



Architectural Review Board

Staff Report (ID # 10375)

Report Type:	Action Items	Meeting Date: 7/18/2019
Summary Title:	565 Hamilton Avenue: Mixed-Use Office and 19 Units (2nd Formal)	
Title:	PUBLIC HEARING / QUASI-JUDICIAL. 565 Hamilton Avenue [18PLN-00313]: Recommendation on Applicant's Request for Approval of a Major Architectural Review to Allow the Demolition of Existing Structures and the Construction of a Mixed-Use Building Containing 19 Rental Apartments and up to 7,450 Square Feet of Office Space. Three Existing Parcels will be Merged. A Variance is Requested to Allow Protrusion of Roof Eaves, Fin Wall and First Floor Canopy Into the Hamilton Avenue Special Setback. Environmental Assessment: Categorically Exempt from the Provisions of the California Environmental Quality Act (CEQA) per Guideline Section 15332. Zoning District: CD-C(P) and RM-40 (Downtown Commercial and Residential Multi-Family). For More Information Contact the Project Planner Sheldon S. Ah Sing at sahsing@m-group.us	
From:	Jonathan Lait	

Recommendation

Staff recommends the Architectural Review Board (ARB) take the following action(s):

1. Recommend approval of the proposed project to the Director of Planning and Community Environment based on findings and subject to conditions of approval.

Report Summary

The subject project was previously reviewed by the ARB on April 18, 2019. An earlier staff report includes extensive background information, project analysis and evaluation to city codes and policies; that report is available online: [\[http://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=70538\]](http://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=70538).

City of Palo Alto
Planning & Community Environment
250 Hamilton Avenue
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The purpose of this report is to restate the comments made by the Board and detail the applicant's response to those comments. The analysis section below builds upon the information contained in the earlier report and is modified to reflect recent project changes.

Background

The April 18, 2019 video recording of the ARB's April 18, 2019 meeting is available online: <https://midpenmedia.org/architectural-review-board-74-4172019/>. The ARB's comments and the applicant's response are summarized in the following table:

ARB Comments/Direction	Applicant Response
Provide privacy to the two ground floor residences facing Webster Street through revised planting or low fencing (Units 1 & 2)	Proposed moderate height plantings at the perimeter of the terraces. Changed from Foothill Sedge to Miscanthus Junceus. <i>See Sheets L2.01, L2.03, L1.04, A5.2C, L2.01 and L2.03.</i>
Review unit layouts for daylight, privacy, outdoor space (Units 3, 15 & 16) Unit 3 is located adjacent the Redwood Garden, while 15 & 16 are located on the upper level.	Unit 3 - Windows were adjusted to allow more light to enter from kitchen through Redwood Garden. Each bedroom has two windows and the living room has a large window. Units 15 and 16 - planter and window locations were revised to allow for more privacy from Unit 17. Giant Chain Ferns are proposed adjacent to the units (notation N). <i>See Sheets A8.2, A8.3, A2.3, L1.02, and L2.02.</i>
Add bicycle parking at grade where possible	Two additional short-term bicycle parking spaces are proposed by the Webster Street entry. <i>See Sheets A1.1 and L1.01.</i>
Review floor to floor heights to understand if the overall building height could be reduced.	The issue was reviewed and due to the constraints of the elevator overrun height and an already low first floor ceiling commercial space, the proposed overall height is to remain. <i>See Analysis section for more discussion.</i>
Consider adding an accessible ramp for the Webster Street entry	Proposed additional straight ramp to access the Webster Street entry. The adjacent landscaping is also updated to accommodate the new ramp. <i>See Sheets A1.1, A2.1, A5.3E, A5.4, and L1.01.</i>
Review lighting at the central terrace to ensure the space does not feel dark.	The photometric plan demonstrates that the light levels are appropriate. <i>See Sheets</i>

Review lighting at third floor shared terrace for brightness.	<i>E2.1P and E2.3P. See also Analysis section for more discussion.</i>
Review landscape buffer at the 530 Webster property line to promote privacy, and meet with 530 Webster neighbors for input	Proposed alternative light fixture which reduces the lighting level. <i>See Photometrics E2.3P and proposed light fixture F11 on Sheet L3.04.</i> Proposed two additional trees along the northern property line. The utility trench creates a constraint for planting additional trees. <i>See sheets L1.01 and L2.01.</i>

In addition, the applicant responded to requests by the Planning Department for the following:

- Updated parking and open space tables to reflect the changes to the PAMC Title 18.
- Removed all window frames from the special setback and ensure that the concrete fin wall projection can be removed in the future if needed.

Analysis¹

Generally, the ARB had a favorable evaluation of the project with some notable requests for revisions as summarized in the above table. Most of the Board's comments were directed towards privacy of the proposed units and the project's neighbors. Attachment E provides the applicant's responses to the ARB in detail.

Proposed Revisions

Specifically, the revisions bolster the project's compliance with Findings #2 and #5 where the additional plantings and changes to the plant species and light fixtures enhances living conditions on the site and in adjacent residential areas. With the proposed additional short-term bicycle spaces and additional accessible ramp at Webster Street, the project is more consistent with Finding #4. Plantings are proposed to be taller at the Webster Street patios. The windows for certain units are designed to allow light in, while the plantings maintain privacy. Proposed terraces will create physical boundaries between private patios and the adjacent landscape that extends to the sidewalk. Together, these revisions represent an improvement to the project and greater consistency with the required Architectural Review findings.

With the change of the light fixture (F11), the project is more consistent with the Performance Standard contained in PAMC 18.23.030. The applicant proposes to provide controllability through both a photocell and dimmer for occupant use. While the ARB suggested an occupancy sensor controlled environment, the applicant would like to avoid use of an occupancy sensor to allow the area to be minimally lit during evening hours and address the applicant's concern that

¹ The information provided in this section is based on analysis prepared by the report author prior to the public hearing. The Architectural Review Board in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose to take an alternative action from the recommendation in this report.

the on/off of an occupancy sensor could be distracting. As demonstrated in the project's photometric plans, the alternative light fixture would produce less light intensity.

Evaluated and Not Changed

Height

The ARB recommended that the applicant review floor to floor heights to understand if the overall building height could be reduced. The applicant explains that this issue has been studied, but that the overall height of the building cannot be reduced due to the constraints of the project's elevator overrun height and an already low first floor ceiling within the commercial space.

The project includes two elevators: one for the commercial space that ends at the underside of the third floor; and one for the residences that ends at the underside of the roof. Both elevators are specified to be the Schindler 3300 MRL Traction Elevator which provides the space required for stretcher access as required by the Fire Department as well as the lowest overrun clearance of the major elevator manufacturers. The required overrun clearance is 12'-7" from top of finished floor to underside of the hoistway beam. To meet this clearance at the commercial space, the third floor level is required to be 13'-2" above the second floor level as shown in the new section provided on Sheet A5.7 (section 2). At the residences, the top of roof is set to eliminate any visible bump at the street as shown in the new section on Sheet A5.7 (section 3). With these restrictions, the only place to reduce height would be at the first floor level; however, this floor is already short for commercial space, with 10'-4" clear from floor to underside of the acoustic ceiling, not yet accounting for mechanical ductwork which will hang below this 10'-4" ceiling height.

Lighting at the Central Terrace

As shown by the project's photometrics, there will be sufficient light during evening hours provided by the overhead fixtures. During the day, the terrace's relatively narrow depth of 30 feet before the influx of daylight from the courtyard will serve to provide visual focus through the terrace and light the space. The applicant states that they will present examples of other buildings with similar conditions at the ARB hearing.

Environmental Review

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Specifically, the project is exempt under CEQA pursuant to Section 15032 for Infill development projects in that the project is located within an urbanized area, the site has no value as habitat for endangered, rare or threatened species; and the project would have no significant effects related to traffic, noise, air quality or water quality. See Attachment H for more information.

Public Notification, Outreach & Comments

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper and mailed to owners and occupants of property within 600 feet of the subject property at least ten days in advance. Notice of a public hearing for this project was published in the *Daily Post* on July 5, 2019, which is 12 days in advance of the meeting. Postcard mailing occurred on July 8, 2019, which is 10 days in advance of the meeting.

Public Comments

As of the writing of this report, no project-related, public comments were received.

Alternative Actions

In addition to the recommended action, the Architectural Review Board may:

1. Approve the project with modified findings or conditions;
2. Continue the project to a date (un)certain; or
3. Recommend project denial based on revised findings.

Report Author & Contact Information

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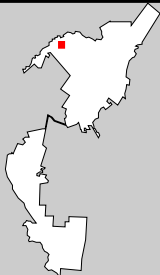
ARB² Liaison & Contact Information

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Attachments:

- Attachment A: Location Map (PDF)
- Attachment B: Draft ARB Findings (DOCX)
- Attachment C: Conditions of Approval (DOCX)
- Attachment D: Applicant's Project Description (PDF)
- Attachment E: Zoning Comparison Table (DOCX)
- Attachment F: Applicant's Resubmission Letter (PDF)
- Attachment G: Project Plans and Environmental Review (DOCX)

² Emails may be sent directly to the ARB using the following address: arb@cityofpaloalto.org



Attachment A
Location Map
565 and 571 Hamilton,
542 Webster

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



**ATTACHMENT B
ARB FINDINGS FOR APPROVAL**

565 Hamilton Avenue
18PLN-00313

The design and architecture of the proposed improvements, as conditioned, complies with the Findings for Architectural Review as required in Chapter 18.76 of the PAMC.

Finding #1: The design is consistent with applicable provisions of the Palo Alto Comprehensive Plan, Zoning Code, coordinated area plans (including compatibility requirements), and any relevant design guides.

This finding can be made in the affirmative because the project is consistent with the following Comprehensive Plan goals and policies:

<i>Land Use and Community Design Element</i>	
Comprehensive Plan Goal/Policy	Consistency
Regional/Community Commercial: Larger shopping centers and districts that have a wider variety of goods and services than the neighborhood shopping areas. They rely on larger trade areas and include such uses as department stores, bookstores, furniture stores, toy stores, apparel shops, restaurants, theaters and non-retail services such as offices and banks. Examples include Stanford Shopping Center, Town and Country Village and University venue/Downtown. Non-retail uses such as medical and dental offices may also locate in this designation; software development may also locate Downtown. In some locations, residential and mixed-use projects may also locate in this category. Non-residential FARs range from 0.35 to 2.0. Consistent with the Comprehensive Plan's encouragement of housing near transit centers, higher density multi-family housing may be allowed in specific locations.	On this portion of the site, the project proposes a mixed-use project that includes office (7,450 square feet) on the ground floor and residential (six units) above in accordance with the FAR requirements.
Multiple-Family Residential: The permitted number of housing units will vary by area, depending on existing land use, proximity to major streets and public transit, distance to shopping and environmental problems. Net	On this portion of the site, the project proposes high-density residential (13 units) within the density limits and FAR requirements.

densities will range from 8 to 40 units and 8 to 90 persons per acre. Density should be on the lower end of the scale next to single-family residential areas. Densities higher than what is permitted may be allowed where measurable community benefits will be derived, services and facilities are available, and the net effect will be consistent with the Comprehensive Plan. Population densities will range up to 2.25 persons per unit by 2030.	
Policy L-1.3: Infill development in the urban service area should be compatible with its surroundings and the overall scale and character of the city to ensure a compact, efficient development pattern.	The project is surrounded by established urban uses and is designed to be consistent with the surrounding structures.
Policy L-1.11: Hold new development to the highest development standards in order to maintain Palo Alto's livability and achieve the highest quality development with the least impacts.	The project proposes a contemporary design using wood, textured fiber cement board, board formed concrete, plaster, cedar wood soffits, glass, painted aluminum trellis and painted metal cladding. It's massing is designed to support pedestrian-oriented uses at the ground floor.
Policy L-3.1: Ensure that new or remodeled structures are compatible with the neighborhood and adjacent structures	The project includes large windows and a recessed covered area on the second floor facing Webster Street to provide transitions from Commercial to residential areas. The massing and generous landscaping also help the project to blend into its surroundings.
Policy L-3.4 Ensure that new multi-family buildings, entries and outdoor spaces are designed and arranged so that each development has a clear relationship to a public street.	The project includes distinctive entries on Hamilton Avenue and Webster Street. Elaborate drought-tolerant landscaping is provided between the building and the sidewalk.
Policy L-4.3: Encourage street frontages that contribute to retail vitality in all Centers. Reinforce street corners in a way that enhances the pedestrian realm or that form corner plazas. Include trees and landscaping.	The project provides a distinct entry to a commercial space along Hamilton Avenue. The first story windows along Hamilton Avenue are clear glass. Residential units front Webster Street and include covered private open space areas. All of these combined elements will support a pedestrian-oriented streetscape.

Housing Element	
Comprehensive Plan Goal/Policy	Consistency
Policy H1.2: Support efforts to preserve multifamily housing units in existing neighborhoods.	The project site currently includes nine residential dwelling units and the project proposes 19 residential dwelling units for a net increase of 10 dwelling units.
Transportation Element	
Comprehensive Plan Goal/Policy	Consistency
Program T-1.2.3: Formalize TDM requirements by ordinance and require new developments above a certain size threshold to prepare and implement a TDM Plan to meet specific performance standards. Require regular monitoring/reporting and provide for enforcement with meaningful penalties for non-compliance. The ordinance should also: ➤ Establish a list of effective TDM measures that include transit promotion, prepaid transit passes, commuter checks, car sharing, carpooling, parking cash-out, bicycle lockers and showers, shuttles to Caltrain, requiring TMA membership and education and outreach to support the use of these modes. ... ➤ Establish a mechanism to monitor the success of TDM measures and track the cumulative reduction of peak hour motor vehicle trips. TDM measures should at a minimum achieve the following reduction in peak hour motor vehicle trips, with a focus on single-occupant vehicle trips. Reductions should be based on the rates included in the Institute of Transportation Engineers' Trip Generation Manual for the appropriate land use category and size: – 45 percent reduction in the Downtown district ...	The project submitted a TDM (December 6, 2018) for consideration by the City. With the combined residential and office TDM plans, it is expected that the project will achieve the 45 percent trip reduction, or five (5) AM and PM peak hour trips reduced. The Hamilton Webster project will be providing Caltrain passes to employees and the reduction of parking spaces should decrease the number of AM and PM peak hour trips by five (5) trips.
Policy T-5.1: All new development projects should manage parking demand generated by the project, without the use of on-street parking, consistent with the established parking	The project provides most of its required parking. The project requests a joint parking arrangement. Parking is provided in the basement and with some mechanical parking

regulations. As demonstrated parking demand decreases over time, parking requirements for new construction should decrease.

lifts. A Transportation Demand Management plan is proposed to support the reduction in parking.

Finding #2: The project has a unified and coherent design, that:

- a. creates an internal sense of order and desirable environment for occupants, visitors, and the general community,
- b. preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,
- c. is consistent with the context-based design criteria of the applicable zone district,
- d. provides harmonious transitions in scale, mass and character to adjacent land uses and land use designations,
- e. enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

This finding can be made in the affirmative because the project provides amenity areas where it is the most compatible with the surrounding uses. For example, the project includes private open space terraces on the first and third levels as well as shared common open spaces on the third level (terrace) including a ground level open air central courtyard. General open space areas are provided in the rear (redwood terrace space) and side setback areas.

The Hamilton Webster project aims to respect its historic neighbor at 530 Webster. The apparent scale of the Hamilton Webster project, along Webster Street, has been significantly reduced through introduction of a third-floor terrace and full height windows. With a central large opening and full height glazing at the third-floor corners, the mass at the third level recedes, allowing the building to read closer in scale to 530 Webster. In addition, the central shared terrace and building wings of Hamilton Webster have been proportioned carefully to complement the central courtyard of 530 Webster, which is similarly proportioned. Provision of a ten-foot landscape setback and the addition of a full height privacy fence at the property line, coupled with careful window placement, all serve to improve the privacy afforded to tenants of 530 Webster. At the request of the Architectural Review Board, the project includes additional plantings and different light fixtures to better integrate and provide more privacy.

The project proposed features a three-story courtyard building with deep landscape setbacks along each street frontage. The massing of the building has been tailored to subtly acknowledge a combination of uses on the site, to smoothly transition between commercial and residential use areas, to respect and respond to neighboring buildings, and to enhance the pedestrian experience.

The project is consistent with the following Downtown (CD) context-based design criteria:

1. Pedestrian and Bicycle Environment

The design of new projects shall promote pedestrian walkability, a bicycle friendly environment, and connectivity through design elements

The project will include bicycle parking and is adjacent to existing pedestrian and bicycle facilities. Proposed landscaping will enhance the pedestrian experience along Hamilton Avenue and Webster Street.

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

- At 40 feet tall, the proposed building is lower than the adjacent commercial buildings.
- A lobby entrance fronting Hamilton Avenue provides a clear and unobstructed view into the central courtyard, thereby reducing the mass of the building and providing visual relief and interest along Hamilton Avenue.
- A second lobby entrance on Webster activates the corner while further breaking down the mass of the building. A series of stepped terraces cascade from the entry is visually interesting to street user.
- A third-floor terrace on Webster Street reduces the building mass and apparent height along the residential street.

3. Massing and Setbacks

Buildings shall be designed to minimize massing and conform to proper setbacks

The project proposes a three-story courtyard building with deep landscape setbacks along each street frontage. The massing of the building is tailored to acknowledge mixed-uses on the site, to transition between commercial and residential use areas, to respect and respond to neighboring buildings, and to enhance the pedestrian experience.

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 project is adjacent to multi-family residential, however, it provides sufficient setback and transitions well with its surrounding.

5. Project Open Space

Private and public open space shall be provided so that it is usable for the residents and visitors of the site

The project includes a combination of open space areas including a central courtyard, shared terrace, residential private terraces, a redwood garden and a 10-foot setback.

6. Parking Design

Parking shall be accommodated but shall not be allowed to overwhelm the character of the project or detract from the pedestrian environment

The single-level below-grade parking garage has its entry on Webster Street (as requested by the City) and provides parking for 55 vehicles.

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

The site is less than an acre in size.

8. Sustainability and Green Building Design

Project design and materials to achieve sustainability and green building design should be incorporated into the project

The project will address the 2016 California Green Building Code as well as introduce systems and sustainable design as part of the requirements of the City of Palo Alto and/or following good 'green' design practice.

The project is consistent with the following Multi-Family (RM-40) context-based design criteria:

1. Massing and Building Facades

Massing and building facades shall be designed to create a residential scale in keeping with Palo Alto neighborhoods, and to provide a relationship with street(s).

- At 40 feet tall, the proposed building is lower than the adjacent commercial buildings.
- A lobby entrance fronting Hamilton Avenue provides a clear and unobstructed view into the central courtyard, thereby reducing the mass of the building and providing visual relief and interest along Hamilton Avenue.
- A second lobby entrance on Webster activates the corner while further breaking down the mass of the building. A series of stepped terraces cascade from the entry is visually interesting to street user.
- A third-floor terrace on Webster Street reduces the building mass and apparent height along the residential street.

The project proposes a three-story courtyard building with deep landscape setbacks along each street frontage. The massing of the building is tailored to acknowledge mixed-uses on the site, to transition between commercial and residential use areas, to respect and respond to neighboring buildings, and to enhance the pedestrian experience.

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The single-level below-grade parking garage has its entry on Webster Street (as requested by the City) and provides parking for 55 vehicles.

5. 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

The site is less than an acre in size.

6. Housing Variety and Units on Individual Lots

Multifamily projects may include a variety of unit types as small-lot detached units, attached rowhouses/townhouses, and cottage clusters in order to achieve variety and create transitions to adjacent existing development.

The project proposes a mixed-use project with attached multi-family and commercial. The project is a single attached building with a courtyard in the center.

7. Sustainability and Green Building Design

Project design and materials to achieve sustainability and green building design should be incorporated into the project

The project will address the 2016 California Green Building Code as well as introduce systems and sustainable design as part of the requirements of the City of Palo Alto and/or following good 'green' design practice.

Finding #3: The design is of high aesthetic quality, using high quality, integrated materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

The project proposes a contemporary design using wood, textured fiber cement board, board formed concrete, plaster, cedar wood soffits, glass, painted aluminum trellis and painted metal cladding. Proposes are muted colors to be compatible with the surrounding.

Finding #4: The design is functional, allowing for ease and safety of pedestrian and bicycle traffic and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

The project proposes a design that includes a three-story building, and one level of below-grade parking for 55 cars with an entry along Webster Street. Massing and landscape setbacks have been considered in an effort to achieve a deliberate transition between downtown and an adjacent residential neighborhood, thereby binding the urban fabric. A biophilic design approach yields significant greenspace for the enjoyment of future tenants and the broader Palo Alto community. At the request of the Architectural Review Board, the project includes additional short-term bicycle parking and an additional accessible ramp at Webster Street.

Finding #5: The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent practical, regional

indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained.

Throughout the building and along the elevations, the landscape materials of the courtyard, terrace and street provide an organic counterpoint to the built environment. Throughout the site, the planting palette is varied to provide visual interest using native and drought tolerant plantings. Redwood trees on an adjacent lot will be preserved. Moreover, nine non-native street trees, in poor condition, will be removed at the request of Urban Forestry and replaced with a Valley Oak street tree, which is both native and low water use. The canopy coverage of the trees proposed for this project will be 5,620 square feet greater than that of existing canopy coverage when measured at a 15-year projected growth.

Finding #6: The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

Per the City of Palo Alto planning goals, the project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

Secure bicycle parking will be provided in the garage with additional bike parking on the street along Cambridge Avenue. Both will provide alternate means of transportation with less fuel emissions and potential traffic.

The systems proposed for the building will be designed to meet to energy performance criteria of California Title 24 for Mechanical, Lighting, and Building Envelope.

Performance Criteria
565 Hamilton Avenue 18PLN-00313

Pursuant to PAMC 18.23, the following performance criteria are intended to provide additional standards to be used in the design and evaluation of developments in the multi-family, commercial, and industrial zones. The purpose is to balance the needs of the uses within these zones with the need to minimize impacts to surrounding neighborhoods and businesses. The criteria are intended to make new developments and major architectural review projects compatible with nearby residential and business areas, and to enhance the desirability of the proposed developments for the site residents and users, and for abutting neighbors and businesses.

Performance Criteria	Project Consistency
18.23.020 Trash Disposal and Recycling	
<i>Assure that development provides adequate and accessible interior areas or exterior enclosures for the storage of trash and recyclable materials in appropriate containers, and that trash disposal and recycling areas are located as far from abutting residences as is reasonably possible.</i>	An enclosed integrated trash facility is located on the north side of the project located approximately 15 feet from the property line and screened by a fence.
18.23.030 Lighting	
<i>To minimize the visual impacts of lighting on abutting or nearby residential sites and from adjacent roadways.</i>	The project's photometric plans demonstrate that project's proposed lighting will not impact the neighbors or the street.
18.23.040 Late Night Uses and Activities	
<i>The purpose is to restrict retail or service commercial businesses abutting (either directly or across the street) or within 50 feet of residentially zoned properties or properties with existing residential uses located within nonresidential zones, with operations or activities between the hours of 10:00 p.m. and 6:00 a.m. Operations subject to this code may include, but are not limited to, deliveries, parking lot and sidewalk cleaning, and/or clean up or set up operations, but does not include garbage pick-up.</i>	The current project proposal does not include late night uses or activities. Future commercial tenants that would like this will need to file for a Conditional Use Permit, as required per the Zoning Code.
18.23.050 Visual, Screening and Landscaping	
<i>Privacy of abutting residential properties or properties with existing residential uses located within nonresidential zones (residential properties) should be protected by screening from public view all mechanical equipment and service areas. Landscaping should be used to integrate a project design into the surrounding neighborhood, and to provide privacy screening between properties where appropriate.</i>	The project abuts residential uses and provides landscaping to screen the uses of the buildings. Mechanical equipment is located in the center of the rooftop out of any sightlines. Other utilities are located not in plain sight from the public.

Performance Criteria	Project Consistency
18.23.060 Noise and Vibration	
<i>The requirements and guidelines regarding noise and vibration impacts are intended to protect residentially zoned properties or properties with existing residential uses located within nonresidential zones (residential properties) from excessive and unnecessary noises and/or vibrations from any sources in abutting industrial or commercially zoned properties. Design of new projects should reduce noise from parking, loading, and refuse storage areas and from heating, ventilation, air conditioning apparatus, and other machinery on nearby residential properties. New equipment, whether mounted on the exterior of the building or located interior to a building, which requires only a building permit, shall also be subject to these requirements.</i>	The parking areas are located underground. Most terraces are inward facing. The Redwood terrace in the rear of the project abuts neighboring properties.
18.23.070 Parking	
<i>The visual impact of parking shall be minimized on adjacent residentially zoned properties or properties with existing residential uses located within nonresidential zones.</i>	Parking is provided within the basement of the building.
18.23.080 Vehicular, Pedestrian and Bicycle Site Access	
<i>The guidelines regarding site access impacts are intended to minimize conflicts between residential vehicular, pedestrian, and bicycle uses and more intensive traffic associated with commercial and industrial districts, and to facilitate pedestrian and bicycle connections through and adjacent to the project site.</i>	The project maintains a single curb-cut for access to a garage. The project maintains a 5-foot sidewalk. Bicycle parking is provided by the project.
18.23.090 Air Quality	
<i>The requirements for air quality are intended to buffer residential uses from potential sources of odor and/or toxic air contaminants.</i>	No proposed uses on the project site would produce odor or toxic air. Future uses are required to comply with these performance standards.
18.23.100 Hazardous Materials	
<i>In accordance with Titles 15 and 17 of the Palo Alto Municipal Code, minimize the potential hazards of any use on a development site that will entail the storage, use or handling of hazardous materials (including hazardous wastes) on-site in excess of the exempt quantities prescribed in Health and Safety Code Division 20, Chapter 6.95, and Title 15 of this code.</i>	This is not applicable to the proposed uses associated with the project.

Joint Use (Shared) Parking Facilities

For any site or sites with multiple uses where the application of this chapter requires a total of or more than ten (10) spaces, the total number of spaces otherwise required by application of Table 1 may be reduced when the joint facility will serve all existing, proposed, and potential uses as effectively and conveniently as would separate parking facilities for each use or site. In making such a determination, the director shall consider a parking analysis using criteria developed by the Urban Land Institute (ULI) or similar methodology to estimate the shared parking characteristics of the proposed land uses. The analysis shall employ the city's parking ratios as the basis for the calculation of the base parking requirement and for the determination of parking requirements for individual land uses. The director may also require submittal and approval of a TDM program to further assure parking reductions are achieved.

The project submitted a TDM (December 6, 2018) that outlines a 45% trip reduction. The project seeks an eight percent reduction in the required amount of parking for the project. (60 spaces are required, while only 55 are provided).

Variance Findings

PAMC 18.76.030

(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 Title 18 substantially deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district as the subject property.

Tree Protection Zone: As depicted in the Major Architectural Review application (Plan Set Sheet L1.01), the root protection zone of five mature redwood trees situated on an adjacent City-owned property (the Cowper Webster Street Garage) significantly encroaches into the buildable area of the proposed project site, preventing it from being fully utilized in a way that is similar to other sites in the zoning district. Whereas neighbors within the CD-C(P) zone typically build to their rear lot lines, as permissible in the CD-C(P) zone, development on the proposed project site is limited by a need to protect the root systems of the City's redwood trees. To address this special circumstance, the applicant has pulled the proposed project forward towards Hamilton Avenue, leaving the protected redwoods room to thrive at the rear of the project site. Buildable area on the CD-C(P) parcel lost to this special circumstance is approximately 565 square feet at the ground level of the project.

Adjacent Historic Building: In addition, a historic building (530 Webster) located to the north subjects the proposed project site to unusual constraints. While the required setback on Webster Street is variable at 0 to 16 feet per municipal code, the proposed project has incorporated a 20-foot setback to better align with and to respect the adjacent historic structure at

530 Webster Street (as per direction received from the Architectural Review Board during a preliminary hearing). Assuming the maximum 16-foot setback, buildable area lost to this special circumstance is approximately 470 square feet (or greater) per building level.

Antiquated Special Setback Has Not Been Enforced: The proposed project is also impacted by an extraordinary 17-foot special setback along Hamilton Avenue. Other than the proposed project site parcels, only one other parcel (550 Hamilton) along Hamilton Avenue is subject to a 17-foot special setback. Despite being subject to a 17-foot special setback, the 550 Hamilton site was improved under PC zoning in 1971 with a building structure that occupies a significant portion of the 17-foot special setback zone. The 17-foot special setback map was drafted in the 1950's era (when lane widening was a common traffic calming measure), but 550 Hamilton was constructed more than two decades later. Based on this sequence of events, it can be assumed that the City determined prior to 1971 that a 17-foot special setback was no longer needed or desirable at the intersection of Hamilton Avenue and Webster Street. With other approaches to traffic calming being evolved since the 1950's and that the City does not intend to use the special setback at the intersection of Hamilton and Webster in the foreseeable future.

Adjacent Similarly Situated Properties Enjoy a Smaller Seven Foot Setback: Along Hamilton Avenue, the special setback is generally seven feet (instead of 17 feet). In accordance, most buildings along Hamilton Avenue are set back seven feet or less from the property line. For example, a neighboring office building at 555 Hamilton, immediately adjacent and west of the proposed project site, was constructed in the 1980's (per the assessor's office) and is set back only seven feet; and a church at 625 Hamilton Avenue, just across the street from the proposed project, is situated even closer to the street than 555 Hamilton. In fact, in the downtown area, 565 Hamilton is the only CD-C (P) zoned property with a 17-foot special setback; and the proposed project also contains the only RM-40 parcel having a 17-foot special setback on Hamilton Avenue. Based on the facts above, a strict application of the 17-foot special setback to the applicant's project site would deprive the property of privileges enjoyed by other property in the vicinity and in the same zoning district as the subject property.

In summary, the Hamilton Webster project has several unusual and substantial constraints that do not normally arise on other sites in the vicinity and in the same zoning district. A unique 17-foot special setback impacts the property along Hamilton Avenue, a historic neighbor has necessitated a deep 20-foot setback on Webster Street, and a collection of protected redwood trees on adjacent City-owned property impacts the proposed project on the two remaining perimeter property lines. With unusual pressures applied on all four sides of the proposed project site, strict application of the special setback would deprive the applicant of privileges enjoyed by other property in the vicinity and in the same zoning district as the subject property.

(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.

As previously noted, the 17-foot special setback applicable to the proposed project is quite unusual for properties in the vicinity and properties in the same zoning district. In downtown, 565 Hamilton is the only CD-C (P) zoned property with a 17-foot special setback. The proposed project also contains the only RM-40 parcel in the downtown area having a 17-foot special setback along Hamilton Avenue. Thus, granting the application would not constitute a granting of privileges inconsistent with the limitations upon other properties in the vicinity and in the same zoning district as the subject property.

Further, if the variance is granted as requested, the proposed project will substantially comply with all regulations, because it fully complies with all other development standards and, with respect to the special setback, the encroachments have been minimized. In fact, the bulk of the proposed project's building mass will still be set back a full 17 feet, as stipulated by the special setback map. The maximum encroachment into the special setback area (of approximately six feet) will be at the office canopy, where the project will still be able to maintain an 11-foot setback from the property line, which is significantly deeper than the seven feet special setback that applies to most other properties in the vicinity and same zoning district

Furthermore, the volume of the roof eave and office canopy encroachment (at approximately 627 square feet) is minimal as compared to the volume of the lost buildable area (approximately 1,035 square feet) associated with protecting redwoods on an adjacent property and respecting the adjacent historic building at 530 Webster via a 20-foot setback.

Other than the requested exceptions, the proposed project complies with all other City regulations. The granting of these exceptions would not be considered a special privilege, but rather would be 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 as proposed complies with all Zoning Ordinance requirements (other than the encroachments for which a variance is sought), including the context-based design criteria outlined in Chapter 18.13 which specifically encourages "facades that include projecting eaves and overhangs, porches, and other architectural elements that provide human scale and help break up building mass." Furthermore, the proposed project does not conflict with the promotion and protection of public health, safety, peace, morals, comfort, convenience or general welfare. In light of these facts, the proposed project is consistent with the purposes of the Zoning Ordinance (Title 18).

The Palo Alto Comprehensive Plan does not contain any setback requirements, so the variance does not include an exception to the Comprehensive Plan. Further, the proposed project is consistent with the Comprehensive Plan, as it will promote the following goals and policies, among others:

- N-2.1: Recognize the importance of the urban forest as a vital part of the city's natural and green infrastructure network that contributes to public health, resiliency, habitat values, appreciation of natural systems and an attractive visual character which must be protected and enhanced.
- L3.1: Ensure that new or remodeled structures are compatible with the neighborhood and adjacent structures.
- L2.4: Use a variety of strategies to stimulate housing, near retail, employment and transit, in a way that connects to and enhances existing neighborhoods.
- L6.7: Where possible, avoid abrupt changes in scale and density between residential and non-residential areas and between residential areas of different densities.
- N-7.4: Maximize the conservation and efficient use of energy in new and existing residences and other buildings in Palo Alto.

In summary, an important goal of the Palo Alto Comprehensive Plan is to encourage more housing units in transit rich areas. Without a variance (in light of unusual pressures on all four sides of the proposed project site), housing units near transit would be lost because the buildable site area would effectively be reduced (assuming the roof eaves and office canopy remain), and/or the roof eaves and office canopy would be lost (impacting the ability to shade the windows from solar heat gain, as well as impacting the aesthetic interest of the building). Granting a variance for the roof eaves, office canopy, and other architectural design elements resolves this issue, allowing the property to be built out in a fashion similar to other properties in the vicinity and zoning district, and in a fashion that is consistent with the Palo Alto Comprehensive Plan and the purposes of the Zoning Ordinance. More succinctly stated, if a variance is granted, desirable housing units will be provided near transit, retail and employment; redwood trees will be protected; adjacent historic structures will be respected; and roof eaves, window frames and office canopies will maximize the efficient use of energy and improve the pedestrian experience and surrounding property values.

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

- The proposed encroachments improve the aesthetics of the proposed project (which replaces end-of-life structures) on a stand-alone basis; and the eaves and office canopy help to soften what would otherwise be an abrupt transition between discrepant setback zones. Granting the variance application thus enhances the pedestrian experience and improves surrounding property values.
- Other than the special setback variance requested, the proposed project is consistent with City regulations (Planning, Building, Fire, etc.) and, therefore, is not detrimental to public health, safety, or general welfare.

- Public convenience is enhanced by an office canopy that denotes entry, assists with wayfinding (via attached signage), and provides protection from the elements.
- The four-foot roof eave encroachment, at 38'-3" above grade, would not significantly impair the City's use of the 17 feet special setback at the ground level. Moreover, the six feet office canopy, which is the most significant encroachment proposed, also does not impair the City's practical ability to use the 17 feet special setback, since the City could not use the area under the proposed canopy for most purposes without first demolishing the existing office structure located at 555 Hamilton Avenue. In summary, granting the variance requested provides the City with future option value to use the special setback in a fashion that is consistent with the opportunity on other properties in the vicinity.

Approval of the requested variance will facilitate development of a mixed-use project: (i) that is consistent with the goals of the comprehensive plan, municipal code, and context based design criteria, (ii) that preserves the health and welfare of five city-owned redwood trees on an adjacent lot, (iii) that is respectful of its historic neighbor at 530 Webster Street, (iv) that is aesthetically pleasing and complements neighboring properties, and (v) that is consistent with other projects in the vicinity.

**ATTACHMENT C
CONDITIONS OF APPROVAL**

565 Hamilton Avenue
18PLN-00313

PLANNING DIVISION

1. **CONFORMANCE WITH PLANS.** Construction and development shall conform to the approved plans entitled, "Hamilton Webster Project, Palo Alto, May 10, 2019" stamped as received by the City on May 13, 2019 on file with the Planning Department, 250 Hamilton Avenue, Palo Alto, California except as modified by these conditions of approval.
2. **BUILDING PERMIT.** Apply for a building permit and meet any and all conditions of the Planning, Fire, Public Works, and Building Departments.
3. **BUILDING PERMIT PLAN SET.** The ARB approval letter including all Department conditions of approval for the project shall be printed on the plans submitted for building permit.
4. **PROJECT MODIFICATIONS:** All modifications to the approved project shall be submitted for review and approval prior to construction. If during the Building Permit review and construction phase, the project is modified by the applicant, it is the responsibility of the applicant to contact the Planning Division/project planner directly to obtain approval of the project modification. It is the applicant's responsibility to highlight any proposed changes to the project and to bring it to the project planner's attention.
5. **PROJECT EXPIRATION:** 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.
6. **INDEMNITY:** 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 for 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.
7. **DEVELOPMENT IMPACT FEES:** Estimated Development Impact Fees in the amount of \$469,416.90 plus the applicable public art fee, per PAMC 16.61.040, shall be paid prior to the issuance of the related building permit.

8. **IMPACT FEE 90-DAY PROTEST PERIOD.** California Government Code Section 66020 provides that a 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 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. If these requirements constitute fees, taxes, assessments, dedications, reservations, or other exactions as specified in Government Code Sections 66020(a) or 66021, this is to provide notification that, as of the date of this notice, the 90-day period has begun in which you may protest these requirements. This matter is subject to the California Code of Civil Procedures (CCP) Section 1094.5; the time by which judicial review must be sought is governed by CCP Section 1094.6.
9. **FINAL INSPECTION:** A Planning Division Final inspection will be required to determine substantial compliance with the approved plans prior to the scheduling of a Building Division final. Any revisions during the building process must be approved by Planning, including but not limited to; materials, landscaping and hard surface locations. Contact your Project Planner, Sheldon S. Ah Sing at sahsing@m-group.us to schedule this inspection.

PUBLIC WORKS ENGINEERING

PRIOR TO ISSUANCE OF AN EXCAVATION AND GRADING PERMIT AND/OR BUILDING PERMIT:

10. **SUBDIVISION:** As three lots are proposed to be merged, a Preliminary Parcel Map and a Parcel Map, or a Certificate of Compliance for a Lot Merger (if applicable) are required for the proposed development. Map types and review procedures vary depending on the number of units proposed. Depending on the number of units proposed, the applicant shall submit a minor or major subdivision application to the Department of Planning and Community Environment. Show all existing and proposed dedications and easements on the map submitted as part of the application. Please be advised that the Parcel Map or Certificate of Compliance shall be recorded with the Santa Clara County Clerk Recorder prior to Building or Grading and Excavation Permit issuance. A digital copy of the Parcel Map, in AutoCAD format, shall be submitted to Public Works Engineering and shall conform to North American Datum 1983 State Plane Zone 3 for horizontal survey controls and NGVD88 for vertical survey controls.
11. **PUBLIC WORKS STANDARD CONDITIONS:** The City's full-sized Standard Conditions sheet must be included in the plan set. The conditions noted on the sheet shall be adhered to for the full project duration until completion. Copies are available on the Public Works website: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=67175.06&BlobID=66261>

12. **SIDEWALK, CURB & GUTTER:** As part of this project, the applicant must replace all sidewalks, curbs, gutters and driveway approaches in the public right-of-way along the frontages, and must remove any unpermitted pavement in the planter strip. The plan must note that any work in the right-of-way must be done per Public Works' standards by a licensed contractor who must first obtain a *Street Work Permit* from Public Works at the Development Center.
13. **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 frontage(s). Call the Public Works' arborist at 650-496-5953 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. The plan must note that in order to do street tree work, the applicant must first obtain a *Permit for Street Tree Work in the Public Right-of-Way* from Public Works' arborist (650-496-5953).
14. **FLOOD ZONE:** The proposed project is located within a Special Flood Hazard Area. Accordingly, the proposed construction must comply with Palo Alto Municipal Code 16.52 and FEMA's requirements for construction within a flood zone. Plans must show:
- Elevations are based on NAVD88 datum.
 - The location of the BFE on all architectural elevations and all structural foundation details.
 - The structure below the BFE is constructed of water-resistant material.
 - All mechanical, electrical, heating, ventilation, plumbing, and air conditioning equipment is located above the BFE to the maximum extent practicable.
 - The *Elevation Certification Submittal Requirements for Construction in the Special Flood Hazard Area* form, which is available from Public Works at the Development Center or on our website.
https://cityofpaloalto.org/gov/depts/pwd/forms_and_permits/default.asp#FloodZoneIssue
 - If required, a table showing the calculation for number of flood vents needed; location of flood vents on foundation plan; detail of flood vent; location of flood vent relative to adjacent grade.
15. **BASEMENT DRAINAGE:** Due to high groundwater throughout much of the City and Public Works prohibiting the pumping and discharging of groundwater, perforated pipe drainage systems at the exterior of the basement walls or under the slab are not allowed for this site. A drainage system is, however, required for all exterior basement-level spaces, such as lightwells, patios or stairwells. This system consists of a sump, a sump pump, a backflow preventer, and a closed pipe from the pump to a dissipation device onsite at least 10 feet from the property line, such as a bubbler box in a landscaped area, so that water can percolate into the soil and/or sheet flow across the site. The device must not allow stagnant water that could become mosquito habitat. Additionally, the plans must show that exterior basement-level spaces are at least 7-3/4" below

any adjacent windowsills or doorsills to minimize the potential for flooding the basement. Public Works recommends a waterproofing consultant be retained to design and inspect the vapor barrier and waterproofing systems for the basement.

16. BASEMENT SHORING: Shoring for the basement 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.
17. DEWATERING: Proposed underground garage excavation 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 1 through October 31 due to inadequate capacity in our storm drain system. The geotechnical report for this site must list the highest anticipated groundwater level; if the proposed project will encounter groundwater, the applicant must provide all required dewatering submittals for Public Works review and approval prior to grading permit issuance. Public Works has dewatering submittal requirements and guidelines available at the Development Center and on our website: https://cityofpaloalto.org/gov/depts/pwd/forms_and_permits/default.asp
18. GRADING PERMIT: The site plan must include an earthworks table showing cut and fill volumes. If the total is more than 100 cubic yards, a grading permit will be required. An application and plans for a grading permit are submitted to Public Works separately from the building permit plan set. The application and guidelines are available at the Development Center and on our website: https://cityofpaloalto.org/gov/depts/pwd/forms_and_permits/default.asp
19. STORM WATER POLLUTION PREVENTION: The City's full-sized "Pollution Prevention - It's Part of the Plan" sheet must be included in the plan set. The sheet is available here: <http://www.cityofpaloalto.org/civicax/filebank/documents/2732>
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. 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. <https://cityofpaloalto.org/civicax/filebank/documents/2718>
22. STORMWATER MAINTENANCE AGREEMENT: The applicant shall designate a party to maintain the control measures for the life of the improvements and must enter into a **maintenance agreement** with the City to guarantee the ongoing maintenance of the permanent C.3 storm water discharge compliance measures. **The maintenance agreement shall be executed prior to**

issuance of the building or grading permit. The City will inspect the treatment measures yearly and charge an inspection fee.

23. **LOGISTICS PLAN:** 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.
24. **Provide a Rough Grading Plan** for the work proposed as part of the Grading and Excavation Permit application. The Rough Grading Plans shall including the following: pad elevation, basement elevation, elevator pit elevation, ground monitoring wells, shoring for the proposed basement, limits of over excavation, stockpile area of material, overall earthwork volumes (cut and fill), temporary shoring for any existing facilities, ramps for the basement access, crane locations (if any), etc.
25. **PRIOR TO OCCUPANCY:** Within 45 days of the installation of the required storm water treatment measures and prior to the issuance of an occupancy permit for the building, the qualified thirdparty reviewer shall also submit to the City a certification for approval that the project's permanent measures were constructed and installed in accordance to the approved permit drawings.
26. **STORM WATER HYDRAULICS AND HYDROLOGY:** Is this project increasing impervious area at the site? If so, applicant shall provide an analysis that compares the existing and proposed site runoff from the project site. Runoff shall be based on City of Palo Alto Drainage Design Standards for 10 year storm event with HGL's 0.5 foot below inlet grates elevations and 100-year storm with HGL not exceeding the street right-of-way, as described on the City of Palo Alto Drainage Design Standards. Please provide the tabulated calculations directly on the conceptual grading and drainage plan. This project may be required to replace and upsize the existing storm drain system to handle the added flows and/or depending on the current pipe condition. The IDF tables and Precipitation Map for Palo Alto is available County of Santa Clara County Drainage Manual dated October 2007. The proposed project shall not increase runoff to the public storm drain system.
27. **PAVEMENT:** Add the following note to the Site Plan: "Applicant and contractor will be required to resurface, grind and pave, the full width (curb to curb) of Hamilton Avenue and Webster Street along the frontage of the project." Plot and label the area to be resurfaced as hatched on the site plan.
28. **Submit draft Flood Emergency Operation Plan** for review prior to Public Works Building Permit approval.

29. Submit draft Inspection and Maintenance Plan for review prior to Public Works Building Permit approval.
30. Submit final Flood Emergency Operation Plan prior to Public Works final inspection.
31. Submit final Inspection & Maintenance Plan prior to Public Works final inspection.
32. Prior to Public Works final inspection, owner shall sign and record an agreement stating that the Flood Emergency Operation Plan and the Inspection and Maintenance Plan will be followed for the life of the structure and that the agreement shall be transferred to all subsequent owners.
33. Prior to Public Works final inspection, this Project shall file a Floodproofing Certificate for NonResidential Structures (FEMA Form 086-0-34) with all applicable authorities. The Floodproofing Certificate shall include the Flood Emergency Operation Plan and the Inspection & Maintenance Plan as described in FEMA Technical Bulletin 3-93.

UTILITIES WATER/ GAS/ WASTEWATER

34. 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).
35. 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, sewer mains, sewer cleanouts, and any other required utilities.
36. An approved reduced pressure principle assembly (RPPA backflow preventer device) is required for all 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.
37. 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.
38. This project must comply with California Water Metering for Multi-unit Structures Water Code as amended by law Senate Bill 7 (Water Code, Division 1, Chapter 8, Article 5, Section 537-537.5)

requires individual water meters or submeters for each unit of new multiunit residential structure or mixed-use residential and commercial structure constructed after January 1, 2018. CPAU encourages submeters over individual meters particularly for buildings with many units since individual meters may be impractical. The owner of the structure shall install submeters that comply with all laws and regulations governing the approval of submeter types or the installation, maintenance, reading, billing, and testing of submeters, including, but not limited to, the California Plumbing Code.

39. 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.

UTILITIES ELECTRIC ENGINEERING

40. This project will require the installation of new electric utility substructure and reconfiguration of the existing electric utility distribution system in order to provide service to the new transformer. Applicant shall contact CPAU Electric Engineering for off-site and on-site requirements.
41. 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.
42. A completed Utility Service Application and a full set of plans must be included with all applications involving electrical work. The Application must be included with the preliminary submittal.
43. 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.
44. 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.
45. 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.
46. 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 checked for underground facility marking shall be delineated with white paint. All USA markings shall be removed by the customer or contractor when construction is complete.

47. 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 California 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.
48. 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.
49. All new underground conduits and substructures shall be installed per City standards and shall be inspected by the Electrical Underground Inspector before backfilling.
50. For services larger than 1600 amps, a transition cabinet as the interconnection point between the utility's padmount transformer and the customer's main switchgear may be required. See City of Palo Alto Utilities Standard Drawing SR-XF-E-1020. The cabinet design drawings must be submitted to the Electric Utility Engineering Division for review and approval.
51. For underground services, no more than four (4) 750 MCM conductors per phase can be connected to the transformer secondary terminals; otherwise, bus duct or x-flex cable must be used for connections to padmount transformers. If customer installs a bus duct directly between the transformer secondary terminals and the main switchgear, the installation of a transition cabinet will not be required.
52. The customer is responsible for installing all underground electric service conductors, bus duct, transition cabinets, and other required equipment. The installation shall meet the California Electric Code and the City Standards.
53. 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.
54. 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

55. For 400A switchboards only, catalog cut sheets may be substituted in place of factory drawings.

56. All new underground electric services shall be inspected and approved by both the Building Inspection Division and the Electrical Underground Inspector before energizing.
57. 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.
58. The follow must be completed before Utilities will make the connection to the utility system and energize the service:
- All fees must be paid.
 - All required inspections have been completed and approved by both the Building Inspection Division and the Electrical Underground Inspector.
 - All Special Facilities contracts or other agreements need to be signed by the City and applicant.
 - Easement documents must be completed.

BUILDING

59. The review and approval of this project does not include any other items of construction other than those written in the ARB project review application included with the project plans and documents under this review. If the plans include items or elements of construction that are not included in the written description, it or they may not have been known to have been a part of the intended review and have not, unless otherwise specifically called out in the approval, been reviewed.

PUBLIC WORKS WATERSHED PROTECTION

60. At the Building permit stage, the project shall demonstrate compliance with the following Municipal Code Sections:
- a. Section 16.09.170(c), 16.09.040(m) (Discharge of Groundwater),
 - b. Section 16.09.180(b)(10) (Covered Dumpsters, Recycling and Tallow Bin Areas),
 - c. Section 16.09.180(b)(6) (Copper Piping),
 - d. Section 16.09.180(b)(9) (Covered Parking),
 - e. Section 16.09.180(b)(5) (Condensate from HVAC)
 - f. Section 16.09.165(f) (Carwash Prohibited Discharges)
 - g. Section 16.09.165(h) (Storm Drain Labeling)

PUBLIC ART

61. Prior to the issuance of a Building permit, the applicant will be required to pay the public art fee.
62. The fee amount will be confirmed based on the building permit valuations on file at the time of application.
63. Alternatively, the project may provide public art on site by completing the public art in private spaces process.

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Hamilton Webster Project Description – May 10, 2019

PROJECT OVERVIEW

Hamilton Webster is a proposed mixed-use project to be located on 0.5 level acres in downtown Palo Alto, at the intersection of Hamilton Avenue and Webster Street. The program for this project includes: multifamily rental housing (19 homes), office space (up to 7,450 square feet), and on-site parking (55 stalls). This program is achieved with a three-story building, and one level of below-grade parking. Massing and landscape setbacks have been carefully considered in an effort to achieve a subtle and sophisticated transition between Palo Alto's central business district and an adjacent residential neighborhood, thereby binding the urban fabric. A biophilic design approach yields significant greenspace for the enjoyment of future tenants and the broader Palo Alto community. In keeping with this design approach, the proposed building materials are "natural" in color and provide significant warmth and texture. Materials proposed include: wood (cedar), textured fiber cement board, board formed concrete, plaster, glass, and painted metal. The resulting project, situated near abundant downtown retail and public transit, will be a dynamic mixed-use asset that encourages a pedestrian lifestyle.

PROJECT GOALS

The project sponsor has a number of goals for the Hamilton Webster project that have informed the architectural design. Primary goals include the following:

- To provide nineteen (19) residential rental units in downtown Palo Alto, in close proximity to retail, dining, and urban transit options, thereby promoting a pedestrian lifestyle.
- To provide a 7,450 square foot office space on Hamilton Avenue that creates an opportunity for a seamless, subtle, and sophisticated transition between the project's commercial neighbors on Hamilton Avenue and the project's residential neighbors on Webster Street.
- To be a good neighbor by respectfully integrating the design and massing of the Hamilton Webster project into the context of the existing neighborhood, with particular emphasis placed on respecting the privacy of residential neighbors at 530 Webster Street.
- To create a project that respects the existing natural environment (including the urban canopy) and creates new opportunities for residents and pedestrians to reconnect with nature in an urban context via a biophilic design approach.
- To construct a building that will have a strong sense of permanence and timelessness.
- To provide convenient onsite parking, thereby reducing the quantity of residents parking on street, as compared to existing conditions.

PROJECT APPROACH

The project site includes three separate parcels—one zoned CD-C (P) and two zoned RM-40. Existing site structures include three buildings (containing a total of 9 residential rental units) that have exceeded their useful life, that are not compliant with current building code, and that are largely reliant on street parking. To achieve the proposed project (containing 19 residential rental units and approximately

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7,450 square feet of office), all existing site structures would be removed, the three parcels would be merged to create a single lot via a Certificate of Compliance process, and a single mixed-use structure would be constructed. It should be noted that even though internal lot lines will be removed to create a single parcel, the underlying zoning designations for each parcel shall remain and shall be respected.

EXISTING IMPROVEMENTS

Existing improvements on the site include nine (9) residential rental units. The project site also includes a shed (~74SF) on the 542 Webster parcel, a parking garage for 4 cars on the 571 Hamilton parcel (~938 SF), and a parking garage for one or two small cars on the 565 Hamilton parcel (~427 SF). The combined total of all structures is +/- 9,013 square feet. Recent tenants have primarily parked in the street because of the smaller size and limited clearance in the existing garage units. All of the existing structures are at or nearing end-of-life, and none are considered historic resources.

ADDRESS	542 WEBSTER	571 HAMILTON	565 HAMILTON	TOTALS
APN	120-03-060	120-03-061	120-03-062	
Stories	1	2	1	
Square Footage	1,944 +/-	5,242 +/-	1,827 +/-	9,013 +/-
1 Bedroom Units	4	3	0	7
2 Bedroom Units	0	1	1	2
Total Units	4	4	1	9

NEIGHBORHOOD CONTEXT

The buildings surrounding the Hamilton Webster corner parcel vary significantly in size, mass and character. To the west and south along Hamilton Avenue are three story office buildings of stucco and glass, each close to 50 feet in height. To the east across the intersection, the First United Methodist Church, an iconic structure of concrete planes, rises more than 70 feet from grade. In contrast, along Webster Street the adjacent two story multi-family residence is approximately 24 feet in height. The Hamilton Webster project seeks to unify this street front by providing a single building that acknowledges the large mass of the adjacent commercial buildings along Hamilton Avenue, but which is scaled down to respect the smaller scaled residences along Webster Street through its massing and articulation.

SITE CONSTRAINTS

The Hamilton Webster project has a number of site constraints that have significantly informed the project design. These constraints include: (i) a 17 foot special setback along Hamilton Avenue, (ii) a variable 0-16 foot side setback along Webster Street, (iii) redwood trees on the adjacent Cowper-Webster Garage lot, (iv) a 50 foot height limit on the CD-C (P) parcel, (v) a 40 foot height limit on the RM-40 parcels, and (vi) an AH flood zone designation.

Impacts of these constraints on the site design include the following:

- The proposed building façade has been set back 20 feet along the Webster Street property line to align with an adjacent residential neighbor. While this 20 foot setback exceeds the 0-16 feet required, we believe the setback is “neighbor friendly” and creates an opportunity to provide significant front yard landscaping that is highly residential in character, and that can be enjoyed by the entire Palo Alto community.

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- The proposed building has been set back significantly at the northwest corner to protect redwood trees on a neighboring lot. While this results in a significant loss of buildable area, it also creates a unique opportunity to provide private outdoor space for the office tenant.
- While zoning allows for a 50 foot tall building on the CD-C (P) parcel and a 40 foot tall building on the RM-40 component, we are proposing a single 3 story, 40 foot tall building to fit within the neighborhood context. A 3 story structure helps bridge the massing differences between our 2 story residential neighbor, our commercial neighbor at 50' above grade, and the nearby church at 70' above grade.
- Only car and bike parking have been provided below grade, as required by the codes regulating flood plain designation.

PROJECT DESIGN

Massing

The project proposed features a three story courtyard building with deep landscape setbacks along each street frontage. The massing of the building has been tailored to subtly acknowledge a combination of uses on the site, to smoothly transition between commercial and residential use areas, to respect and respond to neighboring buildings, and to enhance the pedestrian experience.

Notable highlights include the following:

- At 40 feet tall, the proposed building is lower than the adjacent commercial buildings.
- A lobby entrance fronting Hamilton Avenue provides a clear and unobstructed view into the central courtyard, thereby reducing the mass of the building and providing visual relief and interest along Hamilton Avenue.
- A second lobby entrance on Webster activates the corner while further breaking down the mass of the building. A series of stepped terraces cascade from the entry as a welcoming gesture to the street.
- A third floor terrace on Webster Street reduces the building mass and apparent height along the residential street.
- The building is given scale through the creation of a strong distinction between the office and residential uses as well as variation across the façade. The office is set apart from the residential uses with a metal frame running both horizontally and vertically. At the residential units, vertically ribbed fiber cement board panels alternate with floor to ceiling glazing to create a vertical reading along the more public face of Hamilton Avenue. The residential stair, with a metal surround and vertical glazing, provides a visual break in the elevation and creates a counterpoint to the office glazing. Along Webster Street, the façade is further reduced with the introduction of the central third floor terrace. At this elevation, the windows are less formal in their organization, reflecting the residential nature of this street.
- The glassy, transparent expression of the office façade allows it to read in context to its commercial neighbors. This transparent façade is given scale through the addition of horizontal metal brise-soleil which provide solar shading for this south facing façade. The projecting brow above and vertically to the east of the office space delineates the change in use and mitigates the transition from office to residential. A secondary canopy at the first floor provides a pedestrian scale entry element as well as future signage opportunities.
- An extended eave wraps the project, providing articulation, shading and visual interest. This 4 foot eave extends 4 feet into the special setback on Hamilton, at a height of approximately 40 feet above grade.

Materiality

The proposed building materials have been selected to provide texture and warmth, to relate to the human scale, and to complement neighboring structures. The proposed materials are intended to be natural in color, primarily in warm tan, natural grey, and brown tones to fit within the Palo Alto context and to express the nature of the chosen materials. Proposed materials include:

- **Board Formed Concrete:** Durable concrete walls at the base of the building and within the landscaping have texture provided by the formwork and are natural light grey in color.
- **Textured Fiber Cement Board Panels:** These durable panels provide scale through the vertical textural ribbing. The panels at the second and third levels are proposed to be a natural taupe color to provide warmth and relate to the adjacent buildings. At the ground floor residences on Webster, the panels are a light grey color to accentuate their relationship to the adjacent concrete and to ground the building. The ribbed texture of the panels provides a texture that changes in tone throughout the day as the light moves across the surface, subtly activating the façade.
- **Cedar Wood Soffit:** Natural cedar wood siding material is proposed at the underside of the eaves, on entry doors and on lobby walls viewed through the glazing. This material is welcoming in its color and texture and adds additional warmth and scale to the building.
- **Painted Aluminum Trellis:** At the third floor terrace, a trellis extends over the space to provide shading. The trellis is proposed to be painted aluminum in a color tone similar to the cedar siding. From below, this material is visible, adding visual warmth to the elevation as well as a spatial relief.
- **Plaster:** Plaster occurs along the north elevation with a warm beige integral color to be compatible with the adjacent textured panels. At the ground floor trash area, the plaster is an integral grey color to complement the adjacent concrete.
- **Glass:** At the office, the curtain wall system is visually open at the ground floor with extended metal brise-soleil at the second floor for solar shading and visual relief. The window system is proposed as a full height window system with intermediate mullions and operable windows. All are proposed with dark bronze metal frames.
- **Metal Cladding:** Painted metal occurs at the eave fascia, at the office frame & canopy, and at the floor delineation between glazing systems. The fascia and office projections are intended to be dark bronze in color while the floor panels are a lighter brown to harmonize with the adjacent ribbed panels.
- **Landscape:** Throughout the building and along the elevations, the landscape materials of the courtyard, terrace and street provide an organic counterpoint to the built environment.

Addressing Its Neighbors

The Hamilton Webster project aims to provide a strong yet restrained presence to its historic neighbor at 530 Webster. The apparent scale of the Hamilton Webster project, along Webster Street, has been significantly reduced through introduction of a third floor terrace and full height windows. With a central large opening and full height glazing at the third floor corners, the mass at the third level recedes, allowing the building to read closer in scale to 530 Webster. In addition, the central shared terrace and building wings of Hamilton Webster have been proportioned carefully to complement the central courtyard of 530 Webster, which is similarly proportioned. Provision of a ten foot landscape setback and the addition of a full height privacy fence at the property line, coupled with careful window placement, all serve to improve the privacy afforded to tenants of 530 Webster.

With a simple roofline and horizontal layering of its mass, the proposed Hamilton Webster building does not try to compete with the soaring form of the First United Methodist Church. Instead it works as a foil, allowing the verticality of the Church to read more strongly when viewed against the horizontality of the proposed building. The form of the board formed concrete planes at the first floor of the proposed building augment the strong reading of the concrete planes of the Church; along Webster, the rhythm

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of extended concrete planes of the proposed building reference the repetitive concrete fins of the First United Methodist Church.

Materially, the taupe toned siding panels, cedar wood eaves and trellis of a matching brown color provide a warm hue that is sympathetic in tone to both the color of the First United Methodist Church and the clay tile roof of 530 Webster.

Lot Coverage

The proposed project features deep landscaped setbacks on all street frontages, resulting in very favorable lot coverage ratios. Lot coverage ratios for the proposed project are 25% and 62% on the RM-40 and CD-C (P) parcels, respectively. For context, the maximum lot coverage allowed by municipal code for the RM-40 parcel is 45%, and there is no maximum lot coverage requirement for the CD-C (P) parcel.

Private and Shared Outdoor Space

The project team has endeavored to create a biophilic design that reconnects people to nature. Throughout the site, the planting palette is varied to provide visual interest through the use of native and drought tolerant plantings. Redwood trees on an adjacent lot will be preserved. Moreover, nine non-native street trees, in poor condition, will be removed at the request of Urban Forestry and replaced with a Valley Oak street tree, which is both native and low water use. The canopy coverage of the trees proposed for this project will be 5,974 square feet greater than that of existing canopy coverage when measured at a 15 year projected growth.

While only 2,850 square feet of open space is required for this project per the municipal code, more than 6,150 square feet has been provided. In accordance with Section 18.13.040(e) of the Palo Alto Municipal Code, a portion of the required private usable open space has been added to the required common usable open space to improve the design and create spaces that can be meaningfully enjoyed by tenants. While the sheer quantity of open space provided is a meaningful differentiator for this project, the programming and placement of this open space is perhaps even more important in terms of achieving the project's biophilic design objective. The contribution each space makes to the project is more fully described below.

Central Courtyard

The project features a central courtyard on the main floor. This courtyard is visually open to the street, while physically private for the building tenants through the discrete placement of a metal screen at the covered terrace. The office space provided on the CD-C (P) parcel will boast floor-to-ceiling glass, giving office tenants visual access to the greenery of the central courtyard as well as physical access from the first floor. The residential units access the courtyard from the residential lobby and will also enjoy courtyard views from their units which ring the courtyard on three levels.

Shared Terrace

The project design incorporates a shared terrace on the third floor fronting Webster Street. This provides a second outdoor space which is large enough to be meaningfully enjoyed by the apartment residents. This terrace also serves to visually reduce the mass of the building along Webster. The greenery of the terrace is visible to the street, providing additional views of landscape to the public, consistent with the biophilic design goal.

Residential Terraces

On Webster Street, the two Level 1 residential units have terraces that front the street, providing outdoor space for the units that is both private and visually connected to the street. With their generous size and adjacency to the residences, the central courtyard, shared terrace and

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private ground level terraces are able to provide the common and private open spaces required for the residential units.

Redwood Garden

An additional outdoor space has been provided on the CD-C (P) parcel for private use by the office tenant. While an outdoor space is not required by code for the office user, provision of such a space is consistent with the biophilic design goal.

Good Neighbor Greenery

A 10 foot landscape buffer and fencing has been provided at the rear property line to provide privacy to the neighboring residential building. This buffer is a significant visual enhancement to existing condition.

Parking

The single-level below-grade parking garage has its entry on Webster Street (as requested by the City) and provides parking for 55 vehicles. Per Palo Alto Municipal Code, 60 parking spaces are required for the project. The project is requesting a "Joint Use (Shared) Parking Facilities" reduction in accordance with Section 18.52.050 of the Palo Alto Municipal Code, and the project proposes to implement a Transportation Demand Management plan to reduce net new peak hour trips to the project by 45%.

Variance Request

The project is requesting a variance for encroachments into an unusual 17' special setback on Hamilton Avenue. Encroachments are shown on the plan set and include the following:

- A roof eave extends 3' into the special setback at approximately 40' above grade, providing articulation and visual interest to the elevation, and shading the third floor residences.
- An office canopy extends 5' into the special setback, designating a pedestrian entry point, providing coverage from the elements, and creating a location for future signage.
- A concrete fin wall extends 2' into the 17' special setback, denoting residential entry.

As the neighboring property at 555 Hamilton Avenue is not subject to the same 17' special setback, there is a large shift that occurs at the transition between the two properties. The roof eave and the office canopy both serve to soften the abruptness of this transition, extending forward to welcome the pedestrians. For this reason, as well as the benefit the projections provide to the Hamilton Webster building itself, we request a minor exception to the zoning regulation.

CONCLUSION

The Hamilton-Webster project seeks to create a biophilic environment unifying work and domestic living. This is an exciting and unique opportunity at an important nexus of Palo Alto. We look forward to receiving your input on the project.

ATTACHMENT E
ZONING COMPARISON TABLE
 565 Hamilton Avenue, 18PLN-00313

Table 1: COMPARISON WITH CHAPTER 18.18 (CD-C DISTRICT) & RM-40 Combined Standards				
Mixed-Use Development Standards				
Regulation	Required	Existing	Proposed CD-C	Proposed RM-40
Lot Area	CD-C: none RM-40: 8,500 sf	CD-C: 7,450 sf RM-40: 15,000 sf	7,450 sf	15,000 sf
Minimum Building Setback				
Front Yard (Hamilton)	CD-C: None RM-40: 0-25 (Arterial Road—Hamilton)	CD-C: 20 feet RM-40: 24 feet	Building is at 17 feet Canopy is at 11 feet Roof overhang = 13 feet	Building is at 17 feet Canopy is at 11 feet Roof overhang = 13 feet
Special Setback (Hamilton)	CD-C: 17 feet RM-40: 17 feet	CD-C: 20 feet RM-40: 24 feet	17 feet Proposed protrusions: Eave = 4 feet Canopy = 6 feet	17 feet Proposed protrusions: Eave = 4 feet Concrete fin wall = 3' Canopy = 6 feet
Rear Yard	CD-C = 10 feet for residential portion RM-40 = 10 feet	CD-C = 33 feet RM-40 = 21 feet	10 feet	10 feet
Interior Side	RM-40 = 10 feet	RM-40 = 5 feet	0 feet	Not Applicable
Street Side (Webster)	RM-40 = 16 feet	RM-40 = 15 feet	Not Applicable	20 feet
Residential Density (net)	40 units/acre max 22,450 sf/43,560 sf x 40 = 20 units	CD-C = 1 unit RM-40 = 8 units	6 units (35 du/ac) Total project: 37 du/ac	13 units (38 du/ac) Total project: 37 du/ac
Max. Total Floor	2.0:1 (14,900 sf) (CD-C) 1.0:1 (15,000 sf) (RM-40) = 29,900 sf	1,659 sf (CD-C) 7,132 sf (RM-40) = 8,791 sf	14,084 sf Total project = 29,900 sf	15,816 sf Total project = 29,900 sf
Maximum Height	CD-C: 50 feet RM-40: 40 feet	One to two stories	40 feet	40 feet
Maximum Site Coverage (building footprint)	CD-C = None Required RM-40 = 45%	6,689 sf (30%)	4,621 sf (62%) 8,379 sf (37%) total	3,758 sf (25%) 8,379 sf (37%) total

Table 1: COMPARISON WITH CHAPTER 18.18 (CD-C DISTRICT) & RM-40 Combined Standards

Mixed-Use Development Standards

Regulation	Required	Existing	Proposed CD-C	Proposed RM-40
Landscape Open Space Coverage	CD-C - 20% (1,490 sf) RM-40 – 20% (3,000 sf)	12% 896 sf	33% 2,459 sf	Not applicable
Minimum Usable Open Space	150 sf per unit (CD-C) (900 sf) 100 sf per unit (1,300 sf) = 2,200 sf	CD-C = 1,666 sf RM-40 = 1,500 sf	1,219 sf 756 sf office open space	5,695 sf
Minimum Common Open Space	75 sf per unit (RM-40) (975 sf)	384 sf	Not applicable	5,317 sf
Private Open Space	150 sf per unit (CD-C) (900 sf) 50 - 80 sf per unit (RM-40) (650 sf) = 1,550 sf	500 sf	482 sf* (418 sf added to common open space)	378 sf* (1,172 sf added to common open space)

* Subject to the limitations of Section 18.13.040(e). Usable open space is included as part of the minimum site open space; required usable open space in excess of the minimum required for common and private open space may be used as either common or private usable open space [18.13.040(e)(2)(B)]; landscaping may count towards total site open space after usable open space requirements are met.

18.18.100 Performance Standards. In addition to the standards for development prescribed above, all development shall comply with the performance criteria outlined in Chapter 18.23 of the Zoning Ordinance. All mixed use development shall also comply with the provisions of Chapter 18.23 of the Zoning Ordinance.

18.18.110 Context-Based Design Criteria. As further described in a separate attachment, development in a commercial district shall be responsible to its context and compatible with adjacent development and shall promote the establishment of pedestrian oriented design.

**Table 2: CONFORMANCE WITH CHAPTER 18.52 (Off-Street Parking and Loading)
for Mixed-Use Projects**

Type	Required	Existing	Proposed
Commercial parking within the Downtown Parking Assessment District	<i>Office:</i> 1/250 sf of gross floor area = 30	Two spaces	55 spaces and requested parking adjustment
Residential parking both within and outside the Downtown Parking Assessment District	<i>Residential:</i> 1/studio (1) = 1 1/1-bedroom unit (7) = 7 2/2-bedroom unit (11) = 22 <i>Total Residential = 30</i> Total with Office = 60	Four spaces	
Bicycle Parking	Residential: 1 per unit: 19 (Long term) 1 per 10 units for guest: 2 (Short term) <i>Sub-Total = 21</i> Office: 1 per 2,500 sf 40% long term / 60 short term = 1 LT / 2 ST <i>Sub-Total = 3</i>	0	Residential: Long Term: 19 Short Term: 2 Office: Long Term: 1 Short Term: 2
Loading Space	0-9,999 sf = 0	None	Not required

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May 10, 2019

Sheldon Ah Sing
 Project Planner
 City of Palo Alto Planning and Community Environment Department
 250 Hamilton Avenue
 Palo Alto, CA 94301

Re: Hamilton Webster ARB Submittal 3 Rev

Dear Mr. Ah Sing,

We have further studied the Hamilton Webster project in light of comments provided by the Architectural Review Board on April 18, 2019, and we have provided revised drawings that we hope will fully address all concerns. This set also addresses the Planning Department request to remove the window projections from the special setback while retaining the concrete fin wall, eaves and canopy.

ARB Feedback and Design Team Response:

A. Provide privacy to the two ground floor residences facing Webster Street through revised planting or low fencing.

After reviewing views from the unit interiors and unit terraces, the design team (landscape architect and architect) believes that the best way to provide sufficient privacy is to use moderate height plantings at the perimeter of the terraces. To achieve this goal, we have changed the previously specified Foothill Sedge to Miscanthus Junceus. This planting will provide a feeling of privacy to the units, while also letting the patios remain open enough to the street to help activate the streetscape in a quiet fashion. It should be noted that the bioretention areas sitting between the terraces and the street are 2 1/2 feet deep, creating an undulation in the landscape that will further help to physically demarcate the boundary between the private patios and the flatter landscape that extends towards the public walkway, contributing to a sense of security for occupants on the patios. Revisions to the planting for this area are shown on Sheets L2.01, L2.03, with a revised rendered view on 1/L1.04 and an updated east elevation rendered view on 1/A5.2C.

Sheets A5.2C, L1.04, L2.01 and L2.03.

B. Review unit layouts for the following considerations:

- **Units 1 & 2 for daylight and privacy.**
- **Unit 3 for daylight and outdoor space.**
- **Units 15 & 16 for layout and privacy.**

We have reviewed and improved the units, as noted below.

- At Units 1 & 2 we have increased the height of the planting adjacent the Webster Street patios. We have studied views from inside the unit and we believe the spaces now feel private, yet with a ready adjacency to exterior spaces.
- At Unit 3, we have reviewed for access to daylight and views. As shown on the enclosed unit elevations and in the unit views on A8.2 and A8.3, we have designed the kitchen casework to allow light to enter Unit 3 from the Redwood Garden, while plantings provide privacy. Each bedroom in Unit 3 has two windows, and the living room also has a large window.

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- At Units 15 and 16, we have reviewed the relationship of the units to their exterior terraces. We have revised the window and planter locations in Unit 16 to allow for more privacy from Unit 17. We have changed the planting type to Giant Chain Fern which grows 3-5 feet tall to provide additional privacy to those units.

New Sheets A8.2 and A8.3. Revised Sheet A2.3, L1.02 and L2.02.

C. Add bike parking at grade, where possible.

We agree that providing additional bike parking, at grade, would be helpful. To address this issue, we have added two additional short-term bike parking spaces by the Webster Street entry. With these added spaces, the bike parking we provide goes beyond that which is required by code.

Revised Sheets A1.1 and L1.01.

D. Review floor to floor heights to understand if the overall building height could be reduced.

We have reviewed the floor to floor height in depth and we have determined that we cannot reduce the height of the building due to the constraints of our elevator overrun height and an already low first floor ceiling within the commercial space. We have two elevators for the project: one for the commercial space that ends at the underside of the third floor; and one for the residences that ends at the underside of the roof. Both elevators are specified to be the Schindler 3300 MRL Traction Elevator which provides the space required for stretcher access as required by the Fire Department as well as the lowest overrun clearance of the major elevator manufacturers. As shown in the enclosed cutsheet, the required overrun clearance is 12'-7" from top of finished floor to underside of the hoistway beam. To meet this clearance at the commercial space, the third floor level is required to be 13'-2" above the second floor level as shown in the new section provided on 2/A5.7. At the residences, the top of roof is set to eliminate any visible bump at the street as shown in the new section 3/A5.7. With the above restrictions, the only place to reduce height would be at the first floor level; however, this floor is already short for commercial space, with 10'-4" clear from floor to underside of the acoustic ceiling, not yet accounting for mechanical ductwork which will hang below this 10'-4" ceiling height. Moreover, the Covered Terrace on Hamilton Avenue would suffer from a lowered ceiling.

With this explanation of our constraints, we request that the building height be allowed to remain at its current height, which is both within the 40 foot height limit and lower than surrounding commercial buildings and church.

Sheet A5.7 and enclosed Schindler elevator cutsheet.

E. Consider adding an accessible ramp for the Webster Street entry.

While the ramp at Hamilton Avenue provides access to both the office and the residential lobby, we have reviewed the condition further and agree that an additional ramp at the Webster Street entry may benefit the project. We have added a straight ramp at 1:12 slope to access the Webster Street entry, and we have adjusted the landscaping and stepped terraces to retain the layering effect of the landscape and terrace access at the corner. We have incorporated the ramp into the site and landscape plans, updated the elevations on A5.4, as well as provided elevations and three-dimensional views on a new sheet on A5.3E.

Revised Sheets A1.1, A2.1, A5.4, and L1.01. New Sheet A5.3E.

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F. Review lighting at the central terrace to ensure the space does not feel dark.

We have studied this terrace area and we believe that the light levels are appropriate both in the evening and during the day. As shown by the photometrics, there will be ample light during evening hours provided by the overhead fixtures. During the day, the terrace's relatively narrow depth of 30 feet before the influx of daylight from the courtyard will serve to provide visual focus through the terrace and light the space. Similar conditions at other buildings, such as the Oakland Museum of California entry walkway and the Stanford Central Energy Facility, provide examples of analogous built conditions with covered terraces that feel light and welcoming. We will share images of these projects at our second ARB hearing for your review and consideration.

G. Review lighting at third floor shared terrace for brightness. Consider controllability /occupancy sensors.

We have reviewed the light levels at the Third Floor Shared Terrace and we agree that the space was too bright with the specified F11 fixture. We have found an alternate fixture which reduces the lighting level significantly while retaining the relatively even quality of light across the space. In addition, we propose to provide controllability through both a photocell and dimmer for occupant use. We would like to avoid an occupancy sensor as we believe that the area should be at least minimally lit during evening hours and we are concerned that the on/off of an occupancy sensor could be distracting. See the enclosed revised photometrics on sheet E2.3P and revised proposed F11 fixture on sheet L3.04.

Revised Sheets L3.04 and E2.3P.

H. Review the landscape buffer at the 530 Webster property line to promote privacy, and meet with the 530 Webster neighbor for input if possible.

After reviewing the landscape buffer along the northern property line shared with 530 Webster Street, we have added two additional trees along the northern property line to provide greater privacy to 530 Webster. The utility trench to the utility rooms, shown on C5.1, conflicts with the ability to add any additional trees to the east. We propose to retain the coffeeberry shrub along the fence line, as it is a drought tolerant, native species and can grow as tall as 15 feet.

Wilson Meany met with the 530 Webster neighbor on 4/3/2018 (prior to the first ARB Hearing), shared project plans, and asked that 530 Webster advise if they had any issues with the plan set after taking some time to review. We have reached out to 530 Webster twice again, as of May 2, 2019, to request a follow-on meeting to review all changes made since our last meeting – particularly the addition of the two trees mentioned above. As of May 2, 2019 we are still awaiting a response from 530 Webster on when they might be available to meet again, but we hope we can meet prior to the next ARB Hearing. Of note, Wilson Meany also met with representatives of the First United Methodist Church of Palo Alto and representatives of 555 Hamilton Avenue (the adjacent office building) prior to the first ARB Hearing. The First United Methodist Church expressed no concerns with the plans, and the 555 Hamilton neighbor has been extremely helpful in coordinating with us (by providing plan sets, as available) to ensure that our construction does not negatively impact their structure in any way.

Revised Sheets L1.01 and L2.01.

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In addition to changes requested by the ARB, we have addressed two requests from the Planning Department in this plan set iteration.

A. Adjust parking and open space tables to reflect Title 18 of the Palo Alto Municipal Code, as recently amended.

Title 18 of the Palo Alto Municipal Code was recently amended. We have updated the parking and open space requirements shown on sheet A0.1 to reflect the new ordinance. Under the new ordinance less parking is required than previously (60 stalls instead of 67), and open space required for the RM-40 parcel has increased from 1300 to 1950 square feet. The project, as proposed, is compliant with the new ordinance.

B. Remove all window frames from the special setback, and ensure the concrete fin wall projection at the Webster Street lobby can be removed from the special setback if the City elects to utilize the setback at a future date.

As requested by the Planning Department, the building façade has been set back an additional 1 foot from Hamilton Ave, removing the 12" window frame projections from the special setback area. To achieve this goal, the courtyard depth was reduced by 1' and several residential units were reduced in size by a few inches each. Our building's relationship to the neighboring building at 530 Webster remains as previously presented, with a 10' setback and landscape buffer. To accommodate the City's desire to retain the possibility of future setback use at the corner of Hamilton and Webster, the original concrete fin wall has been redesigned with two separate rebar cages. In the event the City should wish to use the special setback in the future, the concrete fin wall can be trimmed back 2' and parged without impairing the structural integrity of the building.

The removal of the one foot from the building has slightly changed the amount of open space provided as the courtyard and terrace are reduced by a foot in width. The total open space provided is still greater than that required, providing 6,156 square feet of open space for the use of the residents.

All of the changes described above have been integrated into the plan set, resulting in changes to a number of sheets. Each revised sheet has been identified with a revised title block issuance date of May 3, 2019. For ease of reference, the revised sheets are listed below:

A0.1
 A0.2
 A0.3
 A0.5
 T-3
 A1.1
 A2.0
 A2.1
 A2.2
 A2.3
 A2.4
 A5.2C
 A5.3A
 A5.3E
 A5.4
 A5.7
 A8.2

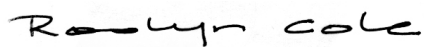
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A8.3
L1.00
L1.01
L1.02
L1.04
L1.06
L2.01
L2.02
L2.03
L2.04
L3.01
L3.02
L3.04
E2.01P
E2.03P

Please call if you have any questions or need additional information.

Sincerely,



Roslyn Cole
Principal

Attachment G

Project Plans and In-Fill Exemption

Hardcopies of project plans and the In-fill Exemption Report are provided to Board members. These plans and environmental documents are available to the public online and/or by visiting the Planning and Community Environmental Department on the 5th floor of City Hall at 250 Hamilton Avenue.

Directions to review Project plans online:

1. Go to: bit.ly/PApendingprojects
2. Scroll to find "565 Hamilton Avenue" and click the address link
3. On this project specific webpage you will find a link to the Project Plans, In-fill Exemption Report and other important information

Direct Link to Project Webpage:

<https://www.cityofpaloalto.org/news/displaynews.asp?NewsID=4231>