TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER DEPARTMENT: PLANNING & COMMUNITY ENVIRONMENT

DATE: SEPTEMBER 19, 2005 CMR: 369:05

SUBJECT: 1795 EL CAMINO REAL [05PLN-00106]: RECOMMENDATION FOR APPROVAL OF A REQUEST BY HAYES GROUP ON BEHALF OF JAMES NEWMAN FOR A SITE AND DESIGN REVIEW APPLICATION TO CONSTRUCT A 9,510 SQUARE FOOT MIXED-USE BUILDING ON A 12,282 SQUARE FOOT PARCEL. DESIGN ENHANCEMENT EXCEPTIONS ARE TO EXCEED THE MAXIMUM ALLOWABLE BUILDING HEIGHT, REDUCE THE REQUIRED SIDE YARD, FRONT YARD, AND STREET SIDE YARD SETBACKS, EXCEED THE ALLOWABLE ENCROACHMENT INTO THE SIDE YARD AND STREET SIDE YARD DAYLIGHT PLANE AND REDUCE THE AMOUNT OF PARKING LOT LANDSCAPING. THE VARIANCE WOULD 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: (1) approve the Mitigated Negative Declaration (Attachment L) for the project at 1795 El Camino Real, with a finding that the project would not result in significant environmental impacts; and (2) approve the Site and Design Review application to allow the construction of a new office building and related site improvements in the CN Neighborhood Commercial District, based on the findings in the draft Record of Land Use Action (Attachment A).

BACKGROUND
The project to construct a 12,282 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.
The project’s potential environmental impacts are summarized in the Initial Study and Mitigated Negative Declaration (MND) provided as Attachment L.

The current project would not conform to all of the zoning standards of the CN zoning district and parking regulations, set forth in the attached table (Attachment C to this report.). The applicant is requesting Design Enhancement Exceptions from the CN Zone development standards for increased building height and reductions in the required front yard, side yard and street 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 open space. Full descriptions of the requested exceptions are contained in the Planning and Transportation Commission Staff Report (Attachment J).

The draft Record of Land Use Action (RLUA) contains findings for approval of the Design Enhancement Exceptions, Variance, the Site and Design Review application, and draft Architectural Review findings as recommended by the ARB and the Commission for Council consideration.

BOARD/COMMISSION REVIEW AND RECOMMENDATIONS
Planning and Transportation Commission
The Commission reviewed the application at its June 8, 2005 meeting. The Commission recommended that the Council approve the application and the Mitigated Negative Declaration, adding conditions to supplement staff-recommended conditions. The action of the Commission is included in the Record of Land Use Action. Meeting minutes reflecting the Commission discussion are found in Attachment H, and the Commission staff report is included as Attachment I. The Commission discussed the following:

- The applicant is to submit a variance application since the project is providing less than the required 35% of common open space and a Design Enhancement Exception cannot be granted to reduce usable open space;
- The applicant is to make an attempt to redesign the building to lower the proposed height to 35 feet;
- The mitigation measures contained in the proposed Mitigated Negative Declaration should be added to the conditions of approval section of the Record of Land Use Action;
- The design of the parking lot should be further evaluated to address the comments made by the Transportation Division;
- The possible lighting impacts from the second story windows on the adjacent neighbors should be evaluated;
- The findings for the Design Enhancement Exceptions should be modified to include some of the text provided by the applicant in their written project description.
Architectural Review Board
The ARB reviewed the application during its meeting on August 4, 2005. The ARB recommended the Council approve the Mitigated Negative Declaration and Site and Design application and added additional conditions to supplement staff and the Commission’s recommended conditions. 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 G, and the ARB staff report is included as Attachment I.

In an attempt to reduce the height of the building as suggested by Commission, the applicant presented two alternative roof designs to the ARB, including a hipped roof option and a mansard roof option. Hip roofs are measured to the average height of the highest gable, resulting in a building height of approximately 38 feet. Mansard roofs are measured to the deck line resulting in a building height of approximately 36 feet. The ARB preferred the hipped roof design, indicating that since the maximum height of the hipped roof would be at the center of the building, the height of the building would not be perceivable by a person at street level. The ARB also reconfirmed its opinion that, due to the width of El Camino Real, building heights in excess of 35 feet are acceptable. A Design Enhancement Exception is still recommended to exceed the maximum 35-foot building height limit.

The approved motion included a statement that the design of the project is well-conceived and is an example of projects that should be built on El Camino Real. It included conditions of approval that the following items return to the ARB on consent for further review prior to the issuance of a building permit:

- A solution to shield the interior second and third floor interior lighting sources to prevent visibility of the light sources and to prevent glare and light spillover beyond the property line.
- Revised photometric plans evaluating the proposed parking lot lighting with the intent of eliminating glare and light spillover onto adjacent residential uses.
- All trees to be planted along the rear property line should be a minimum of 24-inch box in size.
- To reduce the effect of a large expanse of parking lot asphalt, a revised landscape plan should change the paving material under the 11 parking spaces along the rear of the parking lot to “Grasscrete” or an alternative permeable paving material other than asphalt should be proposed.
- The applicant is to return to the ARB one year after securing a certificate of occupancy to provide a post-construction feedback report regarding the effectiveness and success of the sustainability program.
ENVIRONMENTAL REVIEW
The proposed project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). An Environmental Impact Assessment (Attachment L) was prepared for the project. It was determined that the project could have potentially significant aesthetic, hazardous material, land use, 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.

PREPARED BY: ______________________________________
Christopher Alan Riordan
Planner

DEPARTMENT HEAD: ______________________________________
Steve Emslie
Director of Planning and Community Environment

CITY MANAGER APPROVAL: ______________________________________
EMILY HARRISON
Assistant City Manager

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 Hayes Group)
Attachment F: List of Proposed Sustainability Measures (Prepared by Premier Properties)
Attachment G: Sense minutes of ARB meeting of August 4, 2005
Attachment H: Minutes of P&TC meeting of June 29, 2005
Attachment I: ARB staff report dated August 4, 2005 (without attachments)
Attachment J: Planning and Transportation Commission staff report dated June 8, 2005 (without attachments).
Attachment K: Letter from David Madwed (two pages), received June 29, 2005
Attachment L: Initial Study Mitigated Negative Declaration (MND)
Attachment M:  Project Plans (Council Members Only)

COURTESY COPIES:
Ken Hayes, Hayes Group
James Newman
James Baer, Premier Properties