inspection by the utilities cross connection inspector is required for the supply pipe between the meter and the assembly.

35. Existing wastewater laterals that are not plastic (ABS, PVC, or PE) shall be replaced at the applicant's expense.

36. The applicant shall pay the capacity fees and connection fees associated with new utility service/s or added demand on existing services. The approved relocation of services, meters, hydrants, or other facilities will be performed at the cost of the person/entity requesting the relocation.

37. Each unit or place of business shall have its own water and gas meter shown on the plans. Each parcel shall have its own water service, gas service and sewer lateral connection shown on the plans.

38. All existing water and wastewater services that will not be reused shall be abandoned at the main per WGW utilties procedures.

39. Utility vaults, transformers, utility cabinets, concrete bases, or other structures can not be placed over existing water, gas or wastewater mains/services. Maintain 1' horizontal clear separation from the vault/cabinet/concrete base to existing utilities as found in the field. If there is a conflict with existing utilities, Cabinets/vaults/bases shall be relocated from the plan location as needed to meet field conditions. Trees may not be planted within 10 feet of existing water, gas or wastewater mains/services or meters. New water, gas or wastewater services/meters may not be installed within 10' or existing trees. Maintain 10' between new trees and new water, gas and wastewater services/mains/meters.

40. To install new gas service by directional boring, the applicant is required to have a sewer cleanout at the front of the building. This cleanout is required so the sewer lateral can be videoed for verification of no damage after the gas service is installed by directional boring.

41. All utility installations shall be in accordance with the City of Palo Alto utility standards for water, gas & wastewater.

Electric Engineering Division

42. The applicant shall comply with all the Electric Utility Engineering Department service requirements noted during plan review.

43. The applicant shall be responsible for identification and location of all utilities, both public and private, within the work area. Prior to any excavation work at the site, the applicant shall contact Underground Service Alert (USA) at 1-800-227-2600, at least 48 hours prior to beginning work.

44. The applicant shall submit a request to disconnect all existing utility services and/or meters including a signed affidavit of vacancy, on the form provided by the Building Inspection Division. Utilities will be disconnected or removed within 10 working days after receipt of

request. The demolition permit will be issued after all utility services and/or meters have been disconnected and removed.

45. Utilities Engineering will provide detailed comments when plans are submitted to the Building Department for review and approval.

THE FOLLOWING SHALL BE INCORPORATED IN SUBMITTALS FOR ELECTRIC SERVICE

46. A completed Electric Load Sheet and a full set of plans must be included with all applications involving electrical work. The load sheet must be included with the preliminary submittal.

47. Industrial and large commercial customers must allow sufficient lead-time for Electric Utility Engineering and Operations (typically 8-12 weeks after advance engineering fees have been paid) to design and construct the electric service requested.

48. Only one electric service lateral is permitted per parcel.

49. Project requires padmounted transformer, the location of the transformer shall be shown on the site plan and approved by the Utilities Department and the Architectural Review Board.

50. The developer/owner shall provide space for installing padmount equipment and associated substructure as required by the City. In addition, the owner shall grant a Public Utilities Easement for all facilities as required by the City.

51. The customer shall install all electrical substructures (conduits, boxes and pads) required from the service point to the customer's switchgear. The design and installation shall be according to the City standards and shown on plans.

52. Location of the electric panel/switchboard shall be shown on the site plan and approved by the Architectural Review Board and Utilities Department.

53. All utility meters, lines, transformers, backflow preventers, and any other required equipment shall be shown on the landscape and irrigation plans and shall show that no conflict will occur between the utilities and landscape materials. In addition, all aboveground equipment shall be screened in a manner that is consistent with the building design and setback requirements.

54. If electric service for the proposed project is larger than 1600 amps, the customer will be required to contact Utilities Engineering and obtain comments and approval.

55. For underground services, no more than four (4) 750 MCM conductors per phase shall be connected to the transformer secondary terminals.

56. The customer is responsible for sizing the service conductors and other required equipment according to the National Electric Code requirements and the City standards.

57. Any additional facilities and services requested by the Applicant that are beyond what the utility deems standard facilities will be subject to Special Facilities charges. The Special Facilities charges include the cost of installing the additional facilities as well as the cost of ownership.

58. If the projects requires extension of existing high voltage primary/secondary distribution lines or reinforcement of offsite electric facilities, it will be at the customer's expense and must be coordinated with the Electric Utility.

DURING CONSTRUCTION

59. Contractors and developers shall obtain permit from the Department of Public Works before digging in the street right-of-way. This includes sidewalks, driveways and planter strips.

60. At least 48 hours prior to starting any excavation, the customer must call Underground Service Alert (USA) at 1-800-227-2600 to have existing underground utilities located and marked. The areas to be check by USA shall be delineated with white paint. All USA markings shall be removed by the customer or contractor when construction is complete.

61. The customer is responsible for installing all on-site substructures (conduits, boxes and pads) required for the electric service. No more than 270 degrees of bends are allowed in a secondary conduit run. All conduits must be sized according to National Electric Code requirements and no 1/2 – inch size conduits are permitted. All off-site substructure work will be constructed by the City at the customer's expense. Where mutually agreed upon by the City and the Applicant, all or part of the off-site substructure work may be constructed by the Applicant.

62. All primary electric conduits shall be concrete encased with the top of the encasement at the depth of 30 inches. No more than 180 degrees of bends are allowed in a primary conduit run. Conduit runs over 500 feet in length require additional pull boxes.

63. All new underground conduits and substructures shall be installed per City standards and shall be inspected by the Electrical Underground Inspector before backfilling.

64. The customer is responsible for installing all underground electric service conductors, bus duct, transition cabinets, and other required equipment. The installation shall meet the National Electric Code and the City Standards.

65. Meter and switchboard requirements shall be in accordance with Electric Utility Service Equipment Requirements Committee (EUSERC) drawings accepted by Utility and CPA standards for meter installations.

66. Shop/factory drawings for switchboards (400A and greater) and associated hardware must be submitted for review and approval prior to installing the switchgear to:

    Gopal Jagannath, P.E.
    Supervising Electric Project Engineer
    Utilities Engineering (Electrical)
    1007 Elwell Court
    Palo Alto, CA 94303

67. Catalog cut sheets may not be substituted for factory drawing submittal.

68. All new underground electric services shall be inspected and approved by both the Building Inspection Division and the Electrical Underground Inspector before energizing.

AFTER CONSTRUCTION & PRIOR TO FINALIZATION

69. The customer shall provide as-built drawings showing the location of all switchboards, conduits (number and size), conductors (number and size), splice boxes, vaults and switch/transformer pads.

PRIOR TO ISSUANCE OF BUILDING OCCUPANCY PERMIT

70. The applicant shall secure a Public Utilities Easement for facilities installed on private property for City use.

71. All required inspections have been completed and approved by both the Building Inspection Division and the Electrical Underground Inspector.
72. All fees must be paid.

73. All Special Facilities contracts or other agreements need to be signed by the City and applicant.

ADDITIONAL COMMENTS

74. This project requires the installation of a padmount transformer. The transformer shall require a Public Utility Easement – 10 ft wide x 10 ft long (3 ft clear space on three sides and 8 ft clear space in front). In addition the customer must grant 5' Public Utilities Easement for installing conduits on private property (2.5' on each side of the trench). P.U.E. may also be required for substructures.

Building

75. Based on the scope of work for this project the applicant will be required to utilize a third party plan check firm to conduct the building code plan review. A list of plan check agencies approved by the City of Palo Alto is available at the Development Center. The City of Palo

Alto Building plan check fees are reduced by 35% when a 3rd party plan check agency is utilized.

76. When the plans are submitted for a building permit, be sure to include the full scope of work including all site development, disabled access and exiting for the entire site, utility installations, architectural, structural, electrical, plumbing, mechanical work associated with the proposed project. The plans shall include the allowable floor area and entire building area calculations on the project data sheet and where there are multiple occupancies, provide unity calculations for either separated or non-separated uses.
77. The project shall comply with all required Green Building requirements.

Greenwaste

78. This project shall require space for three 3-yard bins. The area currently has one 1.5-yard, one 2-yard, and one 96-gallon cart.

Transportation

79. The plan shows a proposed curb cut for the trash enclosures. This is not allowed in our code for several reasons including:
    a. Curb cuts should be at least 5 feet offset from side property lines.
    b. Two curb cuts for the same property need to be at least 20 feet apart.
80. The driveway exit has a potentially dangerous sight line issues to pedestrians due to the proposed column. The project should include a visual and audible warning for pedestrians when vehicles are exiting the garage. This should be discussed and recommended (or an alternate recommendation) in the report.

Public Works Trees

81. Applicant shall work with the Public Works Tree division for final review and approval of the proposed street tree removal and replacements.

CITY OF PALO ALTO

Architectural Review Board

Staff Report

Agenda Date: September 20, 2012

To: Architectural Review Board

From: Clare Campbell, Planner

Department: Planning and Community Environment

Subject: **135 Hamilton Avenue [11PLN-00463]:** Request by Keenan Lovewell Ventures, on behalf of Hamilton and High LLC, for Architectural Review and Variance request for a new four-story 28,146 square foot mixed-use building on an existing vacant lot (approximately 20,000 square feet of commercial area, two residential units, and below grade garage). The Variance request is for a five-foot eleven-inch encroachment into the 7' Special Setback on Hamilton Avenue for a length of approximately 84 feet. Zone: CD-C(P). Environmental Assessment: A draft Negative Declaration has been prepared for the project in accordance with the California Environmental Quality Act (CEQA).

RECOMMENDATION

Staff recommends that the Architectural Review Board (ARB) review the proposed project and provide comments to the applicant for any modifications to the design. Should the ARB be of the opinion the findings for approval can be made for the project, the ARB may make a recommendation to the Director of Planning and Community Environment based upon draft findings (Attachments A & B) and subject to the conditions of approval (Attachment C).

BACKGROUND

Site Information

The project site is a vacant parcel located in Downtown Palo Alto on the corner of Hamilton Avenue and High Street within the Downtown Parking Assessment District. The site is bordered by one-story commercial buildings, two of which are Category 2 Historic Resources (on the southwest side of the site). Across the street, on High, is a four story commercial building, and the remaining two corners of the intersection are one-story commercial buildings. The project site is within three blocks of the University Avenue Caltrain Station and adjacent Santa Clara Valley Transportation Authority (VTA) bus depot. Photos have been provided of the adjacent buildings on Sheets SK-3 and SK-4 of the plans, Attachment G.

The project site is 9,910 square feet (sf) and has never been fully developed. The project site was occupied by repair and welding operations in the early 1900's, and by a gasoline service station between the 1930's and 1960's. Since that time, when the site was utilized, it has been a private parking lot. The parking lot is currently in use by Palantir Technologies. Along both street frontages of this corner lot, there are existing city street trees (four on High and three on Hamilton).

The parcel has several existing site constraints or unique conditions. The first unique condition is that it is the only private, undeveloped parcel of land within urban core of the Downtown. The second unique condition is that there are two access easements running along both interior sides of the parcel that are associated with the restaurant use at 525 Alma Street (i.e. Pampas). As part of the easement agreement, no construction can take place within that 1,200 square foot area (see Attachment G, Sheet C2). Finally, a special setback of seven feet runs along Hamilton Avenue (from Alma Street to Waverley Street, with the exception of the City Hall parcel), and developed parcels on Hamilton Avenue with existing nonconforming encroachments were able to redevelop those buildings using the existing footprint because of zoning rules allowing replacement of nonconforming structures. Special setbacks, described in Palo Alto Municipal Code Chapter 20, Precise Plans and shown on the City's zoning map, were established at a time when the City was considering widening certain streets in Palo Alto. No further implementation of the former street widening plan has taken place to date. There are two other special setback streets in the downtown: Bryant Street (for five blocks) and Ramona Street (the side of the block opposite City Hall). There are no public easements existing or proposed in these locations, therefore no Encroachment Permit is required; however, a Variance is required for proposed encroachment of any new building or building addition into special setbacks where there was no previous building encroachment.

Project Description

The proposed project is a new four-story 28,146 square foot mixed-use building on an existing vacant lot. The building includes three floors of commercial use, approximately 19,960 square feet, and two two-bedroom residential units (3,272 sf and 1,641 sf) on the top floor. The project also includes a full basement that provides 23 parking spaces, via mechanical lifts to achieve vertical tandem parking capacity, and an employee showering facility. The vertical tandem parking arrangement is subject to a requested Parking Adjustment by the Director pursuant to Palo Alto Municipal Code Section 18.52.080. The project includes a Variance request to allow the building to encroach five feet eleven-inches into the seven foot Special Setback on Hamilton Avenue for a length of approximately 84 feet. The proposed use for the commercial area is office. The building is finished with a tan colored stone-clad exterior framework resembling columns, with various dimensions and widths. Each street front facade is punctuated with deeply recessed windows. Additional information regarding the materials is provided on Sheet SK-5 of the plans (Attachment G).The primary pedestrian access to the building is located back on the High Street elevation, while the garage entrance is located on Hamilton Avenue.

The standard for development of a mixed-use project in the CD-C zone district is limited to a maximum of 2:1 for the floor area ratio (limited to 1:1 for commercial and 1:1 for residential). As permitted by Palo Alto Municipal Code (PAMC) Section 18.18, this site is eligible to be developed up to a 3:1 floor area ratio (FAR) with the incorporation of Transfer of Development

Rights (TDR's). The proposed project has a 2.84:1.0 FAR and requires 10,050 sf of TDR's to develop the commercial area in excess of the permitted 1:1 commercial ratio.

The project includes the following elements:

- Installation of roof-top equipment and 9' tall mechanical screen;
- Uncovered common patio on the 4th floor for residents;
- Placement of the common trash area within the southeast alley (Hamilton side);
- Addition of five planter pots and green screen inside the northwest alley;
- Removal of the existing seven street trees and installation of five new street trees (Capitol Flowering Pear) and grates; and
- Installation of two bike racks on the High Street frontage.

Additional project details are provided in the applicant's project description, Attachment D.

DISCUSSION

Zoning Compliance

A table indicating the project's conformance with the Development Standards of the Commercial Downtown with Pedestrian Combining District is provided as Attachment F. The requested Variance is discussed in this report but the findings for approval of a Variance are not within the ARB's purview, but would be acted upon by the Director in conjunction with the ARB application. The Variance decision by the Director is subject to request for Commission hearing. The Parking Adjustment requested to allow for provision of tandem parking spaces in a vertical orientation, is within the Director's purview for action in conjunction with the ARB and Variance actions. Components of the project within the ARB's purview that staff believes require further discussion are the provision of open space and Pedestrian Shopping Combining District requirements, discussed below.

Open Space Requirements

Mixed-use development in the CD-C zone is required to provide 20% Landscape Open Space (1,982 sf) in addition to 200 square feet of usable open space per residential unit. "Usable" open space can be private or common, but must have a minimum dimension of six feet to be considered usable. The project provides an uncovered 1,189 sf patio on the fourth floor that provides the 400 sf of usable open space for the two residential units; although there is a balcony for the smaller unit, it does not meet the required minimum dimension to be considered usable. The remaining 789 sf area of the uncovered patio counts towards the 1,982 sf Landscape Open Space requirement. The balance of the landscape open space requirement is 1,193 sf and the applicant is proposing that the rear alley, approximately 900 sf, in combination with the Pedestrian recessed area described below, are sufficient to meet the Landscape Open Space requirement. Staff requests the ARB discuss the landscape open space requirement for this project and determine if the project has adequately addressed this requirement with regard to amount, location, landscape material, etc. If the project is determined to not satisfactorily meet the open space requirements, and the applicant does not wish to modify the project, the use of a Variance would be required; a Design Enhancement Exception (DEE) cannot be used for this type of exception.

Circulation to Trash Area

Staff has noted that there appears to be a circulation issue with regard to access to the common trash area in the alley on the Hamilton Avenue side of the project. The plans do not show an interior access point to this area; it is only accessible by walking out along the street and going through the alley access gate. The applicant will need to provide an appropriate solution to this circulation issue, and the project has been conditioned to do so.

Pedestrian Shopping Combining District

The project is required to comply with the Pedestrian Shopping Combining District (P), which requires new construction and building alterations to provide design features intended to create pedestrian or shopper interest, to provide weather protection for pedestrians, and to preclude inappropriate or inharmonious building design and siting. The required features include: (1) Display windows, or retail display areas; (2) Pedestrian arcades, recessed entryways, or covered recessed areas designed for pedestrian use with an area not less than the length of the adjoining frontage times 1.5 feet; and (3) Landscaping or architectural design features intended to preclude blank walls or building faces.

The proposed project includes a glass front for the majority of the ground floor elevations, meeting the retail/display window requirements. The project has 200 feet of street frontage, and therefore is required to provide 300 sf of covered recessed area for pedestrian use. The projecting canopies over the garage and pedestrian entrances and the recessed areas in front of the ground floor windows add up to 345 sf, which the applicant believes meets this Pedestrian District requirement (Attachment E). Not yet convinced as to the adequacy of these components to meet the code intent, particularly inclusion of the garage entrance feature in the calculation, staff requests ARB input.

Parking

The required parking for this project is 84 spaces, four for the residential units and 80 for the commercial space. Section 18.52.060(a)(2) of the Zoning Code allows a parking exemption for redevelopment up to a 1:1 FAR for the site (equivalent to 38 spaces) for projects that have paid into the Downtown Parking Assessment District (see condition of approval in Attachment C).[1] The project also utilizes 5,000 sf of Transfer of Development Rights to build additional commercial area above 1:1, and per PAMC 18.18.080(g), this area is exempt from providing parking spaces (equivalent to 20 spaces). The table below provides the summary of the project's parking compliance. Twenty-three (23) spaces are proposed, which would then require that "in-lieu" parking fees for two (2) spaces be paid to meet the Zoning Code requirements. Staff has therefore determined that the proposed use does not create any new significant traffic impacts to the downtown, as discussed in the project's Initial Study. To further facilitate the use of

[1] Because this parcel was vacant at the time the Downtown Parking Assessment District was formed, the applicant proposes to comply with this exception through an equivalent payment into the district as proposed in a prior application on this project. To staff's knowledge, largely because there are few vacant parcels downtown, this exemption has not been applied to vacant parcels in the past and therefore its application to this project is not straightforward. Given the unique characteristics of this project, staff recommends this be accomplished through a parking covenant condition which would be recorded on the property and which would clarify the application to vacant parcels.

alternative modes of transportation to alleviate parking demand, the project is conditioned to prepare a Transportation Demand Management (TDM) program for review and approval by the Planning Director, prior to the issuance of the associated building permit.

Parking Summary

Parking Not Required 200 sf bonus = 1 [PAMC 18.18.070(a)(1)] 5000 sf TDR = 20 [PAMC 18.18.080(g)]	21
On-site Parking Exemption - 1:1 GF FAR [PAMC 18.52.060(a)(2) & (c)] Payment into assessment district to cover spaces –covenant required	38
On-site Parking Exemption - In-lieu Payment [PAMC 18.18.090(d)]	2
On-site Parking Provided	23
Total Spaces	84

Downtown Urban Design Guide

The Downtown Urban Design Guide (Guide) provides direction to the applicant, staff and ARB regarding development and design in the downtown area. The Guide divides the downtown area into districts, each having a unique identity and design characteristics. The project site is in the Hamilton Avenue District (Hamilton Avenue), which extends from Alma Street to Middlefield Road. The Guide recommends promoting this area as "an active mixed use district which comfortably accommodates larger scale commercial office, civic, and institutional buildings" while maintaining the "tree-lined pedestrian environment with complementary outdoor amenities to offset the urban intensity." The project implements the goal stated in the Guide about massing along Hamilton Avenue, since the Guide indicates a preference for two to four story buildings "to complement the existing streetscape and enhance the building wall of Hamilton Avenue." The project also includes the replacement of the City street trees with healthier, attractive specimens. The project provides replacement street trees, but there may be additional options for ground floor pedestrian amenities not yet included in the design.

Context-Based Design Considerations and Findings

In addition to Zoning Compliance and Architectural Review approval findings, Context-Based Design Considerations and Findings found in PAMC Chapter 18.18 are applicable to projects in the downtown commercial zone district. It is staff's opinion that the four findings listed below require additional discussion and consideration by the ARB with regard to the project's compliance. All eight findings are addressed in Attachment B, Draft Context Based Design Findings.

Pedestrian and Bicycle Environment. The design of new projects shall promote pedestrian walkability, a bicycle friendly environment, and connectivity through design elements such as:

Climate and weather protection where possible, such as covered waiting areas, building projections and colonnades, and awnings; and

Streetscape or pedestrian amenities that contribute to the area's streetscape environment such as street trees, bulb-outs, benches, landscape elements, and public art.

The project does propose two canopy elements over the High Street entrance and garage driveway, and includes new replacement street trees. The project provides two bike racks on the High Street frontage to facilitate bicycle use.

Street Building Facades. Street facades shall be designed to provide a strong relationship with the sidewalk and the street(s), to create an environment that supports and encourages pedestrian activity through design elements such as:

Placement and orientation of doorways, windows, and landscape elements to create strong, direct relationships with the street;
Facades that include projecting eaves and overhangs, porches, and other architectural elements that provide human scale and help break up building mass; and
Entries that are clearly defined features of front facades, and that have a scale that is in proportion to the size and type of the building and number of units being accessed; larger buildings should have a more prominent building entrance, while maintaining a pedestrian scale.

Massing and Setbacks. Buildings shall be designed to minimize massing and conform to proper setbacks through elements such as:

Corner buildings that incorporate special features to reinforce important intersections and create buildings of unique architectural merit and varied styles;
Building facades articulated with a building base, body and roof or parapet edge; and
Buildings set back from the property line to create an effective 8' sidewalk.

Project Open Space. Private and public open space shall be provided so that it is usable for residents, visitors, and/or employees of the site through elements such as:

The type and design of the usable private open space shall be appropriate to the character of the building(s), and shall consider dimensions, solar access, wind protection, views, and privacy;
Open space should be sited and designed to accommodate different activities, groups, active and passive uses, and should be located convenient to the users (e.g., residents, employees, or public)
Common open spaces should connect to the pedestrian pathways and existing natural amenities of the site and its surroundings;
Open space should be located to activate the street façade and increase "eyes on the street" when possible; and
Open space situated over a structural slab/podium or on a rooftop shall have a combination of landscaping and high quality paving materials, including elements such as planters, mature trees, and use of textured and/or colored paved surfaces.

Variance

The purpose of a variance is to provide for a site with special physical constraints, resulting from natural or built features, to be used in ways similar to other sites in the same vicinity and zoning district; and provide relief when strict application of the zoning regulations would subject development of a site to substantial hardships, constraints, or practical difficulties that do not normally arise on other sites in the same vicinity and zoning district.

The project proposes to encroach into the seven foot Special Setback that runs along Hamilton Avenue with the full length of the building and for all four floors; whereas the proposed setback of the building along Hamilton, including the ground floor, is 13". With the development of the proposed building, there will be a total of two structures on the 100 block of Hamilton, one of which is a protected historic building, built out to the property line. The project site is basically a square, 100' by 100' with two "indents" from the adjacent 525 Alma site that total 90 sf. The site also has two access easements, one running along each of the interior sides of the parcel. The easement adjacent to 115 Hamilton is five feet wide and 50' long, while the easement adjacent to 542 High is 10' wide and 95' long. As per the legal agreement with the property owner of 525 Alma, the two easements cannot be constructed upon, and eliminates 1,200 sf of surface area that can be developed.

Staff can support the proposed encroachment into the Special Setback via the Variance request, particularly on the upper floors. Staff desires for the project to improve upon the pedestrian orientation of the ground floor, particularly along Hamilton Avenue, such as a greater setback at the ground floor as an offset from the upper floors that would also better address the solar exposure on that side of the building. Staff is seeking ARB input as to the project's compliance with ARB and Context-Based Design findings, and the Downtown Urban Design Guidelines. The draft Variance findings are provided in Attachment A and would be reviewed and determined by the Director. As previously noted, the ARB does not have purview for review of the Variance.

ENVIRONMENTAL REVIEW

A Negative Declaration (ND) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). The public comment period for the ND ran from August 31 through September 19, 2012. Staff will provide the ARB with an update at the meeting.

ATTACHMENTS

Attachment A: Draft ARB and Variance Findings
Attachment B: Draft Context-Based Design Findings
Attachment C: Draft Conditions of Approval – TO BE PROVIDED UNDER SEPARATE COVER
Attachment D: Project Description*
Attachment E: Area Counted Toward the Pedestrian Recessed Area*
Attachment F: Zoning Compliance Table
Attachment G: Development Plans (Board Members Only)*

* Prepared by Applicant; all other attachments prepared by Staff

COURTESY COPIES

Perry Palmer [perry.palmer@mindspring.com]
Jim Baer [jimbaer@paloaltolanduse.com]

Prepared By: Clare Campbell, Planner

Manager Review: Amy French, Chief Planning Official 

Attachment E

KEENAN LAND COMPANY

November 26, 2012

Ms. Clare Campbell
Department of Planning and Community Environment
City of Palo Alto,
250 Hamilton Avenue
Palo Alto, CA 94301

Re: 135 Hamilton Avenue

Dear Clare,

Thank you for your assistance in coordinating our November 15 Working Session with the Architectural Review Board. This letter is to summarize additional comments received during that session and how the project has been modified to address the concerns raised. For ease of review, we have grouped comments and questions which appear to be similar in nature.

1. A number of Board members indicated the concept of base, middle and top had been greatly improved but asked if consideration could be given to reintroducing the residential balconies fronting on Hamilton Avenue and High Street. Board members also asked if the balcony next to the smaller residential unit could be enlarged.

Street side balconies have been added off the main living, office/den and master bedroom areas. To ensure the visual continuity of the base, middle and top concept, as well as child safety, clear glass has been specified for the protective panel sections with a metal rail at the top which is to match the building's window system. The residential balcony over the north alley was lengthened so it is now twenty-four feet long and six feet wide. The railing system for this balcony will match that of the street side balconies.

2. Of the two material options for the random vertical members, a preference for metal was indicated by a majority of board members.

Metal has been specified for all random vertical columns.

3. It was suggested that we may want to consider a different material for the ground floor planters.

The ground floor planter specification has been changed to metal. Please see Drawings L2.1 and L2.2.

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4. Continued interest was expressed in how residential garbage and refuse would be handled.

A new residential refuse room has been added near the garage elevator. This will allow residents to deposit trash without going outside or on to the public sidewalk. Trash can be placed in this area and transferred to the west alley dumpster by the building's day porter.

5. A request was made to provide more detail about the canopies and how pedestrians would be weather protected.

The canopies are to be metal frame in a color matching the building's window glazing system with sloped glass on top for pedestrian weather protection. Please see Drawing SK-11 for a section view of the canopy system. The on-site portion of the building's overhang and recessed soffited areas provide architectural interest and weather protection to pedestrians totaling 369 square feet; with 198 square feet on High Street and 171 square feet on Hamilton Avenue. In addition, the project's canopies provide further interest and protection by extending offsite (over the sidewalks) for a total of 230 square feet; 138 on High Street and 92 on Hamilton Avenue. The sum of the on-site and off-site areas is 599 square feet.

6. General support was indicated for the residential patio landscape enhancements, however, concern was expressed about the need for more privacy between the units. One suggestion was for the consideration of a screened fence to define the two areas.

Additional landscaping, screening and lighting have been added to the patio area. For more details please see the attached Statement of Design Intent from The Guzzardo Partnership.

7. A question was raised about whether there was a garage door specification that might bring more texture to the project.

Based on our research of products available from quality manufacturers, the garage door is best described as an open air metal roll up security grille with finish to match the dark steel used in the window mullion and ground floor planter systems. We believe this is keeping in context with the building metal color and is recessive enough that it does not compete with the building's architecture.

8. A request was made to describe how the Klaus mechanical lift system works, who would use the on-site parking spaces and how would the spaces be accessed.

A video of how parking spaces are accessed and cars retrieved can be seen at the company's website, http://www.multiparking.com/index.php?Klaus-Trendvario-4100-parking-automat-parking-solu#. Click on the image in the center of the page below where it says "Click here to see the animated movie:" Tenants would be the users of the two mechanical lifts. Keys are assigned to specific parking spaces which are used for access.

9. One member asked if we could study how the roof top stair providing access to the area of refuge could be joined to the roof screen or moved to the front lobby stair to reduce the height contrast with the single story building.

We looked at both options but felt that combining the roof access portion of the stair with the front exit stair would provide more massing closer to the street. In its current location it is furthest from all streets. We could consider connecting the west stair with the roof screen, however, it appeared to add massing to the building and as a result, we left it in its current configuration.

10. There was a request to ensure darker gray half domes would be specified for the handicap ramp area at the corner of Hamilton Avenue and High Street.

Dark gray half domes have been specified. Please see Drawings L1.1 and the attached Statement of Design Intent.

Please let me know if there are any questions.

Sincerely,
HAMILTON AND HIGH, LLC

Perry Palmer

Enclosures

THE
GUZZARDO
PARTNERSHIP INC.
Landscape Architects · Land Planners

181 Greenwich Street
San Francisco, CA 94111
T 415 433 4672
F 415 433 5003
www.tgp-inc.com

135 Hamilton Avenue
LANDSCAPE STATEMENT OF DESIGN INTENT
November 21, 2012

The landscape design has been improved to incorporate the comments provided at the ARB Study Session earlier this month. A summary of the changes have been provided here for consideration:

The new Ginkgo street trees now have a more modern tree guard that is more in keeping with the architectural design of the project. These will be painted dark burnished color to match the building metal color.

The improved alley lighting is included in the Final ARB submittal package, creating a festive and secure lighting design element to this space, and supporting tenant use of this space.

The street sidewalk paving will be a dark grey integral color paving, using an enhanced material in keeping with public works standards for paving options. The curb ramp itself shall be a natural grey color, allowing for the dark grey truncated domes to be used as requested and provide the necessary visual contrast required by ADA.

The planters in front of the windows at the base of the building will be made of metal, matching the building metal color and finish.

New metal trellis and screen panels with pendant lighting have been added to the roof top garden planters to provide additional screening and privacy between the apartments. These planters will include a variety of plant materials to provide privacy and seasonal interest in the garden.

The Guzzardo Partnership, Inc.

Gary D. Laymon
Principal
California Registered Landscape Architect #2397

KEENAN LAND COMPANY

November 7, 2012

NOV 07 2012

Ms. Clare Campbell
Department of Planning and Community Environment
City of Palo Alto,
250 Hamilton Avenue
Palo Alto, CA 94301

Re: 135 Hamilton Avenue

Dear Clare,

This letter is to provide answers and clarifications to design comments and concerns provided by Architectural Review Board members at the Board's September 20, 2012 meeting. For ease of review, we have grouped comments and questions which appear to be similar in nature. Concurrent with the submittal of this letter we have provided staff with sketches and drawings which illustrate how the project has been modified.

1. Concern was expressed about the building's design differentiation, shopper experience, entry door detail and insufficient response to the street at the ground floor level.

A number of changes have been made. The random vertical stone and window frame elements have been removed from the ground floor level and replaced with clear butt-jointed glass. This adjustment benefits both office and retail users: allowing an uninterrupted view by shoppers and pedestrians. Stone planters have been added with enhanced landscaping to soften the adjoining sidewalk area. Planters can be added or moved depending on each tenant's entry door needs. Sketches of a typical entry and the ground floor planters can be seen at Drawings R-1 and R-2. Metal and glass canopies are designed for each bay of the ground floor level in order to encourage and promote the sense of "base" or "anchoring" by visual continuity and pedestrian experience. This design also gives weather protection and environmental shading for both pedestrians and occupants. With the new additions and the removal of the garage entry overhang removed, the revised design complies with the City's pedestrian recessed area guidelines.

2. A number of Board members indicated additional attention should be given to the project's massing. There were indications the building appeared flat; needed modulation or more articulation. There should be a sense of base, middle and top. Also, the use of stone for a majority of the components may cause the building to look heavy. It was suggested we may want to specify a different material to replace the random stone columns.

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KEENAN LAND COMPANY

November 26, 2012

Ms. Clare Campbell
Department of Planning and Community Environment
City of Palo Alto,
250 Hamilton Avenue
Palo Alto, CA 94301

Re: 135 Hamilton Avenue - Mixed Use Open Space Calculations

Dear Clare,

Concurrent with this letter, we have provided revised sketches and drawings in response to our Working Session review at the ARB's November 15, 2012 meeting. This letter is to highlight those open space areas which are required under **PAMC 18.18.060.** This code section requires open space based on the requirements of **Table 3,** which is computed as follows:

Project Landscaped Open Space:

	Square Feet
Parcel Size	9,910
Times Percent of Parcel	20%
Total Landscaped Open Space	1,982

Residential Useable Open Space:

Sq. Ft. Useable Open Space Required/Unit	200
Times Number of Units	2
Total Useable Open Space	400
Total Required Open Space	2,382

The project has been revised to increase the balcony area over the north alley so both dimensions are at least 6' and enlarge the roof garden on the fourth floor. An exhibit is attached for your reference. Based on these changes the new project's open space complies with the mixed use open space requirements and is computed as follows:

	Square Feet
Balcony	145
First Floor - North Alley	1,003
Fourth Floor - Roof Garden	1,442
Total Open Space	2,590

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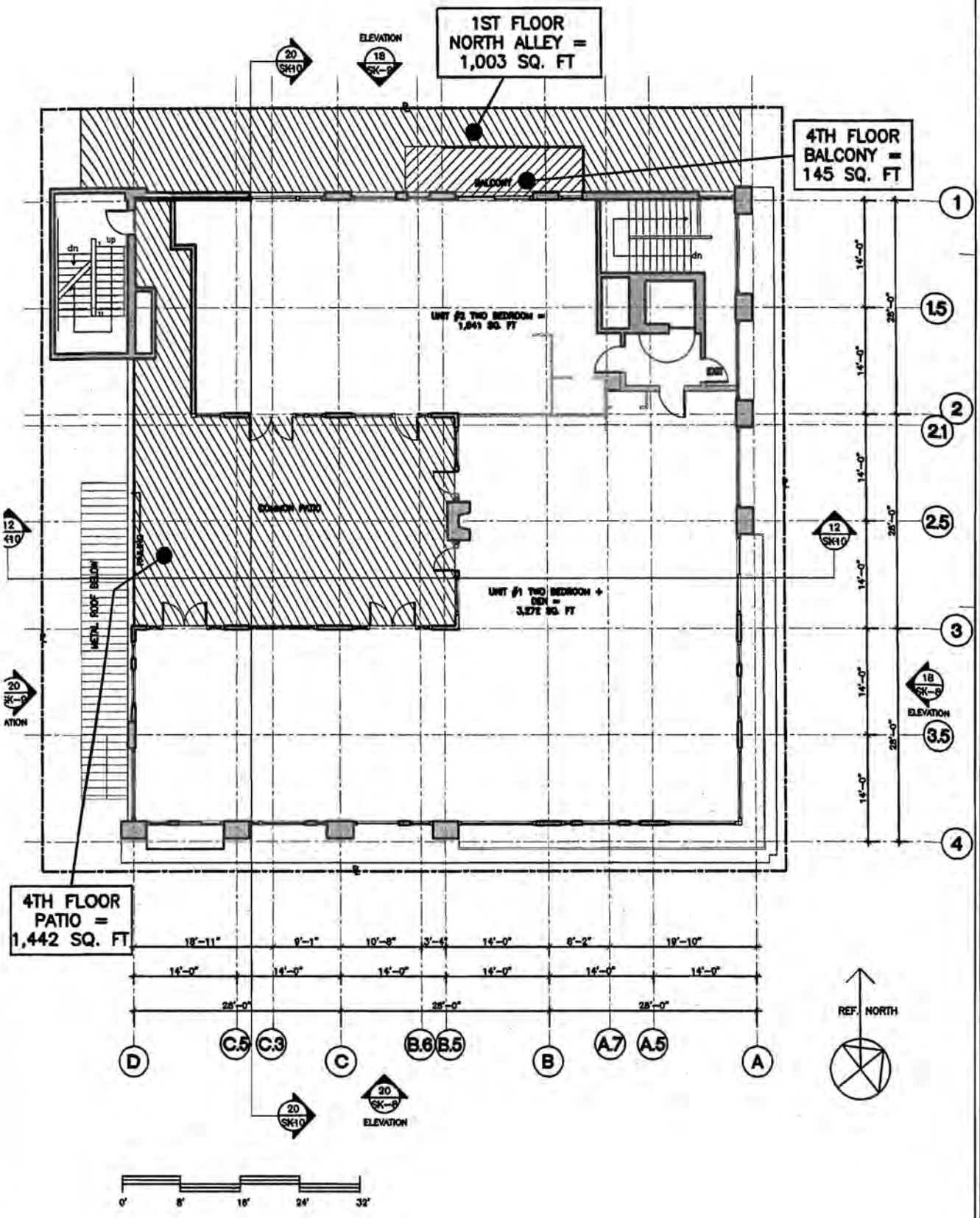


REVISED MAY 16, 2012
NOV 26, 2012

LICENSED ARCHITECT
B.H. BOCOCK
NO. 4573
REN. 11-13
STATE OF CALIFORNIA

B H Bocock AIA Architect - 2747 Park Boulevard - Palo Alto Ca 94306 - (650) 856 9310

PROPOSED
OFFICE / RETAIL BUILDING
135 HAMILTON AVENUE
PALO ALTO, CALIFORNIA

APARTMENT PLAN 4TH FLOOR
OPEN AREA PLAN

DATE DEC. 9, 2011
SCALE AS SHOWN
DRAWN
JOB
SHEET
SK-7
CAD FILE SK-7APR12

12 **APARTMENT PLAN** SCALE 1/8" = 1'-0"

Please let me know if there are any questions.

Sincerely,
HAMILTON AND HIGH, LLC

Perry Palmer

Enclosure

The Project Architect has studied the building with the above comments in mind and has made several significant façade changes to mitigate them.

Two alternatives are presented for the Board's consideration. The first illustrates streetscape changes with smooth stone specified for the second and third floor random vertical elements This view is shown on Drawing Elev-1. The second alternative is for the small stone columns within the window bays to be changed to metal to match the louver system that provides sun control for the building. This would result in a lighter and more consistent use of materials. The larger stone elements which relate to the structure of the building have been retained. There are now three separate layers of the façade which enhance the apparent depth of shadow lines across the exterior walls of the project. They are the large stone grid which is structural, the infill of steel column and metal louvers, and the window wall further set back which is made of aluminum and stainless steel.

With the respect to the base middle and top comments, the building is now composed of a base of large glass openings suitable for retail set within the stone columns. These bays all have projecting canopies in steel and glass which strengthen the base expression. This base floor is followed by two floors of textural glass and brise soleil elements (see above) which are expressive of the intended use of office space. These floors are then followed by one story dramatically set back at the top for residential use with a strong cornice expression of horizontal shading trellis.

We feel this new design meets the criteria expressed in the ARB's comments.

3. It was suggested that the north alley balcony should be bigger.

The balcony depth has been enlarged to 6'. Please see Detail 2 on Drawing Elev-1 & Elev-2.

4. The 4th floor courtyard (open space) appears to be large and in need of a divider and landscaping.

Please see DrawingL2.1A. The fourth floor patio has been enlarged and better defined by a new privacy hedge which divides the space. Accent trees and plantings, screen plantings, a small water feature and outdoor tables and chairs been added to make the area lush and more inviting. The enlarged area together with the other open spaces comply with the City's mixed use design requirements for landscaped open space and useable open space.

5. Have you considered alternative approaches to your design, such as a tall element out front and with tiers set back as you go up?

A number of other approaches were considered before concluding on the existing design. We have placed a high priority on providing an efficient and innovative on-site parking design and staying within the City's 50' height ordinance. These features have shaped the standards and evolution of the project's design. In order to stay within the 50' height limit and provide a high-quality interior ceiling height of 10', post-tension concrete was used for the building's floor structure. This eliminated the interior horizontal beams which conflict with building utilities and services and allowed for a more compact design. Given the small site, the Hamilton Avenue

garage entry wall is at the furthest distance from the street that will still provide a sub-grade ramp which does not exceed the maximum slope allowed by the building code. This brings the building perimeter wall into the Hamilton Avenue setback. The concrete columns supporting the post-tension concrete also need to accommodate the sub-grade parking configuration, allow for proper vehicle circulation and extend vertically(without offset or setback) to support the upper floors and walls.

6. A request was made to describe how the building relates to the adjoining single-story building and fits within the context of the neighborhood.

We have updated context Drawing SK-3 and provided Drawings Elev-1 & Elev-2 to more fully reflect all of the area's structures. Separation and relief is provided the single-story building by an on-site 11' alley between the two structures. This is a feature which is not present in other newer neighborhood buildings. The updated drawings also indicate the project's elevation when compared to other neighboring structures , including the City's parking garage one parcel to the north. This structure extends east-west through the block and adjoins the single story buildings directly on the north. We believe the context of the project is similar to that of the parking structure and is appropriately separated from the adjoining buildings.

8. Clarification was requested regarding the two designated paving colors, gray and buff. Gray paving locations were identified but one Board member was unable to locate where buff paving was specified for use.

Buff colored paving is specified for the north alley area.

9. A question was raised about whether the street facing balconies where sufficiently deep and more openings should be added. Also, should the residential courtyard be moved to the street?

In viewing how to best utilize the residential space and enhance the building's sense of base, middle and top, design improvements were made to the residential floor. The roof garden was enriched to be the center of the outdoor experience by becoming more visually inviting and comfortably functional. This area has shading elements, provides wind protection and is oriented toward the fourth floor's best asset; a view of the western hills. The tiering setback was better defined by removing the railing; providing horizontal separation from the top of the third floor perimeter wall and an uninterrupted ground level view of the fourth floor setback. Operable windows were added to the street side framing systems to provide fresh air circulation.

10. One comment expressed concern the site had been maximized.

Ground floor improvements represent 62% of the parcel's square footage which we believe appropriate for Palo Alto's downtown setting.

11. A question was raised about whether access to the trash area could be enhanced for the residential occupants.

We looked at several options for bringing residential trash through the north alley or building and connecting to the trash dumpsters in the west alley. Our studies indicated that access to the trash area is limited since access from the north alley is blocked by the code required northwest exit stair that connects the basement to the roof deck. Also, the west alley paving elevation is raised 18" above the finished floor elevation of the building to provide handicap exiting out of the adjoining Alma building and positive surface drainage out of the alley to the street. Access to the west alley from the building's interior would need to be handicap accessible which involves the installation a long ramp(18') or mechanical lift. In this instance, the electric meter sections and switch gear would also need to be relocated which would displace otherwise useable area.

12. A request was made to describe how the mechanical lifts work, whether they are reliable and if an attendant is necessary.

The parking system is manufactured by Klaus Multiparking, a company that has been a leading parking system provider for over 40 years. The company has installed systems in over 65countries with many installations in San Francisco and the greater Bay Area. Each parking space has an assigned key which is used to control access to that space. An attendant is not required for operation of the system.

13. Coping (insulation and roof membrane) was noted as not being included in the calculation of height limit.

This is correct, height calculations were performed in accordance with discussions and confirming correspondence with Staff at the start of the project. The building height is measured to the top of the structural system at the face of the building.

14. Please provide a discussion of the lighting down the north alley.

Lighting for north alley is proposed as overhead, suspended down lighting. Two rows of decorative luminaires would be suspended from a cable wire assembly. Smaller string lights would span between the two rows of suspended luminaires. The suspended luminaires and cable wire assembly would be centered at each building column. The decorative luminaires would be suspended from a height of 12'. The decorative luminaires are proposed to be the Village Catenary Suspended Luminaire by Hess America. All overhead, suspended lighting throughout the alley are intended to provide the light levels required for the space. Detail 4 on L-2.1B illustrates the design. The Catenary Luminaire is shown in a photo on L-2.2.

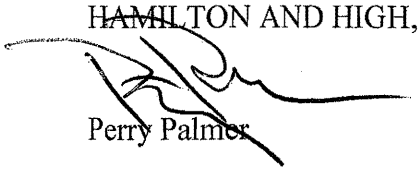
15. There was a request to ensure darker sidewalks were used for the City sidewalks.

We have specified the darkest color for which Public Works has provided approval.

Comment to come.

Please let me know if there are any questions.

Sincerely,
HAMILTON AND HIGH, LLC



Perry Palmer

KEENAN LAND COMPANY

November 7, 2012

Ms. Clare Campbell
Department of Planning and Community Environment
City of Palo Alto,
250 Hamilton Avenue
Palo Alto, CA 94301

Re: 135 Hamilton Avenue - Pedestrian Overlay Areas

Dear Clare,

For your reference, we have enclosed a revised Site Plan which graphically indicates those areas required by **PAMC 18.30.040.** Consistent with this code section, our design intent is to create pedestrian interest, provide weather protection for pedestrians and preclude inappropriate and inharmonious building design and siting. These revised pedestrian areas are in response to comments provided at the November 20, 2012 ARB meeting. Areas designed for pedestrian use total 360 square feet, with 193 square feet fronting on High Street and 167 square feet fronting on Hamilton Avenue.

Please let me know if there are any questions.

Sincerely,
HAMILTON AND HIGH, LLC

Perry Palmer

Enclosure

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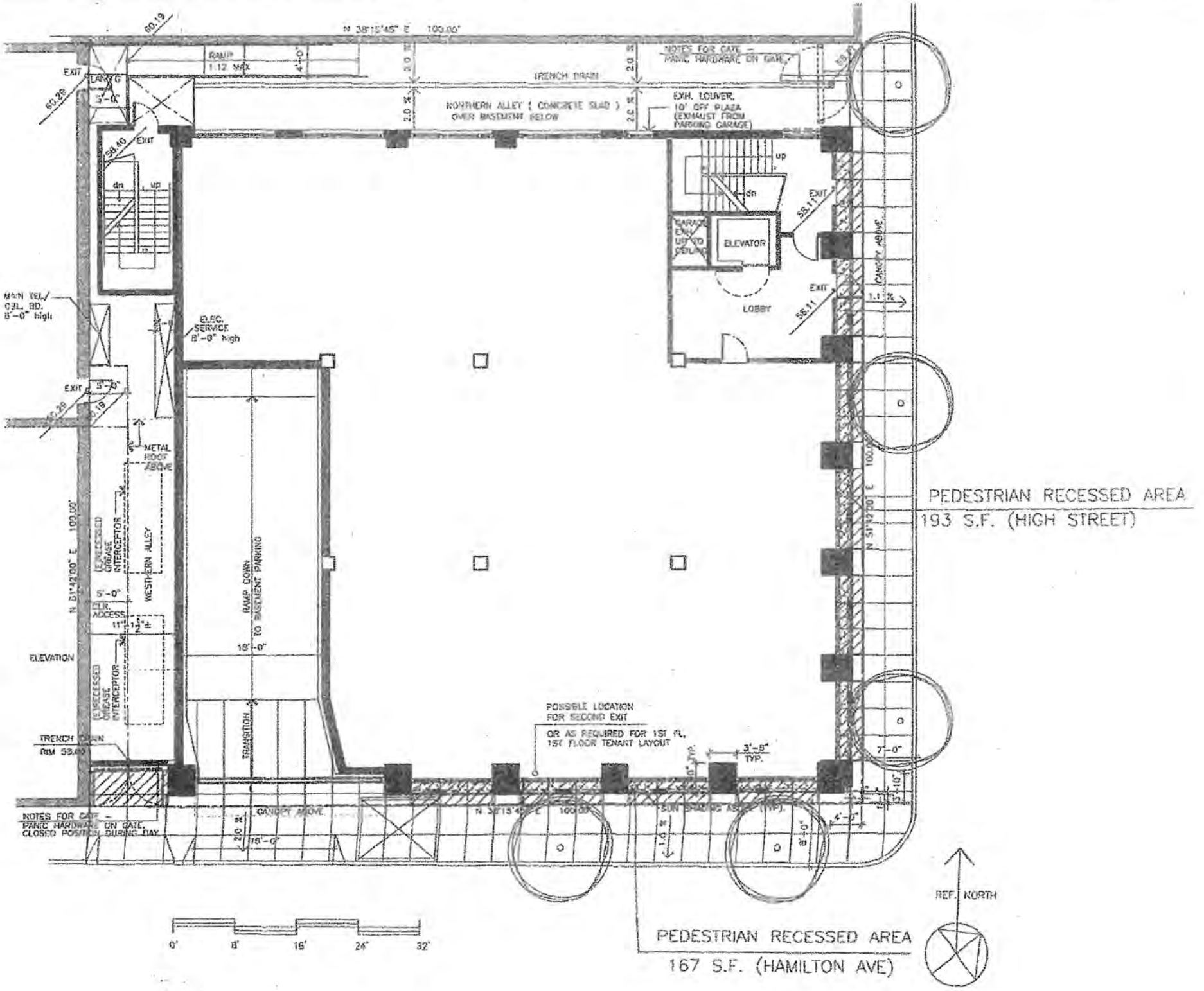
N 38°15'45" E 100.00'
RAMP 1:12 MAX
TRENCH DRAIN
NOTES FOR CATE – PANIC HARDWARE ON GATE
NORTHERN ALLEY (CONCRETE SLAB) OVER BASEMENT BELOW
EXH. LOUVER, 10' OFF PLAZA (EXHAUST FROM PARKING GARAGE)
EXIT
LANDING
3'-0"
60.28
60.19
58.40
dn
up
ELEVATOR
LOBBY
55.11
CANOPY ABOVE
MAIN TEL./ CBL. BD. 8'-0" high
ELEC. SERVICE 8'-0" high
METAL ROOF ABOVE
RECESSED GREASE INTERCEPTOR
WESTERN ALLEY
N 51°42'00" E 100.00'
5'-0"
CLR. ACCESS
ELEVATION
RAMP DOWN TO BASEMENT PARKING
18'-0"
TRANSITION
TRENCH DRAIN
RIM 58.60
POSSIBLE LOCATION FOR SECOND EXIT
OR AS REQUIRED FOR 1ST FL. 1ST FLOOR TENANT LAYOUT
3'-6" TYP.
7'-0"
N 38°15'45" E 100.00'
SUN SHADING ASSY. (TYP.)
NOTES FOR GATE – PANIC HARDWARE ON GATE, CLOSED POSITION DURING DAY
CANOPY ABOVE
16'-0"
PEDESTRIAN RECESSED AREA
193 S.F. (HIGH STREET)
PEDESTRIAN RECESSED AREA
167 S.F. (HAMILTON AVE)
REF. NORTH
0'
8'
16'
24'
32'

KEENAN LAND COMPANY

NOV 07 2012

November 7, 2012

Ms. Clare Campbell
Department of Planning and Community Environment
City of Palo Alto,
250 Hamilton Avenue
Palo Alto, CA 94301

Re: 135 Hamilton Avenue - Mixed Use Open Space Calculations

Dear Clare,

Concurrent with this letter, we have provided revised sketches and drawings for our Working Session review at the November 7, 2012 ARB meeting. This letter is to highlight those open space areas which are required under **PAMC 18.18.060** and provide calculations that indicate their compliance with **Table 3.** The required open space is determined as follows:

Project Landscaped Open Space:

	Square Feet
Parcel Size	9,910
Times Percent of Parcel	20%
Total Landscaped Open Space	1,982

Residential Useable Open Space:

Sq. Ft. Useable Open Space Required/Unit	200
Times Number of Units	2
Total Useable Open Space	400
Total Required Open Space	2,382

The project has been revised to increase the balcony area over the north alley so both balcony dimensions are at least 6' and enlarge the roof garden area on the fourth floor. An area exhibit has been attached for your reference. Based on these changes, the new project's open space complies with the mixed use open space requirements. The total area provided is determined as follows:

	Square Feet
Balcony	86
First Floor - North Alley	1,003
Fourth Floor - Roof Garden	1,442
Total Open Space	2,531

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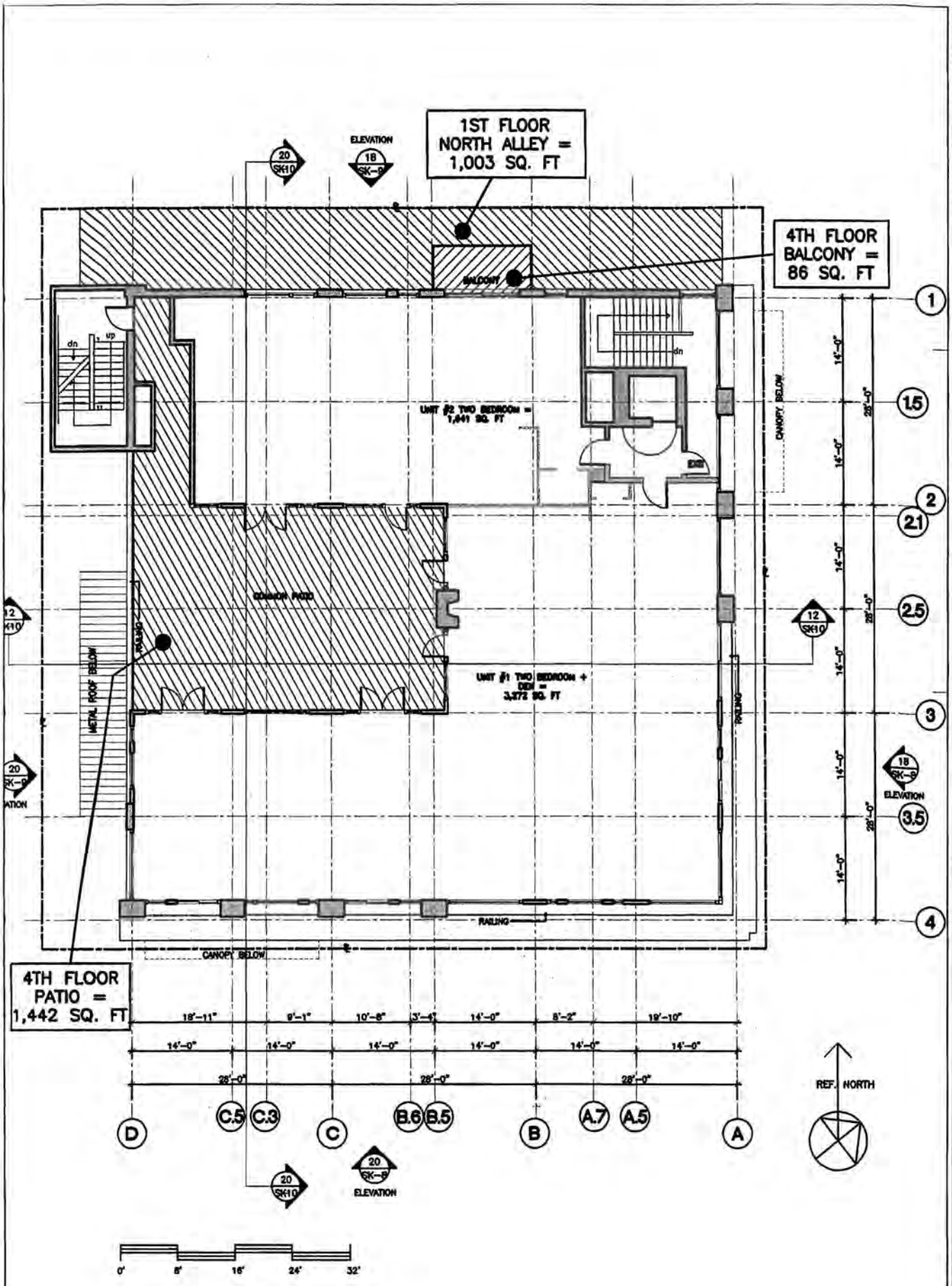
Please let me know if there are any questions.

Sincerely,
HAMILTON AND HIGH, LLC

Perry Palmer

Enclosure



12 APARTMENT PLAN

SCALE 1/8" = 1'-0"

REVISED MAY 16, 2012

LICENSED ARCHITECT
B.H.BOCOOK
NO.4573
REN.11-13
STATE OF CALIFORNIA

B H Bocook AIA Architect - 2747 Park Boulevard - Palo Alto Ca 94306 - (650) 858 9510

PROPOSED
OFFICE / RETAIL BUILDING
135 HAMILTON AVENUE
PALO ALTO, CALIFORNIA

APARTMENT PLAN 4TH FLOOR
OPEN AREA PLAN

DATE DEC. 9, 2011
SCALE AS SHOWN
DRAWN
JOB
SHEET
SK-7
CAD FILE SK-7APR2012

KEENAN LAND COMPANY

December 20, 2011

Amy French
Jason Nortz
Curtis Williams
Planning Department
5TH Floor
250 Hamilton Avenue
City of Palo Alto
Palo Alto, CA 94301

Re: 135 Hamilton: Submittal for Formal ARB Review.

Applicant: Keenan Land
Jim Baer, Palo Alto Land Use Consulting

Dear Curtis, Amy and Jason:

We provide with this letter, two full-size and fourteen reduced-size site and building plans and a sample of building materials as are necessary for a Formal ARB Review at a public hearing for 135 Hamilton (the "Project"). We will work with you to establish a public hearing date, hopefully, in early 2012. We will provide a separate set of documents as will be necessary for the City to complete an adequate CEQA review for 135 Hamilton for which we expect a Mitigated Negative Declaration.

We are hopeful that our CEQA documentation and notices are deemed complete along with this application, so that our first, Formal ARB Hearing can be conducted in early 2012.

1. SITE DESCRIPTION, & EXISTING CONDITIONS.

The site consists of 9,910 square feet as a square corner parcel with nearly 100 feet along Hamilton Avenue, and 100 feet along High Street.

(a) Unimproved Site.

The Project location is an unimproved site . The site has served for over fifty years as a parking lot and loading area for the former Fasani Carpet business and building located directly west of the site and then known as 539 Alma Street. For about the last five years, the site has served as a private parking lot for employees of Palantir, a software company located in Downtown Palo Alto.

(b) No On Site Trees and Poor Existing City Trees.

The site is fully paved and holds no private trees or landscaping. There are six street trees owned and maintained by the City in City-owned right-of-ways with three trees along each

of High Street and Hamilton Avenue. Five new 48" box trees will replace the existing trees that are in poor health and condition and will be impacted by construction of the parking garage. The new City street trees will be planted in Silva Cell Substructures to ensure the best growth environment for the trees.

(c) No Site Contamination.

It has been determined that the site is free from hazardous materials contamination.

(d) Zoning Designation. CD-C (P) in Downtown Parking Assessment District.

The site is zoned CD-C (P) and is within the Downtown Parking Assessment District. The site had previously carried the (GF) Ground Floor Retail Combining District. In 2009, in a public hearing focusing on the retail and business success of the Downtown, the City amended the (GF) Ground Floor Retail Combining District boundaries to remove several areas from the (GF) Ground Floor Retail Combining District including properties on the western side of Emerson Street. 135 Hamilton Avenue was removed from the (GF) Combining District. We understand from Staff that some zoning designation maps may not yet have been corrected to accurately reflect the 2009 City Council decision. In any event, 135 Hamilton is no longer in the (GF) Combining District.

2. THE PROPOSED PROJECT: MIXED-USE COMMERCIAL AND RENTAL HOUSING

The proposed 135 Hamilton Project will consist of a mixed-use building of four stories. The lower three floors will be developed for commercial area uses and the top, 4th floor, will consist of two rental residential units. The proposed 135 Hamilton Project will comply with the regulations of the underlying CD-C (P) Zone District without requiring any conditional use permits, variances, PC Zone benefits or any other approvals except for a rigorous review and approval by the Architectural Review Board. Following are very brief discussions of the components of the Project.

(a) 2007 ARB Review and Approval of Smaller Project.: August 16, 2007.

In 2007, the Applicant submitted a one-story commercial building of 7,645 square feet that was approved by ARB. It was not a unanimous approval – one Board Member expressed dissatisfaction that only a one-story building would be developed on this site – though that development was then consistent with zoning and without TDR.

(b) The Application now well addresses the 2007 concerns of that ARB Member.

The Project presented for your review and approval is now 4-stories tall, 3 stories of commercial area of 19,998 square feet and a top residential floor of 6,776 square feet. We have filled the site as appropriate for neighborhood context and compliant with zoning regulations.

(c) The Commercial Component of the Project, 19,998 Square Feet; 2.018 FAR.

The CD-C zone grants the right for a commercial building to be 1.0 FAR or 9,910 square feet. Through the purchase of Transferable Development Rights (TDR) under PAMC 18.18.080

the permitted1.0 FAR can be increased by an additional 1.0 FAR or an additional 9,910 square feet (subject to certain parking limitations discussed in Section _ below). The 135 Hamilton Project is acquiring only 9,888 square feet from TDR. In addition, PAMC Section 18.18.070(a)(1) grants to any property in the Downtown, a one-time bonus area of 200 square feet.

The total Commercial Area of the 135 Hamilton Project is 19,998 square feet consisting of:

First Floor: Commercial Area is 6,252 sf.
Second Floor: Commercial Area is 7,325 sf.
Third Floor: Commercial Area is 7,325 sf.
Total Area Floors 1-3: 20,902 sf.
From this exterior-most FAR must be subtracted 904 square feet that constitutes 1/3 of the total common area of 2,712 sf. Of this 2,712 common area 1/3 is allocable to residential use totaling 904 sf)

Final Commercial Area: 19,998 sf (20,902 total sf - 904 sf residential share of common area)

Commercial FAR: 19,998 Commercial Area with 9,910 sf Site = 2.018 FAR
1:1 FAR 9,910
One Time Bonus: 200
TDR 9,888
TOTAL AREA: 19,998

(d) The Residential Component of the Project 6,776 Square Feet: 0.68 FAR.

Fourth Floor: Fourth Floor Residential Area is 5,872 sf.
Total Residential Area: 6,776 sf (5,872sf + 904sf share of Floors 1-3 common area)
Residential FAR: 6,776 Residential Area with 9,910 sf Site = 0.68 FAR

(e) North and West Sides of Site: Pedestrian Exit Easement and Utilities.

The northernmost edge of the site has become an alley with a pedestrian exit easement for customers leaving Pampas Restaurant at 529 Alma Street to exit from the northernmost exit of the rear of the Pampas building to High Street. There may be other functions along this alley other than required for the width and safety for pedestrians exiting Pampas.

The westernmost edge of the site has become a pedestrian exit and a service, utility and refuse alley of about eleven feet wide. The alley serves as (i) a pedestrian exit easement from the southeastern rear exit door from Pampas Restaurant to Hamilton Avenue, and (ii) a utility services and refuse collection area. There is a narrow pedestrian exit component of this alley that will remain unobstructed while the utility services and refuse area of this alley can be filled with refuse containers and utility functions.

(f) TDR Status.

The Applicant has completed the purchase of TDR for 2500 square feet and is in the process of finalizing the purchase of additional TDR for a total 9,888 square feet, thereby allowing a total commercial building area of 19,998. As a condition of approval, the Applicant shall be required to finalize all of its TDR purchases and documentation prior to issuance of a Building Permit to ensure compliance of the full commercial component of the Project.

(g) The Project is Compatible with the Commercial Neighborhood.

The total area of the building will be 26,774 square feet with an FAR for the entire building of 2.70. This building FAR is lower than the 3.0 FAR allowed in the CD-C Zone District.

The building will be 4-stories tall, a powerful, mixed use, transit-oriented project as was requested by the Architectural Review Board when approving an earlier, though smaller, version of the 135 Hamilton Project in 2007. 525 High Street (and thereafter heading east from 525 High Street) are other tall commercial buildings so that the 135 Hamilton Project becomes the western anchor for the taller buildings of the commercial district along the northwestern side of Hamilton Avenue.

On the southern side of Hamilton Avenue, directly across from 135 Hamilton and cater-corner from 135 Hamilton are a set of older poorer quality one-story buildings.

The proposed 135 Hamilton Project becomes an "iconic" corner, gateway building because to its immediate west is a one-story building (539 Alma Street) while to the south on the southern side of Hamilton Avenue are also one-story buildings. To the immediate north of 135 Hamilton is a one-story poorer quality building. Accordingly, as one of the few, new buildings in this part of the Downtown – and the only new 4-story building. The Project becomes an important 'gateway" into the Downtown from west Hamilton Avenue.

(h) On Site Underground Parking and Bicycle Parking.

There shall be a one-level, on-site underground parking garage of about 8,550 square feet holding 23 parking spaces, including the one required ADA parking space. The garage is entered from a drive lane at the southwestern edge of the building from Hamilton Avenue and adjacent to the at-grade alley between the building and the property immediately to the west known as 539 Alma Street.

135 Hamilton will be the first Palo Alto project to make use of the state-of-the-art, technologically advanced rotating parking lifts developed by KLAUS systems. The Klaus system saves space in the garage, reduced the need for excavation, enables avoidance of digging into the water table and has many other environmental benefits

In addition to the 23 vehicle parking spaces, there will be the required 10 bicycle parking spaces. There will be 4 ST rack spaces located on High Street near the building lobby and 6 LT secure bicycle spaces located in the garage level near the elevator core.

(i) Site Coverage and Open Space.

Because of the exit and utility alleys, the site coverage of the building is substantially less than the permitted 100% site coverage. **Only for a mixed-use residential and commercial building is there an open space requirement under PAMC 18.18.**

The 135 Hamilton Project provides open space in the 4th floor courtyard and balcony of 1,250 square feet..

(j) Combining District Recessed Areas for (P).

The (P) Combining District requires 1.5' of recessed area or vestibule for every 1.0' building street frontage. The building street frontage is 200 feet with 100 feet along each of Hamilton Avenue and High Street. The parcel size is 100' x 100' but there are two exit and utility alleys of 11' width each along both Hamilton Avenue and High Street. With 1.5' recessed area for every 1.0' of street frontage, under the (P) Combining District, the building must have 300 square feet of recessed areas. These recessed areas are to create vitality for pedestrians and to encourage retail service opportunities.

The 135 Hamilton Project exceeds the required recessed and vestibule areas with an area of not less than 450 square feet. The recessed areas fronting on High Street total 244 square feet where the requirement is 150 square feet. The High Street recessed areas are 102 square feet for the six window vestibules, 44 square feet for the alley gate recess and 98 square feet for the entry overhang. The recessed areas fronting on Hamilton Street total 206 square feet where the requirement is 150 square feet. The Hamilton Street recessed areas are 68 square feet for the four window vestibules, 40 square feet for the recessed garage entry gate, 44 square feet for the alley gate recess and 54 square feet for the garage entry overhang. The total recessed area is about 450 square feet and exceeds the 300 square feet required under the (P) Combining District.

(k) Land Use Background and Process for 135 Hamilton.

The 135 Hamilton Project has filed an Application only for an ARB approval and CEQA analysis by the City that will result in a Mitigated Negative Declaration. The Project complies with the Site Development regulations of the CD-C(P) Zone District for a project located in the Downtown Parking Assessment District.

The Project does not require a CUP, Variance, PC Zone analysis, DEE or any other relief from CD-C Zoning.

In 2007, the same Applicant submitted a different application for 135 Hamilton. That project was approved at a Formal ARB hearing in, 2007

We are confident that the Project will be found to be exemplary as a mixed-use, transit-oriented housing and commercial project with prominent, gateway features.

We look forward to thoughtful support of the ARB for this exemplary Downtown project.

(l) Voluntary Mixed-use Residential Building that Exemplifies Transit-Oriented Development Goals.

During several public hearings in 2009, 2010 and 2011, the City Council and the Planning and Transportation Commission discussed updating the Housing Element of the Comprehensive Plan, there were many strong directions chosen by the PTC and Council to encourage mixed-use housing and commercial projects for Palo Alto's train transit centers at California Avenue and near the Downtown train station. Mixed uses were encouraged

with mixed-use commercial and housing projects to be considered as mandatory for Downtown sites, particularly, those within ½ mile of a transit center. Notices have been mailed by Planning Staff to Downtown property owners advising them of future discussion by the City Council for the consideration of mandatory mixed-use regulations.

135 Hamilton is about 2 full blocks from the University Avenue rail line – with passenger boarding allowed directly onto the train from the rail lines at the western train track side of Alma Street at and near its intersection with Hamilton Avenue.

The Applicant has chosen to develop two residential units on the 4th floor of 135 Hamilton Avenue, without seeking any land use concessions (such as increased FAR or increased height as could be allowed under California Law SB1818) as has been discussed by PTC and City Council. The Applicant is not offering BMR units since no City can impose a BMR obligation for rental units and the City does not apply a BMR requirement for as few two units.

Under applicable zoning and without any concessions, the Applicant is allowed up to 1.0 FAR for housing in the CD-C zone with this housing FAR in addition to the maximum commercial FAR allowed under the CD-C Zone. More important to note is that the height limit for 135 Hamilton even with the top, 4th floor of residences shall remain at or under the 50' height limit prescribed in the CD-C Zone.

The first residential unit, of 3,272 square feet of habitable area, is a large, glamorous unit located along the southern portion of the building along Hamilton Avenue extending from High Street on the east to the private service alley area on the west side of the building, This creates beautiful light and air through the generous windows and glass doors along these open frontages vistas. This unit will have up to three bedrooms (though one will most likely become a study/library area) and a large dining area, kitchen and living room..

The second residential unit is a more modest unit of 1,641 square feet of habitable area. Unit #2 is located along the northern edge of the building along a pedestrian private alley system, and extending from High Street on the east to the private service alley on the west of the building. This unit is designed with large windows and glass doors that create wonderful air and light for this residence, also. This unit will have up to 2 bedrooms (though one will most likely become a study/library area) and a dining area, kitchen and living room.

The second residential unit has a private balcony of 61 sq. ft. on the north side of the unit. Both residences share a large interior courtyard of 1,189 square feet that opens broadly facing the central living areas of both units creating great light and air without interfering with the important privacy required for Downtown residences.

(m) Progressive Parking Solutions for the Downtown Parking Assessment District.

135 Hamilton shall become a leader in a progressive parking policy developed by the City and adopted as an ordinance creating PAMC18.83.

The Conditions of Approval – Attachment B for 135 Hamilton when approved on September 10, 2007 - provided as Condition #7 "Prior to issuance of a Building Permit, the applicant

for 135 Hamilton shall have executed and caused to be recorded a 'Covenant for the Payment for the Benefit of the Downtown Parking Assessment District' in form and substance satisfactory to the Director of Planning and the Community Environment, to satisfy parking requirements for the site". We attach the "Parking Covenant" as reviewed by the City Attorney to satisfy this requirement.

This requirement sources from Pages 3 and 4 of the August 16, 2007 Staff Report for 135 Hamilton Avenue. On Pages 3 & 4, the Staff Report: "PAMC Section 18.83.015(d) states --- within the downtown assessment area "exempt floor area means all or a portion of that floor area of a building which is located at (or) nearest grade and which does not exceed a floor area ratio of 1.0 to 1.0"

1:1 FAR or 9,910 square feet of building area can be developed without any on-site parking. This area must pay its share of the parking bond by a recorded Covenant. This relieves the building of 40 parking spaces (4 per 1,000 square feet)

9,888 square feet of TDR will be purchased for 135 Hamilton Avenue. Only 5,000 square feet of TDR are exempt from the Downtown parking obligation so 4,888 square feet must be parked at 4 spaces for every 1,000 square feet or 20 parking spaces. PAMC Section 18.52.070(a)(2) allows an exemption of 3 parking spaces attributable to the redevelopment of a vacant lot. The 200 square foot one-time bonus is allowed for all buildings located in the Downtown without the requirement for any parking. This results in a net parking requirement of 17 spaces related to the commercial area.

The two residences require two parking spaces for each unit plus 10% guest parking or 4.4 spaces rounded to 4.

Accordingly, 135 Hamilton requires only 21 vehicular parking spaces. The proposed Project exceeds this by providing 23 rather than 21 parking spaces.

The Proposed Project will be the first Palo Alto project to deploy the use of state-of-the art mechanical "parking lifts" provided by Klaus Parking. These Klaus lifts function similar to conveyor belt system with the movement of parked cars up and down and across two levels. The Klaus lifts can be operated without a parking attendant and are safe and comfortable for drivers by providing a fully steel platform enclosed with metal frames. Klaus is the highest quality parking lift available and will set a precedent for other developers to use these advanced, safe lifts that do not require an attendant operator. We provide a Klaus parking lift promotional pamphlet as an attachment.

3. BUILDING 50' HEIGHT.

Planning Staff has determined that the Proposed Project complies with the city's height limit of 50 feet. The top of the structural roof slab is 50 feet or less above which may be insulation board and waterproofing materials,

There is not a parapet that increases the building height. There are mechanical screens much lower than the 15 feet allowed for mechanical screens and that do not count as increased height.

There is a horizontal stone edge added to a portion of the roof that increases the apparent height at the perimeter edge of the building. However, these siding stones are an element of the waterproofing and drainage devices for best performance of the roof and its control of water. This aspect, as a mechanical and code feature, is excluded from consideration for building height.

4. GROUND FLOOR: DESIGN AVAILABILITY FOR RETAIL USES AND (P) COMBINING DISTRICT RECESSED AREAS.

When the (GF) combining district was removed from many properties such as 135 Hamilton in 2007, the Council made clear comments that the ground floor of properties removed from (GF) must have ground floor spaces that are accessible for retail – and not limited to office uses. We satisfy these goals for 135 Hamilton.

First, the ground floor is designed so there are no low or threshold walls with fixed windows that would preclude full-height windows or glass doors. As designed, all of the ground floor doors can become windows and are planned for that – this enhances the accessibility for any retail user.

The second issue is ceiling height. The building is designed with each of the four floors to have a floor-to-floor dimension of approximately 12'6" meeting the 50' height limit. For a ground floor retail user, there can be a 11'9" clear height since they frequently do not use fixed dropped ceiling grids, large horizontal air conditioning ducts because HVAC is not distributed laterally due to the lack of partitioning and drop-in ceiling grid light fixtures are not used..

Much as with ***lululemon*** – and other contemporary retail stores in newer buildings – the ground floor is highly adaptable for a successful retail user given the open exterior wall/window system and a tall ceiling clear height.

5. DESIGN INTENT.

(a) Architecture:

The new four story building proposed for the corner of Hamilton and High Streets is conceived as an abstract layering of stone, glass and metal facades wrapping around a mixed-use array of interior functions including commercial and residential tenants.

Rather than a traditional base, middle and top, the conceptual framework for this building is analogous to musical rhythms, play of light and shadow, and layering of horizontal and vertical elements. The stone which is both structure and screen wall recalls the Stanford University architecture of *Shepley Rutan and Coolidge* with its split face surfaces played off against smoother textures. Unlike the weightiness of Stanford's *Richardsonian Romanesque,* however, these textures further enhance the feeling of lightness and movement in the landscape, especially when viewed through the stand of decorative trees along the property line.

A high degree of interior flexibility is achieved by the apparent randomness of the curtain wall. Horizontal louvers set within the vertical screen create a *brise soleil* providing

environmental control. The building entries for both pedestrians and automobiles are announced by canopies that project over the sidewalks.

A horizontal cornice of steel reduces the apparent height of the building from four stories to three, allowing the residential penthouse to set back from the rest of the building.

Materials include limestone, glass, steel and aluminum.

(b) Landscaping:

The landscape design creates a simple and elegant streetscape for the Hamilton and High Street walkways. New columnar Flowering Pear trees are proposed for both streets, centered between the building columns to integrate well with the building elevation. The trees are set in tree grates, with decorative trunk collars, which have a black finish to match the window frames. Silva Cells are proposed to be incorporated under the sidewalk paving to increase the root growth area for the new trees, allowing them to attain their full potential.

The existing trees must be removed due to the excavation required for the underground parking proposed for the project.

The sidewalk paving consists of integral color concrete paving with simple scoring, based upon the building column geometry. The integral color is a City standard color that is darker than natural concrete. We feel this will create a rich base plan for the building to be set upon.

Building column uplights are set in the sidewalk paving to accent the columns along the streetscape. New stainless steel bike racks are provided on High Street between the street trees. This will provide parking for four bikes for visitors to the building. Bike lockers for six bicycles are provided in the garage.

The alley area is set behind a decorative gate, as shown on the architect's drawings, has a planter and green screen provided for flowering vines and shrub planting. The screen will enhance the building elevation in this area.

The alley paving is composed on integral color concrete paving with simple scoring and an central cast iron decorative trench drain. The pavement color is Sandstone, which will be rich color that reflects the warm color of the building stone.

We hope that this letter provides plenty of information for Staff Members and ARB Members to fully analyze and embrace our mixed-use transit-oriented Project for 135 Hamilton Avenue.

Sincerely yours,

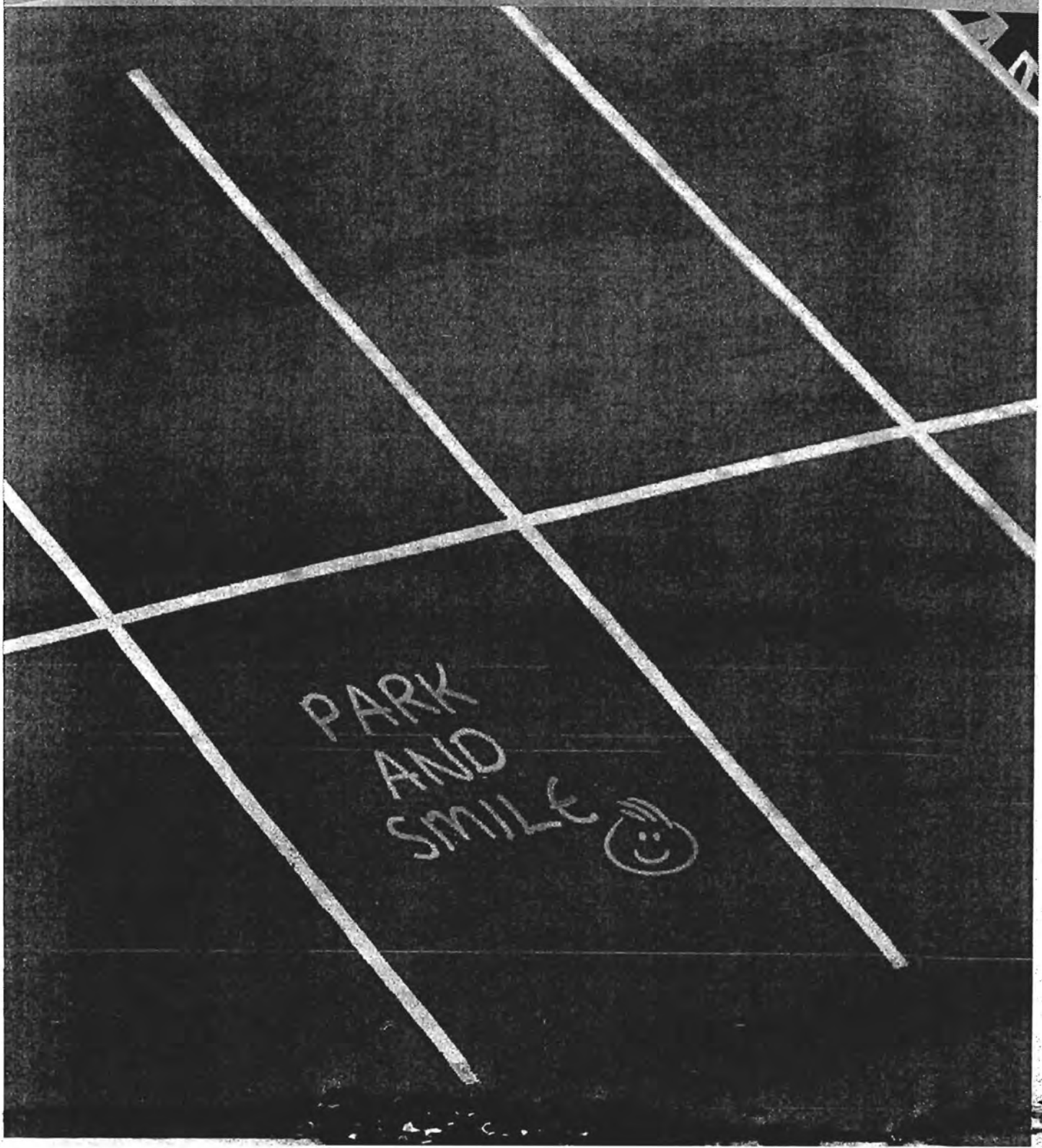
Charles J. Keenan, III

Charles J. Keenan, III

Enclosures

KLAUS
multiparking

Park and Smile



Multiparking systems from Klaus: Made in Germany. In demand all over the world.

Statement

Klaus Multiparking GmbH, located in Aitrach (Baden-Württemberg), is one of the most important suppliers of innovative Multiparking systems world-wide with over 500,000 installed parking spaces. The globally active company, which is represented by a total of 65 sales partners on all continents, can look back on a more than 100-year company history and has over 40 years of know-how in the planning and production of parking systems.

Quality, service and know-how. These are still the key words of their successful business philosophy. The name Klaus Multiparking stands for uncomplicated technical concepts, high product quality and absolute reliability.

History

The history of Klaus Multiparking GmbH goes back to the year 1907. At that time, the Klaus Company was founded as a wheelright's shop in the Bavarian town of Bad Tölz. Klaus quickly made a name for itself with high-quality products such as auto body structures, the air brake quick tipper, mounted excavators, side loader cranes, and also with carousel designs and glass cutting tables. In 1964, Klaus developed the first vehicle parking systems and laid the cornerstone for success in this business area, which is the area that Klaus concentrates on 100 per cent today.

1964 First mechanical parking system

1973 Move to the new company building in Aitrach

1975 Allocation of the first foreign licenses

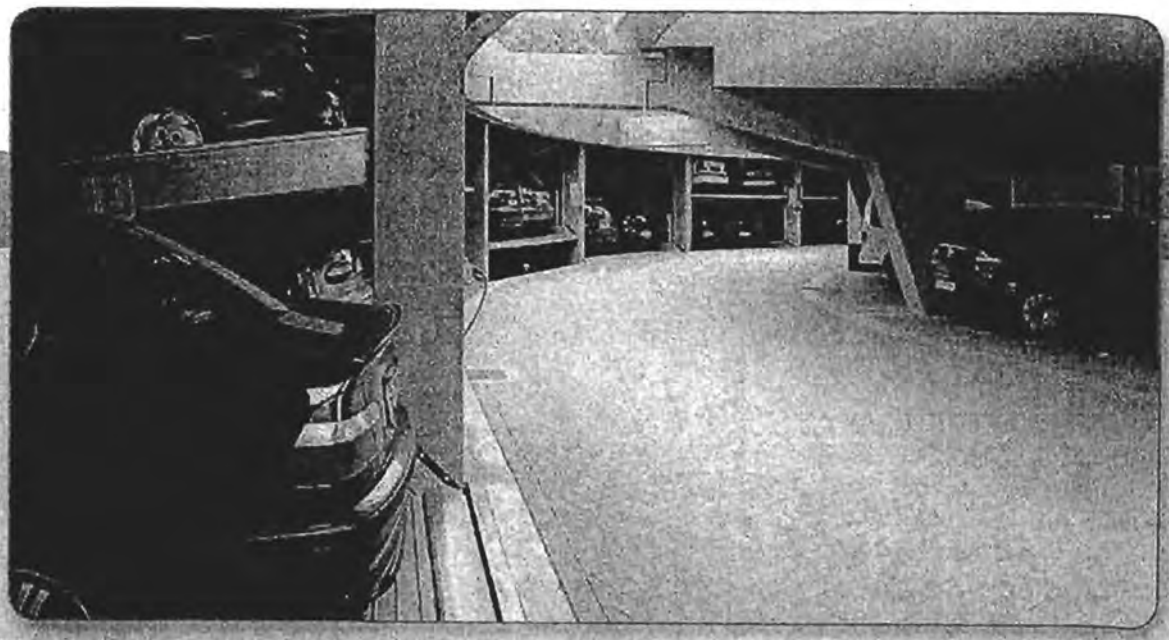
1988 First semi-automatic parking system

1993 First fully automatic parking system

2005 Innovation prize for Multivario 2082

2008|2009 Development of Trendvario

2009 Website Award for Medium-Sized Businesses in Baden Württemberg 2009



It is not so difficult to get more from an existing parking area, for example two or three parking spaces. The flexible Multiparking systems from Klaus make it possible. The mechanical parking systems have multiple parking levels and are suitable for single and multiple family houses as well as for underground garages. The Multiparking systems from Klaus are also a good solution outdoors. Multiparking from Klaus, that's pure user-friendliness: The parking space is ready with the turn of a key. Parking can be that easy.

The Klaus Multiparking advantage

Multiparking systems from Klaus can be designed with extra comfort and are even suitable for handicapped individuals. Special equipment includes for example:

AluLongLife-coating
The innovative "AluLongLife" parking space coating is especially corrosion and weather resistant and is also nearly smooth. Handicapped individuals or people with wheelchairs can move on the finely grooved coating without problems.

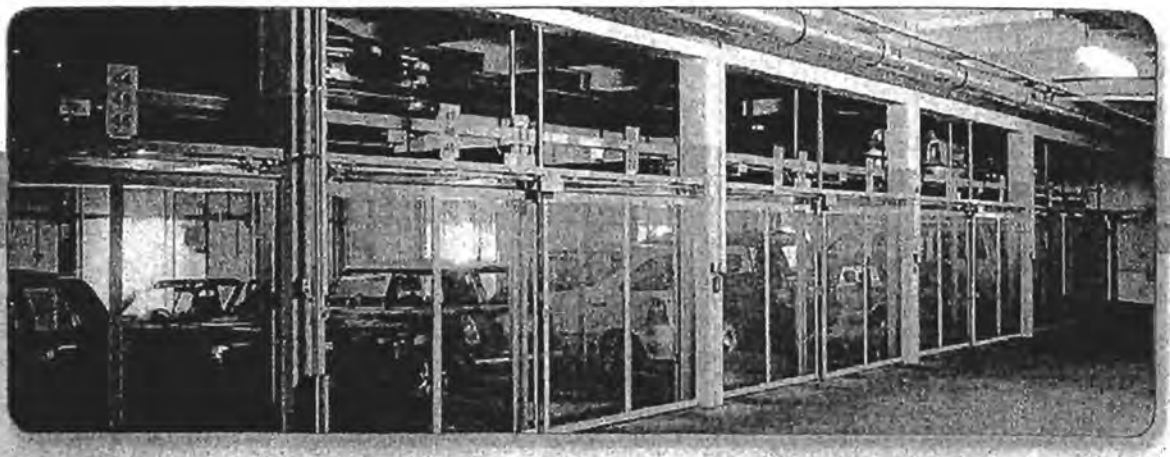
High level of flexibility
Regardless of width or maximum load capacity: If the standard design is not sufficient, our Multiparking systems are simply expanded. For added centimeters or added kilograms.

Future adjustment
Singlevario and Multivario systems live up to their names:
Here, the headroom can be varied at any time in the future. The systems can also be adjusted for different vehicle types.

Simple and safe operation
The universal control unit for the garage closing system and parking system makes Multiparking systems from Klaus especially user-friendly. Klaus systems are marked by their absolute reliability and high level of functional safety.

Easy maintenance
The Multiparking systems from Klaus are designed to be easy to maintain, so that service work is kept within limits. That saves follow-up costs. The low-wear construction with high-quality hydraulic components guarantees a long lifespan and a high level of functional safety.

Parking pleasure that grows with your needs: Parking automats



Regardless of if used in private garages, underground garages or multi-storey parking garages: The semi-automatic parking systems from Klaus Multiparking make optimal use of the space available and offer the highest level of flexibility. The parking spaces are mobile; they can be shifted both horizontally (ground floor) and vertically. Automatic, at the push of a button.

The Trendvario systems from Klaus grow with your needs. The Trendvario 4100 parking automat with two levels can be later upgraded to a Trendvario 4300 with three levels. In this way, the number of parking spaces can be expanded by over 50 %. That provides planning and investment security.

When combined with the Trendvario 4000 models that can be driven through, the installation rows can now also be aligned one behind the other instead of only next to each other – this saves space used for driving lanes.

The Klaus Multiparking advantage

Series production gates for Trendvario 4100 and 4300
Series production Trendvario systems from Klaus are equipped with manually operated sliding gates. The gate frame is made up of extruded aluminium profiles with a vertical centre stay bar, and the gate panels are made of perforated metal plates. A rubber lip is used to finish the closing edge to the building. Damage caused by vehicle impacts can be quickly and easily repaired because the panels and segments can be exchanged.

Custom gates
Trendvario system gates with various gate panel materials, such as for example aluminium, wood, or glass are available on request. 12 colour options are also available.

Roller shutters
Roller shutters made of galvanized steel plates, with 9 colour options, are also available on request.

AluLongLife covering (optional)
The especially corrosion and weather resistant AluLonglife platform covering also makes the Trendvario systems more comfortable to walk on.

EasyWalk covering (optional)
EasyWalk, made of fully closed hot-dip steel profiles with 12 mm high beads that run perpendicular to the platform, is the ideal solution for everyone who values the advantages of a modern platform covering with an excellent walking and driving surface but wants to stay away from aluminium for price reasons.

Display panel
A transponder serves as a non-contact operating device.
Multiple languages can be stored in the plain text user interface display. The permissible vehicle specifications for the selected parking space (length/height/weight) are also shown.

Infrared remote control
Using the optional infrared remote control, the parking automats from Klaus can be operated extremely comfortably.

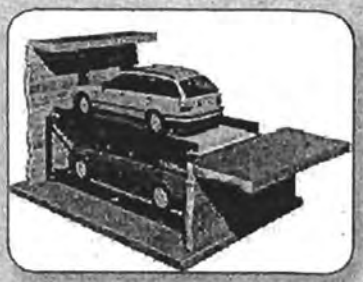
Increased parking space load
If desired, individual parking spaces can also be upgraded to handle 2600 kg. Upgrading at a later time is also possible.

Trendvario parking automats with a pit

Who knows how many parking spaces will be needed in the future? Especially when planning multiple family houses and housing complexes, it's difficult to determine the optimal number of parking spaces. The flexible Trendvario systems from Klaus, which can be expanded at a later date, are well-suited here. The Trendvario 4100 with two parking levels can be upgraded to a Trendvario 4300 with three levels. Both models are available in the designs compact, standard and exclusive depending on the pit depth and height of the room. The maximum load per parking space is up 2600 kg (optional), and all parking spaces have a flat entrance.

Trendvario 4100

- Two parking levels
- Suitable for 3 to 19 vehicles

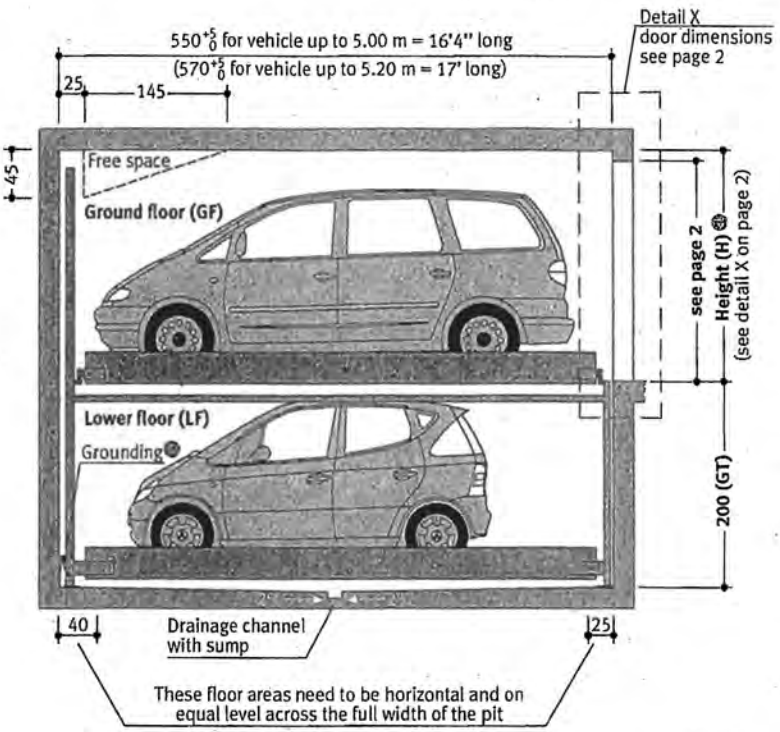


Trendvario 4300

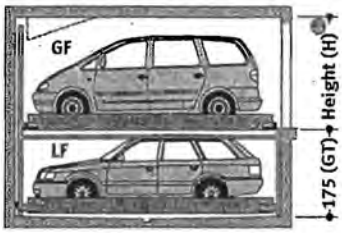
- Three parking levels
- Suitable for 5 to 29 vehicles

Function diagram, e.g. for parking space no. 8.

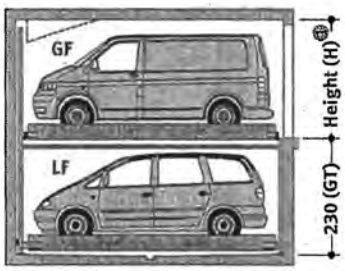
Standard Type 4100



Compact Type 4100



Exclusive Type 4100



Notes

1. Changes in height H will change the car heights on the upper floor or the corresponding clearances on the ceiling, depending on the height of the door!
2. In order to meet the minimum finished dimensions the tolerances according to VOB, part C (DIN 18330 and 18331) as well as the DIN 18202 must be observed.
3. Potential equalization from foundation grounding connection to system (provided by the customer).
4. Maximum load of 2600 kg for extra charge.

General notes

If sprinklers are required make sure to provide the necessary free spaces during the planning stage.

Product Data TrendVario 4100

CE CONFORMITY

Loadable up to 2600 kg

Stacker parking spaces can also be approved to handle heavier loads at later date!

Number of parking spaces:
min. 3 to max. 29 vehicles

Dimensions: 2
All space requirements are minimum finished dimensions. Tolerances for space requirements +5 0. Dimensions in cm.

Type	GT	H
4100	175	220
4100	200	220
4100	230	235

* = without car

Suitable for:
Standard passenger car, station wagon/ Van. Height and length according to contur.

			car height	
Type	GT	H	EG	UG
4100	175	220	200	150
4100	200	220	200	175
4100	230	235	205	205

width	190 cm
weight 2	max. 2000/2600 kg
wheel load	max. 500/650 kg

Standard passenger car

Standard station wagon/Van/SUV**

Standard passenger cars are vehicles without any sports options such as spoilers, low-profile tyres etc.
** = Make sure to observe the weights and dimensions!

KLAUS multiparking
Klaus Multiparking GmbH
Hermann-Krum-Straße 2
D-88319 Aitrach
Phone +49-7565-508-0
Fax +49-7565-508-88
E-Mail info@multiparking.com
Internet www.multiparking.com

TrendVario 4100 | Code number 585.32.110-005 | Version 07.2011

Global References

Canada, Toronto
King West
58 places G 61, 2062

USA, Miami, Splaggia
135 places
2015, G 61, 3015

USA, Berkeley
Bachenheimer Building
28 places P 310

USA, Berkeley
Acton Courtyard
61 places P 310

USA, Berkeley
Berkeleyan Project
36 places G 63

USA, Berkeley
Hillside Village
55 places, G 63, 2062

USA, Ohio
Carlyles Watch
55 places P 310

Venezuela, Caracas
Toyota
87 places Trinity 3015

Argentinia, Buenos Aires
Office Building
8 places G 61, 2062, 2015

Singapore
TQL Suites
11 places P 310

Singapore, Sims Dorado
Condominium
32 places P 310

Vietnam, Ho Chi Minh City
Sheraton Hotel
24 places G 62

Hong Kong
South Asia Building
6 places G61

Malaysia, Kuala Lumpur
Bandar Utama Shopping
Complex, 126 places 2062

Malaysia, Kuala Lumpur
The Meritz
40 places G 61

Australia, South Yarra
Apartments
4 places, 2062

Australia, South Caulfield
Office Building
9 places 2082, 2062, PQ

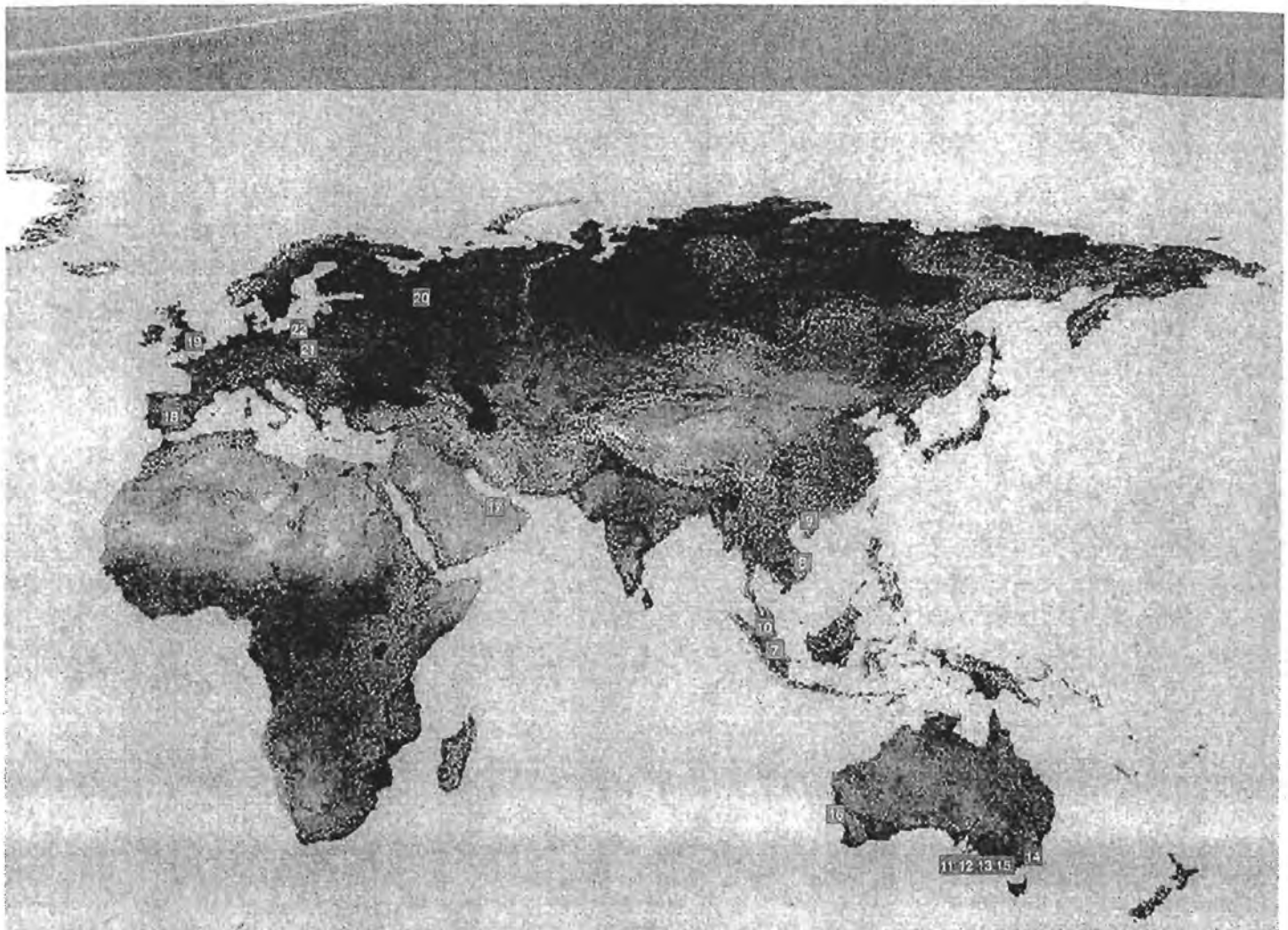
Australia, South Yarra
Apartments
4 places, 2015

Australia, Manly/Sydney,
Apartments
17 places, P 310

Australia, Brighton
Residential
8 places, 2082

Australia, Perth
Apartments
4 places, 2082

International Contact
Michael Groneberg
Export Manager
Phone 0049 7565 508-28
michael.groneberg@multiparking.com



Poland, Wladyslawowo City
7 Hryniewieckiego Street
16 places G 82

Poland, Warsaw
41 Zelazna Street
18 places PQ, PH, G 82

Poland, Warsaw
12 Bukowinska Street
42 places PH und PE

UAE, Dubai
O14 Tower
178 places G 61

Spain, Madrid
Don Ramón 1, 41 places
Automatic parking system

Great Britain, London
Lyall Street
2 places 2062

Great Britain, London
Warwick House
6 places 2062

Great Britain, London
Tachbrook Barratt Home
60 places 2082

Russia, Moscow
Business Center
39 places P 210

Attachment F

KEENAN LAND COMPANY

November 26, 2012

Ms. Clare Campbell
Department of Planning and Community Environment
City of Palo Alto,
250 Hamilton Avenue
Palo Alto, CA 94301

Re: 135 Hamilton Avenue - Pedestrian Overlay Areas

Dear Clare,

For your reference, we have enclosed a revised Site Plan which graphically indicates those areas required by **PAMC 18.30.040.** The areas were increased slightly for the ground floor columns removed in response to the Architectural Review Board's comments. Consistent with this code section, our design creates pedestrian interest, provides weather protection for pedestrians and precludes inappropriate and inharmonious building design and siting. On-site areas designed for pedestrians total 369 square feet, with 198 square feet fronting on High Street and 171 square feet fronting on Hamilton Avenue. Additional offsite areas total 230 square feet.

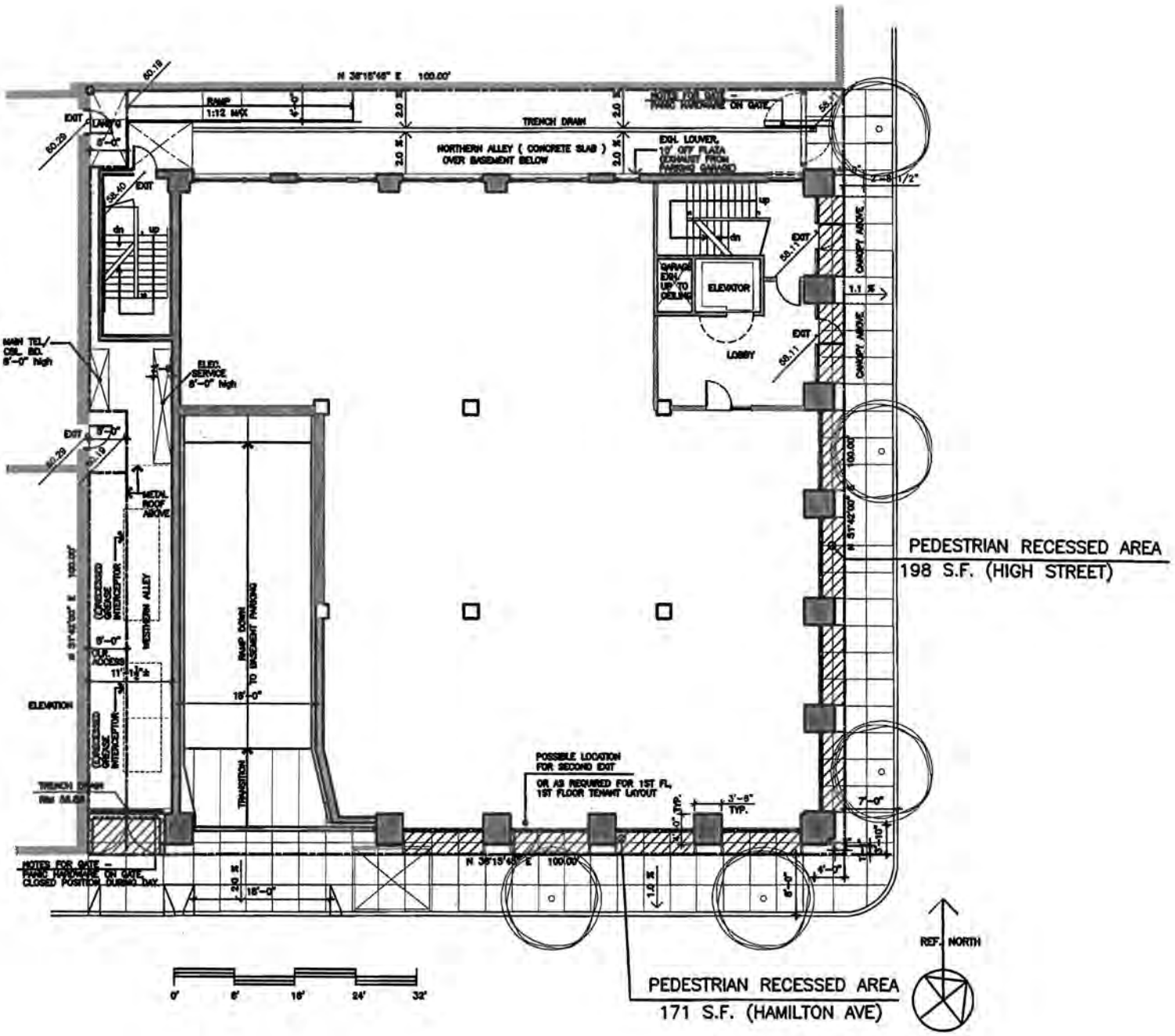
Please let me know if there are any questions.

Sincerely,
HAMILTON AND HIGH, LLC

Perry Palmer

Enclosure

700 EMERSON STREET • PALO ALTO, CALIFORNIA 94301 • TELEPHONE (650) 614-6246 • TELECOPY (650) 326-2920


N 38°15'48" E 100.00'
RAMP 1:12 MAX
TRENCH DRAIN
NORTHERN ALLEY (CONCRETE SLAB) OVER BASEMENT BELOW
EXH. LOUVER, 10' OFF PLAZA
ELEVATOR
LOBBY
CANOPY ABOVE
MAIN TEL/ CBL. BD. 8'-0" high
ELEC. SERVICE 8'-0" high
METAL ROOF ABOVE
WESTERN ALLEY
RAMP DOWN TO BASEMENT PARKING
TRANSITION
POSSIBLE LOCATION FOR SECOND EXIT
OR AS REQUIRED FOR 1ST FL, 1ST FLOOR TENANT LAYOUT
PEDESTRIAN RECESSED AREA
198 S.F. (HIGH STREET)
PEDESTRIAN RECESSED AREA
171 S.F. (HAMILTON AVE)
REF. NORTH
0'
8'
16'
24'
32'

ATTACHMENT G

ZONING COMPLIANCE TABLE
135 Hamilton Avenue / File No. 11PLN-00463
CD-C ZONE

DEVELOPMENT STANDARDS	STANDARD	PROPOSED PROJECT	CONFORMS
Minimum Building Setback			
Front Yard – Hamilton Avenue Special Setback	7'	1'-1"	Yes with Variance
Rear Yard	None Required	10' due to easement	Yes
Interior Side Yard	None Required	5' due to easement	Yes
Maximum Site Coverage (building footprint)	None Required	7,325 sf	Yes
Maximum Height	50'	50'	Yes
Daylight Plane	Same as abutting residential zones	Not Applicable	Yes
Floor Area Ratio (FAR)	19,820 sf - 2.0:1 29,730 sf - 3.0:1 with TDR	2.84:1 28,085 sf	Yes
Parking Requirement (within the Downtown Parking Assessment District)	84 spaces 1 space/250 sf commercial area 2 spaces/living unit	23 spaces on-site 21 spaces not required [per PAMC 18.18.070 (a)(1) & 18.18.080(g)]	Yes*
Bicycle Parking	8 spaces 1 space/2,500 sf	Long Term: 6 Short Term: 4	Yes

* The project is required to comply with the parking requirements, and is so conditioned (see item number 5 in the Conditions of Approval):

> *The applicant shall comply with the parking requirements of the City's Zoning Code. Specifically, the applicant shall address the need to accommodate the 40 spaces otherwise proposed to be exempted under Section 18.52.060(c) ("1:1 FAR exemption"). Measures to comply may include: a) payment of in-lieu parking fees, b) approved off-site parking pursuant to Section 18.52.080(d), c) approval of underground parking pursuant to 18.52.070(d), d) approval by City Council of exception to 1:1 FAR exemption moratorium, or e) some combination thereof. The method of compliance shall be presented to the satisfaction of the Director of Planning prior to submittal for building permits.*