4

Architectural Review Board

Staff Report

Agenda Date: December 5, 2013

To: Architectural Review Board

From: Russ Reich, Senior Planner

Department: Planning and Community Environment

Subject: **385 Sherman Avenue [13PLN-00439]:** A Request by Daniel Minkoff on behalf of MF Sherman, LLC for Preliminary Architectural Review for a new three story mixed use building of approximately 55,566 square feet with two levels of below grade parking to replace the existing single-story building. The concept design would require a Design Enhancement Exception (DEE) to allow a five foot encroachment into the required five foot setback on Sherman Avenue as well as protected tree removals for four oak trees. Zone district: Community Commercial (CC(2)).

RECOMMENDATION

Staff recommends the Architectural Review Board (ARB) conduct a Preliminary Review of the conceptual plans for the project and provide comments on the design to staff and the applicant. No formal action may be taken at a Preliminary Review and comments made are not binding on the City or the applicant. Staff has summarized key issues to provide a framework for comments.

BACKGROUND

Site Information

Located at the corner of Sherman Avenue and Ash Street, the 0.64 acre site includes a one-story, 21,600-square-foot, office building which covers most of the site. Landscaping and trees exist around the perimeter of the site including four protected oak trees and City street trees. Adjacent to the southeast edge of the subject property is a public park (Sarah Wallis Park). To the north and east are two and three story multi-family buildings zoned RM-40. Across Sherman Avenue is a large surface lot providing public parking and across Ash Street to the south is a two story office building. The site includes 24 trees of eight different species. Five of these are street trees (flowering pear trees). There are four coast live oak trees on the site that are protected by City ordinance.

The existing 21,600 square foot building is located within the California Avenue Assessment District and is currently assessed for 70 parking spaces. No parking spaces are currently provided on site. A previous mixed use project proposing two residential units, 27,596 square feet of

additional office space, and two to three floors of below grade parking was submitted and heard by the ARB in a public hearing on November 19, 2009. An Initial Study/Mitigated Negative Declaration was circulated October 19, 2009 through November 19, 2009. The project review was continued to a date uncertain but the applicant never returned for a second hearing and the application was withdrawn. The background information below was pulled from the analysis from 2009.

COE Plume

The project site is down-gradient from the California-Olive-Emerson (COE) Study Area and the Hewlett-Packard and Varian Medical Systems plumes. The plume extends past the subject property toward Alma Street (and in the sandy strata has been mapped as possibly water bearing with concentrations of Trichloroethene (TCE)). Ground water was measured in March 2009 at depths of 18 to 20 feet on this site. On-site ground water samples tested showed TCE present at concentrations ranging from non-detect up to 8.6 Ug/l. One of the samples taken detected a concentration exceeding the current State Maximum Contaminant Level of 5 Ug/l. Ground water sampling and analysis at the property was documented in a report prepared by Romig Engineers in April 2009, and a letter addressing the potential for hazardous materials impacts was prepared on September 24, 2009, as described in the 2009 Initial Study/MND for the 2009 project that included the potential for three floors of below grade parking.

Traffic and Parking

The previously proposed a 27,596 square foot commercial increase and two residential units, with a vehicular entrance on Ash street. That project was calculated to cause 77 new peak PM Hour trips and 455 new daily trips. A Transportation Impact Analysis that was conducted by Fehr & Peers in March 2009 found that impacts would be less than significant for signalized and un-signalized intersections, pedestrian, bicycle, and transit facilities. That project was also found to meet the parking requirements of the project.

Traffic Generation Calculated in 2009 for 27,596 s.f. office increase and two residential units

					AM Peak Hour		PM Peak Hour	
	Land Use	Size[1]	Daily Rate[2]	Daily Trips	Peak-Hour Rate[2]	Hourly Trips	Peak-Hour Rate[2]	Hourly Trips
Existing	Office	21.6 ksf	15.71	(339)	2.15	(46)	2.72	(59)
Proposed	Office	49.2 ksf	15.71	773	2.15	106	2.72	134
Proposed	Condominiums	2 units	10.50	21	1.00	2	1.00	2
Net New				455		62		77

[1]Size expressed in 1000 sq. ft. (ksf) or residential units (units)

[2]Trip rates based on Institute of Transportation Engineers, *Trip Generation*, eighth edition. Office (710), Condominiums (230)

Project Description

The proposed project is the demolition of the existing office building and construction of a new horizontal mixed-use, three-story building. The concept plans show three floors of office space adjacent to four attached residential units, and two levels of underground parking. The project description provided by the applicant is included as Attachment A. The new building is proposed to be 55,566 square feet and will cover most of the site in approximately the same location as the

building to be demolished. The increase in office area is 28,812 square feet. The proposed building height is 50 feet. The two-level underground parking garage would provide 103 parking spaces total. The garage would have ingress and egress on Sherman Avenue, and the building's primary pedestrian entrance would be located in the center of the building facing Sherman Avenue. The proposed landscaping would include various ground cover and low plantings, and on-site trees and street trees. The design includes a new privacy fence and trees to be located between the new building and the existing multifamily residences as a privacy screen. The four new residences would be located to face Ash Street and the park, with entries of the two ground floor units facing the park.

DISCUSSION

Comprehensive Plan Conformance

The proposed uses are consistent with the site's Regional/Community Commercial land use designation. The proposed project is the replacement of an existing single-story office building with a new three-story office building containing four residential units.

Zoning Compliance

The project is in compliance with applicable CC(2) zone district and parking regulations except for the requested Design Enhancement Exception (DEE) to allow a five foot encroachment into the five foot street-side setback along Sherman Avenue. Details of the proposed project's compliance with the CC(2) zoning regulations are provided in Attachment C.

Parking and Traffic

The project would include two levels of below grade parking. Due to the narrow width of Ash Street, the Sherman Avenue frontage would provide the vehicular access ramp to the below grade parking garage. The garage would provide 103 vehicle parking spaces and 40 bicycle spaces. Additional bike racks are proposed in the public right-of-way at grade in front of the building. The property is located within the California Avenue Parking Assessment District and the existing 21,600 square foot building is currently assessed for 70 parking spaces. The required parking for the project is based on the net new square footage of commercial floor area, and the new residential units. The four residential units would require seven tenant parking spaces and one guest parking space. The office area increase of 28,312 square feet plus the residential parking results in an on-site parking requirement of 102 spaces; the project concept would meet the parking requirement set forth in the Palo Alto Municipal Code.

Given that the increase in office area is about 716 square feet greater than the office area increase proposed in 2009, and there are two additional residential units proposed than the 2009 proposal, staff believes there could be at least 80 peak hour trips resulting from the project. A Transportation Impact Analysis will be required for the proposed project, which would analyze number of trips generated and intersections affected by the project.

Trees and Landscaping

The current proposal does not clarify which of the existing trees would need to be removed and which would be retained. The scope and expanse of the project assumes that all of the existing trees in the right-of-way may need to be removed. Their replacements would need to be commensurate to mitigate the loss of investment to grow the existing trees to their present size,

maturity and ecological-benefits currently realized. This could be achieved through the use of Silva Cell root growing technology or other equivalent method of achieving the Urban Forestry goals. The formal submittal will need to address how the protected oak trees will be protected and incorporated into the design or how their loss will be mitigated.

Public Feedback

During the prior review of the mixed use project at this location in 2009, there were comments from the residential neighbors stating their concerns about the size of the building given its context, potential noise impacts, loss of light and views, landscaping impacts, and traffic impacts.

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 the project. The following findings that appear relevant to this project are listed for discussion purposes:

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

   The proposal appears to be bike friendly in that it would provide at-grade bike racks as well as secured parking within the parking garage. Showers would be provided within the building, to promote bicycle ridership. There are aspects of the proposal that appear to conflict with the Context Based Design Considerations relative to the pedestrian experience in that the building has a very long unbroken sidewalk frontage with only the one pedestrian entry element on the street. There is a two foot deep planter and a recessed entry, but there are no weather protection elements such as awnings or arcades. The two foot ground floor recess would likely not be enough to be meaningful as a pedestrian amenity. Street trees would be required, but in the current version of the proposal, there are no pedestrian friendly elements such as plazas, benches, public art, or other landscape treatments to enhance the pedestrian experience. The height of the first floor level, at 16 feet, appears to be taller than what would be comfortable for pedestrians.

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.

   The building's massing does provide a three story presence on a street that contains other three story buildings, but with the proposed five foot setback encroachment on Sherman Avenue, the building would come right up to the property line. With only the single doorway opening to the street, there are few architectural elements to provide human scale and break down the massing of the building. The proposal contains a long continuous wall of glass with a single break at the entry. The placement of the residential units at the corner, facing the park, is a positive response to the existing context. This element is lower at two stories so it reduces the visual impact of the building for park users. It also provides the residents the opportunity to look out onto the green space from their living units. Having the residential entries facing the park will help to activate the space. The Context based criteria suggest that the upper floors of the building should be set back to fit the context of the neighborhood. The third floor is stepped back, adjacent to the two-story multifamily neighbors, but the set back is very slight. Based on the neighborhood context, it would be more appropriate that the third

floor have a greater setback adjacent to the neighbors and on the street facing elevations, to reduce the apparent height and massing of the building.

3. Massing and Setbacks: Buildings shall be designed to minimize massing and conform to proper setbacks.

   It would be helpful if the overall height of the building could be reduced and if the upper floors could be set back. These strategies would help to reduce the massing of the building. It would also be helpful to comply with the setback on Sherman Avenue to create a greater sidewalk width and more opportunities for landscaping at the base 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.

   The proposed height of the building appears to be excessive given the existing context. The building is proposed to be 50 feet tall relative to the adjacent residential neighboring buildings at only 33 feet and 26 feet tall. The concept of trees between the neighboring residences and the proposed office building is a positive concept for privacy but solar shading should also be considered. A solar study should be conducted to determine what solar impact the project may have on the neighboring residential uses.

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

   The roof top outdoor space for the residential units appears to be a functional space. It is on the south side of the building and would likely receive good solar exposure. It has planters and shading devices to enhance its usability. The second floor balcony space on the north side of the building needs further development. Its location on the north side of the building may hinder its usability.

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.

   Consistent with the Guidelines, the parking for the project has been located below grade. The entry to the garage has been located on Sherman Avenue due to the narrow width of Ash Street.

8. Sustainability and Green Building Design: Project design and materials to achieve sustainability and green building design should be incorporated into the project. Green building design considers the environment during design and construction.

   The project is required to meet the Cal Green requirements for the commercial portion of the project and Build-It-Green standards for the residential portion of the project.

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). An initial study would be prepared in accordance with CEQA for a formal project on this site, and as noted a TIA would be required in addition to other studies. Regarding the COE plume and the basement proposal; typically, installation of dewatering wells would be required during basement excavation and it is possible that groundwater pumped during construction will contain trace levels of TCE near or just above the State Maximum Contaminant Level. The environmental review and mitigations would address this issue as well as the potential migration of vapor from the impacted ground water plume into the future building, typically mitigated via placement of a water proofing membrane below the basement mat foundation and around the basement retaining walls and a basement ventilation system to dissipate carbon monoxide fumes from automobile exhaust and vent TCE vapors.

ATTACHMENTS

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

* Prepared by Applicant; all other attachments prepared by Staff

COURTESY COPIES

Applicant: Daniel Minkoff dminkoff@minkoffgroup.com
Owner: MF Sherman, LLC

Prepared By: Russ Reich, Senior Planner

Manager Review: Amy French, Chief Planning Official

Attachment A

385 SHERMAN AVENUE

PRELIMINARY ARB REVIEW

PROJECT DESCRIPTION

385 Sherman Avenue is located on a 27,783 square foot parcel of land (0.64 acres) on the southwestern corner of Sherman Avenue and Ash Street in Palo Alto. The Assessor's Parcel Number (APN) is 124-33-055. The Comprehensive Plan Designation is Regional Community Commercial. The Zoning Designation is CC (2). This site is within the designated area of the Pedestrian and Transit Oriented Development Zoning (PTOD). The proposed project will be a new three story mixed use building over two levels of a subterranean parking garage. The commercial portion of the building inhabits the northeast, northwest and southwest quadrants of the site. The third level is set back from the property lines farther than the first two levels with provisions for roof gardens on both levels two and three. The residential wing is two stories on the southeast corner of the site adjacent to Sarah Willis Park with two units on the ground floor provided with stoops, and 2 units on the second floor for a total of four residential units.

The project proposal contained herein references a previous ARB submittal for this site submitted to the City of Palo Alto on June 23, 2009, reference No. [09PLN-00143]. A Staff Report from the Architectural Review Board was issued November 19, 2009 in which the Planning and Community Environment recommended that the Director of Planning and Community Environment approve the project based on the Architectural Review findings. This project proposal takes into account those findings.

EXISTING CONDITIONS

The existing site currently is improved with a 21,600 one-story concrete tilt-up building. It has been occupied as medical and professional office, general business office and administrative office. It has not been upgraded since 1974.

The building is located on the southwest corner of Sherman Avenue and Ash Street. There are two residential buildings adjacent to the site. To the north and east of the parcel are two RM-40 parcels known as Birch Court. The parcel to the north includes a 2 story building above a ground level parking area located at the corner of Sherman Ave. and Birch Street. The parcel to the east includes a 2 story building and a 4 story building on top of a partially above grade parking area at the corner of Birch Street and Grant Avenue. The Birch Court residences consist of 40 residential condominium units.

To the east of the site, across Sherman Avenue, is an existing City of Palo Alto Public Parking Lot. To the south of the site, across Ash street, are a two and three story office building at Sherman Avenue and a four story apartment building at Grant Avenue. To the north of the site, across Birch Street, is the Santa Clara County Courthouse complex.

Currently there are no on-site vehicle parking spaces, bicycle parking racks, bicycle lockers or loading zone spaces.

PROJECT PROPOSAL

The proposed building is a mixed-use development that responds to its surroundings.

The commercial portion of the building fronts Sherman Avenue and turns the corner onto Ash Street. Three stories of commercial office are proposed. An employee recreation/ work out area will be provided on the first floor.

The residential portion of the building sits on the southeast corner of the site and looks directly onto an adjacent city park, (Sara Wallis Park.) Four units on 2 stories (2 units per floor) are proposed. Stoops are provided on the ground floor, allowing inhabitants to access these units from the street and adjacent park.

There will be two stories of underground parking with no fewer than 101 stalls.

DESIGN CONCEPT

The goal of the project is to create an elegant and appropriate design that responds to the existing public and private areas on site.

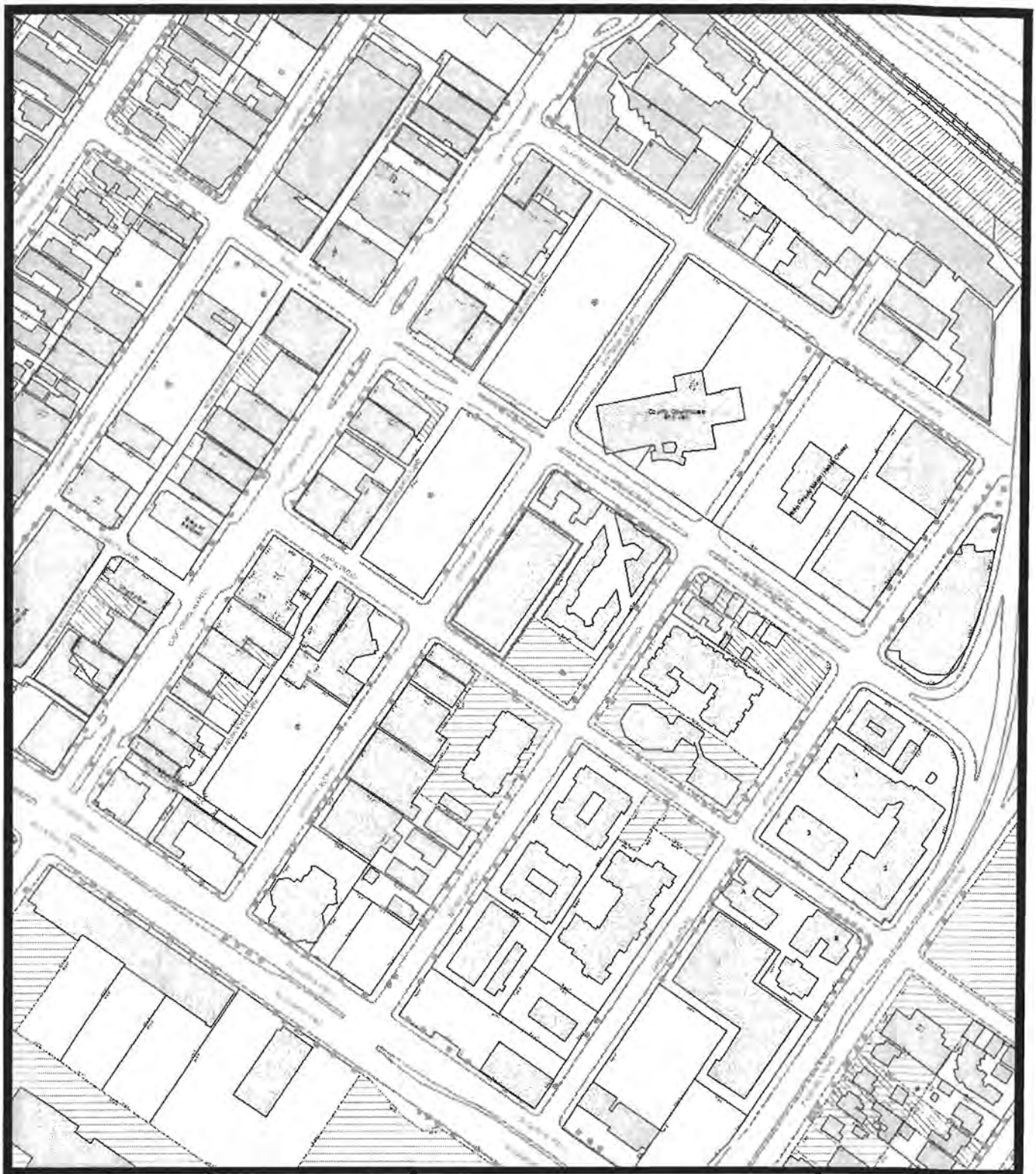
The Sherman Avenue elevation, the primary public street of the project, is sophisticated and transparent while providing sun-shading devices to address the western exposure. The entrance to the underground parking garage is located at the north corner of Sherman in order to direct traffic away from the smaller scale of Ash Street. The volume of the office building turns the corner and resolves along Ash Street.

The volume of the residential building then begins along Ash Street and sits directly on Sara Wallis Park, providing views and access to the park for the residential occupants. The placement of the residential volume on the site completes the existing edge condition of Sara Wallis Park, with residences facing the park on all sides.

On the east portion of the office building, both architectural and landscape strategies are being implemented to respond to the existing 2 story residential building facing the proposed building. Along the first floor, a good neighbor fence will be provided at a height designed to block direct view angles from either side. A row of trees are proposed along this elevation to act as a visual screen for those on the second floor. The third floor is set back from the second floor and views into the existing residential units are blocked by a parapet as well as the difference in height between the third floor and existing residential floors. There are no windows or openings along the north corner of this elevation, where the heaviest concentrations of existing residential windows are located.

Existing trees along the north elevation help to screen the inhabitants of the existing 3 story residential building. The north elevation looks into the existing residential courtyard where no windows are located.

ATTACHMENT B



The City of Palo Alto

385 Sherman Avenue

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

0' 235'

ATTACHMENT C
ZONING COMPLIANCE TABLE
385 Sherman Avenue / File No. 13PLN-00439

DEVELOPMENT STANDARDS FOR CC(2)(R)(P) ZONE DISTRICT	ZONE DISTRICT STANDARD	PROPOSED PROJECT	CONFORMANCE
Minimum Building setback			
Front Yard (Ash Street)	0-10' to create a 8-12'effective sidewalk width	10'	conforms
Rear Yard	No Requirement for commercial	10'	conforms
Rear Yard abutting residential zone district (ft)	10'	10'	conforms
Interior Side Yard (right)	Abutting Residential zone district t 10'	12' abutting residential	conforms
Street Side Yard (left) Sherman	5'	0'	DEE requested
Build-To-Lines (front)	50% of frontage built to setback	95 %	conforms
Build-To-Lines (Street side)	33%	80%	conforms
Maximum Site Coverage	100%	72%	conforms
Landscape Open Space	20%		
Usable Open Space	200 sq ft		
Maximum Height	37' 50 feet when parcel adjacent to RM-40	50 feet	conforms
Daylight Plane	0 when lot is wider than 70 feet	N/A	conforms
Residential Density	30du/ac =19 units	4 units	conforms
Total Floor Area Ratio (FAR) Residential Commercial Total	 Res. 0.6:1 = 16,669 Com. 2.0:1 = 55,566 Total 2.0:1 = 55,566	 0.185:1=5,154 1.81:1=50,412 2.0:1=55,566	 conforms conforms conforms
Parking Requirement	Res. 2 x 1.5=3 spaces 2 x 2 =4 spaces Guest=2 or 3 space Depending on secured vs unsecured spaces		conforms

	Total res.= 9 spaces Office 1 per 310 28,812 new sq ft = 162 spaces Existing sq ft 21,600 =70 spaces via assessment district New sq ft 28,812=93 spaces Total req.= 102	103 spaces proposed	