



PLANNING DIVISION

STAFF REPORT

TO: PLANNING & TRANSPORTATION COMMISSION

FROM: Gina La Torra, Associate Planner **DEPARTMENT:** Planning and
Community Environment

AGENDA DATE: August 30, 2006

SUBJECT: **850 Webster [05PLN-00290]**: Request by Channing House for an amendment to a Planned Community (PC) to add a 32,185 square foot Health Care building, including 27 skilled nursing units, 26 assisted living units, associated dining/activity spaces, and a 16,437 square foot underground garage. The request includes a Variance to allow the building to encroach into the required daylight plane on two sides facing the West and South property lines. A draft Environment Impact Assessment (Initial Study) and Negative Declaration (ND) have been prepared and the public review period closed on July 5, 2006.

RECOMMENDATION:

Staff requests that the Planning and Transportation Commission (Commission) review and comment on the proposed project and recommend the application be forwarded to the City Council for final approval and adoption of the Ordinance.

BACKGROUND:

The original Planned Community (PC) for the Channing House development was approved by City Council in 1961. The 1961 ordinance changed the site zoning from R-4 (multiple family zoning that no longer exists in the Zoning Ordinance) to PC and permitted the 142 foot tall senior living building. The Channing House PC has been amended several times as listed in the attached ordinance history and PC ordinances (Attachment M). The public benefit established in 1961 was that the project provided senior living. Amendments to the PC do not need to establish a new public benefit as long as the original public benefit is maintained.

The project was initially reviewed at the Commission hearing of March 22, 2006. The staff report and the minutes from the hearing are included as Attachment E. Comments from the Commission are also included in the Architectural Review Board (ARB) staff report from the hearing of July 6, 2006 (Attachment F). The ARB continued the project for further review to the

hearing of August 3, 2006. The staff report and minutes from that hearing are included in Attachment G. The ARB recommended that the project be approved with conditions. The ARB findings and draft approval conditions have been provided as Attachment B.

The project has been revised since the Commission’s review on March 22, 2006, as follows:

- The building has been reduced by 187 square feet and the basement has been reduced by 90 square feet.
- The project has been expanded to include a landscape plan for the entire site.
- The Design Enhancement Exception (DEE) request has been changed to a Variance request to allow the second floor of the building to encroach into the daylight plane along the West and South property lines.
- Other minor architectural changes were proposed and reviewed by the ARB.

PROJECT DESCRIPTION:

The project location is shown in Attachment D. The project includes the following components:

- A new Health Care building for the Channing House, including 27 skilled nursing units, 26 assisted living units and associated dining/activity spaces;
- Closure of the through alley that connects Homer Avenue to Channing Avenue;
- A landscape plan for the entire site; and
- A Variance to allow the building to encroach into the side yard daylight plane for PC zoned projects adjacent to residential zones.

The total number of living units would be adjusted so that there would be a reduction in the total number of living units on the site as follows:

Number of Living Units		
Unit Type	Existing # of Units	Proposed # of Units
Skilled Nursing	21	27
Assisted Living	48	26
Apartments	191	205
Total	260 units	258 units

KEY ISSUES:

Staff has identified the following key issues for the Commission’s consideration and discussion:

Lot Coverage and Floor Area

The project is located adjacent to RM-15 and RM-30 zoned properties. The property was zoned R-4 prior to the PC zone change in 1961. The proposed Health Care building would result in modifications to the lot coverage and square footage on the site. The following table compares the existing and proposed lot coverage and floor area ratios to those permitted in the adjacent RM-15 and RM-30 zones, the zone having the highest density in the City today (RM-40) and to the previous zoning (R-4).

Lot Coverage and Floor Area Ratio (FAR) Comparison

Zone	Allowable:	Lot Coverage	FAR
PC - 2007 (Existing)		30%	2.11:1
PC - 2007 (Proposed)		43%	2.83:1
RM-15 (RM-2)		35%	.5:1
RM-30 (RM-3)		40%	.6:1 *
RM-40		45%	1:1
R-4		45%	no FAR maximum

* For projects with underground parking

The proposed project would result in a greater lot coverage and gross floor area than is permitted in the adjacent residential zones. The R-4 zone would have permitted a residential development with a 45% lot coverage on the 120,000 square foot parcel, that could have yielded approximately a 2.7 FAR (based on six stories under the 65 foot tall height limit). The proposed project would be below the permitted lot coverage at that time (1961) but would have a greater FAR. The Commission should consider if the project's resulting increase to existing lot coverage and floor area would be consistent with the policies in the Comprehensive Plan.

Height and Setbacks

The proposed building would be located where there is currently an at-grade parking lot and one-story cottage used for storage. The following table compares the PC setback requirements to those of the adjacent RM-15 and RM-30 residential zones, the zone having the highest density in the City today (RM-40) and the parcel's previous zoning(R-4).

Height and Setbacks Requirements

Zone	Height	Setbacks
PC -2007	142' (existing building)	10 feet
	31'8" (proposed building)	
RM-15	30'	20' along Channing, 16' along Homer, 10' at first floor and ½ the height of the building above the first floor along side and rear yards
RM-30	35'	
RM-40	40'	
R-4	65'	10' at front and side yards, 20' at rear yard

The proposed building would meet the height requirement of the RM-30 zone and the previous R-4 zone but would be 1'-8" taller than is permitted in the RM-15 zone. The project would meet the setback requirements of all zones, except for the RM-15 and RM-30 zones, which would require a 16 foot setback along Homer as opposed to the 15 foot setback that is proposed. The Channing House has installed story poles that depict the height of the proposed building. The story poles should assist the Commission in determining if the height is appropriate in relation to the neighboring properties.

Daylight Plane/Variance

The applicant is requesting a variance to allow the second floor of the proposed building to encroach into the required daylight plane along the shared property lines. The following table

compares the PC daylight plane requirements to those of the adjacent RM-15 and RM-30 zones, the zone having the highest density in the City today (RM-40) and to the original R-4 zoning.

Daylight Plane Requirements

Zone	Daylight Plane
PC -2007	Beginning at a height of ten feet at the side and rear lot lines and increasing at a 1:2 slope (one meter for each two meters of distance from the side and rear lot lines, approximately an angle of 26 degrees)
RM-15	Beginning at a height of five feet (or 10 feet for the RM-30 zone) (or 15 feet for the RM-40 zone) at the side lot lines and increasing at an angle of 45 degrees (1:1 slope)
RM-30	
RM-40	
R-4	Beginning at a height of 25 feet at the setback lines and increasing at a slope of two feet for each one foot of distance from the setback lines * (approximately an angle of 63 degrees)

* Required Front and Side Setbacks: 10 feet; required Rear Setback: 20 feet

The existing Channing House building does not meet the PC daylight plane requirements. The variance would allow the proposed building to be located closer to the adjacent properties than would normally be permitted. The building would meet the daylight plane requirements of the adjacent RM-15 and RM-30 properties, except at the corners. The maximum encroachment proposed begins at a height of approximately 17 feet at the building corners, approximately 20 feet along the West Elevation, and approximately 19 feet along the South Elevation and extends horizontally the entire length of the building on both elevations. In order for the Variance request to be approved, the findings listed in Section 18.76.030(c) of the Municipal Code must be made. The draft variance findings and applicant’s variance request letter are included in Attachment C for the Commission’s consideration.

Alley (Lane 56)

The project would result in the partial closure of the private alley (Lane 56) that connects Homer to Channing Avenue. The adjacent Channing Place Townhomes (537-547 Channing Avenue) has a fifteen foot wide access easement agreement with the Channing House for use of the portion of the alley that would remain open. The alley is used by delivery and emergency vehicles to access the Channing House loading area, and by the Channing Place residents to access their below grade garages. The alley does not meet the 20 foot wide requirement for two-way traffic. The project would include widening the curb-cut along Channing Avenue and the area in front of the loading area to 20 feet.

The Channing Place residents have expressed concern that trucks may block them from exiting or entering their garages if the alternate alley exit/entrance at Homer Avenue is closed. The transportation engineer for the Channing House studied operations in the alley for one day and stated in the traffic analysis, Attachment H, that there would be no impact from the partial closing of the alley. The City’s Transportation staff and ARB, however, have since requested that the Channing House conduct a two-week trial closure of the alley. The results of that study are compiled in Attachment I, but were not submitted in time for staff to review. Transportation staff will provide comments at the meeting.

Parking

The senior living uses on the site are not identified in the Zoning Ordinance. Therefore the Channing House traffic study used the Institute of Transportation Engineers (ITE) Parking Manual to determine the parking demand for the project. The study determined that the project would require two additional parking spaces, as shown in the following table:

ITE Parking Demands

Component	Existing	ITE Demand	Proposed	ITE Demand
Skilled Nursing	21 units	9	27 units	11
Assisted Living	48 units	16	26 units	9
Senior Adult Housing	191 units	96	205 units	103
Total		121		123

The following table shows how the parking would be adjusted by the proposed project:

Parking Spaces

Location	Existing	Proposed
Underground - Channing House	73	73
Surface - Front Parking Lot	52	53*
Surface - Rear Parking Lot	37	-
Underground - Health Care building	-	37
Total	162	163

*One space would be reserved for the Channing House Shuttle bus

The project would maintain the existing 162 spaces, which is more than the 123 spaces estimated per the ITE. The remaining 39 spaces in the front parking lot would be identified as Visitor Parking as a mitigation measure.

Compliance with the Comprehensive Plan

The existing Channing House building substantially exceeds the height limit for the neighborhood and is not consistent with the neighborhood character. The existing Channing House building would not comply with the current Comprehensive Plan. Therefore, the proposed building was reviewed by staff for compliance of with the Comprehensive Plan independent of the existing Channing House building. The project’s compliance with the applicable section of the Comprehensive Plan Policies is described in Attachment J. The project appears to comply with the Comprehensive Plan based on staff analysis. The Commission should confirm the project’s compliance with the Comprehensive Plan prior to a recommendation to the City Council.

Public Comments

Staff has received numerous letters from the public both in support and in opposition to the project. All letters to date that have been received since the project was first submitted have been compiled and bound in a separate packet that will be available at the hearing for the public to view and will have been provided to the Commissioners. The concerns of those that oppose the project are related to the size and location of the new building, neighborhood compatibility, privacy impacts, loss of sunlight, construction impacts, noise, continued illumination, lack of

explanation for the need of the building, parking and traffic. Communications in support generally are from residents at the Channing House or are from supporters of the facility's health care and senior housing benefit.

A member of the public, Larry Wertman, has submitted requests with respect to the American's with Disabilities Act (ADA). The ADA requires that the City make reasonable accommodations for Larry Wertman, who has stated that he is not comfortable in a public hearing setting. The City has made the following accommodations: 1) City staff has read a statement on behalf of Larry Wertman at all public hearings for the project, 2) Mr. Wertman's letters have been attached to the staff report for Board and Commission's consideration, 3) staff has met with Mr. Wertman to discuss the project privately on several occasions, 4) two members of the ARB have met privately with Mr. Wertman outside of the public hearing setting and, 5) Mr. Wertman has been given copies of the staff reports as soon as they become available.

ENVIRONMENTAL REVIEW:

An Initial Study analyzing the potential impacts of the project on the environment in accordance with the California Environmental Quality Act (CEQA), has been prepared and a Negative Declaration (ND) was available for a 20-day public review from June 14, 2006 through July 5, 2006. Proposed mitigation measures include: 1) signage limiting 39 parking spaces in front of the existing building to be visitor use only, 2) signage designating the alley as a fire lane and prohibiting parking, 3) painting the alley curb red, 4) adding traffic control devices at the entrance to the below-grade parking, 5) widening the curb cut to 20 feet, and 6) re-striping the pedestrian crosswalks. The Commission must make a recommendation to the City Council on the adequacy of the Initial Study/ND. Public comments were received during the public review period. Should there be any substantial project revisions or any new impacts identified, the Initial Study would be revised and circulated for another 20-day public review period.

ATTACHMENTS:

- A. Planned Community Ordinance Amendment (will be provided at places)
- B. ARB Findings & Draft Conditions of Approval
- C. Draft Variance Findings & Applicants Variance Request Letter
- D. Project Aerial & Zone Map
- E. Commission Staff Report and Minutes of March 22, 2006
- F. ARB Staff Report and Minutes of July 6, 2006
- G. ARB Staff Report and Minutes of August 3, 2006
- H. Traffic Operations Analysis, Korve Engineering, November 2005
- I. Channing House Alley Trial Closure Findings
- J. Comprehensive Plan Compliance
- K. Development Program Statement
- L. Development Schedule
- M. Historical PC Ordinances for 850 Webster Street
- N. Initial Study and Negative Declaration
- O. Public Comments Record (Commissioners only)
- P. Project Plans (Commissioners only)

COURTESY COPIES:

Channing House
John Northway
Lisa Wang, HKI&T
Channing Place Homeowners Association
Albert C. Starr
William & Marla McCormack
Daniel Sneider
Doris Anne Stoessel
Deborah Dooley
Joyce & Larry Wertman
Marie Mookini
Kevin Vincent Sheehan
Nadine Matityahu

PREPARED BY: Gina La Torra, Associate Planner

REVIEWED BY: Amy French, Manager of Current Planning

DEPARTMENT/DIVISION HEAD APPROVAL:



Curtis Williams
Chief Planning and Transportation Official

ATTACHMENT A

PLANNED COMMUNITY
ORDINANCE AMENDMENT

WILL BE PROVIDED

'AT PLACES'

ON

AUGUST 30, 2006

ATTACHMENT B

DRAFT FINDINGS FOR ARCHITECTURAL REVIEW

850 Webster Street – File No. 06PLN-00290

ARCHITECTURAL REVIEW BOARD STANDARDS FOR REVIEW

The design and architecture of the proposed improvements, as conditioned, furthers the goals and purposes of the ARB Ordinance as it complies with the Standards for Architectural Review as required in Section 18.76.020 of the PAMC.

- (1) The design is consistent and compatible with applicable elements of the Palo Alto Comprehensive Plan in that the design promotes the following policies:

Housing

- Policy H-18: Support housing that incorporates facilities and services to the healthcare, transit, or social service needs of households with special needs, including seniors and persons with disabilities

Land Use

- Policy L-6: Where possible, avoid abrupt changes in scale and density between residential and non-residential areas and between residential areas of different densities. To promote compatibility and gradual transitions between land uses, place zoning district boundaries at mid-block locations rather than along streets wherever possible.
 - Policy L-12: Preserve the character of residential neighborhoods by encouraging new or remodeled structures to be compatible with the neighborhood and adjacent structures.
 - Policy L-17: Treat residential streets as both public ways and neighborhood amenities. Provide continuous sidewalks, healthy street trees, benches, and other amenities that favor pedestrians.
 - Policy L-48: Promote high quality, creative design and site planning that is compatible with surrounding development and public spaces.
 - Policy L-49: Design buildings to revitalize streets and public spaces and to enhance a sense of community and personal safety. Provide an ordered variety of entries, porches, windows, bays and balconies along public ways where it is consistent with neighborhood character; avoid blank or solid walls at street level; and include human-scale details and massing.
- (2) The design is compatible with the immediate environment of the site in that the proposed building would be similar in height to the adjacent residential buildings and would have a more residential character than the existing Channing House building.

- (3) The design is appropriate to the function of the project in that in the architecture and circulation is compatible with the skilled and assisted living use. The proposed project includes adequate parking (auto, accessible and bicycle).
- (4) Not applicable
- (5) The design promotes harmonious transitions in scale and character in areas between different designated land uses in that the building provides a transition between the residential uses and the large Channing House senior care use.
- (6) The design is compatible with approved improvements both on and off the site in that the existing access driveway will be maintained and the alley width will be increased. The project will also improve existing landscaping and will replace a parking lot.
- (7) The planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community in that the design is focused on improving the outdoor spaces. The new building is oriented towards the Channing House which creates a central usable outdoor space above an existing roof terrace. The parking will be placed below grade to allow for more landscape areas.
- (8) The amount and arrangement of open space are appropriate to the design and the function of the structures in that landscape buffers will be provided. The building will improve handicap accessibility to the outdoor roof terrace.
- (9) Sufficient ancillary functions are provided to support the main functions of the project and the same are compatible with the project's design concept in that adequate auto, accessible and bicycle parking is located conveniently below grade in the building basement.
- (10) Access to the property and circulation thereon are safe and convenient for pedestrians, cyclists and vehicles in that the existing access ways off Channing, Webster and Homer Streets will be maintained for vehicular use. The project will provide a safer pedestrian environment by eliminating two driveways along Homer, re-stripping crosswalks and adding traffic directional signs.
- (11) Natural features are appropriately preserved and integrated with the project in that the Redwood trees will be protected.
- (12) The building materials, textures, colors and details of construction and plant material are appropriate expression to the design and function and whether the same are compatible with the adjacent neighboring structures, landscape elements

and functions in that the building will have a residential character compatible to the adjacent residential uses.

- (13) The landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment in that the use of the site is enhanced with outdoor spaces and the parking area will be below grade.
- (14) Plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety that would tend to be drought-resistant and to reduce consumption of water in its installation and maintenance.
- (15) The design is energy efficient and incorporates renewable energy design elements including, but not limited to:
 - a. Zero use CFC-based refrigerants in HVAC systems
 - b. Use of solar panels
 - c. Use low –emitting adhesives, sealants, paints, coatings, carpet and composite wood.
 - d. Daylight for all perimeter rooms.
 - e. Careful landscape design
 - f. Additional elements listed on the applicants checklist

Attachment **B**

Draft Conditions of Approval Planned Community (PC) Amendment – Channing House 850 Webster Street – File Number 05PLN-00290

Planning

1. Prior to the start of construction and the issuance of a Streetwork Permit, the applicant shall submit a logistics plan for review and approval by Public Works and Planning staff. The logistics plan shall meet the Guidelines established by Public Works, and shall include information regarding the project schedule, hours of construction, noise control measures, neighbor notification of construction, traffic control plan, material delivery, construction parking, materials storage, measures to protect adjacent properties, clean-up and maintenance of site and adjacent properties, refuse collection and recycling, site plan, map of truck routes, pedestrian protection plan, tree protection plan, and Stormwater Pollution Prevention Plan.
2. Prior to the start of construction, the project shall return to the Board for approval of the final building details, landscape plan, and building materials.

Building

3. Because the proposed addition is intended to contain an I-1.1 occupancy, permitting and inspections for the entire existing plus the new addition shall be under the jurisdiction of the Office of Statewide Health Planning and Development (OSHPD).
4. If in the future, the existing Channing House building is converted to a non-OSHPD jurisdiction residential facility, the following conditions shall apply to the conversion:
 - a) The existing Channing House building and the new Health Care Center shall be physically separated so as to create two independent buildings. A separate building permit shall be required for the work to separate the buildings if the new Health Care Center is initially constructed as an addition to the existing building.
 - b) A letter from OSHPD shall be submitted to the Palo Alto Building Division stating their intent and approval to relinquish building code jurisdiction to local enforcement authority.
 - c) Each of the separated buildings shall have independent utility services to include electrical services/meters, gas service/meters, sewers and water.
 - d) The conversion of the existing Channing House building to a non-OSHPD multi-unit apartment building shall be considered as a change of occupancy occupancies and shall be made to comply with all applicable code requirements, in effect at the time of conversion, for those new uses.

- e) Prior to the conversion of the existing Channing House building to a non-OSHPD multi-unit apartment building, the owner shall employ a code consultant, approved by the Palo Alto Building Division, to conduct a code survey and analysis of the existing building to identify items of non-compliance with the current Palo Alto codes. The consultant shall prepare a report that identifies and addresses structural and non-structural code requirements, disabled access, electrical, plumbing and mechanical codes issues relevant to the conversion. The report shall be submitted and discussed prior to the applying for the permit required for the conversion and its associated alterations.
 - f) A demolition permit shall be required for the removal of the existing building on the site of the new Health Care Center.
5. A demolition permit, issued by the Palo Alto Building Division, shall be required for the removal of the existing cottage.

Fire

- 6. Hydrants shall be located not further than 120 feet from the end of the fire access road, and not further than 150 feet from all other points used for fire access. (PAMC15.04.140)
- 7. Elevator car and lobbies on all floors shall be sized and configured for Fire Department gurney access requirements based on gurney dimensions of 24 in. x 82 in. plus a minimum of two emergency response personnel. (PAMC 15.04.120)
- 8. Approved 2½-inch hose valves shall be provided at each underground floor level landing in every stairwell for the underground parking structure. (PAMC15.04.178)
- 9. All sprinkler drains, including those for floor control valves and inspector's test valves, as well as the main drain, shall not discharge within the building. Water discharged from these points shall be directed to an approved landscape location or to the sanitary sewer system. (99NFPA13, Sec. 5-14.2.4.3) NOTE: Please check with Roland Ekstrand in Utilities for maximum flow capacity of sanitary sewer in the area. Main Drain test discharge flow rate shall be impounded and attenuated to below sanitary sewer capacity before discharge.

Planning Arborist

- 10. Ordinance Tree Mitigation Measure. The Tree Canopy Replacement Standard, Tree Technical Manual, Section 3.20 stipulates that the tree be replaced with: two 48" box size *and* two 36" box size trees. Staff will accept an alternative of two 60" box size oaks upon request. The species shall be a selection of valley oak (*Quercus lobata*), black oak (*Q. kelloggii*) or coast live oak (*Q. agrifolia*). In any case, an appropriate landscape area for each tree must be dedicated to the future growing space needed for each of the mitigation trees, denoted on formal landscape improvement plans, and fitted with bubbler head irrigation during a 2-5 year establishment period. Maintenance of the mitigation trees shall be required for the

- duration of the project, subject to condition monitoring and replacement if required.
11. Landscape Plans.
 - a) Raywood ash shall be deleted from the plant palette (disease prone). New trees in the right of way shall be planted per PW Detail #503. Species and location spacing shall be determined by Public Works Operations.
 - b) Specify the variety of Japanese maples to be planted. For winter screening between the Channing Place Homeowners Association, consider continuing the narrow evergreen canary island pines spaced between the new maple trees. Include the landscape areas flanking the Webster Street access, including the entry island in the center.
 - c) Removal of the old ivy (rodent habitat) with new groundcover and grasses (carpet rose, New Zealand Flax, lily turf, etc) at this time would benefit the residents and neighborhood.
 12. The backflow-preventer device shall be concealed with an appropriate size decorative fiberglass boulder dark grey or brown in color (dekorraproducts.com or equivalent approved by planning staff). Cut sheet shall be added to the plans. The vegetation shall be planted appropriately around the boulder. Irrigation to all new trees shall specify bubbler heads mounted on flexible tubing placed at the edge of the root ball for each tree that is 15 gallon in size or larger. Add detail to the plans. Bubblers shall not be mounted inside the aeration tube.
 13. Tree Protection Verification. A written statement from the contractor or project arborist verifying that the required protective Type I and II barriers are in place shall be submitted to the Building Inspections Division prior to demolition or grading. Damage to any street trees or trees to be protected during the course of construction will be subject to injury assessment and administrative penalty. The contractor is responsible immediate Damage Reporting protocol required in the City Tree Technical Manual, Section 2.25.
 14. The following general tree preservation measures apply to all trees to be retained: No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.
 15. Prior to completion, the contractor shall contacting Code Enforcement staff at 650-329-2358 for Planning staff inspection of the project to verify consistency with the approved plans, ordinance tree mitigation planting and conditions of approval.
 16. Facilities Maintenance. For the life of the project, all landscape as shown on the approved plans, including all trees, shall be reasonably well maintained, watered, fertilized, and pruned according to Best Management Practices-Pruning (ANSI A300-2001), Nursery Standards and the City Tree Technical Manual, Section 3.00 and 5.00 (http://www.cityofpaloalto.org/planning-community/tree_index.html). Any vegetation that dies shall be replaced or failed automatic irrigation repaired by the current property owner within 30 days of discovery.

17. The garage floor drains must drain to the sanitary sewer.
18. The driveway and ramp shall be designed to not allow runoff from the driveway to flow down the ramp. Consider a valley gutter along the driveway at the interface with the ramp that will capture driveway runoff and direct it to the street. Also, the trench drain at the bottom of the ramp must connect to the storm drain system.
19. The rainwater leaders should discharge onto splashblocks, which direct water into landscaped areas so there is some infiltration and filtering of the water before it is released into the storm drain system.

Recycling

20. PAMC Chapter 5.20- Standard service for garbage and recycling collection does not include pull-out of bins from basement level. Service beyond the standard level will result in additional cost (hundreds of dollars per month) for garbage and recycling collection. The trash and recycling for the new building shall be transported to the existing trash pick-up area in the alley via the buildings service elevator.
21. The new buildings enclosure shall accommodate the following:
 - Qty 1- 4 cu. yd. bin- garbage
 - Qty1- 4 cu. yd. bin- cardboard
 - Qty 6- 96 gallon wheeled carts- single stream recycling (bottles, cans, plastic containers #1-#7, newspaper, mixed paper)
 - Bin dimensions-
 - 2 cubic yard- 81" (l) x 38" (w) x 46" (h)
 - 4 cubic yard- bin 81"(l) x 54(w) x 59"(h)
 - 96 gallon cart- 34.5" (l) x 29.25" (w) x 46.75" (h)
22. PAMC Chapter 5.24- requires salvage for reuse and recycling of construction and demolition debris.

Transportation

23. The project shall establish left-turn arrows on the exit driveways off of Homer Avenue and Channing Avenue. It is preferable that this pavement marking be implemented using white thermo plastic rather than paint.
24. A non-standard one-way sign is presently provided at the most eastern project driveway off of Homer Avenue. The project shall replace this one-way sign to conform to the Manual on Uniform Traffic Control Devices in terms of size, shape and installation height.
25. The project shall mark visitor parking spaces in the surface lot abutting the Webster Street in order to facilitate access and avoid traffic rerouting.
26. The project shall re-establish the faded zebra crosswalk and "Ped Xing" markings provided on Channing Avenue on the approach to Webster Street. It is preferable that this pavement marking be established using thermo plastic rather than paint.
27. The project shall re-establish the faded pedestrian crosswalks presently provided at the all-way stop controlled intersection of Homer Avenue/Webster Street.

28. The project shall paint a stop bar and a stop legend on site at the lighted "Car Coming" traffic sign to be facing motorists exiting from the existing underground parking. This will clearly give the right-of-way to traffic exiting from the new underground parking facility due to the constrained visibility conditions and ramp configuration.
29. The project shall mark parking spaces number 19 & 20 as compact stalls.
30. Prior to the issuance of a grading permit, the project shall submit a logistics plan for review and approval by Public Works and Planning staff. As per our practice, information described and shown on the traffic plan must contain the truck routes to and from the site, parking arrangement during construction including parking of construction workers, location of materials storage, any potential for temporary closure of a travel lane or sidewalk, any potential for temporary elimination of on-street parking, warning traffic control devices and flag persons, etc

Water Quality

31. The oil/sand separator needs to be plumbed to the sanitary sewer, not the curb. The trench drain across the ramp goes to the storm drain/curb.

ATTACHMENT C

Required Variance Findings Planned Community (PC) Amendment – Channing House 850 Webster Street – File Number 05PLN-00290

PAMC Section 18.76.030 (c)

Neither the director, nor the city council on appeal, shall grant a variance, unless it is found that:

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

The property is an “L” shaped irregular lot that is zoned PC and has been primarily developed with the existing Channing House building. The remaining buildable area is adjacent to residential zoned properties. Due to the properties location, shape, and unique PC zoning, the property is subject to more restrictive daylight plane regulations than that of the adjacent residential zoned properties. The variance would be granted to allow the property owner to develop the remaining portion of the site with a building that follows the daylight plane regulations of the adjacent residential zoned properties.

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.

The proposed project would otherwise be in compliance with all zoning regulations and would have a daylight plane consistent with the daylight plane required for other properties in the vicinity.

3. The granting of the application is consistent with the Palo Alto Comprehensive Plan and the purposes of this title (Zoning).

The granting of the variance is consistent with the Palo Alto Comprehensive Plan and substantially complies with the purposes of the zoning ordinance. Additionally, the senior living uses, although they are residential in character, can

not be considered residential because they have not been identified in the zoning ordinance. Had the uses been considered residential, the property would not have been subject to the unique PC daylight plane, and would have been permitted to be developed with the adjacent residential daylight plane regulations.

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

The granting of the variance will not be detrimental or injurious to properties or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience. The project would replace an existing at-grade parking lot and would make several improvements to the site.

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July 28, 2006

RECEIVED

JUL 31 2006

Department of Planning and
Community Environment

Architectural Review Board and
Planning and Transportation Commission
Attn: Gina LaTorra
City of Palo Alto
Department of Planning and Community Environment
250 Hamilton Ave.
Palo Alto, CA 94301

Re: Channing House's Request for a Variance for the Daylight Planes

Dear Members of the Architectural Review Board and Members of the Planning and Transportation Commission:

I am writing on behalf of Channing House to set forth support for Channing House's request for a variance for the daylight plane requirements for the project site. The reasons for Channing House's application for an amendment to its existing Planned Community ("PC") zone are set forth in its Development Program Statement submitted with the application (copy attached). This letter sets forth the evidence and facts that we believe support Channing House's request for the daylight plane variance. The project site at 850 Webster Street is located in a PC district where the required daylight plane for the district, when it is adjacent to a residential zone, is "... beginning at a height of 3.0 meters (10 feet) at the applicable side or rear site lines and increasing at a slope of 1 meter for each 2 meters of distance from the side or rear site lines until intersecting the height limit otherwise established for the PC district."

Channing House is proposing, instead, daylight planes that match the daylight plane requirements for the neighboring adjacent properties that are in the RM-15 and RM-30 zones. At the south property line, the project is set back on the second floor to meet the RM-15 daylight plane requirements of a line beginning at 5 feet above grade and increasing at a 45 degree angle. At the west property line, an RM-30 daylight plane has been established in the second floor setback to address the zoning requirements of the adjacent RM-30 neighboring properties. At this property line, the project is set back to meet the daylight plane beginning at 10 feet above grade and increasing at a 45 degree angle.

There are four findings that are necessary to support a variance:

Finding (1): "Because of special circumstances applicable to the subject property, including (but not limited to) size, shape, topography, location, or surroundings, the strict application of the requirements and regulations prescribed in this title substantially deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district as the subject property."

It is difficult to compare property in the same zone district, since all PC's are unique. However, Section 18.76.030 of the Municipal Code specifically permits variances for a site with physical constraints, resulting from natural or built features. The special circumstances in the case of Channing House are that the existing improvements house a healthcare facility, providing services that benefit the entire community, whose facilities are outmoded. In order to accommodate and modernize the allowable uses (and actually decrease the units by two), a new building must be built. The new building must meet the very stringent OSHPD¹ requirements in addition to those of the City of Palo Alto. Because improvements already exist on site, the area of the property available for a new building is limited. If the strict daylight planes of the PC ordinance were to be met, the proposed building would not be large enough to accommodate the health facility and meet OSHPD standards. Not being able to modernize and accommodate allowable uses would deprive Channing House of the privileges enjoyed by other property in the vicinity.

Finding (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."

The proposed building can meet the current daylight plane standards for the RM-15 and RM-30 zones, but not the PC zone. The current daylight plane requirements for RM-15 and RM-30 zones are in fact more sensitive to the neighbors than the neighbors' buildings will be to any new buildings, since the daylight planes for the neighboring properties are almost all nonconforming. Thus, the granting of a variance will not affect substantial compliance with the daylight plane regulations or constitute special privileges.

¹ The Office of Statewide Health and Planning Development (OSHPD) is the regulatory office within the California Department of Health Services that governs construction, changes or improvements to all health care facilities in the state. The approval process is detailed and time consuming.

The lesser daylight plane angles will not be inconsistent with limitations on other properties. The daylight planes proposed will preserve the neighborhood compatibility while also, very importantly, preserving the interior design requirements of the building and facilitating modern facilities that meet the very stringent OSHPD standards.

Finding (3): "The granting of the application is consistent with the Palo Alto Comprehensive Plan and the purposes of this title (Zoning)."

The granting of the requested variance is not inconsistent with policies and programs of the Comprehensive Plan and is not inconsistent with the Zoning Code, since Chapter 18.76.030 specifically allows variances to "provide a way for a site with special physical constraints, resulting from natural or built features, to be used in ways similar to other sites in the same vicinity and zoning district" and "provide a way to grant relief when strict application of the zoning regulations would subject development of a site to substantial hardships, constraints, or practical difficulties that do not normally arise on other sites in the same vicinity and zoning district." (Emphasis added.)

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

The shadow studies undertaken by Channing House show that the proposed building will cast no additional shadows on any neighborhood property. The daylight planes proposed match the daylight planes currently required in the adjoining zones, so that if the Channing House property were to convert to multi-family uses, these are the daylight planes that would be required. Furthermore, even though Channing House is a licensed care facility, the new building is, in all practicality, a multi-family building, housing individuals. If it were technically classified as a multi-family building, the proposed daylight planes would meet the requirements of the zoning ordinance. The daylight planes proposed are, in fact, more stringent than almost all the existing daylight planes of the adjoining residences. Finally, the extensive landscaping that is proposed at the property lines will further the privacy between Channing House's new building and the existing residences.


We contend that not only will granting the variance not be detrimental or injurious to the neighborhood, but also the granting of this application will enhance the appearance of the site by moving the unattractive parking lot underground, adding a building that will provide a transition in scale from the existing, somewhat ungainly, Channing House building and the neighborhood residences, and adding more landscaping to greatly improve the appearance of the site.

Architectural Review Board and
Planning and Transportation Commission
July 28, 2006 - Page 4

The conflict between the strict application of the zoning regulations and the circumstances of the Channing House property is exactly the kind of situation in which a variance should be applied.

For the reasons set forth above, Channing House believes that the variance request is well supported and is essential for this project. We thank you for your consideration.

Sincerely,


Margaret A. Sloan

MAS:tlf

Encl.

cc: Carl Braginsky
Thomas Brutting
John Northway
Arlan Chun

Channing House Application for
Amendment to Existing PC Zoning District
Development Program Statement
August, 2005

Channing House is a continuing care retirement community, licensed by the state of California to provide life care services to the aged. This includes provision of several levels of care, with supervision, meals and housing provided. The units include skilled nursing, assisted living, and independent living units. Our Planned Community (PC) zone (Resolution No. 2007) permits up to 320 units.

Completed in 1964, our forty-year old health center (which contains both skilled nursing and assisted living) was designed and built in an earlier era with different standards, and has become, over time, inadequate for today's needs. Taking up our entire second floor, it does not meet the requirements of current residents, and is not marketable to the next generation of facility residents. The assisted living and skilled nursing beds are either two or three per room, with little space and privacy. Today's standards require more space, privacy and other amenities for each resident, and a more efficient building layout for our staff.

A lengthy internal planning and review process, including Board members, residents and staff, has concluded that it is not feasible to renovate the current health center within the existing building's footprint to "de-compress" the facilities, while keeping the number of units to retain economic viability. Therefore, the proposed modification to the existing Planned Community zoning consists of a two-story building of 34,000 SF, plus 17,000 SF of underground parking.

The new construction would take place at the southwest corner of the existing lot, adjacent to Homer Avenue. The existing parking on that portion of our lot would be replaced by the underground parking. After construction of the new health facility, plans are to renovate the existing second floor to include service and activity spaces, in addition to renovated living units.

The number of units in Channing House after the approval of the PC Amendment will actually be reduced by two. The proposed changes in unit configuration, before and after construction, are as follows:

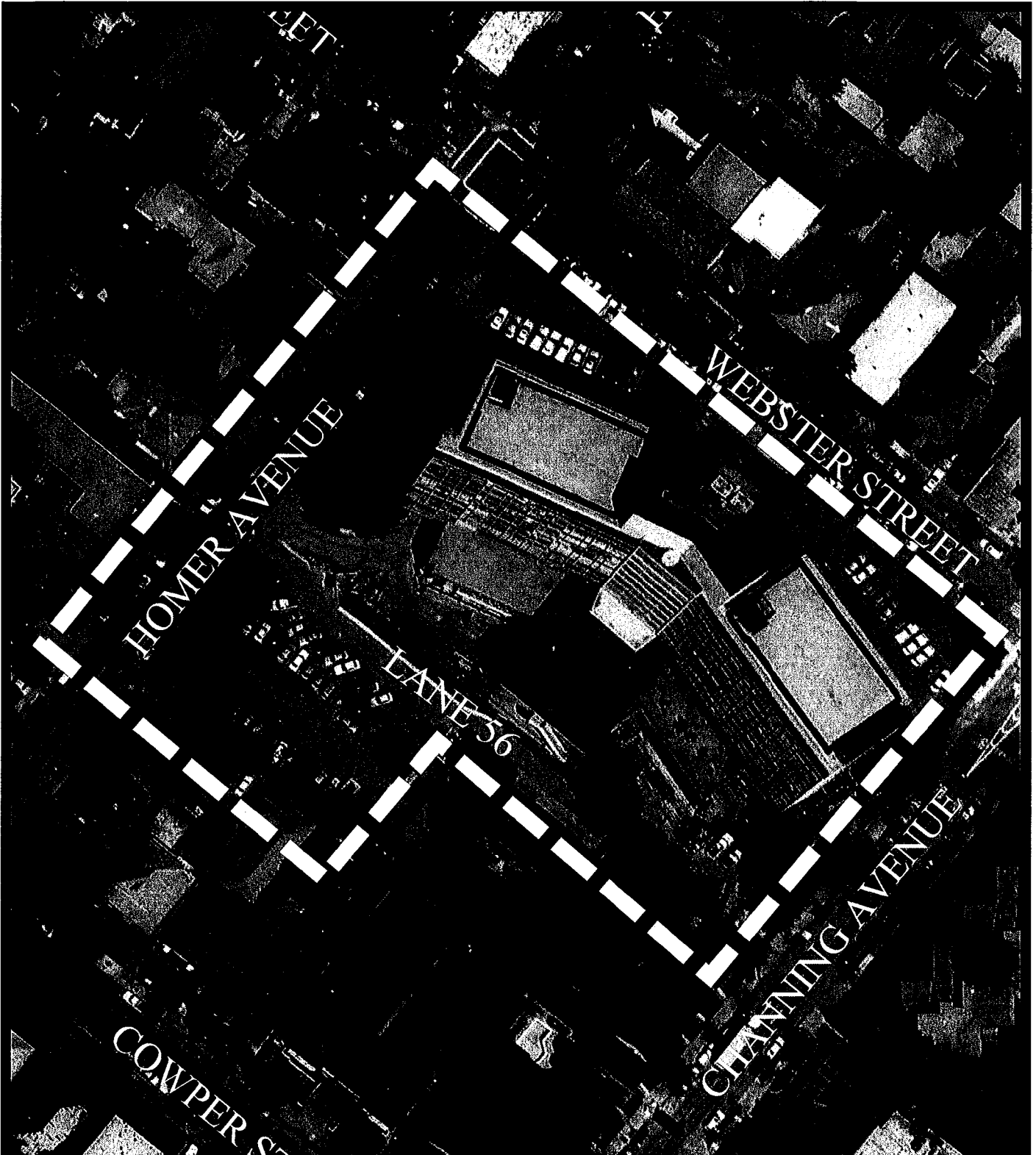
	<u>Current</u>	<u>Proposed</u>
Skilled Nursing units	21	27
Assisted Living units	48	26
Apartment Units	<u>191</u>	<u>205</u>
Total:	260	258

Channing House will be providing health care services to seniors only from its internal population, and will not be expanding to serve those in the outside community.

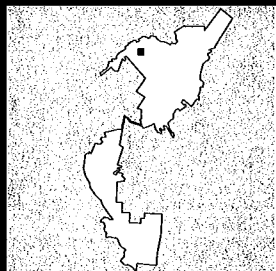
The employee count is anticipated to change from the current 137 to 139 persons, an addition of two staff members.

After zoning approval, the Development Schedule assumes there will be a 40-month long process for construction document development, construction plan approvals from the Office of Statewide Health Planning and Development (OSHPD), and construction.

E:\PROJECT Health Center\City of Palo Alto\Zoning Change Application\Channing House Narrative Final.doc



The City of
Palo Alto



850 Webster Street
PC Amendment
2001 Aerial

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




RM-30

PC-4048

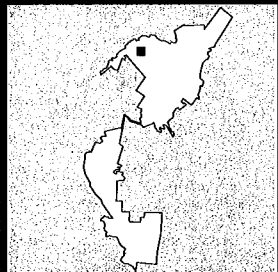
RM-15

PC-4048

Legend
 Project Area



The City of
Palo Alto



850 Webster Street PC Amendment

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





PLANNING DIVISION

STAFF REPORT

TO: PLANNING & TRANSPORTATION COMMISSION

FROM: Gina La Torra, Associate Planner **DEPARTMENT:** Planning and
Community Environment

AGENDA DATE: March 22, 2006

SUBJECT: **850 Webster [05PLN-00290]:** Request by Channing House for initial Planned Community review of 32,185 square foot Health Care building for the Channing House, including 27 skilled nursing units, 26 assisted living units, and associated dining/activity spaces, and a 16,437 square foot underground garage. Review processes to implement this project would involve a Planned Community (PC) amendment and a Design Enhancement Exception (DEE); preparation of an environmental analysis is underway and a public review period of the Environmental Impact Assessment (EIA) will begin prior to a formal Architectural Review Board (ARB) hearing.

RECOMMENDATION:

Staff requests that the Planning and Transportation Commission (Commission) comment on the proposed development in this initial review and recommend the application be forwarded to the Architectural Review Board (ARB) for formal review. The Commission should provide direction and identify key issues for the ARB and staff to consider prior to further review by the Commission. This request is made in conformance with the Planned Community District regulations [PAMC Section 18.68.065(b)].

SUMMARY OF KEY ISSUES:

The project location is shown in Attachment A. The project includes the following components:

- A new Health Care building for the Channing House.
- A reduction in the total number of units and a change in the unit configuration.
- Closure of the through alley that connects Homer Avenue to Channing Avenue.
- A Design Enhancement Exception (DEE) to allow the building to encroach into the side yard daylight plane for PC zoned projects adjacent to residential zones.

The Preliminary ARB staff report (Attachment G) provided a description for ARB review. The applicant's Development Program Statement (Attachment E) provides a brief summary of the

project and intent. Attachment B to this report provides background information and sets forth the following issues for the Commission's specific consideration and comment:

- Proposed building location, overall height, and daylight plane encroachment
- Landscape requirements
- Parking and traffic operations
- Public comments pertaining to building size, height, privacy, loss of sunlight, noise, continual illumination, parking, privacy, and traffic operations.

The applicant's statement (Attachment E) estimates the project's development schedule to be 40 months. A building permit would not be issued by the City for this project. Should this project be approved by City Council, it would be forwarded to the Office of Statewide Health Planning and Development (OSHPD) for plan review and permits. Once the new building is completed and the assisted living and skilled nursing uses are transferred into the building, the City's Building Division would review the conversion of the Channing House to independent living units. Attachment F lays out the complete process for the project and is the applicant's estimated timeline for the project.

In addition to the preliminary set of drawings, staff has provided report attachments including a project location map, Background (Project Location, preliminary Architectural Review, Project Overview, and Key Issues Discussion), a Comprehensive Plan and Zoning Compliance table, the applicant's Traffic Operations Analysis, the applicant's landscape design intent, and public comments received.

ENVIRONMENTAL REVIEW

An EIA will be prepared for review prior to a formal ARB hearing. The EIA will focus on assessing the potential parking, traffic, noise, lighting, and other visual impacts.

ATTACHMENTS:

- A. Project Aerial & Zone Map
- B. Background and Key Issues
- C. Zoning & Comprehensive Plan Compliance
- D. Required Design Enhancement Exception (DEE) Findings & applicant's DEE request
- E. Development Program Statement
- F. Development Schedule
- G. Preliminary Architectural Review Board, Staff Report, January 19, 2006
- H. PC Ordinances for 850 Webster Street
- I. Traffic Operations Analysis, Korve Engineering, November 2005
- J. Landscape Statement of Design Intent, Witherbotham Partnership, November 2005
- K. Public comments received
- L. Project Plans (Commissioners only)

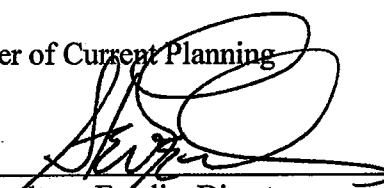
COURTESY COPIES:

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Albert C. Starr
William & Marla McCormack
Daniel Sneider

Doris Anne Stoessel
Deborah Dooley
Joyce & Larry Wertman
Marie Mookini

PREPARED BY: Gina La Torra, Associate Planner

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Planning & Community Environment

