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Architectural Review Board

Staff Report

Agenda Date: March 21, 2013

To: Architectural Review Board

From: Russ Reich, Senior Planner **Department:** Planning and
Community Environment

Subject: 441 Page Mill Road 13PLN-00019: Request by Stoecker and Northway, on behalf of Norm Schwab, for Preliminary Architectural Review of a new 32,524 sf. mixed use building (21,540 sf. commercial and 8 residential units) and one level of below grade parking. Zone District: Service Commercial with a Site and Design Combining District (CS (D)).

RECOMMENDATION

The Architectural Review Board (ARB) is requested to conduct a Preliminary Review of the project concept. No formal action may be taken at a preliminary review; comments made at a preliminary review are not binding on the City or the applicant.

BACKGROUND

The applicant has provided a letter describing the proposed project (Attachment A).

Site Information

The project site comprises four parcels identified as 423, 433, 441, and 451 Page Mill Road. The total site area of the four properties combined is approximately 26,932 square feet. There are currently four, single-story, single-family residences, one on each of the four parcels. Adjacent uses to the northeast include the Kelly Moore Paint Store at 411 Page Mill Road and the AOL office development at 395 Page Mill Road (subject of a proposed PC zone change). Adjacent uses to the southwest include an animal hospital at 461 Page Mill Road, and the AT&T retail store on the corner at 2805 El Camino Real. To the southeast, or the rear of the site, are single family residences with the exception of a grandfathered art studio at 440 Pepper Avenue. Across Page Mill Road to the northwest are multifamily residential PC developments.

History

The four single family residences that currently occupy the site appear to have been built between 1939 and 1948. At that time, Page Mill Road was not the expressway that it is today. It was a minor street that had a mix of residential and commercial development. Aerial photography

records indicate that by 1965 the minor street had been transformed into the expressway that exists today. The residential properties became less desirable to live in, being located on the busy roadway, and had fallen into decline. On January 14, 2013 the City Council approved a zone change request amending the zoning of the four parcels from Single Family Residential District (R-1) to Service Commercial with a Site and Design Combining District.

Project Description

The project would include the merger of the four separate parcels into one single parcel totaling approximately 27,000 square feet. The existing residential structures on the site would be demolished to make way for a new three story mixed use building with one level of below grade parking. The ground floor would have approximately 4,000 square feet for retail uses as well as 36 at grade parking spaces. The second floor would be approximately 17,000 square feet for office use, and the third floor would be approximately 10,000 square feet, providing eight residential rental apartment units.

The site is constrained by the busy roadway in front of the proposed building and the low density single family residences to the rear of it. The building has been designed to attempt a transition between these two extremes and to be sensitive to the single family residential context to the rear of the property while respecting the commercial density of Page Mill Road. Much of the building has been pushed forward on the site, creating a 30 foot separation between the new building and the rear property line. The proposed building height of 37 feet is appropriate to the location, where taller buildings currently exist across the street and to the north east (left side) of the site at 395 Page Mill Road. The building would also transition in height, relative to the single story pet hospital building to the south west (right side), stepping back at the second and third floors.

The first and second floor building elevation reflect a light and glassy aesthetic, with sunshades providing a horizontal banding. An entry tower element is proposed at the front of the building with multi-colored glass. This element is proposed to exceed the 35 foot height limit by five feet for a total height of 40 feet. The residential units, set back on the third floor, would be a different material to set them apart for the commercial spaces. The units would be designed around a courtyard/walkway area creating a neighborhood street feeling on the third level. The residential balconies would have four foot deep planters to enable ample landscape material at the residential level and provide a buffer to the future residents as well as privacy to adjacent neighbors.

The code no longer requires rental residential projects to provide Below Market Rate (BMR) units. The applicant intends to provide 30% (three) of the residential units as Below Market Rate (BMR) rental units. In doing so, per State law, three concessions or incentives for building the three BMR units may be granted. The three concessions that would be requested are lot coverage, floor area ratio (FAR), and height. The items are listed in the table below:

Standard	Allowable	Proposed	Excess
Lot coverage	50% (13,463 sf.)	69% (18,619 sf.)	19% (5,156 sf.)
Residential FAR	0.6:1=16,156 sf.	0.4:1=10,883 sf.	0
Commercial FAR	0.4:1=10,770	0.8:1=21,540 sf.	0.4:1=10,770sf.
Total FAR	1:1=26,926	1.2:1=32,423 sf.	0.2:1=5,497 sf.
Height	35 feet	40 feet at tower only 37 for most of bld.	5 feet 2 feet

DISCUSSION

Neighbor Concerns

During the rezone application process for the property some residential neighbors to the rear of the site had expressed concerns over how a new building may impact their properties. The following concerns were raised during a meeting with the neighbors:

- Density-Concern over the height and size of the future building and how it would feel from their properties;
- Privacy-They did not want people looking down into their back yards;
- Traffic-They did not want an increase to the traffic in the area;
- Parking-They did not want an increase in parking on Pepper Avenue;
- Page Mill visibility-They requested that the on street parking on Page Mill Road be removed such that on-coming traffic could be seen when pulling out onto Page Mill Road from Ash Street;
- Ground water disturbance-Concern was voiced about the potential impacts of any disturbance of the contaminated ground water.

The applicant has addressed some of these concerns by doing the following:

- Placing the building 30 feet away from the rear property line to reduce the visual impact of the building on the residential neighbors;
- Setting the third floor back an additional 12 feet for a setback of 42 feet from the neighboring properties to reduce the perceived height of the building;
- Planting a row of trees to provide a visual screen and buffer between the new building and the neighboring residences;
- Providing a deep planter at the third floor balconies to provide additional privacy screening for the neighbors;
- Placing the window sill heights of the second floor office windows at 3 feet from the floor level rather than floor to ceiling glass for additional privacy.

The applicant met with the same neighbors that had been involved in the rezoning request for the site again on January 3, 2013 to get their feedback on the proposed building design. They had the following concerns about the proposed project:

- Light pollution from offices at night;
- Smoking on the second floor terrace;
- Seeing storage items on the patio;
- Trash and recycle bin location;
- Location of HVAC equipment (noise);
- Odor and equipment noise from businesses;
- Homeless scavengers;

The applicant has addressed most of these items in their application letter (Attachment A). Staff has received no public comment on the current proposal.

Concession Requests

On March 5, 2013 the Planning and Transportation Commission reviewed a draft Density Bonus ordinance that would establish a menu of items that a developer could choose as concessions or incentives for providing BMR housing units. If the developer chose to request concessions/incentives beyond those listed in the ordinance, they would be required to provide pro forma documentation to substantiate the need for the requested concession. They have forwarded a recommendation of approval of the ordinance to the City Council. The City Council is likely to consider the ordinance within the next couple of months. Two of the three requested concessions/incentive on this project appear to be consistent with those listed in the draft ordinance, but the requested FAR concession/incentive does not. The FAR concession/incentive appears to be more than double the proposed incentive in the draft ordinance relative to the allowable non-residential FAR.

Street Frontage

The CS zoning has no front setback requirement other than the requirement to set the building back far enough to provide an effective eight to 12 foot wide sidewalk. The term "effective" sidewalk indicates that items such as the planter strip, street trees, benches for seating, etc. are included within this area. The width of the right of way from the curb to the property line is 10 feet. The existing paved sidewalks are only four to five feet wide with a two foot six inch wide planter strip that separates the sidewalk from the street. This part of Page Mill Road has a four foot special setback. The code also requires that 50% of the building frontage be built up to the setback line. At the required four foot setback, the building would be 14 feet back from the face of the curb. This is very close to the street. In a downtown setting this proximity would be appropriate, but adjacent to the busy roadway, the building would be very close to the street. The City has received negative comments from the public for projects completed in the recent past that have followed this code requirement to place the building at the setback line. The ARB is asked to consider the placement of the building relative to the street. Staff would be supportive of a Design Enhancement Exception (DEE) to move the building back from the street to provide some breathing room between the roadway and the building. Staff understands that, while the neighbors to the rear would prefer the building to be as far from the rear property line as possible, the project must strike a balance with these competing interests. The rear setback is currently proposed to be 30 feet for the first and second floors with the third floor setback at 42 feet. These setbacks are significant and there appears to be some room to move the building back. The applicant has stated that they do have room to move the building back an additional three feet. They would place the building 17 feet from the face of curb.

Street Trees

Another reason to support the movement of the building further from the street are the issues related to the ability to provide street trees in front of the project. There are currently eight street trees planted along the roadway in front of the project. They are planted within a very narrow planter strip and are right at the street curb. The County of Santa Clara has jurisdiction over the roadway as it is a Country expressway. The County typically does not permit trees to be within seven feet of the roadway for safety and road maintenance concerns. City arborist Dave Dockter has found that, based on the type of tree, its limited growing environment, and the proposed improvements to the site, the existing trees would not survive. There are a multitude of utilities beneath the existing sidewalk that would be cost prohibitive to relocate. The County tree placement restrictions, combined with the inability to relocate the utility lines running in front of

the property, eliminates the ability to plant new trees further back from the curb. For this reason and for the reason stated in the previous section above, staff believes the building should be moved further back from the street such that there is room for trees and other landscape material to be planted behind the sidewalk in front of the building. With the site being as shallow as it is, the building will be close to the street in almost any design scenario. The key is determining how close. Staff believes that having a line of street trees in front of the building is essential to provide a buffer between the busy roadway and the building. Staff requests that the ARB provide comment on this aspect of the project.

Soil Contamination

The project site is located within the California Olive Emerson (COE) Study area which is known to have contaminated ground water from offsite dumping of Volatile Organic Compounds (VOCs). Based on this location, measures will need to be implemented for the proposed development of the property to prevent vapor migration into the structure. Submittal of a Phase II Environmental Analysis will be required for any proposed development on the site, and specific measures would likely be needed to ensure building occupants of any development proposal are protected from vapor intrusion and appropriate construction safety precautions are followed. These measures may include vapor barriers and active ventilations systems.

ENVIRONMENTAL REVIEW

No environmental review is required for a Preliminary Review as it is not considered a project under the California Environmental Quality Act (CEQA).

ATTACHMENTS


- Attachment A: Applicant's Project Description*
- Attachment B: Site Location Map
- Attachment C: Zoning Table
- Attachment D: Development Plans (Board Members Only)*

* Prepared by Applicant; all other attachments prepared by Staff

COURTESY COPIES

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PRELIMINARY ARB REQUEST: 441 PAGE MILL ROAD (CURRENTLY 423-451 PAGE MILL ROAD)

The application before you is a request for Preliminary ARB review prior to turning in for the full Site & Design process. Before we develop the design too much further, we would like a preliminary assessment on the general design of the building.

We are proposing to merge the four parcels at 423-451 Page Mill Road, now zoned CS, to create a single parcel of nearly 27,000 square feet. On that parcel, we are proposing a three story mixed use building with one level of underground parking.

A mixed use building is consistent with Palo Alto's Comprehensive Plan. Comprehensive Plan Policy L-31 calls for development of the Cal-Ventura area as a well-designed mixed use district with diverse land uses, while Program L-30 calls for the development of a coordinated area plan, and references a land use diagram that indicates Mixed Use along Page Mill Road between El Camino Real and Ash Street. The proposed building design would also be consistent with Comprehensive Plan Policy L-9, which calls for using the planning and zoning process to create opportunities for new mixed use development. Placing multiple residential units on the upper floor while extending ground floor retail uses along Page Mill Road would also support Comprehensive Plan Policy L-4, which seeks to maintain varied residential neighborhoods while sustaining the vitality of commercial areas.

Neighborhood Discussion

Page Mill Road is a high speed, major arterial route. The neighboring properties to the northeast and extending to Park Boulevard are the Kelly Moore Paint Store at 411 Page Mill, and the large AOL offices at 395 Page Mill where a large development proposal is expected. The adjacent properties to the southwest are a veterinary hospital at 461 Page Mill, and a parking lot at 471 that serves the AT&T store at the corner of Page Mill Road and El Camino Real.

The three properties across Page Mill Road (435 Sheridan, 2700 Ash and 345 Sheridan) are large multi-family residential complexes. The VTA parking lot on the corner of El Camino has recently been sold and is expected to be redeveloped. The adjoining properties to the southeast (along Pepper Avenue) are all occupied by single family residences, with the exception of one grandfathered use, a printing press/art gallery.

The site is stuck between two very different scales of development. The residential scale of the Pepper neighborhood and the large arterial scale of the Page Mill Road buildings.

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Department of Planning &
Community Environment

Building Design

We are proposing a three story mixed use building. The single level basement is entirely parking with mechanical and storage spaces. The ground floor will be almost 4,000 sf. of retail space up against Page Mill Road and the rest will be covered parking. The retail tenant has not been determined yet.

Page Mill Road is a high speed, busy arterial. The Pepper neighbors say it is very dangerous to get onto it northbound from Ash Street. They say that drivers still "have highway in their blood" as they race past our project site. To alleviate their problem and not create another dangerous one for the new building's occupants as they slow down and turn into the driveway, we request to eliminate the street parking in front of our site, place a single driveway entrance at the far northeast side of the property and use the removed street parking as a turn lane to help cars get both in and out of the garage.

The second floor will be all office space. Since Page Mill is such a fast, noisy road, housing is only really marketable on the third floor, as far away from the street as possible. The third floor will provide (8) two bedroom housing units for rent. By replacing the 4 existing housing units which used to occupy the 4 separate sites with 8 new ones, it helps the City's goal of reaching the Housing mandate of 279 new housing units. Being on the roof of a building along a busy road, it was very important in the design of the building to create a neighborhood feeling on the third floor. The developer really wanted a sense of community for the housing units up there, to create a "street" that all the front doors were off of, that kitchen windows looked out onto, with larger community gathering spaces along it where neighbors could meet and interact while still providing private outdoor space for each tenant.

To transition between the two different scales, we stepped the building back from both the Pepper residences and the Animal Doctor to gradually reach the bigger Page Mill Road scale and limit the building's impact on the adjacent single family residences along Pepper Avenue. As requested by the Pepper neighbors, the building is pushed up against front setback. The allowed rear setback is 10', but by placing the garage entrance ramp to the underground parking in the rear of the building, the first and second floors are 30' from rear property line and third floor is stepped back again at 42' away from the rear property line. The third floor has a 4' wide raised planter at the edge to soften the building edge with plants, prevent views between the third floor patios and Pepper properties, and create for the residents the sense of a backyard instead of being on a rooftop.

From a streetscape point of view, the new building serves as an appropriate transition between the ±35' commercial building at the corner of El Camino and Page Mill and the much larger structure at 395 Page Mill. It also provides balance to the very large multi-family housing across the street, ±40' tall at 435 Sheridan and ±50' tall at 345 Sheridan.

The design of the building is very horizontal, responding to the nature of the site and the typical experience of it, from a car speeding past it. The front is very open and glassy, speaking to its' commercial occupancy. The main lobby and circulation is expressed as a multi-colored glass tower element that serves as a focal point. The rear of the building is more closed with glass starting at 3' off of the second floor, respecting the rear neighbors' privacy. The rear stair tower is also more closed for privacy but still has the colored glass. The third floor has a material change to highlight its different use and show that it is a neighborhood from the street.

Parking

The commercial uses of the building require 86 parking spaces per the zoning ordinance. The residential uses require 18 spaces. Per Zoning Code Section 18.52.080(c) Shared Parking Facilities, a mixed use building does not have to provide all of the spaces because the uses do not occur at the same time. The commercial occupants use the spaces during the day while the residential uses use the same spaces primarily at night. So accordingly, we only need to provide 86 parking spaces for the building but are proposing to provide 92; 36 on the first floor, and 56 in the basement.

Below Market Rate Housing

Below Market Rate (BMR) units are not required for rental projects anymore. We are proposing to take advantage of Government Code Section 65915-65918, a State law that requires cities to grant incentives when developers voluntarily provide BMR units. We are proposing to provide 3 BMR units (30% additional) to get 3 incentives:

1. Lot coverage – 50% is allowed under CS zone. Our site is very wide and shallow, making it difficult to build the allowable floor area and parking while also dealing with a rear daylight plane. We are proposing 69% site coverage.
2. Height – CS zone limits height to 35' adjacent to residential. We are proposing a 40' height limit. Most of building is at 37' tall (shortest height we could manage allowing for size of structural members and mechanical ducts). The small entry feature up against Page Mill, and not visible from Pepper as shown by the site cross section, is proposed at 40' for aesthetic/design enhancement reasons. While the main building height is 2' taller, the residential daylight plane is not violated at all, not even by the third floor overhang.
3. FAR - CS zone allows a mixed use building with FAR of 0.6:1 residential and 0.4:1 commercial, for a total FAR of 1.0:1. We are proposing an increase in the amount of office space to 0.8 commercial with a total overall FAR of 1.2:1. Office space is financially what funds the ability to do the BMR residential units, as well as physically, because the size of the third floor housing is determined by the size of the office space beneath.

Landscape Design Narrative

The overall landscape approach to our project is to be a good neighbor, to both commercial properties along Page Mill Road and the residential properties that face Pepper Avenue. The landscape plan consists of essentially three different zones, 1) the face along Page Mill Road, 2) the back area that faces onto the residential, 3) courtyard area on the 3rd floor.

Page Mill Road

The Page Mill Road elevation at the pedestrian level will consist of street trees, benches, glazed planters and racks for 4 bicycles. The assorted street furniture will give a friendly and lively appearance to the property.

Back Area

The neighbors that live on Pepper Avenue were concerned about noise, privacy, and light issues. At the back property line we proposed a variety of species of trees both deciduous and evergreen that would provide screening and not exceed 30' in height so that the residents can see the long distance views over the top of the trees. So far, they have selected two varieties of

evergreen trees (*Pittosporum undulatum* and *Lagunaria patersonii*). They will be planted from 36" box material. At the time of planting, these trees will be 12'-14' with a 6' spread.

Courtyard

The third floor has a 4' wide planter along the entire south east edge and a portion of the north west facing edge. A 3' high evergreen hedge will be planted and interspersed with some colorful hanging plant material. It is the intention that the hedge will provide some privacy to the residents and soften the building edges. The outdoor courtyard spaces will be filled with plant material and enhance the feelings of connectedness to nature. The paving in the upper courtyard is a warm tone stone paver from Jerusalem.

A varied plant palette of Mediterranean/native groundcover, shrubs and trees will be selected to maximize a variety of textures, fragrance and colors. All plantings will be irrigated with an automatically controlled irrigation system and will comply with the Water Efficient Landscape Ordinance.

Contaminated Groundwater

We are aware that contaminated groundwater exists in the area, and are currently working with Cornerstone Earth Group on a specific environmental analysis to keep the depth of the single level parking garage well above the water table and develop appropriate mitigations measures to ensure the safety of the neighboring buildings as well as the new building's occupants, including treatment measures for all excavated soil before it is disposed of.

Neighborhood Outreach

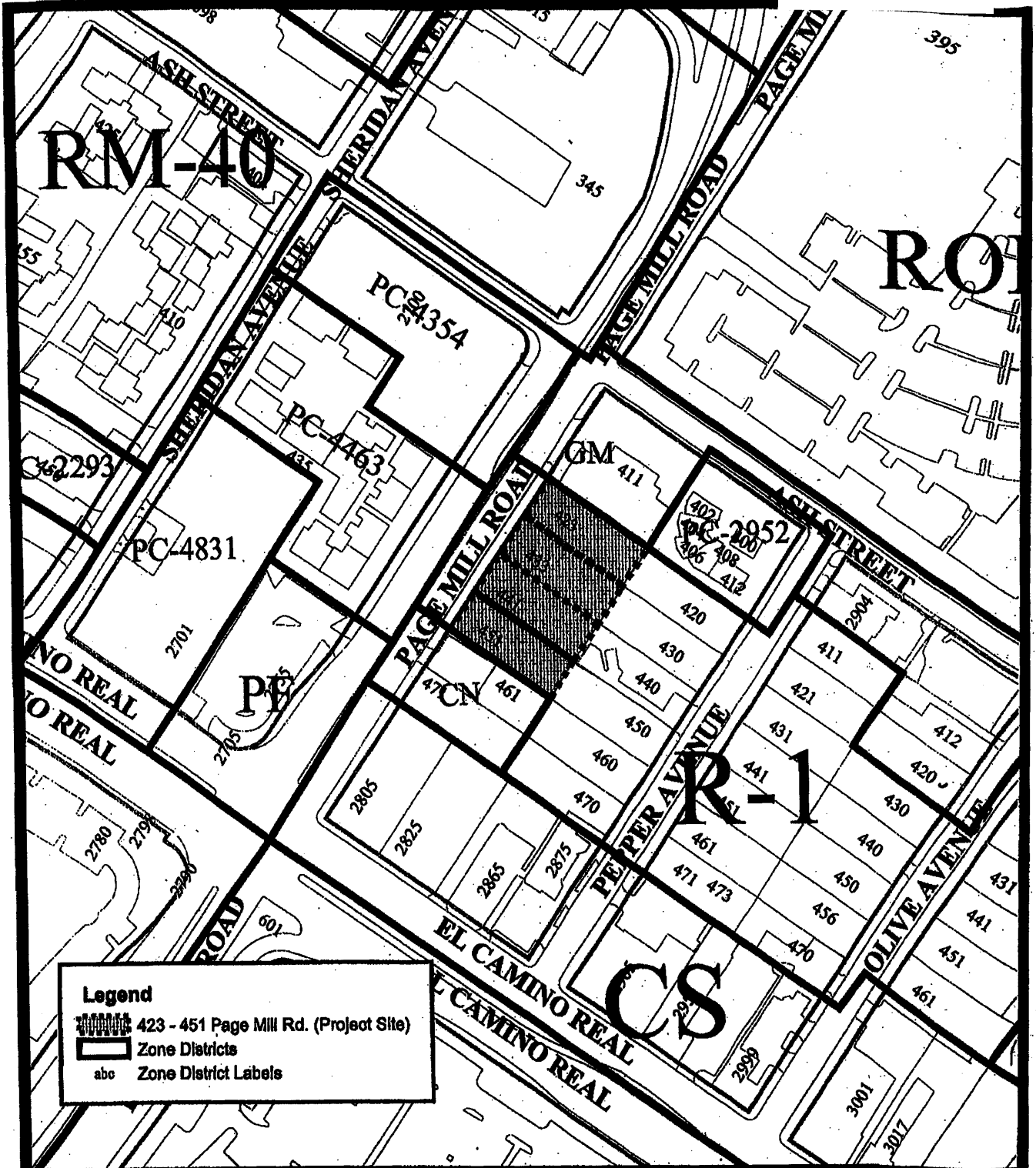
Following up on our neighborhood outreach meetings during the zone change process, we reached out to the same neighbors from Pepper Avenue and had a meeting on January 3rd showing them the preliminary design of the building. We had 7 neighbors representing 5 properties attend but we also sent our meeting notes to the neighborhood e-mail distribution list. At the meeting, we introduced the preliminary design of the proposed building with plans, 3D renderings and a physical model showing building's relationship to their properties.

We proposed planting the entire rear property line with screening trees that each adjacent neighbor could chose. A sheet with 11 trees to select from, both coniferous and deciduous types, was handed out. It is sheet LD.0 in the plan submittal set. The trees suggested were chosen because they were fast growing, had low water consumption, low pollen production, non-messy, had non-destructive root systems, were non-fruit bearing and reached a maximum height of 30' which allowed long views over the top of them but concealed the building from Pepper.




In general, the neighbors were happy about the greater rear setback distance, the raised planters and additional third floor rear setback, the amount of parking provided on site, the elimination of the street parking, getting to choose the tree species and had no big issues with the building design itself. The issues they did have:

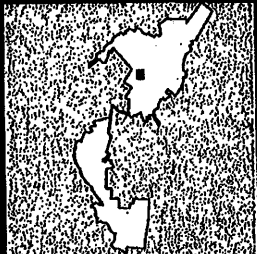
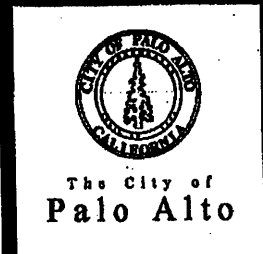
- Light pollution from offices at night – We said the offices can have occupancy sensors and automatic shades at night to block any light spill into residences.

- Smoking on second floor terrace - We said that smoking will not be allowed on the premise.
- Seeing storage items on tenant patios – We said the raised planters at the edge of the building should block views of the patios but the developer will also manage building and can be called with concerns after the building is finished. All units are rentals, and he is willing to put in regulations if that becomes an issue.
- Trash and recycle bin location (worried about smells & noise) – It is located inside the first floor parking garage not in back of building.
- Location of air conditioning equipment (worried about noise) – Not designed yet but want it inside the parking garage and not on roof or in back of building.
- Odor and equipment noise from businesses – Tenant(s) not yet determined but not looking for one that would generate smells or excessive equipment noises.
- There are neighborhood issues with homeless and garbage scavenging, they recommend gates to restrict access to sides of building – Can look into installing gates to restrict access and discourage possible crime and garbage scavenging activities.





Legend

-  423 - 451 Page Mill Rd. (Project Site)
-  Zone Districts
-  Zone District Labels



423-451 Page Mill Rd.
Project Site
Area Map

This map is a product of the City of Palo Alto GIS

Zoning Compliance Table

441 Page Mill Road
13PLN-00019

Attachment C

Standards	CS	proposed	conformance
Setbacks			
Special setback Page Mill	4 feet	4 feet	Conforms
Front	0-10 feet to create 8'-12' sidewalk	14 feet	Conforms
Sides	0 feet	4 feet	Conforms
Rear (abuts res. zone)	10 feet	30 feet	conforms
Build-To-Lines	50% of frontage built to setback = 96 feet	102 feet-6 inches	conforms
Maximum Site Coverage	50% = 13,463 sf.	69% = 18,619 sf. (5,156 sf. over)	Concession request
Landscape/Open space Coverage	30% = 8,077 sf.		
Usable Open Space	150 sf. Per unit	259 sf. and greater	complies
Maximum Allowable FAR			
Residential	0.6:1 = 16,156	0.4:1 = 10,883 sf.	Conforms
Commercial	0.4:1 = 10,883	0.8:1 = 21,540 sf. (10,770 over)	Concession request
Total mixed use	1.0:1 = 26,926	1.2:1 = 32,423 sf. (5,497 over)	Concession request
Maximum Height	35 feet	40 feet	Concession request
Daylight plane (rear) at the 20 foot setback	Up 16 feet high at the rear yard setback line then 45 degree angle	complies	complies
Maximum Allowable Residential Density	30 DU/AC = 18 units	8 units	complies
Parking			
Retail	3,734 1 per 250= 15	92 spaces provided	Parking reduction request of 12 spaces
Office	17,807 1 per 250 = 71		
Residential	2 per 2 br. unit =16		
Total Spaces Required	Total req. 104 spaces		