TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER DEPARTMENT: PLANNING & COMMUNITY ENVIRONMENT

DATE: JULY 10, 2006 CMR: 283:06

SUBJECT: 2825/2865 EL CAMINO REAL [05PLN-00300]: RECOMMENDATION FOR APPROVAL OF A REQUEST BY JAMES BAER ON BEHALF OF MORRIS ASSOCIATES FOR A SITE AND DESIGN REVIEW APPLICATION TO CONSTRUCT A 13,988 SQUARE FOOT MIXED-USE BUILDING ON A 22,491 SQUARE FOOT PARCEL; DESIGN ENHANCEMENT EXCEPTIONS TO REDUCE THE REQUIRED SIDE YARD AND FRONT YARD SETBACKS, AND TO EXCEED THE ALLOWABLE ENCROACHMENT INTO THE SIDE YARD DAYLIGHT PLANE; AND A VARIANCE TO REDUCE THE AMOUNT OF USABLE COMMON OPEN SPACE.

RECOMMENDATION
Staff, the Architectural Review Board (ARB), and the Planning and Transportation Commission (Commission) recommend the City Council approve the project at 2825/2865 El Camino Real based on the findings and subject to the conditions contained in the draft Record of Land Use Action (Attachment A). The action includes: (1) approval of the Mitigated Negative Declaration (Attachment M), with a finding that the project would not result in significant environmental impacts, (2) approval of the Site and Design Review application to allow the construction of a new mixed-use building and related site improvements in the CS Service Commercial District, (3) approval of all requested Design Enhancement Exceptions (DEE’s), and (4) approval of the Variance for a reduction in the amount of usable common open space.

BACKGROUND
The proposed project to construct a 13,988 square foot mixed-use building and related site improvements is described in Attachment E to this report, submitted by the applicant, and in plans provided to Council (Attachment N). The project’s potential environmental impacts are summarized in the Initial Study and Mitigated Negative Declaration (MND). The project would not conform to all of the zoning standards of the CS zoning district, set forth in Attachment C to this report. The applicant is requesting DEE’s from the CS Zone development standards for reductions in the required front yard and side yard building setbacks and exceeding the allowable encroachment into the side yard daylight plane. A variance is requested for the reduction in the amount of required usable common open space. Full descriptions of the requested exceptions are contained in the Planning and Transportation Commission staff report (Attachment J).
Staff, the ARB, and the Commission have determined the project to be consistent with the Comprehensive Plan policies as set forth in Attachment D to this report. The draft Record of Land Use Action contains Architectural Review findings, DEE findings, Variance findings, Site and Design Review findings and recommended conditions of approval for Council consideration.

**BOARD/COMMISSION REVIEW AND RECOMMENDATIONS**

**Planning and Transportation Commission**

The Commission reviewed the application at its January 25, 2006 meeting. The Commission was supportive of the design of the proposed project and recommended that the Council approve the application and the Mitigated Negative Declaration, adding a condition to supplement staff-recommended conditions of approval requiring the applicant to submit a Transportation Demand Management Program for review by the Transportation Division prior to the issuance of a building permit. The action of the Commission is included in the Record of Land Use Action. Meeting minutes reflecting the Commission discussion are found in Attachment G, and the Commission staff report is included as Attachment J.

**Architectural Review Board**

Preliminary project plans had been reviewed by the ARB on May 19, 2005. Generally supportive of the project, the ARB focused on opportunities for: (1) increased massing of the building, (2) enhanced pedestrian experience along El Camino Real, (3) maximized percentage of shared parking, (4) increased architectural interest, and (5) creative use of reusable building materials and renewable energy sources for the project’s construction.

On March 2, 2006, after Commission review, the ARB reviewed the formal project plans and continued its review to allow for plan revisions to address its concerns. On May 18, 2006, the ARB reviewed the revised project. On May 18, 2006, the ARB reviewed the revised project. The May 18 staff report (Attachment L) lists the applicant’s responses to ARB concerns. The ARB recommended the Council approve the Mitigated Negative Declaration and Site and Design application and added conditions to those recommended by staff and the Commission. The action of the ARB is included in the Record of Land Use Action. Meeting minutes reflecting the action of the ARB are found in Attachment H. The ARB requested several items return to the ARB Subcommittee prior to the submittal of a building permit application. Condition #8 in the Record of Land Use Action lists those items for ARB Subcommittee follow-up, to finalize awning, eave, fence and art details.

The ARB has not yet reviewed the carport design, so staff added this item to the list of items in Condition #8. The applicant’s original submittal did not include covered residential parking, for which a Variance was requested. Since staff could not support the parking Variance, the applicant revised the plans to include a carport, which the ARB reviewed on March 2, 2006. The ARB determined the proposed carport design was architecturally incompatible with the building design and recommended the applicant redesign the carport. The applicant deleted the carport from plans presented to the ARB on May 18, 2006. The ARB supported its deletion due to the urban context; however staff informed the applicant the project would need to include a parking Variance,
requiring Commission review prior to Council review, since the covered parking had been reviewed and recommended by the Commission. The applicant decided to include the covered parking as part of the project, rather than approach the Commission with a parking Variance request.

**ENVIRONMENTAL REVIEW**

The proposed project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). An Environmental Impact Assessment (Attachment M) was prepared for the project. It was determined that the project could have potentially significant aesthetic and noise impacts. The project however, would include mitigation measures to reduce these impacts to a less than significant level. A Mitigated Negative Declaration has been prepared.

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CITY MANAGER APPROVAL: ______________________________________
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**ATTACHMENTS**

Attachment A: Draft Record of Land Use Action
Attachment B: Location map
Attachment C: Zoning table (prepared by staff)
Attachment D: Comprehensive Plan table (prepared by staff)
Attachment E: Applicant submittal including project description (prepared by Premier Properties and DES Architects)
Attachment F: List of Proposed Sustainability Measures (prepared by Premier Properties)
Attachment G: Minutes of P&TC meeting of January 25, 2006
Attachment H: Sense minutes of ARB meeting of May 18, 2006
Attachment I: Preliminary ARB Staff Report dated May 19, 2005 (without attachments)
Attachment K: ARB staff report dated March 2, 2006 (without attachments)
Attachment L: ARB staff report dated May 18, 2006 (without attachments)
Attachment M: Initial Study Mitigated Negative Declaration (MND)
Attachment N: Project Plans (Council Members Only)
COURTESY COPIES:
Ken Hayes, Hayes Group
Morris Associates
James Baer, Premier Properties