ATTACHMENT A
Action NO. 2008-07
DRAFT RECORD OF THE COUNCIL OF THE CITY OF PALO ALTO LAND USE
ACTION FOR 3000 Alexis Drive: CONDITIONAL USE PERMIT AND SITE AND
DESIGN REVIEW APPLICATION
[FILE NO.06PLN-00197]
(CODY ANDERSON WASNEY, APPLICANT)

On September 15, 2008, the City Council approved Conditional Use Permit and Site and Design Review application for a new two story, spa and fitness center facility with below grade parking, a new tennis court, improvements to the existing club facility including a new porte cochere, a new roof screen, a wading pool, additional floor area for accessory uses including offices, members bar, banquet and storage areas, and other site improvements included on an overall 125 acre site in the OS Open Space zone district, making the following findings, determination and declarations:

SECTION 1. Background. The City Council of the City of Palo Alto ("City Council") finds, determines, and declares as follows:

A. On December 14, 2006, Cody Anderson Wasney, on behalf of Palo Alto Hills Golf and Country Club, applied for a Site and Design Review application for construction of a new two story, spa and fitness center facility with below grade parking, a new tennis court, improvements to the existing club facility including a new porte cochere, a new roof screen, a wading pool, additional floor area for accessory uses including offices, members bar, banquet and storage areas, and other site improvements ("The Project").

B. Following staff review, the Planning and Transportation Commission (Commission) reviewed The Site and Design Project and recommended approval on April 2, 2008. The Commission reviewed the Conditional Use Permit and recommended approval on August 27, 2008. The Commission's recommendations are contained in the CMR and the attachments to it.

C. Following Commission review of the Site and Design application, the Architectural Review Board (ARB) reviewed and continued the project on May 15, 2008. The ARB reviewed the Project and recommended approval on June 5, 2008. The ARB's recommendations are contained in the CMR and the attachments to it.

SECTION 2. Environmental Review. The City as the lead agency for The Project has determined that the project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA) under Guideline section 15070, Decision to Prepare a Negative or Mitigated Negative Declaration. An Environmental Impact Assessment (EIA) was prepared for the Project and it has been determined that no potentially adverse
impacts would result from the development that cannot be mitigated, therefore, the Project would have a less than significant impact on the environment. The Mitigated Negative Declaration was available for public review beginning March 28, 2008 through April 17, 2008. A revised Mitigated Negative Declaration was available for public review beginning August 19, 2008 through September 9, 2008. The Environmental Impact Assessment and Mitigated Negative Declaration are attached to CMR:365:08


1. The use will be constructed and operated in a manner that will be orderly, harmonious, and compatible with existing or potential uses of adjoining or nearby sites, in that:

City standards and regulations will help to ensure that the use, or operation, of the site will be conducted in a manner that is compatible with the single-family uses located in the immediate area. During construction, it is expected that there will be temporary impacts to the area in terms of construction-related noise, dust/debris and traffic. These impacts will be offset by applicable City construction standards, such as restrictions on hours of construction, the City's noise ordinance, and standard conditions of approval. The traffic mitigation measure will ensure that the use will continue to be harmonious and compatible with the residential neighborhood.

2. The Project is consistent with the goal of ensuring the desirability of investment, or the conduct of business, research, or educational activities, or other authorized occupations, in the same or adjacent areas, in that:

The proposed architectural and site changes are compatible with the existing site and surrounding open space area, and the construction of the development will be governed by the Uniform Building Code and other applicable codes, to assure safety and high quality of development. The proposed improvements at the club increase the value of the club property and will not negatively impact the value of the surrounding residential land uses.

3. Sound principles of environmental design and ecological balance are observed in the Project, in that:

The proposed architectural and site changes are consistent with the Site and Design Criteria adopted by the City Council. Sustainable building features are incorporated in the design, including the use of nonreflective glass, the planting of primarily native species, the use of water conserving irrigation, and the use of permeable pavers. The proposal is also anticipated to reach the certified level on the LEED checklist for green building. The Project will not have a significant environmental impact as indicated by the proposed Mitigated Negative Declaration for this Project.
4. The use will be in accord with the Palo Alto Comprehensive Plan as follows:

**Policy L-1:** Continue current city policy limiting future urban development to currently developed lands within the urban service area. The boundary of the urban service area is otherwise known as the urban growth boundary. Retain undeveloped land west of foothill expressway and Junipero Serra as open space, with allowances made for very low-intensity development consistent with the open space character of the area.

The project site is west of the Foothill Freeway and is located within the City's Urban Service Area (map L-2 of the Comprehensive Plan). The project is consistent with this policy in that the site is not characteristic of open space lands. It is a fully functional golf and country club nearly surrounded by residential development. The project may increase the intensity of use at the facility but it will also improve this valuable economic and community resource making the club more viable and vital for the future without having a negative impact.

**Policy L-3:** Guide development to respect views of the foothills from public streets in the developed portions of the city.

The project would not impact views of the foothills or views from public streets.

**Policy L-4:** Maintain Palo Alto's varied residential neighborhoods while sustaining the vitality of its commercial areas and public facilities.

This project enables the Club to maintain its financial viability by providing and improving facilities that will make the club more desirable while controlling any impacts to the surrounding residential community.

**Policy L-5:** Maintain the scale and character of the City. Avoid land uses that are overwhelming and unacceptable due to their size and scale.

The proposed two story building as conditioned would respect the height limit and would not overwhelm the site or off site uses.

**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.

The proposed spa/fitness building would not create an abrupt change in scale between the existing club property and the adjacent residential uses.
Policy L-12: Preserve the character of residential neighborhoods by encouraging new or remodeled structures to be compatible with the neighborhood and adjacent structures.

The proposed site improvements are consistent with the existing Club facility that has been a significant fixture within the residential neighborhood for many years.

Policy L-48: Promote high quality, creative design and site planning that is compatible with surrounding development and public spaces.

The proposed site improvements are designed to have the least impact to the site and adjacent uses. The architecture relates to the existing club house facility in its materials while providing a new updated building design.

Policy L-69: Preserve the scenic qualities of Palo Alto roads and trails for motorists, cyclists, pedestrians, and equestrians.

The proposed site improvements would preserve the existing scenic qualities of Palo Alto.

Policy L-75: Minimize the physical impacts of parking lots. Locate parking behind buildings or underground wherever possible.

The new parking for the project is proposed underground.

Policy N-1: Manage existing public open space areas and encourage the management of private open space areas in a manner that meets habitat protection goals, public safety concerns, and low impact recreation needs.

The proposal improves the public safety by improving the entry/exit of the parking lot to increase visibility for cars entering or exiting the parking lot.

Policy N-6: Through implementation of the Site and Design process and the Open Space zone district regulations, minimize impacts of any new development on views of the hillsides, on the open space character, and the natural ecology of the hillsides.

The proposed development will not impact views of the hillsides, the open space character, or the natural ecology. The new building is proposed on a developed golf course property and will not disrupt natural ecology. It has been specifically sited to minimize the off site views and landscape screening has been conditioned to further minimize the view of the building from the adjacent residential properties.
Policy N-21: Reduce non-point source pollution in urban runoff from residential, commercial, industrial, municipal, and transportation land uses and activities.

The new trench drain in the parking lot will capture pollutants that have been deposited on the parking lot surface and carry them to a retention basin where they will be naturally filtered as the water percolates back into the earth.

Policy N-22: Limit the amount of impervious surface in new development or public improvement projects to reduce urban runoff into storm drains, creeks, and San Francisco Bay.

The building has been designed to be two stories to limit the ground floor impervious footprint. The project also reduces the existing impervious coverage of the site by more than 900 square feet.

Goal N-8: An environment that minimizes the adverse impacts of noise.

The mitigations specified in the Mitigated Negative Declaration will ensure that any noise impacts are mitigated.

Policy N-7: the Project is consistent with the thirteen City of Palo Alto Open Space Development Criteria as follows:

1. The development should not be visually intrusive from public roadways and public parklands. As much as possible, development should be sited so it is hidden from view. The proposed project would not be visible from public parkland and would be minimally visible from a public roadway (Alexis Drive). The spa/fitness building is proposed in a hollow between the existing club building and a steep upslope. There are a series of large canary island pines that help to screen the view from Alexis at the entry to the parking lot.

2. Development should be located away from hilltops and designed to not extend above the nearest ridge line. The proposed building would not be located on a hilltop and, complies with the 25 foot height limit of the district.

3. Site and structure design should take into consideration impacts on privacy and views of neighboring properties. As conditioned, to reduce the buildings visibility with landscape material, the neighbor would be left with only a filtered view of the building.

4. Development should be clustered, or closely grouped, in relation to the area surrounding it to make it less conspicuous, minimize access roads, and reduce fragmentation of natural habitats. The project has been designed to reduce
the building footprint. The new parking is proposed underground beneath the building. It is proposed with two stories to reduce the site coverage. It has been sited to have the least visual impacts on and off site. This is a golf and country club property, the proposal would not impact natural habitats.

5. Built forms and landscape forms should mimic the natural topography. Building lines should follow the lines of the terrain, and trees and bushes should appear natural from a distance. The design of the building has partially attempted to mimic the terrain by stepping the building to follow the steep slope at the front of the building. Additional landscaping is proposed throughout the project area to enhance the existing landscaping of the property.

6. Existing trees with a circumference of 37.5 inches, measured 4.5 feet above the ground level, should be preserved and integrated into the site design. Existing vegetation should be retained as much as possible. The landscape plan preserves as many existing mature trees as possible.

7. Cut is encouraged when it is necessary for geotechnical stability and to enable the development to blend into the natural topography. Fill is generally discouraged and should never be distributed within the driplines of existing trees. Locate development to minimize the need for grading. The project has been designed to cut the building into the hillside to reduce the height and visibility. The cut material will be used within the golf course and carried down Page Mill Road.

8. To reduce the need for cut and fill and to reduce potential runoff, large, flat expanses of impervious surfaces should be avoided. Large expanses of impervious surfaces have been avoided in that the new building was designed as a two story program to reduce the building footprint. The driving range area has been redesigned to reduce the amount of impervious surface on the site as well. Other areas would also be modified to become more pervious with an overall reduction of impervious coverage of over 900 square feet.

9. Buildings should use natural materials and earth tone or subdued colors. Natural building materials in earth tones are proposed. All proposed building materials are natural, in earth tone colors that will blend with the surroundings as well as the existing club house building.
10. Landscaping should be native species that require little or no irrigation. Immediately adjacent to structures, fire retardant plants should be used as a fire prevention technique. The proposed landscaping incorporates a large number of native species plantings which will minimize the need for irrigation.

11. Exterior lighting should be low-intensity and shielded from view so it is not directly visible from off-site. The exterior lighting fixtures primarily provide pathway lighting and are directed downward to avoid casting light off site.

12. Access roads should be of a rural rather than urban character. (Standard curb, gutter, and concrete sidewalk are usually inconsistent with the foothills environment.) The project will not involve the addition of any access road.

13. For development in unincorporated areas, ground coverage should be in general conformance with Palo Alto's Open Space District regulations. The project is not within an unincorporated area.

SECTION 4. CONDITIONAL USE PERMIT Findings.
Neither the director, nor the city council on appeal, shall grant a conditional use permit, unless it is found that the granting of the application will:

1. Not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to public health, safety, general welfare, or convenience;
With the proposed conditions of approval and the mitigations outlined in the Mitigated Negative Declaration the project will not be detrimental or injurious to neighboring properties. The building is sited down hill from adjacent residences to have the least visual impact and additional landscaping is proposed to soften the views of the building where they do exist. The building as proposed in compliance with the 25 foot height limit will not block the significant Bay views of the uphill neighbors. Conditions of approval limit the club membership levels, noise levels, lighting, and the number of large events per year to ensure the club activities do not disturb the neighbors. Traffic and parking issues are addressed by the mitigation measures that require a Transportation Demand Management plan and measures to insure parking needs are met on site. Other measures require the implementation of specific building requirements to ensure the people within the building will be safe in the event of an earthquake.

2. Be located and conducted in a manner in accord with the Palo Alto Comprehensive Plan and the purposes of this title (zoning). The project is in compliance with the Comprehensive plan
as outlined in the findings listed above. The project is also in conformance with the zoning requirements and improves existing non-complying aspects such as reducing the amount of site coverage and reducing the parking deficit.

SECTION 5. SITE AND DESIGN APPROVALS GRANTED. Site and Design Approval is granted by the City Council under Palo Alto Municipal Code Section 18.30.(G) for application 06PLN-00197, subject to the conditions of approval in Section 6 of the Record.

SECTION 6. Conditions of Approval.

PLANNING DIVISION

1. The project shall be implemented as shown on plans submitted April 13, 2008 on file with the City of Palo Alto Planning Division except as modified by these conditions of approval.

2. The Record of Land Use Action in its entirety shall be printed on the plans submitted for building permit.

3. The following mitigations, as listed in the Mitigated Negative Declaration, shall be implemented:

Mitigation Measure #1: Require automatic night shades to block any light leak from the windows of the fitness building in the evening. The automatic night shades shall be shown on the building permit plans.

Mitigation Measure #2: The recommendations of the Geotechnical Investigation by Murray Engineers (December 2006) shall be required to be implemented as a condition of project approval and approved prior to building permit issuance.

Mitigation Measure #3: The applicant shall select quieter HVAC equipment, employ sound attenuation techniques, or place it further from the property line such that the average 24 hour noise level will not increase by 5 decibels or more in a residential area. The location, design, and specification for such equipment shall be provided for approval by staff prior to issuance of a building permit.

Mitigation Measure #4: The applicant shall develop a transportation demand management (TDM) program to reduce average daily weekday trips by at least 37 trips, and to reduce average daily weekend trips by at least 65 trips. The program shall be designed and submitted for review by the City’s transportation staff, shall be demonstrated to be enforceable, and must be approved prior to issuance of any grading or building permit. The program shall be proposed
to the satisfaction of the director, shall include proposed performance targets for parking and or trip reduction, and shall designate a single entity to implement the proposed measures. Monitoring reports shall be submitted to the director each year for a period of five years after building occupancy noting the effectiveness of the proposed measures as compared to the initial performance targets and suggestions for modifications if necessary to enhance parking and/or trip reductions. The TDM program may include but is not limited to the following measures:

a) Provide incentives to Club members that will encourage them to combine their trips to the facility rather than make multiple trips (joint usage) or carpooling for employees and guests.

An example of this could be the issuance of cards that provide for free golf cart rentals, free exercise classes etc. for x number of combined trips or carpool/vanpool trips.

b) Decrease the size and/or frequency of exercise classes in the new fitness facility.

b) Open the fitness facility on Mondays (when golf is normally closed) and close it on Wednesday, which is typically the busiest weekday at the club.

c) Control the volume of use of the new private banquet rooms or other Club facilities as necessary to ensure that the traffic volume stays below the TIRE index.

Mitigation Measure #5: The club shall employ measures to ensure that all of the parking demand generated by club activities shall be met on site such that no club users are parking on Alexis Drive or its side streets. These measures shall include but are not limited to mandatory valet parking for those events that may exceed the typical capacity of available parking at the club and the use of the golf course for overflow parking if needed.

4. The applicant shall meet with staff during the planting stage to evaluate the adequacy of the planting to provide a visual screen of the building and tennis courts as discussed by the P&TC.

5. Additional plantings shall be required by the city if the city determines the plantings are not adequate and the applicant shall work with staff to finalize the landscape details relative to the parking lot and cedar tree 11 prior to building permit issuance.
6. There shall be no night lighting of the tennis courts.

7. The proposed development is subject to Development Impact fees estimated at $146,153.69. The fees must be paid prior to building permit issuance. The actual fees will be calculated prior to building permit issuance.

8. Any proposed exterior lighting shall be shown on the final construction drawings and shall be subject to the review and approval of the Palo Alto Planning Division. All lighting shall be minimal and shall direct light down and shield light away from the surrounding residences and open space lands. The automatic night shades for the clearstory windows above the main entry shall be maintained and operated in good working order.

9. The expansion of the club triggers the City's requirement for a Conditional Use Permit. Approval of the Site and Design application is contingent upon the approval of the Conditional Use Permit.

10. Palo Alto Hills Golf and Country Club memberships shall be limited to ensure that traffic impacts will not occur. The Club shall be limited to 425 Proprietary members and 200 Social members.

11. All new windows, glass doors and skylights shall be of a non-reflective material.

12. In areas with slopes in excess of ten percent, the driveway surface shall be engineered to provide adequate wet traction to emergency vehicles. Prior to building permit, an engineering study of the adequacy of the material chosen shall be reviewed by the Fire Department.

13. No area represented as permeable paving in project plans dated March 27, 2008 shall be converted to impervious paving unless an equal area of impervious paving is converted to permeable paving, subject to the approval by the Director of Planning.

14. If during grading and construction activities, any archeological or human remains are encountered, construction shall cease and a qualified archaeologist shall visit the site
to address the find. The Santa Clara County Medical Examiner's office shall be notified to provide proper direction on how to proceed. If any Native American resources are encountered during construction, construction shall cease immediately until a Native American descendent, appointed by the Native American Heritage Commission of the State of California, is able to evaluate the site and make further recommendations and be involved in mitigation planning.

15. To deter the potential spread of sudden oak death disease in Palo Alto, the City requires that you perform the work according to the county quarantine restrictions in the attached Sudden Oak Death Best Management Practices http://www.cityofpaloalto.org/environment/default.asp

16. The following controls shall be implemented for the duration of project construction to minimize dust related construction impacts:
   • All active construction areas shall be watered at least twice daily.
   • All trucks hauling soil, sand, and loose materials shall be covered or shall retain at least two feet of freeboard.
   • All paved access roads, parking areas, and staging areas at the construction site shall be swept and watered daily.
   • Streets shall be swept daily if visible soil material is carried onto adjacent public streets.

17. Construction activities shall comply with Chapter 9.10 (Noise) of the PAMC (limiting construction between the hours of eight a.m. and six p.m. Monday - Friday, nine a.m. and six p.m. on Saturday, and construction activities prohibited on Sunday and Holidays) to reduce construction-related noise impacts to less than significant levels.

18. During construction, the site shall be kept clear of debris on a daily basis.

19. Prior to the issuance of a demolition permit to remove the existing structures on site, the applicant shall submit to Planning Staff for review and approval, a detailed deconstruction program for removal of the existing structure(s). Applicant shall consider, as part of the program, to allow the salvage company two weeks to deconstruct the buildings.

20. 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 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.

PLANNING DIVISION ARBORIST

Prior to submittal of building permit

21. To offset the loss of parking lot shade tree potential, install Engineered Soil Mix (ESM) in specified areas. The new trench drain and surface storm water runoff (600' - 800') will cause the removal of several planter islands, existing shade trees with diminished area for replanting new trees. Without provision for significant rooting area for the new trees, they will not achieve normal shade potential. Plans and Civil Drawings shall designate the parking space on each side of the six replaced planter islands and the north terminal end (next to two cedar trees) to be installed with ESM as base material for parking areas near tree plantings to improve shade tree potential, minimize tree root damage to curb and maximum service life of the parking surface. The technology should be counted toward any points awarded for LEED certification rating. Public Works Engineering Specifications, Section 30 and Detail #604a shall be specified for a minimum of 24" depth and be clearly shown in the designated areas.

22. Any revision to the plans which may affect the welfare of the trees and vegetation to be preserved shall be reviewed by the Project Site Arborist and Planning Arborist prior to approval or implementation at the site.

23. Site Plan Requirements. The final Plans submitted for building permit shall include the following notes on the relevant sheets:

a. Sheet T-1 Tree Protection-it's Part of the Plan (http://www.cityofpaloalto.org/environment/urban_canopy.asp), complete the Tree Disclosure Statement and Inspection and Reporting Schedule (check #1-6).

b. The Tree Preservation Report approved by staff, Barrie Coate and Associates, dated June 26, 2007, shall be printed on Sheet T-1 and/or T-2 (all sheets) and implemented in full. A note shall be applied to the site plan stating, "All measures identified in the Tree Protection Report on Sheet T-1 and the approved plans
shall be implemented, including inspections and required watering of trees.

c. Protective Tree Fencing Type. Delineate on grading plans, irrigation plans, site plans and utility plans, Type II fencing around Street Trees and Type I fencing around Protected/Designated trees as a bold dashed line enclosing the Tree Protection Zone (per the approved Tree Preservation Report) as shown on Detail #605, Sheet T-1, and the City Tree Technical Manual, Section 6.35-Site Plans.

d. Civil plans, grading plans, irrigation plans, site plans and utility plans. Civil and relevant site plan sheets shall include a note applying to the trees to be protected, including neighboring trees stating: "Regulated Tree--before working in this area contact the Project Site Arborist at 408-353-1052".

e. Utility plan sheets shall include the following note: "Utility trenching shall not occur within the TPZ of any retained and protected tree. Contractor is responsible for ensuring the instruction is conveyed to any City crew or other contractors."

24. Landscape Plans. Make the following changes in plant material for the following species, and planting specifications:

- *Cedrus deodora, Quercus agrifolia, Quercus suber, Pistachia chinensis*: 24" box size.

- Correct the discrepancy between Incense Cedar and Cedrus atlantica 'Glaucus' (clarify which is proposed)

- A detailed landscape and irrigation plan encompassing on-and off-site plantable areas out to the curb shall be approved by the Architectural Review Board. A Landscape Water Use statement, water use calculations and a statement of design intent shall be submitted for the project. A licensed landscape architect and qualified irrigation consultant will prepare these plans, to include:

  a. All existing trees identified both to be retained and removed including street trees.
  b. Complete plant list indicating tree and plant species, quantity, size, and locations.
  c. Irrigation schedule and plan.
  d. Fence locations.
  e. Lighting plan with photometric data.
  f. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.
g. All new trees planted within the public right-of-way, as shown on the approved plans, shall be installed per Public Works Standard Tree Well Diagram #604, shall have a tree pit dug at least twice the diameter of the root ball. The Public Works Detail #604 shall be shown on Landscape Plans.

h. Landscape plan shall include planting preparation details for trees specifying digging the soil to at least 30-inches deep, backfilled with a quality topsoil and dressing with 2-inches of wood or bark mulch on top of the root ball keeping clear of the trunk by 1-inch.

i. Automatic irrigation shall be provided to all trees. For trees, details on the irrigation plans shall show two bubbler heads mounted on flexible tubing placed at the edge of the root ball. Bubblers shall not be mounted inside an aeration tube. The tree irrigation system shall be connected to a separate valve from other shrubbery and ground cover, pursuant to the City's Landscape Water Efficiency Standards. Irrigation in the right-of-way requires a street work permit per CPA Public Works standards.

j. Landscape Plan shall ensure the backflow device is adequately obscured with the appropriate screening to minimize visibility (planted shrubbery is preferred, painted dark green, decorative boulder covering acceptable; wire cages and bag covers are discouraged).

During construction

25. Tree Protection Statement. A written statement from the contractor verifying that the required protective fencing is in place shall be submitted to the Building Inspections Division prior to demolition, grading or building permit issuance. The fencing shall contain required warning sign and remain in place until final inspection of the project. Tree fencing shall be adjusted after demolition if necessary to increase the tree protection zone as required by the project arborist.

26. Project Arborist Inspection. The contractor shall call for an inspection by the Project Arborist. A final inspection and report by the project arborist shall evaluate all trees to be retained and protected, as indicated in the approved plans, the activity, health, welfare, mitigation remedies for injury, if any, and for the long term care of the trees for the new owner. The report shall provide written verification to the Planning Department that all trees, shrubs, planting and irrigation are installed and functioning as specified in the approved plans. The final arborist report shall be provided to the Planning Department prior to written request for temporary or final occupancy.
The final report will be used to navigate the security guarantee return process.

27. The applicant shall be responsible for the repair or replacement of any publicly owned trees that are damaged during the course of construction, pursuant to Section 8.04.070 of the Palo Alto Municipal Code.

28. 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.

Prior to occupancy

29. The Planning Department shall be in receipt of written verification that the Landscape Architect has inspected all trees, shrubs, planting and irrigation and that they are installed and functioning as specified in the approved plans.

30. Project Arborist Inspection. The contractor shall call for an inspection by the Project Arborist. A final inspection and report by the project arborist shall evaluate all trees to be retained and protected, as indicated in the approved plans, the activity, health, welfare, mitigation remedies for injury, if any, and for the long term care of the trees for the new owner. The final arborist report shall be provided to the Planning Department prior to written request for temporary or final occupancy. The final report will be used to navigate the security guarantee return process.

Post construction

31. Maintenance. All landscape shall be reasonably maintained, watered, fertilized, and pruned (topping and unbalancing is prohibited) according to Best Management Practices-Pruning (ANSI A300-Current Version) and the CPA Tree Technical Manual.

UTILITIES MARKETING

Prior to issuance of either a Building Permit or Grading Permit, all common area landscaping shall be approved by Utilities Marketing Services, a division of the Utilities Department. For projects with more than 1,500 square feet of landscaped area, a water budget shall be assigned to the project and a dedicated
irrigation water meter shall be required. The landscape shall conform to the Landscape Water Efficiency Standards of the City of Palo Alto.

32. The Landscape Water Efficiency Standards state that "golf courses are exempt from a maximum water allowance. However, every other requirement of these standards is applicable, including estimation of irrigation water requirements." The following documents need to be submitted at the Building Permit phase:

- Design Intent Statement
- Landscape Water Use Statement
- Water Use Calculations
- Irrigation Plan
- Grading Plan
- Landscape Plan

33. All documents and information to comply with the Landscape Water Efficiency Standards can be found on the City of Palo Alto Utilities website or at the following link: http://www.cpau.com/docs/factsheets/water/landstand082002.pdf

Please contact Amanda Cox with Utility Marketing Services at (650) 329-2417 for further information or questions.

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.).

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, sewer lift stations and any other required utilities.

36. The applicant must show on the site plan the existence of any water well, or auxiliary water supply.

37. The applicant shall be responsible for installing and upgrading the existing utility mains and/or services as necessary to handle anticipated peak loads. This responsibility includes all costs associated with the design and construction for the installation/upgrade of the utility mains and/or services.
38. Sewer drainage piping serving fixtures located below the next upstream sewer main manhole cover shall be protected by an approved backwater valve per California Plumbing Code 710.0. The upstream sewer main manhole rim elevation shall be shown on the plans.

39. The applicant's engineer shall submit flow calculations and system capacity study showing that the on-site and off-site water and sanitary sewer mains and services will provide the domestic, irrigation, fire flows, and wastewater capacity needed to service the development and adjacent properties during anticipated peak flow demands. The study shall meet the requirements and the approval of the WGW engineering section. No downstream overloading of existing sewer main will be permitted.

40. Existing wastewater laterals that are not plastic (ABS, PVC, or PE) shall be replaced at the applicant's expense.

41. The applicant shall pay the capacity fees and connection fees associated with the installation of the new utility service/s to be installed by the City of Palo Alto Utilities. The approved relocation of services, meters, hydrants, or other facilities will be performed at the cost of the person/entity requesting the relocation.

42. Each place of business shall have one domestic water service, one gas meter and sewer lateral connection shown on the plans.

43. A separate water meter and backflow preventer is required to irrigate the approved landscape plan. Show the location of the irrigation meter on the plans. This meter shall be designated as an irrigation account an no other water service will be billed on the account. The irrigation and landscape plans submitted with the application for a grading or building permit shall conform to the City of Palo Alto water efficiency standards.

44. An approved reduce pressure principle assembly (RPPA backflow preventer device) shall be installed for all existing and 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. Show the location of the RPPA on the plans. Inspection by the utilities cross connection inspector is required for the supply pipe between the meter and the assembly.

45. An approved double detector check valve shall be installed
for the existing or new water connections for the fire system to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive. Double check detector check valves shall be installed on the owner's property adjacent to the property line. Show the location of the double detector check assembly on the plans. Inspection by the utilities cross connection inspector is required for the supply pipe between the City connection and the assembly.

46. The gas meter location must conform with utilities standard details.

47. All existing water and wastewater services that will not be reused shall be abandoned at the main per WGW utilities procedures.

48. All utility installations shall be in accordance with the City of Palo Alto utility standards for water, gas & wastewater.

PUBLIC WORKS ENGINEERING DEPARTMENT

49. Grading & Excavation Permit: A Grading & Excavation Permit is required for the project. The plans submitted for this permit should only show the before and after grades, the drainage, and any on-site drainage systems. Other site utilities may be shown on the grading plan for reference only and should be so noted. See PAMC 16.28 for more information. The grading plans should show how the site will be protected from storm water pollution during and at the conclusion of grading.

Include in submittal for a building permit

50. C.3: This project is required to meet the California Regional Water Quality Control Board's revised provision C.3 for storm water regulations, incorporated into the Palo Alto Municipal Code, Section 16.11, that apply to land development projects that create or replace 10,000 square feet or more of impervious surface. These regulations require that the project incorporate a set of permanent site design measures, source controls, and treatment controls that serve to protect storm water quality. The applicant will be required to calculate, develop and incorporate permanent storm water pollution prevention measures (preferably landscape-based treatment controls such as bioswales, filter strips, and permeable pavers rather than mechanical measures that require long-term maintenance) to treat a specified percentage of site runoff. The applicant must designate a party to maintain the control measures for the life of the improvements and must enter into a maintenance agreement with the City. The City will inspect the treatment measures yearly and charge an
inspection fee. There is a $750 C.3 plan check fee that will be collected upon submittal for a grading or building permit.

51. **Survey Controls:** Applicant shall adhere to North American Datum 1983 State Plane Zone 3 for horizontal survey controls and NGVD 1927 for vertical controls survey throughout the design process.

52. **Impervious Surface Area:** The proposed development will result in a change in the impervious area of the property. The applicant shall provide calculations showing the adjusted impervious area with the building permit application. A Storm Drainage Fee adjustment on the applicant’s monthly City utility bill will take place in the month following the final approval of the construction by the Building Inspection Division. The impervious area calculation sheets and instructions are available from Public Works Engineering.

53. **SAPPP:** If the proposed development will disturb more than one acre of land, then the applicant will be required to comply with the State of California’s General Permit for Storm Water Discharges Associated with Construction Activity. This entails filing a Notice of Intent to Comply (NOI), paying a filing fee, and preparing and implementing a site specific storm water pollution prevention plan (SWPPP) that addresses both construction-stage and post-construction BMP’s for storm water quality protection. The applicant is required to submit two copies of the NOI and the draft SWPPP to the Public Works Department for review and approval prior to issuance of the grading or building permit. To determine how much of the site is being disturbed, provide a calculation/table on the site plan.

54. If less than one acre of site is disturbed, then the formal SWPPP described above will not be required, but the City will still require that the applicant provide a site plan that incorporates best management practices (BMP’s) to ensure that storm water pollution is controlled during construction. Also, include the City's standard "Pollution Prevention - It's Part of the Plan" sheet in the plan set. Copies are available from Public Works at the Development Center.

55. **Truck Route:** Add a note to the plans that all truck routes shall conform to the City of Palo Alto’s Trucks and Truck Route Ordinance, Chapter 10.48, and the route map, which outlines truck routes available throughout the City of Palo Alto.

BUILDING DIVISION

56. The plans submitted for the building permit shall include the full scope of the construction including construction documents for proposed site development, utility installations, architectural, structural, electrical,
plumbing and mechanical work associated with the proposed detached building and addition to the existing building.

57. The applicant shall be schedule and attend a pre-application meeting with Building Division staff to review the permit application process and to verify that the permit application will comply with all of these conditions.

58. A separate building permit shall be required for the construction of the new detached building and additions to the existing building.

59. A separate grading permit may be required if the volume of cut and/or fill material exceeds 100 cubic yards. The excavation of the basement parking garage is included as part of the building permit and does not require a separate grading permit.

60. The design and construction details of building components that are not included in the plans submitted for building permit and are to be “deferred” shall be limited to as few items as possible. The list of deferred items shall be reviewed and approved prior to permit application.

61. The location of the building’s electrical service shall require prior approval by the Building Division and shall be located at an exterior location or in a room or enclosure accessible directly from the exterior.

62. The plans submitted for building permit shall include an analysis of the allowable floor area based on specified types of construction for the mixed occupancies located in sections or portions 1 and 2 of the existing building.

63. Plans submitted for the new additions shall include floor plans, elevations and details in compliance with current laws for the physically disabled applicable to existing buildings. The accessible parking stalls in tandem and located along the driveway in front (east side) of the building will not be permitted.

64. Due to the scale of the overall project, the applicant shall be required to utilize a 3rd party plan check agency to conduct the building code plan review. A list of the agencies approved by the City of Palo Alto is available at the Development Center.

65. An oil/water separator shall be installed in the parking garage.

66. Santa Clara County Health Dept. approval may be required for the dining / bar expansions. Please submit 2 copies of plans
stamped and approved by the Health Dept., prior to permit issuance.

PUBLIC WORKS WATER QUALITY CONTROL PLANT

67. PAMC 16.09.032(B)(17) Covered Parking
   Drain plumbing for parking garage floor drains must be
   connected to an oil/water separator with a minimum capacity
   of 100 gallons, and to the sanitary sewer system

68. PAMC 16.09.032 Loading Docks with Chemicals
   Connections to the storm drain shall not be permitted for l
   oading docks where chemicals, hazardous materials, grease, o
   il, or waste products are handled.

   Loading dock drains may be connected to the sewer only if
   the area in which the drain is located is covered or
   protected from rainwater run-on by berms and/or grading, and
   appropriate wastewater treatment approved by the
   superintendent is provided. Any loading dock area with a
   sanitary sewer drain shall be equipped with a fail-safe
   valve, which shall be kept closed during periods of
   operation.

69. PAMC 16.09.106(d)(4) Loading Docks without Chemicals
   Loading dock drains to the storm drain system may be allowed
   if a valve or equivalent device is provided, which remains
   closed except when it is raining.

70. PAMC 16.09.106(e) Dumpsters for New and Remodeled Facilities
    New dumpster areas shall be covered. The area shall be
    designed to prevent water run-on to the area and run-off
    from the area.

71. PAMC 16.09.032(b)(8) Condensate from HVAC
    Condensate lines shall not be connected or allowed to drain
    to the storm drain system.

72. PAMC Section 16.09.103(a) Grease Interceptors for Food
    Service Facilities
    A grease interceptor shall be installed with a minimum
    capacity of 750 gallons. The grease interceptor must be
    sized in accordance with Appendix H of the Uniform Plumbing
    Code. The sizing calculation must be submitted with the
    plans.

73. PAMC 16.09.103(e) Prohibition Against Garbage Disposals
    The installation of a garbage grinder at any food service
    facility is prohibited after January 1, 2003. The kitchen
    cannot utilize a garbage grinder for food waste disposal to
    the sanitary sewer.
FIRE DEPARTMENT

74. The current proposed design does not meet the fire access requirements in Article 9 of the Cal. Fire Code. Applicant shall propose an alternate method which increases the fire resistance of the building and provides for hose outlets to be spaced around the perimeter of the building in approved locations. NOTE: The Building Permit will not be approved without an acceptable alternate method in place.

SECTION 7. CONDITIONAL USE PERMIT GRANTED. Conditional Use Permit Approval is granted by the City Council under Palo Alto Municipal Code Section 18.76.010 for application 06PLN-00197, subject to the conditions of approval in Section 8 of the Record.

SECTION 8. Conditional Use Permit Conditions of Approval.

1. Palo Alto Hills Golf and Country Club memberships shall be limited to 425 Proprietary members and 200 Social members.

2. Events of more than 350 people shall be limited to no more than 12 in one calendar year.

3. The club shall investigate and respond to all neighbor complaints regarding parking and other matters.

4. The City may notice a hearing to modify the Conditional Use Permit when there is evidence of health and safety concerns (this includes traffic and noise issues).

5. The club shall keep a record of events and include the number of guests associated with them. This record, or a copy, shall be made available to the City upon request.

6. The club shall keep a record of any neighbor complaints and shall be made available for review by the City on an as requested basis.

7. A record of the number of busses used on an annual basis shall be maintained. This record, or a copy, shall be made available to the City upon request.

8. Busses shall not be left idling for long periods of time.

9. Events and activities at the club shall be in compliance with the limitations established by the noise ordinance at all times.

10. There shall be no lighting of the tennis courts.
11. The height of the landscaping at the front of the property shall be maintained such that a 300 foot sight line is maintained per the requirements of the Transportation Division.

12. The following mitigations, as listed in the Mitigated Negative Declaration, are applicable to the Conditional Use Permit and are repeated here and shall be implemented:

**Mitigation Measure #1:** Require automatic night shades to block any light leak from the windows of the fitness building in the evening. The automatic night shades shall be shown on the building permit plans.

**Mitigation Measure #3:** The applicant shall select quieter HVAC equipment, employ sound attenuation techniques, or place it further from the property line such that the average 24 hour noise level will not increase by 5 decibels or more in a residential area. The location, design, and specification for such equipment shall be provided for approval by staff prior to issuance of a building permit.

**Mitigation Measure #4:** The applicant shall develop a transportation demand management (TDM) program to reduce average daily weekday trips by at least 37 trips, and to reduce average daily weekend trips by at least 65 trips. The program shall be designed and submitted for review by the City's transportation staff, shall be demonstrated to be enforceable, and must be approved prior to issuance of any grading or building permit. The program shall be proposed to the satisfaction of the director, shall include proposed performance targets for parking and or trip reduction, and shall designate a single entity to implement the proposed measures. Monitoring reports shall be submitted to the director each year for a period of five years after building occupancy noting the effectiveness of the proposed measures as compared to the initial performance targets and suggestions for modifications if necessary to enhance parking and/or trip reductions. The TDM program may include but is not limited to the following measures:

a) Provide incentives to Club members that will encourage them to combine their trips to the facility rather than make multiple trips (joint usage) or carpooling for employees and guests.

An example of this could be the issuance of cards that provide for free golf cart rentals, free exercise classes etc. for x number of combined trips or carpool/vanpool trips.
b) Decrease the size and/or frequency of exercise classes in the new fitness facility.

d) Open the fitness facility on Mondays (when golf is normally closed) and close it on Wednesday, which is typically the busiest weekday at the club.

e) Control the volume of use of the new private banquet rooms or other Club facilities as necessary to ensure that the traffic volume stays below the TIRE index.

Mitigation Measure #5: The club shall employ measures to ensure that all of the parking demand generated by club activities shall be met on site such that no club users are parking on Alexis Drive or its side streets. These measures shall include but are not limited to mandatory valet parking for those events that may exceed the typical capacity of available parking at the club and the use of the golf course for overflow parking if needed.

13. 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 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.

SECTION 9. Terms of Approval.

Conditional Use Permit Approval. In the event actual construction of the project is not commenced within twelve months of the date of council approval, the approval shall expire and be of no further force or effect, pursuant to Palo Alto Municipal Code Section 18.77.090

Site and Design Approval. In the event actual construction of the project is not commenced within two years of the date of council approval, the approval shall expire and be of no further force or effect, pursuant to Palo Alto Municipal Code Section 18.30(G).080.

PASSED:
AYES:
NOES:
ABSENT:
ABSTENTIONS:
ATTEST:

______________________________
City Clerk

APPROVED AS TO FORM:

______________________________
Senior Deputy City Attorney

APPROVED:

______________________________
Director of Planning and Community Environment

PLANS AND DRAWINGS REFERENCED:

1. Development Plans prepared by Cody Anderson Wasney Architects, consisting of 36 pages, received June 11, 2008.
PLANNING & TRANSPORTATION DIVISION

STAFF REPORT

TO: PLANNING & TRANSPORTATION COMMISSION
FROM: Russ Reich, Planner
DEPARTMENT: Planning and Community Environment
AGENDA DATE: April 2, 2008
SUBJECT: 3000 Alexis Drive [06PLN-00197]: Request for Site and Design approval and adoption of a Mitigated Negative Declaration for a new two story, spa and fitness center facility with below grade parking, a new tennis court, improvements to the existing club facility including a new porte cochere, a new roof screen, additional floor area for accessory uses including offices, members bar, banquet and storage areas, and other site improvements. The request also includes a Design Enhancement Exception to exceed the 25 foot height limit. Zone District: Open Space (OS)

RECOMMENDATION:
Staff recommends that the Planning and Transportation Commission forward the proposal to the Architectural Review Board as conditioned to eliminate the Design Enhancement Exception request (thereby reducing the project height), and recommend that the City Council approve the Mitigated Negative Declaration and the project, or direct the applicant to revise the plans and return to the P&TC for further review.

BACKGROUND
The project was the subject of a preliminary Architectural Review Board (ARB) hearing on September 7, 2006. The board supported the exception for height and even encouraged the applicant to increase the pitch of the roof to fully express the butterfly roof design, which would further increase the building height. The Board did caution against the impact that this may have on adjacent residences and encouraged the use of story poles to study the impact. At that time there was no public testimony about the proposed height of the building. The board expressed some concerns over the introduction of the mansard roof to act as a screen for existing mechanical equipment and how the new building connects to the old.
Site Description
The project is located in the Palo Alto Foothills at the Palo Alto Hills Golf and Country Club. The property is a 125 acre site in the Open Space (OS) zone district and is surrounded by single family residences to the south and east sides, and is bordered by the Arastradero Preserve to the north and northwest. The Comprehensive Plan map designation is open space/controlled development. The adjacent residential development is primarily zoned Residential Estate (RE) with some properties in the OS zone district. The project is proposed at the south end of the existing country club building (left side) which is located at the southeast side of the property just off of Alexis Drive.

SUMMARY OF LAND USE ACTION:

Commission Purview
All sites in the Open Space district are subject to the Site and Design Review Combining District regulations (Per the City of Palo Alto Municipal Code (PAMC) Chapter 18.28.070(b)). In this case, a Site and Design review is required because the proposal includes the addition of a new building to the site as well as additions to the existing club house building and other site improvements.

The proposal must be evaluated for consistency with the intent and review criteria of the Open Space Zoning District regulations. The purview of the PTC is to review the project plans to ensure the project meets the Site and Design Review approval findings, the Open Space zoning regulations and the Comprehensive Plan. The PTC is to recommend approval, approval with suggested changes or denial, based on whether Site and Design approval and Open Space Criteria findings can be made. The PTC's purview should be focused on grading, site changes and overall policy conformance, though all design components may be reviewed. The details of architectural, lighting and landscaping changes, and the green building checklist will be reviewed by the Architectural Review Board.

Following this PTC hearing and if a positive recommendation is made, the project will be heard by the Architectural Review Board (ARB). Staff requests that a member of the PTC attend the ARB hearing. The project and recommendations would subsequently be forwarded to the City Council, along with a Record of Land Use Action containing findings for action and conditions of approval as may be applicable following ARB review.

PROJECT DESCRIPTION
The main component of the project is a new 17,710 square foot two story spa/fitness facility with one level of below grade parking. The basement level would provide 27 below grade parking spaces and a storage and laundry facility. The ground floor would have a large open reception area with an indoor/outdoor hot tub, spa and locker room areas, a teen room, and a child watch area. The second floor would contain the workout room with cardio and weight equipment and two exercise rooms for yoga and other specialized group classes.

The project also includes changes to the existing clubhouse building. These changes include the addition of a new porte cochere, two small banquet rooms, relocation of the existing administrative offices, new roof screens, an expansion of the existing pro shop, and the expansion of the members bar area. The proposal also includes a new turf tennis court, a small wading pool, a new retaining wall to improve vehicular visibility at the parking lot entry, and replacement and reconfiguration of
the existing driving range area.

**SUMMARY OF KEY ISSUES:**
The key issues of concern include building height, traffic, parking, noise, lighting, and impervious coverage.

**Building Height and Visibility**
The zoning limitation for building height in the OS district is 25 feet. The proposed building, with its butterfly roof, varies in height depending on the grade reference point around the building. On the west elevation the building would follow the natural topography and nearly complies with the 25 foot height limit except for the upper edge of the open trellis portion of the butterfly roof. This point is about three feet taller than the 25 foot height limit. On the north elevation the height would range from three feet to a little more than eight feet above the 25 foot height limit as one moves from the back of the building forward. This is due to the fact that the grade slopes down towards the front of the building. The east elevation reflects that the building would exceed the 25 foot height limit by five feet at the left side of the building and slightly more than eight feet at the right side of the building. This again is due to the significant drop in the grade elevation at the front of the building. On the south elevation the building would reach a height of 30 feet above finished grade as measured to the top of the highest point at the tip of the cave.

The applicant has requested a Design Enhancement Exception for height to implement the proposed butterfly roof form that is lower in the center and extends upward at each side. The proposal could comply with the height limit with a flat roof but the applicant has proposed the butterfly roof form to add architectural interest to the building. The Architectural Review Board appreciated the design intent and encouraged the additional height to achieve the roof form and to capture greater daylight within the building. The Board did not have the benefit of observing the story poles, which are now in place, however, that outline the extent of the proposed building.

Story poles have been installed on the site to represent the proposed outline and height of the building. At the adjacent neighbor’s request, staff has witnessed the potential impact that the proposed building would have from the windows inside the house. From this perspective, the proposed building would feel very close to the home. The home appears to have been designed with the windows oriented to take advantage of the views of the golf course and the bay. The proposed building would not obstruct the most significant bay views but it would completely block the views to the golf course and would be visible from almost every window in the house. At the proposed height, the residential neighbor would view the sides of the building where currently the views look over the top of the existing clubhouse and beyond. From inside the house it is very likely that the building would feel very close and imposing upon the home owner.

Due to the fact that the height and proximity of the proposed building to the adjacent residential neighbor is very likely to result in a detrimental impact to the existing private views of an adjacent homeowner, staff does not support the proposed Design Enhancement Exception for additional height.

**Traffic**
The main component of the project is the new spa and fitness facility. The ITE Trip Generation Manual does not have data for this specific type of use. The manual does include rates for health and fitness clubs but the proposed use does not easily fit this category. The proposed facility would provide exercise and spa facilities for the Golf and Country Club members and it would not be open to the general public like a 24 Hour Fitness or similar club. It is also not a stand alone facility in that many of the people using this facility are likely to be secondary users that would have made a trip to the Country Club for other purposes in addition to use of the spa and fitness facility. There will of course be new primary trips, but without adequate data from the manual, estimation of this number has been difficult.

The City uses the threshold of a 0.1 increase in the TIRE (Traffic Infusion on the Residential Environment) index to determine if a project would have a significant impact on neighborhood streets. A 10% increase is anticipated to be noticeable to residents. A 0.1 increase would be equal to 380 vehicles per day. Using the ITE Trip Generation numbers for a health and fitness club, the proposal would trip the TIRE index. The actual trip generation rates are, however, anticipated to be lower than the manual would suggest.

If the TIRE index is exceeded, the proposed mitigation measures would reduce any potential impact to a less than significant level (see Mitigated Negative Declaration attachment I measures 6-7). The mitigations require the applicant to establish the pre project traffic volumes at the busiest time of the year for the club. Once the new facility is open, the Club must assess the traffic volumes for a number of years to determine if the threshold has been triggered. If the threshold is triggered, the Club must employ control measures to limit usage of the club facilities such that the traffic volumes fall back below the TIRE index threshold.

Parking
There are currently 276 parking spaces on site. A total of 37 parking spaces would be added and 11 existing spaces would be eliminated for a net increase of 26 new parking spaces for the site. The code requires one parking space for each 4 person capacity of the club facilities. Based on the parking analysis, on a typical Saturday during the peak use season the parking lot is only filled to 62.7% occupancy. The club is subject to a Conditional Use Permit and has been operating on a demand based system. The club controls the parking demand by controlling the events that take place on site. They also require valet parking for larger events to make better use of the available space. They also have the opportunity for limited major events to use fairways #1 and #2 for overflow parking when needed. Conditions of approval for the amended conditional use permit will require that the club continue to control the parking demand by controlling the use of the facilities.

Noise
The new HVAC equipment for the proposed building would be located at the south elevation in close proximity to adjacent residential properties. The noise study determined that the noise level would not exceed the code limitation of 6 decibels above the local ambient noise level but it does trigger the threshold of 5 decibels in the Initial Study checklist. To mitigate this potential impact the mechanical equipment would need to be relocated away from the residential neighbors or further measures would need to be employed to reduce the noise levels below the threshold. Mitigation is required as part of the MND and as a condition of approval. The proposed mitigation measure #5 would address this issue.
Light
The proposed building would orient three large windows toward the adjacent residential properties at the south side of the building. To avoid night time light leak from these windows that could disrupt the adjacent properties, mitigations 1-3 have been incorporated that would reduce the impact to a less than significant level. The windows must be deleted from the plans or automatic night shades employed such that light will not spill out of the building at night. The building could also be redesigned such that windows no longer face the adjacent residential properties.

Impervious Site Coverage
The OS zone district allows for a maximum of 3.5% impervious coverage of the site. The existing Golf and Country Club exceeds the impervious coverage limit of 191,282 square feet by 6,803 square feet for a total of 198,085 square feet of impervious coverage. The project would reduce the existing amount of impervious coverage by 931 square feet for a total impervious coverage of 197,154 square feet, by converting some existing impervious materials to permeable materials.

PUBLIC COMMENTS AND CORRESPONDENCE
Staff has received one letter from an adjacent residential neighbor, Sal Giovannotto, expressing concern about the visibility of the proposed building, traffic, lack of outreach from the club, the material used for the story poles, and alternative locations for the proposed building. Staff has also received 19 copies of a form letter opposing the project due to concerns over traffic and the cost of the proposal to the existing Club membership. This letter has the March 24, 2008 date at the top. Only one of these letters has been included in the staff report due to the fact that they are all identical. The letters appear to be from existing members, and in at least one instance a former member of the club. The letters each have attached email statements giving permission to sign their names to the letter. Staff also received an email from Jan Terry, president of the Palo Alto Hills Neighborhood Association. She discusses the outreach efforts that have been conducted over the last two plus years and indicates that there is wide support within the neighborhood for the project. Staff also received and email from Alexis Drive resident Mark Nadim who expressed his full support of the project. He states that in his 22 years as a resident the Club traffic has never been an issue and that he believes the improvements would benefit the neighborhood.

POLICY IMPLICATIONS:
The project, as conditioned, would comply with the Comprehensive Plan and applicable Zoning Ordinance regulations as set forth inAttachments D and E. Staff believes that the findings for approval of the Site and Design application can be made with the height reduction to meet the zoning regulations, and that the project complies with Open Space Review Criteria, subject to verification that the building, at the 25 foot height limit, would not have a negative visual impact to the adjacent neighbors.

RESOURCE IMPACT:
The proposed increase in commercial floor area would yield, on a one-time basis, Development Impact Fees of $146,153 for community facilities. The costs of project review are recovered through permit fees and deposits. No other resource impacts are anticipated.
**TIMELINE**

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<tr>
<td>Preliminary ARB Hearing:</td>
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<td>December 14, 2006</td>
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<td>Application Deemed Complete:</td>
<td>March 20, 2008</td>
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<tr>
<td>P&amp;TC Review:</td>
<td>April 2, 2008</td>
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<td>Tentative ARB Review:</td>
<td>May 1, 2008</td>
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<td>Tentative Action by Council:</td>
<td>June 16, 2008</td>
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**ENVIRONMENTAL REVIEW:**

The proposed project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). An Environmental Impact Assessment (EIA) was prepared for the project. With the implementation of the traffic, height, noise, and light mitigation measures, the project would have a less than significant impact on the environment. A Mitigated Negative Declaration has been prepared (Attachment I).

**ATTACHMENTS:**

A. Draft Conditions of Approval  
B. Location Map  
C. Applicant Submittal Letter*  
D. Comprehensive Plan Table  
E. Zoning Compliance Table  
F. Neighbor Correspondence  
G. LEED Checklist*  
H. Standard OS Conditions of Approval  
I. Initial Study and Mitigated Negative Declaration  
J. Plans (Commission only)*

* Prepared by Applicant

**COURTESY COPIES:**

Cody Anderson Wasney Architects Inc. Attention Chris Wasney  
Palo Alto Hills Golf and Country Club  
Sal Giovannotto

Prepared by: Russ Reich, Planner  
Reviewed by: Amy French, Planning Manager

Department/Division Head Approval: ____________________________  
Curtis Williams, Assistant Director
PLANNING & TRANSPORTATION DIVISION

STAFF REPORT

TO: PLANNING & TRANSPORTATION COMMISSION
FROM: Russ Reich, Senior Planner
DEPARTMENT: Planning and Community Environment

AGENDA DATE: August 27, 2008

SUBJECT: 3000 Alexis Drive [06PLN-00197]: Request for a Conditional Use Permit for the expansion of uses and existing facilities at the Palo Alto Hills Golf and Country Club including a new, two-story spa and fitness facility with below grade parking; a new tennis court, wading pool, and driving range upgrade; and additional floor area for accessory uses including offices, the pro shop, the members bar, banquet and storage areas. Zone District: Open Space (OS). A revised Mitigated Negative Declaration has been prepared.

RECOMMENDATION:
Staff recommends that the Planning and Transportation Commission recommend that the City Council approve the Mitigated Negative Declaration and the Conditional Use Permit (CUP) for the project located at 3000 Alexis Drive with findings and conditions as set forth in the draft Record of Land Use Action (ROLUA) (Attachment A).

BACKGROUND
Site and Design Process
The Mitigated Negative Declaration and the Site and Design Review application for the improvements were considered by the Planning and Transportation Commission (P&TC) on April 3, 2008. The P&TC voted unanimously to forward a recommendation for approval of the project, as conditioned, to the City Council. The P&TC recommended that an additional condition be added to the CUP capping the club membership at 425 proprietary members and 200 social members. This condition has been included in the CUP conditions in the ROLUA (Attachment A). The revised plan for Council review addressed the P&TC condition to lower the building height to comply with the 25 foot height limit. The Site and Design Review application was reviewed by the ARB on May 15, 2008 and continued to June 5, 2008. At the June 5, 2008 hearing, the ARB unanimously recommended forwarding a recommendation for approval of the Mitigated Negative Declaration and the Site and Design Review project to the City Council.
Site History
The club was established in 1958. Since that time the club has provided opportunities for golf, tennis, swimming and dining. The club has also been available for a wide variety of special events such as weddings, batmitzvahs, and birthdays. The club predates the residential neighborhood that has grown up around it. Club staff have conducted operations at the club with the goal of maintaining a positive relationship with the community. The club currently has 416 proprietary members and 140 social members.

Site description
The project is located in the Palo Alto Foothills at the Palo Alto Hills Golf and Country Club. The property is a 125 acre site in the Open Space (OS) zone district and is surrounded by single family residences to the south and east sides, and is bordered by the Arastradero Preserve to the north and northwest. The Comprehensive Plan map designation is open space/controlled development. The adjacent residential development is primarily zoned Residential Estate (RE) with some properties in the OS zone district.

DISCUSSION
Commission Purview
A CUP is typically subject to review and approval by the Director of Planning and Community Environment. A CUP application alone would not be brought before the P&TC unless a hearing was requested. A CUP would be tentatively approved by the Director. In this case, staff has decided to bring the CUP before the P&TC as it is associated with a Site and Design Review application. Concerns had been raised by the public during the Site and Design review at the P&TC level and P&TC input is desired regarding the CUP request to include in the project a recommendation to City Council. The City Council will be the decision-maker on both the CUP and Site and Design at a single public hearing.

Previous CUP
The historical records of the CUP are sparse. Based on information from various sources it was believed that a CUP for the overall club operations did exist. To date staff has been unable to find it. There is evidence of City Council action approving such a CUP that comes from an extract of City Council minutes from April 11, 1994 (Attachment D). There are also other use permits related to specific elements such as an addition to the women’s locker room in 1986. In the absence of an existing use permit, this application will serve to create a new Conditional Use Permit for the property that includes the historical conditions as well as apply new conditions relative to the current and proposed uses of the property.

Allowable Uses and Conditions
The Conditional Use Permit would allow all the existing uses that currently take place at the site as well as the new uses that result from the project. The applicant’s letter (Attachment C) includes a description of events, functions, and activities that typically occur at the site. The new uses include the fitness room with weights and cardio equipment, the two exercise rooms for group instruction such as yoga or spin classes, the massage treatment rooms, and a new wading pool. Other uses that are not new to the site but will be expanded include one additional grass tennis court, a few additional spots at the driving range, greater flexibility for banquet functions with the addition of the two
small banquet/meeting rooms, a small addition to the pro shop, and an expanded members bar area. Many of these improvements are not intended to increase the use of the facilities but rather to improve the quality of the features for the current users. For example, the members bar area does not adequately accommodate the number of people that currently use it such that people that use the bar after a round of golf will overflow into the dinning room seats. The expansion of the facility will more comfortably accommodate current users. A wide variety of events take place at the club and the Use Permit does not limit the clubs freedom in scheduling except that it does place limitations on the frequency of very large events. The conditions of approval are contained in the ROLUA (Attachment A) including the limitations on club memberships recommended by the P&TC.

Findings
The uses of the property are consistent with a recreational facility and mesh well with the surrounding community. The club has operated as a good neighbor to the surrounding residential community for many years. The project design elements and the conditions of approval will help to ensure that the facility does not negatively impact adjacent residences. The proposed building will comply with the open space height limit and additional landscape materials will be planted to further buffer the limited views of the new building. The mitigations cited in the Mitigated Negative Declaration are incorporated into the conditions of approval to further ensure that the proposal does not have a negative impact on the community. Staff believes that proposal is consistent with the Comprehensive Plan and that the findings for approval of the Conditional Use Permit can be made as outlined in the ROLUA (Attachment A).

POLICY IMPLICATIONS:
The project, as conditioned, would comply with the Comprehensive Plan and applicable Zoning Ordinance regulations. No additional policy implications are relevant to the project.

ENVIRONMENTAL REVIEW:
The proposed project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). A revised Mitigated Negative Declaration and Initial Study were prepared for the project proposed in the CUP and the Site and Design Review applications. Mitigation measures have been identified that would be required as conditions of approval to ensure the project will not have a significant negative impact on the environment. These mitigations include the following:

- The requirement for night shades to prevent light leak from windows of the new building in the evening;
- The requirement for the implementation of the recommendations of the Geotechnical Report to ensure the new construction will be structurally sound relative to the specific soil conditions of the site;
- The requirement for implementation of noise reduction measures to ensure the noise levels do not exceed allowable thresholds;
- The requirement for a Transportation Demand Management (TDM) program to reduce the number of vehicular trips such that the City's thresholds (TIRE index) are not exceeded; and
The requirement that measures be implemented to ensure that parking is contained on site.

ATTACHMENTS:
A. Draft Record of Land Use Action
B. Location Map
C. Applicant Submittal Letter July 15, 2008*
D. City Council extract of minutes from April 11, 1994 and previous use permit
E. Previous P&TC Report w/o attachments
F. Mitigated Negative Declaration/Initial Study (P&TC only)
G. Plans (P&TC only)*

* Prepared by Applicant; all other attachments prepared by Staff

COURTESY COPIES:
Applicant - Chris Wasney
Owner - Dirk Zander
Neighbor - Sal Giovannotto

Prepared by: Russ Reich, Senior Planner

Reviewed by: Amy French, Planning Manager

Department/Division Head Approval: Curtis Williams, Interim Director
Architectural Review Board

Staff Report

Agenda Date: May 15, 2008

From: Russ Reich, Planner

Department: Planning and Community Environment

Subject: 3000 Alexis Drive [06PLN-00361]: Request for Site and Design approval and adoption of a Mitigated Negative Declaration for a new two story, spa and fitness center facility with below grade parking, a new tennis court, improvements to the existing club facility including a new porte cochere, a new roof screen, additional floor area for accessory uses including offices, members bar, banquet and storage areas, and other site improvements. Zone District: Open Space (OS)

RECOMMENDATION

Staff recommends that the Architectural Review Board (ARB) forward the revised proposal to the City Council as conditioned with the recommendation that they approve the Mitigated Negative Declaration and the project based upon findings included as Attachment A and the conditions of approval contained in Attachment B.

BACKGROUND

Existing Site

The project is located in the Palo Alto Foothills at the Palo Alto Hills Golf and Country Club. The property is a 125 acre site in the Open Space (OS) zone district and is surrounded by single family residences to the south and east sides, and is bordered by the Arastradero Preserve to the north and northwest. The Comprehensive Plan map designation is open space/controlled development. The adjacent residential development is primarily zoned Residential Estate (RE) with some properties in the OS zone district. The project is proposed at the south end of the existing country club building (left side) which is located at the southeast side of the property just off of Alexis Drive.

Project Description

The main component of the project is a new 16,276 square foot two story spa/fitness facility with one level of below grade parking. The basement level would provide 27 below grade parking spaces and a storage and laundry facility. The ground floor would have a large open reception area with an indoor/outdoor hot tub, spa and locker room areas, a teen room, and a child watch area. The second floor would contain the workout room with cardio and weight equipment and two exercise rooms for yoga and other specialized group classes.
The project also includes changes to the existing clubhouse building. These changes include the addition of a new porte cochere, two small banquet rooms, relocation of the existing administrative offices, new roof screens, an expansion of the existing pro shop, and the expansion of the members bar area. The proposal also includes a new turf tennis court, a small wading pool, a new retaining wall to improve vehicular visibility at the parking lot entry, and replacement and reconfiguration of the existing driving range area.

The project no longer includes a request for a Design Enhancement Exception to exceed the building height limit, since project plans were revised in accordance with staff's and the Planning and Transportation Commission’s (P&TC) recommendation to lower the height. Revised plans are provided to the ARB and are available in the Planning Department office for public review.

Preliminary ARB Review
The project was the subject of a preliminary Architectural Review Board (ARB) hearing on September 7, 2006. The board supported the requested exception for height and even encouraged the applicant to increase the pitch of the roof to fully express the butterfly roof design, which would further increase the building height. The board did caution against the impact that this may have on adjacent residences. Staff expressed some concerns over the introduction of the mansard roof to act as a screen for existing mechanical equipment and how the new building connects to the old.

Planning and Transportation Commission Hearing
The proposal was formally heard by the P&TC on April 2, 2008. P&TC meeting minutes are available on the City’s website. There were seven speakers in favor of the project and three speakers against. Those in support of the project cited the family oriented programs offered by the Club and the Club’s history of being a good neighbor as some of the community benefits. Those opposed expressed concerns over traffic, controls over the number of club members, future membership costs, and the proposed location of the spa/fitness building. Staff supported the proposal subject to elimination of the requested height exception. Due to the visibility of the building to adjacent residential property owners staff could not support the proposed height exception. The P&TC unanimously approved the project as conditioned to revise the building to reduce the height (6-0-1-0) with two added conditions. The first condition was that the Conditional Use Permit shall be conditioned to limit the club membership to 425 proprietary members and 200 Social members. The second condition was that the applicant must revise the landscape plan prior to ARB review to adequately screen the view of the proposed building from Mr. Giovanotto’s adjacent residence.

DISCUSSION
The previous P&TC staff report (Attachment F) outlines the significant issues related to the project.

Building Height
The story poles were erected prior to the P&TC hearing. The poles demonstrated that the proposed building would be quite visible to adjacent residential neighbors, particularly Mr. Giovanotto’s residence. Staff visited Mr. Giovanotto's home and was able to see the effect the proposed building would have to the views from the north facing windows. The home was designed such that it is

3000 Alexis Drive – Application No. 09PLN-005911
2
oriented with the majority of the windows facing north with views of the golf course, the bay, and the surrounding cities. Staff recommended a condition that the proposed spa/fitness building be revised to comply with the 25 foot height limit due to the fact that staff could not make the required findings to support the height exception. The building would have been too close and too visible to the adjacent residential neighbors to allow the additional height that had been requested to achieve the butterfly roof concept. The P&TC recommended approval with this condition.

**Landscape Screening**
Even at the allowable height of 25 feet, the proposed spa/fitness building would still be visible from Mr. Giovanotto’s home. There is no code restriction that would prevent this visibility, but the P&TC recommended additional landscape screening to reduce the visibility of the building, adding a condition requiring the applicant to revise the landscape plan prior to ARB review in order to provide adequate screening to reduce the view of the proposed building from Mr. Giovanotto’s home. The revised landscape plan includes additional plantings in this area. Staff and the club would like to have Mr. Giovanotto’s input on the proposed plantings but as of the writing of this report have been unable to meet with him. To ensure that the plantings will be adequate, staff has proposed additional conditions of approval to require that the applicant meet with staff during the planting phase of the project so staff can assess if the new plantings will be adequate to achieve the desired screening effect. If not, then additional plantings would be required. There is a gap in the existing planting at the top of the hill that may be the perfect location for a tree such as a multi-stem Marina Madrone.

**PUBLIC COMMENTS**
Staff has not received written comments related to the revised spa/fitness building and the revised landscaping. There were several letters received prior to the P&TC hearing and they are discussed in the P&TC report (Attachment F) and the letters are included in this staff report as Attachment G. It is staff’s understanding, from verbal conversations with Mr. Giovinotto, that he still has very strong concerns about the visibility and location of the proposed spa/fitness center building. He finds the proposed building location relative to his residential property to be unacceptable.

**ENVIRONMENTAL REVIEW**
The proposed project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). An Environmental Impact Assessment (EIA) was prepared for the project. With the implementation of the traffic, height, noise, and light mitigation measures, the project would have a less than significant impact on the environment. A Mitigated Negative Declaration has been prepared (Attachment J).

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P&TC Review: April 2, 2008
ARB Review: May 15, 2008
Tentative Action by Council: June 16, 2008

ATTACHMENTS
A. Architectural Review Findings
B. Conditions of Approval
C. Location Map
D. Conformance with Comprehensive Plan Policies
E. Zoning Compliance Table
F. April 2, 2008 P&TC Staff Report
G. Public Comment Letters
H. Applicant’s Project Description (Board Members only)
I. LEED checklist
J. Draft Initial Study and Mitigated Negative Declaration
K. P&TC Meeting Minutes of April 2, 2008 meeting (available at http://www.city.palo-
   alto.ca.us/knowzone/agendas/planning.asp)
L. Revised Plan Set (ARB only)

COURTESY COPIES
Applicant – Chris Wasney
Property Owner – Dirk Zander
Neighbor – Sal Giovinotto

Prepared by: Russ Reich, Planner
Manager Review: Amy French, AICP, Manager of Current Planning
Architectural Review Board

Staff Report

Agenda Date: June 5, 2008

From: Russ Reich, Planner

Department: Planning and Community Environment

Subject: **3000 Alexis Drive [06PLN-00361]**: Request for Site and Design approval and adoption of a Mitigated Negative Declaration for a new two story, spa and fitness center facility with below grade parking, a new tennis court, improvements to the existing club facility including a new porte cochere, a new roof screen, additional floor area for accessory uses including offices, members bar, banquet and storage areas, and other site improvements. Zone District: Open Space (OS)

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**RECOMMENDATION**

Staff recommends that the Architectural Review Board (ARB) forward the proposal to the City Council as conditioned with the recommendation that they approve the Mitigated Negative Declaration and the project based upon findings included as Attachment A and the conditions of approval contained in Attachment B.

**BACKGROUND**

**Project Description**

The main component of the project is a new 16,276 square foot two story spa/fitness facility with one level of below grade parking. The basement level would provide 27 below grade parking spaces and a storage and laundry facility. The ground floor would have a large open reception area with an indoor/outdoor hot tub, spa and locker room areas, a teen room, and a child watch area. The second floor would contain the workout room with cardio and weight equipment and two exercise rooms for yoga and other specialized group classes.

The project also includes changes to the existing clubhouse building. These changes include the addition of a new porte cochere, two small banquet rooms, relocation of the existing administrative offices, new roof screens, an expansion of the existing pro shop, and the expansion of the members bar area. The proposal also includes a new turf tennis court, a small wading pool, a new retaining wall to improve vehicular visibility at the parking lot entry, and replacement and reconfiguration of the existing driving range area.
Prior Review
On May 15, 2008, the ARB reviewed the project, heard from the public and continued the public hearing to June 5, 2008, requesting the applicant to address the following:

- Reconsider the fenestration of the right side of the east elevation;
- Provide light fixture cut sheets for all exterior lighting;
- Consider stepped lighting at the stairs;
- Provide location and details for the proposed bike racks;
- Provide additional details for the color and finish of the retaining walls;
- Provide details for wall railings;
- Demonstrate how water will be directed off of the building where there is no overhang;
- Consider alternative design solutions for the porte cochere; and
- Consider the use of integral color stucco.

The applicant has provided the following in response to the ARB’s comments:

- The fenestration on the east elevation has been modified such that the window sizes on the first and second floor of the area in question will be the same size rather than the previous configuration where the upper floor window was smaller than the lower floor window;
- Cut sheets for the proposed light fixtures have been provided;
- Elevation drawings have been revised to include the exterior light fixtures;
- Sheets LP-1 and LP-2 have been included to indicate the location of the proposed light fixtures;
- Step lights have been incorporated into the project;
- Bike rack locations and cut sheets have been provided;
- Wall details have been provided;
- A railing detail has been provided;
- A rain water protection detail has been provided for the portion of the building with no overhang;
- The exterior finish has been revised to be integral color plaster; and
- The roof of the porte cochere has been revised.

Further revisions include:

- Revised landscape plan includes new trees in the parking lot area and next to the members’ bar expansion including the removal of the large cedar tree at this location;
- The window design has been modified on the east, south, and west elevations of the spa/fitness building;
- The east entry landscape planters and retaining walls have been redesigned; and
- The proposed wall at the parking lot entry was eliminated.
DISCUSSION

Deodar Cedar #11.
The previous plans and draft conditions included the retention of a mature deodar cedar #11, which was planted as part of the original Palo Alto Hills development. The tree is currently growing unimpeded in a large open landscape area capable of sustaining the tree for many more years. Staff requests that the Architectural Review Board (ARB) review and discuss the relative importance and significance of this tree to the new addition.

The cedar tree was previously recommended by staff to be the only tree specifically designated for retention and protection, and staff recommended appropriate conditions (retention appraisal and security guarantee provisions) to be applied. It is deemed to be a significant landscape feature that would provide a natural visual balance to the new building edge corresponding with the southern corner. The tree would serve as a natural shade and greening element for the second story use. It is noteworthy that this tree lends itself particularly well to trimming of ‘view windows’ in which several levels would be able to see through areas while other areas would remain framed and structured. The tree was given the highest rating by the applicants consulting arborist. If the ARB recommends retention of this tree, staff will add the appropriate conditions to the city council review.

If the ARB supports removal of the cedar, staff recommends the ARB include a motion that the tree be replaced with another significant specimen tree or tree(s) of equal or greater value, in accordance with the Tree Value Replacement Standard, Section 3.25 of the CPA Tree Technical Manual. The replacement specimen(s) should be located in the same general area, and be a desirable species capable of providing similar size, scale and/or unique functions similar to the removed tree. If the ARB recommends removal, an additional condition of approval will be added prior to city council review that would require the applicant to work with staff to reach an agreement on the appropriate replacement(s) for the tree.

Parking lot Landscaping

The parking lot landscape plan revision has several areas that need to be modified to achieve both the aesthetic and functional maintenance goals of the club and city. Specifically, planting details on the slope areas that separate the steep parking terrace levels and compatibility with existing vegetation that may or may not need to be removed to create a successful landscape over the long term. Several proposed species could cause extensive pavement damage and produce significant debris and intensive maintenance. Staff recommends that the approval conditions require the applicant to come back to staff with a revised landscape plan resolving these issues.
PUBLIC COMMENTS
Staff has not received public comment on this application since the last ARB hearing on May 15, 2008. Public comments are reflected in the Planning and Transportation Commission staff report dated April 2, 2008, and ARB staff report dated May 15, 2008, and associated attachments available on the City's website, www.cityofpaloalto.org/knowzone/agendas/planning.asp.

ENVIRONMENTAL REVIEW
The proposed project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). An Environmental Impact Assessment (EIA) was prepared for the project. With the implementation of the traffic, height, noise, and light mitigation measures, the project would have a less than significant impact on the environment. A Mitigated Negative Declaration has been prepared (Attachment J).

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ATTACHMENTS
A. Architectural Review Findings
B. Conditions of Approval
C. Location Map
D. Conformance with Comprehensive Plan Policies
E. Zoning Compliance Table
F. Applicant’s Project Description (Board Members only)
G. LEED checklist
H. Draft Initial Study and Mitigated Negative Declaration
I. P&TC Meeting Minutes of April 2, 2008 meeting (available at http://www.city.paloalto.ca.us/knowzone/agendas/planning.asp)
J. Revised Plan Set (ARB only)

COURTESY COPIES
Applicant – Chris Wasney
Property Owner – Dirk Zander
Neighbor – Sal Giovinotto
Prepared by: Russ Reich, Planner
Manager Review: Amy French, AICP, Manager of Current Planning
I. DESCRIPTION OF PROJECT

Date: June 16, 2008

Application Nos.: 06PLN-00000-00361

Address of Project: 3000 Alexis Drive

Assessor’s Parcel Number: 182-35-035

Applicant: Chris Wasney
455 Lambert Avenue
Palo Alto, CA 94306

Owner: Palo Alto Hills Golf and Country Club
3000 Alexis Drive
Palo Alto, CA 94304

Project Description and Location:

A request for Site and Design Review and amendment to the existing Conditional Use Permit for a new 28,458 square foot, two story spa/fitness facility including basement area for 27 vehicle parking spaces, a 1,474 square foot addition to the existing main clubhouse for administrative offices, a 1,248 addition for various uses in the loading dock area, a 1,082 square foot addition to the members bar area, and a 162 square foot addition to the pro shop. Other improvements include the addition of a new turf tennis court, replacement of the driving range, a new port cochere, a new wading pool, a new roof screen, and other site improvements. The main component of the project is the new spa/fitness facility. The basement level will provide 27 below grade parking spaces and a storage and laundry facility. The ground floor will have a large open reception area and a small day spa with five treatment rooms, an indoor/outdoor hot tub, locker room areas, a teen room, and a child watch area. The second floor would contain a workout room with cardio and weight equipment and two exercise rooms for yoga and other specialized group classes. The project is located in the Palo Alto Foothills west of U. S. Highway 280 at the Palo Alto Hills Golf and Country Club as shown on Figure 1, Regional Map. The property is a 125 acre site in the Open Space (OS) zone district and is surrounded by single family residences to the south and to the east, and is bordered by the Arastradero Preserve to the north and northwest.
II. DETERMINATION

In accordance with the City of Palo Alto’s procedures for compliance with the California Environmental Quality Act (CEQA), the City has conducted an Initial Study to determine whether the proposed project located at 3000 Alexis Dr. could have a significant effect on the environment. On the basis of that study, the City makes the following determination:

_____ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.

X Although the project, as proposed, could have a significant effect on the environment, there will not be a significant effect on the environment in this case because mitigation measures have been added to the project and, therefore, a MITIGATED NEGATIVE DECLARATION is hereby adopted.

The attached initial study incorporates all relevant information regarding the potential environmental effects of the project and confirms the determination that an EIR is not required for the project.

In addition, the following mitigation measures have been incorporated into the project:

Mitigation Measure #1: Require automatic night shades to block any light for the windows in the evening.

Mitigation Measure #2: The applicant shall select quieter HVAC equipment, employ sound attenuation techniques, or place it further from the property line such that the average 24 hour noise level will not increase by 5 decibels or more in a residential area.

Mitigation Measure #3: A baseline for existing traffic volumes to and from PAHGCC must be established prior to construction and occupancy of the proposed project. If the TIRE index is not triggered for five years, no additional steps would be necessary. Traffic counts would need to be collected on Alexis Drive east of the driveway and on the driveway as well. These counts would be 24-hour hose counts. The counts would be recorded for a full week. A sample of the turning movements at the driveway would also be collected to determine the eastbound/westbound split for PAHGCC traffic. The counts shall be taken in June. If accurate counts for the driveway cannot be collected because of the skew, manual counts will be required. The results of the monitoring study, including the TIRE index analysis, shall be reported to the Department of Planning and Community Environment.

Mitigation Measure #4: Traffic counts, as described above, shall be conducted once every five years after project completion and occupancy to determine if the TIRE index has been triggered. If the TIRE index is exceeded, adjustments to the Palo Alto Hills Golf and Country Club facility usage would be required to reduce the amount of traffic. The traffic volumes would need to be analyzed again after the mitigations have been employed to ensure the traffic volume has been reduced. This would be an additional analysis beyond the yearly required study. The following
mitigations and any other combination of measures that will reduce the traffic volumes must be employed. The results of the monitoring study, including the TIRE index analysis, shall be reported to the Department of Planning and Community Environment. Potential modification that could be considered include, but are not limited to:

a) Provide incentives to Club members that will encourage them to combine their trips to the facility rather than make multiple trips (joint usage).

b) Provide incentives to employees and Club members to encourage Transportation Demand Management Measures such as carpooling.

c) Decrease the size and/or frequency of exercise classes in the new expanded Fitness Center.

d) Open the Fitness Center on Mondays when golf is normally closed providing classes Monday instead of on Wednesday which is typically the busiest weekday at the club.

e) Decrease the volume of use of the new private banquet rooms or other Club facilities as necessary to reduce the traffic volume below the TIRE index.

__________________________________________  ____________________________
Project Planner                                      Date

__________________________________________  ____________________________
Director of Planning and Community Environment      Date
ENVIRONMENTAL CHECKLIST FORM
City of Palo Alto
Department of Planning and Community Environment

PROJECT DESCRIPTION A request for major Architectural Review and amendment to the existing Conditional Use Permit for a new 28,458 square foot, two story spa/fitness facility including basement area for 27 vehicle parking spaces, a 1,474 square foot addition for administrative offices, a 1,248 addition for various uses in the loading dock area, a 1,082 square foot addition to the members bar area, and a 162 square foot addition to the pro shop at 3000 Alexis Drive. Other improvements include the addition of a new turf tennis court, replacement of the driving range, a new port cochere, a new wading pool, a new roof screen, a new retaining wall to improve vehicle visibility at the entry, and other site improvements. Zone district: OS

1. PROJECT TITLE

3000 Alexis Drive
Palo Alto Hills Golf and Country Club
Palo Alto, California

2. LEAD AGENCY NAME AND ADDRESS

City of Palo Alto
Department of Planning and Community Environment
250 Hamilton Ave. 5th Floor
Palo Alto, CA 94303

3. CONTACT PERSON AND PHONE NUMBER

Russ Reich, Planner
City of Palo Alto
(650) 617-3119

4. PROJECT SPONSOR’S NAME AND ADDRESS

Chris Wasney
455 Lambert Avenue
Palo Alto, CA 94306

5. APPLICATION NUMBER

06PLN-00000-00361
6. PROJECT LOCATION

3000 Alexis Drive,
Palo Alto, CA 94304
Parcel Numbers: 182-35-035

The project is located in the Palo Alto Foothills west of U. S. Highway 280 at the Palo Alto Hills Golf and Country Club as shown on Figure 1, Regional Map. The property is a 125 acre site in the Open Space (OS) zone district and is surrounded by single family residences to the south and to the east, and is bordered by the Arastadero Preserve to the north and northwest. The property is accessed by Alexis Drive, as shown on Figure 2, Vicinity Map.

7. GENERAL PLAN DESIGNATION:

3000 Alexis Drive is designated as Open Space /Controlled Development in the Palo Alto 1998 – 2010 Comprehensive Plan. This land use designation applies to land that has the characteristics of open space but allows some development. The adjacent residential development is primarily zoned Residential Estate (RE) with some properties in the OS zone district. The project is proposed at the south end of the existing country club building which is located at the south east side of the property just off of Alexis Drive.

8. ZONING

The site is zoned Open space (OS). The OS zone district is designed to permit the reasonable use of open space land while preserving its inherent open space characteristics to assure continued availability for the following: as agricultural land, recreation land, conservation or natural resource land; for containment of urban sprawl and the structuring of urban development; and for retention of land in its natural or near natural state, and to protect life and property in the community from the hazards of fire, flood and seismic activity. The Country Club is a conditionally permitted use within this zone district.

9. PROJECT DESCRIPTION

A request for Site and Design Review and amendment to the existing Conditional Use Permit for a new 28,458 square foot, two story spa/fitness facility including basement area for 27 vehicle parking spaces, a 1,474 square foot addition to the existing main clubhouse for administrative offices, a 1,248 addition for various uses in the loading dock area, a 1,082 square foot addition to the members bar area, and a 162 square foot addition to the pro shop. Other improvements include the addition of a new turf tennis court, replacement of the driving range, a new port cochere, a new wading pool, a new roof screen, and other site improvements. The main component of the project is the new spa/fitness facility. The basement level will provide 27 below grade parking spaces and a storage and laundry facility. The ground floor will have a large open reception area and a small day spa with five treatment rooms, an indoor/outdoor hot tub, locker room areas, a teen room, and a child watch area. The second floor would contain a workout room with cardio and weight equipment and two exercise rooms for yoga and other specialized group classes.
10. SURROUNDING LAND USES AND SETTING

The project is proposed within a 125,000 acre Golf and Country Club property. The building is proposed in a hollow adjacent to the existing club building to reduce its visual impact. The site is constrained by the existing pool and club building to the north, the tennis courts to the west, a steep upslope to the south and a steep down slope to the east.

11. OTHER PUBLIC AGENCIES

- County of Santa Clara, Office of the County Clerk-Recorder

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. [A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).]

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

4) “(Mitigated) Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, “Earlier Analysis,” may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (C) (3) (D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards,
and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:
   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

**DISCUSSION OF IMPACTS**

The following Environmental Checklist was used to identify environmental impacts, which could occur if the proposed project is implemented. The left-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of the checklist. Discussions of the basis for each answer and a discussion of mitigation measures that are proposed to reduce potential significant impacts are included.

**A. AESTHETICS**

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>a) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>1,2,7</td>
<td>X</td>
<td></td>
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<tr>
<td>b) Have a substantial adverse effect on a public view or view corridor?</td>
<td>1,2, Map L4</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td>1,2, Map L4</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>d) Violate existing Comprehensive Plan policies regarding visual resources?</td>
<td>1,2,7, Map L4</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>e) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td>1,2,7, Map L4</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Issues and Supporting Information Resources Would the project:</td>
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<tr>
<td>f) Substantially shadow public open space (other than public streets and adjacent sidewalks) between 9:00 a.m. and 3:00 p.m. from September 21 to March 21?</td>
<td>1,7</td>
<td></td>
<td></td>
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<td>X</td>
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</tbody>
</table>

**DISCUSSION:**
The project will not substantially degrade the exiting visual character of the site. The site is currently developed as a golf and country club with single family residential development around it. There are no natural open space areas that would be disturbed by the project. The new spa/fitness building would be two stories tall to reduce the building footprint and is proposed within a hollow, reducing the visual impact to adjacent properties.

The project could create a new source of substantial light or glare that may adversely affect nighttime views in that proposed spa fitness building would have new windows in close proximity to two existing residences. The proposed exterior lighting for the new building is intended for way finding only and will not have offsite impacts. Any one of the following mitigation measures could be employed to reduce the impact of the light from the windows to a less than significant level. The degradation of the visual character of the surroundings is addressed in section I. Land Use and Planning of this Initial Study.

**Mitigation Measures:**

**Mitigation Measure #1:** Require automatic night shades to block any light for the windows in the evening.

**Significance after Mitigation:**
Less than significant

**B. AGRICULTURAL RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources Would the project:</th>
<th>Sources</th>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California</td>
<td>1,12</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Issues and Supporting Information Resources</td>
<td>Sources</td>
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<tr>
<td>Would the project:</td>
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<tr>
<td>Resources Agency, to non-agricultural use?</td>
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<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td>1, 2, MapL-9,</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

The site is not located in a “Prime Farmland”, “Unique Farmland”, or “Farmland of Statewide Importance” area, as shown on the maps prepared for the Farmland Mapping and Monitoring Program of the California Resources Agency. The property is covered by a Williamson Act Contract but the contract allows recreational uses and the project does not conflict with the contract.

**Mitigation Measures:**

None

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**C. AIR QUALITY**

<table>
<thead>
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<tr>
<td>Would the project:</td>
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<tr>
<td>a) Conflict with or obstruct with implementation of the applicable air quality plan (1982 Bay Area Air Quality Plan &amp; 2000 Clean Air Plan)?</td>
<td>1, 7</td>
<td></td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation indicated by the following:</td>
<td>1, 7</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Direct and/or indirect operational emissions that exceed the Bay Area Air Quality Management District (BAAQMD) criteria air pollutants of 80 pounds per day and/or 15 tons per year for nitrogen oxides (NO), reactive organic gases (ROG), and fine particulate matter of less than 10 microns in diameter (PM$_{10}$);</td>
<td>7</td>
<td></td>
<td>X</td>
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<tr>
<td>ii. Contribute to carbon monoxide (CO) concentrations exceeding the State Ambient Air Quality Standard of nine parts per million (ppm) averaged over eight hours or 20 ppm for one hour( as demonstrated by CALINE4 modeling, which would be performed when a) project CO emissions exceed 550 pounds per day</td>
<td>1, 7, 14</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
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<tr>
<td>Issues and Supporting Information Resources</td>
<td>Sources</td>
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<td>Would the project:</td>
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<td>or 100 tons per year; or b) project traffic would impact intersections or roadway links operating at Level of Service (LOS) D, E or F or would cause LOS to decline to D, E or F; or c) project would increase traffic volumes on nearby roadways by 10% or more?</td>
<td></td>
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</tr>
<tr>
<td>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
<td></td>
<td>1, 7</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial levels of toxic air contaminants?</td>
<td></td>
<td>1, 7</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>i. Probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds 10 in one million</td>
<td></td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>ii. Ground-level concentrations of non-carcinogenic TACs would result in a hazard index greater than one (1) for the MEI</td>
<td></td>
<td>1, 7</td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>c) Create objectionable odors affecting a substantial number of people?</td>
<td></td>
<td>1, 7</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>g) Not implement all applicable construction emission control measures recommended in the Bay Area Air Quality Management District CEQA Guidelines?</td>
<td></td>
<td>1, 7</td>
<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

**DISCUSSION:**

The City of Palo Alto uses the Bay Area Air Quality Management District’s (BAAQMD) thresholds of significance for air quality impacts, as follows:

Construction Impacts: The project would involve demolition, excavating, grading, and paving activities which could cause localized dust related impacts resulting in increases in particulate matter (PM₁₀). Dust related impacts are considered potentially significant but would be minimized with the application of standard dust control measures. Construction equipment would also emit NOₓ and ROC. However, in order for emissions from construction equipment to be considered significant, the project must involve the extensive use of construction equipment over a long period of time. Based on the size of the proposed project, emissions of NOₓ and ROC are anticipated to be less than significant.

Long Term Impacts: Long-term project emissions primarily stem from motor vehicles associated with the proposed project. With the proposed mitigations for traffic, the project is not expected to result in a significant number of new vehicle trips. Therefore, long-term air-quality impacts are expected to be less than significant.
The project would be subject to the following City’s standard conditions of approval:

The following controls shall be implemented for the duration of project construction to minimize dust related construction impacts:

- All active construction areas shall be watered at least twice daily.
- All trucks hauling soil, sand, and loose materials shall be covered or shall retain at least two feet of freeboard.
- All paved access roads, parking areas, and staging areas at the construction site shall be swept and watered daily.
- Submit a plan for the recovery/recycling of demolition waste and debris before the issuance of a demolition permit.
- Sweep streets daily if visible soil material is carried onto adjacent public streets.

**Mitigation Measures:** See Section O Transportation and Traffic for traffic mitigations.

### D. BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
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<tr>
<td>Would the project:</td>
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<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td>1,2</td>
<td>1,2</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, including federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td>1, 2, 7</td>
<td>1, 2, 7</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>c) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td>1, 2, 7</td>
<td>1, 2, 7</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or as defined by the City of Palo Alto’s Tree Preservation Ordinance (Municipal Code Section 8.10)?</td>
<td>1, 3, 7, 8, 10</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Conflict with any applicable Habitat Conservation Plan, Natural Community</td>
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<td>X</td>
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</tbody>
</table>
DISCUSSION:

There are 223 trees identified in the vicinity of the project. These are landscape trees around the building, in the parking lot, and in proximity to various project elements. The trees in these areas are not natural open space trees. Implementation of the project elements would result in the removal of 38 of these trees. Many of the trees would need to be removed due to their adjacency to the existing building to be expanded or to provide the trench drain to improve stormwater capture. The project includes 67 new trees to replace the trees being removed and to improve the overall landscape in the vicinity of the project. Standard conditions of approval will require full implementation of the tree preservation report to protect remaining specimen and designated trees.

In the immediate vicinity of the project, there are no riparian or tree habitats for the candidate, sensitive, or special status species in the area. No endangered, threatened, or rare animals, insects and plant species have been identified at this site. Tree preservation guidelines will be incorporated into the conditions of approval such that the project will not have a significant impact on the code protected trees and the project will have no impact on any other biological resources. The proposed project will have no impact on biological resources and will require no mitigation. Per the standard conditions of architectural review approval, the project would result in a less than significant impact to biological resources.

Mitigation Measures:

None

E. CULTURAL RESOURCES

<table>
<thead>
<tr>
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<tr>
<td>Would the project:</td>
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<tr>
<td>a) Directly or indirectly destroy a local cultural resource that is recognized by City Council resolution?</td>
<td>1, 7</td>
<td></td>
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<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?</td>
<td>1, 2, 7 MapL-8</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>1, 2, 7 MapL-8</td>
<td></td>
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<td>X</td>
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<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>1, 2, 7 MapL-8</td>
<td></td>
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<td>X</td>
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<tr>
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<tr>
<td>Would the project:</td>
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<tr>
<td>e)  Adversely affect a historic resource listed or eligible for listing on the National and/or California Register, or listed on the City’s Historic Inventory?</td>
<td>1, 2, 7, MapL-7</td>
<td></td>
<td></td>
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<td>X</td>
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<tr>
<td>f)  Eliminate important examples of major periods of California history or prehistory?</td>
<td>1, 7</td>
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</table>

**DISCUSSION:**

The Comprehensive Plan indicates that the site is in a low sensitivity archaeological resource zone. Although existing and historic development has altered the native landscape, the potential exists that now-buried Native American sites could be uncovered in future planning area construction.

If archaeological materials are discovered the applicant would be required to perform additional testing and produce an Archaeological Monitoring and Data recovery Plan (AMDRP) to be approved prior to the start of construction. This would be included as a standard condition of approval.

**Mitigation Measures:**

None

**F. GEOLOGY, SOILS AND SEISMICITY**

<table>
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<tr>
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<tr>
<td>Would the project:</td>
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<tr>
<td>a)  Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td>See below</td>
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<tr>
<td>i)  Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
<td>1, 2, 4, 5 Maps N-5, N-10</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
<td>2, 5 MapN-10</td>
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<td>X</td>
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<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td>2, 5 MapN-5</td>
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<td>X</td>
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</tbody>
</table>
|   |iv) Landslides? |2,5  
|   |               |MapN-5 |X |
|   |b) Result in substantial soil erosion or the loss of topsoil? |1, 7 |X |
|   |c) Result in substantial siltation? |1, 7 |X |
|   |d) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? |2, 5  
|   |               |MapN-5 |X |
|   |e) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? |2, 5  
|   |               |MapN-5 |X |
|   |f) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? |1, 7 |X |
|   |g) Expose people or property to major geologic hazards that cannot be mitigated through the use of standard engineering design and seismic safety techniques? |1, 5, 7 |X |

**DISCUSSION:**

The entire state of California is in a seismically active area. According to the Comprehensive Plan the project site is not in an area that is subject to very strong ground shaking in the event of an earthquake or in an area subject to expansive soils, or liquefaction.

Development of the proposed project would be required to conform to all requirements in the Building Code, which includes provisions to ensure that the design and construction of all buildings includes provisions to resist damage from earthquakes to the extent feasible and acceptable. The potential onsite exposure to geological hazards will therefore be less than significant. No mitigation is required.

The project does include some removal of soil for the below grade parking and the tennis court addition but the changes are not expected to be substantial or to be a significant change to the existing site topography. Standard conditions of approval require submittal of a final grading and drainage plan for the project for approval by the Public Works Department prior to the issuance of a building permit. The application of standard grading, drainage, and erosion control measures as a part of the approved grading and drainage plan is expected to avoid any grading-related impacts.

The project will not involve the use of septic tanks or alternative wastewater disposal systems.

**Mitigation Measures:**

None
### G. HAZARDS AND HAZARDOUS MATERIALS

Note: Some of the thresholds can also be dealt with under a topic heading of Public Health and Safety if the primary issues are related to a subject other than hazardous material use.

<table>
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<tr>
<td>Would the project:</td>
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<tr>
<td>a) Create a significant hazard to the public or the environment through the routing transport, use, or disposal of hazardous materials?</td>
<td>1, 7</td>
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<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>1, 7</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>1, 7</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Construct a school on a property that is subject to hazards from hazardous materials contamination, emissions or accidental release?</td>
<td>1, 7</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td>1, 2, 7 MapN-9</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>1, 2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>g) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working the project area?</td>
<td>1, 2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>h) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>1, 2, 11 MapN-7</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>i) Expose people or structures to a significant risk of loss, injury, or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?</td>
<td>1, 2, 11 MapN-7</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>j) Create a significant hazard to the public or the environment from existing hazardous materials contamination by exposing future occupants or users of the site to contamination in excess of soil and ground water cleanup goals developed for the site?</td>
<td>1, 7</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
DISCUSSION:

The proposed project will not involve the handling, transportation, use, disposal, or emission of hazardous materials. The project site is not identified by either the California Environmental Protection Agency or the California State Water Resources Control Board as a hazardous materials site. The project is not expected to pose airport-related safety hazards. The proposed project will not interfere with either emergency response or evacuation. The project site is located in an area designated as a high fire hazard area but will be constructed to current fire code.

Mitigation Measures:

None

H. HYDROLOGY AND WATER QUALITY

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>1, 2</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
<td>2 Map N-2</td>
<td></td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
<td>1, 7, 11</td>
<td></td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
<td>1, 7, 11</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td>1, 2, 7, 11</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td>1, 2, 11</td>
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<td>X</td>
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<tr>
<td>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or</td>
<td>1, 7</td>
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</table>
other flood hazard delineation map? | | | X
---|---|---|---
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | 1, 2 Map N-6 | | X
i) Expose people or structures to a significant risk of loss, injury or death involve flooding, including flooding as a result of the failure of a levee or dam or being located within a 100-year flood hazard area? | 2 Map N-6 Map N-8 | | X
j) Inundation by seiche, tsunami, or mudflow? | 2 Map N-6 Map N-8 | | X
k) Result in stream bank instability? | 1, 7 | | X

DISCUSSION:

The project will reduce the amount of impervious coverage by 931 square feet and improve the existing drainage by capturing the parking lot runoff and taking it to a drainage swale that will allow the water to percolate back into the ground rather than running down the street gutter.

During demolition, grading and construction, storm water pollution could result. Non-point source pollution is a serious problem for wildlife dependant on the waterways and for people who live near polluted streams or baylands. Standard conditions of architectural review approval would require the incorporation of Best Management Practices (BMPs) for storm water pollution prevention in all construction operations, in accordance with the Santa Clara Valley Non-Point Source Pollution Control Program, and submittal of a stormwater pollution prevention plan (SWPPP) in conjunction with building permit plans to address potential water quality impacts. City development standards and standard conditions of project approval would reduce potential negative impacts of the project to less than significant.

The project site is not located in an area of groundwater recharge, and will not deplete groundwater supplies. The project site is not located in a 100-year flood hazard area and would not impede or redirect flood flows. The project site is not in an area that is subject to seiche, tsunami, or mudflow.

Mitigation Measures:

None

I. LAND USE AND PLANNING

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>Would the project:</td>
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</tbody>
</table>
| a) Physically divide an established community? | 1, 2, 7 | | | | X
<p>| b) Conflict with any applicable land use plan, policy, or regulation of an agency with | | | | | |</p>
<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>1, 2, 3, 7</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td>1, 2</td>
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<td></td>
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<td>X</td>
</tr>
<tr>
<td>d) Substantially adversely change the type or intensity of existing or planned land use in the area?</td>
<td>1, 2, 7</td>
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<td>X</td>
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<tr>
<td>e) Be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height?</td>
<td>1, 2, 3, 7</td>
<td></td>
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<td>X</td>
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<tr>
<td>f) Conflict with established residential, recreational, educational, religious, or scientific uses of an area?</td>
<td>1, 2, 7</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>g) Convert prime farmland, unique farmland, or farmland of statewide importance (farmland) to non-agricultural use?</td>
<td>1, 2, 7, 11, 12</td>
<td></td>
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<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

The proposed project is an allowed conditional use and is an appropriate use as regulated by the City of Palo Alto Zoning Ordinance and Comprehensive Plan land use designations. The land use designation for the project site is Open Space/Controlled Development which allows the proposed use. The site is zoned OS (open space), regulated by the Palo Alto Municipal Code (PAMC) Chapter 18.28. The proposed project complies with the zoning and land use designation as described above. The proposal could potentially significantly increase the intensity of use at the site due to increased vehicular traffic but the mitigations specified in Section O (Transportation and Traffic) would reduce this impact to a less than significant level.

The project will comply with all plans for conservation of biological resources given standard approval conditions, and would not impact farmland. See Sections B and D for further discussion of these topics.

**Mitigation Measures:**

See Section O (Transportation and Traffic) for the traffic mitigations.

**Significance after Mitigation:**
Less than significant
J. MINERAL RESOURCES

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>Would the project:</td>
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</tr>
<tr>
<td>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
<td>1, 2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
<td>1, 2</td>
<td></td>
<td></td>
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<td>X</td>
</tr>
</tbody>
</table>

DISCUSSION:

The City of Palo Alto has been classified by the California Department of Conservation (DOC), Division of Mines and Geology (DMG) as a Mineral Resource Zone 1 (MRZ-1). This designation signifies that there are no aggregate resources in the area. The DMG has not classified the City for other resources. There is no indication in the 2010 Comprehensive Plan that there are locally or regionally valuable mineral resources within the City of Palo Alto.

Mitigation Measures:

None

K. NOISE

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>1, 2, 7, 15</td>
<td></td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive ground borne vibrations or ground borne noise levels?</td>
<td>1, 7</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>1, 7, 15</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>1, 7, 15</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>1, 2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Issues and Supporting Information Resources</td>
<td>Sources</td>
<td>Potentially Significant Issues</td>
<td>Potentially Significant Unless Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
<td>No Impact</td>
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<tr>
<td>f) Would the project:</td>
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<td>X</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>1, 2</td>
<td></td>
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</tr>
<tr>
<td>g) Cause the average 24 hour noise level (Ldn) to increase by 5.0 decibels (dB) or more in an existing residential area, even if the Ldn would remain below 60 dB?</td>
<td>1, 7, 15</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>h) Cause the Ldn to increase by 3.0 dB or more in an existing residential area, thereby causing the Ldn in the area to exceed 60 dB?</td>
<td>1, 7, 15</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>i) Cause an increase of 3.0 dB or more in an existing residential area where the Ldn currently exceeds 60 dB?</td>
<td>1, 7, 15</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>j) Result in indoor noise levels for residential development to exceed an Ldn of 45 dB?</td>
<td>1, 7, 15</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>k) Result in instantaneous noise levels of greater than 50 dB in bedrooms or 55 dB in other rooms in areas with an exterior Ldn of 60 dB or greater?</td>
<td>1, 7, 15</td>
<td></td>
<td></td>
<td>X</td>
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</tr>
<tr>
<td>l) Generate construction noise exceeding the daytime background Leq at sensitive receptors by 10 dBA or more?</td>
<td>1, 7, 15</td>
<td></td>
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<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

Construction activities will result in temporary increases in local ambient noise levels. Typical noise sources would include mechanical equipment associated with excavation, grading and construction, which will be short term in duration. Standard approval conditions would require the project to comply with the City’s Noise Ordinance (PAMC Chapter 9.10), which restricts the timing and overall noise levels associated with construction activity. Short-term construction that complies with the Noise Ordinance would result in impacts that are expected to be less than significant.

Long term noise associated with the project will be produced by HVAC mechanical equipment placed at grade in a walled enclosure at the back (south elevation) of the building. Based on the Noise study the project could increase the local ambient noise level 5dBA. The selection quieter equipment or an alternative location for the equipment would reduce the noise impact to a level of insignificance. The City’s standard conditions of approval will be applied to the project to ensure the construction noise will be reduced to a level of insignificance. The project site is not located within an airport land use plan or within the vicinity of a private airstrip.

**Mitigation Measures:**

**Mitigation Measure #2** The applicant shall select quieter HVAC equipment, employ sound attenuation techniques, or place it further from the property line such that the average 24 hour noise level will not increase by 5 decibels or more in a residential area.
Significance after Mitigation:
Less than significant

<table>
<thead>
<tr>
<th>L. POPULATION AND HOUSING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issues and Supporting Information Resources</td>
</tr>
<tr>
<td>Would the project:</td>
</tr>
<tr>
<td>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
</tr>
<tr>
<td>d) Create a substantial imbalance between employed residents and jobs?</td>
</tr>
<tr>
<td>e) Cumulatively exceed regional or local population projections?</td>
</tr>
</tbody>
</table>

DISCUSSION:

The project would increase and improve the existing recreational use opportunities at the existing club. The new building and other site improvements will not induce population growth. Any potential impact would be reduced to less than significant levels by the requirement of a Commercial Housing fee (PAMC Sec. 16.47) $16.52 per square foot of building area. No mitigation is necessary.

Mitigation Measures:

None

<table>
<thead>
<tr>
<th>M. PUBLIC SERVICES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issues and Supporting Information Resources</td>
</tr>
<tr>
<td>Would the project:</td>
</tr>
<tr>
<td>a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service</td>
</tr>
<tr>
<td>Issues and Supporting Information Resources</td>
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<tr>
<td>---------------------------------------------</td>
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<tr>
<td>Would the project:</td>
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<tr>
<td>ratios, response times or other performance objectives for any of the public services:</td>
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<tr>
<td>Fire protection?</td>
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<tr>
<td>Police protection?</td>
</tr>
<tr>
<td>Schools?</td>
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<tr>
<td>Parks?</td>
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<tr>
<td>Other public facilities?</td>
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</tbody>
</table>

**DISCUSSION:**

The proposed project would not impact fire service to the area. The conditions of approval for the project contain requirements to address all fire prevention measures. The site is located within the jurisdiction of the Palo Alto Police Department. The facility would not by itself result in the need for additional police officers, equipment, or facilities.

No significant demand for school services would result from the project, which is not expected to generate a substantial increase in Palo Alto’s residential population. No significant direct demand for additional parks would result from the project, which is not expected to generate a substantial increase in Palo Alto’s residential population.

**Mitigation Measures:**

None

---

**N. RECREATION**

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
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</thead>
<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td>1, 7</td>
<td></td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td>1, 7</td>
<td></td>
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<td>X</td>
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</tbody>
</table>
DISCUSSION:

The project would increase the existing recreational facilities at the site and would not have any significant impact on existing parks, nor include or require construction of recreational facilities off site. Impacts on local parks from new employees are considered less than significant, and community facilities development impact fees will be paid as required. No mitigation is required.

Mitigation Measures:

None

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
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<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>a) Cause an increase in traffic which is</td>
<td>6, 7, 14</td>
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<tr>
<td>substantial in relation to the existing</td>
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<tr>
<td>traffic load and capacity of the street</td>
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<td>system (i.e., result in a substantial</td>
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<tr>
<td>increase in either the number of</td>
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<td>vehicle trips, the volume to capacity</td>
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<td>ratio on roads, or congestion at</td>
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<tr>
<td>intersections)?</td>
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<tr>
<td>b) Exceed, either individually or</td>
<td>6, 7, 14</td>
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<td>X</td>
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<tr>
<td>cumulatively, a level of service</td>
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<td>standard established by the county</td>
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<td>congestion management agency for</td>
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<td>designated roads or highways?</td>
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<tr>
<td>c) Result in change in air traffic</td>
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<td>X</td>
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<tr>
<td>patterns, including either an increase</td>
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<td>in traffic levels or a change in</td>
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<td>location that results in</td>
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<tr>
<td>substantial safety risks?</td>
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<tr>
<td>d) Substantially increase hazards due to a</td>
<td>1, 7, 11,</td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>design feature (e.g., sharp curves or</td>
<td>14</td>
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<tr>
<td>dangerous intersections) or incompatible</td>
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<tr>
<td>uses (e.g., farm equipment)?</td>
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<tr>
<td>e) Result in inadequate emergency access?</td>
<td>1, 2, 7</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) Result in inadequate parking capacity?</td>
<td>1, 2, 6, 7, 14</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>g) Conflict with adopted policies, plans,</td>
<td>1, 2, 14</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>or programs supporting alternative</td>
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<td>transportation (e.g., pedestrian, transit &amp;</td>
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<td>bicycle facilities)?</td>
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<td>h) Cause a local (City of Palo Alto)</td>
<td>1, 2, 7, 14</td>
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<td>intersection to deteriorate below Level</td>
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<td>of Service (LOS D) and cause an increase</td>
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<td>in the average stopped delay for the</td>
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<td>critical movements by four seconds or</td>
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<td>more and the critical volume/capacity</td>
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<td>ratio (V/C) value to increase by 0.01 or</td>
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<td>more?</td>
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<td>i) Cause a local intersection already</td>
<td>1, 2, 7, 14</td>
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<td>operating at LOS E or F to deteriorate</td>
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<td>in the average stopped delay for the</td>
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<td>critical movements by</td>
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<td>Issues and Supporting Information Resources</td>
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<td>Would the project:</td>
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<td>four seconds or more?</td>
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<td>j) Cause a regional intersection to deteriorate from an LOS E or better to LOS F or cause critical movement delay at such an intersection already operating at LOS F to increase by four seconds or more and the critical V/C value to increase by 0.01 or more?</td>
<td>1, 2, 7, 14</td>
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<tr>
<td>k) Cause a freeway segment to operate at LOS F or contribute traffic in excess of 1% of segment capacity to a freeway segment already operating at LOS F?</td>
<td>1, 2, 7, 14</td>
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<tr>
<td>l) Cause any change in traffic that would increase the Traffic Infusion on Residential Environment (TIRE) index by 0.1 or more?</td>
<td>1, 2, 7, 14</td>
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<tr>
<td>m) Cause queuing impacts based on a comparative analysis between the design queue length and the available queue storage capacity? Queuing impacts include, but are not limited to, spillback queues at project access locations; queues at turn lanes at intersections that block through traffic; queues at lane drops; queues at one intersection that extend back to impact other intersections, and spillback queues on ramps.</td>
<td>1, 2, 6, 7, 14</td>
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<tr>
<td>n) Impede the development or function of planned pedestrian or bicycle facilities?</td>
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<td>o) Impede the operation of a transit system as a result of congestion?</td>
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<td>p) Create an operational safety hazard?</td>
<td>1, 6, 7, 14</td>
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DISCUSSION:

The new uses associated with the project may increase traffic volumes to the site and increase the demand for parking beyond the site’s capacity. The ITE Trip Generation Manual does not have data for this specific type of use. The manual does include rates for health and fitness clubs but the proposed use does not easily fit this category. The proposed facility would provide exercise and spa facilities for the Golf and Country Club members and it would not be open to the general public like a 24 Hour Fitness or similar club. It is also not a stand alone facility in that many of the people using this facility are likely to be secondary users that would have made a trip to the Country Club for other purposes in addition to use of the spa and fitness facility. There will of course be new primary trips, but without adequate data from the manual, estimation of this number has been difficult.

The City uses the threshold of a 0.1 increase in the TIRE (Traffic Infusion on the Residential Environment) index to determine if a project would have a significant impact on neighborhood streets. A 10% increase is anticipated to be noticeable to residents. A 0.1 increase would be equal to 380 vehicles per day. Using the ITE Trip Generation numbers for a health and fitness club, the proposal
would trip the TIRE index. The actual trip generation rates are, however, anticipated to be lower than the manual would suggest.

The existing traffic volumes prior to project construction must be assessed and documented. The volumes must be tested again after project completion. If the traffic volumes trip the TIRE index the Club must reduce on site operations to reduce traffic volume such that it remains below the TIRE index threshold of 0.1.

Mitigation Measures:

Mitigation Measure #3: A baseline for existing traffic volumes to and from PAHGCC must be established prior to construction and occupancy of the proposed project. If the TIRE index is not triggered for five years, no additional steps would be necessary. Traffic counts would need to be collected on Alexis Drive east of the driveway and on the driveway as well. These counts would be 24-hour hose counts. The counts would be recorded for a full week. A sample of the turning movements at the driveway would also be collected to determine the eastbound/westbound split for PAHGCC traffic. The counts shall be taken in June. If accurate counts for the driveway cannot be collected because of the skew, manual counts will be required. The results of the monitoring study, including the TIRE index analysis, shall be reported to the Department of Planning and Community Environment.

Mitigation Measure #4: Traffic counts, as described above, shall be conducted once every five years after project completion and occupancy to determine if the TIRE index has been triggered. If the TIRE index is exceeded, adjustments to the Palo Alto Hills Golf and Country Club facility usage would be required to reduce the amount of traffic. The traffic volumes would need to be analyzed again after the mitigations have been employed to ensure the traffic volume has been reduced. This would be an additional analysis beyond the yearly required study. The following mitigations and any other combination of measures that will reduce the traffic volumes must be employed. The results of the monitoring study, including the TIRE index analysis, shall be reported to the Department of Planning and Community Environment. Potential modification that could be considered include, but are not limited to:

a) Provide incentives to Club members that will encourage them to combine their trips to the facility rather than make multiple trips (joint usage).

b) Provide incentives to employees and Club members to encourage Transportation Demand Management Measures such as carpooling.

c) Decrease the size and/or frequency of exercise classes in the new expanded Fitness Center.

d) Open the Fitness Center on Mondays when golf is normally closed providing classes Monday instead of on Wednesday which is typically the busiest weekday at the club.

e) Decrease the volume of use of the new private banquet rooms or other Club facilities as necessary to reduce the traffic volume below the TIRE index.

Significance after Mitigation:
Less than significant
### P. UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
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<tr>
<td>Would the project:</td>
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<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
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<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>1, 2, 11</td>
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<td>c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>1, 2, 11</td>
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<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
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<td>e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
<td>1, 11</td>
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<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td>1, 11</td>
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<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
<td>1, 11</td>
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<td>h) Result in a substantial physical deterioration of a public facility due to increased use as a result of the project?</td>
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**DISCUSSION:**

The proposed project would not significantly increase the demand on existing utilities and service systems, or use resources in a wasteful or inefficient manner. Standard conditions of approval require the applicant to submit calculations by a registered civil engineer to show that the on-site and off site water, sewer and fire systems are capable of serving the needs of the development and adjacent properties during peak flow demands. Trash and recycling facilities exist on site to accommodate the expected waste and recycling streams that would be generated by the expected uses within the building. Implementation of the project would reduce the impervious coverage on site and a proposed trench drain would prevent parking lot storm water from draining off site.

**Mitigation Measures:**

None
### MANDATORY FINDINGS OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
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<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
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<tr>
<td>Would the project:</td>
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<td>a) Does the project have the potential to</td>
<td>1, 2, 7, 11 Map L-7</td>
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<td>degrade the quality of the environment,</td>
<td>Map N-1</td>
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<td>substantially reduce the habitat of a</td>
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<td>fish or wildlife species, cause a fish</td>
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<td>or wildlife population to drop below</td>
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<td>self-sustaining levels, threaten to</td>
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<td>eliminate a plant or animal community,</td>
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<td>reduce the number or restrict the range</td>
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<td>of a rare or endangered plant or animal</td>
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<td>or eliminate important examples of the</td>
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<td>major periods of California history or</td>
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<td>prehistory?</td>
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<td>b) Does the project have impacts that are</td>
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<td>individually limited, but cumulatively</td>
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<td>means that the incremental effects of a</td>
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<td>project are considerable when viewed in</td>
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<td>connection with the effects of past</td>
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<td>projects, and the effects of probable</td>
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<td>future projects)?</td>
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<td>c) Does the project have environmental</td>
<td>1, 7, 6, 14, 15</td>
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<td>effects which will cause substantial</td>
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**DISCUSSION:**

The project would not have an impact on fish or wildlife habitat, nor would it impact cultural or historic resources. The uses are appropriate for the site but some mitigation measures would be required to reduce impacts to a level of insignificance. Mitigation measures are required to control traffic volumes, noise levels, night time lighting levels, and adverse visual impacts to adjacent residential properties.

**SOURCE REFERENCES**

1. Project Planner's knowledge of the site and the proposed project
2. Palo Alto Comprehensive Plan, 1998-2010
3. Palo Alto Municipal Code, Title 18 – Zoning Ordinance
4. Required compliance with the Building Code and Standards for Seismic Safety and Wind load
5. Geotechnical investigation, Murray Engineers Inc., December 7, 2006
7. Project Plans, Cody Anderson Wasney Architects, Received December 19, 2007
9. Alquist-Priolo Earthquake Fault Zoning Map
11. City Departmental analysis communication/memos
14. Comments from Dennis Struecker, PE, Associate Vice President, DMJM Harris, September 28, 2007
15. Acoustical analysis (noise study), Mei Wu Acoustics, March 12, 2007

**DETERMINATION**

On the basis of this initial evaluation:

<table>
<thead>
<tr>
<th>I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.</th>
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<tr>
<td>I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.</td>
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<td>X</td>
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<td>I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.</td>
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<tr>
<td>I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.</td>
</tr>
<tr>
<td>I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.</td>
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</table>

Russ Reich  
Project Planner  
March 18, 2008  
Date  

Director of Planning and Community Environment  
Date  

3000 Alexis Drive  
Page 25  
Mitigated Negative Declaration
June 11, 2008

VI A E-MAIL AND OVERNIGHT COURIER

Mayor Larry Klein
City Council Members
City of Palo Alto
250 Hamilton Avenue
Palo Alto CA 94301

Re: Comments on Initial Study and Mitigated Negative Declaration for Palo Alto Hills Golf and Country Club’s Proposed Expansion Project (3000 Alexis Drive [06PLN-00361])

Dear Mayor Klein and City Council Members:

We are writing on behalf of Palo Alto resident Sal Giovannotto concerning the Initial Study and Mitigated Negative Declaration ("IS/MND") that has been prepared for Palo Alto Hills Golf and Country Club’s Proposed Expansion Project (3000 Alexis Drive [06PLN-00361]) ("Project"). With the assistance of our traffic expert, Dan Smith (whose expert analysis and curriculum vitae are attached hereto and incorporated herein by reference in their entirety), we have reviewed the IS/MND and have determined that it fails to comply with the California Environmental Quality Act ("CEQA"; Pub. Resources Code, § 21000 et seq.) as it currently stands. Accordingly, as further explained below, the City is required to prepare and recirculate a Revised MND for additional public review and comment or proceed to prepare a full environmental impact report ("EIR") in order to adequately assess the Project and its impacts.

I. CEQA AND ITS REQUIREMENTS

CEQA was enacted to require public agencies and decisionmakers to document and consider the environmental implications of their actions before formal decisions to approve projects are made. (Pub. Resources Code, §§ 21000, 21001.) This fundamental purpose of CEQA is implemented primarily by the requirement that agencies prepare an EIR whenever the approval of a proposed project may cause significant adverse effects on the environment. (Pub. Resources Code, § 21100.)

The EIR is the “heart of CEQA.” (14 Cal. Code Regs., § 15003(a); Sierra Club v. State Board of Forestry (1994) 7 Cal.4th 1215, 1229.) Its purpose “is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.” (Pub. Resources Code, § 21002.1(a).) In carrying out this purpose, the EIR informs the public and its responsible officials of the environmental
consequences of projects before they occur. CEQA ensures this by requiring the preparation of an environmental informational document which serves as “an environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.” (Sierra Club v. State Board of Forestry, supra, 7 Cal.4th at 1229; County of Inyo v. Yorty (1973) 32 Cal.App.3d 795, 810.) Thus, CEQA “protects not only the environment but also informed self-government.” (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 564.)

CEQA contemplates a three-step environmental review process. (14 Cal. Code Regs., § 15002(k); Friends of "B" Street v. City of Hayward (1980) 106 Cal.App.3d 988, 999-1000; City of Carmel-by-the-Sea v. Board of Supervisors (1986) 183 Cal.App.3d 229, 240-241; Association for Protection of Environmental Values in Ukiah v. City of Ukiah (1991) 2 Cal.App.4th 720, 726.) In the first step, the lead agency determines whether the project is exempt from CEQA pursuant to a statutory or categorical exemption, or because it can be seen with certainty that the project will not have a significant effect on the environment. (14 Cal. Code Regs., § 15002(k)(1).) If the project is exempt from CEQA, no further environmental review is required. (Association for Protection of Environmental Values in Ukiah v. City of Ukiah, supra, 2 Cal.App.4th at 728.) If the project is not exempt from CEQA, the second step requires the lead agency to conduct an Initial Study to determine whether the project may have a significant effect on the environment. (14 Cal. Code Regs., § 15002(k)(2).) If the study reveals that the project will not have a significant effect on the environment, the agency may prepare a Negative Declaration. (14 Cal. Code Regs., §§ 15002(k)(2), 15063(b)(2), 15070(a).) If the initial study instead concludes that the project may have a significant effect on the environment, the third step in CEQA’s environmental review process normally requires that an EIR be prepared. (14 Cal. Code Regs., § 15002(k)(3).)

When potentially significant effects are identified in an initial study, a Mitigated Negative Declaration may be prepared instead of a full EIR only if “revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur” and “there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.” (14 Cal. Code Regs., § 15070(b)(1), (2).)

If a lead agency makes any “substantial revisions” to an MND after public notice of its availability has previously been given, the lead agency must provide additional public notice of the availability of the revised MND and recirculate it for an additional public review period of at least 20 days. (14 Cal. Code Regs., § 15073.5.)

Consistent with its purpose of guarantying the fullest possible protection to the environment within the reasonable scope of its statutory language, CEQA provides for a very low threshold of evidence of potential impacts to trigger the requirement for preparation of an EIR. As relevant here, if the lead agency is presented with a “fair argument,” based on substantial evidence in the record, that the Project may
have a significant effect on the environment, the lead agency is required to prepare an EIR even though it may also be presented with other substantial evidence that the Project will not have a significant effect. (14 Cal. Code Regs., § 15064(g)(1); Friends of “B” Street v. County of Hayward (1980) 106 Cal.App.3d 988, 1002; No Oil, Inc. v. County of Los Angeles (1974) 13 Cal.3d 68, 75.)

Based on these legal standards, if the IS/MND prepared for this Project is approved in its current form, the City will have abused its discretion, exceeded its jurisdiction, and proceeded in a manner contrary to law without the support of substantial evidence in the record by committing the CEQA violations discussed below.

II. THE IS/MND FAILS TO ACCURATELY AND CONSISTENTLY DESCRIBE THE PROJECT AND THE PROJECT'S ENVIRONMENTAL SETTING

The IS/MND fails to adequately describe the Project. It fails entirely to mention how the Club currently uses its existing facilities let alone how it intends to use the Project's proposed expanded facilities. This omission is even more troubling given the City's failure to locate any existing use permit (special, conditional or otherwise) identifying historically permitted uses and any related conditions. Despite my request to planner Russ Reich for a copy of the existing use permit, I have yet to receive a copy. In fact, in a recent meeting at the Country Club with representatives from both the Club and the City present, Mr. Reich admitted that the City has not been able to locate the existing use permit covering the Country Club’s property and land uses. Moreover, at that same meeting, Club President Stephen Pahl informed me that in addition to the regular use of the Club by its members, the Club also holds up to 12 major events per year, each drawing upwards of 300 people (e.g., weddings, charity events, etc.), and 2-4 swim meets per summer, each drawing upwards of 300-350 people (including upwards of 120 nonmembers).

This is exactly the type of information that should be included in the project description and used to assess the Project’s potential impacts. More importantly, it is the City’s responsibility to request necessary information from the applicant especially when key information is missing from the record, as in this case, in order to comply with CEQA's requirements imposed on lead agencies. (See, Sierra Club v. State Board of Forestry, supra, 7 Cal.4th at 1227-1235 [“absence of [key] information . . . [makes] any meaningful assessment of the potentially significant environment impacts . . . and the development of site-specific mitigation measures impossible.”]) Accordingly, the City must accurately and fully describe the Project for impact assessment and the development of mitigation measures and use the instant application (for Site and Design Review and an amendment to the existing, but apparently lost, Conditional Use Permit) to recall all historical limits on the use of the Project site and incorporate them, along with any new conditions applicable to the Project’s expanded uses, into a new and fully enforceable use permit.

The IS/MND also fails to describe existing baseline traffic conditions in areas to be impacted by the Project despite the fact that the applicant's traffic consultant (Pang Engineers, Inc., August 2007 Traffic Analysis and Parking Report ("Pang Report")
surveyed and documented those baseline traffic conditions. As further discussed below, deferring the analysis and identification of baseline environmental conditions until after project approval runs counter to a fundamental step in the CEQA process, project impact analysis, and fatally infects all subsequent traffic impact analyses, determinations and ultimate findings contained in the IS/MND.

The IS/MND also fails to accurately and completely describe the location and extent of excavation required to construct the Project’s various components. Other than a brief mention that the spa/fitness facility includes a “basement area for 27 vehicle parking spaces,” the project description leads one to believe that there will be little to no excavation involved in the Project. As discussed in more detail below, this is hardly the case. Indeed, the applicant’s own geotechnical engineers concluded that “a significant amount of earthwork is anticipated as part of the proposed project, including excavations for the fitness center basement, the tennis court, the swimming pool and the wading pool, and the placement of engineered fill behind retaining walls and beneath slabs on grade.” (Murray Engineers, Inc., December 2006 Geotechnical Investigation (“Murray Report”), p. 19 (emphasis added).) Moreover, the Murray Report also determined that a number of the Project’s key components will be constructed in areas with steep slopes and/or containing existing fill and colluvial soil (as opposed to more secure bedrock) and that these issues present several “geotechnical constraints,” leading the engineers to recommend a host of remedial steps and actions necessary to alleviate concerns about steep slopes and the possibility of landslides caused by the “relatively weak” and “highly expansive” soils and likely strong ground shaking from future earthquakes on “any one of the nearby active or potentially active faults.” (Murray Report, pp. 8-23.)

Finally, it appears that the IS/MND completely failed to acknowledge, describe or analyze the impacts of the amphitheater seating area proposed for the hillside between the tennis court and the swimming pool areas. (See, Murray Report, Figure A-2.)

A negative declaration is legally defective if it fails to accurately describe the proposed project. (Christward Ministry v. Superior Court (1986) 184 Cal.App.3d 180; 14 Cal. Code Regs., §15071(a).) CEQA requires that, before a Negative Declaration can be issued, the initial study must “provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment.” (14 Cal. Code Regs., § 15063(c)(5).)

The project description must include a description of the environmental setting of the Project. A CEQA document “must include a description of the environment in the vicinity of the project, as it exists before the commencement of the project, from both a local and a regional perspective.” (14 Cal. Code Regs., § 15125; see Environmental Planning and Info. Council v. County of El Dorado (1982) 131 Cal.App.3d 350, 354.) The courts have repeatedly held that “an accurate, stable and finite project description is the sine qua non of an informative and legally sufficient [CEQA document].” (County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d 185, 193.)
Mayor Larry Klein and City Council Members  
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Not only does the IS/MND fail to include a description of past and proposed future uses of the Project facilities, the location and extent of necessary excavation, the environmental setting with respect to baseline traffic levels, and the proposed amphitheater seating area, the City repeatedly describes the Project's primary component, the proposed two-story spa/fitness facility, in an inconsistent manner. For example, while the IS/MND's project description sections describe the spa/fitness facility as proposing a new 30,298 square foot building, staff reports for recent Planning Commission and Architectural Review Board meetings variously describe the facility as proposing a 17,710 square foot building (report for 4/2/08 Planning Commission meeting) and a 16,267 square foot building (reports for 3/15/08 and 6/5/08 ARB meetings). While reduction in square footage for the spa/fitness facility may well be beneficial, the troubling trend exemplified by the unstable and inaccurate project descriptions contained in the IS/MND and related documents here is that the Project continues to evolve and change well after the release of the IS/MND. While we have endeavored to follow all of these changes, some undoubtedly have evaded us, further evincing that the IS/MND fails to include the accurate, stable and finite project description required by CEQA. Most importantly, as noted above, because CEQA favors full environmental review in the form of an EIR, an MND is only appropriate if all project revisions relied upon to support the use of such a document (i.e., a finding that the Project will not result in any potentially significant impacts) are described and included in the MND before it is released for public review and comment. This requirement underscores the fact that CEQA promotes not only environmental protection, but informed self-government.

Ultimately, the missing environmental baseline information, coupled with the IS/MND's inaccurate and misleading description of the Project components discussed above, infect the IS/MND with flaws which similarly detract from the adequacy of the IS/MND's impact analyses, determinations and ultimate findings. By violating these simple yet fundamental requirements, it is clear that these failures render the IS/MND inadequate as an informational document. (See San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713 [inadequate consideration and documentation of existing environmental conditions renders it impossible to accurately assess the project's impacts or to determine appropriate mitigation measures for those impacts]; Kings County Farm Bureau v. City of Hanford (1990)221 Cal.App.3d 692, 718 ["misleading nature of the discussion and the failure to include relevant evidence ... renders the EIR inadequate as an informational document."]).

III. THERE IS A FAIR ARGUMENT THAT THE PROJECT MAY HAVE SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

There is a "fair argument" that the Project may have significant adverse environmental impacts. Therefore, an EIR must be prepared to analyze and propose feasible mitigation for those impacts. (Mejia v. Los Angeles (2005) 130 Cal.App.4th 322; Pocket Protectors v. Sacramento (2005) 124 Cal.App.4th 903.)
A. The IS/MND Fails To Adequately Assess The Project's Traffic And Parking Impacts, And Improperly Defers This Impact Assessment, As Well As The Development And Imposition Of Effective Mitigation Measures, To A Future Date Well Beyond Project Approval

The IS/MND's traffic and parking impact analyses falls far short of what is required under CEQA. Moreover, it is misleading and confusing. For example, despite concluding that the Project may cause three separate potentially significant adverse traffic and parking impacts (See MND, pp. 20-21), the MND does not require the imposition of any mitigation measures! This astonishing omission is contrary to CEQA's fundamental requirements.

Despite the fact that the IS/MND acknowledges potentially significant traffic impacts due to the Project's contribution to increased vehicle traffic both on the collector streets leading to the Country Club as well as in the surrounding residential neighborhood, and despite the fact that the applicant's traffic consultant actually conducted baseline traffic counts in an attempt to identify the existing environmental setting (which the MND totally ignored), the MND's purported "mitigation" calls for the existing baseline to be counted again sometime after project approval, and if subsequent traffic counts verify a significant increase, suggests a number of vague, unproven and likely ineffective measures to mitigate those impacts. As discussed above, the MND is required to include a description of the existing environmental setting in the project description to create a starting point, or baseline, to assess whether the Project's contributions to that setting will be significant or not, and if so, to guide the development of mitigation measures aimed at reducing any impacts to levels of insignificance.

Instead, the MND's traffic impact analysis is essentially nonexistent, which the City attempts to justify by asserting that the unique conditions at the Country Club make it impossible to simply look up anticipated trip generation levels in accepted industry manuals. While this may be true to some extent, it does not excuse the City from its obligation to accurately identify the existing traffic levels so as to allow a good faith assessment as to whether the Project will result in significant changes thereto. Given the asserted inapplicability of trip generation estimates from industry manuals, the City should have requested additional information from the Club (e.g., description of historical uses and corresponding traffic conditions as well as estimates of additional uses and corresponding traffic conditions expected from the expanded facilities now being proposed) and analyzed that information together with the actual traffic counts performed to analyze the potential traffic impacts. However, saying that it is too difficult to tell now, and resorting to post-approval traffic impact analysis and mitigation is unacceptable, especially given the fact that the Project is being proposed for approval pursuant to a negative declaration.

CEQA disallows deferring project impact analysis and the formulation of mitigation measures to post-approval studies. (14 Cal. Code Regs., § 15126.4(a)(1)(B); <i>Sundstrom v. County of Mendocino</i> (1988) 202 Cal.App.3d 296, 308-309.) An agency may only defer the formulation of mitigation measures when it possesses
"meaningful information' reasonably justifying an expectation of compliance." (Id. at 308; see also Sacramento Old City Association v. City Council of Sacramento (1991) 229 Cal.App.3d 1011, 1028-29 [mitigation measures may be deferred only "for kinds of impacts for which mitigation is known to be feasible"].) A lead agency is precluded from making the required CEQA findings unless the record shows that all uncertainties regarding the mitigation of impacts have been resolved; an agency may not rely on mitigation measures of uncertain efficacy or feasibility. (Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 727 [finding groundwater purchase agreement inadequate mitigation because there was no evidence that replacement water was available].) This approach helps "insure the integrity of the process of decisionmaking by precluding stubborn problems or serious criticism from being swept under the rug." (Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn. (1986) 42 Cal.3d 929, 935.)

Moreover, by avoiding or deferring the identification of the baseline traffic conditions and deferring traffic impact analysis and the development of specific mitigation measures, the City has effectively precluded public input into the adequacy of those efforts and the development of those measures. CEQA prohibits this post-hoc approach. As explained by the Sundstrom court:

An EIR ... [is] subject to review by the public and interested agencies. This requirement of "public and agency review" has been called "the strongest assurance of the adequacy of the EIR." The final EIR must respond with specificity to the "significant environmental points raised in the review and consultation process." ... Here, the hydrological studies envisioned by the use permit would be exempt from this process of public and governmental scrutiny. (Sundstrom, supra, 202 Cal.App.3d at 308)

The IS/MND's proposed post-approval identification of baseline traffic conditions, performance of traffic impact analysis and development of mitigation measures (essentially the entirety of the substantive traffic impact analysis required by CEQA for the Project) suffers from the same fatal flaw. Interested parties would be precluded from commenting on the adequacy of the analysis or mitigation measures, even though CEQA mandates that they be permitted to do so.

For these reasons, and as discussed in further detail in the comments of expert traffic engineer Dan Smith (Exhibit 1 hereto), the MND's traffic impact analysis violates CEQA.

Moreover, despite acknowledging that even with the additional parking associated with the Project the Country Club will continue to operate with inadequate parking capacity, the MND fails to require any mitigation measures to address this existing and projected ongoing impact. While City staff has identified a number of measures that may alleviate impacts flowing from the Club's inadequate parking capacity such as requiring valet parking for large events to make better use of the available
parking and using fairways #1 and #2 as overflow parking as needed (see Staff Report for 4/2/08 Planning Commission meeting), these and other measures must be made formal mitigation measures and conditions of the use permit, and not left to the sole discretion of the Club. Otherwise, the City’s finding that the Project will not result in any significant adverse impacts will be unsupported in this regard. This is especially important given the fact that the Club’s President, Mr. Stephen Pahl, has admitted (in a meeting he, Russ Reich and I attended) that on at least two occasions in the past few years, large events held at the Country Club have caused parking to fill the Club’s lot and spill over onto adjacent residential streets. Given that on-street parking is prohibited in the surrounding residential neighborhoods, enforceable mitigation measures must be identified and implemented to ensure that the Club contains all parking on site and does not endanger the health and safety of its surrounding neighbors. Because Alexis Drive has only one point of ingress and egress, the street must remain free and clear for normal residential traffic, as well as for emergency access and/or an evacuation route in the event of an accident, fire or earthquake.

To the extent that the MND relies on the Pang Report to bolster its unorthodox and wholly inadequate method of traffic impact assessment and mitigation, that Report’s flaws render it unhelpful in that regard. As noted in traffic expert Smith’s attached comments, the Pang Report understates the Project’s traffic generation and consequent traffic impacts by failing to account for all sources of traffic increases, especially the trips that an expanded Club membership would make, and by relying on an invalid and unsupported joint-use “survey.” Ultimately, Mr. Smith concludes that had the Pang Report utilized a proper trip generation analysis, it would have concluded that the Project would be likely to result in; (1) a significant residential traffic impact on Alexis Drive (exceeding the recognized TIRE Index threshold of significance employed by the City); (2) a significant traffic impact associated with delays and volume-to-capacity ratios at the intersection of Page Mill - I-280 westbound ramps - Arastradero in the 2015 + Project scenario in the peak hour; and (3) significant vehicle queuing problems on the I-280 off ramps.

Finally, assuming arguendo that the MND’s traffic impact analysis was adequate – and as discussed above, it is not – the MND still merely suggests a number of vague “mitigation” measures which could be used if illegal post-approval baseline studies and subsequent traffic counts confirm significant traffic impacts. Again, as noted in Mr. Smith’s attached comments, none of the suggested measures are likely to meaningfully alter or reduce the Project’s traffic impacts, and all but one fail to contain any performance criteria that could ensure their effectiveness. It is axiomatic that mitigation measures under CEQA be fully enforceable and effective. (See Pub. Resources Code, § 21081.6(a)(1) [mitigation measures must be fully enforceable through permit conditions, agreements, or otherwise]; Federation of Hillside and Canyon Association v. City of Los Angeles (2000) 83 Cal.App.4th 1252, 1260-1262 [CEQA mitigation measurement must be enforceable and binding].)
B. The IS/MND Fails to Adequately Assess the Project’s Potential Geologic Impacts

As discussed above, the IS/MND misleads the public into believing that the Project will not result in any significant excavation and that no geologic hazards exist at the Project site or elsewhere in the vicinity. The project description fails to mention the need to excavate at all, but indirectly implies that some excavation will be necessary to provide for the below grade parking proposed for the spa/fitness facility. Similarly, the MND’s Section F, covering geology, soils and seismicity, misleads the public by essentially limiting its analysis to the statement: “the project does include some removal of soil for the below grade parking and the tennis court addition but the changes are not expected to be substantial or be a significant change to the existing site topography.” (MND, p. 11.) Ultimately, the MND blindly relies on unidentified post-approval conditions it claims will be attached to subsequent grading and drainage plans to support its determination that the Project has no potential to result in significant geological impacts. The applicant’s own geotechnical investigation, however, tells a completely different story.

The aforementioned Murray Report flatly contradicts the MND’s analysis by concluding that “a significant amount of earthwork is anticipated as part of the proposed project, including excavations for the fitness center basement, the tennis court, the swimming pool and the wading pool, and the placement of engineered fill behind retaining walls and beneath slabs on grade.” (Murray Report, p. 19 (emphasis added).) Moreover, the Murray Report also determined that a number of the Project’s key components will be constructed in areas with steep slopes and/or containing existing fill and colluvial soil (as opposed to more secure bedrock) and that these issues present several “geotechnical constraints,” leading the engineers to recommend a host of remedial steps and actions necessary to alleviate concerns about steep slopes and the possibility of landslides caused by the “relatively weak” and “highly expansive” soils and likely strong ground shaking from future earthquakes on “any one of the nearby active or potentially active faults. (Murray Report, pp. 8-23 (emphasis added).) These scientists’ statements constitute substantial evidence of “potentially significant adverse impacts,” and document the need for feasible “mitigation measures.”

Indeed, the Murray Report lays out a full suite of recommended remedial steps/mitigation measures it believes are necessary to address the several geotechnical constraints/potentially significant adverse impacts. Those measures include, but are not limited to the following foundation, grading and drainage measures and geotechnical design criteria: spread footing foundations to ensure support in the underlying bedrock; basement mat foundation; basement and site retaining walls (with adequate drainage systems and pipes) to alleviate lateral earth pressures; vapor barriers; over-excavation to expose bedrock; use of clean (presumably imported) fill; construction of keyways and benches, use of subdrainage, limitations for cut slopes not to exceed gradients steeper than 2:1.

Thus, the applicant’s own geotechnical investigation and report provides substantial evidence that a potentially significant geologic impact may result unless the
recommended mitigation measures are used. The IS/MND must acknowledge this impact and include any and all measures necessary to reduce the potential impact to levels of insignificance.

IV. CONCLUSION

For the foregoing reasons, we respectfully request that the City not approve the proposed MND, that it require preparation of an EIR for the Project, and that it refrain from issuing any Project approvals unless and until an EIR is circulated for public comment and certified as complete and compliant with CEQA, including incorporation and implementation of all feasible mitigation measures.

Very truly yours,

MILLER STARR REGALIA

[Signature]

Stephen E. Velyvis
Enclosures

cc: Russ Reich (Via e-mail, w/encl. Russ.Reich@CityofPaloAlto.org)
Gary M. Baum, Esq. (Via e-mail, w/encl. Gary.Baum@CityofPaloAlto.org)
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EXHIBIT "1"
June 11, 2008

Mr. Stephen E. Velyvis
Miller Starr Regalia
1331 N. California Blvd.
Walnut Creek, CA 94596

Subject: Mitigated Negative Declaration For Palo Alto Hills Golf and Country Club Project

Dear Mr. Velyvis:

Per your request, I have reviewed the transportation and circulation component of the proposed Mitigated Negative Declaration (hereinafter "the MND") for the Palo Alto Hills Golf and Country Club ("PAHGCC") Project (hereinafter the "Project") in the City of Palo Alto (hereinafter "the City") and supporting documentation related thereto. My qualifications to perform this review include registration as both Civil and Traffic Engineer in California and 40 years professional consulting practice in traffic and transportation engineering matters based in California. A true and correct copy of my professional resume is attached hereto as Exhibit A. I am familiar with the Project area, having consulted on numerous traffic and transportation matters involving the Cities of Menlo Park, Palo Alto and Stanford University. My comments follow.

I. The MND's conclusion that the Project's potential significant traffic impacts will be mitigated is flawed and unsupported by the evidence and is based on an inadequate Project description and an unquantified traffic baseline, leading to failure to quantify and analyze the actual severity of the Project's traffic impacts until years after the Project is already approved, built and in full use. Also, the MND improperly defers implementation of effective mitigation measures

The MND transportation and traffic section essentially finds that the combination of uses in the proposed Project is too complex for its trip generation to be estimated from authoritative conventional trip generation source data and, based on this assertion, proposes to approve the Project, measure trip generation and traffic impacts after the fact, and then, if necessary, impose mitigation. This deferral of impact analysis and mitigation requirements is contrary to CEQA. In addition, the traffic study in support of the MND (Pang Engineers, Inc., dated
August 24, 2007, reference 6 in the MND) did define three different factually based trip generation estimates for the Project. The MND ignored these estimates. The proper course of action for the City in order to comply with CEQA would have been to base the traffic impact analysis on the highest of the Pang Report trip generation estimates, develop a mitigation program that could effectively mitigate the impacts to insignificance, and condition timing of implementation of stages of the mitigation program based on a regular traffic monitoring program. Instead, under the deferred purported "mitigation" proposed in the MND, the City will not even attempt to ascertain the extent of traffic impacts until 5 years after completion of the Project. This is a clear failure to analyze and disclose in good faith the Project's potentially significant traffic impacts prior to approving it.

Moreover, even the highest of the trip generation estimates in the Pang report understates the actual trip generation of the Project. There is no specific estimate of trips that would be added by enlarging the pool facility, or by increasing the tennis court facility by 50 percent or by replacing and reconfiguring the golf driving range or by increasing the membership by 9 proprietary membership families and by 60 social membership families.

It is likely that the real reason staff finds difficulty estimating the traffic generated by the Project is because the actual nature of the existing and proposed use has never been adequately described. While some facets of the Project have been described and readily translated to corresponding changes in traffic characteristics (for example, the square footage expansions to bar/dining facilities and banquet/meeting rooms), other aspects have been vague (for example, failure to analyze how much traffic will be added by expanding the Club membership to take advantage of the increased facilities and how much traffic will be added due to a 50 percent increase in tennis court availability).

II. The Pang Report Understates the Project's Traffic Generation and Consequent Traffic Impacts

The Pang Report makes three alternative estimates of Project traffic generation. Alternative 1 estimates increases to existing traffic based on percentage changes in person occupancy of the facilities based on square footage and City Code-based person occupancy factors. Alternative 2 estimates the traffic increases for expansion of the restaurant/bar and function rooms based on the City code-based person occupancy factors and for the Fitness Center by Institute of Transportation Engineers trip generation rates that treat the Fitness Center as if it were a stand-alone operation completely independent from the rest of the Club. Alternative 3 is compiled in the same way as Alternative 2 except that it is assumed that 30 percent of the trips to the Fitness Center will constitute joint usage trips where usage of the Fitness Center is combined with usage of other Club facilities on a single trip.
These approaches underestimate the Project's traffic generation for the following reasons:

- The analysis does not take into account the trips that an expanded club membership would make. New club members would make trips to use the entirety of the existing and proposed facilities. Testimony at the Planning and Transportation Commission hearing of April 2, 2008 on the Project by Club President Steven Pahl revealed that the Club currently has 416 proprietary members and 140 social members (556 total members) and that, with the improvements, the Club would have the capacity to accommodate up to 425 proprietary members and 200 social members (625 total members). This is a 12.41 percent increase in overall membership. Recognizing that new memberships make use of the whole facilities of the club, not just the new facilities provided by the Project, if overall trips produced by a typical proprietary membership and by a typical social membership are about equal (even though their predominant use is of different parts of the Club), then the membership increase enabled by the Project would produce a net traffic growth at the Club of 12.41 percent, over and above that generated by existing club members using the new facilities. It should also be recognized that memberships are 'family memberships'. Hence, the consequence of a new membership is not just the perhaps two trips per day of a solitary adult; it is typically the personal trips of two adults, still other trips hauling younger children to golf, tennis swim or fitness activities, the independent trips of older children who are above driving age, and the trips of the family's guests.

- The "survey" supporting the assumption of the 30 percent trip reduction for joint-use trips was not performed by professional survey researchers in the transportation field, was not conducted with clear protocols regarding what constitutes a joint-use trip, was not clearly documented, and involved a very small-sample survey of the opinions of a few club managers based on their perceptions rather than hard data. Hence, it is unreliable. As an example of this unreliability, consider two club usage combinations that a lay observer such as a club manager might likely characterize as a 'joint-use' trip. In one, a member who regularly uses the Fitness Center in the early morning or at midday on this particular day intends to meet family or guests for dinner at the Club in the evening after work. So he or she, instead of using the Fitness Center at normal time, comes to the Center to work out just before the scheduled dinner hour. This is a combination that would be recognized by professionals as a true 'joint-use' trip in that it eliminates one of two separate trips that would ordinarily be made. The other example is of a member who works out at the Fitness Center, then has a quick drink at the Club bar while in the act of departing. This is an example of the kind of trip a layman might characterize as a joint-use trip but which a professional would not (because the member would be highly
unlikely to make a trip to the Club solely to have a quick single drink at the bar, this trip combination did not eliminate one of two separate trips that would ordinarily be made).

- All 3 trip generation alternatives estimated in the Pang report are ultimately based only on the portion of the Project that involves new buildings or building expansions. There is no accounting for the portions of the Project that involve exterior facilities improvements such as the increase in tennis court capacity (which could increase tennis activity and the traffic associated with it by 50 percent), by the enlargement and enhancement of the swimming pool facility (which by adding a wading pool adds a new dimension of activity – an attraction that increases use by families with very young children), and by replacement and reconfiguration of the existing driving range. The traffic increases associated with these 'exterior' facilities are simply not accounted for in the traffic analysis.

In sum, the trip generation analysis in the Pang Report fails to account for the trips of new members using all of the existing and new facilities, fails to count added trips resultant from the exterior tennis court and pool additions and overstates trip reduction due to joint-use trips, though some level of joint-use trips will doubtless occur. Those flaws can be overcome in the following manner. If it is assumed that the new trips generated by the exterior pool and tennis facilities that were not accounted for in the Pang Report are roughly equal to the level of joint-usage trips that would really occur, then the total trip generation as in Pang Report trip generation Alternative 2 (which doesn't count trips to the tennis and pool improvements or make downward adjustments for joint-use trips either), incremented by 12.41 percent to account for the added trips of new members using the whole facilities of the Club would be an appropriate estimate for use in the good faith effort to disclose impact required by CEQA. If an analysis based on this trip generation estimate were performed it would undoubtedly find that:

a. The TIRE Index values indicating significant residential traffic impact on Alexis Drive would be exceeded by the Project.

b. The thresholds for significant impact (increase of both 4.0 seconds of stopped delay and increase of volume-to-capacity ratio (hereinafter "V/C") by at least 0.01) would be exceeded for the intersection of Page Mill – I-280 westbound ramps – Arastadero in the 2015 + Project scenario in the PM peak hour. In fact, had the Pang Report carried out calculations for the PM peak period at this intersection under the assumptions of Trip Generation Alternative 2 alone, it would have found that the thresholds for significant impact would have been exceeded (V/C increase of approximately .037 and average delay increase of 4.68 seconds). When the effect of new membership is added in, the extent to which the thresholds of
significant impact are exceeded in the PM peak becomes even greater (V/C increase of approximately .047 and average delay increase of 5.92 seconds).

c. Queuing problems on the I-280 off ramps not properly analyzed in the MND (see discussion of ramp queuing problems in following section) would be exacerbated.

Such findings require implementation of specific and effective mitigation measures (for example, signalization of the intersection of Page Mill – I-280 westbound ramps – Arastadero and/or widening of the westbound off ramp to a full 2-lane approach to the intersection); not just a requirement to monitor future traffic with intent to, if needed, implement a list of vague and insubstantial purported mitigations having little likelihood of actually mitigating traffic impacts (see following section discussing ineffectiveness of proposed mitigations).

III. The MND’s Conclusion That the Project’s Significant Traffic Impacts Would Be Mitigated Is Based on the Assumption that Certain Specified Mitigation Measures Could Be Implemented in the Future When in Fact, Those Measures Specified Have Little Likelihood of Mitigating The Traffic Impacts of The Proposed Project

The MND concludes that the Project’s traffic impacts would be mitigated by certain possible mitigation measures collectively identified under Mitigation Measure # 7. The measures identified are

a) Provide incentives to Club members that will encourage them to combine their trips to the facility rather than make multiple trips (joint usage).

b) Provide incentives to employees and Club members to encourage Transportation Demand Management Measures such as carpooling.

c) Decrease the size and/or frequency of exercise classes in the new expanded Fitness Center.

d) Open the Fitness Center on Mondays when golf is normally closed providing classes Monday instead of on Wednesday which is typically the busiest weekday at the club.

e) Decrease the volume of use of the new private banquet rooms or other Club facilities as necessary to reduce the traffic volume below the TIRE index.

As set forth below, at a facility of this type and location, none of these measures are likely to meaningfully alter traffic impacts. Consider each measure.
Measure 7 a) involves creating unspecific incentives to induce members to combine the activities in which they use the Club so that they combine separate usage activities into a single trip, for example, using the Fitness Center on the same trip as they would make to have dinner with family or friends at the Club or, for example, doing their fitness workout after playing a round of golf, rather than doing those activities as separate trip events. However, considering the nature of the activities, it is unlikely that there are feasible incentives that would make meaningful numbers of the members combine activities on one trip to any greater extent than they do now or would do in the future without incentives.

Measure 7 b) involves unspecified incentives to encourage Transportation Demand Management (TDM) measures such as carpooling. However, considering that those traveling to the Club are traveling between a somewhat remote site and locations dispersed throughout a large region, using the Club for activities that are predominantly personal or involve very small groups, and predominantly using the Club facilities on intermittent and irregular schedules, it is unlikely that there are feasible measures that would result in any more carpooling than takes place currently.

Measure 7 c) involves decreasing the size and/or frequency of exercise classes in the Fitness Center. But the likely consequence is that those 'sized-out' of the fitness classes would just use the Fitness Center more for individual work-outs. Hence, the measure would cause no meaningful change in total daily traffic using the Club, hence, no reduction in the TIRE Index and neighborhood traffic impact.

Measure 7 d) involves concentrating fitness traffic on Mondays when golf traffic is lowest and avoiding fitness classes on Wednesdays, the peak weekday for overall Club usage. However, this measure runs counter to the assumptions and hopes for maximized joint-usage and maximized carpooling and is also undermined by the probability that many who participate in exercise classes would still use the Fitness Center on Wednesdays for individual work-outs.

Measure 7 e) involves decreasing the use of the new banquet rooms as necessary to reduce the TIRE Index below the threshold of significant impact. However, because banquet room usage is an episodic event rather than a daily event, use of the new rooms would have to be virtually eliminated to change average daily traffic enough to alter the TIRE Index significantly.

In sum, all of the purported mitigation measures, individually or in combination, are extremely unlikely to alter Club traffic enough to mitigate the Project's significant traffic impacts. Hence, the City cannot support a finding that the Project's significant traffic impacts would be mitigated.
IV. The Traffic Impact Analysis Conducted In Support of the MND Only Considered Level-Of-Service and Vehicle Delay in Its Conclusions Regarding Traffic Impacts at Intersections; Had It Considered Traffic Queuing As It Should Have, It Would Likely Have Disclosed Significant Additional Traffic Safety and Operations Impacts on the I-280 Ramps Resulting from Queuing on The Ramps

The Pang Report considered traffic conditions at the intersections of Page Mill Road with the freeway ramps to/from both directions of I-280. The analysis only considered changes in Level-Of-Service (LOS) and vehicle delay as criterion for defining impact. However, lengthy queues on the I-280 off-ramps to both intersections with Page Mill are now evident during peak periods. If queue lengths on off-ramps are such that sight distance or deceleration distance available on the ramps become substandard or the queue extends into the freeway mainline lanes, a significant traffic operations and safety impact exists. Had the analysis considered queue length, correlating theoretically predicted queues to existing observed queues, it would likely have found the Project would contribute to significant traffic operations and safety impacts on the I-280 off ramps. Moreover, had the analysis considered the added traffic associated with improvements to the Club’s outdoor facilities (added tennis court, enhancements to pool facility) and the planned membership increase, the queuing impacts would be greater. Failure to consider, analyze and require mitigation for such impacts is a failure to comply with CEQA, rendering the MND inadequate.

V. Conclusion

This completes my current comments on the PAHGCC Project MND. For the above-stated reasons, it is my professional opinion that the MND is inadequate under CEQA and that a full EIR on the Project should be performed.

Sincerely,

Smith Engineering & Management
A California Corporation

[Signature]

Daniel T. Smith Jr., P.E.
President
Attachment A

(Resume of Daniel T. Smith Jr., P.E.)
SMITH ENGINEERING & MANAGEMENT

DANIEL T. SMITH, Jr.
President

EDUCATION
Bachelor of Science, Engineering and Applied Science, Yale University, 1967
Master of Science, Transportation Planning, University of California, Berkeley, 1968

PROFESSIONAL REGISTRATION
California No. 21913 (Civil)
California No. 938 (Traffic)
Nevada No. 7969 (Civil)
Washington No. 29337 (Civil)
Arizona No. 22131 (Civil)

PROFESSIONAL EXPERIENCE
Smith Engineering & Management, 1993 to present. President.
DKS Associates, 1979 to 1993. Founder, Vice President, Principal Transportation Engineer.
Personal specialties and project experience include:

Litigation Consulting. Provides consultation, investigations and expert witness testimony in highway design, transit design and traffic engineering matters including condemnations involving transportation access issues; traffic accidents involving highway design or traffic engineering factors; land use and development matters involving access and transportation impacts; parking and other traffic and transportation matters.


Area Transportation Plans. Principal-in-charge for transportation element of City of Los Angeles General Plan Framework, shaping nations largest city two decades into 21st century. Project manager for the transportation element of 300-acre Mission Bay development in downtown San Francisco. Mission Bay involves 7 million gsf office/commercial space, 8,500 dwelling units, and community facilities. Transportation features include relocation of commuter rail station; extension of MUNI-Metro LRT; a multi-modal terminal for LRT, commuter rail and local bus; removal of a quarter mile elevated freeway; replacement by new ramps and a boulevard; an internal roadway network overcoming constraints imposed by an internal tidal basin; freeway structures and rail facilities; and concept plans for 20,000 structured parking spaces. Principal-in-charge for circulation plan to accommodate 9 million gsf of office/commercial growth in downtown Bellevue (Wash.). Principal-in-charge for 64 acre, 2 million gsf multi-use complex for FMC adjacent to San Jose International Airport. Project manager for transportation element of Sacramento Capitol Area Plan for the state governmental complex, and for Downtown Sacramento Redevelopment Plan. Project manager for Napa (Calif.) General Plan Circulation Element and Downtown
Riverfront Redevelopment Plan, on parking program for downtown Walnut Creek, on downtown transportation plan for San Mateo and redevelopment plan for downtown Mountain View (Calif.), for traffic circulation and safety plans for California cities of Davis, Pleasant Hill and Hayward, and for Salem, Oregon.

**Transportation Centers.** Project manager for Daly City Intermodal Study which developed a $7 million surface bus terminal, traffic access, parking and pedestrian circulation improvements at the Daly City BART station plus development of functional plans for a new BART station at Colma. Project manager for design of multi-modal terminal (commuter rail, light rail, bus) at Mission Bay, San Francisco. In Santa Clarita Long Range Transit Development Program, responsible for plan to relocate system's existing timed-transfer hub and development of three satellite transfer hubs. Performed airport ground transportation system evaluations for San Francisco International, Oakland International, Sea-Tac International, Oakland International, Los Angeles International, and San Diego Lindberg.

**Campus Transportation.** Campus transportation planning assignments for UC Davis, UC Berkeley, UC Santa Cruz and UC San Francisco Medical Center campuses; San Francisco State University; University of San Francisco; and the University of Alaska and others. Also developed master plans for institutional campuses including medical centers, headquarters complexes and research & development facilities.

**Special Event Facilities.** Evaluations and design studies for football/baseball stadiums, indoor sports arenas, horse and motor racing facilities, theme parks, fairgrounds and convention centers, ski complexes and destination resorts throughout western United States.

**Parking.** Parking programs and facilities for large area plans and individual sites including downtowns, special event facilities, university and institutional campuses and other large site developments; numerous parking feasibility and operations studies for parking structures and surface facilities; also, resident preferential parking.

**Transportation System Management & Traffic Restraint.** Project manager on FHWA program to develop techniques and guidelines for neighborhood street traffic limitation. Project manager for Berkeley, (Calif.), Neighborhood Traffic Study, pioneered application of traffic restraint techniques in the U.S. Developed residential traffic plans for Menlo Park, Santa Monica, Santa Cruz, Mill Valley, Oakland, Palo Alto, Piedmont, San Mateo County, Pasadena, Santa Ana and others. Participated in development of photo/radar speed enforcement device and experimented with speed humps. Co-author of Institute of Transportation Engineers reference publication on neighborhood traffic control.

**Bicycle Facilities.** Project manager to develop an FHWA manual for bicycle facility design and planning, on bikeway plans for Del Mar, (Calif.), the UC Davis and the City of Davis. Consultant to bikeway plans for Eugene, Oregon, Washington, D.C., Buffalo, New York, and Skokie, Illinois. Consultant to U.S. Bureau of Reclamation for development of hydraulically efficient, bicycle safe drainage inlets. Consultant on FHWA research on effective retrofits of undercrossing and overcrossing structures for bicyclists, pedestrians, and handicapped.

**MEMBERSHIPS**

Institute of Transportation Engineers  Transportation Research Board

**PUBLICATIONS AND AWARDS**


Co-recipient, Progressive Architecture Citation, Mission Bay Master Plan, with I.M. Pei WRT Associated, 1984.


August 27, 2008

VIA EMAIL [Planning.Commission@CityofPaloAlto.org] AND U.S. MAIL

City of Palo Alto
Planning Commission
250 Hamilton Avenue
Palo Alto, CA  94301

Re: August 27, 2008 Agenda Item #2: 3000 Alexis Drive (Palo Alto Hills Golf and Country Club Expansion Project)

Dear Chair Garber and Fellow Commissioners:

This firm represents Sal Giovannotto with respect to the above-referenced project and I write briefly today to offer initial comments on the project and the City’s recently released revised Mitigated Negative Declaration (“MND”). I have not had an opportunity to review the MND and all its supporting documents in detail but will do so in short order and I will provide the City with a detailed comment letter on or before the close of the official public comment period. That being said, I wanted to bring a few issues to your immediate attention.

First, the proposed expansion of the Palo Alto Hills Golf and Country Club (“PAHGCC”) facilities appears to violate the site development standards applicable to areas, like the PAHGCC, which are zoned as open space. Specifically, Code sections 18.28.050 and 18.28.070(I) require that the impervious ground surfaces at the PAHGCC not exceed 3.5% coverage. However, according to the most recent project plans sent to me directly by the project architect and applicant, the PAHGCC expansion project will cause the subject site to have 197,154 square feet of impervious area. Given that the Club is located on 125 acres, or a total of 5,445,000 square feet (1 acre = 43,560 sq. ft.), the project will result in 3.6% impervious area coverage. Moreover, that number is sure to increase once the additional square footage associated with the golf cart paths (and all other paved surfaces) is factored in, as it should be given the fact that this standard applies to all impervious ground surfaces, not just those within the area currently proposed to be expanded. This issue raises a potentially significant land use and planning impact that requires the City to further revise the MND to identify and address this potential impact, which must then be recirculated for additional public review and comment. Recent correspondence from Basant Khaitan (who lives at 2973 Alexis Drive and whose property is apparently most impacted by runoff and erosion in the PAHGCC...
area) underscores the importance of fully understanding and addressing all runoff and erosion issues and impacts before this project is considered for approval.

Second, since both the project and the City's environmental review have recently been significantly modified, it makes sense that (1) story poles be erected for the purpose of providing a better understanding of the current project and its impacts (in accordance with Code section 18.28.070(n); and (2) if and when the Planning Commission votes to recommend approval of this project, that the project first be forwarded to the Architectural Review Board for review and a recommendation before the project is submitted to the City Council for final action (in accordance with Code section 18.30(G),055).

Thank you for your consideration of these brief comments. I look forward to commenting further on the MND in the next few weeks.

Very truly yours,

MILLER STARR REGALIA

Stephan E. Velyvis
SEV:sev

c: Russ Reich
   Sal Giovannetto
Planning and Transportation Commission
Verbatim Minutes
April 2, 2008

EXCERPT

3000 Alexis Drive*: Request by Chris Wasney on behalf of Palo Alto Hills Golf and Country Club for Site and Design review of a new spa and fitness facility, below grade parking, a tennis court, additional floor area for accessory uses including, offices, bar, banquet, and storage areas, and other site improvements. Environmental Review: A Mitigated Negative Declaration has been prepared. Zone District: Open Space (OS).

Mr. Russ Reich, Planner: Good evening, thank you Vice-Chair Garber and Commissioners. As you said the application before you this evening is a request for Site and Design review and the adoption of a Mitigated Negative Declaration for a series of site improvements at the Palo Alto Hills Golf and Country Club. This request includes a Design Enhancement Exception to exceed the 25-foot height limit. The improvements include the construction of a new two story spa and fitness center with one level below grade parking, expansion of the existing members bar area, expansion of the pro shop, relocation of the existing administrative offices, and the addition of two small banquet meeting facilities, a new porte cochere, new landscaping, new roof screens, replacement of the existing driving range, and a new retaining wall at the parking lot entrance to improve vehicle visibility.

There were several key issues outlined in your Staff Report. These issues are building height and visibility, traffic, parking, noise, light, and impervious site coverage. The height of the proposed building varies depending on the grade reference point. The building will be five feet and eight feet, five inches taller than the 25-foot height limit of the Open Space Zone District. The proposed building would be approximately 80 to 90 feet away from the nearest adjacent residential neighbor. At the proposed height and proximity the building would be quite visible to the adjacent neighbor. Due to the fact that Staff does not believe the Design Enhancement Exception findings can be made Staff does not support the requested exception for height.

The application was preliminarily reviewed by the Architectural Review Board and they actually encouraged the architectural design with the butterfly roof. They did not have the benefit of the story poles in place and did encourage the applicant to explore that.

The applicant has erected story poles to demonstrate the proposed height and footprint of the building. The green netting with the red flags represents the height of the proposed building and the orange netting represents the 25-foot height limit.

I would like to show you a series of slides taken from the adjacent residential neighbors’ home and Vista Point at Foothills Park to demonstrate the visibility of the proposed building. Vista Point is designated in the Comprehensive Plan as a major view shed. From this vantage point the proposed building would not be visible. What you can see in the photograph, it is actually difficult to see, if you look over the small building in the center you can actually see through to
the Palo Alto Hills Golf and Country Club. You see basically the end of the existing clubhouse
building and a small portion of the green but you wouldn't see the location where the new
building is located.

This is a view from Mr. Giovannotto's second floor roof deck looking to the southeast. This is a
view from his second floor roof deck looking east towards the East Bay. This is a view looking
north that looks over the top of the existing clubhouse building. You can actually see the City of
San Francisco skyline in the distance off to the right. This is a view looking northwest from that
roof deck and you can actually see the story poles for where the proposed building would be, the
building would actually block his existing views of the greens. This is a view from his first floor
dining room window where you would see a portion of the building. This is a view from the
kitchen window where you would see a portion of the building as proposed but not at the
reduced height limit of 25 feet. This is a view from his media room on the second floor looking
towards the site. In this light you may not be able to see it but through the trees it does offer
filtering for the view but the netting can be seen behind the trees. This is a view from the
window at the top of the stairs and through the gap in the trees you can see the building. This is
a view from the home office also capturing the building. A view from the master bathroom
through the stained glass window, the building. A view from the game room at the far west end
of the residence and you can also see the building. A view from the second floor balcony at the
west end of the house you can see the building. Those are all the slides I have.

While it is not listed in the proposed conditions of approval if the Planning and Transportation
Commission finds it appropriate Staff recommends that an additional condition be added that
requires the applicant to work with the Planning Division Staff to increase the amount of
landscaping between the residential neighbor and the proposed building to insure the views of
the building from the adjacent neighbor are adequately screened.

Moving onto traffic, the City uses the threshold of ten percent increase in the traffic infusion on
residential environment known as 'tire index' to determine if traffic volume will have a
significant impact on a residential neighborhood street. Due to the nature of the proposed facility
the project volume of traffic is difficult to quantify. The IT manual does not have a listing for
this type of facility related to country club use such as this. Transportation Division Staff has
worked closely with the applicant's traffic consultant and a series of mitigations have been
proposed to reduce any impact that may occur to a less than significant level. The club has a
long history of controlling operations onsite to limit the uses such that the number of cars can be
adequately accommodated onsite and they will be required to continue to control the use of the
facilities to ensure that the tire index is not exceeded.

The site currently operates with a 30.5 percent deficiency in the number of parking spaces that
would be required under the zoning. Again, the country club is a unique use and the standards in
the zoning don't necessarily determine the appropriate number of spaces that are needed to serve
the facility. The project proposal reduces this parking deficit to 15.64 percent. As with the
traffic volumes the club is required to control the use of the facility such that the parking can be
accommodated onsite. This is proposed as a condition of approval and would also be imposed as
a condition of approval for the conditional use permit amendment needed to expand the square
footage of the club.
The existing club facilities with the kitchen exhaust fans and other mechanical equipment can be heard from adjacent properties. It is important that the new facility not create any additional impacts to the residential neighbors. The new heating, ventilating, and air conditioning equipment is proposed to be housed in an enclosure at the side of the building. This equipment as proposed would comply with the City’s Noise Ordinance but it triggers the threshold of significance from environmental review. Mitigations have been proposed to reduce this impact to a level of insignificance.

Three windows are proposed that face adjacent neighbors. Light from the interior of the building would impact the neighbors in the evening. Mitigations are proposed to eliminate this impact.

The country club currently exceeds the allowable impervious coverage of three and one-half percent of the site by 6,803 square feet. The proposal will actually reduce this impervious coverage by 930 square feet.

Staff has received a number of public correspondences related to the proposal. The adjacent neighbor, Sal Giovannotto, has submitted a letter opposing the project. He is the closest and most directly affected neighbor. Nineteen copies of a form letter were also received. This letter expressed concerns over traffic and concerns over the cost of the project to the existing club membership. One of the 19 people has rescinded their permission to use their name on this letter. Two letters supporting the project are also included in your Staff Report from residents on Alexis Drive. They state that traffic has not been an issue in the past and that the club has been a good neighbor.

Since the writing of the Staff Report ten additional letters have been received. Three of these letters oppose the project, one of which is a second letter from Mr. Giovannotto, and six of these letters support the proposal.

One last comment that was not listed as key issue but has been a concern to the residents as well as club members is the club entry and exit. The visibility is currently limited in this location and the proposal does improve the visibility by proposing a retaining wall that will lower the elevation and improve the visibility.

Staff recommends that the Planning and Transportation Commission forward the proposal to the Architectural Review Board as conditioned to eliminate the Design Enhancement Exception and recommended that the City Council approve the Mitigated Negative Declaration and the project or that you may direct the applicant to revise the proposal and return to the Planning and Transportation Commission for further review. Planning Division Staff including Dave Dockter, the Planning Arborist, and Dennis Belluomini, the Transportation Engineer are here to answer any questions that you may have. The applicant, Chris Wasney, is here to present the project. Thank you.

Mr. Larkin: Before we get to questions I want to remind the Commission of what Site and Design review is and what the purview of the Commission is. The purpose of Site and Design review or the Planning Commission’s role in Site and Design review is to review the site plan
and drawings and recommend approval or recommend such changes as the Commission may
demn necessary to accomplish the following objectives: to ensure construction and operation of
the use in a manner that will be orderly, harmonious, and compatible with existing or potential
uses of adjoining or nearby sites; to ensure the desirability of investment or the conduct of
business, research, or educational activities or other authorized occupations in the same or
adjacent areas; to ensure that sound principles of environmental design and ecological balance
shall be observed; and to ensure that the use is in accord with the Palo Alto Comprehensive Plan.

Specifically some concerns have been raised about the financial viability of the project and the
financial interests of the applicant or the financial viability of the project are outside the scope of
the Planning and Transportation Commission’s purview and should not be a subject of the
discussion here.

Vice-Chair Garber: Thank you. Commissioner Lippert, you had a question of the City
Attorney?

Commissioner Lippert: Yes. If you wouldn’t mind, could you please clarify our role with regard
to the DEE? Generally DEE’s are by the Architectural Review Board and in this case Staff is
asking us to comment on that. Do we make that part of our motion or is it within our purview in
terms of Site and Design review because of the topography?

Mr. Larkin: The latter I think because of topography the DEE falls within those areas that I
outlined and particularly the construction operation of the use in a manner that will be orderly,
harmonious, and compatible with the existing or potential uses of the adjacent or nearby sites.
Certainly comments on the height of the building not necessarily just the DEE along, but
certainly comments on the height of the building are appropriate within that context.

Vice-Chair Garber: Thank you. I didn’t mention it before but the applicant does have the
opportunity to make a presentation. You will have 15 minutes.

Mr. Reich: Don Rose, the Chairman of the Construction Committee will begin the applicant’s
presentation.

Vice-Chair Garber: Thank you.

Mr. Don Rose, Chairman of the Construction Committee: I am also past President of the club
for 2006-2007. The other representatives of the club are Stephen Pahl, current President, and
Dirk Zander, our General Manager.

I would like to give a little bit of a history and background of the club and how we got to where
we are on proposing this project. This is an aerial view of the country club. You can see the
green golf course and the area in the lower left here is where the clubhouse is and is the region
where we will be talking about the project.

A little bit of history and background. The Palo Alto Hills Golf and Country Club was founded
in 1958 in the then undeveloped hills of Palo Alto for members and guests to enjoy golf, tennis,
swimming, dining, and social events. The residential area around us grew up following the founding of the club. We are sort of like the anchor tenant. The club has 416 proprietary members each of whom is a shareholder of the corporation and has unlimited access to the club services. The club also has about 140 social members who have limited access to golfing privileges. Many of these members are residents of Palo Alto.

We hold nonmember events at the club. We have about six times a month events in the ballroom and the adjacent patio. We also have about one outside golf tournament a month for nonmembers. Examples of the users of these services are the Palo Alto Chamber of Commerce, the Silicon Valley Association of Realtors, the Blind Babies Foundation, the Jewish Community Center, and numerous family weddings and celebrations.

The club maintains a good open communication with the Palo Alto Hills Neighborhood Association. The club is a fire safe zone for the community and in the event of a natural disaster it is a place where residents can gather and basic necessities can be provided like filtered water, blankets, food, and so forth. We also open the club for this association to hold their regular meetings.

The club has reviewed this proposed project with the neighborhood association in detail in both October and December of 2006 with periodic updates since. The club has met individually with many of the immediate neighbors including Sal Giovannotto, our closest neighbor. Sal is the only known resident of the city to formally object to the project and he has refused to meet with us since his letter of objection was received.

A little bit about the motivation for this renovation. Our club has about a five to six percent annual turnover, which is consistent with national trends for country clubs. That means about half of the membership is new each decade. Over this last decade the number of golf rounds has decreased about 15 percent. This is also consistent with national trends for country clubs. However, combined with that decrease in golfing rounds, and still consistent with all these national trends, the membership has increasing expectations for fitness and exercise facilities that are open to members only, more opportunity for family oriented events, and wider options for family dining.

Continuing on with the rest of the motivation the pool facilities and infrastructure are nearly 50 years old and in need of major renovation. The depth of the pool no longer meets state standards for diving events. We have hundreds of children and grandchildren of members who participate in the club’s summer swim program. The club has only two tennis courts where there are required for club-to-club USTA matches. In addition to that during the summer children’s program both courts are used for lessons leaving no court available for adults. We should point out that neighboring clubs in Los Altos and Menlo Park have added fitness centers to meet their member’s expectations.

In putting this project together the club hired professional consultants to help with surveying our membership and further developing our long-range plan. The project was approved by the membership in November of 2006. An application was submitted to the City of Palo Alto in December of 2006, and in the meantime the club has worked with the City’s various planning
departments to refine that application. A key point is the club has a strong desire to complete the permitting process in sufficient time to preserve the swim season for 2009 for the members’ children and grandchildren.

This highly integrated project and its details will be presented by our architect, Chris Wasney of Cody Anderson Wasney Architects.

Mr. Chris Wasney, Principal, Cody Anderson Wasney Architects: I have a lot of ground to cover in my presentation so I am going to jump right in. I want to go back to the initial slide that Don showed for context. I think it illustrates a couple of things, one is of course we are in the Open Space District, which is one of the reasons we are going through Site and Design review, a very thorough environmental and design review. I think this slide very aptly illustrates indeed the Palo Alto Hills is remarkably a part of the open space. It is embraced on the west side and a little bit on the south side by the Arastradero Open Space Preserve and bordered on its remaining sides by the suburban development of the Palo Alto Hills.

Of course, as Don mentioned, the club was the anchor tenant here, albeit a very manmade and manicured landscape, but it is open space nonetheless, home of lots of flora and fauna. In this vast property, over 125 acres, there is a little bit of development out on the course, a few utility buildings, but for the most part the entire developed area of the site is right along here nestled against Alexis Drive, which winds around like this. Zooming in a little bit lower on the area of development in the club this slide of the existing conditions shows the existing tiered parking lots which are in three levels up the hillside, the club entrance and exit for vehicles, the main clubhouse which is right here, the pool area right here, the area of the family fitness and recreation center what we call the south end of the club right here, the existing tennis courts up here, the driving range which we will talk about a little bit here, I believe that is the ninth hole and that is the 18th green right there.

Going to our architectural site plan, again to orient you the areas that are shaded in represent the interventions we are doing. There are improvements to the driving range and the course drop-off area, a modes addition to the clubhouse here, the family fitness center here, a new entrance to that facility down here at the south end, improvements to the pool deck and surrounding areas, and then the third tennis court up here.

I am going to start with the site improvements and go over them very quickly. We do have our landscape architect here, JC Miller of RHAA Landscape Architects, who can respond to questions during that phase of our presentation. I am going to do an overview quickly.

Starting at the north end of the club at the driving range we are basically utilizing this project for a couple of reasons. One is to improve the driving range and lengthen it for the members. Apparently it is a little too short for their use now. We are also using this as an opportunity to remove a whole bunch of impervious surface that exists so that we can have a net positive gain in pervious surface. Lastly, we are using it as a sort of receiver site for a lot of the spoils from the excavation. You see in this drawing we are adding a new retaining wall adjacent to the parking lot, lengthening the range, and also finding some space for our fill. The remainder of the fill is
going onto the body of the driving range into reshaping and re-sculpting that, then part of it I believe is on the ninth hole.

At the other end of the club we have the tennis court improvements and the pool deck improvements. We are adding a third tennis court possibly the only grass court in town. This was inspired by our need to stay very much below our impervious surface limits and actually improve the situation. We couldn’t have afforded the third tennis court and so we decided to make it grass. The improvements will also include a modest viewing terrace here for members to watch probably their children take lessons, and then a nicer path down from the tennis court to the pool deck area. Modest improvements to the pool deck include sort of a raised lawn observation area. They have a lot of swim meets and diving meets with their club and neighboring clubs and they need room for members to watch the events, and then also the addition of a small kiddie wading pool.

This is a cross-section up from tennis viewing area down through a landscaped slope with a series of retaining walls down to the pool deck. You can see we are dealing with some major slopes in this project. Pretty much everywhere we look the topography is steep and challenging and also offers some remarkable design opportunities.

So with that I will go back to our orienting device, the site plan, and go through the architectural improvements. In rough terms they fall into two categories, additions to the clubhouse and then the new family fitness center. The shaded areas in the light brown or beige represent additions of square footage, essentially new building footprint. The blue areas represent areas of the buildings that are being remodeled. This is the existing clubhouse right here. This represents a modest addition here, a few additions adjacent to the loading dock for service, and then the new building to the south.

If we zoom in on the main clubhouse we are now at the main club entry, the main lobby, the main entry stairs, the ballroom is up a half a level on the left, the kitchen over here which we remodeled last year, the locker rooms and pro shop over here, then this side is the course side. The area to the left of the entrance is currently the club’s administrative office. We are taking those offices and putting them on the other side of the entrance and utilizing that area because of its proximity to the kitchen as an area to convert that to two modest banquet rooms. The club has a very large ballroom where it can host very significant weddings and events but they lack an intimate sort of small-scale meeting room where you can have a comfortable family event for 20 to 25 people. So we have one room with about a 20 to 25-person capacity and the larger room is about 45. Anticipated use for this is approximately 65 percent for member events and possibly about 35 percent for corporate events such as lunches where a company could have an event there or a speaker or an employee appreciation event.

We are taking the club offices and putting them in an addition on the opposite side of the entrance. The real impetus for that addition I will show you in a minute but this allowed us to free up space adjacent to the commercial kitchen to support the banquet facilities. You also see a dotted line here where we are adding a porte cochere to allow pick up and drop off in inclement weather and some modest remodeling to a restroom to allow access to the new offices.
Going up one level to the upper floor of the clubhouse this is really what is driving this particular piece of the program, and that is in the members causal dining and bar right here. The existing building stops right here. It is just truncated, squared off. If you can see, the furniture arrangement shows that the actual casual dining and bar area is very constricted. It is very pinched due to this prominent bar. They simply can’t keep up with their member’s needs for casual dining. There is a group of members who are ardent card players. There is a dining room here but there is simply not the sort of casual more of a lounge atmosphere. We are simply extending the gesture of the angled wall on the other side almost completing the form in my mind, and adding a room where we could have a gracious furniture arrangement and room to actually move around the tables. Just to the north of that a small outdoor terrace that mimics what is there now outside the existing very small members bar. Here you see the top of the porte cochere.

There it is in elevation. Our intent for this particular part is that it looks like it was always there. There is the porte cochere in front and side view and here in the darker area is the addition. Here is a massing model of what exists now although that is a flat roof not a pitched roof. This is a model we inherited from the 1993 entitlement process and then a massing model of this modest addition.

Now on to the main attraction to the south. This box represents sort of the south end work. This is the site at the south end of the pool. It is distinguished by a few things one is a remarkable sort of flat little site, sort of embraced by this sort of bowl or this hollow.

I am going to sum up soon.

Vice-Chair Garber: Let me just interrupt. Do you have a sense as to how much more time you will need?

Mr. Wasney: I think five.

Vice-Chair Garber: All right.

Mr. Wasney: I will be as quick as I can. There are some very undistinguished existing buildings, a flat site, and a piece of topography that really embraces the site. On the ground floor of this building one key design constraint is to have the mail floor level be essentially on the same level as the pool deck for convenience, gracious indoor/outdoor feel, and not least of all safety of people running in and out with wet feet. On the ground floor is a teen room, a family locker room, some administrative offices, a child watch area with a south-facing patio, and then locker rooms and spa all surrounding a sort of north-facing grand lobby that looks out to the course. Upstairs a large fitness room, a yoga room, and a group X room intended for flexibility as exercise creates this change over the years.

Here you see some cross-sections. I will direct you to this one in particular. The way we are sort of trying to respond to this hollow, this very strong topographic form. Our additional directions were to actually mimic that form in the roof-scape. The Architectural Review Board in the fall of 2006 sort of enthusiastically encouraged us in this. Also, I want to point out the very tight
floor-to-floor dimensions of ten feet in the garage and then ten foot, six inches from one to two. A little bit more room on the second floor but we have very large rooms up there that won’t do with eight or nine foot ceilings let alone where the ductwork goes. So we have been fighting this 25 foot height limit from day one and moved in the direction we did primarily because we got some encouragement from the ARB.

Here are some photos of massing model in front of you. I will flip through these quickly because you have had a chance to look at this. You can see the so-called butterfly roof form, which we feel responds to the topography and reaches for the light and the view to the north, and matches the slope of the hill to the south. Here you see the third tennis court also tucked into this sort of hollow of topography. This is a view from the pool deck looking towards this big wall of glass facing the pool, visible only to the course. The opposite view. Some elevations illustrating the same principles of how the building responds to the topography and materials that I can talk about in questions. The south elevation facing the most direct neighbors has very minimal fenestration on the lower level and on the upper level what we thought we could live with on a minimal level in the big rooms but we would certainly be willing to put automated blackout curtains controlled by a photocell.

We have been working in this vein for about a year. The new information that came forward about seven to ten days ago was of course the story poles. After seeing the story poles City Staff with whom we have worked really closely and hard and I think very effectively sort of lost their enthusiasm for supporting the Design Enhancement Exception. I have not personally seen the views that Russ showed pictures of but when we got that news my clients and I huddled. I want to make one thing clear we very much stand by this application and feel it has great merit and sensitivity. However, we also recognize that it is important to be flexible. So the club has decided to offer up an alternative and it is in very, very I would say schematic form. We have had less than a week to respond to this. Our intent here is not to sell you on a design right away but to tell you this is a direction that the club has indicated would be acceptable to them and we believe that it does not require a Design Enhancement Exception. However, having said that we consider the first option still very much on the table, it is still very much first choice, but we don’t want to appear completely intractable. So we did a couple of computer studies of what a smaller version would look like. What we have done here is pushed the two story mass down to the 25 foot height limit and also push it back 20 feet from the east face, the entry face. So this corner of the roof is five feet lower and 20 feet back from where it is now and this corner of the roof is where it is in plan but it is actually 16 feet lower than it is now. This little piece here is down a foot or two but that is not the leading edge so to speak. So these are our quick computer studies and to the best of our knowledge. Here is the same study overlaid with the original scheme, the scheme on the table, so you can see the difference between the two roofs. Another view sort of more from the south showing very clearly the step-back and the change in massing, again with the larger original proposal overlaid. Finally, an entry view – okay, that’s it. Thank you.

As I mentioned we have the landscape architect here. We also have our traffic and transportation engineer available for any questions. Thank you.
Vice-Chair Garber: Thank you. Does the Commission have questions of Staff or the applicant before we open the session to the public? Commissioner Fineberg.

Commissioner Fineberg: Questions for Staff. Does the Site and Design review combining district D apply to this site as open space?

Mr. Reich: The fact that the zoning is Open Space automatically requires a Site and Design review.

Commissioner Fineberg: Okay.

Mr. Reich: There isn’t a D overlay applied to the property but it is the fact that it is in the Open Space that requires a Site and Design review.

Commissioner Fineberg: Okay, in the Staff Report there was no notation of – the specific wording I am finding is that the combining district D applies from the zoning regulation 1828.070 on page eight. So does that D change anything other than we just have the Site and Design review? Okay. So there would be no additional conditions from the D as a combining district? Okay, thank you.

In zoning regulation 1828.070 Section C it says that all applications for Site and Design approval shall be accompanied by combined in depth geological and soils investigation. Did you receive that because I couldn’t find any notations of it in the Staff Report?

Mr. Reich: We have received that.

Commissioner Fineberg: Has a certified geologist stated that there are no potential hazards?

Mr. Reich: Yes.

Commissioner Fineberg: Okay. You talked a little bit about the impervious area. Can you repeat the figures for what the current impervious area coverage is and then what the reduced amount will be?

Mr. Reich: The current impervious coverage is 198,085 square feet and the resulting impervious coverage after project would be 197,154 so it is a reduction of 931 square feet I believe.

Commissioner Fineberg: So three and one-half percent is the maximum. What is the percent of the current project, as it exists now?

Mr. Reich: I didn’t calculate the percent but it is over the current limit by 6,803 square feet.

Commissioner Fineberg: What I am trying to get at is the proposed project would then be under the three and one-half percent limit?

Mr. Reich: No, the proposed project is still over the limit it is just 903 less than currently over.
Commissioner Fineberg: Okay. I have some questions about the Design Enhancement Exceptions and the criteria for approving those but I want to hold those questions until I see where the conversation goes if that is necessary.

Mr. Larkin: Just to clarify, the Commission doesn’t approve DEEs or make those findings but the Commission does have the ability to talk about the height of the building. So you can talk about it relative to the 25-foot height limit but in terms of whether or not the findings are there to grant the DEE that is done by the Architectural Review Board.

Commissioner Fineberg: So we can add a condition that there be a DEE but we can’t determine if it is necessary to have a DEE?

Mr. Larkin: You can add a condition that it comply with the 25 foot height limit or not add a condition that it comply with the 25 foot height limit but the DEE itself is the ARB’s purview.

Commissioner Fineberg: Okay. Then I will have some questions for the applicant later.

Vice-Chair Garber: Thank you. Commissioner Keller.

Commissioner Keller: I am not sure who among the Staff this question is for but it has to do with the adjacency issues with the adjacent property that is closest to the development in question. What I would like to know is to what extent does that property owner have a right to the view that the owner has, and to what extent does the country club have the right to build in that even if it interferes with that view, and what are the rules regarding that?

Ms. Amy French, Current Planning Manager: We don’t have any rules that protect private views across private property. The views that we have that are considered protected or view shed views in the Comprehensive Plan are from public vista points such as Vista Point in Foothills Park. This would not be a protected view it is just that when we get around to looking at impacts we look at potential impacts but it is not a lawful protected view.

Commissioner Keller: Thank you.

Vice-Chair Garber: Commissioner Lippert.

Commissioner Lippert: I have a question for Staff and then I have a question for the applicant but I can withhold the question for the applicant if you want. With regard to impervious lot coverage we have a maximum number on that but we don’t have a maximum number in terms of floor area in the Open Space is that correct?

Ms. French: Correct, we work with impervious coverage.

Commissioner Lippert: Okay, and within that calculation that you just provided us with that would include the paved parking area, correct?
Mr. Reich: Yes, it does include the parking.

Commissioner Lippert: Okay, great. I have a question for the applicant. It is just a clarifying question. In going through your drawings here could you please give me what the height would be on the addition, the mezzanine level along column line C with the floor height to the underside of the ceiling that would be where the V comes down?

Mr. Wasney: At the low point it goes down I think between eight and nine feet and then at the two ends of the wings it is up about 13 to 14 feet I think.

Commissioner Lippert: Thank you.

Mr. Wasney: I could get you a more precise answer if I need to but those are in rough terms.

Commissioner Lippert: Eight and one-half feet is fine.

Mr. Wasney: To get the butterfly to flap its wings up we had to bring the middle down. Nobody likes a butterfly with a broken wing. We pulled it down in the middle in the valley to be able to reach a little higher at the two ends.

Commissioner Lippert: Great, thank you.

Mr. Wasney: Would it be okay if I answer?

Vice-Chair Garber: That is perfectly fine so long as you use the mike. Commissioner Tuma.

Commissioner Tuma: A question of Staff with respect to traffic and the monitoring of traffic. There is a comment in here that says that the new facility once it is open the club must assess traffic volumes for a number of years to determine if the threshold has been triggered, and if so, they have to find ways to limit that. Can you for the benefit of the public and also for the Commission, can you describe for us how that works from an enforcement perspective and what are the procedures they go through?

Mr. Reich: The club will be required to report back to the Planning Division about the trip volumes that their traffic consultant has determined from studying the traffic. We required them to do it at the busy time of the year prior to the construction and operation of the new facilities to establish a baseline and then the draft mitigation specifies that they study the traffic volumes for a period of five years. If that traffic volume does trip the tire index that they would have to implement a series of mitigations, any combination thereof, which would reduce the traffic. Once the mitigation is introduced they would have to study it again at that point and not wait a whole other year cycle but study it to ensure that the traffic has been reduced.

Commissioner Tuma: For example what types of mitigations would you institute to reduce the traffic once they have added members and that sort of thing?
Mr. Reich: The mitigations include the club providing incentives to members that encourage them combine their trips to the facility rather than making multiple trips, providing incentives to employees and club members to encourage TDM measures such as carpooling, decreasing the size and/or frequency of exercise classes in the new expanded fitness center, open the fitness center on Mondays when the golf is normally closed providing classes on Monday instead of Wednesdays when the club is typically busiest.

Commissioner Tuma: I get the picture, thanks.

Vice-Chair Garber: Commissioner Keller.

Commissioner Keller: I have a question and I am not sure whether this should be of the applicant or of Staff. First let ask the question of Staff. With respect to impervious cover there are certain areas which were previously impervious which are now not listed as impervious cover. Are those semi-pervious materials and was it given full credit for being impervious even though it is semi-pervious? Do you understand what I am saying?

Mr. Reich: In areas that were previously impervious and now are I guess what you are calling semi-pervious those would be areas where they have pervious pavers those areas are given credit as being pervious areas. They are required to meet a certain standard and to be considered pervious they have to implement a pervious paving material.

Commissioner Keller: So in other words what you are saying is it is binary. It is either pervious or impervious and that there is no sort of percentage basis that if it is half pervious it is counted as 50 percent. I remember we had a discussion about that when we considered Open Space and I don’t remember where we left off with that so that is what I am trying to understand.

Mr. Reich: There isn’t, it is black or white, either pervious or impervious. There is no in between.

Commissioner Keller: Thank you.

Vice-Chair Garber: Commissioner Fineberg, did you have other questions of the applicant?

Commissioner Fineberg: Yes, thank you. Did you consider locating the building in any – the proposed new addition, the two-story addition, in any other locations on the site? If so, where and if not, why not?

Mr. Wasney: We did look at offering some of the functions elsewhere but simply the matter of the adjacency to the swimming pool really locked us into that location. Early studies broke the program up but first of all it didn’t function very well, and second of all the pool is where it is. In all this land, it looks like they have all the land in the world but there is a golf course just at the edge of the zone of influence of the building. So without shortening one of the holes or really shortening the driving range we did not feel, nor did the club wish to consider any additional sites. They would have required major modifications to the golf course itself.
Commissioner Fineberg: Okay, thank you. Then also the picture that you showed of the possible I will call it ‘second best alternative’ that had the lower roofline, it was hard to tell from the perspective is that a flat roof or a shed roof?

Mr. Wasney: The roofs in that scheme are all flat. They slope nominally for drainage but they would look and appear flat.

Commissioner Fineberg: Okay, thank you.

Vice-Chair Garber: Commissioner Tuma.

Commissioner Tuma: There is also reference in the Staff Report to a noise study. Was that a noise study that the City conducted or was that done by a private consultant?

Mr. Reich: It was done by a private consultant.

Commissioner Tuma: Hired by the applicant?

Mr. Reich: Yes.

Commissioner Tuma: Do you know the time of day the study was done or was it done throughout a 24-hour period of time?

Mr. Reich: I believe there was a 24-hour period. I would have to consult the noise study again but I believe they did mention 24 hours. The applicant might be able to answer that.

Mr. Wasney: We believe it is a 24-hour study.

Commissioner Tuma: Okay, so if I am reading these results right it was somewhere between five and six decibels above ambient noise, is that right?

Mr. Reich: I believe they stated it would be five, which is the threshold in our checklist, and six would be the code limit.

Vice-Chair Garber: A question for the Staff. Where does the club get its water and how does it irrigate the rest of its property?

Mr. Reich: The water does come from the City’s Municipal Water Supply. There are no wells that they are drawing from.

Vice-Chair Garber: Thank you. A question for the applicant. Has there been any consideration of utilizing the water runoff to supplement the irrigation of the remaining 120-plus acres, etc.?

Mr. Rose: We have five lakes on the property in the golf course and where it is possible we capture runoff from the golf course in those lakes. What we don’t capture is what comes from
the clubhouse and the parking lot area. We can capture some of that with this modification but
not a lot of it.

Vice-Chair Garber: Do you have any sense as to what the ratio is of the water that you reuse
versus that comes from the City?

Mr. Rose: The golf course takes up something over 90 percent of the total area and short of
major storms we capture almost all of that in the lakes.

Vice-Chair Garber: Great, thanks. If there are no other questions from the Commission we will
open up the public hearing. With that we have 11 cards, 11 speakers, each speaker will have
three minutes. The first speaker will be Revati Shreeni to be followed by Kimberly Lin.

Ms. Revati Shreeni, Palo Alto: Thank you very much for giving me this opportunity. I am a
physician, I live in Palo Alto in the Midtown area, and I have been a member of the Palo Alto
Hills Club for the past two and one-half years. The club has been a wonderful experience for
me, my husband, and our children. It allows us the opportunity to share in the beautiful views
that Mr. Giovannotto and his neighbors have such ready access to and we treasure that very
much. We spend a lot of time there. The price of gas being what it is we carpool as much as
possible. So I can assure you that at least from my perspective there is not going to be a huge
amount of traffic and driving madly back and forth.

We really would like to support a design enhancement as proposed because the existing facilities
are rather old and dilapidated and don’t allow for the degree of comfort and enjoyment we would
expect and like to enjoy with our friends there. I also would like to emphasize that the golf club
has been a wonderful neighbor and participant in the community of Palo Alto. My kids go to
public school here. The high school golf team always plays for free whenever they want on the
golf course. The swim team has a lot of local kids who participate in it. The summer camp is
open to pretty much anyone who wants to come in when they are sponsored by a member. I
think these are really nice things that the club does for the community and the surroundings.
Having a nice facility that is architecturally unique would add to the ambience and the setting
and provide great benefit to all of us. Thank you.

Vice-Chair Garber: Thank you. Kimberly Lin followed by Dave Geery.

Ms. Kimberly Lin, Palo Alto: Good evening. I grew up in Palo Alto and graduated from Paly. I
currently have three children in the Palo Alto school system. We joined Palo Alto Hills in 2004
as a golf member but use all the facilities of the club year-round. Two of my children began
swimming at Palo Alto Hills and subsequently joined PASA, the Palo Alto Swim Aquatics, a
year-round swim team which is now ranked seventh in the nation.

I am on the current swim committee and volunteer for new families committees. This past
Sunday was our kickoff swim dinner. Last year we had 75 members sign up. This year, this past
Sunday, we had an increase of over 50 percent of 166 members sign up for the swim dinner.
There are currently about 150 children registered for swim team and so far 33 new families. The
pool is an important part of the club’s summer activities and the increase in swim participation
only furthers our need to update and modernize our facilities. It would be a shame if the summer
program were interrupted unnecessarily. I hope the project goes forward as planned. Thank you.

Vice-Chair Garber: Thank you. David Geery followed by Vanessa Kelmon.

Mr. David Geery, Palo Alto: I have been a member of Palo Alto Hills Golf and Country Club
for over 30 years. It is a wonderful experience. I have been on the Board of Directors. I am one
of the past Presidents of the Board of Directors. I have a lot of inside experiences that I could
tell you about, all enjoyable, with the neighbors, with the friendliness that we all experience at
the club. It is a wonderful place and I encourage you to give us all the support you can. Thank
you.

Vice-Chair Garber: Thank you. Vanessa Kelmon followed by John Herr.

Ms. Vanessa Kelmon, Palo Alto: Good evening. My husband and my three kids and I use the
club all the time. It is a beautiful, beautiful place. My children learned to swim there. It would
be really nice if we could update it to meet the standards of the other clubs, particularly like the
University Club. It is dilapidated. There are some things that definitely need to be changed. It
is a beautiful place. The views are amazing. We are so appreciative to be there. It is a
wonderful family place. A lot of our friends from Palo Alto to go up there too. I just hope you
support the project it is a great place that definitely needs to move forward. I think that is what
Palo Alto is all about is moving forward. Thanks.

Vice-Chair Garber: Thank you John Herr followed by Conni Ahart.

Mr. John Herr, Palo Alto: Hi I am a resident here of Palo Alto and a member of Palo Alto Hills
since 2005. You will see two others on the list with my last name, Ava and Jeffery, they had to
go home to bed. They are students here in Palo Alto public schools. I just wanted to say I
support the project.

I wanted to make a few notes about Palo Alto Hills and the impact on the community. My wife
and I are very active in the Palo Alto public schools. Time and time again the club has given
charity, supported the public schools, and that has directly contributed dollars to our community.
I know the club, as I was myself, is a major supporter of Measure A. This is an important part of
the community and the fabric of Palo Alto. The choice isn’t so much about this or that,
permeability, it is about does the club continue to grow and succeed as a vibrant part of Palo Alto
and our community or do we essentially not improve? If you stop growing you stop succeeding
and I don’t know what this is. I would prefer to keep it an open, green, environmentally friendly
space rather than some kind of subdivision. You can’t stop progress and expect the club to
survive. So it is something you all have to think about about the future of the club and how
important this is to the community. It has many members from the community. In fact I would
ask the folks here in the audience to raise your hand if you support Palo Alto Hills and improving
Palo Alto Hills. Who supports this? Raise your hand. So that is a little audience participation.
We are a democracy in Palo Alto. I appreciate the support behind that. I know you all have busy
engaging rolls and this is a challenging decision. I can tell you the club has spent years and years
trying to make the club better and trying to make it more environmentally sound. I would ask
you to think about the seven, eight, 1,000 people who are members and their families. I think it is a big impact not only for those families but the club has always been open in terms of the first club in the area to accept women, minorities, embracing both members and nonmembers as active users of the club. So this is a very, very big decision for the future of the club and can the club actually continue to function and succeed and grow. Obviously I support that as first and foremost a citizen of Palo Alto and a very active community member and volunteer here. So we appreciate your support. I wholeheartedly endorse the long-term improvement project. Thank you.

Vice-Chair Garber: Thank you. Conni Ahart to be followed by Jan Terry.

Ms. Conni Ahart, Palo Alto: My husband, Clint Seeverson, and I are both members of the neighborhood as well as being members of the club. The Palo Alto Hills Country Club was a factor in our decision to move into the area. We consider the club to be an asset to the neighborhood in the following ways. First of all, the grounds are very well maintained and provide a very attractive presence to the neighborhood. Second, it is a social center. The club is willing to provide their facility and refreshment free of charge to us in the neighborhood so we can hold our neighborhood meetings. Third, as discussed in our recent neighborhood meeting the club has volunteered itself as refuge with water and food in the event of an earthquake or fire in our area.

However, the reality is any organization such as Palo Alto Hills must be able to attract new members. If it doesn’t attract new members then it will shrink. If it shrinks it will deteriorate and then it may not be such an attractive neighborhood presence.

The expansion will help the club in several ways. Number one, the new swimming pool buildings will replace the sadly outdated ones, which are hardly likely to attract new members. Second, a fitness facility with equipment and services is expected at this kind of a country club much as it is expected in the hotel now a days. The plans address this requirement, and as an extra benefit they are going to reengineer the driveway onto Alexis, which will help all of us who must pass by daily. So yes, we are in favor of the expansion of the Palo Alto Hills to keep our neighbor viable. Thank you.

Vice-Chair Garber: Thank you. Jan Terry.

Ms. Jan Terry, Palo Alto: Hi I live in Palo Alto and want to make just a few comments beyond the letter that I have that you probably all read in the packet about neighborhood renewal. Eight homes out of the 75 since the last renovation of the club have been torn down and replaced or greatly remodeled. That is about ten percent of our households. Since that time property values have soared and I have noticed that whenever a house is sold in our neighborhood the proximity of the club is always listed as a major asset. People identify with it. In the sense that it is a community center that is really true. We have no libraries. Sometimes we don’t have a fire station so the club has sort of been the unifying force. The problem with the neighborhood is there is no way out. It is the same way in/same way out. So it is very important to hang together in terms of neighborliness and being able to support each other should there be an emergency.
But like living next to a public facility whether it is a library, a fire station, or a school there are inherent issues that people have regarding traffic, gee I don’t want to look at that building, and so forth and so on. The think I want you to remember is the club has been there for 50 years and the neighbors immediately adjacent had their property values already discounted when they got that good deal when they bought it. I have been up to those properties, Mr. Wang, and up to the fence where Mr. Giovannotto has his problems and I can see his point that it is very close and very large from what he is accustomed to seeing. Right now what he is seeing is a disaster. It looks awful. It is 20 years overdue to be replaced. So I would like you to keep that in mind in terms of how the whole thing works together.

The other thing I want to remind you is that the club although it is designated Open Space in my opinion does not fit the criteria of Open Space. It is an accommodation to the City and to the people who want to keep it open. The houses around it are not Open Space they are RE-1. They get to have 6,000 square foot homes and an additional home for their parent or whoever they want as long as it is part of the 6,000 square feet, and they can pave the rest of their area as far as I know. They don’t have any impervious requirements. So just keep that in mind also. Thank you.

Vice-Chair Garber: Thank you. Gary Griffith to be followed by Herb Borock

Mr. Gary Griffith, Mountain View: Good evening. I have been a member of Palo Alto Hills for 25 years and a few months. I have been involved in many projects we have had over the years. I have been on the Board of Directors five different years, served on many committees, love the course, love what have done over the years, and I agree we need to improve the facilities we have at the south end, the swimming pool and that whole facility. The only problem I have and many other people that are proprietary members, and I say proprietary members because a proprietary membership is what will pay for these projects. Proprietary members are very concerned that the location we saw in an overview which was brilliant, you saw a beautiful golf course and a clubhouse and so forth, what you didn’t see was the men’s and women’s locker room for the golfers, the proprietary members. Years ago in 2001 we had a plan submitted to the membership for a similar renovation that included a spa and fitness area on the north end not the south end. I don’t know how many of you folks have been there to the club to see what it looks like but the golf pro shop and the facilities are pretty much on the north end by the driving range. The south end is where the new facility is proposed to go. Golfers, before the round and after the round have no access really to that facility. Primarily because of what we said and stated earlier we have a lot of parties there. We have a lot of weddings there. We have a lot of outside activity there. So for me, as a golfer, to finish my round of golf and say I want to use our spa facility I go to my locker room to change clothes or get an athletic bag and walk to the spa and fitness facility, right? Wrong. If there is a party there I can’t walk across that area by the pool into that facility. I have to go outside either walk around the front of the facility in driveway, walk all the way down, and then come back up through the entrance to the proposed spa fitness area. So as far as I am concerned it is a total inconvenience to proprietary members. It was not designed for proprietary members. We state that we have 140 social memberships now I was sorry to hear that you aren’t concerned about our financial status and how we are going to operate this facility. We are going to have to have more social members and it is already proposed that we have another 80 social members immediately this year. That is the only way this facility can support
itself is by adding social membership. That is going to create more traffic problems, which you
haven’t seen on any reports. You may have been told that social memberships will not increase
but they will increase, they have to increase in order to support this. Proprietary membership
will not support the spa fitness center as it stands. We would like to see something done. We
would like to see a plan B that was never presented to us. We would like the City to look at it
again and reconsider the whole area to maybe something more facilitative to the proprietary
membership. Thank you.

Vice-Chair Garber: Thank you. Herb Borock followed by Sal Giovannotto.

Mr. Herb Borock, Palo Alto: Good evening Vice-Chair Garber and Commissioners. The
California Environmental Quality Act requires you as the recommending body to review the
project and the environmental assessment at the same time and that means requiring you to
review the entire project including a Conditional Use Permit or Design Enhancement Exception.
Identified mitigations to mitigate potential significant effects need to exist and be accepted by the
applicant prior to the circulation of the Mitigated Negative Declaration. It is a violation of the
California Environmental Quality Act to postpone mitigations to some future date.

What you have before you violates both the requirements I have already stated and also fails to
give you information to enable you to determine whether there are potentially significant effects.
For example there is no history section of the Staff Report. You don’t have a copy of the
existing Conditional Use Permit. You don’t have a copy of any existing mitigations which may
be adversely affected by this project and any such adverse affects would themselves be
potentially significant effects that must be mitigated and agreed to prior to the circulation of this
environmental document. Therefore, the Mitigated Negative Declaration needs to be revised and
re-circulated to correct these deficiencies.

There is substantial evidence in the record before you in the March 24, 2008 letter from Heidi
Choir, which indicates that the proprietary memberships would double and the number of family
members in the social memberships will more than triple. It is therefore possible to estimate the
traffic impact compared to a base traffic level to the extent that any traffic study has already been
done and to get the information on the zip code location of the current and projected proprietary
and social memberships to determine the effect of the traffic. Therefore you can have real traffic
mitigations and conditions such as limits in the Conditional Use Permit on the number of
proprietary and social memberships so that those potential significant impacts of traffic would be
mitigated.

Someone should read into the record the current Open Space District regulations regarding
pervious and impervious coverage that I thought were changed based on recommendation of this
Commission and approval by the City Council.

Sound was mentioned. A three-decibel increase is doubling the sound. A six-decibel increase is
quadrupling the sound as perceived. Thank you.

Vice-Chair Garber: Thank you. Sal Giovannotto will be our final speaker.
Mr. Sal Giovannotto, Palo Alto: My family home is located for 25 years along side this proposed building which I strongly oppose this project in its entirety. I am not a sophisticated speaker. I haven’t been preparing. I just find out about this maybe ten days ago from Mr. Rose when I received the card. So disregard what they say, I was only one meeting in which they were talking about financing, which I was invited.

Anyway, I am no wizard. I don’t know anything about the way they design or the way they show all this project. They put a first screen camouflage thing, which we could see. Then I asked can we see one and they put one. If you look right after they install they fall down. So we didn’t know which one was which. That picture should show them all what is the impact of my house. So I don’t have to talk about that thing there.

Like I said I oppose this thing completely. I would like to ask again that please my letter dated March 21, 2008 and this letter which I delivered today be incorporated in the City and record for this project.

Why I oppose this project, this application fails to meet environmental review standard. It doesn’t have included the project alternative either for building location, reduce the building size, or a one-story building even if they need some necessary exceptions. The project does not provide full traffic impact analysis based on the occupants of the building seeing that it is not up to the City to control the membership level of a future building expansion. As you saw they show this monster industrial building but they didn’t say how many people it is going to bring in. It is a curvy street. It is just wide enough you even park cars on the side streets because it is a narrow street. It is curvy and it is only a one-way street. It is a dead end. So anybody who wants to come has to get out of there.

Then the other question is, is the City going to monitor how many cars are going to be there? Are we going to send an inspector there and check for what the country club said the traffic is what it should be or what? A slap on the hand, how are you going to control this? What is the full environment? How many people membership can they sell? A thousand, five thousand? Where is the study? Where is the environmental study? There is nothing.

Vice-Chair Garber: Mr. Giovannotto, given that you are the only one opposing this and we have given additional time to the applicant please take some more time. Do you have a sense as to how much more time you will need?

Mr. Giovannotto: My problem is I can’t even read my own writing from a couple of minutes ago while I was in the waiting room. Anyway, just one more little thing. I am getting all mixed up now. What I was going to say is that without the covenant with the City to control the membership level of future expansion the City really has no control on this club, on these people, and there is nothing you can do. So thank you very much. It is a huge industrial building inside the country club, which is bordered by residential people. I hope you do the right thing and send this project back. We don’t even have new plans. They just say they will lower and then what? Thank you.
Vice-Chair Garber: Thank you. The applicant has an opportunity to speak. Stephen Pahl I believe is going to do that for us. You will have three minutes.

Mr. Stephen Pahl, Applicant: Thank you. I am the President of Palo Alto Hills Golf and Country Club. As you can see from the audience a lot of our families, many of them residents of Palo Alto, are both interested and concerned about the project.

I would like to address a few comments that you received through your correspondence in your packets as well as the comments you have gotten tonight. I personally spoke with Mr. Giovannotto and offered to meet with him to try and reach a mutually acceptable compromise and he flatly denied – he refused to meet. He said we have gone too far, not interested.

Many of you I know have been to the site. If you look at that picture that is not taken from Mr. Giovannotto’s property. It is also not take by the way from the fence line. It is looking up at the project it is taken on Palo Alto Hills’ property. Mr. Giovannotto has acknowledged however that the neighborhood and Ms. Terry, who you heard from tonight, is overwhelming in support of this project to replace 50-year old outdated buildings and a pool that is currently being held together by duct tape and chicken wire. It seriously needs to be replaced.

In fact, one neighbor who you did not hear from was a neighbor directly next to Mr. Giovannotto who indicated that if this project is not going forward he would not have purchased his property because he gets to look at the current property and the current state of the buildings.

You have a letter from Christian Thong, who was our prior General Manager, who says he has met personally with Mr. Giovannotto approximately two years ago. Of course Mr. Giovannotto’s grandchildren, he is a member of the club, continue to be the beneficiaries of this project.

I have walked the property line. I know many of you have. There are filtered views. This project whether it is a Design Enhancement component or the revised component will not affect the views from Mr. Giovannotto’s home to the bay and to the East Bay. It will affect his view of the golf course. It will interfere with the view of the 18th hole and that is it.

The letter that you received earlier that was cited by one of the community members concerning a whole series of numbers and statements, and you received an identical letter from 19 members, you also received a letter this evening which I presented to you which has been disclaimed by the author of that letter as containing both misrepresentations and complete fabrications. Finally, Mr. Griffith indicated that the project should be looked at from another site. The problem is two-thirds of the members of this club voted to put this project where it is. Ninety-four percent of the time the club is open there are no outside events inhibiting the people of membership. With that I would submit it. Thank you.

Vice-Chair Garber: Thank you.

Mr. Larkin: A quick correction to something I said earlier.
Vice-Chair Garber: Shall I close the public hearing first? Okay, let’s first hear from the City Attorney and then Commissioner Keller.

Mr. Larkin: With regard to the height limit I think I mentioned that the Commission could restrict the height limit to 25 feet or not restrict the height limit to 25 feet and neglected to notice that the Mitigated Negative Declaration has a condition that the height limit be restricted to 25 feet. So it would require changing the Mitigated Negative Declaration if the Commission was inclined to not condition the project to 25 feet.

Vice-Chair Garber: Commissioner Keller.

Commissioner Keller: I have a question for the applicant regarding the relationship between the number of members, proprietary and social, and whether that number would increase as alleged by the people in the form letter and the impact that would have on traffic.

Mr. Pahl: First the letter has been disclaimed by its author. It is also fraudulent. There are 416 proprietary members. The proposal that was voted on by the membership was to increase the number of proprietary members available to 425. So that would be nine additional memberships. There is no current limitation of any type as to social members. We believe when this project is completed, we currently have approximately 140 social members, we believe this project could support approximately 180 social members. Our pro forma were based on that number although there are no specific plans to move to that level.

Commissioner Keller: Were your traffic counts based on the assumption that your number of members would increase no more than those numbers that you just provided?

Mr. Pahl: Correct, but more importantly than that our experience is, and the experience of all the country clubs that we have discussed this with, is that there are almost no additional trips made as a result of adding a fitness facility. Traditionally if you come up to the club for one event you will stay and use the fitness facility and that has been the experience at Sharon Heights, who has a project like this, as well as the Peninsula Golf and Country Club who has a project like this, is there are no additional trips as a result of the implementation of a family recreation facility.

Commissioner Keller: Presumably adding more members would potentially add more trips, is that reasonable to say?

Mr. Pahl: I think that is a reasonable assumption.

Commissioner Keller: So in order to avoid the increase in traffic over the ten percent incremental threshold would you object to or would you support a condition of approval that limited membership to the increased numbers that you just provided?

Mr. Pahl: We have discussed it. There has never been a formal acceptance of those numbers by the Board or the membership. We have discussed that we think the limit that the club support and provide a good experience would be 200 social members and that would be about the cap that we believe the facilities as existing could support. What is more important though as Mr.
Rose expressed to you at the commencement of this proceeding is that we are experiencing about
a three percent reduction in rounds of golf per year. We are getting less people, the same number
of members who are using the club less. That is a nationwide impact. So as we add members
the amount that each member is using the club is actually declining. Our number of rounds has
been declining repetitively over the last eight years. Obviously every time someone comes to the
club they have to drive there to play golf. If there is less golf there is less driving.

Commissioner Keller: So just to get me straight what would be acceptable to you as far as I
understand is a limit of 425 proprietary members and a limit of 200 social members, is that
correct?

Mr. Pahl: That would be correct.

Commissioner Keller: Thank you.

Mr. Pahl: Any other questions while I am standing here?

Vice-Chair Garber: Yes, I have one. What are the documents that actually limit the
memberships and the types of memberships? Are these the club guidelines or are they part of the
deed or what?

Mr. Pahl: On the proprietary memberships it is in the Bylaws of the corporation. The club is a
California Corporation and it is in the Bylaws. As far as the social memberships there is nothing
in that document that limits the number of social members. The numbers I provided to you were
simply when we were doing the economic analysis to make sure this project would work what
would be the reasonable assumptions.

Vice-Chair Garber: The targets for your pro forma?

Mr. Pahl: Rather than targets how about the pro forma that we are using to make sure that the
facility worked and its construction budget.

Vice-Chair Garber: Thank you. Commissioner Lippert.

Commissioner Lippert: Actually a have a couple of questions for the architect if I might. I
won’t make you stand. Are there any sustainable features to your building?

Mr. Wasney: Yes, we are aiming for a LEED equivalent of a certified level and your next
question will be why not LEED Certified? We discussed that at length with my clients. We
have submitted a LEED checklist as part of our application. We have done a lot of work on this
and fully intend to implement those measures in all of the LEED categories from stormwater
management to sustainable materials to energy efficiency. We are not seeking LEED
accreditation right now because we or rather the club did an economic analysis and didn’t want
to pay the $75,000 for a LEED consultant and the extra $75,000 or more that it would take to pay
the design team to document this. This is a big project and just the LEED processing costs for
the consultants and the documentation were very significant.
However, having said that I think there is a very strong commitment to sustainability. The building is designed to take advantage of the sun, and to take advantage of views. It will of course meet and will likely exceed the new very strict requirements of the California Building Code. I think we are doing some very innovative stormwater management onsite so that all of the rainwater that is anywhere associated with any of the new improvements will either be directed to one of the onsite lakes or through essentially using a retention pond at the bottom of the driving range as a huge bioswale. So there is a detailed checklist and I we fully intend to exploit all the possible LEED credits we can.

**Commissioner Lippert:** Beyond the aesthetics of the roof is there a reason from a sustainability point of view as to why the butterfly roof?

**Mr. Wasney:** It does give us the opportunity to shade the south and the western façades. I would say that that is not a primary driver of that shape. I would say that shape came more from its response to the topographic conditions. We can get our glazing to perform just as well with shading with a flat roof to be honest with you.

**Commissioner Lippert:** With regard to the underground parking there is that for staff, or is it for members?

**Mr. Wasney:** Members.

**Commissioner Lippert:** That would be an area that would be excavated in the existing area?

**Mr. Wasney:** Correct, it is 100 percent cut and at its steepest it is a pretty good size cut, which is the west side next to the tennis court because there the topography really starts to rise dramatically. There is about a 10 to 12-foot retaining wall at that end even though there is only about a nine-foot head height in the garage.

**Commissioner Lippert:** The existing parking lot area that you have is a terraced parking area.

**Mr. Wasney:** That is correct.

**Commissioner Lippert:** Did you look at all at taking the middle terrace and maybe excavating in that area there and putting in some sort of structured parking with a deck on top of it that would blend into the terrace?

**Mr. Wasney:** Yes, we did actually. As we designed this project we made it clear from the beginning we were using essentially a demand based parking calculation much like they use now. Under their zoning they are allowed a reduction because of things like joint use and control of their facilities. We looked at every possible means to get cars into this site.

Once the traffic and parking analysis tended to support the fact that we didn’t need to add 150 spaces or 100 spaces we felt that we could most economically and with the lightest touch on the land add them underneath our building albeit at considerable expense just because of the
excavation. Mr. Brown who is the general contractor and I did actually look at exactly what you mentioned. We judged that adding the 27 spaces under the building was going to be adequate and was the most efficient way, the least disruptive on the overall site improvements, least disruptive to the members, and most economical.

Commissioner Lippert: What about using structured parking that tuck-under structured parking with a deck for reducing the amount of impervious site coverage?

Mr. Wasney: I’m sorry I don’t quite understand the question.

Commissioner Lippert: Well, you are under the amount of parking that you need. You are over in the amount of impervious lot coverage permitted. Did you look at removing some of the surface parking and tucking it under other parking to be able to get a little more elbow room in terms of permeable area?

Mr. Wasney: In other words, essentially put underground parking beneath the existing parking lot or some landscape feature and then putting essentially a landscaped area over it? Beyond looking at excavating the middle tier and putting two layers there no we did not look at that.

Commissioner Lippert: Okay, thank you very much.

Vice-Chair Garber: Thank you. Commissioner Keller followed by Tuma followed by Fineberg.

Commissioner Keller: I would like to ask a question of Mr. Giovannotto unless somebody else has a question of the applicant first. I will defer my question then until the applicant questions are done.

Vice-Chair Garber: Very good. Commissioner Tuma.

Commissioner Tuma: Again, referring to the Staff Report there is just one line in here that says that the proposed butterfly roof form is there essentially to add architectural interest to the building. Is there really any other reason to have that roof? Without delving into the history, which I understand from the ARB and sort of how we got to this point, are there any other reasons simply other than the architectural interest to have that roof? In other words, is there a way to make your case on going over the height limit?

Mr. Wasney: I am going to give you a qualified answer and what it sounds like the question is is it only architectural interest or quality that is driving this? I would just say it is especially that. I get these questions a lot in my day job usually when we are trying to cut money out of projects. It is like architectural is used as a synonym for well it would be nice but not necessary and therefore expendable. I guess this is one of those but from a zoning context.

I really stand by this design. We really worked very hard to knit it into the landscape. I think it is an integral part of the design. Is there a technical sustainable structural, some sort of non-qualitative reason for it? No.
Commissioner Tuma: Thank you for your candor.

Vice-Chair Garber: Commissioner Fineberg.

Commissioner Fineberg: Question of the applicant. Following up on Commissioner Tuma’s question will the protected trees in front of the proposed new two-story addition screen the butterfly roof? So if they do, who is actually going to be seeing the spectacular architecture?

Mr. Wasney: It depends on where you are looking from. The views of the new building are going to be varied. Some of them are going to be seen through foliage. The approach through the new member’s drop off there will be low new trees added flanking the entrance. There are some very tall, I believe they are pine trees, kind of between the main parking lot and where that little drop off is. That will screen, you will have a screen or filtered view of the new building as you sort of drive up the driveway and proceed to the main club entrance. However, I think there will be as you are on club property and approaching the main entrance of the fitness and family recreation center there will be views of the new building. Furthermore, there will be views from the course, from the tennis courts, and from the pool deck itself, which is probably where the building is most prominent.

Commissioner Fineberg: Because of the orientation of the building though wouldn’t they be seeing the vertical side facing rather than the cross-section which is the benefit of the butterfly?

Mr. Wasney: Yes, I think the most prominent view of the butterfly will be from the east and the west, the west being the tennis court area and parts of the course, and the east being the entry elevation. So yes, as you view the building from the pool deck for instance or from the 18th green I think it will be much less obvious.

Commissioner Fineberg: Okay, thank you. Then another line of question is if you could help me understand the diagrams A3.4 on the front elevation of the existing main clubhouse. I am seeing indications that there are mansard roofs on what I believe are existing flat roof buildings. So is that a proposal to raise the elevation of the entire existing structure?

Mr. Wasney: That is correct. That would be on the entire western edge of not only the ballroom roof but also the portion of the building that extends over to the pro shop, so to the far north. I think our roof screen at the edge of the roof is approximately five to six feet high I would say at the very most. It is designed for two reasons. One is the club is not crazy about their long, low, unrelentingly flat roofs. One of the impetuses for a non-flat roof in our original proposal for the fitness center. Second of all, from the golf course there are some truly awful views back towards the building of quite a bit of air handling equipment on top of the roof. So I would say that the beneficiary of this roof screen is primarily the members themselves as they are coming in on nine and 18 and looking back at their clubhouse instead of seeing a welcome place to visit with their golfing buddies they see a bunch of air handling equipment.

We didn’t do story poles for this. We were not asked to. I would be astonished, absolutely astonished, if this impacts any neighbor’s view one iota.
Commissioner Fineberg: Okay, so if I understand you it is not just on the front face that you see from the parking lot but wrapping around the building on the back face if you were on the golf course looking back at the clubhouse?

Mr. Wasney: That is correct. The sloping metal roof on the front of the clubhouse exists already and the only portion of that that we are changing is in our modest addition to the member’s lounge and causal dining bar.

Commissioner Fineberg: Okay, and what is the maximum height of the portion where you are adding the mansard roof?

Mr. Wasney: The height of the screen itself or the overall height of the building measured from adjacent grade?

Commissioner Fineberg: Can Staff define how we measure that? Is it within the 25 foot height limit is where I want to go.

Mr. Wasney: It is. It is well within it because that is a single story building. So it is under 20 feet I would hazard to guess.

Commissioner Fineberg: I am looking at a diagram of a two-story building with a mansard roof.

Mr. Reich: The front of the building has the existing mansard roof. The new mansard roof will be on the backside of the building, which is single story from the existing.....

Mr. Wasney: I am told by my associates that the height of that would be around 20 feet so well below the 25.

Commissioner Fineberg: Great, thank you.

Vice-Chair Garber: Commissioner Keller followed by Lippert and then Tuma.

Commissioner Keller: Thank you. I would like to ask a question of Mr. Giovannotto, please. Thank you sir. During the time that the applicant was making comments you were objecting to something he said and so in the interest of fairness I would like you to state what your comments are briefly.

Mr. Giovannotto: Thank you very much I really appreciate that. I want to clarify something. Mr. Pahl is our attorney by the way so he has my phone number all the time and he never called me about the project. He called me right after the letter on the 21st. He called me and said what the hell, this was his language. What is all this about? You want to talk to me on Monday? By the way, I was on my way to go to Los Banos and I said no, what would we talk about? I said, you have my phone number all along and why haven’t you called me? He said what is there to talk about? We have a meeting in about five days so what is the purpose? So that is what has happened. So he has never notified me. He has never contacted me about the project. Only a
day after I send my letter with my objections. So that is what I want to make sure is clear that
happened.

Commissioner Keller: Thank you, sir.

Vice-Chair Garber: I am sorry you may not. Commissioner Keller are you done?
Commissioner Lippert.

Commissioner Lippert: I have another couple of questions for the architect. I didn’t want use
them up all at once. With regard to the orientation of the building did you look at rotating the
building 45 degrees so it was parallel with the property line?

Mr. Wasney: We couldn’t fit the program in that way and we are really fighting the topography
and we are building quite a bit of retaining walls already. The further we move to the south we
very, very quickly get into the grade.

Commissioner Lippert: I am not talking about moving it. I am sorry I don’t wish to interrupt
you but I am not talking about moving the location. I am talking about rotating it so that the
building is parallel to the property line. Did you look at that even if you left the laundry building
where it is?

Mr. Wasney: No we did not look at that beyond the north façade of course is rotated to orient
essentially to the north view or the distant view. I assume you are talking about the south wall
being parallel more or less to that?

Commissioner Lippert: That is correct. It would be the south wall.

Mr. Wasney: Now I can address that a little bit better. You see the size of our program is
substantial. We have a narrow site there. We fundamentally oriented the building at what I
would call the public face on the pool side to orient to the view and to the north light and both
the near and distant view. That is where that rotation came from. We sort of took as much as we
thought we could from the pool deck there. It is just about as far as it wants to go. Having done
that we did not see a value in rotating the entire building enabling the south wall. We also like
the sort of dynamic quality that the sort of the wedge-shaped space that the lobby created not
being rectilinear, not being parallel lines and I think will form a nice gathering space. If you
carefully at the topography I think as you start to rotate the south wall in the same orientation I
don’t think we are at 45 degrees we are probably closer to 30, you start quickly getting into the
hillside. So we didn’t see a benefit in that.

Commissioner Lippert: Okay. Did you look at rotating the roof at all so that the V-groove
cleared the view line from Mr. Giovannotto’s property?

Mr. Wasney: No.

Commissioner Lippert: Okay. Those are all my questions, thanks.
Vice-Chair Garber: Commissioner Tuma.

Commissioner Tuma: I have not seen one tonight so I assume that there is no materials board that is available this evening for us to look at or is there? There it is. Thank you. Would you care to describe for the record what we are looking at here? Where these various colors are going to go?

Mr. Wasney: Certainly. The predominant material you are going to see is really two-fold. They are a limestone veneer that will be on the eastern façade and it will wrap around the corner. The southern façade is an integrally colored cement plaster. Those two materials are exactly the same two that are used in the main clubhouse. The west façade I think will be defined by a large glazed storefront system with as minimal mullion system as possible. We remodeled the ballroom about a year ago and added but-jointed glass and the club was very enthusiastic about that and the way it enhances the relationship of the indoors to the out. Our north facing glass wall in this building is considerably larger and so it will have some visible means of support but our intent is to be essentially a glass wall, which will render the south wall of that lobby almost an exterior elevation and that wall will be paneled with sustainably farmed hardwoods to match what we did in the ballroom a year ago. So the exterior palette is very simple in the walls. It is the stone on the front of the building, it is the stucco on the back and the west face, and then the wood materials you see are intended as possibilities for the underside of the roof overhangs especially on the north side.

Vice-Chair Garber: Anything else Commissioner? Commissioner Sandas.

Commissioner Sandas: Just one more question for the Staff, for Russ. I am going to ask about the parking spaces one more time. You are okay with the number of parking spaces?

Mr. Reich: We are actually okay with the number of parking spaces based on the submitted proposal as proposed. If they implement this they are actually improving the parking deficit. Currently they are deficient in parking spaces by 30.5 percent from what is required under the code. They operate quite effectively with that deficiency currently.

Commissioner Sandas: Right.

Mr. Reich: When the project is implemented they will only be 15.64 percent deficient in terms of parking. So they are actually improving their parking deficiency while still being deficient. The club has a long history of managing the use to be able to control the uses so that they maintain the ability to provide adequate parking. We are confident that they will continue to do that.

The club will certainly not be successful if their members don’t have a place to park. Alexis Drive does not allow on street parking. There is no parking there so all parking has to be provided on the club property. Typically during most busy times the parking lot is only occupied at 62 percent.
It is on a rare occasion where they have multiple events, large weddings, or events at the golf
course like a car show or something where they actually exceed their capacity. When that
happens for large events they actually have a requirement for those events to use valet parking so
that they can substantially increase the amount of parking spaces they can get on the site. They
also have the opportunity to use the golf course for overflow parking for those very rare large
events. So we are not at all worried that they will adequately be able to provide parking.

Commissioner Sandas: So just to sum it up, based on your recommendation the only thing that
really bothers the Staff is the height of the building. So you don’t have a problem with any
redevelopment to modernize or upgrade or anything like that. From reading this report the only
thing that I can get out of it is that really the issue is the height of the building. Am I missing
something?

Mr. Reich: That really is the issue for Staff. We have no concern about the upgrades, actually
we encourage and support that. Experiencing the impact of views of the building from Mr.
Giovannotto’s home was a big eye-opener. Going inside the home and seeing that from all of
those different windows you will experience this building. Based on that impact and that
impression Staff just couldn’t support the additional height requested even though the
Architectural Review Board liked the architecture. That really is the only issue we found.

Ms. Caporgno: I just want to add one thing. The Mitigated Negative Declaration as the City
Attorney indicated is predicated on the fact that that mitigation is incorporated in the project. So
if in fact there is a desire to go beyond the 25 foot height limit then there would have to be some
alternative mitigation required to make sure that that impact was adequately mitigated or an EIR
would be required if it was going to exceed the 25 foot height. So if in fact the applicant refuses
to reduce the height of the building then those are the two alternatives that would be left.

Vice-Chair Garber: I have a couple of questions and then Fineberg, Keller, and Lippert.
Regarding the color and material board for the architect, the roof has a significant impact on
some of your neighbors. What is the color of it and does it have sustainable properties that we
should know about?

Mr. Wasney: The low [off-mike] cavity light colored reflective roof so it will
reflect the heat gain. This is by the way mandated by code now. So yes it has sustainable
properties and we don’t have a choice in that matter. It is just going to be a light surface with a
cap sheet.

Vice-Chair Garber: Thank you. For the Staff, does the property currently operate under a
Conditional Use Permit and what is the nature of that document?

Mr. Reich: The project currently does operate under a Conditional Use Permit. Could you
clarify what you mean by the nature of it?

Vice-Chair Garber: What are its requirements? What are the restrictions that it makes on the use
of the property?
Mr. Reich: I haven’t studied the existing use permit because that is a process that we will be
going through. I know that it does limit membership and also requires parking controls. I
couldn’t tell you the specifics because I don’t have it in front of me.

Ms. French: The City Attorney has gone upstairs to see if he can grab a copy of that for the
discussion that may ensue.

Vice-Chair Garber: Thank you. Traffic, regardless of the number of members that there may be
allowed under any particular scenario the mitigations that have been identified really would be in
place regardless of what that quantity is, meaning that if the limits that were tripped by the
mitigations that were identified those mitigations would become effective regardless of how
many members, etc., there would be. Is that correct?

Mr. Reich: That is correct and we felt those mitigations were most appropriate because as the
club said they are having issues where the usage is decreasing even though the membership is
increasing. Those kinds of mitigations give them the flexibility to operate the club as they best
see fit.

Vice-Chair Garber: Are there other existing mitigations that the club is managing actively now
that have been placed on it in previous years?

Mr. Reich: I am not aware of any existing mitigations. I would have to look into that.

Vice-Chair Garber: Thank you. Commissioner Fineberg.

Commissioner Fineberg: I have two additional clarifying questions of Staff. The first is I don’t
have a sense nor have I seen anything about what the visual impact this property will have from
the Arastradero Preserve. Russ, you were kind enough to show the photos from Foothills but the
far side of the golf course is immediately adjacent to the Arastradero Preserve. Does the slope or
something about the topography make this building not visible, are you far enough away, or is it
right there and you see it?

Mr. Reich: That is a good question and you did provide that question earlier today and Staff
didn’t have the opportunity to get out there and experience that unfortunately. Not being as
familiar with the Arastradero Preserve I don’t know if there are any vantage points from
someone driving a car and parking. You may have to actually get out on the trails. Someone
else might be able to speak to that who has experienced that but based on the location of the
building it is at the far end of the club kind of nestled between the existing club building and the
up-slope. It would be unlikely to be visible but certainly since the question has been raised we
will go out and take a look at that. At the reduced height it is even more less likely that it would
be visible. There is an extreme slope, the building is at the high end of it on a flat plateau, but
then the slope drops off. There is a lot of significant landscaping, very tall trees, throughout the
golf course and between the preserve and this location. I would be really surprised if it was
visible.

Commissioner Fineberg: Thank you.
Vice-Chair Garber: Commissioner Fineberg, you might ask that same question of the applicant or the architect.

Commissioner Fineberg: Can I go to the applicant then? Okay. Could the applicant characterize what the view of either the proposed building or a second best alternative might be from the perimeter of your golf course as if you were in the Arastradero Preserve or if you have experienced it from in the preserve?

Mr. Wasney: I am going to give this to Don Rose who has experienced that view a lot more than I have.

Mr. Rose: We cannot see the story poles from the Arastradero side of the golf course. It is hidden by the trees and the slope combination.

Commissioner Fineberg: When did you look? Because one of the things that the photo provided by Mr. Giovannotto is that the story pole along the side that I think you would see it from the fairways has fallen down.

Mr. Rose: You would see it from the fairways and the center of the golf course. You see it from 18, from 10, from one, from nine. But from the far edge of the golf course and near the Arastradero Preserve you cannot see the story poles.

Commissioner Fineberg: Okay, so the story pole is resting a few feet from the ground so if that were the view would you not see it?

Mr. Rose: I do not have that photo in front of me so I can’t.

Commissioner Fineberg: This is why I can’t get a sense of it because there is in effect no story pole.

Mr. Rose: What you see here is a picture taken when the story pole was knocked over by the wind this weekend, the one that is on the ground.

Vice-Chair Garber: I think the question is when it was up could you see it at the Arastradero Preserve?

Mr. Rose: No, no, during the week last week we could not see it.

Vice-Chair Garber: Thank you.

Commissioner Fineberg: Thank you for that clarification.

Mr. Wasney: Can I clarify one thing? There has been a little bit of high jinks regarding the story poles. First of all the story poles are quite feat of engineering I think. The contractor deserves some kudos for that and quite unintentionally put up green mesh instead of orange. I personally
received a call from both Russ and a voicemail from Mr. Giovannotto indicating that perhaps a more prominent color would be warranted. I informed the club and I believe the contractor had the new orange netting at the lower height that we are now considering, the 25 foot, and then orange flags at the existing proposal within a couple of days. They moved as fast as they possibly could entirely to avoid any sort of feeling like oh, we are trying to fineness this.

Yesterday, late actually at about 6:30, that one of them had fallen down. Russ had heard from Mr. Giovannotto. I immediately called Aaron McDoogal who is sitting behind me and he had it up by nine o’clock this morning. So we have done everything we can.

My reading of the topography as the course extends towards the west is that it drops off especially after the fairway. I would be astonished if there is any possible view expect from above which is the neighboring houses.

Commissioner Fineberg: Thank you. My second question, if Staff can help me understand a little bit more. The Commission is to consider whether or not to recommend that Council adopt the Mitigated Negative Declaration, I am looking at that wording straight off the Staff Report. How can we do that with the absence of traffic studies and without specific information so we understand what some of the potential impacts might be?

Mr. Reich: There actually is a very detailed in depth traffic study and our analysis is based on the findings of that.

Commissioner Fineberg: Where is that in Staff Report?

Mr. Reich: Where is what?

Commissioner Fineberg: The detailed traffic study. I thought that was going to be something…

Mr. Reich: It is a technical document that wasn’t attached but it does exist.

Commissioner Fineberg: I thought that was something that would be submitted with the building permit application.

Mr. Reich: They would be required to do a traffic volume analysis prior to operation of the club but they did do a traffic study and that traffic study found – one of the reasons this project took so long between the time of submittal and the point of completion was that we went round and round with the applicant over the issue of traffic. Typically what you do when you look at traffic is use the ITE manual that based on the type of use and square footage of that use it gives you the volume of traffic that would typically be generated. Well, for this particular use there isn’t anything in the ITE manual that guides you. It has ‘fitness center’ uses but not when they are associated with a club like this. It is a pretty unique situation. So there is a lot of guestimation in terms of how the volume would really happen. So there was a lot of disagreement and back and forth and ultimately we came to resolution but there has been definitely a significant amount of traffic analysis.
Commissioner Fineberg: Okay, so if I correctly understand you there were simulated computer models done for the traffic study that support the Mitigated Negative Declaration on traffic and that the things that will be submitted with permit will be actual counts?

Mr. Reich: I might defer to our Traffic Engineer to be more specific on the technical terms.

Mr. Dennis Belluomini, Traffic Engineer: Good evening Commissioners. I am with DMJM Harris Consulting Firm and we do the on-call traffic engineering for the City of Palo Alto. What is going to end up happening on this is that the golf course or the country club will doing a baseline traffic study counting the volume of traffic that is on Alexis and both coming into and out of their driveway. They will do that before they start their project and again after the project is completed. Then according to the mitigation measures they will monitor these traffic volumes on an annual basis for at least five years. As long as it does not trip the tire index by the 0.1 criteria then the neighborhood is not going to be noticing any increased traffic. There could be some increased traffic. Undoubtedly there is going to some traffic changes on a daily basis but these counts will be taken for a weeklong period. Based on data from the club the busiest time of the year is going to be in June or has been in June and that when we are going to require them to do the counting, not in November, December, or January. We are going to pick the peak time. Then they will be monitoring this traffic annually after that.

If they do trip the tire index, if the volumes increase to the point where according to the definition in the document that the neighborhood is going to perceive traffic then the club will have to implement some of the mitigation measures in order to get the traffic volume reduced back down to the acceptable levels. I hope that answers your question.

Commissioner Fineberg: Yes it does, thank you very much.

Mr. Reich: The applicant's traffic engineer who performed the traffic and parking analysis is also here if you have questions of them.

Vice-Chair Garber: Are you complete?

Commissioner Fineberg: That was it, thank you.

Vice-Chair Garber: Just before we go onto Commissioner Keller I was curious to learn if the City Attorney was able to find the Conditional Use Permit.

Mr. Larkin: No that is where Amy has gone.

Vice-Chair Garber: Thank you. Commissioner Keller followed by Lippert, and Sandas. Then if we have not gotten to it by that time I would like the Commission to consider an action for consideration.

Commissioner Keller: Pass.

Vice-Chair Garber: Commissioner Lippert.
Commissioner Lippert: I don’t have a question but I am eager to get to that point.

Vice-Chair Garber: A question by Commissioner Sandas.

Commissioner Sandas: Yes. I am going to ask a couple more traffic questions. One of the things that was mentioned is that the golf usage is falling off right now and that has been a trend for the last several years. That trend could continue and we could see much higher usage. So what is always puzzling to me is that the cat is guarding the canary cage in that the applicant or the country club will be the one monitoring the traffic counts. So for the public record I just want it to be said what will the City demand of the country club on an annual basis in terms of the traffic counts and what are the consequences of not complying with the annual traffic counts that the City will demand? This is big it is for the record. Maybe the City Attorney knows the answer.

Mr. Reich: The short answer is it becomes Code Enforcement. They are required to follow the mitigation. So if it is found that they are tripping the tire index they will be required to implement these mitigations by the City and if they do not implement them then it becomes Code Enforcement. They are subject to a Conditional Use Permit and that can be revoked.

Commissioner Sandas: Cool. I just want to make sure that we know, stated in the public record, that on a certain date every year the City will be recipient of the information from monitoring the traffic, the traffic counts. In my experience the only way things become a code enforcement issue is if there is somebody out in the realm who notices that something either is happening or isn’t happening that is a code enforcement issue. So how are we going to be assured that we will get this information?

Mr. Reich: That is a good question. We actually have a condition-monitoring program that would be adopted with the mitigation. So our Code Enforcement Department has been working on mitigation monitoring so there will be a yearly tickler that will ensure that the department does receive this annual traffic report and they will send that to Planning and have us review it and make sure they are not tripping the tire index. If so, then they will notify the applicant that they have to take action to comply.

Commissioner Sandas: Thanks.

Ms. Caporgno: I just want to add that it is similar to what Stanford has implemented with its no net new trips for the Stanford community plan. So normally we don’t go out and check these things but when they are conditioned then there is a monitoring program. Staff reviews it and ensures that it is being met.

Vice-Chair Garber: A quick question by Commissioner Tuma and then I am going to close the public hearing.

Commissioner Tuma: A question of the City Attorney. When the application to modify the CUP is made will that come back before the Planning Commission?
Mr. Larkin: Maybe, it would if it is appealed. One of the reasons we need to look for the CUP is we need to find out if that is something that is required.

Vice-Chair Garber: With that I am going to close the public hearing. I would like to recognize Commissioner Tuma.

MOTION

Commissioner Tuma: I would like to propose a motion that the Planning and Transportation Commission forward the proposal to the ARB as conditioned to eliminate the DEE, the Design Enhancement Exception, thereby reducing the project height and also recommend that the City Council approve the Mitigated Negative Declaration and the project and the height be reduced to be within the code limits.

SECOND

Commissioner Lippert: I will second that.

Vice-Chair Garber: I have lights from Commissioners Lippert, Sandas, and Keller. Would the maker like to speak to his motion before we have discussion and the seconder?

Commissioner Tuma: I would. To me this is straightforward in some ways in that the issue that doesn’t seem like it can be mitigated against is the height limit. There doesn’t seem to be a compelling reason, by the way I think the design is fabulous I like the look of it, but there doesn’t seem to be a compelling reason to go beyond the height limit. Given the impact I couldn’t support doing that.

I think that specifically the mitigations measures that have been listed in here are critical but we have to have faith that the process will work and that those mitigation measures will be put in place. Specifically I would mention the noise issue. Ambient noise measurements can vary dramatically depending on the time of day, the time of year, that sort of stuff. That facility is right near the neighbors and so particular attention in my view needs to be paid to that.

I think the project as proposed of the then height limitations with the mitigation measures is good. I think that there is a lot of discussion tonight that has happened around maybe differences of opinion between various people, what should happen, what shouldn’t happen, from a financial perspective, we have nothing to do with that. That is not our purview. From a land use perspective and a zoning perspective I think the project as proposed other than the height issue should move forward.

Vice-Chair Garber: If you can restrain yourselves, please. Commissioner Lippert the seconder.

Commissioner Lippert: I would like to echo my colleague’s comments. In addition to that I would like to add that this is a desirable project. It is a very handsome project. I too have difficulty making findings to support the additional height that is being asked for here. I don’t
think that the roof element is integral to the project in that it is a form that responds to the
environment that it is necessary to make this building a success. I think that there are other ways
of achieving exactly what you are looking for in the way of an outstanding piece of architecture
and still have it work within the height limit.

As a couple of examples I can give are Todai Alondo, who is a very respected Japanese architect
was given a commission on the island of Nawashima. It is a very beautiful, very picturesque
island and the Japanese government actually said with regard to this building that you are
proposing, a museum and hotel, the roof forms either need to be traditional Japanese roofs or
they can't happen at all. So he decided not have the roofs happen at all. What he decided to do
was to actually build the roofs as green roofs. They were actually grass and they blended in with
the hillside. So the roofs are not visible at all from the surrounding island. In some ways this
roof form is antithetical or it is jarring with the environment. What adds insult to injury is you
are impeding or blocking the neighbors’ view. So with that I would just say that it is a desirable
project, it is something that I can support, but the height of the roof really needs to be reduced.
Thank you.

Vice-Chair Garber: Commissioner Sandas.

Commissioner Sandas: I don’t really have much to say. I am not really sure why I am being
called on but thank you. I am in full support of the motion. I would have made the same motion
myself. I just want to echo one thing that Commissioner Tuma said, it is not the purview of this
Commission to know or care about the financial situation. We assume that your country club has
worked out what it needs to work out to get to this spot and to talk to us about how you plan to
use the land. So clearly the facilities need upgrading we saw that. Good luck to you in having a
wonderful new place to play.

Vice-Chair Garber: Commissioner Keller.

Commissioner Keller: First I believe that we might have a copy of the Conditional Use Permit
previously available to us, is that correct or not correct?

Ms. French: There is quite a mine to go through and so I got a certain distance but the members
who have been around long enough would have known there were some things that happened
back in the early 1990s. It goes way back to before the 1960s. I don’t know when it was
originally constructed. I am not sure if the original golf course had a use permit and just
amended it with other use permits.

Mr. Larkin: I our belief was that the original use was without a permit because it was a
permitted use at the time. In order to expand the facilities it required a use permit but the use
itself doesn’t have a permit. So we are trying to locate the use permit for the expansion but from
what we can tell the existing use permits wouldn’t impact this. We will continue to research that
and we will have that answer certainly before this would be forwarded onto Council.
Commissioner Keller: So let me take the opportunity to ask is there any knowledge now that there is a limit to the membership of the facility as part of the Conditional Use Permit or we don't know?

Ms. French: No, no we don't think there is. Looking back there definitely has been environmental analysis but I think with this environmental analysis regarding traffic and what they are proposing if they have a limit of what has been described here then this environmental document should capture that. Certainly having them submit an amendment to a use permit could be a direction to go as Russ had mentioned but we haven't seen anything from them on that.

Commissioner Keller: So we don't know whether the existing use permit is sufficient or?

Ms. French: We don't have evidence that it limits the number of people to a certain number. It limits the size of it to the existing. Site and Design for the project is what it is. So to expand it through Site and Design, the facility, is why we are here with the Site and Design process, the facility permit.

Commissioner Keller: The applicant seemed to indicate that the applicant would not object to a certain limit in proprietary members and social members identified as a limit of 425 proprietary members and 200 social members. I am wondering how Staff would feel about incorporating that limit in some sort of use permit or Conditional Use Permit or whatever the appropriate measure was.

Vice-Chair Garber: In order to do this appropriately I suspect that the action you would need to take is to make an amendment to the existing motion, is that correct?

Commissioner Keller: First I am asking Staff what they think about it before I decide to make an amendment.

Vice-Chair Garber: Okay.

Mr. Larkin: I think the Commission can recommend that the applicant come forward with an amendment to the Conditional Use Permit to do that. I think the Commission can do that as part of the Site and Design review.

Commissioner Keller: Okay. Considering that the applicant did indicate that they were amenable to such a limit I would request that a limit be placed on this because I think that is the most direct way of limiting the traffic issues on this property as opposed to dealing with it on the back-end of the traffic counts. So I am going to request the maker and seconder of the motion incorporate a limit of 425 proprietary members and 200 social members. The amount that the applicant, 425 proprietary members and 200 social members, which the applicants did indicate they would be amenable to.

Commissioner Tuma: I have a question for you as the maker of the motion. Are you suggesting that this be a condition of approval or that this be worked into the CUP?
Commissioner Keller: That is a good question and I would ask Staff which way they would prefer handling it, as a condition of approval or as a CUP.

Ms. Caporgno: I think it would be cleaner to amend the CUP.

Commissioner Keller: I will take Staff's advice on this.

Commissioner Tuma: If it is in the context of the CUP I would be supportive of it.

Vice-Chair Garber: Does the seconder approve that?

Commissioner Lippert: Yes.

Vice-Chair Garber: Thank you. Would that then be made as a recommendation separate from this motion or as part of the motion? Part of the motion, thank you. Anything else?

Commissioner Keller: Yes, let me make a few comments. First of all, I am somewhat concerned about the mixed messages that are coming to the applicant with respect to getting one set of advice from the ARB, and another set of advice from Staff at the late end of this process, and from the PTC. For that I think we have an issue to deal with. I know that some members of the Planning Commission have been concerned I am one of them but to the extent to which the ARB has been giving DEEs perhaps too liberally when Variances might actually make sense. I think that is something for which the Planning Commission is considering in order to reduce the potential for problems in the future.

I think nobody is questioning the value of the Palo Alto Hills Golf and Country Club. I am assuming that even those who object to the project are not objecting to the value of that entity. I think that whenever you have projects that are being done there are adjacency issues. Those adjacency issues cause can problems. I think that in some sense we have what has come to be a conflict between a person who has an adjacent property whose view will be interfered with and the Palo Alto Hills Golf and Country Club and its members, which wish to make better use of their property within appropriate and current zoning rules. So in some sense it is not our purview to say this is a good project or a bad project because we like it or not. It is more a matter of our job to determine whether this project satisfies the zoning rules as they are in effect. To the extent that it satisfies the zoning rules as they are in effect then we are compelled to approve it. That is my interpretation and I think that of my colleagues that with the removal of the DEE this does satisfy the zoning rules as they are in effect and therefore I will support this motion, particularly thanking the maker and seconder with accepting my amendment.

Vice-Chair Garber: Commissioner Fineberg.

Commissioner Fineberg: I would like to echo previously made comments. I would also like to state that I also feel that Palo Alto Hills Country Club is a good citizen in our community, provides wonderful services for the local residents, and I am very sympathetic with the current condition of the facilities and the perceived need to bring them to current standards demanded by
folks that want to be members. We share that exact condition across many sectors of our community. Our schools were built in the 1950s, many of our community centers were built in the 1950s, so that is something that we are dealing with in many parts of our community.

In looking at the application of zoning regulations and code there were a couple of places that were real sticking points for me. I commend Russ’ write up in the Staff Report in recognition of a couple of those sticking points. The height and the impact on the immediate neighbor is a big one.

I want to just read into the record from our zoning regulations, the City of Palo Alto Open Space Development Criteria, there are 13 of them, but I am only going to read the first three. Before I read them I want to say that I think reducing the height to 25 feet, eliminating the request for the DEE, and capping the number of members in the Conditional Use Permit successfully addresses those concerns. So the first of the Development Criteria is the development should not be visually intrusive from public roadways and public parklands. As much as possible development should be cited so it is hidden from view. Reducing the height accomplishes that.

Number two, development should be located away from the hilltops and designed not to extend above the nearest ridgeline. The DEE will basically put it above that very close ridgeline. So reducing the height again satisfies that second criteria.

Number three, the site and structure design should take into consideration impacts on privacy and views of neighboring properties. That number three was my big sticking point because in a very large parcel there is an addition be placed as close at it can legally get to the closest neighbor and that is the objection we are getting. Again, I keep coming back to reducing the height eliminates the majority of that objection.

So I absolutely concur with not having the DEE, not exceeding the 25-foot height limit, and I will vote to approve this project with those conditions.

Vice-Chair Garber: Thank you. If I am recalling correctly the Staff had also made a suggestion that was not in the application, which was to increase the planting at the edge. I would like to add a proposed amendment to the motion that Staff work with both the applicant and the neighbor to find a landscape approach/plan that can satisfy the needs of both. Will the maker accept that?

Commissioner Tuma: Yes, absolutely. I apologize I had intended to make that part of the motion.

Vice-Chair Garber: Seconder?

Commissioner Lippert: I accept that also. One comment though is that I believe that that should be done prior to it going to ARB.

MOTION PASSED (6-0-1-0, with Chair Holman absent due to conflict)
Vice-Chair Garber: That is fine. With that my comments are to support my colleagues. I am in alignment with them. I think that without the DEE there the project fits within the zoning and would have no issues. That said, that does not mean that the applicant no longer needs to be a good neighbor, and that the applicant needs to make outreach and to the degree that it can find ways of satisfying their neighbor on an ongoing basis. The last thing you want is a neighbor that is not friendly.

With that I will call the vote. All in favor say aye. (ayes) All opposed? The vote passes unanimously with Chair Holman recused.

With that we will close this particular item. Thank you very much.
Planning and Transportation Commission
Verbatim Minutes
August 27, 2008

DRAFT EXCERPT

3000 Alexis Drive*: Request by Chris Wasney on behalf of Palo Alto Hills Golf and Country Club for a Conditional Use Permit for expansion of uses at the existing country club including but not limited to a new spa and fitness facility, a new grass tennis court, members bar expansion, two additional small banquet rooms, improved driving range, replacement of the existing swimming pool, and other site improvements. Environmental Review: A Mitigated Negative Declaration has been prepared. Zone District: Open Space (OS).

Mr. Russ Reich, Senior Planner: Thank you. Good evening Chair Garber and Commissioners.
The application before you this evening is for a Conditional Use Permit for the expansion of uses at the Palo Alto Hills Golf and Country Club located at 3000 Alexis Drive. The Commission is asked to make a recommendation of approval to the City Council on the revised Mitigated Negative Declaration and the Conditional Use Permit.

On April 3, 2008 the Planning and Transportation Commission reviewed the Mitigated Negative Declaration and the Site and Design aspects of the application and voted unanimously to forward a recommendation of approval to City Council. Since that time Staff has received a letter from a neighbor’s attorney questioning aspects of the Environmental Review. This letter has been forwarded to you. The issues were primarily related to the level of detail in the project description, the discussion of particular construction measures necessary based on soil conditions, traffic, and parking.

The Mitigated Negative Declaration was revised to provide additional information and has been recirculated for public review. The Mitigated Negative Declaration is included in your request for recommendation tonight because of these revisions.

The Conditional Use Permit would typically be a Director level decision but since it is combined with a Site and Design review application Staff has decided to bring it before you. Concerns have been raised by the public during the Site and Design review and Staff would like the Planning and Transportation Commission’s recommendation so the Council can make a decision on all project aspects at one time.

The country club was established in 1958 and has provided opportunities for golf, tennis, swimming, and dining for many years. The club also hosts a variety of events such as weddings and birthdays.

While there are references in minutes related to an existing Conditional Use Permit one could not be found in our City records. This application serves as an opportunity to establish limitations as the City deems necessary to ensure the activities at the club continue as they have in the past
without causing an impact to the surrounding community. The proposed conditions are included in the Draft Record of Land Use Action, Attachment A.

The Conditional Use Permit would allow all the existing uses that currently take place at the site as well as new uses that result from the project. The applicant letter, Attachment C, includes a description of events, functions, and activities that typically occur at the site. The new uses include the fitness room with the weights and cardio equipment, two exercise rooms for group instruction such as yoga and spin classes, the massage treatment rooms, and a new wading pool. Other uses that are not new to the site but will be expanded include one additional grass tennis court, a few additional spots at the driving range, greater flexibility for banquet functions with the addition of two small banquet meeting rooms, a small addition to the pro shop, and an expanded members bar area. Many of these improvements are not intended to increase the use of the facilities but rather to improve the quality of the features for the current users. The expansions to the facilities will more comfortably accommodate current users. A wide variety of events take place at the club and the use permit does not limit the club’s freedom in scheduling except that it does place limitations on the frequency of very large events. The conditions of approval are contained in the Record of Land Use Action, Attachment A, including the limitations on club membership recommended by the Planning and Transportation Commission at their previous hearing.

At places tonight you have been given letters related to the residential neighbor Mr. P. Katan located at 2973 Alexis Drive. Mr. Katan is concerned about potential impacts to his property that may result from the proposed changes to the club. His property is located at the lowest point in the street downhill and across the street from the golf course. Water flows from the golf course property downhill to the low point into an intermittent creek bed on his property. He believes that a previous drainage project at the club many years ago caused a significant increase in the volume of water that flows to his property. This increase in volume he believes causes erosion issues that still persist today.

Staff and the club manager met with Mr. Katan to better understand his concerns. As a result of that meeting Staff directed the club to review the potential for increased water volumes that may result from the project. McCloud and Associates studied the existing conditions and the proposed project to determine if the project is likely to increase the volume of water to Mr. Katan’s property. Their determination was that the proposal would reduce the volume of water that currently reaches his property. Storm water from the roof of the new building and the pool deck area would be redirected to a drain to an existing pond west of the clubhouse. These areas used to drain to Alexis Drive and onto Mr. Katan’s property. This will reduce the volume of water that originally drained onto Alexis Drive from the project by 30 percent. The overall project reduces the amount of existing impervious coverage by 930 square feet, which will also reduce the amount of storm water running off the site. The letter from McCloud and Associates is referenced in the Mitigated Negative Declaration and is available in the project file.

The applicant is here to make a brief presentation and Staff is available to answer any questions that you may have. Thank you.

Chair Garber: Thank you. We will have the Appellant presentation. You will have 15 minutes.
Mr. Stephen Pahl, Appellant: Good evening. I am the President of Palo Alto Hills Golf and Country Club. I will start off very promptly and quickly and then turn it over to Chris Wasney who is our project architect.

As you may recall back in April we discussed this project previously and we have a history that is up on the screen for you. We have 416 proprietary members and currently there are exactly 143 social members at the last hearing we agreed on behalf of the club to limit that to 425 proprietary members maximum and 200 social members. As Staff has so indicated the only thing that is being added in terms of utilization is the cardiovascular and fitness facility. Everything else is simply an addition or an enhancement to member services. There is not a substantial modification to the operations of the club.

We do maintain obviously a relationship with our neighborhood. In fact just two weeks ago the Palo Alto Hills Neighborhood Association met as they usually do in our facility and we make that available to them. We also obviously provide as a central feeder for emergency issues that may come up. We have met with all of our neighbors at numerous times over the last few years. This project is now entering its 21st month since our application and the only neighbor to have objected to the project is Mr. Giovannotto whose attorney has sent you a letter and I will address that in a moment. The proposed project, which I won’t belabor since we went through it at length last meeting, has not modified. The only thing that you really have changed is the Mitigated Negative Declaration and the findings have been enhanced not changed, just enhanced.

On the CUP which no one could find if you remember from the meeting on April 3 Staff went upstairs and was digging through file cabinets to find it and couldn’t find it. The only thing we have and it is in your packet tonight are the minutes from the 1994 Council Meeting which make reference to a Conditional Use Permit. Everyone knows that one exists just no one has ever been able to see it. So this is almost an amended restated Conditional Use Permit. There were three conditions that we would like to draw your attention to that we believe require clarification. The first is the proposed condition number eight that is the one that indicates that buses must remain on the upper parking grade. That is on page 22 of your Staff Report. The difficulty with that is the parking lot is a one-way single drive. It is not a parking lot except for some parallel parking. We believe it should be lower parking lot. Buses physically cannot sit up there and allow people to drive up and drop vehicles off and ingress and egress the area. The second condition we would like to be reviewed is condition number 11 that is where tennis courts cannot be used before nine in the morning. Unfortunately we have a 50-year experience where tennis courts have been used before nine in the morning. They have been used generally from seven in the morning on. Now this would only be Tuesday through Sunday we are closed to our membership on Monday. There are certain special events that do occur but they are very minor and very few. So that would be the second condition. The third condition we would like to address would be number 13 this is with the tire index and Gay Pang is our traffic engineer will be here to address that issue.

Making two final comments, Mr. Giovannotto’s counsel asked you and this was brought up again at the April 3 Planning Commission hearing, the impervious surface if you may recall we are over the Open Space impervious surface. We are reducing our impervious surface by 930
feet. So we are reducing a nonconformity that was a nonconformity when the premises was
zoned and built. The Open Space came in 25 years later and so we are now a nonconforming
because of zoning that occurred after our build out. We are reducing that impervious surface as
Staff has noted. Finally, with regard to the drainage project we believe we are reducing the
amount. There is one item that Staff did not bring up and that is the club has had a practice of
not aerating its driving range. That is a four-acre driving range. If you recall from the April 3
meeting again the plan is to move the dirt from the excavation onto the driving range and
improve the driving range and make it flatter, less runoff, and we are going to start aerating it,
which will obviously retain the water versus sheeting off as it currently does. Today it is so
impacted that it probably couldn’t even be aerated at this time. At this point if there are no
questions I would like to turn this over to Mr. Wasney for his part of the presentation.

Chair Garber: Thank you. Mr. Wasney.

Mr. Chris Wasney, Cody Anderson Wasney Architects: Good evening. I am principal of Cody
Anderson Wasney Architects in Palo Alto. When we last met on April the 2nd or 3rd we gained
your unanimous if conditional approval. As you might recall we made some design
modifications so that we would not require a Design Enhancement Exception for a height
exception. Subsequent to that we have been through the ARB and in early June received their
unanimous and I think enthusiastic approval for our revised design.

Because this hearing really revolves around use and not architecture I am going to limit my
presentation to simply a series of site plans and floor plans to remind you of the different
additions to the club and what their associated uses are. Starting with the view from 6,800
square feet there you see the club’s approximately 125 acres of open space. All of our discussion
today focused on this little corner right here on the crook of Alexis Drive and really even a
subset within that for the major improvements. Zooming in here you see the club, the three-
tiered parking lot that Stephen referred and you can see how narrow it is up here and where buses
won’t fit. The existing clubhouse, the pool, existing tennis courts, and then some very
substandard facilities at the south end of the club where our addition is going to occur, our major
addition. Here is the site plan of essentially the same view. The areas that are shown shaded are
the additions to the building the family recreation center here, and a very modest addition to the
existing clubhouse, a tiny, tiny addition to the pro shop, and a little bit in the service yard.

So the main improvements to the site are as follows. At the north end of the parking lot we are
improving the driving range tees and adding a retaining wall, and actually lengthening the
driving range. That is one area where we will bring the spoils from the excavations for the other
projects. That is right there. The other major site improvements are an additional grass tennis
court complimenting the two existing paved tennis courts, a small terrace adjacent to the pool
and a wading pool for small children. I think there is some reference in an opposition letter to an
amphitheater there which suggests huge activities and loud concerts and it is really not an
amphitheater is simply terraced seating so parents can watch their kids at swim meets. Again, an
existing use that already exists and is simply a more comfortable accommodation of existing
needs.
Zooming in on the more architectural improvements. Here you see the existing clubhouse, big
ballroom here, which was remodeled a couple of years ago, locker room areas. We have a very
modest addition to that on the ground floor. We will take the club offices, which are currently
right here and move them to the other side. That will allow us to create two small banquet rooms
adjacent to the big kitchen here and can easily be serviced. Currently the club has meeting room
facilities for events that are very large in the ballroom but nothing that is really appropriate for
groups of 15 to 40 people. So if you are going to have your birthday party or a small luncheon
there they have to carve out a little corner of the ballroom and it really doesn’t work very well.
So they wanted to add these very small and intimate meeting rooms to fulfill that need. Upstairs
from that is the true driver of this addition though which is the addition to the members dining
and members bar here. You can see the existing bar stops there and it is quite tiny even though it
was only improved in the mid 1990s. It was never sufficient. You can see how narrow it is
between the bar and the windows. There is only room for three or four tables. What happens is
existing members spill into the dining room and apparently the people who use the members bar
play cards and yuk it up a little bit and here they want it to be a little quieter. So they are going
to add this area here, which is simply just a little bit more gracious seating and spill it onto a
terrace. There is an existing terrace right here that the addition will supplant so that that
relationship is maintained.

Our bigger piece adding onto the project is at the south end, which is currently a series of
dilapidated and outdated buildings. They are in quite poor shape and don’t match anywhere
close to the standard of quality that the rest of club displays currently. First of all this is the
family fitness and recreation center. On the ground floor will be some minor club offices, a teen
room, a little child watch area, family locker rooms, two adult locker rooms men’s and women’s
that flank sort of a day spa where people could have massages and what happens in spas these
days, a small indoor hot tub spa, you see here is the wading pool that I mentioned earlier. This
area here is all service and the little addition that occurs in the service shed is simply storage.
Upstairs are the three kind of multi-purpose exercise room, a large fitness room for
cardiovascular and weight equipment, and then two smaller rooms that will be used for things
like yoga or spinning or group x classes, a small restroom core, and an overlook into the balcony
below. None of those uses has changed at all since we last saw you although the second floor
here shrunk by about this much. We had to manipulate the building to reduce the massing, step
it down to reduce the height. So we actually reduced the size of the project by approximately
1,400 square feet most of which is right here. That is the extent of the presentation. We are
prepared to answer any questions you might have. I do have some illustrations about some of the
site drainage if you want to ask questions about that. I would like to introduce Gay Lawrence
Pang the traffic engineer who is going to talk about one of the conditions that they would like to
clarify.

Chair Garber: Thank you. You have approximately three minutes or so. Will you need more
time than three minutes?

Mr. Gay Lawrence Pang, Pang Engineers: I am not sure.

Chair Garber: Well, we will find out when we get there then. Thank you.
Mr. Pang: Good evening Mr. Chair and members of the Planning and Transportation Commission. I am from Pang Engineers we are the traffic consultants for the Palo Alto Hills Golf and Country Club. I am referring to what Mr. Stephen Pahl indicated as item number 13 the mitigation measures, which are numbered one through five, the item is more specifically mitigation measure number four. As you are aware TIRE, which really stands for Traffic Infusion on Residential Environment, has been part of the City of Palo Alto’s potential evaluation and mitigation measures for a number of years. What we are suggesting is that in this particular instance the actual calculation of the future percent increase or volume increase on an average daily traffic basis or 24-hour period on Alexis Drive remains unclear in terms of what an average really is defined as. So what we are suggesting is there are three different areas of potential points of clarification. The first is whether or not an average really means Monday through Sunday, Monday through Friday, or really only a weekday, which would then eliminate Mondays and Fridays because the normal average weekday would be a Tuesday, Wednesday, and Thursday. That is the first item. The second item is whether or not this project actually needs or is required to look at an average of the weekend day. Again the word average is sort of undefined in terms of what is an average of a weekend day. Then the third item with respect to the TIRE issue is that the City has requested that a recount be done either in June of next year to establish a new base or a new count be done on Alexis and at the Palo Alto Hills Golf and Country Club driveway 90 days prior to an issuance of a grading and building permit. What we need is a point of clarification because there isn’t a problem if it is June of next year. Hopefully the club thinks it is going to be in advance of that. But if it is in advance of that and a count is required on Alexis Drive and at the driveway then you would be in my opinion either comparing apples to kumquats instead of apples to apples because you would be counting in a month dissimilar to what is already the counts that are in the traffic report which we have completed as of August of 2007. Those counts were done in July and the club has indicated May, June, and July were the peak months. So therefore we are suggesting that the City consider how that evaluation would occur because there could be dissimilarities in counting say for example in October and November and then trying to compare to a future June.

Chair Garber: Thank you. We will go to clarifying questions from the Commission here in a moment. I just want to note that I currently only have one person who would like to speak to this item. If there are others that would like to speak please fill out a card.

So clarifying questions. Excuse me? We do clarifying questions and then we go to public comment. I have first on the list here Commissioner Lippert.

Commissioner Lippert: I just have one clarifying question for the applicant. Under condition number 11 on page 23, tennis courts shall not be used before nine in the morning under any circumstances. It is not uncommon for us to condition hours of delivery and things like that when they are adjacent to residential neighborhoods. In this case it is in the Open Space it is also adjacent to a residential neighborhood. What do you feel would be an appropriate time if we were to change that? What do you think would be an appropriate time to condition that in terms of hours of operation?

Mr. Pahl: I asked our General Manager that exact question. For as long as we can track operations we have accepted reservations on that site at seven in the morning and beyond. We
start construction as you know at eight in the morning. I will represent you have approved
projects up there and people start construction way before eight in the morning having personally
observed it. Seven in the morning is probably a reasonable start time and it is representative of
what has gone on there for at least the last 35 or 40 years.

Commissioner Lippert: Okay. Would there be any night tennis?

Mr. Pahl: There are no lights on the tennis court.

Commissioner Lippert: So sunset would be when you cease operation.

Mr. Pahl: Yes.

Commissioner Lippert: Okay, thank you.

Chair Garber: Commissioner Tuma.

Vice-Chair Tuma: I have a couple of clarifying questions for Staff or maybe for comment. The
first of those has to do with the letter that was at places today from the Miller Star law firm. I
was curious as to whether you had any comments on the two issues raised there. Then also I
would like to hear your comments or thoughts on the three conditions that have been raised
tonight by the applicant having to do with upper versus lower on the buses, no tennis before nine,
and then the TIRE index.

Mr. Williams: Let me respond to the Miller Star one and then you can respond on the
conditions. First of all you received a copy yesterday I think we emailed to you the letter that
Miller Star Regalia had sent. Subsequent to the Commission’s last review of the project on the
Site and Design permit and that was lengthy about CEQA and we revised the Negative
Declaration. The letter today hasn’t gotten into the details at this point on the Mitigated
Negative Declaration but they did talk about a couple of issues that we believe were really
addressed previously. The first one is the impervious surface. That was discussed with the Site
and Design Review it was part of the Mitigated Negative Declaration. The impervious surface
overall is decreasing on the project so regardless of whether it is over what our basic standard
would have been the change that is occurring now is one that is reducing the amount of
impervious surface and subsequently reducing is as Russ indicated the overall amount of runoff
that is coming off the site. We have seen from the applicant’s engineer designs to ameliorate
runoff in any event. It is standard policy now when the City engineers review project plans not
to allow more runoff off the site than exists today. So it is basically a zero runoff situation. In
any event that was addressed earlier. It is a decrease in the impervious surface.

The second is they are suggesting story poles be placed on the site. They were placed on the site
the last time you saw this. That was the Site and Design Review this is not what is before you
tonight. The architecture and design was already looked at by the Commission and has also been
looked at by ARB and recommended for approval to ARB. So they are suggesting that that
would then lead to revisions to the Negative Declaration and all that. That hasn’t changed since
the last time. There has been no change to the environmental review document to reflect because it is the same as it was and was adequately addressed initially.

Then as far as the conditions that applicant spoke to, Russ.

Mr. Reich: Sure. The first one was related to the bus parking and that comes from the 1994 City Council minutes. My assumption was that the upper parking that was referred to in those minutes was actually the higher section of that larger parking lot section. I was not assuming that it was the drive aisle right up next to the club. Again, I am assuming that their reason for that condition was to keep buses further away from the residences because they can be kind of loud when they are running. So Staff would not have any issue with them parking the buses at this upper portion of that lower lot. It is kind of hard to describe how the parking lot works but the greater portion of the parking lot if it is only divided into two sections.

Chair Garber: Which section are you looking at?

Mr. Reich: I am looking at page A1.0, the general site plan and it includes the entire parking for the site. So if you do break the parking lot only into two sections then I would say that the lower section is appropriate but furthest away from Alexis Drive should be stated. We can restate the condition such that it is in the lower parking lot but further away from Alexis.

Chair Garber: It might be helpful if the applicant were to point out where this area is.

Mr. Pahl: Sure. I understand what Russ is mentioning.

Chair Garber: Your laser pointer would probably come in handy here.

Mr. Pahl: Right in this area. It would be this part right here, which is not a difficulty for the club to manage. So it would be the northern most section of the lower drive.

Chair Garber: Russ that is the area that you were indicating?

Mr. Reich: If you move the pointer up just a little bit just right in there is what I was thinking.

Mr. Pahl: That is the second tier. The lower tier is right here.

Mr. Turner: Right, I was thinking if you divide that portion into two tiers in the condition that was written I was assuming that it related to the upper tier bringing it further away from the residences not the single lane drive aisle up by the club.

Mr. Pahl: From a reality standpoint the buses can’t make that turn. The buses cannot – it is a one-way drive coming through here coming down. Buses can’t make that turn. They can make this one. So from a reality standpoint the difficulty is we are in such tight constraints there buses can’t make that turn. To do so would require us removing parking spaces, which we so desperately need.
Mr. Reich: Again, the only reason this particular condition is in there is because of those 1994 minutes. I wanted to be consistent with what was approved at that time. If it doesn’t work and didn’t work and hasn’t been done since 1994 I don’t see an issue with letting them park where they currently do. I have not received noise complaints or issues related to this. The condition was not crafted as a result of public comments on this it was related to the 1994 minutes. So Staff would not have an issue with it.

The tennis court condition having the start time at nine that also comes from a previous Conditional Use Permit that was requested to expand to having three tennis courts at the site. It was one of the conditions that a Conditional Use Permit was actually appealed and never approved but that start time was just as a result of the conditions that were established at that point. So Staff is open to whatever the Commission feels is reasonable as a start time for tennis.

Vice-Chair Tuma: The third issue that he raised had to do with traffic and the TIRE index.

Mr. Reich: Right, that is kind of a multi-tiered question and I would actually like to defer to our traffic consultant to be able to work with theirs to kind of work this out. The TIRE index is a pretty confusing and complicated measure and we would certainly defer to them to come to an agreement. The other aspect of that was the 90-day timeframe. The reason that that was built in was such that the count was taken very close to the point when the construction or the club embarked on completion of the project and it actually does make more sense to use the count at the highest volume point which is in June/July. I know Curtis actually put that into the record so if he has any objection I think it makes more sense to use the month at which the club is busiest.

Mr. Williams: I think this whole mitigation measure is something that requires development of a TDM plan and strategy and presentation to our Transportation Staff and that is where that discussion ought to occur with them. I think we have flexibility in here in that it has to be submitted for them to determine when those recounts are made and the information that is provided to support the TDM measures. So I don’t think it is something that tonight we could get into and decide but it is something that certainly could be discussed with our traffic people. I would imagine they certainly could come up with some kind of a resolution with the applicant.

Vice-Chair Tuma: So let me ask the City Attorney for purposes of tonight could we approve the CUP but the condition be that the applicant work with Staff to develop a TDM plan that is acceptable or would we have to look at that TDM plan in order to deal with it?

Mr. Larkin: I am looking at that now and I think that is encompassed within that mitigation measure is to work with the City’s Transportation Staff so I think that that is something that the Commission could approve tonight.

Chair Garber: Commissioner Fineberg.

Commissioner Fineberg: My first questions are for the City Attorney. What is the status of the existing Conditional Use Permit for the club given that neither Staff nor applicant can actually locate it?
Mr. Larkin: That is one of the reasons that instead of doing an amendment to the Conditional Use Permit we are doing, I think the applicant described it adequately as an amended restated Conditional Use Permit because the Conditional Use Permit that was granted was never revoked. From what we can tell it was not given an expiration but because we don’t have it we don’t know what it says. So that is one of the reasons we are going back and essentially trying to cure the defect that we can’t find it by creating a new Conditional Use Permit.

Commissioner Fineberg: If there are items in this let’s say the seven o’clock tennis start and it had in fact been nine would this supercede it?

Mr. Larkin: This would. I should point out I think the nine in the morning start time was a condition that was going to be applied in a prior amendment to the Conditional Use Permit but that amendment never got adopted. So as far as we know that nine o’clock start time never started. The reason to do this in a comprehensive way is to ensure that there aren’t these kind of loose things out there that may or may not have been in the original Conditional Use Permit but we don’t know. This would be the Conditional Use Permit and anything that happens in the future would be an amendment to this Conditional Use Permit and it is as if that old use permit never happened.

Commissioner Fineberg: Okay. Then I would also like to talk a little bit about the TDM program. In the reference where the traffic counts would be done in June was that intended to mean June of next summer or was that language crafted months ago before the revisions to the Mitigated Negative Declaration so was that intended when it was written to have been June past?

Mr. Reich: Yes it was intended to be June past or the June prior to construction of the project because it is our understanding that it is the busiest time of the year for the club so we wanted to capture that point at which the volume is highest as the baseline.

Commissioner Fineberg: Okay, if that is the case then my next question when we were talking about the TIRE counts is there a reason the applicant or Staff would focus on average traffic rather than peak traffic if indeed is what needs be mitigated?

Mr. Williams: The TIRE index is an average, a daily average index. Unlike our other counts at intersections which are peak hour TIRE because it is measuring sort of the sense of a residential community of residential streets and how much traffic over the course of a day is increased it is based on an average daily and it is not based on a peak hour. That is the way that is calculated. Our traffic engineer is here and can probably explain that better than I but it is a different thing. When we are talking about intersection analysis of a collector and an arterial or something like that then yes we would use peak hour and that is the standard thing. TIRE is a very different type of approach and it is based on an average daily traffic count.

Commissioner Fineberg: Okay, I would love to hear from the traffic engineer mostly with the question of why would we look at average rather than peak.

Mr. Dennis B, Dim Jim Harris Consulting: We do consulting work for the City. I have been a traffic engineer for over 35 years and one of the things I have found over the years is that from
day to day, week to week, traffic can vary as much as 20 percent a day. So by taking an average of a Monday through Friday or in this case a Tuesday, Wednesday, Thursday because those are the heaviest days of use you can take some of that variation out of it over the course of the whole day. Even during peak hours when we do peak hours analysis for intersections we are still looking at probably an average of two or three days for the traffic again so you could take that variability out of it. It is just the way the whole philosophy of the TIRE index was developed was based on average daily traffic. For most streets you look at a Monday through Friday situation. This is a unique situation because it is serving a high generating use on one part of the street. That is primary reason given the fluctuations and the variables.

Chair Garber: I just had a quick question of Staff. In terms of the Commissioner’s work this evening we are not, I am reiterating here, we are not trying to make findings on Site and Design, which we have done in the previous meeting. Our narrow focus this evening is really to review the Conditional Use findings, which are on page seven of which there are only two, correct?

Mr. Williams: Right and a revised Mitigated Negative Declaration.

Chair Garber: Yes, and the Mitigated Negative Declaration. So just as a reminder to the Commission the two findings are one not that the project be found to be not detrimental, injurious to the property or improvements in the vicinity and will not be detrimental to public health, safety, general welfare, or convenience. Number two is that the project is located and conducted in a manner in accord with the Palo Alto Comprehensive Plan and the purposes of this Title, this is on page seven. Commissioner Keller you had some questions?

Commissioner Keller: Yes thank you. The first question was with respect to the runoff. I understand that the expectation is the runoff will be decreased as a result of the reduced impervious cover. Is that right?

Mr. Reich: That is a small reduction. The larger reduction is that the new roof of the fitness center and the pool deck area, which currently drain to the parking lot, which drains to the street, which drains to the neighbor’s property, will actually be redirected in this project proposal to go west to a detention pond in the golf course. So the 30 percent reduction is based that water from that area being taken in another direction.

Commissioner Keller: To what extent does the existing runoff sort of a grandfather condition or to what extent is in some sense the property owner allowed to continue having runoff into the adjacent property and to what extent do our policies indicate that you are not supposed to have runoff into adjacent parcels?

Mr. Larkin: Are you talking about for the Mitigated Negative Declaration or for the Conditional Use Permit?

Commissioner Keller: I am not exactly sure where the runoff was mentioned.

Mr. Larkin: I think this was a subject of the Site and Design that you have already completed. That is why I was asking the question. I think with regard to the Mitigated Negative Declaration
it is what is this project going to do in terms of increasing environmental impacts and obviously
it is not going to increase it it is going to decrease.

Commissioner Keller: I see.

Mr. Williams: If your question goes to is there any liability for the golf course in terms of
having drainage impacts on downstream neighbors I don’t think we can answer that. That is a
private matter between the two of them in terms of if something in the past has resulted in that.
That is not before us right now.

Commissioner Keller: So is it fair to say that basically our purview is because the runoff is
decreasing due to these various measures that the City’s overview of this is in that process and
that is it?

Mr. Williams: Yes. We hope that the applicant will meet with the neighbor and try to see if
there is some more they can do to help out but that is kind of in their court to do that at this point.

Commissioner Keller: Thank you. The next question is with respect to this CUP condition
number eight. Rather than specifying lower versus upper parking lot would it make more sense
to make no specification as to where the parking is rather than specifying that it has to be the
lower parking lot? In other words, delete the wording.

Mr. Reich: It would seem that there is little opportunity other than what they do now relative to
buses and so if there aren’t any public issues with their bus parking I don’t see a need to include
the condition. Again, the only reason it was there was because it was in those former minutes
where apparently at one time in the past there was an issue but perhaps they have trained the bus
drivers to turn the engines off so they are not an issue any longer.

Commissioner Keller: Well, I make a distinction between where you park and the notion of
idling for long periods of time. It may make sense to retain the idling provision while deleting
the parking location provision.

Mr. Reich: Correct.

Commissioner Keller: I am wondering do we have a quantification of what long periods of time
means? Do we want to?

Mr. Williams: Until we get a complaint, probably.

Commissioner Keller: So you are saying that would be complaint driven?

Mr. Williams: Well it would on our end.

Commissioner Keller: So the definition of too long is when people complain. With respect to
the tennis court I guess that there are one or two houses near the tennis courts. Have we ever
gotten any noise complaints or issues from those neighbors as to their being woken up in the
morning because of hitting tennis balls? I certainly that respect to the issues for Winter Lodge and the tennis courts there. So it would actually be pleasant that there are not complaints here but I just want to confirm that.

Mr. Reich: I have not received any comments relative to noise issues from the tennis courts. I am not aware of any.

Commissioner Keller: Has the applicant heard any complaints about the tennis courts and their time of use?

Mr. Pahl: We have never received a complaint from any of the people regarding the tennis courts. I would add that the neighbor who is most affected by the tennis court would not have purchased his house were we not doing this project. That was in your packet back in April. So he not only wants this project but he would not have purchased the house if this project was not going forward.

Commissioner Keller: Thank you.

Chair Garber: I am seeing no more lights here. Can we wrap up the questions? With that we will open the public hearing. We have one card, Alicia do we have any others? Mr. Borock you will have five minutes. If there is anyone else that would like to speak please fill out a card and you will be next in line.

Mr. Herb Borock, Palo Alto: Thank you Chair Garber. The project before you violates the California Environmental Quality Act in a number of ways. I would ask you to cure and correct that problem. First of all the environmental review in this case the Mitigated Negative Declaration refers to the entire project, which includes both the proposed use permit and the Site and Design review. Since the Mitigated Negative Declaration has been revised you need to go back and do the Site and Design process again. Secondly the mitigation measures must be agreed to by the applicant prior to circulation of the Mitigated Negative Declaration or revised Mitigated Negative Declaration. If the applicant doesn’t agree to mitigations identified by Staff then the only alternative is an Environmental Impact Report. As you have heard by the applicant’s presentation they object to at least one mitigation measure and at least two conditions, eight, 11, and at least part of 13 for the use permit. So just by their own statement they don’t agree with mitigation measures that are in the Mitigated Negative Declaration. Therefore this should have never been circulated for public review or the hearing held.

The mitigation measures, most of them are about future actions that will determine what the mitigation measure will be. That is also a violation of the California Environmental Quality Act. You need to have clearly defined mitigation measures that are agreed to by the applicant. You can’t refer to it some future study by Staff. You can’t have an option of choosing from among three. Those are among the problems with the mitigation measures including mitigation measures three, four, and five.

There have been comments about the approval in 1994. You have before you the minutes of the Council meeting of April 11, 1994 where the Council adopted a motion made by Council
Member McCown, seconded by Council Member Wheeler to adopt the use permit subject to conditions, which conditions were based upon an environmental assessment. In case Staff is still having problems finding it the application number was 93UP5 and the EIR was 93EIA34. There is evidence in City files of future letters referring to past letters but there is also evidence in other projects of items from files disappearing. I know that when Fred Herman was Chief Building Official he would not go ahead with a project unless it was clear that the planning entitlement had happened. The conditions that were made on April 11, 1994 were based upon environmental assessment. It wasn't that there wasn't any there were such conditions.

The current project as the previous one is based in part because of the way this organization operates. This is a for profit organization. Its two main competitors Sharon Heights and Los Altos Country Clubs are nonprofit organizations. They don’t have the same need to be gaining additional income. At the beginnings of the club they could sell land for housing but since there has been a zoning change and since they already exceed the impervious coverage they can’t be selling off any land because they would be put in further noncompliance and impervious coverage. In 1994 they had 388 proprietary members and 55 social members. The Council chose not to put any limits on those although they said there would be an increasing to 405 proprietary members and made no indication of increasing social membership. The social membership has now more than doubled. The proprietary membership has increased seven percent instead of the four percent. In fact at that time they said they increased the proprietary membership even if they didn’t get approval for the new construction. So it is the profit-generating motive here, which is creating this. Thank you.

Chair Garber: Thank you. Do we have any other cards? No.

Mr. Williams: Mr. Chair, I just want to go on the record and respond to a couple of the points that Mr. Borock brought up about the CEQA review. First of all, the Negative Declaration does cover both the use permit and the Site and Design. We don’t think there was any change in terms of how the Site and Design affects this. I would concur with his assessment if the Council had approved the Site and Design and it was now considering this that they would need to go back. But ultimately the Council is the one that approves the Negative Declaration and you are making a recommendation on it. There is not anything substantively different in there than what you saw at the Site and Design stage.

Secondly, the agreement to measures, our understanding is that the applicant does agree to the mitigation measures. The objections they had two of them were to the Conditional Use Permit conditions, which were not mitigation measures associated with the environmental review. The other one is to the monitoring or the recount that is to establish the baseline, which is a clarification of something that is not even listed in the mitigation measure for the TDM program. It is not part of that language it is separate from that. So I think the traffic engineer said he needed a clarification of it, it is not an objection to the measure. So that can be worked out with our traffic people when the TDM program is put together.

Then the third one as far as not deferring mitigation to a future study or analysis in a very broad sense that can occur but in this particular case and in several other cases that we have had we have asked for TDM measures that indicate and perform certain objectives in terms of reductions
in trips. They need to provide that before they are issued a building permit. If we were and frankly we were previously asking to do that after the club was in operation and hit certain targets then things would go into effect but we are not asking that. That could be problematic. We are asking for those measures to be installed and demonstrated before the building permit is issued so that we have assurance. Courts have found that that is adequate as long as you do have some reasonable measures outlined, it doesn’t have to be all-inclusive, but we have done that here. So we are comfortable that the CEQA document is adequate. Thank you.

Chair Garber: Before we have Commissioner questions of this should we ask if the applicant would like to make any comments and then we can close the public hearing?

Mr. Larkin: I think the applicant is entitled to a short rebuttal.

Chair Garber: Three minutes.

Mr. Pahl: We don’t need to have any rebuttal. I think we have answered your questions. If you have any further questions we certainly would be willing to entertain those.

Chair Garber: Thank you. With that we will close the public hearing. Commissioner Sandas.

Commissioner Sandas: Actually, Curtis just answered my questions. Thank you.

Chair Garber: Commissioner Keller and then Commissioner Lippert.

Commissioner Keller: I appreciate Curtis’s answers. Just to clarify, one of the things that Mr. Borock mentioned was the issue of I think mitigation three, which is in the alternative. I think you addressed this but I just want it to be clear. The mitigation three gave a choice of measures that would be taken to achieve an objective with respect to sound and therefore the mitigation measures are really to limit the sound increase and there was a delineation of techniques for doing that.

Mr. Williams: Exactly, and that is to be done prior to issuance of a building permit.

Commissioner Keller: Great, thank you.

Chair Garber: Commissioner Lippert to be followed by Fineberg.

Commissioner Lippert: A couple of follow up questions. Was the traffic baseline for the TDM ever done in June?

Mr. Reich: For the traffic analysis they did do a baseline but we wanted them to do another one closer to project implementation to study the volume of traffic at that time. I don’t know the month maybe the applicant can specify.

Mr. Pahl: We actually did two baselines. We did one in June 2007 and did another one in July 2008.
Commissioner Lippert: Thank you. Again going back to condition of approval 11 on page 23, throughout the city do we have any sort of general rule that we use for tennis courts when they are available say public courts or is it sunrise?

Ms. French: The only project I can think of is the Winter Lodge and I don’t know off hand what hours those are limited to.

Commissioner Lippert: Okay, but for public courts throughout Palo Alto do we have any conditions that we put on private courts that might be on private land in terms of single family residential?

Mr. Williams: Don is going to go grab the rules that apply to parks, tennis courts, and hours of allowable operation. So we will let you know in a few minutes.

Commissioner Lippert: Okay. What about on a single-family residence that has a tennis court?

Mr. Reich: We wouldn’t have the authority to impose conditions on a single-family residence. It is not a discretionary application.

Commissioner Lippert: Okay, thank you.

Chair Garber: Commissioner Fineberg.

Commissioner Fineberg: Could Staff talk a little bit about how to deal with the issue of the Mitigated Negative Declaration dealing with the Conditional Use Permit items, which are now being revised? So if we are changing for instance the time of tennis starting from ten to seven or where the bus parks if that is not reflected in the revised Mitigated Negative Declaration and it hasn’t been circulated to the public is that acceptable?

Mr. Williams: It does not need to be recirculated unless we are identifying a new significant impact. So if your assessment is that by going from nine o’clock to seven o’clock for the tennis courts that that is not a significant adverse impact, and I assume you wouldn’t do that if you thought it was a significant adverse impact, then no we would not have to recirculate. So the only time we would have to recirculate is if we were adding something that created a new significant impact that then might require new mitigation measures. I don’t know if we defined tennis courts in part of the noise section. I don’t think it was even in there before.

Mr. Reich: Right. The only concern over noise was related to the mechanical equipment. We didn’t assume that the tennis court noise was going to be a violation of our Noise Ordinance. They don’t have stadium seating and things like that where there might large crowds.

Chair Garber: Commissioner Tuma, clarification and then Commissioner Sandas.

Vice-Chair Tuma: Is it fair to say that neither of these two issues are not in here as mitigation issues because we are mitigating something in the Negative Declaration rather that they were in
here because we thought perhaps they were part of a prior CUP? So it doesn’t really impact the
Mitigated Negative Declaration, is that right?

Mr. Williams: Right.

Chair Garber: Commissioner Sandas and then Fineberg again.

Commissioner Sandas: Just an FYI to lend a little perspective to the issue of tennis courts and
tennis court noise and so forth. There is a public tennis court in my neighborhood in a park that
is very much closer to houses than what the tennis courts are at Palo Alto Hills. People are
playing as early as six in the morning and you would know if there had been complaints. So just
to lend a little perspective to that.

Chair Garber: Commissioner Fineberg.

Commissioner Fineberg: Could Staff also talk a little bit about whether or not there is a fair
argument that there is a need for environmental review if there are significant adverse
environmental impacts? I understand from the Mitigated Negative Declaration Staff doesn’t
think there are but how do we consider when a neighbor believes there is a fair argument?

Mr. Williams: We generally consider whether there is expert input indicating that. If it is
basically just that someone qualified to look at that has looked at the situation and provided that
input rather than just I have had problems in the past and I think they are going to be more
problems now. I think we need to address that but in terms of that creating a fair argument that
there should be an Environmental Impact Report, which wouldn’t really do much more than
what has been done here, would identify that there is a reduction in the amount of runoff to that
property from this project. So in the absence of some kind of quantifiable evidence I think that is
where we tend to draw the line in terms of fair argument. That is a sort of subjective criteria too.
I think in a situation like this because the applicant’s information has documented specifically a
30 percent reduction or whatever it is in the runoff in that area then we would need something
that was considerably more substantial than sort of anecdotal history to create a fair argument
that we need to go farther than that with this environmental review.

Commissioner Fineberg: Okay. I am also thinking in terms of the letter that was sent to our
Mayor in I believe it was June where a well-known law firm specializing in real estate and land
use issues hired some technical experts and claimed there were some fair use arguments that
there were significant adverse affects. Do you feel that those fair use arguments still exist?

Mr. Williams: No. We think that there were three or four points there where we have enhanced
the Negative Declaration to address that. Some of them that had to do with traffic, some were
more informational just being sure we had a more detailed project description, which we don’t
think necessarily were serious deficiencies but nevertheless they were easy to remedy. So we
have put that additional information in there for grading, geotechnical conditions, and specifying
them as mitigation measures. We have gone ahead and done that. So we have addressed some
of them by revisions and the other ones we believe had already been addressed through the
document that had been prepared and they continue forward in the new document. So we do
think at this point that we have addressed any that there was some substance to in that earlier letter.

Commissioner Fineberg: Thank you.

Chair Garber: I am not seeing any other lights up here. Commissioner Tuma would you like to post a motion?

MOTION

Vice-Chair Tuma: Sure. I move that the Planning and Transportation Commission recommend that the City Council approve the Mitigated Negative Declaration and the Conditional Use Permit for the project located at 3000 Alexis Drive with the findings and conditions as set forth in Draft Record of Land Use Action modified by deleting the requirement specifying where the buses would park and deleting any restriction on time that the tennis can begin.

SECOND

Commissioner Lippert: I will second that.

Chair Garber: Would the maker like to address his motion?

Vice-Chair Tuma: Yes. I think it is time to move this project on. I think the applicant’s have been patient. I think they have done a good job. They have been responsive to the neighbor’s concerns. I think that they have worked well with Staff in terms of addressing issues both environmental issues as well as the neighborhood. Twenty-one months is a period of time that in my view is long but I think it has been a good process and I think it is time to move it forward. Also, I am certainly prepared to make the findings as required on page seven of the Record of Land Use Action. I won’t read those again as Chair Garber did but it is certainly not detrimental or injurious and I think it is in accordance with the Comprehensive Plan.

Chair Garber: The seconder?

Commissioner Lippert: Yes, I agree with Vice-Chair Tuma’s comments. In addition to that I would like to thank the applicant and the public. I think that this process has really refined the project significantly, it has addressed all the issues adequately, and I think that it is time that it just move ahead and be approved. Thank you.

Chair Garber: Discussion? Commissioner Fineberg.

Commissioner Fineberg: So I am not going to be able to vote in favor of this unless something changes in our discussion. I am extremely concerned about us changing items in the CUP without public notice, without giving the neighbors who will be impacted an opportunity to know what will be coming. I think it is irresponsible of this body to do that. I think that in light of the fact that we don’t know what CUP exists today I find it just stunning that we are just starting over. I don’t know how one remedies that if the information is truly lost to all but I find
it hard to believe that somewhere in the City that CUP isn’t in someone’s file cabinet and that we
were not able to find it. I think if we had that old CUP it would give us a lot of guidance as to
things that would make the overall project a better one and to not benefit from that and approve
this project I just feel that is injurious to the public. I don’t think that we have adequately
analyzed the traffic in order to say that it won’t be significant. I do think that there are several
parties that are reputable, licensed, professionals in the field that have stated there is fair
argument that the project may have significant adverse environmental impacts. I won’t be able
to make the findings and can’t vote in favor of this.

MOTION PASSED (5-1-0-1, Commissioner Fineberg opposed and Commissioner Holman
conflicted.)

Chair Garber: Thank you. Any other Commissioners? With that let’s call the question. All
those in favor of the motion? (a yes) Those opposed? (nay) That is Commissioners Sandas,
Keller, Garber, Tuma, and Lippert voting for and Commissioner Fineberg voting against, with
Commissioner Holman conflicted. That closes this item. Thank you very much.

We will take a five-minute break and then we will reconvene for the remaining items on our
agenda. Thank you.

Let’s reconvene. We will reopen our conversation regarding item number one, which was our
conversation about exceptions and that process which is a study session. Welcome back. I
believe Commissioner Keller had his light on just before I closed the session previously. Would
Mr. Keller like to start things back up?

1. **Study Session:** Commission discussion regarding the current regulations and use of the
excepts processes, especially the Design Exception Enhancement and Variance
processes.

Commissioner Keller: I would like to make the observation that tightening Design Enhancement
Exceptions does not stop the potential for projects to move forward. It merely means that those
exceptions would have to be treated as Variances, which would either be approved or not
approved through a process. So in some sense there are two different things going on. One is
the issue of whether things that don’t fit the zoning rules are properly treated as DEEs or as
Variances and I think that is one thing that should be considered better. From my point of view
the way DEEs are worded in terms of the Zoning Ordinance at least with respect to DEEs I
saw the University Avenue some of them did not look like DEEs to me. Anyway, we are not
allowed to look at that in detail.

The second issue is the issue of how DEEs and Variances are handled and the fact that the ARB
can’t talk about Variances seems like unfortunate compartmentalization. The fact that when we
reviewed the Variance we were not able to review the findings for the DEE, I don’t care about
reviewing the issue about the nature of the design issue and whether it is a good project or not,
but whether we are allowed to review the findings for the DEE is something that I think we are
well qualified to understand and is generally in our purview because they are similar to the
finding for a Variance. So I think that for me those are the two things to think about is
rationalizing the distinction between how DEEs and how Variances are handled, and how they are approved, and how they are appealed.

Chair Garber: By way of follow up Amy would you have an example of a DEE that is a case study that might help us think about whether or not we should or should not be involved with the evaluation of those findings? That might be helpful to the conversation.

Ms. French: I will need to think about that.

Chair Garber: We can come back to it if we need to.

Ms. French: You just gave me a little entrée that while you were deliberating on the last item I had the opportunity to go through all the case studies that I have given you and suss out the numbers. For 15 out of what turns out to be 23 on this three-year list so I have that to report out. The winner is setback as far as the frequency of requests and coupled with that often is daylight plane on the same side as the setback that is being encroached upon, which you would expect. Then third in line as far as frequency of request is height. So I will go and think about which project to look at. Definitely there are those projects along El Camino that are the mixed use that Lee was referring to where you get a mix of uses, you are trying to bring the project forward to go along with the El Camino Real Guidelines, it makes more urban sense to have it violate those setbacks and daylight plane for the most part. You might have another type of project that is bordering residential that you might want to look harder at. So I guess when it comes to Site and Design review I think that is where you are getting some things at your level that the ARB may have seen a DEE but you are not looking at the DEE because you are told it is not your purview. So I think those are the ones that would be of interest I would think to look at, which ones are you not allowed to address in those case studies and I can pick those out for you.

So the Hillview projects, the SAP, so 3401 Hillview, which was a height Variance. It was a clearstory window. Then 3412 Hillview, which was a height and a site coverage issue. Some of you may remember that one. We actually had a joint study session on that one with the ARB so that was kind of interesting. That was a first and last time I think we have done that on a project. The West Bayshore one I think is an interesting one in that it had some of these things with a side and daylight plane on the same side. The tandem parking that is kind of a more obscure one but that has happened with some multi-family residential. One that I think you could look at is 450 Cambridge. This is the new Palo Alto Weekly that has a rear daylight plane, a rear setback, and a height. It backs up to residential, it is multi-family residential but that is kind of interesting. It is an existing building that is there now that encroaches that went to ARB. So if you wanted more detail on that I can just kind of run through on that.

My report to you tonight that was at places, Case Study Projects, so going down the first six there, the first one had one DEE, the second one had two, the third one had three, the fourth one had three, and the fifth one had three. So as a sampling you will get between one and three DEEs typically. It is rare to get four or five. The times that we have had four or five requested have been multi-family residential projects as a rule. Some of those may not need them. Arbor Real for instance had four DEEs for the front setback that being El Camino Real, something
along Charleston as well. I am sorry that is Summer Hill. The front setback being the side street that goes off of El Camino.

Chair Garber: Amy, forgive me for interrupting, Commissioner Fineberg was just wondering if you happen to know how many units were a part of those multi-family examples that you were citing.

Ms. French: Summer Hill has four exceptions and that was 45 units I believe. The 195 Page Mill, which was that mixed use project by Hohbach, was about 184 units.

Commissioner Fineberg: Amy, excuse me, not how many units were in the project, but how many units did the DEEs and Variances apply to?

Ms. French: How many of the housing units?

Commissioner Fineberg: Yes.

Ms. French: No I didn’t quantify that. I am talking about type of exception now. So we have the three tiers. We have the first tier being does it have a DEE associated with it? The second tier is what are the types of DEEs requested like side daylight plane, side setback, height? The third tier would be how many units or how many of the buildings are asking for this encroachment? So depending on the design of the building it could encroach in three places because there is a corner of the building that is not quantified.

Mr. Williams: I can report the 195 Page Mill one wasn’t specific to a unit because it is all in one building. So it was essentially a setback/daylight plane issue on the side adjacent to the railroad tracks that applied there and it was encroaching a little bit into that area. It wasn’t necessarily specific to a unit because it is like an apartment building. So a portion, not all of it, encroached but a portion of it did.

Ms. French: I have to say in the body of the Staff Report, which again requires opening and rereading the Staff Reports we will often say across a distance of 30 feet, let’s say for the 195, it will encroach two feet into it. Sometimes we try to quantify it like that.

Chair Garber: I was going to ask the Commissioners before we went on how much time we think we are going take with this conversation? Another 20 minutes or 30 minutes?

Commissioner Holman: I can see it easily being an hour.

Chair Garber: Others? I hear an hour. Commissioner Fineberg did you have a follow up otherwise we have Sandas and Lippert behind you?

Commissioner Fineberg: Thank you so much for the data Amy. I know that it is not easy to get at and not in a form and with limited Staff I really appreciate that. I think it is extremely important as the conversation goes forward that we not count just the project asked for a DEE but that we maybe be able to sort the apples and oranges as we have talked earlier, because one
DEE let’s say for multi-family home that applies to 30 units across a line has a very, very
different impact and that is where I think we are getting on that slippery slope of is it an
exception or is it becoming an embodiment of the design, which isn’t our purview, and then what
guidance should Council give the ARB in terms of should they be doing exceptions on 30 out of
90 units in a project or should it be onesy-twosy? So if we can have a view of it that way I think
it would shed a lot of light on it.

Chair Garber: Commissioner Sandas and then Lippert.

Commissioner Sandas: I am not quite sure what I wanted to say but when you were talking
about your list all the attachments that you supplied that show the findings for the DEEs I think
are very informative and they were very worth reading so we kind of get the better picture.

Chair Garber: Commissioner Lippert.

Commissioner Lippert: In Commissioner Keller’s question asking Staff to provide examples on
a DEE I think it is easier to relate to something or a project that has already been built rather than
ones that are in the list that talks about something that will be built or hasn’t even been built yet.
So to give you a simple example of a DEE, 200 Hamilton on the corner there is a tower that is
diagonally across from the Peninsula fountain. That required a DEE because the tower itself
exceeds the height limit by I think it is something like five feet but the rest of the building
doesn’t. So that would be an example of a DEE that the ARB would have approved because it is
built. Now I want you to imagine for a second a project that they approved that didn’t require a
DEE that I find very difficult to understand, the Cheesecake Factory where they approved a two
story high space. They have not increased the FAR. They could have put a second story in there
but they chose to express it as a two-story volume and that doesn’t occur on a corner it happens
mid-block. So the DEE for the 200 Hamilton actually acts as a bookend and reinforces the block
because it is on a corner whereas something that increases the height in the middle of the block
actually does not create for a harmonious streetscape yet it didn’t require a DEE. I just wanted to
give those as sort of examples where a DEE would be appropriate and where just the general
approval process didn’t require a DEE, didn’t do what it was supposed to do.

Chair Garber: Forgive me, Commissioner Holman and Keller are next in line here, but I just
wanted to query Commissioner Lippert. In that example would there have been an opportunity
for the Planning Commission to weigh in on one of those topics in some way or another?

Commissioner Lippert: I don’t believe so. Only if somebody had appealed the recommendation
to the Director and the Director’s action on that.

Ms. French: Any appeal of the DEE and ARB for the 200 Hamilton and in the case of
Cheesecake was ARB and believe me you should have seen what first came in, that would have
been an appeal to the Council directly without any Planning Commission input.

Chair Garber: My question was actually less procedural than it is opinion, and that is were there
issues with that particular application that would have been better reviewed by the Planning
Commission versus the Architectural Review Board? Not to put you on the spot.
Commissioner Lippert: Well, first of all, I think it was a really narrow decision. I believe it was as two to three decision on that building for Cheesecake Factory. I don’t think it is appropriate that the Planning and Transportation Commission weigh in on quality and character issues.

Chair Garber: So the action that was being asked didn’t have to do with its occupancy or the use of the property?

Commissioner Lippert: Correct, or the FAR.

Chair Garber: Okay. Commissioner Holman.

Commissioner Holman: I also want to thank Amy because especially currently you are kind of doing two jobs and I know this has been a challenging exercise. I really do appreciate your effort toward this end and I want to acknowledge that publicly. I really appreciate it.

I agree with the comments that Commissioner Keller made most recently having to do with rationalizing the difference between DEEs and Variances. DEEs in Attachment B under Applicability, B-2 it talks about dormers, eave lines, roof design, bay windows, cornices, and those are the kind of things that I think we would all consider as minor. If we could find a way to set some kind of limitations on setbacks, daylight planes, and height that also could be described and in a fair reasonable mind would be considered minor. I think that would be appropriate and advisable.

Where we get into such difficulty I believe is when we have – I will speak for myself. Where I get into difficulty is when we have exceptions that are DEEs that are of such a scale that they really do significantly affect the development standards. That to me then is not an application of a DEE it is an application for a Variance. The process that we are currently using has significant exceptions that are using two different classifications so it makes the review process disjointed. So there is not a cohesive review. That I think is very, very problematic. So I am hoping we can come to some resolution on how to resolve that.

Having to do with notification I do understand that there is a 20-word recommendation. It is on page six, under Notification, Roman numeral three, third paragraph, and my understanding was that it is a 20-word, is that correct Amy?

Ms. French: Yes, our training was that 20 words is the goal basically that we are striving for. We rarely pare it down to 20 it is usually quite a bit more than that but we try.

Commissioner Holman: I understand that the purpose of that is so that – I can see how a project description could potentially become a Brown Act issue if the descriptions become too verbose. At the same time there is the public’s right to know and the purpose of notification is to make sure that anybody who might be an interested party has all of the information about any action that is proposed to be taken.
Mr. Larkin: That is not quite right. What the public has a right to know is whether there is an item that is going to be up for discussion that they may have an interest in and that is the purpose of the 20-word limitation. What the Brown Act says is you have to give notice to the members of the public that an item is going to be discussed. You don’t have to identify every specific detail. Certainly you want to identify the bigger picture but the idea is you give people enough information to know whether they are interested or not. If they are interested then they go to the Planning Department or the website and pull the Staff Report and see exactly what the action is and get the details that way. The idea is not to put all the details into the notice because I think that you lose the forest for the trees.

Commissioner Holman: I did not mean to indicate all the details. However, see if we agree on this. If there is a project and I will make one up. If there is a project that completely complies with all zoning and there are no exceptions I can see how a description could go out that would fall within the 20-word proposed limitation or suggested limitation. That satisfies not only the legal requirement but from my perspective, I’m not an attorney, the public’s right to know perspective. If there is a project that has let’s say my way of counting them has five Variances, three DEEs, and a heritage tree removal those listing of items to be concerned I would think to me are what might make a member of the public want to know whether they are interested in that or not. So that to me is not going into details that is providing critical information about actions to be taken buy the reviewing body.

Mr. Larkin: Again, I would distinguish between the notices that go out on the cards and agenda titles and notices that go in the newspaper. The idea is not to provide a DEE for height, daylight plane, FAR you wouldn’t necessarily need to list all of those specific items but you could say and I think it would be perfectly reasonable to say including multiple DEEs, Variances, and heritage tree removal so people get the idea of the scope of the project.

Commissioner Holman: Agreed and you will note that I didn’t say a DEE for a 12-foot encroachment I didn’t go into that much detail but I did say for instance three DEEs, two Variances, and whatever.

Mr. Larkin: The 20 words is generally a maximum but we often exceed that because our goal is to err on the side of more disclosure.

Commissioner Holman: So having said that what I find important is that the notifications that go to neighbors are very critical of course but the public may have interest in a project for unknown reasons. So I am not sure why there would be a difference between the notification cards and the public notification. Just to say it and Staff has heard this, I have found that the public notice in the newspaper, the agenda listing, the Staff description still do not sometimes give all the critical information. I am talking about critical information not all the details. I further find that reading, and I am not trying to be critical of Staff here. I am trying to see how we can make this better. That is the purpose of these comments. That even after reading the full Staff Report that I still don’t know what the project entails until I have read all the attachments, the letter from the applicant and still sometimes I have to go back to the notification that was the newspaper to find out that there was yet another issue to be considered or is a part of the project. So what I am looking for is some consistency and some reliable method of notification to the public,
concerned persons, and we don’t know who the concerned persons are. If they don’t know what
the projects entail they don’t know to investigate them or their interest hasn’t been peaked. So I
hope other Commissioners will agree with this but there needs to be salient information that is
consistently provided and not in sequence but in a complete form.

Vice-Chair Tuma: I just had a thought as a practical way to implement what Commissioner
Holman is talking about, well it should be practical in this day and age. Using the website, we
put all the information up there, right? As a practical matter sometimes that is too much
information yet the 20 words or the small cards sometimes is not enough information. So could
we have something for example that as a routine part of the notice we have a file number or
something that someone could just go to the City’s website enter it and get a synopsis? I
understand that but it doesn’t get them the whole file it gets them a synopsis, a better notice
when it is required, or something where we use technology but you make it easy. So the notice
in the newspaper or the notice on the card says go to the website and enter this number and it will
give you a more detailed or a better or more informative summary. What you get now is either
this little thing or this arguably unmanageable thing.

Mr. Larkin: Curtis can talk about the practicality. I think it is a great idea because that conforms
to what the purpose of the notice is which is to identify to people kind of generally what is going
on and where to find more information if you want it. I think that fulfills that goal of the Brown
Act.

Commissioner Holman: If I can continue and add onto that. I think that is a great idea as a
supplement but I still think that the basic critical considerations of a project need to be
consistently supplied in notification cards, newspaper notifications, and in agendas. For more
information than that you can either go to the file number or you can read the Staff Report but
there needs to be a consistency of provision of information for the public. City Attorney will
comment on this I am sure but if projects are not adequately noticed that can if challenged those
projects can be deemed incomplete or nonbinding. It could be challenged by lawsuit if they are
not adequately noticed.

Mr. Larkin: Yes, although even the notices that I think you are not happy with far exceed what
the minimum requirements are as far as challenging. I am not suggesting this is a good idea, you
get away with project application at this address period. That is deemed to be adequate notice.
We don’t feel like the minimum is good enough and I appreciate your suggestions because I
think that is generally the values of this community is to be more open but I don’t think we run
any risk of challenge based on the way we notice things.

Chair Garber: Unless Staff has further comment to this?

Mr. Williams: Well, I think I said earlier there are areas where we can do more and I would like
to look at the suggestion that Commissioner Tuma made. I think immediately start looking over
those notices more carefully and trying to be sure we are providing, it may only take six more
words than we have in there now, but something that is a little more descriptive and highlighting
what is happening on the project. I don’t think it is that big of an issue to do some of the things
you have suggested that we could do without going down the slippery slope of getting into all the details of the project.

Ms. French: I just want to add and I think I put this in the report too but since this discussion had come up in the subcommittee we have started putting more for the ARB meetings something like 'a Variance is associated with this application,' for instance. It doesn't say six Variances or what they are for but it does make mention that there is also a component of the application that includes a Variance. So if somebody is interested in Variances period that may be their bailiwick and they want to research it.

Commissioner Holman: I did note if I could just comment on that quickly is I did note that the language has changed then also for zone changes in relation to ARB meetings and I appreciate that change very much.

Chair Garber: Do you have other comments?

Commissioner Holman: I do but I can pass onto somebody else.

Chair Garber: Great, because I think there are some others that want to weigh in on this. Commissioner Keller and then Commissioner Fineberg.

Commissioner Keller: First let me say that there are actually two different kinds of interests from members of the public. Members of the public might be interested in a particular project because of its type or location and that is one kind of interest for which the standard Brown Act violation should be sufficient. However, some people might be interested in a project because of the precedent value or because of trends. Those are what might refer to if you will an associative search by content if you will. Maybe one way of handling that in addition to what Commissioner Tuma mentioned is the idea that maybe there be a mailing list that people could register for and they just get all the notice cards that are sent out throughout the city and they get them regardless of where they live. I don't think that would require particular effort but this way people could if they were interested in they could spot trends and see which projects they wish to attend based on those characteristics and it wouldn't have the same space limitation as the agenda does or as the notice in the newspaper does. So this way we could sort of broaden the ways in which we were communicating out the members of the public.

With respect to the project that Commissioner Lippert mentioned, 200 Hamilton, the way I would interpret the DEE rules as I understand they are being written is that that tower is kind of an architectural element that seems to fit within the way DEEs are currently described. I would agree with Commissioner Holman that setbacks don't quite fit in the same manner as a sort of minor architectural element. When the whole building is moved out to the setback by a consistent distance that is not the kind of small architectural element that fits. It does make sense to me that to the extent that the ARB is obviously dealing with architectural issues and design issues that the extent to which Variances affect the design issues they should certainly have some say over that whether they recommend approval of those to the Director and they are in the chain if there is architectural review. I am not exactly sure how to handle that but certainly allowing
them to comment on it makes a lot of sense just as allowing us to comment on the
appropriateness of the findings for DEEs makes sense.

One of the other issues that came up with respect to some of the reasons for DEEs appear to be
things like the El Camino Design Guidelines. That is one of the things I heard mentioned. One
of the things about that is it might be helpful in terms of the next iteration of the report to
characterize those DEEs that are a result of conflicting guidelines and zoning changes in progress
that haven’t actually made their way into the Zoning Ordinance and are sort of in the intent of the
design that we are trying to accomplish but they have to be done as a Variance or a DEE just
because the rules have not caught up. That seems to be a different kind of character.

I am also wondering whether the number of times the ARB is allowed to review a project affects
the degree to which the projects come out to be a desirable design and whether it winds up with
instead the developer creates an egregious design which they compromise on somewhat to get to
the third meeting and then it goes on from there. Thereby you sort of ask for a lot more than
what you want. So I would agree that setbacks and daylight planes and heights for a large part of
the building feel different for me than for small parts of the building like the tower. Thank you.

Chair Garber: Commissioner Fineberg and then Holman.

Commissioner Fineberg: I want to follow up a little bit on Commissioner Holman’s comments
on notice. I think we would benefit from discussion about whether the amount of notice be
somehow proportional with compliance to zoning regulations, compliance to Comprehensive
Plan, and that in the spirit of keeping residents informed sharing information publicly that we
increase our voluntary notification understanding that the minimum standards have been
exceeded but that we increase notification when projects become more complex and become
larger. We could do that by means that have already been discussed. I think also another way to
easily accomplish that would be to have signs posted, large billboard not highway billboard
signs, but maybe six feet by five feet on projects. So a project that is a big mixed use
development or 100 to 150 homes and it lists the DEEs and the Variances so that someone
coming by doesn’t necessarily think that the setback would be the same as other properties in the
area. There will be people that are driving by and people that are walking by who don’t
necessarily read the newspapers or cruise the City’s website. Speaking for a number of the large
projects in our area that had DEEs that had setback, height, daylight plane exceptions many,
many neighbors in my area had no idea the projects were coming until the bulldozers demolished
buildings. A simple thing like a sign, I have seen them in San Jose, they are not that complex,
and I think that might be worthy of consideration.

Chair Garber: Commissioner Holman.

Commissioner Holman: One of the constraints of DEEs is that it isn’t to be used to increase the
FAR. Based on a project that we saw recently in front of us I would say that that should be
either direct or indirect increase of FAR. We learned earlier that FARs are not an entitlement
and yet based on recent experience I have come to think even more that we rely on exceptions to
arrive at better design solutions than looking at other alternatives which might involve reduction
of a building size or increase of a setback or maybe an increase of open space, that sort of thing.
Again, this is based on recent project experience.

We just completed the ZOU not very long ago. So the need for exceptions truly should be rare.
That is why we went through the whole process of the Zoning Ordinance Update. I see in
notifications in the paper and in looking at various agenda items, Staff Reports, whatever, that
we also have exceptions to the South El Camino Design Guidelines. Those also are recently
adopted. I don’t understand I guess why we are making significant exceptions to my mind to
guidelines that were reviewed and adopted by the ARB and yet the ARB is making exceptions to
them. I am not trying to criticize them it is the process. Why are we doing this? Why do we
have rules if they are only guidelines? Yes, El Camino Design Guidelines but if they are only
recently established what is wrong with either the guidelines or our process that we are straying
from them to a great degree?

Also, I would just like to point out something I have not pointed out before which is that if we
give Downtown, if we are granting significant exceptions that could affect FAR and if we are
giving significant exceptions to setbacks for instance that means on two, three or four floors we
are allowing a whole lot more floor area ratio. I would suggest to Commissioners to consider
that what we are doing is challenging the viability of a TDR program. The whole purpose of a
TDR program is to provide a public benefit that being either seismic or preservation or
restoration of historic buildings and you can transfer that and that way you get extra floor area
ratio. So if we are giving it away by way of large Variances, unless there are truly extraordinary
circumstances, I am not trying to be a real hard nose about this but we do have to make findings.
So if we are granting them too easily then we are really challenging the ethicicy of that program.
If you think about it that takes money potentially out the coffers of the City too because the City
also has buildings that are eligible for historic TDR and seismic TDRs. The value of those TDRs
is based on the market for them. So I have said it. Should I pass on?

Chair Garber: We have two others. Why don’t you hold?

Commissioner Holman: I will hold.

Chair Garber: Commissioner Lippert.

Commissioner Lippert: Just following up with Commissioner Keller with regard to setbacks and
DEEs. To give you an example on that end of things on El Camino Real Memude Taki’s
building, what as that?

Ms. French: 2051.

Commissioner Lippert: 2051 El Camino Real is right near the Anada Church on El Camino
Real. That building needed to have a DEE because it was a mixed use building and it had
residential above and the residential component would have needed to step back from the front
of the building. In other words there would need to be a second story setback for that of like 25
feet where you really want to get that building up closer to the street. I am using that as an
example because that is the basis upon which we have gone and changed the development
regulations in the ZOU so that we didn’t need to keep reviewing those over and over again on the ARB. That was really the basis upon which a lot mixed use buildings that we had to take a look at. There is a saying, ‘be careful what you wish for because you might get it.’ The problem is that if we go and we begin to narrow or constrain the DEE process, if we begin to narrow and constrain the Variance process what we actually wind up with is more PCs. You cannot constrain the process so much otherwise the developer goes to another process. So the question is do you want to rely on a Board of knowledgeable design professionals to tell people what is appropriate as a design improvement and Design Enhancement Exception and relate to it architecturally or do you want to force them into another whole process where it is subject to review by the Planning and Transportation Commission, the ARB, the Planning and Transportation Commission, and then the City Council? Then it begins to weigh down the process. Sharon Erickson who was the City Auditor was the person that had come forward with sort of the permit streamlining process and with regard to that I guess it doesn’t go on endlessly for the ARB. When they see a project they can see it once in preliminary, they can see it twice as a project, the first time they see it they send it away with conditions and they have to come back and meet the changes, but if they still have not met those conditions.....

Ms. French: They get two continuances so they get three formal on a major.

Commissioner Lippert: Right. It gets killed. They say yes you have done it, hooray you win, move it onto the Director or it gets voted down and it is gone.

Chair Garber: Commissioner Keller and then Tuma, Fineberg, Holman.

Commissioner Keller: I appreciate the comments of Commissioner Lippert in educating me and others on this matter. I do agree with Commissioner Holman that the fact that we now have a new Zoning Ordinance and we have done Update and the fact that as part of that we have enacted the El Camino Design Guidelines should reduce those kinds of DEEs that formerly existed. Secondly, I think that I am suggesting that the DEE process be tightened up and that those things, which are DEEs, might more appropriately be considered Variances, and that the Variances also be within the purview of the ARB to consider. I think that makes for a much more cohesive process. I do think that the issue as to whether a Variance should be approved or not is based on the merits of that Variance, however the process is for that.

With respect to project signs not only does San Jose do it Mountain View does it because I remember seeing such a sign the other day on El Camino when I was walking by in Mountain View.

I am sympathetic with Commissioner Holman’s comments about the increase in FAR and I would actually like us to consider this notion of exempt FAR and on what basis in the Zoning Ordinance exempt FAR exists. I think that is worthwhile.

I am also wondering the extent to which we have feedback from the ARB with respect to the comments that were made at our analysis on the project on University Avenue and the extent to which we will have feedback on our comments today so that when this comes back to us we can
have the ARB’s perspective as to what they think works, and what they think is not working, and what might be improved. Thank you.

Mr. Williams: We don’t have or the ARB has not agendized an item to provide comments. They were informed of your discussion on that one item and that this study session was coming up. An ARB member was here earlier for the first hour of the study session. We certainly strongly recommend that if there is a focus of where the Commission would like to go with this that we forward that onto the ARB and get their input to bring back to you at a later date.

Chair Garber: Commissioner Tuma.

Vice-Chair Tuma: Curtis, I have some vague recollection from maybe two years ago, right around the time I started, do we have a list that is ‘Friends of Zoning’ or something like that?

Mr. Williams: We did. We did maintain a mailing list when we were going through the Zoning Ordinance Update of people who had come to community meetings or Commission meetings. We kept that and kept adding to it so when a new section was coming forward we would send out notice to them that such and such was being considered on a particular date.

Vice-Chair Tuma: Going back to a comment that Commissioner Keller had made earlier about sort of broader notification and again I know that there is considerable discussion and movement at the Council level to use our website more and more for transparency in communications. With things not that we would necessarily use a Yahoo group but lists, mailing lists, gathering email, opt in type things where we can put some of the responsibility on the public if they want to know join this list. Then without it being something that costs us much to do, we don’t have to mail things out, there is no postage involved, this isn’t a required notice but to go towards transparency and using technology to accomplish that could we accomplish some of the things that Commissioner Keller is talking about relatively easily and inexpensively but yet get that type of notice out building on something that we were doing for awhile but using technology instead of hardcopy, encouraging the public to participate by having that tool available.

Mr. Williams: Yes and we actually do that currently on the Stanford projects. We have an email list basically. So we send out emails if it is an item of general interest about Stanford we send an email to everybody on that list as well all the other kinds of notice that we typically do. So we can certainly establish that kind of approach on other projects. Anyone who is interested could subscribe.

Vice-Chair Tuma: Well, what I am suggesting is not necessarily project specific but broader than that.

Mr. Williams: I understand. Right you are just interested in getting the information about what is happening without having to search it down on the website. So here you get maybe a weekly notice of what is coming up.

Chair Garber: Who does the Department send the monthly status report to? Does that go to people outside of?
Mr. Williams: We have kind of a list for that too. It goes to the ARB, Commission, Council, HRB and then it goes to all the neighborhoods, their list that they provided their lists to us so it goes out to everyone on that. We have a number of like the Chamber of Commerce, the newspapers, etc. that are on there. I have had folks occasionally call and say they would like to get on that and we just put them on the list.

Chair Garber: I could imagine these sorts of notifications being added onto the end of that monthly status report by way of example.

Mr. Williams: We could establish in any number of ways. No problem.

Chair Garber: Commissioner Fineberg.

Commissioner Fineberg: I appreciate Commissioner Lippert’s comments earlier about how the ARB crafts their thought about DEEs and Variances. If I can kind of paraphrase one piece of it is you said there is a group of trained professionals that are experts that look at a project, make a determination about how it should be and then implementing exceptions that get the project into its best form, if I have characterized it accurately. I am a little troubled by that though because while it sounds like that brings us the best project it is leaving the implementation of Zoning Ordinances to a project by project review and it is entrusting that keeper of the Zoning Ordinance to an interpretation of how do you get the best project as viewed by a wonderful group of folks who design great projects. That is not how you implement policy. That is how you make a good project. So I am seeing sort of a structural conflict between the keeper of the code and designing a good project. I think that may be the crux of how we have to revise our process so that we can get both. We should not use code to make bad projects but the best project may not be what the community has decided is what it wants. And it is the code that has been subjected to the public review, the community meetings, the input from Commissions, Council approval, and codified into law. So I think we are kind of losing the benefit of the bigger process when we then say project by project will make the best project. We lose enforcement. We lose, maybe enforcement is not the right word, but we lose the bigger picture that you get with, I don’t want to say stricter but a broader interpretation of the Zoning Ordinances and the Comprehensive Plan.

Chair Garber: Forgive me, could you maybe try using an example because I was having a hard time understanding what it was you are trying to get at there, if possible?

Commissioner Fineberg: So let’s use the project that we were talking about that had a small part of the building had a height exception. Frankly I don’t know enough about that project to know whether it was a good exception or not. But if we have a height limit and we have gone through a process where the public, different Commissions, the Council has said we have a height limit. Our Zoning Ordinances or where is it that we say we have a height limit and that is set? Then we go through a review process on a specific project and it is a subjective determination as to whether it is a minor exception and maybe let’s give it, makes a better project but if it is a group that changes annually then the determination of whether it is a better project is made by this small group, the Commission that approves it, whether it be PTC or ARB depending on what
flavor of exception it is, do you want that small Commission setting the development criteria and
you are moving away from the development criteria that is in your Zoning Ordinance. I think
that is the crux of the problem. Did it make sense with how I gave you an example?

Chair Garber: I think so but I think actually what you are describing is the process and that in
fact the appointed body, and Staff can correct me here, it is a small group but it is an appointed
group that has that responsibility that does in fact make that decision. It is not a decision it is a
recommendation that is then followed up. Staff.

Mr. Williams: I just wanted to say that is the crux. It is a very fundamental, philosophical issue
of how you construct your regulations and your process. I would say that as much as a height
limit for each zone is in the zoning code so is the Design Enhancement Exception process in the
zoning code that specifically allows that group to make deviations. So there has been a
conscious determination by the community that having flexibility in the design to deviate, and
again you are right it is subjective as to the minor component of it, but to deviate to some extent
from that is part and parcel of that whole package of the Zoning Ordinance. So the Zoning
Ordinance isn’t just the numbers it is the process and the flexibility that is built in there for
design and that is something that Palo Alto has I think it is a little unique as far as most
communities go. I have seen other communities where there is some flexibility like that other
than a Variance but it is unusual. The HIE is the same way and rather than trying to create rigid
standards that really box people in there is some flexibility given here. I am sure some people
think that is good and some people think it is bad but that is what we have to work with right
now. So maybe it is better to be more specific and maybe it is better to be more flexible. I just
want to remind you that that is part of the code too is the flexibility that is built into it.

Chair Garber: Commissioner Sandas would like to follow up. I might just simply add to put my
consultant hat on, decisions are arrived at by any number of different ways. They can be arrived
at by rule sets, they can be arrived at by a process, they can also be arrived at by forum when
other things don’t work depending on what the outcomes are that are being looked for.
Commissioner Sandas.

Commissioner Sandas: How do you follow that? My needle is a little bit stuck in the same spot
that Commissioner Fineberg’s needle is stuck in decisions aside. Once again, I am very flexible
about a lot of stuff but once again I am a little stymied by the notion – when my neighbors, when
people come to me and say how the heck did that building happen? I say, heck I don’t know,
because a body different from mine that is as I described earlier the keeper of the Zoning
Ordinance is making exceptions to the Zoning Ordinance on behalf of something that is not
necessarily land use. It is design. I love good design. It is the process that has me really
confused and although you have offered a really clear explanation and it is unique to Palo Alto it
is not making complete sense to me in terms of who is responsible for what and where.

Chair Garber: Commissioner Holman and then Lippert, Garber, and maybe that will wrap it up
for the evening.

Commissioner Holman: So a few comments and if you want to interrupt and say move along
feel free please. A few things here. I largely agree with the comments most recently made by
Commissioner Fineberg and Commissioner Sandas. I have worked with Chair Garber enough to know that you have wonderful process as to how to delineate things and chart things out. There are different ways to arrive at conclusions this however, is a situation where we are public servants. We are appointed to oversee within our purview the implementation of the City's rules. So it isn’t up to us to decide some process to get there that might end up with a better design even if it involves considerable exceptions and especially if the findings can’t be made. So just to be really clear about that.

I agree I certainly do recognize that we have a DEE and a Variance process and HIE process in our code, they are part of our code. It is only practical, there does have to be because we can’t anticipate everything and that is why you have exception processes. Again, just to say the recent adoption of the Zoning Ordinance Update, the El Camino Design Guidelines, exceptions should be just that, they should be exceptions and we have to be more reliant and more diligent I believe on findings. I am troubled quite frankly and have commented frequently on the findings that we have seen before this body. If we are constantly giving a lot of exceptions what ground does Staff have to stand on to enforce our code? What ground does this give them to stand on to try to talk to an applicant and say no you can’t do that without them coming back and saying but you did it over here, or you did it over there, or there was something similar over here. I wouldn’t want to be in your position, frankly, and I am just speaking for myself. I wouldn’t want to be in your position in that kind of situation. It makes implementation of code in effective and inconsistent. It erodes predictability and ask any developer what they want and they want predictability whether the predictability is that they can depend on that the code is going to be enforced or they are going to be able to get exceptions. Developers want predictability. That is what drives land prices here.

Also, considerable exceptions to projects, as Commissioner Sandas referenced, it doesn’t deliver the projects that the public expects and anticipates based on the code that the public has been involved in passing, and approving, and commenting on. So in my mind we are again doing a disservice there.

I strongly disagree that Variances should be a part of the ARB process. I think that again anything that affects land use and development standards should be reviewed at the Commission level and not at the ARB. Their purview is design but to the limitations of not affecting development standards. Sharon Erickson was a stellar, stellar City Auditor and won many awards and I think she is one of the most revered City Staffers that we have had in a very, very long time. She was very clear, and this got lost I think in a lot of the comments about streamlining, she was very clear in saying in her recommendations that I am not a planner. So when she made her recommendations for what the streamlining processes could be she made that statement loud and clear, I am not a planner. So it isn’t just for the efficiency of a streamline process, she did not want to interfere, she was not inserting herself in the implementation and adoption of a process that interfered with effective public input and effective implementation of the role of Commissions, Councils, ARB.

Just for the record, I voted against the current streamlining process because I think they really make it very difficult for the public to challenge a project. You have to argue your case in order
to get enough Council Members to take it off the Consent Calendar to get your case heard. So it is very challenging.

One other comment I would make and then I will hush is that denying DEEs and Variances or changing the thresholds for DEEs and changing perhaps the Variance process does not to my mind force an applicant to a PC. It does not. PCs may be the choice of a developer. PCs do not have to be approved. You also have to make findings to approve PCs. It doesn’t force a PC any more than having constraints on development standards force people into asking for Variances and DEEs. It is the same principle it does not justify a PC. I think we may just disagree on that Commissioner Lippert but I did want to put that out there. Thank you.

Chair Garber: Let me interrupt. Commissioner Fineberg had one small question as a follow up to that and then we will go to Lippert, Keller, and then Garber.

Commissioner Fineberg: When Commissioner Holman was speaking she talked about DEEs or PCs being denied. When you are continuing with all your data gathering in the distant future can we get a count of DEEs or other Variances that have been denied? It might be a small task.

Mr. Larkin: I think one of the issues is that if often times the Staff says they are going to recommend a denial the applicant is going to withdraw the request so there is probably numerous incidents in which Staff has said you can’t get a Variance or you can’t get a DEE and we are not going to recommend that and then they just change the application. So those are going to be hard to track.

Ms. French: We do have some where they were filed, in fact I have some on this list where they were filed as DEEs, and then they were dropped during the project. We send the notice out within three days and it says whatever the applicant said they were asking for. So if they want a DEE fine we put it in the first notice that goes out. Then the Staff planner gets to take a look at it in the first months and says we can’t really make this finding, or one, two or three findings, don’t even try. They say okay, and they go back and redesign the project and then that is what goes to the ARB. So there is a number that don’t make it, they are not ripe, they don’t get there. That is usually the process, it is not usually a denial of a DEE because it doesn’t usually get that far it is withdrawn or the project is modified in a redo.

Chair Garber: Commissioner Lippert.

Commissioner Lippert: Hi, I am Lee. I am an HIE-aholic. I just want to make a couple of closing comments. The first one is with regard to the ARB. The ARB is not a capricious Board. They are dedicated members as we are, they are professionals and they don’t sit — the average term is two terms. They sit for a total of six years. In the case of Board Member Wasserman I believe she has been there for eight or nine years. So she is going on a third term. So this is not a Board that flips over regularly. There is in fact greater consistency in the members of the ARB than there is consistency I would say in any other Board in this City other than the City Council.

A couple of thoughts I want to share. Building on I guess the idea of the ARB reviewing Variances I am not in support of that either. I don’t think that is a particularly good way to go.
But by having the public hearing for Variances at the same time as the ARB hearing does allow for those two to move concurrently together to the Director who ultimately makes that decision. That is where I think the significant benefit is that you wind up with one hearing for both items that have a conclusion at the Director that then the Director makes a decision and then it either is approved and moves on or is appealed and goes directly to Council at that point. So I think there is some benefit there.

With regard to there is one way that we can get around this whole issue of DEEs and Variances, etc. and make them much more readily usable. We chose not to go that route several years ago which was a form code. If we went to a form code everything would be spelled out as to what the development regulations area, it would be in a visual format, and a lot of cities are going to a form based code. When we did the ZOU we started that process and then we dropped it I think basically because it was a lot more work to get it completed in a reasonable period of time. So it is really in sort of a deep freeze right now.

Mr. Williams: That is not exactly, I mean I think we backed it into the context based design section. So we do have some form elements in some of the commercial and multi-family chapters. It was determined that a real form code is very prescriptive. It really says you have to do this and this and this, and that it tends to not provide the kind of flexibility that people wanted in the discussions that we were having on the Zoning Ordinance at that time. So that did not seem to be a good way to go, particularly in a community that is so highly built right now with such a variety of different types.

Commissioner Lippert: That would definitely be a way to sort of skirt the whole DEE issue is by having something that is highly restrictive, it spells it out, these are the rules, makes it easy for developers, architects, and the public to understand what the rules are, and then we have a way to manage it. So that is something that I think this Board might want to think about again when we continue this discussion.

Then one last thing, I would highly recommend that members of this body sit in on the ARB and watch the process with the DEE I think that it really would help you understand the process, what the Board Members go through, what the applicants go through, and it will really I think give you a better understanding of what we are talking about here. I think it is definitely worth and maybe we can all be notified when there are DEEs coming through and we could all just either watch it on TV or come to the public hearing. So those are my suggestions.

Chair Garber: If Commissioner Keller will forgive me Commissioner Holman had one thing to add here.

Commissioner Holman: This is for City Attorney. This is potentially a start of a solution and then also the findings in Attachment N, the findings for 455 Forest there is a finding here that I have seen used before and I am largely troubled by it. The argument says it is because of the special circumstances. So it is finding number one and it says that the property is a narrow lot and only 50 feet wide and the standard lot within the RM-40 zone district is 20 feet wider at 70 feet. It is the narrowness of the lot that drives the need for the exceptions.
I do not understand how the 50-foot wide lot makes this a special circumstance. I dare say that there are neighborhoods where the vast majority of parcels are 50 feet wide and there are tons of 50-foot wide residential parcels too. So if the setback is six feet on the side but if it was a 60-foot wide instead of a 50-foot wide lot, you can take this and twist it and twirl it and I don’t understand this finding and I have seen it on a number of occasions. Maybe City Attorney can speak to this.

Mr. Larkin: You don’t look at every property within the city and say gee, a 50-foot wide lot is a normal lot size in this neighborhood. You look at the neighborhood where this building is located and if it is a 50-foot lot on a block that is in the zoning district where most lots are a minimum of 70 feet then you would say that this is significantly narrower and constrained in comparison to neighboring properties within that zoning district. And, if the Commission doesn’t think that that is sufficiently constrained to entitle them to a Variance then the Commission recommends denial of the Variance.

Commissioner Holman: This is where I go to the findings being legally defensible and logical because this makes no reference to other lots and this being a unique situation or rare. It just says that this is 50 feet where the standard lot width is 70 feet this makes no reference to what the other lots in the neighborhood are.

Mr. Larkin: I think it does and maybe it is not worded as clearly as it could be but the standard lot width within the RM-40 district is 20 feet wider at 70 feet. Now, that doesn’t mean that you have to make the findings that the property is constrained such that is requires a Variance from the zoning it just means that it is 50 feet and the standard is 70 feet. If you think that makes the property constrained then you recommend the Variance and if you don’t you recommend against the Variance. You have to make the findings but it doesn’t mean that the Commission has to be so narrowly constrained, no pun intended, but as to kind of – you have some flexibility as to whether or not you can make those findings. If you can’t then you shouldn’t recommend the Variance.

Commissioner Holman: So I want to get clear on this. Maybe we can do this by email too. My understanding of standard lot width means that if you are going to develop a new one that is what it would have to be. It doesn’t say that the vast majority of the parcels that are zoned this zone are a minimum of this width.

Mr. Larkin: I think the intention of that finding, and I don’t remember this project if I even worked it. In fact I don’t think this came to the Commission. I think the intention of that finding is to say that the majority of lots in this zone in this area are 70 feet. It was not intended to mean that a new subdivision because there are not that many areas in town were we are going to get a new RM-40 subdivision. I think that the intention of that section in the findings was to say that most lots are 70 feet, this one is 50 feet, the Staff found that it was constrained and the director approved the Variance on that basis.

Commissioner Holman: The reason I bring this up is, as I had explained to Commissioner Garber, is I have seen this used before and there is one that I am aware of right now where this same argument is being used for a Variance that has now been – the application for the Variance
has been removed, but it is the same argument in every parcel down the street is not the standard width but this argument was used. So that is why the language of the Variances, Variance findings, and DEE findings is very important, and need to be to my mind clearer than what this is.

So just to make a couple of comments I think some ways that we can move forward is that we as best we can look at quantifying DEEs, that we discover or consider a threshold for Variances. So theoretically the number of DEEs and the quantification of DEEs would be actually for smaller impact and anything for larger impact would actually become Variances. That there is a threshold for Variances that actually would trigger an applicant’s coming to the Commission for review and approval of findings. I don’t know what that threshold is at this time but I would like to see the Commission consider that. It is probably what we are going to have opportunity to do but I did not vote for the processes that are currently in place and if we have any opportunity I would like to revisit that but don’t know if we will have that opportunity.

Chair Garber: Commissioner Fineberg has a small question and then we are going to Keller and myself and that will be the end of our conversation.

Commissioner Fineberg: Commissioner Holman talked about the frequent application of the substandard size lot being the justification to recommend an exception. I am thinking back to some information in one of the Planning Commissioner’s handbooks where it talked about repeated application on a project-by-project basis then superceding policy and superceding zoning regulation. We have seen it repeatedly based on this substandard width. There may not be agreement on the Commission but if we should not be granting exceptions on a large number for a criteria and we wanted instead to change the zoning code how would we do that procedurally? I am not speaking to the specifics of this project but if it is that we don’t want to be granting exceptions for narrow lots how would that be removed from our common practice? If we wanted to then say in zoning code let’s reduce the setback requirements how would we go about that process?

Mr. Williams: Well if you want to say change the setback requirements so that there are certain circumstances where a Variance isn’t required then you could do that through zoning code amendment and in fact we did that in the Zoning Ordinance Update for some of the substandard lots in I guess it was R-1 that actually made it a percentage of the lot width for the setback instead of with minimums and maximum kind of think instead of just one six foot number for all lots. So that was addressed to some extent in a couple of areas where that is kind of the predominant situation. If you are looking at a way to try to basically say you can’t get a Variance for a narrow lot I am not sure if we can ever say that. It is always there. I think the key thing is that we draw a lot of our direction from what you do when you do see a Variance. You have seen a few Variances and you have seen like a fence Variance that you denied on a project that was under construction that you denied. We take that back and the next time somebody comes in we get a different sense because there is a sort of subjective component to these Variance findings. So your input provides direction to how we look at these cases and that does frankly change over time too as different Commissions come and go and different Council’s come and go and looks at them differently.
Mr. Larkin: I was just going to add a quasi-judicial matter is quasi-judicial because the project applicant has a due process right to a hearing and you are the hearing officers. So we couldn’t say no, you are not eligible to apply for a Variance but certainly the Commission has discretion to deny those Variances if they don’t think that the property owner is constrained to use their property fairly.

Chair Garber: Commissioner Keller.

Commissioner Keller: Thank you. The first thing I am going to say is I associate myself with Commissioner Holman’s remarks with respect to the need for accuracy and precision in findings and also the idea that it may make sense to have a threshold for Variances and to have some sort of understanding of better limits on the DEEs. So the threshold Variance is coming to the Commission I think just to be clear.

The next thing is that although we all strive to make this process as objective as possible precisely because there is a degree of discretion in the process for us, for the ARB, and for the Council that is where subjectivity comes in and particularly since the design is a very subjective process. So part of what we need to do is think about predictability. I think that is actually a very key point. Predictability is based in some sense on precedent and that precedent evolves as we understand particular projects. I think the Palo Alto process to the extent that that is a trademarked phrase really relates to the issue of predictability and really relates to the issue of whether the process can be gammed up by an excessive number of appeals. On the other hand the flip side of that is whether due to an insufficient appeal process it means that projects might be getting approved which are undesirable. I am not sure how many people really like the project at the Hyatt Rickey’s. That had a lot of reasons why it was approved that way but in some sense it does indicate that more care needs to be done there.

The final thing I am going to say is one about the asymmetric nature of this process. The Staff is obviously at this full time. The applicant has a particular vested interest and a lot of time and resources to devote to a particular project and getting probably the best maximum value of that project to the applicant. That is their – nobody would expect that they would do otherwise than try to maximize the financial benefit to themselves. In some sense part of the job that I see as the Commission and the ARB and the Council is to be an arbiter between the public interest and the interest of the developer and applicant in terms of the nature of the project to making sure that they are best in terms of what we see for the future of the City. What a best project is really depends on whose point of view. The best project from the point of view of the developer may be one thing. The best project from the point of view of the neighbors may be another thing. The best project from the point of view of the existing people who are living there or renting that space or whatever may be another thing. The best project from the point of view of precedent value and the public may be another. So I think the issue is that this is a multi-constrained problem. There are multiple points of view and trying to come up with a compromise there. In some sense because of the asymmetricness of this, because the applicant essentially has unlimited resources in comparison to the public to be able to weigh in on this, it means that we have to take particular care to make sure that the public interest is well served because the public doesn’t have the same energy, doesn’t have the same opportunity, doesn’t have the same
knowledge as a developer does. I think that makes for or puts the onus on us to try to do the best we can to bring in those points of view. Thank you.

Chair Garber: I am sort of running down the list of things or general areas where I am seeing the conversation clustered around. One is conflicts. The discussion about the El Camino Guidelines versus the underlying zoning. There is a reason why things are guidelines and not rules. I would hate for instance to see the IR guidelines turn into rules because the amount of inflexibility that that would subject a homeowner to. It is not clear to me exactly if the El Camino Guidelines should become a part of the zoning or not but that would be an interesting conversation to have.

There is a bunch of conversation about Downtown areas. I am talking primarily about the area of University Avenue and some of the issues that are germane specifically to it versus other places that require a higher level of attention. Notification, we have spoken about at some length. Definitions, the additional quantification will probably help some of that conversation and the exercise in classification that Commissioner Tuma had spoken about. Related to that I think it would be interesting to see the previous study that was alluded to by Mr. Borock that was done I guess in 2004, which would precede all but Commissioner Holman. In particular to see what quantities were brought forward there to be used as a baseline for our discussions today. I think that would be very helpful. It would also give us a better historical overview of what some of the issues are that we are dealing with. FAR, whether it is exempt or not and under what conditions is another topic. The topic of whole review and coordinating the work of the ARB with PTC I believe bears some more thought. The role obviously then of the ARB and PTC has been talked about. The topic of findings and its relationship to the consistency of the actions I think is a big topic and has a lot to do with the action and diligence of the Staff and how they write these reports because as we have talked about before that is the primary tool that influences our conversations and our outcomes. I would be in general hesitant to see DEEs as something small, and maybe I was misinterpreting this so if I am I apologize, but DEEs as something small and as those issues become larger they become Variances. The implication then that DEEs are simply the realm then of the ARB and Variances the realm of the PTC. I think there is a functional separation there and there are small DEEs that are just as unrelated and there are big issues which are design related that I think legitimately are not a part of the Planning Commission’s venue versus there are small and larger Variances that probably have nothing to do with what the ARB should be dealing with but should be what the Planning Commission should be dealing with. In general, I find myself very hesitant to add steps to the work that and/or the process that the ARB and the PTC go through. If it is appropriate and it is doing something that is of value of course we should do it but in general as we look for ways to better things I find myself hesitant to think of ways to add additional hearings, additional conversations, additional reports to what we are already doing. Again, if they are justified then we should be doing them. I think Commissioner Lippert’s suggestion for those of us that have the time to do it during the day to attend an ARB meeting is a good one and would be a worthwhile thing to do. Finally, something that is somewhat on the outside of this conversation but it is something that Commissioner Holman and I ended up in a very animated conversation about at our last pre-Commission meeting together I think was that right at the moment the process for applicant or an applicant is allowed to have a pre-meeting or pre-review with the ARB for a project before it even enters the process, if I am understanding this correctly, before the Planning Commission or the ARB would see a project, which is perfectly appropriate when the use that is being proposed matches the allowable uses of the underlying zone. However,
can’t address some of these things from what we have heard and then come back once Amy is
back on board and talk about where we are then and if we can address some of the specifics if
you still feel like it is appropriate to get down to trying to define what is a minor deviation under
DEEs and sitting down and trying to walk through that kind of an approach to the issue. So that
is something I think we could undertake and just immediately start trying to address at a Staff
level and then hopefully come back when she is back and tackle any more details if that is
appropriate. I would be happy to use the subcommittee as the kind of conduit for developing any
details at that time.

Chair Garber: So we might reconvene the subcommittee in early December or something of that
sort and get a check-in. Commissioners? Commissioner Holman.

Commissioner Holman: Because the Council is going to be reviewing a project that considers
significant DEEs and a Variance will the minutes of this meeting be available for them, this
discussion be available for them for that hearing?

Mr. Williams: The minutes of this meeting may be done. I am very reluctant to include them
with that project in that they do not – you made comments specifically on some of your concerns
about that project and I don’t think it is appropriate to include this as part of that project. They
may be available by then, that is September 15, so that is tight but we could have them done by
then but I think that is outside the scope of that project.

Mr. Larkin: I think that project can inform this discussion going forward. I have concerns about
this discussion informing that project.

Mr. Williams: Especially because you have not voted on anything as a Commission you have
just got a lot of ideas out there.

Mr. Larkin: The applicant was not invited to participate in the discussion and doesn’t have an
opportunity to rebut comments that were made in this discussion. I think that we need to be
mindful of the applicant’s due process rights. I think it would be disconcerting to somehow
relate this discussion to that project.

Commissioner Holman: So they would know that these are comments. This is a discussion.
This is not a recommendation. This meeting was publicly noticed and the last time 278 was
heard we stated that this was coming to the Commission.

Mr. Larkin: Yes, but I think if the applicant had a knowledge that something that was going on
tonight was going to be used and given to the Council as part of the recommendation from the
Commission on their project they would be here, they would be listening, they would be ready to
– I think from the applicant’s perspective the Commission has an issue with how this was
handled and you are going to fix it going forward but they have a right to if we are going to be
using this essentially as testimony at the Council I would be very concerned about the fact that
they are not included here tonight and they were not given specific notice that this discussion
would be part of their project application that goes to Council.
Commissioner Lippert: As a point of order, my understanding is that when this Board takes a vote on something that that is the recommendation that goes forward to Council whether you agree or disagree with the action of this Commission.

Commissioner Holman: That was not my purpose.

Mr. Williams: We were just discussing that whoever the representative is from the Commission certainly can indicate to the Council that you have had further discussions about this item, some of the nature of that. Not that item. You have elaborated on your comments because you made fairly extensive comments at that time about some of the concerns and some of these are the same concerns that were made. So they will have those minutes and they will have a paragraph in the CMR that essentially indicates that you did have some of those concerns. So the Commission Rep can elaborate on those and indicate that you have had follow up discussions about further considerations of how to address those.

Chair Garber: If minutes were available and a Council Member were curious there would be nothing to stop them from going and looking.

Mr. Larkin: Council may very well be watching tonight. My only concern is I don’t want to attach this item to that project.

Chair Garber: You don’t want to give weight to these.

Mr. Larkin: Right that I don’t think was intended in the discussion. I don’t think that was what Commissioner Holman was asking us to do. My concern is when we attach the minutes of the study session to the item at the Council that is what Council is going to take it as. So I think the fact that the minutes are available and the video is available and Council can be informed by this discussion in general that is okay, but I just don’t want to attach it to that specific project.

Commissioner Holman: My intention was not to try to sway but just they will have benefit to do whatever they want to do based on whatever the Staff Report and everything. I was not even suggesting that these should be attached to the Staff Report. It is just information.

Chair Garber: Shall we leave it at that for the moment? Commissioner Keller, a short comment?

Commissioner Keller: Yes. I believe I am the PTC Rep to the Council on that particular date.

Chair Garber: You are.

Commissioner Keller: I just wanted to indicate what my intention was so that if anybody has any objections they can state it. My intention is to state what the motion was and the rationale for those people who voted for the motion. My intent is also to state what those people who opposed the motion and their rationale for voting against the motion. I will intend to state that there was Commission discomfort with the fact that we were limited in our discussion to Variances and that there was considerable discussion about our inability to consider the DEEs
and that limited the nature of our purview and made that difficult. That is the kind of thing I am intending to talk about. If anybody has any other suggestions for what I include I am all ears.

Commissioner Lippert: You know it is my understanding that when an item goes forward to Council it is the recommendation of the Commission. That is the position that is supposed to be made by the representative. If you find that you cannot do that then I believe that you really should step aside and have another representative do that.

Chair Garber: I have confidence that Commissioner Keller will represent us just fine.

Commissioner Holman: If I might add to that. It has been the longstanding practice of this Commission that the Council liaison, especially in close votes, is very free and even it has been recommended by the Commission that both positions be presented to the Council. Curtis is nodding affirmative. They have the vote, they have the motion, but especially on close votes that both positions are to be presented.
To: Palo Alto City Council

From: Palo Alto Hills Golf and Country Club (PAHG&CC)
Stephen Pahl, President;
Dirk Zander, General Manager
Don Rose, Chairman, Construction Committee

Re: PAHG&CC’s Application--Summary Statement

PAHG&CC Description and History: PAHG&CC was founded in 1958 in the then undeveloped hills of Palo Alto to provide members with an opportunity for golf, tennis, swimming, dining and socializing. The Club currently has 416 proprietary members (shareholders of the corporation) and 140 social members. Proprietary members have full access to all amenities of the club, while social members have limited golf privilege but otherwise have full access to all of the Club’s facilities. PAHG&CC has some distinctive differentiating features compared to many Country Clubs. We have strived to incorporate an ethnically diverse and cohesive membership and the incorporation of women into leadership positions in the club. In fact, PAHG&CC was the first major Country Club in the nation to promote a woman to President of the Club. The club also prides itself on being family oriented recreational facility rather than just a traditional men’s golf club. And additionally, we have one of the most serene golf courses with wonderfully picturesque views in the Bay Area.

PAHG&CC and the Community: The residential neighborhood of Palo Alto Hills grew up around us as we were the “anchor tenant”. The Club continues to work hard to be a good neighbor: the Club provides complimentary meeting space for the Palo Alto Hills Neighborhood Association, serves as a Fire Safe Zone, and is prepared to host the Neighbors in the event of a natural disaster with food, water and blankets. The Club hosts an average of about six outside events a month, ranging from community associations like Palo Alto Chamber of Commerce, Jewish Community Center and the Blind Babies Foundation to family celebrations such as weddings, family reunions, or birthday parties, many of whom come from the non-member residents of Palo Alto.

Motivation for this Project: Consistent with national trends, over the last decade or so, the number of rounds of golf at the Club has decreased by 1 to 2% per year. Also consistent with national trends, the membership’s expectation is for more and diverse activities for the whole family, including more casual dining space and providing a general recreation and family fitness facility. (It should be noted that our competitors either have or have plans for fitness facilities.) Over the years the Club has improved the Clubhouse and golf course; recently the ballroom and fifty year old kitchen were remodeled. The pool complex is now fifty years old and in dire need of demolition and rebuilding consistent with modern standards and technology. That pool complex hosts a summer program for hundreds of children and grandchildren of our members, many of whom are Palo Alto residents. The pool no longer meets State standards of depth for diving events, thus eliminating that feature from our program. Additionally we have only
two tennis courts, where three are required to hold a USTA sanctioned club to club match. Our members’ lounge is inadequate to meet the needs of the members during much of the week, as it is the gathering place after golf or tennis and serves as a casual dining space for families. Further we do not have an appropriate space for smaller member events of 20 to 50 individuals.

**Short Description of the Proposed Project:** The project proposes to demolish all of the buildings around the pool and to deepen the current pool while maintaining the footprint. The one story buildings would be replaced with a two story Family Recreation Center, where most of the current capabilities would be on the first floor of the new building and a fitness facility would be located on the second floor. Additional underground parking would be provided beneath the new building. A third grass tennis court would be added next to the current ones just up the hill from the pool. The existing members’ lounge would be expanded northward to more than double the seating capacity, while moving the administrative offices under that expanded space and converting the existing office space to two small private dining rooms. The Club plans to keep on site the earth that is excavated by using it to expand the driving range and improving the slope of the ninth fairway; additionally, the existing buildings targeted for demolition will be converted to landfill and kept on site. As such, no exportation of dirt or materials is planned. Other, more minor improvements would provide for a new porte cochere and screening of the roof equipment currently visible from west of the clubhouse.

**PAHG&CC and its Trees:** The Club now serves as the home for over 5000 trees, the vast majority of which the Club has planted and nurtured since 1958. These trees line the fairways of the golf course, line much of the perimeter of the property, and are located decoratively around the course and the Clubhouse area. Recently the Club commissioned an arborist to catalog all of the trees on the property and determine those that are in need of removal and replacement. It should be noted that some of our trees are Monterey pines many of which are reaching the end of the healthy life. Although not a part of this project, a copy of this inventory report has been provided to the Planning Department. The club would like to remove a single Deodora cedar which if retained would block the views from the expanded lounge, leaving the current redwoods there to provide screening of the northeast corner of the clubhouse. At the same time, and as mitigation for this removal, we propose to plant over eighty new trees around the clubhouse and parking lot to add greenery and decrease heat reflection.

**Our Timing Issue:** We initiated our application for this permit in December of 2006. Meanwhile we have worked patiently with the City’s staff to answer questions and address issues. In order to save the 2009 swim season for our children and grandchildren, we need to start construction this fall. As it is not recommended to start construction drawings prior to approval by the City Council, timing is now of the essence. We urge your timely approval to save that swim season.
May 8, 2008

PALO ALTO HILLS GOLF & COUNTRY CLUB
MASTER PLAN EXPANSION

PROJECT DESCRIPTION

In order to satisfy the evolving needs of its own membership, stay competitive in the marketplace, and maintain its position as a premier club on the Peninsula, the Palo Alto Hills Golf & Country Club is pursuing a master plan of improvements and expansion to its existing facilities. The project is in response to both current trends in the recreational club market, and the changing demographics of their membership—namely, younger members who bring the entire family along to enjoy the facilities. The project also seeks to make the club more viable at attracting Social Members, which to date it has not been able to reach, largely due to substandard facilities.

Although the club has undergone past upgrades in the past 15 years, including improvements to the member's bar and dining room, the locker rooms and pro shop, and most recently, the central kitchen and ballroom, the entire south end of the club has never been improved, and contains marginal facilities that are out-of-date and too small. This is the portion of the club that largely serves the social members and has the tennis courts, the pool, the changing room and facilities for children (play yard, teen room, sport court).

This project seeks to build a fitness center and spa at the south end of the facility and also improve several aspects of the main clubhouse that are not meeting the current needs of the club. The master plan comprises the following components.

DEMOLITION

The entire south end of the club will be demolished. A narrow equipment and storage building directly to the south of the ballroom, and the loading dock will remain. The access driveway to the loading dock will be relocated. A 2,583 square foot building was removed in this area several years ago.

FITNESS CENTER / SPA

This is the most significant feature of the Master plan, and consists of a 16,276-square-foot, two-story structure over a 12,182 basement-parking garage containing 27 cars. The building conforms to the height limit for the OS zone. On the ground floor, the facility will contain a child watch area, a small office, a teen room, a lobby facing the pool and golf course, lockers rooms and a spa. Upstairs will be the main workout room (cardio machines, weight machines and free weights), a yoga room, and a multipurpose room for specialized group classes (i.e. spinning, dance aerobics, etc).
Because the Fitness Center / Spa will be a primary destination for many Social Members, the project creates a separate entrance to this facility, with a drop-off, surface parking, pedestrian entrance, and entrance to the underground parking garage.

**TENNIS COURT ADDITION**

The project adds a third tennis court next to the two existing courts to satisfy the demand from younger members for additional court time. The new court will be tucked into the hillside, similar to the two existing courts. Members will use the courts for "social tennis" during daylight hours only, as opposed to competitive tennis or tournament play. The new court will be grass.

**POOL IMPROVEMENTS**

The existing pool will be deepened to allow for safer diving, and a wading pool added. Also, a hot tub will be added adjacent to the fitness center, in a room that can be opened via sliding glass doors during temperate weather. A children's wading pool will be added near the main pool.

**NEW BANQUET ROOMS**

This aspect of the master plan is not an addition, but a conversion of the existing club offices into two banquet rooms, one seating approximately 20 people, and the other approximately 50 people. Currently, the club can accommodate small groups (12 or fewer) or very large groups (150 or more) in their existing facilities, but the club does not have suitable facilities for medium-sized groups. The two rooms will be primarily used for member's events such as family gatherings, baby showers, casual get-togethers, etc. and also for events for local businesses (lunches, seminars, etc.). The expected use will be approximately 65 percent for members, 35 percent for non-members. The club offices will be relocated to the opposite site of the main entrance, in an addition beneath the Member's Bar expansion.

**MEMBERS BAR EXPANSION**

The existing Member's Bar is simply too small to accommodate the existing demand, is frequently overcrowded, and cannot hope to keep pace with increasing demand for casual setting for dining. Currently, it only holds nine four-person tables, squeezed into a narrow space between the actual bar and the perimeter wall. The addition creates a more generous room that can accommodate more tables and better circulation within the room. An outdoor terrace, similar to what already exists, will be recreated to allow for outdoor seating in temperate weather, and will also provide access to a required exit stair. The space below the Member's bar and outdoor terrace will house the relocated club offices.
**Porte Cochere**

The club wishes to provide an area for drop off in inclement weather. The porte cochere will provide cover, and be completely open on the sides.

**Roof Screen at Existing Clubhouse.**

The existing club, when viewed from the golf course and from neighboring properties, presents an unappealing view of a thin fascia, and a wide-open roofscape with multiple air handling units and exposed roof top ducts. A new fascia of architectural sheet metal will be installed to match recently remodel portion of Ballroom. Simple metal roof screen, with material to match the existing standing seam roofing at the front of the club will be located on the roof near the equipment and will hide the equipment from view from the golf course.

**Design Intent**

**Modifications to Existing Clubhouse**

The modest modifications to the existing clubhouse, namely the porte cochere, the Member's Bar over club offices addition, and the mansard roof screen, are intended to integrate into the existing architecture in a completely seamless way, and appear as if they were "always there." This will be accomplished by matching materials, colors, roof and fascia lines, window bay dimensions and proportions, and similar means. On a site planning level, the larger of these interventions, the member's bar addition, mirrors the angled facade of the member's dining room on the opposite of the entry, thus "completing" the form of the front facade in more balanced fashion than the existing configuration.

**New Fitness Center / Spa**

In order to tread lightly on the site and neighborhood, the new program is stacked vertically over parking, and pervious materials are used extensively in new paving. The new Fitness Center / Spa is designed as a separate building from the existing clubhouse, both in order to manage allowable area issues under the building code, but also to better accommodate its unique program. The club intends to incorporate as many sustainable ideas as possible using a LEED “equivalent” approach.

Current storm water runoff will be reduced substantially through the use of semi-permeable materials and on-site storm water management. All runoff created by new construction will be contained on site by a system that will direct it onto the golf course for absorption back into the water-table or used for recharging of an existing water feature in the golf course. The new tennis court surface will be grass which will allow water to percolate back into the soil and create the least amount of visual and site impact.
Whereas the existing building is defined by long, unbroken horizontal rooflines that traverse the entire width of the building footprint, the new building is tucked into a narrow site between the pool to the north, and the steep hillside and property boundary to the south. To the northwest are views of the course, and the peninsula and bay beyond, and the club wishes to make both these near and distant views the focal point of the building. To this end, the building lobby is conceived of as a largely transparent space, canted at an angle to best capture the view. Interior spaces, including the upstairs fitness room, look through the double height lobby to capture the view.

To the South, a protected outdoor area, shielded from the sun with a generous trellis, serves as the outdoor component of the child watch area. Locker rooms and the spa, mostly "black box" functions, are located against the south wall. Glazing on the south and west facades is minimized, both to control heat gain, and to minimize light leak to the neighboring houses.

The 25-foot height limit is a very daunting challenge for a two-story program of this sort—especially with larger rooms on the second floor that need ample ceiling height. To help break-up an otherwise expansive and flat roof line, the building is stepped in response to existing sloping grades and allows for play between multiple roof heights within allowable building height limitations.

Because the roofscape is visible to uphill neighbors, and in order to integrate sustainable design features into the project, a high emissivity membrane roof will be used and no penetrations, flues, exhaust outlets or equipment will be allowed on the roof. Plumbing vents will be carefully combined and screened. This effort to create an attractive and functional roofscape on the new building will be supplemented on the main building by extensive screening of the existing equipment to clean up the view for the uphill neighbors.

The material palette of the new building will utilize many of the same colors and materials of the main building: light colored cement plaster walls, with sandstone cladding at key areas, clear glazing with minimal supports systems (new windows in ballroom are butt-glazed with no mullions) and architectural sheet metal fascia. The underside of the exposed roof edges will be natural wood to bring richness and warmth to the palette.

Because of the transparency of the angled north glass facade, the "solid" facade becomes the north wall of the locker rooms / spa and workout room above, which will be highly visible from the exterior. Cherry wood paneling, similar to what was recently installed throughout the renovated ballroom, is being studied for wall cladding of this feature.

**Conformance with Open Space Development Criteria**

A fundamental design goal of the project is to meet the letter and intent of the City's Open Space Development Criteria, as follows.
Criteria 1&3: The project is very recessed from the public way, and is tucked into the existing topography so the neighboring homes look over it, not at it. It will be scarcely visible from the street. It is designed to be primarily visible from the golf course.

Criteria 2&5: The new building is sited into a hollow, and its form is stepped to follow the existing topography.

Criteria 4: By stacking the program vertically over a basement-parking garage, it treads lighter on the site, does not add additional surface parking, and takes up the least site coverage possible for its program.

Criteria 6: Significant existing trees are protected.

Criteria 7: The project has all cut, and no fill. Soils will be disposed of in golf course reshaping projects, eliminating the need for dump truck traffic down Alexis Drive.

Criteria 8: Semi-pervious surfaces and on site storm management will be utilized to maximize storm water retention.

Criteria 9: The existing palette of light colored cement plaster and natural stone will be used on the new work as well.

Criteria 10: Landscaping will utilize native species requiring little water, and provide usable and "defensible space" near buildings.

Criteria 11: Exterior lighting will be completely shielded and indirect, and the building fenestration carefully located to minimize potential interior light leak towards the neighbors. Interior blackout shades will further control light leak.
Reich, Russ

From: Mark Nadim [mnadim@sbcglobal.net]
Sent: Wednesday, March 26, 2008 7:18 PM
To: Reich, Russ; Emslie, Steve
Cc: 'Jan Terry'
Subject: In Support of 3000 Alexis Dr. Project

Dear Mr. Reich and Mr. Emslie

I live on Alexis Dr. and I am in full support of the project at the Palo Alto Hills Golf and Country Club. This club has been and is a great neighbor. The private club market is very competitive and the club has to expand to address the need of the members and the community. I think this expansion is long overdue and it will be a benefit to the club and the neighborhood.

Traffic at the club has never been an issue, the special events taking place at the club are invisible to the neighborhood, and there is no noise or any loud music.

The club has been reaching out to the neighborhood in every aspect of this expansion, we as neighbors were invited to the club twice to be shown what the plans are going to be and asking for any feedback from the neighbors. I have been living on Alexis Dr. for 22 years and have been very happy to have PAHGCC as a neighbor. I fully support the expansion.

Best regards

Mark Nadim
2927 Alexis Dr.
March 21, 2008

Steve Emslie
Director of Planning
City of Palo Alto, 5th Floor
250 Hamilton Ave.
Palo Alto, CA 94301

Sal Giovannotto
3090 Alexis Drive
Palo Alto, CA 94304

RE: 3000 ALEXIS DR. EXPANSION PLAN BY PALO ALTO HILLS COUNTRY CLUB

Dear Mr. Emslie,

My family's home is located alongside 3000 Alexis Drive and I strongly object to the proposed project in its entirety. This proposal by Palo Alto Hills Country Club (PAHCC) is so outrageous in location, scale and negative impact, and shows such utter lack of regard for the concerns of neighboring homes that I can only imagine two possible reasons for PAHCC's submission: (a) they truly intend to anger and disrupt the surrounding community, or (b) the application is a 'stalking horse' so that PAHCC can appear conciliatory and responsive if it backs off from minor aspects of its proposal. I object to this proposal for the following reasons:

(1) THE PROPOSED LOCATION HAS THE GREATEST NEGATIVE IMPACT UPON NEIGHBORING HOMES EVEN THOUGH ALTERNATIVE ONSITE LOCATIONS ARE AVAILABLE

As you can clearly see in the site plan, the only homes that closely border this part of PAHCC are located to the south of the swimming pool. In other words, PAHCC has proposed to build this massive structure in the worst possible location for its closest neighbors. There are several unimproved areas further away from neighboring homes (for instance, to the west of the pool area and to the north of the golf pro shop) on the country club's property that are suitable for this project and would have far less impact upon the neighboring homes.

PAHCC should be required by the City of Palo Alto to come back with alternative locations that have less negative impact upon its neighbors.
(2) **PAHCC REQUESTS A NEGATIVE DECLARATION, RATHER THAN A FULL ENVIRONMENT IMPACT REPORT (EIR) EVEN THOUGH THE IMPACTS UPON TRAFFIC AND THE ENVIRONMENT WILL BE SIGNIFICANT**

My family has lived in this location for over 25 years. Over that time, I have experienced firsthand the traffic congestion and increased danger to pedestrians and motorists that has accompanied development projects by PAHCC. This project is a very significant expansion of PAHCC’s facilities and there will clearly be an adverse effect upon traffic. If PAHCC claims that the new project will only serve existing members, they are not being truthful. It has always been PAHCC practice to rent out its facilities to non-members for wedding, parties, etc… to make extra money. The result is greater traffic congestion and more inebriated people driving home from these parties on winding, unfamiliar roads. The situation is already at a danger state for neighboring residents and it would be highly irresponsible for the City of Palo Alto to allow this situation to become even worse.

Further, a full EIR is needed to assess the environmental impact to flora and fauna. As we all know, PAHCC is one of the few significant open space areas left in Palo Alto. What happened to Palo Alto going green – doesn’t that extend to preserving open space? In such an environmentally sensitive area, it is doubly important that we do not short-change the environmental impact analysis.

*PAHCC should be required to submit a full EIR and to provide the neighbors and the City of Palo Alto with the opportunity to review and provide input.*

(3) **PAHCC HAS NOT PARTICIPATED IN PROPER COMMUNITY OUTREACH**

The first time I heard about this project was when I received a letter yesterday from the City of Palo Alto informing me of a planning meeting on April 2nd. At no time have I been contacted directly by PAHCC about their proposal to construct a veritable fortress wall alongside my home that blocks my view, arrests my sunlight and intrudes upon my privacy. Likewise, none of the other neighbors I have spoken to have been contacted by PAHCC to consider their perspectives or to explore less-impactful alternatives. If there had been conscientious community outreach by PAHCC and they had bothered to listen at all, I am certain that you would not see the outrageous proposal that has been submitted to you.

*PAHCC should be directed to work with its neighbors (particularly those most directly affected) to create a plan that allows PAHCC to improve its facility in a way that is in harmony with its neighbors.*

(4) **THE STORY POLES AND THE PLAN SET ARE IMPLEMENTED IN A WAY THAT MISLEADS RATHER THAN INFORMS THE CITY AND THE COMMUNITY**

In response to City of Palo Alto requirements (not out of concern for its neighbors), PAHCC has constructed story poles in the proposed site. I invite you to come to my home and take a look at what they did: it’s a few skinny poles connected by sagging, fine, green mesh. Since the visual backdrop
to the mesh is the green grass of the golf course, it is obvious that PAHCC was trying to camouflage
the impact of the proposed building. I have seen story poles used by other, more forthright,
developers. The mesh is usually a bright orange and there is a fairly thick connection between the
poles that allows neighbors to gauge the true visual impact of the project. This situation needs to be
remedied immediately so that these story poles serve the purpose that the City of Palo Alto code
intended.

Further, if you examine the elevations that PAHCC submitted in the plan set, they depict the
narrow area between my home and the proposed project on an even, continuous plane. That is not
ture. The area between my home and the proposed project is a steeply sloping hillside. The walls of
the proposed project are directly visible at the grade level of my home. Where I now look out and see
beautiful views of sunsets and the San Francisco city lights, PAHCC proposes that I stare straight into
a wall.

PAHCC should be required to immediately and properly implement the story poles as well as
submit a plan set that gives the neighbors and the City of Palo Alto an accurate sense of the mass and
scale of the proposed project.

(5) **PAHCC IS PROPOSING A DESIGN THAT IS HIGHLY INSENSITIVE TO ITS NEIGHBORS**

PAHCC has requested a design enhancement exception (DEE) to raise the proposed structure 11
feet over the allowed height. And in that elevated area, there are large windows that would look
directly down upon my home. Neither of these features is necessary for the building to perform its
intended use. Although the DEE should be moot because the location of the building is improper, I
thought the design request bears mentioning to illustrate how roundly insensitive the PAHCC
proposal is to its neighbors.

The requested design enhancement exception is detrimental and injurious to its neighbors and is
not necessary for the proposed building’s intended use, so the DEE should not be granted.

I appreciate your reading this letter and your consideration of the community’s interests and not solely the
isolated interests of the country club.

Sincerely,

Sal Giovannotto
3090 Alexis Drive
March 24, 2008

Planning Commission
City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94301

Planning Commission,

We would like to inform the City of Palo Alto that a significant number of the proprietary members of Palo Alto Hills Golf and Country Club (PAHG&CC) strongly oppose the plans being put forth by PAHG&CC for its proposed expansion. While we can be assured the city has not been given any insight into this opposition by those representing PAHG&CC, we feel compelled to make the Planning and Transportation Committee aware of the significant divide that exists in the present membership. It has taken two full votes of the proprietary membership to pass this plan with and opposition close to 40% each time. In addition, at the last election for the Board of Directors two members were voted onto the Board to represent this opposing view.

The opposition would like to make the city aware of its view on this plan.

1. The plan calls for the construction of a Spa/Fitness facility to attract new social members that is designed to function as a new revenue center for PAHG&CC. In order to achieve the revenue required to make this a viable business entity, PAHG&CC has to achieve its By-Laws level of 287 social members to sustain a profitable Spa/Fitness business assuming the costs analysis are accurate. The current 135 social membership does not make this a viable business. The new Spa/Fitness center will require a constant source of new members to provide the on-going churn generating upfront membership fee revenues, and we do not believe that the demographics of the area surrounding PAHG&CC can support such a business particularly after the early novelty wears off. After seeing several businesses of this nature failing in recent years, the opposition has continually asked for a local marketing analysis to substantiate such an entity in this area and has not received anything from PAHG&CC so far that can demonstrate this to be a marketable business.

2. While the existing proprietary members requested in a survey that some fitness facilities be provided for their usage, the existing plan totally disregards the desires of the survey and will construct a facility that will be a major inconvenience for proprietary members to access. This facility is totally inaccessible for the golfing community either before or after rounds of golf. The location is such that walking from the men's or women's lockers rooms requires crossing the main dining room which is often booked for outside activities such as weddings, birthday parties, and corporate events. Therefore, if one was to use this facility, then direct access is promoted through the southern entrance of PAHG&CC. With this inconvenient access for the proprietary membership in mind, PAHG&CC is indicating even more dramatically the intended usage of this building, that being to attract additional social members for a spa/fitness membership. One published
document indicates that an additional 80 memberships will be sold this year. Please bear in mind that 80 memberships equates to more than three times as many people using this facility when you consider that these members in most cases are married with children and will also invite guests. This additional potential for traffic has not been presented to the City in proper perspective.

3. If the Spa/Fitness operation fails, then the burden of supporting it will fall back on the proprietary members resulting in a larger monthly dues requirement making PAHG&CC far less attractive to new members.

While we believe that there is significant opportunity to increase the value of PAHG&CC by improving its facilities, we clearly do not believe this is the best approach and ask the Planning and Transportation Committee to reject this proposed plan. We would like the current Board of PAHG&CC to come back to the members with additional alternatives that will require less dependency upon new social memberships and with an improvement of the facilities that will not add a significant increase in traffic and is fully supported by the neighborhood.

Respectfully

Heidi Choir
Reich, Russ

From:  Jan Terry [janterry@sbcglobal.net]
Sent:  Thursday, March 27, 2008 8:41 AM
To:    Reich, Russ; Emslie, Steve
Cc:    Salvatore and Stella Giovannotto; Mark Nadim
Subject: 3000 Alexis Drive Country Club Expansion

Dear Mr. Reicht and Mr. Emslie,

I am writing today to answer some misconceptions that have been introduced by Sal Giovannotto in his letter to you dated March 21.

The most important issue is Sal’s claim that PAHCC has not participated in proper community outreach. As a member of the Club, Sal has received numerous notices and invitations to Town Hall meetings for club members for the last two and a half years of the planning phase of the expansion project, including a monthly newsletter that gives updates periodically. At the beginning of the project deliberations, he spoke to Christian Thon, then the General Manager, but would not follow up with any subsequent requests for meetings or discussion.

As a neighbor, Sal and Stella have received invitations to our annual neighborhood meetings where the subject of the Country Club Expansion was a key agenda item. They declined to participate. As the President of the neighborhood association, I personally sent those invitations out, or delivered them to their mailbox.

Sal’s comments on adverse traffic and preserving open space are misrepresenting the facts of the expansion. At the last major renovation at the Club, traffic issues that Sal describes were addressed with major improvements. He misunderstands that the users of the new facility are not for non-members, but members only. There is not one documented case of traffic issues impacting Sal’s residence for the last 10 years. As to Sal’s concern of the “flora and fauna” one hard look at the scrabble bare dirt and the dilapidated 50 year old buildings makes me wonder what he is talking about. Moving the building to the grassy open areas would be much more injurious to the enviroment.

I have personally walked every trail on the East side of Foothills Park, trying to get a view from Open Space of the Clubhouse, and there is absolutely no view of the Clubhouse at all. There is no impact from Open Space parkland from a view corridor.

There is in fact wide support for the Club expansion in the Neighborhood. While it is true that the biggest impact of construction will be a building next to Sal’s home, the general use of the building and the improvements are considered appropriate by the neighbors. I have recently communicated to our neighbors informing them (again) of the meeting on April 2nd and asking them to advise me if they have outstanding issues. Of course, there is interest in a safer egress from the Club and for the Club to take seriously that we are a rather quiet neighborhood and want to keep it that way. We feel that we can work together to find that solution.

In our neighborhood, the Country Club is not just a commercial use of land. They are our neighbor. They are our Fire and Emergency Refuge. They have extended the use of their facility for our meetings. They include the entire neighborhood in some of their social activities. The Club has everything to gain by being a good neighbor.
Dear Mr. Emslie,

My name is Christian Thon. I served as the General Manager for Palo Alto Hills Golf and Country Club for the last 4 1/2 years and I was very involved in the proposed plans. I was distraught when I saw the letter to you from Mr. Giovanotto dated March 21, 2006 – to say the least! There are misstatements, incorrect information, inaccurate allegations and straight-out lies in the letter that you received! I hope you will take the time to read my response to his letter so that you have a much better view of the facts. I am no longer employed by Palo Alto Hills Golf and Country Club (PAHGCC), but the so-called facts that were brought forth in the letter are simply not true and despite not being employed by the Club anymore, I feel it is still my duty to set the facts straight.

I would like to address the 5 items one at a time;

**INTRODUCTION STATEMENT:** "The plans .... show utter lack of regard for the concerns of the neighboring homes" is simply not true. PAHGCC has had many (!) town hall meetings, neighborhood association meetings and meetings with private neighbors to ensure that everyone in the neighborhood would not only be informed of the project, but also be supportive of the project. Our number one concern was (and still is) the neighborhood. Without its support, the Club would not be able to prosper in the way it has for 50 years.

"Two reasons for PAHCC's submission; intent to anger and disrupt the community and "stalking horse" is simply a "silly" statement. If the intent was to disrupt or in any way anger the community, the entire foundation for the Club of being the "big brother of the neighborhood" would be erased! There are no "stalking horses" but the plans call for significant efforts NOT to disrupt the neighbors pre- during and post construction. Many of which I will list below.

**ITEM #1:** "The proposed location has the greatest negative impact .... and alternative on-site locations are available". As you have seen, serious efforts and costs have been put forth to make the building fit the existing landscape on the proposed location. The Club has obviously evaluated many sites on our 130+ acres of land and this is by far the absolute best location for a fitness center. It is next to the dilapidated pool complex where it should be! It is barely visible from any neighbors at all (other than Mr. Giovanotto), but the view from his property is by far better than his existing view of 40 year old buildings, old equipment, concrete beat up grounds, etc. etc. A lot of time and efforts have been used in selecting the right location for this project. The Club has even proposed an underground parking lot (at significant added cost) to hide the required parking spaces – again in an effort to appease the neighbors and "do the right thing".

**ITEM #2:** "Significant impact on environment and traffic is imperative". As you know, we have already proven that the impact on traffic will be insignificant. The proposed fitness center is for members only and will not and cannot be rented out to non-members – as Mr. Giovanotto alleges. Consider the fact; this is a fitness center and is simply not conducive to being rented out! It's a fitness center, not a ballroom that is being build!

Regarding an EIR, I feel it is prudent to simply look at what the Club is proposing vs. what is already there. PAHGCC is replacing 40 year old buildings and concrete areas with new, beautifully designed facilities while still adding more green space for children to play. I believe Mr. Giovanotto should simply look down at the space and evaluate what is there. That will least through my eyes, change any-ones' mind! Less concrete and asphalt - more green play area. How can he suggest that the Club is not considering the Open Space or the environment?!

**ITEM #3:** "PAHCC has not participated improper community outreach and this is the first time I heard about the project". This statement is simply not true! I personally met with Mr. Giovanotto in the very early stages of the project. I not only walked the grounds and explained the project, I gave him the "blue prints" as well as many construction details that the Club had not even shared with any other members. He told me personally that "he would fight this project with all he's got". Regardless of this comment, he continued to be invited to many individual meetings with the
President and myself as well as several town hall meetings throughout the last 2 ½ years. The project has been discussed in great detail with the membership in the newsletters and he has been receiving construction project emails as well. Mr. Giovanotto has also received the brochure about the project which goes into great detail as to what is proposed. In addition, the members have voted on the project (financing of the project) twice over the last 18 months and significant correspondence was distributed about the plans to the entire membership. Finally, at the yearly shareholder meeting in September of 07, Mr. Giovanotto was present. At that meeting, the Board discussed the status of the project as well and Mr. Giovanotto, at that time, also walked around and told other members that “this was the first time he heard about the project”. I personally experienced and hear those comments. Please do not be fooled by his outrageous and ridiculous comments that are simply not true! Has been fully aware of this project for over 2 ½ years and has had ample opportunities to meet with the Club and discuss the plans. He never, ever took us up on it!

**ITEM #4:** "The story poles are mis-leading." For once, I can actually agree with Mr. Giovanottos' comments. I also invite you to go to his property and see what has been erected! The story poles depict an accurate view of how the buildings would look. I know that the Club has already changed the green mesh to avoid any misconception and they have added orange flags as well. The set-up does indeed serve the purpose of City of Palo Alto's codes! It does more than what's required! Finally, regarding Mr. Giovanotto's comments about his view of San Francisco's city lights - he has none, so therefore, the Club cannot take his view away! Mr. Giovanotto's view line is of the South Bay, not of San Francisco city lights! Another claim that is not true! Again, I invite you and any other City Official to come to the Clubs' property and subsequently make your own opinion. I am certain that such a visit will erase any concern you may have from reading his letter.

**ITEM #5:** "Design if highly insensitive to its neighbors". The DEE that is proposed derived originally from a request and suggestion from the Architectural Board based on the first "for comments only" public meeting 2 years ago. Originally the proposed DEE was significantly less, but the ARB felt that indeed, the building would be a great fit for the location and an added DEE would improve it even further. It sits very well amongst the hills and the Club has proposed to build a separate "mechanic well" to host the HVAC and other equipment to enhance the view of the butterfly roof line. At that time, the ARB agreed. As a matter of fact, several of the members of the ARB actually visited and walked the site in order to get a first hand view of the plan location.

Mr. Emslie, I hope this email sheds some light on Mr. Giovanotto's letter and his alleged facts and should you need even further information from me regarding the above statements, feel free to let me know. It would be my pleasure to answer any questions you may have.

Sincerely,

Christian Thon
March 29, 2008

Russ Reich
Steve Emslie
City of Palo Alto

Dear Mr. Reich and Mr. Emslie,

We are both members of the community and members of Palo Alto Hills Country Club.

In our opinion, the club is an asset to the entire community in the following ways:
- Provides beautiful landscaping which can be viewed from the trails in the Arastradero Open Space.
- Provides (free of charge) facility and amenities for local homeowner meetings.
- Provides a safe place with water, food and generators in the event of a neighborhood emergency such as earthquake or fire.
- The large parcel of land owned by the club, assures a low housing density in the neighborhood.

However, the club is 50 years old, and changes are required to maintain the asset, lest we lose our good neighbor.
- Current tastes require fitness facilities and equipment, in addition to golf and swimming.
- Outdated swimming pool buildings, frankly are an eyesore.
- The plan includes re-engineering the entrance/exit from the club, which will benefit everyone travelling beyond the club.

Yes, we strongly support the expansion plans of the Palo Alto Hills Country Club.

Sincerely,

Clint Severson
Conni Ahart
955 Laurel Glen Drive
Palo Alto, CA 94304
Reich, Russ

From: David Hopkins [dhopkins12@hotmail.com]
Sent: Saturday, March 29, 2008 7:37 PM
To: Reich, Russ
Subject: Support for Palo Alto Hills Golf and Country Club site and design proposal (3000 Alexis Dr.)

Dear Mr. Reich -

We have been neighbors of the Club since the early 1970s, and we are writing in support of the plans submitted by the Club and which are about to be reviewed by the City of Palo Alto. These plans for renovation and expansion represent the first major addition to the Club since it was founded and are badly needed. Moreover, the tasteful style and parking mitigations will enhance the ambience of our neighborhood.

The Club has always been a good neighbor, and we think it is time the City permitted the club to add these critical facilities. If it cannot, it is likely the Club will lose out to the local competition -- other clubs that are not so restricted in their growth -- and will not be able to sustain its current membership and ambience. The neighborhood will be the loser in that situation.

We hope the City will approve the current plans submitted by the Club for its renovation project.

Sincerely,

David and Rosemary Hopkins
920 Laurel Glen Dr.

In a rush? Get real-time answers with Windows Live Messenger.
Reich, Russ

From: Radcliffe Family Trust [radcliffetrust@earthlink.net]  
Sent: Saturday, March 29, 2008 8:42 PM  
To: Reich, Russ  
Subject: PAH project

To all concerned departments,  
City of Palo Alto  
In the interests of full disclosure I must tell you that I am a member of Palo Alto Hills Golf & Country Club and live on Alexis Drive. Not all members are Palo Alto residents and few actually live on Alexis Drive. While I am concerned about the traffic the PAH project will generate, we already have houses being scraped off the lots and replaced so we are subjected to demolition and concrete trucks every day. Similar to moving in next to Reed Hillview Airport, the Club was there when my father built this house with full knowledge of it’s existence. My family later joined PAH.

I support their upgrade of the facility and the resulting sales tax it will bring in to Palo Alto. A new facility will encourage new members to join and more social events to be held there. The expanded underground parking is a bonus to all and the revised placement of the entrance is in the betterment of traffic patterns and safety. My only objection is the increased traffic but that is a fact of life we all must face.

I see no logical reason why this project should not be approved.

William H. Radcliffe  
2930 Alexis Drive  
Palo Alto 94304  
650-948-1237
Reich, Russ

From: Peng Ang (ATT) [pengang@sbcglobal.net]
Sent: Saturday, March 29, 2008 9:05 PM
To: Reich, Russ
Subject: Palo Alto Hills Golf & Country Club Expansion project

Dear Russ,

I have been a resident on Alexis Drive since 1994. I am also a member of the Palo Alto Hills Golf and Country Club. I write to you in support of the club expansion project.

In my opinion, it is an architecturally pleasing design that will enhance the needs of the members, and at the same time preserve the ambiance of the existing environment in and around the club.

Thank you.

Peng & SWAT Ang
3132 Alexis Drive
Palo Alto, CA
April 2, 2008

Steve Emslie
Director of Planning,
City of Palo Alto
250 Hamilton Ave. 5th Floor
Palo Alto, Ca 94301

Dear Mr. Emslie,

I am writing today as I will not be able to attend the planning meeting tonight where the 3000 Alexis Drive expansion of the Palo Alto Hills Golf and Country Club (club) is being discussed. I have lived at 2987 Alexis Drive for 12 years. I am also the past President of the Palo Alto Hills Neighborhood Association. I am a club social member.

One of the unique features of our neighborhood is the presence of the club and golf course. I highly value this outstanding organization and facility. The club is one of our 'best' neighbors and continually strives to put the neighborhood concerns at the forefront of any changes or activities they pursue. I can give you many examples of this position and effort.

I would like to voice my support of the proposed expansion of the club facility. I have viewed these plans and find them not only attractive but very much in keeping with the neighborhood profile. Although no one likes the timeframe of construction traffic or noise, it is a given necessity to the end product of a much improved structure and facility.

It is my recommendation that the City Planning Department will approve this project. Please feel free to contact me with further questions or to use my name as supporter of the expansion.

Sincerely,
Vicki Dempsey

2987 Alexis Drive, Palo Alto, Ca 94304
650 949-2884 or vldempsey@yahoo.com
Mr. Russ Reich  
City of Palo Alto  
Department of Planning and Community Environment  
250 Hamilton Avenue  
Palo Alto, CA 94301  

Dear Mr. Reich,

My name is Hiroshi Menjo, a proprietary member of Palo Alto Hills Golf and Country Club (PAHG&CC). I was made aware of a letter addressed to you written by Mr. and Mrs. Jerold Ridley dated March 24, 2008. I would like to let you know that I do not want to include my name in the letter. When Mr. Gary Griffith, another member of PAHG&CC, sent me an e-mail with an attachment of the draft letter directed to City of Palo Alto, I obviously misunderstood what it meant. Please take my name off the list in the letter addressed to you.

Thank you very much for your attention.

Cordially,

Hiroshi Menjo  
134 Stockbridge Ave  
Atherton, CA 94027  
Day Phone 650-234-9630  

cc: Board of Directors, PAHG&CC
April 2, 2008

Hand Delivery
Steve Emslie
Director of Planning
City of Palo Alto, 5th Floor
250 Hamilton Ave.
Palo Alto, CA 94301

Sal Giovannotto
3090 Alexis Drive
Palo Alto, CA 94304

RE: Palo Alto Hills Country Club: April 2 Public Hearing

Dear Mr. Emslie and Commissioners:

You have my March 21, 2008 correspondence. It is important that this letter be incorporated into the City's Administrative Record for this project.

It would be repetitive for me to restate the positions set forth in that letter. I do want to address the undated letter from Christian Thon on behalf of the applicant to Steve Emslie. It is my understanding that Mr. Thon has apologized to Staff Member Russ Reich for several of the untrue statements in his letter.

I know that Planning Commissioners, City Council Members, City Staff Members and the Superior Court of Santa Clara County share a policy perspective that findings with respect to any project's impacts should be made only after adequate environmental review. This application fails to meet environmental review standards:

1) The application does not include project alternatives either for building location, a reduced building size, or a one-story building even if a site coverage exception were necessary.

2) The project does not provide a full traffic impact analysis based on occupancy of buildings, pools and golf courses at their full capacity. Instead, the traffic analysis is based on membership levels even though the membership levels can and will be increased by the applicant since there is no covenant with the City to control existing membership levels or future building expansion.

1 The Applicant plainly states that, "The project also seeks to make the club more viable at attracting Social Members, which to date it has not been able to reach, largely due to substandard facilities." [Staff Report, Attachment C, "Project Description", Paragraph 1, Lines 6-8]
3) The project not only fails to analyze visual impacts; the application distorts the reality of the project's visual impacts.

Were any of you living in my home, you would share my concerns that the environmental review is inadequate for the reasons I have now stated and as stated in my March 21 correspondence.

Thank you for considering my comments.

Sincerely yours,

[Signature]

Sal Giovannotto
3090 Alexis Drive
Dear Mr. Reich,
I am a club member, one of the 40% opposed to this project. My opposition is based on the adverse financial consequences for the club. Since I don't live around the club, I felt my opposition would have little standing. However, yesterday, an article in the Palo Alto Daily News reported that Ms. Jan Terry, the president of the Palo Alto Hills Neighborhood Assoc. said most of the residents in her association were fine with the project. You should know that Ms. Terry is both a club member and an ardent supporter of the project and hence has a severe conflict of interest and anything she says about the project should take that into account. That she walked on the trails to the east and couldn't see the clubhouse is meaningless because from the clubhouse we can see numerous homes on the Eastern Hills above and below us. Also, its laughable to suggest that the amount of business that we have been told will be generated by the Spa, won't cause a significant increase in traffic on Alexis Drive and Page Mill Road and have an adverse impact on the neighborhood. I don't think Palo Alto signed on to this type of business at that location when they approved the club almost fifty years ago.
Thank you,
Benjamin A. Halpren, MD
168 Catalpa Dr.
Atherton, Ca 94027
650-327-8980
bahcom@aol.com
Reich, Russ

From: Emslie, Steve
Sent: Wednesday, April 02, 2008 5:01 PM
To: Reich, Russ; Caporgno, Julie; French, Amy
Subject: FW: palo alto hills country club remodel

Please make available tonight.

From: ken kato [mailto:kkatodds@gmail.com]
Sent: Wednesday, April 02, 2008 4:41 PM
To: Emslie, Steve
Subject: palo alto hills country club remodel

I have lived across the street from the Palo Alto Hills Country Club @ 2995 Alexis Dr. since 1975. My house is on the left just before the entrance. I spoke in favor of the Country Club's remodel project a few years ago. This new project with additional social members will cause a tremendous increase in traffic. I am opposed to this increase in traffic.
April 1, 2008

City of Palo Alto
Planning Commission
250 Hamilton Avenue
Palo Alto, CA 94301

City of Palo Alto,

Re:, Letter to the City objecting to a Construction Project at Palo Alto Hills Golf and Country Club

The letter The City supposedly has received requesting the City to not approve the Construction Project at Palo Alto Hills Golf and Country Club, with my electronic signature, was not authored by me and as Member of Palo Alto Hills Board of Director I disclaim any support of the content to said letter.

Sincerely,

Bengt Rindegard

Cc: Palo Alto Hills Board of directors
April 4, 2008

Mr. Sal Giovannotto
3090 Alexis Drive
Palo Alto, CA 94304

Mr. Giavannotto,

As you are aware the Planning and Transportation Commission has unanimously approved the new Family Fitness Center for Palo Alto Hills Golf and Country Club. This plan was approved with some minor modifications to the height variance along with a cap on the membership of 425 Proprietary Members and 200 Social Members. The Commission has also asked that we meet with our closest neighbor prior to the ARB hearing on May 15th in order for the parties to attempt to reach an agreement as to a joint landscaping plan.

While we remain extremely concerned by your representation of the Club to the Planning Commission, that our proposed building, while praised by the Commission, is not viewed positively by you. We wish to reach a mutually beneficial solution by creating a landscape and planting area that will screen the Club property, including the golf course, roof line and members from your view. This will not have an affect on your primary view of the Bay and should not have an affect on the filtered view you have through trees located both on your property and near the Club’s property line.

I would like to set up a meeting with you personally at a mutually agreed upon time prior to April 15th to review the landscape plan prior to the May 15th hearing. The Club will have its Landscape Designer, Architect, Construction Committee Chair and Club Manager present along with me to present our proposed plan and to answer any of your questions or concerns in regards to the plan. If you would like, we can also see if a representative from the Palo Alto Hills Neighborhood Association can be present.

As was stated by many of our neighbors at the Planning Commission hearing, Palo Alto Hills Golf and Country Club has worked hard at being a good neighbor for nearly 50 years and has been very supportive of the neighborhoods development. We hope that you will be willing to meet with us and discuss this plan as a benefit to both the Club and our neighbors.

Sincerely,

Stephen Pahl
President
Palo Alto Hills Golf and Country Club

Cc: Board of Directors PAHGCC
Dirk Zander General Manager PAHGCC
Chris Wasney – Cody Anderson Wasney
Russ Reich City of Palo Alto Planning Department
Don Rose
From: Steve Saperstein [mailto:steve@s3guitars.com]
Sent: Sunday, April 06, 2008 11:46 PM
To: Planning Commission
Subject: Palo Alto Hills Golf and Country Club

Dear Commissioners,

I was out of town and not able to attend the commission meeting last Wednesday when the application from the Palo Alto Hills Golf and Country club was discussed.

We have lived directly across the street from the club since 1987. The parking lot entrance faces the side of our house and the downhill side of the lot is directly above us. The clubhouse is viewable from our front yard. Thus most any noise or visual changes at the club are quite noticeable to us. The newly proposed construction, however, is not visible from our house.

Current Issues:

During the council approval of the last building permit issued to the club in the early 1990s, a number of residents brought up issues that we thought were, for the most part, resolved. However, there were promised actions that were either not recorded in the use permit or that were later overruled. Here are the major promises and actions from that meeting and from the club prior to the meeting:

1. Buses: the council agreed that no buses should be allowed in the parking lot.
2. Construction: the club agreed that construction would begin after 8:30 AM and no construction would take place on Saturday.
3. Parking lot use: there was an agreement that all club events would require valet parking to a) avoid on-street parking and b) reduce the 'post party' parking lot noise.

The results of these promised actions have been hit and miss.
1. Buses: we have had a few times where numerous buses have been in the parking lot, complete with back up beepers and hydraulic noises lasting well past the 11:30 PM closing time. I have made the club manager aware of these times and each time they have promised not to allow buses, but only at night events. The city council, in spite of what I thought was a voice vote of agreement at the approval meeting, later found out the PAUSD school bus uses the parking lot to turn around in the morning and afternoon and, according to the current club manager, shortly thereafter threw out the proposed change in the use permit.

2. Construction: in spite of the promise from the club, the club applied for and the city issued a permit for Saturday construction. Also, we were often awakened at 6:30 on weekdays and weekends to the sounds of large trucks and other heavy equipment entering, loading, unloading and exiting the club - back-up beepers blaring and generally being a noise nuisance.

3. Parking lot use: there has been very little formal effort to keep post party noise down over the last few years. A week ago, I met with the club general manager and asked that he put in more formal procedures to limit the parking lot post party noise. He agreed to look into the matter. There was an incident of on-street club parking around noon today (Sunday, April 6) with overflow parking on Country Club Court, in front of and across the street from our house. The result was that our two lane street was reduced to one lane.

**Proposed Solutions:**

If the Commission recommends approval of these plans I would like to propose the following be included as part of a modified use permit or as part of the construction permit:

1. The original bus restriction be formalized as part of the use permit, with the exception of the school bus.

2. Saturday construction be totally restricted for the duration of the construction permit and a start time of 8:30 on weekdays be strictly enforced. Construction vehicles and their transporters (trucks, bulldozers, and other heavy noise-making equipment) be driven only during construction hours.

3. Valet parking be required for all events as part of the use permit. This should include a monitor at the entrance to the parking lot to assure that there is no street parking. It should also include a method for monitoring the parking lot for excessive noise after 11:30 PM or require that cars be returned to their owners only by the valet parking staff, thus eliminating the post party loitering that constantly occurs in the lot.

If these conditions are part of the use permit and construction permit, both the club and the adjacent residents will know exactly what can and should be expected, rather than hoping that promises made by an ever changing management are kept. In the past I have often initiated meetings with and called the three most recent general managers and they have always been friendly and eager to find a solution; however, the results have been inconsistent. Thus, I am proposing a more formal way of handling these issues.

I would appreciate your comments and suggestions.

Yours truly,

Stephen Saperstein
3089 Country Club Court
Palo Alto, CA 94304

Cell: 650-814-8048
Dear Dirk,

Please know my home was built in 1989 and the building permit for the same was obtained from the city of Palo Alto in 1988. I can provide the information you have asked for but it will take some time. I do not believe that information will, however, be of much use at this time. Some of these documents may even be off site. For one thing, I am only available via email and phone over next 2-3 weeks.

The issues at hand are to do with what has happened since the time when my home was built in 89. For many years following the construction of my house was completed, we did not have any specific excessive run off or ground water seepage from the golf course area to my property. The past and current problems are directly caused by driving range construction and drainage work was done at the Country Club several years after my home was built. In order to protect my driveway and the building I was compelled to have substantial grading and drainage work done at my cost and those plans were shared with you when you and Russ Reich visited my property. I believe these grading and drainage plans are available from the City as well.

In my opinion, there has never been such obvious cause and effect relationship between the construction at the country club and damage to our home site. In order for me to support the proposed construction work at the Country Club, I must first have accountability of the past and current damage to my home site and, second, I must have a complete assurance that the proposed work WILL NEVER cause any harm to my home site.

I believe my concerns are reasonable and fair.

Sincerely,

Basant Khaitan

-----Original Message-----
From: Dirk Zander [mailto:DZander@pahgcc.net]
Sent: Tuesday, August 26, 2008 8:20 PM
To: Basant Khaitan; Reich, Russ
Cc: Donald Rose; Stephen D. Pahl
Subject: RE: Scanned from pg-cp048 08/24/2008 14:37

Mr. Khaitan,

So that the Club is able to have a better understanding of the water issue on your property would it be possible for us to get a copy of the geotechnical report that was submitted to the City when you built your home. I will pass that information along to our soils engineer for review.

Kind regards,

Dirk Zander
General Manager
Palo Alto Hills Golf and Country Club
650-948-1800

-----Original Message-----
Dear Russ,

I thank you for the letter from the engineering company which presumably works for the Country Club. Considering the severity of past, ensuing and current problems which have been brought to the attention of country club officials, I find it strange that a copy of the letter was not sent to me earlier. This approach to communication is underhanded on part of country club representatives. Considering (1) the damage which certain past country club construction projects have caused to my property in direct expenses (exceeding $40,000) and grief, (2) less than accurate representations in the letter itself, I remain very concerned.

Example- Paragraph #1 states: The increased runoff will ultimately drain into a creek adjacent to my property. This is totally incorrect! Drain discharge is within my property itself; serious soil erosion problems due to country club’s prior drainage work are already causing problems in my property.

There are other statements in the letter which are questionable and must be brought to proper scrutiny. The report is abhorrently one sided and partial.

Under the circumstances, I strongly urge an independent and objective Environmental and Drainage review of the modifications proposed. If such a review has already been done, I would like to get access to it. In addition, after-effects of the past drainage work in golf course area directly across from my property MUST be reviewed and CORRECTED. My driveway is a nuisance and unworthy of walking during the winter months.

It is unfortunate I will not be able to attend the hearing on 8/27/08. Still, I intend to communicate my concerns to the planning officials and City Council via email.

Sincerely,

Basant Khaitan

-----Original Message-----
From: Reich, Russ [mailto:Russ.Reich@CityofPaloAlto.org]
Sent: Sunday, August 24, 2008 3:05 PM
To: Basant Khaitan
Subject: FW: Scanned from pq-cp048 08/24/2008 14:37

Hello Basant,
This is the letter form the engineer that was asked if there would be any impact as a result of the project proposal.

Russ Reich
Senior Planner
City of Palo Alto
Department of Planning and Community Environment Office (650) 617-3119 FAX (650) 329-2154

-----Original Message-----
From: scanner copy machine [mailto:scanner@cityofpaloalto.org]
Sent: Sunday, August 24, 2008 2:38 PM
To: Reich, Russ
Subject: Scanned from pq-cp048 08/24/2008 14:37
Please do not reply to this address.
Reich, Russ

From: Basant Khaitan [bkhaitan@gmail.com]
Sent: Wednesday, August 27, 2008 12:30 AM
To: Planning Commission; Council, City; Architectural Review Board
Cc: Reich, Russ

Subject: Proposed changes in Palo Alto Hills Country Club

City of Palo Alto
Mayor and City Council Members
Planning & Transportation Commission, And
Architectural Review Board

Dear Mayor, City Council Members and appropriate Planning Department Members:

City of Palo Alto

Mayor and City Council Members
Planning & Transportation Commission, And
Architectural Review Board

Dear Mayor, City Council Members and appropriate Planning Department Members:

This letter is being submitted in reference to Palo Alto Hills Country Club, which proposes substantial expansion of its facilities including the driving range, parking area, etc. Unfortunately, I cannot attend the hearing today due to very pressing personal circumstances. I hope you would still grant my request to review my home-site’s situation.

I became aware of the new proposed country club expansion in June 2008, at which time, I requested Russ Reich from City’s Planning Department to meet with me at home site so that I could appropriately communicate the severity of the past and current problems at my home site.

Please note my house is located at 2973 Alexis Drive which is likely one of the low points in the area terrain. My wife and I have owned the house for about 19 years. We never encountered any specific drainage or ground water seepage problems until the country club graded and installed new drainage in its driving range and fairway areas a few years ago. In spite of previous assurances from the country club, the fact is my home site has suffered grave damage in form of soil erosion and water seepage at a great cost and grief to us. I am intentionally not going into the details to keep this letter somewhat brief and to the point.

I believe the new proposals will almost certainly create more serious problems in form of (1) water seepage and oozing particularly during November through April rainy season and (2) soil erosion that will further worsen the foundation area, masonry work and the area where culverts open toward the rear of my property. In my opinion, there has never been more obvious case of cause and effect relationship as the construction at the country club and damage to our home site. This new proposal when implemented will undoubtedly make a dire situation worse.

I urge you to consider and ask for an independent environmental and drainage review and report. I am specifically interested in knowing the impact on my home site in the context of past, current and potentially additional problems at my home site. I am simply asking for a complete assurance that proposed work will never cause any harm to my home site.
These are serious issues but I do believe they can be resolved in a spirit of cooperation once we get objective and complete information in form of an independent report as suggested.

Please feel free to contact me for any clarifications. Thank you.

Sincerely,

Basant Khaitan
2973 Alexis Drive
Palo Alto, CA 94394
bkhaitan@gmail.com
Phone: (650) 948-6423
Dave O'Brien

From: Dave O'Brien [david@obriennet.net]
Sent: Monday, September 08, 2008 11:24 AM
To: 'Planning.Commission@CityofPaloAlto.org'
Subject: Use Permit 3000 Alexis Drive.

To Commission Members

We live on Paseo Del Roble Drive adjacent to the seventh fairway of Palo Alto Hills golf course. In the mornings we are often awakened by the loud noise of maintenance equipment operating on the course - sometimes as early as 5:35 am. and often prior to 7:00 am. I have had recent cordial correspondence with the general manager Dirk Zander of PAGHCC but the issue is not resolved.

I request that the new use permit clearly limit the operation of noisy equipment on the course to between 8:00 am and 6:00 pm—particularly on the holes at the perimeter of the course near the houses and particularly on weekends and holidays.

regards

David O'Brien

13651 Paseo del Roble Drive
Los Altos Hills
Ca 94022

650 941 4069  (home)
david@obriennet.net
Reich, Russ

From: Betten, Zariah
Sent: Tuesday, September 09, 2008 9:58 AM
To: Reich, Russ
Subject: FW: 3000 Alexis

Can you respond please to this person's query? Thank you.

Zariah Betten, Admin. Associate
Department of Planning and Community Environment
250 Hamilton Avenue, 5th Floor
Palo Alto, CA 94301
Tel: 650-329-2440
Fax: 650-329-2154
zariah.betten@cityofpaloalto.org

From: essthree@gmail.com [mailto:essthree@gmail.com] On Behalf Of Steve Saperstein
Sent: Tuesday, September 09, 2008 8:05 AM
To: Planning Commission
Subject: 3000 Alexis

To the Planning Commission:

I submitted comments to the commission about the proposed construction at 3000 Alexis Drive through email on April 6th. As of yet I have received no confirmation of receipt. I would like to know if these comments were received and whether they were taken into account when drafting the revised CUP.

Also, as of late, there are a number of large trucks that come to the club before 9 AM, some as early as 5:00 AM. They either back up in the club parking lot or by driving down Country Club Court, resulting in their back-up alarm going off for quite a long period of time. The school bus does a short back up in the entrance to the parking lot as well at exactly 7:22 AM each school day. Would it be possible for the club to construct the modified parking lot in a manner that these large trucks could turn around in the parking lot without resorting to either backing up down Country Club Court or backing up in the club parking lot itself? If that cannot be done, I strongly suggest that the CUP be modified to not allow any deliveries to the club before 8:30 AM at the earliest. Today there have be two trucks backing up at the club before 7:45, plus the school bus. I am sure that the backup alarm volume violates the Palo Alto noise abatement ordinance for that time of day and I'd like to solve this problem by modifying the CUP rather than have this become a noise abatement enforcement issue.

I am available to discuss these matters at any time. Please feel free to call me at 650-814-8048 or email me. Unfortunately, I have not been able to attend any of the planning commission meetings, but given our proximity to the club, I feel that my comments should nonetheless be considered. Also, I'd appreciate a note of receipt.

I am including a copy of my comments from the April 6th email below.
Thank you,

Steve Saperstein
3089 Country Club Court

To: Planning.Commission@CityofPaloAlto.org

Subj: Palo Alto Hills Golf and Country Club

Date: April 6, 2008

Dear Commissioners,

I was out of town and not able to attend the commission meeting last Wednesday when the application from the Palo Alto Hills Golf and Country club was discussed.

We have lived directly across the street from the club since 1987. The parking lot entrance faces the side of our house and the downhill side of the lot is directly above us. The clubhouse is viewable from our front yard. Thus most any noise or visual changes at the club are quite noticeable to us. The newly proposed construction, however, is not visible from our house.

Current Issues:

During the council approval of the last building permit issued to the club in the early 1990s, a number of residents brought up issues that we thought were, for the most part, resolved. However, there were promised actions that were either not recorded in the use permit or that were later overruled. Here are the major promises and actions from that meeting and from the club prior to the meeting:

1. Buses: the council agreed that no buses should be allowed in the parking lot.

2. Construction: the club agreed that construction would begin after 8:30 AM and no construction would take place on Saturday.

3. Parking lot use: there was an agreement that all club events would require valet parking to a) avoid on-street parking and, b) reduce the 'post party' parking lot noise.

The results of these promised actions have been hit and miss.

1. Buses: we have had a few times where numerous buses have been in the parking lot, complete with back up beepers and hydraulic noises lasting well past the 11:30 PM closing time. I have made the club manager aware of these times and each time they have promised not to allow buses, but only at night events. The city council, in spite of what I thought was a voice vote of agreement at the approval meeting, later found out the PAUSD school bus uses the parking lot to turn around in the morning and afternoon and, according to the current club manager, shortly thereafter threw out the proposed change in the use permit.

2. Construction: in spite of the promise from the club, the club applied for and the city issued a permit for Saturday construction. Also, we were often awakened at 6:30 on weekdays and
weekends to the sounds of large trucks and other heavy equipment entering, loading, unloading and exiting the club - back-up beepers blaring and generally being a noise nuisance.

3. Parking lot use: there has been very little formal effort to keep post party noise down over the last few years. A week ago, I met with the club general manager and asked that he put in more formal procedures to limit the parking lot post part noise. He agreed to look into the matter. There was an incident of on-street club parking around noon today (Sunday, April 6) with overflow parking on Country Club Court, in front of and across the street from our house. The result was that our two lane street was reduced to one lane.

Proposed Solutions:

If the Commission recommends approval of these plans I would like to propose the following be included as part of a modified use permit or as part of the construction permit:

1. The original bus restriction be formalized as part of the use permit, with the exception of the school bus.
2. Saturday construction be totally restricted for the duration of the construction permit and a start time of 8:30 on weekdays be strictly enforced. Construction vehicles and their transporters (trucks, bulldozers, and other heavy noise-making equipment) be driven only during construction hours.
3. Valet parking be required for all events as part of the use permit. This should include a monitor at the entrance to the parking lot to assure that there is no street parking. It should also include a method for monitoring the parking lot for excessive noise after 11:30 PM or require that cars be returned to their owners only by the valet parking staff, thus eliminating the post party loitering that constantly occurs in the lot.

If these conditions are part of the use permit and construction permit, both the club and the adjacent residents will know exactly what can and should be expected, rather than hoping that promises made by an ever changing management are kept. In the past I have often initiated meetings with and called the three most recent general managers and they have always been friendly and eager to find a solution; however, the results have been inconsistent. Thus, I am proposing a more formal way of handling these issues.

I would appreciate your comments and suggestions.

Yours truly,

Stephen Saperstein

3089 Country Club Court

Palo Alto, CA 94304

Cell: 650-814-8048
To City Council Members

We live on Paseo Del Roble Drive adjacent to the seventh hole fairway of Palo Alto Hills golf course. In the mornings we are often awakened by the loud noise of maintenance equipment operating on the course -- sometimes as early as 5.35 am. and often prior to 7.00 am. I have had recent cordial correspondence with the general manager of PAHGCC but the issue is not resolved satisfactorily.

I would request that prior to your final approval, the new use permit add a provision that limits the hours of operation of heavy maintenance or noise generating equipment such as mowers, tractors, aerators and blowers. Specifically I suggest that operation of this equipment be restricted to between the hours of 8.00 am and 6.00 pm, particularly on holes that are at the perimeter of the course where there are residences and especially on weekends and holidays.

Thank you for your consideration of this matter

David O'Brien

13651 Paseo Del Roble
Los Altos Hills
Ca 94022

650 941 4069
September 9, 2008

VIA EMAIL [city.council@cityofpaloalto.org] AND FEDERAL EXPRESS

Mayor Larry Klein
Members of the City Council
City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94301

Re: Revised Mitigated Negative Declaration re 3000 Alexis Drive
(Palo Alto Hills Golf and Country Club Expansion Project)

Dear Mayor Klein and fellow City Council Members:

This firm represents Palo Alto resident Sal Giovannotto in the above-referenced matter and I write today to provide comments on the revised Initial Study and Mitigated Negative Declaration ("IS/MND") that has been prepared for Palo Alto Hills Golf and Country Club’s ("PAHGCC" or the "Club") Proposed Expansion Project (3000 Alexis Drive [06PLN-00381]) ("Project"). With the assistance of our traffic expert, Dan Smith (whose expert analysis and curriculum vitae are attached hereto as Exhibit A and incorporated herein by reference in their entirety), we have reviewed the revised IS/MND and have determined that it fails to comply with the California Environmental Quality Act ("CEQA"; Pub. Resources Code, § 21000 et seq.). Accordingly, the City cannot legally approve the Project based on the IS/MND and must either further revise that document (and recirculate for additional public review and comment), or, as we strongly recommend, prepare a full environmental impact report ("EIR") in order to adequately assess the Project and its impacts.

I. APPLICABLE CEQA LEGAL STANDARDS

CEQA was enacted to require public agencies and their decisionmakers to document and consider the environmental implications of their actions before formal decisions to approve projects are made. (Pub. Resources Code, §§ 21000, 21001.) This fundamental purpose of CEQA is implemented primarily by the requirement that agencies prepare an EIR whenever the approval of a proposed project may cause significant adverse effects on the environment. (Pub. Resources Code, § 21100.)
The EIR is the "heart of CEQA." (14 Cal. Code Regs., § 15003(a); Sierra Club v. State Board of Forestry (1994) 7 Cal.4th 1215, 1229.) Its purpose "is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided." (Pub. Resources Code, § 21002.1(a).) In carrying out this purpose, the EIR informs the public and its responsible officials of the environmental consequences of projects before they occur. CEQA ensures this by requiring the preparation of an environmental informational document which serves as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." (Sierra Club v. State Board of Forestry, supra, 7 Cal.4th at 1229; County of Inyo v. Yorty (1973) 32 Cal.App.3d 795, 810.) Thus, CEQA "protects not only the environment but also informed self-government." (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 564.)

CEQA contemplates a three-step environmental review process. (14 Cal. Code Regs., § 15002(k); Friends of "B" Street v. City of Hayward (1980) 106 Cal.App.3d 988, 999-1000; City of Carmel-by-the-Sea v. Board of Supervisors (1986) 183 Cal.App.3d 229, 240-241; Association for Protection of Environmental Values in Ukiah v. City of Ukiah (1991) 2 Cal.App.4th 720, 726.) In the first step, the lead agency determines whether the project is exempt from CEQA pursuant to a statutory or categorical exemption, or because it can be seen with certainty that the project will not have a significant effect on the environment. (14 Cal. Code Regs., § 15002(k)(1).) If the project is exempt from CEQA, no further environmental review is required. (Association for Protection of Environmental Values in Ukiah v. City of Ukiah, supra, 2 Cal.App.4th at 726.) If the project is not exempt from CEQA, the second step requires the lead agency to conduct an Initial Study to determine whether the project may have a significant effect on the environment. (14 Cal. Code Regs., § 15002(k)(2).) If the study reveals that the project will not have a significant effect on the environment, the agency may prepare a Negative Declaration. (14 Cal. Code Regs., §§ 15002(k)(2), 15063(b)(2), 15070(a).) If the initial study instead concludes that the project may have a significant effect on the environment, the third step in CEQA's environmental review process normally requires that an EIR be prepared. (14 Cal. Code Regs., § 15002(k)(3).)

When potentially significant effects are identified in an initial study, a Mitigated Negative Declaration may be prepared instead of a full EIR only if "revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur" and "there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment." (14 Cal. Code Regs., § 15070(b)(1), (2).)
If a lead agency makes any “substantial revisions” to an MND after public notice of its availability has previously been given, the lead agency must provide additional public notice of the availability of the revised MND and recirculate it for an additional public review period of at least 20 days. (14 Cal. Code Regs., § 15073.5.)

Consistent with its purpose of guarantying the fullest possible protection to the environment within the reasonable scope of its statutory language, CEQA provides for a very low threshold of evidence of potential impacts to trigger the requirement for preparation of an EIR. As relevant here, if the lead agency is presented with a “fair argument,” based on substantial evidence in the record, that the Project may have a significant effect on the environment, the lead agency is required to prepare an EIR even though it may also be presented with other substantial evidence that the Project will not have a significant effect. (14 Cal. Code Regs., § 15064(g)(1); Friends of “B” Street v. County of Hayward (1980) 106 Cal.App.3d 988, 1002; No Oil, Inc. v. County of Los Angeles (1974) 13 Cal.3d 68, 75.)

Based on these legal standards, if the IS/MND prepared for this Project is approved in its current form, the City will have abused its discretion, exceeded its jurisdiction, and proceeded in a manner contrary to law without the support of substantial evidence in the record by committing the CEQA violations discussed below.

II. TRAFFIC IMPACTS

Like its predecessor, the IS/MND’s traffic impact analysis falls short of CEQA’s requirements in several respects. As further discussed by Dan Smith in his attached comments, the IS/MND’s primary shortcomings include: (1) identification of a potentially significant traffic impact (associated with the Project’s increase in traffic on the surrounding residential environment) that uses an outdated resource and ignores several key traffic-inducing components of the Project and thus significantly underestimates the severity of the impact; (2) reliance on a loose and unsubstantiated joint-use theory to discount the Project’s increased traffic by an arbitrary 30%; and (3) improper deferral of the development of a Transportation Demand Management Plan (“TDM Plan”) without any reasonable evidence that the TDM Plan, or any of the suggested components thereof, will be feasible or effective in reducing the Project’s traffic impacts whatsoever, let alone to the level of insignificance necessary to permit the City to approve the Project without first preparing a more robust traffic analysis as part of an EIR.

A. The MND Underestimates the Severity of Traffic Impacts

As explained further in Dan Smith’s attached comments, the MND significantly understates the severity of the Project’s traffic impacts. Specifically, by using an outdated source for estimated traffic generation attributable to the fitness facility (2002 SANDAG manual as opposed to 2003 San Diego manual), and failing to include traffic generation estimates for a number of the Project’s components (tennis
Mayor Larry Klein  
Members of the City Council  
September 9, 2008  
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court, driving range, swimming/wading pool and viewing area, 12.41 percent increase in Club memberships), the actual traffic impact is at least 3-4 times worse than indicated in the MND.

Further, the MND’s entire traffic impact analysis is suspect and unsupported given that it employed a flawed methodology for estimating the traffic increase associated with the Project’s proposed expansion to the Clubhouse. As explained by Dan Smith in his attached comments, the MND’s underlying traffic analysis prepared by Pang Engineers assumes a 9.05 percent increase to existing traffic from the expansion of the Clubhouse. That number, however, is derived not from a traffic generation analysis, but rather, a parking demand calculation prepared by the Project architect pursuant to parking and loading provisions of the Zoning Code. Based on his 40 years of experience as a traffic engineer in California, Dan Smith concludes that this methodology is “unconventional, hypothetical, unsupported and unsound.” Apparently, Mr. Pang himself agrees as he expressly stated that the data derived from the parking demand calculations “bears no resemblance to the actual number [of people, and thus vehicle trips] expected within the facilities.” (August 2007 Pang Traffic Analysis (“Pang Report”), page 5.)

Additionally, given the more detailed baseline information and project description included in the revised MND, we now know that generally speaking, the Club holds a major event of some type on almost every weekend. Even assuming the validity of the traffic counts used in the Pang Report, the fact that the report does not identify whether such an event was taking place during the weekend the data was collected, and if so, whether it was a small, medium, or large event, is a significant omission. Since those traffic counts were used throughout the traffic impact analysis and calculations in the Pang Report, this information is crucial for the public and decisionmakers to be able to understand and comment on the adequacy of the MND’s traffic impact analysis and mitigation measure.

Given these shortcomings and flaws, the MND’s proposed finding that the Project will not have a significant effect on the environment is grossly unsupported by any credible evidence with respect to the Project’s traffic impacts. Importantly, given that the Pang Report concludes that the existing traffic conditions in the residential neighborhood surrounding the Club are already “significantly impaired” (Pang Report, Executive Summary, p. iii), there simply is no room for error or omissions if the City intends to consider approving the Project pursuant to a negative declaration (as opposed to a full EIR) and truly address and improve the area’s significant traffic problems. Problems that everyone recognizes will be exacerbated by this Project.

The fact that the MND understated the severity of the Project’s traffic impacts is very important because as discussed below and in Dan Smith’s comments, a mitigation program that is unlikely to mitigate the significant impacts the MND does disclose has no hope of mitigating the reasonably probably greater impacts it should have, but failed to, disclose.
B. The MND and Pang Report Improperly Rely on a Joint-Use Theory based on an “Secret” and Unsubstantiated “Survey” to Discount the Project-induced Traffic Impact Calculations by 30%

In addition to the issues discussed above, the MND’s traffic analysis arbitrarily discounts the anticipated traffic increase associated with the Project based on a theory that a number of vehicle trips will not actually take place given the fact that Club members/visitors will “join” their “use of [the] Fitness Center as an ancillary activity to the golf club.” (Pang Report, p. 12.) Disregarding the fact that this “theory” ignores the fact that the Project’s central purpose is to modernize and expand its non-golfing facilities to cultivate additional social members (who generally do not have golfing privileges), there is simply nothing in the record describing the survey upon which the theory is based or justifying its use or the 30% reduction. At best, the public has been told that a “phone survey” was conducted of five other Bay Area clubs. What is not known is whether those clubs are truly similar or representative of the PAHGCC, what types of questions were posed, what the responses received were, etc.

CEQA requires impact analysis and conclusions regarding the significance of impacts to be supported by substantial and credible evidence, and that the evidence or basis for such analysis and conclusions be made available for public review and comment. The traffic impact analysis and related conclusions regarding the significance of those impacts found in the MND and the Pang Report, particularly the arbitrary 30% reduction of trip generation analysis pursuant to the joint-use survey, violates these fundamental CEQA requirements.

In our previous comments on the original MND, we strongly recommended that the City prepare (or ask PAHGCC to prepare) a formal survey and make its questions, methodologies and results public so that any reduction pursuant to this joint-use theory could be understood and vetted to legitimize its use. That did not happen because, according to the City’s traffic consultant, other clubs refused to participate citing concerns about disclosing proprietary information. As Dan Smith notes, there are ways to design such surveys to ensure no such proprietary or private information is disclosed, and that nothing stands in the way of PAGHCC conducting such a survey of its own membership.

Pursuant to CEQA, when information critical to impact assessment and mitigation is missing, the lead agency cannot cite an applicant’s refusal to cooperate as justification for proceeding without that information. More importantly, it is the City’s responsibility to request necessary information from the applicant especially when key information is missing from the record, as in this case, in order to comply with CEQA’s requirements imposed on lead agencies. (See, Sierra Club v. State Board of Forestry, supra, 7 Cal.4th at 1227-1235 [“absence of [key] information . . . [makes] any meaningful assessment of the potentially significant environment impacts . . . and the development of site-specific mitigation measures impossible.”]).
For these reasons, we reiterate our request that the City conduct a formal survey to substantiate its use of this joint-use theory to drastically reduce the Project's estimated trip generation numbers with data and information that will allow everyone an opportunity to understand and comment on the survey and the reasonableness of its application to the Project at issue here. Without this, there is no evidence whatsoever in the record to justify the application of such a joint-use theory, let alone a seemingly arbitrary 30% reduction in traffic generation estimates based thereon.

C. The MND Improperly Defers the Development of the Traffic Mitigation Measure (Transportation Demand Management Plan (“TDM”)) Without Any Evidence That The Traffic Impact Will be Reduced to Levels of Insignificance or That Suggested TDM Components are Feasible and Have Agreed to by the PAHGCC

Simply put, our previous concerns regarding the MND’s deferral of mitigation measures remain valid as the revised MND’s traffic impact analysis and proposed mitigation has changed very little. The previous MND concluded that the Project would result in potentially significant traffic impacts and suggested various methods of reducing traffic if additional post-approval traffic counts confirmed the existence of significant impacts. The current and revised MND simply removes the requirement for post-approval baseline traffic counts (which we previously explained violated CEQA) and again suggests that the same methods of reducing traffic be spelled out in a TDM Plan to be developed in the future, after project approval, by the PAHGCC.

CEQA disallows deferring project impact analysis and the formulation of mitigation measures to post-approval plans or studies. (14 Cal. Code Regs., § 15126.4(a)(1)(B); Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296, 308-309.) An agency may only defer the formulation of mitigation measures when it possesses meaningful information reasonably justifying an expectation of compliance and contains performance standards. (Id. at 308; see also Sacramento Old City Association v. City Council of Sacramento (1991) 229 Cal.App.3d 1011, 1028-29 [mitigation measures may be deferred only “for kinds of impacts for which mitigation is known to be feasible”].) A lead agency is precluded from making the required CEQA findings unless the record shows that all uncertainties regarding the mitigation of impacts have been resolved; an agency may not rely on mitigation measures of uncertain efficacy or feasibility. (Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 727 [finding groundwater purchase agreement inadequate mitigation because there was no evidence that replacement water was available].) This approach helps “insure the integrity of the process of decisionmaking by precluding stubborn problems or serious criticism from being swept under the rug.” (Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn. (1986) 42 Cal.3d 929, 935.)
Here, there is no evidence that the MND's suggested TDM components, or any other yet to be identified component, are feasible and will be effective in reducing the Project's traffic impacts to a level of insignificance. In fact, the City's own traffic consultant agrees, noting that "TDM measures will probably not work very well for a fitness club." (Undated Dennis Struecker comments received by City on July 16, 2008, p. 4.) Mr. Struecker further concluded that the only measure that may work is to close the fitness center for specific times to decrease traffic" and have the applicant "agree that the fitness center be closed to reduce the traffic to less than significant levels." (Id.) As noted in his attached comments, Dan Smith agrees. However, it makes no sense to build a large two-story fitness center with an underground garage if it must be closed to alleviate traffic impacts. The better choice is to further reduce the size of the fitness center so as not to waste time and money building a facility whose use must be prohibited. Even PAHGCC's traffic consultant agrees. Commenting on the MND's suggested components of the required TDM plan, Pang stated that "one of the measures not stated is the potential to reduce the PAHGCC expansion project with a reduction in the general Club square footage, as well as a reduction in the square footage of the Health and Fitness Building." (July 23, 2008 Pang Engineers letter, p. 3.)

One could argue that the MND's TDM requirement does contain performance standards as it requires the TDM to reduce average daily weekday trips by at least 37 trips and to reduce average daily weekend trips by at least 65 trips. However, as discussed above, the MND's traffic impact assessment and analysis which determined these numbers were unsupported by the evidence and the product of several key omissions and significantly flawed methodologies. Further, the fact that the mitigation measure itself requires that the TDM demonstrate that it will be enforceable and include performance targets demonstrates that these conditions, required before a lead agency can even consider mitigation measures requiring post-approval plans or studies, have yet to be satisfied.

Most importantly, by deferring the development of specific mitigation measures (the TDM), the City has effectively precluded public input into the adequacy of those efforts and the development of those measures. CEQA prohibits this post-hoc approach. As explained by the Sundstrom court:

An EIR ... [is] subject to review by the public and interested agencies. This requirement of "public and agency review" has been called "the strongest assurance of the adequacy of the EIR." The final EIR must respond with specificity to the "significant environmental points raised in the review and consultation process." . . . Here, the hydrological studies envisioned by the use permit would be exempt from this process of public and governmental scrutiny. (Sundstrom, supra, 202 Cal.App.3d at 308)
Mayor Larry Klein  
Members of the City Council  
September 9, 2008  
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The MND’s proposed post-approval development of mitigation measures suffers from the same fatal flaw. Interested parties would be precluded from commenting on the adequacy of the analysis or mitigation measures, even though CEQA mandates that they be permitted to do so.

For these reasons, and as discussed in further detail in the comments of expert traffic engineer Dan Smith (Exhibit A hereto), the MND’s traffic impact analysis violates CEQA.

III. LAND USE/HYDROLOGY AND WATER QUALITY IMPACTS

The proposed expansion of the PAHGCC facilities violates the site development standards applicable to areas, like the PAHGCC, which are zoned as open space. Specifically, Code sections 18.28.050 and 18.28.070(l) require that the impervious ground surfaces at the PAHGCC not exceed 3.5% coverage. However, according to the most recent project plans sent to me directly by the project architect and applicant, the PAHGCC expansion project will cause the subject site to have 197,154 square feet of impervious area. Given that the Club is located on 125 acres, or a total of 5,445,000 square feet (1 acre = 43,560 sq. ft.), the project will result in 3.6% impervious area coverage. Moreover, that number is sure to increase once the additional square footage associated with the golf cart paths (and all other paved surfaces) is factored in, as it should have been given the fact that this standard applies to all impervious ground surfaces, not just those within the area currently proposed to be expanded.

This issue raises a potentially significant land use and planning impact as well as potential hydrology, water quality and biological impacts that requires the City to further revise its environmental analysis to identify and address these potential impacts. Recent correspondence from Basant Khaitan (who lives at 2973 Alexis Drive and whose property is most impacted by runoff and erosion in the PAHGCC area) underscores the importance of fully understanding and addressing all runoff and erosion issues and impacts before this project is considered for approval. It also underscores the importance of consulting with the Regional Water Quality Control Board, which the City has apparently failed to do thus far, to determine whether the runoff will result in any potential impacts to water quality or biological resources in the affected watersheds due to erosion and sedimentation. While the City’s proposed conditions of approval for the CUP and site and design review application do suggest that a Storm Water Pollution Prevention Plan may be required, burying such a requirement within the lengthy findings document does little to discharge the City’s CEQA requirement to analyze such potential impacts in its CEQA environmental review document or inform the public of this potential impact.

We raised this issue in a letter submitted to the Planning Commission for its consideration at its most recent meeting concerning this Project. It is my understanding that the City’s planning staff informed the Commission that this
potential impact is not significant because the expansion Project includes measures that will slightly reduce the project’s impervious surface coverage. Be that as it may, even with the reduction, the Project still violates this 3.5% maximum. This slight reduction does not exonerate the City from identifying these potential impacts in the MND and explaining its impact analysis and reasoning on the record so that the public can understand the issue and provide comments.

The problem with the City’s failure to identify this potential impact and disclose its analysis and findings within the MND is that the public is left to wonder what the City’s rationale for essentially ignoring this issue is. I assume that the rationale lies somewhere within the City Attorney’s interpretation of the Municipal Code’s Nonconforming Use provisions (Chapter 18.70). Regardless, even if Chapter 18.70 does exempt the PAHGCC from complying with the impervious surface coverage limits found in Code sections 18.28.050 and 18.28.070(I) (it does not), that doesn’t mean that the potential hydrology, water quality and biological impacts associated with the runoff from the Club’s large expanse of impervious surfaces can be ignored.

IV. CONCLUSION

For the foregoing reasons, the City should not approve the proposed MND as CEQA requires the preparation of an EIR for the Project. The City must refrain from issuing any Project approvals unless and until an EIR is circulated for public comment and certified as complete and compliant with CEQA, including incorporation and implementation of all feasible mitigation measures.

Very truly yours,

MILLER STARR REGALIA

[Signature]

Stephen E. Velyvis
SEV:sev

cc: Russ Reich (Via e-mail, w/encl. Russ.Reich@CityofPaloAlto.org)
    Gary M. Baum, Esq. (Via e-mail, w/encl. Gary.Baum@CityofPaloAlto.org)
    Arthur F. Coon, Esq. (Via e-mail, w/encl.)
    Mr. Sal Giovannotto (Via e-mail, w/encl.)
EXHIBIT "A"
September 9, 2008

Mr. Stephen E. Velyvis
Miller Starr Regalia
1331 N. California Blvd.
Walnut Creek, CA 94596

Subject: Mitigated Negative Declaration For Palo Alto Hills Golf and Country Club Project

Dear Mr. Velyvis:

Per your request, I have reviewed the transportation and circulation component of the revised proposed Mitigated Negative Declaration (hereinafter “the MND”) for the Palo Alto Hills Golf and Country Club (“PAHGCC”) Project (hereinafter the “Project”) in the City of Palo Alto (hereinafter “the City”) and supporting documentation related thereto. I commented on a previous version of the proposed MND for the Project in June of 2008. My qualifications to perform this review include registration as both Civil and Traffic Engineer in California and 40 years professional consulting practice in traffic and transportation engineering matters based in California. A true and correct copy of my professional resume is attached hereto as Exhibit A. I am familiar with the Project area, having consulted on numerous traffic and transportation matters involving the Cities of Menlo Park, Palo Alto and Stanford University. My comments follow.

I. The MND’s analysis of transportation and circulation is based on an estimate of the Project’s trip generation. Although the City states it believes the estimate to be conservative, it admits the estimate is subject to uncertainty. In our previous comments we identified numerous reasons why the estimate of Project trip generation relied upon in the MND transportation and circulation analysis may be understated. To discharge its responsibility to make the good faith effort to disclose impacts which is required by the California Environmental Quality Act (CEQA), where there is uncertainty, the City should choose the reasonably plausible assumptions resulting in the greatest potential impacts of the project in making its evaluations, rather than basing its evaluation on unsubstantiated assumptions predicting lesser potential impacts. Here, the City opted for the latter, and ultimately, severely underestimated the Project’s potential traffic
impacts without substantial supporting evidence. Hence, the City has not discharged its responsibility to make the good faith effort to disclose impacts required by CEQA.

II. Even under the favorable-to-the-project assumptions about trip generation on which the City has chosen to base its analysis, the MND discloses that there would be significant traffic impacts that would require mitigation measures to reduce those impacts to levels of insignificance. However, not only has the City underestimated the severity of the potential traffic impacts, the mitigation measures proposed in the MND are so vague and obviously ineffective in the context of the particular land uses involved that even the City’s own traffic consultant advises that the proposed mitigations are not likely to effectively mitigate the impacts. Hence, the City cannot reasonably rely upon the current Mitigated Negative Declaration based on the mitigation measures defined to this point.

Discussion of these fundamental issues follows.

III. Re The Trip Generation Issue

The MND transportation and traffic analysis is based on estimates of the traffic generated by PAHGCC in the existing condition and in the future with the Project. However, the estimates of trip generation are flawed and understated in several respects.

The future trip generation estimate relies on an outdated data source that significantly understates the traffic generation of the fitness center component of the Project. The traffic study that the MND relies upon (Pang Engineers, Inc., dated August 24, 2007, reference 6 in the MND and hereinafter the "Pang Report") relies on the 2002 edition of the SANDAG Trip Generation Manual to estimate the average daily traffic of the Project’s fitness center component in analysis alternatives 2 and 3. That Manual was superseded by San Diego’s 2003 edition, implemented four years before the Pang Report was prepared. The 2002 edition of the Manual that the Pang Report relies on states that the average daily trip rate for a ‘health club’ is 30 trips/1000 square feet. The newer edition states that the average daily trip rate for a ‘health club’ is 40 trips/1000 square feet. Hence, the Pang Report’s failure to consider the relevant edition results in understatement of daily trip totals from the Project’s fitness center component by 177 trips in analysis alternative # 2 and by 124 trips in analysis alternative # 3. The trip totals unaccounted for due to reliance on the obsolete reference source would be directly additive to the computation of the TIRE Index that is used to compute residential traffic impacts on Alexis Drive. The MND (which relies on analysis alternative # 3 from the Pang Report) finds that the project would cause trips that exceed TIRE Index threshold of significant impact on Alexis by 37 on weekdays and 65 on weekends. Had the Pang report used the more recent reference data, the MND would have found the significant impact
thresholds to be exceeded by 161 trips on weekdays and 187 trips on weekend days. In other words, the severity of impact on weekdays is over 4 times what the MND indicates for weekdays and nearly 3 times what it indicates for weekend days. The greater severity of impact is highly significant when the effectiveness of the proposed mitigation program is considered.

True and correct copies of the relevant tables from the 2002 SANDAG Trip Generation Manuals and 2003 San Diego version are appended to this letter.

The future trip generation estimate fails to account for all of the increased traffic associated with all of the changes planned for PAHGCC. Aside from the proposed fitness center and the parking garage beneath it, the Project proposes changes to the existing clubhouse that involve adding 1082 square feet to the members’ bar, 1474 square feet of administrative offices (with the equivalent square footage of existing office space being converted to dining/function rooms - the equivalent of just adding about 1474 square feet of function room space), a 1248 square foot change in the loading dock area, a 162 square foot addition to the pro shop and changes to the porte cochere facility. Moreover, an added turf tennis court, a refurbished driving range and an added children’s wading pool and hillside swale/viewing area at the swim facility are proposed. Furthermore, PAHGCC plans to concurrently increase the total number of families holding memberships by 12.41 percent.

The Pang Report assumes that, aside from the new fitness center, there would be a net addition to the existing clubhouse facilities of 2386 square feet and estimates a 9.05 percent increase in existing traffic associated with these changes. The City’s traffic consultant, Mr. Dennis Streucker, mistakenly believes Pang’s assumed 9.05 percent increase to existing traffic is a function of the Club’s anticipated increase in current members (which he states will be 90 added to existing 995). In truth, the Club currently has 556 members and can grow no more than by 69 memberships.

We agree that the changes to the loading dock, porte cochere, and minor addition to the pro shop would have an inconsequential effect on traffic generation. However, it is evident that the 9.05 percent increase assumed in the Pang Report only corresponds to the added space within the clubhouse facility. The Pang report indicates that it derived the 9.05 percent estimated traffic increase from a computation of parking needs for the proposed future clubhouse facility by CAW Architects. That computation, appended to the end of the Pang Report (in document identified as “Parking Requirements per Municipal Code”), combined with the discussion on pages 5 through 14 of the Pang Report, makes clear that the 9.05 percent traffic increase accounts solely for the effects of physical changes within the clubhouse building.
Hence, there are no traffic increases assumed for the wading pool addition, the expanded viewing area for the swim facility (to accommodate larger crowds at swim meets) the enlarged tennis facility, the refurbished driving range or the 12.41 percent increase in member families in the Pang Report. This omission is significant given the fact that the Club admits, and voluminous public comments attest, that these components, particularly the Project’s swimming facility components, are crucially needed to achieve the Project’s objective of increased social memberships. The proposed increase in membership (from 416 to 425 proprietary memberships and from 140 to 200 social memberships, for an increase from 556 to 625 total family memberships, a 12.41 percent increase) would be reasonably expected to cause a proportionate 12.41 percent increase in traffic even if there were no physical changes to club facilities. So the effects of membership increase simply cannot be reflected in the 9.05 percent increase assumed.

The addition of a third tennis court increases the capacity of the number of people who can be involved in tennis activity at any one time by 50 percent. This should not be considered as merely two people for singles, four people for doubles. Use of the courts, even just for informal tournaments among acquaintances or for tennis lessons, can involve many more people present (with associated comings and goings) than the two or four people involved in a singles or doubles match. It is curious that the Pang Report failed to account for trips associated with the added tennis count since the 2002 SANDAG Trip Generation Manual the Pang Report relied on to estimate traffic associated with the fitness facility indicates the average daily trip generation for a tennis court is 30 trips per day (as does the 2003 update to the Manual). This 30 trips would be directly additive to the amount the MND estimates the TIRE Index threshold of significant impact on Alexis Drive would be exceeded.

Similarly, the addition of a wading pool to the swim facility enhances the ability to use that part of the club for existing and new members who have young children and tends to attract trips that wouldn’t be made with the existing facility. Likewise, the expanded viewing area at the pool increases the number of observers who can attend swim meets.

Hence, the MND’s analysis fails to take into account all traffic increases associated with expansion Project features not involving the fitness center and thus understates the severity of the traffic impact.

Even the reliability of the 9.05 percent traffic increase the Pang Report arrived at for the part of the Project involving changes purely inside the clubhouse is questionable. As noted above, this general percentage traffic increase is based on a parking demand calculation that CAW Architects did for the project. Pang assumes that peak hour and daily traffic changes would be proportional to the changes in ‘people occupancy’ factors that are ordinarily used to estimate
parking demand in the densely built-up areas of Palo Alto. Using these factors to estimate traffic is an unconventional approach for the traffic engineering profession and involves complexities of assumptions that are not in evidence regarding vehicle occupancies, time of day, day of week, and duration of stay for diverse activities including golf, tennis, general pool use, participation and observation of swim meets, member use of bar for drinks and dining, and general public use of function room facilities for meetings and banquet functions. The Pang Report even admits on page 5 that the building occupancies derived from the City's parking code calculations “bear[s] no resemblance to the actual number that may be expected within the facilities.” Hence, how can general traffic increases for the PAHGCC based on those factors be considered reliable in the MND? The methodology is unconventional, hypothetical, unsupported and unsound.

It is not clear that the traffic impact analysis reflects typical average traffic the PAHGCC generates, given the variable scale of weekend events at the club. On the record, PAHGCC has indicated the club annually holds about 4 major club events involving 150 to 500 people, about 40 major function room events (weddings receptions and similar) involving 75 to 300 attendees, and several swim meets involving 150 to 250 people, mostly on weekends. This means there is a major event of some type on almost every weekend, with considerable variation in the number of attendees and consequent volume of traffic involved.

The traffic counts on which the MND transportation and circulation analysis and findings are based were taken on a single weekend. There is nothing on the record that indicates whether the weekend counts were taken on days when a very large event, an average-sized event, a small event, or no event was in progress. The counts for the key weekend days should be normalized to account for what size event was in progress on the day the counts were taken and for the size of an average weekend day event. The importance of this is evident when considered in the context of the scale of impacts the MND does disclose. The MND finds that on weekends project trips would exceed the allowable TIRE index by 65 trips (after deducting 30 trips for reduction of the square footage of the fitness center subsequent to the Pang Report). The record states that attendance for function room wedding-type events ranges between 75 and 300 persons. If function room guests travel at an average of 2 persons per car and each car accounts for two trips on Alexis (one arriving, one leaving), a 75 person function would generate 75 vehicle trips; a 300 person function would generate 300 trips, etc. Hence, the traffic differential between a small function room event and a large one is 225 trips. This variation is 3.46 times the number of trips by which the MND indicates the Project would exceed the allowable weekend TIRE Index. Clearly, more information is needed for the City to accurately assess the Project’s traffic impacts and for the public to be assured that the City has properly
analyzed, identified (the true severity of) and mitigated the Project's traffic impacts.

In sum, the MND used an unsound methodology for estimating the Project's percentage increase in traffic and has not accounted for the traffic increases associated with the 12.41 percent increase in membership, the new wading pool, the enlarged pool viewing area, or the added tennis court, and, as the result of use of an obsolete data source, critically understates the trip generation of the fitness center component of the project. In addition, it is unclear whether the weekend traffic counts on which the MND analysis is based are representative of typically-sized weekend function room events. Hence, it is evident that the MND has understated the traffic, traffic impacts and mitigation needs associated with these components of the Project.

The 30 percent deduction in the fitness center trip generation based on presumed joint usage of other PAHGCC facilities on a single trip assumed in the MND traffic analysis remains unsubstantiated. Our original comments on the prior version of this MND focused on the informal nature of the survey of joint use that was relied on - a casual telephone survey of the opinions of managers of a few allegedly similar clubs - in that it failed to distinguish between actual joint use that saves trips (where two intended primary uses of club facilities are combined into one pair of trips to/from the club) from casual or incidental joint use (where the primary use is combined with a secondary use of the club facilities when the secondary use would not have been engaged in as a separate set of trips to and from the club). To elaborate on the distinction, the person who schedules their fitness workout at the end of the business day so that they can immediately thereafter join friends at the club for dinner may be genuinely eliminating one of two trip pairs that would otherwise both be made. The person who casually stops in the bar for a quick drink after a fitness session or who takes out their frustration from a bad round of golf or tennis match through a few minutes on an exercise machine is not eliminating a trip pair; this secondary use of club facilities simply would not be made if the person were not already on-site. In order to substantiate the MND's reliance on such a unique joint use theory with credible supporting evidence required by CEQA, the City must insist that PAHGCC conduct a formal survey designed by a professional survey researcher that would identify actual member use data and distinguish between actual and casual joint use (so that the traffic analysis does not improperly discount any purported trip savings associated with casual joint use).

The City's traffic consultant claims that other country clubs similar to PAHGCC would be unlikely to cooperate in such a formal study and might consider such information proprietary or intrusive on members' privacy, and thus concludes that this difficulty makes such a survey impractical. However, like the popular Bay Area Fastrak system, the survey could easily be designed to mask any proprietary or personal information and report only raw data relating to opinions.
and patterns of anticipated joint use trips. Moreover, those considerations do not preclude PAHGCC from administering a professionally designed formal survey protocol of its own membership’s joint usage of its current facilities. At a minimum, such a survey at PAHGCC would give some modicum of substantiation to assumptions of reasonable levels of joint usage trips.

The crucial nature of the joint usage assumption is evident when its effect on net Project traffic is considered in the context of the traffic levels that the MND now indicates the Project would cause in excess of the allowable TIRE Index. At present, including allowance for a reduced fitness center square footage below what was considered in the Pang Report, the MND shows the Project would cause the allowable TIRE Index to be exceeded by 37 trips on weekdays and 65 trips on weekends. The 30 percent deduction taken for purported joint trips is 159 trips on both weekdays and weekends. That is to say, the trip discount in the unsubstantiated 30 percent joint use assumption is equivalent to 6.36 times what the City now defines as the level of significant weekday traffic impact and 2.36 times what it discloses as the significant weekend traffic impact. In sum, the MND’s reliance on the joint use theory to discount the severity of the Project’s traffic impacts amounts to nothing more than assessment based on unsubstantiated speculation, underscoring the need for more data and analysis bearing on the joint use issue. If the City refuses to prepare an EIR and insists on an MND, it cannot approve the project without this critical evidence to support the use of a joint use theory to discount the Project’s anticipated traffic generation.

II. Re Failure To Mitigate the Impacts Disclosed

Even though, as described above, the MND understates the project’s traffic generation and consequent impacts, it still discloses that the project would have significant traffic impacts. It purports to mitigate these impacts by measures that as drafted are so vague, ill defined and unlikely to be effective in the context of the subject project that even the City’s own traffic consultant is on record indicating that the mitigation measures are likely to be ineffective and need to be strengthened. On page 4 of the City’s traffic consultant’s analysis received by the City on July 16, 2008, Dennis Struecker states:

“The mitigation measures to reduce trips to the fitness club may need to be revised to be effective. As Smith points out, TDM measures will probably not work very well for a fitness club. The only measure that may work is to close the fitness center for specific times to decrease traffic. The applicant would need to agree that the fitness center be closed to reduce the traffic to less than significant levels.” (emphasis added)

Despite the fact that Struecker agreed with me, no such changes have been made and the City continues to blindly rely on the development of a deferred TDM plan to mitigate the traffic impacts. I agree with Struecker in that without
concrete measures requiring the fitness center to be reduced in size or to close for specific times (e.g., times when TIRE index is exceeded the most), the MND's finding that a TDM plan will reduce the traffic impacts to levels of insignificance is incorrect and unsubstantiated.

We reiterate all of our prior concerns about the proposed mitigation measures which continue to apply to the revised MND, by reference to our letter of June 11, 2008 on the Project. To those comments we add the following:

• The fact that the fitness center is not a stand-alone facility simply means that PAHGCC will not sell separate fitness-only memberships; it does not mean that trips for usage of the fitness center will be combined with other usage of the club in ways that combine trips for primary usages of the club. Fitness centers attract large numbers of primary trips that are matters of individual regimens which by their nature are unlikely to be combined with other trip types or altered by minor incentives that the club could offer. Most of the joint usage of the fitness center together with other club facilities will be incidental joint usage that does not eliminate other primary trips.

• A major component of weekend travel to and from PAHFCC involves travel by non-members to function room events. Non-members attending events like weddings are unlikely to be affected by TDM incentives that the club could offer.

• Well-to-do families that hold memberships in country clubs like PAHGCC are unlikely to alter their travel behavior in response to the TDM incentives that PAHGCC could offer.

• Our comments above on the MND's trip generation analysis indicate that there is reasonable probability that the project's impacts will be considerably greater than the MND discloses. There would be at least 124 more daily trips associated with the fitness center. There would be some 30 more daily trips associated with the new tennis court. There would be some 102 additional weekday trips and 141 daily weekend trips associated with membership increases. There would be additional trips associated with the swim facility improvements and potential additional trips associated with overstatement of joint use trip reductions and failure to normalize existing counts for typical function room event size. All the added trips are additive to the trip totals that the MND discloses the Project would cause the TIRE Index significance threshold to be exceeded on Alexis Drive. A mitigation program that is unlikely to mitigate the significant impacts the MND does disclose has no hope of mitigating the reasonably probable greater impacts it should have, but failed, to disclose.

• The vague definition of the mitigation measures in the MND constitutes a deferral of mitigation that is improper under CEQA.
Conclusion

This completes my current comments on the PAHGCC Project MND. For the above-stated reasons, it is my professional opinion that the MND is inadequate under CEQA and that a full EIR on the Project should be performed.

Sincerely,

Smith Engineering & Management
A California Corporation

[Signature]

Daniel T. Smith Jr., P.E.
President
Appendices

Resume of Daniel T. Smith Jr.
Table from 2002 SANDAG Trip Generation Manual
Table from 2003 San Diego Trip Generation Manual
SMITH ENGINEERING & MANAGEMENT

DANIEL T. SMITH, Jr.
President

EDUCATION
Bachelor of Science, Engineering and Applied Science, Yale University, 1967
Master of Science, Transportation Planning, University of California, Berkeley, 1968

PROFESSIONAL REGISTRATION
California No. 21913 (Civil)  Nevada No. 7969 (Civil)  Washington No. 29337 (Civil)
California No. 938 (Traffic)  Arizona No. 22131 (Civil)

PROFESSIONAL EXPERIENCE
Smith Engineering & Management, 1993 to present. President.
DKS Associates, 1979 to 1993. Founder, Vice President, Principal Transportation Engineer.
Personal specialties and project experience include:

Litigation Consulting. Provides consultation, investigations and expert witness testimony in highway design,
transit design and traffic engineering matters including condemnation involving transportation access issues; traffic
accidents involving highway design or traffic engineering factors; land use and development matters involving
access and transportation impacts; parking and other traffic and transportation matters.

Urban Corridor Studies/Alternatives Analysis. Principal-in-charge for State Route (SR) 102 Feasibility Study, a
35-mile freeway alignment study north of Sacramento. Consultant on I-280 Interstate Transfer Concept Program,
San Francisco, an AA/EIS for completion of I-280, demolition of Embarcadero freeway, substitute light rail and
commuter rail projects. Principal-in-charge, SR 238 corridor freeway/expressway design/environmental study,
Hayward (Calif.) Project manager, Sacramento Northeast Area multi-modal transportation corridor study.
Transportation planner for I-80N West Terminal Study, and Harbor Drive Traffic Study, Portland, Oregon. Project
manager for design of surface segment of Woodward Corridor LRT, Detroit, Michigan. Directed staff on I-80
National Strategic Corridor Study (Sacramento-San Francisco), US 101-Sonoma freeway operations study, SR 92
freeway operations study, I-880 freeway operations study, SR 152 alignment studies, Sacramento RTD light rail
systems study, Tamson Corridor LRT AA/EIS, Fremont-Warm Springs BART extension plan/EIR, SRs 70/99
freeway alternatives study, and Richmond Parkway (SR 93) design study.

Area Transportation Plans. Principal-in-charge for transportation element of City of Los Angeles General Plan
Framework, shaping nations largest city two decades into 21st century. Project manager for the transportation
element of 300-acre Mission Bay development in downtown San Francisco. Mission Bay involves 7 million gsf
office/commercial space, 8,500 dwelling units, and community facilities. Transportation features include relocation
of commuter rail station; extension of MUNI-Metro LRT; a multi-modal terminal for LRT, commuter rail and local
bus; removal of a quarter mile elevated freeway; replacement by new ramps and a boulevard; an internal roadway
network overcoming constraints imposed by an internal tidal basin; freeway structures and rail facilities; and
concept plans for 20,000 structured parking spaces. Principal-in-charge for circulation plan to accommodate 9
million gsf of office/commercial growth in downtown Bellevue (Wash.). Principal-in-charge for 64 acre, 2 million
gsf multi-use complex for FMC adjacent to San Jose International Airport. Project manager for transportation
element of Sacramento Capitol Area Plan for the state governmental complex, and for Downtown Sacramento
Redevelopment Plan. Project manager for Napa (Calif.) General Plan Circulation Element and Downtown
Riverfront Redevelopment Plan, on parking program for downtown Walnut Creek, on downtown transportation plan for San Mateo and redevelopment plan for downtown Mountain View (Calif.), for traffic circulation and safety plans for California cities of Davis, Pleasant Hill and Hayward, and for Salem, Oregon.

Transportation Centers. Project manager for Daly City Intermodal Study which developed a $7 million surface bus terminal, traffic access, parking and pedestrian circulation improvements at the Daly City BART station plus development of functional plans for a new BART station at Colma. Project manager for design of multi-modal terminal (commuter rail, light rail, bus) at Mission Bay, San Francisco. In Santa Clarita Long Range Transit Development Program, responsible for plan to relocate system's existing timed-transfer hub and development of three satellite transfer hubs. Performed airport ground transportation system evaluations for San Francisco International, Oakland International, Sea-Tac International, Oakland International, Los Angeles International, and San Diego Lindberg.

Campus Transportation. Campus transportation planning assignments for UC Davis, UC Berkeley, UC Santa Cruz and UC San Francisco Medical Center campuses; San Francisco State University; University of San Francisco; and the University of Alaska and others. Also developed master plans for institutional campuses including medical centers, headquarters complexes and research & development facilities.

Special Event Facilities. Evaluations and design studies for football/baseball stadiums, indoor sports arenas, horse and motor racing facilities, theme parks, fairgrounds and convention centers, ski complexes and destination resorts throughout western United States.

Parking. Parking programs and facilities for large area plans and individual sites including downtowns, special event facilities, university and institutional campuses and other large site developments; numerous parking feasibility and operations studies for parking structures and surface facilities; also, resident preferential parking.

Transportation System Management & Traffic Restraint. Project manager on FHWA program to develop techniques and guidelines for neighborhood street traffic limitation. Project manager for Berkeley, (Calif.), Neighborhood Traffic Study, pioneered application of traffic restraint techniques in the U.S. Developed residential traffic plans for Menlo Park, Santa Monica, Santa Cruz, Mill Valley, Oakland, Palo Alto, Piedmont, San Mateo County, Pasadena, Santa Ana and others. Participated in development of photo/radar speed enforcement device and experimented with speed humps. Co-author of Institute of Transportation Engineers reference publication on neighborhood traffic control.

Bicycle Facilities. Project manager to develop an FHWA manual for bicycle facility design and planning, on bikeway plans for Del Mar, (Calif.), the UC Davis and the City of Davis. Consultant to bikeway plans for Eugene, Oregon, Washington, D.C., Buffalo, New York, and Skokie, Illinois. Consultant to U.S. Bureau of Reclamation for development of hydraulically efficient, bicycle safe drainage inlets. Consultant on FHWA research on effective retrofits of undercrossing and overcrossing structures for bicyclists, pedestrians, and handicapped.

MEMBERSHIPS

Institute of Transportation Engineers Transportation Research Board

PUBLICATIONS AND AWARDS


Co-recipient, Progressive Architecture Citation, Mission Bay Master Plan, with I.M. Pei WRT Associated, 1984.


Improving The Residential Street Environment, with Donald Appleyard et al., U.S. Department of Transportation, 1979.


Planning and Design of Bicycle Facilities: Pitfalls and New Directions, Transportation Research Board, Research Record 570, 1976.

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>TRIP CATEGORIES</th>
<th>ESTIMATED WEEKDAY VEHICLE TRIP GENERATION RATE (GROSS)</th>
<th>HIGHEST PEAK HOUR % (BUS/OUT total)</th>
<th>TRIP LENGTH (Mile)</th>
</tr>
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<tbody>
<tr>
<td>AGRICULTURE</td>
<td>Open Space</td>
<td>2000**</td>
<td>10.0</td>
<td>12.5</td>
</tr>
<tr>
<td></td>
<td>General Agriculture</td>
<td>2000**</td>
<td>5.0% (2% 4%)</td>
<td>5.0% (2%)</td>
</tr>
<tr>
<td></td>
<td>General Agriculture</td>
<td>2000**</td>
<td>5.0% (2% 4%)</td>
<td>5.0% (2%)</td>
</tr>
<tr>
<td></td>
<td>Hotels</td>
<td>1000**</td>
<td>2.0%</td>
<td>2.0%</td>
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<tr>
<td></td>
<td>Automotive**</td>
<td>1000**</td>
<td>2.0%</td>
<td>2.0%</td>
</tr>
<tr>
<td></td>
<td>Car Wash</td>
<td>1000**</td>
<td>2.0%</td>
<td>2.0%</td>
</tr>
<tr>
<td></td>
<td>Auto Sales</td>
<td>1000**</td>
<td>2.0%</td>
<td>2.0%</td>
</tr>
<tr>
<td></td>
<td>Auto Dealership</td>
<td>1000**</td>
<td>2.0%</td>
<td>2.0%</td>
</tr>
<tr>
<td></td>
<td>Bike Sales</td>
<td>1000**</td>
<td>2.0%</td>
<td>2.0%</td>
</tr>
<tr>
<td></td>
<td>Truck Sales</td>
<td>1000**</td>
<td>2.0%</td>
<td>2.0%</td>
</tr>
<tr>
<td>CEMETARY</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CHURCH (in Sympathy)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Commercial/Retail**</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Super Regional Shopping Center</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Regional Shopping Center</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Neighborhood Shopping Center</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Commercial/Residential</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Specialty Retail</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
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<tr>
<td></td>
<td>Factory Store</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
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<tr>
<td></td>
<td>Drugstore</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
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<tr>
<td></td>
<td>Convenience Store (15-100 sq. ft.)</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Convenience Store (24 hour)</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Convenience Store (24 hour)</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Discount Store</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
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<tr>
<td></td>
<td>Furniture Store</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
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<tr>
<td></td>
<td>Lumber Store</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
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<td>6.0%</td>
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<tr>
<td></td>
<td>Home Improvement Store</td>
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<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Plumbing/Heating/Supply Store</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Mixed Use Commercial/Residential</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Medical Office</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Educational</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Office/Commercial</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Industry/Wholesale</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Service/Repair/Construction</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Miscellaneous</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Hospital/Healthcare</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Industrial</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Retail/Wholesale</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Transportation</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Fire/Rescue/Security</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Storage/Utilitarian</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Education</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
<tr>
<td></td>
<td>Office/Commercial</td>
<td>35,000 sq. ft., 10.000** (50%)</td>
<td>6.0%</td>
<td>6.0%</td>
</tr>
</tbody>
</table>

(SANDAG)
<table>
<thead>
<tr>
<th>LAND USE</th>
<th>TRIP CATEGORIES</th>
<th>TRIP GENERATION RATE (GS/HH)</th>
<th>HIGHEST PEAK HOUR % (A.M. peak hour)</th>
<th>TRIP DEMAND (M)</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIBRARY</td>
<td>[44:12]</td>
<td>50/100 sq. ft., 400 people*</td>
<td>2% (0.2) 10% (0.5)</td>
<td>3.0</td>
</tr>
<tr>
<td>LOGGING</td>
<td>[58:20]</td>
<td>100/1000 sq. ft., 300 people**</td>
<td>8% (6.4) 3% (0.6)</td>
<td>7.5</td>
</tr>
<tr>
<td>MUSEUM</td>
<td>[100:40]</td>
<td>1000/1800 sq. ft., 300 people*</td>
<td>8% (6.4) 3% (0.6)</td>
<td></td>
</tr>
<tr>
<td>MUSIC</td>
<td></td>
<td>1000/1800 sq. ft., 300 people*</td>
<td>8% (6.4) 3% (0.6)</td>
<td></td>
</tr>
<tr>
<td>MUSEUM</td>
<td></td>
<td>1000/1800 sq. ft., 300 people*</td>
<td>8% (6.4) 3% (0.6)</td>
<td></td>
</tr>
<tr>
<td>MILITARY</td>
<td>[82:16]</td>
<td>2,500 sq. ft., all people**</td>
<td>3% (0.1) 10% (0.6)</td>
<td>11.2</td>
</tr>
<tr>
<td>OFFICE</td>
<td>[27:19]</td>
<td>2,500/10000 sq. ft., 2000 people**</td>
<td>1% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>DRUGSTORE</td>
<td>[100:40]</td>
<td>2,500/10000 sq. ft., 2000 people**</td>
<td>1% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>GROCERIES</td>
<td></td>
<td>2,500/10000 sq. ft., 2000 people**</td>
<td>1% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>GOVERNMENT</td>
<td>[30:16:16]</td>
<td>2,500 sq. ft., 2000 people**</td>
<td>3% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>POST OFFICE</td>
<td></td>
<td>2,500 sq. ft., 2000 people**</td>
<td>3% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>MEDICAL</td>
<td>[60:30]</td>
<td>2,500 sq. ft., 2000 people**</td>
<td>3% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>PARKS</td>
<td></td>
<td>2,500 sq. ft., 2000 people**</td>
<td>3% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>RECREATION</td>
<td>[82:29]</td>
<td>2,500 sq. ft., 2000 people**</td>
<td>3% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>RESTAURANT</td>
<td>[96:19:12]</td>
<td>2,500 sq. ft., 2000 people**</td>
<td>3% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>RESIDENTIAL</td>
<td>[36:17:12]</td>
<td>2,500 sq. ft., 2000 people**</td>
<td>3% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>TOILET</td>
<td></td>
<td>2,500 sq. ft., 2000 people**</td>
<td>3% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
<tr>
<td>TRANSPORTATION</td>
<td>[25:19:12]</td>
<td>2,500 sq. ft., 2000 people**</td>
<td>3% (0.1) 10% (0.6)</td>
<td>8.8</td>
</tr>
</tbody>
</table>

* Per square foot. ** Per square foot. *** Per square foot.

Note: The data provided is based on the assumption that the average person generates 2 trips per day during rush hour. This is an estimate and may vary depending on the specific land use and time of day. The values in parentheses represent the percentage of the total volume generated during the peak hour. The figures in italics indicate the number of people per square foot, which is calculated by dividing the total number of people by the total area of the land use category. The peak hour values are estimates based on typical travel patterns and may not reflect actual peak hour conditions in all cases.
**TABLE 1**

**TRIP GENERATION RATE SUMMARY**

(Weekday)

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>DRIVERWAY (Vehicles)</th>
<th>CUMULATIVE (Vehicles)</th>
<th>PEAK HOUR AND ENVELOPE RATIO (Vehicles)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AGRICULTURE (OPEN SPACE)</strong></td>
<td>2 vehicles</td>
<td>2 vehicles</td>
<td>4% (2%) 7% (2.5%)</td>
</tr>
<tr>
<td><strong>AIRCRAFT</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>105 vehicles/acre; 30 vehicles</td>
<td>105 vehicles/acre; 30 vehicles</td>
<td>4% (2) 7% (2.5)</td>
</tr>
<tr>
<td>General Aviation</td>
<td>2 vehicles/acre; 5 vehicles</td>
<td>2 vehicles/acre; 5 vehicles</td>
<td>- -</td>
</tr>
<tr>
<td><strong>COMMERCIAL-RETAIL</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auto Dealership</td>
<td>50 vehicles/acre; 50 vehicles</td>
<td>50 vehicles/acre; 50 vehicles</td>
<td>5% (3) 4% (0.5)</td>
</tr>
<tr>
<td>Convenience Store</td>
<td>300 vehicles/acre; 300 vehicles</td>
<td>300 vehicles/acre; 300 vehicles</td>
<td>4% (3) 4% (0.5)</td>
</tr>
<tr>
<td>Fast Food</td>
<td>60-90 vehicles/acre; 60-90 vehicles</td>
<td>60-90 vehicles/acre; 60-90 vehicles</td>
<td>5% (2) 15% (0.5)</td>
</tr>
<tr>
<td>Mass Transit</td>
<td>150 vehicles/acre; 150 vehicles</td>
<td>150 vehicles/acre; 150 vehicles</td>
<td>5% (2.5) 15% (0.5)</td>
</tr>
<tr>
<td>Parking Lot</td>
<td>50 vehicles/acre; 50 vehicles</td>
<td>50 vehicles/acre; 50 vehicles</td>
<td>5% (2.5) 15% (0.5)</td>
</tr>
<tr>
<td>Retail Sales</td>
<td>500 vehicles/acre; 500 vehicles</td>
<td>500 vehicles/acre; 500 vehicles</td>
<td>5% (2.5) 15% (0.5)</td>
</tr>
<tr>
<td>Office Space</td>
<td>500 vehicles/acre; 500 vehicles</td>
<td>500 vehicles/acre; 500 vehicles</td>
<td>5% (2.5) 15% (0.5)</td>
</tr>
<tr>
<td>Residential</td>
<td>200 vehicles/acre; 200 vehicles</td>
<td>200 vehicles/acre; 200 vehicles</td>
<td>5% (2.5) 15% (0.5)</td>
</tr>
</tbody>
</table>

* See Table 2
<table>
<thead>
<tr>
<th>LAND USE</th>
<th>DRIVEWAY 10'</th>
<th>CUMULATIVE 75'</th>
<th>PEAK HOUR AND IN/OUT RATIO</th>
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<tbody>
<tr>
<td><strong>EDUCATION</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>University (4 years or higher)</td>
<td>2.5 trips/vehicle, 150 trips/hour</td>
<td>2.5 trips/vehicle, 150 trips/hour</td>
<td>5% (8.7) 9% (3.2)</td>
</tr>
<tr>
<td>Washington State University</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community College</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>High School</td>
<td>1.8 trips/vehicle, 11 trips/hour</td>
<td>1.8 trips/vehicle, 11 trips/hour</td>
<td>2% (2) 7% (4.2)</td>
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<tr>
<td>University School</td>
<td>1.8 trips/vehicle, 25 trips/hour</td>
<td>1.8 trips/vehicle, 25 trips/hour</td>
<td>2% (2) 7% (4.2)</td>
</tr>
<tr>
<td><strong>FINANCIAL INSTITUTION</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Including drive-through banks</td>
<td>15 trips/1,000 sq. ft., 1,000 trips/day</td>
<td>12.5 trips/1,000 sq. ft., 1,000 trips/day</td>
<td>2% (2.1) 7% (1.6)</td>
</tr>
<tr>
<td>Drive-through only</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOSPITALS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Ambulatory</td>
<td>2 trips/hour</td>
<td>2 trips/hour</td>
<td>3% (2.3) 7% (1.8)</td>
</tr>
<tr>
<td><strong>HOUSE OF WORSHIP</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Church</td>
<td>5 trips/1,000 sq. ft., 1,000 trips/day</td>
<td>9 trips/1,000 sq. ft., 1,000 trips/day</td>
<td>2% (2.3) 7% (1.8)</td>
</tr>
<tr>
<td><strong>INDUSTRIAL</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial/Incinerator Park</td>
<td>16 trips/1,000 sq. ft., 100 trips/hour</td>
<td>16 trips/1,000 sq. ft., 100 trips/hour</td>
<td>2% (2.3) 7% (1.8)</td>
</tr>
<tr>
<td>Small Industrial Facility</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Large Industrial Facility</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>RETAIL/CONSUMER GOODS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td>2 trips/1,000 sq. ft., 50 trips/hour</td>
<td>2 trips/1,000 sq. ft., 50 trips/hour</td>
<td>2% (2.3) 7% (1.8)</td>
</tr>
<tr>
<td>Track trumpet</td>
<td>10 trips/1,000 sq. ft., 50 trips/hour</td>
<td>10 trips/1,000 sq. ft., 50 trips/hour</td>
<td>2% (2.3) 7% (1.8)</td>
</tr>
<tr>
<td><strong>LIBRARY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Library</td>
<td>50 trips/1,000 sq. ft., 250 trips/hour</td>
<td>50 trips/1,000 sq. ft., 250 trips/hour</td>
<td>2% (2.3) 7% (1.8)</td>
</tr>
<tr>
<td><strong>RECREATION</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100,000 sq. ft. or more</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Small amount of local service considered. May have multiple schools.
### TABLE 1 (Continued)

**TRIP GENERATION RATE SUMMARY (WEEKDAY)**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Driveway</th>
<th>Cumulative</th>
<th>Peak Hour and In/Out Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AM (In-Out)</td>
<td>PM (Out-In)</td>
<td></td>
</tr>
<tr>
<td><strong>Office</strong></td>
<td>18 trips/acre, 160 trips/acre</td>
<td>10 trips/acre, 160 trips/acre</td>
<td>0% (0.0)</td>
</tr>
<tr>
<td><strong>Medical Office</strong></td>
<td>10 trips/acre, 100 trips/acre</td>
<td>10 trips/acre, 100 trips/acre</td>
<td>0% (0.0)</td>
</tr>
<tr>
<td><strong>Recreation</strong></td>
<td>10 trips/acre, 100 trips/acre</td>
<td>10 trips/acre, 100 trips/acre</td>
<td>0% (0.0)</td>
</tr>
</tbody>
</table>

**Note:**
- Land Use: Office, Medical, Recreation
- Driveway: Vehicle Trip Rate
- Cumulative: Vehicle Trip Rate
- Peak Hour and In/Out Ratio: AM (In-Out), PM (Out-In)

*May 2003*
<table>
<thead>
<tr>
<th>LAND USE</th>
<th>DRIVEWAY VEHICLE TRIP RATE</th>
<th>CUMULATIVE VEHICLE TRIP RATE</th>
<th>PEAK HOUR AND INOVT RATIO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Condominium Complex</td>
<td>2 trips/driving unit</td>
<td>2 trips/driving unit</td>
<td>3% (44) 6% (55)</td>
</tr>
<tr>
<td>Mobile Home</td>
<td>2 trips/driving unit</td>
<td>2 trips/driving unit</td>
<td>5% (37) 12% (46)</td>
</tr>
<tr>
<td>Multifamily Dwelling Unit</td>
<td>2 trips/driving unit</td>
<td>2 trips/driving unit</td>
<td>4% (28) 9% (38)</td>
</tr>
<tr>
<td>Over 20 dwelling homes</td>
<td>2 trips/driving unit</td>
<td>2 trips/driving unit</td>
<td>3% (26) 7% (32)</td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>2 trips/driving unit</td>
<td>2 trips/driving unit</td>
<td>2% (16) 4% (24)</td>
</tr>
<tr>
<td>Townhouse Unit</td>
<td>2 trips/driving unit</td>
<td>2 trips/driving unit</td>
<td>1% (6) 2% (10)</td>
</tr>
<tr>
<td><strong>Transportation Facilities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus Depot</td>
<td>25 trips/1,000 sq. ft.</td>
<td>55 trips/3,000 sq. ft.</td>
<td>4% (26) 7% (32)</td>
</tr>
<tr>
<td>Train Station</td>
<td>25 trips/1,000 sq. ft.</td>
<td>55 trips/3,000 sq. ft.</td>
<td>4% (26) 7% (32)</td>
</tr>
<tr>
<td>Toll Plaza</td>
<td>50 trips/1,000 sq. ft.</td>
<td>150 trips/3,000 sq. ft.</td>
<td>1% (6) 2% (10)</td>
</tr>
</tbody>
</table>

**Notes:**

1. From the 1994 Trip Generation Manual, these rates reflect trips that are generated by a site. These rates are used to calculate the total number of trips that impact the project and its immediate vicinity.
2. Does not include trip rates for Cypress Island. See Table 6.
5. Refer to Conceptual Vehicle Trip Rate column for reduced trip rates.
6. LTL = Land Use; LTR = Land Transportation; LPD = Land Use Load; LTR = Land Transportation Load; LTL = Land Use Load. The trip generation is a Regional Shopping Center with 1,000,000 sq. ft. of GGLA is 0.756 LTL (0.20) + 5.02 LTL (0.15) + 0.756 LTR (0.15) + 3.36 LTL (0.25) + 0.756 LTL (0.15) + 0.756 LTR (0.15) + 3.36 LTR (0.25), which is 1,000 trips. The trip generation at a Regional Shopping Center with 1,000,000 sq. ft. of GGLA is 0.756 LTL (0.20) + 5.02 LTL (0.15) + 0.756 LTR (0.15) + 3.36 LTL (0.25) + 0.756 LTL (0.15) + 0.756 LTR (0.15) + 3.36 LTR (0.25) + 0.756 LTL (0.15) + 0.756 LTR (0.15), which is 1,047 trips. See Table 2 for calculated trip generation for selected sizes of Regional Shopping Centers, and Table 3 for calculated trip generation for selected sizes of Commercial Offices. GGLA = Gross Leasable Area. T = trips x GLA or 1,000 square feet.
8. Trips made to a site are Pass By and Cumulative trips. See Appendix A for definitions of these terms. Cumulative rates are used to determine the cumulative-wide impact of a new project.